



TOWN OF LISBON MEETING AGENDA PLAN COMMISSION

Town Chairperson: Joseph Osterman, Chair
Supervisors: Mark Meyer, Ed Nelson, Bryan Oelhafen, Rebecca Plotecher, Chad Samanske, Jane Stadler

Thursday, August 13, 2020

6:30 PM

Town Hall, Board Room
W234N8676 Woodside Rd.

Regular Meeting

Updated 8-7-20

1. **Call to Order**
2. **Roll Call**
3. **Joint Public Hearing with Town of Lisbon Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use – Planning and Zoning Division**
 - A. To consider the rezone request (RZ66) of Tom Auer (petitioner) and the Edward McLaughlin Trust (owner), to rezone the property from the B-2 Local Business and R-2 Residential Districts (County) and the M-2 Industrial District (Town) to the B-3 General Business District (Town and County) in order to operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery on property described as part of the SE 1/4 of Section 24, T8N, R19E, Town of Lisbon. More specifically, the property is located at W220 N6439 and N6437 Townline Road/CTH F
4. **Joint Public Hearing with Town of Lisbon Plan Commission and the Town Board**
 - A. **PUBLIC HEARING #1:** Rezoning request of approximately 5 acres from A-10 Agricultural to A-5 Mini Farm for owner CJ Real Estate Enterprises, LLP, applicant Joe Goetz, for the property located at N55 W27371 Lisbon Rd, Lisbon, WI 53089, LSBT 0265.998.002
 - B. **PUBLIC HEARING #2:** Major Grading Conditional Use Permit (CUP) request for owners Robert L. Miller Jr. and Angela R. Miller, applicant Robert Miller, for the property located at N87W2464 N Lisbon Road, Lisbon, WI 53089, LSBT 018.299
 - C. **PUBLIC HEARING #3:** Request for Robert E Zellmer Revocable Trust, applicant Preserve at Harvest Ridge LLC, for the property located at N59W27099 Ainsworth Rd, Lisbon, WI 53089, LSBT 0264.994, for a Major Grading Permit associated with an existing Conditional Use
5. **Comments from citizens present**

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, which might be of interest to citizens, not present at the meeting, the Commission may place the item on a future meeting agenda.

6. Minutes

Discussion and possible action on the following minutes

- A. Approval of the July 9, 2020 Plan Commission meeting minutes

7. New Business

Discussion and possible action on the following items

- A. Rezoning request of approximately 1.4 acres from the B-2 Local Business and R-2 Residential Districts (County) and the M-2 Industrial District (Town) to the B-3 General Business District (Town and County) for Tom Auer (petitioner) and the Edward McLaughlin Trust (owner), in order to operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery, located at W220 N6439 and N6437 Townline Road/CTH F, Lisbon, WI, 53089, LSBT 0240.992.002 Partial
- B. Request by Tom Auer (petitioner) and the Edward McLaughlin Trust (owner), in order to confirm the use classification for a landscape contracting business, snowplow operation, and retail greenhouse/nursery, located at W220 N6439 and N6437 Townline Road/CTH F, Lisbon, WI, 53089, LSBT 0240.992.002 Partial
- C. Rezoning request of approximately 5 acres from A-10 Agricultural to A-5 Mini Farm for owner CJ Real Estate Enterprises, LLP, applicant Joe Goetz, for the property located at N55 W27371 Lisbon Rd, Lisbon, WI 53089, LSBT 0265.998.002, and recommendation to the Town of the same
- D. Review and discussion on a conceptual Certified Survey Map (CSM) request of approximately 5 acres for owner CJ Real Estate Enterprises, LLP, applicant Joe Goetz, for the property located at N55 W27371 Lisbon Rd, Lisbon, WI 53089, LSBT 0265.998.002, and recommendation to the Town of the same
- E. Major Grading Conditional Use Permit (CUP) request for owners Robert L. Miller Jr. and Angela R. Miller, applicant Robert Miller, for the property located at N87W2464 N Lisbon Road, Lisbon, WI 53089, LSBT 018.299, and recommendation to the Town of the same
- F. Request for Robert E Zellmer Revocable Trust, applicant Preserve at Harvest Ridge LLC, for the property located at N59W27099 Ainsworth Rd, Lisbon, WI 53089, LSBT 0264.994, for a Major Grading Permit associated with an existing Conditional Use, and recommendation to the Town of the same

8. Planner Report

This is an opportunity for the Town Planner to report on recent appointments and Town-related projects

9. Request from members to request items on future agendas

10. Adjournment

Joseph Osterman
Chairperson

Steven A. Braatz, Jr.
Interim Town Clerk-Treasurer

All meetings of the Plan Commission are public meetings. In order for the general public to make comments at the meetings, the individual(s) must be scheduled (as an appearance) with the chair or the appropriate staff contact; otherwise, the meeting of the commission is a working session for the commission itself, and discussion by those in attendance is limited to commissioners, staff and others that may be a party to the matter being discussed.

AMERICANS WITH DISABILITIES ACT NOTICE: Upon reasonable notice (at least 72 hours in advance) the Town will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the Town.

NOTICE OF POSSIBLE QUORUM: 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.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be conducted by the Town of Lisbon Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use – Planning and Zoning Division, on **Thursday, August 13, 2020 at 6:30 p.m.**, at the Lisbon Town Hall located at W234 N8676 Woodside Road, Lisbon, WI, 53089, to consider the rezone request (RZ66) of **Tom Auer (petitioner) and the Edward McLaughlin Trust (owner)**, to rezone the property from the B-2 Local Business and R-2 Residential Districts (County) and the M-2 Industrial District (Town) to the B-3 General Business District (Town and County) in order to operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery on property described as part of the SE ¼ of Section 24, T8N, R19E, Town of Lisbon. More specifically, the property is located at W220 N6439 and N6437 Townline Road/CTH F.

Please note that due to COVID-19, the Staff Representative from the Waukesha County Department of Parks and Land Use – Planning and Zoning Division will be participating virtually via Microsoft Teams or a conference call.

All interested parties will be heard.

For additional information concerning this public hearing, please contact Sandy Scherer of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division at (262) 548-7790.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd.
Waukesha, WI 53188

Legal notice to be published in the
Northwest Now on
Wednesday, July 29, 2020 and
Wednesday, August 5, 2020.



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

NOTICE OF PUBLIC HEARINGS BEFORE THE TOWN OF LISBON PLAN COMMISSION

NOTICE IS HEREBY GIVEN that Public Hearings will be held before the Town of Lisbon Plan Commission in the Board Room of the Lisbon Town Hall, W234N8676 Woodside Road, on Thursday, August 13, 2020, commencing at 6:30pm or soon thereafter to consider the following items:

PUBLIC HEARING #1

Rezoning request of approximately 5 acres from A-10 Agricultural to A-5 Mini Farm for owner CJ Real Estate Enterprises, LLP, applicant Joe Goetz, for the property located at N55 W27371 Lisbon Rd, Lisbon, WI 53089, LSBT 0265.998.002

PUBLIC HEARING #2

Major Grading Conditional Use Permit (CUP) request for owners Robert L. Miller Jr. and Angela R. Miller, applicant Robert Miller, for the property located at N87W2464 N Lisbon Road, Lisbon, WI 53089, LSBT 018.299

PUBLIC HEARING #3

Request for Robert E Zellmer Revocable Trust, applicant Preserve at Harvest Ridge LLC, for the property located at N59W27099 Ainsworth Rd, Lisbon, WI 53089, LSBT 0264.994, for a Major Grading Permit associated with an existing Conditional Use

Copies of the exhibits are available at the Lisbon Town Hall or on the Town's website, <http://www.townoflisbonwi.com/government/public-notices/> for review. All interested parties will have the opportunity to be heard at said time and place.

Steven A. Braatz, Jr.
Town of Lisbon Interim Clerk-Treasurer
Waukesha County

Publish: In the Lake Country Now & Northwest now on Wednesdays, July 29 & August 5, 2020.



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

Draft

MINUTES OF THE REGULAR TOWN PLAN COMMISSION MEETING

Thursday, July 9, 2020

Call to Order

Chairman Osterman called the Plan Commission meeting to order at 6:39 PM.

Roll Call

Commissioners present: Mark Meyer
Ed Nelson
Bryan Oelhafen
Becky Plotecher
Chad Samanske
Jane Stadler
Joe Osterman, Town Chair

Also present: Steven Braatz, Jr., Interim Clerk-Treasurer
Rachel Holloway, Town Planner
Michael Van Kleunen, Town Attorney

Comments from citizens present pertaining to items on the agenda

Theresa Nelson, N95W25850 Riverview Dr. – Asked about placing agenda items on the Plan Commission agenda up to 24 hours in advance.

Minutes

Motion by Plotecher, seconded by Nelson, to approve the minutes of the April 30 Plan Commission public hearing and meeting. Motion carried.

New Business

Haass Farms subdivision Final Plat

Motion by Nelson, seconded by Samanske, to approve the request from Mike Kaerek, for the properties located at W275N9101 Lake Five Road, tax key LSBT 0167.999.001 and LSBT 0167.999, for a Final Plat for the Haass Farms subdivision and recommend to the Town Board of the same. The approval is subject to the clarifications and revisions as stated in the Town Planner memo dated July 2, 2020. Motion carried.

Hillside Ridge Phase 1 Final Plat

Motion by Nelson, seconded by Samanske, to approve the request from Neumann Developments Inc., for the property located on the west side of Hillside Drive adjacent to Beverly Lane in the Town of Lisbon, tax key LSBT 0205.995 and LSBT 0208.987, for a Final Plat for Phase 1 of the Hillside Ridge subdivision and recommendation to the Town Board of the same. The approval is subject to the clarifications and revisions as stated in the Town Planner memo dated July 2, 2020, striking the last sentence of #12 and striking all of #13. Motion carried.

Request from members to request items on future agendas

None.

Adjournment

Motion by Nelson, seconded by Samanske, to adjourn the meeting at 7:14 p.m. Motion carried.

Respectfully Submitted,

Steven Braatz, Jr.
Interim Clerk-Treasurer



July 2, 2020

Chairperson Osterman and Town Plan Commission Members
Town of Lisbon
N23N8676 Woodside Road
Lisbon, WI 53089

RE: Haass Farms Subdivision Final Plat Review

Dear Plan Commission Members:

The above-referenced final plat was received in our office for review on behalf of the Town of Lisbon. The applicant, Mike Kaerek of MK/S-EP LLC, is proposing a single-family subdivision situated north of Twin Pine Farm II, south of Songbird Meadows, west of Peppers Ridge, and east of Hideaway Acres.

The applicant has submitted the following materials for review:

- Final Plat (received June 11, 2020)
- Stormwater Management Plan (received June 11, 2020)
- Civil Plans (received June 4, 2020)
- Declaration of Restrictive Covenants (received March 24, 2020)
- Boulevard landscape plan (received June 17, 2020)

Summary

The 67-acre plat consists of 43 lots, six (6) outlots, and public rights-of-way (ROW). The Preliminary Plat was conditionally approved by the Town Board on June 24, 2019. A revised Preliminary plat was submitted on June 2, 2020 to address comments and conditions of approval; the revised plat addresses all of the Town's conditions but has yet to be finalized with the County.

The plat would dedicate the southern half of Hickory Road, a designated collector road, in order to establish the full road right-of-way; however, no lots would take access from Hickory Road. Lots will be accessed by internal streets consisting of a westward extension of Red Fox Run and a northward extension of Monarch Drive, and an internal "looped" roadway configuration ("North Red Fox Run" and "North Red Fox Run") and two cul-de-sacs ("Hampton Court" and "Wilshire Court").

The lots would be serviced by well and septic systems, and have an average size of 47,091 square feet. The six (6) outlots provide common open space and act as stormwater management areas. No lakes, water courses, rivers, or streams are within the plat. The Preliminary Plat is within Zone X (minimal flooding), as designated by FEMA.

Construction Plans and the Stormwater Management Plan were submitted in June and have received approval by the Town Engineer and Waukesha County (the County stormwater permit was issued June 11, 2020). A letter of credit has been provided to the Town and fees have been paid. The developer has opted to pay a fee in lieu of fire water storage tanks. The Development Agreement was approved in July 2019 and executed in January of 2020.

The plat is subject to extraterritorial review by the Village of Richfield, scheduled for the month of July.

Background Information

Property owner: MK/S-EP LLC

Location: South of Hickory Road and west of Lake Five Road

Tax Key: LSBT0167999

Adjacent land uses and zoning:

- North: Single-family residential neighborhood Songbird Meadows, north of Hickory Road;
- South: Single-family residential neighborhood Twin Pine Farm II;
- East: Single family residential neighborhood Peppers Ridge;
- West: Single-family residential neighborhood Hideaway Acres (Town of Merton)



Existing and Proposed Zoning: R-1 Suburban Single-Family Residential

Future Land Use: "Suburban I Density Residential" (see inset map image)

Consistency with Comprehensive Plan

Suburban I Density Residential is defined as residential development ranging from 1.5 to 2.9 acres per dwelling unit. The proposed final plat provides for an overall plat density of 1.56 acres per lot, consistent with this density policy.

Consistency with Zoning

The land was rezoned to R-1: Suburban Single Family Residential in March of 2019. The R-1 district sets a minimum lot width of 150 feet, minimum lot size of 1 acre, and a front yard setback of 50 feet. The final plat layout is consistent with the zoning standards.

Plat Review Comments

The plat substantially conforms to the adopted Preliminary plat. It contains 11 double-frontage lots; however, the locations are necessary to provide additional ROW for adjacent Hickory Road. No direct access will be allowed to Hickory Road from those lots. The plat also includes a 30' landscaping easement along Hickory Road and Lake Five Road. The final plat complies with all of the lot requirements under Chapter 12, Sec. 7.06.

Clarifications and Revisions (needed prior to Town Board approval of plat, unless otherwise noted)

1. Chapter 12 Sec. 7.01 (i) states that street names shall not duplicate or be similar to existing street names elsewhere in the Town. Street names shall be approved by the Town and by Waukesha County.

2. Please modify the label on Hickory Road to include the words "dedicated to the public".
3. There are a few ordinance standards that require waivers based on the plat layout. The Town may have approved these waivers during the preliminary plat approval; however no record of this was found so it is recommended that the Town confirm at this time:
 - o Sec. 7.03 requires a minimum diameter of 120 feet for cul-de-sac ROW and 90 feet for pavement; the approved construction plans provide 120 feet and 81 feet, respectively.
 - o Sec. 7.05 sets a minimum block length 400 feet unless otherwise dictated by exceptional topography or other limiting factors of good design. The blocks along the south side of Red Fox Run are technically short of this required length.
4. Sec. 7.03(g) requires a minimum tangent of 100 feet between curves; this was previously approved by the Town.
5. Chapter 12 states that driveways with preplanned locations shall be shown on the plat. If preplanned driveway locations are known, the Applicant shall add them to the plat. Based on the street layout and master grading plan, the following restrictions are recommended:
 - o Lot 26 to be accessed from the north (Hampton Court).
 - o Lot 27 to be accessed from the south (Red Fox Run).
 - o Lot 29 to have access restricted from the Lake Five Road extending west as far as the west end of the boulevard island.
6. Note that building setbacks in places vary from the typical R-1 zoning requirement (50' setbacks and 20' offsets, see plat sheet 3). The applicant confirmed that these reflect the need to keep buildings out of drainage easements, efforts to protect existing trees (in the case of lots 7-10), and County required 50' offsets from storm ponds.
7. Sec. 7.02(a) requires a 30-foot planting strip where lots back up to a limited access highway, with a plat note stating "This strip reserved for the planting of trees and shrubs, the building of structures hereon is prohibited." The plat provides a landscape easement along Hickory Road and Lake Five Road, and an associated plat note. The ordinance does not specify requirements for plantings within these easements. Hickory Road is not necessarily a "limited access highway;" however, the Development Agreement requires the developer to "implement a landscape plan within the landscape easement set forth on the Plat as approved by the Town Engineer and Town Board." This was revealed during this plat review; for this reason a landscape plan was not required with the submittal.

If the Plan Commission would need to review the landscape plan, it is recommended that this be a condition of plat approval and done as a follow-up to Town action on the plat.

8. The drainage easement across lots 17-20 overlaps with the landscape easement along Hickory Road. Typically plantings are prohibited within drainage easements. The two easements should not overlap and may need to be reconfigured to address the needs of each easement. Because the residential lots across Hickory Road front on Hickory, it may be preferable to keep a narrower landscape easement in this area that can fit some plantings, if the drainage easement can be reduced slightly.
9. Any required landscaping shall be installed per the approved Landscaping Plan, with installation to be field verified by the Town Engineer.

10. Plat note 7 on sheet 4 states that basement floor surfaces shall be a minimum of one (1) foot above the seasonal high water table elevation. The Town requires a minimum 18 inches; this shall be corrected in the plat note.
11. Sec.7.03(j) requires boulevard entrance at least 50' long x 20' wide, with landscaping to be approved by the Plan Commission. The applicant has provided the details for the island on the Overall Basin Seeding Plan dated 6/17/2020. See plan for proposed plantings and the general location for the future monument sign.
12. Sec. 7.03(j) also requires monument/ground signage in the boulevard island as long as it meets Town ordinances and does not interfere with vision triangles on the plat. The applicant intends to submit signage plans at a later date. Any new proposed subdivision signage shall require a sign permit application submitted to the Town Plan Commission for review and approval.
13. Prior to Town signatures on the plat, the applicant shall address any review comments from Waukesha County, the Village of Richfield, and the Department of Administration and provide documentation to the Town that these comments have been satisfied.
14. Address any comments from the Town Engineer's review of the final plat, Civil Plans, Stormwater Management Plan, and Geotechnical Report.
15. On the Town Board approval certificate, please amend the Town Clerk's name and title to Steven Braatz, Interim Clerk. On the Town Treasurer's certificate, please confirm the Treasurer's name with the Town prior to finalizing the plat for signatures and recording.

Recommendation – Final Plat

If the Plan Commission would require additional information they have the ability to request it; however the Commission is obligated by ordinance to recommend approval, conditional approval, or rejection of the plat within 30 days of the submittal. If the Plan Commission is comfortable with the proposed final plat, they may conditionally approve it with the recommended conditions listed above as well as the following standard conditions of approval:

1. The Developer is subject to satisfying all comments, conditions, and concerns of the Town Planner (as noted above) and the Town Engineer. This 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 Preliminary plat, and obtaining all necessary permits and approvals, prior to commencing construction 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 and receiving from the Town Attorney and the Town Engineer, the approval of a Developer's Agreement 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.
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 or cash 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, 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. This includes 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, his/her tenants, operators, or occupants, for reimbursement of professional fees (as described above); for personal property taxes; 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 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.

Sincerely,

Rachel Holloway, AICP
Town Planner

Joshua Langen, AICP
Town Planner

cc: Steven Braatz, Interim Clerk, Town of Lisbon
Mitch Leisses, PE, Kunkel Engineering
Michael Van Kleunen, Cramer, Multhauf & Hammes, LLP
Sandy Scherer, Waukesha County Town Assistance Planner
Jacob Heermans, Waukesha County Department of Parks & Land Use

Review of Haass Farms Final Plat dated 6/4/20

(please forward comments to Petitioner, T/Lisbon Plan Commission and Town Board)

- The landscape easement and the drainage easement overlap on Lots 17-20. The Town should rectify the situation by trying to make allowances for both easements, if possible.
- If a boulevard entrance is proposed, it should be shown on the Final Plat.
- On Sheet 4 under the Town of Lisbon Treasurer's Certificate, the name of the Town Treasurer, in two places, should be replaced with Steven Braatz, Jr. and his title should be Interim Clerk-Treasurer in both instances.
- Likewise, the name of the Town Clerk on Sheet 4 under the Town Board Approval Certificate should be Steven Braatz, Jr. and his title should be Interim Clerk-Treasurer.
- In the notary statement in Owner's Certificate of Dedication on Sheet 4, the word 'persons' should be 'person'.
- The dedications of right-of-way for Lake Five Road and Hickory Road shall state, to be dedicated to the public for road purposes.
- It was noted the building setbacks/offsets were other than those required by the R-1 District in some instances and it is assumed this is due to drainage easements, well setbacks, etc.
- The Final Plat must be approved by the Waukesha County Planning and Zoning Division.
- The Final Plat must be approved by DOA.
- The County LRD issued their SW Permit on 6-11-20. Please note:
 - The name of the qualified native planting specialist should have been submitted by the end of June, and
 - The stormwater maintenance agreement must be recorded immediately following recording of the plat.
- The plat must receive Village of Richfield ETZ approval.
- Plat must comply with the County Septic Code.
- Plat must comply with the Town's Land Division and Devotement Ordinance.
- Fire protection must be addressed to the Town's satisfaction.

Respectfully submitted,

Sandra L. Scherer

Sandy Scherer

Town of Lisbon Community Assistance Planner

Senior Planner

Waukesha County Department of Parks and Land Use

Planning and Zoning Division

515 W. Moreland Blvd. Room AC 230

Waukesha, WI 53188

Phone 262.548.7790 Fax 262.896.8071

Email sscherer@waukeshacounty.gov

PZD Website www.waukeshacounty.gov/planningandzoning

Town of Lisbon Website <http://www.townoflisbonwi.com/>

Waukesha County GIS Interactive Mapping Site www.waukeshacounty.gov/defaultwc.aspx?id=39458

County Planner of the Day Customer Service Hours 8:00 am-4:30 pm Tuesday-Friday pod@waukeshacounty.gov



Please consider your responsibility to the environment before printing this e-mail.

cc: Jake Heermans, Waukesha County



July 2, 2020

Chairperson Osterman and Town Plan Commission Members
Town of Lisbon
N23N8676 Woodside Road
Lisbon, WI 53089

RE: Hillside Ridge Subdivision Final Plat Review

Dear Plan Commission Members:

The above-referenced plat was received in our office for review on behalf of the Town of Lisbon. Hillside Ridge LLC (Neumann Companies, Inc.) has submitted a Final Plat for Phase 1 of the Hillside Ridge subdivision located at W250N7551 Hillside Road (Tax Keys LSBT0208987 and LSBT0205995). We have reviewed the following application materials:

- Final Plat (received June 10, 2020)
- Landscape Plan (received June 10, 2020)
- Stormwater Management Plan (received May 8, 2020)
- Civil Plans (received May 8, 2020)
- Geotechnical Report (received March 31, 2020)
- Declaration of Restrictive Covenants (received March 25, 2020)

Summary

The project was established as a 79-acre Planned Unit Development with a General Development Plan (GDP) approved in May of 2019. The Preliminary Plat and Specific Development Plan (SDP) were approved by the Town in May of 2020. Waukesha County issued a conditional approval of the Preliminary Plat on June 30, 2020.

The Final Plat comprises 36 lots and five (5) outlots. The lots would be serviced by well and septic systems, and range from 30,000 to 40,206 square feet. The outlots will provide common open space, including trails, a tot lot playground area, and stormwater management areas. The plat also dedicates the western 33 feet of Hillside Road to the public for roadway purposes.

The first phase of construction will comprise lots 1-36 as well as Outlots 1, 3, 4 and 5. The Phase 1 construction plans and Stormwater Management Plan were submitted in May and have received approval by the Town Engineer and Waukesha County (the County stormwater permit was issued May 20, 2020). A letter of credit for Phase 1 has been received. The Development Agreement for Phase 1 was approved by the Plan Commission and Town Board in June, subject to final review by the Town Attorney. It is expected to be executed soon.

The plat is subject to extraterritorial review by the Village of Sussex. Typically it would also be subject to Joint Plan Committee (JPC) review under the boundary agreement with Sussex; however at this time JPC meetings are not being scheduled in light of boundary agreement negotiations.

Application Review

Background Information

Property owner: Hillside Ridge LLC

Location: northeast of STH 164, west of Hillside Road, and north of the residential lots and church on Howard Lane

Tax Keys: LSBT0208987 and LSBT0205995

Adjacent land uses and zoning:

- North: Rural single-family residential lots, Hamilton School District property (zoned A-10 Agricultural and A-5 Mini Farm)
- South: Residential lots, Sussex Fellowship Church, Menomonee Falls Saddle Club (R-2, A-3, A-10, P-1)
- East: Residential subdivisions (Polo Fields, Hidden Oaks, zoned R-1)
- West: Agricultural, rural residence (zoned A-10, C-1)



Existing and Proposed Zoning: R-1 Suburban Single Family Residential with a PUD overlay (GDP & SDP approved in May 2020). A small area zoned A-10 Agricultural and C-1 Conservancy/Wetland in southwest corner.

Future Land Use: "Low Density Residential", "Medium Density Residential, and "Other Open Lands to be Preserved" (see inset image)

Consistency with Comprehensive Plan

The proposed development is consistent with the Comprehensive Plan. Most of the area is planned for low-density residential, and some medium density residential. The proposed plat provides 1.64 acres per dwelling unit, which is below the maximum density that the plan allows. Areas mapped as "Other Open Lands to be Preserved" reflect soil conditions; specific site investigations have resulted in areas that will remain as open space. No commercial use is proposed, though a small area appears in the "commercial" category on the Comprehensive Land Use Plan map.

The subdivision is consistent with all provisions of the Town of Lisbon Parks and Open Space Plan and falls within the service area for Fred Keller Field and Lisbon Community Park.

Consistency with Zoning

The site is zoned R-1 Suburban Single-Family with a PUD Overlay. The PUD approved in May 2019 established a minimum lot size of 30,000 square feet, minimum lot widths of 110 feet, a minimum of 40% open space, minimum building setbacks of 35 feet and 20 feet offsets. The Plat is consistent with the approved GDP.

Consistency with Intergovernmental Agreements

The Lisbon-Sussex Border Agreement identifies this area as an area that may receive Sussex utilities. The Agreement anticipated the future use of the site as primarily single-family, at 1 acre per unit density,

with some of the site as condominiums at 0.7 acres per unit. The proposed plat is below these density thresholds.

Plat Review Comments

The plat has been reviewed in accordance with the standards in the Chapter 12 Subdivision Code, and other applicable sections of the Lisbon Municipal Code.

The proposed layout complies with all of the lot requirements under Chapter 12, Sec. 7.06, as modified by the approved GDP. All lots show front setbacks of 35' and side and rear offsets of 20 feet. Per the GDP, the Plat lots are a minimum of 30,000 square feet, have a minimum average width of 110 feet, and have front setbacks of 35' and side and rear setbacks of 20'.

The plat is also consistent with waivers granted during Preliminary Plat review. Waivers were approved to the Chapter 12 requirements for boulevard island width (approved at 17 feet wide), and trail widths (approved at 8 feet wide on a 10 foot wide base), side lot line angles, minimum road tangent lengths, and maximum cul-de-sac lengths.

The final plat layout substantially conforms to the approved Preliminary Plat layout.

Clarifications and Revisions (needed prior to Town Board approval of plat, unless otherwise noted)

1. Road names must be reviewed and approved by the Town and Waukesha County.
2. Sec. 5.02(k) states that septic systems and driveways with preplanned locations shall be shown on the plat. These should be added to the plat if applicable.
3. Based on the master grading plan and curved street, we suggest that Lots 13 and 24 be access-restricted along Beverly Lane. The Town Engineer may wish to comment on this item.
4. The Plan Commission may require building setback lines to be shown per Sec. 5.02 and 7.07, where greater than normally required by ordinance. We recommend building setbacks be shown or noted on the plat referencing the approved PUD, since they are atypical. This would also be consistent with the other PUD subdivision that is currently being platted.
5. A waiver is needed to Sec. 7.03 which requires a minimum diameter of 120 feet for cul-de-sac ROW and 90 feet for pavement (or alternately, a "T" turnaround on temporary dead ends); the approved construction plans appear to provide a smaller bulb.
6. If the Town Engineer agrees, the plat should include information for minimum basement floor elevations and seasonal high groundwater elevations.
7. Drainage easements are provided on Outlots 4 and 5 of the plat. The Town Engineer should verify if additional easements must be shown based on the approved construction plans.
8. Vision Corner Easements should be clearly depicted on the plat. The plat and construction plans do not show one at the intersection of Beverly Lane and Highland Drive. There is one at Beverly Lane and Hillside Road, and sheet 6 of the plat contains a note about vision corner restrictions.
9. Sec. 7.02(a) allows the Town to require a landscape easement along adjacent highways where lots back onto the road. This was not required for this plat; however the plat does provide space for landscaping along Hillside Road within Outlot 1 (see also the proposed Landscaping Plan).
10. A boulevard island is provided for in the construction plans to meet the requirements in Sec.7.03(j). The landscaping must be approved by the Plan Commission. A Landscaping Plan has been provided for Town review and approval, showing plantings along Hillside Road, the

entrance boulevard island, and other outlots. The landscaping shall be installed per the approved Landscaping Plan, with installation to be field verified by the Town Engineer.

11. Sec. 7.03(j) requires monument/ground signage in the boulevard island as long as it meets Town ordinances and does not interfere with vision triangles on the plat. The applicant intends to submit signage plans at a later date. Any new proposed subdivision signage shall require a sign permit application submitted to the Town Plan Commission for review and approval.
12. Proposed trails will have an 8' wide asphalt pavement on a 10' wide base, and will be privately owned and maintained. Public access easements shall be provided for all trails. Easement documentation shall be provided to the Town for review and approval prior to recording, and a copy of any recorded easement documents shall be provided to the Town upon recording.
13. A plat note shall be added that reads: "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."
14. Plat note 3 should specify that Outlots 1, 2, 3 and 4 contain a proposed trail. Plat notes should also note lot owner maintenance responsibilities for the trails and the tot lot within the plat.
15. Plat notes 12, 13, and 14 are not required since the Town has approved these waivers on the record. If the developer wishes to keep them, note 14 should be amended to state the waiver has been granted.
16. Utility easements shall be designated on the plat, or created by separate easement. If created by a separate document, a copy of the recorded document shall be provided to the Town upon recording, per the Development Agreement.
17. Waukesha County has commented that they will require the release the access easement currently providing access from Hwy 164 to the landlocked parcel, since public roads now provide direct access to that land. This may not be under the applicant's control.
18. Waukesha County recommends that the Town require, review and approve an open space maintenance plan for this subdivision. The Town should determine if this is needed.

The GDP-SDP states that the neighborhood association or adjacent homeowners will be responsible for maintaining the outlots, and that Deed Restrictions will ensure high quality. However, it does not state specific maintenance responsibilities.

The Deed Restrictions provided in March provide for common ownership of "common areas" (including outlots, amenities, islands and medians), and they state that "the Association shall maintain, repair and replace the Amenity Area to the extent determined necessary or advisable by the Association and as required by law." These documents do not grant the Town any specific enforcement rights into the future. If the Town wishes to require specific maintenance standards, they may require this be added to the deed restrictions, as well as a provision requiring Town approval to amend such maintenance provisions.

19. Prior to Town signatures on the plat, the applicant shall address any review comments from Waukesha County, the Village of Sussex, and the Department of Administration and provide documentation to the Town that these comments have been satisfied.
20. Address any comments from the Town Engineer's review of the final plat, Civil Plans, Stormwater Management Plan, and Geotechnical Report.

21. On the Town approval certificates, please amend the Town Clerk's name and title to Steven Braatz, Interim Clerk.

Recommendation – Final Plat

If the Plan Commission would require additional information they have the ability to request it; however by ordinance the Commission must recommend approval, conditional approval, or rejection of the plat within 30 days of the submittal. If the Plan Commission is comfortable with the proposed Final Plat, they may conditionally approve it. Planning staff recommend the following standard 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 Preliminary Plat, and obtaining all necessary permits and approvals, prior to commencing construction 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 Attorney and the Town Engineer, approval of a Developer's Agreement 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.
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 or cash 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 of any improvement, whether public or private, or site development or approval of the Final Plat, whichever is earlier.

