Freedom
2030 Sewer Service Area

January 25, 2012

Prepared by the
East Central Wisconsin Regional Planning Commission

in cooperation with the State of Wisconsin
Department of Natural Resources

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ABSTRACT

Plan Title: FREEDOM 2030 SEWER SERVICE AREA

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Subject: Sanitary sewer service area delineation for future community growth.

Date: January 25, 2012

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This plan updates and supersedes the 2001 Freedom Sewer Service Area Plan which is an element of the Water Quality Management Plan, which for this area includes the Lower Fox River Basin Water Quality Management Plan. The plan was prepared by the East Central Wisconsin Regional Planning Commission and was certified by the Wisconsin Department of Natural Resources on **January 25, 2012**, as part of the Statewide Water Quality Plan. It provides population and land use projections and delineates future growth areas for the Freedom Sewer Service Area. Also identified are environmentally sensitive areas which should not be developed. Policy recommendations encourage cost-effective and environmentally sound development patterns.

This report, including maps and other related information on Sewer Service Areas and the East Central Wisconsin Regional Planning Commission, is available on our website at www.eastcentralrpc.org.

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INTRODUCTION

This is the third update of the Freedom Sewer Service Area Plan, (1985 & 2001), which is an element of the State of Wisconsin Water Quality Management Plan, specifically, the State of the Lower Fox River Integrated Management Plan (WDNR publ. WT-666-2001). In the 30 years since sewer service areas have been in effect they have provided a guide for sewered development and have had a significant impact in the protection of water quality. Both communities and land developers are now more aware of the purpose of sewer service areas, using the plans and policies in community and development planning.

Report Format

This plan describes and delineates the Freedom Sewer Service Area. The plan was developed in accordance with state and federal guidelines and involved various community and public input measures including:

- One public hearing/informational meeting;
- Several 'working' meetings

This plan discusses the Sewer Service Area (SSA) characteristics, projected growth levels and the service area plan map. The beginning and end portions of this document discuss traits common to all SSAs, such as:

- Service area goals, objectives and policies;
- Service area delineation and planning process; and
- Service area amendment and update process.

Purpose

The Freedom Sewer Service Area Plan updates and amends the 2001 sewer service area, a formal planning element of the State of the Lower Fox River Integrated Management Plan (WDNR publ. WT-666-2001). The updating process is part of a regularly scheduled re-evaluation, the last of which was completed in 1999, (and now again in 2009), according to Wisconsin Administrative Code NR121.07(2)(a)1.

Sewer service area plans serve as a basis for Wisconsin Department of Natural Resources (WDNR) approval of state and federal grants for the planning and construction of wastewater treatment and sewerage facilities. They also serve as a basis for WDNR approval of locally proposed sanitary sewer extensions and Wisconsin Department of Commerce approval of private sewer laterals. In addition, because the service area plans identify environmentally sensitive areas, they serve as a guide for environmental permit decisions by federal and state agencies.

Sewer service area plans are intended to be an important planning and development guide for local communities. The updated plans:

- Identify wastewater treatment and collection needs for sewer service areas for a 20 year or more planning period;
- Forecast the amount and location of future urban development areas;
- Identify environmentally sensitive areas which should be preserved;
- Contain land use development forecasts and recommendations for implementing wastewater treatment and collection plans for individual sewer service areas;
- Inform developers and property owners of community policies and restrictions before development is proposed; and
- Establish "holding tank" service areas for isolated and rural special uses.

Background

The passage of the Federal Water Pollution Control Act Amendment (P.L.92-500) in 1972 marked the beginning of a new approach to the planning, design and construction of municipal wastewater collection and treatment facilities. This law established Areawide Water Quality Management Planning under Section 208 and also the Facility Planning Grant Program under Section 201. The preparation of sewer service area plans for major urban areas and designated water quality management areas were significant parts of this planning process. In recent years, the State of Wisconsin has embodied many of the federal areawide and facility planning requirements into the Wisconsin Administrative Code. These administrative rules set forth clear procedures and standards regarding the preparation of these plans and their implementation. Specific sections of the code directly pertaining to these activities are NR121 which describes water quality and areawide waste treatment planning and management; and NR110 concerning wastewater facility and sanitary sewer extension planning. In June 1977, East Central completed initial sewer service area plans for 23 communities within the Fox Valley area under contract with the Fox Valley Water Quality Planning Agency. These plans delineated sewer service areas through the year 2000. The service area plans were adopted as part of the Point Source element of the Fox Valley Water Quality Management Plan in January, 1979.

On December 31, 1989 the Fox Valley Water Quality Planning Agency (FVWQPA) was disbanded and the Wisconsin Department of Natural Resources (WDNR) took over agency responsibility for the Fox Valley Designated Water Quality Management Area. Therefore, the WDNR now directs and is responsible for the implementation of sewer service area plans. East Central, as a sewer service area planning agency, has a contractual agreement with the Department which provides that East Central will periodically review, revise and update the service area plans and review proposed sewer extensions for conformance with the approved areawide water quality plan. The Department's role is to provide a water quality assessment and comment on revisions and updates of the sewer service area plan and to review and approve plans for wastewater treatment facilities and sewer extensions based upon their conformance with the areawide plan. The contract agreement outlines rather broadly the responsibilities of each of the agencies involved in managing sewer service areas.

In order to address specific development proposals which impact sewer service area plans on a day-to-day basis, East Central has adopted an "Amendment Policy and Procedure for Sewer

Service Areas." The amendment policy and procedures were initially adopted in 1978 and revised in 1984, 1990, 1995, 2001, and 2004. These procedures establish standards and criteria for amending sewer service area boundaries and also describe the process for amending sewer service area plans. The amendment policies, (page 70), provide a mechanism whereby communities can alter service area boundaries in response to changes in both the rate and direction of development. The amendment process provides the flexibility for communities to adjust to short-term changes in development trends and thus provides a means of accommodating changing development trends between the five-year updates.

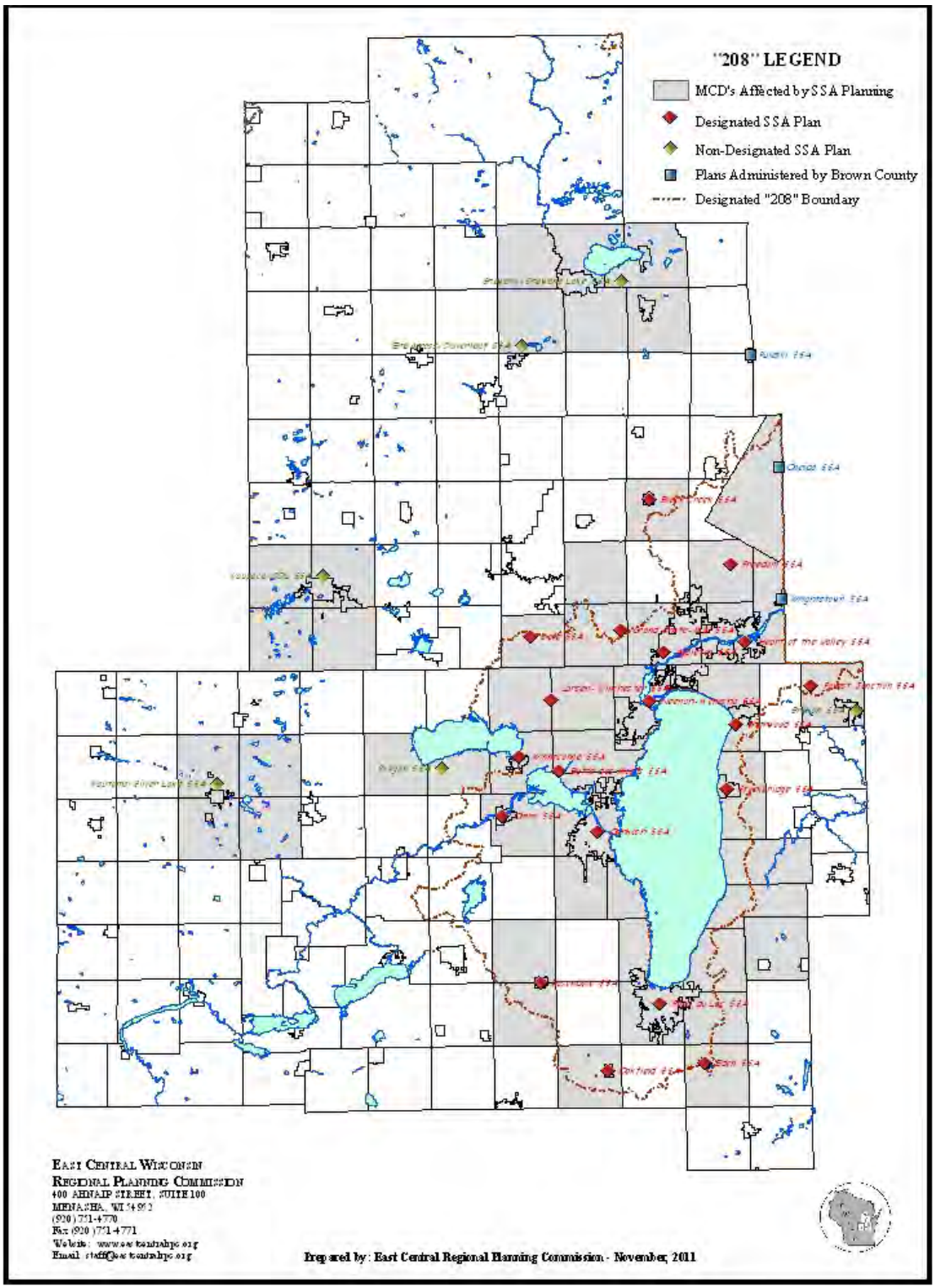
Fox River Designated Water Quality Management Area

The Fox River Designated Water Quality Management Area comprises major portions of the four urban counties surrounding Lake Winnebago (Exhibit 1). The 1,580 square miles has been specially designated for water quality planning because of the concentration of industries and urbanization along the Fox River and Lake Winnebago. Within this overall area 25 different sewer service areas have been delineated and individual plans prepared (Exhibit 1). The East Central Wisconsin Regional Planning Commission is responsible for preparing, maintaining and updating sewer service area plans within the designated area. The Wisconsin Department of Natural Resources is responsible for plan implementation.

While the Fox Valley area is interrelated from a water quality viewpoint, it can be separated into two distinct areas in terms of growth and development planning. These areas consist of the large communities of the Fox Cities, Oshkosh and Fond du Lac and the individual smaller communities of the outlying areas. In projecting future growth, these areas are handled differently in service area plan development.

EXHIBIT 1

Fox River Water Quality Planning Area



Plan Goals, Objectives & Policies

In the ten-county region of the East Central Wisconsin Regional Planning Commission, sewer service area plans are prepared within the context of the regional comprehensive plan, New Directions for Growth and Development (ECWRPC, 1978). The process used for the 1978 land use plan established goals, objectives and policies formulated in response to citizens' desires and needs brought forth in East Central's public participation program. Appropriate goals, objectives and policies were referenced as the groundwork for the establishment of 104 urban service area plans and boundaries throughout the region.

A major review and update of the goals, objectives and policies was completed in 1995 and 1996 and have been incorporated within the Community Facilities Chapter of the Commission's approved 2030 Regional Comprehensive Plan (visit www.eastcentralrpc.org for a .pdf copy.) As part of the updating process in 1995 and 1996, the earlier set of goals, objectives and policies have been refined to provide more specific guidance for service area planning. The refinements are a result of additional community and technical advisory committee participation in the service area update planning process. The refinements also reflect various state and federal laws and regulations which impact sewer service area growth and development activities.

Four overall goals have been identified. These goals and related objectives and policies pertain to growth management, urban service delivery, environmental resources and open space. Objectives and policies related to the goals point out the significant interrelationship between urban growth and land use, sanitary sewerage planning and the environment. Together, they provide a sound basis for determining a community's future development.

Goals represent common community ideals and provide the direction in which planning is aimed. Objectives are more specific targets along the path of satisfying community goals. Objectives may be measurable, adding to the community good. Policies are strategies for accomplishing the stated objectives. Specific policies can be used in the decision-making process.

The intent of the Freedom Sewer Service Area Plan is to encourage efficient, orderly and planned land use development patterns which allow for logical, cost-effective sewered development that incorporates sound environmental management practices. The land use element provides direction and integrates four sub-area functional plans which have direct impacts on future land use. These functional areas are Growth Management, Urban Service Delivery, Environmental Resources and Open Space.

Growth Management

GOAL: ENCOURAGE AN ORDERLY AND PLANNED PATTERN OF COMMUNITY GROWTH AND DEVELOPMENT.

OBJECTIVE: **Allocated Growth. Promote balanced allocation of land areas to accommodate current and future urban development needs.**

Policies:

1. The supply of land allocated for urban development should approximate the current and future needs as determined from population, employment and land use projections which have been developed in conjunction with adopted comprehensive or urban service area plans.

2. New urban development patterns should incorporate planned areas of mixed use and density neighborhoods that are clustered and compatible with adjacent uses.

3. Work places, shopping centers, recreational facilities, and community facilities should be located to provide a mix of land uses for improved accessibility for residents.

4. Urban designs with higher density land use alternatives should be promoted.

OBJECTIVE: **Planned Urban Communities. Promote planned urban communities which contain centralized, compact, contiguous and compatible urban development patterns.**

Policies:

1. Vacant developable lands within existing urban areas should first be in-filled, then development staged outward from the existing development limits.

2. New subdivision development should be encouraged within existing urbanized areas or as an expansion of existing urban areas concurrent with the provision of necessary facilities and services.

3. The expansion of major commercial and industrial land use activities should be adjacent to existing areas or in areas designated for such development in adopted comprehensive plans.

4. Natural and man-made features, such as ridge lines, streams and major highways, should be considered in the expansion and staging of urban development.

5. Urban development should only take place in designated urban service areas.

6. Community development plans should be coordinated in multi-jurisdictional urban areas.

7. Urban sprawl in the form of unplanned development which is non-contiguous, low density, scattered and inefficiently served should be discouraged.

OBJECTIVE: **Environmentally Sound Development. Promote urban development which protects environmentally sensitive areas and is compatible with the natural resource base.**

Policies:

1. Urban development should be directed to suitable land and discouraged on unsuitable land, such as floodplains, wetlands, prime agricultural soils, areas of high bedrock and groundwater, steep slopes, prime wildlife habitat, unique scientific areas and areas of historical or archeological significance.

2. The development of environmentally sensitive areas should be discouraged.

3. Adverse development impacts to surface water and groundwater should be mitigated.

4. Designs and plans for new development should preserve open spaces for public use, complement the existing landscape, and conserve energy and natural resources.

5. Land reclamation should be required following extractive operations or other uses which significantly alter the land surface.

6. Urban redevelopment activities should weigh environmental, health and safety factors against associated costs and benefits.

OBJECTIVE: **Efficient Development. Promote efficient and cost-effective development in urban growth areas.**

Policies:

1. Urban development should be encouraged at densities adequate to sustain reasonable urban service costs.

2. Urban development should occur in areas served by adequate public facilities and services.

3. A variety of types, prices and locations of housing should be provided to promote convenience, choice and affordability.

4. Development patterns and site designs that support multimodal transportation should be encouraged.

5. Major commercial and industrial areas should be provided with readily accessible major transportation systems.

6. Community comprehensive plans should be adopted prior to the extension of urban services.

OBJECTIVE: **Rural Land Development. Preserve rural land uses by requiring planning which considers water and sanitary sewer adequacy.**

Policies:

1. Agricultural and open space characteristics of rural areas should be preserved.

2. Rural development should be limited to land with suitable physical characteristics and soils supporting conventional on-site sewage treatment systems.

3. Rural residential housing should be limited to dependent single lot use in agriculture and open space areas.

4. Rural subdivision development should be limited to areas which do not negatively impact agricultural or open space uses and the provision of public services.

5. Rural subdivision development should be restricted in urban planning areas until long-term urban services are provided.

OBJECTIVE: **Compatibility with the Transportation Network. Encourage development in areas that are served by existing transportation infrastructure.**

Policies:

1. Infill development and redevelopment projects should be promoted in order to avoid the need for extension of transportation infrastructure and service.

2. Design standards for infill should be given different consideration for transportation/traffic requirements compared to "greenfield" development.

Urban Service Delivery

GOAL: PROMOTE URBAN SERVICES IN AN EFFICIENT, ENVIRONMENTALLY SOUND, AND SOCIALLY RESPONSIBLE MANNER.

OBJECTIVE: **Economical Public Facilities. Provide efficient, economical, and equitable public facilities and services to urban development.**

Policies:

1. The use of existing public facilities and services should be maximized in the allocation of future urban growth.

2. Designing of new and upgraded transportation and utility facilities with capacities sufficient to respond to existing demand levels and to the additional demand generated by planned development should be encouraged.

3. A full range of essential urban services and facilities should be provided to urban development areas.

4. The costs of providing urban services should be minimized through higher density development.

5. Major infrastructure extensions should be staged to coincide with community growth rates.

6. Utilities serving individual developments should be extended consistent with community water and wastewater system plans.

7. Provision of public facilities and services should be coordinated with the location and timing of new development.

OBJECTIVE: **To promote sanitary sewerage systems which are environmentally sound.**

Policies:

1. Disturbances to natural resources should be minimized when constructing sanitary sewerage systems.

2. Constructing sanitary sewers through environmentally sensitive areas should be avoided whenever possible.

3. The design and construction of sanitary sewerage facilities should not promote development in environmentally sensitive areas.

4. Sanitary sewerage systems should meet water quality standards.

5. When feasible, sanitary sewer systems and stormwater drainage systems should be designed and constructed concurrently to achieve pollutant abatement, gain drainage benefits, and minimize disruption of natural resources.

6. Erosion and sediment control practices should be utilized in constructing sanitary sewer systems where the potential for erosion is high.

OBJECTIVE: **To promote sanitary sewerage systems which will effectively and economically serve urban development.**

Policies:

1. The number of waste treatment plants should be minimized to avoid duplication of facilities, institute economies of scale and lessen environmental degradation.

2. Urban development should be provided with sanitary sewer service which is reasonably sized.

3. Existing capacity in sanitary sewerage systems should be used before making substantial expansion or extensions.

4. Sanitary sewerage system construction and sizing should be staged to encourage lower capital investment and greater flexibility.

5. Sanitary sewerage systems should be provided for existing development whenever they are the most cost-effective alternative for addressing failing on-site disposal systems.

6. Gravity flow sanitary sewer and interceptor systems should be utilized whenever it is cost-effective.

OBJECTIVE: **Cooperative Provision of Services. Provide services where efficiency, equity, and economies of scale can be obtained through cooperation and coordination.**

Policies:

1. Overlapping urban service areas, facility and system capacities and service capabilities should be discouraged.

2. The proliferation of major public infrastructure facilities should be discouraged.

3. Inter-municipal agreements should be promoted for the provision of joint services.

4. More uniform facility design and service standards should be encouraged for multiple jurisdiction development areas.

Environmental Resources

GOAL: PROTECT THE ENVIRONMENT AND MANAGE NATURAL RESOURCES IN AN ECOLOGICALLY SOUND MANNER.

OBJECTIVE: **Water Quality Protection. Improve and protect surface and groundwater quality.**

Policies:

1. The quality and supply of groundwater should be protected as the principal source of water supply and encourage water conservation programs.

2. The use of natural drainage patterns and measures should be promoted to enhance water quality.

3. Wetlands should be preserved as an essential component of the hydrologic system.

4. The risk of groundwater contamination should be reduced in aquifer recharge areas.

5. Lakeshore and streambank erosion should be minimized.

6. Construction site erosion should be controlled and urban stormwater runoff reduced.

7. Non-point source pollution abatement programs should be supported.

8. The adverse water quality impacts of agricultural runoff should be minimized.

OBJECTIVE: **Air Quality Maintenance. Improve or maintain high air quality throughout east central Wisconsin.**

Policies:

1. Air pollution abatement programs and air quality regulations should be supported.

2. Geographically coordinated abatement strategies should be encouraged.

3. The public should be provided with information on air quality programs and specific air quality problems.

4. The increased use of transportation modes that are more efficient and environmentally sound than the private automobile should be encouraged.

5. Noise pollution should be reduced and noise sources isolated.

OBJECTIVE: **Environmentally Sensitive Area Protection. Preserve and protect environmentally sensitive areas and promote the linkage of these areas into environmental corridors.**

Policies:

1. The natural environment should be recognized as an integrated system of interacting and finite land, water and air resources to protect the health and stability of this system.

2. Shoreland, floodplain and wetland areas should be protected as essential components of the hydrologic system and their scenic and recreational value preserved.

3. The disturbance of environmentally sensitive areas by utilities and transportation facilities construction should be minimized.

4. Critical natural areas should be preserved and protected from development and other adverse impacts.

5. Adjacent land uses which adversely impact sensitive areas should be restricted or mitigated.

6. The interrelationship of adjacent landscape types should be recognized to avoid dividing the natural units or breaking important linkages.

OBJECTIVE: **Wildlife Habitat Management. Manage wildlife and wildlife habitat in a manner that maintains ecological stability and diversity, and considers social and economic impacts.**

Policies:

1. The diversity and population of plant and wildlife species should be maintained and increased.

2. Critical habitat areas for endangered and rare species should be preserved and enhanced.

3. Wildlife habitat such as fencerows, woodlots and natural areas should be protected and expanded.
4. Adequate public access to hunting and fishing areas should be provided.

5. Responsible public use of private land should be encouraged.

6. Wildlife and plant populations should be managed in ways that do not impose undue financial loss to individual property owners.

7. Plant and animal preserves used specifically for educational and observational purposes should be maintained and expanded.

OBJECTIVE: **Food and Fiber Production. Preserve land suitable for the production of food and fiber to meet present and future needs.**

Policies:

1. Land best suited for agriculture or forestry should be preserved for these uses or in other uses which enable the land to be readily converted to agricultural or forestry production.

2. Ecologically sound and economically feasible farm and forestry management practices which preserve soil productivity and minimize soil loss should be encouraged.

3. Soil should be recognized as one of the basic and most important resources and programs to preserve and improve productivity and wise use consistent with soil capability should be developed and promoted.

OBJECTIVE: **Solid Waste Management. Employ a comprehensive management approach for solid and organic wastes.**

Policies:

1. The amount of solid waste generated by households, business and industry should be reduced.

2. Solid waste should be recycled as an alternative raw material for construction, manufacturing, and energy production.

3. Organic wastes should be used as soil amendments.

4. Waste disposal operations and facilities should be centralized where economically feasible.

5. Cost-effective waste management systems should be provided that are consistent with development and water and air quality regulations.

6. On-site waste disposal systems should be managed to minimize adverse land use, environmental, and public health impacts.

7. Health threats from toxic substances in the environment should be reduced.

Open Space

GOAL: PROVIDE SUFFICIENT PUBLIC OPEN SPACE TO MEET THE RECREATIONAL NEEDS OF ALL RESIDENTS AND PROTECT AND PRESERVE NATURAL AND CULTURAL RESOURCES.

OBJECTIVE: **Recreational Opportunity. Provide all area residents an opportunity to partake in a wide range of active and passive recreational activities on a year-round basis.**

Policies:

1. Recreational facilities should be provided to address the level of activity participation, facility deficiencies and aesthetic needs of the community.

2. Park sites to fully serve the local and areawide needs of the community should be located and developed.

3. Safe, convenient and adequate access to all parks and recreation areas should be provided.

OBJECTIVE: **Preservation Areas. Preserve areas of unique natural, historical, and cultural significance or unusual beauty for public use and enjoyment.**

Policies:

1. All significance preservation areas should be identified and mapped.

2. Unique areas should be protected by minimizing the impact of individual development proposals.

3. Significant natural areas should be preserved as public open space.

4. Public access and use within environmental corridors and drainage ways should be promoted.

OBJECTIVE: **Urban Recreation Needs. Plan for the future open space and recreational needs of the urban area.**

Policies:

1. All municipalities should be encouraged to participate in the development of a comprehensive park and open space plans.

2. Opportunities should be identified for developing a network of recreational trails along highly attractive environmental corridors, natural waterways, and transportation rights-of-way to link major recreational facilities and residential areas.

3. Coordination between neighboring jurisdictions should be facilitated for development of parks and recreation facilities and linkages.

4. Future parks and open space areas should be preserved so that suitable and adequate land will be available to provide active and passive recreational opportunities as growth occurs.

OBJECTIVE: **Cost-Effective Recreation. Provide recreational opportunities in a cost-effective manner.**

Policies:

1. Facilities should be developed which can provide multi-seasonal recreational opportunities.

2. The use of existing recreational facilities should be optimized.

3. Duplicative recreational facilities and programs should be avoided.

4. Grants and funding assistance should be maximized in the acquisition and development of recreational facilities.

5. Municipalities and school districts should be encouraged to cooperate in the development of community recreational and playground facilities.

6. The development of the county park system should be encouraged to complement recreational opportunities available in local parks.

7. Municipalities should be encouraged to establish capital funding and other parkland dedication methods to provide for future recreational needs.

OBJECTIVE: **Attractive Communities. Make individual communities, and the region as a whole, a more attractive place to live, work, and play.**

Policies:

1. Scenic areas should be preserved and landscaping and other site development requirements strengthened to promote community beautification.

2. Additional billboard proliferation should be prevented, their placement controlled and a phase-out program promoted.

3. Community tree planting programs on street terraces and public areas should be promoted.

4. Waterfront areas should be preserved and redeveloped to promote greater public recreational use.

5. Scenic easements to protect important viewsheds should be acquired.

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FREEDOM SSA PLAN OVERVIEW

Plan Assumptions & Reader Notes

The beginning year for this update was 2009, and hence; data was finalized early 2009 to coincide with this starting timeframe. The plan itself looks out 20 years into the future (2030). The reader should further note that all references to SSA boundaries and acreages are associated with the 'updated' (2009) land use conditions, not with the 'current' (2001) plan features. Basically, the plan is written as if it has already obtained WDNR approval.

2030 SSA Population, Development and Acreage Projections

In order to ease the reading of this document, all of the detailed demographic and development projection data for each Designated Management Areas (DMA) are contained in a separate appendix (Appendix B). Figures for the aggregate SSA are referenced in the text for descriptive purposes. An attempt was made to have all data reflect conditions as of June 2009. The planning horizon also encompasses a slightly longer time span, rather than the traditional 20 year span. This will allow staff to provide (in 5-year increments) a 20-year population and development projection when reviewing sewer projects and sizing through the Water Quality Management (WQM or 208) review process.

Future Land Use Designations

The SSA plan has tables and maps which illustrate 2030 SSA's vacant acreage by proposed land use type. Each community's land use classification scheme was assessed and simplified so that common land use categories could be compared.

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FREEDOM SEWER SERVICE AREA

PLANNING AREA DESCRIPTION

The Freedom Planning Area (Exhibit 2) is located in southeastern Outagamie County at the crossroads of S.T.H. 55 and C.T.H S. The planning area contains the unincorporated community of Freedom and surrounding areas generally bounded by CTH J to the north and CTH UU to the south; CTH C on the west and CTH J to the east. The Freedom Planning Area, in its' entirety, lies in T22N, R18E, Town of Freedom, Outagamie County which encompasses 5,793.3 acres or 9.1 square miles.

Planning area additions/expansions: Approximately 361 acres were added to the planning area. As stated above these allocations were added to represent the potential extent of the sanitary district's wastewater treatment area. The planning area expansions occurred to the south along CTH N and to the south and east central portions of the planning area (See Exhibit 2).

LAND USE AND DEVELOPMENT

Exhibit 3 illustrates the 2009 existing land use for the Freedom SSA along with the updated planning area boundary for reference purposes. This information is based on the Commission's detailed land use inventory with corrections made by the community during the update process. This data corresponds with a timeframe (or 'snapshot') of late-year 2009.

In this update, the 2030 SSA contains 1,737 acres of land of which 957.1 acres (55.1%) are considered to be developed. The developed lands can be described as follows (Appendix B, Table B-11): 520 acres of residential land use (30% of total SSA); 63.1 acres of commercial land use (3.6% of total SSA); 22.1 acres of industrial land use (1.2% of total SSA); 224.4 acres of transportation/road use (12.9% of total SSA); 92 acres of public/institutional/use (5.3% of total SSA); 23.5 acres of utility use or planned stormwater detention ponds (1.4% of total). A total of 3.9 acres are considered undevelopable wetland buffers. The remaining 6 acres, (.3% of total area), are designated as environmentally sensitive areas (ESA).

Residential Development

Residential development within the 2030 Freedom Sewer Service Area is the dominate land use category. There is considered to be 12.2 acres of multi-family residential, mostly confined to an area within the community's downtown district. The balance of residential development, 520 acres of single family residential, is spread throughout the service area. Compact planned residential developments are expected to continue within the community of Freedom thus promoting cost-effective delivery of services.

Commercial Development

Existing commercial development is primarily within the downtown district of Freedom which represents approximately 40% of all commercial development. A large pocket of commercial development is located south along STH 55 and Industrial Drive. New developments are expected to occur along STH 55 as highway commercial development. The Freedom Industrial Park also accommodates larger, substantial industrial development, as well as commercial endeavors.

Industrial Development

Industrial development is found primarily within the Freedom Industrial Park. This industrial park is near capacity relative to available buildable lots however, expansion is possible to the south and east of the current developed area. There are parts of three active quarries or mining pits that reside within the 2050 Freedom Planning Area. These operations have no impact on sewer service therefore a non-contributor to the flow volumes at the plant.

Public/ Institutional Uses

The community of Freedom provides public and administrative services with respect to open space and recreational facilities, fire protection, police services and educational opportunities. Within the Freedom area the community provides three parks; Citizens Park on CTH E & S, Rickert Park located east of McHugh Road and the VFW Memorial Park at STH 55 and Columbia Avenue. In addition, one public golf course, (Irish Waters Golf Club), and one membership course, (Fox Valley Golf Club), provide alternative recreational opportunities. Public and parochial schools are part of the Freedom School District.

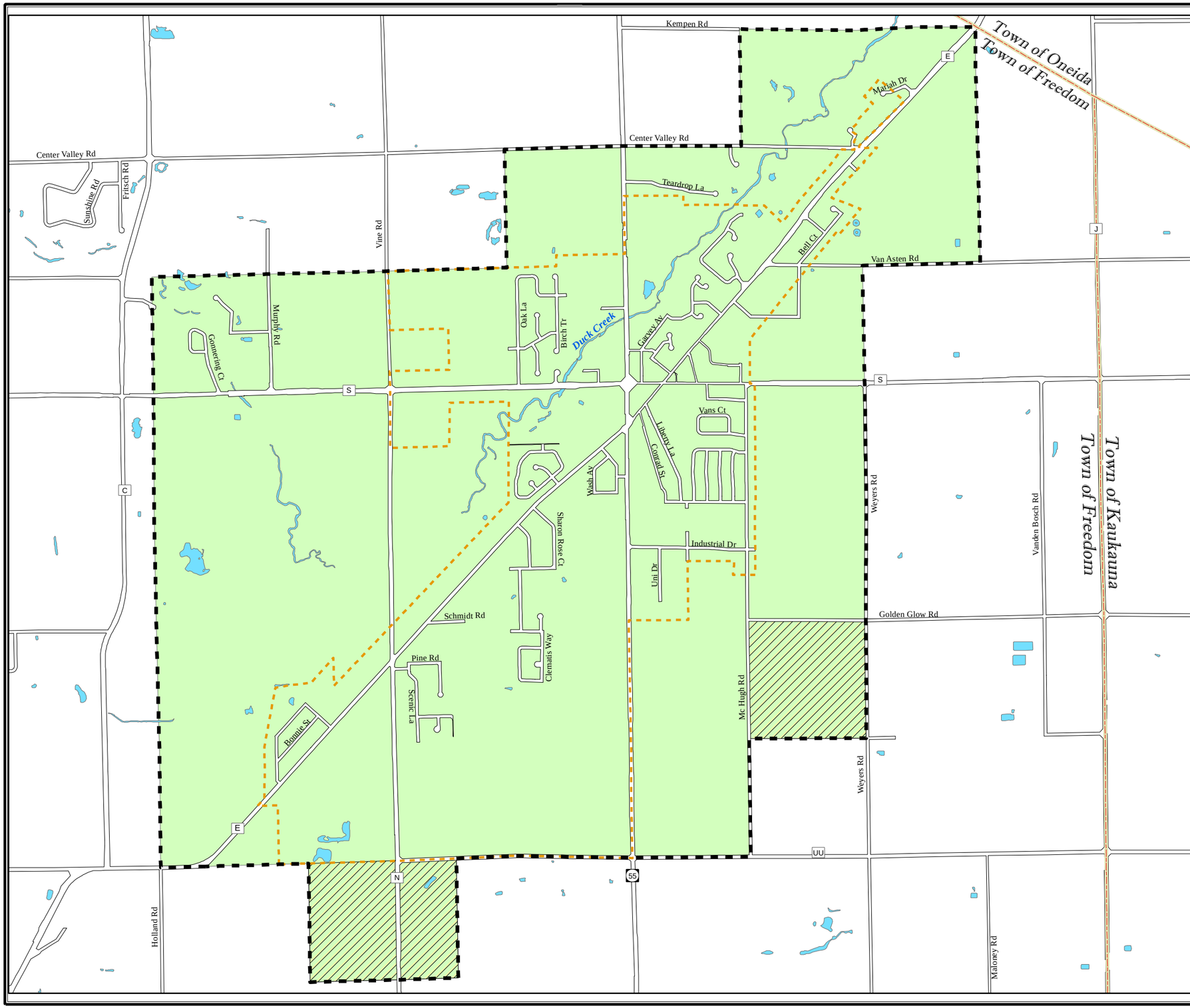


Exhibit 2

YEAR 2050 FREEDOM PLANNING AREA

PLANNING AREA CONDITIONS

- 2050 Planning Area Boundary
- Freedom Sanitary District Boundary
- Township Boundary
- 2050 Planning Area
- Planning Area Expansion

N
W E
S

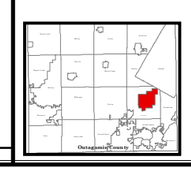
2,250 0 2,250

Scale in Feet

This map and its associated sewer service area descriptions do not obligate a community(ies) to provide sewer service to property owners contained herein.

This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

Wisconsin Department of Natural Resources Certification - January 25, 2012



Source: Digital base data provided by Outagamie County.
Land Use data provided by the Town of Freedom.
Thematic data created by ECWRPC.

