



**20-YEAR COMPREHENSIVE PLAN**  
**DECEMBER 2004**



**A PLAN FOR OUR FUTURE  
WHILE PROTECTING OUR PAST**



# **TOWN OF PENSAUKEE OCONTO COUNTY, WISCONSIN**

<b>CHAIRPERSON:</b>	Gary Luedeman
<b>CLERK:</b>	Joyce Stoegbauer
<b>TREASURER:</b>	Kathy Frease
<b>SUPERVISORS:</b>	Gerald Boomsma Paul DeWindt

<b>TOWN PLAN COMMISSION:</b>	William Danz - Chairperson Don Carlson Charles Geisen Gary Luedeman Linda Smrcina Anne Marie Kasbaum - Alternate
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## **Front Cover:**

Lower Image: Aerial photograph of the Pensaukee River near the Community of Pensaukee  
Provided by Dick Doeren

# **TOWN OF PENSAUKEE**

## **20-YEAR COMPREHENSIVE PLAN**

Project Planner:

Brandon G. Robinson, Community Assistance Planner II

Prepared by:

Bay-Lake Regional Planning Commission  
Suite 211, Old Fort Square  
211 North Broadway  
Green Bay, WI 54303  
(920) 448-2820

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# Bay-Lake Regional Planning Commission

Suite 211, Old Fort Square, 211 N. Broadway, Green Bay, WI 54303-2757

tele: 1 (920) 448-2820 fax: 1 (920) 448-2823 [www.baylakerpc.org](http://www.baylakerpc.org)

Mark A. Walter, Executive Director

*The regional planning commission for Northeastern Wisconsin serving communities within the counties of:*

**FLORENCE • MARINETTE • OCONTO • BROWN • DOOR • KEWAUNEE • MANITOWOC • SHEBOYGAN**

January 10, 2005

Mr. Gary Luedeman  
Chairperson of the Town of Pensaukee Town Board  
and Members of the Town Board

Ladies and Gentlemen:

The Bay-Lake Regional Planning Commission is pleased to present this Comprehensive Plan, entitled; *Town of Pensaukee 20 Year Comprehensive Plan* to the Town Board. This Comprehensive Plan was prepared by the Bay-Lake Commission staff in accordance with contract #56083 and adopted by the Pensaukee Town Board on December 14, 2004, under Wisconsin Statute 66.1001 (Smart Growth).

This Comprehensive Plan represents the town's commitment to the long-term planning needs of the community. The Comprehensive Plan also provides the town with a framework for preserving its many natural resources along with its agricultural lands, while allowing for controlled orderly development.

In addition to setting forth a land use plan and supporting plan implementation devices, this document presents pertinent information on many factors affecting land use development in the town of Pensaukee, including existing and probable future residential population levels, the natural resource base, existing land uses, intergovernmental cooperation and existing local plan implementation devices.

The delivery of this plan constitutes the completion of the Bay-Lake Regional Planning Commission's obligation regarding the town's request for assistance in developing the Comprehensive Plan. The Commission staff stands ready to assist the town in presenting the information contained in this report and in implementing, over time, the plan set forth herein.

Sincerely,

Mark A. Walter  
Executive Director

## RESOLUTION NO. 20049

### TOWN OF PENSAUKEE PLAN COMMISSION ADOPTION OF THE TOWN OF PENSAUKEE 20 YEAR COMPREHENSIVE PLAN

WHEREAS, Wisconsin Statutes 62.23 authorizes the adoption of a Comprehensive Plan for the general purpose of guiding and accomplishing coordinated, adjusted, and harmonious development of the Town;

AND WHEREAS, the Comprehensive Plan has been prepared by the Bay-Lake Regional Planning Commission which contains proposals, programs, descriptions, maps, and explanatory matter regarding natural resources, population, housing, economic development, transportation, land use, public facilities, outdoor recreation, and general plan design (land use plan) for the 20 year planning period;

AND WHEREAS, the Comprehensive Plan has been prepared in accordance with the elements of a plan as defined in Wisconsin Statutes 66.1001 (Smart Growth);

AND WHEREAS, the Comprehensive Plan has been drafted and reviewed by the Town of Pensaukee Plan Commission;

NOW, THEREFORE BE IT RESOLVED that the Town of Pensaukee Plan Commission hereby recommends to the Pensaukee Town Board that a Comprehensive Plan entitled: *Town of Pensaukee 20 Year Comprehensive Plan*, be adopted by the Town Board pursuant to Wisconsin Statutes Sections 62.23 and 66.1001(4).

Dated this 8<sup>TH</sup> day of SEPTEMBER, 2004.

Resolution introduced and adoption moved by CHUCK GEISEN

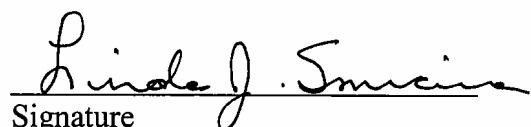
Motion for adoption seconded by LINDA SMRCINA

Voting Aye: 4 Nay: 0

APPROVED:

WILLIAM E. DANZ   
Printed Name Signature  
Town of Pensaukee Plan Commission Chairperson

ATTEST:

Linda J Smrcina   
Printed Name Signature  
Town of Pensaukee Plan Commission Member

**TOWN OF PENSAUKEE**  
**ORDINANCE NO. 2004-11/9**

**An Ordinance to Adopt a Comprehensive Plan Pursuant to  
Wisconsin Statutes Section 66.1001 (Smart Growth)**

WHEREAS, on March 2002 the Town Board for the Town of Pensaukee approved a contract with Bay-Lake Regional Planning Commission to prepare a Comprehensive Plan for the Town of Pensaukee under the guidelines of Section 66.1001 Wisconsin Statutes; and,

WHEREAS, the project included a public participation plan in every stage of the process for preparation of a Comprehensive Plan for the Town of Pensaukee, which addressed provisions for wide distribution of the proposed elements of the Comprehensive Plan, and provided an opportunity for written comments to be received from the public and for the Town to respond to such comments; and,

WHEREAS, on September 8, 2004, the Town of Pensaukee Plan Commission recommended to the Town Board adoption of the Comprehensive Plan by resolution, which vote is recorded in the official minutes of the Plan Commission; and,

WHEREAS, the Pensaukee Town Board held a public hearing on November 9, 2004, which was preceded by a Class 1 Notice provided as described in Wisconsin Statutes Chapter 985, that was published at least 30 days before the hearing was held, and the notice included all of the following information:

1. The date, time and location of the hearing;
2. A summary of the proposed Comprehensive Plan;
3. The name of the individual employed by the Town of Pensaukee who may provide additional information regarding the proposed ordinance;
4. Information relating to where and when the proposed Comprehensive Plan could be inspected before the hearing, and how a copy of the Plan could be obtained; and,

WHEREAS, the Town Board of the Town of Pensaukee, having carefully reviewed the recommendation of the Town Plan Commission, having determined that all procedural requirements and notice have been satisfied, having given the matter due consideration, including consideration of the Plan elements relating to issues and opportunities, agricultural, natural and cultural resources, housing, economic development, transportation, utilities and community facilities, intergovernmental cooperation, land use and implementation, and having determined that the Comprehensive Plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Pensaukee which will, in accordance with existing and future needs, best promote the public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

Page 2-Ordinance No. 2004-11/9  
Ordinance to Adopt a Comprehensive Plan

NOW, THEREFORE, the Town Board of the Town of Pensaukee, Oconto County, Wisconsin, DOES ORDAIN AS FOLLOWS:

Section 1: The Comprehensive Plan recommended by the Town of Pensaukee Plan Commission to the Pensaukee Town Board, attached hereto as Exhibit A, is hereby adopted.

Section 2: The Town Clerk is directed to file a copy of the attached Comprehensive Plan for the Town of Pensaukee with all the following entities:

1. Every governmental body that is located in whole or in part within the boundaries of the Town of Pensaukee;
2. The Clerk of every local governmental unit that is adjacent to the Town of Pensaukee;
3. The Wisconsin Land Council;
4. The Wisconsin Department of Administration;
5. The Bay-Lake Regional Planning Commission;
6. The public library that serves the area in which the Town of Pensaukee is located.

Section 3: SEVERABILITY Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall only apply to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms in conflict.

Section 4: EFFECTIVE DATE. This ordinance will take effect immediately upon passage and publication as provided by law

Adopted this 14th day of December 2004, by a majority vote of the members of the Town Board of the Town of Pensaukee.

Voting Aye: 3 Voting Nay: 0 Abstain: 0

Gary Luedeman  
Gary Luedeman, Town Board Chairperson

Attest:

Joyce Stoegbauer  
Joyce Stoegbauer, Town Clerk

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# **Chapter 1 - ISSUES AND OPPORTUNITIES ELEMENT**

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## **STATE PLANNING ENABLING LEGISLATION**

The comprehensive plan for the town of Pensaukee is a policy document that provides a guide as to where future growth and development should occur within the community.

The plan was adopted under the authority granted by Section 66.1001 of the Wisconsin Statutes and meets the requirements of Wisconsin's "Smart Growth" law (1999 Wisconsin Act 9) which states that, "Beginning on January 1, 2010, any program or action of a local governmental unit that affects land use shall be consistent with that local governmental unit's comprehensive plan."

The town will consult the plan when making decisions relative to land use and other issues impacting the town's natural and cultural resources. The plan should also be consulted by the town when addressing the following issues:

- Official mapping established or amended under s. 62.23 (6).
- Local subdivision regulation under s. 236.45 or 236.46.
- County zoning ordinances enacted or amended under s. 59.69.
- City or village zoning ordinances enacted or amended under s. 62.23 (7).
- Town zoning ordinances enacted or amended under s. 60.61 or 60.62.
- Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231.

## **CONTRACT WITH BLRPC**

In March 2002, the Town of Pensaukee Town Board entered into a contract (#56083) with the Bay-Lake Regional Planning Commission (BLRPC) to develop a comprehensive plan in accordance with Wisconsin's planning law. A 20-month time period was established for the completion of the plan, which began April, 2003. This plan was approved by resolution by the Town of Pensaukee Plan Commission and adopted by ordinance by the Town Board.

## **HISTORY AND DESCRIPTION OF PLANNING AREA**

The town of Pensaukee was formed in 1855, becoming the first town in Oconto County. It included all the land in Township 27 North from the bay of Green Bay to the west side of the county (which at the time included the present day towns of Abrams and Morgan). At the time of incorporation it had three unincorporated communities developing. The settlement of Pensaukee being the largest, Oak Orchard and Brookside, the crossroad community that is now centrally located within the reduced boundaries of the county. The town took its name from the Menominee Indian name for the river "Paissacue", along which the largest community was developing.

The unincorporated village of Pensaukee developed in the area of the original waterwheel powered mill site (including a grist mill) built in 1827 approximately 1 mile from the mouth of the river. It was the first sustained commercial sawmill in the Michigan territory (which included everything west of the great lakes to the Pacific Ocean). Between 1850 and 1852 a new mill site was developed at the mouth of the river, around which the community developed. Oak Orchard developed where a stopping off spot for travelers was built, and commercial fishing in the area circa 1847 was started. This location also had the Treaty Tree where early settlers negotiated with the Indians. Brookside developed at the intersection of two Indian trails, one running north/south (now CTH J) and the other east/west (presently Brookside Road).

At the height of the logging industry, there were seven dams on the Pensaukee River with at least three mills operating at one time. The later mills were eventually powered by steam. Surrounding the mill site, as at all mill locations, a farming community developed. This was a necessity, as people had to grow the basic needs for the camp. This also led to adding a needed gristmill to grind the grain. As the timber needed was logged, people began purchasing or homesteading on land to establish farms. Many would log in the winter and clear land and till soil in the summer.

By the 1870's, the town had established roads and schools. Some of the communities built churches, general stores and necessary trade people established. However, the communities in the town suffered enormous loss of timber as well as loss of some property during the fire in the fall of 1871, commonly referred to as the Peshtigo Fire, which culminated on Oct. 8.

The Pensaukee tornado of 1877 nearly destroyed the entire village on the river, plus doing damage as it approached. The lumber, milling and gristmills, plus the machine shops of the Gardner Company and most of the homes and businesses were demolished. The community was rebuilt, including the mills, only to see them close in 1884. The economy of the village then completely switched to commercial fishing and businesses to support the surrounding growing farms.

By the early 1900's, the town of Pensaukee had no evidence of its first major industry. The village of Pensaukee had the appearance of a typical fishing village with a row of fish shanties along the river, boats moored in front of them and nets being dried on net reels along shanty sides and smokehouses. There was a business district consisting of several hotels, general store, saloon and necessary trades. The community of Brookside was now about equal in commercial district size, but with fewer free standing homes. Both were bustling little communities, which remained through the 1940's and 50's surrounded by farms. The community of Oak Orchard never developed commercially. As modern society advanced and the supply of fish decreased, the town contains an entirely different economic base. With modern transportation, most of the stores are gone, as are the hotels, schools, churches and feed mills.

Presently the town of Pensaukee encompasses an area of over 35 square miles, or 22,570 acres. USH 41 and the Pensaukee River dissect the town that consists of nearly 50 percent woodlands (11,166 acres) and approximately 6,427 acres of wetlands. The town has become an area of farming, residential dwellings, plus a majority of residents are commuters to the cities of Green Bay, Oconto, etc. Development pressure is felt in the town today due to much of the growth continuing northward from the city of Green Bay and lands being limited for development based on the town's many sensitive areas (e.g., wetlands, floodplains, etc.).

## **COMMUNITY COMPREHENSIVE PLANNING PROCESS**

The planning process was completed in four stages. ***Initially***, in 2002, the town of Pensaukee conducted an issues identification workshop (Appendix C) and mailed a community-wide survey (Appendix B) to residents in order to identify issues and concerns relative to land use and development within the town.

The ***second stage***, inventory and interpretation, began with the collection of data on existing conditions within the community. The data was then analyzed to identify existing and potential problem areas. Using results from the community wide survey, as well as background data compiled during the inventory stage, the Town Plan Commission developed an overall vision statement as well as goals, objectives, policies and programs for each of the nine elements required in the comprehensive plan under "Smart Growth".

The **third stage** was the development of the General Plan Design. The first two stages were combined to create a recommended land use plan to guide future conservation, growth and development within the town over the next twenty years. The preliminary General Plan Design was presented to the citizens of the community as well as nearby municipalities and government organizations for their review and comment. The comments were considered and included in the final General Plan Design map and document.

The **fourth stage**, established the tools necessary for implementation of the plan. Recommendations for regulatory techniques including zoning, and an action plan were established to ensure that the intent of the plan will be achieved.

## **PLAN CONTENTS**

This comprehensive plan contains nine chapters that correspond to the nine elements required by Section 66.1001 of the Wisconsin Statutes: **Chapter 1:** Issues and Opportunities Element, contains a summary of demographic information on the community, a vision statement, and overall goals, objectives, policies and programs of the plan; **Chapter 2:** Agricultural, Natural and Cultural Resources Element, provides goals, objectives, policies and programs and description of the physical setting and cultural resources of the planning area; **Chapter 3:** Housing and Population Element, presents goals, objectives, policies, and programs as well as information on the demographics of the community and on future population and housing growth; **Chapter 4:** Economic Development Element, contains goals, objectives, policies and programs and a development strategy regarding future and existing economic conditions within the community, including an inventory of the labor force and an analysis of the community's economic base; **Chapter 5:** Transportation Element, presents goals, objectives, policies and programs and an inventory of the existing transportation system and an overview of transportation needs; **Chapter 6:** Utility and Community Facilities Element, contains goals, objectives, policies and programs and an inventory of the community's facilities, including schools, recreational opportunities and town utilities; **Chapter 7:** Intergovernmental Cooperation Element, contains goals, objectives, policies and programs for joint planning and decision-making with other jurisdictions, including school districts and adjacent local governmental units; **Chapter 8:** Land Use Element, contains goals, objectives, policies, and programs and a land use inventory for the community, a projection of future land use demands, and the General Plan Design for the town; **Chapter 9:** Implementation Element, contains a strategy and action plan to assist implementation efforts.

## **PUBLIC PARTICIPATION**

A major element of the comprehensive planning process is public participation. In accordance with Wisconsin State Statute 66.1001(4), which defines "Procedures For Adopting Comprehensive Plans", the town adopted written procedures in June 2002 (Appendix A) that will be followed in order to involve the public in the comprehensive planning process to the greatest extent practicable. The town conducted approximately 15 public meetings, as well as held two "Open Houses" to present background information and plan recommendations to the public. Appendix H is the town of Pensaukee's response to public comments received during the mandatory public review period. The town based much of its planning on the issue identification workshop (Appendix C), town wide survey (Appendix B), background information, trends, analysis and public input.

## **Community Survey Results**

In 2002, a total of 743 community surveys were sent out by UW-Extension Oconto County, with 269 of those surveys being filled out and returned. However each survey had an option for more than one response, thus several surveys had multiple replies for a total of 414 responses overall. The town-wide survey identified several issues, including promoting tourism for economic development, a vision of a mixture of rural residential and agriculture and protecting property values. Respondents also indicated the possibility of small businesses along the bay shore, the expansion of public access to the Pensaukee River and the need to plan carefully in order to avoid the need for creation/expansion of future infrastructure.

The results of the town of Pensaukee community survey can be found in Appendix B of this document.

## **Vision Statement**

According to Wisconsin's "Smart Growth" Law, the town is required to develop a vision statement that describes what the town will be like in the next twenty years as well as a description of the policies and procedures that will lead them there.

*"Located in southeastern Oconto County, on the western shores of Green Bay, the Town of Pensaukee is a rural community that promotes strategically planned residential and commercial growth while preserving its various natural resources. The town of Pensaukee is defined by its vast woodlands, open spaces and agricultural lands, while new developments are directed in a manner that discourages urban sprawl. Residents and visitors enjoy the scenic highways and quiet rural atmosphere that Pensaukee has to offer. Recreational opportunities continue to be provided by the town's many natural resources, the bay of Green Bay, and the Pensaukee River, which meanders through the town."*

*The town of Pensaukee's quality of life has been enhanced through the implementation of its Comprehensive Plan, increased public participation and intergovernmental cooperation. The town's planning efforts continue to strive for orderly growth and improved community services, while preserving and enhancing the rural atmosphere enjoyed by past and present generations."*

## **Goals, Objectives, Policies & Programs**

The following statements describe the town's intent regarding the overall growth and development over the next 20 years.

Goals, objectives, policies and programs each have a distinct and different purpose within the planning process:

- **Goals** - describe desired situations toward which planning efforts should be directed. They are broad and long range. They represent an end to be sought, although they may never actually be fully attained.
- **Objectives** - are measurable ends toward reaching a defined goal.
- **Policies** - are a rule or course of action used to ensure plan implementation.
- **Programs** - are a coordinated series of policies and actions to carry out the plan.

### **Goal: Overall Planning**

The goal of the town of Pensaukee will be to develop a 20-year comprehensive plan to serve as a guide for assisting local officials in making land use decisions that reflect the town of Pensaukee's vision of orderly growth and preservation of its natural environment.

#### *Objectives:*

1. Prepare a 20-year comprehensive plan as described in the Wisconsin Comprehensive Planning Law, known as "Smart Growth" (s. 66.1001 Wisconsin State Statutes).
2. Develop a 20-year comprehensive plan in order to:
  - best reflect the interests of all the town's residents,
  - follow an orderly and cost efficient method when developing and
  - preserve significant features of the community.
3. Periodically review and update, when necessary, the adopted 20-year comprehensive plan in order to provide for the greatest possible benefits regarding future developments such as residential, commercial, industrial, etc. and preservation of significant features such as natural, historical and cultural resources.

#### *Policies:*

1. The Town Plan Commission will continually use the plan as one of the primary guides for recommendations to the Town Board regarding current and future land uses.
2. This 20-year plan will be consulted by the Town Plan Commission, Town Board and other units of government before making any decision regarding land use and land use policies.
3. Review existing town and Oconto County ordinances as they relate to the implementation of this plan.
4. Work with Oconto County to update the town's zoning map in order to be consistent with the text and General Plan Design map in Chapter 8 of this document.
5. Utilize the Official Map ordinance to designate future road right-of-ways and any future parklands/trailways the town would like to see developed.
6. Present the adopted 20-year comprehensive plan to neighboring municipalities and Oconto County as discussed within the Implementation element of the plan.
7. Encourage cooperation and communication between the town, neighboring municipalities and county government in implementing this 20-year plan.

#### *Programs:*

1. Hold Town Plan Commission meetings/working sessions to review the adopted 20-year comprehensive plan and make amendments to accommodate changing conditions.
2. As an option, the town may hold community planning related efforts/meetings with adjacent communities, the media and private organizations to publicize ongoing

planning projects and plan implementation projects identified within this comprehensive plan and to educate the public, promote support, obtain new insight and provide for new ideas.

## **BACKGROUND INFORMATION SUMMARY**

The following summary includes information regarding population and employment forecasts, as well as demographic trends, age distribution, education levels, income levels and employment characteristics that exist within the town.

### **Existing Conditions**

#### **Demographic Trends**

The town of Pensaukee experienced its highest population in 1910 (1,831 people), with a major decline to 1920 (901 people). After a population low of 795 in 1930, the town's population increased slightly and remained relatively steady until 1980 when it reached 1,000 people. The population had again increased from 979 in 1990 to 1,214 in 2000. Based on recent trends, the population is projected to gradually increase throughout the remainder of the 20-year planning period. The town has experienced (over the past three decades 1980, 1990, and 2000) fluctuations in its age structure with most of the town's population being between the ages of 25 and 54 in 2000. In addition, the town's median age increased from 24.4 in 1980 to 38.6 in 2000. The town of Pensaukee also continues to consist of more males than females.

#### **Age Distribution**

In 2000, the working age group (16+) accounted for 79 percent of the total population, while the school age group (5-17) accounted for 18 percent of the population. The retirement age group (65+) accounted for 11 percent of the total population. The largest age group in 2000 was from 35 to 44. With declining numbers of those ages 20 and younger, the town and surrounding areas could experience a shortage of their workforce. In addition, an increasing elderly population may lead the town to spend more on services to accommodate the aging population over the next twenty years.

#### **Education Levels**

Table 1.1 illustrates the levels of education that individuals age 25 and over have completed for the town of Pensaukee, Oconto County and Wisconsin. As of 2000, 46.8 percent of individuals in the town 25 years of age and over were high school graduates (includes equivalency). This is a higher percentage than Oconto County and the State of Wisconsin. Also, the percent of town residents that received a bachelor's degree or higher was 10.8 percent in 2000.

Table 1.1: Educational Attainment (Age 25 & Over), 2000, Town of Pensaukee & Selected Areas

Education Level	Town of Pensaukee Number	Town of Pensaukee Percent	Oconto Co. Percent	Wisconsin Percent
Less than 9th grade	40	5.0	7.4	5.4
9th to 12th grade, no diploma	105	13.0	12.0	9.6
High school graduate (includes equivalency)	377	46.8	45.1	34.6
Some college, no degree	140	17.4	18.3	20.6
Associate degree	56	7.0	6.6	7.5
Bachelor's degree	61	7.6	8.0	15.3
Graduate or professional degree	26	3.2	2.6	7.2
Percent high school graduate or higher		82.0	80.6	85.2
Percent bachelor's degree or higher		10.8	10.6	22.5

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, DP-2; and Bay-Lake Regional Planning Commission, 2004.

## Income Levels

In 1989, the median household income for the town of Pensaukee was \$30,625. By 1999 (reported in 2000 Census), the median household income for the town increased by \$17,473 up to \$48,098.

In 2000, the municipal per return income reported in the town of Pensaukee was \$38,665, which was a 16.1 percent increase from 1997. Per return income is based on income tax returns filed in the year cited to the Wisconsin Department of Revenue.

## Employment Characteristics

For the period 1991 to 2001, the civilian labor force in Oconto County increased by over 18 percent, the number of unemployed decreased by 23 percent and the number of employed increased by 24 percent. The unemployment rate experienced a high of 10.5 percent in 1991 and a low of 4.4 percent in 1999.

In 2000, the majority of people in the workforce in the town of Pensaukee were employed by the manufacturing industry, 33 percent. The educational, health and social services group was the second highest employment percentage in the town with 13.9 percent.

## FORECASTS

Expanded text, tables, and figures are provided in later chapters to further explain and describe the forecasting methods used for the following information on population, housing and employment.

## Population

In 2003, the Wisconsin Department of Administration (WDOA) Demographic Services Center prepared population projections to the year 2025. The WDOA indicated that the town of Pensaukee is projected to have a population of 1,548 persons by 2025. This results in an increase of 334 people from the 2000 Census population of 1,214. In order to provide a range of population projections for the next 20 years, two alternative population projections were also created by the Bay-Lake Regional Planning Commission. The projections extend out to 2025 and should be reviewed to determine whether or not they affect the comprehensive plan strategies.

One of the additional methods used to project a future population was developed by using the census figures from 1970 to 2000 and creating a linear trend series to the year 2025. This method identified a projected year 2005 population of 1,243 persons, a 2010 population of 1,272 persons, a 2015 population of 1,324, a 2020 population of 1,375 and a projected year 2025 population of 1,427. According to this linear projection, the town of Pensaukee's 2000 population will increase by 213 people, or 17.5 percent by the year 2025.

The second alternative projection also utilizes the U.S. Census figures from 1970 through 2000, but creates a growth trend series to the year 2025. This growth trend projection identifies a projected year 2005 population of 1,254 persons, a 2010 projection of 1,293 persons, a 2015 population of 1,361, a 2020 population of 1,429 and a projected year 2025 population of 1,505. Therefore, it is projected that the town of Pensaukee's 2000 population will increase by 291 people, or 24 percent by the year 2025.

### **Housing**

The total number of housing units within the town of Pensaukee (as reported by the U.S. Census) increased from 1970 to 2000 by 225 housing units. In 2000, there were 562 total housing units, which resulted in a 67 percent increase since 1970.

Using the census occupied housing unit counts from 1970 to 2000 and population information taken from the census data, a "high growth" and a "low growth" set of housing unit scenarios was created. These scenarios use past housing unit trends and extend them into the future. If the "low growth" housing scenario occurs there will be an estimated 160 additional occupied housing units in the town in 2025. If the "high growth" housing scenario should occur, there will be an estimated 303 new housing units for permanent residents by 2025.

By using the Wisconsin Department of Administration (WDOA) projection, a housing scenario of 191 new occupied units was selected by the town of Pensaukee in order to determine the amount of land that needs to be allocated for possible residential growth during the 20-year planning period. Also, housing demand does not always mean the construction of new homes. It may also suggest occupying vacant units whenever possible. According to the 2000 Census, Pensaukee has 23 such vacant units.

### **Employment**

The Wisconsin Department of Workforce Development created the *Wisconsin Detailed Industry Employment Projections, 2000-2010*, a projection for industries, occupations, and the labor force. These projections are for all of Wisconsin. According to the Department of Workforce Development, in 2010, the Services industry is projected to continue to be the industry with the largest share of employment followed by wholesale and retail trade, and manufacturing. The Service jobs along with wholesale and retail trade will continue to increase, whereas the manufacturing employment is projected to decrease by 2010. Occupations in manufacturing are expected to move away from general labor positions to more semi-skilled and skilled operator and technician jobs. This is due primarily to production processes that are more efficient and new available technology.

Service industry employers are projected to increase the number of jobs to the state's labor market by 19 percent by 2010. The largest divisions within this industry group are projected to be business services, educational services and health services. The wholesale and retail trade industry is projected to increase the number of jobs by 10 percent. The manufacturing industry is projected to lose approximately two percent of its jobs by 2010.

## **Chapter 2 - AGRICULTURAL, NATURAL AND CULTURAL RESOURCES**

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### **INTRODUCTION**

The town of Pensaukee, located in southeastern Oconto County, is found along the shores of Green Bay and is bordered by the towns of Little Suamico, Abrams, Stiles and Oconto. The town also contains the unincorporated communities of Brookside and Pensaukee. Nearby communities include the city of Oconto, five miles to the north; city of Oconto Falls, nine miles northwest; village of Lena, 12 miles northwest and the city of Green Bay located 20 miles south of the town. The location of the town of Pensaukee relative to the state of Wisconsin is shown on Map 2.1, while Map 2.2 focuses on the town of Pensaukee.

The natural resource base of the town is one of many determinants of the town of Pensaukee's development potential and ability to provide a pleasant and habitable environment. The principal elements of the natural resource base are climate, topography, geology, soils, and natural areas, including woodlands, wetlands, and water resources. Knowledge and recognition of these elements and their interrelationships is essential so that human use and alteration of the natural environment does not advance at the risk of excessive costs in terms of major public expenditures and the destruction of nonrenewable or slowly renewable resources.

This section is intended to provide an inventory of the agricultural, natural, and cultural resource features which may affect (and be affected by) land use development within and around the town of Pensaukee. The identification and an understanding of the town's significant natural, agricultural and cultural features are essential to forming decisions relative to the preferred location and density of future development.

### **SUMMARY AND IMPLICATIONS**

The town of Pensaukee is a rural community that contains agricultural land, forestlands, a variety of natural amenities and the bay of Green Bay makes up the entire eastern edge of the town. The town has several creeks, the Pensaukee River, in addition to having approximately 6,427 acres of wetlands. The town's landscape also consists of several areas of woodlands, vast open fields, etc. Several sites of historic importance also exist within the town. The town relies on a good groundwater source to provide its residents with safe drinkable water. Floodplains in the town exist primarily along the Green Bay shoreline. Presently there are no air quality concerns for the town. Both rare and endangered species exist within Oconto County and have also occurred within the town of Pensaukee. The town also has plenty of wildlife habitats available for the diverse fauna that lives within the area.

The town of Pensaukee contains a large amount of scientific and natural lands including: Charles Pond, the Pensaukee Lacustrine Forest, the Oconto County Forest and Green Bay Shores Wildlife Area. These natural resources along with others found throughout the town will need to be monitored and in some cases protected in order to preserve them for future generations. As growth pressures increase, the town will need to consider future impacts on these resources against any proposed future gains. Community "character" will be of importance as well, since preserving/promoting a sense of place is important for all communities. Protecting entryways into the town as well as considering the visual impacts along transportation corridors will greatly

assist the town in reaching its vision. Working closely with local businesses and Oconto County will be needed to best manage these high profile locations.

## **NATURAL RESOURCES STRATEGY**

### ***Goals: Natural Resources***

1. Preserve the role and the beauty of the town's natural landscape.
2. Protect the important natural landscape features such as woodlands, wetlands, floodplains, streams, bay shore, steep slopes and the town's air quality.

### ***Objectives:***

1. Encourage enforcement of existing regulations in environmentally sensitive areas.
2. Development adjacent to rivers, streams, wetlands and Green Bay should be carefully planned in order to not negatively impact these areas.
3. Have clearly identified natural areas for protection.
4. Encourage clustering of development to limit sprawl and its many negative attributes.

### ***Policies:***

1. Identify key natural resources and protect them through the use of the Environmental Corridors designation on the General Plan Design (Map 8.5).
2. Educate residents about flood risks, shoreland and wetland preservation, steep slope risks and discourage development within this plan's identified environmental corridors.
3. Identify and protect the open spaces and wildlife habitats from development to preserve the town's identified scenic areas.
4. Promote wetland restoration projects.
5. Promote the town's many scientific and natural areas (i.e., Charles Pond, Pensaukee Lacustrine Forest, etc.).
6. Promote forest crop management practices to enhance the town's woodland areas.
7. Require that all resource extraction activities are conducted in a way that minimizes their impact on the surrounding environment.
8. Support the enforcement of rules on private sewage systems and encourage better state level enforcement of rules governing solid hazardous waste disposal and wells.
9. Support the use of density bonuses for developers in order to preserve natural resources.
10. Coordinate the town's efforts to preserve natural resources with adjoining municipalities and state agencies.
11. Encourage a buffer area (a zone of no buildings) around delineated wetlands.

***Programs:***

1. Work with Oconto County on informational programs and brochures regarding natural resources to educate and inform the public.
2. Work with the towns of Little Suamico, Abrams, Stiles and Oconto, and Oconto County to further explore ways to best utilize or preserve natural features within the town and surrounding areas - such as through Wisconsin Department of Natural Resources (WDNR) grants for river protection plans, coastal management, etc.
3. Work with the county to ensure enforcement of floodplain zoning, conservancy zoning and shoreland zoning ordinances to protect water quality.
4. Utilize the town's authority to have an Official Map and identify features the town plans on preserving.

***Goals: Agricultural Development/Preservation***

1. Preserve the most productive farmland in the town for continued agricultural use.
2. Protect the existing farm operations from conflicts with incompatible uses.

***Objectives:***

1. Identify the town's prime farmlands for preservation.
2. Have an orderly changeover of less productive agricultural lands to other uses.
3. Non-farming uses will be buffered from agricultural lands in order to lower the number of possible nuisance complaints regarding these agricultural lands.
4. Consider cooperation agreements with neighboring communities on all land development types to limit locating incompatible land uses adjacent to one another.

***Policies:***

1. Discourage development on soils that have been identified as being prime agricultural areas thus encouraging the use of these lands for farming purposes only.
2. Conduct a "Cost to Benefit" comparison on all future agricultural land conversions to ensure the town is not negatively impacted by the change in use (e.g., cost of services).
3. If large tracts of farmlands are to develop, then a planned unit development approach as opposed to a piece by piece method over long time periods should be utilized, this will alleviate fragmentation within the town and help lower development pressures.
4. Promote clustering and conservation designs for future housing developments in order to preserve contiguous lands for future farming.
5. Existing and future developments of the town are encouraged to be buffered from areas that are to remain in agricultural production with suggested types of buffers to include earth berms, planting of trees and or shrubs.
6. Work with farmers looking to retire from farming and thus wanting alternative uses for their lands.

***Programs:***

1. Establish a sub-committee that will work with the county and state to develop informational material regarding farmer's rights and what they need to do in order to farm.
2. Work with the county and state agencies to promote innovative programs which ensure the protection of farmlands - such as Purchase of Development Rights (PDR) and Transfer of Development Rights (TDR).
3. The Town Board and Town Plan Commission are encouraged to meet/consult with the nearby communities, Oconto County, BLRPC and the state to ensure cooperation in future land use planning - especially with those lands on the periphery of the town.

***Goal: Sand and Gravel Mining Resources***

Existing and future mining sites will not negatively impact the environmental features within the town or its existing developments.

***Objectives:***

1. All possible mining sites will be identified and mapped by Oconto County for the town's use.
2. Incompatible uses with mining will be well buffered from and will not develop adjacent to one another.
3. Scenic/key views, the natural environment and rural characteristics will not be harmed by mining operations.

***Policies:***

1. The town will steer incompatible uses away from identified mining sites.
2. The town will work with surrounding towns and Oconto County to ensure all abandoned, present and future mining operations will someday be reclaimed to a natural setting.
3. The town will inform residents of any future mining sites.

***Programs:***

1. The town will work with the surrounding towns and Oconto County to locate possible mining sites within the town of Pensaukee and surrounding area.
2. The town will work with the surrounding towns and Oconto County to ensure that incompatible uses do not develop adjacent to potential or existing mining sites.

***Goal: Historic, Archeological and Cultural Sites***

Historic, archeological and cultural locations and structures should remain preserved for the town, where appropriate.

***Objectives:***

1. To preserve buildings (churches, historic homes and buildings), structures (out buildings, bridges, etc.) and other landscape features (cemeteries, fence lines, etc.) that are the town's cultural history.
2. Identify the historic, archeological and cultural locations to the town residents, for their information and possible use.

***Policies:***

1. Support the preservation and maintenance of historic, archeological, and cultural sites in the town.
2. The town should discourage the destruction of these sites and will not allow incompatible uses around them that would have negative impacts on the resource.

***Programs:***

1. The town will work with federal, state and county agencies to ensure all sites are identified and appropriately protected.
2. Develop a sub-committee to work with the Historical Society that will explore the future integration of these areas into possible recreation sites, in conjunction with the surrounding towns and counties.
3. Utilize festivals/celebrations to honor historic individuals and/or events.
4. Wisconsin Historical Society, Office of Preservation and Planning (OPP) - is the agency that can assist local communities on providing information on how you can preserve and protect historical properties, assist in grassroots strategies for preservation and protection of historical properties, can provide information on state and federal laws and regulations.

**Goals: Water Supply - Groundwater and Surface Water**

1. Maintain or improve groundwater and surface water quality within the town.
2. Development adjacent to rivers, streams, wetlands and the bay shore will be carefully planned in order to not negatively impact these areas.

***Objectives:***

1. Work with Oconto County to identify the recharge areas for wells to know the areas that need to be protected to ensure a safe drinking water supply.
2. Have identified potential contaminant sources within the recharge area for wells in order to identify threats to the water resource.
3. Have long-term plans to address potential recharge areas and their threats.

***Policies:***

1. Support the development of long-term plans (Wellhead Protection or Source Water Protection plans) protecting the town's water resources.

2. Consider adopting appropriate ordinances protecting water sources.
3. Work with other jurisdictions that have protective ordinances or identified plans for water protection that extend within the town.
4. Continue to work with Oconto County to ensure all septic systems are in good working order and giving citations to residents that are not complying.
5. Support agricultural and erosion control programs that are targeted to assist private landowners.

***Programs:***

1. Work jointly with neighboring communities, Oconto County and state agencies to develop and adopt protective measures to best preserve the town's water supply.
2. Local landowners should be encouraged to follow stormwater management plans, agriculture best management practices, erosion control ordinances, etc., to preserve water quality.
3. Consider developing ordinances restricting placement of onsite systems - to overcome the limitations on development that were removed with the passage of COMM 83's revisions.
4. Encourage residents to become educated and participate (if eligible) in the Pensaukee River Priority Watershed Project (see page 2-10 of this document).

***Goal: Wildlife Resources***

Maintain the town's diverse wildlife habitat for all town residents to enjoy.

***Objectives:***

1. Protect the town's areas of rare, threatened and endangered species.
2. Maintain connections among wildlife habitat areas.

***Policies:***

1. Support the preservation of key habitat areas and large undeveloped contiguous natural areas (i.e., Oconto County Forest, Green Bay Shores Wildlife Area, etc.).
2. Support neighboring jurisdiction's wildlife preservation plans.
3. Incorporate natural resource areas in plans for parks and open spaces.
4. Promote the utilization of native species when landscaping.

***Programs:***

1. The town is encouraged to work with federal, state and county agencies to seek funding for habitat protection.
2. Build partnerships with other interest groups such as local hunting and fishing chapters, WDNR, Ducks Unlimited, Trout Unlimited, National Wild Turkey Federation, Whitetails Unlimited, Prairie Enthusiasts, the Nature Conservancy, and many local land trusts.
3. Work with private landowners to promote sustainable forestry practices - which are supported by state tax incentives under the Managed Forest Law.

4. Stewardship Grants for Nonprofit Conservation Organizations - provide funding for the acquisition of land or easements for conservation purposes, and restoration of wildlife habitat. Nonprofit conservation organizations are eligible to apply. Priorities include acquisition of wildlife habitat, acquisition of lands with special scientific or ecological value, rare and endangered habitats and species, acquisition of stream corridors, acquisition of land for state trails and restoration of wetlands and grasslands. The Department of Natural Resources administers these grants.

#### ***Goal: Parks and Recreational Lands***

Ensure residents have safe recreational sites within the town that provide a variety of activities to serve various age and interest groups in the community.

#### ***Objectives:***

1. Ensure well maintained recreational sites and trails within the town, to include access to the waters of Green Bay.
2. Utilize identified environmental corridors for public parks and recreational use.

#### ***Policies:***

1. The town should work with the county to consider the development of future recreational lands within the town and county.
2. The town needs to discuss future trailway development with residents as well as affected property owners.
3. Future recreational areas should be interconnected with a trail system.
4. Use the town's official mapping powers to preserve areas designated for future park and recreational uses.
5. Consider access for the disabled, elderly and very young when planning, designing, and constructing all new recreation projects, including parking, trails, etc.
6. Incorporate scenic resources in plans for parks and open space.

#### ***Programs:***

1. Through a Town Plan Commission sub-committee, work with the county and state in identifying future recreational areas.
2. Through the use of the sub-committee, work with adjoining towns to design interconnecting trailways.
3. Recognize the potential of public and private donations for funding park system improvements.

#### **CLIMATE**

Climate in and around the town of Pensaukee is typical of northeastern Wisconsin. The climate is classified as continental with cold winters, moderate snowfall, and warm summers with periods of hot, humid conditions. The average annual rainfall is approximately 30 inches with the maximum occurring during June and July, and the minimum during January and February. The growing season averages approximately 150 days.

Weather conditions are favorable for agricultural and forestry purposes. The climate is suitable for most urban and rural activities and does not severely interfere with the movement of vehicles and goods; however, construction activities can be affected by the extreme cold of winter.

## **GEOLOGY**

### **Glacial Geology**

Glacial geology is the visible surface remnants of what the glaciers left behind. Oconto County is located in an area glaciated during the Pleistocene epoch. The surface features of Oconto County are the result of the movement of the Green Bay lobe of the Continental Glacier. The glaciers generally moved in a northeast to southwest direction as indicated by existing drumlins and eskers. Deposits left by glaciers are divided into two types: till, which is unsorted debris deposited directly from the ice with little or no reworking by water; and sorted and stratified water-laid deposits noted as glacio-fluvial deposits. The entire town of Pensaukee consists of stratified lake deposits containing clay, silt and sand.

### **Bedrock Geology**

Ordovician rock units from the Paleozoic Era (approximately 425-500 million years in age) underlie the entire southeastern portion of Oconto County. These mainly sedimentary rock units consist of the Sinnippee group, composed of carbonates with some limestone and dolomite; the Ancell group, made up of orthoquartzitic sandstone with small amounts of limestone, shale and conglomerate and the Prairie du Chien group, consisting of dolomite with some sandstone and shale. In most areas of southern Oconto County these rock units are approximately 300 feet thick and vary in depth from the surface from between zero to 100 feet. Map 2.3 illustrates the bedrock geology within the town of Pensaukee.

## **SOIL LIMITATIONS**

### **Private Sewage Systems**

The town relies on private sewage systems for the majority of their residents. According to the Natural Resource Conservation Service, severe limitations mean soil properties or site features are so unfavorable or so difficult to overcome that special design, significant increases in construction costs, and possibly increased maintenance are required. Moderate limitations mean soil properties or site features that are not favorable for the indicated use may require special planning, design, or maintenance to overcome or minimize limitations. Slight limitations mean soil properties and site features are generally favorable for the indicated use and limitations are minor and easily overcome.

Without consideration of the properties of the soils, private sewage systems may fail and collection systems may require expensive and frequent maintenance. Factors which are considered when evaluating soils for on-site waste systems are high or fluctuating water table, bedrock, soil permeability and flooding frequency.

New technologies for private sewage systems are allowed under the revised COMM 83 health and safety code. The code will allow the use of soil absorption systems on sites with at least six inches of suitable native soil. The revised code gives property owners the opportunity and flexibility to meet environmental performance standards with several treatment technologies.

The code will allow for infill development where it was not permitted previously by the former plumbing code as interpreted by the Department of Industry, Labor and Human Relations (DILHR). Due to the revised COMM 83 code, housing and population density will likely

increase in some areas. This in turn may increase the need for land use planning and integration of environmental corridors to address the adverse impacts related to development. Planning along with land use controls (e.g., zoning) will help achieve more efficient development patterns.

### **Basements**

Within the *Oconto County Soil Survey*, the NRCS provides information on the suitability and limitations of soils for a variety of natural resource and engineering uses. In particular, the soil survey provides information on the limitations of each soil for building site development including the construction of dwellings with basements. Dwellings are considered to be structures built on shallow excavations on undisturbed soil with a load limit the same as for a single family dwelling no higher than three stories. The ratings are based on soil properties, site features and observed performance of the soils.

According to the Natural Resources Conservation Service, *severe limitations* mean soil properties or site features are so unfavorable or so difficult to overcome that special design, significant increases in construction costs, and possibly increased maintenance are required. *Moderate limitations* mean soil properties or site features that are not favorable for the indicated use may require special planning, design, or maintenance to overcome, or minimize limitations. *Slight limitations* mean soil properties and site features are generally favorable for the indicated use and limitations are minor and easily overcome. Refer to the *Oconto County Soil Survey* for additional information regarding soil limitations for building site development. Map 2.4 shows the suitability for dwellings with basements.

### **Prime Agricultural Lands**

Approximately 33 percent of the town's land is classified as being prime agriculture lands. These lands are found primarily in the western and southern portions of the town. However, the western half of the town generally has better soils for farming. Two classes of prime farmland are identified; those areas where all land is prime farmland (1,095 acres) and those areas that are considered prime farmland with conditions (i.e., only when drained) (6,380 acres). The rest of the town soils are classified as not being prime farmland and are located in and adjacent to wetland areas. Map 2.5 shows these areas of prime farmland.

### **TOPOGRAPHY**

The topography within the town of Pensaukee reflects the previously described glacial geology, with landscapes fluctuating from level to rolling. Elevations within the town vary by approximately 80 feet. The highest elevations, 660 feet above mean sea level, are in the northwestern portion of the town. The lowest elevations, approximately 580 feet above mean sea level, are in the areas along the bay of Green Bay. The town of Pensaukee contains approximately 11 acres of steep slope (slope 12 percent or greater). The areas of steep slope in the town are found in along Brookside Creek and along CTH J in the northwestern portion of the town. Map 2.6 illustrates the areas of steep slope based on soils characteristics within the town.

### **WATER RESOURCES**

#### **Watersheds**

There are two major watersheds in the town of Pensaukee, the Pensaukee River and the Lower Oconto River watersheds (Map 2.7). These watersheds are part of the Upper Green Bay basin. The Pensaukee River watershed originates in eastern Shawano County and flows east through Oconto to Green Bay. This watershed is also a valuable spawning habitat for some Green Bay

sport fish species. The primary land use in the watershed is agricultural. This watershed covers the majority of the town of Pensaukee.

### ***Pensaukee River Priority Watershed Project***

The Pensaukee River Watershed was designated a "priority watershed project" in 1994 and began planning in 1995. The Nonpoint Source Control Plan was approved by the State Land & Water Conservation Board in December 1996 and implementation has since begun. The project implementation period is 10 years (ending December 31, 2007). During that time, cost share agreements with eligible landowners may be signed. This project provides cost sharing and technical assistance to landowners within the Pensaukee River Watershed who wish to install conservation practices on their land. It is funded by the Department of Natural Resources and administered at the local level by the Shawano and Oconto County Land Conservation Departments. The primary objective of the project is to reduce nonpoint source pollution loads (e.g., eroding agricultural lands and stream banks, runoff from livestock wastes, agricultural practices, erosion from developing areas and runoff from established urban areas) and to enhance and protect the water quality of the streams, lakes and groundwater within the Pensaukee River Watershed. This will ultimately reduce the nonpoint pollutant loads flowing out of the Pensaukee system into the bay of Green Bay. For more information, contact the Oconto County Land Conservation Department.

The Lower Oconto River Watershed is located in central Oconto County with small portions extending into northern Shawano and eastern Menominee counties and drains into Green Bay. Three hydroelectric power dams operate on the Oconto River in this watershed. There is some agricultural activity along with several small communities in this watershed. This watershed covers the northern portions of the town of Pensaukee.

### **Groundwater**

In the town of Pensaukee, the groundwater comes from the Mount Simon aquifer, which is the lowermost aquifer of the Cambrian-Ordovician aquifer system. It consists of the coarse to fine grained Mount Simon Sandstone and the Bayfield Group in Wisconsin. The Mount Simon aquifer underlies the southern two-thirds of the state and has the broadest distribution of any of the aquifers in the Cambrian-Ordovician aquifer system. Wells penetrating the Mount Simon aquifer in Wisconsin generally are open to overlying Cambrian-Ordovician aquifers. These aquifers are collectively called the sandstone aquifer.

To protect these aquifer systems, the town should be aware of potential sources of contamination. In Wisconsin, several primary sources for groundwater contamination are agricultural activities, municipal landfills, leaky underground storage tanks, abandoned hazardous waste sites, and spills. Septic tanks and land application of wastewater are also sources for possible contamination. The most common groundwater contaminants are nitrate-nitrogen and phosphorus, which comes from fertilizers, animal waste storage sites and feedlots, etc. Excessive or improper application of manure and fertilizer is Wisconsin's leading source of nitrate pollution in groundwater. Those nutrients (i.e., nitrogen and phosphorus) that plants cannot use will leach into the groundwater thus contributing to groundwater contamination. In addition, since phosphorus seldom leaches to any significance in the soil, it may also be carried away with the soil sediment into surface water bodies, subsequently causing excessive growth of aquatic plants (e.g., algae blooms).

In order to help protect against the contamination of water resources, the Wisconsin Department of Natural Resources (DNR) has ranked each watershed within the Green Bay basin based on land coverage and groundwater sample results in the DNR's Groundwater Retrieval Network (GRN) database. Each watershed was then given a score and short description of the land cover and groundwater sample analytical data that determined the score. A score of 20 or more is considered medium for groundwater contamination potential. A score of 30 or greater, the score is considered high. Below are the scores and description for the watersheds in the town of Pensaukee.

**Table 2.1: Groundwater Contamination Potential Rankings by Watershed**

Watershed	Score	Comments
Pensaukee River	72.76	Land cover is 61% agricultural and there is one confined animal feeding operation (which consists of the equivalent of 1,000 animal units).
Lower Oconto River	45.68	Land cover is 44% agricultural.

Source: The Upper Green Bay Basin Plan, WDNR, 2001.

### **Lakes**

According to the Wisconsin Department of Natural Resource's publication of Surface Water Resources of Oconto County there are no named lakes in the town of Pensaukee. However the town is adjacent to the bay of Green Bay. The town has approximately 9.5 miles of Green Bay shoreline. Public access is available at the Oconto County Boat Landing in the unincorporated community of Pensaukee, in addition to various other county boat landings with access to the bay of Green Bay. The commercial fishery of Green Bay consists primarily of alewife, whitefish, yellow perch, burbot, walleye, smelt and sucker. There is also an excellent sport fishery, dominated by brown trout, rainbow trout, coho salmon and chinook salmon.

### **Rivers and Streams**

According to the Wisconsin Department of Natural Resource's publication of Surface Water Resources of Oconto County, the Pensaukee River is the primary surface water resource within the town of Pensaukee. The river is a tributary to the bay of Green Bay and traverses east/west through the central part of town. Other streams within the town of Pensaukee include Kirchner Creek, which meanders through the southwestern portion of the town, Turtle Creek, which flows east/west through the southeastern part of town and Brookside Creek which flows into the Pensaukee River in the western portion of the town. Rivers and streams are those which have a permanent flow, or any streams of intermittent (seasonal) flow which have significance for recreational purposes. The water features within the town of Pensaukee are shown on Map 2.8.

### **Shoreland Corridors**

Shorelands are often viewed as valuable recreational and environmental resources in both urbanized and rural areas. As a result, the State of Wisconsin requires that counties adopt shoreland/floodplain zoning ordinances to address the problems associated with development in floodplain areas. Development in shoreland areas is usually permitted, but specific design techniques must be considered. Shoreland development is strictly regulated and in some instances, is not permitted. Shorelands are discussed in more detail in Chapter 8 of this document.

## **Floodplains**

Floodplains (identified by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM)) are often viewed as valuable recreational and environmental resources. These areas provide for storm water retention, ground water recharge, and habitat for various kinds of wildlife unique to the water.

Development permitted to take place in these areas is susceptible to storm damage and can have an adverse effect on water quality and wildlife habitat. In addition, it can also result in increased development and maintenance costs such as: providing floodproofing, repairing damage associated with flooding and high water, increased flood insurance premiums, extensive site preparation, and repairing water related damage to roads, sewers, and water mains.

As a result, the state of Wisconsin requires that counties, cities and villages adopt shoreland/floodplain zoning ordinances to address the problems associated with development in floodplain areas. Development in shoreland areas is generally permitted, but specific design techniques must be considered. Development in floodplain areas is strictly regulated and in some instances is not permitted. For planning and regulatory purposes, the floodplain is normally defined as those areas, excluding the stream channel, that are subject to inundation by the 100-year recurrence interval flood event. This event has a one percent chance of occurring in any given year. Because of this chance of flooding, development in the floodplain should be discouraged and the development of park and open space in these areas encouraged.

The authority to enact and enforce these types of zoning provisions in counties is set forth in Chapter 59.97 of the Wisconsin Statutes and Wisconsin Administrative Code NR 116. This same authority is also vested to cities and villages in Chapter 62.23 of the Wisconsin Statutes.

Within the town of Pensaukee, there are approximately 980 acres of floodplains (Map 2.9). The floodplains in the town are located along the Green Bay shoreline.

## **Wetlands**

According to the Wisconsin Department of Natural Resources, wetlands are areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophilic vegetation. Other common names for wetlands are swamps, bogs, or marshes. Wetlands serve as a valuable natural resource. They provide scenic open spaces in both urban and rural areas. Wetlands act as natural pollution filters, makes many lakes and streams cleaner and drinking water safer. They act as groundwater discharge areas, and retain floodwaters. Finally, they provide valuable and irreplaceable habitat for many plants and animals. Because of their importance, there are strict state and federal regulations regarding wetlands.

Within the town of Pensaukee, there are approximately 6,427 acres of wetlands, as identified by the Wisconsin Department of Natural Resources. The wetlands are scattered throughout the town and are located primarily adjacent to the water features. Map 2.10 illustrates the WDNR wetlands greater than 2 acres within the town of Pensaukee. Also, please note that Map 2.10 is a tool to use as a guide since not all wetlands are identified on the map. Individuals should be aware that all wetlands, no matter how small, are subject to WDNR and possible federal regulations if they meet the state definition.

## **WOODLANDS**

There are a total of 12,096 acres of woodlands within the town. Woodlands are displayed on Map 2.11 and depict upland woodlands (lands not within wetlands) and lowland woodlands

(woodlands within wetlands). Upland woodlands constitute approximately 5,669 acres, whereas the lowland woodlands comprise 6,427 acres of land in the town.

### **AIR QUALITY ISSUES**

There are no areas within the town of Pensaukee which exceed the limits of the National Ambient Air Quality Standards (NAAQS) for ozone, particulates, or carbon monoxide. The nearest ozone monitoring sites are in Brown, Outagamie and Florence Counties, and all are within attainment standards.

### **WILDLIFE HABITAT**

The Pensaukee River and other streams in the town provide opportunities (i.e., spawn) for northern pike, panfish, etc. Green Bay and the large wetland areas within the town provide nesting and feeding areas for waterfowl, as well as habitat for beaver, muskrat, mink, black otters and other furbearers.

The fauna that are found within the town is quite diverse. Many animals such as the white-tailed deer, turkey, grouse, porcupine, beaver, muskrat, gray and red squirrel, and chipmunks are some of the more well known species found in the area. Migratory fowl also frequent the area during the summer months utilizing the streams and bay of Green Bay to raise their young. Due to the large areas of woodlands for hunting and raising young, animals such as bear, coyote, and bald eagle may be seen within the town.

### **THREATENED AND ENDANGERED SPECIES**

Many rare, threatened, and endangered species are found within Oconto County and the town of Pensaukee. Rare and endangered species occurrences within the town of Pensaukee were in areas adjacent to the Pensaukee River and bay of Green Bay (Map 2.12). Care should be taken before development occurs to not disturb potential habitats for these flora and fauna. Appendix E lists the rare species and natural communities that have occurred in Oconto County, identified in the Wisconsin DNR Natural Heritage Inventory.

### **PARKS AND OPEN SPACES**

The town of Pensaukee does not contain any public park facilities at this time. Park facilities are discussed in more detail in Chapter 6 of this document.

### **SCIENTIFIC AND NATURAL AREAS**

State Natural Areas are designated by the WDNR Bureau of Endangered Resources as tracts of land in a natural or near natural state, which are managed to serve several purposes including scientific research, teaching of resource management, and preservation of rare native plants and ecological communities. The town of Pensaukee has several designated scientific and natural areas (Map 2.13).

1. Oconto County Forest – is an extensive second growth lacustrine forest characteristic of the Lake Michigan lowland area. It is located  $\frac{1}{2}$  mile north of the unincorporated community of Pensaukee and extends into the town of Oconto. The forest consists primarily of white aspen, white birch, pine-oak with red maple, elm and ash.
2. Pensaukee Lacustrine Forest – is an extensive growth lacustrine forest located one mile southwest of the unincorporated community of Pensaukee. It consists of aspen-oak-white birch with scattered pine. More southern portions are elm-ash-red maple-white pine. The area seems to have various levels of protection against development.

3. Green Bay Shores Wildlife Area – is a series of coastal wetland sites influenced by Lake Michigan water levels. One site is located immediately south of the unincorporated community of Pensaukee. The area consists of open marsh, cattail marsh, open water, willow shrub marsh, etc. The site contains tracts of primary value for waterfowl habitat and other wetland animals.
4. Charles Pond – is a wetland complex on Green Bay located just south of the unincorporated community of Pensaukee. It consists of a hardwood swamp forest on lacustrine deposits which is one of the few of its kind remaining. The complex is subject to the influence of the water fluctuation of Green Bay and appears to be protected well from development.

### **ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL AREAS**

Environmental corridors serve many purposes. They protect local water quality and wildlife habitat through identification and preservation of areas sensitive to development. They can be used as a means of controlling, moderating, and storing floodwaters while providing nutrient and sediment filtration. Environmental corridors can provide fish and wildlife habitat, recreational opportunities, and serve as buffers between land uses while improving the aesthetics of a community.

As part of its on-going effort to complete a regional master plan, the Bay-Lake Regional Planning Commission (BLRPC) has begun to compile and delineate region-wide data needed for land use planning within the region. The BLRPC has defined its environmental corridors to include the following set of uniformly available information: Wisconsin Department of Natural Resources wetlands; 100-year FEMA floodplains; areas with slopes greater than or equal to 12 percent; lakes, rivers, streams and ponds; a 75-foot lake and river setback; and, a 25-foot buffer of the wetlands. Other features that are considered as part of the environmental corridor definition on an area-by-area basis include: designated scientific and natural areas; unique and isolated woodland areas; scenic viewsheds; historic and archaeological sites; unique geology; wetland mitigation sites; isolated wooded areas; unique wildlife habitats; parks and recreation areas; and other locally identified features. Within the town of Pensaukee there are 8,286 acres of environmental corridors as (Map 2.14) determined using the BLRPC definition. This corridor can be utilized by the town in determining possible future protective measures of the individual features within this corridor. Additional town controls may be derived from this identified corridor.

### **HISTORIC AND ARCHEOLOGICAL RESOURCES**

Within the town of Pensaukee, there are several interesting local features of historic importance. Below is a list and a brief description, and location of these historical sites.

Please note that the following sites are not all eligible by the State Historical Society of Wisconsin. It is a list compiled by many individuals on the belief that these areas be considered for eligibility. There is a possibility that several structures or sites may not be listed. For further information, please contact the State Historical Society of Wisconsin, 816 State St., Madison, WI 53706. Map 2.15 illustrates where the historical sites are located within the town of Pensaukee.

- Pensaukee Harbor Light - lighthouse located at the mouth of the Pensaukee River
- Pensaukee Town Hall – a colonial revival structure located on Brookside Road in the unincorporated community of Brookside.

- Gabled Ell house built in 1895; located on CTH J in the community of Brookside.
- Pensaukee School District #1, located on CTH SS in the unincorporated community of Pensaukee. The structure was built in 1891.

Additionally, care should be taken when excavation is done within the town of Pensaukee, since there is the possibility of disturbing a historical or archeological site. The State of Wisconsin requires any findings of human bones to be reported (*Wisconsin Statute 157.70*) so an investigation can be done by the State Historical Society. Also, land developers trying to obtain state permits from the Wisconsin Department of Natural Resources or any development involving federal monies, are required to be in compliance with Section 106 of the National Historic Preservation Act and 36 CFR Part 800: Protection of Historic Properties.

## **CULTURAL RESOURCES**

There are only a few identifiable cultural sites within the town of Pensaukee. Examples of cultural sites are places that further social behavior. For example, a Town Hall, for it has been a focal point in furthering democracy and free speech; education/religious centers for they advance moral and intellectual teachings; museums because they contain social displays and artworks of past and present societies. The Pensaukee Town Hall, Brookside Cemetery and WPA ditch are identified as cultural sites in the town.

## **METALLIC AND NON-METALLIC MINING RESOURCES**

Metallic mining in Wisconsin has occurred since the time it was settled. Metals mined in the state include copper, lead, iron, and zinc. Mining has economic value to multi-regional areas, but also has the ability to potentially harm natural resources. Any new mines need to have a permit granted by the WDNR and are subject to the requirements of NR 135, which includes a reclamation plan. This plan is a detailed technical document designed to meet the goals which lead to successful reclamation and will help reduce the effects to the environment once the mine is abandoned. The plan has minimum standards that must be met in order to be accepted. The WDNR defines successful reclamation as “the restoration of all areas disturbed by mining activities including aspects of the mine itself, waste disposal areas, buildings, roads and utility corridors”. Restoration is defined as, “returning of the site to a condition that minimizes erosion and sedimentation, supports productive and diverse plants and animal communities and allows for the desired post-mining land use”.

Metallic mining does not exist within the town, however several non-metallic mining sites are located within the town of Pensaukee. Care needs to be taken to ensure that these operations do not negatively impact the neighboring properties or the town as a whole. This not only includes noise and odors, but effects on groundwater and the town’s transportation system.

## **COMMUNITY DESIGN**

Community design (Character) deals with the large-scale organization and design of the community, particularly the organization of the buildings and the space between them. An evaluation of community design is often subjective and requires personal judgment. In an effort to remove this subjectivity, the community design resources of the town of Pensaukee have been inventoried that represent the building blocks and language of community design:

### ***Signage***

Community character can be impacted quite dramatically by the type of signs allowed throughout the community and along transportation corridors such as US 41 and the County Trunk roads located in the town. In order to preserve a sense of place and to help define community character without it being dictated by competing signage, the town should work with Oconto County to re-evaluate the current sign controls.

### ***Landmarks***

Landmarks are important reference points that represent a prominent feature of the landscape and have the ability to distinguish a locality, mark the boundary of a piece of land, or symbolize an important event or turning point in the history of a community.

- U.S. Highway 41
- County Highway J
- Kruegers Quarry Road

### ***Pathways***

Pathways are linear features that represent both vehicular and pedestrian movement. Pathways provide connections between places, as well as along them. Whether a major arterial, local street, or undefined woodland trail, pathways are hierarchical and represent a degree of usage.

*Major:*

- U.S. Highway 41
- County Highways J, S and SS

*Secondary:*

- All town roads
- Recreational corridors/trailways
- Pensaukee River
- Kruegers Quarry Road

### ***Edges***

Like pathways, edges are linear. Edges are important organizing elements that represent boundaries that can be soft or hard, real or perceived.

- Bay of Green Bay

### ***District***

Districts encompass areas of commonality. Examples of districts may include a residential district or central business district. These areas represent buildings and spaces where clearly defined and separate types of activities take place.

- Unincorporated area of Brookside
- Unincorporated area of Pensaukee
- Oak Orchard

## **Nodes**

Nodes are specific points of recognition. They are destinations and very often represent the core or center of a district. In addition, nodes are closely associated with pathways as they provide access to and from districts. An example of nodes within a district may include separate areas for government functions versus entertainment activities within a central business district.

- Unincorporated area of Brookside
- Unincorporated area of Pensaukee

## **Community Entryways**

Community entryways are associated with edges in that the entryway begins at an edge. Entryways can be unique and are very valuable assets for they help define a community to those using the entryway. In many cases these entryways are more correctly described as “Doorways” to a community. How people perceive an entrance to a business area or doorway to a town will determine whether they stop or drive on through the community. These points of interest should be protected or enhanced through the use of zoning standards requiring landscaping, building design, signage, lighting, and public furnishings.

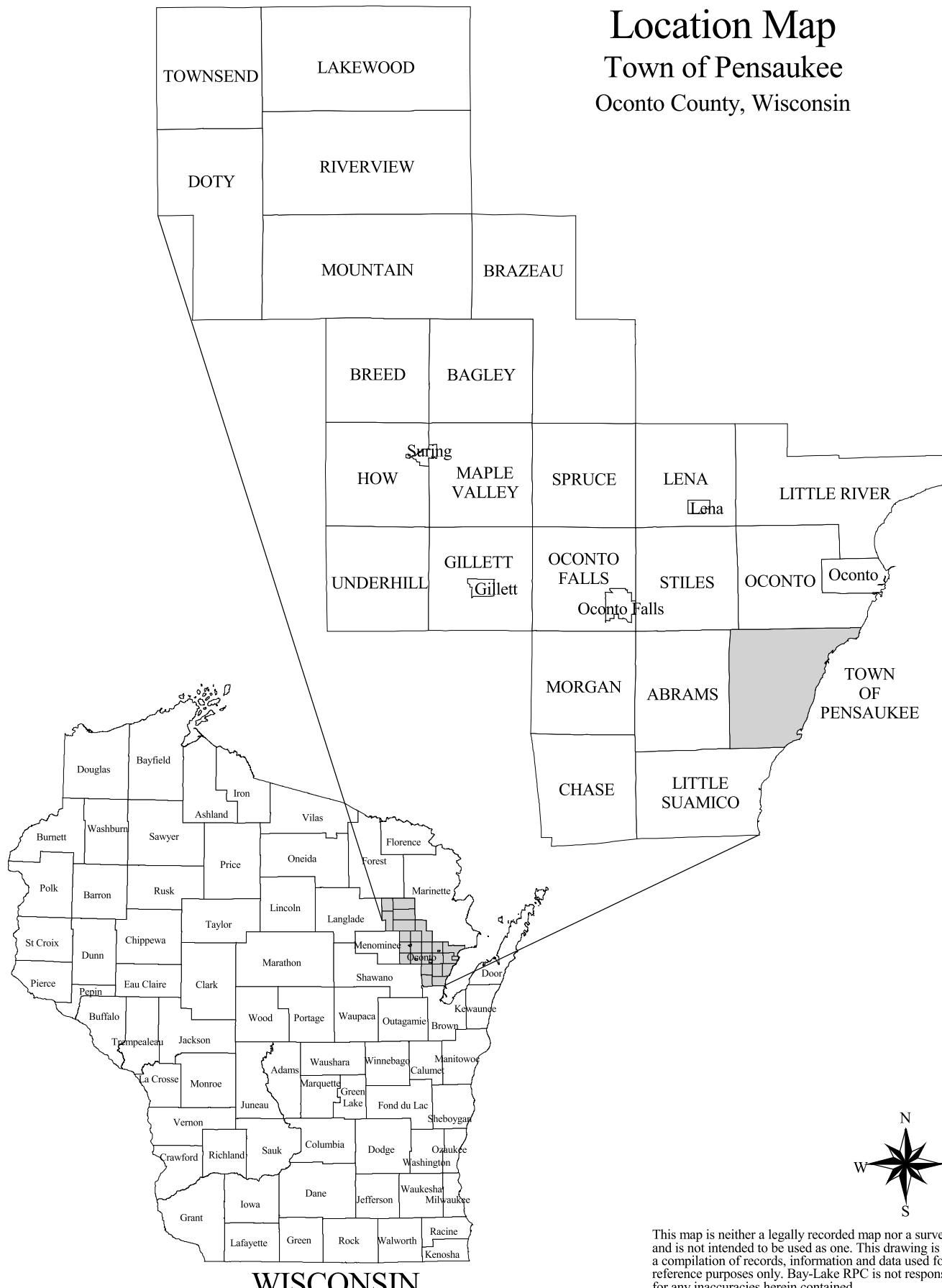
The **Primary** entryways into the town of Pensaukee should be protected and enhanced. These areas may contain high quality public entry signs and/or public art which are used to formally announce entry to the town. Around the town’s periphery, primary entrances to the town include **USH 41** and **CTH J**.

The **Secondary** entryways into the town of Pensaukee are more subtle portals enjoyed by town property owners. The use of formal entry markers such as signage and artwork should be low key, if used at all, in order to maintain the rural look of the area.

# Location Map

## Town of Pensaukee

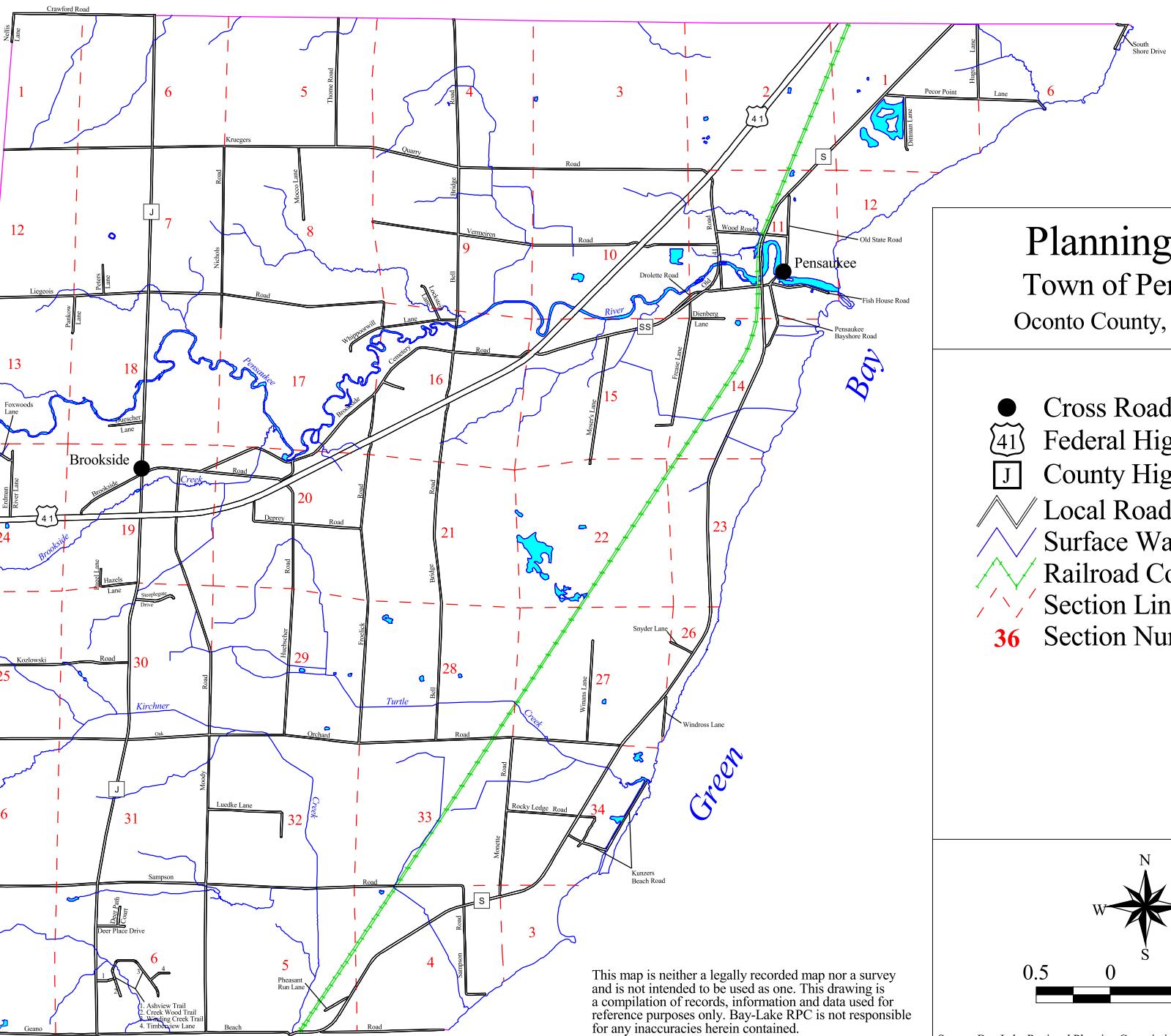
### Oconto County, Wisconsin



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

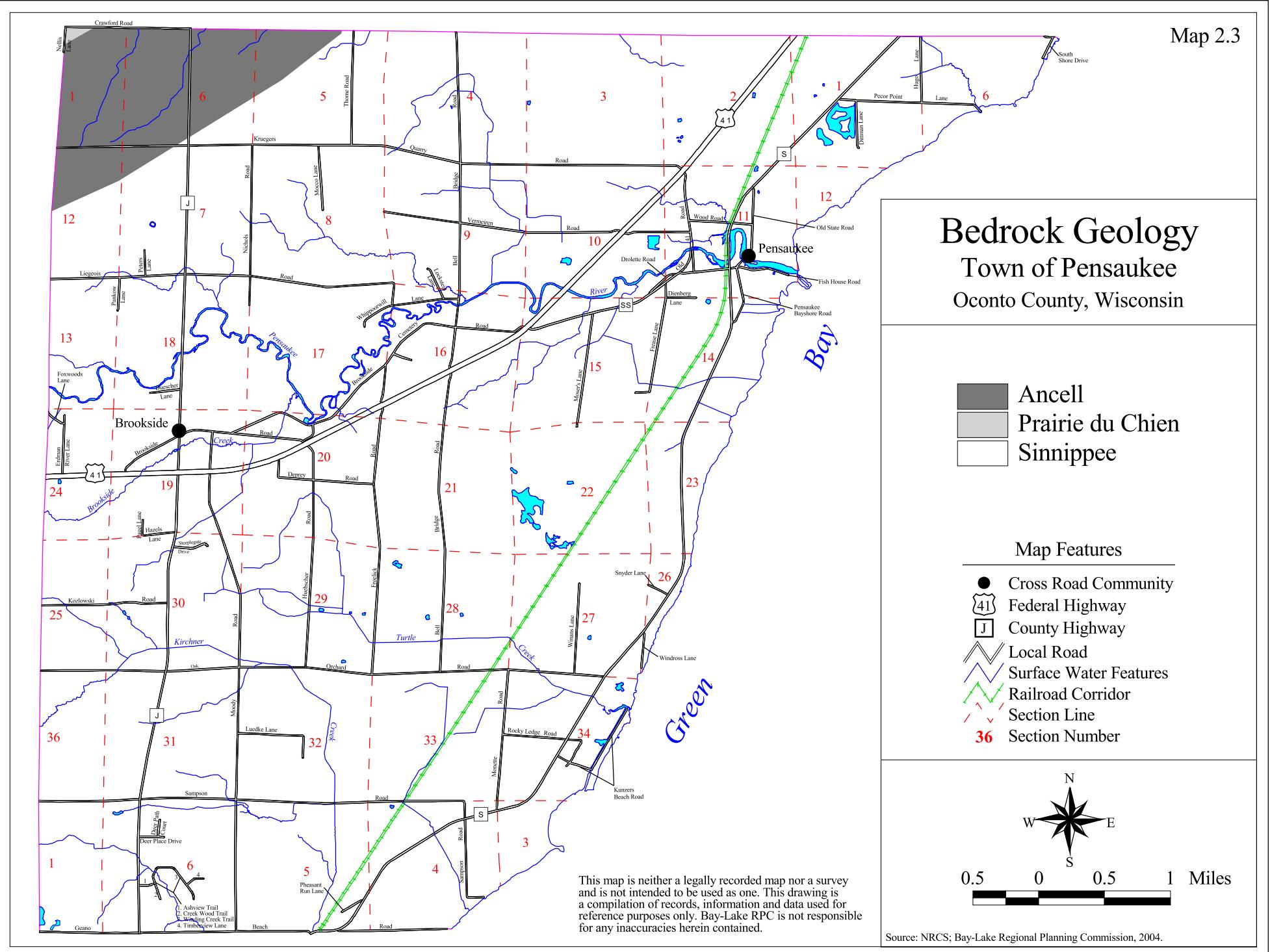
Source: Bay-Lake Regional Planning Commission, 2004.