Sincerely,

Rachel Holloway, AICP
Town Planner

Joshua Langen, AICP
Town Planner

cc: Steven Braatz, Interim Clerk, Town of Lisbon
Mitch Leisses, PE, Kunkel Engineering
Michael Van Kleunen, Cramer, Multhauf & Hammes, LLP
Sandy Scherer, Waukesha County Town Assistance Planner
Ben Greenberg, Waukesha County Department of Parks & Land Use

M:\Lisbon, Town of\200200 - 2020 Town Planning Services\2020 Tasks\2020.05 Hillside Ridge Subdivision (Neumann)\Reviews\2020-07-02 Final Plat Review\2020-07-02 Memo - Hillside Ridge Final Plat.docx

Item 7A – Attachments



August 4, 2020

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

Re: Tom Auer – Rezoning from B-2 Local Business and R-2 Residential Districts
(County) and M-2 Industrial District (Town) to the B-3 General Business District (Town and
County)

Dear Plan Commission Members:

The above-referenced rezoning, Zoning Map Amendment, application was received in our office for review on behalf of the Town of Lisbon. We have reviewed the following application materials:

- Town and County Rezoning Applications
- County Zoning Change Application Map exhibit
- County Development Review Team (DRT) review letter dated 5/1/20 (some issues from this letter have since been addressed)

Summary

Tom Auer, on behalf of owner Edward P. McLaughlin Trust, is proposing to rezone a portion of Tax Key No. LSBT 0240.992.002 in order to develop, own, and operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery on the property. The parcel has two (2) non-contiguous properties, a southern property measuring approximately 3.2 acres, and a northern property measuring approximately 17.1 acres. The application for rezoning is proposed for the southern property. The properties are anticipated to be separated at a later date, with new Tax Key numbers currently approved and reserved for use in 2021. In addition to a rezoning of the south property, the proposed uses will need to be approved as a permitted use within the proposed B-3 zoning, and a Conditional Use Permit will need to be approved to allow for a contractor's yard in the proposed B-3 zoning.

Background

The applicant is proposing to develop, own, and operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery on the property as shown on the County Zoning Change Application Map exhibit or an anticipated similar configuration. In addition, the applicant will be required to address comments from the DRT meeting summary issued on May 1, as well as other County comments, and Town requirements and comments.

Application Review

The parcel is subject to compliance with the Town Code Chapters 11 and all other applicable Chapters.

Property Information

Property owner: Edward P. McLaughlin Trust

Location: Town Line Rd and Mill Road.

Tax Key: LSBT 0240.992.002 (**Southern portion**)

Adjacent land uses and zoning:

North: Residential (zoned County R-2 Residential)
South: Railroad ROW (zoned M-2 General Industrial)
East: Commercial (Village of Menomonee Falls)
West: Residential (zoned M-2 General Industrial)

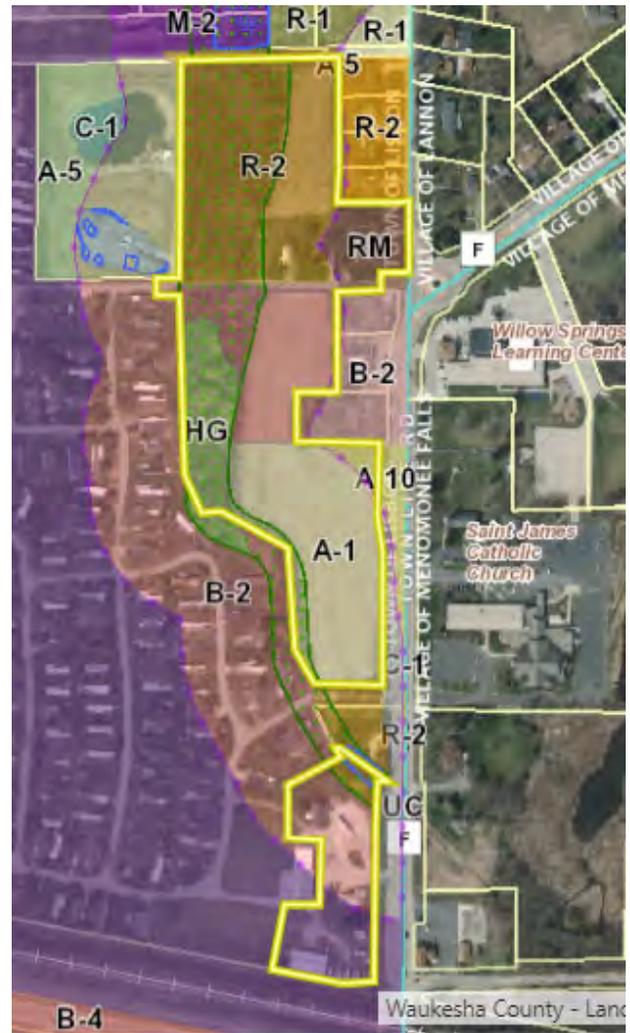
Existing Zoning: County R-2/B-2 and Town M-2 General Industrial

Proposed Zoning: B-3 General Business District (Town and County)

Recommended Land Use: "Commercial and Office Park"

Zoning Map Amendment Review

Approval of a Zoning Map Amendment is necessary in order to allow the applicant develop, own, and operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery on the property. Any amendment to the Zoning Map for this property would need to be in compliance with the proposed land use district.



The proposed B-3 zoning district is intended to provide for business and trades of a more general nature and serving a larger trade area. The B-3 district allows or all permitted uses within the B-2 district as permitted uses as well as "Any similar use subject to the approval of the Plan Commission". As this district allows for automobile/marine sales and repair along with associated equipment storage, wholesalers, and commercial truck parking, we consider the landscape business, snowplow operation, and nursery to be similar uses. The B-3 district also allows for a Contractor's Yard as a Conditional Use.

In addition, as the property does contain Waukesha County Shoreland Zoning, County R-2 and B-2, the applicant has submitted a Zoning Map Amendment application to Waukesha County. Therefore, in addition to the B-3 allowances and requirements for Town Chapter 11, the property would also be subject to County B-3 allowances and requirements, if approved.

Consistency with the Recommended Land Use Plan

The Town Recommended Land Use Plan designates the southern portion of the subject property as "Commercial and Office Park". This designation is defined as land devoted to retail, office, service activities, general business activities, and/or research and development and related off-street parking. The proposed B-3 zoning is consistent with this definition.

Recommendation

Staff recommends approval of the rezoning request to amend the Zoning Map for the southern portion of LSBT 0240.992.002, as shown on "Exhibit D – Proposed Zoning" from B-2 Local Business and R-2 Residential Districts (County) and M-2 Industrial District (Town) to the B-3 General Business District (Town and County).

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

Sincerely,

Joshua Langen, AICP
Community Development Planner

Rachel Holloway, AICP
Town Planner

cc: Steven Braatz, Interim Clerk-Treasurer, Town of Lisbon
Tom Auer
Edward P. McLaughlin Trust – to smwegner83@gmail.com

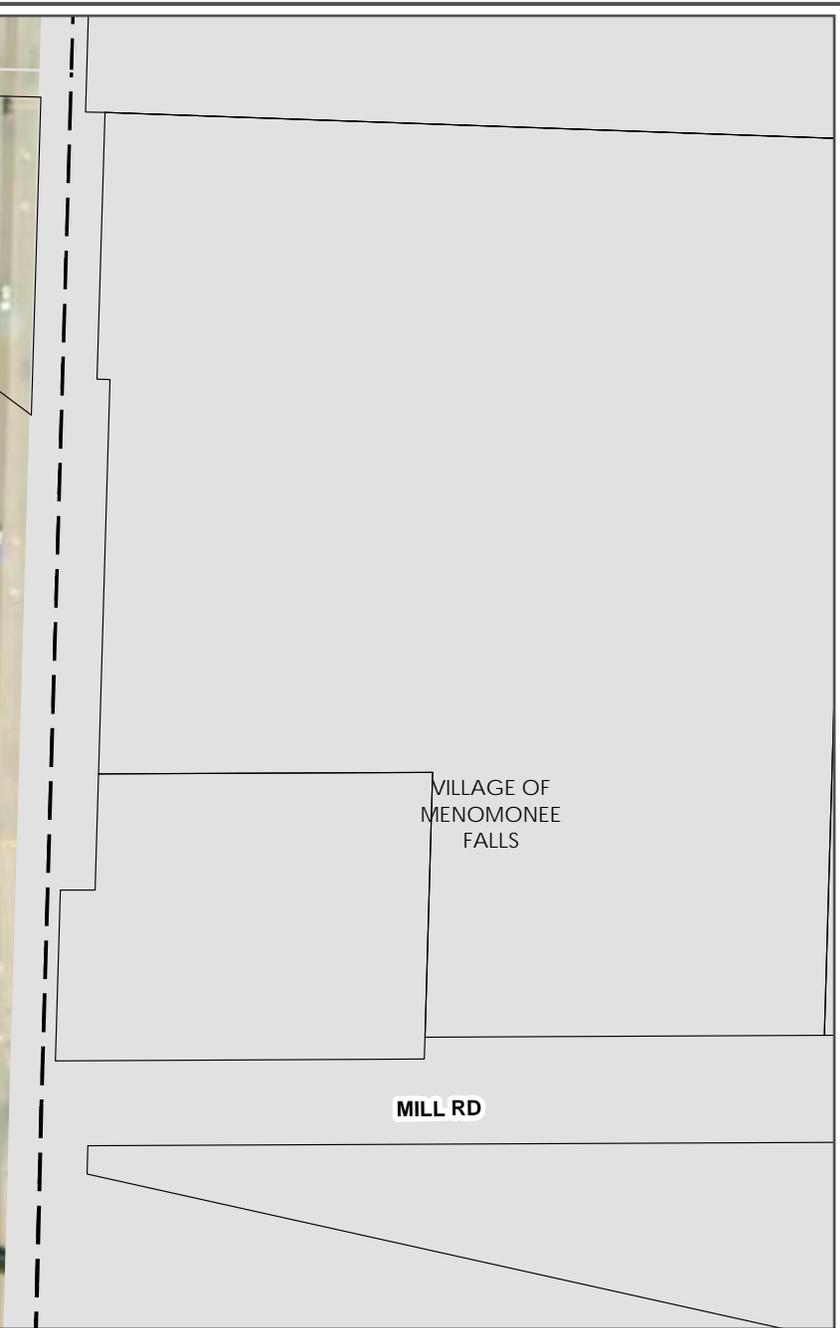


Exhibit A: Parcel 0240.992.002 Site Map
Town of Lisbon

0 150 300
Feet



vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
Phone: (262) 875-5000 Fax: (608) 826-0530

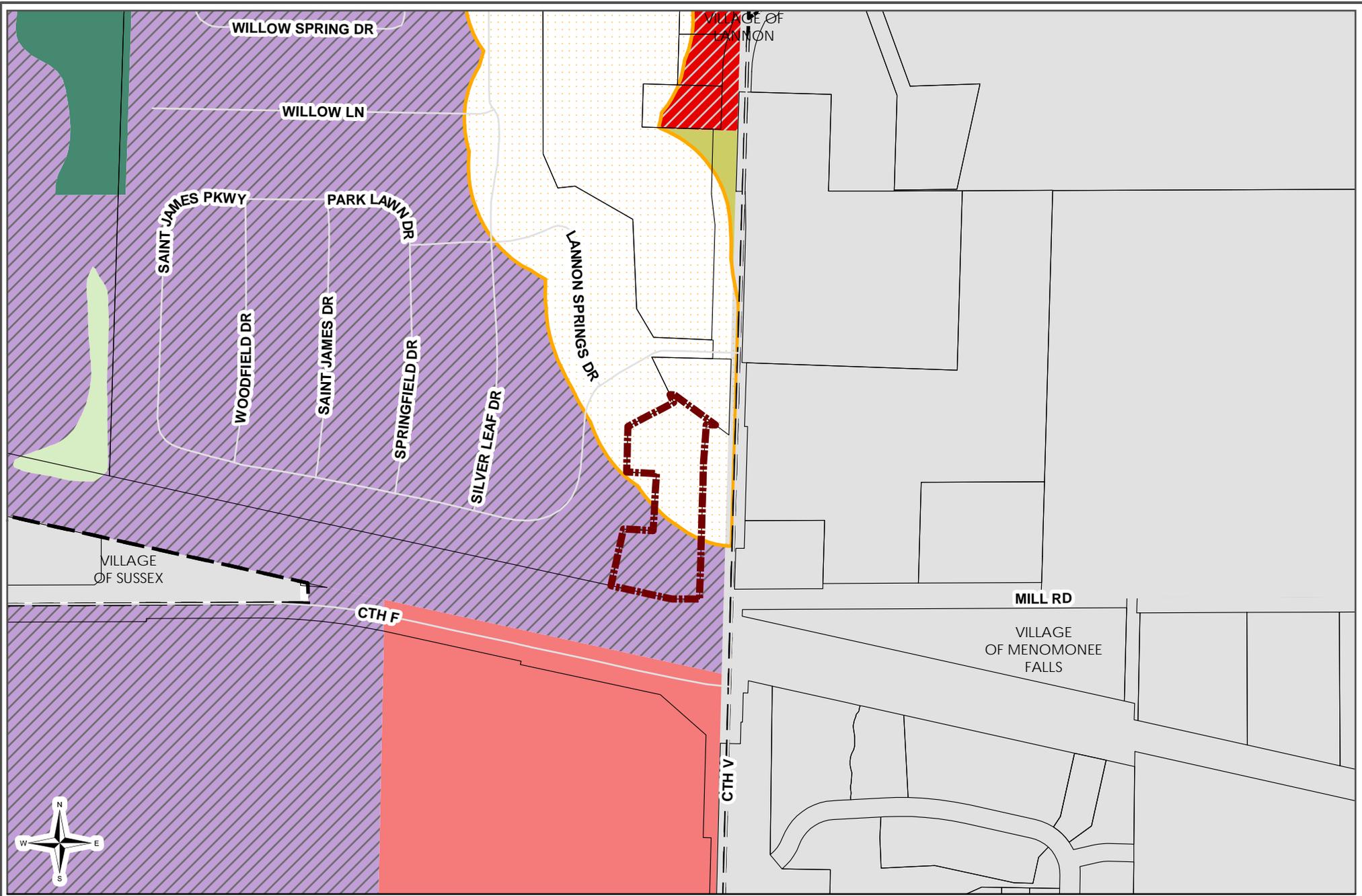


Exhibit B: Parcel 0240.992.002 Zoning Map

Town of Lisbon



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

Subject Parcel
 Waukesha Shoreland Zoning



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530

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

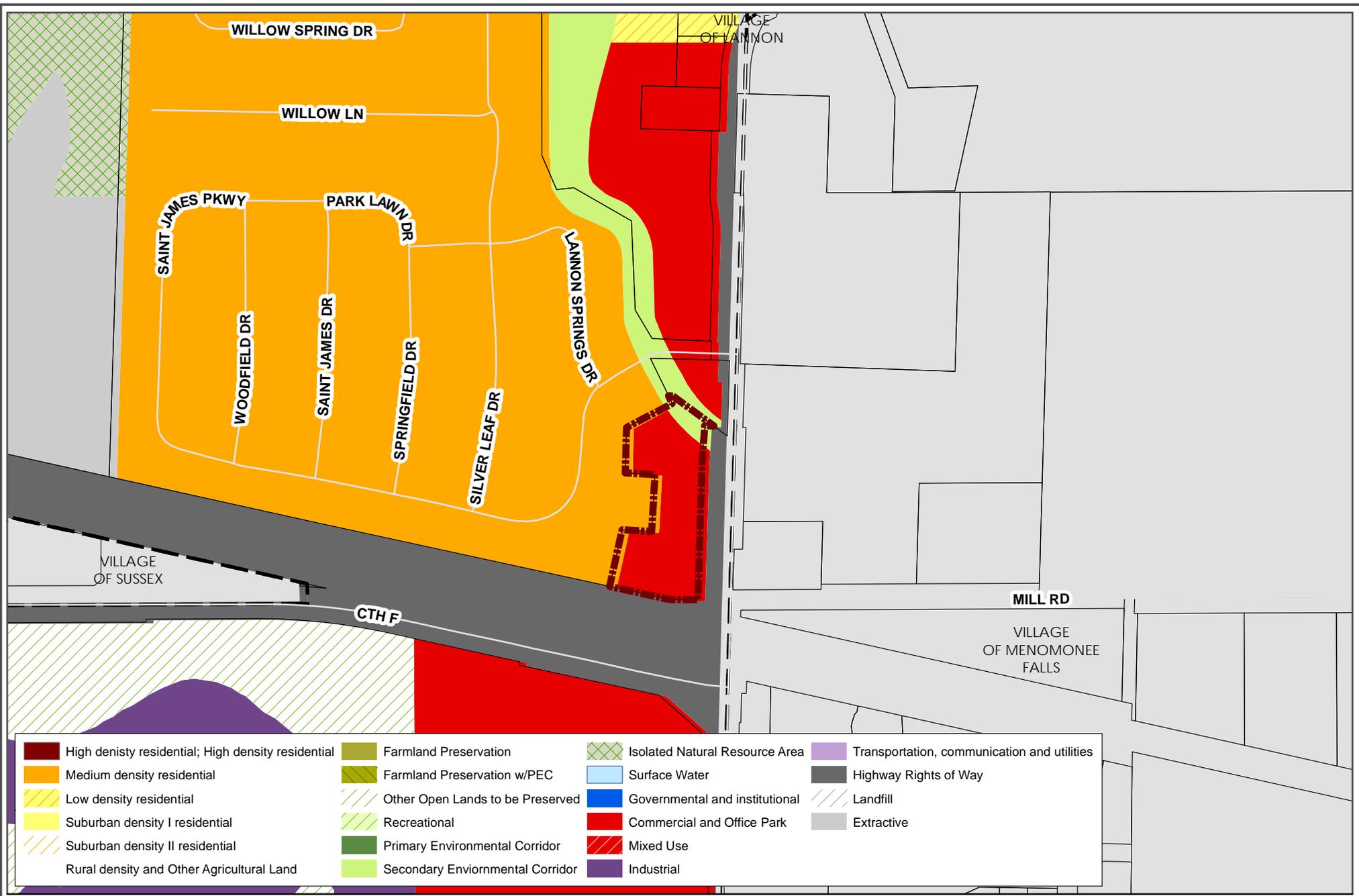
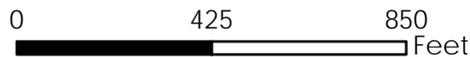


Exhibit C: Parcel 0240.992.002 Recommended Land Use Map

Town of Lisbon



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530

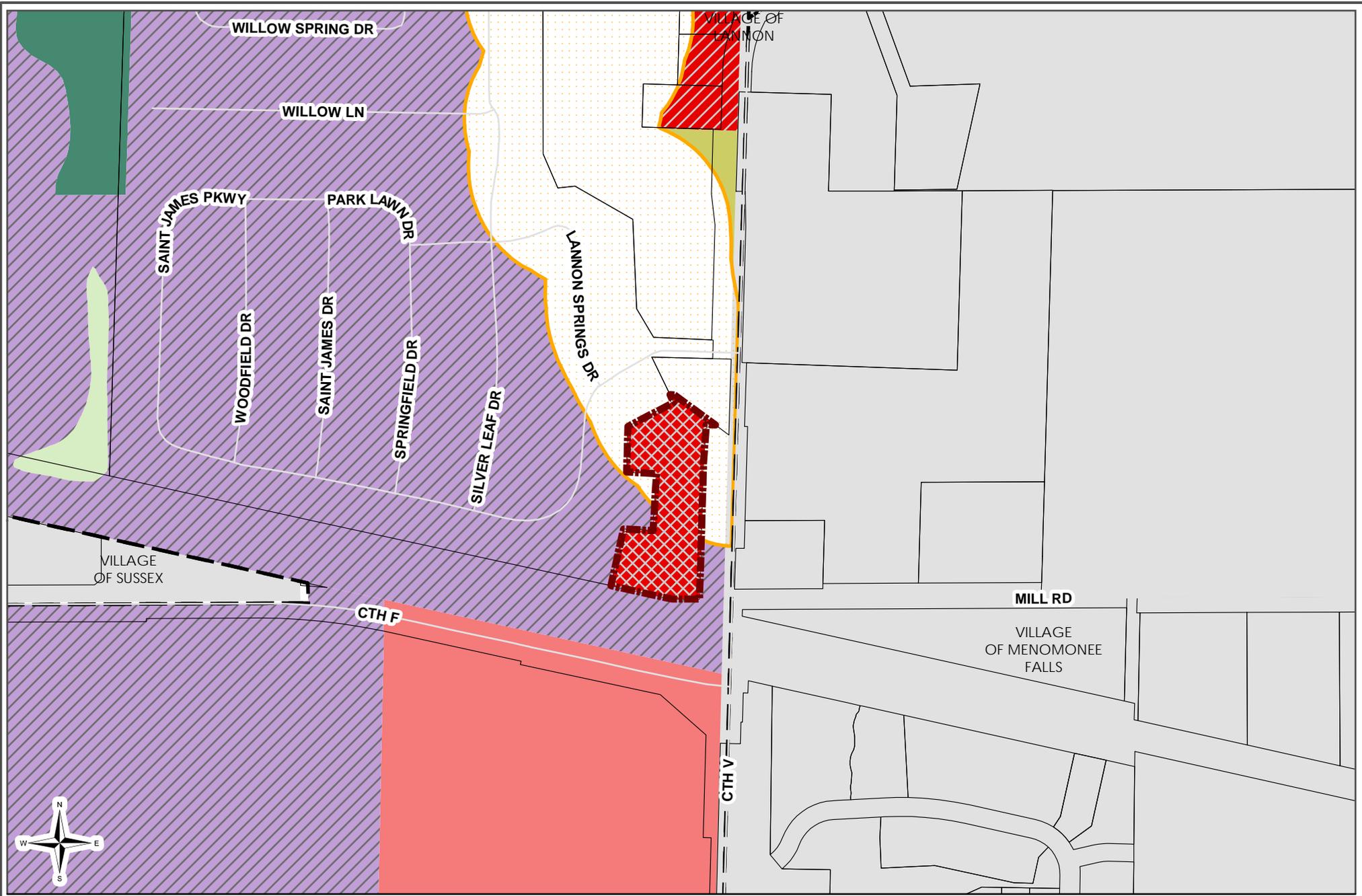


Exhibit D: Parcel 0240.992.002 Proposed Zoning Map
Town of Lisbon



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

Subject Parcel
 Waukesha Shoreland Zoning



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530

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



**PROCEDURE FOR REZONING PROPERTY AND/OR
OBTAINING A CONDITIONAL USE PERMIT**

1. **PROPERTY OWNER** (or representative) should contact the Town Clerk to make a Planner's Appointment. The Planner, Administrator and Clerk will review the proposed project and give direction on what is needed to complete the application process, as well as deadline dates to meet. Forms will be given at this meeting, but they can also be found online at www.townoflisbonwi.com\169\Permits-Forms-Applications
2. **PROPERTY OWNER** (or representative) completes the application form(s) and provides the Town Clerk with one completed packet with signatures. Hard copy of PDF please, PDF preferred. Also, please bring a check for the application fee made payable to the Town of Lisbon as follows:
 - a. Rezoning - \$350
 - b. Conditional Use - \$350
 - a. May require preparation and submittal of a Site Plan and/or Plan of Operation.
3. **TOWN CLERK** creates a list of the property owners within a certain number of feet from the **exterior boundaries** of the property for which a rezoning or Conditional Use is being proposed, publishes required legal notice in appropriate newspaper and mails notices to affected property owners.
 - a. Rezoning – 300 feet
 - b. Conditional Use – 500 feet
4. **PROPERTY OWNER** (or representative) attends the Public Hearing/Plan Commission meeting. If you or your representative are not present, the Plan Commission may postpone your item to the following month's agenda.
5. **PLAN COMMISSION** reviews application and facts presented at Plan Commission meeting.
 - a. **Rezoning** – Plan Commission takes action and makes a recommendation to the Town Board. Property owner or representative attends the Town Board meeting to present information and facts about the rezoning. Town Board takes action and if the request is approved, the Town Clerk transmits the rezoning information to Waukesha County for their consideration and action.
 - b. **Conditional Use** – Plan Commission takes action and if the request is approved, the Town Clerk drafts a Conditional Use Permit document for recording at the Waukesha County Register of Deeds. Signatures from all parties will be required before recording.



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

Plan Commission Application

Application Type and Fee (check all that apply)

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

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

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

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

Property Information

W220N6439 TOWN LINE RD	LISBON	53089
Property Address	City	Zip
LSBT0240992002 PARTIAL	1.4 ACRES	B-2
Tax Key/Parcel ID #	Lot Size	Current Zoning

Property Owner

EDWARD MCLAUGHLIN TRUST

Name / Company Name

Edward M. McLaughlin Trustee
Signature

N87W23301 NORTH LISBON RD

Address

SUSSEX WI 53089

City State Zip

414-588-7350 *edward.mclaughlin@louisiana.com*
Phone E-mail Address

Applicant

TOM AUER

Name

THE GROUND CRAFTER, LLC

Company

W312S676 WILDWOOD TRL

Address

DELAFIELD WI 53018

City State Zip

262-325-6868 *tom.auer@thegroundcrafter.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.*



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

PETITION FOR REZONING

Property Owner

Applicant

Name / Company Name

Name

Signature

Company

Address

Address

City State Zip

City State Zip

Phone E-mail Address
SMWENGER83@GMAIL.COM

Phone E-Mail Address
TOM.AUER@THEGROUND CraFTER.COM

Property Information

Property Address City Zip

Tax Key/Parcel ID # Current Zoning Proposed Zoning

Rezone Information

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

INTERNAL USE ONLY

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



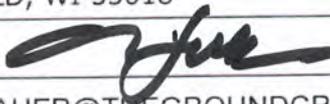
PROFESSIONAL SERVICE REIMBURSEMENT FEES:

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

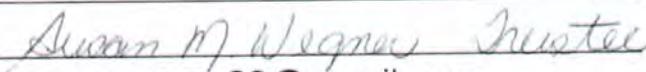
The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we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

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

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

NAME TOM AUER
ADDRESS W312S676 WILDWOOD TRL DELAFIELD, WI 53018
DATE 3-23-20 SIGNATURE 
PHONE 262-325-6868 EMAIL TOM.AUER@THEGROUND CraFTER.COM

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME EDWARD P MCLAUGHLIN 1996 REVOCABLE TRUST
ADDRESS N87W23301 NORTH LISBON RD SUSSEX WI 53089
DATE 3-23-20 SIGNATURE 
PHONE 414-588-7350 EMAIL smwegner83@gmail.com

PROJECT NAME W220N6439 TOWN LINE RD



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 EDWARD MCLAUGHLIN TRUST; C/O SUE WENGER
ADDRESS N87W23301 NORTH LISBON RD SUSSEX 53089
DATE 3-24-20 SIGNATURE *Susan M Wenger Trustee*
PHONE 414-588-7350 EMAIL smwegner83@gmail.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME SAME AS ABOVE
ADDRESS _____
DATE _____ SIGNATURE _____
PHONE _____ EMAIL _____

COMMENTS:

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. Moreland Blvd. Room AC230
WAUKESHA, WISCONSIN 53188
(262) 548-7790

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

**PETITION TO AMEND THE MAP OF THE COUNTY ZONING CODE and/or
THE COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE**

Fee Pd. \$ 500 Receipt No. 457166 Appl received by JH Petition No. RZ66

RECEIVED

Town Zoning _____ County Zoning _____ Shoreland Zoning Only _____

Shoreland and Town Zoning X Shoreland and County Zoning _____

City/Village and/or Shoreland Annexed Area _____

JUL 15 2020
DEPT OF PARKS & LAND USE

HONORABLE BOARD OF SUPERVISORS/~~COMMON COUNCIL BOARD OF TRUSTEES~~ IN
THE TOWN/~~CITY~~ OF LISBON WAUKESHA COUNTY, WISCONSIN:

I/We, the undersigned, owner(s) of the property described below, located in the Town/~~City~~ of
~~TOM AUER~~ Lisbon do hereby petition to amend the MAP of the County
~~Zoning Code and Floodland Protection Ordinance~~ on this
date, 7-13-20, in the following manner:

Existing Zoning Classification(s): R M-2 & B-2 (County); M-2 (Town)

Proposed Zoning Classification(s): B-3 (former)
Indoor and outdoor

Existing Use(s) of the subject property: STORAGE, TAVERN, TRIPLEX

Proposed Use(s) of the subject property: LANDSCAPE YARD / NURSERY RETAIL OPS, etc.

Tax Key No(s). LSBT0240992002 - NEW CSM / TAX KEY FORTHCOMING

Address of subject premises: W220N6439 & 6437 TOWN LINE RD LISBON 53089

Legal Description of the subject property: PT SE1/4 SEC 24 T8N R19E; ALSO COM SE COR N 533 FT
N55°W 220 FT W 32 FT N45°45'W 122 FT N18°45'W 37 FT E
313 FT S 244.5 FT TO BGN R2318/155
see attached

Reasons/Conditions, which justify a change in the zoning (attach additional pages, if necessary):

New owner with similar use however not permitted use.

Owner: see authorized agent form

Applicant: TOM AUER

see attached for address

Daytime Phone No. () _____

Daytime Phone No. (262) 3256868

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the (Waukesha Co. Park and Planning Commission) meeting: TOM.AUER@THEGROUNDCRAFTER.COM

The following information **must be** submitted with this application:

1. Three (3) copies of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location and use of the buildings on the subject property, and the use of **all** properties within 300 feet of the subject property.
2. A filing fee payable to the Waukesha County Department of Parks and Land Use (inquire as to the current fee amount).

Note: Review of this application may include a site inspection.

The undersigned owner hereby certifies that **all** of the above statements, information and attachments contained herein are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to inspect the site as necessary and related to this application even if the property has been posted against trespassing pursuant to Wis. Stat.

Signature of Owner see attached.

Date of Filing _____

Signature of Applicant 

Date of Filing 7-13-20

RECEIVED

JUL 15 2020

DEPT OF PARKS & LAND USE

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. MORELAND BLVD, ROOM AC 230 WAUKESHA, WI 53188
(262) 548-7790 Fax (262) 896-8071

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

LANDOWNER'S AUTHORIZED AGENT FORM

Subject Property Address W220N6439 TOWN LINE RD and N6437

Street/Section/Town (FP Dev in ROW Permits only) LISBON

RECEIVED

Add Location Description (FP Dev in ROW Permits only) _____

JUL 15 2020

Tax Key No(s), if applicable LSBT0240992002

DEPT OF PARKS & LAND USE

Owner(s) of the Subject Property* EDWARD P MCLAUGHLIN TRUST

Officer to be Contacted (if Corporate Owner) SUE WENGER

Owner's Mailing Address N87W23301 NORTH LISBON RD

Phone (Day) 414-588-7350 Phone (Evening) SAME

*The applicant for any permit, variance, special exception, appeal, conditional use, site plan, plan of operation, rezoning, comprehensive development plan amendment, CSM, subdivision plat, license or other application for governmental approval under the Planning and Zoning Division ordinances **shall be the landowner**, specifically a person or entity holding fee title to the subject property, as set forth below.

- A. In the case of a corporation, an officer or by a member of the corporation who has overall responsibility for the operation of the site for which the permit is sought.
- B. In the case of a limited liability company, a member or manager.
- C. In the case of a partnership, a general partner.
- D. In the case of a sole proprietorship, the proprietor.
- E. For a unit of government, by an elected official or other duly authorized representative.
- F. In the case of an individual, by the individual, an attorney, or one allowed to act as power of attorney.

I, Susan M. Wegner Trustee (owner's name), authorize the named agent below to represent my interests (see ** below) in the subject property described above for the purpose of these applications and any permits subsequently issued.

Owner's Signature(s) Susan M. Wegner Date 7-9-20

Owner's Signature(s) _____ Date _____

Agent THOMAS E AUER

Agent's Company Name (if applicable) _____

Agent's Mailing Address W312S676 WILDWOOD TRL DELAFIELD, WI 53018

Phone (Day) 262-325-6868 Phone (Evening) SAME

**I, the authorized agent for the owner, am aware of the requirements of the Planning and Zoning Division ordinances and I understand and agree to follow the procedures, deadlines, fees, inspection requirements, and the proposal associated with these applications and any permits subsequently issued.

Agent's Signature [Signature] Date 7-9-20

RECEIVED

JUL 15 2020

DEPT OF PARKS & LAND

REQUEST TO SEPARATE TAX KEY NUMBERS

STEP I: THIS SECTION TO BE COMPLETED BY PROPERTY OWNER OR REQUESTOR

Date: 6-25-2020

Current Parcel ID Numbers: LSBT 0240 987 001

Requested by: Thomas Auer on behalf of Edward P McLaughlin 1996 Revocable Trust

Phone/Email for Requesting Party: 262-325-6868; tom.auer@thegroundcrafter.com

Reason for Separation Request: Required for permitting purposes.

NOTE: See proposed legal descriptions on Page 2 of this form.

As separate lots, are these properties buildable? YES NO

Are there any land-locked parcels involved? YES NO

Have Deed Restrictions been recorded in the Register of Deeds Office?
YES NO

(If "Yes", list real/image and/or Document Number):

Is building(s) location situated across multiple lots? YES NO

COMBINATION REQUESTED BY: [Signature] Date: 7-2-20
(Signature of Requesting Party)

(Signature of Requesting Party) Date: _____

STEP II: IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER OR REQUESTOR TO HAVE THIS SECTION COMPLETED BY AN AUTHORIZED MUNICIPAL REPRESENTATIVE.

