

DNR runs through the District, and that in order to connect to the City System, the District may need to connect into the sewer main constructed by the DNR. The District further acknowledges that the Sewer Agreement between the City and DNR provides that the responsibility and obligation to maintain, clean, repair and replace the sewer system and mains between The Park and the southern City limits shall be performed by the DNR at its expense. Therefore, as a condition precedent to the City's obligations under this Agreement, the District shall be required to enter into a written agreement with the DNR whereby the District shall be authorized by the DNR to connect to the sewer main constructed by the DNR between the southern City limits of Baraboo and The Park and, the District and the DNR shall further agree as to the sharing of costs for the maintenance, cleaning, repair and replacement of the sewer system and mains lying within the District between The Park and the southern City limits. The District agrees that the City shall incur no costs whatsoever for the construction, maintenance, cleaning, repair and replacement of the sewer system and mains in the District. The District and the DNR shall be jointly and severally obligated to indemnify the City for any costs incurred by the City in connection with the performance of any such work.

13. If the District shall be in default of any of the terms or provisions of this Agreement, the City shall give written notice of such default to the District and the District shall take such steps as shall be necessary to cure any such default. In the event the District shall fail to cure any such default within sixty (60) days of the receipt of the notice thereof, the City may, at its option, terminate this Agreement and the sewer serving the District may be disconnected from the City System until such compliance has been met, except that any unresolved disputes relating to the application or interpretation of any of the provisions of this Agreement shall be subject to binding arbitration pursuant to the provision of the Wisconsin Arbitration Act, Chapter 788, Wis. Stats. (1987-88) and as amended from time to time. As an express condition of the Agreement, the District understands and agrees that only properties within the District shall be allowed or permitted to connect to the City System and that no property outside the District shall use or be served by the City System. The District understands and agrees that the connection of the District to the City System is also conditioned upon the City System being used solely to serve properties within the District, and that such use shall be limited to uses presently permitted by the zoning regulations applicable to lands within the district. Any amendment to the zoning ordinance to permit a use of property within the District not presently permitted under the Sauk County Zoning Ordinances must also be approved by the City, except that a use for a single-family dwelling, two-family dwelling (duplex) and/or condominium consisting of duplexes, and/or the expansion of commercial and/or recreational uses presently existing within the District, such as

restaurants, campgrounds and motels, shall not require approval of the City. It is specifically agreed by the District that the City System within the District shall not be used to serve an apartment building, condominium development (other than a condominium development consisting of duplexes), industrial or manufacturing facility, or office building, without the prior written consent of the City.

14. The District agrees that the user charge for use of the City System is subject to periodic increases by the City, and the District agrees to be bound by such increases. The City agrees that, except as otherwise provided in this Agreement, the District shall be assessed the same rate increase as is assessed to the Village of West Baraboo under its present contract with the City or as said contract may be amended in the future.

15. The District shall, at its expense, install a metering device of a type approved by the City. The device shall be located at the connection to the City's sewer lines at the southern City limits. In the alternative, the District may require that meters shall be installed by each user such that all flow going through the System is accurately measured to the satisfaction of the City. The District shall take readings quarterly, provided, however, the City shall have the right to also take quarterly readings. The District agrees to report the quarterly readings to the City Engineer within ten (10) days after the end of each quarter. The City shall have the right to inspect and verify the accuracy of the flow meters at any reasonable time, upon notice to the District. The District shall be responsible for the cost of repairing, maintaining, and replacing the sewer meters and totalizers as needed.

16. This Agreement shall be automatically renewed on an annual basis upon the terms and conditions set forth herein, said renewal being subject to the condition that if any provision in this agreement becomes outdated or requires revision in the future, or if new provisions are necessary, in order that the provisions of the agreement between the City and the District are fair and equitable as between the City and the District, such that the District is required to pay its fair and equitable share of the operating costs and indebtedness of the City's System in comparison to City residents, this agreement shall be subject to renegotiation and modification thereof.

17. If any portion of this Agreement, or its application to any party or circumstance shall be declared invalid or unenforceable to any extent, the validity of the remaining provisions of this Agreement shall not be affected thereby and shall be enforced to the full extent provided by law.

18. This Agreement constitutes the entire agreement between the City and the District with respect to the subject matter

State of Wisconsin)
 County of Sauk) SS
 Town of Baraboo)

IN THE MATTER OF THE CREATION OF A TOWN SANITARY
 DISTRICT IN THE TOWN OF BARABOO

ORDER CREATING SANITARY DISTRICT

A petition addressed to the Town Board of the Town of Baraboo, Sauk County, Wisconsin, praying for the creation of a Town sanitary district located entirely within the limits of said Town having been duly filed with the Town Clerk, and a public hearing having been held on the said petition on due notice, to-wit: publication in the Baraboo News-Republic, published at Baraboo, Wisconsin, on February 15 and 22, 1971, having been held at the Town Hall on March 1, 1971; the bond required by law having been filed by the said petitioners and approved by the Board; the State Board of Health and Department of Natural Resources having been given due notice of the said hearing, and represented thereat; and the said Town Board having then fully heard all persons interested in the said proposal who indicated any desire to be heard.

NOW THEREFORE, after due consideration of all objections to and reasons for said proposal, we, the said Town Board of the Town of Baraboo, Sauk County, Wisconsin, do hereby unanimously declare and find:

1. That the said petition for the establishment of a sanitary district was signed by the requisite

number of real estate owners, as provided for and required by sub-section 1 of Section 60.302, Wisconsin Statutes -- to wit: the owners of more than 51% of the land within the limits of the territory proposed to be organized into such district.

2. That the proposed work is necessary, and that the public health, comfort, convenience, necessity and public welfare will be promoted by the establishment of such district.

3. That the property included in the district will be benefitted by the establishment thereof.

NOW THEREFORE, IT IS ORDERED that a Town sanitary district be, and it hereby is, organized for the purpose of carrying out the provisions of Sections 60.30 to 60.316, inclusive, of the Wisconsin Statutes, the corporate name of which shall be "Sanitary District No. 1 of the Town of Baraboo", and the boundaries thereof are hereby established as follows:

North boundary -- Southerly city limits of the City of Baraboo - from point thereon which is 400 feet West of center line of State Trunk Highway 123 and easterly along said city limits line to point which is 400 feet east of center line of Hill Street.

East boundary -- A line running parallel to, and 400 feet east of, the center line of Hill Street - Old Lake Road - from said city limits southerly to the intersection of Old Lake Road and County Highway DL, - and extended due south for 400 additional feet from said point.

South boundary -- A line commencing at South end of said East boundary line, thence due West to a point 400 feet west of center line of South Shore Road.

West boundary -- A line commencing at West end of said South boundary line and running northerly parallel to and 400 feet west of center line of South Shore Road - Highway 123 - to city limits of City of Baraboo.

EXCEPTING all lands now owned by the State of Wisconsin and comprising a portion of Devil's Lake State Park.

Dated: March 5, 1971.

Lewis Green
Chairman

Clarence Nelson
Supervisor

L. J. Gaiser
Supervisor

Town Board of the Town of Baraboo,
County of Sauk, Wisconsin.

I, Clerk of the Town of Baraboo, do hereby certify that the above and foregoing order was duly passed and adopted by the Town Board of the Town of Baraboo, County of Sauk, Wisconsin, on the 5th day of March, 1971.

Louis Giese
Town Clerk

REGISTER'S OFFICE
SAUK COUNTY, WIS.
RECEIVED FOR RECORD

MAR 8 1971

AT 10:05 O'CLOCK... RECORDED IN
VOLUME 8 OF... ON PAGE...
REGISTER

C.S. K. 100

AGREEMENT

#26

WHEREAS, the Department of Natural Resources (DNR) is responsible under the laws of the State of Wisconsin for the care, supervision and management of Devil's Lake State Park, which park is owned by the State of Wisconsin and is described on Exhibit A, attached hereto, and is hereinafter referred to as "The Park", and

WHEREAS, the existing sanitary disposal system serving the Park needs to be replaced and the DNR has requested permission from the City of Baraboo (City) to connect to the City's sanitary sewer system (City's System), and

WHEREAS, the City is willing to allow The park to be connected to the City's System on the condition that the terms and provisions of this Agreement are fully performed by the DNR.

NOW, THEREFORE, it is hereby agreed between City and DNR and follows:

1. DNR warrants and represents that the State of Wisconsin is the sole fee simple title holder of The Park and that The Park is under the care, supervision, management and jurisdiction of the DNR and that the DNR has the full and complete authority, power and right to enter into this Agreement with the City. The DNR further warrants and represents to the City that there are 460 campsites in The Park.

2. The DNR agrees that the terms of this Agreement shall be binding upon, enforceable against, and run with The Park.

3. The City agrees that the DNR may connect The Park to the City's System and that the wastewater generated within The Park may be discharged into the sewer main at the southern City limits at the Baraboo Business Park and such wastewater may be transported to the City's Wastewater Treatment Plant through the City's sewer mains.

4. Prior to the commencement of the work to connect The Park to the City's System, the DNR agrees to pay the City the sum of \$65,646.54, which sum constitutes 30% of the costs incurred by the City to install the interceptor sewer from the Wastewater Treatment Plant to the southern City limits of the Baraboo Business Park. The DNR further agrees to pay the City prior to the commencement of the work to connect The Park to the City's System, a reserve capacity assessment fee of \$55,200.00, based upon the following formula:

460 campsites in The Park.
One campsite is equal to 0.6 Residential Equivalent
Connection (REC) (see 13.35 of Baraboo Code).
= \$200.00 charge per REC.

The DNR agrees that if the number of campsites in The Park increases above 460, the City shall be paid an additional fee for each campsite in accordance with the above formula except that the charge for each additional REC shall be based upon the existing REC charge imposed by the City at the time the additional sites are added to The Park.

5. The DNR acknowledges and understands that the City's Wastewater Treatment Plant has a limited capacity and that the City needs to maintain control of the usage of the City's System. The DNR agrees to immediately notify the City if additional campsites are added to The Park and the DNR agrees that the number of campsites using the City's System may not exceed 500 without the prior written approval of the City, which approval may be denied by the City upon a determination that the additional sites will cause the Wastewater Treatment Plant to reach its capacity at a time sooner than the City determines is desirable. The City's decision in this question shall be final and shall not be subject to judicial review by the DNR. The DNR and the City acknowledge that the DNR may add more campsites than 500 without approval from the City provided that an alternative sewage disposal system is used for disposing of the waste generated by the additional sites over and above 500.

6. The DNR further agrees to pay to the City the quarterly sewer service charge for The Park in a timely manner and in accordance with the City Sewage Commission Rules and City ordinances. All sewer charges shall be paid quarterly on January 1, April 1, July 1, and October 1, or at such other intervals as shall be established by the City for sewer service users. A payment not made within forty-five (45) days of its due date shall be considered delinquent and shall incur a penalty fee at the rate of 12% per annum from the due date until paid. The DNR shall further pay to the City the reasonable attorney's fees and legal costs incurred by the City to collect delinquent sewer charges under this Agreement or to enforce the terms and provisions of this Agreement.

7. The DNR agrees to be subject to and comply with any emergency rules or regulations regarding sewer service use as may be proclaimed from time to time by the City or the Baraboo Sewer Commission. The DNR further agrees to be subject to and abide by the following:

A. All rules and regulations proclaimed by the City and/or Baraboo Sewage Commission for sanitary sewer use.

B. All provisions of Chapter 13 of the Municipal Code of Baraboo and any other ordinances of the City of Baraboo relating to the City's sewer service system.

C. Any revisions, additions, amendments or changes in the Municipal Code or in the rules and regulations promulgated by the City and/or Baraboo's Sewage Commission for sewer usage as may be made by the City and/or Baraboo Sewage Commission from time to time in connection with the use of the City's System.