Prepared By
EAST CENTRAL WISCONSIN
REGIONAL PLANNING COMMISSION
JANUARY, 2012

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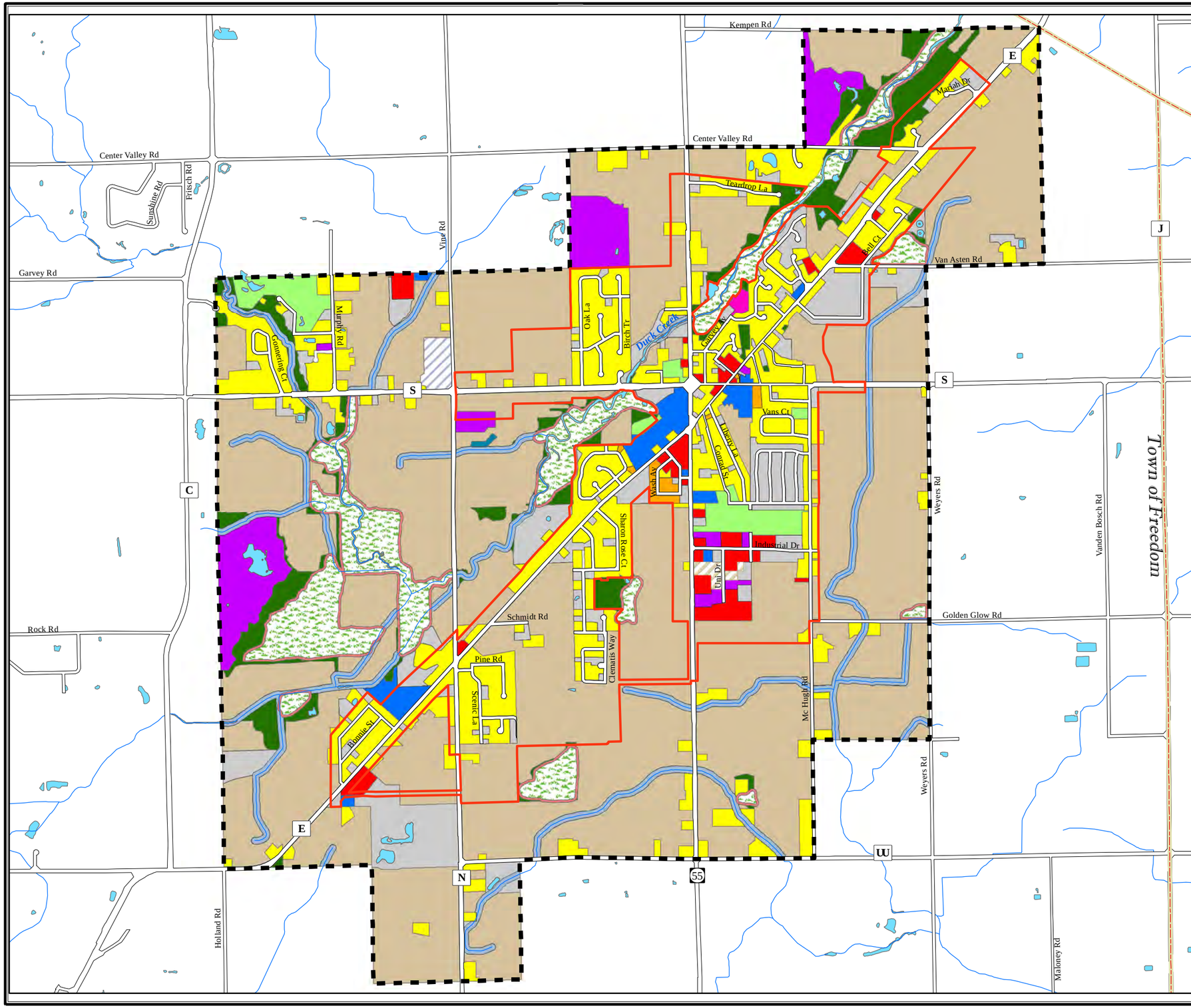

Exhibit 3

2009 EXISTING LAND USE FREEDOM SEWER SERVICE AREA

2009 EXISTING LAND USE

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Open Space/Recreational
- Public/Institutional
- Wastewater Treatment Facility
- Parking Facilities
- Livestock Facility
- Agricultural
- Woodlands
- Vacant - Developable
- Stormwater Detention Facility
- WDNR Designated Wetlands
- 50 Foot Wetland Buffer
- 75 Foot Stream Buffer

2030 SEWER SERVICE AREA

- 2050 Planning Area Boundary
- 2030 Sewer Service Area Boundary
- Township Boundary

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Scale in Feet

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Thematic data created by ECWRPC.

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EAST CENTRAL WISCONSIN
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JANUARY, 2012

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ENVIRONMENTALLY SENSITIVE AREAS

Watersheds and Water Features

The Freedom Sewer Service Planning Area falls within two sub-watersheds located within the Lower Fox River Basin (Exhibit 4).

The Duck Creek Sub-watershed (LF-05) encompasses the northwestern portion of the planning area. Land use is predominantly agriculture. Duck Creek is the only major surface water feature within the Freedom Planning Area. The creek originated in Burma Swamp, a large wetland (approximately 2,000 acres) located in central Outagamie County. The majority of the creek is classified as a warm water forage fishery and is impacted by a multitude of negative land use practices: streambank buffers are rare, livestock and cropping occur right up to the streambank and ditching is prevalent. This results in erosion causing turbid waster, warmer water temperatures, lower dissolved oxygen levels, stream flashiness and dramatic water fluctuations including periods of ponding and no flow.[1] A total of 71 miles of named and unnamed streams are located in the watershed and all enter Green Bay at or near the mouth of Duck Creek. This sub-watershed was selected as a Priority Watershed Project (PWS) in 1994.

The Apple, Ashwaubenon Creek Sub-watershed (LF-02), totaling approximately 113 square miles, encompasses the south and south southeast portions of the Freedom Planning Area. This sub-watershed was also selected as a PWS in 1994, and a Priority Watershed Plan was completed in 1997. Land use in the watershed is primarily agriculture and residential. There are 171 named and unnamed streams in the watershed, all of which empty into the Fox River. Sediment and phosphorus loading from upland agricultural fields are the major sources of nonpoint pollution in the watershed.

Wetlands

Wetlands are areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. Wetlands play an important role since they serve as a filter system of pollutants and are invaluable in controlling flood waters, recharging groundwater and retaining water during drought. Wetlands also provide valuable habitat for waterfowl and other wildlife, excellent cover and migration corridors for wildlife and may support spawning and nursery habitat for fish and sanctuaries for rare and endangered species. Wetlands also offer educational, recreational and aesthetic benefits and opportunities.

Wisconsin Administrative Code NR 115 and NR 117 mandate that wetlands be protected in both the rural and urban areas of the state. In the unincorporated areas, NR 115 protects wetlands or portions of wetlands within the shoreland zone that are designated on Wisconsin Wetland Inventory maps prepared by the Wisconsin Department of Natural Resources. To protect wetlands in incorporated areas, NR 117 was enacted in 1983 and requires that all wetlands or portion of 5 acres or more in size located in the shoreland zone be protected and outlines minimum shoreland zoning standards for Wisconsin cities and villages. In addition to NR 115 and NR 117, NR 103 outlines water quality standards for wetlands and requires that all practicable alternatives be considered to avoid and minimize wetland disturbance and to ensure

[1] Lower Fox River Basin Integrated Management Plan,2001; WDNR

preservation, protection, restoration and management of wetlands. Any alterations that are to be made to any wetland, regardless of size, need to be reviewed and approved by the U.S. Corps of Engineers and the WDNR before any action can be taken.

Within this plan, wetlands are primarily found along the Duck Creek corridor and are generally small in size. Isolated wetlands also occur in depressions or drainageways located west of STH 55 and north of CTH UU. In particular, moderately sized wetlands are found in T22N, R18E, S16 and are included within the 2050 Freedom Planning Area. Future updates of this plan will attempt to remove these wetland areas from the planning area to better reflect actual development areas.

Floodplains

Mapped FEMA Floodplains are found within various portions of the defined SSA (Exhibit 4). Areas susceptible to flooding are considered unsuitable for any type of development due to the potential health risks and property damage. As revised in 1984, the Flood Insurance Rate Maps (FIRM) for the incorporated and unincorporated portions of Outagamie County identify designated 100-year floodplains along or adjacent to the Duck Creek corridor and a narrow corridor adjacent to Apple Creek.

Soils

Soils support the physical base for development within the Planning Area. Knowledge of the limitations and potential difficulties of soil types is important in evaluating land use proposals such as residential development, utility installation and other projects. Some soils exhibit characteristics such as slumping, compaction, erosion, and high water tables which place limits on development. Severe soil limitations do not necessarily indicate areas cannot be developed, but rather that more extensive construction measures must be taken to prevent environmental and property damage. These construction techniques generally increase the costs of development and the utilities needed to service that development. According to the Soil Survey of Outagamie County, prepared by the USDA in 1978, three major soil series classifications are present within the Freedom SSA:

- **Menominee-Grays-Rousseau Association:** This soil association encompasses a southwest to northeast band of area which roughly parallels the eastern corridor of Duck Creek. This association consists of nearly level soils in glacial lake basins or on outwash plains and of gently sloping to steep soils on outwash ridges or glacial till plains. The Menominee soils are well drained and gently sloping and are on till plains with a surface layer of loamy fine sand. The subsoil is fine sand in the upper part and clay loam in the lower part. Grays soils are well drained and moderately well drained and nearly level and gently sloping and are located in glacial lake basins. The surface layer is silt loam with a subsoil comprised of silty clay loam and silty loam. The Rousseau soils are well drained and moderately well drained and gently sloping. They are in lacustrine basins and on outwash plains. The surface layer is loamy fine sand and the subsoils is fine sand. The suitability of this association for crops varies greatly. The main management concerns are controlling erosion and soil blowing, removing excess water, and conserving soil moisture. The well drained soils that remain in woodland are commonly used for rural home development and have only slight or moderate limitations.

- **Hortonville-Symco Association:** This soil association is covers a majority of the Planning Area and is present primarily to the west and northwest of the Duck Creek corridor and areas east of Duck Creek, north of CTH S. This association consists of nearly level to steep soils on glacial till plains. The Hortonville soils are well drained and gently sloping to steep with the surface layer being comprised of silt loam or fine sandy loam. The Symco soils are somewhat poorly drained and nearly level and located in drainageways and depression on till plains. The surface layer of the Symco soils is silt loam with a subsoil of clay loam. These soils are very suitable for grain crops with the main concerns of water erosion, improving drainage and maintaining tilth and fertility. The well drained soils of this associate have moderate or server limitation for rural home development outside of municipal sewerage systems.

- **Winneconne-Manawa Association:** This soil association is located in the primarily south of CTH S and on either side of STH 55 in the southern part of the Sanitary District. This soil association consists of nearly level to sloping soils on glacial till plains and in lacustrine basins. The Winneconne soils are well drained and moderately well drained and are nearly level to sloping. The surface layer is silty clay load with a silty clay and clay subsoils. Manawa soils are somewhat poorly drained and nearly level and gently sloping. They are located in drainageways and depressions on till plays with a surface layer and subsoils of silty clay loam. These soils are suitable for crop production with the main management concerns of controlling erosion, maintaining tilth, and improving drainage. The major soils in this association have severe limitations for rural home development.

Groundwater & Geology

These natural features are closely related and will have the highest impact on future development within the planning area. The existence of generally poorly drained soils on level slopes with highly organic materials draws a concern over the potential for groundwater contamination. Failing on-site waste disposal systems, abandoned and active landfills, agricultural practices, and other land uses can be a direct source of contamination of groundwater.

The Freedom Planning Area contains two distinct groundwater aquifers which can generally be described as follows:

- The Water Table Aquifer: Present in all areas of the Planning Area and consists of glacial sediments deposited by several glacial advances that covered portions of all of Outagamie County. The thickness of this aquifer is variable, being greatest in pre-glacial bedrock valleys and least over topographic highs in the bedrock surface. Sand and gravel seams, present throughout the aquifer, typically can transmit adequate amounts of water for private well systems. Areas of high groundwater (less than 1 foot) are present throughout the Planning Area with higher concentrations occurring along the Duck Creek corridor, and in the southern and northern portions of the District.

- The Sandstone Aquifer: This aquifer consists of several layers of sandstone and dolomite from the Ordovician system. It consists of the upper Platteville-Galena aquifer which is located below the Water Table Aquifer. The Platteville-Galena aquifer is comprised primarily of dolomite and acts as a leaky confining layer over the sandstone aquifer. It does not transmit water as readily to the underlying sandstone, but it is capable of supplying adequate amounts of water to private water systems due to

secondary fractures. The St. Peter Sandstone aquifer lies below the Platteville-Galena layer and is the area's thickest and most important aquifer, it is the most widely used for sustained high capacity wells for municipal and industrial uses. The Town actually sits on the western edge of this formation which is known to produce high counts of natural occurring arsenic. Additional Cambrian sandstones exist below the Sandstone Aquifer and are located to the west of the Planning Area.

Town of Freedom, (residents outside the Sanitary District), consume drinking water from individual, private wells. The Town of Freedom is located within a WDNR defined "Arsenic Advisory Area" which coincides with the western edge of the St. Peter formation. Numerous residents within the Town have had high levels of naturally occurring arsenic show up in their wells, although no patterns are discernible.

The Town of Freedom Comprehensive Plan addresses their water quality concerns through the formation of a Water Advisory Committee. This committee was established to investigate the feasibility of individual or community groundwater treatment systems and/or the possibility of a municipal water system. Based on findings through this committee it has been determined that water treatment capabilities and water infrastructure to be prohibitively costly.

The Freedom Sanitary District, however, provides municipal water to businesses and residents within the Sanitary District. This municipal water system was developed to address the "Arsenic Advisory Area" defined by the Department of Natural Resources in addition to the MtBE contamination from leaking underground storage tanks. The water supply system has two wells and one water tower. Well #1 is located within the First Addition to Western Acres along Seneca Drive and Well #2 is located on CTH E and Finnegans Ridge Lane. The water tower is located on CTH S and STH 55, (see the Freedom Wellhead Protection Ordinance in Appendix D).

Municipal water suppliers are required by state administrative code to establish wellhead protection plans for new public water supply wells constructed after May 1, 1992. It is also appropriate to establish protection measures for existing public water supply wells to protect the public health, safety and welfare, and to reduce public costs should a pollution event occur. Because it is difficult to adequately react to a pollution event which occurs in proximity to a well, strict prohibitions of certain high-risk land uses should be established for that area (within the 30-day time of travel of contributing groundwater to a well). Certain high-risk land uses should be limited, and best management practices and monitoring established in the area between the 30-day and 5-year time of travel of contributing groundwater to a public water supply well.

Though some development may be allowable within wellhead protection and recharge areas, protection of the groundwater in these areas is of utmost concern to the local communities. In these areas, municipal wastewater connections might be preferred over private, on-site treatment systems for some uses. As such, these groundwater recharge areas are a very important environmental constraint, but are not necessarily environmentally sensitive areas for which sanitary sewer connections should be discouraged.

LIMITING ENVIRONMENTAL CONDITIONS

Limiting environmental conditions for development are found throughout the Freedom planning area as indicated on Exhibit 4. Areas of steep slope are prevalent in the northeastern portions of the planning area. A few areas of high bedrock areas are scattered throughout the planning area. Ground water within two feet of the surface is abundant throughout the planning area and Town as a whole. These conditions will pose minor limitations for development and the use of individual septic systems within the planning area.

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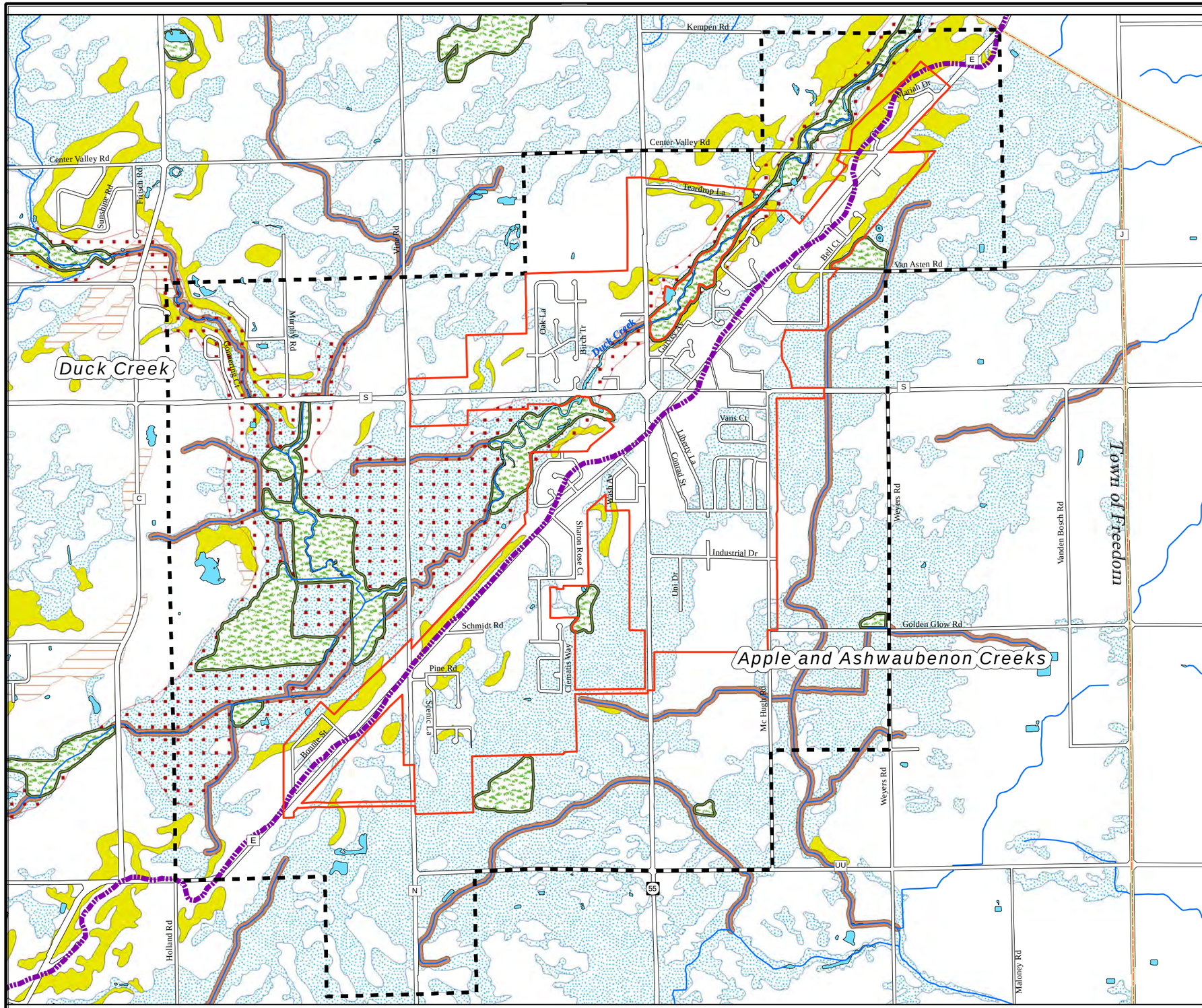

Exhibit 4

ESA & LIMITING CONDITIONS FREEDOM SEWER SERVICE AREA

2030 SEWER SERVICE AREA

- 2030 Sewer Service Boundary
- 2050 Planning Area Boundary
- Township Boundary
- Sub-Watershed Divide

ENVIRONMENTAL CONDITIONS

- Floodplain/Floodway Areas
- Bedrock Within 5 Feet of Surface
- Groundwater Within 2 Feet of Surface
- Slopes 6% and Greater
- 75 Foot Stream Buffer
- 50 Foot Wetland Buffer

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Scale in Feet

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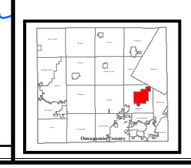

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JANUARY, 2012

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Designated Management Areas

Exhibit 5 illustrates the existing Designated Management Areas (DMAs) within the Freedom Sewer Service Area. DMAs are the legal entities (communities, sanitary districts, or utility districts) that are responsible for the collection and/or treatment of wastewater. Within the Freedom Planning Area there are three governmental entities which exist, one of which is the DMA.

Town of Freedom Sanitary District *
Town of Freedom
Outagamie County

**indicates DMA designation*

Short descriptions of each DMA, including basic information on their involvement in land use planning and intergovernmental cooperation activities is contained below:

Town of Freedom Sanitary District - The Freedom Sanitary District covers an area of approximately 3.7 square miles, or 2,346.5 acres. In 2005 the Freedom Sanitary District had a population of 2,792 persons with 2.82 persons per household.

Residential development is prevalent throughout the Freedom Sanitary District with planned residential subdivisions located south and east of CTH E, South of CTH S between STH 55 and McHugh Road, north of CTH S and west of CTH E and north of CTH S and west of STH 55. Commercial and Industrial (C/I) developments are located along the STH 55 highway corridor centrally located at the CTH E & CTH S intersection. The Freedom Sanitary District also serves the Freedom Industrial Park at Industrial and Uni Drives. East Central's 2009 land use analysis accounted for approximately 558 acres of vacant/developable lands within the existing sewer service area.

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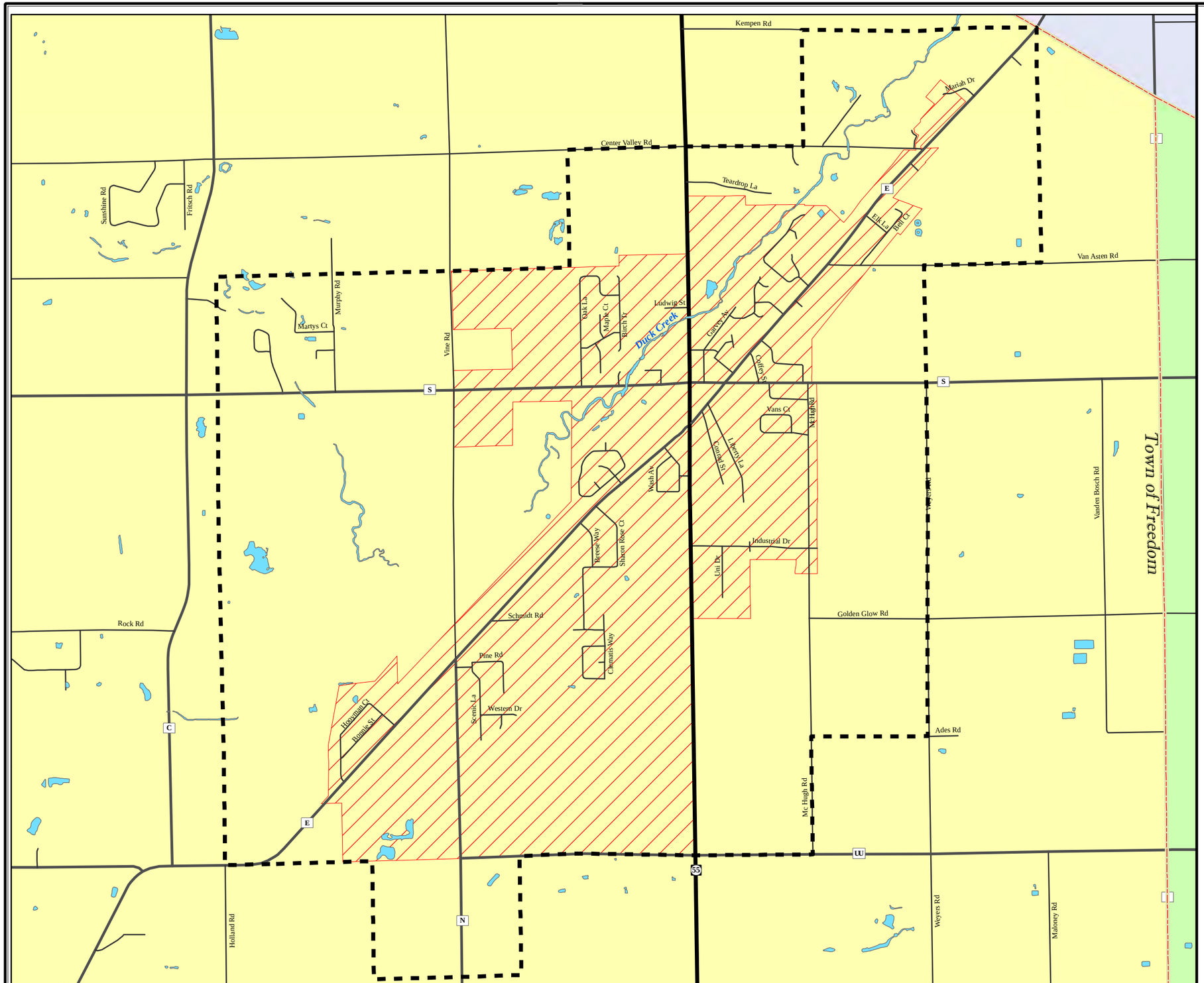

Exhibit 5

POLITICAL JURISDICTIONS and DMA's FREEDOM SEWER SERVICE AREA

MUNICIPALITIES

- 2050 Planning Area Boundary
- Township Boundary
- Freedom Sanitary District No. 1
- Town of Freedom
- Town of Kaukauna
- Town of Oneida

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Scale in Feet

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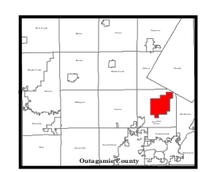

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Sewerage Collection & Treatment System

The Freedom Sanitary District is served by a wastewater treatment facility located on Garvey Avenue in the north central portion of the community of Freedom. The treatment plant was reconstructed in 1998 increasing its efficiency and has an excellent waste removal record based on Wisconsin Department of Natural Resources permit limits. The maximum design flow is 502,000 gallons per day (gpd).

Collection / Conveyance Systems

The wastewater collection system for the Freedom Sanitary District consists primarily of 8-inch PVC gravity sewers; however, substantial lengths of 2, 4, 6 and 8-inch force mains, along with 6 individual lift stations are present to convey sewerage across areas of irregular topography. All flows from this system are conveyed to the treatment plant located on Garvey Avenue. Sewer line inventories can be described as 20.7 miles of gravity sewer ranging in size from eight to 15 inches and 2.2 miles of force mains with sizes from two to 8 inches.

The existing facility consistently meets permit limits for all parameters. Based upon a 2010 observation period, the facility has removal efficiencies of 97.6 percent biochemical oxygen demand (BOD), with an average monthly effluent of 5.0 mg/l. Total suspended solids (TSS) effluent averaged 5.0 mg/l per month and Phosphorus effluents averaged 0.73 mg/l per month. Based on the 2010 CMAR data the Freedom Sanitary District indicates there were no significant infiltration/inflow issues to the sewer collection system. This resulted in no performance problems with either the treatment plant or its sewer collection system.

Additional permit information: The high-chloride discharges from municipal water softeners in combination with residential water softeners have contributed to a high chloride concentration in the effluent from the wastewater treatment plant. These conditions led to the issuance of a Chloride Variance, (regarding municipal water service), which was granted to the sanitary district in 2009 as part of the current WPDES permit. This variance includes an Interim Chloride Limit for a weekly average of 620 mg/l and a compliance schedule with a Chloride Target Value of 550 mg/l limit to be reached by September 30, 2013. In addition, an Ammonia Effluent Limit and facility modifications, as part of the compliance schedule, must be reached by June 30, 2012.

Discharge permit information and design characteristics of the plant are as follows:

WPDES Permit Number:	WI-0020842-8
Expiration Date:	September 30, 2013
Receiving Water:	Duck Creek, Outagamie County
Design Flow:	.502 (mgd)
Average Flow:	.32 (mgd)
Treatment Type:	Primary treatment by activated sludge process and Phosphorus removal; Anoxic Selector Biological Phosphorus removal; effluent limits for BOD, TSS, NH3
Sludge Treatment:	Aerobic digestion
Sludge Disposal:	Agricultural Beneficial Reuse

TABLE 1
2010 FREEDOM WWTF PERFORMANCE SUMMARY

Month	INFLUENT			EFFLUENT		BOD Removal Efficiency
	Avg. Monthly Flow (mgd)	Average Mo. BOD Concentration (mg/l)	Avg. Monthly BOD Loading (lbs/day)	Avg. Monthly BOD (mg/l)	Avg. Monthly TSS (mg/l)	
JAN	0.255	244	518	5	5	97.95%
FEB	0.240	225	451	6	5	97.33%
MAR	0.327	194	530	6	5	96.91%
APR	0.338	165	465	4	5	97.58%
MAY	0.322	176	473	4	4	97.73%
JUN	0.337	179	502	4	4	97.77%
JUL	0.450	156	585	4	5	97.44%
AUG	0.369	204	629	3	3	98.53%
SEP	0.329	210	577	4	4	98.10%
OCT	0.307	169	433	4	4	97.63%
NOV	0.305	201	509	5	5	97.51%
DEC	0.286	203	485	7	5	96.55%
Total	**3.86**	**2,326**	**6,157**	**56**	**54**	
Average	**0.32**	**194**	**513**	**5**	**5**	**97.58%**

Max Mo. Design Flow = .502 mgd
90% of Design = .4518
mgd
Design BOD = 551 lbs/day
90% of Design = 496 lbs/day

BOD Permit Limit = 15 mg/l Monthly Avg.
90% of Permit Limit = 13.5 mg/l
TSS Permit Limit = 20 mg/l Monthly Avg.
90% of Permit Limit = 18 mg/l

Note: Average of Monthly flows is 64.1% of design flow.

Source: Freedom Sanitary District, 2010

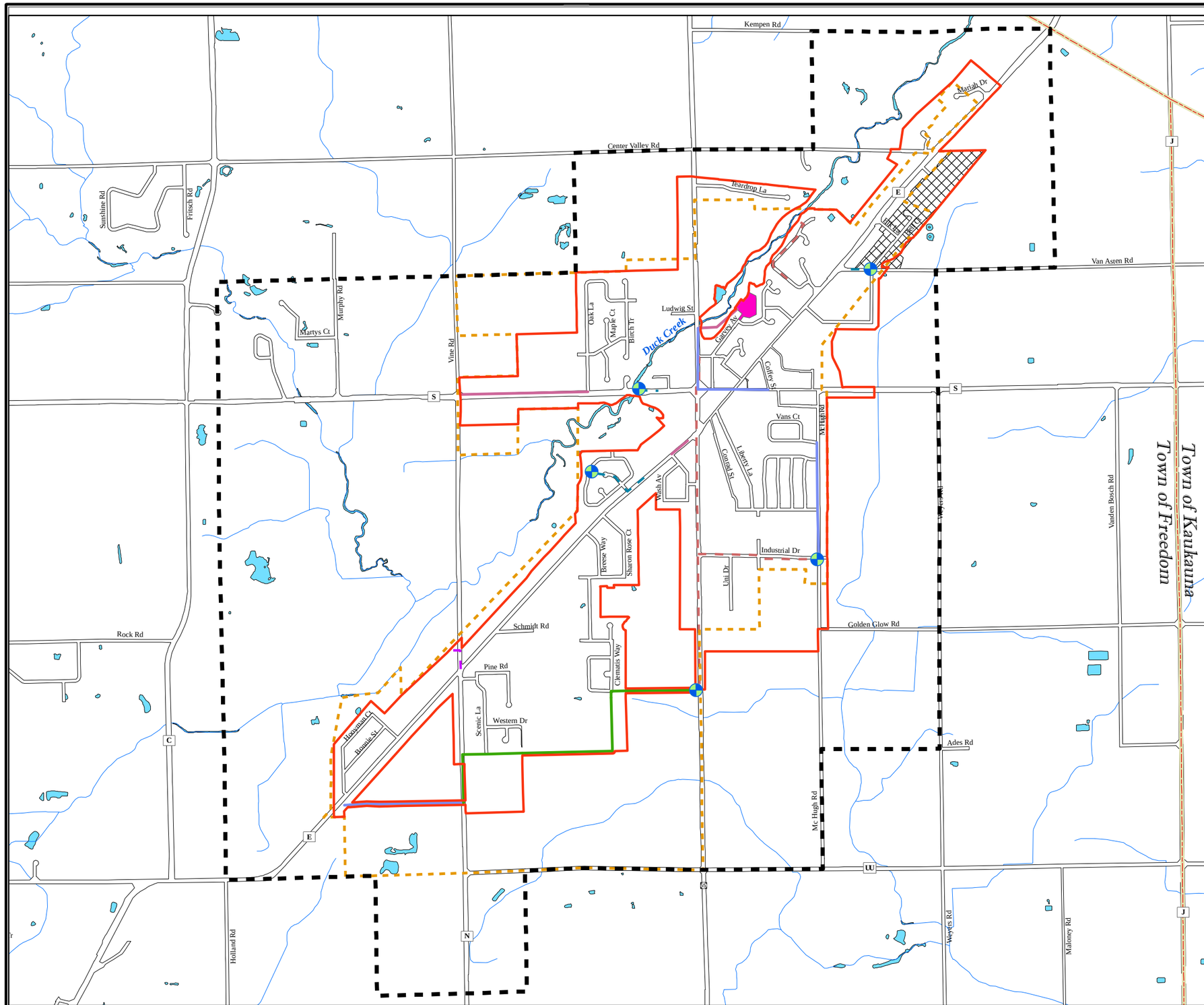

Exhibit 6

WWTP & INFRASTRUCTURE LOCATIONS FREEDOM SEWER SERVICE AREA

2030 SEWER SERVICE AREA

- 2030 Sewer Service Area Boundary
- 2050 Planning Area Boundary
- Freedom Sanitary District Boundary
- Township Boundary

SEWER INFRASTRUCTURE

- Lift Station Location
- 15" Gravity Main
- 12" Gravity Main
- 10" Gravity Manin
- 2" Force Main
- 4" Force Main
- 8" Force Main
- Wastewater Treatment Facility

LIFT STATION SERVICE AREAS

- Van Asten LS Service Area

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Scale in Feet

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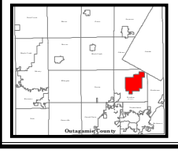

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FORECAST GROWTH & DEVELOPMENT

The Freedom Sewer Service Area is expected to have moderate growth within the planning period. The Freedom SSA population is projected to increase by 1,250 bringing the total population to 4,042 persons by 2030. Demographic projections for the Freedom SSA are listed below in Table 2; Appendix B, (Tables B-2 through B-8), offers detailed demographic breakdowns for each entity within the SSA boundary.

Population growth, coupled with a continued, steady decline in household size (persons per housing unit), indicates a need for 655 dwelling units. It is estimated that 87.5% of these (573) units will be single-family; 3.2%, (21), will be duplex units, and 6.7% (44), will be multifamily units. Given the residential densities (Appendix B, Table B-6) of 2.0 single-family units per acre, 4.0 for duplex units per acre, and 8 multifamily units per acre, an additional 297 acres will be needed to sustain future development. An estimated 340 acres of additional residential land will be required by the year 2030. Based on actual allocations to the plan, however, only 218 acres of vacant developable lands for residential development were added. As a result the following dwelling unit breakouts can be estimated as; 193 acres of single family, 9 acres of duplex, and 16 acres of multi-family will be needed utilizing the above densities, again, based on actual allocations.

Labor force and employment data is not available for the Freedom area. Therefore non-residential growth needs were determined by multiplying the existing amount of nonresidential development per capita by the projected 2030 population increase for the sewer service area.

The estimated projections for commercial and industrial development indicated no additional acreage was necessary. However, considering the Freedom Industrial Park is nearing capacity, 28 acres of additional allocation just south of the existing industrial park is appropriate, (Appendix B, Table B-8).

TABLE 2
FREEDOM SSA POPULATION & HOUSING PROJECTIONS

Projection Type	Year						Change 2005 -2030	Change w/ 10% of increase
	2005	2010	2015	2020	2025	2030		
Total Population	2,792	3,234	3,448	3,655	3,851	4,042	1,250	1,375
Total Households (d.u.)	990	1,176	1,282	1,384	1,481	1,585	595	655

Source: U.S. Census Bureau, 2000; ECWRPC, 2009.

Table 3 lists the acreage allocated to the Freedom 2030 SSA Plan update based on the previous projections. The allocations also take into account local development plans and allocations for public use, market conditions, and public and institutional projects which are planned by communities. Based on these scenarios a total of 255 acres were added to the 2020 sewer service area bringing the 2030 service area total to 1,737 acres. This leaves an excess of 402 acres of developable acreage within the 2030 service area, most of which is in the residential category. Of this total 778 acres are vacant and allocated for future development.

TABLE 3: - SUMMARY OF 2020 & PROPOSED 2030 SSA CONDITIONS

SSA Characteristic	2020 SSA	2030 SSA	2020-2030 Difference	2030 SSA Projection	"Excess" (2030-projection)*	% Over / Under 2030 vs. Projected
Developed Land Uses	913.8	948.7	34.9	n/a	n/a	n/a
Vacant Lands **(see below for breakdown by proposed land use)**	**557.7**	**778.0**	**220.3**	**375.7**	**402.3**	**107%**
Vacant/Undevelopable Lands (includes 50' wet land buffer)	3.9	3.9	0.0	n/a	n/a	n/a
Environmentally Sensitive Areas (wet lands & stream buffer)	2.9	2.9	0.0	n/a	n/a	n/a
Water Areas	3.0	3.1	0.1	n/a	n/a	n/a
Total SSA	**1,481.3**	**1,736.6**	**255.3**	**375.7**	**402.3**	n/a

Vacant Land By Proposed Land Use Type	2020 SSA	2030 SSA	2020-2030 Difference	2030 SSA Projection	"Excess" (2030-projection)	% Over / Under 2030 vs. Projected
Single Family Residential (incl. duplex)	347.6	551.0	203.4	402.0	149.0	37%
Multi-Family Residential	6.6	6.6	0.0	6.0	0.6	10%
Commercial/Industrial	72.5	98.8	26.3	-32.3	131.1	-406%
Public Institutional	21.9	12.5	-9.4	n/a	n/a	n/a
Agriculture/Undeveloped (assumed to be SF Res.)	109.1	109.1	0.0	n/a	n/a	n/a
Total Vacant Acreage	**557.7**	**778.0**	**220.3**	**375.7**	**402.3**	**107%**

Growth Allocation Areas & 2030 SSA

The policy basis for allocating growth areas is described in the Sewer Service Area Delineation and Planning Process, page 60. These policies take into account a broad range of land use and environmental concerns directed towards encouraging orderly, cost-effective and environmentally sound development. Working within this broad policy base, sewer service area planning also considers sewerage system capacities, land development market trends, development plans and preferences of individual communities. East Central may recommend that conditions be attached to WDNR sewer extension approvals, where needed, to preserve designated environmentally sensitive areas or other significant natural features that lie within the growth allocation areas.

