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## Acknowledgements

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### December 21, 2021 Comprehensive Plan Amendment

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## INTRODUCTION

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Located in northwestern Shawano County, the Town of Birnamwood is a rural community characterized by forests, farmland, and countryside homes. More intensive development has been limited to the Town periphery. The Villages of Birnamwood and Eland are located at the Town at the northwestern and southwestern corners of the Town respectively, and the unincorporated hamlet of Shepley is located at the southeast border. Ho Chunk Nation has been forming Trust Land on Witt/Birn Townline, Robin and Shepley Roads and has added Radtke east off Robin Road. US Highway 45 runs from north to south at the west end of the Town, connecting the two western villages and providing ready access between the Town and outlying communities.



After seeing declines in population from 1950 to 1970, the Town has experienced significant growth since 1970. Over the last decade, the Town has continued to experience above-average population growth compared with other area Towns, Shawano County, and the region, as more people from surrounding employment centers such as Wausau move to the Town in search of more rural settings. In this context, planned development in a controlled, orderly, and predictable manner is essential to preserve the Town's farmland, woodlands and other natural features; avoid land use conflicts; provide housing and appropriate employment opportunities, and protect and improve its rural heritage and character. This *Comprehensive Plan* is intended to highlight opportunities and challenges facing the Town and provide guidance in shaping the Town's growth, development and preservation over the next 20 years.

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### Purpose of this Plan

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This 2008 Town of Birnamwood Comprehensive Plan is intended to meet State legislation. The Comprehensive Plan will allow the Town to guide short-range and long-range growth, development, and preservation. The purposes of the Comprehensive Plan are to:

- ◆ Identify areas appropriate for development and preservation over the next 20 years;
- ◆ Recommend types of land use for specific areas in the Town;
- ◆ Preserve woodlands, agricultural lands, and both the forestry and agricultural economy;
- ◆ Identify needed transportation and community facilities to serve future land uses;
- ◆ Direct private housing and other investment in the Town; and
- ◆ Provide detailed strategies to implement plan recommendations.

This Comprehensive Plan is being prepared under the State of Wisconsin's comprehensive planning law, adopted in 1999 and contained in §66.1001, Wisconsin Statutes. This Plan meets all the statutory elements and requirements. After 2010, only those plans that contain the nine required elements and were adopted under the prescribed procedures will have legal standing.

The remainder of this Comprehensive Plan is organized in nine chapters containing all the required elements listed above. Each chapter begins with background information on the element (e.g., land use, transportation,

economic development), followed by an outline of the Town's policy desires related to that element, and ends with detailed recommendations for the element. The final chapter (Implementation) provides recommendations, strategies, and timelines to ensure the implementation of this Plan.

### **General Regional Context**

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Map 1 shows the relationship of the Town to neighboring communities in the region. The Town is located approximately 35 miles west of the City of Shawano. The Village of Birnamwood is situated at the Town's northwest corner, and the Village of Eland is situated in the Town's southwest corner. Birnamwood is bordered to the north by the Town of Aniwa, to the east by the Town of Almon, to the south by the Town of Wittenberg, and to the west by the Town of Norrie in Marathon County.

The Town is located roughly 70 miles northwest of Green Bay; roughly 80 miles northwest of Appleton, the largest of the Fox Cities; and 20 miles east of Wausau.

### **Selection of the Planning Area**

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The Town of Birnamwood encompasses approximately 31.5 square miles. The planning area includes all the unincorporated land within the Town.

### **Regional Planning Effort**

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This Comprehensive Plan was prepared concurrently with 25 other neighboring communities in Shawano County as part of a State-funded multi-jurisdictional planning process. In order to facilitate this process, participating communities in Shawano County were organized into three clusters for planning purposes. The Town of Birnamwood is part of the Western Cluster, which is also comprised of the Towns of Almon, Aniwa, Birnamwood, Germania, Hutchins, Morris, and Wittenberg as well as the villages of Aniwa, Bowler, Eland, Tigerton, and Wittenberg. A County-wide comprehensive plan was also prepared as part of this planning effort.

## **Map 1: Jurisdictional Boundaries**





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## Chapter One: Issues and Opportunities

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This chapter of the *Plan* provides an overview of demographic trends and background information necessary to develop an understanding of the changes taking place in the Town of Birnamwood. This chapter includes data on population, household and employment trends and forecasts, age distribution, educational attainment levels, and employment and income characteristics. It also includes overall goals and objectives to guide future preservation, development, and redevelopment over the 20-year planning period.

### SUMMARY OF KEY ISSUES AND OPPORTUNITIES

- ◆ Abundant natural resources and rural Setting.
- ◆ Relatively high population growth compared with other western Shawano County communities.
- ◆ Decreasing household size, and moderately aging population.
- ◆ Balance growth and development with preservation of open space and available services.

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### Population Trends and Forecasts

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The Town of Birnamwood's population experienced an overall increase of 17.7 percent between 1950 and 2000, from 604 residents to 711. Over this same time period, growth rates for the State (56.2 percent), County (24.8 percent) and East Central Region (Counties of Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara and Winnebago) (66.1 percent) were greater. However, declining populations during the 1950s and 1960s was outpaced by increases during the 1970s 1980s and 1990s. As shown in Figures 1 and 2, the growth rate for Birnamwood since the 1970s is greater than the County and the State.

**Figure 1: Historic Population of Area Communities, 1970 – 2018**

	1970	1980	1990	2000	2010	2018
<b>Town of Birnamwood</b>	<b>484</b>	<b>570</b>	<b>632</b>	<b>711</b>	<b>763</b>	<b>784</b>
City of Shawano	6,488	7,013	7,598	8,298	9,305	9,175
Village of Birnamwood	632	688	693	795	818	801
Village of Eland	229	230	247	251	202	195
Village of Wittenberg	895	997	1,145	1,177	1,081	995
Town of Almon	505	632	557	591	584	572
Town of Aniwa	598	612	601	586	541	528
Town of Elderon	506	628	605	567	606	618
Town of Hutchins	409	467	523	539	600	585
Town of Morris	411	447	453	485	453	447
Town of Norrie	682	808	874	967	976	991
Town of Plover	405	553	568	686	689	677
Town of Wittenberg	723	829	877	894	833	823
Shawano County	32,650	35,928	37,157	40,664	41,949	41,655
Wisconsin	4,417,731	4,705,767	4,891,769	5,363,675	5,686,986	5,813,568

*Source: Wisconsin Department of Administration, Census counts include Count Question Resolution Program Corrections 1970, 1980, 1990, 2000, 2010 Census, 2018 Final 1/1/2018 Estimate*

**Figure 2: Population Change (%), 1970 – 2018**

	1970-1980	1980-1990	1990-2000	2000-2010	2010-2018
<b>Town of Birnamwood</b>	<b>17.8</b>	<b>10.9</b>	<b>12.5</b>	<b>7.3</b>	<b>2.8</b>
City of Shawano	8.1	8.3	9.2	12.1	-1.4
Village of Birnamwood	8.9	-0.1	14.3	2.9	-2.1
Village of Eland	0.4	7.4	1.6	-19.5	-3.5
Village of Wittenberg	11.4	14.8	2.8	-8.2	-8.0
Town of Almon	25.1	-11.9	6.1	-1.2	-2.1
Town of Aniwa	2.3	-1.8	-2.5	-7.7	-2.4
Town of Elderon	24.1	-3.7	-6.3	8	2
Town of Hutchins	14.2	12.0	3.1	11.3	-2.5
Town of Morris	8.8	1.3	7.1	-6.6	-1.3
Town of Norrie	18.5	8.2	10.6	1	1.5
Town of Plover	36.5	2.7	20.8	0.4	-1.7
Town of Wittenberg	14.7	5.8	1.9	-6.8	-1.2
Shawano County	10.0	3.4	9.4	3.2	-.7
Wisconsin	6.5	4.0	9.6	6.0	2.2

*Source: Wisconsin Department of Administration, Census counts include Count Question Resolution Program Corrections 1970, 1980, 1990, 2000, 2010 Census, 2018 Final 1/1/2018*

Figure 3 indicates that the Town of Birnamwood's population is projected to add 115 residents (a 14 percent increase) between 2020 and 2040. Actual future population change will depend on regional real estate market and general economic conditions, town attitudes and policies pertaining to growth, and development regulations.

**Figure 3: Population Forecasts, 2020 - 2040**

	2020	2025	2030	2035	2040
<b>Town of Birnamwood</b>	<b>830</b>	<b>875</b>	<b>920</b>	<b>940</b>	<b>945</b>
City of Shawano	9,665	10,020	10,330	10,410	10,300
Village of Birnamwood	840	875	895	895	885
Village of Eland	190	185	175	165	150
Village of Wittenberg	990	960	920	865	790
Town of Almon	600	610	625	620	605
Town of Aniwa	530	530	525	505	480
Town of Hutchins	635	660	685	695	695
Town of Morris	465	475	480	475	465
Town of Wittenberg	835	845	850	835	805
Shawano County	43,590	45,085	46,305	46,525	45,900
Wisconsin	6,050,080	6,203,850	6,375,910	6,476,270	6,491,635

*Source: Wisconsin Department of Administration, Population Projections, Vintage 2013*

## Demographic Trends

Figure 4 shows trends in the Town of Birnamwood's age and sex distribution from 2017 compared with the surrounding communities, the County and the State. The Town of Birnamwood's median age is greater than the County and State. Following that trend, the Town has more residents 18 years and older and 65 years and older compared to Shawano County and the State of Wisconsin. Figure 4 below shows those trends and the age and gender distribution of surrounding communities.

**Figure 4: Age and Gender Distribution, 2017**

	<b>Median Age</b>	<b>18 &amp; up (%)</b>	<b>65 &amp; up (%)</b>	<b>Female (%)</b>	<b>Male (%)</b>
<b>Town of Birnamwood</b>	<b>47.9</b>	<b>80.8</b>	<b>22.7</b>	<b>47.6</b>	<b>52.4</b>
City of Shawano	38.8	77.1	19.5	51.6	48.4
Village of Birnamwood	41.5	77	27.6	57.9	42.1
Village of Eland	48.3	83.5	18.7	47.3	52.7
Village of Wittenberg	41.6	76.4	18.1	56.9	43.1
Town of Almon	52.2	84.6	26.7	46.1	53.9
Town of Aniwa	42.9	81.6	13	50.3	49.7
Town of Hutchins	48.9	82	22.9	46.7	53.3
Town of Morris	50.7	81.4	25.1	45.1	54.9
Town of Wittenberg	45.9	78.1	20.3	50.7	49.3
Shawano County	44.9	78.2	20	49.8	50.2
Wisconsin	39.2	77.5	15.6	50.3	49.7

*Sources: ACS 2013-2017 B01001 and B01002*

Figure 5 shows that the Wisconsin Department of Administration predicts that the average age of Shawano County residents will continue to increase. The percentage of people aged 65 and older has been projected to increase from 16.8 percent in 2000 to 24.5 percent in 2030. Although a slight increase was predicted until 2010 for the segment of the population between the ages of 20 and 64, the overall percentage of the population in all age categories under 65 is projected to decrease by 2030. When compared to 2000 data, the population of people aged 65 or older is projected to almost double by 2030 while the other age groups will either decrease or increase at a more moderate rate.

**Figure 5: Shawano County Age Cohort Forecasts, 2000 to 2030**

<b>Year</b>	<b>Under 5</b>	<b>5-19</b>	<b>20-64</b>	<b>65+</b>
2000	2,500 (6.1%)	8,863 (21.8%)	22,454 (55.2%)	6,847 (16.8%)
2005	2,465 (5.9%)	8,729 (20.9%)	23,779 (56.9%)	6,842 (16.4%)
2010	2,530 (5.9%)	8,330 (19.4%)	24,909 (57.9%)	7,218 (16.8%)
2015	2,605 (5.9%)	8,185 (18.6%)	25,405 (57.6%)	7,882 (17.9%)
2020	2,658 (5.9%)	8,129 (18.0%)	25,488 (56.6%)	8,783 (19.5%)
2025	2,636 (5.7%)	8,261 (18.0%)	25,032 (54.4%)	10,069 (21.9%)
2030	2,564 (5.5%)	8,337 (17.9%)	24,297 (52.1%)	11,423 (24.5%)

*Source: Wisconsin Department of Administration, 2004*

### Household Trends and Forecasts

Figure 6 compares selected household characteristics in 2017 for the Town of Birnamwood with surrounding communities, the County, and the State. The average household size in Shawano County in 2017 was 2.45, a decrease from 2.57 in 2000 and 2.64 in 1990. Comparatively, the Town's average household size was 2.41 in 2017. These projected household sizes are used to project future housing unit demand in the community over the next 20 years.

**Figure 6: Household Characteristic Comparisons, 2017**

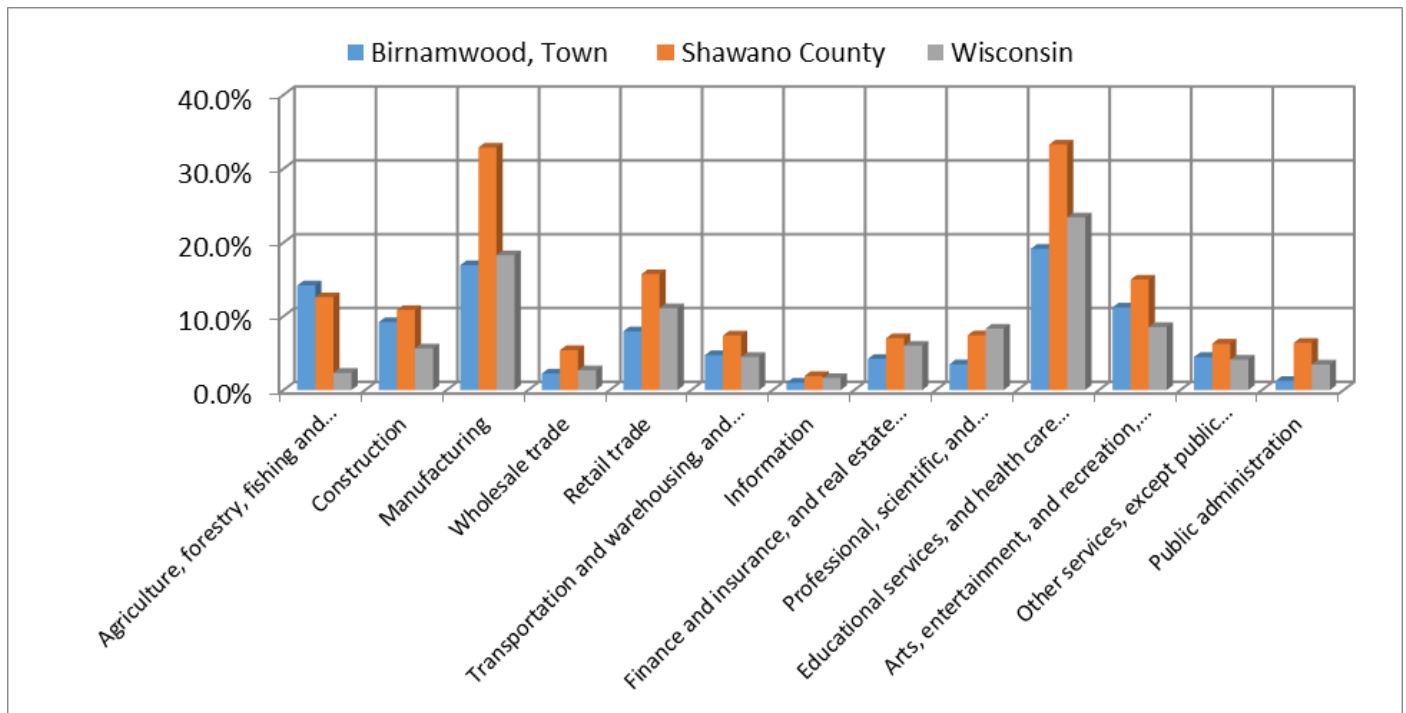
	<b>Total House- holds</b>	<b>Family Households</b>	<b>Single House- holds</b>	<b>Average House- hold Size (Owned)</b>
<b>Town of Birnamwood</b>	<b>272</b>	<b>189</b>	<b>67</b>	<b>2.41</b>
City of Shawano	4,023	2,095	1,715	2.39
Village of Birnamwood	264	148	92	2.71
Village of Eland	85	48	32	2.22
Village of Wittenberg	449	242	171	2.18
Town of Almon	248	177	57	2.52
Town of Aniwa	223	171	42	2.79
Town of Hutchins	232	172	56	2.38
Town of Morris	164	116	42	2.15
Town of Wittenberg	335	248	71	2.43
Shawano County	17,024	11,249	4,908	2.45
Wisconsin	2,328,754	1,481,526	675,580	2.53

*Sources: ACS 2013-2017 B11016 and B25011*

### Employment Trends

According to 2018 Census data, the 283 employed persons between the ages of 16 to 64 *living* in the Town of Birnamwood work in educational services/health care/social assistance (18 percent), followed by manufacturing (17 percent), then industries related to agriculture/forestry/fishing & hunting/mining (14 percent), and arts/entertainment/recreation/mining/accommodation/food services (11 percent). The percentage of the Town's labor force employed in each sector in 2018 is shown in Figure 7 below:

**Figure 7: Labor Force Industries 2014-2018**



Source: U.S. Census Bureau, ACS 2014-2018



### Employment Projections

Forecasting employment growth for establishments located *within* the Town of Birnamwood is difficult because of the community's small number of employers. Employment statistics have been provided for Shawano County in Figure 8 from East Central Wisconsin Regional Planning Commission. The most significant expected increase in employment during this period is in Health Care/Social Assistance and Management of Companies and Enterprises. Government will continue to be largest employment sector with Health Care/Social Assistance projected to increase above Manufacturing as the second largest employment sector in the County.

**Figure 8: Shawano County Industry Employment Projections, 2018 – 2028**

	2018 Jobs	2028 Jobs	2018-2028 Change	2018 Total Earnings/Average Salary
Government	2,925	2,958	3%	\$47,454
Manufacturing	2,065	1,994	-3%	\$50,425
Health Care and Social Assistance	1,746	2,223	27%	\$39,263
Retail Trade	1,605	1,620	1%	\$29,323
Agriculture, Forestry, Fishing, Hunting	1,332	1,372	3%	\$38,946
Accommodation and Food Services	1,293	1,365	6%	\$14,332
Other Services	735	704	-4%	\$21,115
Construction	690	694	1%	\$44,767
Wholesale Trade	581	662	14%	\$55,446
Administrative Support, Waste Management, Remediation Services	371	413	11%	\$38,240
Finance and Insurance	347	353	2%	\$48,633
Transportation and Warehousing	308	269	-13%	\$42,901
Professional, Scientific, and Technical Services	262	280	7%	\$46,679
Arts, Entertainment, and Recreation	162	175	8%	\$14,707
Management of Companies and Enterprises	135	169	25%	\$75,337
Information	102	76	-25%	\$40,204
Educational Services	99	91	-8%	\$16,668
Real Estate, Rental, Leasing	97	92	-5%	\$29,763
Utilities	13	13	0%	\$147,328
<b>Total Jobs</b>	<b>14,868</b>	<b>15,524</b>	<b>4%</b>	<b>\$39,489</b>

*Source: 2018.2 – QCEW Employees, Non-QCEW Employees, and Self-Employed - EMSI Q2 2018 Data Set*

## Education and Income Levels

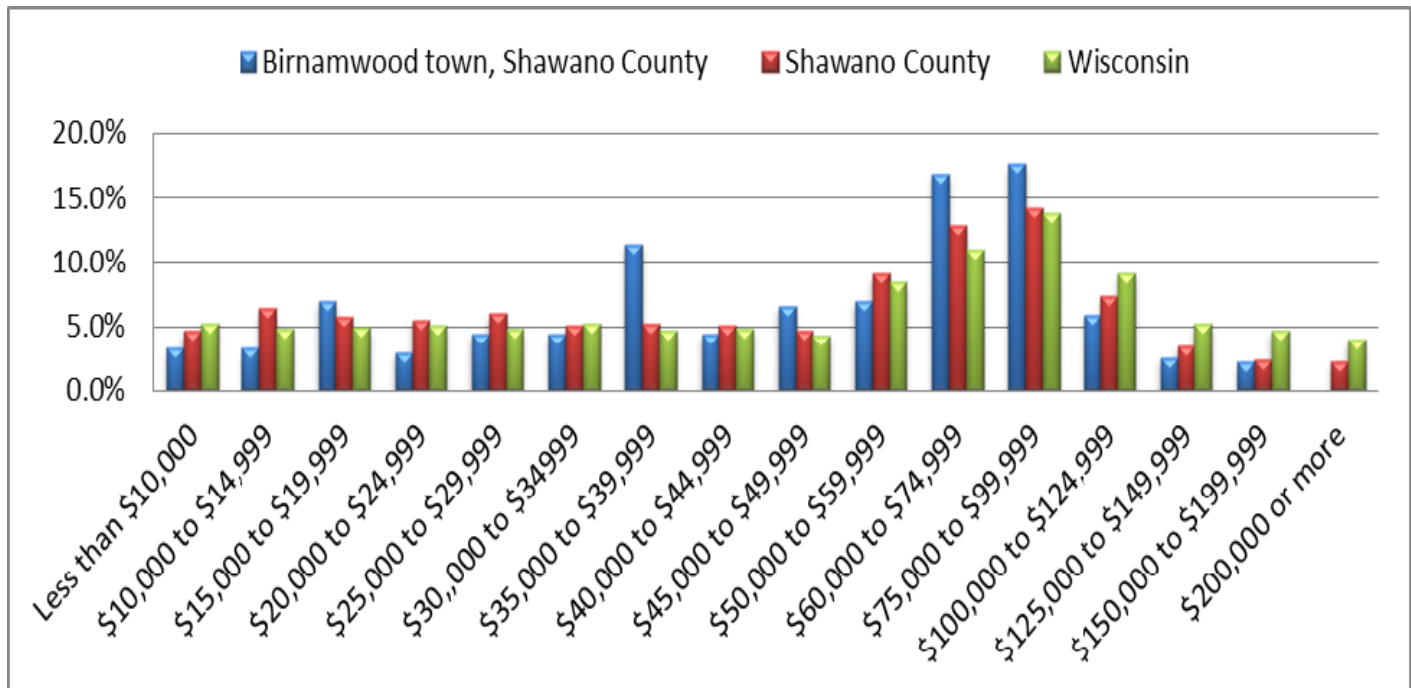
Educational attainment is the highest degree or level of school completed and is one component used to assess a community's labor force potential. Educational attainment often differs by ethnicity, access to higher education, employer expectations and socioeconomic status. Figure 9 compares the educational attainment of Birnamwood residents to those from surrounding communities, the County and the State. According to 2017 Census data, nearly 91 percent of the Town's population had attained a high school level education or higher. This level is similar to the State and County. In addition, 9.7 percent of the population had attained a college level education (bachelor's degree or higher). This is lower than the County and State.

**Figure 9: Educational Attainment and Median Income Comparisons**

	<b>High School Graduate or Higher (%)</b>	<b>Bachelor's Degree or Higher (%)</b>	<b>1999 Median Household Income (\$)</b>	<b>2017 Median Household Income (\$)</b>
<b>Town of Birnamwood</b>	<b>90.9</b>	<b>9.7</b>	<b>40,469</b>	<b>56,111</b>
City of Shawano	90.1	17	31,546	41,834
Village of Birnamwood	88.8	9.1	37,813	38,750
Village of Eland	87	11.5	37,917	48,750
Village of Wittenberg	87.2	17.2	29,926	46,442
Town of Almon	92.8	9.1	37,663	49,286
Town of Aniwa	89.6	11.1	40,208	62,625
Town of Hutchins	91.7	11.4	35,682	47,167
Town of Morris	92.7	18	36,875	47,500
Town of Wittenberg	92.2	17.4	42,841	61,250
Shawano County	91	15.8	38,069	51,751
Wisconsin	91.7	29	43,791	56,756

*Source: U.S. Census of Population and Housing, 2000 & ACS 2013-2017 B15003 and B19013*

Another measure of a community's economic well-being is the median annual income. Per 2017 Census data, the median household income in the Town of Birnamwood was \$56,111. This figure is greater than the County, less than the State, and greater than the reported median household income of several of the surrounding communities. The reported median household income in the Town increased by 38.5 percent from 1999 to 2017, while the median income in the State increased by 30 percent and the County increased by roughly 36 percent. As shown in Figure 10, the highest percent of households in the Town reported incomes between \$60,000 and \$99,999, more than 30 percent. More information on County income characteristics can be found in Chapter Seven: Economic Development.

**Figure 10: Earned Income Distribution by Household**

Sources: ACS 2013-2017 B19001 and B19013

### Summary of Public Participation

The Town's planning process was guided by several participation events and tools, in addition to regular meetings of the Town's Plan Commission. The following is a summary of those activities.

