

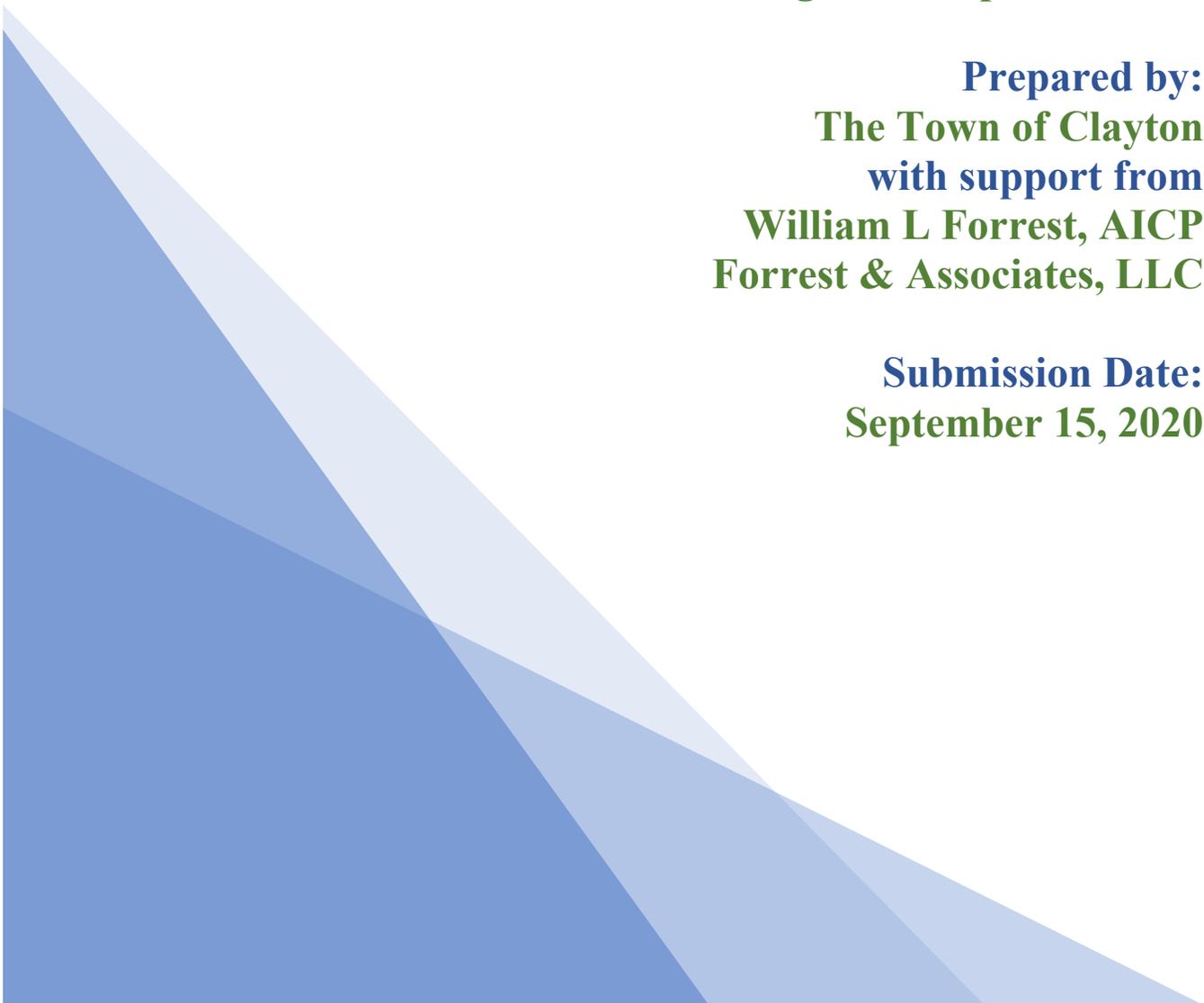
**Submittal in Support of the  
Incorporation of the  
Village of Larsen, WI**

**Case Number 18-CV-990**

**Petitioners:**  
**Arden E Schroeder, Designated Representative**  
**Mark E Luebke, Designated Representative**

**Prepared by:**  
**The Town of Clayton**  
**with support from**  
**William L Forrest, AICP**  
**Forrest & Associates, LLC**

**Submission Date:**  
**September 15, 2020**



## Table of Contents

<b>Executive Summary</b> .....	1
<b>Introduction</b> .....	3
Reasons for Seeking Incorporation .....	4
Impact of Annexations .....	7
Public Participation in the Incorporation Process .....	8
<b>Section 1(a): Characteristics of Territory</b> .....	9
(a) Regional Context .....	10
(b) Cohesion and Unity .....	11
(c) History .....	12
(d) General Information .....	13
(e) Population and Demographics .....	15
(f) Natural Resources .....	21
(g) Organized Community Events and Recreational Opportunities .....	25
a. Clubs and Organizations .....	26
b. Trails .....	32
c. Parks .....	35
d. Golf Courses and Driving Range .....	37
(h) Sewer and Water .....	40
a. Water .....	42
b. Sewer .....	43
(i) Economic Development .....	45
(j) Tax Incremental Financing .....	49
(k) Ordinances and Policies .....	50
a. Zoning Code .....	53
(l) Capital Improvements Plan .....	56
(m) Transportation .....	58
a. Roads and Streets .....	58

b. Air Transportation .....	59
(n) School Districts .....	63
(o) Boundaries .....	64
<b>Section 1(b): Territory Beyond the Core .....</b>	<b>66</b>
(a) Population Estimate .....	67
(b) Land Suitable for Development .....	71
(c) Area Requested for Waiver of Development Requirement .....	77
<b>Section 2(a): Tax Revenue .....</b>	<b>79</b>
(a) Proposed Village Budget .....	80
<b>Section 2(b): Level of Services .....</b>	<b>82</b>
(a) Description of Services .....	83
<b>Section 2(c): Impact on the Remainder of the Town .....</b>	<b>99</b>
<b>Section 2(d): Impact on the Metropolitan Community .....</b>	<b>103</b>
(a) Policy, Regulatory and Service Issues .....	104
(b) Consistency of Policy, Regulatory and Service Issues .....	105
<b>Conclusion .....</b>	<b>106</b>

## Maps

Map 1 Incorporation Boundary

Map 2 Tax Incremental District #1

Map 3 Highway Functional Class and Daily Traffic Volumes

Map 4 School Districts

Map 5 Sanitary Districts and Sewer Service Areas

Map 5A Larsen-Winchester Sanitary District Clayton Boundary

Map 5B Larsen-Winchester Sanitary District Winchester Boundary

Map 6 Zoning Map

Map 7 Existing Land Use

Map 8 Proposed Development Projects

Map 9 Future Land Use

Map 10 Depth to Water Table

Map 11 Soil Potential for Homes with Basements

## Exhibits

Exhibit 1 Petition for Incorporation

Exhibit 2 Water and Wastewater Feasibility Study

Exhibit 3 Capital Improvement Plan

Exhibit 4 LWSD CMOM

Exhibit 5 Square Mile Population Data

Exhibit 6 Local Census Data

Exhibit 7 Comprehensive Annual Financial Audits

Exhibit 8 Assessors Contract

Exhibit 9 Village Powers Action

Exhibit 10 Zoning Code

Exhibit 11 Advanced Disposal Contract

Exhibit 12 Clayton TID #1 Plan

Exhibit 13 Comprehensive Plan 2016-2036

Exhibit 14 Intermunicipal Agreement between the Town of Clayton and the Village of  
Fox Crossing

Exhibit 15 Fox West Joinder Agreement

Exhibit 16 Fox Cities Trails Map

## Executive Summary

This document contains the information and analysis prepared by the Petitioners to demonstrate to the Incorporation Review Board (IRB) that the Village's petition for incorporation meets all statutory standards in Section 66.0207, Wis. Stats. to incorporate the urbanizing portion of the Town of Clayton into a metropolitan village, to be known as the Village of Larsen. The incorporation of the Village is of vital importance to the management of orderly western growth of the ever-expanding Fox Valley that is destined to occur in the ensuing months and years.

The petitioner's designated representative is Arden Schroeder, 9458 State Road 76, Neenah, WI 54956, and the alternate petitioner is Mark E. Luebke, 8425 Whispering Meadows Drive, Larsen, WI 54947. The petition was filed with the Circuit Court of Winnebago County on December 3, 2018 as Case No. 18-CV-000990. A hearing was conducted on May 9, 2019 pursuant to Wis. Stats. 66.0203. The petition was found to be in compliance with Wis. Stats. 66.0205. Accordingly, the petition has been referred to the Wisconsin Department of Administration for determination as provided for in Wis. Stats. 66.0207. Before and after the referral, the Town has worked tirelessly to negotiate boundary agreements with all of its neighbors, and complex utility service agreements with the Village of Fox Crossing. These successful negotiations have delayed this submission to the IRB, but as will be demonstrated, will be a key component to the Village of Larsen's management of the substantial growth that will occur.

The petitioners wish to incorporate approximately 18.5 square miles of the Town of Clayton into the Village of Larsen. The Town of Clayton has an estimated population of 4,186 residents in 2019 according to the Wisconsin Department of Administration. The area proposed for incorporation has an estimated population of 3,336.

The proposed village area is depicted in Map 1. The area proposed for incorporation currently functions as a village with a sophisticated level of municipal services including administration, zoning, building inspection, police, and fire services, along with an extensive park system, bike and pedestrian trail networks, and all other services common to a village. While the proposed Village has no water service currently, and limited sewer service in the Larsen-Winchester Sanitary District, the Town has secured sanitary sewer and water service availability by investing heavily in the installation of sewer and water facilities within the territory proposed for the Village of Larsen. The area has a strong social, civic, and community identity, distinct and separate from the surrounding communities. Accordingly, the Village is better equipped to implement the development and extension of sewer and water utilities, since the Village will assume direct

responsibility for implementation. Under the Town of Clayton, implementation would occur through the unnecessary duplication of another level of governmental units, including a water utility and sanitary district(s). Therefore, the petitioners feel the proposed village meets all of the standards under Wis. Stats. 66.0207.

This application includes supporting material for meeting all of the following standards:

- § 66.0207 (1) (a) Characteristics of Territory
- § 66.0207 (1) (b) Territory Beyond the Core
- § 66.0207 (2) (a) Tax Revenue
- § 66.0207 (2) (b) Level of Services
- § 66.0207 (2) (c) Impact on the Remainder of the Town
- § 66.0207 (2) (d) Impact on the Metropolitan Community

The Village of Fox Crossing has been accepted by the court as an intervenor in the incorporation petition.

The Town of Winchester is contiguous to the proposed area for incorporation on its eastern boundary. The Town of Vinland is contiguous to the proposed area of incorporation on its northern boundary. The Town of Greenville is contiguous along its southern boundary. The Village of Fox Crossing is contiguous along the northwest boundary north of CTH “II”, and the Town of Neenah is contiguous along its west boundary south of CTH “II.”

As noted, the Town of Clayton and Village of Fox Crossing have developed an Intergovernmental Agreement to preserve and protect the boundaries between Fox Crossing and Clayton, and provide for the extension of water and sewer service into the proposed village. The Village and Town successfully completed these negotiations in January 2020 and the agreements were adopted by their respective Boards—on January 15, 2020 by Clayton and January 27, 2020 by the Village. The Village of Larsen has actively pursued and approved intergovernmental agreements with the Towns of Winneconne (February 6, 2020), Winchester (January 15, 2020), and Vinland (January 20, 2020), in anticipation of the approval of the Incorporation. An Intermunicipal Agreement with the Town of Neenah has been developed and has been subjected to a public review and hearing. There were no objections made to the proposed agreement. Final approvals by the Town Boards are scheduled, and the final agreement will be submitted to the Department of Administration when approved.

## Introduction

The information contained in this report is being provided to the Wisconsin Department of Administration (WDOA) and the Incorporation Review Board (IRB) in support of the incorporation of the Village of Larsen as a “metropolitan” village. The information provided in this report is organized according to the statutory requirements the WDOA and the IRB will use to review the Petition and the information requested by WDOA, as described in the publication entitled “Informational Needs for Municipal Incorporations,” August 2008.

## Reasons for Seeking Incorporation

The residents of the Town of Clayton have submitted the Incorporation Petition for numerous reasons. The key reasons are highlighted below, but the driving force behind the incorporation petition is preserving the community's identity and protecting its future as an independent governmental entity.

### **1. Manage Impending Development and Growth**

As the IRB is keenly aware, urbanization of the Fox Valley from the I-41 corridor westward has expanded exponentially over the past decade, prompting the IRB to approve incorporations of Clayton's neighbors – first the Village of Fox Crossing and next the July 21, 2020 approval of the incorporation of the Village of Greenville. The area in question is the next dot on the map. The area of the prospective Village of Larsen has seen tremendous interest for development pending installation of sanitary sewer and water utilities. The primary motivation for the incorporation is for the orderly management of this development, ensuring that the community vision and values underlie all land use decisions.

### **2. Preserve Larsen's Identity and Character**

The area proposed for incorporation is a community of 3,336 residents. Larsen residents exhibit a strong sense of community and wish to preserve its civic identity and character, comparatively low tax rate, high level and diversity of services, and tax base. One of the most important reasons for incorporation is to protect and enhance the community's identity, preserve its economic viability, and further improve its ability to be an economic engine for the Fox Valley.

### **3. Incorporation will create Permanent Boundaries**

With the boundary secured, it will be possible to properly manage future infrastructure and development. Without the border security afforded through incorporation, utility infrastructure extension will be haphazard and disjointed; entirely contingent upon developer-initiated annexations. This approach is the antithesis of responsible regional planning. The Town has engaged in extensive comprehensive planning for the Village of Larsen, and incorporation is the only mechanism to carry out the master plan, thereby reducing inefficiencies that arise in the provision of services through disjointed annexations. It will also eliminate the continuing loss of land and tax base resultant of these annexations, thereby providing the means for financing regionally planned infrastructure.

## **4. Make Independent Planning and Zoning Decisions**

Incorporation would provide full local control of zoning and land division for all property in the newly formed village. A substantial amount of the land area proposed for incorporation is currently under county shore-land zoning, which restricts the Town's ability to provide flexibility in development that cities and villages can provide. Incorporation will also eliminate extra costs and time delays associated with multi-jurisdictional reviews; duplicative zoning permits, land division approval, and building permits. The Town has had great success in promoting and supporting development, but has been held back by the limitations inherent to Town Government. Given the pressure and demands for immediate development, elimination of multiple reviews by other governmental entities that increase development costs and time will be of great benefit to the community and the developer.

## **5. Protection of Tax Base**

Incorporation will protect the Village's tax base by ensuring annexations do not occur, thereby allowing the Village to minimize increases in its low tax rate while continuing to provide services at current levels. Uncertainty related to a stable tax base affects the lending market and borrowing rates.

## **6. Finance Projects More Efficiently and Effectively**

Financing large capital and infrastructure projects has become increasingly difficult for all municipalities. While the Town has done well in spite of adversity thus far, there is a severe disadvantage to Towns in the state of Wisconsin when it comes to administering the financing of large capital projects. Currently, towns are not allowed to issue debt for a period longer than ten (10) years. This means that borrowing for larger infrastructure and facility projects must be financed initially and refinanced periodically to match the longevity (and associated debt service) of the project. This can lead to many thousands of dollars in unnecessary loan and interest fees. Villages have the ability to issue debt and use the full suite of financial instruments – thereby significantly reducing interest and debt issuance costs. The amount the Town/prospective Village have dedicated to new infrastructure to accommodate the pent-up demand for development is staggering. The Village of Larsen will be greatly benefited by the more robust treatment of incorporated municipalities under the tax increment financing laws.

## **7. Protect Major Investments in Infrastructure**

Incorporation will ensure any major investments the Town makes in infrastructure, land acquisition for public and private use, and all other such investments will be protected.

## **8. Streamline Ability to Develop Infrastructure**

Villages are less encumbered in the development of sewer and water facilities, since Towns must create sanitary districts to establish these services. By establishing the sewer and water utilities as operating departments by the Village, it eliminates unnecessary and duplicative units of government.

## Impact of Annexations

The Village of Fox Crossing has recently annexed approximately 66 acres from the Town of Clayton, and was threatening further annexations. The Town recognized the potential loss of value and how it would decrease its ability to maintain a comparatively low tax rate while providing the citizens with a diverse level of services. Annexations also have the potential to create a very fragmented boundary for the Town of Clayton. Eliminating the threat of annexations also makes effective long-range planning and zoning stress-free and certain.

Given these facts, the Town of Clayton and the Village of Fox Crossing pursued and successfully completed negotiations for an Intermunicipal Agreement which eliminates the threat of annexations, and provides access to water and sewer facilities once extended into the proposed Village of Larsen. It must be noted, however, that the agreement with Fox Crossing has an expiration date. The agreement with Fox Crossing was executed on January 27, 2020 for a term of ten (10) years.

The imminent threat for annexation also comes from the City of Neenah, which is located south and east of the Town. Neenah has been annexing territory from both the Towns of Neenah and Vinland, and will likely attach lands from either Town that will result in Clayton being contiguous to the City. The City of Neenah Comprehensive Plan provides for the ultimate extension into Clayton in the southeast quadrant generally identified as its “growth area.” The Petitioners are concerned about long-term consequences represented by the City’s plan. Incorporation eliminates this threat.

## Public Participation in the Incorporation Process

The Town Board held two public informational meetings on October 30 and October 31, 2018. All meetings were properly noticed, open to the public, and held at the Clayton Town Hall. It was clear during these Incorporation Informational meetings the residents are in strong support of incorporation.

## Section 1a: Characteristics of Territory

§ 66.0207(1)(a) Wis. Stats.

*“Characteristics of territory. The entire territory of the proposed village or city shall be reasonably homogeneous 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.”*

The territory proposed for incorporation complies with the standards as set forth in Wis. Stats. § 66.0207 by being both homogeneous and compact. The proposed village is homogeneous and compact in terms of shape, transportation patterns, natural resource attributes, the built environment, and related socio-economic activities that occur within the territory. The following sections provide information to support this finding.

## Regional Context

The Town of Clayton is located in the northeastern portion of Winnebago County, Wisconsin. The Town is a member of and within the boundaries of East Central Wisconsin Regional Planning Commission (ECWRPC). Clayton is situated approximately five miles west of Appleton and eight miles north of Oshkosh. The Town is bounded by Outagamie County along the northern boundary, contiguous to the Towns of Greenville and Dale. In Winnebago County, the Village of Fox Crossing and the Town of Neenah are contiguous to the east; the Town of Winchester to the west, and the Town Vinland to the south. The Town of Clayton is approximately 36 square miles and had a 2010 US Census population of 3,951 and growing. Map 1 shows the regional setting for the Town of Clayton.

The proposed Village of Larsen consists of approximately 18.5 square miles composed of the most densely developed and populated area of the Town. This contributes to the proposed Village's compactness and homogeneity. See Map 1.