COMBINATION APPROVED BY:

Name: _____ Date: _____
Title: _____

THIS SECTION TO BE COMPLETED BY TAX LISTING:

"Old" Tax Key Numbers Deleted: _____

"New" Tax Key Numbers Assigned: _____

DATE: _____ INITIALS _____ ROLL EFFECTIVE DATE: _____

LEGAL DESCRIPTION FOR SPLIT PARCELS FROM LSBT 0240 992 002

The northern piece for the split of this tax parcel would use this:

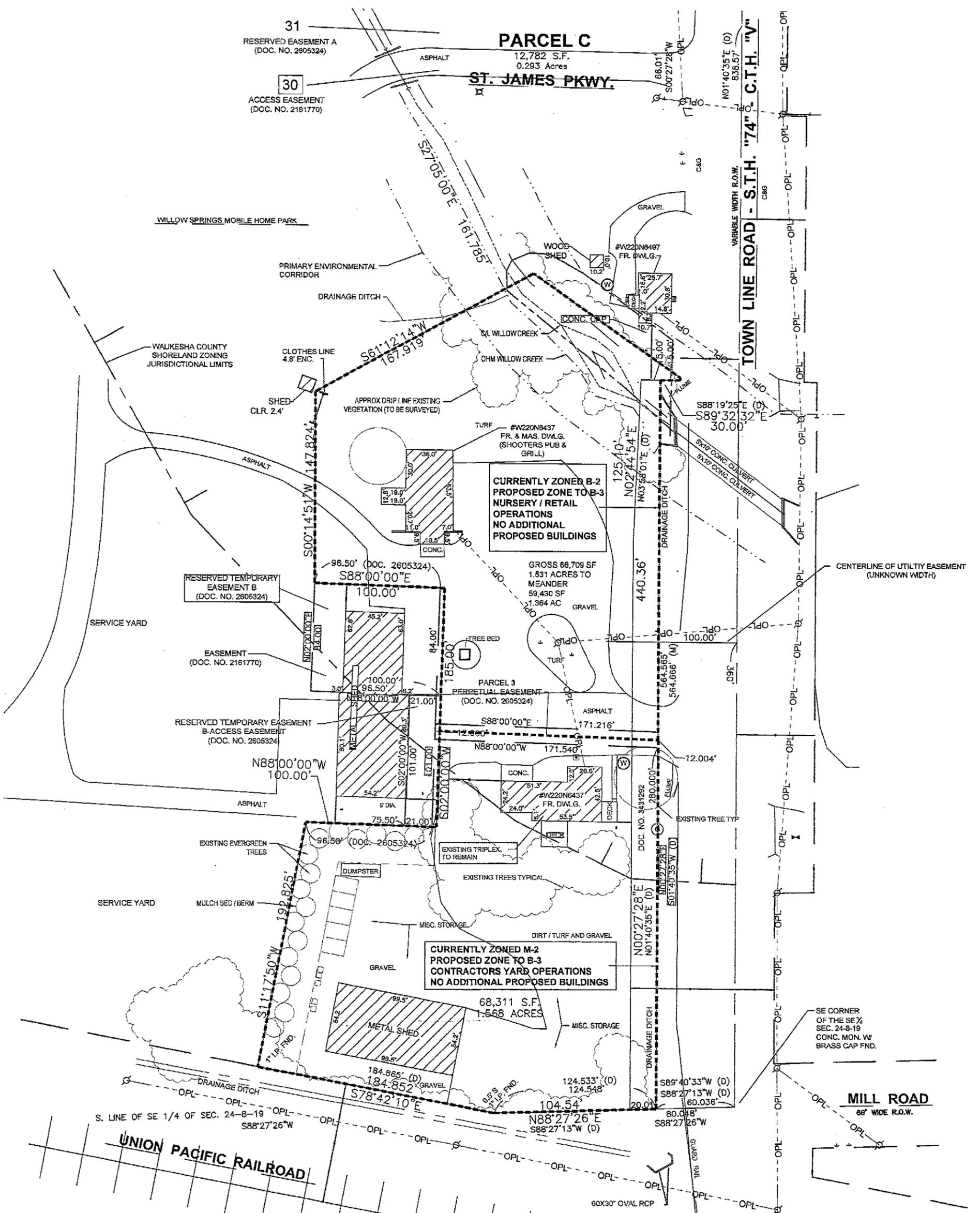
SE1/4 SEC 24 T8N R19E :: EX RR & EX ROAD & EX COM SE CRNR N 533 FT; N55°W 220 FT; W 32 FT; N45°45'W 122 FT; N18°45'W 37 FT; E 313 FT; S 244.5 FT TO BGN; & EX DOC #3924138 & EX DOC #2605324 & EX CSM #10878 & EX DOC #2444281 & EX DOC #3178176 & EX DOC #3600006 & EX DOC #1080636 & EX DOC #1205972 & EX DOC #4048754 & EX DOC #1468725 & CSM #7950



The southern piece for the split of this tax parcel would use this:

PT SE ¼ SEC 24 T8N R19E; COM SE CRNR N 533 FT; N55°W 220 FT; W 32 FT; N45°45'W 122 FT; N18°45'W 37 FT; E 313 FT; S 244.5 FT TO BGN :: EX DOC #1468725





**ZONING CHANGE APPLICATION MAP
INCLUDING EXISTING SITE CONDITIONS**

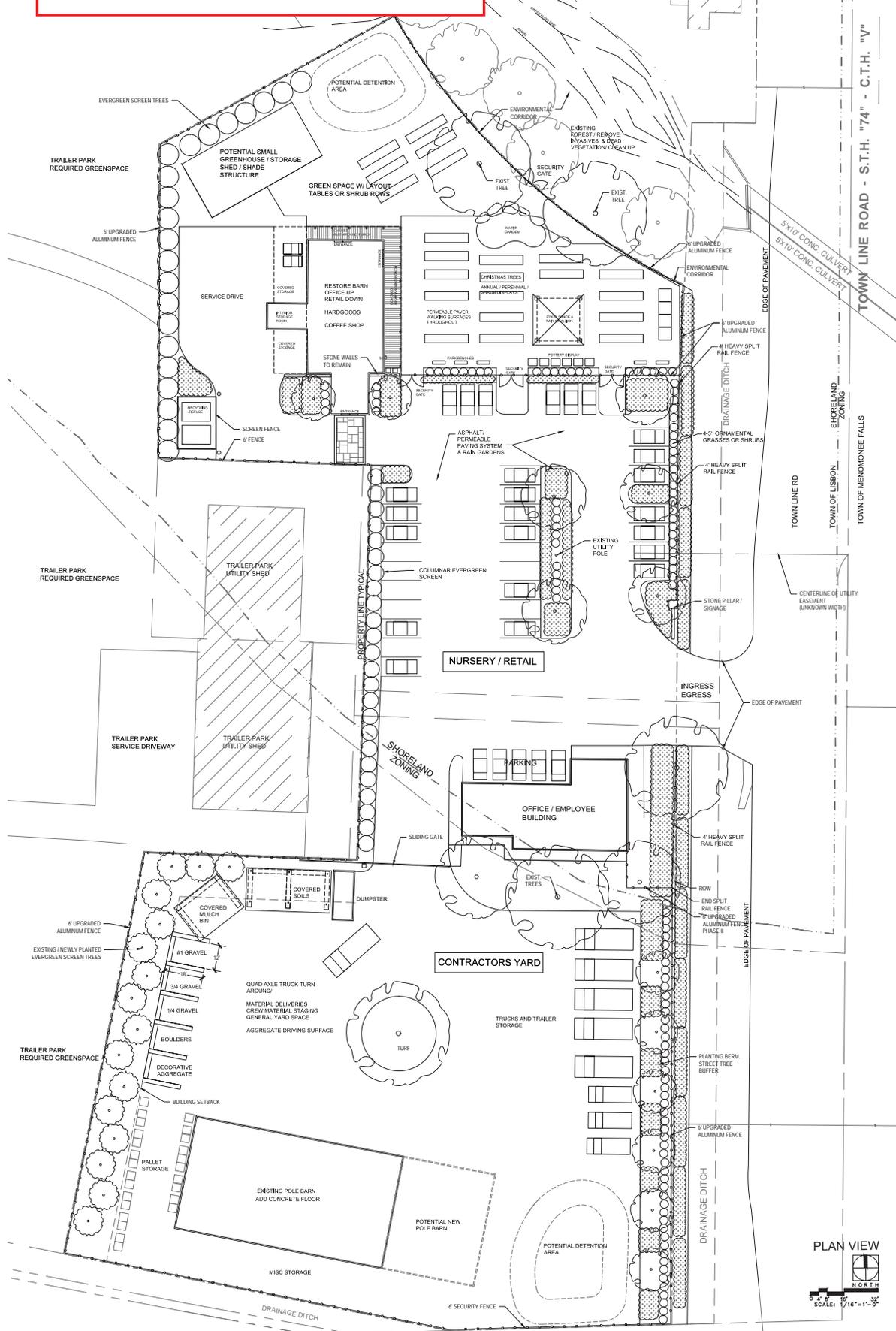
RECEIVED
JUL 15 2020
DEPT OF PARKS & LAND USE

PLAN VIEW
NORTH

SCALE: 1/32" = 1'-0"

1	W220N6437 & W220N6439 TOWN LINE RD AUER - MCGLAUGHLIN TOWN LINE RD	CONTACT: TOM AUER : 262-325-8888	DATE: 7-13-20	SHEET NUMBER Z1
		REVISIONS: DATE BY DESCRIPTION	PERMITS REQUIRED: DATE DESCRIPTION ZONING AMEND.	

CONCEPTUAL SITE PLAN 7/31/2020



1 AUER - THE GROUND CRAFTER SITE PLAN - DESIGN DEVELOPMENT
 W220N6437 TOWNLINE RD. & W220N6439 TOWNLINE RD

DESIGNED BY: TOM AUER
 REVISIONS:
 DATE BY DESCRIPTION

DATE: 7-31-20
 PERMITS REQUIRED:
 DATE: DESCRIPTION

SHEET NUMBER
LS1



Waukesha County
Department of Parks and Land Use

May 1, 2020

Tom Auer
The Ground Crafter
VIA EMAIL ONLY

RE: D350: Waukesha County Development Review Team (DRT) Meeting Summary

A two phase proposal on the southernmost part of the existing 20 acre property and the 0.9 acre property immediately to the north of that southernmost portion (refer to GIS Map) consisting of a proposed landscape contracting business, including a shop, small covered material bin storage area (no large stockpiling), outdoor truck storage, outdoor landscape trailer storage in winter, pole barn storage (rentals), and a snowplow operation. May expand to have an office, salt shed, separate workshop, greenhouse, shade pavilion, coffee shop, and field trips/tours/community meetings (nature education facility). The rental of the triplex would continue in Phase 1 and may be renovated/replaced by an employee oriented structure (office) in Phase II. The retail sale of plant material (nursery) is no longer proposed according to the petitioner's email of March 28, 2020. A three lot CSM is also proposed.

SE ¼ of Section 24, Town of Lisbon (LSBT 0240.992.002 and 0240.987.001 also known as W220 N6437 Townline Road and W220 N6439 Townline Road)

Dear Mr. Auer:

This letter summarizes the comments and concerns that were discussed at the DRT meeting on March 26, 2020, regarding your proposal to develop the above-described property for a landscape contracting business as described above. We hope that this input is valuable to you as you continue planning for the development. The following is a preliminary listing of the issues and requirements, which will need to be addressed as the project planning continues:

Comprehensive Development Plan/Land Use Plan designations

- The properties are currently designated as Commercial and Office Park and Secondary Environmental Corridor (SEC) on the Comprehensive Development Plan for Waukesha County. The properties are similarly designated on the Town of Lisbon Comprehensive Development Plan. The Town and County's Comprehensive Development (CDP) recommends that SEC's be considered for preservation in natural, open uses or incorporated as drainage ways or local parks within developing areas.

Planning and Zoning

515 W. Moreland Blvd., Room AC 230 Waukesha, Wisconsin 53188-3878
Phone: (262) 548-7790 Fax: (262) 896-8071 www.waukeshacounty.gov/planningandzoning

It should be noted that there is also some Low Density Residential in the far northern part of the 20 acre property (roughly between McLaughlin Road and the unnamed access to Dawson's quarry) should you choose to include that portion of the property in your future planning.

- The SEC should be surveyed to the drip line of the vegetation.
- In accordance with the County and Town CDPs, the subject property is limited to Commercial and Office Park type uses, exclusive of the SEC, unless an amendment is requested and considered for approval by both the Town of Lisbon and the Waukesha County Board of Supervisors.

Zoning

- The properties are subject to the Waukesha County Shoreland and Floodland Protection Ordinance and the Town of Lisbon Zoning Ordinance. The portion subject to the County jurisdiction is zoned B-2 Local Business District and R-2 Residential and contains both Environmental Corridor (EC) and Wetland (C-1) Overlays. The portion subject to the Town's jurisdiction is zoned M-2 General Industrial.

It should be noted that in addition to B-2, R-2 and EC and C-1 overlays, there is also A-1 Agricultural and HG High Groundwater zoning in the northern part of the 20 acre property (north of the intermittent stream) should you choose to include that portion of the property in your future planning. The Town has small areas zoned RM Multi Family Residential, A-10 Agricultural, R-1 Suburban Single Family Residential, and B-2 Local Business in that northern part of the 20 acre property.

- First, at a minimum, a County rezone of the B-2 Local Business area to the B-3 General Business District must be requested and considered for approval by both the Town of Lisbon and the Waukesha County Board of Supervisors in order to accommodate the proposed use. Alternatively, a rezone to the M-2 General Industrial District may be requested, in order to match the Town of Lisbon's zoning designation which would also require a CDP amendment (Industrial Use) to be requested from the Town and the County. The entire rezone process generally takes approximately four months to proceed through all of the town **and** county review entities (see attached process document). A fillable application and permit guide are available on the County website (see page 1 above). Please consult with the Town for their separate application.
- Requests to amend the Comprehensive Development Plan are accepted throughout the year. However, all CDP amendment requests are generally processed together annually (commencing January 15th of each year). The CDP amendment process itself can take approximately 4 months. You may wish to request an out of sequence CDP amendment, and move forward with the application concurrently with the rezone request. A fillable application and permit guide are available on the County website (see page 1 above). Please note the Town of Lisbon has their own separate CDP amendment process. Please consult with them for timelines.
- A Conditional Use Permit (CU) for a Contractors Yard must be requested and considered for approval by both Waukesha County and the Town of Lisbon for the proposed use. A fillable application and permit guide are available on the County website (see page 1 above). The CU and Rezone may be able to be processed simultaneously. Please note the Town of Lisbon has their own separate CU application process. Please consult with them for timelines.

- A Site Plan/Plan of Operation (SPPO) must also be submitted for review and approval by Waukesha County and the Town of Lisbon. A fillable application (‘Application for SPPO’) and permit guide are available on the County website (see page 1 above). The SPPO will be reviewed concurrently with the CU. Please note the Town of Lisbon has their own separate SPPO application process. Please consult with them for timelines.

Certified Survey Map (CSM) Comments

- The Town and County must review the proposed CSM once the above requests have been approved. The County’s fillable CSM submittal form and permit guide are available on the County website (see page 1 above). The County has ninety (90) to review the document, however, we try to provide comments within thirty (30) days. The Town will need to take the CSM before its Plan Commission and Town Board for approval. Please consult with them for timelines.
- There is a mapped, intermittent stream on the subject property located between the residence on LSBT 0240.987.001 and the barn on LSBT 0240.992.002 to the south of Saint James Parkway that is a tributary of the Fox River. The stream and the top of bank elevation must be shown on the CSM. The required setback for any structure from the OHWM is 75 feet.
- As mentioned above, the SEC should be surveyed to the drip line of the vegetation. The SEC boundary must be shown on the CSM.
- There are mapped wetlands, as identified on the Waukesha County GIS site, as well as areas of hydric soils on the properties. A wetland delineation is required to determine the boundaries of the wetlands on the properties. The County can submit a wetland delineation request to SEWRPC on your behalf, or you can contact a local delineator. Please contact our office to discuss if you would like us to make a delineation request to SEWRPC on your behalf. The delineated wetland boundary must be shown on the CSM. The required setback for any structure from the wetland is 75 feet.
- The Village of Menomonee Falls has extra-territorial jurisdiction within 1 ½ miles of their municipal boundaries in the Town of Lisbon. The proposed CSM must be submitted to the Village of Menomonee Falls for their review and approval.

General Comments

- The portion of the site located south of Saint James Parkway is served by public sewer and a private well. Be advised any new well would require WDNR approval and potentially a variance.
- The properties are in an area with mapped soils known to have seasonal high groundwater and areas of shallow bedrock. Additional soil investigation may be required in regard to basement construction or other uses, if planned in the future. Basements would have to meet the one foot separation requirement for groundwater.
- A Vegetation Removal Permit is required from Waukesha County for any vegetation removed along the intermittent stream. Only dead, dying, diseased, invasive, or vegetation causing an imminent safety hazard can be removed within 35’ of the stream, as the first 35’ is considered a vegetative buffer zone. Vegetation removed within this area must be replaced at a 1:1 ratio.

- The local fire department should be consulted as to the use of the two access drives between the southern portion of the 20 acre property and the mobile home park. We understand that one of the access drives was originally used to transport mobile homes to the mobile home park, after being staged in this area. Documentation shall be submitted indicating whether or not the access drives can be blocked, or perhaps gated if it is essential that one or both of them remain for emergency purposes.
- If interior remodeling or structural changes (“renovation”) are proposed for the former Shooter’s Tavern, or new structures are proposed within the County’s Shoreland Zoning Jurisdiction, a Zoning Permit is required prior to commencing any work. A Building Permit, at a minimum, will likely also be required from the Town, in addition to the County Zoning Permit.
- Any site grading in excess of 3,000 square feet will require a CU from both Waukesha County and the Town of Lisbon.
- If salt storage is proposed, a salt containment plan will be required and will require the review and approval of the Waukesha County Environmental Health and Land Resources Divisions.

Town of Lisbon Planner Josh Langen, direct (262) 408-5397, jlan@vierbicher.com

- The proposed use will require the submittal of both a CU and a SPPO for review and consideration by the Town of Lisbon. This would require the submittal of building plans. Major grading would also require a CU. A variance may need to be requested from the site standards.
- A CSM must be submitted to the Town for review and consideration of approval.

Dept. Public Works (DPW) Jason Mayer, (262) 548-7749, jmayer@waukeshacounty.gov

- The Site Plan for the proposed use appears compatible with the existing access point along CTH F. It currently serves the former Shooters Pub and Grill site. Left turns into this driveway from northbound CTH F may encounter a rumble pavement from the existing TWTL median area.
- A permit will be required from the County DPW if any portion of these properties are to be disturbed within the existing right of way of CTH F.
- DPW staff must review any proposed CSM.
- The established ROW of CTH V is 100’ in width north of the roundabout at McLaughlin Road, and the established ROW of CTH F is ‘by purchase’ south of the roundabout. Any required dedications must be shown on the CSM.
- The parking lot must maintain a 10’ road setback from that ultimate ROW (50’ from the centerline of CTH F).
- If the residence on LSBT 0240.987.001 (also owned by the current owner) will remain, it would be preferable to relocate the access to that property to Saint James Parkway.
- Improvements to the ROW such as restriping, tapering, etc. may be necessary.

Land Resources Division (LRD) Leif Hauge, (262) 896-8300, lhauge@waukeshacounty.gov

- The first phase of the project as depicted on page 1 of the Concept Plans would not trigger the requirements for a Stormwater Management Plan.
- It is not clear whether the project would trigger the requirements for a Stormwater Permit as there is no area of disturbance estimate. Based on the dimensions of the structures shown, it may be less than the 3,000 square foot trigger. More information will have to be provided before this determination can be made.
- The Concept Plan appears to show at least 1/2 acre of new impervious surface, which would trigger the Stormwater Management requirements.
- The Concept Plan shows some permeable pavers and a water feature with stormwater capacity. These BMPs may be appropriate for the site and soils, but calculations and soil testing are required for a full evaluation.
- If the portion of the southern portion of the 20 acre property that is currently being used for trailer storage, etal becomes part of the proposed plan, the gravel driveways shown on the earlier Concept Plan are considered impervious surface.
- There does not appear to be any stormwater infiltration potential on the relatively flat site due to the poorly drained character of the soils and therefore only wet detention would be effective. There would likely need to be storage in two locations on the southern portion of the 20 acre property due to half the site discharging to the southeast corner and the other half to the northeast corner.
- All impervious surface and stormwater proposals should be discussed with LRD to determine if they will meet their requirements.

**Lisbon Community Assistance Planner Sandy Scherer, (262) 548-7790,
sscherer@waukeshacounty.gov**

- The dumpster location on the revised plan set appears to be inaccessible by waste management vehicles and an alternate accessible location is recommended.
- If the nursery is no longer proposed, it is assumed no outdoor retail sales of plant material will occur on site either. Therefore, revised plans for Phase II must be submitted that exclude mention of things such as garden retail destination, retail yard, retail in the barn, sale of Christmas trees, displays, etc. In addition, will a greenhouse, shade pavilion, coffee shop, and nature education facility still be proposed if no retail sales will occur on the site? If not, those items should be removed from Phase II of the plan set as well.
- There are at least two quarry operations within a ½ mile of the subject properties.
- There is one landfill within ½ mile of the subject properties.
- The two properties that will be part of the proposed three lot CSM contain one triplex, five single family residences, four detached garages, a barn (former Shooters Bar and Grill), and a pole barn.

- Structures must be 35' from the base setback line of CTH F and 10 feet from all other lot lines.
- Floodplain information made available by the SEWRPC is located on the subject properties and must be shown on the CSM. Be advised there is also a draft Fox Flood Study pending which encompasses part of the subject properties. All structures must be outside of the 100 year floodplain unless there is also a 500 year floodplain and then there is a 35 foot setback that must be respected.
- The 12 foot wide perpetual sewer easement that crosses the southern portion of the 20 acre property must be shown on the CSM.
- The Waukesha County Park and Open Space Plan calls for a possible future trail along CTH F.

We hope you find that the comments submitted by the Town and County staff during the conceptual design stage will eliminate unnecessary delays during the remainder of the review process. It is important to note that as additional information is submitted there may be additional requirements, permits, etc. that apply. In the event you have any further questions, please do not hesitate to contact me at (262) 548-7790 or at jheermans@waukeshacounty.gov, or any of the contacts listed above.

Sincerely,

Jacob Heermans

Jacob Heermans
Senior Land Use Specialist

Enclosures: GIS Map of proposed parcels
Rezone Procedures (attached below)

cc (via email only): Gina Gresch, Town of Lisbon Administrator
Josh Langen, Town of Lisbon Planner
Sandy Scherer, Senior Planner/Town of Lisbon Community Assistance Planner
Leif Hauge, Land Resources Division
Jason Mayer, Department of Public Works
McLaughlin Revocable Trust c/o Sue Wenger and Jim McLaughlin
Village of Menomonee Falls
Town of Lisbon Fire Chief
Town of Lisbon Building Inspector
File

REZONE PROCESS ONCE INFORMATION IS RECEIVED BY THE COUNTY

After you apply with the Town and County for a rezone request, a public hearing is scheduled at the Town Hall. The Town makes a recommendation and transmits their decision to the County.

If a complete submittal packet is received by the PZD at least three weeks prior to the PPC meeting, the item will be scheduled on the PPC agenda according to the meeting schedule on the County Board's annual Committee Schedule (<https://www.waukeshacounty.gov/countyboard>).

The request is reviewed by PZD staff and a report/recommendation is drafted for the PPC meeting.

Meeting information is reviewed by the PZD Manager and sent to all parties the Friday prior to the PPC meeting.

The PPC will make a recommendation to the Land Use Parks and Environment Committee (LUPE) of the County Board. The LUPE meeting schedule is on the County Board's annual Committee Schedule (<https://www.waukeshacounty.gov/countyboard>).

Before the rezone is forwarded to LUPE, the Ordinance is reviewed by Corporation Counsel according to the County Board's annual Committee Schedule (<https://www.waukeshacounty.gov/countyboard>).

The PZD Manager presents the matter at the LUPE meeting and LUPE makes a recommendation to the County Board. The County Board meeting schedule is on the County Board's annual Committee Schedule (<https://www.waukeshacounty.gov/countyboard>). Questions about/results from the LUPE meeting should be directed to the County Board's office (262.548.7002).

The County Board considers the matter and makes a decision. Questions about/results from the County Board meeting should be directed to the County Board's office (262.548.7002).

Once the County Board makes a decision, the County Executive must sign off on the request.

Finally, the County Clerk must enroll and publish the rezone, and will then notify the Town Clerk and the petitioner if the rezone has been adopted.

Item 7B – Attachments



August 4, 2020

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

Re: Tom Auer – Landscaping, Snow Removal, and Nursery Use approval for B-3 General Business District (Town and County) Zoning

Dear Plan Commission Members:

The above-referenced applicant is requesting a use approval, which was received in our office for review on behalf of the Town of Lisbon. We have reviewed the following application materials:

- Town and County Rezoning Applications
- County Zoning Change Application Map exhibit
- County Development Review Team (DRT) review letter dated 5/1/20 (some issues from this letter have since been addressed)
- Conceptual site plan dated 7/31/20

Summary

Tom Auer, on behalf of owner Edward P. McLaughlin Trust, is proposing to operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery on a portion of Tax Key No. LSBT 0240.992.002. The tax parcel has two (2) non-contiguous properties, a southern property measuring approximately 3.2 acres, and a northern property measuring approximately 17.1 acres. The request is proposed for the southern property. The properties are anticipated to be separated at a later date, with new Tax Key numbers currently approved and reserved for use in 2021.

In addition to a rezoning of the south property, the proposed uses will need to be approved as a permitted use within the proposed B-3 zoning, since the zoning code does not specifically list these uses for the B-3 district but they are similar to the ones that are listed. A Conditional Use Permit approval will be needed to allow for a contractor's yard in the proposed B-3 zoning.

Background

The applicant is proposing to develop, own, and operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery on the property as shown on the County Zoning Change Application Map exhibit or an anticipated similar configuration. In addition, the applicant will be required to address comments from the DRT meeting summary issued on May 1, as well as other County comments, and Town requirements and comments.

Application Review

The parcel is subject to compliance with the Town Code Chapters 11 and all other applicable Chapters.

Property Information

Property owner: Edward P. McLaughlin Trust

Location: Town Line Rd and Mill Road.

Tax Key: LSBT 0240.992.002 (**Southern portion**)

Adjacent land uses and zoning:

North: Residential (zoned County R-2 Residential)
South: Railroad ROW (zoned M-2 General Industrial)
East: Commercial (Village of Menomonee Falls)
West: Residential (zoned M-2 General Industrial)

Existing Zoning: County R-2/B-2 and Town M-2 General Industrial

Recommended Land Use: "Commercial and Office Park"

Use Determination Review

A rezoning request has been submitted for this property. Approval of a Zoning Map Amendment is necessary in order to allow the applicant develop, own, and operate a landscape contracting business, snowplow operation, and retail greenhouse/nursery. Also needed is for the Plan Commission to approve a landscape contracting business, snowplow operation, and retail greenhouse/nursery as a permitted use, in conformance with Section 26(b)2.i.



The proposed B-3 zoning district is intended to provide for business and trades of a more general nature and serving a larger trade area. The B-3 district allows or all permitted uses within the B-2 district as permitted uses as well as "Any similar use subject to the approval of the Plan Commission". As this district allows for automobile/marine sales and repair along with associated equipment storage, wholesalers, and commercial truck parking, we would consider a landscape business, snowplow operation, and nursery to be similar uses.

In addition, as the property does contain Waukesha County Shoreland Zoning, County R-2 and B-2, the applicant has submitted a Zoning Map Amendment application to Waukesha County. Therefore, in addition to the B-3 allowances and requirements for Town Chapter 11, the property would also be subject to County B-3 allowances and requirements, if approved. Finally, the B-3 district also allows for a Contractor's Yard as a Conditional Use and require a Conditional Use Permit (CUP). As Contractor's Yard would be part of this operation, a CUP permit will need to be approved in order for the applicant to operate the proposed uses. Site Plan/Plan of Operation approval will be sought at time of CUP application.

Consistency with the Recommended Land Use Plan

The Town Recommended Land Use Plan designates the southern portion of the subject property as "Commercial and Office Park". This designation is defined as land devoted to retail, office, service activities, general business activities, and/or research and development and related off-street parking. The proposed uses are consistent with this definition.

Recommendation

Staff recommends approval of the proposed landscape contracting business, snowplow operation, and retail greenhouse/nursery use request for the southern portion of LSBT 0240.992.002, as shown on the submitted conceptual Site Plan with the following conditions:

1. Approval of Zoning Map Amendment application from County R-2/B-2 and Town M-2 General Industrial to B-3 General Business District (Town and County)
2. Approval of a Site Plan/Plan of Operation for the proposed uses
3. Approval of a Conditional Use Permit (CUP) for the Contractor's Yard.

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

Sincerely,

Joshua Langen, AICP
Community Development Planner

Rachel Holloway, AICP
Town Planner

cc: Steven Braatz, Interim Clerk-Treasurer, Town of Lisbon
Tom Auer
Edward P. McLaughlin Trust – to smwegner83@gmail.com

Item 7C and 7D – Attachments



August 5, 2020

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

Re: Stephanie Brandt – Rezoning from A-10 Agricultural District to the A-5 Mini-Farm District, and Preliminary Certified Survey Map (CSM)

Dear Plan Commission Members:

The above-referenced rezoning application and preliminary CSM were received in our office for review on behalf of the Town of Lisbon. We have reviewed the following application materials:

- Rezoning Application
- Preliminary Certified Survey Map (CSM)
- County Development Review Team (DRT) review letter

Summary

Stephanie Brandt, on behalf of owner CJ Real Estate Enterprises LLP (Joe Goetz), is proposing to rezone a portion of Tax Key No. LSBT 0265.998.002 in order to subdivide approximately 5 acres by CSM for construction of a new home. The entire subject parcel measures approximately 175.63 acres in size and is zoned A-10 Agricultural District on the portion to be subdivided. The remainder of the property is zoned PR, UD, RM, C-1, UC, and County Shoreland. As the A-10 district requires a minimum 10 acre lot size, a rezoning to A-5 is needed for the proposed CSM to be approved.

A preliminary CSM has been submitted and reviewed by staff. However, it does not meet Town requirements for public road access, and relies on access via a private driveway that already serves more lots and buildings than the maximum of two (2) allowed by ordinance. Without the benefit of a policy document such as an official map for future streets, the Town's plan for road access in this area is not clear. More information is needed to understand why Elizabeth Drive, in particular, was not extended to enable connection to this property, and if it is desired as a future connection. For these reasons, the CSM is being presented to the Plan Commission for discussion only at this time in order to obtain guidance and more information on how the current lot layout came to be. Clarifying this will help the applicant proceed with the CSM review process.

Background

A planner appointment was held with the applicant in January, where general requirements were discussed including the need for rezoning and road access/frontage. The applicant requested and attended, along with Lisbon Staff, a County DRT (Development Review Team) meeting on March 13, 2020 in order to discuss the proposal. The County confirmed the need for a partial rezoning from A-10 to A-5, to accommodate a 5-acre CSM. The County also reviewed a conceptual development plan for the area that was prepared in 1998. Review of the plan determined that some of the proposed access points on the development plan (N. Willow Creek Drive and Lynndale Lane) were no longer viable as they passed through environmentally sensitive areas. However, the County did note the larger parent parcel had been subdivided in the past and multiple properties currently access Lisbon Road via the

same private drive. They noted that access could be provided via Elizabeth Drive, if extended. This matter is discussed in more detail below.

Another significant point of review was the need for a stream navigability determination for a stream located directly east of the proposed CSM, within the Arrowhead Meadows subdivision. The determination was needed in order to assess if the CSM and rezoning would be under County jurisdiction and review or under Town jurisdiction only. After delays related to the Covid-19 pandemic, a stream delineation was completed in June and WDNR confirmed on July 15 that the stream is NOT navigable. This means that the Town may handle the rezoning and CSM, if the rest of the landowner's acreage gets exempted from being part of the CSM.

The landowner has applied for a "remnant" parcel waiver to Town Ch 12 Sec. 2.06(l); however the County has not yet rendered a decision. We recommend the rezoning and CSM move forward at the Town, presuming the County will likely approve the remnant waiver, though there is some risk that it may not be approved.

