

Town Board

John A. Van Dinter, Chair
Terry Enge
Kenneth R. Sipsma
Brad G. Robinson
William B. von Rutenberg



Town of Westport

Kennedy Administration Building
5387 Mary Lake Road
Waunakee, WI 53597
Office: (608)849-4372 * Fax: (608)849-9657
www.townofwestport.org

Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer

Robert C. Anderson
Utility, Finance & IS Manager

Debra J. Flynn
Executive Assistant

December 19, 2006

Brad Murphy
Planning Director
215 Martin Luther King Jr. Blvd
Rm. LL-100, Municipal Bldg.
Madison, WI 53703-3352

Re: Draft Cherokee Special Area Plan

Dear Brad:

The Town Plan Commission and Town Board have reviewed the Draft Cherokee Special Area Plan. The enclosed Town of Westport Proposed Land Use Plan, indicates that most of the property is set aside for park/open space.

The only comment they wanted to forward to you is to please take this into consideration when finalizing the Cherokee Plan.

Please contact me if you have any questions or need any additional information.

Thank you for your consideration.

Very Truly Yours,

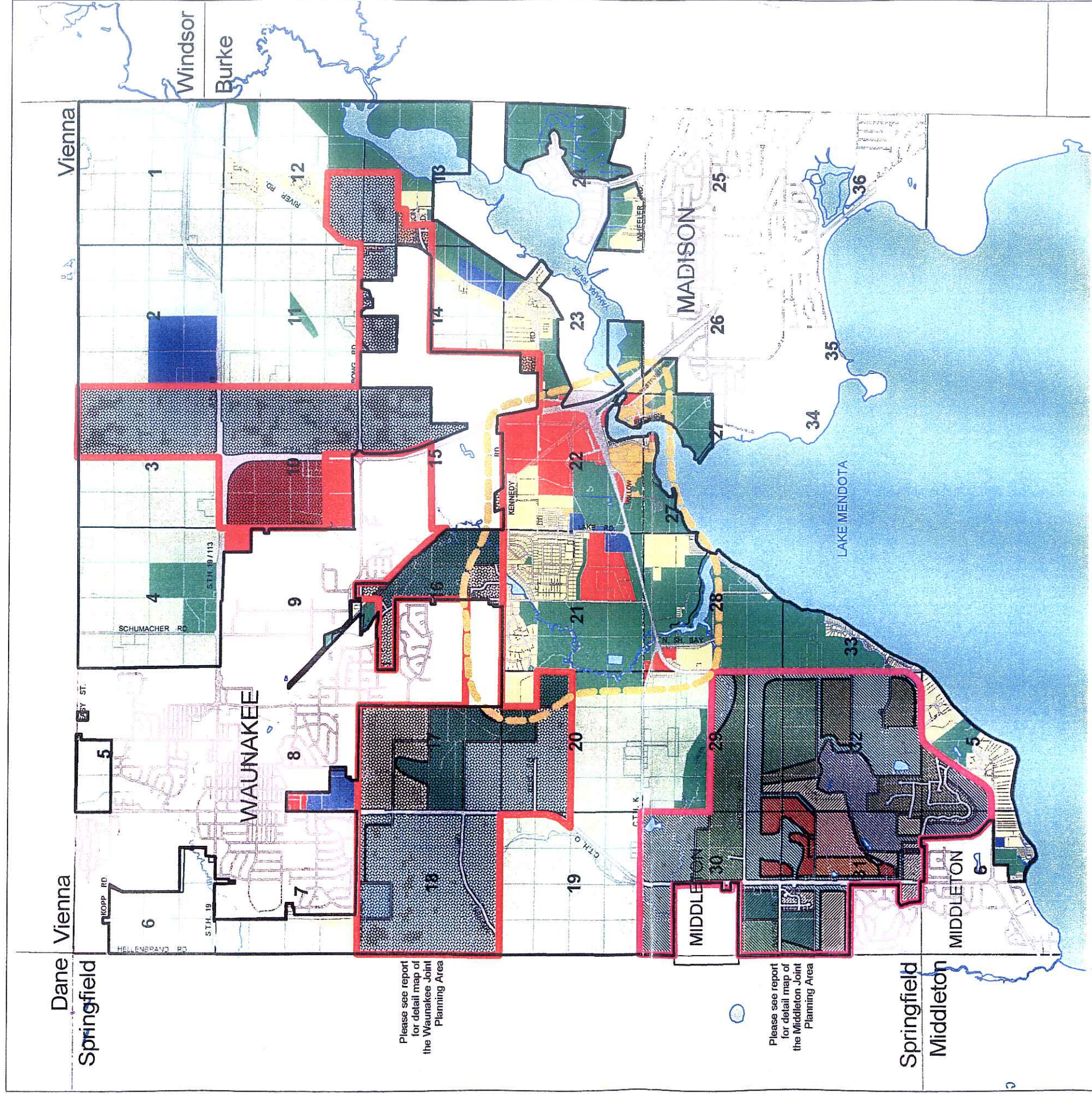
Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer

TGW/df
Enclosure

cc: John Van Dinter (by e-mail only)



