

**MINUTES**  
**of the Capital Area Regional Planning Commission**

**July 9, 2020 at 6:00 p.m. (Zoom virtual meeting)**

Commissioners Present: Maureen Crombie, Grant Foster, Kris Hampton, Peter McKeever, Ed Minihan, Heidi Murphy, Ken Opin, Chair Larry Palm, David Pfeiffer, Bruce Stravinski, Caryl Terrell, Lauren Cnare (arrived 6:14pm)

Commissioners Absent: Mark Geller

Staff Present: Melissa Breyer, Linda Firestone, Sarah Fuller, Sean Higgins, Mike Rupiper, Caitlin Shanahan, Steve Steinhoff

Other Present: Professor Paige Glotzer, Tim Asplund (WDNR), Andrew Simek (WDNR), 26 members of the public

1. Roll Call

Chair Palm called the meeting to order at 6:01pm. Quorum was established.

2. Public Comment on Matters not for Public Hearing

No members of the public wished to speak at this time

**3. Consent Agenda (*all items below in #3 are actionable items*)**

- a. Adoption of Minutes of the June 3, 2020 Joint MPO/CARPC Meeting**
- b. Adoption of Minutes of the June 11, 2020 CARPC Meeting**
- c. Executive Committee Recommendations**

- (1) Approval of Annual Agreement to Provide Water Quality Management Planning Assistance to the Wisconsin Department of Natural Resources**
- (2) Approval of Revisions to the CARPC Internal Controls Procedures**
- (3) Approval of July 2020 Disbursements and Treasurer's Report for June 2020**

Mr. McKeever moved to accept the consent agenda; Ms. Crombie seconded. The motion passed on a voice vote.

4. Presentation from Professor Glotzer on History of Racism in Planning and Development

Professor Glotzer gave a presentation on the history of racism in planning.

5. Discussion with DNR Regarding Legal Authority of CARPC / DNR in Water Quality Planning

Mr. Rupiper introduced WDNR staff Mr. Asplund and Mr. Simek. Mr. Asplund addressed the water quality management letter from CARPC to the WDNR regarding the Village of Cottage Grove USA Amendment. Two conditions recommended by the Commission in the letter were changed to recommendations by the WDNR. One condition was modeled after a section in the City of Madison stormwater ordinance dealing with mitigating downstream property owner impacts; the other condition was originally a recommendation regarding a joint stormwater management plan with the Town of Sun Prairie for the whole drainage area. Mr. Simek spoke about WDNR's legal authority to maintain water quality, and he stated that condition 1.h. of the letter had more to do with water quantity control, which is not under the WDNR's purview. Discussion points included whether water quantity should be considered as part of water quality, and why conditions should only be written for situations that are provable and not for potential situations. Mr. Asplund suggested that CARPC work with municipalities to revise stormwater standards in municipal ordinances.

A request was made to share with Commissioners a list of the water quality standards that the WDNR and CARPC staff feel are applicable so that Commissioners have a better understanding of exactly what

standards should be applied based on the current water quality statute and sections of the administrative code.

## 6. PUBLIC HEARINGS (7 pm)

- a. Public Hearing on Amendment of the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Sewer Service Area Boundary and Environmental Corridors in the Central Urban Service Area, Requested by the City of Fitchburg

(1) Applicant Presentation – Amendment Overview

Ms. Kruesel gave the applicant presentation.

Questions were asked regarding the volume of stormwater runoff and the City's support for a monitoring station on Swan Creek.

(2) Open Public Hearing to Take Testimony from Registrants; Close Public Hearing

Chair Palm opened the public hearing.

Ms. Zedler made three points regarding the Waubesa Wetlands: (1) take a broader watershed view; (2) take a longer-term view; use the latest climate change predictions; and address the interactions of more frequent more extreme storms with more hardscape, especially on Swan Creek; and (3) take a more holistic view, including a new approach called gross ecosystem product.

Mr. Christianson was in support of the amendment and made a brief comment about the history of planning for this area.

Mr. Fahey thanked City of Fitchburg staff and the Commission. He was available for questions.

Chair Palm closed the public hearing.

(3) Commissioner Questions and Discussion

Topics included:

- The lack of a mention of water quality in the City's presentation. Mr. Rupiper reported that a meeting would be held including CARPC staff, Ms. Zedler, and City of Fitchburg staff to discuss the concerns about the Waubesa Wetlands.
- Options for providing sewer service to the amendment area given the capacity of the existing Syene Road interceptor.
- Discussions with the City of Fitchburg and development team to encourage the development to implement a higher standard for stormwater retention given the growth of this municipality and its proximity to the Waubesa Wetlands.

7. Amending the *Dane County Water Quality Management Plan* by Revising the Sewer Service Area Boundary and Environmental Corridors in the Central Urban Service Area, Requested by the Village of McFarland

a. Overview of Staff Recommendations

Mr. Rupiper gave the presentation and reviewed the recommendations in the water quality management letter to WDNR.

b. Questions of Staff Recommendations

Registrant Teresa Utterback requested that Mr. Rupiper review again the 100-foot buffer recommendation for the wetland on their property.

Commissioner comments included:

- Location of low-income housing next to the Highway 151 corridor;
- The wetland buffer for the dog park near the wetland;

- Recommendation that the Village continue to participate in the WI Salt Wise Partnership; and
- Coordination with the Town engineer regarding stormwater management

**c. Approval of CARPC Management Letter #2002 – Central USA, Recommending to the Wisconsin Department of Natural Resources Amendment of the *Dane County Water Quality Management Plan* by Revising the Sewer Service Area Boundary and Environmental Corridors in the Central Urban Service Area, Requested by the Village of McFarland (*actionable item*)**

Mr. Pfeiffer moved to approve CARPC management letter #2002; Mr. Hampton seconded.