The CSM will likely be on the September Plan Commission meeting agenda for review. The rezoning will require another public hearing at the Town Board level, due to the fact that the August 13 meeting was not noticed as a joint meeting with the Board. In addition, the applicant will need to coordinate with City of Pewaukee regarding ETJ review.

Property Information

Property owner: CJ Real Estate Enterprises LLP (Joe Goetz)

Location: West of Lisbon Road and Jessica Drive.

Tax Key: LSBT 0265.998.002 (portion)

Adjacent land uses and zoning:

North: Residential (zoned R-1 PUD, A-5, R-2, R-1, A-10, UC)

South: Residential/Agricultural (zoned R-2 Single Family Residential, County Shoreland)

East: Residential (zoned R-1

Suburban Single Family Residential)
West: Residential (zoned R-2 Single Family Residential)

Existing: A-10, PR, UD, RM, C-1, UC, and County Shoreland (A-10 on proposed CSM area)

Proposed: A-5 (on proposed CSM area)



Recommended Land Use: "Rural density and Other Agricultural Land" (on proposed CSM area)

Rezoning (Zoning Map Amendment) Review

A request for an amendment to the Town of Lisbon's Zoning Map has been submitted in order to rezone a portion of the subject property, see Exhibit D – Proposed Zoning. Approval of a Zoning Map Amendment is necessary in order to allow the applicant to subdivide approximately 5 acres by Certified Survey Map (CSM). Any amendment to the Zoning Map for this property would need to be in compliance with the proposed land use district.

The proposed A-5 zoning district is intended to provide for very low-density single-family residential development in predominantly rural areas in order to maintain, to some degree, the agricultural character of the property and the rural character of the area. These lands are best suited for small farm units, i.e., truck and hobby type farms, grazing, orchards, and other similar agriculturally-related activities in areas that have an existing pattern of scattered or low-density residential development. The proposed use meets the intent of this zoning district.

Consistency with the Recommended Land Use Plan

The Recommended Land Use Plan designates the proposed CSM land as "Rural density and Other Agricultural Land Acres". This designation encompasses rural land uses, including the continuation of existing farming activity; creation of smaller farms, including hobby farms, horse farms, or other specialty farms; and rural density residential development. Rural density residential development is intended to occur at a density of no more than one dwelling unit per five acres (5 to 34.9 acres of area per dwelling unit or equivalent density). Therefore, the rezoning to A-5 would be consistent with the Plan.

CSM Review Comments

The parcel is subject to compliance with the Town Code Chapters 11 and 12, and all other applicable Chapters.

1. Chapter 12 Sec. 2.06(l) requires that remnants less than 20 acres be part of the CSM or plat. As noted above, a waiver has been requested to this requirement.
2. Chapter 12 Sec. 7.01 requires each lot to have "satisfactory access" to a public street.
3. Chapter 12 Sec. 7.06(d) requires every lot to have frontage on a public street, but allows lots to use private drives with Plan Commission approval and any conditions specified.
4. There are a number of stub-outs or road connections to neighboring subdivisions available to serve development on the Goetz property:
 - James Drive
 - Bantry Road
 - Elizabeth Drive (possibly not viable due to wetlands and it dead-ends into a CSM lot)
 - N. Willow Creek Drive (possibly not viable as it abuts Conservancy zoning)
 - Lynndale Lane (possibly not viable as it abuts Upland Corridor zoning)
5. The CSM proposes a connection to the Elizabeth Drive ROW, which dead-ends into the subject property but also dead-ends into the lot created by CSM 8663 twenty years ago. It may not be practical to connect to Elizabeth Drive at this time since the platted ROW is mostly south of the CSM, and would require a reconfiguration of the shared lot line with CSM 8663 in order to extend the road. It seems that the Town gave up this future road connection option when they approved CSM 8663. Additionally, a bridge across a drainage way and wetlands would have to be constructed to create a true access.
6. As a practical matter, the proposed CSM lot would access Lisbon Road using the private drive. Chapter 11 Sec. 3(c)2 sets a maximum limit of 2 parcels or buildings on an access easement, with Plan Commission approval and a recorded maintenance agreement. As noted above, there are already more than 2 parcels and buildings on this private drive.

The driveway is listed as a "private road" in the County GIS. This "road" has no known easement and thus would need a 66' easement to allow access to the CSM lot and all of the properties and building that use it, including a driving range along Lisbon Road. In addition, the driveway would need to be 16 feet wide. Section 3(c)2 states:

Buildings or Creation of Lots on a Private Street or Way: The intent of this provision is to discourage the creation of lots and placement of structures which do not have adequate access for emergency vehicles and equipment and to provide a right-of-way width which could accommodate a public right-of-way, if necessitated in the future. Subject to the approval of the Plan Commission, and the County Zoning Agency in the shoreland and floodland jurisdiction, one parcel may be created and a building may be permitted on that tract of land which does not abut or have direct frontage on a public street or officially approved way (frontage on a controlled access highway or a freeway where vehicular access is prohibited does not constitute access or frontage for the purposes of this provision) provided such tract of land is at least three (3) acres in area, or more if required by the zoning district, and has a minimum average width of two hundred (200) feet, or more if required by the zoning district, has access by a permanent easement at least thirty-three (33) feet in width to a public street or way, including utility service, will have a paved or gravel driveway width of at least twelve (12) feet, and does not conflict with the plans for the future development of streets in the area. Typical or normal lots with lot lines radiating from the terminus or center of a public cul de sac street are not affected by this provision as long as the minimum road frontage on a public street requirements are met. Only one lot other than the parent parcel abutting the public road is allowed where only a 33 foot easement is provided.

In the situation where more than one (1) principal residence or parcel is proposed on an access easement, the easement shall be at least sixty-six (66) feet in width and the paved or gravel drive shall be sixteen (16) feet in width. Not more than two (2) such parcels or buildings shall be permitted on an access easement. Where a driveway or access easement is shared, the users of the shared driveway or access easement shall draft and agree to an access and maintenance agreement to be approved by the Town Plan Commission and recorded in the Waukesha County Register of Deeds office by the property owners.

7. If another means of access cannot be provided, it seems that a variance would be needed from the easement limit. However, a case for hardship would be needed that does not rely on financial or self-imposed hardship. It is not clear at this time that all available options have been considered.
8. Another driveway access along Lisbon would likely not be granted and or would create a less ideal and less safe access point than using the existing drive.
9. The Fire Chief has driven the driveway and stated the property and proposed CSM can be served by emergency vehicles.
10. Should the entire property be sold and developed as a single subdivision, access could be accommodated with a new development plan that extends existing street stubs. The current private drive would likely need to be moved to better align with access across Lisbon Road; this access point would be subject to County review. The proposed CSM lot will likely not prevent the entire property from being developed in a connected and safe manner.

Recommendation

Staff recommends that the Plan Commission consider the proposed rezoning and CSM and provide feedback to the applicants regarding future street connections.

If the Plan Commission would require additional materials they have the ability to table action on the rezoning. If the Plan Commission is generally comfortable with the request, they may approve the rezoning request for the southern portion of LSBT 0265.998.002 (portion) as shown on Exhibit D – Proposed Zoning” from A-10 Agricultural to the A-5 Mini-Farm District with the following conditions:

1. Approval of a Certified Survey Map incorporating the area to be rezoned.
2. Approval of a Variance by the Zoning Board of Appeals to Ch 11 Sec. 3(c)2, or compliance with these regulations, as noted above, needed in association with any CSM subdividing the area to be rezoned.

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

Sincerely,

Joshua Langen, AICP
Community Development Planner

Rachel Holloway, AICP
Town Planner

cc: Steven Braatz, Interim Clerk-Treasurer, Town of Lisbon
Joe Goetz and Stephanie Brandt, Applicants



Exhibit A: Parcel 0265.998.002 Site Map
Town of Lisbon



 Subject Parcel

vierbicher
 planners | engineers | advisors 

REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530

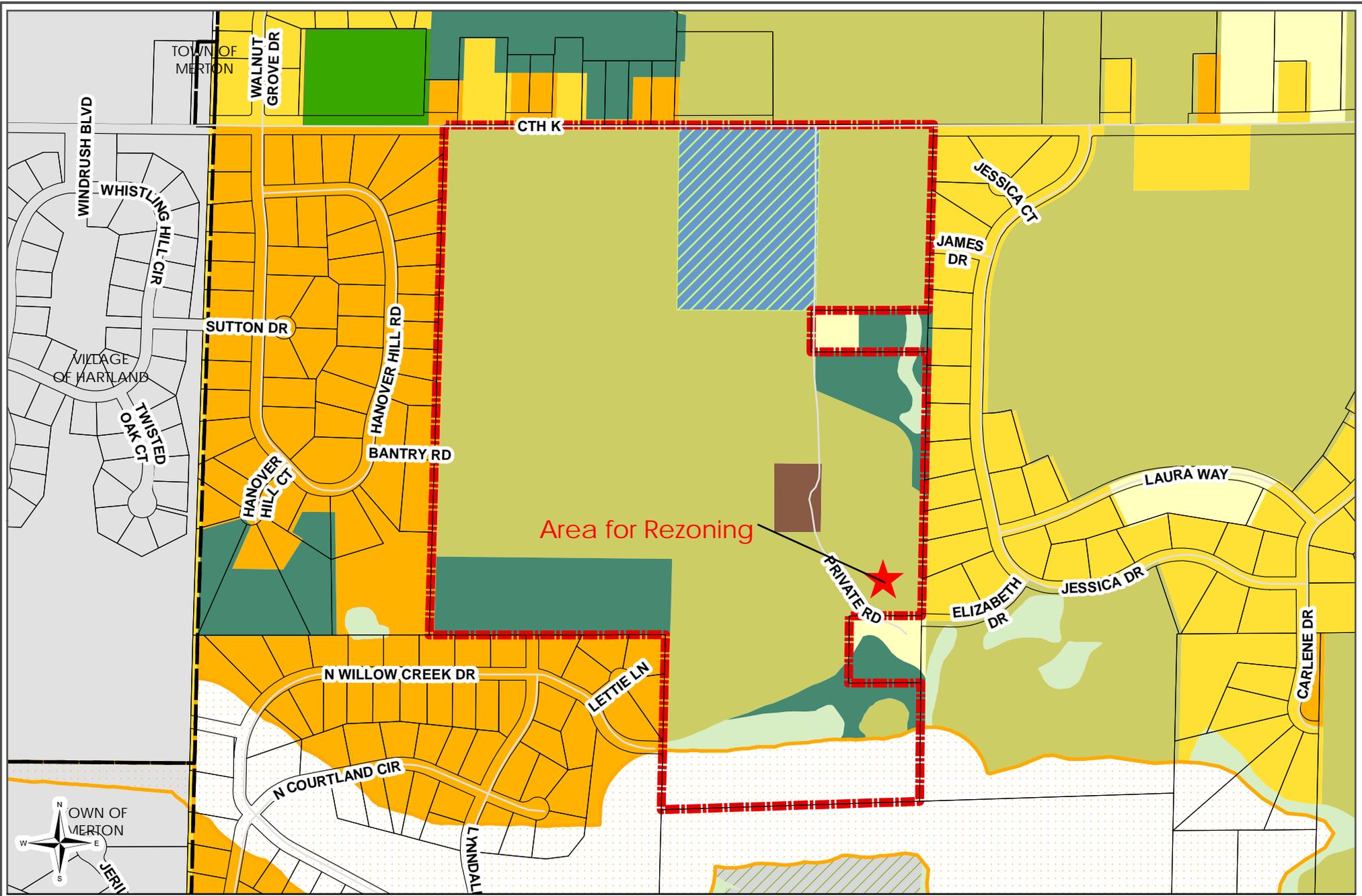


Exhibit B: Parcel 0265.998.002 Zoning Map

Town of Lisbon



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

 Subject Parcel
 Waukesha Shoreland Zoning

vierbicher
 planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530

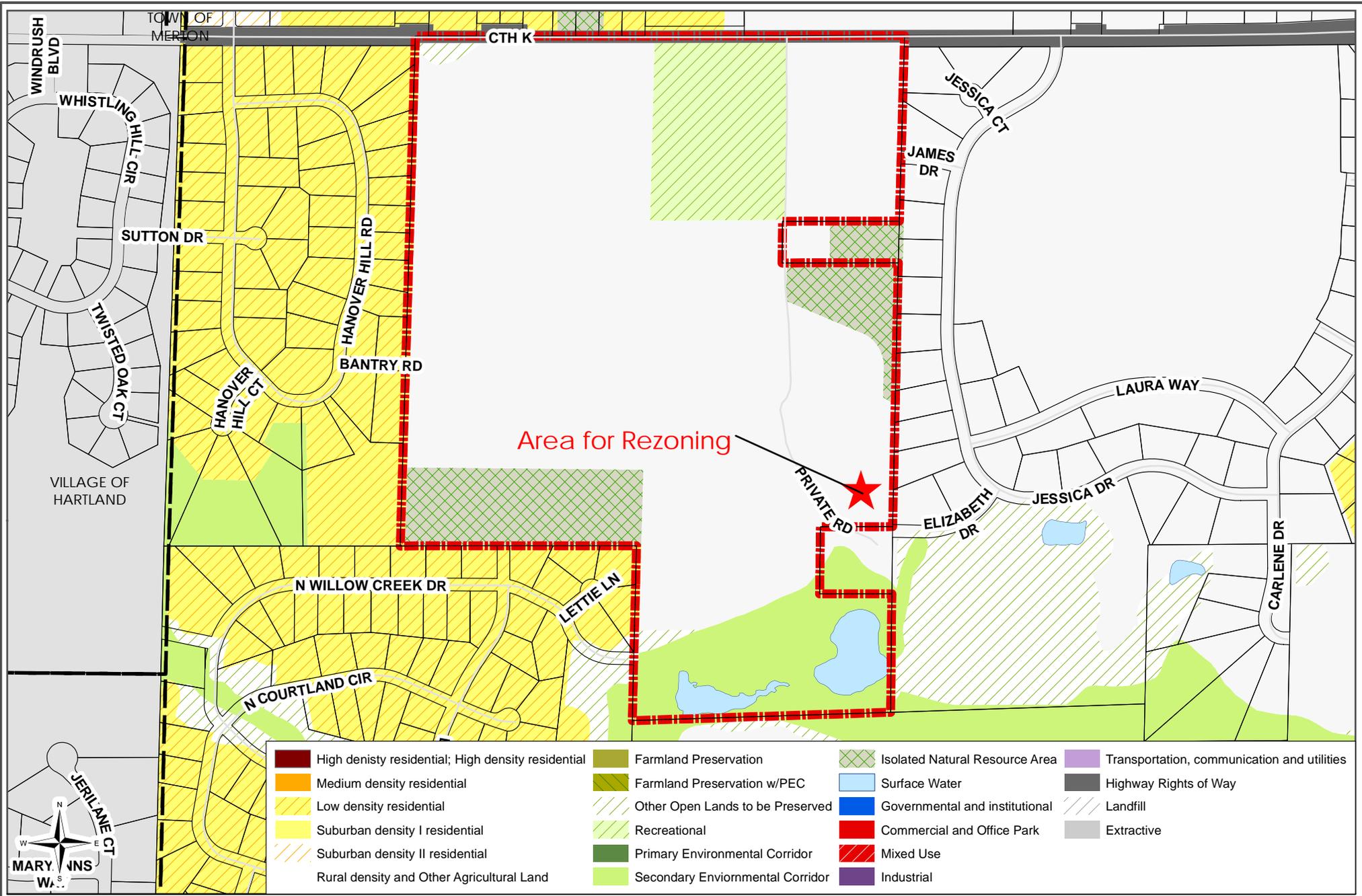


Exhibit C: Parcel 0265.998.002 Land Use Plan Map

Town of Lisbon



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530



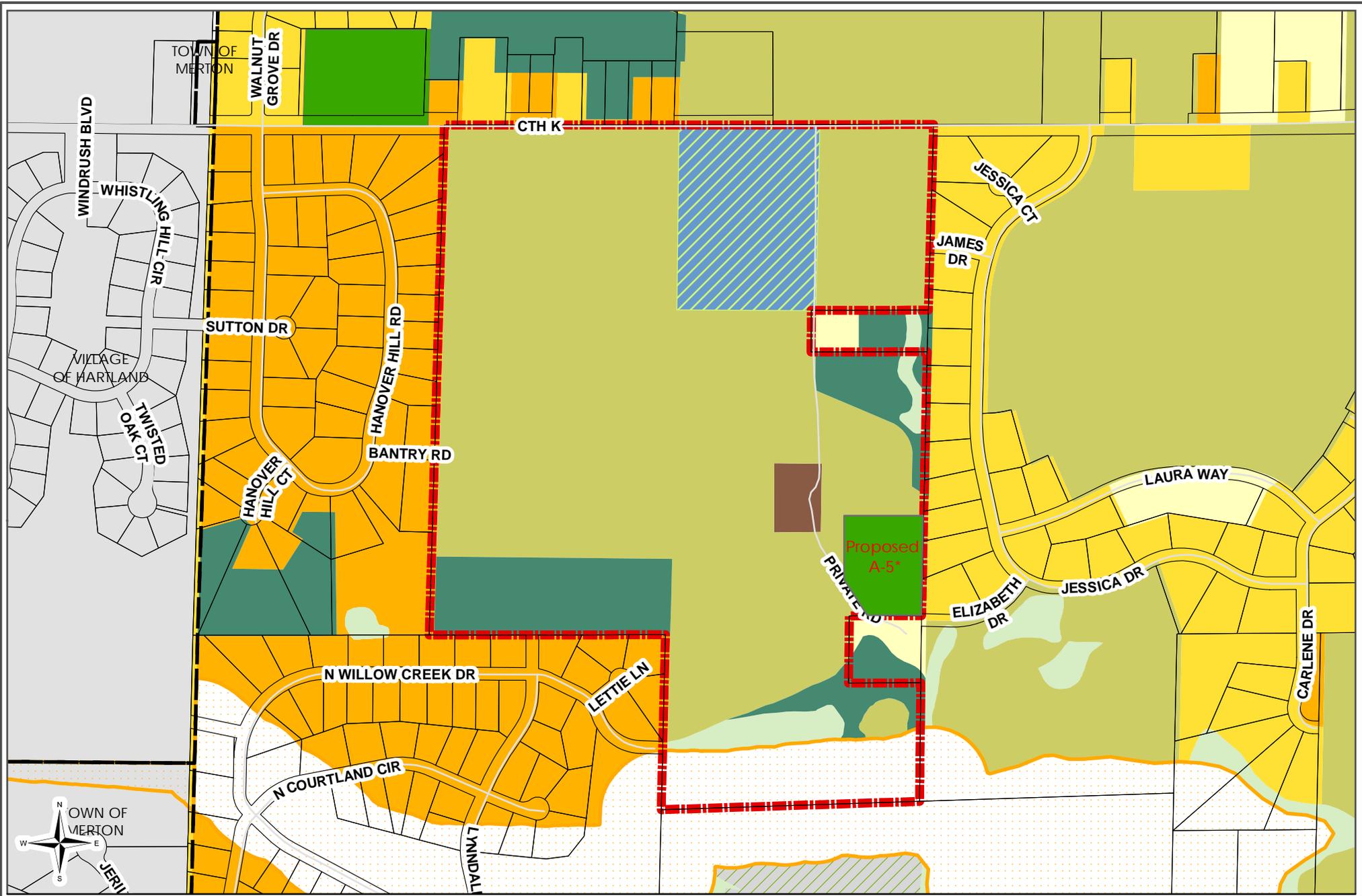


Exhibit D: Parcel 0265.998.002 Proposed Zoning Map
Town of Lisbon



* Exact Zoning District boundaries to match associated CSM

- Subject Parcel
- Waukesha Shoreland Zoning

vierbicher
 planners | engineers | advisors

REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530



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

Plan Commission Application

Application Type and Fee (check all that apply)

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

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

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

Property Information

N55 W27371 Lisbon Rd	Sussex	53089
Property Address	City	Zip
LSBT0265998002	A-10	
Tax Key/Parcel ID #	Lot Size	Current Zoning

Property Owner

CJ Real Estate Enterprises

Name / Company Name		
Signature		
N55 W27371 Lisbon Rd		
Address		
Sussex	WI	53089
City	State	Zip
Phone		
E-mail Address		

Applicant

Joe Goetz

Name		
Company		
N55 W27371 Lisbon Rd		
Address		
Sussex	WI	53089
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.***



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

PETITION FOR REZONING

Property Owner

Applicant

Name / Company Name

Name

Signature

Company

Address

Address

City State Zip

City State Zip

Phone E-mail Address

Phone E-Mail Address

Property Information

Property Address City Zip

Tax Key/Parcel ID # Current Zoning Proposed Zoning

Rezone Information

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

INTERNAL USE ONLY

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



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

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

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

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

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

NAME _____

ADDRESS _____

DATE _____ SIGNATURE _____

PHONE _____ EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME _____

ADDRESS _____

DATE _____ SIGNATURE _____

PHONE _____ EMAIL _____

PROJECT NAME _____



SITE INSPECTION NOTIFICATION:

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

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

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

NAME _____

ADDRESS _____

DATE _____ SIGNATURE _____

PHONE _____ EMAIL _____

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME _____

ADDRESS _____

DATE _____ SIGNATURE _____

PHONE _____ EMAIL _____

COMMENTS:

Town Official Accepting Form

Date



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

Plan Commission Application

Application Type and Fee (check all that apply)

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

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

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

Property Information

Property Address _____ City _____ Zip _____

Tax Key/Parcel ID # _____ Lot Size _____ Current Zoning _____

Property Owner

Name / Company Name

Signature

Address

City State Zip

Phone E-mail Address

Applicant

Name

Company

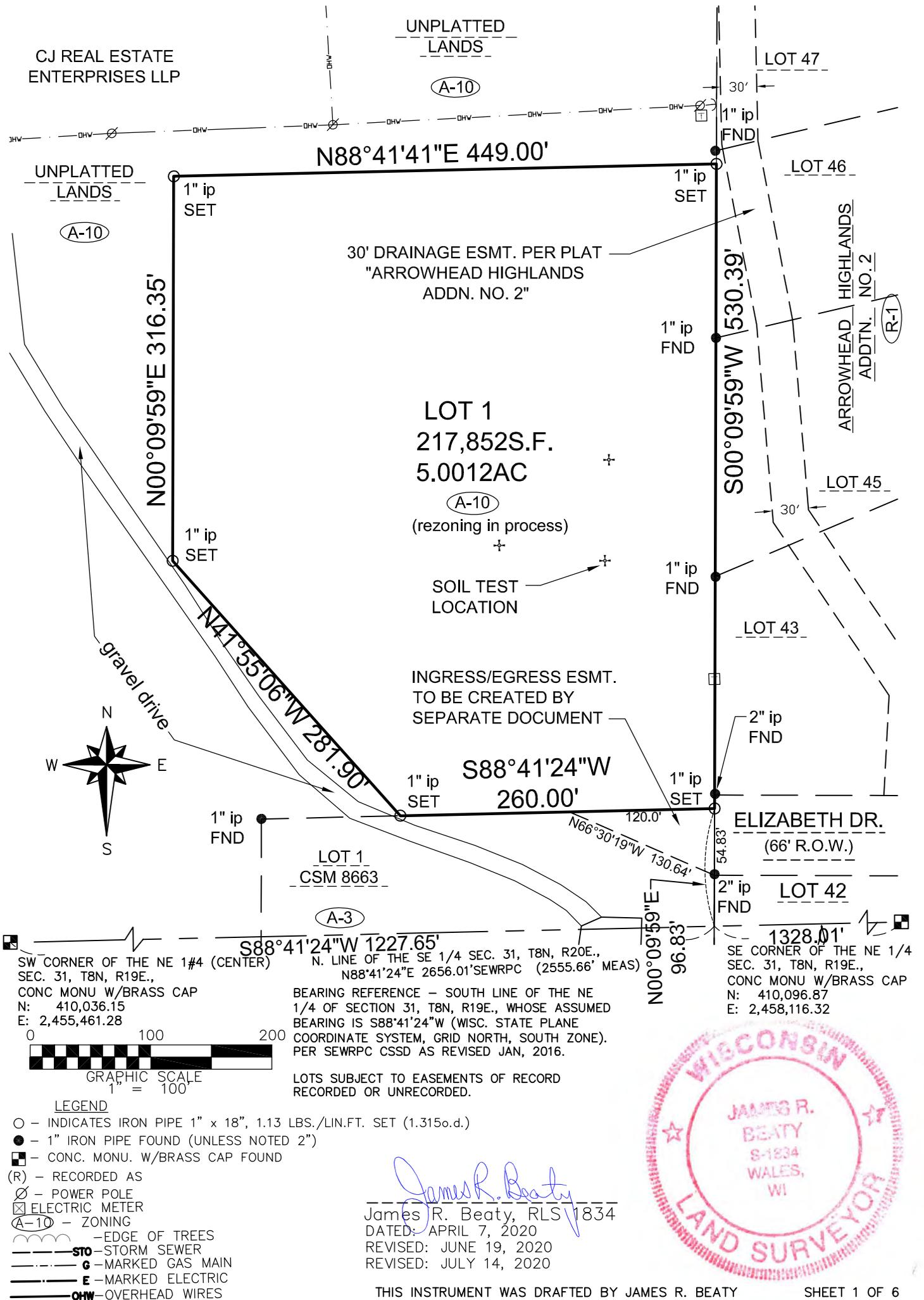
Address

City State Zip

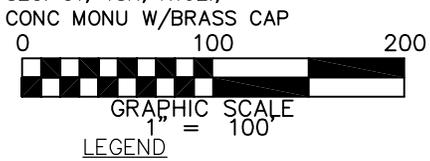
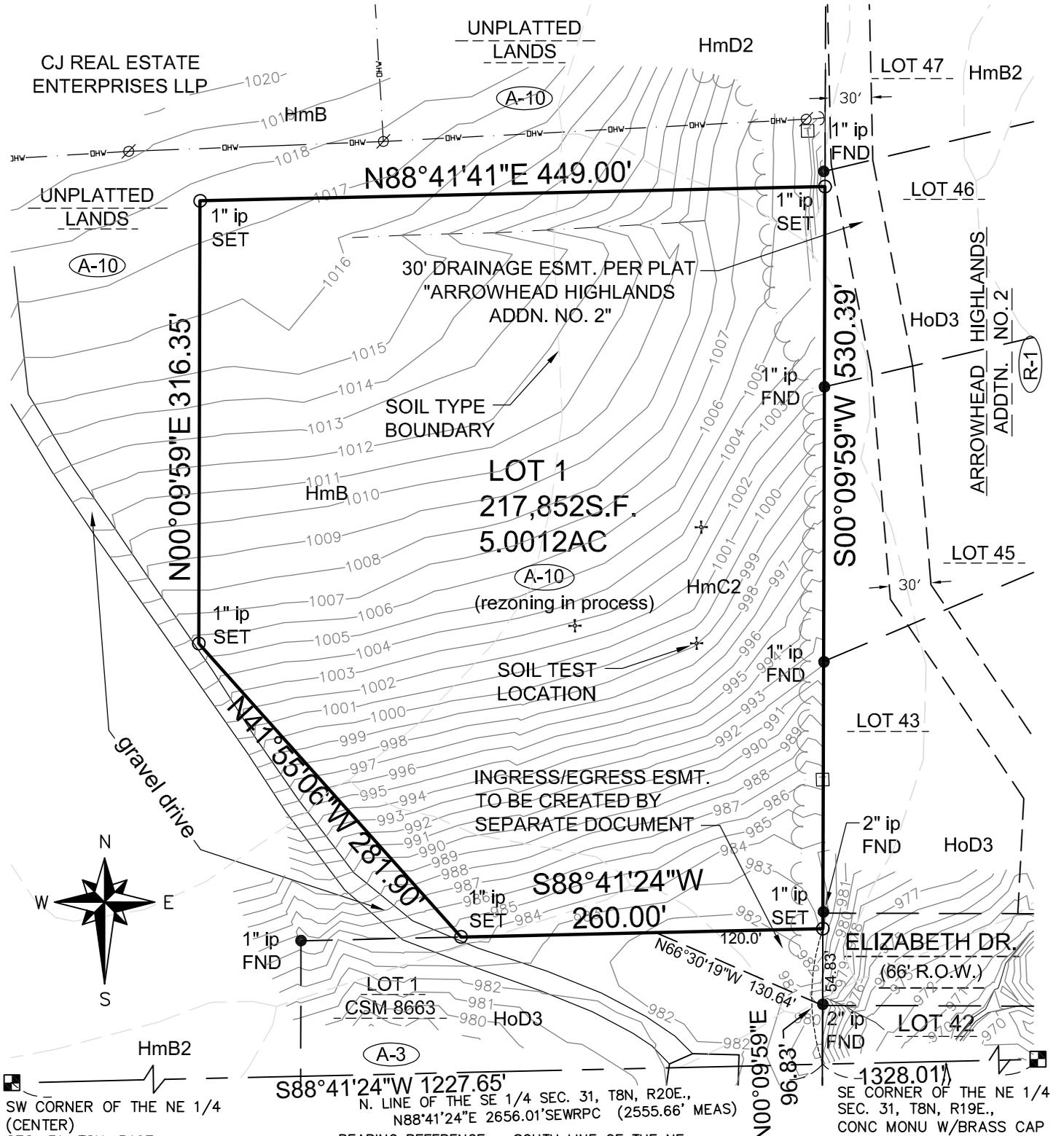
Phone E-Mail Address

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.***

CERTIFIED SURVEY MAP NO - -----
 BEING A REDIVISION OF UNPLATTED LANDS LYING WITHIN AND BEING A PART OF
 THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 8 NORTH,
 RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.



CERTIFIED SURVEY MAP NO - -----
 BEING A REDIVISION OF UNPLATTED LANDS LYING WITHIN AND BEING A PART OF
 THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 8 NORTH,
 RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.



LOTS SUBJECT TO EASEMENTS OF RECORD
 RECORDED OR UNRECORDED.