Some of these activities included "cluster" meetings. In order to facilitate large public meetings, participating Shawano County communities were organized into three clusters. The Town of Birnamwood was part of the Western Cluster, which also included the Towns of Almon, Aniwa, Germana, Hutchins, Morris, and Wittenberg as well as the Villages of Aniwa, Bowler, Eland, Tigerton, and Wittenberg.

#### **Cluster Meeting: Guiding Your Community Plan Direction**

Several representatives from the Town participated in a cluster workshop held March 4, 2006 – "Guiding Your Community Plan Direction." This workshop was intended to help provide initial direction for the planning process.

Participants in the workshop were asked to summarize what they most value about their community. Responses for the Town of Birnamwood included:

- ◆ Rural community values
- ◆ Low instances of crime
- ◆ An environment that accommodates hunting and fishing

When asked to describe the most crucial trends affecting the Town, the most common responses included:

- ◆ Increased growth in proper areas
- ◆ Loss of farms and agricultural land
- ◆ Expansion from surrounding areas

Based on the identification of individual “Hopes and Dreams” for the future of the community, the group established five key *Plan* directions. These included:

1. Keep property taxes stable
2. Protect the environment and natural resources
3. Maintain rural character with limited areas of controlled growth
4. Establish guidelines for housing developments
5. Maintain high quality police and fire protection

Attendees also worked together to provide information on a questionnaire to guide the preparation of all nine comprehensive planning elements.

### **Special Places Photo Exercise**

In the early fall of 2006, members of the Plan Commission completed a “special places” photo survey to capture the Town's defining character as seen from the eyes of residents. Commission members photographed the "special places" that capture this character. These photographs suggest places that Commission members wish to preserve or see more of in the future. Members also photographed places that they felt hurt the character and appearance of the community, or types of places elsewhere that they did not wish to see in the community.

Of the 39 photos taken in Birnamwood, most of them were of “good” or “special” places. These photos can be grouped into three main categories:

1. Agriculture-related photos, such as farm buildings, pastures, livestock, and crop fields.



2. Rural residences, especially those that were neatly landscaped and maintained, blended with the landscape, were hidden among trees to maintain the look of a mainly undeveloped area, and did not encroach upon prime farmland.

3. Opportunities for outdoor recreation throughout the Town of Birnamwood including the Mountain Bay State Trail.



### **County Survey**

A County-wide survey was conducted as part of the Shawano Area Communities Comprehensive Planning Project. In the fall of 2006, 9,993 surveys were sent out to a representative sampling of the 16,312 total households in the County. A total of 1,014 surveys were returned. This response rate, coupled with the large percentage of County households who received the survey, provides a significant result. Statistically speaking, the response rate yields a 95% certainty that if every household in the County had responded to a given question, the responses would have varied by less than 3% from the results that were obtained through this survey.

The following is a brief list of key results from the County Survey:

- ◆ 68 percent of respondents considered the 1980 to 2005 County growth rate to be “just right.”
- ◆ Top responses for important “key future directions” included: maintaining rural character, promotion of business and industrial development, use of sign and other appearance regulations to preserve scenery, and the continuance of farming.
- ◆ 84 percent of respondents thought that new development should be planned by community with property owner input.
- ◆ Nearly half of respondents would like new recreational natural areas (trails, wildlife viewing, nature centers) in their community.
- ◆ When asked why they chose to live in Shawano County, over one-quarter of respondents selected “near family or friends.”

The survey results were also analyzed by cluster (eastern, central, and western). The outcome of this analysis showed a remarkable consistency in responses. The top answers to each question were very similar no matter where in the county the respondent resided. One small difference noted was a difference in importance placed on preservation of farmland and forestland. Respondents in the eastern and central clusters tended to place more value on farmland, while preservation of forestland was more emphasized in the western cluster.

The survey revealed that small town character, being close to outdoor recreational opportunities such as fishing and hunting, and natural beauty are important to residents of the Western Cluster. Nearly eight of ten though rated preservation of forest land, and surface waters such as lakes, rivers and streams as “Very Important. Nearly seven of ten respondents rated preservation of farmland and wildlife habitat as “Very Important”. Over seven in ten strongly agreed that maintaining rural character was important and over half strongly agree that their community should actively seek to protect the environment. When asked the top three reasons for living in western Shawano County, “Small town character” edged out living near family and friends as the most common response, while living close to outdoor recreational opportunities and natural beauty ranked third and fourth, ahead of living near jobs and low taxes.

According to Western Cluster respondents, concerns over increased taxes and the lack of businesses, shopping, and services in the area were the two most common responses when asked for the top three problems

facing the area. Low wages, a shortage of jobs, and a lack of opportunities for youth were next most common responses.

Eighty-three percent of respondents thought that new development in their community should be thought out and planned by the community with proper input from the property owner.

For a complete summary of survey results, see the Shawano County Comprehensive Plan.

### **Cluster Visioning Session**

The Western Cluster Visioning Workshop was held on October 9, 2006. The group developed the following vision statement: Western Shawano County is a rural area of natural beauty. It contains vibrant towns and villages. The communities have maintained their natural resources, agricultural lands and trails. Regular communication and coordinated planning between towns, villages, and the county have encouraged planned, managed growth, and quality essential services, including education, healthcare, and viable businesses.

### **Cluster Workshop: Building Community Goals**

The Western Cluster workshop – “Building Community Goals” –was held on December 13, 2006. Participants from the Town developed goal statements for each element of this Plan as well as ideas for accomplishing the goals. These ideas were incorporated into the programs and recommendations of this *Plan*.

### **Land Use Workshop**

A meeting was held on February 6, 2007 to develop the Town’s future land use map. This meeting included a discussion of the differences between zoning and the land use plan as well as an overview of the trends that are influencing land use in the County. The workshop results were used as a basis for Map 5 Future Land Use in this *Plan*.

A meeting was held on July 11, 2007 develop discuss the details of the Land Use Chapter of the Town’s comprehensive plan. This meeting included a discussion of the differences between zoning and the land use plan. A draft of Map 5 Future Land Use of this *Plan* was reviewed and discussed.

### **Cluster Workshop: Sharing Future Land Use Maps**

The Western Cluster workshop “Sharing Future Land Use Maps” was held on October 16, 2007. Participants from each of the Western Cluster towns and villages compared their draft of the Future Land Use Maps with those prepared by surrounding jurisdictions and other communities in the Western Cluster. Representatives from the Town of Birnamwood also gained additional understanding of methods implementing comprehensive plans and shared planning concerns for Shawano County. There were no significant differences observed between Birnamwood’s map and those of nearby Towns. The Village of Birnamwood and Village of Eland maps were unavailable at this meeting, but the need to compare and possibly coordinate maps from these two communities at a later date was recognized.

### **Open House and Public Hearing**

Once the public review draft of this *Plan* is completed, the Town solicited local public comment. This included a formal public hearing, held before the Board, in advance of Board adoption of this *Plan*.

## Regional Context and Influences

It is useful to step back and understand the forces and factors that shape the area's physical, economic, and social environment. This "Regional Influences" analysis considers both the assets and challenges of the County related to its position in the broader region. This analysis considers the County's proximity to growing metropolitan areas, commuting patterns, transportation, recreational resources, and the physical landscape as the key regional influences. These factors are illustrated on the Regional Influences Map in the Shawano County Comprehensive Plan and described in the Text of the County's Comprehensive Plan.

### BIRNAMWOOD'S OPPORTUNITIES

- ♦ Access to area population and employment centers via US Highway 45 and other roads.
- ♦ Abundant agricultural and forest lands suitable for expansion of farming and timber related businesses.
- ♦ Relatively unspoiled natural resource base suitable for Outdoor Recreation opportunities.

## Goals, Objectives, Policies, and Programs

Each chapter of this *Comprehensive Plan* includes a set of goals, objectives and policies which will provide the vision and policy guidance that the Plan Commission, Town Board, Town residents, and other interested groups and individuals need to guide the future preservation and development of Birnamwood over the next 20+ years. Goals, objectives, policies and programs are defined below:

- ♦ **Goals** are broad statements that express general public priorities about how the Town should approach development issues during the next 20+ years. These goals are based on key issues, opportunities and problems that affect the community.
- ♦ **Objectives** are more specific than goals and are usually attainable through planning and implementation activities. The accomplishment of an objective contributes to the fulfillment of a goal.
- ♦ **Policies** are rules or courses of action used to ensure *Plan* implementation and to accomplish the goals and objectives. The policies are intended to be used by decision-makers on a day-to-day basis.
- ♦ **Programs** are specific projects or services that are advised to achieve plan goals, objectives, and policies. Programs are sometimes included in the same list as "policies" and are sometimes included in the same section as "recommendations," depending on the chapter.

Below is a list of goals to guide the future preservation and development in the Town of Birnamwood over the 20-year planning period. Objectives, policies, and programs that forward these goals relevant to each element of this *Plan* are presented in subsequent chapters.

**OVERALL GOALS**

1. Protect productive agricultural land for continued agricultural use.
2. Protect natural features and environmentally sensitive areas, including wetlands, streams, lakes, woodlands, sensitive wildlife habitats, open space, and groundwater resources.
3. Encourage the maintenance of the historic and scenic character of the Town.
4. Promote an efficient, sustainable, and high-quality land use pattern consistent with the Town's rural character.
5. Maintain the Town as a mixed farming, forestry, residential, and recreational community.
6. Provide and encourage a safe and efficient transportation system that meets the needs of all residents.
7. Support the efficient delivery of community utilities, facilities and services corresponding with the expectations of Town residents and a rural atmosphere.
8. Encourage the provision of a range of safe housing options affordable to residents of various incomes and compatible with the Town's rural surroundings.
9. Encourage economic development opportunities appropriate to the Town's resources, character, and service levels.
10. Forward mutually beneficial intergovernmental relations with neighboring governments, including neighboring towns, nearby cities and villages, Shawano County, and the school districts by which the Town is served.



## Chapter Two: Agricultural, Natural, and Cultural Resources

This chapter of the *Plan* contains background data, goals, objectives, policies, and recommended programs for agricultural preservation, natural resource conservation, and cultural resource protection.

### Agricultural Resource Inventory

Agriculture is an important component of the Town's local economy, heritage, and character. It is also a way of life for many Town residents. This *Plan* seeks to ensure that agriculture remains a significant land use activity in the Town. The character, location, and viability of farming in the Town are described below.

#### AGRICULTURAL RESOURCES RECOMMENDATIONS SUMMARY

- ◆ Promote continuation of farming and value-added agricultural opportunities.
- ◆ Direct development away from productive agricultural land and operations.
- ◆ Monitor and regulate large livestock operations.

### Character of Farming

Land used in agriculture is found throughout the Town, with a greater concentration of cultivated land located in the northern and western portions of the Town and notably less in the east central portion of the Town. The majority of farming is dairy and feed crops (such as corn).

In 2000, approximately 8 percent of the Town's population lived on farms, and 15 percent of the adult population worked on farms, according to data provided from UW Program on Agricultural and Technical Studies (PATs). Over the past 20 years, local trends in farming mirrored the region and the state, with an overall decline in the number of full-time farm operators and a drop in average farm sizes (see Figure 11). Overall, during this time period over the past two decades, the County experienced a decline in the number of full-time farm operators and a drop in average farm sizes. While these statistics indicate a decline in agriculture in the County overall, some inconsistencies in the data suggest that differences in methodology or the criteria used to classify "farm use" may lead to under-reporting actual farmland acreage losses. For instance, while the acreage of active agricultural land has declined as a whole, the acreage of land in smaller "hobby" farms may be increasing. The market value of agricultural products sold per farm increased from \$81,188 in 1997 to \$88,816 in 2002.

**Figure 11: Farm Changes in Shawano County, 1987-2017**

	Number of Farms	Number of Farms Lost / Gained	Land in Farm Use (Acres)	Average Farm Size (Acres)
1987	1,631 <sup>a</sup>	-	326,323 <sup>a</sup>	200 <sup>a</sup>
1992	1,437 <sup>a</sup>	-194	297,984 <sup>a</sup>	207 <sup>a</sup>
1997	1,337 <sup>a</sup> 1,604 <sup>b</sup>	-100 <sup>c</sup>	297,840 <sup>a</sup> 270,478 <sup>b</sup>	223 <sup>a</sup> 169 <sup>b</sup>
2002	1,465 <sup>b</sup>	-139 <sup>d</sup>	270,534 <sup>b</sup>	185 <sup>b</sup>
2007	1,450	-15	271,718	187
2012	1,278	-172	261,141	204
2017	1,139	-139	247,241	217

<sup>a</sup> Non-adjusted figure: this figure represents the old methodology for counting farms.

<sup>b</sup> Adjusted figure: in 1997, the USDA revised its methodology for counting farms.

<sup>c</sup> Calculated by comparing the non-adjusted figures from 1992 and 1997.

<sup>d</sup> Calculated by comparing the adjusted figures from 1997 and 2002.

Source: USDA Census of Agriculture, 1987-2012 & [www.nass.usda.gov/AgCensus](http://www.nass.usda.gov/AgCensus), 2017

### **Assessment of Farmland Viability**

The Natural Resources Conservation Service groups soils based on their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time. These capability classifications are based on numerous criteria that include, but are not limited to, the soil's salinity, capacity to hold moisture, potential for erosion, depth, and texture and structure, as well as local climatic limitations (e.g., temperature and rainfall). Under this system of classification, soils are separated into eight classes. Generally, Class I and Class II soils are the best suited for the cultivation of crops.

Class I soils have few limitations that restrict their use. These soils can sustain a wide variety of plants and are well suited for cultivated crops, pasture plants, range lands, and woodlands. Class II soils have moderate limitations that restrict the types of plants that can be grown or that require simple conservation practices or soil management techniques to prevent deterioration over time. However, these practices are generally easy to apply, and, therefore, these soils are still able to sustain cultivated crops, pasture plants, range lands, and woodlands.



Soils in Class III have severe limitations that, under natural circumstances, restrict the types of plants that can be grown, and/or that alter the timing of planting, tillage, and harvesting. However, with the application and careful management of special conservation practices, these soils may still be used for cultivated crops, pasture plants, woodlands, and range lands.

Soils in capability classes IV through VIII present increasingly severe limitations to the cultivation of crops. Soils in Class VIII have limitations that entirely preclude their use for commercial plant production.

Map 3 depicts the locations of Class I, II, and III soils in the Town of Birnamwood. Generally, Class I and Class II soils are located in dispersed areas throughout the Town, with higher concentrations nearer Packard Creek, Wilson Creek, and the Middle Branch of the Embarrass River.

### **Farmland Preservation Efforts**

Town of Birnamwood farmers can participate in several federal, State, and Countywide programs and initiatives that are intended to preserve long-term farming activities. The 2002 Farm Bill reauthorized several federal programs. Funding for these programs may vary from year to year:

- ♦ The **Conservation Reserve Program (CRP)**, which provides technical and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands in an environmentally beneficial and cost-effective manner.
- ♦ The **Wetland Reserve Program**, which provides technical and financial support to help landowners with their wetland restoration efforts.
- ♦ The **Wildlife Habitat Incentives Program**, which provides both technical assistance and up to 75 percent cost-share assistance to landowners to establish and improve fish and wildlife habitat on their property.
- ♦ The **Grazing Lands Conservation Initiative**, which focuses on providing technical assistance to help new grazers begin using rotational grazing methods. Trained grazing specialists work one-on-one with farmers, developing grazing plans, including seeding recommendations, fencing and watering plans.
- ♦ The **Environmental Quality Incentives Program (EQIP)**, which provides a voluntary conservation program for farmers and ranchers that promotes agricultural production and environmental quality as compatible national goals. EQIP offers financial and technical help to assist eligible participants install or implement structural and management practices on eligible agricultural land.
- ♦ In addition, the Wisconsin Department of Revenue offers an important farmland preservation program, the Farmland Preservation Credit Program. The Farmland Preservation Credit Program strives to preserve Wisconsin farmland by means of local land use planning and soil conservation practices and provides property tax relief to farmland owners. To qualify for the credit, farmland must be zoned for exclusive agricultural use or be subject to a preservation agreement between the farmland owner and the State. In order to be eligible for this program, all program participants must comply with soil and water conservation standards set by the State Land Conservation Board. The Town of Birnamwood does not have exclusive agriculture zoning. However, there are two remaining Farmland Preservation contracts in the Town that both expire in 2024.
- ♦ The Farmland Tax Relief Credit Program provides direct benefits to all farmland owners with 35 or more acres.

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## **Agricultural Resource Goals, Objectives and Policies**

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### **Goal:**

1. Protect productive agricultural land for continued agricultural use.

### **Objectives:**

1. Protect intensive farm operations from incompatible uses and activities to the extent possible.
2. Preserve the capacity of productive agricultural areas.
3. Work to preserve farming as a viable occupation, way of life, and open space preservation strategy.

**Policies:**

1. Promote the continuation of agriculture in the Town through encouraging agricultural-related businesses, value-added agriculture, and other farm family business opportunities to supplement farm income.
2. Direct non-farming uses away from areas with productive agricultural soils and actively farmed areas through land use planning, enforcement of zoning, and other mechanisms.
3. Work with the County to amend zoning and subdivision ordinances to allow “conservation development,” which encourages clustered development to facilitate the preservation of larger contiguous tracts of agricultural land.
4. Encourage long-term farmers to voluntarily enroll in the State’s Farmland Preservation Program.
5. Work with surrounding communities and the County on programs to preserve farmland and open space over the long-term (e.g., Purchase of Development Rights program).
6. Support State and County-led efforts to regulate large-scale livestock operations and to mitigate their impacts so that they do not negatively affect nearby landowners and the environment.
7. Cooperate with and support County-level development of animal density standards.
8. Require the submittal of a site plan for any livestock operations that desires to expand beyond 1,000 animal units.
9. Work with UW-Extension, Shawano County, and Natural Resource Conservation Service (NRCS) to implement and monitor farmland conservation practices, including Best Management Practices (BMP’s).
10. Promote an educational effort to prevent harmful agricultural run-off and other negative water impacts.

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## **Agricultural Resource Recommendations and Programs**

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**Minimize Nonagricultural Development in Existing Farming Areas**

A large amount of residential development in agricultural areas makes farming extremely difficult to continue. There are numerous conflicts between such uses, including, noise, odors, use of roads, and hours of operation. Further, the intrusion of nonagricultural uses in farming areas brings a sense of impermanence, which discourages further investment by remaining farmers. To avoid this situation, the Town seeks to minimize the amount of residential development in the Town’s farming areas.

As described more fully in Chapter 3: Land Use, most of the Town is mapped as *Open Space, Agriculture, and Residential (10-35)* future land use category, a category that minimizes residential development in agricultural and forestry areas of the Town. The maximum density of residential development in these areas would be 1 home per 10 acres of land, while encouraging even less density to preserve large tracts of efficiently farmed and forested lands. Protection of farms and farmland could be further encouraged by allowing relatively small, 1.5 acre-minimum lot sizes and promoting creative arrangements for residential development such as “cluster development” or “conservation subdivision design” (discussed more fully in Chapter 6: Housing and Neighborhood Development).

**Promote the Continuation of the “Family” Farm**

In Wisconsin, 99% of dairy farms are family owned. The County and Town planning processes and public participation events revealed support for the “family farm,” and some reluctance to promote large “factory” farm operations in Shawano County. Farmers, local governments, and the County have little control over the price for agricultural products, which are set by federal policy and price subsidies. However, interested parties can work locally on a variety of efforts to improve farm family income. These may include:

- ♦ Working with UW-Extension and County staff to increase efficiency in farm operations, provide technical assistance including exploring alternative farming techniques (e.g., grazing), promote agricultural co-operatives, and provide advice on other financial and technical support opportunities.

- ◆ Promoting flexibility in zoning regulations to allow non-farm home businesses which have little to no impact on surrounding farm properties. The Town's zoning ordinance already allows a wide variety of home-based businesses.
- ◆ Developing specialty agriculture, directed primarily to providing food and products for the local and regional market. On the demand side, Shawano County communities may work with local stores to promote sales of local products and help develop Farmers Markets. Strategies for family farms to promote value-added agriculture, directly market farm products to consumers, participate in the Agricultural Development Zone Program, and promote agricultural-based tourism are provided in Chapter Seven: Economic Development.

### **Support Efforts to Monitor and Regulate Large-Scale Livestock Operations**

A growing number of dairy operations across the state have been expanding their herd size and modernizing their facilities to increase productivity and competitiveness. While promoting the continuation of agriculture is a priority in the Town and throughout the County, larger farms may raise concern among neighboring farmers, landowners, and residents because of the intensity of the operation and their impact on local roads, adjacent land uses and the environment. In particular, concerns over animal feedlots and waste storage facilities have driven the State and County to establish standards and procedures for regulating these types of uses (shown in Figure 12).

All waste storage facilities, waste transfer systems, and agricultural performance standards & prohibitions are regulated under the Shawano County Livestock Waste Management Ordinance. Livestock facilities with more than 500 animal units are regulated and licensed under the Shawano County Livestock Facilities Licensing Ordinance. In addition, livestock facilities with more than 1,000 animal units are regulated under NR 243 by the DNR (Department of Natural Resources).

The ordinances are intended to:

- ◆ Further the appropriate use and conservation of lands and water resources;
- ◆ Regulate the location, construction, installation, alteration, design and use of animal feedlots and animal waste storage facilities;
- ◆ Establish a procedure for the permitting of animal feedlots and waste storage facilities;
- ◆ Minimize conflicts between municipalities, rural non-farm dwellings and agricultural operations; and
- ◆ Protect agriculture's ability to grow and change.

**Figure 12: Large-Scale Livestock Performance Standards**

Performance standard (Type of standard covered)	Conservation Initiatives
Control soil erosion to meet tolerable soil loss (T) calculated by RUSLE 2. (Cropland)	Install contour farming, cover and green manure crop, crop rotation, diversions, field windbreaks, residue management, strip-cropping, and terrace systems. Related runoff controls: critical area stabilization, grade stabilization structures, sinkhole treatment, water and sediment control basins, waterway systems.
Construct, maintain and close manure storage facilities to prevent manure overflows and leaks. (Livestock operations and facilities)	Meet Natural Resource Conservation Service (NRCS) standards for construction, maintenance, and closure using technical standards: 313 (waste storage facility), 360 (closure of waste impoundments), 634 (manure transfer standard).
Divert clean water from feedlots. (Livestock operations and facilities within Water Quality Management Areas)	Install diversions, roof runoff systems, subsurface drains, and underground outlets.
Enforce manure management prohibitions	a. Design and construct facilities to technical standards, maintain facilities including adequate freeboard, repair or replace facilities, as needed.
a. No overflow from manure storage facilities.	b. Relocate manure piles, construct manure storage facilities.
b. No unconfined manure stacks within the Water Quality Management Area.	c. Install barnyard runoff control systems, including diversions, milking center waste control systems, relocating or abandoning animal feeding operations, roof runoff systems, sediment basins, subsurface drains, underground outlets, water and sediment control basin, wastewater treatment strips, well decommissioning. For manure storage facility runoff, see (b.) above.
c. No direct runoff from feedlots and manure storage facilities.	d. Install access roads and cattle crossings, animal trails and walkways, critical area stabilization, livestock fencing, livestock watering facilities, prescribed grazing, riparian buffers, stream bank and shoreline protection.
d. No unlimited access of livestock to shore land that prevents maintenance of adequate sod cover. (Livestock operations and facilities)	
Control nutrient runoff into waters of the state. (Cropland)	Develop and follow an annual nutrient management plan for applying fertilizer or manure. Base plans on soil tests conducted by Department of Agriculture Trade and Consumer Protection certified laboratory. Become qualified to prepare plan or use qualified planners. Apply nutrients according to UW-Extension recommendations for crops. Install additional conservation or management practices to reduce nutrient loading.

The Town supports both the application and enforcement of the Shawano County Animal Waste Management Ordinance and the above State requirements to ensure that the impacts of large-scale livestock operations do not degrade the environment or disturb neighboring uses, and outlines the management of animal units, odor, waste and nutrients, waste storage facilities, runoff, and animal mortality.

As part of providing the required documentation to comply with the County Animal Waste Ordinance or State WPDES CAFO standards, the Town will require that the landowner submit a site plan for any proposed operation of over 500 animal units for local review. This site plan should demonstrate how the landowner intends to mitigate traffic impacts, nuisance issues, and manure storage and water quality impacts associated with this large-scale operation as outlined in the County and/or State rules. The landowner should meet with the County Zoning Administrator, County Land and Water Conservation staff, and Town Plan Commission or Board to discuss the submitted site plan. The site plan should include all information required

per the County Animal Waste Management Ordinance, as well as the information as required for the WPDES CAFO permit application, as applicable.