It is intended by this section that the DNR shall be subject to the same rights, duties and responsibilities in connection with the use of the City's sewer system as are City residents as this relates to the use of the City's System. The DNR agrees that if any violations of the applicable provisions of the Municipal Code of Baraboo occur within The Park, the DNR shall be subject to prosecution for such violations in the Sauk County Circuit Court and that said Court shall have subject matter and personal jurisdiction over the action

and that upon conviction, the DNR shall be subject to the penalty as provided by the City's Ordinance Code. The DNR acknowledges and agrees that the City's willingness to allow the DNR to connect The Park to the system is conditioned upon the City's ability to enforce its Ordinance Code and rules and regulations as these relate to user of the City's System. The DNR shall pay the reasonable attorney's fees and costs incurred by the City to enforce its rules, ordinances and laws against the DNR, where the DNR is adjudged culpable of violating such rules, ordinances or laws.

8. The DNR agrees not to permit or allow any other person, party or property owner to connect to the City's System located on, under, and through The Park or to permit any person or party who is not residing in, occupying or using The Park to use the City's System. The DNR and the City agree that the connection of The Park to the City's System is conditioned upon the system being used solely to serve The Park and that such use shall be solely for domestic purposes to serve campground facilities, concessions, office and shop complexes, bathhouses, picnic area facilities and trailer dumping stations. It is specifically agreed by the DNR that the City's System in The Park shall not be used to serve any multiple family dwelling or to serve any industrial, commercial or business use, other than as specifically set forth herein.

9. The DNR acknowledges and understands that the user charge for use of the City's System is subject to periodic increases by the City and the DNR agrees to be bound by such increases. The City agrees that, except as otherwise provided in this Agreement, the DNR shall be assessed the same pro rata increase as is assessed to non-City residents.

10. The DNR shall at its expense install a sewer meter and totalizer of a type approved by the City at both the North Shore and South Shore lift stations in the Park. The DNR shall take flow readings from both totalizers on the first day of each month. Said flow readings shall be promptly reported to the City of Baraboo. The City reserves the right to inspect and verify the accuracy of the flow meters and totalizers at any reasonable time, upon due notice to the DNR. The DNR shall be responsible for the cost of repairing, maintaining, and replacing the sewer meters and totalizers as needed.

11. All maintenance, cleaning, repair and replacement of the sewer system and mains in The Park and between The Park and the southern City limits shall be done by the DNR at its expense.

12. The DNR agrees that no storm sewers shall be connected to the sewer system and no surface water shall be allowed to be introduced into the sewer system.

13. The DNR understands and agrees that The City is the sole owner of its own sewer lines and its Wastewater Treatment Plant and that no payments of any kind made by virtue of this contract by the DNR shall be construed to mean that the DNR becomes part owner of the sewer system or the Wastewater Treatment Plant nor shall the DNR at any time be deemed to have any equity in said facilities.

14. Either party may terminate this contract at the end of 20 years upon giving the other party at least three (3) years written notice, but in the absence of such notice, this contract shall be deemed to be automatically renewed for successive terms of three (3) years, until a (3) year notice of termination is given.

15. If the DNR shall be in default of any of the terms or provisions of this Agreement, the City shall give written notice of such default to the DNR and the DNR shall take such steps as may be necessary to cure any such default. In the event the DNR shall fail to cure such default within sixty (60) days of the receipt of notice, the City may, at its option, terminate this Agreement and the sewer serving The Park may be disconnected from the City's sewer system until such compliance has been met, except that any unresolved disputes relating to the application or interpretation of any of the provisions of this Agreement shall be subject to binding arbitration pursuant to the provisions of the Wisconsin Arbitration Act, Chapter 788, Wis. Stats.

16. If any portion of this Agreement or the application to any party or any circumstances shall be declared invalid or unenforceable to any extent, the validity of the remaining provisions of this Agreement shall not be affected thereby and shall be enforced to the full extent provided by law.

17. This Agreement constitutes the entire agreement between the City and the DNR with respect to the subject matter hereof and it may not be amended or modified except by written document approved by the City and the DNR. No waiver of any breach or default of this Agreement shall be considered valid unless in writing and signed by the party granting such waiver and no such waiver shall be deemed a waiver of any subsequent breach or default of the same or similar nature.

18. Any notice required under this Agreement shall be personally served in the manner provided by sec. 801.11, Wisconsin Statutes.

CITY OF BARABOO

By: Donald R. Pierce
Donald R. Pierce, Mayor

9-21-87
Date

By: Patricia Seaberg
Patricia Seaberg Clerk

9-21-87
Date

DEPARTMENT OF NATURAL RESOURCES

By: C.D. Besadny
C.D. Besadny, Secretary

7/24/87
Date

APPENDIX D

Township Zoning Maps and Land Use Plans

Town of Baraboo
Sauk County
Development Plan

Amended August, 1998
Adopted July, 1993

John

COPY

RESOLUTION #2-93

WHEREAS, the Town of Baraboo has had the appointed Land Use Committee engaged in the formulation of a Land Use Plan for over one year, and

WHEREAS, the Plan has been completed with appropriate written provisions and a map showing the proposed uses assigned to the different areas of the Town, and

WHEREAS, the Town Board of the Town of Baraboo has fully reviewed and considered the completed report of the Plan and finds that the said Plan is in the best interests of the board, it's residents and taxpayers of the Town of Baraboo,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Baraboo approves this resolution to endorse the Land Use Plan as it has been developed by the Town of Baraboo Land Use Committee.

Accepted by the Town of Baraboo, Sauk County on July 12th, 1993.

Norman Vlcek

Norman Vlcek
Town Chairman

Edwin Green

Edwin Green
Supervisor

Dave Leatherberry

Dave Leatherberry
Supervisor

by Peter Cleveland, Clerk
Town of Baraboo, on
July 12th, 1993

Peter Cleveland

RECEIVED
MAR 19 1993

Resolution # 134-93

Approving the
Town of Baraboo Development Plan and Map

WHEREAS, the Town of Baraboo Land Use Committee has undertaken an examination of existing and potential land use development in the Town of Baraboo; and

WHEREAS, the Baraboo Town Board feels that it is in the best interest of the public health, safety and general welfare to control and guide development through a planning program; and

WHEREAS, The Town Board of Baraboo has reviewed and adopted (July 12, 1993, Res. #2-93) a development plan for the Town of Baraboo which includes the development plan text, the basic goals, objectives and policies of the Town's interest as well as a proposed development plan map; and

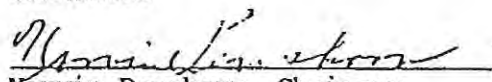
WHEREAS, a public hearing was held by your Public and Environmental Health Committee on September 28, 1993 to consider a request for approval of the Town of Baraboo Development Plan as submitted by the Baraboo Town Board for inclusion in the Sauk County development Plan in accordance with ss. 59.97(3); and

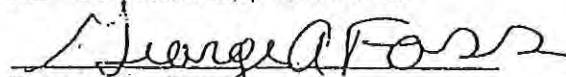
WHEREAS, after said hearing and due consideration and in view of the committee's awareness of the need for such planning efforts, your committee does recommend that the Baraboo Development Plan be adopted.

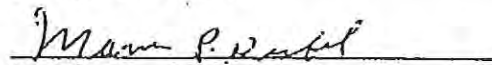
NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors hereby adopts the Town of Baraboo Development Plan as presented for inclusion in the Sauk County Development Plan.

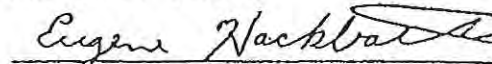
For consideration by the Sauk County Board of Supervisors on October 19, 1993.

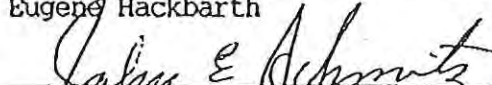
Respectfully submitted,
PUBLIC AND ENVIRONMENTAL HEALTH
COMMITTEE


Norvin Penshorn, Chairman


George A. Foss


Marvin P. Giebel


Eugene Hackbarth


John E. Schmitz

FISCAL NOTE:
No Fiscal Impact.

NOTE: A complete copy of the Town of Baraboo Development Plan is available for review by the Supervisors prior to October 19, 1993 in the Planning and Zoning Office.

RESOLUTION

98-8


WHEREAS, the Town of Baraboo Land Use Committee proposed land changes in the Town of Baraboo;

WHEREAS, Gary Goetz, Chairman of the Land Use Committee read the proposal as drafted by the Land Use Committee at the Regular Town Board meeting on May 11, 1998 and recommended that the Baraboo Town Board adopt same;

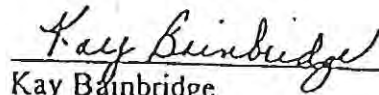
WHEREAS, the Baraboo Town Board acted on this at their regular board meeting on May 11, 1998 with a MOTION by Edward Cummings to accept the recommendation from the Town of Baraboo Land Use Committee to Zone RC-35 and all other changes in their proposal. Seconded by Edwin Green. Vote was unanimous.

NOW THEREFORE, BE IT RESOLVED, that the Baraboo Town Board hereby accepts and adopts the Town of Baraboo Land Use Committee recommendations as presented in their proposal to the Town Board at the regular town board meeting on May 11, 1998 including RC-35 and all other changes. (See PROPOSAL attached).

Adopted: 5/11/98


Edward Cummings
Town Chairman

Approved: 5/11/98


Kay Bainbridge
Town Clerk

ORDINANCE # 101 -98

Rezoning of Certain Lands in the Town of Baraboo
from an Agricultural District to a Resource Conservancy-35 District and
from an Agricultural District to a Resource Conservancy-5 District,
as detailed in the amended Town of Baraboo Development Plan
Filed by the Town of Baraboo

WHEREAS, a public hearing was held by the Planning, Zoning and Land Records Committee on June 23, 1998 upon the petition (#7-98) as filed by the Town of Baraboo for amendments to the town's Development Plan and changes in the zoning of certain lands from an Agricultural District to a Resource Conservancy-35 District and an Agricultural District to a Resource Conservancy-5 District, said lands being located in the Town of Baraboo, Sauk County, more particularly described in the Town of Baraboo Development Plan, as adopted by Resolution #134-93 on October 19, 1993 by the Sauk County Board of Supervisors and now amended in July of 1998; and

WHEREAS, the Baraboo Town Board, at their regular town meeting of May 11, 1998, did formally approve the changes to the Development Plan and the rezoning request of said lands through Resolution #98-8; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the petition be GRANTED.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that the amendments to the Town of Baraboo's Development Plan be approved and that the aforementioned lands, more particularly described in Petition #7-98 as filed with the Sauk County Clerk, be rezoned from Agricultural to Resource Conservancy-35 and Agricultural to Resource Conservancy-5, under the Sauk County Zoning Ordinance, Chapter 7.

For consideration by the Sauk County Board of Supervisors on August 18, 1998.


Fiscal Note:
No fiscal or financial impact.

RPB

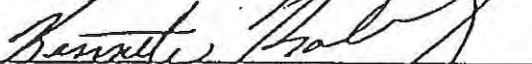
Respectfully submitted,
PLANNING, ZONING AND LAND RECORDS
COMMITTEE



Norvin Penshorn, Chair



Eugene Hackbarth



Kenneth Kaldenberg



Bart Olson



William Wenzel

Plan Preamble

1: DEVELOPMENT PLAN PURPOSE

The purpose of the Land Use Plan in the Town of Baraboo is to have land use guidelines that meet the demands of development that has been occurring in the Town. The development should be orderly and take in to consideration agricultural, residential, and commercial uses. Considerable Recreational-Commercial and Commercial development has already been experienced along the main Federal and State collector highways and future needs should be seriously considered. In addition to this, the logical expansion areas for the industrial district of the City of Baraboo are located in the Town of Baraboo.

2: LAND USE PLAN

The land use plan reflects the basic desires, goals, and objectives of the Town's interest. This Plan is intended to:

1. Identify and examine land use;
2. Identify the environmental considerations that may impact land use;
3. Identify other planning efforts affecting the town;
4. Frame a future development plan which would best promote the needs of the Town;
5. Aid the Town in conforming with County Ordinances.

The plan is intended to provide consistency and direction to zoning and related local government concerns that are under County Ordinances, but which can be carefully revised to meet changing needs and circumstances.

3: POLICY PLAN

The policy plan is intended to bring out the key parts of this plan so that the reader may understand what the Town of Baraboo considers important.

