

August 25, 2022

Timothy Asplund
Monitoring Section Chief
Bureau of Water Quality
Division of Environmental Management
101 S. Webster Street
PO Box 7921
Madison, WI 53707

Subject: 2030 Fox Cities – Heart of the Valley Sewer Service Area Plan

**Amendment** 

Track No. 174

Dear Mr. Asplund:

This letter submits the 2030 Fox Cities – Heart of the Valley Sewer Service Area Amendment request which was approved by the East Central Wisconsin Regional Planning Commission's Community Facilities Committee (CFC) on August 23, 2022. The City of Kaukauna applied for the amendment under ECWRPC's Amendment Policy I, A – Acreage Swap. This involves removing 39.41 acres currently within the SSA and adding 29.07 acres outside but adjacent to the SSA, both primarily agricultural land. The additional acreage would allow for the potential to provide sewer service to the proposed Bluestem Meadows development. This amendment complies with the Amendment Policies and Criteria in the adopted SSA Plan. Details on ECWRPC's full evaluation of the amendment can be found in the staff memo attached.

The materials attached for your consideration include the staff evaluation and recommendation, the City of Kaukauna's application, a location map, and the CFC meeting agenda and draft meeting minutes.

If you require any additional information or have any questions, please contact me at wpaustian@ecwrpc.org or at 920-886-6832.

Sincerely,

Wilhelmina Paustian Senior Planner

Wilhelmino Paustian

att: Staff Memo

City of Kaukauna Amendment Application

Location Map

Community Facilities Committee Agenda August 23, 2022

Community Facilites Draft Meeting Minutes

cc: Kevin Englebert, Deputy Director, ECWRPC

Melissa Kraemer Badtke, Executive Director, ECWRPC

Gunilla Goulding, Plan Review Engineer, WDNR



TO: Community Facilities Committee

FROM: Wilhelmina Paustian, Senior Planner

**DATE:** August 4, 2022

RE: Fox Cities – Heart of the Valley Sewer Service Area Amendment – Track 174

In a letter dated July 20, 2022, the City of Kaukauna submitted a Sewer Service Area (SSA) Amendment application under Section I Policy A, acreage swap, in the Fox Cities – Heart of the Valley (HOV) 2030 Amendment Policies. The City is proposing to remove 39.41 acres of land in the HOV SSA and add in 29.07 acres of land that is currently outside of, but adjacent to the HOV SSA. While there is a 10-acre difference, more land will be removed from the SSA than added. The parcel that the City is requesting to be brought into the HOV SSA was originally in the SSA prior to being swapped out on June 10, 2021 under Amendment Track No. 169. Per the amendment criteria in the SSA Plan, the area must share a common boundary with the current SSA and utilize consistent land use areas to the extent possible. Both areas are primarily Agricultural. See Map 1 and Table 1.

Table 1. Swap Areas by Land Use Classification

Proposed A	ddition	Proposed Rem	oval
Land Use	Acres	Land Use	Acres
Agriculture	26.69	Agriculture	38.41
Undeveloped	1.38	General Woodlands	0.78
Water	1.01	75 Foot Stream Buffer	0.22
Sum	29.07	Sum	39.41

The City notified and received written confirmation from the property owner that they understand and approve the property will be removed from the SSA. The Fox Cities SSA Plan is in the process of being updated, and the parcels swapped out will be reconsidered when allocating additional acres.

The parcel to be removed is within the Town of Buchanan. The City of Kaukauna notified Maggie Mahoney, Town of Buchanan Administrator, of the SSA amendment in accordance with the SSA Plan Policies.

Adding this area into the SSA would allow for the potential to provide sewer service to the proposed Bluestem Meadows development. This development would serve approximately 150 people with a design flow of 15,000 gallons per day; design BOD level of 25.5 pounds per day, design TSS level of 30 pounds per day, and design TP 1.245 pounds per day. The Heart of the Valley Metropolitan Sewerage District

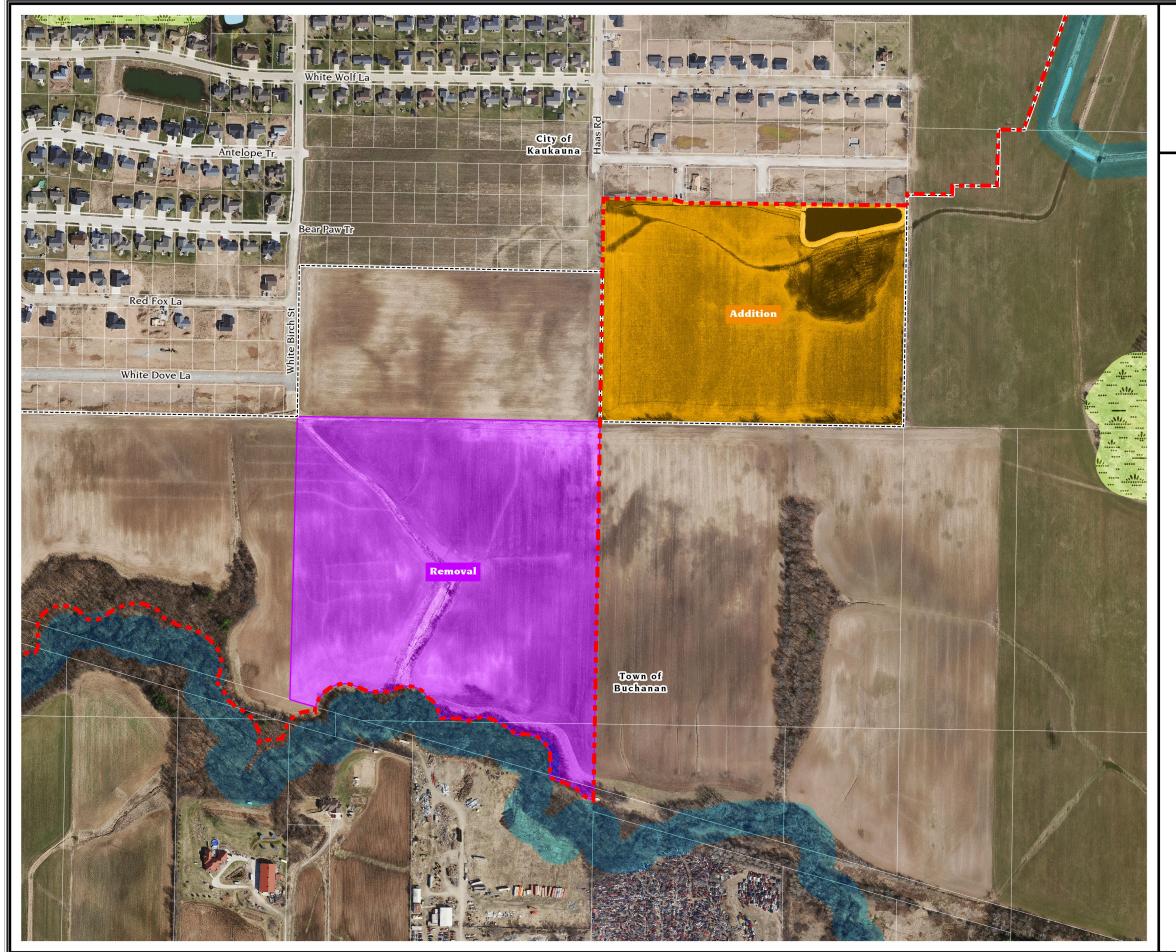
(HOVMSD) conducted a review and stated the estimated residential loadings at full subdivision buildout should not be an issue for treatment capacity.

