

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

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June 11, 2007

DNR File No. DC-0107

Mr. Michael King
Dane County – Community Analysis and Planning Division
City County Building, Room 362
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Subject: Amendment of the *Dane County Water Quality Plan*, Revising the
Central Urban Service Area Boundary and Environmental Corridors in the
Town of Burke

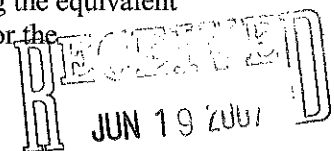
Dear Mr. King:

We have completed our review of the subject amendment request that was submitted to the Department on May 24, 2007 from the Dane County Community Analysis and Planning Division. The Department hereby approves this amendment request which adds 20.0 acres to the Central Urban Service Area, including 8.3 acres of existing right-of-way and 1.1 acres of environmental corridors, for a net developable area of 10.6 acres. The amendment area is located east of Interstate Highway 94, north of Daentl, in the Town of Burke. (see attached Map 1).

The proposed amendment was requested by the Town of Burke and is intended to expand the existing East Metro Business Park and serve commercial uses.

This Department approval is subject to the condition that the Town of Burke complies with the conditions stated in the May 15, 2007 CAPD Staff Analysis. These conditions require the Town to pursue the following:

1. Submit a detailed stormwater management plan for CAPD and DCLCD review and approval prior to development. Plan to include stormwater quantity measures to control post-development rates of runoff at pre-development rates for all storms up to and including the 100-year event, and to prevent increased erosion. Plan should include stormwater quality treatment and protection measures for the entire amendment area (through wet ponds) to mitigate the adverse impacts of development to the maximum extent practicable, including the capture of 80% of TSS for 1-year and 2-year storms, mitigation of thermal impacts, and treatment of other urban stormwater contaminants.
2. Mitigate the adverse impacts of development on groundwater quantity by maintaining natural pre-development recharge levels for the amendment area and recharging the equivalent of groundwater withdrawal of potable water at 1,500 gallons per acre per day for the amendment area to the extent possible.



3. Designate the 1.1-acre new stormwater management facility as an environmental corridor (when the location has been determined, and as part of the sewer extension review for the development served by this new stormwater facility).

The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., and ch. NR 2, Wis. Adm. Code, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review.

