

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, DECEMBER 15, 2014 7:00 p.m.

LOCATION: Germantown Village Hall Board Room

I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*

II. **ROLL CALL**

III. **PLEDGE OF ALLEGIANCE**

IV. **PRESIDENT'S REPORT**

V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS:**

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney and Village Clerk.

VI. **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**
Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes)

VII. **CONSENT AGENDA:**

A. Minutes – December 1, 2014 Regular Village Board Meeting

B. Accounts payable/payroll

1.	November 2014	Accounts Payable	\$ 105,648.81
2.	December 2, 2014	Payroll (hourly)	\$ 238,080.89
3.	December 10, 2014	Accounts Payable	\$ 702,617.01
4.	December 15, 2014	Payroll (salary)	\$ 79,453.80

C. **Operator Licenses: December 16, 2014 - June 30, 2015:**

Eric Ashlock, Marie Chilicki, Dustin Davis, Brittany Johnson

VII. CONSENT AGENDA continued:

The following items were forwarded from the Public Safety Committee with a unanimous recommendation:

- D. Recommend Approval of Dance Hall License Renewals January 1-December 31, 2015:
 - 1. Bubs Irish Pub, N116W16218 Main Street
 - 2. Germantown American Legion Post 1, N120 W15932 Freistadt Road
 - 3. Florian Park Conference & Event Center, N111 W18611 Mequon Road
- E. Recommend Approval of Second Hand Article Dealer and Second Hand Jewelry Dealer License Renewals – January 1 – December 31, 2015:
 - 1. Kessler's Diamond Center, N96 W16920 County Line Road
- F. Recommend Approval of Second Hand Article Dealer License Renewal – January 1 – December 31, 2015:
 - 1. White House of Music, N112 W16290 Mequon Road
- G. Ordinance Relating to Parking Restrictions on Hilbert and Division and to Amend the Official Traffic Map to Reflect the Same.
- H. Recommend Approval To Pay Invoice Of Inland Power Group For \$3,950.03 For Repairs To Fire Truck #1771, With Funds Allocated From Acct. #10-522-530-5500
- I. Recommend Approval to Purchase Nine (9) Eotech XPS2 Rifle Sights for \$3,780 Using Funds From the Sale of Old Rifles for \$5,770.
- J. Recommend Approval To Purchase UPS System from US Tech for \$28,224 and Labor/Materials Costs of \$2,390 Through B/A Electric. Total Cost \$614 over Budgeted Amount of \$30,000 Will Be Covered From the Police Department's Operating Budget

The following items were forwarded from the Public Works Committee with a unanimous recommendation:

- K. Recommend Approval of Payment of Invoices to Washington County Highway Department in the Amount of \$38,330.22 for the Centerline and Edge line Painting of Village Roads.

VIII. UNFINISHED BUSINESS:

IX. PUBLIC HEARINGS – 7:00 P.M. OR LATER –*The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).*

- A. Don Thoma, Accurate Surveying, Agent For Jeffrey H. Gerschke, Property Owner Of A 10-Acre Parcel Located At N136 W14000 Bonniwell Road (GTNV#111-979) And Applicant To Rezone The Parcel From The A-2: Agricultural District To The Rs-1: Single-Family District, Pursuant To Section 17.14 Of The Village Of Germantown Zoning Code
- B. James R. Marriott, President, Stonecast Products And Applicant For (1) Conditional Use Permit (CUP) To Allow Development Within A 25' Wetland Setback, Pursuant To Section 24.04(3) Of The Municipal Code; And (2) A Rezoning Application To Rezone And Remove 35,070 Sq. Ft. (.805 Acres) From The Shoreland-Wetland Overlay Zoning District, Pursuant To Section 24.04(2) Of The Municipal Code On A Portion Of The 10.6-Acre Parcel Located At

PUBLIC HEARINGS (Cont.)

N112 W143 Mequon Road (GTNV 261-983 & 261-985)

X. NEW BUSINESS:

- A. Don Thoma, Accurate Surveying, Agent For Jeffrey H. Gerschke, Property Owner Of A 10-Acre Parcel Located At N136 W14000 Bonniwell Road (GTNV#111-979) And Applicant For: (1) A Rezoning Application To Rezone The Parcel From The A-2: Agricultural District To The Rs-1: Single-Family District, Pursuant To Section 17.14 Of The Village Of Germantown Zoning Code (**Ordinance Amendment**); And A Certified 2-Lot Survey Map (**CSM**) To Create Two 5-Acre Residential Parcels.
- B. James R. Marriott, President, Stonecast Products And Applicant For (1) Conditional Use Permit (**CUP**) To Allow Development Within A 25' Wetland Setback, Pursuant To Section 24.04(3) Of The Municipal Code; (2) A Rezoning Application To Rezone And Remove 35,070 Sq. Ft. (.805 Acres) From The Shoreland-Wetland Overlay Zoning District On A Portion Of The 10.6-Acre Parcel Located At N112 W143 Mequon Road (**Ordinance Amendment**); And A Certified Survey Map (**CSM**) To Combine Existing Parcels.
- C. Skyline Development Corp., Agent For Cambridge Major Laboratories Inc., Property Owner And Applicant, For A Certified Survey Map (**CSM**) To Combine A 3.15-Acre Parcel Located At W130 N10437 Washington Drive (Former Hometown Publications-Express News Parcel) With The 9.08-Acre Cambridge Major Laboratories Campus In The Germantown Business Park.
- D. Request for Approval to Go Paperless for Agenda Packets.
- E. An Ordinance Creating Section 3.08(2)(F) Of The Municipal Code Of Germantown Relating To The Approval Of Change Orders.

XI. ADJOURNMENT

The next Village Board meeting will be on January 5, 2015 at 7:00 p.m.

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For Additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
December 1, 2014**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Wolter

ROLL CALL: President Wolter, Trustees Baum, Daniels, Hughes, Kaminski, Miller, Vanderheiden, Warren and Zabel. Also present: Attorney Sajdak, Park & Rec Director Casperson, Fire Chief Weiss, Deputy Fire Chief Maury and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT:

President Wolter expressed disappointment that the anchor tenant for TID #6, TJ Hale, will no longer be coming to Germantown, due to business reasons. While this is a surprise to everyone it is an understandable business decision. The Village had not spent monies as the developer agreement had not been signed and finalized. MLG has purchased the land and is looking for new tenants to locate on the sites.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST & COMMITTEE REPORTS: Upcoming meetings were announced as well as other items of interest by Trustees.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing: None

CONSENT AGENDA:

A. Minutes – November 17, 2014 Regular Village Board Meeting

B. Accounts payable/payroll

1.	November 10, 2014	Accounts Payable	\$944,444.86
2.	November 14, 2014	Payroll (salary)	\$ 80,081.48
3.	November 18, 2014	Payroll (hourly)	\$216,338.96
4.	November 25, 2014	Accounts Payable	\$719,170.65
5.	November 26, 2014	Payroll (salary)	\$ 81,768.16

C. Operator Licenses: December 2, 2014 - June 30, 2015:

Chantel Agnew, Kyle Becker, Marques Griep, Jeanine Isaacson, William Stark

The following items were forwarded from the General Government and Finance Committee with a unanimous recommendation:

D. Recommended Approval of T.E. Brennan Payment of Progress Billing on RFP Liability Insurance of \$4,727.11 With the Agreement To Hold The Charges At The Current Level For The Final Revised Displays

E. Recommended Approval to Purchase Annual Maintenance of 2015 Accounting Modules for the Finance Department from Harris Local Government in an Amount of \$14,120.26

MOTION (Baum/Warren) to approve Consent Agenda Items A-E, by roll call vote, carried.

