



0001

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

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 14, 2019
6:30 PM

- 1. Roll Call.**
- 2. NOTICE IS HEREBY GIVEN** that a Joint Public Hearing will be conducted by the Lisbon Town Board of Supervisors and Plan Commission on Thursday, November 14, 2019 beginning at 6:30 P.M. at the Town of Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089 to consider a proposed amendment to the Town of Lisbon Comprehensive Development Plan: 2035. The purpose of the public hearing is to accept public comments on the proposed amendment. An application has been filed by Jim Forester for the property owned by Rightway Bus, LLC, requesting an amendment to the Land Use Plan Map adopted as part of the Town Comprehensive Development Plan. The application requests that the Land Use Plan Map be amended from Rural Density & Other Agricultural Lands to Low Density Residential for the property located at N95W23759 County Line Road, LSBT 0150.997. The Other Open Lands to be Preserved will not be changed. (Rescheduled from October 10, 2019 meeting)
- 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 14, 2019, beginning at 6:30 P.M. following the previously scheduled 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, Sections 27 and 28, relating to the Commercial Special Use Zoning Districts, and proposed amendments to the text of the Town of Lisbon Zoning Ordinance in accordance with Wisconsin State Statutes, re-adopting Ordinance 01-18 related to Planned Unit Developments as an overlay district in the Town of Lisbon.
- 4. NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Lisbon Plan Commission on Thursday, November 14, 2019, beginning at 6:30 P.M. following the previously scheduled hearing at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on a Conditional Use Permit request for a Bed and Breakfast for Jeremy and Lori 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.

Agenda
Plan Commission Meeting
Town of Lisbon, Town Hall
Thursday, November 14, 2019
6:30 PM or (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 10, 2019 Plan Commission Public Hearing & Meeting minutes.

4. Old Business

5. New Business

- a. Discussion and necessary action on Resolution 16-19, Resolution Amending the Town of Lisbon Land Use Map from Rural Density and Other Agricultural Lands and Other Open Lands to Low Density Residential (Other Open Lands to be Preserved will not be changed), for the request of Jim Forester for the property owned by Riteway Bus LLC, for the property located at N95W23759 County Line Road, LSBT 0150.997 and recommendation to the Town Board of the same. (Rescheduled from October 10, 2019 meeting)
- b. Discussion and necessary action on the request from Jeremy Rush for the property located at N72W24740 Good Hope Road, LSBT 0203.994.005, for the following:
 - i. Conditional Use Permit Amendment for a Bed & Breakfast
 - ii. Sign Permit
- c. Discussion and necessary action on the request from Frank Gross, for the property located at N80W23792 Plainview Road, LSBT 0187.998.009, for a four lot Certified Survey Map and recommendation to the Town Board of the same.
- d. Discussion and necessary action on Ordinance 19-19, an Ordinance amending Chapter 11, Section 27 of the Town Zoning Code related to the B-4 Commercial Special Use Zoning District and recommendation to the Town Board of the same.
- e. Discussion and necessary action on Ordinance 20-19, an Ordinance amending Chapter 11, Section 28 of the Town Zoning Code related to the B-P Industrial/Business Park Special Use Zoning District and recommendation to the Town Board of the same.
- f. Discussion and necessary action on Ordinance 18-19, an Ordinance re-adopting Ordinance 01-18 related to Planned Unit Developments as an overlay district and recommendation to the Town Board of the same.
- g. Discussion and necessary action on the request from Preserve at Harvest Ridge, LLC for the property located at LSBT 0264.998.002, or the following:
 - i. Developer's Agreement
 - ii. Final Plat

6. Conceptual

- a. Discussion on a preliminary site plan for the property owned by Amin Hamdan and located at the corner of C.T.H. F and C.T.H. K, LSBT 0284.994.001 for a proposed truck washing station.

- b. Discussion and necessary action on the requests from Donnette Mayrack and Sara Christon, N75W27099 Oakwood Road, LSBT0216.996.002 and N75W27092 Oakwood Road, LSBT0216.996.003, for a conceptual review to remove a park path reservation.

7. Town and Planner Report

- a. October & November Planner Appointments

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

9. Adjournment.

Joseph Osterman
 Chairman

Jane Stadler
 Secretary

Posted: 2019-11-08

Clerk: D.G.
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 Plan Commission Public Hearing(s)
 Town of Lisbon, Town Hall
 Thursday, October 10, 2019
 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, Plan Commission Members Ed Nelson, Chad Samanske, Jane Stadler and Bryan Oelhafen. Also present: Planner Dan Lindstrom, Attorney Michael Van Kleunen and Town Clerk Dan Green. Supervisor Plotecher and Commissioner Meyer were excused.

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be conducted by the Lisbon Town Board of Supervisors and Plan Commission on Thursday, October 10, 2019 beginning at 6:30 PM at the Town of Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089 to consider a proposed amendment to the Town of Lisbon Comprehensive Development Plan: 2035. The purpose of the public hearing is to accept public comments on the proposed amendment. An application has been filed by Jim Forester for the property owned by Rightway Bus, LLC, requesting an amendment to the Land Use Plan Map adopted as part of the Town Comprehensive Development Plan. The application requests that the Land Use Plan Map be amended from Rural Density & Other Agricultural Lands and Other Open Lands to be Preserved to Low Density Residential for the property located at N95W23759 County Line Road, LSBT 0150.997.

Chairman Osterman explained that the Public Hearing scheduled was postponed until November 14th due to lack of a Town Board quorum.

**Minutes of the Plan Commission Meeting
 Town of Lisbon, Town Hall
 Thursday, October 10, 2019
 Following the Public Hearing beginning at 6:30 P.M.**

Chairman Osterman called the Plan Commission meeting to order at 6:30 P.M.

Roll Call: Present: Chairman Joseph Osterman, Plan Commission Members Ed Nelson, Chad Samanske, Jane Stadler and Bryan Oelhafen. Also present: Planner Dan Lindstrom, Attorney Michael Van Kleunen and Town Clerk Dan Green. Excused: Mark Meyer and Becky Plotecher.

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

Discussion and necessary action on September 12, 2019 Plan Commission Public Hearing & Meeting minutes.

Motion by Commissioner Samanske to approve the September 12, 2019 Plan Commission minutes. Seconded by Commissioner Nelson. Motion carried, 5-0.

New Business

Discussion and necessary action on Resolution 16-19, Resolution Amending the Town of Lisbon Land Use Map from Rural Density and Other Agricultural Lands and Other Open Lands and Other Open Lands to be Preserved to Low Density Residential, for the request of Jim Forester for the property owned by Riteway Bus LLC, for the property located at N95W23759

**County Line Road, LSBT 0150.997 and recommendation to the Town Board of the same.
(Postponed until November 14, 2019)**

Discussion and necessary action on the request from Parking Lot Maintenance, Inc., for the property located at W225N3178 Duplainville Road, LSBT 0287.985.001, for a Site Plan/Plan of Operation amendment to construct a temporary storage structure.

Planner Lindstrom explained this is a result of a planner appointment with the applicant and not having a clear direction on where to go. This originally came to the Plan Commission 4 years ago and had in its first plans an additional building on the property with no building plans. The applicant came to a planner appointment to construct a salt storage to operate a surface maintenance operation. The salt storage would typically be considered a contractor's yard by our definition but would require at least a 5 acre lot. The applicant's lot is only 2.5 acres. The rest of the site does show outdoor storage but used as equipment and goods which is typically allowed with Plan Commission approval. The Planner displayed examples of buildings which the applicant is proposing. He explained these typically would be considered temporary storage, but we do not foresee the applicant taking this down within 180 days.

Ryan Laughlin, the applicant, explained Parking Lot Maintenance is a construction company. They store all manner of things on their property from scrap to trucks to wood, anything a construction company can have. Currently it is all outdoor storage. He explained his neighbors have miles of pipe stacked up outside and Globe Contractors and Always Construction have piles of dirt and stone on their parcels. He explained they are operating in essentially the same manor. He explained their company wants to store salt for the snow removal side of the business. The least desirable way to store salt would be on the ground with a tarp over it and the proposed structure would keep it out of the elements and look a little nicer. He also explained they do not want to put up a formal building.

Commissioner Nelson asked if this was open salt or in bags and if the proposed structure would be up 365 days of the year. The applicant explained it was bulk storage, not bags and that the structure could be up for 365 days of the year and most likely would. Commissioner Nelson expressed some concerns with salt leading off the site through stormwater.

Chairman Osterman explained that the zoning of this property shows that this building cannot go here. Supervisor Samanske asked how tall the structure would be which the applicant stated 22 feet (under the height restriction). Chairman Osterman stated the applicant is asking for something the Plan Commission cannot do. He also stated this might be a Board of Appeals issue but legally they would not be able to approve this. He said that storage of salt is specifically mention in the Contractor's Yard. Planner Lindstrom explained that Board of Appeals is centered on dimensional standard and not use, so it would not be subject to the BOA. Chairman Osterman again stated that when the Zoning Code specifically spells something out, the Commission cannot go against it.

The applicant expressed concern for other companies that are not abiding by the Town Code by storing salt. The Planner explained there are a variety of reasons for that including a non-conforming use before the Town Code was adopted, or the size of their lots could be 5 acres or more. Planner Lindstrom also explained that everything the applicant is storing outside currently can stay outside. The applicant expressed concern that the Town was categorizing his business as a contractor's yard when that is not what he thought he was.

The applicant asked if he were over 5 acres if he would be allowed to build this structure in which the Planner stated yes, and at that point you could fall into the contractor's yard category. The applicant asked how he could get a variance which the Planner explained he could not on this particular item because there are no specific measurements in which to be granted a variance. The Commission explained that the

applicant would have to build a permanent structure matching the façade of his current structure to house salt if he wishes to do so.

Discussion and necessary action on the request from Lynch Engineering for the property owned by David and Joyce Paral, for the property located at W278N9312 Sweetbriar Lane, LSBT 0166.998.023, for a minor grading permit to construct a paver patio and retaining wall.

Planner Lindstrom explained the Engineer wrote a letter which is included in the packet. Minor Grading permits usually do not come to the Plan Commission for approval, but the Engineer asked for this item to be added to the agenda due to the water issues that this property has. The applicant is looking to build a small retaining wall to keep water from spilling into their patio doors on the back of their house. Lynch Engineering was present at the meeting to answer questions. Chairman Osterman explained this area of the Town has a lot of flooding issues. To this point no water has entered their home but this area is bad, especially when the ground is frozen and it rains like it did last winter.

The engineer from Lynch explained the flood elevation was 1026 and feels that the proposed construction will alleviate issues they have been having. If there is a catastrophic event they should still be kept dry. Commissioner Nelson explained that we have been prone to more extreme weather events lately. He expressed concern that the grading would not push the water onto someone else's property. Chairman Osterman agreed that as long as this does not affect other homeowners it is fine by him. The engineer from Lynch explained they spoke with Waukesha County and they are below the amount of grading to need any permits from them. Chairman Osterman stated any approval would be subject to the Town's engineer reviewing and signing off on the permit.

Motion by Chairman Osterman to approve the request from Lynch Engineering for the property owned by David and Joyce Paral, for the property located at W278N9312 Sweetbriar Lane, LSBT 0166.998.023, for a minor grading permit to construct a paver patio and retaining wall contingent on approval of the Town Engineer. Seconded by Commissioner Nelson. Motion carried 5-0.

Discussion and necessary action on Resolution 12-19, a Resolution Amending the Town of Lisbon Land Use Map for the property known as "Brown Property", for the property located at N55W25299 Richmond Road, LSBT 0273.998 and recommendation to the Town Board of the same.

Motion by Chairman Osterman to approve Resolution 12-19, a Resolution Amending the Town of Lisbon Land Use Map for the property known as "Brown Property", for the property located at N55W25299 Richmond Road, LSBT 0273.998 and recommendation to the Town Board of the same. Seconded by Commissioner Stadler. Motion carried 6-0.

Discussion and necessary action on the request from Zac Zimmerman for the property located at N91W26399 Hickory Road, LSBT 0164.998, to construct a third accessory building for agricultural use as required in the Waukesha County Shoreland & Floodland Protection Ordinance Section 3(j)(4)(C).

Planner Lindstrom explained this is before the Plan Commission because of the Waukesha County Shoreland and Floodland Protection Ordinance which requires the Town Plan Commission approval for 3 accessory buildings in this zoning district. The property is in the Town's A-10 District so the accessory building does meet our code. The applicant has informed us that the chicken coop on the property has been taken down, so at this point you would be approving constructing a second accessory building. There were no concerns from the Plan Commission.

Motion by Commissioner Samanske to approve the request from Zac Zimmerman for the property located at N91W26399 Hickory Road, LSBT 0164.998, to construct a second accessory building for agricultural use

*as required in the Waukesha County Shoreland & Floodland Protection Ordinance Section 3(j)(4)(C).
Seconded by Commissioner Nelson. Motion carried, 5-0.*

Town Clerk and Planner Report

Sign Code Updates

Planner Lindstrom explained he is looking to have the Plan Commission meet in November or December to have a working session so they can review a few items that have come up including the sign code, short term rentals, hours of operation and a handful of other items. The Town Clerk will send out a pole to the Commission members to find which date works best.

September and October Planner Appointments

Planner Lindstrom reviewed planner appointments from the past month including the Contractor's Yard from earlier, a truck washing station at Quarry Corners, additional buildings at the Barracks off Townline Road, and a couple of inquiries about land divisions.

Requests from members to put future items on the agenda.

None

Adjournment.

Motion by Commissioner Oelhafen to adjourn the Thursday, October 10, 2019 Plan Commission Meeting at 7:36 P.M. Seconded by Supervisor Samanske. Motion carried, 6-0.

Respectfully submitted,

Dan Green, WCMC
Town of Lisbon Clerk

ITEM 5A - Attachments

TOWN OF LISBON
W234 N8676 Woodside Road
Sussex, Wisconsin 53089

Phone (262) 246-6100

Fax (262) 820-2023

Website: www.tn.lisbon.wi.gov

REQUEST TO AMEND THE TOWN OF LISBON LAND USE PLAN

THE REQUESTED AMENDMENT MUST BE ACCOMPANIED BY A SCALED MAP, SURVEY, SITE PLAN OR OTHER SIMILAR MEANS OF DEPICTING THE SUBJECT PROPERTY

Tax Key No(s). of the subject property LSBT 0150997

Legal Description of the subject property
See the legal description on the attached Trustee's Deed Document No. 4063852

Existing Land Use category as designated on the Town of Lisbon Land Use Plan (LUP)
Rural Density & Other Agricultural Lands, Other Open Lands to be Preserved, PEC and Low Density Residential

Amendment requested (e.g., which Land Use category) Low Density Residential

How much acreage is to be amended to the new Land Use category? 44 acres

Is the amendment within an adopted Sewer Service Area? _____ If so, is sewer available to the subject property? No

Existing Land Use Agricultural

Proposed Land Use Residential

Conditions which justify the requested amendment to the LUP (use additional sheets, if necessary):
The change is proposed in order to develop one acre single family residential lots and to match the existing land use of the existing subdivision immediately to the east of the project site.

Owner Riteway Bus LLC
W201 N13900 Fond Du Lac Ave
Address Richfield, WI 53076

Applicant Jim Forester
1405 Capitol Drive
Address Pewaukee, WI 53072

Daytime Phone No. 4142350594

Daytime Phone No. 262-292-9552

DocuSigned by:
RJ Bast
Signature of Owner

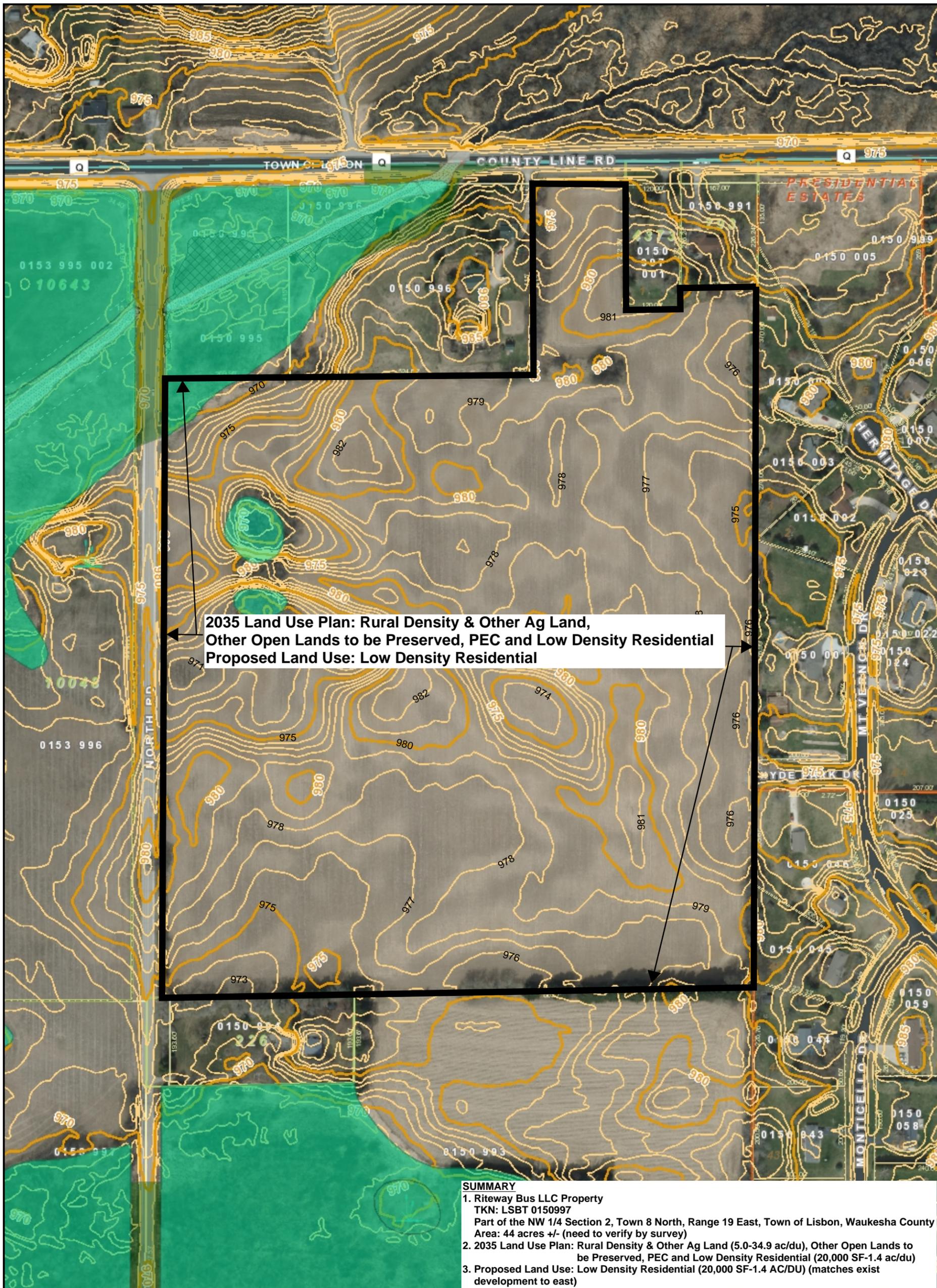
DocuSigned by:
JAMES FORESTER
Signature of Applicant (if different)

Date: 8/30/2019

Date: 8/31/2019



Waukesha County GIS Map



0 200.00 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.



Printed: 8/15/2019

Notes: **PROPOSED LAND USE PLAN**

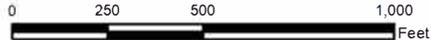
AUGUST 30, 2019
PEG # 1778.00-WI



Parcel ID LSBT0150997: Site Map

Town of Lisbon

1 inch = 500 feet



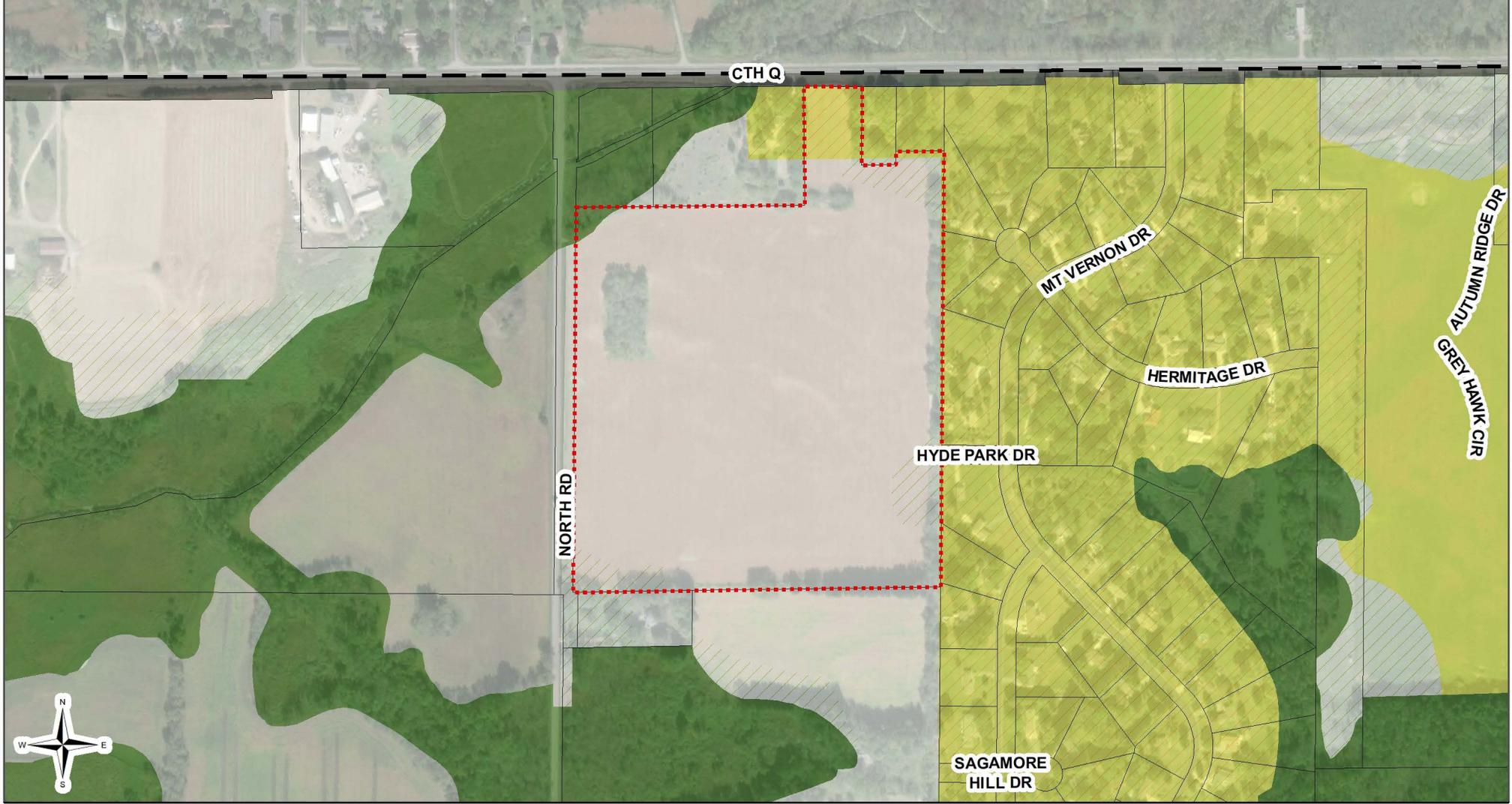
 Town of Lisbon Boundary
 Subject Parcel

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		



Parcel ID LSBT0150997: Future Land Use

Town of Lisbon

1 inch = 500 feet



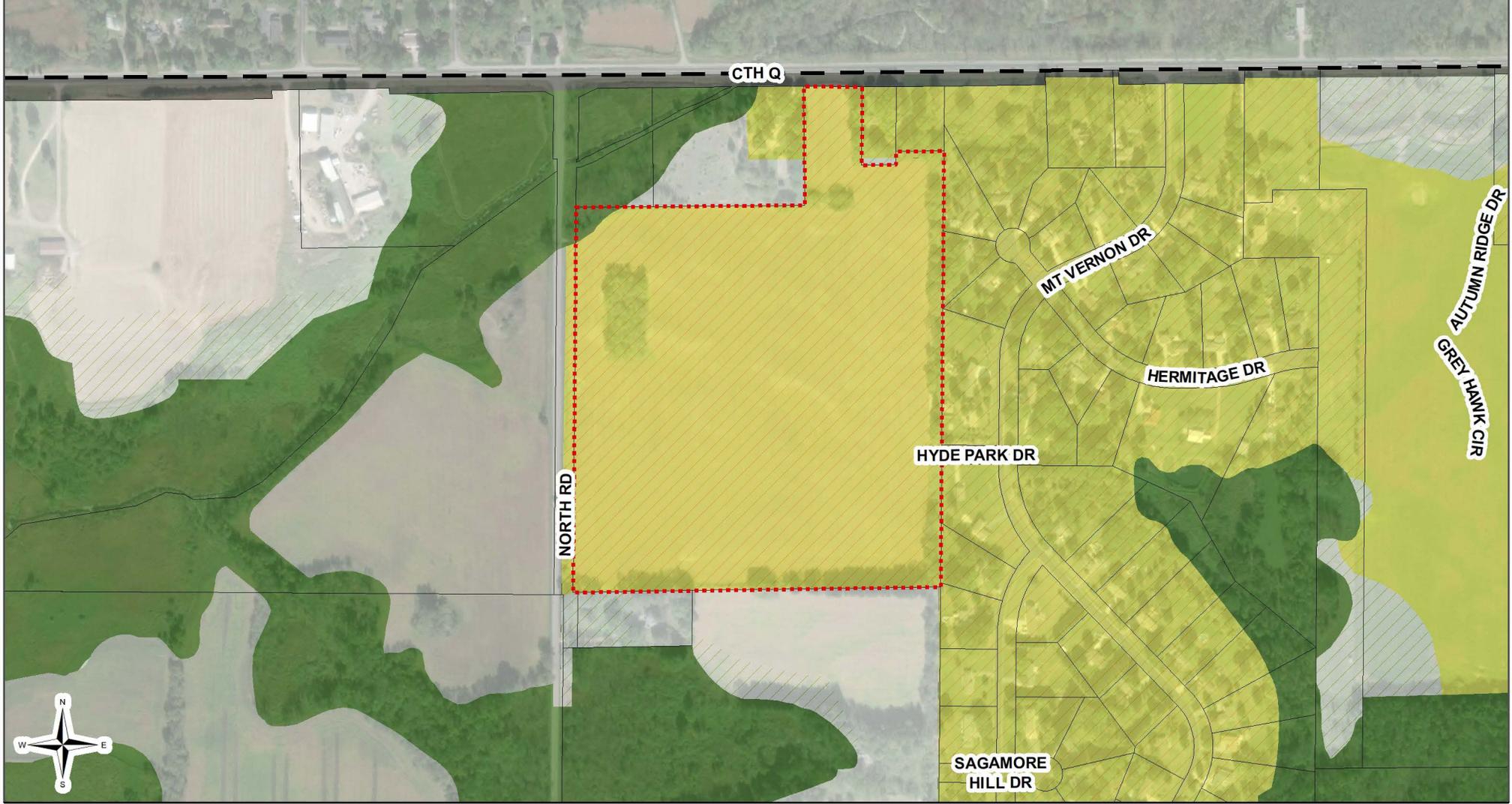
Town of Lisbon Boundary
 Subject Parcel

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		



Parcel ID LSBT0150997: Future Land Use (Proposed Change)

Town of Lisbon

1 inch = 500 feet



Town of Lisbon Boundary
 Subject Parcel

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



Waukesha County GIS Map



PROPOSED NUMBER LOTS = 28
PROPOSED ROAD = 2,650 LF

SUMMARY

1. Riteway Bus LLC Property
TKN: LSBT 0150997
Area: 43.7 acres +/- (need to verify by survey)
2. Current Zoning : A-10 Agriculture & C-1 Conservancy Wetland (Town)
A-1, HG & Wetland Overlay (Co Shoreland)
3. 2035 Land Use Plan: Rural Density & Other Ag Land (5.0-34.9 ac/du), Other Open Lands to be Preserved, PEC and Low Density Residential (20,000 SF-1.4 ac/du)
4. Proposed Zoning: R-2 Single Family Residential (matches existing development to east)
Min Lot Size: 1 AC (unsewered)
Setback: 50'
Offset: 20'
Shore setback: 75'
Min 150' Average Width (unsewered)
5. Proposed Land Use: Low Density Residential (20,000 SF-1.4 AC/DU) (matches exist development to east)
therefore w/ 43.7 AC +/- minus 1.2 ac +/- for ROW (North Rd and CTH Q) = 42.5 AC +/-
42.5 AC +/- divided by proposed 28 lots = Proposed 1.51 AC/DU
6. North Road is a local road and County Line Road is CTH Q.

0 200.00 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.



Printed: 8/15/2019

Notes:

CONCEPT PLAN
AUGUST 19, 2019

PEG # 1778.00-WI



STAFF REPORT: RECOMMENDED LAND USE PLAN - 2035 MAP AMENDMENT

To: Chairperson Osterman
Town Plan Commission Members
Gina Gresch, Town Administrator

From: Daniel J. Lindstrom, AICP, Town Planner
Aaron Prichard, Planning Consultant

Subject: Forester Comprehensive Development Plan Amendment Application

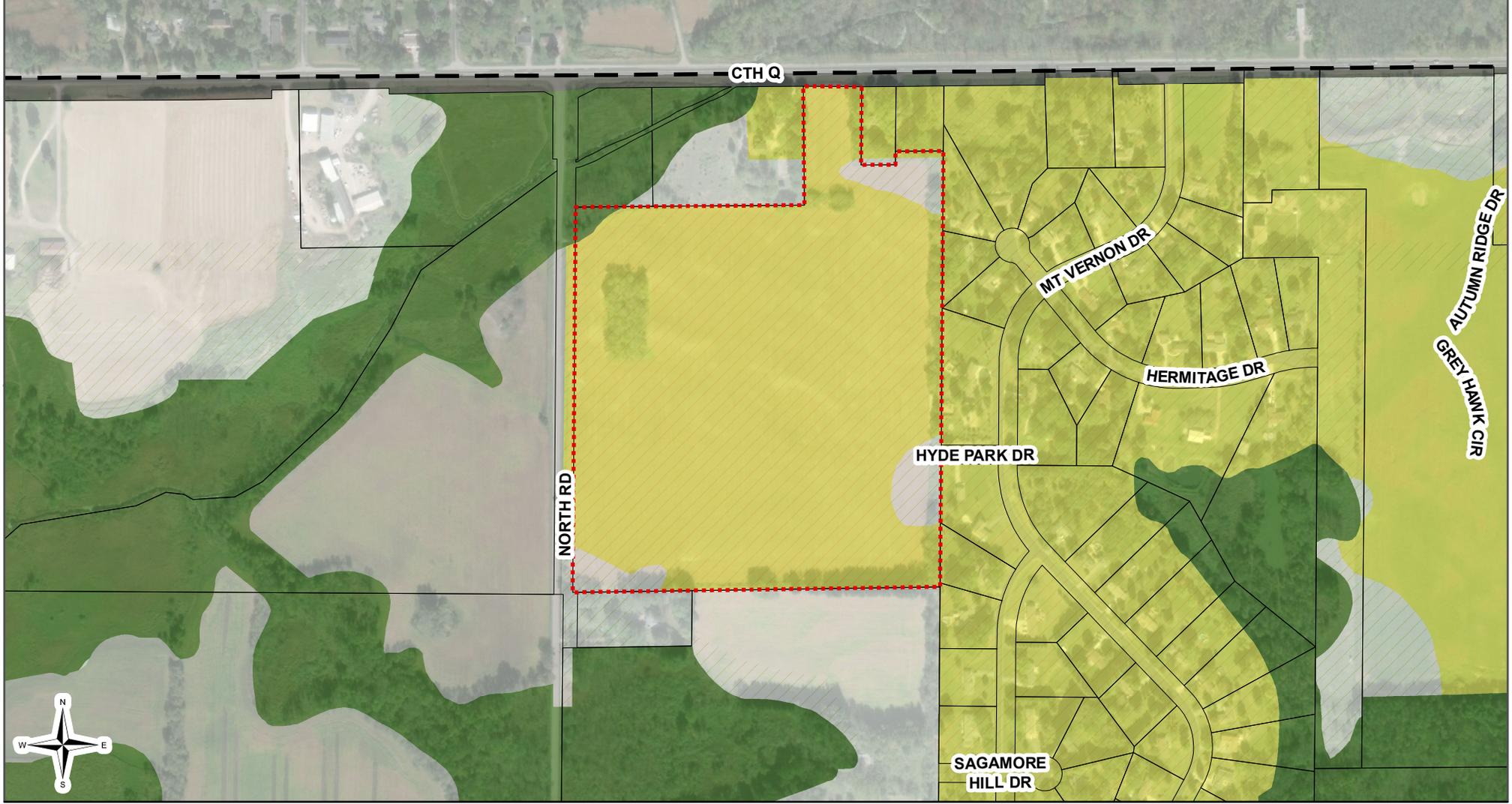
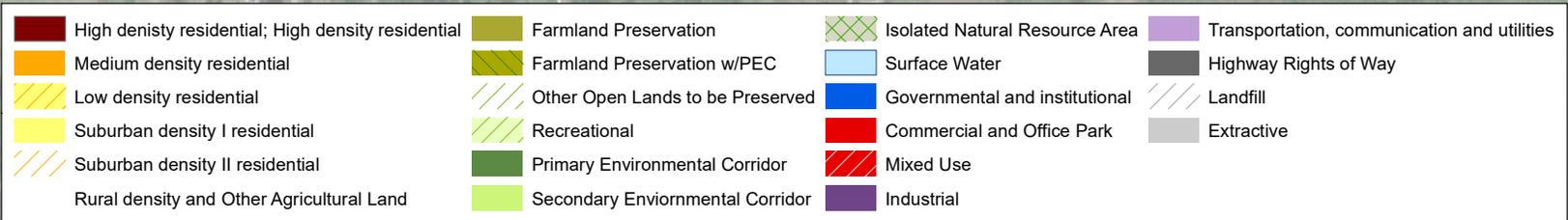
Date: October 10, 2019

The above-referenced application was received by the Town of Lisbon for review and consideration at the October 10, 2019 Plan Commission meeting. Jim Forester (Applicant) filed the application on behalf of the owner of the property—Riteway Bus LLC. The site is located at N95W23759 County Line Road (Tax Key LSBT 0150.997). The Applicant is requesting to amend the Land Use Plan Map included as part of the Town of Lisbon Comprehensive Development Plan: 2035. The site's area is approximately 42.4 acres and is currently designated on the Future Land Use Map as Rural Density & Other Agricultural Lands, Other Open Lands to be Preserved, Primary Environmental Corridor, and Low-Density Residential on various different parts of the parcel. The Applicant is seeking to amend the parcel to Low-Density Residential in order to develop the property into a single-family residential subdivision and to match the existing land use of the subdivision immediately to the east of the site (Presidential Estates subdivision).

