



April 11, 2016

DNR File No. DC-0173

Mr. Steve Steinhoff, Deputy Director
Capital Area Regional Planning Commission
City County Building, Room 362
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Subject: Revising the Central Urban Service Area boundary in the Town of Cross Plains

Dear Mr. Steinhoff:

We have completed our review of the amendment request that was submitted to the Department on March 22, 2016 by the Capital Area Regional Planning Commission. The Department hereby approves this request, subject to conditions 1 through 3 in Resolution CARPC 2016-04 (on pages 1-2 of the Resolution).

The amendment totals 4.3 acres, and is located southeast of the Village in the Town of Cross Plains. A public hearing was held on March 10, 2016 and the amendment was adopted by the Capital Area Regional Planning Commission per Resolution No. 2016-04 on March 10, 2016.

This amendment becomes a part of the *Dane County Water Quality Management Plan* and will be forwarded to the US Environmental Protection Agency to meet the requirements of the Clean Water Act of 1987 (Public Law 92-500 as amended by Public Law 95-217), and outlined in the federal regulations 40 CFR, Part 35.

This review is an integrated analysis action under s. NR 150.20 (2) (a) 3, Wis. Adm. Code. By means of this review, the Department has complied with ch. NR 150, Wis. Adm. Code, and with s. 1.11, Stats.

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.

Appeal Rights:

Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., a party has 30 days after the decision is mailed, or otherwise served by the Department, to file a petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., a party has 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. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

Sincerely,



Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

cc:

Matt Schuenke, Village Administrator, Village of Cross Plains
Greg Searle - WDNR - SCR - Fitchburg
Jean Unmuth - WDNR - SCR - Fitchburg
Lisa Helmuth - WDNR - WQ/3



Resolution CARPC No. 2016-04

Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Cross Plains Urban Service Area Boundaries in the Town of Cross Plains

WHEREAS, the Capital Area Regional Planning Commission has adopted, amended and reaffirmed the *Dane County Land Use and Transportation Plan* and *Water Quality Plan*; and

WHEREAS, said plans delineate urban and limited service areas and environmental corridors as amended through February, 2016; and

WHEREAS, the Village of Cross Plains has requested an addition to the Cross Plains Urban Service Area; and

WHEREAS, a staff analysis of the proposed amendment has been prepared, which indicates that the amendment is generally consistent with adopted regional plans and policies.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Wis. Stats. § 66.0309, and Sec. 208 of Public Law 92-500, the Capital Area Regional Planning Commission amends the *Dane County Land Use and Transportation Plan* and recommends the amendment of the *Dane County Water Quality Plan* by revising the Cross Plains Urban Service Area and environmental corridors boundaries as shown on the attached map.

Adoption of this amendment is based on the land use and urban service plans submitted in support of this amendment, and conditioned on the Village of Cross Plains pursuing the following:

1. Submit a detailed stormwater management plan for CARPC and DCL&WCD staff review and approval prior to any land disturbing activities in the amendment area. The stormwater management plan should shall include the following:
 - a. Install stormwater and erosion control practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities.
 - b. Control peak rates of runoff for the 1-, 2-, 10-, and 100-year 24-hour design storms to pre-development levels, using the updated precipitation depth and storm distribution (NRCS MSE4) data developed through the National Oceanic and Atmospheric Administration Atlas 14 project, in accordance with the Dane County Stormwater Ordinance.
 - c. Maintain the post development stay-on volume to at least 100% of the pre-development stay-on volume for the one-year average annual rainfall period, in accordance with the Village of Cross Plains Stormwater Ordinance.
 - d. Maintain pre-development groundwater recharge rates from the Wisconsin Geological and Natural History Survey's 2009 report, *Groundwater Recharge in Dane County, Wisconsin, Estimated by a GIS-Based Water-Balance Model* (an average of 10 in./yr. for the amendment area) or by a site specific analysis, in accordance with the Village of Cross Plains Stormwater Ordinance.