TOWN OF WESTPORT DANE COUNTY, WISCONSIN PROPOSED LAND USE



Dane
Springfield

Vienna

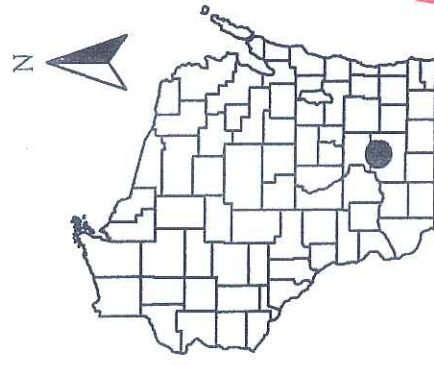
WAUNAKEE

MIDDLETON

Springfield
Middleton

Please see report
for detail map of
the Waunakee Joint
Planning Area

Please see report
for detail map of
the Middleton Joint
Planning Area



Key	
	Municipalities
	Town of Westport
	Incorporated Lands
	Rivers
	Lakes
	Parcels
	Waunakee Joint Plan Area
	Rural Preservation
	Parks, Open Space, Environmental Corridors
	Community Residential
	Rural Residential
	Future Business Park
	Potential School Sites
	Middleton Joint Plan Area
	Open Space
	Agriculture Holding
	Long Term Agriculture Preservation
	Golf Course/Open Space
	Residential Infill
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Commercial/Mixed Use
	Office/Mixed Use
	Town of Westport
	Agriculture
	Commercial
	Government/Institutional
	Single Family
	Multi-Family
	Park/Open Space

Drafted: LSR

Date: 05-07-04

File: g:/projects/maps/wi/town/westport

Data: provided by Dane Co., MAPS Inc., NRCS

Map: Subject to Town Board Approval

MSA

PROFESSIONAL SERVICES
TRANSPORTATION · MUNICIPAL · REMEDIATION
DEVELOPMENT · ENVIRONMENTAL

Dane County Conservation League

Since 1933

P.O. Box 952 44039
Madison, WI 53701 53744

Dear City of Madison Plan Commission:

The Dane County Conservation League (DCCL) supports the proposal of the *Friends of Cherokee Marsh & Upper Yahara River (FCMUJR)* to change the draft Cherokee development Special Area Plan and related documents so that adequate consideration can be given to the conservation ideas presented by the FCMUJR and the proposal from the DCCL (explained below) we ask that the Plan Commission postpone the vote on the proposed plan.

From a land-use, conservation and environmental point of view, the *Friends'* proposals will:

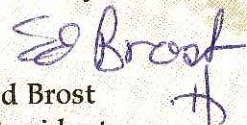
- **preserve 100 acres of upland areas** adjacent to the Cherokee Marsh Natural Resource Area, allowing the restoration of biologically important uplands for wildlife
- **better protect the marsh's deep peat marsh, fens,** and other natural features from stormwater runoff by situating development at a more suitable distance from the marsh border
- **lower the chance of stormwater runoff entering the Yahara River** (including the marsh) or Starkweather Creek watersheds by creating a large natural infiltration area while markedly reducing impervious surface area (approximately 50%)
- **preserve all or most of an existing 20-acre woodland** and enhance its function as an ecological corridor
- **better preserve the viewshed** across both the eastern and western portions of the marsh, north from Wheeler Road
- **preserve wildlife habitat** in both the uplands and lowlands that in turn help protect the Yahara Watershed river and adjoining lakes' fisheries
- **reduce demands on municipal well water** and potential related negative effects on groundwater supply to the marsh


Please vote to modify the draft Cherokee Special Area Plan to incorporate the *Friends'* alternative development plan, which concentrates residences at higher maximum densities in uplands south of Wheeler Road.

Apart from the *Friends'* proposals, the DCCL also encourages the City Planning Department and Cherokee, Inc. to vote to modify the draft Cherokee Special Area Plan to reduce the number of houses to be built in the 5th Addition from 59 to 25. This action will significantly reduce environmental impacts to the Yahara River, the intermittent stream that drains into the Yahara River, and adjoining wetlands. An amendment providing for the right of first refusal would allow those who wish to preserve the land in the 5th Addition an opportunity to purchase some or all of the land in order to preserve it from development.

Thank you for your consideration of the *Friends'* and DCCL's proposals. We are all working towards the same goal to protect and preserve the Cherokee marsh, an irreplaceable natural and community asset, while at the same time allowing Cherokee, Inc. to develop nearby lands.

Sincerely,


Ed Brost
President


Donald L. Hammes
Habitat Committee Chair



Conserve Now That The Future May Live

January 7, 2007

To Whom It May Concern:

As a member of the Friends of Cherokee Marsh and Upper Yahara Watershed, I enthusiastically support the Friends' current proposal to preserve Area 1 and Area 4 of the Cherokee Park, Inc. property keeping those parcels as open space which will give added and necessary protection to the marsh. Unlike the action taken years ago by Mr. Fox when so much valuable marshland was filled in to accommodate his Cherokee Park development, all of us know better than to disturb nature in this most precarious way. What is left of the marshlands and the protective uplands needs to remain undisturbed to partially mitigate the effects of earlier development. I am really both surprised and disappointed that the city's comprehensive plan includes this land for development.

As a county official, I know these lands are designated eligible for the county Conservation Fund grant program by virtue of their inclusion in the Natural Resources Area Boundary in the Dane County Parks and Open Space Plan. Lands that are so classified denotes their value to Dane County citizens as open space for recreation or for protection of environmentally sensitive lands. Research shows that a wide buffer which includes the uplands adjacent to a known marshland is necessary for its ultimate protection, and, most importantly, this land is in the Lake Mendota Watershed area

The county together with the DNR is ultimately responsible for the cleanliness of our lakes. As the areas of development increase bringing with them the expected rise in impervious surfaces, the lakes are adversely affected by run-off. We all know that means more silt and other pollutants entering our lakes. Lake Mendota, Monona and Waubesa are already classified as impaired waters meaning what one would expect – these waters are polluted which impacts beneficial uses of the water from habitat for aquatic animals to human recreation opportunities. The non-point sources of pollution which is the primary problem comes from the runoff of agricultural and urban lands. When construction is about to happen in the Lake Mendota watershed area, we must all take special notice of its effect on our lakes. These lakes are so intricately responsible for the natural beauty of our county, they provide so many recreational opportunities, and add richly to the economic development of our community that we should fight to protect them, erring on the side of caution if necessary.