Priority Development Area Mapping

During the SSA Plan update, a thorough assessment regarding the phasing, or 'priority' areas of development was determined by the Freedom Sanitary District. During the working meetings with the Sanitary District, a map was developed which indicated their general thoughts of development timing based on their local comprehensive plan, landowner knowledge and planned capital improvements. Three levels of 'priority' were assigned to overall areas requested for addition to the current plan update and can be simply described as follows: Priority #1 – generally felt to develop in the next 5 to 10 years; Priority #2 – generally felt to develop in 10 to 20 years, and; Priority #3 – generally thought to develop in 20 or more years, primarily based on the need for and timing of major sewer infrastructure. There were no Priority #3 allocations to this plan update. For the entire SSA, the 'priority area requests', were as follows:

- Priority #1 areas – 341.5 acres;
- Priority #2 areas – 103.2 acres; and
- Priority #3 areas – 71.2 acres.

Exhibit 7 illustrates the 'priority areas' and their location based on the Sanitary District's request.

While East Central will not formally hold each community to these development priorities, they will serve to remind the Commission, community, and public of the basic thoughts of development timing determined in 2009. It should be noted that East Central may, and in some cases has, recommended conditions be attached to WDNR sewer extension approvals where needed to deal with conflicts related to development timing issues or to preserve designated environmentally sensitive areas that lie within the growth allocation areas.

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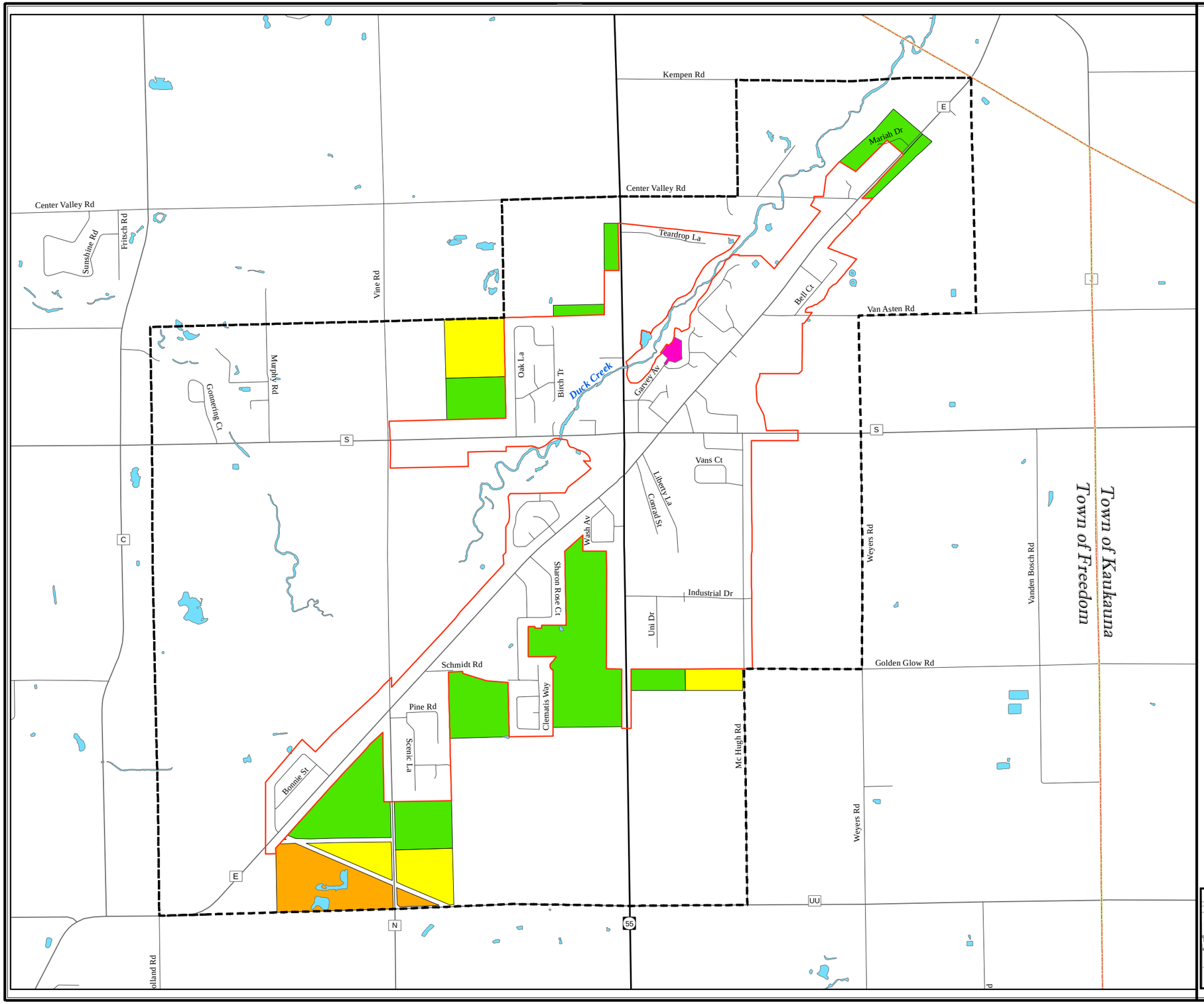

Exhibit 7

PRIORITY DEVELOPMENT AREAS FREEDOM SEWER SERVICE AREA

2020 SEWER SERVICE AREA

- 2020 Planning Area Boundary
- 2020 Sewer Service Boundary
- Township Boundary
- Wastewater Treatment Facility

PRIORITY REQUESTS

- Priority One Designation
- Priority Two Designation
- Priority Three Designation

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Scale in Feet

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Land Use data provided by the Town of Freedom.
Thematic data created by ECWRPC.

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REGIONAL PLANNING COMMISSION
JANUARY, 2012

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Year 2030 Sewer Service Area

The year 2030 Sewer Service Area for the Freedom WWTF is illustrated in Exhibit 8 and contains a total of 1,736.6 acres. Of this total, 6 acres have been designated as environmentally sensitive areas (ESAs) and 778 acres are considered to be vacant/developable areas. If one removes the vacant acreage that is reserved for public or institutional uses based on com-munity requests of 12.5 acres, from this total, a final figure of 765.5 acres are left to accommodate traditional residential, commercial, and industrial development. This compares to a calculated vacant acreage need of 255.3 acres for these types of development; therefore, an 'excess' of 402 vacant acres exists within the 2030 SSA. A short description of the acreage allocations and growth areas are provided below (see Exhibit 8 regarding acreage allocation locations):

- **Freedom Sanitary District -** A total of 255.3 acres were allocated to the 2030 Freedom SSA plan, of this total 220.3 acres are considered vacant/developable acres. The majority of the vacant acres are slated for residential uses, (203.4 acres) while 26.3 acres are designated for commercial and industrial uses. There were 9.4 acres comprising two segments of sewer infrastructure to bring these sewer lines within the 2030 Sewer Service Area. These sewer easements are considered as existing development within the 2030 Sewer Service Area.

  The WDNR has requested that a 100 foot buffer be placed along all sewer lines that are located outside the adopted SSA boundaries. Due to this, a 100 foot buffer has been established for two segments within the Freedom Sanitary District. The first administrative addition encompasses a ten inch sewer line that originates on CTH N and runs west to CTH E in the southern most portion of the service area. The second administrative addition involves a fifteen inch sewer main tied into a lift station located on STH 55 and terminates at the Garden Estates to the west. The total allocation for these administrative adjustments is 9.4 acres. Although these sewer mains are technically within the 2030 SSA boundary, East Central in agreement with the Freedom Sanitary District agree that **no individual sewer connections to these mains will be approved at this time.**

SSA Future Needs & Descriptions

Two areas were allocated as planning area expansions, (Exhibit 2), to the 2030 Freedom Sewer Service Area. The first area considered for inclusion is a 201.5 acre allocation straddling CTH N in the southern most portion of the 2050 Planning Area. This area contains, in part, property owned by the Freedom Area School District. It is widely held that the Freedom Area School District has tentative plans to build a school in the future. It therefore became prudent to include this area into the 2050 Planning Area along with additional acreage to accommodate future residential development that would follow. The second area added lies at the intersection of McHugh and Golden Glow Roads to accommodate potential industrial growth. There is also a large dairy farm operation that may require service in the longer term. Both of these areas are currently outside the existing sanitary district boundaries and would require an annexation procedure to the district to obtain sewer service. There is very little existing development within these areas at the present time. East Central has long maintained that extensive development between the current sewer service area and planning area boundaries be discouraged. By limiting planned subdivisions in these areas will greatly reduce the cost of retro-fitting utilities as the community expands outward. These recommendations and policies may be found on page 79 referencing Addendum Policy 1.4. While this policy targets urbanized development the Freedom Sanitary District could well benefit from its stated purpose.

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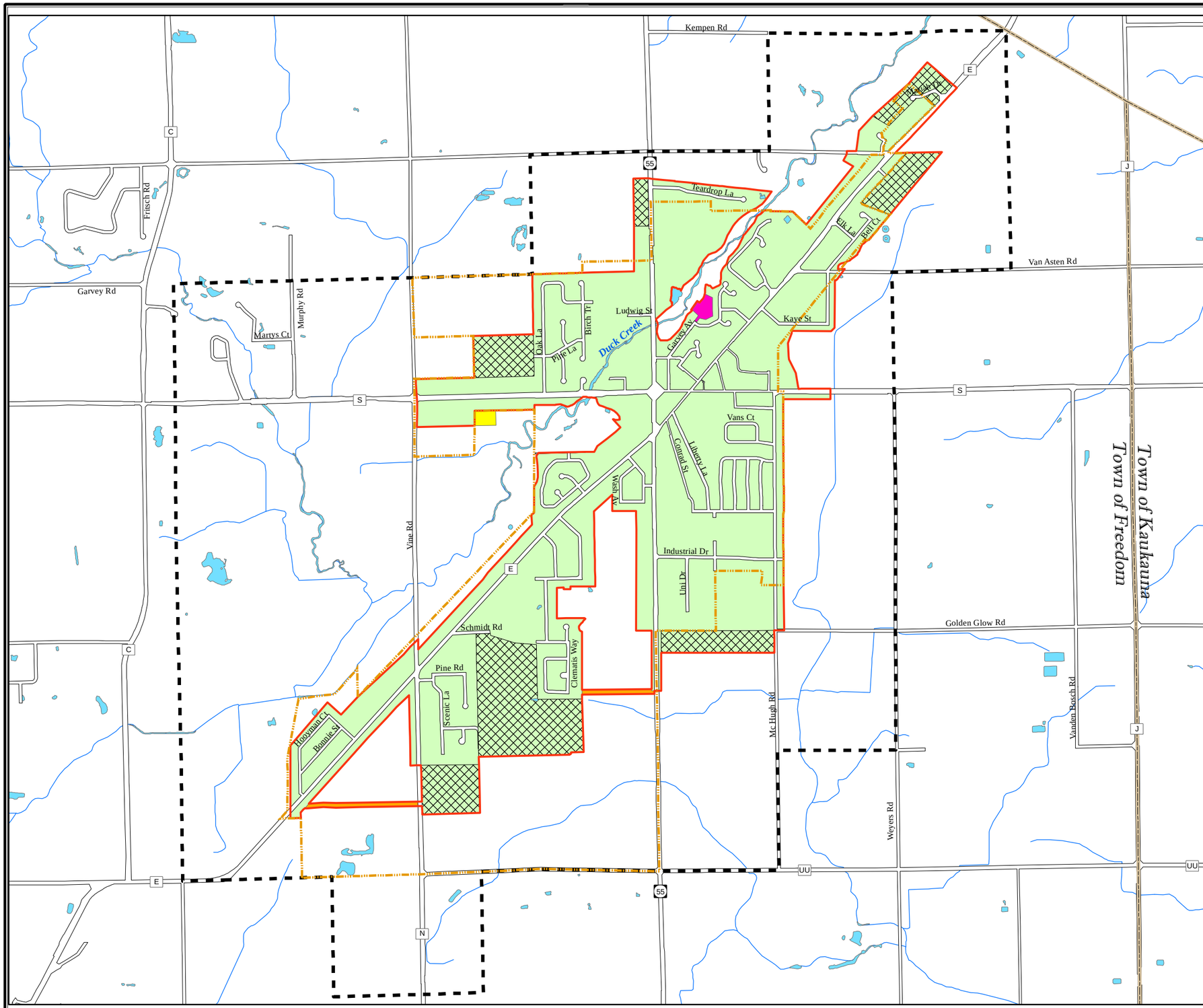

Exhibit 8

2030 FREEDOM SEWER SERVICE AREA

2030 SEWER SERVICE AREA

- 2030 Sewer Service Boundary
- 2050 Planning Area Boundary
- Freedom Sanitary District Boundary
- Township Boundary
- 2030 Sewer Service Area
- Wastewater Treatment Facility

SSA ALLOCATIONS

- Sewer Service Area Allocations
- Administrative Allocations
- Sewer Service Area Deletions

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Scale in Feet

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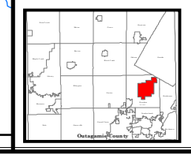

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JANUARY, 2012

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Holding Tank Service Areas

There are numerous sewage holding tanks and individual on-site septic systems within the Freedom Planning Area. According to Wisconsin Administrative Code NR113 septic pumpage from these systems are directed to the regional treatment facilities. The Freedom WWTF does have a policy in place for accepting septic sewage from private haulers. In addition, large holding tanks exceeding 3,000 gallons per day need a special holding tank service area designation. There are no large holding tanks present in the Freedom Planning Area.

Water Quality Assessment & Development Impacts

Continued urbanization of the Freedom Sewer Service Area will impact surface and groundwater resources. Surface water runoff and pollutant loadings are likely to increase and groundwater recharge is likely to decrease. The scope of these impacts cannot be precisely determined because specific future development characteristics (location, type, density and site mitigation) are unknown. However, it is possible to generally estimate water quality impacts by applying assumptions relative to the nature of future development.

Point Source Water Quality Impacts

Population growth and commercial/industrial development will increase wastewater flows and loadings to the treatment plant and ultimately to the receiving waters of Duck Creek. Without a wastewater engineering assessment it is not possible to analyze specific flows for the different existing land uses and estimate future flows for comparison to treatment plant design capacity. A rough estimate comparing existing average daily flows of current development to a percentage increase in overall future development can be made, (Table 4). Based upon this analysis, the average flows are expected to increase by 0.131 mgd which is well within the capacity of the current treatment facility design.

Non-point Source Water Quality Impacts

The Freedom SSA includes portions of two sub-watersheds. Various land uses within these watersheds contribute significant urban and agricultural runoff to Duck Creek. Sediment loads, nutrients and other pollutants are carried through these watersheds via existing ditches, wetlands and stream corridors throughout the SSA. These sediments flow directly and indirectly to the bay of Green Bay and Lake Michigan.

Surface water runoff and pollutant loadings will increase with the forecast growth for the 2030 SSA. The placement of roads, buildings and parking areas increase the amount of impervious area, and hence, more water runs off the land surface carrying organic and inorganic pollutants associated with these more intensive urban uses. The Department of Natural Resources has general guidelines for estimating unit area loadings of pollutants by land use categories. Within the Freedom SSA, four pollutants have been analyzed for seven land use categories. The estimated loadings address both existing and future land uses. The estimates only relate to land uses within the service area with resultant impacts on the local rivers and streams. Specific subwatershed analysis has not been attempted.

The estimated annual pollutant loadings for the existing development area (based on 2009 land use) within the Freedom SSA are listed in Table 5. The land uses within this area consist primarily

of older development with significant infrastructure therefore stormwater mitigation is more difficult and costly in these areas.

Table 6 illustrates the future annual pollutant loadings expected based on the total amounts of development which could occur by 2030 within the Freedom SSA if all the available vacant lands were developed. The pollutant loadings are estimates for the proposed land uses with no significant stormwater mitigation measures or practices adopted. Proposed land uses are shown in Exhibit 9, Year 2030 SSA & Proposed Land Use. Utilization of stormwater detention facilities, site development controls, preservation of green space and other measures can help mitigate urban non-point source impacts on water quality. These loadings can serve as a baseline for proposed areawide stormwater reduction efforts.

TABLE 4: WASTEWATER FLOW PROJECTIONS

FREEDOM SSA - PROJECTED 2030 RESIDENTIAL WASTEWATER FLOWS

SSA	2005 Population	2030 Population	2005-2030 Increase	2005-2030 SSA Population Increase (includes additional 10% of 2005-2030 increase)	Additional Flows (@ 80 gallons per day per person)		Peak Flows (@4.0 factor)	
					gallons per day (gpd)	millions of gallons (mgd)	gallons per day (gpd)	millions of gallons (mgd)
Freedom S.D.	2,792	4,042	1,250	1,375	110,000	0.110	440,000	0.440

Source: Freedom 2007CMAR; ECWRPC

FREEDOM SSA - PROJECTED 2030 COMMERCIAL/INDUSTRIAL FLOWS

SSA	2005-2030 Employee Increase	2030 Acres Needed for C/I Uses	Acres + 20% Market Factor*	Projected Flows (@ 1100 gal./ac./day)	
				Gallons per day (gpd)	Millions of Gallons per Day (mgd)
Freedom S.D.		**28**	**28**	**30,800**	**0.0308**

Source: Freedom 2007CMAR; ECWRPC

FREEDOM SSA - SUMMARY OF PROJECTED FLOWS & WWTF CAPACITIES

SSA	Additional Residential Flows (mgd)	Additional Comm/Ind. Flows (mgd)	Total Additional Flows (mgd)	Existing WWTF Flows (Avg. of 2006 mo. Avg. flows - mgd)*	Existing / Planned* WWTF Design Capacity (mgd)	Difference (Ex. / Planned Capacity - Existing & Projected Flows)
Freedom S.D.	**0.110**	**0.031**	**0.141**	**0.23**	**0.502**	**0.131**

Notes:
* WWTF design flow based on 2010 CMAR
Source: Freedom 2010 CMAR; ECWRPC

TABLE 5

FREEDOM SSA - EXISTING (2009) NON-POINT SOURCE POLLUTION LOADING ESTIMATE

2009	Unit Area Loads by Land Use (lbs/acre/yr)					Calculated Loadings			
Acres	**Development Type**	Sediment	Phosphorus	Zinc	Lead	Sediment	Phosphorus	Zinc	Lead
506.4	Medium Dens Res. (2-6 units/ac, no alleys)	190.0	0.5	0.2	0.2	**96,216.0**	**253.2**	**101.3**	**101.3**
12.2	Multi-Family Res. (3+ units / 1-3 stories)	420.0	1.0	0.7	0.8	**5,124.0**	**12.2**	**8.5**	**9.8**
62.5	Commercial (strip/downtown)	1,400.0	1.5	2.1	2.7	**87,500.0**	**93.8**	**131.3**	**168.8**
19.3	Industrial (includes Utilities)	900.0	1.5	2.1	2.4	**17,370.0**	**29.0**	**40.5**	**46.3**
221.6	Transportation	600.0	0.9	1.9	2.5	**132,960.0**	**199.4**	**421.0**	**554.0**
557.7	Undeveloped / Vacant	25.0	0.0	0.0	0.0	**13,942.5**	**2.2**	**0.0**	**1.1**
91.8	Institutional / Governmental	700.0	0.5	0.6	1.1	**64,260.0**	**45.9**	**55.1**	**101.0**
1,471.5	**TOTALS**					**417,372.5**	**635.7**	**757.7**	**982.2**
					Tons	**208.69**	**0.32**	**0.38**	**0.49**

TABLE 6

FREEDOM SSA - FUTURE (2030) NON-POINT SOURCE POLLUTION LOADING ESTIMATE

	Unit Area Loads by Land Use (lbs/acre/yr)					Calculated Loadings			
Acres	**Development Type**	Sediment	Phosphorus	Zinc	Lead	Sediment	Phosphorus	Zinc	Lead
203.5	Medium Dens Res. (2-6 units/ac, no alleys)	190.0	0.5	0.2	0.2	**38,665.0**	**101.8**	**40.7**	**40.7**
0.0	Multi-Family Res. (3+ units / 1-3 stories)	420.0	1.0	0.7	0.8	**0.0**	**0.0**	**0.0**	**0.0**
0.1	Commercial (strip/downtown)	1,400.0	1.5	2.1	2.7	**140.0**	**0.2**	**0.2**	**0.3**
26.4	Industrial (includes utilities)	900.0	1.5	2.1	2.4	**23,760.0**	**39.6**	**55.4**	**63.4**
0.0	Transportation	600.0	0.9	1.9	2.5	**0.0**	**0.0**	**0.0**	**0.0**
0.0	Undeveloped / Vacant	25.0	0.0	0.0	0.0	**0.0**	**0.0**	**0.0**	**0.0**
0.0	Institutional / Governmental	700.0	0.5	0.6	1.1	**0.0**	**0.0**	**0.0**	**0.0**
230.0	**TOTALS**					**62,565.0**	**141.5**	**96.4**	**104.3**
					Tons	**31.28**	**0.07**	**0.05**	**0.05**

Source: ECWRPC, 2009

Note: Total SSA acres is less than previously noted due to open water and environmental features not being included in these calculations.

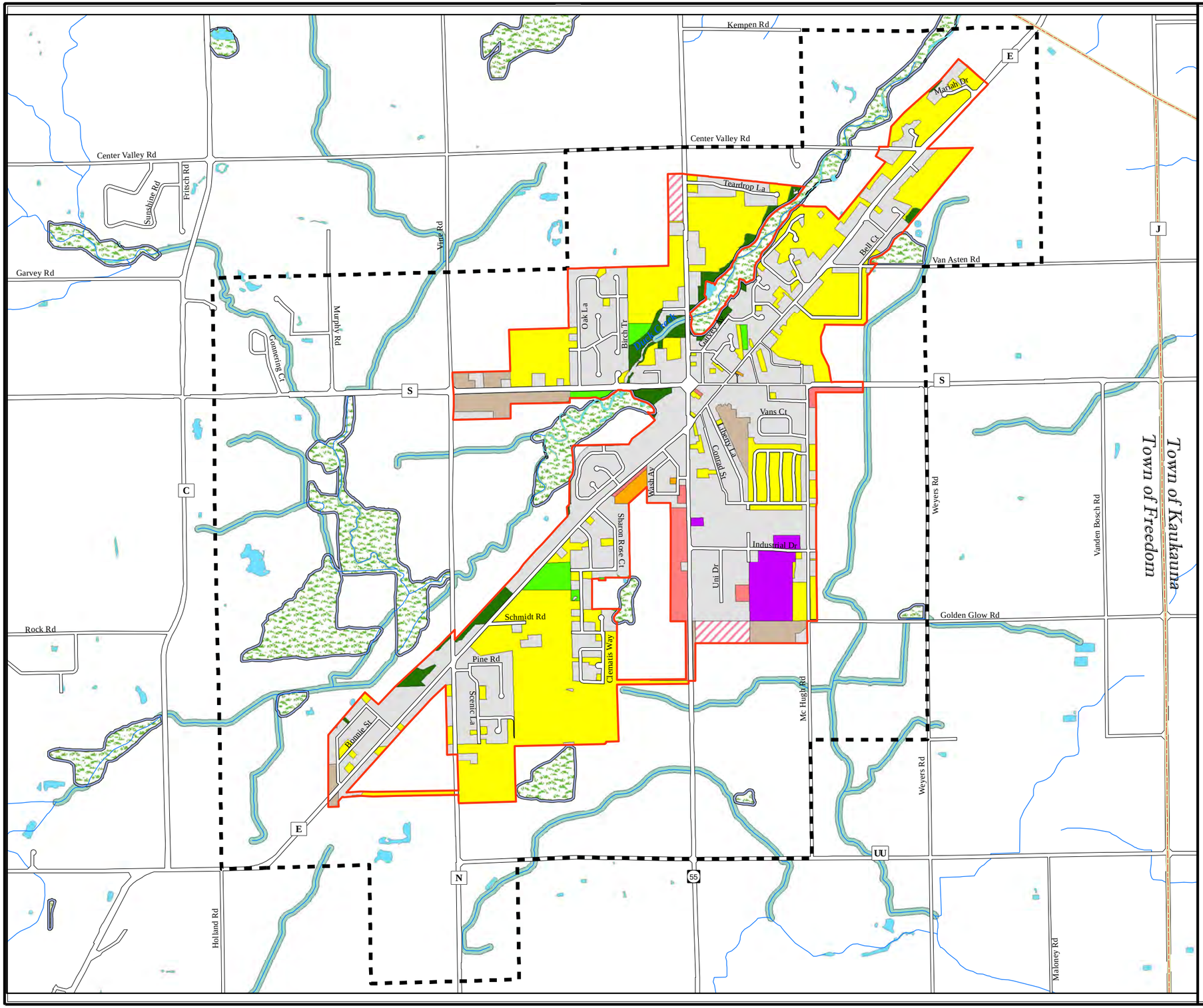

Exhibit 9

YEAR 2030 SSA & PROPOSED LAND USE FREEDOM SEWER SERVICE AREA

SSA CONDITIONS

- 2030 Sewer Service Area Boundary
- 2050 Planning Area Boundary
- Township Boundary

2030 PROPOSED LAND USE

- Proposed Single Family Residential
- Proposed Multi-Family Residential
- Proposed Commercial
- Proposed Industrial
- Proposed Recreational/Open Space
- Transition Area
- Developed Areas
- Agricultural
- Woodlands
- WDNR Designated Wetlands
- 50 Foot Wetland Buffer
- 75 Foot Stream Buffer

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Scale in Feet

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REGIONAL PLANNING COMMISSION
JANUARY, 2012

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Groundwater Impacts

Increased development of the recharge areas could have long-term impacts on the groundwater recharge. Conversion of rural/agricultural lands to urban uses may impact both the quality and quantity of groundwater as development continues. Groundwater recharge will decrease as areas are paved over or built upon. At the same time, withdrawal of groundwater on a regional basis is likely to increase for domestic, commercial and industrial use.

Water Quality Protection & Stormwater Management

Cumulative impacts, including loss of base flow in streams from increased development of impervious surfaces and enhanced stream flashiness and the resulting stream bank erosion from alterations to headwaters and tributaries, will occur with full build-out of the sewer service area. Stormwater management actions other than large-scale detention ponds are available for older urban areas such as enhanced street sweeping, comprehensive stormwater management and other nonstructural best management practices.

Stormwater management requirements are incorporated in the Town of Freedom Subdivision Ordinance as a separate ordinance, (refer to Appendix E). This ordinance applies to commercial, industrial and residential development of lands within the sanitary district. The 25-year storm is the standard used in determining both pre and post development rates of runoff. All proposed developments require a stormwater management plan. Stormwater management plans for stormwater facilities require the implementation of the Wisconsin Construction Best Management Practices to address water quality and water quantity issues.

East Central recommends receipt of preliminary subdivision plats for review for a conformance check with the sewer service area and water quality plan. Recommendations would be made for final plat approval based on water quality, stormwater management, environmental and cultural resource concerns.

East Central also provides mandatory sewer extension review comments. Where sanitary sewer extensions are proposed in mapped environmentally sensitive areas or on other lands whose physical characteristics indicate susceptibility to erosion or flooding, or where development of such lands is likely to impair surface or groundwater quality or uses, East Central may identify mitigating conditions to be incorporated into the development proposal. East Central may also request the WDNR to attach such conditions to any sewer extension approval for the proposed development. Where the impacts of development pose significant water quality impacts or negatively impact environmentally sensitive areas, the Commission may recommend denial of the proposed extension.

Voluntary preliminary plat review and mandatory sewer extension review are the primary mechanism for service area plan implementation and the attainment of water quality plan objectives.

Plan Implementation & Recommendations

Plan Implementation

Although sewer service area planning was initiated at the state and federal levels, successful implementation of each plan rests at the local level. In the state-approved Areawide Water Quality Management Plan for the Fox River Valley, certain local units of government are assigned water quality management functions. Entities with adequate authority to plan, construct, operate and maintain wastewater collection and treatment facilities are designated as management agencies for portions of the planning area within their jurisdictions. The Freedom Sanitary District is currently designated as a Category III. The functions of the Freedom Sanitary District concerning sewerage system management are shown in Table 7:

Table 7
DESIGNATED MANAGEMENT AGENCIES

Governmental Unit	Category of Designation	Management Function
Freedom S.D.	III	Collection & Treatment

Plan Recommendations

The town and sanitary district, or the designated management agencies for wastewater treatment and collection system, and the Town of Freedom, as the agencies responsible for development policies and regulations, should do the following:

1. Adopt the Freedom 2030 Sewer Service Area Plan update;

2. Review and update development policies and regulations in light of the sewer service plan boundaries and recommendations;

3. Submit preliminary land subdivision plats to East Central Wisconsin Regional Planning Commission for review for consistency with sewer service area plans for the area;

4. Submit sanitary sewer extension requests to the East Central Wisconsin Regional Planning Commission for review for consistency with sewer service area plans prior to submittal to the WDNR for approval;

5. Submit wastewater facilities plans and amended plans to the East Central Wisconsin Regional Planning Commission for review for consistency with sewer service area plans prior to submittal to the WDNR for approval;

6. Carry out management responsibilities for treatment facilities and collection systems as specified by state and federal requirements; and

7. Utilize the following densities for sewered development: at a maximum of 2 units/acre single family, 4 units/acre duplex and 8 units/acre multi-family as designated in this plan.

In addition to implementing sewer service area plans, local governments may exercise other authority conferred upon them by state statute to preserve and protect water quality. Local governments may use this authority to plan and manage land use and development through subdivision, zoning and other development ordinances. Criteria can be written into existing ordinances or new ordinances can be adopted which promote orderly development and address water quality concerns. Additional actions by local units of government which are recommended for water quality protection include the adoption of construction site erosion and stormwater management ordinances and the preservation of greenways along existing drainage corridors.

1. All communities should review and address issues and recommendations identified in the 1997 Priority Watershed Plan

2. Monitor development amounts and rates to better determine the need for WWTF Facility Planning.

3. Continue to address issues and regulatory methods for the management of on-site system development within the 2050 Planning Area to better recognize the existing investment in sewer infrastructure.

4. Complete and/or update as necessary, local and county 'smart growth' comprehensive plans and incorporate information as necessary from the 2030 SSA Plan.

5. Intergovernmental cooperation should continue between the City of Appleton, the Freedom Sanitary District and the Town of Freedom on such things as, (Exhibit 10):
    - Growth agreements;
    - Municipal service agreements;
    - Annexation agreements;
    - Wellhead protection plans/ordinances;
    - Sanitary sewer agreements; etc.

6. Consider the utilization of various regulatory tools to ensure the timely planning, financing, and extension of public utilities for new development:

    a. Sewer Use Ordinance – should be updated and enforced including such things as:
        - Enforce a mandatory sanitary hook-up when public sewer becomes available;
        - Develop payout policies for the remaining life expectancy of on-site systems when public sewer becomes available.

    b. Subdivisions Ordinance – particularly with respect to interim development serviced by on-site systems within the 2050 Planning Area in order to ensure the logical extension of future sanitary sewer mains. Things to consider, from a design perspective include:
        - Lot size;
        - Lot frontage;
        - Potential for future lot splits;
        - Allowance of 'cluster developments' with a single community well and treatment system (conservation subdivisions);
        - Reservation of easements for future sewer extensions; and
        - Road patterns which allow for effective extension of sewer in the future.

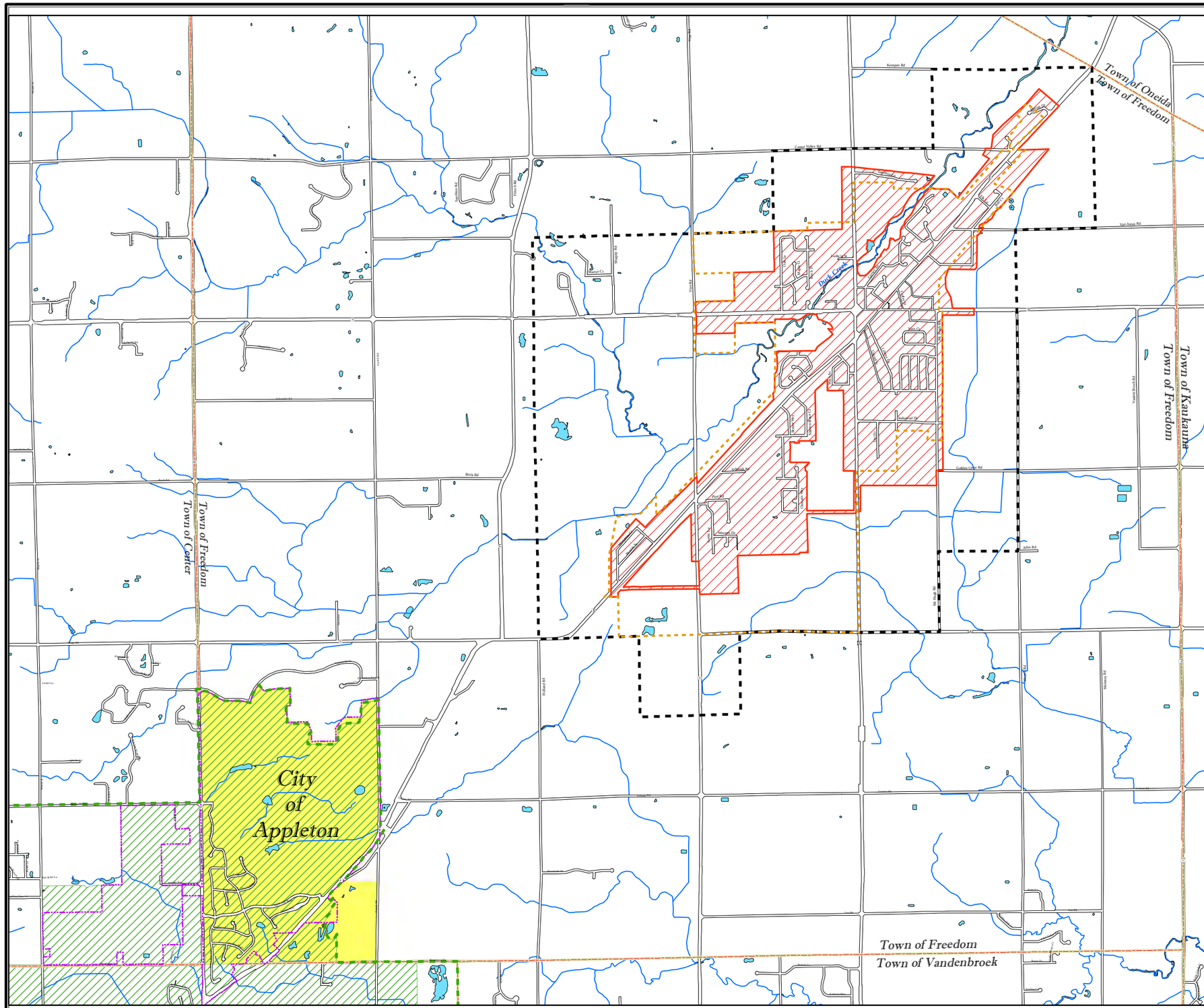

Exhibit 10

INTERMUNICIPAL AGREEMENT FREEDOM SEWER SERVICE AREA

GROWTH AGREEMENT AREA

- Appleton Growth Area

2030 SERVICE AREAS

- 2030 Freedom Sewer Service Area
- 2030 Appleton Sewer Service Area
- 2050 Appleton Planning Area Boundary
- 2050 Freedom Planning Area Boundary

MINOR CIVIL DIVISIONS

- Township Boundary
- City Corporate Limits
- Freedom Sanitary District Boundary

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Scale in Feet

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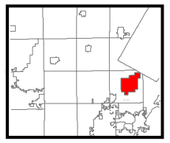

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SEWER SERVICE AREA DELINEATION AND PLANNING PROCESS

A sewer service area is a geographic area which is currently served or anticipated to be served with sanitary sewers within a 20-year planning period. Sewer service areas, called "urban service areas," were first delineated for the east central region in 1978 in the plan New Directions for Growth and Development. In the initial plan, a generalized methodology was used for the estimation and allocation of growth which led to the identification of service area boundaries. Various state and federal guidelines, as well as regional policies, were utilized in the planning process. Since the initial delineation of service areas, the planning and management process has become much more complex and multi-faceted, thus greater detail in the explanation of the updating process is required.

