



000001

TOWN OF LISBON
W234 N8676 Woodside Rd.
Lisbon, WI 53089

AMENDED 11/2/2018@10:45AM

Agenda

**Joint Plan Commission and Town Board of Supervisors Public Hearing
Followed by the Regular Plan Commission Meeting**

**Town of Lisbon, Town Hall
Thursday, November 8, 2018
6:30 PM**

1. Roll Call.

2. NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Lisbon Plan Commission and Town Board of Supervisors on Thursday, November 8, 2018 beginning at 6:30 P.M. at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on the rezoning from A-10 Agricultural District to A-5 Mini-Farm District, for the property owned by Jim Stolz, being represented by Axley Brynelson, LLP for the property located at N56W27476 Lisbon Road, Lisbon, WI 53089, LSBT 0264.998. SW. 1/4 AND SE. 1/4 OF THE SW. 1/4 OF SEC 30, T.8N., R.19E.

3. NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Lisbon Plan Commission and Town Board of Supervisors on Thursday, November 8, 2018 following the previously scheduled hearings at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on the rezoning from A-3 Agricultural/Residential Estate District to R-1 Suburban Single Family Residential District, for the property owned by Donald Schneider, located at W220N4879 Townline Road, Menomonee Falls, WI 53051, LSBT 987.001 LOT 4 CERT SURV 5824 VOL 47/234 AS REC IN DOC# 1534565 PT SE1/4 SEC 36 T8N R19E

4. NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Lisbon Plan Commission on Thursday, November 8, 2018, following the previously scheduled hearings at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on an amendment to a Conditional Use Permit request for an In-Law Unit for Jeremy Rush, for the property located at N72W24740 Good Hope Road, Lisbon, WI 53089, LSBT 0203.994.005, PARCEL B CERT SURV 3433 VOL 26/77 REC AS DOC# 1068979 PT SW1/4 SEC 15 T8N R19E.

5. NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Lisbon Plan Commission on Thursday, November 8, 2018 beginning at 6:30 P.M. immediately following the previously scheduled public hearing at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on an amendment to a Conditional Use Permit for an Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales in the B-4 Commercial Special Use Zoning District for Casey's General Store, submitted by Arc Design representative, for the property located at W220N5701 Townline Road, Lisbon, WI 53089, LSBT 0264.998. LOT 1 CERT SURV 4061 VOL 32/42 PT SE1/4 SEC 25 T8N R19E.

Agenda
Plan Commission Meeting
Town of Lisbon, Town Hall
Thursday, November 8, 2018
Following Public Hearing(s) beginning at 6:30 PM

1. Roll Call

2. Comments from citizens present pertaining to items on the agenda. Citizens are invited to share their questions, comments, or concerns with the Plan Commission. When speaking, citizens should state their name and address for the record and limit their presentation to three minutes. If a response would involve discussion of Plan Commission policy or decisions that might be of interest to citizens not present at the meeting, the commission may place the item on a future meeting agenda.

3. Discussion and necessary action on October 11, 2018 Plan Commission Public Hearing & Meeting minutes.

4. New Business

- a. Discussion and necessary action on the request from Realm Trucking LLC, for the property located at W233N5639 State Hwy 74, LSBT 0248.983 and 0248.983.001 for a Site Plan/Plan of Operation to allow commercial parking.
- b. Discussion and necessary action on the request from Adam Feisthammel d/b/a Warrior Warehouse for the property located at N70W25156 Indian Grass Lane Unit B, LSBT 0225.999.004 for a Site Plan/Plan of Operation for a fitness gym.
- c. Discussion and necessary action on the request from Ausblick Inc. for the property located at W260N6395 Mary Hill Road, LSBT 0257.999.002, for a Site Plan Amendment to construct a 30' diameter yurt structure.
- d. Discussion and necessary action on the request from Donald Schneider for the property located at W220N4879 Townline Road, LSBT 0288.987.001 to adopt Ordinance 13-18, Ordinance Rezoning LSBT 0288.987.001, From A-3 Agricultural/Residential Estate District to R-1 Suburban Single-Family Residential District and recommendation to the Town Board of the same.
- e. Discussion and necessary action on the Final Plat approval for Chris Miller of Miller Marriott Construction Company, for the property located on Lake Five Road and CTH VV, known as Barnwood Conservancy, LSBT 0217.998 and recommendation to the Town Board of the same.
- f. Discussion and necessary action on the following requests for Jeff Stolz, for the property located at N56 W27476 Lisbon Road, LSBT 0264.998:
 - i. Ordinance 12-18, An Ordinance Rezoning LSBT 0264.998 from A-10 Agricultural District to A-5 Mini Farm District, and recommendation to the Town Board of the same.
 - ii. Certified Survey Map and recommendation to the Town Board of the same.
- g. Discussion and necessary action on the request for Casey's General Store, for the property located at W220N5701 Townline Road, LSBT 0244.999.003, for a Conditional Use Permit Amendment to the Plan of Operation, specifically the driveway location change and hours of operation.

- h. Discussion and necessary action on the request from Jeremy Rush, for the property located at N72W24740 Good Hope Road, LSBT 0203.994.005, for a Conditional Use Amendment to remove a condition regarding "storage upstairs" from the originally approved Conditional Use.
- i. Discussion and necessary action on the Twin Pine Farms Phase II-B Developer's Agreement and Related Exhibits, and recommendation to the Town Board of the same.
- j. Discussion and necessary action on referral from the Town Board to the Plan Commission regarding the sale of the Pauline Haass land, per Wis. Stat. §62.23(5), for their consideration and report of the same back to the Town Board.

5. Town Clerk & Town Planner

- a. Overview of October Planning Appointments & Current Task/Project list.
- b. Discussion and update on the Plan Commission application process, including but not limited to planner's appointments, application timing, fees, forms, review reports, etc, and recommendation to Waukesha County regarding the Site Plan and Plan of Operation Process Improvement Proposal.

6. Request from members to request items on future agendas.

7. Adjournment.

Joseph Osterman
 Chairman

Jane Stadler
 Secretary

Posted: 2018-11-02

Clerk: DG
X Website

X Town Hall Bulletin Boards (2)

X Sent to Newspapers

NOTICE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

NOTE: Please notify the Town of Lisbon 72 hours in advance if you plan to attend and will need an interpreter or assistive hearing device.

MEMBERS: Please notify Town Hall at 262-246-6100 if you are unable to attend the meeting.

**Minutes of the Joint Plan Commission Public Hearing(s)
Town of Lisbon, Town Hall
Thursday, October 10, 2018
6:30 P.M.**

Public Hearings were held by the Town of Lisbon Plan Commission at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089 was called to order by Chairman Joseph Osterman at 6:30 P.M.

Roll Call: Present: Chairman Joseph Osterman, Supervisor Plotecher, Supervisor Gamino, Plan Commission Members Ed Nelson, Mark Meyer, Chad Samanske, Jane Stadler and Bryan Oelhafen. Also present: Planner Dan Lindstrom, Administrator Gina Gresch and Clerk Dan Green and Attorney Hammes.

Chairman Osterman stated the public hearings were published in the Lake Country Now and Northwest Now papers, on the Town's website and on the Town Hall posting boards.

A Joint Public Hearing on October 11, 2018 at 6:30 p.m. at the Lisbon Town Hall, located at W234 N8676 Woodside Road, for the purpose of providing the community a reasonable opportunity to comment upon the proposed creation of the Project Plan for the District. The District is expected to be a mixed-use district based on the identification and classification of the property proposed to be included within the District. Proposed projects costs include various public improvements and cash grants to owners or lessee or developers of land located within the district (development incentives) and professional and organizational services, administrative costs, and finance costs. The proposed costs include projects within the proposed boundary and within a 1/2 mile radius of the proposed boundary of the District. All interested parties will be given a reasonable opportunity to express their views on the proposed creation of the District, the proposed boundaries of the District, and the proposed Project Plan thereof.

Public Hearing Comments: Chairman Osterman read an email from Ken Heun, N56W22164 Silver Spring Drive. Mr. Heun's email outlined the following questions regarding the TID.

1. The town will spend money on improvements to make the TID property more attractive for development. But assume we have a recession which results in no development. At what point in time would the town taxpayers have to step in and cover the **BID** expenditures? I assume this would require new property taxes, correct?
2. What would be the maximum \$ exposure to town taxpayers for TID improvements? Is a maximum exposure amount set by the TID proposal?
3. Assuming maximum \$ exposure and no resulting development, what would be the resultant property tax increase due to the TID per 100K of assessed value? For how many years?
4. It's my understanding that the TID improvements are paid for by the increase in property taxes on the development that occurs within the TID. What is your projected rate and value of developments? That is, when would you expect it to be 25%, 50% 75% and fully developed and what increased valuation would each milestone bring?
5. What can the town do if TID development is below projections?
6. How do you rate the attractiveness of our TID properties compared to other competing properties in the vicinity?

There was no one further to speak for this public hearing

a Joint Public Hearing will be held by the Lisbon Plan Commission and Town Board of Supervisors on Thursday, October 11, 2018, beginning at 6:30 P.M. immediately following

the previously scheduled public hearing at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on the proposed amendments to the text of the Town of Lisbon Zoning Ordinance in accordance with Wisconsin State Statutes including, Chapter 11, Section 4, relating to Conditional Use Permits.

Public Hearing Comments: None.

Adjournment

The public hearing was adjourned at 6:34 P.M.

**Minutes of the Plan Commission Meeting
Town of Lisbon, Town Hall
Thursday, October 10, 2018
Following the Public Hearing beginning at 6:30 P.M.**

Chairman Osterman called the Plan Commission meeting to order at 6:34 P.M.

Roll Call: Present: Chairman Joseph Osterman, Supervisor Plotecher, Plan Commission Members Ed Nelson, Mark Meyer, Chad Samanske, Jane Stadler and Bryan Oelhafen. Also present: Town Planner Dan Lindstrom, Town Clerk Dan Green and Administrator Gina Gresch.

Comments from citizens present pertaining to items on the agenda. None.

Discussion and necessary action on July 12, 2018 and September 13, 2018 Plan Commission Public Hearing & Meeting minutes.

Motion by Commissioner Meyer to approve the September 13 2018 Plan Commission minutes with the correction of Mark Meyer being absent. Seconded by Commissioner Nelson. Motion carried, 7-0.

Motion by Chairman Osterman to approve the July 12 2018 Plan Commission minutes. Seconded by Commissioner Samanske. Passes 7-0.

New Business

Discussion and necessary action on Resolution 05-18, "Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 1, Town of Lisbon, Wisconsin" and recommendation to the Town Board of the same.

Todd Taves from Ehlers presented a slide regarding the Tax Increment District. Mr. Taves explained how the TID would generate revenue for improving public infrastructure in the area of the district. A Tax Incremental District is established to help fund improvement projects and spark development in areas that might not be developed on their own. The TID includes 225 acres including school district property and Lied's property. Mr. Taves explained that all parcels in the increment have to be adjoining. The school district will not have an impact on TID's growth as they are tax exempt. Currently the proposed TIF district has a \$835,000 value of taxable income. Any value added above that goes to a special fund for development in the TID. Mr. Taves distributed an updated Project Plan which includes an estimate of infrastructure including the Lied's property. Mr. Taves explained that Kunkel estimated a \$4.2 million

expenditure for improvements with a 12 year estimate of an additional \$33 million in assessed property value. The monies borrowed would be paid back in a 17 year timeframe depending on the development pattern. Mr. Taves also addressed the question read during the public hearing as to what happens if the TID does not generate enough revenue. He explained that the Town should be doing improvements in conjunction with the new development which could come in phases or be paid for by the developer. Projection of value does not account for the Casey's development which is in the TID boundary. Mr. Taves explained that a Joint Review Board met on this issue and that this Resolution needs to be approved by the Town Board with final approval going back to the Joint Review Board.

Commissioner Nelson asked how the public facilities included in the TID would affect the process. Mr Taves explained that it would have no affect because the school district is tax exempt. He explained the TID would mainly be for development of the Lied's property. Mr. Nelson questioned what the eligible project costs included. Mr. Taves explained that the State gives a list of what improvements can and cannot be included in a TID and there are very few things you cannot have a TID pay for. Commissioner Nelson stated that the Lied's property has been sitting for 4-6 years and doing no good to anyone including the Town, is generating no revenue and is an eye sore. Attorney Hammes stated that is the whole concept of this tax incremental district. You have to have this type of project in place to get this developed or else in 20 years it will still be sitting there.

Commissioner Stadler had concerns about the land north of the proposed road and doesn't see anyone wanting to get involved, especially if they do not know if a road will go through. She feared it might turn into a dead area. Commissioner Oelhafen asked what determines when the road goes in or doesn't go in. Attorney Hammes stated that the Plan Commission will have to approve and ultimately the Town Board. Until there is someone willing to develop it, we do not know. Once this gets put in place, you can start marketing these properties and will have a better idea.

Chairman Osterman brought up the questions that were asked by Mr. Heun in his email. In the case of a recession, there are some sunk costs upfront from the town; however there will not be significant costs until the infrastructure goes in which should be parallel with development. Mr. Osterman asked about the maximum exposure would be for the Town which Mr. Taves mentioned was addressed on page 18 of the report. Exposure would be limited as the infrastructure would not be put in place until development occurs. The projected rate of growth can be found in the packet provided by Ehlers. If the projections fall short, Attorney Hammes explained the shortfalls would be handled in the developer agreements. Ms. Stadler asked whether Casey's General Store would be affected by the TID. Attorney Hammes responded that their property was incorporated into the TID so the increased value that Casey's brings to the property will be incorporated into the TID fund.

Commissioner Oelhafen asked if there was already a high capacity well on that property. Attorney Hammes replied yes, but his understanding from Kunkel is that we would have to do a different well. It would be a private well that could be dedicated to the Town at any time. Commissioner Samanske questioned whether it is possible to use the existing well with the adequate testing. Chairman Osterman stated the one on the site was more used for watering. The Commission also discussed putting in a public well as opposed to a private well. A private well could be specked for a public well and could be dedicated to the Town at some point.

Motion by Commissioner Osterman to approve Resolution 05-18, "Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 1, Town of Lisbon, Wisconsin" and recommendation to the Town Board of the same. Seconded by Commissioner Nelson. Motion passed 7-0.

Discussion and necessary action on Zoning Text Amendment Ordinance 10-18, "An Ordinance Repealing and Recreating Chapter 11, Section 4 of the Zoning Code of the Town of Lisbon Relating to Issuance of Conditional Use Permits" and recommendation to the Town Board of the same.

Attorney Hammes explained that last November the statute has changed regarding Conditional Use permits. The significant change was if you have a Conditional Use ordinance, as long as property meets those standards, you have to grant the permit. In the past a lot of municipalities used a CUP and were discretionary. Commissions were not basing their approvals on proven data points, but only opinions about something being "too noisy" or "a lot of traffic". This ordinance redrafts and restates the ordinance to use the same standards as in the State Statutes. The denial of the Conditional Use Permit needs to be based on substantial evidence and not merely on conjecture. The ordinance does modify the approval process where recommendation from the Plan Commission will now go to the Town Board. These types of ordinances are being adopted throughout Waukesha County and the State.

Commissioner Stadler questioned why there was nothing in the ordinance about termination or expiration of Conditional Use status. She explained the Plan Commission in the past could perform onsite inspections for CUP's on a yearly basis and could terminate the CU when the property was sold. Attorney Hammes stated the State Statute allows an allotted amount of time the CU can be valid if the board so would choose. On a sale, the new applicant could assume the use of the conditional ordinance on the property. Chairman Osterman added that a lot of Plan Commissions around the state, there was no evidence being provided for cause to deny a CUP. Attorney Hammes added that substantial evidences is defined in the ordinance. He added that noise, for example, can be measured by decibels, traffic by traffic studies, etc.

Mr. Meyer asked regarding a previous CUP that came to the Plan Commission, a traffic study would win out for granting the permit. Attorney Hammes responded that this was correct. Mr. Meyer also asked what brought on the change of the Plan Commission becoming a recommending body to the Town Board. Mr. Hammes explained that the Town of Lisbon is unusual that the Plan Commission does not usually issue Conditional Use Permits. Usually the norm is that Town Board or Common Council would issue CUPs because they are they are the governing body ultimately responsible.

Commissioner Nelson asked if the Commission had a feeling about something, even if the applicant bring in experts, does this change still give the Plan Commission some credible power. Mr. Hammes used the example of a conditional use permit for a wedding barn venue. He explained that there is a lot of money put into a business, and restricting the use to that owner could make the building impossible to sell if new owners are not also permitted to use the conditional use approved for the property. Attorney Hammes added that substantial evidences is defined in the ordinance. He added that noise, for example, can be measured by decibels, traffic by traffic studies,

Motion by Commissioner Nelson to approve Ordinance 10-18, "An Ordinance Repealing and Recreating Chapter 11, Section 4 of the Zoning Code of the Town of Lisbon Relating to Issuance of Conditional Use Permits" and recommendation to the Town Board of the same with additional information in Ord. 10-18 supplied this morning. Seconded by Commissioner Samanske. Motion carried 7-0.

Discussion and necessary action on the request from Dan and Bob Olson of Globe Contractors, for the property located at N50W23076 Betker Dr. Pewaukee, WI 53072, LSBT 0284.995.004, for a Sign Permit, for a concrete slab ground sign.

Tracy Olson was present and gave an overview of the sign Globe Contractors will be implementing. She explained the dimensions and placement of the sign is so it can be seen on both sides. There will be no lighting so no electrical permit needed. The footings will be four feet deep with steel rods. Commissioner Meyer stated he was in favor but whether the Commission could approve the sign since it did not meet the zoning code. Planner Lindstrom explained that the Plan Commission has the discretion to waive this standard if it is in public interest.

Motion by Commissioner Samanske to approve the request from Dan and Bob Olson of Globe Contractors, for the property located at N50W23076 Betker Dr. Pewaukee, WI 53072, LSBT 0284.995.004, for a Sign Permit, for a concrete slab ground sign. Seconded by Commissioner Nelson. Motion passed 7-0.

Discussion and necessary action on the request from Paul Giles of Lannon Stone Products, for the property located at N52W23096 Lisbon Road, Sussex, WI 53089, LSBT 0237.965, for a Site Plan Amendment for a driveway relocation and related landscaping, as well as a Sign Permit request for a ground sign.

The applicant came forward and gave a presentation to the Commission to show the current entrance off of Townline Road. The entrance is right next door to a home less than ten feet away. The applicant explained this is not a good situation for Lannon Stone as the home is too close to the entrance. Lannon Stone purchased a home to the north of the current entrance and demolished it to make room for a new drive that would be less invasive to the home to the south. The applicant explained that they would remove the old entrance and replace it with grass, placing the new entrance further north of the existing home and adding landscaping and signage.

Commissioner Nelson agreed this was definitely not an ideal situation and thinks the proposed plan is a good plan. Commissioner Samanske added that he would like to see further details on the plans for the sign. Commissioner Meyer agreed this is a great plan and doesn't see a down side. Commissioner Stadler said she did a sight inspection thinks it makes a lot of sense. Commissioner Plotecher stated she had no problems and didn't know how trucks got out so close to the roundabout. The Town Planner explained that to the Board that the plan shows the drive is part of another lot. The applicant, in order to add a new entrance could do a combination CSM or draft an easement. Mr. Lindstrom explained that for signage, the combination of properties in a CSM would make the most sense. This should be added as a condition of the approval. He also added a condition should also be added that the sign is etched and not attached to the rock which the applicant agreed to. Mr. Lindstrom also explained that the Plan Commission could waive the requirement for the business sign in an R-1 district instead of rezoning the whole property.

Motion by Commissioner Nelson to approve the request from Paul Giles of Lannon Stone Products, for the property located at (check address) Townline Road, Sussex, WI 53089, LSBT 0237.965, for a Site Plan Amendment for a driveway relocation and related landscaping, as well as a Sign Permit request for a ground sign contingent on the application of a combination CSM, the sign being etched and waiving the R-1 sign requirement. Seconded by Commissioner Samanske. Passed 7-0.

Town Clerk & Town Planner

Overview of October Planning Appointments & Current Task/Project list.

Planner Lindstrom gave updates to the Commission and explained that the November agenda will have a lot of items on it with a wide variety of applications.

Discussion and update on the Plan Commission application process, including but not limited to planner's appointments, application timing, fees, forms, review reports, etc.

Planner Lindstrom pointed out a memo that the County asked to distribute to the Plan Commissioners. He explained that the County has met with various town staff from 5 or 6 towns to understand their processes. There seemed to be a bottleneck or lag in processing applications. In this memo is the end result of what various opportunities and improvements are possible. Mr. Lindstrom asked the Commission, if we are looking at this from an objective level, what are the items that have to be in front of the Plan Commission, what can be approve from the staff level and what the TB should approve. Commissioner Meyer agreed that the Town throws months of delays at people and require them to pay to go to the board and Plan Commission. A lot of times we cannot get things approved in time for construction. If applicants have to go somewhere else anyways, why don't they just go straight to the Town Board? Administrator Gresch explained the benefits of allowing some items to be approved at a staff level if they meet the requirements of our code, using sign permits as an example. She asked, if it meets the Town's code, why does it have to go to the Plan Commission? Commissioner Meyer stated he was more concerned about going to the Town Board and Plan Commission in which the administrator stated that some have to go to both per our

code. The Planner explained that some of these smaller process are running into issues when the County gets involved with Shoreland Wetland jurisdiction.

Discussion and update on wedding barn venues.

Planner Lindstrom explained to the Board that there have been 3 separate inquiries regarding wedding barn venues. The Town currently doesn't have anything in the code regarding this as a use or conditional use. At this point, these venues would be brought to the Plan Commission as an unspecified conditional use. Mr. Lindstrom asked for direction from the Commission as to how they would like to proceed with these types of applications. He mentioned adding this as number 35 under the conditional use zoning code.

Commissioner Nelson asked if the Town would be in any legal holes in regards to fire or injury. The Planner explained this would be no different than any other business which are issued CUPs. These establishments would have the same conditions as any other venue with fire and safety restrictions. Commissioner Nelson expressed concern that typically barns are not a place you have large groups of people and are not made for that purpose.

Commissioner Oelhafen explained that the State is no longer requiring their approval for plans for these barn venues because every barn that would come through the State would fail. They leave it up to the municipality and the County. Mr. Oelhafen explained he spoke with other inspectors and they enforce the code without having to go to the State for approved plans. He also explained that the proper inspections on the part of the building inspector and Fire Department are still required. Administrator Gresch mentioned that the Fire Department should be involved with this process right away.

Planner Lindstrom explained that in the current code these venues would be unspecified conditional use and the first applicant could be a good guideline to establish these conditions. Commissioner Samanske expressed that these should be a case by case scenario. Commissioner Stadler expressed concerned about neighbors being in close proximity to these establishments. She was concerned about alcohol consumption occurring in or close to residential neighborhoods and those safety concerns. She also mentioned the issue of noise, traffic and other concerns in regards to what becomes of the empty farmland in some of these scenarios.

Administrator Gresch explained that these establishments are able to apply for a liquor license and the Waukesha Health Department does get involved. She also explained, as far as food goes, caterers could be used for any private party and these would be no different. Supervisor Plotecher asked Planner Lindstrom if it would be easier to add this to our zoning code as number 35 of our conditional uses. Mr. Lindstrom stated it would be beneficial to use the common elements of these venues to the code, but if the Commission intends on having different restrictions for different venues, it may be beneficial to do these on a case by case basis.

Requests from members to put future items on the agenda.

Adjournment.

Motion by Commissioner Nelson to adjourn the Thursday, October 11, 2018 Plan Commission Meeting at 8:08 P.M. Seconded by Supervisor Oelhafen. Motion carried, 7-0.

Respectfully submitted,

Dan Green, WCMC
Town of Lisbon Clerk

Item 4A – Attachments



November 8, 2018

Chairperson Osterman and Town Plan Commission Members
Town of Lisbon
W23N8676 Woodside Road
Lisbon, WI 53089

Re: Realm Trucking LLC- Site Plan and Plan of Operation Review

Dear Plan Commission Members:

The above-referenced Site Plan/Plan of Operation was received by our office for review on behalf of the Town of Lisbon.

Application Summary:

Realm Trucking LLC has submitted an application for commercial truck storage on Parcel ID #0248983 and Parcel ID #0248983001, located at the intersection of Waukesha Avenue/County Highway F and Mitchell Lane. There are two (2) buildings located on these parcels. One (1) of the buildings is being used by H&H Auto Parts., which has been in operation since February 2015. H&H Enterprises owns both parcels and all buildings. The second building had been used since 2012 as an automobile sales business by J. A. Equities LLC; however, this business is no longer in operation. The applicant would like to use this building and associate parking spaces, paved area and unpaved area to park commercial trucks. As the commercial truck storage use is not related to the J.A. Equities automobile sales use, the current Plan of Operation, as approved September 6, 2012, can be considered not in force and Realm Trucking would not be able to use this Plan to park commercial vehicles. The H&H Auto Parts Site Plan/Plan of Operation does not allow for commercial vehicle parking and is an unrelated use. Therefore, Realm Trucking would require a new approved Site Plan and Plan of Operation to establish the use.

Parcel #0248983 is located in the Town of Lisbon and as well as Village of Sussex Extraterritorial Jurisdiction and Joint Planning Area, but site plans and operations plans are not subject to a review under the border agreement, where the JPC shall receive, consider and comment upon all applications for rezoning, conditional uses, PUDs and plats that arise within the Joint Planning Area. The Town of Lisbon has zoned this parcel M-2 General Industrial. This parcel is not designated as an area proposed for future addition to Sussex. There is no County Shoreland Zoning designated for either parcel. The County Development Plan and Lisbon Recommended Land Use Plan 2035 designate these parcels as Industrial. Commercial truck parking is a permitted use in both the M-1 and M-2 zoning districts. Therefore, neither a rezoning nor a conditional use permit will be required.

Site Plan and Plan of Operation Review

Certain permitted uses, as well as certain conditional uses, require the submittal of a Site Plan and Plan of Operation which provides a detailed description of the proposed use and functions as a basis for consideration prior to approval by the Town Plan Commission. The purpose of such a Site Plan and Plan of Operation review is to document the permit file, determine the adequacy of the data describing the permitted and accessory uses and proposed buildings, and document the plan and method of operation. This will enable a determination of compatibility with the Ordinance and consideration of approval. Two sites/operating plans, a preliminary site/operating plan, as submitted, and a final plan, to be submitted, are to be considered as one application in order reduce possible errors and to maintain consistency during the review process across different review agencies.

The applicant is proposing to lease 7,500 sq. ft. of parking and building space from the property owner in order to establish a commercial truck parking use. Existing parking is concrete. The applicant is anticipating striping five (5) spaces for employees and visitors. The proposed use is located on Mitchell Lane, which has access to County Highway H and is also utilized by a trucking company and the auto parts company located on the same two parcels as the proposed commercial truck parking use. The building is to be used for maintaining the truck parking operation.

Pertinent Reviewed Materials – Summary Overview

| | |
|---------------------------------|--|
| Property Owner: | H&H Enterprises |
| Applicant: | Steve Macsurak, Realm Trucking LLC |
| Tax Key: | 0248983 & 0248983001 |
| Zoning: | M-1 Limited Industrial & M-2 General Industrial |
| New or Existing Business: | New |
| New or Existing Structure: | Existing |
| Replacing an Existing Business: | Yes |
| Change of Use or Operation | Yes |
| Operation Summary: | This is the establishment of a private commercial vehicle parking use |
| Hours of Operation: | Days per week unspecified. Opens 5:30 am to 8:00 pm (likely before) |
| Full-Time Employees: | 3 |
| Part-Time Employees: | 0 |
| Adjacent Zoning: | North – B-3 (General Business - Village of Sussex): Trucking & Storage South – Q-1 (Quarrying District): Quarry East – P-I (Public Institutional): Cemetery * separated by an arterial road West – Q-1 (Quarrying District): Quarry |
| Parcel Area: | 7.41 & 2.14 acres |
| Impervious Surface Area: | 41% (calculations include parcel 0248976 as part of 2015 Site Plan) |

Pertinent Reviewed Materials – Operation Details

| | |
|----------------------|---|
| Accessory Buildings: | None. Existing building to be used as part of commercial truck parking use and operation. |
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|---|--|
| Outdoor Storage of Materials: | None |
| Parking: | Truck parking dependent upon site plan/plan of operation and utilization of the site. Six (6) striped parking spaces proposed for employees and visitors. Truck parking to be placed on concrete areas east of the building. |
| Outdoor Lighting: | No lighting proposed, beyond any existing. |
| Signage: | None listed or proposed |
| Landscaping Buffer Land Use Intensity: | Landscaping to remain as approved for J.A. Equities 2012 Site Plan and H&H Enterprises 2015 Site Plan/Plan of Operation. |
| Building: | Existing structure to remain. No new additional structure. |
| Trash/Recycle Impacts: | No dumpsters/waste containers existing or proposed |
| Stormwater Impacts: | The stormwater report was submitted for the site plan; see engineering comments. |
| Odor, Smoke, Noise from Operation: | Typical noise, smoke, and odor from commercial truck parking. |
| Chemical, Hazardous Waste, Solvents Stored On-Site: | Planning staff does not anticipate any issues related to storage of chemical, hazardous waste, or solvents. Cleaning products shall be subject to approval by the Fire Department and Building Inspector. |
| Storage/Sale of Gasoline or Petroleum Products: | N/A |
| Fire Department Inspection Date: | None scheduled at this time. Planning staff recommends including Fire Department approval as an additional condition of approval. |
| State Approved Building Plans Date: | No proposed commercial changes at this time. Planning staff recommends including any State Commercial Plan and local Building Inspector approval as an additional condition of approval. |

SPPOO Recommendations:

The comments mentioned above are intended to guide the Town's consideration of this application. The Town should approve, deny, or conditionally approve the SPPOO.

If the Town Plan Commission elects to grant approval Planning Staff would recommend the following conditions.

1. All site plan and operational aspects details on the submitted materials shall be complied with. Site Plan shall be on file at the Town of Lisbon.
2. The Town of Lisbon retains the right to annual review the business operation for compliance with approved plans.

November 8, 2018

Page 4

3. Hours of operation: 5:30 am to 8:00 pm. Truck idling for extended periods of greater than 15 minutes are not allowed during the hours of 8:00 pm to 5:30 am Monday through Sunday.
4. No outdoor storage to be allowed.
5. No service, repair, or fueling of vehicles/commercial trucks onsite without site plan and plan of operation approval.
6. Any additional or future business signage shall be required to obtain signage approval.
7. Approval by Waukesha County Environmental Health Division and correction of any deficiencies prior to issuance of the Certificate of Occupancy.
8. Obtain non-objection from the Fire Department and correction of any deficiencies prior to issuance of the Certificate of Occupancy.
9. Obtain non-objection from the Building Inspector and correction of any deficiencies prior to issuance of the Certificate of Occupancy.
10. The approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new Site Plan/Plan of Operation permit with all the zoning procedures at the time of being followed. Any use not specifically listed as permitted shall be considered to be prohibited, except as may be otherwise specified herein.
11. The Town reserves the right to review any condition imposed as part of this Site Plan and Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, through the Site Plan and Plan of Operation process, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area.

The issues outlined above are meant to act as a guideline to assist you in discussions as to what issues you feel need to be addressed in order for you to review this proposal. I will be in attendance at the November Plan Commission meeting to answer any questions.

Sincerely,

Daniel J. Lindstrom, AICP
Town Planner

cc: Gina Gresch, Town Administrator



W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

Commercial
**All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.*
 Residential – Home-Based Bus. / In-Law Unit

- Accessory Building Waiver: \$100 (Size/Location/Architectural Review)
- After the Fact Application: Double Fees
- Certified Survey Map: \$200 + \$10 Per lot
 - Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM)
- Conditional Use Permit: \$350
 - Amendment / Original
 - Major Grading Permit
- Deed Restriction: \$100
- Developer's Agreement: \$250
- Groundwater Separation Waiver: \$100
- Land Use Amendment: \$300
- Conceptual: \$100
- Plat Review:
 - Final - \$200
 - Preliminary - \$500
- Re-Submittal: \$200
- Rezone: \$350
- Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule)
- Site Plan/Plan of Operation:
 - Amendment: \$250
 - Original: \$500
 - Temporary: \$125
- Special Meeting: \$600
- Waivers/Modification from Land Division and Development Ordinance: \$200

Property Information

W233 N 5637 Highway 74 Sussex City 53089 Zip
LSBT 0248983 6248983001 Tax Key/Parcel ID # MI/M2 Current Zoning
 Lot Sizes

Property Owner

H. H. Euten, Inc. Name / Company Name
[Signature] Signature
W233 N5639 Hwy I Address
Sussex City WI State 53089 Zip

Applicant

STEVE MACSURAK Name
REALM TRUCKING LLC Company
1527 LAKE DR Address
HUBERTUS City WI State 53033 Zip

262-246-6400 Phone RON@HANAHTAutoParts.com E-mail Address 414 659 6260 Phone SSMACSURAK@YAHOO.COM E-Mail Address

A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered complete, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. *The Town of Lisbon reserves the right not to accept an application that is deemed incomplete*



SITE INSPECTION NOTIFICATION:

The Town of Lisbon Town Plan Commission and Town Board request permission of the property owner or responsible party to enter the subject property, between the hours of 9am to 5pm or upon prior 24 hour notice, for a site inspection prior to any scheduled Plan Commission or Board meeting. The site inspection will allow the Town Plan Commission and Town Board to make more informed decisions with respect to the requested application.

I, the undersigned, have been advised that my signature grants permission to members of the Town Plan Commission and Town Board to conduct site inspections of the subject property. Failure to authorize said site inspection will not be held against the property owner or responsible party in the decision of the requested application; however, the site inspection does allow the Town Plan Commission and Town Board to make more informed decisions.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME STEVE MACSURAK
ADDRESS 1527 LAKE DR HUBERTUS WI 53033
DATE 10.8.2018 SIGNATURE [Signature]
PHONE 414 659 6260 EMAIL STMACSURAK@YAHOO.COM

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Hand H Enterprises
ADDRESS Box 595 Sunney 53089
DATE 10-9-18 SIGNATURE [Signature]
PHONE 262-246-6400 EMAIL Ron@HandHAutoParts.com

COMMENTS:

Town Official Accepting Form

Date



TOWN OF LISBON
W234 N8676 Woodside Rd.
Lisbon, WI 53089

PETITION FOR A CONDITIONAL USE PERMIT

Property Owner

H & H Enterprises
Name / Company Name

[Signature]
Signature

W233 N. 5639 Hwy F
Address

Sussex WI 53089
City State Zip

262-246-6400 RON@HAND
Phone E-mail Address

Auto Parts
car

Applicant

STEVE MACSURAK
Name

REALM TRUCKING LLC
Company

1527 LAKE DR
Address

HUBERTUS WI 53033
City State Zip

414 659 6260 SSMACSURAK@YAHOO.COM
Phone E-Mail Address

Property Information

W233 N 5637 SCHW 74 Sussex 53089
Property Address City Zip

LSBT 0248983 0248983001 _____ m1/m2
Tax Key/Parcel ID # Lot Size Current Zoning

Conditional Use Information

In the space below, please describe the purpose of the Conditional Use being applied for. Please attach or email a separate sheet if necessary.

| |
|-------------------------------------|
| <u>PARKING VEHICLES ON CONCRETE</u> |
| <u>THAT ALREADY EXISTS</u> |
| |
| |
| |
| |

| | | |
|----------------------|---------------|------------------|
| INTERNAL USE ONLY | | |
| Amount Due: \$ _____ | Check # _____ | Date Paid: _____ |



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

Pursuant to the Town of Lisbon Municipal Code Section 1.14, the Town of Lisbon Town Board has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Treasurer shall charge one hundred and five percent of the cost of that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. The additional five percent cost above the cost of the service is levied to cover Town administrative charges. Also, pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges, however, is subject to the property owner's appeal rights as described in the Town of Lisbon Municipal Code Section 1.14.

The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town. In addition, I/we have been advised that pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved. By signing this document, I am not waiving my/our appeal rights that are described in the Town of Lisbon Municipal Code Section 1.14.

Statements will be sent monthly so you are kept up to date regarding your current charges.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME STEVE MACSURAK
 ADDRESS 1527 LAKE DR HUBERTUS W, 53033
 DATE 10-8-2018 SIGNATURE [Signature]
 PHONE 414 659 6260 EMAIL SMACSURAK@YAHOO.COM

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME H&H Enterprise
 ADDRESS Box 595 Sussex W, 53089
 DATE 10/8/18 SIGNATURE [Signature]
 PHONE 262-246-6400 EMAIL Ron@H&HAutoParts.com

PROJECT NAME _____



W234N8676 WOODSIDE RD. • LISBON, WI 53089-1545 • TEL: (262) 246-6100 • FAX: (262) 820-2023
 E-mail: townhall@townoflisbonwi.com • Website: www.townoflisbonwi.com

SITE PLAN AND PLAN OF OPERATION

Please fill out the entire application all questions need a response. If something does not apply please put N/A. Incomplete applications will not be processed or put on the agenda. The completion of this application form must be accompanied by one copy of an up to date and detailed Site Plan drawn to scale and including, but shall not be limited to, all existing buildings, signage, lighting, landscaping, parking, loading, storage, dumpsters, septic and well, etc; an interior layout (plans) of all buildings and the existing and proposed uses of the interior spaces (i.e., office, retail, restaurant, etc); and any other supporting materials. The above shall be submitted to the Town Hall, and upon review of the information, additional items may be required. The plans shall be drawn to scale and shall be no larger than 11" x 17", and shall also be emailed as a PDF. Future revisions to the approved Site Plan/Plan of Operation will require new approvals.

- New business in existing building or on existing site** **New Owner** **Temporary Use**
 Change in Operations (summarize below what is changing; days/hours, etc)

- Change in Use (summarize below prior and new use below)**

BUSINESS / PROPERTY OWNER & PROPERTY INFORMATION

Tax Key Number _____ Acres _____ Zoning _____

Business Name & Contact Person: REALM TRUCKING LLC

Full Address (include City & Zip): W 233 N 5637 ST Hwy 74 Sussex WI 53089

Phone Number & Email: 414 659 6260 SSMACCOROK@Yahoo.COM

Signature & Date: [Signature] 10-6-2018

Property Owner Name: H & H Enten Paiser

Full Address (include City & Zip): Box 595 Sussex 53089

Phone Number & Email: 262-246-6400 Ron@HAWK H Auto Parts.com

Signature & Date: [Signature] 10-8-18

1. Is this business replacing another business? Yes No

a. If yes, what is the prior business' name: _____

2. Is this an expansion of an existing Town approved/based operation? Yes No

a. If yes, please explain: _____

HOURS OF OPERATION & OPERATING SPECIFICS

3. Describe in detail below the specific type of business operation (Retail, Restaurant, Manufacturing, Office, etc.), including temporary, accessory, and outdoor uses (storage, etc). Provide a separate list of all items sold or produced on the property. If items are produced, please provide a separate explanation of the production process.

_____ TRUCKING _____

Planner Comment:
This is for operation location for a commercial trucking operation, primarily used for the trucking of materials from the local mining operations.

4. Days & Times of Operation:

a. Days & Times: _____ 5:30 AM _____

Planner Comment:
To 8:00 pm per conversation with applicant.

5. Employees (if self-employed please count yourself)

a. Full-Time _____ 3 _____

b. Part-Time _____ _____

FOOD / BEVERAGE / LIQUOR

6. Is there any food & beverage / liquor service? Yes No

a. If yes, please explain: _____

7. Table Seating Capacity

- a. Outside: _____
- b. Inside: _____
- c. Bar: _____

Planner Comment:
None assumed or reviewed.

8. Food / Soda Vending Machines Yes No

- a. If yes, quantity of each: _____

OUTDOOR USES

9. Is there any outdoor storage? Yes No

Planner Comment:
None assumed or reviewed.

- a. If yes, please explain: _____

10. Will there be any outdoor events? Yes No

- a. If yes, please describe the types of events, parking accommodations, sanitary facilities and delineate the locations of the events on the Site Plan submitted. Attach a separate sheet if necessary.

11. Will there be any customer dockage? Yes No

- a. If yes, please indicate on the Site Plan length and number of piers.

12. Parking Lot

- a. Dimensions 36' x 66'
- b. Total number of spaces 6
- c. Number of spaces allotted for employees 3

Planner Comment:
Site plan shows general location for truck parking.

MUSIC / ENTERTAINMENT

13. Are any problems such as odor, smoke or noise resulting from this operation? Yes No

a. If yes, describe what types (live, amplified, recorded, jukebox, etc), indoors and/or outdoors, and the days and hours music will be provided? Attach a separate sheet if necessary.

