



April 28, 2021

DNR Project No. LUX0421-1&2

Mr. Jeffrey C. Agee-Aguayo
Bay Lake Regional Planning
1861 Nimitz Drive
DePere, Wisconsin 54115

Subject: [Village of Luxemburg Sewer Service Area Amendments \(LUX-2021-01 & 02\)](#)

Dear Mr. Agee-Aguayo:

We have completed our review of two amendment requests for the Luxemburg sewer service area from the Village of Luxemburg. The proposed amendments (18.44 and 1.49 acres) were submitted to the Department in March 2021. We hereby approve of both amendment requests.

The first amendment involves the addition of approximately 18.44 acres of land (proposed to be commercial and heavy industrial development, along with street right-of-way) to the Village of Luxemburg Sewer Service Area (Type II Amendment). The second amendment involves the addition of 1.49 acres of land to the sewer service area adjacent to the north edge of the current sewer service area. Public hearings were held for both amendments in March.

The Department finds that the two proposed amendments are consistent with water quality standards under section 281.15, Wis. Stats., and are hereby approved.

Statewide AWQM Plan Amendment

These amendments are formal updates to the state's Areawide Water Quality Management Plan and the *Luxemburg Sewer Service Area 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, Wis. 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,

A handwritten signature in black ink, appearing to read 'Tim Asplund', written in a cursive style.

Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

ecc:

Lee Novak, Robert E. Lee and Associates
Village of Luxemburg – Melissa Stipe, Village of Luxemburg Clerk-Treasurer
Lisa Helmuth – Water Resources Management Specialist, DNR
Mary Gansberg -- Water Quality Biologist, DNR
Marsha Burzynski– Eastern District Water Resources Supervisor, DNR
Heidi Marquez-Schmidt – Eastern District Wastewater Supervisor, DNR



BAY LAKE

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March 10, 2021

Ms. Lisa Helmuth
 Water Resources Management Specialist
 Wisconsin Dept. of Natural Resources
 PO Box 7921
 Madison, WI 53707-7921

RE: Type II Sewer Service Area Plan Amendment for the Village of Luxemburg, Kewaunee County
 Frontier Road Extension and Commercial/Heavy Industrial Development in Southwestern Portion of the
 Village of Luxemburg

Dear Ms. Helmuth:

Please find enclosed a proposed Type II amendment to the *Village of Luxemburg Sewer Service Area Plan*. This amendment would add approximately 18.44 acres of land (proposed to be commercial and heavy industrial development, along with street right-of-way) to the sewer service area. This amendment would involve the Frontier Road extension, along with commercial and heavy industrial development in the southwestern portion of the Village of Luxemburg.

The Bay-Lake Regional Planning Commission staff followed the *Sewer Service Area Boundary Amendments: Standards and Procedures* language in Chapter 7 of the *Village of Luxemburg Sewer Service Area Plan* in its review of the proposed amendment. A public hearing was held on the subject proposed amendment on January 28, 2021, and the Technical Advisory Committee for the *Village of Luxemburg Sewer Service Area Plan* recommended approval of the proposed amendment at its March 2, 2021, meeting.

The Commission and the Technical Advisory Committee for the *Village of Luxemburg Sewer Service Area Plan* respectfully request that the Wisconsin Department of Natural Resources review the proposed amendment and submit an approval letter to the Commission. Materials submitted with this letter include: a staff report concerning the proposed amendment; minutes of the January 28, 2021, public hearing concerning the proposed amendment; minutes of the March 2, 2021, meeting of the *Village of Luxemburg Sewer Service Area Plan* Technical Advisory Committee; correspondence received concerning the proposed amendment; and a map of the proposed sewer service area plan amendment.

Please contact me if you have questions concerning the proposed amendment. Thank you for your consideration of the proposed amendment.

Sincerely,



Jeffrey C. Agee-Aguayo
 Transportation Planner III

Enclosure/Attachment

cc.: Lee Novak, Robert E. Lee and Associates
 Rob Reinhart, NEW Water
 MiLissa Stipe, Village of Luxemburg Clerk-Treasurer
 Village of Luxemburg Sewer Service Area Plan Technical Advisory Committee Members



March 5, 2021

Ms. Lisa Helmuth
 Water Resources Management Specialist
 Wisconsin Dept. of Natural Resources
 PO Box 7921
 Madison, WI 53707-7921

RE: Type II Sewer Service Area Plan Amendment for the Village of Luxemburg, Kewaunee County
 Condos @ the Brook Development

Dear Ms. Helmuth:

Please find enclosed a proposed Type II amendment to the *Village of Luxemburg Sewer Service Area Plan*. This amendment would add approximately 1.49 acres of land (proposed to be primarily residential development) to the sewer service area. This amendment would involve the proposed Condos @ the Brook development; a portion of the proposed development is already in the existing sewer service area, and the amendment would include the entire parcel in that area.