UNFINISHED BUSINESS: - None

PUBLIC HEARINGS – 7:00 P.M. OR LATER – None

NEW BUSINESS:

- A. Recommended Approval to Award Contract For 2015 Liability Insurance
MOTION (Baum/Zabel) M3 Insurance in the amount of \$454,280 for 2015, by roll call vote, carried.
- B. Development Agreement Between Village of Germantown and Cambridge Major Laboratories for Development on Their Parcels Within TID #4
MOTION (Zabel/Baum) to approve the Development Agreement with Cambridge Major as presented, carried.
- C. Recommended Approval Of The Following Agreements Between The Village Of Germantown And Germantown LLC/Core Commercial Relating To Parcels GTNV#324-965 & 324-967:
1. Declaration Of Covenant For Storm Water Management Facility
2. Private Interceptor Sanitary Sewer Facilities Maintenance Agreement
3. Private Water Main Operation/Inspection/Maintenance Agreement
MOTION (Baum/Vanderheiden) to approve as presented. Attorney Sajdak stated this may have been part of an earlier approval and this item is to be sure it is seen before recording. **Carried.**
- D. Request to Fill Recreation Supervisor Vacancy
MOTION (Vanderheiden/Baum) to approve as requested, carried.
- E. Resolution Authorizing A Referendum For The Village Of Germantown To Allow The Village To Exceed The State Imposed Levy Limit Beginning With The 2015 Levy (Collected In 2016) And On An Ongoing Basis
Attorney Sajdak sent out a memo earlier today explaining the statutes regarding placing this item on a ballot. Statute requires the question to be presented on the ballot with levy information that isn't available from the State until August 1st or after. Therefore it is his opinion the referendum would not be able to be on the April 2015 ballot but would require a special election in the fall after all information is received. He spoke with the Department of Revenue and the League of Wisconsin Municipalities and they concur. Need is for the net new construction that will be allowed for the 2015 Levy/2016 tax year in order to calculate the actual levy and what the increase will be for the proposed referendum. Current information on 2014 levy shows an increase over 8.9% for the requested funding on the referendum. Discussion of requirements and need for net new construction information, cost of special election to the Village of \$10,000-\$12,000, need for Fire Chief to restructure and provide alternatives for staffing until that time, timeline for election, getting referendum question to County Clerk within 70 day statutory requirement, publishing all required election notices, criteria requirements which include budget timeline, maximum timeline of 15-30 day window for all items to fall in place. Chief Weiss would need to develop 2 budgets to be prepared for what occurs. Further discussion of other municipal referendums for levy limit increase and when theirs occurred and how they were worded, Village Board ability to decide how to spend funding if approved at referendum, possibility of legal

NEW BUSINESS continued:

challenges to referendum, phrasing of question, possibility of advisory referendum in April with binding referendum in November, consideration of survey to get public feel on the issue. **MOTION (Kaminski/Zabel) to postpone to an indefinite date authorizing the referendum.** Discussion of timeline and November date and any need for further discovery. Attorney is comfortable with the recommendation as his discovery has been completed. President Wolter verified with Trustee Kaminski that by her saying indefinitely, she is saying rather than a spring referendum we are saying fall and she is looking at the resolution to be brought forward but for a fall referendum rather than a spring referendum and Trustee Kaminski responded yes. Further discussion of need for Chief Weiss to come up with a revised plan to get through December 2015 for staffing due to funding only in 2015 budget through April. Discussion to bring this to another meeting of the Committee of the Whole. Chief Weiss understands he will have to come up with alternative options. **8 in favor, 1 opposed (Daniels), carried.**

- F. **MOTION (Baum/Vanderheiden) to go into closed session at 8:20 p.m. for the Germantown Municipal Employees Union Local 730 Negotiations; And Germantown Technical/Clerical Employees Union Local 820 Negotiations. Per Wis. Stats. §19.85 (1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, when competitive or bargaining reasons require a closed session and then may re-enter open session to take such action as it deems appropriate and include the Fire Chief, by roll call vote, carried.**

ADJOURNMENT

MOTION (Baum/Zabel) to adjourn the meeting at 8:40 p.m., carried.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Monday December 15th, 2014

AGENDA ITEM: Consent Agenda

ITEM TITLE: Amend Official Traffic Map- Hilbert Lane No Parking

SUBMITTED BY: Public Safety Committee

SUMMARY EXPLANATION:

The Public Safety Committee unanimously recommends amending the official traffic map to place no parking signs along both sides of Hilbert lane to a point 125' north of the intersection of Hilbert Lane and Sylvan Circle. If approved by Board this action reduces the current no parking restrictions at that location by approximately 100' (Resolution 35-08). This request was brought before Committee by Ms. Carol Preiss a resident of Cobblestone Meadows.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Committee recommends changing the No Parking as stated.

BOARD ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

ORDINANCE RELATING TO PARKING RESTRICTIONS ON HILBERT AND
DIVISION AND TO AMEND THE OFFICIAL TRAFFIC MAP TO REFLECT THE SAME

WHEREAS, Wis. Stat. § 349.13 authorizes municipalities to regulate the stopping, standing and parking of vehicles upon streets and highways within their corporate limits; and

WHEREAS, the Village Board, having previously adopted § 7.05 of the Municipal Code of Germantown, regulates the stopping, standing and parking of vehicles upon the streets and highways within the Village; and

WHEREAS, the Village Board previously adopted an Official Traffic Map dated November 1, 1988 which identifies, among other things, locations where stopping, standing and parking are prohibited within the Village; and

WHEREAS, the Village's Public Safety Committee unanimously recommended that the restrictions on stopping, standing and parking be removed on certain areas on Hilbert and Division; and

WHEREAS, the regulation of parking within the Village promotes the health, safety and welfare of the Community;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I:

The restrictions on stopping, standing or parking of vehicles in the following areas are removed:

1. Hilbert Lane from its intersection with Sylvan Circle to a point 200 feet north.
2. Division Road from approximately the entry drive for Village Hall north to approximately its intersection with Vista Court.

SECTION II:

The Official Traffic Map of the Village of Germantown, as kept by the Chief of Police pursuant to § 7.02 of the Municipal Code of Germantown, is hereby amended to reflect the prohibition specified in Section I.

SECTION III:

The Director of Public Works is hereby directed and shall remove appropriate traffic signals reflecting the prohibition specified in Section I.

