

**Walworth County Board of Supervisors
Land Conservation Committee Meeting Minutes
Monday, March 16, 2015
Walworth County Government Center
County Board Room 114
100 W. Walworth Street, Elkhorn, Wisconsin**

The meeting was called to order by Chair Nancy Russell at 2:20 p.m.

Roll call was conducted. Members present included Chair Nancy Russell, Vice Chair Charlene Staples, Supervisor Dan Kilkenny, USDA/FSA Representative Matt Polyock and Citizen Member Rosemary Badame. A quorum was declared.

Others in Attendance:

County Staff: Michael Cotter, Director of Land Use and Resource Management (LURM)/Deputy Corporation Counsel; David Bretl, County Administrator; Neal Frauenfelder, LURM Senior Planner

Members of the public: None

On motion by Citizen Member Badame, second by Vice Chair Staples, the agenda was approved with no withdrawals.

On motion by Vice Chair Staples, second by Supervisor Kilkenny, the January 19, 2015 Land Conservation Committee meeting minutes and the January 19, 2015 Joint Land Conservation and Public Works Committee meeting minutes were approved by voice vote.

Public Comment – There was none.

New Business

- SEWRPC Sanitary Sewer Service Area for the Villages of Fontana and Walworth
Michael Cotter, Director of LURM/Deputy Corporation Counsel, explained that this amendment was brought before the committee to explain the expansion of the sewer service area. Southeastern Wisconsin Regional Planning Commission (SEWRPC) is looking for an endorsement of the amendment from the County Board. Cotter said the committee could choose whether or not to endorse the expansion. Neal Frauenfelder, LURM Senior Planner, stated SEWRPC reviews and looks for capacity within the plan, and in most cases, there is excess capacity. He commented on the timing of their review and receipt of the initial letter from SEWRPC. The letter stated the public hearing for SEWRPC and the sewer system expansion was to be held on March 10th, which is too late for input from LCC today. He prepared a Staff Report which was sent to Dave Schilling at SEWRPC for their consideration at the hearing. He informed Mr. Schilling that LCC would be meeting today and that there may be additional comment coming from the committee. SEWRPC will not be voting on this until Wednesday. He explained that the property in question is 113 acres, which is east of the Village of Walworth and South of the Village of Fontana, and is to be annexed to the Village of Walworth. He said there is also a letter from the Dept. of Administration approving the annexation, and the State Department of Administration plat submittal shows the proposed subdivision plat for the parcel that will be sewered. There is a portion of the development that goes outside of the sewer service expansion area and outside the annexation area that is going to utilize lands

left in the township for a stormwater retention pond. There are additional areas that the DNR has mapped as potential wetlands that go beyond what SEWRPC identified as wetland areas.

Staff recommendation is that these wetland areas be delineated and placed in the appropriate wetland zoning district within the Village of Walworth zoning ordinance. The Walworth County Erosion Control and Stormwater Management Ordinance would come into play due to the location of the stormwater retention basin which, as proposed, would remain in the Town of Walworth. The Zoning Division has indicated that the portion outside the annexed area would not be an allowable use in the A-1 zoning district. There are three alternatives: 1. To rezone A-1 area to a zoning district that would allow this use and may require a possible conditional use; 2. Annex the additional land to the south; 3. Move the stormwater infrastructure to the boundaries of the annexed area of the plat.

Supervisor Kilkenny asked who would have authority over this and how to exercise this under the Smart Growth Plan. Frauenfelder stated by law, the County is required to incorporate City and Village Plans “as is” up to their corporate limits. The County Comprehensive Plan recognizes that the County is basically adopting all City and Village Plans, which would include expansion through annexation. Cotter stated whatever is forwarded to SEWRPC is purely advisory. Chair Russell stated she would like no resolution or a resolution that states this is A-1 land in our County Plan and, therefore, it would not be subject to this type of development. Frauenfelder stated SEWRPC and the DNR are the review and approval agencies for sewer service expansion areas. Chair Russell announced she will be going to SEWRPC to vote on this and that SEWRPC is in favor of smaller lots because it uses up less land. Frauenfelder stated if this were in the County’s jurisdiction, the Comprehensive Plan and the Farmland Preservation Plan would have to be amended. Cotter stated SEWRPC will most likely be approving this. Supervisor Kilkenny agreed to highlighting the problems with the plan. **Supervisor Kilkenny made a motion to take no position, but to direct staff to highlight any concerns that this application brought to their attention, second by Chair Russell. Motion carried 5-0.**

- Discussion/Possible Action – LURM Land Conservation Division Annual Report – Michael Cotter
Cotter presented the Annual Report and indicated there was no action to be taken. He advised the committee to monitor the State for funding of the land conservation programs throughout the state. Some counties are being aggressive in lobbying and this will impact the report next year if the cuts that were proposed are maintained in the next budget cycle. Chair Russell stated the importance of maintaining stormwater management and nutrient management, and commended Cotter and his staff for the report.

Confirmation of next meeting – The next meeting was confirmed for Monday, April 27, 2015 at 2:00 p.m.

Adjournment

On motion by Vice Chair Staples, second by Supervisor Kilkenny, the meeting adjourned at 2:59 p.m.