The Bay-Lake Regional Planning Commission staff followed the *Sewer Service Area Boundary Amendments: Standards and Procedures* language in Chapter 7 of the *Village of Luxemburg Sewer Service Area Plan* in its review of the proposed amendment. A public hearing was held on the subject proposed amendment on January 28, 2021, and the Technical Advisory Committee for the *Village of Luxemburg Sewer Service Area Plan* recommended approval of the proposed amendment at its March 2, 2021, meeting.

The Commission and the Technical Advisory Committee for the *Village of Luxemburg Sewer Service Area Plan* respectfully request that the Wisconsin Department of Natural Resources review the proposed amendment and submit an approval letter to the Commission. Materials submitted with this letter include: a staff report concerning the proposed amendment; minutes of the January 28, 2021, public hearing concerning the proposed amendment; minutes of the March 2, 2021, meeting of the *Village of Luxemburg Sewer Service Area Plan* Technical Advisory Committee; correspondence received concerning the proposed amendment; and a map of the proposed sewer service area plan amendment.

Please contact me if you have questions concerning the proposed amendment. Thank you for your consideration of the proposed amendment.

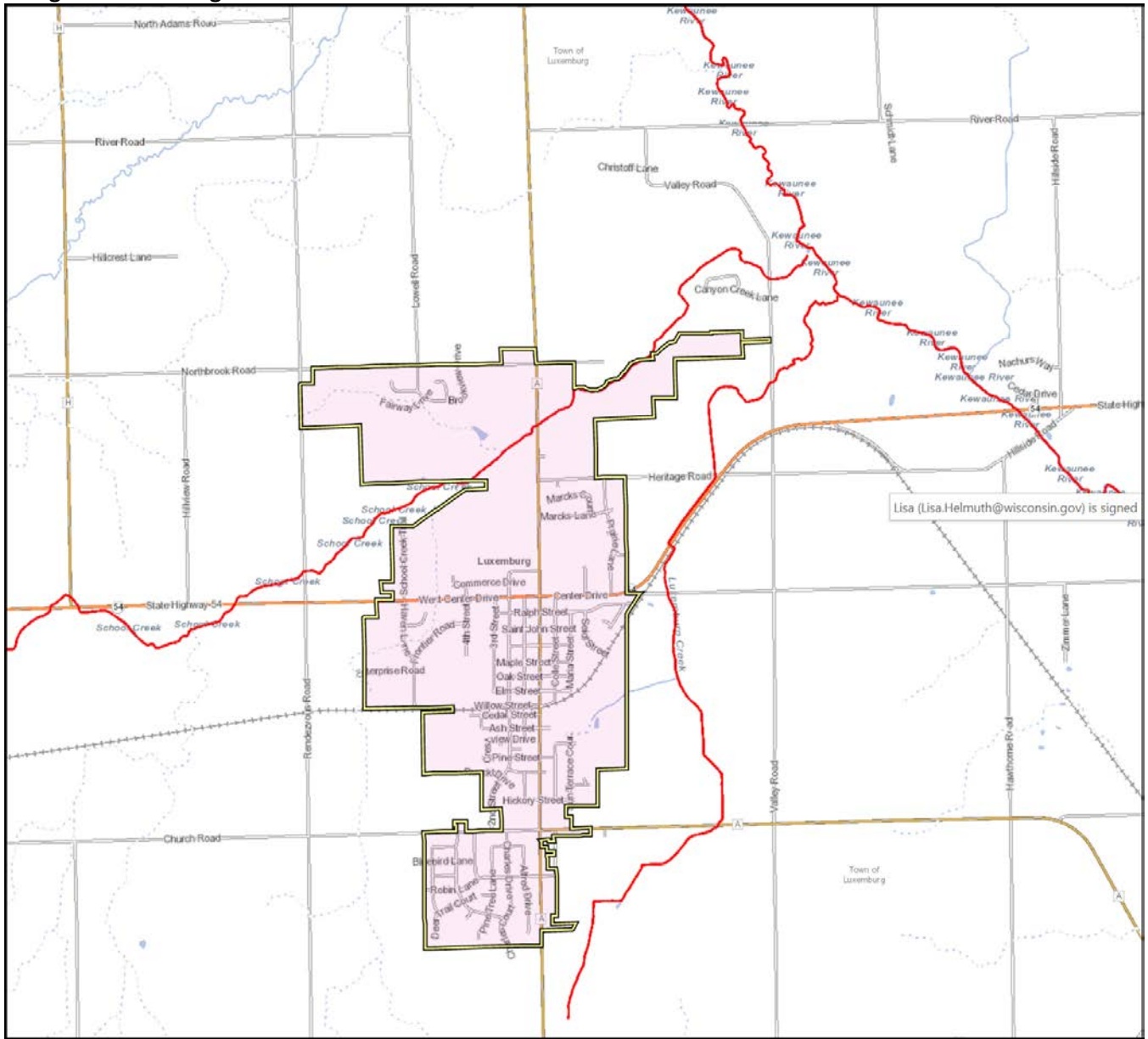
Sincerely,

Jeffrey C. Agee-Aguayo
 Transportation Planner III

Enclosure/Attachment

cc.: Lee Novak, Robert E. Lee and Associates
 Rob Reinhart, NEW Water
 Milissa Stipe, Village of Luxemburg Clerk-Treasurer
 Village of Luxemburg Sewer Service Area Plan Technical Advisory Committee Members