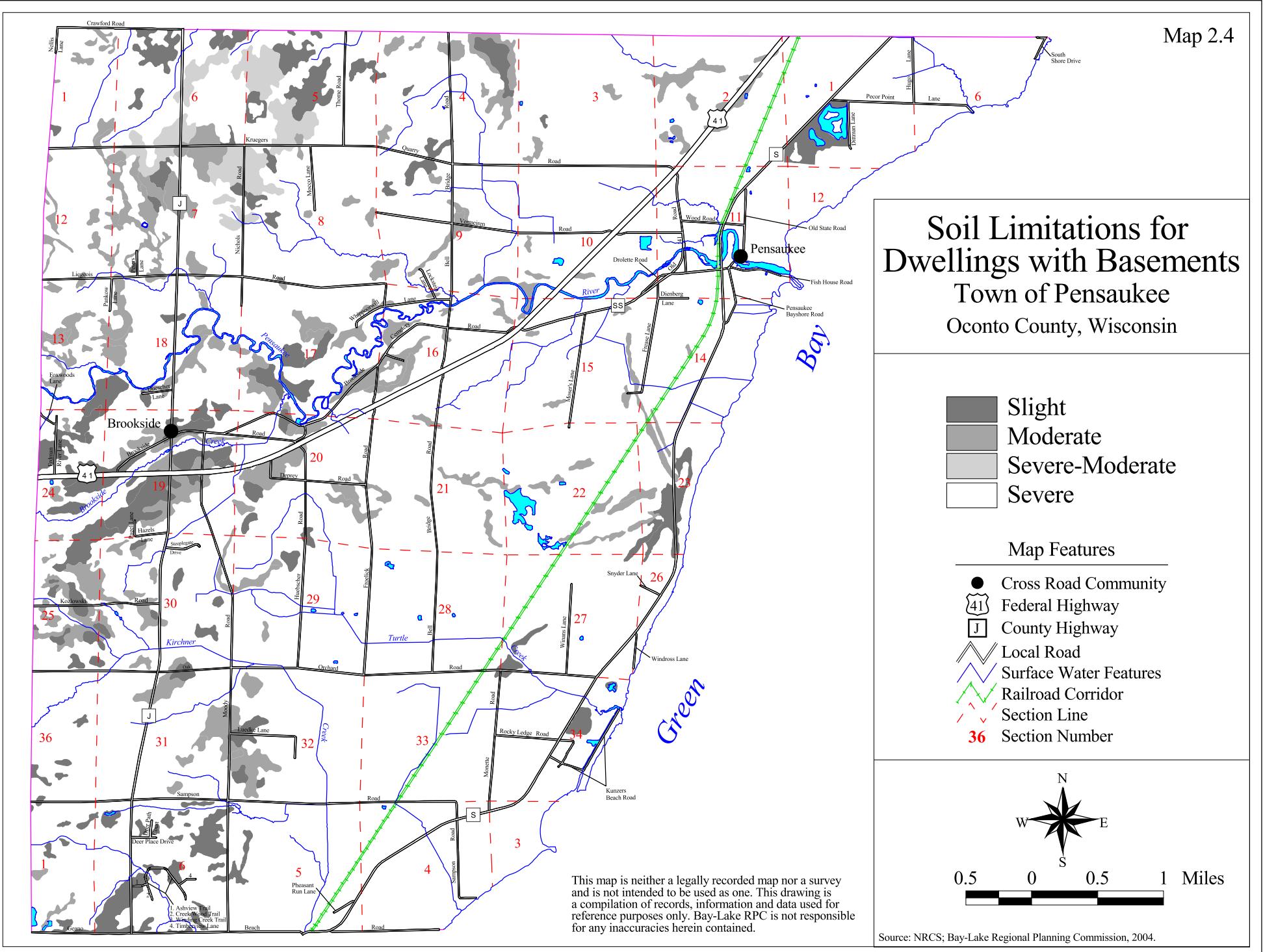
## WISCONSIN

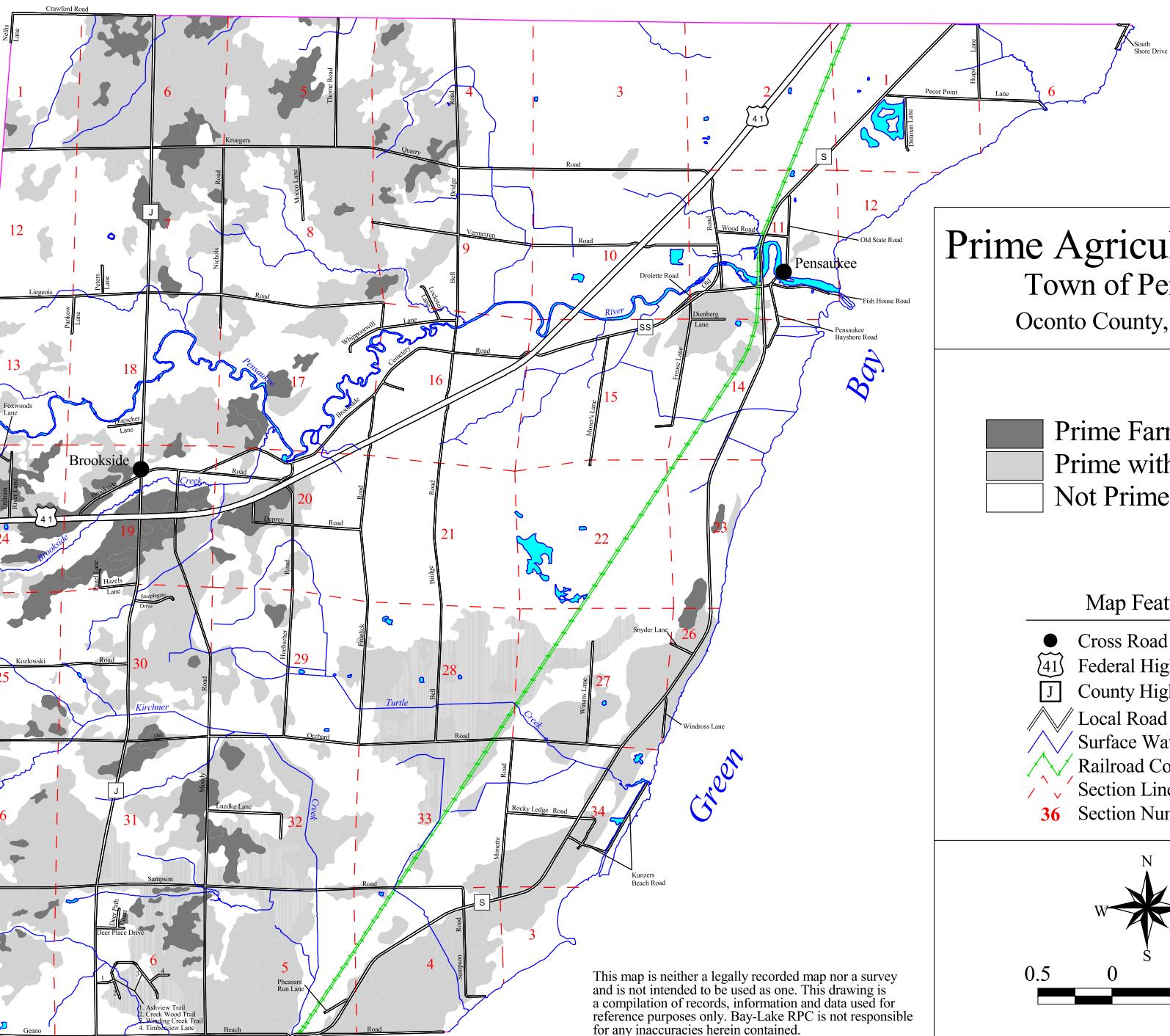


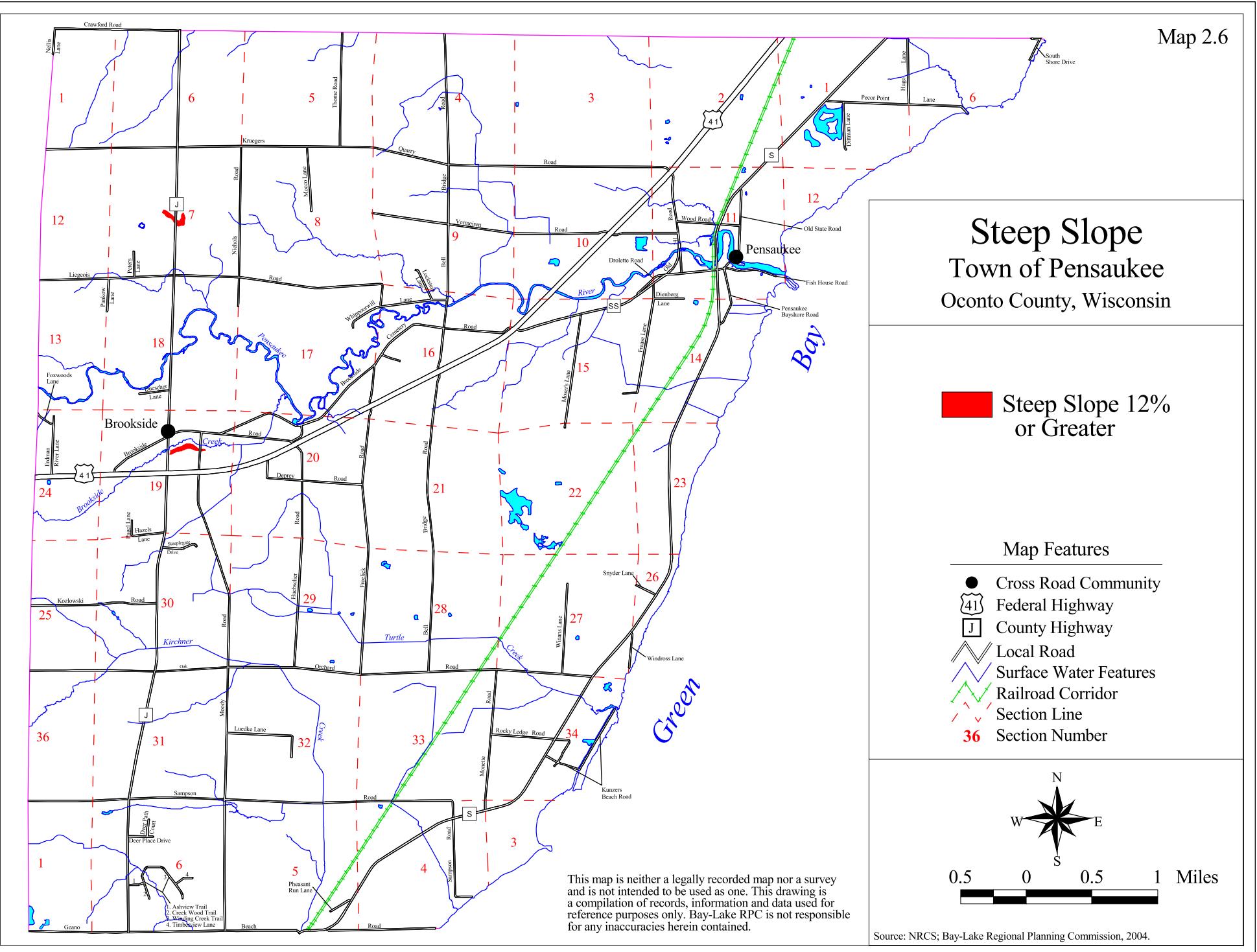
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Source: Bay-Lake Regional Planning Commission, 2004.

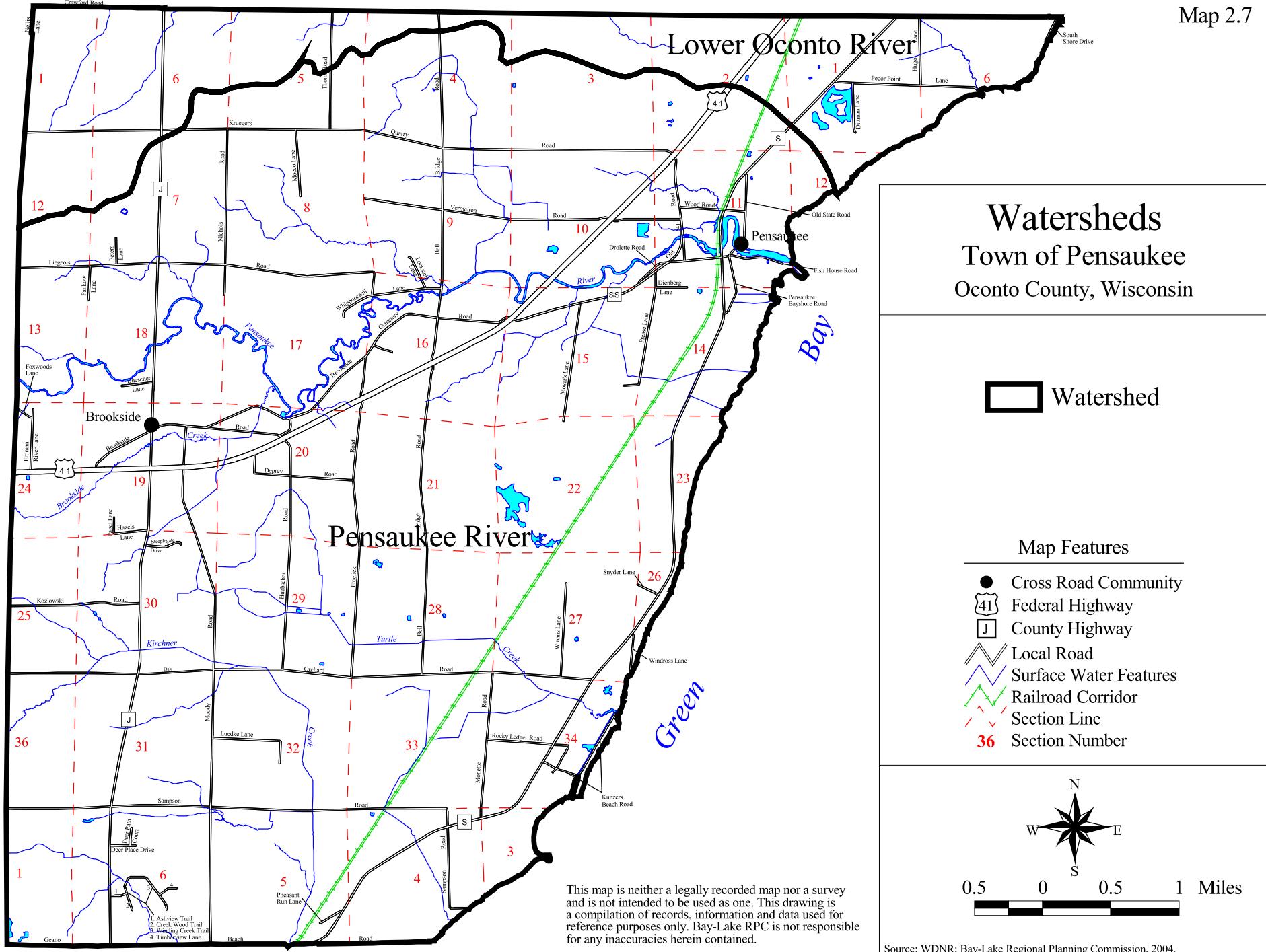


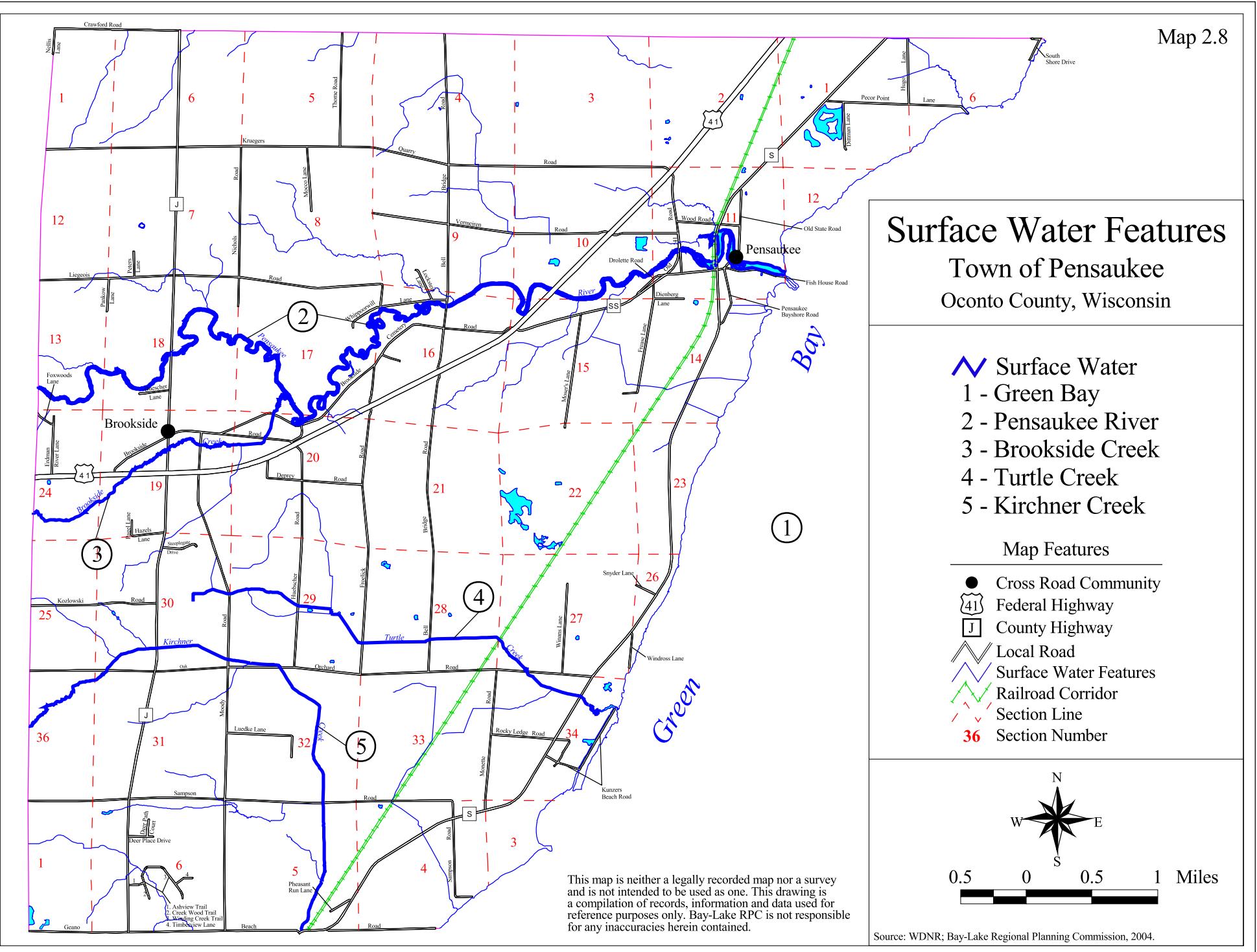


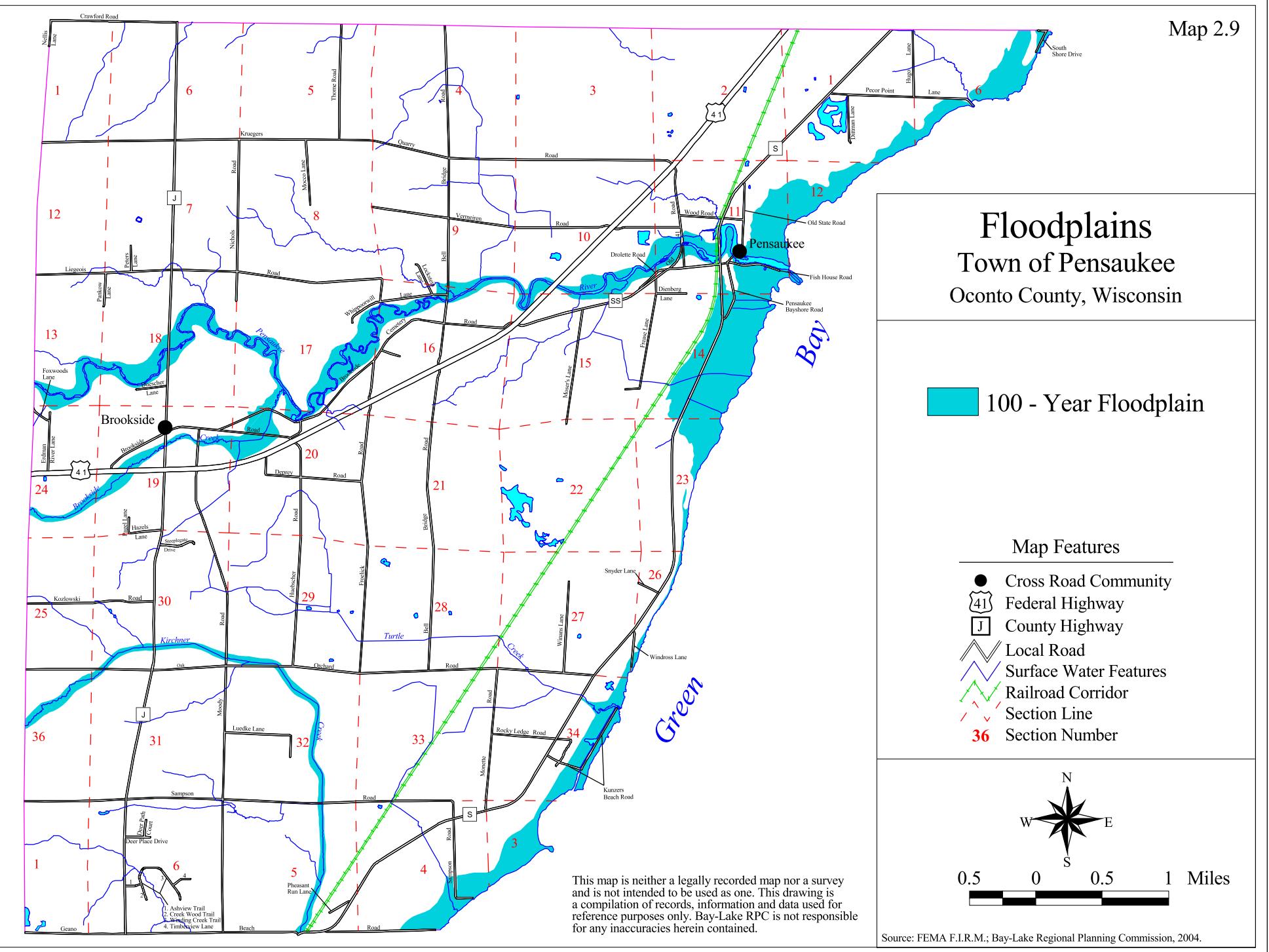


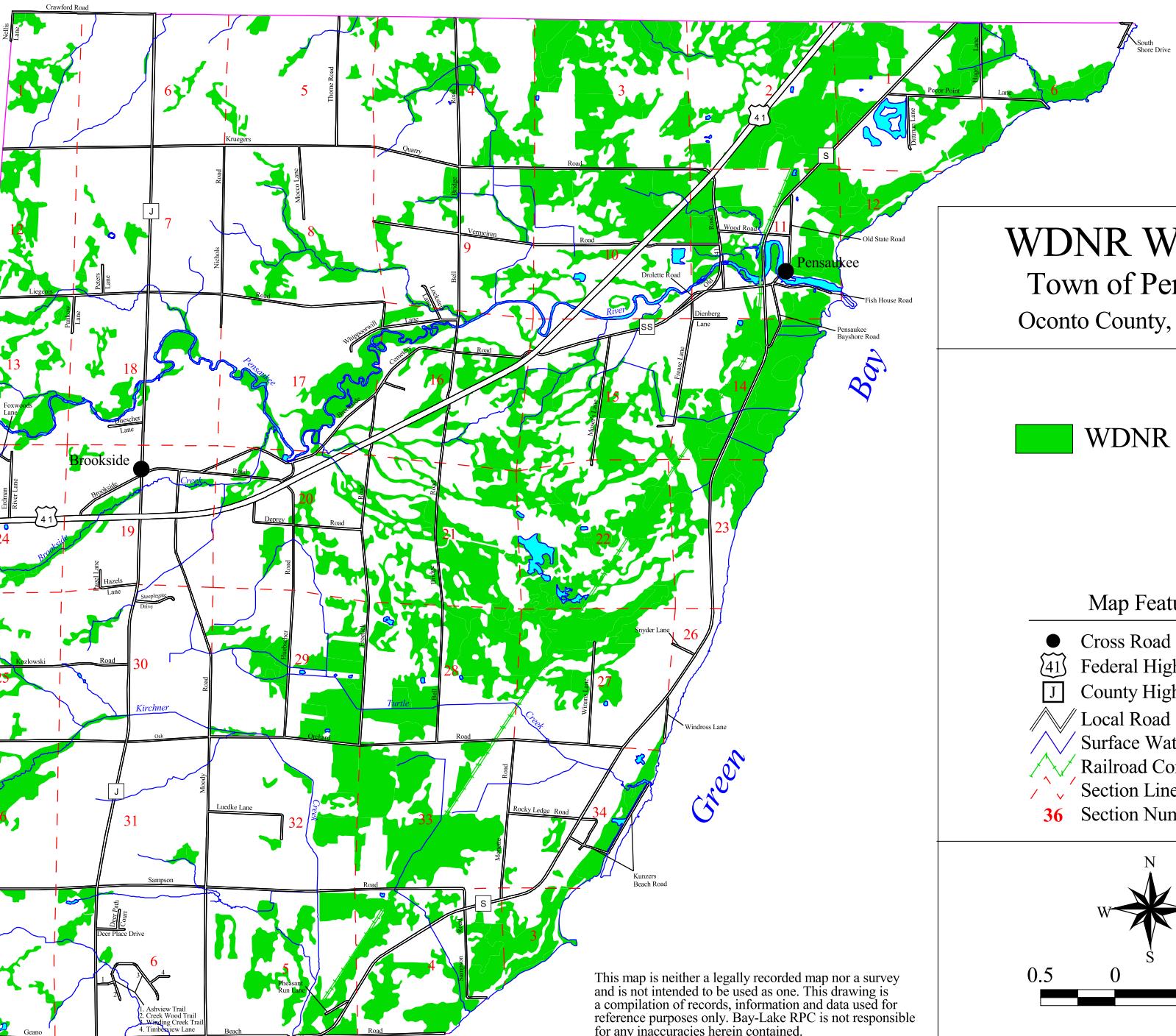


Map 2.7

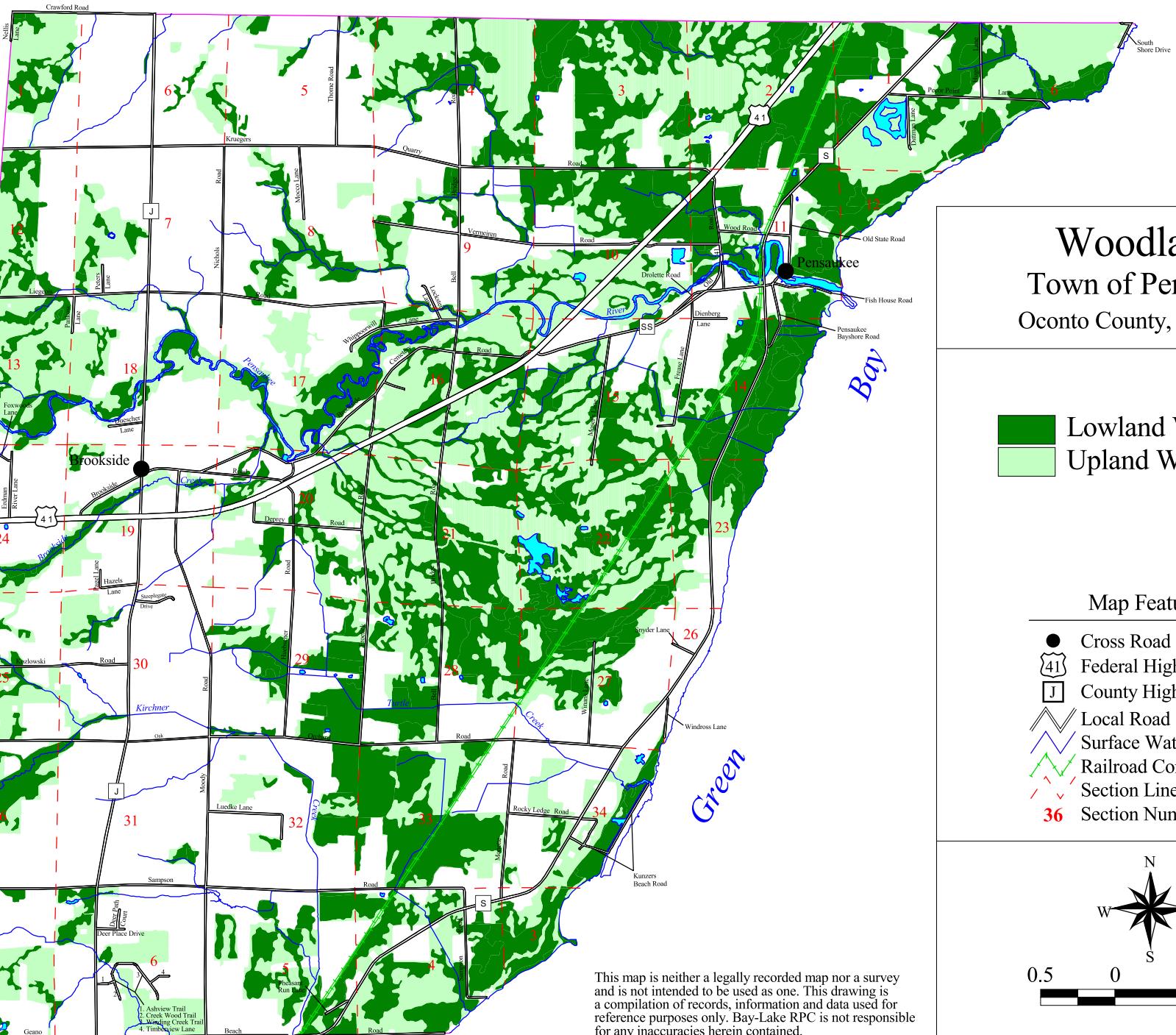


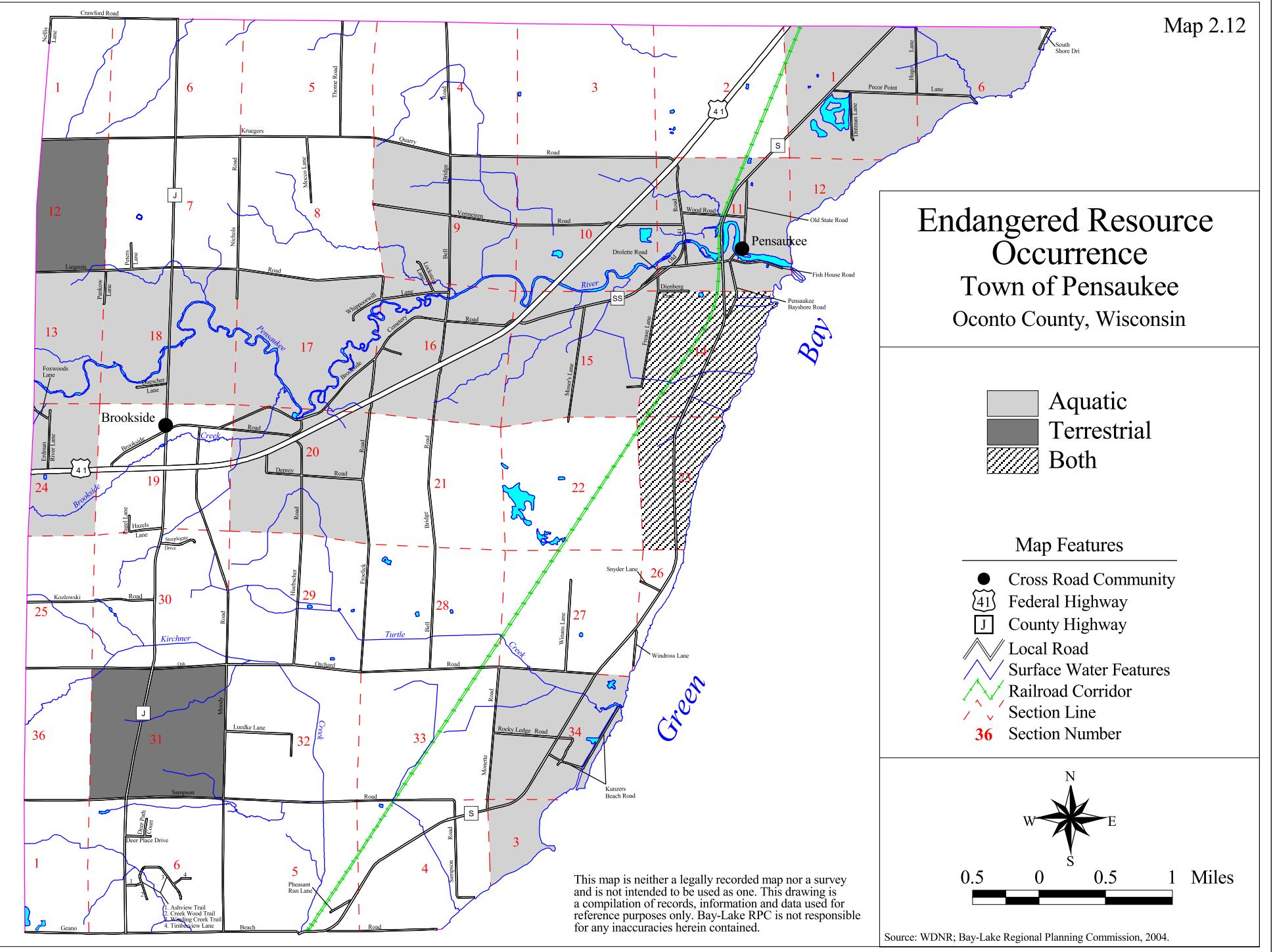


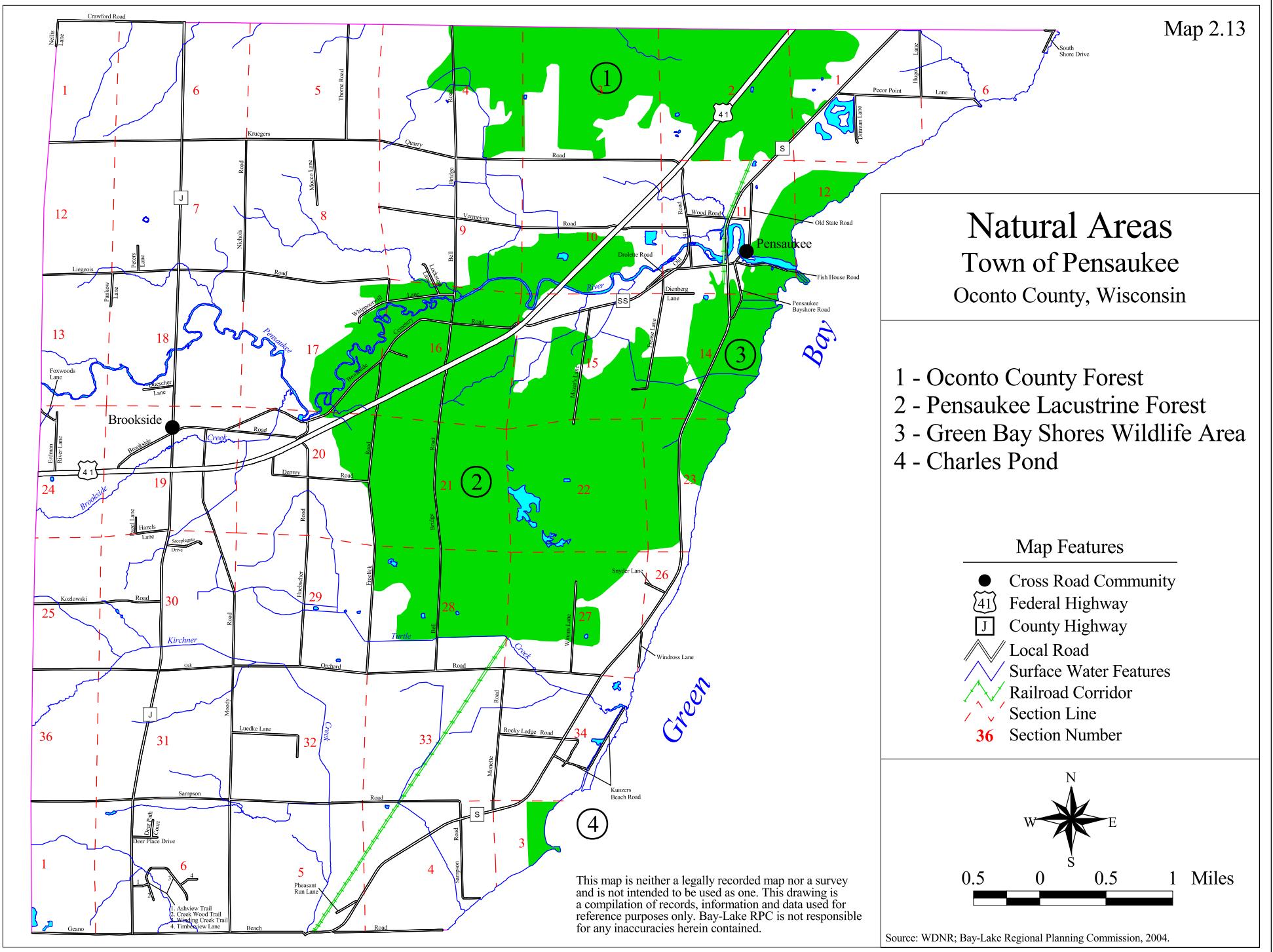


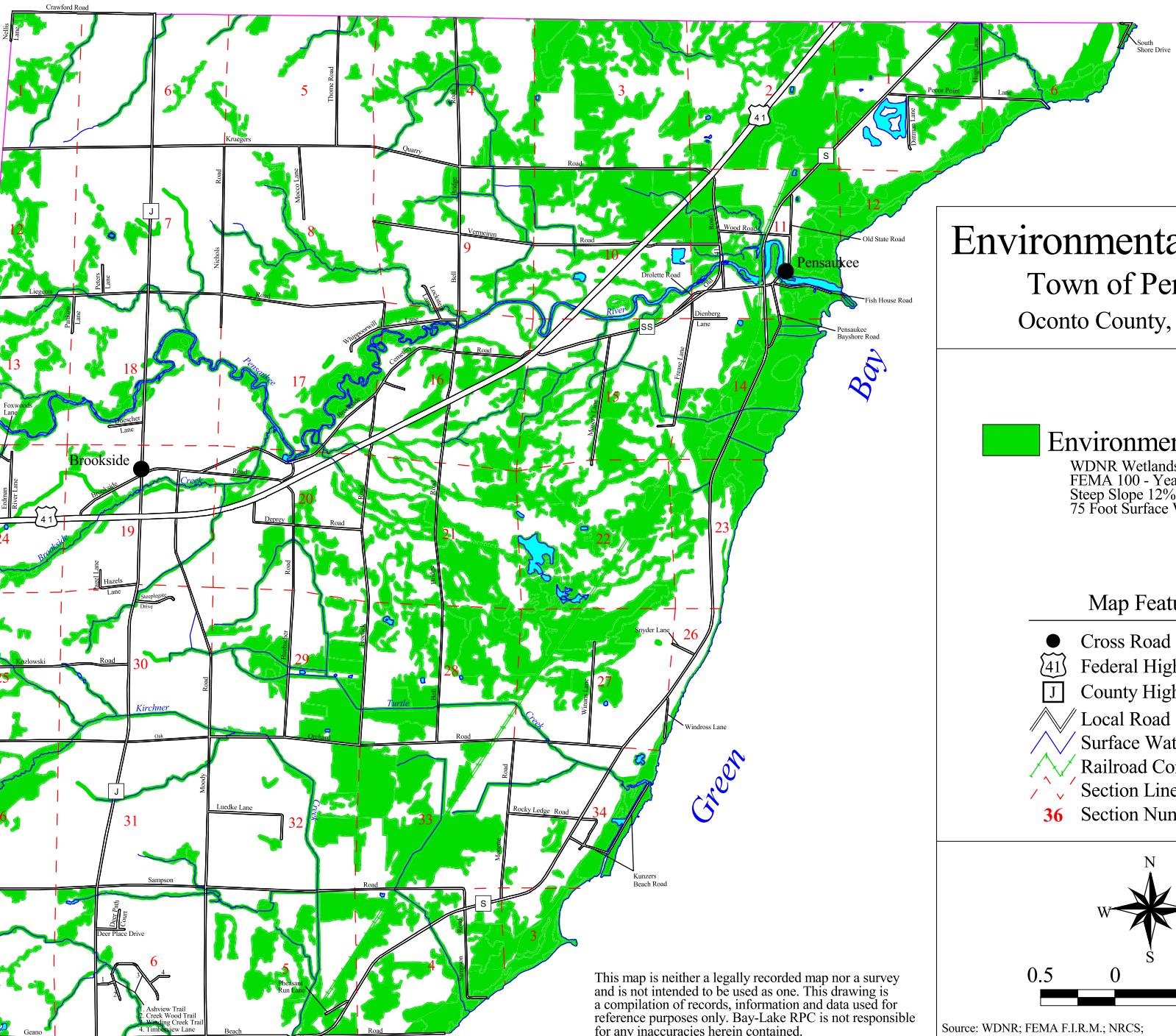


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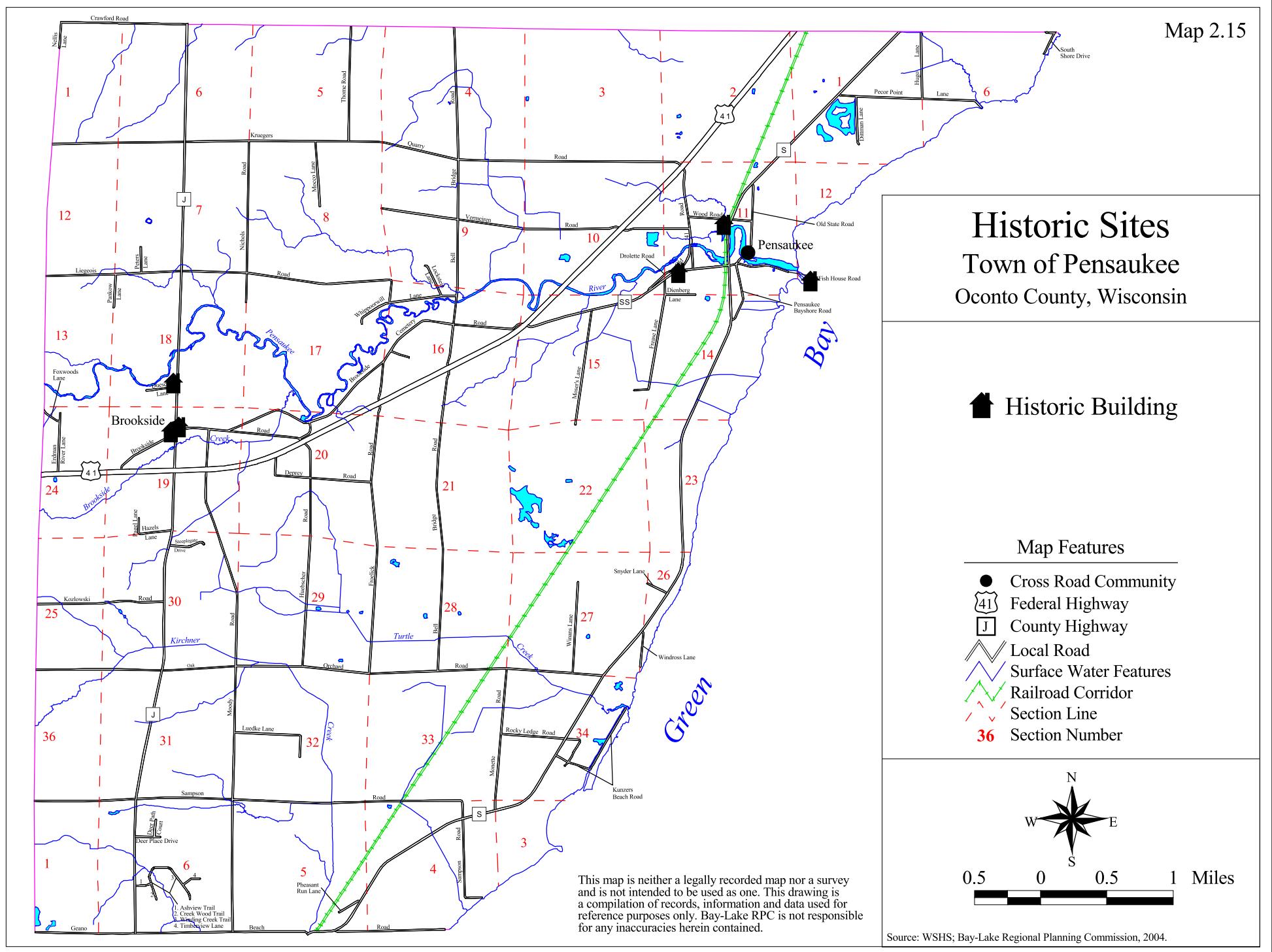






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Source: WDNR; FEMA F.I.R.M.; NRCS;  
Bay-Lake Regional Planning Commission, 2004.



## Chapter 3 - HOUSING AND POPULATION

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### **INTRODUCTION**

Population change is the primary component in tracking the past growth of an area as well as predicting future population trends. Population characteristics relate directly to the town's housing, educational, community and recreational facility needs, and to its future economic development. It should be noted that over time there are fluctuations in the local and regional economy and population that generally cannot be predicted. These fluctuations and changes may greatly influence the town's growth and characteristics. This chapter will identify population and housing trends that may affect the future of the town of Pensaukee.

The housing portion of this chapter includes information about the current housing stock, structural and occupancy characteristics, as well as details on projected housing demand. This section also includes a housing strategy that provides goals, objectives, and policies for future housing development within the town.

The majority of this chapter is based upon the 2000 Census information. It serves as background data to help determine such things as; how much population growth or decline the town can expect over the next twenty years; the condition of the housing stock; and what types of housing will be needed in the future.

### **SUMMARY AND IMPLICATIONS**

1. The town of Pensaukee experienced a population of 1,214 persons in 2000, a 24 percent increase from 1990.
2. According to Wisconsin Department of Administration (WDOA), the town's population is projected to increase to 334 persons by 2025, a 27.5 percent increase from the year 2000.
3. In 2000, most of the town's population was between the ages of 25 to 54, with the greatest percentage of people being between the ages of 35 to 44.
4. The town's median age in 2000 was 38.6 years old, which indicates a growing adult population. Implications are that an aging community may require additional specialized services to accommodate these age groups in the future.

The town of Pensaukee's population has been fluctuating over the course of the last three decades. The 2003 WDOA projections developed after the 2000 Census indicate that the town's population was likely to increase through the year 2025. Similar to other neighboring towns within Oconto County, the town has experienced (over the past three decades) an age structure shift towards the older age groups. This may lead the town to spend more on services to accommodate an aging population over the next twenty years of this plan. Likewise, the aging population can also mean additional business opportunities, especially for a rural town like Pensaukee. The aging population requires basic services such as groceries, housing and health care and tends to spend their incomes locally, if given opportunities.

5. The total number of housing units in the town of Pensaukee has increased 80 units from 1990 (482) to 2000 (562) as reported by the 2000 U.S. Census.
6. The household size for the town of Pensaukee is expected to decline from 2000 to 2025 (2.58 to 2.34 persons per household).

Throughout the planning period there will be a demand for additional housing units within the town. A growing population, a region wide demand for larger lot sizes, several out-dated residential structures and a trend of smaller household sizes is expected to increase the demand for new residential developments. The town will need to consider specific areas to accommodate this change in land use while ensuring adequate services are provided. It should be noted that additional housing does not always lead to a community making money, and in some cases land use development can be costly due to the wide array of supporting services needed to accompany it. The town should closely monitor all costs, associated with future housing in order to best control future property taxes.

7. In 2000, 27 percent of existing housing units (151 structures) in the town were built before 1940.
8. In 2000, six renters where living in “non-affordable” housing, due to their paying 30 percent or more of their incomes towards rent.
9. In 2000, 51 homeowners where paying 30 percent or more of their incomes towards housing payments.

Over 85 percent of the housing within the town of Pensaukee is residential single family, and over 27 percent of the homes are over 60 years old. In addition, several home owners are considered to be living in non-affordable housing (more than 30 percent of household income to pay housing costs). For the reasons listed above, it is likely that some residents will need additional assistance regarding loans for housing rehabilitation as well as affordable housing. The town will should remain aware of assistance programs and county efforts, plus explore actions that promote a mix of housing choices.

Since the town is experiencing an increase in overall population, this comprehensive plan's future land use is projecting an increase of 191 new occupied housing units over the twenty year planning period. With a large amount of land that is sensitive to development in the town of Pensaukee, the amount of developable lands may be limited and alternative development techniques (e.g., clustering, conservation by design, etc.) should be considered in order to accommodate these growth forecasts. Overall, the town is expected to remain a rural community. The town supports the ideals of promoting housing for all residents, providing a range in housing, working towards gaining more financial assistance for its residents for rehabilitation of housing and rental assistance by working with county, state and federal agencies.

## **HOUSING STRATEGY**

The current legislation on comprehensive plans under s 66.1001 requires that the housing element will need to be integrated and made consistent with the other nine elements of the comprehensive plan. For example, implementing the goals and policies of the housing element will need to correspond to actions undertaken in other elements such as land use, economic development, transportation, and community facilities.

The following stated *Goals, Objectives, Policies, and Programs* are based on the information provided within this chapter of the comprehensive plan, with special attention being made to the detailed actions and programs available to the town identified at the end of this chapter. The town reviewed the options it has in order to obtain a balanced housing initiative. The preferred options the town wishes to implement are integrated into the statements below.

### **Goal: Housing**

To provide for a variety of quality housing opportunities for all segments of the town's current and future population.

#### ***Objective 1:***

To develop and enforce policies and programs that provides a range of housing choices to meet the needs of all income levels and of all age groups and persons with special needs.

#### ***Policies:***

1. Support housing developments for all persons including low and moderate income, elderly, and residents with special needs.
2. Ensure that the county's zoning ordinance and subdivision ordinance continue to allow for a range in densities and lot sizes.
3. Support orderly development within the town, with higher densities around the unincorporated communities of Pensaukee and Brookside, to provide additional housing choices.
4. Support conservation by design developments as well as cluster type developments as an alternative to conventional zoning methods.
5. Advocate the maintenance, preservation and rehabilitation of the existing housing stock in the town.

#### ***Programs:***

1. Work with Oconto County to assist residents by providing educational materials and information on financial programs and on home repairs.
2. The Town Plan Commission will work with the state, county, and BLRPC to monitor the town's population characteristics to stay informed of changing demographics/characteristics within the town.
3. The town's Comprehensive Plan identifies areas for residential development to help in establishing a housing stock that meets the differing needs of the community.

#### ***Objective 2:***

Encourage new housing development that is done in an environmentally conscious and cost effective way.

#### ***Policies:***

1. Direct new development to appropriate locations to minimize the visual impact on the viewsheds from public right-of-ways.
2. Encourage the infilling of existing vacant residential property where appropriate.
3. The construction of new homes should be regulated by adequate building codes and ordinances.
4. Situate higher density residential development in areas that minimize impacts upon low density residential development.

5. Identify areas in which new development should be restricted, or maintained as open space.
6. Explore development ideas that encourage responsible use of land and minimize potential negative impacts on natural or unique areas.
7. Work with Oconto County and neighboring communities to establish innovative development guidelines for future consideration within the town.

***Programs:***

1. Work with Oconto County to ensure that the zoning ordinance helps to limit incompatibilities between residential uses and non-residential uses.
2. Consider innovative zoning and development techniques (i.e., conservation by design, zero lot line, cluster type developments, etc.) as an alternative to conventional zoning methods in order to provide for both open space preservation and for increased variety in housing choices.
3. The town of Pensaukee should consider the above practices and evaluate their effectiveness at least once every year to help their residents in meeting their housing needs.

## **POPULATION CHARACTERISTICS**

### **Historical Population Levels**

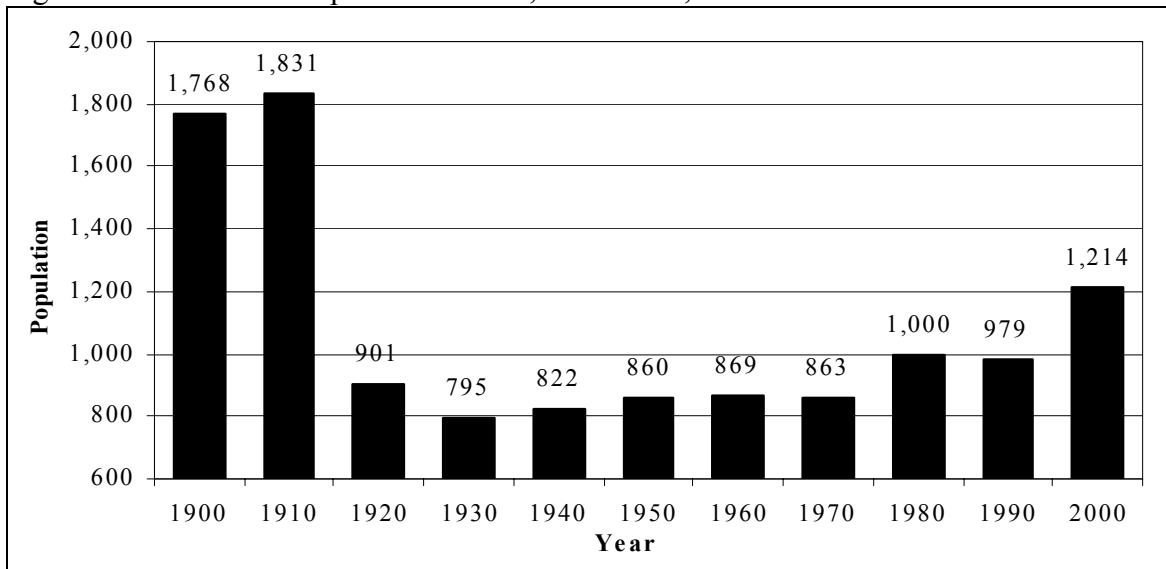
Table 3.1 and Figure 3.1 display the fluctuation in population that the town of Pensaukee has experienced in the past century. The most significant decline in population change over the past 100 years was between 1910 and 1920, with a 50 percent decrease. The decline is likely due to the town of Abrams becoming a formal unit of government. The town's 2000 Census population of 1,214 is the highest since 1910 (1,831 people).

Table 3.1: Historical Population Levels, 1900-2000, Town of Pensaukee & Selected Areas

Year	Town of Pensaukee	Town of Oconto	Town of Stiles	Town of Abrams	Oconto County
1900	1,768	1,042	897	--	20,874
1910	1,831	1,133	923	--	25,657
1920	901	1,026	836	796	27,104
1930	795	972	738	834	26,386
1940	822	1,102	806	805	27,075
1950	860	993	816	759	26,238
1960	869	974	792	820	25,110
1970	863	934	845	884	25,553
1980	1,000	937	1,261	1,181	28,947
1990	979	999	1,243	1,347	30,226
2000	1,214	1,251	1,465	1,757	35,634

Source: General Population Characteristics 1840-1970, Bay-Lake Regional Planning, December 1975; and Bay-Lake Regional Planning Commission, 2002.

Figure 3.1: Historical Population Levels, 1900-2000, Town of Pensaukee



Source: General Population Characteristics 1840-1970, Bay-Lake Regional Planning, December 1975; and Bay-Lake Regional Planning Commission, 2002.

### **Population Trends**

Since 1970, the population in the town of Pensaukee has been gradually increasing, with the exception of a small decline in 1990 (Table 3.1). Between 1970 and 1980 the population increased by 137 persons, or 16 percent. From 1980 to 1990, the town's population decreased by 21 persons, or two percent. The town's population from 1990 to 2000 increased by 235 people, resulting in a 24 percent increase.

In 2003, the Wisconsin Department of Administration's (WDOA) Demographic Services Center prepared baseline population projections to the year 2025 for the communities and counties of the state. The projections utilize a formula that calculates the annual population change over three varying time spans.

In addition, several alternative projection methodologies were used to determine a 20-year population for the town of Pensaukee. These population projections, created by Bay-Lake Regional Planning, can be found later within this chapter.

Table 3.2: Population Trends, 1970-2025, Town of Pensaukee & Selected Areas

Year	Geographic Location						
	Town of Pensaukee	Town of Oconto	Town of Stiles	Town of Abrams	Oconto County	Bay-Lake Region	State of Wisconsin
<b>Actual Population</b>							
1970	863	934	845	884	25,553	440,926	4,417,731
1980	1,000	937	1,261	1,181	28,947	476,134	4,705,767
1990	979	999	1,243	1,347	30,226	498,824	4,891,769
2000	1,214	1,251	1,465	1,757	35,652	554,565	5,363,715
<b>WDOA Population Projections</b>							
2005	1,293	1,409	1,552	1,958	37,720	574,762	5,563,896
2015	1,433	1,699	1,706	2,326	41,385	614,541	5,931,386
2025	1,548	1,951	1,832	2,644	44,351	650,262	6,274,867
<b>Number Change</b>							
1970-1980	137	3	416	297	3,394	35,208	288,036
1980-1990	-21	62	-18	166	1,279	22,690	186,002
1990-2000	235	252	222	410	5,426	55,741	471,946
2000-2025	334	700	367	887	8,699	95,697	911,152
<b>Percent Change</b>							
1970-1980	15.9	0.3	49.2	33.6	13.3	8.0	6.5
1980-1990	-2.1	6.6	-1.4	14.1	4.4	4.8	4.0
1990-2000	24.0	25.2	17.9	30.4	18.0	11.2	9.6
2000-2025	27.5	56.0	25.1	50.5	24.4	17.3	17.0

Source: U.S. Bureau of the Census, Census of Population and Housing, 1970-2000; Wisconsin Department of Administration, for years cited; Wisconsin Department of Administration, Official Population Projections, 2003; and Bay-Lake Regional Planning Commission, 2003.

## Seasonal Population

The estimated seasonal population was found by multiplying the number of seasonal housing units by the average number of persons per household (Table 3.3). In 2000, the town of Pensaukee had 68 total seasonal housing units, accounting for 12 percent of total housing units in the town. This creates an estimated seasonal population of 175 persons, or 14.5 percent seasonal population in the town of Pensaukee. This is the highest seasonal population of all other towns compared in Table 3.3.

Table 3.3: Estimated Seasonal Population, 2000, Town of Pensaukee & Selected Areas

	Geographic Location				
	Town of Pensaukee	Town of Oconto	Town of Stiles	Town of Abrams	Oconto County
Population	1,214	1,251	1,465	1,757	35,634
Persons Per Household	2.58	2.76	2.53	2.69	2.52
Total Housing Units	562	491	620	700	19,812
Total Seasonal Housing Units*	68	24	32	28	4,837
Percent of Housing Units Seasonal	12.1	4.9	5.2	4.0	24.4
Estimated Seasonal Population**	175	66	81	75	12,189
Percent Population Seasonal	14.5	5.3	5.5	4.3	34.2

\*Seasonal housing includes seasonal, recreational, or occasional use units, does not include other vacant

\*\*Estimated Seasonal Population = Seasonal Housing Units x Persons per Household

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing and Bay-Lake Regional Planning Commission, 2002.

## Population Projections

The town of Pensaukee utilized three types of population projections to determine an approximate growth rate for the next 20 years. The town used the 2003 WDOA projections which lead up to 2025, in addition to two alternative population projections prepared by Bay-Lake Regional Planning Commission. The population projections consist of limitations that

should be recognized. For example, population projections are not predictions, rather they extend past growth trends into the future and their reliability depends on the continuation of these past growth trends. Smaller communities may be subject to more error because even minor changes in the community can result in significant changes in population projections.

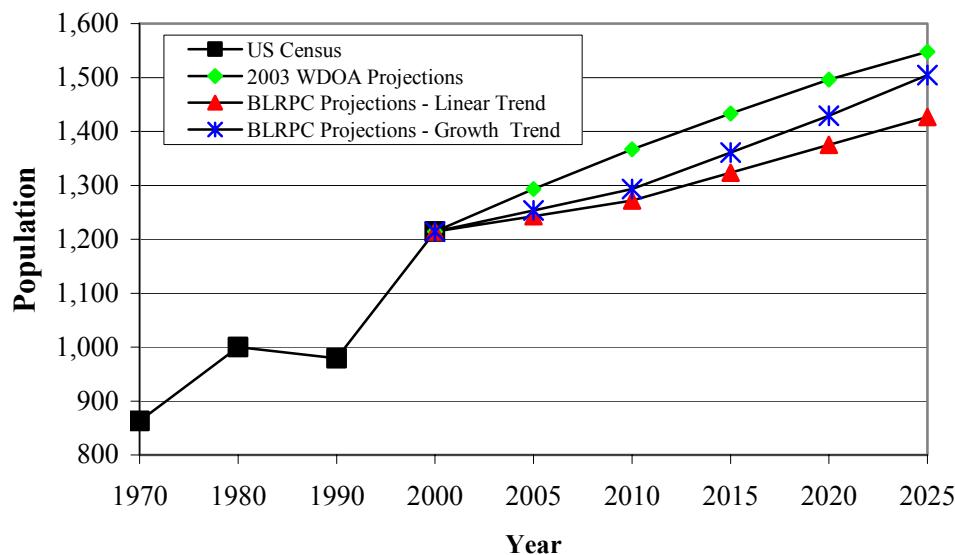
The 2003 WDOA Demographic Services Center prepared baseline population projections to the year 2025 for the town of Pensaukee. The projections utilize a formula that calculates the annual population change over three varying time spans. From this formula, the WDOA projects a constant population increase leading up to the town's planning period of 2025. This projection results in 1,548 persons, or an increase of 334 persons from 2000 for the town of Pensaukee.

Two additional projections were developed by using the 1970 to 2000 census figures and creating a "growth trend series" and a "linear trend series" to the year 2025. The "growth trend" method identified a projected year 2005 population of 1,254 persons, a 2010 projection of 1,293 persons, a 2015 population of 1,361, a 2020 population of 1,429 and a projected year 2025 population of 1,505. This "growth trend" projection illustrates a population growth of 291 from the 2000 Census number of 1,214 people.

The "linear trend" method identified a projected year 2005 population of 1,243 persons, a 2010 population of 1,272 persons, a 2015 population of 1,324, a 2020 population of 1,375 and a projected year 2025 population of 1,427. The "linear trend" projection illustrates a population growth of 213 from the 2000 Census number of 1,214 people.

Figure 3.2 displays the actual U.S. Census counts, the 2003 WDOA projection ("High Growth"), the BLRPC - Linear Trend projection ("Low Growth") and the BLRPC - Growth Trend projection based off the previous Census data.

Figure 3.2: Population Trends and Projections, 1970-2025, Town of Pensaukee



Source: U.S. Bureau of the Census, Census of Population and Housing, 1970-2000; Wisconsin Department of Administration, Official Population Projections, for years cited; and Bay-Lake Regional Planning Commission, 2003.

## **Population by Age and Sex**

Historically the town of Pensaukee has had more males than females. Also, from 1980 to 2000 there have been several shifts in the age distribution of the population in the town of Pensaukee (Table 3.4). In 1980, 24.8 percent of the population was under the age of 15, and 35 percent were under the age of 20. In 1980, the greatest percentage of the population was in the 25-34 age group, with most of the population being between the ages of 15 to 54. In 1990, the population shifted up, with most of the population between the ages of 25 to 54, including a large number of people in the 65 to 74 age group. By 2000 those under the age of 15 dropped to 19.2 percent, while those under the age of 20 dropped to 26.3 percent. Most of the town's population in 2000 was between the ages of 25 to 54, with the greatest percentage (20 percent) of people being between the ages of 35 to 44. Figure 3.3 displays these population shifts for the town of Pensaukee.

Table 3.4: Male and Female Distribution by Age and Sex, 1980-2000, Town of Pensaukee  
**1980**

Age	Male			Female			Total	
	Count	Percent		Count	Percent		Count	Percent
		Male	Total		Female	Total		
75 & over	20	3.9	2.0	15	3.1	1.5	35	3.5
65-74	37	7.1	3.7	36	7.5	3.6	73	7.3
60-64	26	5.0	2.6	22	4.6	2.2	48	4.8
55-59	27	5.2	2.7	31	6.4	3.1	58	5.8
45-54	56	10.8	5.6	51	10.6	5.1	107	10.7
35-44	54	10.4	5.4	54	11.2	5.4	108	10.8
25-34	70	13.5	7.0	67	13.9	6.7	137	13.7
20-24	47	9.1	4.7	32	6.7	3.2	79	7.9
15-19	53	10.2	5.3	54	11.2	5.4	107	10.7
10-14	51	9.8	5.1	44	9.1	4.4	95	9.5
5-9	42	8.1	4.2	36	7.5	3.6	78	7.8
under 5	36	6.9	3.6	39	8.1	3.9	75	7.5
TOTAL	519	100.0	51.9	481	100.0	48.1	1,000	100.0

**1990**

Age	Male			Female			Total	
	Count	Percent		Count	Percent		Count	Percent
		Male	Total		Female	Total		
75 & over	25	4.8	2.6	27	5.9	2.8	52	5.3
65-74	54	10.4	5.5	49	10.6	5.0	103	10.5
60-64	20	3.9	2.0	19	4.1	1.9	39	4.0
55-59	36	6.9	3.7	21	4.6	2.1	57	5.8
45-54	43	8.3	4.4	58	12.6	5.9	101	10.3
35-44	85	16.4	8.7	54	11.7	5.5	139	14.2
25-34	80	15.4	8.2	85	18.4	8.7	165	16.9
20-24	20	3.9	2.0	23	5.0	2.3	43	4.4
15-19	34	6.6	3.5	16	3.5	1.6	50	5.1
10-14	43	8.3	4.4	31	6.7	3.2	74	7.6
5-9	45	8.7	4.6	39	8.5	4.0	84	8.6
under 5	33	6.4	3.4	39	8.5	4.0	72	7.4
TOTAL	518	100.0	52.9	461	100.0	47.1	979	100.0

**2000**

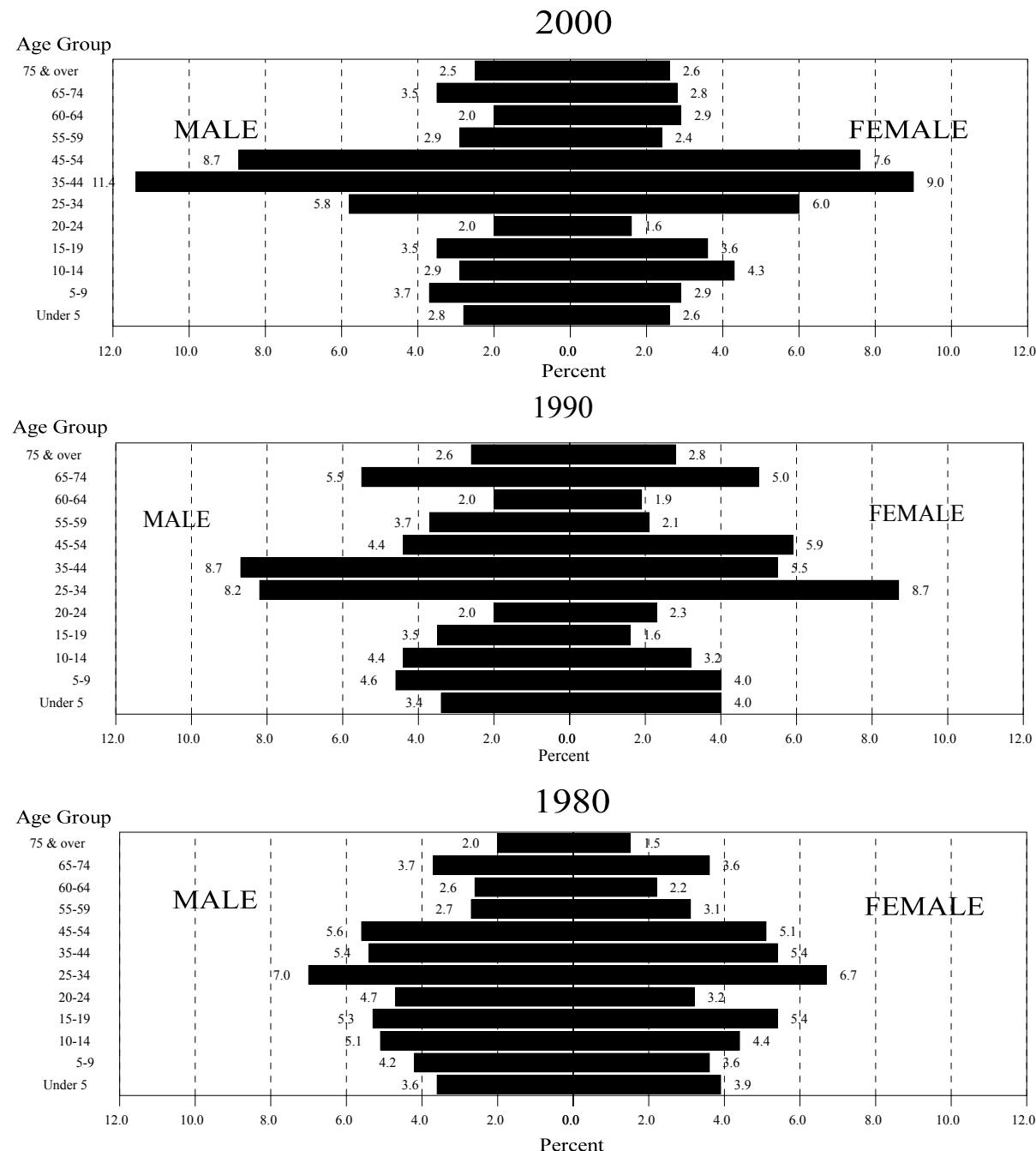
Age	Male			Female			Total	
	Count	Percent		Count	Percent		Count	Percent
		Male	Total		Female	Total		
75 & over	30	4.8	2.5	31	5.3	2.6	61	5.0
65-74	43	6.8	3.5	34	5.8	2.8	77	6.3
60-64	24	3.8	2.0	35	6.0	2.9	59	4.9
55-59	35	5.6	2.9	29	4.9	2.4	64	5.3
45-54	106	16.9	8.7	92	15.7	7.6	198	16.3
35-44	139	22.1	11.4	109	18.6	9.0	248	20.4
25-34	71	11.3	5.8	73	12.5	6.0	144	11.9
20-24	24	3.8	2.0	20	3.4	1.6	44	3.6
15-19	42	6.7	3.5	44	7.5	3.6	86	7.1
10-14	35	5.6	2.9	52	8.9	4.3	87	7.2
5-9	45	7.2	3.7	35	6.0	2.9	80	6.6
under 5	34	5.4	2.8	32	5.5	2.6	66	5.4
TOTAL	628	100.0	51.7	586	100.0	48.3	1,214	100.0

Source: U.S. Bureau of the Census, 1980 Census of Population and Housing, STF 1A, Table 10; 1990 Census of Population and Housing, STF 1A, Table P012; 2000 Census of Population and Housing SF-1; and Bay-Lake Regional Planning Commission, 2002.

## Decade Population Pyramids

Figure 3.3 represents the distribution of the age and sex of the population of the town of Pensaukee for 1980, 1990 and 2000. The pyramids illustrate the decline of the younger population and the increase of the older age groups. Each decade reveals that there have been differences in the percentages between male and female, leaning more towards males than females in the town.

Figure 3.3: Population Pyramids, 1980-2000, Town of Pensaukee



Source: U.S. Bureau of the Census, 1980 Census of Population and Housing, STF 1A, Table 10; 1990 Census of Population and Housing, STF 1A, Table P012; 2000 Census of Population and Housing SF-1; and Bay-Lake Regional Planning Commission, 2002.

### **School Age, Working Age, and Retirement Age**

For this section, the population of the town of Pensaukee was divided into four age groups: the school age group (5-17), the working age group (16+), the voting age group (18+), and those of retirement age (65+). In 2000, the working age group accounted for 79 percent of the total population, while the school age group accounted for 18 percent of the population. The town's population distribution among the age groups is very similar to Oconto County and the state, however the county overall has a larger percentage of people in the retirement age group.

Table 3.5: Population by Age Groups and Sex, 2000, Town of Pensaukee & Selected Areas

Age Groups	Total	Male	Female	Percent	Oconto County Percent	Wisconsin Percent
<b>School Age</b>						
5-11	117	56	61	9.6	10.2	10.1
12-14	50	24	26	4.1	4.9	4.5
15-17	54	25	29	4.4	5.0	4.5
<b>Working and Voting Age</b>						
16+	960	507	453	79.1	77.5	77.5
16-64	822	434	388	67.7	62.4	64.4
18+	927	489	438	76.4	74.3	74.5
18-64	789	416	373	65.0	59.2	61.4
<b>Retirement Age</b>						
65+	138	73	65	11.4	15.1	13.1
<b>Total Population</b>	<b>1,214</b>	<b>628</b>	<b>586</b>		<b>35,634</b>	<b>5,363,675</b>

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, STF 1A, General Profile and Table P012; and Bay-Lake Regional Planning Commission, 2002.

### **Median Age**

The median age for the town of Pensaukee and all communities compared (Table 3.6) has been gradually increasing for the period 1970 to 2000. Overall, this trend of increasing median age occurring throughout the United States, Oconto County and its communities should be noted for the future needs of the town and the area. An aging population generally demands additional community services and can also mean additional economic opportunities.

Table 3.6: Median Age, 1970-2000, Town of Pensaukee & Selected Areas

Geographic Area	1970	1980	1990	2000
Town of Pensaukee	26.4	29.4	35.1	38.6
Town of Oconto	24.4	28.4	33.0	37.8
Town of Stiles	25.5	27.4	32.3	38.6
Town of Abrams	25.5	27.3	32.8	37.2
Oconto County	30.8	31.3	35.0	38.8
Bay-Lake Region	29.6	30.7	34.6	38.6
State of Wisconsin	27.2	29.4	32.9	36.0

Source: U.S. Bureau of the Census, Census of Population, General Population Characteristics, Wisconsin, 1970, Tables 33,35; 1980 Table 14; 1990 STF 1A, General Profile; Census 2000 and Bay-Lake Regional Planning Commission, 2002.

## **HOUSING INVENTORY**

### **Total Housing Unit Levels by Decade**

The total number of housing units within the town of Pensaukee (as reported by the U.S. Census) has increased from 1970 to 2000 by 225 housing units (Table 3.7 and Figure 3.4). In 2000, there were 562 total housing units, a 66.8 percent increase since 1970. The adjacent town of Oconto's housing units increased by a similar percentage (63.7 percent) in the same time period. However, the towns of Stiles and Abrams have had over 100 percent increases in housing from 1970 to 2000.

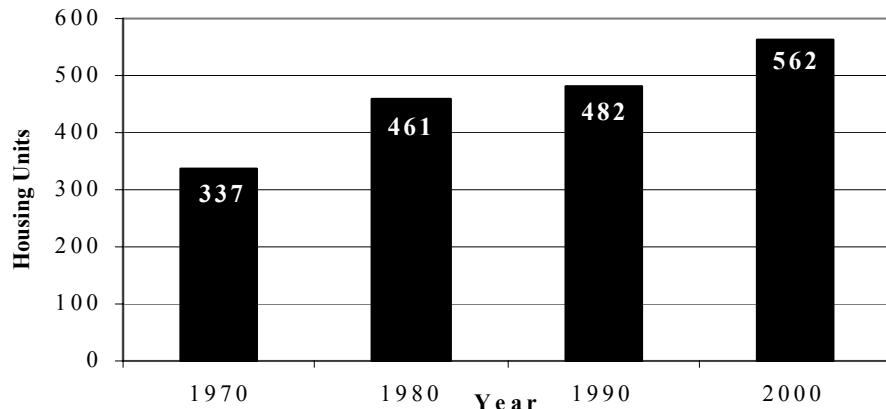
The largest period for housing unit increases in the town of Pensaukee occurred from 1970 to 1980 with a 36.8 percent increase. The period from 1980 to 1990 saw low housing growth with a four percent increase. From 1990 to 2000, the housing in the town increased by 80 units, or 16.6 percent.

Table 3.7: Total Housing Units, 1970-2000, Town of Pensaukee & Selected Areas

Area	Year				Percent Change			
	1970	1980	1990	2000	1970-80	1980-90	1990-2000	1970-2000
Town of Pensaukee	337	461	482	562	36.8	4.6	16.6	66.8
Town of Oconto	300	356	387	491	18.7	8.7	26.9	63.7
Town of Stiles	308	522	566	620	69.5	8.4	9.5	101.3
Town of Abrams	294	396	535	700	34.7	35.1	30.8	138.1
Oconto County	11,947	16,940	18,832	19,812	41.8	11.2	5.2	65.8
Bay-Lake Region	148,035	194,960	222,116	248,916	31.7	13.9	12.1	68.1
Wisconsin	1,472,466	1,863,897	2,055,774	2,321,144	26.6	10.3	12.9	57.6

Source: U.S. Bureau of the Census, 1970 Census of Population and Housing, Series 100, Table 2; 1980 Census of Population and Housing, Table 45; 1990 Census of Population and Housing, STF 1A; Census 2000; and Bay-Lake Regional Planning Commission, 2002.

Figure 3.4: Historic Housing Unit Levels, 1970-2000 - U. S. Census, Town of Pensaukee



Source: U.S. Bureau of the Census, 1970 Census of Population and Housing, Series 100, Table 2; 1980 Census of Population and Housing, Table 45; 1990 Census of Population and Housing, STF 1A; State of Wisconsin Demographic Services Center, Table DP-1; and Bay-Lake Regional Planning Commission, 2002.

### **Historic and Projected Household Size**

According to the Wisconsin Department of Administration, the household size within Oconto County is projected to decrease throughout the planning period. Table 3.8 indicates that the number of persons per household will consistently decrease during the planning period, from 2.52 in 2000 to 2.29 in 2025. This county trend will likely be reflected in the town of Pensaukee

as well. Using the county's trend to project the town's household size indicates 2.34 persons per household for the town in 2025.

Table 3.8: Persons Per Household Projections, 1990-2025, Town of Pensaukee & Oconto County

Geographic Area	Planning Year						
	1990	2000	2005	2010	2015	2020	2025
Town of Pensaukee	2.74	2.58	2.55	2.48	2.42	2.38	2.34
Oconto County	2.65	2.52	2.49	2.42	2.36	2.32	2.29

Source: WDOA, 2003; Bay-Lake Regional Planning Commission, 2003.

Note: The increments used to obtain the projected household sizes for the town of Pensaukee were taken from Oconto County's projection increments prepared by the Demographic Services Center and through linear trending from 1990 to 2025 by BLRPC, 2003.

### **Projected Occupied Housing Units & Total Housing Units**

In formulating a “best guess” for the future residential needs of the community, three methods were used in order to determine the most likely housing projection to the year 2025. The following are three methods that were used to estimate the future occupied housing unit demand along with a total of all future housing units within the town. The year 2000 “occupied housing” count of 471 units was used as a base figure, as was the 2000 count for “total housing” units of 562 for methods one and two. Method three used the 2003 Department of Administration population projections along with the projected persons per household. The seasonal/vacant housing units for all were kept as a constant (16 percent) throughout the planning period (2000 to 2025) regarding future housing needs.

#### **Method One:**

Using the census “occupied” housing counts from 1970 to 2000, a “*growth trend*” was created to the year 2025. This created a housing unit projection that indicated the town of Pensaukee would have 774 total occupied housing units by 2025, or an increase of 303 occupied housing units from the 2000 Census (Figure 3.5). To achieve a level of 774 occupied housing units, the town will need at least **897 total housing units** (taking into account a 16 percent vacancy rate), or an increase of **335** housing structures overall from the year 2000.

