

November 11, 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: Sherwood Sewer Service Area Amendment

Tracking Number 176

Dear Mr. Asplund:

Please find enclosed a copy of a sewer service area (SSA) amendment request for the Sherwood SSA Plan (adopted in 2002) which was approved by the East Central Wisconsin Regional Planning Commission's (ECWRPC) Community Facilities Committee (CFC) on November 7, 2022.

This amendment request was submitted under Policy I, D by McMahon Associates, Inc. on behalf of the Village of Sherwood. The proposed amendment would add approximately 36.7 acres of land into the SSA in order to provide sanitary sewer service along Pigeon Road to a proposed "Lakeshore Estates" subdivision development and one existing developed parcel in the Village of Sherwood.

Commission staff evaluated the amendment application according to the Policies and Procedures outlined in the Sherwood SSA Plan. Please note that Section II, C in the Amendment Criteria within the SSA Plan is no longer applicable. This criterion requires amendments to be in conformance with the Commission's Long-Range Transportation/Land Use Plan Addendum. The Long-Range Transportation/Land Use Plan was recently updated and Policy 1.3 was removed. Based on the complete review and evaluation of this amendment (Track No. 176), staff has determined that the proposed acreage expansion is consistent with the Sherwood SSA Plan.

Further information can be found in the attached materials which includes the staff evaluation, the amendment application, and the CFC draft meeting minutes. This information will also be uploaded to SWIMS.

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

Wilhelmins Paustian

att: Staff Evaluation Memo
Amendment Application from McMahon Associates
Community Facilites Draft Meeting Minutes, November 7,2022

cc: Kevin Englebert, Deputy Director, ECWRPC
Melissa Kraemer Badtke, Executive Director, ECWRPC
Gunilla Goulding, Wastewater Engineer, Bureau of Water Quality, WDNR
BetsyJo Howe, Bureau of Water Quality, WDNR



TO: Community Facilities Committee

FROM: Wilhelmina Paustian, Senior Planner

DATE: October 26, 2022

RE: Staff Evaluation of the Sherwood SSA Plan Amendment – Track 176

McMahon Associates, Inc. submitted an amendment request on behalf of the Village of Sherwood, to add additional acreage to the Sherwood SSA Plan (adopted on March 1, 2002) under Chapter 5, Section I, Policy D. The request is to add approximately 36.7 acres of largely undeveloped land along Pigeon Road into the SSA in order to provide sanitary sewer service to a proposed subdivision development in the Village of Sherwood. There is one existing developed parcel located along Pigeon Road. The developed parcel is surrounded by the proposed subdivision and is also proposed to be included in the SSA Amendment request as well. McMahon Associates, Inc. provided a map of the proposed addition and proposed sanitary sewer infrastructure. The map is enclosed with the meeting materials.

Under Amendment Policy D, SSAs may be expanded to provide an overall increase in net developable acreage to accommodate growth which exceeds the forecasted total service area growth rate in the SSA Plan. The SSA Plan documents a projected population for the Village of Sherwood in the year 2020 to be 2,148 people. This population projection was published in 1993 by the Department of Administration, the best available data at the time the SSA Plan was adopted in 2002. However, the actual 2020 Census population was 2,993 people, greater than the growth projected in the plan.

In addition to the population data, the SSA Plan Amendment Policy D requires the Village Plan Commission or Board to act certifying the amendment area is required for reasonable community growth. The Village Board Meeting Minutes were included in the application demonstrating that action was taken. On September 26, 2022, under item 13.C.i. the Village Board approved the request for McMahon Associates, Inc. to apply for an amendment to the SSA Plan for a proposed new subdivision and one existing residence.

The proposed subdivision will contain 60 residential lots. The amendment will also include one existing residential lot. According to the Village of Sherwood's 2040 Comprehensive Plan, there is an average of three persons per household, indicating that a total of 183 persons are anticipated to be served in the SSA amendment request area. The average flow rate will be 0.028 cubic feet per second (cfs) with a rate of 0.112 cfs during peak flow. In a letter dated October 10, 2022, Cedar Corporation wrote that the Village Wastewater Treatment Plant is expected to have capacity for the proposed additional flows.

As a part of the amendment review, East Central staff asses the amendment's impact to any mapped environmentally sensitive areas. There are some small wetlands that will be impacted by the proposed development. The applicant submitted a nonfederal wetland exemption determination to the DNR. The DNR conducted their review and issued a letter on August 17th, 2022 (see enclosed), which determined that the proposed project which impacts portions of multiple wetlands could still proceed. The total impacted area is less than 10,000 square feet, eliminating the need for wetland mitigation. A more detailed review of the environmentally sensitive areas across the parcles will be conducted during the Water Quality Management/ Section 208 conformance review if the SSA Plan Amendment is approved by the DNR.

Based on the review and evaluation of this amendment application, staff has determined that the proposed acreage expansion of the Sherwood SSA follows ECWRPC's amendment criteria and is consistent with the elements in the Sherwood SSA Plan and Water Quality Management Planning Program.

Staff Recommendation: Staff recommends that the Community Facilities Committee approve the McMahon Associates, Inc. request on behalf of the Village of Sherwood to amend the Sewer Service Area (Track 176).

SEWER SERVICE AREA AMENDMENT COVER LETTER

Roger B. Sr. and Patricia A. Bowers Rev. Trust plans to develop Lakeshore Estates North, a residential subdivision located on the east side of Pigeon Road from Blue Heron Court to the Village limits in the Village of Sherwood, Calumet County, Wisconsin (NW 1/4, NE 1/4 of Section 25, T20N, R18E). As part of the subdivision development, sanitary sewer is anticipated to be extended north along Pigeon Road in order to serve the future lots. The East Central Wisconsin Regional Planning Commission (ECWRPC) 2020 Village of Sherwood Sewer Service Area map shows that the subdivision is outside of the current Sewer Service Area. For reference, the 2020 ECWRPC Sewer Service Area map is included with this cover letter. Due to accelerated growth beyond the forecasted Sewer Service Area growth rate in the Village of Sherwood's Sewer Service Area Plan (dated March 1, 2002), a Sewer Service Area Amendment is requested under Chapter 5, Section I Policy D. Roger B. Sr. and Patricia A. Bowers Rev. Trust is submitting the Sewer Service Area Amendment request on behalf of the Village of Sherwood.