Village of Luxemburg



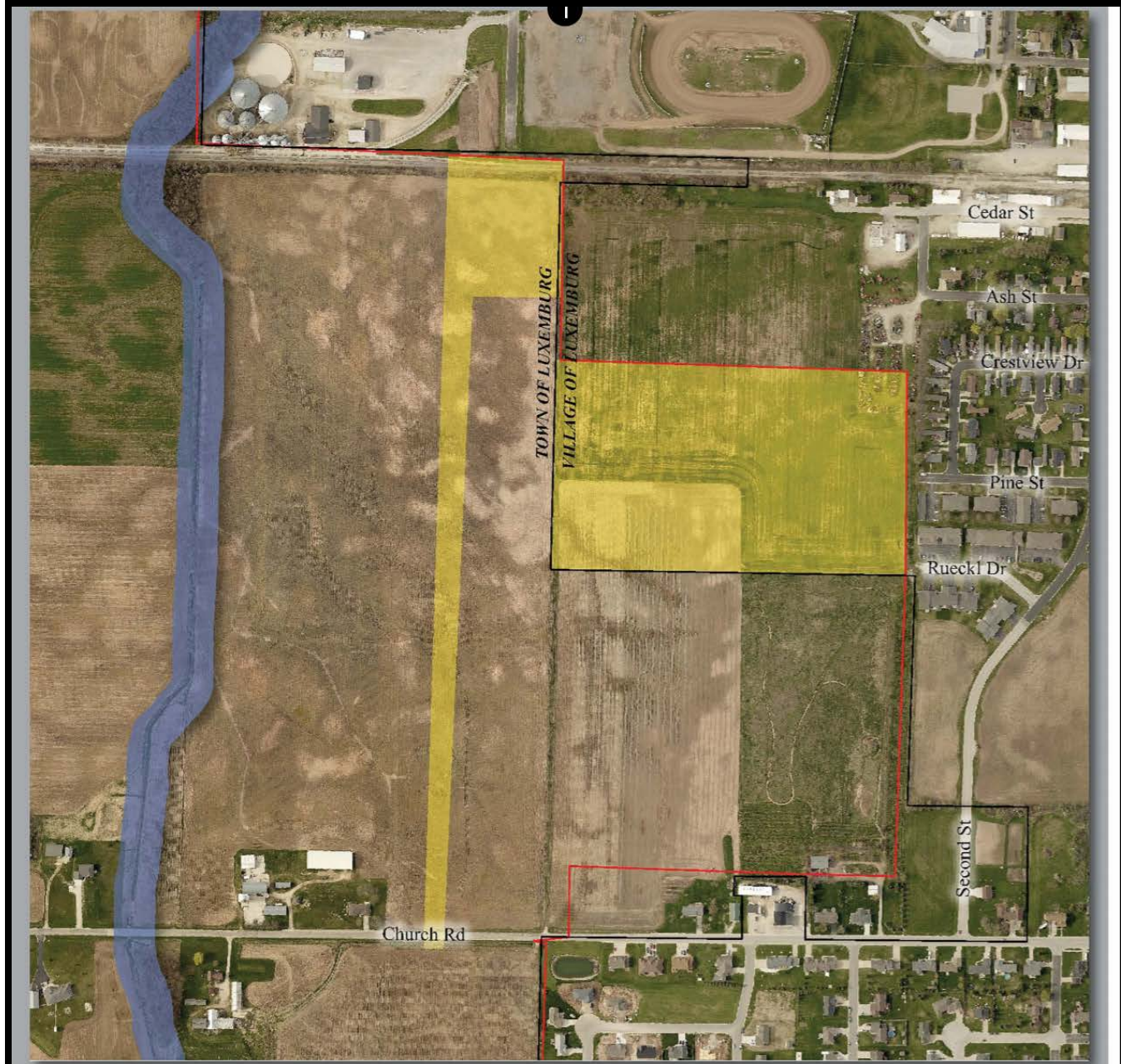


Environmentally Sensitive Areas (ESAs)

Condos @ The Brook

-  100-Year Floodplain
-  Steep Slope (12% or Greater)
-  SSA Boundary
-  Municipal Boundary
-  Subject Area





Environmentally Sensitive Areas (ESAs)
Frontier Road Area

-  Municipal Boundary
-  Surface Water (with a 75 foot buffer)
-  SSA Boundary
-  Subject Area*

*Approximate Location based off of georeferenced location map



Sources: NRCS, 2004; FEMA, 2009; WDNR, 2009; Kewaunee County, 2019; Robert E. Lee & Associates, Inc., 2021; Bay-Lake RPC, 2021.



Village of Luxemburg,
Kewaunee County, WI

Disclaimer: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data used for reference purposes only. Bay-Lake RPC is not responsible for any inaccuracies herein contained.