



**Walworth County  
Land Conservation Committee Meeting  
Monday, September 12, 2016 at 2:00 p.m.**

**Walworth County Government Center  
County Board Room 114  
Elkhorn, WI 53121**

Land Use and Resource  
Management Department

*Charlene Staples – Chair Daniel Kilkenny - Vice Chair Nancy Russell - Supervisor  
Matthew Polyock – USDA/FSA Representative Rosemary Badame – Citizen Member*

*(Posted in Compliance with Sec. 19.84 Wis. Stats.)*

*It is possible that a quorum of the County Board or a committee of the County Board could be in attendance.*

**AGENDA**

1. Call to order
2. Roll call
3. Approval of the Agenda Pg. 1
4. Approval of Minutes from July 25, 2016 LCC Meeting Pg. 2-3
5. Public Comment
6. Discussion/Possible Action – SEWRPC water study report discussion – Michael Cotter
7. Discussion/Possible Ordinance Amendment Action – Construction Site Erosion & Sediment Control and Storm Water Management update, Section 23, Article I, II, III – Fay Amerson Pg. 4-6
8. Discussion/Possible Action – 2016 Winter Road Maintenance Workshop co-sponsored with Waukesha County– Fay Amerson Pg. 7
9. Discussion/Possible Action – Nippersink Watershed Planning – Shannon Haydin
10. Discussion/Possible Action – Review of Southeast Area Land and Water Conservation Association Summer Tour – Shannon Haydin
11. Discussion/Possible Action – Farmland Preservation Non Compliance Recipients: Nettesheim, Lawrence / Triebold, David; **Voluntary Waivers** : Albrecht Trust [John Albrecht] / Grieving, Art – Brian Smetana
12. Next meeting date: Monday, October 17, 2016, 2:00 p.m.
13. Adjournment

**Submitted by: Michael P. Cotter, Director, Land Use and Resource Management Department**

Posted: September 7, 2016

## **DRAFT**

**Walworth County Board of Supervisors  
Land Conservation Committee Meeting Minutes  
Monday, July 25, 2016 at 2:00 p.m.  
Walworth County Government Center  
County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Chair Charlene Staples at 2:03 p.m.

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

### **Others in Attendance:**

County Staff: David Bretl, County Administrator; Michael Cotter, Director of Land Use and Resource Management (LURM)/Deputy Corporation Counsel; Shannon Haydin, LURM Deputy Director; Merilee Holst, Geneva Lake Conservancy; Charlie Handel, Lake Manager for Delavan Lake at Delavan Lake Sanitary District; and John Surinak, District President, Delavan Lake Sanitary Management

**On motion by Supervisor Kilkenny, second by Citizen Member Badame, the agenda was approved with no withdrawals.**

**On motion by Supervisor Kilkenny, second by Citizen Member Badame, the June 20, 2016 Land Conservation Committee meeting minutes were approved.**

**Public Comment** – There was none.

### **New Business**

- Discussion/Possible Action – Healthy Lakes Request / Delavan Lakes Sanitary District

Shannon Haydin, Land Use and Resource Management (LURM) Deputy Director referred to Pages 4 thru 7 of the packet and gave a brief overview of the Delavan Lakes Sanitary District Resolution Number 4 of 2016 requesting Walworth County to adopt the Wisconsin's Healthy Lakes Implementation Plan and reduce or waive fees for such programs. Haydin stated vegetative buffers and other types of shoreland improvements require a permit and fee, depending on the level of disturbed area. Haydin stated that staff looked at projects that would be eligible for funding under the Healthy Lakes Initiative and proposes projects with 0-350 square feet of disturbed area, the permit is free and anything over 350 square feet is a \$50 fee. She said LURM is looking for a reduction in fees for projects similar to the projects eligible for the Healthy Lakes Initiative grant. Haydin stated applicants will not be required to partake in the Healthy Lakes program. She said a true rain garden requires a significant amount of disturbance with excavation of 3 to 5 feet, installation of underdrains, etc., and that the maximum fee would be \$225. Discussion then focused on current shoreland zoning requirements and fees. Michael Cotter, Director of LURM/Deputy Corporation Counsel, stated the rain garden is not currently listed on the fee schedule. He said it would be advantageous to submit the proposed updated fee schedule to the Finance Department for the budget process so that it could be implemented by September. Supervisor Russell encouraged LURM to create a pamphlet to inform the public and draw awareness to the program. Charlie Handel, Lake Manager for Delavan Lake at Delavan Lake Sanitary District, stated the Healthy Lakes grant is scheduled to disburse February 1, 2017. John Surinak, President of Delavan Lake Sanitary District, stated the resolution was passed in order to protect and improve the lake. He said the Delavan Lake Sanitary District is attempting to partner with others to receive any available grants.

