
STATE OF WISCONSIN

CIRCUIT COURT

BROWN COUNTY

In Re:

THE MATTER OF THE INCORPORATION
AS A VILLAGE OF CERTAIN TERRITORY
IN THE TOWN OF SUAMICO

Case No. 97-CV-1129

PATRICK KIMPS, Representative of
the petitioners for the Incorporation of the
Village of Suamico,

Petitioners

DETERMINATION OF THE WISCONSIN DEPARTMENT OF ADMINISTRATION

April 21, 2003

**THE INCORPORATION OF THE TOWN OF SUAMICO
BROWN COUNTY, WISCONSIN
AS THE VILLAGE OF SUAMICO**

Case No. 97-CV-1129

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INTRODUCTION

It is the function of the Department of Administration, henceforth referred to as the Department, to prepare findings and to make a determination as to whether the territory petitioned for incorporation meets the applicable standards prescribed in Section 66.0207, Wis. Stats. Having completed that task, the analysis and findings are attached.

In summary, it is the DETERMINATION OF THE DEPARTMENT OF ADMINISTRATION that, when considering the petition submitted to the Circuit Court by the petitioners, under Section 66.0207, Wis. Stats.:

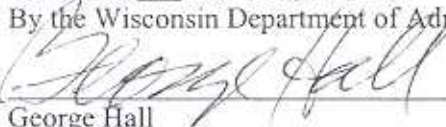
STANDARD 1 (a), Homogeneity and Compactness - met
 STANDARD 1 (b), Territory Beyond the Core - met
 STANDARD 2 (a), Tax Revenue - met
 STANDARD 2 (b), Level of Services - not applicable
 STANDARD 2 (c), Impact on the Remainder of the Town - met
 STANDARD 2 (d), Impact on the Metropolitan Community - met

All of the above is discussed in greater detail in the body of the Determination. The Determination of the Department to the Circuit Court, as prescribed by s. 66.0203(9)(e)2, Wis. Stats., is as follows:

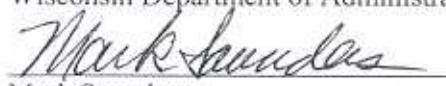
The petition as submitted shall be granted and an incorporation referendum held.

Dated this 21st day of April, 2003.

By the Wisconsin Department of Administration:


 George Hall

Director of Municipal Boundary Review
 Wisconsin Department of Administration


 Mark Saunders

Deputy Counsel
 Wisconsin Department of Administration

cc:

The Honorable Sue Bischel, Judge, Brown County
 Circuit Court
 Patrick Kimps, Representative of the Petitioner
 Richard Johnston, Administrator, Town of Suamico
 Thomas Lund, Chairman, Town of Suamico
 Paul Umentum, Attorney, Town of Suamico
 Bonnie Swan, Clerk, Town of Suamico
 Hugh L. Thomas, Clerk, Village of Howard
 Bob Strazishar, President, Village of Howard
 Dennis Duffy, Attorney, Village of Howard

Richard Rosmarynoski, Alternate Representative of
 the Petitioner, Town of Suamico
 Mary Smith, Clerk, Village of Hobart
 Jan Bodart, Clerk, Town of Pittsfield
 Karen Ostrowski, Clerk, Village of Pulaski
 Douglas Daul, Clerk, City of Green Bay
 William Forrest, Consultant, Town of Suamico
 Paul Janquart, Clerk of Courts, Brown County
 Chuck Lamine, Brown County Department of
 Planning

The following analysis and findings relate to the "Standards to be applied by the Department of Administration," found in Section 66.0207, Wis. Stats.

Background

Although the Petitioners originally filed for incorporation in 1997, the Department's determination was delayed while the Town of Suamico and Village of Howard negotiated an intergovernmental agreement, and while the Town assembled information for the Department. The intergovernmental agreement was crafted in an attempt to alleviate concerns arising from the potential incorporation of the Town of Suamico. The process began in 1998 and was completed in 2001 with amendment processes ongoing. Data collection also proved time consuming for the Town and extended the date of the determination. The Department greatly appreciates the cooperation of all involved parties as they contended with ongoing questions and requests posed by the Department.

SECTION 1(a) HOMOGENEITY AND COMPACTNESS

The standard to be applied as found in §66.0207(1)(a) reads as follows:

The entire territory of the proposed village or city shall be reasonably homogenous and compact, taking into consideration natural boundaries, natural drainage basin, soil conditions, present and potential transportation facilities, previous political boundaries, boundaries of school districts, shopping and social customs.

In addition to the statutory factors cited above, Pleasant Prairie v. Department of Local Affairs & Development¹ allows the Department to consider land use patterns, population density, employment patterns, recreation, and health care customs.² Thus, Pleasant Prairie gives the Department flexibility to consider additional non-enumerated factors, but not the flexibility to eliminate or reduce the importance of the factors enumerated in §66.0207(1)(a), Wis.Stats.

The facts surrounding each incorporation petition are different. However, in each case and for each requirement, the Department must be able to state that, even though the situation presented may not be entirely perfect, *when taken as a whole*, the facts support a finding of homogeneity and compactness. Departmental determinations since the 1980s describe, in detail, the reasons for finding whether an incorporation criterion is met or not met.

General Town Description

The territory comprising the proposed Village of Suamico is located fully within the Town of Suamico, in the northwest corner of Brown County. Situated approximately three miles north of the City of Green Bay, the Town of Suamico is bounded by Oconto County to the north, the Town of Pittsfield to the west, the Village of Howard to the south and the waters of Green Bay to the east. Amidst this metropolitan context, Suamico functions primarily as a “bedroom community” of Green Bay, and correspondingly, growth of a residential nature predominates.³ Development pressures are fueled by the Town’s proximity to Green Bay and its many rural and natural amenities. These factors have contributed to a 3.9 percent population increase from the 2000 census data to 2001, one of the largest in Brown County. In comparison, the City of Green Bay grew only 0.1 percent in the same time period.⁴ Furthermore, Suamico’s estimated 2002 population is 9,399, a figure exceeding WiDOA’s 2010 population projection for the town.⁵ Given Suamico’s location within the Green Bay metropolitan area, its many highly desirable natural and rural attributes and its accessibility to and from the existing USH 41/141, its population will continue to grow significantly. Land use will continue to transition from agricultural to residential, commercial, recreational, and institutional, and other urban uses.

However, it has proved difficult for the Town to concentrate or manage this rapid growth, which has resulted in sporadic, sprawling pockets of development.⁶ Various Comprehensive Plans (1969, 1994, 2000) have recommended methods to curb this pattern, with little effect. Yet despite its rapid and very

¹ Pleasant Prairie v. Department of Local Affairs & Development, 108 Wis.2d 465 (Ct.App. 1982), affirmed, 113 Wis.2d 327 (1983).

² *Ibid*, pg. 337.

³ *Submittal in Support of Incorporation of the Village of Suamico* (2002) by Forrest & Associates, pg. 13.


⁴ Brown County Workforce Profile. www.dwd.state.wi.us/lmi/cp_pdf/b009cpw.pdf.

⁵ Demographic Services Center - Wisconsin Department of Administration (WiDOA), 1993. WiDOA projects a 2010 population of 7,215.

⁶ *Town of Suamico Comprehensive Plan* (2000) by Brown County Planning Commission, pg. 58.

scattered growth, the Town has managed to maintain the highest percentage of woodlands and wetlands within Brown County.⁷

The proposed village lies within all of Public Land Survey (PLS) Sections 22-32 and 34-36, a portion of Sections 13-16, 20, 21 and 33 at T25N R20W, and the land comprising Sections 30 and 32 at T25N, R21E and Section 5 at T24N R21E. The partial Sections 13 through 16 and 20-21 at T25N R20W reflect the northern boundary, which was drawn to account for additional development that could be expected to occur within the three-year period following incorporation. The partial Section 33 reflects a portion of the southwest corner that was annexed to the Village of Howard. The proposed village would leave a Town remnant comprised of Sections 1-12, 17-19, the remaining portions of Sections 13-16, 20 and 21 at T25N and R20E and the land comprising a portion of Sections 5-8 and 18 at T25N, R21E. The proposed Village boundaries are defined by the Town of Pittsfield-Town of Suamico town line to the west, the Town of Suamico-Village of Howard municipal boundary to the south, the west shore of Green Bay to the east and the town remnant to the north.

The Town presently contains approximately 36.3 square miles or 23,285.01 acres.⁸ The proposed village contains approximately 17 square miles, or 10,880 acres, according to Petitioner estimates.  Map 1, Appendix 3, shows the area in relation to other adjacent municipalities in Green Bay and Brown Counties. USH 41/141 is the major transportation route through Suamico, while CTH “HS” (Velp Avenue), “J” (Lakeview Drive), “M” (Lineville and Flintville Roads) and “B” (School Lane) also serve the Town.⁹

Physical and Natural Boundaries

Municipal Boundary Review evaluates the physical and natural boundaries of an area proposed for incorporation to determine if it is in agreement with the intent of Wis. Stats. and is supported by Departmental precedent. The following review details elements comprising the boundaries of the proposed village of Suamico.

Topography

Map 4, Appendix 3, shows the topography of Suamico, which reflects a varied surface geology, heavily influenced by past periods of glaciation. This activity has resulted in two distinct areas within the Town: the rolling topography of the West where glaciers advanced and retreated, plowing up soil and leaving deposits; and the extremely flat East, which was once the bottom of the bay when water levels were much higher.¹⁰

The western portion of the Town is comprised of many ridges, swales and closed depressions. It is an area of moderately steep land slopes, with several areas of steeper slopes and depressions in the ground. This topography creates scenic views that have helped fuel an increase in residential development. Sandy, nearly level glacial lake sediment dominates the eastern portion of the Town. Groundwater is close to the surface throughout this extremely flat region and there are many wetlands.¹¹ Reflecting this varied geology, local relief in the Town ranges from 780 feet at the highest ridgelines, and then decreases throughout the central area to the flat, eastern third of the Town (579

⁷ *Town of Suamico Comprehensive Plan* (2000) pg. 31.

⁸ *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002) by Kaempfer & Associates pg. 2-14.

⁹ *Comprehensive Outdoor Recreation Plan* (1997) pg. 4.

¹⁰ *Town of Suamico Comprehensive Plan* (2000) pg. 15.

¹¹ *Ibid.*

feet at the Bay of Green Bay).¹² These physical conditions pose many challenges for the Town in regards to stormwater management, erosion control, layout of roads, and sewage disposal.¹³

Extensive water resources including the Bay of Green Bay, Suamico River, Haller Creek and other wetlands, floodplains, ponds and artificial lakes create the major physiographic feature in the town, and comprise over 22 percent of Suamico's land use. Suamico also has the most woodlands of any municipality in Brown County, comprising approximately 15 percent of their total land use.¹⁴ Another unique feature in Suamico is wind transported, sediment formed dunes that are scattered in a north-south band through the central portion of the Town.¹⁵

Physical Boundaries

The Town of Suamico is approximately 36.3 square miles and the proposed village and town remnant would consist of approximately 17 and 19.3 square miles respectively.¹⁶ The eastern boundary of the Bay of Green Bay provides the proposed village's only natural or physical boundary, while the boundaries to the south, west and north are politically-based.

The proposed village boundary, as seen on Map 1, Appendix 3, beginning at the intersection of Westline Road and Anston Road, proceeds east along Anston Road until it intersects with Northwood Road. The border then extends northward to the intersection of Northwood Road and Woodland Meadow Court and then continues north to the half section line of Section 20. The border continues east until it intersects with the Escanaba & Lake Superior Rail Road, where it follows the Railroad Right of Way in a generally northeasterly direction to a point north of the intersection with School Road. Upon reaching this point, the border turns easterly and meanders in said direction, with boundaries adjusted to encompass lands under, or immediately considered for development until it reaches USH 41/141. The boundary then proceeds northerly along the USH 41/141 corridor thence turns and proceeds east along the north quarter line to where it intersects Lakeview Drive/CTH J. Said boundary then commences south, generally along the Lakeview Drive/ CTH J, turns east along the 1/16th line of Section 13 until it intersects with the Bay of Green Bay, Lake Michigan and then proceeds south following the west shore. The boundary turns west and follows the Town of Suamico-Village of Howard municipal boundary (generally Lineville Road) until it reaches Westline Road. Said boundary proceeds north until it intersects with Anston Road.¹⁷

Drainage Basins

Map 2, Appendix 3, portrays Suamico's drainage basins. Within the Town, the Suamico River is the largest drainage basin, with Haller's Creek serving as a significant tributary. Four other smaller basins (Little Tail Point, Norfield Road, Resort Road and Barkhausen) drain directly to the Bay¹⁸ and all of the six basins are part of the Suamico watershed. There are also two smaller drainage basins in the southwest corner of Suamico: Lancaster Creek and Duck Creek Tributary. However, these basins are part of the Duck Creek Watershed, a DNR priority watershed since 1994. This pocket of land does not drain east to Green Bay, rather it drains south from Suamico into Pittsfield and southeast into Howard.¹⁹

¹² *Conceptual Storm Water Management Plan Southern Portion of the Town of Suamico, Brown County WI*, (2002) by Community Engineering Consultants, pp. 10, 15.

¹³ *Town of Suamico Comprehensive Plan* (2000) pg. 15.

¹⁴ *Town of Suamico, Comprehensive Storm Water Plan/Needs Assessment Study* (2001) pg. 6.

¹⁵ *Town of Suamico Comprehensive Plan* (2000) pg. 15.

¹⁶ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 1.

¹⁷ *Ibid*, pg. 5.

¹⁸ *Town of Suamico, Comprehensive Storm Water Plan/Needs Assessment Study* (2001) pg. 2.

¹⁹ *Ibid*.

While the northern boundary does not entirely follow the Suamico River basin, the proposed village boundary does encompass the southeastern one third of the Town, an area host to more complicated stormwater management issues. Intensive development pressure from residential, commercial and industrial activity has created many existing drainage problems. In particular, these problems result from inadequate storage space for excess stormwater and lack of adequate capacity for transporting runoff.²⁰ These issues are of concern because the surface water does not percolate downward due to the abnormally high ground water table in the flat eastern area.²¹ Areas of particular concern involve West Deerfield Avenue, Longtail Beach Road, Harbor Lights Road and the Parkland-Wilding-Woodington neighborhood. Suamico has addressed these issues through the creation of the *Conceptual Storm Water Management Plan: Southern Portion of the Town of Suamico* (2001). Large scale recommendations include a combined system of storm sewers for densely developed portions of the Town and ditches for undeveloped areas. Artificial wetlands are also recommended for the undeveloped lands, specifically those east of Lakeview Drive. In the western areas, where excessively steep slopes prevail or existing development precludes other approaches, recommendation include the creation of regional detention ponds and incorporation of infiltration basins in new developments.²² Further discussion of stormwater issues is found in the Environmental Corridors, Wetlands, and Natural Areas section.

Although comprising a small area of the proposed village, the two minor drainage basins of Lancaster Creek and Duck Creek Tributary are important to consider as they flow into the priority Duck Creek Watershed. To help manage this area, the WDNR has four recommendations.²³ The one relevant to Suamico is the Brown County Planning Commission's designation of Environmentally Sensitive Areas (ESA) which, once designated, prevent development in unsuitable areas and protect surface and groundwater quality of the watershed. Designations are continually updated as part of the Brown County Sewerage Plan (SSA Plan). According to the Brown County Planning Commission, there are ESAs within Suamico that affect the Duck Creek watershed and it is important for Suamico to heed these delineations and proceed with development that is sensitive to this watershed.²⁴

Lands within the town remnant drain directly or subsequently to the Suamico River or Green Bay.²⁵

Soils

Map 3 and corresponding Table 15, Appendix 3, describe the area's soils. A soils examination is important as soils influence the presence of vegetation and wildlife, how much rainfall or snow melt flows into rivers, lakes and wetlands and how much infiltrates the ground. Soils also determine the most economically feasible location of residential and commercial development, as well as public infrastructure.

The predominant soil types in the southwest area of Suamico are from the Shawano-Boyer-Sisson association, an area loosely bound by the Suamico River to the north and the railroad to the east. They are deep, excessively drained and well drained soils, with sandy or loamy subsoil. They range in slope from nearly level to steep and tend to be highly erodible, have low stability when wet and are

²⁰ *Conceptual Stormwater Management Plan, Southern Portion of the Town of Suamico* (2002) pg. 1.

²¹ *Town of Suamico, Comprehensive Storm Water Plan/Needs Assessment Study* (2001) pg. 6.

²² *Conceptual Stormwater Management Plan, Southern Portion of the Town of Suamico* (2002) pgs. 28-31.

²³ www.dnr.state.wi.us/org/gmu/lowerfox/surfacewaterfiles/watersheds/lf05.html.

²⁴ Sewer Service Area Maps, Brown County Planning Commission, www.co.brown.wi.us/Planning/forms/suamico.pdf.

²⁵ *Town of Suamico, Comprehensive Storm Water Plan/Needs Assessment Study* (2001) pg. 2.

droughty making them subject to blowing.²⁶ In general, sandy soils predominate in this area of the Town, which tend to be low in fertility, often subject to seasonal saturation and poorly suited for most cultivated crops.²⁷

Soils from the Tedrow-Roscommon association are predominant in the eastern portion of the Town. These nearly level soils are deep and somewhat poorly drained to poorly drained. In addition, these soils are sandy and rapidly permeable with little distance to the groundwater table, severely limiting the use of on-site sanitary systems. These soil areas are also low in natural fertility and are not well suited to agriculture. Due to the limitations this soil association poses for non-sewered residential and agriculture, rural areas of this composition are more suitable for wildlife habitat, open space and outdoor recreation.

The northwest portion of the town, located in the town remnant area, has predominant soil types from the Shawano-Tedrow Roscommon association. These soils are deep, excessively drained to poorly drained and range from nearly level to steep slopes. They also tend to have a high groundwater table and low stability.²⁸

In general, the majority of the soils in the Town are not well suited to the crops commonly grown in Brown County and are therefore not considered prime agricultural soils.²⁹ However, there are limited areas of concentrated prime agricultural soils in the south central part of Suamico, but most have already been developed.

Map 4, Appendix 3, portrays the location and gradient of slopes in Suamico. Steep slopes can contribute to development problems, particularly regarding issues of soil erosion, layout of roads and stormwater management. While the landforms within the Town vary, the majority of the steepest slopes are in the western part of the Town. Soils in this area have slopes ranging from 0-20 percent, but areas with slopes greater than 20 percent are few.³⁰ However, such a wide array of slopes decreasing from west to east pose significant challenges for effective stormwater management.³¹

In conjunction with slope, specific soil characteristics exist in Suamico that further complicate stormwater management. The droughty soils in the west prove difficult for reestablishing vegetative cover once it has been removed and although the soils are quite permeable, heavy downpours can produce significant runoff causing severe erosion and sediment transport to the receiving streams. The other extreme proves no less challenging. The eastern, extremely flat topography, despite the permeable soils, does not allow surface water to percolate downward because of the abnormally high water table. Due to these conditions, issues of managing both quantity and quality of run-off continue to be a major challenge for the Town.³² This is discussed in more detail in this section of the Determination under Environmental Corridors, Wetlands, and Natural Areas, at page 13.

Map 5, Appendix 3, shows soil suitability for conventional on-site septic systems. Overall, much of the proposed village is suitable for conventional on-site septic systems, particularly soils west of USH 41-141, while most of the developed eastern portion is in the Suamico Sanitary District. Future plans call for the inclusion of the entire area east of the Escanaba and Lake Superior Rail Line to be served

²⁶ Ibid, pg. 7

²⁷ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 8.

²⁸ *Town of Suamico, Comprehensive Storm Water Plan/Needs Assessment Study* (2001) pg. 7.

²⁹ *Brown County Farmland Preservation Plan* (1992) by Brown County Planning Commission, pg. 87.

³⁰ *Town of Suamico, Comprehensive Storm Water Plan/Needs Assessment Study* (2001) Map 3.

³¹ *Conceptual Stormwater Management Plan: Southern Portion of the Town of Suamico* (2002) pg. 15.

³² *Town of Suamico, Comprehensive Storm Water Plan/Needs Assessment Study* (2001) pg. 6.

by municipal sewer.³³ In general, the Town is attempting to direct the majority of growth into the existing sewer service area while anticipating areas for future sewer service.

Critical Species

While not expressly part of the standard under review (the federal and state adoption of the relevant endangered species acts post-dates the advent of Wisconsin's incorporation statute), the following information presented here may be useful to Suamico as it develops plans, policy measures, and ordinances that prospectively recognize and protect the many endangered and threatened species and unique natural communities present in the proposed village.

Under the provisions of §29.608, Wis.Stats., Wisconsin assumes responsibility for conserving native wild animals and plants, and for taking steps to enhance their continued survival and propagation for the aesthetic, recreational and scientific benefits for future generations. The Wisconsin Legislature has found that the activities of both individual persons and governmental agencies are tending to destroy the few remaining plant-animal communities in the state. Therefore, the legislature has urged "all persons and agencies to fully consider all decisions in this light."³⁴

The Wisconsin Department of Natural Resources (WDNR) has established by administrative rule an endangered species and threatened species list. "Endangered species" means any species whose continued existence as a viable component of this state's wild animals or wild plants as determined by the WDNR to be in jeopardy on the basis of scientific evidence. "Threatened species" means any species of wild animals or wild plants which appears likely, within the foreseeable future, on the basis of scientific evidence to become endangered. "Special Concern species" means species with suspected problems of either abundance or distribution, and about which more information will be gathered.³⁵ "Rare species" means species known to occur within the vicinity of the proposed area from historical data, however more recent survey information does not exist to verify the species continued existence in the area.³⁶

To identify critical species for Suamico, the Department utilized the WDNR's Endangered Resources Review (ERIR Log #01 – 208), submitted as an appendix to the Wastewater Management Facilities Plan for Suamico Sanitary District No. 1. While the boundaries of the Sanitary District lie almost entirely within the proposed Village, the review provides endangered resource information for an area extending two miles beyond the Sanitary District boundaries. Thus, the review includes the entire proposed village as well as some territory beyond the village boundaries. This allowed the Department to list the specific species found within the proposed village, as of 2001.

The following resources are identified for Suamico:³⁷

Birds

- *Nycticorax nycticorax* (black-crowned night-heron) - Special Concern (rare): This species prefers freshwater wetlands dominated by bulrush and cattail with small

³³ *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002) pg. 4-2.

³⁴ *Bohners Lake Determination* (1999)

³⁵ §29.604, Wis.Stats.

³⁶ Correspondence to Taryn Nall, Kaempfer & Associates from Jennifer Bardeen, Bureau of Endangered Resources, 11/21/01, in *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002).

³⁷ Definitions as listed in Correspondence to Taryn Nall, Kaempfer & Associates, from Jennifer Bardeen, Bureau of Endangered Resources, 11/21/01, in *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002).

groves of alder, willow or other brush. Their breeding season occurs from mid-April through mid-September.

- *Sterna forsteri* (Forster's tern) – Endangered: This species prefers large semi-permanent and permanently flooded wetlands that support extensive growths of cattail and hardstem bulrush. The breeding season extends mid-May to late July.

Butterflies

- *Euphyes dion* (sedge skipper) – Special Concern: This species prefers open marshes, bogs, swamps, and wet meadows with tussock sedges. Caterpillar host plants include sedges and bulrushes. Their flight times are in mid-May.
- *Poanes massasoit* (mulberry wing) – Special Concern: This species prefers sedge meadows with a flight period in July.
- *Poanes viator* (broad-winged skipper) – Special Concern: This species prefers extensive marshes. The flight period is throughout July.

Plant

- *Deschampsia cespitosa* (tufted hairgrass) - Special Concern (rare): This species prefers fens, sandstone and dolomite splash pools on the Great Lakes, springs, marly bog pools and cedar swamps. Blooming occurs from mid-June through mid-July.
- *Galium palustre* (marsh bedstraw) - Special Concern: This species is often found on floating mats in marshes along the west shore of Green Bay. Flowering occurs from mid-June through mid-July.
- *Gentiana alba* (yellow gentian) – Threatened: This species has been observed in thin soil in dry open woodlands, ridges and bluffs (often with dolomite near the surface), moist sand prairies, roadside ditches and clay soils of wooded ravines. Blooming occurs from mid-August through mid-October.
- *Medeola virginiana* (Indian cucumber root) - Special Concern: This species prefers rich hardwood or mixed conifer-hardwood forests. Blooming occurs from early May through late June.
- *Platanthera flava var. herbiola* (pale green orchid) – Threatened (rare): This species' habitat is varied and has been found in moist prairies, sedge meadows, shrub-carrs, alder thickets, fen and bog mats, conifer swamp margins and ditches. Blooming occurs from early June through mid-August.

Reptiles and Amphibians

- *Clemmys insculpta* (wood turtle) – Threatened: Prefers deciduous forests and open meadows along moderate to fast moving streams and rivers. The breeding season extends from early April through late August.

Fish

- *Lepomis megalotis* (longear sunfish) – Threatened (rare): This species prefers clear, shallow, moderately warm, still waters of streams, rivers, or lakes with moderate aquatic vegetation over substrates of gravel or rubble. Spawning occurs from June through early August.
- *Lythrurus umbratilis* (redfin shiner) – Threatened (rare): This species prefers turbid waters of pools in low-gradient rivers/streams over substrates of silt, gravel or rubble.

Spawning occurs from early June through mid-August in sunfish nests, and they coexist with the sunfish in the nesting territory.

Environmental Corridors, Wetlands and Natural Areas

Environmental corridors are defined as linear areas in the natural landscape containing concentrations of natural resources and visual amenities, and include steep slopes, wetlands, forested areas, remnant prairies, unique natural communities, and floodways, among others. The concept of environmental corridor stems from §208 of the Federal Clean Water Act, which requires that states limit the provision of publicly financed sanitary sewer systems to only those lands with soil conditions capable of supporting urban development. All wetlands should be excluded from sanitary sewer service areas, and should be designated environmentally sensitive areas. Wetlands play a critical role in maintaining surface and groundwater quality; storing stormwater, which minimizes flooding; and reducing runoff and sedimentation.

Map 6, Appendix 3, portrays the Town of Suamico's environmental corridors as defined by the Bay Lakes Regional Planning Commission. They includes six main features:

1. Lakes, ponds, rivers, streams, flowages.
2. Wetland areas of 2 acres or greater.
3. 100-year floodplains.
4. Areas of steep slope (those 12% or greater).
5. 75-foot setback from navigable waters.
6. 25-foot wetland buffers.³⁸

There is widespread recognition that the preservation of such areas is critical to preserve biological and aesthetic diversity, central tenets of ecological and cultural sustainability.³⁹ This is of particular salience in Suamico, where natural resources cover almost one quarter of the land in terms of wetlands and approximately 15 percent of the Town has designated woodlands.⁴⁰ These areas exist primarily in the central and eastern portion of the Town, along the Bay of Green Bay and its adjacent wetlands and tributaries, such as Suamico River and Haller Creek, and extending westward. Extensive areas of the Town are also within floodplains.

Map 6, Appendix 3, also locates the wetlands that exist in Suamico, many of which are associated with the waters of Green Bay. One of the largest wetlands is located within the proposed village in a central area extending south from Harbor Lights Road into Howard and bounded loosely by USH 41/141 and Velp Avenue to the east and west respectively. There are also wetlands of significant size along the waters of Green Bay in addition to an area in the east constrained by development south of the Suamico River and north of Harbor Lights Road. The map shows numerous other wetlands of a smaller size, dispersed throughout the Town. To further protect Suamico's wetlands, the WDNR is in the process of acquiring 300 additional acres of existing wetlands, all of which are located within the proposed village boundary. Benefits of such action will translate into added protection of waterfowl habitat and fish spawning areas, as well as enhancing stormwater management opportunities within the proposed village.⁴¹

The Suamico River provides the major surface water resources within the Town, and is regulated in part by the Town of Suamico Harbor Commission. The proposed incorporation boundary will

³⁸ Murrell, M. The Definition and Mapping of Environmental Corridors by Three Regional Planning Commissions. *Research Management Findings*. Number 43, Jan. 2003.

³⁹ Ibid.

⁴⁰ *Town of Suamico, Comprehensive Stormwater Management Plan/Needs Assessment Study* (2001) pg. 6.

⁴¹ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 11.

essentially bisect the River as it meanders through the Town. While petitioners submit incorporation will not impact the Harbor Commission, which addresses primarily the lower reaches of the river, east of the boat landing, it will necessitate a cooperative management approach between the proposed village and town remnant to ensure the health of the River and associated wetlands.⁴²

Haller Creek is another area of particular environmental concern, located primarily in the town remnant. As outlined in the *Town of Suamico Comprehensive Plan* (2000), Haller Creek is the only Trout Stream in all of Brown County and is a significant natural resource. Suggested protective measures include an amended zoning ordinance to create an environmental overlay zone to keep the shoreline undeveloped or developed with strict erosion control and vegetation removal standards.

While the wetlands provide opportunities for storm water retention and cleansing, stormwater management continues to be a particularly challenging issue in Suamico because of the varied topography of the land, high groundwater table, the residential and commercial development that has and is expected to occur in the town and apparent conversion of some wetlands (compare Map 6 with Map 13 in Appendix 3). Within the Town, the majority of medium- and high-density residential, commercial and institutional development has occurred along the USH 41-141 corridor and the impermeable surfaces associated with such development (concrete, asphalt, roofing tile, etc.) result in a greater quantity of stormwater, moving more quickly, and collecting more sediments and pollutants. Of additional concern, all major west to east flowing streams cross USH 41/141 requiring extreme care to provide appropriate Best Management Practices to control runoff from this high use area.⁴³

In order to address its stormwater challenges, Suamico has developed the *Town of Suamico Comprehensive Stormwater Plan/Needs Assessment Study* (2001) and the *Conceptual Stormwater Management Plan Southern Portion of the Town of Suamico, Brown County, WI* (2001) with assistance from Community Engineering Consultants of Green Bay. Specific problem areas in the southeast portion of the Town include West Deerfield Avenue, Rainbow Drive and Moonlight Drive, Bay Port High School, Velp Avenue to Siesta, Long Tail Beach Road, Harbor Lights Road Park, Wilding-Woodington Neighborhood and East Deerfield Avenue. These plans provide an inventory of recommended strategies for the Town such as the use of regional ponds, infiltration basins, grassed swales, ditch checks, erosion mats, etc, storm sewer, ditches and treatment trains. Best Management Practices are to include street sweeping and catch basin cleaning, land acquisition, runoff control regulations and land use regulations and structural practices such as wet ponds and artificial wetlands, vegetated swales and filter strips and infiltration basins and trenches.

