

**The City of Baraboo, Wisconsin**

**Background:** The Department of Natural Resources requires communities over 10,000 in population to utilize a Sanitary Sewer Service Area Plan (SSAP) to forecast growth and plan for necessary associated improvements to the collection and treatment facilities. The City adopted their' SSAP in 2004 and the Plan calls for a review and amendment every five years

The process for Sewer Service Area Planning involves forecasting population growth (20 year) and then identifying the amount of developable land required to accommodate the growth projections. The plan then projects which parcels are most likely to develop within that time frame and those lands are delineated as "within the Sanitary Sewer Service Area". The DNR will then only approve sewer extensions to lands within the delineated area. In the event that lands outside of the sewer service area wish to develop, there is an amendment process whereby adjustments to the boundary can be made if the City chooses to do so.

MSA Professional Services has worked with the City on the population projections and the amounts of land required to accommodate the growth. The City Staff has then identified the parcels of land most likely to develop or those that promote orderly growth. A map of the proposed lands to be added to the plan is included in the packet. A Public Hearing was held at the Plan Commission meeting on December 15, 2009 and after hearing testimony and reviewing the map as presented the Plan Commission has recommended approval of the amended plan to the City Council.

A copy of the amended plan is available for viewing in the Council Chambers.

**Fiscal Note: (check one)  Not Required  Budgeted Expenditure  Not Budgeted**  
**Comments**

**Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:**

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

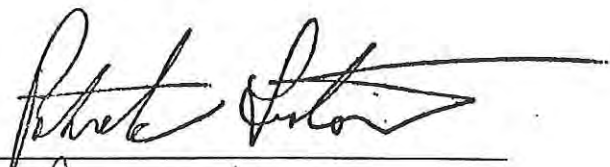
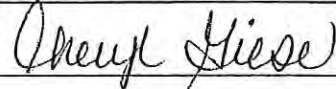
Offered by:

Motion: Wedekind

Second: Kolb

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_



June 3, 2010

Mr. Bruce Meyer  
Village President  
Village of West Baraboo  
500 Cedar Street  
Baraboo, WI, 53913

Mr. Howard Castle  
District Chairman  
Baraboo Sanitary District  
S5633 Glacier Drive  
Baraboo, WI, 53913

Mr. Ed Geick  
City Administrator  
City of Baraboo  
135 Fourth Street  
Baraboo, WI, 53913

Mr. Bill Klemm  
Town Chair  
Town of Baraboo  
101 Cedar Street  
Baraboo, WI, 53913

Mr. Tim Stone  
Town Chair  
Town of Fairfield  
E12891 CTH U  
Baraboo, WI, 53913

Mr. Terry Turnquist  
Town Chair  
Town of Greenfield  
S5385 Bluff Road  
Baraboo, WI, 53913

Mr. Mark Steward  
Sauk County Planning and Zoning  
505 Broadway Street  
Baraboo, WI, 53913

Re: City of Baraboo – Sanitary Sewer Service Area Plan Update

Dear Stakeholder:

The City of Baraboo adopted a Sanitary Sewer Service Area Plan (SSAP) in 2004 with input from a stakeholder group that you or a former member of your municipality participated in. A requirement of the DNR is that the SSAP be reviewed and updated every five years. The City has prepared a draft update and submitted it to the DNR for review. A copy of the DNR review letter is attached. Please review this letter and provide any comments you may have back to me by July 1, 2010. If you would like to receive a summary of the update to the plan, you may contact me at 355-2730 and I will provide one to you.

Sincerely,

City of Baraboo  
Chuck Bongard, P.E. – City Engineer

Enc.



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor  
Matthew J. Frank, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711

May 10, 2010

Mr. Jeff Montpas  
MSA Professional Services  
1230 South Boulevard  
Baraboo, WI 53913

Subject: Baraboo Sanitary Sewer Service Area Plan Update

Dear Mr. Montpas:

The Department has completed a review of the subject plan update that was submitted for Department approval, per ch. NR 121, Wis. Adm. Code, on December 30, 2009. Please provide a reply to the following comments and questions, along with any proposed plan revisions. Once we work through these items, a new final version of the plan should be provided.

In general, we wish to emphasize that this plan is intended to identify a regional service area for a regional wastewater treatment facility. It is also meant to be a source of information that will help guide future development in an environmentally sound manner that promotes the cost-effective provision of urban services. It does do that, but (as reflected in our comments), we believe the report's focus is a bit too centered on just the City of Baraboo. To a certain extent this is understandable, considering the particular circumstances, but it is quite important from our viewpoint that this remains a regional planning effort. And as required in s. NR 121.05(1)(g)4., it is important that "a local policy advisory committee made up of representatives of the various local units of government in the planning area" be established and act in an advisory role to the Department in matters concerning implementation of the plan. Although the City has critical roles for plan preparation and administration, it is the Advisory Committee that DNR would primarily rely upon as the local advisory entity.

Review comments:

1. We suggest the title of report be changed to point out that this is a regional plan for the planning year of 2030. Such as "Baraboo Urban Area – 2030 Sanitary Sewer Service Area Plan", or "City of Baraboo and Environs – 2030 Sanitary Sewer Service Area Plan".
2. The Acknowledgments page dates back to 2002. We suggest that a new Acknowledgments page for the 2009 update effort be provided. In particular, all the committees or groups mentioned in the Implementation section of the report (such as Advisory Committee, City Utility and Plan Commissions and Common Council) should be described and listed. The 2002 Acknowledgments page might be retained as an appendix to the report.
3. We note there is reference to the plan update being developed with a "stakeholder group". Please clarify who this group included and whether this was essentially the Advisory Committee. Documentation of the public hearing notice and results of the public hearing conducted for the 2009 update should also be

added (perhaps as an appendix).

4. As described in the implementation chapter of the current SSA plan, the standard procedure for any plan updating should include review by the City Utility and Plan Commissions, obtaining comments from the Advisory Committee, and then adoption by the City Common Council. Please provide any available documentation that was associated with this process (such as the adopting resolution) in an appendix.

We also note that Part VII C. refers to “Public Input and Participation” but most of the information is from the previous 2004 planning process. Appendix F also includes the “Advisory Committee Correspondence” but it is all from the previous 2004 planning effort. We suggest the information from 2002 be deleted, or placed in a separate appendix, and replaced by information or correspondence associated with the current 2009 plan update.

5. For future use of the plan, it is not critical that any past revisions of the sewer service area (SSA) boundaries be addressed in the plan itself, but for review purposes we do need to have these changes described in specific detail and justified. The year 2022 SSA plan was approved in 2004 and our records show one subsequent SSA revision in 2006. The proposed changes from the SSA as it existed after the 2006 revision should be identified. The total existing SSA acreage and the proposed SSA acreage increase should be identified along with a breakdown of the land uses within the increased SSA area (e.g. – developable acres, existing development, and environmental sensitive areas).
6. In Part I there a SSA map for the City of Baraboo. Then in Part VII, there are two SSA maps, one for the Village of West Baraboo and one for the City of Baraboo. I believe these are Figures 1-1, 7-1, and 7-2, respectively, but none of the maps are labeled as such. In Map 1-1, I presume the red line is the proposed SSA boundary, but the legend refers to this as the “SSAP Study Limits”. The SSA boundary itself and the study (or planning) area are two different things. Presuming the red line is the SSA boundary, please label it as such. In Map 7-1, there is no SSA boundary indicated. This should be added. In Map 7-2 we have the same comment as applied to Map 1-1. Our preference is that in Part I, there is one map for the entire SSA (including all municipal entities – except the State Park could be identified as a special or unique “customer”). The two separate maps could be retained in Part VII. We also request a copy of a separate large scale map for the entire SSA for our files.
7. Table 7-1 (which is also included in the Executive Summary) should be expanded to cover the entire SSA area (including, City, Village, Sanitary District and Town areas). The total SSA areas (acreage) and the ESA areas (acreage) should be included (along with the various current vacant acre categories).
8. Part IV. C. briefly addresses the Baraboo waterwater treatment facility. This section doesn’t have to be extensive but some additional information seemed warranted. Please add a brief description of the general type of treatment facility, its location and location of effluent discharge. We suggest a map be provided to show these locations, plus the collection system location and description could be added in terms of the major interceptor lines (or “sewersheds”) and lift stations. Some explanation of the significance of these conveyance facilities in assessing the most cost-effective areas for expansion might also be useful. We also noted that the facility capacity was described on page 30 as 2.53 mgd. Our records indicate the plant has an average annual design flow of 2.23 mgd and a maximum monthly design flow of 2.8 mgd.
9. On page 68, the last bullet item refers to sewer extensions and mentions that the plans should “conform with the goals and polices of the Sanitary Sewer Service Area plan”. Also, on page 70 there is a reference to amendments being “consistent with policies and goals of this plan”. Obviously, that’s the general intent, but it should also be recognized that there can be conflicting goals and complete compliance with all goals isn’t an absolute mandate in all cases. The most common example of this that it is may be a goal

to preserve farmland but it is also common that SSA amendments may involve conversion of farmland to other uses. In this case, the amendment may conflict with that one goal but may still be justified based on other factors and compliance with other goals. We suggest using language such as: “[sewer extensions or amendments] should be “generally supportive and consistent with goals and policies”.

10. One primary aspect of this plan is to identify a sewer service area and other measures or aspects that will be protective of local water resources. At least a brief description of the watersheds and water resources in the planning area (primarily the Baraboo River) should be provided along with any known or recommended water quality issues or initiatives (probably added in III.A.).
11. Part VI on Environmentally Sensitive Areas (ESAs) appears to need some further clarification. In general, four land classifications are provided: 1) ESAs, 2) “Areas where development is prohibited”, 3) “Areas where development is controlled” and 4) “Areas where development is discouraged”. Then on page 58 it mentions that “prohibited” and “controlled” are included in ESA’s. But this statement seems to conflict with the definition of ESAs provided on page 42 (also, please add Figure 5, which, as referenced on page 42, seems to be missing).

It is important that ESAs be clearly defined because in future determinations, the DNR and others will use this as the basis for any decision under NR 121 authority on prohibition of sewer development. Strictly speaking, NR 121 does not apply to unsewered development, but this report is primarily for sewer purposes and attempting to address both of these in the same narrative may be confusing. We suggest that ESAs and the “prohibited” areas essentially be combined as the same thing, i.e. if it’s an ESA, sewer development is prohibited. The plan should then still address the “controlled” and “discouraged” areas. Presuming the ESA and “prohibited” areas are combined, then a new map showing the ESAs areas relative to the SSA boundary should be included.

The report describes hydric soils areas as “prohibited” but not as ESAs. It has not been our practice to require ESAs to include hydric soils, so that is local choice. We agree it may be warranted in some circumstances, but you may want to refer to hydric soil areas as “controlled”. In all other aspects, it appears that the “Prohibited” areas match up with the ESA definition.

On page 46 it mentions that “development of lands having slopes of at least 12% but less than 20 %, which are proximal to streams or other environmental features should also be considered for designation as environmentally sensitive areas”. We agree with this statement, but has this actually been done? In other words, does the Figure 6-1 map include these 12 to 20% areas near streams?

In the second paragraph on page 43 there is a discussion of potential development within ESAs. We presume this must be referring only to unsewered development. We suggest this be clarified.

12. On page 60 there is a statement that “Development of lands included within the SSA will require annexation to the City and service by sanitary sewer”. The SSA plan by itself has nothing to do with a local annexation policy and this language should be clarified to indicate the SSA plan may require sewer service but it is a City policy that requires annexation.
13. As part of the Implementation section (VIII. B.) you may want to add that it may be possible to amend ESA boundaries. For example, this would be justified by new or refined mapping of wetlands or floodplains. There can also be revisions to ESA boundaries such as removing part of a 50 foot buffer zone around a wetland. In these instances, the justification would need to include a specific assessment of how adverse water quality effects would be avoided. We certainly do not generally encourage encroachment into wetland buffers, but this is possible as a procedural option.

**APPENDIX G**

**Town of Greenfield Boundary Agreement**

**COOPERATIVE PLAN AND BOUNDARY AGREEMENT BETWEEN THE  
CITY OF BARABOO AND THE TOWN OF GREENFIELD**

This Cooperative Plan and Agreement ("Agreement") is made by and among the City of Baraboo (the "City"), with offices located at 135 Fourth Street, Baraboo, Wisconsin 53913-2184 and the Town of Greenfield (the "Town") with a mailing address of S4285 Man Mound Road, Baraboo, Wisconsin 53913-9630.

WHEREAS, the City of Baraboo has adopted a Comprehensive Plan pursuant to §66.1001 of the Wisconsin Statutes. The housing needs of the City are as set forth in its Comprehensive Plan, and include a projected 37% increase in the number of housing units over the next 20 years. Further, the City's Comprehensive Plan has identified areas east of the present City limits as areas of Planned Neighborhood growth in order to meet some of the need for the increase in housing units; and

WHEREAS, the Town has adopted a Comprehensive Plan pursuant to §66.1001 of the Wisconsin Statutes which has as one of its primary goals the conservation of the remaining agricultural lands, forest lands, and environmentally sensitive areas in the Town. The area covered by this agreement contains a portion of these important natural resources; and

WHEREAS, the City and the Town seek to establish certain agreements under the provisions of §66.0307 of the Wisconsin Statutes for the purposes of establishing boundaries and facilitating orderly development, under the terms of the Wisconsin Statutes; and

WHEREAS, the City intends and agrees to maximize population density in all new areas added to its boundaries before adding new lands; and

WHEREAS, the Town acknowledges the need for future growth and desires that such growth occur in an orderly and planned fashion adjacent to existing developments; and

WHEREAS, the City and the Town wish to memorialize their agreements concerning the above-referenced activities and to take further actions to embody such agreements jointly, cooperatively, promptly and in good faith;

NOW, THEREFORE, for good and valuable consideration the receipt and sufficient of which are hereby mutually acknowledged, the parties hereto do hereby agree as follows:

I. BOUNDARY ADJUSTMENT AREAS.

A. Phase One Changes: Upon the approval of this agreement, all lands lying west of the east eighth-section line of Section 30, Town 12 North, Range 7 East, and the extension of that line to the south until it intersects with the Baraboo River that are not currently a part of the City of Baraboo shall become part of the City of Baraboo. (This

area is identified on the map attached as Exhibit 1 "Boundary Agreement Acreage Phase 1".)

B. Phase Two Changes: After a minimum of ten years have passed from the date of approval of this agreement and upon attaining "Substantial Development" of the developable land of the area identified in paragraph I(A) all lands west of the east section line of Section 30, Town 12 North, Range 7 East, and the extension of that line to the south until it intersects with the Baraboo River may become part of the City of Baraboo. (This area is identified on the map attached as Exhibit 2 "Boundary Agreement Acreage Phase 2".)

C. Phase Three Changes: After a minimum of seven (7) years have passed from the date of the boundary adjustment described in paragraph I(B) above and upon Substantial Development of the developable land described in the above paragraphs I(A) and (B), all lands west of the west eighth-section line of Section 29, Town 12 North, Range 7 East (Rocky Point Road), and the extension of that line to the south until it intersects with the Baraboo River may become part of the City of Baraboo. (This area is identified on the map attached as Exhibit 3 "Boundary Agreement Acreage Phase 3".)

## II. CALCULATION OF SUBSTANTIAL DEVELOPMENT.

For purposes of this agreement, "Substantial Development" means:

A. At least seventy (70%) percent of the land identified as "Suitable For Development" on the attached Exhibits either (1) is a parcel in a subdivision dedicated for park use, stormwater management, or any other public purpose (approved by the City), or (2) meets all of the following criteria:

1. Is serviced by City water and sewer.
2. Is being used in conformance with the current zoning.
3. (i) Has a building upon it being utilized in conformance with the present zoning, or (ii) has a valid building permit issued by the City. Of land for which valid building permits have been issued, a maximum of twenty percent (20%) (of the seventy percent (70%)) will qualify for purposes of calculating Substantial Development.

B. Regardless of the total size of a particular land parcel, the maximum amount that will be considered developed for purposes of calculating Substantial Development shall be one (1) acre for a parcel that is used for residential purposes.

C. Regardless of the total size of a particular land parcel, the maximum amount that will be considered developed for purposes of calculating Substantial Development shall be 10 acres for a parcel that is used for industrial, commercial or business purposes, except that if the improvements to a parcel exceed 10 acres in area



(building, parking or other paved areas), then the actual size of the improvements shall be used in calculating Substantial Development.

D. The areas identified as "Currently Developed" on the maps attached as Exhibits 1, 2 and 3 shall be considered developed for purposes of calculating "Substantial Development. These areas total 4.47 acres in Phase 1 and 29.71 acres in Phase 2.