14. Game Machines Yes No

a. Quantity: _____

b. Location: _____

BUILDINGS

15. Building A

a. Dimensions & Levels: 36' x 64'

b. Use: Office + Shop

16. Building B

a. Dimensions & Levels: N/A

b. Use: N/A

17. Building C

a. Dimensions & Levels: N/A

b. Use: N/A

LIGHTING (Submit Cut-Sheets)

18. Outdoor Lighting

a. Type(s): _____

b. Locations(s): _____

Planner Comment:
None assumed or reviewed. No changes from the current site.

SIGNAGE (Also submit the Town's Signage Application & appropriate fees)

19. Describe below the type of signage that exists and what signage is proposed on the site (attached, free standing, ground, mobile, projecting, window, electronic message, banners, flags, sandwich boards, etc.) and if the signs are illuminated, single/double faced, along with the number, size, and height of all signs.

N/A

CHEMICALS/HAZARDOUS MATERIALS

20. Are there any Chemicals, Hazardous Waste or Solvents stored on the site? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

bry

Planner Comment:
Per conversation with applicant. No onsite services or fuel filling. Repair limited to none fluid (lights, etc.)

21. Does this Operation involve the Storage/Sale of gasoline or any other Petroleum Products? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

Planner Comment:
Per conversation with applicant. No onsite storage of petroleum products.

STORM WATER RETENTION, FLOW OF SURFACE WATER, AND AMOUNT OF IMPERVIOUS SURFACES

22. Are there surface water drainage facilities? Yes No

a. If yes, please explain: _____

REFUSE DISPOSAL

23. Are there dumpsters/waste containers on the site? Yes No

a. If yes, show on the Site Plan submitted the location of dumpsters and any screening.

PERMIT APPROVAL / ISSUANCE DATES

24. Is Highway Access Permit Needed? Yes No

a. Date Issued: _____

25. DNR Well Approval (For New Constructions Only)

a. Date Approved: Planner Comment: N/A

26. Septic System Approval (For New Constructions Only)

a. Date Approved: _____

27. Fire Department Inspection Yes No

a. Date Inspected: Planner Comment: condition of approval

28. Did the Wisconsin Department of Safety & Professional Services approve building plans? Yes No

a. Date Approved: Planner Comment: N/A

29. Is security fencing necessary? Yes No

HORSE BOARDING

30. Does this Operation involve the Boarding of Horses? Yes No

a. Maximum number of horses boarded: _____

b. Maximum number of horses owned: _____

31. Has a Conservation Plan been prepared by the Land Conservation Committee? Yes No

a. Date Prepared: _____

Planner Comment: N/A

Town Approval Date(s): _____

County Approval Date(s): _____

DRAWING LEGEND

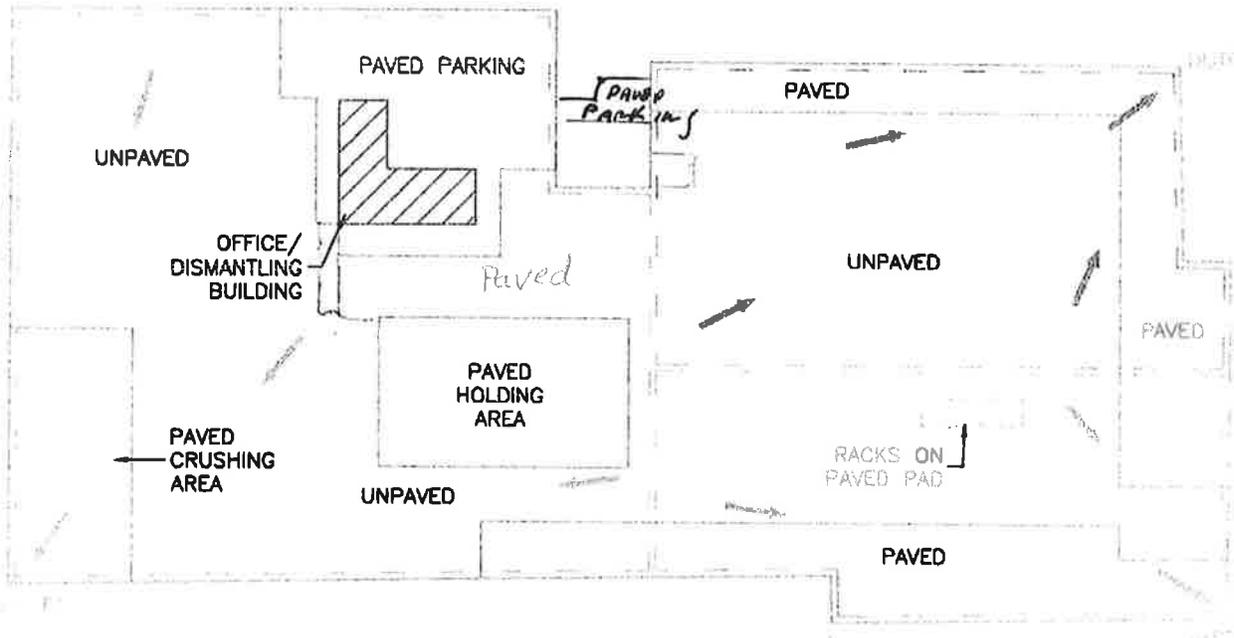
-  BUILDING
-  COVERED EQUIPMENT/STORAGE AREA
-  UNCOVERED EQUIPMENT AREA
-  UNCOVERED STORAGE AREA
-  OUTFALL BOUNDARY (COLOR VARIES BY OUTFALL AREA)
-  STORM WATER FLOW ARROW

NOTE: OUTFALL AREAS MEASURED IN ACRES

Rapain Shop



Stormtech
 000026
 18800 W. Greenfield Avenue
 Brookfield, Wisconsin 53008
 282/788-8101 Fax: 282/796-8102 888/546-5374



Planner Comment:
 Old site plan of neighboring operation

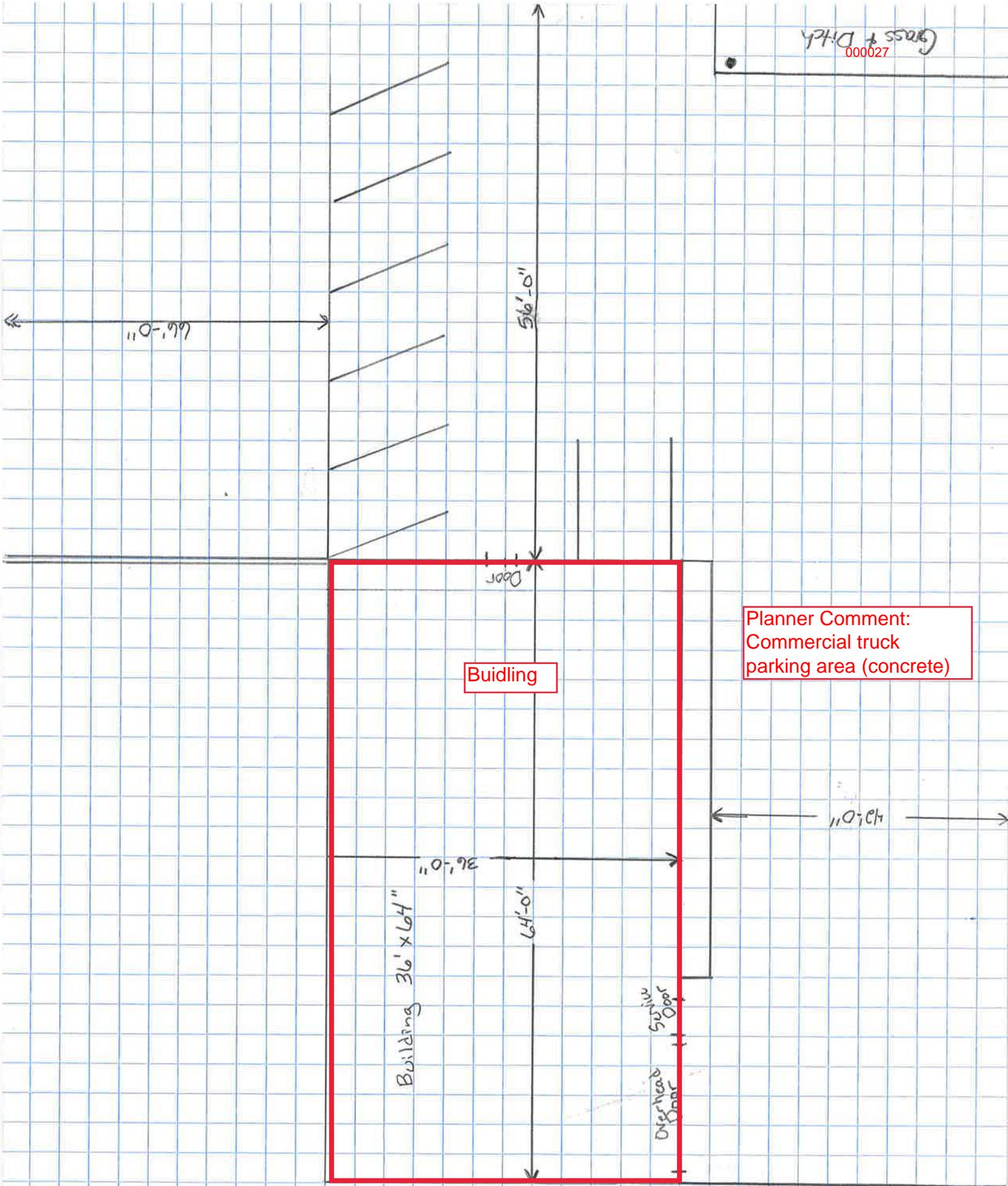


| OUTFALL NUMBER | TOTAL AREA | PERCENT PERVIOUS | PERCENT IMPERVIOUS |
|----------------|------------|------------------|--------------------|
| 1 | 3.7 | 59% | 41% |
| 2 | 1.5 | 58% | 42% |
| 3 | 2.1 | 82% | 18% |
| TOTALS | 7.3 | 59% | 41% |

Auto Recyclers Cooperative
 Compliance Program of Wisconsin, Inc.

H&H AUTO PARTS & SALVAGE, INC.
 W233 N5639 STH 164
 SUSSEX, WI 53089

| | | | | | | | |
|-----------------------|---------------------|--------------------|----------------|-----------|----------|-------|-------|
| SCALE NOT TO SCALE | SHEET NO. 1 OF 1 | DWG NO. ARCCP85 | DATE 8/6/00 | SIZE A | REV 0 | CHK'D | APP'D |
|-----------------------|---------------------|--------------------|----------------|-----------|----------|-------|-------|



Building

Planner Comment:
Commercial truck
parking area (concrete)

Building 36' x 64'

Overhead Storage Door

Door

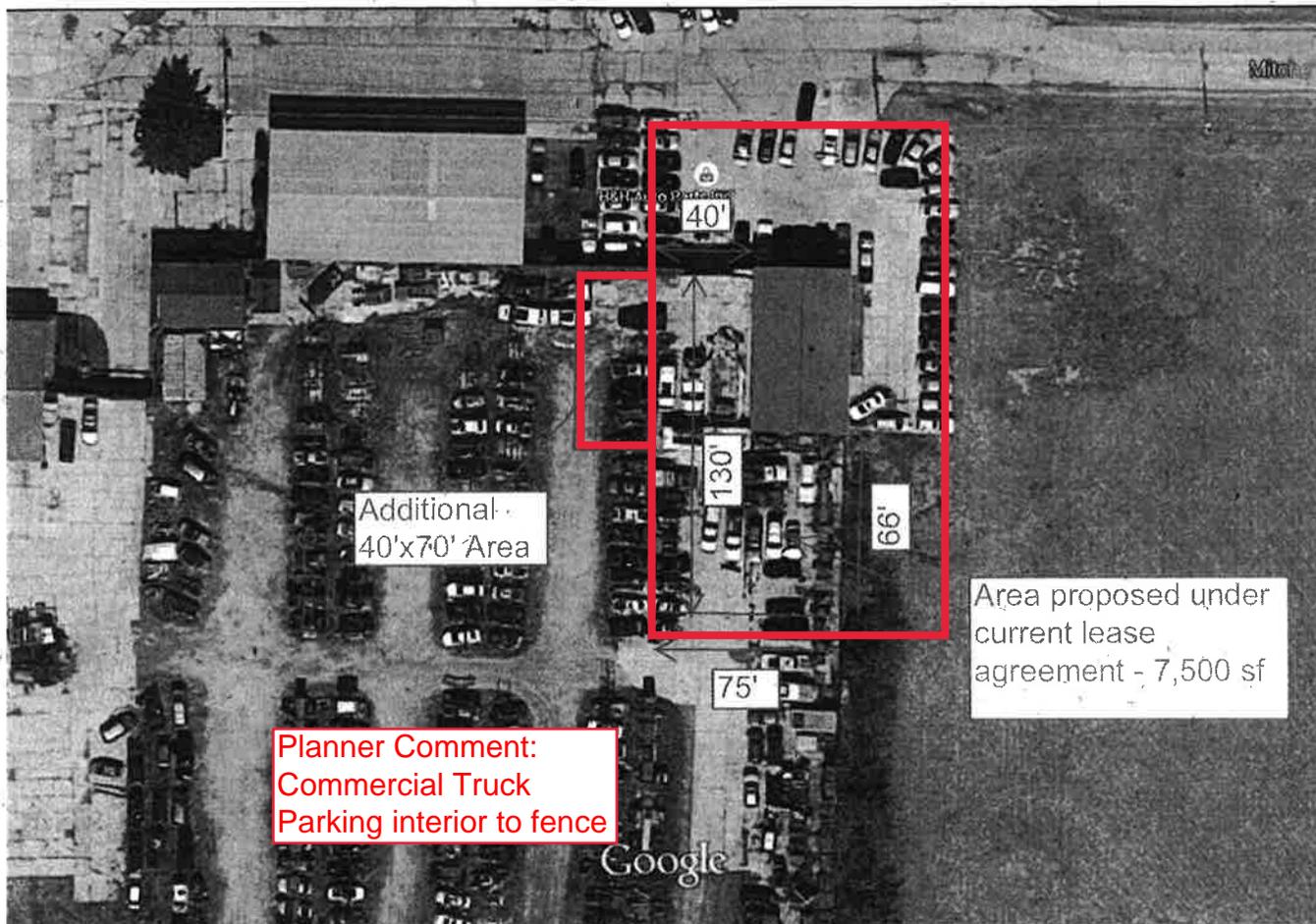
110'-0"

56'-0"

110'-0"

36'-0"

64'-0"



000029

MITCHELL LN

LSBT0248983001

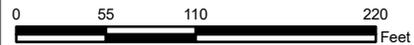
LSBT0248983



Parcel ID 983 & 983.001: Site Map

Town of Lisbon

1 inch = 117 feet



Town of Lisbon Boundary

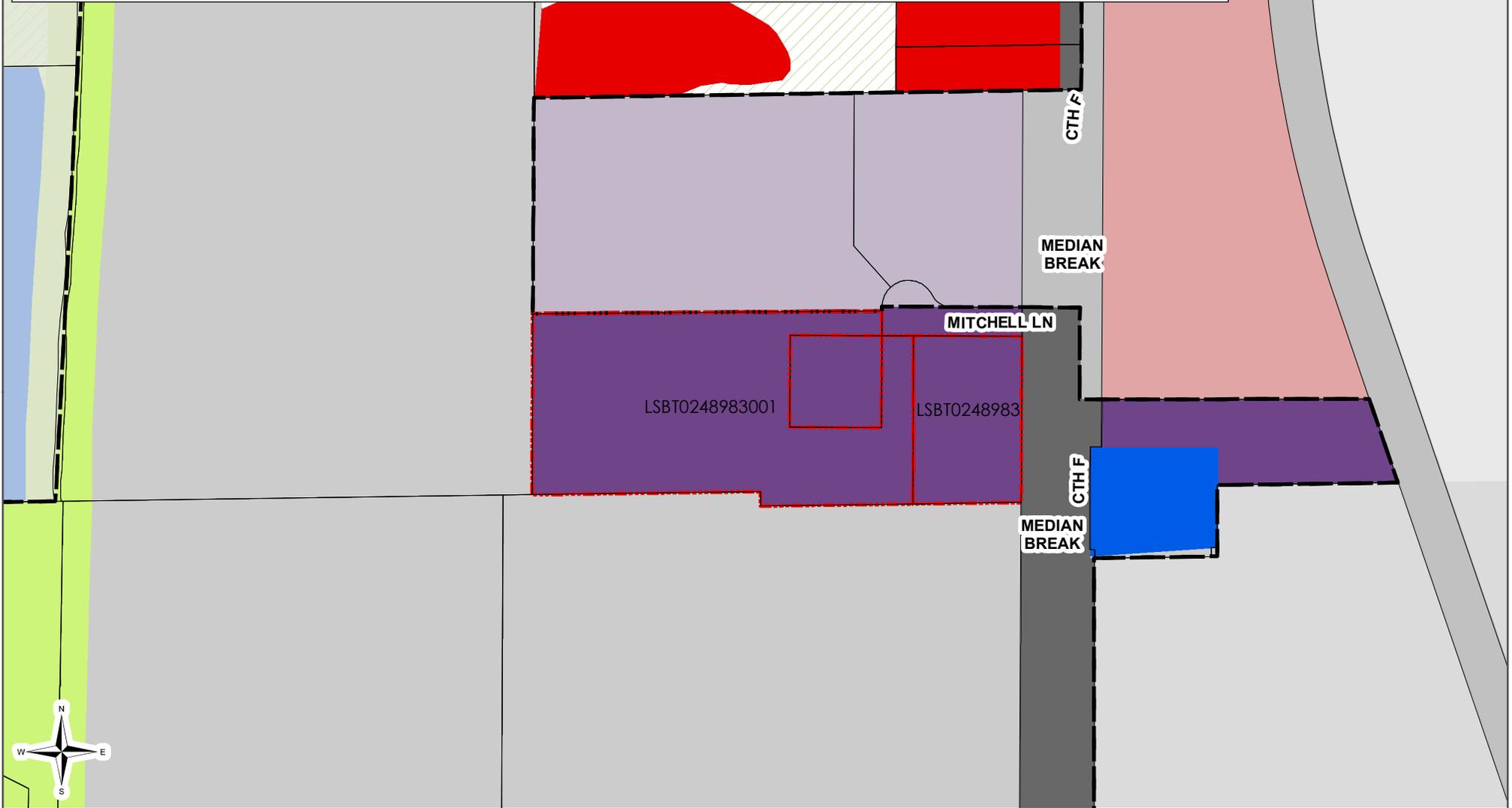
vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0530

| | | | | | | | |
|--|--|--|----------------------------------|--|--------------------------------|--|---|
| | High density residential; High density residential | | Farmland Preservation | | Isolated Natural Resource Area | | Transportation, communication and utilities |
| | Medium density residential | | Farmland Preservation w/PEC | | Surface Water | | Highway Rights of Way |
| | Low density residential | | Other Open Lands to be Preserved | | Governmental and institutional | | Landfill |
| | Suburban density I residential | | Recreational | | Commercial and Office Park | | Extractive |
| | Suburban density II residential | | Primary Environmental Corridor | | Mixed Use | | Industrial |
| | Rural density and Other Agricultural Land | | Secondary Environmental Corridor | | | | |

000030



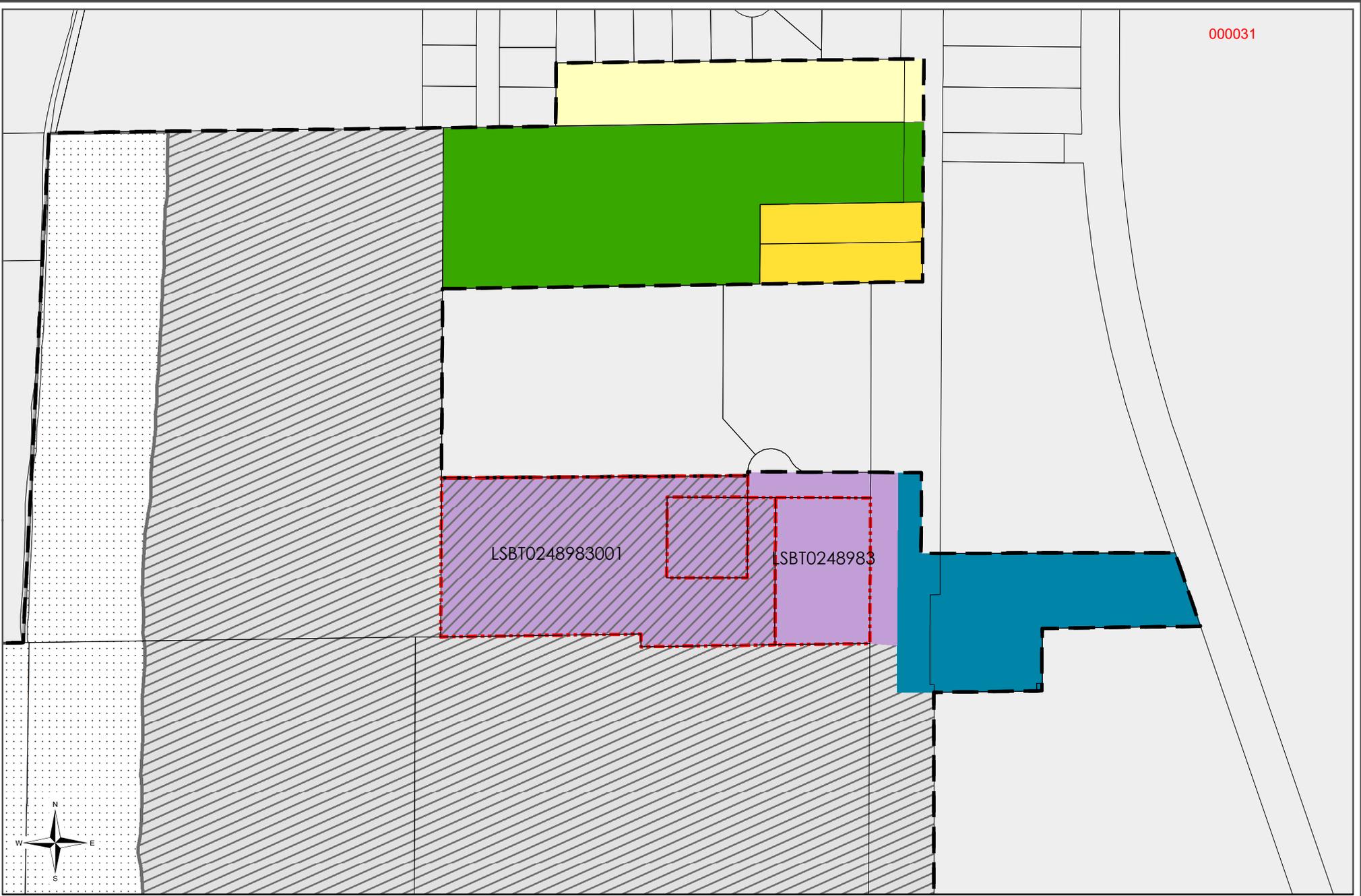
Parcel ID 983 & 983.001: Future Land Use

Town of Lisbon

Town of Lisbon Boundary

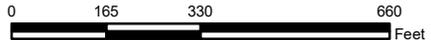


REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
 N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
 Phone: (262) 875-5000 Fax: (408) 826-0530



Parcel ID 983 & 983.001: Zoning
Town of Lisbon

1 inch = 333 feet



Waukesha Shoreland Zoning Town of Lisbon Boundary

Surface Water

| | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|
| AD-10 | A-5 | R-2 | B-1 | B-4 | M-1 | C-1 |
| RD-5 | A-3 | R-3 | B-2 | B-P | M-2 | UC |
| A-10 | R-1 | RM | B-3 | Q-1 | P-1 | PR |

vierbicher
planners | engineers | advisors

REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0530

Item 4B – Attachments



N27 W23957 Paul Road, Suite 105
Pewaukee, WI 53072
(262) 875-5000 phone
(608) 826-0530 fax
www.vierbicher.com

November 8, 2018

Chairperson Osterman and Members of the Town Plan Commission
Town of Lisbon
W23N8676 Woodside Road
Lisbon, WI 53089

Re: Warrior Warehouse Plan of Operation Review

Dear Plan Commission Members:

The above-referenced Site Plan/Plan of Operation (SPPOO) was received by our office for review on behalf of the Town of Lisbon. Certain permitted and conditional uses require the submission of a Site Plan and Plan of Operation which provides a detailed description of the proposed use and serves as a basis for consideration prior to approval by the Town Plan Commission. This review will document the permit file and determine the adequacy of the submitted information in describing permitted and accessory uses and buildings proposed. This review will also document the plan and method of operation to enable the Town to make a determination of compatibility with the Ordinance and consideration of approval.

Pertinent Reviewed Materials – Summary Overview

| | |
|---------------------------------|--|
| Property Owner: | Tomasini Family Limited Partnership c/o J&A Management Services, LLC |
| Business Name: | Warrior Warehouse |
| Tax Key: | 0225.999.004 – Unit B |
| Zoning: | M-2 General Industrial District C-1 Conservancy Wetland and Floodplain District (County Shoreland Jurisdiction) |
| New or Existing Business: | New business |
| New or Existing Structure: | Existing, part of a multi-tenant space |
| Replacing an Existing Business: | No |
| Change of Use or Operation | The Applicant marked "N/A." This is a new business seeking to operate in an existing space. |
| Operation Summary: | The Applicant wrote that the site will be a fitness gym focusing on obstacle course training for races such as Tough Mudder, Warrior Dash, and American Ninja Warrior. However, instead of mud and water obstacles the Applicant will install rubber flooring throughout the facility along with foam landing mats for safety. |
| Hours of Operation: | 8:00 am-7: 00 pm (M-F), 8:00 am-3: 00 pm (Sat), Closed Sun. |

vision to reality

November 8, 2018

Page 2

Full-Time Employees: One (1)

Part-Time Employees: One (1)

Pertinent Reviewed Materials – Operation Details

| | |
|---|--|
| Outdoor Storage of Materials: | No |
| Parking: | There are 42 parking spaces on the site for the entire complex, along with 5 accessible stalls, and 2 loading docks. The Applicant stated the parking lot has 8 stalls allotted for employees for this unit, |
| Outdoor Lighting: | No proposed changes to the existing lighting on the site. |
| Signage: | A small sticker on the glass portion of the front door, which is not a change to the existing signage. |
| Trash/Recycle Impacts: | The Applicant stated that dumpsters/waste containers are present on site. The Applicant's site plan drawing is difficult to read, so it is unclear where these receptacles are located. Previous site plans at this location have shown trash/recycling receptacles in an enclosure to the back of the building and this shall remain the same for this site plan. |
| Stormwater Impacts: | There is no anticipated additional impact to the existing stormwater facilities or stormwater plan. |
| County Shoreland Zoning Review Required: | Yes, the site falls within the Shoreland Zoning Jurisdictional Boundary and will require Waukesha County Approval. |
| Odor, Smoke, Noise from Operation: | Planning staff does not anticipate any issues related to odor, smoke, or noise from the operation as long as the Fire Department and Building Inspector do not have objections or conditions. |
| Chemical, Hazardous Waste, Solvents Stored On-Site: | Planning staff does not anticipate any issues related to storage of chemical, hazardous waste, or solvents as long as the Fire Department and Building Inspector do not have objections or conditions. |
| Storage/Sale of Gasoline or Petroleum Products: | Planning staff does not anticipate any issues related to storage of petroleum products as long as the Fire Department and Building Inspector do not have objections or conditions. |
| Fire Department Inspection Date: | Not applicable. A fire inspection has not been completed, but shall be required as a condition of approval. |
| State Approved Building Plans Date: | Plans under development, State and/or local building plan approval is a condition of approval. |

Additional Comments:

- The Applicant stated on the Waukesha County Site Plan application that the site will be served by a private septic system via an existing holding tank. The Applicant did not indicate whether a Sanitary Permit or PSE has already been obtained. The Town may wish to inquire with the Applicant if they have applied for a permit along with the date of PSE approval.
- All new tenant build-outs and occupancy must be submitted for review and inspections by the LFD. Any construction or changes of use must undergo code compliance evaluations and will require pre-construction communication with the general contractors and owners.

November 8, 2018

Page 3

- The Applicant shall obtain Site Plan/Plan of Operation approval from Waukesha County prior to commencement of any operations by the Applicant.

The comments mentioned above are intended to guide the Town's consideration of this application. The Town should approve, deny, or conditionally approve the SPPOO.

If the Town Plan Commission elects to grant approval Planning Staff would recommend the following conditions.

1. All site plan and operational aspects details on the submitted materials shall be complied with. Site Plan shall be on file at the Town of Lisbon and Waukesha County.
2. The Town of Lisbon retains the right to annual review the business operation for compliance with approved plans.
3. The Fire Chief shall inspect the premises to ensure the site is in compliance with the respective fire codes. Any identified issues shall be corrected prior to issuance of an occupancy permit.
4. The Building Inspector shall inspect the premises to ensure the site is in compliance with the respective building codes. Any identified issues shall be corrected prior to issuance of an occupancy permit.
5. Approval by Waukesha County Environmental Health Division (Date: TBD).
6. Hours of operation are 6 days per week from 8:00 a.m. to 7:00 p.m. (Monday-Friday), and 8:00 a.m. to 3:00 p.m. (Saturday).
7. No outdoor storage of vehicles or materials.
8. All onsite dumpsters and recycling receptacles shall be stored within the enclosure areas.
9. Any additional or future business signage shall be required to obtain signage approval.
10. No additional modifications or alterations to Unit B without approval from the Town Building Inspector and Fire Chief.
11. The approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new Site Plan/Plan of Operation permit with all the zoning procedures at the time of being followed. Any use not specifically listed as permitted shall be considered to be prohibited, except as may be otherwise specified herein.
12. The Town reserves the right to review any condition imposed as part of this Site Plan and Plan of Operation if said use becomes a problem in the area. The Town Plan Commission and Waukesha County may modify, change, delete, add, etc. any conditions, through the Site Plan and Plan of Operation process, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area.

The issues outlined above are meant to guide you in your discussions over whether to approve this proposal. This letter is subject to change upon review of any additional application materials submitted to the Town between the drafting of this letter and the Public Hearing. I will be in attendance at the November 8 Plan Commission meeting to answer any questions.

Sincerely,

November 8, 2018
Page 4

Daniel J. Lindstrom, AICP
Town Planner

cc: Town of Lisbon Staff

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION

515 W. Moreland Blvd. Room AC230
Waukesha, WI 53188
(262) 548-7790

Email pod@waukeshacounty.gov

Website www.waukeshacounty.gov/planningandzoning

EXHIBIT A

Site Plan and Plan of Operation Application
Zoning Compliance Form

Fee Pd. \$ _____ ATF Y/N: ____ Receipt No.: _____ Staff initials rec'ing appl _____

SPPO File No. _____ Permit No. _____

(Area above to be completed by the Zoning Administrator)

What is the nature of the request? Please check the appropriate box(es)

- New Business in Existing Building or on Existing Site
- Change in Business Operations
- Interior Remodeling
- New Operator
- Change to Signage
- Change in Use

The completion of this application form must be accompanied by: **One (1) copy** of an **up to date** and **detailed** Site Plan or Plat of Survey (preferred), **drawn to scale and including**, but shall not be limited to, all existing buildings, signage, lighting, landscaping, parking, loading, storage, dumpsters, septic and well, etc; an **interior layout (plans) of all buildings** and the existing and proposed uses of the interior spaces (i.e., office, retail, restaurant, etc); and any other supporting materials. The above shall be submitted to the Planning and Zoning Division, and upon review of the information, **additional items may be required**. The plans shall be **drawn to scale** and shall be no larger than 11" x 17", and shall **not** be faxed, or reduced or enlarged (unless plans are to scale). Future revisions to the approved Site Plan/Plan of Operation will require new approvals. Please print.

1. **Property Owner Name:** Tomasini Family Limited Partnership c/o S&A Management Services LLC
Mailing Address: 1285 Sunnyside Rd. Pewaukee, WI 53092

Phone No.: 262-~~888~~695-8800

Email Address: mthorne@judsonrealestate.com

2. **Tax Key No(s).** 0225-999-004

3. **Business Operator Name:** Adam Feisthammel

Address where information should be sent, if different from the Business Address listed below:
W339 N7500 Tourline Rd. Oconomowoc, WI 53066

Contact Phone No: 262-719-7688

Contact Email: adam.feisthammel@uw.edu

4. **Business Operation Name:** Warrior Warehouse
Address of Business Premises and Unit Number(s):
N70W25156 Indian Grass Ln Unit B, Lisbon, WI 53089
Business Phone No.: 262-719-7688

5. **Business Description:** Describe **in detail** below the specific type of business operation (Retail, Restaurant, Manufacturing, Office, etc.), including temporary, accessory, and outdoor uses (storage, etc). Provide a separate list of all items sold or produced on the property.
Warrior Warehouse will be a Fitness facility that focuses on obstacle course training.

6. **Are any changes to the site proposed?** Yes No
 If yes, delineate **any and all** changes on the Site Plan submitted.

7. **Is any interior remodeling proposed?** Yes No
 If yes, delineate any changes on the Interior Floor Plan submitted. A separate permit and/or State Approved Building Plans may be required.

8. **No. of parking spaces on the site** (*staff see p. 4)? 42 No. of accessible stalls? 45
 Number of loading docks on the site? 2 No. of required spaces (staff enters)? _____
 Describe the **specific** types of business related vehicles and equipment parked/stored outdoors on the site (numbers, sizes, etc.)?

Are any changes to the parking or loading on the site proposed?
 Yes No If yes, delineate any changes on the Site Plan submitted.

9. **Are any changes to the lighting on the site proposed?** Yes No
 If yes, delineate any changes on the Site Plan submitted.

10. **Are any changes to the landscaping on the site proposed?** Yes No
 If yes, delineate any changes on the Site Plan submitted.

11. **Is the operator changing?** Yes No If yes, please complete No. 3 above.

12. **Are any special events proposed with this use?** Yes No
 If yes, describe the types of events, parking accommodations, sanitary facilities, number of persons, days/hours of each event, music, security, food and alcohol served, fencing, signage, etc., and delineate the locations of the events on the Site Plan/Floor Plan submitted.

13. Describe below the type of signage that exists and what signage is proposed on the site (attached, free standing, ground, mobile, projecting, window, electronic message, banners, flags, sandwich boards, etc.) and if the signs are illuminated, single/double faced, along with the number, size, and height of all signs:

No exterior building signage is allowed

Are any changes to the existing signage on the site proposed? Yes No
If yes, delineate any changes on the Site Plan submitted.

14. What are the days and hours of operation? M-F 8:00AM-7:00PM, Saturday 8:00AM-3:00 PM
Is this a change from the current approved days/hours of operation? Yes No

15. How many employees, including yourself, will be working at this location?
Full time 1 Part time 1 Seasonal 0

16. Will there be music or other types of entertainment on site? Yes No
If yes, describe what types (live, amplified, recorded, jukebox, etc), indoors and/or outdoors, and the days and hours music will be provided?

17. Are there dumpsters/waste containers on the site? Yes No
If yes, delineate on the Site Plan submitted.
If yes, how are they screened from public view? _____

18. Site served by: sewer or a private septic system – type existing holding tank
If on septic, has a Sanitary Permit or PSE been obtained for this project? Yes No
If N/A per EHD, check box and provide name and date _____
If yes, provide a Sanitary Permit number or date of PSE approval _____
If no, contact the County EHD at (262) 896-8300, or visit Room AC260.

19. Will there be food service? Yes No
If yes, provide an interior and exterior table seating chart on the Floor Plan/Site Plan and contact the County EHD at (262) 896-8300 or visit Room AC260 for a Restaurant License.

20. Will there be bar service? Yes No
If yes, provide an interior and exterior bar seating chart on the Floor Plan/Site Plan and contact the Town Hall for a Liquor License.

21. Will there be outdoor storage on the site? Yes No
If yes, delineate on the Site Plan submitted and list what specific types of items will be stored outdoors on the site (number, size, etc)?

22. Has a building inspection been completed for this proposal? Yes No
Date TBD If no, please contact the Town Building Inspector for a building inspection.

23. **Has a fire inspection been completed for this proposal?** Yes No
 If no, please contact the Fire Inspector for your area for a fire inspection, if he/she requires one.
24. **Have you contacted the Town for approval of your project?** Yes No
 Anticipated Town meeting date 11-8-18

The undersigned owner hereby certifies that **all** of the above information and attachments (Site Plan/Plat of Survey, Interior Floor Plans, and supplemental information) are true and accurate to the best of his or her knowledge and belief, and that he or she has read and understands **all** information in this application/compliance form. Incomplete or inaccurate applications may be denied. The use of the property shall be carried out as approved/conditioned, and all applicable ordinances and/or codes of the state, county, and town shall be complied with in carrying out the use as approved. If any changes are made from this approval, a revised permit is required. Failure to comply with the approval as permitted will result in revocation and/or other penalties. By signing this form, the owner or his/her authorized agent is giving their consent for the Department of Parks and Land Use to inspect the site as necessary and related to this application even if the property has been posted against trespassing pursuant to Wis. Stat. BOTH THE OWNER/AUTHORIZED AGENT AND OPERATOR MUST SIGN THIS APPLICATION OR THE APPLICABLE AUTHORIZED AGENT FORM.

Name of Property Owner or Authorized Agent: Tomasini Family Limited Partnership
 Signature: Melanie Thorne c/o J+A Management Services, LLC
 Title or authority if not the property owner: Property Manager
 Date: 10/2/18
 Name of Business Operator: Adam Feisthammel
 Signature: [Signature]
 Date: 10-2-18

 (Area below to be completed by the Zoning Administrator)

Site Plan/Plan of Operation Use Permit and Compliance with Zoning Ordinance(s)

Zoning District(s): _____ SFPO _____ ZC _____

Lot Size: Width _____ Depth _____ Area _____

CU File No./series, if applicable _____

Does the use comply with **all** of the zoning ordinance regulations? Yes No
 *update parking spreadsheet, if applicable.

Zoning Administrator Approved Conditionally Approved Denied

Signature: _____ Date: _____

Reviewed by (planner initials/date): _____

Conditions of Approval and Approved Plan Attachments – see attached.

1. Is this business replacing another business? Yes No

a. If yes, what is the prior business' name: N/A

2. Is this an expansion of an existing Town approved/based operation? Yes No

a. If yes, please explain: N/A

HOURS OF OPERATION & OPERATING SPECIFICS

3. Describe in detail below the specific type of business operation (Retail, Restaurant, Manufacturing, Office, etc.), including temporary, accessory, and outdoor uses (storage, etc). Provide a separate list of all items sold or produced on the property. If items are produced, please provide a separate explanation of the production process.

This will be a fitness gym with the main focus being obstacle course training. The gym will have obstacles featured in events like Tough Mudder, Warrior Dash, American Ninja Warrior, etc. However, the use of mud and water obstacles will not be used and will instead be replaced by rubber flooring throughout the facility as well as adequate foam landing mats for safety.