## Cohesion and Unity

### Description of the area proposed for Incorporation

The area proposed for incorporation as the Village of Larsen is the eastern portion of the Town of Clayton, and includes the unincorporated area of Larsen. A general description of the boundary follows: The east boundary is the existing Town boundary, except for approximately 66 acres in Section 12, which is the result of a prior annexation by the Village of Fox Crossing. This area was previously part of a lawsuit contesting the annexation; however, the Town and Village have settled the issue with the territory remaining in the Village of Fox Crossing. The northern boundary is adjacent to the Town of Greenville and extends from the northeast corner of the Town westerly to Center Road. The boundary then extends south along Center Road to its intersection with the Canadian National Railroad. It makes a slight jog easterly and includes the northern tier of properties in Section 15, then proceeds south to include the eastern tier of properties of Section 15 along Oakwood Avenue, extending south to County Trunk Highway "II." The boundary then proceeds west along CTH "II" to CTH "T." The boundary then proceeds south along CTH "T" to include the unincorporated area of Larsen in Sections 19 and 20. The boundary then proceeds easterly along the south line of the southern one-half of Sections 19 and 20. The boundary then extends south along CTH "T" to include the tier of properties along the east side of CTH "T" to south of Clayton Cemetery. The boundary then includes the NE ¼ of the NW ¼ of Section 28, extending along Larsen Road to Center Road. The boundary extends south to the half section line of Section 27 then goes east to Oakwood Avenue. The boundary then extends south along Oakwood Avenue extended to Breezewood Lane. The boundary then extends east to the current Town boundary at Clayton Avenue. See Map 1.

A full legal description is included in Exhibit 1 *Petition for Incorporation* filed with the Circuit Court entitled within the exhibit as *Legal Description of Territory Proposed for Incorporation*.

## History

The Town was created in 1849 by act of the Wisconsin Legislature. The first meeting of the Town electors was held on second Tuesday in April 1849 with 36 electors present.

*Records of the Town of Clayton 1*

The Inhabitants of the town of Clayton Winnebago County Wisconsin met pursuant to notice on the second Tuesday in April 1849 at the House of George W Giddings for the purpose of Electing town Officers. On motion Resolved that we except of the organization of this Town On motion James Balfour as Clerk and W. U. Steward Assistant Clerk were chosen and duly sworn to keep true Records of this meeting. On motion George W. Giddings Chairman Benj<sup>m</sup> Strong and Henry Baskford were Elected and duly sworn to make true returns of this meeting. the Polls were then opened for the receiving of Votes until Forty five minutes after Eleven when by order of the Chairman they were closed until One O'clock for the purpose of transacting Town buiness On motion Resolved that we raise a tax of Fifty Dollars for Incidental expenses On motion Resolved that we raise a tax of Fifty Dollars for the support of Common Schools On motion Resolved that we raise a tax of ten Dollars for Poor fund On motion Resolved that Hogs over six weeks old Seed Horses over one Year old and Bulls over one year old shall not run at large On motion Resolved that if any of the above named Animals be found running at large older than above specified

## General Information

The Town of Clayton is a progressive community, having a DOA 2019 estimated population of 4,186, which is experiencing substantial growth in the eastern half. With close proximity to Appleton, Neenah, and Oshkosh, there easy and quick access to outstanding medical facilities, excellent shopping opportunities, great restaurants, and various job centers.

The Town of Clayton is dedicated to meeting the needs of its community and enhancing the quality of life. The residents of Clayton are an essential component in the community's appeal where everyone can participate in their local government. Many volunteer their time to community organizations, local schools, the local fire department and first responder unit, as well as family focused community events. The objective is to have Clayton remain a great place to live, raise a family, and retire.

It is the vision of the Town of Clayton to build and maintain a highly livable community by working in harmony with all members and organizations in the town.

During the 1970s and 80s, the Town of Clayton experienced the development of a limited number of rural subdivisions in the proximity of State Highway 76 and West Larsen Road. By the mid-1990s, however, the town began to attract developers and residents to the rather peaceful countryside. Subsequently, Clayton experienced the development of more subdivisions in the eastern one-half of the town. The driving force behind the Town of Clayton's growth has always been its reasonable proximity to the urban amenities and employment available in the Fox Cities. Other factors include transportation improvements, the increase in the retail, commercial, and industrial operations, and steadily increasing residential growth throughout the Fox Cities which have maintained the town's trend toward suburbanization.





Reasonable land prices caused early residential growth in the towns surrounding the incorporated municipalities of the Fox Cities to be mainly large-lot “country homes” and “hobby farms.” As the municipalities of the Fox Cities became more urbanized, so did towns around them. This development trend became the impetus for “leap-frog” development to occur in the next tier of outlying towns such as Clayton. Because the town’s rural character and low local taxes attracts the development and occupancy of rural

subdivisions, and choice developable land remains, the trend towards suburbanization will certainly continue.

However, future development will take on a different appearance than the large lot, estate type development of the past several decades. The following section will discuss those emerging trends.

The Town has come to a significant crossroads on how to accommodate increased suburbanization. Rather than sitting back and letting developers set the type of future development, the Town has elected to “predict its future by creating it.” The Town has moved forward with massive investments to create public infrastructure systems such as municipal water and sanitary sewer service. It is the Town of Clayton’s position that these services will attract quality type development which will spawn commercial, industrial, and residential opportunities within the area proposed as the Village of Larsen.

## Population and Demographics

A review of the population data for Villages in the State of Wisconsin shows the average population of a village to be 2,399. The proposed Village of Larsen has an estimated population of 3,336 – significantly above the average.

The following Table 1 provides a list of comparable sized Villages ranging in population between three and four thousand.

*Table 1 - Wisconsin Villages of Comparable Size Population*

Municipality Type	Municipality Name	County	Final Estimate 2019	Census 2010
Village	Baldwin	St. Croix	3,998	3,957
Village	Cross Plains	Dane	3,987	3,538
Village	Marshall	Dane	3,899	3,862
Village	Rochester	Racine	3,847	3,682
Village	North Hudson	St. Croix	3,824	3,768
Village	Merton	Waukesha	3,690	3,346
Village	Pulaski	In Multiple Counties	3,624	3,539
Village	Combined Locks	Outagamie	3,595	3,328
Village	Sauk City	Sauk	3,434	3,410
Village	Ellsworth	Pierce	3,355	3,284
<b>Village</b>	<b>Larsen</b>	<b>Winnebago</b>	<b>3,336</b>	<b>N/A</b>
Village	Howards Grove	Sheboygan	3,275	3,188
Village	Thiensville	Ozaukee	3,178	3,235
Village	Yorkville	Racine	3,145	3,071
Village	Sherwood	Calumet	3,127	2,713
Village	Genoa City	In Multiple Counties	3,028	3,042
Village	Johnson Creek	Jefferson	3,021	2,738
Village	Oostburg	Sheboygan	3,007	2,887
Village	Paddock Lake	Kenosha	3,006	2,992

Source: Wisconsin Demographic Services Center; Forrest & Associates, LLC

Upon incorporation, Larsen would rank in the top seventy-five villages in population size in the State of Wisconsin, and in the top 20th percentile of all villages.

Although the Town of Clayton was predominantly rural, recent residential, commercial, and industrial developments have increasingly given the town more of a suburban appearance on its eastern side. With this development has come population growth. At the time of the 2010 U.S. Census, Clayton had a population of 3,951. Its population had increased by 1,687 since 1990, a 74.5% increase. Except for the Town of Greenville in Outagamie County, **Clayton’s population exceeded the rate of growth of all towns in the State of Wisconsin.**

**Table 2 - Population Change**

	Town of Clayton	Town of Greenville	Town of Menasha	Town of Neenah	Town of Vinland	Town of Winchester	Winnebago County	Wisconsin
1970	1,771	2,675	8,682	2,942	1,472	1,209	129,946	4,417,821
1980	2,353	3,310	12,307	2,864	1,632	1,261	131,772	4,705,642
1990	2,264	3,806	13,975	2,691	1,688	1,433	140,320	4,891,769
2000	2,974	6,844	15,858	2,657	1,849	1,676	156,763	5,363,701
2010	3,951	10,309	18,498	3,237	1,765	1,763	166,994	5,686,986
2014 est.	4,016	10,857	18,624	3,435	1,750	1,777	168,216	5,732,981
<b>% Change</b>								
1970 to 1980	32.9%	23.7%	41.8%	-2.7%	10.9%	4.3%	1.4%	6.5%
1980 to 1990	-3.8%	15.0%	13.6%	-6.0%	3.4%	13.6%	6.5%	4.0%
1990 to 2000	31.4%	79.8%	13.5%	-1.3%	9.5%	17.0%	11.7%	9.6%
2000 to 2010	32.9%	50.6%	16.6%	21.8%	-4.5%	5.2%	6.5%	6.0%
2000 to 2014 est.	1.6%	5.3%	0.7%	6.1%	-0.8%	0.8%	0.7%	0.8%

Source: U.S. Census, 1950-2010 and Wisconsin Department of Administration, 2014; Town of Clayton Comprehensive Plan 2016-2036 Table 1 – Population Change

The median age of Town of Clayton residents reveals significant aging of the population in the last ten years, where the median age rose almost six years, from 38.7 to 43.1, between 2000 and 2010. In fact, this trend is evident throughout Wisconsin and the United States, due to the aging of the “Baby Boomers.” That portion of the population that is older than 65 is steadily increasing, and has not yet peaked.

## Education

In 2000, 90.6% of the Town of Clayton’s population age 25 and over had at least a high school education, compared to 86.3% and 85.1% for Winnebago County and the State of Wisconsin, respectively. By 2010, this percentage decreased by 2.4 percent to 88.2%. Both Winnebago County and the State of Wisconsin saw increases in the graduation rate by roughly 3 percent. Clayton also saw a decrease in both the number of people with 1-3 years of college and those with 4 or more years of college. Winnebago County and the State of Wisconsin did not.

## Households

The average number of persons per household in the town in 2010 was 2.75 people, a drop of thirteen percent since 1980. The persons per household continue to decline, but at a slightly slower rate. This trend is also being experienced in Winnebago County and the State of Wisconsin. Suburban communities tend to see higher PPH figures than cities and villages as they are often inhabited by growing families.

**Table 3 - Persons Per Household**

Year	T. Clayton		Winnebago County		State of Wisconsin	
	No.	Persons per HH	No.	Persons per HH	No.	Persons per HH
1970	493	3.58	38,249	3.22	1,328,804	3.22
1980	742	3.17	46,885	2.71	1,654,777	2.77
1990	809	2.80	53,216	2.52	1,822,118	2.61
2000	1,071	2.78	61,157	2.43	2,084,544	2.50
2010	1,438	2.75	67,875	2.34	2,279,768	2.43

Source: U. S. Census; Town of Clayton Comprehensive Plan 2016-2036 Table 6 – Persons Per Household

The decline in household size is occurring throughout the state and nation. It is mainly the result of an increase in the number of single- and two-person households (Table 4) caused by a higher divorce rate and an aging population. An increase in population combined with a decrease in the number of persons per household will require a greater number of housing units than would be needed to simply provide for an increase in population.

**Table 4 - Household Size - 2000 and 2010**

	T. Clayton				Winnebago County				State of Wisconsin			
	2000		2010		2000		2010		2000		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
1	135	12.6	219	15.2	16,850	27.6	20,276	29.9	557,875	26.8	642,507	28.2
2	448	41.8	573	39.8	21,803	35.7	24,657	36.3	721,452	34.6	817,250	35.8
3	171	16.0	224	15.6	9,325	15.2	9,968	14.7	320,561	15.4	339,536	14.9
4	194	18.1	269	18.7	8,356	13.7	8,197	12.1	290,716	13.9	284,532	12.5
5	95	8.9	104	7.2	3,331	5.4	3,178	4.7	127,921	6.1	124,387	5.5
6												
Plus	28	2.6	49	3.4	1,492	2.4	1,599	2.4	66,019	3.2	71,556	3.1
Total	1,071		1,438		61,157		67,875		2,084,544		2,279,768	

Source: U.S. Census 2000, 2010; Town of Clayton Comprehensive Plan 2016-2036 Table 7 – Household Size 2000 and 2010

There were 1,438 households in Clayton in 2010, an increase of 34% from the 1,071 households in 2000. Clayton followed the national trend of fewer family households and more nonfamily households. However, Clayton did not follow the trend of decreasing married households and increasing female-headed households. Married households increased slightly as a percentage of all family households from 91.0 percent to 91.2 percent. Female-headed households decreased from 5.9 percent to 5.2 percent. There was an increase in the percentage of people living alone, which contributed to the increase in nonfamily households and decrease in percentage of family households.

## Population Race and Ethnicity

The Town of Clayton is predominately White, of European heritage. However, the level of racial diversity has increased since 2000, with the expectation that the percentage of ethnic diversity will continue to expand in coming decades.

## Employment

There is no available categorical information for the industries in which residents of Clayton are employed. It is reported for Winnebago County and State of Wisconsin workers for 2000 and 2010. The municipality within which these employees worked was not necessarily the same as their place of residence.

In Winnebago County, the industries that lost the most employees from 2000 to 2010 were “construction” and “manufacturing” at around 20 percent. Of these two industries, “construction” recovered from 2010 to 2013 by 19 percent. The decrease in the construction industry between 2000 and 2010 likely came from the recession in 2008 that

brought nearly all new home building to a halt. The increase in this industry is indicative of the recovery in the area’s economy is occurring. Professional and business services continue to be a strong industry within Winnebago County.

Compared to the State of Wisconsin as a whole, the “construction” and “manufacturing” industries experienced an even greater decrease from 2000 to 2010 in the County. Both industries are slowly recovering, but the construction industry in the State has not made the same bounce back as within the County. Within the State “natural resources and mining” has made the greatest growth from 2000 to 2013 in comparison to the other industries.

**Table 5 - Employment by Occupation – 2000 and 2010**

	T. of Clayton		Winnebago County		State of Wisconsin	
	No.	% of Total	No.	% of Total	No.	% of Total
<b>2000</b>						
Management, professional, and related	506	29.8%	24,286	29.4%	857,205	31.3%
Service	172	10.1%	12,064	14.6%	383,619	14.0%
Sales and office	437	25.7%	21,170	25.6%	690,360	25.2%
Farming, fishing, and forestry	28	1.6%	357	0.4%	25,725	0.9%
Construction, extraction, and maintenance	182	10.7%	6,251	7.6%	237,086	8.7%
Production, transportation, and material moving	374	22.0%	18,538	22.4%	540,930	19.8%
<b>2010</b>						
Management, professional, and related	717	35.9%	25,052	29.5%	954,012	33.3%
Service	260	13.0%	15,546	18.3%	470,931	16.4%
Sales and office	533	26.7%	21,468	25.3%	696,058	24.3%
Natural resources, construction, and maintenance	182	9.1%	6,321	7.4%	258,193	9.0%
Production, transportation, and material moving	305	15.3%	16,494	19.4%	488,426	17.0%

Source: U.S. Census, 2000 and 2010; Town of Clayton Comprehensive Plan 2016-2036 Table 11 – Employment by Occupation – 2000 and 2010

## Income

The Town of Clayton has a greater percentage of households earning over \$75,000 per year than both Winnebago County and the State of Wisconsin. In 2000, the total percentage of households over \$75,000 increased from 33.9 percent to 39.6 percent. The most significant change occurred in the median household income group above \$150,000 per year which increased from 3.4 percent in 2000 to 13.0 percent in 2010.

**Table 6 - Household Income of Clayton and Surrounding Towns – 2000 and 2010**

Town		Household Income in thousands of dollars									MDN HHD INCM* (\$)
		< 10	10- 15	15- 25	25- 35	35- 50	50- 75	75- 100	100- 150	> 150	
Clayton	<b>2000</b>	15	27	104	68	167	329	186	140	36	62,551
	<b>%</b>	1.4	2.5	9.7	6.3	15.6	30.7	17.4	13.1	3.4	
	<b>2010</b>	0	57	164	59	229	391	209	188	193	61,955
	<b>%</b>	0.0	3.8	11.0	4.0	15.4	26.2	14.0	12.6	13.0	
Dale	<b>2000</b>	18	30	44	77	123	256	99	85	57	60,152
	<b>%</b>	2.3	3.8	5.6	9.8	15.6	32.4	12.5	10.8	7.2	
	<b>2010</b>	10	14	39	74	141	214	190	154	93	70,398
	<b>%</b>	1.1	1.5	4.2	8.0	15.2	23.0	20.5	16.6	10.0	
Greenville	<b>2000</b>	55	46	111	116	353	874	426	248	65	61,381
	<b>%</b>	2.4	2.0	4.8	5.1	15.4	38.1	18.6	10.8	2.8	
	<b>2010</b>	44	63	35	229	341	718	759	864	292	81,405
	<b>%</b>	1.3	1.9	1.0	6.8	10.2	21.5	22.7	25.8	8.7	
Menasha	<b>2000</b>	209	240	709	797	1,139	1,705	843	438	252	50,887
	<b>%</b>	3.3	3.8	11.2	12.6	18.0	26.9	13.3	6.9	4.0	
	<b>2010</b>	410	307	831	877	989	1,871	1,273	787	515	56,006
	<b>%</b>	5.2	3.9	10.6	11.2	12.6	23.8	16.2	10.0	6.6	
Neenah	<b>2000</b>	12	32	93	97	136	339	113	103	85	57,083
	<b>%</b>	1.2	3.2	9.2	9.6	13.5	33.6	11.2	10.2	8.4	
	<b>2010</b>	27	31	30	109	93	226	238	269	168	85,865
	<b>%</b>	2.2	2.6	2.5	9.0	7.7	18.8	19.8	22.3	13.9	
Vinland	<b>2000</b>	21	20	32	60	91	188	143	74	26	64,338
	<b>%</b>	3.2	3.1	4.9	9.2	13.9	28.7	21.8	11.3	4.0	
	<b>2010</b>	24	6	28	60	58	188	178	169	73	76,750
	<b>%</b>	3.1	0.8	3.6	7.7	7.4	24.0	22.7	21.6	9.3	
Winchester	<b>2000</b>	28	14	59	70	103	181	126	27	10	53,400
	<b>%</b>	4.5	2.3	9.5	11.3	16.7	29.3	20.4	4.4	1.6	
	<b>2010</b>	16	6	42	38	90	173	141	131	40	70,966
	<b>%</b>	2.4	0.9	6.3	0.4	13.5	25.9	21.1	19.6	6.0	

Source: U.S. Census 2000, 2010; Town of Clayton Comprehensive Plan 2016-2036 Table 18 – Household Income of Clayton and Surrounding Towns – 2000 and 2010

\* "Mdn Hhd Incm" = Median Household Income

## Natural Resources

### Topography

The topography of Clayton is nearly level to gently sloping. Land elevations in the Town of Clayton range from about 910 feet above sea level along parts of a north-south ridgeline that generally lies just west of STH 76, to about 760 feet near the western boundary of the town in the vicinities of the Rat and Arrowhead Rivers. Development has generally followed the topography of the town especially the areas of higher elevation.