Ambient Air Quality

Brown County's ambient air quality is at attainment status for all pollutants of concern,⁴⁴ and because of this, neither the County nor Suamico is subject to any transportation control measures. However, according to the WDNR, Brown County now sits on the cusp of non-attainment for the 8-hour ozone standard.⁴⁵ Therefore, Suamico should increase pressure to encourage compact development, along with related commercial and retail facilities, that shorten the journey to work and shop, to facilitate

⁴² *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 9.

⁴³ *Town of Suamico, Comprehensive Stormwater Management Plan/Needs Assessment Study* (2001) pg. 3.

⁴⁴ *Wisconsin Air Quality Summary* (2001), U.S. Environmental Protection Agency, as provided by Shirley Haidinger, WDNR, 1/03/03.

⁴⁵ The unseasonably cold summer of 2000 had relatively low ozone levels, thus allowing the 2000-2002 average to remain in attainment for the 8-hour ozone standard. Brown County is at risk of reaching non-attainment levels for this same standard during the summer of 2003. EPA will use 2001, 2002, and 2003 data when they make their final nonattainment decision in April of 2004. Per email correspondence with Dennis Koepke, WNDNR, 3/31/03.

transportation alternatives to driving such as transit, walking, and bicycling. This is described further in this section under transportation and land use.

Historically Significant Resources

Resources situated within an area proposed for incorporation can have statewide or even national importance. The Department must consider the existence of such resources as well as actions taken to preserve them.

There is one property listed in the National Register of Historic Places in the Town of Suamico. Located at 1749 Riverside Drive, the Henry House was built in 1869 and listed on January 31, 1980. The Henry House is located in the area proposed for incorporation.⁴⁶ There are also 17 historic structures, identified by the State Historical Society of Wisconsin's Wisconsin Architecture and History Inventory, in the proposed village limits. These areas vary in structure and include a school, bank, fishing shed, granary, railroad trestle, service station, two churches, and nine houses.⁴⁷

Additionally, there are over 97 archeological sites throughout the Green Bay West Shore study area, according to the *Green Bay West Shore Cumulative and Secondary Impacts Study* created by the Bay Lake Regional Planning Commission (2000). Approximately 43 of these historic or precontact sites are located in the proposed village. Preservation of these sites proves challenging because many are located in areas of increasing development pressure or can be difficult to detect. They are also more difficult to preserve than historical sites, which are typically still in use as agricultural buildings or homes, located away from high development areas. The Department has found recommended actions to protect these valuable resources in the *Green Bay West Shore Cumulative and Secondary Impacts Study* (2000), the *Comprehensive Outdoor Recreation Plan* (1997) and the *Brown County Open Space and Outdoor Recreation Plan* (2001). Such recommendations include the addition of protective clauses to the subdivision ordinances and the creation of conservation/cluster design developments around such resources found in proposed subdivisions. However, the only adopted measure found by the Department is a cursory recommendation to incorporate historically significant sites into future park locations whenever possible, and to protect such areas from "active" recreation development. There is a real and pressing need for the Town of Suamico to protect such areas from development, for without such protection, these fragile areas will be lost.

Transportation

The Department reviews modes of transportation within an area proposed for incorporation to determine if the area meets standards set forth in Wis. Stats. and is upheld by Departmental precedent. The following review details the state of transportation systems in Suamico, as seen on Map 7, Appendix 3.

Highways and Roads

The automobile is the primary means of transportation within the Town of Suamico. Over 96 percent of Suamico work trips, with a mean commute time of 22 minutes, utilize the automobile, either in a single occupancy vehicle (89.9 percent) or a carpool (6.2 percent).⁴⁸ This is even greater than the 90 percent average for Brown County where 81.6 percent drive alone and 8.8 percent carpool.⁴⁹ With continued patterns of low-density development that generate heavy reliance on the automobile, traffic

⁴⁶ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 12.

⁴⁷ Wisconsin Architecture & History Inventory, www.wisconsinhistory.org/ahi/summary.asp.

⁴⁸ www.doa.state.wi.us/dhir/wisconsin/0605500977975.pdf.

⁴⁹ *Brown County Year 2020 Land Use and Transportation Plan* (1996) pg. 3-16.

management will continue to be a critical element in Suamico's future, particularly if Brown County reaches non-attainment levels for the 8-hour ozone standards.

Serving these ever growing transportation demands is a network of federal, state, county and local roads. This network influences the development and location of future land uses, economic development and preservation of environmental resources, however, these uses also guide future transportation choices in a reciprocal relationship. In Suamico, this relationship resulted in many cul-de-sacs and roads with limited connectivity and capacity. In response, the 2000 Comprehensive Plan calls for the connection of cul-de-sacs that are over 1000 feet or those with many fronting lots to increase connectivity and create a more equitable distribution of traffic flow within the Town.

Further limiting internal cohesion is USH 41/141, which bisects the Town of Suamico on a north-south axis. It is the primary arterial that connects the recreational area of northeastern Wisconsin and upper Michigan with the Fox River Valley industrial area and the Milwaukee-Chicago metropolitan areas. Recently, a portion of USH 41/141 in the town remnant was upgraded to freeway status as a result of recommendations from the Wisconsin Department of Transportation's *Corridors 2020 Plan*. This upgrade has facilitated the creation of a backbone system to interconnect all regions and major population and economic centers in the State and linked them to the National Transportation Network.⁵⁰ Although serving to interconnect the Green Bay region to the State and beyond, USH 41/141 could do just the opposite for Suamico by inhibiting east-west movement throughout the town, and creating psychological or social barriers between residents. To help mitigate these concerns, frontage roads were created to run parallel to USH 41/141, and provide a means to enhance local traffic flow and create economic stimuli. While there are limited opportunities for direct east/west travel throughout the area proposed for incorporation, environmental corridors such as wetlands are also often the constraint as well. Specifically, roads that cross USH 41/141 are Lineville Road along the southern boundary, Riverside Drive and CTH B near the northern boundary and Harbor Lights Road in the northern one third of the proposed village.

Other major transportation facilities within Suamico are the network of County Trunk Highways: CTHs B, HS, J, M, and IR. They are designed to facilitate movement through the region or carry traffic to major destinations. CTH M (Flintville Road portion) HS and J serve the north/south needs of the western, central and eastern portions of the Town, respectively. CTH M (Lineville Road portion) and B serve the east/west traffic for the proposed village portion of the Town, while the Brown County Reforestation Camp limits direct arterial east/west access for the town remnant.⁵¹ These roads total 24.90 miles within Suamico and provide a relatively high degree of access throughout the Town.⁵²

Local roads provide the remaining measure of transportation support and comprise the bulk (approximately 82 percent) of road miles within the Town. Road conditions themselves were submitted to be in good condition, but on the site visit of February 24, 2003 the Department found that heavy reliance on automobile travel is causing substantial wear along major corridors, with cracked pavement and shoulder erosion. No means to address this issue were provided. Also, the lack of sidewalks and interconnected streets may create some potentially dangerous intersection conditions for pedestrians and bicyclists where residential and commercial developments adjoin the major transportation corridors. The Town has, however, completed recommended changes to shift the intersection at Cardinal Lane and White Pine Road west of the Escanaba & Lake Superior Railroad to eliminate a railroad crossing and reduce confusion with the nearby Velp Avenue intersection. Other, less recent projects include a joint effort between the Village of Howard and the Town of Suamico that

⁵⁰ *USH 41/141 Corridor Land Use Plan* (1998) by Foth & Van Dyke, pg. 1.

⁵¹ *Town of Suamico Comprehensive Plan* (2000) pg. 100-102.

⁵² State of Wisconsin Department of Transportation Mileage Comparison from 12/31/00 to 09/30/02.

resulted in the first modern roundabout constructed in Wisconsin, at the intersection of Lineville Road and Velp Avenue along the Town/Village border.

Railroads

Two active rail lines, the Canadian National Railroad and the Escanaba & Lake Superior Railroad, serve Suamico. Each independently operates main line trackage through the Town. The Canadian National enters the Town from the south in Section 34 and exits north at Section 1, while the Escanaba & Lake Superior enters from the south in Section 33 and exits north from Section 3.⁵³ Although there is limited potential for increased rail usage in Suamico, the railroads are an asset for future economic development. As of 2000, there were no plans for rail abandonment for the Suamico portion of these tracks.⁵⁴

Air

The Austen Straubel International Airport provides easy access to the residents of Suamico for both personal and business travel. It is located approximately 15 miles south of the proposed village, with USH 41 to STH 172 providing the most convenient route. Austen Straubel serves as the regional airport for northeastern Wisconsin, offering connecting flights to larger airports that offer national and international flights. Passenger travel is served by nationwide and commuter airlines as well as charter airlines. Air cargo transport is also available.

Alternate Transit

No commercial bus/transit service currently serves the Town of Suamico as it is outside the service area of the Green Bay Transit. There are no plans for expansion to the proposed village.⁵⁵

Bicycle and pedestrian

Currently, Suamico has minimal opportunities for bicyclists and pedestrians. However, recognizing that the growth of the Town will increase pressure for pedestrian facilities, several plans are underway to provide safe access.

- **Pedestrian opportunities:** The *Town of Suamico Comprehensive Plan (2000)* calls for the creation of a Trail Network to connect the major destinations in Suamico such as schools, parks and open spaces. To be consistent with the visioning sessions, pedestrian facilities are to be planned as off road improvements where possible or as sidewalks in existing development areas. This will help align Suamico with the goals of the *Brown County Land Use and Transportation Plan* to provide sidewalks on one side of all residential streets and sidewalks on both sides of all arterials.⁵⁶

To ensure future extension of the trails to undeveloped areas, the Town is to require developers of new subdivisions to include bicycle and pedestrian facility connections to existing developments. The trails are to be maintained either by homeowners associations or the Town. There is also a proposed river trail or boardwalk to link the four envisioned “theme” areas of the Suamico Town Center, which will further increase pedestrian opportunities and connectivity.

⁵³ *Submittal in Support of the Incorporation of the Village of Suamico (2002)* pg. 19.

⁵⁴ *Town of Suamico Comprehensive Plan (2000)* pg. 39.

⁵⁵ *Submittal in Support of the Incorporation of the Village of Suamico (2002)* pg. 18.

⁵⁶ *Brown County Year 2020 Land Use and Transportation Plan (1996)* pg. 2-13.

- Bicycling opportunities: The Brown County Bicycle and Pedestrian Plan Update (1998) includes proposed bicycle routes throughout the Town of Suamico. CTH IR, B, HS and the northern portion of J are all identified as potential rural bicycle corridors, with implementation to include the paving of shoulders. These routes are to be connected to facilities wherever possible.⁵⁷

Political Boundaries

Map 1, Appendix 3, portrays the political boundaries of the proposed Village of Suamico and surrounding area. As protection from annexation is often an incentive for the desire to incorporate, this section also discusses land annexations and the intergovernmental boundary agreements between the Town of Suamico and other jurisdictions.

Annexation History

The boundary of the Town of Suamico has remained relatively stable over the course of its history, with only one annexation to the Village of Howard that occurred on April 5, 1970. This annexation was undertaken as a cooperative venture between the Village of Howard, the Town of Suamico and the Howard-Suamico School District, in order to provide two schools with public sewer and water. Recognizing the benefits to Suamico residents, the annexation was not only uncontested by the Town, but undertaken with the full support of the Town of Suamico.⁵⁸

Intergovernmental Agreements

Pursuant to s.66.0301 (then s.66.03) Wis. Stats., the Village of Howard and the Town of Suamico entered into an Intergovernmental Agreement that sought to provide orderly growth and development with agreed upon municipal boundaries. This was negotiated after Brown County Circuit Court Judge Sue Bischell ordered the parties to try s.802.12 Wis. Stats., in order to help resolve conflicts arising from Suamico's incorporation petition. This Agreement provides for the "Lineville Planning and Growth Area" that consists of Sections 31-36 in T25N R20E. The stated purpose of the boundary agreement is to achieve the following goals:

- *Orderly, planned growth for the Village and the Town and the provision of appropriate cost effective municipal services for such development;*
- *Orderly boundaries between the Village and the Town, promoting cost effective provision of services and more efficient operation of all units of government;*
- *Promotion of diversity and balanced development in the Village and the Town;*
- *Prevention of unplanned development and urban sprawl and protection of the area's natural resources including its streams, wetlands and woodlands; and*
- *Promotion of high quality development in the Village and the Town.*

More specifically, the agreement requires Urban Street Cross Sections, including sewer, water, curb and gutter, storm sewers, and stormwater management plans for all new subdivision and road reconstruction within both the Lineville Planning and Growth Area and the western area of the Village abutting Lineville Road. The Town of Suamico must also follow design standards for subdivision, commercial and business development within the Lineville Area that are consistent with the Village of Howard's Standards and Subdivision and Public Works Ordinances. The Town must also follow the Village's Stormwater Management requirements. In return, the Village has agreed to not annex land from the Lineville Area without prior written consent of the Town, to approve both the Agreement with the Green Bay Metropolitan Sewerage District for construction of the Belmont Road Interceptor

⁵⁷ *Town of Suamico Comprehensive Plan (2000) pg. 104.*

⁵⁸ Per personal communication from William Forrest, consultant, to Debra Baesemann, 3/26/03.

and the Utility Service Agreement for Bay Port High School. Also, where Village storm sewer service is available to serve the Town, the Village and Town will cooperate to accommodate stormwater connections and management plans. Furthermore, the Village, Town and Sanitary District are to engage in joint municipal planning to discuss matters of mutual municipal concern. In consideration of the agreement, the Village withdrew its objection and complaint to the proposed incorporation of the Village of Suamico.⁵⁹

In 2003, the parties crafted the first amendment to the Agreement that further articulated provisions under Article II, 3 c. and d.. Issues of stormwater management plans and further clarification of approval processes, specifics relating to planned development and commercial districts and rezoning requests to be advanced within the Lineville Growth Area are outlined. In actuality, however, the boundary agreement and amendment may do little to resolve the more substantive issues that arise from Suamico's incorporation, as no standards for joint review are specified by the agreement, no deadlines for completion of reciprocal responsibilities are provided for, nor is there a dispute resolution mechanism to utilize other than circuit court, if one party fails to live up to the agreement. While the agreement does not assign responsibility to any future village, the Department encourages the proposed village to honor the commitments stated therein.

The Town of Suamico also entered into an intergovernmental agreement with Brown County for the provision of Brown County Sheriff's Department police services in 1997. This agreement was renewed and expanded in 1999 to include 24 hour, 7 day a week (24/7) coverage beginning July 1, 2000. In 2001, service was maintained at 24/7 coverage, but also included a "Power Shift" officer for eight hours per day of the same year. In 2002, service was expanded once again to provide a full time officer, working under a flexible schedule, commonly referred to as the Town's Community Policing Officer. Additional services provided to the Town include: investigative functions, supervision, dispatching, record keeping functions, K-9 patrol and searches and Emergency Response Unit activities. This contract was renewed in 2002 and extends for the years 2003-2005.⁶⁰

School District Boundaries

The Town of Suamico is served primarily by the Howard-Suamico School District, with several pockets of land in the northwest section that belong to the Pulaski School District, as outlined on Map 8, Appendix 3. There are no private schools in the Town of Suamico, but some students do attend private schools in Howard or Green Bay. The majority of Suamico students attend one of the Howard-Suamico School District's schools, and the area proposed for incorporation is entirely within the Howard-Suamico School District.

The Howard-Suamico School District currently operates seven schools, including four elementary schools, an intermediate school, a middle school and a high school. Two of the seven schools are located in the Town of Suamico and both are within the proposed village: Suamico Elementary and Bay Port High School. Lineville Intermediate and Forest Glen Elementary share the same Lineville location as Bay Port High School, but actually belong to the Village of Howard as a result of annexation to provide sewer and water.⁶¹

⁵⁹ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) Exhibit A: Boundary Agreement between the Village of Howard and Town of Suamico.

⁶⁰ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 6-7.

⁶¹ Personal communication from Terry Hornick, 3/21/03.

Table 1: School Location

School Name	Grades	Address	
Suamico Elementary	1-4	2153 School Lane	Suamico
Forest Glen Elementary	1-4	720 Hillcrest Heights	Howard
Howard Elementary	1-4	631 W. Idlewild Court	Howard
Meadowbrook Elementary	1-4	1935 Cardinal Lane	Howard
Lineville Intermediate	5-6	2700 Lineville Road	Howard
Bay View Middle School	7-8	1217 Cardinal Lane	Howard
Bay Port High School	9-12	2710 Lineville Road	Suamico

While residents of Suamico attend either Suamico Elementary or Forest Glen Elementary, all students in the Howard-Suamico school district attend the same intermediate, middle and high schools. Both Lineville Intermediate and Bay Port High School are clustered together with Forest Glen Elementary along the Howard-Suamico border, a pattern that would tend to foster a sense of inter-community cohesion. In addition to location, the secondary schools also share such activities as sports teams, arts and drama, and a Holiday Craft show.

Completion of a new large high school and several expansions at existing schools has occurred as a result of rapid growth in both the Village of Howard and the Town of Suamico. Between 1986 and 2000 the District grew by more than 59 percent, adding 1,559 students at an average rate of 4.2 percent per year. This growth has been primarily attributed to the increase in residential growth in the Howard-Suamico area, with Suamico exceeding Howard's residential growth every year, except 1995.⁶² Using various projection methods, enrollment is expected to increase by 4,741-5,230 students by the year 2010. No further plans exist for additional schools or immediate expansions at the present time.

Sanitary District

Serving the sewered portions of Suamico is the Suamico Sanitary District No. 1's municipal Wastewater Treatment Plant (WWTP), constructed in 1980. A septage receiving station was completed in 1987 and de-chlorination facilities were constructed in 1999. This WWTP treats all sanitary sewage and industrial waste generated in the sewered portions of the Sanitary District through a conventional activated sludge system that provides secondary treatment and removes phosphorus by chemical precipitation using iron salts. The Green Bay Metropolitan Sewerage District (GBMSD) WWTP will be providing service to the southern portion of the Suamico District, an area that was annexed to the GBMSD on March 30, 1998.⁶³ The unsewered portions of the sanitary district are served by private, on-site systems.⁶⁴

As a result of increased flows and loading from new developments, it is estimated that the WWTP will reach its hydraulic and organic design capacity within the next two to four years. In response to this impending growth pressure and the need to correct existing deficiencies, the Suamico Sanitary District No. 1 authorized preparation of a facilities plan by Kaempfer and Associates. Acknowledging the

⁶² *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 14.

⁶³ *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002) pg. 4-2.

⁶⁴ *Submittal in Support of the Incorporation of the Village of Suamico* (2000) pg. 25.

immediate and long-term wastewater collection, treatment and disposal needs of the Sanitary District, the plan presents two alternatives: “A” resulting in the upgrade and expansion of the existing Suamico WWTP and “B,” decommissioning of the WWTP and transferring service provision to the Green Bay Metropolitan Sewerage District.

The Sanitary District accepted the study and chose Plan “B,” for all service to be provided through one entity. This plan was considered “superior” to Plan A, because it would not be impacted by more stringent regulatory requirements that could result in additional capital and operating cost, would have lower potential for odor and noise complaints from nearby residential development and could accommodate higher discharges of flows and loadings.⁶⁵ However, Plan “B,” as noted in the Study, will allow for sprawl to continue in the southern portion of the Sanitary District.⁶⁶ Completion of the project is slated for May 2004 and is to be funded through a low interest rate loan from the Wisconsin Clean Water Fund.⁶⁷

Map 9, Appendix 3, illustrates the current boundary of the Suamico Sanitary District. This boundary encompasses the original 1980 district delineation as well as subsequent expansions that incorporated areas of more recent growth. However, not all properties located within the Sanitary District are eligible to receive sewer services, rather services can only be provided to properties within both the District and the defined Sewer Service Area.⁶⁸ As is the case in Suamico, the boundaries of the Sanitary District and the Sewer Service Area do not coincide; therefore only the properties located within both jurisdictions are eligible for sewer services. While SSAs are intended to provide adequate acreage for a specified timeline, in rapidly growing communities such as Suamico, a once appropriate SSA can actually constrain the ability of a community to provide sewer and water. Although it is possible to increase the size of the Sewer Service Area, it can be a complicated and time-consuming process. This has caused much development in Suamico to utilize on-site septic systems, often in direct contradiction to the 2000 Comprehensive Plan.⁶⁹

Potential relief from the lack of land designated for sewered development is expected to occur in the near future. On March 5, 2003, the Brown County Planning Commission approved a third attempt to update the Brown County Sewerage Plan 2002, that would increase Suamico’s Sewer Service Area acreage to encompass the majority of the Sanitary District as seen on Map 9, Appendix 3. Currently, the Plan is pending approval by the WDNR,⁷⁰ and is discussed further under the section “Impact on the Metropolitan Community.” This expansion will allow Suamico to develop cost-effective means to provide such services and will help align capability with demand and facilitate urban development.

The Sanitary District boundary has also undergone several changes in the past five years. Most notably, the southwestern portion of the Town, including existing and potential development, was added to the Sanitary District in December of 1997. However, citizen-raised concerns over the manner in which the land was annexed to the Sanitary District, cost, timing and the need for such services created substantial opposition. Subsequently, in 1999, much of this land was petitioned for removal

⁶⁵ *Submittal in Support of the Incorporation of the Village of Suamico* (2000) pg. 25.

⁶⁶ *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002) pg. 8-23.

⁶⁷ *Ibid.* pg. 9-13, 9-19.

⁶⁸ A Sewer Service Area is designated by the Brown County Planning Commission, subject to approval by the WDNR, and is composed of properties that are served or are scheduled to be served by a public sewerage collection system according to the *Town of Suamico Comprehensive Plan* (2000) pg. 43-44.

⁶⁹ *Town of Suamico Comprehensive Plan* (2000) pg. 110.

⁷⁰ Prior submittals were rejected by the WDNR who cited, among other concerns, problems pertaining to the section of the Plan that deals with the resolution of conflicts regarding sewer service areas between adjacent communities. Per email from Joel Dietl, Brown County Planning Commission, 03/03/2003.

and most of the previously developed land was excluded.⁷¹ Despite the recent restructuring, plans for expansion have been created to account for future growth. Ultimately, the entire eastern portion of both the proposed village and town remnant and further expansion to the west will be served by municipal sewer, leaving only the northwest portion for continued development of private on-site systems.⁷²

The Sanitary District also functions as the Water Utility for the Town of Suamico. A “traditional” system comprised of two high capacity wells, one overhead storage tower and the distribution system are used to provide service throughout the District. Although water services are not as extensive as sewer, the Town recently adopted a policy of requiring both water and sewer service to all new developments, unless deemed unfeasible by the Sanitary District.⁷³ Municipal wells receive water from a deep sandstone aquifer, while private wells utilize shallow aquifers.⁷⁴

Suamico plans to nearly double the current four square miles of existing service to seven square miles in order to accommodate the rapid growth in developed and newly developing areas. A primary area for expansion is the southern part of the proposed village, adjacent to the Village of Howard, serving the Howard-Suamico School area and other surrounding facilities. This proposed expansion will also extend service into the Whispering Ridge Subdivision. There is adequate capacity in the existing wells and tower to accommodate the additional customer service load.⁷⁵

Shopping and Social Customs

The proposed village area provides shopping, employment, social and recreational opportunities for its residents, but within a framework of scattered development. Such patterns lack identifiable concentrations of amenities or businesses that can limit opportunities for residents to meet and socialize with one another. And as the Department noted in its determination in Waukesha (2000), “while an identifiable core is not a specific requirement for an urban village, the lack of one does impact the ability of a community to develop internal social and shopping customs.”

Shopping and employment

The proposed village contains many businesses and services scattered throughout the territory. Table 2, beginning on page 22, provides the name, location and type of businesses, as submitted by the petitioners. The Department found additional businesses according to the Standard Name and Address Program (SNAP) as of December 2001 and are listed in Table 3, beginning on page 24. SNAP contains the names and addresses of all employers covered by Wisconsin's Unemployment Insurance Law. As indicated by the aforementioned Tables and Map 10, Appendix 3, the majority of businesses are found scattered throughout the Town and industrial activity, while not common, is found primarily in the Suamico Industrial Park located along Bowling Green Lane and the Railroad Lines with future plans for development in both the proposed village and town remnant.

⁷¹ *Town of Suamico Comprehensive Plan* (2000) pg. 43.

⁷² *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002) Fig. 4-3.

⁷³ *Submittal in Support of the Incorporation of the Village of Suamico* (2000) pg. 25.

⁷⁴ *Town of Suamico Comprehensive Plan* (2000) pg. 46.

⁷⁵ *Submittal in Support of the Incorporation of the Village of Suamico* (2000) pg. 25-26.

SECTION (1)(a) HOMOGENEITY AND COMPACTNESS

Table 2: Business Location

Business Name	Business Location	Employees ⁷⁶	Type
A-1 Glass Restoration	4038 Kathleen Court	B	Retail/Service
ADT Security Systems	Various Locations	N/A	Service
Absolute Granite	2768 E. Deerfield	N/A	Construction/Interior Decor
Advantage Credit Union	1721 School Lane	N/A	Finance
Advantage Office Solution	2832 Bowling Green Lane	D	Retail/Service
American Systems Corp	3135 W. Deerfield Avenue	B	Retail/Service
American Telecasting of GB	Various Locations	N/A	TV Cable Service
Animal Clinic of Suamico LLC	14605 Velp Avenue	N/A	Service
B-Line Motors	2646 School Lane	N/A	Automobile
Bay Drain Cleaning	2657 Stonegate Drive	N/A	Service
Bay Lakes Auto Service & Rep.	13650 Velp Avenue	N/A	Automobile
Bay Promotions	2311 Cardinal Lane	A	Service
Becks Quality Cabinets	1903 Pride Terrace	D	Woodworking
Burger King	1533 Sunset Beach Road	N/A	Food/Beverage
Burkheart Marine	2756 Deerfield Avenue	N/A	Retail/Service
C&S Accounting & Tax Service	11880 Velp Avenue	B	Accounting
Chambers Hill Tavern	12362 Velp Avenue	C	Food/Service
Circle R Mink Ranch	3650 Shady Lane	C	Animal Farm
CNC Associates	Various Locations	N/A	Advertising
Comfort Pro Insulators	1699 Golden Arrow Road	A	Construction
Country Diner	2630 School Lane	N/A	Food/Beverage
D&D Floors to Go	4520 Carpenter Lane	A	Construction
Dal Santo Comm., Inc.	2526 Garden Lane	B	Service
Davis Construction	2300 E. Deerfield Avenue	N/A	Construction
DeWitt, Joe Jr.	1150 Riverside Drive	N/A	Unclassified
Deere Credit, Inc.	Various Locations	N/A	Finance
F&M Bank	1530 Sunset Beach	N/A	Finance
Family Nutrition Center	2730 Summerset Court	C	Retail/Service
Farm Shoppes	2852 School Lane	N/A	Retail
Final Touch Gifts	2940 School Lane	N/A	Retail
Four Way Bar and Restaurant	1801 Riverside Drive	D	Food/Beverage
Frontier Leasing	1580 Lineville Road	N/A	Service
General Maintenance and Fabricating	2340 Bowling Green	C	Manufacturing
Gracyalny, Joyce	1715 Flowing Wells Court	N/A	Service/Hair Care
Green Bay Cheese	13190 Velp Avenue	G	Manufacturing
Green Bay Pallet	3133 Birch Road	D	Manufacturing
Green Bay Propeller	14482 Velp Avenue	N/A	Retail/Service
Griffin Industries	1898 Pride Terrace	34	Manufacturing
Hallada Coin Machine	3171 School Lane	N/A	Retail/Service
Harbor Lights Development	Various Locations	N/A	Construction
Henry House	1749 Riverside Drive	C	Floral
HPSC Inc	4611 Michelle Drive	N/A	Health Care Equip.
Impressions Limited	3135 W. Deerfield Avenue	N/A	Retail
J & M Sales	1755 Atterberry Lane	N/A	Auto Sales
Jeans Coffee House	1512 Sunset Beach Road	N/A	Food/Beverage/Gifts
Jones Sign Co.	Various Locations	N/A	Advertising
Kapla Service Station	1790 Riverside Drive	N/A	Automobile

⁷⁶ SNAP provides a letter code that indicates a range of employees. This letter code is: A = 0, B = 1-4, C = 5-9, D = 10-19, E = 20-49, F = 50-99.

