



Community Analysis and Planning Division

Dane County Department of Planning and Development

City-County Building, Room 362 210 Martin Luther King, Jr. Boulevard Madison, WI 53703
Phone: 608-266-4137 Fax: 608-266-9117 www.danecorpc.org

October 5, 2006

Mr. Thomas Gilbert
Bureau of Watershed Management
Wisconsin Department of Natural Resources
101 S. Webster, WR/2
Madison, WI 53707

RE: Amendment to the *Dane County Water Quality Plan*, Revising the Oregon Urban Service Area Boundary and Environmental Corridors within the Village of Oregon.

Dear Mr. Gilbert:

We are submitting an amendment to the *Dane County Water Quality Plan*, revising the Oregon Urban Service Area boundary and environmental corridors within the Village of Oregon, for Department review and approval. The Community Analysis and Planning Division recommends approval based on the conditions of the staff analysis.

This amendment was requested by the Village of Oregon. The amendment adds 6.6 acres to the Oregon Urban Service Area, including 1.4 acres of environmental corridor, resulting in a net developable area of 5.2 acres.

Enclosed, please find a copy of the following supporting materials: (1) Village of Oregon request letter dated May 23, 2006 and supporting materials; (2) public hearing notice dated September 1, 2006; (3) staff analysis of the proposed amendment dated September 25, 2006; (4) letter of comment from the State Historical Society dated September 26, 2006; and (5) minutes of the October 3, 2006 public hearing.

To ensure the Village's ability to maintain its construction schedule, we would appreciate your expedited review and approval of this amendment to the *Dane County Water Quality Plan*. If you have questions or need additional information or assistance in reviewing this amendment, please do not hesitate to contact me at 266-9283.

Sincerely,

Kamran Mesbah

Deputy Division Administrator / Director, Environmental Resources Planning

KM:cg

cc: Mark Below, Director, Village of Oregon Public Works, 117 Spring St., Oregon 53703
Mike Gracz, Administrator, Village of Oregon
Georgia Johnson, Clerk, Village of Oregon
Jerry Luebke, President, Village of Oregon
Sue Josheff, WDNR, South Central Office

cc/enc.: Ruth Johnson, WDNR Horicon Office



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

RECEIVED
OCT 30 2006

DNR File No. DC-0102

October 25, 2006

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

Subject: Amendment of the *Dane County Water Quality Plan*, revising the Oregon Urban Service Area Boundary and Environmental Corridors within the Village of Oregon

Dear Mr. King:

We have completed our review of the subject amendment request that was submitted to the Department on October 6, 2006 from the Dane County Community Analysis and Planning Division. The Department hereby conditionally approves this amendment request that adds 6.6 acres to the Oregon Urban Service Area, including 1.4 acres of environmental corridor. The amendment area is located on the west side of the Village of Oregon, at the south end of North Perry Parkway and north of Park Street. (see attached Map 1).

The proposed amendment was requested by the Village of Oregon.

The Department notes that the amendment area is proposed to be developed with a community sports arena located within a distance of 500 feet from the adjacent Oregon Wastewater Treatment Facility. In accordance with s. NR 110.15 (3) (d), Wis. Adm. Code, wastewater facilities shall be separated from residential and commercial development by at least 500 feet. Based on the current proposal for the sports arena, to be owned by the Oregon Community Sports Arena, Inc. (a non-profit 503 (c) corporation), the Department has determined that the development is not "commercial" or "residential" for purposes of s. NR 110.15 (3) (d) determinations. We view this as community recreational type development.

By copy of this letter we are notifying the Village of Oregon of this determination and we recommend that this letter be retained by the Village as documentation of this determination. For any future expansion or upgrade of the wastewater facility, a NR 110.15 (3) (d) assessment will be conducted at that time, and a determination made based on the status of the nearby development at that time. Should the sports arena change in nature or ownership in the future, such that it is determined to be "commercial" development, then s. NR 110.15 (3) (d) would become applicable.

This Department approval is subject to the condition that the Village of Oregon pursue the following:

- Submit detailed stormwater management plan for the amendment area for Dane County CAPD and DCLCD staff review and approval prior to land disturbing activities. The stormwater management plan should control post-development runoff rates to pre-development rates for all storms up to and including the 100-year storm, protect the water quality of receiving streams, and prevent increased downstream flooding and erosion.
- Include all stormwater management facilities in environmental studies.
- Meet the minimum criteria for the delineation of environmental corridors for the amendment area as part of the final site plan.