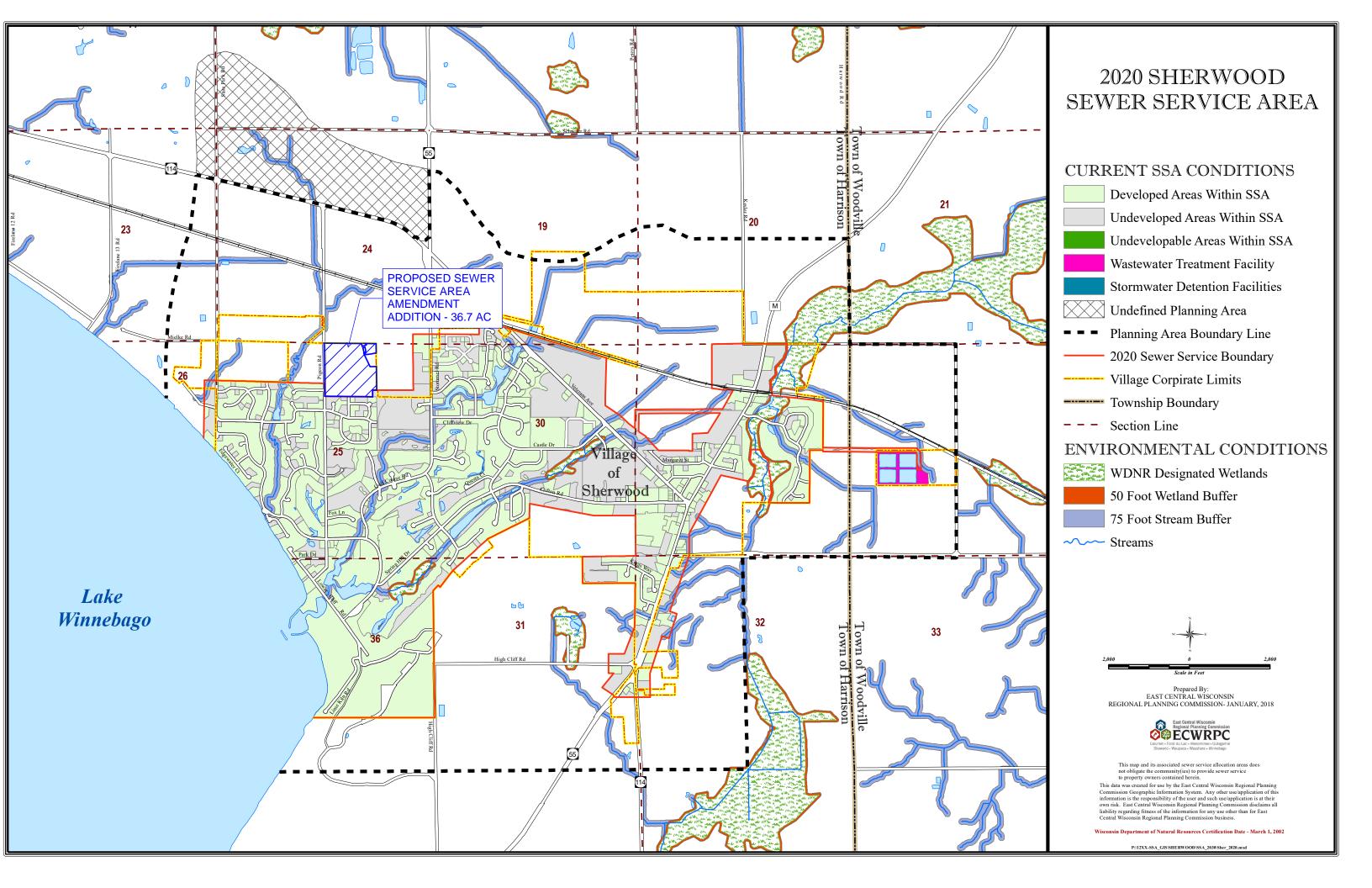
Currently, the subdivision area is undeveloped. The sanitary sewer extension will ultimately serve 61 single family residential lots (60 lots in the proposed subdivision and one existing parcel located along Pigeon Road). The additional Sewer Service Area is determined to be approximately 36.7 acres of land. Per the Village of Sherwood's Comprehensive Plan (adopted June 11, 2018), the Village averages 3 persons per household, so 183 persons (5.0 persons per acre) are anticipated to be served with the sanitary sewer extension. Calculations for sanitary flows are included with this cover letter.

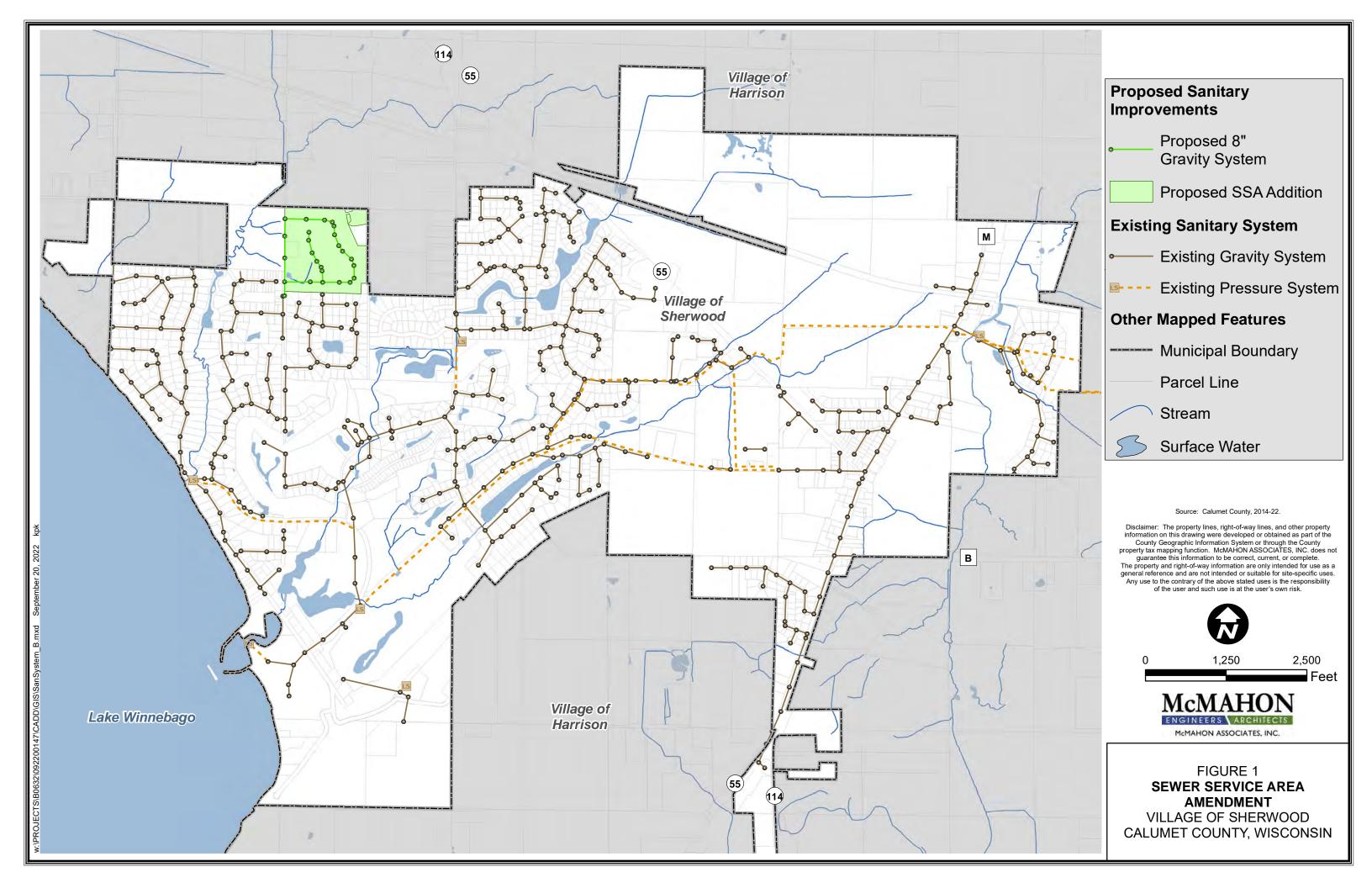
Stormwater management for the subdivision will be provided by two wet detention ponds located on outlots within the subdivision. The two wet detention ponds will assist in meeting Village of Sherwood and Wisconsin DNR post-construction stormwater requirements. Construction is anticipated to begin in Fall or Winter 2022, with completion in June, 2023.

Wetlands are anticipated to be disturbed as part of the sanitary sewer extension through the subdivision. A non-federal wetland exemption approval was provided by the Wisconsin DNR to fill wetlands within the public right-of-ways (Document EXE-NE-2022-8-02755, dated August 17, 2022). The document is included with this cover letter. It is anticipated that additional wetlands within the subdivision will be filled eventually through non-federal wetland exemption requests after the plat is recorded. The additional sewer service area acreage provided above is considered a conservative estimate, as wetlands within future buildable lots and wetlands that are anticipated to be disturbed through the construction process are considered to be part of the sewer service area.