### Wetlands

Protection of wetlands in the town is important since they serve several vital environmental functions, including flood control, water quality improvement, groundwater recharge and habitat for fish, birds, and other wildlife. The Town of Clayton has numerous wetlands. The largest is the Rat River Marsh in northwestern Clayton. Due to their ecological importance, many of these areas have been purchased by the WDNR with more purchases likely. There are many other wetlands throughout the town. Wetlands can also act as a greenspace buffer between other land use types. They are also key recreational areas for hunting, bird watching, and other interests.

### Groundwater

Groundwater levels in the Fox Cities area are declining because the demand for water by residents and businesses is exceeding the supply. The increase in pavement and roofs that come with development, and the movement of stormwater through pipes to a distant location, prevents the recharge of groundwater storage areas. A decline in the availability of clean groundwater will likely produce the need for more and deeper, i.e. costly, wells. A stable, potable water source for the town will be required to serve the denser, urban developments in the future.

Groundwater is also susceptible to contamination from on-site waste disposal systems, leaking underground tanks, over-application of pesticides and fertilizers, and abandoned and active landfills and quarries.

## Drainage Basins

The Town of Clayton is located within the Upper Fox and Wolf River drainage basins. In general, the north-eastern portion of the Town from State Highway 76 drains to the east within the Mud Creek drainage basin which flows east toward the Fox River. The south-eastern portion flows east through the Neenah Slough Watershed Area and eventually drains into the Fox River. The remaining north-western portion of the Town drains west within the Rat River drainage basin which discharges to the Wolf River. The remaining south-western portion of the Town drains west within the Arrowhead River drainage basin which then discharges to Lake Winneconne.

## Nonmetallic Mining

Nonmetallic mineral deposits in the Town of Clayton are primarily sand, gravel, and crushed stone.

Because nonmetallic mineral deposits are where you find them, and it is not economically feasible to transport them even moderate distances, it is essential that current and potential nonmetallic mineral sites be identified and protected for future use.

Nonmetallic mining sites are regulated under Section 9.08-419 of the Town Zoning Code. Sites are conditional uses within the Agricultural and Industrial zoning districts, and their plan of operations are therefore subject to review by the Town Planning Commission and Board. Reclamation of sites is required under Chapter 20 of the Winnebago County General Code of Ordinances, which requires a reclamation plan be developed and submitted for approval prior to commencing operations. Winnebago County solicits input from the local jurisdiction during their review process.

The Town of Clayton allows “exceptions” for certain nonmetallic mining. The exceptions are tied to parcel size and on-site accessory use.

Availability of sewer and water can be of significant benefit to the reclamation of nonmetallic mining sites. Since mined sites involve soils that are sand, gravel or rock, on-site septic systems (POWTS) cannot be supported. Should reclamation include the development of a “man-made lake,” availability of sewer and water systems enhances the long-term value of said developments.

## Stormwater Drainage

The past and still-current philosophy of stormwater management is to move the water to some final destination as quickly as possible. The result of this practice is often flooding, pollution, erosion, sediment, and wildlife habitat damage. As the Town of Clayton sees increased development, the biggest concerns will be the increase of impervious surfaces and potentially excessive lawn maintenance.

The most effective way to minimize the negative consequences of stormwater runoff is to mimic as much as possible the natural features of the landscape. These include the preservation and use of natural vegetation; preserving drainage corridors; land conservation, particularly wetlands; shoreland and erosion buffers; the reduction of lawn areas; and the retention of runoff on individual properties. Other techniques include farmland preservation and conservation development.

All future development in Winnebago County must meet current stormwater regulations that require no increase in on-site runoff. Thus, stormwater management facilities such as detention ponds should be expected as part of future residential, commercial, and industrial developments.

## Climate

The climate of Winnebago County is characterized by mild, humid summers and rather long, severe winters. The average annual temperature at Oshkosh is 45.9°F. Average monthly temperatures range from 18.6°F in January to 72.3°F in July. Average annual precipitation in the county, including snowfall, is about 28 inches. Average monthly precipitation ranges from about 1.2 inches in February to about 3.9 inches in June. The precipitation generally is distributed evenly throughout the county, and about 58 percent of the total annual precipitation falls during the growing season from May through September.

## Soils

The dominant soil association is the Kewaunee-Manawa-Hortonville association which generally covers the eastern two-thirds of the town. Kewaunee soils are on gently sloping land that is fairly well drained. Manawa soils are on nearly level and gently sloping land, but usually found on valley terraces and in drainage ways, so they are somewhat poorly drained. Hortonville soils, which are well drained, are on gently sloping to sloping land. The soils in this area were historically used mainly for cultivating crops. Most of the urban centers in Winnebago County have been developed on these soils.

## Density and Compactness

The Wisconsin Supreme Court's opinion in *Pleasant Prairie v. Department of Local Affairs and Development*, 108 Wis. 2d 465 (Ct. App. 1982), affirmed, 113 Wis. 2d 327 (1983) stated that the nature and distribution of population was an indicator of compactness, noting that higher population densities tended to be indicative of urban rather than rural characteristics.

The proposed village area's estimated population is 3,336. The proposed village area is approximately 18.5 square miles. This gives the proposed village area a population density of approximately 180 persons per square mile.

## Organized Community Events and Recreational Opportunities

Founded in 1849, the Town of Clayton has always been a community filled with loyal and committed citizens and businesses. Reflecting that commitment, the governing body and staff have made concerted efforts to be engaged and relevant to the community. From some of the first official actions establishing a tax to support “Common Schools” and the “Poor Fund,” to the establishment of a Green Space Committee which oversees the development of recreational amenities throughout the Town, the well-being of the local citizens has been one of the highest priorities of the governing body.

It is often said by those living in Clayton that it is nice to have a place of refuge where small town values not only endure, but continue to bond, strengthen, and grow our community. The Town of Clayton is dedicated to meeting the needs of our community and enhancing the quality of life. The residents of Clayton are an essential component in the community's appeal where everyone can participate in their local government. Many volunteer their time to community organizations, local schools, the local fire department and first responder unit, as well as family focused community events. There are innumerable examples of community outreach which are demonstrated on a daily basis within our borders.

## Clubs and Organizations

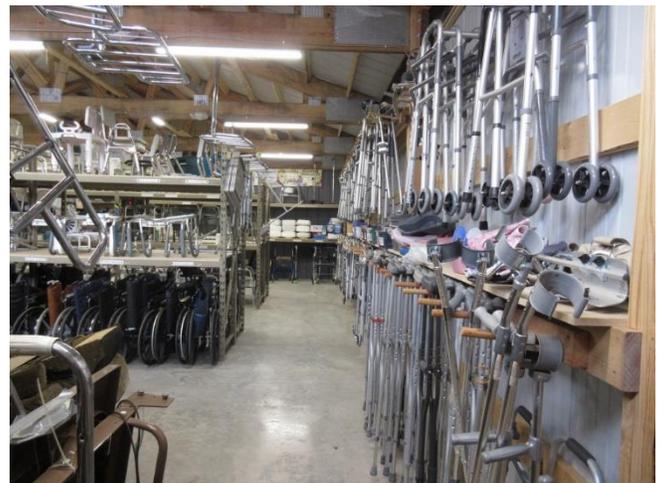
### Larsen-Winchester Lions Club



Housed as part of the Town of Clayton Municipal Complex, one of the most prevalent service clubs is the Larsen-Winchester Lions Club. Chartered in 1974, the “Lions” have been servicing the Town of Clayton and neighboring communities, as well as State, National, and International communities for almost half a century. Their extensive resume of community outreach includes scholarships, no-cost eye examinations and glasses or contact lenses, cash donations for needy persons, families, and recovering hospitalized persons, as well as contributions to organizations that help the underserved. They have purchased and assembled playground equipment for local schools and parks, supported youth baseball leagues, and supported student programs including “Beat the Heat”, a program which connects high school students with local police officers through drag racing. Additionally, the Club has completed over eighteen legacy projects locally.

Each year, the Club donates time and money to the Salvation Army, Can Do Canines, Transplant House, Wisconsin Lions Missions, Leader Dogs for the Blind, Fox Valley Veterans Council, Inc., Lions Eye Bank of Wisconsin, Winnebago Mental Health Institute, Canine Companions for Independence, International Children’s Fund, Inc., Local Food Pantries, Wisconsin Lions District 27B1 Hearing Aid Program, Wisconsin Diabetes Education Program and many other organizations too numerous to list.

Beyond these extraordinary contributions, the Lions also operate a Medical Equipment Loan Locker and Ramp Building Program which is also based at the Town of Clayton Municipal Complex. The Medical Loan Locker has collected over one million dollars’ worth of new and used medical equipment either by donation or purchase. This equipment is then loaned to persons in need at no charge and with no restrictions. Also, since 1989, club volunteers have constructed over 1,000 handicap ramps for persons of limited mobility at no-cost or low-cost, saving the people of the community over eight million dollars.



## Drifters Snowmobile Club

The Drifters Snowmobile Club is also housed as part of the Town of Clayton Municipal Complex. The “Drifters” is a recreational club dedicated to the preservation of snowmobiling. The Club has instructors who conduct WI DNR Snowmobile Safety Courses for the community. This course provides the State required certification for persons in need of the training. The Drifters have built and maintain the snowmobile trails throughout the Town of Clayton which connects to a 200-mile network of snowmobile trails throughout Winnebago County providing the opportunity for families and snowmobile enthusiasts to enjoy the winter wonderland of our local community. These services are provided through fundraising events, donations, and club memberships.



## Suburban Athletics Club

As winter yields her icy grip to spring and the snowmobiles are put to bed for a long summer’s nap, the Suburban Athletics Club members are just gearing up for what always proves to be a spirited and exciting season. The club provides a healthy environment which promotes teamwork, respect, good sportsmanship, and leadership through a positive competitive environment so that local youth will grow into well-adjusted members of the community. The club manages baseball, softball, and t-ball leagues, tournament teams, and baseball and softball camps for boys and girls ranging in age from five to fourteen years of age. Additionally, they host umpire clinics promoting the engagement



and participation of parents and other adults in the community. The Town of Clayton is happy to be a part of this large and influential organization by providing, at no cost, use of the Town’s parks and facilities. The sound of the supportive cheers from players and fans is reassuring in a world where the nations’ youth are often at risk and in peril.

## Best Friends of Neenah-Menasha

Another youth focused club the Town of Clayton heartily supports is the Best Friends of Neenah-Menasha. Founded in 1973, the organization addresses the community need for youth to have caring adult mentors. Each year, Best Friends helps approximately 400 children, providing supportive role models to help them grow into happy and successful adults. The goal is to foster improvement of the lives of young people, their families and, by extension, our community. Annually, the Town's recreational trail system and Clayton Park are used for the organization's Gourmet Bike Tour. In its 33rd year, the event is a ride through the Fox Valley's beautiful countryside to benefit the mentoring programs of Best Friends. The facilities at Clayton Park serve as a rest area for riders participating in the event, offering a family friendly respite on what more often than not has proven to be a hot and humid summer day.



## 4-H Clubs

Support of the youth within the community continues with the passionate dedication of the countless volunteers fostering the countywide 4H Club programs. As our community is growing and developing, there has been a concerted effort to keep the community youth apprised of and active in their farming heritage. The Town of Clayton has implemented a Working Lands Initiative within its Comprehensive Plan which supports this effort. As the Fox River Valley continues to grow and urban development moves westward, the Town of Clayton has made proactive efforts by developing a Comprehensive Plan which focuses on orderly and



planned development on the eastern “half” of the Town (the proposed Village) while maintaining the history and heritage which dates back to the Town’s beginnings in 1849 on the western “half.” The focused Working Lands Initiative, along with the dedicated volunteers from the Clayton community have supported innumerable youth members of the local 4H clubs, developing their talents, and leadership skills while creating a bond and connection to the Clayton Community.



## Clayton Fire Rescue and Clayton Police Department

Outreach to area youth and the community as a whole continues through Clayton Fire Rescue and the Clayton Police Department. The committed volunteer Fire Fighters and Emergency Medical Responders, and the Town's new Police Officer routinely provide educational support to schools, clubs, and organizations with hands-on tours and activities within the station, at local schools, and throughout the community.



Clayton Fire Rescue and the Clayton Police Department also took the opportunity to host a local Army Reserve Unit for lunch at the station while the troops were performing field exercises in the Town of Clayton.



Paired with the Boys' and Girls' Brigade of Neenah-Menasha, Clayton Fire Rescue has had the honor of escorting Mr. and Mrs. Claus along with gifts to less fortunate members of the community as part of the Brigade Christmas Gift Giving Program. The Department has also participated in private events providing trucks and fully equipped firefighters when available, again, strengthening the strong community bonds.



In September 2019, the Department hosted a Touch-a-Truck event which gave visitors the opportunity to get up-close and personal with the firefighting apparatus used to protect the community. Visitors were able to try out gear and apparatus and sit in and experience the emergency vehicles while interacting with active members of the Department. With annual participation in Fire Safety Week at the Clayton Elementary School, the firefighters have also provided invaluable educational opportunities for area children. All of these activities have precipitated strong, continuing relationships which have inspired some of the local youth to enter into the fields of fire protection, emergency medical services, and law enforcement.



## Trails

Recreational opportunities abound within the Town of Clayton as well, providing for and promoting healthy, active lifestyles.

### Friendship Trail



The Friendship Trail which runs east-west through the Town for 6.1 miles parallel to U.S. Highway 10 is the Town's newest trail. Ease of access facilitates extensive use of this rolling trail which highlights some of the Town's most picturesque views. The trail is enjoyed by equestrians, bicyclists, walkers, hikers, runners, and during the winter months, snowmobilers, cross country skiers, and snow shoe enthusiasts.



The Friendship Trail has an area known as "Olsons' Rest," located at the corner of Fairview and State Highway 10. This area was donated by lifelong residents Rueben "Chub" and Lois Olson. Trail users may stop for a picnic or just to relax.



The Friendship Trail intersects with the WIOUWASH Trail, one of the State's outstanding recreational trails. This intersection is the site of an informational kiosk that has trail news as well as town news.

## WIOUWASH Trail

The WIOUWASH Trail extends from Clayton's southern boundary more than six miles through the entire Town to its northern boundary. The Trail runs a total of 21.8 miles between Oshkosh and Hortonville. It is named for four adjacent counties in east central Wisconsin: Winnebago, Outagamie, Waupaca, and Shawano.



This trail, built on a former railroad corridor, is maintained and operated by the four counties the trail traverses. The flat base is perfect for walkers, hikers, bikers, horseback riders, as well as snowmobilers, cross country skiers, and snowshoers. There are several parking/access areas to the WIOUWASH Trail throughout the Town of Clayton where the trail intersects with town and county roads.



Even Hollywood recognized the beauty that lies in the Town of Clayton. In 2008, the WIOUWASH Trail in the Town of Clayton was one of the many local sites used for filming Universal Studios' *Public Enemies* starring Johnny Depp as John Dillinger. The location is marked with a commemorative bench on which trail users can pause and enjoy the tranquility of nature.

## Hidden Park Trail

The Town has dedicated lands for what will be known as Hidden Park Trail. This trail will be accessible from Clayton Park but is currently undeveloped.

Both the Friendship Trail and the WIOUWASH connect with other local Fox Valley Trails, including the Little Lake Butte des Morts trestle bridge. The Friendship Trail will eventually travel from Manitowoc to Stevens Point, creating connectivity through northeastern and central Wisconsin.

## Fox Valley Trail Maps

Maps showing recreation trails throughout the Fox Valley are available at the Town Municipal Center, as well as on the Town's website. A copy is attached as Exhibit 16.



## Parks

### Trail Head Park

Trail Head Park, located at 8348 County Road T in Larsen, is a 5-acre park owned and operated by the Town of Clayton. Located centrally along the WIOUWASH Trail, it is one of the primary rest areas for trail users providing year-round access to the trail along with amenities for park and trail users including heated restrooms for year-round use, picnic areas, children’s playground, soccer field with goals, and parking areas for vehicles and horse trailers. Clayton and the Larsen-Winchester Lions Club are currently working on a Legacy Project together to install a full-court basketball court in Trail Head Park. This project is scheduled for completion in 2020.

### Clayton Park

Clayton Park is located at 3577 Larsen Road, just east of Center Road. The park consists of 23 acres, and is owned and operated by the Town of Clayton. Clayton Park is family friendly and offers everything needed to enjoy one’s day. There is a covered pavilion area with picnic tables and restrooms. Grills are available on the grounds. The park also has three baseball diamonds, a sand volleyball court, soccer field with goals, and horseshoes. A kitchen facility is available for a small rental fee.

Playground equipment including swings, slides, climbing apparatus, and more is located in Clayton Park for all to enjoy. The expansive green space is complemented by a wooded area with beautiful walking trails.



And as summer fades, the Clayton Park sledding hill provides for wintertime family fun, free of charge as well.

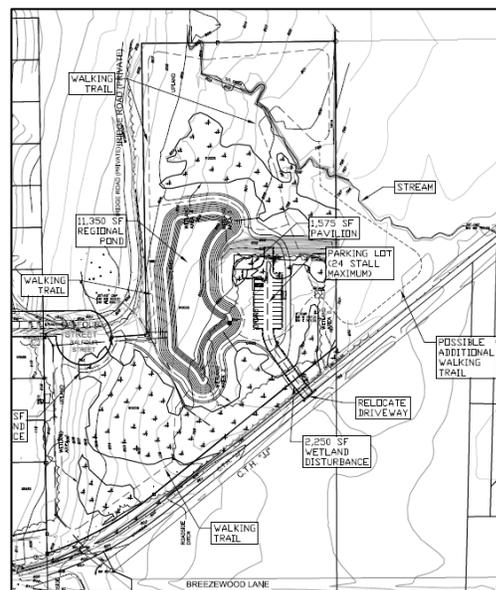
## Nature Preserve/Park Development

At the Annual Meeting of the Town's Electors held on April 12, 2012, the electors voted unanimously to authorize the Town to accept the dedication of approximately 12 acres of park and open space land located at 2632 County Road JJ, Neenah, from residents Jean and Peter Noffke.

The Town's Green Space Committee and Staff are currently in the planning stages for development of this property for public use. The geographic features of the land naturally lend it to use as a nature preserve. The area includes wetlands, forest/woodlands, and open space.

In conjunction with the Town's storm water management planning, a series of storm water retention ponds have been planned for the area, including one on the park property. Currently, the planning for the park is focused on the pond as a major feature around which trails and passive park activities are being designed. The plan is to keep the park a passive, nature preserve and green space, with particular focus being given to making the amenities ADA accessible.

The park is located in Section 36 in south-east corner of the proposed Village, offering easy access to Village residents as well as to the regional community. Development and implementation of the plan for the nature preserve is expected to be completed within the next 3 to 5 years.



## Golf Courses and Driving Range

Clayton is also home to three beautiful and challenging golf courses and a driving range which provide for family-friendly recreation. All of these facilities will be located in the proposed Village of Larsen. The courses provide golfing opportunities that are not typically found in a town of Clayton's size. In total the facilities provide 505 acres for recreation and open space.

### Westridge Golf Course

Located just east of State Highway 76, Westridge Golf Course is easily accessible and offers a breathtaking green space for golfing recreation and special events including corporate outings, banquets, and weddings.