Mr. Pfeiffer moved to amend the motion to change recommendation #4, regarding participation in WI Salt Wise, to a condition; Ms. Cnare seconded. The amendment passed on a voice vote.

The amended motion passed on a voice vote with Mr. McKeever and Mr. Minihan voting “no.” (Note: See item #12 regarding Mr. Minihan’s vote.)

**8. Approval of a Management Letter from the Commission to the Village of McFarland Regarding Consistency of the Revised Urban Service Area Boundary in the Central Urban Service Area with the *Dane County Land Use and Transportation Plan***

**a. Overview of Staff Recommendations**

Mr. Higgins presented the overview of staff recommendations.

**b. Questions of Staff Recommendations**

Discussion item was the location of low-income housing. It was suggested that the Village do a housing study. The Village responded that a housing study was scheduled to start at some point in the future, possibly later this year.

**c. Approval of CARPC Management Letter #2002 –Central USA LUTP citing substantial consistency between the proposed Sewer Service Area Boundary and Environmental Corridors amendment in the Central Urban Service Area and the *Dane County Land Use and Transportation Plan* (*actionable item*)**

Ms. Murphy moved to approve CARPC management letter #2002; Mr. Stravinski seconded. The motion passed on a voice vote.

**9. Draft CARPC Racial Equity Plan Review and Discussion**

Mr. Steinhoff reviewed the draft CARPC racial equity plan.

**10. Approval of CARPC Logo and Visual Elements (*actionable item*) and Discussion of Roll-out**

Mr. McKeever moved to approve the CARPC logo and visual elements; Mr. Opin seconded. The motion passed on a voice vote.

Mr. Steinhoff reported that the MPO must coordinate their roll-out efforts with City of Madison Information Technology, which means the MPO may not be ready for a joint rollout of the new logos until fall or late fall. CARPC seeks to conduct a joint roll-out with the MPO. The MPO may be able to roll out the new RoundTrip logo sooner.

**11. Reports**

**a. Executive Chairperson and Executive Committee**

Chair Palm discussed a possible agreement with Distillery to produce materials with CARPC’s new logo.

**b. Members of the Madison Area Transportation Planning Board**

Members had no report.

c. Agency Director/Division Director, Community and Regional Planning

Mr. Steinhoff highlighted the work done on the 2019 annual report. Commissioners complemented the report.

d. Deputy Agency Director/Division Director, Environmental Resources Planning

Mr. Rupiper highlighted upcoming USA amendments and the next meeting of the Black Earth Creek Green Infrastructure Plan Steering Committee.

12. Future Agenda Items (Next Executive Committee meeting is 6pm on August 10, 2020, location TBD; next CARPC meeting is 6pm on August 13, 2020, location TBD)

Ms. Terrell moved to reopen item #7(c); Mr. Pfeiffer seconded. The motion passed on a voice vote.

Mr. McKeever moved that, for item #7(c), Commissioner Minihan's vote of "no" be recorded in the minutes; Mr. Opin seconded. The motion passed on a voice vote. This motion was made because, due to adverse weather conditions, Mr. Minihan lost his connection before his vote could be recorded.

It was reported that this was Mr. Stravinski's last CARPC meeting. Chair Palm thanked him for his service.

13. Adjournment

Mr. Stravinski moved to adjourn; Mr. Hampton seconded. The motion passed on a voice vote. The meeting adjourned at 9:14 pm.

Minutes taken by Linda Firestone and reviewed by CARPC staff

Respectfully Submitted:



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Kris Hampton, Secretary

Registrants who attended the meeting included:

- Bill Balke, City Engineer of City of Fitchburg, was available for questions
- Brian Berquist, President of Town & Country Engineering, Inc., was available for questions.
- Andrew Bremer, Community & Economic Development Director of Village of McFarland, was available for questions.
- Randy Christianson, Development Coordinator for Heinrichs Development, was in support of the amendment and wished to speak.
- Chris Ehlers, President of Land Development for Veridian Homes, was available for questions.
- David Fahey, member of the public, was in support of the amendment, wished to speak, and was available for questions.
- Tracy Foss, Senior Utility Engineer of City of Fitchburg
- Joyce Frey, Economic Development Specialist of City of Fitchburg, was available for questions.
- Mary Fuller, member of the public, was neutral and did not wish to speak
- Matt Giese, Village Administrator of Village of Cottage Grove
- Claudia Guy, Environmental Engineer of City of Fitchburg, was available for questions.
- Colleen Hoesly, Planner for Madison Area Transportation Planning Board
- Larry Konopacki, Partner of Stafford Rosenbaum
- Kris Krentz, President/CEO of Skaalen Retirement Services, was available for questions
- Sonja Kruesel, City Planner and Zoning Administrator of City of Fitchburg, was in support of the amendment and wished to speak

- Olivia Parry, Senior Planner for Dane County
- Julianne Pfeifer, member of the public, was neutral and did not wish to speak
- Robert Procter, Attorney for Veridian, was available for questions
- Allen Reuter, Attorney for Village of McFarland, was available for questions.
- Todd Rizzo, Senior Vice President for Greywolf Partners, was available for questions
- Matt Schuenke, Village Administrator of Village of McFarland, was available for questions
- Nancy Utterback, member of the public, had no comments and was available for questions
- Teresa Utterback, member of the public
- Wayne Utterback, General Partner of Utterback FLP
- Robert Wipperfurth, President of the Village of Windsor and President of Dane County Cities and Villages Association
- Joy Zedler, Professor Emerita of University of Wisconsin-Madison, opposed the amendment and wished to speak