SECTION IV:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION V:

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION VI:

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by Trustee:

Adopted: December 15, 2014 Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: _____

IX. A +
X. A

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: December 15, 2014

AGENDA ITEM: Public Hearing & New Business **(Rezoning Ordinance & Certified Survey Map)**

ITEM TITLE: Jeffrey Gerschke, Property Owner of a 10-acre parcel located near N136 W14000 Bonniwell Road; Rezoning & 2-lot Certified Survey Map (CSM)

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department 

SUMMARY EXPLANATION:

Jeffrey Gerschke, owner of a 10-acre parcel on Bonniwell Road west of Country Aire Drive is seeking approval of a 2-lot Certified Survey Map (CSM) and rezoning (A-2 to Rs-1) in order to create two 5-acre residential parcels. Pursuant to the shared driveway "private street" provisions in Section 18.071.(d), Lot 2 will be served by a private driveway to be constructed within an access easement.

ATTACHMENTS:

- ◆ 11/24/14 Staff Report
- ◆ 11/24/14 Plan Commission Meeting Minutes
- ◆ Draft Rezoning Ordinance
- ◆ CSM

PLAN COMMISSION RECOMMENDATION:

APPROVE the rezoning and CSM subject to (2) conditions:

1. All technical corrections identified in the Village Surveyor's November 20, 2014 review memo shall be addressed in a revised CSM prior to recording.
2. The Certified Survey Map shall be revised to include the correct zoning and setbacks in the documentation.

CERTIFIED SURVEY MAP (CSM) & REZONING

11/24/14 Plan Commission Meeting

Accurate Surveying & Engineering / Jeffrey Gerschke

Village Planner Report

Germantown, Wisconsin

Summary

Accurate Surveying, agent for Jeffrey Gerschke, property owner of a 10.0-acre parcel located on Bonniwell Road is requesting approval of a rezoning and 2-lot Certified Survey Map (CSM) in order to create two (2) 5-acre residential lots.

Location: Bonniwell Road @ Country Aire Drive

Property Owner/

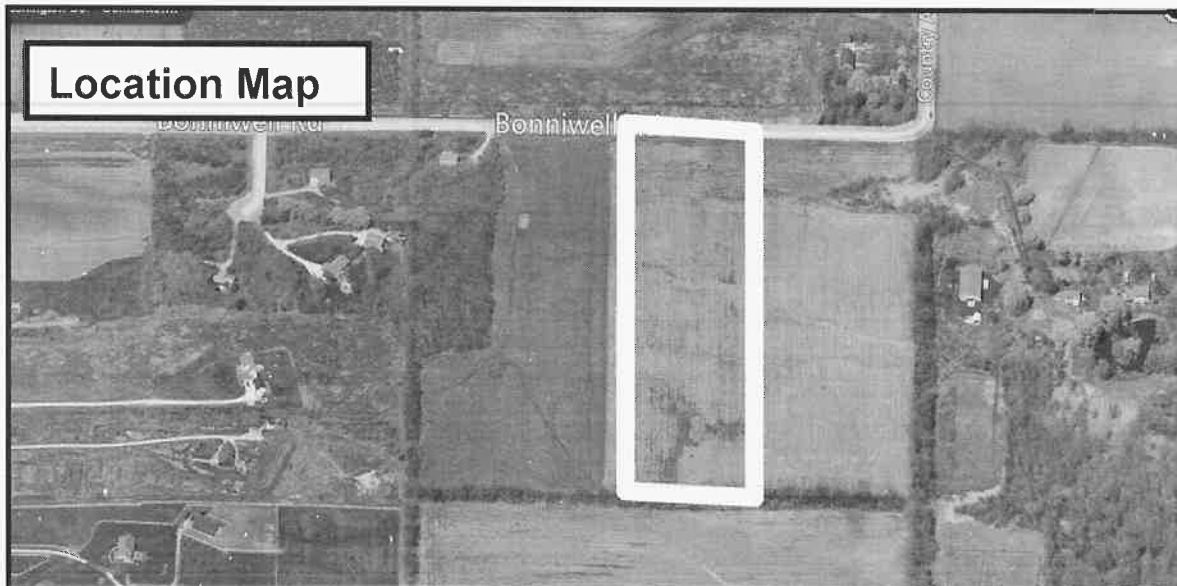
Applicant:

Jeffrey H. Gerschke
1830 Stoney Lane
Slinger, WI 53086

Don Thoma
Accurate Surveying & Engineering
West Bend, WI

Current Zoning District: A-2: Agricultural
Proposed Zoning District: Rs-1: Single-family

Adjacent Land Uses		Zoning
North	Residential	Rs-1
South	Agricultural	A-1
East	Agricultural	A-2
West	Agricultural	A-2



Proposal

Accurate Surveying, agent for Jeffrey Gerschke, property owner of a 10.0-acre parcel located on Bonniwell Road is requesting approval of a rezoning and 2-lot Certified Survey Map (CSM) in order to create two (2) 5-acre residential lots.

Staff CommentsConsistency with Village's Land Use Plan.

The Plan map classifies this property as "Agricultural/Conservation Residential". The proposed Rs-1 zoning with a minimum 5-acre lot size is consistent with the 2020 Land Use Plan.

Conformance with Zoning District & Subdivision Requirements.

The proposed lots meet the requirements of the Rs-1 Zoning District. Soil evaluations have been prepared for both lots and indicate they can support on-site sanitary systems (mound).

The most significant feature of the proposal is the lack of road frontage and private access easement proposed for Lot 2. As set forth in Section 18.07 of the Subdivision regulations, a private shared driveway (a.k.a. "private street") may be permitted by the Village Board provided that certain criteria and design standards are met. The proposed 2-lot CSM appears to comply with the criteria under 18.07(1)(d) and design standards. The 30' access easement for the benefit of Lot 2 has been placed across Lot 1 as discussed at the October 13, 2014 PC consultation. A driveway easement agreement has been prepared to assign construction and maintenance responsibilities (see attached).

The Village Surveyor has identified a number of issues and technical corrections in an November 20, 2014 memo (copy attached) that need to be considered if the proposed land division is approved, and, ultimately corrected to the CSM prior to recording.

Village Planner Recommendation

APPROVE the proposed A-2 to Rs-1 Rezoning and the 2-lot Certified Survey Map land division for the 10-acre Gerschke property located on Bonniwell Road subject to the following conditions:

1. All technical corrections identified in the Village Surveyor's November 20, 2014 review memo shall be addressed in a revised CSM prior to recording.

Jeffrey Gerschke – Bonniwell Road & Country Aire Drive. Accurate Surveying, agent for Jeffrey Gerschke, owner of a 10 acre parcel, is requesting approval of a rezoning and 2 lot Certified Survey Map (CSM) in order to create two (2) 5 acre residential lots. Planner Retzlaff summarized the proposal.

MOTION Shadid second Campbell to Approve the proposed A-2 to Rs-1 Rezoning and the 2 lot Certified Survey Map land division for the 10 acre Gerschke property located on Bonniwell Road subject to the following conditions:

- 1. All technical corrections identified in the Village Surveyor's November 20, 2014 review memo shall be addressed in a revised CSM prior to recording.***
- 2. The Certified Survey Map shall be revised to include the correct zoning and setbacks in the documentation.***

MOTION carried unanimously.