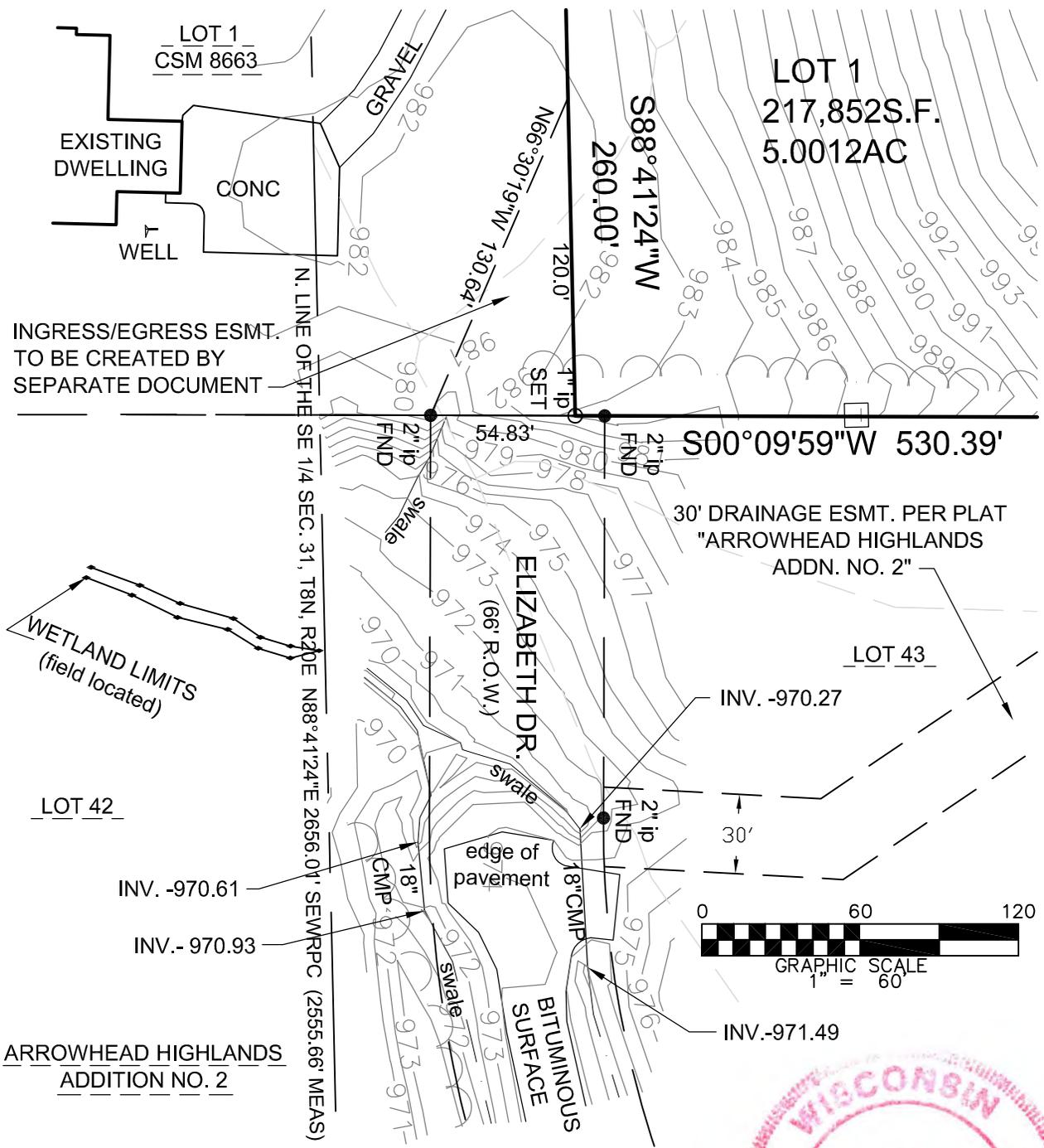
James R. Beaty

James R. Beaty, RLS 1834
 DATED: APRIL 7, 2020
 REVISED: JUNE 19, 2020
 REVISED: JULY 14, 2020



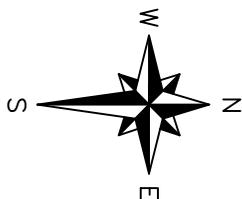
CERTIFIED SURVEY MAP NO - -----
 BEING A REDIVISION OF UNPLATTED LANDS LYING WITHIN AND BEING A PART OF
 THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 8 NORTH,
 RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

ACCESS DETAIL



LEGEND

- - INDICATES IRON PIPE 1" x 18", 1.13 LBS./LIN.FT. SET (1.315o.d.)
- - 1" IRON PIPE FOUND (UNLESS NOTED 2")
- - CONC. MONU. W/BRASS CAP FOUND
- (R) - RECORDED AS
- ⊙ - POWER POLE
- ⊠ - ELECTRIC METER
- A-10 - ZONING
- ~ - EDGE OF TREES
- S— - SANITARY SEWER
- STO— - STORM SEWER
- G— - MARKED GAS MAIN
- E— - MARKED ELECTRIC
- OHW— - OVERHEAD WIRES



James R. Beaty

James R. Beaty, RLS 1834
 DATED: APRIL 7, 2020
 REVISED: JUNE 19, 2020
 REVISED: JULY 14, 2020

CERTIFIED SURVEY MAP NO - _____
 BEING A REDIVISION OF UNPLATTED LANDS LYING WITHIN AND BEING A PART OF
 THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 8 NORTH,
 RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James R. Beaty, Registered Land Surveyor, do hereby certify that at the direction of the Owner(s), I have made this survey, being a redivision of unplatted lands lying within and being a part of the southwest 1/4 of the northeast 1/4 of Section 31, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin. Said lands are bounded and described as follows;

Commencing at the concrete monument with brass cap marking the Southeast corner of the Northeast 1/4 of said Section 31; thence S88°41'24"W along the south line of said Northeast 1/4 of Section 31, a distance of 1328.01 feet to a point on the west line of Arrowhead Highlands Addition No. 2, a recorded subdivision plat in the Waukesha County Register of Deeds office as Document No. 2529753, also being the east line of CSM 8663; thence N00°09'59"E along the west line of said subdivision, a distance of 96.83 feet to a 1" iron pipe marking the northeast corner of said CSM 8663 and the point of beginning of lands hereinafter described; thence S88°41'24"W, along the north line of said CSM 8663, a distance of 260.00 feet to a point on the north line of said CSM 8663; thence N41°55'06"W, a distance of 281.90 feet to a point; thence N00°09'59"E, a distance of 316.35 feet to a point; thence N88°41'41"E, a distance of 449.00 feet to a point on the west line of Arrowhead Highlands Addition No. 2; thence S00°09'59"W along the west line of said subdivision, a distance of 530.39 feet to the point of beginning. Said described lands containing 217,852 s.f. (5.0012 acres), more or less of land.

That I have made this survey, land division and map by the direction of CJ Real Estate Enterprises LLP Owner(s) of said land.

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, the Town of Lisbon Ordinances in surveying, dividing and mapping of same.

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 which, 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 either a licensed professional engineer or other soils expert design a basement and foundation which will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors or that 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.

NOTES:

FURTHER REDIVISION OF LOTS WITHIN THIS CSM IS PROHIBITED UNLESS APPROVED BY ALL APPLICABLE AUTHORITIES.

WETLAND BOUNDARY ARE SHOWN HEREON PER FIELD SURVEY LOCATIONS OF DELINEATION BY DAVE MEYER OF WETLAND AND WATERWAY CONSULTING. DATED JULY, 2020

NAVIGABILITY DETERMINATION RESULTS WERE NEGATIVE

SOIL TESTS FOR SOIL ABSORPTION SYSTEM LOCATION SHOWN

SUBJECT LANDS ARE WITHIN THE TOWN OF LISBON FIRE SERVICE AREA.

TOTAL IMPERVIOUS SURFACE ALLOWED ON LOT 1 MUST NOT EXCEED ONE ACRE / 10% OF THE PROPERTY AREA

GRADING PLAN REQUIRED FOR SINGLE-FAMILY RESIDENCE PRIOR TO CONSTRUCTION AT PROPERTY OWNERS EXPENSE

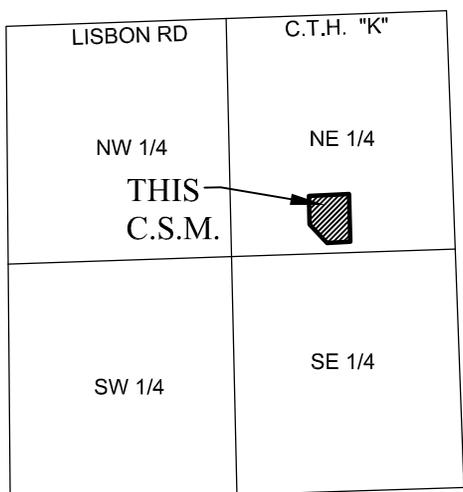
LOTS SUBJECT TO EASEMENTS OF RECORD RECORDED OR UNRECORDED.

PREPARED BY / SURVEYOR:

HORIZON LAND DEVELOPMENT SERVICES, LLC
 W313 S2562 PENNY LANE
 WALES, WISCONSIN 53183
 1-262-349-1575
 jamieb@horizonlanddevelopmentservices.com

OWNER(S) / SUBDIVIDER:

CJ REAL ESTATE ENTERPRISES LLP
 N55 W27351 LISBON RD
 SUSSEX, WI 53089-4509
 TAX KEY #LSBT 0265998002



VICINITY MAP
 NE 1/4 SECTION 31
 T. 8 N., R. 19 E.



James R. Beaty

James R. Beaty, RLS 1834
 DATED: APRIL 7, 2020
 REVISED: JUNE 19, 2020
 REVISED: JULY 14, 2020

CERTIFIED SURVEY MAP NO - _____
BEING A REDIVISION OF UNPLATTED LANDS LYING WITHIN AND BEING A PART OF
THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 8 NORTH,
RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

CJ Real Estate Enterprises LLP, a partnership duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided and mapped as represented on this plat.

CJ Real Estate Enterprises LLP, does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection: Village of Pleasant Prairie

IN WITNESS WHEREOF, the said CJ Real Estate Enterprises LLP, has caused these presents to be signed by Joe Goetz, its _____, at _____ Wisconsin, and its corporate seal to be hereunto affixed on this _____, day of _____, 2020.

In the presence of:

CJ Real Estate Enterprises LLP
Corporate Name

Joe Goetz, title

STATE OF WISCONSIN)
SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2020, Joe Goetz, _____ of the above named partnership, to me known to be the persons who executed the foregoing instrument, and to me known to be such Managing Member of said partnership, and acknowledged that they executed the foregoing instrument as such officers as the deed of said partnership, by its authority.

signature Notary Public, _____, Wisconsin

My commission expires _____.



James R. Beaty, RLS 1834



DATED: APRIL 7, 2020
REVISED: JUNE 19, 2020
REVISED: JULY 14, 2020

CERTIFIED SURVEY MAP NO - _____
BEING A REDIVISION OF UNPLATTED LANDS LYING WITHIN AND BEING A PART OF
THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 8 NORTH,
RANGE 19 EAST, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

TOWN OF LISBON PLAN COMMISSION APPROVAL

Approved by the Town of Lisbon Plan Commission this _____ day of _____, 2020.

Joseph Osterman, Chairman

Rick Goeckner, Interim Clerk

TOWN OF LISBON TOWN BOARD APPROVAL

Approved by the Town Board of the Town of Lisbon this _____ day of _____, 2020.

Joseph Osterman, Chairman

Rick Goeckner, Interim Clerk

VILLAGE OF HARTLAND EXTRATERRITORIAL APPROVAL

Approved by the Village of Hartland this _____ day of _____, 2020.

Jeffrey Pfannerstill, President

VILLAGE OF MERTON EXTRATERRITORIAL APPROVAL

Approved by the Village of Hartland this _____ day of _____, 2020.

Ron Reinowski, President

CITY OF PEWAUKEE EXTRATERRITORIAL APPROVAL

Approved by the City of Pewaukee this _____ day of _____, 2020.

Steve Bierce, Mayor

James R. Beaty

James R. Beaty, RLS 1834
DATED: APRIL 7, 2020
REVISED: JUNE 19, 2020
REVISED: JULY 14, 2020





Waukesha County
Department of Parks and Land Use

April 1, 2020

Stephanie Brandt
N55 W27371 Lisbon Rd.
Sussex, WI 53089

RE: D349: Waukesha County Development Review Team (DRT) Meeting Summary
Proposed Land Division – Goetz Property
NE ¼ of Section 21, Town of Lisbon (LSBT 0265.998.002)

Dear Mrs. Brandt:

This letter summarizes the comments and concerns that were discussed at the DRT meeting on March 13, 2020, regarding the proposal for a five (5) acre land division on property owned by CJ Real Estate Enterprises, LLC in the Town of Lisbon. We hope that this input is valuable as you continue planning for the development. The following is a preliminary listing of the issues and requirements, which will need to be addressed as the project planning continues:

Comp Plan/Land Use Plan designations

- The parent parcel has five distinct Land Use designations, the majority of which is designated as Rural Density and Other Agricultural Land (5 acres per dwelling unit). The driving range along CTH K is designated as Recreation. The wooded areas on the east side and south(west) side of the property are designated as Isolated Natural Resource Areas (INRA). The southern portion of the property adjacent to the ponds is designated as Secondary Environmental Corridor (SEC). This same general area is also designated as Other Open Lands to be Preserved. The Land Use designations are consistent on both the Town and County Land Use Plans.
- The proposed five (5) acre lot is designated entirely as Rural Density and Other Agricultural Land (5 acres per dwelling unit). The proposed density complies with the Town and County Land Use Plan even when factoring in the other two land divisions and uses that currently exist on the property which include four single family homes and one duplex.

Zoning

- The southern portion of the parent parcel falls within the Waukesha County Shoreland and Floodland Protection Ordinance Jurisdictional boundary. The land within the County jurisdiction is zoned HG High Groundwater, C-1 Wetland Conservancy Overlay, and EC Environmental Corridor Overlay.
- The majority of the parent parcel is subject to the Town of Lisbon Zoning Ordinance. The property is zoned A-10 (10 acre minimum lot size), C-1 Wetland Conservancy, PR Park and Recreation, UC

Planning and Zoning

Upland Corridor, and RM Multi-Family Residential. The two CSMs from the 1980's/1990's are zoned A-3 Agricultural/Residential.

- A Town rezone will be required in order to accommodate the proposed lot size. A public hearing for the rezone is administered by the Town and the Town forwards their recommendation to the County Board for approval. The entire rezone process generally takes approximately four months in order to proceed through all of the town and county committees. A County rezone may be required if the intermittent stream to the east is found to be navigable. If that is the case, **it is strongly recommended you have the Town and the County schedule a joint public hearing to handle both rezones at the same time in order to limit the amount of time it would take to schedule both processes separately.**
- The Driving Range on CTH K is subject to a (town) Conditional Use Permit. Based the County's review of the Town records, it appears that the Conditional Use Permit only applies to the 20 acres used by the driving range, rather than the entire property. However, the Town should be consulted as to whether or not an amendment to the Conditional Use Permit is required for the proposed land division.

Land Division Comments

- The navigability determination notwithstanding, due to the County zoning jurisdiction on the southern portion of the parent parcel, the County would review the proposed CSM, unless a remnant parcel waiver is requested. A remnant parcel waiver allows for the CSM to exclude the all acreage, other than the proposed 5 acre lot and Lot 1 CSM No. 8663, if that northern lot line is proposed to be adjusted (thus resulting in a two lot CSM). An application for remnant parcel waiver is attached.
- Unless the navigability determination results in additional County Shoreland jurisdiction, the Town of Lisbon will review the proposed CSM. Please contact the Town of Lisbon for their CSM submittal requirements and fees. If the stream is navigable, you will also have to contact the County for their CSM submittal requirements and fees for the review of the CSM.
- The City of Pewaukee has extra-territorial jurisdiction within 1 ½ miles of their municipal boundaries in the Town of Lisbon. The proposed CSM will need to be submitted to the City of Pewaukee for review and approval.

General comments

- The Town of Lisbon Fire Department should be consulted to determine whether they would prefer the subdivision roadway to the east to be extended to the west to serve the proposed five acre lot or whether they feel the existing private drive to be acceptable to serve the five acre lot, along with the existing six residential units and other uses on the property (driving range, farm operation). If the fire department finds the existing private driveway to be an option, they should be consulted as to any required improvements such as driveway width, turn radius changes, turnarounds, or any other improvements. Waukesha County will reach out to the Fire Department on your behalf.
- A wetland delineation will be required to determine the boundaries of the mapped wetlands located near Elizabeth Drive if that roadway will be extended.
- There is an intermittent stream to Coco Creek located along the eastern property line, running through the right-of-way of Elizabeth Drive. The Wisconsin DNR should be consulted as to whether or not a crossing would be allowed over the waterway.

- You must request a navigability determination (request form attached) by the DNR to determine if the intermittent stream is navigable. If the stream is deemed to be navigable, the County Shoreland jurisdiction will be extended 300' from the stream and the proposed five acre lot will be within the County's shoreland jurisdiction. It is recommended you request an Ordinary High Water Mark determination on the same request form.
- As it is a local road, the Town of Lisbon should be consulted to determine whether it is feasible to extend Elizabeth Drive. If Elizabeth drive is not able to be extended, or a crossing not allowed by DNR, a lot not abutting a public road approval would be required by both the Town and the County (if ultimately within the County's zoning jurisdiction).
- If access will be from Elizabeth Drive, a culvert should be provided that will allow for the unimpeded flow of water created during the spring thaw. Additional consideration should be given to the steep slopes in the area.
- The proposed five acre lot contains soils that may contain seasonal high groundwater. Soil testing should be completed to ensure 1 foot of separation between the lowest floor and the water table. A Form A soil test will be required to prove that the lowest floor can meet the 1 foot of separation from the water table.
- The five acre lot is proposed to be served by private sewage system and private well.

Environmental Health Division (Lance Brow, (262) 896-8300, lbrow@waukeshacounty.gov)

- Soil tests will need to be conducted on the five acre lot to prove suitable soils for the on-site private sewage system and basement ground water separation. Please contact the Environmental Health Division so that they can be present to observe the testing. Basement soil borings can be done at the same time as the septic soil borings.
- A PSE will be required for the existing residence if the request is for a two lot CSM.

Land Resources Division (LRD) (Leif Hauge, (262) 896-8300, lhauge@waukeshacounty.gov)

- The stream crossing for the possible road extension from the east crosses a gully that is probably dry most of the time, but during frozen ground conditions rain events probably flow pretty strong. LRD later estimated the drainage area to be 96 acres, and indicated that the flow rate could be as high as 100 cfs, which would require a large culvert to avoid overtopping (e.g. 48 inches in diameter or larger).
- The soils in the nearby area are mapped as hydric. The town and county both require a 1-foot groundwater separation. As the ground is sloping, and the water table as well, the proposed residence may be wet at one end and built on fill at the other end. There is a process for requesting an elevation that is in the water table at the uphill end, if the drain tile can be day lighted.
- The 1998 concept plan has shortcomings by current standards, and would have to be revised if the owner wanted to proceed in the future.
 - The BMP is shown as being located in a mapped wetland, which the Stormwater Ordinance does not allow. The BMP would likely have to move north, although that area appears to slope at about 8%.
 - There is no infiltration BMP. The soils are generally poor for infiltration on the parent parcel, but there is an area in the vicinity of the driving range where infiltration may be feasible, and where at least part of the road runoff could be directed.

Department of Public Works (DPW) (Jason Mayer, (262) 548-7740, jmayer@waukeshacounty.gov)

- If the parent parcel were developed as a future subdivision, the existing access to the driving range, farm, and residential uses will need to be relocated approximately 500 feet to the east to align with the public street to the new development on the north side of CTH K. Highway improvements (i.e. left turn lane and acceleration/deceleration tapers) will also be required.
- The current access does not meet sight distance standards for a public street at 55 mph.
- The County would allow a second driveway access to the west with a subdivision development but it would need to comply with the sight distance standards:

Sight Distance Standards

3.5 eye height and 3.5 object height

55 mph = 990 feet

45 mph = 700 feet

- Waukesha County DPW is ok with the proposed five acre CSM having access via the existing driveway, to serve one additional residential home.
- The existing easements should be cleaned up to provide a clearer picture on the current access layout for Goetz property (i.e., 33' easement to south line of CSM No.5648 and the remainder is a private driveway only; and the 33' easement from Northwillow Creek Road to CSM No. 8663 is not useable as it crosses a wetland).
- A note on the CSM about future access restraints for when this property is developed, may be required.

Town of Lisbon Community Assistance Planner (Sandy Scherer, (262) 548-7790, sscherer@waukeshacounty.gov)

- If Elizabeth Drive is not extended, the Town will need to approve a lot not abutting a public road. There is no guarantee that the Town will approve a lot not abutting a public road.
- If access is proposed via an easement to Elizabeth Drive, the easement must be 66 ft. wide and the driveway at least 16 ft. in width, if the easement serves more than one home. The current private driveway from CTH K serves the driving range, farm, and multiple existing residences (6 units) and would therefore need to be brought up to these standards.
- A Deed Restriction may be required to be filed in the Register of Deeds office against the parent parcel stating how many density credits have been utilized thus far since there are no immediate plans to develop the remainder of the property and so the number of density credits can be tracked.
- Town driveway slopes generally are not allowed to exceed 10%, and the Town Engineer should be contacted when the method of access is determined.

We hope you find that the comments submitted by the Town and County staff during the conceptual design stage will eliminate unnecessary delays during the remainder of the review process. It is important to note that as additional information is submitted there may be additional requirements, permits, etc. that apply. In the event you have any further questions, please do not hesitate to contact me at (262) 548-7790 or at jheermans@waukeshacounty.gov, or any of the contacts listed above.

Sincerely,

Jacob A Heermans

Jacob A. Heermans
Senior Land Use Specialist

Enclosures: Land Division Checklist, Misc. Zoning Actions application, Navigability request form

cc (**via email only**): Joshua Langen, Town of Lisbon Planner
Rachel Holloway, Town of Lisbon Planner
Gina Gresch, Town Administrator
Sandy Scherer, Town of Lisbon Community Assistance Planner
Jason Mayer, Public Works
Leif Hauge, Land Resources
Lance Brow, Environmental Health
Fire Chief, Lisbon Fire Department
WDNR
File

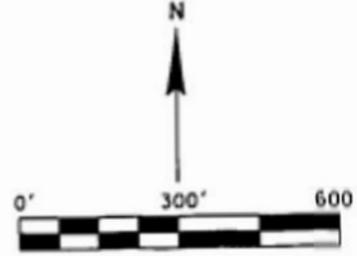
2382125
Previous CSM adjacent to southern border for reference

CERTIFIED SURVEY MAP NO. 8663

Being a part of the Southwest 1/4 of the Northeast 1/4 and the North-west 1/4 of the Southeast 1/4 of Section 31, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin.

REFERENCE BEARING

ALL BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE SOUTHEAST 1/4, SECTION 31, T 8 N., R 19 E WHICH BEARS SOUTH-88°41'24" W AND IS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



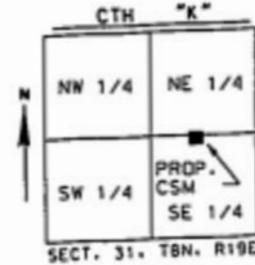
LEGEND

- 1" x 24" IRON PIPE SET, WEIGHT 13.1 LB./FT.
- 1" I.P. FOUND
- ☒ FOUND CONC. MON. W/BRASS CAP
- B-1 SOIL BORING (TYP.)

NOTES

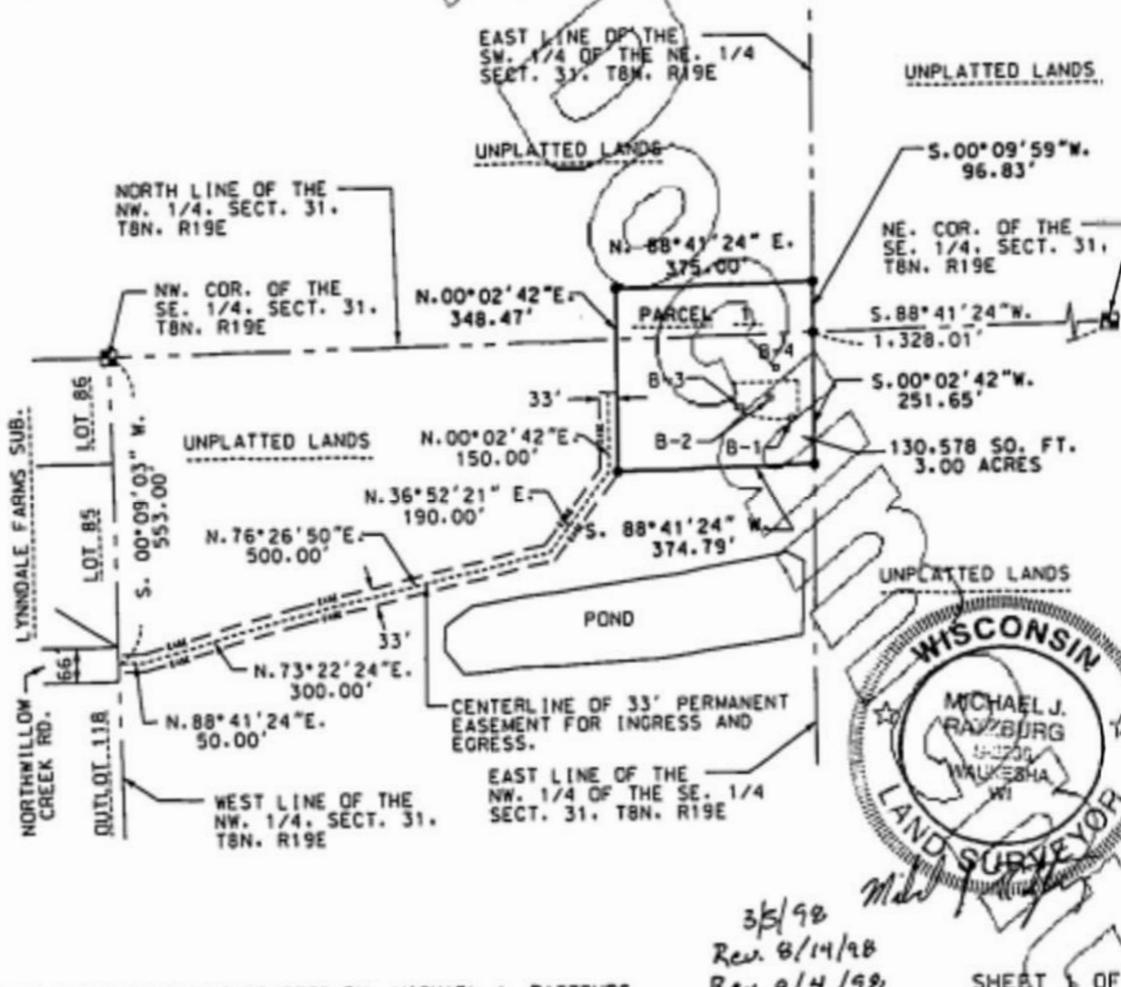
THE ENTIRE PARCEL LIES WITHIN THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE JURISDICTIONAL LIMITS.

WAUKESHA COUNTY PARK AND PLANNING COMMISSION APPROVED THE CREATION OF THE SUBJECT PARCEL NOT ABUTTING A PUBLIC ROAD ON 8/6/98.



OWNER:

C J ENTERPRISES
N 55 W 27371 LISBON RD.
SUSSEX, WI.



3/5/98
Rev. 8/14/98
Rev. 9/4/98

THIS INSTRUMENT WAS DRAFTED BY: MICHAEL J. RATZBURG SHEET OF 3

For reference only, not for re-sale.

290

CERTIFIED SURVEY MAP NO. 863

Being a part of the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 Section 31, Township 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin.

SURVEYORS CERTIFICATE

STATE OF WISCONSIN
WAUKESHA COUNTY

I, Michael J. Ratzburg, a Registered Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped that part of the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 Section 31, Township 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin.

Commencing at a concrete monument with a brass cap at the Northeast corner of said Southeast 1/4; thence South 88°41'24" West, on and along the North line of said Southeast 1/4, 1,328.01 feet to a point on the East line of the Northwest 1/4 of said Southeast 1/4 and the point of beginning; thence South 00°02'42" West, on and along said east line 251.65 feet to a point; thence South 88°41'24" West, parallel with said North line, 374.79 feet to a point; thence North 00°02'42" East, parallel with said East line, 348.47 feet to a point; thence North 88°41'24" East, parallel with said North line, 375.00 feet to a point on the east line of the Southwest 1/4 of said Northeast 1/4; thence South 00°09'59" West, on and along said east line, 98.63 feet to the point of beginning.

Containing 130,578 Square feet (3.00 acres), more or less.

Centerline Description for a 33 foot Permanent Easement for Ingress and Egress

Commencing at a concrete monument with brass cap at the Northwest corner of the Southeast 1/4; thence South 00°09'03" West, on and along the west line of said Southeast 1/4, 553.00 feet to the centerline of the right of way of Northwillow Creek Road and the point of beginning of said centerline description; thence North 88°41'24" East, on and along said centerline, 50.00 feet; thence North 73°22'24" East, on and along said centerline, 300.00 feet; thence North 76°26'50" East, on and along said centerline, 500.00 feet; thence North 38°52'21" East, on and along said centerline, 190.00 feet to a point 16.50 feet west of the southwest corner of Parcel 1; thence North 00°02'42" East, parallel with the west line of said Parcel 1, 160.00 feet to the end of said centerline description.

That I have made such survey, land division and map by the direction of C J Enterprises, owner of said land. That such map is a correct representation of 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 Land Division Ordinance of the Town of Lisbon, in surveying, dividing, and mapping the same.



Michael J. Ratzburg
Michael J. Ratzburg
Registered Wisconsin Land Surveyor

Date: 5/5/98

For reference only, not for re-sale.

CERTIFIED SURVEY MAP NO. Sub 3

Being a Part of the Southeast 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 Section 21, Township 8 North, Range 19 East, in the Town of Lisbon, Washburn County, Wisconsin

CORPORATE OWNER'S CERTIFICATE

C-J Enterprises, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, do hereby certify that said corporation caused the land described on this map to be surveyed, divided, mapped, and dedicated as represented on this map.

WITNESS

[Signature]
[Signature]

Joseph M. [Signature]
President
[Signature]
Vice President

STATE OF WISCONSIN
Washburn COUNTY

Personally came before me this 27 day of October 1968 Charles Grotz and [Signature] of the above-named corporation, to me known to be officers of said corporation and acknowledged that they executed the foregoing instrument as such officers at the time of said execution, by its authority.

[Signature]
Notary Public, State of Wisconsin



My Commission Expires July 2, 2000

Town of Lisbon Planning Commission Approval

Approved by the Town of Lisbon Planning Commission on this 27 day of October 1968

[Signature]
Secretary

Town of Lisbon Board Approval

Approved by the Town of Lisbon Board on this 27 day of October 1968

[Signature]
[Title]



For reference only - not for resale

Unofficial Document

For reference only, not for re-sale.

RECORDS OFFICE
 155
 Wichita Co., TX | **2982125**

RECORDED FOR RECORD THE 2nd 1998
 BY Michael 10/13 10:13 10/13
 IN Vol. 3 of City's of 270-273
Michael J. Hoeslinger
 by Madeline M. Douglas Deputy

10/13/98

Item 7E – Attachments



August 4, 2020

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

Re: Robert Miller – Major Grading Conditional Use Permit (CUP) Review

Dear Plan Commission Members:

The above-referenced Conditional Use Permit (CUP) application was received in our office for review on behalf of the Town of Lisbon. We have reviewed the following application materials:

- Major Grading Application
- Conditional Use Permit (CUP) Application
- Civil (Site) Plans dated 7/24/20

Summary

Robert Miller is proposing to construct a swim pond for recreational and rural use. The applicant will need to disturb approximately 90,363 sq. ft. of ground area in order to do so. The property is located east of the intersection of North Lisbon Road and Hillside Road. The property measures approximately 79.35 acres in size and is zoned A-10, UC, C-1, and County Shoreland. The swim pond is proposed to be located in the A-10 zoning portion of the property. The civil (site) plans include:

- A distance from wetlands and County Shorelands map
- Grading specifications
- Associated utility, erosion control, and construction notes

The swim pond will be a private residential/rural use and therefore, will does not have an associated plan of operation. An accessory building is shown on the plan for reference; however, future permitting of the accessory build will likely not require major grading and will be reviewed by the Zoning Administrator, Building Inspector, and other applicable review staff.

Application Review

The parcel is subject to compliance with the Town Code Chapter 11 other applicable Chapters.

Property Information

Property owner: Robert Miller

Location: East of the intersection of North Lisbon Road and Hillside Road.

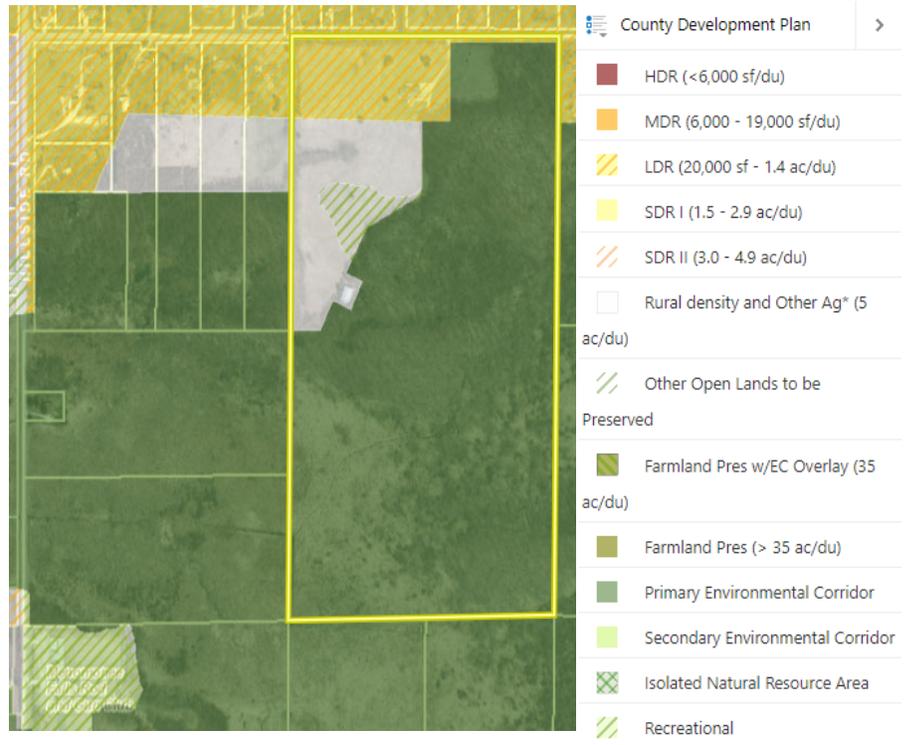
Tax Key: LSBT0182999

Adjacent land uses and zoning:

- North: Residential (zoned R-1 Suburban Single-Family)
- South: Vacant/Agricultural (zoned HG Floodplain)
- East: Rural Residential (zoned A-10/UC/HG Floodplain)
- West: Rural Residential (zoned A-5 Mini-Farm/UC)

Existing Zoning: A-10 (on pond portion), UC, C-1, and County Shoreland

Recommended Land Use: "LDR / Low Density Residential" and "Rural Density and Other Ag" (see inset map image)



The use, removal, and/or distribution of the waste soil on the site shall be worked out between the Town and the applicant separate from this application. For the purposes of this review, we have assumed the cut and fill will be managed according to any applicable grading standards and disposal regulations.