We understand that Mr. Tiziani has rights as the property owner. However, early on Mr. Tiaiani expressed in a public meeting his willingness to sell any of this property. If he is sincere and if he can realize the profit he expects by investing his gains from the sale of some of the lands plus any tax breaks that might be forthcoming, he could be persuaded to make good on his statement. We are pleased with his willingness to sell some of his lands to the city and we hope he will take another look at these other areas where the majority of us want no development.

I am very impressed with the leaders of the Friends of Cherokee Marsh for the knowledge and experience they bring to the table. What they don't know or understand, they are willing to research for hours on end by accessing relevant topics on the internet. They have consulted with leaders of other environmental groups, scientists considered experts, neighbors of this proposed development, and government officials and staff who know how to get things done. They have the vision, the knowledge and the willingness to change public policy in a way that will benefit all of us pushing the envelope toward ever more sustainable development, taking many "natural steps" at once and showing us the way.

Dorothy Wheeler
Dane County Supervisor – District 18

Murphy, Brad

From: Van Rooy, Paul
Sent: Friday, January 05, 2007 11:31 AM
To: Murphy, Brad
Subject: Cherokee Special Area Plan (SAP)

Brad:

Please distribute the following notes to the Plan Commission prior to the January 8th Meeting.

I have followed closely the development of the Cherokee Special Area Plan (SAP) as it evolved over the past two years. This process started with a proposed development plan from the Cherokee Park Inc.(CPI) development team. As you know, there ensued a long process of planning and negotiation between City staff from various city Departments and the CPI development team.

I firmly beleive that the SAP, the Annexation Agreement and the Memorandum of Understanding between the City of Madison and CPI that resulted from those negotiations represents a good compromise between the position of the Friends of Cherokee Marsh and CPI. I appreciate and respect the concern and sincerity of the Friends of Cherokee Marsh in their desire to protect the marsh, however, the current proposal does, in my opinion, offer adequate protection to the marsh while still allowing development to occur in an appropriate manner that will be compatible with current development in the area.

I urge you to adopt the SAP, the Annexation agreement and the MOU as they have been negotiated and appear before you. These agreements have been carefully negotiated and represent a development proposal that will be a well planned and welcome development for the Northside.

Sincerely,



Paul J Van Rooy
Alderman, District 18
113 Sauthoff Rd.
Madison, WI 53704
Email: pvanrooy@cityofmadison.com
Phone: 663-9500

NEW DEVELOPMENT STORMWATER REQUIREMENTS

Q *Is an erosion control plan required?*

A If the site disturbance exceeds 20,000 square feet, a plan with Universal Soil Loss Equations (USLE) is required.

Q *When are stormwater management practices required on a new development site?*

A New development requires stormwater management practices in accordance with City of Madison General Ordinance Chapter 37, if the disturbed area exceeds 20,000 square feet. Standards to be reviewed include:

- 80% sediment control
- thermal control
- oil & grease control
- infiltration or recharge
- stormwater detention

Q *If stormwater management is required what components are required and when?*

A New development has five (5) stormwater management requirements: **sediment control** (80% average annual load or 5-micron particle), **thermal control**, **stormwater detention**, **infiltration/recharge** and **oil & grease control**.

Q *When are those specific requirements triggered?*

Sediment control applies under all circumstances. New development must provide for 80% (5 micron) control of post development sediment compared to no controls. This can be met at the plat level (regional pond), on the lot level, or as a combination of the two. If a combination is used, the method of measuring the sediment reduction must incorporate a way to track the particle sizes being treated by each device. For example, catch basins and sweeping both treat approximately 25%, but because they treat the same size particles, the "additive" treatment value of them is probably only 30%.

Oil & grease control applies if the exposed parking area has forty (40) or more parking spaces, or if there is a drive-thru facility on the property. This can only be addressed on the site and not at the plat level. There are multiple approved methods to control oil & grease including, bio-retention, absorbent oil pillows, grassed swales and lined rock trenches.

Oil & Grease control – Using the best available technology, oil and grease must be trapped from the first ½” of runoff from the paved areas. The best available technology must be approved by the Dane County Land Conservation Department.

Thermal control –The applicant must show that an effort is being made to reduce the temperature of the storm water discharging from the site. This is typically done with rock cribs, rain gardens, or other infiltration devices.

If infiltration and thermal control are required, meeting the infiltration requirement will meet the thermal requirement

Stormwater detention – The post-development peak flows from the 2-year and 10-year storm events must match peak flows from the area in the pre-developed state.

Detention of the 100-year event is required in the Upper and Lower Badger Mill Creek Watershed.

Infiltration/Recharge – The infiltration practice must meet the goals of maintaining 90% of predevelopment infiltration for residential and 60% of predevelopment infiltration for commercial developments.

These standards must be met regardless of the area dedication required to meet the standard. However, if to meet this standard more than 1% of the site (residential) area or 2% of the site (commercial) area must be dedicated for infiltration; the applicant has the option of meeting a secondary standard of recharge.

If the recharge standard is met the applicant may cap the area dedicated at the above limits but may not provide less than this area.

Q *When is infiltration required?*

A Infiltration is required by CHAPTER 37 MGO and CHAPTER 14 Dane Co Ordinances on new development sites that create more than 20,000 square feet of new impervious area. There are many locations where infiltration is not required. An incomplete listing of those exceptions follows:

- 1) Redevelopment areas
- 2) Industrial developments
- 3) Areas with depth to groundwater of 3 feet or less with 20% fines, or 5 feet or less with 10% fines



density in your backyard

8-10 dwellings per acre

Where do you find 8-10 dwellings per acre?