The process of updating and refining sewer service area plans consists of the following major steps:

1. Identification of planning area limits;
2. Delineation of environmentally sensitive areas;
3. Identification and quantification of existing conditions;
4. Refinement of goals, objectives and policies;
5. Forecast of urban growth and redefinition of service area limits;
6. Public and community input; and
7. Adoption and publication of final plans.

IDENTIFICATION OF PLANNING AREA LIMITS

The first step in delineating sewer service areas is the outlining of broad planning areas which include all feasible options for where urban growth might occur within the 20-year planning period (through the year 2030). Planning area boundaries generally include all areas within existing city, village and sanitary district limits. Undeveloped lands surrounding these entities are also included based on the potential ability to provide sewer service in the long-term future according to the existing/planned wastewater treatment and collection system. Additionally, clusters of nearby, existing development may be included if sewer may be warranted in the future due to failing on-site systems. Planning areas also serve as the study areas for wastewater facilities planning efforts.

DELINEATION OF ENVIRONMENTALLY SENSITIVE AREAS

Environmentally sensitive areas are geographic areas consisting of all lakes and streams shown on the USGS quadrangle maps and adjacent shoreland buffer areas as defined in Figure 1. All wetlands shown on the state Wisconsin Wetland Inventory Maps and floodways as delineated on the official Federal Emergency Management Administration Flood Boundary and Floodway Maps are also designated environmentally sensitive. The environmentally sensitive areas are mapped on the sewer service area file photos and are also shown on the maps contained in this plan.

The purpose of designating environmentally sensitive areas is to preserve significant environmental features from encroachment by sewered development. Environmentally

sensitive areas perform a variety of important environmental functions including stormwater drainage, flood water storage, pollutant entrapment, and the provision of wildlife habitat. They can also provide desirable green space to enhance urban aesthetics.

The Wisconsin Department of Natural Resources through Wisconsin Administrative Code NR 121.05(g)(2)(c), has developed guidelines which serve as minimum criteria for the identification and delineation of environmentally sensitive areas. The WDNR's code guidance document states:

> "Environmentally sensitive areas will be used for all environmental features that should be excluded from sanitary sewer service areas."[2]

East Central, after deliberations with technical and policy advisory committees, defined environmentally sensitive areas in a manner that complements existing local, state and federal regulations which protect various environmental amenities. While NR 121 authorizes sewer service area plans to identify a broad array of natural features as environmentally sensitive areas, only those features which were believed vital in the East Central Wisconsin Region to preserve environmental quality were so designated. Although the delineation of environmentally sensitive areas is intended to provide adequate long term and uniform environmental protection for all sewer service areas within the East Central Wisconsin Region, the environmentally sensitive area classification may be changed in two ways in response to specific local development proposals.

First, the classification can be removed provided that the conditions outlined in Section (E) of the Sewer Service Area Amendment Process are met. This re-designation is considered a major change. Major changes have the potential for significant impacts on water quality and would require the concurrence of the East Central Wisconsin Regional Planning Commission and the Department of Natural Resources before these changes would become effective for the purpose of reviewing sanitary sewer extensions. Examples include:

1. Removal of any mapped wetland area for sewered development, unless resulting from an activity exempted by state administrative rules governing wetland protection [NR 117.05(2)] or state approved rezoning of wetlands;

2. Reduction of a delineated floodway of any navigable stream or river, or removal of any area below the ordinary high water mark of a navigable stream, pond, or lake; and

3. Total removal or change in the continuity of any corridor segment including floodways, wetlands, shoreland buffer strips or steep slopes adjacent to water bodies. The water quality benefit associated with the portion of the corridor removed must be provided in the development proposal.

In the second instance, the environmentally sensitive areas may be modified by a minor change. Refinements and minor changes do not require prior approval of the East Central

[2] "Guidance for Approving Sewer Service Area Plans and Plan Amendments." WDNR Correspondence, February, 1982.

Wisconsin Regional Planning Commission or the Department of Natural Resources. However, as part of the sanitary sewer extension review process, East Central has to be informed of the change before it is effective. East Central is then responsible for informing the Department of Natural Resources of the change.

Refinements and minor changes are generally of two types. The first type involves changes resulting from revised, improved or more detailed background resource information to include:

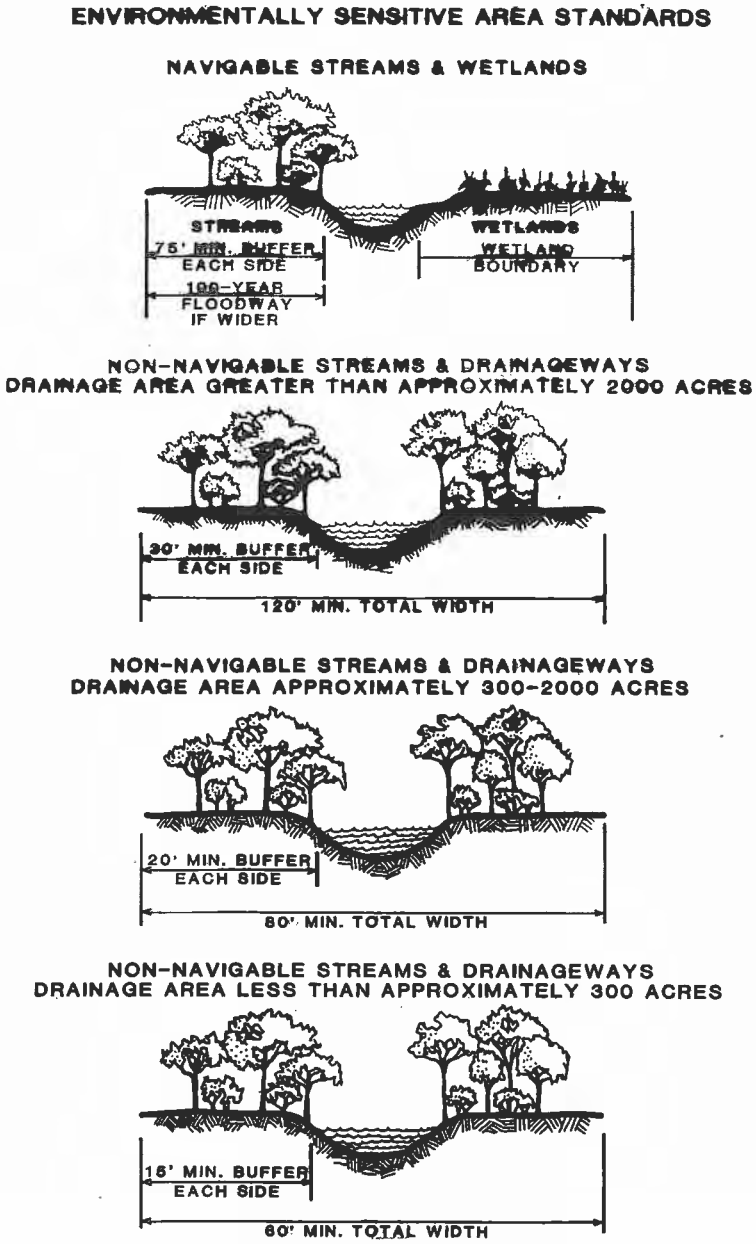
a) Improved or revised WDNR certified floodway delineations resulting from revised flood studies; and

b) Revised wetland boundaries on the Wisconsin Wetland Inventory Maps resulting from field inspections by WDNR personnel or resulting from an approved rezoning.

The second type involves changes which would not seriously affect water quality and are the result of specific development proposals to include:

a) Relocation of a non-navigable stream or drainageway as long as the environmental integrity of the stream or drainageway is preserved.

Figure 1


ENVIRONMENTALLY SENSITIVE AREA STANDARDS
NAVIGABLE STREAMS & WETLANDS
STREAMS
75' MIN. BUFFER
EACH SIDE
100-YEAR
FLOODWAY
IF WIDER
WETLANDS
WETLAND
BOUNDARY
NON-NAVIGABLE STREAMS & DRAINAGEWAYS
DRAINAGE AREA GREATER THAN APPROXIMATELY 2000 ACRES
30' MIN. BUFFER
EACH SIDE
120' MIN. TOTAL WIDTH
NON-NAVIGABLE STREAMS & DRAINAGEWAYS
DRAINAGE AREA APPROXIMATELY 300-2000 ACRES
20' MIN. BUFFER
EACH SIDE
80' MIN. TOTAL WIDTH
NON-NAVIGABLE STREAMS & DRAINAGEWAYS
DRAINAGE AREA LESS THAN APPROXIMATELY 300 ACRES
15' MIN. BUFFER
EACH SIDE
60' MIN. TOTAL WIDTH

IDENTIFICATION AND QUANTIFICATION OF EXISTING CONDITIONS

The ability to inventory existing conditions both quantitatively and qualitatively are paramount to evaluating land use and development trends and impacts. Aerial photos are the basis for identifying and quantifying land uses within the East Central region. Comparing aerial photos at different time intervals can establish trends in types and magnitude of land uses. East Central's 2008 aerial photography and land use inventory was the last complete coverage of the Fox River Valley and the region. For the most up-to-date coverage, aerial photography flown by individual counties at various times is utilized. This information is supplemented by land use maps prepared from spot field surveys. Acreages for major land use categories are computer digitized and aggregated by section-township-range. Totals are also calculated for each town, town sanitary district, village, city and county within the planning area. In conjunction with the land use mapping program, all village and city municipal boundaries, as well as sanitary district limits, are identified on the aerial photos and transferred to the sewer service area digital maps.

Sanitary sewerage systems for all communities are identified on the sewer service area GIS data files. The location and size of most sewer collectors, mains, and interceptors (18” or larger), as well as forcemains are mapped in detail. In addition, the locations of all lift stations, pump stations and wastewater treatment facilities are shown. These maps are continually updated as new sewer extensions are reviewed by East Central. Additionally, "holding tank" service areas, if they exist, are identified on the GIS system within the planning areas.

Important for analyzing the planning areas, existing urban development areas are delineated on digital maps based on land uses shown on the 2010 aerial photos. Urban development areas consist of all concentrations of development within the planning area, together with undeveloped lands which are sewered or otherwise committed for short-term development. These urban development areas are, in most instances, the minimal land areas which should be designated as sewer service areas.

In addition to the development information included on the digital maps, existing sewer service area boundaries are identified to determine the location and amount of land currently available for development outside of the urban development areas. This land, in most instances, is the area which has been the primary long-term growth area forecast in the 2030 sewer service area plan. These lands are automatically included within the updated sewer service area.

In addition to the designations of environmental sensitive areas (shorelands, wetlands and floodways), other areas with natural characteristics which could impact environmental quality or development potential are identified. These areas are termed areas with "limiting environmental conditions" and include lands with seasonal high groundwater (within one foot of the surface), floodplain areas, lands with shallow bedrock (within five feet of the surface) and areas with steep slopes (12 percent or greater).

Unlike the environmentally sensitive areas, development is not excluded from land with limiting environmental conditions. The primary purpose of identifying these areas is to alert communities and potential developers of environmental conditions which should be considered prior to the development of such an area.

Complementing the information placed upon the digital maps, additional data is collected on existing population, numbers of dwelling units, mixes and densities of residential development, existing employment by type and amount, and densities of industrial, commercial and institutional development.

Much of this information is available from the 2010 and later census materials; other information is gathered from state and local sources. This data is contained in East Central's data and GIS files for each sewer service area.

REFINEMENT OF GOALS, OBJECTIVES AND POLICIES

The conceptual and philosophical basis for sewer service area planning are the goals, objectives and policies. As stated earlier, the service area planning process has become much more complex since it was first initiated. In response to changing conditions, major refinements were made to the original 1990 goals, objectives and policies over the years. This effort was accomplished early in the planning process in order to give direction to decisions involving the amount of growth in a given service area, especially the allocation and location of future growth.

A significant policy change involves the requirement of adopted community comprehensive plans prior to SSA plan updates in the urbanized areas for the year 2000. An additional change involves urban service delivery criteria which recommend thresholds and standards for levels of urban services. The goals, objectives and policies are included in Appendix D of the plan.

FORECAST OF URBAN GROWTH

The forecasting of urban growth and development within the East Central region involves two primary analytical processes. These are 1) population projections and related dwelling unit and employment estimates, and 2) allocation of land use acreage. This process answers the question of the quantity and location of new growth. The process utilizes the sewer service area policies and various planning and development standards as a technical basis.

Population Projections

Population projections are the key factor in forecasting urban growth. The projections used are the 2000-2030 Department of Administration (DOA) population projections by five year increments for individual counties. DOA utilizes the cohort component method of population projection. These are the official state projections, consistent with U.S. Bureau of Census State of Wisconsin projections. The DOA county projections are required to be used as control totals in accordance with Wis. Admin. Code NR-121 for the development of sewer service area plans. A detailed description of the population projection process is included in the East Central report Population Characteristics of the East Central Region, October, 2004. The official DOA projections have been updated for this plan using the DOA annual population estimates for the counties and individual MCD's.

East Central has developed a process for distributing the county population projections to the minor civil division (MCD) level. This estimating process uses the "share-of-the-county trending methodology." This methodology is used for all communities within the East Central region, with

the exception of the Fox Cities, Oshkosh, Sherwood and Fond du Lac. In these areas, a special procedure is used which establishes "urban area" control totals. These control totals are then allocated to Transportation Analysis Zones (TAZ's) in the Fox Cities, Oshkosh and Sherwood areas and Special Analysis Zones (SAZ's) in the Fond du Lac area. This special projection process is needed because of the complex jurisdictional interrelationships of cities, villages and sanitary districts within these areas.

Residential Development

In addition to population projections, household size and housing densities are required to determine residential land needs. Household formation rates are estimated and translated into household size. The household size thus represents a typical dwelling unit which can be compared to population projections for estimating future dwelling units. The household size for the East Central region has been steadily declining and is anticipated to continue to decline. Thus, an anomaly occurs in which a community may not experience an increase in population, but still form new households which require new housing construction.

Once household size is established, residential development densities and the mixture of single-family/multifamily uses is determined. The number of dwelling units per acre is determined from existing residential development densities for the three major urban areas using recent subdivision plats for calculation purposes. Planned (future) densities are based on either locally adopted land use plan policies or, in the case where plans did not exist or a density was not specified, an assumption was made that existing densities will continue into the future.

The mix of residential development is determined from existing land use and building permit records from the various communities. The residential mix varies greatly from community to community. Community specific mixes are used for freestanding communities; however, standardized splits for the Fox Cities, Sherwood and Fond du Lac areas are developed and applied within the growth forecast method.

Population projections divided by household size establishes the number of dwelling units. The number of dwelling units by type (single or multifamily) divided by the density per acre results in the number of acres of residential land required. The resultant acreage is allocated as residential growth for land areas within each planning area.

Non-Residential Development

Forecasts of nonresidential development are also based upon population projections for sewer service area planning. There is, however, a significant difference between the methodology used for the three urban areas and the outlying rural planning areas. Within the urban areas the population projections plus a commuter variable serve as a basis for estimating future employment. These employment estimates are used in conjunction with documented employment densities (number of employees per acre) for various land use types and employment categories to determine acreage needs for future nonresidential employment. Similar to the household participation rates for calculating dwelling units, labor force participation rates are used to calculate employment for various employment categories. After future employment is estimated for

commercial and industrial uses, densities are applied (employees per acre) and total acres of the land needs are calculated. This acreage is then allocated within particular planning areas.

In the outlying areas, a much simpler process for forecasting nonresidential growth is required, because of deficiencies in labor force and employment data available for small communities. Furthermore, because these communities have a small commercial and industrial base, a refined process for estimating future employment could be subject to extreme error.

Local initiative for promoting development is a greater factor in future growth than statistical trends. A simple forecast method is used which calculates the existing amount of nonresidential development per capita within the area then multiplies this amount by the population growth for the planning period resulting in the amount of non-residential acreage required.

Growth Allocation

After the amount of growth is calculated for residential and nonresidential uses within each planning area, the process of allocating this growth acreage is undertaken. The allocation process (where growth should occur) is complex, and must integrate service area growth policies, planning standards and criteria, local politics, as well as historical and market growth trends for a particular planning area. The allocation process establishes the future growth areas within each sewer service area.

A major product of the allocation process is the mapping of growth areas. Again, the project's GIS files are used to designate these growth areas. The following criteria and standards are utilized in the designation of growth areas:

1. All areas within a planning area which are currently served with public sanitary sewers shall be designated sewer service areas. Areas along existing and proposed, (WDNR approved), sewer collector or interceptor lines including force mains shall be designated sewer service areas. The depth of the sewer service area boundary line shall be to the average lot depth (maximum 400 feet) bordering the sewer or where average lot depths cannot be distinguished to line 200 feet from the sewer line. Development within this area is generally considered to be serviceable by a private sewer lateral.

2. Unsewered areas of development within close proximity to existing sanitary sewer lines where the cost-effectiveness of the extension of sewers is not questionable shall be included in the service area. These areas have generally been designated as an urban development area. Where the cost-effectiveness of sewering areas of existing development is questionable, these areas shall be designated with the approval of WDNR wastewater facility plans.

3. Areas of existing development with approved wastewater facility plans shall be designated sewer service areas. (Note: Various areas of existing development previously designated have been dropped because of lack of approved wastewater facilities plans.)

4. The acreage allocations of future development areas should approximate residential, commercial, industrial and institutional growth projections. Once final acreage is determined a

20% "market factor" of developable acreage will be added to adjust for land development flexibility, unless otherwise noted.

5. Environmentally sensitive areas shall be excluded from the sewer service area.

6. Holding tank service areas shall be designated for existing large holding tanks defined in NR113 and for areas of existing development where no cost-effective alternative to the installation of a large holding tank is available. The cost-effective analysis is to be prepared by the owner. All large and individual holding tank wastes are disposed of in accordance with NR113.

The standards and criteria for allocating future growth areas are policy based. These considerations are:

1. Urban development patterns should incorporate planned areas of mixed use and density that are clustered and compatible with adjacent uses.

2. The allocation of future urban development should maximize the use of existing urban facilities and services.

3. Future urban development should be encouraged to infill vacant developable lands within communities and then staged outward adjacent to existing development limits.

4. Future commercial and industrial development should expand upon existing areas and be readily accessible to major transportation systems.

5. The boundaries of urban development should consider natural and man-made features such as ridge lines, streams and major highways.

6. Residential land use patterns should maximize their accessibility to public and private supporting facilities.

7. Urban development should be directed to land suitable for development and discouraged on unsuitable land, such as floodplains, areas of high bedrock, and areas of high groundwater.

8. Environmentally sensitive areas shall be excluded from the sewer service area to protect water quality.

9. Future urban development should pose no significant adverse impacts to surface or groundwater.

10. Urban development should be located in areas which can be conveniently and economically served by public facilities.

11. The waiver of acreage allocations based on density standards for large lot developments will be considered if the installation of sewers is cost-effective and the community adopts a specific

site development plan and subdivision plat for the area specifying no smaller subdivision of parcels will be allowed.

12. The allocations should be consistent with adopted local comprehensive plans within the planning area.

Combined with the policy-based criteria for allocating future development areas are various considerations involving the direction of growth trends and short term "market" factors. These considerations primarily involve experienced judgments by planning staff and consultations with local planning and development officials.

Early in the service area planning process, a policy decision was made that the total allocated growth acreage for individual sewer service areas as delineated in the 1995 adopted plans and subsequent amendments, would not be reduced in quantity. This policy was applied to all sewer service areas which have a sewerage system or which have WDNR approved wastewater facilities plans for a sewerage system. The impact of this policy is that the areas available for future growth in various sewer service areas sometimes are greater than the updated forecast growth which is to be allocated. The result of this policy is that there are fewer service areas where the existing service area boundaries need to be expanded.

PUBLIC AND COMMUNITY PARTICIPATION

Citizen participation during the update of the service area plans has been and is encouraged throughout the process. In this service area planning update, Goals, Objectives and Policies were refined in conjunction with the Transportation/Land Use Plan update process. Ad hoc Technical Advisory Committees (TACs) were formed and refined the policies during 2004 and 2005.

General public participation is sought from communities and counties during the plan update process through individual meetings with the entities. Public information meetings were held for each sewer service area once draft maps were completed. The purpose of sewer service area planning, the planning process, existing conditions of the service area and growth forecasts are explained. As a follow-up to these meetings (in smaller communities these meetings are combined) additional meetings are held for communities within each sewer service area to address specific issues. The designated service area boundaries are reviewed as part of these meetings. Public information meetings are listed in Appendix A of the service area plan. A final public hearing is noticed and held as part of the Community Facilities Committee meeting and approval.

ADOPTION AND PUBLICATION OF FINAL PLAN

Each individual sewer service area is adopted by the East Central Wisconsin Regional Planning Commission as an element of the Commission's regional land use plan. After adoption, the plans are submitted to the Wisconsin Department of Natural Resources for certification as an element of the Fox River Water Quality Management Plan or appropriate river basin plan. After WDNR certification the plan becomes effective and copies of the final plans are distributed to the affected communities.

SEWER SERVICE AREA AMENDMENT & UPDATE PROCESS

BACKGROUND

The East Central Wisconsin Regional Planning Commission has adopted "An Amendment Policy and Procedure for Sewer Service Areas" to enable sewer service area plans to be amended in response to changing conditions and community plans. This procedure provides a flexible, yet equitable and uniform basis for revising sewer service area boundaries. This chapter was updated, with input from the Land Use Advisory Committee, during 1999/2000 as part of addressing policy issues related to the Long-Range Fox Cities, Oshkosh, and Fond du Lac Transportation/Land Use Plan Addendum and certain provisions will apply to the communities illustrated in Exhibit 11.

When an amendment is requested, East Central recommends that a representative from the government entity with Designated Management Agency (DMA) status meet with East Central staff to discuss the proposal prior to submission. Most documentation and questions needed for the evaluation of the amendment can be addressed at that time.

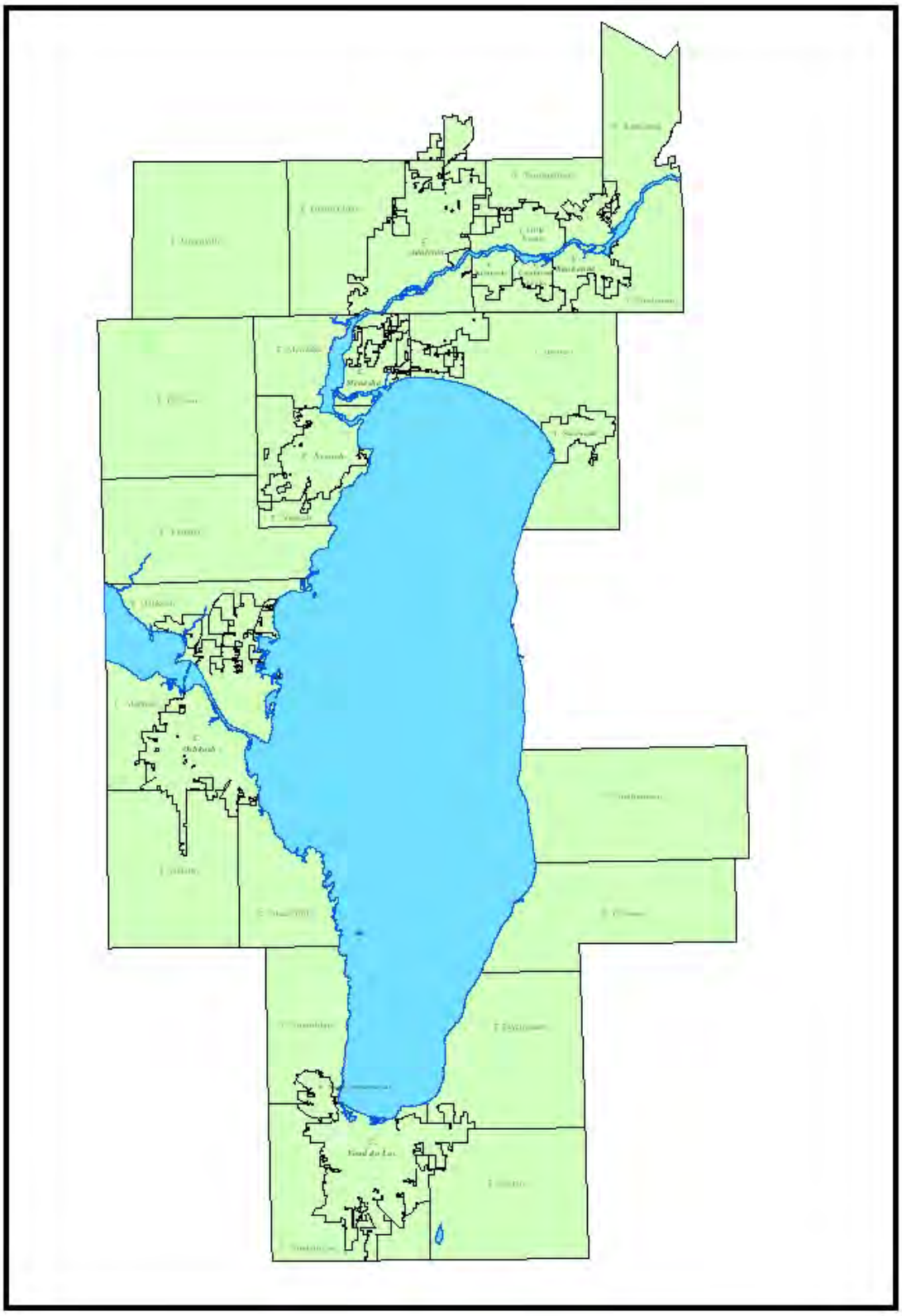
EAST CENTRAL REVIEW AND RECOMMENDATION

East Central's Community Facilities Committee will review the proposed amendment within approximately 30 days of receipt of the request. The review will include a staff evaluation of the consistency of the proposal with East Central's amendment policies and criteria. The review will also include an evaluation of comments and recommendations received from local units of government and agencies notified of the proposal by East Central. The applicant may be requested to appear at the Community Facilities Committee meeting if there are significant issues involved. The Community Facilities Committee shall recommend approval or disapproval of the amendment. Upon approval, the amendment request and Commission recommendation(s) shall be submitted to the Wisconsin Department of Natural Resources to request revision of the applicable Water Quality Management Plan.

WDNR REVIEW AND APPROVAL

The Wisconsin Department of Natural Resources will review the East Central recommendations for the service area amendment. If the service area amendment does not involve an area greater than 1,000 acres or greater than 5 percent of the total service area the Department should approve the amendment and certify the applicable Water Quality Management Plan within approximately 45 days after submittal. If the proposal is over 1,000 acres or 5 percent of the total service area, and/or if the project involves the development of an Environmentally Sensitive Area the Department may require the preparation of an environmental assessment statement under NR-150 with public comment period on Type 2 Actions. This may lengthen the approval period to three months or greater. Once WDNR decision is made, and if approved, East Central can review sewer extensions and submit comments to the WDNR for sewer extension plan approval.

Exhibit 11
Sewer Service Area Amendment Standards & Update Procedures Application Area



The formal Sewer Service Area amendment process includes the following elements:

Section I: Amendment Policies

A. Sewer service area boundaries may be modified (acreage swap) provided no increase in the total acreage of the specific sewer service area occurs. The newly added area shall have Environmentally Sensitive Areas (ESAs) delineated prior to the amendment approval. The land comprised of an ESA will not require a swap for and equal amount of acreage. Acreage swaps may occur on a regional basis within the same sewer service area. (i.e., added and deleted acreage does not have to be within the same community). Swap amendments less than 100 acres in size which do not have designated ESAs within, or immediately adjacent to, the area to be added may be approved by the Community Facilities Committee only and shall not require the approval of the WDNR so long as they are non-controversial and are consistent with the community's adopted comprehensive plan. The WDNR will be notified of all Commission approved swaps and will allow 14 days for any voluntary WDNR review and comment prior to Commission staff sending out approval letters. All review procedures and criteria still apply to such amendments (policy amendment approved by WDNR on 08/26/04).

B. Sewer service area boundaries may be swapped on an acre for acre basis (vacant, developable lands only) provided a documented need for a sanitary sewer collection system exists for areas of existing urban development. Newly added area will have Environmentally Sensitive Areas (ESAs) delineated prior to the amendment approval. The land comprised of an ESA will not require a swap for and equal amount of acreage. Acreage swaps may occur on a regional basis within the same sewer service area (i.e., added and deleted acreage does not have to be within the same community).

C. Sewer service area boundaries may be expanded (overall increase in net developable acreage) provided a documented need for sanitary sewers to serve a proposed unique facility or development exists.

D. Sewer service areas may be expanded (overall increase in net developable acreage) to provide the flexibility to accommodate unanticipated short-term development based upon accelerated growth which exceeds the forecasted total service area growth rate in the plan. The requesting DMA shall have the community(ies) certify that the proposed amendment area is required for reasonable community growth and is consistent with locally adopted land use plans.

E. Sewer service area boundaries may be modified by the re-designation of previously identified environmentally sensitive areas consistent with all the following standards:

    1. The environmentally sensitive area is immediately adjacent to an existing sewer service area.

    2. Appropriate local, state and federal environmental permits are granted for the proposed development prior to the final approval of the amendment request.

3. Major re-designations shall pose no significant adverse water quality impacts. Major re-designations include:

   a. Removal of any mapped wetland area for sewered development unless resulting from an activity exempted by state administrative rules governing wetland protection [NR 117.05(2)] or state approved rezoning of wetlands.

   b. Any change which would reduce a delineated floodway of any navigable stream or river, or which would remove any area below the ordinary high water mark of a navigable stream, pond or lake.

   c. Any change resulting in the total removal or in the continuity of any corridor segment including floodways, wetlands, shoreland buffer strips or steep slopes adjacent to water bodies. The water quality benefit that was associated with the portion of the corridor removed must be provided for in the development.

4. The re-designated acreage will be added to the Sewer Service Area's total acreage.

F. Sewer service area boundaries may be modified or expanded to correct an error in the maps, data, projections or allocations of the adopted Sewer Service Area Plan.

Section II: Amendment Criteria

Any proposed amendment shall be reviewed according to the following criteria:

A. The cost-effectiveness of the proposed amendment will be compared to other alternatives. East Central may require this determination from the applicant. Amendments submitted under Policy B shall <u>require</u> such a determination from the applicant, and;

B. The environmental impacts of the proposed amendment shall be assessed in accordance with the criteria established in the Wisconsin Department of Natural Resources environmental assessment checklist. The Commission will evaluate the ability of the existing sewerage facilities to transport and treat the projected flows and will provide a water quality evaluation statement. East Central may also prescribe safeguards or impose additional conditions deemed necessary to protect the water quality in the area.

C. Amendments within the Urbanized Area SSA's (see Exhibit 11) should be consistent with East Central's <u>Long-Range Transportation/Land Use Plan Addendum's</u> goals, objectives and policies, particularly for density standards, as follows:

Policy 1.3 conformance:

a) The average net residential density of the buildable plat area is more than or equal to 1 unit per acre; or

b) The community has illustrated that development proposal meets the density requirements by being part of an overall "mixed density" concept documented in its local land use plan which meets the policy intent. (Note: Should amendments occur over time primarily for low density development which does not meet the one acre requirement, and no higher density development occurs, Section V, Urbanized Area Standard (1)(d) will apply at the next scheduled plan update).

c) If an amendment takes place which includes lands planned for residential development, without being platted prior to the amendment, ECWRPC will require an assurance from the community in the form of a resolution stating that the development will meet these requirements. At the time of platting, ECWRPC will require that a copy of the preliminary plat be submitted for review.

D. Amendment areas under Section I Policy A & D shall have a common boundary with the current sewer service area and shall not create a void within the service area.

E. Policy B (existing development) amendments must be contained within an approved SSA Planning Area. This boundary can be reviewed and considered for modification as a separate process if necessary.

F. Amendment areas under Section I Policy A and B involving the "swap" of land acreage shall, to the extent possible, utilize consistent land use areas on an acre for acre basis, based on the community's locally adopted and Commission certified Comprehensive Plan (for Urbanized Area communities). Should the community not have enough of a particular type of land designated in its locally adopted Comprehensive Plan to allow for a swap, the community should consider utilizing the "regional swap" policy prior to submitting the amendment under Policy D. Any community affected by a "regional swap" shall be notified and given an opportunity to comment prior to Commission approval of the amendment.

G. Amendments submitted under Policy C – Unique Facilities, not only fit the definition contained in this plan, but the applicant must also submit additional information which illustrates that all impacts, including secondary land use impacts, and their effects on water quality, transportation, and public service provision be addressed prior to the Commission recommending approval of the amendment. Such amendment requests must also be consistent with locally adopted Comprehensive Plans. Amendments under this policy may be approved conditionally by the Commission so that other necessary approvals can occur concurrently.

Section III: Amendment Procedures

Proposed sewer service area amendments shall be reviewed according to the following procedure:

A. Requests for sewer service area amendments should be made by the governmental entity that has received Designated Management Agency (DMA) status and that will be expected to serve the area. Units of government seeking an amendment to the sewer service area boundary should transmit a letter requesting the amendment to East Central along with the following documentation:

1. A map of the proposed expansion area and, if required, any area to be deleted (swapped) which affects the boundary modification;

2. Estimates of existing and anticipated population, wastewater generation and means of collection from the area;

3. A description of the type of existing development and/or the type of future development expected to occur;

4. Ability of the treatment facility to treat the anticipated wastewater;

5. Methods of stormwater management and regulation for the added service area and surrounding areas which may be impacted; and

6. Documentation that all property owners in areas proposed to be deleted (swapped) were notified of this request by the unit of government seeking the amendment. Any landowner potentially affected by the removal of property from the SSA shall be notified by the requesting entity at least 14 days prior to the scheduled Community Facilities Committee meeting at which the amendment will be addressed. Failure to do so will result in the tabling of the amendment request until the next regularly scheduled meeting (policy amendment approved by WDNR on 08/26/04).

7. Plan Commission or Board action as required under Section I - Policy D.

8. Amendments submitted under Section 1 – Policy B, for Urbanized Area communities (see Exhibit) will require that additional information be submitted and criteria be met as follows:

   a) Documentation that the community's locally adopted Comprehensive Plan illustrates the area as a future urban growth area which will be provided a full range of services as spelled out in the Urbanized Area Long-Range Transportation/Land Use Plan Addendum's density standards, and;

   b) A determination of the cost-effectiveness of providing public sanitary sewer versus on-site system replacement. This determination should be consistent with NR-110 requirements, and;

c) Documentation that approximately 30% of the existing on-site systems within the proposed amendment area be considered failing (direct need), and;

d) Documentation that approximately 30% or more of the balance of existing on-site systems within the proposed amendment area are subject to failure based on the physical condition of the on-site system itself and / or the physical characteristics of the subject site (indirect need);

Documentation for c) and d) above can be in the form of: copies of County or State orders for on-site system replacement; copies of existing on-site system inspection reports; letters from the County Sanitarian indicating that the systems are failing or have the potential to fail; or documentation of recent private well tests which show bacterial contamination likely resulting from on-site system failure.