Conditional Use Permit (CUP) Review

The Chapter 11 Zoning Code lays out the requirements for Conditional Use Permit applications and approvals 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:

1. Materially endanger the public health, general welfare, and safety

The proposed Major Grading does not appear to endanger the public health, general welfare, or safety. The swim pond and associated grading will be for private residential use and will be required to adhere to applicable environmental regulations and engineering standards.

2. Be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, or other similar factor.

The proposed Major Grading does not appear to be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, or other factor. The private swim pond and associated grading will be used for recreational and rural purposes.

3. For any other reason cause a substantially adverse effect on property values.

The proposed Major Grading is not expected to have a substantially adverse effect on property values. The property is of significant size and has substantial environmental protections which buffer the swim pond and associated grading from neighboring properties.

4. Be inharmonious with the area in which it is to be located.

The proposed Major Grading is not expected to be inharmonious with the area in which it is to be located. The swim pond and associated grading are customary rural enhancements to a rural or agricultural property and neighborhood.

5. 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.

The proposed Major Grading is in general conformity with land use plan and other associated plans. The proposed land use for the subject property is designated "Low Density Residential" and "Rural Density and Other Ag" where the grading is proposed to occur. The swim pond and associated grading are rural uses which correspond to both low density development and rural density.

Major Grading and Associated Site Plan Review Standards

The Major Grading and associated Site Plan package that we received for review adheres to the site plan standards in Chapter 11 with as well as environmental protection standards in applicable Chapters, provided conditions for approval are met.

Consistency with Zoning

The A-10 Zoning District is intended to provide for very low-density single-family residential development in predominantly rural areas in order to maintain, to some degree, the agricultural character of the property and the rural character of the area. These lands are best suited for small farm units, i.e., truck and hobby type farms, grazing, orchards, and other similar agriculturally-related activities in areas that have an existing pattern of scattered or low-density residential development. A swim pond would be consistent with agriculturally-related activities and the rural character of the area.

Recommendation

If the Plan Commission would require additional materials they have the ability to table action on the CUP application. If the Plan Commission is generally comfortable with the request, they may conditionally approve it. Recommended conditions may include:

1. The Town of Lisbon retains the right to review the grading for compliance and maintenance of associated stormwater with approved plans.
2. The Fire Chief shall inspect the premises to ensure the site is in compliance with the respective fire codes. Non-objection from the Fire Department and correction of any deficiencies prior to issuance of occupancy permits.
3. 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 occupancy permits.
4. The Town Engineer review the site plans to ensure the site is in compliance with the respective Town codes. Non-objection from the Town Engineer and correction of any deficiencies prior to issuance occupancy permits.
5. Soil tests shall be done, and provided to the Town, to confirm the soils are suitable for swim pond.
6. All erosion control devices be installed and maintained throughout the duration of the construction project. It is imperative that erosion control be established prior to the onset any excavating or grading activities.
7. The Waukesha County Environmental Health Division may review and approve of the uses on the subject property, prior to the issuance of any permits.
8. Waukesha County review and approval of stormwater plans.
9. Waukesha County approval of any final Stormwater Management Practice and Maintenance Agreement.
10. Once the Storm Water Management Practice and Maintenance Agreement and any

addendums of the same have been executed, a record copy shall be sent to the Town of Lisbon and the Town's Engineer for their records.

11. The applicant should obtain all necessary State and County permits and provide a copy of permit approvals to the Town for their records. Copies of approved permits need to be submitted prior to plan approval.
12. Any proposed water service connections shall conform to State, County and/or local permit requirements.
13. Once the erosion control measures are in place and prior to commencing construction the applicant shall contact the Town Engineer for an initial inspection.
14. The following draw down pipe information will need to be provided:
 - a. Indication of the direction of water flow if draw down is needed
 - b. Erosion Control information and Riprap details for draw down pipe
15. An up-to-date Site Plan must be on file at all times with the Town of Lisbon.
16. 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 Conditional Use Permit and/or Site Plan permit, as applicable, with all the zoning procedures at the time of being followed. Any use not specifically listed as permitted for this A-10 Agricultural zoning district, shall be considered to be prohibited, except as otherwise specified herein.
17. The Town reserves the right to review any condition imposed as part of this Conditional Use Permit and Site Plan and Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, through the Site Plan and Plan of Operation process, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area. Any major change, as determined by the Town Plan Commission may require modification to the CUP and/or Site Plan Permits or termination of the use.

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

Sincerely,

Joshua Langen, AICP
Community Development Planner

Rachel Holloway, AICP
Town Planner

cc: Steven Braatz, Interim Clerk-Treasurer, Town of Lisbon

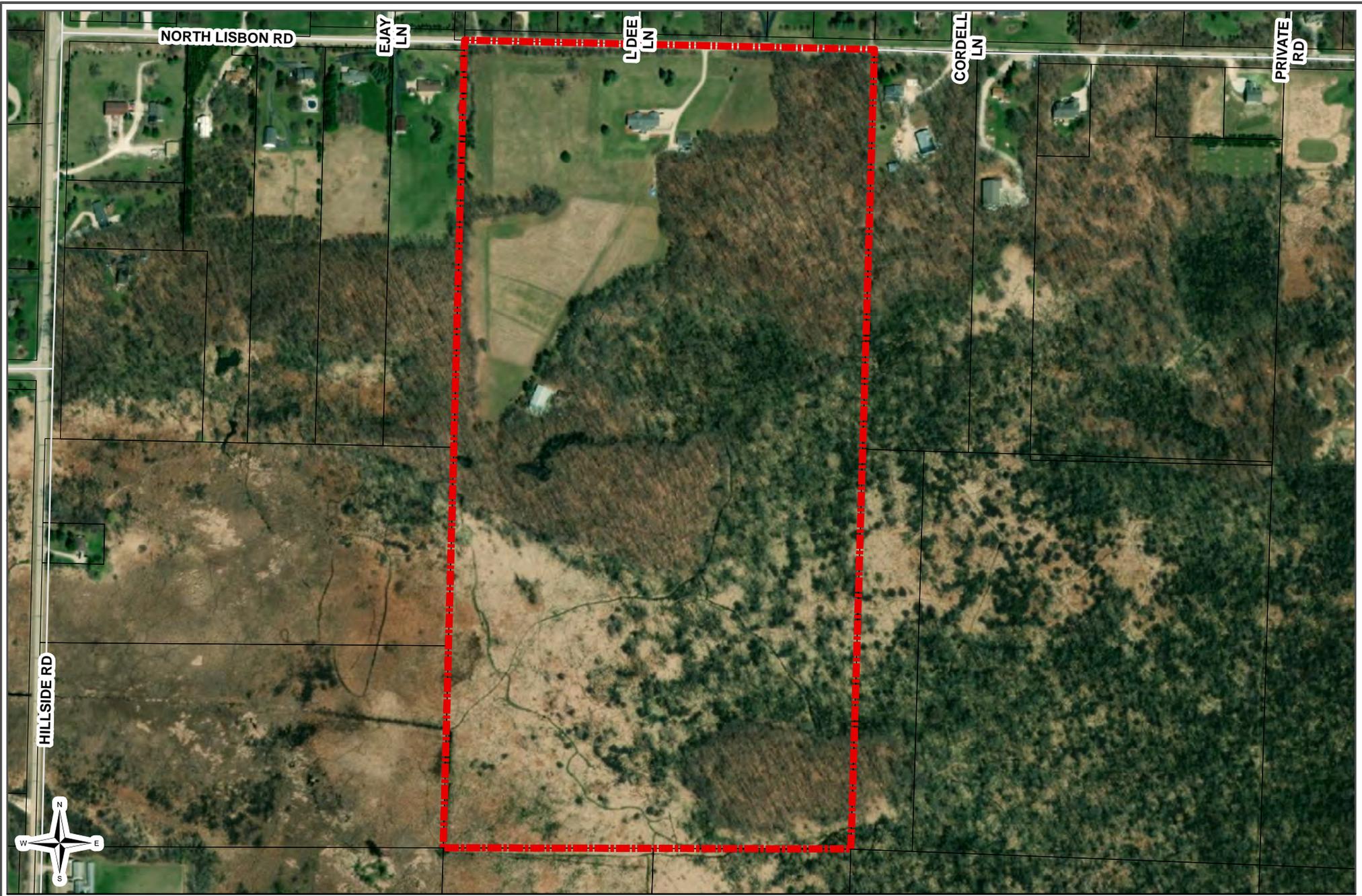
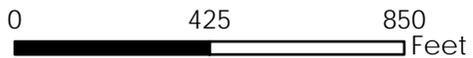


Exhibit A: Parcel 0182.999 Site Map
Town of Lisbon



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530

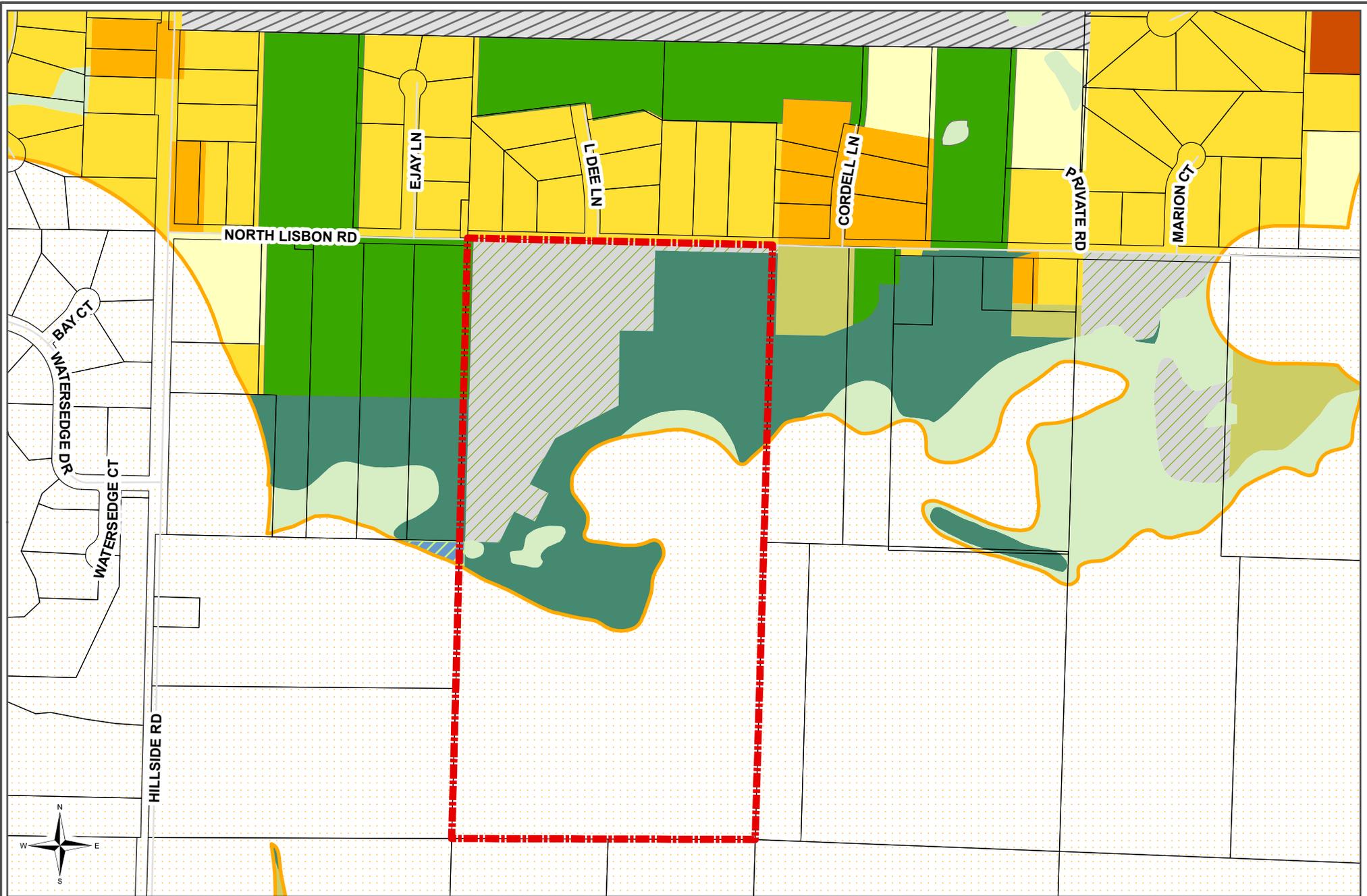


Exhibit B: Parcel 0182.999 Zoning Map

Town of Lisbon



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



Subject Parcel



Waukesha Shoreland Zoning

vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
Phone: (262) 875-5000 Fax: (608) 826-0530



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

Plan Commission Application

Application Type and Fee (check all that apply)

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

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

- 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

N87W24641 North Lisbon Rd. Lisbon WI 53089
 Property Address City Zip

LSBT 0182 999 80 Acres Residential / Agricultural
 Tax Key/Parcel ID # Lot Size Current Zoning

Property Owner

Robert + Miller
Name / Company Name

Signature
N87W24641 North Lisbon Rd.
 Address

Lisbon WI 53089
 City State Zip

414 687-6550 rmillerjr6@yahoo.com
 Phone E-mail Address

Applicant

SAME
 Name

 Company

 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.



Grading Permit Application

- Minor Grading Permit (Less than 60 cubic yards and/or less than 6000 sq. ft. land disturbance)
 Major Grading Permit (Requires Plan Commission Approval)

Please type or print legibly.

Project Name Swim pond

PROPERTY INFORMATION

Tax Key Number(s) LSBT 0182 999

Property Address or Section & 1/4 Section N87W24641 North Lisbon Rd.

Current Zoning Residential / Agricultural Proposed Zoning (if applicable) No change

Present Use Field Intended Use Swim pond

PROPERTY OWNER(s) (Use separate sheet to list multiple owners, such as all owners of limited partnership or land trusts)

Name Robert Miller

Address N87W24641 North Lisbon Rd.

City Lisbon State WI Zip 53089

Phone 414-687-6550 Fax _____

Email Address rmillerjr6@yahoo.com

APPLICANT If the applicant is not the owner of record, the legal owner/owners' signature must be on the application OR a letter of authorization from the owner must accompany the application.

Name SAME

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Email Address _____



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:
 - A. Structures, showing all entrances
 - B. Driveways & street access
 - C. Parking areas
 - D. Walkways
 - E. Existing landscaping
 - F. Abutting public and private streets
 - G. Public easements
 - H. Surrounding land uses and zoning
 - I. Retaining walls
 - J. Decorative accessories
 - K. Dumpster location and screening
 - L. Location, color, message, dimensions and materials of all signs
 - M. Location, size and character of dedicated or private open space
 - N. Location of sanitary sewer, storm sewer, water mains and services and stormwater detention facilities
 - O. Floor plan of building or addition
- 3) Stormwater management plan.
- 4) Grading plan showing existing and finished grades to Town datum.
- 5) Professionally prepared landscape plan.
- 6) Lighting plan; photometric plan, type of fixtures, wattage and location and height of lighting structures.
- 7) Topographic data or pertinent grade elevations, if necessary, for proper remodeling of existing buildings showing finished exterior treatment.
- 8) Colored elevations of proposed buildings, structures and fencing, or of proposed remodeling of existing buildings, showing finished exterior treatment and a listing of building materials.
- 9) Names, address, telephone number, fax number and email address of the owner(s) and/or agent to be contacted with regard to the application.
- 10) Proof of ownership or agent status.

CONTACT PERSON FOR PROJECT (Surveyor/Engineer)

Name Andy Wassmann Cell 920-979-7445
Company W. Scansin Lake & Pond
Address N. 7828 Town Hall Rd
City El Dorado State WI Zip 54932
Phone 920-872-2032 Fax 920-872-2036
Email Address andy@w-scansinlar.com

Applicant agrees that any approval issued on representations made in this submittal, and any subsequently issued permits may be revoked without notice if there is a breach of representations or conditions of approval. Applicant/owner by signature understands and accepts responsibility for completion of all required on-site and off-site improvements as shown and approved on final plan (including landscaping) prior to acceptance by the Town of Lisbon.

By the execution of this Application, Applicant authorizes the Town of Lisbon or its agents to enter upon the property between 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection. Applicant grants this authorization even if Applicant has posted this property against trespassing pursuant to Section 943.13 Wis. Stats.

Applicant hereby certifies that: (1) All statements and other information submitted as part of this application are true and correct to the best of Applicant's knowledge; and (2) APPLICANT HAS READ AND UNDERSTANDS ALL INFORMATION IN THIS PACKET.

Minor grading permit fee 200.00
Major grading permit fee 300.00 plus any additional engineering/town fees

Checks to be made out to The Town of Lisbon

Applicant Signature:  Date: 6/30/20
Owner's Signature: _____ Date: _____
Owner's Signature: _____ 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 Robert Miller
ADDRESS N87 W24641 North Lisbon Rd.
DATE 6.30.20 SIGNATURE [Signature]
PHONE 414-687-6550 EMAIL rmillerjr6@yahoo.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Robert Miller
ADDRESS N87 W24641 North Lisbon Rd
DATE 6.30.20 SIGNATURE _____
PHONE 414-687-6550 EMAIL rmillerjr6@yahoo.com

PROJECT NAME Swim Pond

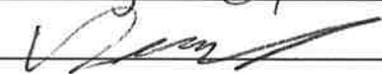


SITE INSPECTION NOTIFICATION:

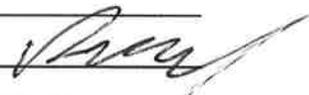
The Town of Lisbon Town Plan Commission and Town Board request permission of the property owner or responsible party to enter the subject property, between the hours of 9am to 5pm or upon prior 24 hour notice, for a site inspection prior to any scheduled Plan Commission or Board meeting. The site inspection 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 Robert Miller
ADDRESS N87W24641 North Lisbon Rd.
DATE 6.30.20 SIGNATURE armillerjr6@yahoo.com
PHONE 414-687-6550 EMAIL 

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Robert Miller
ADDRESS N87W24641 North Lisbon Rd. 
DATE 6.30.20 SIGNATURE ~~rmillerjr6@yahoo.com~~
PHONE 414-687-6550 EMAIL rmillerjr6@yahoo.com

COMMENTS:

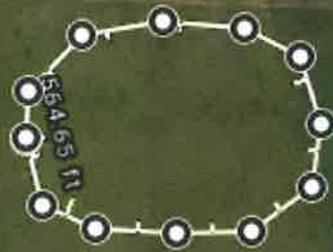
Swim Pond

Town Official Accepting Form

Date

n Rd

N Lisbon Rd



Measure distance



Click on the map to add to your path

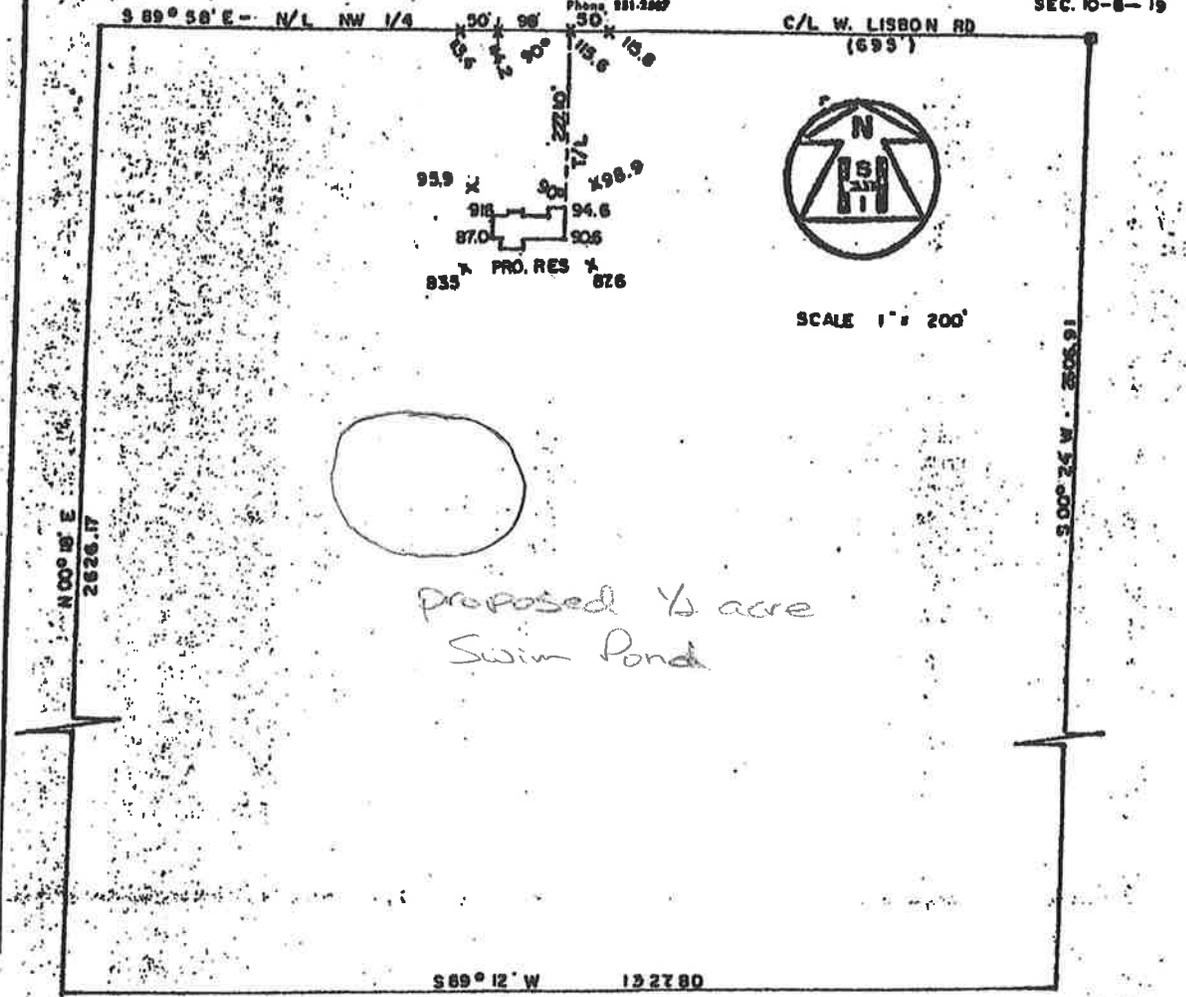
Total area: 23,299.00 ft² (2,164.55 m²)

Total distance: 564.65 ft (172.11 m)

RAY HILDEBRAND SURVEYORS, INC.

W202 N18418 Appleton Avenue
GERMANTOWN, WISCONSIN 53022
Phone 281-2807

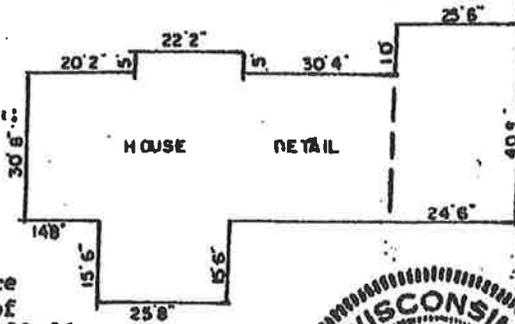
N 1/4 CORNER
SEC. 10-8-19



DESCRIPTION That part of the E. 1/2 of the N. W. 1/4 of Section 10, T8N-R19E, Town of Lisbon, Waukesha County, Wis., bounded and described as follows:

Beginning at the N. 1/4 Corner, Sec. 10-8-19, thence S. 00° 24' W. on the N. 1/4 line of said section 2606.91 feet, thence S. 89° 12' W. - 1327.80 feet, thence N. 00° 18' E. - 2626.17 feet, thence S. 89° 58' E. - on the North line of the N. W. 1/4 of said section 1332.00 feet to the point of beginning.

House survey only
September 6, 1977.



I HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF; AND AS TO THEM I WARRANT THE ACCURACY OF SAID SURVEY AND MAP.

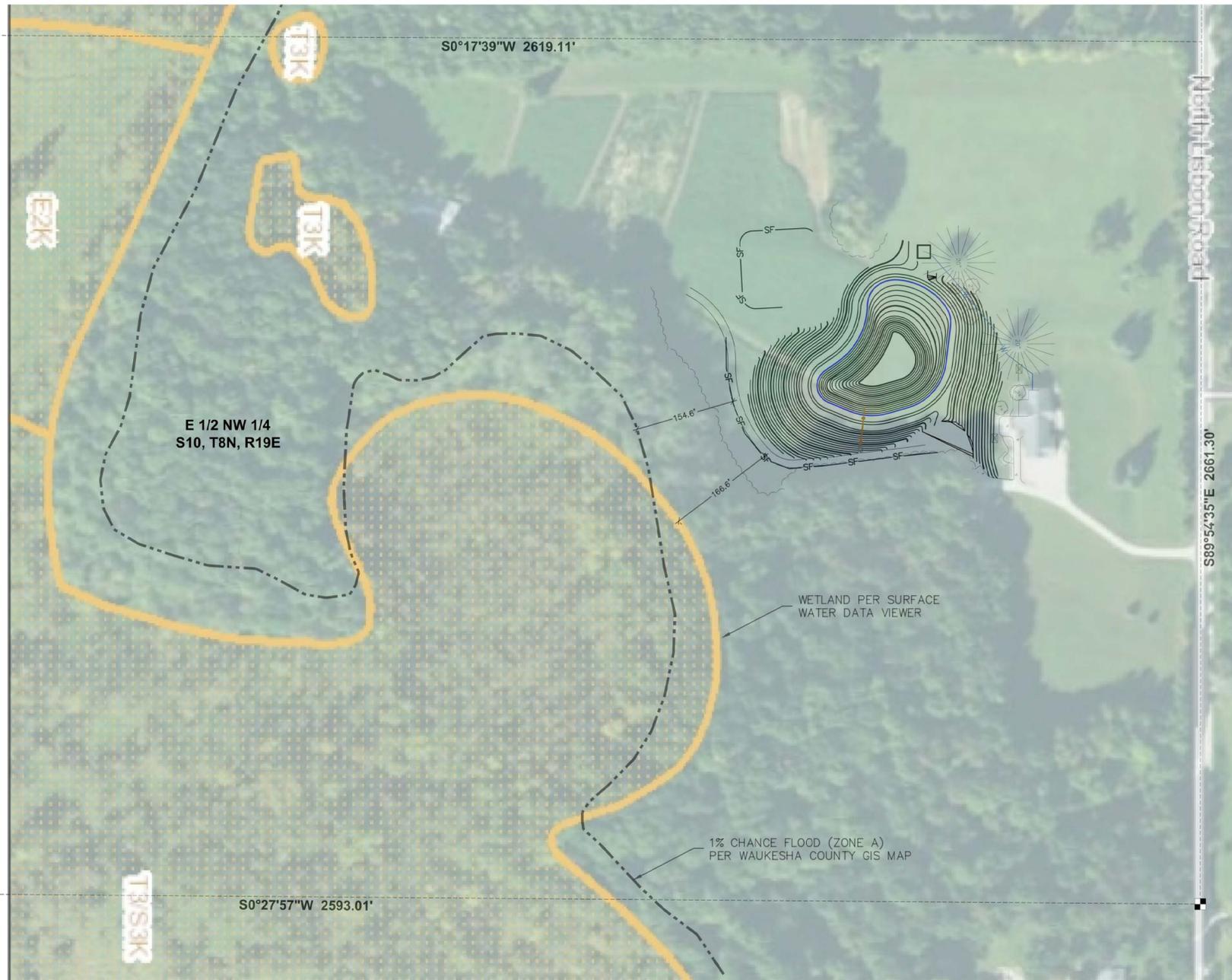
DATED THIS 6 DAY OF September 1977.

Paul Netzel Bldrs

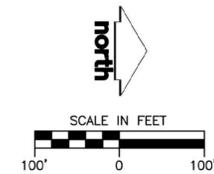
SURVEYOR

File: R:\02020\0872\DWG\020872-Civil.dwg Layout: C0.0 Site Plan User: cplerson Plotted: Jun 30, 2020 - 4:55 pm Xref's:

S88°57'30"W 1323.23'



TOTAL DISTURBED AREA = 90,363 SF (2.074 ACRES)



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MADISON | MILWAUKEE | WAUSAU
APPLETON | KENOSHA | CHICAGO
COEUR D'ALENE

MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666

CLIENT:
ROBERT MILLER

CLIENT ADDRESS:
**N87 W24641 N. LISBON POND
LISBON, WI 53089**

PROJECT:
MILLER POND

PROJECT LOCATION:
**LISBON, WI
WAUKESHA**

DIGGERS HOTLINE
Toll Free (800) 242-8511

PLAN MODIFICATIONS:

#	Date:	Description:
1	07-30-20	TOWN COMMENTS
2		
3		
4		
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7		
8		
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14		
15		

Design/Drawn: CAP 07/24/2020
Approved: JLJ 07/24/2020

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
C0.0

JSD PROJECT NO: 20-9872

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF JSD PROFESSIONAL SERVICES, INC.