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Lakeshore Estates North
Village of Sherwood
Sanitary Sewer Calculations
McM No. B0632-09-22-00147

AVERAGE DAILY DESIGN FLOW

Residential area	No. Residences	Average Daily Design flow (CFS)
Lakeshore Estates North	61*	0.028**
	TOTAL	0.028

^{*}Lakeshore Estates North will have 60 lots. One existing lot on Pigeon Road will gain sanitary sewer service with the sewer extension.

DESIGN FLOW RATE WITH PEAK FACTOR

Area	Avg. Flow Rate (cfs)	Peaking Factor	Flow rate w/ Peak Flow Factor (cfs)
Lakeshore Estates North	0.028	4	0.112
TOTAL	0.028		0.112

PIPE CAPACITY

Sanitary Sewer			Flow rate w/ Peak Flow
Diameter (in)	Minimum Slope	Pipe Capacity (cfs)***	Factor (cfs)
8	0.40%	0.76	0.112

^{***}Pipe capacity calculated from Manning's Equation using Manning's Number (n) of 0.013

^{**}Average Daily Design Flow based on 100 gpcd (Wisconsin Admin. Code NR 110.13(1)(b)3) and average 3 persons per household (Village of Sherwood 2040 Comprehensive Plan)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1155 Pilgrim Road
Plymouth, WI 53073

Tony Evers, Governor Preston D. Cole, Secretary Telephone 608-266-2621 Toll Free 1-888-936-7463 TTY Access via relay - 711



August 17th, 2022

EXE-NE-2022-8-02755

Roger Bowers PO Box 346 Kaukauna, WI 54130

(sent electronically via email)

RE: Nonfederal Wetland Exemption Determination for an area described as part of wetland 4, 5, 6, 7, 8, and 10, located in the NW1/4 of the NE1/4 of Section 25, Township 20 North, Range 18 East, Village of SHERWOOD, Calumet County

Dear Mr. Bowers:

This letter is in response to your request for a nonfederal wetland exemption determination for the above mentioned wetlands.

According to 281.36 (4n), State Stat., a nonfederal wetland is a wetland that is not federally jurisdictional. Projects impacting nonfederal wetlands in urban areas must be less than 1 acre of total impact, and must be done in compliance with applicable stormwater management zoning ordinances or stormwater Wisconsin Pollution Discharge Elimination System (WPDES) permits to qualify for this exemption (s. 281.36(4n)(b)3, Wis. Stat.). In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n)(a)3, Wis. Stat.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative
- Site location map and photographs that show different angles and views of the wetland
- Botanical survey results
- Wetland delineation information
- Stormwater compliance information

Below is a summary of our findings:

Request Narrative

According to the request narrative, part of wetland 4 (4,138 square feet), part of wetland 5 (903 square feet), part of wetland 6 (233 square feet), part of wetland 7 (1,339 square feet), part of wetland 8 (1,874 square feet), and part of wetland 10 (1,508 square feet) are the focus of this non-federal wetland exemption request. The total non-federal wetland impact area on the site is 9,995 square feet. The purpose of this project is to create new residential subdivision/lots and roads in the Village of Sherwood. The wetland impact is less than 10,000 square feet in the village of Sherwood on parcel ID number: 31648; alternative Parcel ID: 179-0000-000000-000-0201825-00-120C. A previous DNR nonfederal wetland exemption determination was made regarding the parcel (docket # EXE-2020-8-02340) that authorized 9,252 square feet of wetland



impacts to portions of wetlands 6, 8, and 10. That project never materialized and the applicant contacted the Department with a request to amend the previous nonfederal wetland exemption impact areas for the parcel. The project as originally requested had changed, and request areas needed to be changed as a result. This docket (EXE-NE-2022-8-02755) will serve as that amendment request to cover the nonfederal wetland exemption request for the listed parcel, and the previous 2020 nonfederal wetland exemption request docket will be voided. A portion of an additional wetland feature was considered to be exempt under artificial wetland exemption request docket: EXE-NE-2020-8-00683.

Site Location and Photographs

The site is located in the village of Sherwood, and confirms that the wetland is located in an **urban area** as defined by s. 281.36(4n)(a)5 Wis. Stats. Wetland photographs also show the areas are isolated depressions within an agricultural field, with low quality and rudimentary plant species.

Wetland Delineation Information

The wetland delineation shows that wetland areas 4, 5, 6, 7, 8, and 10 are low quality-rudimentary farmed fresh wet meadows and are isolated depressions. These wetlands are not rare/high quality wetland types as defined by s. 281.36(4n)(a)3 Wis. Stats.

Stormwater Compliance Information

The applicant is responsible for obtaining all other state and/or local stormwater and erosion control approvals as deemed necessary by the applicable officials. The applicant provided general knowledge of these requirements and stated that they will comply with state and local requirements. The documentation demonstrated that the project will be completed in compliance with applicable WPDES stormwater permits and stormwater ordinances adopted under s. <u>59.693</u>, <u>60.627</u>, <u>61.354</u>, or <u>62.234</u>, Wis. Stats.

U.S. Army Corps of Engineers AJD letter

The AJD letters dated March 20th, 2019 and August 4th, 2020 from the U.S. Army Corps of Engineers indicated that wetlands 4, 5, 6, 7, 8, and 10 located in the AJD review area are not a water of the United States. Therefore, the area described as wetlands 4, 5, 6, 7, 8, and 10 are not federally jurisdictional.

Conclusion:

Based upon the documentation provided above, the proposed project impacting portions of wetland areas 4, 5, 6, 7, 8, and 10 meets the eligibility criteria pursuant to s. 281.36 (4n), State Stats. You are able to proceed with this project impacting the requested portions of wetlands 4, 5, 6, 7, 8, and 10. Please see the attached figures for reference.

The previous nonfederal wetland exemption request docket for the parcel (docket # EXE-NE-2020-8-02340) is hereby **VOIDED** as a result of your request to amend the requested non-federal wetland exemption areas. Please see the attached figures for reference.

If you have any questions or would like to schedule a meeting to discuss this approval, please call me at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov.