### **Animal Unit Density Standards**

Agriculture is an important component of the character and economy of Shawano County and the Town of Birnamwood. In addition to larger farming operations, “hobby farms” are also prevalent in the County. In order to continue the keeping of farm animals and hobby farm animals in a manner which allows for reasonable numbers of animals, the County has established animal unit density standards in each zoning district where farm animals are allowed. This effort is to help avoid nuisances, undesirable odors, and other negative impacts on neighboring properties; protect human and animal health; and protect water quality. Animal unit density standards also assure that land uses that keep or maintain animals provide and continuously maintain land available for animal exercise and nutrient (manure) management.

The Animal Unit Density Worksheet is located in Appendix D of the Shawano County Zoning Ordinance.





## **Map 2: Soil Suitability for Agriculture**



## Natural Resource Inventory

Understanding the extent and location of the Town's natural features suggests possible advantages for particular land uses. It is also essential to understand the location of environmentally sensitive areas where development is not appropriate. This will prevent severe developmental or environmental problems that may be difficult or costly to correct in the future. Maintenance of these natural features is also important for community appearance and for the functions they perform for natural communities. Map 3 depicts the Town's environmentally sensitive areas and key natural resource areas, some of which are described in more detail below.

### **Topography**

The topography in the Town of Birnamwood was shaped over 10,000 years ago by Wisconsin's most recent period of glacial activity. The landscape is characterized by gently rolling moraines and drumlins that were formed by material deposited along the edges of the ice sheet during the glacier's retreat. These landscape features are most prominent in the western half of the County where the Town is located.

### **NATURAL RESOURCES RECOMMENDATIONS SUMMARY**

- ◆ Protect and enhance the water quality of the Middle Branch of the Embarrass River, and other Creeks, ponds, and lakes.
- ◆ Protect sensitive natural features and ground water.
- ◆ Protection of woodlands.
- ◆ Encourage efforts to keep land open to hunting and fishing.

### **Metallic and Non-Metallic Minerals**

Glacial deposits consist of soil, subsoil, sediment, sand, gravel, and/or stone and are characterized by a variety of depths and patterns throughout the Town. Furthermore, the Town's bedrock and glacial deposits provide valuable non-metallic minerals such as sand and gravel that are used for road construction, housing, and commercial developments. Three active sand and/or gravel mining operations are located in the Town of Birnamwood. Currently, there are no active metallic mining activities anywhere in Shawano County because metallic minerals are not present in high quantities. However, there are some limited deposits of copper and other base metals in the northwestern portion of Shawano County.

### **Groundwater**

Groundwater is comprised of the portion of rainfall that does not run off to streams or rivers and that does not evaporate or transpire from plants. This water percolates down through the soil until it reaches the saturated zone of an aquifer. Groundwater supplies all the water for domestic, commercial and industrial uses in the Town of Birnamwood., and the majority of the Town's residents rely on private wells for their water supply.

The quality of groundwater in the Town is generally good. However, groundwater contamination is of concern due to the characteristics of the bedrock and surficial geology found in some parts of the Town. Areas with permeable soils and a high-water table are the most susceptible to contamination from specific land uses. The majority of the Town of Birnamwood's groundwater is at least moderately susceptible to contamination, and portions of the eastern half of the Town are highly susceptible to contamination.

In rural areas, the most common groundwater contaminant is nitrate-nitrogen, which can come from improperly functioning on-site wastewater systems, animal feedlots, livestock waste facilities, sludge and septage application, lawn and agricultural fertilizers, and decaying plant debris. Information on well water quality can be found on the Center for Watershed Science and Education website. The interactive well water quality viewer shows levels of several contaminants for Counties and Towns.

### **Watersheds and Surface Waters**

The majority of the Town of Birnamwood is located within the Middle and South Branches Embarrass River Watershed, with the eastern-most portion of the Town located in the North Branch and Main-stream Embarrass River Watershed. Both watersheds are located within the Wolf River Basin, which drains over 3600 square miles and portions of eleven counties in northeastern Wisconsin. The Wolf River, which traverses the eastern portion of Shawano County, is the Basin's most significant water resource. Currently, the basin faces many challenges to its overall ecological health, including non-point source water pollution, the loss of shoreland habitats, and the presence of various exotic invasive species.



The Middle Branch of the Embarrass River is the most prominent water resources in the Town of Birnamwood. Other streams include Railroad, Schmitt, Wilson, Packard Creeks. Small lakes and ponds, such as Sportsman Lake, dot the Town- most notably in the central and southwest portions. The Middle Branch of the Embarrass River and many of its tributary streams are considered Class I Trout Streams, and preservation or restoration of trout habitat has been identified as a goal for the Town and Shawano County.

### **Floodplains**

The Federal Emergency Management Agency (FEMA) designates floodplains. These are areas predicted to be inundated with flood waters in the 100-year storm event (e.g., a storm that has a 1 percent chance of happening in any given year). Development within floodplains is strongly discouraged to prevent property damage.

Map 3 shows the 2,930 acres of land in the Town classified as floodplain. Floodplain areas in the Town are located along the Middle Branch Embarrass River and its tributaries. The Shawano County Floodplain Ordinance regulates land uses and development within designated floodplain areas. The National Flood Insurance Program maps produced by FEMA should be referenced for official delineation and elevations of floodplain boundaries.

### **Wetlands**

According to the Wisconsin DNR's Wetland Inventory Maps, wetland habitats comprise approximately 28 percent (5,553 acres) of the Town's total land area, not including small tracts of wetland that are less than five acres. Approximately 72 percent of these wetlands are forested. These ecosystems play significant roles in maintaining the quality of groundwater and surface water and provide valuable habitats for fish, birds, and other wildlife. The majority of wetlands are located along the Embarrass River, with several other large tracts located in the western portion of the Town between Packard Creek and Railroad Creek. The Shawano County Shoreland/Wetland Ordinance regulates the filling or modification of wetlands over five acres within 300 feet of navigable streams and 1,000 feet of lake and ponds.

### **Ecological Landscapes**

An ecological landscape is defined as a region characterized by a unique combination of physical and biological attributes, such as climate, geology, soils, water, or vegetation. Different ecological landscapes offer distinct management opportunities based upon their levels of biological productivity, habitat suitability for wildlife, and presence of rare species and natural communities. The Town of Birnamwood is within the Forest Transition Landscape. Understanding the distinct attributes of this landscape will be important when identifying future land management and land use goals.

**Woodlands**

The Town of Birnamwood is located within Wisconsin's northern forest zone, which is characterized by a mixture of coniferous and deciduous forest types. Typical tree species include Hemlock, Beech, Spruce, Cedar, Tamarack, Sugar Maple, Yellow Birch, and White and Red Pine. Dense hardwood forests and timber stands are characteristic of the western portion of Shawano County, and a significant portion of the Town remains wooded.

As of 2020, there were 3,203.75 acres of privately-owned woodland in the Town enrolled in WisDNR's Managed Forest Law (MFL) Program. This program is intended to promote sustainable forestry practices and is available to landowners with 10 or more contiguous acres of forestland. Participating landowners must agree to abide by a forest management plan. In exchange, their land is taxed at a rate below the State average.

**Steep Slopes**

As shown on Map 3, steep slopes exceeding a 12 percent grade are scattered throughout most of the Town. Generally, slopes that have between 12 and 20 percent grade present challenges for building site development, and slopes that exceed a 20 percent grade are not recommended for any disturbance or development.

**Environmentally Sensitive Areas**

Environmentally Sensitive Areas have been defined by the East Central Wisconsin Regional Planning Commission as those geographic areas consisting of all lakes and streams shown on USGS quadrangle maps and their adjacent shoreland buffer areas. Also, all wetlands shown on the Wisconsin Wetland Inventory Maps and floodways as delineated on the official Federal Emergency Management Administration Flood Boundary and Floodway Maps are considered environmentally sensitive.

**Rare Species Occurrences/Natural Areas**

WisDNR's Natural Heritage Inventory program maintains data on the general location and status of threatened or endangered plant and animal species and natural communities and species and communities of special concern. According to this inventory, the Town of Birnamwood has 4 natural communities that are included in one of these categories. More specific information on location and type of species is available from the State's Bureau of Endangered Resources.

**State Natural Areas/Wildlife Areas**

There are no State Natural Areas or Wildlife Areas located in the Town of Birnamwood.

## **Natural Resource Goals, Objectives and Policies**

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**Goal:**

1. Protect natural features and environmentally sensitive areas, including wetlands, shorelands, streams, woodlands, sensitive wildlife habitats, and groundwater resources.

**Objectives:**

1. Protect surface water and shorelines - especially along the Middle Branch of the Embarrass River, Wilson Creek, and Packard Creek. - from pollution, erosion, and other degradation.
2. Direct development away from environmentally sensitive areas – particularly trout streams, wetlands, floodplains, and sensitive soils.
3. Protect forest and forest habitat essential for terrestrial native species, particularly game species.

**Policies:**

1. Work with the Department of Natural Resources to encourage the sensible use and protection of the Town's natural resources.
2. Work with Shawano County and neighboring communities to protect natural resources.

3. Identify and promote educational programs for wildlife, wetland, and woodland management.
4. Protect environmental corridors (shown on Map 3) as a composite of the Town's most sensitive natural areas, including wetlands, floodplains, and steep slopes.
5. Protect groundwater quality through the proper placement of new on-site wastewater treatment systems, maintenance of older systems, and avoiding an over-concentration of both new and old systems in one place.
6. Protect surface water quality (lakes, rivers, wetlands) by supporting streambank management, natural shoreline restoration, erosion control, river clean-up initiatives, proper agricultural practices, stormwater management, and use of vegetated buffers.
7. Encourage soil conservation practices related to agricultural activities, forest products, and other development.
8. Carefully review proposals for mineral extraction operations, and the reclamation of existing mineral extraction sites.
9. Encourage and promote sustainable forest management practices and programs (e.g., the Managed Forest Lands) to the Town's woodland owners.
10. Encourage private woodland owners to open their property to hunting in an effort to maintain healthy and sustainable game populations and supporting forest system and to other nature-based recreation.



## Natural Resource Recommendations and Programs

Expanding on the planning policies listed above, this section of the *Plan* provides specific recommendations for conserving the Town's environmentally sensitive areas, woodlands, surface and ground water quality, and natural habitat areas. Specific tools to implement these recommendations are provided in Chapter Nine: Implementation.

### **Protect Environmental Corridors**

Environmental corridors are a composite of important individual elements of the natural resource base. They have immeasurable environmental, ecological, passive recreational, stormwater management, groundwater protection and recharge, erosion control, wildlife habitat, timber, and scenic value. Environmental corridors also have severe limitations for development; therefore, minimizing development in these areas also protects private property. Environmental corridors generally occur in a linear (corridor) pattern on the landscape (see Map 3 for general corridor delineations). As mapped within the Town of Birnamwood, environmental corridors include the following areas:

- ◆ Wisconsin WisDNR-identified wetlands as mapped in the Wisconsin Wetlands Inventory and subject to existing County zoning. Wetlands of five acres or greater are included. This layer may not include all wetlands that are subject to state and/or federal disturbance rules.
- ◆ Federal Emergency Management Association (FEMA) designated floodplains subject to existing zoning controls. These general floodplain delineations represent the areas potentially subject to the 100-year flood. All areas of the County subject to flooding are not necessarily reflected in mapped floodplains (or within the environmental corridor delineation). The Town intends to prevent incompatible development in areas within the 100-year floodplain as shown on Flood Insurance Rate Maps and more detailed surveys to avoid damage to property and the health, safety and welfare of the community.

- ♦ Lands with steep slopes of 12 percent or greater. Due to the instability of these soils and erosion concerns, development on these steep slopes is not advisable.

New development should generally be discouraged in environmental corridors and is often very limited by existing State-mandated County zoning. Development types should be limited to those which will not impair the resource, and which are compatible to existing and proposed uses on surrounding lands. Generally appropriate uses include open space, agriculture, and forestry activities using Best Management Practices. New homes and other buildings should not be placed in these areas if other, more appropriate, building sites are available outside the environmental corridor. Sensitivity to surrounding natural resources should be the guiding principle when reviewing the appropriateness of development in mapped environmental corridors. The Town will encourage landowners to minimize the “footprint” of any construction in corridor areas.

The environmental corridors depicted in Map 3 are necessarily general and should be used to identify general areas where development may not be appropriate. Lands within that designation may be removed under one or more of the following circumstances:

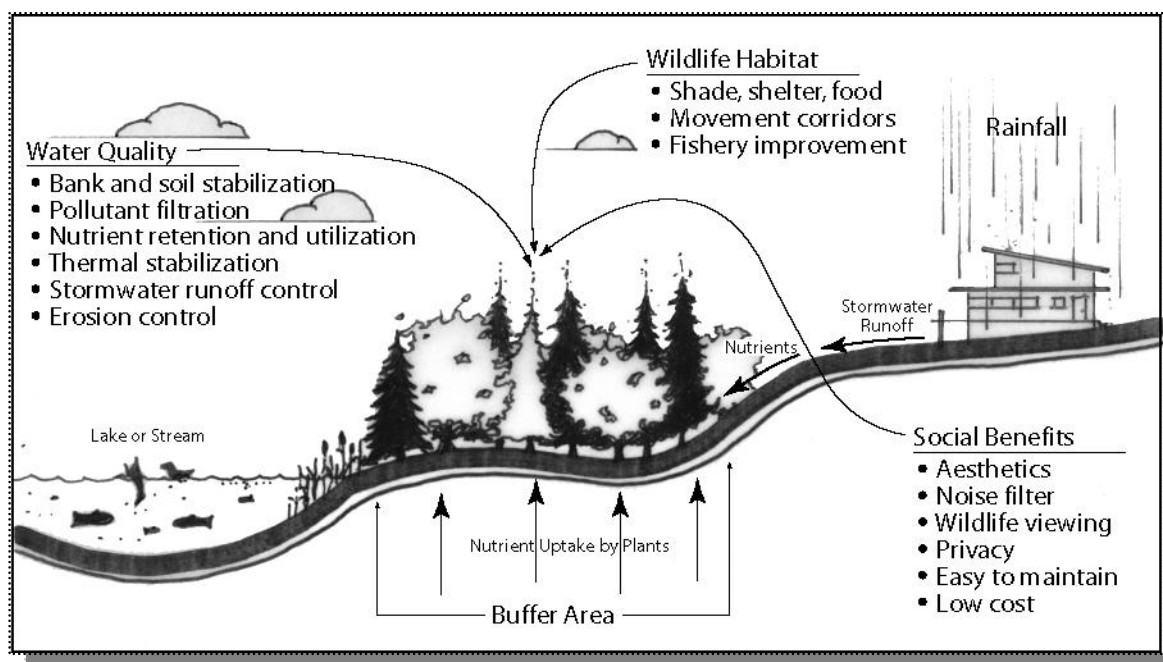
- ♦ More detailed study reveals that the characteristic(s) which resulted in its designation as an environmental corridor no longer exists, or never existed,
- ♦ Approvals from appropriate agencies are granted to alter a property so that the characteristic which resulted in its classification as an environmental corridor will no longer exist, or
- ♦ A mapping error has been identified.

### **Protect Surface Water Quality**

The Town has significant surface water resources – including the Middle Branch of the Embarrass River, which supports a diversity of fish, and has historically been a high-quality cold-water trout stream.

Shorelands, as defined by the State and Shawano County, include all lands within 300 feet of a river or stream and 1,000 feet from a lake or pond. Within these areas, the types and intensity of development allowed are limited and special regulations regarding clearance of natural vegetation, structures, and water run-off are established to protect surface water quality.

As development in the Town occurs, construction site erosion control and ongoing stormwater management are increasingly important issues. Soil erosion rates in the Embarrass River watershed have been high in recent history. Unmanaged construction sites are one of the greatest contributors to off-site sediment runoff. Currently, under a recent change to State law, construction site erosion control plans are required for all sites over 1 acre in area. Techniques include natural drainage swales, retention and detention basins, rain gardens on individual lots, and vegetative buffers adjacent to water bodies and other sensitive resources (see Figure 13). These techniques control the quantity and improve the quality of water run-off during storms. Again, these techniques are critical in shoreland areas and may serve as important within groundwater recharge areas.

**Figure 13: Benefits of Vegetative Buffers**

The Town intends to preserve surface water quality in existing high-quality watersheds and improving water quality in watersheds with the greatest water quality problems – focusing on maintaining stability in streams like Mill Creek and improving water quality in the Embarrass River. The Town will work cooperatively with the County and WisDNR in these efforts. In cooperation with the County, the Town intends to seek funds from State programs designed to assist in efforts to protect and enhance surface water quality in key areas, including:

- ♦ The WisDNR Targeted Runoff Management Program, which provides financial assistance to communities to either construct best management practices themselves or contract with individual landowners to install such practices.
- ♦ The WisDNR River Protection Grant Program, which aims to prevent the deterioration of water quality, fisheries habitat, and natural beauty as the number of homes, recreational activities, and other uses increases along rivers. Grant dollars may be used for river organization development; information and education; assessments of water quality, fish, and aquatic life; nonpoint source evaluations; purchase of land or easements; development of local ordinances; and habitat restoration.

### **Protect Groundwater Quality and Quantity**

Groundwater is the source for all of the Town's drinking water supply. If groundwater is removed from an aquifer more quickly than it is recharged, the amount of water available in the aquifer is reduced. This may be of particular concern where water tables are dropping from groundwater use in portions of the Town with high concentrations of dwelling units. In addition, groundwater recharges local rivers and streams. For these reasons, groundwater protection is critical. Through this *Plan*, the Town supports several efforts to protect groundwater quality and quantity, including the following:

- ♦ *Minimize new development in areas susceptible to groundwater contamination.* In portions of the Town more highly susceptible to groundwater contamination, The Town will limit the location of commercial or other uses



with the potential to emit pollutants into the soil or groundwater. Examples include gas stations or other uses that store fuel or other potential contaminants.

- ◆ *Ensure the proper placement and maintenance of on-site waste disposal (septic) systems.* Improper placement and maintenance, particularly of both old systems and chemical and biological treatment systems allowed under the new “COMM 83” law, can result in groundwater contamination. In addition, an over-concentration of on-site septic systems can increase the probability of groundwater pollution. On-site system recommendations are addressed more completely in Chapter Six: Utilities and Community Facilities.
- ◆ *Remain informed and involved in decisions pertaining to high-capacity wells.* Permits for high-capacity wells (those withdrawing more than 100,000 gallons per day) must be registered with and permitted by WisDNR. The DNR will not approve wells that impair public water utility supplies and has authority to deny applications for high-capacity wells should they have the potential to adversely affect the environment. Wells drawing more than 2 million gallons per day are evaluated in terms of whether they impair public water rights, future water use plans, or cause adverse groundwater effects. Should potential new sites be proposed in Birnamwood over the planning period, The Town intends to remain informed and involved in any WisDNR decisions regarding high-capacity well decisions. One way to stay involved is through regular communication and providing public comment during Environmental Impact Statement review periods. The Town could also consider participating in cooperative groundwater management plans with municipalities, industries, local and regional planning agencies, and State agencies where appropriate, should special groundwater protection priority areas be delineated in the future.

### **Support Woodland Management Efforts**

The Town’s woodlands are an important component of the area’s landscape and character, as well as the recreational base and rural economy. These woodlands provide timber revenues to private landowners and abundant recreational opportunities for both residents and visitors. Development located near and within the Town’s woodlands should be planned and sited in a manner compatible with maintaining the Town’s woodlands as scenic and economic resources.

As a method to preserve this important natural resource over the planning period, the Town encourages private landowners to continue to participate in the State’s Managed Forest Land (MFL) Program. Adhering to a forest management plan—prepared for each piece of MFL-enrolled property—is a requirement of the program.

In general, before any logging activities commence in Birnamwood, the Town encourages the private landowner or contractor to prepare a forest management plan. This plan, covering activities from road construction, timber harvesting and site preparation, should use WisDNR’s Best Management Practices (or BMPs). BMPs help to reduce erosion to ensure long term woodland maintenance and promote their economic utilization. WisDNR has cost-sharing assistance for plans written by a consulting forester or assisted by the regional WisDNR forester.

The WisDNR also administers funding to encourage stewardship and sound management of privately owned forested lands. These include forest stewardship grants and incentives supporting technical assistance, informational and educational materials; plans for practices that protect, maintain, and enhance forest resources including wetlands, lakes and streams; tree planting and stand improvement; soil and water protection; and other habitat enhancements.

As an alternative or in addition to the above strategies, landowners engaged in active forestry practices may also consider creating forest cooperatives.

WisDNR provides information on preventive measures and strategies to mitigate wildfire damage. Chapter Six of this *Plan* presents specific recommendations on preventive measures that could be used around a private lot and home to limit the spread of fire and mitigate wildfire damage.

**Carefully Review Proposals for Mineral Extraction Sites and Enforce Reclamation**

Over the planning period, the Town intends to make itself aware and carefully review any proposal for expanded or new extraction activity. Mineral resources have potentially significant economic, community, and environmental impacts. Wisconsin now has administrative rules on the reclamation of nonmetallic mines (NR 135), but these do not cover many aspects of their operation. The Town will work with the County to assure that applications for approval of extraction operations present a clear picture of proposed activities, through submittal of a complete description, a detailed site/operations plan map(s), and a reclamation plan.

In its review of proposals for new or expanded mineral extraction operations, The Town will consider the following issues:

- ◆ The site will be developed and operated according to the site/operations plan.
- ◆ Spraying of the site and driveways should be considered to control dust.
- ◆ On-site bulk fuel storage and appropriate places for fueling of equipment (e.g., above the water table) should be addressed to minimize the potential for groundwater contamination.
- ◆ Access should only be through services points designated as entrances on the site/operations plan.
- ◆ Hours of operation may be limited if the extraction site is close to residential properties.
- ◆ Expectations for any blasting, drilling, screening and hours should be clearly understood.
- ◆ If blasting or drilling is requested, additional standards may be applied with relation to frequency, noise and vibration levels, notice to neighbors, pre-inspection of neighboring basements and wells, and claims procedures.
- ◆ Unless the extraction site is very inaccessible, it should be completely enclosed by a safety fence or maintained at a gentle slope.
- ◆ The petitioner should have to furnish a certificate of insurance before operations commence. The Town should be listed as an “additional named insured” on the liability insurance policy.
- ◆ Provisions for the upgrade, repair, and maintenance of Town roads may be appropriate. Posting a bond for such work may be required.

In the case of existing mineral extraction sites, The Town intends to work with the operators to ensure a proper reclamation plan is prepared and followed. The Town has designated these sites as *Open Space, Agriculture, and Residential*, which suggests that a range of open space and possibly agricultural or forestry related support business. See Chapter Three: Land Use for more details.

### **Map 3: Natural Features**



## Cultural Resource Inventory

The Town of Birnamwood and the entire region was once home to the Menominee and Chippewa Native American tribes. They hunted and fished the rivers and lakes of this region for hundreds of years prior to the arrival of the Europeans. In 1673 French Jesuit priest Jacques Marquette and Jean Nicolet journeyed through the County but did not settle. Samuel Farnsworth came to the region in 1843 via the Wolf River and realized the potential for lumbering. A year later Charles Wescott established a sawmill at the junction of the Wolf River and Shawano Lake. On the November 10, 1845, the first steam-powered boat, *The Manchester*, arrived at what is now the City of Shawano on the Wolf River.

By 1851 logging had spread out from the Shawano area to other rivers that flowed into the Wolf. In 1853 the population of the region had grown to 254 inhabitants and “Shawanaw” County was established as a separate County from sections of Oconto and Outagamie Counties. The name Shawanaw comes from the Native American Sha-wa-Nah-Pay-Sa which meant “lake to the south” in Menominee and Chippewa; the current spelling was adopted in 1864. As the community grew and the land was cut-over, Germans came in large numbers to clear the land of stumps, drain the swamps, and establish farms that remain to this day. Joining these European pioneers were also Bohemians, Norwegians, Irish, and, to a lesser degree, English and French immigrants. While lumbering still played a small part in the economy after 1900, the primary economy was dairy farming and associated industries.

Each generation of residents has added to the cultural, religious, and architectural flavor of the region. Preservation of these historic and cultural resources fosters a sense of pride, improves quality of life, and provides an important feeling of social and cultural continuity between the past, present, and future. The following sections describe the Town of Birnamwood’s significant historic and archeological resources.

### **Historic Resources**

The Wisconsin Historical Society’s Architecture and History Inventory (AHI) contains data on a wide range of historic properties throughout the State – such as round barns, cast iron bridges, commercial buildings, schoolhouses, and turn-of-the-century homes – that create Wisconsin’s distinct cultural landscape. There are no known historical sites located in the Town of Birnamwood.

The Shawano County Historical Society Heritage Park Museum, located in the City of Shawano, seeks to preserve and promote these types of historic resources. The six-building museum compound and its exhibits bring to life the history of immigrants, lumberjacks and early farmers who settled this area of Wisconsin.