GRADING AND SEEDING NOTES

1. THE CONTRACTOR SHALL FIELD VERIFY THE FOLLOWING:
 - A. ELEVATIONS OF THE BENCHMARKS PRIOR TO COMMENCING WORK.
 - B. LOCATION AND ELEVATION OF:
 1. EXISTING PIPE INVERTS
 2. FLOOR ELEVATIONS
 3. CURB OR PAVEMENT WHERE MATCHING INTO EXISTING WORK
 4. HORIZONTAL CONTROL BY REFERENCING SHOWN COORDINATES TO KNOWN PROPERTY LINES.
- NOTIFY ENGINEER OF DISCREPANCIES IN EITHER VERTICAL OR HORIZONTAL CONTROL PRIOR TO PROCEEDING WITH WORK.
2. ALL PROPOSED GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL VERIFY ALL GRADES, MAKE SURE ALL AREAS DRAIN PROPERLY AND SHALL REPORT ANY DISCREPANCIES TO THE JSD PROFESSIONAL SERVICES, INC. (JSD) PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.
3. CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR COMPUTATIONS OF ALL GRADING QUANTITIES. WHILE JSD ATTEMPTS TO PROVIDE A COST-EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARDS OF CARE. THEREFORE, NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.
4. THE CONTRACTOR MAY SOLICIT APPROVAL FROM JSD/OWNER TO ADJUST FINAL GRADES FROM DESIGN GRADES TO PROVIDE AN OVERALL SITE BALANCE AS A RESULT OF FIELD CONDITIONS.
5. ALL UNSURFACED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL AND BE SEED, MULCHED AND WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.
6. THIS GRADING PLAN IS BASED ON A TOPOGRAPHIC SURVEY. SOME FIELD ADJUSTMENTS MAY BE NECESSARY AT POINTS WHERE PROPOSED GRADES MEET EXISTING. REVIEW ANY REQUIRED CHANGES WITH JSD PRIOR TO CONSTRUCTION OF WORK.
7. PROPERTY CORNER MARKERS SHALL BE CAREFULLY PROTECTED. MONUMENTS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
8. PROPOSED CONTOURS ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. ALL CONSTRUCTION SHALL BE BASED UPON PROPOSED SPOT ELEVATIONS WHERE PROVIDED.
9. ALL EXCAVATIONS AND MATERIAL PLACEMENT SHALL BE COMPLETED TO DESIGN ELEVATIONS AS DEPICTED IN THE PLANS.
10. GRADING ACTIVITIES SHALL BE IN A MANNER TO ALLOW POSITIVE DRAINAGE ACROSS DISTURBED SOILS, WHICH MAY INCLUDE EXCAVATION OF TEMPORARY DITCHES TO PREVENT PONDING, AND IF NECESSARY, PUMPING TO ALLEVIATE PONDING. CONTRACTOR SHALL PREVENT SURFACE WATER FROM ENTERING INTO EXCAVATIONS. IN NO WAY SHALL OWNER BE RESPONSIBLE FOR REMEDIATION OF UNSUITABLE SOILS CREATED/ORIGINATED AS A RESULT OF IMPROPER SITE GRADING OR SEQUENCING. CONTRACTOR SHALL SEQUENCE GRADING ACTIVITIES TO LIMIT EXPOSURE OF DISTURBED SOILS DUE TO WEATHER.
11. THE CONTRACTOR IS RESPONSIBLE FOR MEETING MINIMUM COMPACTION STANDARDS AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER. CONTRACTOR SHALL REFER TO THE GEOTECHNICAL ENGINEERING REPORT FOR SITE COMPACTION REQUIREMENTS. THE CONTRACTOR SHALL NOTIFY ENGINEER/OWNER IF PROPER COMPACTION CANNOT BE OBTAINED. THE PROJECT'S GEOTECHNICAL CONSULTANT SHALL DETERMINE WHICH IN-SITU SOILS ARE TO BE CONSIDERED UNSUITABLE SOILS. THE ENGINEER/OWNER AND GEOTECHNICAL TESTING CONSULTANT WILL DETERMINE IF REMEDIAL MEASURES WILL BE NECESSARY.
12. IN THE EVENT THAT ANY MOISTURE-DENSITY TEST(S) FAIL TO MEET SPECIFICATION REQUIREMENTS, THE CONTRACTOR SHALL PERFORM CORRECTIVE WORK AS NECESSARY TO BRING THE MATERIAL INTO COMPLIANCE AND RETEST THE FAILED AREA AT NO COST TO THE OWNER.
13. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY JSD/OWNER IF GROUNDWATER IS ENCOUNTERED DURING EXCAVATION.
14. CONTRACTOR IS SOLELY RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ADEQUATE AND SAFE TEMPORARY SHORING, BRACING, RETENTION STRUCTURES, AND EXCAVATIONS.
15. THE SITE SHALL BE COMPLETED TO WITHIN 0.10-FT (+/-) OF THE PROPOSED GRADES AS INDICATED WITHIN THE PLANS PRIOR TO PLACEMENT OF TOPSOIL OR STONE. CONTRACTOR IS ENCOURAGED TO SEQUENCE CONSTRUCTION SUCH THAT THE SITE IS DIVIDED INTO SMALLER AREAS TO ALLOW STABILIZATION OF DISTURBED SOILS IMMEDIATELY UPON COMPLETION OF INDIVIDUAL SMALLER AREAS.
16. CONTRACTOR SHALL CONTACT "DIGGER'S HOTLINE" FOR LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES AND SHALL BE RESPONSIBLE FOR PROTECTING SAID UTILITIES FROM ANY DAMAGE DURING CONSTRUCTION.
17. CONTRACTOR SHALL COMPLY WITH ALL CITY AND/OR STATE CONSTRUCTION STANDARDS/ORDINANCES.
18. CONTRACTOR SHALL PROVIDE NOTICE TO THE MUNICIPALITY IN ADVANCE OF ANY SOIL DISTURBING ACTIVITIES, IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS.
19. ALL DISTURBED AREAS SHALL BE SODDED AND/OR SEEDING AND MULCHED IMMEDIATELY FOLLOWING GRADING ACTIVITIES. SOD/SEED MIX TO BE IN ACCORDANCE WITH LANDSCAPE PLAN.
20. CONTRACTOR SHALL WATER ALL NEWLY SODDED/SEEDING AREAS DURING THE SUMMER MONTHS WHENEVER THERE IS A 7 DAY LAPSE WITH NO SIGNIFICANT RAINFALL.
21. CONTRACTOR TO DEEP TILL ALL COMPACTED PVIOUS SURFACES PRIOR TO SODDING AND/OR SEEDING AND MULCHING.
22. ALL SLOPES 20% OR GREATER SHALL BE TEMPORARY SEEDING, MULCHED, OR OTHER MEANS OF COVER PLACED ON THEM WITHIN 7 DAYS OF DISTURBANCE.
23. ALL EXPOSED SOIL AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE OR ON WHICH LAND DISTURBING ACTIVITIES WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 7 DAYS AND REQUIRE VEGETATIVE COVER FOR LESS THAN 1 YEAR, REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH WDMR TECHNICAL STANDARD 1059 AND TOWN OF LISBON ORDINANCES.
24. CONTRACTOR SHALL CONSULT WITH A GEOTECHNICAL ENGINEER FOR BERM COMPACTION REQUIREMENTS.



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APPLETON | KENOSHA | CHICAGO
COEUR D'ALENE

MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666

CLIENT:
ROBERT MILLER

CLIENT ADDRESS:
**N87 W24641 N. LISBON POND
LISBON, WI 53089**

PROJECT:
MILLER POND

PROJECT LOCATION:
**LISBON, WI
WAUKESHA**



PLAN MODIFICATIONS:

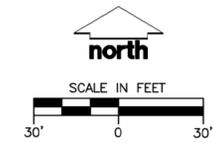
#	Date:	Description:
1	07.30.20	TOWN COMMENTS
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Design/Drawn: CAP 07/24/2020
Approved: JLJ 07/24/2020

SHEET TITLE:
GRADING AND EROSION CONTROL PLAN

SHEET NUMBER:
C1.0

JSD PROJECT NO: 20-9872



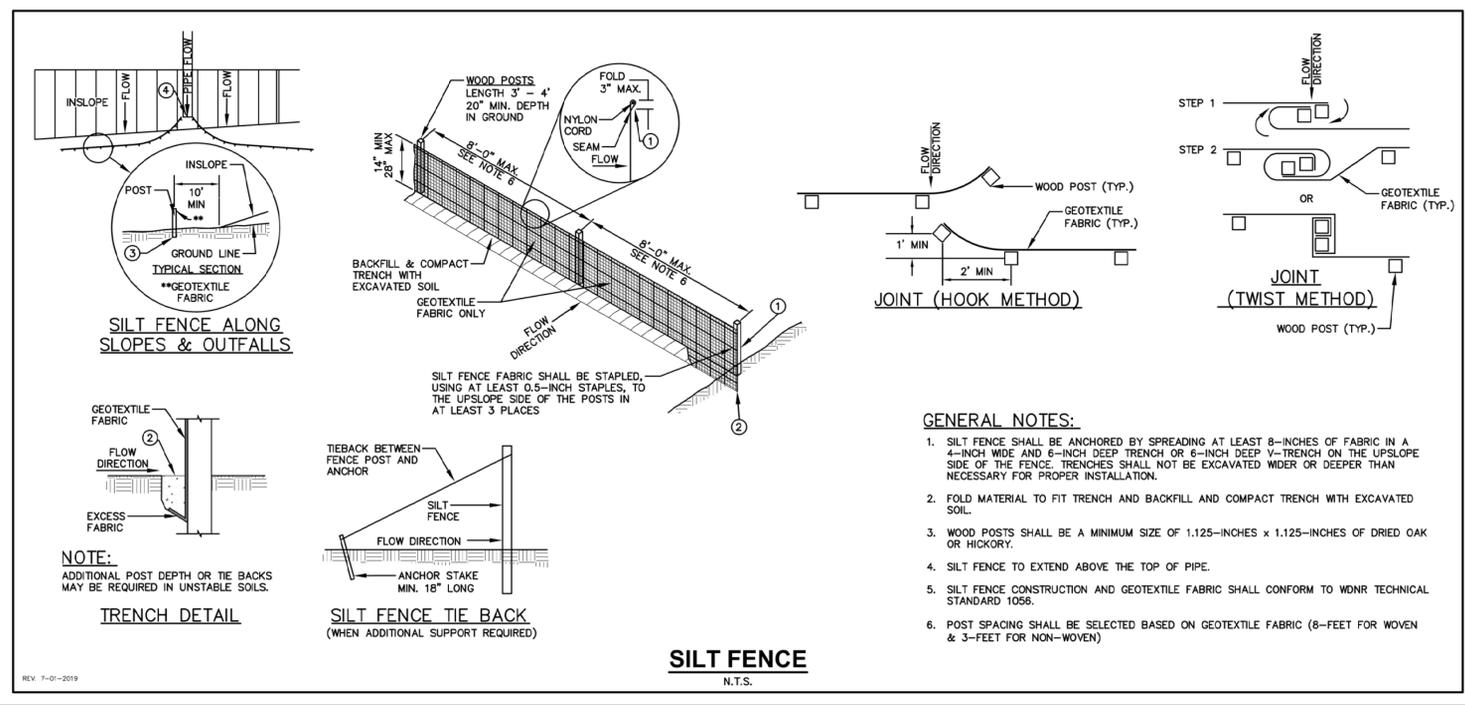
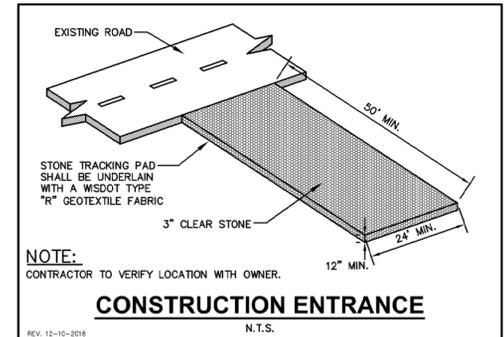
UTILITY NOTES

- ALL EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATIONS OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. CONTRACTOR/OWNER SHALL CALL "DIGGER'S HOTLINE" PRIOR TO ANY CONSTRUCTION.
 - EXAMINING ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
 - OBTAINING ALL PERMITS INCLUDING PERMIT COSTS, TAP FEES, METER DEPOSITS, BONDS, AND ALL OTHER FEES REQUIRED FOR PROPOSED WORK TO OBTAIN OCCUPANCY.
 - VERIFYING ALL ELEVATIONS, LOCATIONS AND SIZES OF SANITARY, WATER AND STORM LATERALS AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS. NOTIFY ENGINEER OF ANY DISCREPANCY. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS RESOLVED.
 - NOTIFYING ALL UTILITIES PRIOR TO INSTALLATION OF ANY UNDERGROUND IMPROVEMENTS.
 - NOTIFYING THE DESIGN ENGINEER AND MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION OBSERVATION.
 - COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
- ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN - AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTORS RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.
- SPECIFICATIONS SHALL COMPLY WITH THE TOWN OF LISBON SPECIAL PROVISIONS.
- LENGTHS OF ALL UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS SHALL BE VERIFIED IN THE FIELD DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF IMPROVEMENTS.
- CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVER NIGHT AS REQUIRED IN CONSTRUCTION SITES WHERE THE POTENTIAL FOR PEDESTRIAN INJURY EXISTS.
- CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.
- THE PRIME CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
- ANY SANITARY SEWER, SANITARY SEWER SERVICES, WATER MAIN, WATER SERVICES, STORM SEWER, OR OTHER UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE ENGINEER WITH AS-BUILT CONDITIONS OF THE DESIGNATED IMPROVEMENTS IN ORDER THAT THE APPROPRIATE DRAWINGS CAN BE PREPARED. ANY CHANGES TO THE DRAWINGS OR ADDITIONAL ITEMS MUST BE REPORTED TO THE ENGINEER AS WORK PROGRESSES.
- STORM SEWER SPECIFICATIONS -
 - PIPE - REINFORCED CONCRETE PIPE (RCP) SHALL MEET THE REQUIREMENTS OF ASTM CLASS III (MINIMUM) C-76 WITH RUBBER GASKET JOINTS CONFORMING TO ASTM C-443. HIGH DENSITY DUAL-WALL POLYETHYLENE CORRUGATED PIPE SHALL BE AS MANUFACTURED BY ADS OR EQUAL WITH WATER TIGHT JOINTS, AND SHALL MEET THE REQUIREMENTS OF AASHTO DESIGNATION M-294 TYPE "S".
 - BACKFILL AND BEDDING - STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BACKFILL AND CLASS "B" BEDDING IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS".
 - FIELD TILE CONNECTION - ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION SHALL BE INCLUDED IN THE UNIT PRICE(S) FOR STORM SEWER. TILE LINES CROSSED BY THE TRENCH SHALL BE REPLACED WITH THE SAME MATERIAL AS THE STORM SEWER.
 - WATER MAIN SPECIFICATIONS -
 - PIPE - DUCTILE IRON PIPE SHALL BE CLASS 52 CONFORMING TO AWWA C151 AND CHAPTER 8.18.0 OF THE "STANDARD SPECIFICATIONS". POLYVINYL CHLORIDE (PVC) PIPE SHALL MEET THE REQUIREMENTS OF AWWA STANDARD C-900, CLASS 150, DR-18, WITH CAST IRON O.D. AND INTEGRAL ELASTOMERIC BELL AND SPIGOT JOINTS.
 - NON-METALLIC WATER MAINS SHALL BE INSTALLED WITH BLUE INSULATION TRACER WIRE AND CONFORM WITH SPS 382.30(1)(h).
 - VALVES AND VALVE BOXES - GATE VALVES SHALL BE AWWA GATE VALVES MEETING THE REQUIREMENTS OF AWWA C-500 AND CHAPTER 8.27.0 OF THE "STANDARD SPECIFICATIONS". GATE VALVES AND VALVE BOXES SHALL CONFORM TO LOCAL PLUMBING ORDINANCES.
 - BEDDING AND COVER MATERIAL - PIPE BEDDING AND COVER MATERIAL SHALL BE SAND, CRUSHED STONE CHIPS OR CRUSHED STONE SCREENINGS CONFORMING TO CHAPTER 8.43.2 OF THE "STANDARD SPECIFICATIONS".
 - BACKFILL - BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE WITH CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS". GRAVEL BACKFILL IS REQUIRED IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS".
- WATERMAIN AND SANITARY SEWER SHALL BE INSULATED WHEREVER THE DEPTH OF COVER IS LESS THAN 6 FEET. INSULATION AND INSTALLATION OF INSULATION SHALL BE CONFORMING WITH CHAPTER 4.17.0 "INSULATION" OF THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN 6TH EDITION UPDATED WITH ITS LATEST ADDENDUM (TYP.).

EROSION CONTROL NOTES

- ALL CONSTRUCTION SHALL ADHERE TO THE REQUIREMENTS SET FORTH IN WISCONSIN'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER GENERAL PERMIT FOR CONSTRUCTION SITE LAND DISTURBANCE ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARDS AND TOWN OF LISBON ORDINANCES. IT IS THE RESPONSIBILITY OF ALL CONTRACTORS ASSOCIATED WITH THE PROJECT TO OBTAIN A COPY OF, AND UNDERSTAND, THESE STANDARDS PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
- THE EROSION CONTROL MEASURES INDICATED ON THE PLANS ARE THE MINIMUM REQUIREMENTS. ADDITIONAL CONTROL MEASURES AS DIRECTED BY JSD PROFESSIONAL SERVICES, INC. (JSD) OR AUTHORITY HAVING JURISDICTION SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
- MODIFICATIONS TO THE APPROVED EROSION CONTROL PLAN IN ORDER TO MEET UNFORESEEN FIELD CONDITIONS ARE ALLOWED IF MODIFICATIONS CONFORM TO WDNr TECHNICAL STANDARDS. CONTRACTOR IS RESPONSIBLE TO NOTIFY JSD AND AUTHORITY HAVING JURISDICTION OF ANY CHANGES TO THE EROSION CONTROL AND STORMWATER MANAGEMENT PLANS. ALL MODIFICATIONS MUST BE APPROVED BY JSD/AUTHORITY HAVING JURISDICTION PRIOR TO DEVIATION FROM THE APPROVED PLAN.
- INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCE(S), SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN IN ORDER TO PROTECT ADJACENT PROPERTIES/STORM SEWER SYSTEMS FROM SEDIMENT TRANSPORT.
- CONSTRUCTION ENTRANCE(S) SHALL BE INSTALLED AT THE LOCATION OF VEHICLE INGRESS/EGRESS POINT(S). CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATION(S) WITH THE PROPER AUTHORITY HAVING JURISDICTION. PROVIDE NECESSARY FEES AND OBTAIN ALL REQUIRED APPROVALS OR PERMITS. ADDITIONAL CONSTRUCTION ENTRANCES OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE APPLICABLE AUTHORITY HAVING JURISDICTION PRIOR TO INSTALLATION. CONSTRUCTION ENTRANCES SHALL BE MAINTAINED BY THE CONTRACTOR IN A CONDITION WHICH WILL PREVENT THE TRACKING OF MUD OR DRY SEDIMENT ONTO ADJACENT PUBLIC STREETS AFTER EACH WORKING DAY OR MORE FREQUENTLY AS REQUIRED.
- ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES MUST BE MAINTAINED AND REPAIRED AS NEEDED. THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR INSPECTION AND REPAIR DURING CONSTRUCTION. THE OWNER WILL BE RESPONSIBLE IF EROSION CONTROL IS REQUIRED AFTER THE CONTRACTOR HAS COMPLETED THE PROJECT.
- EROSION CONTROL FOR UTILITY CONSTRUCTION (STORM SEWER, SANITARY SEWER, WATER MAIN, ETC.) OUTSIDE OF THE PERIMETER CONTROLS SHALL INCORPORATE THE FOLLOWING:
 - PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
 - BACKFILL, COMPACT, AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
 - DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH THE DEWATERING TECHNICAL STANDARD NO. 1061 PRIOR TO RELEASE INTO THE STORM SEWER, RECEIVING STREAM, OR DRAINAGE DITCH.
- CONTRACTOR SHALL SUBMIT PLAN FOR LOCATION OF TEMPORARY TOPSOIL STOCKPILES TO ENGINEER FOR APPROVAL. INSTALL EROSION CONTROLS ON THE DOWNSTREAM SIDE OF STOCKPILES. IF STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IN ACCORDANCE WITH WDNr TECHNICAL STANDARDS IS REQUIRED. IF DISTURBANCE OCCURS BETWEEN NOVEMBER 15TH AND MAY 15TH, THE MULCHING SHALL BE PERFORMED BY HYDRO-MULCHING WITH A "TACKIFIER."
- EROSION CONTROL MEASURES TEMPORARILY REMOVED FOR UNAVOIDABLE CONSTRUCTION ACTIVITIES SHALL BE IN WORKING ORDER PRIOR TO THE COMPLETION OF EACH WORK DAY.
- GRADING EFFORTS SHALL BE CONDUCTED IN SUCH A MANNER AS TO MINIMIZE EROSION. EROSION AND SEDIMENT CONTROL MEASURES SHALL CONSIDER THE TIME OF YEAR, SITE CONDITIONS, AND THE USE OF TEMPORARY OR PERMANENT MEASURES. ALL DISTURBED AREAS THAT WILL NOT BE WORKED FOR A PERIOD OF SEVEN (7) DAYS REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH WDNr TECHNICAL STANDARDS.
- ALL DISTURBED SLOPES EXCEEDING 4:1 YET LESS THAN 3:1, SHALL BE STABILIZED WITH NORTH AMERICAN GREEN S75BN EROSION MATTING (OR APPROVED EQUAL) AND DISTURBED SLOPES EXCEEDING 3:1 YET LESS THAN 2:1 SHALL BE STABILIZED WITH NORTH AMERICAN GREEN C125BN (OR APPROVED EQUAL) OR APPLICATION OF AN APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED WITHIN 7 DAYS OF REACHING FINAL GRADE AND/OR AS SOON AS CONDITIONS ALLOW. DRAINAGE SWALES SHALL BE STABILIZED WITH CLASS II, TYPE B EROSION MATTING. EROSION MATTING AND/OR NETTING USED ON-SITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES AND WDNr TECHNICAL STANDARDS 1052 AND 1053.
- STABILIZATION PRACTICES:
 - STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED. NO MORE THAN SEVEN (7) DAYS SHALL PASS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS CEASED UNLESS:
 - PERMANENT SEEDING; IN ACCORDANCE WITH APPROVED CONSTRUCTION SPECIFICATION
 - TEMPORARY SEEDING; MAY CONSIST OF SPRING OATS(100LBS/ACRE) AND/OR WHEAT OR CEREAL RYE (150LB/ACRE)
 - HYDRO-MULCHING WITH A TACKIFIER
 - GEOTEXTILE EROSION MATTING
 - SODDING
 - THE INITIATION STABILIZATION MEASURES BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS CEASED IS PRECLUDED BY SNOW COVER. IN THAT EVENT, STABILIZATION SHALL BE INITIATED AS SOON AS PRACTICABLE.
 - CONSTRUCTION ACTIVITY WILL RESUME ON A PORTION OF THE SITE WITHIN SEVEN (7) DAYS FROM WHEN ACTIVITY CEASED, (I.E. THE TOTAL TIME PERIOD THAT THE CONSTRUCTION ACTIVITY IS TEMPORARILY CEASED IS LESS THAN SEVEN (7) DAYS). IN THAT EVENT, STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED.
 - STABILIZATION MEASURES SHALL BE DETERMINED BASED ON SITE CONDITIONS AT THE TIME OF CONSTRUCTION ACTIVITY HAS CEASED, INCLUDING BUT NOT LIMITED TO WEATHER CONDITIONS AND LENGTH OF TIME MEASURE MUST BE EFFECTIVE. THE FOLLOWING ARE ACCEPTABLE STABILIZATION MEASURES:
 - PERMANENT SEEDING; IN ACCORDANCE WITH APPROVED CONSTRUCTION SPECIFICATION
 - TEMPORARY SEEDING; MAY CONSIST OF SPRING OATS(100LBS/ACRE) AND/OR WHEAT OR CEREAL RYE (150LB/ACRE)
 - HYDRO-MULCHING WITH A TACKIFIER
 - GEOTEXTILE EROSION MATTING
 - SODDING

- DURING PERIODS OF EXTENDED DRY WEATHER, THE CONTRACTOR SHALL KEEP A WATER TRUCK ON SITE FOR THE PURPOSE OF WATERING DOWN SOILS WHICH MAY OTHERWISE BECOME AIRBORNE. THE CONTRACTOR IS RESPONSIBLE FOR CONTROLLING WIND EROSION (DUST) DURING CONSTRUCTION AT THEIR EXPENSE. REFER TO WDNr TECHNICAL STANDARD 1068.
 - DISTURBED AREAS AND AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION SHALL BE VISUALLY INSPECTED FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE DRAINAGE SYSTEM ON A DAILY BASIS.
 - MAINTAIN SOIL EROSION CONTROL DEVICES THROUGH THE DURATION OF THIS PROJECT. EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL ALL LAND DISTURBING CONSTRUCTION ACTIVITY AT THE SITE HAS BEEN COMPLETED AND THAT A UNIFORM PERENNIAL VEGETATIVE COVER HAS BEEN ESTABLISHED WITH A DENSITY OF AT LEAST 70% FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES OR THAT EMPLOY EQUIVALENT PERMANENT STABILIZATION MEASURES. DISTURBANCE ASSOCIATED WITH EROSION CONTROL REMOVAL SHALL BE IMMEDIATELY STABILIZED.
 - QUALIFIED PERSONNEL (PROVIDED BY THE GENERAL/PRIME CONTRACTOR) SHALL INSPECT DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED AND EROSION AND SEDIMENT CONTROLS WITHIN 24 HOURS OF ALL 0.5-INCH OR MORE, PRECIPITATION EVENTS WITH A MINIMUM INSPECTION INTERVAL OF ONCE EVERY SEVEN (7) CALENDAR DAYS IN THE ABSENCE OF A QUALIFYING RAIN OR SNOWFALL EVENT. REPORTING SHALL BE IN ACCORDANCE WITH PART IV D.4. (g-f), OF THE NPDES GENERAL PERMIT. CONTRACTOR SHALL IMMEDIATELY ARRANGE TO HAVE ANY DEFICIENT ITEMS REVEALED DURING INSPECTIONS REPAIRED/REPLACED.
 - THE FOLLOWING MAINTENANCE PRACTICES SHALL BE USED TO MAINTAIN, IN GOOD AND EFFECTIVE OPERATING CONDITIONS, VEGETATION, EROSION AND SEDIMENT CONTROL MEASURES, AND OTHER PROTECTIVE MEASURES IMMEDIATELY. THE MAINTENANCE PROCEDURES FOR THIS DEVELOPMENT SHALL INCLUDE, BUT NOT BE LIMITED TO THOSE LISTED BELOW:
 - SILT FENCE - REPAIR OR REPLACE ANY DAMAGED FILTER FABRIC AND/OR STAKES. REMOVE ACCUMULATED SEDIMENT WHEN IT HAS REACHED ONE-HALF THE ABOVE GROUND HEIGHT OF THE FENCE.
 - CONSTRUCTION ENTRANCE - AS NEEDED, ADD STONE TO MAINTAIN CONSTRUCTION ENTRANCE DIMENSIONS AND EFFECTIVENESS.
 - EROSION CONTROL MATTING - REPAIR MATTING IMMEDIATELY IF INSPECTION REVEALS BREACHED OR FAILED CONDITIONS. REPAIR AND RE-GRADE SOIL WHERE CHANNELIZATION HAS OCCURRED.
 - DIVERSION BERM/SWALE - REPLACE OR RE-COMPACT THE CONSTRUCTION MATERIALS AS NECESSARY.
 - INLET PROTECTION - CLEAN, REPAIR OR REPLACE FILTER FABRIC AND/OR STONE WHEN CONTROL MEASURE IS CLOGGED. INLET FILTER BAGS SHALL BE REPLACED ONCE BAG BECOMES ONE-HALF FULL OF SEDIMENT.
- ADDITIONAL POLLUTANT CONTROL MEASURES TO BE IMPLEMENTED DURING CONSTRUCTION ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:
- CONSTRUCTION WASTE SHALL BE PROPERLY DISPOSED OF. THIS INCLUDES ALL CONSTRUCTION SITE WASTE MATERIAL, SANITARY WASTE, AND WASTE FROM VEHICLE TRACKING OF SEDIMENTS. THE CONTRACTOR SHALL ENSURE THAT NO MATERIAL WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURIED, DUMPED, BURNED, OR DISCHARGED TO THE WATERS OF THE STATE. VEHICLES HAULING MATERIAL AWAY FROM THE SITE SHALL BE COVERED WITH A TARPULIN TO PREVENT BLOWING DEBRIS.
 - DUST CONTROL SHALL BE ACCOMPLISHED BY ONE OR MORE OF THE FOLLOWING METHODS:
 - COVERING 30% OR MORE OF THE SOIL SURFACE WITH A NON-ERODIBLE MATERIAL.
 - ROUGHENING THE SOIL TO PRODUCE RIDGES PERPENDICULAR TO THE PREVAILING WIND. RIDGES SHALL BE AT LEAST SIX (6) INCHES IN HEIGHT.
 - FREQUENT WATERING OF EXCAVATION AND FILL AREAS.
 - PROVIDING GRAVEL OR PAVING AT ENTRANCE/EXIT DRIVES, PARKING AREAS AND TRANSIT PATHS.
 - STREET SWEEPING SHALL BE PERFORMED TO IMMEDIATELY REMOVE ANY SEDIMENT TRACKED ON PAVEMENTS.
- CONTRACTOR SHALL CONTACT MITCHELL LEISSES WITH KUNKEL ENGINEERING GROUP, 921-210-6330 ONCE THE EROSION CONTROL MEASURES ARE IN PLACE AND PRIOR TO COMMENCING CONSTRUCTION.
 - CONTRACTOR/OWNER SHALL FILE A NOTICE OF TERMINATION UPON COMPLETION OF THE PROJECT IN ACCORDANCE WITH WDNr REQUIREMENTS AND/OR PROPERTY SALE IN ACCORDANCE WITH WDNr REQUIREMENTS.



- GENERAL NOTES:**
- SILT FENCE SHALL BE ANCHORED BY SPREADING AT LEAST 8-INCHES OF FABRIC IN A 4-INCH WIDE AND 6-INCH DEEP TRENCH ON THE UPSLOPE SIDE OF THE FENCE. TRENCHES SHALL NOT BE EXCAVATED WIDER OR DEEPER THAN NECESSARY FOR PROPER INSTALLATION.
 - FOLD MATERIAL TO FIT TRENCH AND BACKFILL AND COMPACT TRENCH WITH EXCAVATED SOIL.
 - WOOD POSTS SHALL BE A MINIMUM SIZE OF 1.125-INCHES x 1.125-INCHES OF DRIED OAK OR HICKORY.
 - SILT FENCE TO EXTEND ABOVE THE TOP OF PIPE.
 - SILT FENCE CONSTRUCTION AND GEOTEXTILE FABRIC SHALL CONFORM TO WDNr TECHNICAL STANDARD 1056.
 - POST SPACING SHALL BE SELECTED BASED ON GEOTEXTILE FABRIC (8- FEET FOR WOVEN & 3- FEET FOR NON-WOVEN)



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CLIENT:
ROBERT MILLER

CLIENT ADDRESS:
**N87 W24641 N. LISBON POND
LISBON, WI 53089**

PROJECT:
MILLER POND

PROJECT LOCATION:
**LISBON, WI
WAUKESHA**



PLAN MODIFICATIONS:

#	Date:	Description:
1	07.30.20	TOWN COMMENTS
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Design/Drawn: CAP 07/24/2020
Approved: JLJ 07/24/2020

SHEET TITLE:
DETAILS

SHEET NUMBER:

C2.0

JSD PROJECT NO: 20-9872

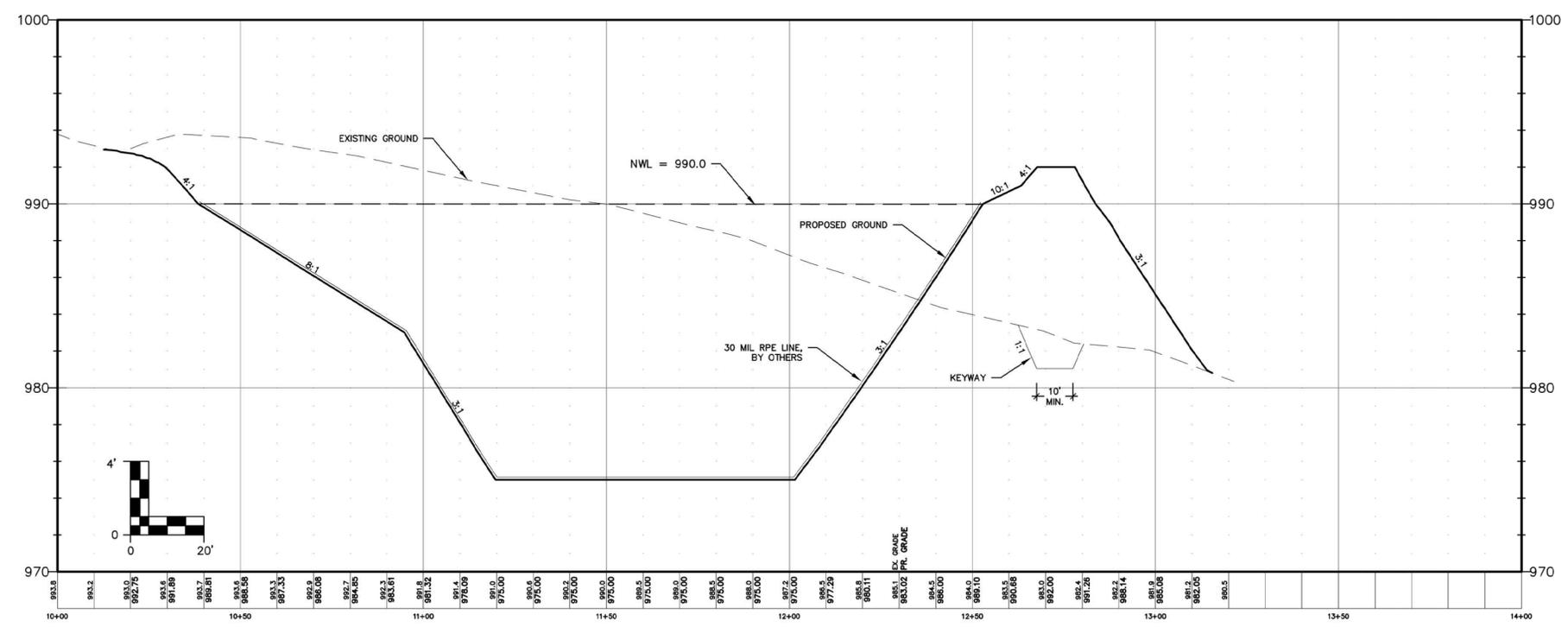
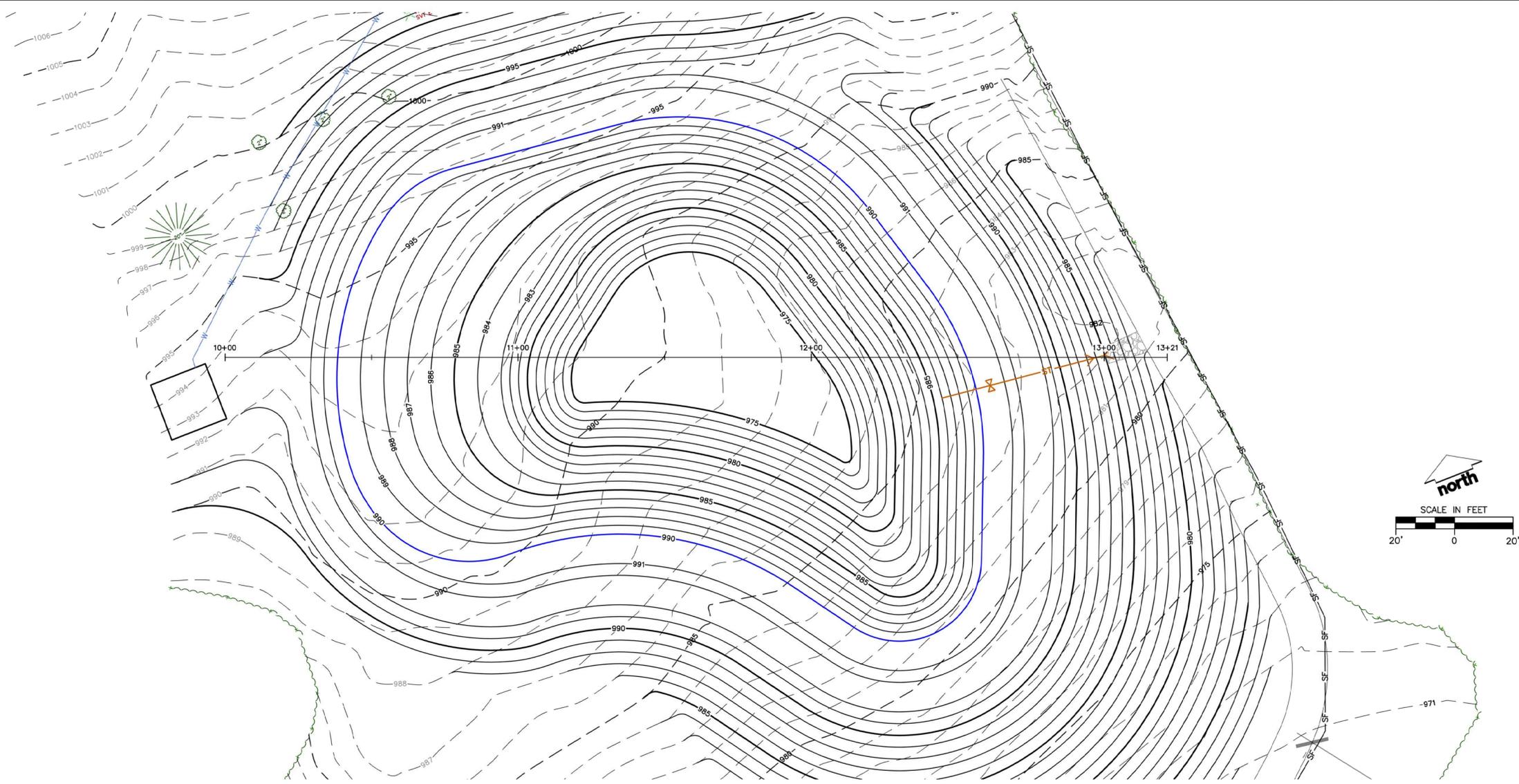
PLAN MODIFICATIONS:

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1	07.30.20	TOWN COMMENTS
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Design/Drawn: CAP 07/24/2020
Approved: JLJ 07/24/2020

SHEET TITLE:
POND CROSS SECTION

SHEET NUMBER:
C3.0



Item 7F – Attachments



August 4, 2020

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

Re: Zellmer Property Major Grading Conditional Use Permit (CUP) Review

Dear Plan Commission Members:

The above-referenced Major Grading Permit application was received in our office for review on behalf of the Town of Lisbon. The property is located at N59W27099 Ainsworth Road west of Moraine Drive. The property measures approximately 8.9 acres in size and is zoned A-5 Mini-Farm. We have reviewed the following application materials:

- Major Grading Application
- Conditional Use Permit (CUP) Application
- Civil (Site) As-Built Plans dated 6/30/20

Summary

The Zellmer family and Neuman Companies have proposed to construct a berm that was originally required for a private target range approved in 1989 as a Conditional Use Permit (CUP). The property just west of the Zellmer land is currently being developed as the Preserve at Harvest Ridge, a 108-acre, 64-lot residential subdivision. During the County's review of the preliminary plat for that development, the County noted the presence of the existing CUP on the Zellmer property and required that the Town review the CUP prior to future phases of the subdivision. At the June 11, 2020 Plan Commission meeting, the Commission reviewed the existing CUP and discussed how to ensure safety measures are in place in accordance with the original CUP conditions. The Commission asked Zellmer to work with Neumann Companies and the Town Engineer to prepare plans for review at a future Plan Commission meeting.