B. Based on this information the Community Facilities Committee, designated as the review committee by the East Central's bylaws, will review the proposed amendment to determine whether it meets the standards set forth in the Sewer Service Area Amendment Process. If no significant adverse water quality impacts are involved, the East Central shall recommend approval of the Plan amendment and submit it to the Wisconsin Department of Natural Resources for State plan certification.

C. Requests for amendments under Policy F pertaining strictly to the addition of 'transporting sewers' (i.e. interceptors and forcemains which do not directly service new development) may be initiated by East Central staff upon written request of the DMA and would be submitted directly the Wisconsin Department of Natural Resources for review and certification without the need for Community Facilities Committee approval. The Department would review and certify such amendments within 5 to 10 working days from receipt of staff's submittal. Please note that the information needs, as noted above, as well as the conformance with existing review criteria are still required for East Central and the Department to process such amendments (policy amendment approved by WDNR on 08/26/04).

Section IV: Appeal

If an applicant feels that a hardship exists in the strict interpretation and application of the amendment standards and criteria, consideration may be given to providing relief through a variance subject to the following requirements:

A. The hardship to the community is significant and widespread owing to substantial pre-existing financial or legal commitments for sanitary sewer service.

B. The major objectives of the sewer service area plans can be met.

D. The appeal shall be submitted to the Chairman of East Central for action at a regularly scheduled meeting of the Commission. Further appeals may be submitted to Wisconsin Department of Natural Resources.

Section V: SSA Plan Update Procedures and Standards

Even though local, regional, and state levels of government engage in planning activities to direct their future, individual or multiple conditions can change over time. Some can be predicted and handled proactively (Comm. 83, demographics, etc.), while some occur rapidly and generally without much warning (economic conditions, regional growth patterns and rates, market demands, etc.). Sewer Service Area Plans are meant to be a proactive type of plan which identifies future sewered growth areas based on cost-effectiveness service provision, water quality, and regional cooperation/coordination. When conditions change, these plans need to be updated to reflect those changes. This section describes the conditions under which Sewer Service Area Plans are updated and how previously developed and approved regional goals, objectives, and policies (i.e. Urbanized Area Long Range Transportation/Land Use Plan Addendum) will apply prior to, during, or after the Update process.

Minimum Update Procedures and Standards (for all Sewer Service Areas)

SSA Plans will be updated on an approximate 5-year interval. Funding, staff availability, urban growth demands, and regional/state policy changes/proposals may alter this time interval. When updated, the following items will be addressed:

1) A review and update of population, housing, and employment trends and projections;

2) A review and update of land use demands based on socio-economic conditions and projections;

3) A review and update of existing physical conditions, including:
   (a) Existing land uses
   (b) Proposed land uses (based on local, county, regional, and state plans)
   (c) Water quality and natural resource (ESA) characteristics, changes, and issues;

4) A description of relevant events since the last plan update pertaining to sanitary sewer or having an impact on future sewer service, including:
   (a) Major WWTF improvements or changes;
   (b) Major collection system improvements or changes;
   (c) Local governmental changes (i.e., sanitary district formations, intergovernmental boundary / service agreements, Comprehensive Plan updates, regulations and requirements, etc.)
   (d) SSA Plan amendments and acreage consumption since the last plan update

5) A review and modification of mapping elements, if necessary, to accommodate future sewered growth and development, including:
   (a) Proposed major sewer system improvements and/or regional connections
   (b) A revised twenty-year Sewer Service Area Boundary;

(c) A revised forty-fifty year Planning Area Boundary;
(d) Environmentally Sensitive Areas

6) A review of local governmental actions and regulations which have implemented the Sewer Service Area Plan;

7) An update of citizen information/education and participation efforts;

8) A review of the institutional structure for plan update and amendment review and approval and for plan implementation;

9) A review / revision of goals, objectives, and policies, if necessary;

10) The development of recommendations and strategies for plan implementation.

Urbanized Area Procedures & Standards

The Urbanized Area Procedures and Standards will apply to the following communities: City of Appleton, City of Kaukauna, Village of Combined Locks, Village of Kimberly, Village of Little Chute, Town of Buchanan, Town of Grand Chute, Town of Greenville, Town of Kaukauna, Town of Vandenbroek, City of Menasha, Village of Sherwood, Town of Harrison, City of Fond du Lac, Village of North Fond du Lac, Town of Calumet, Town of Empire, Town of Fond du Lac, Town of Friendship, Town of Taycheedah, City of Neenah, City of Oshkosh, Town of Algoma, Town of Black Wolf, Town of Menasha, Town of Neenah, Town of Nekimi, Town of Oshkosh, Town of Vinland.

The Urbanized Area Standards and Procedures include the above listed "Minimum" items, plus the following reviews of local conformance with policies and requirements as spelled out in the Urbanized Area Long-Range Transportation/Land Use Plan Addendum, including:

1) Addendum Policy 1.3 Conformance - A review of local development densities within the SSA occurring between plan updates and their conformance with the minimum residential density requirement will need to be met as follows:

(a) Areas within the SSA prior to WDNR certification date of the 1997 (or subsequent) Sewer Service Area Plan Update are not required to meet this policy, however; ECWRPC staff will consider new residential developments which have occurred after this date as part of the overall density calculation (therefore this will not penalize communities for recent development meeting the criteria and being "banked" for lower densities elsewhere within the SSA).

(b) Areas allocated and approved as part of the 1997 (or subsequent) Plan Update are required to meet policy

(c) Areas amended to SSA after 1997 update are required to meet policy (see SSA Plan Amendment Policies and Procedures section for additional information)

(d) If an individual community does not meet the density requirements spelled out in the Transportation/Land Use Plan Addendum it will not be eligible for additional Sewer Service Area acreage allocations in subsequent plan updates.

2) Addendum Policy 1.4 – A review of local unsewered development patterns and locations and advisory recommendations pertaining to such information;

3) Comprehensive Plan Guidelines – A review of local land use plan for conformance with the Guidelines and the communities' plan certification status.

Section VI: Definitions

Sewer Service Area: An area defined and approved by the WDNR under Wisconsin Administrative Code, NR-121 with the assistance, and recommendation from, the East Central Wisconsin Regional Planning Commission and input from the communities involved and the general public. This boundary delineates areas which can be provided public sanitary sewer more cost-effectively than on-site treatment methods over a 20-year period. ECWRPC determines this boundary based on the following information (all of which are not necessarily listed in NR-121):

1) Definition and mapping of Environmentally Sensitive Areas (ESAs);

2) Justified acreage allocations based on projected 20-year growth and development using ECWRPC accepted methodologies;

3) Projected available 20-year capacity of wastewater treatment plant from publicly sewered development and established holding tank receiving areas;

4) Facilities Plan listed projects and improvements;

5) Projected available 20-year capacity of interceptor sewers, force-mains, and lift stations;

6) Location of existing sanitary sewer lines;

7) Existing and projected 20-year development patterns (based on local land use plan and zoning maps;

8) Proximity to development with known failing privately owned treatment works (POTWs) (also referred to as on-site wastewater treatment systems);

9) Ability to provide recommended levels of urban service per the Addendum matrices. (This would be addressed further as criteria for future allocations and amendments to the SSA);

10) Intergovernmental growth / service agreements (advisory only); and

11) The boundary itself is located, for administrative use, on the location of:

a) Environmentally Sensitive Areas (ESAs);
b) Watershed, sub-watershed, and drainage basin boundaries;
c) One lot depth (200-foot) buffer from existing sewer line locations;
d) Quarter-section lines based on the Public Land Survey System (PLSS);
e) MCD and Sanitary District Boundaries;
f) Road centerlines;
g) Lift station service areas (topography and depth); and
h) Gravity and interceptor sewer service areas (topography and depth)

Sewer Service Area Planning Area: An area defined and approved by the WDNR under Wisconsin Administrative Code, NR-121 with the assistance, and recommendation from, the East Central Wisconsin Regional Planning Commission and input from the communities involved and the general public. This is an area where urban growth is anticipated to occur over a longer period of time (40 to 50 years) where short-term conflicting land use development should be discouraged. This boundary serves the purpose of delineating long-term (40-50 year), cost-effective, urban growth areas. ECWRPC determines this boundary based on the following information (all of which are not necessarily listed in NR-121):

1) Definition and mapping of Environmentally Sensitive Areas (ESAs);

2) Justified acreage allocations based on projected 50-year growth and development using ECWRPC accepted methodologies;

3) Projected available 50-year capacity of wastewater treatment plant from publicly sewered development and establish holding tank receiving areas;

4) Projected available 50-year capacity of interceptor sewers, forcemains, and lift stations;

5) Existing and projected 20-year development patterns (based on local land use plan and zoning maps);

6) Location of existing development with known problems, or potential risk for on-site system failures;

7) Intergovernmental growth / service agreements; and

8) The boundary itself is located, for administrative use, on the location of:

a) Environmentally Sensitive Areas (ESAs);
b) Watershed, sub-watershed, and drainage area boundaries;
c) Nearest quarter-section line of the Public Land Survey System (PLSS);
d) MCD and Sanitary District boundaries;
e) Wastewater treatment plant service areas (when multiple plants available);
f) Road centerlines;
g) Lift station service areas (topography and depth);

h) Interceptor sewer service areas (topography and depth); and
i) Extraterritorial review jurisdiction of involved incorporated communities (this would be utilized only at the discretion of all affected communities).

Existing Urban Development: A geographic area with densities of development suitable for the efficient and economic provision of urban services such as sanitary sewer, water, transportation and storm drainage (e.g. single family residential development greater than two units per gross acre).

Unique Facility: A proposed facility that, regardless of location, is considered to be "unanticipated"; and is of "regional importance". "Unanticipated" is defined as not being illustrated in a local community's or county's Comprehensive Plan, and was not anticipated or projected in the Sewer Service Area Plan during the previous update. "Regional importance" is defined as facility which, if constructed, will provide a widespread benefit to multiple local governmental jurisdictions within the Sewer Service Area. Examples of facilities fitting this criteria include state prisons, county landfills, regional public specialty facilities such as EAA, public museums or performing arts centers, churches, private (commercial) specialty facilities such as the Kaukauna dog track, opportunistic park/recreation/open space acquisitions, public golf courses, other state or federal facilities as deemed appropriate. Not eligible are any type of school facility, local government administrative office or facility, residential golf course developments, local parks, private campgrounds, local airports or related facilities. These types and locations of future facilities should be addressed, and their needs quantified, in the communities local land use plans and the sewer service area plan update process. These listings may be added to from time to time based on individual SSA Plan Amendment proposals. Those specific facilities not listed above would be reviewed based on their merits and conformance with the intent of this definition.

Expansion Area: The geographic area proposed to be added to the existing sewer service area through the amendment process.

Cost-effectiveness: Analysis of the long term costs for providing sanitary sewerage system alternatives. The analysis shall include monetary costs, environmental costs, as well as other non-monetary costs consistent with NR-110.

Environmentally Sensitive Area: Geographic areas consisting of all lakes and streams shown on USGS quadrangle maps and their adjacent shoreland buffer areas. Also all wetlands shown on the state Wisconsin Wetland Inventory Maps and floodways as delineated on the official Federal Emergency Management Administration Flood Boundary and Floodway Maps.

Appendix A – Plan Development & Approval Documentation

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State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

WISCONSIN
DEPT. OF NATURAL RESOURCES

January 25, 2012

DNR Project No. EC-0129

Mr. Eric Fowle, Executive Director
East Central Wisconsin Regional Planning Commission
400 Ahnaip Streeet, Suite 100
Menasha, WI 54952-3100

Subject: Freedom 2030 Sewer Service Area Plan Update

Dear Mr. Fowle:

We have completed our review of the subject Sewer Service Area (SSA) Plan update request originally received by the Department on December 2, 2011, followed by a second draft on January 6, 2012, and the final submittal received on January 20, 2012. The Department hereby approves the plan update which adds 255 acres, bringing the 2030 service area to a total of 1737 acres.

We request that when the final version of the report is printed that one copy be provided to this office (please direct to Fran Keally). We understand that the full report and mapping will also be available on the East Central Wisconsin Regional Planning Commission's (ECWRPC) website by mid-February.

The plan update was approved by the ECWRPC through Resolution 19-11 on October 28, 2011.

The approval of this sewer service area plan update 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 that you have a right to challenge this decision, you should know that the Wisconsin statutes, administrative rules and case law establish time periods within which requests to review Department decisions must be filed. To request a contested case hearing pursuant to section 227.42, Wis. Stats., 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. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the time period for filing a petition for judicial review.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you must file your petition with the appropriate circuit court and serve the petition on the Department within the prescribed time period. A petition for judicial review must name the Department of Natural Resources as the respondent.

Sincerely,

Thomas J. Mugan, P.E., Chief
Wastewater Section
Bureau of Water Quality

cc:

Vernon Newhouse, President, Freedom SD #1, N4229 Garvey Ave, Freedom, WI 54130
Terri Romitti, Office Manager, Freedom SD #1, N4229 Garvey Ave, Freedom, WI 54130
Barb Seegers, Clerk, Town of Freedom, W2004 CTH S, Freedom, WI 54131
Mike Hendrick, Planning Director, Outagamie County Planning Dept, 410 S. Walnut St, Appleton, WI 54911
Joe Huffman, ECWRPC, 400 Ahnaip St, Ste 100, Menasha, WI 54942
Mark Corbett – DNR –NER - Oshkosh
Richard Sachs – DNR –NER – Green Bay
Fran Keally - WQ/3

SUMMARY OF PROCEEDINGS

Community Facilities Committee
East Central Wisconsin Regional Planning Commission
September 14, 2011 – 1:00 P.M.

Committee members present:

Ernie Bellin.....Winnebago County
Bob Hermes ..... Menominee County
Tom Nelson. ..... Outagamie County
Ken Capelle. .....Shawano County

Committee members excused:

Kathleen Groat . ..... Outagamie County

Others in attendance:

Kathy Thunes . .....ECWRPC Staff
Joe Huffman .....ECWRPC Staff

1. Welcome & Introductions.

Mr. Bellin welcomed everyone and introductions were made at 1:02 P.M.

2. Statement of Compliance / Wis. Stats. Ch. 19, Subchapter V, Sec. 19.84.

The open meeting law was recognized.

3. Action Item: Approval of the July 13, 2011 Community Facilities Committee Meeting Summary of Proceedings.

Mr. Bellin asked for comments or questions regarding the July 13, 2011 Summary of Proceedings. There being none Mr. Bellin then moved to approve the July 13, 2011 Summary of Proceedings. Ken Capelle made the second. Motion passed unanimously.

4. Public Comment.

There were no public comments to report.

5. Communications.

There were no public comments to report. At this time there was a request to reverse the order of Agenda Items 6 & 7. Mr. Bellin then called Item 7 for discussion.

6. Action Item: Approval of Resolution No. 19-11, Approval of the Draft Freedom 2030 SSA Plan Update.

Mr. Huffman provided background information on the Freedom SSA plan update explaining that there was a temporary delay in completing the plan due to governmental elections that brought in a new sanitary district president. Based on those election results it was felt that the incoming president should be allowed to familiarize himself with the district's business and the township as a whole. The update work was resumed in December, 2010 with a letter to the district to schedule meeting dates. Mr. Huffman then overviewed the mapping, describing the agreed allocations decided by the sanitary district. An explanation of the approval process was given including an approval letter from the district dated September 7, 2011. Mr. Huffman noted that the sanitary district recommended approval of the draft allocation areas to the Town of Freedom Plan Commission, (June 21, 2011), who in turn, recommended approval to the Town Board which acted to approve the plan on June 22, 2011. Mr. Huffman then described each of the SSA allocation areas and the planning area allocations to committee members.

Mr. Capelle asked whether there would be any expense to a plant upgrade as a result. Mr. Huffman explained that a plant upgrade was initiated in 2001 and that based on plant capacity, which is at approximately 42%, it was felt that these additional future flows would no adversely impact the wastewater treatment facility. There was than a call for a motion in which Mr. Capelle moved to approve Resolution 19-11 with Mr. Hermes making the second. Mr. Bellin then asked for any discussion on the motion. Mr. Nelson asked, based on the Town Board minutes, if there was any information on the July 19, 2011 Public Hearing. Mr. Huffman confirmed that a Public Hearing was held on July 19, 2011 at the Town Hall, he indicated that no citizens, other than sanitary district officials and a few Board members attended. Subsequent to the Public Hearing one phone call was received from a resident. The property was located east of McHugh Road, within the proposed 2050 planning area. The resident questioned what this change meant to his property and the potential for sewer service. It was explained that his property was in a very long-term time horizon for service. It was also pointed out that this particular property was not part of the sanitary district. This satisfied any concerns regarding sewer service. Mr. Nelson then asked if the Town Board approved the draft plan prior to the public hearing. Mr. Huffman affirmed that statement adding that due to his own inexperience these events apparently occurred in reverse order. Mr. Nelson, to be clear, asked that after the public hearing there was a collective understanding that the next approval step would be East Central. Mr. Huffman confirmed this to be true adding that there was a 30 day comment period following the public hearing. It was discussed that in the event there were significant concerns due to public input that there could be subsequent approvals by the Town Board and Plan Commission if required. Mr. Huffman informed committee members there was one phone call received where clarification of the planning area boundary was given. There being no more discussion Mr. Bellin reminded the committee there was a motion to approve Resolution 19-11 with Mr. Capelle making the motion to approve and Mr. Hermes making the second. Motion passed unanimously.

7. Discussion Items:

a) 2012 Work Program, (preliminary)/Review of 2011 Work Program

Ms. Thunes began explaining the major work elements contained within the 1200 WorkElement. The Regional Plan Implementation and Coordination element was briefly discussed. This effort was deemed a lower priority to be carried out as staff has available time. There was also no progress noted on the Wind Energy Suitability Mapping element as no inventory has emerged at this time. The Waste Management Facility Inventory element, based on a meeting earlier in the year, (AROW), resulted in a modified inventory strategy, however, with no decisions having been made. Ms. Thunes also discussed Work Item 1227, Energy/Compost & Job Production through Food Waste reiterating its scope and involvement within the region. Assistance was provided in the form

of a survey that targeted growing the task force on this issue. It was indicated that a meeting will be scheduled within the next month on this topic. Ms. Thunes also discussed the availability of potential grants they may be awarded by EPA Region V.

Mr. Huffman overviewed the 1230 Element – Sewer Service Area Planning, noting that this element rarely sees dramatic changes during the budget year. The Overall Plan Promotion element remains unchanged. Work Item 1232 regarding plan amendments have been stagnant for the last two years, therefore little to report. However, Work Item 1233, which deals with the updating of community plans, will have an Action Item on today's agenda dealing with the 2030 Freedom Sewer Service Area Plan. In addition, there will be a resumption of update talks with the Village of Sherwood and their 2030 Plan Update to begin in November, 2011.

b) 2012 Technical Assistance Request
Ms. Thunes referred to the 2012 Technical Assistance Project Request Form and its accompanying letter detailing the scope and deadlines for submittal.

c) Energy/Compost & Job Production through Food Waste Task Force Update
This item previously discussed above.

8. Next Meeting:
The next meeting is scheduled for Wednesday, December 14, 2011 at 1:00 P.M. at the Grand Chute Town Hall

9. Adjourn

PROPOSED RESOLUTION NO. 19-11

APPROVING THE UPDATED 2030 FREEDOM SEWER SERVICE AREA PLAN

WHEREAS, the East Central Wisconsin Regional Planning Commission has been designated by the Wisconsin Department of Natural Resources as the sewer service area management agency for the ten county East Central region, and;

WHEREAS, the East Central Regional Planning Commission has entered into a memorandum of agreement with the Wisconsin Department of Natural Resources to develop, update and manage sewer service area plans for the designated area and select non-designated areas, and;

WHEREAS, the East Central Wisconsin Regional Planning Commission is preparing updated sewer service area plans for communities through the year 2030, and;

WHEREAS, the East Central Wisconsin Regional Planning Commission has held public participation and community meetings for those areas affected during the planning process, and;

WHEREAS, the Sewer Service Area Plans will be submitted to the Wisconsin Department of Natural Resources and certified as part of the Wisconsin Water Quality Plans.

NOW THEREFORE BE IT RESOLVED BY THE EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION:

Section 1. That the Commission adopt the draft plan for the 2030 Freedom Sewer Service Area Plan Update and recommend the Wisconsin Department of Natural Resources certification of the aforementioned plan update, and;

Section 2. That the Commission provide continuing sewer service area planning and management functions including sewer service amendments, review of wastewater and sewer plans and the review of sewer extension requests for the 2030 Freedom Sewer Service Area.

Effective Date: September 14, 2011
Submitted By: Community Facility Committee
Prepared By: Joseph W. Huffman, SSA Planner

Ernie Bellin, Chair – Winnebago Co.

Bob Hermes, Vice Chair – Menominee Co.

Ken Capelle – Shawano Co.

Tom Nelson – Outagamie Co.

Kathy Groat – Outagamie County

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Effective Date: October 28, 2011

Submitted By: Community Facility Committee

Prepared By: Joseph W. Huffman, SSA Planner

Ken Capelle

Ken Capelle, Chair

JIM GARVEY/FIRE DEPT. CONCERNING 911 ADDRESS SIGNS

Garvey questioned the town on why they had changed the plan for the address signs to only doing the rural areas. Chairman Maass explained that the Board was considering a smaller sign for the Sanitary District area. Emergency responders representing fire, first responders and police explained the need for address signs for all properties in the town.

REPORT ON AND CONSIDERATION OF CHANGE IN 911 SIGN ORDER

Clerk reported to the Board that the company that the signs were ordered from has gone out of business and prices were received from the next two lowest price companies. Sherwin's signs were 14.50 and Lang was 13.76. On the smaller sign Lang's price was 11.61. Clerk was unable to contact Sherwin rep for a price on the smaller sign.

Motion by Supv. Bowers/Supv. Lowney to purchase the 8" by 16" signs for the entire town, in yellow on black at not to exceed 11.61 per sign. 4 Yes 0 No MC

VERNON NEWHOUSE CONCERNING WATER TOWER LEASE PROGRAM

Newhouse reported to the Board that wireless internet will become available to the Town and the Historical Society from one of the new tenants on the water tower. The towns speed is currently a 6 by 1. The new tenant will provide a faster 6 by 2. The town board was agreeable to this change.

VAN ASTEN RD PROJECT BIDS

Proposals received on the Van Asten Rd project were:

Fox Excavating	3,705.00
Olson	3,400.00
Freedom Excavating	2,375.00
Swinkles	1,960.00
VanVreede Excavating	2,989.00
Roger Bowers	7,200.00

Motion by Supv. Rahmlow/Supv. Bowers to approve Swinkles proposal for excavating ¼ mile of ditch on east side of VanAsten Rd at a cost of $1,960.00 plus the cost of any needed erosion control and seeding. 4 Yes 0 No MC

CONSIDERATION OF MOBILE CONCESSION STAND FOR SOCCER TOURNAMENTS

Motion by Supv. Lowney/Supv. Bowers to approve the use of a mobile concession stand for the soccer tournament at a cost of $145. 4 Yes 0 No MC

CONSIDERATION OF LIQUOR LICENSE APPLICATIONS

Motion by Supv. Lowney/Supv. Bowers to approve the Liquor License list for 2011/2012 with special event s for Leap In and Skunk Hill as presented. 4 Yes 0 No MC

Motion by Supv. Bowers/Supv. Rahmlow to approve the temporary beer license for St. Nicholas Parish at the VFW Pavilion from Noon on July 23 to 7:00 p.m. on July 24 with Karen Krejcie as the agent. 4 Yes 0 No MC

SUMMARY OF PROCEEDINGS

Quarterly Commission Meeting

East Central Wisconsin Regional Planning Commission
ECWRPC Offices
October 28, 2011

The meeting of the East Central Wisconsin Regional Planning Commission was called to order by Chair Ken Capelle at 10:00 A.M.

I. **PLEDGE OF ALLEGIANCE**

II. **MOMENT OF SILENT MEDITATION**

III. **ROLL CALL**

Roll call was taken showing the following attendance:

Commission Members Present
Bill Barribeau ..... Calumet County
Merlin Gentz ..... Calumet County
Jeremy Johnson (Alt. for Elizabeth Moses) ..... Menominee County
Bob Hermes ..... Menominee County
Craig Moser (Alt. for Thomas Nelson) ..... Outagamie County
Helen Nagler ..... Outagamie County
Tim Hanna..... Outagamie County
Paul Hirte ..... Outagamie County
Kathy Groat ..... Outagamie County
Bob Weyenberg ..... Outagamie County
Jerry Erdmann ..... Shawano County
Ken Capelle ..... Shawano County
M. Eugene Zeuske ..... Shawano County
Duane Brown ..... Waupaca County
DuWayne Federwitz ..... Waupaca County
Brian Smith..... Waupaca County
Norman Weiss ..... Waushara County
Larry Timm ..... Waushara County
Neal Strehlow ..... Waushara County
David Albrecht ..... Winnebago County
Allen Davis (Alt. for Mark Rohloff) ..... Winnebago County
Ernie Bellin ..... Winnebago County
Jim Erdman ..... Winnebago County
Ken Robl ..... Winnebago County

Commission Members Excused
Alice Connors ..... Calumet County
Ruth Winter ..... Menominee County
Dick Koeppen ..... Waupaca County
Mark Harris ..... Winnebago County

Staff Members Present
Eric Fowle ..... Executive Director
Walt Raith ..... Assistant Director

Kathy Thunes ..... Principal Planner
Jason Kakatsch ..... Principal Planner
Dave Moesch .....Associate Planner
Tom Baron ..... Planner
Melissa Kraemer Badtke..... Planning Specialist (SRTS)
David Kress ..... Planner (SRTS)
Joe Huffman ..... Planner
Vicky Johnson .....Administrative Coordinator
Pam Scheibe-Johnson..... Financial Specialist

Chair Capelle noted that a quorum was present.

A. Introduction of Alternates and guests

Mr. Fowle noted that two alternates were present, Craig Moser for Tom Nelson, Outagamie County and Allen Davis for Mark Rohloff, Winnebago County.

IV. Statement of Compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirements

Compliance with Wisconsin's open meeting requirements was acknowledged.

V. Public Comment

There being none made Chair Capelle moved on to item VI.

VI. APPROVAL OF AGENDA

Mr. Barribeau motioned to approve the agenda, seconded by Mr. Federwitz. The motion passed with 25 ayes, 0 nays.

VII. APPROVAL OF THE MINUTES FROM THE JULY 29, 2011 QUARTERLY MEETING

Mr. Weiss moved to approve the summary of proceedings from the July 29, 2011 Quarterly meeting, seconded by Mr. Hermes. Motion passed with 25 ayes and 0 nays.

VIII. ANNOUNCEMENTS

A. Commission/Commissioner News

Mr. Fowle informed the Commissioners of the passing of Mr. Harvey Rengstorf, Town of Winneconne Chair and Winnebago County Supervisor.

B. Staff News

Introduction of New Staff – Pamela Scheibe-Johnson, Financial Specialist

Mr. Fowle introduced Pamela Scheibe-Johnson, who was hired to fill the vacant position of Financial Specialist with the Commission. Ms. Scheibe-Johnson said she previously worked for approximately ten years for the Building for Kids in Appleton and with her experience with nonprofit organizations that this position will be a good fit for her.

Mr. Fowle congratulated Mr. Raith on his recent selection to be a board member on the State Transportation Development Association (TDA).

Mr. Fowle noted that Mr. Baron has been acknowledged by the Re:THINK Program in Winnebago County for his efforts with the CHIPS Program to produce an interactive website and a recreation guide for Winnebago County.

Mr. Fowle reminded the Commissioners that Kara Homan, Economic Development Planner with the Commission has left for a position with the City of Menasha and her position has been advertised and interviews conducted. The decision on a candidate will be made next week.

C. Newspaper Articles

Mr. Fowle said that a copy of the Community Economic Recovery Guidebook was handed out prior to the meeting and if the Commissioners would like additional copies to let him know.

Mr. Fowle noted a copy of a letter signed by Mr. Capelle that was sent to the Governor and State Legislators regarding the medical assistance changes was included in the packet. This letter was sent as a follow-up to the discussion on this issue at the July Quarterly Meeting.

Mr. Fowle congratulated Calumet County on receiving the 2011 Foth Good Government Award.

He noted that Mr. Koeppen, ECWRPC Commissioner and Chair of Waupaca County has been elected President of the Wisconsin Counties Association (WCA).

Mr. Fowle said that also included in the packet were several other articles regarding specific projects that the Commission is involved with such as the Safe Routes to School Program, the Fox Wisconsin Heritage Parkway, the Niagara Escarpment and the Aquatic Invasive Species Program.

D. Announcements

Mr. Fowle said that a copy of the preliminary results from the Strategic Plan Session held following the July Quarterly Meeting were handed out prior to the meeting. He briefly explained the results.

Mr. Fowle referred to the handout that explains and shows the new proposed American Viticultural Area (AVA) in northeast Wisconsin. This effort has been ongoing for the past six or seven years. He noted that there is a public comment period that runs through December 14 and he has submitted supportive comments on behalf of the Commission. He encouraged the Commissioners to visit the website and provide comments.

Mr. Fowle said that the Compensation Study that was approved by the Steering Committee in July is in progress and he anticipates a draft document in late November. The results will be presented by the consultants to the Steering Committee in December.
Mr. Fowle announced that the Winnebago Lakes Council is having their Annual Meeting and Conference on Saturday November 5 at the Fin'n Feather in Winneconne. He noted that if more information is desired contact him or Tom Baron after the Quarterly Meeting.

IX. **BUSINESS**

A. Steering Committee

1. Acceptance of the Summaries of Proceedings for the July 27 and August 16, 2011 meetings.

   Mr. Capelle moved to approve the summary of proceedings from the July 27 and August 16, 2011 meetings, seconded by Ms. Nagler. Motion passed with 25 ayes and 0 nays.

2. 2011 3rd Quarter Financial Report

   Mr. Fowle explained the Income Statement for the 3rd Quarter noting that the pass through item for EDA/TAA grant has changed from $190,000 shown in the adopted budget to $100,000. He also noted that a few counties pay their levy on installment, therefore that item will not be at 100 percent until year end.

   Ms. Scheibe-Johnson explained the Balance Sheet which showed the Commission's financial position as of September 30.

   Mr. Albrecht moved to approve the 2011 3rd Quarter Financial Report, seconded by Mr. Robl. Motion passed with 25 ayes and 0 nays.

3. 2012 Budget/Annual Work Program Update

   Mr. Fowle provided a brief update of the preliminary 2012 budget. He noted that all the Standing Committees have reviewed their respective work programs for 2012. He reiterate that if the HUD Grant is awarded to the Commission a major commitment of staff time and effort will be required. He will modify the work program for 2012 to include the dollars for the HUD Grant and make sure that the staff time is allocated to met the requirements of the grant. He noted that the Regional Comprehensive Plan activities will be pared back to the bare minimum and staff time will be pulled from the free technical assistance program to accommodate the requirements of the grant. He said that if the HUD Grant does not come to fruition, the staff time will be reassigned to the original programs which would include adding additional technical assistance projects.

   Ms. Nagler said that the free technical assistance projects are valued by the counties and communities and asked if there was other areas where the staff time could be taken from.

   Mr. Fowle said that he was open to suggestions, although, without scaling back the free technical assistance projects, there would not be enough staff time to work on the HUD Grant requirements. The HUD Grant would be regional in nature, therefore, would benefit all the counties.

   Mr. Albrecht expressed his concerns regarding the scaling back of the technical assistance projects.

   Mr. Gentz said that he also originally had concerns regarding the technical assistance projects, but after reading the HUD Grant application and reviewing the activities that are planned over the three year period, he became aware of the links between the activities and the Regional Comprehensive Plan. He noted that as the Commission proceeds with the HUD Grant activities that it will be extremely important that the activities are linked back to the County, City and the Regional Comprehensive Plans.

Mr. Fowle explained that the HUD Grant area would include a ten mile radius of WIS 41 Corridor and does exclude some of the Commission's counties, but some of the activities would be applicable and could be translated to what is going on in those counties and communities.

Mr. Raith reiterated that the free technical assistance projects are a very small portion of the Commission's work program and that the transportation and economic development assistance planning that is provided will not be changing at all.

Mr. Fowle stated that in the past years, the Commission has been selecting 20 to 25 technical assistance projects per year and a portion of those requests are completed under the transportation and the economic development programs. He anticipates that the Commission will continue to provide assistance for 6 to 12 technical assistance projects even with the HUD Grant activities.

Mr. Fowle said that the preliminary budget that was approved in July showed a surplus of approximately $53,000. He noted that not included in the preliminary budget was additional funding that will be received from the Federal Highway Administration and the increased funding from EDA. Another major change in the budget is a result of Act 10. Although the staff is subject to the new contribution for the retirement pension, they will not be affect by an additional contribution for health insurance. It was anticipated that the Commission would have a savings due the employees additional contribution toward their premiums. In Act 10 it is stated that the employer cannot contribute more than 88% of the average of the Tier 1 Plan costs. The two insurance providers used by the staff are among the lowest offered by the State Program. The staff has the option of any of the providers offered by the State, but are responsible for the cost difference compared to the cheapest plan. He said that with these changes the surplus for the 2012 budget may be as high as $130-140,000. He noted that the numbers are still preliminary and that the final budget will be presented at the January Quarterly Meeting.

Ms. Groat asked if the annual accrued leave figure shown on the balance sheet is depleted every year or carried over. Mr. Fowle responded that the personnel policies do allow a carryover of 150 hours vacation time and sick time is carryover regardless of the amount. He noted that sick time does not get paid out upon departure from the Commission. Ms. Groat said if several staff left with accrued vacation time, it could be quite a payout in one year. Mr. Fowle noted that the actual cost of the vacation time is accounted for in the budget.

4. Proposed Resolution No. 16-11: **Authorizing the Commission to Apply as the Lead Entity to Submit an Application for a 2011 HUD Sustainable Communities Regional Planning Grant**

5. Proposed Resolution No. 17-11: **Acting as the Oshkosh Metropolitan Planning Organization, Authorizing a Letter of Support the East Central Wisconsin Regional Planning Commission's HUD Sustainable Communities Regional Planning Grant Application**

6. Proposed Resolution No. 18-11: **Acting as the Fox Cities Metropolitan Planning Organization, Authorizing a Letter of Support the East Central Wisconsin Regional Planning Commission's HUD Sustainable Communities Regional Planning Grant Application**

Mr. Fowle said that he would address Proposed Resolutions No. 16-11, 17-11 and 18-11 at the same time. Due to the timeframe these resolutions were approved by the Steering Committee on behalf of the full Commission as well as each MPO separately to permit the submittal of the HUD Grant. He noted that an abstract of the project was handed out prior to the meeting and a copy of the full application is on the Commission's website. The total grant would be $1.2 million dollars with the Commission receiving approximately $587,000, with partners, Bay-Lake RPC receiving $282,000, the Center of Land Use Education $259,000 and Brown County $60,000 over a three year period. Brown County will use their portion to update their Comprehensive Plan and integrate the livability principles and the sustainability issues of the grant. Brown County's Comprehensive Plan will be used as a pilot for other counties when updating their respective plans. Mr. Fowle asked the Commissioners to reaffirm Resolutions No. 15-11, 17-11 and 18-11.

Mr. Robl motioned to reaffirm Proposed Resolutions No. 16-11, No. 17-11 and No.18-11 seconded by Mr. Hermes. Motion passed with 25 ayes, 0 nays.

B. Economic Development Committee

1. Chairman's Report

2. Acceptance of the Summary of Proceedings for the July 13, 2011 meeting.

   Mr. Zeuske said that the Chairman's Report and the Summary of Proceedings for the July 13, 2011 meeting were included in the packet and motioned to approve them. Mr. Brown seconded the motion. Motion passed with 25 ayes and 0 nays.

3. Proposed Resolution No. 23-11: **Adopting the 2011 Comprehensive Economic Development Strategy (CEDS) Annual Report and Supplement**

   Mr. Baron noted that an annual update of the Comprehensive Development Strategy (CEDS) document is a EDA requirement with a major update every five years. He said that Mr. Pfefferle of the Commission staff was the primary author on this plan and updated the document with current data. Mr. Baron explained that projects are solicited from communities and counties and that projects seeking EDA funding must be included in this document. Mr. Baron said that this was the first year that a new GIS product, Esri's Business Analyst was available to the Commission. This is a tool that private businesses used to determine new business locations. He noted that from a planning perspective it provides access to a lot of business data. That data was used on the additional maps that have been included in this year's document. He said that the only drawback in using this product is that the information provided is on a volunteer basis, therefore, some data may be missing.

