

Town of Montrose
RESOLUTION 2010-07-09-3, CALLING FOR TOWN COMPREHENSIVE PLANS TO
PREDOMINATE IN PLATTING AND SEWER EXPANSION DECISIONS IN ABSENCE
OF INTERGOVERNMENTAL AGREEMENT

WHEREAS, the Wisconsin Towns Association succeeded in winning adoption of legislation which addressed the unfortunate Wisconsin Supreme Court decision in Wood v. City of Madison;

WHEREAS, despite the corrective legislation, cities and village retain the authority to disapprove land divisions within their extraterritorial review area on the basis of the city or village's comprehensive plan even if zoning permit's the land division;

WHEREAS, sewer expansions may also be planned for town areas over the objection of towns;

WHEREAS, farmland preservation will never be effective if all of the planning and effort put into farmland protection can be negated by incorporated villages and cities' decisions to develop farmland which has been planned for preservation, or which has been planned for other uses which are consistent with the town's future growth and development;

NOW, THEREFORE BE IT FURTHER RESOLVED that the Dane County Towns hereby urges the Wisconsin Towns Association to seek adoption of legislation which amends sec. 236.12, Wis. Stats., to specify that cities, counties and villages may not disapprove proposed land divisions in towns on the basis of city, county or village comprehensive plans, but only on the basis of comprehensive plans adopted by towns;

AND BE IT FURTHER RESOLVED that the Wisconsin Towns Association will seek legislation to forbid water quality planning agencies from expanding sewer service areas which are intended to serve cities or villages into adjacent towns unless either the town agrees or the area so included is eligible for sewer service without annexation.

This resolution was duly considered by the Town of Montrose Board pursuant to a vote of ____ for and ____ against and ____ abstentions on this ____ day of _____, 2010.

Roger Hodel, Town Chair

Julie L. Bigler, Town Clerk