The Applicant attended a Town of Lisbon Development Review Team meeting on Wednesday, September 18, 2019, where the applicant presented their concept proposal to Town and Waukesha County Staff. During the meeting the approval timeline was discussed in greater detail. Due to the timeline necessary to amend the Town and County Comprehensive Development Plan Future Land Use Maps, the applicant is requesting only a Comprehensive Development Plan Future Land Use Amendment. Potential rezoning, preliminary plats, final plats, developer's agreements, and other necessary documentation would require additional Town, Village of Richfield, and Waukesha County approvals later in the process. The applicant provided a conceptual layout, but it is for reference only during this discussion.

Planner Review:

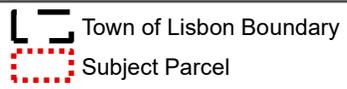
- The site is zoned A-10, which is intended for very low-density single-family residential development, which is consistent with the Low-Density Residential designation being sought. The site also has isolated portions zoned C-1 Conservancy, which the Applicant intends to conserve on their concept plans.
- The Applicant's Concept Plan proposes 28 lots at a minimum of 1 acre. The average density for the site as a whole is 1.51 acres per dwelling unit, which exceeds the targeted density recommended for Low-Density Residential of 1.4 acres per dwelling unit, however the density can be greater, but not lower than the targeted density. The applicant is proposing match the density of the neighboring subdivision.
- The Town and County may wish to request a traffic impact analysis by the Applicant to determine the impact single-family homes at the property could have on traffic on North Road and County Line Road.



Parcel ID LSBT0150997: Future Land Use (Proposed Change)

Town of Lisbon

1 inch = 500 feet



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

#5B - ATTACHMENTS



THE
BUTLER
PLACE
- EST. 1846 -

0018

Town of Lisbon Planning Commission
W234 N8676 Woodside Rd.
Lisbon, WI 53089

N72W24740 Good Hope Rd.
Lisbon, WI 53089
September 6, 2019

Dear Planning Commissioners:

Enclosed is our application for a Bed & Breakfast Conditional Use Permit. Thank you for your thoughtful review of this application. We look forward to presenting our proposal to you at the next Planning Commission meeting.

It has come to our attention that one or more of you feels deceived about our use of this space per our previously amended In-Law conditional use permit. We certainly did not intend to deceive anyone and want to apologize for any frustration that this may have caused. We did call the Town of Lisbon in September of 2018 to inquire as to what regulations were in place for an AirBnB and specifically asked if we would need to apply for a Bed and Breakfast Conditional Use Permit. When we were told no, that there weren't any regulations, we proceeded to develop our plans for a guest space in the loft area that would be used personally and made available to the public. We did not view this as a violation of the in-law apartment's conditional use permit as it wasn't becoming multi-family housing. We understand the State of Wisconsin's legislation and permitting processes regarding tourist/transient housing is new and it takes time for local municipalities to onboard these processes. We extend grace for this misinformation that has led to our violation of both local zoning ordinances and state regulations. We ask for the same grace to be extended towards us as you consider our request.

We are grateful for the assistance of Dan Lindstrom that set us on the path of compliance. After thorough investigations into the local and state laws, we are pursuing licensure as a Bed & Breakfast under Chapter ATCP 73 of State Law. Please note that this is a separate and distinct license from a Tourist Rooming House (T.R.H.) The historical nature of our home; in addition to it being single-family, owner occupied; combined with its sophisticated furnishings and our desire for high-end hospitality, makes a Bed and Breakfast the best fit for our home, both now and in the future. While we may use AirBnB or HomeAway as a marketing platform, our home will fall under compliance with both the local ordinances and state licenses and regulations pertaining to Bed and Breakfasts.

Ultimately, we desire to a blessing to our community. We encourage you to visit our listing on AirBnB, read our property summary, and look at the pictures. We have included an overview page of our listing with our application, for those who don't have online access. Additionally, we'd welcome you to come to our home and see the guest loft as well as check-out the historical features of our home. We love give tours and sharing our home's history. Our hope is that by making a part of our historical home open to the public, we are giving them an opportunity to share a piece of our community's history. We'd love to be considered a cultural gem in the Town of Lisbon! As referenced in the application, Mondays and Tuesdays, Sept. 30, Oct. 1, 7, and 8th after 6 PM would work best for us. Please contact us at the numbers listed below to schedule a time for viewing our home. Thank you for your consideration.

Sincerely,

Jeremy Rush—920-371-6727
Lori Rush—920-216-6965



The Loft @ The Butler Place. 1846 homestead. [\(Edit listing\)](#)

Sussex



Jeremy And Lori



Entire guest suite

4 guests 1 bedroom 2 beds 1 bath

Great location

100% of recent guests gave the location a 5-star rating.

Sparkling clean

10 recent guests said this place was sparkling clean.

Self check-in

Check yourself in with the keypad.

Edit Summary

The Loft at the Butler Place is a beautiful, quiet retreat set in the rural suburb of Sussex, just 30 minutes west of Milwaukee. The home is the 1846 homestead of the William Butler family, making the home older than the State of Wisconsin! The 2019 remodel of the Loft is in

sophisticated farmhouse style and pays tribute to the history of the home in its furnishings, upcycled pieces, and beautiful setting. "Broken becomes blessed" both tells and compels as an invitation to all.

The space

Our home, affectionately named "The Butler Place" as a nod to the first family who lived, loved and labored here, has stood witness to the quiet suburban community since 1846. Its story echoes that of the human condition; packed with potential, tempted with power, broken by addiction, busted by rage, and abandoned to disparage. Only by decades of redeemers has this home been rescued to the beautiful state it stands in today. And when a home...or a person undergoes such a radical transformation, the blessing isn't to be kept for oneself. The Loft at the Butler Place is open to the public because this historic treasure is most beautiful when shared.

Guest access

Guests are welcome to enjoy our wicker furniture on the front porch. Nana does have a special chair on the lower platform of the porch, but guests are welcome to the two loveseats, rocker, and two side chairs among our wicker arrangements. In the backyard, we have a patio-in-process with two outdoor tables and chairs as well as a propane grill. Guests are welcome to use the patio and grill as desired.

Gardens abound on our property and guests are welcome to enjoy the gardens as well. Nana does have her own private patio on the back of the barn, but it will be obvious that is her space and we kindly ask that guests respect her privacy.

Other things to note

The Loft is in the second floor of the attached barn. The lower level of the barn is an in-law-apartment. While carpeting and sound proofing measures have been taken, we do ask for guests to be respectful of quiet hours after 11 for the benefit of our family in the home and in the in-law-suite on the lower level.

Contact host

Amenities

 Free parking on premises

 Wifi

 Kitchen

 Cable TV

[Show all 34 amenities](#)



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

PETITION FOR A CONDITIONAL USE PERMIT

Property Owner

Jeremy & Lori Rush

Name / Company Name

Jeremy & Lori Rush

Signature

N72W24740 Good Hope Road

Address

Lisbon WI 5308

City State Zip

920-216-6965 jrush@springcreekonline.com

Phone E-mail Address
 loriannrush@gmail.com

Applicant

Same

Name

Company

Address

City State Zip

Phone E-Mail Address

Property Information

N72W24740 Good Hope Road

Lisbon

53089

Property Address

City

Zip

LSBT0203994005

.83

R-2

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.

We are applying for a Bed and Breakfast Conditional Use permit. Consistent with the Bed and Breakfast Facility descriptors on page 96 of the Zoning Code, We intend to provide travelers/guests with temporary accommodations and breakfast, for a fee, on a daily or weekly room rental basis. Our home is a single-family, owner occupied residence of significant historical value. We hope that by making it available to the public, it will become of great cultural value to our community.

INTERNAL USE ONLY

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



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 Same
 ADDRESS _____
 DATE _____ SIGNATURE _____
 PHONE _____ EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Jeremy & Lori Rush
 ADDRESS N72W24740 Good Hope Rd.
 DATE 9-5-19 SIGNATURE Jeremy & Lori Rush
 PHONE 920-216-6965 EMAIL jrush@springcreekonline.com
loriannrush@gmail.com

COMMENTS:

You would be most welcome to come to our home and see both its historic nature and our quest left. Monday and Tuesday, Sept. 30, Oct. 1, 7, and 8 after 6 PM would be best for us.

 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 Same
 ADDRESS _____
 DATE _____ SIGNATURE _____
 PHONE _____ EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Jeremy Rush
 ADDRESS N72W24740 Good Hope Rd. Lisbon, WI 53089
 DATE 9-5-19 SIGNATURE *Jeremy Rush*
 PHONE 920-216-6965 EMAIL jrush@springcreekonline.com loriannrush@gmail.com

PROJECT NAME Bed and Breakfast Conditional use Permit



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.



I want to...

< + -



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 LSBT0203994005 Acres 0.83 Zoning R2
 Business Name & Contact Person: The Loft@ The Butler Place, Jeremy & Lori Rush
 Full Address (include City & Zip): NT2 W24740 Good Hope Rd. Lisbon, WI 53089
 Phone Number & Email: 920.216.6965 - loricarrush@gmail.com 920.370.6727 - jrush@springcreekonline.com
 Signature & Date: Lori A. Rush Jeremy Rush

Property Owner Name: Jeremy and Lori Rush
 Full Address (include City & Zip): SAME
 Phone Number & Email: SAME
 Signature & Date: Lori A. Rush Jeremy Rush

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.

The loft@ The Butler Place is a guest loft marketed on "lodging marketplace" sites as described in The State of Wisconsin's Short Term rental guide. Currently, we use AirBnB and HomeAway as marketing sites. Guests are provided on-site parking, a secure entrance, a bed-room, bathroom, kitchenette and lounge area and will be provided breakfast upon our licensure with The State of Wisconsin via Waukesha County's Department of Environmental Health.

4. Days & Times of Operation:

a. Days & Times: Check-in: 3PM Check-out: 11 AM

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

a. Full-Time 0

b. Part-Time 2

FOOD / BEVERAGE / LIQUOR

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

a. If yes, please explain: Breakfast Items will be provided for in The loft, Primarily continental type convenience items as well as coffee and water. We will be observing all requirements of the Bed and Breakfast Establishment Code - ATCP.73.04. Trevor Quandt, Waukesha County Sanitarian is assis us in achieving our licensure.

7. Table Seating Capacity

- a. Outside: 10
- b. Inside: 4 in The loft, Up to 22 in the house.
- 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: We have a shed for our personal lawn equipment storage.

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.

We do anticipate hosting community events such as Pie on the Porch as a benefit for the Historical Society. Parking is diagonal alongside our driveway and can easily accommodate 20 vehicles. On-street parking is prohibited.

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 N/A
- b. Total number of spaces 3
- c. Number of spaces allotted for employees 2

While we do not have a parking lot, we have identified 2 parking spaces for us, the home-owners, and 1 parking space for our guest. All 3 parking spaces are clear of our circle driveway.

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. The Loft is described as a quiet retreat.

14. Game Machines Yes No

a. Quantity: N/A

b. Location: N/A.

BUILDINGS

15. Building A

a. Dimensions & Levels: 41' x 36' - 2 levels

b. Use: Primary family residence, - 3 bedrooms on 2nd floor

16. Building B

a. Dimensions & Levels: 40'-3" x 20' - 2 levels

b. Use: lower level - in-law apartment. Upper level - guest suite.

17. Building C

a. Dimensions & Levels: 12' x 8'

b. Use: Outdoor storage shed

LIGHTING (Submit Cut-Sheets)

18. Outdoor Lighting

a. Type(s): We have (2) solar powered landscape lights.

b. Location(s): Illuminates our guest parking sign on the south end of our shed. The other illuminates our house address sign on the south side of the maple tree that borders the ditch.

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 Permit Application

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.

We have common herbicides, pesticides and household aerosol products. We follow the guidelines at WaukeshaCounty.gov to properly dispose of these items.

bry

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: N/A

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: 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

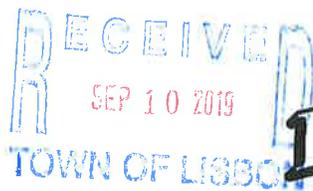
b. Maximum number of horses owned: N/A

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): _____



SIGN PERMIT APPLICATION

Property Information

N72 W24740 Good Hope Rd.
Property Address

LSBT 02 03994005
Tax Key/Parcel ID #

0.83 acres
Lot Size

R2
Current Zoning

Property Owner

Jeremy & LORI Rush
Name

N/A
Company

N72 W24740 Good Hope Rd.
Address

Lisbon WI 53089
City State Zip

920.216.6965 loriannrush@gmail.com
Phone Fax E-mail Address
jrush@springcreekonline.com

Applicant / Agent

Same
Name

Company

Address

City State Zip

Phone Fax E-Mail Address

Description of Sign

Include the following:

- A site plan of the property showing proposed sign location (including setbacks).
- Color rendering of the sign showing dimensions.

The applicant agrees to comply with Wisconsin Uniform Dwelling Code and Municipal Ordinance and with the conditions of this permit; understands that the issuance of the permit creates no legal liability, express or implied on the Department or Municipality; and certified that all the above information is true and correct. ***I understand that all fees are non-refundable.***

Lori Rush [Signature] 9-8-19
Applicant Signature & Date

As the property owner, I give permission for the above sign to be installed on my property.

Lori Rush [Signature] 9-8-19
Property Owner Signature & Date

INTERNAL USE ONLY

Amount Due: \$ _____	Check # _____	Date Paid: ____/____/____
----------------------	---------------	---------------------------

Proposed Sign #2: Guest Parking Sign

30"x 30" wall sign mounted on the south side of our 8'x12' storage shed, which is located approximately 150' from the road on the east side of our driveway. The sign and parking area is shielded from the road with vegetation to the east and south. The sign is illuminated with a small, solar-powered landscape light. No wiring is necessary.

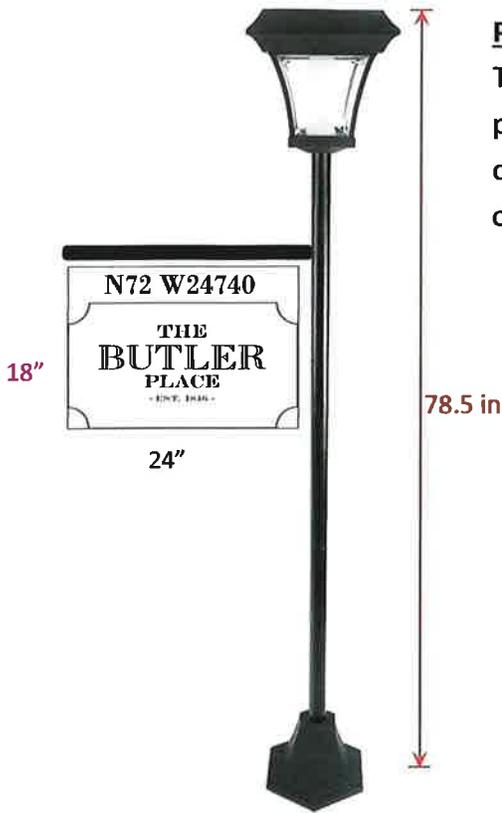


Site of 8'x12' shed. Proposed sign is on the south side of the shed.

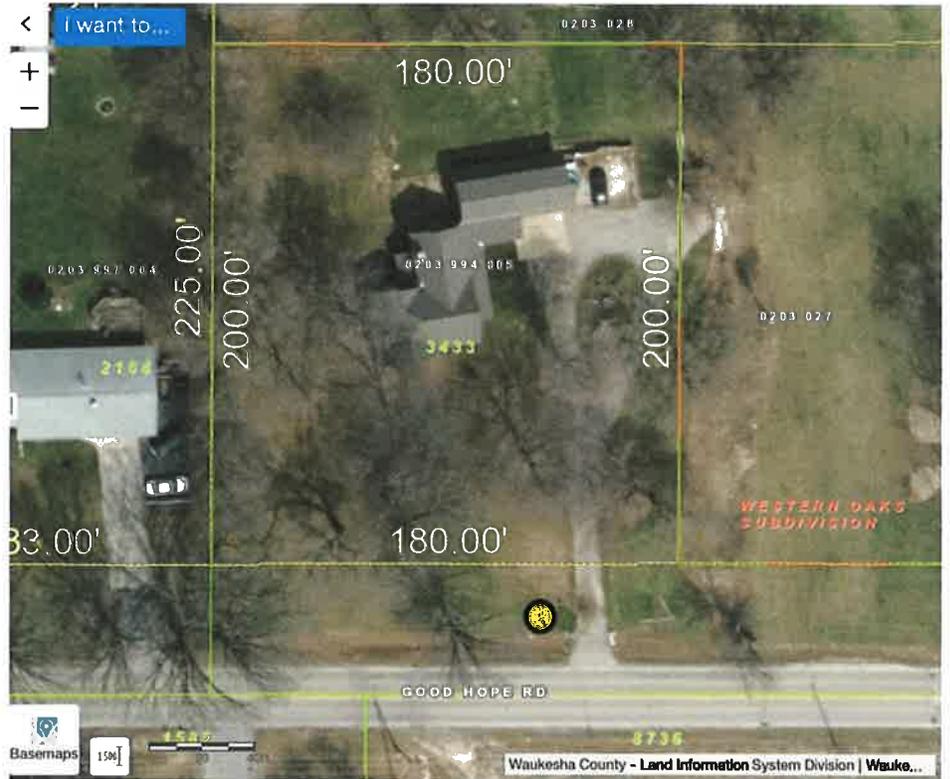


Proposed Sign #1: Occupancy/address sign

Two-way b/w aluminum sign hung from solar-powered lamp-post to be placed within 10 ft. of our driveway. It will serve as our occupancy/address sign and additionally as an indicator to our guests of the property location. No wiring is necessary.



● Site of Proposed Sign # 1





STAFF REPORT: CONDITIONAL USE PERMIT (CUP) REVIEW

To: Chairperson Osterman
Town Plan Commission Members
Gina Gresch, Town Administrator

From: Daniel J. Lindstrom, AICP, Town Planner
Aaron Prichard, Community Development Consultant

Subject: Jeremy Rush CUP Application for a Bed and Breakfast

Date: November 7, 2019

Introduction:

The above-referenced CUP application was received by our office for review on behalf of the Town of Lisbon. The Applicant is seeking to obtain a CUP for a traditional bed and breakfast establishment at their home. The Applicant's home dates from 1846, and the rental unit is located in the top floor of the attached converted barn above an approved in-law suite. Guests are provided on-site parking. The lot also features gardens, patio lounge furniture, two outdoor tables, chairs, and a propane grill available for use by guests staying the night.

Pertinent Review Details – Summary Overview:

Address:	N72 W24740 Good Hope Road Sussex, WI 53089
Property Owner:	Jeremy and Lori Rush
Business Name:	The Loft at the Butler Place
Tax Key:	LSBT 020.399.4005
Zoning:	R-2 Single Family Residential
Lot Size:	0.83 acres
Operation Summary:	A single-family home with room in the attached "barn" structure capable of accommodating up to four guests seeking a place to sleep. The space consists of one bedroom containing two beds and one bathroom. In the mornings, guests would be served breakfast by the hosts.
Hours of Operation:	Check-in: 3:00 pm Check-out: 11:00 am
Number of Employees:	Two (2), both part-time (Homeowners)
Parking Spaces:	Three (3) total, with two (2) allotted for the owners

Conditional Use Permit (CUP) Review

Chapter 11 of the Town Ordinances (Zoning Code) lays out the requirements for application and approval of Conditional Use Permits in the Town. Certain uses of a special nature require the approval of a Conditional Use Permit by the Town. The basis for approval of the CUP is based on the following five standards. Per Sec. 4(d) of the Zoning Code, the Plan Commission may deny the conditional use request if it concludes, based upon the information submitted, that the proposed use and/or development would likely:

- Materially endanger the public health, general welfare, and safety.
- Be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, or other similar factor.
- For any other reason cause a substantially adverse effect on property values.
- Be inharmonious with the area in which it is to be located.
- Will not be in general conformity with the land use plan, comprehensive plan, transportation plan, environmental plan, park and recreational plan, or other officially adopted plan.

Sec. 4(h)5. states that a Bed and Breakfast Facility that is an accessory use in any existing structure designed for and occupied as a single-family residence may be conditionally permitted in R-2 zoning districts, provided that the following conditions are met, a review of CUP application in relation to the CUP follows each stated condition.

- A. Minimal outward modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighborhood and the intent of the zoning district in which it is located. For building with significant architectural or historical value, the architectural integrity and arrangement of existing interior spaces must be maintained and the number of guest rooms shall not be increased except as may be required to meet health, safety, and sanitation requirements.

The Applicant has stated there are no additional plans to modify the interiors of any structures related to the scope of this CUP. The facility currently features one room, with two beds and accommodations for up to four people. The Applicant shall not further modify the interior of the unit without approval from the Town. The Applicant shall specify the nature and plans for further exterior modifications, including the "Patio-in-Progress" mentioned in the AirBnB listing submitted as part of their application.

- B. Off-street parking shall be provided at the rate of one (1) parking space for each room rented and two (2) spaces for the owner/occupant. The front yard shall not be used for off-street parking for temporary guests unless the parking area is screened from view with natural plant material, and found to be compatible with the neighborhood.

The Applicant's parking arrangement complies with this requirement precisely—two spaces for the hosts and one space for guests of the Bed and Breakfast.

- C. The number of rooms shall be limited to five (5) sleep-in rooms or less, excluding those used by the occupants of the facility, and no room may contain more than two (2) beds. There must be at least five hundred (500) square feet of gross interior floor area for each sleeping room. These facilities providing service to a greater number of guests are not considered "license exempt" under state law and must comply with state hotel/motel restaurant licensing procedures administered by the County or State Health Department. The issuance of such licenses shall not

be considered as conferring non-conforming commercial status to the use that would either allow alteration of the facility or otherwise compel rezoning of the property for commercial use beyond the scope of this section.

The Applicant's previous approved plan complies with this requirement.

- D. One (1) on-premise sign may be allowed provided that such sign is compatible with the residential use of the site and its surrounding areas and is not more than fifteen (15) square feet in size with letter sizes not less than five (5) inches in height.

The Applicant has submitted a separate sign permit application for a guest parking sign mounted on the south side of an existing storage shed. The sign is proposed to be 6.25 square feet and will be illuminated with a solar-powered landscape light.

- E. All necessary state and county permits, certifications, or requirements shall be obtained as a condition of approval of a bed and breakfast facility.

The Applicant is pursuing permits for a CUP and proposed sign with the Town. The applicant has received approval from for a license to serve breakfast food with the Waukesha County Department of Environmental Health.

- F. Room rentals to families or individuals shall not exceed fourteen (14) consecutive days during any thirty-day (30) period.

The Applicant stated at the bottom of Page 1 of their submitted Petition for a Conditional Use Permit that they intend to abide by all regulations listed on Page 96 of the Zoning Code, which includes this condition.

- G. The bed and breakfast facility must be accessory to and contained within the single-family dwelling occupied by the owner (e.g., not a manager) of said premises.

The room and use is an accessory use to the principal single-family residential use on the property. While the facility is separated by walls with respect to the principal living area, the unit is attached to the main home as one cohesive structure.

- H. The only meal to be provided to travelers/guests shall be breakfast and it shall only be served to guests taking overnight lodging in the facility.

The Applicant has stated their intention to serve only breakfast items, which will be primarily continental style, with convenience items like coffee and water also provided.

- I. The Waukesha County Department of Parks and Land Use - Environmental Health Division (EHD) shall examine both the water system and the sewage disposal system, and shall conduct a general health and safety inspection of the proposed facility. The EHD may impose any conditions required to ensure that all necessary health and safety standards have been met. The applicant shall not initiate any construction activity and other improvements related to the bed and breakfast facility; or begin operation of the facility until a determination, in writing, by the EHD that the necessary inspections have been completed and any deficiencies have been corrected. The proprietor shall have a water quality evaluation conducted by a recognized water testing laboratory on an annual basis following the certification of adequacy by the EHD. The results of that test shall be submitted to the EHD with a copy to the town building inspector. All requirements must be incorporated into the terms of the conditional use permit.

The Applicant has stated they are working with Trevor Quandt, to obtain all necessary licensure to operate a bed and breakfast. The Applicant shall ensure that the EHD fully approves the operation's water and sanitation systems prior to beginning operation.

Other Recommended Conditions:

In addition to the two required conditions outlined in the Zoning Code, the following list contains some conditions which are recommended for the proposed project:

- The physical development and operation of the conditional use must conform, in all respects, to the approved site plan/plan of operation,

Recommendation:

We recommend approval of the CUP application contingent upon the Applicant's satisfaction of all conditions noted above and the comments below":

1. Subject to the Developer satisfying all comments, conditions and concerns of the Town Planner (noted above) and the Town Engineer.
2. The physical development and operation of the conditional use must conform, in all respects, to the approved plan of operation.
3. The Town of Lisbon retains the right to annually review the CUP for compliance with approved plans.
4. The approved CUP and an up-to-date Plan of Operation must be on file at all times with the Town of Lisbon.
5. The existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code.
6. The Applicant shall apply for, receive, and maintain all other legally required and applicable local, county, state, and federal permits. Copies of approved permits or other evidence of compliance will be provided to the Town upon request.
7. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public.
8. The Building Inspector shall inspect the premises to ensure the site is in compliance with the respective building codes. Non-objection from the Building Inspector and correction of any deficiencies prior to issuance of CUP.
9. All vehicles must access the site through the approved driveway.
10. This Conditional Use Permit is non-transferable to any future property owner without a new Conditional Use Permit approval and issuance by the Town. The sale of any portion of the subject property shall terminate this Conditional Use Permit.
11. The Waukesha County Environmental Health Division may review and approve of the uses on the subject property, prior to the issuance of any permits.
12. If any aspect of this Conditional Use Permit or any aspect of any plan contemplated and approved under this Conditional Use is in conflict with any other aspect of the Conditional Use or

any aspect of any plan of the Conditional Use, the more restrictive provision shall be controlling as determined by the Town Plan Commission and the Waukesha County Park and Planning Commission.

13. 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 CUP and 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.

Should any paragraph or phrase of this Conditional Use Permit be determined by a Court to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the Conditional Use and the remainder shall continue in full force and effect. 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.



**WAUKESHA COUNTY
DEPARTMENT OF PARKS AND LAND
USE
Division of Environmental Health**

License, Permit or Registration

The person, firm, or corporation whose name appears on this license is hereby authorized to operate the facility indicated below. The operation and maintenance of the facility shall be in accordance with the Waukesha County Code. This is not a zoning permit.

ACTIVITY Bed and Breakfast (8 or less rooms) (LBB)	EXPIRATION DATE 30-Jun-2020	I.D. NUMBER HDEH-BG3J6E
LICENSEE MAILING ADDRESS THE BUTLER PLACE N72W24740 GOOD HOPE RD LISBON WI 53089	NOT TRANSFERABLE	BUSINESS / ESTABLISHMENT ADDRESS THE BUTLER PLACE N72W24740 GOOD HOPE RD LISBON WI 53089

If you do not receive a renewal form prior to June 30th from your licensing authority, you should send in your payment for renewing your permit to the following address:

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE DIVISION OF
ENVIRONMENTAL HEALTH
515 W MORELAND BLVD AC 260
WAUKESHA, WI 53188
(262)896-8300

* Include the name of your facility and the ID number.



0043
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

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 _____

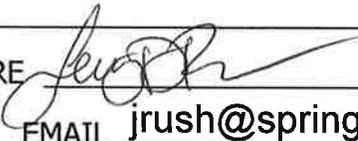
DATE _____ SIGNATURE _____

PHONE _____ EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

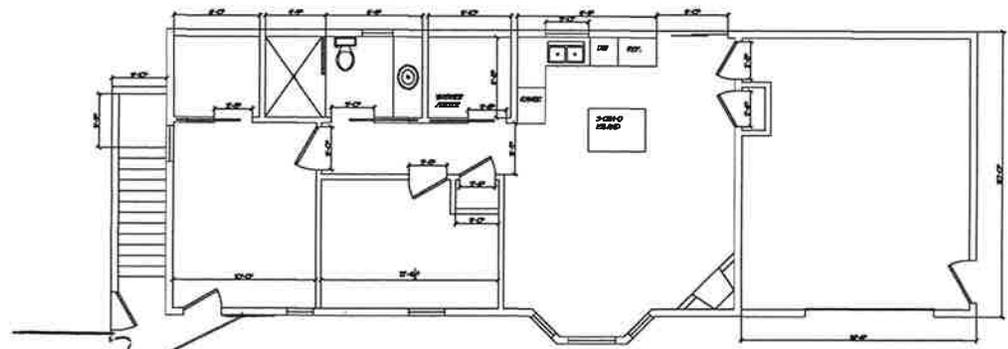
NAME Jeremy Rush _____

ADDRESS _____

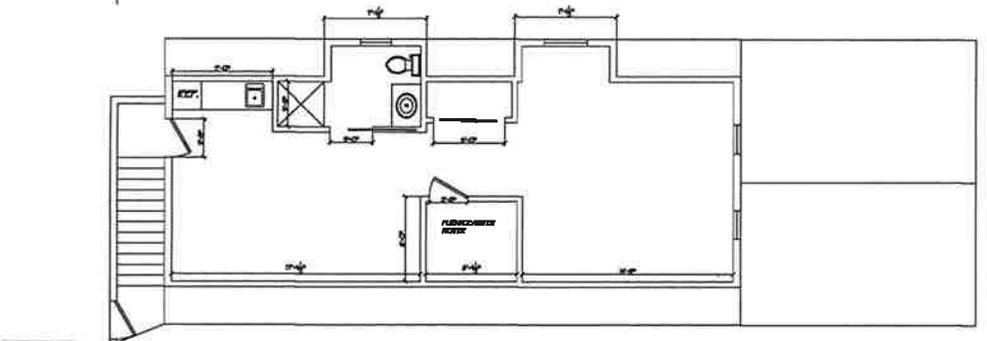
DATE 9/24/18 _____ SIGNATURE  _____

PHONE 920.371.6727 _____ EMAIL jrush@springcreekonline.com _____

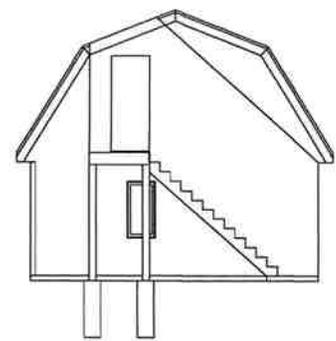
PROJECT NAME Permit Admendment _____



FIRST FLOOR PLAN
SCALE 1/4"=1'-0"



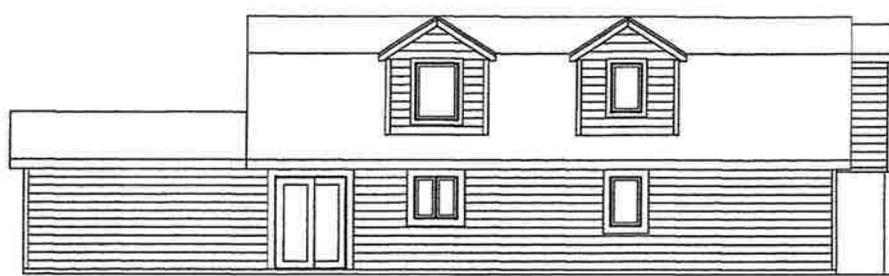
SECOND FLOOR PLAN
SCALE 1/4"=1'-0"



TYPICAL STAIRWAY
SCALE 1/4"=1'-0"

REVISIONS FROM PLAN

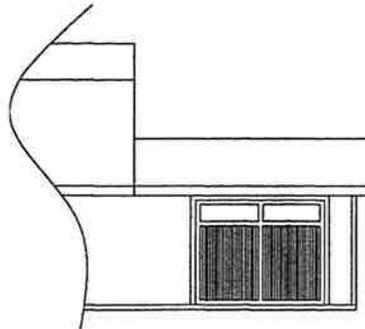
RSH
7/1/8
OWNER: GOOD BY: JEREMY RUSH 10/20/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100
JEREMY RUSH ARCHITECTURE TOWN OF LEBRONVILLE
PBI Productive Builders, Inc.
PL 1 OF 2