In addition, there is existing sewer infrastructure nearby on Haas Street and Antelope Trail to the north of the development. Sewer connections for the new development would connect to the sanitary sewer line on Antelope Trail.

While there is approximately one-acre of water on the parcel, the proposed development plan set does not appear to impact any mapped environmentally sensitive areas on the Fox Cities-HOV SSA Environmentally Sensitive Areas Map. However, the parcel does appear to have wetland indicator soils in the area. The developer will need to address that outside of this amendment process and, if necessary, conduct a wetland delineation and/or receive applicable wetland permits. A more detailed conformance review will take place if the amendment is approved.

Based on the review and evaluation of this amendment application, staff has determined that the proposed acreage swap in the Fox Cities – Heart of the Valley SSA follows ECWRPC's swap amendment criteria and is consistent with the Fox Cities 2030 SSA Plan.

**Staff Recommendation:** Staff recommends that the Community Facilities Committee approve the City of Kaukauna's SSA Amendment (Track 174) request.



# Map 1 City of Kaukauna SSA Amendment Proposal Track 174

----- Municipal Boundary

Heart of the Valley Sewer Service Area
Boundary

Proposed Sewer Service Area Addition

Proposed Sewer Service Area Removal

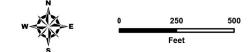
Environmentally Sensitive Area

Wetland & 50 Foot Wetland Buffer

75 Foot Stream Buffer

### Source:

SSA and ESA data provided by ECWRPC, 2022. Roads, Parcels, and Municipal Boundaries provided by Outagamie County, 2022.



This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

PREPARED JULY 2022 BY:





July 20, 2022

East Central Wisconsin Regional Planning Commission Attn: Wilhelmina Paustian 400 Ahnaip Street Suite 100 Menasha WI 54952

RE: City of Kaukauna Proposed Acreage Swap for Sewer Service Area Map Amendment

The City of Kaukauna would like to request a Sewer Service Area amendment under Section 1 Policy A, acreage swap. The City proposes to add a total of 29.1843 Acres east of Haas Road and south of Antelope Trail. The acreage includes Lot 4 CSM 7779, also called Blue Stem Meadows 3 & 4, a proposed 62 residential lot subdivision.

We propose the deleting/swap-out of Tax Parcel 03-0-0223-00-2 as described in the attached Personal Representative's Deed, total acreage of 39.75 Acres. This lot is adjacent to the proposed addition, is owned by a Family Trust; Mader Family Trust, Karen D. Mader Revocable Living Trust, et al., W891 County Road CE, Kaukauna, WI 54130.

Please contact my office at (920) 766-6305 with any questions regarding proposed SSA swap.

Sincerely,

Jeffrey Bodoh City of Kaukauna Senior Project Engineer

### **Enclosures**

- 1) ECWRPC SSA Review Request Form with Fee \$250
- 2) Overview of Blue Stem Meadows 3 & 4
- 3) CSM 7779 Swap In Lot 4
- 4) Personal Representative's Deed Swap Out Parcel 03-0-0223-00-2
- 5) Mader Family Trust Acknowledgement of Sewer Service Area Swap

CC: Blue Stem Meadows 3 & 4 Subdivision File HOVMSD – Brian Helminger, District Director (via email)

### Wilhelmina Paustian

From: Jeffrey Bodoh <jbodoh@kaukauna-wi.org>

**Sent:** Tuesday, August 16, 2022 3:41 PM

To: Wilhelmina Paustian
Cc: John Neumeier

**Subject:** FW: City of Kaukauna Sewer Service Area Swap-Tax Parcel 03-0-0223-00-2 **Attachments:** Mader Family Trust-Aknowledgement 7 14 2022.pdf; Overview Swap Map.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Wilhelmina

Below is the e-mail reply from the Town of Buchanan regarding the sanitary sewer service area swap.

Have a nice day

### **Jeffrey Bodoh**

Project Engineer

### **CITY OF KAUKAUNA**

920.766.6305

jbodoh@kaukauna-wi.org www.cityofkaukauna-wi.org

From: Maggie Mahoney < Maggie M@townofbuchanan.wi.gov>

Sent: Tuesday, August 16, 2022 1:21 PM

To: Jeffrey Bodoh < jbodoh@kaukauna-wi.org>

Cc: John Neumeier < neumeier@kaukauna-wi.org>; Dennis Jandrey < Dennis J@townofbuchanan.wi.gov>; Cynthia Sieracki < cynthias@townofbuchanan.wi.gov>

Subject: RE: City of Kaukauna Sewer Service Area Swap-Tax Parcel 03-0-0223-00-2

Hi Jeffrey,

The Town does not have any issues or objections with the proposed sewer service swap. Thank you, Maggie

Maggie Mahoney Administrator Town of Buchanan N178 County Rd. N | Appleton | WI | 54915 Office: 920-734-8599 | Fax: 920-734-9733

Office: 920-734-8399 | Fax: 920-734-9733

https://link.edgepilot.com/s/588e813d/cJgkTHnA U2v88y3feHZfg?u=http://www.townofbuchanan.org/

"In the Spirit of Town Government"

From: Jeffrey Bodoh < jbodoh@kaukauna-wi.org>

Sent: Monday, August 8, 2022 9:30 AM

To: Maggie Mahoney < Maggie M@townofbuchanan.wi.gov>

Cc: John Neumeier < neumeier@kaukauna-wi.org>

**Subject:** City of Kaukauna Sewer Service Area Swap-Tax Parcel 03-0-0223-00-2

Maggie Mahoney

The City of Kaukauna has requested that East Central Wisconsin Regional Planning Commission (ECWRPC) remove Tax Parcel 03-0-0223-00-2 (owned by the Mader Family Trust) from the City's sewer service area (SSA) as shown on the attached map. This action is necessary to add land for the Blue Stem Meadows Subdivision Addition into the City's sewer service area. The City anticipates that Tax Parcel 03-0-0223-00-2, that is being swapped out, will be back in the Kaukauna service area when the proposed 2040 Heart of the Valley SSA map is approved. This is anticipated to occur in 2023. This process would not change anything for Tax Parcel 03-0-0223-00-2 other then that the parcel could get City sewer service until after the City sewer service has been approved in 2023.

The City has been in contact with the Mader Family Trust. A letter of acknowledgement signed by 2 representatives of the Maders Family Trust is attached.

Would the Town of Buchanan have an issue with the sewer service swap? Please reply to this email. If you have any questions, feel free to call me at 920-766-6305.