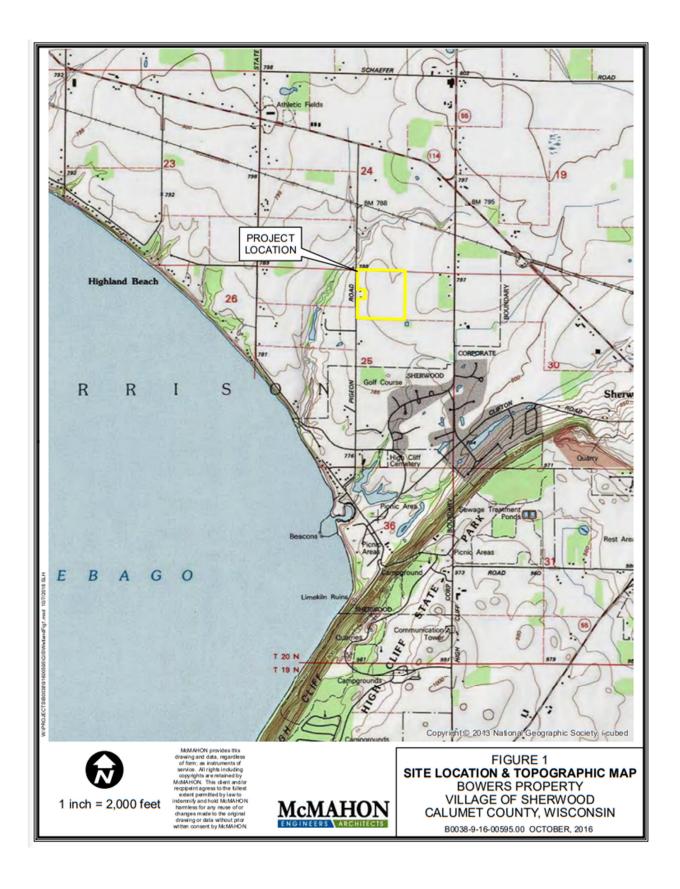
Sincerely,

Ryan Pappas Wetland Exemption Specialist

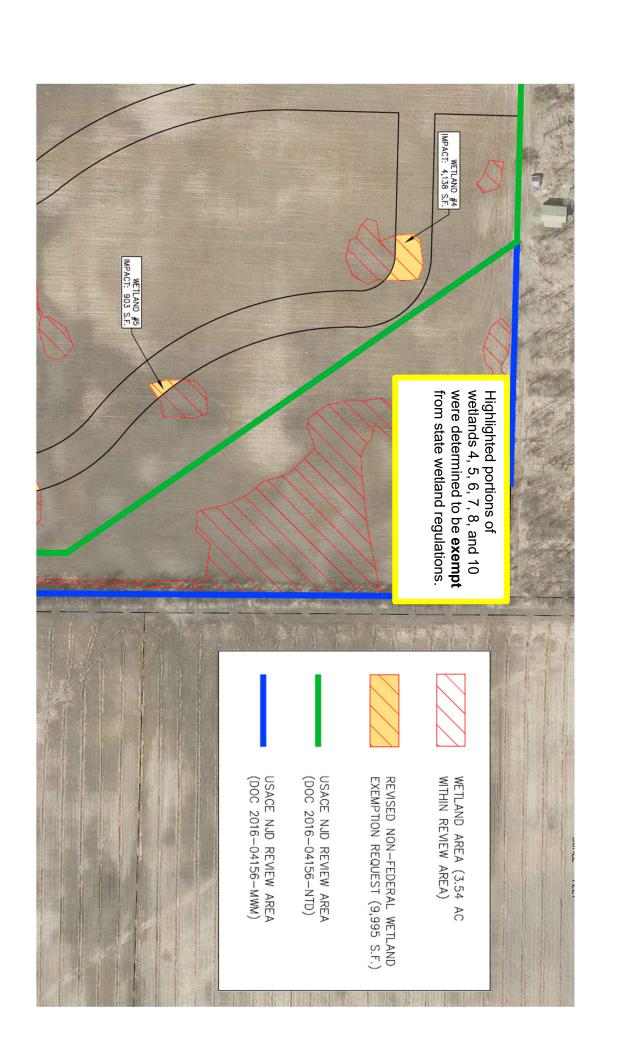
Enc. **Determination Sketch**

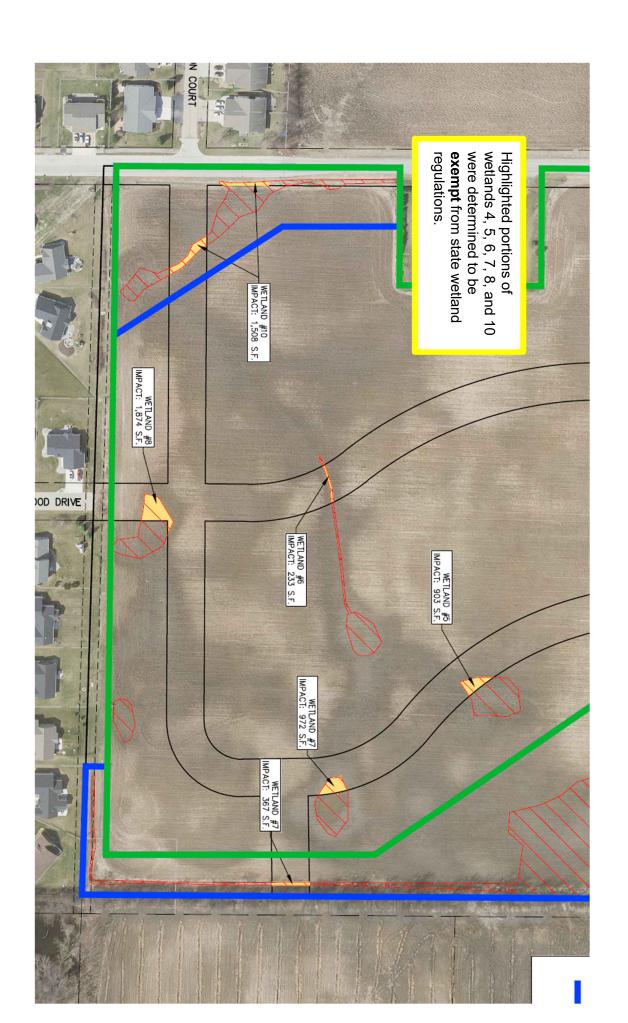
CC:

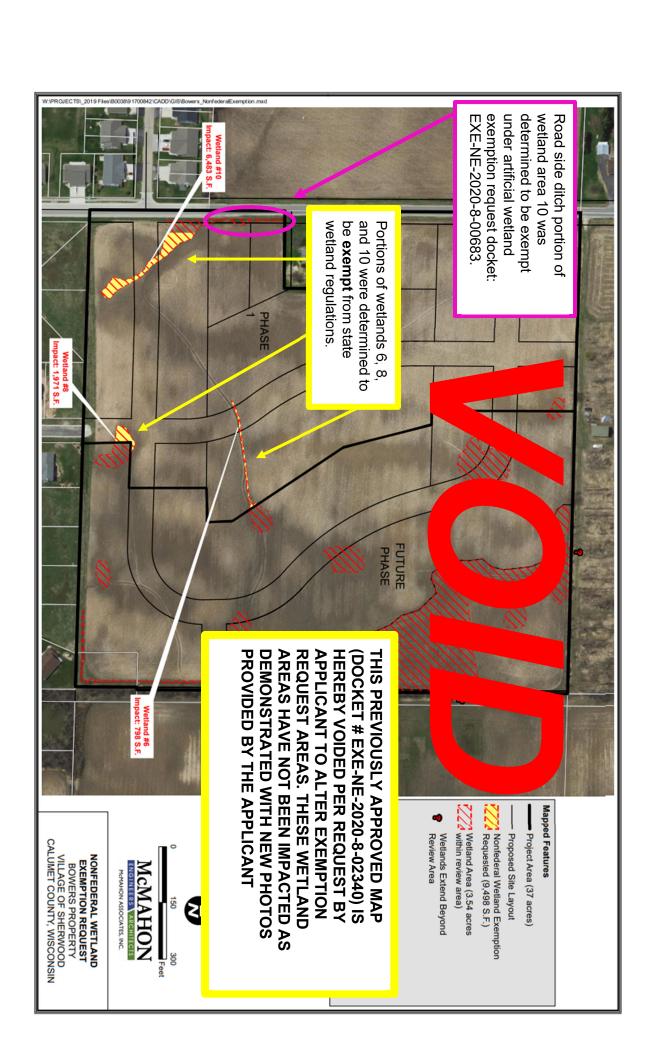
Army Corps of Engineers Justin Schuenemann, McMahon Group, Consultant













MEMO

engineering | architecture | environmental | surveying landscape architecture | planning | economic development

1695 Bellevue Street Green Bay, WI 54311 920-491-9081 800-472-7372 FAX 920-491-9020 www.cedarcorp.com

DATE: October 10, 2022

TO: Randy Friday, Village of Sherwood Administrator

Joe Hoechst, P.E.

FROM: Thad Majkowski, P.E.

Joe Martirano, P.E.