- e. Provide at least 80% sediment control for the amendment area for the 1-year, 24-hour design storm, with a minimum of 60% of that control occurring in a retention pond prior to infiltration, in accordance with the Village of Cross Plains Stormwater Ordinance.
 - f. Reduce the temperature of stormwater discharge to meet WDNR cold water standards, in accordance with the Village of Cross Plains Stormwater Ordinance.
2. All stormwater management facilities ~~should~~ shall be designated as environmental corridors, and preferably located in public outlots. Stormwater easements ~~should~~ shall be provided for any stormwater management facilities located on private property.
 3. A preliminary site investigation for location of karst formations be done prior to design placement of stormwater infiltration facilities as required by the State of Wisconsin Technical Standard 1002 - Site Evaluation for Stormwater Infiltration.

It is also recommended that the Village of Cross Plains pursue the following measures related to water quality or other State of Wisconsin regulations:

1. Request a formal Endangered Resources review by the WDNR (<http://dnr.wi.gov/topic/erreview/review.html>) or one of their certified reviewers and take necessary habitat protection measures if species are found.
2. Conduct on-site soils investigations in accordance with SPS 385.60 in areas with mapped poorly drained soils and seasonal high groundwater tables to determine the actual extent of seasonal high groundwater in the amendment areas and identify potential problem areas. The Village should consider requiring that the lowest level of any structure be built at a minimum of one foot above the seasonal high groundwater table and have this restriction recorded on the plat. This type of restriction is being used in several counties in Wisconsin and will reduce the potential for basement flooding.
3. Given the position of the parcel on the landscape and its proximity to Black Earth Creek, which supported a dense pre-Contact population, archaeological survey of the parcel is recommended.
4. If anyone suspects that a Native American burial mound or an unmarked or marked burial is present in an area, the Wisconsin Historical Society should be notified. If human bone is unearthed during any phase of a project, **all work must cease**, and the Wisconsin Historical Society **must be contacted** at 1-800-342-7834 to be in compliance with Wis. Stats. § 157.70 which provides for the protection of all human burial sites. **Work cannot resume until the Burial Sites Preservation Office gives permission.** Please contact Mr. Chip Brown, 608-264-6508, with questions or for further information.

It is further advised that the Village of Cross Plains pursue the following measures related to planning best practices, long-range/regional planning, and the advisory goals outlined in the *Dane County Land Use and Transportation Plan*:

1. Consider working with CARPC staff and the Towns of Berry and Cross Plains to conduct an Environmental Conditions Report (ECR) and develop a Future Urban Development Area (FUDA) plan for Cross Plains as a complement to its upcoming Comprehensive Plan update.
2. Also consider drafting a neighborhood plan for the amendment area and future development areas to the east in order to provide a variety of housing choices and land use types. As indicated in the Village's Comprehensive Plan, the "Planned Neighborhood" should carefully consider composition and pattern of development to promote a sense of community.