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



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



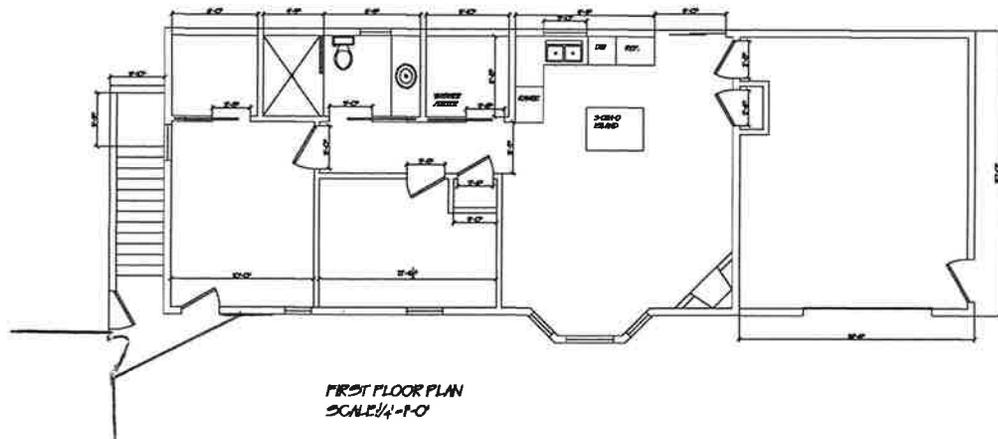
REVISED FRONT ELEVATION
SCALE: 1/4" = 1'-0"
REFLECTING THE GARAGE ROOF CHANGE



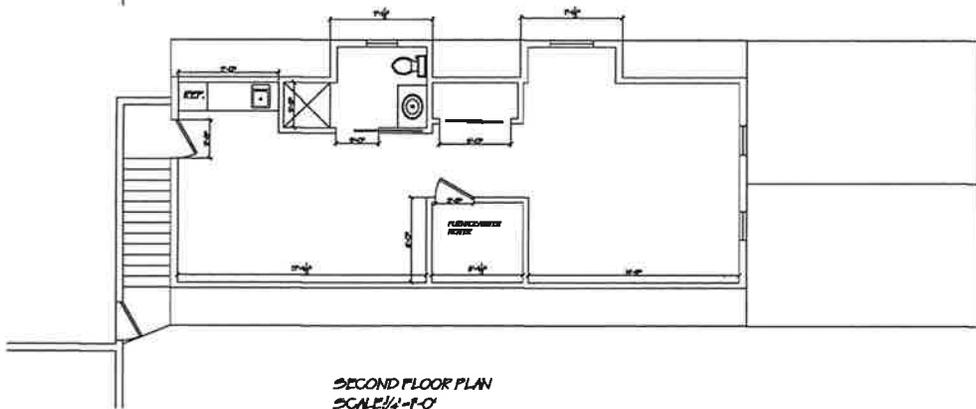
REVISED EAST ELEVATION
SCALE: 1/4" = 1'-0"

REVISIONS FROM PLAN

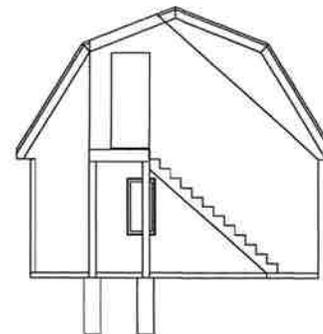
RUSH
7/18
DESIGNED BY PROJECT ARCHITECTS INC. 457 10th Street SW
JEREMY RUSH 1725 24th WOOD HOPK ROAD TOWN OF LEBRONVILLE
PBI Productive Builders, Inc.
PL 2022



FIRST FLOOR PLAN
SCALE 1/4"=1'-0"



SECOND FLOOR PLAN
SCALE 1/4"=1'-0"



TYPICAL STAIRWAY
SCALE 1/4"=1'-0"

REVISIONS FROM PLAN

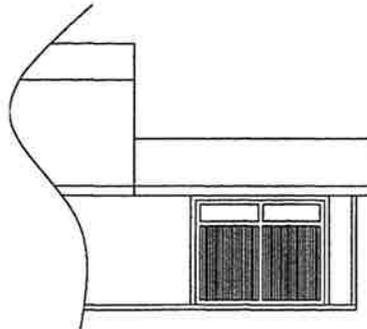
RSH
7/18
OWNER: GOOD BY: JEREMY RUSH 10/20/24
JEREMY RUSH ARCHITECTURE 12224 WOOD HOPKINS TOWN OF LEBRON, VA
PBI Productive Builders, Inc.
PL 1 OF 2



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 PROJECT ARCHITECTS INC. 457 10th Street SW
JEREMY RUSH 1725 24th WOOD HOPK ROAD TOWN OF LEBRONVILLE
PBI Productive Builders, Inc.
PL 2022

#5C - ATTACHMENTS



W234 N8676 WOODSIDE RD. 0050
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

RECEIVED
TOWN OF LISBON
OCT - 0 2019

Property Information

N80 W23792 Plainview Rd. Sussex 53089
 Property Address City Zip

LSBT 0187 998 009 12.25 AC. Agricultural
 Tax Key/Parcel ID # Lot Size Current Zoning

Property Owner

Frank J. and Pamela L. GROSS
Name / Company Name

Pamela L. Gross / Frank J. Gross
Signature

24159 Harborview Rd.
Address

Punta Gorda, FL 33980
City State Zip

262-246-4428 pgross8245@comcast.net
Phone E-mail Address

Applicant

Frank Gross
Name

N80 W23792 Plainview
Company Address

Sussex WI 53089
City State Zip

262-246-4428 pgross8245@comcast.net
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 Frank J. and Pamela L. Gross
ADDRESS N80 W23792 Plainview Road
DATE 10-10-19 SIGNATURE Pamela L. Gross
PHONE 262-246-4428 EMAIL pgross8245@comcast.net

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Frank J. and Pamela L. Gross
ADDRESS N80 W23792 Plainview Rd.
DATE 10-10-19 SIGNATURE Pamela L. Gross / Frank J. Gross
PHONE 262-246-4428 EMAIL pgross8245@comcast.net

PROJECT NAME Sandhill



RECEIVED

By Daniel Green at 2:40 pm, Oct 07, 2019

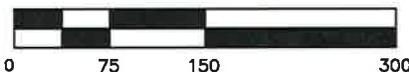
CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

SURVEYOR:
KEITH A. KINDRED, PLS S-2082
SEH
501 MAPLE AVE
DELAFIELD, WI 53018
(414) 949-8919
ENGINEER:
IGOR VAYNBERG
SEH
501 MAPLE AVE
DELAFIELD, WI 53018

SEE SHEETS 2 & 3 FOR DETAILS
SEE SHEETS 4 THRU 6 FOR NOTES

SCALE: 1" = 150'



LEGEND

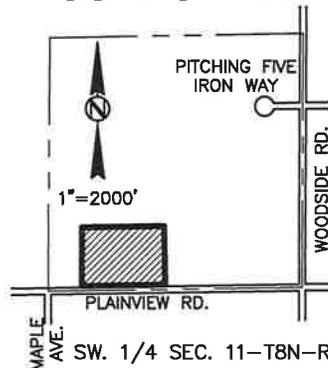
- CONC. MON. W/ BRASS CAP FND.
- 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)
- 1" DIA. IRON PIPE SET, 18" LONG, WT. = 1.13 LBS./LIN. FT.
- XXXXX - NO ACCESS (SEE SHEETS 2&3)

SURVEY FOR:
PAMELA GROSS
24159 HARBOR VIEW ROAD
PUNTA GORDA, FL 33980
(941) 625-3802



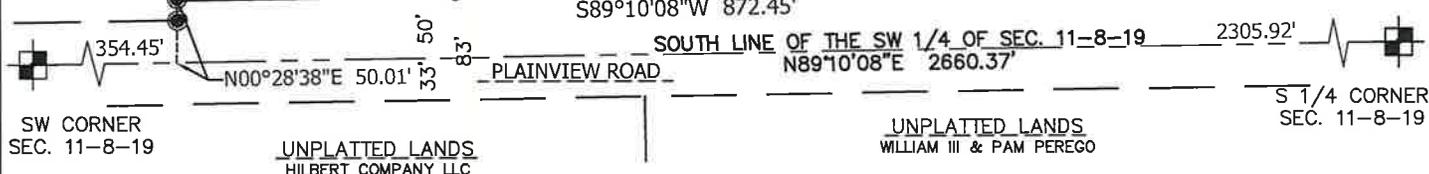
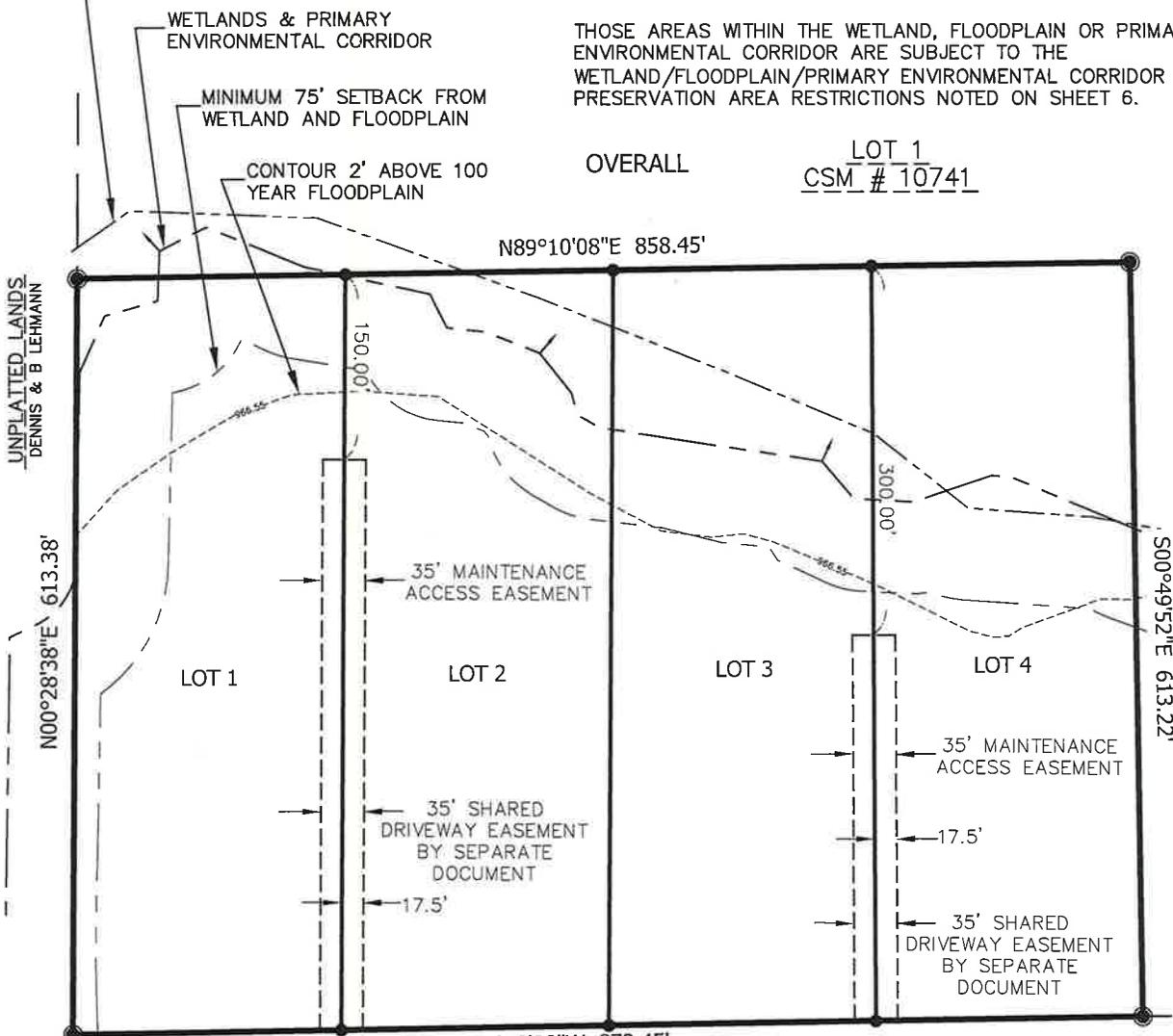
REVISED 10-7-19

LOCATION MAP



WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
ORDINANCE JURISDICTIONAL LIMITS
& 100 YEAR FLOODPLAIN BOUNDARY (EL. 964.55) PER HYDROLOGIC &
HYDRAULIC ANALYSES BY HEY & ASSOCIATES, INC. DATED JUNE, 2004
(SEE GENERAL NOTE 6 ON SHEET 4)

THOSE AREAS WITHIN THE WETLAND, FLOODPLAIN OR PRIMARY
ENVIRONMENTAL CORRIDOR ARE SUBJECT TO THE
WETLAND/FLOODPLAIN/PRIMARY ENVIRONMENTAL CORRIDOR
PRESERVATION AREA RESTRICTIONS NOTED ON SHEET 6.

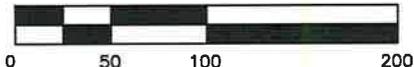


CERTIFIED SURVEY MAP NO.

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

SEE SHEET 1 FOR OVERALL
SEE SHEETS 2 & 3 FOR DETAILS
SEE SHEETS 4 THRU 6 FOR NOTES
L.F.E. - LOWEST FLOOR ELEVATION - BASEMENT FLOOR
SURFACE ELEVATIONS SHALL NOT BE LOWER THAN (L.F.E.)
DUE TO THE POTENTIAL FOR SEASONAL HIGH WATER TABLE

SCALE: 1" = 100'



DETAIL

WAUKESHA COUNTY SHORELAND
AND FLOODLAND PROTECTION
ORDINANCE JURISDICTIONAL LIMITS
& 100 YEAR FLOODPLAIN
BOUNDARY (EL. 964.55) PER
HYDROLOGIC & HYDRAULIC
ANALYSES BY HEY & ASSOCIATES,
INC. DATED JUNE, 2004 (SEE
GENERAL NOTE 6 ON SHEET 4)

LOT 1
CSM # 10741

UNPLATTED LANDS
DENNIS & B LEHMANN

N89°10'08"E 858.45'

CONTOUR 2' ABOVE 100
YEAR FLOODPLAIN

WETLANDS & PRIMARY
ENVIRONMENTAL
CORRIDOR

DRAINAGE DITCH

N00°28'38"E 613.38'

LOT 1

133,927 S.F.

L.F.E. = 972.5'
(SEE NOTE ABOVE)

B3 B1

TP-4-1

B2

35' ACCESS

B1

218.40'

N00°28'38"E 613.38'

LOT 2

133,927 S.F.

L.F.E. = 972.0'
(SEE NOTE ABOVE)

B2

B1

218.40'

N00°28'38"E 613.38'

LOT 3

131,430 S.F.

L.F.E. = 972.8'
(SEE NOTE ABOVE)

B1 B3

35' ACCESS

B2

217.83'

S89°10'08"W 872.45'

SOUTH LINE OF THE SW 1/4 OF SEC. 11-8-19

N89°10'08"E 2660.37'

PLAINVIEW ROAD

UNPLATTED LANDS
HILBERT COMPANY LLC

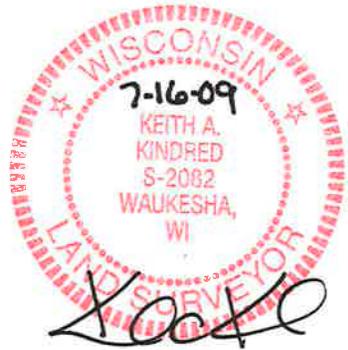
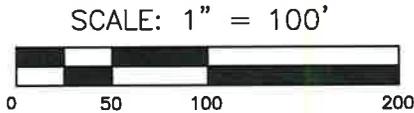
UNPLATTED LANDS
WILLIAM III & PAM
PEREGO

CERTIFIED SURVEY MAP NO.

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI



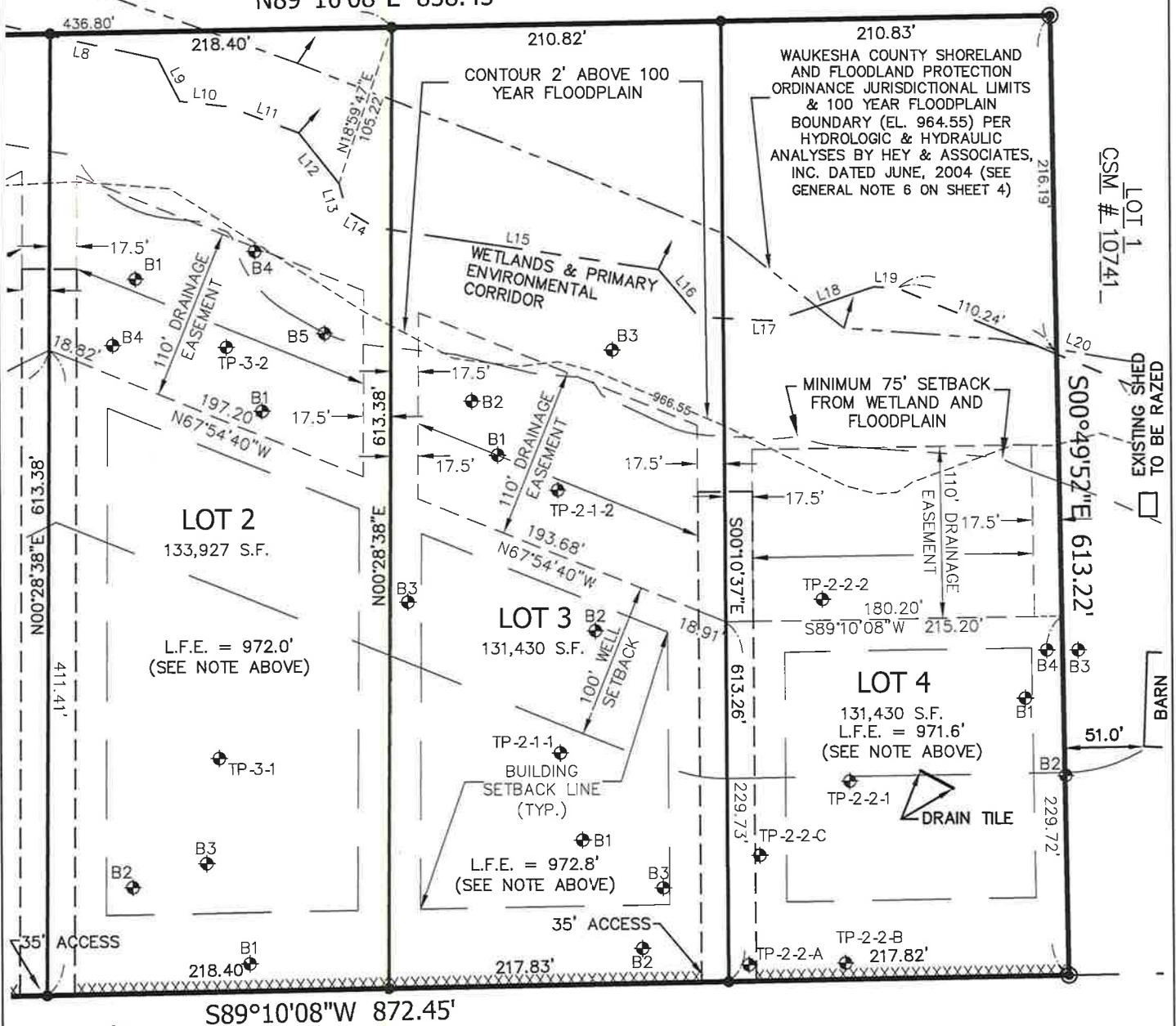
SEE SHEET 1 FOR OVERALL
SEE SHEETS 2 & 3 FOR DETAILS
SEE SHEETS 4 THRU 6 FOR NOTES
L.F.E. - LOWEST FLOOR ELEVATION - BASEMENT FLOOR
SURFACE ELEVATIONS SHALL NOT BE LOWER THAN (L.F.E.)
DUE TO THE POTENTIAL FOR SEASONAL HIGH WATER TABLE



Keith
REVISED 10-7-19

LOT 1
CSM # 10741
DETAIL

N89°10'08"E 858.45'



S89°10'08"W 872.45'

SOUTH LINE OF THE SW 1/4 OF SEC. 11-8-19

N89°10'08"E 2660.37'
PLAINVIEW ROAD

UNPLATTED LANDS
HILBERT COMPANY LLC

UNPLATTED LANDS
WILLIAM III & PAM
PEREGO

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

GENERAL NOTES:

1) ALL EASEMENTS ARE GRANTED TO THE TOWN OF LISBON UNLESS OTHERWISE STATED.

SHARED DRIVEWAY EASEMENT ON LOT 1 TO BE GRANTED TO LOT 2 BY SEPARATE DOCUMENT UPON CHANGE OF OWNERSHIP OF SAID LOT 1 OR LOT 2.

SHARED DRIVEWAY EASEMENT ON LOT 2 TO BE GRANTED TO LOT 1 BY SEPARATE DOCUMENT UPON CHANGE OF OWNERSHIP OF SAID LOT 1 OR LOT 2.

SHARED DRIVEWAY EASEMENT ON LOT 4 TO BE GRANTED TO LOT 3 BY SEPARATE DOCUMENT UPON CHANGE OF OWNERSHIP OF SAID LOT 4 OR LOT 3.

SHARED DRIVEWAY EASEMENT ON LOT 3 TO BE GRANTED TO LOT 4 BY SEPARATE DOCUMENT UPON CHANGE OF OWNERSHIP OF SAID LOT 4 OR LOT 3.

MAINTENANCE ACCESS EASEMENTS ARE ALSO GRANTED TO THE TOWN OF LISBON FOR STORMWATER MANAGEMENT MAINTENANCE PURPOSES.

2) THE LOTS ON THIS CERTIFIED SURVEY MAP AND THE ADJACENT LOT TO THE EAST (LOT 1 CSM NO. 10741) ARE LIMITED TO A TOTAL OF THREE (3) ACCESS POINTS ONTO PLAINVIEW RD. PER A CONDITIONAL REZONING ADOPTED BY THE WAUKESHA COUNTY BOARD OF SUPERVISORS ON FEBRUARY 24, 2009 (FILE NO. SZ-1466A).

3) WETLAND LIMITS DELINEATED BY HEY AND ASSOC. ON APRIL 29, 2004. DNR CONCURRENCE ON OCT. 19, 2004. U.S. ARMY CORPS OF ENGINEERS CONCURRENCE ON AUG. 11, 2004. SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION CONCURRENCE THAT WETLAND REMAIN THE SAME SEPT 2019.

4) PRIMARY ENVIRONMENTAL CORRIDOR DELINEATED BY WELCH HANSON ASSOCIATES ON JULY 13, 2004. SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION CONCURRENCE PER LETTER DATED OCT. 2, 2008.

5) NO POLES, PADS BOXES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE. THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES.

6) FLOODPLAIN ELEVATION IS 964.55 PER HYDROLOGIC AND HYDRAULIC ANALYSES BY HEY AND ASSOCIATES, INC. THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION APPROVED THE FLOODPLAIN ELEVATION PER LETTER DATED NOV. 25, 2008. THE DNR APPROVED THE FLOODPLAIN ELEVATION PER LETTER DATED JAN. 26, 2009.

7) BUILDING SETBACK - 50', BUILDING OFFSET - 20'

8) BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927) GRID NORTH ON THE SOUTH LINE OF THE SW 1/4 OF SECTION 11-8-19 AS N89°10'08"E.

9) ALL BUILDING SETBACKS AND OFFSETS ARE MEASURED FROM THE NEAR EDGE OF ANY DRAINAGE & ACCESS EASEMENT.

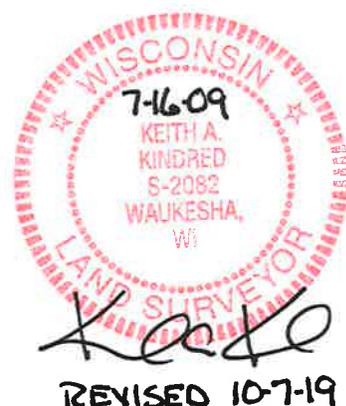
10) NO WELL MAY BE CONSTRUCTED WITHIN 100 FEET OF THE "110' DRAINAGE EASEMENTS" DEPICTED ON THIS CERTIFIED SURVEY MAP.

11) ALL FUTURE PRINCIPAL BUILDINGS TO BE ERECTED ON ANY LOT IN THIS CERTIFIED SURVEY MAP MUST COMPLY WITH SECTION 3.05 OF THE TOWN OF LISBON ZONING ORDINANCE, WHICH REQUIRES BASEMENT FLOOR ELEVATIONS TO BE A MINIMUM OF THREE (3) FEET ABOVE THE HIGHEST ANTICIPATED SEASONAL GROUND WATER LEVEL. IN ADDITION, NO BUILDING SHALL BE LOCATED WITHIN TWENTY (20) FT. OF THE ORDINARY HIGH WATER LINE OF THE DRAINAGE DITCHES LOCATED ON LOT 1 OF CERTIFIED SURVEY MAP NO. 10741 OR WITH THE LOWEST FLOOR LESS THAN THREE (3) FEET ABOVE THE ORDINARY HIGH WATER LINE OF THE DRAINAGE DITCHES LOCATED ON LOT 1 OF CERTIFIED SURVEY MAP NO. 10741.

12) THE TOWN OF LISBON PLAN COMMISSION SHALL REVIEW ALL LOT DEVELOPMENT PLANS THAT WOULD REQUIRE MORE THAN FOUR (4) FEET OF LOT FILL. BASED ON KNOWN GROUNDWATER CONDITIONS COMPLIANCE WITH SECTION 3.05 OF ZONING CODE MAY RESULT IN PROHIBITION OF A STRUCTURE BASEMENT.

13) THIS AREA FALLS WITHIN THE IDENTIFIED RANGE FOR THE BUTLER'S GARTERSNAKE, AN ENDANGERED SPECIES. YOU ARE REQUIRED TO AVOID TAKE OF THIS SNAKE IN ORDER TO COMPLY WITH THE WISCONSIN ENDANGERED SPECIES LAW (29.604 STATE STATS.). APPROVALS MAY BE NEEDED FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES - BUREAU OF ENDANGERED RESOURCES FOR WORK IN OR NEAR THE SNAKE HABITAT.

14) THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE JURISDICTIONAL LIMITS ARE SUBJECT TO CHANGE IF, IN THE FUTURE, EITHER OF THE TWO DRAINAGE DITCHES ON THE ADJACENT LOT TO THE NORTH AND EAST OF THIS CERTIFIED SURVEY MAP (LOT 1 CSM NO. 10741) ARE DETERMINED BY THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES (DNR) TO BE NAVIGABLE. IF EITHER OF THOSE TWO DRAINAGE DITCHES ARE FOUND TO BE NAVIGABLE STREAMS, THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE JURISDICTIONAL LIMITS WILL CHANGE FROM THE 100 YEAR FLOODPLAIN BOUNDARY TO 300 FEET FROM THE NAVIGABLE DRAINAGE STREAM OR THE LANDWARD SIDE OF THE 100 YEAR FLOODPLAIN, WHICHEVER EXTENDS FARTHER.



CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

STORM WATER MANAGEMENT PRACTICE MAINTENANCE

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 APPLY. THE MAINTENANCE AGREEMENT SUBJECTS THIS CERTIFIED SURVEY MAP, 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 TITLEHOLDERS SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE STORM WATER MANAGEMENT PRACTICES IN ACCORDANCE WITH THE MAINTENANCE AGREEMENT.

EASEMENTS

ALL LANDS WITHIN AREAS LABELED "DRAINAGE EASEMENT" ARE RESERVED FOR STORM WATER COLLECTION, CONVEYANCE, TREATMENT OR INFILTRATION. NO BUILDINGS OR OTHER STRUCTURES ARE ALLOWED IN THESE AREAS. NO GRADING OR FILLING IS ALLOWED IN THESE AREAS THAT MAY INTERRUPT STORM WATER FLOWS IN ANY WAY. THE MAINTENANCE AGREEMENT MAY CONTAIN SPECIFIC MAINTENANCE REQUIREMENTS FOR THESE AREAS. THE TOWN OF LISBON, WAUKESHA COUNTY OR THEIR DESIGNEE ARE AUTHORIZED ACCESS IN THESE AREAS FOR PURPOSES OF INSPECTING THE STORM WATER MANAGEMENT PRACTICES OR ENFORCING THE TERMS OF MAINTENANCE AGREEMENT.

ALL LANDS WITHIN AREAS LABELED "ACCESS EASEMENT" SHALL REMAIN CLEAR OF TREES, SHRUBS AND ANY STRUCTURES THAT MAY INTERFERE WITH THE FREE MOVEMENT OF VEHICLES THAT MAY BE NEEDED TO ENTER THE AREA FOR MAINTENANCE PURPOSES. THE TOWN OF LISBON, WAUKESHA COUNTY OR THEIR DESIGNEE ARE AUTHORIZED ACCESS TO THESE AREAS FOR PURPOSES OF INSPECTING THE STORM WATER MANAGEMENT PRACTICES OR ENFORCING THE TERMS OF THE MAINTENANCE AGREEMENT.

ALL LANDS WITHIN AREAS LABELED "WELL SETBACK" ARE RESTRICTED FROM THE PLACEMENT OF ANY WELL DUE TO POTENTIAL RISK OF CONTAMINATION IN ACCORDANCE WITH THE STORM WATER ORDINANCE AND WISCONSIN ADMINISTRATIVE CODES.

BASEMENT RESTRICTION - GROUNDWATER

ALTHOUGH ALL LOTS IN THE CERTIFIED SURVEY MAP 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 MAY REQUIRE ADDITIONAL SOIL ENGINEERING AND FOUNDATION DESIGN WITH REGARD TO BASEMENT CONSTRUCTION. IT IS RECOMMENDED THAT EITHER A LICENSED PROFESSIONAL ENGINEER OR OTHER SOILS EXPERT 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. SEE NOTES NO. 11 AND 12 ON SHEET 4 FOR ADDITIONAL BASEMENT RESTRICTIONS.

WETLAND LINE TABLE

LINE	LENGTH	BEARING
L1	7.13	N05°06'15"E
L2	155.34	N01°15'47"E
L3	49.64	N24°20'54"E
L4	44.71	N74°24'37"E
L5	40.53	N02°03'15"E
L6	42.63	N63°00'49"E
L7	86.05	S67°58'53"E
L8	104.86	S77°31'36"E
L9	30.57	S27°03'47"E
L10	31.01	S83°41'50"E
L11	48.12	S69°02'51"E
L12	41.07	S38°35'25"E
L13	18.12	S15°07'07"E
L14	21.21	S59°54'50"E
L15	183.26	S81°20'15"E
L16	39.97	S40°17'11"E
L17	48.08	S87°02'00"E
L18	67.47	N71°32'56"E
L19	15.11	S86°39'06"E
L20	254.88	S67°25'11"E



CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

SURVEYOR'S CERTIFICATE:

I, KEITH A. KINDRED, Registered Land Surveyor hereby certify;

That I have surveyed, divided and mapped all that being all of Lot 2 of CSM NO. 10741 located in the SW. 1/4 of the SW. 1/4 of Section 11, T.8N., R.19E., Town of Lisbon, Waukesha County, Wisconsin, more fully described as follows:

Commencing at the SW corner of said Section 11; thence N.89°10'08"E. along the south line of the SW 1/4 of said section, 354.45 feet; thence N.00°28'38"E., 50.01 feet to the point of beginning of the hereinafter described lands and the northerly right-of-way of Plainview Road; thence continue N.00°28'38"E., along the westerly line of Lot 2 of said CSM, 613.38 feet; thence N.89°10'08"E., along the northerly line of Lot 2 of said CSM, 858.45 feet; thence S.00°49'52"E., along the easterly line of Lot 2 of said CSM, 613.22 feet; thence S.89°10'08"W., along the southerly line of Lot 2 of said CSM and the northerly right-of-way of Plainview Road, 872.45 feet to the point of beginning. Said lands contain 530,714 square feet (12.18 acres).

That I have made such survey, land division and Certified Survey Map by the direction of PAMELA GROSS, 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 Sussex and Waukesha County in surveying, dividing and mapping the same.

Dated this 16th day of July, 2009

Keith A. Kindred

KEITH A. KINDRED, PLS S-2082

REVISED THIS 7th DAY OF OCTOBER, 2019



WETLAND/FLOODPLAIN/PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION AREA RESTRICTIONS

THOSE AREAS IDENTIFIED AS WETLAND, FLOODPLAIN, OR PRIMARY ENVIRONMENTAL CORRIDOR ON SHEETS 1, 2 AND 3 OF THIS CERTIFIED SURVEY MAP ARE CONSIDERED TO BE IN A WETLAND/FLOODPLAIN/PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION AREA AND ARE SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. GRADING AND FILLING SHALL BE PROHIBITED, UNLESS SPECIFICALLY AUTHORIZED BY THE MUNICIPALITY IN WHICH THIS LAND IS LOCATED AND, IF APPLICABLE, THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ARMY CORPS OF ENGINEERS.
2. THE REMOVAL OF TOPSOIL OR OTHER EARTHEN MATERIALS SHALL BE PROHIBITED.
3. THE REMOVAL OR DESTRUCTION OF ANY VEGETATIVE COVER, I.E., TREES, SHRUBS, GRASSES, ETC., SHALL BE PROHIBITED, WITH THE EXCEPTION OF THE REMOVAL OF DEAD, DISEASED OR DYING VEGETATION AT THE DISCRETION OF THE LANDOWNER AND WITH THE APPROVAL FROM THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE-PLANNING AND ZONING DIVISION. SILVICULTURAL THINNING UPON THE RECOMMENDATION OF A FORESTER OR NATURALIST, AND THE APPROVAL OF THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE-PLANNING AND ZONING DIVISION SHALL BE PERMITTED. THE REMOVAL OF ANY VEGETATIVE COVER THAT IS NECESSITATED TO PROVIDE ACCESS OR SERVICE TO AND APPROVED RESIDENCE OR ACCESSORY BUILDING, SHALL BE PERMITTED ONLY WHEN THE ACCESS OR SERVICE CANNOT BE LOCATED OUTSIDE OF THE WETLAND/FLOODPLAIN/PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION AREA AND WITH APPROVAL FROM THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE-PLANNING AND ZONING DIVISION.
4. GRAZING BY DOMESTICATED ANIMALS, I.E., HORSES, COWS, ETC., IS PROHIBITED.
5. THE INTRODUCTION OF PLANT MATERIAL NOT INDIGENOUS TO THE EXISTING ENVIRONMENT OF THE WETLAND/FLOODPLAIN/PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION AREA SHALL BE PROHIBITED.
6. PONDS MAY BE PERMITTED SUBJECT TO THE APPROVAL OF THE MUNICIPALITY IN WHICH THEY ARE LOCATED AND, IF APPLICABLE, THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ARMY CORPS OF ENGINEERS.
7. THE CONSTRUCTION OF BUILDINGS IS PROHIBITED.