Compass Properties LLC – N112 W16200 Mequon Road. Perspective Design, agent for the owner of the Germantown Marketplace, is requesting approval of the creation of a Planned Development District (PDD) and a Certified Survey Map application in order to divide the property into three parcels. Planner Retzlaff summarized the proposal.

Peter Ogorek, Perspective Design, said the purpose of the proposal is to sell the bank property and create an additional lot for future development. Commissioner Yokes said he understands the reason for creating an outlot, but had concerns with parking especially during the holiday seasons. Mr. Ogorek said there would be a cross parking agreement between all 3 lots. Chairman Baum was also troubled with the amount of parking spaces that would be lost. Planner Retzlaff said the development already exceeds the amount of required parking as required in the parking guidelines. Commissioner Yokes asked if there was any intention to improve the rest of the parking lot or to direct traffic to the side street exit to alleviate the problems at the Mequon Road entrance. Mr. Ogorek said the proposal is to create the parcels at this time and stated there is no tenant at this time. He said Mr. Oppermann hasn't had a parking situation or received any complaints from tenants since he's owned the property over the last seven years. Chairman Baum said access to Mequon Road is currently problematic and sees the proposal as a mechanism to improve that by including a condition on lot 3 regarding future development would require improvement of traffic flow. Planner Retzlaff said a requirement could be added that any future development of lot 3 include a traffic and circulation study with a possibility of needing to make internal circulation improvements including but not limited to improving the left turn lane and north approach at Mequon Road.

MOTION Campbell second Shadid to Approve the proposed Certified Survey Map (CSM) to divide the Germantown Marketplace property into three (3) parcels as proposed subject to the following conditions:

- 1. All technical corrections listed in the Village Surveyor's November 3, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.***
- 2. Easement documents for the proposed cross-access easement, "no-build" easement and cross-parking easements shall be prepared and submitted for review and approval by the Village prior to recording the CSM.***

MOTION carried unanimously.

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE**
(Jeffrey Gerschke, Property Owner)

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY,
WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the A-2: Agricultural District to the Rs-1: Single-family District the following described property:

Lot 1 of Certified Survey Map (CSM) No. 6528 being a 10.0 acre parcel in part of the of NE ¼ of the NE 1/4 of Section 11, T9N, R20E, Village of Germantown, Washington County, Wisconsin.

SECTION 2. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____

Adopted: _____, 2014

Vote: Ayes: _____
 Nays: _____

Dean Wolter, Village President

ATTEST:

Barbara K. D. Goeckner, Village Clerk

APPROVED AS TO LEGALITY:

Brian Sajdak, Attorney

Published:

**DECLARATION OF
DRIVEWAY EASEMENT**

DECLARATION OF DRIVEWAY EASEMENT

created this ____ day of _____, 2014 by
JEFFREY H. GERSCHKE and DEBRA L. GERSCHKE, husband
and wife (hereinafter referred to as "Gerschke").

WITNESSETH:

WHEREAS, Gerschke is the owner of certain real estate
situated in the County of Washington and State of Wisconsin,
described as follows:

Lot 1 of Certified Survey Map No. _____ being a division
of Lot One (1) of Certified Survey Map No. 6528 as recorded in
the Washington County Registry in Volume 49 of Certified
Survey Maps on pages 310-312 as Document No. 1347857, being
part of the NE 1/4 of the NE 1/4 of Section 11, Township 9 North,
Range 20 East, Village of Germantown, Washington County,
Wisconsin.

Tax Key No. Part of GTNV _____
Consisting of approximately 5.0 acres
(hereinafter referred to as "Lot 1")

AND

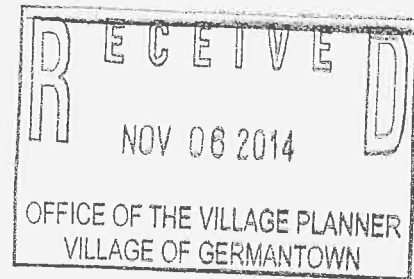
Lot 2 of Certified Survey Map No. _____ being a division of Lot One (1) of Certified Survey Map No. 6528
as recorded in the Washington County Registry in Volume 49 of Certified Survey Maps on pages 310-312 as
Document No. 1347857, being part of the NE 1/4 of the NE 1/4 of Section 11, Township 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin.

Tax Key No. Part of GTNV _____
Consisting of approximately 5.0 acres
(hereinafter referred to as "Lot 2")

(said Lots 1 and 2 hereinafter collectively referred to as "Gerschke Property").

WHEREAS, as a condition to the recording of Certified Survey Map No. _____ (hereinafter referred to
as "CSM"), the Village of Germantown (hereinafter referred to as "Village") required the creation of a driveway
easement as is laid out and depicted in Exhibit 1 and described in Exhibit 2, same to be utilized by Lot 2 for ingress
to and egress from Bonniwell Road; and

WHEREAS, to comply with the condition imposed by the Village for the approval of said CSM, Gerschke
desires to create and record a driveway easement for ingress and egress upon the Gerschke Property by subjecting
Lot 1 to the restrictions, covenants and reservations contained in this Declaration for the benefit of Lot 2 for the
purpose and with the intent of providing ingress to and egress from Lot 2 to Bonniwell Road;



DRAFT

Return To: Richard A. Rechlicz, Esq.
Ladewig, Rechlicz & Iggers, LLP
N88 W15125 Main Street, Ste 201
Menomonee Falls, WI 53051

NOW, THEREFORE, inasmuch as the Gerschke Property has been divided pursuant to said CSM, Gerschke hereby declares that Lot 1 and Lot 2 be held, sold, conveyed, transferred, used and improved subject to the conditions, restrictions, covenants, reservations hereinafter set forth in this Declaration, which shall bind and inure to the benefit of Gerschke, their successors and assigns, and to all parties hereafter having an interest in the Gerschke Property:

1. Gerschke hereby grants and conveys to the Owner of Lot 2 and subjects Lot 1 to a permanent, perpetual and exclusive easement over and across Lot 1 as is depicted in Exhibit 1 and described in Exhibit 2 for ingress to and egress from Lot 2 to Bonniwell Road (hereinafter referred to as "Driveway") and, further, the right of access to said Driveway for the purposes of constructing and maintaining same as set forth in this Declaration.

2. Said Driveway shall be constructed and installed by the owner of Lot 2 within that area of Lot 1 as identified and described as said Driveway and as is depicted in Exhibit 1. The Owner of Lot 2 shall be solely responsible for the costs and expenses of the construction of improvements within and upon said Driveway (hereinafter collectively referred to as "Improvements").