Most small lot single family homes are within the density range of 8-10 dwellings per acre.* While they are the exception in the realm of large lot suburban homes, "high density" single family homes used to be the norm in the 1920s. In fact, many cities boast many popular older neighborhoods where residential densities are within the 8-10 range.



Single family home, Sunnyside Village, Clackamas County



Single family homes, Field of Dreams, Eugene



Single family homes, West Eugene



Single family home, West Eugene



Single family homes, Fairview Village, Fairview



Single family homes, Northeast Portland

*For our purposes, the density figures you see are net density calculations, or the number of dwelling units per net acre (size of the residential lot). Some images on this handout were provided by Livable Oregon and Metro Growth Management



density in your backyard

13-16 dwellings per acre

Where do you find 13-16 dwellings per acre?

As you can see, single family homes, duplexes, and apartments all fit within the range of 13-16 dwellings per acre.* They are found in a variety of places throughout a city, from transit-accessible developments to suburban regions and historic neighborhoods. Many of the examples here are newer structures, but older housing also falls into this range.



Centerpointe Apartments, Beaverton



Bungalow infill in Northeast Portland



Duplex in North Portland



Duplex in Lake Oswego



Single family homes in Steele Park, Washington County



Single family home in Canyon Creek, Wilsonville

*For our purposes, the density figures you see are net density calculations, or the number of dwelling units per net acre (size of the residential lot). Some images on this handout were provided by Metro Growth Management



density in your backyard

17-20 dwellings per acre

Where do you find 17-20 dwellings per acre?

Any neighborhood may have housing in the range of 17-20 dwellings per acre.* These homes range from small-lot single family dwellings to townhomes, rowhouses and multiplexes. They are usually found as infill in older neighborhoods. Depending on the design, they blend into their surroundings so well, you can't tell that they are higher density housing!



Single family house with basement accessory dwelling unit, Southeast Portland



Fourplex, Gresham



Two small lot single family homes, Southeast Portland



Single family homes, Portland Metro region



Infill rowhomes Southeast Portland



Tri-plex, North Portland

*For our purposes, the density figures you see are net density calculations, or the number of dwelling units per net acre (size of the residential lot).



density

in your backyard

31-34 dwellings per acre

Where do you find 31-34 dwellings per acre?

Not only do dwellings at this density blend well into neighborhoods of single family homes, they are also at a density* you would find within walking distance of a light rail station (see top right photo). Notice the diversity of housing types: courtyard apartments, duplexes, triplexes, and townhomes. Rowhouses also fit into this category.



Duplex, Southeast Portland



La Salle apartments, Beaverton



Courtyard apartments, Southeast Portland



Triplex infill, Northeast Portland



Townhomes, Northwest Portland



Fourplex infill, North Portland

*For our purposes, the density figures you see are net density calculations, or the number of dwelling units per net acre (size of the residential lot). Some images on this handout were provided by Peter Keves, University of Oregon

January 7, 2007

To Whom It May Concern:

As a member of the Friends of Cherokee Marsh and Upper Yahara Watershed, I enthusiastically support the Friends' current proposal to preserve Area 1 and Area 4 of the Cherokee Park, Inc. property keeping those parcels as open space which will give added and necessary protection to the marsh. Unlike the action taken years ago by Mr. Fox when so much valuable marshland was filled in to accommodate his Cherokee Park development, all of us know better than to disturb nature in this most precarious way. What is left of the marshlands and the protective uplands needs to remain undisturbed to partially mitigate the effects of earlier development. I am really both surprised and disappointed that the city's comprehensive plan includes this land for development.

As a county official, I know these lands are designated eligible for the county Conservation Fund grant program by virtue of their inclusion in the Natural Resources Area Boundary in the Dane County Parks and Open Space Plan. Lands that are so classified denotes their value to Dane County citizens as open space for recreation or for protection of environmentally sensitive lands. Research shows that a wide buffer which includes the uplands adjacent to a known marshland is necessary for its ultimate protection, and, most importantly, this land is in the Lake Mendota Watershed area

The county together with the DNR is ultimately responsible for the cleanliness of our lakes. As the areas of development increase bringing with them the expected rise in impervious surfaces, the lakes are adversely affected by run-off. We all know that means more silt and other pollutants entering our lakes. Lake Mendota, Monona and Waubesa are already classified as impaired waters meaning what one would expect – these waters are polluted which impacts beneficial uses of the water from habitat for aquatic animals to human recreation opportunities. The non-point sources of pollution which is the primary problem comes from the runoff of agricultural and urban lands. When construction is about to happen in the Lake Mendota watershed area, we must all take special notice of its effect on our lakes. These lakes are so intricately responsible for the natural beauty of our county, they provide so many recreational opportunities, and add richly to the economic development of our community that we should fight to protect them, erring on the side of caution if necessary.

We understand that Mr. Tiziani has rights as the property owner. However, early on Mr. Tiaiani expressed in a public meeting his willingness to sell any of this property. If he is sincere and if he can realize the profit he expects by investing his gains from the sale of some of the lands plus any tax breaks that might be forthcoming, he could be persuaded to make good on his statement. We are pleased with his willingness to sell some of his lands to the city and we hope he will take another look at these other areas where the majority of us want no development.

I am very impressed with the leaders of the Friends of Cherokee Marsh for the knowledge and experience they bring to the table. What they don't know or understand, they are willing to research for hours on end by accessing relevant topics on the internet. They have consulted with leaders of other environmental groups, scientists considered experts, neighbors of this proposed development, and government officials and staff who know how to get things done. They have the vision, the knowledge and the willingness to change public policy in a way that will benefit all of us pushing the envelope toward ever more sustainable development, taking many "natural steps" at once and showing us the way.

