

RESOLUTION 04-18

RESOLUTION TO APPROVE THE SPECIFIC DEVELOPMENT PLAN FOR BARNWOOD CONSERVANCY, LLC FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF LAKE FIVE ROAD AND SILVER SPRING DRIVE (CTH "VV"), LSBT 0217.998

WHEREAS, the Town Board of the Town of Lisbon, Wisconsin, established a planned unit development (PUD) overlay zoning classification of property located at the northeast corner of Lake Five Road and Silver Spring Drive (CTH "VV"), LSBT 0217.998.

WHEREAS, Barnwood Conservancy, LLC for the property located at the northeast corner of Lake Five Road and Silver Spring Drive (CTH "VV"), LSBT 0217.998, received General Development Plan Approval from the Town of Lisbon; and

WHEREAS, the June 14, 2018, the Town of Lisbon Plan Commission reviewed the following:

1. Construction Plans
2. Landscape Plans
3. Declarations of Restrictions
4. Storm Water Maintenance Agreement

For purposes of this resolution these documents shall be deemed to be the Specific Development Plan (the "SDP"); and

WHEREAS, the Town of Lisbon Plan Commission made the following findings based upon the criteria set forth in section 33-D-6 of the Town Code of Ordinance;

1. The SPD is consistent with the Purpose and Intent of the Zoning Code, and the purpose and intent of Planned Unit Development Overlay District.
2. The subdivision layout and SPD reflects and incorporates consideration of the physical nature of the Site with particular concern for the preservation of natural resources, open spaces, natural terrain as required by Ordinance including the CDP and to the greatest extent possible.
3. The general character and intensity of the use produces an attractive environment appropriate to the uses proposed and is compatible with existing developments in the surrounding area, including developments in neighboring and adjacent municipalities, and is generally consistent with the development policies and practices of the Town.
4. Adequate municipal services are available to support the development and the development will proceed using private wells and septic systems.

5. Barnwood Conservancy, LLC, through the development agreement and Letter of Credit provided adequate financial guarantees to ensure that all public improvements are completed in a timely manner, and in accordance with all existing regulations and ordinances of the State, County and Town.
6. The provided deed restrictions will be recorded, and a Home Owners Association will be responsible for maintaining common areas of the proposed Development.
7. The Preliminary Plat has been reviewed and approved and the Final Plat will be reviewed and recorded after the completion of the infrastructure.
8. The Developer will be entering into a Development agreement with the Town of Lisbon, as approved by the Town Attorney, the purpose of which is to ensure the implementation, completion and continued maintenance of the Development as established by the Planned Unit Development Overlay District Ordinance, the General Development Plan and the Specific Development Plan.
9. The development will include privately owned open spaces and multiuse pathways that will be open to the public through recorded easements and will pay fees in lieu of dedication.

WHEREAS, On June 14, 2018 the Plan Commission recommended approving the SDP with conditions.

WHEREAS, the Town Board concurs with these findings,

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Lisbon, Waukesha County, Wisconsin adopts the following Resolution, subject to:

1. The recitals set forth above are material to and are incorporated in this resolution.
2. The change in the zoning classification of the Property to Planned Unit Development Overlay District – GDP shall be null and void, if the following conditions of this SPD approval have not been satisfied within 12 months on the date of this resolution.
 - a. The applicant (Barnwood Conservancy, LLC) has acquired ownership of all of the Property.
 - b. A stormwater management plan meeting the Town's requirements has been approved by the Town Engineer.
 - c. The Final Plat has been submitted and approved in accordance with Chapter 12 of the Town Code of Ordinance.

- d. The development complies with all other applicable Town, County, and State applicable codes pertaining to the development proposal.
 - e. Subdivision signage shall be approved by the Plan Commission and the type, number, area, location, height, and maintenance of the signage shall be in accordance with the town's sign ordinance. The subdivider shall include a reference to "Lisbon" on all subdivision entrance signs.
 - f. The applicant (Barnwood Conservancy, LLC) has obtained Town approval of, and recorded, a Final Plat in substantially the same form as the approved Preliminary Plat.
 - g. The approved deed restrictions have been recorded and submitted to the Town.
3. The Property shall be developed and used in full compliance with the General Development Plan and a Specific Development Plan. The General Development Plan and Specific Development Plan shall constitute the zoning regulations for the Property, and may be enforced as any other zoning regulation in the Town of Lisbon. A copy of the General Development Plan and the Specific Development Plan shall be maintained and kept on file by the Town Clerk.
 4. Any subsequent change or addition to the plans or uses identified in the GDP or SDP shall first be submitted for approval to the Town Plan Commission and if, in the opinion of the Town Plan Commission, such change or addition constitutes a substantial alteration of the original plan, a public hearing shall be required pursuant to Sections 33, 35, and 36 of the Town Ordinance to amend the GDP prior to SDP and site plan approval.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 25th day of June, 2018.

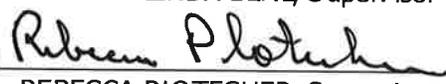
TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman

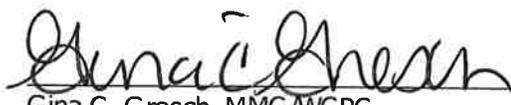
BY: 
TEDIA GAMINO, Supervisor

BY: 
MARC MOONEN, Supervisor

BY: 
LINDA BEAL, Supervisor

BY: 
REBECCA PLOTCHER, Supervisor

ATTEST:

BY: 
Gina C. Gresch, MMC/WCPC
Interim Administrator / Town Clerk

