



210 Martin Luther King Jr. Blvd. Room 362 Madison, WI 53703 Phone: 608-266-4137 Fax: 608-266-9117 www.CapitalAreaRPC.org info@CapitalAreaRPC.org

February 26, 2016

Mr. Tim Asplund  
Wisconsin Department of Natural Resources  
101 S. Webster, WT/3  
Madison, WI 53707

RE: Recommended Amendment to the *Dane County Water Quality Plan*, Revising the Central Urban Service Area Boundary in the City of Middleton

Dear Mr. Asplund:

We are submitting a proposed amendment to the *Dane County Water Quality Plan*, revising the Central Urban Service Area boundary in the City of Middleton for Department review and approval. The Capital Area Regional Planning Commission adopted Resolution CARPC No. 2016-03 at its February, 2016 meeting. This resolution recommends approval based on the land uses and services proposed and the conditions of approval indicated in the adopting Resolution.

Enclosed, please find a copy of the following items, which supplement previously submitted materials: (1) CARPC staff analysis of the proposed amendment dated January 12, 2016; (2) Public Hearing Notice, dated February 11<sup>th</sup>, 2016; (3) CARPC February Meeting agenda; (4) Signed Resolution CARPC No. 2016-03.; AND (5) A copy of the DRAFT minutes of the February 11<sup>th</sup> meeting.

We appreciate your review of this amendment to the *Dane County Water Quality Plan*. If you have questions or need additional information or assistance in reviewing this amendment, please do not hesitate to contact me at 266-4593.

Sincerely,

Stephen Steinhoff, AICP  
Deputy Director, and Director of Community and Regional Development Planning

cc:

Kurt Sonnentag, Mayor, City of Middleton  
Eileen Kelly, Director, City of Middleton Planning  
Bill Kolar, Chair, Town of Middleton  
David Shaw, Administrator, Town of Middleton  
Paul Soglin, Mayor, City of Madison  
Sharon Corrigan, Chair, Dane County Board  
Paul Nelson, Supervisor, District 9, Dane County Board  
Dave Ripp, Supervisor, District 29, Dane County Board

cc/enc.:

Lisa Helmuth, WDNR Statewide WQM Planning Coordinator  
Josie Lathrop, WDNR Statewide SSA Program Staff



**Staff Analysis of Proposed Amendment to the  
Dane County Land Use and Transportation Plan and Dane County Water Quality  
Plan, Revising the Central Urban Service Area Boundary  
in the City of Middleton (“Gerfen”)**

**1) Existing Conditions**

**a) Land Use**

The current land uses within the amendment area are single-family residential (3.5 acres) and right-of-way (0.6 acres). Land on the site was recently annexed into the City of Middleton from the Town of Middleton. The site is adjacent to the Central Urban Service Area to the south and east. The proposal is for a multi-family structure containing 92 rental units, 129 underground parking stalls, and 33 above ground parking stalls. Surrounding land uses include:

- North—Middleton municipal golf course (Pleasant View Golf Course)
- South—Single- and multi-family residential
- West—Single-Family residential (rural; Town of Middleton)
- East—Commercial (business park)

Land Use	Existing (Acres)	Proposed (Acres)	Env. Corridor (Acres)
Single-Family Residential	3.5	3.1	
Multi-Family Residential			
ROW	0.6	1.0	
<b>TOTAL</b>	<b>4.1</b>	<b>4.1</b>	

**b) Cultural and Historic Sites**

There are no previously recorded archeological sites or cemeteries within the requested addition. The nearest reported site is 1/8 mile to the northwest. Given the lack of other cultural resources in the vicinity, the site terrain, and distance from a water body, the potential for significant resources is low.

**c) Transportation System**

The major roadways serving the amendment area are N. Pleasant View Road, a two-lane north-south principal arterial, and Blackhawk Road, a two-lane east-west collector. Greenway Blvd., a four-lane east-west minor arterial, is located approximately 850 feet northeast of the amendment area. Old Sauk Road, an east-west minor arterial with varying lane configurations, is located one-half mile to the south.

Fixed-route bus service is currently available less than one-half mile east of the amendment area along Deming Way in the Old Sauk Trails Business Park. Route 73 provides weekday bus service between Greenway Station and the West Transfer Point every 30 minutes during peak periods and hourly off peak. Route 15 provides service to/from downtown Madison during weekday commute times every 30 minutes. The service is designed to serve reverse commute trips to the business park. On weekends, Route 68 serves Excelsior Drive and Heartland Trail, about one-half mile away. The Madison Area Transportation Planning Board’s (MATPB) Rideshare Etc. program provides ride-matching services for individuals interested in car- or vanpooling. Dane County provides limited specialized group-ride services for seniors and people with disabilities to nutrition sites, senior center activities, adult day care, and shopping.

The section of N. Pleasant View Road within the amendment area currently has a rural cross-section without paved shoulders and sidewalks. It has a poor bicycle level of service (LOS) of D due to the relatively high traffic volumes and lack of bike facilities. The segment of Blackhawk Road abutting the amendment area has a rural cross-section with a paved shoulder on the north half of the right-of-way and an urban cross-section with a 5-foot bike lane and sidewalk on the south half of the right-of-way. It has an A/B bicycle LOS. Blackhawk Road, east of Pleasant View Road, and Deming Way, a north-south roadway a little further east, both have striped bike lanes and sidewalks. The through residential streets in the Blackhawk neighborhood immediately south of the amendment area have sidewalks.

#### ***d) Natural Resources***

The proposed amendment area is located in the Pheasant Branch Creek subwatershed of the Six Mile / Pheasant Branch Creek Basin which contributes to Lake Mendota (see Map 5). Wastewater from the City of Middleton is treated at the Madison Metropolitan Sewerage District treatment plant and the treated effluent is discharged to a ditch to the Oregon Branch of Badfish Creek. There are no wetlands, waterbodies, woodlands, hydric soils, or floodplains located within the amendment area.

##### Pheasant Branch

Stormwater management practices in the amendment area will ultimately discharge to an unnamed intermittent tributary to Pheasant Branch. The existing biological use of the first mile of Pheasant Branch upstream of Lake Mendota is classified a warmwater sport fishery. For the next eight miles upstream Pheasant Branch is classified as a limited forage fishery. Both segments of Pheasant Branch are included on the state 303d list of impaired waters for degraded habitat, low dissolved oxygen, and chronic aquatic toxicity. Pollutants of concern are sediment / total suspended solids, phosphorus, and chloride. Total Maximum Daily Loads (TMDLs) have been established for total phosphorus and total suspended solids in Pheasant Branch as part of the Rock River Basin TMDL report.

Groundwater modeling, using the regional groundwater model developed by the Wisconsin Geological and Natural History Survey, shows that baseflow in the Pheasant Branch has decreased from 2.85 cfs during predevelopment (no water well pumping) conditions to 1.19 cfs in 2010 due to the cumulative effects of water well withdrawals in the groundwater-shed.

##### Lake Mendota

Lake Mendota is the largest of the Yahara lakes with an average surface area of 9,842 acres. The Lake Mendota watershed is approximately 232 square miles (148,750 acres), including 17,750 acres in Columbia County. The lake levels for the Yahara Chain of Lakes, (Mendota, Monona, Waubesa and Kegonsa) are managed by Dane County as set forth in the lake level orders established in 1979 by the WDNR. The orders require lake level coordination of the entire chain of lakes as a system, including the City of Stoughton dam. The target maximum water level for Lake Mendota is 850.10 feet and the 100-yr flood elevation is 852.8 feet. The target minimum water level for Lake Mendota is 849.6 feet from the first spring runoff occurring after March 1st until October 30th and 848.2 feet the rest of the year. According to Dane County data, between 2014 and 2015, the maximum water level in Lake Mendota was 850.90, and the target maximum was exceeded 13% of the time. Therefore the control of the volume of stormwater runoff is an important management practice in this watershed.

Lake Mendota is on the state 303d list of impaired waters for total phosphorus from nonpoint source pollution and contaminated fish tissue due to historical PCB pollution. Several of Lake Mendota's beaches, including Spring Harbor, are on the 303d list for pathogens E. coli. Total Maximum Daily Loads (TMDLs) have been established for total phosphorus in Lake Mendota as part of the Rock River Basin TMDL report.

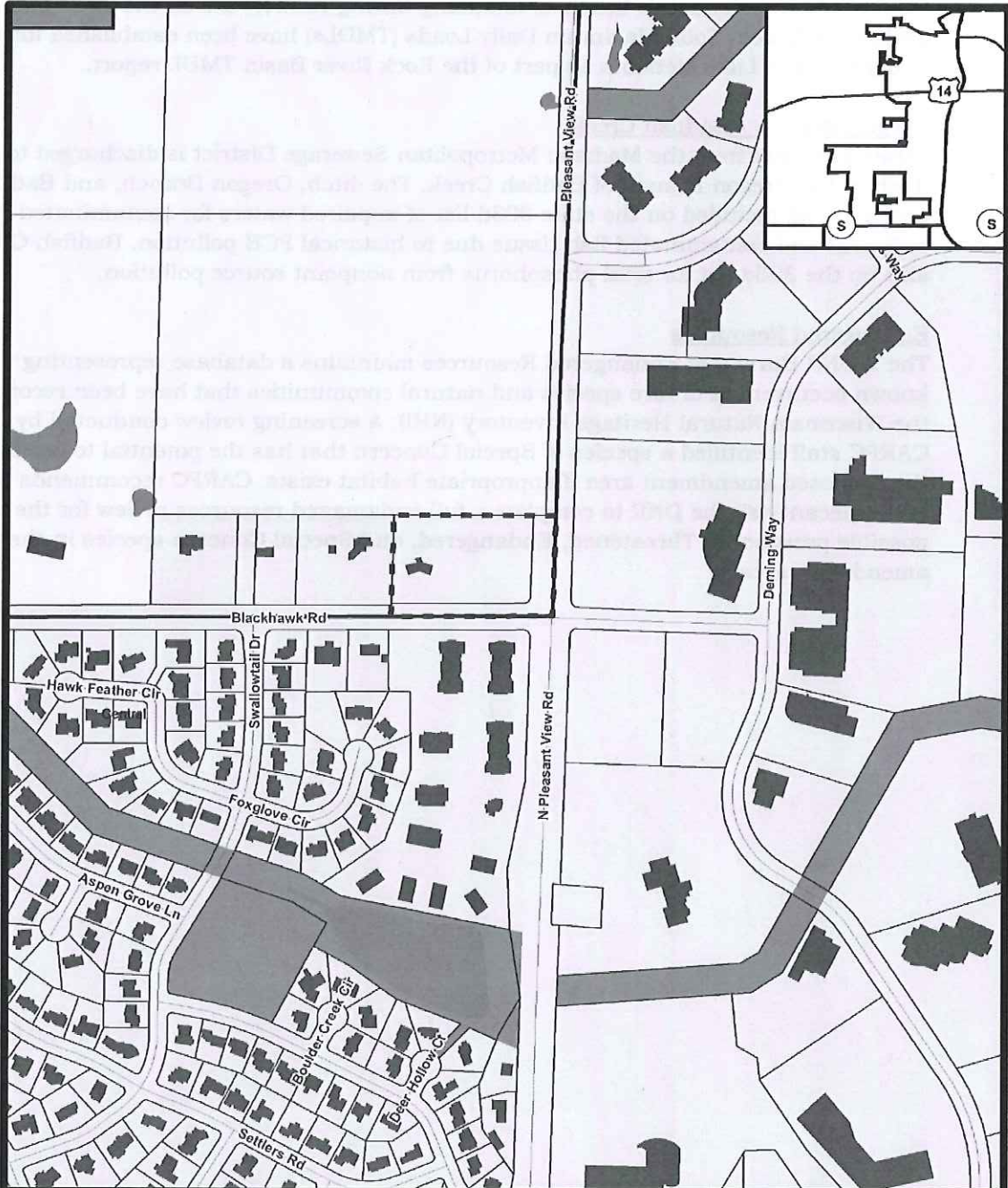
Oregon Branch / Badfish Creek

Treated effluent from the Madison Metropolitan Sewerage District is discharged to a ditch to the Oregon Branch of Badfish Creek. The ditch, Oregon Branch, and Badfish Creek are all included on the state 303d list of impaired waters for contaminated sediment and contaminated fish tissue due to historical PCB pollution. Badfish Creek is also on the 303d list for total phosphorus from nonpoint source pollution.