3. In addition to the liability and responsibility for the construction said Driveway, the Owner of Lot 2 shall be solely responsible for the (i) cost of any repair, upkeep in a safe and neat condition, landscaping, maintenance, replacement, resurfacing of said Driveway; (ii) snow removal from and appropriate salting of said Driveway and (iii) cost of insuring any risk of loss, damage or claim for the use of said Driveway as set forth in this Declaration by the Owner of Lot 2 (hereinafter collectively referred to as "Driveway Costs"). The Owner of Lot 2 shall provide to the Owner of Lot 1 on an annual basis a binder of insurance insuring the Owner of Lot 1 from and against any and all claims for damage to property or injury to person or persons growing out of or incidental to the use of said Driveway by the Owner of Lot 2. Said insurance shall be in the amounts as required by the insurance agent of the Owner of Lot 2.

4. The Owner of Lot 2 shall not expand, change or alter said Driveway beyond its current location as is depicted in Exhibit 1 without first obtaining the prior, written consent of the Owner of Lot 1, which consent may be withheld at the sole discretion of the Owner of Lot 1.

5. Said Driveway shall not be used for any purpose other than for ingress and egress for the Owner of Lot 2 and the guests, invitees and visitors of Lot 2 and no party shall obstruct the use of or park within said Driveway at any time or in any manner which would impair said use.

6. In the event the Owner of Lot 2 shall fail to comply with or abide by the terms of this Declaration as set forth in Paragraph 3 hereof, then the Owner of Lot 1 upon (i) ten (10) days prior written notice to the Owner of Lot 2 ("Notice of Correction") and (ii) after failure by the Owner of Lot 2 to commence the appropriate corrective measures within fifteen (15) days of receipt of said Notice of Correction, shall have the right, but not the obligation, to initiate corrective measures. The Owner of Lot 2 shall be responsible for the actual costs incurred by the Owner of Lot 1 to undertake the appropriate corrective measures (herein collectively referred to as "Corrective Costs"). The Owner of Lot 2 shall remit the amount of said Corrective Costs to the Owner of Lot 1 within ten (10) business days of receipt for an

invoice of same from the Owner of Lot 1. In the event the Owner of Lot 2 shall fail to timely reimburse the Owner of Lot 1 for said Corrective Costs, the Owner of Lot 1 shall have the right to pursue whatever remedy is available and recover from the Owner of Lot 2 actual Corrective Costs incurred and any and all costs incurred in enforcing this Declaration including, but not limited to, reasonable attorney fees.

This Driveway Easement shall be a covenant running with the land and shall be binding upon Gerschke and Gerschke's respective heirs, personal representatives, trustees, administrators, successors and assigns.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2014.

Jeffrey H. Gerschke

Debra L. Gerschke

Signatures of Jeffrey H. Gerschke and Debra L. Gerschke authenticated this _____ day of _____, 2014.

Richard A. Rechlicz
Member, State of Wisconsin
State Bar No. 1016926

DRAFT

This instrument was drafted by:

Richard A. Rechlicz, Esq.
Ladewig, Rechlicz & Iggens, LLP
N88 W15125 Main Street
Menomonee Falls, WI 53051
Phone: (262) 251-2245
Email: rick@lrilaw.com

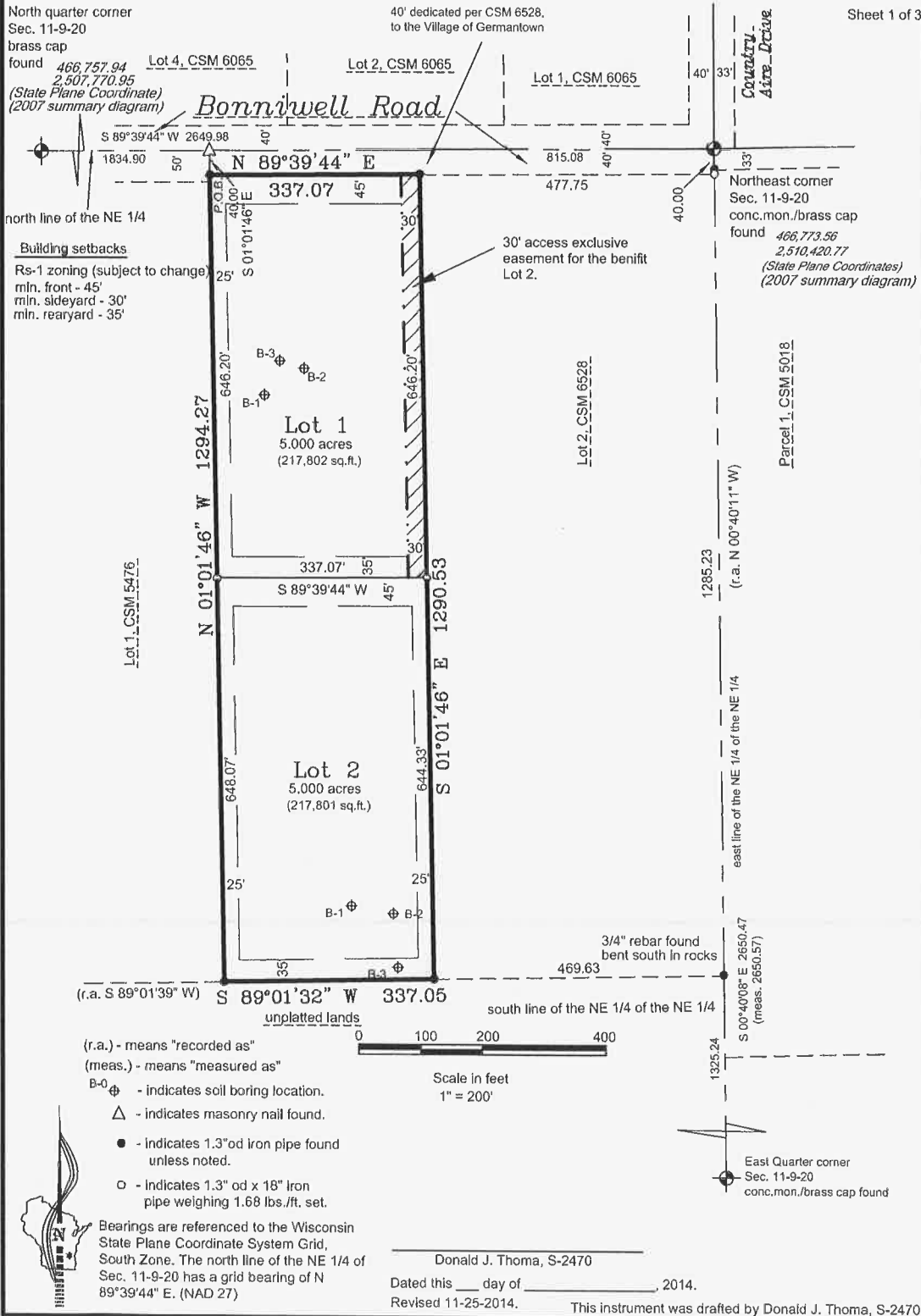
EXHIBIT 2
TO
DECLARATION OF DRIVEWAY EASEMENT

The East 30.00 feet of Lot One (1) of Certified Survey Map No. 6528 as recorded in the Washington County Registry in Volume 49 of Certified Survey Maps on pages 310-312 as Document No. 1347857, and part of the NE 1/4 of the NE 1/4, all in Section 11, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northeast corner of said Section 11, marked by a concrete monument with a brass cap found; thence S 89°39'44" W, along the north line of said NE 1/4, 478.01 feet, to the northerly extension of the east line of said Lot 1; thence S 01°01'46" E, along said northerly extension, 40.00 feet, to a point in the southerly right-of-way line of Bonniwell Road being the northeast corner of said Lot 1 and the point of beginning of lands herein described; thence continuing S 01°01'46" E, along said east line of Lot 1, 646.20 feet; thence S 89°39'44" W, 30.00 feet; thence N 01°01'46" W, parallel with said east line of Lot 1, 646.20 feet, to a point in said southerly right-of-way line; thence N 89°39'44" E, along said southerly right-of-way line 30.00 feet, to the point of beginning.