REGARDING: Wastewater Treatment Facility – Lakeshore Estates North

Flows and Loadings

The Village has requested Cedar Corporation to review the proposed flows and loadings for the proposed 60 lots subdivision plus an additional lot.

In review of the proposed flows and loadings, see attached, Cedar has the following comments:

Average Day Flow

0	WWTP Design Flow	0.259 MGD
0	Current Average Day Flow	0.232 MGD
0	Lakeshore Estates North Avg Day Flow	0.018 MGD

Peak Day Flow

0	WWTP Design Flow	1.132 MGD
0	Current Average Peak Day Flow	0.766 MGD
0	Lakeshore Estates North Peak Day Flow	0.072 MGD

We believe the Village has capacity for these proposed flows and loadings based on the following:

- The Village has submitted a Facility Plan to the DNR, which includes conceptual plans for a WWTP upgrade that will have capacity for at least a 45% increase in flows/loadings.
- The Development will likely take several years to develop and will be providing flow to the WWTP after the upgrades have been completed.

Please call our office with any questions.

Cedarburg | Green Bay | Madison | Menomonie

Lakeshore Estates North
Village of Sherwood
Sanitary Sewer Calculations
McM No. B0632-09-22-00147

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^{***}Pipe capacity calculated from Manning's Equation using Manning's Number (n) of 0.013

^{**}Average Daily Design Flow based on 100 gpcd (Wisconsin Admin. Code NR 110.13(1)(b)3) and average 3 persons per household (Village of Sherwood 2040 Comprehensive Plan)

Village Board Meeting Minutes

September 26, 2022

1) Call to Order and Roll Call. – *President Laux called the meeting to order at 6:31 pm with roll call:*

Present: Absent: Bob Benz (virtual) None

Tony Genisot Others Present:

Tom HerrmannRandy Friday, AdministratorJoyce LauxNick Halbach, Clerk-Treasurer

Lisa Ott Thad Majkowski, Cedar Corp. (virtual)
Kathy Salo Joe Hoechst, McMahon Inc. (virtual)
Jesse Troestler Brenda Stumpf, Rec Coordinator
Tom Jack, PRUT Board Chair

Bryan Grunewald, CLA

- 2) Pledge of Allegiance. *Recited*.
- 3) Approval of the Agenda. Salo moved to approve the agenda. Ott seconded. Motion carried without dissent.
- 4) Approval of Minutes: Sept. 12. *Salo moved to approve the 9-12-22 Minutes. Laux seconded.*

Ott noted in section 12d, Ott should be Otto. Herrmann questioned the results of the special meeting as was voted in 6c, Clerk-Treasurer Halbach noted the CDA will be discussing at the upcoming meeting on Wednesday.

Motion carried without dissent.

5) Registered Citizen Comments on Agenda Items.

David Dhein N8162 Pigeon Road Re. item 7a.

Dhein mentioned he has lived on Pigeon Road for over 40 years and has frequently biked in the area for his exercise. He noted the traffic has gotten to the point where he cannot ride along 114. Dhein noted he supports the connection trail to have better access to the Village and connecting to other areas in the Fox Valley.

6) Public Hearing: Special Assessments for Public Improvements: Palisades Pond Lake District Dam and Spillway Reconstruction.

President Laux opened the public hearing at 6:42 pm.

Roger Kaas W4840 Escarpment Terrace

Kaas noted the assessment has the backing of the entire Lake District as the assessment was unanimously approved by the residents of the district. He added the 5% interest over five years would meet the standard set by the Village in the past.

Hearing no other speakers, Laux closed the public hearing at 6:45 pm.

7) Presentations.

A. High Cliff Connection (Trail): Presentation of the High Cliff Connection Project.

Jody Rader of HKGI presented the findings of ECWRPC regarding the plan for the High Cliff Connection Project. She noted each municipality affected by the plan has held a public meeting to discuss the impact of the project as the goal is to connect the Neenah and Menasha area over to High Cliff State Park. Rader noted the trail recommendation is to have a separate paved trail 8 to 10 feet wide to take traffic off the road system. She added for the project to proceed, there will need to be formal DNR and DOT approvals for locating a trail within the road right-of-way along WIS 114.

Rader mentioned the ECWRPC has maintained a website throughout this process to take in resident comments to create a better plan. She also added the ECWRPC will likely be looking for a trail coordinator to oversee the project, while the implementation of the project currently is projected to be four years away. Rader noted the preliminary cost estimate is 6.8 million dollars, which currently has donations and grants lined up to take care of at least 2 million dollars thus far.

When asked by Trustee Herrmann, Rader indicated the railroad company was not open to discussing the corridor on which the railroad currently sits at this time. Rader also noted the trail maintenance will likely be broken down by municipality with a maintenance agreement in place at the time the trail is completed. Rader also mentioned ECWRPC representative Kim Biederman is the point person from their organization regarding the project.

B. FY2021 Annual Audit (Bryan Grunewald – Clifton Larsen Allen [CLA]).

Bryan Grunewald from CLA presented the executive summary and audited financial statements to the Village Board. Grunewald noted there were no red flags within the management letter as each issue that he documented had been previously noted as well. He further explained two of the four are almost guaranteed to be on the letter due to the nature of the Village's small staff operation. Grunewald noted in responding to Trustees Genisot and Herrmann that typically this presentation would be earlier in the year as official reports are due to the state in May.

Grunewald mentioned the Village currently has well over their minimum fund balance as is required by Board policy. He added that having the amount of money built up that the Village has is a good planning opportunity to assign those funds to projects, while never using those funds for reoccurring projects.

When discussing the water and sewer utilities, Grunewald noted the important aspect is the operating income of both utilities to ensure the Village is collecting more than it is spending on the utility. He added the main issue for water is managing the amount of water loss as 2021 was much better than 2020 in terms of getting back up to the PSC's rate of return.

Herrmann and Genisot questioned how would raising sewer rates impact the financial statements in advance of the upcoming Waste Water Treatment Facility Project. Grunewald noted it is up to the Village as they can budget to slowly increase rates to help pay for the project or having one large increase. Engineer Majkowski noted in the WWTF plan there were models for both types of rate increases and reiterated that it is a Village Board decision. Grunewald noted it is wise to factor in a consumption decrease when rate go up as residents are typically more conscientious of their usage when rates increase.

- 8) Report of the Parks, Recreation & Urban Tree (PRUT) Board (Sept. 19).
 - A. *Recreation Trails, ratings & discussions:* Continued work rating existing trails and discussed ability to place trail along Spring Hill Drive.

Rec Coordinator Brenda Stumpf noted by the PRUT Board's next meeting, all of the trail will have been rated by the sub-committee. She also noted Matt Dorrow from Cedar Corp was present at the meeting to discuss a potential trail along Spring Hill Drive.

PRUT Chairman Tom Jack noted the spurline trail was also discussed with Cedar Corp as coring will be need to be done to see what the base of existing trail is made up of. Resident John Sharer of W5081 Cherrywood Drive wanted clarification on exactly which section of the spurline Jack was referring to, as an area of the original railroad spur is a tree line with a walking path set to the east of the tree line. Jack and Stumpf confirmed only the areas north of Nature's Way Drive would be cleared out for a trail.

B. Wanick Park Advisory Committee: Draft referred for Board input.

Stumpf noted the PRUT Board made a few suggestions for the volunteer sign up sheet as they felt monthly meetings may be too many for a sub-committee. Trustee Herrmann noted he believed the group should be meeting every other week during the summer to work on event planning. Trustee Ott added the PRUT Board was thinking having the entire sub-committee meet quarterly, but when events are taking place, they would meet separately to manage those events.

Herrmann expressed his desire to utilize the park more by having more events catered to a variety of crowds. He added the people he has spoken with regarding the events subcommittee were looking for more information before signing up. Trustee Genisot suggested having local businesses sponsor these events as necessary to help with costs.