E. Developable Land.

1. Developable land is the land identified as "Suitable for Development" on the attached Exhibits. The area "Suitable for Development in Phase 1 totals 555.55 acres. The area "Suitable for Development" for Phases 1 and 2 totals 801.62 acres.

2. Area may be excluded from land identified as "Suitable for Development" if all of the owners state intent to keep the property undeveloped by executing the affidavit attached as Exhibit 4. In that event, the total acreage identified above as "Suitable for Development" shall be decreased by the applicable number of acres. In the event such land does develop, it shall be included back into the land "Suitable for Development".

### III. FUTURE BOUNDARY CHANGES.

A. If, as and when either the Town or the City believes that the conditions for a boundary change as set forth in Section I of this Agreement have been met, and the party desires that a boundary change occur, a resolution to that effect shall be enacted by the City or the Town and presented to the other. The other party shall then act upon the resolution within ninety (90) days by passing its own resolution either acknowledging that the conditions for boundary change have occurred, or in the alternative, passing a resolution disagreeing that the preconditions for a boundary change have taken place.

B. In the event that both parties pass resolutions acknowledging that the conditions for boundary change have occurred, the parties shall then take such steps as are required by the Wisconsin Statutes to move the boundary between the City and the Town as set forth herein.

C. Arbitration: In the event that one party passes a resolution disagreeing that the preconditions for a boundary change have taken place, the dispute between the parties shall be referred for arbitration of the dispute.

1. Upon a boundary change dispute having been referred for arbitration, the parties shall agree upon the identity of an arbitrator within thirty days of the date of the resolution challenging the boundary change conditions. If the parties are unable to agree as to an arbitrator, the parties shall request a list of three arbitrators practicing in Wisconsin from the American Arbitration Association (AAA). The City shall strike one arbitrator within one week of receipt of the list. Within one week of the

City striking an arbitrator from the list, the Town shall strike one name. The remaining arbitrator shall thereafter conduct the arbitration for the dispute, in accordance with AAA rules.

2. Unless extended by the arbitrator for good cause shown, arbitration hearings shall begin no later than sixty days after the selection of the arbitrator. Two days shall be allotted to the arbitration hearing, and the arbitrator shall determine how much of the hearing time shall be allocated to the direct and cross-examination of witnesses. The arbitrator shall allocate time equally amongst the parties.

3. The role of the arbitrator will be strictly limited to deciding the dispute. The arbitrator shall not serve as a mediator by trying to settle the dispute through settlement negotiations.

4. The arbitrator shall not be bound by common law or statutory rules of evidence, rather all testimony and evidence having reasonable probative value shall be admitted, but the arbitrator shall exclude immaterial, irrelevant, or unduly repetitious testimony or evidence.

5. The decision of the arbitrator shall be final and binding upon the parties as to the dispute. Nothing shall prohibit the parties from passing new resolutions regarding the conditions for a boundary change after an adverse arbitration decision upon a change in circumstances.

6. In the event that a dispute regarding the condition for a boundary change is brought before an arbitrator, the losing party shall be responsible for all costs and fees of the arbitrator.

#### IV. TAX REIMBURSEMENT.

A. The Town agrees to provide the City with assessed value and other related property information from the Town Assessor in accordance with section §66.0235(2)(a) of Wisconsin Statute for the area to be added in each boundary change.

B. Tax Reimbursement: §66.0217(14)(a)(1) provides for reimbursement of taxes lost through annexation to the municipality that lost territory. The City agrees to reimburse the Town for five (5) years of property taxes based on the value of land in the year of the boundary change, commencing January 1, 2009.

#### V. ANNEXATIONS AND PURCHASES PROHIBITED.

The City agrees that in exchange for the boundary changes as set forth in this agreement the City will not initiate, support or approve any annexation within the Town unless such annexation is specifically approved by a resolution of the Town. The City also agrees that in exchange for the boundary changes as set forth in this agreement, that the City will not purchase land within the Town, unless such purchase is specifically approved by resolution of the Town.

## VI. RESTRICTION OF DEVELOPMENT.

For such period as this Agreement remains in effect, the City and Town agree to limit future growth and development of the areas covered by this agreement to the land uses specified in their respective Comprehensive Plans as of the adoption of this agreement, except as jointly amended in the future. Maps delineating the types of development permitted by the Comprehensive Plan are incorporated as part of this agreement.

Areas designated on the maps attached as Exhibits 1, 2 and 3 as "Conservancy" and "Floodplain" shall remain undeveloped, unless the City and Town agree to the development of a specific parcel based upon an examination of the parcel, its topography and location, proposed use, and such other factors as may reasonably promote or inhibit development of the parcel.

## VII. PROHIBITED DEVELOPMENT AREAS.

No rezoning or development shall be allowed by the City of any lands for which an owner has filed a declaration of intent to keep land undeveloped as provided by section II.(E)2 herein within ten years of the date of the filing of such declaration.

## VIII. EXTRATERRITORIAL ZONING.

A. The City and the Town agree to the formation of a joint committee on extraterritorial zoning for the areas included in Phase 2 and 3 (the area identified on the maps attached as Exhibits 2 and 3 "Boundary Agreement Acreage Phase 2" and "Boundary Agreement Acreage Phase 3" identified on the maps attached. The parties agree to follow the procedures as set forth in §62.23(7a), Stats., for the creation and governance of the joint committee.

B. Until such time as a joint committee on extraterritorial zoning has been established, the Town shall not approve zoning changes or land divisions west of Line Three unless the following requirements have been met:

1. The City specifically approves of land division plats.
2. Land divisions provide for easements for public utilities, public roads, driveway access locations and design, and stormwater management in accordance with the standards determined by the Baraboo Ordinances.
3. New streets shall contain a minimum 66-foot right of way and design and construction are as required by the Baraboo Ordinances. Such streets shall also be placed in accordance with the City's official transportation map.

4. The property is designed to incorporate service by public water and public sanitary sewer systems and the eventual connection to the City's water and sewer systems.

C. The joint committee may also act as an advisory body to the City and Town on land use and zoning in the area covered by this agreement.

D. The joint committee will expire when all land subject to this agreement is a part of the City.

#### IX. UTILITIES SERVICE.

The parties agree that water and sewer utility services shall only be provided to areas becoming a part of the City based upon the then existing needs of the landowners balanced against the cost of providing such services, a consideration of any fiscal restraints then imposed upon the City, the general practice and procedures of the City for the expansion of water and sewer services, and the requirements of the City for relating to the construction of such utilities based upon the Baraboo Code of Ordinances.

#### X. COOPERATIVE PLAN.

A. This cooperative plan is consistent with the Town's Comprehensive Plan. The Town's Comprehensive Plan is attached as Exhibit 5. Goal 19 of the Town's Plan encourages a proactive intergovernmental relationship with the City and identified the objective of using cooperative planning and formal arrangements to address potential housing development opportunities and conflicts. The Town anticipated accomplishing this goal by developing a written cooperative agreement with the City to maximize location of new housing in or adjacent to the City. These goals and objectives are accomplished by this plan because the plan (1) protects environmentally sensitive areas while (2) requiring substantial development of the areas that may be developed before additional territory is transferred to the City. By identifying these areas for development, the Town is able to minimize development of its other agricultural land and natural areas. This agreement protects the areas identified as "Environmental Conservancy District" in the Town's Plan on Map 1-1.

In addition, the plan directs development so that it is adjacent to existing development in the City. This serves Goal 7 of the Town's Plan which is to preserve the Town's remaining agricultural land and agricultural businesses and encourage new production agriculture or habitat restoration and conservation. The objectives to carry out this goal include directing non-farm development to areas that will not create incompatible uses with surrounding farms, and will not leave remnants that are difficult to farm. The plan meets these objectives by encouraging and/or restricting development to the identified areas.

Furthermore, the plan meets Goal 9 of the Town's Plan which is to conserve and protect environmentally sensitive areas and irreplaceable resources. Such areas are identified on the maps attached as Exhibits and are not areas identified as "Suitable for

Development". Development is not allowed in these areas without specific approval from both the City and the Town.

This plan supports other Goals and Objectives set forth in the Town's plan not included here.

B. This cooperative plan is consistent with the City's Comprehensive Plan. The City's Comprehensive Plan is attached as Exhibit 6. Goals of the Comprehensive Plan include "work[ing] with neighboring municipalities to encourage an orderly, efficient land use pattern and to protect the natural environment of the area," and to "cooperatively secure long-range growth opportunities for Baraboo which will ensure the economic health of the community and result in a logical, efficient future land use pattern." *Comprehensive Plan*, Chapter IX. C. Objectives. The Comprehensive Plan further "encourages the City to consider entering into a formal intergovernmental agreement covering community development issues of mutual concern with ... the surrounding towns." *Comprehensive Plan*, Chapter IX. D. Intergovernmental Cooperation Recommendations. The Comprehensive Plan projects a moderate growth scenario with "an increase in 5,173 persons over the planning period. ... This would result in 2,220 new households. ... This results in the need for approximately 517 additional acres over the twenty year planning period ...to meet the anticipated demand for residential development." *Comprehensive Plan*, Chapter IV. A. 5. Land Use Projections. This Cooperative Agreement allows the City to meet its need for additional acres for residential development. The Comprehensive Plan has designated the areas subject to this Agreement as suitable for Planned Neighborhood Development, that includes single family, two family and mixed residential, with neighborhood office, neighborhood business, and parks and open space. *Comprehensive Plan*, Map 5a, Planned Land Use - City.

As this Agreement recognizes and designates Conservancy areas, it meets the City's Plan to "preserve environmental corridors and other key features." *Comprehensive Plan*, Chapter III. F. Natural Resources Recommendations. Such Conservancy areas overlap with and will serve to protect areas designated by the Plan as Endangered Species Sections. Wetlands, as distinct from Floodplain, are protected as well within the Conservancy areas, and therefore meet the Plan's goal of "Guid[ing] the location and design of urban development in order to prevent potential adverse impacts on the quality of ground and surface water." *Comprehensive Plan*, Chapter III. F. Natural Resources Recommendations.

This Agreement further supports other goals and objectives set forth in the City's Comprehensive Plan not specifically identified in these paragraphs.

C. The shape of the boundary changes proposed under this agreement are not the result of arbitrariness because the boundaries changes will incorporate territory adjacent to the City and existing development and include blocks of territory. The plan is compatible with the natural terrain, including general topography, major watersheds, soil conditions, major watersheds, the Baraboo River and the Baraboo Bluffs. Such areas are

excluded from development and are identified as "Conservancy" and "Floodplain" on the maps attached as Exhibits.

D. The boundary changes reflect due consideration for compactness of area. The agreement between the parties requires substantial development of the area transferred to the City before additional territory is transferred.

E. The Town will provide all services to the parcels that are within the Township. The City will provide all services to the parcels that are within the City. Both parties will continue to provide the same types of services to their respective territory as they did prior to the enactment of this agreement. No additional approvals are needed from any governmental authority. No schedule for delivery of the services is necessary, other than the statement set forth in Section VIII. As set forth in section II, no area will be considered developed for purposes of this agreement unless it is serviced by City water and sewer.

F. The plan is consistent with current state and federal laws, county shoreland zoning ordinances, municipal regulations and administrative rules. Neither the City nor the Town is aware of any federal or state law, county ordinance, municipal regulation or administrative rule that would be violated by the terms of this agreement.

G. While this Agreement is in full force and effect, it shall create binding obligations upon the parties hereto. The City and Town shall prepare, process and receive approval of a Cooperative Plan submitted to the Wisconsin Department of Administration pursuant to §66.0307, Stats. The parties shall promptly, diligently, and in good faith, prepare all necessary documents for submission to the Department of Administration to receive such approval of the Cooperative Plan, and shall share equally in any costs incurred in obtaining the approval of the plan, except that each party shall be responsible for their own legal or consulting costs, the costs associated with their own governmental action, and their own costs relating to the publication of legal notices.

H. In the event the Cooperative Plan is not initially approved, the parties shall take whatever steps are reasonably necessary to achieve approval in a timely manner. In addition, this Agreement shall continue for an indefinite term and may not be terminated unless and until a Cooperative Plan is approved.

I. In the event that the Department of Administration determines that it cannot approve this Cooperative Plan under any set of circumstances, then this Agreement shall be void and both the City and the Town are relieved of any obligation to abide by any of the provisions as set forth herein.

XI. NO THIRD PARTY BENEFICIARY.

This Agreement is intended to be solely between the City and the Town. Nothing in this Agreement accords any third party any legal or equitable rights whatsoever which may be enforced against either the City or the Town.

breach or violation shall only be redressed, enjoined or otherwise remedied by specific performance.

XV. EXTRATERRITORIAL PLAT REVIEW JURISDICTION.

Nothing in this agreement shall be construed as a waiver of its extraterritorial plat review jurisdiction as set forth in Chapter 236, Wisconsin Statutes. It is specifically agreed and understood that the establishment of a joint committee on extraterritorial zoning shall not act to abrogate the extraterritorial plat review jurisdiction of the City. Further, the Town agrees that any land divisions west of Line Three, over which the Town has jurisdiction, shall be subject to the conditions for approval as set forth in Section VII herein.

XVI. AMENDMENT.

This Agreement may be amended by mutual Agreement approved by the governing bodies of both parties subject to the requirements of law.

XVII. COMPLETE AGREEMENT.

This Agreement represents the entire integrated agreement between the parties and supersedes all prior negotiations, representations or agreements, either written or oral; provided, however, that all approvals for matters otherwise subject to this Agreement which were given prior to the date hereof shall remain in full force and effect; provided further, however, that such approvals do not frustrate the material terms of this Agreement.

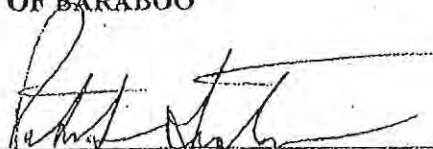
XVIII. PERFORMANCE STANDARD.

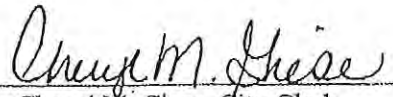
This Agreement requires the parties to act or to refrain from acting on number of matters. The parties hereby acknowledge that this Agreement imposes on them a duty of good faith and fair dealing and that each party will promptly and cooperatively perform its obligations hereunder.

IN WITNESS WHEREOF, the parties have caused the execution of this Agreement by their duly authorized officers as of the date opposite their name.

Dated: March 13, 2008.

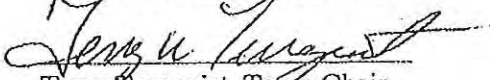
CITY OF BARABOO

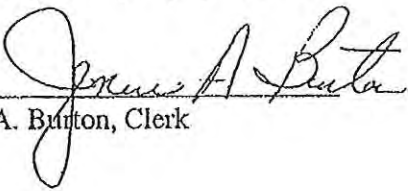
  
By: Patrick J. Eiston, Mayor

  
By: Cheryl M. Giese, City Clerk

Dated: 3-11-\_\_\_\_\_, 2008.