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Business Name	Business Location	Employees⁷⁶	Type
Krueger Sentry Gage	1873 Siesta Lane	D	Manufacturing
Lamar Advertising of Milwaukee	Various Locations	N/A	Advertising
Leasecorp of America	3375 Side Road	N/A	Advertising
Meshiguard, Charlotte	11880 Velp Avenue	N/A	Accounting
Midwest Textile	3188 Bowling Green Lane	E	Manufacturing
Mill Coatings	2340 Bowling Green Lane	E	Service
Myers, Ann	2727 Brook Hills Drive	N/A	N/A
Nelson, Robert	2824 Harbor Lights Road	N/A	Unclassified
Nelson, Ken – Trucking	2898 Flintville Road	C	Trucking
Northern Associates	1898 Pride Terrace	B	Unclassified
Northstar Gymnastics	11880 Velp Avenue	B	Fitness
Okey Dokey Marina	1195 Sunset Beach Road	N/A	Marina/Storage
On Site Repair	3289 Fairview Road	N/A	Service/Auto Repair
Orde Advertising	Various Locations	N/A	Billboard Advertising
Peot Construction	3125 Birch Road	D	Construction
Quality Welding	1788 Wildwood Drive	D	Welding Service
Reds Excavating, Inc.	1950 Vulcan Court	N/A	Construction
Rays Welding	3083 Bowling Green	C	Construction
Shining Star Child Care	3900 Cedar Court	N/A	Service
Shipyards Marine	780 Longtail Beach Road	D	Marina/Storage
Shoots Bar and Grill	3375 Side Road	B	Food/Beverage
Sierracities.com	1535 Sunset Beach Road	N/A	Service
Simply Hair Salon	1581 Riverside Drive	N/A	Service
Slusarek Construction	1314 Norfield Road	C	Construction
Statewide Pallet Recycling, Inc.	3131 Deerfield Road	C	Manufacturing
Stranz, Steve	3637 Lakeview Drive	N/A	Service
Suamico Citgo	1535 Sunset Beach Drive	D	Automobile/Retail
Suamico Video and Tanning	1511 Sunset Beach Drive	B	Video/Tanning
Susan Ruechel	11880 Velp Avenue	N/A	Accounting
Teddy Bear Day Care	1881 Pride Terrace	N/A	Service/Daycare
Tender Hearts Learning Center	1512 Sunset Beach Road	N/A	Service/Daycare
Tilot Oil Company	1580 Lineville Road	D	Automobile
Time Warner Cable	Various Locations	N/A	TV Cable Service
Unlimited Structures	2120 E. Deerfield Road	C	Construction
Van De Yacht, Leo	2352 Lineville Road	B	Well Drilling
Vandersteen, Gerald	1873 Harbor Lights Road	N/A	Automobile
Vandeyacht Excavating	2884 Sunrise Road	B	Construction
Viacom Outdoor Group	Various Locations	N/A	Advertising
Vickery Village Café	1749 Riverside Drive	N/A	Restaurant
Wagg-In-Tails II	3246 Bowling Green	A	Service/Pet Kennels
Wagner RV Center	1751 Wildwood Drive	C	Retail/Service
Waino Excavating	3076 Bowling Green Lane	B	Construction
Waste Management	Various Locations	N/A	Service/Garbage Collection
Water Craft Plumbing	14792 Velp Avenue	D	Plumbing Service
Weslow Water System	3455 Clearwater Drive	B	Service
White Front Bar	13230 Velp Avenue	N/A	Tavern
Windjammers Sailing Club	4009 Channel Road	N/A	Marina/Storage
Wouters Front Tavern	3171 School Lane	A	Tavern
Xerox Corporation	Various Locations	N/A	Service

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Table 3: SNAP Business Location

Business Name	Business Location	Employees⁷⁷
Ace Electric, Inc.	2015 Mystic Hills	B
Advanced Carpet Cleaning	2615 Stonegate Drive	B
Almost Home LLC	3246 Bowling Green Lane	C
Auto Appearance Specialists, Inc.	1214 Longtail Beach	B
Arndt Construction	1129 Bay Mist Court	B
Autofeeds Inc.	2726 Sumerset	B
Bay Mart Quik Stop	1580 Lineville Road	D
Ben Kleczka Trucking, Inc.	1729 Harbor Lights	B
Big 10 Painting, Inc.	1545 Riverside Drive	B
Bill Kleczka Trucking	2514 St. Pats Drive	A
Brian Martins Custom Home, Inc.	3176 Longview Lane	B
Burcon Services, Inc.	12526 Velp Avenue	B
Chambers Enterprises LLC	12400 Velp Avenue	B
Chiller Service Operations, Inc.	2935 Jack Pine Lane	B
Chuck Turner Carpet Cleaner	1320 Timber Trail	A
Classic Manor	2825 Wood Lane	A
C.A.R.S. of Wisconsin	1055 Sunset Beach Lane	B
Coots Trucking, Inc.	2486 Stonegate Drive	B
Country Health Care Inc.	3136 Longview Lane Building A	E
Countrywide Construction	2427 Northwood Road	A
Covico	1180 Bay Breeze Court	A
DC Trucking	3668 S Timber Trail	C
Dan Dessart Applicating	2526 Country Meadow Court	B
Dan Heiser Excavating	1473 Mallard Court	A
Dave Hill Distributing, Inc.	2735 Northwood Road	B
D&G Excavating	2300 E. Deerfield Avenue	D
DeGroote Plastering, Inc.	2780 E. Kenlar Circle	A
Double Grand Holdings LLC	1874 Pride Terrace	A
Downtown Shell LLC	12580 Velp Avenue	D
Eagle Sheetrock	2501 Wood Lane	B
Epicor Software Corporation	1226 Longtail Beach Road	B
Estate Builder & Realty, Inc.	2315 Cathedral First Drive	A
Gerry's Trucking Co., Inc.	1341 Riverside Drive	A
Inner Doorway LLC	2847 Scotch Pine Trail	A
J&S Homes	2371 Cathedral First Drive	A
Jewelry Box	2980 Popplewood Court	A
Jill's Kids Daycare LLC	2395 Sunny Lane	D
John M Janczakowski	2904 Big Timber Circle	B
KAK Transport, Inc.	3043 Big Timber Circle	B
Kids Ali, Inc.	1749 Riverside Drive	B
Konop Food and Catering, Inc.	1825 Riverside Drive	B
Laubenstein & Associates, Inc.	2908 Northwood Road	B
Leo Van de Yacht Well Drilling, Inc.	3383 Oak Forest Drive	B
Linda M Neuser CRNA SC	1456 Mallard Court	B
Long Tail Marina, Inc.	1185 Harbor Lights	B
Mark A Cherney Ltd.	2772 Summerset Circle	B

⁷⁷ SNAP provides a letter code that indicates a range of employees. This letter code is: A = 0, B = 1-4, C = 5-9, D = 10-19, E = 20-49, F = 50-99.

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Business Name	Business Location	Employees ⁷⁷
Massey Coal Sales Co., Inc.	2807 Brookhills Drive	B
Mathys Painting Inc.	1520 Woodsdale Street	C
Mike Blaser Trucking, Inc.	2949 Wood Lane	B
Miller Trucking Ltd.	3845 Gloysu Court	A
Mr. Construction, Inc.	2877 Birch Road	A
Mobile Pressure Clean, Inc.	2391 Sunny Lane	B
Monty Young Electric, Inc.	2500 E. Deerfield Road	B
Mulry Enterprises, Inc.	1760 Riverside Drive	A
Northland Pallet & Box, Inc.	3190 Bowling Green Lane	C
PBM Products, Inc.	3093 Woodland Reserve Lane	B
Physical Therapy Resources, Inc.	2052 Pine Cone Circle	C
PJ Wenzel Builders, Inc	2297 Cedar Springs Court	B
Pulmonary Diagnostics, Inc.	2382 Breezewood Lane	B
Quality Asphalt	2425 Sunny Lane	A
RCS Transport, Inc.	2909 Overlook Court	B
RENU-A-HOME, Inc.	2156 Cardinal Lane	B
Schuette Insulators, Inc.	2502 Longtail Beach Lane	A
Team Security, Inc.	2267 Gingerwood Way	A
Thomas C. Kaster Construction, Inc.	2536 White Pine Road	B
Thomas J. Treml Home Builders	3041 Merganser Lane	C
Tracy Peot Trucking, Inc.	2669 Longview Lane	A
Valley King of Wisconsin LLC	1535 Sunset Beach Road	A
Verhaagh Painting Co.	3388 Fairview Road	B
Welding Works, Inc.	2048 Cardinal Lane	B
Wildlife Classics Art & Framing	1757 Riverside Drive	B

As the above tables and Map 10, Appendix 3 demonstrate, the proposed village contains a substantial number of businesses and employment opportunities. However, as a bedroom community comprised primarily of educated and mobile residents, most of Suamico’s residents work in Green Bay in professional, managerial and clerical positions. Therefore, residents of other communities fill many of the available employment opportunities within the Town as illustrated in Table 4.

Table 4: Proposed Village of Suamico Business Employment

Firm Name	Total Employees	Suamico Residents
Becks Quality Cabinets	14	6
Green Bay Cheese	225	5
Green Bay Pallet	19	1
Griffin Industries	34	7
Krueger Sentry Gage	10	6
Midwest Textile	35	10
Mill Coatings	Did Not Respond	
Statewide Pallet	8	1

The Town of Suamico is noticeably lacking with respect to concentrated shopping and retail options. Residents rely heavily on opportunities provided by the Village of Howard and other communities within the surrounding the Green Bay metropolitan area. Table 7 on page 29 shows that commercial land use comprises only 1.2 percent of developed land within Suamico and only 0.2 percent of total

land use. Visibly absent are grocery stores, major retailers and hotels. Recognizing such, the Comprehensive Plan calls for new commercial growth to occur within the Town in designated areas.

Recreation

Suamico has 3,496 acres of parks, open space and recreation areas, of which approximately 1,010 acres are located in the proposed village territory. This provides adequate recreation facilities for the residents of the proposed village⁷⁸ and the sites are listed in Table 5, below. Additionally, there are 2,500 acres of privately owned “Suamico Lacustrine Flats” which are located within both the proposed village and remnant town.

Table 5: Proposed Village of Suamico Parks⁷⁹

Park Name	Location	Acreage⁸⁰	Owner
Calavera Springs Park	Flintville Road	68	Village
Firemen’s Park	Riverside Drive	0.5	Village
Idlewild Park	Harbor Lights Road	56	Village
Weed Mill Park	St. Pats Road	9	Village
Suamico Elementary School	School Lane and CTH “B”	28	Howard Suamico School District
Barkhausen Waterfowl Preserve	Lakeview Drive	474	County
Suamico Boat Landing	CTH “B”	4	County
Longtail Point	Longtail Island	266	State of Wisconsin
Sensiba Wildlife Area	Sunset Beach Road	90	State of Wisconsin
Knight Riders Snowmobile Club	Velp Avenue	10	Quasi Public Land
Docter Vickery Park	Velp Avenue	4	Quasi Public Land

These park, recreation and open space areas provide many amenities to the residents of Suamico. The two largest parks in the proposed village, Idlewild and Calavera Springs, provide softball and baseball diamonds, soccer fields, all season recreation pavilions and a concessions stand. Calavera Springs also includes nature trails and a natural spring while Idlewild has plans to include tennis/basketball courts, a hockey/skating rink, wading pool, a restroom/shelter facility and an expanded play area.⁸¹

Barkhausen Waterfowl Preserve provides additional amenities such as a group camping area, an interpretive center, a historic site, indoor and outdoor study areas, a picnic area, restrooms, parking and nine miles of hiking and ski trails. The *Brown County Outdoor Recreation Plan* recommends the development of a deck overlooking the marsh, a storage/ service building and water control structures. The plan also supports the inclusion of an additional 370 acres of high quality wetlands and wildlife habitat at this site. These additional lands as well as the current park are envisioned to be part of the proposed Bay Shore Parkway. Furthermore, a consolidation between the Barkhausen Waterfowl Preserve and The Fort Howard Paper Foundation Wildlife Preserve has been proposed.⁸² Although

⁷⁸ *Comprehensive Outdoor Recreation Plan* (1997) pp. 18 & 23.

⁷⁹ *Compilation of Submittal in support of the incorporation of the Town of Suamico* (2002) pg. 12 and *Comprehensive Outdoor Recreation Plan* (1997) pp. 11-17.

⁸⁰ Approximate acreage in proposed village

⁸¹ *Comprehensive Outdoor Recreation Plan* (1997) pp. 11-13.

⁸² *Submittal in support of the incorporation of the Town of Suamico* (2002), pg. 10.

these areas currently provide adequate recreation facilities for the residents of the proposed Village, the 1997 *Comprehensive Outdoor Recreation Plan* also recommends the creation of three additional neighborhood park sites in the more densely populated areas.

Additional recreational activities provided in the Town of Suamico include ballet, tap, jazz, baton/pom pon/kick classes, flag football, Pop Warner football, Little League baseball, Babe Ruth league baseball, T-ball, American Legion baseball, youth baseball clinics, girls minor/major/senior league softball, soccer (jointly with Pulaski, Howard and Suamico), umpire clinics, tennis and tae kwon do.

Civic Organizations

A substantial number of civic organizations exist in Suamico. They include:

- Veteran's of Foreign Wars (VFW) Post #9049 and Auxiliary to Post #9049
- Howard-Suamico FFA Alumni (63% Suamico residents)
- Howard-Suamico Optimist (30% Suamico residents)
- Howard-Suamico Professional Association (20% Suamico residents)
- Boy Scout Troops
- Cub Scouts
- Girl Scout Troops (150 Suamico residents, plus 40 adult troop members)
- Brownies
- Parent Teacher Organizations (Grade, Middle, Intermediate and High School)
- 4-H Club
- Golden Arrow Archery Club
- Four Wheel Drive Club (70% Suamico residents)
- Knightriders Snowmobile Club
- Suamico Firefighters Association – current and retired members and their spouses

Some of the community events that these groups organize include a Pancake and Porkie breakfast, Patriotic Christmas parade, the Optimist Auction and an annual fund-raising picnic for the Suamico Firefighters Association. Other opportunities for residents include Senior Cards or Senior Crafts at the Town Hall.⁸³

In addition to these organizations, there are opportunities for residents to participate in the local government, including town board, design review committee, harbor commission, safety committee, park and recreation commission, trails and open space committee and town center committee among others. Residents can also voice issues, ideas and concerns to municipal officers through a public forum offered at public meetings. A web site and monthly newsletter published by the Town and mailed to all residents keeps residents informed of community activities in addition to the standard agenda postings and public notices within the newspaper.

Churches

There are six churches in Suamico and five are located within the proposed village limits. It is estimated that between 50 and 85 percent of the parishioners from the various churches reside in the area proposed for incorporation, according to petitioner estimates. Table 6, on page 28, provides the names, locations and number of parishioners of these churches.

⁸³ Town of Suamico Calendar, March 2003, www.suamico.org/newsletter/calendar.htm.

Table 6: Suamico Churches

Church	Location	Members	Proposed Village or Town
St. Benedict Parish	3370 Deerfield West	1,188	Village
St. Edward & Isadore Parish	3667 Flintville Road	4,528	Town
St. Paul's Episcopal Church	13209 Velp Avenue	80	Village
Mount Olive Lutheran Church of Suamico	2460 Mount Olive Drive	329	Village
Suamico United Methodist Church	3266 Lakeview Drive	235	Village
Heartland Church	1934 Cardinal Lane	100	Village

Summary of Current Land Uses

Land use in Suamico is not homogenous or typical, rather the residential, commercial and industrial uses are spread throughout the Town, as seen on Map 11, Appendix 3.⁸⁴ These scattered pockets of development are a result of several factors including the vast amounts of land available for development with good soils, wooded surroundings and gently rolling topography. "No sustained effort by the Town to concentrate development in particular areas or have growth progress orderly outward from established areas," has also reinforced the scattered nature of rural residential development.⁸⁵ Consequently, all areas of Suamico are subject to growth pressure and alteration.⁸⁶

Despite the land use irregularities, certain trends can be discerned. The western half of the Town is primarily low-density housing intermixed with the remaining agricultural lands. More dense residential development is found within the confines of the existing Sanitary District boundaries and the proposed village center. Commercial development is scattered around USH 41/141 and the area adjacent to Cardinal Lane and Velp Avenue. Industrial activity, while not common, is found primarily in the Suamico Industrial Park located along Bowling Green Lane and the Railroad Lines. While significant amounts of wetlands and woodlands exist, continued development pressure on all areas has and will continue to erode much of the Town's character and natural appeal.⁸⁷

As seen in Table 7 on page 29, agricultural lands within Suamico comprise only 21 percent of total land uses. This is significantly less than found in neighboring communities and Brown County as a whole.⁸⁸ Although, Suamico does have an Exclusive Agricultural District within its zoning ordinances, there is little effort to maintain properties within the Exclusive Agricultural District, especially those

⁸⁴ *Comprehensive Outdoor Recreation Plan (1997)* pg. 6.

⁸⁵ *Town of Suamico Comprehensive Plan (2000)* pg. 58.

⁸⁶ *Town of Suamico Comprehensive Plan (2000)* pg. 58.

⁸⁷ *Comprehensive Outdoor Recreation Plan (1997)* pg. 6.

⁸⁸ In 1990, Brown County had 59 percent of its land in agricultural use and neighboring Pittsfield had 72 percent of their land in agriculture, according to the *Town of Suamico Comprehensive Plan (2000)*.

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west of USH 41/141.⁸⁹ Much of the land continues to be rezoned out of this classification as development proposals are put forth.

As seen on Map 12, Appendix 3, the proposed village does correspond to the Urbanized Areas map delineated by the Brown County Planning Commission, with only a small portion exceeding the incorporation boundary. Thus, the proposed Village of Suamico boundaries capture the majority of the developed and more densely inhabited territory. Table 7 shows the existing land use, in terms of acreage, for the Town of Suamico.

Table 7: Land Use Categories (2000)

Land Use Category	Total Acreage	Percentage of Total Land	Percentage of Developed Land
DEVELOPED			
Residential	1,541.14	6.62	40.90
Single-Family	1,462.84	6.28	38.81
Multi-Family	32.85	0.14	0.87
Mobile Home	1.00	0.00	0.03
Vacant Residential	0.31	0.00	0.01
Land Under Development	44.14	0.19	1.17
Commercial	43.89	0.19	1.16
Industrial	61.99	0.27	1.64
Transportation	1,873.16	8.04	49.70
Communications/Utilities	5.85	0.03	0.16
Institutional/Governmental	51.74	0.22	1.37
Recreation	133.61	0.57	3.54
Agricultural Structures	57.67	0.25	1.53
Total Developed Acres	3,769.05	16.18	100.00
UNDEVELOPED			Percentage of Undeveloped Land
Croplands/Pasture	4,946.71	21.24	25.35
Woodlands	10,306.69	44.27	52.81
Open/Vacant Land	170.00	0.73	0.87
Other Natural Areas	3,785.22	16.26	19.40
Water Features	307.34	1.32	1.57
Total Undeveloped Acres	19,515.96	83.82	100.00
Totals	23,285.01	100%	

Source: Suamico Sanitary District No. 1 Wastewater Management Facilities Plan, as provided by Kaempfer & Associates, Inc.

Recognizing the current and potential for unplanned growth, the *Town of Suamico Comprehensive Plan (2000)* recommends planning not just *where*, but *how* land is developed. Specifically, new

⁸⁹ *Town of Suamico Comprehensive Plan (2000)* pp. 26-27. Landowners with properties within this classification are eligible to receive state tax credits through the Wisconsin Farmland Preservation Program. Enrollment in this program has declined from 4,839 acres in 1990 to 2,250 acres in 1997.

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developments are to proceed in accordance with a “conservation design subdivision”. This approach would not only preserve substantial areas of open space, but could be joined with preexisting environmental corridors to further protect Suamico’s natural environment. The plan also recommends coupling conservation design with less dense development to protect the community’s overriding goal of maintaining rural character.

In fact, the 2000 Comprehensive Plan presents a strategy for concentrating growth (as did the Comprehensive Plan of 1994 and more generally the Comprehensive Plan of 1969). Specifically, the year 2000 Plan recommends a development ratio of 75 percent sewered lots to 25 percent non-sewered lots. If requests exceed the 25 percent capacity for non-sewered development, the Town should defer or deny such requests. However, 34 percent of homes were being built outside the Sanitary District in 2000, 51 percent in 2001 and already 58 percent in 2002, far exceeding the recommended 25 percent allowable non-sewered development. In fact, these non-sewered percentages are lower than actually exist, because not all development in the Sanitary District is sewered. Based on past disregard for such strategies it is unsurprising that the current method employed by the town to channel 75 percent of growth as sewered development is failing. (Much of this is a result of conflicts between the Town Board and Sanitary District, discussed further in the Determination section.)

Table 10: Dwelling Permits Within and Outside of Sanitary District, 2000-2002

Location	2000		2001		2002*	
	Count	Percentage	Count	Percentage	Count	Percentage
Within Sanitary District	107	66%	70	49%	48	42%
Outside Sanitary District	54	34%	72	51%	66	58%
Total	161	100%	142	100%	114	100%

* Year to date: January through October 2002.

Despite the scattered nature of the development, major subdivision activity during 2002 was concentrated within the proposed village boundaries. Petitioners submitted evidence of ten subdivision and condominium projects currently under development within the area proposed for incorporation.⁹⁰

Table 11: Subdivision & Condominium Development Data, 2002

<i>Within Proposed Village:</i>	Single Family Lots	Two-Family Lots (duplex)	Multi-Family
Star Light Meadows	8	3	28
Derby Town Estates	40		
Snow Shoe Estates		21	9
Hunters Run Phase 4	27		
Harbor Lights Reserve	55		
Cinnamon Ridge 3 rd Addition	53		
Cedar View Estates	45		
Bay Port Estates	37		
Whispering Ridge	159		
Whirthington Condominium Project	72 units		
<i>Outside Proposed Village:</i>			
Fairview Estates	71		

Source: Submittal in Support of the Incorporation of the Village of Suamico (2002) Forrest & Associates

⁹⁰ Submittal in Support of the Incorporation of the Village of Suamico (2002) pg. 23.

Despite this burgeoning growth, the Town of Suamico lacks a defined center. While not a specific statutory requirement for a “metropolitan incorporation,” such a center would provide the opportunity for residents to experience chance encounters, as well as to meet and socialize together and would foster a common sense of social identity and community. Furthermore, the Town Hall was recently moved from the current area identified as the “town center” to 2999 Lakeview Drive, reinforcing the sense of an auto-dependent community.

However, Suamico has acknowledged this situation and is currently working to develop four “theme” areas to take advantage of the unique attributes of the town center rather than develop a single area. These areas, defined as the Historic Hamlet, Community and Highway Service, Northwoods Development and the Velp Corridor areas, will also have a river trail or boardwalk, to provide bicycle and pedestrian linkages between areas. While growth pressures have provided much motivation behind the project, this plan is also intended to create an area of model development to guide future town development.

Section 1(a) Determination

The Department finds that when taken as a whole, the entire territory of the proposed Village of Suamico is reasonably homogenous and compact. The Bay of Green Bay forms a logical natural boundary to the east. Suamico’s boundaries to the south and west are politically based but have been relatively stable with only one annexation in 1970 to the Village of Howard. While the boundary to the north is arguably irregular, dividing development, not following the Sanitary District boundary and in one case dividing a cul-de-sac between the proposed village and town remnant, the rationale behind this division is found in the age of the petition. Filed in 1997, this boundary was initially created to encompass an area with “potential for growth within 3 years.” Indeed, substantial growth has occurred, resulting in the divided subdivisions and expansion of the Sanitary District.

Environmental characteristics are also not perfect, particularly as the proposed village boundary shows little regard to environmental characteristics and homogeneity. Instead the boundary follows certain areas of growth and development, which is occurring irrespective of such environmental characteristics and the comprehensive plan. In fact, the submittal tries to fit environmental characteristics to the area, rather than fit the area to the environmental characteristics. However, the two main soil associations do provide a limited degree of homogeneity (despite the fact that these soil types extend beyond the village boundary). With respect to topography and drainage basins, the proposed village encompasses the most populous and developed portions of Suamico that further complicate stormwater issues arising from the steeper slopes in the west transitioning to the flat, poorly drained east. As a village, Suamico will be able to more effectively address these complicated issues.

Despite having a major highway corridor and rail corridors cutting through Suamico, the proposed village’s transportation system features sufficient streets that cross these major corridors so as to facilitate travel to all parts of the town. No residents or areas are left isolated. The numerous planned improvements will further improve internal connectivity.

With respect to previous political boundaries, the school district boundary supports the petition as the entire proposed village is within the Howard-Suamico school district, and the schools within provide community, social, recreational and educational activities. Also, the current Sanitary District lies primarily within the proposed village, except where the District has expanded since the petition was filed. The current Facilities Plan allots future sewered development throughout the entire area proposed for incorporation. Additionally, friction between the Sanitary District and the Town Board

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has been cited as a major obstacle to managing growth within the Town of Suamico. Previous attempts to ally the two organizations have failed; in December of 2002, a motion to dissolve the Sanitary District No.1 and create a Town Utility District was rescinded. Incorporation would provide a means to reconcile these two entities and both encourage and manage growth. The Town Board would assume the Sanitary District responsibilities managed as a water and sewer enterprise fund. Through this unified approach, the proposed village can employ a more coordinated strategy for extending sewer lines, thus enabling a return to compliance with the self-imposed 75/25 ratio for sewer/non-sewered development that the 2000 Comprehensive Plans sets as a goal. This alignment will also allow the proposed village to better coordinate service provision to attract and more ably compete for business and commercial opportunities within its border.

Incorporation as a village would also permit the use of Tax Increment Financing (TIF), a strategy that could further consolidate commercial and business opportunities within the proposed village of Suamico. For while many businesses are currently located in Suamico, as listed on pages 22-25, retail opportunities are limited and the business opportunities that do exist do not necessarily meet the needs of Suamico's residents, most of whom are employed in Green Bay. Particularly, if utilized to attract businesses that would serve the employment needs of Suamico residents, TIF could also help reduce the commute time of its residents, thus help rather than hinder issues relating to traffic volume and air quality.

The presence of numerous churches and a variety of social organizations also provide a sense of community cohesion. The town web page and newsletter are indicative of Suamico's highly developed social network and are a means by which the town conveys information to residents and brings them together as one community. Plans are also currently underway to rehabilitate and restore a downtown area that will also advance this concept.

With respect to land uses, there is a diversity of lot type and size with an array of residential (both sewer and unsewered), commercial and industrial activity. According to the Brown County Planning Commission, the 2000 Urbanized Area Boundary encompasses all of the proposed village except portions where environmental conditions have thus far precluded development as seen on Map 12, Appendix 3. Visual inspection of lot sizes in the proposed village as seen on Map 11, Appendix 3, are in general smaller and more compact than in the town remnant. Also, given present and future plans to direct growth into the proposed village, this will further foster an urban entity both homogenous and compact. Furthermore, anticipated areas of growth such as the new industrial park in the town remnant, are an artifact of the time lapse of the petition and the Department anticipates that these areas will likely annex to the proposed village in the near future.

The Department finds that even through the situation is not perfect, taken as a whole, the entire territory of the proposed Village of Suamico is reasonably homogenous and compact, thereby meeting the requirement of s. 66.016 (1)(a).

SECTION 1(b) TERRITORY BEYOND THE CORE

The standard to be applied as found in §66.0207(1)(b) reads as follows:

The territory beyond the most densely populated one-half square mile specified in s. 66.0205 (1) or the most densely populated square mile specified in s. 66.0205 (2) shall have an average of more than 30 housing units per quarter section or an assessed value, as defined in s. 66.0217 (1) (a) for real estate tax purposes, more than 25% of which is attributable to existing or potential mercantile, manufacturing or public utility uses. The territory beyond the most densely populated square mile as specified in s. 66.0205 (3) or (4) shall have the potential for residential or other land use development on a substantial scale within the next three years. The Department may waive these requirements to the extent that water, terrain or geography prevents such development.

This standard is comprised of two different criteria, one pertaining to “isolated” villages or cities, and a second pertaining to “metropolitan” villages or cities. For “isolated” villages or cities, one of two criteria must be found to satisfy the standard: an average of 30 housing units per quarter section; or 25 percent or greater assessed value which is attributable to “existing or potential mercantile, manufacturing, or public utility uses.” The second part of section (1)(b) pertains to “metropolitan” villages or cities and applies to this incorporation. It requires that the territory petitioned for incorporation have the “potential for residential or other land use development on a substantial scale” within the next three years and authorizes the Department to waive these requirements to the areas where “water, terrain, or geography prevents such development.”

Although identification is not necessary, the most densely populated square mile of the territory proposed for incorporation, as specified in §66.0205(3), appears to be the area bound approximately by the Canadian National Railroad to the east, the Escanaba & Lake Superior Railroad to the west, Harbor Lights Road to the south and the Suamico River to the north, primarily in Section 22. This area is comprised of residential subdivisions, commercial and industrial developments.

Developed areas beyond this most densely populated core are found at varying densities throughout the area proposed for incorporation. Of the undeveloped areas within the proposed village, many are undevelopable due to the floodplains and wetlands associated with the Bay of Green Bay and the Suamico River and its tributaries. Specifically within the area proposed for incorporation, such conditions are found primarily within Sections 13, 24, 27, 34-37 T25N R20E and are comprised of wetlands, floodplains and other environmentally sensitive areas. These areas, in combination with the locations that are undevelopable due to soil drainage and suitability issues, are not included in the ‘Territory Beyond the Core’ standard, as the Department can waive these requirements to the extent that water, terrain or geography prevents such development.

The remaining territory that is developable has the potential for development on a substantial scale within the next three years. This is apparent from Suamico’s comprehensive plan, the sewer service area and rezoning and building permit data.

Comprehensive Plan

Map 13, Appendix 3, illustrates the future land uses for the Town of Suamico, as recommended by the 2000 Comprehensive Plan. Historically, Suamico has paid little heed to such planning efforts, however, recent measures have been undertaken by the Town to encourage achievement of recommended growth patterns. Suamico has been using their Comprehensive Plan in conjunction with their zoning map to channel growth into sewerred areas and to encourage more compact development. Also, developable agricultural lands, according to the Plan, are not anticipated to continue in the long-

term. Although only 16 percent of land within Suamico was developed in 2000, much of this is and continues to be located within the proposed village. Incorporation will further align planning with growth policies to create further development pressure within the proposed village.