Dorothy Wheeler
Dane County Supervisor – District 18

DANE COUNTY CONSERVATION FUND GRANT PROGRAM RATING QUESTIONS

PART A – Resource Factors – 100 Points Available

1. Natural Resources: – Water – (Award 0 to 30 Points)

- SA1 a) Will protect aquatic plant/animal habitat (i.e., fish & waterfowl)
- SA1 b) Will improve/benefit water quality/reduce erosion
- SA1 c) Project area would compliment existing environmental corridor water quality plans (i.e., storm water management, best management practices)
- SA1 d) Project is in a water quality improvement program currently being implemented such as: (1) priority watershed; (2) priority stream; (3) storm water management plan; (4) stream bank improvement; (5) wetland restoration; or (6) best management practices
- SA1 e) Project is on or adjacent to an identified 303(D) water body (impaired lake, stream, creek or other water body classified by DNR in response to the Federal Clean Water Act) or a water resource identified in the Dane County Park & Open Space Plan
- SA4 f) Project is on or adjacent to a priority stream, trout stream or river as classified by the County or Wisconsin DNR CHANNEL
- _____ g) Project has been determined to be an area of restorable wetlands that would have multiple functional values
- _____ h) Applicant has a plan in place to restore the wetland
- _____ i) Project area is a mapped flood way or flood plain
- _____ j) Project area contains soils with high infiltration rates (ground water recharge) as mapped by the Dane County Soil Survey
- _____ k) Size of project is feasible to surrounding landscape
- _____ l) Will offer public education/interpretive programs

2. Natural Resources: – Land – (Award 0 to 20 Points)

- SA1 a) Will protect important land habitat, natural features or resources of regional significance
- _____ b) Will protect an area of significant terrestrial plant or animal life (rare, threatenend endangered) or a unique ecosystem
- SA2 c) Will protect an area of historic land use (e.g., old growth (pristine) woodlot)
- _____ d) Will protect geologic/glacial features
- SA1,4 e) Site has restoration potential
- SA1,4 f) Will allow access to other public lands
- _____ g) Project area would provide a buffer to streams, lakes and springs.
- _____ h) Project area contains soils with high infiltration rates (ground water recharge) as mapped by the Dane County Soil Survey.
- _____ i) Size of project is feasible to surrounding landscape
- _____ j) Will offer public education/interpretive programs

3. Recreational Opportunities – (Award 0 to 25 Points)

- 1,2,4 a) Will offer passive public recreational opportunities
- b) Will offer active public recreational opportunities
- 1,2 c) Will provide accessibility with ADA standards
- d) Will offer water based recreational benefits & access (beach, boat launch, fishing, hunting)
- e) Will offer water-based recreational access where none has previously existed (i.e., fishing access to streambanks)
- 1,4 f) Project will provide recreational opportunity near an area of high population.
- 1,4 g) Will offer year-round recreational benefits
- 1,2,4 h) Will incorporate trails
- 1,2,4 i) Will create a linkage to other trails
- 4,2 j) Will offer public education/interpretive opportunities
- k) Will meet new regional public recreational needs (mountain biking, equestrian trails)
- 1,4 l) Project has or protects vistas/viewshed.

4. Cultural/Historical Qualities – (Award 0 to 15 Points)

- a) Project area is of archaeological significance
- ? b) Project area is of historic significance
- c) Project will offer historic/cultural interpretive opportunities
- ? d) Project contains documented Indian mounds and/or artifacts
- 4 e) Will offer public education/interpretive programs

5. Community Separation – (Award 0 to 10 Points)

- 1 a) Project provides a natural resource open space between municipal boundaries
- 1,4 b) Project can help to guide urban growth
- 1,4 c) Project could provide a linkage to other natural, recreational, and cultural resources.

PART B - Acquisition and Transaction Factors - 50/40 (LUG/NCO) Points Available

1. Project Availability - (Award 0 to 10 Points)

- YES a) One time opportunity with seller
- ? b) Political support - resolution by governing board **CITY?**
- ? c) Time sensitivity
- ? d) An option or offer to purchase is signed **ADD MOU #2?**

2. Economic Factors - (Award 0 to 10 Points)

- 5,6 a) Matching funds committed from other sources (e.g., Stewardship) **EXTEND TO 1,2,4**
- MAYBE b) Landowner contribution/donation **IN-KIND**
- YES c) County share is 25% of purchase price or market value, whichever is less

3. Management Factors - (Award 0 to 10 Points) (Complete A or B below)

3(A) Local Government Unit or Non-Profit Land Ownership Projects

- POSSIBLE a) Applicant has developed a management plan for the project site **EASILY DONE**
- YES b) Applicant has the ability to manage the project site or has demonstrated experience in site management **IF CITY, OR COUNTY-RELATED FRIENDS GROUP**
- c) Applicant has established an endowment fund for site management

3(B) Project Land to be Transferred to Dane County

- NO (CITY) a) Prior to submitting the grant, the applicant has a written agreement with Dane County who agrees to accept the property and management responsibility.

4. Planning Factors - (Award 0 to 10 Points)

- YES a) Acquisition meets other County goals (water quality plans, farmland preservation, soil conservation, transportation).
- ? b) Project in other defined project area boundary(s) (DNR, National Park Service, USF&W, etc.) **ADJACENT TO DNR MARSH HOLDINGS**
- MAYBE c) Project is identified in the local municipal land use plan(s) **PARTS WERE IN NEIGHBORHOOD PLAN**
- YES d) Threat of changing land use **COMP PLAN COULD BE AMENDED AND THAT COULD BE NOTED POST HOC TO APPLICATION**

5. Density Standards (LUGs Only) – (Award 0 to 10 Points)

- _____ a) The zoning code of the local government applicant allows developers to apply for the creation of planned unit developments as authorized in sec. 62.23(7)(b), Stats.
- _____ b) The local government applicant has adopted a traditional neighborhood development ordinance referenced in sec. 66.034(2)(a) and (3), Stats. As created by 1999 Act 9.
- _____ c) The local government applicant has adopted a conservation subdivision ordinance referenced in sec. 66.034(2)(a) and (3), Stats. As reated by 1999 Act. 9.