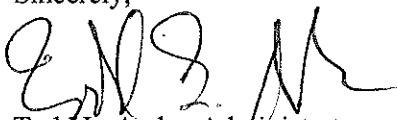
The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

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

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

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

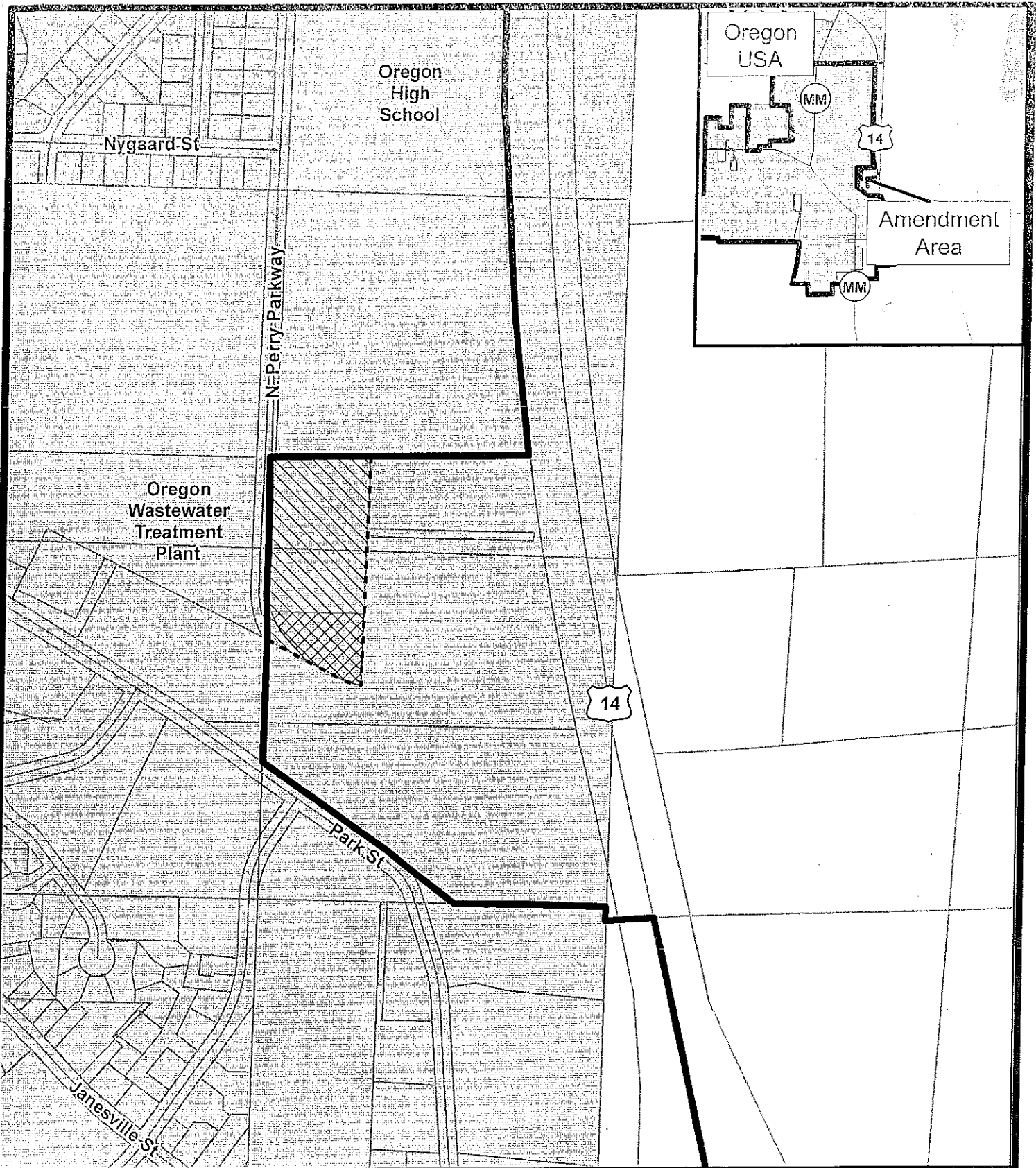
Sincerely,



Todd L. Ambs, Administrator
Division of Water






cc w attachment:

Mark Below, Director; Village of Oregon Public Works; 117 Spring St.; Oregon, WI 53703
Mike Gracz, Administrator; Village of Oregon
Georgia Johnson, Clerk, Village of Oregon
Jerry Luebke, President, Village of Oregon
Sue Josheff – DNR - SCR – Fitchburg
Ruth Johnson – DNR – SCR – Horicon
Larry Benson – DNR - SCR – Fitchburg
Tom Gilbert – WT/2



Map 1

Amendment
to the Oregon
Urban Service Area,
Village of Oregon

-  Service Area to be added
-  Proposed Environmental Corridor
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary
-  Incorporated Area



30 Aug 06



Feet

Prepared by staff
of the CAPD.