

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

CITY OF NEW BERLIN

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

JUNE 1997

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (New Berlin Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha and the Cities of New Berlin and Brookfield

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Washington County Courthouse, West Bend, Wisconsin, on the 18th day of June 1997, the Commission did by unanimous vote of all Commissioners present, being 17 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the proposed New Berlin sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Waukesha, Wisconsin, this 19th day of June 1997.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 97-6

RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH WASHINGTON, AND WAUKESHA IN THE STATE OF WISCONSIN (NEW BERLIN SANITARY SEWER SERVICE AREA)

WHEREAS, pursuant to Section 66.945(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and

WHEREAS, at a meeting held on the 7th day of December 1987, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the New Berlin sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 157, Sanitary Sewer Service Area for the City of New Berlin, Waukesha County, Wisconsin, dated November 1987, as amended; and

WHEREAS, by letter dated April 17, 1997, the City of New Berlin requested that the Commission amend the New Berlin sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the City of New Berlin to amend the New Berlin Sanitary Sewer Service Area," attached hereto and made a part hereof, which memorandum concludes that the plan amendment requested by the City of New Berlin is sound and in the public interest; and

WHEREAS, Section 66.945(9) of the Wisconsin Statutes authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

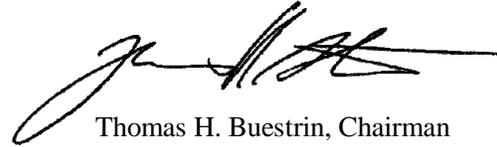
NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 7th day of December 1987 to include the initial refined New Berlin sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 157, be and the same hereby is amended in the manner identified on Map 1 of the aforereferenced SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.

THIRD: That a true, correct, and exact copy of this resolution, together with the aforereferenced SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 18th day of June 1997, the vote being: Ayes 17; Nays 0.

A handwritten signature in black ink, appearing to read 'Thomas H. Buestrin', with a long horizontal flourish extending to the right.

Thomas H. Buestrin, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read 'Philip C. Evenson', written in a cursive style.

Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

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

INTRODUCTION

By letter dated April 17, 1997, the City of New Berlin requested that the Southeastern Wisconsin Regional Planning Commission amend the New Berlin sanitary sewer service area as that area is currently documented in SEWRPC Community Assistance Planning Report No. 157, Sanitary Sewer Service Area for the City of New Berlin, Waukesha County, Wisconsin, dated November 1987, as amended. The basic purpose of the amendment would be to include within the planned New Berlin sewer service area certain lands located in the extreme northwest portion of the City.

BACKGROUND

During the preparation of SEWRPC Community Assistance Planning Report No. 157, a series of public hearings were held to obtain public review of and comment on the proposed sewer service area. At an August 27, 1987, public hearing, a map setting forth a proposed refined delineation of the New Berlin sewer service area, including lands located within the northwestern portion of the City, was presented for public comment and review. A review of the hearing record indicates that many of those who spoke out in opposition to having their lands included within the proposed sewer service area were residents living in the northwestern portion of the City, north of the Union Pacific Railroad right-of-way and west of S. 182nd Street. In consideration of the reaction at the public hearing, the City of New Berlin Common Council adopted a refined and detailed sewer service area for the City, as set forth in SEWRPC Community Assistance Planning Report No. 157, which excluded lands in the northwestern portion of the City.

The City of New Berlin has subsequently reconsidered this matter. By letter dated April 17, 1997, the City requested the Regional Planning Commission to amend SEWRPC Community Assistance Planning Report No. 157 to include within the City's refined sanitary sewer service area certain lands located in the northwestern portion of the City. This decision was based in part upon the results of public information meetings held on August 2, 1994, and July 12, 1995, and upon the results of a survey conducted by the City which indicated that a majority of the residents of this smaller area were in favor of public sanitary sewer service.