Washington County Certified Survey Map

A Division of Lot One (1) of Certified Survey Map No. 6528 as recorded in the Washington County Registry in Volume 49 of Certified Survey Maps on pages 310-312 as Document No. 1347857, being part of the NE 1/4, of the NE 1/4, of Section 11, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.



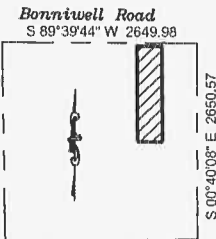
Washington County Certified Survey Map

Sheet 2 of 3

A Division of Lot One (1) of Certified Survey Map No. 6528 as recorded in the Washington County Registry in Volume 49 of Certified Survey Maps on pages 310-312 as Document No. 1347857, being part of the NE 1/4, of the NE 1/4, of Section 11, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Location Sketch

NE 1/4 - Sec. 11-9-20
Scale: 1" = 2000'



Subdivider:

Jeffrey H. Gerschke
Debra L. Gerschke
183 Stoney Lane
Hubertus, WI 53033

Surveyor:

Donald J. Thoma
Accurate Surveying & Engineering, LLP
2911 Wildlife Lane
Richfield, WI 53076

Surveyor's Certificate:

I, Donald J. Thoma, registered land surveyor, hereby certify that by the direction of Jeffrey Gerschke, I have surveyed, divided, and mapped the land shown and described hereon, A Division of Lot One (1) of Certified Survey Map No. 6528 as recorded in the Washington County Registry in Volume 49 of Certified Survey Maps on pages 310-312 as Document No. 1347857, being part of the NE 1/4, of the NE 1/4, of Section 11, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northeast corner of said Section 11; thence S 89°39'44" W, along the north line of said NE 1/4, 815.08 feet, to a masonry nail found marking the northerly extension of the west line of said Lot 1; thence S 01°01'46" E, along said northerly extension, 40.00 feet, to a point in the southerly right-of-way line of Bonniwell Road, being the northwest corner of said Lot 1 and the point of beginning of lands herein described; thence N 89°39'44" E, along said southerly right-of-way line, 337.07 feet; thence S 01°01'46" E, along the east line of said Lot 1, 1290.53 feet; thence S 89°01'32" W, along the south line of said NE 1/4, of the NE 1/4, 337.05 feet, to a 1.3 inch od iron pipe found marking the southeast corner of Lot 1 of Certified Survey Map No. 5476 as recorded in the Washington County Registry in Volume 39 of Certified Survey Maps on pages 116-118 as Document No. 933517; thence N 01°01'46" W, along the east line of said Lot 1, and its northerly extension, 1294.27 feet, to the point of beginning. Containing 10.000 acres (435,603 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Village of Germantown Ordinance in surveying, dividing, and mapping said lands, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this ____ day of _____, 2014.
Revised 11-25-2014.

Donald J. Thoma, S-2470

Owner's Certificate:

As owners of Lot 1, we hereby certify that we caused the land shown and described herein to be surveyed, divided, and mapped as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required to be submitted to the following for approval:

Village of Germantown Plan Commission

Village of Germantown Village Board

Jeffrey H. Gerschke - Owner

Debra L. Gerschke - Owner

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s

Personally came before me this ____ day of _____, 20____, the above named owners are to me known to be the same persons who executed the foregoing Instrument and acknowledge the same.

(Notary Seal) _____, Notary Public, _____, Wisconsin.

My commission expires _____

Washington County Certified Survey Map

Sheet 3 of 3

A Division of Lot One (1) of Certified Survey Map No. 6528 as recorded in the Washington County Registry in Volume 49 of Certified Survey Maps on pages 310-312 as Document No. 1347857, being part of the NE 1/4, of the NE 1/4, of Section 11, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Village of Germantown Plan Commission Approval:

This Certified Survey Map is hereby approved by the Planning Commission of the Village

of Germantown on this ____ day of _____, 20__.

Dean Wolter - Chairperson

Laura A. Johnson - Secretary

Village of Germantown, Village Board Approval:

This Certified Survey Map, being part of the NE 1/4 of the NE 1/4 of Section 11, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and (the dedication of that part of Bonniwell Road for public road purposes as shown on Sheet 1 of 3 is hereby) accepted by the Village Board of Trustees of the Village of Germantown on

this ____ day of _____, 20__.

Dean Wolter - Village President

Barbara K.D. Goeckner - Village Clerk

Donald J. Thoma, S-2470

Dated this ____ day of _____, 2014.
Revised 11-25-2014.

IX. B +
X. B

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: December 15, 2014

AGENDA ITEM: Public Hearings & New Business (**Certified Survey Map, CUP & Rezoning Ordinance**)

ITEM TITLE: James R. Marriott, Applicant and Agent for Stonecast Products Inc., Property Owner of the property located at N112 W14343 Mequon Road for: (1) a Conditional Use Permit (CUP) to Allow Development Within a 25' Wetland Setback; (2) a rezoning application to rezone and remove 35,070 sq. ft. (.805 Acres) from the Shoreland-Wetland Overlay Zoning District; and (3) a Certified Survey Map (CSM) to combine existing parcels.

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department 

SUMMARY EXPLANATION:

James Marriott, agent for Stonecast Products Inc., is seeking approval of these applications in order to expand the outdoor storage yard 54, 275 sqft on this 10.6-acre property located at N112 W14343 Mequon Road.

The CUP is needed in order to develop within portions of the 25' setback around the existing wetland; the rezoning is needed to remove a small area (35,070 sqft) of an existing wetland that will be filled to accommodate the expanded storage yard; and the CSM is needed to join two existing parcels already under single ownership into one legal parcel.

ATTACHMENTS:

- ◆ 11/10/14 Staff Report
- ◆ 11/10/14 Plan Commission Meeting Minutes
- ◆ Preliminary CSM
- ◆ Rezoning Ordinance (Draft)
- ◆ Conditional Use Permit (Draft)
- ◆ Wetland Mitigation Plan

PLAN COMMISSION RECOMMENDATION:

In addition to conditionally approving the site development and building plans for the storage yard expansion, the Plan Commission is recommending **APPROVAL** of the CUP, Rezoning and CSM.

