MARATHON COUNTY METROPOLITAN PLANNING COMMISSION
WATER QUALITY MANAGEMENT
TECHNICAL ADVISORY COMMITTEE

NOVEMBER 14, 2017
1:00 P.M.

Marathon County Mission Statement: Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)

Commission Purpose: The Commission shall be concerned with studies and recommendations relating to activities including but not limited to land-use; natural resources; utilities; and transportation systems within the metropolitan planning area. (Commission Bylaws last updated: 6-12-08)

Commission Members: George Peterson – Vice Chair, Kurt Kluck, Betty Hoenisch, Steve Hagman, Allan Opall, Raynard Zunker, Jeff Weisenberger, James Riehle, Milton Olson, Chris Voll, Barbara J. Ermeling, Brent Jacobson, Kregg Hoehn, Robert Mielke, Russ Habeck - WisDOT NC Regional Director

Technical Advisory Committee: Gaylene Rhoden, Mike Heyroth, Eric Donaldson, Randy Fifrick, Tim Vergara, Keith Donner, Jeff Gates, Mark Thout, Brad Lenz, Rebecca Frisch, Dave Mack, Jeff Pritchard, Darryl Landeau

Agenda Items:

1. CALL TO ORDER AND INTRODUCTIONS;

Policy Discussion and Possible Action:

2. APPROVE MINUTES OF THE SEPTEMBER 12, 2017 MEETING;

3. WAUSAU AREA SEWER SERVICE PLAN UPDATE - LANDEAU;

4. ADJOURN.

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the COUNTY CLERK’S office at 261-1500. For TDD telephone service, call the EMPLOYEE RESOURCES DEPARTMENT at 261-1453.

SIGNED

PRESIDING OFFICER OR DESIGNEE

NOTICE POSTED AT COURTHOUSE:

FAXED TO: Daily Herald 848-9361 City Pages 848-5887 Marshfield News 715-387-4175

FAXED BY: BI Mid-west Radio Group – 848-3158

FAX DATE/TIME: 11/03/2017 3:45 PM

FAXED BY/DATE/TIME: ____________________________
MARATHON COUNTY METROPOLITAN PLANNING COMMISSION
Water Quality Management Technical Advisory Committee
Minutes – September 12, 2017

Members: Rebecca Frisch, Dave Mack, Jeff Pritchard, Darryl Landeau, Mike Heyroth, Brad Lenz, Randy Fifrick, Keith Donner, Tim Vergara, Gaylene Rhoden, Mark Thuot, Eric Lindman, Keith Rusch

Others: Andrew Lynch, Brenda Iczkowski

1. Call to Order.
   The presence of a quorum, the agenda being properly signed and posted, the meeting was called to order at 1:07 p.m. The meeting was held in Room 5, 212 River Drive, Wausau, Wisconsin.

   Action: MOTION / SECOND BY LENZ / FIFRICK TO AMENDED AND APPROVE THE MINUTES OF THE JULY 26, 2017, MEETING AND TO REFLECT THE CORRECTION FROM MIELKE TO GATES AS THE SECOND OF THE MINUTES MOTION. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.

3. Wausau Area Sewer Service Plan (SSA) Update Discussion:
   - Landeau handed out a copy of the Proposed Metro Area Sewer Service Area Plan map and gave an overview of the map and changes with the sewer service area from previous meetings.
   - The second handout was a table with the break down on the allocations of the acreage, mapping errors, adjustments, new data, and updated floodway/wetlands for the area. Wausau SSA added column shows acres added to each community and use of the areas available. A pool concept is created where some of the communities need more acres, i.e., Rib Mountain, where some could did not, like Rothschild or Schofield. The metro sewerage facility was added to the service area map as being part of the SSA.
   - The third handout was a draft of Section 7.0 in the SSA Plan: the goals, objectives, and policies. The consensus of the committee was to accept the additions and corrections to the section discussed and have the Goal 3 redefined for the next meeting.

Action: NONE NEEDED AT THIS TIME.
Follow Through: County staff will work with Landeau to compose more guidance and redefine Goal 3 of Section 7 of the SSA plan.

4. Next Meeting Date:

6. Adjourn.
   There being no further business, MOTION /SECOND BY RHODEN / FIFRICK TO ADJOURN THE MEETING AT 2:16 PM. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE, NO DISSENT.

Submitted by:
Dave Mack, MPO Director
September 15, 2017
DM: BI
SECTION 9.0 SEWER SERVICE AREA PLAN ADMINISTRATION

9.1 INTRODUCTION

As with any planning program, the success of the program depends on if and how it is implemented. The degree to which the program is implemented will often depend not only on the political atmosphere in the planning area, but on the clarity of the implementation guidelines set forth as part of the plan. The purpose of this section is to establish simple, complete guidelines for putting the Plan to use. Specific topics addressed in this section include how the Plan can be amended and by whom, the local review of sewer line extension proposals, and how the Plan will be subject to comprehensive updating processes.