A. GOAL - Preserve agricultural land and protect farm operations as well as to provide for future land use development of the types that already well serve the community.

B. OBJECTIVES -

1. Encourage the maintenance and growth of family farm operations. (It must be clear that the definition of a "Family Farm" shall not exclude a farming operation because it is incorporated, larger than some arbitrary amount of acres, or because it "seems to have too many operators".)
2. Preserve productive farmland for continued agricultural use by discouraging the Introduction of incompatible land uses.
3. Provide for future development by promoting an orderly development pattern that will be economical and efficient for the provision of public services.

2) Residential Policies

- a. Every attempt should be made to cluster residences so as to make it more reasonable and cost efficient to provide public services.
- b. Rezoning areas out of any agricultural district to a residential district for purposes of creating some sort of residential subdivision, shall not be permitted unless this area was designated on a plan map as a possible residential area. The Land Use Committee and the Town Board whenever it is deemed advisable or at least once a year shall review this policy and the factors affecting it. These reviews would be made after consulting with the Sauk County Planning and Zoning Department.
- c. Attention must be taken to prohibit residential areas from encroaching on known and/or potential road gravel deposits. The life of any community depends on a good road system and the road construction industry can provide these only if we plan ahead to assure that this industry has an economical and high quality source of raw materials.

3) Recreational-Commercial Policies

- a. Recreational-Commercial development shall be encouraged along the State HWY 123 corridor.
- b. Recreational-Commercial development should be allowed along the U.S. HWY 12 corridor when it is compatible with existing, adjacent commercial operations.
- c. Recreational-Commercial development shall be discouraged in all other areas, especially in prime agricultural areas.

4) Industrial Policies

- a. With the exception of industrial uses that are rural in character or that must be located near raw materials, industrial uses should be encouraged to be grouped so as not to adversely affect the rural character of the town or the natural environment.
- b. The urban nature of the Town that nearly surrounds the existing city and village makes further industrial development inevitable.

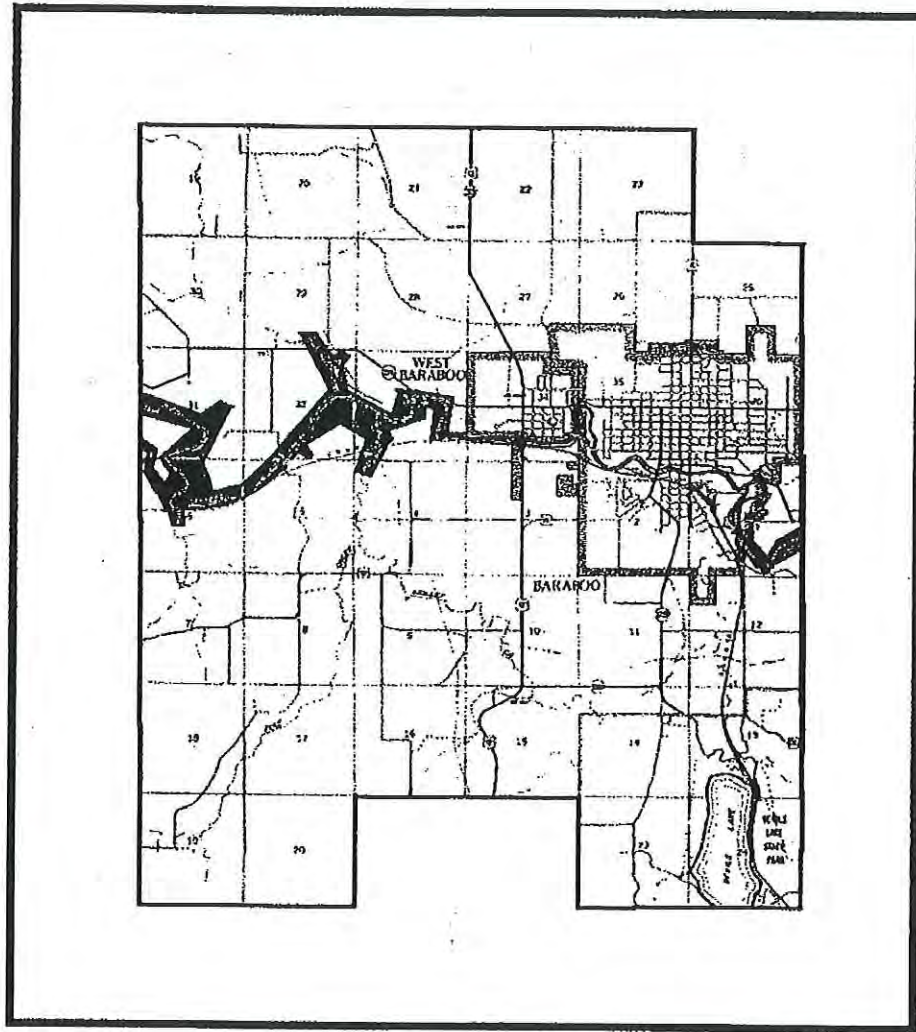
4: EXISTING TOWN POLICIES

The following policies are with regards to future zoning and land division considerations in the Town of Baraboo, and are considered a component of the general plan of Sauk County and the Town of Baraboo.

- 1) With respect to rezoning, the present Agricultural District can be changed to the following districts only as herein described;
 - a. Multi-family Residential Districts should be permitted only in Sanitary District #1 and/or in any future Sanitary District. It is understood that this community is not developed enough to support many multifamily dwellings but this plan anticipates this eventually.

Town of Baraboo

General Floodplain Map

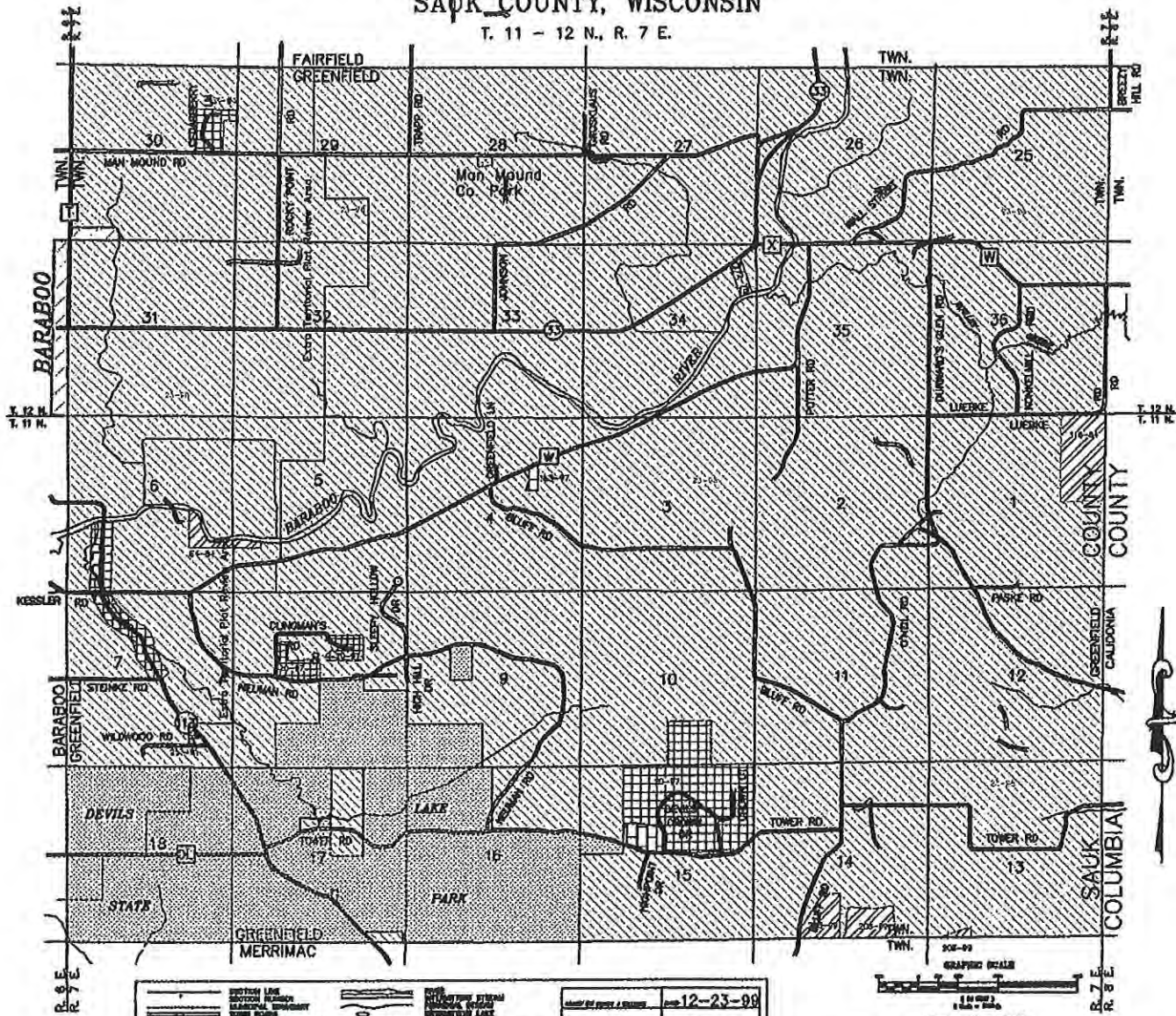


■ Floodplain Areas

TOWN OF GREENFIELD

SAUK COUNTY, WISCONSIN

T. 11 - 12 N., R. 7 E.



| | | | | | |
|--|-----------------|--|--------|--|-------------------|
| | SECTION LINE | | LAKE | | TOWNSHIP BOUNDARY |
| | COUNTY BOUNDARY | | STREAM | | PRECINCT BOUNDARY |
| | STATE BOUNDARY | | WELL | | PRECINCT BOUNDARY |
| | STATE BOUNDARY | | WELL | | PRECINCT BOUNDARY |
| | STATE BOUNDARY | | WELL | | PRECINCT BOUNDARY |

Map prepared by State Survey Division and Survey Department, State Survey and Surveying Division, Wisconsin Department of Natural Resources, Madison, Wisconsin, 1998.



ZONING DISTRICTS

- Single Family Residential
- Multiple Family Residential
- Agricultural
- Recreation - Commercial
- Commercial
- Exclusive Agriculture
- Resource Conservancy District - 35
- Resource Conservancy District - 5

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|

Town of Greenfield

Sauk County

Land Use Plan

Adopted, November, 1995

RESOLUTION # 184-95

Approving the Town of Greenfield
Land Use Plan

WHEREAS, the Town of Greenfield, with the assistance of their Land Use Committee and the Sauk County Office of Planning and Zoning, examined the existing and potential land uses in the town; and

WHEREAS, the Town Board of Greenfield feels that it is necessary to manage and guide development through a Land Use Plan program in order to benefit the public welfare; and

WHEREAS, the Town Board of Greenfield, through their Land Use Committee and the Sauk County Office of Planning and Zoning, completed a Land Use Plan for the town; and

WHEREAS, the residents of the Town of Greenfield did approve, by a September 12, 1995 referendum, the Greenfield Land Use Plan; and

WHEREAS, the Town Board of Greenfield did unanimously adopt the Greenfield Land Use Plan on September 13, 1995 through Resolution; and

WHEREAS, after reviewing and considering the Town of Greenfield Land Use Plan at the October 24, 1995 public hearing, your Public and Environmental Health Committee does recommend that the Town of Greenfield Land Use Plan be approved; with a recommendation to the Town Board of Greenfield to more clearly define the land use plan classification known as "Bluff Vista Conservation" and to review the Greenfield Land Use Plan Map for possible clarification.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that the Town of Greenfield Land Use Plan be approved, with the above recommendation set forth by the Public and Environmental Health Committee.

For consideration by the Sauk County Board of Supervisors on November 14, 1995.