## Ridgeway Country Club

Golfing adventures continue with Ridgeway Country Club. This historic club located at the corner of State Highway 76 and County Road II, has been a part of the Clayton community for over 92 years. Offering rolling vistas which challenge golfers of all skill levels, the course has endured the test of time, becoming a landmark of the community. Ridgeway Country Club also offers banquet facilities for corporate events, social events, and weddings.



## Winagamie Golf Course

The third of the Town’s beautiful Courses is Winagamie Golf Course. Located near the northeast corner of the municipality, the Course is easily accessed by residents of Clayton and visitors to the Fox Valley alike. Established in 1962, Winagamie Golf Course began as a traditional 9-hole course which has grown into a picturesque 27-hole facility unlike any other. With three courses at a single facility, Winagamie offers recreation for all skill levels—from beginner to professionals. The rolling terrain hosts thousands of golf enthusiasts annually.





In 2013, Winagamie, Inc., the parent company of Winagamie Golf Course, was gifted to the Appleton Education Foundation. The Appleton Area School District and Fox Valley Technical College each utilize the course to create beyond-the-classroom experiences. The Course is also on track to become a certified Audubon Cooperative Sanctuary with personnel leading the certification efforts and engaging local educators, students, and citizens in the process.

## Mulligan’s Fairway

Mulligan’s Fairway Golf Practice Range is located at 8549 State Road 76 and is a 23-acre facility. Mulligan’s offers 36 Tee Boxes, 5 Greens, and a Chipping/Putting Green for Golfers of all skill levels. Golf lessons and club repair are offered on site as well. Throughout the year, Mulligan’s Fairway holds events and demo days for veteran and novice golfers alike.



## Sewer and Water

The Town of Clayton has worked diligently for many years in an effort to sustain and promote residential, commercial, and industrial development. The Town is aware that the ability to achieve this is through the establishment of adequate water and sewer facilities. Due to its close proximity to Appleton, Neenah, and Oshkosh, this growth will continue within the eastern portion of the Town. Being a progressive rural community, the Town of Clayton is intent to meet the needs of the growing community and enhance the quality of life by providing municipal water and wastewater collection and treatment systems in the proposed Village.

The Town of Clayton is planning for substantial commercial/industrial growth along the eastern portion (and throughout the eastern half) of the Town. Municipal water and wastewater collection and treatment systems do not yet exist within the area of planned growth, but the Town has arranged for installation of these services. The Town, through Clayton Sanitary District #1 (created by the Town in October 1972) has negotiated intermunicipal agreements for provision of water and sewer services with the Village of Fox Crossing. A copy of the Intermunicipal Agreement is attached as Exhibit 14 In the Agreement, the Town has committed:

- \$5,750,000 for sewer capacity.
- \$5,750,000 for water capacity.

In addition, the Town paid the Fox West Sewerage Commission \$1,225,251 as a joinder fee to become a customer of the regional wastewater treatment plant. A copy of the Joinder Agreement is attached as Exhibit 15.

These sewer agreements have recently been approved by the Wisconsin DNR and the East Central Wisconsin Regional Planning Commission; and the water service agreement is currently under review with the Wisconsin Public Service Commission (PSC). Construction of the infrastructure will commence upon receiving final PSC approval anticipated in the fall of 2020 – the cost of the infrastructure, separate from and in addition to the sewer and water agreement “buy-ins,” will be many millions of additional dollars.

In an effort to determine the scope of water and sewer needs for the future, the Town retained Cedar Corporation to prepare a **Water & Wastewater Utility Feasibility Study** which was completed in 2015. A copy of the final report is being submitted as Exhibit 2.

Cedar Corporation developed population projections to estimate water and wastewater flows for projected total build-out in the years 2025 and 2040 for three specific planning

areas along the eastern border of the Town of Clayton. Using these flows, an evaluation was made to provide information to the Town of Clayton to determine the feasibility of providing wastewater and water utilities within the designated planning areas of the Town. The ***Water & Wastewater Utilities Feasibility Study*** was intended to establish the framework for drinking water, wastewater collection, and wastewater treatment systems for established planning areas within the Town of Clayton.

## Water

The ***Water & Wastewater Utilities Feasibility Study*** evaluated two alternatives for water supply. One alternative would be for the Town of Clayton to provide water supply with groundwater wells. The other alternative would be to obtain water supply from the existing City of Neenah Water Utility. The Town pursued several options over the past several years to secure water utility service.

Initially the Town considered creating its own water utility, but was ultimately advised by the Wisconsin Public Service Commission that this alternative would be costly, and there would likely be an insufficient initial customer base to support the start-up construction and initial operations of the system. Further groundwater wells within the Town of Clayton come with some risk of high arsenic levels since the Town is within the WDNR Arsenic Advisory Area, further increasing operating cost for treatment.

The Town next consulted with the City of Neenah Water Utility. Neenah could provide sufficient treated surface water supply from Lake Winnebago. Although the City of Neenah Water Utility has an excess supply of water, they have expressed reluctance to supply water to the Town of Clayton. And, although discussions with the City of Neenah Water Utility continued, the City demanded annexation of large areas of the Town in exchange for extension of service to less desirable areas to the west.

The third alternative was pursued through discussions with the City of Appleton. The City had expressed a willingness to cooperate in an effort to expand its customer base. Extensive discussions were held between representatives of the City of Appleton and Town of Clayton, resulting in agreements for the extension of both sewer and water service to the prospective Village area.

But, the Town of Clayton ultimately was able to reach a much more cost-effective solution through a comprehensive inter-municipal boundary agreement with the Village of Fox Crossing wherein the Village of Fox Crossing will provide water service to the area proposed for future development within the proposed Village of Larsen. The agreement provides for the Village of Larsen to acquire the utility from Fox Crossing, at which time it will be operated by the new Village.

The Town will best be positioned to complete its water distribution system if it were to become the Village of Larsen. There are two compelling reasons for this view. First, the Village will be able to develop and manage the system as a division of the municipal unit of government versus creating a free-standing, independent water utility. Secondly, the Village will control and manage the financial obligations for construction and operations.

## Sewer

In the past, several options for sewer service have likewise been explored and evaluated. The first option was for service through the Village of Fox Crossing, which has two sanitary sewer interceptor sewers that are close to the east boundary of the Town of Clayton. The City of Neenah has an interceptor sewer less than a mile from the east boundary of the Town of Clayton which may also serve part of the Town. The interceptor sewers convey wastewater to the Neenah/Menasha Sewerage Commission's Wastewater Treatment Plant.

Over the past several years, communications have taken place with the Village of Fox Crossing, City of Neenah, and the Neenah/Menasha Sewerage Commission to determine if they have the capacity to accept wastewater from Clayton, and if they are willing to negotiate an agreement for acceptance. In this option, the Town of Clayton would need to purchase interceptor capacity and wastewater treatment plant capacity. Further, this option is dependent on the neighboring entities' willingness to provide service to the Town of Clayton at a reasonable cost without requiring annexation. In the past, they were not.

The second option is use of the existing Larsen-Winchester Wastewater Treatment Plant that is located within the Town of Clayton. However, the Larsen-Winchester wastewater treatment plant is nearing capacity and may need expansion in the near future. This option proposes to construct a new wastewater treatment plant at the Larsen-Winchester Wastewater Treatment Site. As a result of conversations with the District's Board, the Town does not believe this to be a viable option at this time.

A third alternative was identified as Recirculating Textile Filter Wastewater Treatment Pods, which the Town rejects as it lacks viability as a reasonable option.

A fourth alternative considered was for service from the City of Appleton. The City had expressed a willingness to cooperate in an effort to expand its customer base. Extensive discussions were held between City and Town representatives and an agreement for service was reached. The advent of this agreement compelled the Village of Fox Crossing to resume discussions and negotiations with the Town.

Ultimately, the final decision was made to contract for service through extended interceptors from the Village of Fox Crossing to the Town. This is reflected in the Intermunicipal Agreement between the Village of Fox Crossing and the Town of Clayton approved by both in early 2020.

The Town will best be positioned to complete its sewer system if it were to become the Village of Larsen. There are two compelling reasons for this view. First, the Village will be able to develop and manage the system as a division of the municipal unit of government versus creating a free-standing, independent Sewer Utility. Secondly, the Village would control and manage the financial obligations for construction and operations.

## Economic Development

The Town has long been active in economic development activities and pursuits. Table 7 below is a list of businesses and industries which are located in the Town.

*Table 7 - Town of Clayton Business Inventory*

Business Name	Business Type	Estimated Sales	Estimated Employees
CORAL HOSPITALITY	Lodging	\$ 84,000	2
REMIXX*	Tavern	\$ 261,000	4
HEADLINERS*	Restaurant	\$ 582,000	11
HMONG ASIAN FOOD*	Restaurant	\$ 53,000	1
OINK'S RESTAURANT*	Restaurant	\$ 582,000	11
WILLIE BEAMONS*	Restaurant	\$ 529,000	10
WOODSHED BAR & GRILL*	Restaurant	\$ 212,000	4
AUNTIES DELI*	Restaurant	\$ 159,000	3
PETERSON SPIDER CONTROL INC	Bug Exterminator	\$ 313,000	3
AARDVARK LANDSCAPE	Land maintenance service	\$ 343,000	4
ANDERSON SOD FARM	Land maintenance service	\$ 515,000	6
EARTHSCAPE*	Land maintenance service	\$ 86,000	1
TREEO'S*	Land maintenance service	\$ 86,000	1
CINTAS*	Miscellaneous support services	\$ 244,000	3
JOHNSON TRUCKING*	Miscellaneous waste collection	\$ 897,000	4
AMOS & CAROL IHDE FARMS*	Crop Farming	\$ 309,000	3
PONDSIDE AKITAS	Support for Animal Production	\$ 41,000	1
RIDGEWAY COUNTRY CLUB*	Recreational Clubs	\$ 6,304,000	75
WESTRIDGE GOLF CLUB*	Recreational Clubs	\$ 1,261,000	15
WINAGAMIE GOLF COURSE*	Recreational Clubs	\$ 1,261,000	15
MULLIGAN'S FAIRWAY*	Recreational Halls	\$ 529,000	7
AFFORDABLE CONTRACTING SVC*	New Single-Family Housing Construction	\$ 1,415,000	4
CUSTOM FAMILY HOMES*	New Single-Family Housing Construction	\$ 354,000	1
J & K CONTRACTING LLC	New Single-Family Housing Construction	\$ 1,769,000	5
PRECISION BUILDERS INC	New Single-Family Housing Construction	\$ 354,000	1
STECKLING BUILDERS LLC*	New Single-Family Housing Construction	\$ 354,000	1
GARRETT'S MAINTENANCE SVC INC*	Commercial and Institutional Building Construction	\$ 9,550,000	27
GREG WISNEFSKE BUILDERS	Commercial and Institutional Building Construction	\$ 3,184,000	9

**Table 7 - Town of Clayton Business Inventory (Continued)**

Business Name	Business Type	Estimated Sales	Estimated Employees
DENNIS GEHRT HEATING*	Plumbing, Heating, and Air Conditioning	\$ 520,000	3
J D OGDEN PLUMBING & HEATING*	Plumbing, Heating, and Air Conditioning	\$ 520,000	3
WISCONSIN SUNLIGHT SOLUTIONS*	Other Building Finishing Contractors	\$ 1,387,000	8
ABT FOUNDATION SOLUTIONS INC*	All Other Specialty Trade Contractors	\$ 2,563,000	11
FOX VALLEY ASPHALT & MNTNC LLC*	All Other Specialty Trade Contractors	\$ 3,466,000	20
JOE'S TOTAL MAINTENANCE*	All Other Specialty Trade Contractors	\$ 125,000	1
LARSEN MATERIALS LLC*	All Other Specialty Trade Contractors	\$ 2,097,000	9
CLAYTON ELEMENTARY SCHOOL*	Elementary, middle and high schools	\$ 32,000	32
NEENAH JOINT SCHOOLS*	Elementary, middle and high schools	\$ 13,000	13
OUTLOOK GROUP CONVERTING	Commercial Gravure Printing	\$ 8,293,000	40
MATRIX MACHINING INC*	Machine Shops	\$ 1,467,000	12
TUTTLE LAKE WOODWORKING*	Partition, and Shelving Manufacturing	\$ 697,000	3
KIMBERLY-CLARK*	Paperboard Mill (Prototype)	Unknown	2214
AUTOMOTIVE SPECIALTIES*	Car repair shops	\$ 356,000	3
HAPPY CAMPERS MOBILE SVC*	Car repair shops	\$ 119,000	1
REIFS AUTOMOTIVE*	Car repair shops	\$ 237,000	2
QUIET WOODS RV OF THE FOX VALLEY*	Miscellaneous car mechanical and electrical repair shops	\$ 1,678,000	15
GLORIOUS HAIR*	Beauty Shops	\$ 123,000	3
A & L KENNELS	Animal care services	\$ 41,000	1
LANTANA*	Animal care services	\$ 41,000	1
SCHULTZ BOARDING KENNELS*	Animal care services	\$ 41,000	1
IMMANUEL EVANG LUTHERAN CHURCH	Religious societies	\$ 1,000	1
WOODFIELD DEVELOPMENT*	Architects' offices	\$ 147,000	1
ADLER DESIGN ASSOC	Landscape architects	\$ 77,000	1
CLAYTON TOWN SHOP*	Municipal Government	\$ 4,000	4
150 LOCK & STOR*	Storage Units	\$ 145,000	2
BLUE LINE RENTAL*	Equipment Rental	\$ 4,568,000	10
LARSEN COOPERATIVE*	Feed Store/Fuel	\$ 2,901,000	10
H & K WOODS*	Building or Construction Supply Stores	\$ 779,000	3
ARBONNE INTERNATIONAL*	Beauty Supply Stores	\$ 154,000	1
PHILLIPS 66*	Gas Stations	\$ 4,088,000	5
SPIRIT WINGS KIDS INC*	Kids' Clothing Stores	\$ 370,000	3
US POST OFFICE*	Postal Service	\$ 5,000	5
DOUG REESE TRUCKING LLC	Specialized Freight Transportation	\$ 296,000	2
BUDD VAN LINES*	Specialized Freight Transportation	\$ 7,064,000	30
USF HOLLAND*	Specialized Freight Transportation	\$28,253,000	120

**Table 7 - Town of Clayton Business Inventory (Continued)**

Business Name	Business Type	Estimated Sales	Estimated Employees
RODGER CAVANAUGH CARRIAGES	Scenic and Sightseeing Land Transportation, Tours	\$368,000	3
BRENNAND AIRPORT 79C*	Other Airport Operations	\$ 248,000	2
FREIER'S TRUCK CAPS*	Motor Vehicle Supplies	\$ 2,253,000	2
NIK'S AUTO PARTS INC	Motor Vehicle Supplies	\$ 9,035,000	12
FIRESTOPPING SPECIALISTS*	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$ 7,404,000	8
AIRWAY AIRCRAFT*	Transportation Splys/Equipment	\$ 1,654,000	1
SALM SERVICES INC	Recyclable Material Merchant Wholesalers	\$ 1,039,000	1
GILMOUR ENTERPRISES*	Wholesale Trade Agents and Brokers	\$ 2,000,000	2

\*Located within the Village of Larsen; Source: U.S. Census Bureau

The top ten employers and the number of employees for each in the Town of Clayton are listed in the Table 8 below.

**Table 8 - Town of Clayton Top 10 Employers**

Employer	Nature of Business	Approx. Number of Employees
KIMBERLY-CLARK CORP	Paper Products Production	3,200*
USF HOLLAND	Trucking-Motor Freight	100
TOWN OF CLAYTON	Government	58**
WESTRIDGE GOLF COURSE	Public Golf Course	41
NEENAH JOINT SCHOOL DISTRICT (CLAYTON ELEMENTARY SCHOOL)	Education	27
ABT FOUNDATION SOLUTIONS	Foundation Repair and Waterproofing	22
FOX VALLEY ASPHALT INC.	Paving Mixtures	20
RIDGEWAY COUNTRY CLUB, INC.	Golf Club	20
MOTION PRODUCTS INC.	Automotive Body Repair and painting	20-49
HEADLINERS	Restaurant	10-19

\*In addition to the location in the Town, the above figure includes locations in the City of Neenah and Town of Menasha

\*\*Includes paid on-call volunteer Fire/EMS members

Source: D&B Credit, WisConomy, and Department of Public Instruction, March 2020; Quarles and Brady May 4, 2020 Town of Clayton Bonding Documentation

Within the proposed Village, commercial activity has primarily occurred along the STH 76 corridor. The main areas are at the STH 76 and CTH “II” intersection; the STH 76, CTH “JJ” and Breezewood Lane intersection; and the STH 76 and USH 10 interchange. There is additional business and commercial development found along CTH “II” east of STH 76, and in the rural community of Larsen. Most of these businesses are service oriented, including the Larsen Cooperative.

Existing industrial development in Clayton is primarily located along CTH “II” east of STH 76. Warehousing facilities are located one-quarter mile west of Clayton Avenue on the north side of CTH “II”. Much of this warehousing activity is related to the paper industry within the Fox Cities Metro Area. Several other industrial sites are scattered in Sections 13 and 24 on the east side of the town. There are also several gravel pit/quarry operations in the town.

There is pressing demand for sound business development within the proposed Village of Larsen. Population growth and good roads traditionally draw retail and office business. So will installation of the public water and sewer infrastructure. Future investments in these facilities will be required to attract quality commercial development.

The Town of Clayton has a very favorable location relative to the Fox Cities Metro Area and major transportation routes. Highway 10 is a direct link to Interstate Highway 41, and Menasha, Neenah, and Appleton. Clayton is close to the Appleton International Airport, which offers a unique opportunity to attract air related enterprises. There is a main railroad line going right through the town as well.

The intersection of USH 10 & STH 76 and along the STH 76 corridor south will be the primary area for business development. A secondary area will be the STH 76 corridor south with special focus on the intersection with CTH “II”. A third area will be the STH 76 and Breezewood Lane.

## Tax Increment Financing

The Town developed a Tax Increment District (TID) within the area proposed for incorporation. Map 2 shows the district. The TID Plan was developed and prepared by Town Staff with the assistance of Gary Becker of GWB Professional Services.

The Town of Clayton is experiencing strong demand for developable land as a result of its proximity to the cities of the Fox Valley. Development is occurring, even with on-site water and sewerage treatment – well and private on-site wastewater treatment systems.

In 2018, the Town of Clayton surpassed \$500 million in equalized value of taxable property making it eligible to create a tax increment finance district with the same features as any city or village district.

The Town of Clayton created Tax Increment District No. 1 (TID #1) in order to promote the orderly, mixed-use development of the area by using tax increment financing (TIF) to fund the extension of water and sewer services to the area of the Town under greatest development pressure.

TID #1 was established as a mixed-use district. Standards for a mixed-use TID require it contains a combination of industrial, commercial, or residential uses and that lands proposed for newly platted residential use may not exceed 35% by area of the real property within the TID. A mixed use TID Plan was developed for TID #1 to promote a mix of these uses to comprise the developed center of the Town.