4. Days & Times of Operation:

a. Days & Times: M-F 8:00AM-7:00PM, Saturday 8:00AM-3:00PM

5. Employees (if self-employed please count yourself)

a. Full-Time 1

b. Part-Time 1

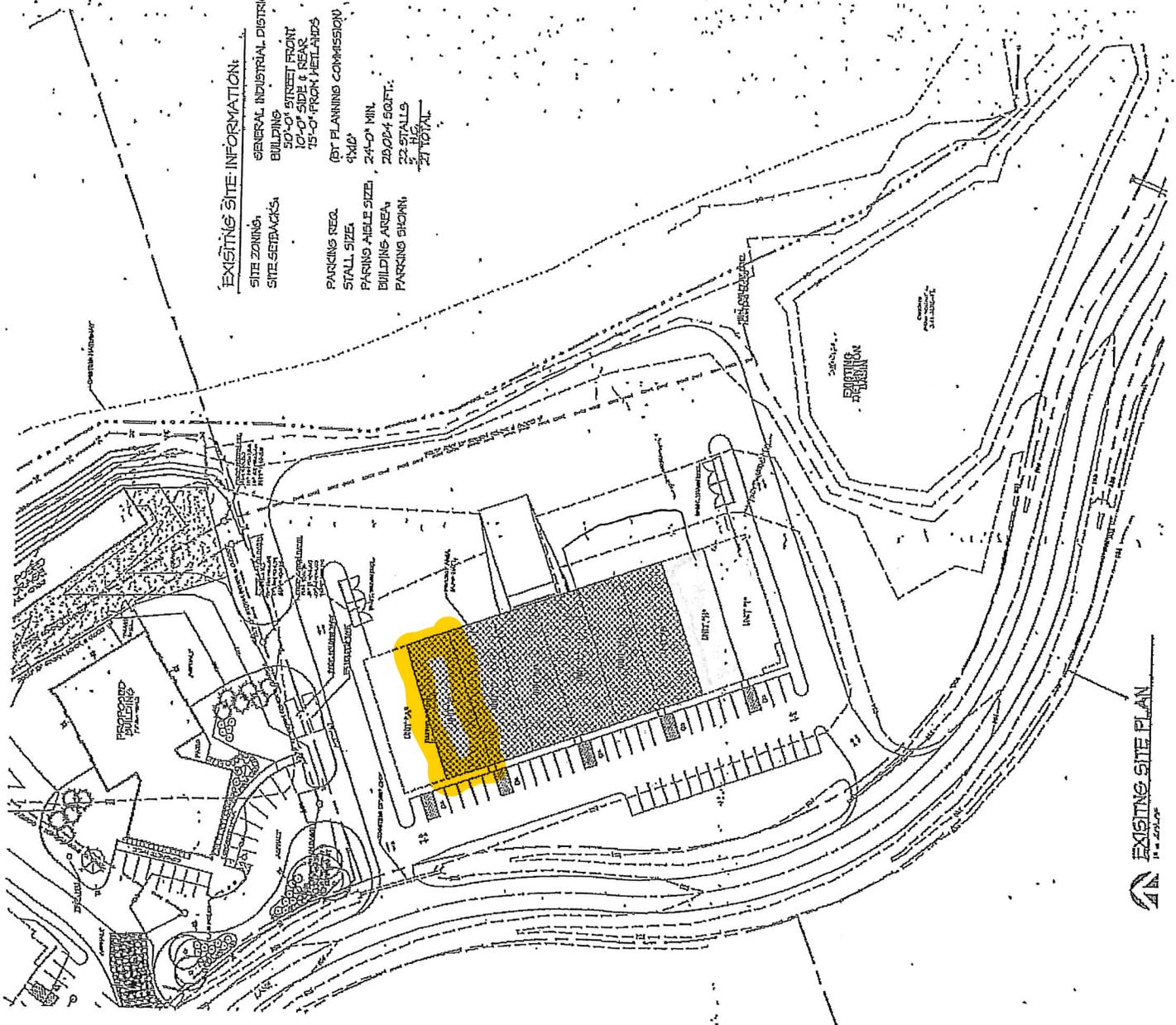
FOOD / BEVERAGE / LIQUOR

6. Is there any food & beverage / liquor service? Yes No

a. If yes, please explain: N/A

EXISTING SITE INFORMATION:

GENERAL INDUSTRIAL DISTRICT
 BUILDING 50'-0" STREET FRONT
 10'-0" SIDE & REAR
 75'-0" FROM WETLANDS
 (BY PLANNING COMMISSION)
 4X10'
 PARKING REQ. 24'-0" MIN.
 STALL SIZE 20.0x4.50 FT.
 BUILDING AREA 22 STALLS
 PARKING SHOWN 24 TOTAL



 EXISTING SITE PLAN
 14.4.2015

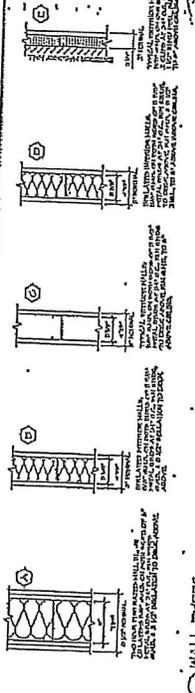
GENERAL NOTES

1. THE ARCHITECTURE HAS CONDUCTED VISUAL SURVEYS OF THE EXISTING BUILDING AND HAS IDENTIFIED THE EXISTING STRUCTURE AND THE EXISTING MECHANICAL SYSTEMS. THE ARCHITECTURE HAS CONDUCTED VISUAL SURVEYS OF THE EXISTING BUILDING AND HAS IDENTIFIED THE EXISTING STRUCTURE AND THE EXISTING MECHANICAL SYSTEMS.
2. ARCHITECTURE SHALL ACCEPT FULL RESPONSIBILITY FOR THE DESIGN AND CONSTRUCTION OF THE MECHANICAL SYSTEMS. ARCHITECTURE SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE MECHANICAL SYSTEMS.
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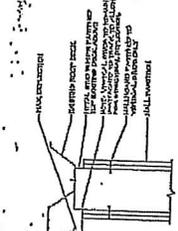
SUSPENSION SYSTEM DETAILS



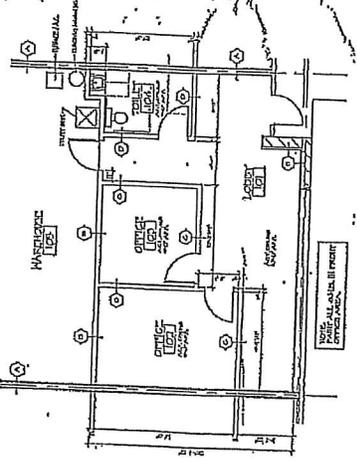
- NOTES:
1. HANGERS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
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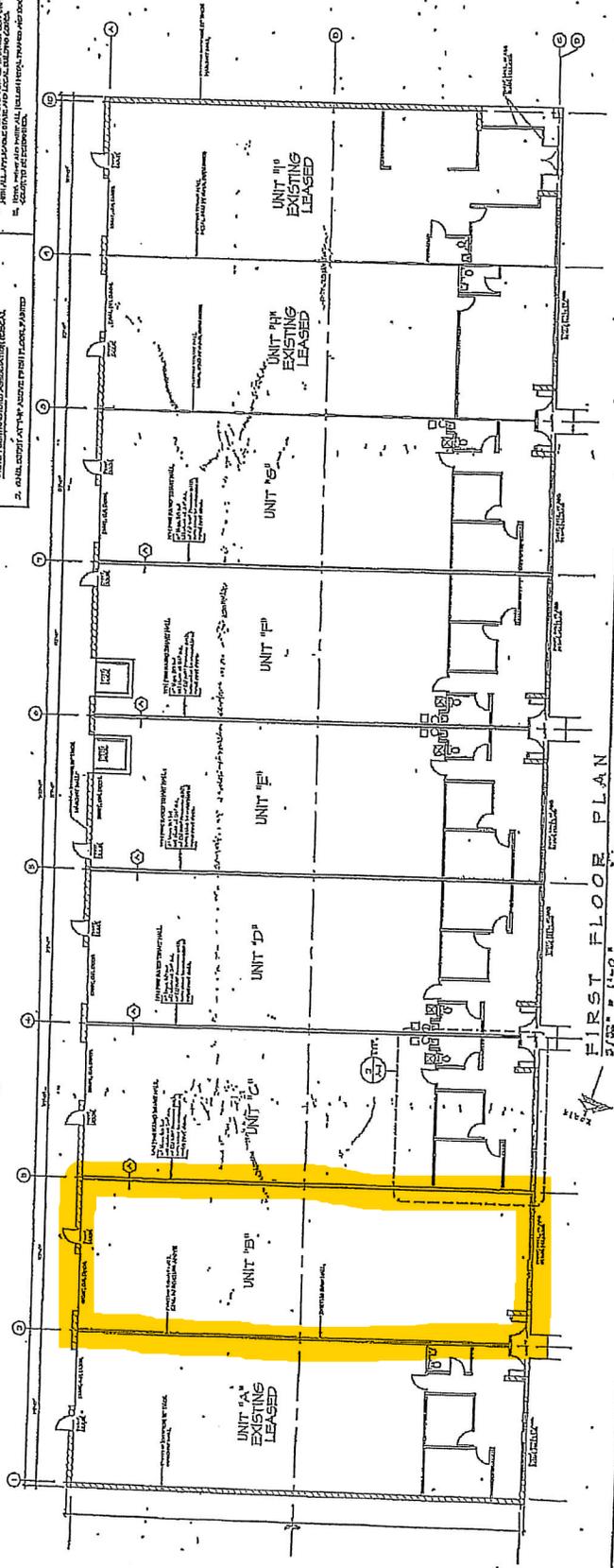
1 WALL TIE RODS



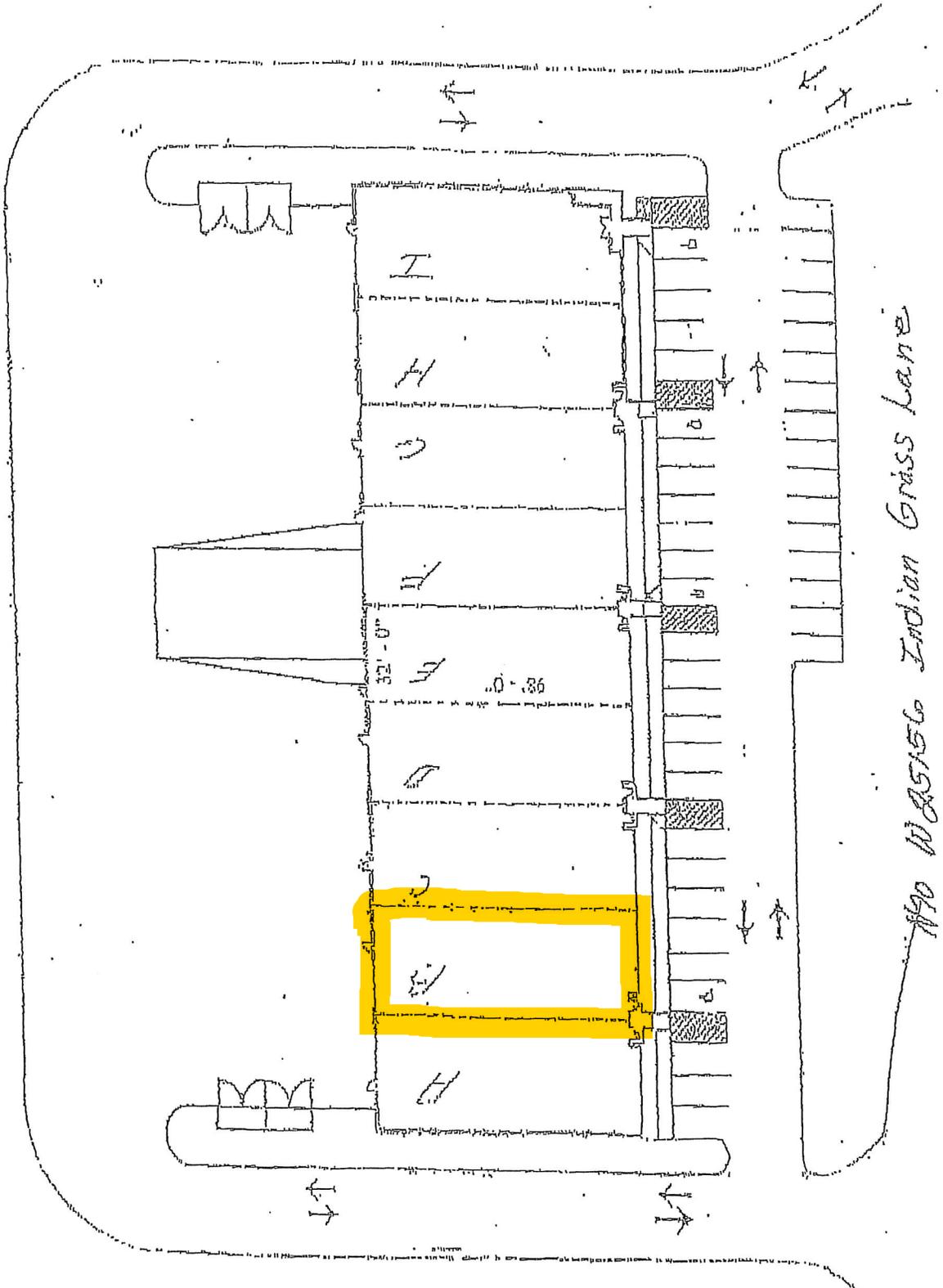
5 CONNECTION OF WALL TIE ROD TO DECK



2 ENLARGED TENANT BUSINESS OFFICE



FIRST FLOOR PLAN





Parcel ID 0225.999.004: Zoning
Town of Lisbon

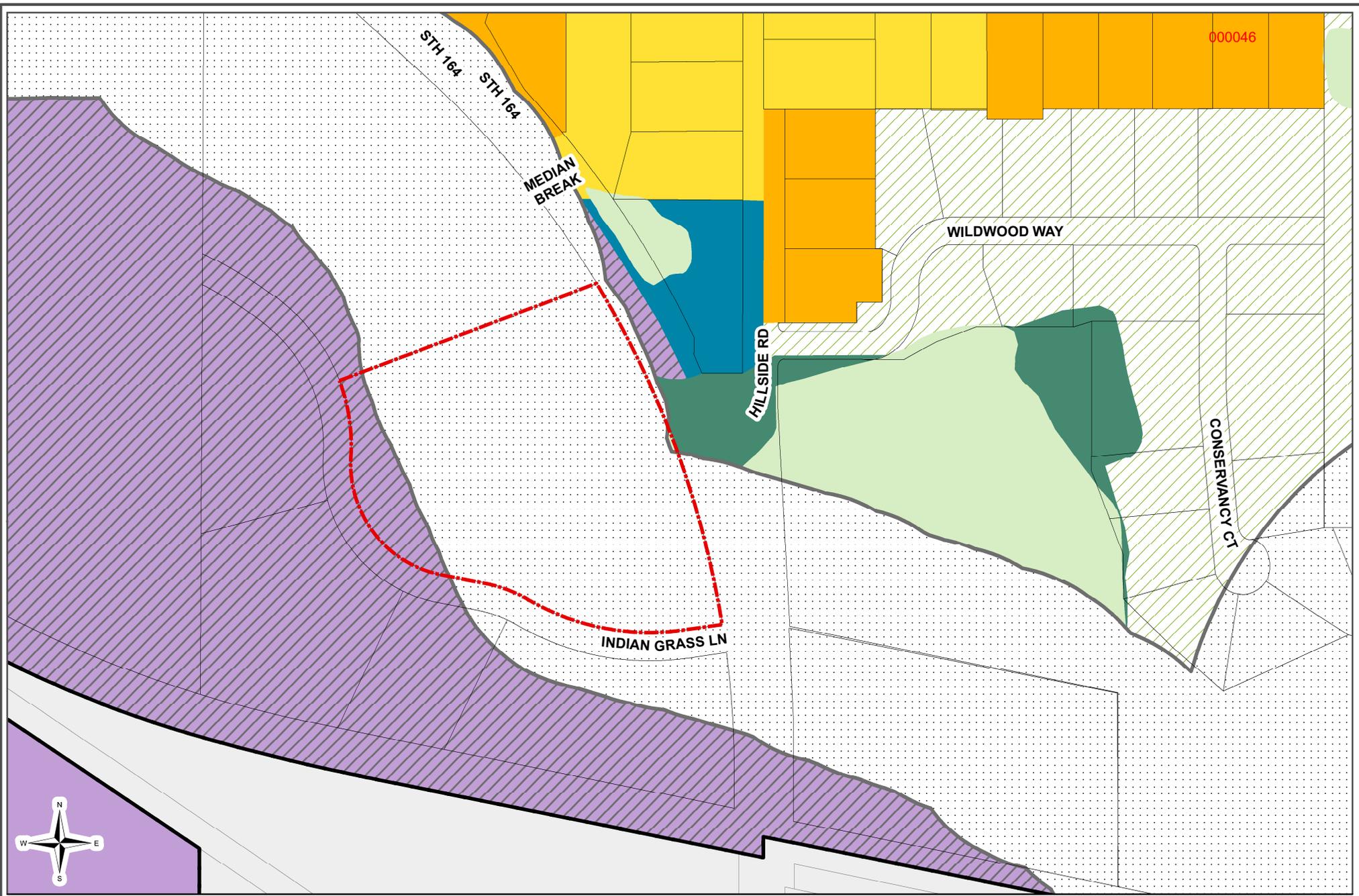
1 inch = 303 feet
0 150 300 600 Feet

Waukesha Shoreland Zoning [Symbol] Town of Lisbon Boundary [Symbol]

| | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|
| AD-10 | A-5 | R-2 | B-1 | B-4 | M-1 | C-1 |
| RD-5 | A-3 | R-3 | B-2 | B-P | M-2 | UC |
| A-10 | R-1 | RM | B-3 | Q-1 | P-1 | PR |



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0530



Parcel ID 0225.999.004: Zoning
Town of Lisbon

1 inch = 303 feet
0 150 300 600 Feet

Waukesha Shoreland Zoning [diagonal lines] Town of Lisbon Boundary [dotted line]

| | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|
| AD-10 | A-5 | R-2 | B-1 | B-4 | M-1 | C-1 |
| RD-5 | A-3 | R-3 | B-2 | B-P | M-2 | UC |
| A-10 | R-1 | RM | B-3 | Q-1 | P-1 | PR |

vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0530



W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

Commercial
*All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.

Residential – Home-Based Bus. / In-Law Unit

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Accessory Building Waiver: \$100 (Size/Location/Architectural Review) <input type="checkbox"/> After the Fact Application: Double Fees <input type="checkbox"/> Certified Survey Map: \$200 + \$10 Per lot <ul style="list-style-type: none"> <input type="checkbox"/> Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM) <input type="checkbox"/> Conditional Use Permit: \$350 <ul style="list-style-type: none"> <input type="checkbox"/> Amendment / Original <input type="checkbox"/> Major Grading Permit <input type="checkbox"/> Deed Restriction: \$100 <input type="checkbox"/> Developer's Agreement: \$250 <input type="checkbox"/> Groundwater Separation Waiver: \$100 <input type="checkbox"/> Land Use Amendment: \$300 <input type="checkbox"/> Conceptual: \$100 | <ul style="list-style-type: none"> <input type="checkbox"/> Plat Review: <ul style="list-style-type: none"> <input type="checkbox"/> Final - \$200 <input type="checkbox"/> Preliminary - \$500 <input type="checkbox"/> Re-Submittal: \$200 <input type="checkbox"/> Rezone: \$350 <input type="checkbox"/> Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule) <input checked="" type="checkbox"/> Site Plan/Plan of Operation: <ul style="list-style-type: none"> <input type="checkbox"/> Amendment: \$250 <input checked="" type="checkbox"/> Original: \$500 <input type="checkbox"/> Temporary: \$125 <input type="checkbox"/> Special Meeting: \$600 <input type="checkbox"/> Waivers/Modification from Land Division and Development Ordinance: \$200 |
|---|---|

Property Information

N70W25156 Indian Grass Lane Unit B Lisbon WI 53089
Property Address City Zip

0225-999-004 M-2
Tax Key/Parcel ID # Lot Size Current Zoning

Property Owner

Tomasini Family Limited Partnership
Name / Company Name clo J+A Management Services

Melani Thorne - as property manager LLC
Signature

1285 Sunnyridge Rd
Address

Pewaukee WI 53072
City State Zip

262-695-8800 mthorne@judsonrealestate.com
Phone E-mail Address

Applicant

Adam Feisthammel
Name

Warrior Warehouse
Company

W339N7500 Townline Rd
Address

Oconomowoc WI 53066
City State Zip

262-719-7688 adam.feisthammel@cw.edu
Phone E-Mail Address

A **complete application** along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered **complete**, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.



SITE INSPECTION NOTIFICATION:

The Town of Lisbon Town Plan Commission and Town Board request permission of the property owner or responsible party to enter the subject property, between the hours of 9am to 5pm or upon prior 24 hour notice, for a site inspection prior to any scheduled Plan Commission or Board meeting. The site inspection will allow the Town Plan Commission and Town Board to make more informed decisions with respect to the requested application.

I, the undersigned, have been advised that my signature grants permission to members of the Town Plan Commission and Town Board to conduct site inspections of the subject property. Failure to authorize said site inspection will not be held against the property owner or responsible party in the decision of the requested application; however, the site inspection does allow the Town Plan Commission and Town Board to make more informed decisions.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Adam Feirsthammel
 ADDRESS W339N7500 Townline Rd Oconomowoc, WI 53066
 DATE 9-26-18 SIGNATURE [Signature]
 PHONE 262-719-7688 EMAIL adam.feirsthammel@uw.edu

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Tomasini Family Limited Partnership c/o J&A Management Service LLC
 ADDRESS 1285 Sunnyridge Rd, Pewaukee WI 53072
 DATE 9-27-18 SIGNATURE Melanie Thorne - as property manager
 PHONE 262-695-8800 EMAIL Mthorne@judsonrealestate.com

COMMENTS:

Town Official Accepting Form

Date



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

Pursuant to the Town of Lisbon Municipal Code Section 1.14, the Town of Lisbon Town Board has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Treasurer shall charge one hundred and five percent of the cost of that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. The additional five percent cost above the cost of the service is levied to cover Town administrative charges. Also, pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges, however, is subject to the property owner's appeal rights as described in the Town of Lisbon Municipal Code Section 1.14.

The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town. In addition, I/we have been advised that pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved. By signing this document, I am not waiving my/our appeal rights that are described in the Town of Lisbon Municipal Code Section 1.14.

Statements will be sent monthly so you are kept up to date regarding your current charges.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Adam Feirsthammel
 ADDRESS W339 N7500 Townline Rd Olanowoc, WI 53066
 DATE 9-26-18 SIGNATURE [Signature]
 PHONE 262-719-7688 EMAIL adam.feirsthammel@cuw.edu

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Tomasini Family Limited Partnership c/o J&A Management Services, LLC
 ADDRESS 1285 Sunnyridge Rd, Pewaukee WI 53072
 DATE 9-27-18 SIGNATURE Melani Thorne - as property manager
 PHONE 262-695-8800 EMAIL mthorne@judsonrealestate.com

PROJECT NAME _____



W234N8676 WOODSIDE RD. • LISBON, WI 53089-1545 • TEL: (262) 246-6100 • FAX: (262) 820-2023
 E-mail: townhall@townoflisbonwi.com • Website: www.townoflisbonwi.com

SITE PLAN AND PLAN OF OPERATION

Please fill out the entire application all questions need a response. If something does not apply please put N/A. Incomplete applications will not be processed or put on the agenda. The completion of this application form must be accompanied by one copy of an up to date and detailed Site Plan drawn to scale and including, but shall not be limited to, all existing buildings, signage, lighting, landscaping, parking, loading, storage, dumpsters, septic and well, etc; an interior layout (plans) of all buildings and the existing and proposed uses of the interior spaces (i.e., office, retail, restaurant, etc); and any other supporting materials. The above shall be submitted to the Town Hall, and upon review of the information, additional items may be required. The plans shall be drawn to scale and shall be no larger than 11" x 17", and shall also be emailed as a PDF. Future revisions to the approved Site Plan/Plan of Operation will require new approvals.

- New business in existing building or on existing site New Owner Temporary Use
 Change in Operations (summarize below what is changing; days/hours, etc)

N/A

- Change in Use (summarize below prior and new use below)

N/A

BUSINESS / PROPERTY OWNER & PROPERTY INFORMATION

Tax Key Number 0225-999-004 Acres _____ Zoning M-2
 Business Name & Contact Person: Warrior Warehouse Adam Feisthammel
 Full Address (include City & Zip): W339 N7500 Townline Rd. Oconomowoc, WI 53066
 Phone Number & Email: 262-719-7688 adam.feisthammel@uw.edu
 Signature & Date: Adam Feisthammel 9-26-18

Property Owner Name: Tomasini Family Limited Partnership c/o J+A Management Services, LLC
 Full Address (include City & Zip): 1285 Sunnyridge Rd, Pewaukee WI 53072
 Phone Number & Email: 262-695-8800 ; mthorne@judsonrealestate.com
 Signature & Date: Melanie Thorne - as property manager

1. Is this business replacing another business? Yes No

a. If yes, what is the prior business' name: N/A

2. Is this an expansion of an existing Town approved/based operation? Yes No

a. If yes, please explain: N/A

HOURS OF OPERATION & OPERATING SPECIFICS

3. Describe in detail below the specific type of business operation (Retail, Restaurant, Manufacturing, Office, etc.), including temporary, accessory, and outdoor uses (storage, etc). Provide a separate list of all items sold or produced on the property. If items are produced, please provide a separate explanation of the production process.

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4. Days & Times of Operation:

a. Days & Times: M-F 8:00AM-7:00PM, Saturday 8:00AM-3:00PM

5. Employees (if self-employed please count yourself)

a. Full-Time 1

b. Part-Time 1

FOOD / BEVERAGE / LIQUOR

6. Is there any food & beverage / liquor service? Yes No

a. If yes, please explain: N/A

7. Table Seating Capacity

- a. Outside: N/A
- b. Inside: N/A
- c. Bar: N/A

8. Food / Soda Vending Machines Yes No

- a. If yes, quantity of each: N/A

OUTDOOR USES

9. Is there any outdoor storage? Yes No

- a. If yes, please explain: N/A

10. Will there be any outdoor events? Yes No

- a. If yes, please describe the types of events, parking accommodations, sanitary facilities and delineate the locations of the events on the Site Plan submitted. Attach a separate sheet if necessary.

N/A

11. Will there be any customer dockage? Yes No

- a. If yes, please indicate on the Site Plan length and number of piers.

12. Parking Lot

- a. Dimensions existing
- b. Total number of spaces 42 plus rear yard
- c. Number of spaces allotted for employees 8

MUSIC / ENTERTAINMENT

13. Are any problems such as odor, smoke or noise resulting from this operation? Yes No

a. If yes, describe what types (live, amplified, recorded, jukebox, etc), indoors and/or outdoors, and the days and hours music will be provided? Attach a separate sheet if necessary.

N/A

14. Game Machines Yes No

a. Quantity: N/A

b. Location: N/A

BUILDINGS

15. Building A

a. Dimensions & Levels: 98' x 32'

b. Use: M-2

16. Building B

a. Dimensions & Levels: _____

b. Use: _____

17. Building C

a. Dimensions & Levels: _____

b. Use: _____

LIGHTING (Submit Cut-Sheets)

18. Outdoor Lighting

a. Type(s): existing

b. Locations(s): _____

SIGNAGE (Also submit the Town's Signage Application & appropriate fees)

19. Describe below the type of signage that exists and what signage is proposed on the site (attached, free standing, ground, mobile, projecting, window, electronic message, banners, flags, sandwich boards, etc.) and if the signs are illuminated, single/double faced, along with the number, size, and height of all signs.

N/A

CHEMICALS/HAZARDOUS MATERIALS

20. Are there any Chemicals, Hazardous Waste of Solvents stored on the site? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

N/A

21. Does this Operation involve the Storage/Sale of gasoline or any other Petroleum Products? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

N/A

STORM WATER RETENTION, FLOW OF SURFACE WATER, AND AMOUNT OF IMPERVIOUS SURFACES

22. Are there surface water drainage facilities? Yes No

a. If yes, please explain: existing

REFUSE DISPOSAL

23. Are there dumpsters/waste containers on the site? Yes No

a. If yes, show on the Site Plan submitted the location of dumpsters and any screening.

PERMIT APPROVAL / ISSUANCE DATES

24. Is Highway Access Permit Needed? Yes No

a. Date Issued: _____

25. DNR Well Approval (For New Constructions Only)

a. Date Approved: _____

26. Septic System Approval (For New Constructions Only)

a. Date Approved: _____

27. Fire Department Inspection Yes No

a. Date Inspected: TBD

28. Did the Wisconsin Department of Safety & Professional Services approve building plans? Yes No

a. Date Approved: _____

29. Is security fencing necessary? Yes No

HORSE BOARDING

30. Does this Operation involve the Boarding of Horses? Yes No

a. Maximum number of horses boarded: N/A

b. Maximum number of horses owned: N/A

31. Has a Conservation Plan been prepared by the Land Conservation Committee? Yes No

a. Date Prepared: _____

.....
Town Approval Date(s): _____

County Approval Date(s): _____



N27 W23957 Paul Road, Suite 105
Pewaukee, WI 53072
(262) 875-5000 phone
(608) 826-0530 fax
www.vierbicher.com

November 8, 2018

Chairperson Osterman and Members of the Town Plan Commission
Town of Lisbon
W23N8676 Woodside Road
Lisbon, WI 53089

Re: Ausblick Yurt Plan of Operation Review

Dear Plan Commission Members:

The above-referenced Site Plan/Plan of Operation (SPPOO) was received by our office for review on behalf of the Town of Lisbon. The Applicant is proposing to construct a yurt near their existing clubhouse. The Applicant states that the yurt would provide a "home" for ski school employees during normal hours and provide additional space for race practices, race days, and other events. The Applicant states that the yurt would provide additional space and alleviate some current crowding issues inside the lodge. This review will document the permit file and determine the adequacy of the submitted information in describing permitted and accessory uses and buildings proposed. This review will also document the plan and method of operation to help the Town determine compatibility with Ordinances and consider approval.

Pertinent Reviewed Materials – Summary Overview

| | |
|---------------------------------|---|
| Business Name: | Ausblick Ski Club |
| Property Owner: | Ausblick Inc. |
| Tax Key: | LSBT 0257.999.002 |
| Zoning: | PR – Park and Recreation District |
| New or Existing Business: | Existing business. |
| New or Existing Structure: | New – the yurt would be located south of the existing chalet. |
| Replacing an Existing Business: | No |
| Change of Use or Operation | The Applicant indicated there will be no change to the existing operation or use of the site this is a warming house for existing lessons. |
| Operation Summary: | The business operates as a members-only ski club offering ski and snowboard instruction, racing, and special events. Membership is limited to no more than 400 people in total. |
| Hours of Operation: | Varies depending on day of the week and season of the year. |

November 8, 2018
Page 2

Full-Time Employees: The Applicant did not provide a number, but stated there will be no change in full-time staff from the current plan of operation as approved by the Town and Waukesha County.

Part-Time Employees: The Applicant did not provide a number, but stated there will be no change in part-time staff from the current plan of operation as approved by the Town and Waukesha County.

Pertinent Reviewed Materials – Operation Details

Outdoor Storage of Materials: The Applicant proposed no outdoor storage of materials.

Outdoor Events: The Applicant stated that the Ski Club will hold outdoor events per the existing Plan of Operation permit as approved by the Town and Waukesha County.

Parking: The Applicant did not provide a total number of parking spaces, but stated there will be no change to the existing parking configuration. After viewing an aerial photo, we count 131 parking stalls on the site, along with an additional 4 accessible stalls, and 4 loading docks. This is now change from the current approved plan as approved by the Town and Waukesha County.

Outdoor Lighting: The Applicant proposed no changes to existing lighting.

Signage: The Applicant proposed no changes to existing signage.

Trash/Recycle Impacts: The Applicant stated that dumpsters/waste containers are located onsite, but that no changes are proposed to the existing site plan in this regard. The Applicant should state the location of dumpsters/waste containers.

Stormwater Impacts: There an existing surface water drainage facility onsite. The Applicant is not proposing any additional changes to stormwater retention or flow.

County Shoreland Zoning Review Required: The northeast portion of the site, including a section of the parking lot and existing chalet, appear to fall within the Waukesha County Shoreland Zoning Jurisdiction. However, the location of the proposed yurt appears to be located outside of this boundary per the Waukesha County GIS Viewer. Therefore, Waukesha County has declined to review the application as the area of disturbance is small enough and is outside of the Shoreland Zoning Jurisdiction.

Odor, Smoke, Noise from Operation: Planning staff does not anticipate any issues related to odor, smoke, or noise from the operation as long as the Fire Department and Building Inspector do not have objections or conditions.

Chemical, Hazardous Waste, Solvents Stored On-Site: Planning staff does not anticipate any issues related to storage of chemical, hazardous waste, or solvents as long as the Fire Department and Building Inspector do not have objections or conditions.

Storage/Sale of Gasoline or Petroleum Products: The Applicant stated there will be storage/sale of gasoline and other petroleum products, but these actions will not differ from the existing operations. The Applicant is not proposing any new additional storage or sale.

November 8, 2018

Page 3

Fire Department Inspection Date: Not applicable. A fire inspection has not been completed.

State Approved Building Plans Date: Plans under construction, building plan approval is a condition of approval.

Additional Comments

- A broker working on behalf of the Applicant stated in his correspondence with Waukesha County that the proposed yurt would be approximately 40 feet in diameter. However, the site plan drawing shows the yurt as being 30 feet in diameter. The Town may wish to have the Applicant confirm the correct dimensions of the structure.
- The Applicant stated that the site will have electric and gas service, but no plumbing. The Waukesha County Department of Parks and Land Use advised the Applicant via email to carefully consider site placement of the yurt with respect to existing septic vents and the storm sewer. The Town may wish to discuss this with the Applicant.
- The Applicant did not list the number of anticipated full-time or part-time employees who will be using the site during its hours of operation. The applicant stated the total number of staff is not changing, but Town may wish to clarify this information with the Applicant.
- The Applicant did not list the hours of operation. A quick review of the Applicant's business website shows the hours of operation as differing daily and seasonally. The Town may wish to inquire about the Applicant's hours of operation to gain a better understanding of when the site will be in use. The current CUP allows recorded music or a radio is allowed during the operating hours of 7:00 a.m. to 11:30 p.m.

The comments mentioned above are intended to guide the Town's consideration of this application. The Town should approve, deny, or conditionally approve the SPPOO.

If the Town Plan Commission elects to grant approval Planning Staff would recommend the following conditions.

1. The Applicant shall comply with all site plan and operational aspects stated on the submitted materials. The site must still comply with all approved conditions of the existing CUP issues May 26, 2010.
2. The Town of Lisbon retains the right to annually review the business operation for compliance with approved plans.
3. Alterations for Building Plans and fees must be submitted to the Town for review and approval prior to occupancy.
4. The Building Inspector shall inspect the premises to ensure the site is in compliance with the respective building codes. Any identified issues shall be corrected prior to issuance of an occupancy permit.
5. The Fire Chief shall inspect the premises to ensure the site is in compliance with the respective fire codes. Any identified issues shall be corrected prior to issuance of an occupancy permit.
6. Approval by Waukesha County Environmental Health Division (date TBD).
7. Hours of operation of the proposed structure shall be consistent with the hours of operation for the existing buildings at the site.
8. There shall be no outdoor storage of materials.

November 8, 2018

Page 4

9. The approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new Site Plan/Plan of Operation permit with all the zoning procedures at the time of being followed. Any use not specifically listed as permitted shall be considered to be prohibited, except as may be otherwise specified herein.
10. The Town reserves the right to review any condition imposed as part of this Site Plan and Plan of Operation if said use becomes a problem in the area. The Town Plan Commission and Waukesha County may modify, change, delete, or add any conditions, through the Site Plan and Plan of Operation process, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area.

The issues outlined above are meant to guide you in your discussions over whether to approve this proposal. This letter is subject to change upon review of any additional application materials submitted to the Town between the drafting of this letter and the Public Hearing. I will be in attendance at the November 8 Plan Commission meeting to answer any questions.

Sincerely,

Daniel J. Lindstrom, AICP
Town Planner

cc: Town of Lisbon Staff



W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Project Review Checklist

Prior to the Plan Commission submittal deadline the property owner or applicant presents a site plan prepared with the information below to the Deputy Clerk at the Town Hall. The submittal material is reviewed and if appropriate, discussed at the next regularly scheduled Plan Commission meeting.

The information below is a required minimum and the other materials may be requested of the applicant during the review process.

- 1) A statement describing the general character of the intended development and including the property address, tax key number and correct legal description. General items to include in the statement are: hours of operation, number of employees, traffic patterns, parking requirements, trash removal, etc.
- 2) An accurate map (site plan) of the project area. The site plan should be professionally prepared by a licensed architect, surveyor and/or engineer, with accurate dimensions indicating the property size, its relationship to surrounding properties, existing topography, key natural features and show the location of all existing and proposed:

| | |
|---|---|
| <ol style="list-style-type: none"> A. Structures, showing all entrances B. Driveways & street access C. Parking areas D. Walkways E. Existing landscaping F. Abutting public and private streets G. Public easements H. Surrounding land uses and zoning I. Retaining walls J. Decorative accessories | <ol style="list-style-type: none"> K. Dumpster location and screening L. Location, color, message, dimensions and materials of all signs M. Location, size and character of dedicated or private open space N. Location of sanitary sewer, storm sewer, water mains and services and stormwater detention facilities O. Floor plan of building or addition |
|---|---|
- 3) Stormwater management plan.
- 4) Grading plan showing existing and finished grades to Town datum.
- 5) Professionally prepared landscape plan.
- 6) Lighting plan; photometric plan, type of fixtures, wattage and location and height of lighting structures.
- 7) Topographic data or pertinent grade elevations, if necessary, for proper remodeling of existing buildings showing finished exterior treatment.
- 8) Colored elevations of proposed buildings, structures and fencing, or of proposed remodeling of existing buildings, showing finished exterior treatment and a listing of building materials.
- 9) Names, address, telephone number, fax number and email address of the owner(s) and/or agent to be contacted with regard to the application.
- 10) Proof of ownership or agent status.



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

Pursuant to the Town of Lisbon Municipal Code Section 1.14, the Town of Lisbon Town Board has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Treasurer shall charge one hundred and five percent of the cost of that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. The additional five percent cost above the cost of the service is levied to cover Town administrative charges. Also, pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges, however, is subject to the property owner's appeal rights as described in the Town of Lisbon Municipal Code Section 1.14

The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town. In addition, I/we have been advised that pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved. By signing this document, I am not waiving my/our appeal rights that are described in the Town of Lisbon Municipal Code Section 1.14.

Statements will be sent monthly so you are kept up to date regarding your current charges.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Ausblick, Inc., Dennis Evinrude, Manager
 ADDRESS W260 N6395 Mary Hill Road Sussex WI 53089
 DATE 10/4/18 SIGNATURE [Signature]
 PHONE 414.881.4589 EMAIL devinrude@ausblick.org

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Ausblick Inc.
 ADDRESS Same
 DATE Same SIGNATURE [Signature]
 PHONE _____ EMAIL _____

PROJECT NAME Ausblick Yurt



W234N8676 WOODSIDE RD. • LISBON, WI 53089-1545 • TEL: (262) 246-6100 • FAX: (262) 820-2023
 E-mail: townhall@townoflisbonwi.com • Website: www.townoflisbonwi.com

SITE PLAN AND PLAN OF OPERATION

Please fill out the entire application all questions need a response. If something does not apply please put N/A. Incomplete applications will not be processed or put on the agenda. The completion of this application form must be accompanied by one copy of an up to date and detailed Site Plan drawn to scale and including, but shall not be limited to, all existing buildings, signage, lighting, landscaping, parking, loading, storage, dumpsters, septic and well, etc; an interior layout (plans) of all buildings and the existing and proposed uses of the interior spaces (i.e., office, retail, restaurant, etc); and any other supporting materials. The above shall be submitted to the Town Hall, and upon review of the information, additional items may be required. The plans shall be drawn to scale and shall be no larger than 11" x 17", and shall also be emailed as a PDF. Future revisions to the approved Site Plan/Plan of Operation will require new approvals.

- New business in existing building or on existing site New Owner Temporary Use
 Change in Operations (summarize below what is changing; days/hours, etc)

N/A

- Change in Use (summarize below prior and new use below)

N/A

BUSINESS / PROPERTY OWNER & PROPERTY INFORMATION

Tax Key Number LSBT 0257.999.002 Acres 43.88 Zoning PR

Business Name & Contact Person: Ausblick, Inc., Dennis Evinrude

Full Address (include City & Zip): W 260 N 6395 Mary Hill Road Sussex WI 53089

Phone Number & Email: 414-881-4589

Signature & Date: [Signature] 10-5-2018

Property Owner Name: Ausblick, Inc.

Full Address (include City & Zip): Same

Phone Number & Email: Same

Signature & Date: [Signature] 10-5-2018

1. Is this business replacing another business? Yes No

a. If yes, what is the prior business' name: _____

2. Is this an expansion of an existing Town approved/based operation? Yes No

a. If yes, please explain: Addition of 30' diameter Yurt

HOURS OF OPERATION & OPERATING SPECIFICS

3. Describe in detail below the specific type of business operation (Retail, Restaurant, Manufacturing, Office, etc.), including temporary, accessory, and outdoor uses (storage, etc). Provide a separate list of all items sold or produced on the property. If items are produced, please provide a separate explanation of the production process.