Endangered Resources

The WDNR Bureau of Endangered Resources maintains a database representing the known occurrences of rare species and natural communities that have been recorded in the Wisconsin Natural Heritage Inventory (NHI). A screening review conducted by CARPC staff identified a species of Special Concern that has the potential to occur in the proposed amendment area if appropriate habitat exists. CARPC recommends that the applicant ask the DNR to complete a full endangered resources review for the possible presence of Threatened, Endangered, and Special Concern species in the amendment area.

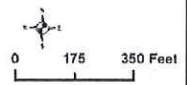
Map 1 - Amendment Area



**Map 1 Amendment Area**  
11 Jan. 2016

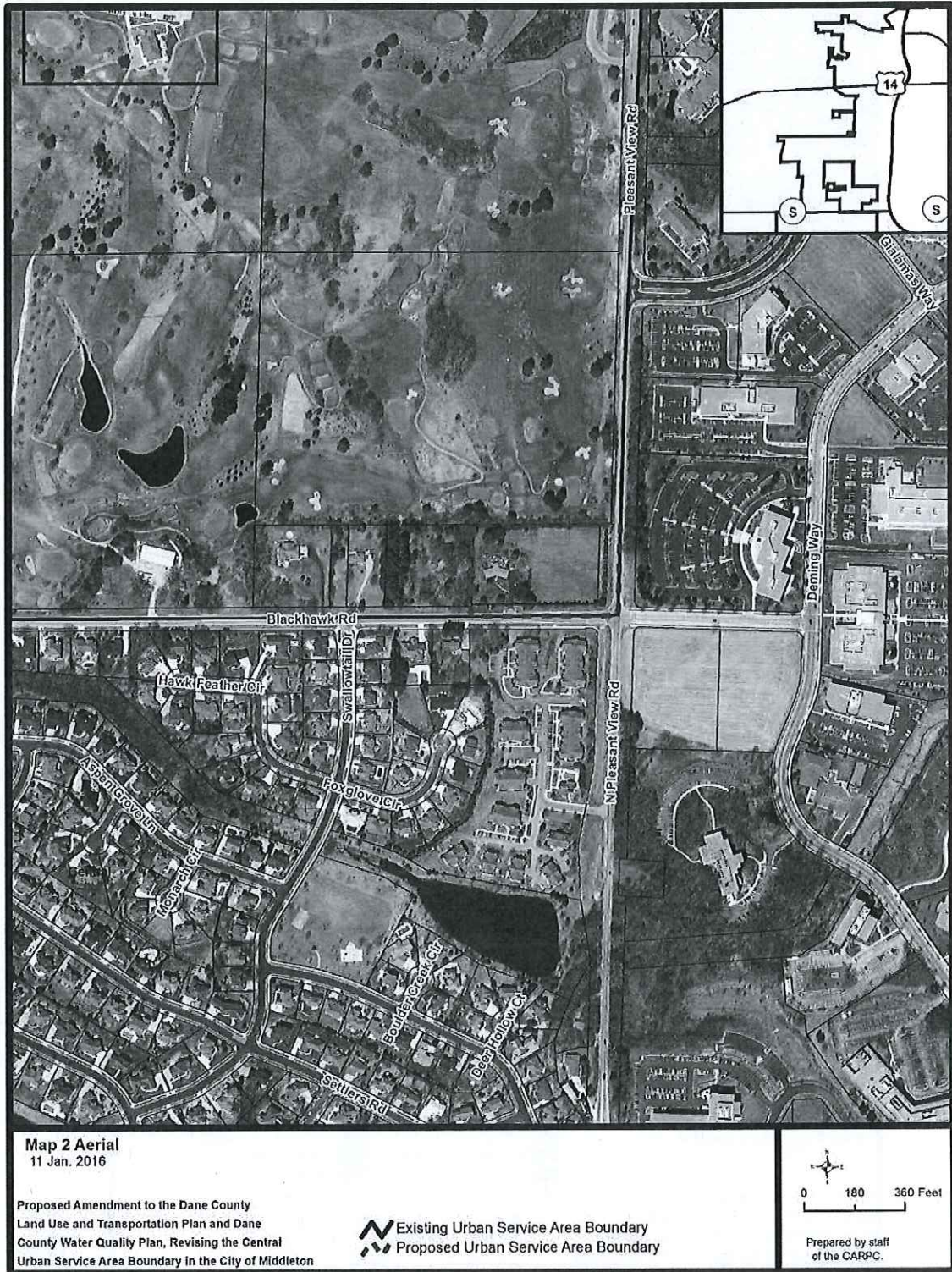
Proposed Amendment to the Dane County  
Land Use and Transportation Plan and Dane  
County Water Quality Plan, Revising the Central  
Urban Service Area Boundary in the City of Middleton

 Existing Urban Service Area Boundary  
 Proposed Urban Service Area Boundary

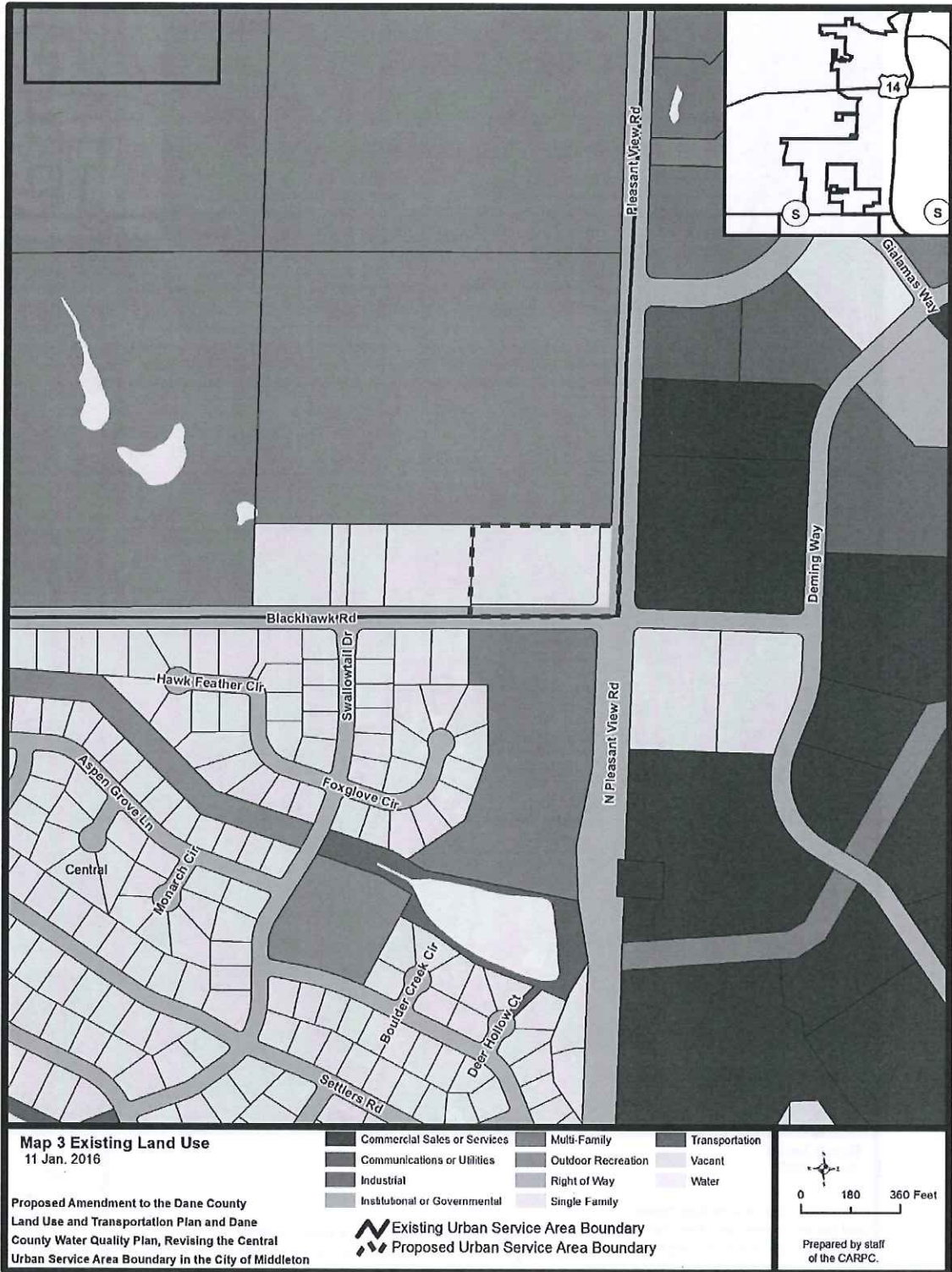


Prepared by staff  
of the CARPC.