The District was approved and became effective January 1, 2019. It was established retroactively in order to capture the increment created by developments within the District. Currently under construction is EnvisionInk, located at 2730 W American Drive. EnvisionInk is a company which offers full-service digital and offset printing, bindery, and mailing services, as well as posters, banners, and trade show materials. EnvisionInk is relocating to Clayton in order to expand its operations. Their current operations plant is located in the Village of Winneconne and will be occupied by another business once their operations move to the new Town of Clayton site. In addition, negotiations are currently ongoing for the construction of a large office complex within the District.

The creation of TID #1 sets Larsen up for successful economic development opportunities in the future, as noted above. In addition, TIF offers the proposed new Village the financial tools to complete the infrastructure necessary to attract new business and industry.

## Ordinances and Policies

The Town of Clayton currently has the following Ordinances and Policies in place to maintain the health, safety, and general welfare of the residents.

### Chapter One – Composition and Duties of Town Government

- 1.1 Elected Officials
- 1.2 Appointed Officials
- 1.3 Appointed Boards & Commissions
  - 1.3-1 Establishing a Plan Commission
- 1.4 Duties of Elected Officials
- 1.5 Duties of Appointed Officials
- 1.6 Administration
  - 1.6-1 Fiscal Management
  - 1.6-2 Hotel and Motel Room Tax
  - 1.6-4 Grants for Public Assistance
- 1.7 Establishing Wages for Town Officers
- 1.8 Establishing Town Administrator

### Chapter Two – Town Board Meetings

- 2.1 Annual Meeting
- 2.2 Regular Meetings; Order of Business; Presiding Officer
- 2.3 Exercise of Village Powers
- 2.4 Special Meetings
- 2.5 Ordinances and Resolutions
- 2.6 General Rules; Suspension of Rules
- 2.7 Election Procedure
  - 2.7-1 Voter Registration

### Chapter Three – Public Safety

- 3.0 Municipal Court
  - Joint Municipal Court Agreement
- 3.10 Creating a Police Department
- 3.1 Issuance of Citations for Violations of Town Ordinances
  - 3.1-1 Town of Clayton Plan Commission Ordinance
- 3.11 Adopting the Wisconsin State Statutes Regulating Traffic
- 3.12 Penalties for Violating Provisions of the Town of Clayton Code of Ordinances
- 3.2 Coordination with Winnebago County Sheriff and Emergency Government

- 3.3 Discharge of Dangerous Weapons in Residential Districts
- 3.4 Fire Department; Duties
  - 3.4-1 Fee to Recover Fire Call Responses
- 3.5 Outdoor Burning
- 3.60 Winter Parking Restrictions
- 3.6 Speed Limits on Town Roads
- 3.7 Truck Traffic
- 3.8 Snowmobiles
- 3.9 False Alarm Ordinance

## **Chapter Four – Public Health and Nuisances**

- 4.1 Dumping of Waste
- 4.11 Solid Hazardous Substance and Hazardous Waste
- 4.2 Recycling and Solid Waste
- 4.3 Private Outdoor Swimming Pools
- 4.4 Public Nuisances
- 4.5 Abandoned Vehicles
- 4.6 Keeping of Dogs
- 4.7 Livestock
- 4.8 Concealed Weapons
- 4.9 Cemetery & Burial
- 4.10 Weed Control

## **Chapter Five – Licenses and Franchises**

- 5.1 Cable Television
- 5.2 Intoxicating Liquor and Fermented Malt Beverages
- 5.3 Public Entertainment/Dances
- 5.4 License & Permit
- 5.5 Special Community Events & Activities

## **Chapter Six – Public Works**

- 6.1 Special Assessments
- 6.2 Min. Road Design Standards
- 6.3 Public Service '78
- 6.4 Developer's Private Roadway Agreement
- 6.5 Driveway and Culvert Permits
- 6.6 Drainage
- 6.7 Storm Water Management Utility

## 6.8 Use of Streets & Alleys

### **Chapter Seven – Development**

- 7.1 Adoption of County Zoning
  - 7.1-1 Site Plan
- 7.2 Adoption of Wisconsin Uniform Dwelling Code & Building Inspector Position
- 7.3 Moving a Building
- 7.4 Building Code
- 7.5 Fee Schedule for Review of Subdivisions, CSMs, Drainage Plans
  - 7.5-1 Artificial Ponds, Ditches and Dikes
- 7.6 Sign Regulation
- 7.7 Comprehensive Plan
  - 7.7-1 Establish an Official Map
- 7.8 Impact Fees
- 7.9 Mailbox Ordinance
- 7.10 Subdivision Ordinance

### **Chapter Eight – Parks and Recreation**

- 8.1 Park Regulations

### **Chapter Nine – Zoning Code**

Zoning Code (attached as Exhibit 10)

- 9.11 Access Control

Many of these codes and policies are posted on the Town Web Site and all are available in the Town office. Codification is scheduled for completion in 2020.

## Town of Clayton Zoning Code

Recognizing that different areas of the town serve unique functions the town is divided into a number of base zoning districts. Even though some of the districts may share similar characteristics, they possess one or more unique qualities that set them apart from the other districts. Although these districts may not now possess each of the attributes in these descriptions, it is intended that as land uses change over time, it more closely reflects the intended uses. The base districts are as follows:

**1. Agribusiness (A-1) District.**

This district is intended to accommodate large-scale agricultural uses and related support services. It includes those areas of the town where productive agricultural lands are predominant and can be used for the production of forest products, crops, and livestock, including large livestock operations. Because the primary intent of this district is agricultural production, incompatible urban uses are not permitted. It is designed to meet the requirements of a certified farmland preservation zoning ordinance under chapter 91, Wis. Stats.

**2. General Agriculture (A-2) District.**

This district is intended to accommodate both large- and small-scale farms and hobby farms. Although scattered residential lots are allowed, agriculture is the predominant land use. This district should be located in those areas suitable for agriculture, but not for large-scale agricultural operations, and adjacent to urbanizing areas.

**3. Rural Residential (R-1) District.**

This district is intended to accommodate single-family residences on scattered lots to foster and maintain the rural character and lifestyle of the surrounding area. Lots are generally served by on-site wastewater treatment systems.

**4. Suburban Residential (R-2) District.**

This district is intended to accommodate low- and medium-density residential lots in a duly recorded and legally maintained subdivision. This district provides a "suburban" arrangement of amenities, services, and facilities. Lots are connected to a public sanitary sewer system or may have an on-site sewage disposal system.

**5. Two-family Residential (R-3) District.**

This district is intended to accommodate two-family dwellings, twin homes, and single-family dwellings. This district provides a "suburban" arrangement of

amenities, services, and facilities. Since the two-family dwelling produces a divergent occupancy pattern from that of the traditional single-family dwelling, this district is generally adjacent to, but not within, a single-family neighborhood. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**6. Multifamily Residential (R-4) District.**

This district is intended to accommodate multifamily buildings and townhouses at urban densities. This district provides a “suburban” arrangement of amenities, services, and facilities. Lots are connected to a public or private (community) sanitary sewer.

**7. Manufactured Housing Community (R-8) District.**

This district is for the exclusive use and development of one or more manufactured housing communities. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**8. Public Institutional (P-I) District.**

This district is intended to provide areas where public recreational and administrative land use needs specific to the populace can be met without undue disturbance of natural resources, adjacent land uses and with the intent to eliminate any ambiguity in maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public purpose is anticipated to be permanent. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system, if necessary.

**9. Local Service Business (B-1) District.**

This district is intended to accommodate a single retail or service establishment or a small grouping of such establishments that primarily serve the daily needs of residents in the surrounding area. Because this district characteristically is near or within residential areas, standards are designed to ensure the commercial uses are compatible in appearance and character with the surrounding residential uses. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**10. Community Business (B-2) District.**

This district is intended to accommodate both large- and small-scale pedestrian- and auto-oriented commercial development that primarily serves the needs of the surrounding community, including professional offices, retail stores, service establishments, overnight lodging, entertainment facilities, and mixed-use

housing. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**11. General Business (B-3) District.**

This district is intended to accommodate primarily large-scale commercial projects of regional importance that require access to major road corridors. This district is intended to include one or more parcels of land that, as a general rule includes 20 acres or more. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**12. Mixed-use (M-1) District.**

This district is intended to accommodate a wide range of compatible residential and nonresidential uses. Typically, this district is only located in those areas where the existing and planned land uses in the surrounding districts are compatible with those uses permitted in this district. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**13. Light Industrial (I-1) District.**

This district is intended to accommodate those businesses and activities typically associated with manufacturing of finished products, storage, and wholesale operations. Uses permitted in this district characteristically occur inside of a building or other structure. Outdoor storage, when allowed, is clearly incidental to the primary use. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**14. Heavy Industrial (I-2) District.**

This district is intended to accommodate industrial uses that handle or process raw materials and other large-scale uses often considered offensive or unique by nature. Handling and processing of materials may occur within a building or other structure, or out-of-doors. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.

**15. Planned Development (PDD) District.**

Planned development districts are a special type of zoning district and are initially proposed by a property owner who desires a mix of uses or flexibility in a project's overall design. Each district is unique and therefore has its own set of development standards that are documented in the general development plan, and associated development agreement, if any.

## Capital Improvement Plan

The Town of Clayton has developed a five-year Capital Improvement Plan (CIP). Town staff prepares an annual update to the CIP and presents it to the Town Board for approval. The Plan addresses capital needs for a total of ten years. In this case, the five-year portion of the plan expresses the construction and reconstruction needs, while the second period between five and ten years is a projection of the long-term additional needs within the Town. The CIP is included as Exhibit 3.

Staff relies on state PASER Reports (road condition) and traffic volume as the primary criteria used for the development of the plan. The Town budgets \$150,000 annually for smaller pulverize and pave projects for neighborhood roads. Periodic bond issues are used to finance major construction and reconstruction projects. The recommendations within the plan are reviewed annually and capital improvement projects are executed based on need.

## Stormwater Utility

In November 2012, the Town of Clayton adopted the Town of Clayton Storm Water Utility Ordinance establishing a Storm Water Utility. The utility was established under the supervision of the Town Board. Controls of the day-to-day operations of the Storm Water Utility are assigned to the Town Administrator and the Public Works Department.

## Abandoned Landfills

The former “Town Dump” has been abandoned. The site is bounded by Stoney Ridge Trail, Rocky Road, and Jensen Road in Section 32, which is in the remnant town. It is not classified as a Superfund Site.

## Brownfields and Remediation Sites

There are eight remediation sites identified in the Town of Clayton. All eight are classified as “Closed” by the Wisconsin Department of Natural Resources. All sites are within the proposed Village. These sites and the status of each is as follows:

- 1) Fairview Auto, 8510 USH 45—Closed 06/17/03
- 2) Schwerin Property, 7662 CTH T—Closed 03/02/93
- 3) Larsen Cooperative, 8290 CTH T—Closed 05/30/04
- 4) Lieds Nursery, 8616 STH 76—Closed 05/30/93
- 5) Neenah Apiaries, 3307 W Fairview Rd—Closed 03/17/99
- 6) Neenah Pistol Range (Former), 2632 CTH JJ—Closed 10/13/18
- 7) Ridgeway Country Club, 2913 STH 150—Closed 04/09/97
- 8) Ujazdowski Property, 7301 USH 45—Closed 02/13/95

## Transportation—Roads and Streets

Highways and streets are defined by their functional classification, which is primarily based upon their ability to carry traffic. The Clayton system is as follows:

### Principal Arterials

Principal arterials are major highway facilities that are designed to accommodate higher volumes of traffic, and move that traffic through a geographic region. USH 10, which runs east/west through the Town of Clayton is a four lane, divided freeway and is classified as a principal arterial. USH 10 connects with two other major highways which are just outside Clayton. With the multi-lane Interstate, I-41, to the east, and USH 45, a four-lane divided highway to the west, Clayton has excellent highway access. Clayton has direct access to USH 10 via a diamond interchange at STH 76. USH 10 then has major interchanges which provide access from USH 10 to I-41 and USH 45.

### Minor Arterials

Minor arterials provide mobility for through traffic. The Town of Clayton has three minor arterials, which are STH 76, CTH “JJ” and CTH “BB”.

### Major Collectors

Collectors connect local roads with principal and minor arterials. Major collectors in Clayton are CTH “T” between CTH “II” and the Town’s southern boundary; CTH “M” in the extreme northwest corner of the Town, and CTH “II” between Clayton Avenue and the Town’s extreme western boundary.

### Minor Collectors

Minor collectors provide intra-area travel and mobility within a localized area but with more emphasis on land access. A minor collector may be sub-ended but not isolated from the rest of the system. The only Minor collector in Clayton is Fairview Road from Clayton Avenue going west to CTH “M” on the extreme western boundary of the Town.

Map 3 - Highway Functional Class and Daily Traffic Volumes from the Comprehensive Plan illustrates these classifications and provides vehicle counts on select roadways.

## Transportation—Air Transportation

### Commercial Air Passenger Service

The Appleton International Airport (formerly Outagamie County Regional Airport) is the closest commercial airport, and is located in the Town of Greenville, Outagamie County, west of Appleton along the Winnebago County line. The airport property consists of approximately 2.5 square miles of land, which is split by two intersecting runways. The airport is served by several passenger airlines including Allegiant, American, Delta, and United.

It is included in the Federal Aviation Administration (FAA) National Plan of Integrated Airport Systems for 2019–2023, in which it is categorized as a non-hub primary commercial service facility. It is the third busiest of eight commercial airports in Wisconsin in terms of passengers served. In 2016, the airport contributed \$676 million to the Northeastern Wisconsin economy.

In May 2018, Appleton International Airport was the fourth fastest growing airport in the U.S. It is the main base of the privately owned regional airline Air Wisconsin. Gulfstream Aerospace also retains a major facility at the airport, focusing on maintenance and interior completions, and is currently undergoing a major expansion of its facilities.

Cargo operations include FedEx Express and FedEx Feeder, Freight Runners Express, and Pro Aire Cargo.

## Landing Strips

The Town of Clayton also has four “landing strips” within its boundaries.

### Brennand Landing Strip

This facility is located along Breezewood Lane in Section 35 and consists of a north-south blacktop runway.



### Wisnefske Landing Strip

The grass strip is located east of Center Road in Section 27.

### Grunska Landing Strip

This landing strip consists of a north-south grass runway and is located west of Pioneer Road in Section 8.

## Larsen Brothers Airport

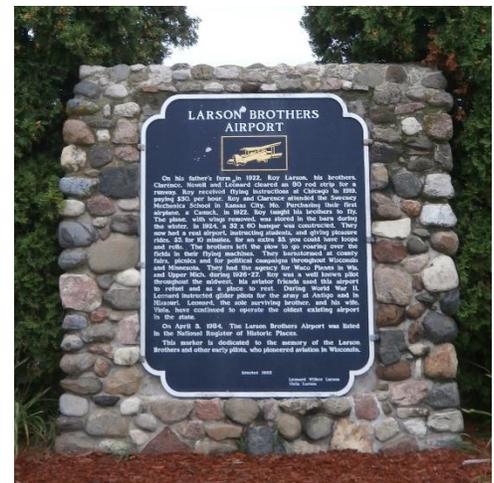
This landing strip is located just north of CTH "II" in Section 18 about one mile northwest of Larsen. It was established in 1922, and was also the location of the first airplane hangar in Wisconsin (1924). It is listed on the National Register of Historic Places and is classified as an historic district. In the mid-1920s, it served as the Wisconsin dealer for Waco Airplanes, becoming the first Wisconsin airport to sell planes. At one time, the airport offered gas sales, mechanic work, and flight lessons.



The Historic Monument reads:

### LARSON BROTHERS AIRPORT

On his father's farm in 1922, Roy Larson, his brothers Clarence, Newell, and Leonard cleared an 80-rod strip for a runway. Roy received flying instructions at Chicago in 1919, paying \$50 per hour. Roy and Clarence attended the Sweeney Mechanics School in Kansas City, Missouri. Purchasing their first airplane, a Canuck, in 1922 Roy taught his brothers to fly. The plane, with wings removed, was stored in the barn during the winter. In 1924, a 52 x 60 hangar was constructed. They now had a real airport, instructing students, and giving pleasure rides--\$5 for 10 minutes. For an extra \$5 you could have loops and rolls. The brothers left the plow to go roaring over the fields in their flying machines. They barnstormed at county fairs, picnics and for political campaigns throughout Wisconsin and Minnesota. They had the agency for Waco Planes in Wisconsin and Upper Michigan during 1926-27. Roy was a well-known



pilot throughout the Midwest. His aviator friends used this airport to refuel and as a place to rest. During World War II, Leonard instructed glider pilots for the army at Antigo and in Missouri. Leonard, the sole surviving brother, and his wife Viola, have continued to operate the oldest existing airport in the state.

On April 5, 1984, The Larson Brothers Airport was listed in the National Register of Historic Places.

The marker is dedicated to the memory of the Larson Brothers and other early pilots, who pioneered aviation in Wisconsin.

Erected 1985

Leonard Wilbur Larson  
Viola Larson

## School Districts

There are three school districts within the Town of Clayton. They are the Neenah Joint School District, Winneconne Community School District, and the School District of New London. Map 4 - School District Boundaries from the Comprehensive Plan defines their boundaries.

The Neenah School District encompasses approximately the eastern two-thirds of the Town of Clayton. This district includes Clayton Elementary School which is located at 2916 West Fairview Road, at the intersection of Fairview Road and STH 76. Constructed in 1957, the building contains 36,150 square feet and is situated on 6 acres of land. Clayton Elementary School accommodates kindergarten through fifth grade, and has an enrollment of approximately 238 students. The school is within the Village of Larsen and has expressed a desire to be served by water and sewer, as soon as it is available.

In addition, Neenah School District voters passed a \$114.9 million referendum for a new high school campus facility in the area. Voters passed the referendum by a vote of 8,817 – 7,456. The school will have additional space and facilities for all high school students of the Neenah Joint School District in the fall of 2023.

The site for the new school is immediately adjacent to the proposed Village of Larsen, located at the intersection of Clayton Avenue and County Road “II.” The new High School will provide a significant catalyst for future residential and commercial development, primarily in the immediate vicinity of the new school, and especially within the proposed Village of Larsen.

The Winneconne Community School District serves the western one-third of the town. The students in the district attend the elementary, middle school, or high school located in the Village of Winneconne. A new high school facility was opened in Winneconne in the fall of 1998, serving students in grades nine through twelve. The high school was constructed on District property directly east of the former school. The former high school is now the District’s middle school, accommodating grades five through eight.

A very small area of the School District of New London is located in the far northwest corner of the Town of Clayton. The lands in this district are primary WI DNR and agricultural lands with no residents.

The proposed Village of Larsen will be served by two of the Districts. The significant majority of students will attend the Neenah Joint School District, with the balance attending the Winneconne Community School District.

## Boundaries

The Village of Larsen is predominantly uniform and compact. It includes all of Sections 1, 2, 3, 10, 11, 12, 13, 14, 20, 21, 22, 23, 24, 25, 26, 35 and 36. The north one-half of Section 27 is also included in the Village boundary since it is developed residentially. However, there are minor irregularities in the boundaries proposed for the Village of Larsen. These irregularities are intentional.