Sewer Service Area

Most of the Suamico Sewer Service Area is within the area proposed for incorporation and the sewer developments beyond the boundary are anticipated to annex to the proposed village pending incorporation.⁹¹ This provision of municipal sewer is a defining feature of urban development, a service available to residents of Suamico within both the Sewer Service Area and the Sanitary District. While a significant proportion of the proposed village is beyond this area, such properties can still develop utilizing on-site septic systems. Although recent attempts have been made to concentrate growth in sewer areas, pressure for both types of development remain strong within Suamico as seen in Table 12, further driving development pressure

Table 12: Town of Suamico Lots Created by Land Division

Year	Sewered	Non-Sewered	Total Lots
1990	5	63	68
1991	12	14	26
1992	137	79	216
1993	117	84	201
1994	56	63	119
1995	52	64	116
1996	151	81	232
1997	54	64	118
1998	167	94	261
1999	111	61	172
Total	862	667	1,529

Source: Brown County Planning Commission

Also, as indicated in the sewer service area discussion, on March 5, 2003 the Brown County Planning Commission's Board of Directors approved an amendment that could, if approved by the WDNR, result in all of the Sanitary District areas being brought into the sewer service area as seen on Map 9, Appendix 3. This would allow properties within applicable portions of Sections 11-15, 21-29 and 31-34 to be provided with municipal sewer and would likely lead to increased market pressure, and an accelerated timeframe, for development within the village territory.

Rezoning, Building Permit & Subdivision Plat Data

Excluding undevelopable land, there is and continues to be a strong potential for new growth, much of it concentrated within the proposed village boundary.

Table 13: Five-Year Comparison of New Homes In and Out of Incorporation Area

New Home Location	1998		1999		2000		2001		2002	
In proposed Village	114	77%	149	82%	147	84%	122	83%	89	71%
Out of proposed Village	34	23%	34	18%	28	16%	25	17%	36	29%

Source: Town of Suamico Building Inspector

⁹¹ Richard Johnston, Town of Suamico Administrator, 3/17/03, per personal communication.

For the Town as a whole, as seen in Table 14 below, between 1997 and 2002, 925 building permits have been issued in Suamico. These permits have been issued for single-family housing, as well as for duplex, multi-family dwelling units, commercial and industrial.

Table 14: Town of Suamico Building Permits 1997-2001

Type	1997	1998	1999	2000	2001	2002*
Residential	129	148	184	173	149	106
Commercial	4	8	7	5	6	4
Industrial					2	

Source: Town of Suamico Building Inspector

Year to date: January through October 2002.

Approximately half of such permits were issued within the Sanitary District between the years 2000-2002 and ten out of eleven proposed subdivision and condominium projects are to be developed within the propose village as seen in Tables 10 and 11 on page 30.

To accommodate the significant actual and anticipated increases in building permits issued, the Town recently proposed adding a new building inspector.⁹² It is reasonable to expect that market demand that has accelerated in Suamico over the past years, as evidenced by recent rezoning and building permit data, will continue to remain strong into the future. Therefore, addressing all constraints and future land use goals, much of the land in the area proposed for incorporation is either developed, has the potential to be developed, or is protected from development by federal and state law and local ordinances.

Section 1(b) Determination

Undeveloped land in proposed Village of Suamico that is located beyond the most densely populated core area, and that is developable, has the potential to become developed on a substantial scale within the next three years. This is apparent from both past and present levels of substantial development in Suamico. Although this development is occurring throughout the town, there is evidence to suggest future land development patterns will further intensify within the village boundaries pending incorporation. Therefore, the Department determines that the “potential for substantial development” test is met.

⁹² Per the 1/6/03 Suamico Town Board meeting: “The Town has issued an average of 143 new home building permits per year in the past three years requiring a minimum of 715 inspections per year. These permits do not include remodeling and/or renovation permits, which also require inspections. The Town is on the verge of creating approximately 60 percent more lots in the sewerred area than already exist. If this development becomes reality, which it should, Town staff will not be able to keep pace with the new home building inspection process. In addition to the new home permitting and inspection process the Building Inspector is also responsible for commercial and industrial building permits.” www.suamico.org/meetings/tbm010603.htm

SECTION 2(a) TAX REVENUE

The standard to be applied is found in s. 66.016(2)(a), Wis. Stats., and reads as follows:

The present and potential sources of tax revenue appear sufficient to defray the anticipated cost of governmental services at a local tax rate which compares favorably with the tax rate in a similar area for the same level of services.

This section reviews comparative levels of revenues, expenditures, and tax rates for the proposed village as well as for the remnant Town. Local service expenditures vary greatly across Wisconsin communities and are subject to the custom and expectations of the local populace. Because of this, the Department allows for a range of service levels and does not hold communities to fixed standards. However, comparisons are made with villages sharing similar characteristics in order to determine whether a proposed budget is generally reasonable and able to support demonstrable service needs. The Petitioners' proposed budget coincidentally divides revenues by the same ratio in which the equalized property values are split between the new village and remnant town. Usually additional nuance is needed to accurately portray the proposed 2003 budgets for the new village and remnant town. However, the Department found that the Petitioners' estimation method—by chance—fairly accurately portrays the likely expenditures and revenues of the proposed village. It is clear however, that the proposed village has the ability to raise sufficient revenue to fund a high level of services, should electors of the territory so desire.

Analysis of Petitioner's proposed budget

Table 14, on page 38, portrays the 2003 budget for the current Town of Suamico, the proposed Village of Suamico, and the remnant Town as submitted by the Petitioners. The petitioners made budgetary assumptions for the draft budgets for the proposed Village and remnant Town. The Petitioners' assumed:⁹³

1. *The draft budget assumes that the revenue and expenditures where both the Village and the remnant Town share services under a contract will be divided based on the relative share of equalized value in the Village and remnant Town.*
2. *The following are the shared services that the Village expects to contract with the remnant Town to provide: Public Works Department for year round maintenance of the streets, use of the Recycling Center and roadside pick up of recyclables. The Park Department and the Recreation Department are also a shared service and since the charges will remain the same for all residents the revenue and expenditures are shared.*
3. *The draft budget assumes that that contracted services such as the building inspector and the court system will be maintained by the Village and provided to the Town at no cost, therefore, the revenue and expenditures for these budgeting items will stay with the Village.*
4. *The draft budget assumes that the remnant Town will create a three-person board, that the Board's pay would be at the same rate as the Village board and that the Town will have a part-time Clerk paid one-third the wages of the Village Clerk.*
5. *The draft budget assumes that the Village Board will be increased to an eight-member board; the board members will be paid at the same rate as the current Town Board. Staffing levels for the*

⁹³ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 30.

Village will remain constant, Village staff with the exception of the Clerk will perform duties for both the Village and remnant Town and therefore the wage, benefit expense and other related expenses are shared.

6. *The draft budget assumes the remnant Town will contract with the Village for both Police and Fire protection and therefore the revenue and expense are shared.*
7. *The draft budget assumes that the capital expenditures for the shared services such as public works, parks and recreation, police protection and fire protection will also be shared on the basis of relative equalized value between the remnant Town and the Village just as the revenue and expenses are.*

The Petitioners' first assumption, from which most of the other assumptions flow, is that revenues and expenditures will be divided based upon the share of equalized value in the proposed village and remnant town (a 28/72 split). This assumption caused the Petitioners' draft budget to have several inaccuracies that forced the Department to recalculate revenue and expenditure items.

Intergovernmental aid payments cannot be simply split according to the percent of equalized value that remains in the Town and Village. The Town and Village will be separate entities to which state aid formulas—that use various variables such as road mileage and population—will be applied. However, even with these limitations, it so happens that the Petitioners' method of estimating the Village and Town budgets approximated the formula values because the proportion of population and road mileage, among other variables, is also close to the 28/72 split.

As is common knowledge, the State's shared revenue payments are likely to dramatically change for 2004. Based upon current biennial budget proposals, the Wisconsin Department of Revenue, Division of State and Local Government, estimates that the Town of Suamico's shared revenue payments could decrease by as much as 70% next year.⁹⁴ The 2004 shared revenue payment for the entire Town is estimated at \$55,510, which after apportionment, would leave \$39,967 for the proposed village. Any reduction in shared revenue will affect Suamico regardless of whether a new village is formed. The Department is seeking to isolate the effects of incorporation on the proposed budget to determine whether sufficient tax base is available to support a new village. We are not conducting an analysis of whether or not there is sufficient tax revenue to absorb speculative shared revenue cuts (that is for the electorate to decide). However, the Petitioners and electorate should be conscious of these probable cuts next year to state shared revenue payments and the potential ramifications for Suamico.

Petitioners assume that municipal court and building inspection services will be supplied to the remnant Town at no cost.⁹⁵ The Village electorate may not want to subsidize services for Town residents. The Department found other assumptions to be reasonable, such as sharing office staff among the Town and Village and public works and parks and recreation services.

⁹⁴ Wisconsin. Legislature. Legislative Fiscal Bureau. Memo dated March 6, 2003, entitled "Information on the Governor's Proposal to Reduce Shared Revenue and Related State Aid Payments to Municipalities and Counties," and related "Attachment 1" containing 2003 and 2004 proposed aid reductions for Brown County.

⁹⁵ *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 30

SECTION (2)(a) TAX REVENUE

TABLE 14
Town of Suamico Budget - 2003
As Submitted by the Petitioners to the Department

	2003 Town Budget	2003 Proposed Village	2003 Remnant Town
PROPERTY TAX			
Property Tax Levy	5639612	4154102	1485860
Assessed Value	6280006000	447136427	180864172
Equalization Factor	100%	100%	100%
Equalized Value	6280006000	4154102	1485860
Equalized Tax Rate	4.4	4.4	4.4
GENERAL FUND			
Revenues			
Property Tax Levy	1880550	1338951	541599
Other Taxes	400	285	115
Property Tax Levy(Debt Service)	882500	628340	254160
Licenses and Permits	214550	202610	12290
Intergovernmental Revenues*	579,112	412328	166785
Charge for Services	74000	54704	19296
Fines and Forfeitures	100000	100000	0
Property Sales/Lease	222000	215664	6336
Investment Income	76500		
Misc.	10000	7120	2880
Bond Issue	0	0	0
Transfer from Capital Fund	1600000	1139200	460800
Total Revenues	5639612	4099202	1464261
Expenditures			
General Government**	723673	597602	178930
Public Safety	1040313	782197	258116
Public Works	1333869	950291	383579
Health and Human Services	17650	125667	5083
Culture, Recreation, Edu.	72668	51740	20928
Conservation and Development	50000	35600	14400
Unclassified	980474	698097	282376
Capital Expenditures	1420966	1040989	379977
Total Expenditures	5639613	4282183	1523389
Revenues less Expenditures	-1	-14982	-37528

*Several items that constitute the intergovernmental revenues category were inappropriately calculated. See text. The state shared revenue formula is slated to be changed this year. According to Keith Seely, Wisconsin Department of Revenue, Suamico's shared revenue payments are expected to drop 70% next year to only \$55,510 in 2004.

** The village administrator's salary was underestimated by the Petitioners.

Table 14 on the preceding page, shows revenues and expenditures for the current Town of Suamico, the proposed Village and remnant Town. Some line item expenditures and revenues from Petitioner's proposed budgets for the Village and remnant Town were recalculated based upon new assumptions developed by the Department, yet none of these revised estimates alter the underlying financial health of the Town of Suamico. The first column represents the 2003 Town of Suamico budget. Column two portrays the 2003 budget for the proposed Village and column three the remnant Town's budget. Line items that were re-estimated by the Department are footnoted.

Overall Assumptions and Considerations

The Department's re-estimated budget items for Suamico assume that the current level of service delivered to area residents will remain constant. This assumption is necessary because it allows the Department to isolate the affects of incorporation. Of course, if incorporated, the new village may choose to offer a different level of service from that currently offered by the Town. However, this is a decision that the Department cannot predict and that is separate from incorporation. Therefore, the Department's estimates are derived from the level of services currently provided by the Town. The Department did consider the possible impact of "economies of scale" before making budget estimates.

Startup costs for developing a village government are not directly addressed in this budget analysis. The Village could potentially cover some startup costs from the assets distribution required of the Town under section 66.03 Wis. Stats. However, to estimate a budget that most closely aligns with reality, petitioners should be aware of the costs unique to starting up a village government. Naturally, these costs are only relevant during the early years of the village, and include such expenditures as accounting and record-keeping format changes, development of a code of ordinances appropriate to the unique issues facing the proposed village (such as zoning and subdivision ordinances that adequately deal with infrastructure requirements such as roadway standards, stormwater management, etc.).

The following section describes those items within Petitioners' budget that the Department believes need further clarification. The Petitioners' figures are listed followed by the Department revised estimate. Those expenditure or revenue items not listed were deemed to be satisfactorily estimated by the Petitioners.

Expenditures

Administrator. The Petitioners' estimate that the proposed Village will spend \$63,711 for an administrator, a large portion of this expenditure—\$44,144—is salary. Given that the current salary of the Town of Suamico administrator is \$62,000, the Department believes the petitioners estimate for the new village is low. To obtain an administrator of similar quality the Village must spend more—the current administrator may seek to work for the Village; however, it doubtful that he or she would accept a 30 percent cut in salary. The Petitioners' method of simply dividing the current expenditure by the percent of equalized value in the proposed Village and Remnant is too simplistic. The Department estimates the cost to be \$80,000

Assessor. Since the Town of Suamico presently spends approximately \$18,000 per year on the assessor, the petitioners' estimate of approximately \$13,000 per year should offer a similar level of service based on expenditures of other similarly situated villages. Usually these services are bid out, and are costed based on the number of parcels, complexity of the real estate assessment process, currency of the existing assessment role, and so forth.

Municipal court. Villages are not required to set up a municipal court. However, because the Town of Suamico provides court service, this analysis assumes that residents of the proposed village will desire

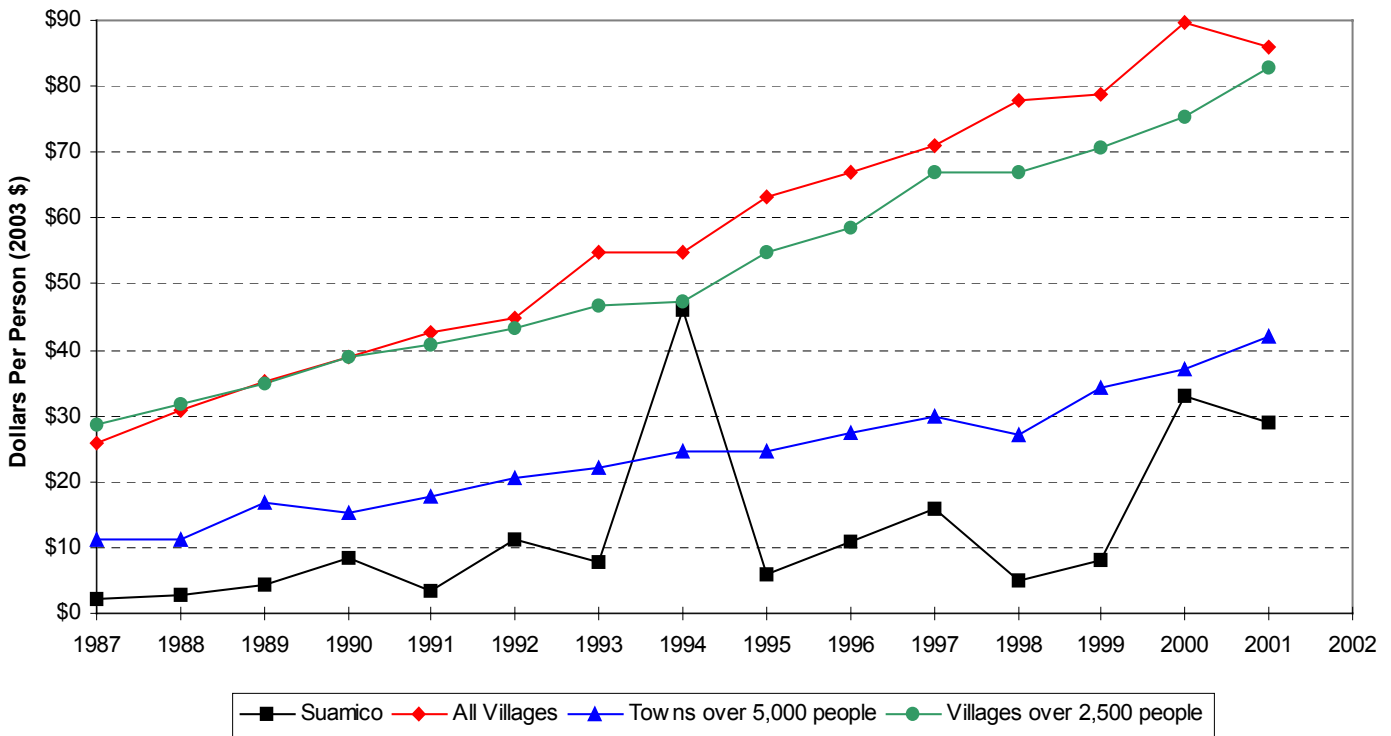
court service as well. This also implies that the proposed village would have a code of ordinances to enforce. The Petitioners' state that the Village will provide court services to the remnant Town. This is a decision the new Town Board will need to consider; it is possible for the remnant Town to contract with the Village for a municipal court.

Fire Protection. As seen on Graph 1, page 41 (Per Capita Fire Expenditures Comparison) Suamico's fire expenditures are below the average for villages, despite their ISO rating of three.

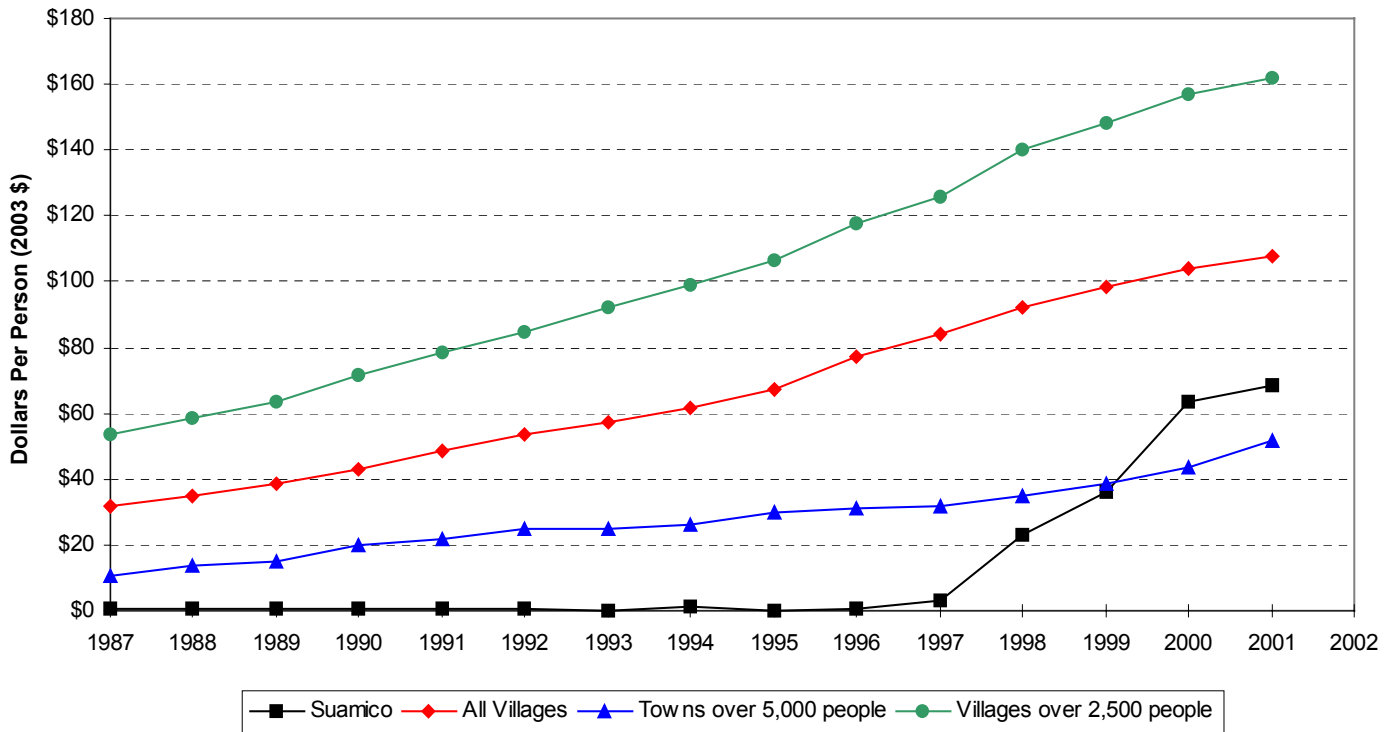
Highways. During a site inspection the Department noticed that several roads needed repair. The new Village road budget will have to increase in the future in order to protect the existing road infrastructure capital investment. The number of road miles to maintain is continually increasing as new subdivisions are built, while existing roads deteriorate. Road maintenance and reconstruction will likely absorb a larger share of the proposed Village's expenditures over time, particularly if adequate seal coating, shoulder, and ditch work is not accomplished.

Culture and Education, and Health and Human Services. Although the Petitioners' estimates for these expenditures were correct, the Department would point out that the spending levels for these items are low compared to other villages. As can be seen on Graphs 3 and 4, page 42, (Per Capita Culture and Education Comparison, and Per Capita Health and Human Services Comparison) the Town's per capita expenditures on culture and education and health and human services are dramatically lower than all other entities selected for comparison. Suamico's expenditure structure for these services mimics a rural farming community more than the village that Suamico has become. The Town residents are likely using services—including library, museums, job training, and public health—provided by other governmental units.

**GRAPH 1-PER CAPITA FIRE EXPENDITURES
COMPARISON**

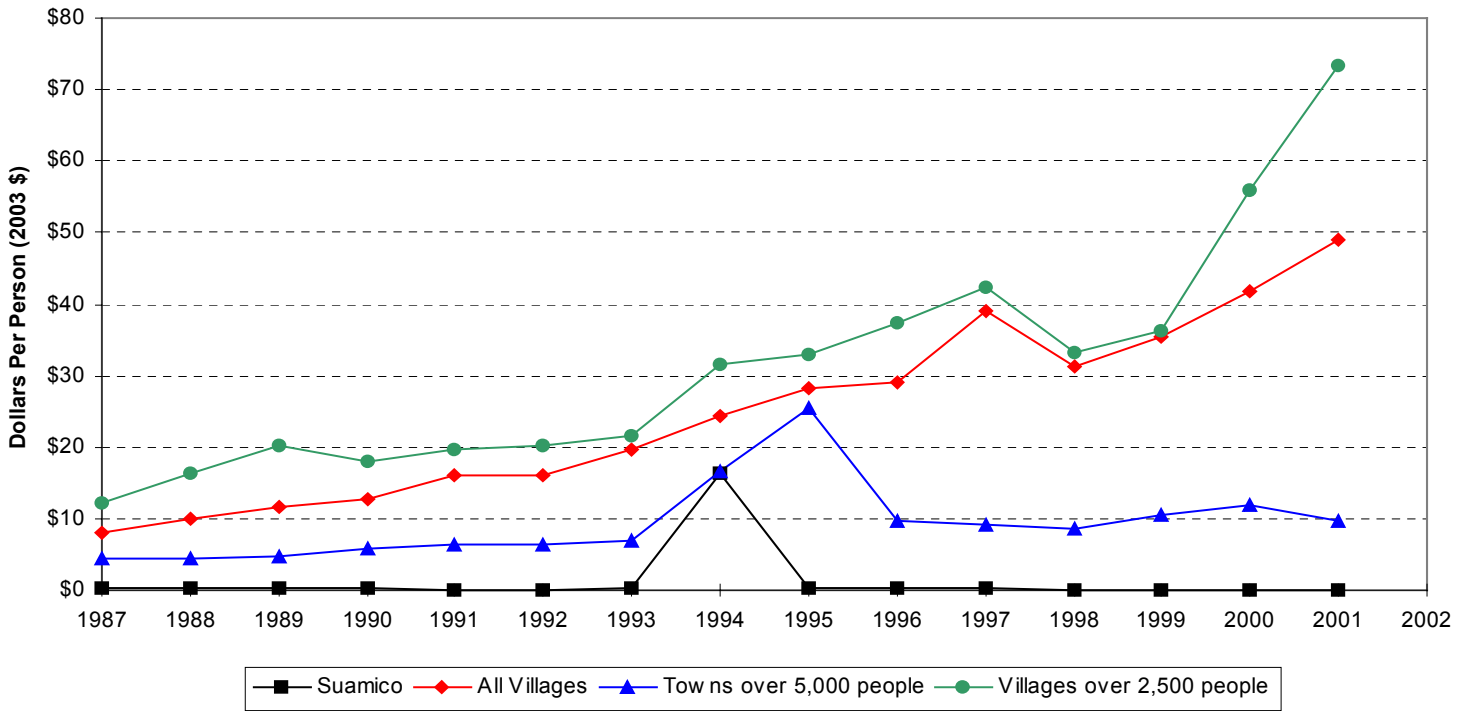


**GRAPH 2-PER CAPITA LAW ENFORCEMENT
COMPARISON**

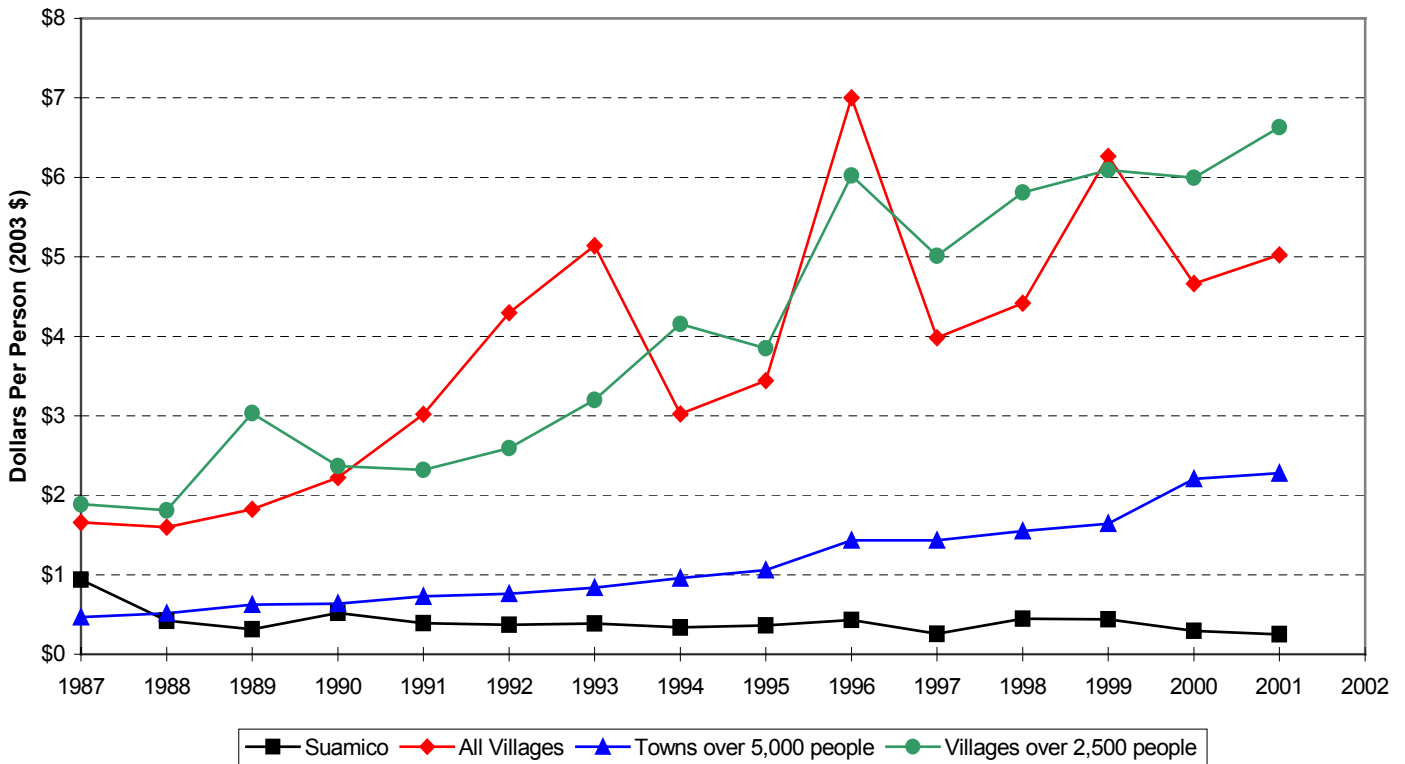


SOURCE: Data from Wisconsin Department of Revenue
University of Wisconsin, Department of Agricultural and Applied Economics
UWEX Local Government Center

**GRAPH 3-PER CAPITA CULTURE AND EDUCATION
COMPARISON**



**GRAPH 4-PER CAPITA HEALTH AND HUMAN SERVICES
COMPARISON**



SOURCE: Data from Wisconsin Department of Revenue
University of Wisconsin, Department of Agricultural and Applied Economics
UWEX Local Government Center

Revenues

Shared revenue aid. As stated previously, the Petitioners' estimate of \$159,383 for shared revenue aid may not be correct. However, and as noted previously, the best estimate from the Department of Revenue (and the Legislative Fiscal Bureau) is that the Town of Suamico's shared revenue payments would likely decrease 70% next year. Because any reduction in shared revenue will affect Suamico regardless of whether a new village is formed, the Department accepts the Petitioners' estimate for shared revenue. The Department is seeking to isolate the effects of incorporation on the proposed budget to determine whether sufficient tax base is available to support a new village. We are not conducting an analysis of shared revenue cuts, which are only speculative at this time.