   Mr. Baron said that the Economic Development Committee met and approved Proposed Resolution No. 23-11 and he is requesting the approval of the full Commission.

   Mr. Barribeau motioned to approve Proposed Resolution No. 23-11, seconded by Mr. Federwitz. Motion passed with 25 ayes, 0 nays.

4. Update on Wisconsin Economic Development Corporation/RPC Roles

   Mr. Fowle said that with the creation of the new Wisconsin Economic Development Corporation (WEDC) at the State level, the RPCs collectively have been putting forth efforts to be recognized by the agency as a method to implement their program and requirements. The efforts have been noticed. Brenda Hicks-Sorenson, Vice-President

of the Economic and Community Development Division at WEDC spoke at the AWRPC meeting and provided a list of ways the RPCs would be instrumental. He has been working with the other RPC directors and communicating with Ms. Hicks-Sorenson about the best way to have a role in regional economic development. This would best be accomplished with a Memorandum of Understanding. The Memorandum of Understanding would state what the Commission can provide WEDC in terms of assistance. By working with the Community Account Managers (CAMs) and Regional Account Managers (RAMs) of WEDC and possibly providing housing for staff in the Commission's offices, a more direct access to WEDC's staff, more visibility and more knowledge of their programs would be available. He noted that housing a staff member would provide more of a political advantage, rather than monetary. Mr. Fowle said that this is an informational item and asked for comments from the Commissioners.

Ms. Nagler said that housing their staff in the Commission's offices would be a positive move and would provide access to their programs.

Mr. Albrecht questioned with all this going on, why hire an entry level person for the Economic Development position. Mr. Fowle said that the entry level position would be built on in time as this situation advances and that he will be overseeing this matter.

Mr. Hanna said that bringing visibility and using the Commission's space is all well and good, but looking at it from WEDC's point view, their whole approach is trying to take a regional approach, the structure is in place across the State with the RPCs. In today's time and fiscal conditions, any time we can leverage rather than duplicate, it makes a lot of sense. There is an economic development regional strategy with the regional planning commissions, we already interface with a lot of the more local economic organizations, why wouldn't we take advantage of that. Why wouldn't WEDC take advantage of that. From his point of view, he would encourage to proceed cautiously down this road, but to form some kind of a relationship. From WEDC's point of view why would they duplicate and try to create a statewide structure on a regional basis when there is one that already exists. Leveraging, is to our advantage, it makes a lot of sense.

Mr. Fowle said that was precisely his point, we have the network, we know how to do this stuff, we do it quicker, faster, easier, more efficiently and you will get the same results, if not better.

Mr. Hanna said it has been our problem in this State that we don't step back and look at what already exists before creating new layers.

C. Open Space and Environmental Management Committee

1. Chairman's Report

2. Acceptance of the Summary of Proceedings for the July 12, 2011 meetings.

Mr. Erdman motioned to approve the Chairman's Report and the July 12, 2011 Summary of Proceedings, seconded by Mr. Robl. Motion passed with 25 ayes and 0 nays.

3. Proposed Resolution No. 22-11: **Supporting the Fox Wisconsin Heritage Parkway (FWHP) Action Plan Concept**

Mr. Baron provided background on the Heritage Parkway project. He said that the update of the action plan has been partially funded by community foundations and

private individuals. The Action Plan acts as an update to 1997 Fox River Heritage State Parkway Concept Plan, which focused more on the opening of the lock system and what was necessary to get the system up and going. Mr. Baron noted that it recognized the larger system and set some goals. He started on this project by reviewing the Heritage Parkway Study and the Feasibility Study which was a submittal document that was required by the National Parks Service for review to become a National Heritage Area. While reviewing both of those documents, it was realized that a lot of this inventory had been created, a lot of the larger goals had been set, therefore, it was not necessary to go back and rehash the inventory, it was time to start using the inventory, it was time to get people on board. This Plan is more of an action plan and an implementation plan. The plan's layout focuses on objectives and actions. This project was a large volunteer effort within the National Heritage Area Program with the majority of the efforts coming from volunteers, whether they were private individuals or a county or a local staff member. The plan shows anyone who wants to become involved, what has been done, and how they could assist on future efforts.

Mr. Baron said that the Heritage Parkway became a nonprofit agency in 2010, therefore, it has a board structure and he is a member of the board. The board acts as an oversight of the plan implementation. The board approved the plan in August, the Open Space and Environmental Management Committee approved the plan at their last meeting and he is now requesting approval of the concept plan by the full Commission.

Mr. Erdman commented that Wisconsin Heritage Parkway (FWHP) Action Plan Concept was a very good plan. He noted that there were concerns at the Open Space and Environmental Committee meeting regarding the funding for implementation, so the Committee changed the resolution to read adopting the concept of the plan versus the plan as a whole.

Mr. Erdman motioned to accept Proposed Resolution No. 22-11, seconded by Mr. Hanna.

Discussion followed regarding the economic advantages of opening the locks and of the Heritage Parkway Corridor to the communities. Also discussed was who would be responsible for the future operating expenses of the Heritage Parkway and the fact that by supporting this plan in concept only, the Commission is not committed to provide anything. The nonprofit board would be responsible for implementing the plan and for securing operating funding.

Mr. Hanna questioned how much of Mr. Baron's time is presently committed to the Heritage Parkway. Mr. Baron responded approximately 50 percent per the contract with the foundations.

Ms. Nagler asked if Mr. Baron, with his position on the board, would be authorized to provided committed resources or will a request be brought back to the Commissioners. Mr. Fowle said he would not be authorized. To do so and the Commission would be involved in any decisions regarding funding or staff time.

Motion passed with 25 ayes and 0 nays.

D. Community Facilities Committee

1. Chairman's Report

2. Acceptance of the Summary of Proceedings for the July 13, 2011 meeting

Mr. Bellin motioned to approve the Chairman's Report, seconded Ms. Groat. Motion passed with 25 ayes and 0 nays.

3. Proposed Resolution No. 19-11: **Approving the Updated 2030 Freedom Sewer Service Area Plan**

   Mr. Huffman explained the planning area changes noting that 360 acres were added and 3-1/2 acres deleted. Mr. Huffman said that the summary tables depict the actual service areas added. The Town Plan Commission, the Town Board and the Community Facilities Committee have approved this plan and Mr. Huffman requested approval from the full Commission.

   Mr. Bellin motioned for approval of Proposed Resolution No. 19-11, seconded by Ms. Groat.

   Ms. Nagler asked what the small yellow parcel shown on the map represented. Mr. Huffman said that parcel was acreage that was removed because it was not in the service area and it was not being utilized.

   Motion passed with 25 ayes and 0 nays.

E. Transportation Committee

1. Chairman's Report

2. Acceptance of the Summary of Proceedings for the July 19, 2011 meeting.

   Mr. Robl motioned to approve the Chairman's Report and the Summary of Proceedings for the July 19, 2011 meeting. Mr. Strehlow moved to second the motion. Motion passed with 25ayes and 0 nays.

3. Proposed Resolution No. 20-11: **Adopting the 2012 Unified Transportation Work Program and Annual MPO Certification for the East Central Wisconsin Regional Planning Commission**

   Mr. Raith said that every year the Department of Transportation and the Federal Highway Administration require the Transportation Work Program be approved and submitted by November 1. He noted that this year's work program is very similar to last year except for the addition of funding for freight modeling. This work program also outlines the work that will be done for the updates of the 2015 Long Range Plans. Mr. Raith said that the transportation work program is incorporated into the Commission work program and budget that is approved at the January Quarterly Meeting.

   Mr. Strehlow motioned for approval of Proposed Resolution No. 20-11, seconded by Mr. Robl. Motion passed with 25 ayes and 0 nays.

4. Proposed Resolution No. 21-11: **Adoption of the Transportation Improvement Program for the Fox Cities and Oshkosh Urbanized Areas – 2012**

   Mr. Moesch said that staff worked closely with WisDOT and all the local communities in the development of the TIP. All projects receiving transportation funding are required to be in this document. A public review period was held with no comments being received. He noted that the Transportation Committee approved this document at their October 4 meeting and asked for approval from the full Commission.

Mr. Robl motioned for approval of Proposed Resolution No. 21-11, seconded by Mr. Strehlow. Motion passed with 25 ayes and 0 nays.

5. Update on Regional Safe Routes to School (SRTS) Program

Ms. Kraemer Badtke provided an update on the Regional Safe Routes to School Program. She noted that when the program was started in 2009 it was anticipated that approximately 40 schools would participated, currently there are close to 100 schools participating. The program is open to both private and public schools in the region and is 100 percent funded by DOT. Ms. Kraemer Badtke said that the SRTS staff has worked with individual school districts and communities to develop their SRTS Action Plans and help implement activities pertinent to SRTS. Action plans are essential for applying to infrastructure funding.

Ms. Kraemer Badtke presented the new SRTS brand and logo, the graphics of the SRTS Kids and the individual school crests. She noted that the SRTS logo is so popular that she has received requests across the State to use the logo and because the logo is funded by federal dollars the requests can be honored.

Ms. Kraemer Badtke said that she has been working with the consultants to promote the SRTS programs through the media. She highlighted a few examples of coverage that were included in the packet. Ms. Kraemer Badtke noted some of the different events that are taking place around the region in regards to the SRTS Program. She also explained new promotions and pilot programs that staff are working on to promote more awareness of the benefits of the SRTS Program.

Mr. Albrecht suggested that Ms. Kraemer Badtke submit an application for the Good Government Award on behalf of the SRTS Program.

F. Regional Comprehensive Planning Committee

1. Chairman's Report

2. Acceptance of the Summary of Proceedings for the July 29, 2011 meeting.

Mr. Gentz motioned to approve the Chairman's Report and the summary of proceedings for the July 28, 2011 meeting. Mr. Weiss seconded the motion. Motion passed with 25 ayes and 0 nays.

3. Update on Assembly Bill 303 – Comprehensive Planning 'Opt Out' Provisions

Mr. Fowle informed the Commissioners that Assembly Bill 303 has provisions to 'opt out' of comprehensive planning. It states that with a twenty-four hour notice a community or county could nullify their plan. This bill stems from issues that exist in the north central part of the State where communities have not completed their smart growth plans and a contingent property right issue exists. The bill has made its way through the various committees although it is anticipated that it will have difficulties in the Senate. Mr. Fowle said this bill was discussed at the Regional Comprehensive Planning meeting and the consensus was that he, on behalf of the Commission, should speak out against the bill.

X. ESTABLISH TIME AND PLACE FOR NEXT COMMISSION MEETING

Quarterly Commission Meeting, Friday, January 27, 2012, 10:00 A.M., ECWRPC Offices

Mr. Fowle noted that there is a possibility that the Commission will host a mini-conference in the morning of January 27, and have the meeting in the afternoon.

XII. ADJOURNMENT

Mr. Bellin motioned for adjournment, seconded by Mr. Brown. Motion passed with 25 ayes and 0 nays. Meeting adjourned at 11:45 P.M.

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Appendix B – SSA Demographic and Acreage Projection Tables

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TABLE B-1: EXISTING YEAR 2020 SSA ACREAGE CHARACTERISTICS (BASED ON 2009 LAND USE)

	Total SSA		Freedom S.D.*		T. Freedom	
	Acres	%	Acres	%	Acres	
2020 SSA Planning Area (acres)	**5,433.0**	**0.3**	**5,433.0**	**0.4**		
Square Miles	**8.5**	**2.3**	**8.5**	**3.7**	-	35.9
2020 Sewer Service Area Total	**1,481.3**	**100.0%**	**2,346.5**	**100.0%**	**22985**	**100%**
Single Family & Duplex Residential (including mobile homes)	**506.4**	**34.2%**	520.6	22.2%	2335.8	10%
Multi-Family Residential	**12.2**	**0.8%**	12.2	0.5%	10.5	0%
Commercial	**62.5**	**4.2%**	65.6	2.8%	63.1	0%
Industrial	**15.3**	**1.0%**	22.1	0.9%	333.7	1%
Public/Institutional (includes park & recreation)	**99.6**	**6.7%**	102.1	4.4%	353.9	2%
Utilities	**4.0**	**0.3%**	4.0	0.2%	20.6	0%
Transportation/Roads/Railroads	**213.8**	**14.4%**	218.5	9.3%	932.0	4%
Existing/Planned Stormwater Detention Ponds	**0.0**	**0.0%**	1.6	0.1%	0.0	0%
Vacant, Undevelopable (50' wetland buffer)	**3.9**	**0.3%**	14.4	0.6%	0.0	0%
Vacant, Developable (includes woodlands, agric. or undeveloped uses	**557.7**	**37.6%**	1269.1	54.1%	18709.0	81%
ESA - Stream Buffer	**2.9**	**0.2%**	26.5	1.1%	0.0	0%
ESA - Wetland	-	**0.0%**	75.0	3.2%	0.0	0%
Open Water	**3.0**	**0.2%**	14.8	0.6%	226.5	1%
Total SSA Developed Acres	**913.8**	**61.7%**	**946.7**	**40.3%**	**4050**	**18%**
Total SSA ESA / Water Acres	**5.9**	**0.4%**	**116.3**	**5.0%**	**227**	**1%**

Year 2020 SSA Vacant Acres by Proposed Land Use Type	Total for SSA		Freedom S.D.		T. Freedom SSA	
	Acres	%	Acres	% of	Acres	% of
SF Residential	**347.6**	**62.3%**	965.9	76.1%	0.0	0%
MF Residential	**6.6**	**1.2%**	48.2	3.8%	0.0	0%
Commercial	**33.6**	**6.0%**	46.3	3.6%	0.0	0%
Industrial	**38.9**	**7.0%**	9.8	0.8%	0.0	0%
Public/Institutional (include parks/churches/utilities)	**21.9**	**3.9%**	35.4	2.8%	0.0	0%
Agriculture or Unplanned	**109.1**	**19.6%**	163.5	12.9%	0.0	0%
TOTALS	**557.7**	**100.0%**	**1,269.1**	**100.0%**	**0**	**0%**

Source: ECWRPC - February, 2009 Updated Land Use
* Overall Sanitary District Comparison

Table B-2: FREEDOM SSA, PROJECTED POPULATION BY DMA, 2005 -2030

MCD	ECWRPC Projections 2005	2010	2015	2020	2025	2030	Difference '05-'30	Difference '05-'30 w/10% increase
T.Freedom	5,577	5,954	6,338	6,733	7,108	7,475	1,898	2,088
Freedom S.D.*	**2,792**	**3,234**	**3,448**	**3,655**	**3,851**	**4,042**	**1,250**	**1,375**

*Based on the same rate of growth as the Town of Freedom. Note: 2009 total S.D. residential hook-ups = 1,154 and total projected S.D. population = approximately 3,174 persons.

Source: U.S. Census:, 2000; ECWRPC 2009, 1999 & 2004 and Freedom Sanitary District.

Table B-3: ESTIMATED FREEDOM SSA HOUSEHOLDS, 2005-2030

MCD	2005 No. HH	2005 Persons per HH	2010 No. HH	2010 Persons per HH	2015 No. HH	2015 Persons per HH	2020 No. HH	2020 Persons per HH	2025 No. HH	2025 Persons per HH	2030 No. HH	2030 Persons per HH	Difference '05-'30	Difference '05-'30 w/10% increase
T. Freedom	1,975	2.82	2,164	2.75	2,357	2.69	2,554	2.64	2737	2.60	2,925	2.55	950	1,045
Feedom S.D.*	**990**	**2.82**	**1,176**	**2.75**	**1,282**	**2.69**	**1,384**	**2.64**	**1,481**	**2.60**	**1,585**	**2.55**	**595**	**655**

*Based on the same rate of growth as the Town of Freedom. Note: 2009 total S.D. residential hook-ups = 1,154 and total projected S.D. population = approximately 3,174 persons.

Source: U. S. Census, 2000; ECWRPC 2009(Method A)

TABLE B-4: T. FREEDOM - UNITS IN STRUCTURE, 2000

Jurisdiction	Housing units: 1; detached units in structure	Housing units: 1; attached units in structure	Mobil Home	Housing units: 2 units in structure	Housing units: 3 or 4 units in structure	Housing units: 5 to 9 units in structure	Housing units: 10 to 19 units in structure	Housing units: 20 or more	Boat, RV, Van, etc.	Housing units: Total	Occupied housing units: Total	Percent Occupied in 2000
T. Freedom	0	0	0	0	0	0	0	0	0			
TOTALS	**1,439**	**46**	**141**	**109**	**18**	**97**	**9**	**0**	**0**	**1,859**	**1,833**	**96.2%**

Municipality	Freedom SSA - Residential Splits					
	Single Family		Duplex		Multi-Family	
	No.	% of Total	No.	% of Total	No.	% of Total
T. Freedom	**1,626**	**87.5%**	**60**	**3.2%**	**124**	**6.7%**

Source: U.S. Census Bureau, 2000; and ECWRPC, 2005

Table B-5: FREEDOM S.D. - LAND USE DENSITY*

Municipality	SF Units du/acre	Duplex Units du/acre	MF Units du/acre
Freedom S.D.	3	7.3	12.4

Source: ECWRPC, 2009; Black Creek 2025 Comprehensive Plan

*Note: Desired Sewered Density .

Table B-6: FREEDOM SSA - RESIDENTIAL ACREAGE PROJECTION METHODOLOGY (YEAR 2030)

	1,375	2005-2030 population increase with 10% increase				(Taken from Table B-2)		
	655	2005-2030 household increase with 10% increase				(Taken from table B-3)		
FORMULA	**1)**	**Total Households (Dwelling Units) Needed x Percentage Split of Unit Type (based on 2000 Census Units splits) = Projected Units by Type**						
	655	x	*87.5%*	=	*573*	*Single Family Units*		
	655	x	*3.2%*	=	*21*	*Duplex Units*		
	655	x	*6.7%*	=	*44*	*Multi-Family Units*		
	2)	**Projected Units by Type x Development Densities (based SSA Average) = SSA Acreage Needs for Residential Uses**						
	573	*Single Family Units*	/	2.0	units/acre	=	286	
	21	*Duplex Units*	/	4.0	units/acre	=	5	
	44	*Multi-Family Units*	/	8.0	units/acre	=	5	
		Total Freedom SSA Vacant Acres Needed					297	
	3)	**Application of 15% Infrastructure Factor = Gross Acreage Needs for Residential Uses**						
	286	*Acres Single Family Units*		X	1.15	=	329	
	5	*Acres Duplex Units*		X	1.15	=	6	
	5	*Acres Multi-Family Units*		X	1.15	=	6	
							340	**TOTAL ACRES**
	4)	**Application of 20% Market Factor = Adjusted Gross Acreage Needs for Residential Uses**						
	329	*Acres Single Family Units*		X	1.2	=	395	
	6	*Acres Duplex Units*		X	1.2	=	7	
	6	*Acres Multi-Family Units*		X	1.2	=	7	
							408	**TOTAL ACRES**

Source: ECWRPC, 2007; Freedom 2025 Comprehensive Plan

TABLE B-7: FREEDOM SSA EMPLOYMENT FORECASTS 2000-2025

Geographic Area	2009 C/I Acreage	Employment Density	Employees	Projected 2025 C/I Acreage	Employment Density	Employees	2005 - 2025 Employee increase
T. FREEDOM	77.8	10.1	786	72.5	10.1	732	(54)

Source: Freedom, 2025 Comprehensive Plan; ECWRPC, 2008

ECWRPC Long-Range Plan

Standard Employment Densities

Land Use	Employees/acre
Industrial	14.5
Wholesale	14.5
Commercial	12.0
Service	12.0
Trade	12.0
TCPU	4.1
Park & Rec	1.6
Average	**10.1**

Source: ECWRPC Long-Range Plan

TABLE B-8: FREEDOM SSA - COMMERCIAL / INDUSTRIAL ACREAGE PROJECTIONS (YEAR 2030)

EXISTING SSA (2009)

Freedom S.D.

78	Acres of existing commercial/industrial (C/I) development
3,234	2010 Population estimate
778	2005 Employee estimate*
0.02	Acres of C/I per person
24.07	Acres per 1000 persons of C/I
41.55	Persons per acre of C/I
0.10	Acres per employee of C/I
100.00	Acres per 1000 employees of C/I
10.00	Employees per acre of C/I

PROJECTED SSA (2030)

Freedom S.D.

4,042	2030 Population projection
514	2030 Employee projection
97	Projected acres of commercial/industrial (population ratio)
51	Projected acres of commercial/industrial (employee ratio)
0.02	Acres per person
24.07	Acres per 1000
41.55	Persons per acre
10.00	Employees per acre of C/I

ESTIMATED ACREAGE NEEDS (2030 projected minus 2009 existing)

			20 % Market Value
Population Ratio			
Freedom S.D.	**19.4**	**acres**	23.3
Employee Ratio			
Freedom S.D.	**(26.9)**	**acres**	-32.3

Note: This figure to be used as a guide for 2030 SSA allocations

Source: ECWRPC, 2009

Note: C/I acreage amounts were calculated within the current SSA boundary line

* Based on ECWRPC's Long-Range Plan's Standard Employment Densities average of 10 employees per acre

TABLE B-9: FREEDOM WWTF
2010 WWTF PERFORMANCE/CAPACITY ANALYSIS

Month	INFLUENT			EFFLUENT		BOD Removal Efficiency
	Avg. Monthly Flow (mgd)	Average Mo. (C)BOD Concentration (mg/l)	Avg. Monthly (C)BOD Loading (lbs/day)	Avg. Monthly (C)BOD (mg/l)	Avg. Monthly TSS (mg/l)	
JAN	0.255	244	518	5	5	97.95%
FEB	0.240	225	451	6	5	97.33%
MAR	0.327	194	530	6	5	96.91%
APR	0.338	165	465	4	5	97.58%
MAY	0.322	176	473	4	4	97.73%
JUN	0.337	179	502	4	4	97.77%
JUL	0.450	156	585	4	5	97.44%
AUG	0.369	204	629	3	3	98.53%
SEP	0.329	210	577	4	4	98.10%
OCT	0.307	169	433	4	4	97.63%
NOV	0.305	201	509	5	5	97.51%
DEC	0.286	203	485	7	5	96.55%
Total	**3.86**	**2,326**	**6,157**	**56**	**54**	
Average	**0.32**	**194**	**513**	**5**	**5**	**97.58%**

‹ Month Design Flow (mgd) =	0.502	(C)BOD Permit Limit (mg/l) =	15
90% of Design =	0.4518	90% of Permit Limit =	13.5
Design (C)BOD (lb/day) =	551	TSS Permit Limit (mg/l) =	20
90% of Design =	496	90% of Permit Limit=	18

Note: Average of Monthly Avg. Flow is 64.1% of design flow.

Capacity Used (% of Design Flow)	46.5%
Capacity Remaining (% of Design F	53.5%
(C)BOD Capacity Used (% of Desig	103.5%
(C)BOD Capacity Remaining (% of	-3.5%

Total Plant Capacity (Max Mo. Desi	502,000	gallons per day
Total Monthly Flows (12 mo. avg.)	321,782	gallons per day
Total Remaining Capacity =	180,218	gallons per day

,808 gallons / day =	2,253	more population equivalent (at 80 gpcpd)
	931	more dwelling units (at a 2005 pph of 2.42)
	310	more acres of single family residential development (at 3 units per acre gross density)

Source: Freedom S.D. CMAR, 2010

TABLE B-12: SUMMARY OF SSA ACREAGE MODIFICATIONS (Table B-11 minus Table B-1)

	Total SSA		Freedom S.D. SSA		T. Freedom SSA	
	Added	Removed	Added	Removed	Added	Removed
2050 SSA Planning Area (acres)	**360.3**	**0.0**	0.0	0.0	0.0	
Square Miles	**0.6**	**0.0**	0.0	0.0	0.0	0.0
2030 Sewer Service Area Total (EX.)	**255.2**	**3.5**	**0.0**	**0.0**	**0.0**	**0.0**
Single Family & Duplex Residential (including mobile homes)	**13.4**	**0.0**				0.0
Multi-Family Residential	**0.0**	**0.0**				0.0
Commercial	**0.0**	**0.0**				0.0
Industrial	**0.0**	**0.0**				0.0
Public/Institutional (includes park & recreation)	**0.0**	**0.0**				0.0
Utilities	**9.4**	**0.0**				0.0
Transportation/Roads/Railroads	**2.6**	**0.0**				0.0
Existing/Planned Stormwater Detention Ponds	**0.0**	**0.0**				0.0
Vacant, Undevelopable (50' wetland buffer)		**0.0**				0.0
●**Vacant, Developable** (includes woodlands, agric. or undeveloped uses)	**229.7**	**3.5**				0.0
ESA - Stream Buffer	**0.0**	**0.0**				0.0
ESA - Wetland	**0.0**	**0.0**				0.0
Open Water	**0.1**	**0.0**				0.0
Total SSA Developed Acres	**25.4**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Total SSA ESA / Water Acres	**0.1**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Vacant Acres by Proposed Land Use Type	Total of All SSAs		Freedom S.D. SSA		T. Freedom SSA	
	Added	Removed	Added	Removed	Added	Removed
SF Residential	**203.4**	0.0		0.0		0.0
MF Residential	**0.0**	0.0		0.0		0.0
Commercial	**0.0**	0.0		0.0		0.0
Industrial	**26.3**	0.0		0.0		0.0
Public/Institutional (includes parks/churches/utilities)	**0.0**	0.0		0.0		0.0
Agriculture or Unplanned	**0.0**	3.5		0.0		0.0
TOTALS	**229.7**	**3.5**	**0.0**	**0.0**	**0.0**	**0.0**

Source: ECWRPC, Freedom 2025 Comp. Plan

TABLE B-13: SUMMARY OF ACREAGE PROPOSED FOR REMOVAL FROM 2020 SSA

		EXISTING LAND USE PROPOSED FOR REMOVAL															
SSA PLAN	**MCD**	Single Family Residential	Duplex Residential	Multi-Family Residential	Commercial	Industrial	Public/Institutional	Utilities	Transportation	Existing/Planned Stormwater	Undevelopable	Vacant/developable	Stream Buffer	Wetland	Wetland Buffer	Water	**TOTAL**
Freedom SSA	Freedom S.D.	0.0					0.0		0.0			3.5	0.0				**3.5**
	T. Freedom																**0.0**
																	0.0
																	0.0
																	0.0
GRAND TOTAL		**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**3.5**	**0.0**	**0.0**	**0.0**	**0.0**	**3.5**

Source: ECWRPC - 2009

TABLE B-14: OUTAGAMIE COUNTY POPULATION ESTIMATES BY MCD, 1970 to 2035

Jurisdiction	Census 1970	Census 1980	Census 1990	Census 2000	ECWRPC 2005	ECWRPC 2010	ECWRPC 2015	ECWRPC 2020	ECWRPC 2025	ECWRPC 2030
C. Appleton (pt.)	52,976	53,424	56,177	58,301	60,472	62,014	63,368	64,571	65,352	65,816
C. Kaukauna	11,308	11,310	11,982	12,983	14,196	15,081	15,975	16,890	17,750	18,579
C. New London (pt.)	1,368	1,269	1,337	1,467	1,537	1,595	1,650	1,703	1,747	1,785
C. Seymour	2,194	2,530	2,782	3,335	3,456	3,619	3,779	3,938	4,080	4,210
V. Bear Creek	520	454	418	415	425	426	424	420	412	401
V. Black Creek	921	1,097	1,152	1,192	1,232	1,259	1,281	1,299	1,309	1,312
V. Combined Locks	2,771	2,573	2,190	2,422	2,708	2,862	3,017	3,174	3,320	3,459
V. Hortonville	1,524	2,016	2,029	2,357	2,550	2,699	2,850	3,002	3,145	3,281
V. Howard (pt.)	0	0	0	0	0	0	0	0	0	0
V. Kimberly	6,131	5,881	5,406	6,146	6,436	6,576	6,694	6,794	6,846	6,863
V. Little Chute	5,522	7,907	9,207	10,476	10,952	11,467	11,972	12,475	12,922	13,331
V. Nichols	207	267	254	307	301	305	307	309	308	305
V. Shiocton	830	805	913	954	966	983	996	1,006	1,008	1,004
V. Wrightstown (pt)	0	0	0	0	47	96	150	209	272	338
T. Black Creek	968	1,149	1,169	1,268	1,307	1,341	1,370	1,396	1,414	1,424
T. Bovina	837	822	957	1,130	1,234	1,323	1,414	1,508	1,599	1,688
T. Buchanan	1,987	1,742	2,484	5,827	6,970	8,060	9,223	10,464	11,736	13,046
T. Center	1,853	2,570	2,716	3,163	3,389	3,583	3,776	3,973	4,156	4,329
T. Cicero	1,079	1,062	1,126	1,092	1,121	1,130	1,133	1,131	1,120	1,101
T. Dale	1,405	1,620	1,818	2,288	2,543	2,763	2,991	3,229	3,463	3,696
T. Deer Creek	855	826	724	682	687	673	653	628	595	556
T. Ellington	1,696	1,865	2,099	2,535	2,757	2,956	3,159	3,368	3,569	3,767
T. Freedom	2,926	3,746	4,114	5,241	5,577	5,954	6,338	6,733	7,108	7,475
T. Grand Chute	7,089	9,529	14,490	18,392	20,228	22,136	24,124	26,208	28,272	30,344
T. Greenville	2,675	3,310	3,806	6,844	7,896	8,987	10,145	11,377	12,632	13,918
T. Hortonia	804	869	883	1,063	1,088	1,128	1,167	1,205	1,236	1,262
T. Kaukauna	961	998	939	1,116	1,226	1,306	1,387	1,471	1,550	1,626
T. Liberty	544	609	702	834	891	947	1,003	1,061	1,115	1,168
T. Maine	725	816	791	831	913	958	1,002	1,046	1,086	1,123
T. Maple Creek	586	652	695	687	689	688	684	676	661	642
T. Oneida	2,624	3,499	3,858	4,147	4,362	4,532	4,694	4,852	4,984	5,098
T. Osborn	724	786	784	1,029	1,120	1,207	1,296	1,388	1,478	1,566
T. Seymour	1,135	1,189	1,217	1,216	1,259	1,278	1,291	1,300	1,299	1,291
T. Vandenbroek	1,653	1,538	1,291	1,351	1,322	1,294	1,256	1,208	1,145	1,071
Outagamie County	119,398	128,730	140,510	161,091	171,854	181,224	190,570	200,012	208,688	216,874

Source: U.S. Census,1970, 1980, 1990, 2000; ECWRPC.

TABLE B-15: ESTIMATED HOUSEHOLDS BY MCD, OUTAGAMIE COUNTY, 2000 to 2030

		2000		2005		2010		2015		2020		2025		2030	
Minor Civil Division	Method Used	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH
C. Appleton (pt.)	A	22,609	2.47	23,824	2.44	24,786	2.40	25,594	2.38	26,287	2.36	26,677	2.35	26,970	2.34
	B	22,609	2.47	23,620	2.46	24,406	2.44	25,087	2.42	25,695	2.41	26,095	2.40	26,394	2.39
C. Kaukauna	A	4,971	2.57	5,516	2.53	5,973	2.49	6,426	2.45	6,885	2.42	7,296	2.40	7,712	2.37
	B	4,971	2.57	5,468	2.56	5,852	2.54	6,234	2.52	6,623	2.51	6,984	2.50	7,341	2.49
C. New London (pt.)	A	632	2.32	674	2.28	713	2.24	749	2.20	784	2.17	811	2.15	837	2.13
	B	632	2.32	666	2.31	697	2.29	726	2.27	753	2.26	776	2.25	796	2.24
C. Seymour	A	1,305	2.48	1,374	2.44	1,465	2.40	1,552	2.37	1,638	2.34	1,709	2.32	1,779	2.30
	B	1,305	2.48	1,361	2.47	1,436	2.45	1,509	2.43	1,580	2.42	1,643	2.41	1,702	2.40
V. Bear Creek	A	155	2.67	161	2.63	166	2.56	169	2.50	171	2.44	172	2.40	171	2.34
	B	155	2.67	160	2.66	161	2.64	161	2.62	160	2.61	158	2.60	154	2.59
V. Black Creek	A	485	2.46	509	2.42	534	2.35	557	2.30	578	2.25	592	2.21	605	2.17
	B	485	2.46	504	2.45	518	2.43	531	2.41	541	2.40	547	2.39	551	2.38
V. Combined Locks	A	884	2.74	1,002	2.70	1,096	2.61	1,190	2.53	1,286	2.47	1,375	2.41	1,466	2.36
	B	884	2.74	992	2.73	1,056	2.71	1,119	2.69	1,183	2.68	1,241	2.67	1,298	2.66
V. Hortonville	A	871	2.70	956	2.67	1,033	2.61	1,110	2.56	1,188	2.52	1,257	2.50	1,328	2.47
	B	871	2.70	948	2.69	1,010	2.67	1,073	2.65	1,135	2.64	1,193	2.63	1,249	2.62
V. Howard (pt.)	A	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
	B	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
V. Kimberly	A	2,507	2.45	2,670	2.41	2,814	2.33	2,945	2.27	3,069	2.21	3,162	2.16	3,248	2.11
	B	2,507	2.45	2,638	2.44	2,716	2.42	2,782	2.40	2,838	2.39	2,869	2.38	2,889	2.37
V. Little Chute	A	3,878	2.68	4,110	2.64	4,409	2.58	4,698	2.53	4,986	2.48	5,234	2.45	5,482	2.41
	B	3,878	2.68	4,075	2.67	4,296	2.65	4,510	2.63	4,722	2.62	4,907	2.61	5,082	2.60
V. Nichols	A	122	2.52	121	2.48	126	2.41	131	2.35	134	2.30	137	2.25	138	2.20
	B	122	2.52	120	2.51	123	2.49	124	2.47	125	2.46	125	2.45	125	2.44
V. Shiocton	A	376	2.54	386	2.51	399	2.47	409	2.44	417	2.41	420	2.40	421	2.39
	B	376	2.54	382	2.53	392	2.51	399	2.49	405	2.48	408	2.47	408	2.46
V. Wrightstown (pt)	A	n.a.	n.a.	16	2.85	35	2.74	56	2.68	79	2.64	104	2.61	131	2.58
	B	n.a.	2.76	17	2.75	35	2.73	55	2.71	77	2.70	101	2.69	126	2.68
T. Black Creek	A	445	2.85	465	2.81	496	2.70	524	2.61	553	2.53	576	2.45	599	2.38
	B	445	2.85	461	2.84	476	2.82	489	2.80	500	2.79	508	2.78	514	2.77
T. Bovina	A	386	2.83	427	2.80	467	2.74	507	2.70	548	2.67	585	2.64	624	2.62
	B	386	2.83	424	2.82	458	2.80	492	2.78	527	2.77	560	2.76	594	2.75
T. Buchanan	A	1,846	3.13	2,228	3.10	2,622	3.05	3,041	3.01	3,491	2.97	3,942	2.95	4,419	2.93
	B	1,846	3.13	2,219	3.12	2,582	3.10	2,968	3.08	3,381	3.07	3,802	3.06	4,241	3.05
T. Center	A	1,095	2.89	1,188	2.85	1,292	2.77	1,397	2.70	1,503	2.64	1,600	2.60	1,698	2.55
	B	1,095	2.89	1,178	2.88	1,254	2.86	1,328	2.84	1,403	2.83	1,472	2.82	1,539	2.81
T. Cicero	A	370	2.95	385	2.92	398	2.84	409	2.77	418	2.70	422	2.65	424	2.60
	B	370	2.95	382	2.94	387	2.92	390	2.90	391	2.89	388	2.88	383	2.87

Source: U.S. Census, 2000; ECWRPC 2004.