Map 2 - Aerial

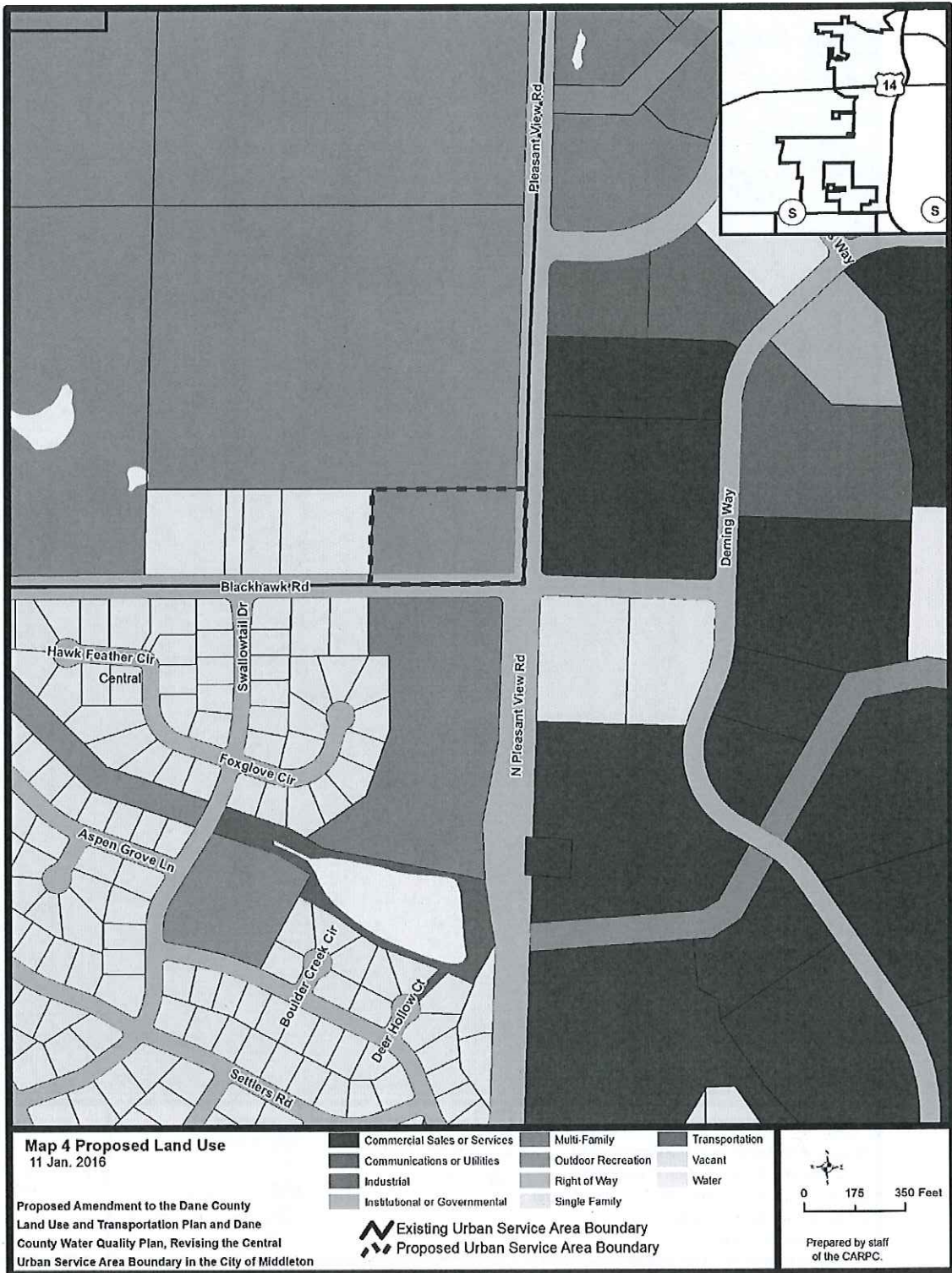


Map 3 - Land Use

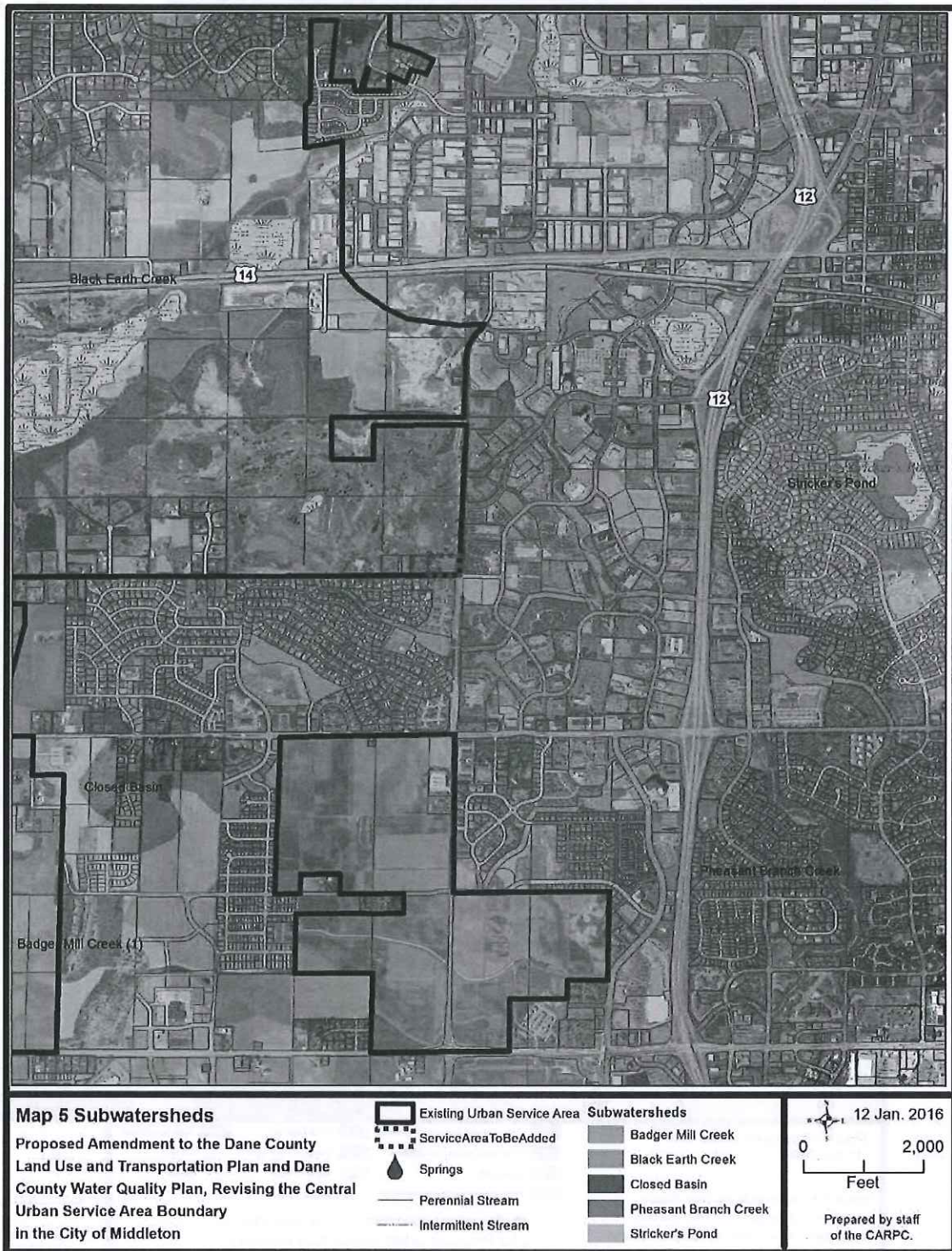




Map 4 – Proposed Land Use



Map 5 - Subwatershed Map



### Soils and Geology

The amendment area is located in the West Johnstown - Milton Moraines. The Land Type Associations of Wisconsin classifies the surficial geology of this area as a rolling hummocky moraine and outwash plain complex with scattered bedrock knolls. Surface elevations in the amendment area range from around 1018 feet to 1052 feet. There is a small area of steep slopes, not associated with water resources, in the amendment area (see Map 6).

According to the Natural Resource Conservation Service (NRCS) Soil Survey of Dane County, the soils in the amendment area are in the Dodge - St. Charles - McHenry association. These soils are well drained to moderately well drained, deep silt loams. Table 2 shows detailed classification for soils in the amendment area (see Map 7). Table 3 shows important soil characteristics for the amendment area (see Map 7).

According to Wisconsin Geological and Natural History Survey mapping, the bedrock in the majority of the amendment area is in the Prairie du Chien Group, which is dolomite with minor sandstone and cherty dolomite. It contains small cavities, is sandy, and contains sand-sized carbonate particles that have concentric rings of calcium carbonate. It consists of two formations, the Shakopee and the Oneota. It varies in thickness from 145 feet (44 m) in eastern Dane County to 220 feet (67 m) in western Dane County. The bedrock in the southeastern third of the amendment area is in the Trempealeau Group, which is quartz sandstone, dolomitic siltstone, silty dolomite, and sandy dolomite. It consists of two formations, the Jordan and the underlying St. Lawrence, which were combined as one mapping unit. Thickness is about 75 feet (23 m) where not eroded. The depth to bedrock is 5 to 50 feet throughout the majority of the amendment area. The depth to bedrock is 50 to 100 feet in the southeast corner of the amendment area.

As is common throughout much of the upper Midwest, karst features such as enlarged bedrock fractures are prevalent in the local dolomite uplands. The location of karst features are difficult to predict, and the thickness of the overlying clay soil greatly affects how much water drains into them. Where clay soils are thick, stormwater infiltration rates are likely to be very low. Where bedrock fractures are near the surface, however, infiltration rates can be very high and, without adequate protection measures being taken, can lead to potential groundwater contamination. Based on the WGNHS Karst Potential map the amendment is within an area where the depth to bedrock over potential karst units is 0 to 100 feet.

**Table 2**  
**Soils Classification**

Soil	% of Area	General Characteristics
<i>Kidder Loam; KdC2</i>	4.9	Deep, well drained, gently sloping to very steep soils on glaciated uplands. Soils have medium fertility, moderate permeability, and a severe hazard of erosion. Poses moderate limitations for development due to steep slopes.
<i>Kidder Soils; KrD2</i>	14.6	Deep, well drained, gently sloping to very steep soils on glaciated uplands. Soils have medium fertility, moderate permeability, and a very severe hazard of erosion and are moderately droughty. Poses severe limitations for development due to steep slopes.
<i>St. Charles Silt Loam; ScB, ScC2</i>	80.5	Deep, well drained, sloping soils to moderately steep soils on glaciated uplands. Soils have high fertility, moderate permeability, and a moderate to severe hazard of erosion. Poses moderate limitations for development due to shrink/swell potential and low bearing capacity.

Source: Soil Survey Geographic data for Dane County developed by the USDA Natural Resources Conservation Service

**Table 3**  
**Soils Characteristics**

Characteristic	Soil Map Symbols (see Map 7)	% of Area
Prime Agricultural Soils	ScB	12.2
Hydric Soils (Indicates Potential / Restorable Wetlands)	None	0
Soils with Seasonal High Water Table (< 5')	None	0
Soils Associated with Steep Slopes (> 12%)	KrD2	14.6
Soils Associated with Shallow Bedrock (< 5')	None	0
Poorly Drained Soils	None	0
Best Potential for High Rates of Infiltration in Subsoils	None	0

Source: Soil Survey Geographic data for Dane County developed by the USDA Natural Resources Conservation Service