### **Archeological Resources**

There are no known archeological sites located in the Town of Birnamwood. Archeological sites include cemeteries/burial sites, effigy mounds, and historic campsites/industrial sites/villages. All human burial sites, including cemeteries and Indian mounds, are protected under State law. The National Historic Preservation

#### **CULTURAL RESOURCES RECOMMENDATIONS SUMMARY**

- ◆ Emphasize the Town’s rural heritage and resource-based activities as a cultural resource.
- ◆ Encourage historic preservation efforts of valued historic structures and archaeological sites.
- ◆ Protect open space and scenic character.



Act of 1966 requires federal agencies to ensure that their actions do not adversely affect archeological sites on or eligible for listing on the National Register of Historic Places. Archeological sites can be protected during the course of State agency activities if the sites have been recorded with the Office of the State Archeologist.

## **Cultural Resource Goals, Objectives and Policies**

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### **Goal:**

1. Encourage the maintenance of the scenic character of the Town.

### **Objectives:**

1. Balance the preservation of the historic character with new development.
2. Identify and promote the preservation of key historical resources in the Town.
3. Maintain lightly traveled, historic roadways and road-side character that contribute to the Town's scenic character and provide access to the recreational opportunities.
4. Preserve blocks of woodlands, hunting land, river corridors, wetlands, and open space that contribute to Birnamwood's rural way of life.

### **Policies:**

1. Encourage private landowner voluntary protection and rehabilitation of historic and archaeological sites.
2. Preserve the character of Birnamwood through careful consideration of the quality and quantity of new residential and non-residential development.
3. Consider participating in a countywide survey of historic resources.
4. Promote "heritage tourism" (e.g., local festivals, fairs, recreation, farm tours) that celebrate the heritage and rural setting of Birnamwood.

## **Cultural Resource Recommendations and Programs**

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Expanding on the local planning policies listed above, the Town of Birnamwood intends to preserve and celebrate its important cultural resources by pursuing the following strategies:

### **Protect and Rehabilitate Known Historic and Archeological Sites**

The Town will work to identify and explore ways of preserving known historic and archeological sites that are included in the Wisconsin Archeological Site Inventory (ASI) or State Historic Society databases (see Map 3). Mapped archeological sites in Birnamwood are predominantly cemeteries, Native American burial mounds, or campsites. Under Wisconsin law, Native American burial mounds, unmarked burials, and all marked and unmarked cemeteries are protected from intentional disturbance. The Town may make a request for -or require a developer to obtain - more detailed information from the State Historical Society when development proposal is offered on land in an area where a historic or archeological site has been mapped.

### **Promote Heritage Tourism**

The Town will cooperate with other communities and the County to promote tourism opportunities that celebrate and take economic advantage of the area's historic, archeological, scenic and natural resources. This type of tourism—often called "Heritage Tourism"—will become increasingly popular as the baby boom generation eases into retirement. Heritage tourism may focus on museums and cultural centers, vibrant rural communities, historic architecture, and the Town's natural amenities. Agricultural tourism highlighting both traditional agriculture and organic farms has also been successful in the State, such as seasonal farm events with maple sugaring, pumpkin patches, sleigh rides, corn mazes or tours of organic farms. Finally, the hunting, fishing, and trapping have long been part of the Town's cultural life, and efforts to preserve and promote responsible public access to hunting and fishing resources are as much a cultural objective as they are recreational and economic development objectives.

**Community Design, Park, Open Space, and Recreational Resources**

Scenic beauty is a very important cultural resource in the Town of Birnamwood. There are numerous local areas that offer expansive views of the landscape, key landmarks, and bodies of water. Areas identified as having high scenic value through the special places photo exercise include the Town's rural "roadsides," rivers, wetlands, and open spaces.

New development should be designed, located, and landscaped in a manner that does not detract from these scenic views. Chapter Six: Housing and Neighborhood Development provides additional guidance on minimizing the visual impact of development, and retention of buffer yards along shorelands (see Natural Resources, above) can serve multiple purposes, including protection of view sheds. Chapter 5: Utilities and Community Facilities provides some recommendations for improving public access to recreational and natural resources.







## Chapter Three: Land Use

This chapter contains a compilation of background information, goals, objectives, policies and recommended programs to guide the future preservation and development of land in the Town of Birnamwood. It includes maps showing existing land uses and recommended future land uses, and provides land use data, analysis, and advice.

### Existing Land Use

#### **Existing Land Use Map Categories (Map 4)**

Map 4 divides existing land uses in the community into several categories. These categories are representative of existing (2018) land use and do not necessarily reflect the current zoning district designation, or the desired future land use pattern. This same set of categories was used to map existing land uses over the entire County. Each individual community may not have the categories on the list below.

**Public Open Space and Recreation:** Publicly owned land designated as State parks, scenic areas, or conservation areas; County parks or recreation areas; town, city, or village parks; or other recreational facilities open to the public and owned by public entities, non-profit agencies, or private owners (e.g. golf courses, campgrounds).

**Agriculture:** Agricultural and related uses; associated home occupations and small family businesses which do not interfere with the interests of adjacent property owners; agricultural related businesses such as implement dealerships and feed mills; and housing at low densities, usually one residence per 35 acres.

**Open Space and Forestry:** Forestry and related uses; conservation of natural resources - swamps, marshlands, river and lakeshore, wildlife preserves; associated home occupations and small family businesses which do not interfere with the interests of adjacent property owners; and housing at low densities (usually 1 residence per 35 acres or less).

**Residential (Unsewered):** Mainly single-family housing, served by individual on-site waste treatment (septic) systems.

**Mixed Residential:** Variety of residential units, including single-family, duplex and multiple-family housing (3+ unit buildings) served by a public sanitary sewer system or group on-site waste treatment system.

**Commercial:** Indoor commercial, retail, service, tourism-oriented, office, and institutional, uses, excluding manufacturing, warehousing, and distribution.

**Industrial:** Indoor manufacturing, warehousing, distribution, and office uses, sometimes with outdoor storage areas.

**Mineral Extraction:** Current use as a quarry, gravel pit, clay extraction, peat extraction, and related land uses.

**Community Facilities:** Large-scale public buildings, hospitals, airports, power substations, and special-care facilities.

#### **LAND USE RECOMMENDATIONS SUMMARY**

- ♦ Limit new development on agricultural, forest, recreational, and natural resource lands.
- ♦ Ensure new residential, recreational commercial, and industrial is compatible with the Town's rural character.
- ♦ Guide most new development to the Village areas and Highway 45 corridor.

### **Existing Land Use Pattern**

An accurate depiction of the Town's *existing* land use pattern is the first step in planning for a desired *future* land use pattern. The existing (2018) land use pattern is shown in Map 4 and listed in figure 14.

Much of the Town of Birnamwood remains in agricultural, open space, and woodland, particularly in the west central part of the Town. Unsewered rural residences are located throughout the Town, concentrated largely on or near long-established roads and highways. More intensive land uses remain concentrated in the incorporated Villages of Birnamwood and Eland located at the western periphery. US Highway 45 runs through the western portion of the Town. With the exception of the Wiouwash State Recreation Trail west of US Highway 45 and the Mountain Bay State Recreation Trail near the Town's southern border, there is little land in public ownership.

**Figure 14: Existing Land Use Totals, 2018**

<b>Land Use</b>	<b>Acres</b>	<b>Percent</b>
Agriculture	5,418	27
Commercial	16	<1
Industrial	6	<1
Community Facilities	5	<1
Mineral Extraction	19	<1
Mixed Residential	0	0
Open Space and Forestry	13,648	68
Public Open Space and Recreation	103	<1
Right of Way	562	2
Residential - Unsewered	335	2
Surface Water	122	1
<b>TOTAL</b>	<b>20,234</b>	<b>100.0</b>

*Source: GIS Inventory, East Central Wisconsin Regional Planning Commission & Shawano County, 2018*

### **Land Development Trends**

A review of historical land development trends provides a foundation for predicting the local demand for housing and land needed for development in the future. According to the Shawano County Department of Planning and Development, between 1995 and 2005, there were 4,985 new lots created in Shawano County through subdivision plats, certified survey maps, or deeds. This means, on average, 453 new lots were created annually.

According to the Shawano County Department of Planning and Development, between 2006 and 2019, there were 161 Land Use Permits and 70 Sanitary Permits issued in the Town of Birnamwood. There were 12 Certified Survey Maps (CSMs) recorded between 2012 and 2019. Town specific data from 2006-2011 was unavailable. Due to the creating of a Land Division Ordinance and updates to the Shawano County Zoning Ordinance since the original comprehensive planning effort, the measure of land development trends has changed in Shawano County. Figures 15 and 16 below best represent measurements of new development and land division in the Town and County.

**Figure 15: Land Development, Town of Birnamwood, 2006 - 2019**

<b>Year</b>	<b>CSMs Recorded</b>	<b>Land Use Permits</b>	<b>Sanitary Permits</b>
2006		18	7
2007		17	0
2008		19	5
2009		8	7
2010		12	2
2011		13	3
2012	1	12	12
2013	2	9	7
2014	0	10	2
2015	1	7	5
2016	1	10	4
2017	1	6	9
2018	4	11	4
2019	2	9	3
<b>Total</b>	<b>12</b>	<b>161</b>	<b>70</b>

**Figure 16: Land Development, Shawano County, 2006 - 2019**

<b>Year</b>	<b>CSMs Recorded</b>	<b>Land Use Permits</b>	<b>Sanitary Permits (new systems)</b>
2006	152	525	219
2007	151	527	182
2008	114	499	185
2009	69	385	156
2010	65	376	185
2011	66	365	261
2012	126	310	242
2013	68	284	182
2014	66	226	135
2015	82	265	134
2016	70	313	117
2017	68	286	142
2018	67	294	142
2019	54	288	117
<b>Total</b>	<b>1,218</b>	<b>4,943</b>	<b>2,250</b>

*Source: Shawano County Planning & Development Department, 2020*

### **Land Market Trends**

According to the United States Department of Agriculture's National Agricultural Statistics Service, 26,039 acres of agricultural land were sold in Shawano County from 1998 to 2005. On average, the price of land sold during that eight-year period was \$2,041 per acre. Of all agricultural land sold during that period, approximately 19 percent, or 4,973 acres were converted to non-agricultural uses. The price of agricultural land sold rose dramatically during that period. Measured in dollars per acre, the average sale price increased over 100 percent between the years of 1998 (\$1,348) and 2005 (\$2,796).

State of Wisconsin housing statistics provided by the Wisconsin Realtors Association's Multiple Listing Service in figure 17 shows the median sale price of a home in the County grew from \$72,300 in 1997 up to a high of \$122,500 in 2019. These figures show a great fluctuation in median sale price over the twenty-two year period, with the highest number of home sales occurring in 2017.

**Figure 17: County Home Sales**

<b>Year</b>	<b>Number of Home Sales</b>	<b>Median Sale Price</b>
1997	245	\$72,300
1999	339	\$81,000
2001	305	\$89,200
2003	325	\$98,600
2005	383	\$101,200
2007	383	\$114,169
2009	297	\$88,683
2011	329	\$78,000
2013	355	\$93,992
2015	444	\$98,421
2017	508	\$115,500
2019	473	\$122,500

*Source Wisconsin Realtors Association Consumer Resources 2020*

The equalized value of all property in the Town of Birnamwood and Shawano County from 1998 to 2018 is presented in Figure 18. Town land values have increased at a greater rate than the County during the period shown. Total equalized land value during this time period has increased by 159 percent in the Town and by 106 percent in the County. The Town experienced the most substantial increase in land values from 1998 to 2002 (72.5 percent) and a slight decrease in land values from 2010 to 2014 (-6 percent).

**Figure 18: Equalized Land Values**

<b>Year</b>	<b>Town Equalized Land Value</b>	<b>Percent Increase</b>	<b>County Equalized Land Value</b>	<b>Percent Increase</b>
1998	21,450,900	-	1,540,174,900	--
2002	37,000,000	72.5	2,108,200,300	37%
2006	39,107,500	5.7	2,707,919,400	28%
2010	49,402,200	26.3	2,931,251,900	8%
2014	46,430,100	-6.0	2,875,432,000	-2%
2018	55,571,100	19.7	3,170,659,400	4%

<b>Total Change 1998-2018</b>	<b>159%</b>	<b>106%</b>	<b>106%</b>
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*Source Wisconsin Department of Revenue, 1998-2018*

### **Existing and Potential Land Use Conflicts**

There are few existing land use conflicts in the Town of Birnamwood. The adjacent Villages of Birnamwood and Eland have not annexed land from the Town in recent years, and intergovernmental relations with these communities are relatively good. Potential future conflicts over type, intensity, or jurisdiction of future development near or in the neighboring Villages could arise over the next 20 years and the Town recognizes the importance of maintaining good intergovernmental relations in order to achieve desirable land use outcomes.

Potential land use conflicts within the Town revolve around the compatibility between different land uses. The Town intends to take measures ensuring that new development is compatible with or enhances the natural and rural character of the community. Single-family residential uses are projected to require the most conversion of agricultural and forest land in the next 20 years and finding a balance between residential uses and those natural and rural characteristics that define the Town of Birnamwood will be important. The Town recognizes that even limited residential development in close proximity to agricultural, forestry, hunting, and sensitive habitats areas may negatively impact these uses and consume more land than is necessary if not carefully planned. Seasonal housing and trailer parks can erode the character of the community unless care is taken to ensure design and maintenance standards for these uses. Conflicts can also arise between non-residential uses. Farming, forestry, and various recreation activities should not result in large-scale or lasting damage to the natural resource base on which these activities depend. Commercial and industrial uses must be carefully located and designed to limit the need for new public infrastructure and enhance rather than detract from the Town's rural character.

### **Projected Land Use Supply and Demand**

This *Plan* projects land use demand over the 20-year planning period, in five-year increments, for residential, commercial, industrial, and agricultural uses. Projected demand, presented in Figure 19, is then compared to the potential supply of land to meet that demand. The projections are based on the following data and assumptions:

- ◆ **New dwelling units per year:** Residential land use projections in the Town of Birnamwood are based primarily on the number of new homes that are expected to be built in the Town in the next 20 years. The number of new homes expected was derived by using the average of building permits issued in recent years. Based on development trends from the year 1995 through 2005, an average of 4.18 dwelling building permits were issued each year. This average rate of development is expected to remain consistent throughout the planning period.
- ◆ **Residential lot size scenarios:** The amount of land required to accommodate new homes will vary depending on the lot size on which the homes are located. Two different residential lot sizes averages were used to calculate the projected amount of additional land for development, based on different density assumptions. It is important to see the impact that different lot sizes will have on how much land is necessary for development. The first scenario assumes an average lot size of 2 acres while the second assumes an average lot size of 10 acres. The two scenarios acknowledges that while the Town will work to limit new residential to smaller lot sizes and direct most residential uses to villages and cities served by municipal services, the Town also recognizes the desirability of providing some flexibility in lot size to adjust to specific conditions.
- ◆ **Non-residential development ratio:** Projected non-residential (commercial and industrial) development is 4.18 acres per each 5-year period through 2030. This amount is based on the current balance between residential and non-residential development in the Town. The amount of projected non-residential development was held constant regardless of the different potential residential lot sizes in the two scenarios.
- ◆ **Flexibility factor:** Because the market for land is not only driven by demand, but is also dictated by the motivations and desires of landowners and developers, it is important to factor in an allowance for uncertainty. In other words, a given parcel of land may not be available for development when the market is

ripe for development. Therefore, incorporating a flexibility factor into the projections ensures that the supply of areas designated as appropriate for development will accommodate future demand. These projections utilized a 100% flexibility factor (i.e., total projected land use needs were doubled).

**Figure 19: Projected Land Use Demand**

	2000 - 2010	2010- 2015	2015- 2020	2020- 2025	2025- 2030	Total Demand
<b>Projected Additional Housing Units</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>105</b>
<b>Projection Scenario One: Average Residential Lot Size of 2 Acres</b>						
Projected Residential Land Use Acreage Demand	42	42	42	42	42	210
Projected Non-Residential (Com- mercial and Industrial) Land Use Demand	4	4	4	4	4	20
Total Land Use Acreage Demand	46	46	46	46	46	231
Total Land Use Acreage Demand with Flexibility Factor	92	92	92	92	92	<b>462</b>
<b>Projection Scenario Two: Average Residential Lot Size of 10 Acres</b>						
Projected Residential Land Use Acreage Demand	210	210	210	210	210	1,050
Projected Non-Residential Land Use Demand (Commercial and In- dustrial)	4	4	4	4	4	20
Total Land Use Acreage Demand	214	214	214	214	214	1,070
Total Land Use Acreage Demand with Flexibility Factor	428	428	428	428	428	<b>2,140</b>

*Source: Shawano County Building Permits, Vandewalle & Associates*

The projections in Figure 19 suggest that the Town should anticipate that at minimum, an additional 231 acres of land will be developed over the period between 2005 and 2030 in the Town – an area about one-third of a section of land. This projection is based on the low-end projection and assumes that new development occurs on small lots. The high-end projection of 1,070 acres (or nearly two square miles) will be required if current trends continue.

Future development planned on Map 5 and allowed under the policies of this *Plan* will provide more than enough capacity to accommodate the expected demand for residential and non-residential development under either of these projection scenarios. The Town's future land use categories allow the flexibility to accommodate homes at different densities. The *Open Lands, Agriculture, and Residential (10-35)* land use category allows for a variety of different lot sizes. Allowing lots as small 2-acres would create less impact on open lands. If the Town requires a minimum lot size of 5 acres and there is no maximum lot size, Projection Two with an average of 10-acre lots becomes the more likely scenario.

The Town has large tracts of land suitable for agriculture, forestry and open space uses. These uses are designated as *Open Lands, Agriculture, and Residential (10-35)* on Map 5. The majority of this land is currently farmed or forested, and it is projected that most of this land will remain in those uses. The *Plan* recommends that the

majority of land in this category remain undeveloped or developed at a low density. The recommended development density allows flexibility for the location of future housing and preserves opportunities for property owners to realize some non-resource-based use of their land, while retaining an emphasis on preservation. Based on the current the ratio of forest land to agricultural land in the Town of approximately 2:1, and assuming that agricultural land is as likely to be developed as forest land, it is reasonable to project that about one-third of the land used for residential and non-residential development will be taken from agricultural land during each 5-year period. Using the two different projection scenarios, the amount of agricultural land would decrease by somewhere between 14 and 72 acres per 5-year period, depending on average amount of land required for each new residence or non-residential use.

New non-residential development in the Town is expected to be minimal, with commercial and industrial uses limited to those that do not require extensive municipal services and that do not detract from the Town's rural character. The total new commercial and industrial land use is expected to be 2 acres per category for every 5-year period or 10 acres per category over the next 25 years.

## Land Use Goals, Objectives and Policies

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### **Goals:**

1. Promote an efficient, sustainable, and high-quality land use pattern consistent with the Town's rural character.
2. Maintain the Town as a mixed farming, forestry, residential, and recreational community.

### **Objectives:**

1. Identify suitable areas for residential, commercial, industrial, and recreational development that preserves the Town's character and agricultural and resources.
2. Plan for a sufficient supply, mix, and location for new development to meet Town objectives and projected demand for residential and non-residential development.
3. Minimize the visual impact of new development on the landscape and avoid land use conflicts.
4. Identify areas most suitable for non-residential development, such as along the Highway 45 corridor or near other County and Town roads.
5. Work with the Villages of Birnamwood and Eland when development around Village limits is proposed.

### **Policies:**

1. Follow the land use recommendations mapped and described in this *Plan* when reviewing new rezoning and land division requests and making other detailed land use decisions.
2. When changes in zoning and/or a division of land that would affect non-agricultural development (residential, commercial, or industrial) are proposed, require the submittal of a specific development proposal (comprised of a detailed site plan) before approving or recommending approval of the rezoning land division and/or conditional use. Approval of the development proposal should be based on the degree to which the project fulfills the goals, objectives, and policies of this *Plan*.
3. Key map, or land division approval, require a concept, land division and/or site plan.
4. Rezone lands as necessary to reflect existing land uses where changes to the existing land use pattern are not desired, and future land use recommendations where changes are desired.
5. Assure that incompatible land uses are not located close to one another or are buffered through screening, where nearby locations are unavoidable.
6. Work with the County to enforce existing regulations designed to discourage incompatible uses (e.g., junk vehicle storage), particularly in and around residential areas.



7. In areas planned for residential development, plan for minimum lot size of 2 acres as an approach to minimize the amount of land that is required for development and to minimize development, service, and maintenance costs (e.g., fewer roads to maintain, shorter school bus routes).
8. Allow the grouping or clustering of allowable home sites at low overall densities in rural portions of the Town of Birnamwood as an option to preserve farmland, forestry, recreation and open spaces, to protect natural resources, and to reduce the visibility of development.
9. Actively participate in County zoning review processes (e.g., rezonings, conditional use permits, ordinance text, and map amendments).
10. Assure that new developments are sustainable and positive for the community from a fiscal, transportation, economic, building quality, and environmental perspective.
11. Direct intensive new development requiring higher levels of municipal utilities and services to the Villages of Birnamwood and Wittenberg.
12. Direct new commercial development to areas along major roads such as Highway 45 and particularly with intersections of other roads. See the *Community Commercial* land use category policies for further guidelines.
13. Work with the County to provide additional protection for shoreline areas. This might include easements or deed restrictions limiting certain practices, such as vegetation removal, or conservation easements.
14. Prohibit the use of holding tanks for new residential development, and practice and promote best practices for treatment of sanitary wastewater, particularly where new development is concerned.
15. Do not plan for any new residential development within a  $\frac{1}{4}$  mile (1,200 feet) radius around closed landfills, unless a WisDNR waiver is granted.

### **PRESERVING AND ENHANCING ELEMENTS OF TOWN CHARACTER**

“Community Character” is a term often used to describe the way a community looks, feels, and functions. A community’s character is a function of the relationships between the built environment, the natural environment, and the people who live in, work in, or visit the community. It’s much more than just where different land uses are located. Communities are usually comprised of different, but ideally compatible, components (historic downtown, residential neighborhoods, employment or shopping districts, etc.) that make up their overall character.

As Birnamwood continues to change in the future, it will be important for the Town to establish and enforce standards that help ensure that new development and redevelopment projects have a positive impact on the way the community looks and feels to residents and visitors. Such standards should specifically address aesthetic components of development such as building quality, the careful relationship of agricultural and open spaces to new non-agricultural development, and the preservation of community entryways and historic or culturally significant buildings and places.

Many Birnamwood residents recognize the value of living in a community that has retained its rural atmosphere, while, at the same time, having sustainable development opportunities and reasonable access to nearby urban amenities and services. As Birnamwood experiences more growth, the community will be challenged to maintain and enhance its character and rural charm. Identifying the characteristics that make towns desirable places to live will help Birnamwood better protect and build upon its assets.

The Town of Birnamwood will strive to maintain the following characteristics:

- ◆ Natural areas and forestry in large blocks as the predominant land uses in most of the Town.
- ◆ New development integrated with the landscape versus dominating it. The following guidelines will help to achieve this goal:
  - Use existing vegetation and additional landscaping to screen development.
  - Retain wooded areas.
  - Limit placement of development on hilltops and in environmental corridors.
  - Minimize the visual impact of development from existing roads at time of land division.
  - Integrate development with existing topography and landscape patterns.
- ◆ Minimize the number of driveways on public roads, particularly county roads.
- ◆ New development concentrated in hamlets or at edges of existing development areas such as the Villages of Birnamwood, Eland, and Wittenberg.
- ◆ Development in compact configurations, including “clustering” of allowable homesites at low overall densities in mostly agricultural or open areas.
- ◆ Clear separation between communities and between developed and long-term farming and forestry areas.

## Land Use Recommendations, Specific Policies, and Programs

### **Future Land Use Recommendations**

Map 5 presents recommended future land uses over the 20-year planning period for the Town of Birnamwood. The future land use map shows more than enough developable acreage to accommodate projected population and land use demands. Changes from the existing land use pattern to realize this future land use pattern may occur if and when private property owners make requests for rezoning, subdivisions or land divisions, conditional use permits, or other development approvals in accordance with appropriate phasing and availability of public services as determined by the Town. As such, not all land identified for development on Map 5 will be immediately appropriate for rezoning or development approval following adoption of this *Plan*.

Map 5, along with the recommended policies and programs listed in this Chapter, should be used to guide Town decision-making on future land use changes. Map 5 uses numerous future land use categories to describe the desired type and future location of different land uses in the Town. These future land use categories were prepared in a joint effort with other towns, villages, cities, and Shawano County and reflect the range of economic and geographic conditions in the region. The categories mapped in the Town of Birnamwood were guided by the Town's Plan Commission and input from the public.