Fiscal Note:
No fiscal impact. *DJW*

Respectfully submitted,
PUBLIC AND ENVIRONMENTAL HEALTH
COMMITTEE

Norvin Penshorn

Norvin Penshorn, Chairman

George A. Foss

George A. Foss

Marvin P. Giebel

Eugene Hackbarth

Milton Laufenberg

Milton Laufenberg

TOWN OF GREENFIELD

LAND USE PLAN

Proposed by the Greenfield Land Use Committee
September 12, 1995

Prepared by the Greenfield Land Use Committee

Tom Kriegl, Chair
Chuck Sulik, Secretary
Frank Cook
Roy Quirconi
Carolyn Weirich

Town of Greenfield Town Board

Bill Schreiber, Chairman
Don Burton, Supervisor
John Geoghegan, Supervisor
Jeneane Burton, Clerk
Phyllis Albert, Treasurer

GREENFIELD LAND USE PLAN

I. HISTORY OF LAND USE PLANNING IN GREENFIELD TOWNSHIP:

The Sauk County Comprehensive Zoning Ordinance was adopted by the Sauk County Board of Supervisors in 1963. The Greenfield Township Board approved the County Comprehensive Zoning Ordinance shortly after it was adopted. This approval meant that the township granted county government the authority to establish zoning districts and enforce land use controls in the township. At the time the Town of Greenfield approved the County Comprehensive Zoning Ordinance, the township's primary land use was agriculture with a small residential area on Highway 113.

During the last thirty years, an agricultural township with a few rural residences has experienced significant residential and recreational development. The total size of Devil's Lake State Park has grown from 40 acres in 1960, to its present size of 2,120 acres. The number of residents in the township has fluctuated over time. The population has grown from 644 in 1960 to 758 in 1992.

In the early 1980's, an unsuccessful effort was made by a group of town residents to change the township's zoning district from general agricultural to exclusive agricultural, in response to the above growth and its potential conflict with agriculture.

Continued development pressure has prompted many residents to again recognize that insufficient controls on development may destroy the very things that make the town unique: the scenic bluffs, the agricultural land and wetlands. Many residents recognize that their plans, as well as substantial investments of time and money in the township, may be threatened by these inadequate controls on land use development. While unplanned residential development may pose the biggest problem for the township, the reopening of a gravel pit despite the Town Board's and residents' disapproval in 1989 made clear to the majority of township residents the need for more local control of land use development.

The Town Board appointed a land use committee in 1990 in response to the above pressures and resident concerns. Seventy-five percent of the residents responding to a survey (Appendix A) conducted by this committee supported the development of a land use plan for Greenfield. After extensive study of existing land use patterns and trends, township resident response to a land use survey, and debate among residents and committee members with divergent views on land use controls, this committee developed a land use plan that was presented at a public meeting on February 26, 1994. Major changes in committee makeup occurred in July 1994 and April 1995. Each committee consisted of people of widely ranging viewpoints.

A second public meeting was conducted on December 10, 1994 and a third public meeting was held July 8, 1995.

Seventy committee and public land use plan meetings have been held since 1990, in order to develop the plan to its current draft form and address the issues and concerns such as :

- controversies resulting from non-compatible land uses occurring side by side
- increased development pressure caused by highway development, increased tourism and population growth
- preservation of agricultural land
- preservation of scenic and natural characteristics of the township (i.e. bluff vistas, flood plain, cultural sites, wildlife habitat).

II. PLAN PREAMBLE

1. Land Use Plan Purpose:

This land use plan is intended as a guide for planning and making decisions regarding land use. This document is advisory, not binding, to the Town Board; nor will it supplant zoning ordinances. The Board will use its judgement in making its decisions.

The plan's principal function is to provide the Town Board with consistent guidelines for decision making, based upon the township residents' wishes for development. The plan reflects the basic desires, goals and objectives of the Town. This plan is intended to identify and examine land use, population, and housing data in the area, identify various environmental features that affect land use and to guide future development in a way which will best preserve the Township's unique character and needs.

The plan is intended to provide consistency and direction to zoning and related local government decisions, but can be amended to meet changing needs and circumstances. To clarify the impact of this plan on future development of the township, procedures are established by State Statute and are embodied in the Sauk County Zoning Ordinance with respect to land use decisions. A land use plan is advisory to zoning ordinances which actually do regulate land uses (see Appendix B).

2. Land Use Plan Map:

The land use plan map graphically illustrates the narrative portion of the document. The map is to be reviewed together with the plan text. The map is not intended to be specific in nature with respect to zoning, but rather a general outline of land use patterns desired.

3. Land Use Plan Organization:

The key parts of this plan are the goals, objectives, and policies which have been adopted to guide future land use decisions in the Town of Greenfield. Reference appendices are also attached. A goal is a general statement of desire. An objective is more specific than a goal, usually an expanded description of a particular aspect of a goal or a desired end. Policies are courses of action designed to achieve a particular goal or objective. Policies imply a relative consistency of action and serve as a guide to decision making.

The following goals, objectives, and policies are adopted:

II. PLAN GOAL:

The goal of this plan is the maintenance and management of the overall economic resources and scenic character of the township, while retaining its rural agrarian atmosphere. The preservation of agricultural land, protection of farm operations, and encouragement of the single-family residential pattern of the town will provide for land use and development consistent with this desired community character. This will occur in a balanced framework respecting individual rights and community desires.

III. PLAN OBJECTIVES:

1. General Objectives:

- a. Encourage land owners to practice sound resource management, using generally accepted practices regardless of existing or proposed uses of land.
- b. Provide for future development in an orderly pattern that will be economical and efficient for provision of public services. The most economical and efficient provision of public services usually occurs when major developments occur in or next to existing cities or villages.
- c. Maintain a balance between the collective desires of the township's citizens and individual rights in land use decision making.

2. Economic Resource Objectives:

- a. Encourage the maintenance and growth of family or small scale farm operations.
- b. Preserve productive farm land for continued agricultural use by discouraging the introduction of incompatible land uses.

- c. Provide for an efficient road system and consider the relative functional hierarchy (traffic circulation; land access) of the Greenfield Town road network in making land use related decisions.
- d. Coordinate commercial, industrial, recreational and residential development to facilitate cost-efficient service provision while minimizing impact on township character.

3. Scenic Character Objectives:

- a. Preserve the present character of the Bluffs by discouraging the introduction of incompatible land uses.
- b. Regard all land an irreplaceable resource and insure that its use does not impair its value for future generations.
- c. Recognize that scenic character has economic value that may be as great or in some specific cases greater than the economic value of alternative development options.

Definition: Scenic Character - Scenic character is the established landscape being viewed. It visually represents the basic vegetative patterns, landforms, rock formations, and water forms which are in view.

4. Rural Atmosphere Retention Objectives:

- a. Encourage single family residential development to use existing subdivisions. Permit new single family residential development in an orderly manner as appropriate and consistent with preserving farmland and scenic character of the township.
- b. Every attempt should be made to cluster residential areas so as to preserve the character of the town, and allow for reasonable and cost efficient provision of public services.

IV. PLAN POLICIES:

1. General Policies:

- a. Owners and/or developers proposing either a change of land use from existing zoning or a land use which may have significant impact on contiguous pieces of property shall submit impact statements and development plans to the Town of Greenfield for its review.

b. This review will occur within a 60-day period so that determination may be made on conformance of the proposed development with the goals, objectives and policies expressed in this land use plan.

c. Such proposed land uses will be required to reasonably meet all the policies and standards of this land use plan.

d. As a part of reviewing such proposals, the proponent will be required to submit an impact statement assessing in reasonable detail the proposed land use impact on farms and farmland, natural resources, town roads, fire and emergency medical services, town taxes, and community character. The results of such an impact assessment must reasonably demonstrate a preponderance of positive benefits to the community before such development will be permitted.

e. When uses are proposed that bring into question definitions including scenic beauty, historically significant sites, low impact vs. high impact uses, and defacement of the bluff, public meetings can be held to assist the Town Board in carrying out the wishes of residents. Additionally, it is recommended that the Town Board establish an ongoing, advisory land use committee comprised of five to seven members to which it may refer for study and evaluation requests for land uses that may appear to be in conflict with the wishes of residents as expressed in this plan. Members should be representative of community interest and geographical location. This process will insure that the rights of the landowner are balanced with the general good of the township. This committee would then make its recommendations to the Town Board for due consideration.

2. Agricultural Preservation Policies:

a. Those lands which exhibit the greatest long-term commitment to agriculture based upon soil type, ownership pattern, investment, use, or identified as class I, II or III and by the Sauk County Soil Survey shall be identified and mapped as such (see Appendix C and the Sauk County Soil Survey for additional information). This policy will not prevent an individual from making agricultural use of land which is not otherwise mapped as such.

b. Those land uses and activities that could conflict with an agricultural use or adversely affect the long-term agriculture-based investment in the land and improvements in areas designated for agricultural use shall be strongly discouraged.

c. The uses of land permitted in an agricultural district shall be primarily limited to agricultural production and dwelling units which serve as places of residence for owners and employees of the farm operation.

d. Farm operations shall not be considered a nuisance if they existed before a change in the land use within one mile of the farmland and if the farming operation would not

have been considered a nuisance before use of nearby lands changed. Also a farm operation, including changes in the farm operation, cannot be considered a nuisance if it conforms to accepted agricultural and management practices.

2. Road Use Policies:

a. The town will attempt to minimize the impact of access/egress points on roads which serve the function of traffic mobility, in particular, on roads identified as arterial or collector roads.

b. All new driveways and access easements will require the review and approval of the Town of Greenfield. Driveway accesses must be constructed prior to the initiation of any other development or construction activities.

c. New driveways should be required to conform to the natural limitations presented by the topography, soils, vegetation and use of the land on which the driveway passes. Driveways that will create a serious erosion hazard or will cross productive cropland or pasture should be discouraged. As alternatives to crossing productive farmland, driveways should be encouraged to follow line fences or other natural features.

d. New town roads shall be constructed of bituminous pavement or other hard surface materials as specified by the Town Board. The Town shall continue its current program to pave all existing gravel roads remaining in Greenfield Township.

3. Commercial Use Policies:

a. Commercial development shall be encouraged to locate near or adjacent to City of Baraboo, with the requirement that commercial development be served by public utilities, including sanitary sewer.

b. When rezoning is requested and the proposal meets the town's land use objectives, only that portion of land necessary for the contemplated use shall be rezoned.

c. Strip commercial development shall be discouraged.

4. Industrial Use Policies:

a. Industrial uses shall be encouraged to be grouped and located in planned locations in the City of Baraboo.

5. Recreational-Commercial Use Policies:

a. Recreational/Commercial facilities shall be encouraged to cluster or expand adjacent to each other.

- b. Recreational/Commercial development shall be of high quality, visually sensitive to scenic character, and served by public utilities, including sanitary sewer when possible.
- c. When rezoning is requested, only that portion of land necessary for the contemplated use may be rezoned.

6. Preservation of Scenic Character Policies:

- a. Preservation of those areas which have unique or highly visible scenic character, are archaeologically or historically significant, or natural areas such as unique wildlife habitat, wetland, and/or unique geological features shall be encouraged.
- b. Those land uses and activities that are determined by the Town Board to have a significant adverse affect on the above qualities (as outlined in 6.a.) of the township shall be discouraged.
- c. In the interest of preserving scenic character, low impact uses are preferred over high impact uses. Agricultural uses are generally considered low impact uses.
- d. The effort to preserve scenic character must be balanced with increased population pressures and potential recreational expansion.
- e. Proposed land uses should be compatible with the existing environment. Land uses incompatible with residents' wishes as reported in the survey of the township residents shown as Appendix A shall be discouraged. For example, most survey respondents identified junk yards and motorcycle race tracks as undesirable.
- f. Discourage further defacement of that area commonly referred to as the bluffs to include the north and south range, which are so situated as to be highly visible from Hwy. 33, Hwy. W, Hwy. 78, Man Mound Road and Hwy. DL.

Defacement does not include tillage which meets soil erosion control standards of a SCS (SCS recently renamed Natural Resource Conservation Service) conservation farm plan. Defacement also does not include logging conducted in compliance with Forest Practice Guidelines For Wisconsin (see publication #064-89 from county forester, attached as Appendix D.)

- g. Discourage residential and other development in areas of the bluff where soil characteristics and ground water flow is not suitable for the type of development proposed.