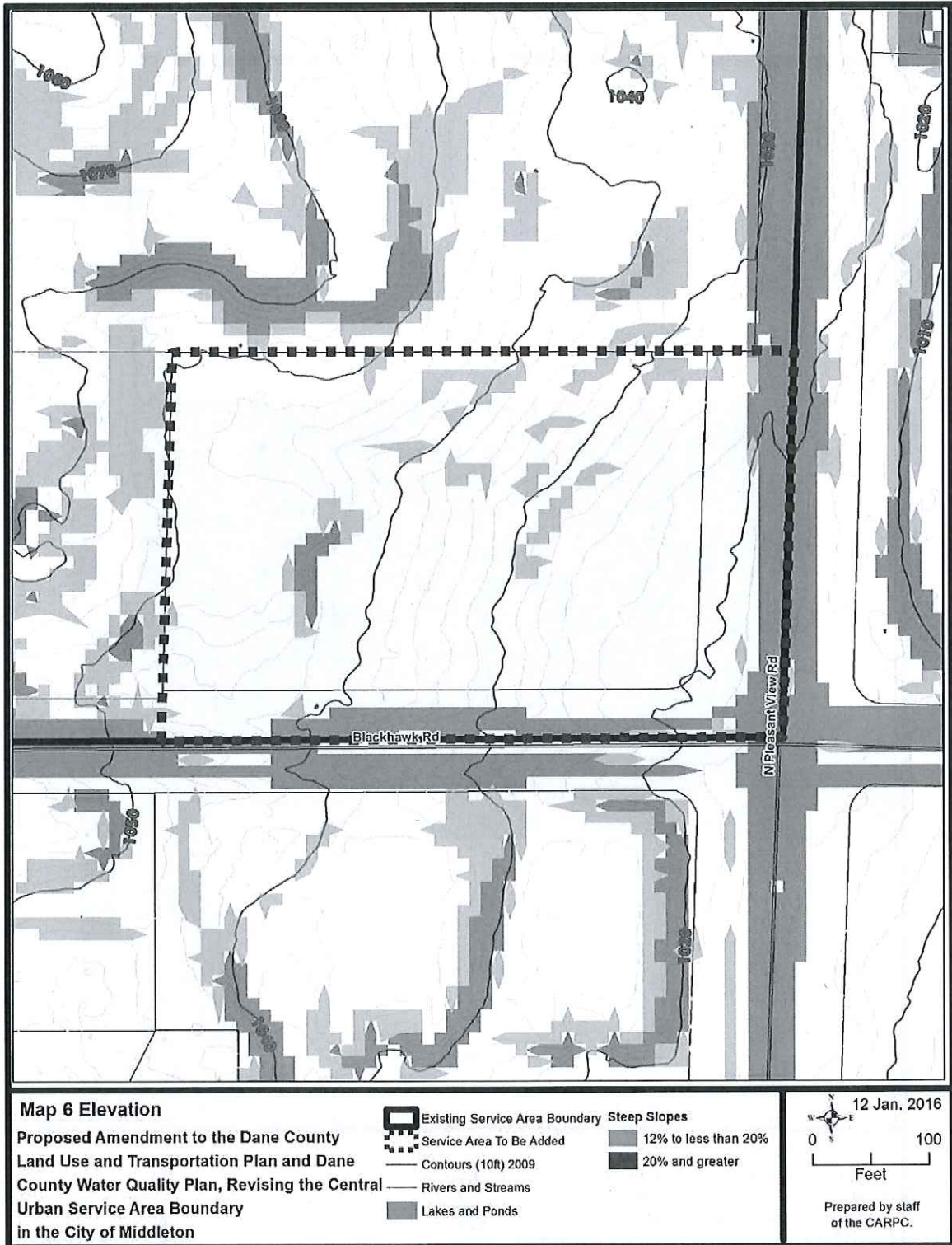
Groundwater Recharge

There are no areas with seasonal high water table within 5 feet of the land surface based on NRCS soil survey data. The site does not have the potential for a seasonal high water table within 5 feet of the surface that would limit infiltration these in areas to roof runoff or stormwater management practices using engineered soil with at least 10% fines.

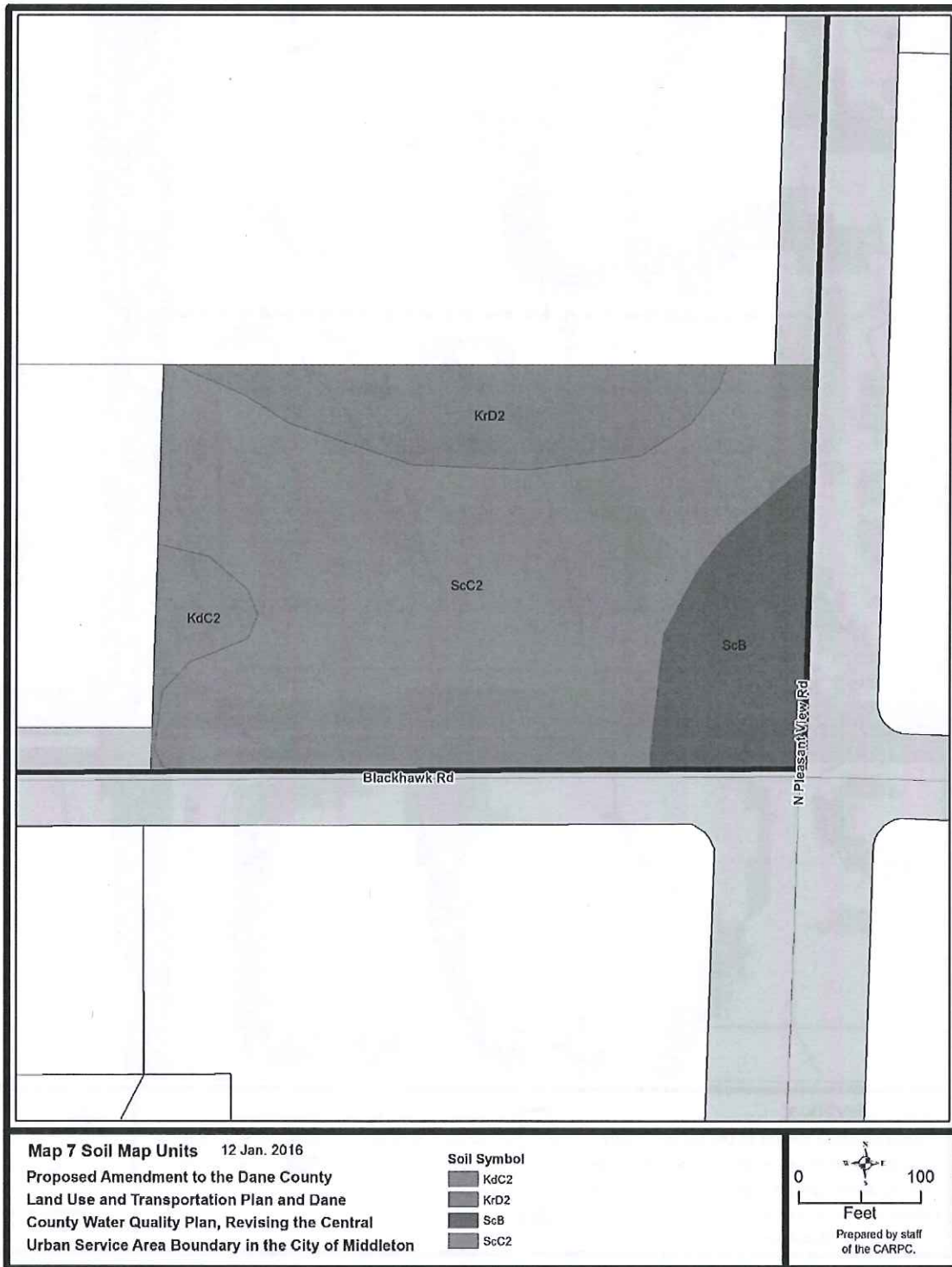
There are no hydric soils within the amendment area. Some of the St. Charles silt loam soils (the ScB map unit) have hydric inclusions. However, these soils do not have a seasonal (March to June) high water table within 5 feet of the ground surface and they are classified as well drained. Soils that are classified as well drained generally do not pose limitations for buildings with basements.

In 2009, the Wisconsin Geological and Natural History Survey published a report estimating the existing groundwater recharge rates in Dane County based on the soil water balance method. The study estimates the existing groundwater recharge rate in the amendment area to be 8.6 to 9.2 inches per year.

Map 6 – Elevations



Map 7 - Soil Type



## **2) Proposed Urban Services**

### ***a) Phasing***

Phasing is not required for a development of this size and has not been identified.

### ***b) Public Safety Services and Other City Services.***

Police protection and services will be provided to this lot by the Middleton Police Department located at 7241 Donna Drive, approximately three miles from the site. City of Middleton Fire and EMS will serve the amendment area from its location at 7600 University Avenue, approximately 2.5 miles from the site. Future residents will reside in the Middleton-Cross Plains school district. All additional City of Middleton services will be extended to the amendment area.

### ***c) Urban Transportation System***

Access to the site will be provided off Blackhawk Road about 250 feet west of the Pleasant View Road intersection. The approved certified survey map (CSM) shows that 40 feet of right of way has been reserved for the north half of Blackhawk Road for potential future reconstruction of the street to an urban cross-section with bike lanes and sidewalk. The cities of Madison and Middleton are working together to design and fund improvements to the Blackhawk Road/Pleasant View Road intersection, most likely the addition of exclusive left turn lanes and a traffic signal. The traffic impact analysis for the apartment development concluded that the intersection was operating poorly for Blackhawk Road due to inadequate gaps in traffic.

The cities of Madison and Middleton have begun initial planning for reconstruction and expansion of N. Pleasant View Road between USH 14 and Mineral Point Road to a divided four-lane roadway with bike lanes, sidewalk on the east side, and shared use path on the west side. The MATPB tentatively approved use of federal STP Urban funding for the first phase of the project from USH 14 south to Greenway Blvd. in 2021 conditioned on the city of Middleton making sufficient progress on design and environmental study over the next two years to demonstrate the project will be ready for construction by then. The project will be constructed in three phases from north to south. A new bike bridge is planned at the existing on-street bike crossing located one-quarter mile north of Greenway Blvd. The CSM for the subject parcel shows 70 feet of right of way has been reserved for the west half of Pleasant View Road to accommodate the planned future cross-section.

In addition to the current bus service along Deming Way, the nearest likely additional future fixed- route bus service would be along Old Sauk Road one-half mile south of the amendment area. Bus service along Blackhawk Road is unlikely due to the golf course and rural residential development north of the road and likely future service on Old Sauk Road. The MATPB's *Bicycle Transportation Plan for the Madison Metropolitan Area* recommends an east-west shared-use path through the Old Sauk Trails Business Park connecting to the planned Pleasant View Road corridor path south of Blackhawk Road on the west end and N. High Point Road on the east end with a new grade-separated crossing of the West Beltline Highway.

**d) Parks and Open Space**

In addition to Middleton's Pleasant View Golf Course which lies along the parcels northern border, there are two neighborhood parks located in the neighborhood to the south. Blackhawk Park and Swallowtail Park are located less than one mile from the site.

**e) Public Water System**

Public water service will be provided to the proposed apartment building by connection to the Madison Water Utility distribution system under an intergovernmental agreement between the Cities of Middleton and Madison. The Madison Water Utility will provide public water service to the amendment area through the extension of water mains within Pressure Zone 8. The mains within Pressure Zone 8 have the ability to provide adequate water pressure to elevations between about 970 and 1,090 feet. The current capacity of the Madison Water Utility's system is 68,000,000 gpd, with an average demand of 29,000,000 gpd. The City estimates that the average daily pumped water demand for the amendment area will be 12,951 gpd. For this application, the Water Utility evaluated the water system in this area and determined that it is capable of providing more than 2,000 gallons per minute for 2.5 hours for firefighting purposes consistent with CARPC service guidelines.

Although current water supply and distribution infrastructure is capable of providing adequate service to the proposed amendment area, continued development will increase the demand for water, and eventually new municipal wells will be required to ensure a reliable supply. The Madison Water Utility has developed long-term plans for the full build-out of the far west portion of its service area, including new municipal wells, booster stations, and storage facilities.