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

OWNER'S CERTIFICATE OF DEDICATION:

As owner, I hereby certify that I caused that land described on this plat to be surveyed, divided, mapped and dedicated as represented on the Certified Survey Map. I 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 Sussex
- 3) Waukesha County

WITNESS the hand and seal of said owner this _____ day of _____
In Presence of:

Pamela Gross

STATE OF WISCONSIN)

_____ COUNTY) SS

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

Notary Public

_____ County, Wisconsin

My Commission Expires _____



CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

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 Pamela Gross, Owner.

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

In presence of:



STATE OF WISCONSIN)

_____ COUNTY) SS)

Personally came before me this _____ day of _____, 20 _____, the above named _____, _____, and _____ of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such _____ and _____ of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

Notary Public

_____ County, Wisconsin

My Commission Expires _____

COUNTY OF WAUKESHA APPROVAL:

Resolved that the Certified Survey Map, in the Town of Lisbon, Wisconsin, which has been filed for approval, be and hereby is approved as required by Chapter 236 of the Wisconsin State Statutes.

DATE: _____
Dale R. Shaver, Director, Waukesha County Department of Parks and Land Use

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CSM NO. 10741 LOCATED IN THE SW. 1/4 OF THE SW. 1/4 OF SECTION 11,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

TOWN BOARD APPROVAL CERTIFICATE:

Resolved that the Certified Survey Map, in the Town of Lisbon, Pamela Gross, owner, 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 _____
Dan Green, Town Clerk

TOWN PLAN COMMISSION APPROVAL CERTIFICATE:

Resolved that the Certified Survey Map, in the Town of Lisbon, Pamela Gross, owner, is hereby approved by the Town Plan Commission.

Date: _____ Signed _____
Joseph Osterman, Town Chairman

Date: _____ Signed _____
Jane Stadler, Plan Commission Secretary

SUSSEX EXTRA-TERRITORIAL VILLAGE BOARD APPROVAL CERTIFICATE:

Resolved that the Certified Survey Map, in the Town of Lison, Pamela Gross, owner, is hereby approved by the Village Board.

Date: _____ Approved _____
Gregory Goetz, Village President

Date: _____ Signed _____
Gregory Goetz, 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 Sussex.

Sam Liebert, Administrative Services Director

Date





October 24, 2019

To: Frank J. Gross
Applicant: CSM for N80 W23792 Plainview Road
Town of Middleton, WI

From: Daniel J. Lindstrom, AICP, Town Planner
Aaron Prichard, Community Development Consultant

Subject: CSM Review at N80 W23792 Plainview Road

Dear Mr. Gross,

This letter provides you with more information about the elements of your Certified Survey Map submittal which we recommend correcting and resubmitting prior to the November Plan Commission meeting. You are not required to comply with any of the recommendations of this letter; however, as you address more of these issues, we believe your CSM will have a higher chance of being approved by the Plan Commission. The first section below includes a list of the pertinent site details. Please let us know if you believe any of this information is inaccurate. This section is followed by a bulleted list of comments based on our review of the CSM with respect to Town Ordinances. The final section is a list of other considerations we think are relevant and may require your attention. If you choose to make these revisions, you may resubmit your CSM at any time up to November 7, 2019 without any additional applications, fees, or penalties. Your revised CSM will be forwarded to the Town for consideration by the Plan Commission.

Pertinent Site Information

Property Owner:	Frank J. and Pamela L. Gross
Applicant:	Frank Gross
Tax Key:	LSBT: 0187.998.009
Current Zoning:	A-3 Agricultural/Residential Estate, C-1 Conservancy, Waukesha County Shoreland Overlay
Adjacent Zoning:	A-3 (south, east, and west), County HG High Groundwater with a County Shoreland Jurisdictional Overlay to the north.
Current Land Use Plan designation:	Rural Density and Other Agricultural Land
Proposed Use:	Unchanged
Proposed Zoning:	Unchanged
Extraterritorial Review Required:	Yes, Village of Sussex

Certified Survey Map Review

Town Ordinances:

After reviewing the CSM for compliance with Town Ordinances, we have the following comments and recommended revisions/additions. The map shall show correctly on its face, in addition to the information required by Section 236.34, Wisconsin Statutes, all information required by Sections 4.01, 4.02 and 5.02 of the Land Divisions and Development Ordinance:

- Sec. 4.01(d) requires land dividers to use a scale of no more than 100 feet to one inch. All pages except Page 1 of the CSM adhere to this requirement. Page 1 uses a scale of 150 feet to one inch. This is acceptable as a way of showing the full site on one sheet.
- Sec. 4.01(f) requires land dividers to show ownership of all lands contiguous to the proposed CSM owned or controlled by the subdivider or owner, even if only a portion of said area is proposed for immediate development. The first page can at a smaller scale to include the additional lands owned by the applicant.
- Sec. 4.02(b) requires land dividers to show existing and proposed topographic contours of no more than two-foot intervals on all lands to be subdivided. The Applicant shall amend the CSM to show these on at least one of the sheets.
- Sec. 4.02(m) requires land dividers to show the existing zoning on and adjacent to the proposed subdivision. The Applicant shall amend the CSM to show the existing zoning district on its face.
- Sec. 4.02(p) requires land dividers to show soil type, slope, and boundaries in accordance with U.S. Soil Conservation Service. The Applicant shall amend the CSM to show these elements.
- Sec. 4.02(r) requires land dividers to show the location of soil tests. The Applicant shall amend the CSM to show legend to document the test locations.
- Sec. 5.02(k) requires land dividers to show septic systems with preplanned locations on the CSM. If applicable, the Applicant shall amend the CSM to show them.
- Sec. 7.06(e) states that depth to width ratio shall not exceed 2.5 to 1. All four lots have a depth greater than 2.5 times the width. The Applicant shall either amend the CSM to comply with this requirement or seek a waiver from the Plan Commission.

Along with the above, please address the following items:

- CSM shall read as a re-division of Lot 2.
- Update SEWRPC dates in relevant notes to read September 2019.
- Joint driveway easement agreements between the Applicant and the owners of proposed lot 1 and Lot 2 and proposed Lot 3 and 4 are required prior to the approval of the CSM. Plan Commission and Town Attorney shall review the Joint Driveway Agreements. Agreement review may also be required from the Waukesha County Public Works Department.
- The CSM shall be submitted to the Village of Sussex for review and approval, as it lies within the 1.5-Mile Extraterritorial Jurisdiction boundary limit.
- Approval shall be subject to the approval of a stormwater management plan found to be acceptable by the Town Engineer and Waukesha County Land Resources Division.

Frank and Pamela Gross CSM comments (10-7-19 CSM revision date)

The County PZD should determine if the FEMA floodplain elevation has changed since June, 2004. There is also a Draft Fox Flood Study to consult. If so, this would change the floodplain and shoreland jurisdictional information on the CSM.

The County LRD shall approve the stormwater for this CSM and also the soil testing demonstrating that the Other Open Lands to be Preserved (indicating seasonal high groundwater) on the Town and County CDPs are suitable for development.

Note 11 on Sheet 4 shall be revised in two places to reflect the Town's one foot vertical separation from seasonal high groundwater (no longer three feet).

The County EHD has been contacted regarding the soil tests that were previously submitted and if they can approve septic systems on the four lots based on those older tests. Also, mound system information is required to be shown on the land division document.

Should the legal description state "begin a re-division of all of Lot 2...." on each sheet of the CSM?

The drainage ditch to the west shall be identified on Sheet 1.

The end of Note 3 on Sheet 4 should state the SEWRPC provided an updated concurrence in Sept 2019 that the wetland delineation conducted in 2004 is still valid.

The end of Note 4 on Sheet 4 should be revised to state the SEWRPC provided an updated concurrence in Sept 2019 that the PEC delineation is still valid per their original concurrence letter dated 10-2-08.

A Consent of Corporate Mortgagee was not needed in 2009, so that certificate may be able to be removed from the CSM.

Acreage of the lots, as well as the square footage of the lots, is required to be shown on the CSM.

The topographic, soils, and zoning information are not shown on the CSM, but the Town may want to consider a waiver of these items.

The Town will also have to consider a width to depth waiver for all four proposed lots.

If the owners still own the property to the east, the Town should consider a waiver of the need to show contiguous owned land on the CSM.

Respectfully submitted,

Sandra L. Scherer

Sandy Scherer
Town of Lisbon Community Assistance Planner
10-17-19



FW: Frank Gross CSM Review

1 message

Dan Green <dgreen@townoflisbonwi.com>
To: Dan Lindstrom <dlin@vierbicher.com>

Tue, Oct 29, 2019 at 12:38 PM

FYI – regarding the CSM and the road right-of-way for Frank Gross.

Dan Green, CMC/WCMC

Town Clerk

Town of Lisbon

W234N8676 Woodside Rd

Lisbon, WI 53089

PH: 262-246-6100 ext. 1004

www.townoflisbonwi.com

Population 10,523

<https://incorporatelisbon2020.com>

From: Kohn-Born, Jackie [mailto:jkohn@geo-logic.com]

Sent: Tuesday, October 29, 2019 9:42 AM

To: Dan Green <dgreen@townoflisbonwi.com>

Subject: Frank Gross CSM Review

Dan,

I have reviewed the Frank Gross CSM, as requested. It appears that the everything is in order regarding the storm water management as there are previously recorded Storm Water Management Practice Agreements which are noted and will apply to future development. All applicable wetland, floodplain, shoreline and setback boundaries or corridors are indicated on the CSM. Building setbacks are indicated and conflict free.

In regard to the 50-foot right-of-way setback from centerline, I was unable to find any documentation in the Town Ordinance stating this requirement. However, in observance of adjacent properties, the property to the east has a similar setback yet the property to the west has a 33-foot setback, both are zoned A-10. The Gross property is zoned A-3 and I did not see anything in the CSM or application indicating intent to rezone. Perhaps this was dictated by Waukesha County. If you are able to direct me to the location in the Town Ordinance, I will take another look to verify compliance.

Please let me know if you require a formal response.

Thank you,

Jackie Kohn – Born, PE

Design Engineer

Kunkel Engineering Group

a Geo-Logic Company

1115 South Main Street

West Bend, WI 53095

(920)763-8155

jkohn@geo-logic.com

www.kunkelengineering.com | www.geo-logic.com

The contents of this e-mail message, including any attachments, are for the sole use of the intended recipient named above. This email may contain confidential and/or legally privileged information. If you are not the intended recipient of this message, be advised that any dissemination, distribution, or use of the contents of this message is strictly prohibited. If you receive this message in error, please notify the sender by return e-mail and permanently delete all copies of the original e-mail and any attached documentation. Thank you.

#5D - ATTACHMENTS

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

Ord. 19-19

AN ORDINANCE AMENDING SECTION 27 OF THE ZONING CODE OF THE TOWN OF LISBON

SECTION 1: The "Purpose and Intent" section of Section 27 of the Town of Lisbon Zoning Code is hereby repealed and recreated to read as follows:

SECTION 27 B-4 COMMERCIAL SPECIAL USE ZONING DISTRICT**Purpose and Intent**

This District is intended to provide for the orderly and attractive grouping of businesses at appropriate locations along the STH 164 and STH 74 highways and adjacent routes that lead into and out of the Town of Lisbon. This district is intended for those businesses and customer services which are logically related to and dependent upon highway traffic, or which are specifically designed to serve the needs of such traffic and/or serve surrounding residential and corporate neighborhoods. The District is designed for convenience or one-stop shopping and is intended to service the entire community.

SECTION 2: The introductory paragraph titled "Joint Planning Committee Role and Authority in this Zoning District" of Section 27 of the Town of Lisbon Zoning Code is hereby repealed.

SECTION 3: The introductory paragraph titled "Review Process for Proposed Developments" of Section 27 of the Town of Lisbon Zoning Code is hereby repealed and recreated to read as follows:

Review Process for Proposed Developments

- (1) To encourage a commercial environment that is compatible with the residential character of the Town and the neighboring Village, building permits for permitted uses in this zoning district shall not be issued without review by the Joint Planning Commission (JPC), review and recommendation by the Town of Lisbon Plan Commission, and approval by the Town Board. The JPC review shall be concerned with site plan, architectural plans, ingress and egress, parking, loading and unloading,

landscaping, and open space utilization. Town of Lisbon review and approval shall consist of all required plans per the Municipal Code of the Town of Lisbon.

- (2) The process for PUDs, CUs, and site plan and plan of operation review shall follow the process requirements outlined in Chapter 11 of the Town of Lisbon's Town Code except as limited in this zoning district. Where a conflict may occur, this zoning district shall apply as it is intended to guide development in this zoning district. Uses shall be limited to those described in this zoning district.

SECTION 4: Section 27 (a) Permitted Principal Uses 34. of the Town of Lisbon Zoning Code is hereby repealed and recreated to read as follows:

34. Other uses not specifically mentioned above may be permitted after review by the JPC, review and recommendation by the Town of Lisbon Plan Commission, and approval by the Town of Lisbon Town Board which shall make the following findings:
 - a. The use is consistent with the intent and types of uses depicted above, and
 - b. The use is not listed as a conditional use, and
 - c. The use is not one of the prohibited uses in Section C below.
 - d. The use is safe, clean, and would not cause any hardship to neighboring property owners from noise, pollution, or other nuisance.

This section is added to allow flexibility for the Town of Lisbon Plan Commission, Town of Lisbon Board, and JPC to consider multiple uses that cannot all be enumerated above in light of the difficulty and time constraints of adjusting zoning in a Town government.

SECTION 5: Section 27 (b) Permitted Accessory Uses 4. of the Town of Lisbon Zoning Code is hereby repealed and recreated to read as follows:

4. Signs in accordance with the guidelines set forth in Chapter 13, Signs, of the General Code of Ordinances. Landscape and site plans for the signs must be submitted, reviewed, and approved by the plan commission to evaluate size, orientation, and compatibility with the entire site.

SECTION 6: Section 27 (c) Certain Incompatible Uses Prohibited of the Town of Lisbon Zoning Code is hereby repealed.

SECTION 7: All ordinances or parts of this ordinance conflicting or contravening the provisions of this ordinance are hereby repealed.

SECTION 8: 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 ____ day of _____, 2019.

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, CMC/WCMC
Town Clerk



#5E - ATTACHMENTS

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

Ord. 20-19

AN ORDINANCE REPEALING AND RECREATING SECTION 28 OF THE ZONING CODE OF THE TOWN OF LISBON

SECTION 1: Section 28 of the Town of Lisbon Zoning Code is hereby repealed and recreated to read as follows:

SECTION 28 B-P INDUSTRIAL/BUSINESS PARK SPECIAL USE ZONING DISTRICT

(a) Purpose and Intent

This zoning district is intended to provide for the orderly and attractive grouping of diverse office, retail, and customer service uses, and industrial uses of limited intensity where the appearance of such mixed uses is enhanced by pleasing building architecture and generously landscaped sites.

(b) Permitted Uses

The following uses may occur on individual sites or as part of a larger planned development subject to the approval of a site plan and plan of operation:

(1) The manufacture, fabrication, assembly, and/or processing of the following products; parts, supplies, or sub-assemblies of the same:

- Apparel and findings and related products
- Automatic temperature controls
- Automotive upholstery
- Baked goods and bakery products
- Beverages, non-alcoholic, including bottling
- Blank books, loose-leaf binders, and devices
- Boot and shoe cut stock and bindings
- Brooms and brushes
- Canvas products
- Cheese
- Cleaning, dressing and dyeing
- Commercial bakeries

- Computer hardware and software
- Confections
- Cosmetic and toiletries
- Costume Jewelry, novelties, buttons, and miscellaneous notions
- Curtains and draperies
- Dental equipment
- Electrical appliances and electronic devices
- Electrotyping and stereotyping
- Engineering, laboratory, scientific and research instruments/equipment
- Fabrics, broad and narrow woven
- Felt goods
- Flavor extracts and flavor syrups
- Floor coverings limited to rugs and carpeting
- Food locker plants, excluding slaughtering
- Footwear
- Fur products, packaging/assembly, excluding slaughtering or dressing
- Glass and glass products
- Graphics and/or graphic design
- Handbags and other personal leather goods
- Hats, caps and millinery
- Ice
- Ice cream and frozen desserts
- Jewelry
- Knit goods, yarns and threads
- Lace goods
- Lamp shades
- Leather, but not including tanning
- Luggage
- Manifold business forms
- Mechanical measuring and controlling instruments
- Men, Woman, and Youth furnishings, work clothes and garments
- Morticians goods
- Musical Instruments
- Office furniture
- Ophthalmic goods
- Optical instruments and lenses paper products
- Orthopedic, prosthetic, and surgical appliances
- Paper coating and glazing, and paper products/envelopes greeting cards
- Partitions, shelving, lockers, and office and store fixtures
- Pens, pencils, and other office and artist materials
- Pharmaceuticals
- Photoengraving instruments
- Photographic equipment
- Pizza

- Pleating, decorative, and novelty stitching and tucking for the trade
- Raincoats and other waterproof outer garments
- Robes and dressing gowns
- Signs and advertising displays
- Silverware and plated ware
- Surgical and medical instruments
- Textiles, dyeing and finishing
- Toys, amusement, sporting and athletic goods
- Umbrellas, parasols, and canes
- Venetian blinds and shades
- Wallpaper
- Watches, clocks, clockwork operated devices.

(2) Business and service facilities including:

- Accounting, auditing, and bookkeeping services
- Administrative and public service offices
- Advertising services
- Bakeries
- Banks and financial institutions, excluding drive-through facilities
- Barber shops and beauty shops
- Book stores, newspaper and magazine stores
- Cabinet makers
- Camera and photographs supply stores
- Computer software development
- Confectioneries
- Grocery stores/Drug stores
- Corporate headquarters
- Delicatessens
- Dental and medical clinics
- Duplicating and mailing services
- Data processing centers
- Electrician
- Employment services
- Hotels and motels
- Interior decorators
- Janitorial supplies
- Machine shops
- Office supplies and business machine stores
- Parking lots and structures
- Plumbing and heating services
- Professional offices of an architect, engineer, lawyer, accountant, doctor, dentist, realtor, optometrist, clergy, or other similarly recognized profession.

- Public relations offices
 - Publishing, printing, and binding of books, newspapers, periodicals
 - Radio and television studios, not including transmitting towers
 - Real estate and insurance sales offices
 - Research and development facilities
 - Restaurants, including drive-in restaurants, but excluding drive-throughs
 - Security brokers, dealers, and associated investment services
 - Sheet metal services
 - Studios for photography, painting, music, sculpture, art, or dance
 - Travel agencies
 - Limited warehousing and storage facilities for distributors provided that such warehousing and storage does not exceed 50,000 square feet or have more than 5 overhead doors.
- (3) Other uses not specifically mentioned above may be permitted uses if, following a review and recommendation by the Town of Lisbon Plan Commission, the Town of Lisbon Board finds:
- a. The use is consistent with the intent and types of uses depicted above, and
 - b. The use is not listed as a conditional uses, and
 - c. The use is safe, clean, and would not cause any hardship to neighboring property owners from noise, pollution, or other nuisance.

(c) Permitted Accessory Uses

- (1) Garages for storage of vehicles used in conjunction with the permitted uses.
- (2) Off-street parking and loading areas.
- (3) Office, storage, power supply, distribution, warehousing, and other uses normally auxiliary to permitted business park uses.
- (4) Indoor storage and sale of machinery and equipment associated with the permitted business park uses.
- (5) Satellite dish antennas located on the roof of the principal structure or in the rear yard. Where the satellite dish is roof-mounted, a registered engineer shall certify that the structure is adequate to support the load.
- (6) Roof-mounted solar collectors provided that a registered engineer shall certify that the structure is adequate to support the load.
- (7) Bus/taxi shelters or waiting areas.
- (8) Refuse areas.
- (9) Signage in accordance Town Sign Ordinance Chapter 13 of the Municipal Code (Addendum A).

(d) Conditional Uses

(1) Business Uses The following commercial uses shall be conditional uses and may be permitted as specified:

- a. Drive-Through Facilities such as drive-through banks, restaurants. For drive through restaurants refer to the conditional use for Restaurants, Supper Clubs, Lake Resorts (open to the general public), Taverns, Dance Halls, Pool Halls, Bowling Alleys, and Similar Uses. For all other drive through facilities refer to the conditional use for drive through facilities.
- b. Radio and Television transmitting towers, receiving towers, relay and microwave towers, and broadcast studios. Broadcast studios and offices without towers may be permitted in this zoning district.
- c. Commercial Day Care Centers (refer to Public and Semi Public Buildings and Uses) provided that any outside play area is surrounded by a security fence; that no day care center is located within 300 feet of a gasoline service station, underground gasoline storage tanks, or any other storage of explosive material; that no day care center shall be located in an area where air pollution caused by smoke, dust, gases, or other particulate matter would endanger children; that no day care center shall be located in an area where noise would be so loud, shrill, or have an impulse to endanger children; that traffic be managed in a manner to minimize danger to children; and provided that adequate parking and circulation be provided on the day care facility site.
- d. Truck terminals of any size, warehousing, distribution centers, storage facilities for distributors, and mail-order centers over 50,000 square feet or with more than 5 overhead doors.
- e. Gasoline Service Stations with or without Convenience Stores – including car washes and oil change facilities provided that the use shall not cause--or shall include traffic control measures to ameliorate--traffic congestion; that lighting and glare shall not extend into adjacent residential neighborhoods; and that service islands shall comply with the minimum setback requirements of the zoning district. Canopies over a gasoline service island may extend into front, side or rear yard areas, but shall not encroach more than six (6) feet into any required yard and in no case, may a canopy extend into a street R.O.W.
- f. Outside Storage for commercial uses. All outside storage areas shall be at least 600 feet from residential, park, and public and institutional zoning districts located in the Town. The Town Board may waive or reduce the

600-foot separation requirement. In all cases, outside storage shall be screened from all sides. All screening plans are subject to Town Plan Commission review and approval. Screening may be a permanent opaque wall matching the building materials, fencing or landscaping as deemed appropriate by the Town Plan Commission. The height of the screening shall be sufficient to screen the product(s) in the outside storage area.

(2) Industrial Uses The following Industrial Uses shall be conditional uses and may be permitted as specified:

- a. Animal Clinics or Hospitals, excluding commercial kennels, provided all principal structures and uses are not less than 100 feet from any residential use.
- b. Outside Storage of building materials, ice, dry ice, flammables, gasoline, grains, paint, shellac, fat, lard, turpentine, vinegar, and yeast or other industrial outside storage. All outside storage areas shall be at least 600 feet from residential, park, and public and institutional zoning districts located in the Town. The Town Board may waive or reduce the 600-foot separation requirement. In all cases, outside storage should be screened from all sides. All screening plans are subject to Town Plan Commission review and approval. Screening should be a permanent, predominantly evergreen, planting screen, the individual trees to be of such a number and so arranged that they will have formed a dense screen within ten years or by a fence or masonry wall or a combination of the above. Individual trees shall be capable of reaching a height of ten feet within two years.
- c. Factory Outlets and retail sales of products made onsite in the principal industrial operation.
- d. Construction Services (refer to Contractor's Yard) not listed as permitted uses above.
- e. General Sales of Industrial Products, not listed as permitted uses above.

(3) Other uses not specifically mentioned above may be conditional uses if the Town Board finds:

- a. The use is consistent with the intent and types of uses depicted for the zoning district, and
- b. The use is safe, clean, and would not cause any hardship to neighboring property owners from noise, pollution, or other nuisance.

This section is added to allow flexibility for the Town Plan Commission and Town Board, to consider multiple uses that cannot all be enumerated above in light of the difficulty and time constraints of adjusting zoning in a Town government.

(e) Lot Area and Width

- (1) Lots shall have a minimum of 40,000 square feet in area and shall be not less than 150 feet in width.
- (2) To achieve a campus-like appearance, lot coverage by buildings, accessory structures, surface parking and loading areas, and driveways shall occupy no more than 75 percent of the lot area. Landscaped open space shall occupy not less than 25 percent of the lot area.

(f) Building Height

- (1) No building or parts of a building shall exceed 60 feet in height.

(g) Setback and Yards

- (1) There shall be a minimum building setback of 50 feet from the street right-of-way.
- (2) There shall be a side yard of 25 feet on each side of all structures not exceeding 45 feet in height. Buildings in excess of 45 feet in height shall increase the minimum side yards one (1) foot for each additional one (1) foot of building height over 45 feet up to a maximum height of 60 feet.
- (3) There shall be a rear yard of not less than 25 feet.
- (4) There shall be a minimum shore yard of 75 feet from the ordinary highwater mark of any navigable body of water. In addition, no building or structure shall be located closer than 15 feet from the Conservancy or Conservancy Wetland and Floodplain zoning district boundaries, or less than 2 feet above the Regional Flood Elevation.
- (5) Service islands for gasoline service structures shall be considered principal structures and shall comply with building setback requirements. Canopies over a gasoline service island may extend into a front, side, or rear yard, but shall not encroach more than six (6) feet into any required yard and in no case, may a canopy extend into a street right-of-way.

(6) Parking Setbacks shall be as follows for this zoning district: Arterial Roadway 30 feet from the right of way, other street yard 25 feet from the right of way. Parking Side and Rear Yard shall be a minimum of 5 feet from the property line. The actual setbacks, side yards, and rear yards for a particular site may need to be increased to address landscaping and buffering requirements for the site as determined by the Town Board.

(h) Design Standards:

The following guidelines are specific standards that apply to this zoning district. In addition, development in this zoning district must follow the Design Standards of the Town of Lisbon for the Industrial/Business Park Special Use and Commercial Special Use Zoning Districts and other general guidelines within Chapter 11 of the Lisbon Municipal Code which is the Town's Zoning Ordinance (hereinafter referred to as Chapter 11) related to design issues. Where a conflict exists, this section and the Design Standards shall apply.

(1) Parking and Storage

- a. Surfacing. All off-street loading, driveways, parking areas shall be surfaced with an asphaltic or Portland cement pavement in accordance with Chapter 11 and the Town of Lisbon standards and specifications so as to provide a durable and dust free surface, and shall be so graded and drained as to dispose of all surface water accumulated within the area. Any surface water discharged off premises shall be so channeled and located so as not to create a nuisance to adjacent properties. Surfacing of loading areas shall be completed before occupancy is granted. Storage areas shall be surfaced with an asphaltic or Portland cement or reground asphaltic surface. If the storage areas are a reground asphalt product, the design shall require approval of the Town Engineer before installation to ensure compliance with maintenance and dust free standards.
- b. Landscaping. All public off-street parking areas which serve twenty (20) vehicles or more and are created or redesigned and rebuilt subsequent to the adoption of this Zoning Ordinance shall be provided with accessory landscape areas totaling not less than seven and one-half (7 1/2) percent. The minimum size of each landscape area shall not be less than 150 square feet and landscaped areas shall be distributed evenly throughout the parking area. Location of landscape areas, plant materials, and protection afforded the plantings shall be reviewed by the Town Plan Commission. All Plans for such proposed parking areas shall include a topographic survey or grading plan which shows existing and proposed grades and location of improvements. The preservation of existing trees, shrubs, and other natural vegetation in the parking area may be included in the calculation of

the required minimum landscape area. Those parking areas for twenty (20) or more vehicles if adjoining a residential use shall be screened from such use by a solid wall, fence, evergreen planting of equivalent visual density or other effective means, built and maintained at a minimum height of six (6) feet.

- c. Openings for driveways shall provide adequate access to a public street. No driveway for any other use shall be less than 24 feet in width at the street right-of-way line nor shall it exceed 32 feet at the street right-of-way line.
 - d. Storage. Parking spaces required to meet the minimum parking requirements of Chapter 11 shall not be used for the long term storage of motor vehicles, recreational vehicles, boats, commercial or industrial inventory, or equipment. Parking spaces shall not be used or leased to persons not using the principal use. Parking spaces are considered accessory to the principal use, unless prior approval for such shared or secondary use has been granted by the Town Plan Commission.
- (2) Lighting shall be installed and maintained in accordance with the standards set forth herein:
- a. Type. Shielded luminaries, or luminaries with cutoff optics, and careful fixture placement shall be required so as to facilitate compliance with this section.
 - b. Orientation. Exterior lighting fixtures shall be orientated so that the lighting element (or a transparent shield) does not throw rays onto neighboring properties. No lighting sources shall be visible from outside its premises. Light rays shall not be directed into street rights-of-way or upward into the atmosphere. No horizontal throw via outward projecting lenses or optics shall be permitted contributing as a point glare source. The intensity of illumination, measured at the property line, shall not exceed 0.2 foot-candles.
 - c. Minimum Lighting Standards. All areas designated on approved site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset and where it is reasonable to expect pedestrian use shall provide artificial illumination in such areas at a minimum intensity to meet the standards set forth in the American National Standard Practice for Roadway Lighting and those standards set forth in the Illuminating Engineering Society of North America's Lighting for Parking Facilities.

- d. Flashing, flickering, or other distracting lighting which may distract motorists is prohibited. Lighting which creates or becomes a public nuisance is not permitted.
- (3) General Landscaping and Buffering other than outlined in Section (h)(1)b shall be developed per the Design Standards of the Town of Lisbon for the Industrial/Business Park Special Use and Commercial Special Use Zoning Districts.
- (4) Building and Structures and Materials shall be developed per the Design Standards of the Town of Lisbon for the Industrial/Business Park Special Use and Commercial Special Use Zoning Districts.
- (5) Other Site Planning and Design Issues shall be developed per Design Standards of the Town of Lisbon for the Industrial/Business Park Special Use and Commercial Special Use Zoning Districts.
- (6) Signage Shall be developed per Design Standards of the Town of Lisbon for the Industrial/Business Park Special Use and Commercial Special Use Zoning Districts.
- (7) Pedestrian Orientation shall be developed per the Design Standards of the Town of Lisbon for the Industrial/Business Park Special Use and Commercial Special Use Zoning Districts.
- (8) Environmental Protection shall be developed per Design Standards of the Town of Lisbon for the Industrial/Business Park Special Use and Commercial Special Use Zoning Districts.
- (9) Erosion Control Developments must follow the Town Erosion Control Ordinance, Land Disturbance Ordinance, the Waukesha County Storm Water Management Regulations, Wisconsin Department of Natural Resources NR-216, NR-151 and applicable Chapter 30 regulations.

SECTION 2: All ordinances or parts of this ordinance conflicting 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 ____ day of _____, 2019.

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



#5F - ATTACHMENTS

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

Ord. 18-19**ORDINANCE READOPTING ORD. 01-18, CREATING SECTION 33 AND REPEALING/RECREATING VARIOUS SECTIONS OF THE LISBON ZONING CODE RELATED TO PLANNED UNIT DEVELOPMENTS AS AN OVERLAY DISTRICT, IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN**

SECTION 1: Section 33 of the Lisbon Zoning Code is hereby created as follows:

SECTION 33 PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT**(a) Purpose and Intent**

1. Planned Unit Development Overlay District (PUD) regulations are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of a site than is possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of amenities, and preservation of the natural resources and open space.
2. The planned development procedure requires a high degree of cooperation between the developer and the Town. The procedure described herein is designed to give the developer general development plan approval before completing all of the detailed design work while providing the Town with assurances that the project will retain the character envisioned at the time of approval.

(b) Identified objectives

When reviewing requests for approval of a Planned Unit Development, the Town shall consider whether the objectives listed below will be served or achieved. Planned unit developments should not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved.

1. Accommodation of a variety of housing types.
2. Promotion of integrated land uses allowing for a mixture of residential, commercial, public and industrial uses (Mixed Uses) along corridors and in transitional areas.
3. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.
4. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.
5. Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques.
6. Coordination of architectural styles and building forms to achieve greater compatibility with surrounding land uses.
7. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation.

(c) Relationship to other applicable regulations

1. Permitted and accessory uses. Permitted and accessory uses in the planned development overlay district shall be the same as those permitted in the base zoning district or districts in which the PUD is located.
2. Mixed uses. A mix of different uses within a planned development overlay district may be permitted if the plan commission and village board determine that the mix of uses is compatible and necessary to achieve the objectives of the PUD.
3. Floor area and height. The PUD may provide for an increase in the maximum gross floor area, floor area ratio, and/or maximum building height allowed in the base zoning district for the purpose of promoting project integration and additional site amenities.
4. Building setbacks. The PUD may provide for a reduction of required setbacks in the base zoning district, provided that a landscaped setback area of the minimum width established for the base zoning district is maintained along the periphery of the PUD.
5. Lot requirements. The Town Board may authorize reductions in the area and width of individual lots within a PUD from that required for the base zoning district, provided that such reductions are compensated for by an equivalent amount of open space elsewhere in the Planned Unit Development. Such open space shall not include areas designated as public or private streets. The plan may increase the maximum density beyond that permitted in the base zoning district for the purpose of promoting an integrated project with a variety of housing types and additional site amenities.
6. Street layout. In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive areas or environmental corridors as defined by Waukesha County or SEWRPC, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.
7. Density Bonus. The zoning district lot sizes and density for residential planned unit developments may be modified by applying up to a 30% maximum density bonus to the density otherwise permitted in each base zoning district; provided however, that the density bonus calculation and the sewer reduction provisions contained in the Zoning Code cannot both be applied to further increase the density bonus beyond the 30% maximum density bonus allowed for residential Planned Unit Developments.
8. Base Zoning Districts. Planned Unit Development Overlay Districts are not permitted over the EFD or Q1 Districts. Planning of Development Overlay Districts may include C1 Conservancy Districts as a part of the PUD, provided however, that no portion of any building, lot or structure shall be allowed on lands designated in an underlying C1 Conservancy District.
9. Other exceptions. The Town Board may, in its discretion, authorize the waiver or modification of the restrictions applicable to the base zoning district, provided however, that such waiver or modification shall not authorize the uses which are inconsistent or in compatible with the use restrictions contained in the base zoning district or districts.