TOWN OF GREENFIELD

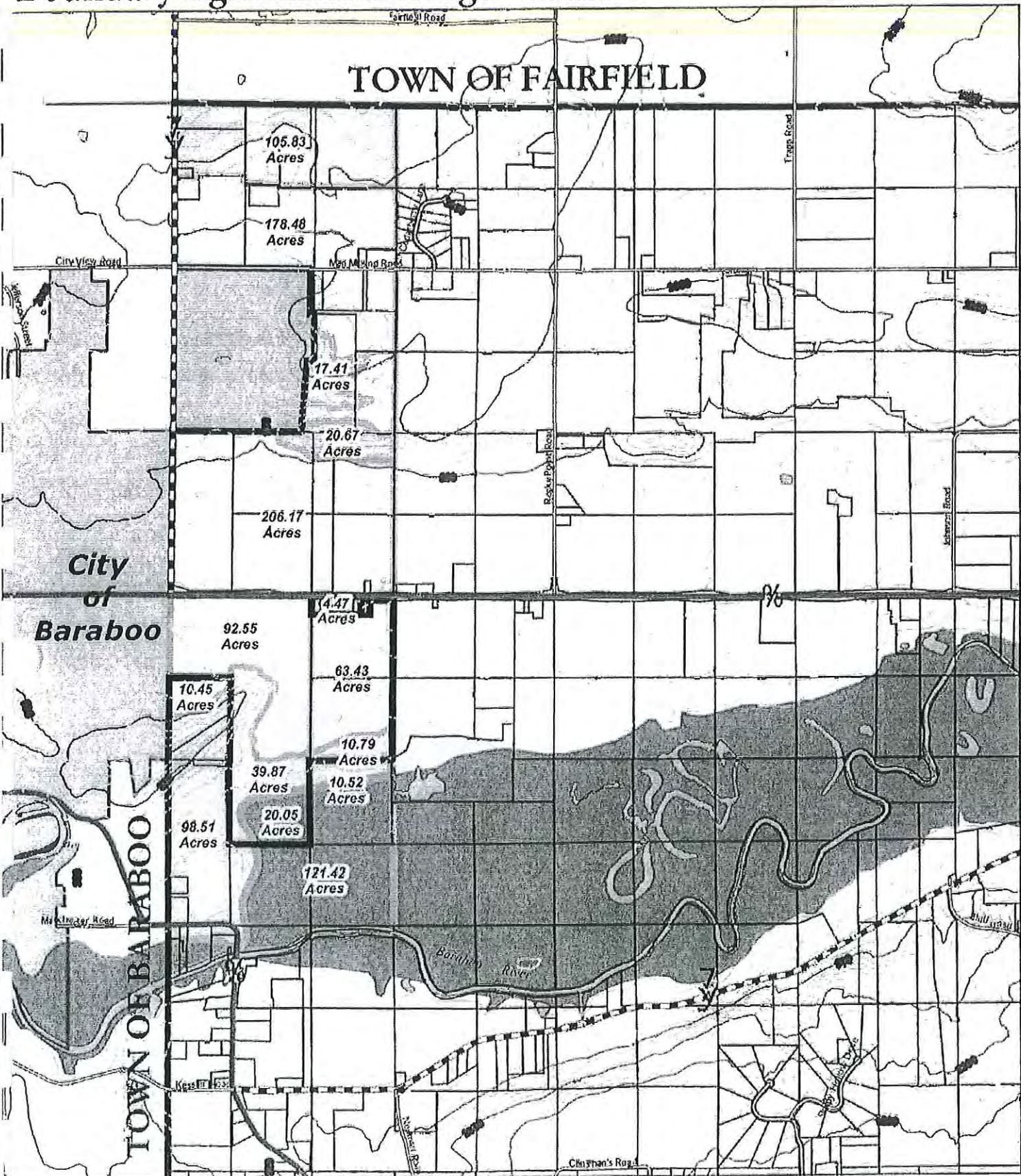
  
Terry Turnquist, Town Chair

Attest:   
Jeneane A. Burton, Clerk



# Boundary Agreement Acreage Phase 1

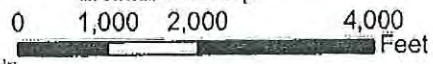
-03/03/08



## Legend

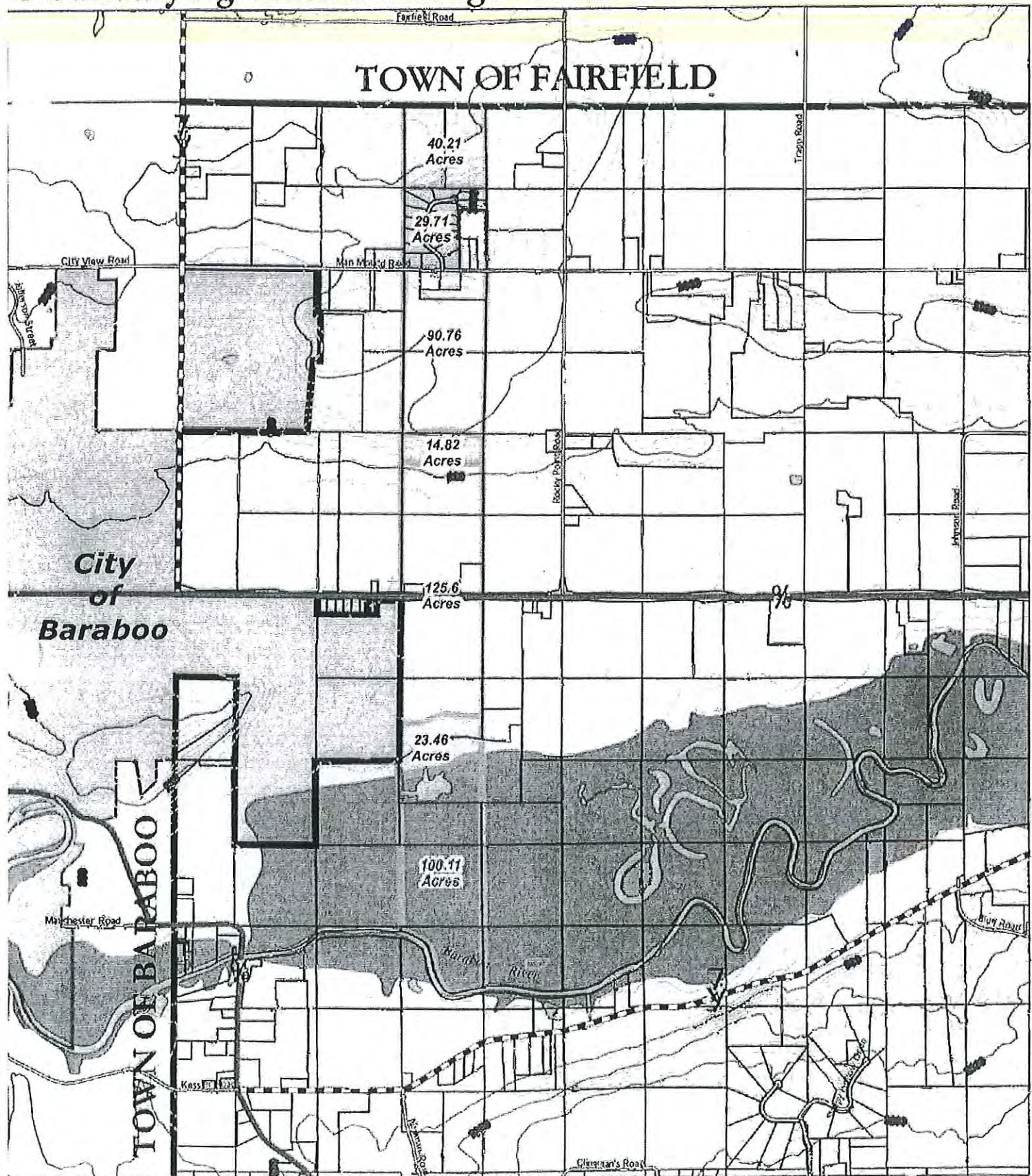
- Suitable For Development
- Conservancy
- Floodplain
- Currently Developed
- Major Contour Line
- Minor Contour Line
- FEMA 100 Year Floodplain

NOTE:  
This map is not approved by FEMA.  
To make a floodplain determination, consult  
an official FEMA map.



# Boundary Agreement Acreage Phase 2

-03/03/08



## Legend

- Suitable For Development
- Conservancy
- Floodplain
- Currently Developed
- Major Contour Line
- Minor Contour Line
- FEMA 100 Year Floodplain

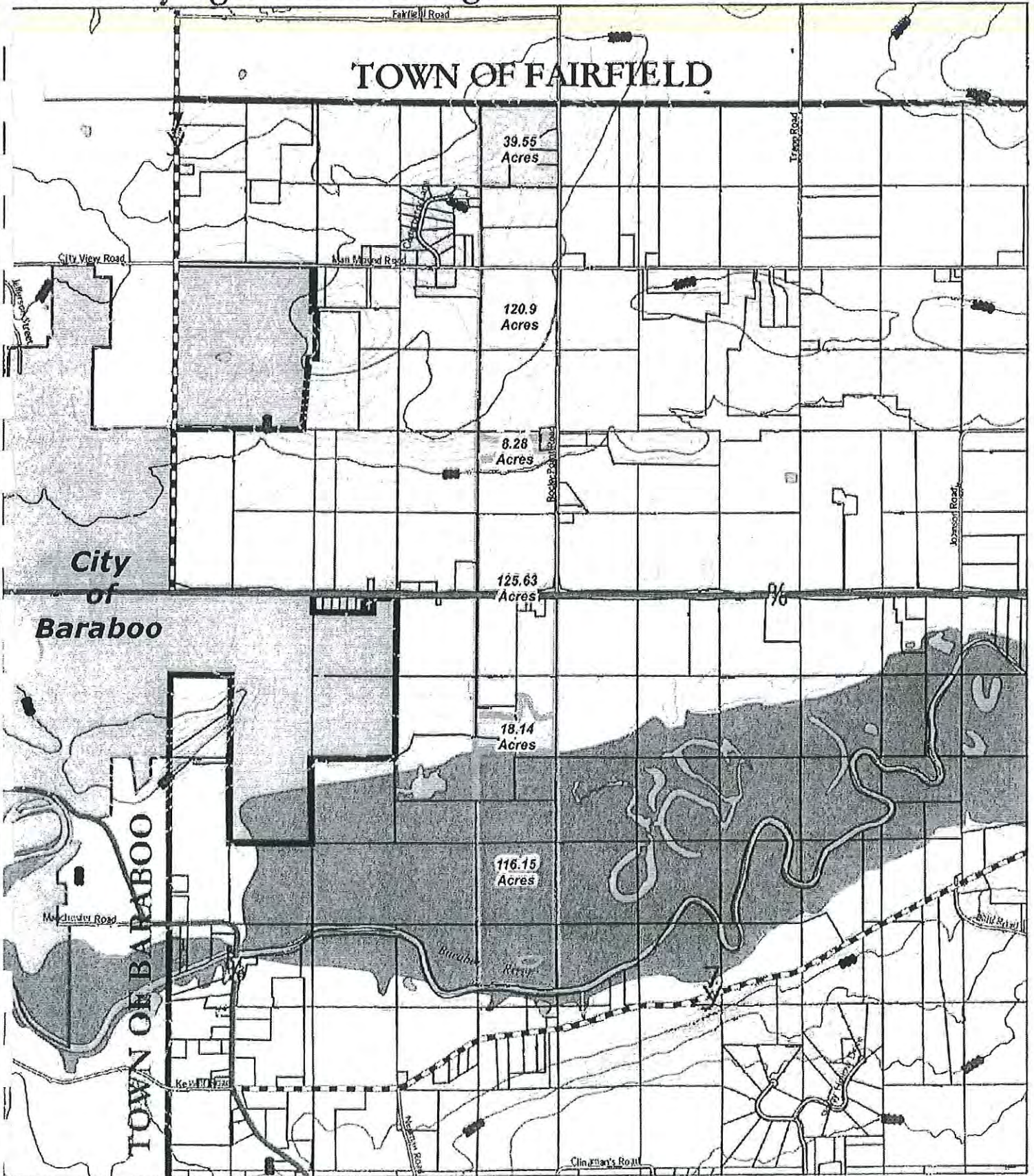
NOTE:  
This map is not approved by FEMA.  
To make a floodplain determination, consult  
an official FEMA map.

0 1,000 2,000 4,000 Feet



# Boundary Agreement Acreage Phase 3

-03/03/08



## Legend

- Suitable For Development
- Conservancy
- Floodplain
- Currently Developed
- Major Contour Line
- Minor Contour Line
- FEMA 100 Year Floodplain

NOTE:  
This map is not approved by FEMA.  
To make a floodplain determination, consult  
an official FEMA map.



## SECOND ADDENDUM

This Second Addendum to the Cooperative Plan and Agreement ("Agreement") is made by and among the City of Baraboo ("City") and the Town of Greenfield ("Town"). The purpose of the Second Addendum is to set forth a procedure for effecting the future boundary changes contemplated by the Agreement (*see section III(B) on page 3 of the Agreement "the parties shall then take such steps as are required by the Wisconsin Statutes to move the boundary between the City and the Town as set forth herein"*). This Second Addendum shall not change or modify any provision of the Agreement.

The procedure for moving the boundary shall be as follows:

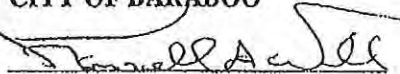
1. Both parties pass resolutions acknowledging that the conditions for boundary change have occurred.
2. Within 60 days of the adoption of the City or Town's resolution acknowledging that the conditions for change have occurred, whichever is later, both parties shall execute separate ordinances changing the boundary.
3. The boundary change shall be effective on the day following the date the last boundary ordinance is executed.
4. Notice of the boundary change shall be given in writing, within 30 days after it is adopted, pursuant to s. 66.0307(10), Wis. Stats.


Failure to strictly comply with these procedures shall not render the boundary change ineffective.

This Second Addendum replaces the previous Addendum executed by the City of Baraboo and the Town of Greenfield.

Dated: July 9, 2008.

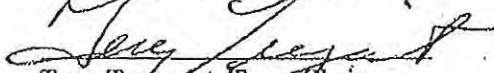
**CITY OF BARABOO**

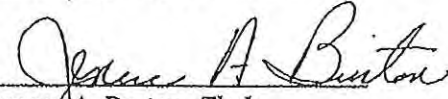
  
By: Russell Will, Mayor

  
By: Cheryl M. Giese, City Clerk

Dated: 7-8, 2008.

**TOWN OF GREENFIELD**

  
Terry Turnquist, Town Chair

Attest:   
Jeneane A. Burton, Clerk

**APPENDIX H**  
**2002 SSAP Acknowledgment Page**

## ACKNOWLEDGMENTS

The following individuals participated in the creation and adoption of the City of Baraboo's Sewer Service Area Plan in 2002:

### CITY OF BARABOO STAFF

Karl Frantz, City Administrator  
Chuck Bongard, City Engineer  
Terry Kramer, Utilities Director  
Jeff Mann, GIS Specialist

### ADVISORY COMMITTEE FOR THE BARABOO SANITARY SEWER SERVICE AREA PLAN

Scott Alexander, President, Village of West Baraboo  
David Dix, Baraboo Sanitary District  
Karl Frantz, Administrator, City of Baraboo  
Darlene Hill, Chair, Town of Baraboo  
Lance Gurney, Director, Sauk County Planning and Zoning  
Chuck Bongard, City Engineer, City of Baraboo  
Eugene Larson, Chair, Town of Fairfield  
Terry Turnquist, Chair, Town of Greenfield

### CITY OF BARABOO MAYOR AND COMMON COUNCIL

Dean Steinhorst, Mayor	
Michael Cone, Council Member	John Meegan, Council Member
Patrick Liston, Council Member	Carey Otis, Council Member
Betty Marquardt, Council Member	Brett Topham, Council Member
Jerry McCammond, Council Member	Phil Wedekind, Council Member
Sean McNevin, Council Member	

### VILLAGE OF WEST BARABOO PRESIDENT AND TRUSTEES

Scott Alexander, Mayor	
James Bowers, Village Trustee	Ray Getschman, Village Trustee
Elgin Bulin, Village Trustee	James Marena, Village Trustee
Gene Fenske, Village Trustee	Terry Spencer, Village Trustee

### CITY OF BARABOO CITY PLAN COMMISSION

Dean Steinhorst, Chair	
Robert Janke	Olaf Kivioja
Nancy Nelson	Gretchen Viney
Greg Wise	

### CITY OF BARABOO UTILITY COMMISSION

Dean Steinhorst, Chair	
William Hommel	Mike Cone
Rick Capener	Bob Janke

### WDNR STAFF

Margie Devereaux, South Central Water Leader  
Andy Morton, Lower Wisconsin Basin Subteam Leader  
Lisa Helmuth, Sewer Service Area Plan Coordinator

**APPENDIX I**

**2002 Advisory Committee Correspondence**



A series of public meetings have been held over the past nine months to define and shape the plan. These meetings were held at City hall on the following dates:

- |                    |   |
|--------------------|---|
| October 7, 1999:   | Informational project kick-off meeting<br>General discussion of topics <ul style="list-style-type: none"><li>• Introduction</li><li>• Purpose of Study</li><li>• Background Information</li></ul>   |
| December 9, 2000:  | General discussion of topics <ul style="list-style-type: none"><li>• Overview and Background Information</li><li>• Goals, Objectives and Policies</li><li>• Population Growth Trends</li></ul>  |
| June 26, 2000:     | General discussion of topics <ul style="list-style-type: none"><li>• Goals, Objectives and Policies</li><li>• Maps</li><li>• Local Issues</li></ul>   |
| July 17, 2000:     | General discussion of topics <ul style="list-style-type: none"><li>• Purpose of Plan</li><li>• Relation to other Plans</li><li>• Sewerage System Capacity</li></ul>   |
| August 9, 2000:    | General discussion of topics <ul style="list-style-type: none"><li>• Identification and Discussion of Initial Draft</li><li>• Environmentally Sensitive Areas</li><li>• Year 2020 Sanitary Service Area</li><li>• Public Participation and Implementation</li></ul> |
| September 6, 2000: | General discussion of topics <ul style="list-style-type: none"><li>• Storm Water Drainage Basins</li></ul>  |
| September 7, 2000: | General discussion of topics <ul style="list-style-type: none"><li>• Review of Draft</li></ul>  |
| January 9, 2003    | Review of revised draft   |
| December 17, 2003  | Plan Commission Meeting <ul style="list-style-type: none"><li>• Summary of Advisory Committee comments and responses</li></ul>  |
| February 17, 2004  | Utility/Plan Commission Meeting   |

# Planning & Zoning Department

Lance J. Gurney, Director

Telephone (608) 355-3285/Fax (608) 355-4440 505 Broadway, Baraboo, WI 53913



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## MEMORANDUM

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DATE: February 4, 2003

TO: City of Baraboo Sewer Service Plan Advisory Committee  
Karl Franz, City Administrator, City of Baraboo  
Scott Alexander, President, Village of West Baraboo  
David Dix, Baraboo Sanitary District  
Darlene Hill, Chair, Town of Baraboo  
Chuck Bongard, City Engineer, City of Baraboo  
Eugene Larsen, Chair, Town of Fairfield  
Terry Turnquist, Chair, Town of Greenfield

CC: Lisa Helmuth, Bureau of Watershed Management, WisDNR

FROM: Lance J. Gurney, Director

RE: Specific comments from review of Draft Baraboo Sewer Service Area Plan

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This memo is being forwarded to all parties to express the specific concerns or issues identified by the Sauk County Planning and Zoning Department relating to the proposed Baraboo Sewer Service Area Plan as a follow up to the Sewer Service Plan Advisory Committee (SSPAC) meeting held on January 9, 2003. Again, these comments are offered as constructive criticisms to aid in the development of an area-wide sewer service area plan that will benefit the citizens and promote the orderly development of the Baraboo area for years to come. Thank you for the opportunity to provide input into this extremely important planning process.