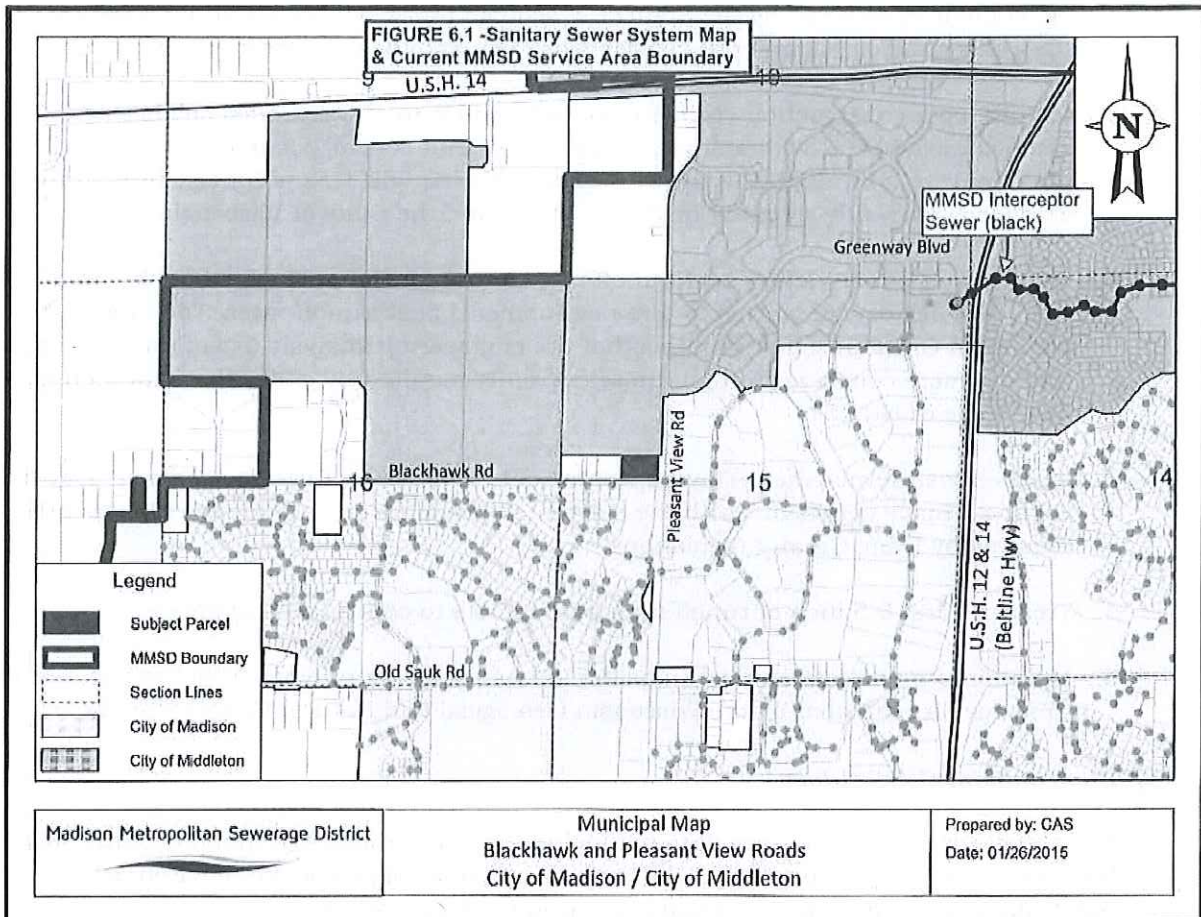
**f) Wastewater**

Sanitary sewer service will be provided to the proposed apartment building by connection to the City of Madison's sanitary sewer collection system under an intergovernmental agreement between the Cities of Middleton and Madison. Approximately 400 feet of eight-inch sanitary sewer will be extended from the existing manhole at the intersection of Blackhawk Road and Pleasant View Road.

The City conservatively estimates that development in the amendment area will generate an average of 19,300 gallons of wastewater per day (gpd). This estimate is based on a 92 unit apartment building (193 people) at 100 gpd per capita, which includes about 40 for potential infiltration and inflow. Utilizing a peaking factor of 4, it is estimated that the amendment area would generate a peak of 77,200 gallons per day or a peak hourly flow of 0.12 cubic feet per second (cfs). The City of Madison Engineering Division has determined that the available capacity of the city's sewer system from the intersection of Blackhawk Road and Pleasant View Road to the connection point with the MMSD West interceptor is 0.9 cfs, so there is available capacity in the city's existing sanitary sewer system for the proposed amendment area.



**Map 8 – Existing and Proposed Sanitary Sewer**



**MMSD**

The Madison Metropolitan Sewerage District (MMSD) will provide wastewater treatment for the amendment area. The amendment area has been in the MMSD service area since 1969, prior to the implementation of urban service areas. The MMSD Pumping Station 16 is expected to see a 15% increase in flow over the 20-year period between 2010 and 2030 and is expected to have sufficient firm capacity during periods of peak flow beyond 2030. The Nine Springs Treatment Facility has a design capacity of 50 million gallons per day (mgd) and received an average of 38.6 mgd in 2014, including infiltration and inflow. It is expected to reach capacity between 2020 and 2030 depending on growth rate assumptions. The MMSD has completed a long-range plan that evaluated various options for expanded treatment capacity to serve its current and future service area. For the 20-year planning period, service to this area is expected to remain through current interceptor routes with expanded capacity of the system as the need is foreseen. MMSD has not had any issues meeting its WPDES permit limits for the quality of effluent discharged to Badfish Creek according to their 2014 Compliance Maintenance Annual Report.

**g) Stormwater Management System**

The preliminary stormwater management plan for the amendment area includes three bioretention basins, an infiltration basin, and underground stormwater detention (storage pipes). The stormwater facilities are proposed to be owned and maintained by the property owner or a homeowners association.

### Performance Standards

The City of Middleton proposes stormwater management performance measures to meet or exceed standards required by the State of Wisconsin (NR 151), Dane County (Chapter 14), and City of Middleton (Chapter 26) stormwater regulations, as follows:

1. Require post-construction sediment control (reduce total suspended solids leaving the site by at least 80%, with a minimum of 60% of that control occurring in a retention pond prior to infiltration) for the average annual rainfall. This is consistent with the standards currently required by Dane County and the State of Wisconsin.
2. Require post-construction peak runoff rate control for the 1-, 2-, 5-, 10-, 25-, and 100-year, 24-hour design storms to “pre-development” peak runoff rates. The City of Middleton Ordinance also requires that the engineering analysis use of rainfall depths that are more conservative than those currently required by either the Dane County Ordinance or NR 151.
3. Require post-development stay-on volume of at least 90% of pre-development stay-on volume. This is consistent with the stay-on standard for new development currently required by Dane County regulations.
4. Treat the first 0.5 inch of runoff from parking lots to control oil and grease.
5. Maintain pre-development groundwater annual recharge rate of 9.1 inches per year for this area as estimated by the Wisconsin Geological and Natural History Survey.

### ***h) Environmental Corridors***

The proposed amendment area does not include any waterbodies, wetlands, hydric soils, or floodplains that are unsuitable for development because of physical or environmental constraints and require preservation in environmental corridors.

## **3) Impacts and Effects of Proposal**

### ***a) Meeting Projected Demand***

Residential land demand within the Central Urban Service Area is expected to increase by 5,800 acres due to a projected population increase of around 38,000 households by the year 2040. The proposal adds 92 multi-family units on three acres of land.

### ***b) School System Impacts***

Based on the percent of the population of school age taken from the American Community Survey 5-Year Estimate (2010—2014) for the Middleton-Cross Plains School District, the development may add an additional 20—22 primary school aged children and 3—5 secondary school aged children at full occupancy.

### ***c) Transportation System Impacts***

A four-story apartment building with 95 dwelling units is planned for the amendment area. When developed and fully occupied, it could generate around 600 vehicle trips (inbound and outbound total) on an average weekday.

In 2015 the two-way average weekday traffic volume (AWT) on N. Pleasant View Road was 9,400 north of Timber Wolf Trail and 10,750 south of Old Sauk Road; the two-way AWT volume on Blackhawk Road was 2,100 west of N. Pleasant View Road and 1,350 east of N. Pleasant View Road.

The traffic volumes on N. Pleasant View Road indicate the roadway is experiencing significant traffic congestion during peak periods. The traffic impact analysis (TIA) conducted for the proposed development confirms that existing operational deficiencies occur along N. Pleasant View Road, particularly at the Blackhawk Road and Greenway Blvd. intersections. The TIA recommends improving traffic control at the N. Pleasant View Road intersections with Blackhawk Road and Greenway Blvd. As mentioned, the cities of Middleton and Madison are moving forward with improvements to the Blackhawk Road intersection, likely turn lanes and a signal though a roundabout is an alternative option. The TIA also recommends adjusting the traffic signal length at the N. Pleasant View Road/Old Sauk Road intersection to increase intersection capacity during peak periods. The long-term improvement needs for the Pleasant View Road corridor will be accommodated by the planned multi-phase reconstruction and capacity expansion project for the roadway, scheduled to begin in 2021.

**d) Surface Water Impacts**

Development typically creates impervious surfaces (i.e., streets, parking areas, and roofs) and has the potential to alter the natural drainage system (e.g., natural swales are replaced by storm sewers) resulting in increased stormwater runoff rates and volumes, as well as reduced infiltration. Development can also cause substantial short-term soil erosion and off-site siltation from construction activities. Scientific research has well documented that without effective mitigation measures, the potential impacts of development on receiving water bodies can include the following:

- Flashier stream flows (i.e., sudden higher peaks)
- Increased frequency and duration of bankfull flows
- Reduced groundwater recharge and stream base flow
- Greater fluctuations in water levels in wetlands
- Increased frequency, level (i.e., elevation), and duration of flooding
- Additional nutrients and urban contaminants entering the receiving water bodies
- Geomorphic changes in receiving streams and wetlands

Natural drainage systems attempt to adapt to the dominant flow conditions. In the absence of mitigation measures, the frequency of bank-full events often increases with urbanization, and the stream attempts to enlarge its cross section to reach a new equilibrium with the increased channel forming flows. Higher flow velocities and volumes increase the erosive force in a channel, which alters streambed and bank stability. This can result in channel incision, bank undercutting, increased bank erosion, and increased sediment transport. The results are often wider, straighter, sediment laden streams, greater water level fluctuations, loss of riparian cover, and degradation of shoreland and aquatic habitat.

If left unmanaged, these changes in hydrology combined with increased urban pollutant loading, can have a dramatic effect on the aquatic ecosystem of streams. It is important to realize that flow is a major determinant of the physical habitat in a stream, which in turn determines the biotic composition of stream communities. A growing body of literature documents that channel geomorphology, habitat structure, and complexity are determined by prevailing flow conditions, which in turn determine the biota that can inhabit the area. This is true for the fish as well as the aquatic insects upon which they feed. Studies of streams affected by urbanization have shown that fish populations either disappear or become dominated by rough fish that can tolerate the associated lower water quality levels.

The City proposes to mitigate the urban non-point source impacts of the proposed development by implementing various stormwater best management practices that are designed and constructed to meet or exceed current standards for pollutant reduction, runoff volumes, peak flows, and groundwater recharge. The existing stormwater ordinance in the City of Middleton includes performance standards that are more stringent than those in NR 151 and the Dane County Chapter 14 in some areas. The ordinance requires the use of lower pre-development runoff curve numbers and higher rainfall depths than the Dane County and State of Wisconsin requirements. This will reduce the likely impacts of the proposed development on the receiving waters.

**e) Groundwater Impacts**

Without effective mitigation practices, as natural areas are converted to urban development the ground/surface water balance in streams and wetlands shifts from a groundwater-dominated system to one dominated more and more by surface water runoff, with subsequent reductions in stream quality and transitions to more tolerant biological communities.

<b>Modeled baseflow results due to current and anticipated future well water withdrawals (cfs)</b>			
<b>Stream</b>	<b>Pre-Development</b>	<b>2010</b>	<b>2040</b>
Pheasant Branch	2.85	1.19	1.13

Groundwater modeling indicates that the cumulative effects of year 2010 water well withdrawals have resulted in an 58 percent (1.66 cfs) decline in base flow in Pheasant Branch compared to the pre-development (no pumping) base flow of 2.85 cfs. An additional 5% percent decline is anticipated by the year 2040 according to the modeling, reducing the base flow to 1.13 cfs. Significant changes in fish communities from current conditions are not expected to occur as a result of the projected reduction in baseflow in the Pheasant Branch according to the 2014 WDNR report, Ecological Limits of Hydrologic Alteration in Dane County Streams. This is primarily because of the comparatively small effect of projected future pumping overall (0.06 cfs). The anticipated base flow reduction due to the water demand for this small amendment is too small to measure. The loss of baseflow from the cumulative effects of water well pumping is a regional issue, beyond the boundaries of a single Urban Service Area Amendment or a single municipality. This will be discussed along with potential management options in the update to the Dane County Groundwater Protection Plan (Technical Appendix G of the Water Quality Plan) in 2016.