6. Negative Factors (Subtract up to 10 points)

- _____ a) Cloud on the title which would delay closing
- _____ b) Site clean-up necessary **PROBABLY NOT, IF NO HOUSING**
- _____ c) No purchase contract in place
- _____ d) No appraisal or value information upon which to base grant amount
- _____ e) No clear applicant funding in place to close transaction

TOTAL – PART A – Resource Values
(Total points available 100) _____

TOTAL – PART B – Acquisition and Transaction Factors
(Total points available for LGO's = 50; NCO's = 40) _____

GRAND TOTAL – PARTS A & B _____



Horning Woods & Field (DRAFT CHEROKEE SPECIAL AREA PLAN Subarea 2) DRAFT v.08JAN07
 Better to Great Density Scenarios

22 ACRES		MAX 40 DUs/ACRE	
1	6	10	6
1	16	16	16
1	18	18	18
6	20	120	20
7	30	210	30
5	40	200	40
22	580	580	27.62
DUs/ACRE		27.62	

MAX 34 DUs/ACRE	
1	6
1	9
1	12
1	15
3	20
4	26
11	34
22	580
DUs/ACRE 27.62	

25 ACRES		MAX 40 DUs/ACRE	
1	6	10	6
1	16	16	16
1	18	18	18
12	20	240	20
7	30	210	30
2	40	80	40
25	580	580	23.20
DUs/ACRE		23.20	

MAX 34 DUs/ACRE	
1	6
1	9
2	12
5	15
4	20
3	26
9	34
25	578
DUs/ACRE 23.12	

MAX 26 DUs/ACRE	
1	6
1	9
0	12
1	15
1	18
3	21
18	26
25	579
DUs/ACRE 23.16	

MAX 20 DUs/ACRE	
1	6
1	9
0	12
0	15
2	18
3	21
18	26
25	582
DUs/ACRE 23.28	

30 ACRES		MAX 40 DUs/ACRE	
1	6	10	6
12	16	192	16
5	18	90	18
6	20	120	20
4	30	120	30
1	40	40	40
30	578	578	19.27
DUs/ACRE		19.27	

MAX 34 DUs/ACRE	
1	6
3	9
6	12
5	15
5	20
5	26
5	34
30	580
DUs/ACRE 19.33	

MAX 26 DUs/ACRE	
1	6
2	9
2	12
5	15
5	18
5	21
10	26
30	578
DUs/ACRE 19.27	

MAX 20 DUs/ACRE	
1	6
0	9
0	10
0	12
1	14
0	16
28	20
30	580
DUs/ACRE 19.33	

35 ACRES		MAX 40 DUs/ACRE	
2	6	12	6
10	10	100	10
9	16	144	16
8	18	144	18
2	20	40	20
2	30	60	30
2	40	80	40
35	580	580	16.57
DUs/ACRE		16.57	

MAX 34 DUs/ACRE	
2	6
4	9
8	12
10	15
4	20
4	26
3	34
35	580
DUs/ACRE 16.57	

MAX 26 DUs/ACRE	
2	6
4	9
8	12
8	15
1	18
3	21
9	26
35	579
DUs/ACRE 16.54	

MAX 20 DUs/ACRE	
1	6
1	9
1	10
1	12
7	14
9	16
15	20
35	579
DUs/ACRE 16.54	

40 ACRES		MAX 40 DUs/ACRE	
1	6	10	6
18	10	180	10
10	16	180	16
8	18	144	18
1	20	20	20
1	30	30	30
1	40	40	40
40	580	580	14.50
DUs/ACRE		14.50	