CERTIFIED SURVEY MAP (CSM), REZONING, CONDITIONAL USE PERMIT APPLICATIONS & SITE PLAN REVIEW

11/10/14 Plan Commission Meeting

Stonecast Products Inc.

Village Planner Report

Germantown, Wisconsin

Summary

Jim Marriott, President and owner of Stonecast Products Inc., has submitted Certified Survey Map (CSM), Rezoning, Conditional Use Permit, and Site Plan applications for a 54,275 sqft outdoor storage area expansion within the 10.6-acre facility located on Mequon Road.

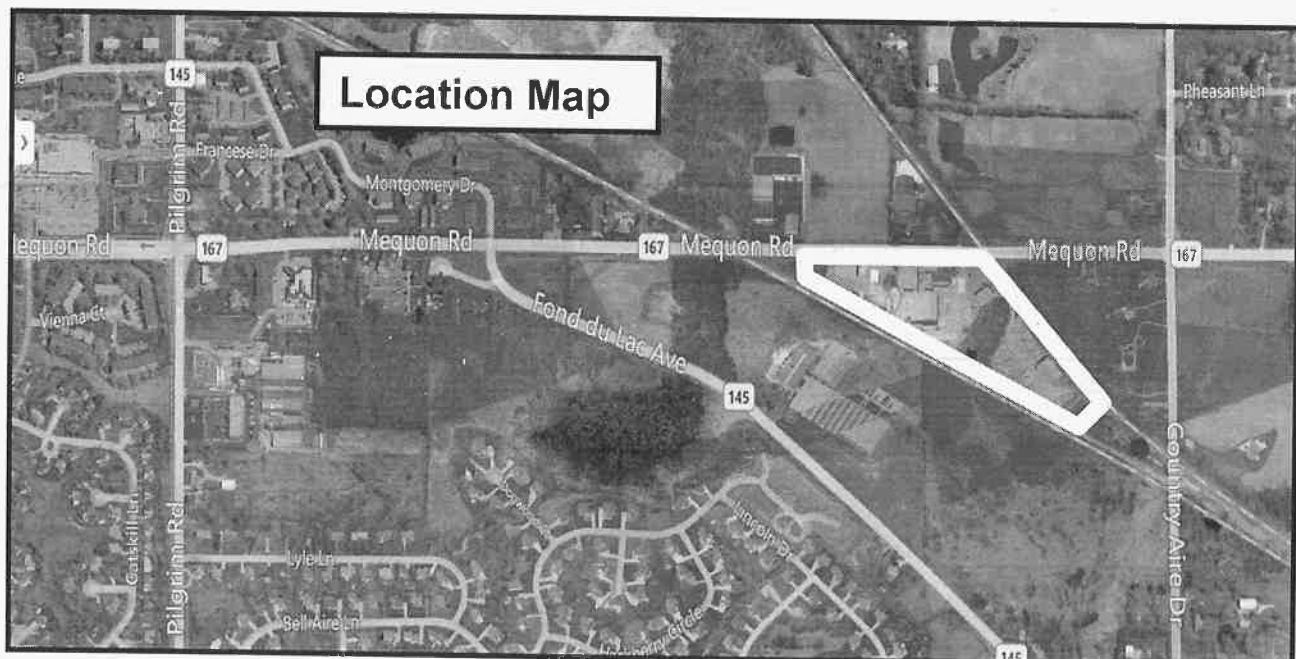
Location: N112 W14343 Mequon Road

Applicant/

Property Owner: Jim Marriott, President
Stonecast Products Inc.
N112 W14343 Mequon Road
Germantown, WI 53022

Current Zoning: M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Industrial	M-2
South	Agricultural	A-2
East	Residential	Rs-1 & Rs-3
West	Industrial/Agricultural	M-1/A-2



Background

Jim Marriott, President and owner of Stonecast Products Inc., has submitted Certified Survey Map (CSM), Rezoning, Conditional Use Permit, and Site Plan applications for a 54,275 sqft outdoor storage area expansion within the 10.6-acre facility located on Mequon Road.

Stonecast Products is a leading producer of “architectural precast” concrete products for commercial and institutional developments throughout Wisconsin, Illinois and Michigan. Their products include precast wall panels, arches, sills and bands.

As discussed in the Project Summary and presented in the detailed plans, the 10.6-acre site contains a large wetland area located in the middle of the property. As part of the storage area expansion, Stonecast proposes to fill 35,070 sqft (.805 acres) of the existing wetland to accommodate the expansion area.

Proposal: Certified Survey Map (CSM)

The land area owned by and used for the Stonecast facility actually contains two separate parcels: A 1.0-acre parcel on the west side (Parcel 2 of CSM No. 2747) and a 9.6-acre parcel containing the existing buildings, outdoor storage area and wetland. The proposed CSM is a simple combination of the two lots into one 10.6-acre parcel.

Proposal: Rezoning (Wetland Fill & Shoreland-Wetland)

The applicant has received tentative approval of an "individual permit" application from the WisDNR to fill 35,070 sqft or .805 acres of shallow/open water wetland located within the central portion of the site (see detailed site plan sheets). A total of 14,800 sqft of the existing wetland area will remain after filling is complete. Given the amount of wetland to be filled, Stonecast is required to provide "wetland compensatory mitigation" by the DNR. At this time, Stonecast has elected to purchase credits from a wetland mitigation bank at a ratio of 1.45-to-1. Stonecast is in the process of purchasing 1.17 credits from the Lake Superior Site #1 Mitigation Bank pending approval of these applications by the Village.

As a result, once the approved area has been filled, that area will no longer be eligible for inclusion in the Village's Shoreland-Wetland Zoning District. The proposed rezoning is to remove the 35,070 sqft area from the Shoreland-Wetland Overlay Zoning District (leaving the underlying M-1 Zoning District in place over this area).

Proposal: Conditional Use Permit (CUP)

The applicant has submitted a conditional use permit (CUP) application under the Village's Shoreland-Wetland Zoning Code because of the proposed wetland fill and other development activity proposed within portions of the 25' wetland setback area around the remaining wetlands on the site.

Although the Village's Shoreland-Wetland Code requires a 25' setback from all DNR-approved delineated wetlands (regardless of size or location), the Village may allow development within the 25' setback with a CUP. Section 24.04 of the Code permits development in the required setback to provide additional buffering and/or compensation for the affected area(s) at a 1:1 ratio (for “horizontal” development) and a 2:1 ratio (for “vertical” development having impervious surface or a grade change greater than 3' height).

As shown in the Wetland Mitigation Plan (date stamp of October 22, 2014), almost all of the 25' setback area is proposed to be disturbed as a result of development. Detailed in the narrative and exhibits, the total amount of 25' setback area encroachment is approximately 10,908 sqft, including:

- 946 sqft of grading with < 3' of grade change in proposed open space
- 9,962 sqft of grading with > 3' of grade change and/or impervious surface

Due to some of the encroachment being "vertical" development (> 3' grade change) with a compensation ratio of 2:1, the total amount of area requiring compensation totals 19,924 sqft. Native prairie vegetation comprised of a native prairie seed mix and stormwater seed mix will be established over the 19,924 sqft mitigation areas around the remaining wetland and storm water swales and basin as shown on Sheet C4.0 (Wetland Mitigation Plan) in the detailed site plan set. A total of 30,245 sqft of native prairie seed mix will be installed on the site. In addition, the buffer area around the remaining wetland will have non-native, invasive species of plants removed.