Maintaining pre-development groundwater recharge also helps to maintain baseflow and mitigate this impact. The City of Middleton Stormwater Ordinance requires maintaining the pre-development annual recharge rate (estimated as 9.1 inches per year for this according to the Wisconsin Geological and Natural History Survey study). Experience has shown that this criterion is generally met when pre-development runoff volume is maintained for the development area through infiltration measures.

#### **4) Conclusions and Staff Water Quality Recommendations**

The proposed amendment would add 4.1 developable acres to the Central Urban Service Area, well within the additional developable acres called for in the latest CARPC land demand calculations. The proposal is consistent with all applicable Neighborhood Development Plans, stormwater management plans, and has been found consistent with the relevant planning documents by the City of Middleton Planning Commission.

Prime agricultural soils comprise approximately 12 percent of the proposed amendment area (approximately ½ acre). The area has been identified by the City of Middleton as a planned growth area.

The City proposes to mitigate the urban non-point source impacts of the proposed development by implementing various stormwater best management practices that are designed and constructed to meet or exceed current standards for pollutant reduction, runoff volumes, peak flows, and groundwater recharge. This will reduce the likely urban nonpoint runoff impacts of the proposed development on the receiving waters.

##### **a) Conditions**

CARPC staff recommends approval of this amendment, based on the land uses and services proposed, and conditioned on the City of Middleton's commitment to pursuing the following:

1. Submit a detailed stormwater management plan for CARPC and DCL&WCD staff review and approval prior to any land disturbing activities in the amendment area. The stormwater management plan should include the following:
  - a. Install stormwater and erosion control practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities.
  - b. Control peak rates of runoff for the 1-, 2-, 5-, 10-, 25-, and 100-year 24-hour design storms to "pre-development" levels, in accordance with the City of Middleton Stormwater Ordinance.
  - c. Maintain the post development stay-on volume to at least 90% of the pre-development stay-on volume for the one-year average annual rainfall period, in accordance with the City of Middleton Stormwater Ordinance.
  - d. Maintain pre-development groundwater recharge rates from the Wisconsin Geological and Natural History Survey's 2009 report, *Groundwater Recharge in Dane County, Wisconsin, Estimated by a GIS-Based Water-Balance Model* (an average of 9.1 in./yr. for the amendment area) or by a site specific analysis, in accordance with the City of Middleton Stormwater Ordinance.
  - e. Provide at least 80% sediment control for the amendment area based on the average annual rainfall record, with a minimum of 60% of that control occurring in a retention pond prior to infiltration, in accordance with the City of Middleton Stormwater Ordinance.
  - f. Treat the first 0.5 inch of runoff from parking lots to control oil and grease, in accordance with the City of Middleton Stormwater Ordinance.

2. Easements should be provided for the stormwater management facilities located on private property. Stormwater practices should have perpetual legal maintenance agreements with the City, to allow the City to maintain facilities if owners fail to do so.

**b) Recommendations**

It is also recommended that the City of Middleton pursue the following measures related to water quality or other State of Wisconsin regulations:

1. Consider amending the City's stormwater ordinance to require maintaining 100% of the pre-development stay-on volume for the one-year average annual rainfall period, as a means of contributing to a reduced potential for Yahara Lakes flooding in the face of climate change. The effectiveness of this approach will ultimately depend on the collaboration of other municipalities within the watershed to adopt the same standard.
2. Request a formal Endangered Resources review by the WDNR (<http://dnr.wi.gov/topic/erreview/review.html>) or one of their certified reviewers and take necessary habitat protection measures if species are found.
3. If anyone suspects that a Native American burial mound or an unmarked or marked burial is present in an area, the Wisconsin Historical Society should be notified. If human bone is unearthed during any phase of a project, **all work must cease**, and the Wisconsin Historical Society **must be contacted** at 1-800-342-7834 to be in compliance with Wis. Stat. 157.70 which provides for the protection of all human burial sites. **Work cannot resume until the Burial Sites Preservation Office gives permission.** Please contact Mr. Chip Brown, 608-164-6508, with questions or for further information.

## Review of Advisory CARPC Goals

### a) **Consistency with Adopted Plans and Policies.**

The proposal is consistent with all applicable Neighborhood Development Plans, stormwater management plans, and has been found consistent with the relevant planning documents by the City of Middleton Planning Commission.

### b) **Support of Advisory Goals**

The proposed amendment supports five (5) of the goals listed in the *Dane County Land Use and Transportation Plan*. The proposed amendments conflict in some fashion with one (1) of the goals and is neutral or does not directly address the remaining goals.

- 1) *Promote the development of balanced communities throughout the county with sufficient commercial, industrial, residential, and open space land to meet the needs of existing and future residents.*

The proposal adds 92 multi-family rental units, which helps to diversify the housing mixture present within the City of Middleton and the Central Urban Service Area. According to the 2010 Census, 45% of housing units in Middleton were rentals.

- 2) *Promote compact urban development in new areas adjacent to existing urban areas and in the redevelopment or infill development of existing neighborhoods.*

The proposal is a redevelopment of a single-family parcel, it replaces one dwelling unit with 92.

- 3) *Promote the development of functionally and visually distinct communities encouraging compact, mixed-use neighborhoods and the efficient provision of a full range of public services.*

*While the proposal does not articulate any efforts to achieve visually or functionally distinct communities, residential densities proposed and the fact that the proposal is an infill development do align somewhat with the element of "compactness." A full range of public services will be provided to the site.*

- 4) *Provide a full range of safe and affordable housing opportunities and choices for all residents throughout the county.*

The proposal is for rental units, presumably offered at market rate.

- 5) *Provide an integrated, all-mode transportation system which offers the efficient, effective and safe movement of people and goods, and provides mode choice wherever possible while enhancing and, where relevant, preserving the character and livability of the neighborhoods and residential areas where transportation facilities are located.*

The application does not fully addresses all-mode transportation and integration. Bus service is available in the vicinity of the site. Blackhawk Road has a rural cross-section that is less suitable for bicycles and pedestrians. The conceptual site plan submitted does not appear to include pedestrian accommodations tied into the larger network.

- 6) *Encourage concentration of employment and activity centers at nodes and along transit corridors to maximize the efficiency of the existing and future transportation system.*

n/a

- 7) *Support and maintain the central urban core as the region's major activity center and seek greater diversity and vitality in that area.*

The proposal has little or no measureable effect on the primacy of central Madison in the region in terms of activities, diversity, and vitality.

- 8) *Promote an economic development strategy that will provide suitable employment opportunities and a stable and diversified economic base.*

n/a

- 9) *Protect agricultural lands and limit non-farm developments in order to maintain the county as one of the nation's most productive agricultural areas.*

n/a

- 10) *Promote planning and design that preserves and restores environmental functions and protects important environmental, cultural and historic resources.*

n/a

- 11) *Develop and promote a county-wide system of open space corridors as a framework to protect the natural environment and scenic values, and provide outdoor recreation opportunities.*

n/a

- 12) *Promote, conserve and restore all water resources in the region as to both quality and quantity.*

The proposed amendment supports water quality and quantity through stormwater best management practices designed to meet or exceed current standards.

- 13) *Promote a sustainable capital area region. A sustainable region is one that is far-seeing enough, flexible enough, and wise enough to maintain and enhance its physical, environmental, and social systems of support.*

The topic of sustainability is not explicitly addressed in any of the materials provided with this application nor is it cited as the rationale for the design decisions in the proposal.

- 14) *The CARPC shall work with communities to update the Dane County Water Quality Plan. In addition to the elements required by NR 121 of the Wisconsin Administrative Code, the Water Quality Plan shall also define areas that should be protected from development based on provisions to protect water quality as contained in NR 121 of the Wisconsin Administrative Code. The Plan shall also define areas that can be developed with measures to protect, restore or minimize degradation of water quality.*

The proposed amendment defines areas that are suitable for development with measures to protect from adverse impacts on water quality. There are no areas within the proposed amendment that require preservation in environmental corridors because they are unsuitable for development due to physical or environmental constraints

**c) Comments Received and Unresolved Issues**

No comments have been received in response to this amendment request as of the publication of this staff analysis.



d) **Advisory Recommendations.** It is also recommended that the City of Middleton pursue the following:

1. Implement short-term traffic control recommendations for the Pleasant View Road intersections identified in the TIA, and coordinate them with the planned design for the Pleasant View Road reconstruction project.
2. The site plan for the apartment building does not appear to show any sidewalks/pedestrian paths on the property. It is recommended that direct pedestrian connections be provided to Pleasant View Road to connect to the planned shared-use path along the west side of the roadway and to and along Blackhawk Road. Pedestrian crossing improvements, including sidewalk ramps, at the Blackhawk Road/Pleasant View Road intersection should be incorporated into the Pleasant View Road reconstruction project.





210 Martin Luther King Jr. Blvd. Room 362 Madison, WI 53703 Phone: 608-266-4137 Fax: 608-266-9117 www.CapitalAreaRPC.org info@CapitalAreaRPC.org

January 12, 2016

## NOTICE OF PUBLIC HEARING February 11, 2016

### Amendment to Central Urban Service Area in City of Middleton (Gerfen, 4.1 Acre, Multi-Family Residential Lot)

PLEASE TAKE NOTICE, that the Capital Area Regional Planning Commission will be meeting at 7:00pm on February 11, 2016, in the City-County Building Rm 351, 210 Martin Luther King Jr. Blvd., Madison, Wisconsin, for the purpose of consideration of amendments to the *Dane County Land Use and Transportation Plan and the Dane County Water Quality Plan* revising the Central Urban Service Area boundary, as requested by the City of Middleton. The proposed amendment totals 4.1 acres, along the boundaries of the City of Middleton, Town of Middleton, and City of Madison. The lot in question is located at the intersection of N Pleasant View Road and Blackhawk Road. It was recently annexed to the City from the Town of Middleton. The amendment area will consist of one multi-family residential development and will include a small adjustment to the right-of-way along the adjacent streets.

**For information or questions, contact Sean Higgins at 608-283-1267.**

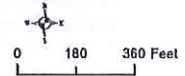
E-mailed to: City, Village and Town Clerks  
David Shaw, Town of Middleton Administrator  
Eileen Kelley, Planning Director, City of Middleton  
Katherine Cornwall, Planning Director, City of Madison  
Joe Parisi, Dane County Executive  
Paul Soglin, Mayor, City of Madison  
Jerry Derr, President, Dane County Towns Association  
Jon Hochkammer, President, Dane County Cities and Villages Association  
Scott McDonell, Dane County Clerk  
Sharon Corrigan, Chair, Dane County Board of Supervisors  
Patrick Miles, Chair, Dane County Zoning and Land Regulation Committee  
Patrick Downing, Chair, Dane County Environment and Nat'l Resources Committee  
Jeff Pertl, Chair, Dane County Personnel and Finance Committee  
Lyle Updike, Chair, Dane County Lakes and Watershed Commission  
Al Matano, Chair, Madison Area Transportation Planning Board  
Bill Schaefer, Manager, Madison Area Transportation Planning Board  
Todd Violante, Dane County Department of Planning and Development  
Michael Mucha, Director and Chief Engineer, MMSD  
Kevin Connors, Director, Dane County Land and Water Resources Dept.  
Charles Hicklin, Dane County Controller  
Robert Phillips, City Engineer, City of Madison  
Tom Heikkinen, General Manager, Madison Water Utility  
James Kuehn, WisDOT  
Diane Paoni, WisDOT  
Greg Searle, WDNR  
Sharon Gayan, WDNR  
Lisa Helmuth, WDNR Central Office



**Map 2 Aerial**  
11 Jan. 2016

Proposed Amendment to the Dane County  
Land Use and Transportation Plan and Dane  
County Water Quality Plan, Revising the Central  
Urban Service Area Boundary in the City of Middleton

 Existing Urban Service Area Boundary  
 Proposed Urban Service Area Boundary



Prepared by staff  
of the CARPC.