Have nice day

### **Jeffrey Bodoh**

Project Engineer

### **CITY OF KAUKAUNA**

920.766.6305

jbodoh@kaukauna-wi.org

https://link.edgepilot.com/s/2643b321/AAI7H8G0cEKEEZHkseCTJw?u=http://www.cityofkaukauna-wi.org/



### "208" Water Quality Management (WQM) Letter / SSA Review Request/Fee Payment Form

On July 27, 2018 the East Central Wisconsin Regional Planning Commission approved fee increases for the issuance of WQM letters and SSA Amendment Reviews (see complete fee schedule on reverse side). This form should be completed and submitted, (along with your check payable to East Central RPC), in conjunction with the normal/required project submittal documents. Project proposals may be emailed in .pdf format provided they are legible and complete, (as described above), and additionally, review comments will be returned via email for expediency and convenience. Applicants may request a receipt of payment upon request. Questions should be directed to Wilhelmina Paustian at <a href="mailto:wpaustian@ecwrpc.org">wpaustian@ecwrpc.org</a> or by calling (920) 751-4770. A copy of this form in .pdf format is available on East Central's website (<a href="www.ecwrpc.org">www.ecwrpc.org</a>) under the SSA Planning Program.

(PLEASE PRINT)	
Submittal Date: 07 / 20 / 2022	
Project Name: Blue Stem Meadows 3 & 4	
Project Type (circle one): Sewer Extension Private Lateral Lift Station	WWTF Facility Plan SSA Amendment
Fee Amount (from schedule on reverse): \$\( \frac{250.00}{\)}  (please note 'mem (Note – please pay only the initial fee indicated. If additional charges are incurred, you will b	ber' or 'non-member' categories)  ne notified to authorize continuation of the review)
Municipality Name: City of Kaukauna 🔻 🗷 RPC M	ember   RPC Non-Member
Sanitary District Name (if applicable) Heart of the Valley	ECWRPC USE ONLY:
Primary Project Contact: Jeffrey Bodoh	REVIEW NO
Company/Business: City of Kaukauna	DATE RCVD
Phone No. (920) 766-6305	CHECK NO
	DATE COMPLETED:
E-mail: _jbodoh@kaukauna-wi.org	BY:

Please paper clip check payable to East Central RPC to this page. If the check is not attached, the review will not be initiated!

Document #: 2167559
Date: 08-07-2019 Time: 04:08 PM
Pages: 4 Fee: \$30.00

County: OUTAGAMIE COUNTY State: WI

Jarah B. San amp

Returned to: DAVEL ENGINEERING

### Certified Survey Map No. 7779

All of Lots 1, 2 and 3 of Certified Survey Map 6738 recorded as Document No. 2003546 in the Outagamie County Register of Deeds office, being all of the Northwest 1/4 of the Northeast 1/4 and all of the Southwest 1/4 of the Northeast 1/4 Section 31, Township 21 North, Range 19 East, City of Kaukauna, Outagamie County, Wisconsin.

Map is on Sheet 2

### Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Kaukauna, and under the direction of Patricia Jonen and Dercks Dewitt, LLC, the property owners of said land, I have surveyed divided and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is all of Lots 1, 2 and 3 of Certified Survey Map 6738 recorded as Document No. 2003546 in the Outagamie County Register of Deeds office, being all of the Northwest 1/4 of the Northeast 1/4 and all of the Southwest 1/4 of the Northeast 1/4 Section 31, Township 21 North, Range 19 East, City of Kaukauna, Outagamie County, Wisconsin, containing 3,423,557 Square Feet (78.5941 Acres) of land, subject to all easements, and restrictions of record.

Given under my hand this 23 day of July	2019
JAMICS R SEHLOFF SORTO	
James B. Serioff, Wiscopsin Professional Land Surveyor No. S-2692	
SURVE CONTRACTOR OF THE PROPERTY OF THE PROPER	

### City Council Approval Certificate

Resolved, that this certified survey map in the City of Kaukauna, Outagamie County, Patricia Jonen and Dercks Dewitt, LLQ, the property owners, is hereby approved by the City Council of the City of Kaukauna.

Mayor Date 7-30-19

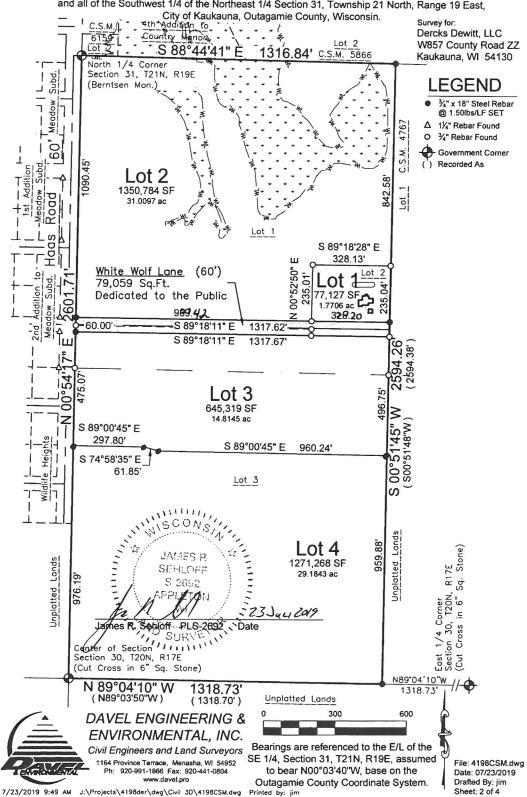
I hereby certify that the foregoing is a copy of a resolution adopted by the City Council of the City of Kaukauna.

Sally a Kenney 7-30-19
Date



### Certified Survey Map No. 7779

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### Treasurers' Certificate

We, being the duly elected, qualified and acting Treasurers' of the City of Kaukauna and Outagamie County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this certified survey map.

Lally a - Konney 7-30-1	1
Trea & Way 8/7/20	0)9
County Treasure Date	
Owners' Certificate	
As the property owner, I hereby certify that I caused the land surveyed, divided, mapped and dedicated all as shown and it	
I do further certify this plat is required by s.236.10 or s.236.12 objection:  City of Kaukauna	to be submitted to the following for approval or
01	10
Dated this 29 day of July	, 20
Potago A Nove	
Patricia A Jonen, Owner	
State of Wisconsin ) )SS	
Outagamie County)	
Personally came before me on the day of day of cexecu	20, 20, the above the ded the foregoing instrument and acknowledge the
same.	
10mm & Sell My Commission &	pires <u>August 28 2021</u>
Notary Public, Wisconsin	J
OF WISCOME	
WINSCOWS!	
JAMES R VI E	
S 2000 TO THE PROPERTY OF THE	g
mes R. Semost Professional Land Surveyor No. S-2692 Date	e
SURVEYOUT	File: 4198CS

### Certified Survey Map No. 7779

All of Lots 1, 2 and 3 of Certified Survey Map 6738 recorded as Document No. 2003546 in the Outagamie County Register of Deeds office, being all of the Northwest 1/4 of the Northeast 1/4 and all of the Southwest 1/4 of the Northeast 1/4 Section 31, Township 21 North, Range 19 East, City of Kaukauna, Outagamie County, Wisconsin.