(d) Procedural Requirements

1. Pre-petition meeting. Prior submitting a petition for approval of a Planned Unit Development Overlay District, the applicant shall meet with Town Staff, to discuss the scope and nature of the proposed development. The applicant must sign and submit the professional services reimbursement form prior to the pre-petition meeting.
2. Petition – General Development Plan (GDP). Following the pre-petition conference, the applicant shall file a petition with the Town Clerk for approval of a Planned Unit Development Overlay District – General Development Plan. Upon submission of a completed application form, general development plan and any petitions for modification of the Comprehensive Plan and changes in the Base Zoning District, and upon payment of the required fees, the Zoning Administrator shall forward the application to the Plan Commission for review and consideration.

The General Development Plan shall include the following information:

- a. Total area to be included in the PUD, area of open space, residential density computations, proposed building square footage for commercial or industrial development, proposed number of dwelling units, population analysis, traffic analysis, availability of or requirements for municipal services and any similar data pertinent to a comprehensive evaluation of the proposed development required by the Town.
- b. General summary of the estimated value of structures and site improvement costs, including landscaping and special features.
- c. General outline of the organizational structure of a property owners' or management association proposed to be established to provide any necessary private services.
- d. Proposed departures from the standards of development in the Town zoning regulations, other Town regulations, administrative rules, or universal guidelines.
- e. Expected date of commencement and completion of physical development as set forth in the proposal.
- f. Details describing the benefits the PUD will provide the Town of Lisbon such as, natural resources, open space, aesthetics, economic or public benefits or facilities, etc.
- g. Legal description of the boundaries of the subject property included in the proposed PUD and its relationship to surrounding properties.
- h. Approximate location of public and private roads, sidewalks, paths, trails, driveways, and parking facilities.
- i. Density of the project and the amount of open space and common areas.
- j. Conceptual architectural rendering and design of the buildings, if applicable.
- k. General location of institutional, recreational and open space areas and areas reserved or dedicated for public uses, including schools, parks, and drainage ways, and open space features, if applicable.
- l. Conceptual provisions for stormwater management.

3. Changes in Comprehensive Plan or Base Zoning District.

If a change of the Town of Lisbon Comprehensive Plan and/or the Base Zoning District is required in order to approve the Planned Unit Development Overlay District, then the appropriate petition or petitions shall be filed simultaneously with the filing of the General Development Plan.

4. General Development Plan Hearing and Referral.

a. The petition for a GDP approval, together with any changes required in the Comprehensive Plan and/or Base Zoning District, shall be submitted to the Plan Commission for its review and recommendation to the Town Board. CDP and zoning changes shall include those required by the County and other extraterritorial jurisdictions, as applicable. The GDP shall be in compliance with the applicable CDP's and zoning districts.

b. The Plan Commission shall conduct a public hearing in accordance with provisions of this Chapter, and, following the public hearing, the Plan Commission shall report its findings and recommendation to the Town Board. In making its recommendation, the Town Plan Commission may include such conditions or requirements as the Plan Commission deems appropriate in order to preserve the spirit and intent of this Ordinance.

c. Approval of the Planned Unit Development Overlay District shall establish the basic right of use for the area in conformity with the GDP as approved, provided however, that the GDP shall be conditioned upon subsequent approval of a Specific Development Plan, and shall not make permissible any of the uses as proposed until a Specific Development Plan (SPD) is submitted and approved by the Town Board. The PUD Overlay District/GDP approval date by the Plan Commission shall become the effective date of the PUD Overlay Ordinance.

If a SPD is not submitted and approved by the Town Board within twelve (12) months of the effective date of the Planned Unit Development Overlay District Ordinance, the Planned Unit Development Overlay District Ordinance shall be null and void.

5. Specific Development Plan (SDP). The Specific Development Plan shall be submitted to the Plan Commission, and upon review, the Plan Commission make such recommendations to the Town Board as the Plan Commission deems appropriate.

The Specific Development Plan may be submitted for consideration concurrently with the General Development Plan, and shall include the following materials and information:

a. The information required for approval of Site Plans as set forth in Section 3 of this Chapter. The nature and extent of the information required under the Site Plan regulations will vary, depending upon the nature of the proposed Plan Unit Development Overlay District and SPD. Town Staff shall provide assistance to the applicant in order to ensure that all materials and information that may be required or requested by either the Plan Commission and Town Board when reviewing the SPD are included in the application.

b. Such other materials and information as may be requested by the Town Staff, taking into consideration the comments and recommendations of the Town Plan Commission and Town Board when reviewing the General Development Plan.

c. Plat or Certified Survey Maps.

Simultaneously with the submittal of the SPD, the applicant shall file with the Town, and any other jurisdiction required by Chapter 236 of the Wisconsin State Statutes, any Subdivision Plat and/or Certified Survey Map, the approval of which shall be required in order to approve the SPD. Such submittal shall be in conformance with the Land Division and Development Ordinances of the Town of Lisbon. Such submittal shall include all of the information required under the provisions of the Land Division and Development Ordinance of the Town of Lisbon.

6. Basis of Approval of Specific Development Plan Petition.

- a. Town Plan Commission Approval. The Town Plan Commission shall, after reviewing the information submitted in support of the request for SPD approval, as well as any Plat and/or Certified Survey Map submitted simultaneously with the plan, recommend to the Town Board that the SPD either be approved, approved conditionally or rejected.
- b. Town Board Approval. Following referral from the Plan Commission, the Town Board shall either approve, approve conditionally or reject the SPD. In the event that the Town Board approves the SPD conditionally, the conditions of approval shall be stated with particularity. If the Town Board rejects the SPD, the reason or reasons for the rejection shall be stated in writing and provided to the applicant.
- c. The recommendation of the Town Plan Commission and the decision of the Town Board shall be based upon the following criteria:
- i. Whether the SPD is consistent with the Purpose and Intent of the Zoning Code, and the purpose and intent of Planned Unit Development Overlay District.
 - ii. Whether the SPD reflects and incorporates consideration of the physical nature of the Site with particular concern for the preservation of natural resources, open spaces, natural terrain as required by Ordinance including the CDP and to the greatest extent possible when not regulated by Ordinance.
 - iii. Whether the general character and intensity of the use produces an attractive environment appropriate to the uses proposed and is compatible with existing developments in the surrounding area, including developments in neighboring and adjacent municipalities, and is generally consistent with the development policies and practices of the Town.
 - iv. Whether adequate municipal services, including the availability of schools and the provision of fire and police services, will be available to support the development, whether adequate municipal water and sanitary sewer facilities are available to support the Development, or in the alternative whether the development will proceed using private wells and septic systems.

- v. Whether the applicant and/or developer has provided adequate financial guarantees to ensure that all public improvements are completed in a timely manner, and in accordance with all existing regulations and ordinances of the State, County and Town; whether, if appropriate, adequate deed restrictions have been drafted and will be recorded, and a Home Owners Association or similar Association charge with responsibility of maintaining common areas of the proposed Development has been established.
- vi. Whether any Plat or Certified Survey map has been approved by the Town and all other approving authorities.
- vii. Whether the developer has entered into a Development Agreement, approved by the Town Attorney, the purpose of which is to ensure the implementation, completion and continued maintenance of the Development as established by the Planned Unit Development Overlay District Ordinance, the General Development Plan and the Specific Development Plan.
- viii. Whether the development will include dedication of lands for parks or other municipal purposes, or alternatively, whether the developer will pay fees in lieu of the dedication.
- ix. Whether the development is subject to, or contingent upon, approval of any adjoining municipality as a result of the contractual obligations imposed by Border Agreements, and if so, whether those approvals have been obtained.

SECTION 2: Various Sections of the Lisbon Zoning Code related to Planned Unit Developments are hereby repealed and/or recreated as follows:

Section 2 Definitions

Planned Unit Development Overlay District (PUD) is a district established to provide a regulatory framework designed to encourage and promote improved environmental and aesthetic design in the Town by allowing for greater design freedom, imagination and flexibility in the development of land while insuring substantial compliance with the basic intent of this Chapter and the Town Comprehensive Plan (refer to Figure 1), including dedicated open space and the preservation/protection of natural resources and environmentally sensitive areas. To further these goals, the district allows diversification and variation in the bulk and relationship of uses and structures and spaces in developments conceived as comprehensive and cohesive unified plans and projects. The district is further intended to encourage developments consistent with coordinated area site planning.

Section 3(d)(2) Use regulations

Accessory Uses and Structures: In any district, accessory structures, buildings and uses customarily incident to the permitted buildings, uses and structures in that district shall be permitted subject to such requirements as may be hereinafter designated for that district in which they are located and in accordance with Section 3(i)5. No pyramiding as defined herein shall be permitted on any lands fronting on navigable waters, except as may be specifically permitted accessory to a marina or resort, and which may be allowed under the terms of an approved planned unit development. No accessory building, use or structure shall be permitted that by reason of noise, dust, odor, appearance, lighting, traffic generation, smoke, fumes, dirt, vibrations, fire, explosives, pollution, or other objectionable factors creates a nuisance or a substantial adverse effect upon the property value or reasonable enjoyment of the surrounding property. These nuisance determinations shall also include, but not be limited to, incidents of apiary operations where there is bee stinging, bee swarming, or bees otherwise creating a disturbance. Such adverse effects may be required to be corrected or eliminated by such measures as are directed by Sections 36 and 37 of this ordinance; and Chapter 5, Nuisances, of the Town of Lisbon, Waukesha County, Wisconsin, General Code of Ordinances, also included as Addendum B herein.

Section 3(i)(3) Open Space

C. No part of the open space provided for any building shall be included as part of the open space required for another building, except as hereinafter provided for in Planned Unit Development Overlay Districts (refer to Section 33).

Section 3(i)(4) Residential Density

Residential Density (either referred to as units per acre or minimum lot size) shall not exceed the density hereinafter specified by the regulations for the zoning district in which the development/building is located except as otherwise regulated in accordance with Section 3 (e) 4 (sewer reductions), Section 4 (Conditional Uses), and Section 4 (h) 20 (Multiple Family Units) and Section 33 (Planned Unit Development Overlay Districts).

SECTION 9 UC UPLAND CORRIDOR DISTRICT

d. Conditional Uses

1. In law units, in a planned unit development
2. ~~Single family residential planned unit developments only~~

SECTION 11 AD-10 AGRICULTURAL DENSITY 10-ACRE DISTRICT

e. Conditional Uses

9. ~~Single family residential planned unit developments only~~

SECTION 12 RD-5 RURAL RESIDENTIAL DENSITY 5-ACRE DISTRICT

e. Conditional Uses

9. ~~Single family residential planned unit developments only~~

SECTION 13 A-10 AGRICULTURAL DISTRICT

d. Conditional Uses

16. ~~Single family residential planned unit developments only~~

SECTION 14 A-5 MINI-FARM DISTRICT

d. Conditional Uses

15. ~~Single family residential planned unit developments only~~

SECTION 15 A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT

d. Conditional Uses

~~10. Single family residential Planned Unit Developments~~

SECTION 16 R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT

d. Conditional Uses

~~9. Single family residential Planned Unit Developments~~

SECTION 17 R-2 SINGLE FAMILY RESIDENTIAL DISTRICT

d. Conditional Uses

~~9. Single family residential Planned Unit Developments~~

SECTION 18 R-3 TWO FAMILY RESIDENTIAL DISTRICT

d. Conditional Uses

~~7. Single family residential Planned Unit Developments~~

SECTION 19 RM MULTI-FAMILY RESIDENTIAL DISTRICT

d. Conditional Uses.

5. Residential Planned Unit Developments

SECTION 23 P-I PUBLIC AND INSTITUTIONAL DISTRICT

e. Conditional Uses

Conditional uses as provided in Sections 4 (h) 24 and 29.

SECTION 24 B-1 RESTRICTED BUSINESS DISTRICT

d. Conditional Uses

~~5. Single family residential Planned Unit Developments~~

SECTION 25 B-2 LOCAL BUSINESS DISTRICT

d. Conditional Uses

~~6. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments~~

SECTION 26 B-3 GENERAL BUSINESS DISTRICT

d. Conditional Uses

(c) Certain Incompatible Uses Prohibited

~~6. Residential, commercial, and mixed Planned Unit Developments.~~

SECTION 31 M-1 LIMITED INDUSTRIAL DISTRICT

e. Conditional Uses

~~2. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments~~

SECTION 32 M-2 GENERAL INDUSTRIAL DISTRICT

e. Conditional Uses

~~2. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments~~

SECTION 3: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

SECTION 4: 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 11th day of November, 2019.

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, CMC/WCMC
Town Clerk



#5G - ATTACHMENTS

**DEVELOPER'S AGREEMENT
FOR THE PRESERVE AT HARVEST RIDGE PHASE I
TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN**

THIS AGREEMENT made this XYZ day of XYZ, 2019, between The Preserve at Harvest Ridge, LLC. N27W24025 Paul Court, Suite 100, Pewaukee, WI 53072, 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 106 acres of land in the TOWN, upon which the DEVELOPER desired to construct a 64-lot, low-density conservation subdivision, said land being described on **EXHIBIT A** attached hereto and incorporated herein, hereinafter called "SUBJECT LANDS"; and

WHEREAS, the DEVELOPER desires to divide and develop SUBJECT LANDS for residential purposes by use of the standard regulations as set forth in Chapter 236 of the Wisconsin Statutes and the municipal ordinance regulating land division and development; and

WHEREAS, the DEVELOPER desires to construct the 64-lot development in three (3) phases described on EXHIBIT A Phase I being the south east portion of the subdivision bordering HWY K and encompassing lots 9-17 (9 lots) and Outlot 2, Phase II being the southwest portion of the subdivision bordering HWY K and encompassing lots 1-8 and 18-26 (17 lots) and Outlots 1 and 3, and Phase III being the northern portion bordering Ainsworth Road and encompassing lots 27-64 (38 lots).

WHEREAS, the DEVELOPER desires to further develop Phase I and Phase II as described in EXHIBIT A (sheet 2) to assist with the selection of the subdivision for the 2020 Parade of Homes which will encompass Phase I, lots 9-17.

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 and utilizing a Residential Planned Unit Development (PUD), which allows the above development; and

WHEREAS, said SUBJECT LANDS received approval by the TOWN for a Residential Planned Unit Development (PUD) Overlay to allow for lots sizes of less than one acre. The development shall follow adopted PUD General Development Plan and Specific Development Plan details approved by the Town Board and Plan Commission.

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.
2. The DEVELOPER shall grade and install all planned public streets in accordance with the preliminary plat, approved development plan of said development or subdivision, which is attached to this document, or final plat as the case may be and the plans and specifications on file in the TOWN Clerk's office dated <insert date>.
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.
4. The first lift of the public streets will be completed and presented to the TOWN Board no later than <insert date> or as extended by the TOWN Board.
5. The final lift of asphalt shall be placed on all public streets after at least one winter season, and no sooner than 10 months from the installation of the first lift of asphalt but no longer than 14-months from the installation of that first lift of asphalt.
6. The DEVELOPER shall maintain public streets, including snow plowing, until accepted by resolution by the TOWN Board.
7. The DEVELOPER shall furnish "as built" plans showing changes from the construction plans, pursuant to specifications approved by the TOWN Engineer.

8. 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.

B. PATHWAYS, TRAILS & COMMON AREAS. Park and Public Recreational Trail Requirements to be installed by the Developer include:

1. Trail. As part of the construction of the Improvements, the Developer shall construct a Public Recreational Trail on Outlots 1, 2, 3 and 4 approximately 6,530 feet internally looped with a northern connection at the intersection of Basham Lane and Ainsworth Road to access trail system in the neighborhood to the north. These are further detailed in **EXHIBIT A** The trail improvements shall consist of:

<i>General Location</i>	<i>Approx. Length</i>	<i>Trail type</i>	<i>Finished Surface</i>	<i>Development Terms</i>
Internally looped trail through Outlots 1, 2, 3 and 4.	6,530 feet	8' wide 12' wide easement	3" Asphalt	Developer to pay actual cost for trail grading, crushed stone, asphalt, restoration, culverts, and future maintenance.

The trail grading requirements may be waived at any location, as recommended or approved by the Town Engineer and subject to Town Board approval. The length of grading considered for reimbursement shall be adjusted accordingly.

Trails along the northern edge of Lisbon Road shall meet the Wisconsin Department of Transportation Bicycle Facility Design Handbook design criteria for bicycles traveling 18 MPH. This portion shall also meet the Waukesha County standards.

DEVELOPER shall design trails to comply with the TOWN standards, which is located in the TOWN'S Chapter 12, Land Division and Development Ordinance, Addendum B, titled "Multi-Use Trails Standard", except for

Section 3 (2) of the Ordinance, which shall be reduced to a 12 foot wide easement.

- C. COMMON AREAS. Also as part of the construction of the Improvements, the Developer shall construct a Tot Lot play structure as described in the Development Plan on Outlot 1 between Lots 5 and 6 and a fire pit within outlots in Phase III which shall be open to the public as required by the general access easement on Outlot 1 and Outlot 4 and more specifically defined in Phase III; however such use, hour of operation and easement shall be subject to the terms, conditions and restrictions established by the Preserve at Harvest Ridge Homeowners Association. General use of the Tot Lot and the fire pit shall not be more restrictive to the general public than the owners within the Preserve at Harvest Ridge Homeowners Association. Preserve at Harvest Ridge Homeowners Association reserve the right to restrict access for scheduled use of the fire pit by owners of the lots within the subdivision and residents of the Town of Lisbon.
- D. SURFACE AND STORM WATER 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 storm water drainage facilities and erosion control plans are in conformance with all federal, state, county and TOWN regulations, guidelines, specifications, laws, 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.
 2. During the terms of development, the DEVELOPER shall construct, install, furnish and provide adequate facilities for surface and storm water 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 <insert date>, 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 storm water drainage facilities in each Phase shall be completed and accepted by the TOWN Board before any building permits are issued for the lots within said Phase.
 4. The Developer agrees to maintain storm water drainage and drainage detention facilities as depicted on the drainage plan submitted to, and

approve by the Town Engineer. In the event drainage problems arise within the project, or are in any way related to activities conducted on the project, or are in any way related to the installation or maintenance of the storm water drainage system and detention facilities, they shall be the responsibility of the Developer, or the subsequent owners of the lots-of record, to correct the problems at the owner's expense. The developer may form a homeowner's association as part of the deed restrictions in order to satisfy future maintenance obligations.

5. The TOWN Board will not accept the surface and storm water drainage system until the entire system is installed and landscaped in accordance with plans and specifications.
 6. If required, the DEVELOPER shall clean all storm sewers, if any, prior to issuance of occupancy permits and acceptance of improvements by the TOWN Board.
 7. 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 storm water drainage measures if it is determined by the TOWN Engineer that the original surface and storm water drainage plan as designed and/or constructed does not provide reasonable storm water drainage within the development and/or creates additional storm water 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.
 8. 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 occupancy permits, if required by the TOWN Engineer.
 9. 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 storm water 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.
- E. GRADING, EROSION AND SILT CONTROL: The DEVELOPER hereby agrees that:
1. 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.

2. The DEVELOPER shall not materially deviate from the construction sequencing identified in the storm water 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.
3. 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(C)(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.
4. 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.
5. Ditches shall be to final grade and seeded before occupancy permits will be issued.

F. 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.
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 occupancy 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 or cause to be installed 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.
- G. 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.
 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.
- H. FIRE TANK PROTECTION: DEVELOPER shall pay a fee in the amount of \$15,000 for Phase I to the TOWN equivalent to the cost of installed on-site water storage tanks per the schedule listed in Section 8.14(A) of the Land Division and Development Ordinance. All payments in lieu of shall be payed to the Town before the signing of the Final Plat.
- I. OTHER UTILITIES. The Developer shall cause gas, electrical power, telephone, and cable television 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.

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.
- 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.
- 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 the construction of storm water ponds;
 4. During the roll test of street subgrade;
 5. During the installation of culverts;
 6. During the installation of concrete curb and gutter;
 7. During the installation of storm sewer improvements;
 8. During the placement of aggregate base course;
 9. During paving;
 10. Pre-final surface installation per Paragraph D of this Section below;
 11. 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. Acceptance of the improvements by the Town does not constitute a waiver of its right to draw on funds under the required letter of credit in the event of defects or failure of any improvement which is discovered or occurs following such acceptance.
- B. The Final Plat may be approved with conditions, in accordance with State Statutes, local and county ordinances, and all other applicable laws. If so, the DEVELOPER agrees to satisfy those conditions of approval prior to the TOWN signing the Final Plat.

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, as allowed under §236.13, after Final Acceptance, the public 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 have for negligent workmanship or materials. 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.
- 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. DEVELOPER shall be responsible for the costs of repairs to existing roadways and infrastructure for damage caused in areas immediately adjacent to the construction limits as a result of the construction activities called for hereunder.
- 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 LANDS or related activities on the SUBJECT LANDS, 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.
4. The TOWN shall snowplow the subdivision streets, as shown on the Preliminary Plat, subsequent to installation of the first lift of asphalt. DEVELOPER agrees they shall defend, indemnify, and hold harmless the TOWN for any damage that may occur as a result of the TOWN'S snowplowing efforts.

- 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 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:

- 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.

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 PERMITS

It is expressly understood and agreed that no building permits shall be issued for any homes, until the TOWN Engineer has determined that the following has been completed per each phase and/or sub-phase of this Agreement and subject to TOWN Board approval:

- A. The first lift of asphalt (and shoulder stone) shall be complete for an entire phase or sub-phase listed in Exhibit A before building permits can be issued.
- B.
- C. Driveway culvert map has been approved.
- D. Proof of payment for Subdivision gas, electric, telephone and cable television utilities are provided to the TOWN.
- E. Recorded versions of Final Plat documents have been provided to the Town.
- F. All other subdivision street and drainage Improvements are substantially complete.
- G. Street and regulatory signs are in place and the TOWN has been reimbursed for costs incurred.
- H. All applicable TOWN Standards have been met.
- I. The first lift of asphalt (and shoulder stone) shall be completed on both sides of corner lots.

- J. Upon Developer's request, a permit to commence construction of a foundation or any other noncombustible structure will be granted before substantial completion of Improvements provided all Improvements related to public safety are complete and the security requirement has been met. This permit does not authorize commencement of work on a building until a permit for the construction of the building is issued.

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

XII. OCCUPANCY PERMITS

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

- A. All required grading plans have been submitted to, reviewed by and approved by the TOWN Engineer.
- B. 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.
- C. All destroyed trees, brush, tree trunks, shrubs and other natural growth and all rubbish are removed from the development and disposed of lawfully.
- D. The DEVELOPER is not in default of any aspect of this Agreement.

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.
- 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**.
- E. **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.
- F. **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.
- G. **PERMITS:** Provide and submit to the TOWN requesting the same, valid copies of any and all governmental agency permits.
- H. **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 shall be paid, in full, at the time of application for a building permit. All applicable fees for this development are attached on **EXHIBIT I** which is incorporated herein by reference.
- I. **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, Monday through Saturday. There shall be no construction activities on Sundays and holidays.
- J. **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 according to Section 10 of the Land Division and Development Ordinance. 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. 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. PLANNED UNIT DEVELOPMENT (PUD)

The development shall follow adopted PUD General Development Plan (GDP) and Specific Development Plan (SDP) details approved by the Town Board and Plan Commission. The PUD GDP and SIP details are included as **EXHIBIT H** to this agreement.

XX. 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.

XXI. 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.

XXII. 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. Said Developer's Agreement shall be recorded with the Waukesha County Register of Deeds, by the TOWN and paid for by the DEVELOPER.

XXIII. 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.

XXIV. HEIRS & ASSIGNS

This Agreement is binding upon the DEVELOPER, owners, their heirs, their assigns, and successors, and all future owners of the SUBJECT LANDS.

XXV. 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.

XXVI. 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. After an amendment has been consented to by the Town Board, it must be reduced to a written amendment which shall be approved and executed by both the TOWN and DEVELOPER.

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: _____
Steve DeCleene

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, 2019, 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

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

Personally came before me this ____ day of _____, 2019, 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 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 <insert date>.

Notary Public, State of Wisconsin
My commission: _____

APPROVED AS TO FORM:

TOWN Attorney

ATTACHMENTS:

- EXHIBIT A: Site Development Plan and Phasing
- 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 H: GDP/SDP
- EXHIBIT I: Fee Exhibit

This document reviewed by:
Attorney Kathryn Sawyer Gutenkunst
CRAMER, MULTHAUF & HAMMES, LLP
1601 East Racine Avenue • Suite 200
P.O. Box 558
Waukesha, WI 53187
(262)-542-4278

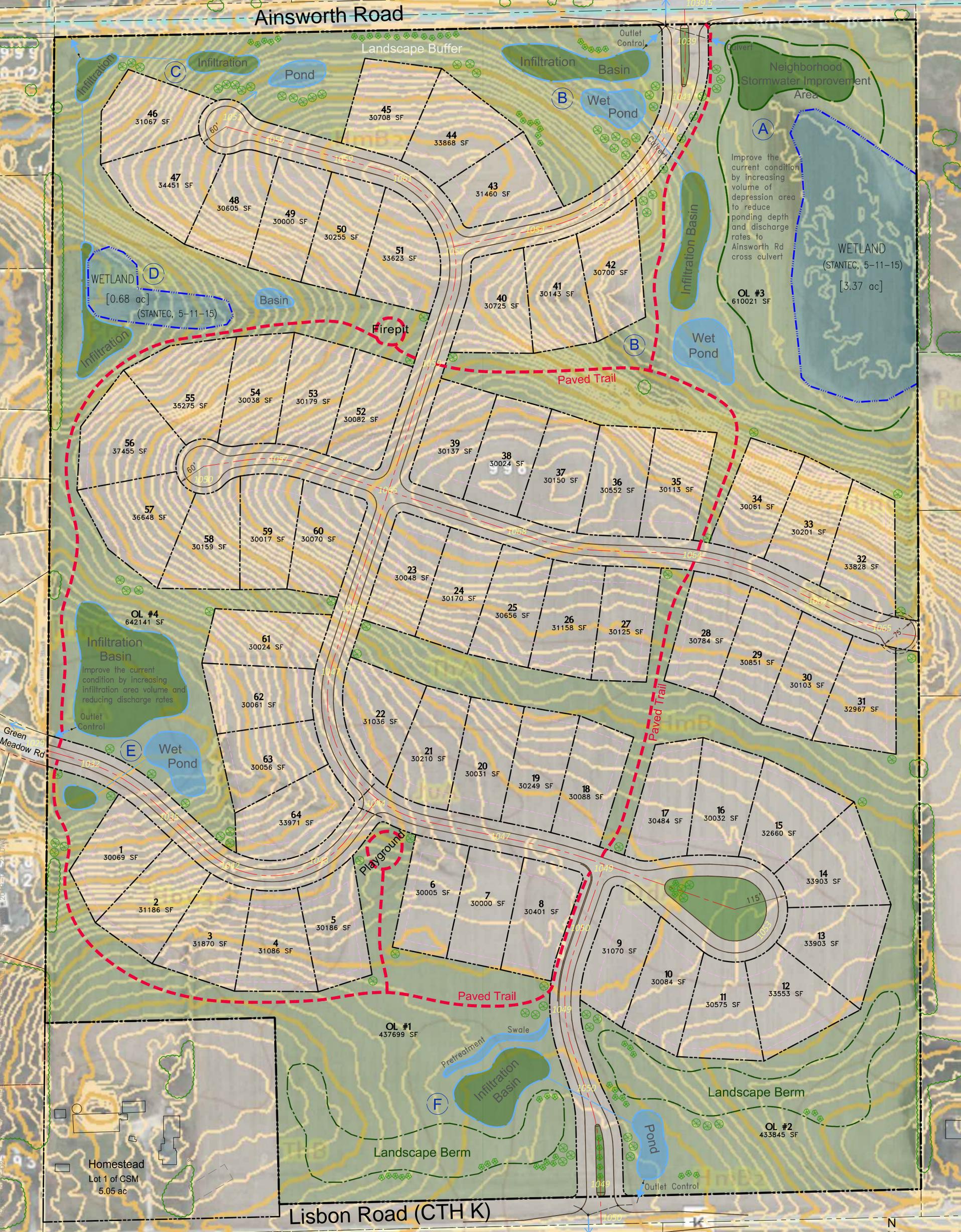


Data Summary Table		
64 Lot Conservation Subdivision		
Total Area = ± 106.13 acres (with full ROW dedication)	PUD Proposed Standards Lot Size: 30,000 s.f. min. Lot Width: 110' minimum	PUD Open Space Calculations: Total PUD Area = 106.13 acres
Density = 1.66 acres/lot	Proposed Setbacks: Public Road = 35' Side=20' Rear=20' Lisbon & Ainsworth Rd = 50'	Outlot Area* = 48.74 ac (45.9%) - % Wetland = 4.05/48.74= 8.3% - % Stormwater = 5.4/48.74= 11.1% - % Upland = 39.29/44.5 = 80.6% [*Outlots 1, 2, 3 & 4]
Total Road Length = 6,850 l.f. [107 l.f. per lot]		



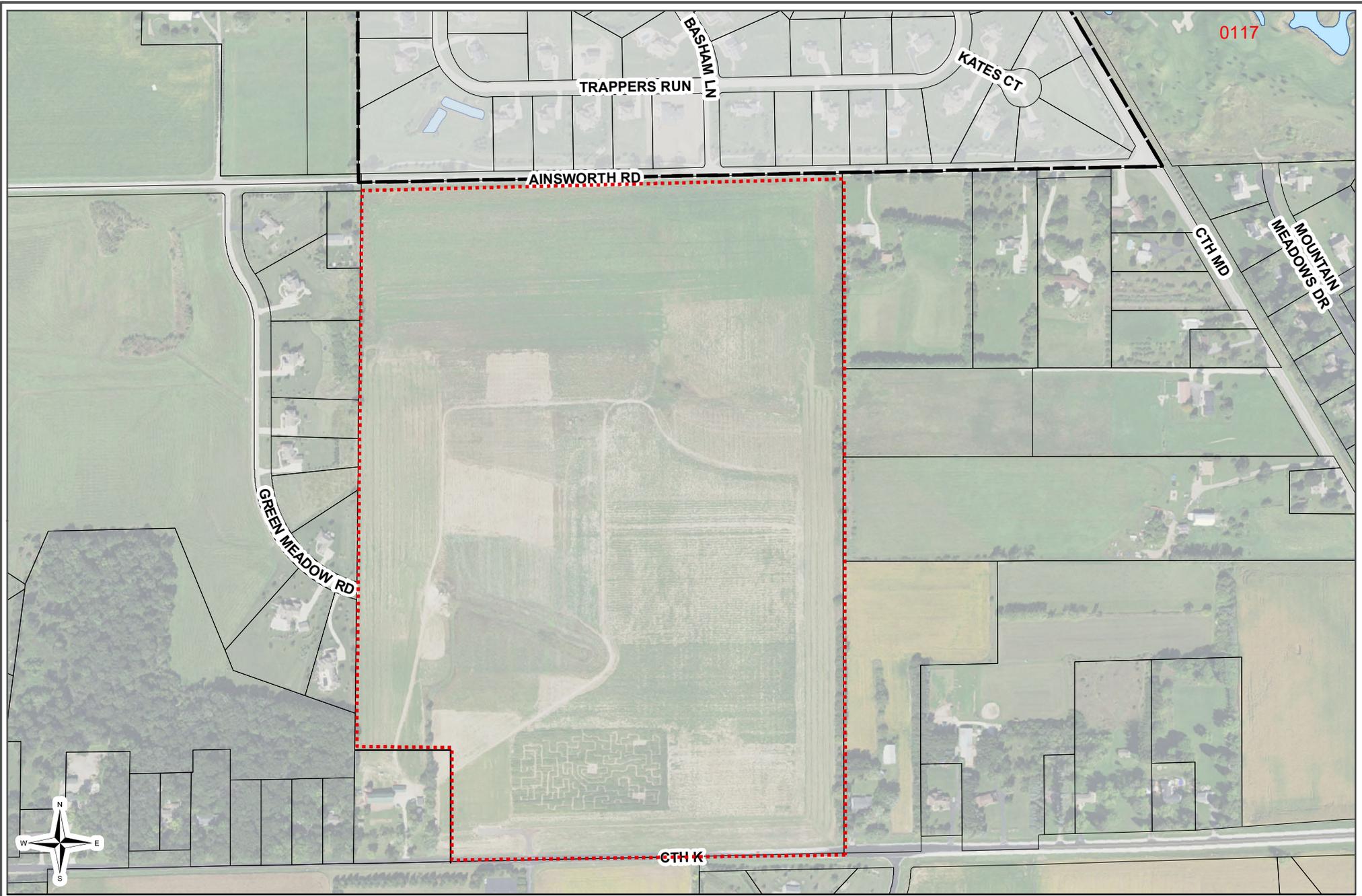
Developed By:

N27 W24025 Paul Court
Pewaukee, WI 53072



CONSERVATION SUBDIVISION
Conceptual Site Plan - Stolz Site
 Lisbon Road, Town of Lisbon, WI

Scale: 1" = 100' (22"x34")
 Scale: 1" = 200' (11"x17")
 DATE: 03/21/2019



0117

Parcel ID LSBT0264998: Site Map
 Town of Lisbon



Town of Lisbon Boundary
 Subject Parcels

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

THE PRESERVE AT HARVEST RIDGE

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

OVERALL DETAIL SHEET

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



ZONING DATA:

CATEGORY - "R-1" (PUD)
Minimum Lot Area = 30,000 S.F.
Minimum Lot Width = 110 ft. @ FSB
Minimum Building Setbacks:
Public Roads 35 ft.
Lisbon & Ainsworth Roads ... 50 ft.
Side Yard 20 ft.
Rear Yard 20 ft.
Wetlands 75 ft.