7. Rural Residential Policies:

- a. Residential development shall be encouraged to locate within the extra-territorial boundaries of the City of Baraboo.
- b. Those initiating construction in the township are encouraged to use construction techniques and design that minimize soil erosion. Suggested guidelines for such construction will be provided at the time of building permit issuance. See Appendix E.
- c. Rezoning out of any agricultural district to a residential district for purposes of creating a subdivision, multiple family dwellings, condominiums, planned unit developments, and mobile home parks should be discouraged, unless otherwise identified as residential on the development plan map.
- d. Developers of residential subdivisions or other non-agricultural developments are required to comply with township ordinances relative to said development. Exceptions or variances from ordinance requirements shall be discouraged.
- e. The subdivision of land currently used for agriculture shall be discouraged. Land zoned as agricultural, but unsuitable for such use, may be considered for alternative uses that are consistent with the goals and objectives of this plan. Class VII and VIII soils are identified by the USDA Natural Resource Conservation Service (formerly named Soil Conservation Service) as unsuitable for agriculture.
- f. Proposed subdivisions shall be encouraged in locations where urban services and facilities can be most economically and efficiently provided. Development of more difficult to serve areas shall be discouraged.

8. Review of and Amendments to the Land Use Plan:

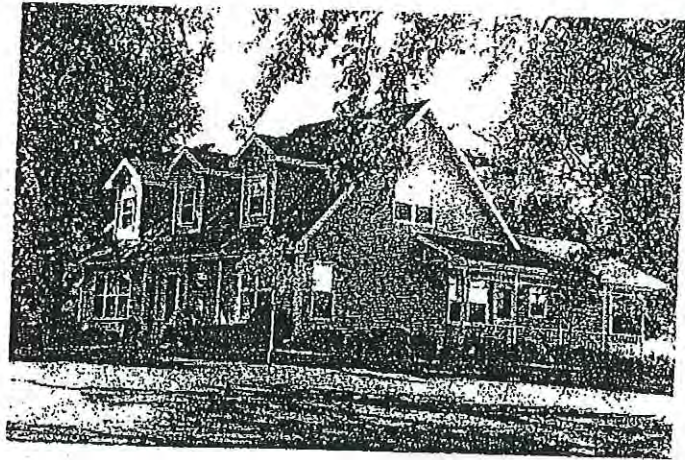
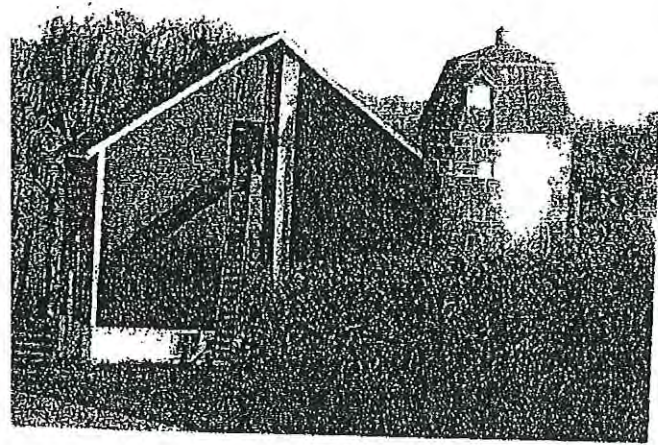
- a. The land use plan shall be reviewed by the Town Board every five years or more often as appropriate.
- b. Any person owning land in the Town of Greenfield may propose an amendment to the land use plan. Any amendments to the plan will follow the process laid out in Sauk County zoning ordinances.

9. Right of Appeal:

- a. Appeals of decisions with respect to this plan are as stipulated by applicable County and State statutes and ordinances.

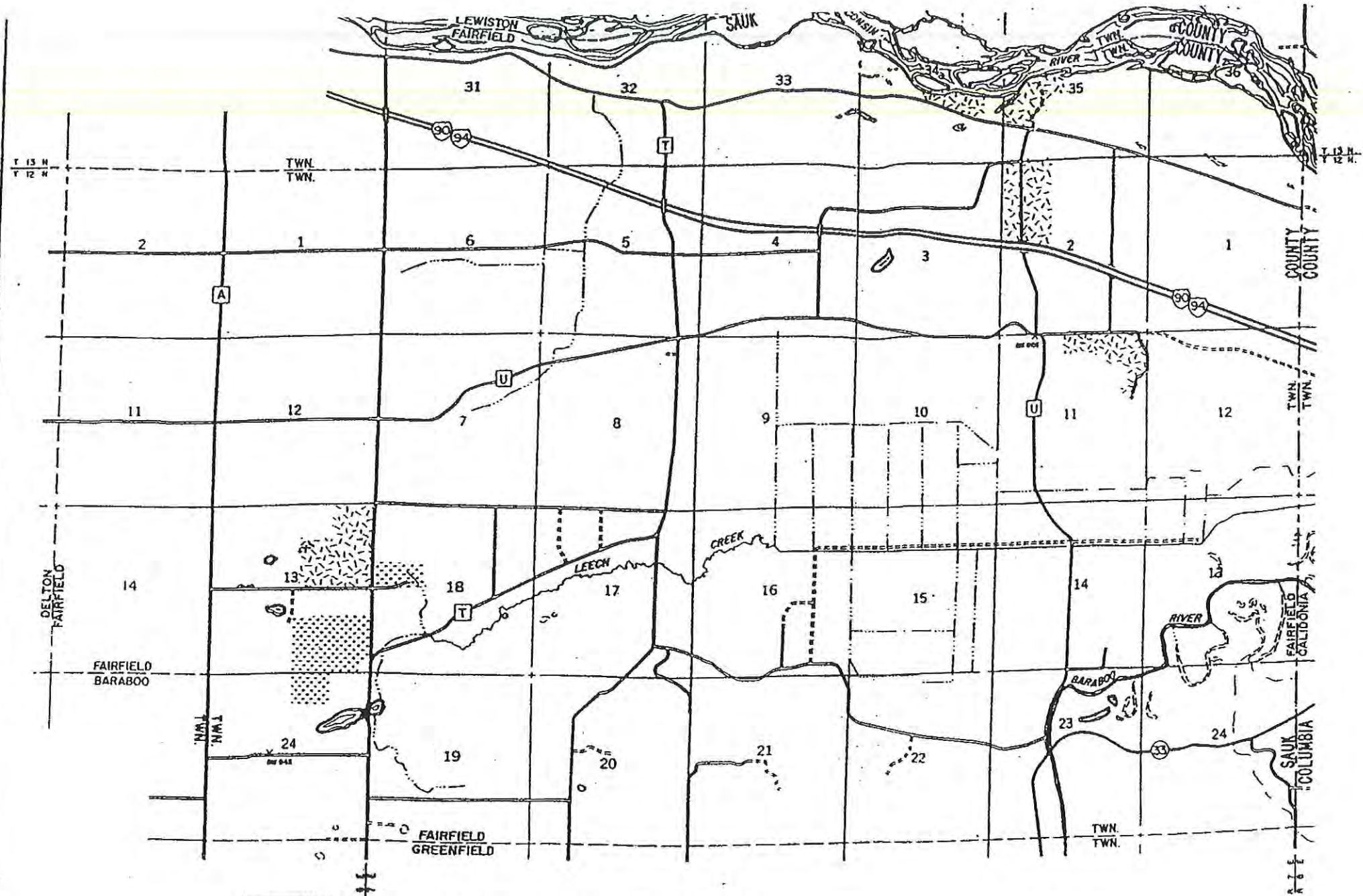
F TOWN OF FAIRFIELD




Development Plan



DRAFT





- KEY**
-  AGRICULTURAL CONSERVANCY
 -  SUBDIVISION RESIDENTIAL
 -  RURAL RESIDENTIAL

**TOWN OF FAIRFIELD
SAUK COUNTY, WISCONSIN
T. 12 N. T. 13 N. - R. 6 E. R. 7 E.**

BASE ZONING MAP

SCALE 1:24,000

NORTH

MEAD AND HUNT, INCORPORATED
MADISON WISCONSIN

LEGEND

| | | | |
|---|---------------------|---|---------------------|
|  | SECTION LINE |  | PERMANENT STREAM |
|  | ROAD LINE |  | INTERMITTENT STREAM |
|  | ROAD LINE (UNPAVED) |  | WATERWAY |
|  | ROAD LINE (PAVED) |  | LEVEE |
|  | RAILROAD TRACK |  | SEALED/UNSEALED |
|  | RAILROAD TRACK |  | WATERWAY |
|  | RAILROAD TRACK |  | WATERWAY |
|  | RAILROAD TRACK |  | WATERWAY |
|  | RAILROAD TRACK |  | WATERWAY |
|  | RAILROAD TRACK |  | WATERWAY |



APPENDIX E

Wisconsin Administrative Code NR121

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

Chapter NR 121

AREAWIDE WATER QUALITY MANAGEMENT PLANS

| | | | |
|-----------|--|-----------|--|
| NR 121.01 | Purpose. | NR 121.07 | Procedures for approval of areawide water quality management plans and plan revisions for designated areas of the state. |
| NR 121.02 | Applicability. | NR 121.08 | Procedures for adoption and revision of areawide water quality management plans for nondesignated areas of the state. |
| NR 121.03 | Definitions. | NR 121.09 | Statewide water quality advisory committee. |
| NR 121.04 | Structure of the state water quality management plan. | | |
| NR 121.05 | Content of areawide water quality management plans. | | |
| NR 121.06 | Designation of areawide water quality planning areas and agencies. | | |

NR 121.01 Purpose. Under the authority of ss. 281.11 to 281.15, 281.17 to 281.20, and 283.83, Stats., this chapter establishes regulations specifying policies, procedures, and requirements for Wisconsin's areawide water quality planning process. This process will result in the preparation throughout the state of areawide plans for managing the quality of waters of the state, ground and surface, public and private, including consideration of the relationship of water quality to land and water resources and uses. Under the above state statutory authority, the department of natural resources has the responsibility for the general supervision of this continuing water pollution control planning process. In areas of the state designated by the governor, the preparation of areawide water quality management plans is the responsibility of designated areawide water quality planning agencies. In the remaining areas of the state, the department will prepare areawide water quality management plans. The purpose of this planning process is to systematically evaluate alternative means of achieving state and federal water quality goals and related standards. This planning process integrates consideration of both the technical measures for water pollution abatement and the management arrangements necessary for implementing abatement measures. Public participation will be provided for throughout plan development.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-78; am. Register, August, 1981, No. 308, eff. 9-1-81; corrections were made under s. 13.93 (2m) (b) 7, Stats.

NR 121.02 Applicability. This chapter is applicable to areawide water quality management plans as prepared by both the state and designated areawide water quality planning agencies.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 121.03 Definitions. (1) "Areawide water quality management plan" or areawide waste treatment management plan means a plan for managing, protecting and enhancing groundwater and surface water quality which considers the interrelationship of water quality and land and water resources on an areawide basis (hydrologic, political, or other).

(2) "Areawide water quality management plans for designated areas" means areawide water quality management plans prepared by agencies designated by the governor in areas of the state similarly designated.

(3) "Areawide water quality management plans for nondesignated areas" means areawide water quality management plans prepared by the department for all areas of the state not designated by the governor.

(4) "Best management practices" as defined in s. 281.65 (2) (a), Stats., means practices, techniques or measures, identified in areawide water quality management plans, which are determined to be the most effective, practicable means of preventing or reducing pollutants generated from nonpoint sources to a level compatible with water quality goals.

(5) "Cost-effectiveness analysis" means a systematic comparison of alternative means of meeting state water quality standards, effluent limitations or other treatment standards in order to identify the alternative which will minimize the total resources costs over the planning period. These resources costs include

monetary costs and environmental as well as other non-monetary costs.

(6) "Critical water quality conditions" means those ambient water conditions upon which the most stringent water quality effluent requirements are based.

(7) "Department" means the department of natural resources.

(8) "Designated management agency" means any agency designated in an areawide water quality management plan having responsibility for implementing specific plan recommendations. This may be done through direct activities of the designated management agency or through delegation to other agencies or units of government.

(9) "Effluent limitation" as defined in s. 283.01 (6), Stats., means any restriction established by the department, including schedules of compliance, on quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources into the waters of this state.