Same as existing

4. Days & Times of Operation:

a. Days & Times: Same as existing

5. Employees (if self-employed please count yourself)

a. Full-Time Same

b. Part-Time Same

FOOD / BEVERAGE / LIQUOR

6. Is there any food & beverage / liquor service? Yes No

a. If yes, please explain: Same as existing

7. Table Seating Capacity

- a. Outside: Same
- b. Inside: Same
- c. Bar: Same

8. Food / Soda Vending Machines Yes No

- a. If yes, quantity of each: _____

OUTDOOR USES

9. Is there any outdoor storage? Yes No

- a. If yes, please explain: _____

10. Will there be any outdoor events? Yes No

- a. If yes, please describe the types of events, parking accommodations, sanitary facilities and delineate the locations of the events on the Site Plan submitted. Attach a separate sheet if necessary.

Same Club events per existing Plan of Operation Permit

11. Will there be any customer dockage? Yes No

- a. If yes, please indicate on the Site Plan length and number of piers.

12. Parking Lot

- a. Dimensions Same
- b. Total number of spaces Same
- c. Number of spaces allotted for employees Same

MUSIC / ENTERTAINMENT

13. Are any problems such as odor, smoke or noise resulting from this operation? Yes No

a. If yes, describe what types (live, amplified, recorded, jukebox, etc), indoors and/or outdoors, and the days and hours music will be provided? Attach a separate sheet if necessary.

Same as existing

14. Game Machines Yes No

a. Quantity: N/A

b. Location: N/A

BUILDINGS

15. Building A

a. Dimensions & Levels: Same as existing

b. Use: _____

16. Building B

a. Dimensions & Levels: Same as existing

b. Use: _____

17. Building C

a. Dimensions & Levels: Same as existing

b. Use: _____

LIGHTING (Submit Cut-Sheets)

18. Outdoor Lighting

a. Type(s): Same as existing

b. Locations(s): _____

SIGNAGE (Also submit the Town's Signage Application & appropriate fees)

19. Describe below the type of signage that exists and what signage is proposed on the site (attached, free standing, ground, mobile, projecting, window, electronic message, banners, flags, sandwich boards, etc.) and if the signs are illuminated, single/double faced, along with the number, size, and height of all signs.

Same as existing

CHEMICALS/HAZARDOUS MATERIALS

20. Are there any Chemicals, Hazardous Waste of Solvents stored on the site? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

Same as existing

21. Does this Operation involve the Storage/Sale of gasoline or any other Petroleum Products? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

Same as existing

STORM WATER RETENTION, FLOW OF SURFACE WATER, AND AMOUNT OF IMPERVIOUS SURFACES

22. Are there surface water drainage facilities? Yes No

a. If yes, please explain:

Same as existing

REFUSE DISPOSAL

23. Are there dumpsters/waste containers on the site? Yes No

a. If yes, show on the Site Plan submitted the location of dumpsters and any screening.

Per existing plan

PERMIT APPROVAL / ISSUANCE DATES

24. Is Highway Access Permit Needed? Yes No

a. Date Issued: N/A

25. DNR Well Approval (For New Constructions Only)

a. Date Approved: N/A

26. Septic System Approval (For New Constructions Only)

a. Date Approved: N/A

27. Fire Department Inspection Yes No

a. Date Inspected: N/A

28. Did the Wisconsin Department of Safety & Professional Services approve building plans? Yes No

a. Date Approved: N/A

29. Is security fencing necessary? Yes No

HORSE BOARDING

30. Does this Operation involve the Boarding of Horses? Yes No

a. Maximum number of horses boarded: N/A

b. Maximum number of horses owned: N/A

31. Has a Conservation Plan been prepared by the Land Conservation Committee? Yes No

a. Date Prepared: N/A

Town Approval Date(s): _____

County Approval Date(s): _____



SITE INSPECTION NOTIFICATION:

The Town of Lisbon Town Plan Commission and Town Board request permission of the property owner or responsible party to enter the subject property, between the hours of 9am to 5pm or upon prior 24 hour notice, for a site inspection prior to any scheduled Plan Commission or Board meeting. The site inspection will allow the Town Plan Commission and Town Board to make more informed decisions with respect to the requested application.

I, the undersigned, have been advised that my signature grants permission to members of the Town Plan Commission and Town Board to conduct site inspections of the subject property. Failure to authorize said site inspection will not be held against the property owner or responsible party in the decision of the requested application; however, the site inspection does allow the Town Plan Commission and Town Board to make more informed decisions.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Dennis Evinrude, Manager
ADDRESS W260 N6395 Mary Hill Road, Sussex WI 53089
DATE 10-4-18 SIGNATURE [Signature]
PHONE 414-881-4589 EMAIL devinrude@Ausblick.org

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Ausblick, Inc.
ADDRESS W260 N6395 Mary Hill Road Sussex WI 53089
DATE Same SIGNATURE Same [Signature]
PHONE Same EMAIL Same

COMMENTS:

[Signature]
Town Official Accepting Form

10/5/18
Date



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ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
DILAWELO, WISCONSIN 53018
TEL: 262.846.8884
FAX: 262.846.8884
EMAIL: INFO@YAGGY.COM

UPDATED SITE PLAN
AUSBUCK SKI HILL
TOWN OF LISBON, WISCONSIN

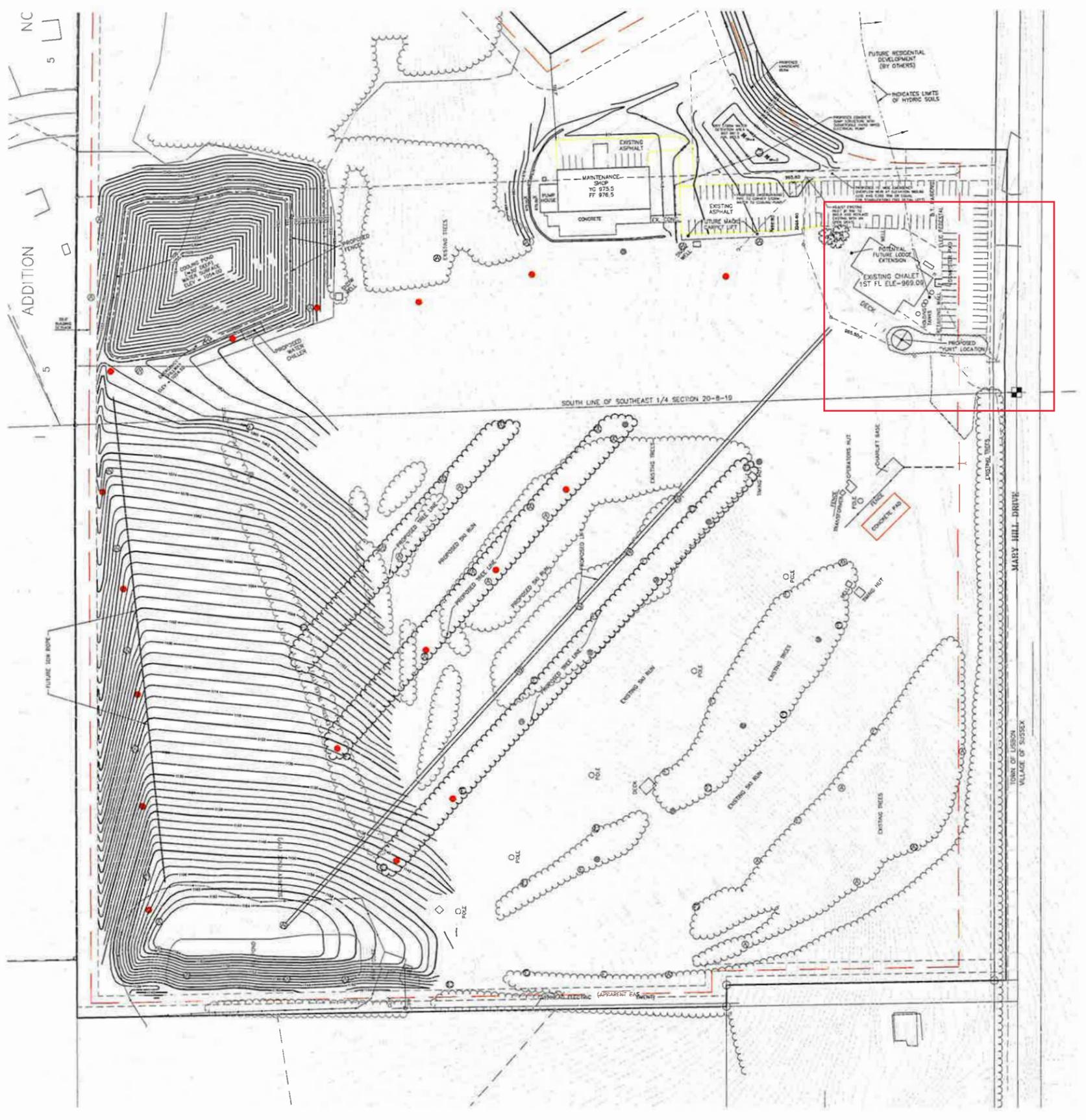
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|----------------|---------------------|
| PROJECT NUMBER | 14959 |
| DATE | AUGUST, 2012 |
| DRAWN BY | P. LUTICH |
| CHECKED BY | M. MICELSON |
| DATE | AUGUST, 2012 |
| PROJECT NAME | YAGGY/PC/M AND PROP |
| LOCATION | YAGGY LOCATION |
| SHEET NUMBER | |

1
OF
SHEETS



LEGEND

- EXISTING SUPER POLECAT TOWERS -
- PROPOSED SUPER POLECAT TOWERS -
- PROPOSED MID POLECAT TOWERS -
- LUMINAIRE TYPE A -
- LUMINAIRE TYPE D -
- LUMINAIRE TYPE E -



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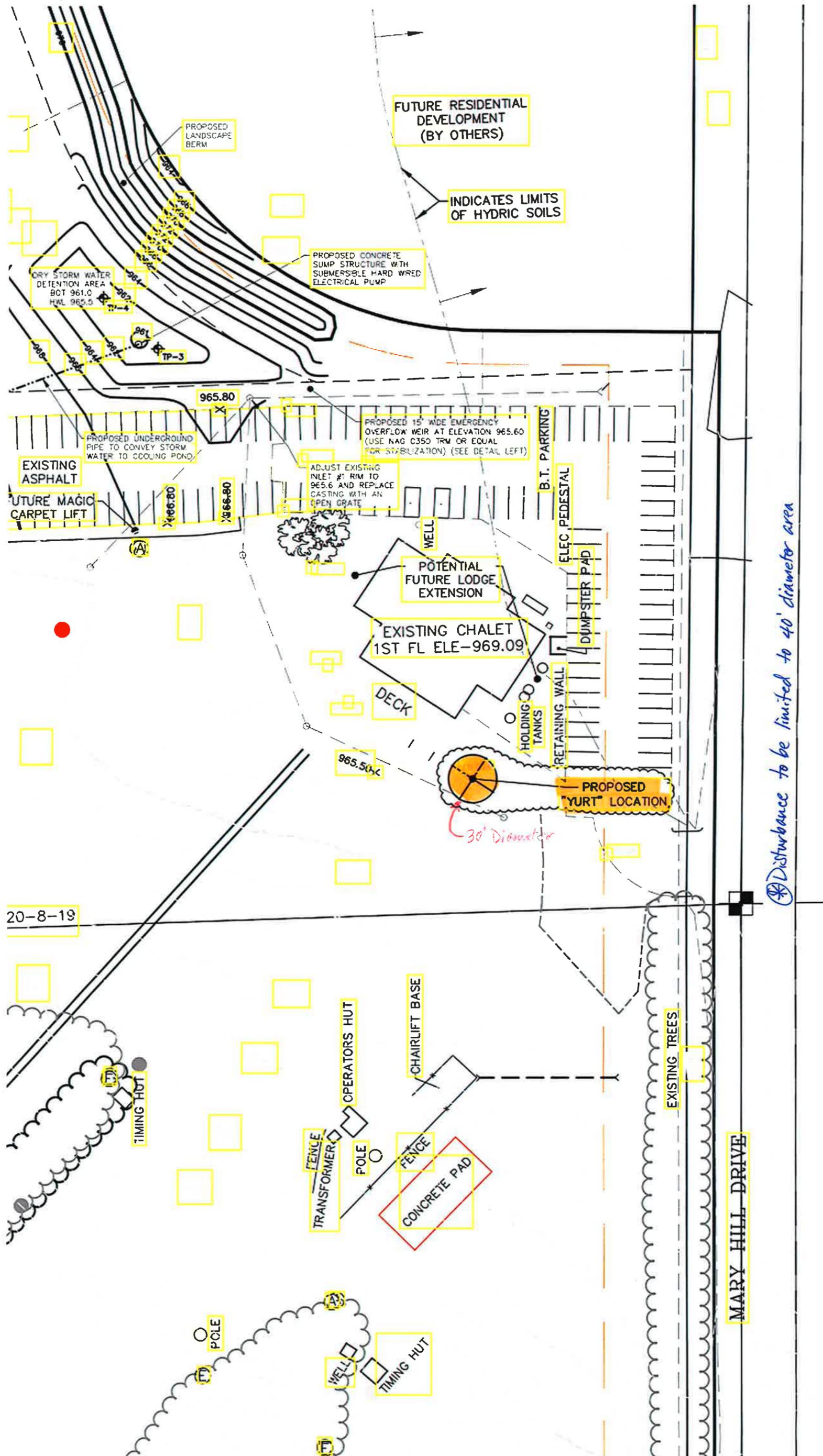
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Proposed Ausblick Yurt Location

000073



Disturbance to be limited to 40' diameter area

October 5, 2018

Item 4C – Attachments

000075

Waukesha County Department of Parks and Land Use
Planning and Zoning Division
515 W Moreland Blvd. Room AC 230
Waukesha, WI 53188
(262) 548-7790

PLAN OF OPERATION PERMIT

Town Lisbon 1/4 Sec 20 and 29 Tax Key No. LSBT 0257.999.002 File No. PO-08-LSBT-6

This permit certifies that under the Waukesha County Shoreland and Floodland Protection Ordinance, the property described below may be used or occupied as indicated:

Permit issued to (owner): Ausblick, Inc.

Subject property address: W260 N6395 Mary Hill Road Sussex, WI 53089

Legal Description: Lot 1, Certified Survey Map No. 10721, Volume 103, Page 242, being a part of the NE ¼ of Section 29 and the SE ¼ of Section 20, T8N, R19E, Town of Lisbon.

Use(s) allowed:

Multiple improvements to the ski club property including a new ski lodge, maintenance building, pump house and parking area in accordance with plans dated 4-22-2010.

Conditions of Permit:

1. The decision of the Town of Lisbon Plan Commission shall be an integral part of the Conditional Use Permit (CUP).
2. An alcoholic beverage license from the Town if alcohol is served on the premises, and a restaurant license, if required by the Environmental Health Division (EHD) shall be obtained prior to the issuance of any permits. A condition of the EHD's previous approval was that the lodge contain no kitchen, meal preparation or food service. The members bring their own food and prepare their own meals, but since grills have been installed, the EHD is requiring, at a minimum, the installation of a grease interceptor, if one was not installed originally.
3. The petitioner shall obtain sanitary approval and/or permits from the EHD, for all requested uses, prior to the issuance of any permits.
4. Future modifications to the site, including land altering activities and additions to the lodge, unless otherwise approved herein as part of the phasing plan, will require an amended Conditional Use, Site Plan and Plan of Operation, and/or other approvals from the County Park and Planning Commission and Town Plan Commission.
5. One special event (a racing event) for members only is allowed. No temporary signage is allowed. The property may also be used by members for occasional birthday parties, etc.
6. No parking is allowed within the road right of way of Mary Hill Road.
7. No outside storage, sale of ski merchandise (ski shop), or vending machines are proposed or approved.

8. Recorded music or a radio is allowed during the operating hours of 7:00 a.m. to 11:30 p.m.
9. Written approval from the town fire marshal and a list of any hazardous or flammable chemicals, etc. that are stored on site and how they are disposed of shall be submitted to the Planning and Zoning Division for review and approval prior to the issuance of any permits. A safety data sheet regarding the chemicals that are added to the snowmaking devices and the amounts stored on site shall be submitted to the Town Engineer as a condition of approval.
10. State approved building plans shall be submitted to the Planning and Zoning Division for review, and the Town Building Inspector shall approve of the same, in writing, prior to the issuance of any permits.
11. A written determination from the County Land Resources Division as to the need for a Storm Water Permit from their office shall be submitted to the Planning and Zoning Division prior to the issuance of any permits. The Town Engineer is also requiring a Storm Water Report and Management Plan be submitted to him as a condition of the Town's approval.
12. The Waukesha County Planning and Zoning Division shall review and approve the Certified Survey Map (CSM) for the property prior to the issuance of any permits.
13. A written determination from the WDNR regarding the status of the wetland (existing pond) and its proposed elimination from the property shall be submitted to the Planning and Zoning Division and the Town of Lisbon prior to the issuance of any permits. Approval from the WDNR of any new well shall also be submitted to the Planning and Zoning Division prior to the issuance of any permits.
14. If any of the proposed buildings will have a basement, the property may need to be filled to elevate the basement floor above the groundwater. This may require additional permits from the Town of Lisbon and Waukesha County. The Town should also determine whether a Grading Plan is required to accommodate the following requirements of their zoning ordinance regarding seasonal high groundwater: "A principal building shall not be erected on land which is not adequately drained at all times nor which is subject to periodic flooding, nor so that the lowest floor level is less than 3 ft. above the highest anticipated seasonal ground water level".
15. Detailed plans of the existing retaining wall shall be submitted to the Planning and Zoning Division for review and approval prior to the issuance of any permits.
16. In accordance with the Town Engineer's condition of approval, all parking areas should be dust free. In addition, all parking spaces shall be a minimum of 10' from any lot line or the base setback line.
17. There is a note on Phasing Plan Sheet (Sheet 2 of the Engineering Development Plan set) regarding the removal/planting of trees per the Master Grading Plan (Sheets 4 and 5 of the Engineering Development Plan set). Any removal of vegetation that would diminish the visual screening of the operation and diminish the sound and light buffering from neighboring properties should be carefully considered and avoided if possible.
18. Drain tiles damaged or encountered during construction shall either be immediately repaired or rerouted to the storm sewers.
19. The future parking area noted along Mary Hill Road shall avoid the removal of any trees along Mary Hill Road so the trees continue to provide some screening for the new parking area and the ski hill

operation. In addition, why remove the existing gravel at this time and restore the area if the intent is to expand the parking in that area in the future, which would mean re-disturbance of the restored area?

20. No dumpster appears on the plans, although a dumpster pad is located on the east side of the building. If a dumpster exists, the dumpster location shall be shown on a revised plan and the revised plan shall be submitted to the Planning and Zoning Division for review and approval prior to the issuance of any permits. In addition, the revised plan showing the dumpster shall also indicate how the dumpster will be screened (fence, vegetation, etc) and the screening shall be implemented no later than September 15, 2009.
21. The Land Use Plan Amendment shall be approved by Waukesha County and the CSM shall be recorded prior to the issuance of any permits.
22. It is recommended the new pond be fenced immediately upon completion of construction and before the old pond on the south end is filled.
23. Any noise from the ski hill such as grooming equipment, snowmaking machines, pond chillers, music, and chairlifts shall be at an acceptable level as determined by the Town Plan Commission. It is recommended that a note be placed on any future adjoining developments that the ski hill exists which will result in normal ski hill operation activities.
24. Any trucks used in the construction or land altering activities proposed on the site shall enter and exit the property only from Mary Hill Road north to Silver Spring Road (C.T.H. "VV"). There shall be no trucks traveling south on Mary Hill Road toward Richmond Road and no trucks entering or exiting on Hillview Drive.
25. A thirty (30) foot buffer shall be provided along the west and south lot lines utilizing the restrictions found on Page 2/Exhibit A of the Warranty Deed (Document No. 3584031) for the property. This language states the lands described (in that case a 50' buffer) "shall not be used by the Grantee (Ausblick) or its successors or assigns for any skiing or winter sport activities, installation of outdoor lighting, snowmaking operations or for access to or from any road constructed on lands retained by the Grantor (Bielinski) and located to the north of the property." This language (the 30' buffer shall not be used by Ausblick or its successors or assigns for any skiing or winter sport activities, installation of outdoor lighting, or snowmaking operations) shall apply to a 30' buffer along the west and south lot lines, except for the access point along the west lot line (Hillview Drive). Hillview Drive may be used for access to or from the property except as conditioned in No. 24 above. This will require the relocation of the proposed chilling pond and other grading activities as required by the Town Engineer in his comments, as well as careful and limited restoration of the south side of the existing pond if the filling of the pond is approved by the WDNR. The plans shall be revised to reflect this condition of approval and the revised plans shall be submitted to the Planning and Zoning Division for review and approval prior to the issuance of any permits.
26. The construction of the new chilling pond is proposed at the boundary of the Isolated Natural Resource Area (INRA). This construction shall not disturb the INRA located to the north and northeast of the new pond. The INRA boundary is considered to be the drip lines of the trees. However, further setback of the pond and the associated grading from the INRA is recommended. A revised Grading Plan to protect the INRA shall be submitted to the Planning and Zoning Division Staff for review and approval prior to the issuance to any permits.
27. The future ski lift to the north and the two future possible ski runs to the north are located in the INRA

and shall be removed from the revised set of plans, as one of the Town's conditions of approval is to preserve the INRA. In addition, the INRA shall be added to the revised plans. The revised plans shall be submitted to the Planning and Zoning Division and the Town of Lisbon for review and approval prior to the issuance of any permits.

28. The hydric soils located on the property shall also be added to the revised plans, as one of the Town's conditions of approval is to preserve those soils. The revised plans shall be submitted to the Planning and Zoning Division for review and approval prior to the issuance of any permits.

29. As each phase of the plan is completed, it is recommended the proposed landscaping for that area be implemented.

Permit No. 980
Date issued: 5/26/2010
Termination Date (if applicable) N/A

File _____
Town _____
Petitioner _____

Signature of Zoning Administrator Dandia L. Ocher

The use/occupancy of the property shall be carried out as approved, and all applicable ordinances and/or codes of the state, county, and town shall be complied with in carrying out the use/occupancy as approved. If any changes or deviations are made from the original approval, a revised permit is required. Failure to comply with the permit as issued will result in the revocation of the permit and/or other penalties.

Waukesha County Department of Parks and Land Use
Planning and Zoning Division
515 W Moreland Blvd. Room AC 230
Waukesha, WI 53188
(262) 548-7790

000079

RECEIVED MAY 27 2010

CONDITIONAL USE PERMIT

Town Lisbon 1/4 Sec 20 and 29 Tax Key No. LSBT 0257.999.002 File No. SCU-1502

This permit certifies that under the Waukesha County Shoreland and Floodland Protection Ordinance, the property described below may be used or occupied as indicated:

Permit issued to (owner): Ausblick, Inc.

Subject property address: W260 N6395 Mary Hill Road Sussex, WI 53089

Legal Description: Lot 1, Certified Survey Map No. 10721, Volume 103, Page 242, being a part of the NE 1/4 of Section 29 and the SE 1/4 of Section 20, T8N, R19E, Town of Lisbon.

Use(s) allowed:

Multiple improvements to the ski club property including a new ski lodge, maintenance building, pump house and parking area in accordance with plans dated 4-22-2010.

Conditions of Permit:

1. The decision of the Town of Lisbon Plan Commission shall be an integral part of the Conditional Use Permit (CUP).
2. An alcoholic beverage license from the Town if alcohol is served on the premises, and a restaurant license, if required by the Environmental Health Division (EHD) shall be obtained prior to the issuance of any permits. A condition of the EHD's previous approval was that the lodge contain no kitchen, meal preparation or food service. The members bring their own food and prepare their own meals, but since grills have been installed, the EHD is requiring, at a minimum, the installation of a grease interceptor, if one was not installed originally.
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- 29. As each phase of the plan is completed, it is recommended the proposed landscaping for that area be implemented.

Permit No. 1394
 Date issued: 5/26/2010
 Termination Date (if applicable) N/A

File _____
 Town _____
 Petitioner _____

Signature of Zoning Administrator Dandra L. Pchen

The use/occupancy of the property shall be carried out as approved, and all applicable ordinances and/or codes of the state, county, and town shall be complied with in carrying out the use/occupancy as approved. If any changes or deviations are made from the original approval, a revised permit is required. Failure to comply with the permit as issued will result in the revocation of the permit and/or other penalties.



Parcel ID LSBT0257999002: Site Map

Town of Lisbon

1 inch = 320 feet



Town of Lisbon Boundary

vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (408) 826-0530

Item 4D – Attachments



November 8, 2018

Chairperson Osterman and Town Plan Commission Members
Town of Lisbon
W23N8676 Woodside Road
Lisbon, WI 53089

Re: Schneider - Rezoning Request Review A-3 to R-1 Townline Road

Dear Plan Commission Members:

The above-referenced Rezoning Request was received by our office for review on behalf of the Town of Lisbon.

Application Summary:

Donald Schneider has submitted an application to rezone Parcel ID 0288987001, located at the intersection of Town Line Road/County Highway V (Town Line Road) and Weyer Road. There is currently one (1) single-family residence located on this parcel, which is 4.67 acres in size. The applicant would like to rezone this property in order to potentially subdivide into smaller parcels than currently allowed by the existing A-3 zoning.

Parcel #0288987001 is located in the Town of Lisbon and as well as Village of Sussex Extraterritorial Jurisdiction and Joint Planning Area. There is no Village zoning designated for this parcel, however, the Sussex Land Use Plan for Future Extraterritorial Area has designated this parcel as "Rural Residential and Agricultural Lands". The property is not located within the Sussex Trunk Sewer Basin Boundary. This parcel is not designated as an area proposed for future addition to Sussex. The County Development Plan and Lisbon Recommended Land Use Plan 2035 also designate this parcel as "Low Density Residential" which recommends 20,000 sq. ft. and 1.4 acre lot minimums. This land use category would accommodate the standards set for R-1 zoning.

The property currently has access on Town Line Road, which is a County Trunk Highway, and has 628 feet of frontage. Waukesha County Code, Chapter 15, allows for two (2) access points along County Truck Highways for frontages measuring 600 to 1,499 feet. As the property already has one access point (driveway), only one more would be allowed along this Highway. In addition, the minimum allowable distance between a new access point (driveway) and the intersection of Town Line Road and Weyer Road would be 500 feet. This requirement would create difficulty for the creation of a new lot along Town Line Road. Any new lot along Town Line Road would likely be granted an access point, yet would need to have the driveway placed as far as possible from the intersection, even if the driveway could only be located closer than 500 feet. One or two (2) lots could also be created along Weyer Road, where the current property has 323 feet of frontage, and would not be restricted by County Highway access regulations. Other subdivision regulations still apply, yet there is adequate acreage and lot frontage to meet R-1 standards along both roads. Therefore, the creation of two (2) additional lots appears feasible;

vision to reality

November 8, 2018
Page 2

however, the County Public Works and Land Use Departments should be consulted in order to verify the possibility of any new lot gaining access to Town Line Road.

Zoning Map Amendment Review

A request for an amendment to the Town of Lisbon's Zoning Map has been submitted in order to rezone this property. Approval of a Zoning Map Amendment is necessary in order to allow for potential subdivision of the property into smaller lots. The current zoning designation of A-3 does not allow for subdivision of land as there is a three (3) acre minimum lot size associated with this zoning designation. Any amendment to the Zoning Map for this property would need to be in compliance with the proposed land use district. The primary information is as follows;

Pertinent Reviewed Materials

| | |
|---------------------------------------|--|
| Property Owner: | Donald L. Schneider |
| Applicant: | Donald L. Schneider |
| Tax Key: | 0288987001 |
| Current Zoning: | A-3 (Agricultural/Residential Estate District) |
| Adjacent Zoning: | <u>North</u> – P-1 (Public Institutional): Redeemer United Church of Christ <u>South</u> – RS-6 (Single Family Residential – City of Pewaukee): Residential Subdivision <u>East</u> – A-1 (Agricultural – Village of Menomonee Falls): Rural <u>West</u> – A-3 (Agricultural/Residential Estate): Rural Residence |
| Current Land Use Plan designation: | "Low Density Residential" on the Recommended Land Use Plan for Town of Lisbon – 2035. |
| Proposed Use: | Residential |
| Proposed Zoning: | R-1 (Suburban Single Family Residential District) |
| Sussex Joint Planning Commission Req: | Yes, the Sussex/Lisbon Joint Plan Commission will have to meet to review the proposal. Waukesha County will also have to approve of the rezoning following any actions by the Town. |

Recommendations:

Planning staff recommends approval of the requested Zoning Map amendment in order to change the current A- 3 zoning district to R-1 (Agricultural/Residential Estate)for a parcel (Parcel ID: LSBT00288987001) generally located at the intersection of County Highway V (Town Line Road) and Weyer Road. A separate CSM submittal will be required to be submitted to the Town and JPC prior to any land division.

The issues outlined above are meant to act as a guideline to assist you in discussions as to what issues you feel need to be addressed in order for you to review this proposal. I will be in attendance at the September Plan Commission meeting to answer any questions.

Sincerely,

Daniel J. Lindstrom, AICP
Town Planner



RECEIVED
OCT 04 2018
TOWN OF LISBON

000087
W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

Commercial
**All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.*
 Residential – Home-Based Bus. / In-Law Unit

- Accessory Building Waiver: \$100 (Size/Location/Architectural Review)
- After the Fact Application: Double Fees
- Certified Survey Map: \$200 + \$10 Per lot
 - Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM)
- Conditional Use Permit: \$350
 - Amendment / Original
 - Major Grading Permit
- Deed Restriction: \$100
- Developer's Agreement: \$250
- Groundwater Separation Waiver: \$100
- Land Use Amendment: \$300
- Conceptual: \$100
- Plat Review:
 - Final - \$200
 - Preliminary - \$500
- Re-Submittal: \$200
- Rezone: \$350
- Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule)
- Site Plan/Plan of Operation:
 - Amendment: \$250
 - Original: \$500
 - Temporary: \$125
- Special Meeting: \$600
- Waivers/Modification from Land Division and Development Ordinance: \$200

Property Information

| | | |
|---------------------|--------------------------|----------------|
| Property Address | City | Zip |
| <u>LSBT987001</u> | <u>628.386 x 323.937</u> | <u>A-3</u> |
| Tax Key/Parcel ID # | Lot Size | Current Zoning |

Property Owner

DONALD L SCHNEIDER
Name / Company Name

[Signature]
Signature

W220-N4879 TOWNLINE Rd
Address

MENNO FALLS WI 53051
City State Zip

262-246-4112
Phone E-mail Address

Applicant

DONALD L SCHNEIDER
Name

W220-N4879 TOWNLINE Rd.
Company Address

MENNO FALLS WI 53051
City State Zip

262-246-4112
Phone E-Mail Address

A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered **complete**, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.



000088

TOWN OF LISBON
W234 N8676 Woodside Rd.
Lisbon, WI 53089

PETITION FOR REZONING

Property Owner

DONALD L SCHNEIDER

Name / Company Name

[Signature]

Signature

W220-N4879 TOWNLINE RD

Address

MENO FALLS WI 53051

City

State

Zip

262-246-4112

Phone

E-mail Address

Applicant

DONALD L SCHNEIDER

Name

Company

W220-N4879 TOWNLINE RD.

Address

MENO FALLS WI 53051

City

State

Zip

262-246-4112

Phone

E-Mail Address

Property Information

W220 N4879 TOWNLINE Rd MENO FALLS 53051

Property Address

City

Zip

LSBT987001

Tax Key/Parcel ID #

A3

Current Zoning

R1

Proposed Zoning

Rezone Information

In the space below, please describe the purpose of the rezoning being applied for. Please attach or email a separate sheet if necessary.

We would like to separate the house from the 2 1/2 acres (land) it is zoned A3. We would like to make 3 lots out of 4.68 acres

INTERNAL USE ONLY

Amount Due: \$ 350.00 Check # _____ Date Paid: _____



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

Pursuant to the Town of Lisbon Municipal Code Section 1.14, the Town of Lisbon Town Board has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Treasurer shall charge one hundred and five percent of the cost of that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. The additional five percent cost above the cost of the service is levied to cover Town administrative charges. Also, pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges, however, is subject to the property owner's appeal rights as described in the Town of Lisbon Municipal Code Section 1.14

The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town. In addition, I/we have been advised that pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved. By signing this document, I am not waiving my/our appeal rights that are described in the Town of Lisbon Municipal Code Section 1.14.

Statements will be sent monthly so you are kept up to date regarding your current charges.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Donald L Schneider
 ADDRESS W220-N4879 TOWNLINE RD MEMO FALLS 53051
 DATE 9/27-18 SIGNATURE [Signature]
 PHONE 262-246-4112 EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Donald L Schneider
 ADDRESS W220-N4879 TOWNLINE Rd MEMO FALLS 53051
 DATE 9/27/18 SIGNATURE [Signature]
 PHONE 262-246-4112 EMAIL _____

PROJECT NAME _____



SITE INSPECTION NOTIFICATION:

The Town of Lisbon Town Plan Commission and Town Board request permission of the property owner or responsible party to enter the subject property, between the hours of 9am to 5pm or upon prior 24 hour notice, for a site inspection prior to any scheduled Plan Commission or Board meeting. The site inspection will allow the Town Plan Commission and Town Board to make more informed decisions with respect to the requested application.

I, the undersigned, have been advised that my signature grants permission to members of the Town Plan Commission and Town Board to conduct site inspections of the subject property. Failure to authorize said site inspection will not be held against the property owner or responsible party in the decision of the requested application; however, the site inspection does allow the Town Plan Commission and Town Board to make more informed decisions.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME DONALD L SCHWEIDT
ADDRESS W220 - N 4879 TOWNLINE RD MENDOTA FALLS 53051
DATE 9/27/18 SIGNATURE [Signature]
PHONE 262-246-4112 EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

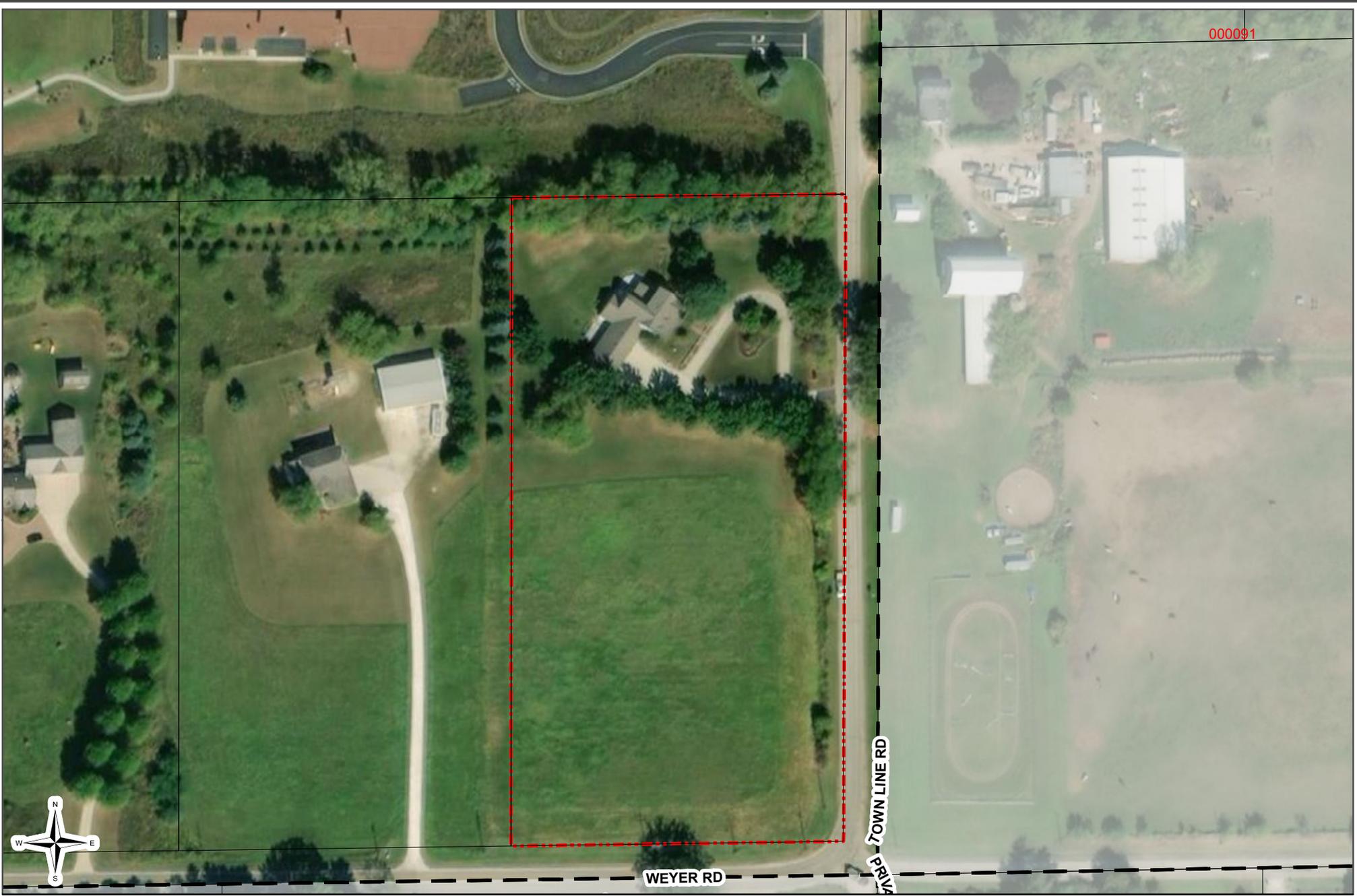
NAME DONALD L SCHWEIDT
ADDRESS W220 - N 4879 TOWNLINE RD, MENDOTA FALLS 53051
DATE 9/27/18 SIGNATURE [Signature]
PHONE 262-246-4112 EMAIL _____

COMMENTS:

Town Official Accepting Form

Date

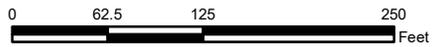
000091



Parcel ID 987.001: Site Map

Town of Lisbon

1 inch = 125 feet



Town of Lisbon Boundary

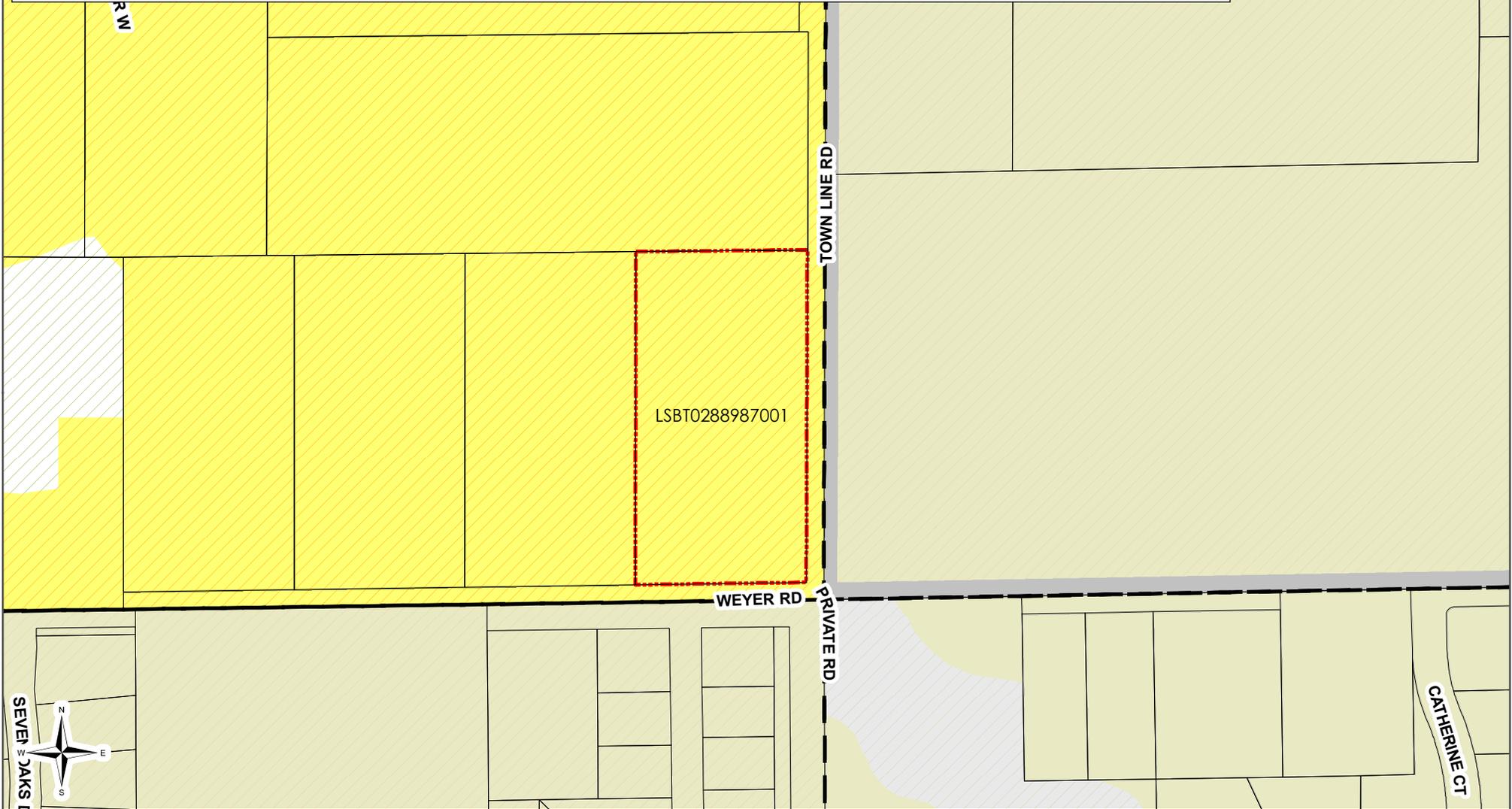
vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0530