OWNER:

THE PRESERVE AT HARVEST RIDGE, LLC
N27 W24025 PAUL COURT, SUITE 100
PEWAUKEE, WI 53072
(262) 542-9200
(262) 349-9324

WETLAND PRESERVATION RESTRICTIONS:

The Wetland Conservancy Areas shown on Outlot 4 of this Plat shall be subject to the following restrictions:

- Grading, filling, the removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
- The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that dead, diseased, or dying vegetation may be removed, at the discretion of the landowner and with approval of the Waukesha County Department of Parks and Land Use-Planning and Zoning Division. Silvicultural thinning, upon the recommendation of a forester or naturalist and with approval from the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, shall also be permitted.
- Grazing by domesticated animals, i.e., horses, cows, etc, is prohibited.
- The introduction of plant material not indigenous to the existing environment is prohibited.
- Ponds may be permitted in the wetland area subject to the approval of the municipality in which they are located and, if applicable, the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, the Wisconsin Department of Natural Resources and the Army Corps of Engineers. Ponds are prohibited in the 100-yr. floodplain, primary environmental corridor and isolated natural resource area.
- Ponds may be permitted subject to the approval of the municipality in which they are located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.

GENERAL NOTES:

- Indicates Set 1.270" outside diameter x 18" long Reinforcing Bar weighing 4,303 lbs. per lineal foot. All other Lot and Outlot corners are staked with 0.750" outside diameter x 18" long Reinforcing Bar weighing 1,502 lbs. per lineal foot.
- Indicates Found 0.75" outside diameter Reinforcing Bar unless otherwise noted.
- All linear measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to nearest second and computed to the nearest half-second.
- All bearings are referenced to the grid north of the Wisconsin State Plane Coordinate System (NAD 1927 datum) - South Zone, in which the West line of the S.E. 1/4 of Section 30, T. 8 N., R. 19 E., is taken to bear North 00°02'52" West.
- All lots to be served by Wells and onsite Soil Absorption Sewage Disposal Systems. All Septic areas will be mound type systems.
- All Wells shall be located within 50 ft. off the front Lotline to ensure proper separation to Septic Systems and Stormwater Management areas.
- Outlots 1 and 2 contain Stormwater Management Facilities, a Public Asphalt Trail System, Landscape Berms and Open Space.
- Outlot 3 contains Stormwater Management Facilities, a Public Asphalt Trail System and Open Space.
- Outlot 4 contains Wetland Conservancy Areas and open space. To be retained by the Owner for future development.
- The Owners of the residential Lots within this Subdivision and any future additions to this Subdivision shall each own an equal undivided fractional interest in Outlots 1, 2 and 3 of this Subdivision. Waukesha County shall not be liable for fees or special charges in the event they become the owner of any Lot or Outlot in the Subdivision by reason of tax delinquency.
- There shall be no direct vehicular ingress or egress to Ainsworth Road and Lisbon Road (C.T.H. "K") from any Lot or Outlot within this Subdivision except at the locations shown on this Plat. It being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to s.236.293 of the Wisconsin Statutes and shall be enforced by the Wisconsin Department of Transportation and Waukesha County.
- Stormwater Drainage Easements shall be provided around Stormwater Management Facilities on Outlots 1, 2, 3 and 4 and recorded by separate Documents.
- There shall be a 12' wide Public Access Easement centered upon and located over the Public Asphalt Trail System to be created by separate Document and granted to the Town of Lisbon for public trail purposes.
- All side and rear Lotlines not regulated by Waukesha County or the Town of Lisbon shall be graded and maintained in cooperation with abutting Property Owners so as to neither impede the flow of Stormwater, nor negatively impact any abutting property, while also adhering to the established, approved, and accepted Stormwater Management Plan.
- Per the Wisconsin Historic Preservation database and State Archaeologist, there are no reported archeological sites within the Subdivision.
- Wetland boundaries shown hereon were field delineated by Slantec Consulting, Inc. (a WDNR certified assured delineator).
- All lands with area labeled "Drainage Easement" are reserved for stormwater collection, conveyance, treatment of infiltration. No buildings or other structures are allowed in these areas. No grading or filling is allowed in these areas that may interrupt stormwater flows in any way. The Maintenance Agreement may contain specific maintenance requirements for these areas. The Town of Lisbon, Waukesha County or their designee are authorized access in these areas for purposes of inspecting the storm water management practices or enforcing the terms of the Maintenance Agreement.
- All lands within areas labeled "Access Easement" shall remain clear of trees, shrubs and any structures that may interfere with the free movement of vehicles that may be needed to enter the area for maintenance purposes. The Town of Lisbon, Waukesha County or their designee are authorized access in these areas for purposes of inspecting the storm water management practices or enforcing the terms of the Maintenance Agreement.
- All lands within areas labeled "Well Setback" are restricted from the placement of any Well due to potential risk of contamination in accordance with the Stormwater Ordinance and Wisconsin Administrative Codes.
- Basement floor surface elevations shall not be lower than those listed in the Seasonal High Ground Water Table shown below due to potential for high ground water.
- Impervious surfaces and land disturbance restrictions apply within the protective areas in accordance with the Waukesha County Code of Ordinances and Chapter NR 151 Wisconsin Administrative Code.
- Building Restrictions: A. Minimum 2-foot vertical separation between the lowest elevation of the structure that is exposed to the ground surface and the maximum water surface elevation produced by the 100-year-24-hour design storm. B. Minimum 50-foot horizontal setback between the building and the closest edge of the water at the elevation produced by the 100-year, 24-hour design storm.

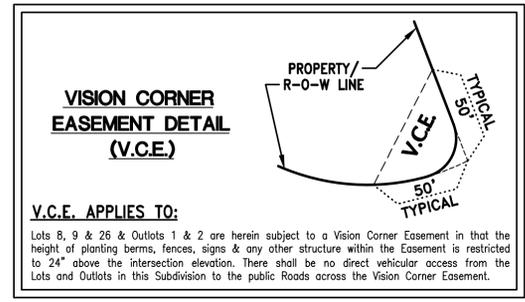
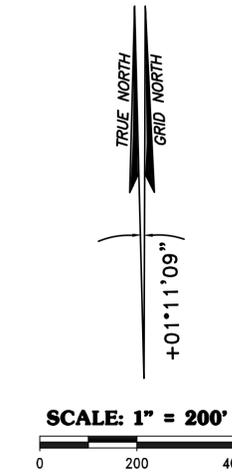
STORMWATER MANAGEMENT PRACTICE MAINTENANCE:

The titleholders of all Lots within this Subdivision and the titleholders of all Lots within any future additions to this Subdivision shall each hold an equal undivided and nontransferable interest in Outlots 1, 2 and 3, where stormwater management practices are located. There are one or more separate documents recorded on the property title through the Waukesha County Register of Deeds entitled "Stormwater Management Practice Maintenance Agreement" ("Maintenance Agreement") that apply to Outlots 1, 2 and 3. The Maintenance Agreement subjects this Subdivision Plat, and all the Owners therein, to covenants, conditions and restrictions necessary to ensure the long-term maintenance of the stormwater management practice. The Maintenance Agreement also outlines a process by which the Town of Lisbon may levy and collect special assessments of 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 ("Stormwater Ordinance"), the Stormwater Permit Holder is responsible for constructing the stormwater management practices following plans approved by Waukesha County and is responsible for maintaining the stormwater practices until permit termination by Waukesha County. Upon termination of the Stormwater Permit, the Owners of all Lots within this Subdivision and the Owners of all Lots within any future additions to this Subdivision shall be responsible for the maintenance of the stormwater management practices in accordance with the Maintenance Agreement.

BASEMENT RESTRICTION FOR 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.



SEASONAL HIGH GROUND WATER TABLE:

LOT #	SEASON HIGH WATER TABLE ELEV. [1]	MIN. BSMT. ELEV. [2]	LOT #	SEASON HIGH WATER TABLE ELEV. [1]	MIN. BSMT. ELEV. [2]	LOT #	SEASON HIGH WATER TABLE ELEV. [1]	MIN. BSMT. ELEV. [2]	LOT #	SEASON HIGH WATER TABLE ELEV. [1]	MIN. BSMT. ELEV. [2]
1	1030.34	1031.84	18	1042.43	1043.9	35	1062.16	1063.7	52	1052.82	1054.3
2	1036.0	1037.5	19	1042.43	1043.9	36	1062.16	1063.7	53	1047.19	1048.7
3	1042.25	1043.8	20	1043.26	1044.8	37	1065.8	1067.3	54	1044.7	1046.2
4	1042.12	1043.6	21	1043.26	1044.8	38	1065.8	1067.3	55	1038.38	1039.9
5	1042.12	1043.6	22	1040.87	1042.4	39	1062.16	1063.7	56	1037.04	1038.5
6	1044.2	1045.7	23	1060.83	1062.3	40	1048.91	1050.4	57	1038.34	1039.8
7	1044.67	1046.2	24	1060.83	1062.3	41	1046.51	1048.0	58	1041.55	1043.1
8	1044.67	1046.2	25	1059.3	1060.8	42	1054.31	1055.8	59	1049.3	1050.8
9	1045.34	1046.8	26	1057.5	1059.0	43	1057.78	1059.3	60	1056.5	1058.0
10	1045.34	1046.8	27	1057.5	1059.0	44	1054.95	1056.5	61	1035.26	1036.8
11	1047.42	1048.9	28	1057.86	1059.4	45	1050.43	1051.9	62	1035.26	1036.8
12	1047.42	1048.9	29	1057.86	1059.4	46	1035.2	1036.7	63	1035.75	1037.3
13	1047.09	1048.6	30	1058.16	1059.7	47	1043.75	1045.3	64	1035.75	1037.3
14	1047.09	1048.6	31	1058.16	1059.7	48	1048.5	1050.0			
15	1044.63	1046.1	32	1056.33	1057.8	49	1053.5	1055.0			
16	1044.63	1046.1	33	1057.0	1058.5	50	1053.5	1055.0			
17	1043.36	1044.9	34	1057.0	1058.5	51	1053.12	1054.6			

[1] Elevations obtained from "Form A- Seasonal High Groundwater Determination Report", prepared by Jeffrey Hammes (Professional Soil Scientist #191-112) dated 5/29/2019.

[2] Minimum basement elevations are set 18" above the reported seasonal high groundwater elevation.

19-007-953-01

THE PRESERVE AT HARVEST RIDGE

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

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.
Certified _____, 20____
Department of Administration



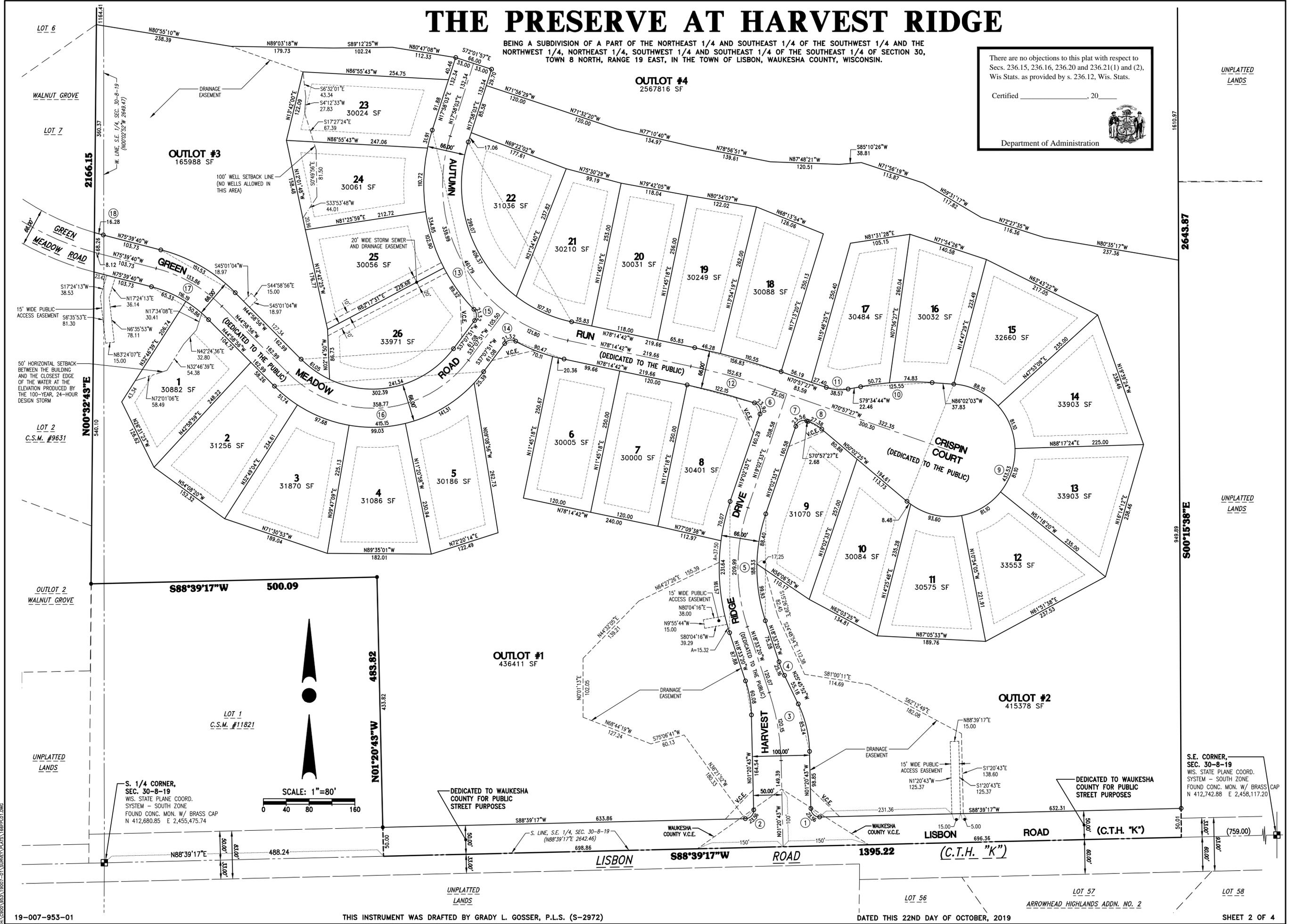
UNPLATTED LANDS

1610.97

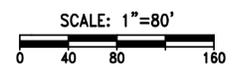
2643.87

UNPLATTED LANDS

949.89
S00°15'38"E



S. 1/4 CORNER, SEC. 30-8-19
WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE
FOUND CONC. MON. W/ BRASS CAP
N 412,680.85 E 2,455,475.74



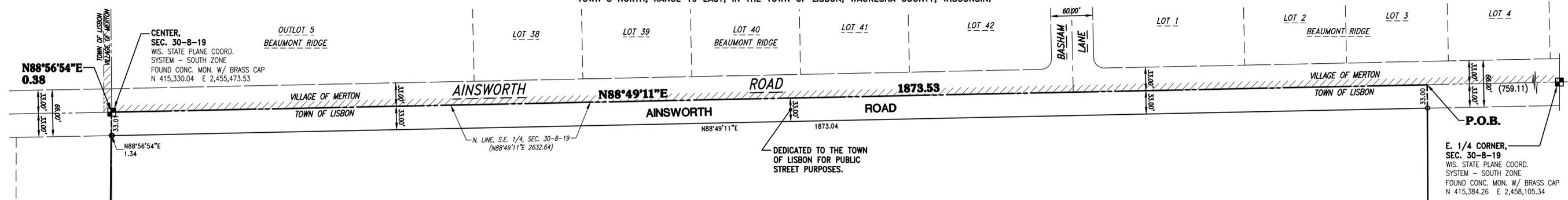
DEDICATED TO WAUKESHA COUNTY FOR PUBLIC STREET PURPOSES

DEDICATED TO WAUKESHA COUNTY FOR PUBLIC STREET PURPOSES

S.E. CORNER, SEC. 30-8-19
WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE
FOUND CONC. MON. W/ BRASS CAP
N 412,742.88 E 2,458,117.20

THE PRESERVE AT HARVEST RIDGE

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



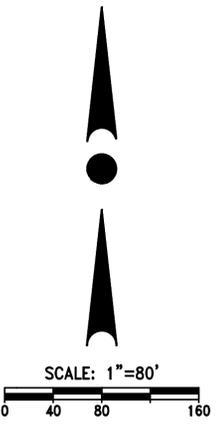
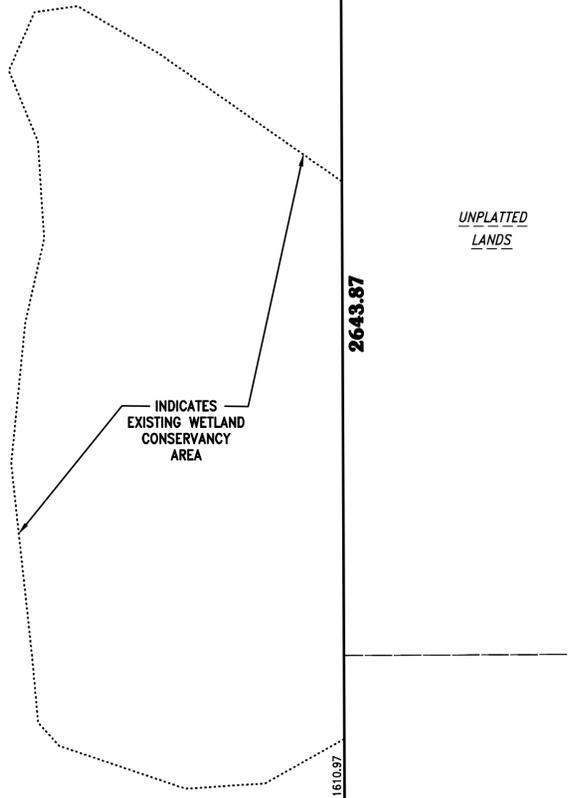
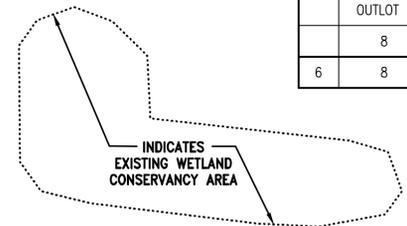
CURVE TABLE:

NO.	LOT(S)	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
1	OUTLOT 2	15.00	90°00'00"	23.56	21.21	S46°20'43"E	S01°20'43"E	N88°39'17"E
2	OUTLOT 1	15.00	90°00'00"	23.56	21.21	N43°39'17"E	N88°39'17"E	N01°20'43"W
3	C/L	400.00	17°12'37"	120.15	119.70	N09°57'01.5"W	N01°20'43"W	N18°33'20"W
	OUTLOT 2	200.00	24°25'09"	85.24	84.60	N13°33'17.5"W	N01°20'43"W	N25°45'52"W
	OUTLOT 1	200.00	17°12'37"	60.08	59.85	N09°57'01.5"W	N01°20'43"W	N18°33'20"W
4	OUTLOT 2	200.00	7°12'32"	25.16	25.15	S22°09'36"E	S18°33'20"E	S25°45'52"E
5	C/L	320.00	37°35'53"	209.99	206.24	S00°14'36.5"W	S19°02'33"W	S18°33'20"E
	EAST	287.00	37°35'53"	188.33	184.97	S00°14'36.5"W	S19°02'33"W	S18°33'20"E
	OUTLOT 2	287.00	19°56'59"	99.93	99.43	S08°34'50.5"E	S01°23'39"W	S18°33'20"E
	9	287.00	17°38'54"	88.40	88.05	S10°13'06"W	S19°02'33"W	S01°23'39"W
	WEST	353.00	37°35'53"	231.64	227.51	S00°14'36.5"W	S19°02'33"W	S18°33'20"E
	OUTLOT 1	353.00	26°13'26"	161.57	160.16	S05°26'37"E	S07°40'06"W	S18°33'20"E
	8	353.00	11°22'27"	70.07	69.96	S13°21'19.5"W	S19°02'33"W	S07°40'06"W
6	8	15.00	91°17'25"	23.90	21.45	N26°36'09.5"W	N19°02'33"E	N72°14'52"W

CURVE TABLE:

NO.	LOT(S)	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
13	C/L TOTAL	275.00	96°12'45"	461.79	409.41	S30°08'19.5"E	S17°58'03"W	S78°14'42"E
	C/L SE	275.00	25°22'33"	121.80	120.80	S65°33'25.5"E	S52°52'09"E	S78°14'42"E
	C/L NW	275.00	70°50'12"	339.99	318.75	S17°27'03"E	S17°58'03"W	S52°52'09"E
	NORTHEAST	242.00	96°12'45"	406.37	360.28	S30°08'19.5"E	S17°58'03"W	S78°14'42"E
	21	242.00	25°24'15"	107.30	106.42	S65°32'34.5"E	S52°50'27"E	S78°14'42"E
	22	242.00	70°48'30"	299.07	280.40	S17°26'12"E	S17°58'03"W	S52°50'27"E
	6 + OUTLOT 1	308.00	16°49'47"	90.47	90.15	S69°49'48.5"E	S61°24'55"E	S78°14'42"E
	6	308.00	3°47'14"	20.36	20.36	S76°21'05"E	S78°14'42"E	S78°14'42"E
	OUTLOT 1	308.00	13°02'33"	70.11	69.96	S67°56'11.5"E	S61°24'55"E	S74°27'28"E
	23 THRU 26	308.00	62°17'25"	334.85	318.60	S13°10'39.5"E	S17°58'03"W	S44°19'22"E
	26	308.00	16°36'53"	89.32	89.00	S36°00'55.5"E	S27°42'29"E	S44°19'22"E
	25	308.00	19°08'28"	102.90	102.42	S18°08'15"E	S08°34'01"E	S27°42'29"E
	24	308.00	20°35'51"	110.72	110.13	S01°43'54.5"E	S12°01'50"W	S08°34'01"E
	23	308.00	5°56'13"	31.91	31.90	S14°59'56.5"E	S17°58'03"W	S12°01'50"W
14	C47	15.00	81°27'14"	21.32	19.57	S77°51'28"W	N61°24'55"W	S37°07'51"W
15	C48	15.00	81°27'13"	21.32	19.57	N03°35'45.5"W	N37°07'51"E	N44°19'22"W
16	C/L	210.00	97°53'13"	358.77	316.71	N86°04'27.5"E	S44°58'56"E	N37°07'51"E
	NORTH	177.00	97°53'13"	302.39	266.94	N86°04'27.5"E	S44°58'56"E	N37°07'51"E
	26	177.00	78°07'27"	241.34	223.08	N76°11'34.5"E	S64°44'42"E	N37°07'51"E
	OUTLOT 3	177.00	19°45'46"	61.05	60.75	S54°51'49"E	S44°58'56"E	S64°44'42"E
	SOUTH	243.00	97°53'13"	415.15	366.47	N86°04'27.5"E	S44°58'56"E	N37°07'51"E
	OUTLOT 1	243.00	5°59'08"	25.39	25.37	N40°07'25"E	N43°06'59"E	N37°07'51"E
	5	243.00	33°19'11"	141.31	139.33	N59°46'34.5"E	N76°26'10"E	N43°06'59"E
	4	243.00	23°20'59"	99.03	98.35	N88°06'39.5"E	S80°12'51"E	N76°26'10"E
	3	243.00	23°01'55"	97.68	97.03	S68°41'53.5"E	S57°10'56"E	S80°12'51"E
	2	243.00	12°12'00"	51.74	51.64	S51°04'56"E	S44°58'56"E	S57°10'56"E
17	C/L	250.00	30°40'44"	133.86	132.27	N60°19'18"W	N44°58'56"W	N75°39'40"W
	NORTHEAST	283.00	30°40'44"	151.53	149.73	N60°19'18"W	N44°58'56"W	N75°39'40"W
	SOUTHWEST	217.00	30°40'44"	116.19	114.81	N60°19'18"W	N44°58'56"W	N75°39'40"W
	1	217.00	13°25'48"	50.86	50.75	N51°41'50"W	N44°58'56"W	N58°24'44"W
	OUTLOT 1	217.00	17°14'56"	65.33	65.08	N67°02'12"W	N58°24'44"W	N75°39'40"W
18	C/L	500.00	0°55'49"	8.12	8.12	S75°11'45.5"E	S74°43'51"E	S75°39'40"E
	OUTLOT 3	467.00	1°59'49"	16.28	16.28	S74°39'45.5"E	S73°39'51"E	S75°39'40"E

7	9	15.00	90°00'00"	23.56	21.21	S64°02'33"W	N70°57'27"W	S19°02'33"W	
8	9	75.00	20°55'02"	27.38	27.23	N60°29'56"W	N50°02'25"W	N70°57'27"W	
9	TOTAL	115.00	215°59'38"	433.53	218.75	N21°57'46"E	S50°02'25"E	N86°02'03"W	
	10	115.00	4°13'28"	8.48	8.48	S52°09'09"E	S50°02'25"E	S54°15'53"E	
	11	115.00	46°38'12"	93.60	91.04	S77°34'59"E	S54°15'53"E	N79°05'55"E	
	12	115.00	40°24'15"	81.10	79.43	N58°53'47.5"E	N79°05'55"E	N38°41'40"E	
	13	115.00	40°24'16"	81.10	79.43	N18°29'32"E	N38°41'40"E	N01°42'36"W	
	14	115.00	40°24'15"	81.10	79.43	N21°54'43.5"W	N01°42'36"W	N42°06'51"W	
	15	115.00	43°55'12"	88.15	86.01	N64°04'27"W	N42°06'51"W	N86°02'03"W	
10	TOTAL	500.00	14°23'13"	125.55	125.22	S86°46'20.5"W	N86°02'03"W	S79°34'44"W	
	16	500.00	8°34'29"	74.83	74.76	S89°40'42.5"W	N86°02'03"W	S85°23'28"W	
	17	500.00	5°48'44"	50.72	50.70	S82°29'06"W	S85°23'28"W	S79°34'44"W	
	11	75.00	29°27'49"	38.57	38.14	S85°41'21.5"E	S70°57'27"E	N79°34'44"E	
	12	C/L	1200.00	7°17'15"	152.63	152.53	N74°36'04.5"W	N70°57'27"W	N78°14'42"W
	NORTH	1233.00	7°17'15"	156.83	156.72	N74°36'04.5"W	N70°57'27"W	N78°14'42"W	
	18	1233.00	5°08'14"	110.55	110.52	N73°31'34"W	N70°57'27"W	N76°05'41"W	
	19	1233.00	2°09'01"	46.28	46.27	N77°10'11.5"W	N76°05'41"W	N78°14'42"W	
	SOUTH	1167.00	5°59'50"	122.15	122.09	N75°14'47"W	N72°14'52"W	N78°14'42"W	



OUTLOT #3
165988 SF

OUTLOT #4
2567816 SF

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

THE PRESERVE AT HARVEST RIDGE

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

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

I, Grady L. Gosser, Professional Land Surveyor, do hereby certify:

That I have Surveyed, divided and mapped all that part of the Southeast 1/4 and the Southwest 1/4 of Section 30, Town 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Northeast corner of said Southeast 1/4; Thence South 88°49'11" West along the North line of said Southeast 1/4, 757.00 feet to the place of beginning of lands hereinafter described;

Thence South 00°15'26" East and parallel with the East line of said Southeast 1/4, 2643.86 feet to a point on the South line of said Southeast 1/4; Thence South 88°39'17" West along said South line, 1397.19 feet to a point on the East line of a Proposed Certified Survey Map; Thence North 01°20'43" West along said East line, 483.82 feet to a point on the North line of said Certified Survey Map; Thence South 88°39'17" West along said North line, 499.44 feet to a point on the East line of "Walnut Grove Subdivision"; Thence North 00°32'17" East along said East line and its extension, 2166.14 feet to a point on the North line of said Southeast 1/4; Thence North 88°49'11" East along said North line, 1875.64 feet to the point of beginning of this description.

Said Parcel contains 4,766,611 Square Feet (or 109.4263 Acres) of land, more or less.

That I have made such survey, land division, and map by the direction of THE PRESERVE AT HARVEST RIDGE, LLC, owner of said lands.

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

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of Waukesha County and the Town of Lisbon in surveying, dividing and mapping the same.

Dated this ____ Day of _____, 20 ____.

Grady L. Gosser, P.L.S.
Professional Land Surveyor, S-2972
TRIO ENGINEERING, LLC
4100 N. Calhoun Road, Suite 300
Brookfield, WI 53005
Phone: (262)790-1480 Fax: (262)790-1481

UTILITY EASEMENT PROVISIONS:

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

THE PRESERVE AT HARVEST RIDGE, LLC, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, and WISCONSIN BELL, INC. doing business as AT&T Wisconsin, a Wisconsin corporation, and SPECTRUM, Grantee, AND

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. Buildings 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.

VILLAGE OF MERTON EXTRA-TERRITORIAL APPROVAL CERTIFICATE:

Resolved, that the plat known as "THE PRESERVE AT HARVEST RIDGE", in the Town of Lisbon, Waukesha County, Wisconsin, "THE PRESERVE AT HARVEST RIDGE, LLC, a Wisconsin Limited Liability Company, Owner is hereby approved by the Village Board this ____ Day of _____, 20 ____.

Ron Reinowski, 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 Merton this ____ Day of _____, 20 ____.

Ron Reinowski, Village President

Tom Nelson, Village Clerk/Treasurer

CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

THE PRESERVE AT HARVEST RIDGE, LLC, a Wisconsin Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said Limited Liability Company has caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. I also certify that this plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection.

APPROVING AGENCIES:

- 1. Town of Lisbon
- 2. Waukesha County, Department of Parks and Land Use

AGENCIES WHO MAY OBJECT:

- 1. State of Wisconsin, Department of Administration
- 2. Village of Merton (Extra-Territorial Jurisdiction)

Witness the hand and seal of said Owner this ____ day of _____, 20 ____.

THE PRESERVE AT HARVEST RIDGE, LLC

Steve DeCleene, President of Neumann Developments, its sole member

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

Personally came before me this ____ day of _____, 20____, the above named Steve DeCleene, President of Neumann Developments, its sole member, of the above named Limited Liability Company, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said Limited Liability Company, and acknowledged that he executed the foregoing instrument as such officer as the deed of said Limited Liability Company, by its authority.

Print Name: _____
Public, Waukesha County, WI
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE:

CORNERSTONE COMMUNITY BANK, a Corporation duly organized and existing 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 dedicating of the land described on this Plat, and does hereby consent to the above certificate of THE PRESERVE AT HARVEST RIDGE, LLC, owner, this ____ day of _____, 20 ____.

Chris Zirbes, Vice President

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

Personally came before me this ____ day of _____, 20____, the above named Chris Zirbes, Vice President of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Vice President of said corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Print Name: _____
Public, _____ County, WI
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE:

BOWEN GLOBAL INVESTMENTS, INC., a Nevada Corporation duly organized and existing 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 dedicating of the land described on this Plat, and does hereby consent to the above certificate of THE PRESERVE AT HARVEST RIDGE, LLC, owner, this ____ day of _____, 20 ____.

Jeffrey R. Stolz, Vice President

STATE OF _____)
) SS
COUNTY OF _____)

Personally came before me this ____ day of _____, 20____, the above named Chris Zirbes, Vice President of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Vice President of said corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Print Name: _____
Public, _____ County, WI
My Commission Expires: _____

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____



Department of Administration

CERTIFICATE OF COUNTY TREASURER:

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

I, Pamela F. Reeves, being duly elected, qualified and acting Treasurer of the County of Waukesha, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of this ____ Day of _____, 20 ____ on any of the land included in the Plat of "THE PRESERVE AT HARVEST RIDGE".

Dated this ____ Day of _____, 20 ____.

Pamela F. Reeves, County Treasurer

CERTIFICATE OF TOWN TREASURER:

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

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 this ____ Day of _____, 20 ____ on any of the land included in the Plat of "THE PRESERVE AT HARVEST RIDGE".

Dated this ____ Day of _____, 20 ____.

Amy Buchman, Town Treasurer

TOWN BOARD APPROVAL CERTIFICATE:

Resolved, that the plat known as "THE PRESERVE AT HARVEST RIDGE", in the Town of Lisbon, Waukesha County, Wisconsin, "THE PRESERVE AT HARVEST RIDGE, LLC, a Wisconsin Limited Liability Company, Owner is hereby approved by the Town Board.

All conditions have been met as of this ____ Day of _____, 20 ____.

Joseph 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 this ____ Day of _____, 20 ____.

Joseph Osterman, Town Chairman

Dan Green, Town Clerk

TOWN PLAN COMMISSION APPROVAL CERTIFICATE:

Resolved, that the plat known as "THE PRESERVE AT HARVEST RIDGE", in the Town of Lisbon, Waukesha County, Wisconsin, "THE PRESERVE AT HARVEST RIDGE, LLC, a Wisconsin Limited Liability Company, Owner is hereby approved by the Town Plan Commission this ____ Day of _____, 20 ____.

Joseph Osterman, Town Chairman

Jane Stadler, Plan Commission Secretary

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE APPROVAL CERTIFICATE:

The above, which has been filed for approval as required by Chapter 236 of the Wisconsin State Statutes, is hereby approved on this ____ Day of _____, 20 ____.

Dale R. Shaver, Director



STAFF REPORT: FINAL PLAT REVIEW: PRESERVE AT HARVEST RIDGE

To: Chairperson Osterman
Town Plan Commission Members
Gina Gresch, Town Administrator

From: Daniel J. Lindstrom, AICP, Town Planner
Rachel Holloway, AICP Community Development Consultant

Subject: Preserve at Harvest Ridge Subdivision Final Plat Review

Date: October 31, 2019

The above-referenced Final Plat was received in our office for review on behalf of the Town of Lisbon. The proposed lots are situated north of Lisbon Road, south of Ainsworth Road, and east of Green Meadow Road. The site lies immediately south of the corporate boundary with the Village of Merton. The Plat is being proposed by Neumann Developments, Inc. The land's existing zoning designation is R-1 Suburban Single Family Residential with a PUD overlay.