**AGENDA**  
of the  
Capital Area Regional Planning Commission

February 11, 2016

CCB Room 351, 210 Martin Luther King Jr. Blvd., Madison WI

7:00 p.m.

**RPC Meeting Policies and Deadlines**

**Registering and Speaking at RPC Public Hearings and Meetings:** Persons wishing to speak must register and give the registration form to the meeting recorder before the corresponding "Public Comment..." or Public Hearing item is taken up. Oral comments will not be heard for individual agenda items not designated for public hearing, but will be heard under the "Public Comment..." agenda item. The time limit for testimony by each registrant will be 3 minutes, unless additional time is granted at the discretion of the Chair. However, for public hearings on USA/LSA amendments, applicants are granted a maximum of 15 minutes to testify, and other groups of registrants may pool their time of 3 minutes each up to a maximum of 15 minutes. Commissioners may direct questions to speakers. The RPC may alter the order of the agenda items at the meeting.

**Deadlines for Written Communications:** Written communications intended to be provided to the Commission and considered as part of the information package for a public hearing or agenda item should be received in the RPC office no later than noon, 7 days prior to the meeting. Written communications received after this deadline will be reported and provided to the Commission at the meeting.

**RPC Action Scheduling:** If significant controversy or unresolved issues are raised at the public hearing, the RPC will usually defer or postpone action to a future meeting.

1. Roll Call
2. Review of Agenda
3. **Approval of Minutes of the January 14, 2016 Meeting (*actionable item*)**
4. Public Comment on Matters not for Public Hearing
5. Discussion of Budget & Personnel Panel (*note: any members of BPP present at this meeting are invited to speak and will be included in all discussions under this item*)
6. Presentation on "Land Use, Climate Change, and Yahara Lakes Flooding" by Dr. Ken Potter of UW-Madison.
7. Public Hearing: Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Central Urban Service Area Boundaries in the City of Middleton
  - a. Amendment Overview – (Sean Higgins)
  - b. Water Quality Plan/Water Quality Standards Compliance Staff Presentation – (Mike Rupiper)
  - c. Open Public Hearing to take testimony from registrants; close Public Hearing
  - d. **Approval of CARPC Resolution 2016-03 Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Central Urban Service Area Boundaries in the City of Middleton (*actionable item, 8 votes required for approval*)**
8. Scope of Proposal Presentation to Amend the *Dane County Land Use and Transportation Plan* and the *Dane County Water Quality Plan* by Revising the Cross Plains Urban Service Area Boundary and Environmental Corridors in the Village and Town of Cross Plains (Sean Higgins, Mike Rupiper)
9. Approval of Revised CARPC Bylaws
  - a. **Approval of Version 1 of the Revised Bylaws (*actionable item*)**
  - b. **Approval of Version 2 of the Revised Bylaws (*actionable item*)**
10. **Approval of the Report on the Recommendations of the Policies and Criteria Advisory Group (PCAG), January 2011 (*actionable item*)**
11. Urban Service Area Review Process Discussion (Steve Steinhoff)

12. **Approval of February 2016 Disbursements and Treasurer's Reports for January 2016 (*actionable item*)**
13. Report and Discussion on A Greater Madison Vision (Steve Steinhoff)
14. Report and Discussion on Potential Program for FUDA Monitoring (Matt Covert)
15. Report of Deputy Director / Report and Discussion on Division of Community and Regional Planning Activities Discussion
16. Report of Chair / Discussion
  - 2016 CARPC Retreat Planning
17. Future Agenda Items (Next meeting is March 10, 2016)
18. Adjournment



**Resolution CARPC No. 2016-03**

**Amending the *Dane County Land Use and Transportation Plan*  
and the *Dane County Water Quality Plan* by Revising the Central Urban  
Service Area Boundary in the City of Middleton**

WHEREAS, the Capital Area Regional Planning Commission has adopted, amended and reaffirmed the *Dane County Land Use and Transportation Plan* and *Water Quality Plan*; and

WHEREAS, said plans delineate urban and limited service areas and environmental corridors as amended through January, 2016; and

WHEREAS, the City of Middleton has requested an addition to the Central Urban Service Area; and

WHEREAS, a staff analysis of the proposed amendment has been prepared, which indicates that the amendment is generally consistent with adopted regional plans and policies.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Wis. Stats. § 66.0309, and Sec. 208 of Public Law 92-500, the Capital Area Regional Planning Commission amends the *Dane County Land Use and Transportation Plan* and recommends the amendment of the *Dane County Water Quality Plan* by revising the Central Urban Service Area and environmental corridors boundaries as shown on the attached map.

Adoption of this amendment is based on the land use and urban service plans submitted in support of this amendment, and conditioned on the City of Middleton pursuing the following:

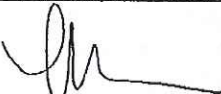
1. Submit a detailed stormwater management plan for CARPC and DCL&WCD staff review and approval prior to any land disturbing activities in the amendment area. The stormwater management plan should include the following:
  - a. Install stormwater and erosion control practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities.
  - b. Control peak rates of runoff for the 1-, 2-, 5-, 10-, 25-, and 100-year 24-hour design storms to "pre-development" levels, in accordance with the City of Middleton Stormwater Ordinance.
  - c. Maintain the post development stay-on volume to at least 90% of the pre-development stay-on volume for the one-year average annual rainfall period, in accordance with the City of Middleton Stormwater Ordinance.
  - d. Maintain pre-development groundwater recharge rates from the Wisconsin Geological and Natural History Survey's 2009 report, *Groundwater Recharge in Dane County, Wisconsin, Estimated by a GIS-Based Water-Balance Model* (an average of 9.1 in./yr. for the amendment area) or by a site specific analysis, in accordance with the City of Middleton Stormwater Ordinance.

- e. Provide at least 80% sediment control for the amendment area based on the average annual rainfall record, with a minimum of 60% of that control occurring in a retention pond prior to infiltration, in accordance with the City of Middleton Stormwater Ordinance.
  - f. Treat the first 0.5 inch of runoff from parking lots to control oil and grease, in accordance with the City of Middleton Stormwater Ordinance.
2. Easements should be provided for the stormwater management facilities located on private property. Stormwater practices should have perpetual legal maintenance agreements with the City, to allow the City to maintain facilities if owners fail to do so.

It is also recommended that the City of Middleton pursue the following measures:

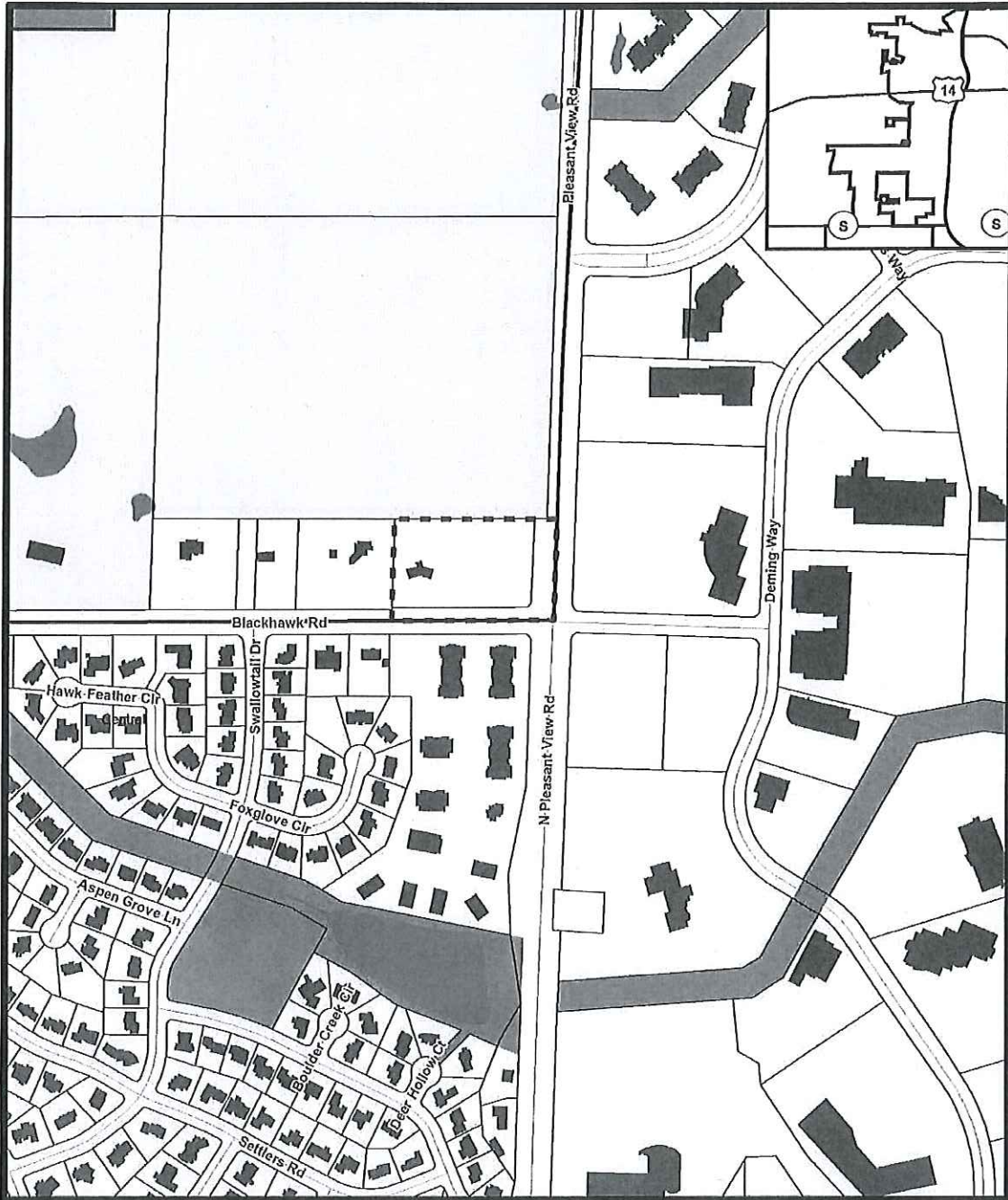
1. Consider amending the City's stormwater ordinance to require maintaining 100% of the pre-development stay-on volume for the one-year average annual rainfall period, as a means of contributing to a reduced potential for Yahara Lakes flooding in the face of climate change. The effectiveness of this approach will ultimately depend on the collaboration of other municipalities within the watershed to adopt the same standard.
2. Request a formal Endangered Resources review by the WDNR (<http://dnr.wi.gov/topic/erreview/review.html>) or one of their certified reviewers and take necessary habitat protection measures if species are found.
3. If anyone suspects that a Native American burial mound or an unmarked or marked burial is present in an area, the Wisconsin Historical Society should be notified. If human bone is unearthed during any phase of a project, **all work must cease**, and the Wisconsin Historical Society **must be contacted** at 1-800-342-7834 to be in compliance with Wis. Stat. 157.70 which provides for the protection of all human burial sites. **Work cannot resume until the Burial Sites Preservation Office gives permission.** Please contact Mr. Chip Brown, 608-264-6508, with questions or for further information.
4. Implement short-term traffic control recommendations for the Pleasant View Road intersections identified in the Traffic Impact Assessment, and coordinate them with the planned design for the Pleasant View Road reconstruction project.
5. The site plan for the apartment building does not appear to show any sidewalks/pedestrian paths on the property. It is recommended that direct pedestrian connections be provided to Pleasant View Road to connect to the planned shared-use path along the west side of the roadway and to and along Blackhawk Road. Pedestrian crossing improvements, including sidewalk ramps, at the Blackhawk Road/Pleasant View Road intersection should be incorporated into the Pleasant View Road reconstruction project.
6. Attempt to maintain the post development stay-on volume to 100% of the pre-development stay-on volume for the one-year average annual rainfall period, as defined by WDNR.