**The following is a description and programs and policies for each mapped future land use category shown on Map 5.**

### **Open Lands, Agriculture, and Residential (10-35)**

**Description:** This future land use category includes farmland, privately owned undeveloped lots, small woodlots, grasslands, forestland and open lands in agriculture, aqua culture, commercial forestry use; and housing at a density between 1 residence per 10 acres and 1 new residence per 35 acres. This future land use category is the predominant future land use mapped throughout the Town.

In addition to agricultural and forestry uses, small-scale forest production and processing, seasonal and permanent single-family homes, associated home occupations and small family businesses which do not interfere with the interests of nearby property owners would generally be allowed.



### **Policies and Programs:**

The following policies and programs are recommended for this future land use category, in areas on Map 5 where the category is shown:

1. Permit a maximum density of development of one housing unit per every 10 acres of land with some examples of flexibility in achieving this density based on approaches depicted in Figure 20.
2. Require a 2-acre minimum lot size for residential development in this future land use category to provide flexibility in lot sizes and to minimize fragmentation and loss of open space.
3. Work with the County to amend current zoning districts



to best reflect and achieve the recommendations of this future land use category. An example of an existing County zoning district that may be suitable to implement this land use category includes the Agricultural Forestry Residential Zone (A-290). Others are possible.

4. Allow home occupations and home-based businesses within mapped *Open Lands, Agriculture, and Residential (10-35)* areas that do not impact neighboring properties.
5. Use standards for achieving conservation neighborhood design to preserve rural character, protect environmental resources, promote interconnected road patterns, provide attractive development sites, and support recreational opportunities. Conservation neighborhood design techniques are described in Chapter Six: Housing and Neighborhood Development and illustrated in Figure 20 below.
6. For clusters of two to four new lots, promote the use of shared driveways and shared on-site waste treatment (septic) systems, if proper maintenance agreements are recorded and permanently required for all properties.
7. Limit the division of new lot creation to not more than four new lots from any one parcel in single ownership over any five-year period in order to prevent subdivision plats.
8. Consider certain types of small-scale non-residential uses such as churches, day care centers, parks and walking trails as generally appropriate within *Open Lands, Agriculture, and Residential (10-35)* areas. Mineral extraction operations may also be allowed following standards in Chapter 2, Agricultural, Natural, and Cultural Resources.

Figure 20: Example of Conventional and Conservation Development





### **Mixed Residential**

**Description:** The Mixed Residential future land use category is intended to allow a variety of residential units, including single-family detached homes and single-family attached dwellings (e.g., townhomes); duplexes and multiple-family housing (3+ unit buildings), including condominiums, apartments, and senior housing developments. In the Town of Birnamwood, Mixed Residential is mapped on Map 5 in areas where these types of development existed at the time this *Plan* was prepared.

#### **Policies and Programs:**

The following policies and programs are recommended for this future land use category in areas on Map 5 where this category is shown:

1. Multi-family residential projects in the Town should generally be limited to accessory residences on single-family home sites.
2. Multi-family residential projects appropriate for the Town's Mixed Residential category should meet the minimum design standards presented in the Chapter Six: Housing and Neighborhood Development chapter of this Plan.
3. Multi-family developments of any type should provide substantial landscape areas and open green space within the development, and landscape screening between these developments and adjacent properties and roads.
4. Work with the County to amend current zoning districts to best reflect and achieve the recommendations of this future land use category. Examples of an existing County zoning district that may be suitable to implement this land use category include the Residential Multi-Family (RM). Require that all proposed projects submit a detailed site plan, building elevations, landscape plan, lighting plan, grading/stormwater management plan, and signage plan prior to development approval.



*Example of community commercial development with rural character*

### **Community Commercial**

**Description:** This future land use category is designed to facilitate smaller-scale, indoor commercial, retail, service, tourism-oriented services and retail, office, and institutional uses, excluding manufacturing, warehousing, and distribution. New development should include generous landscaping, screened storage areas, modest lighting and signage, and should comply with detailed design standards. The Town has not mapped specific new areas in this category at this time. Instead, the Town will consider applications for rezoning and *Plan* amendment for commercial uses on a case-by-case basis. These uses would be most appropriate along busier roadways such as Highway 45 or near intersections of other major county and town roads.

#### **Policies and Programs:**

The following policies and programs are recommended for this future land use category, in areas on Map 5 where the Town may amend this *Plan* to show this category:

1. Development in *Community Commercial* areas should be compatible in scale, appearance, and design with surrounding land uses.
2. Before approving *Community Commercial* type uses in a requested area, follow the process to amend this *Comprehensive Plan* as described in Chapter Nine: Implementation.

3. Require that all proposed commercial projects submit a detailed site plan showing the proposed location of the building, parking, outdoor storage, loading, signage, landscaping and lighting prior to development approval. Chapter Seven: Economic Development includes suggested standards for site plan review.
4. Require the use of high-quality building materials, attractive lighting, and signage that is compatible with other areas of the Town. See guidelines in Chapter Seven: Economic Development.
5. Consider rezoning lands to the County's Community Commercial (C-C) district when development proposals are offered for this area, which allows uses compatible with those recommended in the *Community Commercial* category.

### **Community Facilities**

**Description:** This future land use category is designed to facilitate public buildings, hospitals, airports, non-profit campgrounds, power substations, and special-care facilities. In the Town of Birnamwood existing cemeteries, churches, and the Town Hall are mapped in this category.

#### **Policies and Programs:**



The following policies and programs are recommended for this future land use category, in areas on Map 5 where the category is shown:

1. Should additional *Community Facilities* uses be necessary, locate them (and promote their location) in areas accessible to Town residents, and amend this *Plan* in accordance with the approved locations.
2. Ensure that all land use decisions related to the *Community Facilities* category are in coordination with the recommendations in Chapter Five: Utilities and Community Facilities.

### **Public Open Space and Recreation**

**Description:** This future land use category includes publicly owned land designated as state parks, scenic areas, or conservation areas; county parks or recreation areas; town, city, or village parks; and other recreational facilities owned by public or non-profit agencies.

#### **Policies and Programs:**

The following policies and programs are recommended for this future land use category, in areas on Map 5 where the category is shown:

1. Cooperate and maintain communication with the County regarding the long-term management of the *Public Open Space and Recreation* areas in the Town, including new and future public recreation trails and access ways.
2. Ensure that all land use decisions related to the *Public Open Space and Recreation* category are in coordination with the recommendations in Chapter Six: Utilities and Community Facilities, particularly with regard to the State and regional multi-use recreation trails.
3. Should additional *Public Open Space and Recreation* uses be necessary, locate them (and promote their location) in areas accessible to Town residents and visitors, and amend this *Plan* in accordance with the approved locations.



### **Environmental Corridor**

**Description:** This overlay category includes generally continuous open space systems based on lands including sensitive natural resources characteristics that severely limit development potential. This category includes Wisconsin DNR-identified wetlands subject to existing State-mandated zoning, FEMA designated floodplains, shoreland setback areas, and slopes of 12 percent or greater, which if disturbed can result in erosion and unstable building sites. Environmental corridors are shown on Map 5.

### **Policies and Programs:**

The following policies and programs are recommended for this future land use category, in areas on Map 5 where the category is shown:

1. New development should be avoided within mapped *Environmental Corridors*.
2. Allow continued cropping, grazing, and other pre-existing agricultural activities in mapped *Environmental Corridors*.
3. As part of the development review process for any future development on a parcel where this overlay category is mapped, the property owner or developer will be required to pay for and submit a professionally prepared delineation of the exact boundaries of the *Environmental Corridor* based on the wetland, floodplain, or steep slope feature that defines the corridor. Refer to Chapter Two: Agricultural, Natural and Cultural Resources for more information on mapping and protecting *Environmental Corridors*.



### **Opportunities for Redevelopment**

Since the majority of the land in the Town of Birnamwood is undeveloped, redevelopment is not a major factor for the Town's future. Redevelopment and rehabilitation opportunities exist for some individual residences and commercial uses, and in areas with multiple mobile/seasonal/trailer homes. Other areas for redevelopment include reclamation of the four existing non-metallic mines after closure, and improvements to a few commercial and industrial sites in the Town. The Town is generally supportive of upgrades within the community, provided that the overall character is improved, and the interest of nearby property owners is considered.

### **“Smart Growth Areas”**

Wisconsin's comprehensive planning law requires comprehensive plans to identify “Smart Growth Areas,” defined as “areas that will enable the development and redevelopment of lands with existing infrastructure and municipal, state, and utility services, where practical, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which will have relatively low municipal, state governmental, and utility costs.”

This *Plan* designates areas development that occurs in areas where it can be efficiently served, like the Villages of Birnamwood and Eland as “Smart Growth Areas” as defined above. The Town encourages intensive industrial, commercial, and residential projects to locate in or near villages or cities such as nearby Birnamwood and where municipal utility, sanitary sewer, and other services are available or can be efficiently extended.

In the context of rural areas of the Town, “smart growth” is defined as that which limits non-agricultural, non-forestry development and is planned to minimize the consumption and fragmentation of agricultural, forest, and recreation land, the number of driveways on existing arterial roads, and the length and number of new Town roads. Therefore, this *Plan* reflects an effort to apply “Smart Growth” principles to the entire Town.



## Map 4: Existing Land Use



## Map 5: Future Land Use



## Chapter Four: Transportation

This chapter includes background information, goals, objectives, policies, and recommended programs to guide the future development and maintenance of various modes of transportation in the Town of Birnamwood over the 20-year planning period. Given the Town's rural surroundings, the primary focus is on highways and local roads. The chapter compares the Town's transportation policies and programs to State and regional transportation plans.

### Existing Transportation Network

The Town is relatively well connected to the region through the existing roadway network. This section describes the Town's existing transportation facilities.

#### Roadways

The Town of Birnamwood is served by United States Highway (USH) 45 in the western portion of the Town. Highway 45 links the Town with the region's major cities and villages. These links channel commuter flows and provide quality access for residents. The Wisconsin Department of Transportation (WisDOT) records average daily traffic volumes (number of cars) for major State roadways. Traffic on USH 45 south of the Village of Birnamwood fluctuated up and down between 4,700 and 5,200 cars a year during the time period of 2005 to 2018. The Town's rural areas are served by County trunk highways (CTHs) which are usually collector roads that serve rural land uses and distribute traffic to the regional arterial system. CTH N serves this purpose in Birnamwood.

Town roads are an important component of the County-wide transportation system. Major east-west town roads include Shepley Road, Eland Road, North Branch Road, and Cedar Road. Major north-south roads include Bluebird Road, Maplewood Road, and Line Road. Town roads serve local development, farming and forest areas.

#### Bridges

While there are no State-maintained bridges in the Town of Birnamwood, there are six bridges along County highways and town roads that are maintained by either Shawano County or local governments. The State and County maintain condition reports for these bridges.

#### Airports

Town residents are served by several airports in the region. The Central Wisconsin Airport in Mosinee provides regular commuter flights and is easily reached by western Shawano County residents. Town residents are also served by the Shawano Municipal Airport. The Shawano Municipal Airport has two paved runways in good condition; the main runway is 3,900 feet long and the smaller runway is 2,225 feet long. The airport is

#### TRANSPORTATION RECOMMENDATIONS SUMMARY

- ◆ Discourage new public roads and minimize the length of any necessary new public roads.
- ◆ Ensure a safe and efficient roadway system by improving existing roads as needed.

#### ROADWAY FUNCTIONAL CLASSIFICATION SYSTEM

Throughout Wisconsin, all local, County, State and Federal transportation routes are classified in categories under the "Roadway Functional Classification" system.

As identified by WisDOT, the functional classification system groups roads and highways according to the character of service they offer, ranging from rapid through access to local land access. The purpose of functional classification is to enhance overall travel efficiency and accommodate traffic patterns and land uses by designing streets to the standards suggested by their functional class. The three main rural roadway functional classes include:

- ◆ **Arterials** that provide primary access to and through an area (USH 45)
- ◆ **Collectors** that disperse traffic within an area (CTH N)
- ◆ **Local** streets that provide access to individual properties.

open to the public and mainly serves local aviation needs. The Langlade County Airport in Antigo serves small local, charter, and business aircraft. Austin Straubel International in Green Bay, Appleton International Airport in Appleton, Wittman Regional Airport in Oshkosh, and General Mitchell International Airport in Milwaukee also serve the region.

### **Water and Truck Transportation**

There is no waterborne freight movement in the County, and none is anticipated. Most freight shipments in the Town of Birnamwood occur by truck. Semi-truck shipments are most prevalent along State Trunk Highway 29 and United States Highway 45.

### **Rail**

There are no rail lines in the Town. The City of Shawano has the only active rail line in the County. It runs from the Fox River Valley north to the City of Shawano. This line is owned by Canadian National.

### **Recreational Trails**

Acquisition of abandoned railroad rights-of-way by the Wisconsin Department of Natural Resources (WisDNR) and conversion to regionally significant multi-use recreational trails has provided new opportunities for linear recreation in Shawano County as well as elsewhere throughout the State. Although ownership of the right-of-way is retained by WisDNR, under a Letter of Agreement, Shawano County maintains the two State-designated recreational trails which pass through the County. Permitted users on the Shawano County trail segments include hikers, bicyclists, motorized wheelchairs, horses, horse drawn vehicles and, during the winter snowmobiles and ATV's.

The **Wiouwash Trail**, which will ultimately extend from Oshkosh northward through Langlade County, enters Shawano County near Split Rock and passes through the eastern part of the Town. This County-operated trail was named for Winnebago, Outagamie, Waupaca, and Shawano counties. Although several gaps remain before a continuous trail is in place (including the segment from Birnamwood north through Aniwa to the Langlade County line), ongoing efforts are being made to acquire right-of-way or obtain the necessary easements to complete the trail. Once completed, the Shawano County portion of the Wiouwash Trail will be approximately 30 miles in length.



The **Mountain Bay Trail**, stretches 83 miles to connect the Green Bay and Wausau areas, passing through the southern part of the Town. Named for two geological features it connects - Rib Mountain in Marathon County and Green Bay in Brown County - the trail is built on the former Chicago and Northwestern right-of-way. Restrooms and other support facilities are generally available in local parks along the trail in the communities of Pulaski, Bonduel, Shawano, Bowler, and Eland.

The Mountain Bay Trail was developed by the Wisconsin Department of Natural Resources and parks departments of Marathon, Shawano and Brown County, and is currently maintained through the generous contributions and volunteer

efforts of the Friends of the Mountain Bay Trail of the three counties through which the trail passes: Marathon, Shawano and Brown. In addition, the Village of Pulaski has recently requested that Shawano County extend its trail maintenance obligations into Brown County. Since horses are not permitted on the Brown County portion of the trail, this extension would provide access to a logical eastern terminus or trail head for horsemen.

### **Paratransit**

Paratransit is specialized transit service to specific segments of the population that require more accessible vehicles and flexible routing. While the Town does not have its own paratransit service, Shawano County has several paratransit providers who serve the elderly and disabled including Workshop Transportation run by Shawano County Department of Community Programs. Some counties provide flexible fixed route services with buses or minibuses, to give elderly and disabled persons in rural areas an opportunity to travel to larger communities for shopping, nutrition, or other appointments. One example of this type of flexible fixed route service is provided in Shawano County, picking up persons in a different area of the County one day each week, into the City of Shawano, and occasionally to larger shopping areas in Appleton or Green Bay.

### **Review of State and Regional Transportation Plans**

The following are State and regional transportation plans and studies relevant to this *Plan*. There are no conflicts between these State and regional plans and this Town *Plan*.

- ♦ **Shawano County Transportation Improvement Plan.** The Shawano County Highway Department maintains an ongoing list of transportation improvements, both short term (5 years or less) and longer term (up to 15 years). There are no major improvements or upgrades programmed for the Town of Birnamwood in the short term.
- ♦ **State Highway 29 Preservation Plan.** The Wisconsin Department of Transportation (WisDOT) has started a process to preserve the right of way that will be needed to keep drivers safe and STH 29 functional long into the future. As part of the right of way preservation effort in Shawano County, the project team will examine existing conditions and identify future needs along the STH 29 corridor. WisDOT will work with communities to identify the locations of future interchanges, overpasses and local road modifications. These solutions are intended to maintain safe and efficient traffic operation on STH 29 well into the future.
- ♦ **North Central Region Six Year Highway Improvement Plan.** Transportation improvements to the County's highways include relatively minor activities such as resurfacing. There are no projects related to the Town.
- ♦ **Wisconsin State Highway Plan 2020.** This plan focuses on the 11,800 miles of State Trunk Highway routes in Wisconsin. The plan does not identify specific projects, but broad strategies and policies to improve the State highway system over the next 20 years. Given its focus, the plan does not identify improvement needs on roads under local jurisdiction. The plan includes three main areas of emphasis: pavement and bridge preservation, traffic movement, and safety. There are no recommendations related to the Town.
- ♦ **Translinks 21: A Multimodal Transportation Plan for Wisconsin's 21<sup>st</sup> Century.** This plan provides a broad planning "umbrella" including an overall vision and goals for transportation systems in the State for the next 25 years. This 1995 plan recommends complete construction of the Corridors 2020 "back-bone" network by 2005, the creation of a new State grant program to help local governments prepare transportation corridor management plans to deal effectively with growth, the provision of State funding to assist small communities in providing transportation services to elderly and disabled persons, and the development of a detailed assessment of local road investment needs. At the time of writing this Comprehensive Plan, WisDOT is in the process of updating the Translink Plan in *Connections 2030*.
- ♦ **Wisconsin Bicycle Transportation Plan 2020.** This plan presents a blueprint for improving conditions for bicycling, clarifies the Wisconsin Department of Transportation's role in bicycle transportation, and establishes policies for further integrating bicycling into the current transportation system. The plan reports that, according to a University of Wisconsin survey conducted in August of 1998, more than one-third of all Wisconsin households included someone who took at least one bike trip in the previous week. There are no recommendations related to the Town.

- ♦ **Wisconsin Pedestrian Plan 2020.** This plan outlines Statewide and local measures to increase walking and to promote pedestrian comfort and safety. The plan provides a policy framework addressing pedestrian issues and clarifies WisDOT's role in meeting pedestrian needs. Pedestrian facilities include sidewalks, walkways, streetscapes, crosswalks, traffic controls signals, overpasses and underpasses, bridges, multi-use paths, curb cuts and ramps, transit stops, and paved shoulders. Few of these types of facilities are found in the Town.
- ♦ **Wisconsin State Airport System Plan 2020.** This plan includes a general inventory of existing airport facilities in the State and provides a framework for the preservation and enhancement of a system of public-use airports to meet the current and future aviation needs of the State. It includes recommendations to upgrade existing facilities through runway extensions and replacements and facility improvements but, does not identify any new locations for airports to meet future needs. There are no recommendations related to the Shawano Municipal Airport.
- ♦ **Wisconsin Rail Issues and Opportunities Report.** This report summarizes critical rail transportation issues identified during a public outreach effort. The report serves as a point of departure for the rail component of the Connections 2030, WisDOT's multimodal transportation plan adopted in 2009. The report identifies the existing rail line in Shawano County as "light density" carrying less than 3 million gross tons annually. These "light density" lines could require financial assistance in order to preserve rail service and avoid abandonment of track.

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## Transportation Goals, Objectives and Policies

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### **Goal:**

1. Provide and encourage a safe and efficient transportation system that meets the needs of all residents.

### **Objectives:**

1. Provide for adequate roadway capacities and safe conditions in cooperation with the County and State.
2. Promote the coordination of transportation investments with land use planning and development.
3. Preserve the scenic value along roadways to protect the Town's rural character.
4. Support biking, walking, public transit, and other alternative modes of transportation for those in need, including the disabled.

### **Policies:**

1. Work with the County and State to maintain and, as necessary, upgrade town roads, County Highways and State Highways.
2. Coordinate with Shawano County and WisDOT on transportation improvements depicted on Maps 5 and 6, in order to protect traffic capacity.
3. Discourage the addition of new public Town roads and minimize the number and length of any necessary new roads through clustering of rural residences and by requiring development near existing roads.
4. Update the Town Road Specification System and subdivision ordinance to reflect the recommendations in this *Plan*.
5. Update and implement a Town Local Road Improvement Program to ensure the long-term maintenance of Town roads.
6. Work with Shawano County and private providers to continue and expand transportation options to those who require them, such as the elderly, disabled, and children.
7. Continue to expand bicycling and walking opportunities in the Town in cooperation with neighboring communities, Shawano County, and the State.



## **Transportation Recommendations and Programs**

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### **Work with the County and State to maintain and, as necessary, upgrade Town Roads, County Highways and State Highways**

Shawano County maintains a short-term plan (5 to 7 years) for road improvements within the County. The Town intends to work with the County Highway Department to coordinate and include road projects into this short-term County-wide road plan where jurisdiction over roads meets or is shared. The County Plan recommends that the County Highway Department update its five-year improvement plan annually. If this recommendation is followed, then ideally the Town will provide road condition ratings and maintenance and improvement desires to the County on an annual basis for consideration in amending the County Plan.

The Town will also work to maintain, upgrade, and ensure safety on roadways that serve the Town by:

- ◆ Discouraging the use of local Town roads for through and truck traffic by designating weight limits where appropriate.
- ◆ Ensuring maintenance of roads to meet acceptable standards for safe cycling, such as by removing obstacles and providing paved shoulders on County and State Highways.
- ◆ Identifying and addressing problem intersections through signage, reconstruction.
- ◆ Supporting applications to federal and state programs and funding sources, such as the Transportation Enhancement Grant program, available to the County and the Town for transportation projects. Additional information on these programs is available in the Shawano County Comprehensive Plan, from the WisDOT North Central Region office in Wisconsin Rapids, and from the University of Wisconsin Transportation Information Center.

### **Consider adopting or updating a Town driveway ordinance to ensure suitable dimensions and design for emergency vehicles, guide driveway placement, promote access control to adjacent roads, and protect rural character**

A Town driveway ordinance ensures suitable dimensions and designs for emergency vehicles, guides driveway placement, promotes access control to adjacent roads, and protects rural character. The Town will consider developing a driveway ordinance, possibly with assistance from the County.

A driveway ordinance could:

- ◆ Include width, design, clearance, address signage, and slope standards to ensure access by emergency vehicles. To effectively provide safe access for emergency equipment, driveways should provide at least 12 feet of unobstructed width and at least 14 feet of unobstructed height. Driveways lined with dense vegetation and longer driveways should provide for a turn-out to accommodate two-way traffic and a turn-around near the home.
- ◆ Specify the number of driveway accesses to the road allowed for each property.
- ◆ Encourage shared driveways between adjacent developments.
- ◆ Require “no vehicular access” areas on subdivision plats or certified survey maps where driveways connecting to the public road would not be safe.
- ◆ Guide the placement of driveways relative to each other and road intersections, and to protect sight distances for vehicles leaving the property.

This type of ordinance typically requires, before a driveway may be constructed, submittal of a plan that shows the location, slope, cross-section, retaining walls or bridges or culverts (if necessary), erosion control and drainage management approaches. Model town driveway ordinances are available from the Wisconsin Towns Association.

**Coordinate with the County and State to improve and possibly extending existing bicycle routes in the Town**

Both the Wiouwash Trail and the Mountain Bay State Trail pass through the Town of Birnamwood, with a junction of the two trails located in the Village of Eland. The trail is well marked near the trail heads of Eland and the Village of Birnamwood. The most identifiable rest point in the Town is near the hamlet of Shepley where the trail crosses County Highway Q. The Town will work to ensure that trail entrances are well marked at all road and highway crossings to increase trail safety and awareness and promote local trail use and access.

In addition, this *Plan* recommends paving the shoulders (4 feet) on all State and County highways on a designated bike route. Town roads have low enough traffic volumes where paved shoulders are generally not necessary.

**Continue to work with the County to support other transportation options, including commuter facilities, paratransit for the growing elderly and disabled populations and transportation services for lower income workers**

Transportation options include commuter facilities, paratransit for the growing elderly and disabled populations, and transportation services for lower income workers. Available programs include:

- ♦ *Specialized Transportation Assistance Program for Counties* program, which provides funding for transportation services, purchasing services from any public or private organization, subsidizing elderly and disabled passengers for their use of services or use of their own personal vehicles, performing or funding management studies on transportation, training and the purchase of equipment. This program requires a 20% local match in funding.
- ♦ *Elderly and Disabled Transportation Capital Assistance* program. Eligible applicants include private and non-profit organizations, local public bodies that do not have private or public transportation providers available, and local public bodies that are approved providers of transportation services for the elderly and disabled. The program covers 80% of the cost of eligible equipment.
- ♦ *Wisconsin Employment Transportation Assistance Program (WETAP)*. This program supports transportation services to link low-income workers with jobs, training centers and childcare facilities. Applicants must prepare a Regional Job Access Plan that identifies the needs for assistance. Eligible applicants include local governments and non-profit agencies.

