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Technical Advisory Committee  
Chippewa-Eau Claire Metropolitan Planning Organization  
800 Wisconsin Street  
Eau Claire, WI 54703

RE: Objection to City of Eau Claire's Request to Amend Sewer Area

Dear Technical Advisory Committee Members:

The Town of Washington objects to the City of Eau Claire's request to amend its sewer service area ("SSA") because the request does not comply with the Chippewa-Eau Claire Metropolitan Planning Organization's ("Organization") stated policies for SSA amendments. Consequently, the Technical Committee and the Organization should deny the City's request, or postpone its decision pending the outcome of the Town of Washington's lawsuit challenging the validity of the City's annexation.

The City's request for an SSA amendment is linked with a petition for annexation it received in May of 2022. Prior to filing the annexation petition, a developer working with the annexation petitioners proposed a residential development within the Town that would not need City utilities. Only after the developer was unable to secure a zoning amendment from Eau Claire County did the annexation petition come forth. The Town has since challenged that annexation in court, because it does not comply with Wisconsin law.

The area proposed by the City in the SSA amendment application is approximately 2.2 miles from the City's border. Any residential development that occurs will require installation of utilities a significant distance from the City's current boundary. Not only that, but there is a residential subdivision directly bordering the area that utilizes private onsite wastewater treatment systems.

All SSA amendments must comply with the goals and policies of the Chippewa Falls/Eau Claire Urban Sewer Service Area Plan-2025 ("Plan"). Plan at 103-104. This amendment does not.

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The Plan requires that “[s]ewer extensions that reflect the contiguous and compact pattern of development should receive priority over extensions that will contribute to urban sprawl.” *Id.* at 82. Similarly, the Plan requires that “[f]uture residential development should occur adjacent to existing development to contain costs of public service provisions, and reflect compact and orderly development.” Plan at 83. This amendment is a prime example of urban sprawl. Residential development would occur miles from the City’s border. Lowes Creek Park and farmland would separate the area from the City. A residential development 2.2 miles away from the City is not a compact pattern of development. The City will need to extend miles of infrastructure just to reach the area. A nearby residential subdivision already has private onsite water systems and will not hook up to City utilities.

Finally, the Plan mandates that “the Sewer Service Area Plan (SSA Plan) and boundary should not be used to promote nor hinder annexation petitions...” *Id.* This amendment is only brought because the City is attempting to annex the territory. If the City truly felt the need to include the territory in its SSA, it would have made the request long ago. Instead, the annexation petition motivated the City to request the SSA amendment. There is no doubt the City is using the SSA amendment process to promote annexation.

Since the SSA amendment violates these clear Organization policies, the Technical Committee and the Organization must deny the request. At the very least, the Organization should delay its recommendation pending the outcome of the Town’s lawsuit challenging the annexation. That is the only way to ensure the SSA amendment application does not promote the annexation petition.

Very truly yours,

STAFFORD ROSENBAUM LLP



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