

# **EXHIBIT**

## **I**



Lincoln Center II • 2514 South 102<sup>nd</sup> Street, Suite 278  
West Allis, WI 53227  
(414) 336-7900 • Fax: (414) 336-7901  
www.foth.com

November 27, 2019

Ms. Kathy Nickolaus, Administrator  
Town of Waukesha  
W250 S3567 Center Drive  
Waukesha, WI 53189

Dear Ms. Nickolaus:

RE: Town of Waukesha – Town of Brookfield Cooperative Plan Consistency with Town of Waukesha Comprehensive Plan

The Intergovernmental Cooperative Plan between the Town of Brookfield and the Town of Waukesha is consistent with the Town of Waukesha's Comprehensive Plan and proposed amendments currently in process. Specifically:

The Town of Waukesha Planned Land Use Map generally depicts the future land uses in the Joint Utility Service Area (JUSA) as Commercial, Industrial and Residential uses. The Town of Waukesha Comprehensive Plan Chapter 5 *Land Use* defines these categories as:

*Low Density Residential – The Low Density Residential category designates areas planned for residential development at densities ranging from 20,000 SF to 1.49 gross acres per dwelling unit where some areas may be served by public services including sanitary sewer and water. Senior housing development may be considered within this category for properties located on arterial roadways according to densities and requirements of the Town Zoning Ordinance conditional use provisions.*

*Commercial – The Commercial category designates areas for uses including retail, service, office, general business uses and associated parking. Careful consideration should be given to review of development including compatibility with surrounding uses, buffering and transitions, and access.*

*Industrial – The Industrial category designates areas for light industrial uses including manufacturing, wholesaling, warehousing and storage, contractor's uses, related off-street parking and associated office uses. Careful consideration should be given to review of development including compatibility with surrounding uses, buffering and transitions, and access.*

The Town of Waukesha has limited areas planned for substantial economic development including commercial, industrial or mixed land uses. The JUSA is one such important area due to the proximity to STH 59 and STH 164 and potential compatibility with surrounding land uses. The JUSA has a mix of developed and undeveloped properties with limited assessed value, where development/redevelopment will be aided through a TID and sanitary sewer and water service.

Discussed further in Section 7 of the Cooperative Plan, the availability of sanitary sewer and water service for many properties within the JUSA is required because of the WEPCO Fly Ash Landfill and resulting groundwater contamination within the JUSA. The City of Waukesha prohibits additional extension of municipal water from the City to any lands located with the JUSA without annexation. The only source of municipal water would be by way of an extension of the Town of Brookfield municipal water system. The City of Waukesha has also determined that sanitary sewer services will not be extended to the JUSA.

Page 15 of Chapter 4 *Community Facilities & Utilities* includes the following of the Implementation Recommendation:

6. *The Town and surrounding communities should work together to allow sanitary sewer and water extensions through agreements without annexation.*

Extension of sewer and water services without annexation is possible through the Cooperative Plan.

Page 7 of Chapter 8 *Economic Development* recognizes that “...commercial growth could be a great benefit to the Town base. The Town established some basic goals for commercial uses was to encourage additional commercial development within the Township if compatible with existing land uses and accessible to the citizens of the community...”

(Re)development of the properties planned for commercial use within the JUSA will help meet this intent of the Comprehensive Plan given the limited areas of suitable commercial and industrial land within the Town.

Pages 8 and 9 of Chapter 8 *Economic Development* recognize one of the programs used for communities to promote tax base expansion is the Tax Incremental Financing (TIF) Program. The Plan recognizes existing Town TIDs within Waukesha County and specific town TID requirements, including the provision of sanitary sewer service that will only be possible through the Cooperative Plan with the Town of Brookfield.

Page 6 of Chapter 9 *Intergovernmental Cooperation* highlights potential intergovernmental conflicts including:

*With the development and the growth of the surrounding communities, which are the City of New Berlin, Village of Big Bend, Town of Brookfield, Town of Genesee, Town of Vernon and City of Waukesha, potential conflicts in land use and traffic may result between these communities and the Town.*

*The Town and the surrounding communities need to work together on land use issues to resolve any potential land use conflicts which may impact the water quality of the Fox River.*

*The Town and the surrounding communities need to work together on resolving the drinking water supply and community well problems so as not to impact the ground water supply in the Town and to alleviate any impact a new or numerous shallow wells may have on the Fox River, Vernon Marsh and residential wells in the Town.*

This Cooperative Plan seeks to address each of these potential conflicts through joint planning between the Towns and extension of sewer and water services addressing groundwater and water quality issues.

Page 6 of Chapter 9 *Intergovernmental Cooperation* includes the Goals, Objectives, Policies and Programs for joint planning and decision making for siting and sharing public services. These include:

1. *Eliminate or reduce the duplication of services with adjacent communities to avoid redundancy.*
2. *Reduce the tax burden for duplication of services on local residents.*
3. *To provide more efficiency in services; and make available to Town residents services financed with federal and state funds for example - sewer.*
4. *Solidify Town borders to create an environment for effective and efficient planning for the Town of Waukesha. This would be accomplished by reaching border agreements.*

Finally, Page 10 of Chapter 10 *Implementation* states that “... *the Town and all abutting municipalities should work together in trying to accommodate new development, re-development, senior housing and multi-family developments. The Town and surrounding communities should work together in order to resolve the issue of the ground water recharge and the impact that sewer could have on the Fox River.*”

The establishment of the Cooperative Plan and shared services including sewer and water meet the intent of these intergovernmental and implementation objectives. The commitment of both municipalities to confirm the common boundary between the municipalities creates an environment of cooperation, and is consistent with effective and efficient planning, development and redevelopment of lands located within the town. The ability to create a Tax Incremental Finance District with the revenues being derived as a result of being used for the purpose of paying for the cost of extending sanitary sewer and water service, making desired types of development possible, and increasing the tax base of the Town of Waukesha.

Sincerely,

Foth Infrastructure & Environment, LLC



Shaun Mularkey  
*Planning Consultant*