We have completed our review of the following documents for the Final Plat of the Preserve at Harvest Ridge Subdivision (all received on October 23, 2019 unless otherwise noted):

- Final Plat
- Preliminary Engineering Plans (Finals to be reviewed by Town Engineer)
- Declaration of Protective Covenants, received July 11, 2019
- Stormwater Management Report, received July 24, 2019

Final Plat Summary and Review Criteria

The Final Plat consists of 23 lots and four (4) outlots and includes lots intended for Phase 1 of the 64-lot subdivision (note that at the time of this letter Phase 1 is likely to be split itself into Phase "1A" and "1B" for the construction of the infrastructure). Lots in the proposed Final Plat will be accessed by new internal public streets consisting of Harvest Ridge Drive, Autumn Run, and Crispin Court, as well as extension of existing Green Meadow Road. Initial Phase "1A" construction will include only Harvest Ridge Drive, Crispin Court, and a short spur of Autumn Run to achieve development of 11 lots. The lots are proposed to be served by well and septic service. Outlots 1-4 measure 10.02, 9.54, 3.81, and 58.95 acres respectively, and contain stormwater management facilities, proposed trails, and existing wetland conservancies. There are existing wetlands within the Plat, but no mapped lakes, watercourses, rivers or streams.

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

Preserve at Harvest Ridge Subdivision - Proposed Development Review

In a Preliminary Plat resubmittal made August 29, 2019, the applicant included a cover letter responding to all of the initial review comments. The following comments pertain to the Final Plat submittal made on October 23, 2019.

Layout:

The proposed layout complies with all of the requirements under Chapter 12, Sec. 7.06. The Final Plat shows front setbacks of 35', and side and rear setbacks of 20' for all lots in the development, as well as 50' setbacks from Lisbon and Ainsworth Roads and 75' setbacks for structures from wetlands. The development has received Town approval of a PUD Specific Development Plan (SDP).

In its Preliminary Plat approval, the Town approved waivers for the requirement that side lot lines be at right angles or radial to curved streets for several lots. The Final Plat layout is consistent with the waivers granted.

Clarification & Revisions Prior to Town Board approval of Final Plat (unless otherwise noted):

- Provide confirmation if the plat is subject to a 35' grading setback from all wetlands (the typical WDNR standard), and if necessary note this setback on the plat. This may impact future additions of the plat within Outlot 4, and the overall stormwater management plan.
- All structures within 50 feet of the plat boundary shall be shown on the plat. Provide information to verify and show any such structures on the plat.
- Lots shall be renumbered, as necessary, to accommodate future plat additions and comply with statutory and Town Ordinance requirements for plat numbering (for example, Lots 23-26 need to be numbered in reverse order).
- Lot areas should include acreages (to the nearest hundredth) in addition to square footage. The Town also prefers that square footage numbers include commas, for ease of reading.

Roadways:

The Final Plat shows the road names, road rights-of-way, curve radii, widths, and bearings for roads interior and exterior to the Final Plat.

Waukesha County Department of Public Works has confirmed the required road dedication on C.T.H. K (Lisbon Road) is 50', as shown on the Final Plat.

Clarification & Revisions Prior to Town Board approval of Final Plat (unless otherwise noted):

- All streets or systems of streets designed to have one end closed, whether temporarily or permanently, shall not exceed in any manner 500 feet in length. The Applicant should confirm the length of Autumn Run in its temporary (phased) condition and, if it will exceed 500 feet in length, request a formal waiver from this requirement. (The Applicant previously requested a waiver for future plat streets planned within Outlot 4 due to the expanded cul-de-sac bulbs and discussions with the Fire Department.)
- Pursuant to Town Board approval, a temporary cul-de-sac shall be provided for the end of Autumn Run at the edge of the Final Plat, and at the edge of any phased construction if the roads within the Final Plat are constructed in multiple phases. A temporary easement shall be

shown on the Plat and civil plans, similar to as shown on the Preliminary Plat for Orchard Drive.

- The applicant should clarify whether gravel or curb and gutter are proposed for the island within Cirspin Court – the preliminary SWMP notes curb and gutter, but Sheet C0.2 of Preliminary Civil Plans (Proposed Site Plan) notes gravel shoulders. The island and design details shall be subject to Town Engineer and Plan Commission approval.
- Road names have been reviewed by the Town, and shall also be reviewed and approved by Waukesha County (prior to Final Plat approval).
- Roads shall be designed in compliance with the Town's Street & Highway chapter and typical sections, with provisions referenced in the Developer Agreement.

Soil Types and Testing:

The Applicant completed soil testing for each lot to determine the seasonal high groundwater level. The Land Division and Development Ordinance also states that when bedrock or groundwater is found within 6' of the surface there shall be no conventional septic systems. All test pits located around the site showed groundwater seven feet below the surface, except for test pit 26 located adjacent to the westernmost wetland at five and a half feet below the surface. The test pits study the observed water as well as the soil composition. The borings to soil study the possible depth of basements and the location of onsite soil absorption sewage disposal system locations are based on soil classifications and characteristics. Most lots will have basements just below the current surface by one to five feet requiring large amounts of grading to build up around or have exposed walkout basement.

Clarification & Revisions Prior to Town Board approval of Final Plat (unless otherwise noted):

- Minimum basement elevations shall be subject to Town Engineer review, and the Town should determine if the proposed elevations are adequate (setting homes 2' above the 100-year storm event for adjoining ponds is proposed). The Plat should include a reference to Town Ordinance Ch. 11 Sec. 3(c)10 (Drainage Regulations) in the "Seasonal High Ground Water Table" or "Basement Restriction for Groundwater" note.
- Several lots may need closer review regarding minimum basement elevations. The Plan Commission should be aware that, based on the proposed Preliminary Grading Plan, some lots will have only a few feet of depth allowance for basements. In particular Lots 1, 2, 3, 6, 7, and 8 appear to have less than 3 feet between the finished grade and basement elevation. The Town should determine if the proposed elevations are acceptable. The applicant may wish to provide more information or clarification on this matter.
- The "Seasonal High Ground Water Table" on the Final Plat shall be amended to reflect the lot numbers in the Final Plat, as opposed to Preliminary Plat lot numbers, and ensure correct elevations are displayed based on any amended lot numbering.

Drainage and Grading:

Clarification & Revisions Prior to Town Board approval of Final Plat (unless otherwise noted):

- Include drainage swales necessary to direct water from the rear of lots and outlots to designated basins. Any planned stormwater easements shall be labeled.
- The adequacy of the proposed grading and drainage easements shall be subject to review by the Town Engineer (see easements depicted in Outlots 1, 2, and 3).

October 31, 2019

Page 4 of 6

- All drainage and access easements shall be labeled as "public" (the Town is noted as a beneficiary of these easements in the General Notes).
- Grading and Erosion Control Plans, and the Stormwater Management Plan (SWMP) shall be subject to approval by the Town Engineer and Waukesha County.
- Labels for all stormwater facilities shall be clarified in the final civil plans, including basin numbers and "infiltration" vs. "treatment" labels.

Wetlands:

The Final Plat shows two wetlands in Outlot 4. The wetlands were delineated by Stantec (Jeff Kraemer) in April 2015, per the Preliminary Plat.

Note that wetland delineations are good for 5 years, thus new delineations may be needed in the future depending on the timing of development activities within Outlot 4.

Clarification & Revisions Prior to Town Board approval of Final Plat (unless otherwise noted):

- The applicant has indicated that the delineator is a WDNR-assured delineator, therefore no DNR letter is necessary. The applicant shall provide the Town with a copy of the April 2015 Wetland Delineation Report. Additionally, wetland delineation reports are good for five years; therefore, the wetland delineation might need to be updated when the applicant submits the First Addition to the Town.
- The Final Plat indicates a 75' building setback from wetlands and general restrictions for wetland areas that are subject to Waukesha County, WDNR and Army Corps review. Any setbacks for grading and land disturbance from wetlands shall be subject to County setback requirements during construction (plans indicate grading up to the wetland edge in several places).
- Bullet #10 of the Final Plat's General Notes indicates that Wetland Conservancy Areas are "to be retained by the Owner for future development." This note should be revised to remove reference to future development since they are intended for preservation.

Comprehensive Plan/Park and Open Space Plan:

During the Preliminary Plat review, the Town determined that the proposed development is consistent with the recently amended Comprehensive Plan, and that open space requirements are met/exceeded.

Village of Merton ETJ:

The subject site is in the Village of Merton ETJ area and the applicant submitted an application to the Village of Merton

Trails:

The Applicant discussed trail ownership with the Plan Commission and determined that trails will be within public access easements within Outlots which will be in private HOA ownership. Trails shall be designed and developed per the development agreement.

- The general plat note regarding lot owners' fractional interest in Outlots 1, 2 and 3 shall be modified to read: "Neither Waukesha County nor the Town of Lisbon shall be liable for fees or special charges..."

- The applicant shall submit the proposed public trail easement documentation to the Town for review and approval (see bullet #14 in Final Plat General Notes).

Additional Final Plat Items:

Clarification & Revisions Prior to Town Board approval of Final Plat (unless otherwise noted):

- Address any comments from Waukesha County following a review of any submitted materials.
- Address any comments from the Village of Merton following a review of any submitted materials.
- Address any comments by the Department of Administration following a review of any submitted materials.
- The applicant should verify that there are no existing access easements within the platted area (none are shown).
- "Utility easement areas" shall be designated on the plat, related to the provisions on Sheet 4.
- The 50' horizontal setback shown on Lot 1 from the adjacent stormwater basin should be simplified (straightened) to simplify the plat notations, future site planning, and enforcement of building restrictions on Lot 1.
- The "general notes" should be numbered, for easier reference.
- Correct the typo in the "Stormwater Management Practice Maintenance" heading at the lower right of Sheet 1.

Recommendation

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. Planning staff recommends the following conditions of approval:

1. Subject to the Developer satisfying all comments, conditions and concerns of the Town Planner (as noted above) and the Town Engineer, which includes compliance with the Town's adopted Land Division Review Checklist and Subdivision Control Ordinance; and all reviewing, objecting and approving bodies, which may include but not be limited to the State of Wisconsin Department of Commerce per Chapter 236, Wisconsin Statutes and Chapter COMM 85, Wisconsin Administrative Code; State of Wisconsin Department of Administration per Chapter 236, Wisconsin Statutes; the Waukesha County Department of Parks and Land Use (including the Planning and Zoning Division, Parks System Division, Land Resources Division, and Environmental Health Division) and the Waukesha County Department of Public Works; in regard to the Final Plat, and obtaining all necessary permits and approvals, prior to commencing construction, outside of the previously approved early start permits, of any improvement, whether public or private, or site development or approval of the Final Plat, whichever is earlier.
2. Subject to the Developer submitting to and receiving from the Town Board, Town Attorney, and the Town Engineer, approval of a Developer's Agreement for the improvements (including all public, private, and site development improvements), prior to the approval of the Final Plat.
3. Subject to the Developer submitting to the Town Clerk and receiving approval as to form from the Town Attorney and as to amount from the Town Engineer, a letter of credit for the improvements (including all public, private, and site development improvements), prior to

commencing construction of any improvement, whether public or private, or site development or approval of the Final Plat, whichever is earlier.

4. Subject to the Developer submitting to and receiving from the Town Board, Town Attorney, and Town Planner, and Town Engineer, approval of the final draft of the deed restrictions prior to the approval of the Final Plat.
5. The Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
6. Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.
7. Subject to the Developer applying for and receiving from the Town BOA, Town Plan Commission, Town Board, and Waukesha County, all necessary variances and waivers (if any) to the Town of Lisbon Zoning Ordinance and the Town of Lisbon Subdivision Control Ordinance prior to commencing construction, outside of the previously approved early start permits, of any improvement, whether public or private, or site development or approval of the Final Plat, whichever is earlier.

Any conditional approval document shall not be read as providing any assurance or expectation that such variances or waivers will be granted, and shall not vest any right regarding the grant of such variances or waivers.

#6A - ATTACHMENTS

Lisbon Truck Wash Terminal

Quarry Corners Pkwy, Lisbon, WI 53089



PROJECT TEAM:

<p>OWNER:</p> <p>Xxx, Inc. Broadway Ave., Milwaukee, WI 53202 TEL: (414) 555-5555 email www.xxx.com ATTN: Mr. Smith</p>	<p>ARCHITECT:</p> <p>SHA, LLC 311 E. Chicago, Suite 310 Milwaukee, WI 53202 TEL: (414) 276-1760 email bborelli@sha-a2k.com ATTN: Brooke Borelli</p>	<p>GENERAL CONTRACTOR/DEVELOPER:</p> <p>Xxx, Inc. Broadway Ave., Milwaukee, WI 53202 TEL: (414) 555-5555 email www.xxx.com ATTN: Mr. Smith</p>
---	---	--

GENERAL NOTES:

1. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VISIT THE SITE AND BECOME FAMILIAR WITH THE SITE CONDITIONS.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY ALL DIMENSIONS, ELEVATIONS AND CONDITIONS PRIOR TO BEGINNING ANY WORK. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES. DO NOT SCALE DRAWINGS.
3. REFER TO THE SOILS REPORT FOR SUBSURFACE CONDITIONS, BEARING CAPACITIES, ETC. NOTIFY THE ARCHITECT, ENGINEER AND OWNER OF ANY DISCREPANCY BETWEEN THIS REPORT AND THE PLANS, SPECIFICATIONS OR SITE CONDITIONS.
4. ALL WORK AND MATERIALS SHALL CONFORM TO THE LATEST BUILDING CODES, ORDINANCES AND REGULATIONS OF THE CITY OR COUNTY WITH JURISDICTION.
5. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND PAYING FOR ALL PERMITS, LICENSES, INSPECTIONS AND TESTING AS REQUIRED BY THE CONTRACT DOCUMENTS OR ANY GOVERNMENT AGENCY.
6. THE GENERAL CONTRACTOR IS RESPONSIBLE TO PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, TRANSPORTATION, UTILITIES, OTHER SERVICES AND RELATED TASKS NECESSARY FOR PROPER EXECUTION OF THE CONSTRUCTION REQUIRED BY THE CONTRACT DOCUMENTS.
7. THE GENERAL CONTRACTOR IS TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOBSITE CONDITIONS. COMPLY WITH SAFETY REGULATIONS AND RESTRICTIONS AS REQUIRED FOR WORKER AND PEDESTRIAN PROTECTION DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. PROVIDE PROTECTION AS REQUIRED TO PREVENT ANY DAMAGE TO EXISTING CONSTRUCTION WITHIN AND ADJACENT TO THE JOBSITE. WHERE DAMAGE OCCURS, REPAIR OR REPLACE DAMAGED AREA AND/OR MATERIAL AS REQUIRED TO THE OWNER'S APPROVAL AT NO ADDITIONAL COST. THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL HOURS.
8. THE GENERAL CONTRACTOR SHALL BRING ANY REVISION OR ADDITIONAL WORK REQUIRED BY FIELD CONDITIONS OR LOCAL GOVERNING AUTHORITIES TO THE ATTENTION OF THE ARCHITECT AND OWNER BEFORE PROCEEDING.
9. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY THE SIZE AND LOCATION OF ALL UTILITY LINES AND STUBS TO THE BUILDING(S). BRING ALL UTILITY LINES (WATER, SEWER, GAS, STORM DRAIN, TELEPHONE AND ELECTRICAL, ETC.) INTO THE BUILDING AS INDICATED ON THE CONSTRUCTION DOCUMENTS. BRING ANY DISCREPANCIES TO THE ATTENTION OF THE ARCHITECT, OWNER & CIVIL ENGINEER.
10. NO BUILDING OR PORTION OF A BUILDING SHALL BE OCCUPIED OR USED FOR STORAGE PRIOR TO THE ISSUANCE OF THE TEMPORARY CERTIFICATE OF OCCUPANCY. APPROVAL FOR OCCUPANCY IS ONLY GRANTED AFTER ACCEPTANCE BY GOVERNING AGENCIES.
11. THE REMOVAL OF ALL HAZARDOUS CONTAINING MATERIALS IS THE SOLE RESPONSIBILITY OF THE OWNER. SHOULD ANY MATERIALS BE ENCOUNTERED DURING ANY PHASE OF CONSTRUCTION, OR SUSPECTED TO BE HAZARDOUS, THE CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY OWNER.

PROJECT INFORMATION:

GOVERNING CODE:	WISCONSIN ADOPTED 2015 IBC
CONSTRUCTION TYPE:	
OCCUPANCY CLASSIFICATION:	5-1 / B
OCCUPANCY SEPARATION:	SEPARATED SEPARATED USE
REQUIRED SEPARATION:	NONE
NUMBER OF STORIES ALLOWED:	2
NUMBER OF STORIES:	1
SPRINKLER SYSTEM:	NONE (NOT REQUIRED PER IBC 903.2.9.1.4)
ALLOWABLE AREA PER FLOOR :	17,500sf
ALLOWABLE AREA INCREASE - FRONTAGE:	12,603sf
TOTAL ALLOWABLE BUILDING AREA:	30,103sf
PROPOSED BUILDING AREA:	4,270sf
FIRE EXTINGUISHERS:	PER IFC

ARCHITECTURAL

STRUCTURAL

SHEET INDEX:

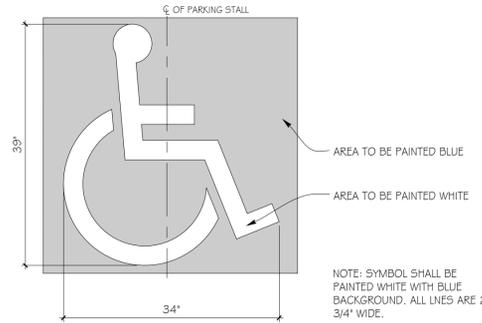
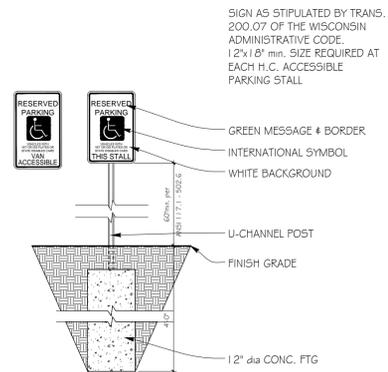
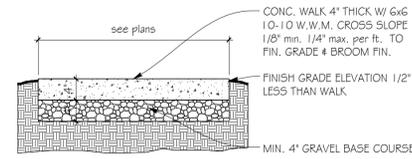
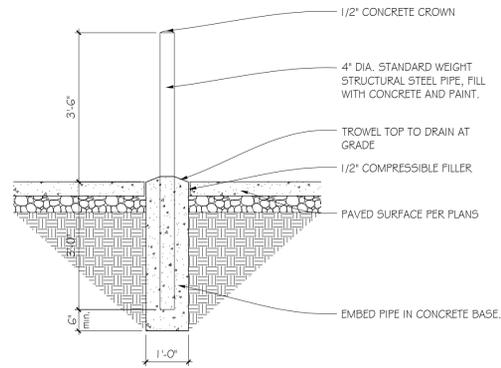
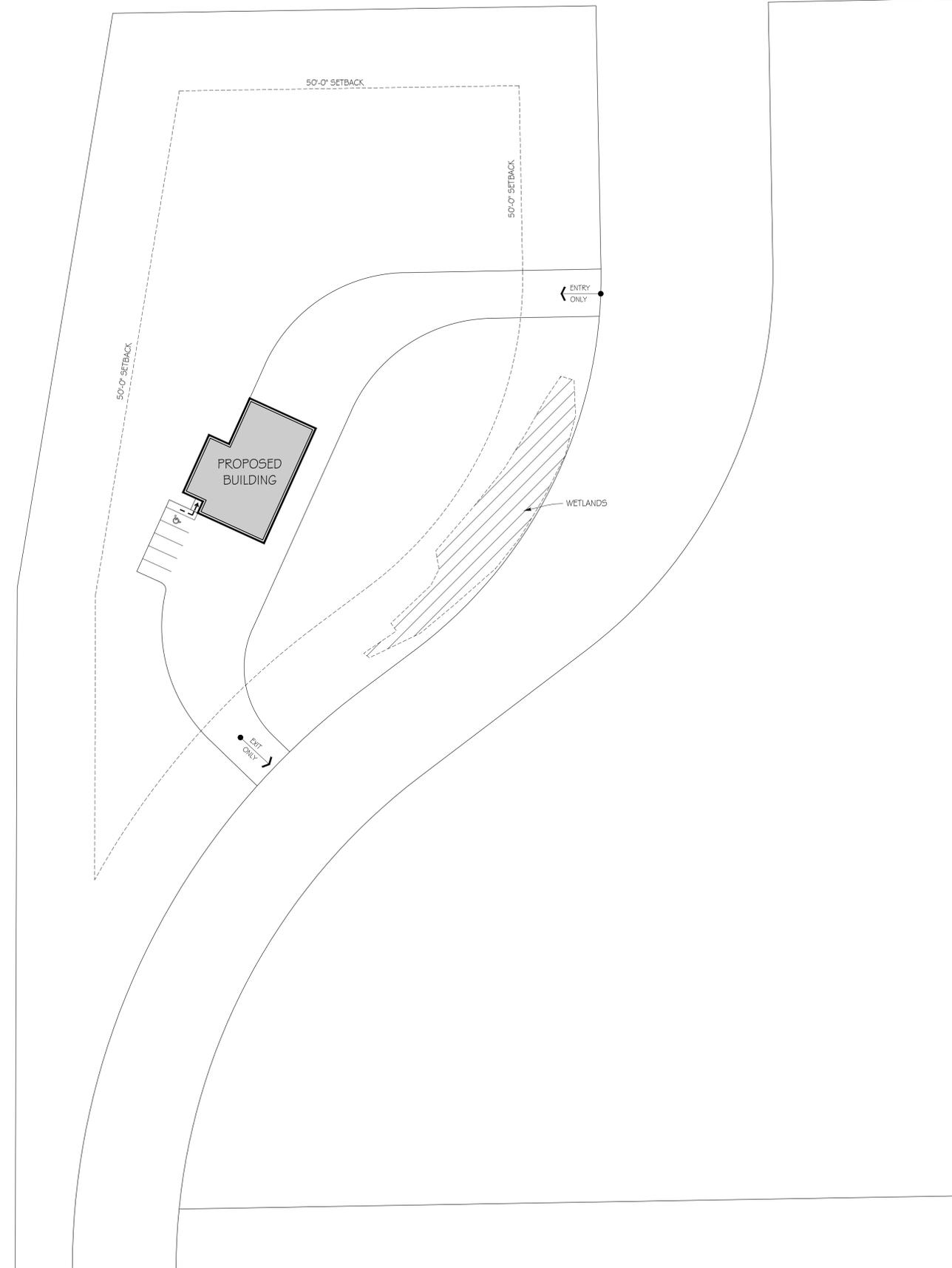
T 1	TITLE SHEET
A0.1	SITE PLAN
A1.1	FLOOR PLAN
A2.1	ELEVATIONS

SITE INFORMATION:

SITE INFORMATION:	
SIZE (TOTAL)	XX,XXX S.F. (X.XX ACRES)
LESS RIGHT-OF-WAY	XX,XXX S.F. (X.XX ACRES)
ZONING	XXX
SETBACKS	
XX' STREET	
XX' SIDE	
XX' REAR YARD	
GREEN SPACE	
REQUIRED	XX.X% = XXX S.F. (XXX ACRES)
PROVIDED	XX.X% = XXX S.F. (XXX ACRES)
PARKING INFORMATION:	
PARKING PROPOSED	4 STALLS
HCP PARKING PROPOSED	1 STALLS
TOTAL PARKING PROPOSED	5 TOTAL STALLS
BUILDING INFORMATION:	
HEIGHT	25'-0"
SQUARE FOOTAGE	4,275 S.F.

SITE LEGEND

	POURED CONCRETE
	BUILDING FOOTPRINT
	AUTO PAVING
	TRUCK PAVING
	PROPERTY LINE
	BUILDING SET BACK
	PARKING SET BACK
	EXIT LOCATIONS
	ACCESSIBLE PATH OF TRAVEL
	SPOT ELEVATION



SITE DEVELOPMENT PLAN
NORTH

SCALE: 1" = 40'-0"

Lisbon Truck Wash Terminal

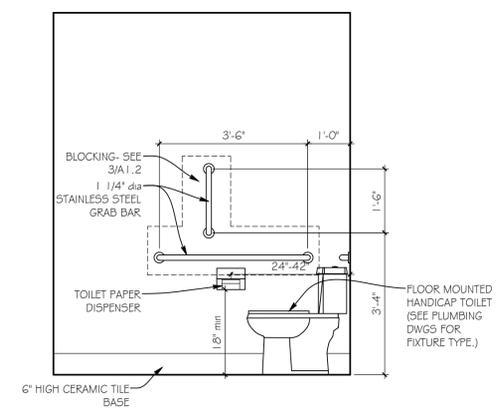
Quarry Corners Parkway
Lisbon, WI 53089

NO.	DATE	DESCRIPTION
△		
△		
△		
△		
△		
△		
△		
△		
△		
△		

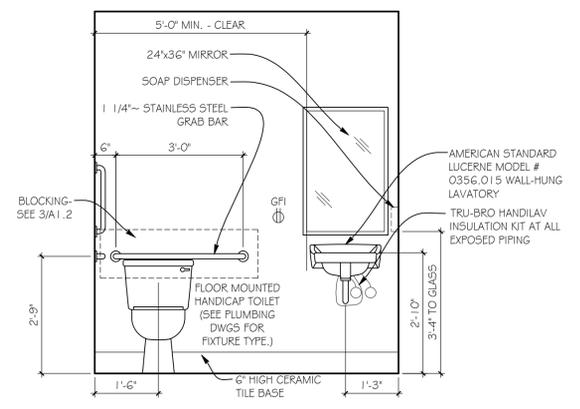
PROJECT #: 3992

DATE: October 12th, 2019

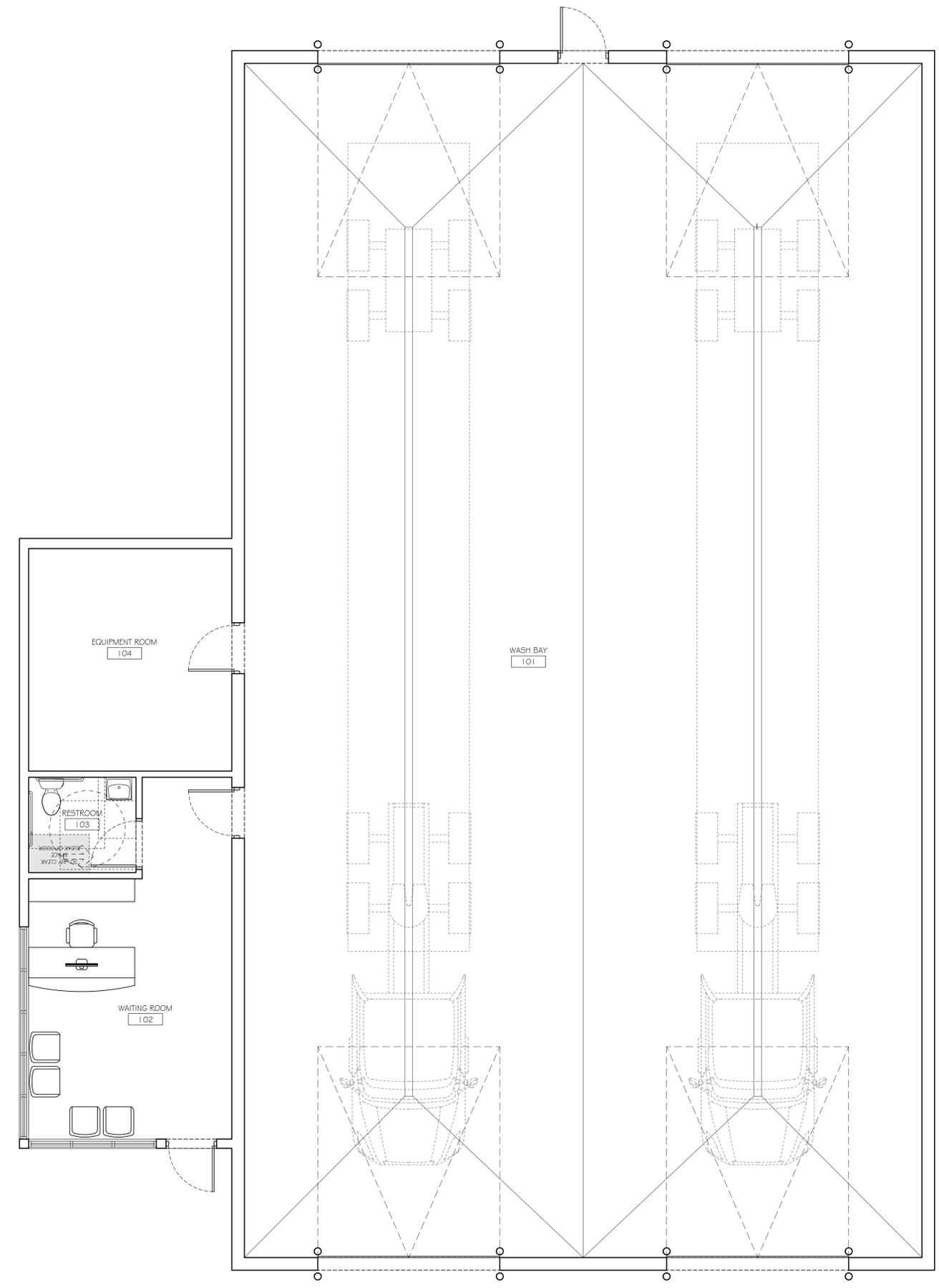
Site Plan
plan



1 RESTROOM ELEVATION
USE MOISTURE RESISTANT GYPSUM BOARD AT TOILET ROOM WALLS
SCALE: 1/2" = 1'-0"



2 RESTROOM ELEVATION
USE MOISTURE RESISTANT GYPSUM BOARD AT TOILET ROOM WALLS
SCALE: 1/2" = 1'-0"



FLOOR PLAN

SCALE: 1/4" = 1'-0"

CONCEPT DRAWING - NOT FOR CONSTRUCTION

Lisbon Truck Wash Terminal

Quarry Corners Parkway
Lisbon, WI 53089

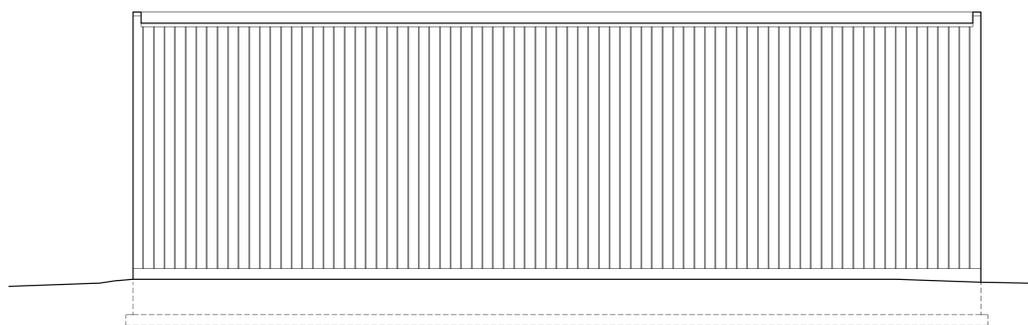
NO.	DATE	DESCRIPTION
▲		
▲		
▲		
▲		
▲		
▲		
▲		

PROJECT #: 3992

DATE: October 12th, 2019

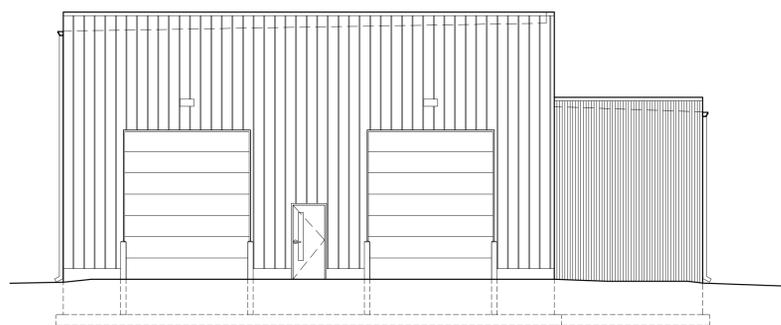
FLOOR PLAN

A1.1



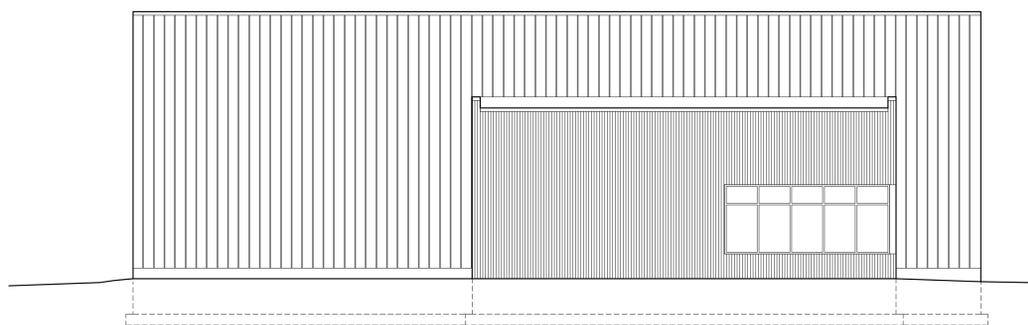
3 EAST ELEVATION

SCALE: 1/8" = 1'-0"



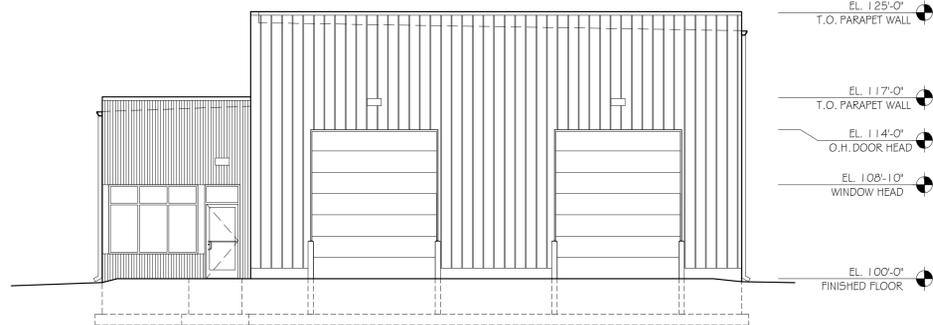
4 NORTH ELEVATION

SCALE: 1/8" = 1'-0"



1 WEST ELEVATION

SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

- EL. 125'-0" T.O. PARAPET WALL
- EL. 117'-0" T.O. PARAPET WALL
- EL. 114'-0" O.H. DOOR HEAD
- EL. 108'-10" WINDOW HEAD
- EL. 100'-0" FINISHED FLOOR

CONCEPT DRAWING - NOT FOR CONSTRUCTION

Lisbon Truck Wash Terminal

Quarry Corners Parkway
Lisbon, WI 53089

NO.	DATE	DESCRIPTION
△		
△		
△		
△		
△		
△		
△		
△		

PROJECT #: 3992

DATE: October 12th, 2019

Elevations

A2.1



TRANSMITTAL

To: Dan Green
Town Clerk
W234 N8676 Woodside Dr.
Lisbon WI 53089
Project: Lisbon Truck Wash

Attn: Dan Green
Job No.: 3992

Date: October 15, 2019
Sent via: delivery

We are sending you

Attached Under separate cover via _____ the following items:

Shop Drawings Prints/Plans Samples Specifications Change Orders

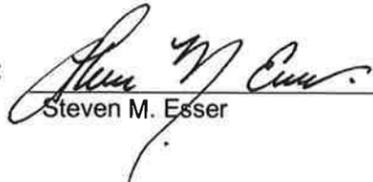
Other: _____

Copies	Description
1	Full sized prints
8	11x17 prints

These are transmitted as checked below:

- For your use Approved as submitted Resubmit Copies for approval
- As requested Approved as noted Submit Copies for distribution
- For your review Returned for corrections Return Corrected prints

Remarks:

Signed:  Steven M. Esser
Copies to: file

RECEIVED
By Daniel Green at 2:08 pm, Oct 15, 2019



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

Quarry Corners Parkway @ Hwy K
 Property Address City Zip

Tax Key/Parcel ID # Lot Size Current Zoning B4

Property Owner

Amin K Hamdan
 Name / Company Name

Amin K Hamdan
 Signature

NS2 W 23206 LISBON RD
 Address

Sussex WI 53089
 City State Zip

262-246-1999 thuncidi@aol.com
 Phone E-mail Address

Applicant

DAVID BAUM
 Name

SCHROEDER AND HOLT ARCH
 Company

311 & CHICAGO SUITE 310
 Address

MILWAUKEE WI 53202
 City State Zip

414-276-1760 DBAUM@SHA-A2K.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.