A “peninsula” extends west of the nucleus of the proposed Village to include the hamlet of Larsen. The reason for this extension is to include the Clayton Municipal Center and the Larsen Post Office. In addition, there are numerous businesses and a cluster of residences that comprise the core of Larsen. The petitioners feel that including the hamlet provides for future efficiencies of governmental operations since it is the intent to share facilities, equipment, and operations between the Village and the remnant Town. The peninsula itself is homogenous and compact and of reasonable shape.

Another “peninsula” extends south into Section 28. This border extension is intentionally included to encompass the Clayton Cemetery within the proposed Village. The land on which the cemetery is situated was originally purchased in 1849. Clayton Cemetery is roughly 9 acres with approximately 2,300 individual gravesites. It is the conclusion of the Petitioners that cemetery operations and maintenance would be an unnecessary burden for the remnant Town, and therefore it has been included within the Village.

The hamlet of Larsen is also served by the Larsen-Winchester Sanitary District. This District serves approximately 300 customers, including the municipal center and the businesses and residents of the hamlet. The collection system is comprised of 8-inch sanitary sewers constructed primarily in the late 1970s. There are five lift stations that serve the system. The existing Larsen-Winchester Wastewater Treatment Plant is located within the Town of Clayton, but outside the proposed Village boundary. The 2015 *Water & Wastewater Utilities Feasibility Study* concluded that the Larsen-Winchester Wastewater Treatment Plant is nearing capacity and may require expansion/replacement in the future. In addition, the treatment plant is of old technology, which uses a series of holding ponds to settle out the suspended solids and treat the waste. The system does not adequately treat phosphorous, which remains a short- and long-term problem. Maps of the Larsen-Winchester Sanitary District are included as Maps 5, 5A, and 5B. A copy of the Capacity, Management, Operation and Maintenance Program prepared for the Larsen-Winchester Sanitary District by Martenson & Eisele, Inc. in July 2016 is submitted as Exhibit 4.

# Village of Larsen

It is the long-term objective to connect flows from the existing Larsen-Winchester Sanitary District to the Village system by a force main and gravity system that will consolidate sanitary sewer operations into the Fox West Regional Treatment Facility. The Petitioners contend that the elimination of the existing treatment plant is better accomplished if the portion of the Town which is served by the Larsen-Winchester Sanitary District was to be incorporated as the Village of Larsen.

## Section 1b: Territory Beyond the Core

§ 66.0207(1)(b) Wis. Stats.

*“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 urban land use development on a substantial scale within the next 3 years. The board may waive these requirements to the extent that water, terrain or geography prevents the development.”*

## Population and Housing Estimates and Projections

The area proposed for incorporation consists of the most densely populated portion of the Town. The estimated population for the proposed Village of Larsen is 3,336. The total population of the Town of Clayton is estimated at 4,186. Therefore, the Village will include approximately 79.7 percent of the total town population. The town remnant will have a population of 850, or 20.3 percent of the total.

Based upon population projections prepared for the 2016 Town Comprehensive Plan, the population is estimated to grow by 559 persons between 2010 and 2020, or 14.15 percent. The growth from 2020 to 2030 is estimated at 690 persons, or 15.30 percent. The growth is projected to slow slightly between 2030 and 2040 with 485 persons, or a rate of 9.32 percent. The average rate per decade is projected at 12.92 percent.

The Town of Clayton can expect population to experience a steady increase in population through 2030, and a slightly slower growth rate from 2030 to 2040. As shown in the Comprehensive Plan Table 9 below, Clayton’s population is expected to increase by nearly 40 percent from 2010 to 2040. It is predicted that the Town of Clayton and the Town of Neenah will experience very similar growth rates until 2040. Of the towns surrounding Clayton, only Greenville will grow at a rate faster than Clayton.

**Table 9 - Population Projections**

Year	T. Clayton		T. Greenville		T. Menasha		T. Neenah	
	No.	% Change	No.	% Change	No.	% Change	No.	% Change
2010	3,951	n.a.	10,309	n.a.	18,498	n.a.	3,237	n.a.
2015	4,140	4.8%	11,170	8.4%	18,950	2.4%	3,495	8.0%
2020	4,510	8.9%	12,450	11.5%	20,070	5.9%	3,810	9.0%
2025	4,855	7.6%	13,650	9.6%	21,080	5.0%	4,110	7.9%
2030	5,200	7.1%	14,800	8.4%	22,020	4.5%	4,400	7.1%
2035	5,470	5.2%	15,710	6.1%	22,680	3.0%	4,635	5.3%
2040	5,685	3.9%	16,390	4.3%	23,140	2.0%	4,820	4.0%
Year	T. Vinland		T. Winchester		Winnebago County		State of Wisconsin	
	No.	% Change	No.	% Change	No.	% Change	No.	% Change
2010	1,765	n.a.	1,763	n.a.	166,994	n.a.	5,686,986	n.a.
2015	1,740	-1.4%	1,795	1.8%	169,925	1.8%	5,783,015	1.7%
2020	1,755	0.9%	1,870	4.2%	177,050	4.2%	6,005,080	3.8%
2025	1,755	0.0%	1,940	3.7%	183,230	3.5%	6,203,850	3.3%
2030	1,750	-0.3%	2,000	3.1%	188,680	3.0%	6,375,910	2.8%
2035	1,720	-1.7%	2,030	1.5%	191,710	1.6%	6,476,270	1.6%
2040	1,680	-2.3%	2,050	1.0%	193,130	0.7%	6,491,635	0.2%

Sources: 2010 - US Census Bureau; 2015 to 2040 - Wisconsin Department of Administration Population Estimates; Town of Clayton Comprehensive Plan 2016-2036 Table 3 – Population Projections

Since the majority of the growth area for the Town of Clayton will occur within the proposed Village, the resulting projected population growth will likely be largely confined within the Village as well. It can be assumed that 90 percent of the population growth will occur in the Village, with the growth in the Town likely to be minimal. Using this assumption, the Village is projected to have a population of 3,938 in 2025, 4,218 in 2030, 4,437 in 2035, and a total of 4,631 in 2040. The following Table 10 illustrates the projected population for the Village of Larsen.

**Table 10 - Projected Village Population 2020-2040**

Year	Town Population	Total Change	Village	Total	Percent Change
2019	4,186	NA	3,336	N/A	NA
2025	4,855	669	3,938	602	18.05
2030	5,200	345	4,218	311	7.11
2035	5,470	270	4,437	243	5.19
2040	5,685	215	4,631	194	4.37

Source: US Census Bureau; Demographic Services Center; Forrest & Associates, LLC

Similar methodology is applied to housing estimates and projections. Since the majority of the growth area for the Town of Clayton is within the proposed Village area, the resulting housing growth will likely be primarily confined within the Village as well. It is assumed that 90 percent of the housing growth will occur in the Village, with the growth in the Town likely to be minimal. The Village is estimated to have 1,213 total housing units in 2019; 1,435 units in 2025; 1,523 units in 2030; 1,613 units in 2035; and a total housing stock of 1,691 units in 2040. The following Table 11 exemplifies the projected housing units for the Village of Larsen.

**Table 11 - Projected Village Housing Units 2020-2040**

Year	Housing Units	Percent Change
2019	1,213	NA
2025	1,435	18.3
2030	1,523	6.1
2035	1,613	5.9
2040	1,691	4.8

Source: U.S. Census Bureau; Demographic Services Center; Forrest & Associates, LLC

A key factor in planning for the future growth of a community is household projections as they are an important part of determining the amount of land needed for future residential development. The number of persons per household has been declining, although the rate of decline is slower in Clayton than it is at the County and the State levels. This generally means that more single, two-family, or multi-family housing units will be needed

to accommodate the projected growth in population than if the number of persons per household would stay the same or increase over the same period of time.

Since the Town is in the process of planning for the future provision of water and sewer service for the proposed Village, categories of future housing types are likely to become more diversified. Multi-family development is expected to become more prominent with the provision of these services.

Development would still occur without municipal sewer service through private on-site sanitary systems; however, individual systems typically require development be lower density to avoid too many private systems discharging into a limited area and potentially contaminating groundwater.

The following Table 12 summarizes the ten-year history of building permits issued by the Town of Clayton.

**Table 12 - Building Permit Summary 2010-2019**

PERMIT by CLASS	NUMBER OF PERMITS ISSUED	CONSTRUCTION COSTS
Single Family Homes	137	\$ 38,054,434.00
Garages, Barns, Sheds, Decks, etc.	218	\$ 4,559,969.00
Additions and Remodels	196	\$ 6,245,112.00
Razed Structures	20	\$ 65,490.00
New Commercial	11	\$ 5,885,963.00
Commercial Additions and Remodels	14	\$ 3,944,982.00
Sign Permits	4	\$ 45,300.00
Cell Tower Modifications	5	\$ 565,000.00
Early Start	2	\$ 60,500.00
Zoning	499	\$ 60,776.00
<b>Subtotal</b>	<b>1106</b>	<b>\$ 59,487,526.00</b>
<b>MECHANICALS by CLASS</b>		
Electrical	446	\$ 2,686,635.00
HVAC	154	\$ 1,863,334.00
PLUMBING	216	\$ 2,241,271.00
<b>Subtotal</b>	<b>816</b>	<b>\$ 6,791,240.00</b>
<b>TOTALS</b>	<b>1922</b>	<b>\$ 66,278,766.00</b>

Source: Town of Clayton

From the beginning of the “Great Recession” in 2008 through 2012, residential growth was relatively stagnant in Clayton, as it was throughout the majority of the country. Since 2012, overall growth in residential development has become more vigorous. This is reflective of Clayton’s location within the sphere of influence associated with it being in close proximity to the Appleton and Oshkosh metropolitan areas.

Compared to adjacent communities, Clayton will maintain a higher persons per household rate. Table 13 below illustrates Household Projections for area communities.

**Table 13 - Household Projections**

	T. Clayton		T. Greenville		T. Menasha		T. Neenah	
	No. of HH	Persons per HH	No. of HH	Persons per HH	No. of HH	Persons per HH	No. of HH	Persons per HH
2010	1,438	2.75	3,631	2.83	7,948	2.31	1,228	2.63
2015	1,521	2.72	4,033	2.76	8,220	2.29	1,338	2.61
2020	1,668	2.70	4,568	2.71	8,764	2.27	1,469	2.59
2025	1,808	2.69	5,072	2.68	9,268	2.25	1,595	2.57
2030	1,949	2.67	5,571	2.64	9,746	2.24	1,719	2.55
2035	2,048	2.65	5,992	2.61	10,121	2.22	1,826	2.53
2040	2,161	2.63	6,328	2.58	10,381	2.21	1,910	2.52
	T. Vinland		T. Winchester		Winnebago County			
	No. of HH	Persons per HH	No. of HH	Persons per HH	No. of HH	Persons per HH		
2010	721	2.45	692	2.55	67,875	2.34		
2015	717	2.43	711	2.52	69,784	2.32		
2020	728	2.41	746	2.51	73,211	2.30		
2025	733	2.39	779	2.49	76,221	2.29		
2030	736	2.38	809	2.47	78,920	2.28		
2035	730	2.36	828	2.45	80,713	2.26		
2040	717	2.34	840	2.44	81,611	2.25		

Sources: 2010 - US Census Bureau; 2015 to 2040 - Wisconsin Department of Administration Housing Estimates; Town of Clayton Comprehensive Plan 2016-2036 Table 9 – Household Projections

In addition, the Petitioners have taken extraordinary steps to evaluate the population density of the proposed Village of Larsen. In the initial petition process the Petitioners presented to the Court a complete local census of one neighborhood comprised of a square mile to demonstrate the petition met the statutory density standard. A copy of the **Local Census Data** relating to population density in the areas defined by “Exhibits C-1 and C-2” is submitted as part of the petition as Exhibit 6. This census was conducted in anticipation that the Village of Fox Crossing would challenge the methodology used to determine density. In fact, three areas of the proposed incorporation were determined to meet the minimum density requirement. Map 1 shows the three areas meeting the minimum of 500 persons per square mile.

## Lands Suitable for Development

The area proposed for incorporation consists of a mixture of residential, commercial, industrial, recreational, and agricultural land.

A significant portion of Section 1 is within the Appleton International Airport Zoning Overlay District. The overlay district is very restrictive in uses permitted within; limiting development on large lots to restricted residential, light industrial, or warehousing. The following Table 14 shows the acreage breakdown of lands affected by the Airport Overlay District.

*Table 14 - Airport Zoning District Acreages*

Zone Name	Area (Sf)	Acres
Zone 1	3,753,860.0000	86.18
Zone 2A	7,989,470.0000	183.41
Zone 2B	13,269,900.0000	304.64
Zone 3	46,069,900.0000	1,057.62
	<b>Total Acres:</b>	<b>1,631.84</b>

Source: Winnebago County GIS

Map 1 illustrates the area within the proposed Village of Larsen impacted by the Airport Overlay Zoning. Portions of Sections 1, 2, 11, 12, 13 and 14 are within the Zones.

When one views Map 6, the zoning map, a majority of the area proposed for the Village is residential, or single family, large lot zoning. As the Village continues to grow, and public utilities are developed, it is likely changes in residential use and lot size will result.

The Town of Clayton has been aggressive in its pursuit of economic development opportunities. Over the past decade, the Town has invested \$6.8 million in the acquisition of lands for industrial and commercial development. As a result, the Town possesses a “Land Bank” of approximately 185 acres for future development.

Likewise, the Town developed a Tax Increment District (TID #1) as part of its aggressive economic development program. The extension of water and sewer is imperative to its success.

Public investment in TID #1 will consist of the extension of public water and sewer service (wells, mains, collection, and distribution), storm water management, public safety equipment, improving streets, sidewalks, financial assistance to developers, and

otherwise promoting the orderly development of underutilized property. The following Table 15 shows the future land use proposed for the TID #1.

**Table 15 - TID #1 Future Land Use**

Total Area of TID #1 (acres)	1,758
<b>Future Residential Land Uses</b>	<b>Acres</b>
Single-Family Residential - PD	245.8
Single-Family Residential	311.9
Multi-Family	18
<i>Sub-total Residential</i>	<i>575.7</i>
Percent of TID #1	32.7%
<b>Commercial, Industrial, and Other Land Uses</b>	<b>Acres</b>
Business - PD	354.4
Business	165.51
Industrial - PD	177.08
Industrial	327.8
General Agriculture	13.07
Public Institutional	5.781
<i>Sub-total Commercial, Industrial &amp; Other</i>	<i>1,043.6</i>
Percent of TID #1	59.36%
<b>Right of Way Land Use</b>	<b>Acres</b>
Right-of-Way	139
Percent of TID #1	7.9%

Source: GWB Professional Services

## Present and Future Land Use

Within the territory beyond the core there are three golf courses that consume 505 acres of land. These areas are not considered as “available for development.”

There is a total of 12,054 acres within the proposed Village. The following Table 16 shows the breakdown of acres by existing land use.

*Table 16 - Existing Land Use Acres in Incorporation Area*

Land Use Classification	Acres	Percentage of Total
Airport	55	0.46 %
Commercial	140	1.16 %
Industrial	120	1.00 %
Manufactured Housing	12	0.10 %
Non-Metallic Mining	31	0.26 %
Recreation	584	4.84 %
Single Family Residential	2,275	18.87 %
Multi-Family Residential	16	0.13 %
Agriculture	8,016	66.50 %
Utilities and Public Facilities	31	0.26 %
Water	58	0.48 %
Woods	716	5.94 %
<b>Total</b>	<b>12,054</b>	<b>100.00 %</b>

Map 7 shows the existing land use within the proposed Village of Larsen. In the future, the predominant land use will be residential. There are fairly large tracts of proposed residential developments throughout the proposed Village.

Table 17 has been prepared by the Petitioners to indicate the activity and level of development proposals currently under consideration by the Town. All developments are within the proposed boundary of the Village. The table identifies 21 specific developments that are under various stages of review by the Town. Map 8 includes the location of each.

**Table 17 – Proposed Development Projects**

Map ID	Development	Development Type	Approximate Acreage	Proposed Number of Lots	Approximate Timeline
1	Residential	Residential w/Utilities	19		Market Dependent
2	Residential	Residential w/Utilities	86		Market Dependent
3	Residential	Residential w/Onsite Utilities	12	7	Available Now
4	Residential	Residential w/Utilities	108		Market Dependent
5	Phase II of Berry Bramble Estates	Residential w/Onsite Utilities	41		Market Dependent
6	Preliminary Plat of Stable Stone Manor	Residential w/Onsite Utilities	28		Market Dependent
7	Plat of Pine Haven	Residential w/Onsite Utilities	115		Market Dependent
8	Business/Commercial	Commercial with Utilities	115		Market Dependent
9	Rosemary Lane	Residential w/Onsite Utilities	39	5	Available Now
10	Residential	Residential w/Utilities	74		Concept Plan
11	Municipally Owned Property w/TIF Funding	Business/Commercial and Multi-Family Residential w/Utilities	95		2 to 5 Years
12	Private and Municipally Owned Property w/TIF Funding	Business/Commercial	56	5	2 to 5 Years
13	Property for Sale by Owner	Business/Commercial and Residential w/Utilities	143		5 to 10 Years
14	Property for Sale by Owner	Business/Commercial w/Utilities	34		5 to 10 Years
15	Rose Moon Way	Residential w/Onsite Utilities	5.34	4	Available Now
16	Property for Sale by Owner	Commercial w/Onsite Utilities	12	3	Available Now
17	Property for Sale by Owner	Commercial w/Onsite Utilities	19	4	Available Now
18	Property for Sale by Owner	Business/Commercial	24	4	5 to 10 Years
19	Property for Sale by Owner	Business/Commercial and Multi-Family and Single-Family Residential w/Utilities	81	3	5 to 10 Years
20	Property Owned by Developer	Residential w/Utilities	96	135	Concept Plan with 2 to 5 Year Development Plan
21	Property Owned by Farmer	Residential w/Utilities	126	125	Concept Plan with 10 to 15 Year Development Plan

Table 18 below breaks down the number of lots and acreage proposed within each development. In addition, officials of the Town of Clayton would like to see significant commercial and industrial development adjacent to the major highways within the town. With the creation of a public water and sanitary systems in the eastern portion of the Town, commercial development should be attracted to the area, particularly those areas adjacent to good transportation linkages.

Agriculture is still an economic force in Clayton, but its predominance will decline, and ultimately disappear in the eastern half of the town. There are significant concentrations of commercial and industrial areas throughout the east side of town. After public water and sanitary systems are installed, the industrial and commercial development activity will increase exponentially in this area.

Vacant land in the area of U.S. Highway 10 and its interchange with STH 76 will greatly enhance business opportunities (commercial and industrial) in the Village of Larsen. Business development will also be promoted and encouraged on the north side of CTH "II", between STH 76 and Oakwood Avenue. As previously stated, the creation of a public water and sanitary systems in the eastern portion of the Village should attract commercial and industrial development to the area.