The Marathon County Metropolitan Planning Commission is the locally established water quality planning agency for the Wausau Urban Area. Responsibilities include developing sewer service area plans, responding to amendment requests, and reviewing sewer extensions for conformance with the approved sewer service area plan. The Water Quality Technical Advisory Committee (WQMTAC) was created by the Commission to oversee the Sewer Service Area planning process, and the Marathon County Conservation, Planning and Zoning Department provides the staffing and administrative support for this function.

9.2 AMENDMENT PROCESS

The following sections detail the process to be followed in amending the sewer service area boundary. Amendments provide communities and private developers with the needed flexibility to incorporate unanticipated community growth, additional technical data, changing community trends and continuous public input into the sewer service area planning process. The Marathon County Conservation, Planning & Zoning Department will administer the amendment process and maintain the records of boundary amendments and incorporate those amendments on the service area map and in the text of the Plan during the updating process.

This Plan categorizes amendment requests into three types.

A "Type I Amendment" involves a situation where the service boundary is changed, but the service area's total acreage is not increased. This is often referred to as a "swap-type amendment": for every acre added to the sewer service area, an area of equal size is removed.

A "Type II Amendment" would increase the service area acreage without a corresponding removal or "swap" of acreage out of the service area. The primary justification for a Type II boundary amendment is to accommodate unanticipated new
population or business growth to be served by sanitary sewer beyond what was projected in the Plan.

A "Type III Amendment" or "Limited Service Area" is a special case where sanitary sewer service is needed to accommodate a special or unique facility or institutional use; or areas of existing development experiencing wastewater disposal problems. An area limited to that needed to cover the special use or problem area is added to the sewer service area.

For all types of amendments, the Wisconsin Department of Natural Resources is the final approval authority. After the DNR approves the amendment, the official sewer service area map, as maintained by the Marathon County Conservation, Planning and Zoning Department, is revised to incorporate the amendment.

Plan boundary amendment procedures are detailed below:

1. A petition to add a particular area(s) to the sewer service boundary is filed with the governing body of the town, village, or city in which the area is located or will be located following annexation. The petition should include:
   - A map showing the location of the property;
   - A general development plan for the area to be added, including land use proposals and a preliminary timetable for implementing the development plan; and
   - An indication of the specific service needs of the site such as to eliminate health hazards, provide sewer and water to a proposed subdivision or to mitigate fire protection deficiencies.

2. If a Type I Amendment is proposed, the community receiving the petition identifies an area of greater or equal size to be removed from the sewer service area to compensate for the area to be added (the swap-type amendment).

3. The governing body refers the petition to the local plan commission for review, public hearing, and recommendation.

4. A Class 1 notice of public hearing is published in the newspaper used by the community for this purpose. The public hearing notice identifies the location of the area proposed to be added to the sewer service boundary as well as the area to be removed from the sewer service boundary.

   A copy of the public hearing notice should be sent to the owners of property proposed to be added to and removed from the sewer service area and to the clerk of the community in which the properties are located, if different from the community holding the public hearing.
In addition, a copy of the public hearing notice is sent to the director of the Marathon County Conservation, Planning and Zoning Department and the clerk of the following communities: City of Mosinee, City of Wausau, City of Schofield, Village of Kronenwetter, Village of Maine, Village of Rothschild, Village of Weston and the Town of Rib Mountain.

Notice is also sent to the manager of the waste water treatment plant that is anticipated to receive the waste generated from the area proposed to be added to the sewer service boundary.

5. The local plan commission holds a public hearing on the proposed amendment and formulates a recommendation regarding the amendment. In developing a recommendation, the plan commission should consider:

- Testimony received at the public hearing;
- Comments from other local communities and staff of the Marathon County Conservation, Planning and Zoning Department;
- Information on the impact the amendment would have on sewer line and treatment plant capacity, water supply facilities and other needed services;
- Conformance with community plans, especially the community’s comprehensive plan;
- Development trends in the area;
- Features of the physical environment; and
- General conformance with the current Update of the Wausau Urban Area Sewer Service Plan.

A record of the public hearing proceedings and testimony shall be kept by the local plan commission.

6. Following the public hearing, the recommendation of the plan commission is submitted to the governing body for review and action.

7. The governing body reviews the petition, public record on the proposed amendment and plan commission recommendation and takes final action on the proposed amendment. If the amendment is not approved by the governing body, the amendment process terminates.