- | | | | |
|--|----------------------------------|--------------------------------|---|
| High density residential; High density residential | Farmland Preservation | Isolated Natural Resource Area | Transportation, communication and utilities |
| Medium density residential | Farmland Preservation w/PEC | Surface Water | Highway Rights of Way |
| Low density residential | Other Open Lands to be Preserved | Governmental and institutional | Landfill |
| Suburban density I residential | Recreational | Commercial and Office Park | Extractive |
| Suburban density II residential | Primary Environmental Corridor | Mixed Use | |
| Rural density and Other Agricultural Land | Secondary Environmental Corridor | Industrial | |

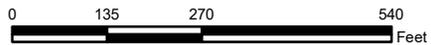
000092



Parcel ID 987.001: Future Land Use

Town of Lisbon

1 inch = 271 feet



Town of Lisbon Boundary

vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (408) 826-0530

000093

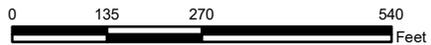
LSBT0288987001



Parcel ID 987.001: Zoning

Town of Lisbon

1 inch = 272 feet



Waukesha Shoreland Zoning Town of Lisbon Boundary

Surface Water

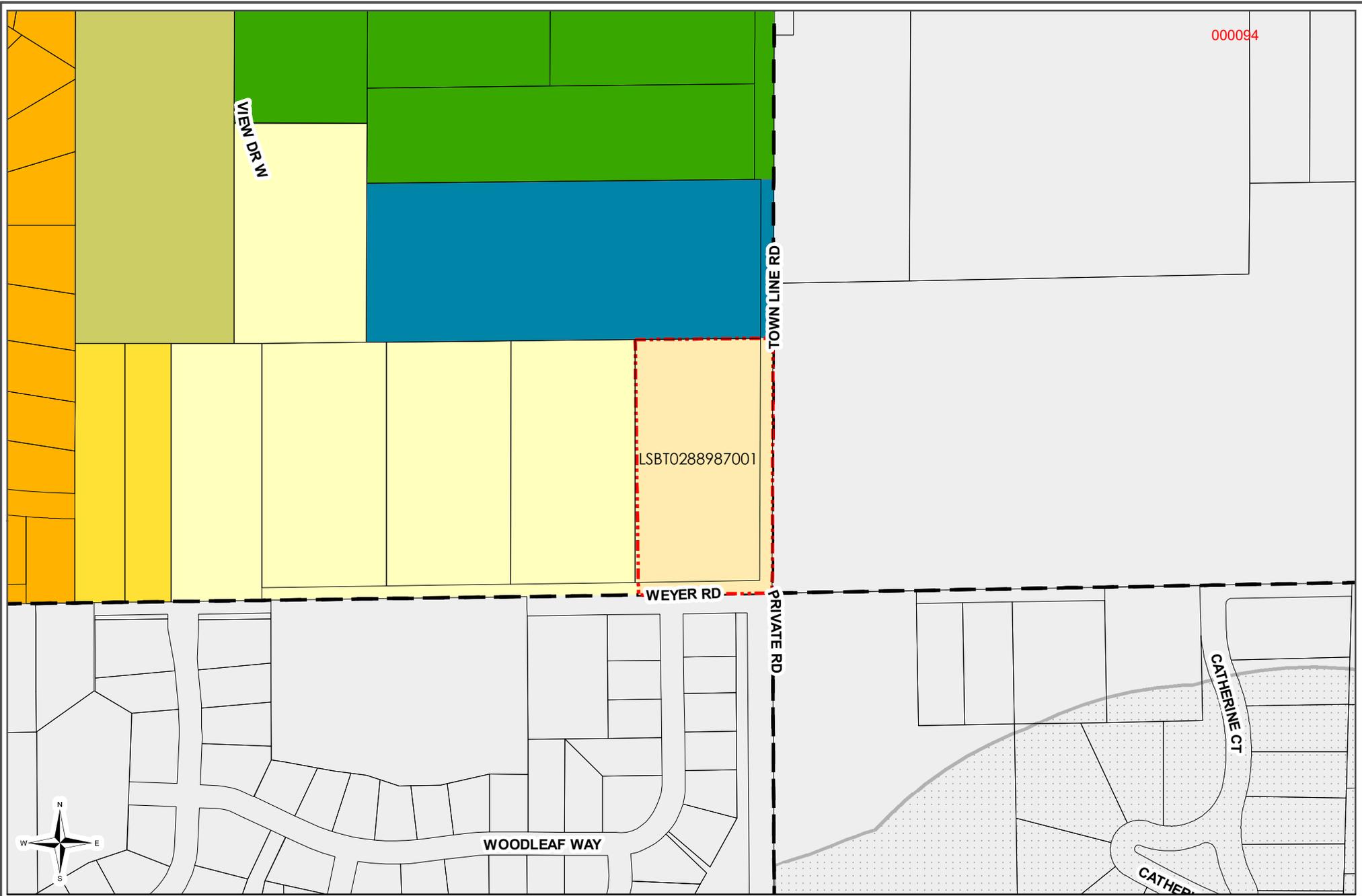
| | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|
| AD-10 | A-5 | R-2 | B-1 | B-4 | M-1 | C-1 |
| RD-5 | A-3 | R-3 | B-2 | B-P | M-2 | UC |
| A-10 | R-1 | RM | B-3 | Q-1 | P-I | PR |

vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0530

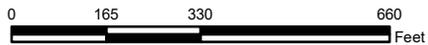
Data Sources: Vierbicher, Town of Lisbon, Waukesha County, ESRI



Parcel ID 987.001: Proposed Zoning

Town of Lisbon

1 inch = 333 feet



Waukesha Shoreland Zoning Town of Lisbon Boundary

Surface Water

| | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|
| AD-10 | A-5 | R-2 | B-1 | B-4 | M-1 | C-1 |
| RD-5 | A-3 | R-3 | B-2 | B-P | M-2 | UC |
| A-10 | R-1 | RM | B-3 | Q-1 | P-1 | PR |

vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0530

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

Ord. 13-18

**ORDINANCE REZONING LSBT 0288.987.001, FROM A-3
AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT TO R-1 SUBURBAN
SINGLE FAMILY RESIDENTIAL DISTRICT IN THE TOWN OF LISBON,
WAUKESHA COUNTY, WISCONSIN**

WHEREAS, Property owner Donald Schneider petitioned the Town of Lisbon to rezone property from A-3 Agricultural/Residential Estate District to R-1 Suburban Single Family Residential District; and

WHEREAS, the change in zoning is consistent with the Town of Lisbon Comprehensive Plan land-use element; and

WHEREAS, the Lisbon Plan Commission and Town Board of Supervisors held a Joint Public Hearing on the rezoning request on Thursday, November 8, 2018.

NOW, THEREFORE, the Town Board of the Town of Lisbon, Waukesha County, Wisconsin, does ordain as follows:

SECTION 1: The following described property is rezoned from A-3 Agricultural/Residential Estate District to R-1 Suburban Single Family Residential District:

LOT 4 CERT SURV 5824 VOL 47/234 AS REC IN DOC# 1534565 PT SE1/4 SEC 36 T8N R19E.
ALSO KNOWN AS LSBT 0288.987.001

SECTION 2: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

SECTION 3: This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 8th day of November, 2018.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: _____
JOSEPH OSTERMAN, Chairman

BY: _____
TEDIA GAMIÑO, Supervisor

BY: _____
MARC MOONEN, Supervisor

BY: _____
LINDA BEAL, Supervisor

BY: _____
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: _____
Dan Green, WCMC
Town Clerk



Item 4E – Attachments



November 8, 2018

Chairperson Osterman and Members of the Town Plan Commission
Town of Lisbon
W23N8676 Woodside Road
Lisbon, WI 53089

Re: Barnwood Conservancy Subdivision Final Plat
Town of Lisbon

Dear Plan Commission Members:

The above-referenced Final Plat was received in our office for review on behalf of the Town of Lisbon. The proposed lots are situated south of Thousand Oaks Addition, west of Woodland Oaks and Stonehouse Woods, and east of the Village of Merton. The Final Plat is being proposed by Chris Miller, an authorized member of Barnwood Conservancy LLC. The land's existing zoning designation is R-1 and Planned Unit Development.

Final Plat Summary

The Final Plat consists of 52 lots and five outlots with an area of 76.52 acres including rights-of-way. Lots will be accessed along the extensions of Hansen Drive, Hickory Chasm Drive, and Denton's Run and by two new streets: Wren's Way and Pintail Court. The Final Plat is being proposed as an unsewered cluster subdivision with 13 R-1 Zoning single-family lots, with an average size of 44,002 square feet. The Plat proposes 39 PUD single-family lots with an average size of 31,541 square feet. The Final Plat proposes four outlots of common open space in the proposed subdivision. Outlots 1-4 measure 5.275, 1.539, 17.623, and 0.308 acres respectively. No lakes, water courses, rivers or streams are within the Plat. The Final Plat is within Zone X (minimal flooding), as designated by FEMA.

The remainder of this letter reviews the submitted Final Plat in accordance with the standards detailed in Chapter 12, Section 5: Final Plat, and other applicable sections of the Town of Lisbon Municipal Code.

Chapter 12 Review

The Plan Commission and Town Board previously approved the following design approaches during the preliminary plat the following:

- Cul-de-sac exceeding 500 linear feet in length.
- Lot lines slightly off 90 degrees from the lot line due to layout and preservation of open space.
- Several tangent lengths are slightly less than 100 due to layout and preservation of open space.

The Plan Commission and Town Board should reaffirm these findings in the Final Plat approval process.

The items listed below were found deficient or lacking information with regard to ordinance requirements. Items included in the Final Plat that are not listed below were found to be in compliance

vision to reality

November 8, 2018
Page 2

with Chapter 12 of the Town of Lisbon Municipal Code. A specific code section exclusion from this review letter does not confer approval of the Final Plat, and additional information could be required at a later date if requested by the Town Board, Plan Commission, or Town Staff.

Final Plat "Cleanup" Items

- Sheet 1: Note 14 Shall include references to "Lots 1-4, as detailed on Sheet 2"
- Sheet 1: Illustrate all structures within 50' of the exterior plat. Staff identified several accessory buildings, drive areas, and homes within 50' of the exterior boundaries of the plat.
- Sheet 1: Add a space after Note 3.
- Sheet 2: Water Storage Easement area to be called out
- Sheet 2: Parking and pavilion area shall be labeled and detailed similar to the Water Storage Easement.
- Sheet 4: Waukesha County shall be added to the Surveyors and Owners signatures
- Sheet 4: All references to the Village of Sussex shall be removed and replaced with the Village of Merton on the Owners and Extraterritorial Village Board Approval Certificate
- Sheet 4: Village Board shall be replaced with Waukesha County is the Waukesha County Certificate.

Overall, the Applicant addressed the comments in our initial Preliminary Plat review letter. The Final Plat still must follow the Waukesha County plat review process. The Town should consider the items listed above, then either approve, conditionally approve, or hold over the Applicant's Final Plat application until any concerns have been met. Any action should also be contingent on Town Engineer review and County review and approval.

Therefore, we recommend Plan Commission approval subject to the following conditions.

1. Compliance with any approved PUD General Development Plan and Specific Implementation Plans.
2. Compliance with the signed and recorded development agreement between the Town and Barnwood Conservancy LLC. Any revisions to the Developers Agreement dues to timing shall be discussed with the Town Board prior to approval.
3. Recording of the approved deed restrictions.
4. Non-objection from Town Staff and other reviewing agencies.
5. If requested by the Town Engineer, street plans and profiles showing existing ground surface, proposed and established street grades, storm sewer plans and profiles showing the location, grades, sizes, cross-sections, elevations and materials of required facilities, where applicable, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon mean sea level (1929) datum, and plans and profiles shall meet the approval of the Town Engineer.
6. Approval by the Lisbon-Merton Joint Plan Commission and subsequent Village and Town Board approvals.
7. Approval by Waukesha County.

The County approval process includes, but is not limited to submitting the following.

1. A completed Waukesha County Department of Parks and Land Use Subdivision Plat Submittal Form
2. A "Final Stormwater Management Plan" to the Land Resources Division, in accordance with the Waukesha County Storm Water Management and Erosion Control Ordinance.
3. A "Final Erosion Control Plan" to the Land Resources Division, in accordance with the Waukesha County Storm Water Management and Erosion Control Ordinance.
4. Review of the Land Division Checklist

Should the County approve or conditionally approve the Final Plat, the Applicant will then be able to record the document, obtain any necessary remaining permits, and commence construction.

November 8, 2018

Page 3

The issues outlined above are meant to guide you in your discussions over whether to approve this proposal. This letter is subject to change upon review of any additional application materials submitted to the Town between the drafting of this letter and the Public Hearing. I will be in attendance at the November 8 Plan Commission meeting to answer any questions.

Sincerely,

Daniel J. Lindstrom, AICP
Town Planner



W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

Commercial
*All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.

Residential – Home-Based Bus. / In-Law Unit

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Accessory Building Waiver: \$100 (Size/Location/Architectural Review) <input type="checkbox"/> After the Fact Application: Double Fees <input type="checkbox"/> Certified Survey Map: \$200 + \$10 Per lot <ul style="list-style-type: none"> <input type="checkbox"/> Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM) <input type="checkbox"/> Conditional Use Permit: \$350 <ul style="list-style-type: none"> <input type="checkbox"/> Amendment / Original <input type="checkbox"/> Major Grading Permit <input type="checkbox"/> Deed Restriction: \$100 <input type="checkbox"/> Developer's Agreement: \$250 <input type="checkbox"/> Groundwater Separation Waiver: \$100 <input type="checkbox"/> Land Use Amendment: \$300 <input type="checkbox"/> Conceptual: \$100 | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Plat Review: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Final - \$200 <input type="checkbox"/> Preliminary - \$500 <input type="checkbox"/> Re-Submittal: \$200 <input type="checkbox"/> Rezone: \$350 <input type="checkbox"/> Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule) <input type="checkbox"/> Site Plan/Plan of Operation: <ul style="list-style-type: none"> <input type="checkbox"/> Amendment: \$250 <input type="checkbox"/> Original: \$500 <input type="checkbox"/> Temporary: \$125 <input type="checkbox"/> Special Meeting: \$600 <input type="checkbox"/> Waivers/Modification from Land Division and Development Ordinance: \$200 |
|---|---|

Property Information

| | | |
|------------------------|-------------------------|----------------|
| W274N6942 LAKE FIVE RD | HARTLAND, WI 53029-9595 | |
| Property Address | City | Zip |
| LSBT0217998 | 76.5180 AC | R-1/R-1(PUD) |
| Tax Key/Parcel ID # | Lot Size | Current Zoning |

Property Owner

Barnwood Conservancy LLC
Name / Company Name

Signature

249 Pawling Ave. STE 201
Address

| | | |
|--------------|---------------------------|------------|
| Hartland | WI | 53029-2053 |
| City | State | Zip |
| 847-456-2156 | cmiller@millermariott.com | |
| Phone | E-mail Address | |

Applicant

Don Chaput
Name

Chaput Land Surveys, LLC
Company

234 W. Florida St. STE 306
Address

| | | |
|--------------|---------------------------|-------|
| Milwaukee | WI | 53204 |
| City | State | Zip |
| 414-224-8068 | don@chaputlandsurveys.com | |
| Phone | E-Mail Address | |

A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered **complete**, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. *The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.*



Project Review Checklist

Prior to the Plan Commission submittal deadline the property owner or applicant presents a site plan prepared with the information below to the Deputy Clerk at the Town Hall. The submittal material is reviewed and if appropriate, discussed at the next regularly scheduled Plan Commission meeting.

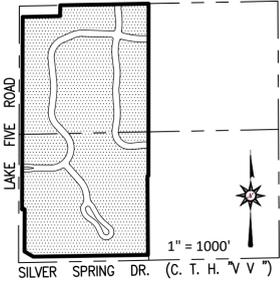
The information below is a required minimum and the other materials may be requested of the applicant during the review process.

- 1) A statement describing the general character of the intended development and including the property address, tax key number and correct legal description. General items to include in the statement are: hours of operation, number of employees, traffic patterns, parking requirements, trash removal, etc.
- 2) An accurate map (site plan) of the project area. The site plan should be professionally prepared by a licensed architect, surveyor and/or engineer, with accurate dimensions indicating the property size, its relationship to surrounding properties, existing topography, key natural features and show the location of all existing and proposed:
 - A. Structures, showing all entrances
 - B. Driveways & street access
 - C. Parking areas
 - D. Walkways
 - E. Existing landscaping
 - F. Abutting public and private streets
 - G. Public easements
 - H. Surrounding land uses and zoning
 - I. Retaining walls
 - J. Decorative accessories
 - K. Dumpster location and screening
 - L. Location, color, message, dimensions and materials of all signs
 - M. Location, size and character of dedicated or private open space
 - N. Location of sanitary sewer, storm sewer, water mains and services and stormwater detention facilities
 - O. Floor plan of building or addition
- 3) Stormwater management plan.
- 4) Grading plan showing existing and finished grades to Town datum.
- 5) Professionally prepared landscape plan.
- 6) Lighting plan; photometric plan, type of fixtures, wattage and location and height of lighting structures.
- 7) Topographic data or pertinent grade elevations, if necessary, for proper remodeling of existing buildings showing finished exterior treatment.
- 8) Colored elevations of proposed buildings, structures and fencing, or of proposed remodeling of existing buildings, showing finished exterior treatment and a listing of building materials.
- 9) Names, address, telephone number, fax number and email address of the owner(s) and/or agent to be contacted with regard to the application.
- 10) Proof of ownership or agent status.

BARNWOOD CONSERVANCY

Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 19, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin.

VICINITY MAP
NE 1/4 Sec. 19, T 8 N, R 19 E.



NOTES

- Dimensions along curves are arc lengths.
- All dimensions are measured and shown to the nearest hundredth of a foot.
- Bearings are referenced to the West line of the Northwest 1/4 of Section 19, Town 8 North, Range 19 East, Wisconsin State Plane Coordinate System, South Zone N.A.D. 1927, which bears N00°11'52"E.
- Property is located within the FEMA flood map 55133C0068H, effective on 11/05/2014 and indicates it is within Zone X, areas of minimal flooding.
- The Wisconsin DNR concurrence letter (WIC-SE-2017-68-03846) dated 12/28/17 for the Wetlands Determination and Delineation performed by Stantec on September 28, 2017 confirms that no wetlands are present on the site.
- Lots to be serviced by wells and onsite soil absorption sewage disposal systems.
- All streets to be improved with asphalt pavement with a rural cross section.
- No direct vehicular access shall be allowed onto Lake Five Road from Lots 1, 2, 3 and 4 and Outlots 1, 2 and 3 and Silver Spring Drive (C.T.H. "VV") from Outlot 3.
- It is recommended all wells be located within 50 ft. of the front lot line to ensure proper separation to septic systems and storm water management areas.
- No grading or filling, except septic installation, below elevation (1001.6 for Lots 3-6 and 992.8 for Lots 15-16). For any building designed for human occupation on a regular basis, the ground surface at the lowest exposed portion of the building shall be above elevation (1001.6 for Lots 3-6 and 992.8 for Lots 15-16).
- Each individual lot owner shall have an undivided fractional ownership in Outlots No. 1, 2, 3, 4 and 5. The Town of Lisbon or Waukesha County shall not be liable for any fees or special charges in the event they become the owner of any lot or outlot in the subdivision by reason of tax delinquency.
- Vision Corner Easement: The height of planting berms, fences, signs & any other structure within the easement is restricted to 24" above the intersection elevation. There shall be no direct vehicular access from the lots in this subdivision to the public roads across the vision corner.
- The 12 foot wide Public Access Easement containing an 8 feet wide asphalt trail is dedicated to the Town of Lisbon for public trail purposes and maintenance. See sheet 2
- The 15 foot wide Landscape Buffer Easement is granted to the Barnwood Conservancy Homeowners Association.

STORM WATER MANAGEMENT PRACTICE MAINTENANCE
The titleholders of Lots 1 through 52 of the Barnwood Conservancy subdivision each shall hold 1/52 undivided interest in Outlots 1, 2 and 3 where the storm water management practices are located. There are one or more separate documents recorded on the property title through the Waukesha County Register of Deeds entitled "Storm Water Management Practice Maintenance Agreement" ("Maintenance Agreement") that applies to Outlots 1, 2 and 3 and stormwater easements. The maintenance agreement subjects this subdivision plat, and all lot owners therein, to covenants, conditions and restrictions necessary to ensure the long-term maintenance of the storm water management practice. The agreement also outlines a process by which the Town of Lisbon may levy and collect special assessments or charges for any services the community might provide relating to enforcement of the maintenance agreement.

In accordance with Chapter 14 - article viii of the Waukesha County Code of Ordinances ("Storm Water Ordinance"), the storm water permit holder is responsible for constructing the storm water management practices following plans approved by Waukesha County and is responsible for maintaining the storm water practices until permit termination by Waukesha County, upon termination of the storm water permit, the owners of Lots 1-52 shall be responsible for maintenance of the storm water management practices in accordance with the maintenance agreement.

LEGEND

- Indicates set 1.27" diameter iron rod, weight 4.303 lbs. per lineal foot, at least 18" in length.
- Indicates found 1.27" diameter iron rod.
- Unless noted all other lot corners have a 1" iron pipe, weight 1.68 lbs. per lineal foot, at least 18" in length, set.
- Ⓧ Indicates lands dedicated to the public for street purposes.
- /// Indicates no direct vehicular access to Lake Five Road and Silver Spring Drive (C.T.H. "VV")



SEPTEMBER 21, 2018
GRAPHIC SCALE
0 100 200
1" = 100'

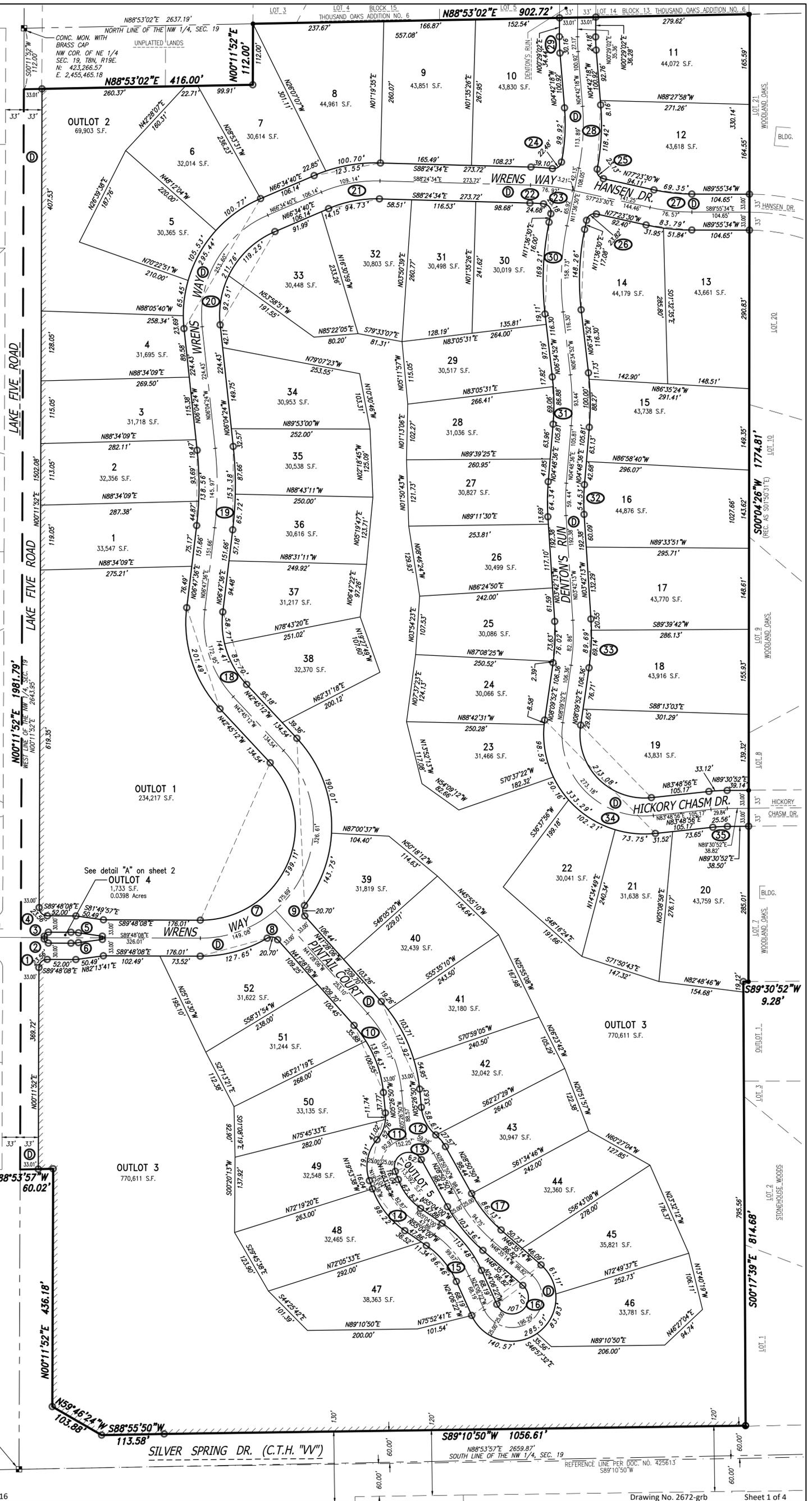


CONC. MON. WITH BRASS CAP
SW COR. OF NE 1/4 SEC. 19, T8N, R19E.
N: 420,622.92
E: 2,455,456.06

CHAPUT LAND SURVEYS

234 W. Florida Street Milwaukee, WI 53204 414-224-8068 www.chaputlandsurveys.com

This instrument was drafted by Donald C. Chaput Professional Land Surveyor S-1316



BARNWOOD CONSERVANCY

Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 19, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin.

EASEMENT AND SETBACK DETAIL

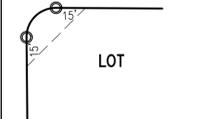
TRAIL EASEMENT CENTERLINE CURVE DATA

| CURVE | ARC | RADIUS | CHORD BEARING | CHORD | DELTA |
|-------|---------|---------|---------------|--------|-----------|
| C1 | 19.26' | 138.50' | N85°49'03"W | 19.25' | 7°58'11" |
| C2 | 20.42' | 13.00' | S44°48'08"E | 18.38' | 90°00'00" |
| C3 | 17.54' | 110.00' | N04°22'15"W | 17.52' | 9°08'14" |
| C4 | 85.28' | 172.00' | N28°32'56"W | 84.41' | 28°24'51" |
| C5 | 17.95' | 60.00' | S04°35'24"W | 17.88' | 17°08'32" |
| C6 | 100.35' | 162.50' | N13°40'07"E | 98.76' | 35°22'58" |
| C7 | 15.33' | 60.00' | S24°02'25"W | 15.29' | 14°38'23" |
| C8 | 81.24' | 172.00' | N76°39'58"E | 80.49' | 27°03'48" |
| C9 | 67.02' | 120.00' | N83°32'42"W | 66.15' | 31°59'58" |
| C10 | 58.37' | 150.00' | S89°23'50"E | 58.00' | 22°17'42" |
| C11 | 76.66' | 350.00' | N83°31'29"W | 76.51' | 12°33'00" |
| C12 | 19.18' | 183.00' | S28°23'34"E | 19.17' | 6°00'20" |
| C13 | 35.49' | 100.00' | N70°05'57"E | 35.11' | 20°13'10" |
| C14 | 38.68' | 180.00' | S74°03'12"W | 38.60' | 12°18'42" |
| C15 | 35.24' | 180.00' | N73°30'24"E | 35.19' | 11°13'06" |
| C16 | 41.92' | 30.00' | S79°15'58"E | 40.70' | 48°02'10" |
| C17 | 55.75' | 90.00' | S35°08'08"E | 54.86' | 35°29'32" |
| C18 | 46.23' | 200.00' | S10°44'04"E | 46.13' | 13°14'36" |
| C19 | 15.68' | 200.00' | S15°06'37"E | 15.67' | 4°29'30" |
| C20 | 30.55' | 200.00' | S08°29'19"E | 30.52' | 8°45'06" |
| C21 | 42.21' | 150.00' | S03°56'58"W | 42.07' | 16°07'27" |
| C22 | 29.16' | 30.00' | N15°50'15"W | 28.03' | 55°41'53" |
| C23 | 14.66' | 30.00' | S29°41'04"E | 14.52' | 28°00'14" |
| C24 | 61.74' | 200.00' | S06°50'22"E | 61.49' | 17°41'11" |
| C25 | 37.70' | 300.00' | S05°36'15"W | 37.68' | 7°12'01" |
| C26 | 25.19' | 300.00' | N08°47'55"E | 25.18' | 4°48'41" |
| C27 | 51.77' | 300.00' | N03°33'03"W | 51.71' | 9°53'15" |
| C28 | 82.57' | 60.00' | N45°06'28"W | 76.51' | 79°13'38" |
| C29 | 78.55' | 120.00' | S85°58'13"E | 77.15' | 37°30'12" |
| C30 | 59.24' | 104.00' | N63°12'17"W | 58.45' | 32°38'21" |
| C31 | 31.90' | 155.00' | N60°14'56"E | 31.85' | 11°47'33" |
| C32 | 49.78' | 80.00' | S72°10'48"W | 48.96' | 35°39'18" |
| C33 | 44.13' | 150.00' | N81°34'49"E | 43.97' | 16°51'17" |
| C34 | 27.20' | 232.90' | S12°30'15"W | 27.19' | 6°41'33" |
| C35 | 16.29' | 104.00' | N84°20'41"W | 16.27' | 8°58'26" |
| C36 | 59.70' | 100.00' | S71°43'43"E | 58.82' | 34°12'22" |
| C37 | 92.09' | 150.00' | N72°12'45"W | 90.65' | 35°10'28" |
| C38 | 78.50' | 238.00' | N33°18'15"W | 78.15' | 18°53'54" |
| C39 | 48.25' | 167.00' | S17°13'03"W | 48.07' | 16°53'44" |

TRAIL EASEMENT CENTERLINE LINE TABLE

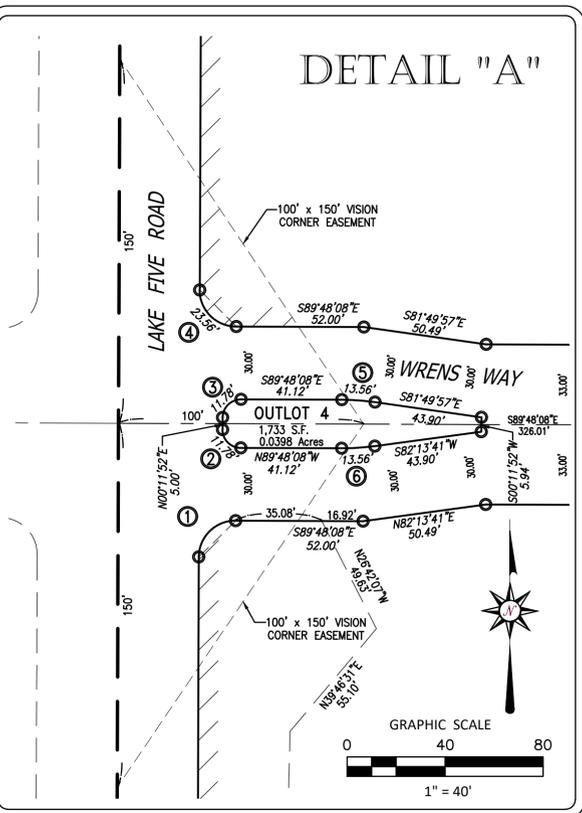
| LINE # | BEARING | DISTANCE |
|--------|-------------|----------|
| L1 | N67°32'43"W | 17.34' |
| L2 | S80°27'19"W | 30.33' |
| L3 | N89°47'59"W | 20.58' |
| L4 | N00°11'53"E | 49.73' |
| L5 | S59°58'22"W | 11.77' |
| L6 | S80°12'53"W | 12.87' |
| L7 | S67°53'51"W | 23.59' |
| L8 | S79°06'57"W | 21.56' |
| L9 | N52°50'54"W | 43.14' |
| L10 | N17°21'22"W | 30.92' |
| L11 | N04°06'46"W | 17.56' |
| L12 | N12°00'42"E | 15.94' |
| L13 | N45°41'11"W | 6.07' |
| L14 | S15°40'57"E | 67.02' |
| L15 | S02°00'14"W | 88.27' |
| L16 | S09°12'15"W | 47.06' |
| L17 | S04°25'35"W | 81.24' |
| L18 | S35°29'40"E | 61.48' |
| L19 | S84°43'18"E | 72.73' |
| L20 | S47°13'07"E | 46.86' |
| L21 | S79°51'28"E | 14.57' |
| L22 | S79°51'28"E | 21.77' |
| L23 | S88°49'54"E | 18.47' |
| L24 | S84°37'32"E | 30.13' |
| L25 | S89°47'59"E | 38.00' |
| L26 | N66°08'42"E | 28.44' |

VISION CORNER EASEMENT DETAIL (NOT TO SCALE)



Affects lots 10, 12, 14, 30, 39 & 52

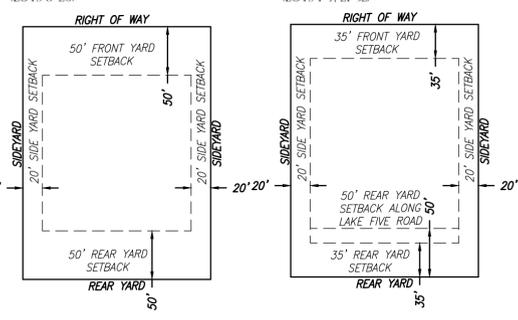
DETAIL "A"



WATER STORAGE EASEMENT (NOT TO SCALE)



TYP. SETBACK DETAILS, ZONE R-1 (LOTS 8-20) TYP. SETBACK DETAILS, ZONE R-1 (PUD) (LOTS 1-7, 21-52)



BASEMENT RESTRICTION - GROUNDWATER

Although all lots in the Subdivision have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, some lots contain soil conditions that, due to the possible presence of groundwater near the surface, may require additional soil engineering and foundation design with regard to basement construction. It is recommended that a licensed professional engineer design a basement and foundation that will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors or that other special measures be taken. Soil conditions should be subject to each owner's special investigation prior to construction and no specific representation is made herein.



CHAPUT
LAND SURVEYS
234 W. Florida Street
Milwaukee, WI 53204
414-224-8068
www.chaputlandsurveys.com

SILVER SPRING DR. (C.T.H. "W")

BARNWOOD CONSERVANCY

Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 19,
Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin.