State highway aid.⁹⁶ The town of Suamico currently receives approximately \$2006 per mile. The Department assumes that the proposed village would receive the same aid per mile. There are 79.59 miles of road within the proposed village, which will net approximately \$159,633 in transportation aid. This amount is slightly different than Petitioners' estimate.

County aid for bridges. There are four bridges within the proposed village and two within the remnant town. Therefore, the Village should received 1/3 of the total 2003 allocation. This amounts to \$33,333 for the proposed village.

Licenses and permits. Charging for licenses and permits on a similar scale as the Town would net approximately \$200,000. This is slightly different from the petitioners' estimate. The new village may need to develop its' own code of ordinances before it can begin collecting and enforcing such fees. Such ordinances would describe the various activities for which licenses and permits are necessary.

In summary, analysis of Petitioners' proposed budget reveals that most of the expenditure and revenue estimates reasonable (albeit probably understated for expenditures, and overstated for intergovernmental revenues).

Property tax base

The total estimated equalized value of property in the area proposed for incorporation is approximately \$447,136,427.⁹⁷ Suamico's equalized value is relatively high compared with similarly situated towns and villages. Suamico's per capita equalized value is also relatively high—\$60,000 in 1999. This is higher than the state average, which was \$50,536 per capita in 1999. High per capita property values makes the proposed village less sensitive to discreet changes in revenue sources.

The Town of Suamico's estimated equalized value is \$628,000,600. Removing the area proposed for incorporation from the Town reduces its estimated equalized value to \$180,861,200.

Graphs 5 and 6, page 46, titled "Equalized Value by Class" portray the mix of property classes in the Town of Suamico and those villages with over 2500 people, which is what the proposed village will become. Typically, villages have a more diversified property tax base, whereas the Town of

⁹⁶ Highway aids are paid on the basis of eligible average costs incurred over 3- and 6-year periods. Two years are required before eligible costs can be fully considered. However, no municipality can receive more than 85% of average 3-year costs. Thus, costs incurred during the first year of incorporation would be eligible for aid following year two, subject to the 85% cap.

⁹⁷ Petitioners' Budget Summary, page 1.

Suamico's property tax base is dominated by residential land uses. The proposed village may want to increase its commercial and manufacturing tax base because it currently relies on residential property taxes to a much greater extent than the communities within its cohort. See Graphs 7 and 8, page 47 (Revenue Shares – 2001, and Per Capita Revenues, 2001 Comparison).

Property tax rates

Petitioners estimate a local mill rate of \$4.41 per thousand⁹⁸ while the Department made several alternate revenue and expenditure estimates; however, these do not result in a significant difference in the overall estimated Village mill rate. This local mill rate could increase by over one-half and the tax burden for residents would still approximate the mill rate of other similar villages. See Graph 9, page 48, (Local Tax Mill Rate Comparison). The Petitioners' estimate, which is based upon current Town of Suamico expenditures and revenues, is reasonable. This rate is lower than the average for villages in Wisconsin. See also Graph 10, page 48, (Per Capita Total Taxes Comparison), which shows that Suamico's tax burden is lower than the average for all villages in Wisconsin. Should the 2004 shared revenue payment indeed fall by the amount projected by the Department of Revenue and Legislative Fiscal Bureau, it appears that, all other factors excluded, the local property tax levy would increase by approximately 10%.

In 2003, the local property tax on a \$150,000 home in the Town of Suamico is predicted to be approximately \$661. The local property tax should not significantly change for an incorporated Village of Suamico.

Asset distribution

Another important issue for Suamico, in the event that an incorporation referendum is successful, is a division of Town assets. The equalized values of the proposed Village territory represents approximately 72% (\$447,139,400) of the total \$628,000,600 (2002) equalized value for the Town of Suamico.⁹⁹ Thus, 72% of any assets and liabilities of the Town of Suamico could be subject to apportionment under section 66.03, Wis. Stats. The Town currently has a relatively low general obligation debt and average per capita interest income for towns with over 5,000 people. See Graphs, 11 and 12, page, 49 (Per Capita Total General Obligation Debt Comparison, and Per Capita Interest Income Comparison). Asset distribution could result in transfer of tangible assets, in-kind or cash payments, or exchanges of services over a period of time mutually determined by the two communities. Typical items included in apportionment are local tax levy proceeds prorated for the remaining tax year, and town assets such as bank accounts, state grants and aids (such as highway aid, etc), existing machinery and equipment, as well as any outstanding debt or trusts. Included in the asset distribution would be the DOA "comprehensive planning" 2002 planning grant awarded through Brown County (about which more will be said in the forthcoming "Metropolitan Impact" section of this determination).

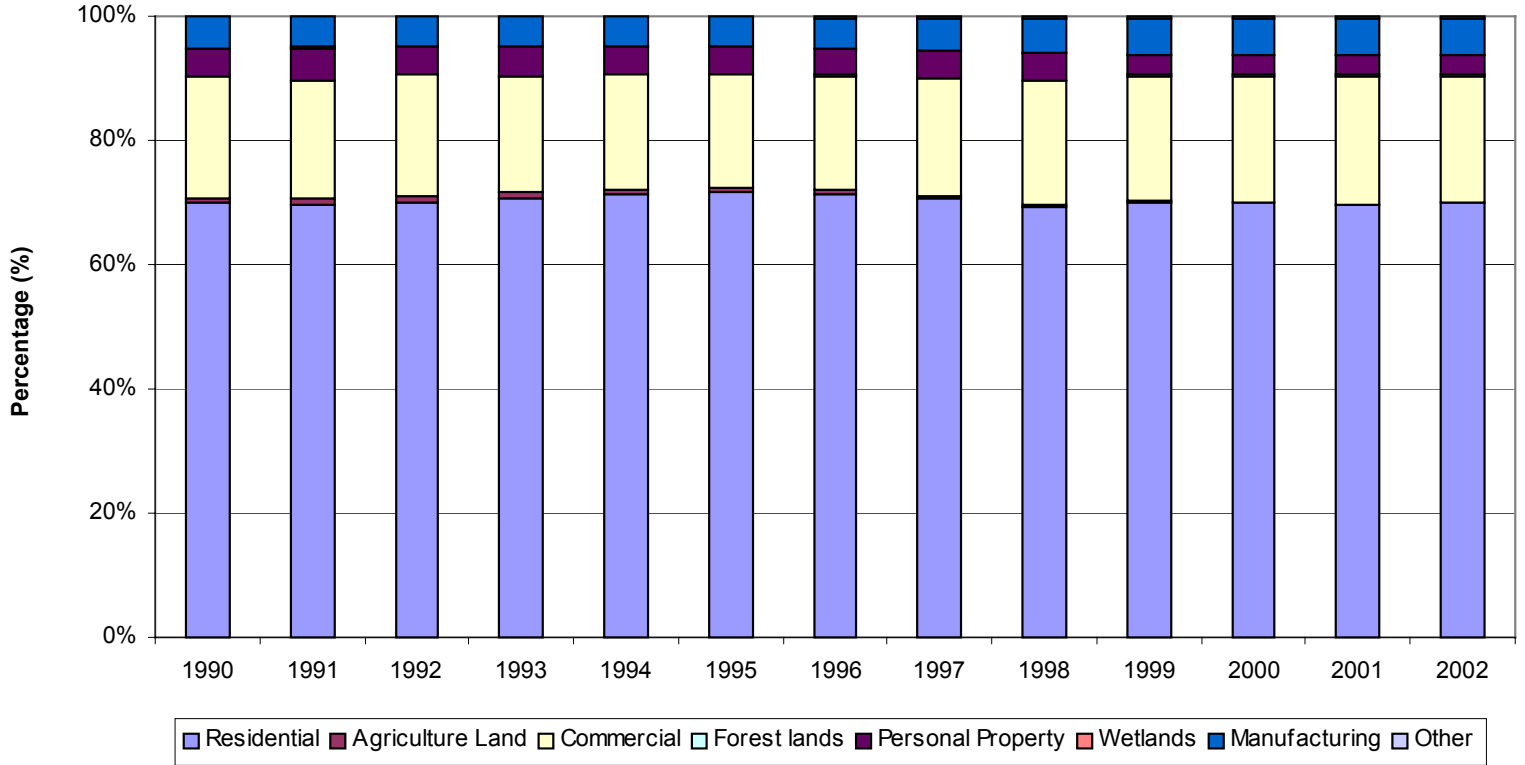
Section 2(a) Determination

Based on the foregoing information, it is the Department's finding that should incorporation occur, the high value property tax base in the petitioned territory would allow the area to have tax rates that compare favorably with those of similarly situated local governments, regardless of whether or not electors choose to increase expenditures for selected items. Therefore, the department finds that this standard is met.

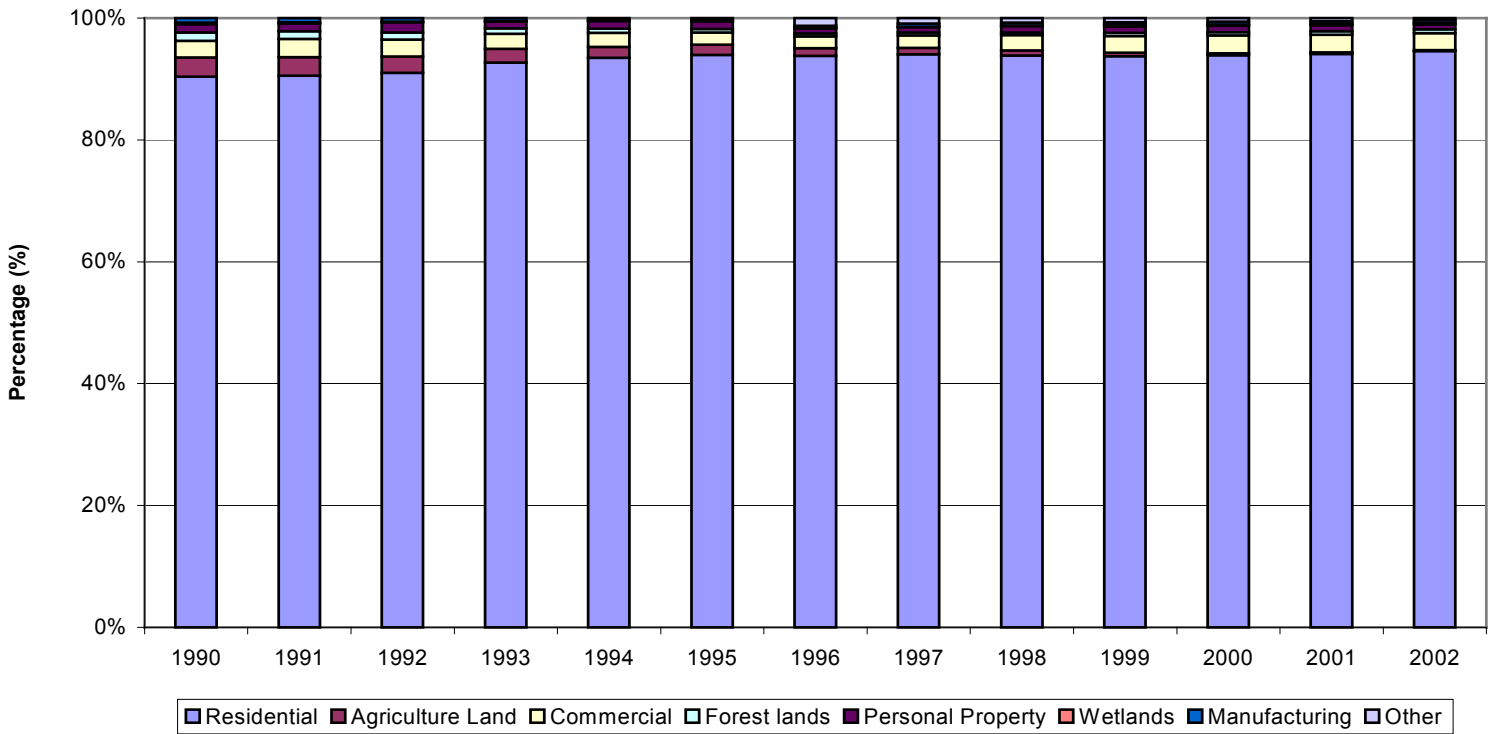
⁹⁸ Ibid.

⁹⁹ Ibid.

**GRAPH 5-EQUALIZED VALUE BY CLASS
VILLAGES OVER 2,500 PEOPLE**

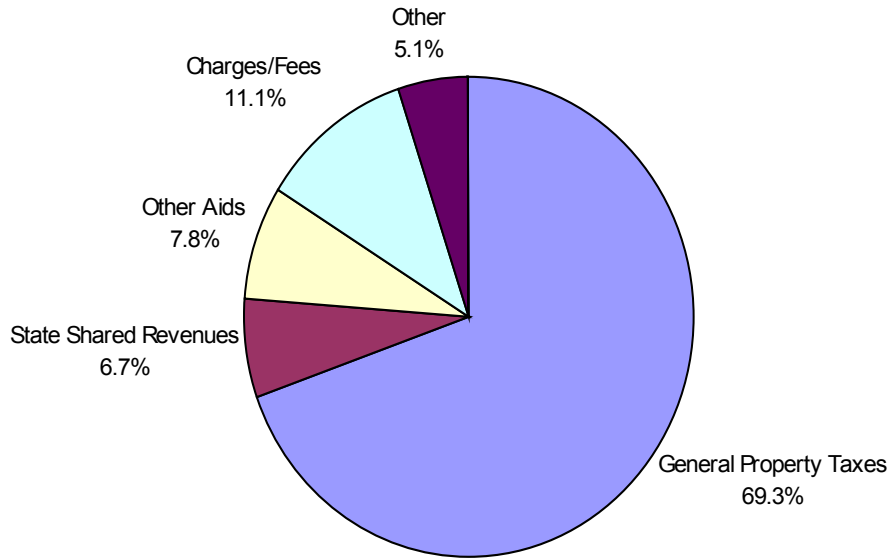


**GRAPH 6-EQUALIZED VALUE BY CLASS
SUAMICO**

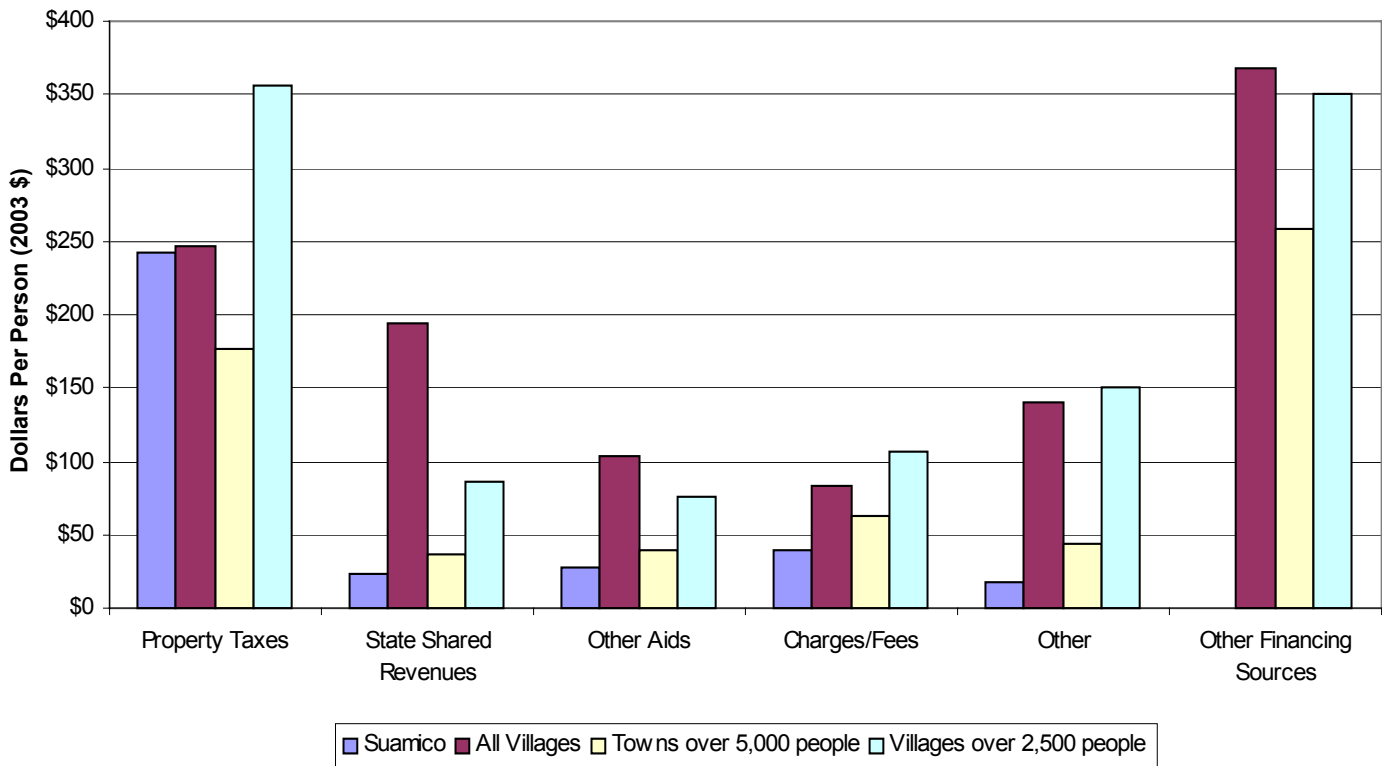


SOURCE: Data from Wisconsin Department of Revenue
University of Wisconsin, Department of Agricultural and Applied Economics
UWEX Local Government Center

**GRAPH 7-REVENUE SHARES - 2001
SUAMICO**

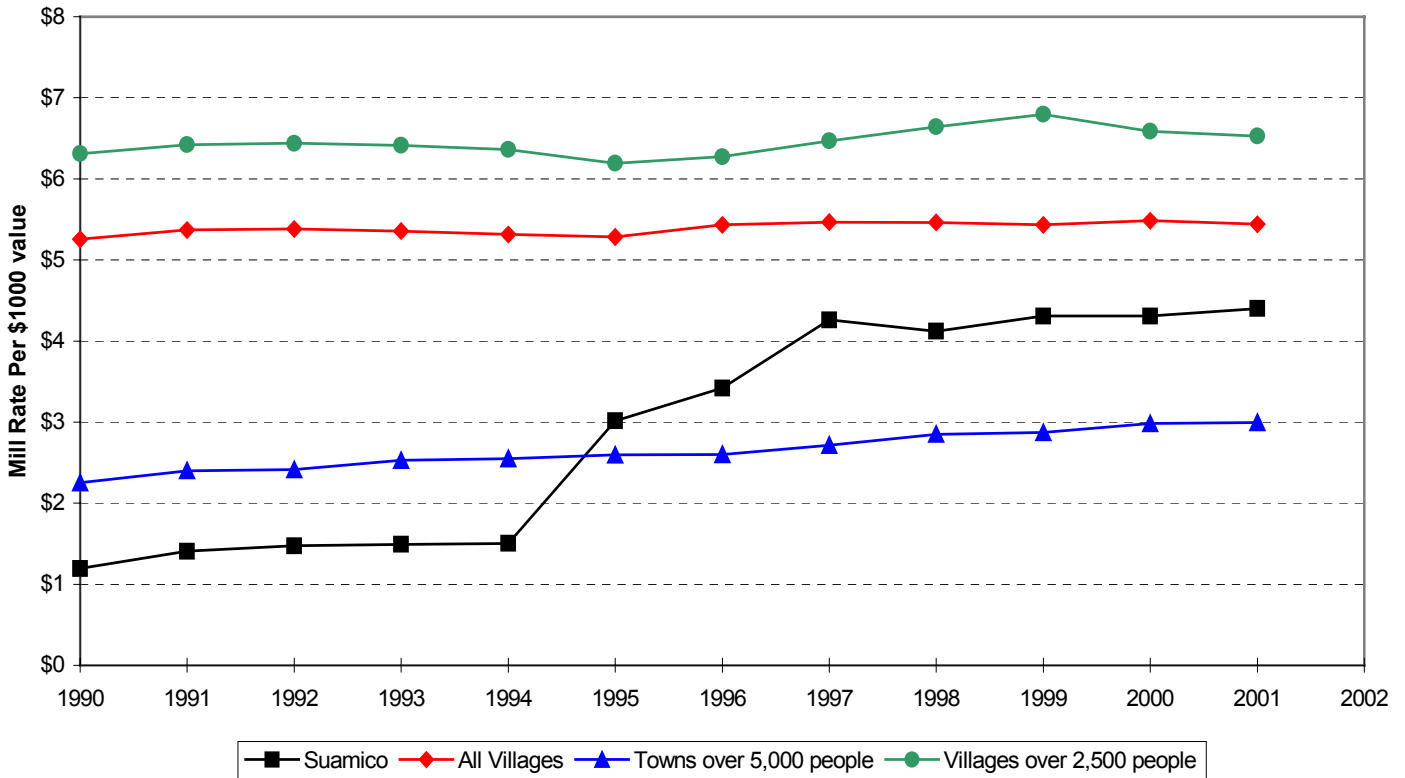


**GRAPH 8-PER CAPITA REVENUES - 2001
COMPARISON**

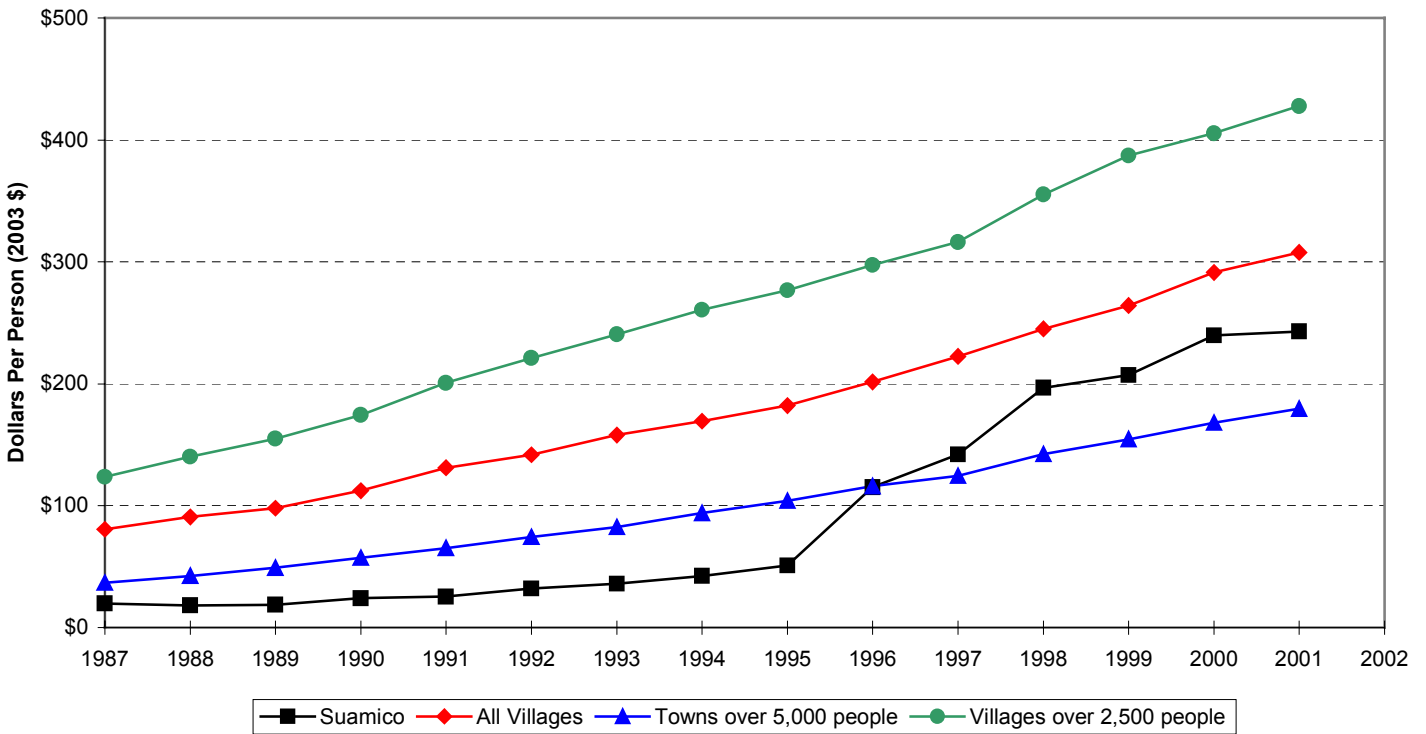


SOURCE: Data from Wisconsin Department of Revenue
University of Wisconsin, Department of Agricultural and Applied Economics
UWEX Local Government Center

**GRAPH 9-LOCAL TAX MILL RATE
COMPARISON**

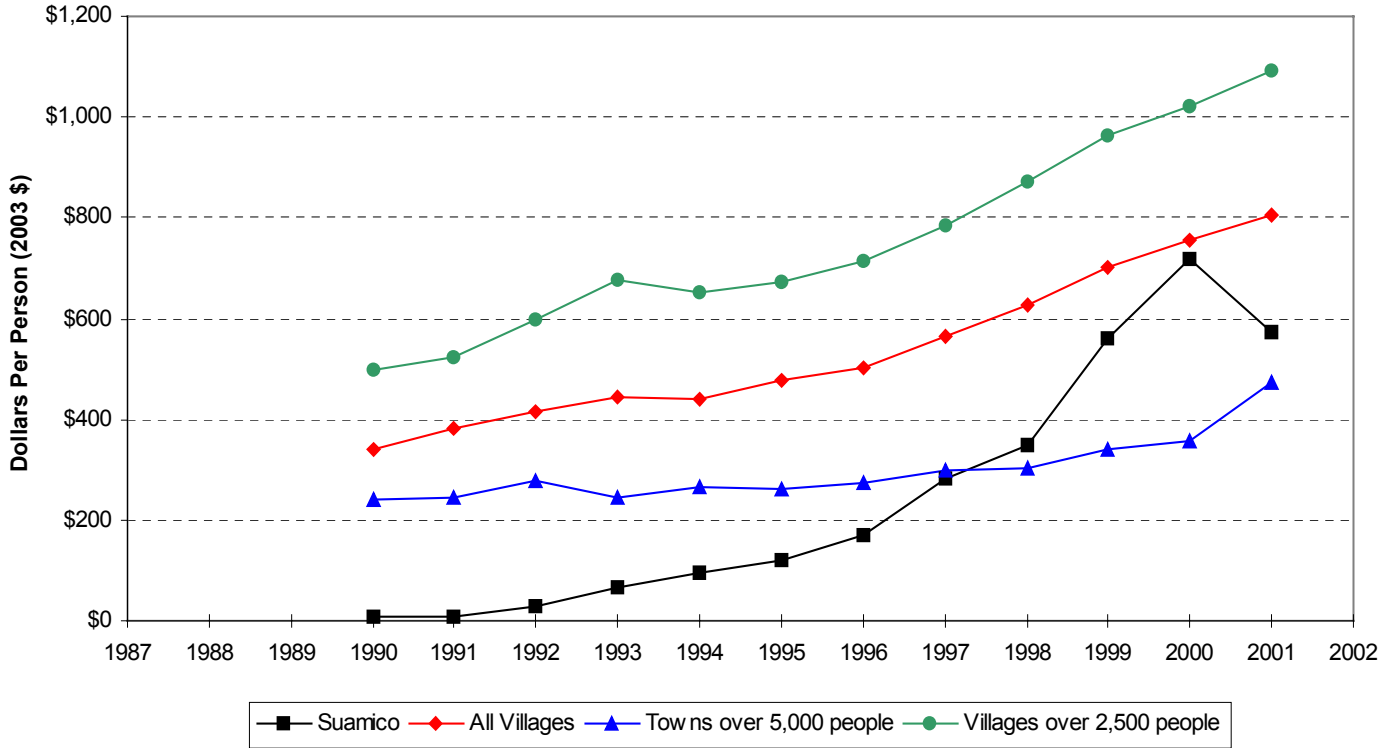


**GRAPH 10-PER CAPITA TOTAL TAXES
COMPARISON**

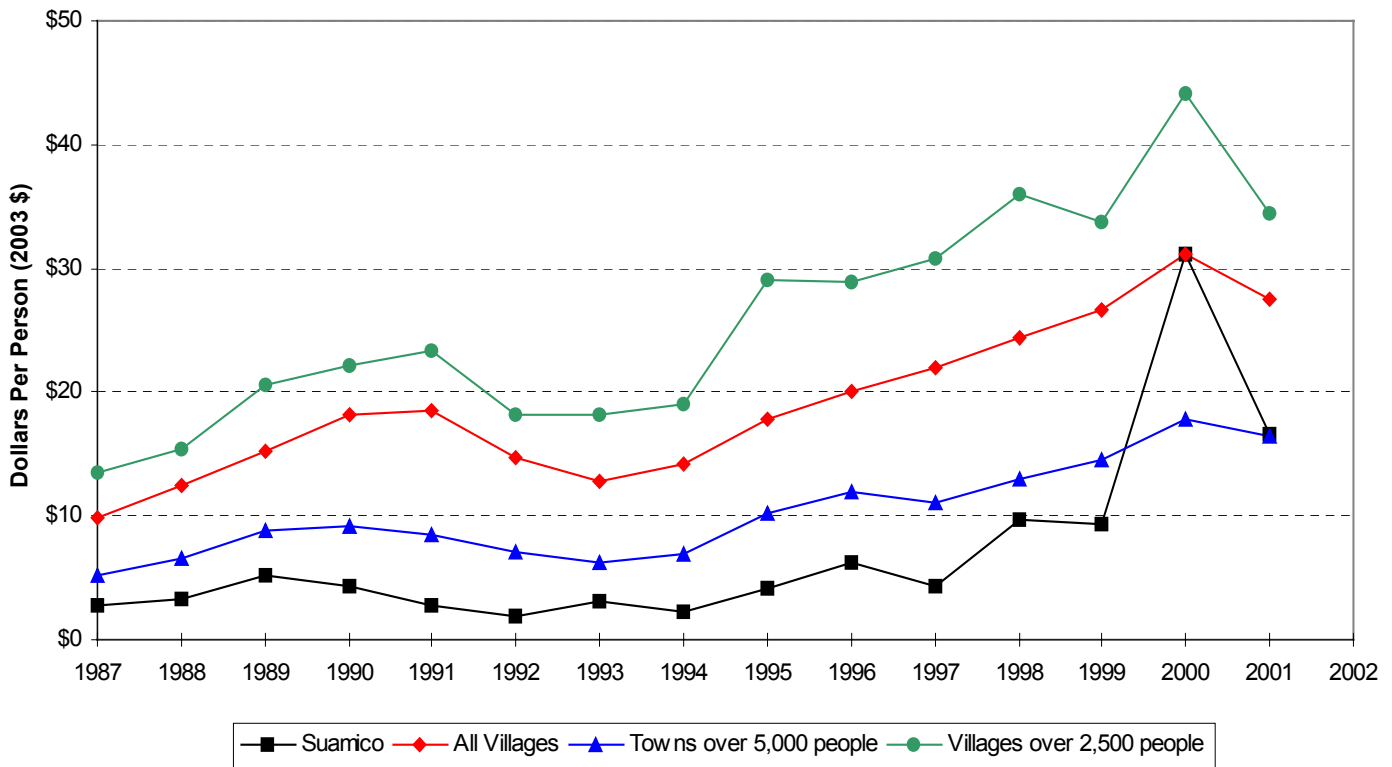


SOURCE: Data from Wisconsin Department of Revenue
University of Wisconsin, Department of Agricultural and Applied Economics
UWEX Local Government Center

GRAPH 11-PER CAPITA TOTAL GENERAL OBLIGATION DEBT COMPARISON



GRAPH 12-PER CAPITA INTEREST INCOME COMPARISON



SOURCE: Data from Wisconsin Department of Revenue
 University of Wisconsin, Department of Agricultural and Applied Economics
 UWEX Local Government Center

SECTION 2(b) LEVEL OF SERVICES

The standard to be applied is found in §66.0207(2)(b), Wis. Stats., and provides as follows:

The level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed village or city and the level available from a contiguous municipality which files a certified copy of a resolution as provided in §66.0203(6), Wis. Stats.