## **Map 6: Existing and Planned Transportation and Community Facilities**



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## Chapter Five: Utilities and Community Facilities

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This chapter contains a compilation of background information, goals, objectives, policies and recommended programs to guide the future maintenance and development of utilities and community facilities in the Town of Birnamwood.

### UTILITIES AND COMMUNITY FACILITIES

#### RECOMMENDATIONS SUMMARY

- ◆ Maintain a rural level of community services.
- ◆ Promote the continuation of the Birnamwood Area Emergency Services (BAES) department as key community services.
- ◆ Protect public health and environmental quality through appropriate groundwater protection and on-site wastewater treatment strategies.
- ◆ Encourage the creation or improvement of local recreational facilities such local bicycle trail heads and access to local navigable waters.

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### Existing Utilities and Community Facilities

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#### Water Supply

The Town of Birnamwood does not provide municipal water service to its residents. All of the Town's households obtain their water supply from private wells

#### Sanitary Waste Disposal Facilities

The disposal of domestic and commercial wastewater in the Town is handled through the use of individual on-site wastewater treatment systems, often referred to as septic systems, which generally discharge the wastewater to underground drainage fields. There are currently six types of on-site treatment system designs authorized for use today: conventional (underground), mound, pressure distribution, at-grade, holding tank, and sand filter systems. The general suitability of soil for private on-site wastewater treatment systems is shown in Map 7. Several areas in the Town may have challenges with private- on-site wastewater treatment systems.

The Wisconsin Department of Commerce (COMM) regulates the siting, design, installation, and inspection of most private on-site sewage systems in the State. In 2000, the State adopted a revised private sewage system code called SPS 383. This revised code allows conventional on-site systems and alternative systems, such as those that employ biological or chemical treatment. In some cases, alternative waste disposal systems can be used in areas where conventional systems are not feasible due to unsuitable soil conditions.

#### Solid Waste Disposal and Recycling

Garbage collection in the Town of Birnamwood is provided by private haulers. Recyclables are also collected. The Town contracts separately with Marathon County for solid waste and with our contracted hauler for recycling.

#### Stormwater Management

Stormwater management has become a significant aspect of comprehensive planning in recent years due to concerns about flooding, property damage, and surface and groundwater quality issues. Many communities around the State are adopting stormwater management rules to control run-off from both urban and rural

land uses. Shawano County has a Land and Water Resource Management Plan, a Pensaukee River Watershed Plan, and an Animal Waste Management Ordinance, all of which contribute to the management of storm-water throughout the County.

Nearly one-third of Wisconsin's 79,000 farms use drains to remove excess water from their land. These drains are regulated by drainage districts. Shawano County currently has two operating drainage districts, which are overseen by commissions of appointed individuals. These districts plan, operate, and maintain district-wide drainage and dam facilities, levy assessments against landowners who benefit from drainage, award damages to landowners negatively affected by the construction of drainage facilities, make or recommend modifications to drainage district boundaries, and resolve drainage disputes.

### **Town Hall**

The new Town Hall, opened in 2007, is located on Riverview Road. This facility is open to all Town residents for meetings.

### **Law Enforcement and Protection**

The Shawano County Sheriff's Department serves as the primary law enforcement agency to Town residents.

### **Fire Protection and Emergency Medical Services**

The Birnamwood Area Emergency Services (BAES) provides fire protection and ambulance services to the Town of Birnamwood.

### **Library**

Town residents are served by Birnamwood Branch of the Shawano County Public Library System. This library is a member of the Nicolet Federated Library System, which is a State funded organization providing services to the people of northeastern Wisconsin. The library has four additional branches located in the Villages of Tigerton, Bonduel, Mattoon, and Wittenberg.

### **Telecommunication and Power Facilities**

Telephone and internet services are provided to the northern half of the Town by Frontier Communications. The southern half of the Town is served by Cirrinty (Wittenberg Telephone Company).

Electric provided to the majority of the Town by Alliant Energy. The southeastern portion of the Town is served by Central Wisconsin Electric Cooperative. No power facilities are located within the Town. However, five hydroelectric facilities are located in Shawano County. High voltage electric transmission lines are provided by the American Transmission Company. No new high voltage lines are proposed in the Town at this time.

### **Schools**

The Town of Birnamwood is located entirely within the Wittenberg-Birnamwood School District, which serves students in the towns of Aniwa, Birnamwood, Almon, Morris, Wittenberg, and Germana and the Villages of Birnamwood, Eland, and Wittenberg. The District operates, one high school, and two elementary/middle schools.

### **Parks and Recreation Facilities**

There are no town or County parks located in the Town of Birnamwood.

### **Health and Child Care Facilities**

There are no medical facilities located in the Town of Birnamwood. The Shawano Medical Center is located in the City of Shawano and is the only general hospital located in the County. Other facilities located in the City include Theda Care Physicians and the Family Wellness Clinic. There are also several health care facilities located in the Villages of Tigerton, Wittenberg, and Birnamwood.

There are no childcare facilities located in the Town. However, there are seven regulated childcare facilities in the City of Shawano and the Villages of Bowler, Wittenberg, and Birnamwood. There are 32 County or State licensed childcare facilities within Shawano County.

### **Cemeteries**

There are five cemeteries serving the Town of Birnamwood.

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## **Utilities and Community Facilities Goals, Objectives and Policies**

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### **Goal:**

1. Support the efficient delivery of utilities, facilities and services corresponding with the expectations of Town residents and a rural atmosphere.

### **Objectives:**

1. Coordinate community facilities planning with land use, transportation, and natural resource planning.
2. Provide the appropriate level of community services and facilities consistent with a low tax levy and the rural orientation of the Town.
3. Support and maintain the Birnamwood Area Emergency Services.
4. Protect the Town's public health through proper siting and avoiding over-concentration of on-site wastewater treatment systems.

### **Policies:**

1. Consider a range of strategies to maintain and enhance of the Birnamwood Area Emergency Services.
2. Continue to cooperate with surrounding communities and jurisdictions to provide other necessary services, including health and childcare, law enforcement, recycling and refuse collection and disposal, libraries, cemeteries, and other government facilities.
3. Continue to rely on private contractors for collection of trash and recyclables.
4. Maintain the Town Hall.
5. Refrain from providing municipal water, sanitary sewer services, or utilities in the Town during the planning period.
6. Remain informed on activities and decisions of the School District to ensure the needs of Town residents are met.
7. Implement strategies to assure a high-quality supply of groundwater – e.g., minimizing potential sources of pollutants near wells and recharge areas and maximizing permeable area for infiltration.
8. Prohibit private wells within 1,200 feet of closed landfills.
9. Oppose any proposal for new landfills in the Town.
10. Monitor and avoid over-concentration of private on-site wastewater treatment (septic) systems to minimize groundwater and soil contamination potential, particularly in areas where challenges for on-site wastewater treatment systems exist (as depicted on Map 7).
11. Encourage construction site erosion control and ongoing stormwater management for new development and road projects to protect surface water quality and prevent flooding. Stormwater management techniques include natural drainage swales and retention and detention basins.
12. Work with the State and County to improve public access to the Wiouwash State Trail.
13. Develop a State Comprehensive Outdoor Recreation Plan (SCORP) independently or with cooperation with other jurisdictions and agencies as part of a funding strategy create or enhance Town recreation opportunities.

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## Utilities and Community Facilities Recommendations and Programs

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### **Maintain the viability of volunteer fire and emergency medical services**

The Town is served by volunteer Fire and Birnamwood Area Emergency Services (BAES). These services are valuable assets to the Town. To maintain the viability of the volunteer Birnamwood Area Emergency Services, the Town encourages additional investment and encouraging additional volunteer participation. The Town intends to seek funding sources to ensure that the Departments are able to provide the necessary equipment to keep the departments functional. Another challenge faced by both volunteer and professional departments in many parts of the State is encouraging new recruits and maintaining a staff of volunteers. Some keys to recruiting and retaining volunteers may include ensuring adequate equipment and training, working toward providing better compensation, developing networks with local/regional schools and training academies and local businesses who could offer incentive programs for volunteer participation, ensuring the Town remains a desirable and attractive place for young families to settle—providing a greater pool of potential volunteers.

Continuing to work with neighboring communities on joint service agreements is another means to achieve better services and/or cost savings. Joint Agreements are particularly important in the current era of diminishing government financial resources. Currently BAES provides services to the Villages of Aniwa, Birnamwood, Eland and Mattoon and Townships of Aniwa, Birnamwood, Harrison, Hutchins, Norrie, Norwood, Plover and Phlox. The Town intends to explore or extend joint service agreements with other neighboring communities and the County where consolidating and coordinating services can result in cost savings for the Department.

### **Encourage proper siting, maintenance, and monitor private on-site wastewater treatment systems to assure public health and groundwater quality**

The Town encourages landowners to utilize the State's grant program, called the Wisconsin Fund, to help repair or replace failing septic systems. New intensive development should be directed toward the Village of Birnamwood and other communities where municipal well and sewer exist. Work with Shawano County Planning and Zoning Private On-site Wastewater Treatment Systems (POWTS)

### **Explore avenues to assure a high-quality and abundant supply of groundwater**

Private wells draw water from the upper aquifer, which can be susceptible to contamination. Therefore, the Town pursues the following steps to protect groundwater:

- ♦ Minimize intensive development in rural areas. There is a low probability of groundwater pollution associated with on-site sewage disposal systems where overall housing densities in an area are less than one house per two acres. There is a higher probability of groundwater pollution at overall densities greater than one house per one acre.
- ♦ Prohibit the drilling of wells within 1,200 feet of a closed landfill.
- ♦ Minimize impervious surfaces (e.g., rooftops, paved areas) and promote water infiltration (e.g., storm-water basins) in groundwater recharge areas.
- ♦ Continue to support and promote recycling and waste-reduction programs to decrease waste loads going to landfills in the region.
- ♦ Support an effective inspection and required maintenance program at the Town or County level for all private on-site waste disposal systems.
- ♦ Work with the County to limit the use of salt on roads and locate and manage snow and salt storage areas to avoid groundwater and stream pollution.



**Continue to coordinate with other units of government, including neighboring localities, the County, and State on the siting of community facilities that serve the broader region**

Optimal siting of community facilities such as libraries, transmission lines, telecommunications facilities, waste disposal, recycling and cemeteries – whether publicly or privately owned- can often best be done in cooperation with other communities whether the facilities are physically located in the Town or not. This plan recommends monitoring of other community, corporate, and agency plans for these facilities and proactively working with them to find sites optimal for the Town.

Similarly, quality and cost-effective public services such as solid waste collection, health care, administration of land use and property maintenance regulations, emergency services and recycling can often best be achieved through joint arrangements with other communities, the county, and/or region. In other instances, reliance on private sector services - whether negotiated by individual residents, individual communities, or jointly - may be the preferred option. The Town of Birnamwood does not plan on altering or expanding arrangements for these types of services at the present, but will continue to monitor options over the course of the planning period.

One of the tools available to the Town to ensure that it can establish, maintain, and improve any future Town park and recreational facilities is to develop a funding and promotional strategy for the Town's parks and recreational facilities. Incorporating an improvement program into a Comprehensive Outdoor Recreation Plan (CORP) assures that the Town maintains eligibility for State funding for additional parkland acquisition, or for park improvements. The most cost-effective way for a Town to complete a CORP is to include desired Town projects into a Countywide CORP that could include local improvements to multi-jurisdictional facilities like the two regional bicycle trails. Another way to promote the upkeep of recreational facilities is to raise awareness of their existence and make sure they are properly used.

**Stay informed with any plans by the American Transmission Company (ATC) related to the location of power lines and/or a substation in the Town**

Because new transmission lines are costly to build and difficult to site, energy providers are increasingly looking to increase capacity along existing routes. This *Plan* promotes “corridor sharing” or the use of the transmission line's existing rights-of-way for other facilities. Corridor sharing reduces the impacts by locating linear land uses together and minimizes the amount of land affected by new easements. It also reduces the proliferation of corridors and easement for such roads, pipelines, power lines, and other linear features.

**Remain informed on the activities and decisions of the School District to ensure that the needs of the Town for school facilities are met**

The Wittenberg-Birnamwood School District includes the Town of Birnamwood. The Town intends to continue to monitor School District facilities and service plans to ensure that needs of Town residents are taken into consideration if changes are considered by the School District in the future.

**Incorporate standards for telecommunications facility siting (e.g., cell towers) in the Town or County zoning ordinance**

Incorporate standards for telecommunications facility siting (e.g., cell towers) in the Town or County zoning ordinance that supports co-location of multiple antennas on a single tower and the use of alternative support structures such as silos, light poles, billboards, electrical poles, and other tall structures in locations that are favorable to preserving the Town's rural character. Also, facility locations that maximize the screening of the tower structure through topography or vegetation are preferred. Support equipment and the base of the tower should be fully screened from adjacent properties and public roads, with fencing or evergreen vegetation.

**Consider adopting a Town ordinance to prohibit new private burial plots**

The Town adopted an ordinance to prohibit new private burial plots. Unmanaged private burial plots can lead to groundwater contamination. Also, once established, these plots can be granted the status of cemeteries that owners could over time petition the Town or other public agency to take over and maintain, adding to public

costs. Finally, burial plots at appropriate locations can make it difficult for future development or public improvements to be extended in an orderly or cost-effective manner.

**Figure 21: Timetable to Expand, Rehabilitate, or Create New Community Utilities or Facilities**

Town Utilities & Community Facilities	Timeframe	Comments
Water Supply	N/A	All water supplied by private wells; expected to continue
Sanitary Wastewater Treatment	N/A	All wastewater treatment supplied by on-site wastewater treatment systems
On-site Wastewater Treatment (private septic)	Ongoing	In accordance with POWTS
Stormwater Management	Ongoing	Work with the State and County to establish and enforce erosion and stormwater management standards for new development
Solid Waste & Recycling	Ongoing	Continue to contract with private companies for waste disposal and recycling
Town Buildings	Ongoing	Support ongoing Town Hall maintenance
Parks	N/A	Promote use and improved access to existing bicycle trails Consider improved public access to Town navigable rivers and streams Prepare a Comprehensive Outdoor Recreation Plan to allow the Town to access State funds for park improvements; or participate in a Countywide process to prepare a Comprehensive Outdoor Recreation Plan to similarly access State funds
Telecommunication Facilities	N/A	Work with County to ensure adequate standards related to telecommunication facilities
Power Plants/Transmission	Ongoing	Continue to stay informed on any plans by ATC for improvements to and location of power lines/transmission stations
Child Care Facilities	N/A	Future needs will be met by the private parties
Health Care Facilities	N/A	Existing and planned medical facilities in nearby communities to meet needs
Senior Center/Care Facilities	N/A	Facilities in nearby communities appear to meet needs
Schools	Ongoing	Work with the School District on long-range planning issues and retaining local schools
Library	N/A	Area libraries meet current and forecasted needs
Police	Ongoing	County provides services and may explore long-range space needs for Sheriff's Department; explore options to expand policing in Town
Fire and EMS	Completed	Develop a strategy to acquire additional necessary equipment and procure volunteers
Cemeteries	Completed	Future needs will be met by surrounding cemeteries. Adopted Ordinance prohibiting the development of private burial plots.

## **Map 7: Soil Suitability for On Site Wastewater Treatment**



## Chapter Six: Housing & Neighborhood Development

This chapter contains a compilation of background information, goals, objectives, policies and recommended programs aimed at providing an adequate housing supply that meets existing and forecasted housing demand in the Town of Birnamwood.

### HOUSING & NEIGHBORHOOD DEVELOPMENT RECOMMENDATIONS SUMMARY

- ◆ Set standards for maintenance to ensure the quality of housing.
- ◆ Follow County ordinance pertaining to hunting shacks, trailers, and mobile homes.
- ◆ Explore opportunities to provide, maintain, and rehabilitate housing for all groups.
- ◆ Promote conservation and cluster design concepts that reflect the rural character of the Town.

### Existing Housing Framework

This section describes Birnamwood's housing stock characteristics such as type, value, occupancy status, age and structural condition. This section also provides projected housing demand information in Birnamwood and describes housing development and rehabilitation programs available to residents. According to 2017 Census data, the 326 housing units in the Town were predominately single-family homes (see Figure 22). Comparatively, the County had 81 percent single family homes and the State had 70.1 percent. The housing type that includes mobile homes, trailers, boats, recreational vehicles or vans has decreased in the Town of Birnamwood from 27.5 percent in 2000 to 7.4 percent in 2017.

**Figure 22: Housing Types, 2017**

Units per Structure	2000 Units	2000 Percent	2017 Units	2017 Percent
Single Family	220	71.2	296	90.8
Two Family (Duplex)	4	1.3	4	1.2
Multi-Family	0	0.0	2	0.6
Mobile Home or Other	85	27.5	24	7.4

*Source: U.S. Census of Population & Housing, 2000 & Sources: ACS 2013-2017 B19001 and B19013*

Figure 23 compares some of Birnamwood's other 2017 housing stock characteristics with surrounding communities, the County and the State. Of Birnamwood's 54 vacant housing units, 34 were considered seasonal homes. The majority of occupied units were owner-occupied. The median housing value in the Town of Birnamwood increased 64 percent from 2000 to 2017. This percent increase is slightly greater than the County and less than the State. Comparatively, the median sale price for a home in Shawano County increased 2.2 percent from 2007 to 2019, and the median sale price for a home in Wisconsin increased 17.5 percent, according to the Wisconsin Realtors Association. The median sale price in 2019 was \$122,500 in Shawano County and \$189,463 in Wisconsin.

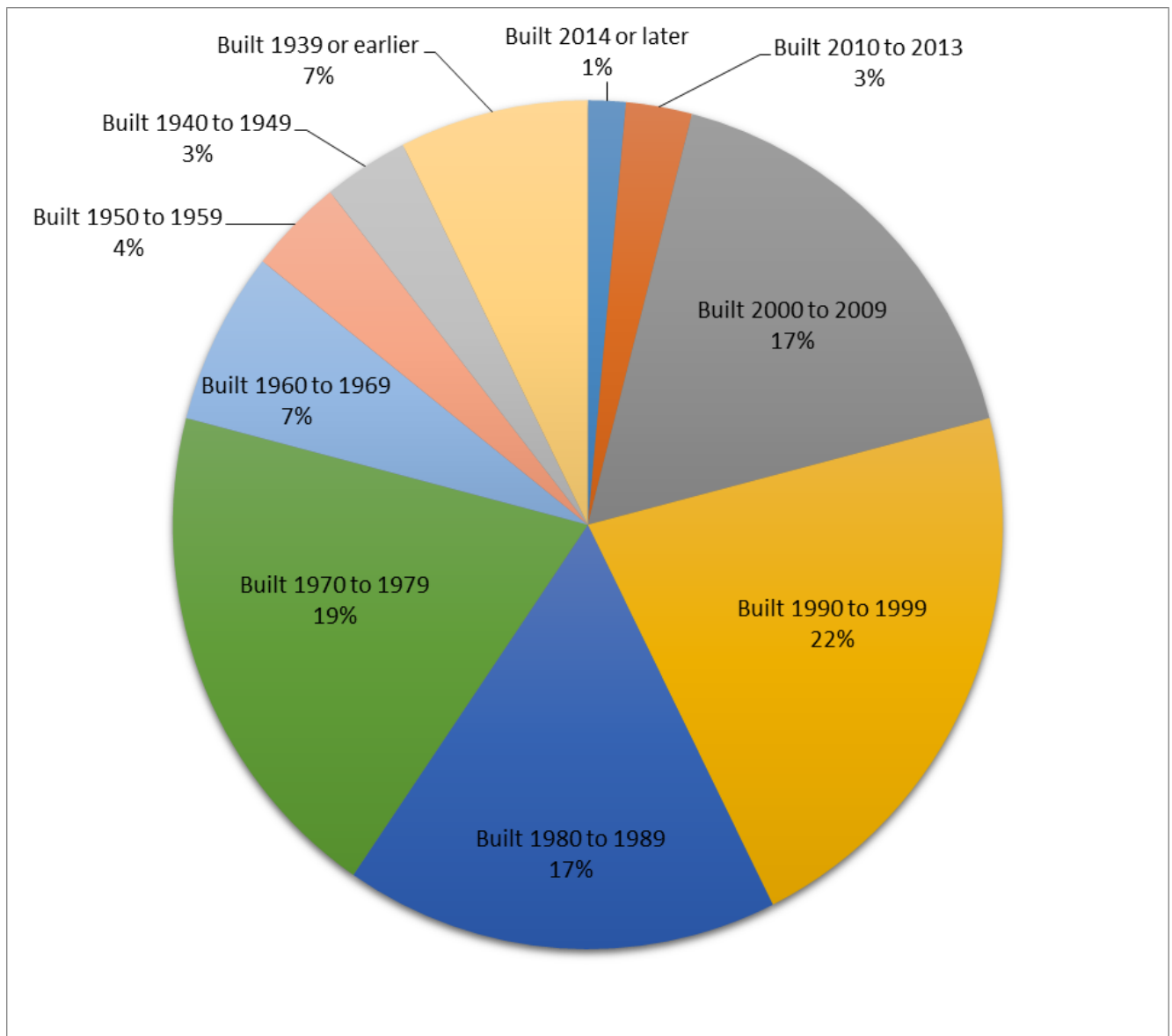
**Figure 23: Housing Stock Characteristics, 2017**

	<b>Total Housing Units</b>	<b>Vacant Housing Units</b>	<b>Owner Occupied</b>	<b>Renter Occupied</b>	<b>Median Housing Value (\$) (owner occupied)</b>	<b>Median Housing Value % Increase from 2000</b>
<b>Town of Birnamwood</b>	<b>326</b>	<b>54</b>	<b>238</b>	<b>34</b>	<b>145,000</b>	<b>63.7</b>
City of Shawano	4,331	308	2,206	1,817	101,200	28.3
Village of Birnamwood	338	74	163	101	101,400	Unavailable
Village of Eland	94	9	73	12	91,500	Unavailable
Village of Wittenberg	507	58	323	217	89,100	29.9
Town of Almon	323	75	223	25	135,600	81.8
Town of Aniwa	259	36	192	31	146,900	100.7
Town of Hutchins	312	80	207	25	124,000	95
Town of Morris	239	75	143	21	137,500	49.5
Town of Wittenberg	398	63	302	33	148,500	75.3
Shawano County	20,806	3,782	12,997	4,027	135,800	61.7
Wisconsin	2,668,692	339,938	1,559,308	769,446	169,300	50.9

*Sources: ACS 2013-2017 B25001, B25002, B25003, B25004, and B25077*

Figure 24 illustrates the age of Birnamwood's housing stock based on 2017 Census data. The age of a community's housing stock is sometimes used as a measure of the general condition of the community's housing supply. Birnamwood's housing stock is fairly evenly distributed with 75 percent of houses built between 1970 and 2009. Only 4 percent of houses have been built after 2010. Over the planning period, owners of older homes will likely be interested in rehabilitation efforts.

**Figure 24: Age of Structure by Year Built - Birnamwood 2017**



Sources: ACS 2013-2017 B25034 and B25035

## Housing Affordability

In 1999, the percentage of homeowners in the Town of Birnamwood paying 30 percent or more of their income for housing was 20 percent, compared to Shawano County's 16 percent and the State's 18 percent. The percentage of Birnamwood renters paying 30 percent or more of their income for housing was 18 percent, compared to Shawano County's 26 percent and the State's 32 percent.

## Housing and Neighborhood Development Programs

Throughout Shawano County, several governmental, private and nonprofit agencies provide some form of assistance to meet the needs of individuals who lack adequate housing due to financial difficulties, disabilities, age, domestic violence situations, or drug abuse problems. The following housing providers and programs are available to Shawano County, its communities and/or its residents:

- ♦ The U.S. Veterans Administration provides low-cost loans and other housing assistance to veterans in the County.
- ♦ WHEDA is the most active housing agency in Shawano County and has constructed most of the affordable housing for low-income families and seniors.
- ♦ The Wisconsin Department of Administration provides loans to low- and moderate-income homebuyers in the County.
- ♦ The Shawano County Community Development Block Grant (CDBG) Housing Rehabilitation Program provides no-interest loans and down payment assistance to homeowners and landlords for housing rehabilitation projects.
- ♦ Rural Development is a nonprofit agency active in central Wisconsin that provides housing assistance in the form of low-interest loans to low-income homebuyers.
- ♦ Habitat for Humanity offers homeownership opportunities to people of moderate or low incomes in Shawano County. Habitat for Humanity asks able-bodied purchasers to help build their new home and, in return, receive low interest loans.
- ♦ County of Shawano Housing Authority provides housing of various types to low-income individuals and families, based on income and need.
- ♦ Other agencies providing housing services in the County include religious institutions and social service agencies that provide housing services to persons with disabilities, persons with HIV/AIDS, and seniors.