### Owner's Certificate of Dedication

Dercks Dewitt, LLC, a limited liability company duly organized and existing under and by virtue of the Laws of the State of Wisconsin, as the property owner, does hereby certify that we caused the land above described to be surveyed, divided, mapped and dedicated all as shown and represented on this map.

We do further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or

City OF Kaukaun A Outagamio County Department of Develo	pment & Land Services	
Town of Greenville		
In the presence of: Dercks Dewitt, LLC		
Thomas W Rich	7-23-19	ennum,
Tom Dercks	Date STATE SICA	N Management
Managing Member	1 4 S	TAPL
State of Wisconsin )		-10
(inlinent County)	N. A.	Burya
C II A What Country	( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	(Mita)
Personally came before me on the	day of	, 20 <u>19</u> , the above the ng instrument and acknowledge the
same.		
	Commission Expires 7-6	13-13
Notary Public, Wisconsin		
This Certified Survey Map is contained wholl	ly within the property described	in the following recorded instruments:
The property owners of record:	Recording Information:	Parcel Number(s):
Patricia Jonen	Doc 2005408	030021100 SRA
Dercks Dewitt, LLC	Doc 2162521	03002/200 SRA
		03002/201 SPA

JAMES R SEHLOFF S-2692 RLETON Professional Land Surveyor No. S-2692 Date 1621753

PERSONAL REPRESENTATIVE'S DEED

Document Number

For valuable consideration but without warranty, Karen D. Mader, as Personal Representative of the Estate of James A. Mader ("Grantor"), conveys to Karen D. Mader, Trustee of the Karen D. Mader Revocable Living Trust an undivided fifty percent interest, and to Karen D. Mader and Sara Jane Massonet, Co-trustees of the Mader Family Trust an undivided fifty percent interest, as tenants in common, ("Grantees"), in the following described real estate in Outagamie County, Wisconsin:

RECEIVED FOR RECORD

JUL - 7 2004

**OUTAGAMIE COUNTY** 

AT 8 O'CLOCK A.M. P.M. JANICE FLENZ REGISTER OF DEEDS

Record this document with the Register of Deeds Name and return address:

Twohig & Rietbrock, S.C. 102 N. Madison Street Chilton, WI 53014 1900 1900

Tax Parcel No.: 03-0-0224-01-2

The South 75 feet of the North 325 feet of the West 125 feet of the Northwest 1/4 of the Southwest 1/4, Section 31, Township 21 North, Range 19 East, Town of Buchanan, Outagamie County, Wisconsin.

Tax Parcel No.: 03-0-0224-00-2

03-0-0222-00-2

03-0-0235-00-2

# | | EXEMPT

The South 1/2 of the Southeast 1/4 of the Northwest 1/4, Section 31, Township 21 North, Range 19 East. That part of the East 1/2 of the Southwest 1/4 of Section 31, which lies north of the Milwaukee, Lakeshore and Western Ry. Co's. right of way (now the C. & N.W. Ry. Co.,) containing about 42 acres, also that part of the East 1/3 of the West 1/2 of the Southwest 1/4 of said Section 31, which lies North of the said railway company's right of way, containing 13.16 acres less the South six acres thereof sold to Ed. Glasheen by deed dated Aug. 12, 1911, also the North six acres of the center 1/3 between the east and West one-third of the West 1/2 of the Southwest 1/4 of Section 31, also all that part of the West 1/3 of the fractional West 1/2 of the southwest 1/4 of Section 31 North of the said railway, containing about 10 acres, all in Township No. 21, Range number 19 East in Co. and State aforesaid.

That part of the center 1/3 of the west 1/2 of the southwest 1/4 lying north of the Chicago & Northwestern right-of-way, less the North six acres thereof heretofore conveyed and shown at Vol. 137 of deeds, page 262, and together with that part of the east 1/3 of the west 1/2 of the southwest 1/4 lying immediately north of the Chicago & Northwestern right-of-way, containing about six acres of land and as described at Vol. 137 of Deeds, page 261, said property lying and being in Section 31, Township 21, North of Range 19 East, Outagamie County, Wisconsin, subject to life estate interest in the residence building of Mike Loderbauer and Theresa Loderbauer. Consisting of approximately one hundred (100) acres, excepting therefrom:

The South 75 feet of the North 325 feet of the West 125 feet of the Northwest 1/4 of the Southwest 1/4, Section 31, Township 21 North, Range 19 East, Town of Buchanan, Outagamie County, Wisconsin.

Tax Parcel No.: 03-0-0209-00-2

A parcel of land in the Northeast 1/4 of the Northeast 1/4 of Section 31, Township 21 North, Range 19 East, Town of Buchanan, Ouagamie County, Wisconsin, more fully described as follows: Commencing at the intersection of the East line of said Section 31 with the centerline of County Trunk Highway "Q" (now known as CE) as the point of beginning, thence South along the section line 152 feet to an iron pipe, thence North 76° 31' West 126.3 feet to an iron pipe, thence North 21° 01'East 167.2 feet to the center line of C.T.H. "Q" (now known as CE), thence South 61°56' East along the center line of C.T.H. "Q" (now known as CE) 71.3 feet to the place of beginning, excepting therefrom:

A parcel of land in Section 31, T21N, R19E, the NE 1/4 of the NE1/4 thereof, described as follows:

Commencing at the Northeast corner of Section 31, which is assumed to be located at the intersection of the Wieler Road transit line and Kavanaugh Road transit line; thence N 89° 00' 14" W along the Wieler Road transit line and assumed Section line 625.50 feet; thence N 0° 59' 42" E on a line perpendicular to the Wieler Road transit line 24.75 feet; thence N 89° 00' 14" W along the existing northerly right-of-way lineof Wieler Road 263.33 feet; thence N 60° 33' 56" W parallel with and 50 feet northeasterly of the C.T.H "O" (now known as CE) transit line 628.99 feet; thence N 57° 01' 40" W 81.03 feet to a point of curve of radius 2,346.83 feet (from said point the long chord bears N 70° 08' 07" W 780.13 feet); thence northwesterly along the arc of the curve parallel with and 55 feet northeasterly of the C.T.H. "Q" (now known as CE) transit line 783.95 feet to the end of curve; thence N 79° 42' 18" W parallel with and 55 feet northerly of the C.T.H "O" (now known as CE) transit line 308.86 feet; thence N 39° 15' 30" W 143.52 feet; thence S 01° 11' 18" W along the Haas Road transit line 150.00 feet; thence N 79 ° 42' 18" W along the C.T.H. "Q" (now known as CE) transit line 59.20 feet; thence S 10°17' 42" W on a line perpendicular to the C.T.H. "Q" (now known as CE) transit line 50.00 feet; thence S 79° 42' 18" E parallel with and 50 feet southerly of the C.T.H. "Q" (now known as CE) transit line 453.54 feet to a point of curve of radius 2,241.83 feet (from said point the long chord bears S 70° 08' 07" E 745.40 feet); thence southeasterly along the arc of the curve parallel with and 50 feet southwesterly of the C.T.H. "Q" (now known as CE) transit line 748.88 feet to the end of curve; thence S 60° 33' 56" E parallel with and 50 feet southwesterly of the C.T.H. "Q" (now known as CE) transit line 1,280.88 feet; thence S 63° 25' 41" E 100.13 feet; thence S 60° 33' 56" E parallel with and 45 feet southwesterly of the C.T.H. "Q" (now known as CE) transit line 370.08 feet; thence S 57° 58' 26" E 330.27 feet; thence N 29° 25' 23" E on a line perpendicular to the C.T.H. "Q" (now known as CE)" transit line 60.00 feet; thence N 60° 34' 37" W along the C.T.H. "Q" (now known as CE) transit line 329.92 feet to the