**1. Link to other completed plans.** On Pages 8 and 9 of the draft document, reference is made to existing community plans including the City of Baraboo, the Village of West Baraboo, Sauk County, Town of Greenfield, Town of Fairfield and the Town of Baraboo. Additionally, a zoning map is provided as Figure 3-3 for the City of Baraboo. The Sauk County Planning and Zoning office would recommend that all communities plans be mapped collectively to allow individuals an opportunity to identify common plan elements as well as potential conflict areas. The suggestion here would be to include a "regional zoning map" indicating existing zoning designations of each of the previously mentioned jurisdictions as well as a "planned use map" to depict future land use designations as desired by each community rather than including as Appendix D.

Steve Sorenson, Assistant Zoning Administrator  
Brian Cunningham, Zoning & Environmental Specialist

Gina Templin, Administrative Asst.  
Jim Hanson, Zoning & Environmental Specialist  
Brian Simmert, Planner/GIS Specialist

Mary White, Administrative Asst.  
Dave Lorenz, Zoning & Environmental Specialist  
David Tremble, Land Preservation Specialist/Planner

**2. Growth projections. Population and land use both.**

*A. Residential.* Population projections are based solely on one method. Should consider using a linear growth rate or some other method to verify projections and give more merit. Have the estimates provided through the USH 12 Local Planning Assistance Project been considered?

*B. Land Use projection on page 19.* Land use acreage estimates for residential are based on population projections using historical data. However, the projections for Commercial and Industrial development are based solely on "recent trends". This is not an apples to apples comparison. What are recent trends? Why isn't the same historical data used here? Does it make sense to base commercial and industrial growth projections on the 90's boom? Is it realistic that this boom will continue? Truly "recent trends" would imply minimal growth since 9/11 and the slow down in the industrial sector. Also, it doesn't provide adequate consideration to redevelopment opportunities in the region. We also have questions pertaining to densities used to ascertain the land use acreage projections. Even if street right-of-ways are included, the current development pattern is roughly 14,000 sf lots on average. Additionally, if streets are included in this density, then it appears that acreage for streets is included twice within the document based on the projections included on Page 29. Is the City considering adoption of a Traditional Neighborhood Design Ordinance? Even if it is not required as of yet, it is a progressive land use practice. Finally, what is the average density of commercial and industrial development? What is the projected density. It seems that a formula comparing number of square feet of commercial and industrial development to acreage used for development can provide some needed explanation to the land use projections included on pages 27-30. This area needs additional work and consistency!

**3. Sewage System Capacity.** Is the Village and the Sanitary District content with the growth projections in their respective flows. On Page 33, the plan states "the Town of Baraboo Sanitary District #1 is expecting minimal population growth.." This statement is supported by Table 4-2 which depicts an anticipated growth in new connections between 2002 and 2022 at approximately 20. This is simply not realistic. In February 2002, the Preliminary Plat for the First Addition to Glacier View was approved for 15 new lots. The Final Plat will be approved in 2003. In addition, a new 7-lot subdivision is currently being proposed near the corner of STH 123 and Gall Road. This already exceeds the growth projected for the Sanitary District. Based on the fact that the sanitary agreement provides capacity "equal to 57,821 gallons per day", it would seem reasonable to assume that the capacity may be met in the next twenty (20) years, or at least 50% of it.

Pages 31 through 42 of the Plan pertain primarily to the existing system and projected growths. However, no utility maps are provided depicting the infrastructure. Why not? Normally, one could pick up a copy of a community's Sewer Service Area Plan and be able to obtain information relating to the infrastructure by looking at an existing utilities map. A map should be provided in the plan which depicts the locations of plant and infrastructure which would include the plant (with related infrastructure), mains (including sizes), lift stations (including volume capacities), pressurized lines, etc. Also, what is the age of the facilities? What are their respective life expectancies? What condition are the components of the system in?

4. **Prime Agricultural Lands.** Prime agricultural lands are represented in Figures 6-4 and 7-1 as areas where "development is discouraged". How does the City plan on discouraging development in these areas? On Page 61, the Draft Plan states "lands that are discouraged from development are available for development if a compelling reason can be given." What exactly is meant by "compelling reason"? What about the City's agreement relating to the "bowl"? Chapter 91 of the Wisconsin State Stats provides specific criteria that need to be met to rezone properties from exclusive ag zoning to another zoning designation. Is the City of Baraboo willing to use those same criteria in determining whether or not to allow development on agricultural preservation areas and to do so as a last resort? The reason I ask this is that the lands along USH 12 to the south of the City are generally regarded as being the best agricultural lands in all of Sauk County based on soil types and productivity. It would be a great loss to Sauk County and Wisconsin to lose this land from productivity for the sake of developing a new big box center or some other commercial or industrial operation that could be situated in other areas. Where does the Baraboo Range Protection Program fit into this Plan? Is it intended to encourage, discourage, control or prohibit development in the Range? Would the Range be classified as an Environmentally Sensitive Area? The statement on the top of page 58 would lead me to believe that it would. "Development of lands having slopes of at least 12 percent but less than 20 percent, which are proximal to streams or other environmental features, should also be considered for designation as environmentally sensitive areas and excluded from development." I would like to see the summary on Page 63 include references to the Baraboo Range. Based on input received during the USH 12 Local Planning Assistance Project, it appears that additional development north of Baraboo is supported by the general public rather than to the south. This should be considered in future development proposals, and not based solely on whether or not a lift station would be required. In the end, if we are talking about millions of dollars of new development locating in a community, a lift station that cost around \$100,000 should not be considered a deterrent. This cost is recognizable, but determining the costs associated with losing the best agricultural land in all of Sauk County would be much more difficult and this loss would certainly have a greater impact than the costs of a lift station. Lets be realistic here. Infill seems realistic between CTH A and USH 12. This can be accomplished while preserving the remaining portion of the North Range of the Baraboo Bluffs.

5. **Implementation.** A remediation program should be designed to correct existing conditions which adversely impact downstream water quality, natural resource areas, and the community's quality of life. In addition, the adoption of a Traditional Neighborhood Design ordinance should be considered by the City of Baraboo to promote development at higher densities. Wasteful land use is the problem, not growth itself! Also, the City should look for opportunities to redevelop blighted areas like Water Street, promoting opportunities for mixed uses like lower level commercial and upper level residential developments. A comparable project is nearing completion in Prairie du Sac on Water Street.

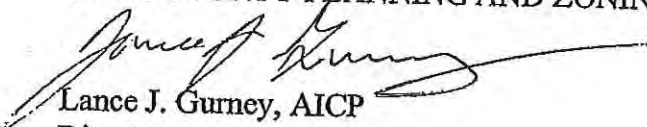
Overall, the Plan needs a little more work. The issues enumerated above are areas within the plan that we feel need to have additional consideration and incorporation into the SSAP. Please do not sacrifice utility and completeness of the Plan for timeliness. I believe the DNR would also agree

with this stance. When completed, the Plan should be held as an asset to provide guidance when making land use decisions and not merely a document prepared to satisfy a State requirement. This planning process can also be used as a launching board to begin regional discussions and efforts related to the preparation of comprehensive plans for the City of Baraboo and surrounding communities.

This memo is a follow-up to the memo dated January 6, 2003 from this office including initial comments by the Sauk County Planning and Zoning Department relating to the draft Baraboo Sewer Service Area Plan. We appreciate the opportunity to provide input and questions into this planning process. If you have any additional questions or concerns, please feel free to contact me at your convenience at 355-3285, ext 3430.

Respectfully Yours,

SAUK COUNTY PLANNING AND ZONING DEPARTMENT



Lance J. Gurney, AICP  
Director

TERRY TURNQUIST

---

Chairman, Town of Greenfield  
S 5385 Bluff Road  
Baraboo WI 53913  
608-355-0668

February 11, 2003

Mr. Karl Frantz  
City of Baraboo  
135 4<sup>th</sup> Street  
Baraboo WI 53913

Mr. Frantz,

Enclosed is the official Town of Greenfield response to the proposed city of Baraboo's Sanitary Sewer Service Area Plan.

During the town's discussion of the Sewer Service Area Plan, it became evident the town felt it was not at all part of the development phase of this plan. To my knowledge, no one from the town of Greenfield ever sat down with any representative of the city of Baraboo or MSA Professional Services to discuss or give any input to this plan until the city asked the town to look at the final draft on Jan. 9, 2003. The town of Greenfield originally understood the Wisconsin Department of Natural Resources requires the towns surrounding a city to participate in the planning phase of a sewer service area plan. Having noted that, the town of Greenfield hopes in the future, the city of Baraboo will make all efforts to include its neighboring towns in any plans that may impact these towns.

It is the town of Greenfield's feeling that the Sewer Service Area Plan will drive development in places where it should *not* go, and therefore the Sewer Plan should have been done after completing the comprehensive Smart Growth Plan for the Baraboo area. It seems as if we are doing things in the wrong sequence. Meantime, the town of Greenfield hopes the city of Baraboo will first continue to develop the rest of its vacant land within its current city limits using space-efficient, pedestrian-friendly and smart-growth techniques.

I also hope our municipalities can work together as equals in the Smart Growth planning phase, upon which we will soon embark. If you have any questions, please feel free to contact me. Thank you.

Sincerely,

  
Terry Turnquist

cc: Andy Morton, Wisconsin Department of Natural Resources

**Town of Greenfield, Sauk County, Wisconsin**  
**Plan Commission**  
**Review and Recommendation**

Reviewed: Jan. 16, 2003

For: City of Baraboo's Sanitary Sewer Service Area Plan, Project No. 350201, dated October 2002

**Town of Greenfield Plan Commission Recommendation:**

The Plan Commission met Thursday, Jan. 16, 2003 to review the city of Baraboo's Sanitary Sewer Service Area Plan and compared it with the Town of Greenfield's Land Use Plan.

The Town of Greenfield Plan Commission recommends, upon a motion made by Terry Turnquist and seconded by Will Clark:

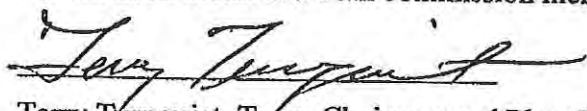
The city of Baraboo move all of the proposed sewer service area in the town of Greenfield, except the rectangle which is surrounded by city land along highway T, to the highway 12 corridor northwest of the city because the Town of Greenfield Land Use Plan states to protect class I, II and III soils according to the Sauk County Soil Survey as established by the United States Department of Agriculture Soil Conservation Service, and almost 100 percent of the soil in the proposed sewer service area in the Town of Greenfield contains class II and III soils. In contrast, the soil northwest of the city, in and along the highway 12 development corridor, is lesser quality agricultural land, mainly class VI and VII soil and is less desirable for agricultural purposes because of its soil type.

Additionally, the Town of Greenfield Plan Commission recommends the city of Baraboo move all of the proposed sewer service area in the town of Greenfield because the Town of Greenfield Land Use Plan also calls to protect scenic vistas, which the proposed sewer service area in the Town of Greenfield includes, and because the highway 12 development corridor is already being developed, and highway 12 north to I-94 is already supporting traffic servicing business and industry and is better equipped to handle development.

The motion passed unanimously 4-0 with one member absent.

Respectfully submitted to the city of Baraboo,

Terry Turnquist, plan commission chairman and town board chairman; Will Clark plan commission member and town board supervisor; and Fred Coller and Nichelle Martin, plan commission members. Plan commission member David Wernecke was absent.



Terry Turnquist, Town Chairman and Plan Commission Chairman

**VILLAGE OF WEST BARABOO**

500 Cedar Street  
Baraboo, WI 53913  
608-356-2516  
FAX: 608-356-2441  
E-mail: vilwestboo@baraboo.com

Mr. Karl Frantz, Administrator  
City of Baraboo  
135 Fourth Street  
Baraboo, WI 53913

RE: Sanitary sewer service area plan for the City of Baraboo, Sauk Co., Wisconsin  
Dated October 2002

Dear Karl:

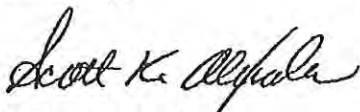
The Village of West Baraboo Plan Commission and the Village of West Baraboo Board have recently had the opportunity to review the above referenced Plan.

We feel that the planned sanitary sewer growth areas as identified in Figure 1-1 do not accurately address the immediate and future needs for sanitary sewer in areas adjacent to the Village. The enclosed map identifies parcels of land outside the current Village Limits that have a high probability for development within the next twenty years and therefore, will need sewer services. Also included is a listing of the parcels and the reasons we feel their inclusion is essential.

The Village Plan Commission and Board would recommend that these parcels be included in the areas of planned sanitary sewer service. We would ask that the City of Baraboo consider this recommendation and amend the plan accordingly.

Thank you for your consideration in this matter.

Sincerely,



Scott Alexander  
President, Village of West Baraboo



Chris Nielsen  
Chairman, Planning Commission

Enclosures

cc: Village of West Baraboo Plan Commissioners  
Village of West Baraboo Board  
Advisory Committee for the Baraboo Sanitary Sewer Service Area Plan



Recommended Amendments to the Sanitary Sewer Service Area Plan for the City of Baraboo, Sauk County, Wisconsin, dated October 2002.

<u>Property Number</u>	<u>Tax Parcel Number</u>	<u>Basis for Inclusion in the Plan</u>
1.	0852	The property owner has appeared before the Village Board several times to discuss annexation and development. Sewer and water currently cross the property on an easement (see also Note 1).
2.	0844	The property owner has appeared before the Plan Commission and Village Board several times with preliminary plans for development of the parcel (see also Note 1).
3.	0851	One of the property owners has expressed interest in future development of the parcel. The parcel has village water adjacent to the southeast, east, and northeast property lines (see also Note 1).
4.	0853	The parcel has been recently donated to UW-Sauk County. The Friends of the Campus organization has expressed interest in development of this parcel as student housing. <u>Note:</u> This parcel is likely to be annexed to the City of Baraboo.
5.	0830-1	The Village is in the design phase for sewer and water extensions that will potentially cross this property on an easement. It is likely that the property owner will desire to develop this parcel at a future date within the next 20 years.
6.	0831	The sewer and water extensions will be installed adjacent to this parcel. Development is likely to occur within the next 20 years.
7.	0828	The sewer and water extensions will be installed adjacent to these parcels. Redevelopment may occur within the next 20 years.
8.	0829	
9.	0994	These parcels were identified in a 1996 West Baraboo Sewer Area Study as in a potential service area for a future lift station.
10.	1003	
11.	1001	
12.	1002	
13.	0996	
14.	0995	

NOTE 1: These areas were identified in the West Baraboo Comprehensive Plan, Rev. 1998 as areas of likely development.



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USH 12

VILLAGE OF WEST BARABOO

Town of Baraboo Sanitary District #1  
P.O. Box 176  
Baraboo, WI 53913

February 12, 2003

Gil Hantzsch  
MSA Professional Services Inc.  
1230 South Boulevard  
Baraboo, WI 53913

RE: Sewer Service Area Plan

Dear Mr. Hantzsch:

The Baraboo Sanitary District #1 supports the development of an area sewer service plan that is designed to protect ground water and promote orderly development of sewer service. It has been the goal of the Baraboo Sanitary District to develop such a plan just outside of the city in the Town of Baraboo since 1971. With the development of the Baraboo Sanitary District, Devils Lake was connected to the City of Baraboo in an effort to protect one of nature's most beautiful creations.