### HOUSING AFFORDABILITY

Housing affordability may be measured by the proportion of household income spent for rent or home ownership costs. The national standard for determining whether rent or home ownership costs comprise a disproportionate share of income is set at 30 percent of gross household income. Households spending more than 30 percent of their income for housing may be at risk of losing their housing should they be confronted with unemployment, unexpected bills, or other unexpected events.



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## Housing and Neighborhood Development Goals, Objectives and Policies

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### **Goal:**

1. Encourage the provision of a range of safe housing options affordable to residents of various incomes and compatible with the Town's rural surroundings.

### **Objectives:**

1. Support a range of housing choices, including affordable housing, to meet the needs of persons of all income levels, age groups, and special needs.
2. Encourage high quality construction and maintenance standards for housing.
3. Encourage home siting that will not result in property or environmental damage or impair rural character or agricultural operations.
4. Support efforts to rehabilitate housing in areas where current housing stock is deteriorating.

### **Policies:**

1. Encourage high quality construction and maintenance standards for housing through the following programs:
  - ♦ Developing regulations designed to discourage incompatible uses (e.g., junk vehicle storage) in residential areas.
  - ♦ Adopting and enforcing Town or County property maintenance code to address issues of basic house and lot maintenance.
  - ♦ Use programs funds (e.g., Community Development Block Grant) to provide, maintain and rehabilitate housing for all income and age levels. Using CDBG funds, communities may establish rehabilitation loans or grants to assist owner-occupants with repairs.
2. Support the private market in developing affordable housing (low and moderate income) and housing for the elderly. Several State and federal programs and funding sources are available to assist private developers, Shawano County, local governments, and residents meet housing objectives.
3. Explore creative solutions to rising utility costs and their impacts on the affordability of housing.
4. Continue to require building inspections and building permits for all new construction.
5. Support efforts to protect private homes from wildfire hazard through thoughtful home siting and grounds maintenance including the following activities:
  - ♦ Educating residents on the risk of wildfires and take measures to ensure that emergency responders can safely and adequately fight fires.
  - ♦ Assuring safe driveway access to home sites through a driveway ordinance. WisDNR has additional information to help educate both newcomers and long-term residents on the hazards wildfires pose on lives and private property.
  - ♦ Providing local fire agencies, the opportunity to review and comment on major residential land divisions and non-residential development projects. The location of individual home sites, structures, access, open recreation lands, and vegetation should be reviewed with fire protection in mind.

## **Housing and Neighborhood Development Recommendations and Programs**

Expanding on the planning policies listed above, this section of the *Plan* provides specific recommendations related to ensuring an adequate supply of affordable, safe and attractive housing in the Town:

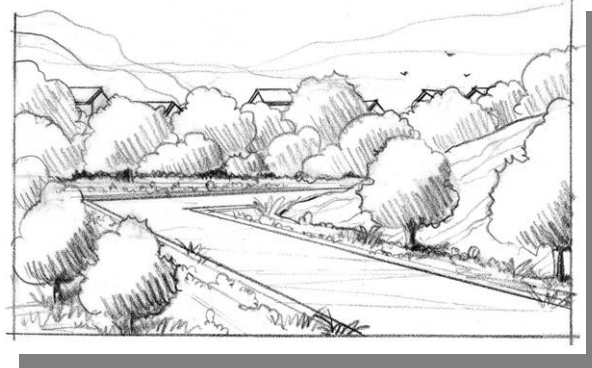
### **Fire Safety Educational Campaign**

The Town is committed to educating landowners on the dangers posed by wildfires. Proper forestry management practices and buffers are critical to preventing the loss of life and property. The Town will work with the County and State to further educate residents about fire prevention measures.

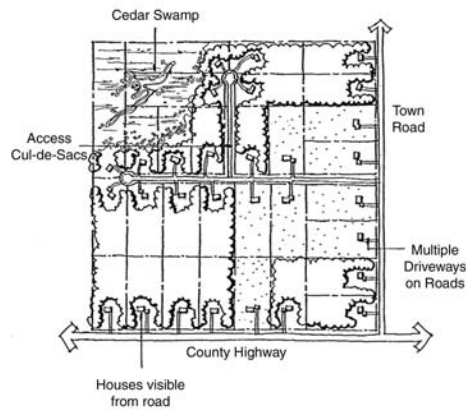
### **Encourage “Conservation” approach to Land Divisions**

The Town encourages thoughtful design and layout in all newly planned residential lots. This includes protecting *environmental corridors* and minimizing the impact on other open spaces and providing safe and adequate road access during the land division and construction phase. The Town encourages owners to voluntarily follow the “conservation design” guidelines below:

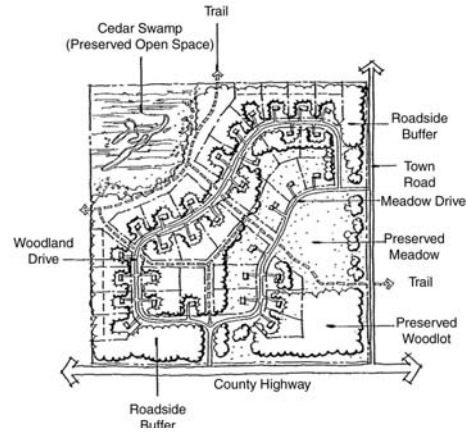
- ◆ Preserve open space, farmland, and natural features that define, sustain, and connect rural neighborhoods and enhance rural character.
- ◆ Promote rural character by “hiding” development from main roads through natural topography, vegetation, and setbacks. This could be accomplished by arranging lots behind trees, hills and ridges. Another method would be to discourage the development of highly visible “frontage lots” along roadways, as these have the greatest visual and traffic impacts. It should be noted, however, that while minimizing the visual impact of development, it is also critical to maintain safe fire access and appropriate road and driveway markings to ensure fast emergency response.
- ◆ Arrange individual homes in desirable locations, which should consider topography, privacy and views of open space.
- ◆ Connect homes through private or public roads connected to the existing road network and provide access to adjoining jointly owned or publicly owned conservation lands.
- ◆ Encourage housing on modest sized lots. Smaller lots that are “clustered” in buildable portions of a property will allow for greater protection of natural features and open space in other portions of the land. Safe, redundant private treatment (septic) systems can often be accommodated on lots of 2 acres (or less with “mound” systems) depending on soils and other factors. Figure 25 provides a visual comparison between a conventional subdivision and conservation neighborhood design on the same conceptual site.



**Figure 25: Example of Conservation Neighborhood Development Compared to Conventional Development**



**Conventional Development**



**Conservation Neighborhood**

In conservation developments, ownership of preserved open space may be owned and managed by a single owner or one or more of the following combinations:

- ◆ A private individual who holds fee title to the land and manages the land for open space uses (e.g., farming, hunting), often as provided by a conservation easement. This conservation easement could limit any future development in the open space area. This individual could be the original landowner, or a new owner interested in using the land for farming, hunting or other open space uses.
- ◆ A homeowner's association or lake association made up of private property owners within the development. The homeowner's association would own and maintain the common open space through a formal declaration of covenants, conditions and restrictions. This method provides residents with the greatest degree of control over the use and management of the open space.
- ◆ A non-profit conservation organization, such as a land trust, which retains or protects the natural, scenic or open space values of real property to assure the availability of this land for agricultural, forest, recreational or open space uses.
- ◆ A governmental agency which might provide the land as a public recreation area.



## Chapter Seven: Economic Development

This chapter contains a compilation of background information, goals, objectives, policies and recommended programs to promote the retention and stabilization of the economic base in the Town of Birnamwood. This chapter includes an assessment of new businesses and industries that are desired in the Town, an assessment of the Town's strengths and weaknesses with respect to attracting and retaining businesses and industries, and an inventory of environmentally contaminated sites.

### ECONOMIC DEVELOPMENT RECOMMENDATIONS SUMMARY

- ◆ Encourage economic development related to the Town's agricultural, forestry, and outdoor recreational assets.
- ◆ Allow and encourage home-based businesses compatible with the rural environment.
- ◆ Direct compatible community-scale commercial activities to appropriate locations such as along US Highway 45 and CTH N. Direct large scale or intensive commercial development to villages with municipal sewer.

### Existing Economic Development Framework

This section details labor force trends, educational attainment, employment forecasts, income data and other economic development characteristics of the Town. The economic base of lands within the Town primarily consists of farming, with a few small non-farm businesses in scattered locations.

#### Labor Force Trends

The Town's labor force is the portion of the population that is employed or available for work. The labor force includes people who are in the armed forces, employed, unemployed, or actively seeking employment. According to 2018 Census data, 283 Town residents age 16 to 64 were employed. The Town's unemployment rate in 2018 was 2 percent down from 4.4 percent in 2000. Detailed information regarding County labor force trends is included in Chapter One: Issues and Opportunities.

#### Educational Attainment

Educational attainment is another component of a community's labor force. According to 2017 Census data, 91 percent of the Town's population had attained a high school level education or higher. Approximately 10 percent had attained a college level education (bachelor's degree or higher).

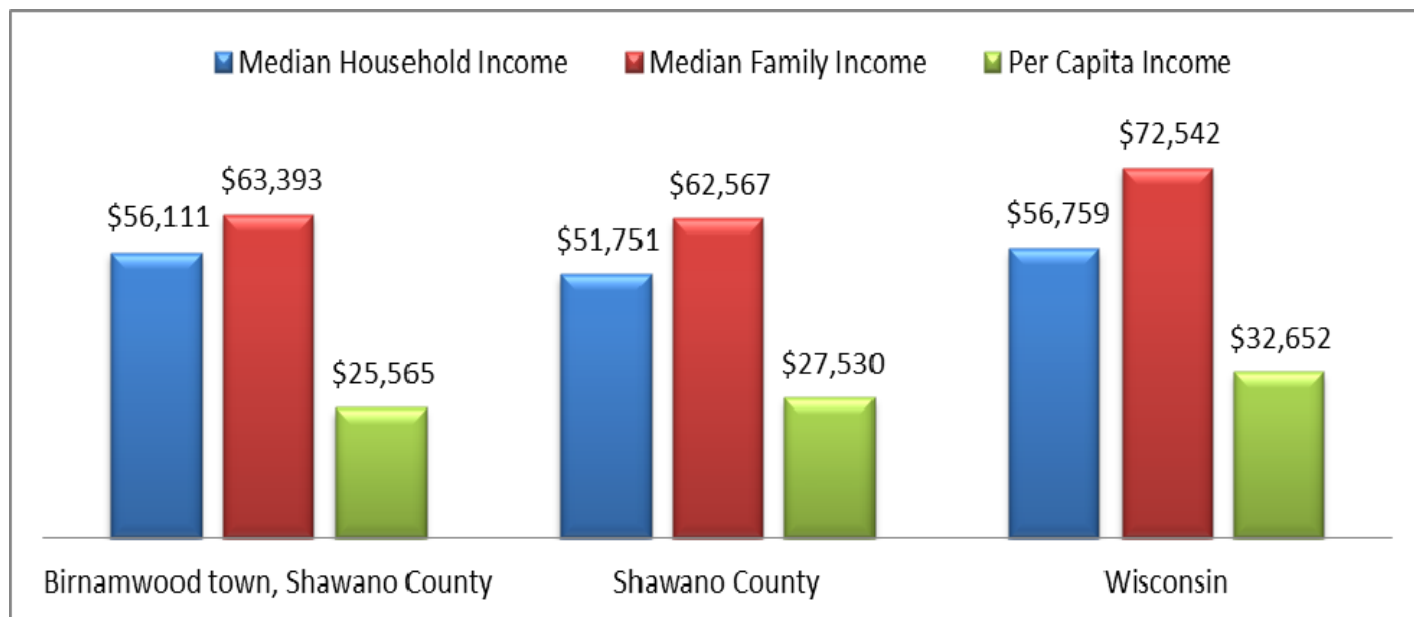
### ECONOMIC STRENGTH

POLICOM Corporation-an independent economic research firm specializing in analyzing local and state economies-annually ranks the local economies of the 361 Metropolitan and 577 Micropolitan Statistical Areas in the United States. Metropolitan Statistical Areas have at least one urbanized area of 50,000 or more population, plus any adjacent territory that is economically and socially tied to the urbanized core, as evidenced by workforce commuting patterns. "Micropolitan" areas must have an urbanized area of at least 10,000 population but less than 50,000 population and must include at least one county. The rankings are based on the area's level of consistent quality growth over an extended period of time, using various data sectors such as the growth of workers' earnings, overall economic stability, and per capita income maintenance (welfare). Although Shawano County is not part of a "Metro" or "Micro" area, the adjacent Metro areas of Green Bay (ranked 48 in 2006), Oshkosh (107), Appleton (99), and Wausau (82); as well as the Micro areas of Stevens Point (43), Marshfield/Wisconsin Rapids (25), and Merrill (115) are represented. These economic health rankings show that all neighboring Metro economies were in the top 1/3 of the national rankings, and all neighboring Micro economies were in the top 1/5. The greater east-central region of the State has a high level of economic health when compared on a national level.

**Income Data**

According to 2017 Census data, the median household income in the Town of Birnamwood was \$56,111. Over thirty percent of households reported an income between \$60,000 and \$99,999. Figure 26 compares the Town's median household income and per capita income with the County and State.

**Figure 26: Median Household Incomes 2017**



Sources: ACS 2013-2017 B19013, B19113, and B19301

### **Commuting Patterns**

Approximately half of Shawano County's workforce is employed outside the County, according to 2013 statistics compiled by the Wisconsin Department of Workforce Development. Of the 7,922 workers commuting to places outside the County, 34 percent (2,713 workers) commute to Brown County to the southeast. Marathon County and Waupaca County are the second and third most common workplace destinations, drawing approximately 14 percent of the commuting workforce respectively (1,096 and 1,086 workers). The fourth most common workplace destination was Outagamie County with approximately 11 percent of commuters or 903 workers. Shawano County workers also commute to other nearby counties: Langlade, Oconto, Winnebago, and Portage. In contrast, about 2,932 workers commute into Shawano County for employment. Substantial numbers drive in from Waupaca (609 workers), Oconto (575), Brown (488 workers), and Marathon (467 workers) counties. The average time a county resident travels to work is approximately 23 minutes.

### **Location of Economic Development Activity**

Map 5 shows that there are few areas of commercial and industrial activity in the Town of Birnamwood other than those associated with agricultural, forestry, and home occupations. County wide, most commercial and industrial activity is located within the County's villages and city, but there are a few areas in the towns. There are seven industrial parks in the following Shawano County communities: Birnamwood, Bondel, Gresham, Marion, Shawano (Raasch Industrial Park, Bay Lakes Industrial Park, and Shawano Municipal Utilities Industrial Lands), Tigerton, and Wittenberg. Combined, these parks provide 730 acres of Industrial land use. As of 2006, the vast majority of this acreage was vacant and available for development.

#### **COMMUTER CHALLENGES**

Many communities in rural areas lose a large percentage of their workforce to neighboring metro areas. The communities of Shawano County face difficult commuter related challenges due to the county's geographic position. Located between Green Bay, the Fox Valley, and Wausau, nearly half of all workers commute outside Shawano County. Common concerns for heavy commuter counties include increased fuel consumption, the loss of a valuable labor source, and a disproportionate share of the tax base dedicated to maintaining local roadways.

Communities facing these challenges need to find innovative ways to promote local assets. New businesses can benefit from superior existing infrastructure. Significant advances in technology now make telecommuting a viable option. Losing workers via inter-county commuting is an important issue that many rural communities will need to address in the future.

### **Environmentally Contaminated Sites**

The Wisconsin DNR's Environmental Remediation and Redevelopment Program maintains a list of contaminated sites, or "brownfields," in the State. The WisDNR defines brownfields as "abandoned or underutilized commercial or industrial properties where expansion or redevelopment is hindered by real or perceived contamination." Examples of brownfields might include a large abandoned industrial site or a small corner gas station. Properties listed in the WisDNR database are self-reported, and do not necessarily represent a comprehensive listing of possible brownfields in a community.

As of May 2020, there were no active sites in the Town listed in WisDNR's system.

Brownfield redevelopment programs seek to return abandoned or underused industrial and/or commercial sites to active use through cleaning up environmental contamination and encouraging redevelopment of the sites. The Wisconsin Department of Commerce and WisDNR work together to administer a grant program that funds brownfields cleanup. This program provides funds for environmental studies that determine the nature and extent of contamination as well as for the actual remediation of contaminated sites. More information on the requirements a community must meet to receive these grants is available through the Department of Commerce and WisDNR.

### **Economic Development Programs and Agencies**

The following list provides information on programs designed to stimulate economic development in developed areas.

- ♦ **Shawano County Economic Progress, Inc. (SCEPI)** is a non-profit corporation dedicated to the mission of promoting economic vitality throughout Shawano County by acting as a technical resource and facilitator for communities and business partners. SCEPI is dedicated to assisting our business partners by providing services that address their top priorities: business start-ups, business expansions, new business development, relocation, technical and financial assistance, planning, research and application preparation, government liaison, and technology zone tax credits. Other organizations that assist businesses seeking to relocate to the Shawano area include: the Shawano Area Chamber of Commerce, the City of Shawano Industrial and Economic Development Commission, Wittenberg Area Development Corp., Tigerton Advancement Association, and Shawano Improvement, Inc.
- ♦ Shawano County's **Revolving Fund Loan Program** provides assistance to business and industry seeking to relocate in Shawano County.
- ♦ The State's **Community Based Economic Development Program (CBED)** provides funding assistance to local governments and community-based organizations that undertake planning, development and technical assistance projects that support business development. Any Wisconsin municipality or community-based organization is eligible to apply for funding. Funds are available on an annual basis through a competitive application process. Application materials are available from the Wisconsin Department of Commerce.
- ♦ The **U.S. Small Business Administration's Certified Development Company (504) Loan Program** provides growing businesses with long-term, fixed-rate financing for major fixed assets, such as land and buildings. 504 loans can be used to fund land purchases and improvements, grading, street improvements, utilities, parking lots and landscaping, construction of new facilities, or modernizing, renovating or converting existing facilities.
- ♦ The **Wisconsin Department of Commerce** administers several financial assistance programs to communities to promote economic development by linking them to applicable programs within the Department of Commerce or other agencies.
- ♦ The **State Infrastructure Bank Program** is administered through the Wisconsin Department of Transportation to provide revolving loans used by communities for transportation infrastructure improvements to preserve, promote, and encourage economic development and transportation efficiency, safety, and mobility.

### **Assessment of Desired Economic Development Focus**

The Wisconsin comprehensive planning statute requires that this Plan "assess categories or particular types of new businesses and industries that are desired by the local government unit." Figure 27 considers strengths and weaknesses for economic development in the Town of Birnamwood. Based on these strengths and weaknesses, the Town's desired economic focus is reflected in the goals, objectives, policies, and recommendations below.



**Figure 27: Town of Birnamwood Strengths and Weaknesses for Economic Development**

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>♦ Attractive living environment</li> <li>♦ Potential new agricultural, forestry, and recreation-based businesses</li> <li>♦ Regional access via US Highway 45, CTH N, and CTH Q</li> <li>♦ Proximity to local and regional villages and cities.</li> <li>♦ High quality forests, fishing streams, and ag lands</li> </ul>	<ul style="list-style-type: none"> <li>♦ Lack of public utilities</li> <li>♦ Limited infrastructure</li> <li>♦ Limited population base</li> <li>♦ Potential negative impact of economic development on natural resource base and rural character</li> <li>♦ Limited public access to outdoor recreational opportunities such as hunting</li> </ul>

### **Economic Development Goals, Objectives and Policies**

#### **Goal:**

1. Encourage economic development opportunities appropriate to the Town's resources, character, and service levels.

#### **Objectives:**

1. Focus economic development efforts on farming, timbering, farm- and timber- support and primary processing businesses, and recreation related businesses.
2. Encourage commercial activities that are compatible with the Town's character and infrastructure capacity.

#### **Policies:**

1. Direct intensive, large-scale commercial and industrial uses into the Village of Birnamwood, Village of Wittenberg and the other area villages and cities where public sewer and water services are available.
2. Encourage small, community-serving businesses in limited areas, such as near intersections with US Highway 45 and CTH N, or existing areas such as the hamlet of Shepley, and discourage unplanned, continuous strip commercial development, including along highway corridors.
3. Work with the County to develop design standards of new and redevelopment of existing commercial uses and limiting those uses to the types and scale consistent with the Town's rural character and levels of relevant infrastructure and services.
4. Allow home-based businesses on a scale compatible with rural surrounding and where there will be no impact on surrounding properties.
5. Encourage businesses that are related to farming, forestry, and recreation that are compatible with the rural character of the area.
6. Promote the careful placement and design of future mineral extraction sites, wireless telecommunication facilities, and other uses that may have a significant visual, environmental, or neighboring property owner impacts.
7. When reviewing applications for non-metallic mineral extraction sites, refer to the standards listed in Chapter Two.

## **Economic Development Recommendations and Programs**

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### **Encourage businesses that are related to farming, timbering, and recreation**

These uses, including home occupations and “cottage industries”, are particularly appropriate in rural areas to supplement household income (e.g., farm families). Home Occupations range from those that Home-based businesses and services range from those who supplement their income by selling a craft item or repairing a lawnmower to those who are employed by a company but do most of their work from a home office (commonly called telecommuters). Two major trends have attributed to the rise of home occupations: the increased use of the personal computer and the re-structuring of the corporate workforce (e.g., downsizing, out-sourcing, “satellite” offices). The Town will work with the County to ensure that its current zoning regulations continue to accommodate the operation of home businesses and services and specify appropriate standards to avoid conflicts.

### **Support the economic health of production agriculture and forestry in the Town**

Support the continued health of production agriculture and forestry in the Town, including the exploration of “non-traditional” forms of agriculture, such as vegetable, fruit and nut farms, and other small-acreage farms; grazing; research farming; community-supported agriculture; and equine centers. Traditional and specialty forestry includes timber harvesting, sap production for maple syrup, production of firewood and other primary timber processing, specialty or craft production of wood or timber items. Selective timber harvesting and certain forms of agriculture can be compatible with such complimentary outdoor recreational pursuits as horse, hiking and mountain biking trails, ATV trails, shooting or archery ranges, paintball ranges, and private, semi-public, or public access for fishing, nature watching, and fishing, though careful site planning and operational management may be necessary to ensure compatibility of multiple uses. Small-scale businesses supporting agriculture, hunting, fishing, and other outdoor recreational activities are also potentially compatible with traditional agricultural and forestry uses, though dedicated businesses specializing in the outfitting and lodging of tourists, production of specialty or value added products, and agricultural and forest support businesses such as implement dealers and grain elevators may be more appropriate at dedicated commercial and industrial sites described below and elsewhere in this *Plan*.

### **When considering new commercial or industrial development projects, refer to the policies in Chapter Three: Land Use and Seven: Economic Development, and encourage the following siting and design standards:**

Before considering approval of any change of zoning, land divisions, driveway permits, or other permits associated with commercial, industrial, and other non-residential development, the Town should require applicants to submit site plans of sufficient detail to meet the siting and improvement recommendations set forth in this *Plan*, with particular emphasis on the specific guidelines set forth for specific Future Land Use categories in Chapter 3: Land Use, and the standards enumerated below. The Town should work with the County to develop land division and zoning provisions that will enable the Town and County to implement these standards in an effective and consistent manner.

#### **Siting:**

- ◆ Where possible, locate commercial uses near existing roads capable of handling increased traffic and heavy vehicles.
- ◆ Limit direct access of driveways on to US, State, and County Highways. Where possible, provide access on intersecting local access roads.

Give preference to commercial and industrial uses on or near existing commercial and industrial areas, existing major traffic corridors or intersections, and redevelopment sites such as reclaimed mineral extraction sites.

### Design

- ◆ High-quality signage treatment that is based on the area of building frontage, road frontage and façade area. The use of monument signs should be encouraged instead of pole signs.
- ◆ Retention of existing vegetation and high-quality landscaping treatment of bufferyards, street frontages, paved areas and building foundations.
- ◆ Intensive activity areas such as building entrances, service and loading areas, parking lots, and trash receptacle storage areas oriented away from less intensive land uses.
- ◆ Parking lots landscaped with perimeter landscaping and/or landscaped islands, along with screening to limit views from streets and adjacent residential uses.
- ◆ Parking to the sides and rear of buildings wherever possible, rather than having all parking in the front.
- ◆ Location of loading docks, dumpsters, mechanical equipment, and outdoor storage areas behind buildings and complete screening through use of landscaping, walls, and architectural features.
- ◆ Illumination from lighting kept on site through use of cut-off, shoebox fixtures.
- ◆ High-quality building materials and architectural details.
- ◆ Canopies, awnings, trellises, bays, and windows to add visual interest to facades.
- ◆ Variations in building height and roof lines.
- ◆ Limited use of chain-link and other non-decorative fencing in high visibility areas.