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:

<ul 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 	<ul 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 Amin K. Hamdan
ADDRESS N 52 W 23206 LISBON Rd.
DATE 10-14-19 SIGNATURE Amin K. Hamdan
PHONE 262-246-1999 EMAIL Thuneidi@aol.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Amin K. Hamdan
ADDRESS N 52 W 23206 LISBON Rd
DATE 10-14-19 SIGNATURE _____
PHONE 262-246-1999 EMAIL thuneidi@aol.com

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 AMIN K HAMDAN
ADDRESS N 52 W 23206 LISBON RD
DATE 10-14-19 SIGNATURE [Signature]
PHONE 262-246-1999 EMAIL thuneidi@aol.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME AMIN K HAMDAN
ADDRESS N 52 W 23206 LISBON RD
DATE 10-14-19 SIGNATURE _____
PHONE 262-246-1999 EMAIL thuneidi@aol.com

COMMENTS:

Town Official Accepting Form

Date

Lisbon Truck Wash Terminal

Quarry Corners Pkwy, Lisbon, WI 53089



PROJECT TEAM:

<p>OWNER: Xxx, Inc. Broadway Ave., Milwaukee, WI 53202 TEL: (414) 555-5555 email www.xxx.com ATTN: Mr. Smith</p>	<p>ARCHITECT: SHA, LLC 311 E. Chicago, Suite 310 Milwaukee, WI 53202 TEL: (414) 276-1760 email bborelli@sha-a2k.com ATTN: Brooke Borelli</p>	<p>GENERAL CONTRACTOR/DEVELOPER: Xxx, Inc. Broadway Ave., Milwaukee, WI 53202 TEL: (414) 555-5555 email www.xxx.com ATTN: Mr. Smith</p>
---	---	--

GENERAL NOTES:

1. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VISIT THE SITE AND BECOME FAMILIAR WITH THE SITE CONDITIONS.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY ALL DIMENSIONS, ELEVATIONS AND CONDITIONS PRIOR TO BEGINNING ANY WORK. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES. DO NOT SCALE DRAWINGS.
3. REFER TO THE SOILS REPORT FOR SUBSURFACE CONDITIONS, BEARING CAPACITIES, ETC. NOTIFY THE ARCHITECT, ENGINEER AND OWNER OF ANY DISCREPANCY BETWEEN THIS REPORT AND THE PLANS, SPECIFICATIONS OR SITE CONDITIONS.
4. ALL WORK AND MATERIALS SHALL CONFORM TO THE LATEST BUILDING CODES, ORDINANCES AND REGULATIONS OF THE CITY OR COUNTY WITH JURISDICTION.
5. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND PAYING FOR ALL PERMITS, LICENSES, INSPECTIONS AND TESTING AS REQUIRED BY THE CONTRACT DOCUMENTS OR ANY GOVERNMENT AGENCY.
6. THE GENERAL CONTRACTOR IS RESPONSIBLE TO PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, TRANSPORTATION, UTILITIES, OTHER SERVICES AND RELATED TASKS NECESSARY FOR PROPER EXECUTION OF THE CONSTRUCTION REQUIRED BY THE CONTRACT DOCUMENTS.
7. THE GENERAL CONTRACTOR IS TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOBSITE CONDITIONS. COMPLY WITH SAFETY REGULATIONS AND RESTRICTIONS AS REQUIRED FOR WORKER AND PEDESTRIAN PROTECTION DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. PROVIDE PROTECTION AS REQUIRED TO PREVENT ANY DAMAGE TO EXISTING CONSTRUCTION WITHIN AND ADJACENT TO THE JOBSITE. WHERE DAMAGE OCCURS, REPAIR OR REPLACE DAMAGED AREA AND/OR MATERIAL AS REQUIRED TO THE OWNER'S APPROVAL AT NO ADDITIONAL COST. THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL HOURS.
8. THE GENERAL CONTRACTOR SHALL BRING ANY REVISION OR ADDITIONAL WORK REQUIRED BY FIELD CONDITIONS OR LOCAL GOVERNING AUTHORITIES TO THE ATTENTION OF THE ARCHITECT AND OWNER BEFORE PROCEEDING.
9. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY THE SIZE AND LOCATION OF ALL UTILITY LINES AND STUBS TO THE BUILDINGS. BRING ALL UTILITY LINES (WATER, SEWER, GAS, STORM DRAIN, TELEPHONE AND ELECTRICAL, ETC.) INTO THE BUILDING AS INDICATED ON THE CONSTRUCTION DOCUMENTS. BRING ANY DISCREPANCIES TO THE ATTENTION OF THE ARCHITECT, OWNER & CIVIL ENGINEER.
10. NO BUILDING OR PORTION OF A BUILDING SHALL BE OCCUPIED OR USED FOR STORAGE PRIOR TO THE ISSUANCE OF THE TEMPORARY CERTIFICATE OF OCCUPANCY. APPROVAL FOR OCCUPANCY IS ONLY GRANTED AFTER ACCEPTANCE BY GOVERNING AGENCIES.
11. THE REMOVAL OF ALL HAZARDOUS CONTAINING MATERIALS IS THE SOLE RESPONSIBILITY OF THE OWNER. SHOULD ANY MATERIALS BE ENCOUNTERED DURING ANY PHASE OF CONSTRUCTION, OR SUSPECTED TO BE HAZARDOUS, THE CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY OWNER.

PROJECT INFORMATION:

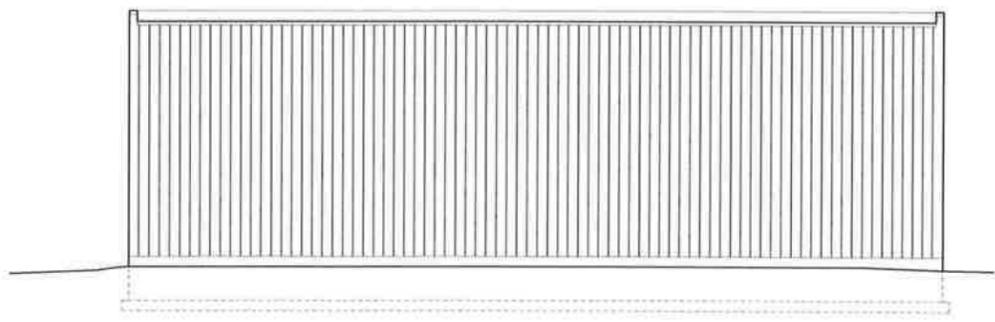
GOVERNING CODE:	WISCONSIN ADOPTED 2015 IBC
CONSTRUCTION TYPE:	
OCCUPANCY CLASSIFICATION:	S-1/B
OCCUPANCY SEPARATION:	SEPARATED SEPARATED USE
REQUIRED SEPARATION:	NONE
NUMBER OF STORIES ALLOWED:	2
NUMBER OF STORIES:	1
SPRINKLER SYSTEM:	NONE (NOT REQUIRED PER IBC 903.2.9.1.4)
ALLOWABLE AREA PER FLOOR:	17,500sqf
ALLOWABLE AREA INCREASE - FRONTAGE:	12,603sqf
TOTAL ALLOWABLE BUILDING AREA:	30,103sqf
PROPOSED BUILDING AREA:	4,270sqf
FIRE EXTINGUISHERS:	PER IFC

ARCHITECTURAL

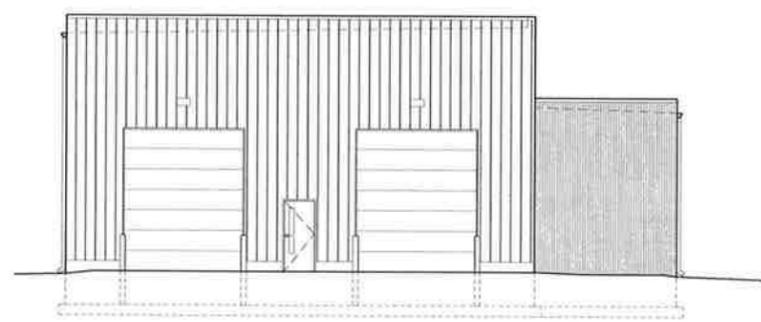
STRUCTURAL

SHEET INDEX:

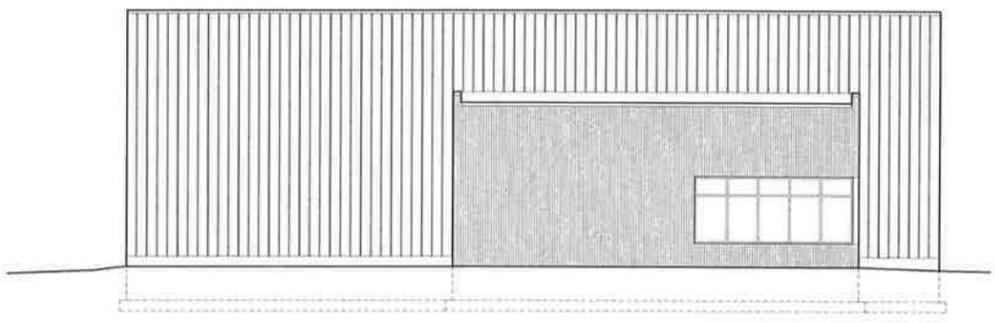
T1	TITLE SHEET
A0.1	SITE PLAN
A1.1	FLOOR PLAN
A2.1	ELEVATIONS



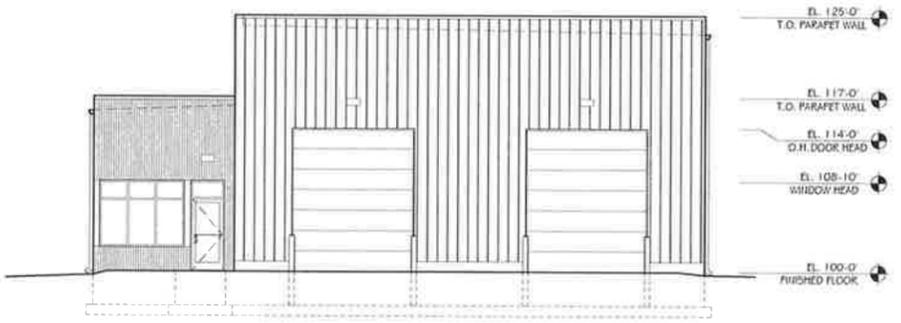
3 EAST ELEVATION SCALE: 1/8" = 1'-0"



4 NORTH ELEVATION SCALE: 1/8" = 1'-0"



1 WEST ELEVATION SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION SCALE: 1/8" = 1'-0"

- EL. 125'-0" T.O. PARAPET WALL
- EL. 117'-0" T.O. PARAPET WALL
- EL. 114'-0" O.H. DOOR HEAD
- EL. 108'-10" WINDOW HEAD
- EL. 100'-0" FINISHED FLOOR

CONCEPT DRAWING - NOT FOR CONSTRUCTION

Lisbon Truck Wash Terminal

Quarry Corners Parkway
Lisbon, WI 53089

NO.	DATE	DESCRIPTION
△		
△		
△		
△		
△		
△		
△		
△		
△		
△		

PROJECT #: 3992

DATE: October 12th, 2019

Elevations

#6B - ATTACHMENTS



RECEIVED

By Daniel Green at 11:08 am, Nov 04, 2019

0143
234 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

N75W27095 + N75W27099 Oakwood Road Hartland WI 53029
 Property Address City Zip
LS BT02169960002 - Mayrack 3.65 acres
LS BT02169960003 - CHRISTON 4.19 acres
 Tax Key/Parcel ID # Lot Size 7.84 Total acres Current Zoning Residential

Property Owners

Donnette + John Mayrack
CHRIS + Sara Christon
 Name / Company Name
Donnette Mayrack
Sara Christon
 Signature N75W27099 Oakwood Road
N75W27095 Oakwood Road
 Address
Hartland WI 53029
 City 262-538-2512 State Mayrack Zip /mayrack@
262-370-4148 Christon/Sara@selectrealestate online.com
 Phone E-mail Address

Applicants

Name _____
 Company Same
 Address _____
 City _____ State _____ Zip _____
 Phone _____ E-Mail Address Same

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:

<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 _____

ADDRESS _____

DATE 11/1/19 SIGNATURE _____

PHONE 262 538-2512 EMAIL mayrackd@gmail.com

John + Donnette Mayrack
N75W27099 Oakwood Rd.
Hartland, WI 53029

Donnette Mayrack

mayrackd@gmail.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME _____

ADDRESS _____

DATE _____ SIGNATURE _____

PHONE _____ EMAIL _____

Same

PROJECT NAME _____



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 Sara + Chris Chusta
 ADDRESS N75W27095 OAKWOOD ROAD, Hartland WI 53029
 DATE 11/2019 SIGNATURE Sara Chusta
 PHONE 262-370-4148 EMAIL Sara@selectrealestateonline.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME _____
 ADDRESS _____
 DATE _____ SIGNATURE Sara
 PHONE _____ EMAIL _____

PROJECT NAME _____



Block No 26273

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF THE NE. 1/4 OF THE SE. 1/4 OF SECTION 18,
T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

SURVEY BY

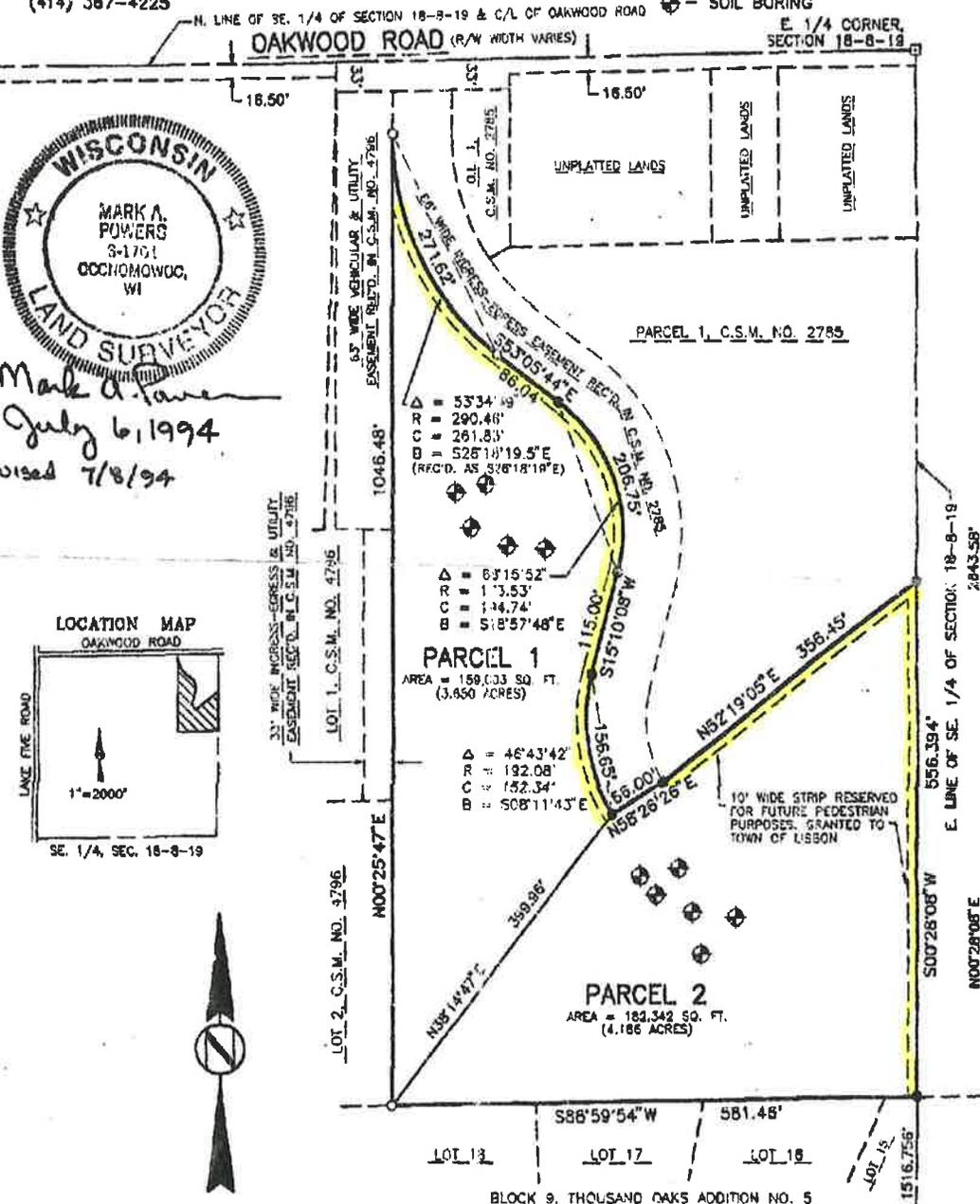
MARK A. POWERS, R.L.S. 1701
WELCH, HANSON AND ASSOC., INC.
W218 E. WISCONSIN AVE.
NASHOTAH, WI 53058
(414) 387-4225

SURVEY FOR

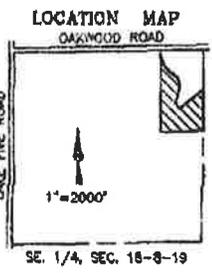
TED W. HOFF

LEGEND

- - CONC. MON. W/ BRASS CAP
- - 1" DIA. IRON PIPE FOUND
- - 1" DIA. IRON PIPE SET, 24" LONG,
WT. = 1.13 LBS./LIN. FT.
- ⊕ - SOIL BORING



Mark A. Powers
July 6, 1994
Revised 7/8/94



BEARINGS ARE REFERENCED TO THE EAST LINE
OF THE SE. 1/4 OF SECTION 18-8-19 AS
ASSUMED N00°28'08"E

- NOTES:
- 1) DRIVEWAY MUST BE A MINIMUM OF 16' IN WIDTH
 - 2) CONSTRUCTION OF DRIVEWAY ON EASEMENT IS THE RESPONSIBILITY OF THE OWNERS OF PARCELS 1 AND 2 OF THIS MAP

Tax key #'s:

216-996-002

216-996-003

Taken To by
Recorded on 08/11/94
by title deed

Town of Lisbon

PHONE 246-6100

W234 N8676 WOODSIDE RD.

SUSSEX, WISCONSIN 53089

July 11, 1994

MEMO TO: Betty Fryda, Clerk

FROM: Plan Commission

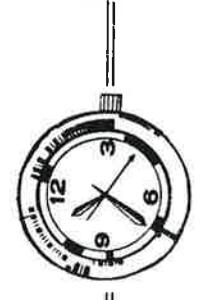
RE: Certified Survey Map
Hoff/Bate Property
Section 18, T8N, R19E

The Plan Commission at their meeting on July 7, 1994 recommended that the Town Board approve the certified survey map for land division of Hoff/Bate property, creating two parcels from the 8-plus wooded acres in Section 18, subject to the Town Planner's comments:

1. that a notation be placed on the survey map that construction of the access road will be the responsibility of the proposed Parcels 1 and 2;
2. that the access road be constructed within the 66 ft. wide easement;
3. that a 10 ft. wide strip west of the easement be reserved for a pathway to the major park;
4. payment of all applicable fees.

tpw

Richard J. Martin
Secretary



"Time To Investigate A Good Place To Live And Work"



Stock No. 26273

CERTIFIED SURVEY MAP NO. 7447

BEING A PART OF THE NE. 1/4 OF THE SE. 1/4 OF SECTION 18, T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WI

SURVEY BY

MARK A. POWERS, R.L.S. 1701
WELCH, HANSON AND ASSOC., INC.
W219 E. WISCONSIN AVE.
NASHOTAH, WI 53058
(414) 367-4225

SURVEY FOR

TED W. HOFF

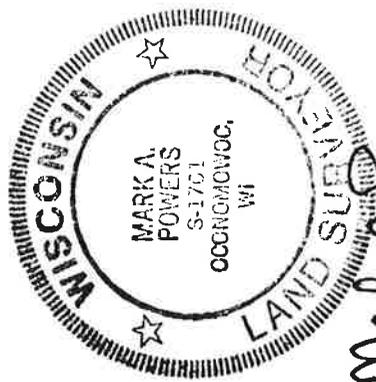
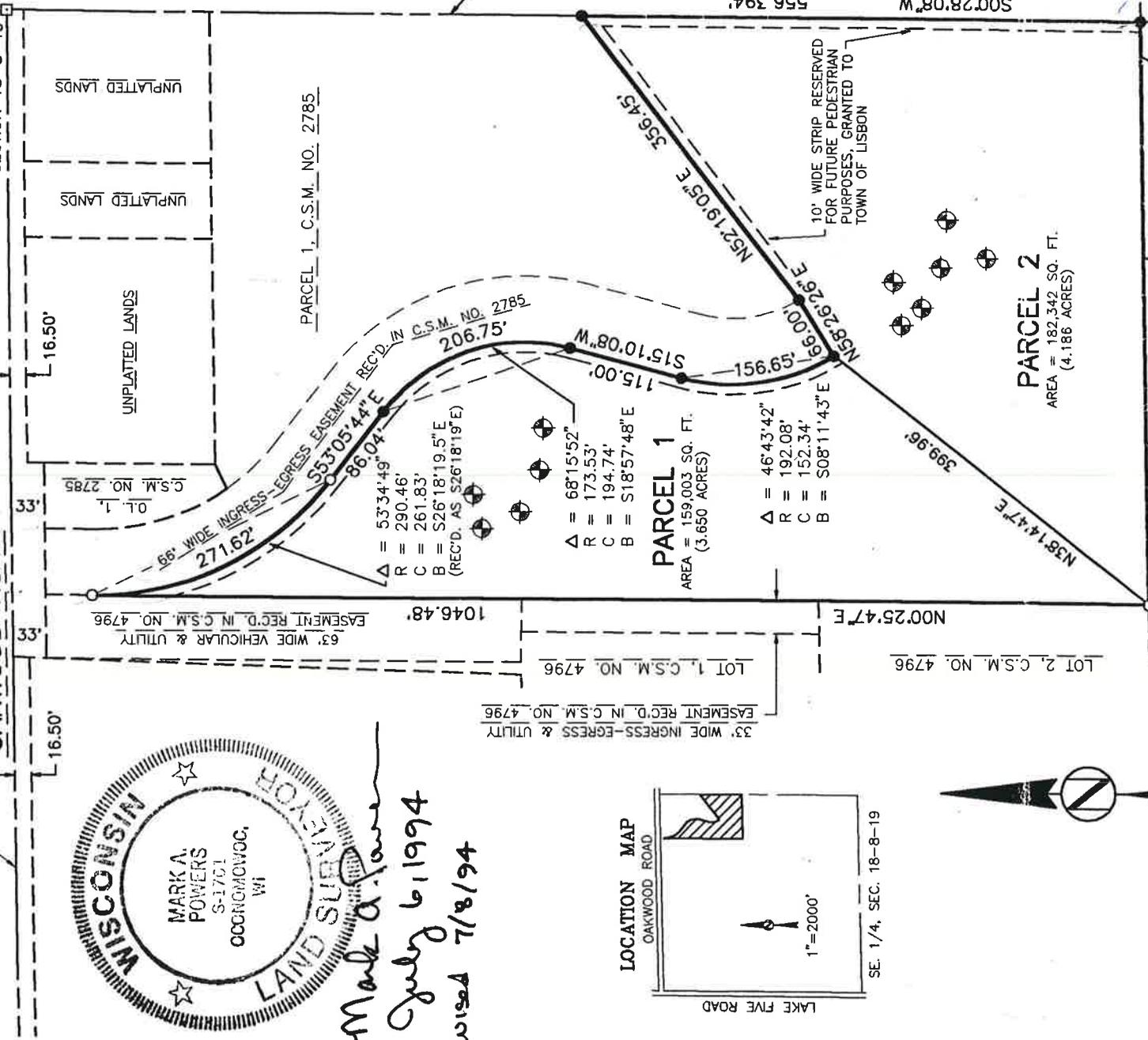
LEGEND

- - CONC. MON. W/ BRASS CAP
- - 1" DIA. IRON PIPE FOUND
- - 1" DIA. IRON PIPE SET, 24" LONG, WT. = 1.13 LBS./LIN. FT.
- ⊙ - SOIL BORING

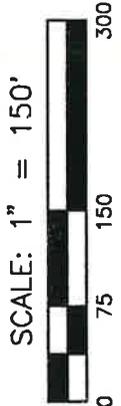
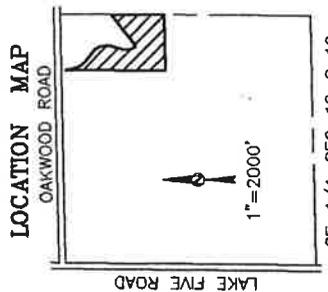
N. LINE OF SE. 1/4 OF SECTION 18-8-19 & C/L OF OAKWOOD ROAD

E. 1/4 CORNER, SECTION 18-8-19

OAKWOOD ROAD (R/W WIDTH VARIES)



Mark A. Powers
July 6, 1994
Revised 7/8/94



- NOTES:
- 1) DRIVEWAY MUST BE A MINIMUM OF 16' IN WIDTH
 - 2) CONSTRUCTION OF DRIVEWAY ON EASEMENT IS THE RESPONSIBILITY OF THE OWNERS OF PARCELS 1 AND 2 OF THIS MAP

BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SE. 1/4 OF SECTION 18-8-19 AS ASSUMED N00°28'08"E

0149

SE. CORNER, SECTION 18-8-19



Stock No. 26273

CERTIFIED SURVEY MAP NO. _____

Being a part of the NE 1/4 of the SE 1/4 of Section 18,
T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin

SURVEYOR'S CERTIFICATE

I, Mark A. Powers, Registered Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a part of the NE 1/4 of the SE 1/4 of Section 18, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, more fully described as follows:

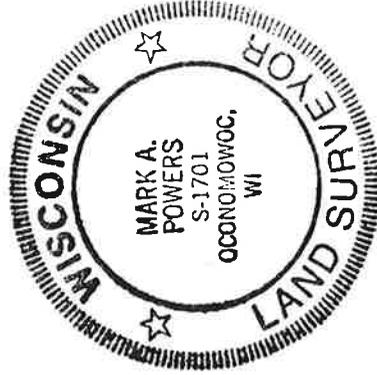
Commencing at the SE corner of said Section 18; thence N.00°-28'-08"E., along the East line of said SE 1/4, 1,516.756 feet to the NE corner of Lot 15, Block 9 of Thousand Oaks Addition No. 5 and the point of beginning of the hereinafter described lands; thence S.88°-59'-54"W., along the northerly line of Block 9 of Thousand Oaks Addition No. 5, 581.46 feet to the East line of Certified Survey Map No. 4796; thence N.00°-25'-48"E., along the easterly line of CSM No. 4796, 1046.48 feet to a point being on the westerly line of Parcel 1 of CSM No. 2785; thence along the westerly line of said Parcel 1 on the following described courses, 271.62 feet along the arc of a curve to the left with a radius of 290.46 feet whose chord bears S.26°-18'-19.5"E. (recorded as S.26°-18'-19"E.), 261.83 feet to a point of tangency; thence S.53°-05'-44"E., 86.04 feet to a point of curvature; thence 206.75 feet along the arc of a curve to the right with a radius of 173.53 feet whose chord bears S.18°-57'-48"E., 194.74 feet to a point of tangency; thence S.15°-10'-08"W., 115.00 feet to a point of curvature; thence 156.65 feet along the arc of a curve to the left with a radius of 192.08 feet whose chord bears S.08°-11'-43"E., 152.34 feet to the SW corner of said Parcel 1; thence N.58°-26'-26"E., along the southerly line of said Parcel 1, 66.00 feet to a point; thence N.52°-19'-05"E., along the southerly line of said Parcel 1, 356.45 feet to the SE corner of said Parcel 1, said point being on the East line of the SE 1/4 of said Section 18; thence S.00°-28'-08"W., along the East line of said SE 1/4, 556.394 feet to the place of beginning. Said lands containing a total area of 341,345 square feet (7.836 acres). Together with rights of ingress and egress to Oakwood Road over and across a 66 foot wide ingress/egress easement as recorded in CSM No. 2785.

That I have made said survey by the direction of Ted W. Hoff, owner of said lands.

That said survey is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the subdivision regulations of the Town of Lisbon in surveying, dividing and mapping the same.

Dated this 6th day of July, 1994.



Mark A. Powers
Mark A. Powers, RLS 1701



Stock No. 26273

CERTIFIED SURVEY MAP NO.

Being a part of the NE 1/4 of the SE 1/4 of Section 18,
T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin

OWNER'S CERTIFICATE:

As owner, I hereby certify that I caused said lands to be certified, divided, mapped,
and dedicated, as shown on this map.

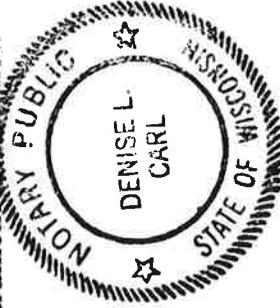
WITNESS the hand and seal of said Ted W. Hoff, owner, this 9TH day
of AUGUST, 1994.

In Presence of:
Mary J. Schmidt

[Signature]
Ted W. Hoff

STATE OF WISCONSIN)
Maquette COUNTY)

Personally came before me this 9th day of August,
1994, the above named Ted W. Hoff, to me known to be the person who executed
the foregoing instrument and acknowledged the same.



Denise L. Carl
Notary Public
Maquette County, Wisconsin
My commission expires 3-8-98

TOWN BOARD APPROVAL:

Approved by the Town Board of the Town of Lisbon this 25th day of
July, 1994.

Donald R. Holt
Donald R. Holt, Chairman

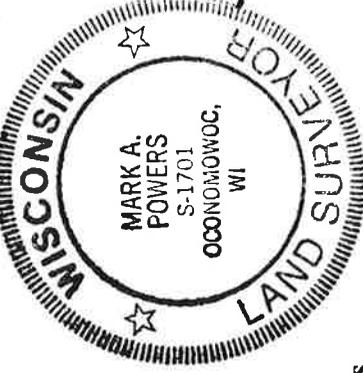
Betty Fryda
Betty Fryda, Clerk

PLANNING COMMISSION APPROVAL:

Approved by the Planning Commission of the Town of Lisbon, this 7th day of
July, 1994.

Donald R. Holt
Donald R. Holt, Chairman

Richard J. Martin
Richard J. Martin, Secretary



Mark A. Powers
July 6, 1994

0151



Stock No. 26273

CERTIFIED SURVEY MAP NO. _____

Being a part of the NE 1/4 of the SE 1/4 of Section 18,
T8N, R19E, 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, hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and does hereby consent to the above certificate of Ted W. Hoff, Owner.

IN WITNESS WHEREOF, said _____ has caused these presents to be signed by _____, its President, and countersigned by _____, its Secretary (cashier) at _____, Wisconsin, and its corporate seal to be hereunto affixed this 19 _____ day of _____.

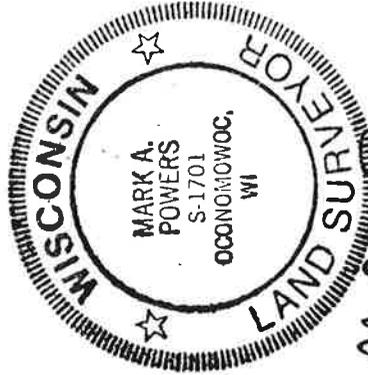
In presence of:

Corporate Name _____ Countersigned _____ (Corporate Seal)

President _____ Secretary (Cashier) _____

STATE OF WISCONSIN
_____ COUNTY

Personally came before me this _____ day of _____, 19 _____, the above named _____, Secretary (cashier) of the above named corporation, and _____, Secretary of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary (cashier) of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.



Mark A Powers
July 6, 1994

Notary Public _____
County, Wisconsin _____
My Commission expires _____