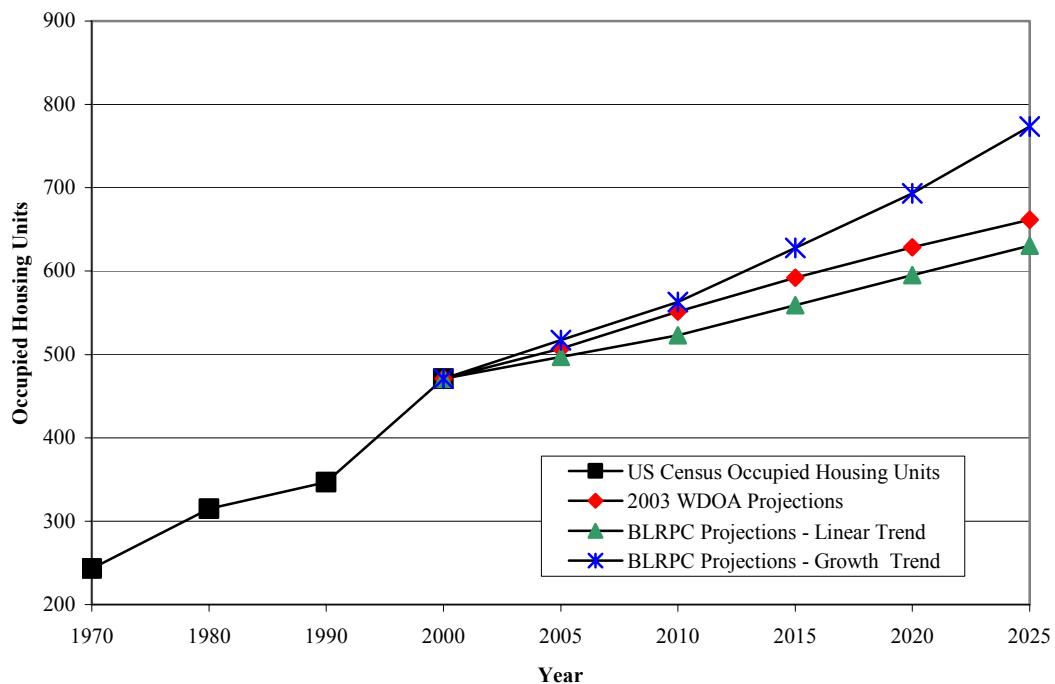
#### **Method Two:**

A “*linear trend*” to the year 2025 was also created utilizing the census “occupied” housing counts from 1970 to 2000. This created a housing unit projection that indicated that by 2025 the town of Pensaukee would have 631 total occupied housing units, or an increase of 160 occupied housing units. To achieve a level of 631 occupied housing units the town will need at **least 731 total housing units** (taking into account a 16 percent vacancy rate), or an increase of **169** housing structures overall from the year 2000.

#### **Method Three:**

By using the 2003 WDOA population projection to 2025, and the projected Persons Per Household number to 2025, another prediction was developed to determine the number of housing units needed by 2025. The WDOA population projection, which shows an increase of 334 persons and a decline in persons per household of 2.58 to 2.34 from 2000 to 2025, would equal 662 total occupied housing units, or an increase of 191 occupied housing units for the town of Pensaukee. To achieve a level of 662 occupied housing units, the town will need at least **768 total housing units** (taking into account a 16 percent vacancy rate), or an increase of **206** housing structures overall from the year 2000.

Figure 3.5: Occupied Housing Unit Trends & Projections, 1970-2025, Town of Pensaukee



Source: U.S. Bureau of the Census, 1970 Census of Population and Housing, Series 100, Table 2; 1980 Census of Population and Housing, Table 45; 1990 Census of Population and Housing, STF 1A; State of Wisconsin Demographic Services Center, Annual Housing Unit Surveys, July 18, 2000; and Bay-Lake Regional Planning Commission, 2002.

### Housing Projection Selection

It was determined by the town's Plan Committee to use method three (2003 WDOA projection) for its housing projections and for determining future housing and land demands. The housing demand for the town of Pensaukee would best be reflective of 662 total occupied housing units by 2025, an increase of 191 occupied housing units. This projection will be used for planning purposes in the town of Pensaukee for the next 20 years.

### Housing Types - Units in Structure

The majority of housing types in the town of Pensaukee in 2000 were one unit detached structures, 85.5 percent (Table 3.9). The remainder of the housing types in the town is mobile homes, which constitutes 80 units. The housing in the towns surrounding the town of Pensaukee also consist of a large percentage of one unit detached structures and a high number of mobile homes (Table 3.9).

Table 3.9: Units in Structure, 2000, Town of Pensaukee & Selected Areas

Units	Town of Pensaukee		Town of Oconto		Town of Stiles		Town of Abrams		Oconto County	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1 unit, detached	473	85.5	440	88.9	464	74.5	597	85.0	15356	77.5
1 unit, attached	0	0.0	2	0.4	2	0.3	0	0.0	127	0.6
2 units	0	0.0	0	0.0	8	1.3	3	0.4	465	2.3
3 or 4 units	0	0.0	0	0.0	4	0.6	0	0.0	219	1.1
5 to 9 units	0	0.0	0	0.0	0	0.0	6	0.9	337	1.7
10 to 19 units	0	0.0	0	0.0	0	0.0	0	0.0	125	0.6
20 or more units	0	0.0	0	0.0	0	0.0	0	0.0	175	0.9
Mobile home	80	14.5	53	10.7	145	23.3	96	13.7	2975	15.0
Other	0	0.0	0	0.0	0	0.0	0	0.0	33	0.2
Total	553	100.0	495	100.0	623	100.0	702	100.0	19812	100.0

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, SF- 1; and Bay-Lake Regional Planning Commission, 2002.

### **Housing Occupancy and Tenure**

The town of Pensaukee had 68 housing units (12 percent) out of a total of 562 being used for seasonal, recreational or occasional use. The percentage of seasonal units in the town of Pensaukee is larger than all of the other towns compared (Table 3.10). In 2000, the county had a significant number of seasonal housing units at 4,837. The majority of these seasonal units are found in the northern portions of the county.

Table 3.10 displays the housing occupancy and tenure in 2000. The town of Pensaukee had 471 occupied housing units (83.8 percent) and 91 vacant units (16.2 percent) in 2000. Of the 471 occupied units, 436 were owner occupied while 35 housing units were renter occupied. The town of Pensaukee has a much higher percentage of occupied housing units than Oconto County; however it has a lower percentage when compared with its surrounding towns. This is due to the larger number of seasonal housing units that exist within the town of Pensaukee.

Table 3.10: Housing Occupancy and Tenure, 2000, Town of Pensaukee & Selected Areas

Units	Town of Pensaukee		Town of Oconto		Town of Stiles		Town of Abrams		Oconto County	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Occupied	471	83.8	454	92.5	578	93.2	652	93.1	13,979	70.6
Owner	436	77.6	412	83.9	524	84.5	600	85.7	11,598	58.5
Renter	35	6.2	42	8.6	54	8.7	52	7.4	2,381	12.0
Vacant	91	16.2	37	7.5	42	6.8	48	6.9	5,833	29.4
Seas., Recr., Occas. Use	68	12.1	24	4.9	32	5.2	28	4.0	4,837	24.4
Other	23	4.1	13	2.6	10	1.6	20	2.9	996	5.0
Total Units	562	100.0	491	100.0	620	100.0	700	100.0	19,812	100.0

Source: U.S. Bureau of the Census, and Bay-Lake Regional Planning Commission, 2002.

### **Age of Housing**

According to the 2000 Census, approximately 27.3 percent of the existing housing units in the town of Pensaukee were built before 1940 (Table 3.11). Nearly 20 percent of the existing housing units were built between 1970 and 1979. The surrounding towns and Oconto County also had a significant number of housing units built before 1940; however the town of Pensaukee shows the greatest percentage and therefore contains a larger percentage of older housing.

Table 3.11: Housing Units by Year Structure Built, 2000, Town of Pensaukee & Selected Areas

Year Structure Built	Town of Pensaukee Number	Town of Pensaukee Percent	Town of Oconto Number	Town of Oconto Percent	Town of Stiles Number	Town of Stiles Percent	Town of Abrams Number	Town of Abrams Percent	Oconto County Number	Oconto County Percent
1999 to March 2000	21	3.8	35	7.1	23	3.7	34	4.8	705	3.6
1995 to 1998	60	10.8	54	10.9	88	14.1	96	13.7	1903	9.6
1990 to 1994	43	7.8	51	10.3	78	12.5	82	11.7	1293	6.5
1980 to 1989	51	9.2	45	9.1	101	16.2	121	17.2	2677	13.5
1970 to 1979	109	19.7	54	10.9	127	20.4	133	18.9	3656	18.5
1960 to 1969	26	4.7	37	7.5	53	8.5	28	4.0	2016	10.2
1940 to 1959	92	16.6	87	17.6	74	11.9	56	8.0	3386	17.1
1939 or earlier	151	27.3	132	26.7	79	12.7	152	21.7	4176	21.1
Total	553	100.0	495	100.0	623	100.0	702	100.0	19,812	100.0

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, SF- 3; and Bay-Lake Regional Planning Commission, 2002.

### **Condition of Housing Stock**

Determining the number of substandard housing units in the town of Pensaukee will be an indication of the condition of the overall housing stock. Those units which are determined to be substandard are recommended not to be considered as part of the overall housing supply.

*According to the Department of Administration, Division of Housing and Intergovernmental Relations, the definition of a substandard unit is a housing unit which is in need of major repair or replacement in three or more of the following areas: roof, electrical, heating, plumbing, foundation/structure (including interior walls/floors/ceilings), siding, doors/windows and well/septic or water/sewer laterals.*

According to the 2000 Census, there were 151 structures built prior to 1940, some of which may be substandard. However, according to the 2000 Census all housing units in the town contained complete plumbing facilities and complete kitchen facilities. The possibility does exist that housing units within the town may be substandard based on other conditions stated within the aforementioned definition.

The town should consider conducting housing surveys to help identify the number of substandard housing units within the community, where the majority of substandard units are located and determine ways to assist in the rehabilitation of these units.

### **Household Relationship**

The 2000 Census revealed that 100 percent of people in the town of Pensaukee lived in households (Table 3.12). This is also the case when compared with the surrounding towns, with the exception of the town of Abrams which has a small number of people living in group quarters. For Oconto County, 99 percent of people lived in households, with the remaining one percent of the people living in group quarters.

Table 3.12: Household Type and Relationship, 2000, Town of Pensaukee & Selected Areas

Relationship	Town of Pensaukee		Town of Oconto		Town of Stiles		Town of Abrams		Oconto County	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
In Households	1,214	100.0	1,251	100.0	1,465	100.0	1,751	99.7	35,276	99.0
Householder	471	38.8	454	36.3	578	39.5	652	37.1	13979	39.2
Spouse	301	24.8	312	24.9	360	24.6	431	24.5	8479	23.8
Child	356	29.3	414	33.1	430	29.4	559	31.8	10561	29.6
Other Relative	31	2.6	30	2.4	34	2.3	29	1.7	769	2.2
Non Relative	55	4.5	41	3.3	63	4.3	80	4.6	1488	4.2
In Group Quarters	0	0.0	0	0.0	0	0.0	6	0.3	358	1.0
Institutionalized	0	0.0	0	0.0	0	0.0	0	0.0	290	0.8
Noninstitutionalized	0	0.0	0	0.0	0	0.0	6	0.3	68	0.2
Total Persons	1,214	100.0	1,251	100.0	1,465	100.0	1,757	100.0	35,634	100.0

Source: U.S. Bureau of Census 2000, through Demographic Services Web site, WDOA, PDF file; and Bay-Lake Regional Planning Commission, 2002.

### **Housing Values**

In 2000, the majority of housing units in the town of Pensaukee were valued between \$50,000 and \$99,999 (Table 3.13). The median value of specified owner-occupied housing units in the town was \$111,300, which was higher than the median value for all areas compared, with the exception of the town of Abrams, which was \$114,800.

Table 3.13: Values of Specified Owner-Occupied Housing Units, 2000, Town of Pensaukee & Selected Areas

Value	Town of Pensaukee		Town of Oconto		Town of Stiles		Town of Abrams		Oconto County	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Less than \$50,000	14	6.4	27	22.0	15	5.8	19	5.4	1021	13.7
\$50,000 to \$99,999	77	35.2	93	88.0	109	42.4	108	30.8	3335	44.9
\$100,000 to \$149,999	61	27.9	43	53.0	81	31.5	133	37.9	1727	23.2
\$150,000 to \$199,999	35	16.0	31	23.0	35	13.6	49	14.0	814	11.0
\$200,000 to \$299,999	25	11.4	22	12.0	17	6.6	35	10.0	434	5.8
\$300,000 to \$499,999	4	1.8	2	0.0	0	0.0	7	2.0	81	1.1
\$500,000 to \$999,999	3	1.4	0	0.0	0	0.0	0	0.0	12	0.2
\$1,000,000 or more	0	0.0	0	0.0	0	0.0	0	0.0	4	0.1
Total Units	219	100.0	218	198.0	257	100.0	351	100.0	7428	100.0
Median Value	\$111,300		\$96,300		\$102,700		\$114,800		\$89,900	

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, SF-3; and Bay-Lake Regional Planning Commission, 2002.

### **Housing Costs - Rents and Mortgage**

Providing affordable housing which meets the needs of future town of Pensaukee residents is an important element of planning. Housing influences the economy, transportation, infrastructure, natural features, and various other aspects of a comprehensive plan. According to the U.S. Department of Housing and Urban Development (HUD), housing affordability is defined as paying no more than 30 percent of household income for housing. According to the 2000 Census, the median household income in 1999 in the town of Pensaukee was \$48,098. Therefore, assuming individuals made this median household income in 1999, the monthly amount a household could afford for housing was approximately \$1,202.

### **Rent and Income Comparison**

According to the 2000 Census, the median gross rent for renter-occupied housing units in the town of Pensaukee was \$531, compared to \$429 for Oconto County as a whole. Six renter-occupied housing units in the town of Pensaukee paid 30 percent or more of their 1999 income in rent.

### **Owner Costs and Income Comparison**

The 2000 Census indicated that 51 specified owner-occupied housing units paid 30 percent or more of their 1999 incomes for selected monthly owner costs. For owner-occupied housing units with a mortgage in 2000, the median monthly owner cost was \$1,047 in the town of Pensaukee. For owner-occupied units without a mortgage, the monthly cost was \$295.

### **Subsidized and Special Needs Housing**

Within Oconto County exists a variety of agencies that help find and develop housing for persons with various physical and mental disabilities or other special needs. The county does not have funding for these services. The Human Services Department of the County has information regarding the following agencies: WHEDA, NEWCAP, Housing Authority and Housing Management Services.

Within the town of Pensaukee, it is expected that assistance with home improvement (due to the aging of the structures) and rent are the greatest needs (partly due to an aging population). An ad-hoc listening session conducted within Oconto County in April of 2001 found that additional affordable housing and assistance with loans to improve aged housing units were important to residents and property owners attending.

### **Housing Development Environment**

Within the town of Pensaukee, there is a limited number of services due to the rural atmosphere of the town. Roads comprise the majority of public services within the town so future housing will likely develop along already established transportation corridors of both the county and town. Local subdivision roads would be added with future developments as needed.

The town has a large number of acres of developable lands. The aesthetic qualities of the lands in the town of Pensaukee vary based upon location to roadways and natural features. Current housing regulations/zoning allow for a variety of housing opportunities to include the option of manufactured homes, duplexes, mobile home parks, multi-family, elderly housing and personal assistance housing, and single-family housing. The Town Plan Commission and Town Board should monitor the number of housing units going in per year so developments do not detract from the town's rural character.

### **ANALYSIS AND DEVELOPMENT OF COMMUNITY POLICIES AND PROGRAMS**

The following text (as well as the above housing and population data) was presented to town officials for their review and consideration and assisted in determining the overall policies and programs the town will follow over the planning period in order to provide the desired housing conditions within the community. These identified actions appear at the beginning of the chapter within the *Housing Strategy* section.

Although there are currently no programs, policies, or assistance programs specifically regarding housing in the town there are some programs available at the county, state, and federal level in which town residents would be eligible.

All communities in Wisconsin have a number of implementation options available to them. One important implementation option is ongoing education of citizens and local officials about the contents of this housing chapter and on the role of housing within the community. Citizens need to understand the relationship of housing to economic development, land use, community facilities, and transportation.

Other implementation options available to communities include regulatory tools, such as zoning and subdivision ordinances, governmental and private non-profit programs available to encourage the maintenance and development of affordable housing.

### **Housing Programs**

A number of federal and state housing programs are available to help local communities promote the development of housing for individuals with lower incomes and certain special needs. Some communities may also want to explore developing their own programs. Below are agencies established to provide assistance to a wide variety of communities.

*Note: Not each program is available to the town, nor is each recommended. The programs are described in order to educate residents on specific agencies and their programs, and to be an inclusive information source during planning discussions.*

#### **Federal programs and revenue sources**

The **Department of Housing and Urban Development (HUD)** is the federal agency with primary responsibility for housing programs and community development. It provides subsidized housing through low-income public housing and the Section 8 program that provides subsidies for rent in private apartments to low-income households. Both of these programs operate principally through local public housing authorities. To be eligible for these programs and others, a community may want to explore establishing a public housing authority under section 66.40 of the Wisconsin Statutes.

HUD also provides money to communities for a variety of housing purposes. Part of this money is distributed to entitlement jurisdictions (cities of over 50,000 population and designated urban counties) also to other communities through grants to states who distribute the money to non entitlement communities. In Wisconsin, the state agency that serves as the conduit for these funds is the Division of Housing & Intergovernmental Relations (DHIR) within the Department of Administration. It awards these funds through a competitive request-for-proposals' process. Funding from other HUD programs is distributed through national competitions.

For information about programs that might be available for specific local initiatives, contact the Wisconsin HUD office located in Milwaukee.

**Rural Development - United States Department of Agriculture (USDA-RD)** provides a variety of housing and community development programs for rural areas. Its programs are generally available in areas with populations of 10,000 or less. It provides support for rental housing development, direct and guaranteed mortgage loans for home buyers, and support for self-help and cooperative housing development.

USDA-RD has district offices serving most parts of Wisconsin. To find out about programs that might benefit your community, look in the phone book in the federal government listings under "Agriculture, Department of" for "Rural Development." You can also contact the state office located in Stevens Point, or explore the web site of the national office at [www.rurdev.usda.gov/agency/rhs/rhs.html](http://www.rurdev.usda.gov/agency/rhs/rhs.html). Bay-Lake Regional Planning Commission is also available to assist you in gathering information.

#### **State Programs and Revenue Sources**

**Department of Administration, Division of Housing & Intergovernmental Relations (DHIR)** is one of two state agencies that administer housing programs. It administers several

programs that are funded by the state and many more that are funded by HUD. State programs funded by general purpose revenue cannot be used to invest directly in housing development. Instead these funds are used to help organizations develop the capacity to develop houses or to provide various types of financial assistance to home buyers or renters through grants to local governments or non-profit agencies.

**Wisconsin Housing and Economic Development Authority (WHEDA)** is a quasi-governmental agency that finances housing development through the sale of bonds. It receives no direct state-tax support. It provides mortgage financing for first-time home buyers and financing for multifamily housing as well. Specific programs evolve and change with the needs of the housing market.

WHEDA also manages several federal housing programs. One program, the Low Income Housing Tax Credit Program, encourages housing development by providing private investors with income tax credits when they invest in low income housing development. Tax credits are allocated to housing projects on a competitive basis.

Information about WHEDA programs can be obtained by contacting WHEDA or visiting its web site at [www.wheda.com](http://www.wheda.com).

The ***Northeast Wisconsin Community Action Program*** (NEWCAP, Inc.) has an assistance program available to residents in Oconto County, Florence County, Marinette County and Brown County. This program is the ***Section 8 Voucher Housing Assistance*** program that provides rental subsidies to low income families, senior citizens, handicapped, and disabled individuals who reside in rental housing.

#### *References/Additional Resources*

A Guide Identifying Public Sources of Housing Financial and Informational Assistance for the Development of Low and Moderate-Income Rental Housing. October, 1999 Division of Housing and Intergovernmental Relations, Department of Administration (updated annually).

#### **Local Programs and Revenue Sources**

**Housing trust fund.** A housing trust fund is a pool of money available for housing projects for middle or lower income households. The fund is used to fill financial gaps to make projects feasible. Trust funds may be replenished yearly or they may be designed to be perpetual and self-sustaining. Revolving funds are sustained by the payments of loan recipients, which are then used to supply additional loans. Sources of revenue to begin or replenish housing trust funds include eschewed or abandoned funds, sale of public land, general obligation bonds, general appropriations, endowments and grants, and surplus reserve funds.

Housing trust funds are particularly well-suited to meet the large and long-term capital investment needs of projects. Unlike funds that rely on the vagaries of state or local annual appropriations, a housing trust fund is a permanent dedication of a specified amount for housing. Trust fund money can be used in a number of ways. It may assist in home purchase, down payment assistance, security deposit assistance, housing construction, rehabilitation, maintenance, and operation, technical assistance for housing organizations, homeless shelters, debt or equity financing, and second mortgages. The City of Stevens Point, in central Wisconsin, is one example of a community that has established a housing trust fund. For information on how this fund was established and how it is used, contact the Housing Authority of the City of Stevens Point.

**Housing linkage programs.** Voluntary housing linkage programs encourage developers of office, commercial, retail, or institutional development to construct or make financial contributions towards affordable housing. The underlying rationale is that new non-residential development creates a need for housing by attracting employees to an area. Therefore, the developers should contribute towards satisfying this need. Linkage programs usually apply to new construction but they may also apply to expansion of existing space. The programs are popular with developers when they either reduce costs or add value to the project. Examples of incentives are density bonuses, reduced setbacks, and reduced parking requirements.

These programs benefit businesses, the developer, and the community. Developers benefit from the incentives while communities benefit from more affordable housing. Businesses benefit from a well-housed and accessible labor force. Office/housing linkage programs will be most useful in communities experiencing high growth rates where developers are more willing to take advantage of incentives and where linkage programs can reduce the pressure for housing.

### **Private Programs**

**Non-profit housing development corporations.** A non-profit corporation is an organization that may qualify for tax-deductible donations, foundation grants, and public funds. To be eligible, the organization must apply for and receive non-profit status from the IRS. Non-profits build and maintain housing in many areas of Wisconsin. Their projects help communities improve their range of housing opportunities.

Non-profits are eligible for state and federal financial resources, making them an important vehicle for publicly desired housing. They often work in collaboration with local governments, civic organizations, citizen groups, and for-profit developers. This improves communication and coordination in the community and creates an atmosphere for future projects. Municipalities too small to have their own housing staff or programs may contract with non-profits to provide services such as housing management and grant-writing. They may also be able to pool resources with the non-profit organizations in other area communities. Non-profits can develop technical expertise and skills with regard to finance, construction, rehabilitation, and project management.

Wisconsin is unique in that it has a program to specifically assist nonprofit housing organizations. The program is called the Local Housing Organization Grant (LHOG) Program. It provides grants to nonprofits to increase their capacity. To find out if there is a non-profit housing developer serving your area or about LHOG, contact the Department of Administration, Division of Housing and Intergovernmental Relations.

### **Housing Plan**

Below is a detailed discussion of how the community can achieve their desired housing for all of their residents utilizing information provided by the UW-Extension along with state programs. The three housing requirements as defined by s66.1001(2)(b) are detailed below - along with options/actions presented to meet these state requirements. An overall recommended community strategy is formulated at the beginning of this chapter, which states specific policies and programs the town will follow to meet these requirements.

**Requirement 1. Promoting the development of housing that provides a range of housing choices to meet the needs of persons of all income levels and of all age groups and persons with special needs.**

An increasing number of people cannot find housing in their community that is suitable for their stage of life--from young wage earners to couples with grown children. Local communities and their governments need to pursue strategies that encourage the development of a range of housing choices to meet the needs of people with different income levels and with various needs. People with special needs typically include the elderly, physically and mentally disabled persons and may include other classifications such as farm workers and migrant laborers. As the general population of Wisconsin ages, affordability, security, accessibility, proximity to services, transportation, food, and medical facilities, will all become very important.

### **Specific local actions**

Local governments affect the type and cost of housing available in their community through their regulations and policies. While most government regulations are implemented in order to serve specific community health, safety, and welfare needs they may have unintended adverse impacts on affordability. A review of local regulations may reveal areas where changes can be made to decrease the impact on affordability without compromising the protection of public health, safety, and welfare.

Some specific strategies to promote a range of housing choices to meet a variety of needs include the following:

#### ***Zoning and subdivision regulations for smaller lot size***

One technique for insuring a range of housing is to provide a range of densities and lot sizes. Traditional zoning ordinances may only allow a limited variety of lot sizes throughout a community for single-family residential development.

Land costs can be 25 percent, or more, of the total cost for a home. One way to reduce land cost is to reduce lot size. First, lot prices are less expensive for smaller parcels. Second, land development costs are less because they may be spread over a larger number of units. Third, less infrastructure is needed because development on smaller lots requires fewer miles of roads, sidewalks, gutters, and shorter utility runs. In a competitive market, reduced land development costs are passed on to consumers.

Smaller lot sizes that seek to increase overall density within the community can also be linked to other community planning objectives. For example, higher density development can (1) preserve farmland, open space, and environmentally sensitive areas by reducing the overall amount of land needed for housing; (2) improve the viability of mass transit, provide opportunities for residents to live near their jobs, and thereby help reduce vehicle miles traveled; (3) use existing infrastructure more efficiently than less compact development thus reducing service costs and saving tax dollars.

Increasing density may meet with opposition from existing area residents. To address this concern, attention must be given to site design characteristics. For example, design elements such as the layout of streets, lots, mixing of lot and house sizes, variation in building setbacks and elevations, variation in exterior designs, and quality landscaping to provide privacy. The development must be attractive if it is to be accepted by the larger community.

*A word of caution: Concentrating the lowest income households together in high densities may prove to have a negative effect upon the community, the residents, and the condition of the housing. Therefore a broader mix and range of housing choices throughout a community is important.*

### ***Standards in zoning and subdivision ordinances***

Many communities have zoning and/or subdivision ordinances that contain building requirements that may unnecessarily increase the cost of housing thereby limiting the range of housing choices available in the community. These include requirements setting forth minimum floor area size. By removing minimum floor area sizes, communities can increase the range of housing opportunities.

Many local subdivision regulations also include standards for how subdivisions are designed (e.g., road widths, sidewalks, tree plantings, setback, materials, land dedication, sidewalks or paths, location of the structure on the site, garages). Communities should review their subdivision ordinances to identify provisions that constrain housing. Old ordinances in particular may be in need of revision to meet current needs. Current neighborhood design emphasizes social, economic, and environmental aspects and endeavors to create neighborhoods that are more energy efficient and that have a greater range of housing options.

The following are some suggestions for reviewing subdivision regulations:

**Setbacks** - Large setbacks increase housing costs. They originated as a means of fire protection. Subdivision regulations should establish maximum front yard setbacks, either in addition to or instead of minimum setbacks. Side yard setbacks may also need to be decreased.

**Streets** - Narrower streets can reduce development costs.

**Lot layout** - Traditional platting design has been to site large, one-sized lots without regard to local climate, topography, or hydrology. Current practice emphasizes variety in lot size, shape, and use to increase housing options within the development.

**Lot design and vegetation** - Using breezes and topography and trying to capture winter sun and block summer sun can save residents money on fuel costs.

### ***References/Additional Resources***

*Removing Regulatory Barriers to Affordable Housing in Wisconsin*: A Report by the Governor's Task Force on Regulatory Barriers to Affordable Housing (1994).

*Affordable Housing Techniques*: A Primer for Local Government Officials by the Municipal Research and Services Center of Washington (1992).

*Changing Development Standards for Affordable Housing* by Welford Sanders and David Mosena (American Planning Association, PAS Report # 371, 1982).

*Planning for Affordable Housing* by the Vermont Department of Housing and Community Affairs (1990).

*A Citizen's Guide to Conserving Land and Creating Affordable Housing* by the Burlington Community Land Trust and the Vermont Land Trust (1990).

*Smart Growth: Creating Communities for People* by Allison Semandel and Mike Kinde (Citizens for a Better Environment, 1999).

*Model Code Provisions - Urban Streets & Subdivisions* Washington State Department of Community, Trade and Economic Development (1998).

### ***Innovative zoning and subdivision techniques***

Innovative development techniques, such as ***mixed-use development***, ***zero lot lines***, and ***cluster development***, can also encourage a broader range of housing choices.

***Mixed-use development*** allows different land uses, such as commercial and residential, and allows several different housing densities within a single development. Mixed-use developments can range in size from single buildings with apartments located over retail uses, to large-scale projects that include office and commercial space along with housing.

Mixed uses may make housing development economically feasible when it otherwise would not be. Higher density housing in commercial zones may be more politically acceptable than increasing densities in established single-family areas. Sensitive design and site planning is critical with mixed-use developments.

Mixed-use developments can be regulated in various ways. Some communities allow residential uses-by-right in certain identified commercial zones. Other communities consider housing in commercial areas as conditional uses. Other communities allow mixed uses within a planned development district (also commonly referred to as planned unit development or PUD) or in special mixed-use districts.

***Zero-lot-line***. Conventional zoning requires that the home be set back from every lot line. However, for small lots the "yards" created on each side of the house are very small, and usually useless. Zero-lot-line ordinances place the house on one of the side-lot lines and/or on the rear or front-lot line. By placing a house on the lot lines, the amount of useable space on the other sides is doubled.

Some communities permit houses to be sited on a common lot line so that they resemble duplexes. Other communities require that they be sited on alternate lot lines, to give the appearance of housing in a conventional development. The advantage of zero lot line is that it offers the lower costs associated with high-density development while still maintaining the privacy and appearance of traditional single-family detached housing.

***Cluster development*** allows housing units to be grouped within a residential development on lots smaller than those normally allowed. Clustering can help reduce housing costs because of decreased lot sizes and because of decreased development costs. However, cluster development may increase site planning, design, and engineering costs. It can create common open space and protect environmentally sensitive land. It is a technique has been used in developing urban areas and in rural areas. Cluster developments are regulated in a number of ways. Zoning ordinances can specify zones in which cluster developments are permitted and/or allowed by special permit. Subdivision regulations can outline development standards for clustering. Cluster development may also occur as part of a planned development district.

### ***References/Additional Resources***

Southeastern Wisconsin Regional Planning Commission, *Rural Cluster Development Guide* (Planning Guide No. 7, 1996).

East Central Wisconsin Regional Planning Commission, *Rural Development Guide for East Central Wisconsin Governments and Landowners* (1999).

Randall Arendt, *Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks* (Island Press, 1996).

### ***Density bonuses***

A *density bonus* allows a developer to build more units in a project than would otherwise be permitted. Bonuses may be offered in exchange for preservation of open space or other things valued by the community. Density bonuses increase the value of the overall project and may therefore make certain projects economically feasible when they otherwise would not be. Density bonuses offer a positive alternative to mandatory programs that may be resisted by developers. Developers may decide for themselves whether participation will be cost effective.

The community will need to decide the amount of increased density given in exchange for the desired development features. Because the market ultimately determines the success of density bonus programs, program designers will need a thorough understanding of the local and regional real estate market. For example, if current zoning already allows enough density to satisfy market demand, developers will have no interest in a density bonus. Density bonus programs may be implemented through zoning or subdivision ordinances, or both.

### ***Inclusionary zoning***

*Inclusionary zoning* requires that a certain number of units in a new development be set aside as affordable. Inclusionary programs may apply to both rental and owner-occupied units and may be mandatory or voluntary. Some communities have found that mandatory programs impose costs on developers that are too heavy and actually retard new construction of both affordable and market-rate units by making them economically unfeasible. If requirements are imposed, they should be modest enough to ensure developers an adequate return on their investment. Voluntary programs are preferable to mandatory programs if developers will use the incentives.

Voluntary programs provide incentives to allow developers to determine for themselves whether participation will be cost effective. Incentives may be density bonuses, waiving development fees, and financial assistance through federal, state, and local programs.

### ***References/Additional Resources***

*Affordable Housing Techniques: A Primer for Local Government Officials* by the Municipal Research and Services Center of Washington (1992).

*Planning for Affordable Housing* by the Vermont Department of Housing and Community Affairs (1990).

*Affordable Housing: Proactive and Reactive Planning Strategies* by S. Mark White (American Planning Association, PAS Report #441, 1992).

### ***Accessory or "granny" apartments***

An *accessory or "granny" apartment* is a living unit separate from the primary residential unit. It includes separate kitchen, sleeping, and bathroom facilities. Accessory apartments may be attached to the primary dwelling or detached. Attached accessory units typically involve some space in the existing home, such as an attic, garage, or basement family room. Detached units are sometimes also referred to as "accessory cottages." They may be guest or servant quarters, converted sheds, or garages.

Accessory apartments benefit: elderly persons with limited resources living in large single-family homes with under-used space; households with an older relative who is still able to live substantially independently but requires some degree of assistance; and young adults who want to live independently while still being near to their parents.

Accessory units may already exist in the community without ordinances. Communities may want to adopt regulations to address the size of units, their concentration, their exterior appearance, and parking requirements. In some communities accessory units can only be used for a frail elderly person or caretaker and the kitchen must be removed when this permitted use ends.

### **References/Additional Resources**

*Accessory Apartments: Using Surplus Space in Single-family Houses* by Patrick H. Hare, Susan Conner, Dwight Merriam (American Planning Association, PAS Report #365, 1981).

### **Streamlined permitting processes**

The land-use permitting process affects the cost of housing. Delays in the review of proposed housing developments can add to development costs. A more efficient land-use review process can also result in a more cost-effective way to administer land-use regulations.

The following are ideas for streamlining the land use permitting process. Because each of these reform measures is designed to accomplish different objectives, they are best used in combinations:

**Self-assessment** - Begin by taking stock of the permitting process. For example, how long does a typical development review take from start to finish? Are there places where the system bogs down? Are there ways to eliminate or consolidate some of the steps in the approval process?

**Centralized one-stop permit desk** - This saves applicants from needlessly backtracking to different offices and departments. Include interdepartmental review to help coordinate the numerous departments that may be involved in the development process.

**Checklists and flow charts** - Consider publishing guidebooks that outline the local permit process.

**Zoning and subdivision ordinances should describe the application process from start to finish** - Ordinance language should be simple and direct and the sections and standards that relate to one another should be cross-referenced. Doing so benefits applicants and those who administer and enforce the ordinance.

**Pre-application conferences** - Formal or informal meetings with community staff to present concept or sketch plans and address requirements will save money by clarifying expectations before the expensive technical and engineering work begins.

**Concurrent review** - Concurrent review allows different steps in an application to proceed at the same time (like a petition for a zoning change and review of a subdivision plat) thus reducing the overall time needed.

**Staff discretion on administrative matters** - Minor subdivision approvals and issues involving mostly technical and minor changes to submittals can be handled by planning staff. Plan commission time should not be wasted on such matters.

**Fast-tracking** - Development projects that are desirable because of type or location can be encouraged by exempting them from certain permit requirements.

**Encourage innovation** - Innovative techniques may be encouraged by an expedited permit process and by allowing them as conditional uses or as overlays to existing zoning districts.

## **References/Additional Resources**

*Streamlining the Development Approval Process* by Debra Bassert (Land Development, Winter 1999, pp. 14-19).

*Streamlining Land Use Regulations: A Guidebook for Local Governments* by John Vranicar, Welford Sanders, and David Mosena (American Planning Association, 1982).

*Affordable Housing: Proactive and Reactive Planning Strategies* by S. Mark White (American Planning Association, PAS Report #441, 1992).

### ***Impact fees***

*Impact fees* are fees imposed on development to mitigate the capital costs of new public facilities necessitated by the development. Public facilities include infrastructure for transportation, water, stormwater, parks, solid waste, and fire and police. However, impact fees cannot be used for school facilities. Under section 66.0617(7) of the Wisconsin Statutes, impact fee ordinances must provide for an exception from or a reduction in the amount of impact fees on developments that provide low-cost housing.

### **Requirement 2. Promoting the availability of land for the development or redevelopment of low-income and moderate-income housing**

Communities must promote the availability of undeveloped or underused land as one way to meet the low and moderate-income housing needs identified in the housing element of s66.1001. Several options are available to communities. For example, communities should insure an adequate supply of land is planned and zoned for multifamily housing and for development at higher densities to meet forecasted demand.

Promoting the availability of land for low and moderate-income housing can also be integrated with other planning issues. For example, urban communities may try to identify areas near transit lines or where new transit might be feasible because of higher density and mixed-use development.

Additional strategies for promoting the availability of land for the development or redevelopment of low and moderate-income housing include the following;

### **Specific local actions**

#### ***Community land trust***

Community land trusts protect housing by keeping land from the speculative market. They typically work by owning the land and selling or leasing the buildings. Buyers or lessors agree to a limited appreciation should they decide to later sell or lease to another. The model works to preserve both existing residential units and new units built on the land. Also, it can be used to preserve affordable space for such things as community centers, health care facilities, small businesses, or day care centers. Community land trusts are similar to conservation land trusts which protect natural resources and open space.

Community land trusts provide the following benefits:

**Lower land costs** - Because land trusts remove land costs from the purchase price of a property, housing units can be sold or rented for less;

**Permanent affordability** - Removing land costs and limiting the amount of appreciation means that land trust housing will always be more affordable than market-rate housing for as long as the trust exists (which may be indefinitely);

**Retention of investment** - Grants, loans and other investments in a land trust are effectively recycled year after year through rents or sale prices, instead of requiring continuous financial support;

**Community stability** - Community land trusts are non-profit organizations controlled by local personalities. They are committed to stabilizing local housing costs for the long term and preserving a community's social fabric;

**Speed** - Land trusts can more quickly purchase properties that become available than can government.

### ***References/Additional Resources***

Institute for Community Economics, 57 School Street, Springfield, MA 01105-1331.

*A Citizen's Guide to Conserving Land and Creating Affordable Housing* by the Burlington Community Land Trust and the Vermont Land Trust (1990).

### ***Use of public or donated land for housing***

Development of housing on publicly owned land or land donated for affordable housing can substantially increase the financial feasibility of many housing projects. Communities can also seek to encourage the donation of land for affordable housing.

Lands acquired by the community through tax forfeiture may be appropriate for affordable housing. Local governments and nonprofits may also engage in a program to acquire land and hold it until the community is ready to develop housing. Funding to acquire land may be available from federal and state programs.

### ***Infrastructure improvements reserved for affordable housing***

Giving priority for sewer and water extension to projects that include housing units affordable to middle and lower-income households can increase the likelihood that such housing will be built. The priority may be formalized in an ordinance or informally as a plan policy.

### ***Infill development***

*Infill* refers to development on vacant or under-used land within built-up urban areas. Infill can range from construction of single-family housing on one or two adjacent lots to development of entire city blocks containing both residential and commercial uses.

Infill development has several advantages. Infill areas are already served by public facilities, including roads, sewer and water, police, fire, utilities, schools, and transit. Infill opportunities may sometimes be located on higher-cost urban land. If this is the case, then multi-family housing and/or mixed-use projects, that have lower per-unit development costs, may be most appropriate. Density bonuses or faster permitting may also add to an infill project's economic feasibility.

Communities may encourage infill development by: preparing an inventory of potential infill sites and distributing it to developers; adopting flexible regulations which allow development of irregular or substandard infill lots; allowing mixed uses for infill developments, which may enhance the economic feasibility of projects; assisting in the consolidation of infill lots into

larger, more easily developed sites; and acquiring abandoned property and demolishing structures beyond rehabilitation.

To minimize neighbor concerns infill units should be designed to fit in with the massing and density of the existing neighborhood as much as possible. For example, if the neighborhood is all two story houses with steep pitched roofs the infill units would probably be more acceptable if they had two stories with steeply pitched roofs. The Wisconsin Housing and Economic Development Authority has had a special financing program to support the development of infill housing. They used this program in several cities where they successfully added new structures to existing neighborhoods using modular homes.

### ***Adaptive reuse***

*Adaptive reuse* involves the conversion of surplus and/or outmoded buildings to economically viable new uses such as housing. Examples of outmoded buildings include old schools, hospitals, warehouses, and factories. It is one method for introducing housing into non-residential areas. Projects that involve historically or architecturally significant buildings may qualify for preservation tax credits.

Communities can facilitate adaptive reuse by developing flexible ordinances to facilitate adaptive reuse, by arranging for possible property transfers of publicly-owned buildings, and by providing assistance in obtaining sources of funding such as loans, grants, and rent subsidies.

### ***Manufactured Housing***

Manufactured housing can be an important source of low and moderate cost housing in a community. Communities may want to encourage manufactured housing as a means of expanding the range of housing opportunities. Manufactured housing is less expensive to build than site-built housing because of lower production costs. The term *manufactured housing* describes housing that is constructed in a factory and delivered to the site as a finished product. While these homes are often referred to as "mobile homes" fewer than 5 percent of manufactured homes are moved once placed on a site.

Local communities often try to prohibit the siting of manufactured housing due to concerns about the effect on the tax base since manufactured housing is often taxed as personal property. However, a study by the University of Wisconsin-Extension suggests that manufactured home communities may actually have a positive impact on local taxes. There also may be concerns about the effect on adjacent property values and the visual quality of manufactured homes. A University of Michigan study, however, concluded that manufactured home parks have little or no impact on adjacent residential property values.

Communities may want to review their zoning ordinances to be sure that their regulations do not unduly restrict the use of manufactured homes. For additional information regarding manufactured housing and integrating them into single-family neighborhoods, contact the Wisconsin Manufactured Housing Association.

The Foundation for rural housing located in Madison has developed a program with the Wisconsin Manufactured Housing Association and the Department of Corrections to obtain donated manufactured homes, rehabilitate them with prison labor and make them available for low income housing.

## **References/Additional Resources**

*Manufactured Housing: Regulation, Design Innovations, and Development Options* by Welford Sanders (American Planning Association, PAS Report #478, 1998).

*Manufactured Housing Impacts on Adjacent Property Values* by Kate Warner and Jeff Scheuer (University of Michigan, 1993).

*Municipal Revenue Impact of Tax Exempt Mobile Homes: A Methodology for Extension Agents* by Richard Stauber (University of Wisconsin-Extension, 1995).

*Product Report: 'Manufactured Housing'* available from the American Association of Retired Persons website at [www.aarp.org/manhov1.html](http://www.aarp.org/manhov1.html).

*Manufactured Housing and Standards: Fact Sheet for Purchasers of Manufactured Homes* (1999) available from the U.S. Department of Housing and Urban Development website at [hud.gov/fha/sfh/mhs/mhssht3.html](http://hud.gov/fha/sfh/mhs/mhssht3.html).

*Regulating Manufactured Housing* by Welford Sanders (American Planning Association, PAS Report # 398, 1986).

## **Requirement 3. Maintaining or rehabilitating existing housing stock**

It is important that the communities housing plan consider conservation of the communities existing housing stock. The existing stock often is the primary source of affordable housing. In many communities this existing housing is aging and may need investment to maintain its utility. Communities and local governments should develop strategies that prevent neglect, and encourage reinvestment in the existing housing stock.

### **Specific local actions**

#### ***Building code***

The State of Wisconsin has a uniform dwelling code that must be followed for the construction and inspection of all one- and two-family dwellings in the state. Local communities in the state have certain responsibilities for enforcement of the code. The uniform dwelling code is administered by the Wisconsin Department of Commerce and is found in the Administrative Rules for the Department of Commerce (COM 20 -- COM 25).

#### ***Historic building code***

The standard state building codes may make rehabilitation of certain older homes prohibitively expensive or impractical. Communities in Wisconsin that have adopted historic preservation ordinances certified by the State Historical Society of Wisconsin can use the Wisconsin Historic Building Code for locally designated historic buildings. The Historic Building Code, administered by the Wisconsin Department of Commerce, permits a flexible and cost-effective approach to rehabilitating historic buildings. The code is found in the Administrative Rules for the Department of Commerce (COM 70). Information is also available from the Division of Historic Preservation at the State Historical Society of Wisconsin.

#### ***Housing code***

All communities in Wisconsin can enact housing codes under their general authority to protect public health, safety, and welfare. Housing codes provide standards for how a dwelling unit is to be used and maintained over time.

It is important for communities to review housing code enforcement efforts to determine if they need to be increased or modified to make them more effective. Communities can intensify housing code enforcement programs to help maintain housing and upgrade deteriorating housing stock. In some communities code enforcement capacity is so limited that routine inspections are scheduled only once in ten years. Communities could consider focusing enforcement efforts on select neighborhoods, publicizing code provisions, and complaint procedures.

#### ***Community paint/fix up events***

Local governments should target home maintenance/rehabilitation programs at the neighborhood level because the visibility can help create peer pressure to motivate others to fix up their homes. One strategy is to organize painting/fix-up events in partnership with local professional and civic groups to encourage volunteers to help with exterior maintenance of target residences.

#### ***Rehabilitation loans and grants***

Code enforcement can be supplemented with financial and technical assistance to homeowners and tenants. Communities may establish loan or grant programs to assist owner occupants with repairs. Such programs are commonly funded by federal Community Development Block Grant dollars. The programs often focus on specific census tracts or neighborhoods where the concentration of deferred maintenance is highest. In addition to keeping housing units functioning, maintenance and rehabilitation are also worthwhile because they build pride among residents, stimulate others to repair their homes, encourage long-term investment and maintenance, and reduce potential neighborhood problems.

#### ***Occupant education and cooperation***

Many repairs are simple enough that most homeowners can help if given some guidance. Educational programs to train homeowners and renters can help ensure that the homes are rehabilitated and maintained in good condition. These educational programs help property owners better understand the responsibilities.

## **Chapter 4 - ECONOMIC DEVELOPMENT**

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### **INTRODUCTION**

Throughout the planning process, many factors contribute to economic development opportunities and needs within a community. For this reason, labor force characteristics and economic base indicators were analyzed at the local, county, regional and state level to determine trends, opportunities and needs for the town of Pensaukee. The economic data primarily used for this plan is from the 2000 U.S. Census. This economic information is valuable to planners, town officials, the business sector as well as residents, for it establishes a good indicator of the economic situation in and around the town.

Even though the town of Pensaukee is primarily a rural community with limited commercial and industrial sites, it is still important for both the town officials and town residents to review the economic factors to quantify what the town has as strengths and weaknesses (in economic terms), so that the town can work towards promoting its identified goals. The town may wish to devote some resources toward recruiting/promoting certain types of economic development deemed most appropriate for its future.

### **SUMMARY AND IMPLICATIONS**

1. Federal, state, regional, county, and local programs exist to promote opportunities within the town.
2. Employment opportunities for town residents exist within the surrounding communities of Oconto, Abrams, Green Bay and other communities that are within an hour drive of the town. The 2000 Census indicates that 93 percent of the town's working residents work outside of the town of Pensaukee.
3. According to the 2000 Census, the majority of employed persons in the town of Pensaukee were either in production, transportation, and material moving occupations (34.2 percent) or they were management, professional and related services (22.6 percent).
4. For the period 1991 to 2001, the Oconto County civilian labor force increased 19 percent and the number of unemployed decreased 23 percent. Unemployment in Oconto County increased from 4.5 percent in 2000 to 6.8 percent in 2001.
5. In 1999, the town had a median household income of \$48,098, compared to \$30,625 in 1989.
6. The town's rural atmosphere, which includes its many open spaces, woodlands and preserved natural features are much of the town's many positive attributes.
7. The town of Pensaukee is typical of many rural communities in northeastern Wisconsin. It provides few services and most amenities are found in surrounding municipalities. However, the town has contract agreements with other communities and Oconto County for provision of several services.
8. The town is in a good position for some business development given its many positive attributes including: an abundance of area for future growth, access to state, county and U.S. highways, having a rural atmosphere, the bay of Green Bay and an abundance of natural features, etc.

9. Identifying the location, type and volume of businesses the town wants will be key to the town of Pensaukee's long range planning regarding its vision. Therefore, the Town Board and Town Plan Commission, while encouraging growth, should closely monitor its impacts on existing infrastructure and determine the needed regulations to minimize any negative impacts it may have.

## **COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES**

The following *Goals, Objectives, Policies, and Programs* will help guide the town in locating areas for economic growth. The following statements are both broad and specific, and reflect town residents views for how development should occur within the town.

### **Goal: Economics**

Provide opportunities for small scale economic development while protecting and enhancing the town's agricultural and environmental assets.

#### ***Objective:***

1. Future businesses should be located in areas specified in the General Plan Design which may enhance and promote the rural/scenic nature of the town of Pensaukee.
2. Protection of quality farmlands for future agricultural operations.
3. Promote the town of Pensaukee's many natural features to increase the flow of non-local dollars into the town by visitors.

#### ***Policies:***

1. Consider the value of the agricultural lands and the rural and scenic nature of the town before changing the zoning to non-agricultural uses.
2. Encourage conservation farming practices that minimize non-point source pollution of the town's surface water and contamination of groundwater with animal waste and man-made chemicals.
3. Encourage future non-farming commercial and industrial development to be clustered and not dispersed throughout the town's agricultural lands in order to protect these farmlands and to lessen the development pressures on them.
4. Strongly consider steering large commercial and industrial development to the general plan's specified areas in the town or to nearby communities better served by existing infrastructure.
5. Direct more highway dependent businesses that rely on access along USH 41 in order to provide commercial service to local and through traffic.
6. Consolidate commercial and industrial growth in areas best suited for their operation and where needed services exist or can be readily extended in order to establish specific service areas and to prevent co-locating incompatible uses.
7. Support standards to minimize pollution and adverse impacts on the environment.
8. Control the amount of signage, lighting, landscaping, buffering and access of business sites throughout the town especially along major corridors and areas of scenic importance.

9. Allow “at home” businesses to locate within the town until such a time as a zoning change is needed - then require them to locate within an area predominantly composed of business uses.
10. Consider activities within the town, or have events that relate to other nearby communities activities as a “spin off” activity for travelers and residents.
11. Utilize the agencies and available mass media to market the town for commercial and industrial development as well as tourism - using Internet, Oconto County Economic Development Corporation (OCEDC), radio, newspaper, etc.
12. Promote and market resources and activities available to tourists to capture additional dollars for the town (bay of Green Bay, potential marina, etc.).

***Programs:***

1. The Town Plan Commission will be the entity responsible to coordinate with county, state and federal agencies in exploring innovative ways to preserve farming in the town. They will also assist farmers in applying for loans or grants from state and federal agencies.
2. Work with the county and state in identifying the possible use of Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) within the county, to assist farmers and to help preserve farming within the town.
3. Work with the county and public services to monitor closely the capacity of existing infrastructure, roads, electricity, public safety services, etc. to accommodate any new economic development and weigh the costs to potential benefits before permitting them.
4. Work closely with the OCEDC/Tourism, the Department of Commerce, the Department of Transportation, Bay-Lake Regional Planning Commission in the development of an economic development strategy/plan and in applying for associated funding through grants.
5. Monitor any commercial or industrial developments that occur adjacent to the town to ensure that the growth is compatible with the town’s rural nature and in order to lessen potential conflicts.
6. Work with future developers and local residents to approve established compatible hours of operation, signage, lighting, parking and landscaping requirements to meet the town’s desire for well planned growth and rural character preservation.
7. Work with Oconto County and Oconto County Economic Development Corporation on the development of a marketing brochure promoting the town of Pensaukee’s unique resources, civic events and the bay of Green Bay.
8. Cooperate with the Wisconsin Department of Natural Resources regarding public lands to be used for potential parks, recreational areas, etc.

**PROGRAMS**

This section contains a brief explanation of the agencies that could potentially help the town and its businesses with loans and grants. Contact the Oconto County Economic Development Corporation or the Bay-Lake Regional Planning Commission for the latest information.

## **Local**

Currently the town of Pensaukee is limited on its economic development programs. The town can assist a local business by officially supporting the business within the Bay-Lake Regional Planning Commission's *Comprehensive Economic Development Strategy* document, published annually and reported to the Department of Commerce - thus making the business eligible for state grant consideration. Locally, the town may support businesses through implementing grant programs designed to re-develop commercial areas through infrastructure improvements (e.g., sidewalks, signage, etc.). The town may also maintain a location containing information for businesses on retention, grants, expansion, etc. - as a local representative, as well as work with other agencies to promote specific goals of the town.

## **County**

The Oconto County Economic Development Corporation considers itself the single point contact for development assistance in Oconto County. Through this agency, the town of Pensaukee would have access to both a county-wide revolving loan fund and a tri-county revolving loan fund. In addition, the entire county has been designated as a community development zone by the Department of Commerce and is entitled to tax credits. For additional information about this agency, please contact the corporation's Executive Director at (920) 834-6969.

## **Regional**

Oconto County is part of the Northeast Wisconsin Regional Economic Partnership (NEWREP) *Technology Zone* program. The program provides income tax incentives for high-tech development within the region. The zone is designed to enhance the region's attractiveness to high-tech businesses and workers, build on the success of the biotechnology and manufacturing companies in the region, attract auxiliary companies and help existing companies increase productivity. Eligible businesses will be certified for tax credits based on their ability to create high-wage jobs (any jobs created must pay a minimum of \$10.30 per hour), and investment and support the development of high-tech industries in the region. Contact the Department of Commerce for more information on the Technology Zone program.

The Bay-Lake Regional Planning Commission annually creates a *Comprehensive Economic Development Strategy (CEDS)* report which evaluates local and regional population and economic activity. Economic development trends, opportunities and needs are identified within the CEDS report. All communities which are served by the Commission, including the town of Pensaukee, are invited to identify future projects for economic development that the community would like to undertake. Those projects are included within the CEDS and may become eligible for federal funding through the Economic Development Administration (EDA) Public Works grant program.

Wisconsin Public Service Corporation offers economic development assistance to communities and businesses in a number of ways, including the development of business plans, acquisition of loans and educational forums.

## **State**

The Wisconsin Department of Commerce has several grant programs that would be available to the town of Pensaukee. The federally funded Community Development Block Grant (CDBG) program can be used for housing, economic development and public facility improvements. The program is designed to assist economically distressed smaller communities with improvements

to such things as utilities and streets, fire stations, community centers, housing rehabilitation and many other improvements needed by a community. Specifically, the CDBG-Public Facilities for Economic Development (PFED) program is designed to assist communities with expanding or upgrading the infrastructure to accommodate businesses that have made a firm commitment to create jobs and invest in the community. The CDBG-Economic Development (ED) program assists businesses that will invest private funds and create jobs as they expand or relocate in Wisconsin. Funds are awarded to a community, which then loans the funds to a business. The community may retain the repaid loan to capitalize a local revolving loan fund.

## **Federal**

Some examples of federal programs that could assist the town of Pensaukee in economic development include:

### ***USDA Wisconsin Rural Development Programs***

- Rural Business Opportunity Grants Program**

Rural Business Opportunity Grant Funds provide for technical assistance, training, and planning activities that improve economic conditions in rural areas of 50,000 people or less. A maximum of \$1.5 million per grant is authorized.

- Rural Economic Development Loans and Grants**

Zero interest loans may be made to any Rural Utilities Service (RUS) to promote economic development and/or job creation. Projects include, but are not limited to, project feasibility studies, start-up costs, incubator projects, and other reasonable expenses. Grants can be provided to rural communities through RUS borrowers, to be used for revolving loan funds for community facilities and infrastructure, and for assistance in conjunction with rural economic development loans.

- Rural Business Enterprise Grants Program (RBEG)**

The Rural Business-Cooperative Service makes grants under the RBEG Program to public bodies, private nonprofit corporations, and federally recognized Native American Tribal groups to finance and facilitate development of small and emerging private business enterprises. The businesses must be located in areas outside the boundary of a city or unincorporated areas of 50,000 or more and is immediately adjacent urbanized or urbanizing area. The small or emerging business must have less than 50 new employees, less than \$1 million in gross annual revenues, and utilize technological innovations and commercialization of new products and/or processes to be eligible for assistance. Funds can be used for a variety of things including, but not limited to, construction of buildings and plants, equipment, access streets and roads, parking areas, utility and service extensions and a variety of other costs.

### ***US Department of Commerce, Economic Development Administration Programs***

- Public Works and Economic Development Program**

The Public Works Program empowers distressed communities in economic decline to revitalize, expand, and upgrade their physical infrastructure. The objective is to attract new industry, encourage business expansion, diversify local economies, generate or retain long-term, private sector jobs and investment.

## **ECONOMIC DEVELOPMENT OPTIONS AND IDEAS**

The following five categories of economic development strategies are from guidance from the

UW-Extension. The strategies relate to increasing overall employment opportunities and income levels within a community. These are not the goals and objectives of the town, but rather a guide to help develop the town's economic base. The BLRPC strongly encourages the review/update and potential implementation of several of the following strategies.

**The following is a road map to effective community economic development.**

**"IMPROVE EFFICIENCY OF EXISTING FIRMS".** As firms become more efficient, they become more competitive in regional, state and national markets. The greater their efficiency, the more net income they can return to the community. The ability to stay competitive is a firm's best guarantee of being able to stay in business or expand in a specific locality. Efficiency is just as important to firms and industries in which total employment is declining. The most efficient of these can survive longest.

**There are a number of actions which communities can take to assist businesses in improving their efficiency:**

- 1) **Organize educational programs to strengthen the management capacities of existing firms. Management is the factor most closely linked with business success or failure.** Providing high quality management education at a low cost may be one of the most effective things a community can do to assure economic development.
- 2) **Start a business and industry visitation program in which community leaders visit business executives on a regular basis in order to uncover limitations to growth.** It may be possible to reduce these limitations through some form of local public or collective private action. All businesses, not just manufacturing, should be included.
- 3) **Encourage business growth by identifying capital sources. Small businesses are especially sensitive to capital availability.** If local financial institutions are aggressive participants in local economic development efforts, deserving businesses can usually find adequate debt capital. Equity capital may be less readily available. Organized informal and formal capital pools are great stimulants to economic expansion.
- 4) **Sponsor educational programs in science and technology to keep businesses aware of the latest technology in their field.** Local universities and technical schools will usually cooperate in such efforts.
- 5) **Improve the quality of the local work force by providing vocational and technical education, employment counseling and supportive social services.** For example, parents who are preoccupied with the general well-being of their preschool children are seldom as productive at work; good daycare may be the answer. Constructive community action can be helpful.
- 6) **Provide local and regional services that compete in quality and price with those of other communities.** This can improve business efficiency and open access to non-local markets. Communications is a good example. Cities, villages and towns with out-dated telephone systems present a major barrier to an increasingly computer-dependent society.
- 7) **Sponsor business and industry appreciation events.** These do little per se to improve operating efficiency, but they can encourage business leaders to stay in the community and to expand. At minimum they make management feel more a part of the community, adding a positive to the intangibles of business location.

**“IMPROVE ABILITY TO CAPTURE DOLLARS”.** In every community, farmers, the self employed, workers, retirees and businesses of all types control a substantial amount of the funds with which purchases will be made. Every dollar spent in the community, whether for retail and wholesale goods and services, or for other industrial inputs, adds to the community's employment and income. At least some of these dollars will be re-spent in the community. In contrast, dollars spent outside won't have this immediate positive impact on employment and income; nor will they have the important internal multiplier effect. Thousands of people pass by some communities on interstate highways, or visit nearby tourist attractions. *The dollars spent locally by non-local people is as valuable as those generated by the exports of goods.*

**Communities can take a number of steps to capture these dollars:**

- 1) **Survey consumer needs and buying habits to identify the market potential of retail and service outlets.** Once opportunities are identified, individuals or firms can be encouraged to do more specific market and financial feasibility analysis. Communities can also provide support mechanisms which help firms conduct difficult business analysis.
- 2) **Analyze and renew downtown shopping districts.** Sophisticated, costly plans are seldom implemented without early and active merchant and local government participation in the entire process. State and national historic preservation programs can often provide funding.
- 3) **Help employers develop employee training programs to improve the quality of service.** Friendly and efficient service is the cornerstone of all successful businesses.
- 4) **Generate more purchases by non-local people (tourists, citizens of neighboring communities) through appropriate promotion and advertising.** Every place is unique in some way, whether it's because of natural resources, historic events, ethnic heritage or simply creative imagination. Such uniqueness is exploitable, but it takes organized effort by a number of people.
- 5) **Encourage local citizens and businesses to buy locally through informational programs. Most important is that those who have something to sell use contemporary purchasing and marketing techniques.** Advertising, merchandising and buying systems which served well five or ten years ago are now badly out-of-date. The competition is often not next door or in the next town, but in a large shopping mall or discount store in a large city miles away. Community leaders can help organize educational programs and joint promotional efforts.
- 6) **Bring retailing centers alive by combining effective product and service promotion with recreational activities.** In days gone by, people went downtown to buy goods and to meet their friends. The city park, courthouse square and bandshell are symbols of the era. Large shopping malls and more recently large city centers have rediscovered the rewards of combining entertainment and sales, so too, can smaller communities with their commercial centers.
- 7) **Breathe life back into retail and business communities by forming chambers of commerce, business clubs and downtown associations.** These organizations can serve as useful catalysts in encouraging industrial and government leaders to buy as much as possible locally.

**“ATTRACT NEW BASIC EMPLOYERS”.** Bringing new basic employers to a community will add employment and income directly. Through the multiplier effect, it may also add other jobs and income. Basic employers can include manufacturers, non-manufacturers such as tourist attractions, insurance headquarters, computer service bureaus, warehouses and non-local

government. But use care in estimating the potential employment and income effect of new employers. Many of the jobs are apt to be taken by new immigrants or people who live in neighboring communities. Multipliers are seldom as high as hoped for. Nonetheless, community leaders can take a number of steps to attract employers:

- 1) **Develop local industrial, office or commercial sites and public services, and provide specific information on available labor.** Once they have decided where to locate, businesses want to set up shop and start operating in a hurry. Having well-prepared sites and facilities available speeds up this process. But the community has to weigh the cost of these investments against the likelihood of attracting a new industry.
- 2) **Develop community and regional facilities to provide transportation, recreation, communication, business services, etc.** These not only attract new employers; they also benefit existing businesses and prospective entrepreneurs. Businesses are giving such facilities more and more weight when selecting a location. Natural resource and market access are becoming relatively less important. Conditions which make a community a nice place in which to live are growing in importance. Generally they are strongly influenced by public or quasi-public governments.
- 3) **Help provide capital resources.** Reduced interest rates through revenue bonds and other incentives have become widespread. Large firms often look for this type of community assistance as a way of reducing the cost of construction of new facilities. Giveaways or temporary tax reductions seldom play a significant role in location.
- 4) **Consider targeted searches for firms that might be interested in developing a local branch operation.** Admittedly, such searches are “long shots”. Nonetheless, the process of becoming well prepared to seek out prospective employers can also help businesses already in the community. The most desired types of employers can be identified through careful study.
- 5) **Identify specific public programs, projects, offices, facilities and other services which could be located nearby, and lobby to get them.** State and national government are significant employers. Programs and facilities are constantly changing. These represent a real growth opportunity.
- 6) **Form organizations such as industrial development corporations. It is important that local government be involved in these efforts, but the flexibility of non-governmental organizations is often useful.** For instance, an industrial development corporation may move faster than a local government in taking options on land, or building streets in an industrial park. Communities must be careful to avoid giving something to attract a firm that they would not want to give existing businesses.

**“ENCOURAGE BUSINESS FORMATION”.** There is a continuing need for new businesses to meet changing demands resulting from population growth or evolving goods and services (video rentals, outpatient care or fast foods, for example). A new business can mean new income and employment as well as expanded trade with local businesses. It can also capture sales which might otherwise go to other communities. Historically, communities haven't done much to take advantage of this opportunity. There are a number of ways to correct this omission:

- 1) **Form capital groups to invest private funds locally. In the beginning, entrepreneurs usually rely on their own financial resources, or that of family and friends.** But they soon

need more capital. Financial institutions are usually willing to provide debt capital to familiar businesses when loans can be collateralized. The problem comes with unfamiliar types of businesses, or those usually considered high risk. Having a local capital pool for debt or equity investment may provide the critical ingredient for success for such enterprises. These pools can be informal arrangements, or more formal, such as a community development corporation. It is important that potential entrepreneurs know the pool exists.

- 2) **Provide counseling and intensive education for those interested in forming new businesses. First-time entrepreneurs seldom know much about business management, marketing or business plans.** Nor do they know of government regulations which would affect them. A local support structure can be very helpful and encouraging to business start-ups.
- 3) **Study the market potential for new retail, wholesale, service and industrial input-providing businesses.** This points out opportunities for new local establishments. General insights can be acquired through analysis techniques such as input-output, location quotients, population/employment ratios, and trade area capture. More detailed analysis will be required to identify real opportunity in the sectors which look promising.
- 4) **Be aware that adversity often stimulates entrepreneurship. Plant closings or lay-offs get people interested in going into business for themselves.** Local leaders should be sensitive to this, encourage, and support entrepreneurship at these critical times.
- 5) **Adopt an encouraging community attitude towards entrepreneurship. Many new businesses fail after a short period.** Highly successful small business operators have often failed once or twice before finally achieving their goals. Communities should recognize this pattern, and encourage prospective businesses to try again.
- 6) **Provide the same services and incentive to businesses in formation as to those businesses already in existence or those being sought from outside.**

**"INCREASE AIDS RECEIVED FROM BROADER GOVERNMENTS".** A community may strive to get back some of the dollars taxed away by broader governmental units (i.e., County), and if possible, to acquire dollars taxed in wealthier areas. Not only are state and national governments major employers, but they return large quantities of funds to local governments through grants and aids. These funds do not always come by an aid formula; often the local government must specifically request them. Social Security, Medicare and Medicaid payments are also major sources of personal income. Communities must be sensitive to all these sources of income. Again, there are strategies which communities can follow to attract these funds:

- 1) **Organize education and other program efforts to assure the correct use of public assistance programs for the elderly, handicapped and others who cannot work.** People do not always know what kinds of state and national financial assistance is available. Getting such assistance usually requires some form of supportive structure.
- 2) **Promote well-organized public/affordable private transportation, meal service, outpatient health care, recreation and other services focused on the elderly.** These are among the things retirees consider when choosing a place to live. Most of these activities are within the financial grasp of well-organized small communities. Such efforts go a long way toward keeping the buying power of the "silver-haired industrial base" in the community. That

buying power not only includes transfer payments, but an equally large amount of dividends, interest and rent.

**3) Obtain aids from broader governments whenever possible (e.g., streets, parks, sewers) by actively monitoring government programs; local officials can lend valuable support in this effort.** It is almost impossible for any individual to be aware of all the programs which might provide financial or other assistance. This is a task which can be clearly divided by an organization in cooperation with local government officials (i.e., OCEDC, Bay-Lake RPC, Forward Wisconsin).

**4) Support political activities which insure that the community's concerns get fair treatment from broader governmental units.** Monitoring and positive political effort on an ongoing basis are necessary.

### **LABOR FORCE CHARACTERISTICS**

The labor force is defined to include employed persons and those seeking employment, and excludes persons in the armed forces and those under age 16. Variations in the number of persons in the labor force are the result of many factors. Shifts in the age and sex characteristics of the population, changes in the number of residents aged 16 and over, the proportion of this group (16 and over) working or seeking employment, and seasonal elements are all factors affecting the size of the labor force.

### **Place of Work**

The ability to retain valuable human resources within a county or a town is a good indicator of the overall health of the economy in the county and its respective municipalities. In 2000, approximately 36 percent of workers who were 16 years and older in the town of Pensaukee worked in Oconto County, primarily in the town of Pensaukee, the city of Oconto or town of Abrams. The remaining 64 percent of town residents commuted to work outside of Oconto County, primarily to Brown County (i.e., city of Green Bay, villages of Ashwaubenon and Howard, etc.).

Table 4.1 illustrates the 2000 commuting patterns of the town of Pensaukee residents in addition to employees working in the town of Pensaukee. Of those people who work at businesses in the town, 84 percent are residents of the town of Pensaukee. In addition, of the 605 working residents of the town of Pensaukee, 562 (93 percent) work outside of town.

Table 4.1: Place of Work, 2000 Town of Pensaukee

Location	Number*	Percent
Work in Town of Pensaukee	51	100.0%
Live In Town of Pensaukee	43	84.3%
Live Outside Town of Pensaukee	8	15.7%
Where Employees of Town of Pensaukee Businesses Commute From		
City of Oconto	6	11.8%
Town of Grover	2	3.9%
Live in Town of Pensaukee	605	100.0%
Work In Town of Pensaukee	43	7.1%
Work Outside Town of Pensaukee	562	92.9%
Where Town of Pensaukee Residents Commute to Work		
City of Green Bay	180	29.8%
City of Oconto	94	15.5%
Village of Ashwaubenon	59	9.8%
Village of Howard	29	4.8%
Town of Abrams	26	4.3%
Village of Pulaski	19	3.1%
Other	155	25.6%

\* Number of Workers 16 years of age and older

Source: U.S. Bureau of the Census, 2000 and Bay-Lake Regional Planning Commission, 2003.

## **Occupation**

According to the 2000 Census, the majority of employed persons living in the town of Pensaukee were either in production, transportation and material moving occupations (34.2 percent) or they were management, professional and related service (22.6 percent). Table 4.2 illustrates the employed persons by occupation for the town of Pensaukee and Oconto County.

Table 4.2: Employed Persons by Occupation, 2000, Town of Pensaukee & Oconto County

Occupation	Town of Pensaukee		Oconto County	
	Number	Percent of Total	Number	Percent of Total
Management, professional and related	140	22.6	4,234	23.9
Service	80	12.9	2,504	14.2
Sales and office	109	17.6	3,580	20.2
Farming, fishing and forestry	4	0.6	428	2.4
Construction, extraction and maintenance	74	12.0	2,093	11.8
Production, transportation and material moving	212	34.2	4,841	27.4
<b>Total</b>	<b>619</b>	<b>100.0</b>	<b>17,680</b>	<b>100.0</b>

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, DP-3; and Bay-Lake Regional Planning Commission, 2002.

### Industry

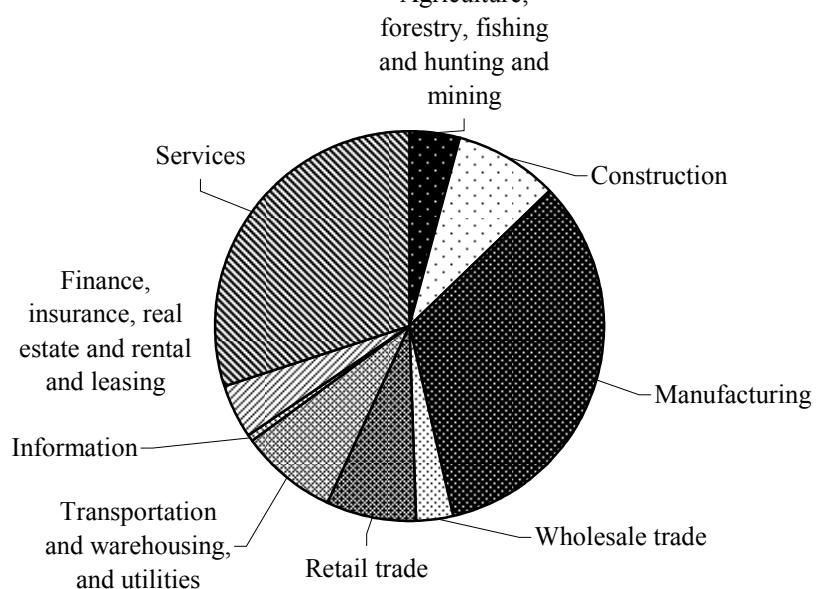
The number and percent of employed persons by industry group in the town of Pensaukee and Oconto County in 2000 are displayed in Table 4.3. The greatest percentage of employment in the town of Pensaukee was within manufacturing with 33 percent. The educational, health and social services group is the second highest employment percentage with 13.9 percent. Figure 4.1 illustrates the percent employment by major industry group for the town of Pensaukee.

Table 4.3: Employed Persons by Industry Group, 2000, Town of Pensaukee & Oconto County

Industry	Town of Pensaukee		Oconto County	
	Number	Percent of Total	Number	Percent of Total
Agriculture, forestry, fishing and hunting and mining	25	4.0	1,112	6.3
Construction	52	8.4	1,346	7.6
Manufacturing	204	33.0	5,126	29.0
Wholesale trade	19	3.1	463	2.6
Retail trade	45	7.3	1,517	8.6
Transportation and warehousing, and utilities	50	8.1	1,263	7.1
Information	3	0.5	210	1.2
Finance, insurance, real estate and rental and leasing	27	4.4	733	4.1
Professional, scientific, mgt., admin and waste mgt. service	41	6.6	730	4.1
Educational, health and social services	86	13.9	2,723	15.4
Arts, entertainment, recreation, accommodation and food serv	33	5.3	1,286	7.3
Other services (except public administration)	22	3.6	640	3.6
Public administration	12	1.9	531	3.0
<b>Total</b>	<b>619</b>	<b>100.0</b>	<b>17,680</b>	<b>100.0</b>

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, DP-3; and Bay-Lake Regional Planning Commission, 2002.

Figure 4.1: Percent Employment by Industry Group, 2000, Town of Pensaukee



Source: U.S. Bureau of the Census, 2000 Census of Population and Housing, DP-3; and Bay-Lake Regional Planning Commission, 2002.

### Unemployment Rate

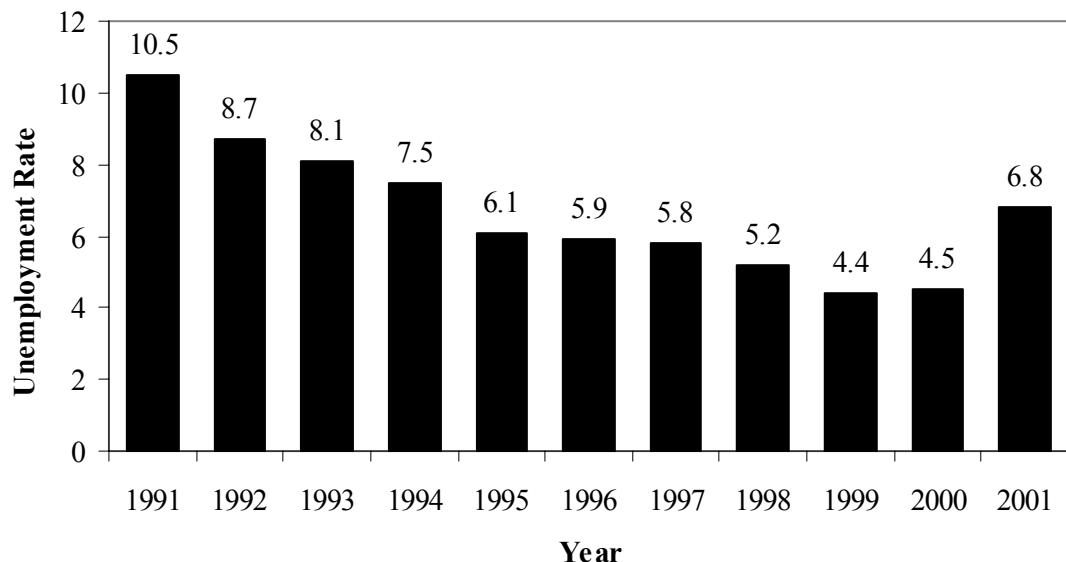
The civilian labor force for Oconto County has experienced both slight increases and decreases since 1991 (Table 4.4). The unemployment rate and the number of unemployed in 1999 was the lowest during the 10 year time span (Figure 4.2). For the period 1991 to 2001, the number of unemployed decreased 3.7 percent, and the number of employed increased by 3,000 jobs.

Table 4.4: Average Civilian Labor Force Estimates, 1991-2001, Oconto County

Year	Civilian Labor Force	% Civilian Labor Force		
		Unemployed	Employed	
1991	14,237	1,494	10.5	12,743
1992	14,210	1,234	8.7	12,976
1993	14,482	1,170	8.1	13,312
1994	14,745	1,109	7.5	13,636
1995	14,778	905	6.1	13,873
1996	15,137	897	5.9	14,240
1997	15,355	895	5.8	14,460
1998	15,715	810	5.2	14,905
1999	15,446	684	4.4	14,762
2000	15,935	725	4.5	15,210
2001	16,896	1,144	6.8	15,752

Source: Wisconsin Department of Workforce Development, Civilian Labor Force Estimates, for years cited; and Bay-Lake Regional Planning Commission, 2002.

Figure 4.2: Unemployment Rate, 1991-2001, Oconto County



Source: Wisconsin Department of Workforce Development, Civilian Labor Force Estimate, 1991-2001; and Bay-Lake Regional Planning Commission, 2002.

### **Employment Forecast**

The Wisconsin Department of Workforce Development created the *Wisconsin Detailed Industry Employment Projections, 2000-2010*, a projection for industries, occupations and the labor force. These projections are for all of Wisconsin. According to the Department of Workforce Development, in 2010, the services industry is projected to continue to be the industry with the largest share of employment followed by wholesale and retail trade, and manufacturing. The service jobs, along with wholesale and retail trade will continue to increase, whereas the manufacturing employment is projected to decrease by 2010. Occupations in manufacturing are expected to move away from general labor positions to more semi-skilled and skilled operator and technician jobs. This is due primarily to production processes that are more efficient and new available technology.

Service industry employers are projected to increase the number of jobs to the state's labor market by 19 percent by 2010. The largest divisions within this industry group are projected to be health services, educational services and business services. With the aging of the population, the demand for such services will continue to increase. The wholesale and retail trade industry is projected to increase the number of jobs by 10 percent. The manufacturing industry is projected to lose approximately two percent of its jobs by 2010.

### **Local Employment Forecast**

From 1990 to 2000, the manufacturing industry continued to be the industry with the largest share of employment in Oconto County. The services industry and retail trade industry are the county's second and third highest employers respectively. This trend is expected to continue, however increases in manufacturing are expected to be at a lower rate than those of the service industry. This is due to advancing technologies in manufacturing and an aging population which may require additional services.

In 1990, employment data was available for each business within the town of Pensaukee and the number of employees each employer had. This data is now suppressed to ensure confidentiality of individual employers. To determine the economic health of the town, it is important to determine the number of jobs available within the town. Therefore, by referring back to Table 4.1: Place of Work, the information can be used to illustrate an approximate number of people who are employed by businesses in the town of Pensaukee. In 2000, businesses in the town employed a total of 51 persons. Of the 51 employees, 84 percent were town residents. However, of the 605 working residents of the town of Pensaukee, 93 percent work outside of the town. Since the town of Pensaukee is a rural community, this trend will likely continue throughout the town's 20-year planning period.

### **Median Household Income**

In 1989, the median household income for the town of Pensaukee was \$30,625, which was greater than all other areas compared in Table 4.5. By 1999 (reported in 2000 Census), the median household income for the town increased by \$17,473 up to \$48,098. Similar increases of the median household income were also evident in the surrounding communities

Table 4.5: Median Household Income, 1989 and 1999, Town of Pensaukee & Selected Areas

Area	1989	1999
Town of Pensaukee	\$30,625	\$48,098
Town of Oconto	\$25,114	\$51,250
Town of Stiles	\$26,900	\$45,721
Town of Abrams	\$30,313	\$43,882
Oconto County	\$22,927	\$41,201
State of Wisconsin	\$29,442	\$43,791

Source: U.S. Bureau of the Census, 1990 Census of Population and Housing, STF 3A, Table P080A; Wisconsin Department of Commerce, Estimated 1997 Median Household Income; 2000 Census of Population and Housing, DP-3 and Bay-Lake Regional Planning Commission, 2002.