Kavanaugh Road transit line; thence N 29° 25' 44" E on a line perpendicular to the C.T.H. "Q" (now known as CE) transit line 50.00 feet; thence N 60° 33' 56" W parallel with and 50.00 feet northeasterly of the C.T.H. "Q" (now known as CE) transit line 762.77 feet; thence N 06° 40' 58" W 105.14 feet to a point on the Wieler Road transit line; which point is 150 feet from the C.T.H. "Q" (now known as CE) transit line as measured along the Wieler Road transit line; thence N 84° 42' 43" E 32.84 feet to the point of beginning.

Tax Parcel No.: 03-0-0237-00-2

03-0-0238-00-2

03-0-0243-01-2

03-0-0241-01-2

03-0-0240-00-2

All that portion of the following described property located North of the North line of the main track (now removed) of the Milwaukee Lake Shore and Western Railway Company (now the Chicago and North Western Transportation Company), as said main track was originally located and established over and across said Section 31, in Town of Buchanan, Outagamie County, Wisconsin, to-wit: The West 1/2 of the East 110 acres of the SE 1/4 of Section 31, T21N, R19E, Outagamie County, Wisconsin.

### and

All that portion of the following described property located North of the North line of the main track (now removed) of the Milwaukee Lake Shore and Western Railway Company (now the Chicago and North Western Transportation Company), as said main track was originally located and established over and across said Section 31, in the Town of Buchanan, Outagamie County, Wisconsin, to-wit: The West 50 acres of the SE 1/4 of Section 31, T21N, R19E.

Tax Parcel No.: 03-0-0668-01-2

A strip of land 100 feet in width extending over and across part of the Northeast Quarter of the Southeast Quarter of Section 36, Township 21 North, Range 18 East of the Fourth Principal Meridian, said strip of land being 50 feet in width on each side of the center line of the main track (now removed) of the Milwaukee Lake Shore and Western Railway Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 36, and lying Southeasterly of the Southeasterly line of a tract of land described by Easement Deed dated October 21, 1970, between the Chicago and North Western Railway Company and the Town of Buchanan, Outagamie County, Wisconsin.

### ALSO:

A strip of land 100 feet in width extending over and across part of the Southwest Quarter of Section 31, Township 21 North, Range 19 East of the Fourth Principal Meridian, said strip of land being 50 feet in width on each side of the center line of the main track (now

removed) of the Milwaukee Lake Shore and Western Railway Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 31, and lying Westerly of the following described line: Commencing at the South Quarter corner of said Section 31, as established by Project S 0733(3) of the Wisconsin State Highway Commission; thence S 89° 55' W along the South line of said Section 31 a distance of 581.6 feet; thence N 0° 05' W a distance of 425.1 feet; thence S 89° 55' W a distance of 199.4 feet; thence N 0° 05' W a distance of 722.8 feet to the point of beginning of the following described line; thence continuing N 0° 05' W a distance of 103.78 feet and there terminating.

Subject to all public roads and highways, and public or private utilities now located on the above described real estate

### Excepting therefrom:

The East 350 feet of the following described property situated in the Town of Buchanon, Outagamie County, Wisconsin, to-wit:

A strip of land 100 feet in width extending over and across part of the SW 1/4 of Section 31, T21N, R19E, of the Fourth Principal Meridian, said strip of land being 50 feet in width on each side of the center line of the main track (now removed) of the Milwaukee Lake Shore and Western Railway Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 31, and lying Westerly of the following described line: Commencing at the South 1/4 corner of said Section 31, as established by Project S 0733(3) of the Wisconsin State Highway Commission; thence S89°55' W along the south line of said Section 31 a distance of 581.6 feet; thence N 0°05'W a distance of 425.1 feet; thence S89°55'W a distance of 199.4 feet; thence N 0°05'W a distance of 722.8 feet to the point of beginning of the following described line; thence continuing N 0°05'W a distance of 103.78 feet and there terminating.

Being a part of Section 31, T21N, R19E, Outagamie County, Wisconsin.

By this Deed, the Grantor conveys to the Grantees all of the Grantor estate's interest in the Property, whether held by the decedent of the estate at the time of his death or acquired by the Grantor estate following the date of the decedent's death.

(Note: this transfer is exempt from a transfer return and fee pursuant to Sec. 77.25 (11)

Dated this 29th day of June, 2004.

Estate of James A. Mader, deceased

By: Maslu Karen D. Mader,

Personal Representative

STATE OF WISCONSIN

) )ss )

**CALUMET COUNTY** 

Personally came before me this 29th day of June, 2004, Karen D. Mader, known to me to be the person who executed by foregoing instrument and who acknowledged to me that she is the Personal Representative of the Estate of James A. Mader, that she executed the foregoing instrument in her

capacity as Personal Representative, and that the above instrument is a binding contract of the Estate of

James A. Mader.

eorge W. Twohig

Notary Public, Calumet County, WI

My commission is permanent.

Drafted by:

Attorney George W. Twohig Twohig & Rietbrock, S.C. 102 N. Madison Street Chilton, WI 53014 (920)849-4999