No certified copy of a resolution to annex the territory as provided for by §66.0235, Wis. Stats., was submitted to the circuit court. Therefore, this standard is not applicable.

SECTION 2(c) IMPACT ON THE REMAINDER OF THE TOWN

Section 66.0207(2)(c), Wis. Stats., requires that the Department consider the impact upon the remainder of the Town from which the territory is to be incorporated, financial and otherwise.

Physical Effects of Proposed Village Boundary and Shape

Approximately 19 square miles of territory will remain in the Town of Suamico. Within this town remnant are large segments of farmland and open space, interspersed with pockets of low-density residential, commercial and limited industrial development. Wetlands and floodplains dominate the Town's eastern border along Green Bay and extend inland throughout the town remnant. Expanses of forest and farmland are fragmented throughout the western part of Suamico by low-density development. The Brown County Reforestation Camp covers a large expanse of land - approximately 1,600 acres - in the north west/central portion of the Town and also includes the "NEW" Zoo. In general, however, physical boundaries do not guide the approximate incorporation boundary. The incorporation boundary would not result in any Town islands or isolated Town areas.

Public Services

The proposed village boundary includes the sewer service area, approximately 95 percent of the Sanitary District and does not alter the school district boundaries. However, service needs within the remnant town are likely to increase substantially in the near future as the northwest corner has been identified as the location of the third most concentrated area of residential development and significant demand for non-sewered development is expected to continue.¹⁰⁰ Additionally, commercial and industrial plans are scheduled throughout the town remnant, particularly along the USH 41/141 corridor as outlined by the Foth & Van Dyke *Corridor Land Use Plan*. Furthermore, ultimate sewer extensions are to include the entire area east of the Escanaba and Lake Superior Rail lines, according to the *Wastewater Management Facilities Plan* by Kaempfer and Associates.¹⁰¹

To accommodate this growth, there are several transportation improvements outlined for the town remnant in the 2000 Comprehensive Plan. However, there are no roads for which the town would have sole responsibility, assuming shared financing of these projects on the basis of relative equalized value between the proposed village and town remnant. Primarily, these plans would link key corridors, thus increasing connectivity within the town remnant. Such activities would prospectively provide spillover effects for the proposed village. They include:

- Westward extension of Brown Road to create a continuous arterial route that could link Pulaski to 41/141 and provide service to development in Oconto County, particularly once the USH 41/141 interchange is built. Such extension would benefit Suamico by providing an alternative east/west route to School Lane, thereby potentially decreasing traffic and reducing or delaying capacity improvements on School Lane.
- Extension of Elmwood Road to Velp Avenue providing a much needed east/west travel opportunity.
- Extension of Stream Road and St. Pat's Drive to connect with School Lane and Whipporwill Road/St. Pat's Road, providing north/south outlets along School Lane, and a continuous north/south route for this portion of Suamico.

The petitioners have also presumed that certain service provisions for the remnant town population will be contracted from the new village, including the Public Works Department for year-round street

¹⁰⁰ *Town of Suamico Comprehensive Plan* (2000) pg. 28.

¹⁰¹ *Suamico Sanitary District No. 1 Wastewater Management Facilities Plan* (2002) Fig. 4-3.

maintenance, use of the Recycling Center and roadside pickup of recyclables. The Park Department and Recreation Department will also continue to offer programs to residents in both the town remnant and proposed village. Serving the relatively high number of existing and proposed developments found within the remnant are four public and quasi-public recreational lands: Wouter's Front Tavern, Nicolet Rifle Club, Izaak Walton League and the Golden Arrow Club. A neighborhood park is proposed for the south central area of the remnant according to the 1997 *Comprehensive Outdoor Recreation Plan*. Residents will also benefit from close proximity to State and County Park service areas and will have adequate opportunities for recreation.

Currently, 24/7 police coverage is provided to Suamico by the Brown County Sheriff's Department in addition to a full time officer working a flexible schedule. Service provisions also include investigative functions, supervision, dispatching, record keeping, K-9 patrol and searches and an Emergency Response Unit. Existing contracts will remain in effect for the entire area post-incorporation, with the revenue and expenses to be shared on the basis of relative equalized value between the town and proposed village.¹⁰²

Similarly, the 40 person Volunteer Fire Department will continue to provide services to the town remnant, under the assumption that the remnant will contract with the village for provision of such services. The Fire Department operates out of two stations, both of which are located in the proposed Village. Station 1 is located on Riverside Drive next to Vickery Village and houses the following: pumper truck, tanker truck, brush fire truck, pickup truck and an equipment truck. Station 2 is located at the corner of Northwood Road and White Pine Road and houses the following: a combination pumper and station truck, brush fire truck, a pickup truck and a new 50-foot ladder truck. The Volunteer members provide all maintenance of equipment and vehicles.¹⁰³

Other contracted services such as the Municipal Court and the Building Inspector will be provided to the residents of the town remnant at no cost (assuming that fees and forfeitures cover operational costs). Located in the Suamico Town Hall, the Municipal Court has been in existence for over five years and handles traffic, first offense operating while intoxicated, ordinance violations and juvenile offenses. An elected Judge presides over the Court, with trials on the first Wednesday and initial hearings on the third Wednesday of each month. The Court also employs a Municipal Court Clerk. The Town also employs a full time Building Inspector to enforce the State of Wisconsin Uniform Dwelling Code (adopted by the Town to govern building standards) and the Town Zoning Ordinance.¹⁰⁴

Service needs of the remnant Town will not pose significant problems since the Town has sufficient tax base to provide for contracted services similar to those currently enjoyed by Town residents.

Land Use Effects

There is no clearly definable natural boundary between the proposed village and the remainder of the Town of Suamico, based on topography, soils, drainage basins, wetlands, or the Suamico River. Proposed land uses within the town remnant are also diverse, incorporating commercial, residential, industrial classifications in both sewered and un-sewered areas.

¹⁰² *Submittal in Support of the Incorporation of the Village of Suamico* (2002) pg. 29a

¹⁰³ *Ibid.* pg. 20

¹⁰⁴ *Ibid.* pg. 21

However, the area proposed for incorporation is contained within the Green Bay Urbanized Area as seen on Map 12, Appendix 3, thus classifying the area beyond as rural. While scattered development has resulted in a relatively populous town remnant, data received by the Department reveals between 70 and 85 percent of development is occurring within the proposed village.¹⁰⁵ With future goals to guide development in the area proposed for incorporation, this will prospectively decrease development pressure in the town remnant, assuming the proposed village and remnant town are able to coordinate implementation of existing land use policies.

Fiscal Effects

Revenue

Approximately 6,579 residents or approximately 70 percent of the Town's population would become residents of the proposed Village of Suamico.¹⁰⁶ In doing so, incorporation prospectively retains 71.2 percent of the property tax base. Slightly more than 69.3 percent of General Operations in the Town are funded by the local property tax, according to data from the Wisconsin Department of Revenue; State-shared revenue and aids, transfer from the capital fund, special assessments, and charges for services (licenses and permits, fines, forfeits and penalties), public charges for services and interest income make up the remaining support for general government operations.¹⁰⁷

The remnant town's per capita property value in 2000 was \$64,135.17, based on Petitioner estimates. State highway aids would be based upon the percentage of roads in the proposed village and remnant town, estimated at \$159,633 for the village and \$76,288 for the remnant town. However, it is also important that Suamico address issues of asset distribution, as the proposed village could be subject to apportionment under s. 66.03, Wis. Stats. A more complete projected budget for the proposed village and remnant town was discussed earlier in Section 2(a) Tax Revenue.

Expenditures

A review of the proposed budget reveals that the areas with projected levels of increase for the remnant town would be for General Government, Fire Protection and miscellaneous expenditures. The projected mill rate for the remnant town of 4.40, as provided by the Petitioners, would remain constant pending incorporation. The level of revenues appears sufficient to fund a similar level of services as currently provided, and to not create a substantial burden on the remnant Town, even if the expected drop in shared revenue is realized (particularly since resident electors may choose to receive a lower level of service that is more commensurate with a rural area).

Section 2 (c) Determination

The foregoing analysis of territory, including location, shape, town services and operating budgets suggests that the remainder of the Town of Suamico would not be unduly disadvantaged by incorporation of the proposed Village of Suamico. The petitioners meet the criterion concerning impact on the remainder of the town specified under §66.016(2)(c).

¹⁰⁵ Tim Krause, Town of Suamico Building Inspector, per correspondence received 3/10/03.

¹⁰⁶ Richard Johnston, Town of Suamico Administrator, per personal communication, 3/12/03.

¹⁰⁷ Town of Suamico Proposed 2003 Budget, in *Submittal in Support of the Incorporation of the Village of Suamico*.

SECTION 2(d) IMPACT UPON THE METROPOLITAN COMMUNITY

The standard to be applied is found in §66.0207(2)(d) and reads as follows:

The effect upon the future rendering of governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community. There shall be an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.

“Metropolitan community” is defined in §66.0201(2)(c) to mean:

[T]he territory consisting of any city having a population of 25,000 or more, or any two incorporated municipalities whose boundaries are within 5 miles of each other whose populations aggregate 25,000, plus all the contiguous area which has a population density of 100 or more persons per square mile, or which the department has determined on the basis of population trend and other pertinent facts will have a minimum density of 100 persons per square mile within 3 years.

The metropolitan community for this determination includes the Town of Suamico, the City of Green Bay, the Villages of Howard, Hobart and Pulaski and the Town of Pittsfield. These communities share many of the same infrastructure systems and natural features as the Town. These issues include a plan for a regional sanitary sewer service system, shared school districts, a network of interconnecting roads and highways and a natural drainage basin system that creates both metropolitan-wide recreational opportunities as well as policy challenges such as stormwater runoff and an adequate public water supply.

The Department is required by statute to consider the impact of the proposed incorporation on the ability of local governments to address issues affecting the resources of the metropolitan community, and the infrastructure and services available to the residents of the metropolitan community. In addition, an examination into the legislative history also underscores the importance of considering the metropolitan impact, as indicated by the court in Westring v. James, 71 Wis.2d 462 (1975).

The legislative note attached to Assembly Bill No. 226, A, of the 1959 legislative session reads in part: “the impact of an incorporation on a metropolitan community must also be considered. To prevent fragmentation of an urban area the director is required to make “an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community of which the territory is a part.”¹⁰⁸

A “metropolitan impact standard” review includes consideration of the existence of land use plans, adopted either by the county or by neighboring jurisdiction that may suggest how the territory petitioned for incorporation would be otherwise developed and served. Existing planning documents should be reviewed for potential conflicts in the community visions reflected by these plans. The Department must also determine whether the petitioners have established that the proposed incorporation will not have a negative impact on service provision, infrastructure and environmental resource protection for the metropolitan community.

¹⁰⁸ From 396-397 of the legislative note attached to Assembly Bill No. 226, A, of the 1959 legislative session and cited in Westring v. James, 71 Wis.2d 462 (1975).

The Court in Pleasant Prairie v. Local Affairs Dept., held that:

The statute is peculiarly worded, in that the incorporation can proceed only if there is a finding that it will not substantially hinder the solution of governmental problems. Obviously, this requirement for a finding places a very substantial burden on the proponent of incorporation.¹⁰⁹

The Department must determine whether the petitioners have established that the proposed incorporation will not have a negative impact on planning, service provision, infrastructure and environmental resource protection for the metropolitan community.

In Pleasant Prairie (II) v. Local Affairs Dept., the court stated:

It must be conceded that the very strictures placed upon incorporation in metropolitan areas makes such incorporation difficult. The characteristics that naturally evolve in areas bordering upon a major metropolitan community almost dictate facts and physical circumstances that tend to give some support to a logical conclusion that the outlying areas do not have an independent viability, but a viability that is dependent upon the adjacent metropolis.¹¹⁰

Cooperation with area jurisdictions

The Town of Suamico is a relatively recent addition to the Green Bay metropolitan urban region, a result of the 2000 Census. This designation recognizes intensified linkages between the economic, social, and environmental success of Suamico to its neighboring municipalities and will likely result in a more coordinated and managed approach to planning for the region.

Extraterritorial Issues and Municipal Plans

Where communities in a metropolitan area are engaged in urban development without established planning mechanisms and without any means to coordinate development with present and future growth in other communities in the metropolitan area, incorporation can perpetuate inconsistent and competitive growth in the metropolitan area. The prevention of problems related to this type of growth was a significant purpose in the revisions of the state incorporation statutes in 1959. The courts considered the legislative intent of the incorporation statutes in Elmwood Park v Racine, and later in Westring v. James.

The legislature in its 1959 session made substantial changes in the statutory law governing the overall problem of municipal incorporation and urban expansion. A dominant change was a legislative recognition that many localities of the state were experiencing a substantial urban growth and that the existing legislation permitted haphazard, unrealistic, and competitive expansion without regard for present and probable future development in the best overall public interest.¹¹¹

In 1997, the Village of Howard was poised to file as an intervenor, opposing the incorporation of Suamico. As a result of court mandated negotiations, an intergovernmental boundary agreement was created pursuant to §66.0301 (then §66.03) Wis Stats., and the Village of Howard withdrew its objection and complaint to the incorporation of the Village of Suamico. Although this has not

¹⁰⁹ Pleasant Prairie v Local Affairs Dept., 108 Wis.2d 465 (1982), pg 481.

¹¹⁰ Pleasant Prairie (II) v. Local Affairs Dept., 113 Wis.2d 327 (1983), pg. 333.

¹¹¹ Elmwood Park v. Racine, 29 Wis.2d 400 (1966), and Westring v. James, 71 Wis.2d 462 (1975).

completely eliminated areas of contention between the two municipalities, this approach has potentially set the tone for further intergovernmental cooperation agreements in the area.

Furthermore, there is a high level of consistency between the *Village of Howard Comprehensive Plan* (2002) and the vision for the Town of Suamico, as stated by the Town representative on June 17, 2002. Through their support, it can be inferred that such recommendations as outlined in Howard's Comprehensive Plan will also be found in Suamico's updated Comprehensive Plan such as:

continue to work with the Town of Suamico to develop narrow streets, a grid-like street pattern, sidewalks, and a similar development pattern and density as proposed in the Land Use and Transportation chapters of the plan and required in the adopted boundary agreements.¹¹²

Such cooperation will allow the two communities to achieve a seamless transition through the harmonization of such visible characteristics, a benefit to both jurisdictions and the region as a whole.

The *Town of Suamico Comprehensive Plan* is also consistent with the *Comprehensive Plan for the Town of Pittsfield*. However, current land use and development in Suamico is relatively inconsistent with the plans and activities of regional jurisdictions, particularly with respect to the *Brown County Year 2020 Land Use and Transportation Plan* (1996). Comparing the *Town of Suamico Comprehensive Plan* (2000) to Brown County's Recommended Land Use Plan, there are clearly opposing views for future land use goals, primarily within the Town remnant areas.¹¹³ Brown County outlines almost the entire eastern portion of the Town remnant to remain as agricultural or vacant lands in 2020, a sharp contrast to the sewered development Suamico envisions for the same time period. Brown County also recommends infill and concentrated development, primarily within the areas for incorporation, with limited development opportunities elsewhere. While this aspect is in alignment with Suamico's Comprehensive Plan, there has been little success in its implementation. It is worthwhile to note that both entities are currently updating their plans, and that the proposed Village of Suamico is now a part of the 2030 Metropolitan Planning Area Boundary, created by the Brown County Planning Commission as seen on Map 14, Appendix 3. Coupled with the increased recognition regarding the benefits of regional planning, it is the expectation of this Department that both parties will henceforth proceed in accordance with mutual understanding to create consistent land use goals.

Additional approaches to align divergent interests have resulted in a pending agreement between the Town Board of Suamico and the Suamico Sanitary District Board. Goals of the said agreement are to primarily increase communication and coordination between the parties, thus enabling a more effective approach to implementing Suamico's land use plan.¹¹⁴

Suamico also has a mutual aid agreement with the adjoining communities for fire services provisions.

Police protection

According to section 61.65(1)(a), Wis.Stats., a village with a population of 5,000 or more is required to provide police protection services by:

1. Creating its own police department;
2. Contracting with police protective services with a city or town, with another village or with the county in which the village is located;

¹¹² *Village of Howard Comprehensive Plan* (2002) pg. 155

¹¹³ *Brown County Year 2020 Land Use and Transportation Plan* (1996), Exhibit ES-2.

¹¹⁴ William Forrest, per personal communication, 3/21/03.

3. Creating a joint police department with a city or town or another village.

Suamico has, since 1997, contracted with the Brown County Sheriff's Department for service provisions in excess of routine patrol service. Thus, the Town of Suamico, irrespective of incorporation, has already met the mandatory level of police protection required, as outlined in the Intergovernmental Section of (1)(a). In addition to enabling Suamico to have a higher level of police protection, contract service also enables them to enforce their local ordinances, whereas routine patrol only allows the Sheriff's office to enforce state and county ordinances.

Services

As previously discussed in section (1)(a), The Town of Suamico currently provides sewer service through the Suamico Sanitary District's Wastewater Treatment Plant (WWTP). Recognizing the benefits of service consolidation, Suamico will be phasing out their WWTP and shifting control to the Green Bay Metropolitan Sewerage District. This will help eliminate duplication of services and foster a regional approach to provide services more efficiently and inexpensively. To help offset the \$9.5 million cost involved with the construction of a new main sewage lift station, numerous upgrades to the collection system and sanitary sewers to connect to the Green Bay metropolitan Sewer District (GBMSD) treatment system, the Sanitary District is expected to apply for a Wisconsin Clean Water Fund loan. To fund the remaining costs, the average annual residential user charge is expected to increase from \$385 to \$558, demonstrating that Suamico is willing to actively participate in activities that benefit the region.¹¹⁵

The Town of Suamico is also willing to work collaboratively with the Village of Howard and the Green Bay Metropolitan Sewerage District to develop more efficient sewer extensions. As a result, the Bayview interceptor will be constructed to meet the needs of both communities in a regional partnership for progressive growth.¹¹⁶

Cooperation with the Village of Howard regarding Sewer Service Area (SSA) delineation has been less forthcoming. Disagreements over SSA boundaries have been a factor in the rejection of two previous updates to the Brown County Sewage Plan 2002 by the WDNR. Initial SSA extensions were unfavorable to cities and villages, who could not extend their SSA into neighboring towns. A second plan was deemed unfavorable by the towns, as it did allow city and village SSA extensions into their borders. The final proposal, now pending approval, allows a city or village to extend their SSA as long as it does not encounter a town sanitary district or area where a facilities plan is in place. Given Suamico's recently crafted Facilities Plan for the Town, this effectively restrains any expansion of Howard into Suamico, thus solidifying the boundary irrespective of incorporation.¹¹⁷

Housing

Suamico offers a limited range of housing types and ownership options for residents. As outlined in Table 7, page 29, of the approximately 1,541 acres of residential development within the Town of Suamico, 1,463 acres or 95 percent was developed as single family in 2000 and, according to US Census Data, 89.4 percent was single unit detached.¹¹⁸ Slightly more than 2 percent of housing was in a multi-family format and less than one percent was allotted for mobile homes. There is also no available senior or elder care within Suamico. In contrast, approximately 63 percent of the housing stock in Brown County as well as the Village of Howard is single unit detached dwellings. While they vary slightly as to the specific breakdown of multi-family opportunities, the average is roughly 28-32

¹¹⁵ "Town plans \$9.5 million in sewer upgrades" in the Green Bay Press Gazette, January 22, 2003

¹¹⁶ *On Sure Ground*: Green Bay Metropolitan Sewerage District 2001 Annual Report, pg. 11

¹¹⁷ Joel Dietl, Brown County Planning Commission, 3/24/03, per personal communication.

¹¹⁸ *Profile of General Demographic Characteristics: 2000*. www.doa.state.wi.us/dhir/wisconsin/0605500977975.pdf

percent with trends leaning towards the completion of more apartments and duplexes within the Village of Howard.¹¹⁹

Suamico does have minimum lot size requirements that allow for more compact development such as 14,000 square feet for lots served by sewer (RS) and one of the lowest allowable rural residential (RR) lot sizes in Brown County at 50,000 square feet. However, the majority of new home construction is typically far in excess of these standards. Recommendations by the Comprehensive Plan suggest increasing the minimum rural (RR) lot size to two acres and creating a gradient for sewered lots (RS), thus retaining the core area at 14,000 square feet, then transitioning outward to 20,000 and 25,000 square feet minimum lot sizes. These changes will help preserve the rural character of Suamico and create gradual transitions between varying development types. While these new lot sizes are consistent with the community vision, they are not necessarily consistent with a balanced urban vision positing a variety of housing choices appropriate for a “metropolitan” incorporation. A variety of housing-related choices would mean that people of all ages and incomes could live in Suamico, a benefit not only to the community, but the region as a whole. As the prospective village “matures,” and the average age of individuals and households increases in Suamico, and choose to “age” in place, a demand for a variety of housing opportunities for older residents will doubtless occur, and is something that the prospective village should consider in its current planning efforts.

Since 2000, Suamico has increased their available multi-family options. There are projects underway that will begin to expand additions to the variety of housing choices in the proposed Village of Suamico (as seen on Table 11 on page 30). If continued, the creation of the 71 condominiums, 37 lots with multi-family residences and 24 lots with duplexes, reveals a promising trend that will allow Suamico to be an active participant in creating a more balanced housing stock for the Green Bay metropolitan area.

Section 2(d) Determination

The proposed incorporation will not have a negative effect upon Suamico’s neighbors or the larger metropolitan area and will not hinder the solution of governmental problems affecting the metropolitan area. This is indicated by Suamico’s attempts to create intergovernmental agreements and align planning strategies with neighboring municipalities, provide adequate service provisions for its residents and increase housing options and business diversity within its boundary, thus potentially reducing such factors as congestion and air quality concerns.

While there are seemingly few intergovernmental agreements between Suamico and the metropolitan community, this may be primarily a factor of location, as well as timing. Specifically, until recently, Suamico was relatively isolated in terms of planning partners within Brown County. While they do have agreements with the Village of Howard and the Brown County Sheriff Department and work regionally with the Green Bay Metropolitan Sewerage District, the other neighboring community of Pittsfield has thus far been uninterested particularly in boundary agreements, which limits agreement options. However, they have been proactive in creating agreements before becoming an actual member of Green Bay Metropolitan Area, thus indicating their willingness to be an effective regional partner. This is further demonstrated with their having already met the requirement for police services for a village. To achieve further alignment of Suamico’s Comprehensive Plan with neighboring jurisdictions and the metropolitan area as a whole, Suamico, along with DePere, Allouez, Wrightstown and Ledgeview have contracted in 2002 with Brown County Planning Commission to develop a Comprehensive Plans in accordance with Smart Growth legislation (s. 66.1001, Wis. Stats.) that will endeavor to be regionally consistent. The Department encourages the prospective village and remnant town to continue to participate in the “comprehensive planning” grant program with Brown County,

¹¹⁹*Village of Howard Comprehensive Plan* (2002) pg. 94.

SECTION 2(d) IMPACT UPON THE METROPOLITAN COMMUNITY

and to complete the obligation occasioned by the 2002 grant cycle planning grant award. From the perspective of the Office of Land Information Services, the contract language is sufficiently elastic as to permit the addition of the proposed village (but the grant money already allocated would remain the same).

In addition to not being a hindrance, incorporation may actually improve the resolution of metropolitan problems. By allowing Tax Increment Financing to occur within existing planned areas within the proposed village, the village could attract eligible businesses suitable to the employment and commercial/retail needs of its residents, thus reducing commute time and helping to alleviate congestion on roads to the City of Green Bay. Also, by creating a more diverse array of housing opportunities within the proposed village of Suamico, residents of all type would be able to live, work, and shop in Suamico. This could help alleviate the existing spatial mismatch between workers, housing, and retail trade options, thus fostering and contributing to a more healthy, dynamic Green Bay Metropolitan area.

For the foregoing reasons, the Department finds that “the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community,” and that this criterion is therefore met.

SUMMARY OF THE ANALYSIS OF THE INCORPORATION STANDARDS

Standard 1 (a), homogeneity and compactness – met

Standard 1 (b), territory beyond the core – met

Standard 2 (a), tax revenue – met

Standard 2 (b), level of services – not applicable

Standard 2 (c), impact on the remainder of the town – met

Standard 2 (d), impact on the metropolitan community – met

Therefore the determination of the Department as prescribed by section 66.014 (9) (e) 2, Wis. Stats., is:

**THE PETITION AS SUBMITTED SHALL BE GRANTED
AND AN INCORPORATION REFERENDUM HELD**

APPENDIX 1: DEPARTMENT CONTACTS MADE DURING RESEARCH AND ANALYSIS*

Aaron Scheutte, Brown County Planning Commission

Jan Bodert, Town of Pittsfield Clerk

Joel Dietl, Brown County Planning Commission

Dennis Duffy, Village of Howard Attorney

William Forrest, Town of Suamico Consultant

Shirley Haidinger, Wisconsin Department of Natural Resources

Captain Tom Hermsen, Brown County Sheriff's Department

Terry Hornick, Howard-Suamico School District

Richard Johnston, Town of Suamico Administrator

Dennis Koepke, Wisconsin Department of Natural Resources

Tim Krause, Town of Suamico Director of Public Works

Chuck Lamine, Brown County Planning Commission

Jamelle Schlangen, Wisconsin Department of Natural Resources

Paul Umentum, Town of Suamico Attorney

*This list includes contacts cited in footnotes within the document.