(10) "Point source", as defined in s. 283.01 (12), Stats., means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants may be discharged either into the waters of this state or into a publicly owned treatment works. Point source shall not include diffused surface drainage or any ditch or channel which serves only to intermittently drain excess surface water from rain or melting snow and is not used as a means of conveying pollutants into waters of the state. Point source shall not include uncontrolled discharges composed entirely of storm runoff when these discharges are uncontaminated by any industrial or commercial activity, unless the particular storm runoff discharge has been identified by the department as a significant contributor of pollution.

(11) "Priority watershed" means a watershed of manageable size, delineated in the areawide water quality management plan and selected according to the procedures specified in s. NR 120.07.

(12) "Public participation process" means those activities developed for involving individual members of the public, local governmental officials, and interest groups in the areawide water quality management planning process. These activities may include: the dissemination of information to the public including plan documents and summaries in lay terms, outreach activities to identify interested members of the public, the actual involvement of the public in the decision-making process which leads to the preparation and implementation of an areawide water quality management plan, and response to the public on how their input was used. This process normally includes both public meetings and public informational hearings.

(13) "Nonpoint source" as set forth in s. 281.65 (2) (b), Stats., means a land management or use activity contributing to runoff, seepage or percolation; and are sources which are not defined as a point source under s. 283.01 (12), Stats.

(14) "Residual wastes" means waste materials resulting from the treatment of wastes or wastewater.

(15) "Sewer service area" means that area presently served and anticipated to be served by a sewage collection system.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

(16) "Total maximum daily load" means the amount of pollutants specified as a function of one or more water quality parameters, that can be discharged per day into a water quality limited segment and still insure attainment of the applicable water quality standard. There are 4 components to the total maximum daily load: point source allocation, nonpoint source allocation, reserve capacity and margin of safety.

(17) "Waste load allocation" means the assignment of a portion of the total maximum daily load to each of the discharges to a water quality limited segment, such that the summation of these individual loadings does not exceed the total maximum daily load.

(18) "Water pollution", as defined in s. 283.01 (14), Stats., means man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of water.

(19) "Water quality standards" means standards established by the department pursuant to s. 281.15, Stats., of the physical, chemical or biological characteristics or both of a water which must be maintained to make it suitable for specified uses.

(20) "Water quality limited segment" means any area or portion of a stream which will not meet the established water quality standard with application of only categorical effluent limitations to all point sources.

(21) "Watershed" means a hydrologically related land unit delineated for the purpose of instituting water quality management activities. Generally, the maximum size of a watershed should not exceed 200,000 acres.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79; am. (1), (19) and (20), r. and recr. (6), r. (10), renum. (11) and (12) to be (10) and (11), renum. (13) to be (12) and am., cr. (13), Register, August, 1981, No. 308, eff. 9-1-81; corrections in (4), (9), (10), (13), (18) and (19) made under s. 13.93 (2m) (b), Stats.

NR 121.04 Structure of the state water quality management plan. (1) The state continuing process required under s. 283.83, Stats., consists of the development of, and regular review and revision of the state water quality management plan.

(2) The state water quality management plan consists of:

(a) Areawide water quality management plans for areas designated by the governor and prepared by agencies similarly designated.

(b) Areawide water quality management plans for nondesignated areas prepared by the department for the remainder of the state.

(c) A document describing the state's areawide water quality management planning process. This document shall describe the interrelationship among the various elements in the planning process. These elements include:

1. Areawide water quality management plans for designated and nondesignated areas of the state.

2. Topical studies which analyze water quality policies or issues of statewide concern.

3. Procedures for intergovernmental cooperation.

4. Procedures and mechanisms for plan implementation including:

a. Water quality standards and procedures for their revision.

b. Effluent limitations and waste load allocations required to meet water quality standards.

c. An inventory and priority ranking of wastewater treatment plant construction needs for the purpose of distributing state and federal grant funds.

d. Controls for the disposition of residual wastes from wastewater treatment processes.

e. Best management practices for nonpoint sources of water pollution.

5. Procedures for plan revision.

6. Procedures for public participation.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79; am. (2) (c) 1., Register, August, 1981, No. 308, eff. 9-1-81; correction in (1) made under s. 13.93 (2m) (b), Stats.

NR 121.05 Content of areawide water quality management plans. (1) Subject to sub. (2), the following elements shall be included in each areawide water quality management plan prepared or approved by the department.

(a) *Planning area boundaries.* The delineation in map form of the area for which the plan is being prepared.

(b) *Water quality assessment.* An assessment of existing and potential water quality problems within the planning area including a general assessment of both point and nonpoint sources of pollution contributing to the problems.

(c) *Inventories and forecasts.* 1. An inventory of municipal and industrial source of pollutants.

2. Current demographic and economic growth data.

3. Population forecasts for 20 years in 5-year increments developed in the following manner:

a. The state population forecast for the state water quality management plan shall be consistent with that generated by the Wisconsin department of administration (DOA) and with the forecast provided by the U.S. department of commerce, bureau of economic analysis (BEA).

b. Single county forecasts prepared by multi-county regional planning agencies (established in s. 66.0309, Stats.) for the purpose of areawide water quality management planning shall be consistent with the range of the regional forecast generated by DOA. Single county forecasts prepared by single county planning agencies shall be expressed within the range of the county forecast generated by DOA. Single county forecasts inconsistent with the range of DOA regional forecasts and single family [county] forecasts falling outside of the range provided by DOA may be used if special approval is obtained from the natural resources board.

Revisor's Note: Due to an apparent error, "family" was substituted for "county" in Natural Resources Board Order No. WQ-55-80, which amended subd. 1. b.

c. The population forecasting methodology used by designated regional or county planning agencies to apportion county forecasts to minor civil divisions (MCD) and individual sewer service areas shall be consistent with standards developed by DOA. If these agencies do not prepare MCD forecasts, the department will request that DOA do so. If DOA chooses not to prepare MCD forecasts, the department will do so.

4. Existing and projected land use patterns including the delineation of sewer service areas as described in par. (g).

(d) *Water quality standards.* Applicable state water quality standards and any suggested revision of such water quality standards.

(e) *Total maximum daily loads.* For each water quality limited segment, the total allowable maximum daily load of pollutants during critical water quality conditions for each specific water quality criterion being violated or expected to be violated.

(f) *Waste load allocations.* For each water quality limited segment, the individual load allocation for point sources of pollutants for the 5-year period following plan preparation.

(g) *Nonindustrial wastewater treatment and collection system plan.* 1. The most cost-effective regional wastewater systems for all urban areas shall be identified over a 20-year planning period based upon an analysis of alternative waste treatment system configurations. Wherever possible, applicable recommendations of approved facility plans shall be used to determine the urban area's treatment needs. This analysis shall be consistent with s. NR 110.09, and shall include a cost-effectiveness analysis of regional versus individual treatment plants for the outlying areas including subsurface waste disposal systems. Water quality and other environmental impacts shall be considered.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

2. Sewage collection system needs shall be identified through the delineation of a sewer service area for existing and proposed treatment systems for the 20-year planning period such that:

a. The sewer service area is determined in such a fashion as to promote cost-effective and environmentally sound waste collection and treatment.

b. The sewer service areas are delineated based on a 20-year population forecast approved by the department, and municipally approved population density standards.

c. Major areas unsuitable for the installation of waste treatment systems because of physical or environmental constraints are to be excluded from the service area. Areas to be considered for exclusion from the sewer service area because of the potential for adverse impacts on the quality of the waters of the state from both point and nonpoint sources of pollution include but are not limited to wetlands, shorelands, floodways and floodplains, steep slopes, highly erodible soils and other limiting soil types, ground-water recharge areas, and other such physical constraints.

d. Ten-year service area boundaries may also be included in addition to the 20-year sewer service boundaries.

3. The plan shall include criteria for the construction of future treatment systems within the areawide planning area. These criteria shall be consistent with, but may be more specific or restrictive than those contained in s. NR 110.08 (5), if warranted by regional and local considerations.

4. For nondesignated areas of the state, a detailed identification of the regional waste treatment system, including the delineation of sewer service areas will be carried out for selected urban areas within standard metropolitan statistical areas and for urban areas with a population of over 10,000.

a. The preparation of the plan will be carried out if possible by a local planning agency under contract with the department.

b. A local policy advisory committee made up of representatives of the various local units of government in the planning area shall be established, or an existing body used, to assist the department in the preparation of the plan and to act in an advisory role to the department in matters concerning the implementation of the plan.

(h) *Industrial waste treatment system needs.* The anticipated industrial point source waste load reductions required to attain and maintain applicable water quality standards and effluent limitations for at least a 20-year planning period.

(i) *Nonpoint source control needs.* 1. The best management practices needed to produce a basic level of control of nonpoint source of pollutants throughout the planning area shall be identified and evaluated. Watersheds will be identified in the plan and the general water quality problems for each assessed.

2. Priority watershed plans shall be prepared for [on] a priority basis by the department and applicable designated agencies. The contents of priority watershed plans are described in s. NR 120.08.

Revisor's Note: Due to an apparent error "for" was substituted for "on" in Natural Resources Board Order No. WQ-55-80, which amended subd. 2.

(j) *Residual waste control needs.* An identification of the necessary controls to be established over the disposition of residual wastes.

(k) *Land disposal needs.* An identification of the necessary controls to be established for the disposal of pollutants on land or in a subsurface excavation site.

(L) *Target abatement dates.* Target abatement dates or schedules of compliance for all significant dischargers, nonpoint source control measures, residual and land disposal controls and storm-water system needs.

(m) *Recommended regulatory programs.* Recommended regulatory programs needed to implement the state water quality management plan.

(n) *Designated management agencies.* The identification of those agencies recommended for designation to carry out the provisions of the areawide plan.

(o) *Environmental, social, economic impact.* An assessment of the environmental, social and economic impacts of carrying out specific significant recommendations of the plan.

(2) The department may waive inclusion of any of these elements upon a determination by the department that special conditions exist in the planning area which preclude their inclusion or that financial resources are not adequate to allow their inclusion.

History: Cr. Register, January, 1979, No. 271, eff. 2-1-79; am. (1) (intro.) (a), (c) 3. b. and 4., (e), (f), (i) 2., (n) and (2); r. and recr. (1) (g), Register, August, 1981, No. 308, eff. 9-1-81; correction in (1) (c) 3. b. was made under s. 13.93 (2m) (b) 7., Stats.

NR 121.06 Designation of areawide water quality planning areas and agencies. (1) As the need arises, the department shall recommend that the governor designate areawide planning areas which as a result of urban and industrial concentrations or other factors have substantial and complex water quality control problems.

(2) Within each of these planning areas the department shall recommend to the governor for designation a single agency capable of developing effective areawide water quality management plans. Each recommended planning agency shall:

(a) Be either a regional planning commission established under s. 66.0309, Stats., or be a representative organization whose membership shall include elected officials of local governments or their designees, having jurisdiction in a designated areawide water quality management planning area.

(b) Demonstrate substantial local support for designation through resolutions from local units of government deemed by the department to be critical to the successful preparation and implementation of an areawide water quality management plan.

(c) Demonstrate the technical capability to complete the plan in a timely manner.

(3) The department may recommend that the governor withdraw or modify the designation of a designated agency or designated area or both when a compelling need for such change has been demonstrated. Prior to making such a recommendation to the governor, the department shall, conduct a public participation process, including at a minimum a public hearing in the affected area.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79; am. (2) (intro.) and (a) and (3), Register, August, 1981, No. 308, eff. 9-1-81; correction in (2) (a) was made under s. 13.93 (2m) (b) 7., Stats.

NR 121.07 Procedures for approval of areawide water quality management plans and plan revisions for designated areas of the state. (1) Review and approval of areawide water quality management plans for designated areas:

(a) The department shall review and approve or disapprove each areawide water quality management plan and shall make recommendations to the governor as to the certification of all or parts of each plan.

(b) To receive departmental approval areawide water quality management plans for designated areas must have been subject to a public participation process, approved by the department including at a minimum, a public hearing.

(2) Review and approval of 5-year updates to areawide water quality management plans for designated areas:

(a) The department shall reevaluate the approval status of each areawide water quality management plan for designated areas at least every 5 years.