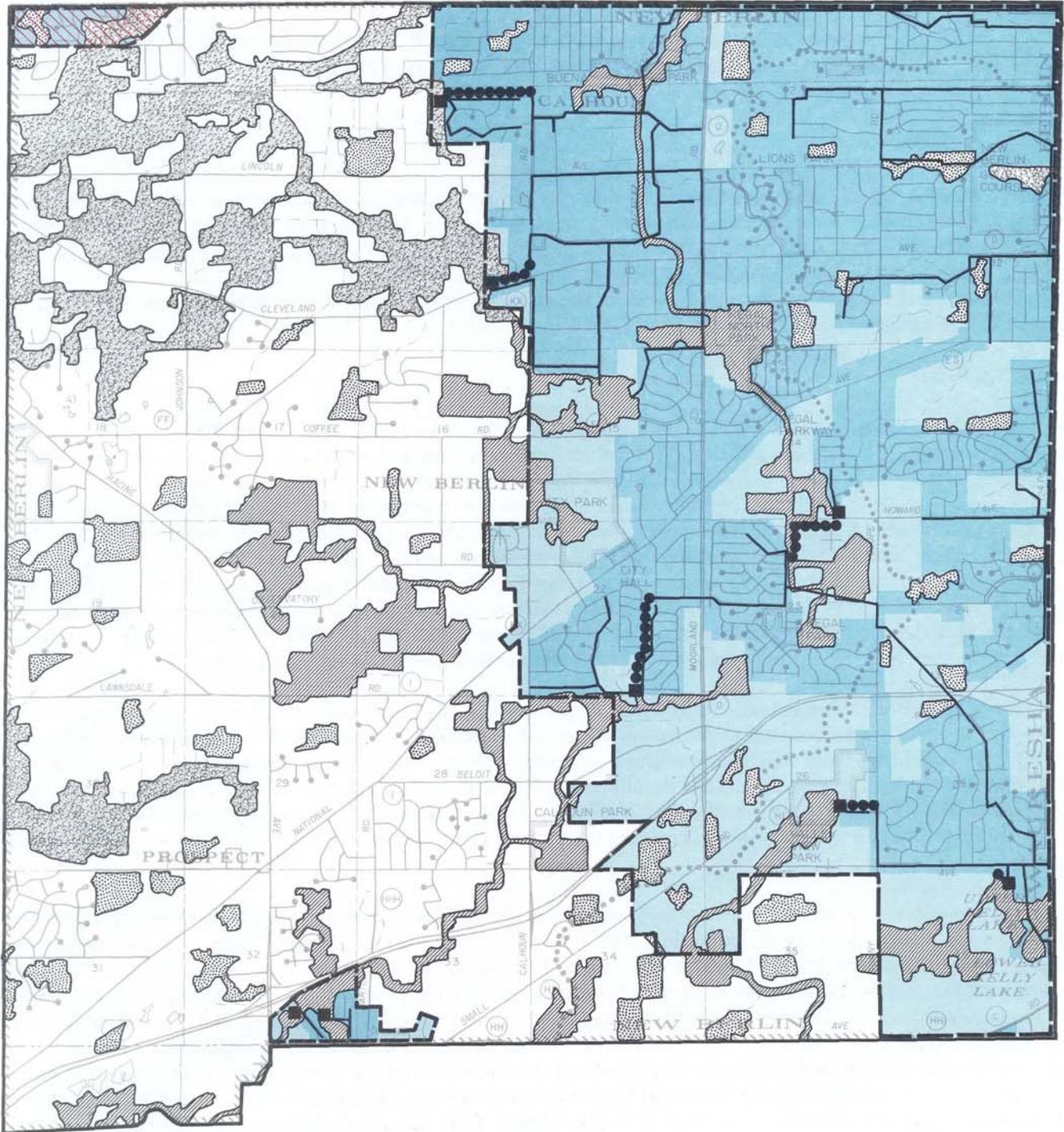
On the basis of long-standing agreements, capacity for the northwestern portion of the City of New Berlin was provided for in the City of Brookfield Fox River Water Pollution Control Center sewage treatment facility. In addition, the Poplar Creek trunk sewer, located in the City and Town of Brookfield, had been constructed for, and had been sized to serve, such lands. At this time, that trunk sewer terminates at about Davidson Road. The trunk sewer was initially planned to extend into New Berlin near the Greenfield Avenue crossing of Poplar Creek. In 1989, the Town of Brookfield extended a 12-inch-diameter gravity sewer from the terminus of the 48-inch-diameter Poplar Creek trunk sewer at Davidson Road southwesterly in an alignment west of, and generally paralleling, Poplar Creek to serve portions of the Westbrooke Addition No. 1 subdivision, south of Davidson Road west of Poplar Creek. That 12-inch-diameter sewer was extended to a point about 350 feet north of the City of New Berlin city limits and specifically included capacity for the area in New Berlin now proposed to be added to the sewer service area. The subject area is proposed to be connected to that 12-inch-diameter sewer. In addition, the City of New Berlin, by resolution dated April 25, 1996, has indicated their support for this addition to the New Berlin sanitary sewer service area.

AREA DESCRIPTION

As shown on Map 1, the area proposed to be added to the City of New Berlin sewer service area encompasses approximately 127 acres, located in the north one-half of U. S. Public Land Survey Section 6, Township 6 North, Range 20 East, City of New Berlin.