### **Personal Income**

Per return income is based on income tax returns filed in the year cited to the Wisconsin Department of Revenue. In 2000, the municipal per return income reported in the town of Pensaukee was \$38,665, which was a 16.1 percent increase from 1997 (Table 4.6). By comparison, the town's percentage increase from 1997 to 2000 was similar to that of Oconto County and the State. However, the towns surrounding the town of Pensaukee had much larger percentage increases in per return income.

Table 4.6: Municipal Per Return Income, 1997-2000, Town of Pensaukee & Selected Areas

Area	1997	1998	1999	2000	Percent Change
					1997-2000
Town of Pensaukee	33,311	32,140	35,869	38,665	16.1
Town of Oconto	24,959	29,280	31,791	32,556	30.4
Town of Stiles	30,977	34,062	37,284	37,853	22.2
Town of Abrams	31,670	34,259	35,376	38,315	21.0
Oconto County	27,544	29,571	31,300	32,367	17.5
Wisconsin	34,716	36,996	38,930	40,570	16.9

Source: Wisconsin Municipal Per Return Income Report, for years cited, Wisconsin Department of Revenue, Division of Research and Analysis; and Bay-Lake Regional Planning Commission, 2002.

## **ECONOMIC BASE**

### **Employment by Economic Division**

To understand the future of employment in the town of Pensaukee, an understanding of the local and county economy is required. The Economic Base Analysis technique divides the economy into basic and non-basic sectors. The “basic sector” is made up of local businesses that are dependent on external factors. Manufacturing and local resource-oriented firms are usually considered to be basic sector firms because their fortunes depend largely upon non-local factors, and they usually export their goods. The “non-basic sector”, in contrast, is composed of those firms that depend largely upon local business conditions. Economic Base Theory asserts that the means of strengthening and growing the local economy is to develop and enhance the basic sector.

There are **nine basic** economic divisions that are used for Economic Base Analysis. There are **four** goods-producing sectors: agriculture, forestry and fishing; mining; construction; and manufacturing. There are **five** services-producing sectors: transportation and public utilities; wholesale trade; retail trade; finance, insurance and real estate; and services.

### **Location Quotient Analysis**

The Location Quotient Analysis technique compares the local economy, Oconto County, to the United States. This allows for identifying specializations in the Oconto County economy (Table 4.7). If the location quotient (LQ) is less than 1.0, all employment is considered non-basic, therefore, that industry is not meeting local demand for a given good or service. An LQ equal to 1.0 suggests that the local employment is exactly sufficient to meet the local demand for a given good or service, employment is still considered non-basic. An LQ greater than 1.0 suggests that local employment produces more goods and services than the local economy can use, therefore, these goods and services are exported to non-local areas, which makes them basic sector employment.

Table 4.7: Employment by Industry Group, 1990-2000, Oconto County and United States, Location Quotient Analysis

Item	Oconto County		United States		Percent Change		Oconto		
	1990	2000	1990	2000	Oconto	U.S.	Location Quotient	1990	2000
Total full-time and part-time employment	12,104	14,387	139,426,900	167,465,300	18.9	20.1			
Farm employment	1,582	1,424	3,153,000	3,103,000	-10.0	-1.6	5.78	5.34	
Nonfarm employment	10,522	12,963	136,273,900	164,362,300	23.2	20.6	0.89	0.92	
Private employment	8,951	11,011	115,077,900	141,621,300	23.0	23.1	0.90	0.91	
Ag. Services, forestry, fishing & other	118	197	1,453,000	2,166,800	NA	49.1	0.94	NA	
Mining	52	52	1,044,100	795,400	NA	-23.8	0.57	NA	
Construction	560	971	7,260,800	9,604,300	73.4	32.3	0.89	1.18	
Manufacturing	2,878	3,258	19,697,200	19,106,900	13.2	-3.0	1.68	1.98	
Transportation and public utilities	543	676	6,568,600	8,247,100	24.5	25.6	0.95	0.95	
Wholesale trade	286	242	6,711,500	7,584,900	-15.4	13.0	0.49	0.37	
Retail trade	1,847	2,245	22,920,500	27,344,100	21.5	19.3	0.93	0.96	
Finance, insurance and real estate	472	600	10,712,600	13,495,100	27.1	26.0	0.51	0.52	
Services	2,195	2,770	38,709,600	53,276,700	26.2	37.6	0.65	0.61	
Government and government enterprises	1,571	1,952	21,196,000	22,741,000	24.3	7.3	0.85	1.00	
Federal, civilian	125	129	3,233,000	2,891,000	3.2	-10.6	0.45	0.52	
Military	148	118	2,718,000	2,075,000	-20.3	-23.7	0.63	0.66	
State and local	1,298	1,705	15,245,000	17,775,000	31.4	16.6	0.98	1.12	
State	68	87	4,404,000	4,952,000	27.9	12.4	0.18	0.20	
Local	1,230	1,618	10,841,000	12,823,000	31.5	18.3	1.31	1.47	

Source: U.S. Department of Commerce, Bureau of Economic Analysis, REIS 1969-98; and Bay-Lake Regional Planning Commission, 2002.

### **Threshold Analysis**

#### **Export Base (Basic Employment)**

There are three areas within the 2000 Oconto County economy that can be considered basic employment areas: farm employment, construction and manufacturing. These three areas produce more goods and services than the local economy can use. When LQs increase over time, this suggests that the Oconto County economy is getting closer to reaching and exceeding local demand. For example, construction had gone from 0.89 in 1990, to 1.18 in 2000. Having basic employment also suggests that if a downturn in the local economy occurs, these sectors will not be strongly affected because they are dependent more on non-local economies. Having strong basic sector employment and industry will strengthen the local economy.

#### **Non-Basic Employment Industry**

Under private employment, there are five areas that can be considered non-basic: transportation and public utilities; wholesale trade; retail trade; finance, insurance and real estate; and services. These industries are not meeting local demand for a given good or service. For example, the wholesale trade industry and services LQ actually decreased since 1990, however the Oconto County economy could support more of these industries.

## **STRENGTHS AND WEAKNESSES ANALYSIS**

This element of the plan looks at conditions within the town as either a strength, a weakness, or as a general statement of fact for retaining or attracting businesses. These factors may greatly influence the future economic climate over the next two decades and thus are important for the community to identify as part of this plan. This will allow the residents to understand their community's continued economic viability and future draw for new businesses. This portion of the element gives a perspective from a business point of view. It reflects concerns, issues and questions that current and future business owners would ask about a community when formulating a plan or expanding their business. Within these categories are assumptions and statements based on information available on the community, as well as information derived from the local plan commission.

### **Physical Capabilities**

#### **Utilities**

##### ***Strengths:***

Electric services are provided by Wisconsin Public Service (WPS), Oconto Electric Coop. (OEC) and American Transmission Company (ATC).

##### ***Weaknesses:***

The town currently does not have public water and has a limited sewer system. The town also lacks natural gas service.

#### **Telecommunications**

##### ***Strengths:***

Telephone service (local and long distance) is provided. There are no major differences in the quality of telephone service between the town and other municipalities within the county. Special lines for internet access are also provided within the town.

##### ***Weaknesses:***

The town does not have access to cable services.

#### **Transportation**

##### ***Strengths:***

The town has access to USH 41, which is a pathway that provides excellent highway exposure to the town. Most town residents are within minutes of the city of Oconto and one-half hour away from the city of Green Bay.

##### ***Weaknesses:***

Safety on USH 41 intersections.

## Local Labor Force Characteristics

### ***Strengths:***

The unemployment rate (6 percent) within the county is still relatively low. The town has a strong work ethic.

### ***Weaknesses:***

The town is experiencing an aging structure shift due to the baby boomers nearing retirement age. Current and future labor shortages are, and will be, due to low numbers in the age group of 16-24. In addition, more of the younger individuals are moving away to find employment and housing opportunities elsewhere. Commuting patterns illustrate that 93 percent of the town's working residents are employed outside of the town of Pensaukee.

## Industrial/Commercial Site Availability

The town has ample space for commercial/light industrial development primarily along USH 41. The areas adjacent to the highway provide for highway access and good visibility. The city of Oconto, located just north of the town of Pensaukee, has areas set aside for future commercial and industrial lands. These areas offer infrastructure, better marketing, and are also located near USH 41, which provides easy access and good visibility.

### ***It should be noted that:***

The town of Pensaukee is not actively looking to compete with the adjacent communities - commercially, or with industry. However, the town will consider future possibilities for commercial and industrial developments if it is deemed mutually beneficial that these types of businesses locate within the nearby cities. The town is preserving its rural nature and open spaces, thus, if any new commercial businesses were to locate within the town, it should be small neighborhood-commercial businesses that relate to the town's character. In addition, the more intensive business operations will generally locate in the city of Oconto or other adjacent communities that have adequate services.

Highway oriented commercial sites along USH 41 will need to be reviewed closely by the town - because associated development and placement of billboards and other off-site signage with their lighting will most likely conflict with the current community character of open spaces, and dark evening skies. The town favors enforcement on signage and lighting, especially at its community doorways entering the township and at high profile areas such as USH 41.

## Programmatic Capabilities

### **Existing Business Base Analysis**

The town has few acres dedicated to industrial and commercial uses. Businesses within the town are primarily agricultural based. Good, well planned commercial could locate within Brookside, offering a village like setting, or along USH 41, offering good exposure and easy access.

## **Available Government Services**

The town has an adopted Comprehensive Plan, a County Subdivision Ordinance, Zoning Ordinance, Floodplain Ordinance, and Shoreland Wetland Ordinance. Police services are provided by Oconto County, fire service is provided by the town and ambulance services are provided by the city of Oconto. Postal services are provided by the Abrams, Little Suamico and Oconto Post Offices. Government assistance comes from the Town Board, Plan Commission, Town Clerk, and various planning agencies that assist the town on writing grant applications and monitoring these grants (park acquisitions/improvements, community developments, housing improvements, etc).

## **Specific Inhibitors to Economic Development**

Limited public utilities exist within the town for commercial and industrial growth.

## **Training Programs**

### ***Strengths:***

The town has access to training from UW-Green Bay, the UW-Extension services (providing education and training seminars and courses), and Northeast Wisconsin Technical College (NWTC).

### ***Weakness:***

Many of the formal training sites are between 45 minutes and an hour (by automobile) away.

## **Financial Capabilities**

### **Tax Base Comparisons**

The town had a 2000 Full Value equal to \$67,784,900, which is the sixth highest town in Oconto County. The Full Value Effective Rate for the town in 2000 was 0.019, greater than the county's "town average" of 0.017.

### **Incentives For Development**

The town of Pensaukee has no local incentives for development.

### **Banking Capability and Capacity**

The town and its residents have access to numerous lending firms throughout the county, state and nation. With today's linking of lending agencies via telecommunication's networks and other "high speed" services a borrower can have a lender in distant locations to include other nations.

A common problem is the "template" approach to many lending agencies. Borrowers fitting a standard criteria are quickly approved for loans, while those deviating or not meeting the well defined criteria are often denied a loan. The local lender does not have the flexibility they once held years ago, especially since many lenders no longer personally "know" their borrower due to the availability of high speed telecommunications.

## **Quality of Life**

### **Housing Prices**

In the town of Pensaukee, 51 homeowners paid more than 30 percent of their incomes towards housing costs in 2000. In 2000 the median household income was \$48,098. Based on the median household income, an affordable housing payment in the town would be \$1,202. In 2000 the median value of a house was \$111,300.

### **Aesthetics**

The town consists of vast rural countryside with various water features. The abundance of open fields and woodlands make up much of the town's prominent views.

### **Environment**

Within the town exists areas of woodlands, farm fields, miles of rivers and creeks, many acres of wetlands and the bay of Green Bay serves as the eastern edge of the town. The waters are open to fishing, while the lands are used for hunting and hiking. The county has ordinances and plans protecting and enhancing the environment.

### **Education and Health Care**

The town is within the Oconto and Oconto Falls School Districts. Health care is available in the communities of Oconto, Oconto Falls and Green Bay.

## **SITES FOR BUSINESS AND INDUSTRIAL DEVELOPMENT**

### **Existing Site Inventory and Analysis**

The town of Pensaukee has few areas developed as commercial or industrial. Being primarily a rural community, pressure for these types of growth have been limited. Specific sites are located within the Land Use Element of this plan, and detailed upon the Land Use Map which was inventoried and mapped in 2003.

### **Evaluation of Environmentally Contaminated Sites For Redevelopment:**

Recently the DNR and EPA have been urging the clean up of contaminated commercial or industrial sites so they may be utilized for more productive uses. According to the list of Leaking Underground Storage Tanks (LUST) sites, the town of Pensaukee does not have any LUST sites or significant contaminant spills of any kind.

### **Designation of Business and Industrial Development**

#### ***Commercial Uses:***

The comprehensive plan has identified that throughout the planning period, the town will work towards establishing well defined commercial areas/corridors to better enhance the town's look, to minimize conflicts between differing uses, and to maximize service efficiency. Commercial locations shall have good visibility and access, and may require additional buffering and landscaping to meet the town's desired vision on community character.

#### ***Industrial Uses:***

The town intends to provide well defined, well designed areas for "light industrial" manufacturing, warehousing activities, etc., to accommodate those businesses located within the town and any future business use. Any consideration of locating industry along USH 41 needs to be accompanied with well landscaped areas with a buffer to add aesthetic qualities to the

entryways into the town. If industrial uses are to develop, a detailed landscape plan, signage plan, street access plan and lighting plan should be done that would fit the character of the town and not detract or negatively impact adjacent land uses. Any lands off of the main corridors will also need to be buffered in order to minimize the negative impacts to adjacent properties.

### **Acreage Projections**

The town will designate acreage associated with community business needs as well as common use sizes for industrial development. For more information, view the General Plan Design that has specified locations within the town along with approximate acreage totals.

### **COMMUNITY FINANCES**

A community must be concerned about its ability to generate sufficient public revenues to provide the types and levels of services demanded by its citizens. Tables 4.8 and 4.9 provide a history of the taxes levied in the town of Pensaukee. The full value increased 112 percent for the period 1995 to 2000. The total property tax also increased 75 percent for the same period.

**Table 4.8: Comparative Tax Appropriations, 1995-2000, Town of Pensaukee**

Year Levied	Full Value	Percent Assm't Level	Total Property Tax	State Tax Credit	Full Value Rate			Taxing Jurisdiction Share			
					Gross	Effective	School	Vocational	County	Local	Other
1995	31,940,800	90.72	802,375	49,994	0.02512	0.02355	475,115	43,971	177,021	71,073	34,196
1996	38,741,800	81.51	728,643	72,926	0.01880	0.01692	380,390	50,006	193,664	71,253	33,330
1997	44,679,800	72.77	832,061	71,830	0.01862	0.01701	460,451	56,061	214,403	71,000	30,147
1998	52,840,000	104.09	951,115	75,672	0.01799	0.01656	509,203	68,677	276,358	85,000	11,877
1999	59,616,300	93.42	1,024,538	80,384	0.01718	0.01583	343,511	80,202	314,567	273,000	13,258
2000	67,784,900	84.87	1,405,715	75,608	0.02073	0.01962	657,975	94,285	366,394	272,164	14,897

Source: Wisconsin Department of Revenue, *Town, Village and City Taxes*, for years cited; and Bay-Lake Regional Planning Commission, 2002.

The ability to finance community projects is measured by general obligation debt capacity. According to the Wisconsin Constitution there are limits on how much a municipality may borrow. They are limited to an amount equal to five percent of the equalized value, or full value, of the unit of government. The town's existing debt as of December 31, 2000, was \$0, with a debt margin of \$3,389,245.

**Table 4.9: Public Indebtedness, 1998-2000, Town of Pensaukee**

Year	Full Value	Debt Limit*	Existing Debt	Debt Margin
1998	52,840,000	2,642,000	0	2,642,000
1999	59,616,300	2,980,815	0	2,980,815
2000	67,784,900	3,389,245	0	3,389,245

\*Debt Limit equals five percent of the full value.

Source: Wisconsin Department of Revenue, Bureau of Local Finance Assistance, Equalized Value and Debt Limit Value, for years cited; and Bay-Lake Regional Planning Commission, 2002.

# Chapter 5 - TRANSPORTATION

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## **INTRODUCTION**

This chapter provides an inventory of the existing transportation facilities that serve the town of Pensaukee in Oconto County and addresses the future transportation needs and concerns of the community. The inventory includes descriptions of the various modal elements of the town's transportation system. Those elements include public transit systems (where applicable), elderly and disabled transportation system, intercity bus, bicycle transportation, pedestrian transportation, waterborne, rail, air service, trucking, and, most importantly, a detailed description of the town's highway and road system. The detailed description of the highway and road system includes the functional classification of roads within the town, traffic counts, traffic flow capacity, vehicle crashes, access controls, and an evaluation of the current internal traffic circulation system. In addition, this section of the Comprehensive Plan presents the community's transportation goals, objectives, and policies and compares local plans to transportation plans developed at the state, regional and county level. This chapter also includes an inventory and analysis of applicable transportation plans, including county functional and jurisdictional studies, transportation corridor plans, rural transportation plans, state and local airport plans, state railroad plans, state, regional and local bicycle plans, state and local pedestrian plans, state and local transit plans, as well as any other special transportation plans that are applicable to the town. At the conclusion of the chapter, specific transportation system recommendations are presented and include design standards, recommended improvements, capacity additions to existing facilities, new road alignments, highway expansion projects, and improvements to other transportation modes.

## **SUMMARY AND IMPLICATIONS**

Through its comprehensive planning program the town of Pensaukee seeks to establish a safe and efficient transportation system for motor vehicles, pedestrians, and bicycles that is compatible with the town's adopted 20-Year Comprehensive Plan.

The transportation facility inventory conducted for the town of Pensaukee has established that the town currently has jurisdiction over and responsibility for approximately 57.28 miles of local roads. The town's jurisdictional responsibility relative to its local roads includes maintenance, repair and reconstruction of the roads as needed. The primary funding source for maintaining, rehabilitating and reconstructing the local road system in the town of Pensaukee is the state's disbursement of general transportation aids. The state provides a payment to the town for costs associated with such activities as road and street reconstruction, filling potholes, snow removal, grading shoulders, and marking pavement. In addition, the town's local transportation system is complimented by USH 41, and the county trunk highway system, which provide access to the communities located within Oconto County, the region, and the state.

The town currently does not have any specific facilities (bicycle paths, paved shoulders, and or sidewalks) to serve bicyclist and pedestrians. However, provided that traffic levels remain moderate to low, the town's existing local road system can and does safely and efficiently serve the needs of bicyclist and pedestrians.

The transportation facility inventory conducted for this plan also determined that the town has readily available and efficient access to multi-modal transportation services and facilities

including: transportation services for the town's elderly and disabled residents (Oconto County Commission on Aging); private intercity bus service (Greyhound connections in the city of Oconto and the city of Green Bay); local air service (Oconto County Airport); and, regional passenger-air service (Austin Straubel Airport at Green Bay).

## **TRANSPORTATION STRATEGY**

### **Transportation System Development Goals, Objectives, Policies and Programs**

Transportation in its many forms is the link that connects the town's land uses into a cohesive pattern. The following transportation objectives have been adopted to represent and define the importance of transportation in achieving the goals of the *Town of Pensaukee 20-Year Comprehensive Plan*.

#### **Goal: Transportation**

To establish a safe and efficient transportation system for motor vehicles, pedestrians, and bicycles that is compatible with the Town's adopted 20-Year Comprehensive Plan.

#### ***Transportation Principle:***

An integrated area transportation system serves to freely interconnect the various land use activities located within the town, county and region, thereby providing the accessibility needed to support these activities.

#### ***Objectives:***

1. To develop a transportation system that provides for all transportation modes.
2. To develop a transportation system that is harmonious with surrounding land uses.
3. To provide for convenient and efficient vehicular movement near all commercial, industrial, and public facility locations.
4. Provide for adequate traffic controls (i.e., turning lanes, frontage roads) near businesses located along the USH 41 corridor.
5. To provide and maintain aesthetically pleasing transportation corridors.
6. Provide a safe system of bicycle paths and designated bicycle routes throughout the town.
7. To provide safe and convenient pedestrian traffic movement.
8. To plan for and designate future road right-of-ways within the town.
9. Develop an integrated multi-modal transportation system which, through its location, capacity, and design, will effectively serve the existing town land use development pattern and promote implementation of the town land use and transportation plan, meeting the anticipated transportation demand generated by existing and planned land uses.
10. Develop a balanced transportation system which will provide the appropriate types of transportation needed by all residents, regardless of income, physical ability or age, businesses, and industries at a level of service which will permit ready adaptation to changes in transportation demand and technology including travel needs and transportation management.

11. Develop a transportation system that reduces accident exposure and provides for increased travel safety.
12. Develop a transportation system that is economical and efficient, satisfying other objectives at the lowest possible environmental, social and financial public cost.
13. Develop a transportation system that minimizes adverse effects upon the property tax base and the natural and cultural resource base.
14. Develop a transportation system that preserves a high aesthetic quality and possesses a positive visual relation to the land.
15. Develop a transportation system that facilitates energy conservation while minimizing associated pollution effects.
16. Develop a transportation system that identifies and preserves multi-use utility and transportation corridors.
17. Provide continued support for future infrastructure, communications, and navigation improvements to Oconto Municipal Airport.

***Policies:***

1. The proper use of land for, and adjacent to, transportation facilities should be pursued in accordance with the town's land use development objectives. The disruption of future development should be minimized by utilizing transportation corridor preservation techniques.
2. The total amount of land used for transportation facilities should be minimized.
3. The dislocation of households, businesses, industries, and public and institutional buildings as caused by the reconstruction of existing or the construction of new transportation facilities and terminals should be minimized.
4. The destruction of, or negative impacts to, historic buildings and of historic, scenic, scientific, archaeological, and cultural sites as caused by the reconstruction of existing or the construction of planned transportation facilities and terminals should be minimized.
5. Transportation facility construction plans should be developed using sound geometric, structural, erosion control and landscape design standards which consider the aesthetic quality of the transportation facilities and the areas through which they pass.
6. Transportation facilities should be located to minimize impacts on visually pleasing buildings, structures, and natural features; and to enhance vistas to such features.
7. The location of transportation facilities in or through environmental corridors and natural areas should be avoided.
8. The loss of wetlands and environmental corridor land to transportation facility construction should be avoided.
9. Adverse impacts on significant natural habitat, with special attention to endangered species should be avoided.
10. Use of the natural resource base in the development of transportation facilities should be minimized.

11. Abandoned rail and/or utility right-of-way corridors should be preserved for future transportation facilities such as bicycle, pedestrian, transit, future rail service and/or arterial streets where such need is shown in the county land use plan.
12. Full use of all existing transportation facilities should be encouraged through low- and non-capital intensive techniques cooperatively fostered by government, business, and industry, prior to any capital-intensive or disruptive construction of new facilities.
13. The amount of transportation system operating and capital investment costs should be minimized.
14. The direct benefits derived from transportation system improvements should exceed the direct costs of such improvements using life-cycle costing methods.
15. The transportation system should provide access and service with choices of modes throughout the town in a way designed to reduce overall average travel times to destinations within the town and county.
16. Bicyclists and pedestrians should be accorded a comfortable margin of safety on all streets and highways by ensuring compliance with American Association of State Highway and Transportation Officials (AASHTO) and Manual of Uniform Traffic Control Devices (MUTCD) guidelines and standards.
17. Bicycle lanes or wide curb lanes should be constructed on arterial highways and major collectors.
18. Bicycle paths should be constructed to serve corridors not served by streets and highways. The most common uses are along rivers, lake shores, canals and utility right-of-ways.
19. Bicycle routing should direct bicyclists to suitable highways and streets without significantly compromising directness. Established bicycle suitability models should be used.

***Programs:***

Work with the Oconto County Highway Committee, the Wisconsin Department of Transportation, and the Bay-Lake Regional Planning Commission to develop a long-range maintenance and improvement program for town roads.

Work with the Oconto County Highway Committee to provide an ongoing assessment of town road safety and efficiency.

Work with the Oconto County Highway Committee and the Wisconsin Department of Transportation to ensure safe and efficient access to USH 41 and other major collector roads.

The Town Board or a designated committee should conduct an annual assessment of town road pavement conditions, road drainage and ditch maintenance needs, adequacy of existing driveways and culverts relative to safe access and to and from adjoining parcels of land, and to determine the adequacy of sight distances at all road intersections.

**TRANSPORTATION FUNDING AND TECHNICAL SUPPORT PROGRAMS**

The following provides a brief description of transportation related funding programs that are administered by the Wisconsin Department of Transportation (WisDOT). The programs are divided into two categories: 1) formula driven programs for which funding is based on population and/or road mileage; and 2) competitive funding programs.

## **Wisconsin Department of Transportation**

### ***General Transportation Aid (GTA)***

Town road improvements, construction and maintenance is funded, in part, through the state's disbursement of general transportation aids. The state provides a payment to each county and municipality in the state that pays a portion of local governments' costs for such activities as road and street reconstruction, filling potholes, snow removal, grading shoulders, marking pavement, and repair of curb and gutters. The statutory "rate per mile" is \$1,825 for 2004. Beginning in 2000, each municipality was required to establish and administer a separate segregated account from which moneys may be used only for purposes related to local highways and must deposit into that account all state or federal money for local highway purposes.

### ***Local Mileage Certification***

Each local government that increased or decreased the mileage of its roads is required to file a certified plat with DOT by December 15 of each year. Local governments that have no changes in total local road miles are required to file a certified plat or a certified statement that no mileage increases have occurred. Beginning in 2001, the requirement for local governments to file certified plats with county clerks is eliminated and the mileage certification process was changed from an every other year activity to an annual activity. State GTA payments is based on the certified mileage of each local unit of government.

### ***Local Roads Improvement Program (LRIP)***

This program provides funding to local units of government for the costs associated with improving seriously deteriorating county highways, town roads, and municipal streets in cities and villages under the authority of the local unit of government. Projects are required to have a minimal design life of 10 years. This is a biennial program and all funds are distributed the first year. Applications are submitted through the county highway commissioners by November 15 of the odd numbered years.

There are three entitlement programs for funding road improvements: 1) County Highway Improvement Program (CHIP); 2) Town Road Improvement Program (TRIP); and 3) cities and villages under Municipal Street Improvement Program (MSIP).

In addition LRIP funds three statewide discretionary programs; CHIP-D County Highway Improvement Program-Discretionary; 2) TRIP-D Town Road Improvement Program-Discretionary; and 3) MSIP-D Municipal Street Improvement Program-Discretionary for cities and villages.

All LRIP projects are locally let, with up to 50 percent of the costs reimbursed by WisDOT upon completion, and the remainder matched by the local unit of government. Eligible projects include, but are not limited to design and feasibility studies, bridge replacement or rehabilitation, reconstruction, and resurfacing. Ineligible projects include, but are not limited to new roads, seal coats, ditch repair, and/or curb and gutter construction.

### ***Local Bridge Program***

This program includes two separate programs 1) a statewide local bridge entitlement program and 2) a high cost local bridge program (high cost bridges are those that cost more than \$5 million and exceed 475 feet in length).

This program funds 80 percent of project costs to replace and rehabilitate structures on the Federal Bridge Register in excess of 20 feet. Bridges with sufficiency ratings less than 50 are eligible for replacement and those with sufficiency ratings less than 80 are eligible for rehabilitation.

Counties set priorities for funding within their area, with projects funded on a statewide basis.

Local bridge projects are solicited by local WisDOT (District 3) staff in winter of the odd numbered years, with program approval in summer of the odd numbered years. The program has a three-year cycle.

### ***Flood Damage Aids***

This program provides local governments with financial assistance for replacing or improving roads or roadway structures that have had major damages caused by flooding.

### ***County Forest Aid Program***

This program provides assistance to counties that have eligible roads located within county forests. It is intended to defray the costs for the improvement and maintenance of public roads within a county forest.

### ***Rural and Small Urban Area Public Transportation Assistance Program - Section 5311***

Allocations to the State are set at the federal level. Funds may be used for operating assistance, and capital assistance. Eligible public transportation services include public transportation service operating or designed to operate in non-urbanized areas (a non-urbanized area is one that has a population of 50,000 or less).

### ***Specialized Transportation Assistance Program for Counties - Section 85.21***

Allocations under this formula program are based upon the proportion of the state's elderly and disabled population located in each county, subject to two minimums: no county can receive less than a ½ percent of the total annual appropriation; and no county can receive an allocation smaller than they received in 1992. A local match of 20 percent is required. Eligible expenditures include:

- directly provided transportation service for the elderly and disabled;
- purchase of transportation service from any public or private organization;
- a user-subsidy for the elderly or disabled passenger for their use of the transportation service;
- volunteer driver escort reimbursement;
- performing or purchasing planning or management studies on transportation;
- coordinating transportation services;
- performing or purchasing in-service training relating to transportation services; and/or
- purchasing capital equipment (buses, vans, etc.) for transportation services.

The following provides a brief description of competitive (transportation related) grant programs that are federally and state funded:

### ***Local Transportation Enhancement Program (TE)***

Administered by WisDOT the TE program provides funding to local governments and state agencies for projects that enhance a transportation project. There are 12 eligible project categories:

- providing facilities for bicycles and pedestrians;
- providing safety and educational activities for pedestrians and bicyclists;
- acquiring scenic easements and scenic or historic sites;
- sponsoring scenic or historic highway programs; including the provision of tourist and welcome centers;
- landscaping and other scenic beautification;
- preserving historic sites;
- rehabilitating and operating historic transportation buildings and structures;
- preserving abandoned railway corridors;
- controlling and removing outdoor advertising;
- conducting archaeological planning and research;
- mitigating water pollution due to highway runoff or reducing vehicle caused wildlife mortality; and
- establishing transportation museums.

Federal funds will cover up to 80 percent of the project, while the project sponsor is responsible for providing at least a 20 percent match.

### ***Surface Transportation Program - Discretionary (STP-D)***

This program encourages projects that foster alternatives to single occupancy vehicle trips. Such as rehabilitation and purchase of replacement vehicle for transit systems, facilities for pedestrians and bicycles, system-wide bicycle planning, and a wide range of transportation demand management (TDM) projects. Communities over 5,000 are eligible to apply for the funds through the competitive application process.

### ***Transportation Demand Management Programs***

Transportation Demand Management consists of policies and programs designed to reduce the number of single occupant vehicles (SOV) trips in a region, especially during peak travel periods.

There are two grant programs: TDM Grant Program; and Wisconsin Employment Transportation Assistance Program (WETAP).

#### **1. TDM Grant Program**

The TDM Grant program provides funding to successful grant recipients to implement projects that encourage innovative solutions and alternatives to reducing SOV trips. WisDOT accepts applications annually. Eligible applicants may include local governments, chambers of commerce, and others as defined by the program. The required local match is 20 percent of the project costs.

## 2. Wisconsin Employment Transportation Assistance Program (WETAP)

As a joint program between the Wisconsin Department of Workforce Development (DWD) and WisDOT, it provides funding to help low-income people access, or retain or advance in employment with the goal of meeting the entire population's transportation needs. This program is funded with combined federal and state dollars, and requires a local match.

Application requirements include the development of regional job access plans that identify the need for transportation services and illustrate the alternatives proposed for the program. Plans should be developed between public transit providers, local units of government, transportation planners, human service agencies, low-income individuals and other interested parties

### ***Transportation Economic Assistance (TEA Grant) Program***

This program provides a 50 percent state grant to governing bodies, private businesses, and consortiums for road, rail, harbor and airport projects that are necessary to help attract employers to Wisconsin, or to encourage business and industry to remain and expand in Wisconsin.

## **INVENTORY OF TRANSPORTATION FACILITIES**

### **Elderly and Disabled Transportation System**

Elderly and disabled transportation systems refer to those programs that provide rides through scheduled bus services, volunteer programs with private vehicles, etc. Current transportation services for elderly and disabled persons living within the town of Pensaukee are provided through programs administered by the Oconto County Commission on Aging. Transportation is provided by wheelchair accessible buses, an eight-passenger van and by volunteer drivers using personal vehicles. The Oconto County Department of Health and Human Services also provides limited transportation service to the county's disabled population. Service is provided by appointment, and involves door-to-door transportation.

Medical related and nutritional related trip purposes receive priority, followed by work related and recreational and/or business related trip needs. A four member advisory committee to the County's Commission on Aging provides coordination of the special transportation services that are available within the town. The committee sets policy and oversees transportation services. The transportation is provided by paid and volunteer staff utilizing both publicly and privately-owned vehicles. The cost of the special transportation services is borne by state subsidy through the Wisconsin Department of Transportation's Section 85.21 (*Special Transportation for the Elderly and Disabled Transportation*) grant program, county funds (20 percent of the state grant), donations and fares collected from passengers.

### **Inter-County Bus Service (WETAP)**

In 2001, the Marinette/Oconto County Job Services Center in cooperation with Oconto County obtained a grant to initiate an inter-county transit system pilot program that will provide transportation service to lower-income workers between major employment centers in the two counties.

The funding for this program is provided by a combination of state Temporary Assistance for Needy Families (TANF) and federal DOT Job Access and Reverse Commute (JARC) funds. The purpose of the grant is to provide employment related group transportation assistance to people earning less than 200 percent of the Federal Poverty Level. However, non-eligible

persons may ride if there is space available. Employment related purposes include education, work experience, private and public employment, program appointments and services, etc.

The grant funding will pay 80 percent of the net deficit of the cost of the service after fares are deducted. A local match of 20 percent of the total system costs is required.

A Transportation Coordination Committee will be established to coordinate the program.

Initially, four routes (two servicing Oconto County) will be established. One will travel between the village of Suring and the city of Oconto Falls. The second will travel between Oconto Falls and Oconto, looping up into Stiles Junction and Lena, and going beyond into the cities of Peshtigo and Marinette, in Marinette County.

The WETAP program will provide start-up and operational funding for three years, after which other sources of funding such as Section 18, will need to be obtained to provide continued service.

### **Intercity Bus**

In the past, nearly every small community in the state was connected by an intercity bus service which traditionally served the elderly, those who could not drive, students, and those individuals unable to afford alternative forms of transportation. Following World War II, intercity bus systems helped to fill a void for “affordable transportation” that was created by the decline of passenger rail service. Unfortunately, intercity bus service suffered the same fate as passenger rail; as intercity bus ridership decreased, the number of intercity bus routes operating within the state also declined drastically. Intercity bus routes tend to serve only the largest urban centers and those smaller urban areas that just happen to be adjacent to a route that connects two larger cities.

Greyhound Bus currently provides service twice daily through Oconto County; both trips originate in the city of Green Bay. The final destinations are to Marquette, Michigan and to Calumet, Michigan. Both routes provide service through the city of Oconto. Connections to Milwaukee, Chicago, Madison and Minneapolis, can be made in the city of Green Bay.

### **Bicycle Transportation System**

There are no bicycle paths or marked bicycle routes located within the town of Pensaukee.

### **Rail**

The Canadian National (CN) currently operates on track that travels southwest to northeast (somewhat parallel to CTH S) along the east portion of the town of Pensaukee. The railroad connects Green Bay through Marinette with the Upper Peninsula of Michigan.



### **Air Service**

The inventory of air transportation systems and facilities includes both public airports that service the region and also the private or semi-public airport facilities that service private commercial and recreational interest.

At the regional level, the primary commercial-passenger and air freight service for residents of the town of Pensaukee is provided by Austin Straubel International Airport, located near the city of Green

Bay. The facility is owned and operated by Brown County. Austin Straubel International Airport is a full service regional connector that in 2003 is providing direct service flights to four major cities, including Milwaukee, Wisconsin; Chicago, Illinois; Detroit, Michigan; and Minneapolis, Minnesota. Flights are provided on six airlines with approximately 32 arrivals and departures daily. An alternative choice for passenger service is Mitchell International Airport located in Milwaukee, which is able to provide a wider range of continental and international destinations, as well as services and fares unavailable at Austin Straubel International Airport.

In addition to the full service airport located near Green Bay, Oconto County and the city of Oconto jointly own and operate a facility on approximately 240 acres located in the town of Oconto, immediately to the southwest of the city of Oconto. The J. Douglas Bake Airport is classified as general utility airport facility and is capable of handling single and larger twin engine aircraft as well as smaller corporate jets.

There are also several privately owned airstrips located within Oconto County providing general small craft services and/or recreational flights to the public. These small, private airport facilities offer minimal services, and are generally utilized by recreational fliers.

Private airport facilities are required to obtain a certificate of approval or permit from the Wisconsin Department of Transportation's Bureau of Aeronautics. The permit is issued if the Department determines that the location of the proposed airport is compatible with existing and planned transportation facilities in the area. Generally, permits are granted provided that the proposed air-strip is located that approaching and departing aircraft clear all public roads, highways, railroads, waterways or other traverse ways by a height which complies with applicable federal standards. The permit is issued upon the applications review by WisDOT, the county and the town in which the facility is located and by the appropriate regional planning commission.

Private facilities are generally characterized by short (2,000' to 3,000') turf covered runways which can accommodate small single engine and light twin engine aircraft.

### **Harbor**

Pensaukee Harbor is classified as a recreational port by the Wisconsin Department of Transportation. It is located approximately 22 miles north of the Green Bay Harbor on the west Shore of Green Bay at the mouth of the Pensaukee River.

### **Trucking**

There are no commercial trucking terminals located within the town. However CTH's J and S experience some semi traffic.

### **Streets and Highways**

There are several basic considerations useful in assessing the road system within a community. Those considerations include the functional classification of the existing road system, the annual average daily traffic on roads within the town, and an evaluation of the system's capability to handle present and projected future traffic volumes. In addition, vehicle crash data is useful in determining problem areas relative to road safety. This information can provide an indication of the road improvements that may be needed during the planning period.

## **Functional Class**

Roads, which are the principal component of the circulation system, may be divided into three categories: arterial, collector and local. The three categories of roads are determined by the function that the road serves in relation to traffic patterns, land use, land access needs and traffic volumes. The road system for the town of Pensaukee shown in Map 5.1 has been functionally classified based on criteria identified in Table 5.1.

### ***Arterial Roads***

The function of an arterial road is to move traffic over medium to long distances, often between regions as well as between major economic centers, quickly, safely and efficiently. Arterial roads are further categorized into either “major” or “minor” arterial roads based on traffic volumes. USH 41 is the only arterial highway located within the town of Pensaukee. USH 41 travels from the west-central part of the town east and northeast to the city of Oconto.

Table 5.1: Functional Classification Criteria for Rural Roads and Highways

Must meet any <u>two</u> of these (or) the parenthetical traffic volume alone for collectors					
<b>Functional Classification</b>	<b>Traffic Volume</b>	<b>Population Service</b>	<b>Land Use Service</b>	<b>Spacing</b>	<b>SUPPLEMENTAL</b> Or <u>must</u> meet <u>both</u> of these <u>plus</u> 90 percent traffic volume
Principal Arterial	> 3,000	Connect places 50,000 with other places 50,000 Connect places 5,000 with places 50,000	Provide area access to major recreational areas of the state	Maximum 30 miles	None for Principal Arterials
Minor Arterial	> 1,000	Connect places 5,000 with other places 5,000 Connect places 1,000 with places 5,000 or with principal arterials	Serve all traffic generating activities with an annual visitation $\geq 300,000$ if not served by a principal arterial	Maximum 30 miles	1. Alternative population connection 2. Major river crossing/restrictive topography
Major Collector	> 500 (> 2,000)	Connect places 1,000 with other places 1,000 Connect places 500 with places 1,000 or higher function route Connect places 500 with other places 500 or higher function route Connect places 100 with places 500 or higher function route	Land use service index $\geq 16$ Provides access to smaller attractions (i.e., airports, schools, factories, parks, etc.)	Maximum 10 miles	1. Alternative population connection 2. Major river crossing 3. Restrictive topography 4. Interchange with freeway 5. Parallel to a principal arterial
Minor Collector	>200 (>800)	Connect places 100 with other places 100 Connect places 50 with places 100 or higher function route	Land use service index $\geq 8$ serves same type of attractions as major collector	Maximum 10 miles	1. Alternative population connection 2. Major river crossing 3. Restrictive topography 4. Interchange with freeway 5. Parallel to a principal arterial

Source: Wisconsin Department of Transportation, *Wisconsin Administrative Code, Chapter Trans 76*, 1984; and Bay-Lake Regional Planning Commission, 2002.

### **Collector Roads**

The primary function of roads classified as "collectors" is to provide general "area to area" routes for local traffic. Collector roads take traffic from the local roads (and the land based activities supported by the local roads) and provide relatively fast and efficient routes to farm markets, agricultural service centers and larger urban areas. With an overall socioeconomic trend that is characterized by the decline of small and medium agricultural concerns, and a significant increase in the number of rural single-family residential properties, collector roads generally serve the same function but with different trip purposes. Collector roads typically serve low-to-moderate vehicle volumes and medium trip lengths between commercial centers at moderate speeds. Collector roads serve to distribute traffic between local and arterial roads, between home and the work place, home and the place of worship, home and school and between the home and those places where business and commerce are conducted.

CTH S is classified as a *major collector* road and comprises 7.75 percent of the towns total road system. CTH S travels in a southwesterly direction from its terminus at USH 41 in the city of Oconto until it intersects with CTH J. From CTH J, CTH S travels in a westerly direction through the county before ending at STH 32.

CTH J is a *minor collector* that extends north to south along the entire west edge of the town. From the town of Pensaukee south, CTH J travels continuously through the town of Little Suamico into Brown County. From the town of Pensaukee north, CTH J travels (somewhat circuitously at times) through the town of Oconto and Little River into Marinette County. CTH J comprises approximately eight percent of the Town's total road network.

CTH SS is a short (1.6-mile) *minor collector* that travels between USH 41 and CTH S, near the mouth of the Pensaukee River.

Table 5.2: Road Function, Total Mileage and Percent of Total Road Mileage, Town of Pensaukee, 2003

Road Function	Miles	Percent
USH 41 (Arterial)	7.20	8.8
CTH S (Major Collector)	7.75	9.4
CTH J (Minor Collector)	7.90	9.7
CTH SS (Minor Collector)	1.60	1.9
Local (Town) Roads	57.28	70.2
Total Road Mileage	81.73	100.0

Source: Wisconsin Department of Transportation, *Town Plat Record*, 2003; Bay-Lake Regional Planning Commission, 2003.

### **Local Roads**

The primary and most important function of local roads is to provide direct access to land adjacent to the road. Local roads are constructed to serve individual parcels of land and properties. They also tend to serve the ends of most trips within the rural area. All roads that are not classified as arterial or collector facilities within the town are classified as local roads.

Local roads should be designed to move traffic from an individual lot (more often than not, a person's home, cottage or farm) to collector roads that in turn serve areas of business, commerce and employment. Local roads should not be designed or located in such a manner that they would or might be utilized by through traffic. In total, there are more than 57-miles of local roads under the jurisdiction of the town, comprising approximately 82 percent of the total road mileage located within the town.

## Local Mileage Certification

Each local government that increased or decreased the mileage of its roads and streets is required to file a certified plat with WisDOT by December 15 of each year. Local governments that have no changes in total local road miles are required to file a certified plat or a certified statement that no mileage statements have occurred. In addition, beginning in 2001, the town is required to provide WisDOT with a numeric based evaluation of the pavement condition of each segment of town road within their jurisdiction.

## Traffic Counts

An analysis of past and present traffic volumes is beneficial in determining the traffic conditions in a community. Traffic volumes are usually presented as an Annual Average Daily Traffic (AADT) figure, and are calculated for a particular intersection or stretch of roadway. The Wisconsin Department of Transportation, as part of its traffic count program, provides highway traffic volumes from selected roads for all state communities on a rotating basis. For the town of Pensaukee, traffic volumes were last counted in 2003. Counts were also taken in 2001, 1998 and 1995. The average daily traffic volumes on principal and minor arterial roadways within the town for those years are listed in Table 5.3, and are shown on Map 5.2. The daily rural traffic counts are taken for 48 hours, and are reported as a 24-hour average weekday count for a specific data collection period.

Table 5.3: Annual Average Daily Traffic, Town of Pensaukee, 1995, 1998, 2001 and 2003; Number Change 1998 to 2001 and 2001 to 2003; and, Percent Change 1998 to 2001 and 2001 to 2003.

Highway	Count Location	1995	1998	2001	2003	Number Change 1998-2001	& Change 1998-2001	Number Change 2001-2003	% Change 2001-2003
USH 41	east of Froelich Road - northbound	5,500	5,200	5,400	5,100	200	3.8%	(300)	-5.6
USH 41	east of Froelich Road- southbound	4,900	5,400	5,400	5,200	-	0.0%	(200)	-3.7%
USH 41	east of Vermeiren Road- northbound	5,100	5,100	5,200	5,300	100	2.0%	100	1.9%
USH 41	east of Vermeiren Road- southbound	5,100	5,100	5,200	5,000	100	2.0%	(200)	-3.8%
CTH J	north of CTH S	540	610	610	490	-		(120)	-19.7%
CTH J	south of USH 41	320	390	350	450	(40)	-10.3%	100	28.6%
CTH J	north of USH 41	430	230	680	550	450	195.7%	(130)	-19.1%
CTH S	northeast of CTH J	1,200	820	880	780	60	7.3%	(100)	-11.4%
CTH S	south of CTH SS	800	630	600	540	(30)	-4.8%	(60)	-10.0%
CTH S	north of Fish House Road	920	790	730	720	(60)	-7.6%	(10)	-1.4%
CTH SS	east of USH 41	210	250	260	210	10	4.0%	(50)	-19.2%

Source: Wisconsin Department of Transportation, *Wisconsin Highway Traffic Volume Data*, 1995, 1998, 2001, 2003; Bay-Lake Regional Planning Commission, 2004.

With few exceptions, traffic volumes on major roads in the town of Pensaukee, declined between 2001 and 2003.

## **Traffic Flow Capacity**

The roads that serve the state, the region and the local community are designed and engineered to accommodate a maximum level of traffic (Table 5.4). The maximum total capacity of a two-lane, two-way highway (such as CTH J or CTH S) under ideal conditions is 2,000 vehicles per hour in both lanes, as determined by the Peak Hourly Traffic (PHT), regardless of traffic distribution by direction. The maximum capacity values given in Table 5.4 should be considered as the average maximum volume on various types of roads under ideal conditions.

Table 5.4: Uninterrupted Traffic Flow Capacities Under Ideal Conditions

Highway Type	Capacity Peak Hourly Traffic
Multi-Lane and Divided Highways	2,000 vehicles per lane
Two-Lane, Two-Way Highways	2,000 vehicles both lanes
Three-Lane, Two-Way Highways	4,000 vehicles all lanes

Source: Highway Capacity Manual, Highway Research Board of the Division of Engineering and Industrial Research, 1985; Bay-Lake Regional Planning Commission, 2002.

As the comparison of the recorded average annual daily traffic, peak hourly traffic and the traffic flow capacities indicate, at present, there are no roads or road segments located within the town that have approached or appear to be approaching the roads design capacity.

## **Traffic Crashes**

Vehicle crash reports, filed with the Oconto County Sheriff's Department and also with the Wisconsin Department of Transportation, provide the detail of the time, location, type and severity of the accident that has occurred. These reports are often excellent indicators of problems with road alignments, roadway construction, and geometric design of the road. The number, location and severity of accidents can often indicate problem areas (in terms of traffic safety) which may be alleviated through a variety of measures. Alterations in the road geometry, enlargement of the intersection turning radii, and placement of more prominent signs, relocation of access drives and speed changes are just a few of the physical alterations and adjustments that can be made to make a specific intersection or area safer.

Table 5.5: Vehicle Crashes, Town of Pensaukee, 2000, 2001 and 2002

Year	Total Crashes	Fatalities	Crashes with	
			Injuries/Number Injured	Property Damage
2000	29	3	13/18	16
2001	38	2	15/24	22
2002	37	0	15/21	22
Total	104	5	43/63	60

Source: Wisconsin Department of Transportation, 2003; Bay-Lake Regional Planning Commission, 2003.

For the period between 2000 and 2002 there were a total of 104 reported crashes in the town of Pensaukee, which resulted in five fatalities, 43 crashes in which 63 persons were injured, and 60 crashes that resulted in property damage only.

The crash data are further delineated by non-intersection and intersection crashes and by highway jurisdiction. Non-intersection crashes typically include: crashes between a vehicle and deer, crashes between a vehicle and a fixed object such as a sign post, mailbox, or a tree; vehicles leaving the road and sliding into a ditch, and crashes between a vehicle traveling on the

roadway striking another vehicle entering or exiting the roadway or stopped to turn into a private property access. Intersection accidents are typically characterized by angle crashes, rear-end accidents and head-on crashes within the immediate area of a particular intersection. Intersection accidents often may be indicators of a problem with the sight distance at the intersection (visibility), location of and visibility of signs, and/or the geometric configuration of the roadway itself.

Table 5.6: Intersection/Non-Intersection Crashes by Highway Jurisdiction, 2000, 2001 and 2002

Crash Location	Total Crashes	Intersection		Non-Intersection	
		Crashes	Percent	Crashes	Percent
USH 41	68	12	11.5%	56	53.8%
CTH S	11	0	0.0%	11	10.6%
CTH J	5	1	0.96%	4	3.8%
CTH SS	1	0		1	1.0%
Town Roads	19	1	0.96%	18	17.3%
Total	104	14	13.46%	90	86.5%

Source: Wisconsin Department of Transportation, 2003; Bay-Lake Regional Planning Commission, 2003.

There were a total of 104 crashes reported to have occurred in the town of Pensaukee in 2000, 2001 and 2002. Of that total, 90 crashes, or approximately 86.5 percent of the total crashes reported, were non-intersection types and 14 crashes, or 13.46 percent of the total crashes reported occurred within a road intersection with another road. There were 12 intersection crashes reported on USH 41, one crash occurred within intersections with county trunk highways and one crash occurred at an intersection of two town roads. Of the 104 reported crashes, 19 crashes were the result of vehicles entering the road ditch; 12 vehicles left the road and overturned; 27 were deer/vehicle collisions and 15 involved vehicles striking another vehicle.

### **Access Controls**

Access management is a means to maintain the safe and efficient movement of traffic along arterial highways by controlling the number and location of intersecting roads and driveways. State statutes allow counties, cities and villages (through an adopted ordinance) to control access on county highways that have traffic counts in excess of 1,000 vehicles daily.

At this time, Oconto County does not have nor does it plan to adopt a Controlled Access Ordinance.

### **EVALUATION OF CURRENT INTERNAL TRAFFIC CIRCULATION SYSTEM**

The town's internal traffic circulation system consists of a typical north/south and east/west grid road pattern serving agricultural, recreational and scattered rural-residential properties. The traffic circulation system is influenced by natural features including the Pensaukee River, Green Bay and a large wildlife area located adjacent to Green Bay, resulting in a road pattern that is largely non-continuous and circuitous. Within the town, five bridges span the Pensaukee River, crossing at CTH J, Bell Bridge Road, USH 41, Old 41 Road and CTH S.

## **INVENTORY AND ANALYSIS OF APPLICABLE TRANSPORTATION PLANS AND PROGRAMS**

The following section of this chapter presents information on existing state, regional, county, and local transportation related plans that apply within the town.

### **Wisconsin State Highway Plan**

*The Wisconsin State Highway Plan 2020* states that, “Wisconsin’s State Trunk Highway system, consisting of approximately 11,800 miles of roads, is aging and deteriorating at the same time traffic congestion is increasing.” In response to this critical issue, WisDOT, in partnership with its stakeholders, has developed the *State Highway Plan 2020*, a 21-year strategic plan which considers the highway system’s current condition, analyses future uses, assesses financial constraints and outlines strategies to address Wisconsin’s preservation, traffic movement, and safety needs. The plan will be updated every six years to reflect changing transportation technologies, travel demand and economic conditions in Wisconsin.

The *Wisconsin State Highway Plan 2020* addresses three key elements or issues of concern relative to the State Highway System:

- Preserving the system by improving or replacing aging pavements and bridges,
- Facilitating movement of people and goods through an efficiently designed system, and with programs that reduce traffic congestion; and
- Improving highway safety through combined strategies of engineering, education and enforcement.

### **Six-Year Highway Improvement Plan**

The Wisconsin Department of Transportation develops a *Six-Year Highway Improvement Plan* which addresses the *rehabilitation* of Wisconsin’s state highways. Rehabilitation falls into three major categories (*resurfacing, reconditioning and reconstruction*) giving it the often used abbreviation 3-R Program.

*Resurfacing* entails provision of a new surface for a better ride and extended pavement life

*Reconditioning* entails addition of safety features such as wider lanes, or softening of curves and steep grades

*Reconstruction* entails complete replacement of worn roads, including the road base and rebuilding roads to modern standards.

### **State Airport Plans**

The Wisconsin State Airport System Plan 2020 (SASP 2020) provides a framework for the preservation and enhancement of the system of public-use airports adequate to meet current and future aviation needs of Wisconsin. The plan determines the number, location and type of aviation facilities required to adequately serve the state’s aviation needs over a 21-year planning period, 2000 through 2020. The plan defines the State Airport System and establishes the current and future role of each airport in the system.

## **Wisconsin State Railroad Plans**

An update of the State Rail Plan is in progress. Due to the increased utilization of inter-modal shipment of goods, manufacturers can locate virtually anywhere within a short driving distance of a rail facility and still benefit from the reduced costs afforded by rail transportation.

## **State, Regional and Local Bicycle Plans**

### **State Bicycle Plan**

The *Wisconsin Bicycle Transportation Plan 2020* has as its two primary goals

- Increase levels of bicycling throughout Wisconsin, doubling the number of trips made by bicycles by the year 2010 (with additional increases achieved by 2020).
- Reduce crashes involving bicyclists and motor vehicles by at least 10 percent by the year 2010 (with additional increases achieved by 2020)

Recommended actions include 1) developing local bicycle transportation plans; 2) providing suitable space for bicyclists when designing roadway projects; 3) following accepted bikeway guidance and standards; and 4) routinely considering bicyclists when developing roadway projects. The Wisconsin Department of Transportation produced a set of maps that identified bicycle conditions on major routes and roads for Oconto County. The maps assessed and identified bicycling conditions, planned state highway priority corridors and key linkages between major destination points. The state map indicates that USH 41 and CTH S (from its intersection with CTH J west to Sobieski) is unsuitable for bicycle travel due to traffic volumes, percentage of trucks, and vehicle speeds. In addition, CTH S (from its intersection with CTH J north to the city of Oconto) is identified as providing moderate conditions for bicycling and CTH J (along its entire length) is identified as providing the best conditions for bicycling.

### **Regional Bicycle Plan**

The *Bicycle Facility Transportation Plan for the Bay-Lake Region* (adopted 2002) identified a system of connecting routes and needed improvements connecting all municipalities and major destination points throughout the eight-county region including Oconto County and the town of Pensaukee. The regional plan proposes transportation facility improvements (paving road shoulders to a width of four or five feet) to provide safe and efficient travel paths between communities located within Oconto County including the city of Oconto. The Regional plan recommends paving road shoulders (four to five feet in width) on CTH S and CTH J.

## **FUNDING THE TOWN ROAD SYSTEM**

The cost of constructing, maintaining and operating roads under local jurisdiction (town roads) is defrayed through the provision of General Transportation Aids (authorized in Section 86.30 of the Wisconsin Statutes). General Transportation Aids are distributed to all Wisconsin towns through a highway aids formula administered by the Wisconsin Department of Transportation. Under the formula, local aid is distributed either as a share of eligible highway-related expenditures incurred by the town or on a per-mile basis, whichever is higher.

Eligible expenditures generally include all road construction and maintenance within the right-of-way, as well as a percentage of eligible law enforcement, street lighting maintenance and construction, and storm sewer construction. The share of cost rate is determined by the available funding and the average costs reported by the town. The 2003 funding level has resulted in a

share of cost percentage of **20.8** percent for towns. Each town's share of costs is determined by multiplying the six-year average costs by the percentage rate.

The 2003 flat rate has been set at \$1,825 per mile. Transportation Aids for towns, as well as all other local units of government and counties, are derived primarily from motor fuel taxes and vehicle registration fees

## **TRANSPORTATION RECOMMENDATIONS**

### **Road Improvements**

In order to improve traffic safety and to maintain the efficiency of USH 41, and major and minor collectors such as CTH S and CTH J, the town should continue to direct and promote development that minimizes, as much as is possible, direct access to the highway. This can be achieved by requiring adequately spaced driveways, by requiring frontage roads that access numerous properties or driveway accesses that can serve more than one property. Future development on the property that is planned for commercial development on either side of USH 41 should only be accessible from an existing driveway, or preferably from county or town roads.

### **Develop a Highway Access Management Plan for the USH 41 Corridor**

A highway access management plan would provide both direct and indirect benefits to the town and to the state by improving safety and by preserving the level of service of the highway and the town's connecting road system. The primary goals of a highway access management plan would include:

- Improve the safety and efficiency of USH 41
- Promoting desirable land use patterns adjacent to the state highway
- Making pedestrian and bicycle travel safer

The plan should develop specific recommendations and strategies (implemented by land use plans, official maps, highway corridor overlay zoning and adopted agreements) that would serve to preserve the level-of-service of USH 41, improve safety and improve the flow of local traffic throughout the corridor.

### **Participate with Oconto County in Development of a Highway Overlay Zoning Ordinance**

Highway overlay zoning is an effective tool for preserving and protecting the highway's level of service, preventing encroachment and inappropriate land uses adjacent to the highway, and improving safety. The separation between the accesses on intersecting roads and the state highway effectively preserves land that may be needed for future road improvements (interchanges, grade separations, turning lanes etc.); and improves safety at the intersection by providing vehicle storage space between driveway accesses to new and existing traffic generators and the highway.

### **Initiate A Pavement Management Program**

Town roads are rehabilitated, repaired and maintained with funds provided by the State's Local Roads Program (LRP). This program provides each local unit of government in the state with financial support derived from state taxes on gasoline and other transportation/vehicle related surcharges for local road maintenance and repair.

It is recommended that a "pavement management" program be developed and utilized by the town. The system provides a detailed inventory and description of all roads within the town, provides a detailed surface condition survey of those roads, defines the goals and objectives of the town with respect to its road maintenance and repair, and establishes a long-term maintenance schedule which would prioritize the road maintenance and repair needs.

A pavement management program is simply a Capital Improvement Program geared specifically to the town's roads. The pavement management program provides the town with a detailed, defensible document, which will assist elected and appointed officials in making informed decisions regarding road maintenance and repair.

### **Employ Adequate Design Standards**

New highways and roads, in the optimum setting, should be designed for their projected and desired use. Design standards should be applied to all new construction and, where possible, existing roads which are to undergo major repair and reconstruction shall undergo this work according to the standards set forth in this plan.

In examining the design of town roads, the "road-scape" of these facilities also should be considered as well. The "road-scape" includes the area adjacent to the road and within the established right-of-way or the ditch that serves as a vegetative buffer between the road and the adjacent lots, a location for traffic signs and for utility lines.

### **Apply Traffic Considerations**

Traffic considerations which the town should take into account when planning for future development include the following:

1. Adequate vehicular and pedestrian access should be provided to all parcels of land.
2. Local road systems should be designed to minimize through traffic movement.
3. The road pattern should minimize excessive travel.
4. A simple and comprehensible system of road names and house numbering should be provided.
5. Traffic generators located within new subdivisions (such as schools, churches and parks) should be considered in the local circulation pattern.
6. The planning and construction of local residential roads should clearly indicate their function.
7. The local roads should be designed for a relatively uniform and low volume of traffic.
8. Local roads should be designed to discourage excessive speeds.
9. Minimize intersections.
10. Devote a minimal, but adequate amount of space to road uses.
11. Roads are a function of land use, and therefore should not unduly hinder the development of land.
12. Pedestrian and bicycle paths should be separated from vehicle paths where possible.

### **Assess Special Transportation Needs**

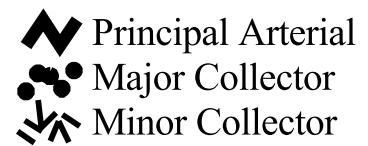
Transportation services for elderly and disabled persons are provided by the county and by private nonprofit, and for profit carriers. The town should play as active a role as possible in the support, development and maintenance of special transportation services for the elderly and disabled population of the town.

Map 5.1

# Functional Classification

## Town of Pensaukee

### Oconto County, Wisconsin



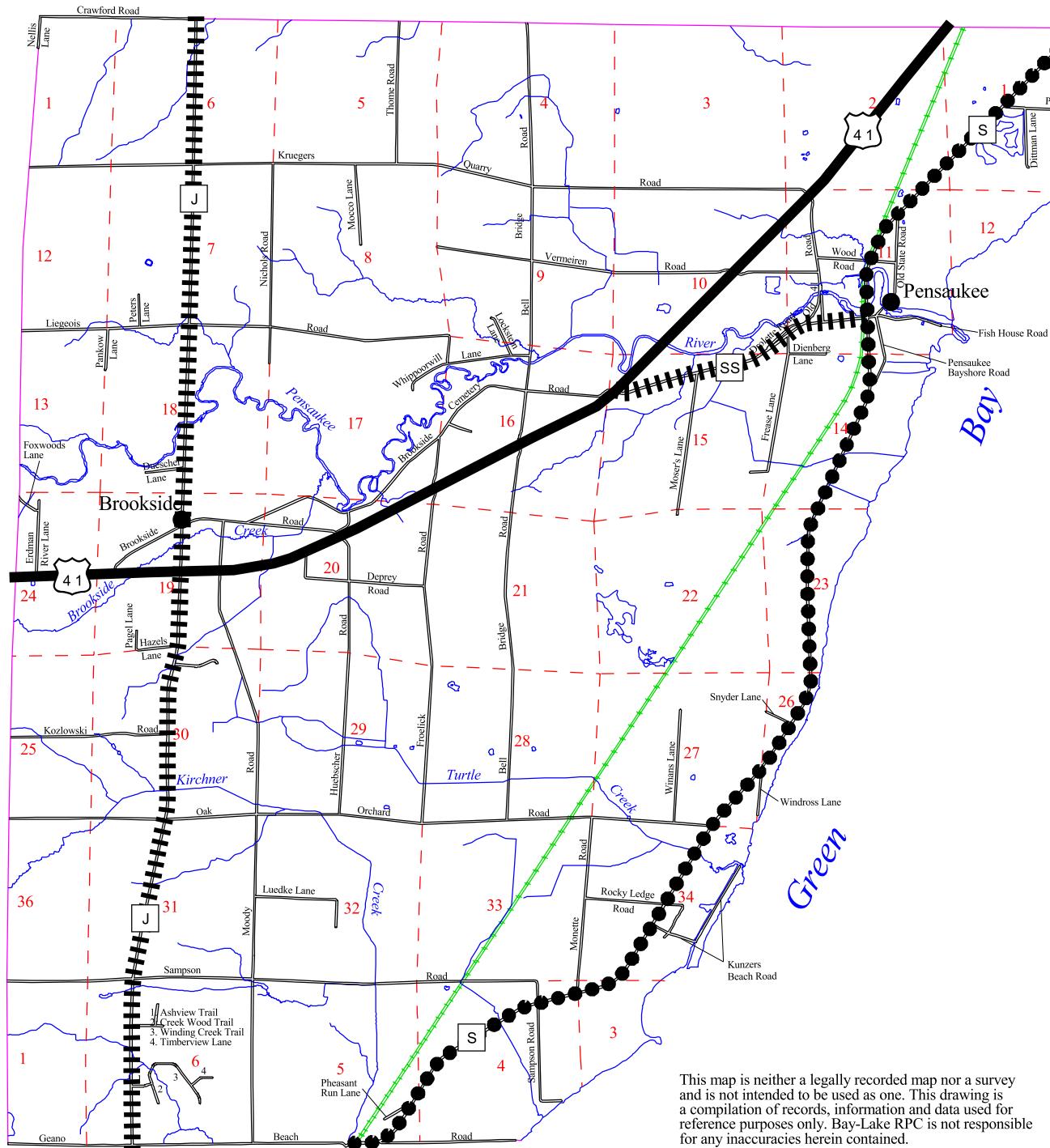
## Map Features

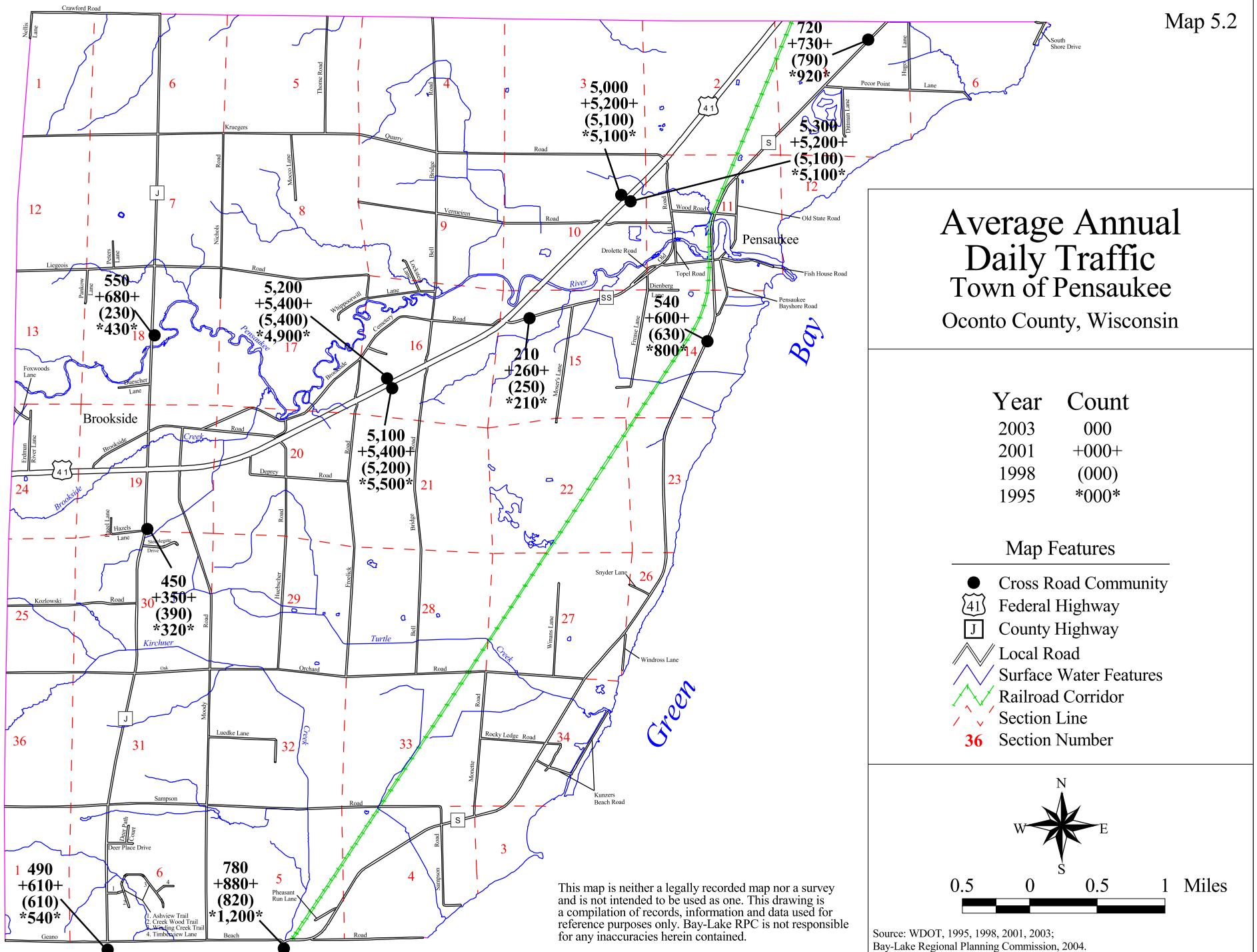
- Cross Road Community
  -  Federal Highway
  -  County Highway
  -  Local Road
  -  Surface Water Features
  -  Railroad Corridor
  -  Section Line
  -  Section Number



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

Source: WDOT, 1995; Bay-Lake Regional Planning Commission, 2004.





# **Chapter 6 - UTILITIES AND COMMUNITY FACILITIES**

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## **INTRODUCTION**

As part of the comprehensive planning program, the town of Pensaukee's utilities and community facilities were reviewed and broadly evaluated as to their present condition and adequacy to meet the town's present and future needs. Data and information were obtained through discussions with town and county officials and their employees.

To continue to maintain a good level of public services, the town should continuously monitor existing facilities in relation to its changing population figures and their needs. The general recommendations contained within this chapter are based upon general long-range planning (20 years) considerations and should not be substituted for more detailed architectural or engineering studies required before expending substantial community resources and undertaking specific public works projects. The levels of accuracy of the referenced materials herein is highly subject to change ("time sensitive") and should only be used as an initial guide/reference in establishing this plan's initial land use needs. As time goes on, the town should again gather updated information regarding services as it looks to modify/improve them. In some cases, greater informational detail should be gathered before approving recommendations.

## **SUMMARY AND IMPLICATIONS**

Due to the town of Pensaukee's rural nature, many of the services provided are located in other communities or are in cooperation (Mutual Aid Agreements) with surrounding communities. Several of these services include: emergency services (sheriff/police and ambulance), library facilities, health services, etc. Electric service for the town is provided by Wisconsin Public Service and Oconto Electric Coop. Residents in the town maintain individual wells for water, in addition to their septic systems or holding tanks. The town of Pensaukee is located within the Oconto Unified School District and the Oconto Falls School District. The town of Pensaukee and its surrounding communities have many natural amenities that are currently utilized for recreation. It is recommended that the town cooperate with various agencies, Oconto County and other adjacent communities, when the town wishes to discuss recreational facilities for its residents and visitors.

As the town of Pensaukee continues to grow, there may be a need to increase the number of services for the various types of developments. Especially as development pressures occur in more isolated areas of the town. These areas would most certainly require services both more difficult and less efficient to extend. Either way, the town may find itself having to provide for additional services, to include expanding or upgrading its current operations.

## **UTILITY AND COMMUNITY FACILITY STRATEGY**

### **Goal: Community Facilities/Utilities**

To provide quality community services to residents of the town of Pensaukee and to provide for orderly growth of the town through the planned development of public and community facilities.

### **Objectives:**

1. The town's community facilities and public services should be well maintained and sufficient for the needs of its residents.
2. Develop and maintain a disaster plan for the town of Pensaukee.

***Policies:***

1. Continue to encourage the concept of “mutual aid agreements” for all public services being provided (i.e., waste, police, emergency medical, etc.).
2. Oversee the town’s protective service agreements in order to ensure that the town continues to receive effective and efficient law enforcement and emergency/medical services.
3. Monitor the adequacy of the medical services, elderly care services and childcare services within the area.
4. Continually monitor resident satisfaction regarding services (i.e., private waste haulers) and remain informed upon any of the service providers’ needs to relocate/upgrade their services.
5. Provide safe and convenient ADA (Americans with Disabilities Act) accessibility to all public buildings.
6. Encourage the preservation of community identity and history by supporting actions that would advocate the protection and preservation of historic sites and other public town facilities.
7. Work cooperatively with municipalities and select service providers to upgrade telecommunication and electrical services when needed. Future ordinances (i.e., telecommunication towers) should be considered/adopted to limit possible negative impacts.
8. Promote cooperation and communication between the Oconto Unified and Oconto Falls School Districts and the town of Pensaukee Town Board or their representative to collectively strive for quality educational opportunities.
9. Promote that the maintenance of individual septic systems is conducted to protect the town’s valued groundwater sources.
10. Utilize the town’s environmental corridors (i.e., wetland areas, floodplains, steep slope, areas of poor soils for development, or other sensitive areas the town wants to protect), as areas that the town may want to prohibit all sewage system uses to protect groundwater quality.

***Programs:***

1. The Town Board or their representative should work with Oconto County and adjacent communities and districts in order to provide the best level of police, rescue (EMS), educational and other provided services on an annual basis.
2. The Town Board or their selected representative should stay informed (minimum contact - at least annually) on service providers’ plans/needs to upgrade facilities within the town.

**Goal: Parks and Recreational Lands**

Advocate safe recreational sites within the town that provide a variety of activities for town residents.

***Objective:***

Maintain present and future recreational sites for the town's residents and visitors.

***Policies:***

1. The town should cooperate with Oconto County and adjacent communities to enhance/develop recreational lands within the area.
2. Ensure that any future trailway development is discussed with residents as well as affected property owners.
3. Consider access for the disabled, elderly and very young when planning/designing/coordinating and constructing any new recreation projects, including parking, trails, etc.
4. Recognize the potential of public and private donations for funding park system improvements.

***Programs:***

1. Work with Oconto County, adjacent communities and various agencies to provide adequate connectivity and to enhance existing recreational facilities in the area.
2. The town should continue to work with Oconto County to promote recreational facilities in the town of Pensaukee.
3. The Town Board or their representative should explore available resources and contact appropriate agencies (i.e., WDNR, BLRPC, etc.) to enhance the quality of the town's recreational systems.

**BOARDS AND COMMITTEES INVENTORY**

**Town of Pensaukee Town Board**

The town of Pensaukee Town Board members consist of the Town Chairperson and two Supervisors, along with the Clerk and Treasurer. The town of Pensaukee Town Board should work for the benefit of the public, recognizing that public safety and interests must be their prime concern.

**Town of Pensaukee Plan Commission**

The town of Pensaukee Town Board established the Town of Pensaukee Plan Committee, which then became the Town of Pensaukee Plan Commission (by Town Ordinance, 2004) to develop the town's first comprehensive plan. The Town of Pensaukee Plan Commission had the responsibility of recommending this comprehensive plan to the town of Pensaukee Town Board for adoption. The Town Plan Commission will also help the Town Board utilize, review, amend and eventually update the comprehensive plan.

**Other**

Along with the Plan Commission are representatives of the State Historical Society, the Wisconsin Department of Natural Resources, Department of Transportation, Oconto County Zoning, Oconto County Economic Development Corporation, Wisconsin Realtors Association, etc. whom review information within the plan and provide a source of information respective to their agencies.

## **UTILITIES INVENTORY AND ANALYSIS - LOCATION, USE AND CAPACITY**

### **Electric Service**

#### **Wisconsin Public Service (WPS)**



The town of Pensaukee residents are provided electricity through Wisconsin Public Service (WPS) and Oconto Electric Coop. There is one substation in the town located on CTH J, just north of the community of Brookside. The electric service is believed to be adequate for the town's uses at this time. Remote developments may incur higher costs due to the likelihood of service gaps within the town. Higher density development may be more cost effective due to the increased efficiency.

The town's growth and increase in development should be continually monitored to ensure adequate electrical services.

### **Natural Gas**

The town does not have natural gas service. The town relies primarily on the use of propane and electricity for heating structures. The town does not have any improvement plans for the next 10 to 20 years.

### **Public Water System**

The town of Pensaukee does not have a public water system. Residents in the town have individual wells that are owned and maintained by the property owner. The town does not have plans to develop a public water system.

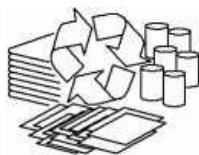
### **Sanitary Sewer Service**

There are several areas in the town of Pensaukee that are served by a sanitary sewer system. The areas currently served are located along CTHs S and SS, and along Old Hwy 41. The majority of property owners within the town are responsible for owning and maintaining individual on-site septic systems and holding tanks.

### **Storm Sewer System**

The town of Pensaukee allows stormwater to drain through a series of ditches and culverts along the town roads and other major highways. The town does not have any improvement plans for storm water drainage.

### **Solid Waste Disposal & Recycling Facilities**



The town of Pensaukee has a refuse and recycling drop-off location on Brookside Road next to the Pensaukee Town Hall in the community of Brookside. The drop-off center is open Wednesdays from 5 pm to 8 pm and Saturdays from 9 am until noon. Town residents can drop off their garbage and recycling to include: metal, metal cans, paper, plastic, aluminum, glass, cardboard, etc.

The solid waste for the town is handled through private contractors. Garbage is removed from the drop-off site by the private contractor and taken to MAR-OCO Landfill in Marinette. There are no improvement plans for next 10 to 20 years.

The town contracts with Oconto County (the county is the responsible party) which administers the recycling program. The county collects materials from local drop-off centers and brings them to the Oconto County Materials Recycling Facility located in the City of Oconto at 153 Evergreen Road. Collected materials are then sold at the best available market rate. In 2000, the

Materials Recycling Facility was expanded to include additional cold-storage warehousing space. There are currently no further plans to expand the facility within 10 to 20 years. There are no improvement plans for next 10 to 20 years.

### **Telecommunications Facilities**

The town of Pensaukee has telephone service provided by CenturyTel and Bayland Telephone. Other telephone services (e.g., cellular, long distance, etc.) are provided by Cellcom and Cellular One. The town has a telecommunications tower located at the corner of Liegeois Road and Peters Lane. In addition, the town contains special lines for internet accessibility. Overall, the present telephone service in the town is adequate with no future improvement plans within the next 10 to 20 years.

The town of Pensaukee does not have cable television; however, various satellite dish providers are available for enhanced television viewing.

### **COMMUNITY FACILITIES INVENTORY AND ASSESSMENT - LOCATION, USE AND CAPACITY**

#### **Municipal Buildings**

##### **Town of Pensaukee Town Hall**

The town of Pensaukee Town Hall is located at 4720 Brookside Road and is adjacent to the town's Fire Department and recycling center. The building is utilized for administration, elections, community meetings, etc. The structure, which is over 50 years old, is handicapped accessible with a ramp located at the back door. Parking for the facility is made of gravel and is thought to be adequate for its current use. A new municipal structure is a possible improvement within the next five years

#### **Road and Other Maintenance**

Maintenance for the town of Pensaukee's road network is provided by the Oconto County Highway Department. Other community facilities located within the town (parks, boat launches, etc.) are maintained by private contracts, Oconto County or State agencies (i.e., WDNR). The current maintenance system is deemed adequate for the town.

#### **Postal Services**



The town of Pensaukee does not contain a postal facility. The town is served by the United States Post Office facilities located in the city of Oconto and in the towns of Abrams and Little Suamico. The Oconto Post Office is located at 141 Congress Street in the city of Oconto, the Abrams postal facility is located at 5886 Main St in the community of Abrams and the Little Suamico Post Office is located at 1145 Grosse Road in the community of Little Suamico.

#### **Cemeteries**

The town of Pensaukee contains one cemetery. The Brookside Cemetery, located between Brookside Road and Brookside Cemetery Road, is considered adequate for the next 10 to 20 years. In addition, cemeteries located in adjacent communities may also be used by town of Pensaukee citizens.