1. The first such reevaluation will be completed no later than December 31, 1987.

2. Continued or renewed approval shall be granted only to plans, or portions thereof, upon a determination by the department that the plan continues to meet the requirements of this chapter.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

(b) Upon reevaluation of the approval status of the plans as described in par. (a), the department shall approve the plan subject to the approval procedures described in sub. (1) (a) and (b).

(3) Review and approval of revisions to areawide water quality management plans for designated areas:

(a) The department may approve on an annual basis, or where expressed procedures are established between the department and a designated planning agency, revisions which incorporate new information or amendments to an approved areawide water quality management plan.

(b) Approval of plan revisions may be subject to a public participation process.

(4) Disapproval of previously approved areawide water quality management plans or plan elements:

(a) The department may disapprove or otherwise modify any previously approved areawide water quality management plan or plan element if such action is deemed necessary to reflect state law or rules or changes therein; or where the department finds the plan or plan element conflicts with the department's responsibility to protect, maintain, and improve the quality and management of the waters of the state, ground or surface, public and private; or where the plan or plan element is found otherwise not to be in the public interest.

(b) Any disapproval or modification of a previously approved areawide water quality management plan or plan element by the department shall include a public participation process including at minimum a public hearing.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79; am. (1) and (2), cr. (3) and (4), Register, August, 1981, No. 308, eff. 9-1-81.

NR 121.08 Procedures for adoption and revision of areawide water quality management plans for nondesignated areas of the state. (1) Adoption of areawide water quality management plans for nondesignated areas:

(a) During development and prior to formal adoption, areawide water quality management plans for nondesignated areas or portions thereof shall be subject to a public participation process including, at a minimum public hearing.

(b) Each areawide water quality management plan for a nondesignated area, or portion thereof, shall be submitted to the governor for certification as the adopted areawide water quality management plan for that portion of the state.

(2) Review and approval of 5-year updates to areawide water quality management plans for nondesignated areas:

(a) Areawide water quality management plans for each nondesignated area shall be subject to a major review and update at least every 5 years. The first such review and update of areawide water quality management plans for all nondesignated areas will be completed no later than December 31, 1987.

(b) Five year plan updates shall be subject to the public participation process and adoption procedures as described in sub. (1)

(3) Revisions to areawide water quality management plans for nondesignated areas:

(a) The department may revise, as is necessary, areawide water quality management plans for nondesignated areas.

(b) Plan revisions by the department may be subject to a public participation process.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79; am. (1) and (2), cr. (3), Register, August, 1981, No. 308, eff. 9-1-81.

NR 121.09 Statewide water quality advisory committee. (1) The department shall form a statewide water quality advisory committee composed of representatives of federal, state and regional organizations, agencies and units of government, public interest groups, groups with a special economic interest and private citizens.

(2) The department shall inform the committee of ongoing and proposed water quality planning and management activities and policy issues of statewide concern.

(3) The committee shall advise the department on water quality management issues of statewide concern.

(4) The statewide water quality advisory committee shall include, at a minimum, representatives of the following:

- (a) U.S. environmental protection agency
- (b) U.S. department of agriculture
- (c) U.S. geological survey
- (d) U.S. army corps of engineers
- (e) Wisconsin assembly environmental resources committee
- (f) Wisconsin senate agriculture and natural resources committee
- (g) Wisconsin department of agriculture, trade and consumer protection
- (h) Wisconsin department of transportation
- (i) Wisconsin department of administration
- (j) Wisconsin board of soil and water conservation districts
- (k) University of Wisconsin—extension
- (l) Wisconsin department of natural resources
- (m) Wisconsin department of development
- (n) Wisconsin department of health and social services
- (o) Southeastern Wisconsin regional planning commission
- (p) Dane county regional planning commission
- (q) Fox valley water quality planning agency
- (r) Rock river task force
- (s) Upper Wisconsin river task force
- (t) Lake Michigan policy advisory committee
- (u) Southwest Wisconsin policy advisory committee
- (v) Northwest Wisconsin policy advisory committee
- (w) Public interest groups
- (x) Groups with a special economic interest
- (y) Private citizens
- (z) East central Wisconsin regional planning commission
- (za) Brown county planning commission
- (zb) Wisconsin department of industry, labor and human relations
- (zc) Agricultural producer groups

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79; am. (1) and (4), Register, August, 1981, No. 308, eff. 9-1-81.

APPENDIX F

2009 Advisory Committee & City Correspondence

City of Baraboo Sewer Service Area Plan Update
1st Stakeholder Meeting
January 15, 2009
Agenda

- 1. Welcome & Introduction**
 - a. Goal of the SSAP – *“To identify developable lands necessary to meet the 2030 growth projections.”*

- 2. Background**
 - a. Reasons for Updating SSAP
 - i. Five Year Time Requirement
 - ii. Boundary Changes
 - iii. Sewer Extensions
 - iv. Growth Projections

 - b. Process for Updating Plan
 - i. Stakeholder Meeting No. 1(January, 2009)
 1. Discuss potential plan revisions
 - ii. Obtain Input from Stakeholders
 - iii. Update plan
 1. Review growth projections
 2. Amend maps
 3. Address comments from first meeting
 - iv. Stakeholder Meeting No. 2 (March, 2009)
 1. Review plan changes
 - v. Submit revised plan to DNR (April, 2009)
 - vi. Respond to DNR comments and hold public hearing

- 3. Review of Changes From Current Plan**
 - a. Corporate limit changes
 - b. Boundary agreement(s)
 - c. Population & demographics projections
 - d. Infill
 - e. Land use changes

- 4. Additional Items of Concern**

- 5. Follow-up Activities**

- 6. Next Stakeholder Meeting**
 - a. Date
 - b. Location

**City of Baraboo
Housing Projections
20 year Growth Population Projection**

Housing Unit Type Projections

| Unit Type | 1970 | 1980 | 1990 | 2009 | 2030 |
|--------------------|-------|-------|-------|-------|-------|
| Single Family | 2,080 | 2,386 | 2,709 | 3,156 | 4,965 |
| 2+Units | 761 | 959 | 1,225 | 1,987 | 2,445 |
| Total Units | 2,841 | 3,345 | 3,934 | 5,143 | 7,410 |
| Percent Multi Unit | 27% | 29% | 31% | 38% | 33% |

Historic Household Densities

| Description | 1970 | 1980 | 1990 | 2009 | 2030 |
|------------------------|-------|-------|-------|--------|--------|
| Total Population | 7,931 | 8,081 | 9,203 | 11,755 | 16,348 |
| Group Qtrs. Population | 184 | 198 | 202 | 303 | 303 |
| Household Population | 7,747 | 7,883 | 9,000 | 11,452 | 16,045 |
| Total Occupied Units | 2,735 | 3,206 | 3,744 | 4,870 | 7,037 |
| Persons per Household | 2.83 | 2.46 | 2.4 | 2.3 | 2.28 |

Residential Land Use Projections

| |
|---|
| Single Family Housing Units Required (2030 projection - 1,809 2009 reported) Housing Density 0.36 acres per unit Acreage Required 651.19 |
| Multi-Family Housing Units Required (2030 projection - 458 2009 reported) Housing Density 0.17 acres per unit Acreage Required 77.93 |

Total Acreage for Residential 729.12
 80% of Total to account for roads 583.30

Historic housing Units

| Description | 1970 | 1980 | 1990 | 2009 | 2030 |
|---------------------------------|-------|-------|-------|-------|-------|
| Total Occupied Units | 2,735 | 3,206 | 3,744 | 4,870 | 7,037 |
| Total Vacant Units | 106 | 139 | 186 | 273 | 373 |
| Percent Vacancy | 3.7 | 4.2 | 4.7 | 5.3 | 5.3 |
| Total Units Occupied and Vacant | 2,841 | 3,345 | 3,930 | 5,143 | 7,410 |

City of Baraboo
 Land Use Projections for 2030
 30 Year Growth Projection

| | 2002 Total | 2002 vacant | 2002 developed | 2009 Total | 2009 Vacant | 2009 Developed Acres | Required Developed Acres 2030 | Required Additional acres Developed 2030 | developable in- fill (55%) acres | Required Developable Ag Acres | Comments |
|-----------------------|---------------|----------------|-------------------|---------------|----------------|----------------------------|-------------------------------------|--|-------------------------------------|-------------------------------------|---|
| Business & Industrial | 706.1 | 120.7 | 585.4 | 753.89 | 160.19 | 593.7 | 624.13 | 30.4 | 30.4 | 0.0 | Required Acreage based on growth over past 6 years and projected to |
| Residential | 1714.6 | 174.7 | 1539.9 | 1782.08 | 311.38 | 1470.7 | 1835.4 | 364.7 | 171.3 | 193.4 | Required Additional Acreage based on projected housing requirements |
| Conservancy | 104.3 | 0 | 104.3 | 324.57 | | 324.57 | 401.5 | 76.9 | 0.0 | 76.9 | Required Additional acreage based on 2008 developed * growth |
| Roads | 581 | 0 | 581 | 612 | 0 | 612 | 757.0 | 145.0 | 0.0 | 145.0 | Required Additional acreage based on 2008 developed * growth |
| River | 57 | 0 | | 57 | 0 | 57 | 57.0 | 0.0 | 0.0 | | |
| Total | 3554.0 | 686.4 | 2810.6 | 3529.5 | 1652.2 | 3175.8 | 3675.1 | 617.1 | 201.7 | 415.4 | |

| | 2002 Total | 2002 vacant | 2002 developed | 2008 Total | 2008 Vacant | 2008 Developed Acres | Developable Acreage w/o Restrictions | Acreage Required for Development | Net Excess Acreage Land Within City |
|----|---------------|----------------|-------------------|---------------|----------------|----------------------------|--|--|---|
| Ag | 391 | 391 | 0 | 1298.43 | 1180.7 | 117.78 | 877.0 | 415.4 | 461.6 |

Notes:

1. Growth Multiplier of 1.237 is the projected 2030 population of the City (14,538/ the 2008 population of the City (11,755)

**City of Baraboo
Housing Projections
30 year Growth Population Projection**

Housing Unit Type Projections

| Unit Type | 1970 | 1980 | 1990 | 2008 | 2030 |
|--------------------|-------|-------|-------|-------|-------|
| Single Family | 2,080 | 2,386 | 2,709 | 3,156 | 4,349 |
| 2+Units | 761 | 959 | 1,225 | 1,987 | 2,142 |
| Total Units | 2,841 | 3,345 | 3,934 | 5,143 | 6,491 |
| Percent Multi Unit | 27% | 29% | 31% | 38% | 33% |

Historic Household Densities

| Description | 1970 | 1980 | 1990 | 2008 | 2030 |
|------------------------|-------|-------|-------|--------|--------|
| Total Population | 7,931 | 8,081 | 9,203 | 11,755 | 14,358 |
| Group Qtrs. Population | 184 | 198 | 202 | 303 | 303 |
| Household Population | 7,747 | 7,883 | 9,000 | 11,452 | 14,055 |
| Total Occupied Units | 2,735 | 3,206 | 3,744 | 4,870 | 6,164 |
| Persons per Household | 2.83 | 2.46 | 2.4 | 2.3 | 2.28 |

Residential Land Use Projections

| |
|--|
| Single Family Housing Units Required (2030 projection - 1,193 2008 reported) Housing Density 0.36 acres per unit Acreage Required 429.52 |
| Multi-Family Housing Units Required (2030 projection - 155 2008 reported) Housing Density 0.17 acres per unit Acreage Required 26.37 |

Historic housing Units

| Description | 1970 | 1980 | 1990 | 2008 | 2030 |
|---------------------------------|-------|-------|-------|-------|-------|
| Total Occupied Units | 2,735 | 3,206 | 3,744 | 4,870 | 6,164 |
| Total Vacant Units | 106 | 139 | 186 | 273 | 327 |
| Percent Vacancy | 3.7 | 4.2 | 4.7 | 5.3 | 5.3 |
| Total Units Occupied and Vacant | 2,841 | 3,345 | 3,930 | 5,143 | 6,491 |

Total Acreage Required 455.88
 80% of Total to account for roads 364.70

AGENDA FOR THE PLAN COMMISSION

Members noticed must notify the person who prepared agenda (see below) at least 24 hours before the meeting as to whether they will not be able to attend this meeting.