The Baraboo Sanitary District #1 faces many of the same challenges that the City of Baraboo faces in projecting needs over the next 20 years. Specifically, the Baraboo Sanitary District was created with 687.87 acres for residential and commercial development. Due to annexation by the City of Baraboo and land purchased by Devils Lake, the area of the district has been reduced by about twenty-six percent (26%). (See attached diagram.) The purpose of this letter is not to complain about the encroachment on the project. Decisions were made that were in the best interest of the City of Baraboo and Devils Lake. The Baraboo Sanitary District does not contest the appropriateness of the decisions. However, the loss of acreage poses problems for the viability of the project. Expected revenue from these lost parcels puts greater financial burden on the remaining parcels in the project. Expansion of existing sewer lines is expensive. This again adds to the financial burden of the parcels within the district.

The Baraboo Sanitary District #1 believes the area sewer plan can and should include the ability of the Baraboo Sanitary District to recover the lost acres. Additional adjoining land could be put into the district as compensation for annexations by the City of Baraboo totaling about 175.9 acres. These annexations occurred on the following dates:

1. December 5, 1985 – recorded Reel 411, Image 530
2. December 30, 1991 – recorded Document No. 558785
3. August 3, 1994 – recorded Document No. 605658
4. January 16, 2001 – recorded Document No. 740446

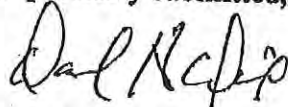
In addition to the financial burden caused by the annexed parcels to the City of Baraboo, two related problems exist. First, the lines drawn by the original boundaries make portions of certain parcels unusable. The original boundaries often leave a portion outside the district and in the

Town of Baraboo that is governed by the 20-acre minimum for residential construction. If the balance of a parcel could be brought into the district, that unusable property could be sold and developed. In most cases, the parcel within the original boundary has a sewer line or projected sewer line that could accommodate, without significant burden, the additional portion of the parcel outside the district.

Secondly, there are parcels of land just outside the district that have requested a sewer line and wish to be included in the current and future expansions of sewer lines. These parcels would be a logical extension of the sewer lines and a substantial cost saving to existing parcels within the district that is scheduled for a new sewer line.

The Baraboo Sanitary District is not marketing or encouraging high-density development. Some day, high-density development may occur in portions of the district. The past history demonstrates the City of Baraboo may annex the high-density development areas. In order to keep the district viable, there is a need to replace the lost acres and avoid hardships to remaining district parcel owners. If the City of Baraboo can justify expansion into surrounding townships and into the Baraboo Sanitary District, then the Baraboo Sanitary District can justify replacing the acres lost to the City.

Respectfully submitted,



David Dix, Chairman

Enclosure: Diagram

cc: Scott Alexander w/enc  
Chuck Bongard w/enc  
Karl Frantz w/enc  
Lance Gurney w/enc  
Darlene Hill w/enc  
Eugene Larsen w/enc  
Terry Turnquist w/enc  
Robert Janke w/enc  
Olaf Kivioja w/enc  
Nancy Nelson w/enc  
Gretchen Viney w/enc  
Greg Wise w/enc  
Andy Morton w/enc



Karl Franz

2-18-03

City Administrator/City of Baraboo

Dear Karl,

The Town of Baraboo Board met to discuss the proposed Municipal Sewer Service Area plan for the City of Baraboo. We wish to convey our concerns regarding the proposal, which we believe must be addressed prior to its finalization by City of Baraboo officials.

Specifically, the concerns are as follows:

- Lack of inclusion in the planning process by the City of municipalities affected by the proposed sewer service area;
- Justification for the acreage required by the plan, specifically with regards to the lot size used in calculating growth requirements and without apparent regard for state Smart Growth neighborhood housing ordinances;
- Appearance of conflicts between the Town's land use plan and the City's intended expansion, as well as apparent disrespect by the City for the land use plans of all surrounding municipalities;
- The selection of specific lands for inclusion into the MSSA and inconsistencies in how, where or why those lands were selected, specifically when there are obvious irregular selections that create islands of town land rather than contiguous growth as supposed by the Town's land use plan;
- A process by which the plan will be amended in the future;
- Past City actions that conflict with the Town's land use plan and its legal right to govern its area and all contained within that area;
- Lack of encouragement for compact development;
- Loss of tax base/revenue to the affected municipalities surrounding the City;
- Loss of Town Sanitary Sewer Service District #1 area acreage and an unresponsive stance taken by City officials in discussing with the Town restoration of this acreage;
- Discussions about the potential creation of a second Town SSD; and
- Unfair Burden to the Town of Baraboo to absorb the City's growth.

2B?  
Section II

Town #1

There has been a lack of presence in the planning process that the city has undertaken in developing the MSSA plan. For about six months in 2000, the county headed up initial efforts by the City to develop it's MSSA. Even during those efforts, the City had to be continually reminded to notify the Town SSD. >From 2000 until the finished plan and vision were presented over the holiday period at the end of 2002, the City failed to pull in affected towns and/or other affected government bodies. Although earlier involvement by the affected municipalities would not have been a guarantee for success, a lot of the issues that are now being addressed might have been avoided, or at least the number of

issues may have been greatly reduced, had the City been more proactive in involving the many voices represented by affected governmental bodies.

<sup>Section II - C 2.</sup>  
Justification of the numbers used to calculate the total acreage needed for the MSSA would be beneficial to the affected municipalities when presented in the plan. Neither exact figures nor reasoning's were given, so their omissions cast a cloud of doubt over the number of acres called for in the plan. The omissions cause the Town Board to question the acreage required. We cannot know if the plan has made adequate allowance for the land actually needed, or whether the acreage is over-estimated, thus requiring any affected municipality to give up any land unnecessarily. In addition, the lack of numbers does not adequately address whether or not the City is promoting and/or encouraging compact development, as encouraged by the state's own recommendations under its package of Smart Growth legislation. While the City has discussed its desire to participate with surrounding municipalities in a state grant and it has discussed its desire for regional planning, it has been known to say one thing and do another. Because of this, leaders from affected municipalities must have very specific, very accurate statistics, maps, statements, etc. to ensure they have full disclosure and can make accurate assessments. The fact that the Baraboo School District is in a period of lower enrollment and it predicts lower numbers for several more years, we again question what numbers are being used to account for growth. Also, is any creative land or housing solutions being courted or encouraged by the City, other than those paid for by public funding? The City already engages in this type of solicitation of commercial and industrial businesses, and should do so with housing to encourage more compact development. *Item II B*

There is an appearance of conflict with the Town of Baraboo land use plan. The Town has made consistent efforts to protect prime agricultural land and encourage commercial development along its main corridors. As you recall, the Town opposed the development of Wal-Mart and Menard's, both of which occurred on Class 1 and 2 prime agricultural lands. Despite Town objections and in opposition of the City's own goal of directing development into appropriate areas, the City actively solicited Wal-Mart to move from its former location in the Village of West Baraboo onto prime agricultural land in the Town. The City then had to annex the land, as well as place into one of its Tax Increment Financing districts. The City has incorrectly claimed that the Town would have allowed this type of development to occur answered. In fact, the Town land use plan would not allow that type of commercial development on Class 1 and 2 soils, nor allow it to be answered. It is unfortunate that the City continues to feel it necessary to develop large-scale commercial operations on prime agricultural soils. *Item 4*

The selection of specific lands in the MSSA plan seems haphazard. The plan calls for approximately 800 acres, of which several hundred will come from the Town. As presented, the plan creates odd-looking boundaries. The plan should make greater efforts to fill in development. The MSSA plan seems to miss some lands that would be better suited for inclusion, one of which is the area known as Pine Acres Subdivision. In the past -- before the City's 1997 adoption of just plat review powers under the state statutes allowing for an Extraterritorial Committee -- the Town especially allowed development of land immediately adjacent to the City. It has always been known that these lands could

checked in  
Section Pop.?  
2000  
p 23

?

eventually end up in either the City or the Village of West Baraboo, if or when sewer service was necessary. This has already occurred to portions of Pine Acres that were annexed into the Village. Although the Town does not want to surrender land, including this area in the MSSA would make more sense in the long run despite the economic loss to the Town.

The irregular selection of parcels for inclusion is confusing. There were many gaps in the map, and as such, it leads one to believe that a great deal of thought was not put into their selection. The map shows several 'spots' that appear to be islands or peninsulas. A few examples of these show quite graphically when the proposed MSSA plan omits streets such as Carpenter and Moore. It also raises questions when traveling on U.S. Hwy. 12, where the proposed MSSA plan creates a small island of property upon which the Highlander Motel is presently located, for example. The plan omits these parcels, which seem to the Town to be logical choices for inclusion. If the City intends to develop land south of County W along the Hwy. 12 corridor (even though its own planner has advised against it), why would this land be excluded from future commercial development and MSSA plan inclusion?

Land owner might  
not likely to agree  
not included in S441

The process used to make future amendments to the MSSA are not specified. We want a committee created and formed that would have representatives from all the affected governmental bodies involved in the amendment process. In addition, the municipalities should come to the table as equals so that no one governmental body has an obvious majority vote. In other words, the towns of Baraboo and Greenfield, along with the Village of West Baraboo, Town of Baraboo Sanitary Sewer District #1, DNR-Devil's Lake State Park and the City of Baraboo should share equally in governance of the MSSA plan.

Past City actions have conflicted with the Town's land use plan. We feel this is an item that still needs to be addressed, and one discussed earlier in this letter. Attempts by the Town to engage City council members, other elected officials and appointed employees in educating them about the Town's plan and its goals, land use issues and other development-based issues either have been ignored completely or stopped after only a few meetings. Officials from affected town are rarely notified of issues that the City is directly impacting or creating itself. It is sad to say, but the most productive meeting times between the City and surrounding municipalities is when the City wants something or is required to do so to get what it wants. And then the meetings and dialog stop when the requirements are fulfilled.

II B

The plan does not address the issue of compact development. This issue affects the number of acres needed for the MSSA plan, as well as the potential impact to all towns and municipalities. This issue gives the appearance of more "land grabbing" by the City, designed to enhance the tax base of the city at the expense of the towns. Since this issue was not formally addressed, it again highlights the fact that the city could be overstating the acreage required for the MSSA plan.



The loss of tax base to the town is significant. The MSSA will further reduce tax base of surrounding towns, placing a greater burden on these residents. Most of the areas proposed for inclusion into the MSSA are lands that could be developed for single family residential in the towns. Unfortunately, through the Extraterritorial (ET) Plat Review power invoked by the City, these lands are expressly prevented from development unless the property is annexed. Discussions to develop an ET board -- like most other municipalities grappling with this issue have done -- repeatedly fail. The Town has already lost significant amounts of land to the City and Village. If the City wishes to reduce the tax base of the other affected municipalities, the *affected municipalities should be compensated*, for a mutually agreed-on period (as has been done in other municipalities grappling with this issue).

The loss of land in the Town SSD<sup>Def 3</sup> has been significant. The current SSD acreage has been reduced approximately 25% through annexation of land into the City. The City has not compensated the town for this loss. As yet, the city has not officially reviewed nor approved of the Town's request to bring additional acreage into the SSD area, land that would restore the acreage in said SSD to a level that was originally agreed upon on in a contract between the municipalities. The City holds the power and will not even discuss the issue, thus giving the Town few, if any, options. This is not conducive to creating good working relationships between municipalities in this region.

In addition to the aforementioned SSD area, the Town would like to see the creation of a new sanitary sewer service area to the north of the City. The creation of an additional SSD area would allow the Town to provide sewer service to residents located in the areas identified in the MSSA plan. This would help both the Town and City because the Town could retain some of its tax base and the land identified by the City for inclusion in the MSSA plan would still be included. This is a win-win situation because Town residents have always paid their fair share of the sewer bill, the city would make fewer adjustments to its MSSA plan, and the town retains some of land base integrity.

The City needs to respect the wishes of the people outside of its municipal limits. A consideration for the long term planning and land use plans of municipalities outside of the City's limits must be recognized and respected. The Town has been successful in engaging its residents in difficult yet productive discussions to develop sound land use policies and plans. The Town repeatedly has proven it is willing to work on long-term solutions, for example by developing subdivision and commercial development overlay districts similar to the City's own regulations.

The town would like to reiterate its position of no development south of County W along U.S. Hwy. 12. This has been classified as Class 1 and 2 soils and is prime agricultural land. Since agriculture is the state's number one industry and responsible for one out of every five jobs in the state, agricultural production should be taken seriously. Just as industrial and commercial parks have been developed, there are viable options for agricultural parks. Given Baraboo's impact on the state, national and international food industry -- Sysco Foods, Foremost Farms, Accelerated Genetics, Co-op Country Partners,

fields should be valued as highly as large-scale commercial enterprises. In addition, the City's own paid consultant has advised against developing much farther south of the existing Super Wal-Mart - even though Menard's has now been approved for development to the immediate south. The City needs to respect all business enterprises - not just those made of concrete and asphalt within its limits - the land use plans established by other municipalities.

It appears the City has chosen land for incorporation in the MSSA plan that could place an unfair burden on the Town. ~~Most of the land identified for inclusion comes from the Town.~~ This is inherently unfair to Town residents. The burden of loss would need to be more equally divided, and more thorough thought and discussions with more people need to be applied by the City.

In summary, we oppose the MSSA plan as it has been presented, based on all the reasons cited above. The City needs to give serious thought to these objections raised, including creation of a second sanitary sewer district and restoration of the acreage in the current sanitary sewer district. If the Town and City, along with other area municipalities, are to come together, it is incumbent on the City to act in good faith for all the residents of the greater Baraboo area.

cc: Darlene Hill, Town Chairperson  
Suzanne Dohner, Supervisor II  
James Pierce, Supervisor III  
Scott Haugen, Supervisor IV  
Pam Karg, Planning Commission Coordinator  
Al Jenewein, Planning Commission  
Suzanne Dohner, Planning Commission Chairman  
Gary Wegner, Planning Commission  
Steven Cohoon, Planning Commission  
Scott Haugen, Planning Commission

Town Chairperson Darlene Hill called the meeting to order at 7:05 P.M. Present were Town Supervisors Dohner, Pierce and Haugen, verified with a roll call vote. Eight area residents were also present along with Gil Hantzsch of MSA/City of Baraboo. Verified compliance with the open meeting law.

Chairperson Hill opened the discussion on the Sanitary Sewer Service Area, Future Plan for the City of Baraboo. She pointed out some concerns for the Town and they included the creation of islands within the expansion plan, the soil types included in the expansion plan, and the existing requirement of the City for Town development to be on 20 acres minimum.

Gil Hantzsch of MSA/City of Baraboo reviewed the plan. He stated that the City of Baraboo projects the city population to increase to 14,000 in 20 years and that the City needs 800 additional acres to meet that growth. Approximately 75% of the additional 800 acres is presently in the Town of Baraboo.

Concerns voiced during the meeting -

- Anne Forbes presently lives on 15 acres east of Crawford Street and that area is not in the plan and adjacent to the City. If developed, it would require mound septic systems.
- Al Jenewein, Town of Baraboo Planning Commission member, questioned why the area north of the City, the Wynsong Subdivision, was not in the plan.
- David Dix, Chairman Town of Baraboo Sanitary Sewer District, emphasized that the plan is an area plan and not the City plan. He would like to see the City return 125+ acres of property to the Town Sanitary Sewer District that has been annexed to the City in the past. He also stated that there is an advantage to the Town of Baraboo to enlarge its Sanitary Sewer District because sewer can be provided at a earlier time than the City and there would be no loss of taxbase to the Town. He requests that the Sanitary Sewer District boundaries be expanded to include entire portions of parcels.
- Scott Haugen, Town of Baraboo Supervisor and member Town Planning Commission, reiterated that the Town should consider developing another Town Sanitary Sewer District north of the City and questioned if the City would be open to that development.
- Suzanne Dohner, Town of Baraboo Supervisor and Chairperson of the Town Planning Commission, stated that the plan should include a requirement of the City of develop a large portion of City undeveloped land (approximately 400-500 acres) before expansion into Town land. Also the amendment process for a town landowner who wishes to develop in an area that is not in the Sanitary Sewer Service Area expansion plan has not been reviewed by the Town.

At 8:10 P.M. Suzanne Dohner motioned to adjourn. Seconded by James Pierce. Unanimous vote.