An objective of the community ought to be to increase the awareness and highlight the importance of its historic cemeteries as sources of community. The town should promote the preservation of these unique historical features which are a valuable resource of human history.

## **Law Enforcement and Protection**



Police service for the town of Pensaukee is provided by the Oconto County Sheriff's Department. The Oconto County Sheriff's Department is located in the city of Oconto. Overall, the Sheriff's Department provides 24-hour emergency assistance to the entire county to include 23 towns. The department operates on two 12-hour shifts. There is a staff of 23 officers along with 27 patrol vehicles. Each patrol officer has his/her own cruiser. The county has a full-time recreation officer who patrols ATV, boating and snowmobile activities. The department also has a K-9 unit available. The department has a 32-foot trailer that serves as a mobile command center.

There is an enhanced 911 system that rings through the department.

Currently the police protection for the town is considered adequate. Future improvement plans for the department in the next ten to twenty years include construction of a new jail where the Sheriff's Department and an enhanced 911 system may be located.

## **Fire Station/Protection**



The town of Pensaukee maintains its own volunteer Fire Department located at 4710 Brookside Road in the community of Brookside. The facility that houses the equipment was built in 1980. The department consists of 28 volunteers for fire protection. Fire services are accessed by calling the 911 system, which in turn pages the volunteers. Major equipment the department uses to fight fires include a 1988 Pumper, a 1994 Tanker, a 2001 Tanker and a 1978 equipment van. Mutual Aid agreements exist with the city of Oconto and the neighboring towns of Little Suamico and Abrams.

Presently, the town of Pensaukee's fire services are considered adequate for the community. Improvements within the next 10 years include creating two fire ponds. The town should also consider exploring equipment and vehicle upgrades within the next 10 to 20 years.

## **Insurance Service Office (ISO) Grading**

The adequacy of fire protection within the township is evaluated by the Insurance Service Office (ISO) through the use of the *Grading Schedule for Municipal Fire Protection*. The schedule provides criteria to be used by insurance grading engineers in classifying the fire defenses and physical conditions of municipalities. Gradings obtained under the schedule are used throughout the United States in establishing base rates for fire insurance. While ISO does not presume to dictate the level of fire protection services that should be provided, it generally contains serious deficiencies found, and over the years has been accepted as a guide by many municipal officials in planning improvements to their fire fighting services.

The grading is obtained by ISO by its Municipal Survey Office based upon their analysis of several components of fire protection including:

- Fire department equipment
- Alarm systems

- Water supply system
- Fire prevention programs
- Building construction
- Distance of potential hazard areas from a fire station

In rating a community, total deficiency points in the areas of evaluation are used to assign a numerical rating of one to ten, with one representing the best protection and ten representing an unprotected community. Recently, the town of Pensaukee was rated eight by the ISO.

### **Emergency Services**

Ambulance service for the town of Pensaukee is provided by the City of Oconto Ambulance Service located at 1210 Main St. The ambulance service has three vehicles available for medical transport or emergency calls. Services provided include basic emergency care and transport. Emergency services are accessed through the 911 system of the Oconto County Sheriffs Department. The town also contains a First Responders unit for emergency calls. The town feels the emergency equipment and service is adequate. Possible future improvements to the emergency services within the next 10 to 20 years include updated equipment and rescue vehicles.



### **Library**

There is no public library located in the town of Pensaukee. Residents of the town utilize both the nearby Farnsworth Public Library and Oconto Falls Community Library.



The closest library is the Farnsworth Public Library located in the city of Oconto at 715 Main Street. This library has served the city of Oconto and surrounding area for nearly 100 years. In addition to an extensive collection of books and periodicals, the library has public internet access terminals. During the summer months, the city of Oconto Library operates a summer reading program to encourage children in the area to read.

There are no plans for future improvements of this library facility.

The Oconto Falls Community Library is located at 251 N. Main Street in Oconto Falls. This 9,600 square foot facility was opened in 1992. The library offers a host of special services and programs including: public Internet access, computers for word processing, a summer reading program, story hours for children, photocopying, and a meeting room which can be rented. In addition to books and periodicals, the library also loans videos, educational play totes for children, etc.

The aforementioned library services are considered adequate to meet future demands through the town's planning period.

### **Schools**

The town of Pensaukee is located within two School Districts: the Oconto Unified School District and the Oconto Falls School District. None of the School Districts operate facilities within the town of Pensaukee.



The Oconto Unified School District encompasses the city of Oconto and parts of four adjacent townships - Abrams, Little River, Oconto, and Pensaukee. The Oconto

Unified School District contains three facilities located in the city of Oconto: Oconto Elementary School (Pre K-grade 4) located at 810 Scherer Ave.; Oconto Middle School (grades 5-8) is located at 400 Michigan Ave. and Oconto High School located at 1717 Superior Ave. The school facilities are considered adequate since the Oconto Elementary School was recently built in 2000 and the High School has various new additions.

The Oconto Falls School District is located at 200 North Farm Road in Oconto Falls. The Oconto Falls School District contains five educational facilities. Abrams Elementary School (K-grade 5) located at 5810 Elm Street in Abrams; Spruce Elementary School (grades 1-3) located 7904 CTH A West in Lena; Oconto Falls Elementary (K-grade 5) located at 415 E. Mara Volk Drive in Oconto Falls; Washington Middle School (grades 6-8) located at 102 South Washington Street in Oconto Falls and Oconto Falls High School located at 210 North Farm Road in Oconto Falls. The school facilities are considered adequate due to various new facilities and additions.

The town of Pensaukee and Oconto County are also part of the Northeast Wisconsin Technical College (NWTC) District of The Wisconsin Technical College System. The Technical College System can offer more than 300 programs awarding two-year associate degrees, one- and two-year technical diplomas and short-term technical diplomas. In addition, the System offers a variety of distance learning opportunities and is the major provider of customized training and technical assistance to Wisconsin's business and industry community. The main NWTC campus is located at 2740 West Mason Street in Green Bay with a facility also located in the city of Marinette.

### **Child Care Facilities**

As with many rural areas within the state, the town of Pensaukee does not contain any licensed public childcare facilities. As a result, town residents possibly utilize other private childcare facilities which may or may not be certified, or use childcare facilities located in adjacent communities.

### **Health Care Facilities**

The town of Pensaukee does not provide any hospital facilities or medical clinics. The nearest medical facility is the Community Memorial Hospital located at 855 South Main Street in the



city of Oconto Falls. Other health care facilities nearby include Green Bay (Bellin Memorial Hospital, St. Mary's Hospital, St. Vincent Hospital and Aurora Medical Center) and the city of Marinette (Bay-Area Medical Center). In addition to hospitals, there are several clinics located in the cities of Oconto, Oconto Falls, Green Bay and the village of Lena.

### **OUTDOOR RECREATION INVENTORY**

The town of Pensaukee does not contain any public park facilities.

The city of Oconto, located north of the town, contains several park areas consisting of athletic fields and school-related recreation sites for both students and residents within the area. In addition to the city of Oconto facilities, several other communities adjacent to the town of Pensaukee also offer many recreational opportunities for residents and visitors of the area.

# **Chapter 7 - INTERGOVERNMENTAL COOPERATION**

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## **INTRODUCTION**

The town of Pensaukee's relationship with the neighboring communities, Oconto County, the Bay-Lake Regional Planning Commission (BLRPC), Oconto Unified School District and the Oconto Falls School District, and the state and the federal government can impact town residents in terms of taxation, planning, provision of services and siting of public facilities. An examination of these relationships and the identification of existing or potential conflicts can help the town address these situations in a productive manner.

## **SUMMARY AND IMPLICATIONS**

The town of Pensaukee currently has several cooperative agreements (e.g., mutual aid) with other municipalities and will continue to strive for cooperation with surrounding communities. As the town gains more understanding and sophistication in planning, its ability and comfort in using tools will be helpful in making this comprehensive plan more effective. Learning how to make effective use of planning tools may serve as a joint goal of communities within the area. Gaining additional information/education on these tools can be provided by Oconto County, the Wisconsin Towns Association, BLRPC, UW-Extension and Stewardship programs, as well as other state agencies such as the Wisconsin Department of Natural Resources (WDNR). Overall, it is anticipated that this intergovernmental cooperation element will help serve as a starting point for future collaborative planning efforts in and around the town of Pensaukee.

## **INTERGOVERNMENTAL COOPERATION STRATEGY**

### **Goal: Intergovernmental Cooperation**

Promote cooperation between the town of Pensaukee and any other municipality or government entity that makes decisions impacting the town and surrounding area.

### ***Objectives:***

1. Develop coordination and sharing/joint ownership of community facilities, equipment and other services whenever possible.
2. Coordinate with adjacent communities on future planning projects to best maintain the rural character of the surrounding area.
3. Encourage improved participation with neighboring communities regarding meetings, workshops, mutual planning activities, etc.

### ***Policies:***

1. Work with neighboring communities and agencies regarding any water issues and other land uses which lie across town lines such as: bay of Green Bay, Pensaukee River, etc.
2. Explore the possibility of jointly developing and managing future recreational facilities with adjacent communities, the WDNR, etc.
3. Work cooperatively with surrounding municipalities to address possible boundary issues to minimize conflicts.
4. Explore the possibility of working with adjacent communities and Oconto County on disaster planning.

***Programs:***

1. The Town Board or its representative (as the responsible party) should monitor/work with the DNR, Army Corps of Engineers and the Environmental Protection Agency to ensure compliance with water quality regulations, in developing controls preserving ground water resources, etc.
2. The Town Board or its representative (as the responsible party) is encouraged to meet annually (minimum) and work with Oconto County, the Bay-Lake Regional Planning Commission or other planning agencies on town planning activities, and county and/or regional planning activities.
3. The Town Board or its representative (as the responsible party) should remain aware of planning activities that may impact the town.
4. Utilize the Wisconsin Towns Association (WTA). The WTA is a non-profit statewide organization created under s. 60.23 (14) of the Wisconsin State Statutes. This agency serves the state's towns in providing assistance to town boards. The WTA is organized into six districts and arranges annual district meetings, a statewide convention, publications and participation in cooperative training programs to assist local units of government.
5. Mutual Assistance is a key program for any community. Communities enter into agreements or can legally request assistance from other jurisdictions. This form of providing services to the community is essential and will continue as a practical alternative to the town.

**EXISTING ACTIVITIES**

**Adjacent Governmental Units**

The town of Pensaukee is bordered by the town of Little Suamico on the south, the town of Abrams on the west, the town of Oconto on the north and the town of Stiles on the northwest. The bay of Green Bay makes up the town of Pensaukee's eastern border. The town has no incorporated places within 1.5 miles of its boundaries; therefore the borders making up the town are likely fixed throughout the planning period. The city of Oconto, which is two miles northeast of the town border, is the nearest incorporated community to the town of Pensaukee.

***Relationship***

Overall, the town has a good working relationship with these municipalities. Since towns are not incorporated they cannot annex land. Therefore, the borders between the town of Pensaukee and adjacent towns are fixed and boundary disputes are not as prevalent. There is cooperation with several of the adjacent communities in regards to the provision of public services such as emergency services.

***Siting Public Facilities***

Due to the rural nature of the town of Pensaukee, the town is served by several facilities located in neighboring communities. Ambulance and police facilities are located in the city of Oconto, and library facilities are located in the city of Oconto and the city of Oconto Falls. In addition, postal facilities are found in the city of Oconto, and the towns of Abrams and Little Suamico. The town will continue to work with its surrounding municipalities to determine any future siting of public facilities.

### ***Sharing Public Services***

Currently the town of Pensaukee has various intergovernmental agreements with surrounding communities in regards to public services and facilities. The town has mutual aid agreements with the city of Oconto and towns of Little Suamico and Abrams for fire protection. The town's ambulance service is provided by the City of Oconto Ambulance Service. Law enforcement is provided by the Oconto County Sheriff's Department. The library services are located in the cities of Oconto and Oconto Falls, and are utilized by the town of Pensaukee residents. The town will continue to work with its surrounding municipalities regarding the sharing of public services that are cost effective and adequate for the residents of the town of Pensaukee.

### **School District**

The town of Pensaukee is located within the Oconto Unified School District and the Oconto Falls School District.

### ***Relationship***

The town of Pensaukee's relationship with the School Districts is best described as limited. The School District tends to operate rather independently.

### ***Siting School Facilities***

The siting of new school facilities is mainly conducted by the School Districts with the town having minimal input. The town should continue to work with the district regarding the location of school facilities.

### ***Sharing School Facilities***

The town has no formal agreement with the School Districts for shared use of school facilities.

### **County**

The town of Pensaukee is located in Oconto County and therefore the county has some jurisdiction within the town. In particular, the county has jurisdiction in the town over zoning, land divisions, on-site sanitary systems, etc. In addition, there are approximately 557 acres of Oconto County forestlands within the town of Pensaukee. The town and county continue to maintain open communication with each other in order to build a good working relationship of both general agreement and respect. As Oconto County plans for its future as a whole, the town should make its land use preferences known by taking part in any Oconto County planning efforts. By participating in the county planning process the town of Pensaukee should work to incorporate several of its planning decisions into the Oconto County plan.

### **Region**

The town of Pensaukee is located in Oconto County, which is located in the northeast region of the State of Wisconsin. Oconto County is a member of the Bay-Lake Regional Planning Commission (BLRPC) which is the regional entity that the town is involved with. The BLRPC has a number of programs and plans in place covering natural resources, population projections, community plans, transportation plans, bike plans, etc. The relationship with the BLRPC is one that has focused upon planning (prepared this *Town of Pensaukee 20-Year Comprehensive Plan*) and education on planning.

## **State**

The town's relationship with the State of Wisconsin is one which deals mainly with issues related to transportation (WisDOT) and natural resources (WDNR). Currently, there are approximately 803 acres of state owned lands within the town of Pensaukee, with the WDNR (approximately 688 acres) maintaining the majority of these lands. Relationships with state agencies have been limited.

## **INVENTORY OF PLANS AND AGREEMENTS UNDER S. 66.0307, S. 66.0301 OR S. 66.0309 AND 66.0313**

### **Cooperative Boundary Plan**

Currently, the town of Pensaukee has not entered into a boundary agreement with any municipality. State Statutes 66.0307 and 66.0301 allow municipalities to enter into agreements regarding the location of municipal boundaries. The Cooperative Boundary Plan is any combination of cities, villages, and towns that may determine the boundary lines between themselves under a cooperative plan approved by the Department of Administration (DOA). The cooperative plan must be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory covered by the plan which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or general welfare. Cooperative boundary plans cover at least a 10-year period. Additionally, Cooperative boundary agreements are a tool that could also be used for service sharing between local units of government.

The majority of Municipal Boundary Plans or Agreements are conducted between a town and a city or village. However, in order to promote harmonious development in the area, the town may want to discuss Boundary Agreements with adjacent municipalities in the future.

### **Extra-Territorial Subdivision regulation**

State Statutes allow an incorporated village or city to extend Extra-Territorial Plat Review over surrounding unincorporated areas. This helps cities or villages protect land uses near their boundaries from conflicting uses outside their limits. The extra-territorial area extends for 1.5 miles for villages and cities under 10,000 people, and for cities over 10,000 people the area extends to 3 miles. The town of Pensaukee does not have an incorporated community in, or within 1.5 miles of the town, therefore extra-territorial plat review will not occur.

### **Extra-Territorial Zoning**

Currently, extra-territorial zoning is not being administered in the town of Pensaukee. State Statutes allow an incorporated village or city to extend extra-territorial zoning over surrounding unincorporated areas. The extra territorial area extends for 1.5 miles for villages and cities under 10,000 people, and for cities over 10,000 the area extends to 3 miles, however the entire jurisdiction does not need to be included in the zoning. Extra-territorial zoning requires a joint effort between the town and a city or village to develop a plan for the area to be zoned. The extra-territorial zoning is then established according to the developed plan. The town of Pensaukee does not have an incorporated community in, or within 1.5 miles of the town, therefore extra-territorial zoning will not occur.

## **INVENTORY OF EXISTING OR POTENTIAL CONFLICTS**

The following is a listing of existing or potential conflicts facing the town of Pensaukee and surrounding areas.

- Town of Abrams – rapid growth versus urban sprawl, may trickle into the town of Pensaukee.
- Signage at the town of Pensaukee entrance – no billboards
- Town of Oconto – possibly sharing a coastal grant for park/recreational purposes
- Town of Little Suamico sewer hook-up – possible for the town of Pensaukee
- Town of Stiles has potential rapid growth that may affect adjacent farmlands that the town of Pensaukee wants to preserve
- Commercial establishments outgrowing zoning regulations
- Wisconsin Department of Natural Resources conflicts – seem too strict in areas related to wetlands, etc.
- Working with adjacent communities (e.g., bridge maintenance, roads, etc.)
- Coordinate disaster plans with Oconto County, adjacent communities and school districts
- Continue to work with adjacent communities on mutual aid agreements
- Lack of communication on border developments with adjacent towns
- Uncontrolled spending of the School Board

### **POSSIBLE RESOLUTIONS**

The following is a list of possible solutions to address the existing or potential concerns and issues listed above.

- Develop ordinances against increased signage by both town of Pensaukee and town of Abrams.
- Apply cooperatively with the town of Oconto for coastal grants
- Consider extending sewer on CTH J in the next 20 years.
- Agreements with adjacent towns regarding border developments
- Cost sharing agreements with adjacent communities
- Ordinances to regulate the design of commercial/industrial establishments
- Work with adjacent communities on shared utilities

# **Chapter 8 - LAND USE**

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## **INTRODUCTION**

This chapter presents information on the current land use and land use controls within the town of Pensaukee, Oconto County, Wisconsin. A complete land use inventory was done by the Bay-Lake Regional Planning Commission in summer of 2003. In addition, a projection of future land use demands based upon population projections, discussions on land-use issues and land-use controls are included.

## **LAND USE STRATEGY**

### ***Goal: General Plan Design***

Design future development that will meet the needs of the town while protecting and enhancing its visual character, promoting environmental protection, conserving natural resources, meeting the needs of social and economic forces, providing for adequate services and facilities, and ensuring compatibility of future land uses.

### ***Objective: Overall Plan***

Ensure that all growth and development occurs in a planned and coordinated manner that will maintain or improve the quality of life associated with the rural character of the town for existing and future residents.

### ***Policies:***

1. Utilize the Comprehensive Plan as an illustration of the town's overall development policy.
2. Foster orderly development that allows for proper distribution of community services.
3. Work with the neighboring towns and Oconto County to ensure compatible growth near the border areas of the town of Pensaukee.
4. Prior to approving any zoning change, it shall be shown that the development is consistent with the town's Comprehensive Plan and overall vision.
5. Explore the creation and adoption of additional ordinances to control likely nuisances (i.e., excessive lighting, noise, etc.) produced during more intensive operations within the town, such as commercial uses, industrial uses, etc.

### ***Objective: Residential***

Strive to maintain the integrity of the existing rural atmosphere while encouraging the development of new residential areas sufficient to meet the housing needs of the projected population.

***Policies:***

1. Residential developments are encouraged to be distanced, buffered, or otherwise mitigated from physical hazards, unhealthy conditions, and steered from incompatible uses.
2. Provide for sufficient densities and a broad range of housing choices within the town to meet the current and future needs of the local population.
3. Housing developments should conform to the zoning districts that they are contained within. Modified conformance standards will be considered in areas that have been designated for cluster subdivision designs or other alternative designs such as:
  - adjacent to environmental corridors; and
  - along transportation corridors, (i.e., County Trunk Highways); and
  - in areas where the town wants to preserve the natural appearance as part of retaining community character.

***Objective: Commercial***

Recommend commercial developments that will serve the needs of the town's residents and the transient traffic along USH 41, CTH J and Sampson Road.

***Policies:***

1. Areas where town services, facilities and highway access are available should be given preference over scattered non-serviced areas.
2. Future commercial establishments that require excessive traffic and a full range of public services should be directed to locations in neighboring communities.
3. Adequate landscape screening "buffers" should be provided between commercial uses and adjacent noncommercial uses to shield or limit viewing of parking spaces, storage areas, outside machinery, etc.
4. Encourage the development of design criteria for commercial businesses in order to reduce clutter and maintain town views along the major highway corridors through the town.

***Objectives: Light Industrial***

Limited light industrial developments should be directed to lands along USH 41, also identified for future commercial development in the town of Pensaukee. In addition, future intensive industrial uses (those requiring outside storage; excessive traffic; generate odors; generate noise; generate water - soil - air pollution) should be directed to adjacent communities where adequate industrial facilities and services (sewer, water, natural gas, etc.) already exist.

**Policies:**

1. To be permitted, a light industrial development should not detract from the rural appearance, over burden community services of the town, nor have a negative affect on the surrounding environment.
2. Adequate landscape screening “buffers” should be provided between light industrial uses and adjacent non-industrial uses to shield or limit viewing of storage areas, outside machinery, etc.
3. Encourage design criteria for light industrial uses in order to maintain town views.

**Objectives: Agriculture**

1. Strive to preserve the majority of the farmland in the town for continued agricultural use.
2. Advocate that proposed development is done in an orderly manner that preserves farmland while protecting the existing farm operations from conflicts.

**Policies:**

1. Consider clustering and conservation designs for future housing developments in order to preserve contiguous lands for future farming.
2. Existing and future developments are encouraged to consider natural buffers in areas that are to remain in agricultural production.
3. Utilize the Farmland Preservation Plan and Agricultural Zoning District to preserve the productive farmlands in the town while allowing limited growth on less productive soils (see Maps 2.5, 8.1 and 8.3).

**Objective: Natural and Cultural Resources**

Incorporate, where appropriate, the preservation of unique open spaces and other cultural and natural resources into site designs, thus creating environmental areas throughout the town for wildlife habitat and/or pedestrian linkages.

**Policies:**

1. Encourage alternative residential subdivision designs (clustering, conservation by design, etc.) that promote orderly development and relate to the town’s natural and cultural features.
2. Carefully consider the impacts of allowing greater use of lands within and adjacent to the plan’s identified environmental corridors (depicted on the town of Pensaukee 2024 General Plan Design Map).
3. Consider being more restrictive within the environmental corridors, to include the establishment of minimum distances from features such as waterways, wetlands, etc.
4. Work cooperatively with adjacent towns, Oconto County, WDNR, etc. to utilize various natural and cultural features for potential recreational and educational purposes.

***Objective: Community Services***

Ensure the adequate provision of community services (e.g., health and safety services) throughout the town during the 20-year planning period.

***Policies:***

1. Ensure alternative development techniques (clustering, conservation, etc.) allow for the proper distribution of community services.
2. Cooperate with adjacent communities and Oconto County regarding joint planning for present and potential shared services/facilities and cooperative agreements.
3. The town will continue to monitor services provided to town residents and explore options for maintaining or improving upon the level of existing services.
4. The town will work with Oconto County, adjoining towns, and service providers (public and private) to help ensure that future services are provided as effective and efficient as reasonably possible.

***Program:***

The Town Board and Town Plan Commission have the overriding responsibility to review and update the 2024 General Plan Design (Map 8.5) to ensure that it continues to meet the goals and objectives stated above, those goals and objectives outlined in previous elements of this plan and any future goals and objectives the town may wish to implement.

**INVENTORY OF EXISTING LAND USE CONTROLS**

This section inventories and discusses the land use controls (e.g., state, county or local controls) that may affect or restrict the use of land for specific purposes within the town of Pensaukee. These controls should be reviewed periodically to make sure that they assist in implementing the general plan design for future development within the town of Pensaukee.

**Existing Comprehensive Plans**

This will be the first Comprehensive Plan for the town of Pensaukee. Every community adjacent to the town of Pensaukee has completed a comprehensive plan (i.e., the town of Abrams, 1997; the town of Stiles, 1999; the town of Little Suamico, 2000 and the town of Oconto, 2002). These plans should be referenced to gather ideas as to how surrounding communities are progressing with “smart growth”, and to avoid any conflicts in future land use decisions.

**Farmland Preservation Plan**

The Oconto County Farmland Preservation Plan, published in May, 1985 by the Bay-Lake Regional Planning Commission, identifies areas which are of prime agricultural importance for which the owners may partake in allowable tax credits under the Farmland Preservation Program. The overall goal of the Oconto County Farmland Preservation Plan is stated as, “...to preserve productive and potentially productive agricultural land, forest land, and environmentally significant areas, while providing for well planned urban growth that is compatible with the agricultural, recreational and natural resources of the county.” Farmland Preservation Categories which are available for the tax credit include, and are shown on Map 8.1:

## **Agricultural Preservation Areas**

Agricultural preservation areas are lands currently cultivated (in agricultural use) and are part, or wholly consist of 100 contiguous acres at a minimum. This definition is intended to include all types of farmland and agricultural uses in order to provide the option of participating in the preservation program to the greatest number of farmers as possible. Farmers in agricultural preservation areas are eligible to sign contracts for ten to twenty years. Within the town of Pensaukee, 16,767 acres of land, or 74 percent of the town is in agricultural preservation areas.

## **Transitional Areas**

Transitional areas are those lands that are currently in agricultural use, but in the short-term are expected to convert to non-farm uses, such as residential, commercial or industrial uses. Transitional areas include incorporated areas in agricultural use and areas around developed unincorporated areas that are serviced by existing roads and public services. Transitional areas must be a minimum of 35 acres in size. Farmers whose lands are in transitional areas may sign a contract agreeing not to develop their lands for a period of five to twenty years. The town of Pensaukee does not have any land designated as transitional areas.

## **Environmental Areas**

The following areas are considered to be environmental areas: wetlands, woodlands, cultural, historic, or archaeological sites, the 100 year floodplain, public lands, lakes, rivers and streams. Environmental areas are eligible for Wisconsin Farmland Preservation tax credits if the cultivated area of the farm unit, of which they must be a part of, are eligible for a tax credit. Approximately 15 percent (3,246 acres) of the town of Pensaukee is within an area classified as environmental.

## **Excluded Areas**

Excluded areas are considered ineligible for the Wisconsin Farmland Preservation Program. They include airports, landfills, quarries, developed incorporated and unincorporated areas, platted subdivisions, quasi-public lands (gun clubs, golf courses, etc.) cemeteries, transitional areas under 35 acres, all ten acre or larger non-agricultural related uses, and all land zoned for non-agricultural use. Excluded areas in the town total 2,557 acres of land, or approximately 11 percent of the total town area.

## **Zoning Ordinances**

The town of Pensaukee does not have a zoning ordinance of its own. Rather, it falls under the jurisdiction of the Oconto County Zoning Ordinance which is set forth in Chapter 14 of the Oconto County Code of Ordinances. The purpose of the ordinance is to promote the health, safety, morals, prosperity, aesthetics, and general welfare of the County. In order to accomplish this purpose, the ordinance regulates and restricts the use of property. The ordinance divides the county, and therefore the town of Pensaukee, into districts for the purpose of regulating: 1) the location and use of land, water, buildings, and structures, 2) the height and size of building structures, 3) the percentage of a lot that may be occupied, 4) the density of the population, and 5) the size of lots.

The Wisconsin enabling legislation requires that zoning ordinances be made consistent with a community's comprehensive plan. This has been interpreted to mean that the zoning ordinance must be based on a master plan or land use plan and that the ordinance must seek to implement that plan. The Oconto County Zoning Ordinance, which was adopted in 1989 and revised in

1999, is not based on a county-wide comprehensive land use plan, but several towns within the county have individual plans. The individual community comprehensive plans use similar future land use categories that allow for local flexibility and re-coding of more detailed local land use categories into a county and regional framework, while also allowing for re-coding to County Zoning Districts. The Oconto County Zoning Ordinance also includes, but is not limited to the Oconto County Farmland Preservation Plan and Oconto County Outdoor Recreation Plan.

### **Oconto County Zoning Districts**

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Residential Single Family District (R-1)*	Agricultural District (A)*
Residential Multiple-Family District (R-2)	Large Scale Agricultural District (LA)
Mobile Home Park District (R-3)	Restricted Commercial District (RC)
Community Service District (CS)	General Commercial District (GC)*
Park and Recreation District (P-R)*	Light Industrial District (LI)
Forest District (F)*	Industrial District (I)*
Rural Residential District (RR)*	

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\* Districts Applicable to the Town of Pensaukee

*Note: There are several areas in the town of Pensaukee that do not have zoning and are categorized as "Unzoned" on Map 8.3*

#### **Residential Single Family District (R-1)**

This district provides attractive areas for development of single-family residences and protection of such residences from incompatible land uses.

#### **Residential Multiple-Family District (R-2)**

The purpose of this district is to accommodate residential development at higher densities than single-family densities, and to provide necessary supporting services and facilities. This district should be mapped as demand warrants at locations that have size and physical capacity to handle multiple-story or multiple-unit buildings, greater area of paving and parking and higher intensity activity. The sites should be attractive for human occupancy and should be buffered from high intensity commercial, industrial or transportation activity. Buffer areas or open space should be provided between this district and other residential districts, agriculture and forest areas.

#### **Mobile Home Park District (R-3)**

The Mobile Home Park District is intended to regulate the design and arrangement of mobile home parks and the residential use of mobile homes therein.

#### **Community Service District (CS)**

This district provides for areas of use for community services such as churches, clinics, parks, schools, community buildings, emergency facilities, etc.

#### **Park and Recreation District (P-R)**

The Park and Recreation District provides for recreational oriented establishments, as well as encouraging the maintenance of natural resources.

### **Forest District (F)**

This district provides for commercial production of trees, the conduct of forestry practices and related uses on large tracts of land that are well suited to these activities. The intent is to encourage forestry and also to recognize the value of forested areas as a recreational resource.

### **Rural Residential District (RR)**

The Rural Residential District provides for a mixture of farming, forestry and non-farm residential uses in those rural areas that are not suited for large scale agricultural use or large scale forestry practices.

### **Agricultural District (A)**

The County's Agricultural District is designed for agricultural uses of land devoted to the growing of crops and the raising of livestock. Oconto County's minimum parcel size to establish a residence or farm operation in this district is currently 10 contiguous acres.

### **Large Scale Agricultural District (LA)**

The Large Scale Agricultural District is designed for large scale agricultural uses of land devoted to the growing of crops and the raising of livestock. The minimum parcel size to establish a residence or farm operation in this district is much greater than that of the Agricultural District. Oconto County's minimum parcel size for the Large Scale Agricultural District is currently 35 contiguous acres.

### **Restricted Commercial District (RC)**

This district is created to regulate an exclusive commercial use on one or more parcels in an area predominately zoned residential, agricultural or forest. Owners of parcels petitioning for inclusion into this district shall declare their intended use and this use shall remain as the only use until discontinued or petitioned for change.

### **General Commercial District (GC)**

The General Commercial District provides locations for primarily retail and wholesale trade establishments engaged in sales of merchandise or service or both. The intent is to allow firms and operations whose primary function is selling to retail customers or clients. Processing of materials may be conducted as subordinate to retail or wholesale sales. It is the policy of Oconto County to promote economic development and a strong local economy. It is recognized, however, that most commercial uses should be located in the urban communities where the full range of needed services can be afforded to such uses.

### **Light Industrial District (LI)**

This district provides locations for retail and wholesale trade establishments engaged in sales of merchandise which is primarily produced, manufactured or assembled on the premise. The intent is to allow firms and operations whose primary function is manufacturing to sell to retail customers or clients. It is the policy of Oconto County to promote economic development and a strong local economy. It is recognized, however, that most commercial and industrial uses should be located in the urban communities where the full range of needed services can be afforded to such uses.

## **Industrial District (I)**

The Industrial District is established to accommodate manufacturing and related processing activities such as furniture and fixtures, lumber and wood products, printing, publishing and allied industries, fabricated metal products, etc.

In addition to the zoning districts discussed, the Oconto County Zoning Ordinance has several overlay districts. These districts include a Conservancy District (C), Floodplain District (FP), Airport Height Limitation District (AH), Adult Entertainment Overlay District (AEOD), Quarrying District, Metallic Mining Exploration District (MME), and a Mining District (M). The provisions of an overlay district shall be in addition to any underlying zoning district requirements.

Map 8.3 displays the zoning for the town of Pensaukee. Refer to the Oconto County Zoning Ordinance for a detailed explanation, and information on the restrictions of each of the zoning districts.

## **Sanitary Ordinance**

The Oconto County Sanitary Ordinance is contained within Chapter 12 of the Oconto County Code of Ordinances and regulates the private sewage and septic systems of all residential, commercial, industrial, and governmental uses within the town. Although this ordinance does not directly determine land uses, it does have an impact on the locations of future development based on soil suitability for on-site treatment systems.

## **Subdivision Ordinance**

Oconto County's Land Division Ordinance is contained in Chapter 13 of the Oconto County Code of Ordinances. Portions of this ordinance have recently been re-written to address current land division concerns. The ordinance regulates the subdivision of land where the act of division creates five or more parcels or building sites of which four may be less than 1.5 acres (65,340 square feet). The ordinance also regulates minor land division (certified survey map or commonly referred to as CSMs) where it is proposed to divide land into two, three or four parcels or building sites of less than 10 acres each of which the original parcel has existed for a 5-year period. The ordinance also contains design standards for streets, curb and gutter, sidewalks, drainage, erosion control, utilities, and easements that must be complied with in order for the subdivision to be approved by the County. The ordinance also contains requirements for park and public land dedication. The land division ordinance in conjunction with other tools provides a means of implementing the county's zoning.

## **Official Map**

An official map is intended to implement a town, village, or city master plan for streets, highways, parkways, parks and playgrounds, and drainageways. Its basic purpose is to prohibit the construction of buildings or structures and their associated improvements on land that has been designated for current or future public use. The town of Pensaukee currently does not maintain an official map. The town may want to utilize the Oconto County's parcel map as a possible start for an official map.

## **Erosion Control Plan**

Under s.92.10, Wis. Stats., those counties that are designated as priority counties by the Department of Agriculture, Trade and Consumer Protection (DATCP) must prepare and adopt erosion control plans. The county land conservation committee prepares plans to conserve long-

term soil productivity, protect the quality of related natural resources, enhance water quality and focus on severe soil erosion problems.

In 1985, The Oconto County Land Conservation Committee entered into an agreement with DATCP to prepare a County Erosion Control Plan. The Oconto County Erosion Control Plan was adopted in 1987.

### **Oconto County Shoreland and Floodplain Ordinance**

The Oconto County Shoreland and Floodplain Zoning Ordinances were adopted by the Oconto County Board in 1983 and 1987, respectively. The purpose of the shoreland zoning ordinance is to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds and other aquatic life; to control building sites, placement of structures and land uses; and to preserve shore cover and natural beauty.

The shoreland ordinance applies to all shorelands of navigable waterways in the unincorporated areas of Oconto County which are: 1,000 feet from the ordinary high water elevation of navigable lakes, ponds, or flowages; and 300 feet from the ordinary high water elevation, or to the landward side of a floodplain, of the navigable reaches of rivers or streams, whichever distance is greater. This ordinance regulates parcel size, alteration of surface vegetation, land surface alterations, sewage disposal, filling, toxic dumping, lagooning/dredging, commercial advertising and mandates a basic building and structure setback of 75 feet from the ordinary high water mark.

The Oconto County Floodplain Zoning Ordinance was adopted to promote public health, safety, and general welfare, and to minimize flood losses in areas subject to flood hazards. The ordinance regulates residential development, storage of hazardous materials, uses which may be detrimental to permitted uses in adjoining districts, sewage disposal, wells for drinking water, and wastewater ponds or facilities, except those permitted under Wisconsin Administrative Code (NR 110.15) within the FEMA designated floodplain area. Refer to Map 2.9 for an illustration of these areas which are covered by the Floodplain Ordinance.

### **Shorelands**

Shorelands are often viewed as valuable recreational and environmental resources in both urbanized and rural areas. As a result, the State of Wisconsin requires that counties adopt shoreland/floodplain zoning ordinances to address the problems associated with development in floodplain areas. Development in shoreland areas is generally permitted, but specific design techniques must be considered. Development in these areas is strictly regulated and in some instances, is not permitted. The authority to enact and enforce these types of zoning provisions is set forth in Chapter 59.692 of the Wisconsin Statutes and Wisconsin Administrative Codes NR 115, 116, and 117 and is established in the Oconto County Zoning Ordinance, Section 14.

Oconto County is currently administering its Shoreland/Floodplain Ordinance in its unincorporated areas. The jurisdiction of the ordinance includes shoreland of navigable waters of the county which are 1,000 feet from the normal high water elevation of a lake, pond or flowage and 300 feet from the normal high water elevation of a river or stream, or to the landward side of a 100 year floodplain boundary. Map 8.2 illustrates the locations of the town's shoreland areas.

### **CURRENT LAND USE INVENTORY**

A detailed field inventory of land uses in the town of Pensaukee was conducted in the summer of 2003 by the Bay-Lake Regional Planning Commission. This land use information was then

compiled into generalized land use categories and is presented in Table 8.1 and Map 8.4 (Appendix D contains the detailed land use calculations). As a result of this inventory, a number of conclusions and issues have been identified, and recommendations have been made to help guide future land use planning efforts in the town of Pensaukee.

Table 8.1: Town of Pensaukee 2003 Land Use

Land Use Type	Total Acres	Percentage Developed Land	Percentage Total Land
<b>DEVELOPED</b>			
Residential	598.9	34.6	2.7
Single Family	582.3	33.7	2.6
Mobile Homes	12.4	0.7	0.1
Vacant Residential	4.2	0.2	0.0
Commercial	34.1	2.0	0.2
Industrial	54.5	3.2	0.2
Transportation	813.4	47.1	3.6
Communications/Utilities	15.0	0.9	0.1
Institutional/Governmental	19.0	1.1	0.1
Recreational	43.5	2.5	0.2
Agricultural Structures	150.2	8.7	0.7
<b>Total Developed Acres</b>	<b>1,728.6</b>	<b>100.0</b>	<b>7.7</b>
Land Use Type	Total Acres	Percentage Undeveloped Land	Percentage Total Land
<b>UNDEVELOPED</b>			
Croplands/Pasture	4,407.7	21.1	19.5
Woodlands	11,166.5	53.6	49.5
Other Natural Areas	5,094.2	24.4	22.6
Water Features	172.5	0.8	0.8
<b>Total Undeveloped Acres</b>	<b>20,840.9</b>	<b>100.0</b>	<b>92.3</b>
<b>Total Land Area</b>	<b>22,569.5</b>		<b>100.0</b>

Source: Bay-Lake Regional Planning Commission, 2003.

### **Planning Area**

The town of Pensaukee makes up approximately 22,570 total acres of land. Of this, 1,728 acres, or approximately eight percent of the town is developed, leaving 92 percent of land in the town as undeveloped. The majority of the undeveloped lands consist of woodlands.

### **Residential Land**

Residential land in the town accounts for 599 acres or 34 percent of the developed land within the town. The majority of this land (582 acres) is single family residential with the remaining being mobile homes and vacant. Residential uses are scattered throughout the town, while more dense developments are found in the unincorporated communities of Pensaukee and Brookside and along the shore of Green Bay.

## **Commercial Land**

Land under commercial use occupies 34 acres, or two percent of the town's developed land. Many of the commercial developments in the town are located near USH 41, in the unincorporated communities of Pensaukee and Brookside. Some businesses in the town include commercial storage, a construction company, auto salvage, paint ball sports, computer sales, etc.

## **Industrial Land**

Industrial land totals 54 acres or just over three percent of the developed land within the town. Uses under this category include sand or gravel pits and private storage facilities.

## **Transportation**

Transportation uses in the town of Pensaukee include the local road network, parking facilities and rail related facilities. There are 813 acres of land in the town that account for transportation uses. This is the largest portion of the developed land in the town at 47 percent, and makes up 3.6 percent of the total land. The local road network and other transportation issues are discussed in more detail in the transportation element (Chapter 5) of this plan.

## **Communication/Utilities**

Uses under this category include land used for the generation, processing and/or transmission of electronic communication, water, electricity or other transmittable products, plus for the disposal, waste processing and/or recycling of byproducts. Within the town of Pensaukee, 15 acres of land in the town consist of these uses. They include electric transmission towers, electric substation, a telecommunications tower, fire ponds and a refuse and recycling drop-off site.

## **Institutional/Governmental**

Institutional/governmental uses are defined as land for public and private facilities for education, health or assembly; cemeteries and/or related facilities; and for all government facilities used for administration or safety, except public utilities and areas of outdoor recreation. Within the town, this category accounts for 19 acres of land. Institutional/governmental uses in the town of Pensaukee include the Town Hall, fire station, cemeteries, etc.

## **Parks and Recreational**

Park and recreation lands account for approximately 43.5 acres of land, or 2.5 percent of the developed land in the town. Recreational lands in the town consist of park areas, shooting range, boat launches, etc.

## **Agricultural Structures**

Agricultural structures include sheds, silos and other farm structures. These uses account for 150 acres of land in the town.

## **Croplands/Pasture**

Approximately 21 percent (4,407 acres) of the town's total land area is associated with some type of agricultural land including croplands, pastures, or grazing. The agricultural land in the town is found primarily in the western portions of the town of Pensaukee.

## **Woodlands**

Woodlands represent the largest land use category within the town accounting for 11,166 acres, or approximately half of the town's total land.

## **Other Natural Areas**

Uses in this category include lands primarily in a natural state for their natural functions including non-wooded wetlands, grasslands, etc. This category of land uses accounts for 5,094 acres, or nearly 23 percent of the town's total land. These natural areas are scattered throughout the town of Pensaukee.

## **Water Features**

Water features include lakes, streams, rivers, ponds, etc. In the town of Pensaukee there are over 172 acres of water related features which include the Pensaukee River, Kirchner Creek, Turtle Creek and Brookside Creek. There are no named lakes in the town of Pensaukee; however the town's eastern border consists of the bay of Green Bay. See Chapter 2 of this plan for more information on water features within the town.

## **OWNERSHIP**

Public ownership accounts for 1,360 acres, or six percent of the town's total land. The predominant public landowner in the town of Pensaukee is the Wisconsin Department of Natural Resources with 688 acres. In addition, the Wisconsin Department of Transportation owns 115 acres and Oconto County owns 557 acres of land. The remaining land in the town is in private ownership (Map 8.5).

## **LAND SUPPLY**

### **Amount**

The amount of land available for development within the town of Pensaukee has some potential limitations. Factors that may hinder development within the town include lands not recommended for development, such as environmental corridors (wetlands with a 25 foot setback, floodplains, areas of steep slope, water resources with a 75-foot setback from the water resources, designated natural and scientific areas, parks and recreation areas, etc.). In addition, as the town continues to develop residentially, commercially, etc., extra design elements such as natural buffering may be needed to preserve the town's natural amenities and to limit incompatible land uses.

### **Price**

The price of developable lands may vary depending on the surrounding land uses, location, access, services, along with other subjective factors. For example, residential prices can depend on whether a parcel has water frontage, views of the bay of Green Bay, is wooded, or contains a vast amount of open space. Waterfront properties generally attract higher price listings. However, the land prices in the town will continue to fluctuate as the market continues to change. Contact any local realtor to obtain more information on residential, commercial, industrial and other land prices within the town.

## **Redevelopment Opportunities**

Redevelopment possibilities within the town of Pensaukee include:

- Areas within the town that are beyond repair should be redeveloped in a way that maintains/improves the overall character, including scale, architectural styles, etc.
- Advocate that non-metallic mining sites in the town are successfully reclaimed and restored to a condition that allows for a productive post-mining use.

- Utilize some of the many natural areas found in the town for potential recreational uses and uses that are more productive from an economic standpoint, while maintaining the natural beauty and function.

### **Demand**

Based on building permit information from the Wisconsin Department of Administration and Oconto County, the town of Pensaukee experienced 97 housing permits issued for new residential construction from 1998 to 2003. This is approximately 16 permits per year, with the largest number of building permits issued in 2003 (21 permits).

The demand for commercial or industrial lands in the town has not been high in the past 10 to 20 years. However, with the increased development of highway commercial businesses throughout the area, the demand for highway commercial lands in the town of Pensaukee may increase along USH 41 during the planning period.

Due to the large amount of lands that are sensitive to development in the town of Pensaukee, the town should look at innovative ways of development that encourage orderly, efficient development patterns, while ensuring the adequate provision of services and the preservation of the rural atmosphere.

### **LAND USE ISSUES AND CONFLICTS**

The town will need to work with the Oconto County Zoning Office in order to correct the town's zoning map. As with a number of towns within the county, the town's zoning map needs to be updated to reflect current uses within the town of Pensaukee.

The bay of Green Bay, rivers, streams and wetlands compose a valuable part of the natural resource base of the town of Pensaukee. More development near these natural features could lead to overcrowding, displacement of wildlife and an increased possibility that surrounding natural areas could become polluted. Further development adjacent to the water features is becoming increasingly unlikely due to much of the available shorelands being considered not buildable.

In addition, with the large amount of natural resources in the town of Pensaukee, there are opportunities for incompatibilities to arise as development pressures increase. The General Plan Design addresses areas for uses with regards to their neighboring parcels and in many cases there are recommendations for additional steps to make the development practicable while limiting potential incompatibilities. Allowing for adequate screening, setbacks and buffering should alleviate much of the incompatibility, as will additional county controls within the subdivision ordinance and ordinances regulating signage, lighting and noise. Any subdivision that is allowed should be designed in a way that preserves the rural character of the town.

### **ANTICIPATED LAND USE TRENDS**

Analyzing data within this document's previous chapters, the following land use trends were developed for the 20-year planning period. It is expected that these trends will influence the town's future growth and preservation. The Town's Plan Commission and Town Board will need to address these trends over the next two decades in order to reach the town's desired vision. The following trends were used to provide direction in the development of the General Plan Design, along with the town's goals, objectives, and policies, nominal group and the town wide survey results. Some of these trends may be similar to the trends of several communities located adjacent to the town of Pensaukee.

- The demand for larger lot sizes will likely increase while the ratio of persons per household will decrease resulting in greater acreage needs to accommodate future residential growth.
- The town of Pensaukee can expect a projected minimum (631) total occupied dwelling units and a projected maximum (774) occupied dwelling units through the year 2025, a 160 to 303 occupied housing unit increase from 2000.
- Agricultural lands should continue to be preserved to the greatest extent possible in the town to allow for general crop farming.
- The rural character will continue to be maintained in the town, preserving the natural vegetative structure resulting in the protection of wildlife and fish habitats.
- The use of on-site wastewater septic systems and individual groundwater wells will continue within the town, however the town may research potential public sewer options in the future.
- If commercial uses begin to increase, small businesses will primarily locate in concentrated areas near USH 41.
- The town will experience an increased demand for public services, as the median population age continues to rise.
- The town of Pensaukee will work with Oconto County, the WDNR, etc. to advocate enhancement of recreational activities in the town of Pensaukee.

## **DEVELOPMENT CONSIDERATIONS**

### **Environmental and Public Utility Considerations**

The following environmental and public utility considerations should be utilized to provide the town with an indication of which lands in the community are best suited for development.

The town has an abundance of natural features including wetlands and floodplains which can add significantly to the aesthetic appeal of the community while providing important ecological and environmental functions such as stormwater retention and flood control.

Increasing development, in some cases, can be costly due to the wide array of supporting services needed to accompany it. The town should closely monitor all public utility costs associated with future development in order to best control future property taxes.

A small portion of the town is currently served by public sewer; however the majority of the town maintains individual on-site septic systems and holding tanks. This plan recommends that individual property owners continue to install and maintain their own wells and on-site wastewater systems; however the town may consider working with neighboring communities (i.e., town of Little Suamico) on potentially increasing the number of areas in the town of Pensaukee that can gain access to public sewer.

### **Planning Criteria**

Planning criteria are developed in order to give the community a sense in which to base their land use recommendations. Criteria make the planning process defensible when presenting scenarios to the general public and when modifying or developing alternative sites for land use developments. The criteria used by the town, when developing the general plan design, were based upon values identified by the State, Oconto County and the town of Pensaukee.

The following State criteria are based upon “Smart Growth” criteria encouraged within community plans:

- Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.
- Encouragement of neighborhood designs that support a range of transportation choices.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces and groundwater resources.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state governmental and utility costs.
- Preservation of cultural, historic and archaeological sites.
- Encouragement of coordination and cooperation among nearby units of government.
- Building of community identity by revitalizing main streets and enforcing design standards.
- Providing an adequate supply of affordable housing for individuals of all income levels throughout each community.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.
- Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional and local levels.
- Balancing individual property rights with community interests and goals.
- Planning and development of land uses that create or preserve varied and unique urban and rural communities.
- Providing an integrated, efficient and economical transportation system that affords mobility, convenience and safety and that meets the needs of all citizens, including transit-dependent and disabled citizens.

The *Oconto County Zoning Ordinance* has identified the following criteria for all the unincorporated areas within Oconto County:

- Preserve adequate open spaces for present and future use and recreational use;
- Maintain natural or undeveloped lands and buffer zones between developed areas;
- Protect scenic and historically valuable sites;
- Protect forests, wilderness and wildlife, and maintain other factors that insure the balance of ecological systems by not developing forests, wetlands, beaches, estuaries and shorelands;
- Prevent the construction of buildings in hazardous areas such as floodplains and wetlands;

- Maintain highly productive farmland;
- Prevent erosion and unnecessary destruction of ground-cover;
- Minimize pollution of the water, land and air.

The town of Pensaukee has identified the following criteria from the nominal group process, the town wide survey results, and the plan's goals and objectives:

*Community Growth*

- To advocate development of the town as a mixture of rural residential and agricultural community;
- To provide for orderly, efficient development while maintaining the integrity of the environment;
- To ensure all future developments are compatible with surrounding land uses;
- Cooperate with the surrounding towns, Oconto County and the WDNR on future planning projects and boundary issues to minimize conflicts.

*Residential*

- Residential developments should be directed to areas which will allow for compatible uses, and will minimize the visual impact on viewsheds from public right-of-ways;
- Direct residential developments to areas that minimize negative impacts on the environment;
- Consider innovative ways of development that encourage orderly development and effective delivery of services;
- Direct larger scale developments toward areas that have the adequate facilities and services that they need;
- Promote a variety of housing opportunities for all segments of the town's current and future population.

*Commercial/Industry/Parks*

- Encourage new business/industry development that is compatible with the scale of the town;
- Consider establishing development standards in order to review the designs and landscaping of future commercial/industrial businesses through building scale and appearance in order to maintain the town's rural character.
- If commercial businesses were to develop, they should be concentrated in distinct areas along USH 41;
- Plan for future commercial uses that have high visibility, are compatible with adjacent uses and have adequate space for parking and landscaping;
- Cooperate with adjacent communities, Oconto County, WDNR, etc. on the development/enhancement of recreational opportunities in the town of Pensaukee.

- Consider lands along the bay of Green Bay for potential recreational facilities and economic benefits to the town of Pensaukee.

## **DESIGN YEAR LAND USE PROJECTIONS**

Map 8.5 was developed based on the information contained in previous chapters of this document including demographics, land use projections, physical characteristics, the goals, objectives, policies and programs, and town-wide survey results. Over an 18 month period, the Town Plan Committee met more than 15 times to review town data and growth options. From these meetings and presentations to the public, a 2024 General Plan Design was developed and approved.

### **Five Year Incremental Land Use Projections**

Wisconsin statutes require Comprehensive Plans to include projections, in five-year increments, for future residential, commercial, industrial and agricultural land uses in the community over the twenty year planning period.

#### **Residential Projections**

The methodology used to project the town's future residential land use acreage employed the following:

- the projected housing needs presented in Chapter 3 of this document,
- an average dwelling unit per 1.5 acre ratio for housing development,
- a multiplication factor ranging from 1.25 to 2.25 to allow for market flexibility.

Based on this methodology, the town would need to accommodate approximately 67 acres for future permanent residential development over the next five years, 99 acres between 2005 and 2010, 107 acres between 2010 and 2015, 111 acres between 2015 and 2020, and 111 acres from 2020 to 2025, for a total of 495 acres needed by 2025. This is a net total for residential development. However, there are several other factors that must be taken into consideration including,

- it is **not** the intent of the plan to see an entire area within a classification to develop, rather the specified uses shall be allowed if consistent with the type, location, and density of the development;
- some of the lands would hinder development based on the nature of the area;
- within residential growth areas, lands must be allocated for future roads, parks, and recreation areas.

In most standard residential developments, these additional factors generally account for approximately 25 percent of the gross land area. Therefore, the gross total for land allocated for residential development should be approximately 660 acres in the town. The amount of residential land allocated for the next 20 years (Map 8.5) is sufficient based on the projected residential growth for the town of Pensaukee.

## **Commercial Projections**

To calculate commercial land use projections, the Commission compared the current ratio of residential acreage to commercial land use acreage by parcel in the town (17:1) based on the 2003 land use inventory. Based on this methodology, the town may need to allocate approximately four acres for future commercial development over the next five years, six acres between 2005 and 2010, six acres between 2010 and 2015, six acres between 2015 and 2020, and seven acres from 2020 to 2025. On the General Plan Design, the town has designated several areas along USH 41 on the western portion of the town for commercial development.

## **Industrial Projections**

Industrial lands are projected in the same manner as the commercial lands. According to the 2003 land use inventory, the current ratio of residential acreage to industrial land use acreage in the town is 11:1. Therefore the town may need to allocate about six acres for future industrial development over the next five years, nine acres between 2005 and 2010, ten acres between 2010 and 2015, ten acres between 2015 and 2020, and ten acres from 2020 to 2025.

The town of Pensaukee does not see itself as being a community that would attract large industries, thus the town has decided not to allocate specific industrial lands on its General Plan Design Map. It is felt that more intensive industrial developments should locate within nearby communities that contain adequate public facilities and services. However, areas designated for commercial developments on the General Plan Design Map may be considered for future light industrial developments. If light industrial uses are allowed to develop in the town of Pensaukee, they shall fit the character of the town and be environmentally friendly.

## **Agricultural Projections**

The majority of the agricultural lands in the town of Pensaukee are found in the western portion of the town and it is the town's intention to preserve as much of these remaining farmlands as possible over the next 20 years. As development pressures continue to grow, a portion of the lands currently being used for agricultural purposes may be developed over the next 20 years. Most development is recommended in the general areas designated on Map 8.5. A potential change in agricultural lands for the 20-year planning period can be determined by comparing Table 8.1 with Table 8.2.

## **DEVELOPMENT STANDARDS**

### **General Plan Design Classifications**

The following text discusses each of the major recommended land use classifications as depicted on the 20-Year General Plan Design Map for the town of Pensaukee. The classifications listed are similar to those which were developed and are utilized by the Regional Planning Commissions (RPC) of eastern Wisconsin. These classifications were utilized in the development of the town of Pensaukee's 2024 General Plan Design to assist the town with allocating areas for the various types of land use. The town made recommendations for these land use classifications which best represent the community's character and are in the best interest of the town and its citizens.

The following are the nine classes of land use associated with the Town of Pensaukee 2024 General Plan Design. A more detailed explanation of recommended uses within each classification can be found in the Recommended Development Strategy portion of this plan beginning on page 8-20.

- |                                         |                            |
|-----------------------------------------|----------------------------|
| 1. Residential                          | 6. Agricultural            |
| 2. Commercial                           | 7. Park & Recreation       |
| 3. Light Industrial                     | 8. Transportation          |
| 4. Governmental/Institutional/Utilities | 9. Environmental Corridors |
| 5. Woodlands/Open Space                 |                            |

### **Residential**

This classification identifies areas of existing, or planned residential development recommended at higher densities than that of the remainder of the town of Pensaukee.

### **Commercial**

The commercial classification identifies areas recommended for appropriate commercial developments within the town. This classification also incorporates existing and future home occupational businesses.

### **Light Industrial**

This classification indicates that future light industrial development is recommended to be located in areas of the town also identified for commercial development offering an area of mixed use development and potential redevelopment. Light industrial uses may be subject to development requirements that will reasonably ensure compatibility.

### **Governmental/Institutional/Utilities**

This classification identifies the cemetery, governmental buildings, fire station and utility sites.

### **Woodlands/Open Space**

This classification is intended to conserve the existing, mostly undeveloped wooded and open space natural areas of the town of Pensaukee to the greatest extent possible. Limited residential development may be allowed, but with residential density limits and other requirements set so as to maintain the aesthetics of woodland and open space areas.

### **Agricultural**

The agricultural classification identifies areas where a mixture of agricultural, low-density residential and rural commercial activity exists or is desirable. Overall, this classification is intended to maintain agricultural lands to the greatest extent practicable and may allow limited residential development, but with residential density limits and other requirements set so as to maintain the rural characteristics of these areas of the town. Recommendations for innovative development techniques within this classification are also discussed.

### **Park & Recreation**

This classification designates park and recreational recommendations within or adjacent to the town of Pensaukee.

## **Transportation**

Identifies the existing road network in addition to recommendations for safety and improved traffic movement in the town.

## **Environmental Corridors**

Environmental corridors are represented by various elements including: 100-year floodplains as defined by the Federal Emergency Management Agency (FEMA), WDNR wetlands and their setbacks, steep slopes of 12 percent or greater and a 75-foot setback from all navigable waterways as defined by the Oconto County Shoreland and Floodplain Zoning Ordinance. Also included are other significant features or areas identified by the town. This plan encourages preservation and protection of these natural areas in order to maintain the rural character of the town of Pensaukee.

## **RECOMMENDED DEVELOPMENT STRATEGY**

This portion of the plan will further detail recommendations on the land uses within the town. The following text discusses each of the major land use classifications as depicted on the 2024 General Plan Design Map. It should be noted that the specified classification does not designate individual areas within the classification for development; rather, it designates the entire area for that use to occur. Also, it is not the intent of the plan to see the entire area within a classification to develop, rather the specified uses be allowed if consistent with the type, location, and density of the development in the event of a land conversion. The type and density of the land use is identified within several of the classifications.

### **Residential Development Strategy**

With expanding highway systems and continued expansion northward from the city of Green Bay, the town of Pensaukee's residential development pressures continue to increase. The town must closely monitor the proposed types of development, specifically the impacts developments may have on the natural resources and rural nature of the town. The General Plan Design Map identifies one residential category however; this classification also includes strategies for future residential development in Agricultural/Woodlands/Open Space areas of the town.

#### ***Residential***

It is the intent of this classification to promote single family residential development in and adjacent to areas of existing development, lands currently platted out for development and areas where agricultural activity has been declining. The residential lands allocated on Map 8.5 (areas in yellow) are also intended to promote orderly and efficient growth that is compatible with adjacent land uses. Future developments in the Residential classification are recommended to be at higher densities than other areas of the town. Lot sizes of 1.5 acres or greater are recommended for new lots in the residential areas of the town of Pensaukee.

#### *Recommendations:*

1. **Existing residential developments are proposed to remain intact.** Residential developments found within this classification will continue throughout the 20-year planning period. Areas of denser developments in the town include several lands along the bay of Green Bay shoreline, and the unincorporated communities of Pensaukee and Brookside.

2. **Single family residencies should be the primary development** in these designated areas within the town, recommending a minimum lot size of **1.5 acres**. Future residential developments are intended to promote orderly and efficient growth that is consistent with the adjacent land uses.
3. **Infilling of existing vacant residential lots 1.5 acres or greater will also be allowed** within this designation to enhance orderly development patterns throughout the town. Infill developments are encouraged in the communities of Pensaukee and Brookside and other areas of denser developments found in the town. In addition, rehabilitation or redevelopment of existing structures is recommended when feasible.
4. **New residential development types are encouraged to conform to surrounding uses.** A new development that is out of context due to size, use, or architectural character may detract from existing adjacent properties visually and economically in terms of property values.
5. **Existing farming uses are allowed** to remain within this residential classification. New residential developments locating near existing farming operations are encouraged to establish natural buffers in order to limit conflicts.
6. **Future developments should maintain the rural character along major corridors (i.e., County and U.S. Highways).** The town recommends that lands being used for residential uses should maintain the natural views that currently exist within these areas. It is recommended that developments along major corridors in these areas apply landscaping/buffers that would help to preserve the rural atmosphere of the town.
7. **Advocate that there is adequate housing for all persons in the community.** Housing should be promoted for people with low to moderate income, the elderly, and residents with special needs. The town recommends a mix of new housing, including starter homes, be located near or within adjacent communities where public services and facilities are more adequate.
8. **Future residential developments shall be sensitive to natural features.** Residential developments should be steered to areas classified as Residential on Map 8.5 rather than a scattering of new developments throughout the town. This would help to preserve the open spaces, viewsheds and natural settings that are prevalent throughout the town of Pensaukee.
9. **The town of Pensaukee encourages new development techniques which maintain a balance between natural areas and new development.** As new development occurs within the town, the surrounding natural amenities that exist may be preserved by utilizing various development techniques such as conservation/cluster subdivisions (Appendix F). These techniques can help protect the surrounding environmental features, allow for more open space, and preserve farmland and wildlife habitats within the town. The specific details of the subdivision design shall be at the discretion of the town ensuring that the approval or denial is based on sound land use planning, and the development minimizes the negative impacts on the areas environmental features and farmland.

**10. Detailed site plans should be approved by the town in order to guide any subdivision development within these residential areas.** Site plans should detail the land use mix, densities, road layouts, percentage of green space set aside, etc. The specific details of each site plan will be at the discretion of the town, ensuring that the approval or denial is based on sound land use planning, is developed without negatively affecting the natural environment, and comply with the town's "Official Map" (if available) regarding road extensions and minimum standards for roads. The developments should also be evaluated on a list of criteria set by the town. The following are *examples* of general criteria that may be analyzed by the Town Plan Commission and Town Board prior to making a decision:

- physical measurements and topography,
- geology, hydrology and vegetation,
- structure, utility and roadway locations and dimensions,
- effects on neighboring properties,
- economic impacts,
- natural resource impacts,
- necessary permits from other agencies, etc.

#### ***Agricultural/Woodlands/Open Space (for Residential Use)***

Areas under these classifications found on Map 8.5 are for a proposed mixture of low-density residential, agricultural, and rural commercial activity. The intent is to maintain agricultural lands and to conserve the existing, mostly undeveloped wooded and open space natural areas of the town of Pensaukee to the greatest extent practicable. The classification provides for residential development at modest densities consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or which are compatible with surrounding rural land.

#### *Recommendations:*

1. **Existing residential developments throughout the town are proposed to remain intact.** Existing residential developments found throughout the town will continue throughout the 20-year planning period with the possibility and rehabilitation or redevelopment of existing structures.
2. **Agricultural activities will continue.** As new residential developments occur within this classification, the property owner shall be aware that all farming activities will continue regardless of odor, dust, noise, etc. New developments are encouraged to apply adequate buffers between farming and non-farming operations in order to lessen conflicts.
3. **Future residential development is encouraged to be directed toward areas in the residential classification** (areas in yellow) on the General Plan Design Map (Map 8.5). This will help to create orderly and efficient development patterns. It would also be efficient in terms of providing services (e.g., utilities, emergency, etc.) to the residential developments in the town.
4. **If future residential developments are allowed in these classifications, lower density development is encouraged.** In an effort to preserve the larger tracts of private, isolated woodlands and open spaces, the town recommends that future residential lots in these areas have a minimum lot size of **5 acres**. Also, in order to preserve the productive

agricultural lands in the town, any residential developments recommended for these areas should have a minimum lot size of **10 acres**.

5. **Future residential developments shall be sensitive to natural features.** Many of the areas classified as Agricultural/Woodlands/Open Space contain various areas sensitive to development (e.g., wetlands, floodplains, etc.). New residential developments should be designed in a way that helps preserve these lands to the greatest extent possible. This will help to maintain the town's natural beauty, the water resources and preserve the wildlife habitat.
6. **Maintain existing viewsheds.** Care shall be given so that developments occurring within these areas and along transportation corridors (i.e., U.S. and county highways, or town roads) not negatively impact the view along these roads. Any future developments should be situated with ample buffer strips of natural vegetation between adjacent roads and the developments. This would help screen the development and thus maintain the existing rural character residents want to preserve.
7. **Detailed site plans should be approved by the town in order to guide any development within these categorized areas.** Site plans should detail the land use mix, densities, road layouts, open spaces, etc. The specific details of each site plan will be at the discretion of the town, ensuring that the approval or denial is based on sound land use planning. Also see page 8-22, #10 for subdivisions and additional development criteria.

Overall, the town recommends future residential developments locate within the proposed Residential Classification. This practice will encourage orderly development patterns, discourage further fragmentation of agricultural areas and potentially promote infill development. All subdivisions proposed within the town of Pensaukee shall be submitted to the Town Plan Commission for review.

Additionally, it is the intent of this plan to see all future residential developments occur without negatively affecting the function or the look of the town's unique environmental features. Woodlands, as well as open spaces, if they are to be developed, should be developed in such a way as to complement the town's aesthetics.

### **Commercial Strategy**

The town does not view itself as a community that would attract large commercial businesses during the twenty year planning period. These large businesses are expected to locate within nearby communities that have adequate infrastructure. However, the town has designated an area along USH 41 taking advantage of the excellent exposure and access to the highway (see Map 8.5). The Commercial category for the town of Pensaukee identifies areas primarily for transient commercial uses and potential community commercial businesses (e.g., restaurant, etc.).

#### *Recommendations:*

1. **Commercial uses throughout the town are envisioned to continue.** Those businesses that are in current commercial operations will continue to function throughout the 20-year planning period.
2. **Concentrate areas for new commercial developments.** If any new commercial uses are to be developed within the town of Pensaukee, they are recommended to be located in concentrated areas along USH 41, and not dispersed throughout the town (see Map

- 8.5). Any other areas proposed within the town for commercial developments should be reviewed to limit incompatibilities (e.g., noise, lighting, etc.).
3. **Consider neighborhood and tourist type businesses.** The town should evaluate the need for neighborhood businesses (e.g., restaurants, hardware stores, auto shops, etc.) that would be easily accessible to town residents. In addition, with many recreational resources within the town of Pensaukee, including the bay of Green Bay, the town may consider promoting tourist businesses and specialty shops.
  4. **Appearance of commercial structures.** It is important for the town to control the design of commercial uses. Areas filled with blaring lights, competing signage, and vast areas of asphalt and concrete can detract from the town's rural character. The town should closely involve itself by forming a committee to review the designs and landscaping of future commercial establishments through building scale and appearance in order to maintain views in the town.
  5. **Providing safe access to future commercial sites.** Potential access roads will intersect several local roads and County Highways to reach the potential commercial businesses. The town of Pensaukee recommends these future access roads be at least 500 feet from the USH 41 pavement edge on town roads, and at least 1,000 feet from the USH 41 pavement edge on County Highways. These recommended distances should help provide for safe ingress and egress.
  6. **Access to the designated commercial areas should be maintained to one or two areas and not individual lots along the access roadways.** This will provide for more efficient traffic flow and safety. Also, if possible, commercial developments should allow for shared parking and driveways, have ample landscaping to break-up the parking areas as well as to shield the view from the roadway.
  7. **Commercial signage should be controlled.** In order to control signs appearances, rather than allowing signs to control the town's appearance, the town may need to address signage regulations. Several sign designs that are inflatable, glittering, flashing, rippling, sparkling, have strings of lights, pennants, banners, etc. can have the potential to degrade the rural character of the town. It is also recommended that blaring lights, changeable lettering, electronic messaging, and trademark colors be controlled because they are often deemed disruptive.
  8. **Home-based businesses are envisioned to remain and are permitted.** With greater access to the Internet and better telecommunication systems, working from the home is a viable alternative to traditional employment practices. These uses do not need a zoning change and rarely disrupt neighboring uses. Each of the classifications, regarding residential uses, recognizes home occupational businesses as a permitted use. The town will need to ensure that those home occupational businesses that do exist do not outgrow their current location or become nuisances to adjoining property owners. Those home occupational businesses that need a zoning change (to continue to operate) will be encouraged to relocate their business in commercial areas identified on the General Plan Design (Map 8.5).

Overall, as with any kind of development, when commercial development is proposed within the town, the Town Plan Commission and Town Board must closely monitor the capacities of the

infrastructure and community services that accommodate this new development and weigh the future costs to benefits. The town should **not** encourage the development of commercial businesses that are not consistent with the scale of the town. More intensive commercial businesses should be directed to other adjacent communities that currently have adequate infrastructure and services.

### **Light Industrial Strategy**

Given the town of Pensaukee's proximity to several incorporated communities, the town does not envision itself as attracting large industries. However, if any new light industry were to locate within the town, it is recommended to be in the areas along USH 41 that are identified as commercial on the General Plan Design Map (Map 8.5). Any new light industry shall also reflect the character of the town of Pensaukee.

*Recommendations:*

1. **Guide large industrial development to adjacent communities.** Since the town does not view itself as attracting large industry, it is envisioned that new industries locate in nearby communities with existing services and infrastructure. The town of Pensaukee would have to consider if it will be cost effective to provide the services (sewer, water, etc.) that large scale industrial businesses require.
2. **It is the recommendation of the town that existing industrial lands remain throughout the planning period.** These areas generally consist of contractor establishments, commercial storage facilities and similar businesses that exist in the town.
3. **If light industry is to locate within the town, it shall be compatible with the character of the town.** Any new industry allowed must be consistent with the scale of the town and be environmentally sound. Such uses should not be detrimental to the surrounding area or to the town as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance or other nuisance factors. Light industrial developments should incorporate buffers to lessen conflicts and maintain the rural character of the town.
4. **Future light industrial developments shall be sensitive to natural features.** The town of Pensaukee contains various areas sensitive to development (e.g., wetlands, floodplains, etc.). Light industrial developments should be designed in a way that helps maintain water resources, limits degradation of groundwater and preserves the wildlife habitat and the environmental lands to the greatest extent possible.
5. **Appearance of light industrial structures.** It is important for the town to control the design of industrial uses in order to limit distractions on the town's rural character. As with commercial uses, the town should closely involve itself by forming a committee to review the designs and landscaping of future commercial/light industrial establishments through building scale and appearance.
6. **Ensure any past, present and future quarry operations are properly closed and that negative impacts do not affect neighboring properties.** The town should monitor quarries for negative effects and work with surrounding towns, Oconto County and state agencies to ensure they are reclaimed to a natural setting.
7. **Redevelopment of existing industrial sites.** This plan is recommending the assessment and cleanup of any environmentally contaminated sites in the town and utilizing them

for more productive uses. The town is encouraged to have any potential sites evaluated and devise a plan for the redevelopment of contaminated areas.

As with the commercial development, when light industrial development is proposed within the town, the Town Plan Commission and Town Board must closely monitor the capacities of the infrastructure and community services that accommodate this new development and weigh the future costs (i.e., providing services/utilities) to benefits.

### **Governmental/Institutional/Utilities**

This classification identifies the town of Pensaukee Town Hall and Fire Department and Brookside Cemetery. Due to the town of Pensaukee's rural nature many of the governmental/institutional facilities and utilities are provided and located in other communities, thus are not mapped.

#### *Recommendations:*

1. **The Town Board will continue to monitor services provided to the town residents** - since many of these services are being provided by other agencies and municipalities. The Town Board should work with adjoining communities and Oconto County to help provide future services as effectively and efficiently as reasonably possible. The town should continue to monitor the quality of fire, police and emergency services provided to ensure adequacy. The town is also encouraged to explore different options for handling future road maintenance, recycling services and disposal of solid waste, which could be more cost effective and more efficient for its residents.
2. **Consider the possibility of a community center for the town of Pensaukee.** The center would be available to many groups and organizations for meetings and receptions. Other facilities may also be developed in conjunction with the center such as playing fields, playground equipment and other recreational facilities.
3. **Consider prohibiting all sewage systems within the town's environmental corridors.** The town should utilize its environmental corridors (i.e., wetlands, floodplains, steep slopes, etc.) as identifiers in areas where sewage systems may be prohibited to protect groundwater quality.
4. **The town should continue to work with Oconto County** - to ensure that private septic systems are monitored and in good working order throughout the township. Also the town should cooperate with the Oconto County Sheriff's Department to explore options of maintaining a high level of services.
5. **The town is encouraged to become actively involved with School Districts.** The town of Pensaukee should become involved with the long-range plans of the two School Districts (Oconto Unified and Oconto Falls) that are located in the town. The town may establish a group or committee with citizens from each district to become aware and informed on situations such as new facilities, improvements to existing structures, curriculum changes, etc.
6. **Apply for grants and other aides to assist the town in providing needed services.** Grant and aid programs should be explored by the Town Board when considering improvements to any of the town services or facilities. Oconto County, the Bay-Lake Regional Planning Commission, etc. are several entities that can inform the town on future grants available to them.

7. **The town will continue to monitor telecommunication towers and antennas.** The expanding use of "cell phones" provides many benefits, including safety and convenience. However, problems can arise when new towers, that are often hundreds of feet high, are built near people's homes, next to historic buildings, or in rural, scenic areas. The town of Pensaukee should work with adjoining communities to discuss issues such as alternate structures, joint use of new and existing towers, and visual and other potential adverse impacts of telecommunication towers. In addition, the town must be informed as to when and where possible telecommunication towers may be constructed in and around the town.
8. **Advocate development of a Disaster Plan.** Explore the possibility of coordinating with adjacent communities, School Districts and Oconto County on the development of a Disaster plan.
9. **Ensure the updating of the Oconto County Zoning Ordinance.** The town will continue to work with Oconto County to update the Oconto County Zoning Ordinance and ensure it is consistent with this comprehensive plan. The Zoning Ordinance will best protect the residents' quality of life, while providing the needed controls over incompatible uses. The town also recommended working with adjoining towns in order to promote consistency of the land use regulations.

### **Woodlands/Open Space Strategy**

The Woodlands/Open Space classification is intended to achieve the goal of encouraging the preservation of woodlands and valuable open spaces within the town of Pensaukee. These areas historically have not been farmed or developed due to the natural limits of the existing soils.

#### *Recommendations:*

1. **Limited residential developments within and/or adjacent to stands of woodlands may be allowed by the town.** Many of the woodlands within the town are undisturbed. However, the town will likely face growing pressure to develop within these wooded areas and/or adjacent to them over the 20-year planning period. Many people are looking for home sites that already contain, or are adjacent to natural features.
2. **Maintain the woodlands and open spaces by allowing one dwelling unit per five (5) acre minimum.** Rarely should the woodlands be developed with greater densities. Lands adjacent to woodlands may be developed at the same or at higher densities, but the town prefers a sensitive approach to future development and recommends unique development options such as conservation subdivision designs (Appendix F) or clustering to take place. Any new developments will be required to present detailed site plans that illustrate the development is located in a manner that will have a minimal impact on wildlife habitats and other natural areas within the town. In addition, preserving open space views along the town's roadways is also encouraged when development occurs within this classification.
3. **Encouraging the replacement of woodlands (reforestation).** The town encourages new developments to replenish the woodlands that are removed by planting trees in areas that would be beneficial to the natural makeup of the area and the community as a whole. Benefits include maintaining/improving wildlife habitat and recreation opportunities, restoration of clean water resources, erosion prevention, etc.

4. **Future residential developments should be sensitive to natural features.** Many of the areas classified as Woodlands/Open Space contain various areas sensitive to development (e.g., wetlands, floodplains, steep slope, etc.). New residential developments should be designed in a way that helps preserve these lands to the greatest extent possible. This will help to maintain the town's natural beauty, the water resources and protect the wildlife habitat.

### **Agricultural Strategy**

The purpose of this classification is to preserve existing lands devoted to the growing of crops and the raising of livestock.

*Recommendations:*

1. **The town should preserve, where appropriate, agricultural lands.** The Agricultural classification was developed based upon the principle that the town will encourage the preservation of agricultural lands and the farmer's right to farm in order to better serve the residents of the town. It is also intended to safeguard, for future generations, the rural, agricultural atmosphere and character valued by the residents of the town of Pensaukee.
2. **Future residential developments are encouraged to be directed toward areas in the residential classification** (areas in yellow) on the General Plan Design Map (Map 8.5). This will assist the town of Pensaukee to achieve orderly and efficient development patterns, provide efficient services, maintain the rural atmosphere and strive for farmland preservation.
3. **Low density residential development should be considered.** If residential development is permitted, a single family residence with a **10 acre** minimum is recommended in order to preserve natural areas, viewsheds, open spaces, and areas deemed important for the town to keep preserved.
4. **Site Plans should be required for all non-agricultural developments.** Any non-agricultural development proposed for areas in the Agricultural designation on the General Plan Design should demonstrate a detailed site plan. The development should be evaluated on a set of criteria set by the town of Pensaukee (see page 8-22, #10 for examples). Approval or denial will be based on the town's established criteria.
5. **The town encourages new development techniques and programs which will preserve as much farmland as possible.** As new development occurs within the town, the surrounding farmland that exists may be preserved by utilizing various development techniques such as conservation/cluster subdivisions (Appendix F). These techniques can help protect the surrounding productive farmlands within the town. The specific details of the subdivision design shall be at the discretion of the town ensuring that the approval or denial is based on sound land use planning, and a minimal amount of prime farmland is converted for development purposes. The town is also encouraged to work with Oconto County to promote such programs as Purchase Development Rights to protect productive farmlands.
6. **As development pressure increases, the town will need to weigh the cost of converting farmland into other intensive uses.** A preferred approach is to encourage property owners thinking about developing subdivisions to plan for development on lands that are least productive (based upon the Natural Resources Conservation Services

(NRCS) map data). This will aid in the continuation of preserving the most productive farmlands for future farming use.

7. **Natural buffers should be encouraged for development.** Adequate buffers are encouraged between farming and future non-farming operations in these areas in order to lessen conflict between land uses. Decisions to allow residential development in areas identified for agricultural uses should be limited and decisions to approve or deny must be based on sound land use planning criteria.
8. **The town should advocate that these agricultural lands are under adequate farming practices.** It is important for these lands to continue to be under the best management practices for agricultural activities. Inappropriate agricultural practices can have a significant adverse impact on the quality of surface water and groundwater unless properly managed.
9. **It is recommended that the town address the issue of large-scale farming operations.** The trend in farming within the State of Wisconsin is showing that the smaller, family-owned farms have difficulty trying to compete with the larger farming operations, which eventually leads to the smaller farms ceasing operations and possibly selling out to developers just to survive. This in turn, could change the landscape of the town as a whole, and possibly create conflicts between different types of land uses.

To address the large-scale farming issue, it is recommended that the town, along with UW-Extension, Oconto County, and other professional agencies develop a program to discuss several issues including the potential impacts that these large-scale farms pose to the environment, as well as how large-scale farms can affect a community's character. Several issues may include the spreading of animal waste, maintenance of local roads, etc.