TABLE B-15 (CONT.): ESTIMATED HOUSEHOLDS BY MCD, OUTAGAMIE COUNTY, 2000 to 2030

		2000		2005		2010		2015		2020		2025		2030	
Minor Civil Division	Method Used	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH	No. HH	Persons per HH
T. Dale	A	785	2.91	884	2.88	980	2.82	1,080	2.77	1,183	2.73	1,281	2.70	1,383	2.67
	B	785	2.91	878	2.90	960	2.88	1,045	2.86	1,133	2.85	1,218	2.84	1,305	2.83
T. Deer Creek	A	237	2.88	242	2.84	244	2.76	244	2.68	241	2.61	234	2.54	226	2.46
	B	237	2.88	240	2.87	236	2.85	230	2.83	223	2.82	212	2.81	198	2.80
T. Ellington	A	847	2.99	932	2.96	1,022	2.89	1,113	2.84	1,206	2.79	1,292	2.76	1,381	2.73
	B	847	2.99	926	2.98	999	2.96	1,073	2.94	1,149	2.93	1,221	2.92	1,293	2.91
T. Freedom	A	1,833	2.86	1,975	2.82	2,164	2.75	2,357	2.69	2,554	2.64	2,737	2.60	2,925	2.55
	B	1,833	2.86	1,959	2.85	2,105	2.83	2,252	2.81	2,403	2.80	2,545	2.79	2,686	2.78
T. Grand Chute	A	7,586	2.38	8,503	2.34	9,557	2.28	10,651	2.23	11,800	2.18	12,910	2.15	14,069	2.12
	B	7,586	2.38	8,402	2.37	9,266	2.35	10,161	2.33	11,098	2.32	12,015	2.31	12,953	2.30
T. Greenville	A	2,301	2.97	2,677	2.94	3,098	2.89	3,545	2.85	4,020	2.82	4,493	2.80	4,991	2.78
	B	2,301	2.97	2,663	2.96	3,050	2.94	3,461	2.92	3,897	2.91	4,340	2.90	4,799	2.89
T. Hortonia	A	362	2.83	374	2.80	392	2.77	408	2.76	423	2.75	433	2.75	442	2.75
	B	362	2.83	372	2.82	389	2.80	404	2.78	419	2.77	431	2.76	442	2.75
T. Kaukauna	A	370	3.02	411	2.98	450	2.90	490	2.83	531	2.77	570	2.72	609	2.67
	B	370	3.02	408	3.01	437	2.99	467	2.97	497	2.96	525	2.95	553	2.94
T. Liberty	A	267	3.06	287	3.03	310	2.99	332	2.96	354	2.93	374	2.92	394	2.90
	B	267	3.06	286	3.05	306	3.03	326	3.01	346	3.00	365	2.99	383	2.98
T. Maine	A	304	2.73	340	2.69	369	2.60	397	2.52	426	2.45	453	2.40	480	2.34
	B	304	2.73	336	2.72	355	2.70	373	2.68	392	2.67	408	2.66	423	2.65
T. Maple Creek	A	234	2.94	237	2.91	243	2.83	248	2.76	251	2.70	250	2.64	248	2.59
	B	234	2.94	235	2.93	237	2.91	236	2.89	235	2.88	230	2.87	224	2.86
T. Oneida	A	1,267	3.16	1,344	3.13	1,425	3.07	1,501	3.02	1,574	2.97	1,632	2.95	1,689	2.91
	B	1,267	3.16	1,337	3.15	1,398	3.13	1,455	3.11	1,509	3.10	1,555	3.09	1,596	3.08
T. Osborn	A	334	3.08	328	3.41	343	3.52	355	3.65	366	3.79	373	3.97	378	4.14
	B	334	3.08	365	3.07	396	3.05	427	3.03	459	3.02	490	3.01	522	3.00
T. Seymour	A	406	3.00	425	2.96	446	2.87	464	2.78	481	2.70	493	2.64	503	2.56
	B	406	3.00	422	2.99	430	2.97	437	2.95	442	2.94	443	2.93	442	2.92
T. Vandenbroek	A	460	2.94	452	2.92	455	2.84	453	2.77	447	2.70	434	2.64	417	2.57
	B	460	2.94	452	2.93	445	2.91	434	2.89	419	2.88	399	2.87	374	2.86
Outagamie County	A	60,530	2.61	65,423	2.57	70,321	2.52	75,104	2.48	79,872	2.45	84,030	2.43	88,186	2.32
	B	60,530	2.61	64,898	2.59	68,865	2.58	72,760	2.56	76,663	2.55	80,173	2.55	83,578	2.54

Source: U.S. Census, 2000; ECWRPC 2004.

Appendix C – Environmental Assessment of 2030 SSA Allocations

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Environmental Assessment of 2030 SSA Allocations

The Freedom 2030 SSA acreage allocations are scattered throughout the proposed sewer service area, (see C-2 - '2030 FINAL DRAFT ALLOCATION MAP' at the end of this summary). There are number of growing environmental issues common to both areas such as: aquatic invasive species, elevated nitrate levels in groundwater, and loss of natural shorelines. Both of the area's allocated vacant/developable acres are described in greater detail below.

Freedom 2030 SSA Allocation – Area 1	
Location	Town of Freedom, T22N R18E, Sections 1 & 2. This area totals 21.1 acres.
General Physical Features	This area is bordered by woodland tracts to the east and pockets of open space. A buffered wetland area, that also includes Duck Creek, also lies to the east of this area, (approximately 600 feet). There are no adverse environmental impacts to this area as development occurs.
Current Development	There are three existing residential homes on large lots within this area.
Planned or Proposed Development	This allocation area will develop as single family residential. The close proximity to existing sewer lines, (CTH E), makes this area a logical addition.
Limiting Environmental Conditions*	Steep slope conditions, (greater than 6%). Development of these areas may require alternative construction methods to protect the area's surface and ground water quality and quantity.
Water Features	Duck Creek that includes some buffered wetland areas are located to the north and east of this allocation.
WDNR Natural Heritage Inventory	There were no endangered or threatened species associated with this allocation area.

Freedom 2030 SSA Allocation – Area 2	
Location	Town of Freedom T22N, R18E, NW1/4, Sections 11 & NE ¼, Section 12. This area totals 23.8 acres.
General Physical Features	The entire allocation located here is currently being row cropped in an agriculture setting.
Current Development	This area is considered to be vacant developable acreage and has a high potential for development according to the Freedom Sanitary District.
Planned or Proposed Development	This allocation is slated for single family residential development. An existing lift station located at Bell Court and Van Asten Road will provide sewer service to this area.
Limiting Environmental Conditions*	Steep slopes (greater than 6%), is found along the eastern most edge of this allocation. This condition is not expected to present significant development challenges.
Water Features	None noted.
WDNR Natural Heritage	There were no endangered or threatened species associated with this allocation area.

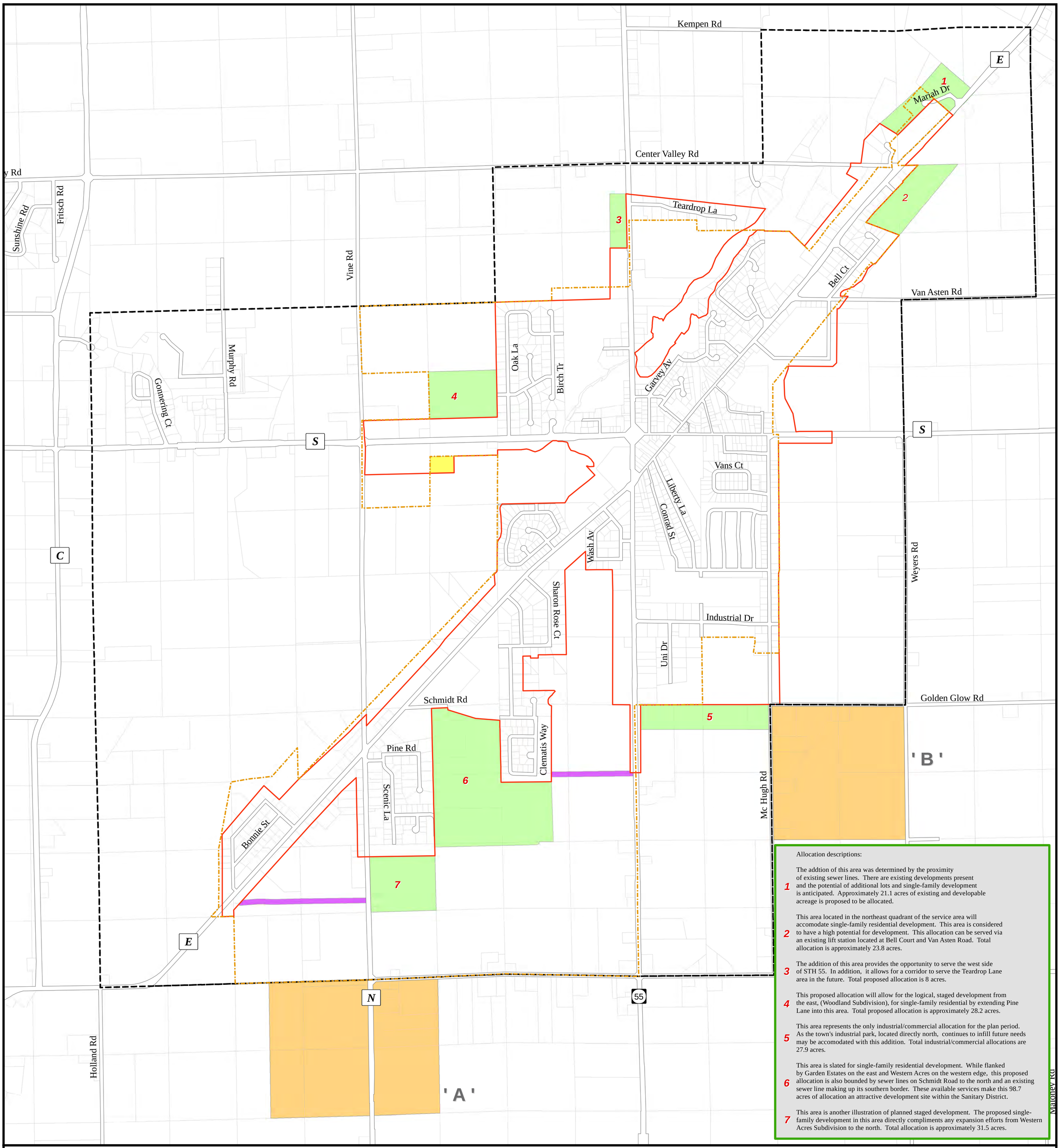
Freedom 2030 SSA Allocation - Area 3 & 4	
Location	Town of Freedom T22N, R18E, Section 10. The two areas total 36.2 acres.
General Physical Features	There are two distinct areas in this allocation area; an eight acre corridor along STH 55 and a 28.2 acre area located in the southwest quadrant of Section 10. Both of the areas are currently in agriculture use and considered developable.
Current Development	Neither area has existing development present as it is currently being farmed.
Planned or Proposed Development	The allocation area along STH 55, (8 acres), allows for the west side of STH 55 to be served and also provides a corridor for service to reach the existing Teardrop Lane developments. The larger allocation located in the southwest quadrant of Section 10 allows for the expansion for single family residential development west of an existing subdivision.
Limiting Environmental Conditions*	None noted.
Water Features	None noted.
WDNR Natural Heritage Inventory	There were no endangered or threatened species associated with this allocation area.

Freedom 2030 SSA Allocation – Area 5	
Location	Town of Freedom T22N, R18E, N1/2, NW1/4, Section 23. This area totals 27.9 acres.
General Physical Features	This area lies within an active farming operation and is considered to vacant developable acreage.
Current Development	There is one existing farmstead located at the extreme eastern edge of this allocation with the balance being vacant developable acreage.
Planned or Proposed Development	According to the Freedom Comprehensive Plan this area is categorized as a transition area. As this allocation area lies directly south of the Freedom Industrial Park, it is therefore anticipated to develop as commercial/industrial.
Limiting Environmental Conditions*	None noted.
Water Features	None noted.
WDNR Natural Heritage Inventory	There were no endangered or threatened species associated with this allocation area.

Freedom 2030 SSA Allocation – Area 6 & 7	
Location	Town of Freedom T22N, R18E, E1/2, NW1/4 and Nw1/4, SW1/4, Section 22. The two areas total 137.5 acres.
General Physical Features	The two allocation areas are situated on active agricultural operations. These areas are also considered as vacant developable parcels.
Current Development	One existing residential development is located in the northern portion of these allocations along Schmidt Road. The balance is considered open fields used agriculturally.
Planned or Proposed Development	The positioning of these allocated areas are such to allow expansion of the planned residential subdivisions that surround them, (Garden Estates and Western Acres). The allocations provide logical, staged development areas to these existing subdivisions.
Limiting Environmental Conditions*	Pockets of steep slopes (greater than 6%), are found in the northern allocation area. A large majority of the allocations have high groundwater conditions, (within two feet of the surface). In the southern most portion of the allocation a forested wetland area lies immediately east of the allocation, however, is not part of the proposed service area.
Water Features	None noted.
WDNR Natural Heritage	There were no endangered or threatened species associated with this allocation area.

*Natural occurring environmental conditions where development may not be suitable such as: groundwater within 1 foot of the surface, Slopes greater than 12%, and bedrock occurring within 5 feet of the surface.

Sources: ECWRPC, WDNR's Ecological Landscapes of Wisconsin, Ecosystem Management Planning Hand Book, WDNR's 2006 Impaired Waters List (303d list), & WDNR's Natural Heritage Inventory Working List.



Allocation descriptions:

1 The addtion of this area was determined by the proximity of existing sewer lines. There are existing developments present and the potential of additional lots and single-family development is anticipated. Approximately 21.1 acres of existing and developable acreage is proposed to be allocated.

2 This area located in the northeast quadrant of the service area will accomodate single-family residential development. This area is considered to have a high potential for development. This allocation can be served via an existing lift station located at Bell Court and Van Asten Road. Total allocation is approximately 23.8 acres.

3 The addition of this area provides the opportunity to serve the west side of STH 55. In addition, it allows for a corridor to serve the Teardrop Lane area in the future. Total proposed allocation is 8 acres.

4 This proposed allocation will allow for the logical, staged development from the east, (Woodland Subdivision), for single-family residential by extending Pine Lane into this area. Total proposed allocation is approximately 28.2 acres.

5 This area represents the only industrial/commercial allocation for the plan period. As the town's industrial park, located directly north, continues to infill future needs may be accomodated with this addition. Total industrial/commercial allocations are 27.9 acres.

6 This area is slated for single-family residential development. While flanked by Garden Estates on the east and Western Acres on the western edge, this proposed allocation is also bounded by sewer lines on Schmidt Road to the north and an existing sewer line making up its southern border. These available services make this 98.7 acres of allocation an attractive development site within the Sanitary District.

7 This area is another illustration of planned staged development. The proposed single-family development in this area directly compliments any expansion efforts from Western Acres Subdivision to the north. Total allocation is approximately 31.5 acres.

2030 FREEDOM SEWER SERVICE AREA PLAN UPDATE

FINAL ALLOCATION

CURRENT SSA CONDITIONS

- Freedom Sanitary District Boundary
- 2020 Planning Area Boundary
- 2020 Sewer Service Boundary

SEWER SERVICE AREA ALLOCATIONS

- 2030 Sewer Service Area Additions
- 2030 Sewer Service Area Deletions
- 2030 Administrative Addtions

This map and its associated sewer service area descriptions do not obligate a community(ies) to provide sewer service to property owners contained herein.

PLANNING AREA ALLOCATIONS

- 2050 Planning Area Addition

N W E S

0 1,000 2,000 3,000 4,000

Scale in Feet

Prepared By
EAST CENTRAL WISCONSIN
REGIONAL PLANNING COMMISSION
JANUARY, 2012

Source: Digital base data provided by Outagamie County.
Land Use data provided by the Town of Freedom.
Thematic data created by ECWRPC.

Wisconsin Department of Natural Resources Certification - January 25, 2012

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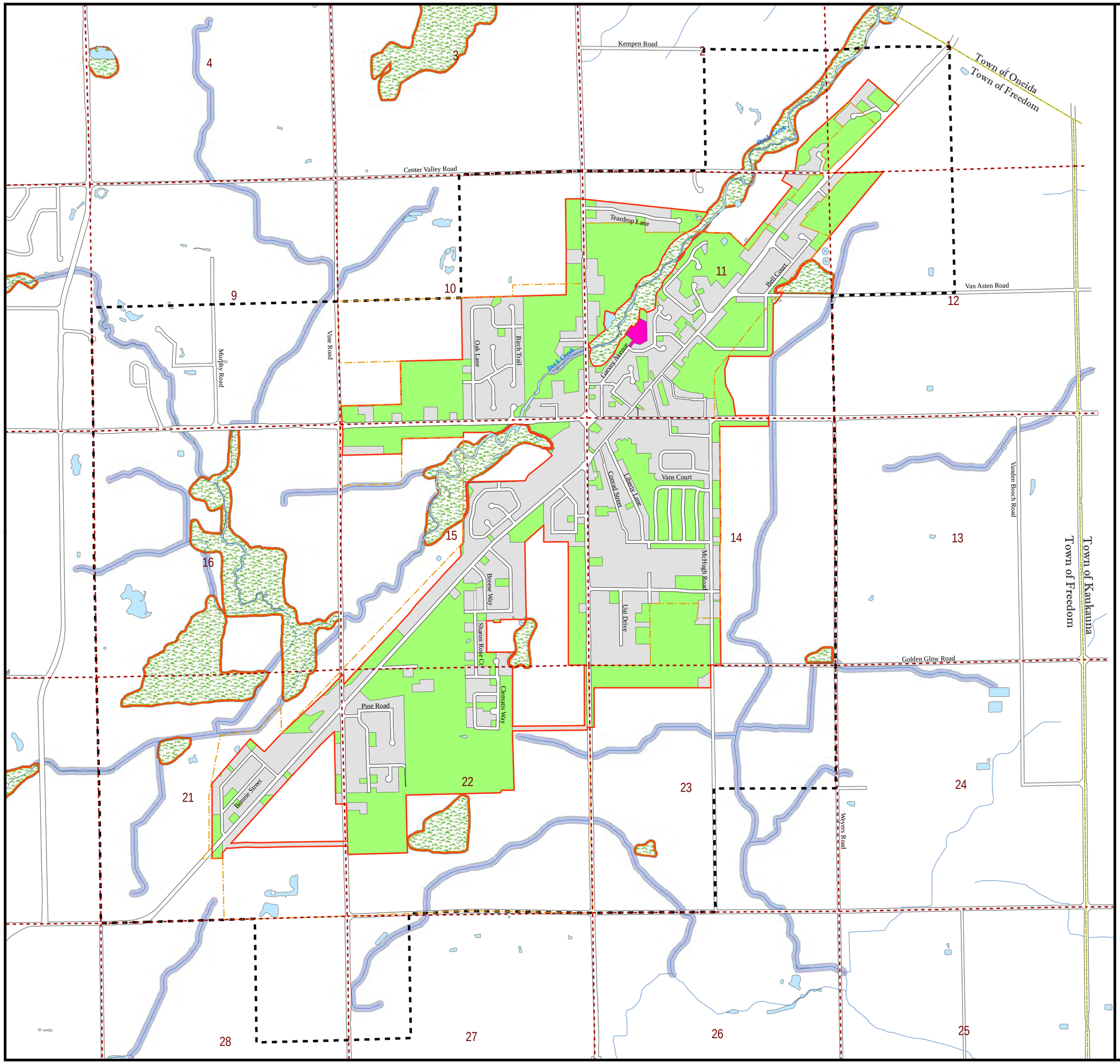
2030 FREEDOM SEWER SERVICE AREA



2030 SEWER SERVICEA AREA

- 2030 Sewr Service Area Boundary
- 2050 Planning Area Boundary
- Section Line
- Sanitary District Boundary
- Township Boundary
- Developed Areas Within 2030 SSA
- Undeveloped Areas Within 2030 SSA
- Wastewater Treatment Facility
- Streams
- WDNR Designated Wetlands
- 50 Foot Wetland Buffer
- 75 Foot Stream Buffer

N
W E
S

0 1,320 2,640 3,960 5,280

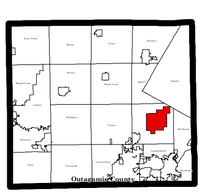
Scale in Feet

Source: Digital base data provided by Outagamie County. Thematic data created by ECWRPC

This map and its associated sewer service allocation areas does not obligate the community(ies) to provide sewer service to property owners contained herein.

This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

Wisconsin Department of Natural Resources Certification Date - January 25, 2012



EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION
1972-2012
40 YEARS

Prepared By:
EAST CENTRAL WISCONSIN
REGIONAL PLANNING COMMISSION - JANUARY, 2012

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Appendix D – Town of Freedom Wellhead Protection Ordinance

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TOWN OF FREEDOM

ORDINANCE NO. 07-_____

AN ORDINANCE ESTABLISHING WELLHEAD PROTECTION IN ORDER TO PROTECT AND PRESERVE THE MUNICIPAL WATER SUPPLY AND TO PROMOTE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF TOWN RESIDENTS.

The Town Board of the Town of Freedom, Outagamie County, Wisconsin, do ordain as follows:

1. **Creation of Wellhead Protection Ordinance.** Chapter XXIX of the Town of Freedom Code of Ordinances is created as follows:

CHAPTER XXIX WELLHEAD PROTECTION

Section 1 Title. This section shall be known, cited and referred to as the "Wellhead Protection Ordinance" (hereinafter "WHP ordinance").

Section 2 Purpose and authority.

A. The residents of the Town of Freedom (hereinafter "the Town") depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of the WHP ordinance codified in this chapter is to protect the Town's municipal water supply and areas from which Town wells draw water, and to promote the public health safety and general welfare of residents of the Town.

B. These regulations are established pursuant to the authority granted by the Wisconsin Legislature in 1983, Wisconsin Act 410 (effective May 11, 1984), which specifically added groundwater protection to the statutory authorization for municipal planning and zoning in order to protect the public health, safety and welfare. Areas appropriate for protection in the WHP are established in the source water protection plan ("the plan") for the Freedom Sanitary District No. 1, Town of Freedom, Wisconsin, dated January 2007. The plan document is incorporated herein by this reference, and a copy is on file in the office of the Town Clerk.

Section 3 Applicability. The regulations specified in the WHP ordinance codified in this chapter shall apply only to lands within those portions of the five-year time of travel zones (hereinafter sometimes "TOT") of Well No. 1 and Well No. 2 shown on the wellhead protection map (Figure 6.0 and Figure 6.1 of WHP) (hereinafter "the map"), which areas also lie within the Town limits.

Section 4 Definitions. As used in this chapter:

"Aquifer" means a saturated, permeable geologic formations that contains and will yield significant quantities of water.

"Cone of depression" means the area around a well, in which the water level has been lowered at least one-tenth of a foot by pumping of the well.

"Existing facilities which may cause or threaten to cause environmental pollution" means existing facilities which may cause or threaten to cause environmental pollution within the corporate limits of the Town 's Well No. 1 and Well No. 2 recharge area which include but are not limited to the Wisconsin Department of Natural Resources' draft list of "Inventory of Sites or Facilities Which may Cause or Threaten to Cause Environmental Pollution" and Department of Industry, Labor and Human Relations list of "Leaking Underground Storage Tanks" (hereinafter "LUST's") and the Registry of Waste Disposal Sites in Wisconsin, all of which are incorporated herein by reference, together with future amendments thereto, as if fully set forth.

"Five Year Time of Travel (TOT)." The five year TOT is a portion of the recharge area, the outer boundary of which it is determined or estimated that groundwater and potential contaminants will take five years to reach a pumping well. The five year TOT for Freedom's municipal Well No. 1 and Well No. 2 are established based on the uniform flow equation. The TOT area is shown on the map. The TOT area shown on the map is hereinafter referred to as "the TOT".

"Groundwater divide" means ridge in the water table, or potentiometric surface, from which groundwater moves away at rights angles in both directions. Line of highest hydraulic head in the water table or potentiometric surface.

"Groundwater protection overlay district" shall be defined as that area within the TOT shown on the map attached as Exhibit A and incorporated herein by reference as if fully set forth.

"Recharge area" means area in which water reaches the zone of saturation by surface infiltration and encompasses all areas or features that supply groundwater recharge to a well.

"Wellhead protection area" means those portions of the TOT which lie within the Town of Freedom limits.

Section 5 Wellhead protection area.

A. Intent. The area to be protected is the Freedom wellhead protection area (hereinafter "WPA") (as determined by the plan) contained within the Town boundary limits. These areas are designated on the map. These lands are subject to land use and development

restrictions because of their close proximity to the TOT and the corresponding high threat of contamination.

B. Permitted Uses. The following are the only permitted uses within the WPA: 1. Any existing use, even though listed on prohibited uses, below, located within such areas to the extent that use currently exists, subject to the requirements for existing prohibited uses, subsection E of this section below; 2. Those uses permitted under county zoning code consistent with the zoning map, as amended by action of the Freedom Town Board and Outagamie County and which are not prohibited under subsection C of this section below.

C. Prohibited Uses. The following uses, if created after the adoption of the WHP ordinance codified in this chapter, are prohibited uses within the wellhead protection area designated on the map. These uses are prohibited based on the high probability that activities routinely associated with these uses (storage, use and handling of potential pollutants) will cause groundwater contamination. Uses not listed are not considered permitted uses.

1. Underground storage tanks of any size;
2. Septage and/or sludge spreading;
3. Animal waste land spreading;
4. Animal waste facilities;
5. Animal confinement facilities;
6. Gas stations;
7. Vehicle repair establishments, including auto body repair;
8. Printing and duplicating businesses;
9. Bus or truck terminals;
10. Repair shops;
11. Landfills or waste disposal facilities;
12. Wastewater treatment facilities;
13. Spray wastewater facilities;
14. Junk yards or auto salvage yards;
15. Bulk fertilizer and/or pesticide facilities;
16. Asphalt products manufacturing;
17. Dry-cleaning businesses;
18. Salt storage;
19. Electroplating facilities;
20. Exterminating businesses;
21. Paint and coating manufacturing;
22. Hazardous and/or toxic materials storage;
23. Hazardous and/or toxic waste facilities;
24. Radioactive waste facilities;
25. Recycling facilities;
26. Cemeteries

D. Where any of the uses listed in subsection C of this Section exist within the WPA on the effective date of the ordinance codified in this chapter, owners of these facilities will be allowed to upgrade such uses to facilitate or enhance groundwater protection. Plans for

the proposed upgrade must be approved by the Plan Commission, and the appropriate permit issued by the Town building inspector's office prior to any work being initiated. Expansion of the prohibited use may be allowed with approval of the Planning Commission.

E. Requirements for Existing Prohibited Uses, Section 5C above. 1. Such uses shall provide copies of all federal, state, and local facility operation approvals or certificates and ongoing environmental monitoring results to the Town Board. 2. Such uses shall provide additional environmental or safety structures/monitoring as deemed necessary by the Town, which may include but are not limited to storm water runoff management and monitoring. 3. such uses shall replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence. 4. Such uses shall have the responsibility of devising and filing with the Town a contingency plan satisfactory to the Town Board for the immediate notification in the vent of an emergency.

Section 6 Enforcement.

A. In the vent the individual and/or facility engaging in permitted use(s) under this chapter causes the release of any contaminants which endangers the WPA, the activity causing said release shall immediately cease and a cleanup satisfactory to the Town shall occur.

B. The individual/facility causing the release of contaminants shall be responsible for all costs of cleanup. The costs of cleanup shall include, but not limited to, Town consultant fees, at the invoice amount plus administrative costs for oversight, review and documentation.

1. The cost of Town employees' time associated in any way with the cleanup based on the hourly rate paid to the employee multiplied by a factor determined by the Town representing the Town 's cost for expenses, benefits, insurance, sick leave, holidays, overtime, vacation, and similar benefits;

2. The cost of Town equipment employed;

3. The cost of mileage reimbursed to Town employees attributed to the cleanup.

C. Following any such discharge the Town may require additional test monitoring and/or bonds/sureties as it deems necessary and reasonable.

D. Penalties for noncompliance shall be provided pursuant to the Town of Frreedom Schedule of Fees and Forfeitures.

Section 7 Severability. All sections and provisions of this ordinance have an independent existence, and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the Town Board of Supervisors that any section or provision so declared shall be severable from and shall not affect the validity of the remainder of the ordinance.

2. **Effective date.** This ordinance shall take effect upon passage and posting/publication in accordance with applicable law.

Approved and Adopted the 22nd day of August, 2007.

TOWN OF FREEDOM

By:_____
Tim Maass, Town Chairman

Attest:

_____
Barbara M. Seegers, Town Clerk

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Appendix E – Town of Freedom Stormwater Ordinance

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TOWN OF FREEDOM
STORMWATER MANAGEMENT ORDINANCE

TABLE OF CONTENTS

TOWN OF FREEDOM STORMWATER MANAGEMENT ORDINANCE

GENERAL REQUIREMENTS

24.01 AUTHORITY

(1) This ordinance is adopted by the Town Board of the Town of Freedom under the authority granted by S. 60.627, Wisconsin Statutes. This ordinance supersedes all conflicting and contradictory stormwater management regulations previously enacted under S. 59.69 and 236 Wisconsin Statutes.

(2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of the same governing body.

(3) The Town Board of the Town of Freedom hereby designates the Plan Commission to administer and enforce the provisions of this ordinance.

(4) The requirements of this ordinance do not pre-empt more stringent stormwater management requirements that may be imposed by any of the following:

(a) Department of Natural Resources administrative rules, permits or approvals including, but not limited to, those authorized under S. 283.33 Wisconsin Statutes.

(b) Targeted non-agricultural performance standards promulgated in rules by the Department of Natural Resources under NR 151.003 Wisconsin Admin. Code.

(c) Technical standards for implementing non-agricultural performance standards developed by the Department of Natural Resources under Subchapter IV of NR 151 Wisconsin Admin. Code.

(d) Any local unit of government, including: cities, villages, towns, and stormwater utilities.

24.02 FINDINGS OF FACT

The Town Board finds that uncontrolled stormwater runoff from land development and land redevelopment activity has a significant impact upon water resources and the health, safety and general welfare of the community, and diminishes the public enjoyment and use of natural resources. Specifically, uncontrolled stormwater runoff can:

(1) Degrade physical stream habitat by increasing stream bank erosion, increasing streambed scour, diminishing groundwater recharge, diminishing stream base flows and increasing stream temperature;

(2) Diminish the capacity of lakes and streams to support fish, aquatic life, recreational and water supply uses by increasing loadings of sediment, suspended solids, nutrients, heavy metals, bacteria, pathogens and other urban pollutants;

(3) Alter wetland communities by changing wetland hydrology and by increasing pollutant loads;

(4) Reduce the quality of groundwater by increasing pollutant loading;

(5) Threaten public health, safety, property, and general welfare by overtaxing storm sewers, watercourses, and other minor drainage facilities;

(6) Threaten public health, safety, property, and general welfare by increasing major flood peaks and volumes;

(7) Undermine floodplain management efforts by increasing the incidence and levels of flooding.

24.03 PURPOSE AND INTENT

(1) PURPOSE. The general purpose of this ordinance is to set forth long-term, post-construction stormwater requirements and criteria which will diminish the threats to public health, safety, welfare, and the aquatic environment due to runoff of stormwater from land development and land redevelopment activity. Specific purposes are to:

(a) further the maintenance of safe and healthful conditions, and to maintain and enhance the quality of life within the community;

(b) prevent and control the adverse effects of stoanwater, prevent and control soil erosion, prevent and control water pollution, protect spawning grounds, fish, and aquatic life;

(c) prevent conditions that endanger downstream property including: control exceedance of the safe capacity of existing drainage facilities and receiving water bodies; prevent undue channel erosion; control increases in the scouring and transportation of particulate matter; and, prevent unwanted alteration of downstream channels, such as farm waterways, from dry to wet conditions;

(2) INTENT. It is the intent of the Town Board that this ordinance manages the long-term, post-construction stormwater discharges from land development and land redevelopment activities by controlling the quantity (peak flow rates and volumes) and quality of stormwater discharges.

To this end the Town of Freedom will manage stormwater to protect, maintain and enhance the natural environment; diversity of fish and wildlife; human life; property and recreational use of waterways within the Town.

This ordinance may be applied on a site-by-site basis. The Town recognizes, however, that the preferred method of achieving the stormwater performance standards set forth in this ordinance is through the preparation and implementation of comprehensive, system-level stormwater management plans that cover hydrologic units, such as watersheds, on a municipal and regional scale. Such plans may prescribe regional stormwater devices, practices or systems, any of which may be designed to treat runoff from more than one site prior to discharge to waters of the State of Wisconsin. It is the intent of this ordinance that the approved plan be used to identify post-construction management measures acceptable for the community, where such plans are: a) developed under S. 281.16, Wisconsin State Statutes for regional stormwater management measures; b) are in conformance with the performance standards set forth in this ordinance; c) are approved by the Town; and d) are constructed.

24.04 DEFINITIONS

(1) For the purpose of this chapter, the following shall apply as indicated throughout the chapter:

(a) The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

(b) The present tense includes the future tense and the singular includes plural.

(c) The word "shall" is mandatory; the word "may" is permissive.

(d) The words 'used" or "occupied" also mean intended, designed or arranged to be used or occupied.

(2) DEFINITION OF TERMS. For the purpose of this chapter, the following terms are defined;

1. "Administering authority" means the governmental employees or their designees empowered under S. 60.627, Wisconsin Statutes to administer this ordinance. For the purpose of this ordinance it is the Town Building Inspector under guidance from the Plan Commission.

2. "Agricultural activity" means planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or outside yarding of livestock, including sod farms and silviculture. This includes waterways, drainage ditches, diversions, terraces, excavating, filling, and similar practices on farm fields.

-3-

3. "Best management practice" or "BMP" means a practice, technique or measure which is determined to be an effective means by the Plan Commission of preventing or reducing runoff pollutants to waters of the state, to a level compatible with the performance standards in 24.07 of this ordinance.

4. "Business day" means a day the office of the Town is routinely and customarily open for business.

5. "Cease and desist order" means an order issued by the administering authority to halt land development and land redevelopment activity that is being conducted without the required permit.

6. "Design storm" means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency and total rainfall depth. Rainfall amounts for 24-hour design rainfall events in Outagamie County are: 100-year, 5.3 inches; 25-year. 4.4 inches; 10-year, 3.8 inches; 5-year. 3.3 inches; 2-year, 2.5 inches, and 1-year. 2.2 inches.

7. "Detention basin" A depression in the land surface designed to temporarily detain or hold back stormwater and release the water at a specified flow rate or rates. A detention basin may also be designed to reduce nonpoint source pollution and may be wet or dry. A retention basin is similar to a detention basin, except that a retention basin retains the runoff and does not release the water back into the runoff system.

8. "Discharge volume" means the quantity of runoff discharged from the land surface as the result of a rainfall event. It is usually expressed as cubic feet or acre-feet.

9. "Erosion" means the detachment and movement of soil, sediment or rock fragments by water, wind, ice or gravity.

10. "Financial guarantee" means a performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the administering authority by the permit holder to assure that requirements of the ordinance are carried out in compliance with the stormwater management plan.

11. "Floodplain" means the land, which has been or may be hereafter covered by floodwater during the regional flood. The regional flood is a flood, which is expected to occur at a frequency of 1% during any given year. The floodplain includes the flood fringe, flood storage areas, and floodway.

    (a) Flood fringe - that portion of the floodplain outside of the floodway, which is covered by floodwaters during the regional flood. The flood fringe is generally associated with standing water rather than rapidly flowing water.

(b) Flood storage areas- that portion of the flood fringe which is used as flood storage volume when doing flood routings.

(c) Floodway - which is the channel of the river or stream and those portions of the floodplain adjoining the channel required to carry and discharge the floodwater or flood flows associated with the regional flood and flood fringe.

12. "Impervious surface" means a land cover that releases as runoff all or a large portion of the precipitation that falls on it. Rooftops and paved areas such as; sidewalks, driveways, parking lots and streets are examples of surfaces that typically are impervious.

13. "Infiltration" means the process by which rainfall or surface ninoffpasses into or through the underlying soil.