C. Tree Ordinance Review: Discussed Appleton Tree Ordinance.

Stumpf noted the tree ordinance has more work to be done involving PRUT Chairman Jack and Department of Public Works Direct Scott Nadler before officially creating a new ordinance.

D. Ash trees around stormwater ponds: Discuss treating or replacing trees.

Stumpf mentioned Ranger Services provided a quote of \$10,752 to treat 47 ash trees in the Village around the retention ponds. Administrator Friday did note the Village has a significant tree stock should the board decide to take down the ash trees and replace them. Genisot added the Village should investigate selling excess tree stock before they grow to large to sell.

E. Wanick Park tree maintenance: Chair wants to send out an RFP regarding tree collar work.

Stumpf mentioned Jack will be sending out an RFP to all certified arborists in the area to complete work on tree collars in Wanick Park. Jack noted some of the trees are five to six years away from dying due to roots strangling each other. He added the process includes using an air compressor to repair damage caused to the roots. Jack added certified arborists have set guidelines they have to abide by when doing this procedure. He noted the work is typically done in April or May and can cost from \$12 to \$15 per inch of base of tree.

F. FY22 Budget Info.: Info. shared for review and to begin Board input.

Stumpf noted she reminded the PRUT Board of the upcoming budget discussion which will take place at their next meeting.

- 9) Report of Village Officers.
 - A. Village President.

Nothing new to report.

B. Fox Cities Area Room Tax Commissioner.

Trustee Benz reported he attended the room tax commission meeting on September 19th, and he noted the money for the 2023 bond payment for the Champions Center and Exhibition Center has been set aside for payment. Benz added the usage of both facilities has picked up significantly, and the commission is switching to semi-annual meetings in the future.

- C. Clerk/Treasurer.
 - i. Financials.

Salo moved to approve the financials. Ott seconded. Motion carried without dissent.

10) Engineer and/or Utility Operator.

Engineer Majkowski noted Pond View Estates has been paved and completed, and that the final punch list is being finalized for the next Village Board meeting. He also noted the State Park Road project is completed and the pay request for closeout will also be at the next Village Board meeting. Majkowski added the preconstruction meeting for the rapid reflecting flashing beacon installation will take place later this week. He also noted the Waste Water Treatment Facility plan received feedback from the DNR, while formal approval will take place next month.

11) Administrator.

Administrator Friday noted the WIS 55/114 project is slowly moving forward as milling will be taking place this week through the Village.

- 12) Old Business: None.
- 13) New Business:
 - A. FY2021 Annual Audit: Consider/Approve.

Herrmann moved to approve the FY2021 Audit. Benz seconded. Motion carried without dissent.

B. Resolution #2022-05: Final Resolution Authorizing Public Improvements and Levying Special Assessment Police Powers Under Section 66.0703(1)(b) Wis. Stats. to levy special assessments upon property benefitted by dam and spillway reconstruction in the Palisades Pond Lake District.

Benz moved to approve Resolution #2022-05. Salo seconded. Motion carried without dissent.

- C. Sewer Service Area Amendment:
 - i. Consider/Approve McMahon Engineers (Joe Hoechst) petition on behalf of the Village to East Central Wisconsin Regional Planning Commission (ECWRPC) for an amendment (38ac.) regarding proposed new subdivision (*LSE-North*) and one existing residence (N8016 Pigeon Rd.).

Herrmann moved to approve amending the Village's Sewer Service Area to include Lakeshore Estates North subdivision and N8016 Pigeon Road. Salo seconded. Motion carried without dissent.

ii. Consider/Approve engineers undertaking information compilation and report preparation to be considered by ECWRPC supporting application to include all properties within the Village corporate boundaries to be placed in the Sherwood SSA.

Engineer Majkowski noted the facility plan for the Waster Water Treatment Facility considers future growth of the Village, which would answer any potential future capacity questions regarding the Sewer Service Area (SSA). He also noted environmentally sensitive areas are not included in the SSA, and if the ECWRPC is willing to annex all the land within Sherwood borders, it would be better to do it in one shot instead of in pieces going forward. Trustee Herrmann questioned if there would be any up-front cost to any homeowner not presently in the sewer service area. Majkowski and Administrator Friday both indicated this decision only impacts future planning, and has no up-front cost.

President Laux questioned if residents who border the area in the SSA must connect to Village services, how does that impact areas in Harrison that are adjacent. Friday noted only parcels in Sherwood are allowed to connect into the system per Village Board policy, regardless if a property outside of Sherwood is adjacent to the SSA. Herrmann suggested sending a letter to property owners to tell them why the Village is looking to amend the SSA and inform them this has no present direct impact on their property.

Salo moved to approve the annexation of the corporate boundaries into the SSA with the stipulation of notifying each property owner. Laux seconded.

Herrmann questioned the idea of notifying property after the fact instead of sending the letters and getting feedback before formally approving the annexation.

Salo rescinded her motion.

Herrmann moved to notify residents via letter of the impacts of annexing their property into the SSA and the Village's rationale behind the decision. Troestler seconded. Motion carried without dissent.

D. High Cliff Cemetery: Request for Plot Sale and Perpetual Care Agreement (Phillips): Consider sale of two plots, one each, in Block A (Section 24) and Block A (Section 38).

Ott moved to approve the plot sale. Benz seconded. Motion carried without dissent.

E. Annual Appreciation Dinner: Select date.

The Board determined Thursday; November 3rd worked the best for them to hold the dinner.

- 14) Complaints & Compliments: None.
- 15) Correspondences:
 - A. Monthly Report (*Harrison Fire Rescue*; Sept. Report).

- B. Monthly Report (Calumet County Sheriff's Dept; August Report).
- 16) Adjournment.

Salo moved to adjourn at 9:41 pm. Ott seconded. Motion carried without dissent.

Respectfully submitted for review and approval by Nick Halbach, Clerk-Treasurer.

Village Board Meeting Minutes

September 12, 2022

1) Call to Order and Roll Call. – *President Laux called the meeting to order at 6:31 pm with roll call:*

Present:Absent:Bob BenzNone

Tony Genisot Others Present:

Tom Herrmann Randy Friday, Administrator
Joyce Laux Nick Halbach, Clerk-Treasurer
Lisa Ott Thad Majkowski, Cedar Corp.
Kathy Salo Joe Hoechst, McMahon Inc.

Jesse Troestler Steve Summers, Plan Commission Chair

- 2) Pledge of Allegiance. *Recited*.
- 3) Approval of the Agenda. Benz moved to approve the agenda. Ott seconded. Motion carried without dissent.
- 4) Approval of Minutes: Aug. 22 Benz moved to approve the 8-22-22 Minutes. Salo seconded. Motion carried without dissent.
- 5) Registered Citizen Comments on Agenda Items.

Roger Kaas W4840 Escarpment Terrace

Items 10c, 12a, 12g

Kaas mentioned before the COVID-19 Pandemic, there were talks to do a speed study to officially gather data regarding the speeding on Stommel Road. He added a 4-way stop at Nature's Way Drive would not prevent vehicles from rapidly accelerating going North into the Village of Harrison. Kaas mentioned he fully supports the resolution moving forward for the Palisades Pond Lake District Assessment. Finally, he noted from his time on the Utility Commission there are many other individual properties within the Village that need to be added to the sewer service area.

- 6) Report of the Community Development Authority (Aug. 24).
 - A. *Future Development:* Continued discussion regarding establishing local guidelines for Sherwood (Re-)Development.