### **Park & Recreation Strategy**

Given the town of Pensaukee's proximity to several incorporated communities, the town is aware that residents will continue to utilize recreational facilities in adjacent communities. However, this classification identifies potential recreational resources for the town of Pensaukee.

#### *Recommendations:*

1. **Cooperation in planning park and recreational facilities.** If future recreational development were to occur, it is recommended that the town cooperate with the surrounding towns, Oconto County, etc. to promote connectivity of recreational uses such as trails.
2. **Promote the bay of Green Bay as a valuable resource for recreation.** The town is encouraged to explore the possibility of developing water-based recreational facilities with associated businesses on the bay.
3. **Utilize the environmental corridors for possible recreational uses.** The features of the environmental corridors (wetlands, floodplains, steep slope, etc.) and other significant natural features are encouraged to be incorporated into any future recreational development plans.
4. **Work cooperatively with the Wisconsin Department of Natural Resources (WDNR) and other agencies on potential recreational sites.** Since the WDNR owns a considerable amount of land within the town of Pensaukee, the town should cooperate

with the WDNR to determine the possibility of utilizing environmental corridors on WDNR lands for future recreational uses. Also determine if the WDNR has any future plans for the lands they own.

5. **Consider all ages of population when developing parks and recreational facilities.** This includes developing facilities to meet the needs of citizens with special needs along with providing opportunities for activities such as hiking, biking, etc. for all ages of the population.

### **Transportation Strategy**

The town of Pensaukee's transportation network consists of one U.S. highway (USH 41), three county highways (J, S and SS) and various town roads. The intent of this category is to ensure that the road system is properly maintained and provides adequate traffic flow.

*Recommendations:*

1. **Advocate a cost effective road system management plan.** In order to control expenditures on town road repairs, it is recommended that the Town Board utilize the PASER (Pavement Surface Evaluation and Rating) program to assist in maintaining the roads in the future. The information derived from the PASER survey is used to assess the overall condition of road pavements and to determine the town's road maintenance, restoration and construction needs.
2. **Require Area Development Plans.** If any new subdivisions are proposed within the town, the Town of Pensaukee Plan Commission and Town Board should require Area Development Plans. This will allow the town to review and ensure that future roads are well designed to promote efficient traffic flow and to avoid unnecessary cul-de-sacs and loops that can increase the town's future maintenance costs.
3. **Provide safe access to future commercial/light industrial sites adjacent to USH 41.** Potential access roads will intersect several local roads and County Highways to reach the potential commercial/light industrial businesses. The town of Pensaukee recommends these future access roads be at least 500 feet from the USH 41 pavement edge on town roads, and at least 1,000 feet from the USH 41 pavement edge on County Highways. These recommended distances should help provide for safe ingress and egress.
4. **Preserve town views along major transportation routes.** Recommend landscaping/buffers along major transportation corridors to assist in preserving the rural atmosphere that the town currently maintains.
5. **Consider adopting an Official Map** to delineate future road extensions. An Official Map allows the Town Board to review development requests to ensure that all new developments and roads conform to the town's Official Map. In addition, the town is encouraged to work with the surrounding communities to advocate consistency between the various Official Maps.

### **Environmental Corridors**

The preservation and protection of natural areas within the town of Pensaukee will become increasingly important as population and development pressures increase. Many natural features are unsuitable for development, enhance the appearance of the town, or improve natural

processes such as flood control, water retention or groundwater recharge. Wetlands, floodplains and the rivers and creeks in the town of Pensaukee are all significant natural features.

*Recommendations:*

1. **This plan recommends that the natural features within the town remain in their natural state or be minimally modified for possible recreational uses.** Environmental corridors are represented by four elements including; (1) 100-year floodplains as defined by the Federal Emergency Management Agency (FEMA), (2) WDNR wetlands with a 25 foot setback, (3) steep slopes of 12 percent or greater, (4) and a 75-foot setback from all navigable waterways. These four elements provide serious limitations to development, plus the floodplains, wetlands and the 75-foot building setback are generally regulated by either the federal, state, or county government. Together, these elements represent the areas of the town that are most sensitive to development and are intended to be preserved.
2. **This plan should serve as a guide for the preservation of environmental corridors.** Using the environmental corridors as a guide when reviewing proposed developments will give the town background information on what areas the town residents believe are important to maintaining the town's rural character and the quality of its natural resource base. The town should direct development away from environmental corridors, as much as possible - or have them sensitively designed within developments which will help minimize the negative effects on wildlife habitats and the rural nature of the town.
3. **Consider environmental corridors for recreational uses.** The features of the environmental corridors (wetlands, floodplains, steep slope, etc.) and other significant natural features are encouraged to be incorporated into any future recreational development plans.
4. **Maintain wildlife corridors.** Developments near the various environmental features in the town should be carefully reviewed in order to maintain ample wildlife corridors. Prior to development being allowed in these areas, the developers should illustrate that it will have a minimal affect on wildlife habitats.
5. **Utilize existing natural areas to enhance the character of the town.** It is encouraged that the town preserves large natural areas and/or features to enhance/retain buffers between residential uses and transportation routes, sheltering the developments while also helping to shield the developments from views along the routes.

### **IDENTIFIED “SMART GROWTH” AREAS**

In 2004, the Town of Pensaukee Plan Committee, with public input, developed a land use plan for the town of Pensaukee (2024 General Plan Design, Map 8.5). The plan serves as a guide for the development and preservation of the land in the town of Pensaukee throughout the 20-year planning period. During this process the Plan Committee identified areas that are considered “smart growth” areas. According to s. 16.965, Wis. Stats., a “smart growth” area is “an area that will enable the development and redevelopment of lands within existing infrastructure and municipal, state and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low utility and municipal and state governmental costs.” The “smart growth” areas within the town of Pensaukee are located adjacent to USH 41 near the community of Brookside. Locating areas of new development adjacent to lands of existing development allows

for more orderly and efficient development patterns. In addition, the areas adjacent to USH 41 will allow for a mixture of uses (residential, commercial, light industrial, etc.), while the highway serves as an excellent resource for current and future businesses. Recommended building design standards and natural buffers in the “smart growth” areas also assist the town of Pensaukee in maintaining its rural character by preserving the many valuable natural areas, woodlands and agricultural lands that make up much of the town of Pensaukee’s landscape.

## **SUMMARY**

Overall, the Town of Pensaukee 2024 General Plan Design is the result of approximately 20 months of preparation and work done by the Town of Pensaukee Plan Committee which generally worked towards several issues including:

- finding a balance between individual property rights and community wide interests and goals;
- steering residential developments to areas designated within the town in order to minimize land use conflicts;
- understanding the value of environmental corridors and wildlife habitats by steering development away from these areas;
- promoting environmental corridors to serve as natural buffers which will help lessen conflicts;
- preserving farmlands within the town;
- maintaining the town’s rural character;
- steering future intensive development toward areas of existing dense development in order to promote infill, orderly growth and more efficient development patterns;
- cooperation with Oconto County, and surrounding communities;
- identify enough land to accommodate a variety of development over a 20-year planning period.

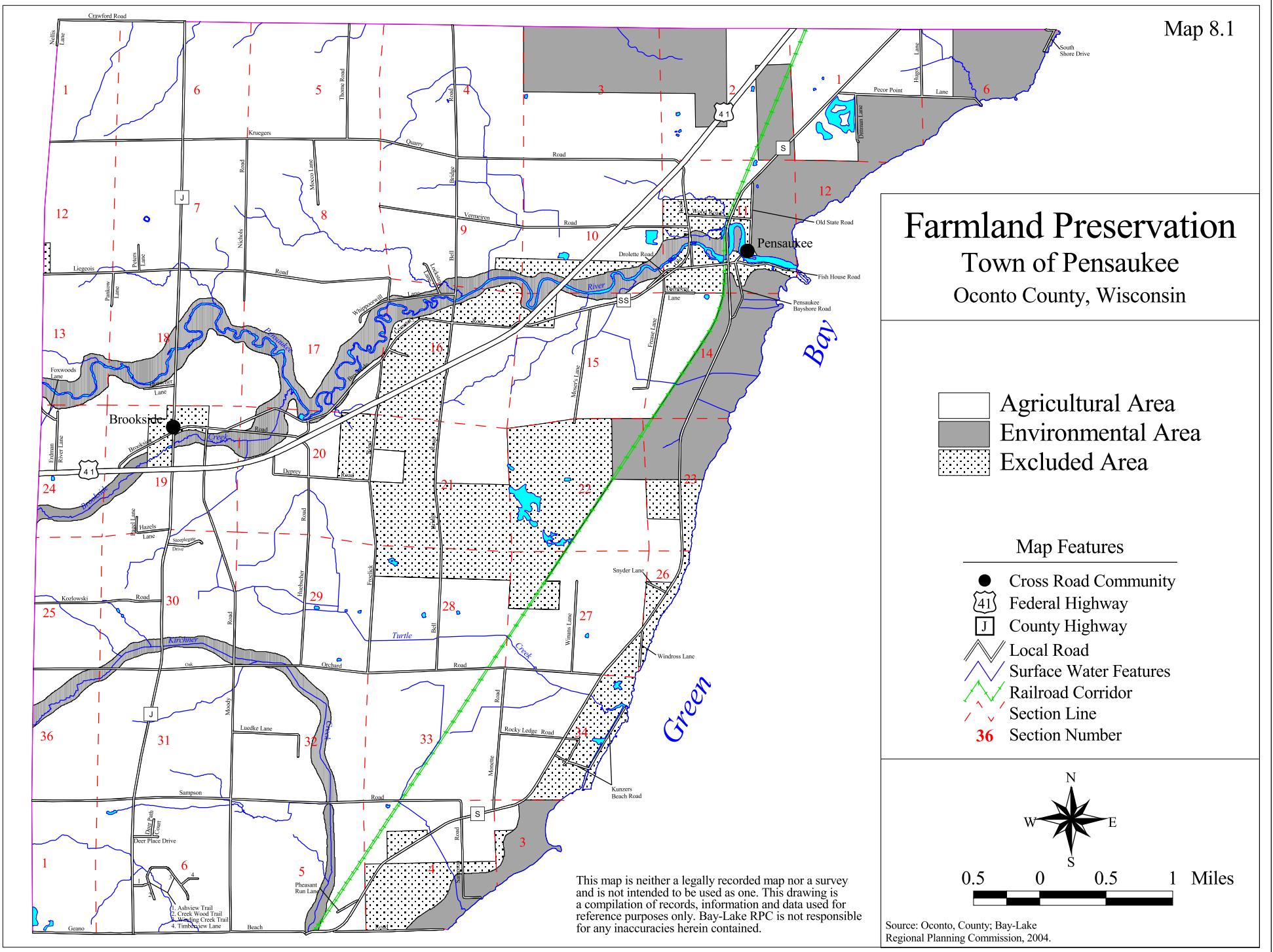
The effect that this comprehensive plan will have on the town is twofold: first, it provides a future development scheme which is not only cost-effective but is also compatible with the town’s existing development pattern and provides for the achievement of the town’s vision and goals outlined within the plan. Secondly, it identifies a responsible program to improve the overall condition and delivery of public facilities and services. In simple terms, the town must not only plan for new development that may occur, but must also plan on the timing and location of the new development that is within the framework of this plan design. To accomplish this, the Town Board, Town Plan Commission and town residents must work together in an organized and cooperative manner on all future planning efforts within the community. This may require cooperative agreements and joint planning with the adjoining communities and Oconto County.

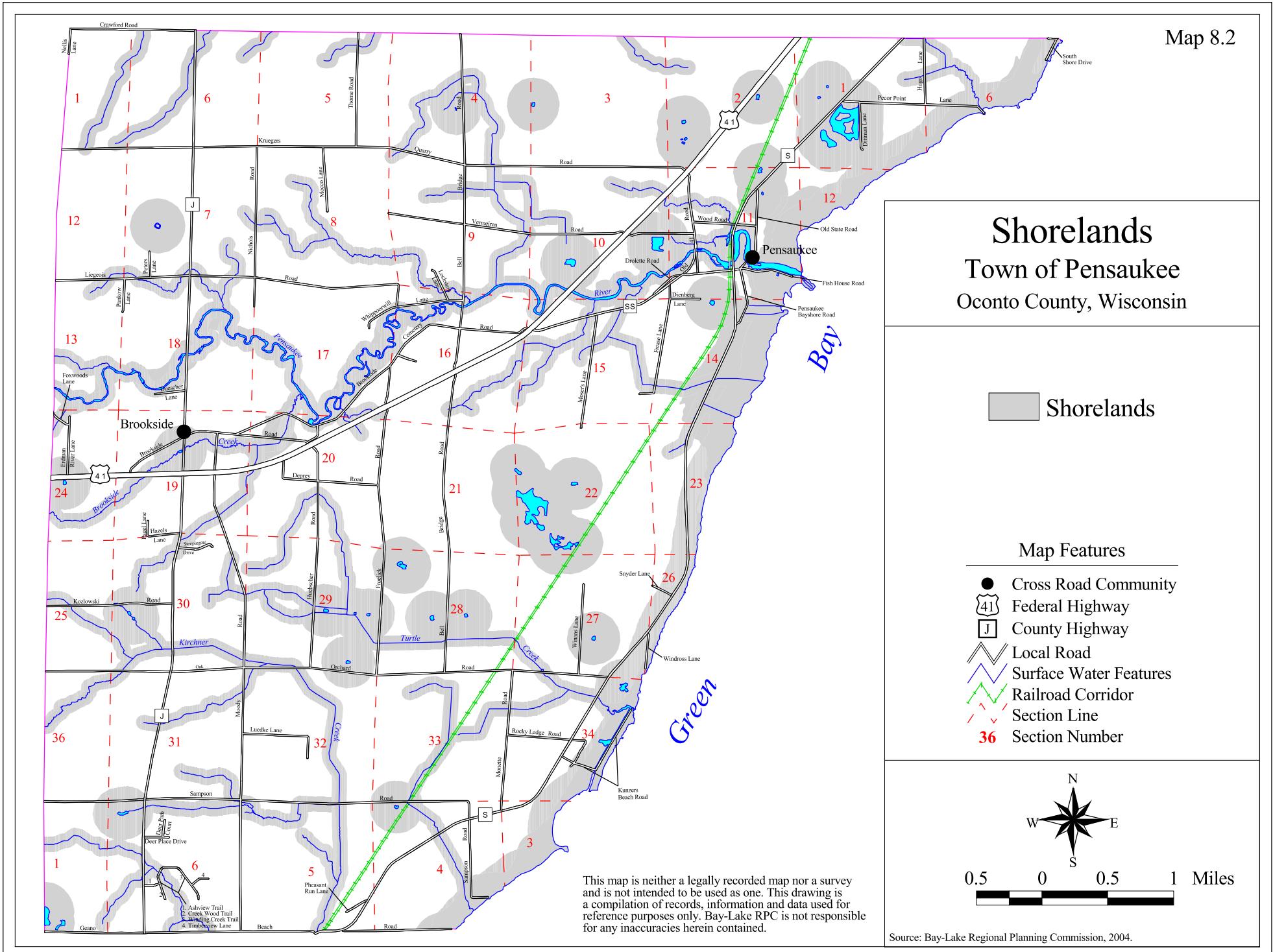
Table 8.2 contains a summary of the year 2024 land uses which have been designated in the General Plan Design for the town of Pensaukee along with their approximate acreage totals. It is important to note that the year 2024 acres (22,569) are by general location and not by individual land uses, resulting in larger acreage calculations than those acreage totals found in the year 2003 land use inventory.

Table 8.2: 2024 General Plan Design Acreage Calculations, Town of Pensaukee.

General Plan Design Category	2024 Acres
Residential	2,961
Commercial/Light Industrial	1,134
Governmental/Institutional/Utilities	16
Woodlands/Open Space	12,608
Agricultural	4,588
Parks and Recreation	277
Transportation	813
Water Features	172
<b>Totals</b>	<b>22,569</b>

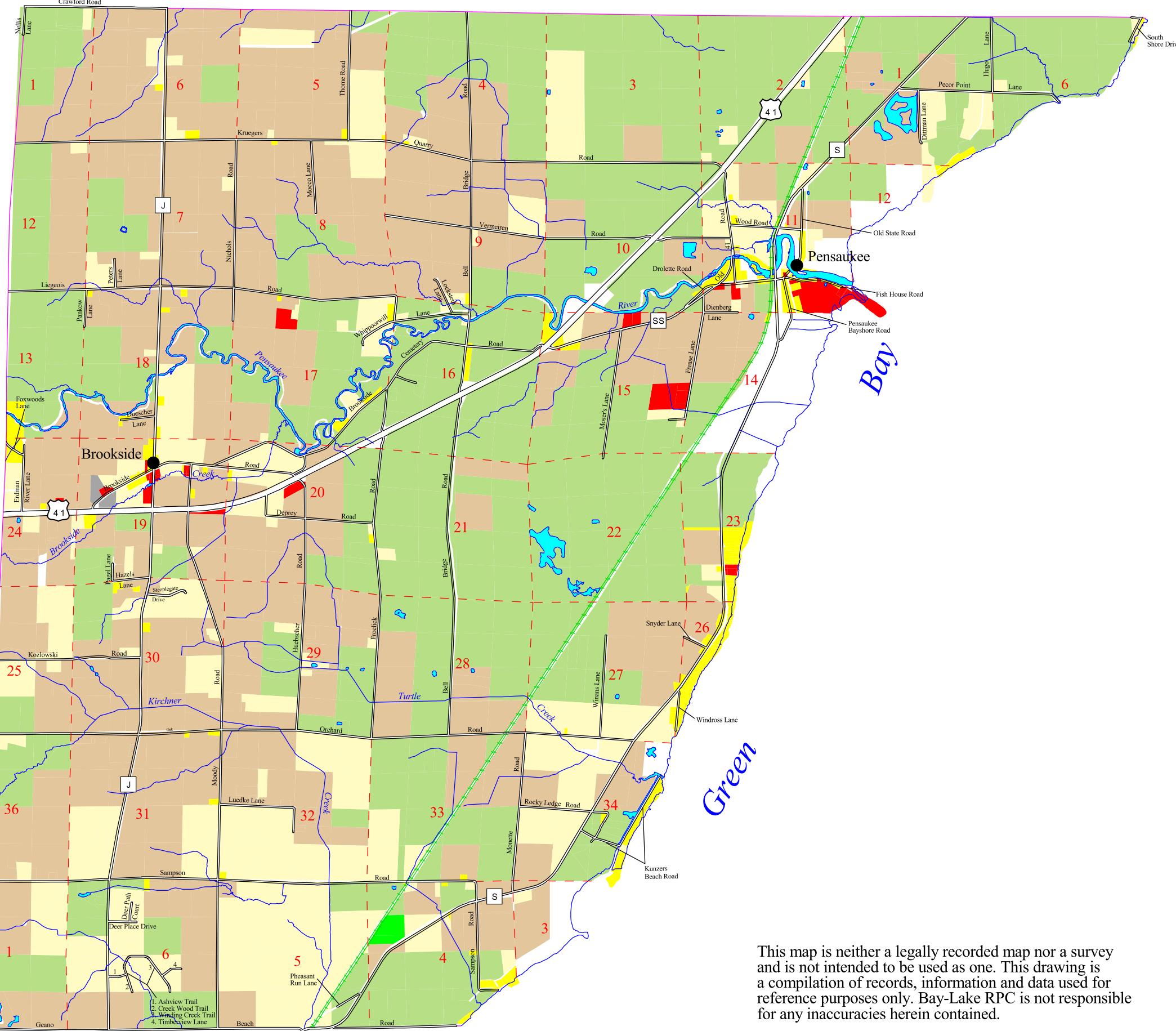
Source: Bay-Lake Regional Planning Commission, 2004





# Zoning

## Town of Pensaukee Oconto County, Wisconsin



### Zoning Districts

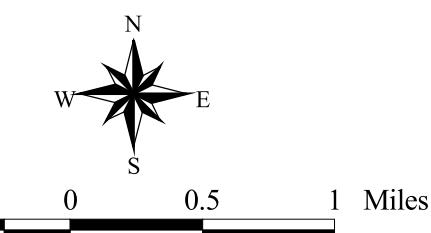
- (R-1) Residential Single-Family
- (RR) Rural Residential
- (GC) General Commercial
- (I) Industrial
- (F) Forest
- (A) Agricultural
- (P-R) Park and Recreation
- Unzoned

### Map Features

- Cross Road Community
- (41) Federal Highway
- (J) County Highway
- Local Road
- Surface Water Features
- Railroad Corridor
- Section Line
- 36 Section Number

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

Source: Oconto County; Bay-Lake Regional Planning Commission, 2004.



# 2003 Land Use

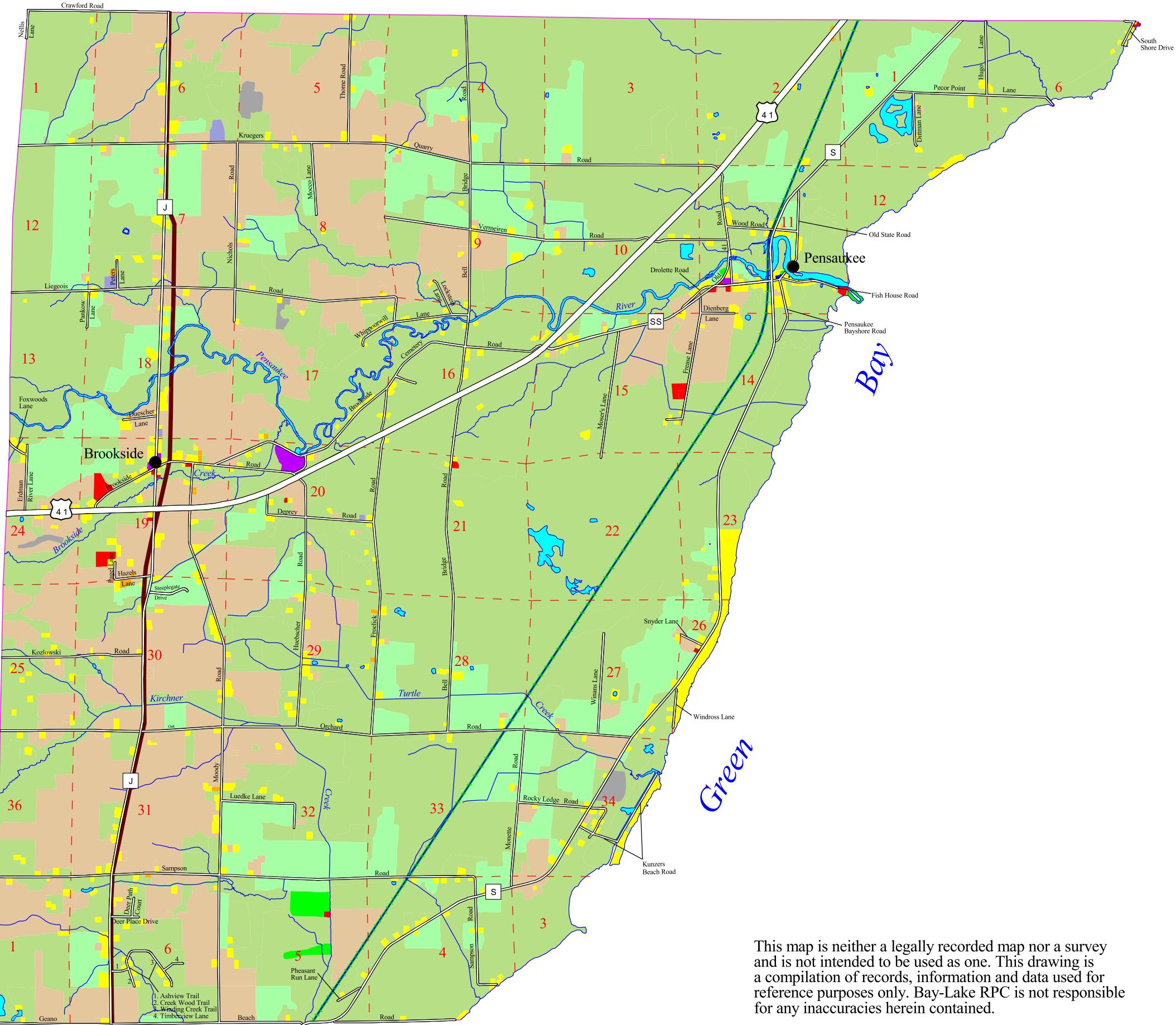
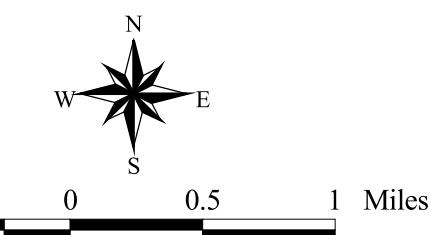
## Town of Pensaukee

Oconto County, Wisconsin

- Residential
- Mobile Homes
- Commercial
- Industrial
- Roads
- Transportation
- Communications/Utilities
- Governmental/Institutional
- Parks and Recreation
- Open Space/Fallow Fields
- Agricultural
- Water Features
- Woodlands/Wetlands
- Land Under Development
- Power Transmission Corridor

### Map Features

- Cross Road Community
- 41 Federal Highway
- J County Highway
- Local Road
- Surface Water Features
- Railroad Corridor
- Section Line
- 36 Section Number



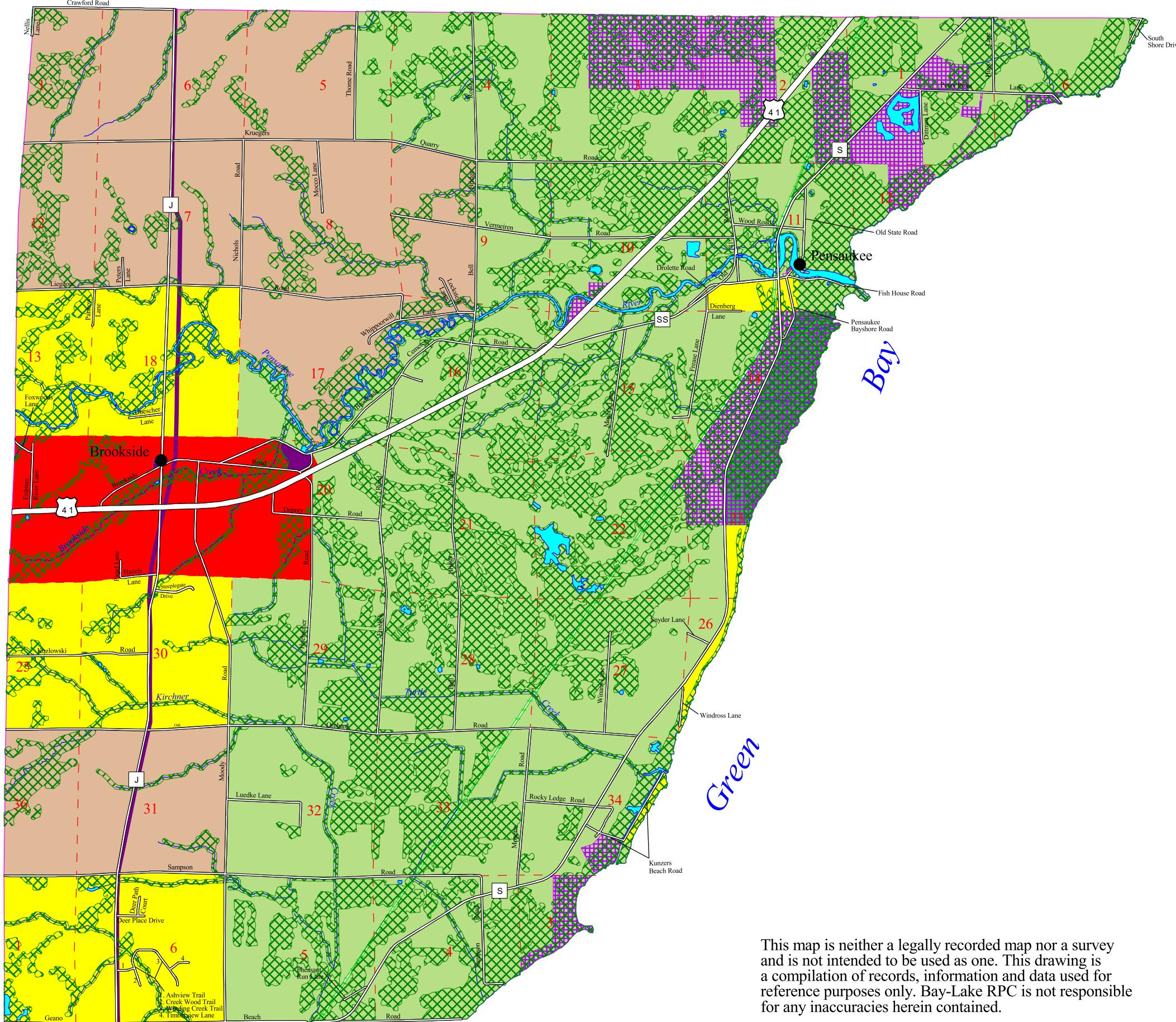
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Source: Bay-Lake Regional Planning Commission, 2004.

# General Plan Design

## Town of Pensaukee

### Oconto County, Wisconsin



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

Source: WDNR; Bay-Lake Regional Planning Commission, 2004.

# Chapter 9 - IMPLEMENTATION

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## **INTRODUCTION**

Due to this being the town of Pensaukee's first comprehensive plan, it will be important that the town quickly understand the connection between planning and land use controls (e.g., zoning ordinances). This chapter provides information on the comprehensive plan amendment/update process and its overall use by the town of Pensaukee. More detailed information on various statutory powers which the town may utilize to implement this 20-Year Comprehensive Plan are also included in this chapter (under specific powers, the plan has identified recommendations for the town to consider in order to best bring about the vision identified in Chapter 1 of this document).

Examples of implementation can take the form of:

1. Carrying out the recommendations in the plan for specific projects, for example, creating an ordinance, establishing an official map, etc;
2. Using the plan as a guide to public and private decision-making on matters that relate to the development of the town, for example, a rezoning request, and;
3. Reviewing and amending the plan as changes in the demographics, economy or political climate changes.

## **Role of the Plan**

Wisconsin Statute 66.1001 (3) stipulates that the land controls governing the town be consistent with the community's adopted comprehensive plan. The Town Plan Commission's primary responsibility is to implement the comprehensive plan and to ensure that all supporting ordinances are consistent with the plan. When reviewing any petition or when amending any land controls within the town, the plan shall be reviewed, and a recommendation will be derived from its identified statements, goals, objectives, vision statement and General Plan Design. If a decision is one that needs to be made in which it is inconsistent with the comprehensive plan, then before the decision can take effect, the comprehensive plan must be amended to include this change in policy.

## **Role of the Elected Officials**

The elected officials must make their decisions from the standpoint of overall community impact-tempered by site specific factors. In this task, elected officials must balance the recommendations made by plans and policies, the objectives of the applicant, the technical advice of staff, and the politically neutral recommendations of advisory boards, with their own judgment on the matter at hand.

The comprehensive plan will provide much of the factual information elected officials need in making a decision. Thus, the prime responsibility of implementing and updating the comprehensive plan falls on the shoulders of the Town Plan Commission, however, elected officials should also become familiar with this community plan and assert that community support and resources are maintained to ensure the comprehensive plan stays current and viable.

## **Role of the Town Plan Commission**

The powers and duties of the Town Plan Commission are set in Wisconsin Statutes and within any town ordinances establishing it. Overall, the Town Plan Commission should promote good planning practices in the town, plus keep the public and Pensaukee Town Board well-informed on planning issues. Members of the Plan Commission need to become very familiar with the plan's maps and text as well as its stated vision statement, goals, policies, and programs. An annual review of the vision statement, goals objectives and policies is recommended to keep them current. Another major function of the Town Plan Commission will be to make recommended amendments to the plan from time to time in order to keep it current and thus a valuable planning tool. The Commission will also ensure that existing and future ordinances (or other land controls) are consistent with the adopted comprehensive plan. In addition, the Plan Commission will need to be sure that the comprehensive plan is updated at least once every 10 years per s 66.1001 (2) (i).

## **LAND USE PLANNING CONTROLS RECOMMENDATIONS**

### **Zoning**

The town of Pensaukee is under the authority of the Oconto County Zoning Ordinance administered by Oconto County, Wisconsin. Several of the future land uses may need re-zoning in order to take place. The plan recognizes that the preferred land use has a horizon year of 10 to 20 years in the future while zoning's authority is immediate upon adoption and posting. Therefore, instances of current use and planned use may conflict, yet it would not be practical to immediately make a current use non-conforming to meet the preferred land use. Much of the timing of re-zoning will depend heavily on the market forces, the current political climate, and accuracy of the plan's assumptions. The town will also need to stand firm on minimum standards regarding natural features and should veto any relaxing attempts of regulations.

- A comparison between the preferred land uses and the County Zoning Ordinance and Zoning Map to determine compatibility of text and realignment of boundaries within various districts should take place. The town of Pensaukee should work with Oconto County in amending the County Zoning to reflect the town's desires, which may mean the development of additional zoning districts.
- Work with the county in identifying standards for lighting, and landscaping in order to best protect the rural look of the town, regarding future commercial and industrial uses.
- Participate within county meetings regarding sign controls, especially off-premise sign controls. It is important that the county consider the town's requests and understand the town's viewpoints. Additional changes to the sign ordinance are very likely due to the wide spectrum of controls the towns within the county want.

### **Official Maps**

Under §62.23(6), the City Council/Village Board/Town Board (under village powers) "...may by ordinance or resolution adopt an official map showing the streets, highways, parkways, parks and playgrounds laid out, adopted and established by law." "The council/board may amend the map to establish the exterior lines of planned new streets, highways, parkways, parks, or playgrounds, or to widen, narrow, extend or close existing streets, highways, parkways, railroad right-of-way, public transit facilities, waterways, parks or playgrounds." Once an area is identified on an official map, no building permit may be issued for that site, unless the map is amended.

The official map serves several important functions:

1. It helps assure that when the city/village/town acquires lands for streets, etc., it will be at a lower vacant land price;
2. It establishes future streets that subdividers must adhere to unless the map is amended; and,
3. It makes potential buyers of land aware that land has been designated for public use.
  - Given the rural character of the town of Pensaukee, it is recommended that the town begin the official map process in specific areas where more intensive development is proposed to take place. One method (to get started) is to take the County Parcel Map and add to it all town approved subdivision layouts.
  - Another option is to require Area Development Plans prior to the approval of certified survey maps or subdivision plats. If approved, the plans would be incorporated as part of the Official Map of the town. Thus, developers would be required to ensure the town that their proposals will result in planned, orderly growth and development. In effect, roads and utilities would be planned to include areas beyond the land proposed to be platted. This would help the town avoid dead ends and looped streets that are characteristic of developments that have not considered adjacent lands owned by other parties.

### **Sign Regulations**

Many communities are finding themselves having to regulate signage, especially along transportation corridors, in order to preserve a sense of place and “community character”. As signs become more bold, have greater illumination directed at them, and have greater square footage (some 600 square feet), the sides of roadways and within community centers become places of growing confusion as each sign attempts to get your attention, and makes communities appear the same.

- The town may wish to review and update its sign controls in order to better preserve the rural look and character that the town currently maintains, especially as commercial businesses develop within the town along USH 41.

### **Erosion and Storm Water Control Ordinances**

Under § 61.354 of the Wisconsin Statutes, the town may enact a construction site erosion control and storm water management zoning ordinance. Oconto County has an adopted Erosion Control ordinance in place. The purpose of such an ordinance is to protect water quality and to minimize the amount of sediment and other pollutants carried by runoff or discharged from construction sites to lakes, streams, and wetlands.

- The town of Pensaukee should support this type of ordinance and work with the county to develop, adopt, and ensure compliance by developers. In the long term, the town may wish to enforce such an ordinance themselves.

### **Historic Preservation Ordinances**

As communities progress, historic preservation ordinances can assist them in protecting their culture and history. The ordinances provide identification, protection, enhancement, perpetuation and use of buildings, structures, objects, sites and districts within a community that reflect special elements of a community’s historical, architectural, archaeological, cultural, or aesthetic heritage. The ordinances can also set standards for alterations, design, restoration, demolition or

new construction, ensuring that the features/neighborhoods maintain their historical significance. In addition, historic preservation can increase the economic benefits to a community and its residents, protect/increase property values, and enhance the overall visual character of a community.

- The town may wish to adopt a historical preservation ordinance identifying possible historical districts, structures, landmarks, etc. which are significant elements detailing the town's history and culture. Any future ordinances should also describe ways to renovate and restore structures or sites that are reflective of the town of Pensaukee's history.

### **Design Review Ordinances**

Design review can accompany many different development aspects and will assist communities in achieving the identified look and character they expressed within their vision statements and goals. These ordinances however, need to be based upon well defined sets of criteria. Signage, lighting, exterior building material types and colors will have to be specifically identified within any ordinance.

- The town may wish, in the future, to explore the use of such ordinances to promote a specific look for an identified area within the town, such as along its highways or adjacent to the town's "doorways".

### **Economic Development Committee**

An Economic Development Committee (EDC) is a not-for-profit organization representing the interests of both the public and private sectors within a community. EDCs have been formed in a number of communities to handle the municipality's economic development activities and bridge the communication gap that oftentimes exists between the public and private sectors. Typical activities undertaken by an EDC include commercial and industrial development, business retention and recruitment, and tourism. EDCs consist of a Council of Directors and professional staff members. Council members typically depict a broad representation of the community's business, labor and educational sectors and are jointly appointed by the community and its Chamber of Commerce or other existing business associations. The Council sets policy for the EDC and is responsible for all actions undertaken.

- Oconto County has an Economic Development Corporation. It is recommended that the commercial and industrial needs of the town be expressly conveyed to this agency in order to attract the desired commercial and industrial growth in the future.

### **Building/Housing Codes**

The town of Pensaukee should work with the adjacent towns in order to enforce all applicable building/housing codes to ensure that properties are adequately maintained to preserve the rural character of the town and to protect property values. This is important especially for those older areas within the town and for properties that are not owner occupied.

- The town should review the codes with the adjacent communities to determine their effectiveness.

### **Floodplain Ordinance**

Oconto County regulates through its Floodplain ordinance development within the designated FEMA floodplain areas. These regulations will limit development within identified areas. In some instances it will be important to re-adjust the floodplain boundaries in specific areas or within the entire town. To do so the town must follow three steps:

1. Hire an engineering firm to conduct hydrologic and hydraulic engineering models to calculate floodplain boundaries for the specified area.
2. Submit the re-calculated floodplain boundaries to the WDNR Bureau of Watershed Management and the FEMA for their review.
3. If approved, amend existing zoning maps to reflect the re-calculated floodplain boundaries.

### **Sanitary Codes**

The town will need to work with Oconto County to ensure that strict compliance with all sanitary codes is adhered to within the town. Groundwater protection is of great importance to the town and surrounding communities. Uncontrolled waste can have detrimental and wide ranging impacts on health and property values.

- The town will want to review code enforcement with the county to determine its effectiveness within the town, and the town will need to stay informed on any future changes to code minimum standards which may affect residents and their lands.

### **Subdivision Ordinances**

Section 236 of the Wisconsin Statutes regulates the division of raw land into lots for the purpose of sale or building development. The town may regulate, by ordinance, the subdivision of land within its boundary. The subdivision ordinance is related to the zoning ordinance in that the zoning ordinance regulates the lot size, density, and use of the land, while the subdivision ordinance regulates the platting, or mapping, of newly created lots, streets, easements, and open areas. Most importantly, the subdivision ordinance helps implement the comprehensive plan. A basis of the approval of a subdivision is its conformance or consistency with a local comprehensive plan. A subdivision ordinance would also allow the town to encourage well designed neighborhoods and ensure the creation of adequate land records. In addition, a subdivision ordinance would allow the town to set construction standards and timelines for improvements such as streets. The town could also require dedication of parks and playgrounds or a fee-in-lieu of dedication as a condition of approval of a subdivision, thus implementing another aspect of the comprehensive plan.

- It is recommended that the town of Pensaukee explore developing and adopting a subdivision ordinance to utilize the ordinance to regulate how lots are developed and arranged within specific areas. It is recommended that any ordinance be developed jointly with Oconto County, BLRPC and/or other planning services.
- The town can petition the county to amend the County Subdivision Ordinance to include specific town wishes/standards, as other towns have done in the past.

### **Lighting Controls/Ordinances**

As development pressures occur in rural areas, communities find that not only are the natural features being altered, but also the night sky they enjoy in the evenings. Yard lighting can change the character of a town as surely as any physical developments. This is indeed the case when lighting is deemed excessive - such as in the case of many industrial uses (i.e., lighting of stockyards, parking lots, equipment yards, etc.). This may also be the case on many residential lakefront properties.

Direct lighting or glare can and should be regulated in order to maintain the community character of the town that many want to preserve. Many light manufacturers have light cutoff shields that

will limit or remove glare, thus increasing the lights effectiveness and thus lowering its overall energy consumption (adding savings to the owner). Currently, lighting and its evening glare is one of the chief complaints residents have in many communities across this state and nation and the manufacturers of lights have positively responded. There are many examples today of gas stations as well as street lighting that have non-glare lighting. The technology exists and non-glare lighting is no more expensive than the older inefficient lighting.

- Consider a lighting control ordinance governing excessive light glare, especially over any operation that continues into the evening hours or may intrude on neighboring parcels or impact driver visibility.

### **COMPREHENSIVE PLAN INTERNAL CONSISTENCY**

The comprehensive plan was developed sequentially in order to develop a plan with supportive goals, objectives, policies and programs. Utilizing the community survey and nominal group session as a base, key issues were identified within each of the nine elements of the plan. Using these issues along with factual information regarding natural features, past population and housing data and infrastructure, a set of goals, objectives, policies and programs were developed in order to determine a desired vision which would be used throughout the planning period. The identified vision, goals and strategies expressed within this plan were utilized to determine the General Plan Design as well as the specified implementation actions the town will undertake throughout the planning period. Any amendment to the plan shall be accompanied with an overall review of the nine elements along with their identified goals, objectives, policies and programs, in order to ensure that inconsistency within and between elements does not occur in the future.

### **PROCESS FOR UPDATING PLAN**

As directed by §66.1001, any Plan Commission or other body of a local governmental unit authorized to prepare or amend a comprehensive plan may recommend the adoption or amendment of a comprehensive plan only by adopting a resolution by a majority vote of the entire commission (or governmental unit). This plan shall be amended/updated following §66.1001 (4)(b) and the adopted written community procedures for fostering public participation.

- It is envisioned that the comprehensive plan will be amended with the assistance of the Town of Pensaukee Plan Commission and that this Commission will follow the amendment process as outlined under §66.1001 (4)(b).

## **PLAN REVIEW TIMELINE**

Plan Review Timeline										
Plan Components	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Goals, Objectives, Policies/Vision Statement					Review Chapter Goals					Review & Update Plan Goals
Population					Evaluate Against WDOA Estimates					Update
Housing										Update
Economics					Evaluate					Update
Growth Forecasts					Evaluate					Evaluate, Update
Natural Features					Inventory & Evaluate					Inventory & Evaluate, Update Recommendations
Transportation					Inventory & Evaluate					Inventory & Evaluate, Update Recommendations
Community Facilities					Inventory & Evaluate					Inventory & Evaluate, Update Recommendations
Land Use					Inventory & Evaluate					Update, Inventory, Evaluate, Update Recommendations
Intergovernmental Cooperation		Evaluate Shared Goals			Evaluate Shared Goals					Evaluate Shared Goals

Source: Bay-Lake Regional Planning Commission, 2004.

## **IMPLEMENTATION SCHEDULE**

The goals established in the implementation schedule (Table 9.1) should be applied over a 20-year planning period beginning in 2004 and running through the year 2024. They represent priorities for land use management for the town of Pensaukee. The objectives provide more detailed and readily measurable steps toward reaching each goal. The policies are rules or a course of action used to ensure plan implementation.

The primary responsibility for implementing the plan recommendations contained in the implementation schedule (Table 9.1) lies with the town's elected officials (i.e., Town Board). Secondary responsibility for carrying out the actions recommended in the plan lies with the Town of Pensaukee Plan Commission and committees that are formed and appointed by the Town Board (e.g., any other ad hoc or special committees named by the Town Chairperson or Board)

The following implementation schedule (Table 9.1) lists the comprehensive plan goals, objectives and policies, a list of cooperating agencies and departments that might assist the Town Board and/or Pensaukee Plan Commission with implementation of the recommendations and a timeline for implementation. The implementation schedule should be evaluated and revised on an annual basis.

Table 9.1: Town of Pensaukee Implementation Schedule

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<p><b><u>Goal: Overall Planning</u></b></p> <p><i>The goal of the town of Pensaukee will be to develop a 20-year comprehensive plan to serve as a guide for assisting local officials in making land use decisions that reflect the town of Pensaukee's vision of orderly growth and preservation of its natural environment.</i></p>			
<p><b><u>Objectives:</u></b></p>			
<ol style="list-style-type: none"> <li>1. Prepare a 20-year comprehensive plan as described in the Wisconsin Comprehensive Planning Law, known as "Smart Growth" (s. 66.1001 Wisconsin State Statutes).</li> <li>2. Develop a 20-year comprehensive plan in order to: best reflect the interests of all the town's residents, follow an orderly and cost efficient method when developing and preserve significant features of the community.</li> <li>3. Periodically review and update, when necessary, the adopted 20-year comprehensive plan in order to provide for the greatest possible benefits regarding future developments such as residential, commercial, industrial, etc. and preservation of significant features such as natural, historical and cultural resources.</li> </ol>			
<p><b><u>Policies:</u></b></p>			
The Town Plan Commission will continually use the plan as one of the primary guides for recommendations to the Town Board regarding current and future land uses.	Plan Commission	Ad hoc or special town committees	On-Going
This 20-year plan will be consulted by the Town Plan Commission, Town Board and other units of government before making any decision regarding land use and land use policies.	Town Board, Plan Commission	OC, surrounding communities	On-Going
Review existing town and Oconto County ordinances as they relate to the implementation of this plan.	Plan Commission	OCPZ	Immediate & On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Work with Oconto County to update the town's zoning map in order to be consistent with the text and General Plan Design map in Chapter 8 of this document.	Plan Commission	OCPZ, OCLI	On-Going
Utilize the Official Map ordinance to designate future road right-of-ways and any future parklands/trailways the town would like to see developed.	Plan Commission	OCPZ, OCFPR, OCLI	0-5 years
Present the adopted 20-year comprehensive plan to neighboring municipalities and Oconto County as discussed within the Implementation element of the plan.	Plan Commission	OC, Surrounding Communities	Immediate
Encourage cooperation and communication between the town, neighboring municipalities, and county government in implementing this 20-year plan.	Plan Commission	OC, Surrounding Communities	On-Going
<p><b><u>Goals: Natural Resources</u></b></p> <ol style="list-style-type: none"> <li>1. Preserve the role and the beauty of the town's natural landscape.</li> <li>2. Protect the important natural landscape features such as woodlands, wetlands, floodplains, streams, bay shore, steep slopes and the town's air quality.</li> </ol>			
<p><b><u>Objectives:</u></b></p> <ol style="list-style-type: none"> <li>1. Encourage enforcement of existing regulations in environmentally sensitive areas.</li> </ol>			
<ol style="list-style-type: none"> <li>2. Development adjacent to rivers, streams, wetlands and Green Bay should be carefully planned in order to not negatively impact these areas.</li> </ol>			
<ol style="list-style-type: none"> <li>3. Have clearly identified natural areas for protection.</li> </ol>			
<ol style="list-style-type: none"> <li>4. Encourage clustering of development to limit sprawl and its many negative attributes.</li> </ol>			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Town of Pensaukee 20-Year Comprehensive Plan	Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b>Policies:</b>				
9-10 Bay-Lake Regional Planning Commission	Identify key natural resources and protect them through the use of the Environmental Corridors designation on the General Plan Design (Map 8.5).	Plan Commission	OCPZ, OCFPR, OCLC, OCLI, WDNR, BLRPC	Immediate
	Educate residents about flood risks, shoreland and wetland preservation, steep slope risks and discourage development within this plan's identified environmental corridors.	Town Board & Plan Commission	OC, OCLC, OCLI, OCPZ, UWEX, WDNR	0-2 years
	Identify and protect the open spaces and wildlife habitats from development to preserve the town's identified scenic areas.	Plan Commission	OC, OCLC, OCLI, OCFPR, WDNR	Immediate
	Promote wetland restoration projects.	Town Board	OC, OCLI, WDNR	On-Going
	Promote the town's many scientific and natural areas (i.e., Charles Pond, Pensaukee Lacustrine Forest, etc.).	Plan Commission	OC, OCLC, OCFPR, OCPZ, WDNR	On-Going
	Promote forest crop management practices to enhance the town's woodland areas.	Town Board	OC, OCPZ, OCFPR,	On-Going
	Require that all resource extraction activities are conducted in a way that minimizes their impact on the surrounding environment.	Town Board	OC, OCPZ, OCLI, OCLC, WDNR	Immediate
	Support the enforcement of rules on private sewage systems and encourage better state level enforcement of rules governing solid hazardous waste disposal and wells.	Town Board	OC, OCPZ, WDNR, OCLC	On-Going
	Support the use of density bonuses for developers in order to preserve natural resources.	Plan Commission	OC, OCPZ,	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Coordinate the town's efforts to preserve natural resources with adjoining municipalities and state agencies.	Plan Commission	Surrounding Communities, OC, OCPZ, OCLI, OCLC, WDNR	On-Going
Encourage a buffer area (a zone of no buildings) around delineated wetlands.	Town Board & Plan Commission	OC, OCPZ, OCLC, WDNR	On-Going
<b>Goals: Agricultural Development/Preservation</b>			
<ol style="list-style-type: none"> <li>1. Preserve the most productive farmland in the town for continued agricultural use.</li> <li>2. Protect the existing farm operations from conflicts with incompatible uses.</li> </ol>			
<b>Objectives:</b>			
<ol style="list-style-type: none"> <li>1. Identify the town's prime farmlands for preservation.</li> <li>2. Have an orderly changeover of less productive agricultural lands to other uses.</li> <li>3. Non-farming uses will be buffered from agricultural lands in order to lower the number of possible nuisance complaints regarding these agricultural lands.</li> <li>4. Consider cooperation agreements with neighboring communities on all land development types to limit locating incompatible land uses adjacent to one another.</li> </ol>			
<b>Policies:</b>			
Discourage development on soils that have been identified as being prime agricultural areas thus encouraging the use of these lands for farming purposes only.	Plan Commission	OCPZ, OCLC, OCLI, NRCS	On-Going
Conduct a "Cost to Benefit" comparison on all future agricultural land conversions to ensure the town is not negatively impacted by the change in use (e.g., cost of services).	Town Board	UWEX, OCLC, OCLI	0-5 years

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
If large tracts of farmlands are to develop, then a planned unit development approach as opposed to a piece by piece method over long time periods should be utilized, this will alleviate fragmentation within the town and help lower development pressures.	Plan Commission	OCPZ, OCLC, OCLI	On-Going
Promote clustering and conservation designs for future housing developments in order to preserve contiguous lands for future farming.	Plan Commission	OCPZ, OCLC, OCLI	On-Going
Existing and future developments of the town are encouraged to be buffered from areas that are to remain in agricultural production with suggested types of buffers to include earth berms, planting of trees and or shrubs.	Plan Commission	OCPZ, OCLC	On-Going
Work with farmers looking to retire from farming and thus wanting alternative uses for their lands.	Town Board & Plan Commission	OC, UWEX	Immediate
<p><b><u>Goal: Sand and Gravel Mining Resources</u></b></p> <p>Existing and future mining sites will not negatively impact the environmental features within the town or its existing developments.</p>			
<p><b><u>Objectives:</u></b></p>			
<p>1. All possible mining sites will be identified and mapped by Oconto County for the town's use.</p>			
<p>2. Incompatible uses with mining will be well buffered from and will not develop adjacent to one another.</p>			
<p>3. Scenic/key views, the natural environment and rural characteristics will not be harmed by mining operations.</p>			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b>Policies:</b>			
The town will steer incompatible uses away from identified mining sites.	Plan Commission	OCPZ, OCLC, EPA, WDNR, NRCS	On-Going
The town will work with surrounding towns and Oconto County to ensure all abandoned, present and future mining operations will someday be reclaimed to a natural setting.	Plan Commission	Surrounding communities, OCPZ, OCLC, EPA, WDNR	On-Going
The town will inform residents of any future mining sites.	Town Board	OCPZ, OCLC, NRCS	On-Going
<b>Goal: Historic, Archeological and Cultural Sites</b>			
Historic, archeological and cultural locations and structures should remain preserved for the town, where appropriate.			
<b>Objectives:</b>			
1. To preserve buildings (churches, historic homes and buildings), structures (out buildings, bridges, etc.) and other landscape features (cemeteries, fence lines, etc.) that are the town's cultural history.			
2. Identify the historic, archeological and cultural locations to the town residents, for their information and possible use.			
<b>Policies:</b>			
Support the preservation and maintenance of historic, archeological, and cultural sites in the town.	Town Board	OCPZ, State Historical Society	Immediate
The town should discourage the destruction of these sites and will not allow incompatible uses around them that would have negative impacts on the resource.	Town Board & Plan Commission	OCPZ, State Historical Society	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b>Goals: Water Supply - Groundwater and Surface Water</b>			
1. Maintain or improve groundwater and surface water quality within the town.			
2. Development adjacent to rivers, streams, wetlands and the bay shore will be carefully planned in order to not negatively impact these areas.			
<b>Objectives:</b>			
1. Work with Oconto County to identify the recharge areas for wells to know the areas that need to be protected to ensure a safe drinking water supply.			
2. Have identified potential contaminant sources within the recharge area for wells in order to identify threats to the water resource.			
3. Have long-term plans to address potential recharge areas and their threats.			
<b>Policies:</b>			
Support the development of long-term plans (Wellhead Protection or Source Water Protection plans) protecting the town's water resources.	Town Board	OCPZ, OCLC, WDNR, EPA, NRCS	On-Going
Consider adopting appropriate ordinances protecting water sources.	Town Board	OCPZ	0-5 years
Work with other jurisdictions that have protective ordinances or identified plans for water protection that extend within the town.	Plan Commission	Surrounding communities, OCPZ, OCLC, EPA, WDNR	On-Going
Continue to work with Oconto County to ensure all septic systems are in good working order and giving citations to residents that are not complying.	Town Board	OCPZ, OCLC	On-Going
Support agricultural and erosion control programs that are targeted to assist private landowners.	Town Board	OCPZ, OCLC, EPA, WDNR	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b><u>Goal: Wildlife Resources</u></b> Maintain the town's diverse wildlife habitat for all town residents to enjoy.			
<b><u>Objectives:</u></b>			
<ol style="list-style-type: none"> <li>1. Protect the town's areas of rare, threatened and endangered species.</li> <li>2. Maintain connections among wildlife habitat areas.</li> </ol>			
<b><u>Policies:</u></b>			
Support the preservation of key habitat areas and large undeveloped contiguous natural areas (i.e., Oconto County Forest, Green Bay Shores Wildlife Area, etc.).	Plan Commission	OCPZ, OCFPR, OCLC, WDNR	On-Going
Support neighboring jurisdiction's wildlife preservation plans.	Town Board	Surrounding Communities, WDNR	On-Going
Incorporate natural resource areas in plans for parks and open spaces.	Plan Commission	OCPZ, OCFPR, OCLC, WDNR	On-Going
Promote the utilization of native species when landscaping.	Plan Commission	OCLC, OCFPR	On-Going
<b><u>Goal: Parks and Recreational Lands</u></b> Ensure residents have safe recreational sites within the town that provide a variety of activities to serve various age and interest groups in the community.			
<b><u>Objectives:</u></b>			
<ol style="list-style-type: none"> <li>1. Ensure well maintained recreational sites and trails within the town, to include access to the waters of Green Bay.</li> <li>2. Utilize identified environmental corridors for public parks and recreational use.</li> </ol>			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Town of Pensaukee 20-Year Comprehensive Plan  9-16  Bay-Lake Regional Planning Commission	Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b>Policies:</b>				
The town should work with the county to consider the development of future recreational lands within the town and county.	Plan Commission	OC, OCPZ, OCFPR	0-2 years and On-Going	
The town needs to discuss future trailway development with residents as well as affected property owners.	Town Board	Surrounding Communities	On-Going	
Future recreational areas should be interconnected with a trail system.	Plan Commission	OCPZ, OCFPR	On-Going	
Use the town's official mapping powers to preserve areas designated for future park and recreational uses.	Town Board	OCPZ, BLRPC	0-2 years	
Consider access for the disabled, elderly and very young when planning, designing, and constructing all new recreation projects, including parking, trails, etc.	Plan Commission	OCFPR	On-Going	
Incorporate scenic resources in plans for parks and open space.	Plan Commission	OCPZ, OCPRC, OCLC	On-Going	
<b>Goal: Housing</b> <i>To provide for a variety of quality housing opportunities for all segments of the town's current and future population.</i>				
<b>Objective #1:</b> <i>To develop and enforce policies and programs that provides a range of housing choices to meet the needs of all income levels and of all age groups and persons with special needs.</i>				
<b>Policies:</b> Support housing developments for all persons including low and moderate income, elderly, and residents with special needs.	Town Board	Surrounding Communities, WHEDA	On-Going	

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Ensure that the county's zoning ordinance and subdivision ordinance continue to allow for a range in densities and lot sizes.	Town Board	OCPZ	0-2 years
Support orderly development within the town, with higher densities around the unincorporated communities of Pensaukee and Brookside, to provide additional housing choices.	Plan Commission	OCPZ	On-Going
Support conservation by design developments as well as cluster type developments as an alternative to conventional zoning methods.	Plan Commission	OCPZ, OCLC	On-Going
Advocate the maintenance, preservation and rehabilitation of the existing housing stock in the town.	Plan Commission	NEWCAP	0-5 years
<b><u>Objective #2:</u></b>			
<i>Encourage new housing development that is done in an environmentally conscious and cost effective way.</i>			
<b><u>Policies:</u></b>			
Direct new development to appropriate locations to minimize the visual impact on the viewsheds from public right-of-ways.	Plan Commission	OCPZ, OCLI	On-Going
Encourage the infilling of existing vacant residential property where appropriate.	Plan Commission	OCPZ, OCLI	On-Going
The construction of new homes should be regulated by adequate building codes and ordinances.	Plan Commission	OCPZ	1-3 years
Situate higher density residential development in areas that minimize impacts upon low density residential development.	Plan Commission	OCPZ, OCLI	On-Going
Identify areas in which new development should be restricted, or maintained as open space.	Plan Commission	OCPZ, OCLI	Immediate

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Explore development ideas that encourage responsible use of land and minimize potential negative impacts on natural or unique areas.	Plan Commission	OCPZ, OCLI, WDNR	On-Going
Work with Oconto County and neighboring communities to establish innovative development guidelines for future consideration within the town.	Plan Commission	Surrounding communities, OC, OCPZ, OCLC, UWEX	On-Going
<b><u>Goal: Economics</u></b>			
Provide opportunities for small scale economic development while protecting and enhancing the town's agricultural and environmental assets.			
<b><u>Objectives:</u></b>			
1. Future businesses should be located in areas specified in the General Plan Design which may enhance and promote the rural/scenic nature of the town of Pensaukee.			
2. Protection of quality farmlands for future agricultural operations.			
3. Promote the town of Pensaukee's many natural features to increase the flow of non-local dollars into the town by visitors.			
<b><u>Policies:</u></b>			
Consider the value of the agricultural lands and the rural and scenic nature of the town before changing the zoning to non-agricultural uses.	Plan Commission	OC, OCPZ, OCLI	On-Going
Encourage conservation farming practices that minimize non-point source pollution of the town's surface water and contamination of groundwater with animal waste and man-made chemicals.	Town Board	OC, OCPZ, OCLC, OCLI, WDNR, EPA	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Town of Pensaukee 20-Year Comprehensive Plan	9-19 Bay-Lake Regional Planning Commission	Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
		Encourage future non-farming commercial and industrial development to be clustered and not dispersed throughout the town's agricultural lands in order to protect these farmlands and to lessen the development pressures on them.	Plan Commission	OCPZ, OCLC	On-Going
		Strongly consider steering large commercial and industrial development to the general plan's specified areas in the town or to nearby communities better served by existing infrastructure.	Plan Commission	OCEDC, OCPZ	On-Going
		Direct more highway dependent businesses that rely on access along USH 41 in order to provide commercial service to local and through traffic.	Plan Commission	OCEDC, OCPZ	On-Going
		Consolidate commercial and industrial growth in areas best suited for their operation and where needed services exist or can be readily extended in order to establish specific service areas and to prevent co-locating incompatible uses.	Plan Commission	OCEDC, OCPZ	On-Going
		Support standards to minimize pollution and adverse impacts on the environment.	Town Board	OCPZ, OCLC, EPA, WDNR, NRCS	0-5 years
		Control the amount of signage, lighting, landscaping, buffering and access of business sites throughout the town especially along major corridors and areas of scenic importance.	Town Board	OCPZ, OCEDC, WDOT	0-2 years
		Allow "at home" businesses to locate within the town until such a time as a zoning change is needed - then require them to locate within an area predominantly composed of business uses.	Plan Commission	OCPZ	On-Going
		Consider activities within the town, or have events that relate to other nearby communities activities as a "spin off" activity for travelers and residents.	Plan Commission	OCEDC, Surrounding communities	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Utilize the agencies and available mass media to market the town for commercial and industrial development as well as tourism - using Internet, Oconto County Economic Development Corporation (OCEDC), radio, newspaper, etc.	Town Board	OCEDC, OC	On-Going
Promote and market resources and activities available to tourists to capture additional dollars for the town (bay of Green Bay, potential marina, etc.).	Town Board	OCEDC, OC	On-Going
<p><b><u>Goal: Transportation</u></b></p> <p><i>To establish a safe and efficient transportation system for motor vehicles, pedestrians, and bicycles that is compatible with the Town's adopted 20-Year Comprehensive Plan.</i></p>			
<p><b><u>Objectives:</u></b></p>			
<ol style="list-style-type: none"> <li>1. To develop a transportation system that provides for all transportation modes.</li> <li>2. To develop a transportation system that is harmonious with surrounding land uses.</li> <li>3. To provide for convenient and efficient vehicular movement near all commercial, industrial, and public facility locations.</li> <li>4. Provide for adequate traffic controls (i.e., turning lanes, frontage roads) near businesses located along the USH 41 corridor.</li> <li>5. To provide and maintain aesthetically pleasing transportation corridors.</li> <li>6. Provide a safe system of bicycle paths and designated bicycle routes throughout the town.</li> <li>7. To provide safe and convenient pedestrian traffic movement.</li> <li>8. To plan for and designate future road right-of-ways within the town.</li> <li>9. Develop an integrated multi-modal transportation system which, through its location, capacity, and design, will effectively serve the existing town land use development pattern and promote implementation of the town land use and transportation plan, meeting the anticipated transportation demand generated by existing and planned land uses.</li> <li>10. Develop a balanced transportation system which will provide the appropriate types of transportation needed by all residents, regardless of income, physical ability or age, businesses, and industries at a level of service which will permit ready adaptation to changes in transportation demand and technology including travel needs and transportation management.</li> </ol>			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
11. Develop a transportation system that reduces accident exposure and provides for increased travel safety.			
12. Develop a transportation system that is economical and efficient, satisfying other objectives at the lowest possible environmental, social and financial public cost.			
13. Develop a transportation system that minimizes adverse effects upon the property tax base and the natural and cultural resource base.			
14. Develop a transportation system that preserves a high aesthetic quality and possesses a positive visual relation to the land.			
15. Develop a transportation system that facilitates energy conservation while minimizing associated pollution effects.			
16. Develop a transportation system that identifies and preserves multi-use utility and transportation corridors.			
17. Provide continued support for future infrastructure, communications, and navigation improvements to Oconto Municipal Airport.			
<b>Policies:</b>			
The proper use of land for, and adjacent to, transportation facilities should be pursued in accordance with the town's land use development objectives. The disruption of future development should be minimized by utilizing transportation corridor preservation techniques.	Plan Commission	OCPZ, OCHWY, WDOT	On-Going
The total amount of land used for transportation facilities should be minimized.	Plan Commission	OCPZ, ad hoc or special committees	On-Going
The dislocation of households, businesses, industries, and public and institutional buildings as caused by the reconstruction of existing or the construction of new transportation facilities and terminals should be minimized.	Plan Commission	OCPZ, OCHWY, WDOT	On-Going
The destruction of, or negative impacts to, historic buildings and of historic, scenic, scientific, archaeological, and cultural sites as caused by the reconstruction of existing or the construction of planned transportation facilities and terminals should be minimized.	Plan Commission	OCPZ, OCHWY, WDOT	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Transportation facility construction plans should be developed using sound geometric, structural, erosion control and landscape design standards which consider the aesthetic quality of the transportation facilities and the areas through which they pass.	Plan Commission	OCPZ, OCHWY, WDOT	On-Going
Transportation facilities should be located to minimize impacts on visually pleasing buildings, structures, and natural features; and to enhance vistas to such features.	Plan Commission	OCPZ, OCHWY, WDOT, OCLI	On-Going
The location of transportation facilities in or through environmental corridors and natural areas should be avoided.	Plan Commission	OCPZ, OCHWY, OCLC, WDNR, WDOT	On-Going
The loss of wetlands and environmental corridor land to transportation facility construction should be avoided.	Plan Commission	OCPZ, OCHWY, OCLC, WDNR, WDOT	On-Going
Adverse impacts on significant natural habitat, with special attention to endangered species should be avoided.	Plan Commission	OCPZ, OCHWY, OCLC, WDNR, WDOT	On-Going
Use of the natural resource base in the development of transportation facilities should be minimized.	Plan Commission	OCPZ, OCHWY, OCLC, WDNR, WDOT	On-Going
Abandoned rail and/or utility right-of-way corridors should be preserved for future transportation facilities such as bicycle, pedestrian, transit, future rail service and/or arterial streets where such need is shown in the county land use plan.	Plan Commission	OCPZ, OCHWY, WDOT	On-Going
Full use of all existing transportation facilities should be encouraged through low- and non-capital intensive techniques cooperatively fostered by government, business, and industry, prior to any capital-intensive or disruptive construction of new facilities.	Town Board	OCPZ, OCHWY, WDOT	On-Going
The amount of transportation system operating and capital investment costs should be minimized.	Plan Commission	Ad hoc or special town committees	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
The direct benefits derived from transportation system improvements should exceed the direct costs of such improvements using life-cycle costing methods.	Town Board	Ad hoc or special town committees	On-Going
The transportation system should provide access and service with choices of modes throughout the town in a way designed to reduce overall average travel times to destinations within the town and county.	Town Board	OCPZ, OCHWY, WisDOT	On-Going
Bicyclists and pedestrians should be accorded a comfortable margin of safety on all streets and highways by ensuring compliance with American Association of State Highway and Transportation Officials (AASHTO) and Manual of Uniform Traffic Control Devices (MUTCD) guidelines and standards.	Town Board	OCPZ, OCHWY, WisDOT	On-Going
Bicycle lanes or wide curb lanes should be constructed on arterial highways and major collectors.	Town Board	OCPZ, OCHWY, WisDOT	On-Going
Bicycle paths should be constructed to serve corridors not served by streets and highways. The most common uses are along rivers, lake shores, canals and utility right-of-ways.	Plan Commission	OCPZ, OCHWY, WisDOT	On-Going
Bicycle routing should direct bicyclists to suitable highways and streets without significantly compromising directness. Established bicycle suitability models should be used.	Plan Commission	OCPZ, OCHWY, WisDOT	On-Going
<b><u>Goal: Community Facilities/Utilities</u></b>			
To provide quality community services to residents of the town of Pensaukee and to provide for orderly growth of the town through the planned development of public and community facilities.			
<b><u>Objectives:</u></b>			
1. The town's community facilities and public services should be well maintained and sufficient for the needs of its residents.			
2. Develop and maintain a disaster plan for the town of Pensaukee.			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b>Policies:</b>			
Continue to encourage the concept of “mutual aid agreements” for all public services being provided (i.e., waste, police, emergency medical, etc.).	Town Board	Surrounding Communities, OC, OCPZ	On-Going
Oversee the town’s protective service agreements in order to ensure that the town continues to receive effective and efficient law enforcement and emergency/medical services.	Town Board	Surrounding Communities, OC, OCPZ	On-Going
Monitor the adequacy of the medical services, elderly care services and childcare services within the area.	Town Board	Ad hoc, or special town committees	On-Going
Continually monitor resident satisfaction regarding services (i.e., private waste haulers) and remain informed upon any of the service providers’ needs to re-locate/upgrade their services.	Town Board	Ad hoc, or special town committees	On-Going
Provide safe and convenient ADA (Americans with Disabilities Act) accessibility to all public buildings.	Town Board	Ad hoc, or special town committees	On-Going
Encourage the preservation of community identity and history by supporting actions that would advocate the protection and preservation of historic sites and other public town facilities.	Town Board	State Historical Society, OC, OCLC	Immediate
Work cooperatively with municipalities and select service providers to upgrade telecommunication and electrical services when needed. Future ordinances (i.e., telecommunication towers) should be considered/adopted to limit possible negative impacts.	Town Board	Surrounding Communities, OC, OCPZ, electric providers	On-Going
Promote cooperation and communication between the Oconto Unified and Oconto Falls School Districts and the town of Pensaukee Town Board or their representative to collectively strive for quality educational opportunities.	Town Board	School Districts, surrounding communities	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Promote that the maintenance of individual septic systems is conducted to protect the town's valued groundwater sources.	Town Board	OCPZ, OCLC, EPA, WDNR, NRCS	On-Going
Utilize the town's environmental corridors (i.e., wetland areas, floodplains, steep slope, areas of poor soils for development, or other sensitive areas the town wants to protect), as areas that the town may want to prohibit all sewage system uses to protect groundwater quality.	Plan Commission	OCPZ, OCLC, EPA, WDNR, NRCS	Immediate
<b><u>Goal: Parks and Recreational Lands</u></b>			
<i>Advocate safe recreational sites within the town that provide a variety of activities for town residents.</i>			
<b><u>Objective:</u></b>			
<i>Maintain present and future recreational sites for the town's residents and visitors.</i>			
<b><u>Policies:</u></b>			
The town should cooperate with Oconto County and adjacent communities to enhance/develop recreational lands within the area.	Town Board	OC, OCPZ, OCFPR, Surrounding communities	On-Going
Ensure that any future trailway development is discussed with residents as well as affected property owners.	Town Board	OC, OCPZ, OCFPR, Surrounding communities	On-Going
Consider access for the disabled, elderly and very young when planning/designing/coordinating and constructing any new recreation projects, including parking, trails, etc.	Plan Commission	OC, OCPZ, OCFPR, Surrounding communities	On-Going
Recognize the potential of public and private donations for funding park system improvements.	Town Board	OC, OCFPR, Surrounding communities	On-Going
<b><u>Goal: Intergovernmental Cooperation</u></b>			
<i>Promote cooperation between the town of Pensaukee and any other municipality or government entity that makes decisions impacting the town and surrounding area.</i>			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b><u>Objectives:</u></b>			
1. Develop coordination and sharing/joint ownership of community facilities, equipment and other services whenever possible.			
2. Coordinate with adjacent communities on future planning projects to best maintain the rural character of the surrounding area.			
3. Encourage improved participation with neighboring communities regarding meetings, workshops, mutual planning activities, etc.			
<b><u>Policies:</u></b>			
Work with neighboring communities and agencies regarding any water issues and other land uses which lie across town lines such as: bay of Green Bay, Pensaukee River, etc.	Town Board	OCLC, OCPZ, Surrounding communities, WDNR	On-Going
Explore the possibility of jointly developing and managing future recreational facilities with adjacent communities, the WDNR, etc.	Plan Commission	OCLC, OCPZ, WDNR, Surrounding Communities	0-5 years
Work cooperatively with surrounding municipalities to address possible boundary issues to minimize conflicts.	Plan Commission	OC, Surrounding Communities	On-Going
Explore the possibility of working with adjacent communities and Oconto County on disaster planning.	Town Board	OC, Surrounding Communities, School Districts	1-3 years
<b><u>Goal: General Plan Design</u></b>			
<i>Design future development that will meet the needs of the town while protecting and enhancing its visual character, promoting environmental protection, conserving natural resources, meeting the needs of social and economic forces, providing for adequate services and facilities, and ensuring compatibility of future land uses.</i>			
<b><u>Objective: Overall</u></b>			
<i>Ensure that all growth and development occurs in a planned and coordinated manner that will maintain or improve the quality of life associated with the rural character of the town for existing and future residents.</i>			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b>Policies:</b>			
Utilize the Comprehensive Plan as an illustration of the town's overall development policy.	Town Board & Plan Commission	Ad hoc or special town committees	Immediate & On-Going
Foster orderly development that allows for proper distribution of community services.	Plan Commission	OCPZ, OCLI, service providers	On-Going
Work with the neighboring towns and Oconto County to ensure compatible growth near the border areas of the town of Pensaukee.	Town Board	OC, surrounding communities	Immediate
Prior to approving any zoning change, it shall be shown that the development is consistent with the town's Comprehensive Plan and overall vision.	Plan Commission	OCPZ	On-Going
Explore the creation and adoption of additional ordinances to control likely nuisances (i.e., excessive lighting, noise, etc.) produced during more intensive operations within the town, such as commercial uses, industrial uses, etc.	Town Board	OCPZ	1-5 years
<b>Objective: Residential</b> <i>Strive to maintain the integrity of the existing rural atmosphere while encouraging the development of new residential areas sufficient to meet the housing needs of the projected population.</i>			
<b>Policies:</b>			
Residential developments are encouraged to be distanced, buffered, or otherwise mitigated from physical hazards, unhealthy conditions, and steered from incompatible uses.	Plan Commission	OCPZ, OCLC, OCLI	On-Going
Provide for sufficient densities and a broad range of housing choices within the town to meet the current and future needs of the local population.	Town Board	Ad hoc or special town committees, OCPZ	1-10 years

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Housing developments should conform to the zoning districts that they are contained within. Modified conformance standards will be considered in areas that have been designated for cluster subdivision designs or other alternative designs such as: adjacent to environmental corridors; along transportation corridors, (i.e., County Trunk Highways); and in areas where the town wants to preserve the natural appearance as part of retaining community character.	Plan Commission	OCPZ	On-Going
<b><u>Objective: Commercial</u></b>			
<i>Recommend commercial developments that will serve the needs of the town's residents and the transient traffic along USH 41, CTH J and Sampson Road.</i>			
<b><u>Policies:</u></b>			
Areas where town services, facilities and highway access are available should be given preference over scattered non-serviced areas.	Plan Commission	Ad hoc or special town committees, OCPZ, OCEDC	On-Going
Future commercial establishments that require excessive traffic and a full range of public services should be directed to locations in neighboring communities.	Plan Commission	Ad hoc or special town committees, OCPZ, OCEDC, surrounding communities	On-Going
Adequate landscape screening "buffers" should be provided between commercial uses and adjacent noncommercial uses to shield or limit viewing of parking spaces, storage areas, outside machinery, etc.	Plan Commission	Ad hoc or special town committees, OCPZ	1-3 years and On-Going
Encourage the development of design criteria for commercial businesses in order to reduce clutter and maintain town views along the major highway corridors through the town.	Plan Commission	Ad hoc or special town committees, OCPZ, OCEDC	1-3 years and On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
<b><u>Objective: Light Industrial</u></b>			
<p><i>Limited light industrial developments should be directed to lands along USH 41, also identified for future commercial development in the town of Pensaukee. In addition, future intensive industrial uses (those requiring outside storage; excessive traffic; generate odors; generate noise; generate water - soil - air pollution) should be directed to adjacent communities where adequate industrial facilities and services (sewer, water, natural gas, etc.) already exist.</i></p>			
<b><u>Policies:</u></b>			
To be permitted, a light industrial development should not detract from the rural appearance, over burden community services of the town, nor have a negative affect on the surrounding environment.	Plan Commission	Ad hoc or special town committees, OCPZ	On-Going
Adequate landscape screening “buffers” should be provided between light industrial uses and adjacent non-industrial uses to shield or limit viewing of storage areas, outside machinery, etc.	Plan Commission	Ad hoc or special town committees, OCPZ	1-3 years and On-Going
Encourage design criteria for light industrial uses in order to maintain town views.	Plan Commission	Ad hoc or special town committees, OCPZ, OCEDC	1-3 years and On-Going
<b><u>Objectives: Agriculture</u></b>			
1. Strive to preserve the majority of the farmland in the town for continued agricultural use.			
2. Advocate that proposed development is done in an orderly manner that preserves farmland while protecting the existing farm operations from conflicts.			
<b><u>Policies:</u></b>			
Consider clustering and conservation designs for future housing developments in order to preserve contiguous lands for future farming.	Plan Commission	OCPZ, OCLC	On-Going

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators (See Pg. 9-31 for Abbreviations)	Time Period
Existing and future developments are encouraged to consider natural buffers in areas that are to remain in agricultural production.	Plan Commission	OCPZ, OCLC	On-Going
Utilize the Farmland Preservation Plan and Agricultural Zoning District to preserve the productive farmlands in the town while allowing limited growth on less productive soils (see Maps 2.5, 8.1 and 8.3).	Plan Commission	OCPZ, OCLC	Immediate
<b><i>Objective: Natural and Cultural Resources</i></b>			
<i>Incorporate, where appropriate, the preservation of unique open spaces and other cultural and natural resources into site designs, thus creating environmental areas throughout the town for wildlife habitat and/or pedestrian linkages.</i>			
<b><u>Policies:</u></b>			
Encourage alternative residential subdivision designs (clustering, conservation by design, etc.) that promote orderly development and relate to the town's natural and cultural features.	Plan Commission	Ad hoc or special town committees, OCPZ, OCLC, OCLI	On-Going
Carefully consider the impacts of allowing greater use of lands within and adjacent to the plan's identified environmental corridors (depicted on the town of Pensaukee 2024 General Plan Design Map).	Plan Commission	OCPZ, WDNR, OCLC	On-Going
Consider being more restrictive within the environmental corridors, to include the establishment of minimum distances from features such as waterways, wetlands, etc.	Plan Commission	OCPZ, WDNR, OCLC, OCLI	0-2 years
Work cooperatively with adjacent towns, Oconto County, WDNR, etc. to utilize various natural and cultural features for potential recreational and educational purposes.	Town Board	OCPZ, WDNR, OCLC, OCLI, OCFPR	Immediate
<b><u>Objective: Community Services</u></b>			
<i>Ensure the adequate provision of community services (e.g., health and safety services) throughout the town during the 20-year planning period.</i>			

Table 9.1: Town of Pensaukee Implementation Schedule (Continued)

Activity	Lead Department	Cooperators	Time Period
<b>Policies:</b>			
Ensure alternative development techniques (clustering, conservation, etc.) allow for the proper distribution of community services.	Plan Commission	OCPZ, OCLI, OCLC, service providers	On-Going
Cooperate with adjacent communities and Oconto County regarding joint planning for present and potential shared services/facilities and cooperative agreements.	Town Board	OC, surrounding communities	Immediate
The town will continue to monitor services provided to town residents and explore options for maintaining or improving upon the level of existing services.	Town Board	Ad hoc or special town committees, surrounding communities, OC, OCPZ	On-Going
The town will work with Oconto County, adjoining towns, and service providers (public and private) to help ensure that future services are provided as effective and efficient as reasonably possible.	Town Board	OC, OCPZ, surrounding communities, service providers	Immediate

**List of Abbreviations:**

BLRPC – Bay-Lake Regional Planning Commission

EPA - Environmental Protection Agency

NEWCAP – Northeast Wisconsin Community Action Program

NRCS - US Department of Agriculture, Natural Resources Conservation Service

OC – Oconto County

OCEDC - Oconto County Economic Development Corporation

OCFPR - Oconto County Forestry/Parks/Recreation

OCHWY - Oconto County Highway Department

OCLC - Oconto County Land Conservation

OCLI - Oconto County Land Information

OCPZ - Oconto County Planning/Zoning/Solid Waste

UWEX – UW Extension

WDNR - Wisconsin Department of Natural Resources

WisDOT - Wisconsin Department of Transportation

WHEDA – Wisconsin Housing and Economic Development Authority

**APPENDIX A**  
**PROCEDURES FOR PUBLIC PARTICIPATION**

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**TOWN OF PENSAUKEE**  
**Oconto County**  
**COMPREHENSIVE PLAN**  
**“WRITTEN PROCEDURES TO FOSTER PUBLIC PARTICIPATION”**

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**PURPOSE**

In accordance with Wisconsin State Statute 66.1001(4), which defines “Procedures For Adopting Comprehensive Plans”, these adopted written procedures will be followed in order to involve the public in the comprehensive planning process to the greatest extent practicable. These procedures are designed to foster public participation, including open discussion, communication programs, information services, and public meetings and shall apply to the adoption and any amendments to the comprehensive plan.