Suzanne Dohner, Town of Baraboo Supervisor

*Copies to**Jerry Kramer**✓ Chuck Boyard**Al Lentzsch**Jim Ball*

TO: Karl Frantz, City Administrator, City of Baraboo

FROM: Town of Baraboo

SUBJECT: Sanitary Sewer Service Area, Future Plan  
for the City of Baraboo.*from  
Karl*

Special meeting held on February 13, 2003.

Recommendations

- Develop SSA north of the city.
- Development along hwy 12
- City develop their undeveloped land before expanding (infilling).
- Downsizing the size of residential lots, need less acreage.
- Eliminate islands and peninsulas from proposed plan.
- Current TOB ssa restored to original acreage.
- We have not really seen the plan, cannot review.
- Committee from all towns and city formed for amendment process.
- TOB consistent with it's development plans in accordance with it's long term plan.
- Commercial should be developed along twelve.
- Encourage compact development.
- Loss of tax base to towns.
- No development south of ~~12~~ *hwy 12*.
- Pine Acres should be considered for inclusion.

**DISTRIBUTED**

12-18-03



# MEMO

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**To:** Baraboo Sewer Service Area Plan Advisory Committee:  
Scott Alexander, Village of West Baraboo  
David Dix, Baraboo Sanitary District  
Darlene Hill, Town of Baraboo  
Lance Gurney, Sauk County Planning and Zoning  
Eugene Larson, Town of Fairfield  
Terry Turnquist, Town of Greenfield

**From:** Chuck Bongard, City Engineer  
Karl Frantz, City Administrator  
Terry Kramer, Utility Superintendent  
Gil Hantzsch, MSA Professional Services, Inc.

**CC:** City of Baraboo Plan Commission  
City of Baraboo Utility Commission

**Subject:** Sanitary Sewer Service Area Plan for the City of Baraboo

**Date:** December 17, 2003

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On January 9, 2003 the Advisory Committee for the Sanitary Sewer Service Area Plan (SSAP) met to review the draft plan document dated October 2002. There was considerable discussion at that meeting and as a result of that discussion, it was agreed that the units of government represented on the advisory committee would submit written comments on the Plan within 30 days. Letters were also received from the Town of Baraboo Sanitary District, The Towns of Greenfield and Baraboo, the Village of West Baraboo, and area landowners. Those comments are attached to this memo.

This memo is intended to address concerns that were raised in the comments received. The memo from Lance Gurney of Sauk County Planning and Zoning Department dated February 4, 2003 contained a thorough review of the plan and raised some issues that were repeated in other comments submitted. We respond to that memo in full and refer to the responses when addressing the concerns rose by the other parties. The City's response to each is as follows:

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## Sauk County Planning and Zoning

### 1. Link to other completed plans

It is suggested that a “regional zoning map” and a “planned use map” be included in the plan. A comparable map has been included in the USH 12 Corridor Growth Management Plan as Map 3. This map identifies areas of conflict between the various governmental entities’ plans. Predictably, those conflict areas are located along the borders of the City. The SSAP will not be the vehicle to resolve these conflicts. Additionally, the various land use plans in place did not necessarily delineate environmentally sensitive areas to the degree that the SSAP does (i.e. whole areas shown as future residential regardless of topography). The City does however acknowledge that the plan should recognize, be consistent with, and link to the USH 12 Plan.

### 2. Growth Projections

- A.) A linear methodology was used to project the population growth. Three rates were generated and the middle one was selected. Department of Administration estimates were reviewed and found to be historically low.

In the USH 12 plan, Vandewalle & Associates projected a 2022 population of 17,932 for City of Baraboo, Village of West Baraboo, and the Town of Baraboo. They used both a linear and compounded growth rates similar to those used in the SSAP. The projections proposed in the SSAP for the same entities are 19,159 people (14,605 – City of Baraboo; 1,950 – Village of West Baraboo; 2,604 – Town of Baraboo) within 7% of those used in the USH 12 plan.

B.) Residential vs. Commercial Industrial Projections

There is an inconsistency in the methodologies used for computing residential land use versus commercial/industrial. This was done intentionally, as in the last ten years both commercial and industrial land use within the city has increased at a much greater rate than the population. From 1990 to 2000 the population of the City rose from 9,203 to 10,711, an increase of 16%. From 1991 to 2002 commercial and industrial land use grew 71% and 64% respectively. One need only look at the USH 12 upgrade project, continued development of West Baraboo along USH 12, and continued development of Lake Delton and Wisconsin Dells to see that the Baraboo area is becoming a regional draw for shopping and leisure. The Highway 12 Corridor study arrived at the same conclusion. It is for these reasons the City feels that using the historic data over the last ten years provides a more reasonable projection for commercial and industrial growth.

#### Accounting for Street Area

The observation that streets acreages were inadvertently included twice within the Residential Housing category is correct. The average acreages used for the new subdivisions should not have included the streets acreage. Discounting the acreage requirement for residential housing by a percentage equal to the current road density percentage would reduce the total land use area projection by approximately 90 acres. The City would like to point out

that in identifying areas included in the SSAP the portions of those lands considered Environmentally Sensitive were not subtracted from the available acreage to arrive at a developable acreage. Thus the additional area could be justified to remain in the SSA.

#### Residential Density and Lot Size

Regarding density, historical densities were used to estimate future land requirements. Average lot sizes were computed based on the last four subdivisions platted in the City. These are shown in Table 3-7. In preparing the SSAP, we are basing the future on recent trends and the current zoning ordinances. We cannot predict whether the marketplace will demand traditional neighborhoods, or whether an ordinance restricting lot sizes will be enacted in the future. If the City does pass an ordinance limiting lot size, that would be a reason to re-visit the SSAP to determine whether less land will be needed. Until that happens, the projections should remain as they are.

The Smart Growth planning process being undertaken by the City may dictate different development scenarios and the SSAP can be reviewed and modified as these occur. The City supports redevelopment as evidenced by the Community Development Authority programs that have created 30 apartments in existing structures. Traditional neighborhood design accurately describes a large portion of the City of Baraboo. To dictate this type of development to the City only assures that high-end housing will sprawl into the townships where the lot sizes are considerably larger. A mix is needed which is represented in the averages presented in the report.

### 3. Sewerage System Capacity

Both the Village of West Baraboo and the Town of Baraboo Sanitary District have letters attached to this memo requesting additional lands be added to their respective sewer service areas.

#### Town of Baraboo Sanitary District

Regarding growth with the Sanitary District, for consistency with the other units of government, the Sanitary District was assumed to experience a rate of increase similar to that of the City and Village. It is pointed out that pending or recently approved plats in the Sanitary District will account for all of the new connections allocated. We do not believe it to be appropriate to use this one-year trend to make 20-year projections for the District.

Furthermore, the District is far below its contracted with the City. There are currently 46 connections on approximately 500 acres of land. The district currently generates approximately 10,000 gallons of wastewater per day. The proposed plats will add 22 connections and approximately 5,000-7,000 gallons per day. The agreement with the City allows the District to discharge up to 57,821 gallons per day. The District would need to grow by more than 500% to produce their contracted volume. With lot densities of less than one home per 10 acres, the District would still far exceed the average lot size in the City. Just as in-fill is suggested for the City, we believe there is ample opportunity for in-fill to occur within the current Sanitary District boundaries.

County's soils. While they are certainly good farmland, they are not considered "first in excellence and quality", or prime.

In addition, owners of some of those lands are requesting that they be included in the SSAP. These letters are attached to this document.

Regarding the protection of scenic vistas, a strict interpretation might consider any home or structure to be an intrusion on someone else's scenic vista. This laudable goal is too broadly drawn to be of any value.

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### **Village of West Baraboo**

The Village of West Baraboo Plan Commission and Board recommends that additional lands north and west of the Village be included with the SSAP. Please refer to the map attached to their letter. The parcels total about 215 acres, in addition to the 42 acres already shown on the SSAP map.

Parcels 1 – 3 lie east the Village and west of Connie Road. This land is likely to see residential development pressure and should be included. Parcel 4 lies east of Connie Road, and is owned by UW-Sauk County. It will likely be annexed by the City, and should be included. Parcels 5 – 8 lie along USH 12 north of the main part of the Village, and will square off some of the Village's boundaries. Parcel 5 contains some lands where develop needs to be controlled due to moderately steep slopes (12 to 20%), but otherwise may be developable. The total of these parcels is less than 80 acres. The Village's population projections have determined that more than 80 acres of new residential land will be required to meet the demands of new development, so the need for this additional acreage can be supported.

Parcels 9 - 14 are west of the Village and north of STH 136, and total about 135 acres. About 60% of this area is classified as Environmentally Sensitive due to slopes in excess of 20%, and should not be developed. All fall west of the proposed USH 12 bypass, which is contrary to the agreements made during the Highway 12 Corridor Growth Management Planning process. Furthermore, the population growth projections do not support the addition of another 80 acres of land (60% of 135). These parcels will not be added to the SSAP.

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### **Town of Baraboo**

The Town of Baraboo identified eleven specific concerns with the SSAP. Some of these concerns deal with the positions, stances and actions of the City towards the neighboring municipalities. The City takes note of these concerns. The remaining concerns are relative to the SSAP, many of which have been discussed in earlier sections, and are identified below:

- The Town's concern with "justification for the acreage required by the plan" has been discussed in Item 2(B) of the response to the memo from Sauk County Planning and Zoning.



In brief, historical lot densities were used to generate the future projections. Exact figures are provided in Chapter 3 of the SSAP. The state's Smart Growth initiative is a planning framework, and is not a neighborhood housing ordinance, nor is it the role of a SSAP to determine housing standards.

- The Town's concern with the development of prime agricultural land has been discussed in Item 4 of the response to the memo from Sauk County Planning and Zoning, and in the section addressing the Town of Greenfield's concerns.
- The Town believes the boundaries created are irregular and odd-looking. The same can probably be said for any municipal boundary. One valid point is that some town "islands" may be created if the City limits followed the proposed new SSA lands. Moore and Carpenter Streets do not provide much opportunity for future development to serve new residents, but will likely end up within the City Limits. For that reason, they should be included within the SSA.
- The Process by which plan amendments are made is described on page 72 of the SSAP.
- The Town's concerns with "compact development" have been discussed in Item 2(B) of the memo. To further amplify this point, upon her initial review of the current SSAP, DNR Sewer Service Area Planning Coordinator Lisa Helmuth has stated that the land area included in the SSA is "very reasonable and not excessive". Good land use planning indicates that to reduce urban sprawl, new development should occur where urban services are already provided. This would indicate that this growth should occur as part of the City. Development within the City limits is more compact than unsewered rural growth.
- The City does not support the proposal for the formation of an additional sanitary district adjacent to the City. The City feels that the creation of an additional administrative body to provide partial service to residents is inefficient when compared to the full range of services that the City can provide. Duplication of services can be avoided if all future sewer growth occurs within the City.

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## Tom Kriegl

Mr. Tom Kriegl, Sauk County Supervisor, identified eight specific concerns with the proposed SSAP. These concerns are addressed below:

1. Involvement of other planning efforts.

The City has read the concerns that fell under this category. Mr. Kriegl and others have had the opportunity to review and comment on the proposed SSA. The DNR has been satisfied with the process undertaken by the City thus far. The SSAP appears to be consistent with the Highway 12 Corridor study mentioned previously.

2. Over sizing of Residential Lots.

Concerns with Residential Lot size have been addressed in Item 2 B. of the response to the memo from Sauk County Planning and Zoning. City lots are smaller than lots in the surrounding towns, and until an ordinance is passed that says residential development trends will change, the historic data is appropriate.

3. Conflicts with Townships.

The emphasis of Mr. Kriegl's concern under this heading is with the development of "prime agricultural land". This has been discussed in Item 4 of the response to the memo from Sauk County Planning and Zoning, and in the section addressing the Town of Greenfield's concerns.

4. Inconsistent rational.

The rational used in selecting the lands included in the SSAP is not perfect. The parcels were chosen based on the locations relative to environmentally sensitive areas, location relative to current developmental trends, expressed intent of landowners to annex, and the experience of City employees. Valid arguments can be made for development or non-development of any parcel, these arguments should be weighed and a decision should be made based on them. This process should be performed as part of the City's Master Plan, and once completed, the Master Plan will likely mandate updates to the SSAP. The SSAP is to serve as a guide to show where development is feasible as well as where it is likely to happen. The Master Plan is the vehicle that controls where and how development will happen.

5. Prime Agricultural Land.

Concern with the development of prime agricultural land has been discussed in Item 4 of the response to the memo from Sauk County Planning and Zoning, and in the section addressing the Town of Greenfield's concerns.

6. Infill opportunities.

Infill of existing lands is addressed on page 23 of the SSAP. The Plan includes 162 acres of infill development for land currently zoned residential, commercial, or industrial. The plan also includes 293 acres of infill development for lands currently zoned for agriculture. The combined infill development accounts for more than 1/3 of the projected land use requirement for the SSAP. Infill is occurring in the City, but the City cannot mandate that every square foot be built out before lands are added to the City.

7. Amendment Process.

The amendment process to the SSAP is described in section VIII, B. 5 of the SSAP.

8. City Leaders can't be trusted to make decisions for the Towns.

In regards to the SSAP, the City Leaders are making decisions for current and future users of the City's water and wastewater utilities. While the views and opinions of the Towns will be considered, these are not decision that the Town should be making.

The City wishes to thank those government entities and individuals who provided written comment on the SSAP. The City recognizes the concerns brought forward and hopes that the response provided is sufficient. The City must point out that that the development plans of the City will likely continue to conflict with the development plans of the neighboring municipalities. This is especially true for the lands adjacent to the boundaries of the City. It is the City's intention to develop in an orderly way that protects the environmentally sensitive lands, and allows for continued service to all of its residents. This means continued growth of the City and, inevitably, the annexation of lands from the surrounding Townships. This is consistent with centralizing growth in an urban service area to minimize urban sprawl, a goal of Smart Growth planning.

The SSAP will be updated to address the feedback, and will move forward towards approval and adoption in January 2004. The next steps to be taken towards the adoption of the SSAP are as follows:

- 1) Update of SSAP to address suggestions made by the Advisory Committee members and others
- 2) Present the final version of the SSAP to the Baraboo Plan and Utility Commissions.
- 3) Present the SSAP to the City Council for adoption.
- 4) Submit the adopted SSAP to DNR for review and approval.

**APPENDIX J**  
**2006 SSAP Amendment Documentation**

## Bongard, Chuck

---

**From:** Mann, Jefferson J.  
**Sent:** Tuesday, June 13, 2006 10:50 AM  
**To:** Bongard, Chuck  
**Subject:** ssa plan revisions

Chuck,  
Here are that you requested. If you need further breakdown let me know.

### Removals from the existing plan

Johnson area -----2,499,929 sf  
Dohner property ----- 1,319,064 sf  
Parcel 830-1  
  just the portion  
  west of the by-pass -- 500,142 sf  
  
TOTAL REMOVED ----4,319,135 sf

### Areas added to the plan

Teel area -----764,780 sf  
Sorg area -----388,196 sf  
Parcel 0088 -----118,158 sf  
Parcels (Hegna area)  
  0087+ 0087-1 + 0089 ---- 475,594 sf  
Hegna 0262 -----1,555,497 sf  
Parcels north of Hatchery -- 973,205 sf  
  
TOTAL ADDED -----4,275,430 sf  
  
TOTAL LOST -----43,705 sf

*JEFFERSON J. MANN*

**PLANNING COMMISSION ITEM SUMMARY**  
**June 20, 2006**

**SUBJECT:** Sanitary Sewer Service Area Plan (SSAP) AMENDMENT.

**SUMMARY OF ITEM:**

The City of Baraboo has a Sanitary Sewer Service Area Plan (SSAP) which was approved in 2004. When the plan was created lands were designated to be served in the future by the City sanitary sewer collection and treatment system. As with any plan document, the SSAP attempted to predict where development would likely occur in the foreseeable future and identify those lands for service. Since the adoption of the plan, additional planning documents such as the Highway 12 Corridor Plan and the City Comprehensive Plan have altered some of the land use projections. Current development proposals on the City's west side mandate that the plan be modified to accommodate these developments. There are two types of amendments that can be made to the SSAP. One is to add properties to the service area and the other is to simply exchange lands within the Plan boundaries. The latter is what is proposed at this time.

The amendment process states that the Plan Commission shall review the proposed amendment and then solicit feedback from the Advisory Committee which consists of members of the surrounding government entities. A public hearing will then be held before the Plan Commission and a recommendation made to the City Council. If approved by Council the amendment would then be submitted to the DNR for approval.