**Table 18 - Future Land Use Acres in Incorporation Area**

Land Use Type	Acres	Percentage of Total
Agricultural/Open Space	266	2.21 %
AG/Rural Residential	1,886	15.65 %
Business	410	3.40 %
Light Industrial	568	4.71 %
Business - Planned Unit Development	531	4.41 %
Light Industrial - Planned Unit Development	412	3.42 %
Conservation Green Space	26	0.22 %
Manufactured Housing	26	0.22 %
Multi-Family	138	1.14 %
Non-Metallic Mining	31	0.26 %
Recreation	577	4.78 %
Residential Planned Unit Development	679	5.63 %
Single Family Residential	4,637	38.46 %
Utilities and Public Facilities	21	0.17 %
Water	62	0.51 %
Working Lands	1,193	9.90 %
Transportation	592	4.91 %
<b>Total</b>	<b>12,054</b>	<b>100.00 %</b>

Map 9 shows the Future Land Use Plan for the incorporated area. The Village of Larsen is expected to grow to 4,218 people by 2030. Household projections call for the addition of 310 households by 2030. If the future lot size averages 1.25 acres, 387 acres will be converted for residential use; and if the average lot size is 2.0 acres, 620 acres will be converted. Household projections through 2040 shows that an estimated 600 acres at 1.25 units per acre, and 956 acres at 2.0 units per acre will be converted.

The following Table 19 illustrates the acreage of the proposed Village which is not considered “available for development.”

**Table 19 - Village Acreage Unavailable for Development**

Land Use	Acres
Acres Requested for Exemption	1,746
Recreation	577
Transportation and Water	654
Working Lands	1,193
<b>Total:</b>	<b>4,098</b>

Source: Martenson & Eisle, Inc; Forrest & Associates, LLC

Table 19 Village Acreage Unavailable for Development shows a total of 4,098 acres within the proposed Village as unavailable for development. This represents 34.0 percent of the acreage of the proposed village.

Working Lands are those considered prime agricultural, highly productive lands which make a significant contribution to the economic vitality of the proposed Village. These lands are also extremely beneficial to the natural environment, providing wildlife habitat, groundwater recharge, and maintenance of air quality.

Due to the growing importance of agriculture within the local and regional economy, it is necessary to encourage farmland preservation, protect natural resources, and minimize conflicts between farm and nonfarm land uses. Agricultural related business and infrastructure which supports agriculture should be encouraged in order to maintain a strong agricultural component of the area’s economy.

## Area Requested for Waiver of Development Requirement from 66.0207(1)(b).

As noted in the previous section there are proposed irregular boundaries, which the petitioners include due to convenience of future operations and the consolidation of existing utilities into the proposed system being pursued by Clayton.

A “peninsula,” or neck of land, extends west of the nucleus of the proposed Village to include the hamlet of Larsen. The reason for this irregular extension is to include the Clayton Municipal Center and the Larsen Post Office. In addition, there are numerous businesses and a cluster of residences that comprise the core of Larsen. The Petitioners feel that including the hamlet provides for future efficiencies of governmental operations since it is the intent to share facilities, equipment, and operations between the Village and the remnant Town.

Another “peninsula” extends south in Section 28. This border extension is intentionally included so the proposed Village encompasses the town’s Cemetery property. The land on which the cemetery is situated was originally purchased in 1849. Clayton Cemetery is roughly 9 acres with approximately 2,300 individual gravesites. It is the conclusion of the Petitioners that cemetery operations and maintenance would be too costly for the remnant Town, and therefore has been included within the Village.

The Petitioners are requesting a waiver of 66.0201(1)(b) for the area between the west boundary of the nucleus of the Village to the hamlet of Larsen. The area consists of the north one-half of Section 22, and all of Sections 20 and 21. The Petitioners acknowledge the territory being requested for waiver will not meet the standard for “potential for residential or other urban land use development on a substantial scale within the next 3 years.” The waiver for this requirement is based upon terrain and geography that prevents the development within this area. A considerable amount of the area is classified as floodplain, wetland and the depth to groundwater is generally less than 2.5 feet. Map 10 - Depth to Water Table from the Town of Clayton Comprehensive Plan illustrates these conditions. This area also has significant soil limitations for homes with basements, further limiting development opportunities, as shown on Map 11 - Soil Potential for Homes with Basements, also from the Town of Clayton Comprehensive Plan.

Map 1 shows the peninsula extending from Section 22 westerly to include the hamlet of Larsen, as well as the peninsula drawn to include the Clayton Cemetery for which the waiver is being requested. Table 20 below shows the total acres requested for exemption from the development requirement.

*Table 20 - Village Acres Requested for Waiver from Development under 66.0202(1)(b)*

Section	NW 1/4	NE 1/4	SW 1/4	SE 1/4	Totals
<b>19</b>				33.2	33.2
<b>20</b>	75.0	155.7	90.0	156.1	476.8
<b>21</b>	161.1	160.2	162.5	161.1	644.9
<b>22</b>	162.4	164.5	120.0		446.9
<b>28</b>	123.8		20.0		143.8
<b>Total Acres Requested for Exemption:</b>					<b>1,745.6</b>

Source: Forrest & Associates, LLC; Winnebago County GIS

The total acres requested to be exempted from the requirement for development within three years represents 17.48 percent of the acreage of the proposed Village.

## Section 2a: Tax Revenue

*§ 66.0207 (2)(a), Wis. Stats. 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.*

<b>SUMMARY BUDGET FOR YEAR BEGINNING JANUARY 1, 2020</b>			
<b>FUND, SOURCE &amp; FUNCTION DESCRIPTIONS</b>	<b>2020 Existing Town Approved Budget</b>	<b>2020 Village Proposed Budget</b>	<b>2020 Remnant Town Proposed Budget</b>
<b>GENERAL FUND REVENUE</b>			
TAX LEVY	\$ 908,529	\$ 681,397	\$ 227,132
TAX LEVY - MANUFACTURED HOUSING and MFL	\$ 15,000	\$ 11,250	\$ 3,750
INTERGOVERNMENTAL REVENUES	\$ 376,536	\$ 282,402	\$ 94,134
LICENSE AND PERMIT REVENUES	\$ 101,200	\$ 75,900	\$ 25,300
PUBLIC CHARGES REVENUE	\$ 632,950	\$ 474,713	\$ 158,238
TRANSFER FROM CAPITAL FUND	\$ 134,082	\$ 100,561	\$ 33,520
INTEREST INCOME	\$ 50,000	\$ 37,500	\$ 12,500
MISCELLANEOUS REVENUE	\$ 582,476	\$ 436,857	\$ 145,619
<b>TOTAL REVENUES</b>	<b>\$ 2,800,773</b>	<b>\$ 2,100,580</b>	<b>\$ 700,193</b>
<b>GENERAL FUND EXPENDITURES</b>			
GENERAL GOVERNMENT	\$ 549,880	\$ 412,410	\$ 137,470
PUBLIC SAFETY EXPENSES	\$ 388,303	\$ 291,227	\$ 97,076
PUBLIC WORKS EXPENSES	\$ 1,407,340	\$ 1,055,505	\$ 351,835
HEALTH & HUMAN SERVICES EXPENSE	\$ 5,819	\$ 4,364	\$ 1,455
CULTURE, RECREATION AND EDUCATION EXPENSES	\$ 21,050	\$ 15,788	\$ 5,263
CONSERVATION AND DEVELOPMENT EXPENSES	\$ 27,000	\$ 20,250	\$ 6,750
CAPITAL IMPROVEMENT EXPENSES:	\$ 168,000	\$ 126,000	\$ 42,000
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,567,392</b>	<b>\$ 1,925,544</b>	<b>\$ 641,848</b>
<b>GENERAL FUND TAX LEVY</b>	<b>\$ 908,529</b>	<b>\$ 681,397</b>	<b>\$ 227,132</b>
<b>DEBT SERVICE FUND REVENUE</b>			
TAXES	\$ 616,619	\$ 462,464	\$ 154,155
PROCEEDS FROM BORROWING	\$ 8,565,000	\$ 6,423,750	\$ 2,141,250
<b>TOTAL DEBT SERVICE REVENUES</b>	<b>\$ 9,181,619</b>	<b>\$ 6,886,214</b>	<b>\$ 2,295,405</b>
<b>DEBT SERVICE FUND EXPENDITURES</b>			
PRINCIPAL PAYMENTS	\$ 535,370	\$ 401,528	\$ 133,843
INTEREST	\$ 394,860	\$ 296,145	\$ 98,715
SEWER/WATER UTILITY ACCESS	\$ 6,720,000	\$ 5,040,000	\$ 1,680,000
FOX WEST SEWERAGE COMMISSION BUY-IN	\$ 1,225,251	\$ 918,938	\$ 306,313
<b>TOTAL DEBT SERVICE EXPENDITURES</b>	<b>\$ 8,875,481</b>	<b>\$ 6,656,611</b>	<b>\$ 2,218,870</b>
<b>TOTAL PROPERTY TAX LEVY</b>	<b>\$ 1,525,148.00</b>	<b>\$ 1,143,861.00</b>	<b>\$ 381,287.00</b>
<b>MILL RATE</b>	<b>2020 Existing Town Approved Budget</b>	<b>2020 Village Proposed Budget</b>	<b>2020 Remnant Town Proposed Budget</b>
MILL RATE (In Dollars Per Thousand)	\$ 2.74	\$ 2.74	\$ 2.74

Based upon the review of both population and valuation, it can be concluded that both the remnant Town and the new Village would possess the population base and valuation to generate sufficient tax revenue to operate comfortably. Since it is anticipated the Town will elect to contract for services from the Village, the impact on budget and operations will be little to none.

Further, the proposed Village will not be dependent upon property taxes from the remnant Town to support its budget if the remnant town opts to pursue other options for their operations. A new Town Board may decide, at any future time, to establish its own operations, no longer desiring services from the Village. Each entity has the financial capacity and resources to sustain operations should such a scenario occur.

The proposed budget assumes all current employees will work for the Village. Other assumptions include all vehicles and buildings currently owned by the Town will be owned by the Village. The Town will contract services with the Village to provide services to Town residents. The cost of the service contract between them will be discounted by the Village to ensure the same tax rate for both communities. This budget is calculated net the contracted services and adjusted to meet levy limit requirements.

In the proposed budget, the level of services provided to Town of Clayton residents will continue at the same level after incorporation of the Village of Larsen. See Section 2(b): Level of Services for more details on the level of services provided by the Town.

Operationally, the sewer and stormwater utilities (Sanitary District #1) will remain intact; however, the Sanitary District will dissolve and become a function of the Village. The water utility will be operated initially by the Village of Fox Crossing. Based upon the Intermunicipal Agreement between Clayton and Fox Crossing, Clayton water customers will become a “wholesale water customer of the Village.” The Agreement further offers the transfer of the water utility to the Town of Clayton (or its successor) when the Wisconsin Public Service Commission determines the utility can be operated effectively and profitably. Upon successful completion of the incorporation, the water utility will dissolve and become a function of the Village.

## Financial Reports

A copy of the three most recent audits—Comprehensive Annual Financial Reports (CAFR)—are being submitted to the Department of Administration as Exhibit 7. The proposed village will continue to complete CAFRs.

## Section 2b: Level of Services

*§ 66.0207 (2)(b), Wis. Stats. 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 s. 66.0203 (6).*

## Descriptions of Services

The Town of Clayton provides a wide array of services to residents above and beyond what a town usually provides. These services include road maintenance, police, fire and first responder services, solid waste collection, parks and recreation, and land use planning.

The Town has worked diligently for many years in an effort to sustain residential, commercial, and industrial development and is aware that the ability to sustain future development is through the establishment of adequate water and sewer facilities. This growth is due to the close proximity to Appleton, Neenah, and Oshkosh and is likely to continue within the eastern portion of the Town. Being a progressive rural community, the Town of Clayton wants to meet the needs of the community and enhance the quality of life by providing a municipal water system as well as wastewater collection and treatment in the proposed Village.

## Boards, Commissions, and Committees

The Town of Clayton recognized the need to create various commissions and committees to address both permanent and short-term issues and to assist the Town Board in decision making and policy development. These commissions and committees address land use, zoning, comprehensive planning, economic development, land divisions, parks, trails, recreation, tax increment financing, stormwater management, land preservation, and community facilities. Upon incorporation, these same boards will be re-created to address the same issues in the Village.

### Town Board of Supervisors

The Town Board consists of five members who are elected every two years. Two supervisors are elected in even years and the remaining two supervisors and the chairperson elected in odd years. Supervisors are at-large, meaning they serve all community members. The Town Board of Supervisors meets twice monthly on the first and third Wednesdays of each month.

### Sanitary District #1 Board

This board consists of the five Town Board Supervisors and oversees the water and sanitary sewer utilities. The Sanitary District #1 Board meets at the call of the Chair.

### Plan Commission

The Plan Commission consists of six citizen members, appointed by the Town Board, and one Town Board representative. The Plan Commission hears rezoning requests,

conditional use permit requests, reviews certified survey maps, reviews preliminary and final plats, and performs site plan reviews for new commercial and industrial facilities, as well as residential development. They then make a recommendation to the Town Board as to approval or denial. The Plan Commission board meets monthly on the second Wednesday of each month.

## **Zoning Board of Appeals**

The Board of Appeals is an appointed citizen committee of five members and meets as needed. The Board is a quasi-judicial body which hears and considers appeals to and variances from the Town's Zoning Code.

## **Green Space Committee**

The Committee consists of six citizen members appointed by the Town Board, and one Town Board representative. They oversee the planning for and improvements to the Town's parks and trail systems. The Committee also provides budget recommendations for these amenities to the Town Board. They meet monthly on the second Wednesday of each month.

## **Administration**

The Town of Clayton is professionally managed by a full-time Town Administrator. The Administrator's role is to assist the Town Chair, Town Board, Committees, and Commissions to set goals and objectives through the creation and implementation of programs designed to achieve them. The Town Administrator oversees the department heads and runs the daily operations of the Town, Sanitary District #1, and the Storm Water Management Utility, as well as coordinates all human resource related functions.

## **Clerk**

The Clerk's office is staffed by an appointed full-time Clerk. The Town Clerk plans, directs, manages, and performs the activities and operations for the office of Town Clerk as required by § 60.33 Wis. Stats. including but not limited to serving as the custodian of the official records of the Town and overseeing and administering the Town's record management; prepares, publishes, and verifies all official notices as required by law or as directed; attends and records the minutes for the Town Board, Commissions, and Committee meetings and maintains an indexed copy of all meetings, actions and related proceedings; maintains the records of Resolutions, Ordinances, Licenses and Permits; issues various licenses and permits including but not limited to liquor, cigarette, beverage servers, planning and zoning, etc.; administers the oaths and affirmations to all elected and appointed officials; participates in the screening and selection of subordinate employees; orients, trains, and delegates work assignments to subordinates, and conducts performance reviews for subordinates as directed; serves as local census liaison and coordinates related activities; administers and coordinates all elections and

related activities; administers and coordinates the Board of Review; maintains the Town facilities and meeting room schedules; reviews, validates, and processes accounts payable and claims against the Town; prepares and distributes annual property tax bills; manages and maintains the utility billing services for over 300 customers; holds and perform the duties of Notary Public; maintains and facilitates the daily functions of the business office; and any other duties as needed, required, or assigned.

## **Treasurer / Financial Services**

The Treasurer's office is staffed by an appointed full-time Treasurer and a part-time Utility Billing Clerk. The Treasurer's office is responsible for performing accounts payable, accounts receivable, payroll, tax collection, and other financial responsibilities as required by § 60.34 Wis. Stats.

The department conducts all purchasing and procurement for a combined \$4 million budget, payroll for approximately 50+ full- and part-time employees, utility billing for over 300 customers, debt issuance, and management of the Town and future Sanitary District investments.

The Town also contracts with MWK LLC, Mike Konecny, CPA to assist the department with the internal control structure ensuring the Town's assets are protected from loss, theft, or misuse. Additionally, the department, with the assistance of Mr. Konecny, ensures adequate accounting data is compiled to allow for the preparation of financial statements in conformity with Generally Accepted Accounting Principles and the reporting standards set forth by the Government Accounting Standards Board.

## **Assessor**

The Town of Clayton appoints a contracted Assessor. The Town currently is contracted with Associated Appraisal Consultants, Inc. It is the intent of the petitioners to have Associated Appraisal Consultants, Inc. continue to provide assessing services to the village. A copy of the services agreement with Associated Appraisal Consultants, Inc. is being submitted as Exhibit 8.

## **Information Technology**

The Town of Clayton contracts with Small Business PC Services, LLC to manage and service the computer and network server systems. The Administration Department oversees the telecommunication and the Town website.

## **Community & Economic Development**

The Town of Clayton provides full-service planning and zoning administration, along with building inspection services, employing a full-time commercially and residentially credentialed building inspector. The Town contracts with Cedar Corporation for planning

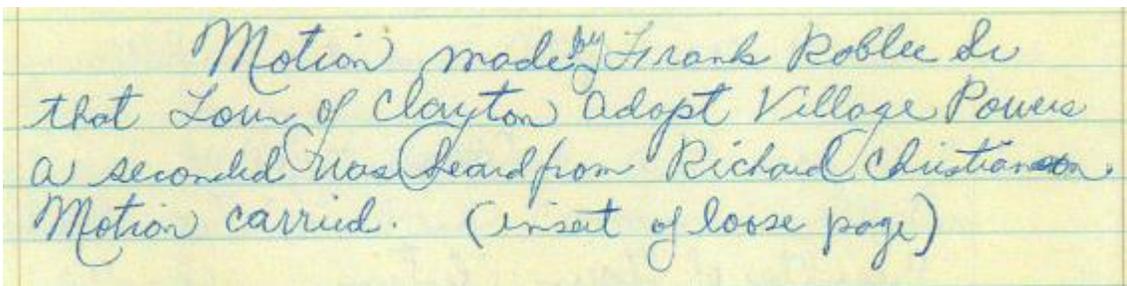
services; Martenson & Eisele, Inc. presently provides for land information records and Geographic Information System (GIS) services; and the Town has retained McMahon Associates for engineering services related to sewer and water, and other municipal infrastructure.

Community and Economic Development services provided by the Town include:

- 1) Comprehensive Planning, including sustainability, multi-use trail system, parks and open space, and other land use planning.
- 2) Subdivision review, zoning administration and enforcement, conditional use permitting, sign permitting, variances and site plan reviews.
- 3) Permitting and inspection services for all construction activities. Enforcement of commercial and residential building, housing, plumbing, HVAC, and electrical codes.
- 4) Economic development activities including business recruitment/retention, development, promotion and regional participation in economic development efforts.
- 5) Land information services and land information records.
- 6) Tax Increment Financing District development.

## Village Powers

In April 1972, the Town Electors authorized the Town Board under s. 60.10(2)(c), to adopt and exercise powers relating to villages and conferred on village boards under Chapter 61, except those powers which conflict with statutes relating to towns and town boards (Exhibit 9).