**PLAN COMMITTEE AND COMMITTEE MEETINGS**

The Town of Pensaukee has established a Comprehensive Plan Committee to develop and review a comprehensive plan. This body will adopt the plan by resolution and petition the Town Board to adopt the plan by ordinance.

All meetings of the Comprehensive Plan Committee will be posted in advance and open to the public in accordance with Wisconsin law. The agenda shall provide for comments from the public. To foster intergovernmental cooperation, copies of the agenda will be sent in advance to adjacent municipalities and to Oconto County.

The duties of the Comprehensive Plan Committee may be assumed by the Town Plan Commission.

**COMMUNITY SURVEY AND NOMINAL GROUP EXERCISE**

The Town Wide Survey that was conducted with the assistance of the Oconto County UW-Extension will guide the Comprehensive Plan Committee and Town in developing the comprehensive plan and each of its components. The Town will conduct a nominal group exercise as part of the preparation and update of the Comprehensive Plan and any subsequent updates to the plan as appropriate.

**OPEN HOUSES**

A minimum of two (2) “Open Houses” shall be held during the development of the comprehensive plan in order to present information regarding the comprehensive plan and to obtain public comment. One shall be held at the “midway” point to present background information, and the second open house will be held near the end of the planning process to present the plan prior to the required public hearing. The open houses shall be noticed in a local newspaper. In addition, the open houses will be noticed and posted in three locations by the Town Clerk. The open houses will provide the public with an opportunity to review and

comment on work that has been accomplished by the Comprehensive Plan Committee and the Bay-Lake Regional Planning Commission.

### **PUBLIC ACCESS AND PUBLIC COMMENT ON DRAFT DOCUMENT**

In all cases Wisconsin's open records law will be complied with. During the preparation of the comprehensive plan, a copy of the draft plan will be kept on file at the Town Hall and will be available for public inspection during normal office hours. The public is encouraged to submit written comments on the plan or any amendments of the plan. Written comment should be addressed to the Town Clerk who will record the transmittal and forward copies of the comments to the Town Board for consideration.

The Town Board shall respond to written comments either individually or collectively by type of comments. Town Board responses may be in the form of written or oral communication, or by a written summary of the town's disposition of the comments in the comprehensive plan.

### **COMPREHENSIVE PLAN COMMITTEE ADOPTION OF PLAN BY RESOLUTION**

The Comprehensive Plan Committee may recommend the adoption or amendment of the comprehensive plan only by the adoption of a resolution by a majority vote of the entire Committee at a regularly scheduled and publicly noticed meeting of the Comprehensive Plan Committee in accordance with s. 66.1001 (4) b. The vote shall be recorded in the official minutes of the Comprehensive Plan Committee. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of the Comprehensive Plan.

### **DISTRIBUTION OF THE ADOPTED PLAN**

In accordance with State Statute 66.1001(4), *Procedures for Adopting Comprehensive Plans*, one copy of the adopted plan or amendment shall be sent to the following:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.
2. Every local governmental unit that is adjacent to the local governmental unit which is the subject of the plan.
3. The Wisconsin Land Council
4. The Wisconsin Department of Administration
5. The Bay-Lake Regional Planning Commission
6. The public library that serves the Town of Pensaukee.

## **ADOPTION OF COMPREHENSIVE PLAN BY TOWN BOARD**

After adoption of a resolution by the Comprehensive Plan Committee, the Town Board will adopt the Comprehensive Plan by ordinance only after holding at least one public hearing at which the ordinance relating to the Comprehensive Plan is discussed. A majority vote of the members-elect is necessary for adoption. That hearing will be preceded by a Class 1 notice under ch. 985 that is published at least 30 days before the hearing is held. The Class 1 notice shall contain at least the following information:

1. The date, time, and place of the hearing.
2. A summary, which may include a map, of the proposed Comprehensive Plan.
3. The name of an individual employed by the Town of Pensaukee who may provide additional information regarding the proposed ordinance.
4. Information relating to where and when the proposed comprehensive plan may be inspected before the hearing, and how a copy of the plan may be obtained.

Upon the day of publication of the public hearing notice, copies of the plan will be made available for public review at the nearest local library of the community, at the Oconto County Zoning Office and at the Town Hall. Written comments on the plan from members of the public will be accepted by the town board at any time prior to the public hearing and at the public hearing.

## **ADDITIONAL STEPS FOR PUBLIC PARTICIPATION**

The Town reserves the right to execute additional steps, means, or methods in order to gain additional public participation and or additional understanding of the Comprehensive Plan and the process of its development and adoption. These optional steps may include informational memos, postcards, letters, posters, fliers, or WEB site.

## **STATE STATUTES**

Where there is a conflict with these written procedures and provisions of s. 66.1001 (4) Procedures for Adopting a Comprehensive Plan, the state statutes shall apply.

## **AMENDMENTS**

The Town Board may amend these procedures from time to time.

**Town of Pensaukee,**  
Oconto County, Wisconsin  
Resolution No. 2002-1

**RESOLUTION ADOPTING WRITTEN PUBLIC PARTICIPATION PROCEDURES**

**WHEREAS**, the Town of Pensaukee is preparing a Comprehensive Plan under Wis. Stats. 66.1001, and;

**WHEREAS**, the Town of Pensaukee may amend the Comprehensive Plan from time to time, and;

**WHEREAS**, Wis Stats 66.1001 (4) requires a governing body of a local unit of government adopt written procedures designed to foster public participation in the adoption or amendment of a comprehensive plan and;

**WHEREAS**, the Town has prepared and publicly reviewed such written procedures entitled *Procedures for Public Participation for Adoption or Amendment of the Town of Pensaukee Comprehensive Plan.*

**NOW THEREFORE BE IT RESOLVED**, the Town Board of Supervisors of the Town of Pensaukee officially adopts *Procedures for Public Participation for Adoption or Amendment of the Town of Pensaukee Comprehensive Plan.*

Adopted this 14<sup>th</sup> day of June, 2002

Approved:

Robert E Haben  
Town Chairperson

Attest:

Joyce Stogdane  
Town Clerk

**TOWN OF PENSAUKEE**

**APPENDIX B**  
**2002 COMMUNITY SURVEY RESULTS**

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## EXECUTIVE SUMMARY

This survey was designed to generate answers to three sections of information. The **First** section was designed to elicit responses to general questions on how the Town should develop and how each respondent felt about certain "key issues". The **Second** section was comprised of questions of demographics – to better understand if a good cross section of the community was responding to the survey. The **Third** section was a preference mapping exercise which required respondents to draw on a map the general or specific locations where they thought certain types of development would be most appropriately placed.

- **Fifty percent** of the respondents (204 responses) indicated that they were strongly concerned about how future growth and development might change the town within the next 20 years. Some 39 percent (161 responses) indicated that they were concerned about future growth while only 3 percent (15 responses) indicated that they were not concerned about how future growth would develop.
- On the issues of the Town Board being involved in land use decisions affecting the Town, **37 percent** (152 respondents) **strongly agreed** and **41 percent** (161 responses) **simply agreed** to this concept while 15 percent (59 responses) indicated that they were not in favor of this action by the Town Board.
- When asked to describe how residents would vision their Town in the future, some **50 percent** (189 responses) indicated that they saw the Town developing as **"predominantly a mixture of rural-residential and agriculture"** while some 29 percent (109 responses) indicated that the town should develop with some business and commercial.
- Town property owners indicated their top three preferences on future types of developments within the town as being: **Restaurants** (20 percent), **gas station** (17 percent), **light manufacturing** (14 percent). Some 4 percent of the responses indicated that they favored no new business or commercial development over the next 20 years.
- The survey responses indicated that the two top goals of the Town in regards to residential development ought to be **"protecting property values"** (26 percent) and **"plan carefully to avoid a need for creation/expansion of future infrastructure"** (21 percent).
- **An overall majority** of the respondents (46 percent) indicated that the Town should cooperate in promoting tourism for the local economic development. Twenty-four percent of the responses were neutral on the issue while some 29 percent did not agree with this action.
- When asked if the Town should cooperate in the development of a marina and associated small businesses along the bay shore, some **48 percent were in favor**, while 22 percent were neutral and 31 percent were opposed to it.

- The Town **should** expand public access to the Pensaukee River, as indicated by some **48 percent of the responses in favor of such a strategy**, while 32 percent were opposed to it. Twenty percent of the responses indicated a neutral stance on the issue.
- In general, the survey detailed that residents preferred a minimum lot size (for future development within the town) to be **one acre in size** (22 percent). In all, **70 percent of the responses indicated a preference of three acres or less**, while some 28 percent indicated that five or 10 acres would be preferable.
- The three most important issues the Town will have to face over the next 20 years are: (1) **Rising property values** (16 percent), (2 -tied) **Keeping cost of Town Services low** (14 percent), (2 -tied) **Residential development changing the Town** (14 percent), (3) **Maintaining Town Roads** (12 percent).
- **An overwhelming response was received in favor of the Town ensuring that uniform construction codes are to be enforced within the town** (76 percent of the responses).
- **The age group of (18 years old and younger to those 24 years old) were the most under represented of all of the age groupings within this survey.** With the way this survey was conducted, this response is not a surprise. Mailed surveys to households regarding land use issues rarely appeal to the young, and many below the age of 25 do not own their own homes/properties. Since this survey was only mailed to property owners (through the use of property tax listings) it has not taken into account the opinions of the younger population.
- **The most over represented age group was that belonging to the 46 to 61 age group having 43 percent of the overall responses.** Within the Town of Pensaukee, this similar age grouping is only around 25 percent of the residents as identified by the 2000 U.S. Census.
- **The remaining age groupings show a good cross-section of the population was achieved.** The survey received responses from the age group 25 to 45 year olds of 34 percent (while 32 percent of the town is reportedly comprised of this age grouping). Likewise, the responses from those within the age group of 62 to 74 years of age and the group comprised of those over 74 years of age made up 17 percent and five percent of the survey respectively. Within the Town, these same two age groups comprise 11 percent and five percent respectively.
- The gender identification question shows that **males were the majority of respondents to the survey** at 54 percent (200 responses) while 46 percent (170 responses) were females. The 2000 U.S. Census shows that the Town is comprised of 40 percent male and 36 percent females - which are 18 years and older. Thus the survey had slightly more males responding than what would be ideal, yet the overall close numbers indicate that the survey was not entirely one sided. Some 44 persons did not answer this question.

- Of those that responded to this survey, **the greatest response came from those living within the Town of Pensaukee for over 20 years** (26 percent). Those that owned property - yet did not reside within the Town - made up 22 percent of the responses.
- **Those responding to the survey were mostly employed in the city of Green Bay** at 35 percent, while 30 percent reported that they were unemployed or retired.
- The general annual household incomes of the respondents were from "less than \$30,000" (18 percent), **\$30,000-60,000 (42 percent)**, to **Over \$60,000 at (40 percent)**. Thirty-six household did not respond to this question.

*For more specific totals to each survey question, turn to the survey totals contained in this summary document.*

## Town of Pensaukee Community Land Use Survey Results - 2002

1. I am concerned how future growth and development might change the Town in the next 20 years.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
204 50%	161 39%	30 7%	6 1%	9 2%	410

2. Our town board should be involved in land use decisions affecting the Town.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
152 37%	165 41%	30 7%	24 6%	35 9%	406

3. Which statement below comes closest to describing your own vision of what you would like the Town to be like 20 years from now?					
	Mostly rural-residential	Predominantly mixture of rural-residential and agriculture	Mostly rural-residential with very little business/commercial	Mixture of business/commercial and residential	Mixture of tourism/recreational along with residential
<i>Total</i>					
	46 12%	189 50%	57 15%	52 14%	31 8%
<i>Total</i>					375

4. What type of business/commercial development, if any, would you feel comfortable with in the Town in the next 20 years?					
	Storage	Gas Station	Restaurant	Fast Food	Light Mfg
<i>Total</i>	155 11%	236 17%	269 20%	131 10%	192 14%
	Tavern				
	100 7%			100 7%	
	Office Space				
	124 9%			124 9%	
	NONE				
	55 4%			55 4%	
	Industrial				
	79 6%			79 6%	
	Other				
	28 2%			28 2%	
<i>Total</i>					1369

5. What should the town's top goals and interests be with regard to future residential development?					
	Minimize impacts of local vehicular traffic	Protect property values	Encourage subdivisions to blend better with natural landscape	Maintain the profitability of developing residential areas	Provide housing for variety of income levels
<i>Total</i>	121 11%	288 26%	145 13%	80 7%	51 5%
	Control stormwater runoff				
	47 4%			47 4%	
	Plan carefully to avoid need for creation/expansion of future infrastructure				
	231 21%			231 21%	
	Ensure high quality construction standards				
	129 12%			129 12%	
<i>Total</i>					10 1%

		B1. The town should cooperate in promoting tourism for local economic development.				Total
		Agree	Neutral	Disagree	Strongly Disagree	
Strongly Agree	66 16%	123 30%	99 24%	61 15%	56 14%	405
Strongly Agree	86 21%	112 27%	90 22%	57 14%	69 17%	414

		B2. The town should cooperate in the development of a marina and associated small businesses along the bay shore.				Total
		Agree	Neutral	Disagree	Strongly Disagree	
Strongly Agree	86 21%	112 27%	90 22%	57 14%	69 17%	414
Strongly Agree	66 16%	123 30%	99 24%	61 15%	56 14%	405

		B3. The town should expand public access to the Pensaukee River.				Total
		Agree	Neutral	Disagree	Strongly Disagree	
Strongly Agree	68 17%	128 31%	80 20%	66 16%	65 16%	407
Strongly Agree	86 21%	112 27%	90 22%	57 14%	69 17%	414

B4. In general, what minimum lot size would you prefer to see for future residential developments in the town?

Under 1/2 acre	20	5%
Under 1 acre	30	8%
1 acre	79	22%
1.5 acres	37	10%
2 acres	46	13%
2.5 acres	12	3%
3 acres	31	9%
5 acres	57	16%
10 acres	42	12%
Other	10	3%
<b>Total</b>	<b>364</b>	

B5. What will be the three most important issues the Town will have to face over the next 20 years?

Residential development changing the town	168	14%
Mega-Dairies	29	2%
Protection of natural resources	135	11%
Maintaining town roads	146	12%
Rising property values	195	16%
Minimize loss of agricultural land	97	8%
Ensuring orderly development along Hwy 41	120	10%
Economic Development	80	7%
Keeping cost of town services low	170	14%
Cooperating with other local governments	31	3%
Recreational development	44	4%
Other	12	1%
<b>Total</b>	<b>1227</b>	

11. Town should ensure the continuation of its natural resources		Total/		
	Strongly Agree	Agree	Neutral	Disagree
142. 35%	152 38%	152 38%	62 15%	36 9%
<i>Total/</i>				10 2%

12. Age of Respondents		Total/		
	Strongly Agree	Agree	Neutral	Disagree
Under 18	0	0	0%	0%
18 to 24	2	2	0%	0%
25 to 45	136	136	34%	34%
46 to 61	175	175	43%	43%
62 to 74	69	69	17%	17%
Over 74	22	22	5%	5%
<i>Total/</i>				402

13. Gender		Total/		
	Male	Female		
<i>Total/</i>	200 170	200 170	54% 46%	
		<i>Total/</i>		370

14. Number of years you have resided in the Town		Total/		
	0 to 5	5 to 10	11 to 20	Over 20
0 to 5	71	71	18%	18%
5 to 10	75	75	19%	19%
11 to 20	58	58	15%	15%
Over 20	101	101	26%	26%
Don't reside in town	88	88	22%	22%
<i>Total/</i>				393

15. Place of employment		Total/		
	Town of Pensaukee	City of Oconto	Elsewhere in Oconto County	Green Bay
Town of Pensaukee	15	15	4%	4%
City of Oconto	35	35	9%	9%
Elsewhere in Oconto County	31	31	8%	8%
Green Bay	133	133	35%	35%
Not employed/retired	117	117	30%	30%
Other	53	53	14%	14%
<i>Total/</i>				384

16. General annual household income		Total/		
	Under \$30,000	\$30-60,000	Over \$60,000	
Under \$30,000	41	41	41	18%
\$30-60,000	98	98	98	42%
Over \$60,000	94	94	94	40%
<i>Total/</i>				233

**APPENDIX C**  
**2002 NOMINAL GROUP RESULTS**

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**Town of Pensaukee**  
**Issues Identification Workshop**  
**July 30, 2002**

**Background:** The Town of Pensaukee will begin a formal comprehensive planning process in early 2003. To prepare for this planning process a Town Plan Committee has been formed. Probably the most important job the Plan Committee will have is to seek, and use input from town residents and property owners. This workshop formed part of that task. The purpose of this workshop is to allow all interested persons to participate in the **identification of issues that the town comprehensive plan should address**. Approximately **23 persons** attended the workshop. Announcements were made over the radio, in press releases, and a paid add in the local newspaper.

**Workshop Process:**

1. Silent brainstorming, participants used index cards to jot down 5 to 7 answers to the following question:

**“What are some of the issues and concerns that the Town of Pensaukee should consider as it develops a comprehensive land use plan to guide growth and change in the community over the next 20 years?”**
2. In round robin fashion listed people's responses until all participants felt their items were listed. See attached list of issues, next page.
3. Discussion of the items for clarification, and combining strongly similar statements
4. Voting for the top 5 priorities. (Secret Ballot) See results listed on following pages of this report.

This list will be used in a variety of ways. The Plan Committee will use the information to draft a community survey that will be sent out to all property owners and residents to obtain more public input into the issues. The list will also be used in the actual planning process to make sure the right issues are dealt with in the plan.

## Pensaukee Issues Identification

Number of points statements received in voting process, if any, is noted at end, *in italics*

- A) Establish minimum acreage requirements for building a residence. 44
- B) Maintain beauty as in signs/ads. 2
- C) Clean up the areas.
- D) Areas for homes should not have trailers mixed in.
- E) Where do we want our industry located and what type of it. 9
- F) Status of junk cars.
- G) Businesses with trash/junk are eyesores especially in residential areas. 5
- H) Watch number and location of new subdivisions. 26
- I) Will we have to have central or area water supplies/systems?
- J) Share governmental services with other towns to lower costs. 7
- K) Stay as agriculture and residential as possible without going too commercial 14
- L) Ease the burden on Pensaukee township property taxpayers. 26
- M) Start some businesses that would pay back to taxpayers and lower taxes. 23
- N) Stop variances that take up wetlands. 9
- O) When developers come in make roads to town standards or escrow funds. 2
- P) How deer/forest management affect taxes.
- Q) Park development. 3
- R) Establish moratorium on subdivision until planning is in place. 13
- S) Support ability of people to maintain farms and wooded areas. 22
- T) Consider using state land along bay for economic benefit to town. 16
- U) Use highway as an area for business. 8
- V) Watch for roads onto highway - may lead to frontage roads then area between frontage and highway is commercial. 3
- W) Road system needs and controls over next 20 years. 2
- X) Create a township coop to earn enough money to fund township government. 3
- Y) Take advantage of Bay Shore for recreational economic development. 10
- Z) Game farms, paintball, etc. need to be monitored for traffic, etc.
- AA) Affect of new ag assessments on non-ag land.
- BB) Expand industrial base with light industry not heavy. 3
- CC) Anything to reduce taxes. 2
- DD) Get tourists to stop on way north. 3
- EE) Monitor number of dwellings per parcel.
- FF) Hot to prevent one type of dwelling to negatively affect value of nearby homes or business. I.E. how to protect property values as change and growth occur. 3
- GG) Be careful that development does not draw down groundwater to a damaging level. 2

## Top 11 Ranked Issues

Town of Pensaukee,  
July 30, 2002

- A) Establish minimum acreage requirements for building a residence. **[44 points]**

**H&L) --- Tie [both 26 points]**

- H) Watch number and location of new subdivisions and:  
L) Ease the burden on Pensaukee township property taxpayers

- M) Start some businesses that would pay back to taxpayers and lower taxes. [23 points]**

- S) Support ability of people to maintain farms and wooded areas. **[22 points]**

- T) Consider using state land along bay for economic benefit to town. **[16 points]**

- K) Staying as agriculture and residential as possible without going too commercial **[14 points]**

- R) Establish moratorium on subdivision until planning is in place **[13 points]**

- Y) Take advantage of Bay Shore for recreational economic development. **[10 points]**

**E&N) --- Tie [both 9 points]**

- E) Where do we want our industry located and what type of it?  
N) Stop variances that take up wetlands.

- U) Use highway as an area for business. **[8 Points]**

- J) Share governmental services with other towns to lower costs. **[7 points]**

**APPENDIX D**  
**2003 DETAILED LAND USE TABULATION**

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**2003 TOWN OF PENSAUKEE DETAILED LAND USE**

CODE	LAND USE CLASSIFICATION	ACRES
100	RESIDENTIAL	
110	Single Family Residential	582.3
180	Mobile Homes	12.4
199	Vacant Residence	4.2
200	COMMERCIAL	
210	Retail Sales	33.1
299	Vacant Commercial	1.0
300	INDUSTRIAL	
360	Extractive	46.6
381	Open Storage	7.9
400	TRANSPORTATION	
412	State Highways	165.6
413	County Highways	146.4
414	Local Streets and Roads	434.7
417	Off-Street Parking	0.7
440	Rail Related	65.9
500	COMMUNICATION/UTILITIES	
537	Water Supply (Fire Ponds)	9.5
542	Electric Power Substations	1.0
546	Radio/Television Transmission Towers/Antennae	4.5
600	INSTITUTIONAL/GOVERNMENTAL FACILITIES	
611	Administrative Buildings	0.8
631	Police/Fire Stations/Offices	0.6
652	Community Centers	1.4
694	Cemeteries	14.6
699	Vacant Institutional/Governmental Facilities	1.6
700	OUTDOOR RECREATION	
736	Parks/Parkways/Trails/Forest Related Picnic Areas	1.1
766	Archery/Gun/Skeet Ranges	39.0
781	Boat Launching Sites/Areas	0.4
782	Water Access Sites/Areas	3.0
800	AGRICULTURE/SILVICULTURE	
805	Open Space	2,702.5
810	Croplands/Pastures	4,389.4
830	Long-Term Specialty Crops	18.3
850	Animal Husbandry	23.3
870	Farm Buildings/Accessories	143.8
899	Vacant Agriculture Buildings	7.1
900	NATURAL AREAS	
912	Reservoirs and Ponds	77.5
913	Rivers and Streams	95.0
950	Other Natural Areas	2,367.9
951	Woodlands	11,166.2
	<b>TOTAL ACREAGE</b>	<b>22,569.5</b>

Source: Bay-Lake Regional Planning Commission, 2004

**APPENDIX E**  
**RARE SPECIES & NATURAL COMMUNITIES LIST**

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# Oconto County

## Rare Species & Natural Communities List

The following list includes Oconto County's rare species and natural communities that have been recorded in the Wisconsin Natural Heritage Inventory (NHI).

### **AQUATIC OCCURRENCES**

#### **ANIMALS**

- Wood turtle
- Elktoe
- Forsters tern
- Longear sunfish
- Bullfrog
- Red shouldered hawk
- Snuffbox
- Buckhorn
- Caspian tern
- Pygmy snaketail
- Amber winged spreadwing
- Round pigtoe
- Greater redhorse
- Redfin shiner
- Common tern
- Dion skipper
- Western ribbon snake
- Black crowned night heron
- Bald eagle
- Swamp metalmark
- Mulberry wing
- Blandings turtle
- Swamp spreadwing
- Zebra clubtail
- Pigmy shrew
- Bog copper
- Green faced clubtail
- Least clubtail
- Common loon
- Slippershell mussel
- Lake darner
- Lake sturgeon
- Red necked grebe
- Four toed salamander
- Black tipped darner
- Green striped darner
- Yellow rail
- Least darter
- Piping plover
- Paddlefish
- Skillet clubtail

## PLANTS

- Common bog arrow grass
- Leafy white orchis
- Showy ladys slipper
- American shore grass
- Sparse flowered sedge
- Swamp pink
- Capitate spikerush
- Rams head ladys slipper
- Sheathed sedge
- Northern bog sedge
- Round leaved orchis
- Squarestem spikerush
- Variegated horsetail
- White adders mouth
- Crawe sedge
- Slender bog arrow grass
- Many headed sedge
- Few flower spikerush
- Adders tongue
- Fairy slipper
- Robbins spikerush
- Marsh bedstraw
- Northeastern bladderwort
- Purple bladderwort
- Downy willow herb
- Silky willow
- Yellow screwstem
- Arrow leaved sweet coltsfoot
- Waxleaf meadowrue
- Vasey rush
- Slim stem small reedgrass

## NATURAL COMMUNITIES

- Boreal rich fen
- Lake soft bog
- Muskeg
- Lake shallow, hard, seepage
- Northern wet mesic forest
- Northern sedge meadow
- Spring pond
- Lake shallow, soft, seepage
- Emergent aquatic
- Open bog
- Northern wet forest
- Lake deep, hard, seepage
- Shrub carr
- Stream fast, hard, cold
- Alder thicket
- Lake deep, hard, drainage
- Stream fast, soft, cold
- Lake shallow, hard, drainage
- Lake hard bog
- Floodplain forest
- Stream slow, hard, cold
- Hardwood swamp
- Submergent aquatic
- Lake deep, soft, seepage

## **TERRESTRIAL OCCURRENCES**

### **ANIMALS**

- Northern goshawk
- Smokey eyed brown
- Northern myotis
- Northern blue butterfly
- Woodland jumping mouse
- Leonard's skipper
- A tiger beetle
- Karner blue butterfly
- Yellow bellied flycatcher
- Tawny crescent spot
- Broad winged skipper
- Jutta arctic
- Bird rookery
- Loggerhead shrike
- Merlin

### **PLANTS**

- Deam's rockcress
- Indian cucumber root
- Pale green orchid
- Northern black currant
- Hooker orchis
- Cuckooflower
- American sea rocket
- Large roundleaf orchid
- Dwarf huckleberry
- Little goblin moonwort
- Heart leaved foam flower
- Northern wild raisin
- Crinkled hairgrass
- Braun's holly fern
- Rocky mountain sedge
- Blunt lobe grape fern
- Dwarf milkweed
- Purple clematis

### **NATURAL COMMUNITIES**

- Bedrock glade
- Pine barrens
- Northern dry mesic forest
- Oak woodland
- Northern mesic forest
- Northern dry forest
- Inland beach
- Glaciere talus
- Southern dry mesic forest

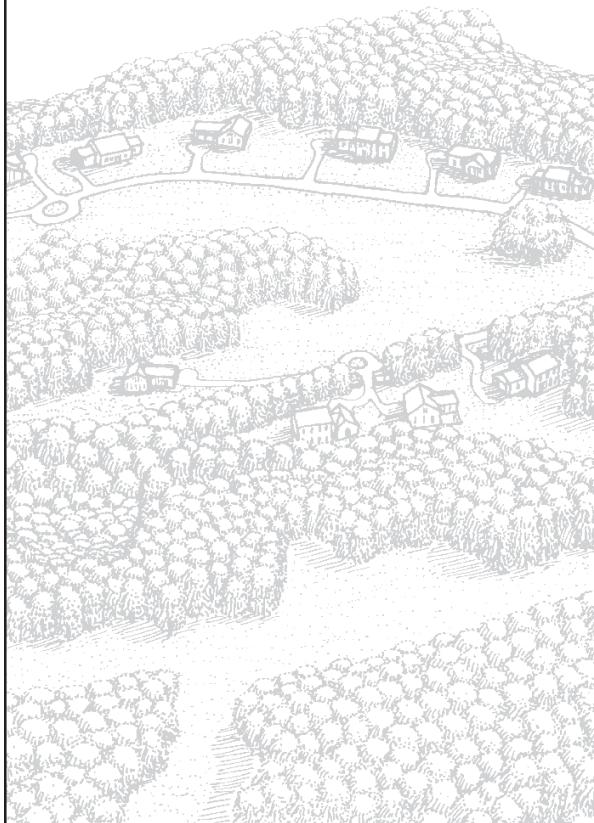
**APPENDIX F**  
**CONSERVATION BY DESIGN**

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# Growing Greener

## *Conservation by Design*



Communities across Pennsylvania are realizing that they can conserve their special open spaces, greenways and natural resources **at the same time** they achieve their development objectives. How? Conservation through local zoning and subdivision ordinances, an approach we're calling *Growing Greener: Conservation by Design*. If you want your community to take control of its destiny and ensure that new development creates more livable communities in the process, the *Growing Greener: Conservation by Design* approach might be right for you.



## Background

This booklet summarizes how municipalities can use the development process to their advantage to protect interconnected networks of open space: natural areas, greenways, trails and recreational lands. Communities **can** take control of their destinies so that their conservation goals are achieved in a manner fair to all parties concerned. All that is needed are some relatively straightforward amendments to municipal comprehensive plans, zoning ordinances and subdivision ordinances. These steps are described on the pages that follow.

*Growing Greener: Conservation by Design* is a collaborative program of the Pennsylvania Department of Conservation and Natural Resources (DCNR); the Governor's Center for Local Government Services; Natural Lands Trust, Inc., a regional land conservancy located in Media, PA; and an advisory committee comprised of officials from state and local agencies including the Pennsylvania Environmental Council, the Pennsylvania State University Cooperative Extension, and other non-profits and the private sector. The program is based on the work of Randall Arendt, Senior Conservation Advisor at Natural Lands Trust, and Michael Clarke, former president of Natural Lands Trust.

## How Do I Learn More?

The following services are available in Pennsylvania: (1) educational workshops, held at the county and regional level, for local officials, developers and others involved in making land use decisions; and presentations at conferences; (2) technical assistance for communities—primarily in the form of assessments of land use regulations, ordinance assistance and design services; and (3) training for professionals interested in learning how to write the ordinances and use the design methods that implement the *Growing Greener: Conservation by Design* standards.

### For more information contact:



Hildacy Farm  
1031 Palmers Mill Road  
Media, PA 19063  
tel: 610-353-5587  
fax: 610-353-0517  
[www.natlands.org](http://www.natlands.org)

Ann Hutchinson, AICP  
[ahutchinson@natlands.org](mailto:ahutchinson@natlands.org)

Monica Drewniany, AICP  
[mdrewniany@natlands.org](mailto:mdrewniany@natlands.org)



717-772-3321  
[www.dcnr.state.pa.us](http://www.dcnr.state.pa.us)  
Todd Stell  
Environmental Planner  
[tstell@dcnr.state.pa.us](mailto:tstell@dcnr.state.pa.us)



888-223-6837  
[www.landuseinpa.com](http://www.landuseinpa.com)  
Neil Kinsey  
Local Government Policy Specialist  
[nkinsey@state.pa.us](mailto:nkinsey@state.pa.us)

# Putting Conservation into Local Codes

## *The Conservation Design Concept*

Each time a property is developed into a residential subdivision, an opportunity exists for adding land to a community-wide network of open space. Although such opportunities are seldom taken in many municipalities, this situation could be reversed fairly easily by making several small but significant changes to three basic local land-use documents—the comprehensive plan, the zoning ordinance and the subdivision and land development ordinance. Simply stated, Conservation Design rearranges the development on each parcel as it is being planned so that half (or more) of the buildable land is set aside as open space. Without controversial “down zoning,” the same number of homes can be built in a less land-consumptive manner, allowing the balance of the property to be permanently protected and added to an interconnected network of community green spaces. This “density-neutral” approach provides a fair and equitable way to balance conservation and development objectives.

## Four Keys to Conservation

Communities protect open space because it protects streams and water quality, provides habitat for plants and animals, preserves rural “atmosphere,” provides recreational areas, protects home values and reduces costs of municipal services. In short, land conservation makes your community a better place to live. Four basic actions underlie the Growing Greener process:

### **1 Envision the Future: Performing “community assessments”**

Successful communities have a realistic understanding of their future. The assessment projects past and current development trends into the future so that officials and residents may easily see the long-term results of continuing with current ordinance provisions. Communities use this knowledge to periodically

review and adjust their goals and strategies for conservation and development.

### **2 Protect Open Space Networks Through Conservation Planning**

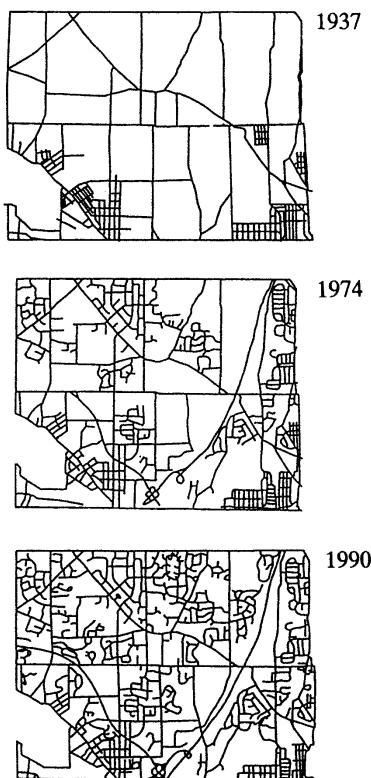
Successful communities have a good understanding of their natural and cultural resources. They establish reasonable goals for conservation and development—goals that reflect their special resources, existing land use patterns and anticipated growth. Their comprehensive plans document these resources, goals and policies. The plan contains language about the kinds of ordinance updating and conservation programs necessary for those goals to be realized. A key part of the Comprehensive Plan is a *Map of Potential Conservation Lands* that is intended to guide the location of open space in each new subdivision as it is being laid out.

### **3 Conservation Zoning: A “Menu of Choices”**

Successful communities have legally defensible, well-written zoning regulations that meet their “fair share” of future growth and provide for a logical balance between community goals and private landowner interests. They incorporate resource suitabilities, flexibility, and incentives to require the inclusion of permanent conservation lands into new subdivisions. The five zoning options summarized in this publication and described in detail in the *Growing Greener* manual respect the private property rights of developers without unduly impacting the remaining natural areas that make our communities such special places in which to live, work, recreate and invest in.

## 4 Conservation Subdivision Design: A Four-Step Process

Successful communities recognize that both design standards and the design process play an important part in conserving community resources. Such communities adopt subdivision codes which require detailed site surveys and analyses identifying the special features of each property, and introduce a simple methodology showing how to lay out new development so that the majority of those special features will be permanently protected in designated conservation areas or preserves. To a considerable extent, those preserves within new subdivisions can be pre-identified in the Comprehensive Plan so that each such area will form an integral part of a community-wide network of protected open space, as noted above.



**Figure 1**

The pattern of “wall-to-wall subdivisions” that evolves over time with zoning and subdivision ordinances which require developers to provide nothing more than houselots and streets.

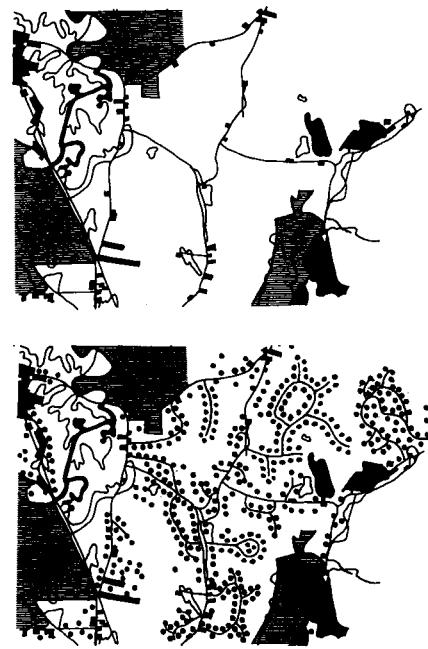
## 1 Envisioning the Future Performing “Community Assessments”

The “community assessment” visioning process helps local officials and residents see the ultimate result of continuing to implement current land-use policies. The process helps start discussions about how current trends can be modified so that a greener future is ensured.

Sad but true, the future that faces most communities with standard zoning and subdivision codes is to witness the systematic conversion of every unprotected acre of buildable land into developed uses.

Most local ordinances allow or encourage standardized layouts of “wall-to-wall houselots.” Over a period of decades this process produces a broader pattern of “wall-to-wall subdivisions” (see Figure 1). No community actively plans to become a bland suburb without open space. However, most zoning codes program exactly this outcome (see Figure 2).

Municipalities can perform assessments to see the future before it happens, so that they will be able to judge whether a mid-course correction is needed. A community assessment entails an evaluation of the land-use regulations that are currently on the books, identifying their strengths and weaknesses and offering constructive recommendations about how they can incorporate the conservation techniques described in this booklet. It should also



**Figure 2**

A matching pair of graphics, taken from an actual “build-out map,” showing existing conditions (mostly undeveloped land) contrasted with the potential development pattern of “checkerboard suburbia” created through conventional zoning and subdivision regulations.

include a realistic appraisal of the extent to which private conservation efforts are likely to succeed in protecting lands from development through various nonregulatory approaches such as purchases or donations of easements or fee title interests.

The following parts of this booklet describe practical ways in which communities can take control of their destinies so that conservation goals will be achieved simultaneously with development objectives, in a manner that is fair to all parties concerned. Three interrelated documents—the Comprehensive Plan, Zoning Code and Subdivision and Land Development Code, stand together like a three-legged stool providing a balanced footing for achieving a municipality's conservation goals.

## 2 Protecting Open Space Networks Through Conservation Planning

Although many communities have adopted either Comprehensive Plans or Open Space Plans containing detailed inventories of their natural and historic resources, very few have taken the next logical step of pulling together all that information and creating a *Map of Potential Conservation Lands*.

Such a map is vitally important to any community interested in conserving an interconnected network of open space. The map serves as the tool which guides decisions regarding which land to protect in order for the network to eventually take form and have substance.

A *Map of Potential Conservation Lands* starts with information contained in the community's existing planning documents. The next task is to identify two kinds of resource areas. *Primary Conservation Areas* comprise only the most severely constrained lands, where development is typically restricted under current codes and laws (such as wetlands, floodplains, and slopes exceeding 25%). *Secondary Conservation Areas* include all other locally noteworthy or significant features of the natural or cultural landscape—such as mature woodlands, wildlife habitats and travel corridors, prime farmland, groundwater recharge areas, greenways and trails, river and stream corridors, historic sites and buildings, and scenic viewsheds. These Secondary Conservation Areas are often best understood by the local residents who may be directly involved in their identification. Usually these re-

source areas are totally unprotected and are simply zoned for one kind of development or another.

A base map is then prepared on which the Primary Conservation Areas have been added to an inventory of lands which are already protected (such as parks, land trust preserves, and properties under conservation easement). Clear acetate sheets showing each kind of Secondary Conservation Area are then

laid on top of the base map in an order reflecting the community's preservation priorities (as determined through public discussion).

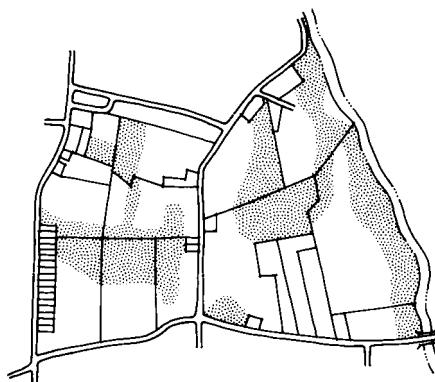
This overlay process will reveal certain situations where two or more conservation features appear together (such as woodlands and wildlife habitats, or farmland and scenic viewsheds). It will also reveal gaps where no features appear.

Although this exercise is not an exact science, it frequently helps local officials and residents visualize how various kinds of resource areas are connected to one another, and enables them to tentatively identify both broad swaths and narrow corridors of resource land that could be protected in a variety of ways.

Figure 3 shows a portion of a map prepared for one Chester County township which has followed this approach.

The planning techniques which can best implement the community-wide *Map of Potential Conservation Lands* are Conservation Zoning and Conservation Subdivision Design. These techniques which work hand in hand are described in detail below. Briefly stated, conservation zoning expands the range of development choices available to landowners and developers. Just as importantly, it also eliminates the option of creating full-density "checkerboard" layouts that convert all land within new subdivisions into houseslots and streets.

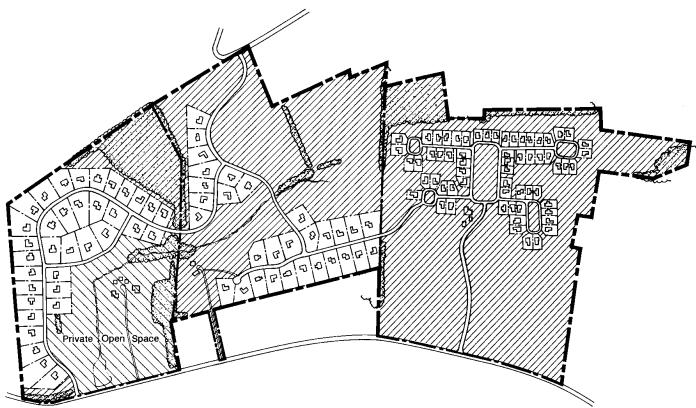
The second technique, "conservation subdivision design," devotes half or more of the buildable land area within a residential development as undivided permanent open space. Not surprisingly, the most important step in designing a conservation subdivision is to identify the land that is to be preserved. By using the community-wide *Map of Potential Conservation Lands* as a template for the layout and design of conservation areas within new subdivisions, these developments help to create an interconnected network of open space spanning the entire municipality.



**Figure 3**  
Part of a *Map of Potential Conservation Lands* for West Manchester Township, York County. West Manchester's map gives clear guidance to landowners and developers as to where new development is encouraged on their properties. Township officials engaged a consultant to draw, on the official tax parcel maps, boundaries of the new conservation lands network as it crossed various properties, showing how areas required to be preserved in each new development could be located so they would ultimately connect with each other. In this formerly agricultural municipality the hedgerows, woodland remnants, and the riparian buffer along the creek were identified as core elements of the conservation network.

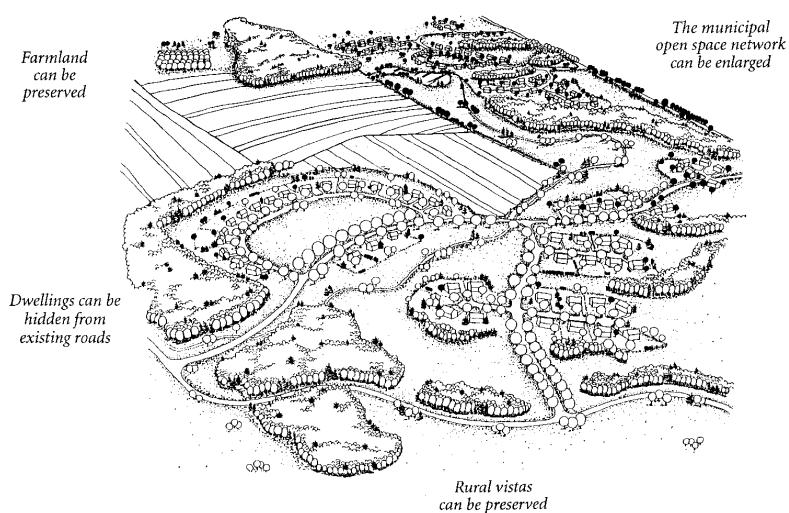
Figure 4 shows how the open space in three adjoining subdivisions has been designed to connect, and illustrates the way in which the *Map of Potential Conservation Lands* can become a reality.

Figure 5 provides a bird's-eye view of a landscape where an interconnected network of conservation lands has been gradually protected through the steady application of conservation zoning techniques and conservation subdivision design standards.



**Figure 4**

The conservation lands (shown in gray) were deliberately laid out to form part of an interconnected network of open space in these three adjoining subdivisions.



**Figure 5**

This sketch shows how you can apply the techniques described in this booklet to set aside open space which preserves rural character, expands community parkland and creates privacy for residences. (Source: Montgomery County Planning Commission)

## 3 Conservation Zoning A "Menu" of Choices

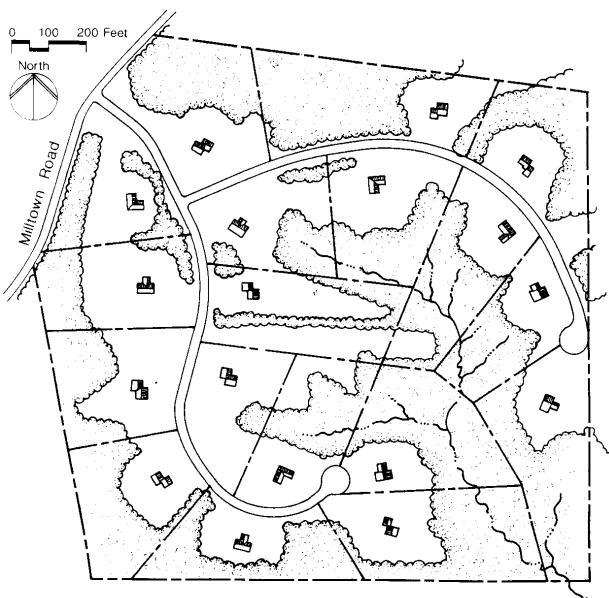
The main reason subdivisions typically consist of nothing more than houselots and streets is that most local land-use ordinances ask little, if anything, with respect to conserving open space or providing neighborhood amenities (see Figure 6).

Communities wishing to break the cycle of "wall-to-wall houselots" need to consider modifying their zoning to actively and legally encourage subdivisions that set aside at least 50 percent of the land as permanently protected open space and to incorporate substantial density disincentives for developers who do not conserve any significant percentage of land.

Following this approach, a municipality would first calculate a site's yield using traditional zoning. A developer would then be permitted full density *only* if at least 50 percent of the buildable land is maintained as undivided open space (illustrated in Figure 7: "Option 1"). Another full-density option could include a 25 percent density bonus for preserving 60 percent of the unconstrained land (Figure 8: "Option 2"). Municipalities might also consider offering as much as a 100 percent density bonus for protecting 70 percent of that land (Figure 11: "Option 5").

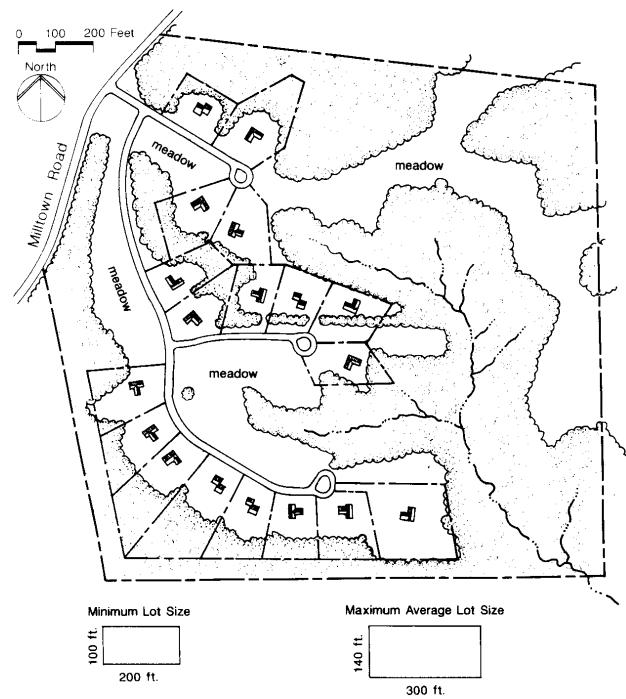
It is noteworthy that the 36 village-like lots in Option 5 occupy less land than the 18 lots in Option 1, and that Option 5 therefore contributes more significantly to the goal of creating community-wide networks of open space. The village-scale lots in Option 5 are particularly popular with empty-nesters, single-parent households, and couples with young children. Its traditional layout is based on that of historic hamlets and villages in the region, and new developments in this category could be controlled as Conditional Uses subject to a set of extensively illustrated design standards.

Developers wishing to serve the "estate lot" market have two additional options. One involves lots containing at least four acres of unconstrained land (Figure 9: "Option 3"). The other is



**Figure 6** YIELD PLAN

The kind of subdivision most frequently created in Pennsylvania is the type which blankets the development parcel with houseslots, and which pays little if any attention to designing around the special features of the property. In this example, the house placement avoids the primary conservation areas, but disregards the secondary conservation features. However, such a sketch can provide a useful estimate of a site's capacity to accommodate new houses at the base density allowed under zoning—and is therefore known as a "Yield Plan."



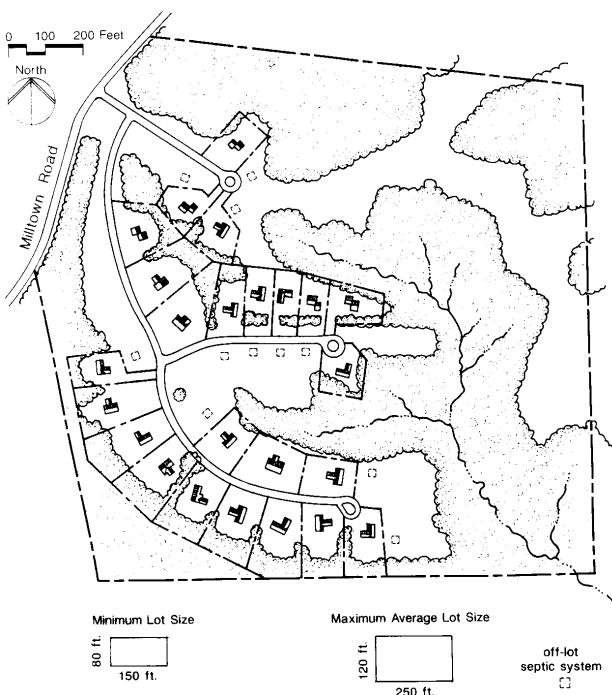
**Figure 7** OPTION 1

Density-neutral with Pre-existing Zoning

18 lots

Lot Size Range: 20,000 to 40,000 sq. ft.

50% undivided open space



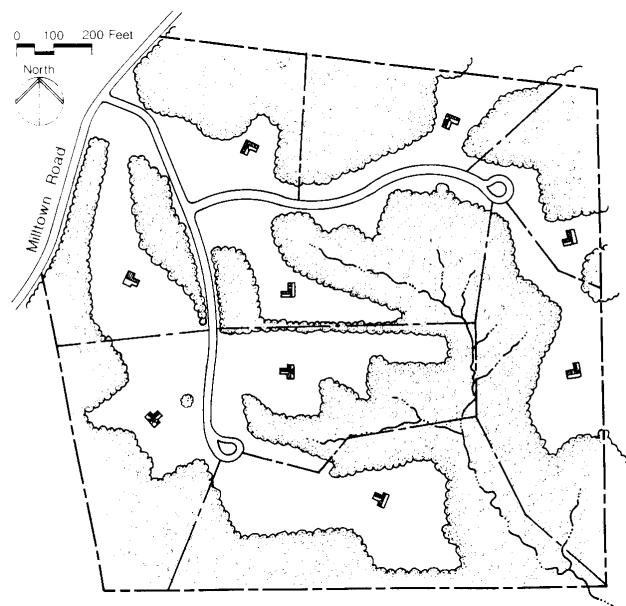
**Figure 8** OPTION 2

Enhanced Conservation and Density

24 Lots

Lot Size Range: 12,000 to 24,000 sq. ft.

60% undivided open space



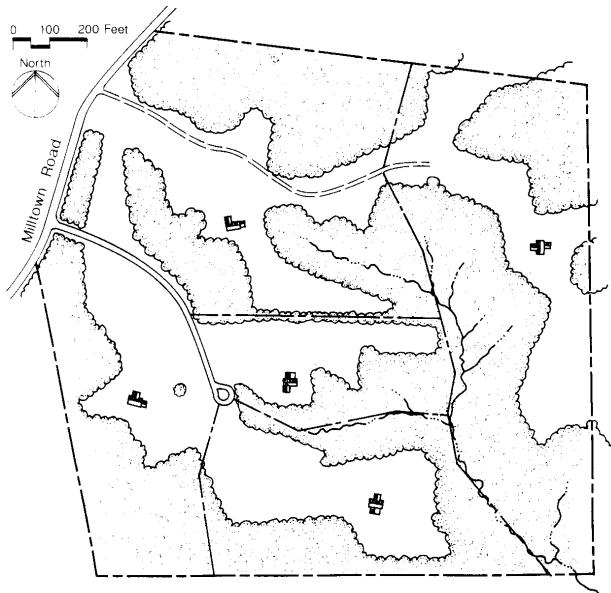
**Figure 9** OPTION 3

50% Density Reduction

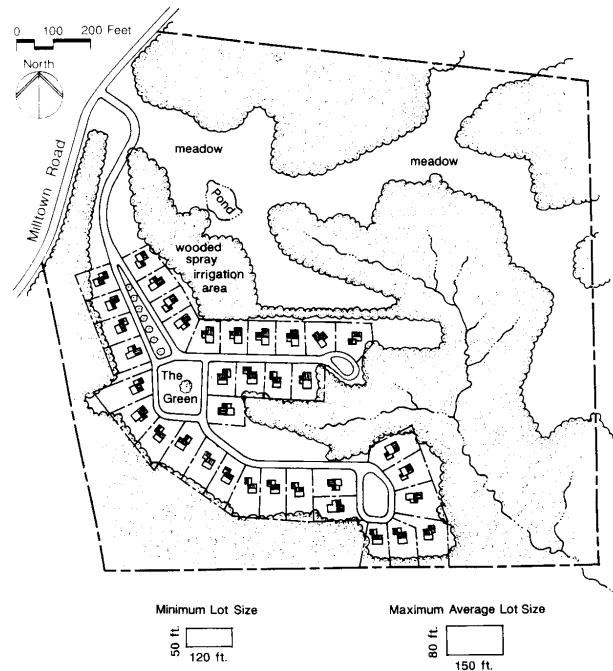
9 Lots

Typical Lot Size: 160,000 sq. ft. (4 acres)

Estate Lots



**Figure 10** **OPTION 4**  
Country Properties  
5 Lots  
Maximum Density: 10 acres per principal dwelling  
70% density reduction



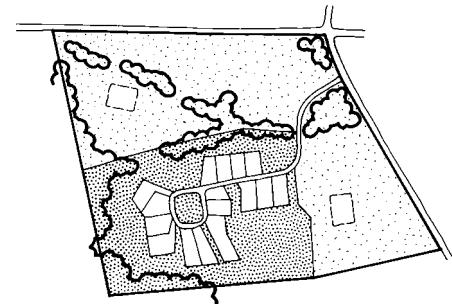
**Figure 11** **OPTION 5**  
Hamlet or Village  
36 Lots  
Lot Size Range: 6,000 to 12,000 sq. ft.  
70% undivided open space

comprised of “country properties” of at least 10 acres, which may be accessed by gravel drives built to new township standards for very low-volume rural lanes (Figure 10: “Option 4”). An additional incentive to encourage developers to choose this fourth option would typically be permission to build up to two accessory dwellings on these properties. Those units would normally be limited in size, subject to architectural design standards to resemble traditional estate buildings, and restricted from further lot division.

Two or more of these options could be combined on a single large property. One logical approach would combine Options 4 and 5, with the Option 4 “country properties” comprising part of the required greenbelt open space around an Option 5 village (see Figure 12).

Conspicuously absent from this menu of choices is the conventional full-density subdivision providing no unfragmented open space (Figure 6). Because that kind of development causes the largest loss of resource land and poses the greatest obstacle to conservation efforts, it is not included as an option under this approach.

For illustrative purposes, this booklet uses a one dwelling unit per two acre density. However, conservation zoning is equally applicable to higher density zoning districts of three or four units per acre. Such densities typically occur in villages, boroughs, urban growth boundary areas and TDR receiving areas where open space setasides are critical to the residents’ quality of life.



**Figure 12**  
An Option 5 village surrounded by its own open space and buffered from the township road by two “country properties” (Option 4).

# 4 Conservation Subdivision Design

## A Four-Step Process

Designing subdivisions around the central organizing principle of land conservation is not difficult. However, it is essential that ordinances contain clear standards to guide the conservation design process. The four-step approach described below has been proven to be effective in laying out new full-density developments where all the significant natural and cultural features have been preserved.

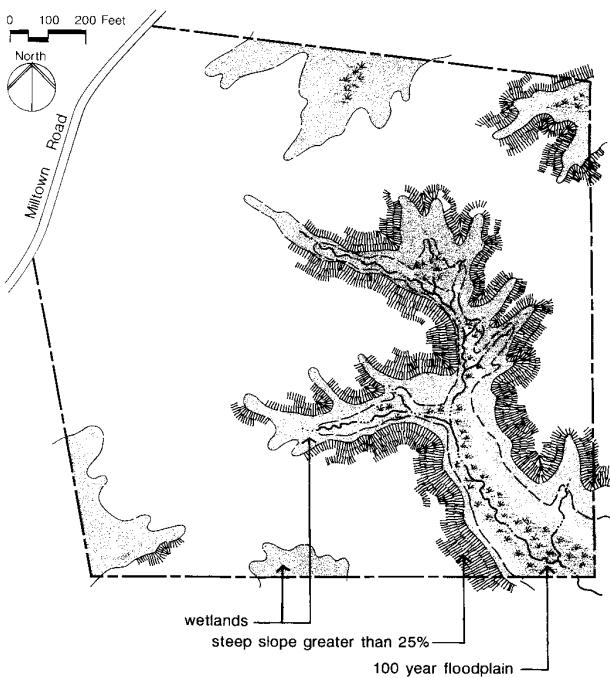
**Step One** consists of identifying the land that should be permanently protected. The developer incorporates areas pre-identified on the community-wide *Map of Potential Conservation Lands* and then performs a detailed site analysis in order to precisely locate features to

be conserved. The developer first identifies all the constrained lands (wet, floodprone, and steep), called *Primary Conservation Areas* (Figure 13). He then identifies *Secondary Conservation Areas* (Figure 14) which comprise noteworthy features of the property that are typically unprotected under current codes: mature woodlands, greenways and trails, river and stream corridors, prime farmland, hedgerows and individual free-standing trees or tree groups, wildlife habitats and travel corridors, historic sites and structures, scenic viewsheds, etc. After “greenlining” these conservation elements, the remaining part of the property becomes the *Potential Development Area* (Figure 15).

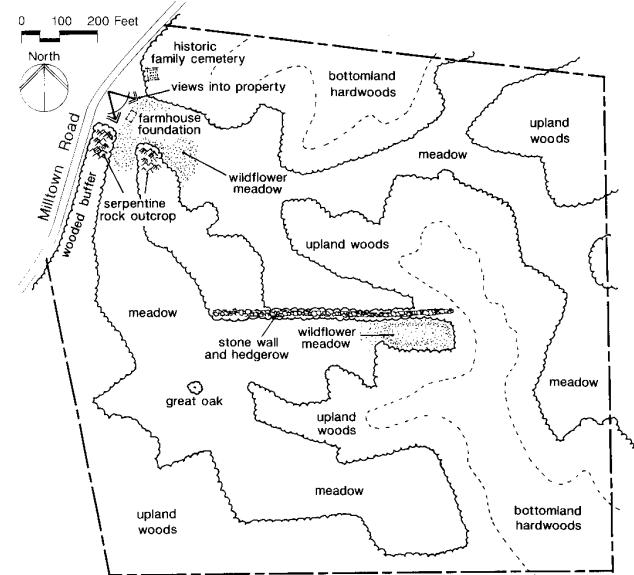
**Step Two** involves locating sites of individual houses within the *Potential Development Area* so that their views of the open space are maximized (Figure 16). The number of houses is a function of the density permitted within the zoning district, as shown on a *Yield Plan* (Figure 6). (In unsewered areas officials should require a 10 percent sample of the most questionable lots—which they would select—to be tested for septic suitability. Any lots that fail would be deducted and the applicant would have to perform a second 10 percent sample, etc.)

**Step Three** simply involves “connecting the dots” with streets and informal trails (Figure 17), while **Step Four** consists of drawing in the lot lines (Figure 18).

This approach reverses the sequence of steps in laying out conventional subdivisions, where the street system is the

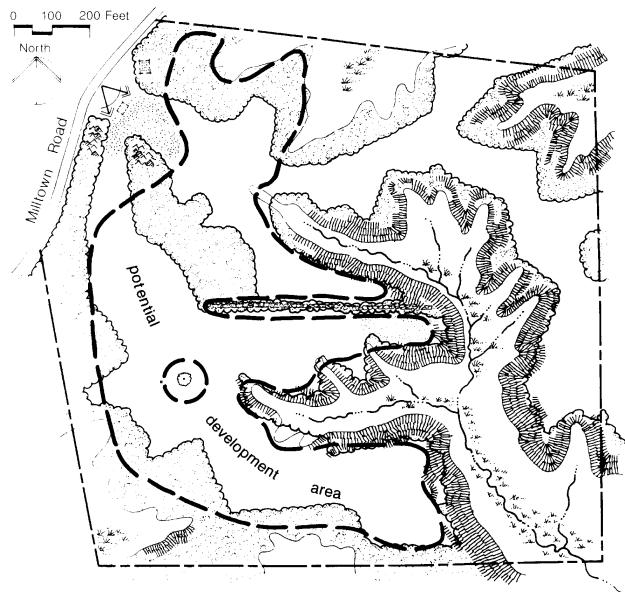


**Figure 13** STEP ONE, Part One  
Identifying Primary Conservation Areas

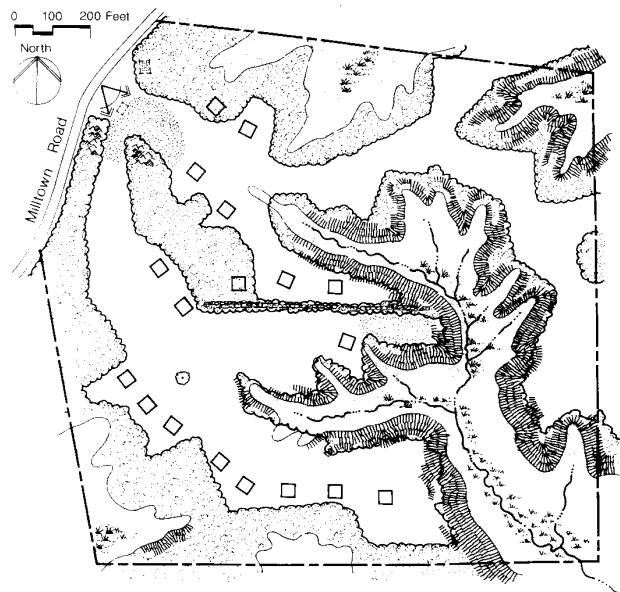


**Figure 14** STEP ONE, Part Two  
Identifying Secondary Conservation Areas

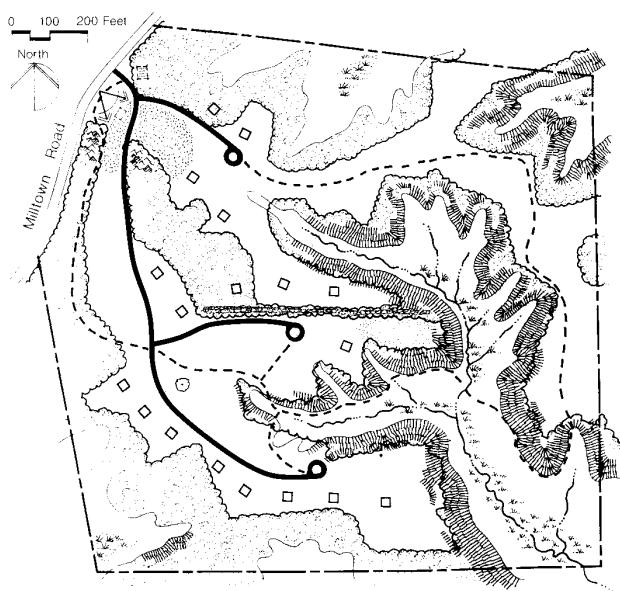
Typically unprotected under local codes, these special features constitute a significant asset to the property value and neighborhood character. Secondary conservation areas are the most vulnerable to change, but can easily be retained by following this simple four-step process.



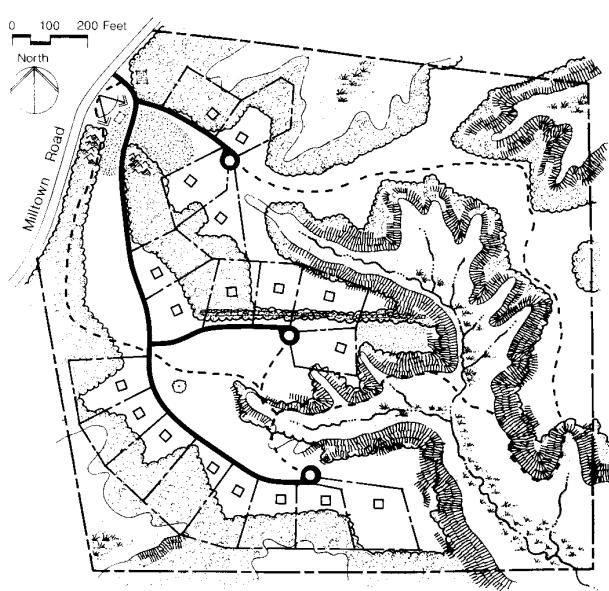
**Figure 15** STEP ONE, Part Three  
Potential Development Areas  
for Options 1, 2, and 5



**Figure 16** STEP TWO  
Locating House Sites



**Figure 17** STEP THREE  
Aligning Streets and Trails



**Figure 18** STEP FOUR  
Drawing in the Lot Lines

first thing to be identified, followed by lot lines fanning out to encompass every square foot of ground into houselots. When municipalities require nothing more than “houselots and streets,” that is all they receive. But by setting community standards higher and requiring 50 to 70 percent open space as a precon-

dition for achieving full density, officials can effectively encourage conservation subdivision design. The protected land in each new subdivision would then become building blocks that add new acreage to community-wide networks of interconnected open space each time a property is developed.

## Frequently Asked Questions About Conservation Subdivision Design

### *Does this conservation-based approach involve a “taking”?*

No. People who do not fully understand this conservation-based approach to subdivision design may mistakenly believe that it constitutes “a taking of land without compensation.” This misunderstanding may stem from the fact that conservation subdivisions, as described in this booklet, involve either large percentages of undivided open space or lower overall building densities.

There are two reasons why this approach does not constitute a “taking.”

*First, no density is taken away.* Conservation zoning is fundamentally fair because it allows landowners and developers to achieve full density under the municipality’s current zoning—and even to increase that density significantly—through several different “as-of-right” options. Of the five options permitted under conservation zoning, three provide for either full or enhanced densities. The other two options offer the developer the choice to lower densities and increase lot sizes. Although conservation zoning precludes full-density layouts that do not conserve open space, this is legal because there is no constitutional “right to sprawl.”

*Second, no land is taken for public use.* None of the land which is required to be designated for conservation purposes becomes public (or even publicly accessible) unless the landowner or developer wants it to be. In the vast majority of situations, municipalities themselves have no desire to own and manage such conservation land, which they generally feel should be a neighborhood responsibility. In cases where local officials wish to provide township recreational facilities (such as ballfields or trails) within conservation subdivisions, the municipality must negotiate with the developer for the purchase of that land on a “willing seller/willing buyer” basis. To facilitate such negotiations, conservation zoning ordinances can be written to include density incentives to encourage developers to designate specific parts of their conservation land for public ownership or for public access and use.

A legal analysis of the *Growing Greener* workbook, by Harrisburg land use attorney Charles E. Zaleski, Esq., is reprinted on the last page of this booklet.

### *How can a community ensure permanent protection for conservation lands?*

The most effective way to ensure that conservation land in a new subdivision will remain undeveloped forever is to place a permanent conservation easement on it. Such easements run with the chain of title, in perpetuity, and specify the various conservation uses that may occur on the property. These restrictions are separate from zoning ordinances and continue in force even if legal densities rise in future years. Easements are typically held by land trusts and units of government. Since political leadership can change over time, land trusts are the most reliable holder of easements, as their mission never varies. Deed restrictions and covenants are, by comparison, not as effective as easements, and are not recommended for this purpose. Easements can be modified only within the spirit of the original agreement, and only if the co-holders agree. In practice, while a proposal to erect another house or a country club building on the open space would typically be denied, permission to create a small ballfield or a single tennis court in a corner of a large conservation meadow or former field might well be granted.

## What are the ownership, maintenance, tax and liability issues?

Among the most commonly expressed concerns about subdivisions which conserve open space are questions about who will own and maintain the conservation land, and who will be responsible for the potential liability and payment of property taxes. The short answer is that whoever owns the conservation land is responsible for all of the above. But who owns this land?

### Ownership Choices

There are basically four options, which may be combined within the same subdivision where that makes the most sense.

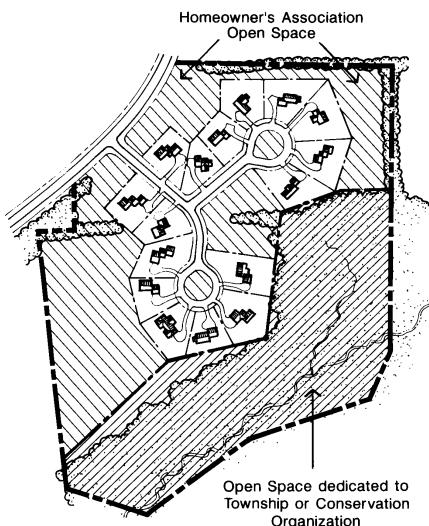
- *Individual Landowner*

At its simplest level, the original landowner (a farmer, for example) can retain ownership to as much as 80 percent of the conservation land to keep it in the family. (At least 20 percent of the open space should be reserved for common neighborhood use by subdivision residents.) That landowner can also pass this property on to sons or daughters, or sell it to other individual landowners, with permanent conservation easements running with the land and protecting it from development under future owners. The open space should not, however, be divided among all of the individual subdivision lots as land management and access difficulties are likely to arise.

- *Homeowners' Associations*

Most conservation land within subdivisions is owned and managed by homeowners' associations (HOAs). A few basic ground rules encourage a good performance record. First, membership must be automatic, a precondition of property purchase in the development. Second, zoning should require that by-laws give such associations the legal right to place liens on properties of mem-

bers who fail to pay their dues. Third, facilities should be minimal (ball fields and trails rather than clubhouses and swimming pools) to keep annual dues low. And fourth, detailed maintenance plans for conservation areas should be required by the municipality as a condition of approval. The municipality has enforcement rights and may place a lien on the property should the HOA fail to perform their obligations to maintain the conservation land.



**Figure 19**

Various private and public entities can own different parts of the open space within conservation subdivisions, as illustrated above.

- *Land Trusts*

Although homeowners' associations are generally the most logical recipients of conservation land within subdivisions, occasionally situations arise where such ownership most appropriately resides with a land trust (such as when a particularly rare or significant natural area is involved). Land trusts are private, charitable groups whose principal purpose is to protect land under its stewardship from inappropriate change. Their most common role is to hold easements or fee simple title on conservation lands within new developments and elsewhere in the community, to ensure that all restrictions are observed. To cover their

costs in maintaining land they own or in monitoring land they hold easements on, land trusts typically require some endowment funding. When conservation zoning offers a density bonus, developers can donate the proceeds from the additional "endowment lots" to such trusts for maintenance or monitoring.

- *Municipality or Other Public Agency*

In special situations a local government might desire to own part of the conservation land within a new subdivision, such as when that land has been identified in a municipal open space plan as a good location for a neighborhood park or for a link in a community trail network. Developers can be encouraged to sell or donate certain acreage to municipalities through additional density incentives, although the final decision would remain the developer's.

- *Combinations of the Above*

As illustrated in Figure 19, the conservation land within new subdivisions could involve multiple ownerships, including (1) "non-common" open space such as cropland retained by the original farmer, (2) common open space such as ballfields owned by an HOA, and (3) a trail corridor owned by either a land trust or by the municipality.

### Maintenance Issues

Local officials should require conservation area management plans to be submitted and approved prior to granting final subdivision approval. In Lower Merion Township, Montgomery County, the community's "model" management plan is typically adopted by reference by each subdivision applicant. That document identifies a dozen different kinds of conservation areas (from woodlands and pastures to ballfields and abandoned farmland that is reforesting) and describes recommended management practices for each one. Farmland is typically leased by HOAs and land trusts to local farmers, who often agree to modify some of their agricultural prac-

tices to minimize impacts on nearby residents. Although ballfields and village greens require weekly mowing, conservation meadows typically need only annual mowing. Woodlands generally require the least maintenance: trimming bushes along walking trails, and removing invasive vines around the outer edges where greater sunlight penetration favors their growth.

### Tax Concerns

Property tax assessments on conservation subdivisions should not differ, in total, from those on conventional developments. This is because the same number of houses and acres of land are involved in both cases (except when part of the open space is owned by a public entity, which is uncommon). Although the open space in conservation subdivisions is taxed low because easements prevent it from being developed, the rate is similar to that applied to land in conventional subdivisions where the larger houselots are not big enough to be further subdivided. (For example, the undeveloped back half of a one-acre lot in a one-acre zoning district is subject to minimal taxation because it has no further development value.)

### Liability Questions

The Pennsylvania Recreation Use of Land and Water Act protects owners of undeveloped land from liability for negligence if the landowner does not charge a fee to recreational users. A tree root or rock outcropping along a trail that trips a hiker will not constitute landowner negligence. To be sued successfully in Pennsylvania, landowners must be found to have "willfully or maliciously failed to guard against a dangerous condition." This is a much more difficult case for plaintiffs to make. Even so, to cover themselves against such situations, owners of conservation lands routinely purchase liability insurance policies similar to those that most homeowners maintain.

## How can on-site sewage disposal work with conservation subdivisions?

The conventional view is that the smaller lots in conservation subdivisions make them more difficult to develop in areas without sewers. However, the reverse is true. The flexibility inherent in the design of conservation subdivisions makes them superior to conventional layouts in their ability to provide for adequate sewage disposal. Here are two examples:

### Utilizing the best soils

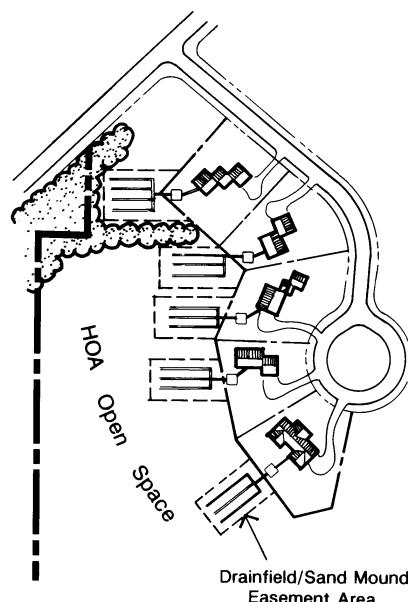
Conservation design requires the most suitable soils on the property to be identified at the outset, enabling houselots to be arranged to take the best advantage of them. If one end of a property has deeper, better drained soils, it makes more sense to site the homes in that part of the property rather than to spread them out, with some lots located en-

tirely on mediocre soils that barely manage to meet minimal standards for septic approval.

### Locating individual systems within the open space

Conventional wisdom also holds that when lots become smaller, central water or sewage disposal is required. That view overlooks the practical alternative of locating individual wells and/or individual septic systems within the permanent open space adjacent to the more compact lots typical of conservation subdivisions, as shown in Figure 20. There is no engineering reason to require that septic filter beds must be located within each houselot. However, it is essential that the final approved subdivision plan clearly indicate which parts of the undivided open space are designated for septic disposal, with each lot's disposal area graphically indicated through dotted lines extending out into the conservation land. These filter beds can be located under playing fields, or conservation meadows in the same way they typically occupy positions under suburban lawns. (If mound systems are required due to marginal soil conditions, they are best located in passive use areas such as conservation meadows where the grass is cut only once a year. Such mounds should also be required to be contoured with gently sloping sides to blend into the surrounding landscape wherever possible.)

Although maintenance and repair of these septic systems remains the responsibility of individual lot owners, it is recommended that HOAs be authorized to pump individual septic tanks on a regular basis (every three or four years) to ensure that the accumulated sludge never rises to a level where it can flow into and clog the filter beds. This inexpensive, preventive maintenance greatly extends the life of filter beds.