June 15, 2022

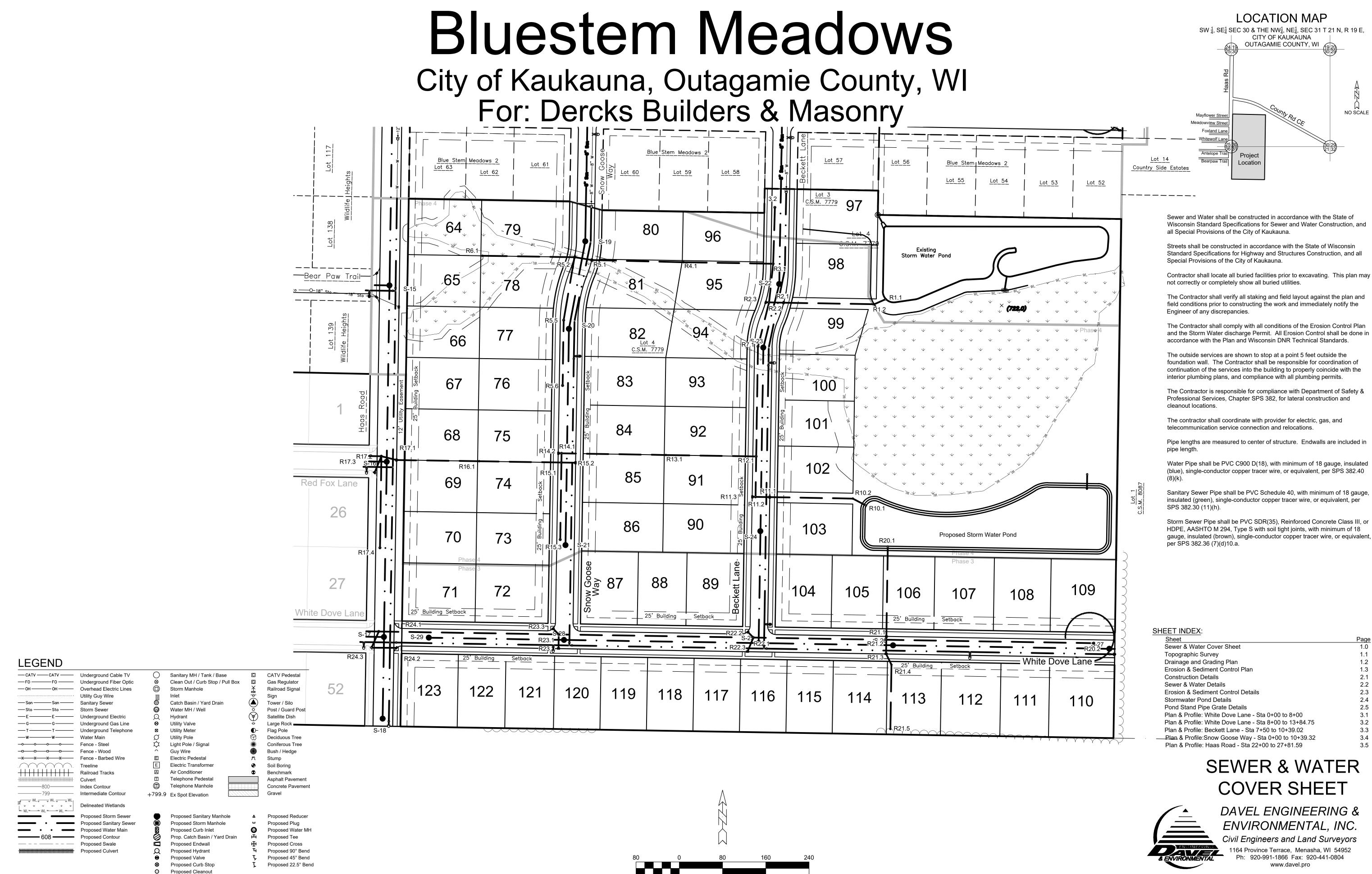
Mader Family Trust Karen D. Mader, Revocable Living Trust, et al. W891 County Road CE Kauakauna, WI 54130

RE: City of Kaukauna Sewer Service Area Swap - Tax Parcel 03-0-0223-00-2

I, Karen Mader, understand and approve the 39.75 acre property owned by the Mader Family Trust (Tax Parcel 03-0-0223-00-2 as shown on attached map) being Swapped out of the City of Kaukauna's Sewer Service Area.

Signature: Haven Mader	Date: 7-14-22
Comments:	

Please return to the Kaukauna Public Works Department in the attached addressed envelope



Page 1.0

1.2

1.3

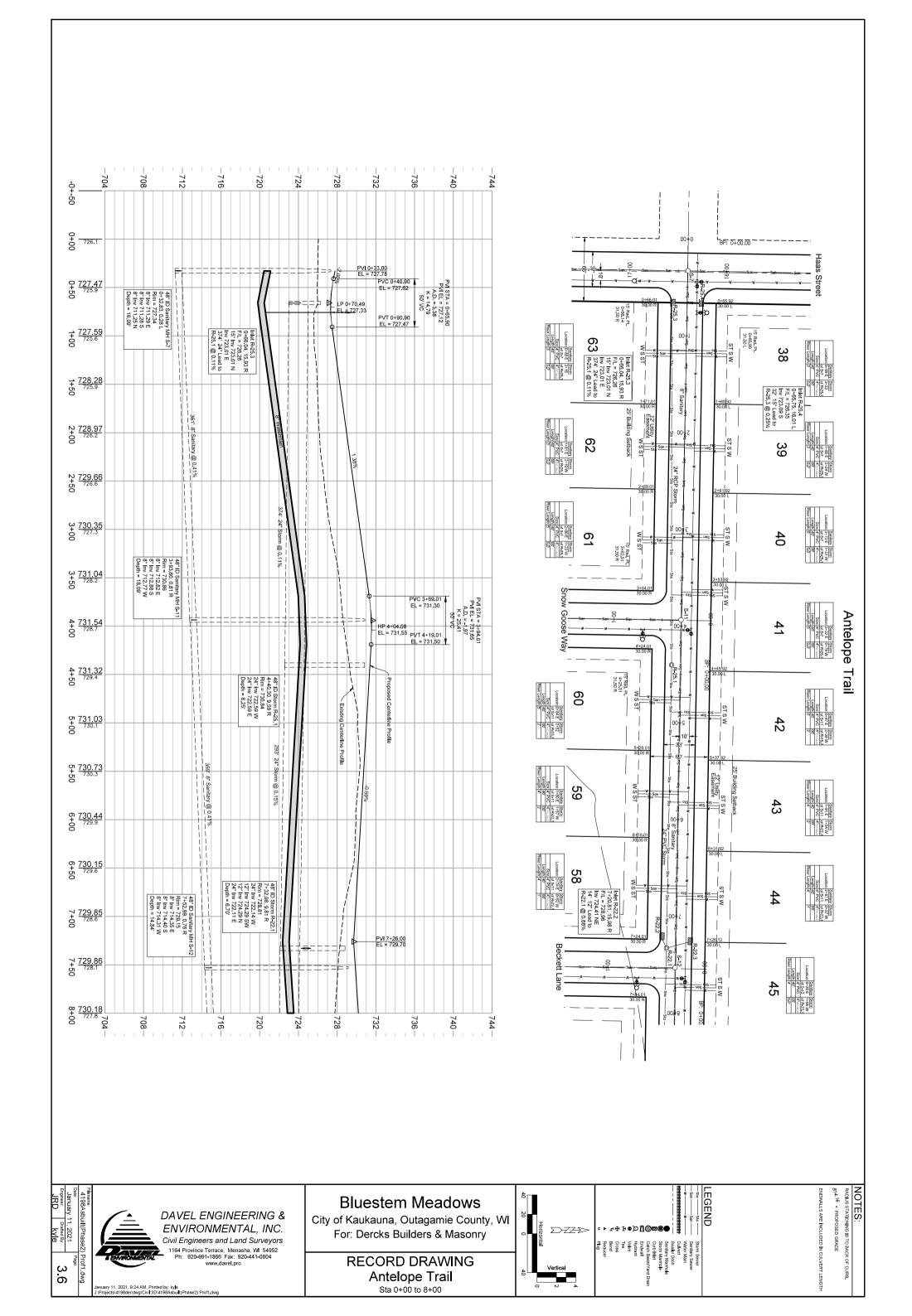
2.1

2.2 2.3 2.4 2.5 3.1 3.2 3.3 3.4

Project Number: 4198

### For DNR Sewer Checklist Bluestem Meadows 3

Proposed Servi	ice Area (acres)	_	
Immediate	29.41	Ultimate	29.41
Population to b	<u>e served</u>		
Density	5.10	Population	150
Per Capita Sew	age Contribution	n (gallons per da	<u>ay)</u>
Average	100	Peak	400
<u>Design Flows (</u>	gallons per day)	<del>.</del>	
Average	15000	Peak	60000
<u>Design Flows (d</u>	cubic feet per se	cond)	
Average	0.02	Peak	0.09
<u>Design BOD</u>	•		
25.50	lbs/day		
<u>Design TSS</u>			
30.00	lbs/day		
<u>Design TP</u>	•		
1.245	lbs/day		