Motion made by Frank Roblee Jr  
that Town of Clayton Adopt Village Powers  
as seconded was heard from Richard Christianson  
Motion carried. (insert of loose page)

## Zoning Regulation

In November 2013, the Town of Clayton adopted its own zoning code (Exhibit 10). The general purpose of the code includes but it not limited to the following:

- 1) promote the public health, safety, convenience, and general welfare;
- 2) encourage planned and orderly land use development;
- 3) protect property values and the property tax base;
- 4) permit the careful planning and efficient maintenance of highway systems;
- 5) ensure adequate highway, utility, health, educational, and recreational facilities;
- 6) recognize the needs of agriculture, forestry, industry and business in future growth;
- 7) encourage use of land and other natural resources which are in accordance with their character and adaptability;
- 8) provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems;
- 9) conserve soil, water and forest resources;
- 10) protect the beauty and healthy surroundings for family life; and
- 11) promote the efficient and economical use of public funds.

As mandated by Wisconsin Law, the Town remains under the jurisdiction of Winnebago County for Shoreland Zoning which protects water resources by regulating the activities on land adjacent to waterways. Upon incorporation, the Village will assume responsibility for shoreland zoning, reducing the burden on the County.

## Building Inspector

The Town Building Inspector conducts all industrial/commercial and residential building, plumbing, HVAC, and electrical inspections. The Town's Building Inspector is a certified Master Electrician and is also trained for Construction Site Erosion Control & Storm Water Management Compliance during and post construction. The Town of Clayton also provides building inspection services to the Towns of Vinland, Winneconne, Winchester, and Dale through intermunicipal contract agreements.

## Clayton Park

Clayton Park is a 23-acre park located at 3577 Larsen Road, which is surrounded by single-family, residential subdivisions. This park is fully developed and is used by Suburban Athletics for their baseball and softball programs. Existing facilities include 3 baseball/softball fields, a soccer field, a sand volleyball court, horseshoe pits, playground, sledding hill, wooded area with walking trails, grills, a covered picnic area, and restrooms which are available to the public. A fully functional kitchen is adjacent to the covered picnic area and is available to rent. There are two parking lots available – one accessible from Larsen Road and the other upper lot is located at the end of Yukon Lane, south of Larsen Road and west of Galaxy Drive.



## Trail Head Park

Trail Head Park, located at 8348 County Road T in Larsen, is a 5-acre park owned and operated by the Town of Clayton. Located centrally along the WIOUWASH Trail, it is one of the primary rest areas for trail users providing year-round access to the trail along with amenities for park and trail users including heated restrooms for year-round use, picnic areas, children’s playground, soccer field with goals, and parking areas for vehicles and horse trailers. Clayton and the Larsen-Winchester Lions Club are currently working on a Legacy Project together to install a full-court basketball court in Trail Head Park. This project plan also includes adding to the gravel parking area on the east end of the facility to accommodate the equestrians in our community. This project is scheduled for completion in 2020.



## WIOUWASH Trail

The WIOUWASH Trail extends from Clayton's southern boundary more than six miles through the entire Town to its northern boundary and is part of the southern segment of the trail which is open for 21.8 miles from Hortonville to the city of Oshkosh. It is named for four adjacent counties in east central Wisconsin: Winnebago, Outagamie, Waupaca, and Shawano. This trail, built on a former railroad corridor, is maintained and operated by the four counties the trail traverses.



The flat base is perfect for walkers, hikers, bikers, horseback riders, as well as snowmobilers, cross country skiers, and snowshoers. There are several parking/access areas to the WIOUWASH Trail throughout the Town of Clayton where the trail intersects with town and county roads.

## Friendship Trail



Friendship State Trail is an east-west trail that when completed, will connect from Stevens Point to Manitowoc. The six (6) mile section of the Friendship Trail that runs along State Highway 10 through the Town of Clayton connects with the Village of Fox Crossing on the east side of Town and travels to County Road M in the Town of Winchester on the west side. Ease of access facilitates extensive use of this rolling trail which highlights some of the Town’s most picturesque views. The trail is enjoyed by equestrians, bicyclists, walkers, hikers, runners, and during the winter months, snowmobilers, cross country skiers, and snow shoe enthusiasts.



Friendship Trail has an area known as “Olsons’ Rest,” located at the corner of Fairview and State Highway 10. This area was donated by lifelong residents Rueben “Chub” and Lois Olson. Trail users may stop for a picnic or just to relax.



The trail intersects with the WIOUWASH Trail west of Pioneer Road allowing for easy access to the state trail system. This intersection is the site of an informational kiosk that has trail news as well as town news.

## Sanitation & Waste

The Town of Clayton currently contracts with Advanced Disposal as the solid waste collector and hauler for the Town. Garbage and recycling are collected curbside on a weekly basis. The Town provides an automated collection system, which has provided for a more efficient collection service. A copy of the Solid Waste Collection contract with Advanced Disposal has been provided in Exhibit 11.

Presently, Winnebago County partners with Outagamie County and Brown County to provide for a tri-county coalition, known as the Brown-Outagamie-Winnebago (BOW) Coalition, for solid waste disposal. The BOW Coalition recently closed a refuse landfill located in Winnebago County near Oshkosh and opened a new landfill in Outagamie County. All refuse from the partnering communities in the three counties now goes to this new landfill. The coalition is already working on plans for the anticipated closure of the Outagamie landfill and the opening of a future landfill in Brown County.

The Town of Clayton currently accepts drop-off for waste oil at the Town Municipal Complex. The waste oil is collected and recycled, which allows Town residents to dispose of unwanted oil in an environmentally friendly manner.

The Town also operates a Yard Waste Collection Site. Residents are provided a convenient and user-friendly site to dispose of typical yard waste including grass clippings, leaves, and brush trimmings up to four inches in diameter. This site is open to residents Thursday afternoons and evenings, Saturdays, and Sunday afternoons. The hours of operation were specifically chosen to cater to residents, allowing for access when most are performing the yard maintenance activities. The Site also opens on select Saturdays in January to allow for Christmas tree disposal.

## Clayton Fire and Rescue

The Fire Department maintains an inventory of fire apparatus which includes the following:

### Rescue 43

2017 Ford F550  
Seats 5, 40 GPM pump @ 1,250 psi, 200-gallon water tank, 15-gallon Class A foam tank. Thermal imaging camera, 4-gas detector, high-lift jack, Rescue 42 Jr. strut, cordless extrication equipment, cribbing, 4 breathing apparatus, 20-foot 3-section extension ladder, on-board scene lighting, and medical equipment, Sawzall and full complement of hand tools.



### Engine 143

2011 Pierce Impel  
Seats 6, PUC 1,500 GPM pump, 750 gallon water tank, 30 gallon Class A foam tank, Class B foam educator, 7 breathing apparatus, 10 Kw generator, on-board lighting, 6 Kw light tower, cordless extrication equipment, master stream appliance, deck gun, on board air cascade system, ventilation fan, Rescue 42 struts, cribbing, thermal imaging camera, 4-gas detector, ventilation fan, various saws and full complement of hand tools.



## Tender 343

2000 Sterling Tender  
Seats 2, 500 GPM. Darley pump,  
3,000-gallon water tank, 3,000-gallon  
porta-tank, three 12-inch dump  
openings.



## Engine 43

1994 Pierce  
Seats 5, 1,250 GPM Waterous pump,  
7 breathing apparatus, two 7,000-watt  
LED light sticks, wildland firefighting  
equipment, master stream appliance,  
deck gun, thermal imaging camera, 4-  
gas detector, various saws, full  
complement of hand tools.



## Dry Hydrants

Four dry hydrants currently fully functional and in service. They are designed and built so water can be drafted year-round. The hydrants are backflushed and flow tested each year.



## Station 43

Station 43 is a four-bay drive-thru station that has a 67,000-gallon cistern. An on-site generator powers redundant motors and drives on the water pump. The generator is capable of powering the entire facility in case of an electrical failure. There is a fire hydrant located outside the front of the building and two fill stations located in the drive through bays. There are three cascade breathing air storage tanks and a breathing air compressor.



## American Red Cross Emergency Shelter

Station 43 and the Municipal Office complex share a single building which is an official American Red Cross Emergency Shelter for disaster victims. The facility is available for short- or long-term sheltering and is fully ADA accessible with parking for both servicing agencies as well as for those who are temporarily displaced. It offers a kitchenette facility, bathroom facilities including showers, laundry facilities, and two large open areas for housing sleeping quarters and/or daily living space. The onsite generator is capable of supporting a fully operating shelter in case of power outages.

## Rehab/Mobile Command Trailer

The Town of Clayton is part owner in a county-wide trailer that is both heated and air conditioned. The trailer has a 10 Kw diesel generator and is available for use during large scale incidents as a rehabilitation station and/or a mobile command unit.



## Clayton Police Department

The Clayton Police Department was established in 2019. The goals of the Department are to enhance the quality of life for the community by working cooperatively with the public to prevent crime, enforce the laws, preserve the peace, and provide a safe environment to live and work. The Department employs one full-time sworn officer who also carries Emergency Medical Responder certification. Services for the community are supplemented through intergovernmental coordination with the Winnebago County Sheriff's Department. The Department is supervised by an Administrative Police Chief.



## Section 2c: Impact on the Remainder of the Town

§ 66.0207 (2)(c), Wis. Stats. *The impact, financial and otherwise, upon the remainder of the town from which the territory is to be incorporated.*

The remnant Town will have a population of 850. This population provides sufficient base to draw elected and appointed officials to fill all positions necessary for the Town to function in its statutory capacity.

Table 21 shows a list of randomly selected Towns in adjacent Counties with relatively comparable sized populations. The purpose of this table is to illustrate that Towns of similar approximate size to the remnant Town of Clayton are able to operate efficiently and effectively.

*Table 21 - Towns in Immediate Area with Comparable Populations*

Town Place Name	County	Population
Wolf River	Winnebago	1202
Poygan	Winnebago	1322
St Lawrence	Waupaca	702
Weyauwega	Waupaca	557
Union	Waupaca	802
Liberty	Outagamie	877
Maine	Outagamie	883
Hortonia	Outagamie	1093
Brothertown	Calumet	1331
Charletown	Calumet	778
Chilton	Calumet	1158
Rantoul	Calumet	817

Source: Demographic Services Center

In addition, the following Table 22 illustrates that there are comparable Towns in Wisconsin that are able to operate effectively when analyzing similar characteristics of population, equalized value and tax revenues generated.

**Table 22 - Comparable Towns with Population, Taxes, and Equalized Value**

County	Town	2019 Estimated Population	General Taxes	Property	Equalized Value
Winnebago	Nepeuskun	738	\$205,671		\$67,492,000
Waupaca	Union	802	\$238,952		\$62,784,800
Shawano	Pella	875	\$189,797		\$81,340,600
Outagamie	Maine	883	\$113,063		\$73,872,200
Marathon	Plover	689	\$193,318		\$51,698,600
Green	Cadiz	802	\$259,458		\$70,301,100
Fond du Lac	Oakfield	716	\$189,887		\$62,760,600
Calumet	Charleston	778	\$162,000		\$73,472,000
Calumet	Rantoul	817	\$229,514		\$78,469,700
Winnebago	Clayton	850	\$227,132		\$138,990,350

Source: Forrest & Associates, LLC; Wisconsin Department of Revenue

The Town of Clayton has a total equalized value of \$138,990,350. At the current tax rate which is approximately \$2.74 per thousand, the Town will generate projected revenues of \$227,132. Included in this section is a proposed operating budget for the Town. The Budget illustrates that the Town has the financial capacity to meet current levels of service without increasing the tax levy for town residents. At this point, revenues do not include other sources such as state shared revenue, transportation aids, intergovernmental revenue, license and permit fees, and charges for services. In the preparation of the budget, revenues from the above sources are estimated and included.

## Remnant Town's Proposed Operating Budget

SUMMARY BUDGET FOR YEAR BEGINNING JANUARY 1, 2020			
FUND, SOURCE & FUNCTION DESCRIPTIONS	2020 Existing Town Approved Budget	2020 Village Proposed Budget	2020 Remnant Town Proposed Budget
<b>GENERAL FUND REVENUE</b>			
TAX LEVY	\$ 908,529	\$ 681,397	\$ 227,132
TAX LEVY - MANUFACTURED HOUSING and MFL	\$ 15,000	\$ 11,250	\$ 3,750
INTERGOVERNMENTAL REVENUES	\$ 376,536	\$ 282,402	\$ 94,134
LICENSE AND PERMIT REVENUES	\$ 101,200	\$ 75,900	\$ 25,300
PUBLIC CHARGES REVENUE	\$ 632,950	\$ 474,713	\$ 158,238
TRANSFER FROM CAPITAL FUND	\$ 134,082	\$ 100,561	\$ 33,520
INTEREST INCOME	\$ 50,000	\$ 37,500	\$ 12,500
MISCELLANEOUS REVENUE	\$ 582,476	\$ 436,857	\$ 145,619
<b>TOTAL REVENUES</b>	<b>\$ 2,800,773</b>	<b>\$ 2,100,580</b>	<b>\$ 700,193</b>
<b>GENERAL FUND EXPENDITURES</b>			
GENERAL GOVERNMENT	\$ 549,880	\$ 412,410	\$ 137,470
PUBLIC SAFETY EXPENSES	\$ 388,303	\$ 291,227	\$ 97,076
PUBLIC WORKS EXPENSES	\$ 1,407,340	\$ 1,055,505	\$ 351,835
HEALTH & HUMAN SERVICES EXPENSE	\$ 5,819	\$ 4,364	\$ 1,455
CULTURE, RECREATION AND EDUCATION EXPENSES	\$ 21,050	\$ 15,788	\$ 5,263
CONSERVATION AND DEVELOPMENT EXPENSES	\$ 27,000	\$ 20,250	\$ 6,750
CAPITAL IMPROVEMENT EXPENSES:	\$ 168,000	\$ 126,000	\$ 42,000
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,567,392</b>	<b>\$ 1,925,544</b>	<b>\$ 641,848</b>
<b>GENERAL FUND TAX LEVY</b>	<b>\$ 908,529</b>	<b>\$ 681,397</b>	<b>\$ 227,132</b>
<b>DEBT SERVICE FUND REVENUE</b>			
TAXES	\$ 616,619	\$ 462,464	\$ 154,155
PROCEEDS FROM BORROWING	\$ 8,565,000	\$ 6,423,750	\$ 2,141,250
<b>TOTAL DEBT SERVICE REVENUES</b>	<b>\$ 9,181,619</b>	<b>\$ 6,886,214</b>	<b>\$ 2,295,405</b>
<b>DEBT SERVICE FUND EXPENDITURES</b>			
PRINCIPAL PAYMENTS	\$ 535,370	\$ 401,528	\$ 133,843
INTEREST	\$ 394,860	\$ 296,145	\$ 98,715
SEWER/WATER UTILITY ACCESS	\$ 6,720,000	\$ 5,040,000	\$ 1,680,000
FOX WEST SEWERAGE COMMISSION BUY-IN	\$ 1,225,251	\$ 918,938	\$ 306,313
<b>TOTAL DEBT SERVICE EXPENDITURES</b>	<b>\$ 8,875,481</b>	<b>\$ 6,656,611</b>	<b>\$ 2,218,870</b>
<b>TOTAL PROPERTY TAX LEVY</b>	<b>\$ 1,525,148.00</b>	<b>\$ 1,143,861.00</b>	<b>\$ 381,287.00</b>
<b>MILL RATE</b>	<b>2020 Existing Town Approved Budget</b>	<b>2020 Village Proposed Budget</b>	<b>2020 Remnant Town Proposed Budget</b>
MILL RATE (In Dollars Per Thousand)	\$ 2.74	\$ 2.74	\$ 2.74

Based upon the review of both population and valuation, it can be concluded that both the remnant Town and the new Village would possess the population base and valuation to generate sufficient tax revenue to operate. Since it is anticipated the Town will elect to contract for services from the Village, the impact on budget and operations will be little to none.

Furthermore, the proposed Village would not be dependent upon property taxes from the remnant Town to support its budget if the remnant town opts to pursue other options for their operations. A new Town Board may decide, at any future time, to establish its own operations, no longer desiring services from the Village. Each entity has the financial capacity and resources to sustain operations should such a scenario occur.

## Section 2d: Impact on the Metropolitan Community

*§ 66.0207 (2)(d), Wis. Stats. 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.*

## Policy, Regulatory and Service Issues

The Town has worked diligently and vigorously in anticipation of this incorporation petition to meet with, listen to, understand and actively address concerns of its neighbors in the metropolitan community. These efforts have culminated in boundary agreements with all neighboring towns – providing border security and addressing all concerns, and comprehensive boundary and service agreements with the Village of Fox Crossing. The Town has committed millions and millions of dollars to alleviate the concerns expressed by Fox Crossing. These agreements will further a major goal in this incorporation - to create permanent boundaries and retain the existing tax base. Removing the threat of annexations and the associated loss of tax base removes the divide between the proposed village and the neighboring municipalities when it comes to intergovernmental issues. As an equal partner in the metropolitan community, the proposed Village of Larsen is committed to having a positive impact on the provision of services, protection of environmental resources, the expansion of economic and social facilities, and on solutions to intergovernmental problems.

The Village of Larsen will retain its existing codes, regulations, policies and services. It will, however, accept additional responsibilities of shoreland zoning from Winnebago County which will create efficiencies in review and permitting of development projects. It will also gain additional authority for extraterritorial oversight which will allow for even greater efficiencies when planning and developing adjacent properties for both private and public infrastructure.

Larsen is committed to entering into agreements with all of its adjacent neighbors to ensure all communities can maintain their respective borders, tax base, and regulatory control. The Village will also maintain its current relationships and affiliations with local and regional organizations and partners, as it believes cooperation is important to grow not only as a community but as a region.

The Petitioners are confident the Village will develop into a contributing municipality within the region for economic activity and vitality.

In reality, the Village is unique in that it is both influenced by, and is able to potentially impact two major metropolitan areas of the State. The Village of Larsen is strategically located between the Appleton and Oshkosh Metropolitan areas, and is poised to assume its role as a significant participant in both.

## Consistency of Policy, Regulatory, and Service Issues

The proposed Village of Larsen will have consistency with the surrounding communities through the implementation of existing plans, policies, and ordinances. As described throughout this application, the incorporation will further improve what has already been achieved on regional and metropolitan issues.

This application shows that the proposed Village will maintain the services that the current Town now provides to its residents. The petitioners feel that the successes of the current collaborative efforts between the Town and the surrounding municipalities will be advanced by this incorporation as it will allow the proposed Village to contribute as an equal to the economic development efforts of the region. This incorporation will have a positive effect on the metropolitan community.

## Conclusion

The Incorporation Review Board has clearly recognized that this immediate area will be a rapidly expanding urban area. This development is inevitable. Management of this growth will best be managed by an incorporated municipality. The proposed Village will be able to strengthen its land use authority by utilizing all the tools available to that of an incorporated village. The financial capabilities of a Village will minimize the burden on taxpayers and maximize the available infrastructure to support this development. An incorporated village affords the surrounding municipalities the ability to plan efficiently for the metropolitan area and create strong partnerships that will contribute to developing solutions to regional problems.