APPENDIX 2 – BIBLIOGRAPHY

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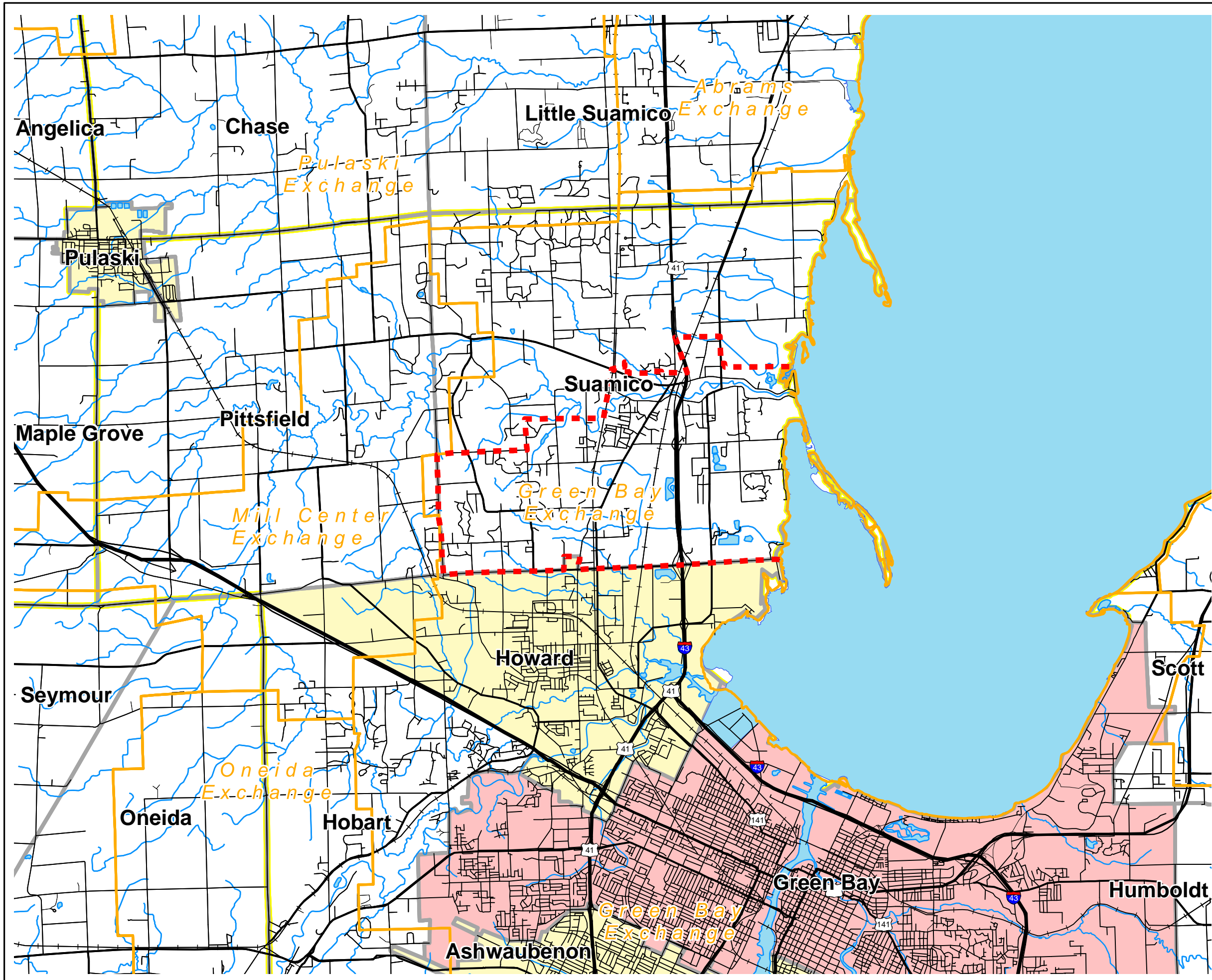
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Map 1

Regional Context



-  Incorporation Line
-  Telephone Exchanges
-  Roads
-  Railroads
-  Cities
-  Villages
-  Towns
-  Streams
-  Lakes and Rivers
-  Counties


WTM83(91)
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Map 2 DRAINAGE BASINS LEGEND

- Township of Suamico Corporate Limits
- Borrow Pits
- Streams
- Watershed Boundary
- Sub-Drainage Basin
- Roads
- Railroads
- Major Basins**
- LT- 3136 Acres - Little Tail Point
- NR - 1883 Acres - Norfield Road
- RR - 1207 Acres - Resort Road
- SR - 8820 Acres - Suamico River
- BH - 4806 Acres - Barkhausen
- HC - 4150 Acres - Haller's Creek
- LC - 668 Acres - Lancaster Creek
- DC - 483 Acres - Duck Creek Tributary
- 999 Basin Acreage**
- Basin Designation



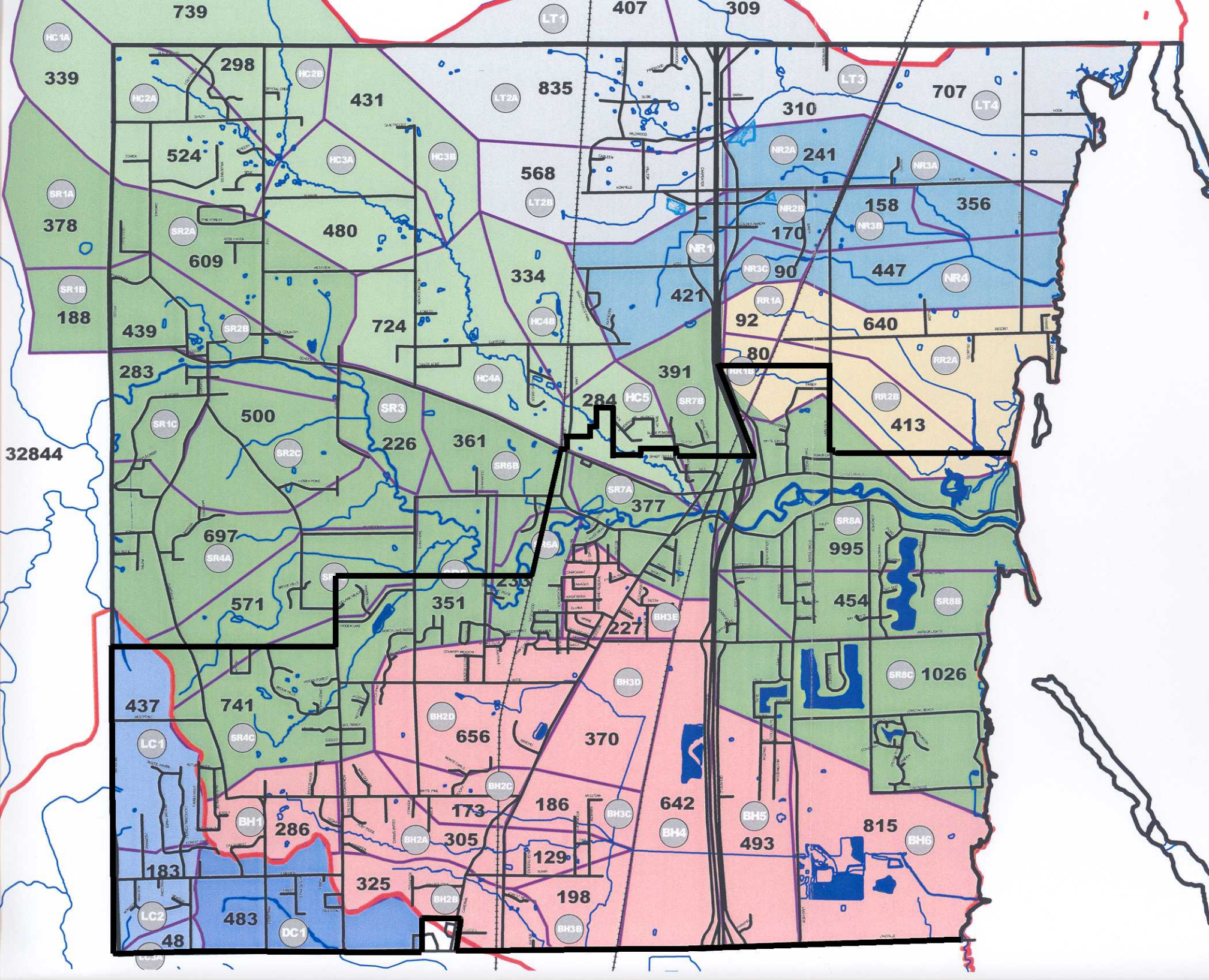
4000 0 4000 Feet

Sources:
Topographic/Contour Maps, Aerometric Engineering, Inc, 1979
USGS Quadrangle - West Green Bay, 1992

Town of Suamico Comprehensive Storm Water Plan/ Needs Assessment Study



500 AMS COURT GREEN BAY, WI 54313
TELE: (920)-434-8500 FAX: (920)-434-8505



Map 3 Soil Types



- - - - Incorporation Boundary
- County Boundaries
- MCD Boundaries

Soil Types

 AdA	 Mk
 AeA	 Mr
 Au	 MsB
 Aw	 Od
 Ax	 OeB
 Bp	 OeC2
 BrB	 OhB
 BrC2	 OhD2
 BrD2	 OmB
 BtB	 OnA
 Ca	 OnB
 CcB	 OnD2
 CcC2	 OoB
 DeA	 Po
 Du	 Ro
 Fd	 Rs
 Gp	 SeC
 Ke	 SeD
 KfB	 SfB
 KfC2	 Sfc
 KhB	 ShB
 KhB2	 ShC2
 KhC2	 ShD2
 KhD2	 SnA
 KkC3	 SnB
 KkD3	 SoA
 KnA	 SpA
 MaA	 TeA
 McA	 Wa
 MeB	 WoB
 MeC2	 YaA
 MfB	 YhA

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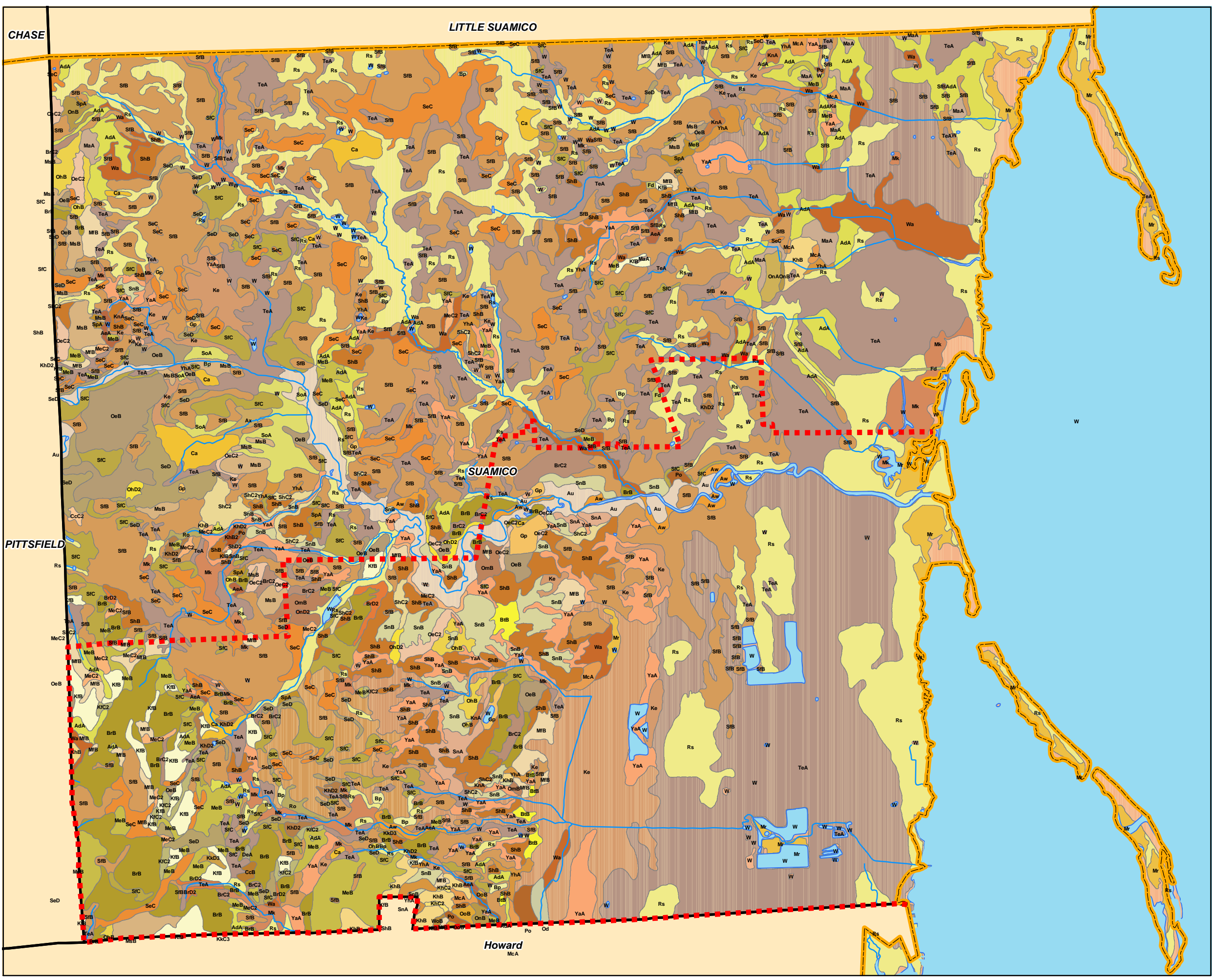
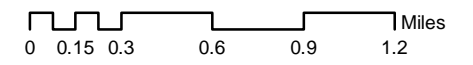


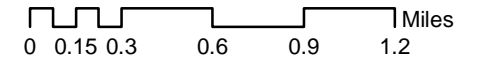
Table 15: Suamico Area Soils

MAP SYMBOL	SOIL TYPE / DESCRIPTION
AdA	ALLENDALE LOAMY FINE SAND, 0 TO 3 PERCENT SLOPES
AeA	ALLENDALE FINE SANDY LOAM, 0 TO 3 PERCENT SLOPES
Au	ALLUVIAL LAND
Aw	ALLUVIAL LAND, WET
Ax	ANGELICA SILT LOAM
Bp	BORROW PITS
BrB	BOYER LOAMY FINE SAND, 2 TO 6 PERCENT SLOPES
BrC2	BOYER LOAMY FINE SAND, 6 TO 12 PERCENT SLOPES, ERODED
BrD2	BOYER LOAMY FINE SAND, 12 TO 20 PERCENT SLOPES, ERODED
BtB	BRIGGSVILLE SILT LOAM, 2 TO 6 PERCENT SLOPES
Ca	CARBONDALE MUCK
CcB	CASCO LOAM, 2 TO 6 PERCENT SLOPES
CcC2	CASCO LOAM, 6 TO 12 PERCENT SLOPES, ERODED
DeA	DRESDEN SANDY LOAM, MOTTLED SUBSOIL VARIANT, 0 TO 2 PERCENT SLOPES
Du	DUMPS
Fd	FILL LAND
Gp	GRAVEL PITS
Ke	KEOWNS SILT LOAM
KfB	KEWAUNEE SANDY LOAM, 2 TO 6 PERCENT SLOPES
KfC2	KEWAUNEE SANDY LOAM, 6 TO 12 PERCENT SLOPES, ERODED
KhB	KEWAUNEE SILT LOAM, 2 TO 6 PERCENT SLOPES
KhB2	KEWAUNEE SILT LOAM, 2 TO 6 PERCENT SLOPES, ERODED
KhC2	KEWAUNEE SILT LOAM, 6 TO 12 PERCENT SLOPES, ERODED
KhD2	KEWAUNEE SILT LOAM, 12 TO 20 PERCENT SLOPES, ERODED
KkC3	KEWAUNEE SOILS, 6 TO 12 PERCENT SLOPES, SEVERELY ERODED
KkD3	KEWAUNEE SOILS, 12 TO 20 PERCENT SLOPES, SEVERELY ERODED
KnA	KIBBIE SILT LOAM, 1 TO 3 PERCENT SLOPES
MaA	LAMARTINE SILT LOAM, 0 TO 3 PERCENT SLOPES
McA	LAMARTINE SILT LOAM, 0 TO 3 PERCENT SLOPES
MeB	MANISTEE LOAMY FINE SAND, 2 TO 6 PERCENT SLOPES
MeC2	MANISTEE LOAMY FINE SAND, 6 TO 14 PERCENT SLOPES, ERODED
MfB	MANISTEE FINE SANDY LOAM, 2 TO 6 PERCENT SLOPES
Mk	MARKEY MUCK
Mr	MARSH
MsB	MENOMINEE LOAMY FINE SAND, 2 TO 6 PERCENT SLOPES
Od	OGDEN MUCK
OeB	ONAWAY SANDY LOAM, 2 TO 6 PERCENT SLOPES
OeC2	ONAWAY SANDY LOAM, 6 TO 12 PERCENT SLOPES, ERODED
OhB	ONAWAY LOAM, 2 TO 6 PERCENT SLOPES
OhD2	ONAWAY LOAM, 12 TO 20 PERCENT SLOPES, ERODED
OmB	OSHKOSH SANDY LOAM, 2 TO 6 PERCENT SLOPES
OnA	OSHKOSH SILT LOAM, 0 TO 2 PERCENT SLOPES
OnB	OSHKOSH SILT LOAM, 2 TO 6 PERCENT SLOPES
OnD2	OSHKOSH SILT LOAM, 12 TO 20 PERCENT SLOPES, ERODED
OoB	OSHKOSH SILT LOAM, LOAMY SUBSTRATUM, 2 TO 6 PERCENT SLOPES
Po	POYGAN SILTY CLAY LOAM
Ro	ROUGH BROKEN LAND
Rs	ROSCOMMON MUCK
SeC	SHAWANO FINE SAND, ROLLING
SeD	SHAWANO FINE SAND, HILLY
SfB	SHAWANO LOAMY FINE SAND, 2 TO 6 PERCENT SLOPES
SfC	SHAWANO LOAMY FINE SAND, 6 TO 12 PERCENT SLOPES
ShB	SISSON FINE SANDY LOAM, 2 TO 6 PERCENT SLOPES
ShC2	SISSON FINE SANDY LOAM, 6 TO 12 PERCENT SLOPES, ERODED
ShD2	SISSON FINE SANDY LOAM, 12 TO 20 PERCENT SLOPES, ERODED
SnA	SISSON SILT LOAM, 0 TO 2 PERCENT SLOPES
SnB	SISSON SILT LOAM, 2 TO 6 PERCENT SLOPES
SoA	SOLONA SANDY LOAM, 1 TO 3 PERCENT SLOPES
SpA	SOLONA LOAM, 1 TO 3 PERCENT SLOPES
TeA	TEDROW LOAMY FINE SAND, 0 TO 3 PERCENT SLOPES
W	WATER
Wa	WAUSEON FINE SANDY LOAM
WoB	WAYMOR SILT LOAM, 2 TO 6 PERCENT SLOPES
YaA	YAHARA FINE SANDY LOAM, 0 TO 3 PERCENT SLOPES
YhA	YAHARA SILT LOAM, 0 TO 3 PERCENT SLOPES

Map 4 Soils - Percent Slope

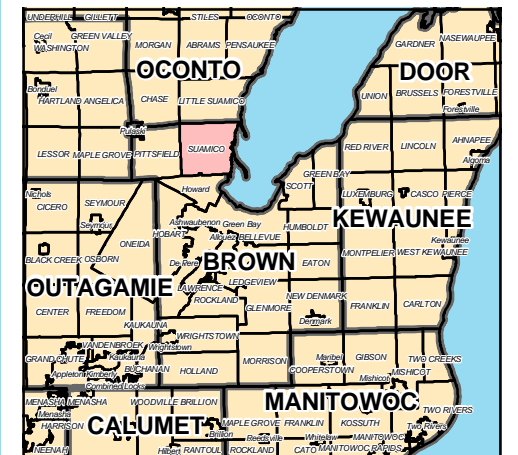


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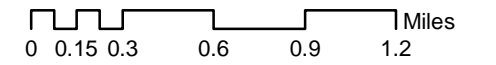
- Incorporation Boundary
 - County Boundaries
 - MCD Boundaries
- Soils - Percent Slope**
- 0-1%
 - 1-2.5%
 - 2.5-5%
 - 5-10%
 - Over 10%



Map 5 POWTS Suitability

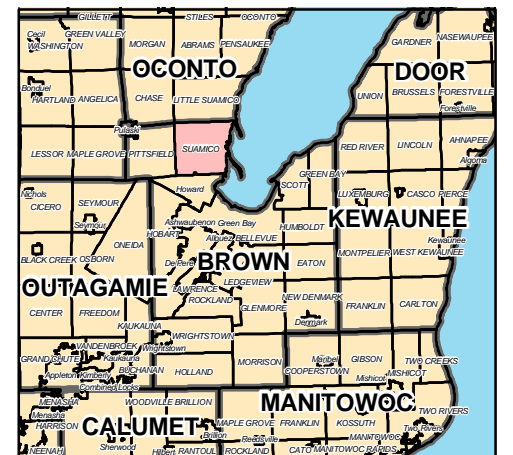


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Legend

- - - - Incorporation Boundary
 - County Boundaries
 - MCD Boundaries
- Soils - POWTS Suitability**
- High
 - Moderate
 - Low
 - Very Low
 - Water/No Data









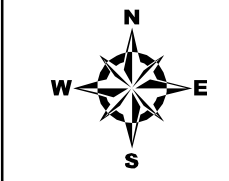
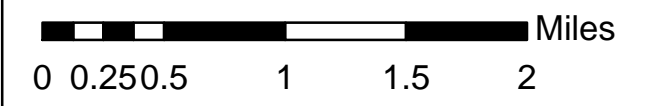
Map 6

Environmental Corridors

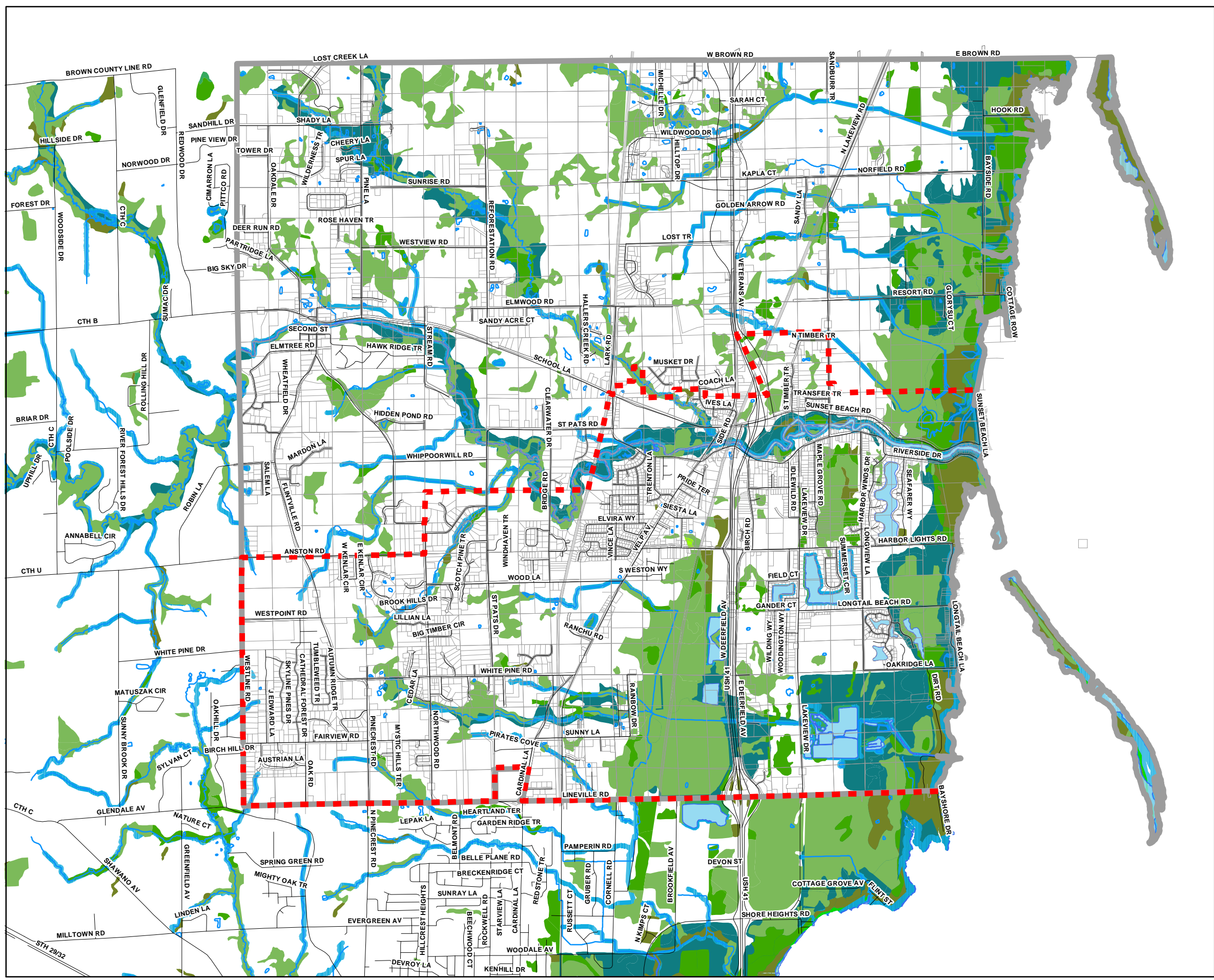
-  Incorporation Line
-  Town Boundary
-  Roads
-  Lakes & Rivers
-  Streams

Wetlands

-  Aquatic bed
-  Emergent/wet meadow
-  Flats/unvegetated wet soil
-  Forested
-  Open water
-  Scrub/shrub
-  Shoreland
-  Floodplains

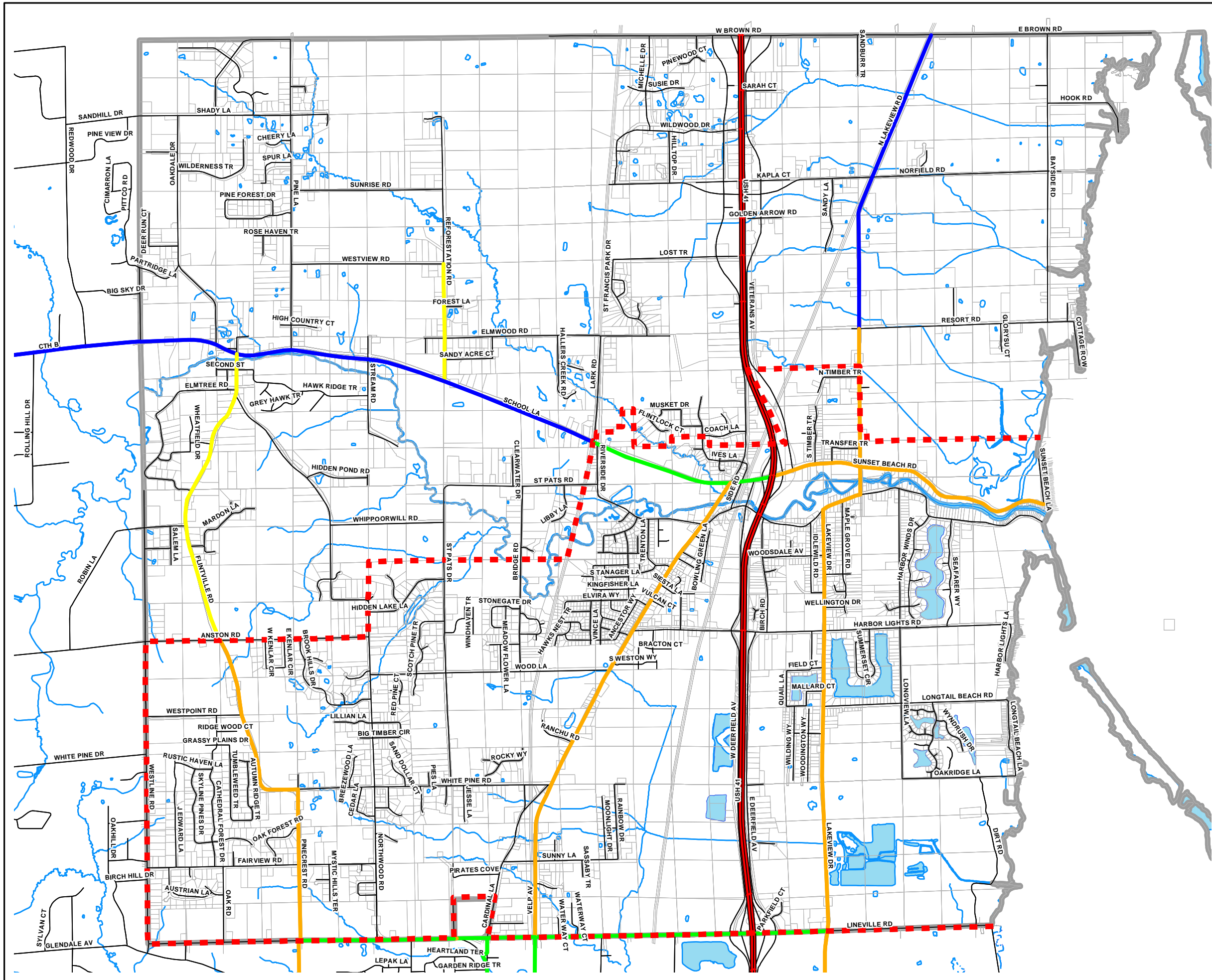


Brown County
Coordinate System
NAD 83/91
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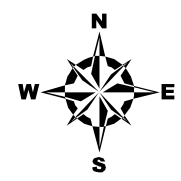
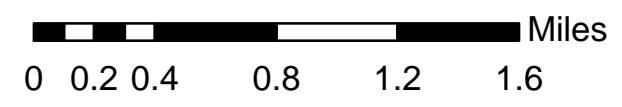


Map 7

Suamico Area Transportation System



- - - Incorporation Line
- COLLECTOR
- FREEWAY
- INTERSTATE
- LOCAL
- MAJOR COLLECTOR
- MINOR ARTERIAL
- MINOR COLLECTOR
- PRINCIPAL ARTERIAL
- - - FUTURE COLLECTOR
- - - FUTURE MINOR ARTERIAL
- - - FUTURE MAJOR COLLECTOR
- Roads
- Town Boundary
- Streams
- Lakes & Rivers