February 11, 2016  
Date Adopted

  
Larry Palm, Chairperson



Revised 02/11/16

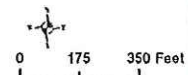




**Map 1 Amendment Area**  
11 Jan. 2016

Proposed Amendment to the Dane County  
Land Use and Transportation Plan and Dane  
County Water Quality Plan, Revising the Central  
Urban Service Area Boundary in the City of Middleton

 Existing Urban Service Area Boundary  
 Proposed Urban Service Area Boundary



Prepared by staff  
of the CARPC.



**DRAFT MINUTES  
of the  
Capital Area Regional Planning Commission**

February 11, 2016

CCB Room 351, 210 Martin Luther King Jr. Blvd., Madison WI

7:00 p.m.

---

Commissioners Present: Steve Arnold, Lauren Cnare, Mark Geller, Ken Golden, Kris Hampton, Peter McKeever (by phone; departed 9:06pm), Ed Minihan, Larry Palm, David Pfeiffer, Caryl Terrell (by phone; departed 8:30pm)

Commissioners Absent: Zach Brandon, Eric Hohol, Evan Touchett

Staff Present: Matt Covert (arrived at 7:35pm), Linda Firestone, Sean Higgins, Mike Rupiper, Steve Steinhoff

Others Present: Various members of the public

1. Roll Call

Chair Palm called the meeting to order at 7:03pm. Quorum was established.

2. Review of Agenda

3. **Approval of Minutes of the January 14, 2016 Meeting (*actionable item*)**

Mr. Arnold moved to approve the minutes of the January 14, 2016, meeting; Mr. Hampton seconded.

Mr. Geller made a motion that item 3 of the minutes be amended to read: "Mr. McKeever nominated Mr. Geller for the position of Treasurer ~~Secretary~~"; Mr. Golden seconded."

Amended minutes passed unanimously on a voice vote.

4. Public Comment on Matters not for Public Hearing

No members of the public wished to speak at this time.

5. Discussion of Budget & Personnel Panel (*note: any members of BPP present at this meeting are invited to speak and will be included in all discussions under this item*)

There were no members of the BPP present. Chair Palm stated there were no meetings scheduled, and also that he had received a communication from Dane County Executive Joe Parisi, which he shared with the Commission, regarding the proposed changes to the Commission bylaws. There was no discussion at this time regarding this communication.

6. Presentation on "Landuse, Climate Change, and Yahara Lakes Flooding" by Dr. Ken Potter of UW-Madison.

Dr. Potter gave a presentation, which may be viewed at [https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC\\_021116/Potter-CARPC\\_021116.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC_021116/Potter-CARPC_021116.pdf). Questions were asked and a discussion ensued after the presentation.

7. Public Hearing: Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Central Urban Service Area Boundaries in the City of Middleton

a. Amendment Overview (Sean Higgins)

Mr. Higgins gave a presentation.

b. Water Quality Plan/Water Quality Standards Compliance Staff Presentation (Mike Rupiper)

Mr. Rupiper gave a presentation.

Mr. Golden requested that the MPO provide a map of bus routes in future USA reviews. Mr. Higgins said that the MPO did provide one for this USA review.

Eileen Kelley, City of Middleton Planning Director, spoke about the layout of the units.

- c. Open Public Hearing to take testimony from registrants; close Public Hearing

Chair Palm opened the public hearing.

Don Hammes, a citizen of the City of Middleton, suggested that CARPC look into the cumulative impact of these units in Middleton on Lake Mendota.

Chair Palm closed the public hearing.

- d. **Approval of CARPC Resolution 2016-03 Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Central Urban Service Area Boundaries in the City of Middleton (*actionable item, 8 votes required for approval*)**

Mr. Golden moved to approve CARPC Resolution 2016-03; Mr. Arnold seconded.

Mr. Arnold originally moved to amend the resolution to recommend 100% stay-on and then changed the amendment to change the condition of 90% stay-on to 100% stay-on and keep the recommendation of 100% stay-on for the ordinance change; Mr. McKeever seconded. No one had an objection to Mr. Arnold changing his motion. Ms. Kelley spoke about the impact this condition would have. The amendment to the resolution did not pass (three ayes; six nay's; Chair Palm did not vote).

Mr. Golden moved to amend the resolution to make a recommendation of 100% stay-on; Ms. Cnare seconded. This amendment to the resolution passed unanimously by voice vote.

Chair Palm requested that there be a presentation in the future to discuss the impact of different building styles.

The roll call vote for passage of the main resolution, as amended: Ayes: Mr. Arnold, Ms. Cnare, Mr. Geller, Mr. Golden, Mr. Hampton, Mr. McKeever, Mr. Minihan, Mr. Palm, Mr. Pfeiffer, and Ms. Terrell. Commissioners absent: Mr. Brandon, Mr. Hohol, and Mr. Touchett. There were no nays. The motion passed on a roll call vote.

8. Scope of Proposal Presentation to Amend the *Dane County Land Use and Transportation Plan* and the *Dane County Water Quality Plan* by Revising the Cross Plains Urban Service Area Boundary and Environmental Corridors in the Village and Town of Cross Plains (Sean Higgins, Mike Rupiper)

Mr. Higgins and Mr. Rupiper gave a presentation. The public hearing will be in Cross Plains at the March CARPC meeting.

Other updates given:

Cottage Grove (for April 2016 public hearing)  
Madison-Pioneer Midtown: WDNR approved 11/23/15  
Verona: Under review by WDNR

Mr. Rupiper reported on recent sewer extension approvals.

9. Approval of Revised CARPC Bylaws

Mr. Golden acknowledged the County Executive's memo to Chair Palm regarding the revision of the bylaws. Mr. Golden wants to wait a month in order to give the County Executive and his staff time to review the proposed revisions.

Ms. Cnare asked how Chair Palm will pursue this. Chair Palm will respond in a letter after tonight's meeting.

Mr. Golden made the suggestion that we should ask for any comments the County Executive and his staff wish to make about either version 1 or version 2 be in writing and not verbally. Chair Palm stated that was part of our communication to the BPP members.

Mr. Arnold commented, if CARPC hears by March 3rd (which would be a month) that Mr. Parisi had some concerns in writing, then on March 10th the Commission would still only have the options of passing a version of the bylaws or doing something for a future meeting. Mr. Arnold would ask the corporation counsel to address versions 1 and 2 separately and explain why the Commission should not pass them, or if the Commission should pass them and later amend them, or amend them first before passing them what the corporation counsel specifically would like to see in the amendments. Speaking to the letter as it relates to the agenda item being currently discussed, it does not seem like amending the bylaws is going to address the County Executive's repeal and replace request. So Mr. Arnold did not

know if anything the Commission does would be satisfactory. So if there is something that would actually cause the corporation counsel to become more involved in the BPP and CARPC and so on, that is what the Commission would like to know by March 3rd.

Mr. Golden made the motion that the Commission delay action on both versions of the bylaws that are on the agenda for one month and the Commission indicate in its communication to the County Executive that the Commission would like a reply on a date one week prior to the date of the Executive Committee meeting that happens before the commission meeting and that the response be in writing. Mr. Arnold seconded.

Mr. Golden made his motion with the thought that staff should have a week to review the response back from the County Executive and perhaps make a recommendation to the Commission of whether to adopt it or not (or staff could leave that to the Commission). Then the Executive Committee could digest both the County's response and the staff response and so then hopefully it would come to the Commission pre-digested.

Chair Palm reminded the Commissioners that the Commission would have to pass either amendment as a whole.

Mr. Arnold made the suggestion that the Commission could pass one of the two versions and bring an amendment to the next CARPC meeting to fix something that the County Executive does not like. That way the revision of the bylaws is not held up because of an item that is a concern of the corporation counsel.

Mr. Golden suggested that CARPC respond to the County Executive's statements about what would happen to the levy amount should CARPC no longer exist.

Mr. Steinhoff gave an overview of the CARPC attorney's research on what would happen to the CARPC levy if CARPC did not exist. Jon St. Peter concluded that the levy amount would not go down. However, experience of the Town of Cottage Grove indicates that local municipalities may be able to successfully challenge reallocation of CARPC funds to other County budget items.

The motion passed unanimously on a voice vote.

- a. **Approval of Version 1 of the Revised Bylaws (*actionable item*)**
- b. **Approval of Version 2 of the Revised Bylaws (*actionable item*)**

The vote has been delayed a month for both versions.

**10. Approval of the Report on the Recommendations of the Policies and Criteria Advisory Group (PCAG), January 2011 (*actionable item*)**

Mr. Steinhoff gave a review of what was requested at the January CARPC meeting regarding the PCAG report.

Mr. Geller moved to approve the report on the recommendations of the policies and criteria advisory group (PCAG); Mr. Golden seconded.

Mr. Golden made an amendment to the motion to accept the PCAG report and then approve the report on the PCAG recommendations from staff; Ms. Cnare seconded. The amendment passed unanimously on a voice vote.

The main motion, as amended, passed unanimously on a voice vote.

**11. Urban Service Area Review Process Discussion**

A white paper was created by staff for discussion purposes. Mr. Steinhoff gave a verbal presentation. The paper was well received as a useful discussion and decision-making guide. This will be discussed at the CARPC retreat.

**12. Approval of February 2016 Disbursements and Treasurer's Reports for January 2016 (*actionable item*)**

Mr. Geller moved to approve the February 2016 Disbursements and Treasurer's Reports for January 2016; Mr. Hampton seconded. The motion passed unanimously on a voice vote.

**13. Report and Discussion on A Greater Madison Vision**

Mr. Steinhoff gave a verbal presentation on A Great Madison Vision. Mr. Dee Allsop from Heart & Minds Strategies will be here on Tuesday, February 16, to give the results of the values study. There are now four co-chairs of the Steering Committee. There are also sub-committees in place. Planning Committee; Fund Development Committee, Outreach Committee, Values Study Committee, and Executive Committee. Marketing/Media is a need that is not formed into a committee as of yet.

14. Report and Discussion on Potential Program for FUDA Monitoring

Mr. Covert gave a presentation. Commissioners voiced support for the monitoring approach presented. Questions were asked after the presentation.

15. Report of Deputy Director / Report and Discussion on Division of Community and Regional Planning Activities Discussion

Mr. Steinhoff gave a verbal report. Mr. Rupiper gave an update on the hiring of the Environmental Engineer. The quarterly Regional Trends Report will be posted soon. The CARPC newsletter will be issued next week. The staff is talking to an outside consultant about updating the CARPC website.

16. Report of Chair / Discussion

Chair Palm gave a verbal report.

- 2016 CARPC Retreat Planning

Mr. Palm and Mr. Steinhoff spoke about the plans for the 2016 CARPC retreat. CARPC is hiring a facilitator. The goal is to take the Commission back to square one as to what CARPC does. Most of the Commissioners are able to attend.

17. Future Agenda Items (Next meeting is March 10, 2016, at Cross Plains)

Changes to the personnel manual

18. Adjournment

Mr. Hampton moved to adjourn the meeting; Mr. Arnold seconded. The meeting was adjourned at 10:10pm.

Minutes taken by Linda Firestone