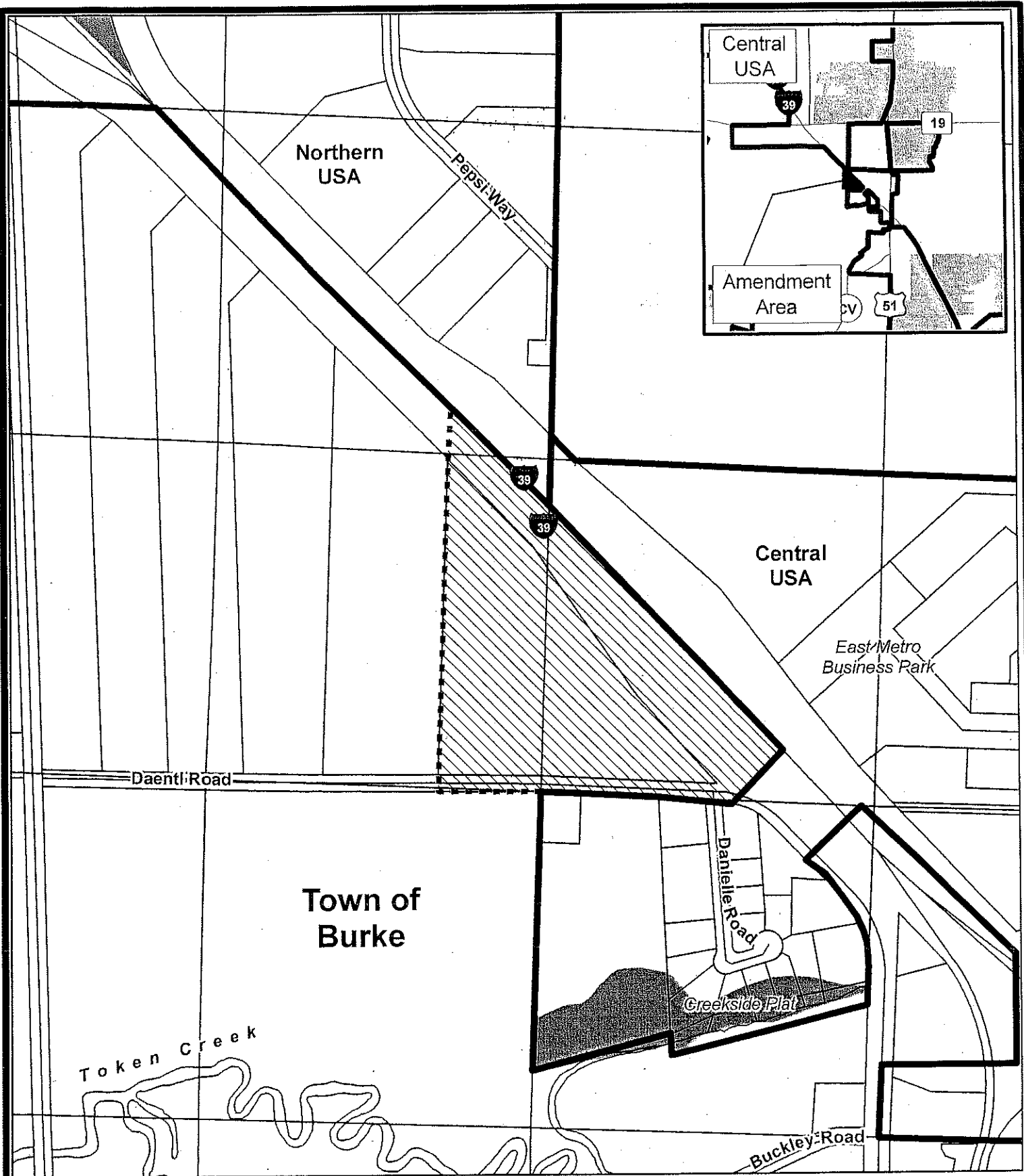
Sincerely,



Todd L. Ambs, Administrator
Division of Water







cc:

Amy Volkmann, Administrator, Town of Burke, 5365 Reiner Road, Madison, WI 53718
Kevin Viney, Chair, Town of Burke, Town of Burke, 5365 Reiner Road, Madison, WI 53718
JoAnne Miller, Administrator, Village of DeForest, 306 DeForest St., Box 510, DeForest,
WI 53532
Jon Schellpfeffer, MMSD, 1610 Moorland Road, Madison, WI 53713
Sue Josheff, WDNR South Central Region, Fitchburg
Larry Benson, WDNR South Central Region, Fitchburg
Tom Gilbert – DNR - WT/2



Map 1

Amendment to the
Central Urban Service
Area in the
Town of Burke

-  Service Area to be added (26 acres)
-  Proposed Environmental Corridor (0 acres)
-  Existing Environmental Corridor
-  Incorporated Area
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary

20 Nov. 07

0 500

Feet

Prepared by staff
of the CAPD.

Resolution CARPC No. 2007-9

Amending the *Dane County Land Use and Transportation Plan* and Recommending the Amendment of the *Dane County Water Quality Plan*, Revising the Central Urban Service Area Boundary in the Town of Burke, Dane County

WHEREAS, the Capital Area Regional Planning Commission recognizes the *Dane County Land Use and Transportation Plan* and *Water Quality Plan* as part of the Master Plan for the Dane County region ; and

WHEREAS, the *Land Use and Transportation Plan* delineates urban service areas as amended through September 2004, and the *Water Quality Plan* delineates urban service areas as amended through June 2007; and

WHEREAS, the Town of Burke has requested an addition to the Central Urban Service Area, and has based the request on the Town of Burke Land Use Plan, as amended in 1999; and

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

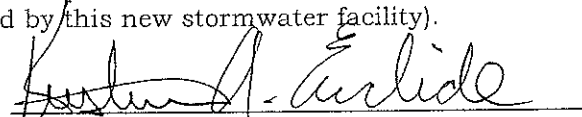
NOW, THEREFORE, BE IT RESOLVED that in accordance with §66.0309, Wis. Stats., the Capital Area Regional Planning Commission amends the *Dane County Land Use and Transportation Plan*, and recommends that the Wisconsin Department of Natural Resources amend the *Dane County Water Quality Plan* by revising the Central Urban Service Area boundary as shown on the attached map.

Approval of this amendment is based on the land use, site plan, and urban service plans submitted in support of this amendment, and conditioned on the Town of Burke and Village of DeForest pursuing the following:

1. Submit a detailed stormwater management plan for CAPD/CARPC and DCLCD review and approval prior to approval of sanitary sewer service extension and prior to re-development. Plan should include stormwater quantity measures to control post-development rates of runoff at pre-development rates for all storms up to and including the 100-year event, and to prevent increased downstream erosion. Plan should also include stormwater quality treatment and protection measures for the entire amendment area to mitigate the adverse impacts of development to the maximum extent practicable, including the capture of 80% of TSS for 1-year and 2-year storms, mitigation of thermal impacts, prevention of re-suspension of captured sediment, prevention of the flushing of floatables, and treatment of other urban stormwater contaminants. Plan should also include plans for contingency measures for additional detention and treatment if and when the gravel parking areas are paved.
2. Mitigate the adverse impacts of development on groundwater quantity by providing measures with adequate capacity to infiltrate all rooftop runoff (for both existing and new additions) for a one year storm. Include plans for contingency infiltration measures if and when gravel parking areas are paved. Any redevelopment in the amendment area should maintain the natural recharge of the site and mitigate the impacts of groundwater withdrawal to the maximum extent practicable.
3. Create stormwater easements for all stormwater management facilities and designate them as environmental corridors (when the locations have been determined, and as part of the sewer extension review for the development served by this new stormwater facility).

November 29, 2007

Date Adopted



Kristine Euclide, Interim Secretary