*This photo shows an example of design sensitive to the character of the Town*



## Chapter Eight: Intergovernmental Cooperation

This chapter of the *Plan* contains a compilation of background information, goals, objectives, policies and recommended programs for joint planning and decision making for the Town of Birnamwood with other jurisdictions. It also incorporates by reference all plans and agreements to which the Town is a party.

### INTERGOVERNMENTAL COOPERATION RECOMMENDATIONS SUMMARY

- ♦ Work with other jurisdictions to protect the Town's natural resources and rural character.
- ♦ Work with the County and State to ensure the safety and functionality of the Town's transportation network.
- ♦ Continue intergovernmental service agreements
- ♦ Ensure open communication with other jurisdictions to avoid any future potential intergovernmental conflicts.

### Existing Regional Framework

The following are other local and State jurisdictions operating within or adjacent to the Town:

#### **Town of Almon**

The Town of Almon is located on the eastern border of Birnamwood. The Town's population was 572 in 2018, which is a 2.1 percent decrease from 2010. The Town adopted the *Town of Almon Land Use Management Plan* in 1999, prepared with the assistance of the East Central Wisconsin Regional Planning Commission. From 2006 -2008, the Town developed and adopted its current Comprehensive Plan concurrent with Birnamwood as part of the Shawano Area Communities Comprehensive Planning Project. The Town of Almon Comprehensive Plan is generally compatible with that of the Town of Birnamwood and emphasizes preservation of open space and limiting development.

#### **Town of Wittenberg**

The Town of Wittenberg is located on the southern border of Birnamwood. The Town's population was 823 in 2018, which is a 1.2 percent decrease from 2010. The Town adopted the *Town of Wittenberg Land Use Management Plan* in 1998, prepared with the assistance of the East Central Wisconsin Regional Planning Commission. The plan recommends that the great majority of land in the Town be preserved in agricultural, woodlands, and resource protection uses, including nearly all land on the border of Birnamwood. The Town has updated its plan concurrently with Birnamwood as part of the Shawano Area Communities Comprehensive Planning Project. No major areas of incompatibility or conflict were identified.

#### **Town of Aniwa**

The Town of Aniwa is located north of Birnamwood. The Town's population was 528 in 2018, a 2.4 percent decrease since 2010. The Town does not currently have a land use plan. The Town was not initially part of the County's original Shawano Area Communities Comprehensive Planning project but worked closely with County and neighboring communities in developing their own Comprehensive Plan beginning in late 2007. The Town of Aniwa Comprehensive Plan emphasizes the preservation of open space and rural character, and is generally compatible with the Town of Birnamwood *Plan*.

#### **Town of Norrie**

The Town of Norrie is located west of Birnamwood, in Marathon County. The Town's population was 991 in 2018, a 1.5 percent increase since 2010. The *Town of Norrie Comprehensive Plan* was adopted in 2006, prepared as part of the Marathon County comprehensive planning process, described below. The plan recommends

that the majority of land in the Town remain as forestland, agriculture, or open space, including the majority of land along the Town of Birnamwood boundary.

### **Village of Birnamwood**

The Village of Birnamwood is located at the northwest corner of the Town of Birnamwood. The Village's population was 801 in 2018, a 2.1 percent decrease since 2010. Part of the Village is located in Marathon County. The Village recently prepared the *Village of Birnamwood Comprehensive Plan* as part of Marathon County's multi-jurisdictional comprehensive planning process, described below. The Village adopted its plan in 2006. Key features of the Plan as it pertains to the Town or Birnamwood include recommendations not to annex territory and focus growth areas within or immediately adjacent to existing developed areas and other areas that can easily be served by the Village's sanitary sewer and municipal water services (such as its business park). The *Plan* is generally complimentary to the Town of Birnamwood Plan by acting as a receiving area for more intensive residential, commercial, and industrial areas, allowing the Town to emphasize rural land uses and character. Areas of mutual concern include the US Highway 45 corridor.

### **Village of Eland**

The Village of Eland is located on the southwest corner of the Town. The Village population was 195 according to 2018 census data, a 3.5 percent decrease from 2010. The Village was not part of the County's original Shawano Area Communities Comprehensive Planning Project, but began developing its own Comprehensive Plan in cooperation with the Shawano County effort in 2007. The Village coordinated closely with the Town of Birnamwood and other participating Shawano County communities during this planning effort. The Village of Eland Comprehensive Plan generally recommends limited scale development readily served at existing levels of Village services and is therefore generally compatible with the goals and objectives of the Town of Birnamwood Plan. Areas of mutual concern include the US Highway 45 corridor.

### **Shawano County**

Over the past fifty years, Shawano County has experienced less than average population growth when compared to the State and region. Little or no population growth occurred during the 1950s and 1960s. However, since the 1970s, Shawano County has grown at a rate slightly greater than the State average, and slightly below the regional rate. The County's population in 2018 was 41,655, an increase of 2.4 percent from 2000. In 2010, 62 percent of the County's population was located in towns, and 38 percent in cities and villages, a rate that has remained almost constant since 1950.

The Wisconsin Department of Administration (DOA), population projections forecast a 9 percent population increase between 2010 and 2040. In recognition of continued future growth and the stress it will place on both natural and human systems, Shawano County applied for and received a grant to complete a comprehensive plan for the County and 26 of its municipalities. The Town worked with the County cooperatively though this process and no conflicts are anticipated during the planning period.

### **Marathon County**

Marathon County is located west of Shawano County. The County covers 1,576 square miles, with 21 incorporated municipalities and 41 towns. The population according to the 2018 Census was 135,264, a 7.5 percent increase since 2000. In 2001 the County applied for and received a State comprehensive planning grant. The County and 53 of its 62 municipalities subsequently participated in a multi-jurisdictional planning effort, which resulted in a County Comprehensive Plan and 53 individual municipality comprehensive plans, including plans for the Marathon County Towns immediately adjacent to the Town of Birnamwood (Plover, Norrie, and Elderon). Most of the plans were adopted in 2005/2006. The Plans adopted by the Marathon County Communities adjacent to the Town of Birnamwood emphasize protection of forest lands, crop and agricultural lands, and public recreation lands while limiting other types of land use and development.

### **Regional Planning Jurisdictions**

The Town of Birnamwood is located within the jurisdiction of the East Central Wisconsin Regional Planning Commission (ECWRPC). The East Central Wisconsin Regional Planning Commission is the official comprehensive planning agency for the East Central Wisconsin Counties of Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara and Winnebago. Services provided by the Commission include Comprehensive and Land Use Planning; Transportation Improvement and Corridor Planning; Open Space, Recreational and Environmental Planning; Economic Development; Demographic Information and Projections; Technical Assistance to Local Governments; Geographic Information Services and Aerial Photography Distribution. The ECWRPC prepared land use and development plans for many of the Shawano County communities in the mid-to late-1990's. Within the state Administrative Code for Water Quality Management, ECWRPC is the responsible agency for sewer service area delineation and administration in Shawano County. ECWRPC has prepared water quality plans, delineation and amendment of sewer service areas, and delineation and amendment of environmental corridors in coordination with WisDNR. ECWRPC also administers the County's Non-Metallic Mining Ordinance.

### **Important State Agency Jurisdictions**

The Wisconsin Department of Transportation's (WisDOT) North Central Region main office, located in Rhinelander, and its second office in Wisconsin Rapids, serves all of Shawano County. The Wisconsin Department of Natural Resources (WisDNR) Northeast Region provides service to Shawano County residents with offices in Green Bay, Oshkosh, and Peshtigo. The Department of Agriculture, Trade and Consumer Protection (DATCP) is the State agency which administers the State's Farmland Preservation Program. There are no apparent conflicts between State plans and policies and this Town *Plan*.

### **School District**

The Town of Birnamwood is located entirely within the Wittenberg-Birnamwood School District. The district boundaries are shown on Map 1. There are no conflicts between School District plans and this Town *Plan*.

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## **Intergovernmental Cooperation Goals, Objectives and Policies**

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### **Goal:**

1. Forward mutually beneficial intergovernmental relations with neighboring governments, including neighboring towns, nearby cities and villages, Shawano County, and the school district by which the Town is served.

### **Objectives:**

1. Work with surrounding local governments, Shawano County, local school districts, and State agencies on land use, natural resource, transportation and community development issues of mutual concern.
2. Cooperate with neighboring governments, school districts, Shawano County and State agencies on providing shared services and planning for future public facility and service needs where appropriate.
3. Collaborate with Shawano County and neighboring units of government on continuing joint comprehensive plan implementation efforts.
4. Stay informed on activities of the School District that serve the Town to ensure the Town has the opportunity to be involved in decisions that affect residents, such as building improvements, tax issues, and transportation.

### **Policies:**

1. Provide copies of this *Comprehensive Plan* and future amendments to surrounding and overlapping governments.
2. Work with the Village of Eland and Village of Birnamwood to resolve differences in recommended Future Land Uses and other matters, particularly where the Villages' extraterritorial jurisdiction overlaps Town territory.

3. Cooperate with other units of government, including the County and WisDNR on the preservation and sensible use of natural resources (as discussed in greater detail in Chapter Two: Agricultural, Natural, and Cultural Resources).
4. Participate in County-level economic development, recreation planning, and forest management efforts.
5. Work with the County Highway Department and WisDOT in maintaining and improving the Town's transportation system (as discussed in detail in Chapter Five: Utilities and Community Facilities).
6. Continue intergovernmental and shared service agreements for public facilities and services and consider additional joint services and facilities where consolidating, coordinating, or sharing services or facilities will result in better services or cost savings.
7. Provide input to the School District regarding long term district operations planning, including the location of new or expanded facilities as deemed necessary.
8. Ensure maintenance of housing and residential areas by working with the County to possibly access sources of funding for housing rehabilitation, such as CDBG and other grants.
9. Work with agencies like the Shawano County Economic Development, Inc. and ECWRPC to help advance the economic viability of the agriculture, forestry, and business economies of the area.
10. Cooperate with neighboring communities and other units of government to minimize intergovernmental conflict and ensure that the policies and recommendations of this *Plan* are implemented. If conflicts emerge, the process to resolve conflicts should begin with intergovernmental discussions.

### **Intergovernmental Cooperation Recommendations and Programs**

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Intergovernmental communication, coordination, and cooperation are critical in implementing many of the recommendations in this *Plan*. This section attempts to coordinate recommendations for adjacent and overlapping jurisdictions, avoid inefficient or conflicting development patterns, and promote intergovernmental cooperation.

The State comprehensive planning law requires that this *Plan* identify existing and potential conflicts between the Town and other governmental units and describe processes to resolve such conflicts. This planning process has been designed to avoid and minimize potential conflicts, yet some still exist. The following subsections address remaining or potential conflicts areas and potential resolution processes.

#### **Between the Town Plan and County Plans**

This *Plan* is generally consistent with existing Shawano and Marathon County plans and policies. Preparing the Town's and Shawano County's plans concurrently will minimize potential conflicts by providing a forum for resolution.

#### **Among Town Plans**

For the Towns of Almon, Aniwa, Birnamwood, Hutchins, Morris, and Wittenberg preparing the Comprehensive Plan through the multi-jurisdictional process has minimized potential differences by providing a forum for discussion and resolution of differences. There are no major conflicts identified between the Town of Birnamwood Comprehensive Plan and the Comprehensive Plans developed by these participating adjacent communities.

The Town will also share comprehensive plans and work together on issues of joint concern with nearby towns in Marathon County. The Towns of Plover, Norrie, and Elderon participated in Marathon County's multi-jurisdictional comprehensive planning effort, and each adopted individual Comprehensive Plans in 2005 or 2006. Each of these plans emphasize preservation of forest, crop, other agricultural, and existing public recreation lands, and limits residential and other forms of development, particularly in the eastern portions nearest the Town of Birnamwood and are therefore generally compatible with the recommendations of this *Plan*.



**Between the Town and the Villages of Birnamwood and Eland**

The Village of Eland joined the Shawano County multi-jurisdictional planning process in 2007 and has coordinated closely with the Town of Birnamwood during development of its plan. Because of the level of coordination that occurred throughout the planning process, the Town anticipates little conflict between the Village of Eland and Town of Birnamwood Comprehensive *Plans*.

The Village of Birnamwood developed its Comprehensive Plan in cooperation with Marathon County to west and Shawano County. Adopted in March of 2006, the Village of Birnamwood Comprehensive Plan focuses future growth within its existing corporate boundary and does not intend to acquire new territory from the Town of Birnamwood. Therefore, there are no major conflicts between the Village and Town of Birnamwood Plans at present.

The most obvious area of mutual concern and likely growth between the Town and either Village is the potential interest over development adjacent to or near the US Highway 45 corridor. If over the next 20 years, one or both of the adjacent Villages annexes - or amends its plan to allow annexation of - additional Town territory, the Town will attempt to work with the Villages to ensure mutually acceptable (if not beneficial) outcomes. Potential issues could include types, quality, and scale of highway development, and issues over jurisdiction, provision of services and revenue sharing.

If and when one of the Villages or Town amends their Comprehensive Plans, the Town intends to hold regular informal discussions with the neighboring communities as part of the plan amendment process. If proposed amendments affect areas within the Village of Birnamwood's or Village of Eland's extraterritorial jurisdictions, it may be in the best interest of the Town to explore establishment of joint extraterritorial zoning or other types of joint decision-making powers. Entering into a formal intergovernmental boundary/land use agreement with one or both villages may also be logical next steps.

There are two main formats for intergovernmental agreements under Wisconsin Statutes. The first is available under Section 66.0301, which allows any two or more communities to agree to cooperate for the purpose of furnishing services or the joint exercise of any power or duty authorized under State law. While this is the most commonly used approach, a "66.0301" agreement is limited by the restriction that the municipalities must be able to exercise co-equal powers. Another format for an intergovernmental agreement is a "cooperative plan" under Section 66.0307 of the Wisconsin Statutes. This approach is more labor intensive and ultimately requires State approval of the agreement but does not have some of the limitations of the "66.0301" agreement format.



## Chapter Nine: Implementation

Few of the recommendations of this *Comprehensive Plan* will be automatically implemented. Specific follow-up actions will be required for the *Plan* to become reality. This final chapter is intended to provide the Town of Birnamwood with a roadmap for these implementation actions.

### IMPLEMENTATION RECOMMENDATIONS SUMMARY

- ◆ Follow the implementation schedule in this section.
- ◆ Evaluate new development proposals against the recommendations of this *Plan*.
- ◆ Monitor update and amend this *Plan* as circumstances change and new issues develop.

### Plan Adoption

A first step in implementing the 2008 *Town of Birnamwood Comprehensive Plan* is making sure that it is adopted in a manner which supports its future use for more detailed decision making. The Town included all necessary elements for this *Plan* to be adopted under the state's comprehensive planning statute. Section 66.1001(4), Wisconsin Statutes, establishes the procedures for the adoption of a comprehensive plan. The Town followed this process in adopting this *Plan*.

### Implementation Recommendations

Figure 28 provides a detailed list and timeline of the major actions that the Town intends to complete to implement the *Comprehensive Plan*. Often, such actions will require substantial cooperation with others, including county government and local property owners. The table has three different columns of information, described as follows:

- ◆ **Category:** The list of recommendations is divided into six different categories—loosely based on the different chapters of this *Plan*.
- ◆ **Program/Recommendation:** The second column lists the actual steps, strategies, and actions recommended to implement key aspects of the *Comprehensive Plan*. The recommendations are for Town actions, recognizing that many of these actions may not occur without cooperation from others.
- ◆ **Implementation Timeframe:** The third column responds to the state comprehensive planning statute, which requires implementation actions to be listed in a “stated sequence.” The suggested timeframe for the completion of each recommendation reflects the priority attached to the recommendation. Suggested implementation timeframes span the next 10 years, because the *Plan* will have to be updated by 2031.

**Figure 28: Implementation Strategies Timetable**

Category	Program/Recommended Action	Implementation Timeframe
Agricultural, Natural, and Cultural Resources	Support effort to establish standards for large-scale livestock and animal density unit standards in the County	Ongoing
	Ensure that appropriate erosion control, stormwater management and groundwater protections are in place	Ongoing
Land Use	Work with the County to revise the zoning ordinance, zoning map and subdivision regulations as necessary to implement the recommendations of this <i>Plan</i>	Ongoing
	Follow the policies programs of this <i>Plan</i> when reviewing new developments	Ongoing
	Require site plans prior to considering and approving rezoning requests	Ongoing
Transportation	Provide input to the County on the County's highway improvement plan, requesting particular projects that are important to the Town	2008 and annually
	Work with the County on transportation options for those without access to vehicles and connect residents with those programs	Ongoing
Utilities and Community Facilities	Maintain new Town Hall	Ongoing
	Continue partnerships with other communities for Fire and EMS department related to equipment and personnel needs	Ongoing
	Oppose new landfills, waste sites or new public cemeteries and adopt a Town ordinance prohibiting the development of private burial plots.	Ongoing
Housing & Economic Development	Develop standards for seasonal housing/hunting shacks/trailer homes and year-round mobile homes	Ongoing
	Work with the County to address issues of basic house and lot maintenance and junk ordinance	Ongoing
	Work with farm, outdoor recreation, and home-based businesses	Ongoing
Intergovernmental Cooperation	Provide a copy of this <i>Comprehensive Plan</i> and all subsequent amendments to surrounding and overlapping governments	2008 and as amended
	Work with the Villages of Birnamwood and Eland to reconcile differences in adjacent jurisdictions	2008 and Ongoing
	Participate in County-level, economic development, recreation, and forest management efforts	Ongoing

## Ordinance and Code Updates

The following figure provides a list of potential ordinances and codes, indicating generally for each how or if the Town of Birnamwood will update to implement this *Comprehensive Plan*.

**Figure 29: Ordinance and Code Updates**

Code or Ordinance	Programs or Specific Actions
Zoning ordinance	Work with the County on updates to the Zoning Ordinance and actively participate in its administration and enforcement
Official Map	Work with the County on updates
Sign regulations	Work with the County on updates
Erosion Control / Stormwater Management Ordinances	Work with the County and State on administration of existing requirements
Historic Preservation Ordinance	Work with the County on updates
Site Plan Regulations	Site plan regulations are included in the County zoning ordinance  The Town will work with the County to review and enforce
Design Review Ordinances	Work with the County to include design review provisions in the County zoning ordinance
Building Codes	Town adopted Unified Dwelling Code (UDC), administered by the Town; no further recommendations
Mechanical Codes	Town adopted UDC, administered by the Town; no further recommendations
Housing Codes	Town adopted UDC, administered by the Town; no further recommendations
Sanitary Codes	Administered by County, no Town recommendations
Subdivision/Land Division Ordinance	Work with County to modify land division ordinances to implement this <i>Plan</i>

## Plan Monitoring, Amendments, and Update

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The Town intends to regularly evaluate its progress towards achieving the recommendations of the *Comprehensive Plan* and amend and update the *Plan* as appropriate. This section suggests recommended criteria and procedures for monitoring, amending, and updating the *Plan*.

### **Plan Monitoring and Use**

The Town intends to constantly evaluate its decisions on private development proposals, public investments, regulations, incentives, and other actions against the recommendations of this *Comprehensive Plan*. The Town Planning Commission ideally will have a central role in implementing and amending this *Plan*, as required. Specifically, the Planning Commission should:

- ♦ Have the function of reviewing, studying, and offering advice on private development proposals and other proposed land use changes in the Town. This should occur by the Town Board referring formal requests for conditional use permits, rezonings, and other development approvals to the Town Plan Commission for its recommendation, before the Town Board takes final action or makes a final recommendation to the County. The Town Plan Commission should compare these proposals to applicable sections of this *Comprehensive Plan*, and to Town ordinances.
- ♦ Review informal development inquiries from property owners before a property owner submits a formal application to the Town and/or County for development approval. This type of informal discussion almost always results in an improved development and saves time and money.
- ♦ On an annual basis, review decisions on private development proposals and implementation actions over the previous year against the recommendations of this *Plan* and consider potential changes to the *Plan*. This will help keep the *Plan* a “living document.” This type of review should ideally take place in a consistent month, and should be preceded by proper public notice. The Plan Commission and Town Board may also consider changes to this *Plan* at other times of the year if determined to be in the Town’s best interests, according to the procedures that follow.
- ♦ Serve as liaison to adjoining towns and villages as they prepare plans or consider private development proposals and help communicate Birnamwood’s plans to them.
- ♦ Monitor progress toward achieving *Plan* objectives.

### **Plan Amendments**

Amendments to this *Comprehensive Plan* may be appropriate in the years following initial plan adoption and in instances where the *Plan* becomes irrelevant or contradictory to emerging policy or trends. “Amendments” are generally defined as minor changes to the *Plan* maps or text. In general, this *Plan* should be specifically evaluated for potential amendments every three years. Frequent amendments to accommodate specific development proposals should be avoided.

The State comprehensive planning law requires that the Town use the same basic process to amend, add to, or update this *Comprehensive Plan* as it used to initially adopt the *Plan*. This does not mean that new vision forums need to be held, old committees need to be reformed, or recent relationships with nearby communities need to be reestablished. It does mean that the procedures defined under Section 66.1001(4) and Chapter 91, Wisconsin Statutes, need to be followed. Specifically, The Town intends to use the following procedure to amend, add to, or update the *Comprehensive Plan*:

- a. Either the Town Board or Plan Commission initiates the proposed *Comprehensive Plan* amendment. This may occur as a result of a regular Plan Commission review of the *Plan*, or may be initiated at the request of a property owner or developer.
- b. The Town Board adopts a resolution outlining the procedures that will be undertaken to ensure public participation during the *Plan* amendment process (see Section 66.1001(4)a of Statutes and model resolution included in this *Comprehensive Plan*).

- c. The Town Plan Commission prepares or directs the preparation of the specific text or map amendment to the *Comprehensive Plan*.
- d. The Town Plan Commission holds one or more public meetings on the proposed *Comprehensive Plan* amendment. Following the public meeting(s), the Plan Commission makes a recommendation by resolution to the Town Board by majority vote of the entire Commission (see Section 66.1001(4)b of Statutes and model resolution in this *Plan*).
- e. The Town Clerk sends a copy of the recommended *Plan* amendment (not the entire comprehensive plan) to all adjacent and surrounding government jurisdictions and the County as required under Section 66.1001(4)b, Wisconsin Statutes. These governments should have at least 30 days to review and comment on the recommended *Plan* amendment. Nonmetallic mine operators, any person who has registered a marketable nonmetallic mineral deposit with the local government, and any other property owner or leaseholder who has requested notification in writing must be informed through this notice procedure. These governments and individuals should have at least 30 days to review and comment on the recommended *Plan* amendment.
- f. The Town Clerk directs the publishing of a Class 1 notice, with such notice published at least 30 days before a Town Board public hearing and containing information required under Section 66.1001(4)d, Wisconsin Statutes.
- g. The Town Board holds the formal public hearing on an ordinance that would incorporate the proposed *Plan* amendment into the *Comprehensive Plan*.
- h. Following the public hearing, the Town Board approves (or denies) the ordinance adopting the proposed *Plan* amendment. Adoption must be by a majority vote of all members. The Town Board may require changes from the Plan Commission recommended version of the proposed *Plan* amendment.
- i. The Town Clerk sends a copy of the adopted ordinance and *Plan* amendment (not the entire Comprehensive Plan) to all adjacent and surrounding government jurisdictions, nonmetallic mine operators, any person who has registered a marketable nonmetallic mineral deposit with the local government, and any other property owner or leaseholder who has requested notification in writing as required under Sections 66.1001(4)b and c, Wisconsin Statutes.
- j. The Town Clerk sends copies of the adopted *Plan* amendment to the Shawano County Planning and Development Department for County for incorporation in the Farmland Preservation Plan and County *Comprehensive Plan*.

### **Plan Update**

The State comprehensive planning law requires that this *Comprehensive Plan* be updated at least once every ten years. As opposed to an amendment, an update is often a substantial re-write of the *Plan* document and maps. Further, on January 1, 2010, all decisions related to zoning, subdivisions, and official maps will need to be consistent with this *Comprehensive Plan*. Based on these two deadlines, the Town intends to update its *Comprehensive Plan* before the year 2031 (i.e., ten years after 2021), at the latest. The Town will continue to monitor any changes to the language or interpretations of the State law over the next several years.

### **Consistency Among Plan Elements**

The State comprehensive planning statute requires that the implementation element “describe how each of the elements of the comprehensive plan shall be integrated and made consistent with the other elements of the comprehensive plan.” Because the various elements of the *Town of Birnamwood Comprehensive Plan* were prepared simultaneously, there are no known internal inconsistencies between the different elements of chapters of this *Plan*. The *Plan* was carefully written to balance the various goals and interests in the Town.