CURVE DATA

| CURVE | LOT | ARC | RADIUS | CHORD BEARING | CHORD | DELTA | TANGENT BEARING | TANGENT BEARING |
|----------|----------|---------|---------|---------------|---------|------------|-----------------|-----------------|
| 1 | OUTLOT 3 | 23.56' | 15.00' | S45°11'52"W | 21.21' | 90°00'00" | N89°48'08"W | S00°11'52"W |
| 2 | OUTLOT 4 | 11.78' | 7.50' | S44°48'08"E | 10.61' | 90°00'00" | S00°11'52"W | S89°48'08"E |
| 3 | OUTLOT 4 | 11.78' | 7.50' | N45°11'52"E | 10.61' | 90°00'00" | N89°48'08"W | S00°11'52"W |
| 4 | OUTLOT 1 | 23.56' | 15.00' | S44°48'08"E | 21.21' | 90°00'00" | S00°11'52"W | S89°48'08"E |
| 5 | OUTLOT 4 | 13.56' | 97.50' | N85°49'02.5"W | 13.55' | 758°11" | N81°49'57"W | N89°48'08"E |
| 6 | OUTLOT 4 | 13.56' | 97.50' | N86°12'46.5"E | 13.55' | 758°11" | S89°48'08"E | N82°13'41"E |
| 7 WEST | OUTLOT 1 | 399.11' | 172.00' | N23°43'20"E | 315.41' | 132°57'04" | S89°48'08"E | N42°45'12"W |
| 7 CL | TOTAL | 475.69' | 205.00' | N23°43'20"E | 375.92' | 132°57'04" | S89°48'08"E | N42°45'12"W |
| 7 CL | CL | 149.08' | 205.00' | N69°21'53"E | 145.81' | 41°39'58" | S89°48'08"E | N48°31'54"E |
| 7 CL | CL | 326.61' | 205.00' | N02°53'21"E | 293.15' | 91°17'06" | N48°31'54"E | N42°45'12"W |
| 7 SOUTH | 52 | 127.65' | 238.00' | N74°49'59"E | 126.12' | 30°43'46" | S89°48'08"E | N59°28'06"E |
| 7 EAST | TOTAL | 333.76' | 238.00' | N02°34'45"W | 307.07' | 80°20'54" | N37°35'42"E | N42°45'12"W |
| 7 EAST | 39 | 143.75' | 238.00' | N20°17'32.5"E | 141.57' | 34°36'19" | N37°35'42"E | N02°59'23"E |
| 7 EAST | OUTLOT 3 | 190.01' | 238.00' | N19°52'54.5"W | 185.00' | 45°44'35" | N02°59'23"E | N42°45'12"W |
| 8 | 52 | 20.70' | 15.00' | N81°00'00"W | 19.10' | 79°03'48" | N41°28'06"W | S59°28'06"W |
| 9 | 39 | 20.70' | 15.00' | S01°56'12"E | 19.10' | 79°03'48" | S37°35'42"W | S41°28'06"W |
| 10 EAST | TOTAL | 136.43' | 217.00' | N23°27'28"W | 134.19' | 36°01'16" | N05°26'50"W | N41°28'06"W |
| 10 EAST | 51 | 35.88' | 217.00' | N36°43'53"W | 35.84' | 8°28'26" | N31°59'40"W | N41°28'06"W |
| 10 EAST | 50 | 100.54' | 217.00' | N18°43'15"W | 99.65' | 26°32'50" | N05°26'50"W | N31°59'40"W |
| 10 CL | CL | 157.17' | 250.00' | N23°27'28"W | 154.60' | 36°01'16" | N05°26'50"W | N41°28'06"W |
| 10 WEST | TOTAL | 177.92' | 283.00' | N23°27'28"W | 175.00' | 36°01'16" | N05°26'50"W | N41°28'06"W |
| 10 WEST | 40 | 19.26' | 283.00' | N39°31'06"W | 19.26' | 3°54'00" | N37°34'06"W | N41°28'06"W |
| 10 WEST | 41 | 103.71' | 283.00' | N27°04'13"W | 103.13' | 20°59'46" | N16°34'20"W | N37°34'06"W |
| 10 WEST | 42 | 54.95' | 283.00' | N11°00'35"W | 54.86' | 11°07'30" | N05°26'50"W | N16°34'20"W |
| 11 | TOTAL | 52.76' | 66.00' | N17°27'07.5"E | 51.36' | 45°47'55" | N40°21'05"E | N05°26'50"W |
| 11 | 50 | 11.74' | 66.00' | N00°21'11.5"W | 11.72' | 10°11'17" | N04°44'27"E | N05°26'50"W |
| 11 | 49 | 41.02' | 66.00' | N22°32'46"E | 40.36' | 35°36'38" | N40°21'05"E | N04°44'27"E |
| 12 | 42 | 58.61' | 76.00' | S27°32'21"E | 57.17' | 44°11'02" | S05°26'50"E | S49°37'52"E |
| 13 WEST | 49 | 79.91' | 76.00' | S10°13'43.5"W | 76.28' | 60°14'43" | S40°21'05"W | S19°53'38"E |
| 13 EAST | 43 | 27.57' | 76.00' | N39°14'21"W | 27.42' | 20°47'02" | N28°50'50"W | S49°37'52"E |
| 13 CL | TOTAL | 152.25' | 51.00' | S65°37'46"W | 101.69' | 171°02'48" | N28°50'50"W | S19°53'38"E |
| 13 CL | CL | 92.97' | 51.00' | S32°19'46"W | 80.62' | 104°26'48" | S84°33'10"W | S19°53'38"E |
| 13 CL | CL | 59.28' | 51.00' | N62°08'50"W | 56.00' | 66°36'00" | N28°50'50"W | S84°33'10"W |
| 13 SOUTH | OUTLOT 5 | 77.62' | 26.00' | S65°37'46"W | 51.84' | 171°02'48" | N28°50'50"W | S19°53'38"E |
| 14 WEST | 48 | 98.22' | 160.00' | S37°28'49"E | 96.69' | 35°10'22" | S19°53'38"E | S55°04'00"E |
| 14 CL | CL | 82.87' | 135.00' | S37°28'49"E | 81.58' | 35°10'22" | S19°53'38"E | S55°04'00"E |
| 14 EAST | OUTLOT 5 | 67.53' | 110.00' | S37°28'49"E | 66.47' | 35°10'22" | S19°53'38"E | S55°04'00"E |
| 15 WEST | 47 | 86.46' | 160.00' | N39°35'11"W | 85.41' | 30°57'38" | N24°06'22"W | N55°04'00"W |
| 15 CL | CL | 99.97' | 185.00' | N39°35'11"W | 98.76' | 30°57'38" | N24°06'22"W | N55°04'00"W |
| 15 EAST | OUTLOT 5 | 113.48' | 210.00' | N39°35'11"W | 112.10' | 30°57'38" | N24°06'22"W | N55°04'00"W |
| 16 SOUTH | TOTAL | 285.51' | 80.00' | N53°39'12"E | 156.36' | 204°28'52" | S24°06'22"E | N48°35'14"W |
| 16 SOUTH | OUTLOT 3 | 140.57' | 80.00' | S74°26'36"E | 123.17' | 100°40'28" | S24°06'22"E | N55°13'10"E |
| 16 SOUTH | 46 | 83.83' | 80.00' | N25°11'57"E | 80.05' | 60°02'26" | N55°13'10"E | N04°49'16"W |
| 16 SOUTH | 45 | 61.11' | 80.00' | N26°42'15"W | 59.63' | 43°45'58" | N04°49'16"W | N48°35'14"W |
| 16 CL | CL | 196.29' | 55.00' | N53°39'12"E | 107.50' | 204°28'52" | S24°06'22"E | N48°35'14"W |
| 16 NORTH | OUTLOT 4 | 107.07' | 30.00' | N53°39'12"E | 58.64' | 204°28'52" | S24°06'22"E | N48°35'14"W |
| 17 EAST | 44 | 86.13' | 250.00' | S38°43'02"E | 85.71' | 19°44'24" | S28°50'50"E | S48°35'14"E |
| 17 CL | CL | 94.75' | 275.00' | S38°43'02"E | 94.28' | 19°44'24" | S28°50'50"E | S48°35'14"E |
| 17 WEST | OUTLOT 4 | 103.36' | 300.00' | S38°43'02"E | 102.85' | 19°44'24" | S28°50'50"E | S48°35'14"E |
| 18 WEST | OUTLOT 1 | 201.49' | 233.00' | S17°58'48"E | 195.27' | 49°32'48" | S06°47'36"W | S42°45'12"E |
| 18 CL | CL | 172.95' | 200.00' | S17°58'48"E | 167.61' | 49°32'48" | S06°47'36"W | S42°45'12"E |
| 18 EAST | TOTAL | 144.41' | 167.00' | S17°58'48"E | 139.96' | 49°32'48" | S06°47'36"W | S42°45'12"E |
| 18 EAST | 38 | 85.70' | 167.00' | S28°03'06.5"E | 84.76' | 29°24'11" | S13°21'01"E | S42°45'12"E |
| 18 EAST | 37 | 58.71' | 167.00' | S03°16'42.5"E | 58.41' | 20°08'37" | S06°47'36"W | S13°21'01"E |
| 19 WEST | TOTAL | 138.56' | 617.00' | N00°21'36"E | 138.27' | 12°52'00" | N06°47'36"E | N06°04'24"W |
| 19 WEST | 1 | 44.87' | 617.00' | N04°42'35.5"E | 44.86' | 4°10'01" | N06°47'36"E | N02°37'35"E |
| 19 WEST | 2 | 93.69' | 617.00' | N01°43'24.5"W | 93.59' | 8°41'59" | N02°37'35"E | N06°04'24"W |
| 19 CL | CL | 145.97' | 650.00' | N00°21'36"E | 145.66' | 12°52'00" | N06°47'36"E | N06°04'24"W |
| 19 EAST | TOTAL | 153.38' | 683.00' | N00°21'36"E | 153.06' | 12°52'00" | N06°47'36"E | N06°04'24"W |
| 19 EAST | 36 | 65.72' | 683.00' | N04°02'12.5"E | 65.69' | 5°30'47" | N06°47'36"E | N01°16'49"E |
| 19 EAST | 35 | 87.66' | 683.00' | N02°23'47.5"W | 87.60' | 7°21'13" | N01°16'49"E | N06°04'24"W |
| 20 WEST | TOTAL | 295.44' | 233.00' | S30°15'08"W | 276.05' | 72°39'04" | S66°34'40"W | S06°04'24"E |
| 20 WEST | 4 | 23.69' | 233.00' | S03°09'36.5"E | 23.68' | 5°49'35" | S00°14'49"E | S06°04'24"E |
| 20 WEST | OUTLOT 2 | 65.45' | 233.00' | S07°48'02"W | 65.24' | 16°05'42" | S15°50'53"W | S00°14'49"E |
| 20 WEST | 5 | 105.53' | 233.00' | S28°49'25"W | 104.63' | 25°57'04" | S41°47'57"W | S15°50'53"W |
| 20 WEST | 6 | 100.77' | 233.00' | S54°11'18.5"W | 99.98' | 24°46'43" | S66°34'40"W | S41°47'57"W |
| 20 CL | CL | 253.60' | 200.00' | S30°15'08"W | 236.95' | 72°39'04" | S66°34'40"W | S06°04'24"E |
| 20 EAST | TOTAL | 211.76' | 167.00' | S30°15'08"W | 197.85' | 72°39'04" | S66°34'40"W | S06°04'24"E |
| 20 EAST | OUTLOT 3 | 92.51' | 167.00' | S09°47'45.5"W | 91.33' | 31°44'19" | S25°39'55"W | S06°04'24"E |
| 20 EAST | 33 | 119.25' | 167.00' | S48°07'17.5"W | 116.73' | 40°54'45" | S66°34'40"W | S25°39'55"W |
| 21 NORTH | TOTAL | 123.55' | 283.00' | S79°05'03"W | 122.57' | 25°00'46" | N88°24'34"W | S66°34'40"W |
| 21 NORTH | 7 | 22.84' | 283.00' | S68°53'24"W | 22.83' | 4°37'28" | S71°12'08"W | S66°34'40"W |
| 21 NORTH | 8 | 100.70' | 283.00' | S81°23'47"W | 100.17' | 20°23'18" | N88°24'34"W | S71°12'08"W |
| 21 CL | CL | 109.14' | 250.00' | S79°05'03"W | 108.27' | 25°00'46" | N88°24'34"W | S66°34'40"W |
| 21 SOUTH | 32 | 94.73' | 217.00' | S79°05'03"W | 93.98' | 25°00'46" | N88°24'34"W | S66°34'40"W |
| 22 NORTH | 10 | 39.10' | 433.00' | N85°49'21"W | 39.09' | 5°10'26" | N83°14'08"W | N88°24'34"W |
| 22 CL | CL | 76.92' | 400.00' | N82°54'02"W | 76.80' | 11°01'04" | N77°23'30"W | N88°24'34"W |
| 22 SOUTH | 30 | 24.68' | 367.00' | N86°28'59"W | 24.67' | 3°51'10" | N84°33'24"W | N88°24'34"W |
| 23 | 30 | 25.18' | 15.00' | N36°28'27"W | 22.32' | 96°09'54" | N11°36'30"E | N84°33'24"W |
| 24 | 10 | 22.48' | 15.00' | N53°49'46"E | 20.44' | 85°52'12" | S83°14'08"E | N10°53'40"E |
| 25 | 12 | 23.13' | 15.00' | S33°12'50"E | 20.91' | 88°21'20" | S10°57'50"W | S77°23'30"E |
| 26 | 14 | 23.82' | 15.00' | S57°06'30"W | 21.40' | 91°00'00" | N77°23'30"W | S11°36'30"W |
| 27 NORTH | 12 | 69.35' | 317.00' | S83°39'32"E | 69.21' | 12°32'04" | S77°23'30"E | S89°55'34"E |
| 27 CL | CL | 76.57' | 350.00' | S83°39'32"E | 76.42' | 12°32'04" | S77°23'30"E | S89°55'34"E |
| 27 SOUTH | TOTAL | 83.79' | 383.00' | S83°39'32"E | 83.62' | 12°32'04" | S77°23'30"E | S89°55'34"E |
| 27 SOUTH | 14 | 31.95' | 383.00' | S79°46'54.5"E | 31.94' | 4°46'49" | S77°23'30"E | S82°10'19"E |
| 27 SOUTH | 13 | 51.84' | 383.00' | S86°02'56.5"E | 51.79' | 7°45'15" | S82°10'19"E | S89°55'34"E |
| 28 WEST | 10 | 99.92' | 367.00' | N03°05'41"E | 99.61' | 15°35'58" | N10°53'40"E | N04°42'18"W |
| 28 CL | CL | 113.89' | 400.00' | N03°27'06"E | 113.50' | 16°18'48" | N11°36'30"E | N04°42'18"W |
| 28 EAST | 12 | 118.42' | 433.00' | N03°07'46"E | 118.05' | 15°40'08" | N10°57'50"E | N04°42'18"W |
| 29 WEST | 10 | 30.16' | 333.00' | S02°06'38"E | 30.15' | 5°11'20" | S00°29'02"W | S04°42'18"E |
| 29 CL | CL | 27.17' | 300.00' | S02°06'38"E | 27.16' | 5°11'20" | S00°29'02"W | S04°42'18"E |
| 29 EAST | 11 | 24.18' | 267.00' | S02°06'38"E | 24.17' | 5°11'20" | S00°29'02"W | S04°42'18"E |
| 30 WEST | 30 | 169.21' | 533.00' | S02°30'49"W | 168.50' | 18°11'22" | S11°36'30"W | S06°34'52"E |
| 30 CL | CL | 158.73' | 500.00' | S02°30'49"W | 158.07' | 18°11'22" | S11°36'30"W | S06°34'52"E |
| 30 EAST | 14 | 148.26' | 467.00' | S02°30'49"W | 147.63' | 18°11'22" | S11°36'30"W | S06°34'52"E |
| 31 WEST | TOTAL | 86.88' | 437.00' | N00°53'08"W | 86.74' | 11°23'28" | N04°48'36"E | N06°34'52"W |
| 31 WEST | 29 | 17.82' | 437.00' | N05°24'47"W | 17.82' | 2°20'10" | N04°14'42"W | N06°34'52"W |
| 31 WEST | 28 | 69.06' | 437.00' | N00°16'57"E | 68.99' | 9°03'18" | N04°48'36"E | N04°14'42"W |
| 31 CL | CL | 93.44' | 470.00' | N00°53'08"W | 93.29' | 11°23'28" | N04°48'36"E | N06°34'52"W |
| 31 EAST | TOTAL | 100.00' | 503.00' | N00°53'08"W | 99.84' | 11°23'28" | N04°48'36"E | N06°34'52"W |
| 31 EAST | 14 | 11.73' | 503.00' | N05°54'47.5"W | 11.73' | 1°20'09" | N05°14'43"W | N06°34'52"W |
| 31 EAST | 15 | 88.27' | 503.00' | N00°13'03.5"W | 88.16' | 10°03'19" | N04°48'36"E | N05°14'43"W |
| 32 WEST | 27 | 64.34' | 433.00' | S00°33'11.5"W | 64.28' | 8°30'49" | S04°48'36"W | S03°42'13"E |
| 32 CL | CL | 59.44' | 400.00' | S00°33'11.5"W | 59.38' | 8°30'49" | S04°48'36"W | S03°42'13"E |
| 32 EAST | 16 | 54.53' | 367.00' | S00°33'11.5"W | 54.48' | 8°30'49" | S04°48'36"W | S03°42'13"E |
| 33 WEST | TOTAL | 76.02' | 367.00' | N02°13'49.5"E | 75.88' | 11°52'05" | N08°09'52"E | N03°42'13"W |
| 33 WEST | 25 | 73.63' | 367.00' | N02°02'36.5"E | 73.50' | 11°29'39" | N07°47'26"E | N03°42'13"W |
| 33 WEST | 24 | 2.39' | 367.00' | N07°58'39"E | 2.39' | 0°22'26" | N08°09'52"E | N07°47'26"E |
| 33 CL | CL | 82.86' | 400.00' | N02°13'49.5"E | 82.71' | 11°52'05" | N08°09'52"E | N03°42'13"W |
| 33 EAST | TOTAL | 89.69' | 433.00' | N02°13'49.5"E | 89.53' | 11°52'05" | N08°09'52"E | N03°42'13"W |
| 33 EAST | 17 | 20.55' | 433.00' | N02°20'37.5"W | 20.55' | 2°43'11" | N00°59'02"W | N03°42'13"W |
| 33 EAST | 18 | 69.14' | 433.00' | N03°35'25"E | 69.06' | 9°08'54" | N08°09'52"E | N00°59'02"W |
| 34 WEST | TOTAL | 3 | | | | | | |

BARNWOOD CONSERVANCY

Part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 19, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin.

SURVEYORS CERTIFICATE

I, Donald C. Chaput, a Wisconsin Professional Land Surveyor do hereby certify:

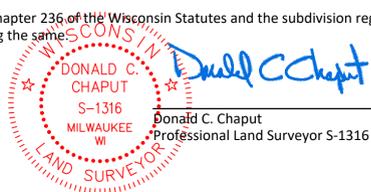
That I have surveyed, divided and mapped "Barnwood Conservancy", being part of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 19, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin bounded and described as follows: Commencing at the Northwest corner of the Northeast 1/4 of said Section 19, thence South 00°11'52" West along the West line of said Northwest 1/4 Section 112.00 feet to the point of beginning of the lands hereinafter described; thence North 88°53'02" East 416.00 feet to a point; thence North 00°11'52" East 112.00 feet to a point on the Southerly line of "Thousand Oaks Addition No. 6"; thence North 88°53'02" East along said South line 902.72 feet to a point on the West line of "Woodland Oaks"; thence South 00°04'26" West along said West line 1774.81 feet to a point on the North line of "Stonehouse Woods"; thence South 89°30'52" West along said North line 9.28 feet to a point on the West line of "Stonehouse Woods"; thence South 00°17'39" East along said West line 814.68 feet to a point on the North line of Silver Spring Drive (C. T. H. "V"); thence South 89°10'50" West along said North line 1056.61 feet to a point; thence South 88°55'50" West along said North line 113.58 feet to a point; thence North 59°46'24" West along said North line 103.88 feet to a point on the East line of Lake Five Road; thence North 00°11'52" East along said East line 436.18 feet to a point; thence South 88°53'57" West 60.02 feet to a point on the West line of said Northwest 1/4 Section; thence North 00°11'52" East along said West line 1981.79 feet to the point of beginning. Said lands contain 76.5180 acres.

That such plat is a correct representation of all the exterior boundaries of the lands surveyed and the subdivision thereof made.

I further certify that I have made such a survey, land division and plat by the direction of Barnwood Conservancy LLC.

That I have fully complied with the provisions of chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Lisbon, in surveying, dividing and mapping the same.

Dated this 21ST day of SEPTEMBER, 2018



OWNERS CERTIFICATE

Barnwood Conservancy LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the the subdivision regulations of the Town of Lisbon, and Chapter 236 of the Wisconsin Statutes.

Barnwood Conservancy LLC, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval or objection:

1. Town of Lisbon
2. Village of Sussex
3. Waukesha County
4. The Wisconsin Department of Administration

IN WITNESS WHEREOF, Barnwood Conservancy LLC, has caused these presents to be signed by the hand of Chris Miller, its Managing Member, on this ___ day of _____, 2018

In the presence of:

Chris Miller, Managing Member

STATE OF WISCONSIN)
:SS
_____ COUNTY}

Personally came before me this ___ day of _____, 2018, _____ of the above named limited liability company, to me known as the person who executed the foregoing instrument, and to me known to be the _____ of said limited liability company and acknowledged the same.

Notary Public
State of Wisconsin
My commission expires, _____
My commission is permanent.

CONSENT OF CORPORATE MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedications of the land descriin this plat and does hereby consent to the above certification of the owners.

IN Witness whereof said _____ has caused these presents to be signed by _____, its _____ and its corporate seal to be hereunto affixed this day of _____, 2018.

STATE OF WISCONSIN)
:SS
_____ COUNTY}

Personally came before me this ___ day of _____, 2018, _____ of the above named corporation, to me known as the person who executed the foregoing instrument, and to me known to be the _____ of said corporation and acknowledged the same.

Notary Public
State of Wisconsin
My commission expires, _____
My commission is permanent.

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by _____

_____, Grantor, to WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, Grantee,

_____, Grantee, and _____, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

SUSSEX EXTRA-TERRITORIAL VILLAGE BOARD APPROVAL CERTIFICATE

Resolved that the plat of "Barnwood Conservancy" in the Town of Lisbon, Barnwood Conservancy LLC, a Wisconsin limited liability company, owner is hereby approved by the Village Board.

Date: _____ Approved _____
Gregory Goetz - Village President

Date: _____ Signed _____
Gregory Goetz - Village President

I hereby certify the foregoing is a true and correct copy of a resolution adopted by the Village Board of the Village of Sussex, on this ___ day of _____, 2018

Casen Griffiths - Village Clerk/Treasurer

COUNTY OF WAUKESHA APPROVAL

Resolved that the plat of "Barnwood Conservancy" in the Town of Lisbon, Wisconsin, which has been filed for approval be and hereby approved as required by Chapter 236 of the Wisconsin State Statues.

Barnwood Conservancy LLC, a Wisconsin limited liability company, owner is hereby approved by the Village Board.

Date: _____ Dale R. Shaver,
Department of Parks and Land Use Director

TOWN BOARD APPROVAL CERTIFICATE

Resolved that the plat of "Barnwood Conservancy" in the Town of Lisbon, Barnwood Conservancy LLC, a Wisconsin limited liability company, owner is hereby approved by the Town Board.

All conditions have been met as of the ___ day of _____, 2018

Date: _____ Signed _____
Joe Osterman - Town Chairman

I hereby certify the foregoing is a true and correct copy of a resolution adopted by the Town Board of the Town of Lisbon.

Date: _____ Signed _____
Joe Osterman - Town Chairman

Date: _____ Signed _____
Dan Green - Town Clerk

TOWN PLAN COMMISSION APPROVAL CERTIFICATE

Resolved that the plat of "Barnwood Conservancy" in the Town of Lisbon, Barnwood Conservancy LLC, a Wisconsin limited liability company, owner is hereby approved by the Town Plan Commission.

Date: _____ Signed _____
Joe Osterman - Town Chairman

Date: _____ Signed _____
Jane Stadler - Plan Commission Secretary

TOWN TREASURER CERTIFICATE

STATE OF WISCONSIN)
:SS
WAUKESHA COUNTY}

I, Amy Buchman, being duly appointed, qualified and acting Treasurer of the Town of Lisbon, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of _____, 2018 affecting the lands included in the plat of "Barnwood Conservancy".

Date _____ Amy Buchman - Town Treasurer

COUNTY TREASURER CERTIFICATE

STATE OF WISCONSIN)
:SS
WAUKESHA COUNTY}

I, Pamela Reeves, being duly elected, qualified and acting Treasurer of the County of Waukesha, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of _____, 2018 affecting the lands included in the plat of "Barnwood Conservancy".

Date _____ Pamela Reeves - County Treasurer

Item 4F – Attachments



November 8, 2018

Town of Lisbon
Plan Commission
W234 N8676 Woodside Road
Lisbon, WI 53089-1545

RE: Stolz Shady Maple Farm Certified Survey Map and Rezone Review

Introduction

This letter reviews the Certified Survey Map (CSM) and rezone application submitted by Jeff Stolz (Applicant) on October 23, 2018 for the property located at N56 W27476 Lisbon Road in the Town. The property in question is approximately 115 acres and is currently zoned A-10 (Agricultural), with a C-1 (Conservancy Wetland) area in the northeast corner of the parcel. The Applicant is seeking to split off a 5.44 acre portion in the southwestern corner of the parcel along Lisbon Road from the other 109.5 acres of farm field. The 5.44 acre portion that is the subject of this application currently contains an existing house, barn, and several outbuildings. In addition to the land division, the Applicant is seeking to rezone the 5.44 acre property from A-10 to A-5.

Pertinent details with respect to this application, the Town of Lisbon Ordinances, and the Wisconsin Statutes are included below.

Rezone

The Applicant's submittal materials did not indicate what zoning district they are seeking for the property in question. Correspondence between the Town and the Applicant indicates the Applicant is seeking to rezone the property to A-5 (Mini-Farm). A statement indicating this understanding on behalf of the Town is enclosed along with this review letter. After reviewing A-5 requirements under the Zoning Code, we have the following comments related to the Applicant's proposal:

- The proposed rezone must be consistent with the Town of Lisbon Community Development Plan Future Land Use Map, which calls for the area to be low-density residential (LDR) with a minimum lot size of 20,000 square feet and maximum density of 1.4 acres per dwelling unit. The rezoning to the A-5 district is appropriate, because the property still could rezoning and further divide the land in the future.
- A-5 Districts permit limited agriculture and farm uses including raising of crops, orchards, horticulture, floriculture and other uses under Section 14(b)1 of the Zoning Code.
- A-5 Districts permit stables, barns, or poultry houses as an accessory use on lots at least 5 acres in size, provided that no outbuilding housing farm animals is closer than 50 feet to a lot line. The CSM shows two existing sheds less than 30 feet from the western boundary of the property. Correspondence between the Town and the Applicant indicates intention to use the property for certain agricultural uses along with residence. The Applicant shall confirm that these existing

sheds will not be used to house livestock, poultry, or other animals.

- Regarding any new construction, the A-5 Districts require a minimum offset of 30 feet. Additionally, A-5 Districts limit the height of Forty five (45) feet maximum if a two story and fully exposed on at least one side of the building. Thirty-five (35) feet maximum if a one story with or without an exposure, or a two story with no exposure.

The issues outlined above are meant to guide you in discussions about issues you think need to be addressed in order to approve this proposal.

Therefore, we recommend Plan Commission approval of the rezoning from A-10 to A-5 based on the rezoning exhibit submitted in the application. Town Planner recommends approving the rezoning to coincide with any CSM approvals.

CSM

- Section 6.01 of Chapter 12 states that all minor land divisions require a CSM prepared by a registered land surveyor, and shall comply with the design standards and improvement requirements set forth in Sections 7.00 and 8.00, and Addendum A of the Town Code.
- Section §6.02 of Chapter 12 states that maps shall show information required by Sections 4.01, 4.02, and 5.02 of Chapter 12 along with all existing buildings and structures, drives, streams and watercourses, drainage ditches, drainage easements, marshes, wooded areas, railroad tracks, and other pertinent features. After reviewing for compliance with these requirements, we have the following comments:
 - The CSM does not show the existing driveway accessing the property from Lisbon Road. The Applicant shall amend the CSM to show this feature per the requirement of Ordinance §6.02 of Chapter 12.
 - A street-level photo of the property appears to show a drainage ditch and culvert at the southern edge of the parcel fronting Lisbon Road. The Applicant shall amend the CSM to mark these features per the requirements of Ordinance §6.02 of Chapter 12.
 - Ordinance §4.02(f) requires land dividers to show the type, width, and elevation of any existing street pavements immediately adjacent to the land division. The Applicant omitted this information for Lisbon Road, located directly south of the site.
 - Ordinance §4.02(b) requires land dividers to show the existing and proposed contours not exceeding intervals of 2 feet for the land to be subdivided and adjoining land as may be necessary. The Applicant did not show this information, and shall either amend the CSM to show it or seek a waiver for this requirement under Ordinance §2.05 of Chapter 12 of the Town Code.
 - Ordinance §4.02(k) requires Applicants to show any land dedicated to the public. The CSM shows a 33 foot wide strip of land along the southern edge of the lot marked "Dedicated to the Public for Road Purposes." This should be confirmed with Waukesha County for the proper dimensions and verification sent to the Town for review.

Other Land Division Checklist items that need to be addressed include:

- Note on the CSM requiring soil testing for all new basements.

November 8, 2018
Page 3 of 3

- Septic system and soil borings to be reviewed by Waukesha County Environmental Health.
- Note on the CSM stating Highway K is identified on the Waukesha County Park and Open Space Acquisition Plan for County Proposed Trail.
- Note on the CSM that no additional access points to Highway K without the approval of Waukesha County.
- Illustration of all structures within 50' of the CSM boundary (neighboring property to the west).
- Two foot contours need to be included on the face of the CSM.

These items should be address prior to approval by the Town Board. The Plan Commission may condition the approval subject to the issues and conditions listed above.

The issues outlined above are meant to guide you in your discussions over whether to approve this proposal. This letter is subject to change upon review of any additional application materials submitted to the Town between the drafting of this letter and the Public Hearing. I will be in attendance at the November 8 Plan Commission meeting to answer any questions.

Sincerely,

Daniel Lindstrom, AICP
Town Planner

AP

Enclosures: Statement on Rezone



RECEIVED

By Gina Gresch at 12:39 pm, Sep 10, 2018

000111

W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

- Commercial**
**All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.*
- Residential** – Home-Based Bus. / In-Law Unit

- | | |
|---|--|
| <input type="checkbox"/> Accessory Building Waiver: \$100 (Size/Location/Architectural Review) | <input type="checkbox"/> Plat Review: |
| <input type="checkbox"/> After the Fact Application: Double Fees | <input type="checkbox"/> Final - \$200 |
| <input checked="" type="checkbox"/> Certified Survey Map: \$200 + \$10 Per lot | <input type="checkbox"/> Preliminary - \$500 |
| <input type="checkbox"/> Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM) | <input type="checkbox"/> Re-Submittal: \$200 |
| <input type="checkbox"/> Conditional Use Permit: \$350 | <input checked="" type="checkbox"/> Rezone: \$350 |
| <input type="checkbox"/> Amendment / Original | <input type="checkbox"/> Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule) |
| <input type="checkbox"/> Major Grading Permit | <input type="checkbox"/> Site Plan/Plan of Operation: |
| <input type="checkbox"/> Deed Restriction: \$100 | <input type="checkbox"/> Amendment: \$250 |
| <input type="checkbox"/> Developer's Agreement: \$250 | <input type="checkbox"/> Original: \$500 |
| <input type="checkbox"/> Groundwater Separation Waiver: \$100 | <input type="checkbox"/> Temporary: \$125 |
| <input type="checkbox"/> Land Use Amendment: \$300 | <input type="checkbox"/> Special Meeting: \$600 |
| <input type="checkbox"/> Conceptual: \$100 | <input type="checkbox"/> Waivers/Modification from Land Division and Development Ordinance: \$200 |

Property Information

| | | |
|--------------------------------|------------|----------------|
| N 56 W 27476 CTH K (LISBON RD) | LISBON, WI | 53089-4510 |
| Property Address | City | Zip |
| LSBT0264998 | 5 ac | A-10 |
| Tax Key/Parcel ID # | Lot Size | Current Zoning |

Property Owner

Jeff stolz

Name / Company Name

jeff stolz Digitally signed by jeff stolz
Date: 2018.09.05 20:11:15 -04'00'

Signature

BOWEN GLOBAL INVESTMENTS INC

Address

633 S 4TH ST STE 7 NV 89101-6631

City State Zip

LAS VEGAS

Phone E-mail Address

Applicant

Jeff stolz

Name

c/o Conor Leedom

Company

Axley Brynelson, LLP

Address

N20W22961 Watertown Rd wi 53186

City State Zip

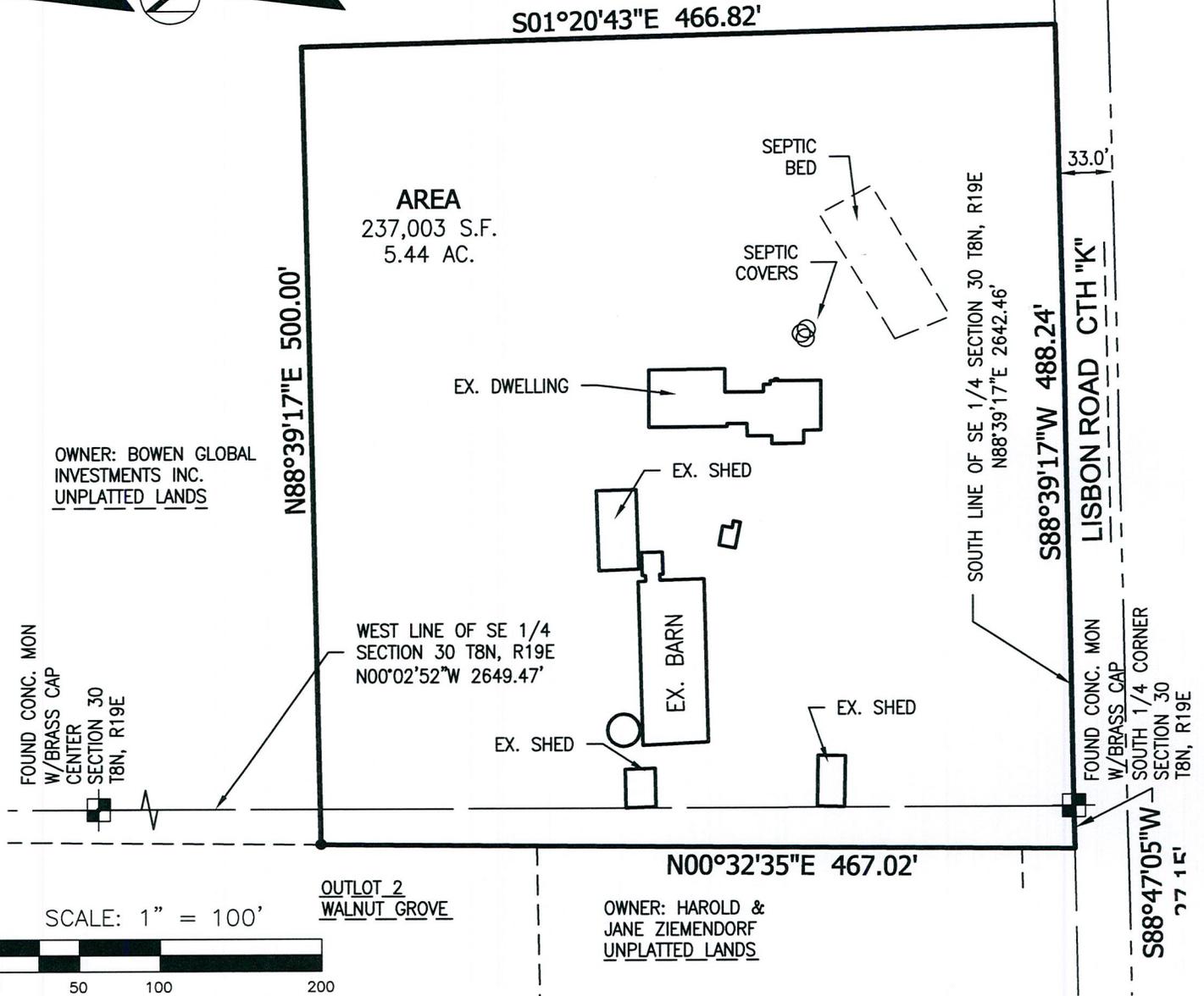
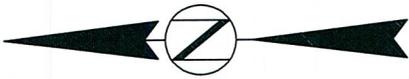
Waukesha, CLeedom@axley.com

Phone E-Mail Address

A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered **complete**, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. *The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.*

REZONE EXHIBIT

BEING A PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWN 8 NORTH, RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.



BEING A PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWN 8 NORTH, RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SECTION 30; THENCE S88°47'05"W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 30 A DISTANCE OF 27.15 FEET; THENCE N00°32'35"E, 467.02 FEET; THENCE N88°39'17"E, 500.00 FEET; THENCE S01°20'43"E, 466.82 FEET TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 30; THENCE S88°39'17"W ALONG SAID SOUTH LINE 488.24 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 237,003 SQ.FT. OR 5.44 ACRES.

CONCRETE MONUMENT W/ BRASS CAP FOUND

Rezone of Parcel at N56 W27476 Lisbon Road (LSBT0264998)

The Applicant did not indicate on their submittal materials which zoning district they are seeking for the rezone. The current zoning designation is A-10. Conversations between the Applicant and the Town concluded with the Applicant seeking to rezone the property to A-5. This review was completed with the understanding that the Applicant is seeking to rezone to A-5.

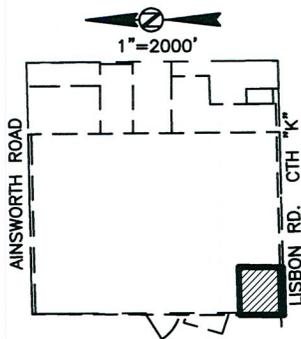
- Aaron Prichard
Vierbicher

CERTIFIED SURVEY MAP NO.

BEING A PART OF SW. 1/4 OF THE SE. 1/4 AND SE. 1/4 OF THE SW. 1/4 OF SECTION 30, T.8N., R.19E.,
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

BEARINGS ARE REFERENCED TO THE WISCONSIN STATE
PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927)
GRID NORTH ON THE WEST LINE OF THE SE 1/4 OF
SECTION 30-T8N-R19E AS N00°02'52"E.

LOCATION MAP



SE. 1/4 & SW. 1/4
SEC. 30-T8N-R19E

LEGEND

- CONC. MON. W/ BRASS CAP FND.
- 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)
- 11/16" REBAR SET, 18" LONG, WT. = 1.13 LBS./LIN. FT.

SOUTH LINE OF SE 1/4
SECTION 30 T8N, R19E
N88°39'17"E 2642.46'

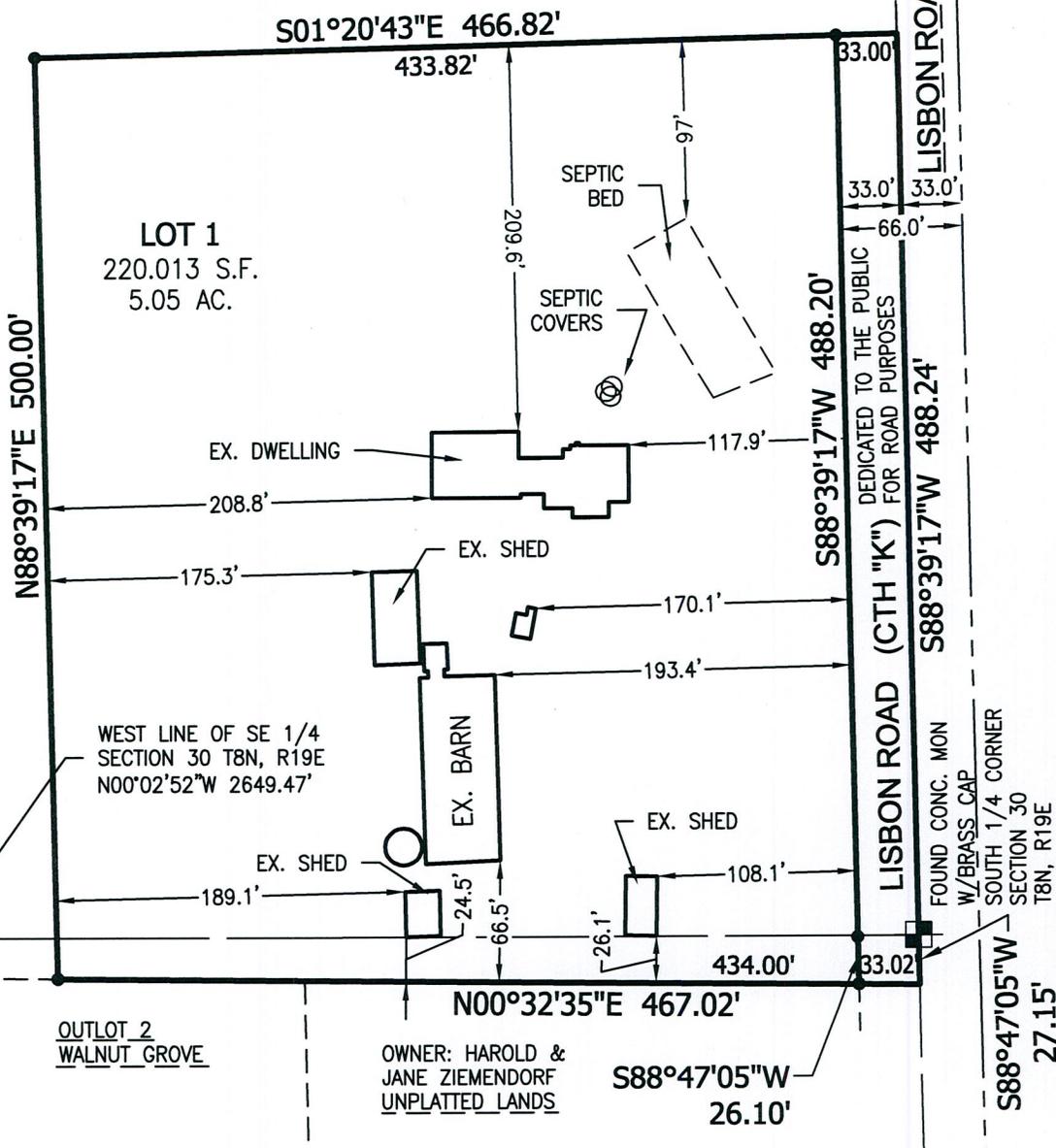
LISBON ROAD_CTH "K"

DEDICATED TO THE PUBLIC
FOR ROAD PURPOSES

LISBON ROAD_CTH "K"

FOUND CONC. MON
W/BRASS CAP
SOUTH 1/4 CORNER
SECTION 30
T8N, R19E

S88°47'05"W
27.15'



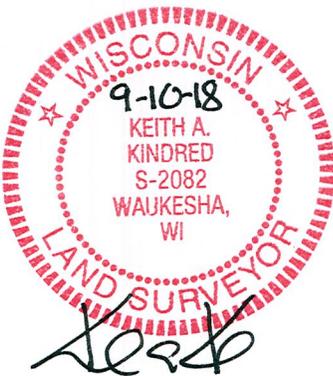
SURVEYOR:

KEITH A. KINDRED, PLS S-2082
SEH, INC.
501 MAPLE AVE.
DELAFIELD, WI 53018
(414) 949-8919

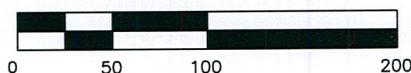
SURVEY FOR:

JEFF STOLZ
BOWEN GLOBAL INVESTMENTS, INC.
C/O AXLEY BRYNELSON LLP
M20W22961 WATERTOWN ROAD
WAUKESHA, WI 53186
(262) 409-2286

PROJECT NO. STOLJ #146706



SCALE: 1" = 100'



PHONE: 414.949.8962
501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.sehinc.com

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF SW. 1/4 OF THE SE. 1/4 AND SE. 1/4 OF THE SW. 1/4 OF SECTION 30, T.8N., R.19E.,
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, Keith A. Kindred, Registered Land Surveyor hereby certify;

That I have surveyed, divided and mapped a part of the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 30, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin, more particularly described as follows:

Beginning at the South 1/4 corner of Section 30; thence S88°47'05"W along the South line of the Southwest 1/4 of Section 30 a distance of 27.15 feet; thence N00°32'35"E, 467.02 feet; thence N88°39'17"E, 500.00 feet; thence S01°20'43"E, 466.82 feet to the South line of the Southeast 1/4 of Section 30; thence S88°39'17"W along said South line 488.24 feet to the point of beginning.

Said lands contain 237,003 Sq.Ft. or 5.44 Acres.