### **Jeffrey Bodoh**

From: Brian Helminger <Brian.Helminger@hvmsd.org>

Sent: Wednesday, August 3, 2022 7:21 AM

To: Jeffrey Bodoh
Cc: Chad Giackino

**Subject:** RE: Sanitary Sewer map amendment for the Bluestem Subdivision Phase 3

### Good morning Jeffrey:

I have reviewed the attachments for the subdivision and the estimated residential loadings at full buildout should not be an issue as far as treatment capacity. I have included Chad from our office on this message and he will file the paperwork in our office and provide the concurrence letter once the project moves further along.

### **Brian Helminger**

**District Director** 

Heart of the Valley Metropolitan Sewerage District 801 Thilmany Road Kaukauna, WI 54130 Phone: 920-766-5731

https://link.edgepilot.com/s/017c5800/qkMPwESL10\_6iSczaD4v4Q?u=http://www.hvmsd.org/

From: Jeffrey Bodoh <jbodoh@kaukauna-wi.org>

Sent: Tuesday, August 2, 2022 4:16 PM

**To:** Brian Helminger <Brian.Helminger@hvmsd.org> **Cc:** John Neumeier <neumeier@kaukauna-wi.org>

Subject: Sanitary Sewer map amendment for the Bluestem Subdivision Phase 3

Mr. Helminger

I am working with East Central Wisconsin Planning Commission on Sanitary Service map Amendment for the Bluestem Meadows 3 Subdivision. East Central wants me to verify that the HOTV Wastewater Treatment Plant has the ability to treat the wastewater generated from the area. I have attached the sewer flow calculations (from the consultant), the proposed sewer layout for this subdivision and a copy of the plans for the earlier phase of Bluestem that Phase 3 will be connected to.

Please verify that the Treatment Plant can treat the waste from this subdivision.

Thank you and have a nice day

### **Jeffrey Bodoh**

**Project Engineer** 



June 16, 2022

Mader Family Trust Karen D. Mader, Revocable Living Trust, et al. W891 County Road CE Kauakauna, WI 54130

Dear Karen Mader,

This letter is notification that the City of Kaukauna has requested that East Central Wisconsin Regional Planning Commission (ECWRPC) remove a portion of your property from the City's sewer service area (SSA) as shown on the attached map. This action is necessary to add land for the Blue Stem Meadows Subdivision Addition into the City's sewer service area. The City anticipates your property that is being swapped out, will be back in the Kaukauna service area when the proposed 2040 Heart of the Valley SSA map is approved. This is anticipated to occur in 2023.

Attached is a confirmation letter verifying that you understand and accept the Sewer Service Area Swap. Please review, sign, date and return in the enclosed envelope.

If you have any questions regarding this issue, please contact me at your convenience at (920) 766-6305 or jbodoh@kaukauna-wi.org.

Sincerely,

Jeffrey Bodoh City of Kaukauna

Senior Project Engineer

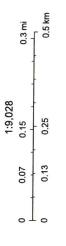
Attachments

Cc: Wilhelmina Paustian, Senior Planner, East Central Planning Commission John Neumeier, Director of Public Works/City Engineer, City of Kaukauna

# Sewer Service Area Boundary Web App



March 21, 2022



Brown County WI, Maxar, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community



## MEETING NOTICE COMMUNITY FACILITIES COMMITTEE MEETING East Central Wisconsin Regional Planning Commission

COMMITTEE MEMBERS: David Albrecht (Perm Alt for Tom Egan), Aaron Jenson (Perm Alt for Brian Smith), James Lowey, Jeff Nooyen, Brenda Schneider

Date: Tuesday – August 23, 2022

**Time:** 1:00 p.m. **Place:** Virtual Only

Meeting Link: https://meet.goto.com/711112565

Phone Number: +1 (571) 317-3122

**Access Code:** 711-112-565

Please contact the East Central office if you are unable to attend and arrange for an alternate to be present.

### **AGENDA**

- 1. Welcome and Introductions
- 2. Roll Call
  - A. Introduction of Alternates, Staff and Guests
- 3. Approval of the Agenda/Motion to Deviate
- 4. Public Comment
- 5. Approval of the Minutes of the June 8, 2022 Community Facilities Committee Meeting
- 6. Announcements and Discussion Items
- 7. New Business/Action Items
  - A. Re-Evaluate Track 173 Oshkosh 2030 Sewer Service Area Amendment: Change in DMA Status
  - B. Track 174 Fox Cities-Heart of the Valley Sewer Service Area Amendment: Acreage Swap
  - C. Track 175 Stockbridge Sewer Service Area Amendment: Acreage Swap
- 8. Informational / Discussion Items
  - A. County Roundtable Discussion (as time permits)
- 9. Upcoming Commission Meetings
  - A. The next **Community Facilities Meeting** will take place Wednesday, September 14, 2022 at 10:00 a.m. Further details will be forthcoming.
  - B. The next **Quarterly Commission Meeting** will take place Friday, October 28, 2022. Further details will be forthcoming.

### 10. Adjourn

Any person wishing to attend this meeting or hearing, who, because of a disability, requires special accommodations should contact the East Central Wisconsin Regional Planning Commission at (920) 751-4770 at least three business days prior to the meeting or hearing so that arrangements, within reason, can be made.



# DRAFT MEETING MINUTES COMMUNITY FACILITIES COMMITTEE

East Central WI Regional Planning Commission

Date: Wednesday, August 23, 2022

Time: 1:00 p.m.
Place: Virtual Meeting

### 1. Welcome and Introductions

Vice Chairperson Schneider called the meeting to order at 1:00 p.m.