**Figure 20**

A practical alternative to central water or sewage disposal facilities are individually-owned wells and/or septic systems located within conservation areas, in places specifically designated for them on the final plan.

## How does this conservation approach differ from “clustering”?

The Growing Greener conservation approach described here differs dramatically from the kind of “clustering” that has occurred in many communities over the past several decades. The principal points of difference are as follows:

### Higher Percentage and Quality of Open Space

In contrast with typical cluster codes, conservation zoning establishes higher standards for both the quantity and quality of open space that is to be preserved. Under conservation zoning, 50 to 70 percent of the unconstrained land is permanently set aside. This compares with cluster provisions that frequently require only 25 to 30 of the gross land area be conserved. That minimal open space often includes all of the most unusable land as open space, and sometimes also includes undesirable, left-over areas such as stormwater management facilities and land under high-tension power lines.

### Open Space Pre-Determined to Form Community-wide Conservation Network

Although clustering has at best typically produced a few small “green islands” here and there in any municipality, conservation zoning can protect blocks and corridors of permanent open space. These areas can be pre-identified on a comprehensive plan *Map of Potential Conservation Lands* so that each new development will add to—rather than subtract from—the community’s open space acreage.

### Eliminates the Standard Practice of Full-Density with No Open Space

Under this new system, full density is achievable for layouts in which 50 per-

cent or more of the unconstrained land is conserved as permanent, undivided open space. By contrast, cluster zoning provisions are typically only optional alternatives within ordinances that permit full density, by right, for standard “cookie-cutter” designs with no open space.

Simply put, the differences between clustering and conservation zoning are like the differences between a Model T and a Taurus.

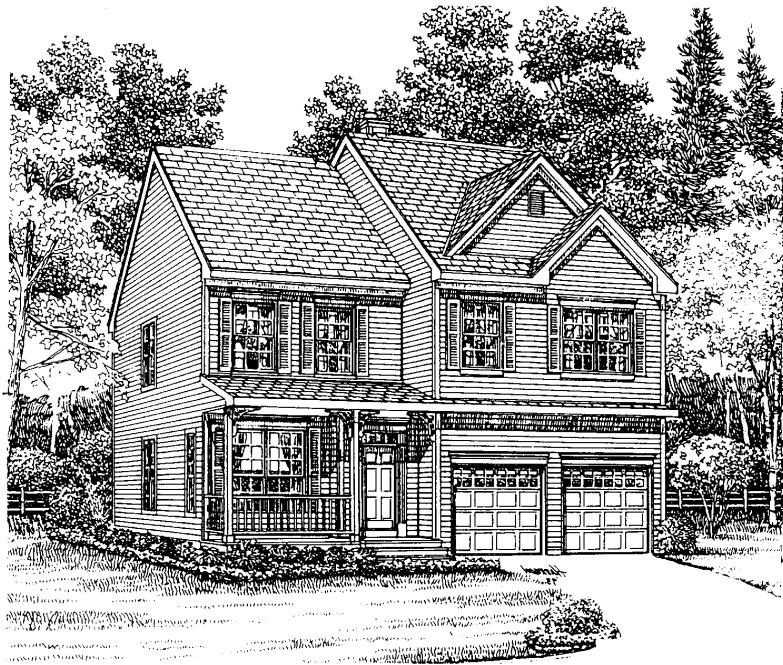
## How do residential values in conservation subdivisions compare to conventional subdivisions?

Another concern of many people is that homes in conservation subdivisions will differ in value from those in the rest of

the community. Some believe that because so much land is set aside as open space, the homes in a conservation subdivision will be prohibitively priced and the municipality will become a series of elitist enclaves. Other people take the opposite view, fearing that these homes will be smaller and less expensive than their own because of the more compact lot sizes offered in conservation subdivisions.

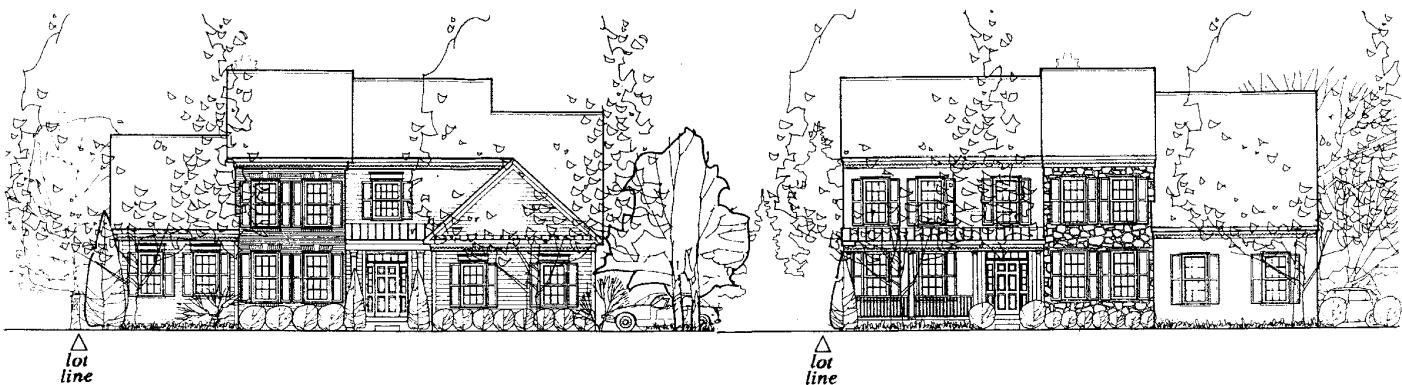
Both concerns are understandable but they miss the mark. Developers will build what the market is seeking at any given time, and they often base their decision about selling price on the character of surrounding neighborhoods and the amount they must pay for the land.

In conservation subdivisions with substantial open space, there is little or no correlation between lot size and price. These developments have sometimes been described as “golf course commu-



**Figure 2**

This house design fits comfortably on lots 45 to 50 feet wide, demonstrating that homes with 2,400 sq. ft. of floorspace and a two-car garage can be built within the village-scale lots featured in the “Option 5” zoning alternative. (Courtesy of Hovnanian Homes, Fox Heath subdivision, Perkiomen Township, Montgomery County.)

**Figure 22**

Developers who wish to build larger homes will find this example interesting. Although it contains nearly 3,000 sq. ft. and features an attractive side-loaded garage, it fits onto lots just 100 feet wide. This has been achieved by positioning the homes off-center, with 30 feet of side yard for the driveway and five feet of yard on the opposite side. This ensures 35 feet spacing between homes. (Courtesy of Realen Homes, Ambler)

nities without the golf course," underscoring the idea that a house on a small lot with a great view is frequently worth as much or more than the same house on a larger lot which is boxed in on all sides by other houses.

It is a well-established fact of real estate that people pay more for park-like

settings, which offset their tendency to pay less for smaller lots. Successful developers know how to market homes in conservation subdivisions by emphasizing the open space. Rather than describing a house on a half-acre lot as such, the product is described as a house with 20 and one-half acres, the larger figure re-

flecting the area of conservation land that has been protected in the development. When that conservation area abuts other similar land, as in the township-wide open space network, a further marketing advantage exists.

## Relationship of the Growing Greener Approach to Other Planning Techniques

Successful communities employ a wide array of conservation planning techniques simultaneously, over an extended period of time. Complementary tools which a community should consider adding to its "toolbox" of techniques include the purchase of development rights; donations of sales to conservancies; the transfer of development rights; and "landowner compacts" involving density shifts among contiguous parcels. Other techniques can be effective, but their potential for influencing the "big picture" is limited. The *Growing Greener* approach offers the greatest potential because it:

- does not require public expenditure,
- does not depend upon landowner charity,
- does not involve complicated regulations for shifting rights to other parcels, and
- does not depend upon the cooperation of two or more adjoining landowners to make it work.

Of course, municipalities should continue their efforts to preserve special properties in their entirety whenever possible, such as by working with landowners interested in donating easements or fee title to a local conservation group, purchasing development rights or fee title with county, state or federal grant

money, and transferring development rights to certain "receiving areas" with increased density. However, until such time as more public money becomes available to help with such purchases, and until the Transfer of Development Rights mechanism becomes more operational at the municipal level, most parcels of land in any given community will probably eventually be developed. In that situation, coupling the conservation subdivision design approach with multi-optioned conservation zoning offers communities the most practical, doable way of protecting large acreages of land in a methodical and coordinated manner.

# Appendix

## *Selected Examples of Conservation Subdivisions in Pennsylvania*

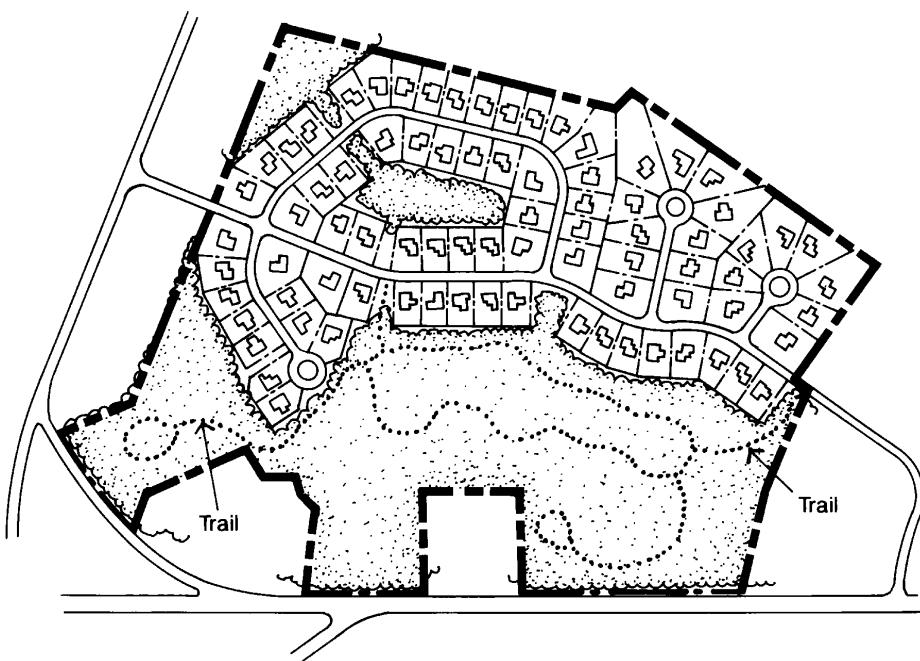
The two examples shown here demonstrate how conservation design principles can be used to protect different kinds of resources. In Garnet Oaks, a woodland wildlife preserve was set aside by the developer, who also constructed extensive walking trails. A well-equipped tot lot and an informal picnic grove provide additional amenities to the residents. At Farmview, 137 acres of productive farmland were permanently protected, in addition to most of the woodlands. This subdivision prompted the township to revise its conventional zoning so that the developer's creative design could be approved. Since that time over 500 acres of prime farmland has been preserved in this community through conservation subdivision design representing a \$3.5 million conservation achievement (at an average land value of \$7,000) and these figures continue to grow as further subdivisions are designed. The potential for replicating this and achieving similar results throughout the Commonwealth is enormous.

### **Garnet Oaks**

*Foulk Road, Bethel Township, Delaware County*  
 Developer: Realen Homes, Ambler  
 Development Period: 1993–94

Just over half of this 58-acre site has been conserved as permanent privately-owned open space through the simple expedient of reducing lot sizes to the 10,000–12,000 sq. ft. range (approximately 1/4 acre). The developer reports that these lot sizes did not hinder sales because about two-thirds of the lots directly abut the densely wooded open space, which gives them the feel and privacy of larger lots. In fact, the evidence indicates that the open space definitely enhanced sales in two ways: increased absorption rates and higher prices (through premiums added to the prices of lots which abut the conservation areas).

The locations of these conservation areas were carefully selected after a comprehensive analysis of the site's natural and historic features had been conducted. Those secondary features that



were identified for preservation included a line of mature sycamore trees along an existing farm lane, a stone wall and springhouse, and several areas of healthy deciduous upland woods, in addition to the site's delineated wetlands. Based on information received from post-sales interviews in its previous developments, Realen's staff learned that today's homebuyers are considerably more discerning than they were 10 and 20 years ago, and now look for extra amenities not only in the houses but also in the neighborhood setting. This knowledge led Realen to take special measures to protect trees on individual houselots and within the street right-of-way. Their approach included collaborating with the Morris Arboretum in preparing a training manual for subcontractors and conducting training sessions in tree conservation practices, attendance at which



#### **The woodland trail at Garnet Oaks**

was required of all subcontractors.

The centerpiece of Garnet Oaks' open space is the near mile-long woodland trail which winds its way through the 24-acre conservation area, connecting a well-equipped playground and a quiet picnic grove to the street system in three locations. Where the trail traverses areas of wet soils it is elevated on a low wooden boardwalk. This trail, which

was cleared with assistance from a local Boy Scout Troop, features numerous small signs identifying the common and botanical names of the various plants and trees along the trail. Realen's staff also designed and produced an attractive eight-page trail brochure that illustrates and describes the flora, fauna, environmental areas, and historic features along the trail. The guide also explains the developer's creative use of

low-lying woods as a temporary detention area for stormwater runoff, a naturalistic design that helped avoid a more conventional approach in which many trees within the preserve would have been removed to provide for a conventionally engineered basin. Realen's sales staff reported that prospective buyers who picked up a copy of the trail brochure and ventured out onto the trail typically decided to make their home purchase in Garnet Oaks.

## **Farmview**

*Woodside Road and Dolington Road, Lower Makefield Township, Bucks County*

Developer: Realen Homes, Ambler

Development Period: 1990–96

Located on a 418-acre site, Farmview is a 322-lot "density-neutral" subdivision whose layout was designed to conserve 213 acres of land (51 percent of the property), including 145 acres of cropland and 68 acres of mature woods. While 59 percent of the original farmland was needed for development, 41 percent categorized as prime agricultural and farmland of statewide importance was able to be preserved in addition to nearly all of the wooded areas.

The 145 acres of farmland that have been saved were donated by the developer to the Lower Makefield Farmland

Preservation Corporation, a local conservation organization whose members include local farmers, township residents and an elected official liaison. This cropland is leased to farmers in the community through multi-year agreements that encourage adoption of traditional farming practices to minimize impacts on the residents, whose yards are separated from their operations by a 75-foot deep hedge-row area thickly planted with native species trees and shrubs.

Realen Homes also donated the 68 acres of woodland to the township to support local conservation efforts in cre-

ating an extended network of forest habitat and wildlife travel corridors. These areas also offer potential for an informal neighborhood trail system in future years. (The developer's offer to construct such trails was declined by the supervisors, citing liability concerns, despite the fact that other townships in the region actively encourage such trails in new subdivisions and also on township conservation lands.)

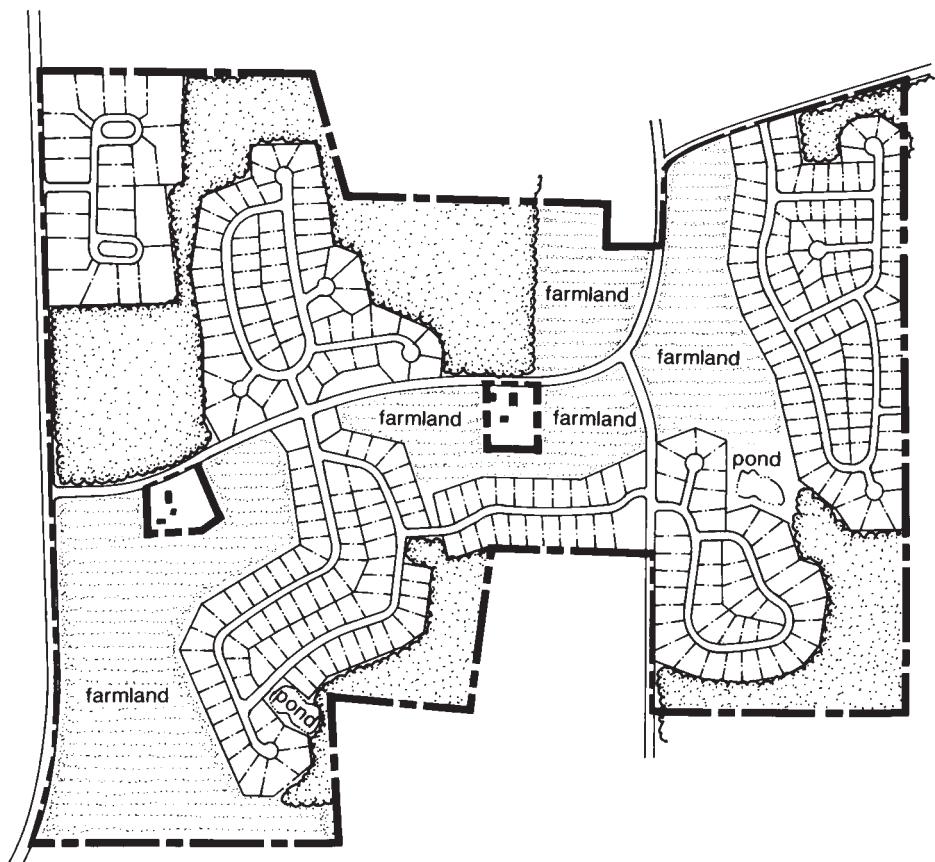
Had it not been for the developer's initiative and continued interest, this subdivision would have been developed into the same number of standard-sized

one-acre lots, which was the only option permitted under the township's zoning ordinance in 1986 when Realen purchased the property. After 18 months of discussing the pros and cons of allowing smaller lots in exchange for serious land conservation benefits, the supervisors adopted new zoning provisions permitting such layouts specifically to preserve farmland when at least 51 percent of a property would be conserved. These regulations target the most productive soils as those which should be "designed around."

Although other developers were at first skeptical of Realen's proposal to build large homes (2,600–3,700 sq. ft.) on lots which were typically less than a half an acre in a marketplace consisting primarily of one acre zoning, the high absorption rate helped convince them that this approach was sound. Contributing to the project's benefits to both the developer and the township were reduced infrastructure costs (for streets, water, and sewer lines). Premiums added to "view lots" abutting the protected fields or woods also contributed to the project's profitability.



**Homes with views overlooking working farmfields at Farmview**



ECKERT SEAMANS CHERIN & MELLOTT, LLC

ATTORNEYS AT LAW

October 16, 1997

One South Market Sq. Building  
213 Market Street  
Post Office Box 1248  
Harrisburg, PA 17108

Randall G. Arendt, Vice President  
Conservation Planning  
Natural Lands Trust, Inc.  
1031 Palmers Mill Road  
Media, PA 19063

Re: Conservation Planning Documents and  
*Growing Greener* Workbook

Dear Mr. Arendt:

I have had the opportunity to review the *Growing Greener* workbook and the proposed conservation planning concepts set forth in that workbook for compliance with the provisions of the United States Constitution, the Pennsylvania Constitution, and the Pennsylvania Municipalities Planning Code (the "MPC"). In my opinion, the conservation planning concepts as set forth in the *Growing Greener* workbook are constitutional land use control concepts and the provisions comport with the requirements of the Pennsylvania Municipalities Planning Code.

The subdivision concept which provides for a conceptual preliminary plan and standards for that plan is authorized specifically under the MPC as part of the two-stage planning process allowed by Section 503(1) of the MPC. The Zoning Ordinance concept utilizes a multi-tiered zoning system with options available to the landowner under the Zoning Ordinance. Such a device is specifically authorized under Section 605 of the MPC which specifically encourages innovation and promotion of flexibility, economy and ingenuity in development based upon express standards and criteria. The proposed ordinances contained in the workbook satisfy that specific requirement.

Harrisburg

Pittsburgh

Allentown

Philadelphia

Boston

Fort Lauderdale

Boca Raton

Miami

Tallahassee

Washington, D.C.

The provisions of both the United States Constitution and the Pennsylvania Constitution require that the land use regulations be reasonable and be intended to benefit the public health, safety and welfare. The concept of providing a variety of options for choices by the landowner meets both the reasonableness and public purpose tests of constitutionality. The benefit of the *Growing Greener* concept is that there will be a greater amount of usable open space, while at the same time the landowners will be able to make reasonable use of their property under the options available as proposed in the workbook.

Individual municipalities within the Commonwealth of Pennsylvania will have to apply the concepts and will have to establish their own densities based upon the unique circumstances in each particular municipality. There can be no guarantee that all such ordinances will be constitutional unless they satisfy the requirements of being reasonable with regard to the locational circumstances of the particular property and community in question. However, it is my opinion that if the concepts and procedures set forth in the *Growing Greener* workbook are followed and that the densities and requirements reflect the unique circumstances of the individual municipality, that the *Growing Greener* concept is lawful and constitutional in the Commonwealth. The concepts set forth in the *Growing Greener* workbook provide a new method of addressing the pressures of growth and development throughout both the urban and rural portions of the Commonwealth of Pennsylvania, and I urge the municipal officials to give full consideration to these exciting new concepts.

Very truly yours,



Charles E. Zaleski

CEZ/jr

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Conservation and Natural Resources

The William Penn Foundation

The Alexander Stewart, MD Foundation

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Conservation and Natural Resources

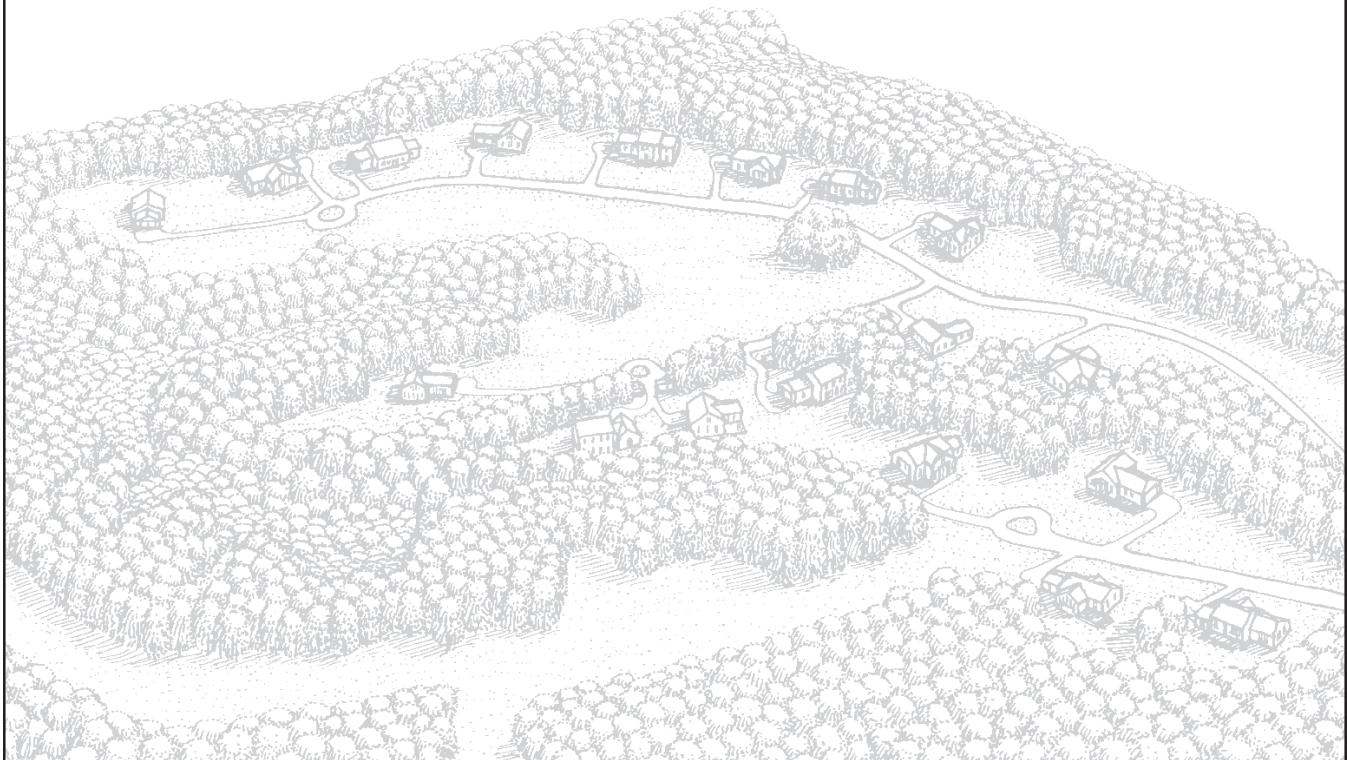
The Heinz Endowments

Pennsylvania Department of  
Community and Economic Development/  
Governor's Center for Local Government Services

Pennsylvania Department of  
Environmental Protection

The United States  
Environmental Protection Agency  
Chesapeake Bay Program

The William Penn Foundation



**APPENDIX G**  
**GLOSSARY OF TERMS**

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## Planning and Zoning Definitions

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**Alley:** a permanently reserved public or private secondary means of access to an abutting property.

**Accessory Structure:** a detached subordinate structure located on the same lot as and incidental to the principal structure.

**Accessory Use:** a use incidental to and on the same lot as a principal use. *See also “accessory structure” and “principal building”.*

**Acre:** a unit of area used in land measurement and equal to 43,560 square feet. This is approximately equivalent to 4,840 square yards, 160 square rods, 0.405 hectares, and 4,047 square meters.

**Adaptive Reuse:** the conversion of obsolescent or historic buildings from their original or most recent use to a new use.

**Adequate Public Facilities Ordinance (APFO):** an ordinance that ties development approvals to the availability and adequacy of public facilities. Adequate public facilities are those facilities relating to roads, sewer systems, schools, and water supply and distribution systems.

**Administrative Appeal (Appeal):** a quasi-judicial\* process before the local zoning board to review a contested ordinance interpretation or an order of an administrative zoning official.

**Adverse Impact:** a negative consequence to the physical, social, or economic environment.

**Aesthetic Zoning:** the regulation of building or site design to achieve a desirable appearance.

**Affordable Housing:** housing that has its mortgage, amortization, taxes, insurance, and condominium and association fees constituting no more than 30% of the gross household income per housing unit. If the unit is rental, then the rent and utilities constitute no more than 30% of the gross household income per rental unit. *See s. COMM 202.01, Wis. Admin. Code.*

**Agriculture:** the use of land for farming, dairying, pasturage, apiculture (bees), aquaculture (fish, mussels), horticulture, floriculture, viticulture (grapes), or animal and poultry husbandry; this includes the necessary accessory uses for packing, treating, or storing the produce from these activities. *See also ss. 30.40(1) and 91.01(1), Wis. Stats.*

**Agricultural Conservation Easement:** conservation easements that restrict specifically farmland from development or specified farming practices and give farmers income, property, and estate tax reductions.

**Agricultural Protection Zoning:** a method for protecting agricultural land use by stipulating minimum lot sizes or limitations on non-farm use.

**Air Rights:** the ownership or control of all land, property, and that area of space at and above it at a height that is reasonably necessary or legally required for the full use over the ground surface of land used for railroad or expressway purposes.

**Amendment:** a local legislative act changing a zoning ordinance to make alterations, to correct errors, or to clarify the zoning ordinance. A class 2 notice must be published and a public hearing must be held before a county board may adopt a proposed amendment. *See s. 59.69, Wis. Stats.*

**Amenities:** features that add to the attractive appearance of a development, such as underground utilities, buffer zones, or landscaping.

**Americans with Disabilities Act (ADA):** a congressional law passed in 1990, which provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities as well as clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities.

**Amortization:** a method of eliminating nonconforming uses (usually minor structures) by requiring the termination of the nonconforming use after a specified period of time, which is generally based on the rate of economic depreciation of the use or structure.

**Annexation:** the process of incorporating an area of land in a township into a municipality. *See ch. 66, subch. II, Wis. Stats.*

**Appellate Body:** a body authorized to review the judgments made by administrative officers. For example, a board of adjustment hears appeals of the decisions of a county zoning administrator.

**Aquatic and Terrestrial Resources Inventory (ATRI):** a public and private partnership to gather, link, and make available data used for decisions affecting Wisconsin's landscape; a systematic and comprehensive information management system developed by the Wisconsin DNR to improve environmental and resource management decisions.

**Aquifer:** a geologic formation, usually comprised of saturated sands, gravel, and cavernous and vesicular rock, that carries water in sufficient quantity for drinking and other uses.

**Aquifer Recharge Area:** the surface area through which precipitation passes to replenish subsurface water bearing strata of permeable rock, gravel, or sand.

**Architectural Control/ Review:** regulations and procedures requiring the exterior design of structures to be suitable, harmonious, and in keeping with the historic character or general style of surrounding areas.

**Area Variance (Variance):** the relaxation of a dimensional standard in a zoning ordinance decided by a local zoning board. *See ss.59.69, 60.61, 60.62 and 62.23, Wis. Stats.*

**Arterial:** a major street, which is normally controlled by traffic signs and signals, carrying a large volume of through traffic.

**Bargain Sale:** the sale of land (to a conservation organization, for example) at less than market value.

**Base Flood:** a flood that has a one percent chance of being equaled or exceeded in any give year, commonly called a 100- year flood. *See also "floodplain".*

**Benchmark:** a performance- monitoring standard that allows a local government to periodically measure the progress of a local comprehensive plan's goals and policies; also, a fixed and recorded elevation point from which another, relative elevation can be surveyed.

**Berm:** A low earthen ridge constructed as a landscaping feature or to direct runoff or deflect noise.

**Best Management Practices (BMPs):** the conservation measures and management practices intended to lessen or avoid a development's impact on surrounding land and water.

**Billboard:** a sign that identifies or communicates a message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

**Block:** a unit of land or contiguous lots or parcels bounded by a roadway or other barrier.

**Board of Appeals/ Board of Adjustment (BOA):** a board of appointed individuals that hears appeals on variances and exceptions. Board of Appeals applies to cities, villages, and towns, whereas Board of Adjustment applies to counties.

**Brownfields:** lands contaminated by spills or leaks and that are perceived to be unsuitable for future development due to its hazardous nature or owner liability concerns.

**Buffer Area:** an area separating two incompatible types of development or a development and sensitive natural resources.

**Build Out:** the maximum, theoretical development of land as permitted under zoning regulations.

**Build Out Analysis:** a projection, based on the maximum, theoretical development of all lands, of the impact of a community's cumulative growth.

**Building Coverage:** *See "lot coverage".*

**Building Line:** the line parallel to the street line that passes through the point of the principal building nearest the front lot line.

**Building Scale:** the relationship between the volume of a building and its surroundings, including the width of street, amount of open space, and volume of surrounding buildings. Volume is determined by the three-dimensional bulk (height, width, and depth) of a structure.

**Bulk Regulations:** standards that establish the maximum size of structures on a lot and the location where a building can be, including coverage, setbacks, height, impervious surface ratio, floor area ratio, and yard requirements.

**Bundle of Rights Concept of Property:** *See "rights".*

**Business Improvement Districts (BID):** an area within a municipality consisting of contiguous parcels subject to general real- estate taxes other than railroad rights- of-way and that may include railroad rights- of- way, rivers, or highways continuously bounded by the parcels on at least one side. *See s. 66.1109( 1)( b), Wis. Stats.*

**Business Incubator:** retail or industrial space, which may offer shared or subsidized management support such as information and advice on regulations, advertising, promotion, marketing, inventory, labor relations, and finances and facility support such as clerical staff, security, electronic equipment, and building maintenance that is affordable to new, low profit- margin businesses.

**By Right:** a use that complies with all zoning regulations and other applicable ordinances and that is permitted without the consent of a review board.

**Capital Improvement:** a physical asset that is large in scale or high in cost.

**Capital Improvements Plan/ Capital Improvements Program (CIP):** a city's or county's proposal of all future development projects and their respective cost estimates listed according to priority.

**Capital Improvement Programming/ Capital Improvement Planning:** the scheduling of budgetary expenditures for infrastructure to guide and pace development.

**Carrying Capacity Analysis:** an assessment of a natural resource's or system's ability to accommodate development or use without significant degradation.

**Census Tract:** a relatively permanent county subdivision delineated to present census data.

**Central Business District (CBD):** the primary, downtown commercial center of a city.

**Certificate of Appropriateness:** a permit issued by a historic preservation review board\* approving the demolition, relocation, or new construction in a historic district.

**Certificate of Compliance:** an official document declaring that a structure or use complies with permit specifications, building codes, or zoning ordinances.

**Cesspool:** a buried chamber such as a metal tank, perforated concrete vault, or covered excavation that receives wastewater or sanitary sewage to be collected or discharged to the surrounding soil.

**City:** an incorporated municipality. Cities are divided into the four following classes for administration and the exercise of corporate powers:

- a) Cities of 150,000 population and over- 1st class cities
- b) Cities of 39,000 and less than 150,000 population- 2nd class cities.
- c) Cities of 10,000 and less than 39,000 population- 3rd class cities.
- d) Cities of less than 10,000 population- 4th class cities.

*See ch. 62, Wis. Stats.*

**Clear Zone:** an area within a roadway right- of- way that is free of any obstructions, thus providing emergency vehicle access.

**Closed (Executive) Session:** a governmental meeting or portion closed to everyone but its members and members of its parent body for purposes specified in state law. Governmental meetings are subject to Wisconsin's 'Open Meetings Law.' *See s.19.81- 19.98, Wis. Stats.*

**Cluster Development Zoning (Clustering):** concentrating the total allowable dwelling units on a tract of land into higher densities on a smaller portion of the tract, leaving the remaining land as open space. For example, in a five- acre minimum lot zoned area, 10 units would be constructed on 50 acres; however, 10 units could also be 'clustered' on 20 acres (allowing minimum two- acre lots), leaving the remaining 30 acres as common open space.

**Collector:** a street designed to carry a moderate volume of traffic from local streets to arterial\* streets or from arterial streets to arterial streets.

**Combination Zones:** a zone that is placed over another, now underlying zone and that adds or replaces existing requirements of the underlying zone.

**Commercial District:** a zoning area designated for community services, general business, interchange of services, and commercial recreation.

**Common Open Space:** squares, greens, parks, or green belts intended for the common use of residents.

**Community Development Block Grant (CDBG):** a grant program administered by the U.S. Department of Housing and Urban Development (HUD), the state departments of Administration and Commerce, and the Wisconsin Housing and Economic Development Authority (WHEDA) that provides money for community rehabilitation and development. *See s.16.358 and 560.045, Wis. Stats.*

**Community Development Zone:** Zones meeting certain requirements and designated by the state Department of Commerce for the purpose of administering tax benefits designed to encourage private investment and to improve both the quality and quantity of employment opportunities. The Community Development Zone Program has more than \$38 million in tax benefits available to assist businesses that meet certain requirements and are located or willing to locate in one of Wisconsin's 21 community development zones. *See s.560.70, Wis. Stats. See also "enterprise development zone".*

**Community of Place:** *See "sense of place".*

**Comprehensive Plan:** a county development plan or city, village, town, or regional planning commission master plan prepared under and meeting the content requirements outlined in s.66.1001, *Wis. Stats.* Comprehensive plans provide a vision and general idea of how land should be used to assure public health, safety, and welfare.

**Concurrency Management System:** the process used to determine that needed public services are concurrent with a development's impacts.

**Concurrency Test:** an analysis of public facilities' ability to accommodate a development; in other words, adequate capacity of facilities must precede or be concurrent with a development's demand.

**Conditional Use:** a land use, construction activity, or structural development, which must be tailored to the site conditions and adjacent property uses through a public and technical review process, that is listed as a conditional use in a zoning district.

**Conditional Use Permit:** a permit issued by a zoning administrator, if the applicant meets certain additional requirements, allowing a use other than a principally permitted use.

**Conditional Zoning:** special conditions an owner must meet in order to qualify for a change in a zoning district designation.

**Condominium:** real estate and improvements where portions are designated for separate ownership and the remainder for common ownership. *See s.703.02, Wis. Stat.*

**Congestion Mitigation and Air Quality Program (CMAQ):** a program under the U.S. Department of Transportation intended to fund transportation projects and programs in non- attainment and maintenance areas that reduce transportation- related emissions.

**Conservation Areas:** environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance, or character except in cases of overriding public interest.

**Conservation Development Zoning:** a type of cluster development zoning that emphasizes a planned unit development for preserving open space, wetlands, natural landscaping, floodplains, or other prioritized resources as well as for preventing stormwater runoff.

**Conservation Easement:** a recorded legal agreement between a landowner and a qualified conservation agency that transfers development rights from the owner to the agency to protect natural or historic features. *See s. 700.40, Wis. Stats.*

**Conservation Reserve Program:** a federal Department of Agriculture program that pays farmers to convert 'erodible' cropland into vegetative cover.

**Consolidated Metropolitan Statistical Area (CMSA):** a statistical area defined by the U.S. Census; a large metropolitan statistical area with a population of one million or more that includes one or more primary metropolitan statistical areas (PMSA). *See also "metropolitan statistical area" and "primary metropolitan statistical area" in this category.*

**Contested Case:** a hearing similar to a court proceeding where parties have a right to review and object to evidence and cross- examine witnesses who testify.

**Contiguous Properties:** properties sharing a property line.

**Cooperative Agreement:** an agreement between two or more organizations to share in the financing or managing of a property, providing of services, or some other joint venture. *Also see ss. 66.0307, 150.84, and 299.80, Wis. Stats. for specific examples of authorized agreements .*

**County:** a political subdivision of the state. Counties are delineated in ch. 2, *Wis. Stats.* Wisconsin has 72 counties. *See ch. 59, Wis. Stats.*

**cul de sac :** a circular end to a local street [*French* , "bottom of the bag" ]

**Dedication:** the transfer of property from private to public ownership.

**Deed Restriction:** a limitation, which is recorded with the county register of deeds and to which subsequent owners are bound, on development, maintenance, or use of a property.

**Design Guideline:** an activity standard that preserves the historic or architectural character of a site or building.

**Design Review/ Control:** an aesthetic evaluation, considering landscape design, architecture, materials, colors, lighting, and signs, of a development's impact on a community

**Design Standards:** criteria requiring specific dimensional standards or construction techniques. *See also "performance standards".*

**Detachment:** the transposition of land from a municipality back into a township. *See s. 66.0227, Wis. Stats.*

**Developer:** a person or company that coordinates the ownership, financing, designing, and other activities necessary for the construction of infrastructure or improvements.

**Development:** an artificial change to real estate, including construction, placement of structures, excavation, grading, and paving.

**Development Values:** the economic worth of land based upon the fair market price after residential, commercial, or industrial structures have been added.

**District:** a part, zone, or geographic area within the municipality where certain zoning or development regulations apply.

**Down Zoning:** a change in zoning classification that permits development that is less dense, intense, or restrictive. *See also "up zoning".*

**Dwelling Unit:** the space in a building that comprises the living facilities for one family. *See also "multifamily," "single-family attached," and "single-family detached dwelling".*

**Easement:** written and recorded authorization by a property owner for the use of a designated part of the property by others for a specified purpose. *See also "conservation easement".*

**Ecological Impact:** a change in the natural environment that could disrupt wildlife habitat or vegetation, or that could cause air, water, noise, or soil pollution.

**Economic Unit:** units of land that, although they may be separated from one another physically, are considered one economically.

**Eminent Domain:** the right of a government unit to take private property for public use with appropriate compensation to the owner. *See ch. 32, Wis. Stats.*

**Enabling Act:** legislation authorizing a government agency to do something that was previously forbidden. *See also "takings".*

**Enterprise Development Zone:** zones meeting certain statutorily defined criteria and designated by the state Department of Commerce for providing tax incentives to new or expanding businesses whose projects will affect distressed areas. An enterprise development zone is "site specific," applying to only one business, and is eligible for a maximum of \$3.0 million in tax credits. The department can designate up to 79 zones, which can each exist for up to seven years. The department is allowed to vary zone benefits to encourage projects in areas of high distress. *See s.560.70, Wis. Stats. See also "community development zone".*

**Environmental Corridors:** linear areas of natural resources that are critical to maintaining water quality and quantity and to providing habitat linkages that maintain biological diversity. Environmental corridors are often associated with rivers and streams.

**Environmental Impact Ordinance:** a local legislative act requiring an assessment of the potential harmful environmental effects of a pending development so that steps to prevent damage can be taken.

**Environmental Impact Report (EIR):** a report that assesses an area's environmental characteristics and then determines the impact that a proposed development will have.

**Environmental Impact Statement (EIS):** a statement prepared under the National Environmental Policy Act (NEPA) or Wisconsin Environmental Policy Act (WEPA) predicting the impacts a proposed government action is likely to have on the environment and describing the affected environment and the alternative actions considered. *See s.1.11, Wis. Stats., P.L.91- 190, 42 USC 4331, NR 150, Wis. Admin. Code.*

**Environmental Nodes:** discrete, inherently non- linear areas of natural resources that are sometimes isolated from areas with similar resource features. Planning objectives often include linking environmental nodes.

**Environmentally Sensitive Areas:** areas such as wetlands, steep slopes, waterways, underground water recharge areas, shores, and natural plant and animal habitats that are easily disturbed by development.

**Esplanade:** waterfront area intended for public use.

**Estate Management Strategies:** strategies enacted during a landowner's lifetime or upon her death to help preserve family lands and farms.

**Ex parte Contact:** communication, which is normally prohibited, with a decision maker in a quasi-judicial proceeding, which is not part of a public hearing or the official record in a matter.

**Exactions:** compensation, which may take the form of facilities, land, or an actual dollar amount, that a community requires from a developer as condition of the approval of a proposed development project. Exactions may be incorporated into the community's zoning code or negotiated on a project-by-project basis; but, they must reflect the type and extent of the expected adverse impacts of the development.

**Executive Session:** *See "closed session".*

**Extraterritorial Zoning:** a local government's authority to zone areas outside its boundaries. Under Wisconsin law, the extraterritorial zone for 1st, 2nd, and 3rd class cities extends 3 miles beyond the corporate limits. The limit extends 1½ miles beyond the municipal boundary for 4th class cities and villages. *See s.62.23(7a), Wis. Stats.*

**Exurban Area:** the area beyond a city's suburbs.

**Fee Simple Acquisition:** the purchase of property via cash payment.

**Fee Simple Interest in Property:** absolute ownership of and with unrestricted rights of disposition to land. This describes the possession of all rights to property except those reserved to the state. *See "rights".*

**Fiscal Impact Analysis:** the projection of the costs and benefits of additional or new facilities, rentals, or remodeling of existing facilities, including data relative to increased instructional, administrative, maintenance, and energy costs and costs for new or replacement equipment.

**Fiscal Impact Report:** a report projecting the costs and revenues that will result from a proposed development.

**Floating Zone:** an unmapped zoning district that is described in ordinance and on the zoning map only when an application for development is approved.

**Floodplains:** land that has been or may be covered by flood water during a 'regional flood' as is defined in NR 116, Wis. Adm. Code. The floodplain includes the floodway and floodfringe, and is commonly referred to as the 100-year floodplain.

- *Floodfringe:* that portion outside of the floodway covered by water during a regional flood.

This term is generally associated with standing water, but may under local floodplain zoning ordinances, be developed for specified purposes if development is protected from flooding.

- *Floodway:* *the channel of a river or stream and those portions of the floodplain adjoining the channel required to discharge a regional flood.*

This term is generally associated with flowing water and is required by local floodplain zoning ordinances to remain undeveloped and free of obstructions. *See also "base flood".*

**Forest Crop Law:** a program enacted in 1927 that exempts DNR approved privately owned forest land from general property taxes but instead requires the owner to make an acreage share payment or a state contribution. Under the program, land is taxed at a constant annual rate while its timber is taxed after harvest. Entries into the FCL closed as of 1 January 1986 with enactment of the Managed Forest Law. Today about 25,000 landowners, owning more than 2.5 million acres, are enrolled in the three existing forest tax laws: Forest Crop Law, Woodland Tax Law, and Managed Forest Law. *See ch. 70, Wis. Stats.*

**Front Lot Line:** the lot line separating an interior lot from the street, or the shortest lot line of a corner lot to a street.

**Gentrification:** the resettlement of low and moderate-income urban neighborhoods by middle and high-income professionals.

**Geographic Information System (GIS):** computer technology, tools, databases, and applications that provide spatial (geographic) data management, analysis, and mapping capabilities to support policy evaluation, decision-making, and program operations.

**Geologic Review:** an analysis of geologic features on a site, including hazards such as seismic hazards, surface ruptures, liquefaction, landslides, mud slides, erosion, and sedimentation.

**Gift Credit:** a dollar or in-kind matching amount (labor, supplies, land donation, etc.) required to secure funds for a development.

**Global Positioning System (GPS):** a computerized tool for determining longitudinal and latitudinal coordinates through the use of multiple orbiting satellites.

**Green Spaces:** *See “open spaces”.*

**Growth Management:** the pacing of the rate or controlling of the location of development via law enactment to manage a community’s growth.

**Hamlet:** a predominantly rural, residential settlement that compactly accommodates development.

**Hamlet Lot:** a small residential lot in a contiguous group with adjacent and fronting lots oriented toward each other in some ordered geometric way and forming a boundary with the surrounding countryside.

**Hazardous Substance:** any substance or combination of substances, including solid, semisolid, liquid or gaseous wastes, which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration, or physical, chemical, or infectious characteristics. This term includes irritants, strong sensitizers, explosives, and substances that are toxic, corrosive, or flammable. *See s.292.01(5), Wis. Stats.*

**Heavy Industry:** the basic processing and manufacturing of products from raw materials; or, a use engaged in the storage or manufacturing processes using flammable or explosive materials or those that potentially involve offensive conditions. *See also “light industry”.*

**Highly Erodible Soils:** soils highly susceptible to erosion as determined by an equation that considers soil type, slope, and amount of rainfall but does not consider current land management or vegetative cover. These soils are often identified in county soil survey books.

**Historic Area:** an area designated by an authority, having buildings or places that are important because of their historical architecture or relationship to a related park or square or because those areas were developed according to a fixed plan based on cultural, historical, or architectural purposes.

**Historic Preservation:** the research, protection, restoration, and rehabilitation of historic properties.

**Historic Property:** a building, structure, object, district, area, or site, whether on or beneath the surface of land or water, that is significant in the history, prehistory, architecture, archaeology, or culture of Wisconsin, its rural and urban communities, or the nation. *See s.44.31(3), Wis. Stats. See s.13.48(1m)(a), Wis. Stats.*

**Homeowner’s Association:** a nonprofit organization made up of property owners or residents who are then responsible for costs and upkeep of semiprivate community facilities.

**Home Rule:** constitutional provisions in some states that give local units of government substantial autonomy. Wisconsin is a “strong” home rule state.

**Incorporation:** orderly and uniform development of territory from town to incorporated status. *See ch. 66, subch. II, Wis. Stats.*

**Impact Fees:** cash contributions, contributions of land or interests in land, or any other items of value that are imposed on a developer by a political subdivision to offset the community’s costs resulting from a development. *See s. 66.0617, Wis. Stats.*

**Impervious Surface:** a ground cover such as cement, asphalt, or packed clay or rock through which water cannot penetrate; this leads to increases in the amount and velocity of runoff and corresponds to increases in soil erosion and nutrient transport.

**Improvements:** the actions taken to prepare land, including clearing, building infrastructure such as roads and waterlines, constructing homes or buildings, and adding amenities.

**Incentive Zoning:** the granting of additional development possibilities to a developer because of the developer’s provision of a public benefit.

**Industrial District:** a district designated as manufacturing, research and development, or industrial park.

**Infill:** the development of the last remaining lots in an existing developed area, the new development within an area already served by existing infrastructure and services, or the reuse of already developed, but vacant properties. *See also “redevelopment”.*

**Infrastructure:** public utilities, facilities, and delivery systems such as sewers, streets, curbing, sidewalks, and other public services.

**Installment Sale:** a real estate transaction in which the landowner and the recipient negotiate terms for the property to be transferred over an extended period of time rather than all at once.

**Intermodal Surface Transportation Efficiency Act, 1991 (ISTEA):** a federal transportation act that authorized the first 23 “high priority corridors” of the total 42 authorized by the ISTEA, the National Highway System Designation Act (1995), and the Transportation Equity Act for the 21st Century.

**Intelligent Transportation System (ITS):** a system of technologies, including traveler information systems to inform motorists of weather and road conditions, incident management systems to help emergency crews respond more efficiently to road incidents, and commercial vehicle operations to increase freight transportation efficiency, intended to relieve state highway congestion.

**Interim Zone of Influence:** a procedure for the exchange of information or resolution of conflicts on certain proposed land- uses between a city or town and the county.

**Interim Zone/ Development Controls:** *See “moratorium”.*

**Judicial Appeal:** the review of a local zoning decision by the state judicial system.

**Land:** soil, the ground surface itself, a subdivision, a tract or parcel, a lot, an open space, or the physical elements below ground.

**Land Banking:** the obtaining, holding, and subsequent release of lands by a local government for controlled development or conservation.

**Land Exchange:** a transaction where a public agency or nonprofit organization exchanges a land parcel for another land parcel with high conservation value.

**Land use Intensity System (LUI):** a comprehensive system created in the mid- 1960s by the U.S. Federal Housing Administration for determining or controlling the intensity of land development.

**Land use Inventory:** a study, cataloging the types, extent, distribution, and intensity of current and future uses of land in a given area.

**Land use Plan:** the element of a comprehensive plan that designates and justifies the future use or reuse of land. *See s.66.1001, Wis. Stats.*

**Landfill:** a disposal facility for solid wastes. *See ch.289, Wis. Stats.*

**Land Trust:** a private, nonprofit organization that protects natural and cultural resources through conservation easements, land acquisition, and education.

**Large- Lot Zoning:** a requirement that each new house be constructed on a minimum number of acres (generally, five or more acres). Developments that feature large- lot zoning may include the dispersal of some impacts, less efficient infrastructure, and greater areas of land use.

**Leapfrog Development:** new development separated from existing development by substantial vacant land.

**Leaseback:** *See “purchase/ leaseback”.*

**Level of Service (LOS):** a measurement of the quantity and quality of public facilities.

**Light Industry:** the manufacture and distribution of finished products, including processing, fabrication, assembly, treatment, packaging, incidental storage, and sales. *See also “heavy industry”.*

**Limited Development:** the development of one portion of a property to finance the protection of another portion.

**Lot:** a parcel of land that is occupied or intended for occupancy, including one main building and any accessory buildings, open spaces, or parking spaces. *See also “through lot”.*

**Lot Area:** the area of a horizontal plane bounded by the vertical planes through front, side, and rear lot lines.

**Lot Averaging:** the design of individual adjoining lots within a residential subdivision where the average lot is the minimum prescribed area for the zoning district.

**Lot- by- Lot Development:** a conventional development approach where each lot is treated as a separate development unit conforming to all land- use, density, and bulk requirements.

**Lot Coverage:** the total when an area of a lot covered by the total projected surface of all buildings, impervious surfaces, or vegetative coverage is divided by the gross area of that lot.

**Lot Depth:** the average horizontal distance between the front and rear lot lines.

**Lot Line:** the property lines at the perimeter of a lot.

**Lot Width:** the distance between side lot lines. This is generally measured at the front setback, but the specific protocol varies between jurisdictions.

**LULU:** a locally unwanted land use. *See also “NIMBY,” “NIABY,” and “NIMTOO”.*

**Main Street Program:** a comprehensive revitalization program established in 1987 to promote and support the historic and economic redevelopment of traditional business districts in Wisconsin. The Main Street Program is administered by the state Department of Commerce.

**Managed Forest Law:** a law enacted in 1985, replacing the Forest Crop Law and Woodland Tax Law, that exempts DNR approved privately owned forest land from general property taxes but instead requires the owner to pay an annual acreage payment, a state contribution, a yield tax, or a withdrawal penalty. Landowners have the option to choose a 25 or 50 year contract period. Enrollment is open to all private landowners owning ten or more acres of woodlands. Today about 25,000 landowners, owning more than 2.5 million acres, are enrolled in the three existing forest tax laws: Forest Crop Law (FCL), Woodland Tax Law (WTL), and Managed Forest Law (MFL). *See ch. 70, Wis. Stats.*

**Manufactured Housing:** a structure, containing within it plumbing, heating, air- conditioning, and electrical systems, that is transportable in one or more sections of certain sizes and is built on a permanent chassis, and when connected to the required utilities, is designed to be used as a dwelling with or without a permanent foundation. Such housing must comply with the standards established under the National Manufactured Housing Construction and Safety Standards Act. *See 42 USC 5401 to 5425 and ch.409, Wis. Stats.*

**Map:** a drawing or other representation that portrays the spatial distribution of the geographic, topographic, or other physical features of an area.

**Metropolitan Statistical Area (MSA):** a statistical area defined by the U.S. Census; a freestanding metropolitan area (i.e. an area with a minimum population of 50,000 and adjacent communities with a high degree of economic and social integration) or a Census Bureau defined urbanized area with a population of 100,000 or greater (75,000 in New England), not closely associated with other metropolitan areas. Nonmetropolitan counties surround these areas typically. *See also “consolidated metropolitan statistical area” and “primary metropolitan statistical area”.*

**Mini- Lot Development:** a development containing lots that do not meet the minimum size or other requirements.

**Mitigation:** the process of compensating for the damages or adverse impacts of a development.

**Mitigation Plan:** imposed development conditions intended to compensate for the adverse impacts of the development.

**Mixed- Use Development:** a development that allows multiple compatible uses to be in close proximity to one another in order to minimize transportation infrastructure impacts and to create a compact, efficient neighborhood; for example, single family, multifamily, commercial, and industrial uses are located within a reasonable proximity to each other.

**Modernization:** the upgrading of existing facilities to increase the input or output, update technology, or lower the unit cost of the operation.

**Moratorium:** a temporary development freeze or restriction pending the adoption or revision of related public policies or provisions of public infrastructures or services.

**Multifamily Dwelling:** a building or portion occupied by three or more families living independently of each other.

**Multimodal Transportation:** an integrated network of various transportation modes, including pedestrian, bicycle, automobile, mass transit, railroads, harbors, and airports.

**Municipality:** a city, village, town, or other unit of local government. The application of this term varies and it often has specific legal meanings.

**National Environmental Policy Act (NEPA):** a congressional act passed in 1969, establishing a national environmental policy. NEPA requires federal agencies to consider the environmental effects of decisions early in their decision- making processes and to inform the public of likely impacts. Environmental impact statements (EISs) are prepared consistent with this law. The act also established the Council on Environmental Quality. *See P.L. 91- 190, 42 U.S.C. 4321- 4347. See also “environmental impact statement” and “Wisconsin Environmental Policy Act (WEPA)”.*

**National Register of Historic Places in Wisconsin:** places in Wisconsin that are listed on the national register of historic places maintained by the U.S. Department of the Interior, National Park Service.

**Neighborhood Plan:** a plan that provides specific design or property- use regulations in a particular neighborhood or district.

**Neighborhood Unit:** the model for American suburban development after World War II based around the elementary school with other community facilities located at its center and arterial streets at its perimeter.

**Neotraditional Development:** a land- use approach that promotes neighborhoods with a variety of housing and architectural types, a central gathering point, and interconnecting streets, alleys, and boulevards edged with greenbelts.\* *See also “New Urbanism” and “smart growth”.*

**Net Acre:** an acre of land excluding street rights- of- way\* and other publicly dedicated improvements such as parks, open space, and stormwater detention and retention facilities.

**New Urbanism:** an approach to development that includes the reintegration of components such as housing, employment, retail, and public facilities into compact, pedestrian- friendly neighborhoods linked by mass transit. *See also “Neotraditional development” and “smart growth”.*

**NIABY:** Not in anyone’s backyard. *See also “LULU,” “NIMBY,” and “NIMTOO”.*

**NIMBY:** Not in my backyard. *See also “LULU,” “NIABY,” and “NIMTOO”.*

**NIMTOO:** Not in my term of office. *See also “LULU,” “NIMBY,” and “NIABY”.*

**Nonconforming Activity:** an activity that is not permitted under the zoning regulations or does not conform to off- street parking, loading requirements, or performance standards.

**Nonconforming Building:** any building that does not meet the limitations on building size or location on a lot for its use and district.

**Nonconforming by Dimension:** a building, structure, or parcel of land that is not compliant with the dimensional regulations of the zoning code.

**Nonconforming Lot:** a use or activity which lawfully existed prior to the adoption, revision, or amendment of an ordinance but that fails to conform to the current ordinance.

**Nonconforming Use:** a use (or structure) that lawfully existed prior to the adoption or amendment of an ordinance but that fails to conform to the standards of the current zoning ordinance.

**Noncontributing Building:** a building or structure that does not add to the historic architecture or association or cultural values of the area.

**North American Industry Classification System (NAICS):** a classification system developed by the United States, Canada, and Mexico to provide comparable industrial production statistics collected and published in the three countries. The NAICS replaces the Standard Industrial Classification (SIC) system and provides for increased comparability with the International Standard Industrial Classification (ISIC) system developed and maintained by the United Nations. *See also “Standard Industrial Classification (SIC)”.*

**Office Park:** a large tract that has been planned and developed as an integrated facility for a number of separate office buildings and that considers circulation, parking, utilities, and compatibility.

**Open Session:** a meeting that is in accordance with Wisconsin’s ‘Open Meetings Law.’ *See s.19.85- 19.98, Wis. Stats.*

**Open (Green) Spaces:** a substantially undeveloped area, usually including environmental features such as water areas or recreational facilities. *See also “common open spaces”.*

**Ordinance:** a local law; a legislative enactment of a local governing body.

**Orthophoto Quad:** an aerial photograph that has been adjusted, via the correcting of distortions and inaccuracies due to plane tilt, elevation differences, or the curvature of the earth’s surface, to reflect as accurately as possible the actual topography of the earth’s surface.

**Outright Donation:** the donation of land to a unit of government or a qualified charitable land conservation management organization.

**Outright purchase:** the acquisition of land for the benefit of the public.

**Overlay Zone:** an additional land use or zoning requirement that modifies the basic requirements of the underlying designation.

**Parcel:** *See “lot”.*

**Pedestrian Friendly:** a development that is primarily accessible to pedestrians rather than automobiles and with an emphasis on street sidewalks rather than parking.

**Performance Standards:** general criteria established to limit the impact of land uses or development. *See also “design standards”.*

**Pervious Surface:** a ground cover through which water can penetrate at a rate comparable to that of water through undisturbed soils.

**Planned Unit Development:** land under unified control to be developed in a single development or a programmed series of phases. A planned development includes the provisions, operations, maintenance, facilities, and improvements that will be for the common use of the development districts, but which will not be maintained at general public expense.

**Plan Commission:** an appointed local government commission authorized to make and adopt a master plan, consistent with s.66.1001, *Wis. Stats.*, for the physical development of the city. *See s.62.23, Wis. Stats.*

**Plat:** a map of a lot, parcel, subdivision, or development area where the lines of each land division are shown by accurate distances and bearings.

**Point System:** numerical values assigned to a development’s impacts on a community’s resources.

**Political Subdivision:** a city, village, town, county, sanitary district, school district, inland lake protection and rehabilitation district, or other special purpose unit of government.

**Pre- acquisition:** a technique where one organization (usually a private land trust) purchases a property and holds it until another organization (usually a government agency) can allocate the funds to purchase it.

**Preservation:** leaving a resource undisturbed and free from harm or damage. While ‘preservation’ is often used interchangeably with ‘conservation,’ the latter entails a connotation of prudent resource use.

**Primary Metropolitan Statistical Area (PMSA):** a statistical area defined by the U.S. Census; an area within a consolidated metropolitan statistical area consisting of a large urbanized county or cluster of counties that demonstrates very strong internal economic and social links, in addition to close ties to other portions of the larger area. *See also “metropolitan statistical area” and “consolidated metropolitan statistical area”.*

**Prime Agricultural Land:** land determined by local governments to be important for sustaining agricultural operations and that are often protected from conversion to other uses. *See ch.91, Wis. Stats.*

**Prime Farmland:** farmland classified by the Natural Resources Conservation Service as best for the crop production of row, forage, or fiber because of level topography, drainage, moisture supply, soil texture and depth, and susceptibility to erosion and runoff. Ideally, prime farmland allows least cost to both the farmer and the natural resources. *See ch.91, Wis. Stats.*

**Principal Building:** the building, including all parts connected, where the primary use of the lot is conducted.

**Private Road:** a way open to traffic, excluding driveways, established as a separate tract for the benefit of adjacent properties.

**Privately Owned Waste- Treatment Systems (POWTS):** sewage treatment and disposal systems, which are also called on- site sanitary systems, that are not connected to sewer lines or wastewater treatment plants.

**Public Dedication:** reserving land in a subdivision for public use such as a school or park.

**Public Road:** public property dedicated and reserved for street traffic.

**Purchase of Development Rights (PDR):** a public or private government initiative that acquires the development rights of property to limit development and protect natural features or open space. *See also “rights” and “transfer of development rights”.*

**Purchase/ Leaseback:** an arrangement where a community purchases a natural area and then either leases it back with special lease restrictions or sells it back with deed restrictions designed to protect the natural features of the property.

**Quarter, Quarter Zoning:** a development standard that limits non-farm development to one house per 40 acres ( $\frac{1}{4}$  of  $\frac{1}{4}$  of the original 640- acre section).

**Quasi- Judicial Decisions:** “resembling a court;” quasi- judicial decision making must follow rules of due process and is midway between legislative and administrative functions. Examples of quasi- judicial decisions include variances, appeals, and conditional- use permits.

**Quasi- Public Use/ Facility:** a use conducted or a facility owned or operated by a nonprofit or religious institution that provides public services.

**Rear- lot Line:** a lot line, opposite the front lot line, that generally does not abut a public roadway.

**Redevelopment:** any proposed replacement of existing development. *See also “infill”.*

**Redevelopment Authority:** an authority, known as the “redevelopment authority of the city of [city name],” created in every city with a blighted area. This authority, together with all the necessary or incidental powers, is created to carry out blight elimination, slum clearance, and urban renewal programs and projects as set forth in Wisconsin Statutes. *See s.66.1333 ( 3)( a) 1, Wis. Stats .*

**Reforestation:** the planting or replanting of forest plants.

**Regional Plan:** a plan that covers multiple jurisdictions, often within the administrative area of a regional planning commission, and that can be prepared jointly by cooperating municipalities, regional planning commissions, state agencies, or other entities.

**Requests for Proposals (RFP):** a document describing a project or services and soliciting bids for a consultant’s or contractor’s performance.

**Requests for Qualifications (RFQ):** a document describing the general projects, services, and related qualifications of bidding consultants or contractors.

**Reservation of Site:** *See “public dedication”.*

**Reserved Life Estate:** an arrangement where a landowner sells or donates property to another party (for example, a conservation organization) while retaining the right to lifetime use.

**Revolving Fund:** a conservation fund, replenished through donations or selling of the land to another conservation organization or a government agency, used to purchase land or easements.

**Rezoning:** an amendment to a zoning map or zoning ordinance that changes the zoning- district designation and use or development standards.

**Right of First Refusal:** an agreement between a landowner and another party (for example, a land trust) that gives the other party a chance to match any third- party offer to purchase lands.

**Right of Way (ROW):** a strip of land occupied by or intended to be occupied by a street, crosswalk, walkway, utility line, or other access.

**Rights (The Bundle of Rights Concept of Property):** government and private owners each hold portions of the bundle of rights in real property.

Owner property rights include:

- *Right to Use:* the right to improve, harvest, cultivate, cross over, or not to use.
- *Right to Lease:* the right to lease for cash or the right to hold a cash, including a share lease or third or fourth lease, a crop share lease, a one year lease, or a perpetual lease.
- *Right of Disposition:* the right to sell, to bequeath, to mortgage, or to establish trusts on all or part of a property.

Government property rights include:

- *Eminent domain: the right to purchase land for public use*
- *Escheat: the right for the succession in title where there is no known heir*
- *Regulation*
- *Taxation*

**Riparian Areas:** the shore area adjacent to a body of water.

**Roadway Setback:** the required or existing minimum distance between a public roadway (measured from the centerline or edge of right- of- way) and the nearest point on a structure.

**Scenic Corridor:** a linear landscape feature that is visually attractive (for example, stream corridors or bluffs).

**Scenic Easement:** an easement\* intended to limit development in order to preserve a view or scenic\* area.

**Seasonal Dwelling:** a dwelling not used for permanent residence or not occupied for more than a certain number of days per year. The standard varies between jurisdictions.

**Secondary Dwelling Unit:** an additional dwelling unit in a freestanding building or above a residential garage and located within or on the same lot as the principal dwelling unit.

**Sense of Place:** the constructed and natural landmarks and social and economic surroundings that cause someone to identify with a particular place or community.

**Set Back:** the minimum distance a building, structure, or activity can be separated from a designated feature such as a waterway or bluffline.

**Shoreland:** a state mandated water resource protection district that Wisconsin counties must adopt.

Shorelands include lands adjacent to navigable waters within 1,000 feet of the ordinary high- water mark of a lake, pond, or flowage and within 300 feet of the ordinary high- water mark or floodplain of a river or stream.

**Shoreland- Wetland:** shorelands that are designated as wetlands on Wisconsin Wetlands Inventory maps. See *Wis. Stats.*

**Shoreline Stabilization:** the placement of structural revetments or landscaping practices to prevent or control shoreline erosion.

**Side Lot Line:** a lot line that is neither a front lot line nor a rear lot line.

**Single- family Attached Dwelling:** one of two or more residential buildings having a common wall separating dwelling units.

**Single- family Detached Dwelling:** a residential building containing not more than one dwelling unit surrounded by open space.

**Sign:** any device that is sufficiently visible to persons not located on the lot that communicates information to them.

**Site Plan:** a scaled plan, which accurately and completely shows the site boundaries, dimensions and locations of all buildings and structures, uses, and principal site development features, proposed for a specific lot.

**Sliding Scale Zoning:** a ratio of dwelling units to land acreage that concentrates development on smaller lots by increasing the minimum lot size for houses built on larger parcels.

**Smart Growth:** an approach to land- use planning and growth management that recognizes connections between development and quality of life. The features that distinguish “smart growth” approaches vary. In general, “smart growth” invests time, attention, and resources in restoring community and vitality to center cities and older suburbs. In developing areas, the approach is more town- centered, is transit and pedestrian oriented, and has a greater mix of housing, commercial, and retail uses. Smart- growth approaches preserve open space and other environmental amenities. The term is also used to refer to Wisconsin’s comprehensive planning law. See s.66.1001, *Wis. Stats.* See also “New Urbanism” and “Neotraditional development”.

**Special Designation:** the protection of scenic river corridors and other valuable resources through state or federal means such as recognition, acquisition, or technical assistance.

**Special District/ Special Purpose Unit of Government:** a government entity that is responsible for performing specific tasks and oversight essential to a community’s or region’s well being. Special districts include sanitary districts, metropolitan sewerage districts, drainage districts, inland lake protection and rehabilitation districts, business improvement districts, tax incremental financing districts, architectural conservancy districts, and port authorities.

**Special Exception:** See “conditional use”.

**Spot Zoning:** a change in the zoning code or area maps that is applicable to no more than a few parcels and generally regarded as undesirable or illegal because it violates equal treatment and sound planning principles.

**Stand:** a number of plants growing in a continuous area. Examples include ‘a stand of hardwood’ or ‘a stand of timber.’

**Standard Industrial Classification/ Standard Industrial Code (SIC):** an industry classification system to facilitate the collection, tabulation, presentation, and analysis of data relating to establishments and to ensure that data about the U.S. economy published by U.S. statistical agencies are uniform and comparable. See also “North American Industry Classification System (NAICS)”.

**Statewide Comprehensive Outdoor Recreation Plan (SCORP):** a plan that aims to offer a research base and overall guidance for all providers of Wisconsin’s outdoor recreation, including federal, state, county, city, village, and town governments, resorts and other businesses, and a variety of other public and private organizations. Ideally, SCORP is used in conjunction with other planning documents such as property master

plans, community park and open space plans, the State Trails Strategic Plan, six- year development plans, and county and regional planning commission plans.

**Stewardship Program:** a state bonding program established by the Wisconsin Legislature in 1989 and re-authorized in 1999 that provides funds to protect environmentally sensitive areas and to maintain and to increase recreational opportunities across the state.

**Stormwater Detention/ Stormwater Retention:** the storage of stormwater runoff.

**Stormwater Management:** the reduction of the quantity of runoff, which affects flooding, or of pollutants generated at a development site and carried in stormwater.

**Story:** a space in a building between the surface of any floor and the surface of the next above floor or roof.

**Subdivision:** the description (usually by survey) and recording of separate land parcels or lots.

**Summary Abatement:** a legal action taken to suppress the continuation of an offensive land use. *See also “tax abatement”.*

**Sustainability:** long- term management of ecosystems intended to meet the needs of present human populations without compromising resource availability for future generations.

**Sustainable Development:** development that meets the needs of the present generation without compromising the needs of future generations.

**Takings:** government actions that violate the Fifth Amendment to the U.S. Constitution, which reads in part, “nor shall private property be taken for public use, without just compensation.” Such actions include regulations that have the effect of “taking” property. The Supreme Court has established four clear rules that identify situations that amount to a taking and one clear rule that defines situations that do not.

The court has found “takings” in the following circumstances:

- *where a landowner has been denied “all economically viable use” of the land;*
- *where a regulation forced a landowner to allow someone else to enter onto the property;*
- *where the regulation imposes burdens or costs on a landowner that do not bear a “reasonable relationship” to the impacts of the project on the community; and*
- *where government can equally accomplish a valid public purpose through regulation or through a requirement of dedicating property, government should use the less intrusive regulation, for example, prohibiting development in a floodplain property.*

The Supreme Court has also said that where a regulation is intended merely to prevent a nuisance, it should *not* be considered a taking.

**Tax Abatement:** a release of a certain tax liability for a specific period of time and under certain circumstances. *See also “summary abatement”.*

**Tax Increment:** additional tax revenue resulting from a property- value increase; the amount obtained by multiplying the total of all property taxes levied on all taxable property within a tax- incremental district in a year by a fraction having as a numerator the value increment for that year in the district and as a denominator that year’s equalized value of all taxable property in the district. In any year, a tax increment is “positive” if the value increment is positive and “negative” if the value increment is negative. *See s.66.1105, Wis. Stats.*

**Tax Increment Financing (TIF):** a local governmental financing of private- sector redevelopment, anticipating the additional revenues of the tax increment.\* *See s.66.1105, Wis. Stats.*

**Town:** the political unit of government; a body corporate and politic, with those powers granted by law. *See ch. 60, Wis. Stats.*

**Township:** all land areas in a county not incorporated into municipalities (cities and villages).

**Tract:** an indefinite stretch or bounded piece of land; in subdivisions, a tract is often divided into individual lots.

**Traditional Neighborhood:** a compact, mixed- use neighborhood where residential, commercial, and civic buildings are within a close proximity. *See also “Neotraditional development” and “New Urbanism”.*

**Traffic Calming:** the process of increasing pedestrian safety via decreasing automobile speed and volume.

**Traffic Impact Analysis:** an analysis of the impacts of traffic generated by a development.

**Traffic Impact Mitigation Measure:** an improvement by a developer intended to reduce the traffic impact created by a development.

**Transfer of Development Rights:** a technique, involving the designation of development (receiving) zones and protected (sending) zones, for guiding growth away from sensitive resources and toward controlled development centers by transferring development rights from one area to another via local law authorization such as a deed or easement. *See also “rights” and “purchase of development rights”.*

**Transit- Oriented Development (TOD):** moderate or high- density housing concentrated in mixed- use developments\* that encourages the use of public transportation.

**Transitional Use:** a permitted use or structure that inherently acts as a transition or buffer between two or more incompatible uses.

**TRANSLINKS 21:** a statewide transportation system plan prepared by the Wisconsin Department of Transportation in response to federal and state laws.

**Transportation Demand Management (TDM):** a strategy that alleviates roadway stress by reducing vehicle density via the increasing of passengers per vehicle.

**Transportation enhancements (ISTEA & TEA- 21):** funds contributed by the federal highway transportation program to enhance cultural, aesthetic, and environmental aspects of local transportation and transit systems.

**Underlying Zoning District:** a term referring to a zoning district when it is affected by an overlying district.

**Undevelopable:** an area that cannot be developed due to topographic or geologic soil conditions.

**Unified Development Code:** the combining of development regulations into a single zoning code.

**Universal Transverse Mercator Grid (UTM):** a civilian grid system, which uses only numbers and can be handled by digital mapping software and Geographic Information Systems.

**Unnecessary Hardship:** a unique and extreme inability to conform to zoning ordinance provisions due to physical factors; and, one of three tests a property must meet in order to qualify for a zoning variance.

**Up Zoning:** changing the zoning designation of an area to allow higher densities or less restrictive use. *See also “down zoning”.*

**Urban Area:** the area within a municipal boundary that is serviced by infrastructure; an intensively developed area with a relatively large or dense population.

**Urban Forest:** all trees and associated vegetation in and around a city, village, or concentrated development.

**Urban Growth Area:** an area designated for urban development and usually designed to protect open space or resources beyond its boundaries.

**Urban Growth Boundary:** the perimeter of an urban growth area.

**Urban Sprawl:** low- density, automobile- dependent, and land- consumptive outward growth of a city; the spread of urban congestion and development into suburban and rural areas adjoining urban areas.

**Utility Facilities:** any above ground structures or facilities used for production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.

**Variance:** a relaxation of dimensional standards by a local zoning board in compliance with statutory criteria. *See s.59.99(7), Wis. Stats.*

**Vehicle Miles Traveled (VMT):** a measure of automobile and roadway use.

**Village:** an incorporated area with a population under 5,000. *See ch. 61, Wis. Stats.*

**Watershed:** the area where precipitation drains to a single body of water such as a river, wetland, or lake.

**Wellhead Protection:** a plan to determine the water collecting area for a public well, identify the pollution sources within that area, and detect, prevent, and remedy potential contamination to the collecting area.

**Wetlands Inventory Map:** a map of wetlands classified according to their vegetation, hydrology, and types of human influence, developed by the Wisconsin Department of Natural Resources, used to identify wetlands for protection.

**Wetlands Reserve Program:** a federal program with state partnering to restore the functions and values of wetlands and to preserve riparian areas through conservation easements and wetland reconstruction.

**Wildlife Habitat Incentives Program:** a program that awards landowners federal cost- sharing funds after the installation of improvements to wildlife or fishery habitat.

**Wisconsin Administrative Code (Wis. Admin. Code):** a component of state law that is a compilation of the rules made by state agencies having rule-making authority. These rules provide the detailed provisions necessary to implement the general policies of specific state statutes

**Wisconsin Environmental Policy Act (WEPA):** a state law establishing a state environmental policy. WEPA requires state agencies to consider the environmental effects of decisions early in their decision-making processes and to inform the public of likely impacts and alternatives that were considered. Environmental impact statements (EISs) are prepared consistent with this law. *See also “environmental impact statement” and “National Environmental Policy Act (NEPA)”. See NR 150, Wis. Admin. Code, and s.1.11, Wis. Stats.*

**Wisconsin Initiative for Statewide Cooperation on Landscape Analysis and Data (WISCLAND):** a partnership between government agencies, private companies, and nonprofit groups to collect, analyze, and distribute landscape information.

**Wisconsin Register of Historic Places:** a listing of districts, sites, buildings, structures, and objects that are significant in national, state, or local history, architecture, archaeology, engineering and culture. The Wisconsin register of Historic Places is maintained by the Wisconsin State Historical Society. *See s. 44.36, Wis. Stats.*

**Woodland Tax Law:** a law enacted in 1954 that extended land eligibility of the Forest Crop Law to owners of small forest parcels. Entries into the WTL closed as of 1 January 1986 with enactment of the Managed Forest Law. Today about 25,000 landowners, owning more than 2.5 million acres, are enrolled in the three existing forest tax laws: Forest Crop Law, Woodland Tax Law, and Managed Forest Law. *See ch. 70, Wis. Stats.*

**Zero Lot Line:** the location of a building in such a manner that one or more of its sides rests directly on its lot line.

**Zone:** an area designated by an ordinance where specified uses are permitted and development standards are required.

**Zoning Inspector:** an appointed position to administer and enforce zoning regulations and related ordinances.

**Zoning Permit:** a permit issued by the land-use or zoning administrator authorizing the recipient to use property in accordance with zoning-code requirements.

Source: *Land-Use Lingo: A Glossary of Land-Use Terms*, WDNR, 2001.

Note: All references are to 1999-2000 Wisconsin Statutes.

**APPENDIX H**  
**RESPONSE TO PUBLIC COMMENTS**

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## **RESPONSE TO PUBLIC COMMENTS**

Prior to the town of Pensaukee Town Board taking action on the recommended *Town of Pensaukee 20-Year Comprehensive Plan*, a public review period was established beginning August 30, 2004 leading up to the public hearing date of November 9, 2004. The recommended comprehensive plan was available for public review at four locations within the town or areas adjacent to the town. The plan was also available on-line for review and was distributed to every local unit of government located adjacent to the town of Pensaukee. In addition, copies of the recommended plan were distributed to Oconto County and the Wisconsin departments of Administration, Transportation and Natural Resources. From this review period, the town received written comments from the Department of Transportation and the Department of Administration. In addition, several verbal comments were expressed at an open house and the public hearing regarding the *Town of Pensaukee 20-Year Comprehensive Plan*.

The town of Pensaukee has prepared the following in response to comments received regarding the *Town of Pensaukee 20-Year Comprehensive Plan*. All comments were reviewed on a case-by-case basis and separated into two categories: those comments addressing information of a factual nature; and those comments expressing an opinion about aspects of the plan. All factual comments were reviewed, compared to the plan and information was changed accordingly where needed. All comments expressing opinions or ideas were reviewed and may be considered for incorporation into the plan on a case-by-case basis. Incorporated ideas or opinions should be consistent with the vision of the *Town of Pensaukee 20-Year Comprehensive Plan*.

# *Bay-Lake Regional Planning Commission*

*December, 2004*

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Chris Swan  
Christopher Zabel

### **Door County**

Jaime Forest

### **Florence County**

Edwin Kelley  
Yvonne Van Pembrook  
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Sec., Cory Nettles

## Staff

**Mark A. Walter**  
Executive Director

**Jeffrey C. Agee-Aguayo, AICP**  
Transportation Planner III

**Tony D. Bellovary**  
GIS Coordinator

**Richard J. Malone**  
Office Accounts Coordinator

**Richard L. Heath**  
Assistant Director/Principal Planner

**Kathrine L. Hess**  
Economic Planner

**Angela M. Pierce**  
Natural Resources Planner

**Brenda L. Rehberg**  
Administrative Assistant

**Brandon G. Robinson**  
Community Assistance Planner II

**Joshua W. Schedler**  
GIS Specialist

**James J. Van Laanen, AICP**  
Transportation Planner II