Date and Time: Tuesday, December 15, 2009, 2009, 7:00 P.M.
Location: Council Chambers, Municipal Building, 135 4th Street, Baraboo, Wisconsin
Members Notices: Mayor Liston, P. Wedekind, R. Janke, R. Franzen, M. Stewart, J. O'Neill, T. Kolb, G. Gerdman
Others Noticed: C. Bongard, P. Giese, E. Geick, E. Robkin, M. Reitz, Mary Klingenmeyer, Patrick Donahue (O'Reilly), Cheryl Taylor (ctaylor21@oreillyauto.com), Matt Filus, Barbara Vodak, Billy VanWie, Todd Rummler, Tim Stieve, Library for posting, Media

PETITIONERS OR REPRESENTATIVES MUST BE PRESENT OR SUBJECT WILL NOT BE HEARD BY THE COMMISSION!

1. **Call to Order**
 - a. Note compliance with the Open Meeting Law.
 - b. Approve agenda.
 - c. Approve November 17, 2009, meeting minutes.
2. **Public Invited to Speak** (Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)
3. **Public Hearings:**
 - a. Proposed update to the City of Baraboo Sanitary Sewer Area Plan.
 - b. Request of William R. VanWie to grant a conditional use permit for a zero lot line duplex, located at 1518/1520 Tillberry Drive.
 - c. Request of NAK Enterprises, Inc. (Owner) and O'Reilly Automotive, Inc. (Applicant) to grant a conditional use permit for the construction of an automotive retail building located at 825 U.S. Highway 12.
4. **New Business**
 - a. Review and approve CSM for Barbara Vodak on Ellis Avenue.
 - b. Review and approve CSM for City of Baraboo Hockey Pavilion.
 - c. Review and recommendation on proposed update to the City of Baraboo Sanitary Sewer Area Plan.
 - d. Request of William R. VanWie to grant a conditional use permit for a zero lot line duplex, located at 1518/1520 Tillberry Drive.
 - e. Request of NAK Enterprises, Inc. (Owner) and O'Reilly Automotive, Inc. (Applicant) to grant a conditional use permit for the construction of an automotive retail building located at 825 U.S. Highway 12.
 - f. Conceptual review of Sauk County request to replace the communication tower on top of the Sauk County Courthouse.
5. **Adjournment**

Phil Wedekind,
Mayoral Designee

Agenda prepared by Kris Jackson, 355-2730, Ext. 309
Agenda Posted by Kris Jackson on December 11, 2009

PLEASE TAKE NOTICE, that any person who has a qualifying as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Municipal Clerk, 135 4th St., or phone 355-2700, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

It is possible that members of, and possibly a quorum of members of, other governmental bodies of the City of Baraboo who are not members of the above Council, committee, commission or board may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above stated meeting, **other than the Council, committee, commission, or board identified in the caption of this notice.**

FOR INFORMATION ONLY, NOT A NOTICE TO PUBLISH.

Minutes of Plan Commission Meeting December 15, 2009

Call to Order – Phil Wedekind called the meeting to order at 7:00 PM

Roll Call – Present were Phil Wedekind, Bob Janke, Jim O'Neill, Tom Kolb, Gil Gerdman, Roy Franzen, Mary Anne Stewart. Also in attendance was City Engineer Bongard, City Attorney Reitz, Jeff Montpas, Matt Filus, Utility Superintendent Kramer, Mark Wold, Tim Stieve.

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Janke, seconded by Kolb to approve the agenda as posted. By voice vote the motion carried.
- c. Approval of Minutes: Mr. VanWie advised that he would be unable to attend the meeting. That matter will be removed from this agenda and brought up in January. O'Neill moved, Kolb seconded to approve the agenda with the change. Motion carried unanimously. Janke moved, seconded by Gerdman to approve the minutes of the November 17, 2009 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) There were no speakers.

Public Hearings

- a. Proposed update to City of Baraboo Sanitary Sewer Area Plan. Jeff Montpas presented on the update of the sewer service plan. Plan is updated based upon anticipated future growth, annexations, population projections, vacant properties and estimated in-fills. Earlier 20 year growth projection turned out to be rather aggressive, so this plan's growth projection is revised and more in accordance with DOA growth projection. 14,707 projected population in 2029. Currently the City has 610 acres of business and industrial properties that are vacant, 1471 acres of residential vacant lands, 670 acres of conservancy and 612 acres of streets/roads. Since last plan, 330 acres of land were in-filled. Much of land to be added to SSAP is from newly acquired Greenfield lands. SSAP can be amended in the future, but added acres must be removed from some other area already in the District. No other persons appeared to address the issue.
- b. Request of William VanWie to grant a conditional use permit for zero lot line duplex located 1518/1520 Tillberry Drive. No one appeared to address the issue.
- c. Request of NAK Enterprises, Inc. and O'Reilly Automotive Inc. for conditional use permit for the construction of an automotive retail building located at 825 US Highway 12. No one appeared to address the issue.

New Business

- a. Review and approve CSM for Barbara Vodak on Ellis Avenue. Matt Filus appeared on behalf of and in the company of the Applicant. Bongard explained that this CSM creates 2 lots, with the remnant parcel remaining in agricultural zoning. The survey shows a reserved 66' strip for a road in Lot 2. Road would not be dedicated until either development of Lot 3 or sale of Lot 2. An additional agreement would be required. Bongard recommends such an agreement as a condition of approval. It was moved by Stewart, seconded by O'Neill to approve the CSM with this condition. On roll call vote for the motion, Ayes – Stewart, Janke, O'Neill, Gerdman, Wedekind, Franzen, Kolb. Nay – 0, and the motion carried.
- b. Review and approve CSM for City of Baraboo Hockey Pavilion. The Park Commission is looking to sell the hockey pavilion to the Hockey Association. A separate CSM is required. Bongard explained access to the lot, and through frontage on Parkside Avenue, traffic is disturbing to residences. There is no existing driveway or curb cut. Bongard recommends no access to the pavilion off of Parkside. Gerdman notes that the Parks Commission does not want access to Parkside. It was moved by Kolb, seconded by Janke to approve the CSM. On roll call vote for the motion, Ayes – Janke, O'Neill, Gerdman, Wedekind, Franzen, Kolb, Stewart. Nay – 0, and the motion carried.
- c. Review and recommendation on proposed update to the City of Baraboo Sanitary Sewer Area Plan. Stewart asks if Council needs to approve in 2009 as well. Kramer answers yes, but also notes that it is a 20-year plan, but it is reviewed every 5 years. Janke moved, O'Neill seconded to approve the proposed update as presented. On roll call vote for the motion, Ayes – O'Neill, Janke, Gerdman, Wedekind, Franzen, Kolb, Stewart. Nay - 0, and the motion carried.

- d. Request of William VanWie to grant a conditional use permit for a zero lot line duplex at 1518/1520 Tillberry Drive. VanWie communicated with the Commission prior to the meeting that he would be unable to attend. The matter will be placed upon the January 2010 agenda.
- e. Request of NAK Enterprises, Inc. and O'Reilly Automotive, Inc. to grant a conditional use permit for the construction of an automotive retail building located at 825 US Highway 12. Mark Wold representing O'Reilly Automotive appeared. Bongard notes plan is in accordance with conceptual plan review from November meeting. Questions retail floor space vs. storage regarding parking spaces calculation. Wold notes about 1/3 is retail space with remainder as storage. With that information, parking is sufficient. Bongard questions monument sign as to location. Recommends sign be moved to north property line so as not to obstruct vision to road. Lighting Plan: is it 25' or 30' poles? Bongard notes requirement for cut-off lighting and not flood type lighting. Building elevation: past requirement that building be dressed up a bit, especially north and south faces in this case. Past requirements is for masonry wanescoating on metal buildings. Wold notes O'Reilly has several different styles of buildings. Believes design department can meet concerns and requirements. Does not object to updated lighting plan. Gerdman notes metal building is not inconsistent with other buildings in the area. Franzen would like to see a masonry building. Bongard believes masonry of monument sign could be used as a wanescoating to dress up building; perhaps a false window. O'Neill notes other metal buildings in area, and is in agreement to wanescoating masonry only. Kolb questions height of light poles and if that is an issue. Bongard notes that the type of lighting (cut-off) is the issue, not the height of the pole. Motion to approve conditional use as auto parts store and site plan with approx. 4' wanescoating on west, north and south faces, and revised lighting plan to be approved by Bongard, and monument sign moved to new location, 24' fire lane and Knox box as required by Fire Department. Moved by Stewart, seconded by O'Neill to approve the conditional use permit request with above listed conditions. On roll call vote for the motion, Ayes – Stewart, O'Neill, Janke, Kolb, Gerdman, Wedekind. Nay – Franzen. The motion carried.
- f. Concept review of Sauk County to replace the communications tower at the Sauk County Courthouse. Tim Stieve of Sauk County appears. Starting in 2007, Sauk County began revising its communications plan. Main tower is the 1963 tower at the Courthouse Annex building. That tower has a damaged leg, which was repaired, but circumstances require a long term solution. A co-locator would also like to be on that tower. Tower serves all emergency services, including police, sheriff, EMT, and emergency management. Kolb asks if height would change; don't know, but will not be higher. O'Neill would rather see tower at current location on building. Agreement by other members.

Adjournment - It was moved by O'Neill, seconded by Kolb to adjourn at 7:43 p.m. Motion carried unanimously.

Phil Wedekind
Mayor Designee

Resolution No. 09-135

THAT the update to the City of Baraboo Sanitary Sewer Service Area Plan dated October 2009, is hereby approved.

Moved by Wedekind, seconded by Kolb, and carried that **Resolution No. 09-135** be approved - 7 ayes, 1 nay: Topham.

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

Mayor thanked employees for their hard work and it has been a difficult year.

DPW employees will be staggered to keep streets open during the holiday season.

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

PETITIONS, AND CORRESPONDENCE**Petitions and Correspondence Being Referred -**

Monthly Reports for November, 2009, from – The City Treasurer and the Police Department

Minutes from the Following Meetings -**Minutes of the Branding/Marketing Subcommittee of the Baraboo Economic Development Commission**

Date and Time: Monday, September 28, 2009, 6:00 p.m.

Location: Council Chambers, 135 4th St., Baraboo, WI

Attendance: Brett Topham, Al Dippel, Phil Wedekind, Mike Palm, Tom Thompson, Sandy Anderson, Ann Burke, Jay Churco, Buddy Huffaker and Tom Pleger. Others: Karna Hanna, Ed Geick, Gil Gerdman and Pat Hamilton

Call to Order

The meeting was called to order by Chairman Pleger at 6 P.M. and compliance with the open meeting law was noted.

Approval of Agenda

On a motion by Wedekind, second by Dippel, and unanimously carried, the agenda was approved.

Public Comment – None.

New Business –

- A. **Report from Sign Committee meeting** – Anderson, Topham, Pleger and Geick met. Geick distributed some possible designs that were produced by Vandewalle and Associates. The signage should be used at key entry points to the City. Possibly bill boards. Each project should have a development sign on site. The group will continue to meet and make recommendations to BEDC.
- B. **What is the scope of branding to be done** - discussion took place on the following topics:
 - What should be branded – The entire City, the Riverfront, the Downtown, Economic Development
 - Preservation of natural resources for the future.
 - The City should be more proactive than reactive in Economic Development in the future
 - What is Baraboo and how can we tell our story
 - Theme of the historical past can be used for the future
 - What do we want to be. Get the community involved from the beginning. Can we wait to get the input and then develop or should we start to develop and then get their input.
 - We may need professional help.
 - Other communities were discussed:
 - Eau Claire
 - Port Washington
 - Kenosha
 - Milwaukee
 - Racine
 - Janesville
 - Cudahy

The UW and Extension have departments that work with branding.

Maybe we should pick a community we want to emulate and invite them to make a presentation.
Produce a video of the area.

Who will the audience be for the branding – developers, tourists, new residents moving here

How much will it cost

Tourists from Devils Lake and the Dells need to be attracted to the community