That I have made such survey, land division and Certified Survey Map by the direction of Bowen Global Investments, Inc., owner of said lands.

That such survey is a correct representation of all the exterior boundaries of the lands surveyed and the division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the subdivision regulations of the Town of Lisbon, Village of Merton and Waukesha County in surveying, dividing and mapping the same.

Dated this 10th day of Sept, 2018.



Keith A Kindred, RLS 2082



PHONE: 414.949.8962
501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.sehinc.com

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF SW. 1/4 OF THE SE. 1/4 AND SE. 1/4 OF THE SW. 1/4 OF SECTION 30, T.8N., R.19E.,
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE OF DEDICATION:

As owners, Bowen Global Investments, Inc. does hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on the Certified Survey Map. We also certify that this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- 1) TOWN OF LISBON
- 2) VILLAGE OF MERTON

Date: _____ Signed: _____
Jeff Stolz, President

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 20_____, the above named Jeff Stolz, to me known to be the same persons who executed the foregoing instrument and acknowledged the same.

Notary Public

County, Wisconsin
My Commission Expires _____



SEH
 PHONE: 414.949.8962
 501 MAPLE AVENUE
 DELAFIELD, WI 53018-9351
 www.sehinc.com

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF SW. 1/4 OF THE SE. 1/4 AND SE. 1/4 OF THE SW. 1/4 OF SECTION 30, T.8N., R.19E.,
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

CONSENT OF CORPORATE MORTGAGEE:

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this Certified Survey Map, and does hereby consent to the above certificate of _____, Owner.

IN WITNESS WHEREOF, said _____ has caused these presents to be signed by _____, its _____, and countersigned by _____, its _____ at _____, and its corporate seal to be hereunto affixed this _____ day of _____, 20 _____.

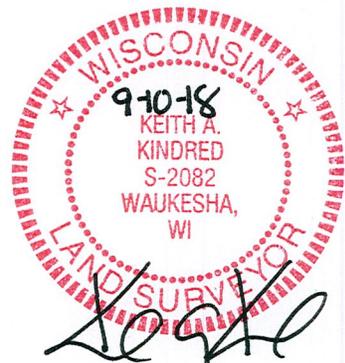
| | |
|-------|-------|
| _____ | _____ |
| Name | Title |
| _____ | _____ |
| Name | Title |

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 20_____, the above named _____ and _____ to me known to be the same persons who executed the foregoing instrument and acknowledged the same.

Notary Public

County, Wisconsin
My Commission Expires _____



CERTIFIED SURVEY MAP NO. _____

BEING A PART OF SW. 1/4 OF THE SE. 1/4 AND SE. 1/4 OF THE SW. 1/4 OF SECTION 30, T.8N., R.19E.,
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

TOWN BOARD APPROVAL CERTIFICATE:

Resolved that the Certified Survey Map, in the Town of Lisbon, is hereby approved by the Town Board.

All conditions have been met as of the _____ day of _____, 20__.

Date: _____ Signed _____
Joseph Osterman, Town Chairman

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Town Board of the Town of Lisbon.

Date: _____ Signed _____
Gina Gresch, Town Clerk

PLAN COMMISSION APPROVAL CERTIFICATE:

APPROVED, that the Certified Survey Map, in the Town of Lisbon, is hereby approved by the Plan Commission.

Approved as of the _____ day of _____, 20__.

Date: _____ Signed _____
Joseph Osterman, Chairman

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Plan Commission of the Town of Lisbon.

Date: _____ Signed _____
Jane Stadler, Secretary



CERTIFIED SURVEY MAP NO. _____

BEING A PART OF SW. 1/4 OF THE SE. 1/4 AND SE. 1/4 OF THE SW. 1/4 OF SECTION 30, T.8N., R.19E.,
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

EXTRATERRITORIAL VILLAGE BOARD APPROVAL CERTIFICATE:

Resolved that the Certified Survey Map, in the Town of Lisbon, is hereby approved by the Village Board of the Village of Merton.

All conditions have been met as of the _____ day of _____, 20__.

Date: _____ Signed _____

Ron Reinowski, Village President

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Village Board of the Village of Merton.

Date: _____ Signed _____

Tom Nelson, Administrator, Clerk -Treasurer

EXTRATERRITORIAL PLAN COMMISSION APPROVAL CERTIFICATE:

APPROVED, that the Certified Survey Map, in the Town of Lisbon, is hereby approved by the Village of Merton Plan Commission.

Approved as of the _____ day of _____, 20__.

Date: _____ Signed _____

Ron Reinowski, Village President

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Plan Commission of the Village of Merton.

Date: _____ Signed _____

Tom Nelson, Administrator, Clerk-Treasurer



PHONE: 414.949.8962
501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.sehinc.com

Item 4G – Attachments



November 8, 2018

Chairperson Osterman and Town Plan Commission Members
Town of Lisbon
W23N8676 Woodside Road
Lisbon, WI 53089

Re: Casey's General Store - Conditional Use Permit and Plan of Operation and Review Amendment Review

Dear Plan Commission Members:

The above-referenced Conditional Use Permit (CUP) and Plan of Operation/Site Plan (SPPOO) amendment request was received by our office for review on behalf of the Town of Lisbon. The original CUP and SPPOO items were also received by our office and recently approved by the Plan Commission in September. In addition, a Rezoning request was received by our office and recently approved by the Town Board in September, as well as three (3) variance requests which were also approved by the Board of Appeals.

Conditional Use Permit (CUP) and Plan of Operation/Site Plan

Application Summary:

Casey's General Store was recently granted approval of a CUP and SPPOO for the construction of a new convenience store and fuel station with canopy at the northwest corner of County Highway VV (Silver Springs Drive) and County Highway V (Townline Road). This parcel was recently rezoned to C-4 (Commercial Special Use). The parcel is subject to compliance with the Town Code, Chapters 11, 12, 13, other applicable Chapters, Addendum E Design Standards as well as the conditions of the approved CUP and SPPOO. The parcel is also located in the Village of Sussex Joint Planning Area (JPA) and Extraterritorial Area.

The applicant is requesting an amendment to the Conditional Use Permit in order to allow for an earlier opening time for employees than the 5:00 am opening time approved as a condition of the CUP. The store would like to be able to expand prepared food offerings and will require an earlier opening time of 3:00 am for employees so addition items can be prepared before the customer opening time of 5:00 am. Closing times for employees and customers are to remain as approved in the CUP. An amendment to the CUP will be required to change the employee opening time to 3:00 am.

The applicant is also requesting an amendment to the Site Plan/Plan of Operation in order to move the proposed driveway along County Highway V (Townline Road) further from the intersection with County Highway VV (Silver Springs Drive). The applicant has worked with Waukesha County to revise the Site Plan to move the proposed driveway along County Highway V to the northern edge of the property boundary

vision to reality

November 8, 2018

Page 2

in order to create greater separation between this access point and the intersection. The applicant would need an amendment to the previously approved Site Plan/Plan of Operation in order to accommodate this request.

If the Plan Commission elects to move forward with the amendment request then all other conditions should remain. An additional condition shall be added to ensure that if the site plan amendment is approved that all other plan are revised and approved by the Town Planner and Town Engineer.

Upon review of the new application, planning staff would also recommend adding the following conditions:

- Approval and permits from Waukesha County DPW for driveway/access locations.
- Approval of the well location and use from Wisconsin DNR.
- Approval from the State on the submitted building plans. Building plans shall be substantial compliance with the Town and Village approved plans. Substantial changes in materials or building position may need to be reviewed and approved by the Town, Village, and JPC.

The issues outlined above are meant to act as a guideline to assist you in discussions as to what issues you feel need to be addressed in order for you to review this proposal. I will be in attendance at the November Plan Commission meeting to answer any questions.

Sincerely,

Daniel J. Lindstrom, AICP
Town Planner

RECEIVED
By Daniel Green at 12:17 pm, Oct 08, 2018

ARC DESIGN
RESOURCES INC.

5291 ZENITH PARKWAY
LOVES PARK, IL 61111
VOICE: (815) 484-4300
FAX: (815) 484-4303
www.arcdesign.com
Design Firm License No. 184-001334

PROJECT NAME
OWNER'S NAME

CASEY'S GENERAL STORE
NW CORNER OF CTH V AND CTH VV
LISBON, WI 53089

CASEY'S MARKETING COMPANY
ONE CONVENIENCE BLVD
ANKENY, IA 50021
KEVIN SCHULZE
(515) 965-6223

CONSULTANTS

| ISSUED FOR | DATE |
|--------------------------|----------|
| 1. AMENDMENT APPLICATION | 10/05/19 |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| 6. | |
| 7. | |
| 8. | |
| 9. | |
| 10. | |
| 11. | |
| 12. | |
| 13. | |
| 14. | |
| 15. | |
| 16. | |
| 17. | |

| REVISIONS | DATE |
|-----------|------|
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| 6. | |
| 7. | |

SHEET TITLE

LAYOUT PLAN EXHIBIT

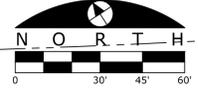
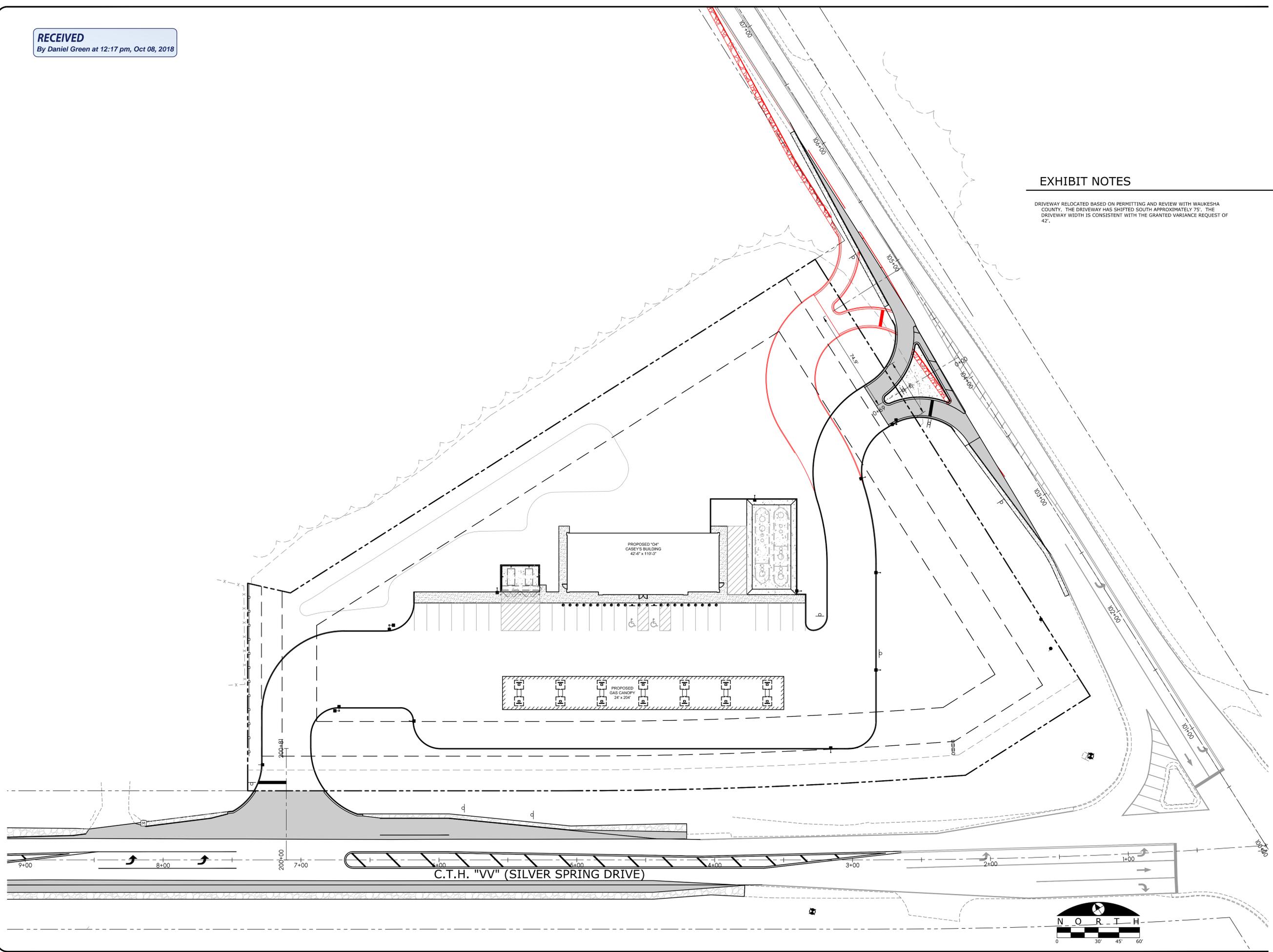
DRAWN: KOG
CHECKED: DRH
PM: RCS

PROJECT NUMBER
SHEET NUMBER

17176
C05

EXHIBIT NOTES

DRIVEWAY RELOCATED BASED ON PERMITTING AND REVIEW WITH WAUKESHA COUNTY. THE DRIVEWAY HAS SHIFTED SOUTH APPROXIMATELY 75'. THE DRIVEWAY WIDTH IS CONSISTENT WITH THE GRANTED VARIANCE REQUEST OF 42'.





RECEIVED
000124
By Daniel Green at 12:18 pm, Oct 08, 2018

W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

- Commercial**
**All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.*
- Residential** – Home-Based Bus. / In-Law Unit

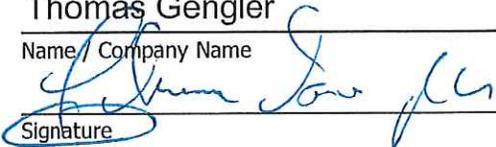
- | | |
|---|--|
| <input type="checkbox"/> Accessory Building Waiver: \$100 (Size/Location/Architectural Review) | <input type="checkbox"/> Plat Review: |
| <input type="checkbox"/> After the Fact Application: Double Fees | <input type="checkbox"/> Final - \$200 |
| <input type="checkbox"/> Certified Survey Map: \$200 + \$10 Per lot | <input type="checkbox"/> Preliminary - \$500 |
| <input type="checkbox"/> Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM) | <input type="checkbox"/> Re-Submittal: \$200 |
| <input type="checkbox"/> Conditional Use Permit: \$350 | <input type="checkbox"/> Rezone: \$350 |
| <input checked="" type="checkbox"/> Amendment / Original | <input type="checkbox"/> Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule) |
| <input type="checkbox"/> Major Grading Permit | <input type="checkbox"/> Site Plan/Plan of Operation: |
| <input type="checkbox"/> Deed Restriction: \$100 | <input checked="" type="checkbox"/> Amendment: \$250 |
| <input type="checkbox"/> Developer's Agreement: \$250 | <input type="checkbox"/> Original: \$500 |
| <input type="checkbox"/> Groundwater Separation Waiver: \$100 | <input type="checkbox"/> Temporary: \$125 |
| <input type="checkbox"/> Land Use Amendment: \$300 | <input type="checkbox"/> Special Meeting: \$600 |
| <input type="checkbox"/> Conceptual: \$100 | <input type="checkbox"/> Waivers/Modification from Land Division and Development Ordinance: \$200 |

Property Information

| | | |
|------------------------|------------|----------------|
| W220N5701 TOWN LINE RD | Lisbon | 53089 |
| Property Address | City | Zip |
| LSBT0244999003 | 3.33 acres | A-3 |
| Tax Key/Parcel ID # | Lot Size | Current Zoning |

Property Owner

Thomas Gengler
Name / Company Name


Signature

W220N5701 TOWN LINE RD
Address

| | | |
|--------|-------|-------|
| Lisbon | WI | 53089 |
| City | State | Zip |

262-246-9025
Phone

E-mail Address

Applicant

Heather Hennick
Name

Casey's Marketing Company
Company

One Convenience Blvd
Address

| | | |
|--------|-------|-------|
| Ankeny | IA | 50021 |
| City | State | Zip |

515-965-6123
Phone

heather.hennick@caseys.com
E-Mail Address

A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered **complete**, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. *The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.*



TOWN OF LISBON
W234 N8676 Woodside Rd.
Lisbon, WI 53089

PETITION FOR A CONDITIONAL USE PERMIT

Property Owner

See PC application

Name / Company Name

Signature

Address

City State Zip

Phone E-mail Address

Applicant

See PC application.

Name

Casey's Marketing Company

Company

One Convenience Blvd

Address

Ankeny IA

City State Zip

Phone E-Mail Address

Property Information

W220N5701 TOWN LINE RD LISBON 53089

Property Address City Zip

LSBT02449990003 3.33

Tax Key/Parcel ID # Lot Size Current Zoning

Conditional Use Information

In the space below, please describe the purpose of the Conditional Use being applied for. Please attach or email a separate sheet if necessary.

| |
|---|
| Upon further review of Casey's operations procedures, in order to prepare fresh food products which are |
| provided throughout the day, a minimum of 2 hours is necessary prior to the opening of the store. |
| A conditional use amendment to allow employees to begin work as early as 3 AM is requested. |
| |
| All other portions of the conditional use remain unchanged. |
| |

| | | |
|----------------------|---------------|------------------|
| INTERNAL USE ONLY | | |
| Amount Due: \$ _____ | Check # _____ | Date Paid: _____ |



W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Project Review Checklist

Prior to the Plan Commission submittal deadline the property owner or applicant presents a site plan prepared with the information below to the Deputy Clerk at the Town Hall. The submittal material is reviewed and if appropriate, discussed at the next regularly scheduled Plan Commission meeting.

The information below is a required minimum and the other materials may be requested of the applicant during the review process.

- 1) A statement describing the general character of the intended development and including the property address, tax key number and correct legal description. General items to include in the statement are: hours of operation, number of employees, traffic patterns, parking requirements, trash removal, etc.
- 2) An accurate map (site plan) of the project area. The site plan should be professionally prepared by a licensed architect, surveyor and/or engineer, with accurate dimensions indicating the property size, its relationship to surrounding properties, existing topography, key natural features and show the location of all existing and proposed:

| | |
|---|---|
| <ol style="list-style-type: none"> A. Structures, showing all entrances B. Driveways & street access C. Parking areas D. Walkways E. Existing landscaping F. Abutting public and private streets G. Public easements H. Surrounding land uses and zoning I. Retaining walls J. Decorative accessories | <ol style="list-style-type: none"> K. Dumpster location and screening L. Location, color, message, dimensions and materials of all signs M. Location, size and character of dedicated or private open space N. Location of sanitary sewer, storm sewer, water mains and services and stormwater detention facilities O. Floor plan of building or addition |
|---|---|
- 3) Stormwater management plan.
- 4) Grading plan showing existing and finished grades to Town datum.
- 5) Professionally prepared landscape plan.
- 6) Lighting plan; photometric plan, type of fixtures, wattage and location and height of lighting structures.
- 7) Topographic data or pertinent grade elevations, if necessary, for proper remodeling of existing buildings showing finished exterior treatment.
- 8) Colored elevations of proposed buildings, structures and fencing, or of proposed remodeling of existing buildings, showing finished exterior treatment and a listing of building materials.
- 9) Names, address, telephone number, fax number and email address of the owner(s) and/or agent to be contacted with regard to the application.
- 10) Proof of ownership or agent status.



W234N8676 WOODSIDE RD. • LISBON, WI 53089-1545 • TEL: (262) 246-6100 • FAX: (262) 820-2023
 E-mail: townhall@townoflisbonwi.com • Website: www.townoflisbonwi.com

SITE PLAN AND PLAN OF OPERATION

Please fill out the entire application all questions need a response. If something does not apply please put N/A. Incomplete applications will not be processed or put on the agenda. The completion of this application form must be accompanied by one copy of an up to date and detailed Site Plan drawn to scale and including, but shall not be limited to, all existing buildings, signage, lighting, landscaping, parking, loading, storage, dumpsters, septic and well, etc; an interior layout (plans) of all buildings and the existing and proposed uses of the interior spaces (i.e., office, retail, restaurant, etc); and any other supporting materials. The above shall be submitted to the Town Hall, and upon review of the information, additional items may be required. The plans shall be drawn to scale and shall be no larger than 11" x 17", and shall also be emailed as a PDF. Future revisions to the approved Site Plan/Plan of Operation will require new approvals.

New business in existing building or on existing site **New Owner** **Temporary Use**

Change in Operations (summarize below what is changing; days/hours, etc)

N/A

Change in Use (summarize below prior and new use below)

N/A

BUSINESS / PROPERTY OWNER & PROPERTY INFORMATION

Tax Key Number LSBT0244999003 **Acres** 3.33 **Zoning** A-3

Business Name & Contact Person: Casey's Marketing Company, Heather Hennick

Full Address (include City & Zip): One Convenience Blvd, Ankeny, IA 50021

Phone Number & Email: 515-965-6123 heather.hennick@caseys.com

Signature & Date: Marni Beck

Property Owner Name: Thomas Gengler

Full Address (include City & Zip): W220N5701 Town Line Rd, Lisbon, WI 53089

Phone Number & Email: 262-246-9025

Signature & Date: _____

1. Is this business replacing another business? Yes No

a. If yes, what is the prior business' name: _____

2. Is this an expansion of an existing Town approved/based operation? Yes No

a. If yes, please explain: _____

HOURS OF OPERATION & OPERATING SPECIFICS

3. Describe in detail below the specific type of business operation (Retail, Restaurant, Manufacturing, Office, etc.), including temporary, accessory, and outdoor uses (storage, etc). Provide a separate list of all items sold or produced on the property. If items are produced, please provide a separate explanation of the production process.

Casey's Marketing Company is proposing the construction of a new convenience store and fuel station with canopy. The convenience store is approximately 4,670 square feet and will provide general goods including convenience items, beverages, and fresh made-to-order food products including pizza, sandwiches, and donuts. For fuel sales the development will include seven (7) multi-product fuel dispensers (14 fueling positions) which will be housed under a canopy which runs parallel to County Highway VV.

4. Days & Times of Operation: 7 days/week, pumps available to operate 24 hours, **employees available to work 3 AM - midnight** with store hours 5 AM - 11 PM

a. Days & Times: _____

5. Employees (if self-employed please count yourself)

a. Full-Time 10-15

b. Part-Time 10-15

FOOD / BEVERAGE / LIQUOR

6. Is there any food & beverage / liquor service? Yes No

a. If yes, please explain: Food made to order and beer/wine/liquor sales for off-site consumption only.

7. Table Seating Capacity

- a. **Outside:** 0
- b. **Inside:** 8
- c. **Bar:** N/A

8. Food / Soda Vending Machines Yes No

- a. **If yes, quantity of each:** _____

OUTDOOR USES

9. Is there any outdoor storage? Yes No

- a. **If yes, please explain:** Propane and Ice

10. Will there be any outdoor events? Yes No

- a. **If yes, please describe the types of events, parking accommodations, sanitary facilities and delineate the locations of the events on the Site Plan submitted. Attach a separate sheet if necessary.**

11. Will there be any customer dockage? Yes No

- a. **If yes, please indicate on the Site Plan length and number of piers.**

12. Parking Lot

- a. **Dimensions** 196' x 20' & 36' x 20'
- b. **Total number of spaces** 25
- c. **Number of spaces allotted for employees** 3

MUSIC / ENTERTAINMENT

13. Are any problems such as odor, smoke or noise resulting from this operation? Yes No

- a. **If yes, describe what types (live, amplified, recorded, jukebox, etc), indoors and/or outdoors, and the days and hours music will be provided? Attach a separate sheet if necessary.**

Odor resulting from fueling is not anticipated to be an issue, fuel stations are highly regulated. Casey's has state of the art systems and complies with regulations.

14. Game Machines Yes No

- a. **Quantity:** N/A
- b. **Location:** N/A

BUILDINGS

15. Building A

- a. **Dimensions & Levels:** 42.5' x 110.25', 1 level
- b. **Use:** Convenience store

16. Building B

- a. **Dimensions & Levels:** 24' x 204'
- b. **Use:** Canopy over fuel dispensers

17. Building C

- a. **Dimensions & Levels:** N/A
- b. **Use:** N/A

LIGHTING (Submit Cut-Sheets)

18. Outdoor Lighting

- a. **Type(s):** LED cut off downward facing light poles, building mounted and under canopy LED lighting
- b. **Locations(s):** Lighting plan is being revised. Revised lighting on driveway is anticipated to be similar to what was previously submitted.

SIGNAGE (Also submit the Town's [Signage Application](#) & appropriate fees)

19. Describe below the type of signage that exists and what signage is proposed on the site (attached, free standing, ground, mobile, projecting, window, electronic message, banners, flags, sandwich boards, etc.) and if the signs are illuminated, single/double faced, along with the number, size, and height of all signs.

See sign packet for proposed signing. Per Village of Sussex requirements the freestanding sign is required to be a monument sign.

CHEMICALS/HAZARDOUS MATERIALS

20. Are there any Chemicals, Hazardous Waste of Solvents stored on the site? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

See MSDS data sheets submitted.

21. Does this Operation involve the Storage/Sale of gasoline or any other Petroleum Products? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

Gasoline is stored on-site in underground storage tanks. Storage and disposal follows state and federal requirements.

STORM WATER RETENTION, FLOW OF SURFACE WATER, AND AMOUNT OF IMPERVIOUS SURFACES

22. Are there surface water drainage facilities? Yes No

a. If yes, please explain: On-site storm water drains to inlets and through storm sewer to an on-site wet wet detention basin. The detention basin controls the release rate of the site to CTH VV right of way.

REFUSE DISPOSAL

23. Are there dumpsters/waste containers on the site? Yes No

a. If yes, show on the Site Plan submitted the location of dumpsters and any screening.

PERMIT APPROVAL / ISSUANCE DATES

24. Is Highway Access Permit Needed? Yes No

a. Date Issued: We are working with the county on access permits.

25. DNR Well Approval (For New Constructions Only)

a. Date Approved: Yes, we are working with a well provider on this.

26. Septic System Approval (For New Constructions Only)

a. Date Approved: N/A connect to sewer

27. Fire Department Inspection Yes No

a. Date Inspected: To be completed

28. Did the Wisconsin Department of Safety & Professional Services approve building plans? Yes No

a. Date Approved: Plans need to be revised for revised building materials

29. Is security fencing necessary? Yes No

HORSE BOARDING

30. Does this Operation involve the Boarding of Horses? Yes No

a. Maximum number of horses boarded: N/A

b. Maximum number of horses owned: N/A

31. Has a Conservation Plan been prepared by the Land Conservation Committee? Yes No

a. Date Prepared: _____

Town Approval Date(s): _____

County Approval Date(s): _____

Item 4H – Attachments



November 8, 2018

Town of Lisbon
Plan Commission
W234 N8676 Woodside Road
Lisbon, WI 53089-1545

RE: Conditional Use Permit *Amendment* Review for In-law Unit for Jeremy Rush

Introduction

This review addresses the conditional use permit amendment application submitted by Jeremy Rush (Applicant) for the approved conversion of a 2+ car garage into an in-law unit at the home located at N72 W24740 Good Hope Road in the Town. The Applicant submitted updated plans on September 24, 2018, making several revisions to the originally submitted plans. This item is up for discussion at the Joint Plan Commission meeting with the Village of Sussex.

Application Summary

The applicant was stated they planned to construct an addition to the home to allow for their large family. The cost to construct was unapproachable by the applicant. As a result the applicant would like to convert the space above the recently approved in-law unit into living space that is intraoral to the primary structure of the home. The renovation would include bedroom, living space, bathroom, and a small kitchenette. This is similar to someone finishing a basement for additional living space. The applicant is also proposing to lower the height of the garage roof, but that is separate from this application.

Recommended Conditions for Approval

The Town may wish to require the following revised condition for approval of the CUP in order to ensure compliance with all Town Ordinances and Regulations. All other conditions should remain the same.

- ~~Removal of the remaining appliances in the upstairs attic to ensure it is used for storage, as intended.~~
- The upstairs of the addition may be renovated into additional living space, but it must be integral to the primary use and structure of the home in accordance with the revised plans submitted September 24, 2018 and at no point shall the living space be divided into a separate unit.

The issues outlined above are meant to act as a guideline to assist you in discussions as to what issues you feel need to be addressed in order for you to review this proposal. I will be in attendance at the November Plan Commission meeting to answer any questions.

Sincerely,

Daniel J. Lindstrom, AICP
Town Planner

vision to reality



W234 N8676 WOODSIDE RD. LISBON, WI 53089-1545 TEL: (262) 246-6100

000136

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

Commercial
**All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.*
 Residential – Home-Based Bus. / In-Law Unit

- Accessory Building Waiver: \$100 (Size/Location/Architectural Review)
- After the Fact Application: Double Fees
- Certified Survey Map: \$200 + \$10 Per lot
 - Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM)
- Conditional Use Permit: \$350
 - Amendment / Original
 - Major Grading Permit
- Deed Restriction: \$100
- Developer's Agreement: \$250
- Groundwater Separation Waiver: \$100
- Land Use Amendment: \$300
- Conceptual: \$100
- Plat Review:
 - Final - \$200
 - Preliminary - \$500
- Re-Submittal: \$200
- Rezone: \$350
- Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule)
- Site Plan/Plan of Operation:
 - Amendment: \$250
 - Original: \$500
 - Temporary: \$125
- Special Meeting: \$600
- Waivers/Modification from Land Division and Development Ordinance: \$200

Property Information

| | | |
|--------------------------|--------|-------|
| N72W24740 Good Hope Road | Lisbon | 53089 |
| Property Address | City | Zip |

| | | |
|---------------------|----------|----------------|
| Tax Key/Parcel ID # | Lot Size | Current Zoning |
|---------------------|----------|----------------|

Property Owner

Jeremy Rush

Name/ Company Name

Signature

N72W24740 Good Hope Rd.

Address

Lisbon WI 53089

City State Zip

9203716727

Phone E-mail Address

Applicant

Jeremy Rush

Name

Company

same

Address

City State Zip

Phone E-Mail Address

A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered **complete**, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. *The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.*



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

Pursuant to the Town of Lisbon Municipal Code Section 1.14, the Town of Lisbon Town Board has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Treasurer shall charge one hundred and five percent of the cost of that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. The additional five percent cost above the cost of the service is levied to cover Town administrative charges. Also, pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges, however, is subject to the property owner's appeal rights as described in the Town of Lisbon Municipal Code Section 1.14

The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town. In addition, I/we have been advised that pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved. By signing this document, I am not waiving my/our appeal rights that are described in the Town of Lisbon Municipal Code Section 1.14.

Statements will be sent monthly so you are kept up to date regarding your current charges.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME _____

ADDRESS _____

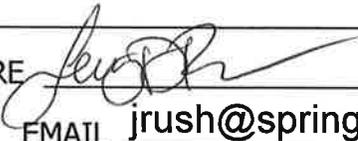
DATE _____ SIGNATURE _____

PHONE _____ EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

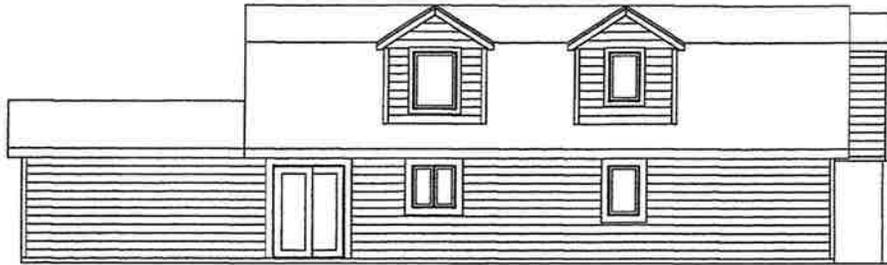
NAME Jeremy Rush _____

ADDRESS _____

DATE 9/24/18 _____ SIGNATURE  _____

PHONE 920.371.6727 _____ EMAIL jrush@springcreekonline.com _____

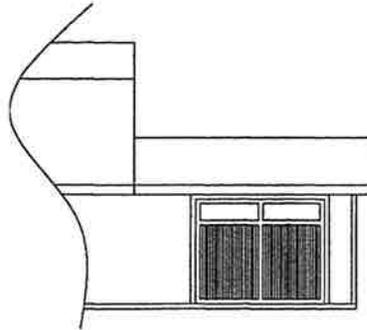
PROJECT NAME Permit Admendment _____



REVISED REAR ELEVATION
SCALE: 1/4" = 1'-0"



REVISED WEST ELEVATION
SCALE: 1/4" = 1'-0"



REVISED FRONT ELEVATION
SCALE: 1/4" = 1'-0"
REFLECTING THE GARAGE ROOF CHANGE



REVISED EAST ELEVATION
SCALE: 1/4" = 1'-0"

REVISIONS FROM PLAN

RUSH

7/18

DESIGNED BY
PROJECTS BY PBI INC.
ART BY PBI INC.

JEREMY RUSH
172524740 WOOD HOPK ROAD
TOWN OF LEBOUNVILLE

PBI
Productive Builders, Inc.

PL 2022

D.Lindstrom Reivew – 10/17/2018
KSG revisions – 10-29-18

**DEVELOPER'S AGREEMENT
FOR TWIN PINE FARMS PHASE II-B
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN**

THIS AGREEMENT made this ___ day of ___, 2018, between _____, hereinafter called "DEVELOPER," and the Town of Lisbon in the County of Waukesha and the State of Wisconsin, hereinafter called the "TOWN."

~~WHEREAS, the DEVELOPER is the owner of approximately 36 remaining lots in the Twin Pine Farms Subdivision in the TOWN, upon which the DEVELOPER desired to finish the construction of Twin Pine Farms Phase Iib infrastructure, said land being described on EXHIBIT A attached hereto and incorporated herein, hereinafter called "SUBJECT LANDS"; and~~

Commented [DC1]: Moved paragraph – now 9

WHEREAS, the Phase I of Twin Pine Farm Subdivision has been completed; and

WHEREAS, the Town Board of the TOWN approved the final plat for Twin Pine Farm Subdivision II at its meeting on September 27, 2005; and

~~WHEREAS, the final plat of Twin Pine Farm II was approved by the Town Board of the TOWN on March 28, 2006, and reapproved on April 13, 2009; and~~

Commented [DC2]: Moved/revised and now para 5

~~WHEREAS, the final plat of Twin Pine Farm II Plat was recorded on May 13, 2011; and~~

WHEREAS, the Development Agreement between the TOWN and BATZLER DEVELOPMENT LLC for Twin Pine Farms II was divided into two phases. Phase IIa included 18 total lots and Phase Iib included 47 total lots; and

WHEREAS, the TOWN Plan Commission, at its meeting of July 10, 2008, approved the DEVELOPER'S request to improve Phase IIa consisting of lots numbered 67 through 72 and 121 through 131 and 102 and reapproved said action on April 2, 2009; and

~~WHEREAS, the final plat of Twin Pine Farm II was approved by the Town Board; and~~

~~WHEREAS, the final plat of Twin Pine Farm II Plat was recorded on May 13, 2011; and~~

WHEREAS, the Development Agreement for Twin Pine Farms Phase IIa stated that no lots in the Twin Pine Farms Phase Iib shall not may be Developed nor lots sold until such time as a final approval isof Iib was received from the TOWN Plan Commission and TOWN Board; and

WHEREAS, the BATZLER DEVELOPMENT LLC acknowledged and agreed that Phase Iib shall not be Developed nor lots sold until final approval is received from the TOWN Plan Commission and TOWN Board; and

~~WHEREAS, the DEVELOPER is the owner of approximately 36 remaining lots in the Twin Pine Farms Subdivision in the TOWN, upon which the DEVELOPER desires to finish the construction of Twin Pine Farms Phase Iib infrastructure, said land being described on EXHIBIT A attached hereto and incorporated herein, hereinafter called "SUBJECT LANDS"; and~~

WHEREAS, it ~~washas been~~ discovered that portions of Twin Pine Farms Phase IIa improvements have not been completed; and

WHEREAS, *portions of the infrastructure and 14 of the 47 lots of Phase IIb have been developed without an approved and recorded Development Agreement with the TOWN.*

Commented [DC3]: KSG would like clarification of meaning

WHEREAS, the DEVELOPER desires to complete the infrastructure improvements in Phase IIa and initiate and complete the infrastructure improvements in Phase IIb in order to obtain building permits and continue development of Twin Pine Farms II; and

WHEREAS, Wis. Stat. § 236.13 provides that, as a condition of approval, the governing body of a municipality within which the subject lands lie may require that the DEVELOPER make and install any public improvements reasonably necessary and/or that the DEVELOPER provide financial security to ensure that the DEVELOPER will make these improvements within reasonable time; and

WHEREAS, said SUBJECT LANDS are presently zoned R-1 single family residential, which allows the above development; and

WHEREAS, the DEVELOPER and TOWN desire to enter into this Agreement in order to ensure that the DEVELOPER will make and install all public improvements which are reasonably necessary and further that the DEVELOPER shall dedicate the public improvements to the TOWN, and the TOWN agrees to accept said improvements, provided that said public improvements are constructed to municipal specifications, all applicable government regulations and this Agreement without cost to the TOWN; and

WHEREAS, this Agreement is necessary to implement the TOWN zoning and land division ordinances; and

WHEREAS, the DEVELOPER agrees to develop SUBJECT LANDS as herein described in accordance with this Agreement, conditions approved by the TOWN Plan Commission and TOWN Board, conditions of certain agencies and individuals in the County, all TOWN ordinances and all laws and regulations governing said development;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the DEVELOPER does hereby agree to develop SUBJECT LANDS as follows and as otherwise regulated by TOWN ordinances and all laws and regulations governing said development, the parties hereto agree as follows:

DEVELOPER'S COVENANTS

I. IMPROVEMENTS

A. PUBLIC STREETS. The DEVELOPER hereby agrees that:

1. Prior to the start of construction of improvements, the DEVELOPER shall provide to the TOWN written certification from the DEVELOPER'S Engineer or Surveyor that all public street plans are in conformance with all federal, state, county and TOWN specifications, regulations and ordinances, and written proof from the TOWN Engineer evidencing review and approval of said plans. This includes all of the previously constructed improvements in Phase IIb.

2. The DEVELOPER shall grade and install all planned public streets in accordance with the approved preliminary and final plat, ~~development agreement and Development Agreement~~ for Twin Pine Farms Phase IIa, ,

Commented [DC4]: KSG revised

3. Construction of the public streets providing access to and fronting a specific lot will be completed, presented and approved by the TOWN Board through the first lift of asphalt before any building permits are issued for said lot. ~~subject to XII herein.~~

Commented [dlin5]: Could request revision for the 12 lots for the parade of homes

4. The first lift of the public streets will be completed and presented to the TOWN Board no later than _____ or as extended by the TOWN Board.

Commented [DC6]: KSG added

5. The final lift of asphalt shall be placed on all Phase IIa public streets prior to _____, 2018.

6. The final lift of asphalt shall be placed on all Phase IIb public streets after at least one winter season, and after a minimum of 75 percent of the lots shall have homes constructed.

Commented [dlin7]: Currently 14 of the 47 homes have been or are under development (29.7%). The additional 12 homes will account for 55% of the homes in the Phase IIb.

7. The DEVELOPER shall maintain public streets, including snow plowing, until the improvements have been accepted by resolution by the TOWN Board.

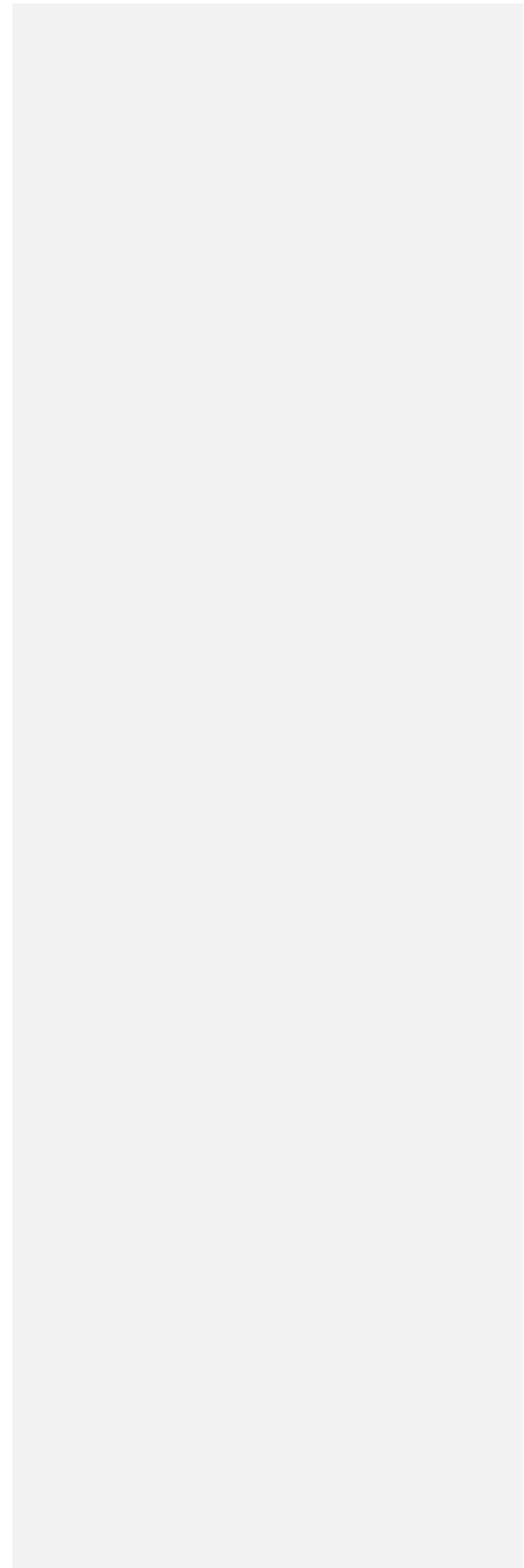
8. The DEVELOPER shall furnish "as built" plans showing changes from the construction plans, pursuant to specifications approved by the TOWN Engineer.