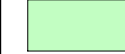













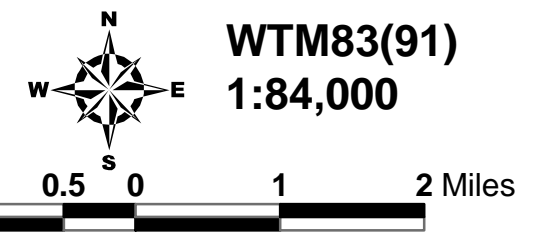
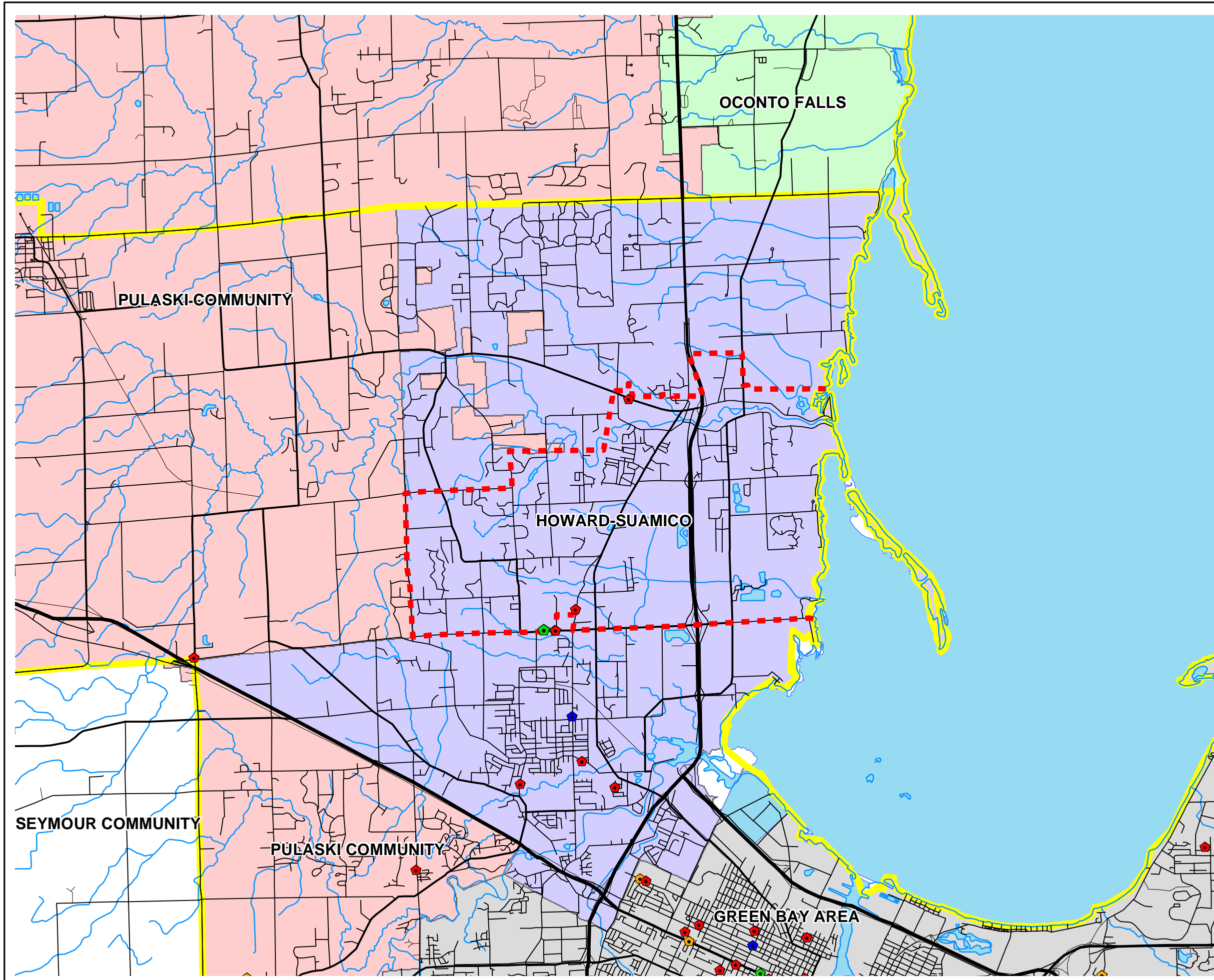
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NAD 83/91
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Map 8

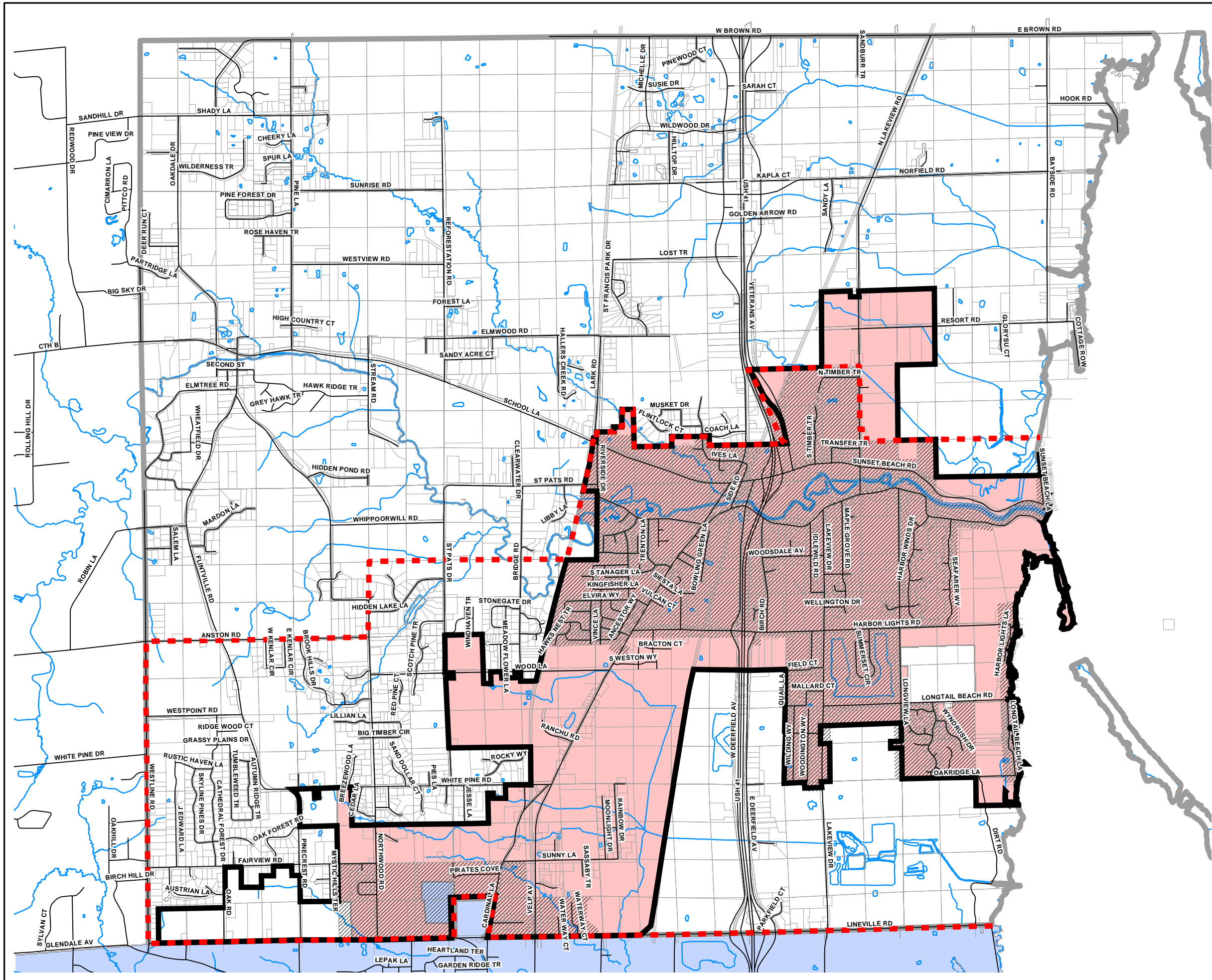
School Districts










-  GREEN BAY AREA
-  HOWARD-SUAMICO
-  OCONTO FALLS
-  PULASKI COMMUNITY
-  High School
-  Junior High School
-  Middle School
-  Elementary School
-  K-12 Combined School
-  Incorporation Line
-  Roads
-  Counties
-  Streams
-  Lakes & Rivers

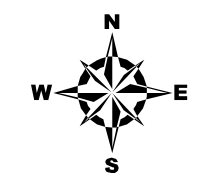
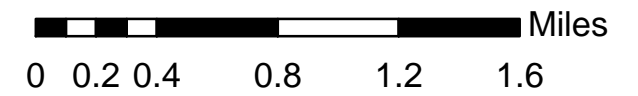


Map 9

Sewer Service Area (Draft)

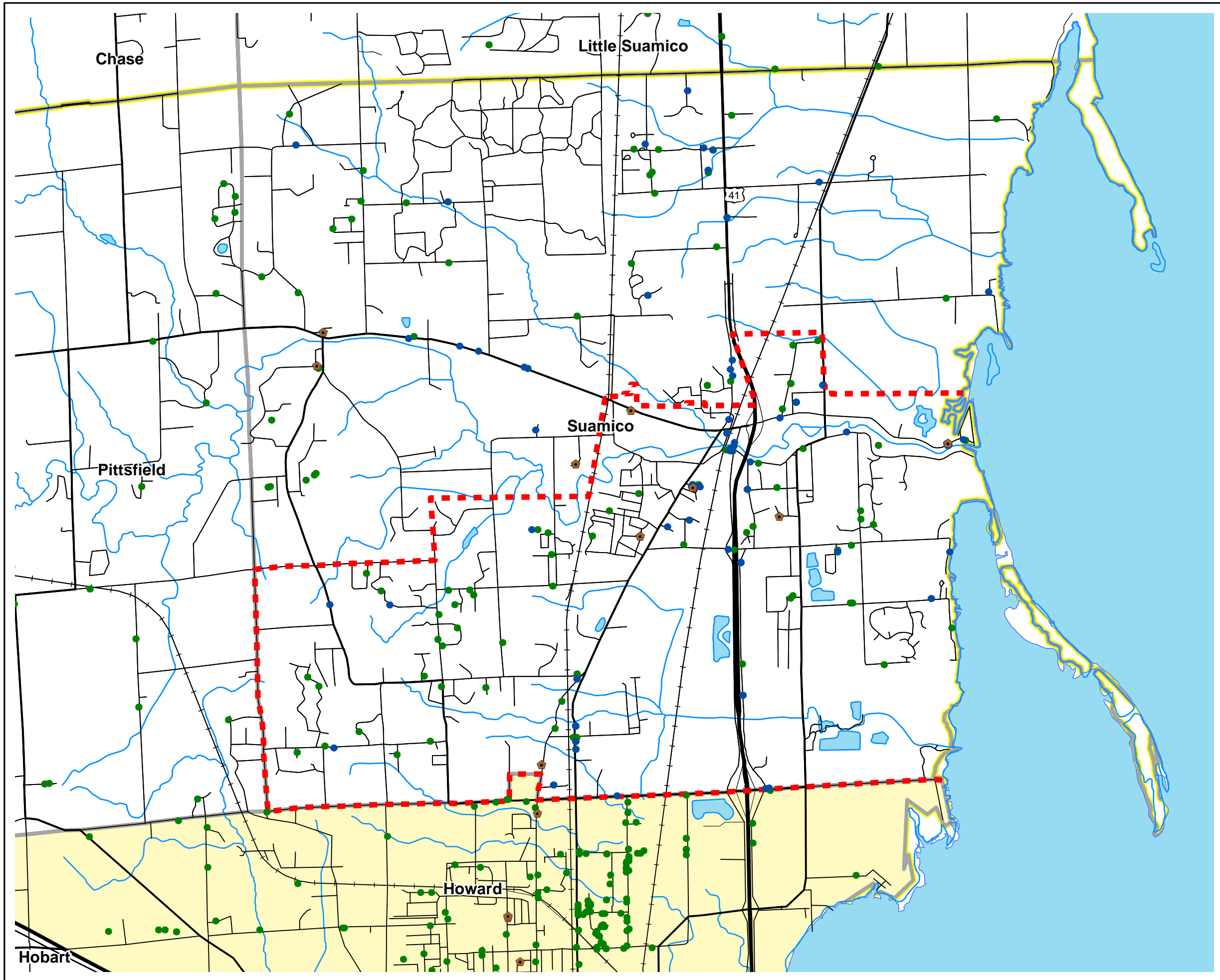


-  Incorporation Line
-  Roads
-  Town Boundary
-  Streams
-  Suamico Sanitary Sewer District
- 1995 Sewer Service Area (Existing)**
 -  HOWARD
 -  SUAMICO
- 2003 Sewer Service Area (Proposed)**
 -  HOWARD
 -  SUAMICO



Brown County
Coordinate System
NAD 83/91
1:40,000

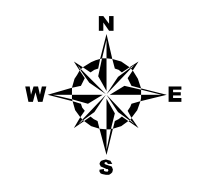




Map 10

Businesses

- + Nursing Homes
- + Hospitals
- ⬆ Daycare Centers
- Businesses
- Businesses (SNAP)
- - - Incorporation Line
- Roads
- + - + - Railroads
- Streams
- █ Lakes and Rivers
- █ Cities
- █ Villages
- █ Towns
- █ Counties

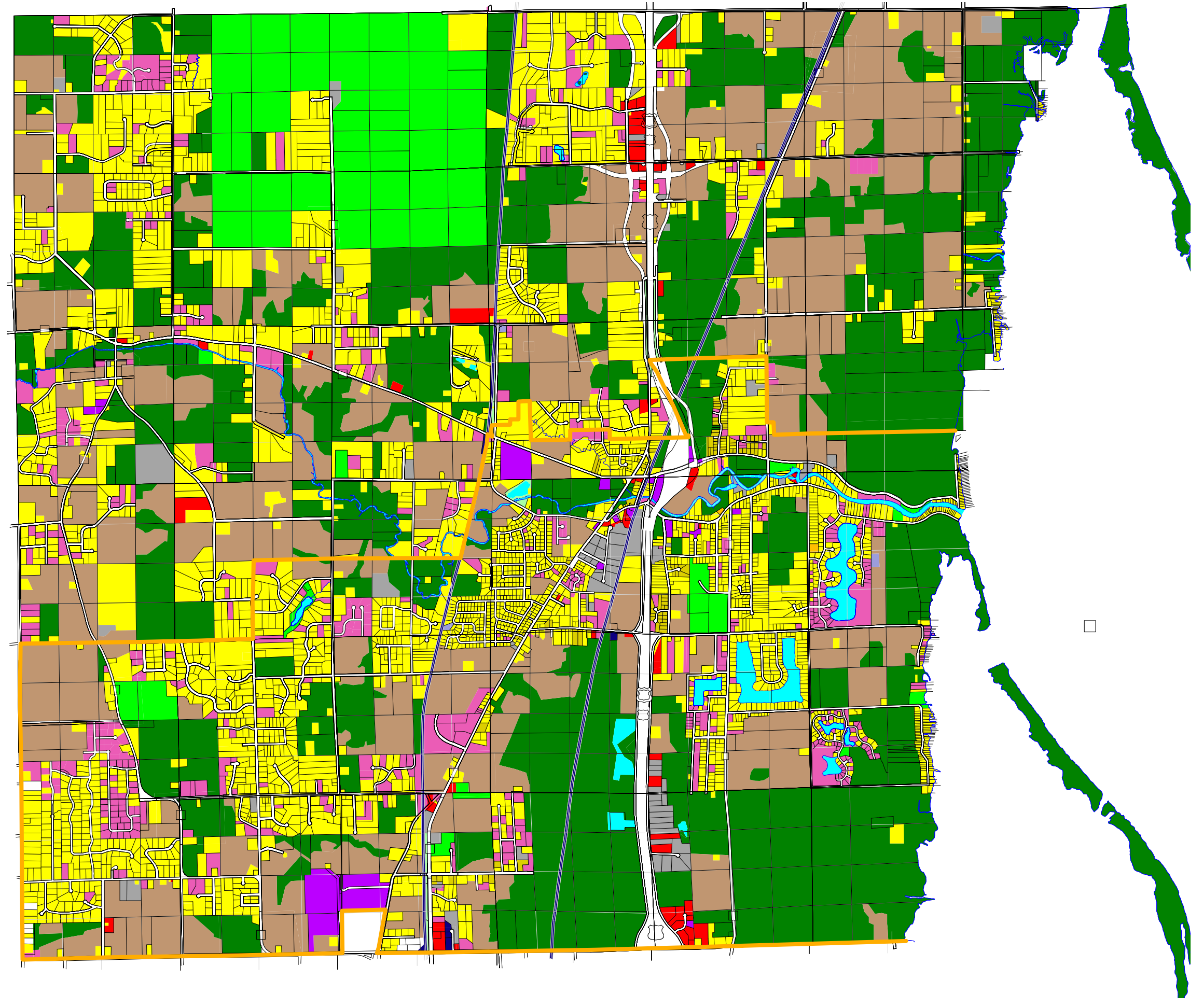


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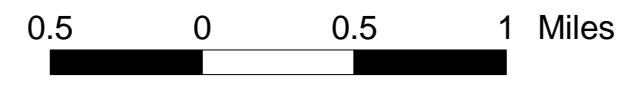


Map 11

Current Land Use Map



- Single Family Residential
- Two - Family Residential
- Multi - Family Residential
- Land Under Development
- Commercial
- Industrial
- Roads
- Transportation
- Communications/Utilities
- Governmental/Institutional
- Parks and Recreation
- Open Space/Fallow Fields
- Agricultural
- Water Features
- Woodlands, Wetlands, Undeveloped Open Space





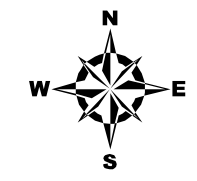
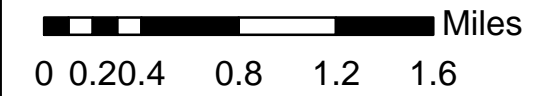
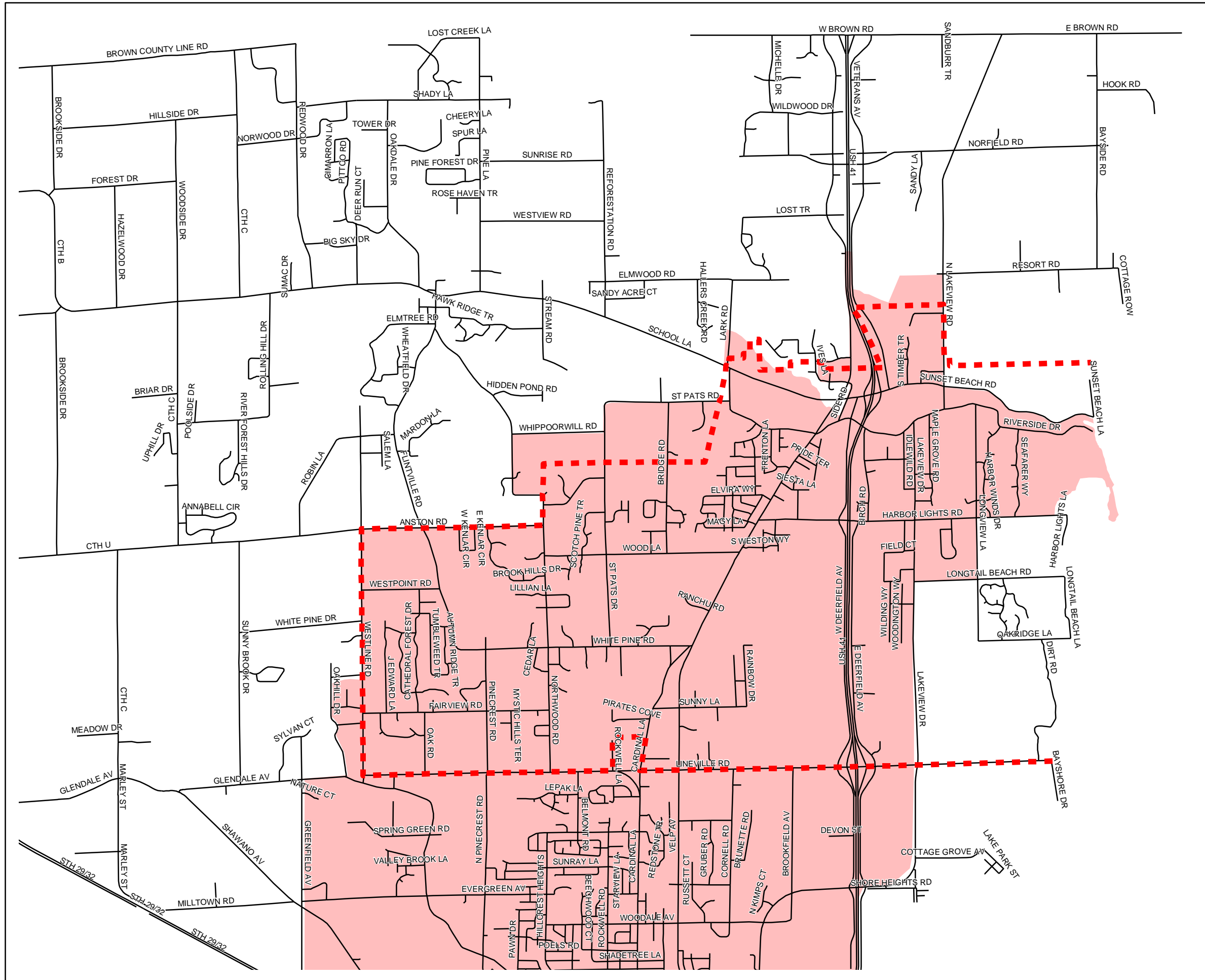
Brown County
Coordinate System
NAD 83/91
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Map 12

2000 Urbanized Area Boundary

-  Incorporation Line
-  Urbanized Areas



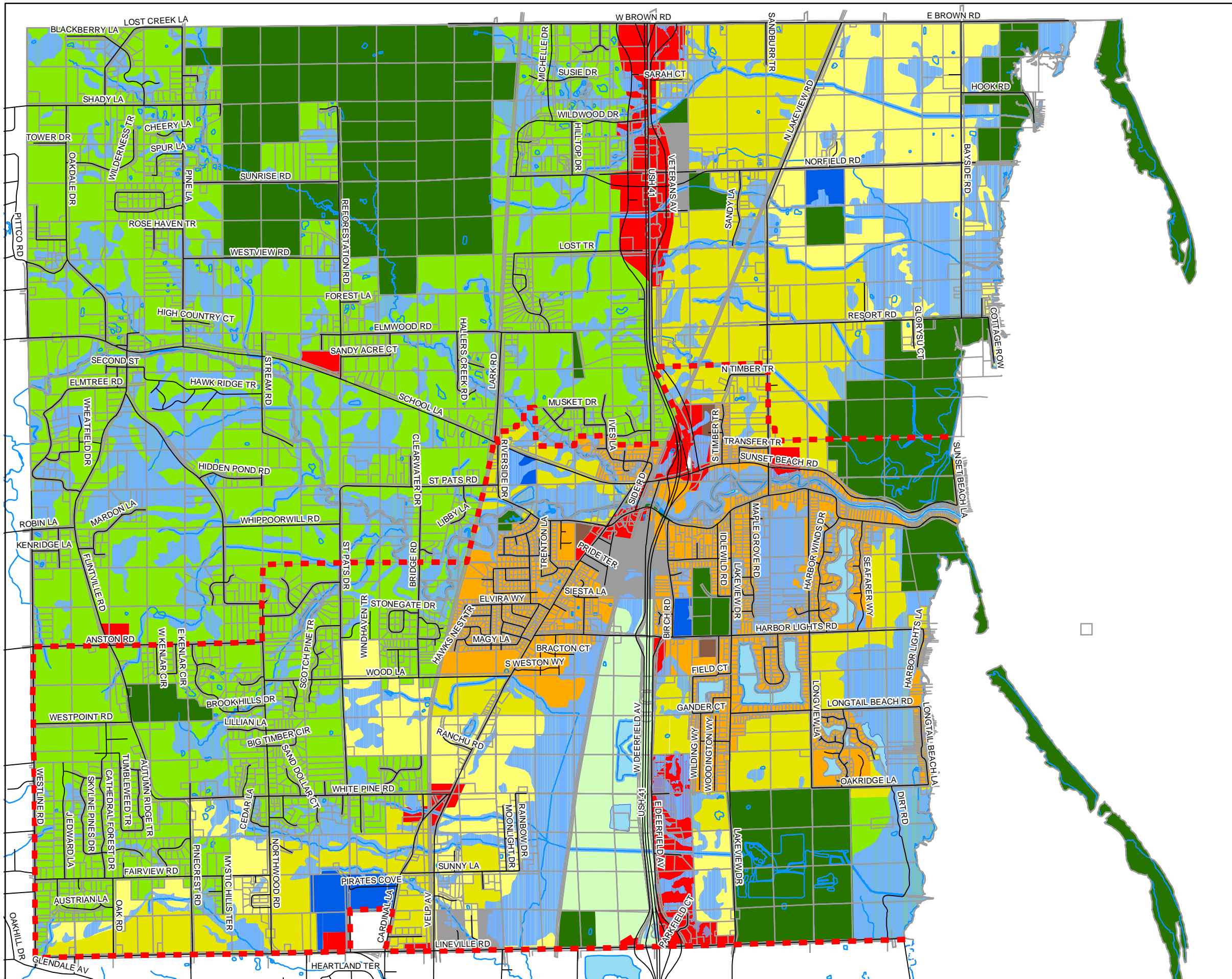
Brown County
Coordinate System
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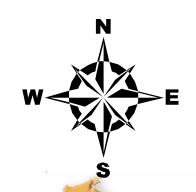
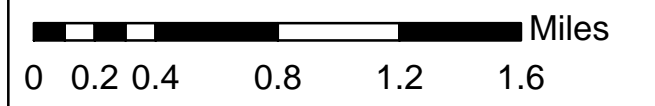
WISCONSIN DEPARTMENT OF
ADMINISTRATION

Map 13

Future Land Use



- - - Incorporation Line
 - Roads
 - Streams
 - Lakes & Rivers
- Non-Residential**
- Parks/Open Space
 - Agriculture
 - Schools
 - Light Industrial
 - Commercial/Institutional
 - Primary Conservation Areas
- Non-Sewered Residential**
- Rural Residential
- Sewered Residential**
- Multi-Family
 - Maximum one dwelling per 14,000 sq. ft.
 - Maximum one dwelling per 20,000 sq. ft.
 - Maximum one dwelling per 25,000 sq. ft.





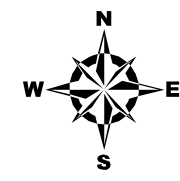
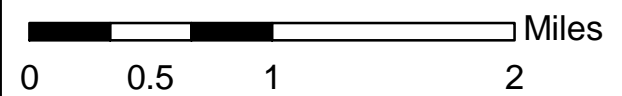
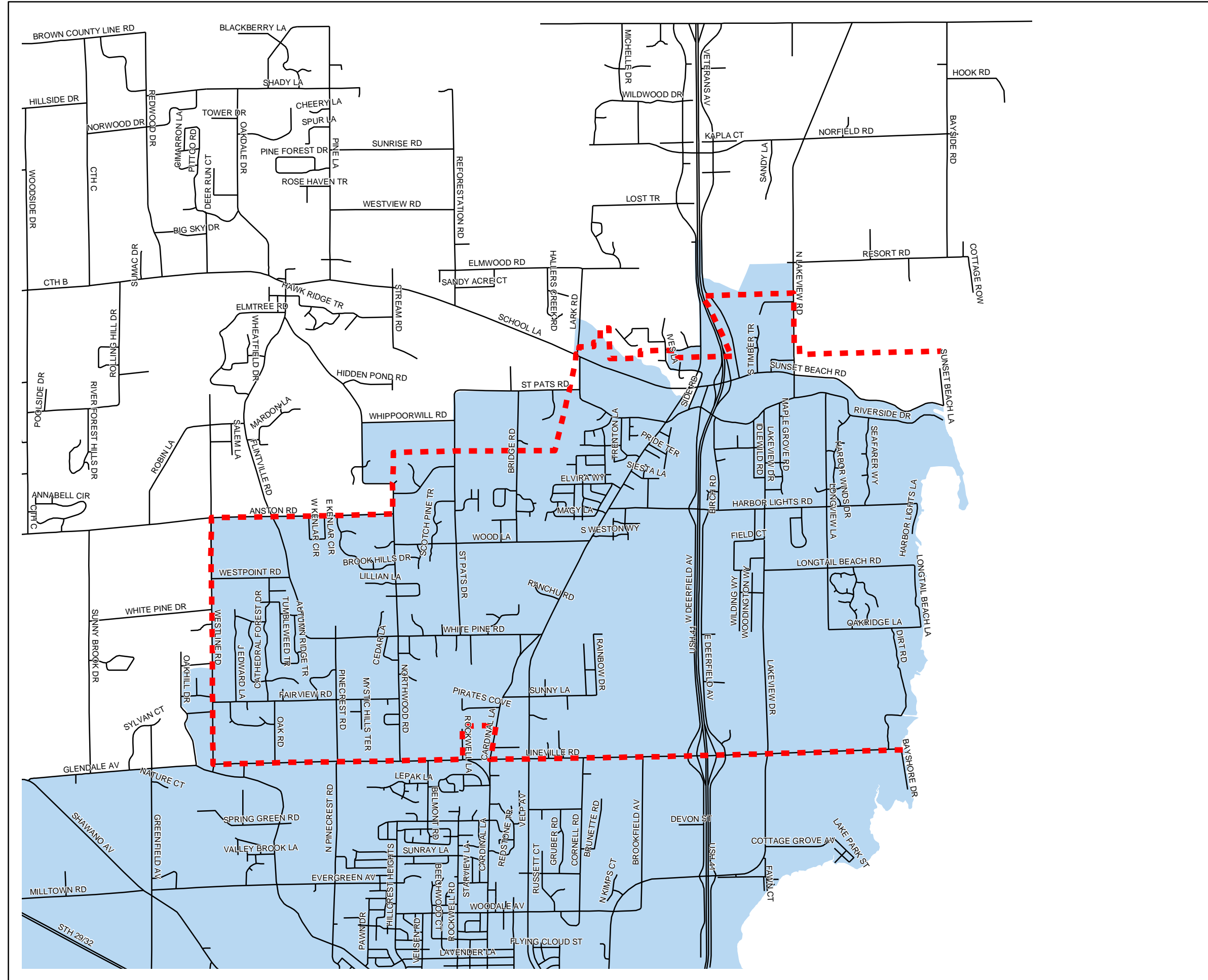
Brown County
Coordinate System
NAD 83/91
1:40,000



Map 14

2030 Metro Planning Area Boundary

-  Incorporation Line
-  2030 Metro Planning Area Boundary



Brown County
Coordinate System
NAD 83/91
1:50,000



WISCONSIN DEPARTMENT OF
ADMINISTRATION