Administrator Friday noted the CDA was interested in having one or two people from each board on a subcommittee for creating a development plan. Trustee Herrmann commented he envisioned a large kick-off meeting with everyone from all the boards involved and then choose the subcommittee members. He added the three to four story apartments noted in the report are different from what the Village Masterplan calls for.

Trustee Genisot mentioned the CDA is actively trying to expediate the process to allow the Village and prospective developers to have set plans in a timely manner. Herrmann noted while he disagrees with the concept, he does not want to overstep his authority. President Laux added the CDA still wants the subcommittee with all the boards being represented at that level. Genisot noted having a general sheet as soon as possible then leading into a comprehensive plan is his vision as he believes the Village needs to be able to handle something to prospective developers.

B. Developer input and update regarding (re-)development in the *Historic Downtown District* (Lokre).

Friday noted it was a robust discussion with the prospective developer, and they will be returning to the CDA at their next meeting.

C. Mueller Property: Discuss potential future property sale.

Friday noted Matt Mueller was present at the Village Board level to notify the members the General Store and surrounding properties are for sale.

Herrmann moved to hold a special CDA meeting to discuss and consider the purchase of the Mueller property. Salo seconded. Motion carried unanimously via voice vote.

- 7) Report of Plan Commission (Sept. 6).
 - A. Business Signage Compliance: Update.

Plan Commission chairman Steve Summers was present to answer any questions related to the Plan Commission report. He noted the Commission extended the deadline for signage compliance for six businesses due to a change in ownership. Summers added the Mulberry Lane Farm request to keep their current sign was denied. He also mentioned the Sherwood Lions are deciding to take down their sign as it is no longer permitted, but upgrading to electronic would be out of their price range. Trustee Herrmann suggested partnering with the Lions Club or offering 50/50 Matching Grant Program funds to help the Lions club as they are a civically minded local organization.

B. Lakeshore Estates-North: Final Plat conditions [3] (38ac.; Bowers).

Summers noted two of the three conditions previously requested by the Plan Commission have been met by the developer, with only the mailbox units still to be determined. Engineer Joe Hoechst noted one cluster box is proposed to go on the north outlot, and the other on the south outlot. Administrator Friday expressed his concern about snow plowing in regards to location of the cluster boxes.

8) Report of Village Officers.

A. Village President.

Nothing new to report.

B. Fox Cities Area Room Tax Commissioner.

Nothing new to report.

- C. Clerk/Treasurer.
 - i. Financials.

Salo moved to approve the financials. Benz seconded. Motion carried without dissent.

9) Engineer and/or Utility Operator (See 'Memo' regarding transducer replacement).

Administrator Friday noted Utility Operator Bruce Genskow provided a memo noting the cost to fix a transfuser as previously approve in the FY 2022 Budget. Engineer Majkowski added the DNR is finalizing their review of the Waste Water Treatment Facility Plan.

- 10) Administrator.
 - A. High Cliff Trail Connection: Presentation to Village Board Sept. 26.

Administrator Friday noted the ECWRPC will be at the next Village Board meeting to present the High Cliff Trail Connection Plan.

B. FY2021 Audit information: 'Executive Audit Summary and Formal Communications.

Friday also noted CLA will be present to go through the FY 2021 Audit, and distributed hard copies for their review.

C. Request to consider 4-way STOP sign at Stommel & Natures Way Dr (Ott).

Friday noted multiple correspondences from residents and the Calumet County Sherriff's Department were included in the packet. He mentioned he forwarded sections of the MUTCD to Trustee Ott, who further researched details for a potential four-way stop at Stommel Road and Nature's Way Drive. Ott noted data gathering is a necessary step as having a stop sign to control speed is not a justification for a stop sign, but if the volume of traffic is equal from all four directions, a stop sign could be considered.

Trustee Benz suggested following up with the Village of Harrison asking them to reduce the speed limit on their stretch of Stommel Road in between Sherwood and the roundabout with WIS 55/114. Trustees Troestler and Herrmann also asked to request the Sherriff's Department to use their contracted hours with the Village in a certain way. Benz added he

was under the impression that it is only outside residents doing the speeding, however as he understands that may not be the case he suggested communicating to the residents via the website or Facebook.

- 11) Old Business: None.
- 12) New Business:
 - A. Resolution #2022-04: Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers Under Section 66.0703(1)(b) Wis. Stats. to levy special assessments upon property benefitted by dam and spillway reconstruction in the Palisades Pond Lake District.

Salo moved to approve Resolution 2022-04. Benz seconded. Motion carried without dissent.

B. (Contract A-22) Change Order #1 – Pond View Estates: Change Order Request (\$1,750) to remobilize asphalt crew end-September for placement of final pavement course, increasing contract price from \$344,521 to \$346,271.

Majkowski noted the final surface course will be paved next week as every driveway except for one has been poured.

Benz moved to approve the pay request. Ott seconded. Motion carried without dissent.

C. (Contract A-22) Pay Request #2 – Pond View Estates Roadway Construction: Request for payment (\$249,601.92; Northeast Asphalt, Inc.).

Herrmann moved to approve the pay request. Benz seconded. Motion carried without dissent.

D. Request to refund building permit fees (Ott) related to rebuilding residence destroyed in a fire (January, 2021; N7592 STH 114).

Friday noted the house burned down in 2021, and the applicant never filed a completely new home permit, but submitted the fees. The property owner has decided to not rebuild and is seeking a refund of the permit fees.

Herrmann moved to approve the refund of fees on the condition the site is cleaned up to the administrator's acceptance. Genisot seconded. Motion carried without dissent.

E. Request to place Fall display on Village property (St. John/Sacred Heart Church).

Salo moved to approve the request to place Fall display on Village property. Benz seconded. Motion carried without dissent.

F. State Park Road Culvert Replacement: Consider/Finalize funding

Majkowski noted the project is nearing conclusion as the retaining wall has been removed and cleaned up. He added the paving of asphalt would take place later this week. Majkowski mentioned a change order will be coming to the Village Board for \$4,500.

Trustee Troestler questioned why would the board not reallocate the funding to pay for the project from the Condon Road fund seeing the project will not be started this year, and the budget is coming up in a few meetings. Majkowski added the pay request for the project will be coming within the next month. Trustee Genisot noted he is not against the Condon Road project, but he agrees with Troestler as the project will not be started in 2022.

Herrmann moved to use funds from the Capital Projects Fund (Condon Road) to pay for the culvert project, with any previously expended costs being reallocated to come out of that fund. Troestler seconded.

Trustees Salo and Ott suggested splitting the cost between general fund balance and the Condon Road fund. Trustee Benz questioned what the inflated cost of Condon Road would now be. Majkowski noted about 25% higher than previously estimated.

Motion carried 4-3. Laux - Nay. Ott - Nay. Salo - Nay.

G. Request for Sewer Service Area (SSA) inclusion of LSE-North subdivision development (Bowers): Developer requests Village petition East Central Regional Planning Commission (ECWRPC) to revise Sewer Service Area allowing inclusion of 38-acre parcel (#31648; Bowers) proposed for residential development (60 lots).

Majkowski noted the Regional Planning Commission controls the process of annexing properties into the Sewer Service Area. He added most municipalities include all areas within their municipal boundaries. Hoechst noted the ECWRPC just needs approval from the Village Board. Troestler and Genisot noted they not opposed annexing the property into the Sewer Service Area, but voiced their concerns about not knowing the ramifications of just approving the annexation at this meeting. Herrmann agreed, noting he does not want to put a mandate on people who have existing well or septic service. Genisot noted having separate items to annex the Lakeshore Estates North property and the rest of the Village would be his preferred option to gain further understanding regarding the Sewer Service Area.

Herrmann added he would like to see a map and a list of properties than are presently not included in the Sewer Service Area, and have staff contact those individuals to get their opinion on the topic. Hoechst noted the wetlands within the development are not considered for the Sewer Service Area as is the standard.