Map 1

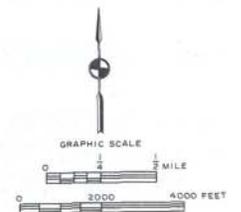
RECOMMENDED REVISION TO THE NEW BERLIN SEWER SERVICE AREA



LEGEND

- | | |
|--|---|
|  PRIMARY ENVIRONMENTAL CORRIDOR |  NET SANITARY SEWER SERVICE AREA (EXISTING) |
|  SECONDARY ENVIRONMENTAL CORRIDOR |  NET SANITARY SEWER SERVICE AREA (2010) |
|  ISOLATED NATURAL AREA |  EXISTING TRUNK SEWER |
|  GROSS SANITARY SEWER SERVICE AREA BOUNDARY |  EXISTING FORCE MAIN |
| |  EXISTING LIFT STATION |
| |  LANDS TO BE ADDED TO THE NEW BERLIN SANITARY SEWER SERVICE AREA |

Source: SEWRPC.



In 1995, about 46 acres, or about 36 percent of the area proposed to be added, encompassed residential land uses and included 56 housing units; about 6 acres, or about 5 percent of the area, encompassed commercial and institutional uses; about 44 acres, or about 35 percent of the area, encompassed primary environmental corridor lands; and about 16 acres, or about 12 percent of the area, encompassed isolated natural resource areas.

The remaining 16 acres, or about 12 percent of the area to be added, consists of vacant lands envisioned to be developed primarily for low-density residential development, consistent with the Waukesha County land use plan, as documented in SEWRPC Community Assistance Planning Report No. 209, A Development Plan for Waukesha County, Wisconsin, dated August 1996.

WATER QUALITY IMPACTS

It is envisioned that all urban lands within the New Berlin sanitary sewer service area, including those planned urban lands located within the subject area, would receive sanitary sewer service. It is also envisioned that all lands identified as primary environmental corridor not be developed for intensive urban use. It is recognized, however, that certain land uses requiring sanitary sewer service could be properly located in the corridors, including park and outdoor recreation facilities, certain institutional uses, and, in some cases, very-low-density residential development, not to exceed one housing unit per five acres of land. Accordingly, assuming proper site development and construction practices, including appropriate soil erosion control practices and compatible development within primary environmental corridors and isolated natural resource areas, or land adjacent to such areas, there should be no significant adverse water quality impacts attributable to the development of the subject area. Furthermore, the provision of public sanitary sewer service to the area proposed to be added to the service area will reduce the pollutant loadings to both the surface and the groundwater systems from the onsite sewage disposal systems currently serving the area. The abandonment of these existing septic tank systems can be expected to have positive water quality impacts.

COST-EFFECTIVENESS ANALYSIS

The lands in question lie immediately adjacent to the currently approved Brookfield sanitary sewer service area. These lands are located in the Poplar Creek subwatershed, which is part of the Fox River watershed. Long-standing plan recommendations include the subject area within the service area attendant to the Fox River Water Pollution Control Center sewage treatment facility. As previously noted, the City of Brookfield has completed the majority of the extension of the Poplar Creek trunk sewer which would convey wastes from the subject area to the sewage treatment facility. Furthermore, a local sewer constructed by the Town of Brookfield from the current terminus of the Poplar Creek trunk sewer southwesterly to within 350 feet of the City of New Berlin city limits was designed to convey flows from the subject area proposed to be added to the sewer service area. In addition, areas currently served with public sewers are north of, and contiguous to, the area proposed to be added to the service area. The nearest other public sanitary sewer area, the City of Waukesha sewer service area, is located approximately 0.7 miles west of the subject lands. The Waukesha sewer system has not been designed to include this subject area.

It should also be noted that the existing homes and onsite sewage disposal systems in the area to be added were constructed in the 1950s and 1960s. The soils in this area are considered to be generally unsuitable for conventional onsite disposal systems; furthermore lot sizes and slopes preclude the use of replacement systems in some places. Thus, onsite systems are not considered a viable long-term means of providing for sewage disposal in this area. Consequently, no further detailed analyses were deemed to be required to conclude that the subject area would be most cost-effectively served by public sewers connected to the Fox River Water Pollution Control Center sewage treatment facility through an existing trunk sewer designed and built to serve the area concerned.

SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS

An expansion and upgrading of the Fox River Water Pollution Control Center sewage treatment facility to the year 2014 is currently under construction. The planned capacity of the expanded and upgraded facility is 12.50 million gallons per day (mgd) on an average flow basis. The current loading to the plant is about 7.50 mgd on an average annual basis. The anticipated sewage flow to be generated in the area proposed to be added to the New Berlin sewer service area is less than 0.03 mgd based upon current population, plus development of vacant lands. Thus, the loading from the subject area is expected to be relatively small when compared to the total and available plant capacity.

LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Common Council of the City of New Berlin adopted the plan amendment on June 12, 1997. The City of Brookfield Sanitary Sewer Board approved the amendment on June 9, 1997.