MAX 34 DUs/ACRE	
2	6
2	9
8	12
25	15
1	20
1	26
1	34
40	581
DUs/ACRE 14.53	

MAX 26 DUs/ACRE	
2	6
2	9
12	12
12	15
10	18
1	21
1	26
40	581
DUs/ACRE 14.53	

MAX 20 DUs/ACRE	
1	6
2	9
2	10
9	12
10	14
8	16
8	20
40	580
DUs/ACRE 14.50	

N. SHERMAN AVENUE

WHEELER ROAD

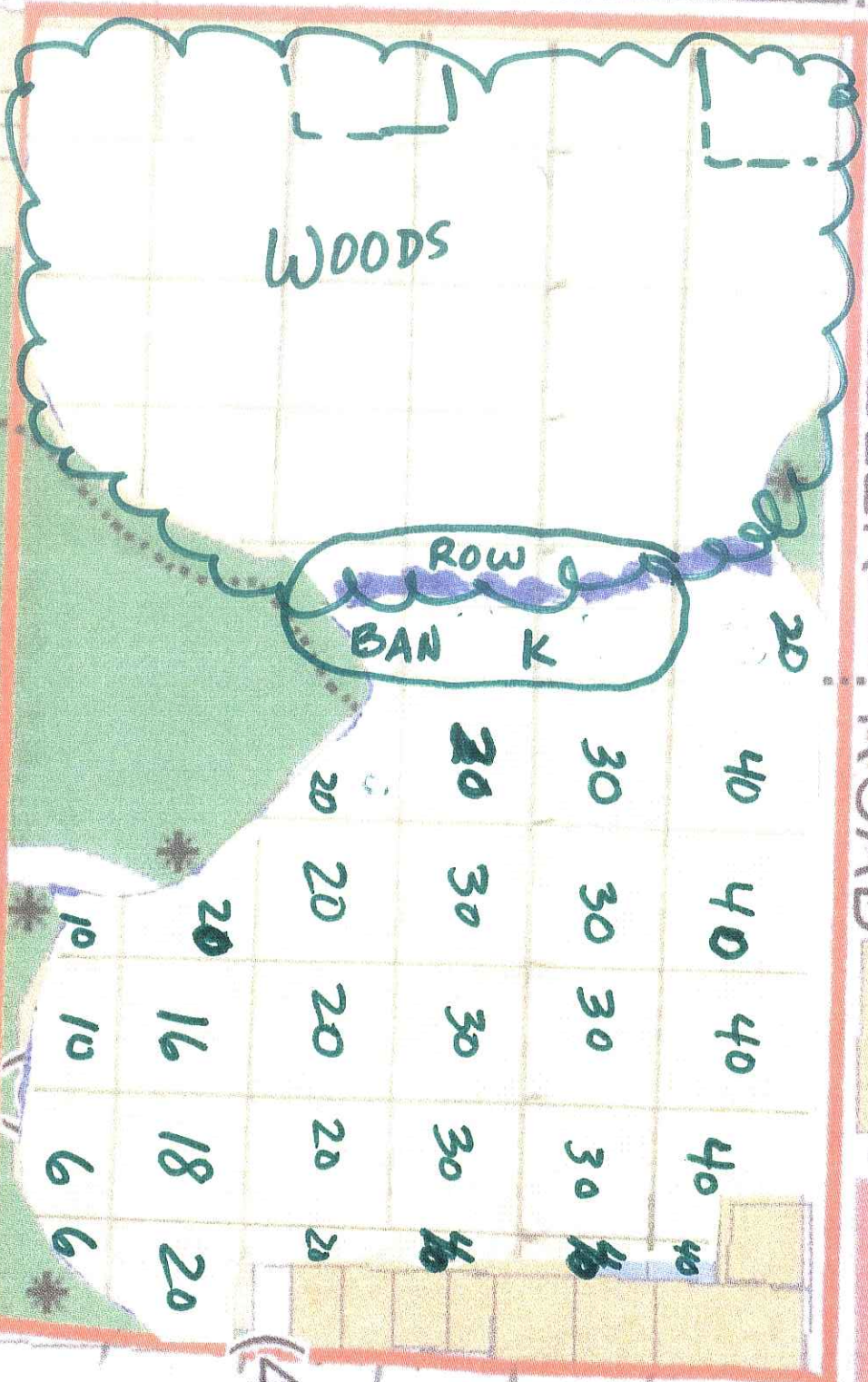
ROAD

WOODS

ROW BANK

Whitetail Ridge Park

HOLLOW RIDGE



(A)

22 ACRES

MAX 40 DUS / ACRE

AVE (4) DUS / 27.62 ACRE

KERS AVENUE

AND OTHER

N. SHERMAN AVENUE

WHEELER ROAD

ROAD

WOODLANDS
(ROW BANK)

ANDHONIT RD

Whitetail
Ridge
Park

HOLLOW
RIDGE

34	34	34	34	34	34	34	34
34	34	34	34	34	34	20	20
26	26	26	20	20	20	20	20
15	15	15	15	15	20		
15	15	12	12	15			
9	9	6	6				

(B)

25

ACRES

AVG

34

DUS/
ACRE

AVE.

(4)

23.12

DUS/
ACRE

KERS AVENUE

N. SHERMAN AVENUE

WHEELER ROAD

WOODLANDS;
ROW BANK

ANCHOR POINT

Whitetail
Ridge
Park

HOLLOW
RIDGE

15	34	34	34	34	34	34	34	34
15	26	26	26	26	26	26	26	26
15	20	20	20	20	20	20	20	20
15	12	12	12	12	12	12	12	12
15	12	12	12	12	12	12	12	12
15	9	9	9	9	9	9	9	9

(4)

6

30
ACRES

MAX

34 DUS /
ACRE

19.33

DUS
(AVE) /
ACRE

KERS AVENUE

N. SHERMAN AVENUE

WHEELER ROAD

ROAD

FOREST, ROW BANK

ANDHONIT RR

Whitetail Ridge Park

HOLLOW RIDGE

15	15	26	26	26	26	34	3
15	15	20	20	20	20	34	3
15	15	15	15	15	15	12	12
12	12	12	12	12	12	12	12
12	12	12	9	12	12	12	12
12	12	12	9	9	9	9	9
12	12	6	6	6	6	6	6

①

35

ACRES

MAX

34 DWS

ACRE

AVE

(4) 16.51 DWS /

ACRE

KERS AVENUE

NEW DEVELOPMENT STORMWATER REQUIREMENTS

Q *Is an erosion control plan required?*

A If the site disturbance exceeds 20,000 square feet, a plan with Universal Soil Loss Equations (USLE) is required.

Q *When are stormwater management practices required on a new development site?*

A New development requires stormwater management practices in accordance with City of Madison General Ordinance Chapter 37, if the disturbed area exceeds 20,000 square feet. Standards to be reviewed include:

- 80% sediment control
- thermal control
- oil & grease control
- infiltration or recharge
- stormwater detention

Q *If stormwater management is required what components are required and when?*

A New development has five (5) stormwater management requirements: **sediment control** (80% average annual load or 5-micron particle), **thermal control**, **stormwater detention**, **infiltration/recharge** and **oil & grease control**.

Q *When are those specific requirements triggered?*

Sediment control applies under all circumstances. New development must provide for 80% (5 micron) control of post development sediment compared to no controls. This can be met at the plat level (regional pond), on the lot level, or as a combination of the two. If a combination is used, the method of measuring the sediment reduction must incorporate a way to track the particle sizes being treated by each device. For example, catch basins and sweeping both treat approximately 25%, but because they treat the same size particles, the "additive" treatment value of them is probably only 30%.