- Discussion/Possible Action – Correspondence from Citizen Member Rosemary Badame regarding the recent failure of the Department of Natural Resources (DNR) to no longer consider the “cumulative impacts” and effects of high-capacity wells on streams, rivers and lakes when reviewing applications for new wells

Citizen Member Rosemary Badame gave a brief statement regarding her concerns with high-capacity wells and the impact on the water table within Walworth County. She is not certain how to proceed or who to contact. Discussion focused on the abandonment of deep aqua firs and turning to shallow aqua firs, who has authority to regulate high-capacity wells and their effects, and whether or not other counties within the region are joining together and discussing their situations. Cotter stated Walworth County paid for a water supply study completed by SEWRPC approximately 5 years ago and the report is located in the LURM Department. Haydin reported that she was recently informed at the County Conservationists Meeting in Wisconsin Rapids that some of the wells in Walworth County are showing high levels of nitrates, particularly in the Southwest corner. Cotter stated Walworth County needs to start thinking about protecting the recharge areas. Chair Staples directed LURM to request a speaker from SEWRPC to come before the Committee to explain the water supply report and direct the Committee on how to utilize it.

**Confirmation of next meeting** – The next meeting was confirmed for Monday, September 12, 2016, 2:00 p.m.

### **Adjournment**

**On motion by Supervisor Kilkenny, second by Citizen Member Badame, the meeting adjourned at 2:39 p.m. Motion carried 4-0.**

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Submitted by Trisha Sommers, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

*Walworth County Ordinance Amendments*  
**Chapter 26, Environment**  
*Article I, Article II and Article III*

**Background:** Walworth County Board of Supervisors adopted a Construction Site Erosion Control Ordinance on June 12, 1990.

The Walworth County Construction Site Erosion Control ordinance was adopted in 1990 to exercise County jurisdiction over land disturbing construction activities within the un-incorporated areas of the County on the issue of **erosion and sediment control**. Since 1990, several amendments to the Ordinance were adopted by the Walworth County Board of Supervisors, including major amendments in 2007, to include the state non-agricultural runoff performance standards for construction site erosion and sediment control **and post-construction storm water management**, contained in NR 151 of the Wisconsin Administrative Code.

**Purpose of the 2016 revisions to the Chapter 26, Article I, II and III:** Adopt new state performance standards for construction site erosion and sediment control and storm water management, adopt applicable WDNR Program Guidance, establish consistency and uniformity with the new WNDNR model ordinances, remove obsolete language and ambiguity. The ordinance amendments establish conservation standards for permeable surfaces and the shoreland mitigation practices required to meet the impervious surface standards contained in the Walworth County's Shoreland Zoning Ordinance.

**Article I**  
**Storm Water Management**

The intent of this Ordinance is to establish long-term, post-construction runoff management requirements to reduce the discharge of pollutants carried in storm water runoff to waters of the State, through the application of state performance standards for new development and redevelopment. This Ordinance applies to a post-construction site whereupon one acre or more of land disturbing activities occurs during construction **or the County Shoreland Zoning Ordinance requires a County-approved Storm Water Management Permit and Plan.**

The **amendments** to this Ordinance include the following:

1. Add provisions for requiring a storm water management permit when required to comply with County Shoreland Zoning Standards related to impervious limits.
2. Add rainfall depth for 1-yr., 24-hour storm event and updated rainfall depths for 2-yr, 10-yr, and 10-yr, 24-hour storm events.
3. Modify pre-development runoff curve numbers.
4. Add wetland screening process and delineation.
5. Add references to WDNR Program Guidance as a technical and county conservation standard.
6. Update total suspended solid performance standard for new development, in-fill development and re-development.
7. Update performance standard for infiltration based on degree of pre-development imperviousness.
8. Update separation distances between the bottom of an infiltration system and seasonal high water and bedrock.
9. Clarify exemption to infiltration performance standard.
10. Clarify, add and update storm water plan requirements.
11. Clarify and add additional requirements for storm water management agreements.
12. Clarify exemptions for agricultural uses and practices.
13. Add and modify several definitions.
14. Add construction and planting verification, design documentation and final inspection requirements for constructed permanent storm water management practices.

**Article II**

~~Land Disturbance~~, Construction Site Erosion and Sediment Control, Conservation Standards for Vegetation Removal, **Vegetative Buffers, Permeable Surfaces**, Pond Construction and Retaining Wall Construction.

The intent of this Ordinance is to prevent or reduce the discharge of sediment and other pollutants carried by runoff or discharged from land disturbing activities, by the application of state performance standards. This ordinance is also intended to establish conservation standards for vegetation removal, ponds, retaining walls, vegetative buffers, permeable surfaces when required to meet County Conservation Standards for the County Zoning and Shoreland Zoning Ordinances.

This Ordinance applies to the following land disturbing, land development, construction and vegetation removing activities:

- Land disturbing activities within the County Shoreland areas;
- Land disturbing activities covering more than 4,000 square feet, or require more than 400 cubic yards of filling or excavation;
- Land disturbing activities requiring 300 linear feet or more of trenching, or ditching;
- Land disturbing activities required for the construction of a building, pond or pool or other structure;
- Vegetation removal regulated by the County Zoning Division;
- Pond construction;
- Retaining wall construction regulated by the County Zoning Division;
- Shoreland mitigation practices regulated by the County Zoning Division.