14. "Infiltration device" means a practice such as a basin, trench, or swale designed specifically to encourage infiltration. This is not so broadly written as to include natural infiltration in pervious areas such as lawns or minimal infiltration from practices designed for purposes other than infiltration, such as swales designed for conveyance.

15. "Land development (and redevelopment) activity" The actor process of changing land through the construction of buildings, parking lots, roads, landscaping, etc. which causes a change in the amount, rate, or quality of stormwater runoff from the land. This applies to any change of land use including changes in vegetative cover.

16. "Landowner" means any person holding title to or having an interest in land.

17. "Maintenance agreement" means a legal document that is filed with the County Register of Deeds as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

18. "Maximum extent practicable" means a level of implementing best management practices to achieve a performance standard specified in this chapter which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historical properties and geographic features.

19. "Municipality" means a town, county, village, or city.

20. "Navigable" waters means Lake Superior, Lake Michigan, all natural inland lakes within the state and all streams, ponds, sloughs, flowages and other waters within the

territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. The designation of a navigable stream is determined by the Wisconsin Department of Natural Resources, based on existence of bed and banks and the ability to float a canoe at least one day a year. Streams should be presumed to be navigable if they are designated as either continuous or intermittent waterways (blue lines) on the USGS quadrangle maps.

21. "NRCS" means the Natural Resources Conservation Service of the U.S. Department of Agriculture. Formerly known as the Soil Conservation Service (SCS).

22. "Non-residential development" means development that is not one or two family residential. This includes the following land uses: multi-family residential (more than 2 dwelling units on a single property) commercial, industrial, government and institutional, recreation, transportation, communication, and utilities.

23. "Off-site" means located outside the property boundary described in the permit application for land development or land redevelopment activity.

24. "On-site" means located within the property boundary described in the permit application for the land development or land redevelopment activity including the entire area of the tax parcel wherein the activity will occur.

25. "Ordinary high water mark" has the meaning on NR 11503(6), Wisconsin Administrative Code.

26. "Peak flow or peak flow discharge rate" means the maximum unit volume of stormwater discharged during a specified unit of time. This is usually expressed in terms of cubic feet per second (cfs).

27. "Performance standard" means a narrative or measurable number for a pollution source specifying the acceptable outcome for a facility or practice.

28. "Permit" means a written authorization made by the administering authority to the applicant to conduct land development or land redevelopment activities.

29. "Permit administration fee" means a sum of money paid to The administering authority by the permit applicant for the purpose of recouping the expenses incurred by the authority in administering the permit, including but not limited to application review, issuance where appropriate, and inspections.

30. "Pervious surface" means a surface that infiltiates rainfall. Lawns, fields and woodlands are examples of pervious surfaces.

31. "Pollutant" has the meaning in S. 283.01(13), Wisconsin State Statutes.

32. "Pollution" has the meaning in S. 281.01(10), Wisconsin State Statutes.

33. "Redevelopment" means new development that is replacing older development. Redevelopment in this ordinance only applies when the activity will increase the amount of exposed parking ots or roads or changes the existing drainage pattern.

34. Runoff curve number (RCN)" means an index that represents the combination of: a hydrologic soil group, land use, land cover, impervious area, interception storage, surface storage, arid antecedent moisture conditions. RCN's convert mass rainfall into mass runoff. The NRCS defines RCN in TR-55.

35. "Site restriction" means any physical characteristic, which limits the use of a stormwater best management practices or management measures.

36. "Stop work order" means an order issued by the administering authority that requires that all construction activity on the site be stopped.

37. "Storm drainage system" means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains which is designed for collecting water or conveying stormwater.

38. "Stormwater management measure" means structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates.

39. "Stormwater management plan" means a document that identifies what actions will be taken to reduce stormwater quantity and pollutant loads from land development and land redevelopment activity to levels that meet the purpose and intent of this ordinance.

40. "Stormwater management system plan" is a comprehensive plan developed to address stormwater drainage and nonpoint source pollution control problems on a watershed or sub-watershed basis, and which meets the purpose and intent of this ordinance.

41. "Stormwater Management Reference Guide" is a handbook containing technical and administrative material used by an administering authority to implement and administer this ordinance. It will be maintained at the County Zoning department.

42. "Stormwater runoff" means that portion of the precipitation falling during a rainfall event, or that portion of snowmelt, that runs off the surface of the land and into the natural or artificial conveyance or drainage network.

43. "Structure", as used in the context of construction or building, means any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground which includes but is not limited to such objects as roofed and/or walled buildings, storage tanks, bridges, culverts, etc. and may include such things as fences or signs. The term also includes fill or filling which is the act by which earth, sand, gravel rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting there from.

44. "TR-55" means the U.S. Department of Agriculture, Natural Resource Conservation Service, Urban Hydrology for Small Watersheds", Technical Release 55, 1986.

45. "Watercourse" means a natural or artificial channel through which water flows. These channels include: all blue and dashed blue lines on the USGS quadrangle maps, all channels shown on the soils maps in the NRCS soils book for Outagamie County, all channels identified on the site, and new channels that are created as part of a development. The term watercourse includes waters of the state as herein defined.

46. "Watershed" An area bounded by a divide in which water drains to a specific point on the land.

47. "Waters of the state" means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater-, natural or artificial, public or private, within Wisconsin or its jurisdiction.

48. "Wetland functional value" means the type, quality, and significance of the ecological and cultural benefits provided by wetland resources, such as: flood storage, water quality protection, groundwater recharge and discharge, shoreline protection, fish and wildlife habitat, floral diversity, aesthetics, recreation, and education.

49. "Wetlands" means an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. These wetlands include but are not limited to natural, mitigated, and restored wetlands. Some wetlands are graphically shown on the DNR Wetland Inventory Maps dated May 8, 1994 or subsequent revisions.

24.05 APPLICABILITY AND JURISDICTION

(1) APPLICABILITY. This ordinance applies to all new land development and land redevelopment activity, unless otherwise exempted under sub. (4) below, or granted a variance under sub. (5) below.

(2) JURISDICTION. This ordinance applies to land development and land redevelopment activities within the boundaries of the Town of Freedom. Any area affected by the provisions of this ordinance shall not be exempt from applicability by reason of annexation or incorporation unless the annexing or incorporating municipality maintains and enforces an ordinance which is equally restrictive as this ordinance in accordance with the provisions of S. 60.627, Wisconsin Statutes.

(3) MAPS. Where any map is referred to in this ordinance and said map is a digital compilation, said digital map shall be the regulatory map for purposes of enforcement of this ordinance.

(4) EXEMPTIONS. This chapter shall not apply to the following and these activities are thereby exempt from all the requirements:

(a) All activities directly relating to agricultural activity, as defined in section .04 herein.

(b) Replacement or repair of private septic systems.

(c) Activities associated with non-metallic mining. (Non-metallic mining is addressed through the Non-Metallic Mining Ordinance).

(d) Any land disturbing or land development activity conducted by or contracted for any State agency, as defined under S. 227.01(1), Wisconsin Statutes, including but not limited to road construction projects administered by the Wisconsin Department of Transportation (DOT). These activities must meet the erosion control and stormwater management requirements of the state.

(5) VARIANCES. Variances from the requirements of this chapter will be provided, only if the Town Board under sec. 24.14 of this ordinance determines that:

(a) The site will have no appreciable negative off-site impact to water quality or water quantity;

(b) Compliance is impractical or impossible due to site conditions, urban street cross section requirements, or other circumstances beyond the control of the applicant;

(c) Compliance would be in direct conflict with other regulations or related objectives of this ordinance which would take precedent; or

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(d) The specific requirement is not necessary for a particular site to ensure compliance with the stormwater management requirements of 24.07 of this ordinance.

Additionally, the variance process shall include a written recommendation from the town board as part of the application. The Town Board shall automatically decide any contested application. Any variance granted shall be in written or electronic form.

TECHNICAL REQUIREMENTS

24.06 TECHNICAL STANDARDS

The following methods shall be used in designing the water quantity, water quality, and infiltration components of stormwater practices needed to meet the standards of this ordinance.

(1) Technical standards developed and disseminated by the Department of Natural Resources under subchapter V of NE. 151, Wisconsin Admin. Code, including subsequent revisions.

(2) Section IV of the Field Office Technical Guide, published by the USDA-Natural Resources Conservation Service.

(3) Where technical standards have not been developed and disseminated by the Department of Natural Resources, other technical standards may be used provided that the methods have been approved by the administering authority.

(4) Where the administering authority determines that more stringent standards are required than those listed in (1) of this section, the administering authority may adopt more stringent standards.

(5) The Outagamie County Stormwater Management Reference guide, which is adopted by reference as a companion piece to this ordinance..

24.07 STORMWATER PERFORMANCE STANDARDS

(1) QUANTITY OF STORMWATER DISCHARGE. Unless otherwise provided for in this ordinance, all new land development and land redevelopment activities subject to this ordinance shall establish on-site best management practices to control the peak flow rates of stormwater discharged from the site and to preserve base flow in streams. The BMPs shall be designed, installed or applied, and maintained to the maximum extent practicable in accordance with a stormwater management plan. All of the following apply except as provided in 24.07 (l)(c):

(a) By design, the peak flow discharge rates after development must be equal to or less than peak flow rates before development. The peak flow rates before development will be computed using the pre-settlement (meadow) conditions for the 2-, 10- and 100-year, 24-horn design storms applicable to the site. Use the Runoff Curve Numbers designated in Table 1 for the appropriate soil hydrologic group(s). For the hydrologic calculations, use TR 55 methodology or an equivalent methodology if approved by the administering authority.

Table 1 - Maximum Pre-Settlement (Meadow) Runoff Curve Numbers

Hydrologic Soil Group	A	B	C	D
Runoff Curve Number	30	58	71	78

Note: Source of Table 1 is: "Urban Hydrology for Small Watersheds" USDA Technical Release 55; June, 1986

(b) Discharge velocities must be non-erosive to discharge locations, outfall channels, and receiving streams.

(c) Exemptions. The following are not required to meet the requirements of this paragraph:

(1) Single family detached residential on existing lots of record as of the effective date of this ordinance less than 1 acre in size.

(2) Farm buildings and/or farm paved areas of less than 20,000 square feet of total new impervious surface on farms larger than 35 acres in size,

(3) A redevelopment site with no increase in exposed parking lots or roads and no change in the existing drainage pattern.

(2) QUALITY OF STORMWATER DISCHARGE. Unless otherwise provided for in this ordinance, all land development and land redevelopment activities subject to this ordinance shall establish on-site management practices to control the discharge of stormwater pollutants. The BMPs shall be designed, installed or applied and maintained, in accordance with a stormwater management plan. The plan shall provide for the control of stormwater discharges, the control of total suspended solids, and the control of other pollutants carried in runoff. All of the following apply except as provided in 24.07 (2)(f):

(a) Sediment Control: By design, reduce the annual average total suspended solids load in runoff by 80% for new development and 40% for redevelopment as compared to no controls for the site. The sediment reduction shall be accomplished in one of the following ways.

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(1) For new development, a wet detention basin may be installed to receive stormwater runoff from the entire site. The wet detention pond shall be designed to meet standards contained in the DNR Wet Detention Standard Code 1001 (06/99) or a subsequently adopted version.

(2) Any alternative method acceptable to the approving authority. Two acceptable alternative methods to determine percentage of sediment removal are Source Loading and Management Model (SLAMM) and "Program for Predicting Polluting Particle Passage through Pits, Puddles & Ponds' (P8).

If 80% of the total suspended solids load for new development, or 40% of the total suspended solids load for redevelopment will not be controlled from the site by design, then the stormwater management plan shall include a reasonable justification for not providing the control.

(b) Petroleum and Hydrocarbon Control: Fueling and vehicle maintenance areas shall have BMP's designed, installed or applied, and maintained to reduce petroleum within runoff such as that the runoff that enters waters of the state contains no visible petroleum sheen after the point of treatment. Stormwater management devices do not substitute for emergency action spill control plans if required under different regulations.

(c) Existing wetlands shall not be altered or used to meet any of the requirements of this ordinance unless permitted by the WDNR and/or Army Corp of Engineers.

(d) Stormwater shall not be injected underground through excavations or openings in a manner that would violate S. NR 812.05 Wisconsin Administrative Code.

(e) Stormwater ponds and infiltration devices shall not be located closer to water supply wells than as indicated below without first notifying and obtaining approval from the administering authority:

(1) 100 feet from a well serving a private water system or a transient non-community public water system as specified in NR 812.08(4), Wis. Adm. Code;

(2) 400 feet from a well serving a municipal public water system, an other-than municipal public water system, or a non-transient non-community public water system as specified in NR 811.16(4), Wis. Adm. Code;

(3) within the boundary of a recharge area to a wellhead identified in a wellhead area protection plan.

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(f) Exemptions. The following are not required to meet the requirements of this section:

(1) Single family detached residential on existing lots of record as of the effective date of this ordinance less than 1 acre in size.

(2) Farm buildings and/or farm paved areas having less than 20,000 square feet of total impervious surface on farms larger than 35 acres in size.

(3) A redevelopment site with no increase in exposed parking lots or roads and no change in the existing drainage pattern.

(3) INFILTRATION. BMPs shall be designed, installed, and maintained to infiltrate runoff to the maximum extent practicable in accordance with the following, except as provided in S. 07(3) (e) through (h).

(a) For residential developments one of the following shall be met:

(1) Infiltrate sufficient runoff volume so that the infiltration volume after development shall be at least 90% of the infiltration volume before development, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 1% of the project site is required as an effective infiltration area.

(2) Infiltrate 25% of the runoff after development from the 2 year - 24 hour design storm with a type II distribution. Separate curve numbers for pervious and impervious surfaces shall be used to calculate runoff volumes and not composite curve numbers as defined in TR-55. However, when designing appropriate infiltration systems to meet this requirement, no more than 1% of the project site is required as an effective infiltration area.

(b) For non-residential development, including commercial, industrial and institutional development, one of the following shall be met:

(1) Infiltrate sufficient runoff volume so that the infiltration volume after development shall be at least 60% of the infiltration volume before development, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2% of the project site is required as an effective infiltration area.

(2) Infiltrate 10% of the runoff from the 2 year -24 hour design storm with a type II distribution. Separate curve numbers for pervious and impervious surfaces shall be used to calculate runoff volumes, and not composite curve numbers as defined in TR-55. However, when designing appropriate infiltration

systems to meet this requirement, no more than 2% of the project site is required as an effective infiltration area.

(c) The conditions before development shall be the same as in 24.07 (1).

(d) Before infiltrating runoff, pretreatment shall be required for parking lot runoff and for runoff from new road construction in commercial, industrial and institutional areas that will enter an infiltration system. The pretreatment shall be designed to protect the infiltration system from clogging prior to scheduled maintenance and to protect groundwater quality in accordance with sub. h. Pretreatment options may include, but are not limited to, oil/grease separation, sedimentation, bioflitration, filtration, swales or filter strips.

(e) Exclusions. The runoff from the following areas are prohibited from meeting the requirements of this section:

(1) Areas associated with tier 1 industrial facilities identified in S. NR 216.21(2)(a), Wis. Adm. Code, including storage, loading, rooftop and parking.

(2) Storage and loading areas of tier 2 industrial facilities identified ins. NR 216.2 1(2)(b), Wis. Adm. Code.

(3) Fueling and vehicle maintenance areas.

(4) Areas within 1000 feet upgradient or within 100 feet downgradient of karst features.

(5) Areas with less than 3 feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock.

(6) Areas with runoff from industrial, commercial and institutional parking lots and roads and residential arterial roads with less than 5 feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock.

(7) Areas within 400 feet of a community water system well as specified in s. NR 811.16(4), Wis. Adm. Code, or within 100 feet of a private well as specified in s. NR 812.08(4), Wis. Adm. Code, for runoff infiltrated from commercial, industrial and institutional land uses or regional devices for residential development. Areas where contaminants of concern, as defined in S. NR

720.03(2), Wis. Adm. Code are present in the soil through which infiltration will occur.

(8) Any area where the soil does not exhibit one of the following soil characteristics between the bottom of the infiltration system and the seasonal high groundwater and top of bedrock: at least a 3-foot soil layer with 20% fines or greater; or at least a 5-foot soil layer with 10 percent fines or greater. This does not apply where the soil medium within the infiltration system provides an equivalent level of protection. This does not prohibit infiltration of roof runoff.

(f) Exemptions. The following are not required to meet the requirements of this section:

(1) Areas where the infiltration rate of the soil is less than 0.6- inches/hour.

(2) Parking areas and access roads less than 5,000 square feet for commercial and industrial development.

(3) Redevelopment sites.

(4) Farm buildings and/or paved areas having less than 20,000 square feet of total impervious surface on farms larger than 35 acres in size.

(5) In-fill development areas less than 5 acres.

(6) Infiltration areas during periods when the soil on the site is frozen.

(7) Roads in commercial, industrial and institutional land uses, arterial residential roads, township roads, and county roads.

(8) Single family detached residential on existing lots of record as of the effective date of this ordinance less than 1 acre in size.

(g) Where alternate uses of runoff are employed, such as for toilet flushing, laundry or irrigation, such alternate use shall be given equal credit toward the infiltration volume required by this paragraph.

(h) (1) Infiltration systems designed in accordance with this paragraph shall, to the extent technically and economically feasible, minimize the level of pollutants infiltrating to groundwater and shall maintain compliance with the preventive action limit at a point of standards application in accordance with ch. NR 140, Wis. Adm. Code. However, if site specific information indicates that compliance with a preventive action limit is not achievable, the infiltration

BMP may not be installed or shall be modified to prevent infiltration to the maximum extent practicable.

(2) Notwithstanding S. 07 (3) (h) (1) the discharge from BMPs shall remain below the enforcement standard at the point of standards application.

(4) PROTECTIVE AREAS. In this paragraph "protective areas" means an area of land that commences at the top of the bank for lakes and navigable streams, at the centerline of non-navigable watercourses, and at the delineated boundary of wetlands. Permanent vegetative cover will provide for bank stability, maintenance of fish habitat, and filtering of pollutants from up slope overland flow areas (cover can be mowed lawn). The protective area will keep the watercourse open to convey nmoff and to provide some flood storage. No structures will be allowed in the protective area except road and utility crossings, boathouses where adjacent to navigable water, structures which are part of the stormwater management plan, and structures allowed by S. 59.692(lv), i.e., the "Gazebo Rule", when adjacent to navigable water.

(a) Watercourses - The protective area shall be provided on each side of the watercourse, except for road ditches where only one side is required, and the minimum width on each side of the watercourse is as follows:

(1) For navigable streams, the protective area shall be 75 feet from the ordinary high water mark (OHWM— generally the top of the watercourse bank).

(2) For non-navigable watercourses having watersheds greater than 80 acres, the protective area shall be 50 feet from the watercourse centerline for platted subdivisions and commercial development and shall be 75 feet for single family detached residential.

(3) For non-navigable watercourses having watersheds 80 acres or less, the protective area shall be 25 feet from the watercourse centerline.

(4) Within a planned development or redevelopment site the watercourses may be moved or graded. The protective area dimensions move with the watercourse, and the protective area shall be contained within the property being developed. The watercourse shall be designed to be non-erosive and, if moved, to have adequate capacity within the protective area based on a 100-year, 24-hour storm, If watercourses are moved and leave the property at a different location, the watercourse downstream shall be protected from adverse impacts.

(5) Detention basins and similar stormwater protection facilities may be located in the protective areas of non-navigable watercourses provided the water quantity and quality functions of the protective area are maintained.

(6) Detention basins and similar stormwater protection facilities near navigable streams shall be outside the floodway, the flood storage areas, and the protective area, whichever is greater. The basins shall be designed such that the basin flood volume is maintained and such that the stream does not overflow into the basin during a 100-year, 24-hour storm.

(b) Lakes — The protective area shall be 75 feet.

(c) Wetlands — The protective area shall be 50 feet. All wetlands shall be delineated whenever the site includes soils that are rated as poorly or somewhat poorly drained according to the Soil Survey for Outagamie County. Delineation shalt be by a person knowledgeable in wetland soils, plants, and hydrology. The wetland delineator must be approved by the administering authority.

(d) A larger protective area for either watercourses or wetlands may be required if deemed necessary by the Plan Commission based on site characteristics.

(5) ALTERNATE REQUIREMENTS. The administering authority may establish stormwater management requirements either more stringent or less stringent than those set forth in subs. (1), (2), (3) and (4) above provided that at least one of the following conditions applies. Alternate requirements must be in writing with specific goals stated.

(a) The administering authority determines that an added level of protection is needed to protect sensitive resources,

(b) The administering authority determines that the land development and land redevelopment activity is covered by an approved stormwater management system plan or existing conditions allow for management consistent with the purpose and intent of this ordinance.

(c) Provisions are made to manage stormwater by an off-site facility, provided that all of the following conditions for the off-site facility are met:

(1) The facility is in place;

(2) The facility is designed and adequately sized to provide a level of stormwater control equal to or greater than that which would be afforded by on-site practices meeting the performance standards of this ordinance, and

(3) The facility has a legally obligated entity responsible for its long-term operation and maintenance.

(d) The administering authority finds that meeting the minimum on-site management requirements of this ordinance is not feasible due to space or site restrictions, or other unique conditions, provided that where this section is deemed applicable the maximum possible requirements shall be met and a variance has been granted by the Plan Commission.

24.08 PERMITTING REQUIREMENTS, PROCEDURES AND FEES

(1) PERMIT REQUIRED. No land owner or land operator may undertake a land development or land redevelopment activity subject to this ordinance without receiving a permit from The administering authority prior to commencing the proposed activity.

(2) PERMIT APPLICATION AND FEE. Unless specifically excluded by this ordinance, any landowner or operator desiring a permit shall submit to the administering authority a permit application made on a form provided by the administering authority for that purpose.

(a) Unless otherwise exempted by this ordinance, a permit application must be accompanied by the following in order that the permit application be considered for approval by the administering authority: a stormwater management plan, a maintenance agreement, a financial guarantee, and a non-refundable permit administration fee established in 24.12 of this ordinance.

(b) The stormwater management plan shall be prepared to meet the requirements of 24.07 and 24.09 of this ordinance, the maintenance agreement shall be prepared to meet the requirements of 24.10 of this ordinance, the financial guarantee shall meet the requirements of 24.11 of this ordinance, and fees shall be those established by the administering authority Board as set forth in 24.12 of this ordinance.

(3) REVIEW AND APPROVAL OF PERMIT APPLICATION. The administering authority shall review any permit application that is submitted with a stonnwater management plan, a maintenance agreement, a financial guarantee, and the required fee. The following approval procedure shall be used:

(a) Within 20 business days of the receipt of a complete permit application, including all items as required by 24.08(2)(a), the administering authority shall inform the applicant whether the application, plan and maintenance agreement are approved, approved conditionally, or disapproved. The administering authority shall base the decision on requirements set forth in 24.07, 24.08, and 24.10 of this ordinance.

(b) If the stormwater permit application, the plan, and the maintenance agreement are approved, the administering authority shall issue the permit.

(c) If the stormwater permit application, plan or maintenance agreement is disapproved, the administering authority shall detail in writing of the reasons for disapproval.

(d) The administering authority may request additional information from the applicant. If additional information is submitted, the administering authority shall have 20 business days from the date the additional information is received to inform the applicant that the plan and maintenance agreement are either approved, approved conditionally, or disapproved.

(e) Failure by the administering authority to inform the permit applicant of a decision within the specified number of business days of a required submittal shall be deemed to mean approval of the submittal, and the applicant may proceed as if a permit had been issued. In this instance the applicant shall comply with the plan as submitted.

(4) PERMIT CONDITIONS. All permits issued under this ordinance shall be subject to the following conditions, and holders of permits issued under this ordinance shall be deemed to have accepted these conditions. The administering authority may suspend or revoke a permit for violation of a permit condition, following written notification to the permittee. An action by the administering authority to suspend or revoke this permit may be appealed in accordance with 24.14 of this ordinance.

(a) Compliance with this permit does not relieve the permit holder of the responsibility to comply with other applicable federal, state, and local laws and regulations.

(b) The permit holder shall install all structural and non-structural stormwater management measures in accordance with the approved stormwater management plan and this permit.

(c) The permit holder shall notify the administering authority at least three (3) business days before commencing any work in conjunction with the stormwater management plan, and within three (3) business days upon completion of the stormwater management practice. If required as a special condition under par. (d), the permit holder shall make additional notification according to a schedule set forth by the administering authority so that practice installations can be inspected during construction.

(d) Permits issued under this subsection may include any special conditions needed to meet the performance standards in 24.07 or a financial guarantee as provided for in 24.11 of this ordinance. Permits issued as a result of a violation notice may contain

conditions necessary to correct the violation, including specifying a timeframe within which certain actions need to be taken.

(e) Stormwater management practices that are constructed as part of this ordinance may be required by the administering authority to submit an 'as built" by a professional engineer. Completed stormwater management practices must pass a final inspection by the administering authority or its designee to determine if they are in accordance with the approved stormwater management plan and ordinance. The administering authority or its designee shall notify the permit holder in writing of any changes required in such practices to bring them into compliance with the conditions of the permit. Subsequent residential building permits may be withheld until the as built plan has been submitted and approved by the administering authority.

(f) The permit holder shall notify the administering authority of any modifications it intends to make to an approved stormwater management plan. The administering authority shall require that the proposed modifications be submitted for approval prior to incorporation into the stormwater management plan and prior to execution.

(g) The permit holder shall maintain all stormwater management practices in accordance with the stormwater management plan until the practices either become the responsibility of a municipality, or are transferred to subsequent private owners as specified in the approved maintenance agreement.

(h) If so directed by the administering authority, the permit holder shall repair at the permit holder's own expense all damage to adjoining public or private properties and watercourses caused by stormwater runoff, where such damage is caused by activities that are not in compliance with the approved stormwater management plan.

(i) The permit holder shall permit property access to the Building Inspector or its designee for the purpose of inspecting the property for compliance with the approved stormwater management plan and this permit. Permission so granted shall remain in place as specified in the recorded maintenance agreement.

(j) Where site development or redevelopment involves changes in direction, increases in peak rate and/or total volume of runoff from a site the administering authority may require the permittee to make appropriate legal arrangements with affected property owners concerning the prevention of endangerment to property or public safety.

(k) The permit holder is subject to the enforceable actions detailed in 24.13 of this ordinance if the permit holder fails to comply with the terms of this permit.

(5) PERMIT DURATION. Permits issued under this section shall be valid one (1) year from the date of issuance. The administrating authority may extend the period. Additional conditions

may be imposed as a result of the extension as necessary to achieve compliance with the originally approved plan.

24.09 STORMWATER MANAGEMENT PLAN

(1) PLAN REQUIREMENTS. The stormwater management plan required under 24.08(2)(a) of this ordinance shall contain any information the administering authority requires to evaluate the environmental characteristics of the area affected by land development and land redevelopment activity, the potential impacts of the proposed development upon the quality and quantity of stormwater discharges, the potential impacts upon water resources and drainage utilities, the potential impacts on groundwater, and the effectiveness and acceptability of proposed stormwater management measures in meeting the performance standards set forth in this ordinance. The items and information to include in the stormwater plan are set forth in the Stormwater Management Reference Guide. Unless specified otherwise by this ordinance, stormwater management plans shall contain at a minimum the following information:

(a) Name, address, and telephone number for the following or their designees: landowner; developer; project engineer for practice design and certification; person(s) responsible for installation of stormwater management practices; person(s) responsible for maintenance of stormwater management practices prior to the transfer, if any, of maintenance responsibility to another party. This information shall be submitted as a maintenance agreement that is recordable with the County Register of Deeds.

(b) A proper legal description of the property proposed to be developed referenced to the U.S. Public Land Survey system or to block and lot numbers within a recorded land subdivision plat as well as the correct tax parcel number and where applicable, the correct address.

(c) Site conditions before development, including:

(1) site maps;

(2) Computations of peak flow discharge rates and discharge volumes for the 2-year, 10-year, and 100-year/24 hour storm events,

(3) Soils and wetland investigations.

(d) Site conditions after development, including:

(1) Explanation of the provisions to preserve and use natural topography and land cover features.

(2) Explanation of any restrictions imposed by wellhead protection plans and ordinances.

(3) Appropriate site maps as required by the administering authority.

(4) Computations of peak flow discharge rates for the 2-year, 10-year, and 100-year/24 hour storm events.

(5) Design computations for stormwater quality practices and infiltration practices.

(6) Results of investigations of soils and groundwater.

(7) Results of impact assessments on wetland functional values.

(8) Design computations for the storm drainage system.

(9) Detailed drawings of all permanent stormwater conveyance and treatment practices.

(e) A description and installation schedule for the stormwater management practices.

(f) A maintenance plan developed for the life of each stormwater management practice including the required maintenance activities and maintenance activity schedule.

(g) Cost estimates for the construction, operation, and maintenance of each stormwater management practice.

(h) Other information requested in writing by the administering authority to determine compliance of the proposed stormwater management measures with the provisions of this ordinance.

(i) All site investigations, plans, designs, computations, and drawings maybe required to be certified by a professional engineer to the effect that they have been prepared in accordance with accepted engineering practice and requirements of this ordinance.

(2) ALTERNATE REQUIREMENTS. The administering authority may prescribe alternative submittal requirements for applicants seeking an exemption to on-site stormwater management performance standards under 24.07(5) of this ordinance.

24.10 MAINTENANCE AGREEMENT

(1) MAINTENANCE AGREEMENT REQUIRED. The maintenance agreement required for stormwater management practices under 24.08(2) of this ordinance shall be an agreement between the administering authority and the permittee to provide for on-site inspection of construction allowed by the permit both during and after construction, and to inspect and enforce maintenance of stormwater practices beyond the duration period of this permit. The agreement or recordable document shall be recorded with the County Register of Deeds so that it is binding upon all subsequent owners of land served by the stormwater management practices.

(2) AGREEMENT PROVISIONS. The maintenance agreement shall contain the following information and provisions:

(a) Identification of the stormwater facilities and designation of the drainage area served by the facilities.

(b) A schedule for regular maintenance of each aspect of the stormwater management system consistent with the stormwater management plan required under 24.08(2).

(c) Identification of the landowner(s), organization or municipality responsible for long term maintenance of the stormwater management practices identified in the stormwater plan required under 24.08(2).

(d) Requirement that the landowner(s), organization, or municipality shall maintain stormwater management practices in accordance with the schedule included in par. (b).

(e) Authorization for the administering authority to access the property: to conduct inspections of stormwater practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement, and to do any maintenance work as required in 24. 10(2)(g) below.

(f) Agreement that the administering authority notifies the party designated under the maintenance agreement of maintenance problems that require correction and time frame for correction as determined by the administering authority.

(g) Upon failure to perform the necessary maintenance of the stormwater facilities, the County and/or town retains the right to perform maintenance and/or repairs. The costs shall be assessed to the developer or among the property owners within the development.

ADMINISTRATION

24.11 FINANCIAL GUARANTEE

(1) ESTABLISHMENT OF THE GUARANTEE. The administering authority shalt require the submittal of a financial guarantee, the form and type of which shall be acceptable to the administering authority. The financial guarantee shall be in an amount determined by the administering authority for the estimated construction and maintenance of the stormwater management practices during the period which the designated party in the maintenance agreement has maintenance responsibility. The financial guarantee shall give the administering authority the funds to complete the stormwater management practices if the landowner defaults or does not properly implement the approved stormwater management plan, upon written notice of the landowner by the administering authority that the requirements of this ordinance have not been met.

(2) CONDITIONS FOR RELEASE. Conditions for the release of the financial guarantee are as follows:

(a) The administering authority shall release the portion of the financial guarantee established to assure installation of stormwater practices, less any costs incurred by the administering authority to complete installation of practices. The administering authority may require a submission of "as built plans" by a professional engineer. The administering authority may make partial pro-rata release of the financial guarantee based on the completion of various development stages.

(b) The administering authority shall release the portion of the financial security established to assure maintenance of stormwater practices, less any costs incurred by the administering authority, at such time that the responsibility for practice maintenance is passed on to another entity via an approved and recorded maintenance agreement.

24.12 FEE SCHEDULE

The administrating authority shall establish the fees referred to in other sections of this ordinance. All after the fact fees shall be subject to penalties

24.13 ENFORCEMENT AND PENALTIES

(1) Any land development and land redevelopment activity initiated after the effective date of this ordinance by any person, firm, association, or corporation subject to the ordinance provisions shall be deemed a violation unless conducted in accordance with the requirements of this ordinance.

(2) The administering authority shall notify the responsible owner or operator by certified mail of any non-complying land development and land redevelopment activity. The notice shall describe the nature of the violation remedial actions needed, a schedule for remedial action, and additional enforcement action that may be taken.

(3) Upon receipt of written notification from the administering authority under subsection (2), the permit holder, or landowner, shall obtain a permit where required, and/or correct work which does not comply with the approved stormwater management plan or other provisions of the permit. The permit holder, or landowner, shall make corrections as necessary to meet the specifications and schedules set forth by the administering authority in the notice.

(4) If the violations to this ordinance, either during construction of stormwater management facilities or the maintenance of those facilities, are likely to result in damage to properties, public facilities, or waters of the state, the administering authority may enter the land and take emergency actions necessary to prevent such damage. The costs incurred by the administering authority plus interest and legal costs shall be billed to the owner of title of the property.

(5) The administering authority is authorized to post a stop work order on all land development and land redevelopment activity in violation of this ordinance, or to request the Town Attorney to obtain a cease and desist order in any court with jurisdiction. When such a stop work order has been posted, it shall have the effect of causing the original permit to be revoked and in all cases, it shall be unlawful for any further work to proceed until the permit is either issued or reinstated.

(6) The administering authority may revoke a permit issued under this ordinance for noncompliance with ordinance provisions,

(7) Any permit revocation, stop work order, or cease and desist order shall remain in effect unless retracted by the administering authority or by a court with jurisdiction.

(8) The administering authority is authorized to refer any violation of this ordinance, or of a stop work order or cease and desist order issued pursuant to this ordinance, to the Town Attorney for the commencement of farther legal proceedings in any court with jurisdiction.

(9) Any person, firm, association, or corporation who does not comply with the provisions of this ordinance shall be subject to a forfeiture of not less than 50-dollars nor more than 1,000 dollars per offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense.

(10) Every violation of this ordinance is a public nuisance. Compliance with this ordinance may be enforced by injunctional order at the suit of the administering authority pursuant to

Wisconsin Statutes. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctional proceedings.

(11) When the administering authority determines that the holder of a permit issued pursuant to this ordinance has failed to follow practices set forth in the storm water management plan, or has failed to comply with schedules set forth in said storm water management plan, the administering authority, or a party designated by the administering authority, may enter upon the land and perform the work or other operations necessary to bring the condition of said lands into conformance with requirements of the approved plan. The administering authority shall keep a detailed accounting of the costs and expenses of performing this work. These costs and expenses shall be deducted from any financial guarantee posted pursuant to S. 11 of this ordinance.

24.14 APPEALS AND VARIANCES

(1) APPEALS. The Town Board shall hear appeals of the provisions of this ordinance. The Board shall use the rules, procedures, duties, and powers authorized by statute for the Board of Adjustment in hearing and deciding appeals.

(2) WHO MAY APPEAL. Appeals to the Town Board may be taken by any aggrieved person, or by an officer, or supervisor affected by any decision of the administering authority.

(3) VARIANCES. In any particular case where the landowner can show that, by reason of exceptional topography or other physical condition, strict compliance with any requirement of this chapter would cause unnecessary hardship, the Town Board may grant a variance, provided such relief may be granted without detriment to the public good and without impairing the intent and purpose of this chapter or the desirable general development of the Town. A majority vote of the entire membership of the Board shall be required to grant any modification to these regulations and any modification thus granted shall be entered in the minutes of the Committee, setting forth the reasons, which in the opinion of the Committee, justified the modification. No variance shall be granted by the Committee which is contrary to provisions of the Wisconsin Administrative Code or the Wisconsin Statutes.

24.15 SEVERABILITY

If any section, clause, provision or portion of this ordinance isjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in force and not be affected by such judgment.

24.16 EFFECTIVE DATE

This ordinance shall be in force and effect from and after its adoption and publication.