Oil & grease control applies if the exposed parking area has forty (40) or more parking spaces, or if there is a drive-thru facility on the property. This can only be addressed on the site and not at the plat level. There are multiple approved methods to control oil & grease including, bio-retention, absorbent oil pillows, grassed swales and lined rock trenches.

Thermal control applies if the development is in the Sugar River Watershed. Infiltration can be completed at the plat or lot level. Normally, requirements for residential properties will be addressed at the plat level, and commercial lots will install practices on individual sites.

Stormwater detention is required if, as part of redevelopment, 20,000 sf of impervious area is being added as part of the project, or if the development is in an area with flooding problems. The City Engineer defines the areas upstream of University Avenue from Midvale Boulevard to Highland Avenue and East Washington Avenue from Blair Street to the Yahara River as being at risk for flooding. The required detention shall be pro-rated between the impervious area of the redevelopment and the total impervious area of the watershed in which the redevelopment is located.

It is preferred that stormwater detention is addressed at the plat level, but it can be addressed at the lot level if large commercial lots are planned.

Infiltration/Recharge is required if the new impervious area exceeds 20,000 square feet. Infiltration requirements can be met at the plat level, at the lot level, or through a combination of the two.

Current WDNR standards cap the dedication required for infiltration to 1% of the site area for residential and 2% for commercial sites. The current Dane County Ordinance is more restrictive and the limit on area to be dedicated has been removed unless secondary standards of recharge are met.

Meeting the recharge requirements of 7.6 inches per year per unit area allow the applicant to limit the area to be dedicated to the caps set up by the WDNR.

NOTE: While rain gardens on individual lots can be used to meet the thermal and infiltration requirements, they shall not be used to reduce the required detention. If rain gardens are used on individual lots to meet these criteria, a deed restriction & maintenance agreement must be recorded against each lot.

Q ***When these practices are mandated, what are the goals that must be met?***

A **Sediment control** – An 80% control of sediment leaving the site post-construction is required. In Dane County this effectively means that the 5-micron particle must be controlled, post-construction, during a 1-year rain event.

Oil & Grease control – Using the best available technology, oil and grease must be trapped from the first ½” of runoff from the paved areas. The best available technology must be approved by the Dane County Land Conservation Department.

Thermal control –The applicant must show that an effort is being made to reduce the temperature of the storm water discharging from the site. This is typically done with rock cribs, rain gardens, or other infiltration devices.

If infiltration and thermal control are required, meeting the infiltration requirement will meet the thermal requirement

Stormwater detention – The post-development peak flows from the 2-year and 10-year storm events must match peak flows from the area in the pre-developed state.

Detention of the 100-year event is required in the Upper and Lower Badger Mill Creek Watershed.

Infiltration/Recharge – The infiltration practice must meet the goals of maintaining 90% of predevelopment infiltration for residential and 60% of predevelopment infiltration for commercial developments.

These standards must be met regardless of the area dedication required to meet the standard. However, if to meet this standard more than 1% of the site (residential) area or 2% of the site (commercial) area must be dedicated for infiltration; the applicant has the option of meeting a secondary standard of recharge.

If the recharge standard is met the applicant may cap the area dedicated at the above limits but may not provide less than this area.

Q *When is infiltration required?*

A Infiltration is required by CHAPTER 37 MGO and CHAPTER 14 Dane Co Ordinances on new development sites that create more than 20,000 square feet of new impervious area. There are many locations where infiltration is not required. An incomplete listing of those exceptions follows:

- 1) Redevelopment areas
- 2) Industrial developments
- 3) Areas with depth to groundwater of 3 feet or less with 20% fines, or 5 feet or less with 10% fines

Why Vote to Postpone Decision on the Cherokee, Inc. Special Area Plan

To allow additional time to consider:

- 1) An analysis of the environmental, cost and profit benefits that are possible by higher density housing in selected areas identified by the Friends of Cherokee Marsh and Upper Yahara Watershed.
- 2) Possible safety, liability and cost implications of sewer lines located near landfills (municipal waste site, dryfill waste site) where methane gas migration might occur to residential areas.
- 3) Location of Sub area 1 proposed retention basins in close proximity to sewer lines and the Yahara River without adequate buffers between the detention ponds and adjacent wetlands.
- 4) A MMSD sanitary intercept that was built too close to surface (4ft vs. 20ft), and needs to be anchored if it traverses wetlands or lowered. A pumping station may be needed here at an additional cost to the City.
- 5) Possible reduction in the number of housing units and the location of housing units in the 5th Addition in return for the purchase of the land saved near the Yahara River.
- 6) Possible safety, liability and cost implications of the release of manganese deposits to groundwater due to the presence of organic soils around the shallow casing (128") on municipal well #13. .
- 7) Infiltration advantages of utilizing porous pavement throughout the project area
- 8) Consideration of Dane County Conservation Fund award criteria such as desirable upland /wetland ratios.
- 9) CROPP tax breaks for agriculturally zoned acres

RECOMMENDATIONS

We recommend that the Plan Commission refer the Special Area Plan back to the City of Madison Planning Department, so that CPI, the City of Madison, Dane County and others can work together to increase the amount of open space in development plans for the Cherokee Marsh.

We further recommend that a minimum 75 foot buffer zone planted with native vegetation be required between all detention ponds and wetland areas.

And last we recommend that liability, costs and safety factors be examined with regards to possible landfill gas migration along sewer lines, unstable landfill lands under residences and buildings in the Hornung Range and the possible release of manganese or other substances from bedrock near Municipal Well #13.

In a nutshell, this request for up to a four week delay is small next to the permanency of development in the Cherokee Marsh.

Thank you

Don Hammes
Chair, Habitat Committee, Dane County Conservation League
Chair, Wetlands Committee, Wisconsin Wildlife Federation

January 8, 2007