By ordinance, landscape berms that do not meet all of the requirements in Section 3(c)5, and the specific standards within that section for landscape berms, require a public hearing and Plan Commission approval.

The berm has already been constructed, and is located in the southwest part of the property. The civil plans include:

- Location with respect to the west property line
- Grading contours and cross-section

Since the berm construction has already occurred, no details were provided nor reviewed for erosion control, stormwater management, construction methods, nor physical site conditions.

Application Review

The parcel is subject to compliance with the Town Code Chapter 11 other applicable Chapters.

Property Information

Property owner: Robert E Zellmer Revocable Trust

Location: N59W27099 Ainsworth Road, west of Moraine Drive.

Tax Key: LSBT0264994

Adjacent land uses and zoning:

North: Single-family residential neighborhood (Beaumont Ridge), across Ainsworth Road, in the Village of Merton)

South: Single-family rural residential lots (zoned A-5 Mini-Farm and A-10 Agricultural)

East: Single-family rural residential lots (zoned A-3 Agricultural/Residential Estate)

West: Single-family residential (Preserve at Harvest Ridge subdivision zoned R-1 Suburban Single-Family with PUD overlay)

Existing Zoning: A-5 Mini-Farm



Recommended Land Use: "LDR / Low Density Residential" and "Other Open Lands to be preserved" (see inset map image)

Conditional Use Permit (CUP) Review

The Chapter 11 Zoning Code lays out the requirements for Conditional Use Permit applications and approvals 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:

1. Materially endanger the public health, general welfare, and safety

The proposed Major Grading does not appear to endanger the public health, general welfare, or safety. The berm and associated grading are for private residential use and will be required to adhere to applicable environmental regulations and engineering standards going forward.

2. Be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, or other similar factor.

Provided that the berm is stabilized and maintained, the proposed Major Grading does not appear to be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, or other factor. The berm will be used for private recreational purposes.

3. For any other reason cause a substantially adverse effect on property values.

The proposed Major Grading is not expected to have a substantially adverse effect on property values. The berm is adjacent to an outlot in the residential subdivision that is reserved for open space and wetlands, which provide a buffer between the berm and residential lots. There are also trees along the property line.

4. Be inharmonious with the area in which it is to be located.

Provided that the berm is stabilized and maintained per the recommended conditions of approval, the proposed Major Grading is not expected to be inharmonious with the area in which it is to be located. The berm is intended to provide a buffer between the private target range and adjacent properties.

5. 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.

The proposed Major Grading is in general conformity with land use plan. The future land use for the property is designated "Low Density Residential" and "Other Open Lands to be Preserved" where the berm is located. The berm is a rural use that corresponds to rural development and open space.

Major Grading Permit Review Standards

The Major Grading that we received for review was reviewed by the Town Engineer per the standards in Chapter 11. It is expected to comply with the standards for land disturbing activities outlined in Chapter 11 Section 3, as well as environmental protection standards in applicable Chapters, provided conditions for approval are met.

The following exemptions from the Town Zoning Ordinance will be required:

1. The berm exceeds three feet above existing topography
2. Within 50 feet of the property line, the berm exceeds the maximum height of eight (8) feet above existing property line elevation
3. The toe of the berm does not meet side yard setback of 10 feet minimum

Consistency with Zoning

The A-5 zoning district is intended to provide for very low-density single-family residential development in predominantly rural areas in order to maintain, to some degree, the agricultural character of the property and the rural character of the area. These lands are best suited for small farm units, i.e., truck and hobby type farms, grazing, orchards, and other similar agriculturally-related activities in areas that have an existing pattern of scattered or low-density residential development. A berm would be consistent with agriculturally-related activities and the rural character of the area.

Recommendation

If the Plan Commission would require additional materials they have the ability to table action on the Major Grading CUP application. If the Plan Commission is generally comfortable with the request, they may conditionally approve it. Recommended conditions may include:

1. The Town Engineer review the site plans to ensure the site is in compliance with the respective Town codes. Non-objection from the Town Engineer and correction of any deficiencies prior to issuance of permits.
2. Approval of all exemptions listed above.
3. The berm shall be stabilized.
4. The berm shall be mowed and maintained on a regular basis similar to that of normal lawn maintenance, or as determined by the Town Plan Commission.
5. The berm shall not adversely impact the existing drainage patterns in the area, or appropriate measures shall be taken to alleviate adverse drainage.
6. If any adverse drainage, runoff, erosion, or sedimentation takes place onto adjoining properties, the property owner shall be responsible to rectify the issue.

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

Sincerely,

Rachel Holloway, AICP
Town Planner

Joshua Langen, AICP
Community Development Planner

cc: Steven Braatz, Interim Clerk-Treasurer, Town of Lisbon

August 4, 2020

Chairperson Osterman and Town Plan Commission Members
Town of Lisbon
W234 N8678 Woodside Road
Lisbon, WI 53089

Re: Zellmer Property Berm | N59W27099 Ainsworth Road

Dear Plan Commission Members,

On behalf of the Town of Lisbon, Kunkel Engineering Group has undertaken a review of the Plan Commission Application for a Major Grading Permit associated with an existing Conditional Use Permit (CUP), for the above referenced property.

In summary, during the June 11th Plan Commission Meeting, a review of the CUP for Robert and Lulita Zellmer was discussed. During this discussion, Zellmer was asked to work with Neumann Developments to construct a berm on the subject property to provide an additional safety measure for the existing, private target range, located on said property.

It should be noted, the applicant/property owner has already constructed the berm. Within the permit application, which was received by the Town, an Asbuilt Exhibit of the berm is demonstrated. The asbuilt exhibit shows the berm was built to a height of 15-feet, with 1:1 side slopes. In addition, the berm was constructed immediately adjacent to the west property line, approximately 60-feet in length (along the property line) by 45-feet wide.

Again, the berm has already been constructed and will require several exemptions from the Town of Lisbon's Zoning Ordinance and are listed as follows:

- The berm exceeds three feet above existing topography.
- Within 50-feet of the property line, the berm exceeds the maximum height of eight feet above existing property line elevation.
- The toe of the berm does not meet side yard setback of 10-feet minimum.

Should the Plan Commission decide to approve the Major Grading Permit, they may conditionally approve so based on the following recommendations:

- Approval of all the above listed exemptions.
- The berm shall be stabilized.
- The berm shall be mowed and maintained on a regular basis similar to that of normal lawn maintenance, or as determined by the Town Plan Commission.
- The berm shall not adversely impact the existing drainage patterns in the area, or appropriate measures shall be taken to alleviate adverse drainage.
- If any adverse drainage, runoff, erosion, or sedimentation takes place on to adjoining properties, the property owner shall be responsible to rectify the issue.

Should you have any questions, please contact me your convenience.

Sincerely,
KUNKEL ENGINEERING GROUP



Mitchell Leisses, Office/Project Manager



107 PARALLEL STREET
BEAVER DAM, WI 53916

1115 S MAIN STREET
WEST BEND, WI 53095

920-356-9447
FAX 920-356-9454
KUNKELENGINEERING.COM

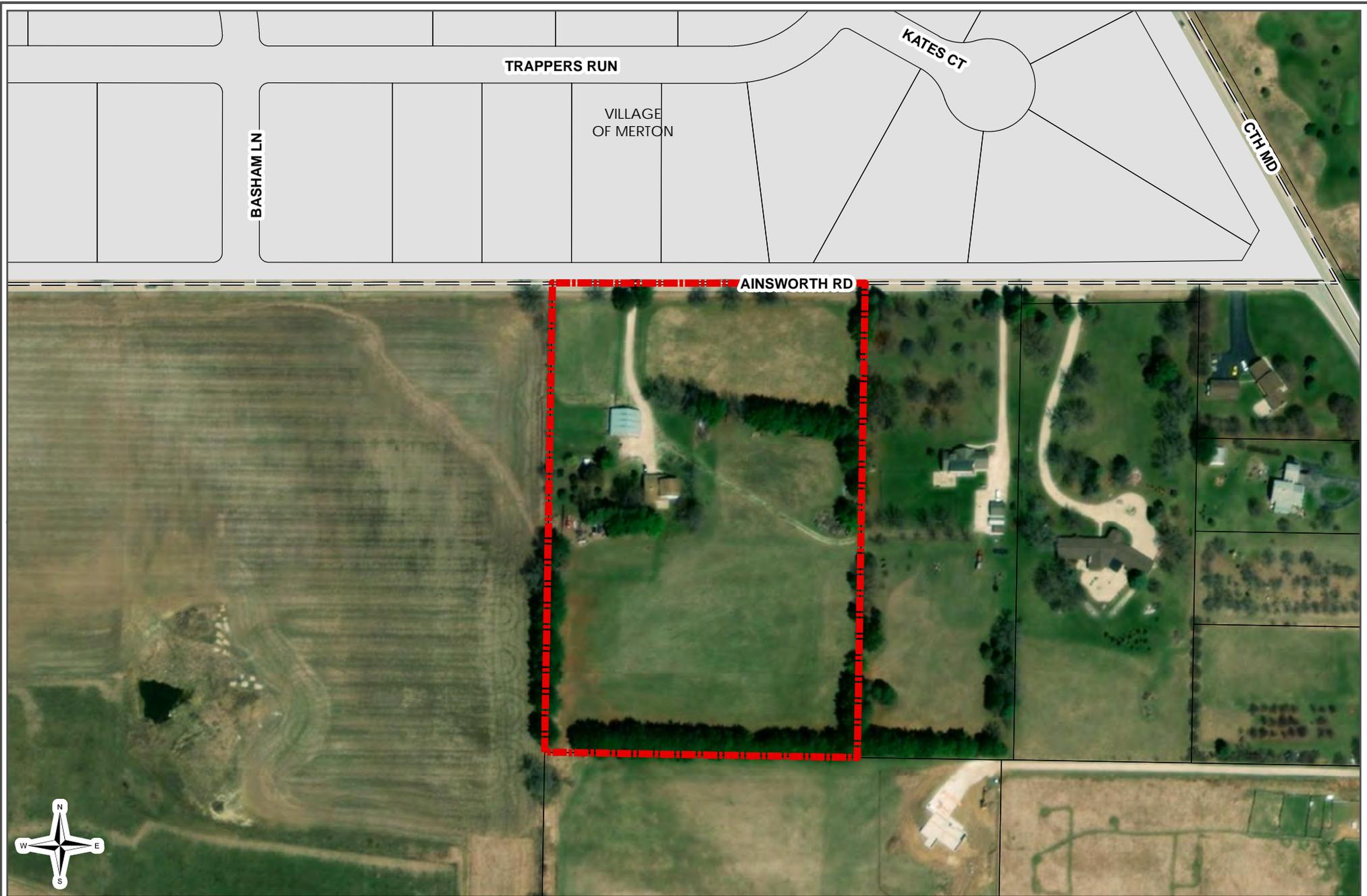
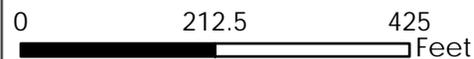


Exhibit A: Parcel 0264.994 Site Map
Town of Lisbon



vierbicher
 planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530

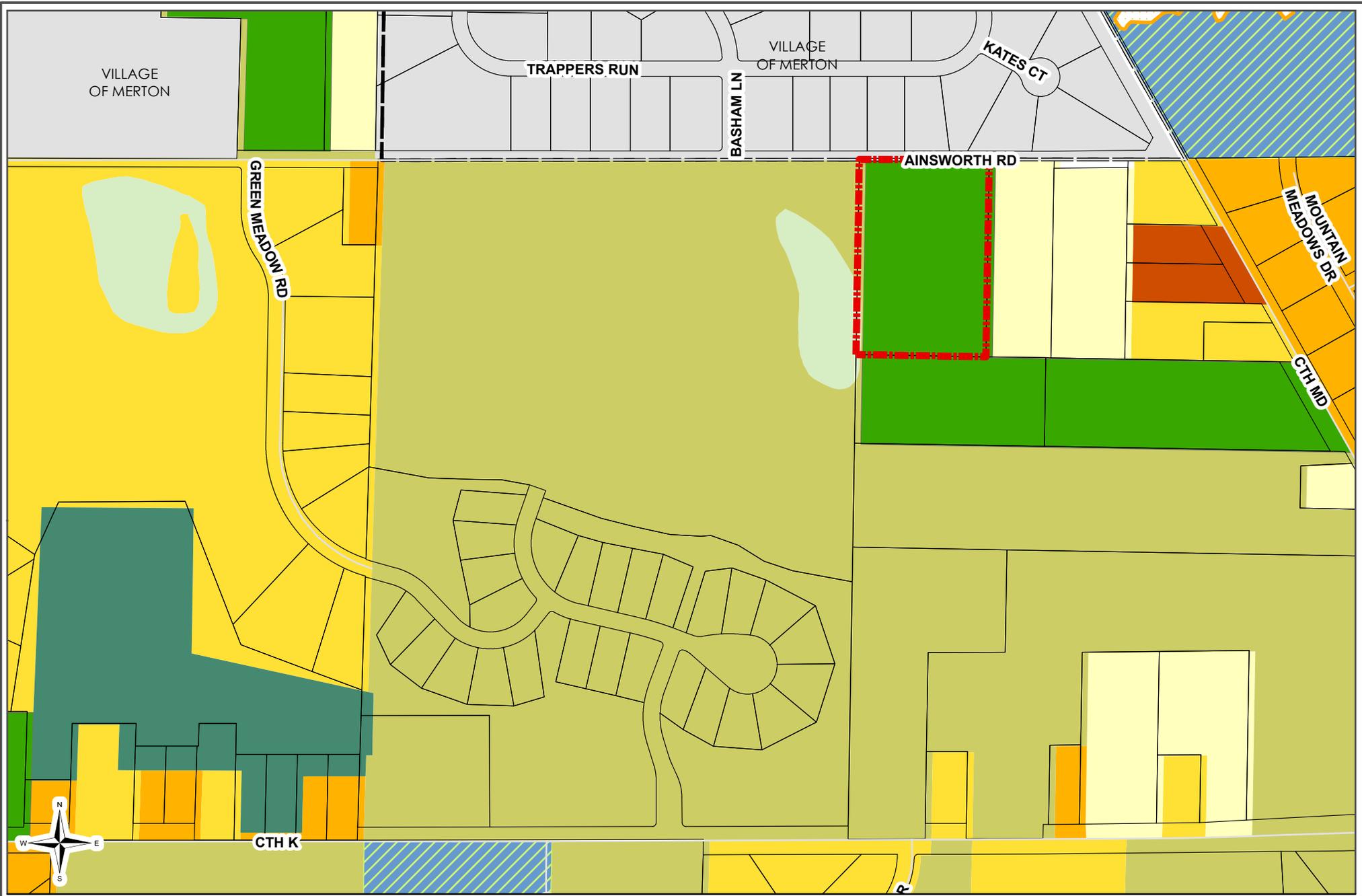
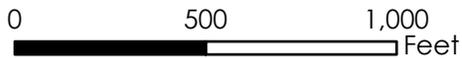


Exhibit B: Parcel 0264.994 Zoning Map

Town of Lisbon



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

 Subject Parcel
 Waukesha Shoreland Zoning

vierbicher
 planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE
 600 W. VIRGINIA STREET, STE. 601 MILWAUKEE, WI 53204
 Phone: (262) 875-5000 Fax: (608) 826-0530



Grading Permit Application

- Minor Grading Permit (Less than 60 cubic yards and/or less than 6000 sq. ft. land disturbance)
 Major Grading Permit (Requires Plan Commission Approval)

Please type or print legibly.

Project Name Zellmer Property Berm

PROPERTY INFORMATION

Tax Key Number(s) LSBT0264994

Property Address or Section & 1/4 Section N59W27099 Ainsworth Rd

Current Zoning Residential & Agricultural Proposed Zoning (if applicable) No Change

Present Use Residence Intended Use _____

PROPERTY OWNER(s) (Use separate sheet to list multiple owners, such as all owners of limited partnership or land trusts)

Name Robert E Zellmer Revocable Trust

Address N59W27099 Ainsworth Rd

City Lisbon State WI Zip 53089-3303

Phone 262-538-0946 / 262-719-0689 Fax none

Email Address eobarski@neumanncompanies.com

APPLICANT If the applicant is not the owner of record, the legal owner/owners' signature must be on the application OR a letter of authorization from the owner must accompany the application.

Name Preserve at Harvest Ridge LLC

Address N27 W24025 Paul Court Suite 100

City Pewaukee State WI Zip 53072

Phone 262-542-9200 Fax none

Email Address eobarski@neumanncompanies.com



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

Plan Commission Application

Application Type and Fee (check all that apply)

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

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

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

Property Information

<u>N59 W27099 Ainsworth RD</u>	<u>Lisbon</u>	<u>53089</u>
Property Address	City	Zip
<u>LSBT0264994</u>	<u>8.86</u>	<u>Residential and Agricultural</u>
Tax Key/Parcel ID #	Lot Size	Current Zoning

Property Owner

Robert E Zellmer Revocable Trust

Name / Company Name

Signature

N59 W27099 Ainsworth RD

Address

Lisbon WI 53089

City State Zip

262-719-0689 none

Phone E-mail Address

Applicant

Eric Obarski

Name

Preserve at Harvest Ridge LLC

Company

N27W24025 Paul Ct Suite 100

Address

Pewaukee WI 53072

City State Zip

262-542-9200

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.*

CONTACT PERSON FOR PROJECT (Surveyor/Engineer)

Name Eric Obarski
Company Preserve at Harvest Ridge LLC
Address N27W24025 Paul Ct Suite 100
City Pewaukee State WI Zip 53072
Phone 262-542-9200 Fax _____
Email Address eobarski@neumanncompanies.com

Applicant agrees that any approval issued on representations made in this submittal, and any subsequently issued permits may be revoked without notice if there is a breach of representations or conditions of approval. Applicant/owner by signature understands and accepts responsibility for completion of all required on-site and off-site improvements as shown and approved on final plan (including landscaping) prior to acceptance by the Town of Lisbon.

By the execution of this Application, Applicant authorizes the Town of Lisbon or its agents to enter upon the property between 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection. Applicant grants this authorization even if Applicant has posted this property against trespassing pursuant to Section 943.13 Wis. Stats.

Applicant hereby certifies that: (1) All statements and other information submitted as part of this application are true and correct to the best of Applicant's knowledge; and (2) APPLICANT HAS READ AND UNDERSTANDS ALL INFORMATION IN THIS PACKET.

Minor grading permit fee 200.00
Major grading permit fee 300.00 plus any additional engineering/town fees

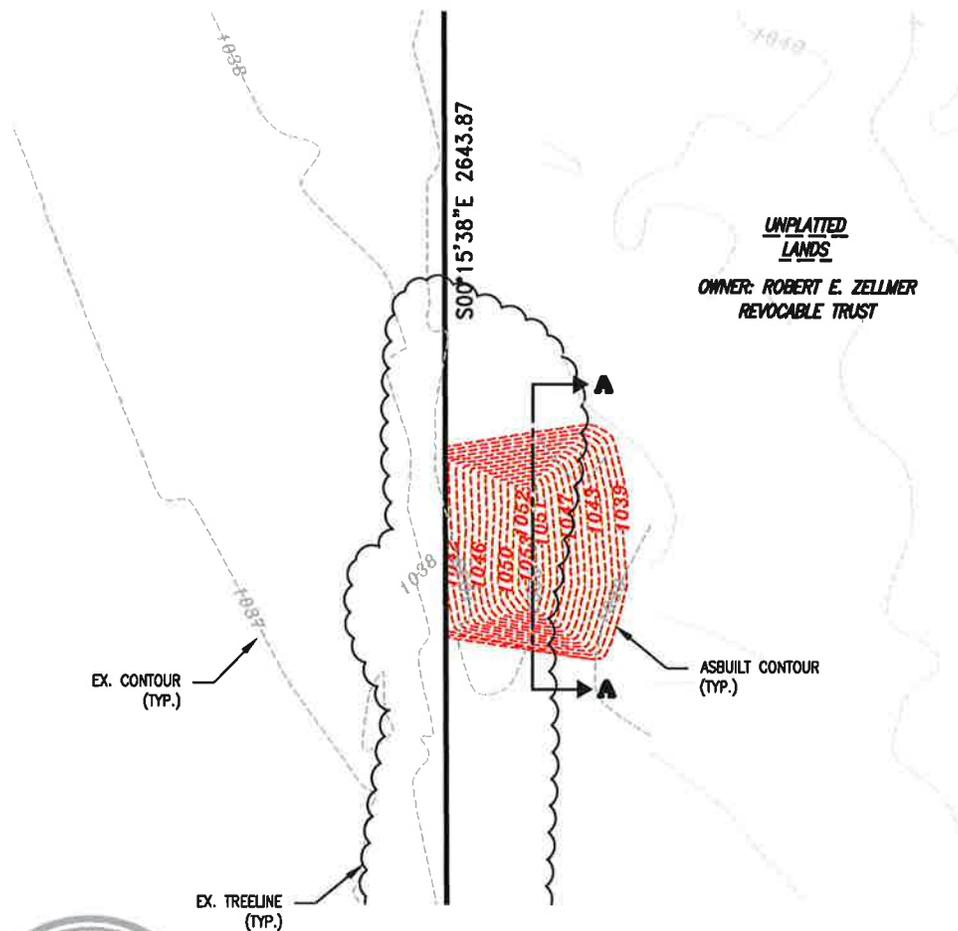
Checks to be made out to The Town of Lisbon

Applicant Signature:  Date: 7/13/20
Owner's Signature:  Date: 7/13/20
Owner's Signature: _____ Date: _____

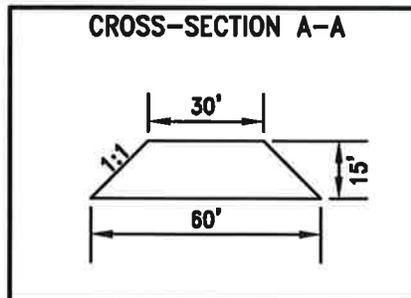
CK # 1002
\$350.00
7-14-2020 Ng

BERM ASBUILT EXHIBIT

THE PRESERVE AT HARVEST RIDGE



**4100 N Calhoun Rd
Suite 300
Brookfield, WI 53005**
Phone: (262) 790-1480
Fax: (262) 790-1461





**PROCEDURE FOR REZONING PROPERTY AND/OR
OBTAINING A CONDITIONAL USE PERMIT**

1. **PROPERTY OWNER** (or representative) should contact the Town Clerk to make a Planner's Appointment. The Planner, Administrator and Clerk will review the proposed project and give direction on what is needed to complete the application process, as well as deadline dates to meet. Forms will be given at this meeting, but they can also be found online at www.townoflisbonwi.com\169\Permits-Forms-Applications
2. **PROPERTY OWNER** (or representative) completes the application form(s) and provides the Town Clerk with one completed packet with signatures. Hard copy of PDF please, PDF preferred. Also, please bring a check for the application fee made payable to the Town of Lisbon as follows:
 - a. Rezoning - \$350
 - b. Conditional Use - \$350
 - a. May require preparation and submittal of a Site Plan and/or Plan of Operation.
3. **TOWN CLERK** creates a list of the property owners within a certain number of feet from the **exterior boundaries** of the property for which a rezoning or Conditional Use is being proposed, publishes required legal notice in appropriate newspaper and mails notices to affected property owners.
 - a. Rezoning – 300 feet
 - b. Conditional Use – 500 feet
4. **PROPERTY OWNER** (or representative) attends the Public Hearing/Plan Commission meeting. If you or your representative are not present, the Plan Commission may postpone your item to the following month's agenda.
5. **PLAN COMMISSION** reviews application and facts presented at Plan Commission meeting.
 - a. **Rezoning** – Plan Commission takes action and makes a recommendation to the Town Board. Property owner or representative attends the Town Board meeting to present information and facts about the rezoning. Town Board takes action and if the request is approved, the Town Clerk transmits the rezoning information to Waukesha County for their consideration and action.
 - b. **Conditional Use** – Plan Commission takes action and if the request is approved, the Town Clerk drafts a Conditional Use Permit document for recording at the Waukesha County Register of Deeds. Signatures from all parties will be required before recording.



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

PETITION FOR A CONDITIONAL USE PERMIT

Property Owner

Applicant

Name / Company Name

Name

Signature

Company

Address

Address

City State Zip

City State Zip

Phone E-mail Address

Phone E-Mail Address

Property Information

Property Address City Zip

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.

INTERNAL USE ONLY

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



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

Project Review Checklist

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

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

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

LAND COVENANT
FOR A
CONDITIONAL USE GRANT
BY THE
LISBON TOWN BOARD

1538568

Waukesha County
Register of Deeds
No. _____

RECEIVED JUL 14 1989

On May 22 19 89, the equitable owners of the premises hereinafter described, petitioned for and were granted by the Lisbon Town Board of Supervisors a Conditional use, as hereinafter described, the said premises which use is not a permitted principal or accessory use in the zoning district classification within which the premises is encompassed.

EQUITABLE OWNERS OF PREMISES: Robert E. & Lulita L. Zellmer

ADDRESS OF EQUITABLE OWNERS OF PREMISES: N59 W27099 Ainsworth Road, Sussex, Wisconsin 53089

ADDRESS OF PREMISES: N59 W27099 Ainsworth Road

pd
6-

LEGAL DESCRIPTION OF PREMISES:

All that part of the S.E. 1/4 of Section 30, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the East 1/4 corner of Sec. 30 and running thence N89°18'20"W along the North line of said S.E. 1/4 and the centerline of Ainsworth Road, 253.00 ft. to the point of beginning of the parcel of land hereinafter described; continuing thence N89°18'20"W along said line 506.00 ft. to a point; thence S01°35'10"W, 758.83 ft. to a point; thence S01°35'10"W, 758.83 ft. to a point; thence S88°26'20"E, 506.08 ft. to a point; thence N01°33'40"W, 767.31 ft. to the point of beginning.

ZONING DISTRICT CLASSIFICATION: Residence "A-2" District

CONDITIONAL USE: To operate a private target range with the conditions: 1) That the line of fire be located no closer than 100 feet from the residence; 2) That the backstop be offset at least 20 feet from the side lot line; 3) That the berm to be constructed be similar to the existing one but creating a 10 ft.

high and 10 ft. long structure; 4) That the target range be used only for muzzleloading firearms (black powder weapons); 5) That the conditional use would be terminated should the property be sold by the Zellmers; and 6) That the conditional use would be subject to review should the properties immediately to the west of said property

be developed.

FOR THE EQUITABLE OWNER:

BY Robert E. Zellmer
Robert E. Zellmer, Equitable Owner

BY Lulita L. Zellmer
Lulita L. Zellmer, Equitable Owner

BY _____
, Equitable Owner

STATE OF WISCONSIN)
Waukesha COUNTY)

Personally came before me, this 22nd day of MAY
19 89,

Robert E. Zellmer
Lulita L. Zellmer

to me known to be the person(s) who executed the foregoing instrument,
and to me known to be the equitable owner(s) of the aforescribed
premises.

THIS INSTRUMENT
DRAFTED BY:

James W. Hammes, Attorney at Law

James W. Hammes
James W. Hammes
Notary Public Waukesha
County, Wisconsin

My Commission PERMANENT

FOR THE TOWN OF LISBON:

1538568
REGISTER'S OFFICE
WAUKESHA COUNTY, WIS.
RECORD

1989 JUN -6 AM 10:09

REEL 1112 IMAGE 970

Michael J. Eitel
REGISTER OF DEEDS

REEL 1112 IMAGE 0971

ATTEST:

Betty Fryda
Betty Fryda, Town Clerk

BY Donald R. Holt
Donald R. Holt, Town Chairman

BY Daniel F. Meissner
Daniel F. Meissner, Town Supervisor

BY Michael J. Eitel
Michael J. Eitel, Town Supervisor

BY Jane Stadler
Jane Stadler, Town Supervisor

BY Teryl E. Williamson
Teryl E. Williamson, Town Supervisor