Staff Report Zoning & Land Regulation Committee	*Public Hearing:* **February 25, 2025**	**Petition 12139**
	Zoning Amendment Requested: **WETLAND OVERLAY TO NON WETLAND OVERLAY**	*Town, Section:* **WESTPORT, Section 22**
	Size: **Acres** / *Survey Required:* ***No***	*Applicant:* ***RDC WESTPORT FARMS LLC***
	Reason for the request: **removal of a wetland area from the wetland inventory map in order to construct a road**	*Address:* **EAST OF KENNEY DRIVE AND SHANNON WAY INTERSECTION**

DESCRIPTION: Wyser Engineering, on behalf of landowner RDC Westport Farms LLC, requests to rezone approximately 9,211 square feet (0.2 acres) out of wetland overlay zoning, in order to construct a road as part of a residential subdivision development. If approved, this petition would remove this acreage from the Dane County Wetland Inventory Maps and the applicable wetland regulations under Chapter 11 Dane County Code of Ordinances.

TOWN ACTION: The Town of Westport has approved the proposed development.

STAFF OBSERVATIONS AND RECOMMENDATION: The wetland inventory maps may be amended, or portions declassified if the Committee finds that the removal of wetland area will not have a significant adverse impact upon any of the following:

(a) Storm and flood water storage capacity;
(b) Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;
(c) Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
(d) Shoreline protection against soil erosion;
(e) Fish spawning, breeding, nursery or feeding grounds;
(f) Wildlife habitat; or
(g) Areas of special recreational, scenic or scientific interest, including scarce wetland types.

The wetlands present on the property are forested at the upland end of a drained agricultural landscape and adjacent to existing urban development. The wetlands are likely subject to inflows of nutrient-laden runoff from the surrounding agricultural lands and are not considered a rare or scarce wetland type.

As part of the residential development of the property, a stormwater management plan and permit is required. The proposed area to be rezoned out of the wetland district is small in comparison to the larger wetland complex to the east and located as far upland as practical for the road to service the proposed development. The removal of the lands from agricultural use and implementation of stormwater management will likely improve downstream water quality and provide better drainage of the surrounding area during rainfall events and spring snow melt.

The proposed wetland fill has been approved by Wisconsin DNR as a project exempt as a non-federal urban wetland and through a general permit issued of the Department. Based on the information submitted for State approval and County stormwater management plan standards, staff believe that the proposal meets the standards found in Chapter 11 DCCO and should not result in any significant adverse impacts.

Please contact Hans Hilbert at (608) 266-4993 or *hilbert.hans@danecounty.gov* if you have questions about this petition or staff report.