8. Amendments approved by the local governing body shall then be submitted to the Marathon County Conservation, Planning and Zoning Department for review and recommendation by staff, the Water Quality Management Technical Advisory Committee (TAC) of the Marathon County Metropolitan Planning Commission and finally by the Marathon County Metropolitan Planning Commission.

For each amendment submitted to the Conservation, Planning and Zoning Department, the following information shall be provided for the area proposed to be added to the sewer service boundary and also for any area proposed to be removed
from the sewer service boundary. This information shall be provided by the community requesting the amendment and is not the responsibility of the Conservation, Planning and Zoning Department to assemble.

**Information to Provide for All Proposed Sewer Service Area Amendments:**

A. Applicant Community.
B. Title of Proposed Amendment (Number sequentially for the particular community.)
C. Location(s) of Amendment.
   1. County:
   2. Township:
   3. Section(s):
   4. Political Town(s):
   5. Area Added and/or Deleted (in acres):
   6. Total Size of Service Area (in acres):
D. A map showing the proposed amendment areas, including the addition and deletion areas.
E. A map showing existing and projected land use in the amendment area.
F. Discussion addressing the consistency of the proposed amendment with local plans.
G. Summary description of proposed amendment (brief overview, including purpose, need).
H. Population projection for the amendment area(s) (estimated present and 20-year projected).
I. Projected wastewater flow, organic loading and source (i.e. residential, industrial, commercial, etc.) of wastewater from the amendment area. *Also provide name of receiving wastewater facility and a letter from the wastewater facility concurring with the amendment.*
J. Public water supply and system analysis (impact of amendment on the community’s drinking water supply and water distribution facilities).
K. Existing environment (location and acreage of wetlands, type and distribution of soils, location of natural and scientific areas, identification of endangered/threatened species, historical and archeological sites).
L. Delineation of sewer service area and designation of environmentally sensitive lands (provide map and brief description of criteria used to delineate and designate these areas).
M. Evaluation of plan alternatives (i.e. no action, rerouting sewers, staging, etc.) and their impact on the existing environment (with reference to items in H above).
N. Controversies and conflicts concerning proposed amendment (including local zoning, plans or policy of local, regional, state, or federal government).
O. Public hearing and amendment approval information (date of hearing, minutes, letters or comments received, date of amendment approval, resolution of governing body).
9. **Additional Criteria for Limited Service Areas**: A Type III Amendment is intended to accommodate a Limited Service Area, or LSA, where only one or a few urban services, such as sanitary sewer service, are provided to accommodate special or unique facilities or institutional uses which are appropriately located outside urban service areas, or areas of existing development experiencing wastewater disposal or water supply problems. Types of Limited Service Areas include:

- Special Facilities: including, but not limited to, landfills, park, recreational, and tourist facilities such as park shelters, golf course clubhouses, etc.
- Institutional Uses: including, but not limited to, schools, correctional facilities, etc.
- Existing Development: existing residential or commercial development experiencing wastewater disposal or water supply problems. Existing development means development existing in the local unit of government on the date the application for Limited Service Area establishment or expansion is submitted.

An application for establishment or expansion of a Limited Service Area must follow the same procedures as other types of amendments and identify how the proposal meets the applicable criteria outlined below:

**Criteria for Establishing a Limited Service Area**

**A. Special Facilities and Institutional Uses**
1. The LSA should be limited to the area needed for use/service;
2. Evaluation of alternative means of providing needed services, including cost effectiveness analyses;
3. Documented agreement from the agencies which will be providing the service(s);
4. If establishment or expansion of an LSA is proposed within one-half mile of the existing sewer service area, a discussion and evaluation of the feasibility of including the proposed LSA in the service area must be submitted.

**B. Existing Development**
1. Addressed in and consistent with the local comprehensive plan;
2. The LSA should be limited to existing development including infill;
3. Infill should be limited to vacant lots or parcels contiguous to existing development or permanent open space, or a combination thereof, on at least two sides; and immediately adjacent to and having direct access to sanitary sewer and existing public streets or roads. Any area proposed for infill must contribute to the solution of the stated water quality problem and must be consistent with resolution of the problem as defined in the application for creation of the LSA;
4. Documentation of existing and reasonably anticipated on-site wastewater or water supply problems;
5. Evaluation of alternative means of providing needed services, including cost effectiveness analyses;
6. Documented agreement from the agencies which will be providing the service(s); and
7. If establishment or expansion of an LSA is proposed within one-half mile of the existing sewer service area, a discussion and evaluation of the feasibility of including the proposed LSA in the service must be submitted.

**Criteria for Expansion of a Limited Service Area**

**A. Special Facilities**
1. Proposals to expand the original use or facility will be evaluated, using the same criteria as for establishing the service area. Economic development of an existing facility is not an acceptable criterion for expansion of an LSA. The intent of an LSA is not to support economic expansion.