### 2. Roll Call

Committee Members Present:	
Brenda Schneider-Chair	
Jeff Nooyen	Outagamie County
James Lowey-Vice Chair	Menominee County
Aaron Jenson (Perm. Alt. for Brian Smith)	Waupaca County
Committee Mambaus Absent (Everyand)	
Committee Members Absent (Excused):  David Albrecht (Perm. Alt. for Tom Egan)	Winnehage County
David Albrecht (Perni. Alt. 101 10111 Egan)	willinebago County
ECWRPC Staff:	
Melissa Kraemer Badtke	Executive Director
Kevin Englebert	
Wilhelmina Paustian	
Leann Buboltz	
ECWRPC Guests:	
Kevin Mraz	Algoma Sanitary District
Kevin MrazLawrie Kobza	
Lawrie Kobza	Boardman & Clark, LLP
Lawrie Kobza Jonathan Smies	Boardman & Clark, LLP Godfrey & Kahn, S.C.
Lawrie Kobza Jonathan Smies Tim Asplund	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR
Lawrie Kobza Jonathan Smies Tim Asplund Gunilla Goulding	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR WDNR
Lawrie Kobza Jonathan Smies Tim Asplund Gunilla Goulding Alix Burk	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR WDNR
Lawrie Kobza	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR WDNR WDNR WDNR City of Kaukauna
Lawrie Kobza Jonathan Smies Tim Asplund Gunilla Goulding Alix Burk	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR WDNR WDNR WDNR City of Kaukauna City of Kaukauna
Lawrie Kobza Jonathan Smies Tim Asplund Gunilla Goulding Alix Burk John Neumeier Jeff Bodoh Steve Gohde	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR WDNR WDNR City of Kaukauna City of Kaukauna City of Kaukauna
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Lawrie Kobza Jonathan Smies Tim Asplund Gunilla Goulding Alix Burk John Neumeier Jeff Bodoh Steve Gohde James Rabe Justin Gierach	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR WDNR WDNR City of Kaukauna City of Kaukauna City of Oshkosh Public Works City of Oshkosh
Lawrie Kobza Jonathan Smies Tim Asplund Gunilla Goulding Alix Burk John Neumeier Jeff Bodoh Steve Gohde James Rabe	Boardman & Clark, LLP Godfrey & Kahn, S.C. WDNR WDNR City of Kaukauna City of Kaukauna City of Oshkosh Public Works City of Oshkosh

- **3. Approval of the Agenda/Motion to Deviate -** A motion was made by Mr. Lowey and second by Mr. Nooyen to approve of the agenda. Motion carried unanimously.
- **4. Public Comment –** Chair Schneider indicated that public comments are limited to 2 minutes for each individual.

Attorney Jonathan Smies – On behalf of the City of Oshkosh. Attorney Smies stated that the City of Oshkosh SSA Amendment will change the DMA status in the City of Oshkosh for the Wit development. He noted that he was in support of the Commission's recommendation to approve the City's request and shared that those being served are City residents and would be receiving city services (i.e. police, fire and water) so providing wastewater service would make sense.

Mr. Mark Rohloff – City of Oshkosh Manager indicated that workforce housing is important for the Economic Development in the area and that the City has been working with the Wit development for a couple of years and noted they are in favor of this request.

Attorney Lawrie Kobza – On behalf of the Algoma Sanitary District No. 1. Attorney Kobza shared that they believe that staff's recommendation includes an error. She stated that this will not conform to the existing Sewer Service Area Plan because the project is being sized to serve areas that are within the Sanitary District DMA and are already receiving service from the Sanitary District. Ms. Kobza also stated that the full cost for the City's interceptor project must be attributed to the Wit development.

Kevin Mraz – City of Algoma Sanitary District. He presented slides showing a map of the existing District's sewer main along Witzel Avenue and noted that it is adequate to serve the site and is the same size diameter that is being proposed by the City, therefore it would not be a necessity to install new infrastructure along Witzel Avenue. In addition, Mr. Mraz pointed out that the sewer main extends to Westbrook Drive, not to Westhaven Drive as was incorrectly noted in the Commission staff's memo. Mr. Mraz emphasized that the City's DMA request is proposed to allow service to the Wit property only and not connect to any other property. A map of the proposed 72 acres that is included in the City's broad project cost was not identified by the City. He also stated that spreading the entire project cost across the 72 acres would not be a fair representation of the monetary cost to serve the Wit development.

- 5. Approval of the Minutes of the June 8, 2022 Community Facilities Committee Meeting A motion was made by Mr. Nooyen and seconded by Mr. Lowey to approve as presented. Hearing of no further discussion, motion carried unanimously.
- 6. Announcements -
  - A. Staff Report –None.

### 7. New Business/Action Items – presented by Ms. Paustian – Senior Planner

A. Re-Evaluate Track 173 – Oshkosh 2030 Sewer Service Area Amendment: Change in DMA Status: Ms. Paustian provided an overview of the amendment timeline and final evaluation. Staff conducted an evaluation of the proposed SSA Amendment with respect to the Policies and Criteria outlined in the Oshkosh SSA Plan, and NR 121, Wisconsin Administrative Code definition of a cost-effective analysis, as well as a non-monetary cost analysis which includes environmental impacts. Upon that review, ECWRPC is recommending that the Community Facilities Committee approve the City of Oshkosh's SSA Amendment (Track 173) request.

A motion was made by Mr. Lowey and second by Mr. Nooyen to approve the proposed Track173-Oshkosh 2030 Sewer Service Area Amendment: Change in DMA Status. Motion carried unanimously

B. Track 174 – Fox Cities-Heart of the Valley Sewer Service Area Amendment: Acreage Swap. On July 20, 2022 the City of Kaukauna submitted an SSA Amendment application to propose removing 39.41 acres of land in the HOV SSA and add in 29.07 acres of land outside, but adjacent to the HOV SSA. Adding this area would allow for the potential to provide service to the proposed Bluestem Meadows development. Ms. Paustian noted that based on the review of the amendment application, staff determined that the proposed acreage swap follows ECWRPC's swap amendment criteria is consistent with the Fox Cities 2030 SSA Plan. Upon review, staff recommended that the Community Facilities Committee approve the City of Kaukauna's SSA Amendment (Track 174) request.

A motion was made by Mr. Jenson and second by Mr. Lowey to approve the proposed Track 171 SSA Amendment. Motion carried unanimously.

C. Track 175 – Stockbridge Sewer Service Area Amendment: Acreage Swap. On behalf of the Village of Stockbridge, McMahon Associates, Inc. requested that a total of 31.10 acres be added to the SSA and 29.84 acres be removed, or swapped-out of the SSA. Ms. Paustian noted that based on the review and evaluation of this amendment application, it was determined that the proposed acreage swap in the Stockbridge SSA follows ECWRPC's swap criteria and is consistent with the elements in the Stockbridge SSA Plan and Water Quality Management Program elements. Staff recommended that the Community Facilities Committee approve.

A motion was made by Mr. Lowey and second by Mr. Nooyen to approve the proposed Track 171 SSA Amendment. Motion carried unanimously.

### 8. Informational/Discussion Items

County Roundtable Discussion – None

### 9. Establish Time and Place for Next Commission Meeting

A. The next **Community Facilities Meeting** will take place Wednesday, September 14, 2022 at 10:00 a.m. Further details will be forthcoming.

- B. The next **Quarterly Commission Meeting** will take place Friday, October 28, 2022. Further details will be forthcoming.
- **10.** Adjourn A motion was made by Mr. Lowey and second by Mr. Nooyen to adjourn. Time noted at 1:37 p.m.

Respectfully submitted Leann Buboltz – ECWRPC Administrative Coordinator