9. The DEVELOPER shall have ultimate responsibility for cleaning up any and all construction related mud, dirt, stone or debris on the streets until such time as the final lift of asphalt has been installed by the DEVELOPER and accepted by the TOWN Board. The TOWN shall make a reasonable effort to require the contractor, who is responsible for placing the mud, dirt, stone or debris on the street, to clean up the same or to hold the subject property owner who hired the contractor responsible. The DEVELOPER and/or subject property owner shall clean up the streets within forty-eight (48) hours after receiving a notice from the TOWN. If said mud, dirt, stone or debris are not cleaned up after notification to the DEVELOPER, the TOWN Board will do so at the DEVELOPER'S and/or subject property owner's expense, at the option of the TOWN.

Commented [dlin8]: Should the market trails have been included in Phase IIa or Phase IIb.

Developer's Agreement – Twin Pine Farms Phase II-B
UPDATED: 2018-10-09 ~~29~~ KSG
Page 4 of 18

| |



B. SURFACE AND STORMWATER DRAINAGE. The DEVELOPER hereby agrees that:

1. Prior to the start of construction of improvements, the DEVELOPER shall provide to the TOWN written certification from the DEVELOPER'S Engineer or Surveyor that all surface and stormwater drainage facilities and erosion control plans are in conformance with all federal, state, county and TOWN regulations, guidelines, specifications, laws and ordinances, and written proof that the TOWN Engineer and the County Department of Environmental Resources, Division of Land Conservation, have reviewed and approved said plans. This includes all of the previously constructed improvements in Phase IIb.

2. During the terms of development, the DEVELOPER shall construct, install, furnish and provide adequate facilities for surface and stormwater drainage throughout the development with adequate capacity to transmit the anticipated flow from the development and adjacent property, in accordance with all plans and specifications, and all applicable federal, state, county and TOWN regulations, guidelines, specifications, laws and ordinances, and as reviewed and approved by the TOWN Engineer and the County Department of Environmental Resources, Division of Land Conservation, on file in the TOWN Clerk's office dated [REDACTED], including where necessary as determined by the TOWN Engineer, curb, gutter, storm sewers, catch basins, and infiltration/retention/detention basins.

3. The DEVELOPER agrees that the site grading and construction of surface and stormwater drainage facilities shall be completed and accepted by the TOWN Board before any building permits are issued [subject to XII herein](#).

4. The TOWN Board will not accept the surface and stormwater drainage system until the entire system is installed and landscaped in accordance with plans and specifications.

5. If required, the DEVELOPER shall clean all storm sewers, if any, prior to issuance of building permits and acceptance of improvements by the TOWN Board.

Commented [DC9]: KSG added

6. During the time of development or prior to acceptance of all public improvements, whichever is later, the TOWN retains the right to require DEVELOPER to install additional surface and stormwater drainage measures if it is determined by the TOWN Engineer that the original surface and stormwater drainage plan as designed and/or constructed does not provide reasonable storm water drainage within the development and/or creates additional stormwater runoff impacts to the surrounding areas. If DEVELOPER fails to construct the additional improvement within a reasonable period of time, the TOWN may cause such work to be carried out and shall charge the cost of the same against the financial guarantee held by the TOWN pursuant to this Agreement.

7. The DEVELOPER shall furnish "as built" plans of the entire drainage system, pursuant to specifications approved by the TOWN Engineer prior to the issuance of Building Permits, if required by the TOWN Engineer.

8. The DEVELOPER shall comply with all applicable requirements of Chapter 14, Article VIII of the Waukesha County Code of Ordinances (Storm Water Management and Erosion Control), and any future amendments thereto, including implementation of approved stormwater management and erosion control plans. In accordance with an intergovernmental agreement entered between the TOWN and the County, the financial assurance held by the TOWN for purposes of enforcement of this Agreement may be utilized by Waukesha County for enforcement of Chapter 14, Article VIII.

C. GRADING, EROSION AND SILT CONTROL: The DEVELOPER hereby agrees that:

Prior to commencing site grading and execution, the DEVELOPER shall provide to the TOWN written certification from the DEVELOPER'S Engineer that said plan, once implemented, shall meet all federal, state, County and local regulations, guidelines, specifications, laws and ordinances, including proof of notification of land disturbances to the State of Wisconsin Department of Natural Resources, and written proof that the TOWN Engineer, Wisconsin Department of Natural Resources and the Army Corps of Engineers, if applicable, have approved said plans. This includes all of the previously constructed improvements in Phase IIb.

1. The DEVELOPER shall not materially deviate from the construction sequencing identified in the stormwater management and erosion control plans without prior written approval to do so from the Wisconsin Department of Natural Resources and the TOWN Engineer, such approval not to be unreasonably withheld, conditioned, or delayed.

2. The DEVELOPER shall cause all grading, excavation, open cuts, side slopes and other land surface disturbances on or adjacent to the Property to be so seeded and mulched, sodded or otherwise protected that erosion, siltation, sedimentation and washing are prevented in accordance with the plans and specifications reviewed and approved by the TOWN Engineer, Wisconsin Department of Natural Resources and Army Corps of Engineers, if applicable. If needed, the DEVELOPER is responsible for obtaining all necessary consents from neighboring property owners required to comply with this Section II(E)(3); in the event the DEVELOPER is

unable to obtain such consents despite its commercially reasonable good faith efforts, the TOWN and the DEVELOPER agree to cooperate in good faith to perform any required erosion control measures in a manner reasonably acceptable to the TOWN.

3. All disturbed areas of the Property and adjacent to the Property shall be restored in accordance with the approved plans and to the reasonable satisfaction of the TOWN Engineer.

4. Ditches shall be to final grade and seeded before occupancy permits will be issued.

D. LANDSCAPING AND SITE WORK: The DEVELOPER hereby agrees that:

1. To the extent practicable, the DEVELOPER agrees to preserve the existing trees, shrubbery, vines, and grasses not actually lying on the public streets, drainage ways, building foundation sites, private driveways, soil absorption waste disposal areas, paths, and trails by use of sound conservation practices. The Landscaping Plan as attached **EXHIBIT F** is hereby acceptable to the TOWN.

Commented [dlin10]: A plan was supposed to be included as part of Phase IIa this could attached to this document as well, but it is for the entrance only

2. The DEVELOPER, as required by the TOWN, shall remove and lawfully dispose of buildings, destroyed trees, brush, tree trunks, shrubs and other natural growth and all rubbish.

3. Landscaping and removal of unwanted items, will be completed and certified as complete by the TOWN Engineer prior to the issuance of any building permits.

4. The TOWN of Lisbon has the right to trim and remove any features which would interfere with safe operation and maintenance of the TOWN right-of-ways and drainage ways.

5. Implement a landscape plan within the landscape easement set forth on the Plat as approved by the TOWN Engineer and TOWN Board.

6. Before an occupancy permit is issued for a respective lot, the DEVELOPER shall install no less than two, four-inch diameter trees in accordance with Section 12(8)(12) of the TOWN'S Chapter 12, Land Division and Development Ordinance, and DEVELOPER agrees to place said requirement in the Declaration of Restrictions.

Commented [GG11]: Was added just for Barnwood

Commented [dlin12]: This would still comply with the landscaping requirements so I would include that here too.

E. STREET SIGNS AND TRAFFIC CONTROL SIGNS: The DEVELOPER hereby agrees that:

1. Street signs, traffic control signs, culverts, posts, and guard rails as required by the TOWN as listed on **EXHIBIT A** and in accordance with Chapter 12 (8)(11) of the TOWN'S Chapter 12, Land Division and Development Ordinance, shall be obtained and placed by the TOWN, and the cost thereof as set forth on said exhibit shall be paid by the DEVELOPER.

Commented [dlin13]: Not sure what exhibit this would be.

2. All traffic control signs and street signs, as required by the TOWN, will be installed within five (5) working days of the placement of the first lift of asphalt.

F. FIRE TANK PROTECTION: DEVELOPER shall pay a fee in the amount of \$ _____ to the TOWN equivalent to the cost of an installed on-site water storage tank per the schedule listed in Section 8.14(A) of the Land Division and Development Ordinance. DEVELOPER shall install a water tank for purposes of fire protection in accordance with the rules, regulations, and ordinances adopted by the TOWN of Lisbon and the Town of Lisbon Fire Department in a location to be determined by the Town Engineer.

G. OTHER UTILITIES. The Developer shall cause gas, electrical power, telephone, and cable facilities to be installed in such a manner as to make adequate service available to each lot. All new electrical distribution lines, television cables, and telephone lines from which lots are individually served shall be underground unless the TOWN Board, in its sole discretion, specifically allows overhead poles for the following reasons:

1. Topography, soil, water table, solid rock, boulders, or other physical conditions which would make underground installation unreasonable or impractical; or
2. The lots to be served by said facilities can be served directly from existing overhead facilities.

Formatted: Not Highlight

Commented [GG14]: Was a tank installed? Need tank or do donation?

Commented [dlin15]: Page 24 of 26 in Phase IIa shows no fee in that area so a tank must have been built, but I do not see it on the Plat.

Commented [DC16]: KSG revised

Commented [GG17]: Regular language

II. TIME OF COMPLETION OF IMPROVEMENTS

A. The improvements set forth in Section I above shall be completed by the DEVELOPER in total within 12 months of the date of this Agreement being signed except as otherwise provided for in this Agreement.

Commented [GG18]: Phase 1a Twin Pines had 10 months and none of the other subsections

B. The DEVELOPER shall, at the DEVELOPER'S expense, retain the services of a consulting engineer and such other professionals as necessary to provide construction administration and staking. The TOWN will provide periodic construction observation and material testing as necessary during the construction of the Improvements. Said construction review shall not relieve the contractor of any obligation to construct the Improvements in conformity with the plans and specifications, nor shall it in any manner make the TOWN or TOWN Engineer, an insurer of, nor relieve the contractor of, any obligations or guarantees concerning the contractor's performance. The DEVELOPER shall reimburse the TOWN for the actual costs of these services as set forth in Section XIV.

Commented [GG19R18]: Plan Commission needs to decide this

C. In addition to other site visits conducted by the TOWN to observe construction, the Town shall, in the company of a representative of the DEVELOPER'S engineer, make site visits and observe construction at the following stages of construction:

1. After installation of erosion control measures;
2. After the completion of grading;
3. During roll test of street subgrade;
4. During the installation of culverts;
5. During the placement of aggregate base course;
6. During paving;
7. Pre-final surface installation per Paragraph D of this Section below;
8. After completion of the Improvements.

The TOWN Engineer and TOWN shall be given notice of at least two full business days prior to the start of construction, as well as two full business days' notice of when each stage of construction is ready for inspection.

D. Seven (7) days prior to paving, the asphalt mix design(s) shall be provided to the TOWN Engineer for review. During paving, the paving contractor shall submit quality control testing results for actual pavement placed. If quality control testing results indicate the mix was not within mix limits when it was placed, the pavement is subject to removal at the DEVELOPER'S cost at the sole discretion of the TOWN. Also during paving, the TOWN shall conduct testing, including density testing, for binder and surface lifts according to the TOWN'S Public Infrastructure Inspection and Testing Policy. If results from pavement testing yield densities below specified minimums, the DEVELOPER shall be charged an amount as determined by the Fee Schedule in effect on the date of testing. The amount due shall be paid to the TOWN within 15 days of receipt of notice from the TOWN. If not paid by such date, the TOWN may charge interest at the annual percentage rate of 18% until paid, or may, if necessary and at its discretion, draw directly on the DEVELOPER'S surety.

Alternatively, the DEVELOPER may, with the approval of the TOWN Engineer, remove and replace pavement that does not meet the required specifications.

III. FINAL ACCEPTANCE

A. Throughout this Agreement, various stages of the development will require approval and/or acceptance by the TOWN. It is understood that building permits may be issued by the TOWN prior to the time of Final Acceptance of all of the improvements in the development. The one-year correction period provided for in this Agreement shall not commence to run until Final Acceptance is granted by the TOWN Board of all improvements. The issuance of building permits and approval of various items of development shall not commence the one-year correction period.

IV. DEDICATION OF IMPROVEMENTS

Subject to all of the other provisions of this Agreement, the DEVELOPER shall, without charge to the TOWN, upon completion of the above-described improvements, unconditionally give, grant, convey and fully dedicate the public improvements to the TOWN, its successors and assigns, forever, free and clear of all encumbrances whatever, together with and including, without limitation because of enumeration, any and all land, buildings, structures, mains, conduits, pipes, lines, plant machinery, equipment, appurtenances and hereditaments which may in any way be a part of or pertain to such improvements and together with any and all necessary easements for access thereto. After such dedication, the TOWN shall have the right to connect or integrate other improvements as the TOWN decides, with no payment or award to, or consent required of, the DEVELOPER.

Dedication shall not constitute acceptance of any improvement by the TOWN Board. All improvements will be accepted by the TOWN Board by separate resolution at such time as such improvements are in acceptable form and according to the TOWN specifications. Said resolution shall be recorded, if needed, with the Waukesha County Register of Deeds. DEVELOPER will furnish proof to the TOWN, prior to the dedication required, that the public land and improvements proposed for dedication are free of all liens, claims and encumbrances, including mortgages.

V. ACCEPTANCE OF WORK AND DEDICATION

When the DEVELOPER shall have completed the improvements herein required and shall have dedicated the same to the TOWN as set forth herein, the same shall be accepted by the TOWN Board if said improvements have been completed as required by this Agreement and as required by all federal, state, county or TOWN guidelines, specifications, regulations, laws and ordinances. The TOWN agrees to take all necessary actions to accept the improvements upon request of the DEVELOPER once the improvements meet TOWN specifications.

VI. GUARANTEES OF IMPROVEMENTS

A. GUARANTEE: The DEVELOPER shall guarantee, after Final Acceptance, the public improvements and all other improvements described in Section I hereof against defects due to faulty materials or workmanship, provided that such defects appear within a period of one year

from the date of Final Acceptance, by providing the TOWN with a letter of credit in a form acceptable to the TOWN Attorney in an aggregate amount of one hundred twenty percent (120%) of the total cost of all improvements. The DEVELOPER shall pay for any damages to TOWN property and/or improvements resulting from such faulty materials or workmanship. This guarantee shall not be a bar to any action the TOWN ~~might~~ may have ~~for negligent workmanship against the DEVELOPER, its successors or materials assigns.~~ Wisconsin law on negligence shall govern such situations. If the DEVELOPER fails to pay for any damages or defects to TOWN property and/or improvements, and the TOWN is required to draw against the letter of credit on file with the TOWN, the DEVELOPER is required to replenish said monies up to the aggregate amount of one hundred twenty percent (120%) of the total cost of all improvements yet to be completed in accordance with § 236.13(2) Wis. Stats.

Commented [DC20]: KSG revised

Commented [DC21]: KSG added

B. **OBLIGATION TO REPAIR:** The DEVELOPER shall make or cause to be made, at its own expense, any and all repairs which may become necessary under and by virtue of the DEVELOPER'S guarantee and shall leave the improvements in good and sound condition, satisfactory to the TOWN Board at the expiration of the guarantee period.

C. **NOTICE OF REPAIR:** If during said guarantee period the improvements shall, in the reasonable opinion of the TOWN Staff, require any repair or replacement which, in their judgment, is necessitated by reason of settlement of foundation, structure of backfill, or other defective materials or workmanship, the DEVELOPER shall, upon notification by the TOWN of the necessity for such repair or replacement, make such repair or replacement, at its own cost and expense. Should the DEVELOPER fail to make such repair or replacement within the time specified by the TOWN in the aforementioned notification, after notice has been sent as provided herein, the TOWN Board may cause such work to be done, but has no obligation to do so, either by contract or otherwise, and the TOWN Board may draw upon such guarantee security to pay any costs or expenses incurred in connection with such repairs or replacements. Should the costs or expenses incurred by the TOWN Board in repairing or replacing any portion of the improvements covered by this guarantee exceed the amount of the guarantee security, then the DEVELOPER shall immediately pay any excess cost or expense incurred in the correction process.

D. **MAINTENANCE PRIOR TO ACCEPTANCE**

1. Until acceptance of the improvements by the TOWN, all improvements shall be maintained by the DEVELOPER so they conform to the approved plans and specifications at the time of their Final Acceptance by the TOWN Board. This maintenance shall include routine maintenance, such as crack filling, roadway patching, snow plowing and the like, except as limited in Section D (4) below. In cases where emergency maintenance is required, the TOWN Board retains the right to complete the required emergency maintenance in a timely fashion and bill the DEVELOPER for all such associated costs. Said bill shall be paid immediately by the DEVELOPER. The DEVELOPER'S obligation to maintain all improvements shall expire at the expiration of the guarantee period.

2. Street sweeping and dust suppression shall be done by the DEVELOPER upon a regular basis as needed to ensure a reasonably clean and safe roadway until Final Acceptance by the TOWN Board. If after reasonable notice to the DEVELOPER, the DEVELOPER fails to meet this requirement, the TOWN Board will cause the work to be done and will bill the DEVELOPER on a time and material basis. Said bill shall be paid immediately by the DEVELOPER.

3. In the event drainage problems arise within the subject property or related activities on the subject property, the DEVELOPER shall correct such problems to the satisfaction of the TOWN. Such correction measures shall include, without limitation because of enumeration, cleaning of soil, loose aggregate and construction debris from culverts, drainage ditches and streets; dredging and reshaping of siltation or retention ponds; replacing of siltation fences; sodding and seeding; construction of diversion ditches, ponds and siltation traps; and restoration of all disturbed areas. This responsibility shall continue until such time as the roads, ditches, and other disturbed areas have become adequately vegetated and the TOWN Board is satisfied that the DEVELOPER has restored all areas which were disturbed because of this development.

Commented [dlin22]: ok

E. **DEFINITION:** For purposes of this Agreement and by way of definition, the parties agree to comply with the general standards acceptable in the particular industry or common practice.

VII. TOWN RESPONSIBILITY FOR IMPROVEMENTS

The TOWN shall NOT be responsible to perform repair, maintenance on any improvements until Final Acceptance by the TOWN Board.

VIII. RISK OF PROCEEDING WITH IMPROVEMENTS PRIOR TO APPROVALS OF FINAL PLAT

If DEVELOPER proceeds with the installation of public improvements or other work on the site prior to approval of the final plat, it proceeds at its own risk as to whether or not the final plat will receive all necessary approvals. The DEVELOPER, prior to commencement of the installation of public improvements or other work on site, shall notify the TOWN of the DEVELOPER'S intention to proceed with the installation of public improvements or other work on site, prior to approval of the final plat. Additionally, DEVELOPER shall make arrangements to have any public improvements and/or other work on site inspected by the TOWN Engineer.

IX. FINANCIAL GUARANTEE

Prior to the execution of this Agreement by the TOWN Board, the DEVELOPER shall file with the TOWN a Letter of Credit in accordance with § 236.13 of the Wisconsin Statutes setting forth terms and conditions in a form approved by the TOWN Attorney in the amount as approved by the TOWN Engineer as a guarantee that the DEVELOPER will perform all terms of this Agreement no later than one year from the signing of this Agreement except as otherwise set forth in this Agreement. If at any time:

Commented [DC23]: KSG added

A. The DEVELOPER is in default of any aspect of this Agreement, or

B. The DEVELOPER fails to maintain such letter of credit during the term of this Agreement and fails to provide the TOWN with proof of renewal of such letter of credit at least thirty (30) days prior to the expiration date, if any, of such letter of credit; or

C. The DEVELOPER does not complete the installation of the improvements within one (1) year from the signing of this Agreement unless otherwise extended by this Agreement or by action of the TOWN Board, or

D. If the DEVELOPER fails to provide the TOWN with proof of renewal of the letter of credit at least thirty (30) days prior to its expiration date; or

E. The DEVELOPER fails to maintain a letter of credit in an amount approved by TOWN Engineer, and in a form approved by the TOWN Attorney; the DEVELOPER shall be deemed in violation of this Agreement and the TOWN Board shall have the right to draw upon the Letter of Credit or withhold the issuance of any permits requested by the DEVELOPER, their successors or assigns.

Commented [DC24]: KSG added

The lending institution providing the irrevocable Letter of Credit shall pay to the TOWN all sums available for payment under the irrevocable Letter of Credit upon demand, subject to the terms and conditions of the irrevocable Letter of Credit, and upon its failure to do so, in whole or in part, the TOWN shall be empowered in addition to its other remedies, without notice or hearing, to impose a special charge for the amount of said completion costs, upon each and every lot in the development payable with the next succeeding tax roll.

The security shall be provided no later than ten (10) days before the commencement of the installation of the improvements.

No land surface disturbance or construction shall commence within this Development prior to the DEVELOPER providing surety for the Improvements.

X. REDUCTION AND RELEASE OF GUARANTEE

The amount of the Letter of Credit will be reduced from time to time as and to the extent that the portion of work required under this Agreement is completed and paid for, provided that the remaining letter of credit is sufficient to secure payment for any remaining improvements and also provided that no reduction shall occur until it is approved in writing by the TOWN Engineer and TOWN Board.

XI. BUILDING AND OCCUPANCY PERMITS

It is expressly understood and agreed that no building or occupancy permits shall be issued for any homes, until the TOWN Engineer has determined that:

1. The installation of the first lift of asphalt of the public street(s) providing access to and fronting a specific lot for which a building permit is requested has been completed and accepted by the TOWN Board.
2. All required grading plans have been submitted to, reviewed by and approved by the TOWN Engineer.
3. The DEVELOPER has paid in full all permit fees and reimbursement of administrative costs as required by this Agreement (if wooded lot). The storm water

management plan was approved based upon wooded lots and corresponding runoff coefficients. No trees shall be removed from any buildable lot prior to the issuance of a building permit. A building survey showing the size and location of existing trees, which are proposed to be removed for the home construction, shall be submitted to the TOWN Engineer for approval prior to issuance of a building permit.

4. All destroyed trees, brush, tree trunks, shrubs and other natural growth and all rubbish are removed from the development and disposed of lawfully.

5. The DEVELOPER is not in default of any aspect of this Agreement.

XII. RESERVATION OF RIGHTS AS TO ISSUANCE OF BUILDING PERMITS

The TOWN reserves the right to withhold issuance of any and all building permits if DEVELOPER is in violation of this Agreement.

No house construction, excluding ~~the model home~~ homes constructed for the proposed 2019 Metropolitan Builders Association Parade of Homes, shall commence on any lot until:

1. Asphalt binder (and shoulder stone) is in place on all street frontages.
2. Street and regulatory signs are in place and the TOWN has been reimbursed for costs incurred.
3. Driveway culvert map has been approved.
4. All applicable TOWN Standards have been met.
6. All other subdivision street and drainage Improvements are substantially complete.

Commented [DC25]: KSG added/revised

Commented [dlin26]: They will request this waived to begin home

Commented [dlin27]: Unsure if this was submitted, should have been if we issued permits for homes/driveways

XIII. MISCELLANEOUS REQUIREMENTS

The DEVELOPER shall:

A. **EASEMENTS:** Provide any easements including vision easements on SUBJECT LANDS deemed necessary by the TOWN Engineer before the final plat is signed or on the final plat and such easements shall be along lot lines if at all possible.

Commented [dlin28]: Already signed

B. **MANNER OF PERFORMANCE:** Cause all construction called for by this Agreement to be carried out and performed in a good and worker like manner.

C. **SURVEY MONUMENTS:** Properly place and install any lot, block or other monuments required by State Statute, TOWN Ordinance or the TOWN Engineer.

D. **DEED RESTRICTIONS:** Execute and record deed restrictions and provide proof of recording prior to sale of lots for the SUBJECT LANDS in the form attached hereto, made a part hereof, and marked **EXHIBIT B**.

Commented [dlin29]: Include from Phase IIa?

1. **LOT GRADE:** Each lot owner must strictly adhere to and finish grade its lot in accordance with the Master Lot Grading Plan or any amendment thereto approved by the TOWN Engineer on file in the office of the TOWN Clerk. The DEVELOPER and/or the TOWN and/or their agents, employees or independent contractors shall have the right to enter upon

any lot, at any time, for the purpose of inspection, maintenance, correction of any drainage condition, and the property owner is responsible for cost of the same.

2. **ISSUANCE OF BUILDING PERMIT/GRADES:** Prior to the issuance of a building permit for a specific lot, lot owner and/or their agent shall furnish to the Building Inspector of the TOWN a copy of the stake out survey, which is based on USGS Vertical Datum, showing the street grade in front of the lot, the finished yard grade, the grade of all four corners of the lot, and the lot corner grades of the buildings on adjoining lots where applicable, as existing and as proposed.

E. **PERMITS:** Provide and submit to the TOWN requesting the same, valid copies of any and all governmental agency permits.

F. **PARK AND PUBLIC SITE DEDICATION FEES:** To pay as provided in the TOWN'S Ordinances, a fee per lot developed in lieu of dedication of lands for park and public sites. The fee for the entire development shall be paid prior to final approval of the final plat. All applicable fees for this development are attached on **EXHIBIT I** which is incorporated herein by reference.

Commented [dlin30]: Needs to be prepared

G. **NOISE:** Make every effort to minimize noise, dust, and similar disturbances, recognizing that the SUBJECT LANDS are located near existing residences. Construction of improvements shall not begin before 6:00 AM and it shall end before 6:00 PM, Sunday through Saturday. Construction shall be limited to 7:00 AM to 12:00 Noon on Saturdays, and there shall be no construction activities on Sundays and holidays.

Commented [dlin31]: Keep the same as previous agreement

H. **DOCUMENTS:** The DEVELOPER shall provide three (3) complete sets of recorded final plat documents to the TOWN including, but not limited to:

1. A full-size Final Plat.
2. An 11" x 17" or smaller Final Plat.
3. AutoCAD version of Final Plat document.
4. Deed Restrictions and Protective Covenants.
5. Other documents recorded with the Register of Deeds, or as determined by the Town Attorney.

XIV. PAYMENT OF COSTS, INSPECTION & ADMINISTRATIVE FEES

The DEVELOPER shall pay and reimburse the TOWN promptly upon billing for all reasonable fees, expenses, costs and disbursements which shall be incurred by the TOWN in connection with this subdivision or relative to the construction, installation, dedication and acceptance of the subdivision improvements covered by this Agreement, including without limitation by reason of enumeration, design, engineering, review, supervision, inspection and legal, administrative and fiscal work. Any such charge not paid by DEVELOPER within thirty (30) days of being invoiced may be charged against the financial guarantee held by the TOWN pursuant to this Agreement, or assessed against the subdivision land as a special charge pursuant to §66.027, Wis. Stats. All applicable fees set forth on **EXHIBIT E** to this development are set.

XV. GENERAL INDEMNITY

In addition to, and not to the exclusion or prejudice of, any provisions of this Agreement or documents incorporated herein by reference, the DEVELOPER shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the TOWN, its officers, agents, employees and independent contractors related to the actions and conduct of DEVELOPER conducted in accordance of this Agreement as stated above by any party or parties. This indemnity is limited to the conduct of the DEVELOPER or its agents and shall not apply to conduct of third parties in the development or any subsequent changes to the property involved in the development.

XVI. INSURANCE

The DEVELOPER, its contractors, suppliers, and any other individual working on the SUBJECT PROPERTY shall maintain at all times until the expiration of the guarantee period insurance coverage in the forms and in the amounts as set forth on **EXHIBIT G**.

XVII. EXCULPATION OF TOWN CORPORATE AUTHORITIES

The parties mutually agree that the TOWN Chair of the TOWN Board and/or the TOWN Clerk entered into and are signatory to this Agreement solely in their official capacity and not individually and shall have no personal liability or responsibility hereunder and personal liability as may otherwise exist being expressly released and/or waived.

XVIII. GENERAL CONDITIONS AND REGULATIONS

All provisions of the TOWN Ordinances are incorporated herein by reference, and all such provisions shall bind the parties hereto and be a part of this Agreement as fully as if set forth at length herein. This Agreement and all work and improvements required hereunder shall be performed and carried out in strict accordance with and subject to the provisions of said Ordinances.

XIX. COMPLIANCE WITH CODES AND STATUTES

The DEVELOPER shall comply with all current applicable codes of the TOWN, County, State, and federal government, and further, DEVELOPER shall follow all current and future lawful orders of any and all duly authorized employees and/or representatives of the TOWN, County, State, or federal government.

XX. PRELIMINARY PLAT AND FINAL PLAT CONDITIONS

The DEVELOPER acknowledges that the SUBJECT LANDS are subject to a conditional preliminary plat approval and a conditional final plat approval by the TOWN of Lisbon. The DEVELOPER and the TOWN further agree that they are bound by these conditions. A copy of the conditional preliminary plat approval for the subject property is attached hereto and incorporated herein as **EXHIBIT C**, and the conditional final plat approval for the subject property is incorporated herein as **EXHIBIT D**. If there is a conflict between the conditions as forth in said conditional approvals and the DEVELOPER'S Agreement, the more restrictive shall apply.

Commented [dlin32]: Already recorded

XXI. ASSIGNMENT

The DEVELOPER shall not assign this Agreement without the prior written consent of the TOWN. The assignee must agree to all terms and conditions of this document in writing.

XXII. PARTIES BOUND

The DEVELOPER or its assignees shall be bound by the terms of this Agreement or any part herein as it applies to any phase of the development of the subdivision.

XXIII. HEIRS & ASSIGNS

This Agreement is binding upon the DEVELOPER, owners, their heirs, their assigns, and successors, and all future owners of the SUBJECT LANDS.

XXIV. REVIEW PROCESS

If the TOWN Engineer and DEVELOPER cannot agree with the decision of the TOWN Engineer, then DEVELOPER shall have the right to have the matter reviewed by the TOWN Attorney or TOWN Board and to present such evidence as may be warranted. The TOWN Attorney or TOWN Board may modify, correct, or affirm the TOWN Engineer's decision.

XXV. AMENDMENTS

The TOWN and the DEVELOPER, by mutual consent, may amend this Developer's Agreement at any meeting of the TOWN Board. The TOWN shall not, however, consent to an amendment until after first having received a recommendation from the TOWN'S Plan Commission.

IN WITNESS WHEREOF, the DEVELOPER and the TOWN have caused this Agreement to be signed by their appropriate officers and their corporate seals to be hereunto affixed in three original counterparts the day and year first above written.

DEVELOPER:

By: _____
Authorized Signatory

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, 2018, the above named _____, Authorized Signatory of _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Notary Public, State of Wisconsin
My commission:

TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

By: _____
Joseph Osterman, Chairman

By: _____
Daniel Green, Town Clerk, WCMC

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

Personally came before me this ____ day of _____, 2018, the above named Joseph Osterman and Daniel Green, TOWN Chairman and TOWN Clerk respectively, of the above-named municipal corporation, to me known to be the persons who executed the foregoing instrument and to me known to be the TOWN Chairman and TOWN Interim Administrator & TOWN Clerk of said municipal corporation and acknowledged that they executed the foregoing instrument as such officers as the deed of said municipal corporation by its authority and pursuant to the authorization by the TOWN Board from their meeting on Monday, June 25, 2018.

Notary Public, State of Wisconsin
My commission: _____

APPROVED AS TO FORM:

TOWN Attorney

ATTACHMENTS:

- EXHIBIT A: Site Development Plan
- EXHIBIT B: Declarations of Restrictions
- EXHIBIT C: Preliminary Plat
- EXHIBIT D: Final Plat
- EXHIBIT E: Dedication Fees
- EXHIBIT F: Landscape Plan
- EXHIBIT G: Insurance
- EXHIBIT I: Fee Exhibit

This document drafted by:
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- Commented [dlin33]:** Applicant needs to prepare a map or see the one I prepared
- Commented [dlin34]:** Copy from Phase IIa. I do not have these in my files.
- Commented [dlin35]:** Already recorded only include final
- Commented [dlin36]:** Copy from Phase IIa. I do not have these in my files. Does this need to include more of the outlots?



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Plan Commission

ITEM DESCRIPTION: Pauline Haass land sale

PREPARED BY: Gina C. Gresch, Administrator

REPORT DATE: Friday, October 26, 2018

RECOMMENDATION:

EXPLANATION:

The Town Board is negotiating on selling the Pauline Haass land. Wisconsin State Statute 62.23(5) requires that the Town Board refer the matter to Plan Commission for its consideration and report before the Town Board takes any final action on the matter. This referral is considered "mandatory" under the statute. See Scanlon v. Menasha, 16 Wis.2d 437 (1962).

As the statute is interpreted, the Plan Commission's role here is advisory, i.e., that it be informed about the proposed sale and so that it can be considered with respect to the Town's "long-range plan relating to either the sale or acquisition of public property and its location and use". Scanlon, 16 Wis.2d at 444. Per the legal opinion, the Plan Commission would have no authority to nullify the deal or require, for example, the Town seek a higher purchase price. These decisions are within the board's purview. The Plan Commission's only role is to provide an advisory report back to the board.

§62.23(5) Matters referred to city Plan Commission. The council, or other public body or officer of the city having final authority thereon, shall refer to the city Plan Commission, for its consideration and report before final action is taken by the council, public body or officer, the following matters: The location and architectural design of any public building; the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public way, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the city or within the territory over which the city is given platting jurisdiction by ch. 236; the location, character and extent or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any ordinance adopted pursuant to this section. Unless such report is made within 30 days, or such longer period as may be stipulated by the common council, the council or other public body or officer, may take final action without it.

Once the Plan Commission has considered the matter and reported back to the Town Board, that particular contingency can be considered satisfied. The final action of the Town Board is authorizing the appropriate official to sign the deed once all of the contingencies have been satisfied.



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Plan Commission

ITEM DESCRIPTION: Waukesha County Site Plan and Plan of Operation Process Improvement Proposal

PREPARED BY: Gina C. Gresch, Administrator

REPORT DATE: Friday, October 31, 2018

RECOMMENDATION: Give feedback to Waukesha County

EXPLANATION

The following pages include a memo from Waukesha County Parks and Land Use on a Site Plan and Plan of Operation Process Improvement Proposal. Waukesha County would like feedback from the Town if they support the proposal or not. Our goal is to simplify the application process. If a Conditional Use or CSM needs to start at the Waukesha County, there will be one application and one fee, paid to Waukesha County, since they have to do all of the notifications and reviews. The Town Planner and/or Engineer will still need to do a review for Town standards, Waukesha County will share the fee with the Town, amounts to be determined. The applicant will still be charged back for Town Planner / Engineer time spent on their application, which should be much less since the county is the starting point.

Paul Farrow
County Executive

Dale R. Shaver
Director



Waukesha County

Department of Parks and Land Use

MEMORANDUM

Date: August 17, 2018

To: All Town Planners within Waukesha County

From: Dale R. Shaver, Director
Department of Parks and Land Use

Subject: Site Plan/Plan of Operation Process Improvement Proposal

Earlier this year, Waukesha County Planning and Zoning Division Staff assembled a workgroup comprised of County staff and Town planners and administrators to consider methods for streamlining the existing Site Plan/Plan of Operation application review process within Waukesha County's zoning jurisdictional area. The business and brokerage community has expressed desire for a more expedient, streamlined review process. Small businesses often experience obstacles when they start up or expand and Waukesha County is committed to improving the permitting process. The objective is to simplify the application process and allow applicants to begin operating within a narrower timeframe. Our goal is to implement a revised process prior to the end of this year.

After charting the existing Town and County processes using LEAN techniques, the workgroup determined that improvements can be made by eliminating duplicative steps and by creating an expedited review process for simple applications. Several ideas for eliminating duplicative effort were discussed, including:

- Creation of a single Town/County application. The County would be the primary contact for the applicant.
- Consideration of a single fee for simple applications. The County can reimburse the Towns a fixed amount per application.
- County would be responsible for drafting a staff report with conditions and send to the Town for final comments or Plan Commission review.
- County would send final review letter/decision/permit after receiving documentation from the Town that all Town conditions have been met.

Planning and Zoning

*Site Plan/Plan of Operation Process Improvement Project**Page 2*

It was acknowledged that there may be some challenges associated with a property that has split jurisdiction and is subject to Town and County ordinance provisions. However, the County is willing to work with Towns to seek a solution for an alternative application process that satisfies all reviewing entities.

To reduce review time for simple Site Plan changes, County Staff and Town Planners came up with a list of application types that could be reviewed by professional staff only. Attached is a summary of application types categorized by proposed application review entity.

With receipt of this memo, we request that all Town Planners place this matter on your next Town Plan Commission agenda so that commissioner concerns and comments can be considered prior to the process improvement scheme being finalized. If you would like assistance explaining the objective of this proposal or have questions regarding the proposed modifications to the Site Plan/Plan of Operation application process, please contact Amy Barrows, Senior Planner, at (262) 548-7790, or aabarrows@waukeshacounty.gov. Waukesha County Planning Staff will begin drafting a more efficient application and related process procedures, but would like Town input prior to implementation. Town and County ordinances may need to be modified accordingly.

The County appreciates your consideration in this matter. We would like to have **comments back from the Towns by October 31st** so that we can move forward with implementation by the end of the year. Thank you for helping us improve the customer service and permitting experience for the local business community. We thank Jeff Herrmann, Dan Lindstrom, Shaun Mularkey, and Gina Gresch for their contributions to this project.

Enclosure

cc: Town Clerk (In addition, please distribute to your Town Chairman and Town Plan Commission)

Summary of Site Plan/Plan of Operation Application Types:

Proposed Review Entities

Proposed Professional Staff review only

- New owner or operator
- New business in same building with same type of use
- Change in signage
 - Change face or replace existing sign, provided no change in lighting or physical change to dimensions/pole/projection etc.
- Interior remodeling
- Misc. Site Plan modifications
 - Landscaping
 - Parking/loading
 - Modification of layout, if area and # of parking stalls remain the same
 - Modification of property/use boundaries, if no change in use or if there is not impact to the existing uses allowed and conditions of approval.
- Misc. Operational modifications
 - Days/hours of operation
 - # of employees
 - Dumpsters, if sufficient screening is already established

****If there are any questions or disputes, the applicant and/or Town/County staff can send the proposal to the Town Plan Commission for consideration.***

Proposed Town Plan Commission and County Staff review – Interim period

Consideration will be given to expanding staff review for the below project types if standard provisions are incorporated into the ordinance or it is determined that Plan Commission review is unnecessary.

- Change in signage
 - Replace or new signage, if any change to lighting or physical characteristics. This could be reviewed by staff only if specific signage provisions are incorporated into the ordinance.
- Misc. Site Plan modifications
 - Lighting, until ordinance has specific lighting provisions
 - Dumpsters, review for appropriate screening
 - Parking/loading
 - Additions to parking area or modifications to # of stalls
- Accessory buildings
 - Modifications/additions
 - New
- Misc. Operational modifications
 - Food service
 - Alcohol service (incl. Town Board)
 - Temporary uses (greenhouses, farm stands, furniture sales)
- Modification of property/use boundaries, if there is a change in use or an impact to uses allowed and conditions of approval.

Proposed Town Plan Commission and County Staff review

- Additions to buildings– vertical or lateral
- Same building, but change in use (ex. office to restaurant or retail to service)
- New construction on vacant lot
- New digital reader board sign
- Misc. Operational modifications
 - Special events
 - Music
 - Outdoor storage/use
 - Outdoor seating/entertainment

N:\PRKANDLU\Planning And Zoning\Division Projects\Office Automation ECM\Site Plan Plan Of Op\PO Process Improvement 2018\Summary Of Types & Review Entities.Docx