**B. Institutional Uses**
1. Proposals to expand the original use or facility will be evaluated, using the same criteria as for establishing the area. These same criteria apply to expanding the area to include related but different uses.

**C. Existing Development**
Proposals to expand a Limited Service Area which was established to serve existing development may be considered if the following criteria are met:
1. The local comprehensive plan must address the expansion area.
2. The additional development should be consistent with the goals and objectives of the local government's comprehensive plan.

10. The staff of the Marathon County Conservation, Planning and Zoning Department convenes a meeting of the Water Quality Management Technical Advisory Committee (TAC) of the Marathon County Metropolitan Planning Commission and presents its recommendation.

The TAC shall formulate a recommendation regarding the proposed amendment and provide the DNR with a recommendation to either approve, disapprove, or approve the amendment conditionally based upon a majority vote of the communities represented at the meeting where the amendment is reviewed. For purposes of making these recommendations, each of the following communities shall have one vote at the technical advisory meetings called for this purpose: City of Mosinee, City of Schofield, City of Wausau, Village of Kronenwetter, Village of Maine, Village of Rothschild, Village of Weston and the Town of Rib Mountain. The recommended action requires a majority vote of the communities represented at the meeting. (For example, if only three communities are represented at a meeting for this purpose, support for an action by only two of the communities would carry.)
11. The Department of Natural Resources should approve the amendment and certify the applicable Water Quality Management Plan within approximately 45 days after receipt of the amendment request, unless the Department determines that an environmental assessment (EA) is required in accordance with ch. NR 150, Wis. Adm. Code. If an EA is required, the DNR review period may extend to approximately three months or more. An EA is normally required if the amendment proposal delineates an area of over 1,000 acres that may be served by sewer, or if it may result in the sewered area increasing by more than 5% per year. The DNR may require an EA under any project circumstances if they determine the proposal has the potential to cause significant environmental effects and may involve unresolved conflicts in the use of available resources.

12. Appeals: Any person aggrieved by a Department of Natural Resources water quality management plan decision has the right to file a judicial appeal of 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 appeal is the DNR.

9.3 SANITARY SEWER EXTENSION REVIEWS AND CONFORMANCE LETTERS

A primary function of this planning process is to ensure that any sanitary sewers installed within the Wausau Urban Area are also located within the approved sewer service boundary. All local reviews are performed by staff of the Marathon County Conservation, Planning and Zoning Department. The procedures for local sewer extension submittal, review and approval are as follows:

1. Agency proposing the sewer extension identifies in a letter to the Conservation, Planning and Zoning Department the project by name, location, owner or agent for owner (if any) and design engineer.

2. A detailed sewer extension plan map is also provided. This map indicates the location of the sewer service area, the termini of existing sanitary sewers and the exact route and size of the proposed sewer extensions. All environmentally sensitive areas within and near the proposed extension must also be shown on this map. The project location should also be identified by Town, Range, and Section. An estimate of the total number of acres of service area (excluding environmentally sensitive areas) that will be served by the extension should be provided along with the number of probable residential building lots likely to be served by the project. All general land use types to be served by the project should also be listed.

3. Indicate whether the proposed sewer extension is located within the current sewer service area boundary as established as a result of the approval of this updated plan and any subsequent amendment thereto.
4. If the proposed sewer extension is located within the approved sewer service area, staff of the Marathon County Conservation, Planning and Zoning Department will provide a letter to the applicant so stating. It is understood that sanitary sewers are generally allowed to extend through environmentally sensitive areas, which are located outside of the sewer service boundary. Sewer lateral connections, however, are not allowed to be made to the portion of the sewer pipe that is within any environmentally sensitive area. This prohibition provides some assurance that environmentally sensitive areas will not be developed as a result of the extension of the community’s sewer service.

5. Denial of a request for a Conformance Letter by the Conservation, Planning and Zoning Department may be appealed by the applicant to the Wisconsin Department of Natural Resources.

9.4 SEWER SERVICE AREA PLAN UPDATES

At a minimum of a 5 year basis as required by NR 121.08 (2)(a), the information contained within the plan will be reviewed and compared with updated information, including but not limited to the following in accordance with NR 121.05(1)(g)2.b:

- Population projections developed by the Wisconsin Department of Administration
- Official Wisconsin population estimates
- Locally observed land use trends
- Density standards
- Other information as available

If review and comparison of the above information warrants an update, the Water Quality Technical Advisory Committee (WQMTAC) will recommend the initiation of an update to the Wausau Urban Area Sewer Service Plan to the Marathon County Metropolitan Planning Commission.