A map is included showing which lands are shown for removal from the current service area and which are proposed to be added along with a sample of a letter to the advisory committee. Lands to the east of the Jackson property are shown to be removed as it is felt that development of those lands is quite far out in the future. Other lands to be removed are in the Town of Baraboo west of the proposed bypass which is listed in the US 12 Corridor Plan as the proposed edge of development at this time. Lands to be added to the service area include the area of the TEEL parcel not currently designated and the Sorg property where Alliant Energy is proposed to be located along with some minor parcels in this general area to square up the boundaries.

**COMPLIANCE/NONCOMPLIANCE:**

**ACTION:** Approve/Deny proposed exchange of lands in the SSAP and set Public Hearing for July 18, 2006.

Office of City Engineer  
135 4<sup>th</sup> Street, Baraboo, WI 53913

Phone: (608) 355-2730  
Fax: 608 355 2719  
E-Mail: [cbongard@cityofbaraboo.com](mailto:cbongard@cityofbaraboo.com)

June 21, 2006

Darlene Hill, Chairman  
Town of Baraboo  
E11070 S. Gasser Rd.  
Baraboo, WI 53913

Re: Sanitary Sewer Service Area Plan - City of Baraboo

Dear Advisory Committee Member:

The City of Baraboo is considering an amendment to its Sanitary Sewer Service Area Plan (SSAP). The proposed amendment is not an expansion of the current area but, rather, is described as an exchange of land designation. Current proposals for development of industrial and commercial property on the west side of the City, east of the proposed bypass are the reason for this proposed amendment. These development proposals are consistent with the City's Comprehensive Plan.

A color map is included with this letter showing the proposed amendment. Lands currently designated as areas of planned sanitary sewer service on the east side of the City and south of State Trunk Highway 33 are shown to be removed from that designation. Also, lands north of the Baraboo River and west of the proposed bypass are shown to be removed from the plan service area.

The lands to be added to the planned sanitary sewer service area include those lands between the Wal-Mart and Menards subdivisions and the proposed USH 12 bypass. Also included are lands north of the Deppe/Mandt Industrial Park and east of the proposed bypass and some minor infill areas on the west side of the City to square up the boundaries.

Lands proposed to be removed total 99.1 acres and lands shown to be added total 98.2 acres. The SSAP lists the following criteria for review of amendments to the Plan.

- *Sewer service can be provided in a cost effective manner.*  
Response: Lands shown to be added to the service area are adjacent to existing gravity sanitary sewer and can be readily served.
- *The receiving, collection and treatment facility can adequately transport and treat the wastewater from the area and the amount of undeveloped land in the proposed area.*  
Response: The City of Baraboo collection and treatment facilities have adequate capacity to serve the lands shown to be served.
- *The amendment is consistent with the policies and goals of this plan.*  
Response: This amendment is consistent with the goals of the SSAP in that:
  1. The proposed development to be served does not impact the natural features identified to be preserved and is located in an area suitable for development.

2. The sewer extensions necessary to serve the proposed amendment areas will maximize the benefit to these properties in a cost effective manner.
3. The amendment areas represent sequential, orderly and compatible growth.
4. The development of the parcels in the amendment area will represent an efficient use of the property. Compliance with the City Stormwater Management Ordinance will result in an environmentally sensitive design.
5. The development of the amendment areas will contribute to the efficient use of the proposed improvements to the City of Baraboo Wastewater Treatment Facility.
6. This amendment process coordinates the efforts of local governments and the proposed amendment honors local plans that call for a limit on growth west of the proposed bypass.

- *The amendment conforms with other City of Baraboo plans.*

Response: The City is in the process of preparing a Southwest Area Amendment to the Comprehensive Plan. The proposed SSAP amendment conforms to the amended Comprehensive Plan.

- *There will be no significant adverse water quality and/or environmental impact associated with providing sewer service to the area.*

Response: The sanitary sewers necessary to serve the amendment areas will all be along road rights-of-way and no wetlands or other environmental areas will be affected.

In summary, the proposed amendment to the SSAP conforms to the criteria established in the Plan for amending the boundaries. The Plan Commission of the City of Baraboo will hold a Public Hearing on this amendment on July 18, 2006 at 7:00 pm in the Council Chambers at City Hall, 135 Fourth Street, Baraboo, Wisconsin, 53913. You are invited to provide input in this amendment process either by appearing at the Public Hearing or by providing written testimony prior to that date to my attention at the address listed above. Upon receipt of written testimony and hearing concerns regarding this matter the City Plan Commission will take action on this proposed amendment.

If you have any questions regarding this matter you may contact me at 608-355-2730.

Sincerely,

City of Baraboo  
Chuck Bongard, P.E. – City Engineer

Enc.

cc: Terry Kramer, Utility Superintendent  
Ed Geick, City Administrator



Office of City Engineer  
135 4<sup>th</sup> Street, Baraboo, WI 53913

Phone: (608) 355-2730  
Fax: 608 355 2719  
E-Mail: [cbongard@cityofbaraboo.com](mailto:cbongard@cityofbaraboo.com)

June 21, 2006

Mr. Scott Alexander, President  
Village of West Baraboo  
500 Cedar Street  
West Baraboo, WI 53913

Re: Sanitary Sewer Service Area Plan - City of Baraboo

Dear Advisory Committee Member:

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Response: The City is in the process of preparing a Southwest Area Amendment to the Comprehensive Plan. The proposed SSAP amendment conforms to the amended Comprehensive Plan.

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If you have any questions regarding this matter you may contact me at 608-355-2730.

Sincerely,

City of Baraboo  
Chuck Bongard, P.E. – City Engineer

Enc.

cc: Terry Kramer, Utility Superintendent  
Ed Geick, City Administrator

Office of City Engineer  
135 4<sup>th</sup> Street, Baraboo, WI 53913

Phone: (608) 355-2730  
Fax: 608 355 2719  
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June 21, 2006

Mr. Lance Gurney – Director  
Sauk County Planning and Zoning  
505 Broadway  
Baraboo, WI 53913

Re: Sanitary Sewer Service Area Plan - City of Baraboo

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Sincerely,

City of Baraboo  
Chuck Bongard, P.E. – City Engineer

Enc.

cc: Terry Kramer, Utility Superintendent  
Ed Geick, City Administrator

Office of City Engineer  
135 4<sup>th</sup> Street, Baraboo, WI 53913

Phone: (608) 355-2730  
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June 21, 2006

Howard Cassity  
Baraboo Sanitary District  
S5633 Glacier Drive  
Baraboo, WI 53913

Re: Sanitary Sewer Service Area Plan - City of Baraboo

Dear Advisory Committee Member:

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City of Baraboo  
Chuck Bongard, P.E. – City Engineer

Enc.

cc: Terry Kramer, Utility Superintendent  
Ed Geick, City Administrator

Office of City Engineer  
135 4<sup>th</sup> Street, Baraboo, WI 53913

Phone: (608) 355-2730  
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June 21, 2006

Terry Turnquist, Chairman  
Town of Greenfield  
S5385 Bluff Road  
Baraboo, WI 53913

Re: Sanitary Sewer Service Area Plan - City of Baraboo

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City of Baraboo  
Chuck Bongard, P.E. – City Engineer

Enc.

cc: Terry Kramer, Utility Superintendent  
Ed Geick, City Administrator



Office of City Engineer  
135 4<sup>th</sup> Street, Baraboo, WI 53913

Phone: (608) 355-2730  
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June 21, 2006

Tim Stone, Chairman  
Town of Fairfield  
S3620 Pine Knoll Drive  
Baraboo, WI 53913

Re: Sanitary Sewer Service Area Plan - City of Baraboo

Dear Advisory Committee Member:

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Sincerely,

City of Baraboo  
Chuck Bongard, P.E. – City Engineer

Enc.

cc: Terry Kramer, Utility Superintendent  
Ed Geick, City Administrator

# Planning & Zoning Department

Lance J. Gurney, Director

West Square Building

Telephone (608) 355-3285/Fax (608) 355-4440 505 Broadway, Baraboo, WI 53913



July 6, 2006

City of Baraboo  
Attn. Chuck Bongard, City Engineer  
135 4<sup>th</sup> Street  
Baraboo, WI 53913

Re: Sanitary Sewer Service Area Plan – City of Baraboo

Dear Mr. Bongard:

I am in receipt of your letter and accompanying map dated June 21, 2006 which solicits comments on a proposed amendment to the City of Baraboo's Sanitary Sewer Service Area Plan (SSSAP) in accordance with the plan amendment procedures outlined within said plan. As indicated within your letter, the proposed amendment exchanges areas previously included within the plan for others areas directly adjacent to the City and which are more likely to be developed in the near future.

In review of the criteria for plan amendments as provided in the existing SSSAP as well as the information provided, I would concur that the plan amendment is reflective of an equal exchange of lands. A review of the criteria contained within the SSSAP and an assessment of the provided responses is as follows:

- Sewer service can be provided in a cost effective manner.  
Assessment: Lands lying primarily west of the City's corporate limits and east of the planned bypass appear to be easily served by existing gravity sewer. However, the lands lying east of the existing USH 12 and south of the "Mine Road Extension" will most likely not be serviceable with existing gravity sewer and will most likely require a lift station. In both cases, the areas are in close proximity to existing sewer and could be served.
- The receiving, collection and treatment facility can adequately transport and treat the wastewater from the area and the amount of undeveloped land in the proposed area.  
Assessment: I am of the understanding that the City's existing collection and treatment facilities have adequate capacity to serve development in the areas proposed for inclusion.
- The amendment is consistent with the policies and goals of this plan.  
Assessment: The proposed inclusion of lands lying east of existing USH 12 and south of the "Mine Road Extension" are shown as "Areas where Development in Discouraged" on Figure 6-4 of the SSSAP. Section 6(C) of the SSSAP identifies this area as an Agricultural Preservation Area but

Steve Soranson, Assistant Zoning Administrator    Gina Tomplin, P&Z Support Specialist    Mary White, Admin Support Specialist  
Brian Cunningham, Zoning & Environmental Specialist    Matt Bromer, Zoning & Environmental Specialist    Dave Lorenz, Zoning & Environmental Specialist  
Brian Simmert, Planner    Aaron Hartman, GIS Specialist    David Tremble, Land Preservation Specialist/Planner

then also goes on to say that development should be discouraged if it does not promote an orderly extension of municipal services along with the conversion of agricultural lands. Given the City's Plans to provide a four-way intersection by extending Mine Road westward to existing USH 12, it appears that this conversion meets the intent of the SSSAP and is relatively cost effective and orderly from a growth standpoint. It also furthers the agreements of local communities not to develop west of the proposed bypass.

➤ *The amendment conforms with other City of Baraboo plans.*

Assessment: Although I am unaware of the final proposal to amend the City's existing comprehensive plan, the proposed amendment to the SSSAP seems to be consistent with the City's existing comprehensive plan as well as the USH 12 Corridor Growth Management Plan, the Town of Baraboo Comprehensive Plan and the Sauk County 20/20 Development Plan.

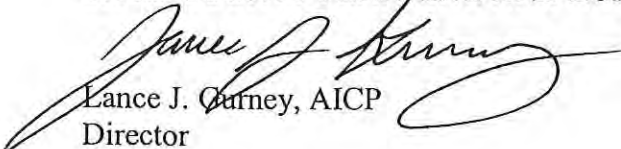
➤ *There will be no significant adverse water quality impact and/or environmental impact associated with providing sewer service to the area.*

Assessment: No environmentally sensitive areas have been included with the proposed exchange amendment as determined by reviewing Figures 5-4 and 6-1 of the SSSAP. However, it should be made a priority that effective storm water management be integrated into individual development projects to help ensure that the Baraboo River and/or Skillet Creek are not negatively impacted at the time development does occur.

In summary, the proposed amendment to the SSSAP to exchange lands is consistent with the overall criteria provided within the plan and furthers the long range development plans of not only the City but the Town and County as well. I would ask that these comments be distributed to the Plan Commission at your upcoming July 18<sup>th</sup> public hearing as part of the official record and again would like to thank you for the opportunity to provide comment on the proposed amendment.

Respectfully Yours,

SAUK COUNTY PLANNING AND ZONING

  
Lance J. Gurney, AICP  
Director

## NOTICE OF PUBLIC HEARING

City of Baraboo, Wisconsin

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Baraboo, Wisconsin, will hold a public hearing in the Council Chambers in the City Municipal Building located at 135 Fourth Street, Baraboo, Wisconsin, on Tuesday, July 18, 2006, at 7:00 o'clock P.M. to consider a boundary amendment to the City of Baraboo Sanitary Sewer Service Area Plan.

By Order of the Plan Commission.

/s/ Cheryl M. Giese, City Clerk

To be published: July 15, 2006

**SSAP NOTICED SENT:**

**TOWN OF GREENFIELD:**

0712-00000

Dorothy Eschenbach  
E12279 Highway 33  
Baraboo, WI 53913

0713-00000

RJ Rosenmeyer & MD Smith  
E12291 Highway 33  
Baraboo, WI 53913

0717-00000

William & Margaret Hanger  
E12303 Highway 33  
Baraboo, WI 53913

0719-00000

Margaret Ormond  
E12313 Highway 33  
Baraboo, WI 53913

0716-00000

Manny & Jeanette Bolz  
E12321 Highway; 33  
Baraboo, WI 53913

0715-00000

Roger & Charlene Gable  
E12331 Highway 33  
Baraboo, WI 53913

0714-00000

John Rogers & Diane Somerau  
E12339 Highway 33  
Baraboo, WI 53913

0718-00000; 0711-00000; 0709-00000

Dennis & Kathleen Johnson  
E12700 Highway 33  
Baraboo, WI 53913

**TOWN OF BARABOO:**

0842-00000

James & Suzanne Dohner  
E10861 Terrytown Road  
Baraboo, WI 53913

1036-10000

Sharon Marie Sherer  
E10980 Hatchery Road  
Baraboo, WI 53913

1036-20000

Jeffrey Blum  
E10992 Hatchery Road  
Baraboo, WI 53913

1037-00000

Robert Wolfe  
E10996 Hatchery Road  
Baraboo, WI 53913

1039-00000

William & Margaret Hanger  
PO Box 134  
Baraboo, WI 53913

1040-00000

David & Pamela Zeman  
E11052A Hatchery Road  
Baraboo, WI 53913

1040-10000

Mark Hohl  
E11070 Hatchery Road  
Baraboo, WI 53913

0066-00000

Bisch Living Trust  
E10968A Cty Hwy. W  
Baraboo, WI 53913

0088-00000

Robert Schilling  
S5210 Highway 12  
Baraboo, WI 53913

0087-00000

HS & D Bechmann  
S5262 US Highway 12  
Baraboo, WI 53913

0087-10000

Wisconsin RSA #18 Ltd. Prtshp.  
8410 W. Bryn Mawr #700  
Chicago, IL 60631-0000

0089-00000; 0089-00000

Duane & Carol Hegna  
S5360 US Highway 12  
Baraboo, WI 53913

Jeffrey Sorg  
PO Box 5387  
Kalispell, MT 59903

Devco I LLC  
426 Hitchcock Street  
Baraboo, WI 53913

Renewal I LLC  
426 Hitchcock Street  
Baraboo, WI 53913



## PLANNING COMMISSION ITEM SUMMARY

July 18, 2006

**SUBJECT: RECOMMENDATION TO CITY COUNCIL ON BOUNDARY AMENDMENT TO THE SSAP.**

### **SUMMARY OF ITEM:**

The City of Baraboo has a Sanitary Sewer Service Area Plan (SSAP) which was approved in 2004. When the plan was created lands were designated to be served in the future by the City sanitary sewer collection and treatment system. As with any plan document, the SSAP attempted to predict where development would likely occur in the foreseeable future and identify those lands for service. Since the adoption of the plan, additional planning documents such as the Highway 12 Corridor Plan and the City Comprehensive Plan have altered some of the land use projections. Current development proposals on the City's west side mandate that the plan be modified to accommodate these developments. There are two types of amendments that can be made to the SSAP. One is to add properties to the service area and the other is to simply exchange lands within the Plan boundaries. The latter is what is proposed at this time.

A letter was sent to members of the advisory committee requesting feedback on the proposed amendment. One response was received from Sauk County, a copy of which is included in this packet. In general, this response concurred with the findings of the City Engineer. The next step is for the Plan Commission to make a recommendation on the amendment to the City Council

### **COMPLIANCE/NONCOMPLIANCE:**

**ACTION:** Approve/deny recommendation to City Council on boundary amendment to the Sanitary Sewer Service Area Plan.

The City of Baraboo, Wisconsin

**Background:** The City of Baraboo has a Sanitary Sewer Service Area Plan (SSAP) which was approved in 2004. When the plan was created lands were designated to be served in the future by the City sanitary sewer collection and treatment system. As with any plan document, the SSAP attempted to predict where development would likely occur in the foreseeable future and identify those lands for service. Since the adoption of the plan, additional planning documents such as the Highway 12 Corridor Plan and the City Comprehensive Plan have altered some of the land use projections. Current development proposals on the City's west side mandate that the plan be modified to accommodate these developments. There are two types of amendments that can be made to the SSAP. One is to add properties to the service area and the other is to simply exchange lands within the Plan boundaries. The latter is what is proposed at this time.