The **amendments** to this Ordinance include the following:

1. Clarify the definition of landowner.
2. Update performance standards for consistency with NR 151 and WDNR State Ordinance Model.
3. Add performance standards for the location and implementation of best management practices.
4. Replace and modify “Guiding Principles” with “Preventative Measures.”
5. Clarify when and where the Ordinance is applicable or not applicable.
6. Clarify the duration of a permit, permit transfer and amendment process.
7. Add a list of prohibited practices.
8. Clarify landowner notification process for violations to the Ordinance.
9. Clarify wetland mapping requirement for the construction site erosion and sediment control site plan.
10. Clarify components of required for landscaping plan.
11. Add “photographs of the parcel site” to list of plan and permit submittal items.
12. Clarify permit review time to match State requirements.
13. Add list of permit requirements.
14. Add references to WDNR Program Guidance as a technical standard and county conservation standard.
15. Add and modify several definitions.

**Article III**

**One and Two Family Dwelling Construction Site Erosion and Sediment Control and Storm Water Management.  
Construction Site Erosion and Sediment Control for One-and Two-Family Dwelling Construction within Non-Shoreland Areas.**

The purpose of this Ordinance is to exercise jurisdiction on the administrative and technical requirements of the Wisconsin Uniform Dwelling Code on the issue of construction site erosion and sediment control related to **one-and two-family dwellings within the non-shoreland areas and land disturbing activities cover less than 1 acre.**

This Ordinance applies within the boundaries of Walworth County municipalities where Walworth County has entered into a *Service Agreements* with a municipality. Currently Walworth County performs construction site erosion and sediment control plan review and permitting services with the following 9 municipalities:

Town of East Troy  
Town of Sugar Creek  
Town of Walworth

Town of LaGrange,  
Town of Spring Prairie  
Town of Troy

Town of Lafayette  
Town of Sharon  
Town of Whitewater

The **amendments** to this Ordinance include the following to:

1. Update the applicable Wisconsin Department of Safety and Professional Services Administrative Codes that apply.
2. Clarify when and where the Ordinance is applicable or not applicable.
3. Clarify the definition of landowner.
4. Remove language related to Storm Water Management.
5. Add standards and requirements for location and implementation of construction site erosion control best management practices.
6. Clarify the duration of a permit, permit transfer and amendment process.
7. Add a list of prohibited practices.
8. Clarify landowner notification process for violations to the Ordinance.
9. Clarify wetland mapping requirement for a construction site erosion and sediment control site plan.
10. Clarify components of required landscaping plan.
11. Add “photographs of the parcel site” to list of plan and permit application submittal items.
12. Clarify permit review time to match State requirements.
13. Add list of permit requirements.

## 2016 Winter Road Maintenance Workshop

**Walworth County Land Use and Resource Management Department** is pleased to co-sponsor this important and informative winter road maintenance workshop. Fortin Consulting, an outreach and education firm based in Minnesota, will conduct this workshop. Fortin works with the Minnesota Pollution Control Agency on winter road maintenance.

Fortin’s workshop promotes tools, best practices, and limitations for snow and ice control. Training aims to help staff understand when to use and not use these tools and practices and encourages progressive changes to reduce environmental impact while still meeting safety and mobility needs of the public. Topics discussed include:

- How to calibrate equipment
- Weather conditions
- Storing materials
- Application rates of materials
- Pre-wetting
- De-icing
- Anti-icing
- Environmental effects

You will come away from this workshop with cost-saving tips and innovative practices to keep our roadways safe!

**When:** October 24, 2016 from 9:00am-2:00pm

**Where:**

University Center – Room 275 (Old Main Ballroom)  
UW-Whitewater  
A map will be forwarded to you.



**Registration Fee:**

**Free** for municipal staff in **Walworth County**  
**\$20.00** for other interested attendees

**Lunch:** Training will include lunch. The **cost for lunch is \$10.00.**

**Parking:** Parking permits can be picked up at the Visitor’s Center Service window when you arrive on the UW-Whitewater campus. Specific instructions as to which parking lot to park in will be forthcoming.

**For additional information, contact Fay Amerson @262-741-7909 or famerson@co.walworth.wi.us**

**Winter Road Maintenance Workshop Registration**

**RSVP by September 30, 2016.**

Municipality: \_\_\_\_\_

Company Name (if applicable) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Attendee Name(s) \_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_

E-mail \_\_\_\_\_

Remit \$10.00 per person for lunch for staff for a **Walworth County Municipality**

Remit \$30.00 per person for workshop registration and lunch for **other attendees.**

**Make checks payable to Walworth County LURM and mail to :** **Walworth County LURM**  
**PO Box 1001 Elkhorn, WI 53121**  
**Attention: Fay Amerson**