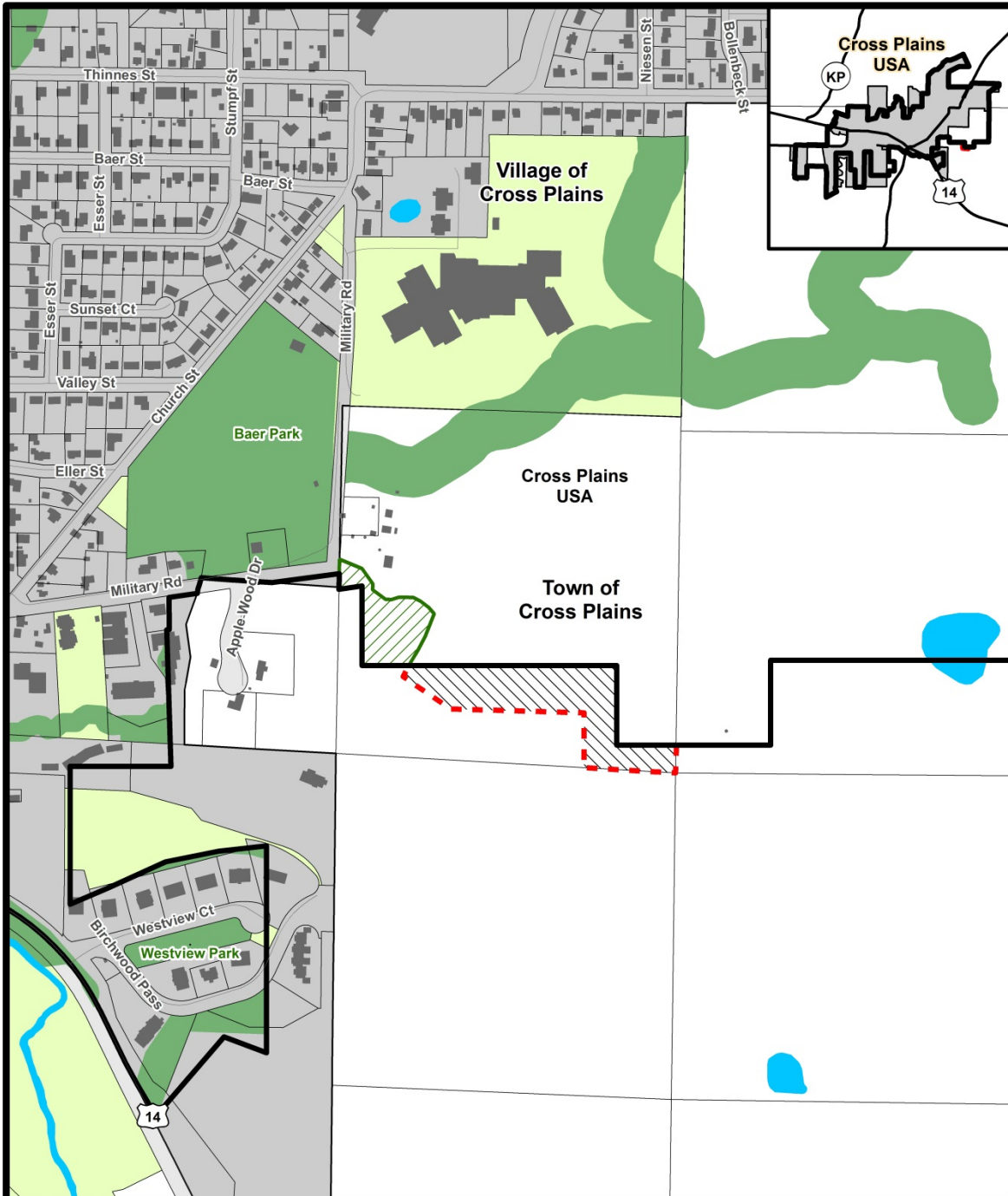
3. Continue to work with Dane County to plan and budget for reconstruction of Church Street (CTH P). Bike lanes and sidewalk on both sides are recommended for the project due to the moderately high and increasing traffic volumes on the street and the many destinations it serves, including the Glaciers Edge Square commercial area, park, and middle school.
4. Provide sidewalk on both sides of the planned Military Road extension, which serves the middle school. Traffic volumes on the road will increase as planned residential development occurs on the east side.
5. Consider requiring developer to construct the path connection identified on the Development Plan from the cul-de-sac west to the south section of Military Road/Baer Park and the planned municipal complex as part of other infrastructure/utility work. The connection will become increasingly important in the future as planned development occurs on the east side.

Revised March 10, 2016

March 10, 2016
Date Adopted



Larry Palm, Chairperson



Map 1 Amendment Area

Proposed Amendment to the Dane County Land Use and Transportation Plan and Dane County Water Quality Plan, Revising the Cross Plains Urban Service Area Boundary and Environmental Corridors in the Town of Cross Plains

	Service Area to be added (4.3 acres)
	Proposed Environmental Corridors (1.8 acres)
	Public Land
	Existing Environmental Corridors
	Incorporated Area
	Existing Urban Service Area Boundary
	Proposed Urban Service Area Boundary

9 Feb. 2016

0 500
Feet
Prepared by staff of the CARPC.