A letter was sent to members of the advisory committee requesting feedback on the proposed amendment. One response was received from Sauk County, a copy of which is included in this packet. In general, this response concurred with the findings of the City Engineer. The Plan Commission held a public hearing on this proposed amendment on July 18, 2006 and has recommended to amend the plan as recommended by the City Engineer.

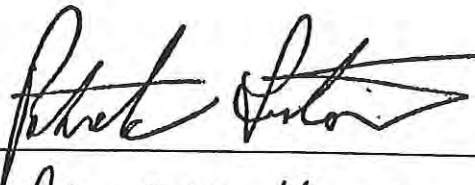

A map is included showing which lands are shown for removal from the current service area and which are proposed to be added. Lands to the east of the Jackson property are shown to be removed as it is felt that development of those lands is quite far out in the future. Other lands to be removed are in the Town of Baraboo west of the proposed bypass which is listed in the US 12 Corridor Plan as the proposed edge of development at this time. Lands to be added to the service area include the area of the TEEL parcel not currently designated and the Sorg property where Alliant Energy is proposed to be located along with some minor parcels in this general area to square up the boundaries.

**Fiscal Note:** (check one)  Not Required  Budgeted Expenditure  Not Budgeted  
 Comments

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the City of Baraboo Sanitary Sewer Service Area Plan boundary is hereby amended as recommended by the City Engineer and as shown on the attached map.

Offered by: Plan Commission  
 Motion: Cone  
 Second: Wedekind

Approved:   
 Attest: 

Minutes of Plan Commission Meeting July 18, 2006

Call to Order

Mayor Liston called the meeting to order at 7:00 PM

Roll Call: Present were Michael Cone, Robert Janke, Mayor Liston, Jim O'Neill, Mary Anne Stewart, Greg Wise, Tom Kolb was absent. Also in attendance were Attorney Mark Reitz, Engineer Bongard, Building Inspector Bance, Duane Hegna, Suzanne Dohner, Corey Ruefer, Dan Goff.

- a. Note compliance with the Open Meeting Law. Mayor Liston noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved and seconded to approve the agenda with the removal of Item c, Conceptual Review for Pam McSherry and Roger Bouden, and by voice vote the motion carried.
- c. Approval of Minutes: It was moved and seconded to approve the minutes of the June 12 and June 20 meetings, and by voice vote the motion carried.

Public Hearings

- a. Boundary Amendment to the City of Baraboo Sanitary Sewer Service Area Plan.

Engineer Bongard gave the history of the Sewer Service Area Plan. He stated that a Sewer Service Area Plan is a mandate that the DNR uses to insure that the City is planning a long-range goal in accordance with what they can reasonably, and cost effectively serve with sanitary sewer. Bongard stated that there are two ways to amend the plan, the first being to request an expansion of the area to be served which would require documentation of growth necessitating the change. He went on to say that the second way to amend the plan is to simply exchange what the designation of lands within the sewer service area are and that this is the type of amendment that is being proposed. Since the plan was created there has been additional development pressure on the west side of the City and additional planning has been done in the form of the Highway 12 corridor plan and the comprehensive plan. It was Bongard's recommendation to remove 60-acres, which is out on the Johnson property, east of the Jackson property and also two parcels of land in the Township that lie west of the bypass and reallocate that acreage in the area of the Teel property, the Sorge/Alliant property and also some additional lands down on the Hegna property to square up that portion of the City as far as the boundary area. Bongard stated that as the administrator of the plan, the procedure is that he is to write a letter soliciting input from all the individuals on the advisory committee. He went on to say that he received a written response from Lance Guernsey of Sauk County and he felt that his findings were consistent with his own. The public hearing being held is also a requirement of the amendment process and the Commission is designated to make a recommendation to Council on the proposed amendment. Suzanne Dohner, Supervisor for the Town of Baraboo and the Chairperson for the Plan Commission of the Town of Baraboo stated that the Town of Baraboo did not support the changes in the plan because the residential area that has been taken out of the plan and the agricultural area being put into the plan doesn't go with their Comprehensive Plan and in an effort to keep the rural character of the Town of Baraboo, they would prefer that that land remain agricultural and it is also Type 1 and 2 soils. Duane Hegna, owner of the land south of Baraboo, known as Heatherstone Enterprises expressed concern to the Commission regarding the imposition of a development boundary based on soils types and current agricultural use.. There being no further testimony, the hearing was declared closed.

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.

New Business

- a. Review and approval of a Certified Survey map for David Mitchell for a lot split on 9<sup>th</sup> Street.

Engineer Bongard stated that this is a lot on 9<sup>th</sup> Street that has a home on it, however, is large enough to sustain two lots and the owner would like to subdivide it to make a second buildable lot. It was moved by Wise, seconded by Cone to approve the certified survey map as presented. On roll call vote for the motion – Ayes = Janke, Liston, O'Neill, Stewart, Wise Cone. Nay = 0, and the motion carried.

- b. Conceptual review for a lot split for property at 121 Pine Street for Dan Church.

Bongard stated that this property has a house on it and there is an adjacent platted lot, however, the two have been combined into one and Mr. Church would like to pursue dividing off the second lot. He went on to say that the lot that would be created would meet the minimums in terms of lot size, however, the lot that would then hold the home would be substandard in terms of our ordinance. Dan Church stated that if 20-feet of this property would not have been sold to the railroad for a right-of-way, it would

not have been necessary to bring this issue to the Commission. Attorney Reitz stated that it should be investigated if this property is listed as two separate lots or if a certified survey map has been placed on top of it. It was stated that if it is still listed as two lots then a lot split would not be necessary. Wise stated that if a lot split would be necessary he is not favorable to approve it due to the small lot and not meeting the setbacks. Reitz stated it should be determined if this property still exists as two lots and if so it was Bongard's feeling that the City would not be involved. No action was taken on this issue.

c. Conceptual Review for Pam McSherry and Roger Bouden. (Cancelled)

Dorothy Achenbach, Highway 33, stated that she has concerns that the City if getting closer to her property and wanted suggestions from the Commission. Mayor Liston stated that the City is trying to negotiate a boundary agreement with the Town of Greenfield, however has not done so yet and he suggested that she speak with her Town Chairman, Terry Turnquist.

d. Conceptual review for residential development at Baraboo Country Club.

Corey Ruefer presented a proposed development to the Commission. He stated that a few alterations have been made and wanted input from the Commission and possibly receive final approval at the next Commission meeting. Bongard stated that they are working on the stormwater management plan and he doesn't foresee a problem with them being able to meeting the ordinance requirements. No action was taken by the Commission.

e. Recommendation to City Council on Boundary Amendment to the SSAP.

Bongard stated that this amendment would not mean that the SSAP couldn't be changed at a later time. Liston moved, Janke seconded to recommend approve of the boundary amendment to the SSAP. A lengthy discussion on the amendment then took place. On roll call vote, Aye = Stewart, Cone, Janke, Liston, O'Neill. Nay = Wise, and the motion carried.

f. Discussion on Industrial Zoned Storage.

Liston gave a background of this item and stated that the Commission needs to discuss the outdoor storage for industrial areas. He went on to say that currently, the City has different standards for different industrial uses. For the most part the City doesn't allow outdoor storage. It was Liston's feeling that if it is industrial zoning outdoor storage should be allowed. Wise suggested bringing property owners together and solving the problem collectively. Liston said that property owners could be invited to the next Commission meeting, however, in the mean time the City needs to have a moratorium on enforcement and whatever is done the City has to be consistent. It was the consensus to that the staff would meet and develop ideas.

g. Discussion of adding to the I-1 District as a conditional use Auto Maintenance and Repair Shops.

Liston stated that this has come before the Commission because the City is buying the Cafilisch property at the corner of 5<sup>th</sup> Avenue and Oak Street and therefore the Cafilischs' have entered into a lease agreement with Al Paschen to move their business to the building on South Boulevard and Hitchcock. However, this building is zoned I-1 and auto maintenance and repairs shops are not a permitted use in an I-1 district and initially Mr. Paschen was going to request a rezone to B-3, however, he also has another tenant, Durabilt that would not be allowed in the B-3 zoning district. Liston asked the Commission if they would be in favor of allowing an auto repair business to be in an I-1 District as a conditional use so standards can be set regarding outside storage, etc. O'Neill stated that an auto repair shop in an industrial district is consistent of his concept of an industrial district. It was the consensus of the Commission to allow this.

### Adjournment

It was moved and seconded to adjourn. Motion carried unanimously.

Patrick Liston  
Chairman

Office of City Engineer  
135 4<sup>th</sup> Street, Baraboo, WI 53913

Phone: (608) 355-2730

Fax: 608 355 2719

E-Mail: [cbongard@cityofbaraboo.com](mailto:cbongard@cityofbaraboo.com)

July 28, 2006

COPY

Mr. Thomas Gilbert  
Wisconsin Department of Natural Resources  
Bureau of Watershed Management  
PO Box 7921  
Madison, WI 53707-7921

Re: City of Baraboo Sanitary Sewer Service Area Plan  
Proposed Boundary Amendment

Dear Mr. Gilbert:

Please consider this letter as an application to amend the boundary of the City of Baraboo Sanitary Sewer Service Area Plan (SSAP). This amendment is initiated by the City and has followed the amendment process laid out in the SSAP.

The amendment does not enlarge the service area, it is simply an exchange of lands designated for sewer service. There has been additional planning since the adoption of the plan that has altered the location of proposed development.

Enclosed for your review is a map of the proposed amendment along with a resolution of the City Council approving the amendment. I am also enclosing a copy of the letter that was sent to the advisory committee along with feedback received in response to the letter and minutes of the Public Hearing that was held at the Plan Commission.

If you have any questions regarding this matter, please contact me at 608-355-2730.

Sincerely,



Chuck Bongard, P.E.  
City Engineer

Enc.

Cc: Terry Kramer, Ed Geick



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

**Jim Doyle, Governor**  
**Scott Hassett, Secretary**

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711

August 31, 2006

DNR Project No. BO-0002

Mr. Chuck Bongard, P.E., City Engineer  
Office of City Engineer  
135 4<sup>th</sup> Street  
Baraboo, WI 53913

Subject: City of Baraboo Sanitary Sewer Area (SSA) Amendment

Dear Mr. Bongard:

We have completed our review of the subject amendment request submitted to the Department on July 31, 2006. The Department hereby approves the amendment request that adds 98.2 acres, but also removes of 99.1 acres, from the Baraboo sewer service area. The areas to be added are located between the WalMart and Menards subdivisions and USH 12, plus lands north of the Deppe/Mandt Industrial park and east of the proposed bypass, plus some minor infilling. The area to be removed is located in three separate areas, on the west and east sides of the existing SSA.

The amendment was requested by the City of Baraboo and approved by the Common Council of the City of Baraboo, resolution No. 2006-89 on July 25, 2006.

The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

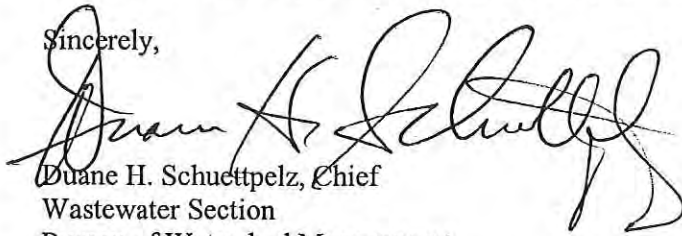
If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., and ch. NR 2, Wis. Adm. Code, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition

for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review.

Sincerely,

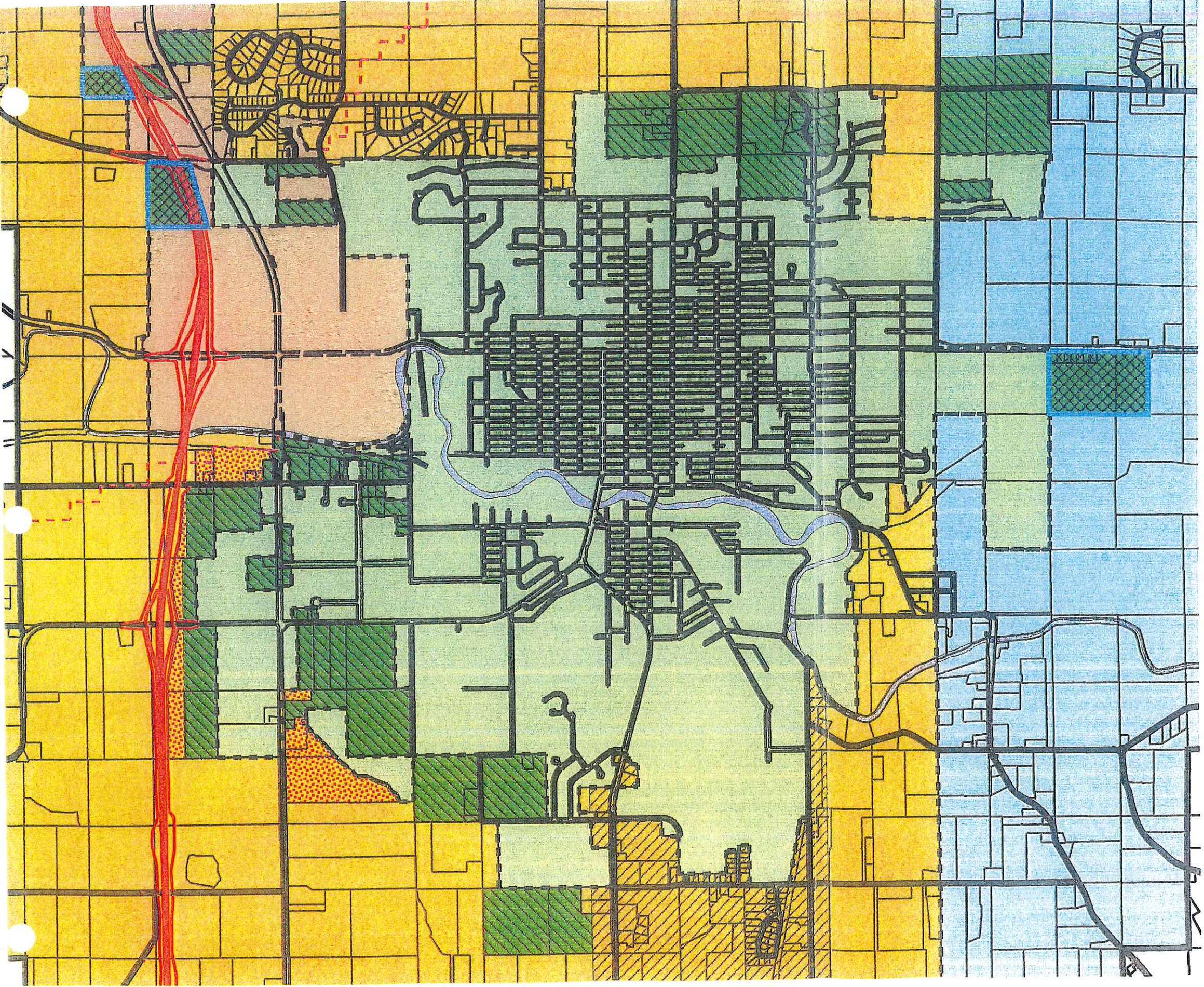


Duane H. Schuettpelz, Chief  
Wastewater Section  
Bureau of Watershed Management













cc:

Lance J. Gurney, AICP, Director; Sauk County Planning & Zoning; West Square Building; 505  
Broadway; Baraboo, WI 53913  
George Osipoff – DNR - SCR – Fitchburg  
Andy Morton – DNR – SCR - Fitchburg  
Tom Gilbert – DNR - WT/2

# BARABOO SEWER SERVICE AREA



## LEGEND

-  CITY OF BARABOO 1.5 MILE EXTRA TERRITORIAL LIMITS
-  VILLAGE OF WEST BARABOO 1.5 MILE EXTRATERRITORIAL LIMITS
-  PROPOSED HWY 12 BYPASS
-  EXISTING SANITARY SEWER DISTRICT
-  AREAS OF PLANNED SANITARY SEWER SERVICE
-  REMOVED AREAS OF PLANNED SANITARY SEWER SERVICE
-  AREAS ADDED TO THE PLAN
-  CITY OF BARABOO
-  VILLAGE OF WEST BARABOO
-  TOWNSHIP OF GREENFIELD
-  TOWNSHIP OF FAIRFIELD
-  TOWNSHIP OF BARABOO