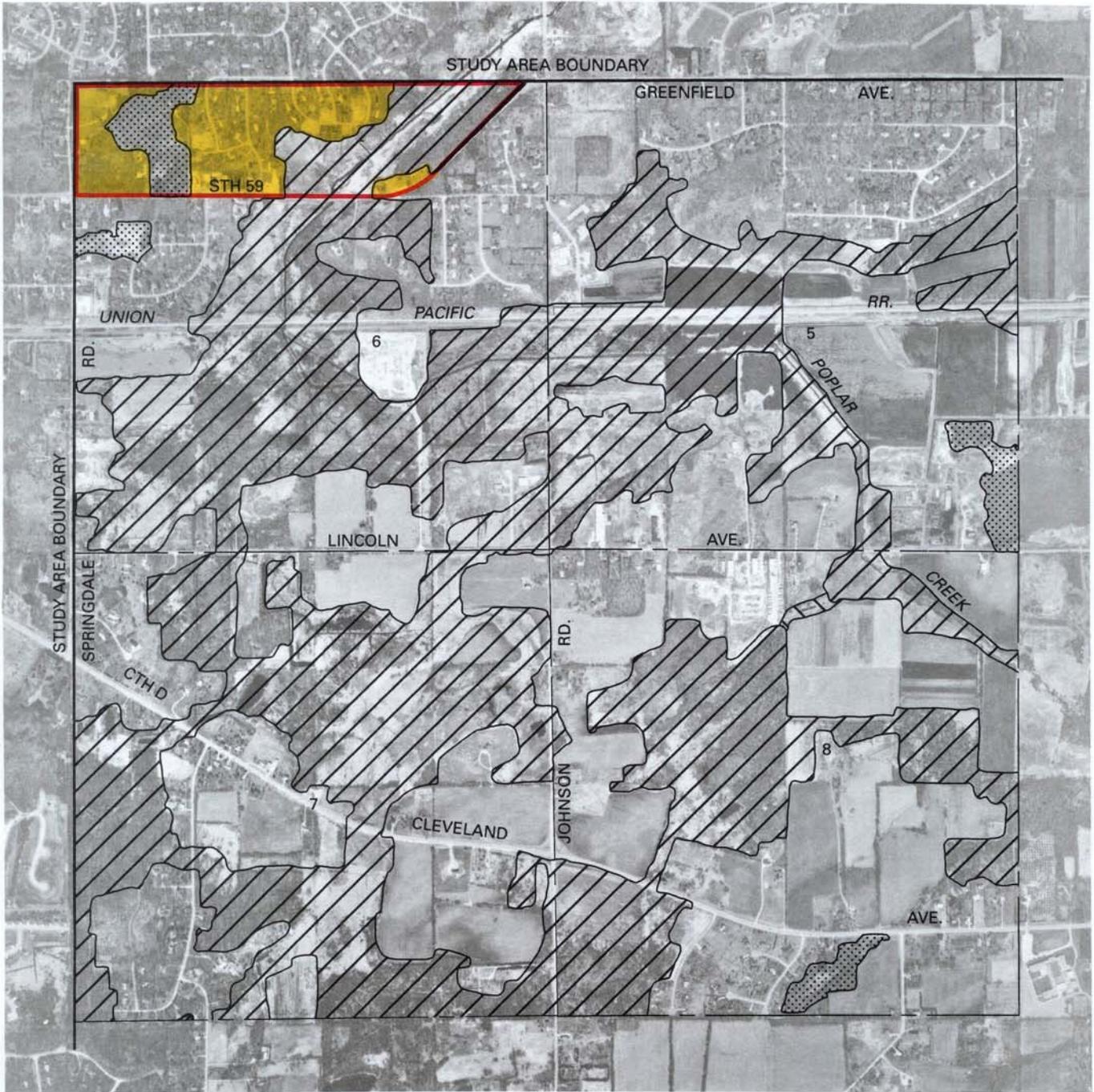
CONCLUDING RECOMMENDATION

Based upon the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the New Berlin sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 157 in the manner identified on Map 1. A more detailed delineation of the revised sewer service area is shown on an aerial photograph reproduced as Map 2.

Map 2

ENVIRONMENTALLY SIGNIFICANT LANDS
FOR THE CITY OF NEW BERLIN

U. S. Public Land Survey Sections 5, 6, 7, and 8
Township 6 North, Range 20 East



LEGEND

- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- PLANNED SANITARY SEWER SERVICE AREA
- GROSS SANITARY SEWER SERVICE AREA BOUNDARY

NOTE: THIS MAP REPLACES MAP 10-1, PAGE 27, SEWRPC COMMUNITY ASSISTANCE PLANNING REPORT NO. 157, SANITARY SEWER SERVICE AREA FOR THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN, DATED NOVEMBER 1987.



Source: SEWRPC.