- 13) Complaints & Compliments: None.
- 14) Correspondences

- A. High Cliff Connection Trail: ECWRPC presentation scheduled (ECWRPC; Sept. 7).
- B. Dangerous Traffic on Nature's Way Drive (Wiegert-CCSD; Mayo; Sept. 7).
- C. Stommel Road Speeding issue (McCormick [Salo]; Sept. 1).
- D. Lake Breeze Drive speeding Request for speed sign (Galligan; Aug. 31)
- E. Reach Substance Misuse Prevention Coalition and 'Red Ribbon' proclamation (REACH; Aug. 26).

Salo questioned if the results from page 69 of the packet implicate the liquor license holder from reapplying. Clerk-Treasurer Halbach noted the results were from an independent study, and the Department of Revenue would have the final say if there is any disciplinary action.

15) Adjournment.

Troestler moved to adjourn at 8:57 pm. Salo seconded. Motion carried without dissent.

Respectfully submitted for review and approval by Nick Halbach, Clerk-Treasurer.



DRAFT MEETING MINUTES COMMUNITY FACILITIES COMMITTEE

East Central WI Regional Planning Commission

Date: Monday, November 7, 2022

Time: 10:00 AM Place: Virtual

1. Welcome and Introductions

Vice Chair Lowey called the meeting to order at 10:00 a.m.

2. Roll Call

Committee Members Present:

Jeff Nooyen	Outagamie County
	Menominee County
	Shawano County
Tron Gapono imminimi	

Committee Members Absent (Excused):

Aaron Jenson (Perm. Alt. for Brian Smith).	Waupaca County
,	Winnebago County
	Fond du Lac County

ECWRPC Staff:

Kevin Englebert.	Deputy Director
	Senior Planner
	Administrative Coordinator

ECWRPC Guests:

Joe Hoechst	McMahon Associates, Inc.
BetsyJo Howe	.Wisconsin Department of Natural Resources

- **3.** Approval of the Agenda/Motion to Deviate A motion was made by Mr. Nooyen and second by Mr. Lowery to approve of the agenda. Motion carried unanimously.
- 4. Public Comment None
- 5. Approval of the Minutes of the August 23, 2022 Community Facilities Committee Meeting - A motion was made by Mr. Nooyen and seconded by Mr. Lowey to approve noting a change from *Vice* Chairman Schneider to Chair Schneider. Hearing of no further discussion, motion carried unanimously.

6. Announcements -

A. Staff Report – WQM Planning Program Staff Update presented by Ms. Wilhelmina Paustian. Ms. Paustian shared with the Committee members that the Commission is in the process of updating the Fox Cities Sewer Service Area (SSA) Plan. From January through March of this year, staff met with the communities and the wastewater treatment plant operators that are located within the Fox Cities Sewer Service Planning Area Boundary to discuss the plan update process. She also noted that in August, staff sent out draft sewer service area maps to the Communities for their review. With the information received

back from the municipalities, staff updated the draft allocation maps for each SSA accordingly.

Update on the Fox Cities SSA – Ms. Paustian shared the projected acreages for residential and nonresidential growth for the Fox Cities SSA were drafted using population projections and historic land use density patterns. Additional chapters drafted for the SSA Plan update include the WQM Planning Background and History, the Water Quality Assessment, and the Environmentally Sensitive Areas chapters. Mr. Englebert – Deputy Director added that the plan updated process is being streamlined and that over the last year staff was working internally along with the DNR moving closer to the Fox Cities Plan completion.

An update was given on the 2022 Work Program. One deliverable included in the Work Program was to update the WQM Program's Policies and Procedures as a stand-alone document from the Sewer Service Area Plans. In a September meeting, the DNR indicated they will have staff who will be available to provide input on the Commission's policies and procedures document in the next calendar year. Ms. Paustian noted that development of the Policies and Procedures document will be rolled into the 2023 Work Program.

Ms. Paustian reported that staff continues to administer the program by conducting Water Quality Management/Section 208 conformance reviews for sanitary sewer extensions, private laterals, SSA Plan Amendments, and Wastewater Facility Plan Amendments across the region. In addition, staff updated the online mapping feature for SSAs across the region. Here is a link to the map:

https://experience.arcgis.com/experience/d3b7946b799e439fa03ff07845e1544e

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

A. Track 176 – Sherwood Sewer Service Area Amendment. Ms. Paustian gave an overview of the request submitted under Policy I, D. The proposed amendment would add approximately 36.7 acres of largely undeveloped land along Pigeon Road into the SSA in order to provide sanitary sewer service to a proposed subdivision development in the Village of Sherwood. The 2020 census population exceeds the forecasted service area growth rate in the adopted Plan. She noted that on September 26, 2022, The Sherwood Village Board approved the request for McMahon Associates, Inc. to apply for an amendment to the SSA Plan for a proposed new subdivision and one existing residence. The Wastewater Treatment Plant is expected to have capacity for the projected additional wastewater flow. The environmental review indicated some wetlands may be impacted by the proposed development. The DNR conducted their review and issued a letter on August 17th, 2022 which determined that the total impacted area is less than 10,000 square feet, eliminating the need for wetland mitigation.

Ms. Paustian stated that based on the review and evaluation of this amendment application, it was determined that the proposed acreage expansion of the Sherwood SSA follows ECWRPC's amendment criteria and is consistent with the elements in the Sherwood SSA Plan and Water Quality Management Planning Program.

A motion was made by Mr. Capelle and second by Mr. Nooyen to approve the proposed Track176- Sherwood Sewer Service Area Amendment Motion carried unanimously.

B. **Proposed Resolution 51-22**: Amending and Updating Section 2 of the "ECWRPC Schedule of Fees for Services" for the East Central Wisconsin Regional Planning Commission. Presented by Wilhelmina Paustian – Senior Planner

Ms. Paustian gave a brief overview of the request. She shared that the update of the proposed fee schedule would take into consideration the actual staff time and work involved with conducting conformance reviews.

Ms. Paustian noted that the proposed fee schedule is classified by the type of conformance review required as well as member versus nonmember counties. Staff proposed that fees for sewer service area amendments, sanity sewer extensions, private lateral connections, and other related conformance reviews be increased. The sewer service area amendment appeals and NR-110 Facility Plan review fees are proposed to remain the same.

A motion was made by Mr. Nooyen and second by Mr. Capelle to approve the proposed **Resolution 51-22**: Amending and Updating Section 2 of the "ECWRPC Schedule of Fees for Services" for the East Central Wisconsin Regional Planning Commission. Motion carried unanimously.

Note - Staff will bring the proposed changes to the Steering Committee in December. If the Steering Committee approves the changes, they will go into effect on January 1, 2023.

ECWRPC Water Quality Management Planning Program Fee Schedule		
(Effective: January 1, 2023)	Member	Non-Member
	County	County
SSA Plan Updates	None	Contract Agreement
SSA Amendments	\$500	\$1,000
SSA Amendment Appeals	\$500	\$1,000
NR-110 Facility Plan/ Amendment Reviews	\$500	\$1,000
WQM/ Section 208 Conformance Reviews	\$250	\$250
(i.e. Sanitary Sewer Extensions & Private Laterals)		

8. Informational/Discussion Items

A. County Roundtable Discussion - None

9. Establish Time and Place for Next Commission Meeting

- A. The next **Community Facilities Meeting** will take place Wednesday, January 11, 2023. Further details will be forthcoming.
- B. The next **Quarterly Commission Meeting** will take place January 27, 2023 Further details will be forthcoming.
- **10.** Adjourn A motion was made by Mr. Capelle and second by Mr. Nooyen to adjourn. Time noted at 10:17 a.m.