Proposal: Site Development & Building Plans

As presented in the detailed site plans and other supporting information, Stonecast Products proposes to expand the outdoor storage area a total of 54,275 sqft (1.25 acres). So detailed in the Project Summary, the expansion will significantly increase production capacity and efficiency.

As presented in the attached plans, the proposed improvements include the following:

- 35,070 sqft wetland fill w/ compacted stone surface & storage racking
- Two (2) open space areas (converted from existing asphalt)
- On-site storm water basin (southeast corner)

Access & Parking. The development will continue to be served by two driveways onto Mequon Road. A total of (13) existing parking stalls will remain; although given the expansive impervious areas across the site, parking is not a problem.

Storm Water Management. After completion, a total of 367,574 sqft (79.3%) of impervious surfaces are proposed for the 10.6-acre site leaving 20.7% in open space. One of the two existing storm water basins (west of the existing wetland) will be removed while the other located in the far southeast corner of the site will be expanded to accommodate run-off from the site and buildings. 260 feet of 24" storm sewer will also be installed under the fill area to convey run-off from the remaining wetland area to the enhanced swale/ditch being improved along the railroad tracks. A portion of the existing storm water basin west of the existing wetland will be converted to open space along with two other existing impervious areas: one in the northwest corner and the other in the southeast corner of the site in order to reduce the total impervious area of the site to fall the maximum 80 percent allowable.

Landscaping. As part of the Mitigation Plan, a few deciduous trees and shrubs will be installed around the expanded storm water basin the southeast corner of the site. As discussed, above, native prairie vegetation will be established in the disturbed portions of the wetland setback area as compensation for encroachment into the 25' wetland setback areas as a protective transition to the wetland area that will remain within the site, along the railroad tracks to the south, and around the storm water swales and basin.

Lighting. No additional or revisions to the existing lighting is proposed.

Signage. No additional or revisions to the existing signage is proposed.

Staff Analysis: Issues & Concerns

Wetland Fill & Shoreland-Wetland Rezoning

With regard to the wetland district rezoning, staff supports the fact that, if the DNR allows the wetland areas to be filled, the filled areas would no longer be legally protected "wetlands" and should not be included in the Village's Shoreland-Wetland Overlay District. Moreover, as detailed in the wetland delineation report (copy on file), the wetland area in question are of relatively low value. Staff generally agrees with DNR approvals that the proposed wetland fill and rezoning would not have an adverse impact on:

- storm and flood water storage
- the maintenance of dry season stream flow or groundwater recharge
- filtering or storage characteristics of sediments that would otherwise flow into navigable waters
- shoreline erosion
- fish spawning or breeding grounds
- wildlife habitat
- areas of special concern, scarce wetland types or endangered species

Wetland Setback CUP

With regard to the CUP for development within the 25' wetland setback, staff supports the proposed mitigation plan that includes the removal of invasive species and the creation/restoration of native vegetation in the disturbed areas of the 25' wetland setback and other areas on the site. However, success of the native grass plantings and invasive plant removal depends on monitoring of the actions taken. Consequently, the owner should be required to prepare and submit an annual monitoring report to the Village documenting all management activities, the success of those management activities, and any corrective actions needed to ensure success of the mitigation plan for a minimum of three (3) years after initial implementation.

Engineering

The Engineering Department has identified a few technical corrections and items (see August 25, 2014 memo) that will need to be addressed prior to any construction. The Village Surveyor has identified a series of technical corrections (see August 22, 2014 memo) for the CSM that will need to be addressed prior to recording the CSM.

Fire Department

The Fire Department has the following comments and requirements:

- All-season access required for all fire lanes and gates on the property;
- The proposal does not include any new or expanded buildings. Therefore, no fire hydrants or approved water supply is required on site at this time. Due to the lack of a water supply, any future building expansion shall be limited to 5,000 sqft.
- High pressure petroleum pipeline run along the east railroad right-of-way and are not shown on prints. West Shore pipeline and Koch pipeline needs to be contacted for easement restrictions that may be on this property.

VILLAGE PLANNER RECOMMENDATION

APPROVE the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

1. All technical corrections listed in the Village Surveyor's August 22, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.

VILLAGE PLANNER RECOMMENDATION

APPROVE the application to rezone and remove up 35,070 sqft (.805 acres) of area from the Shoreland-Wetland Zoning District as shown in the detailed site plans and Wetland Mitigation Plan dated 10-20-2014 pursuant to Section 24.07 of the Shoreland-Wetland Zoning Code provided that DNR permit approval for the proposed wetland filling has been approved.

VILLAGE PLANNER RECOMMENDATION

APPROVE a Conditional Use Permit to allow development within the 25' wetland setback areas and proposed compensation as presented in the Wetland Mitigation Plan pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

1. The owner shall prepare and submit an annual monitoring report to the Village and local DNR staff concerning the various management activities proposed in the plan, including the planting/restoration of native vegetation. Said report shall, at a minimum, detail the type and amount of plantings, all activities carried out in the previous year and the observed success of all previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities to be carried out, and a list of planned activities for the upcoming year. Said report shall be submitted annually at the end of each year beginning in 2015 for a period of three (3) years.

VILLAGE PLANNER RECOMMENDATION

APPROVE the site development plans submitted by Stonecast Products for the proposed 54,275 sqft outdoor storage expansion for the facility located at N112 W14343 Mequon Road subject to the following conditions:

1. Approval is for the site development and building plan sets dated October 20, 2014, subject to final approval of the wetland fill permit by the DNR.
2. All landscaping, grading, open space and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit for the proposed buildings unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs that has been reviewed and approved by the Village is submitted to the Village to ensure installation of the proposed features will be completed within one (1) year after issuance of an occupancy permit.
3. All season access to and along the internal access roads and gates shall be maintained. The owner shall coordinate with the Fire Department to ensure the required access is provided prior to commencement of construction.
4. All technical corrections listed in the Village Engineer's August 25, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to commencement of any construction activities.

MOTION Baum second Shadid to Approve the two (2) wall signs for ATI Physical Therapy as proposed subject to the following conditions:

- 1. A separate electrical permit shall be obtained from Inspection Services prior to installation.***
- 2. All electronic components shall be labeled by a licensed lab and inspected prior to or concurrent with installation.***
- 3. The monument sign panel shall be opaque or dark in color.***

MOTION carried unanimously.

Stonecast Products – N112 W14343 Mequon Road. Jim Marriott, owner of Stonecast Products has submitted Certified Survey Map, Rezoning, Conditional Use Permit and Site Plan applications for a 54,275 sqft outdoor storage area expansion within the 10.6 acre facility. Planner Retzlaff summarized the proposal. Jim Marriott spoke on the proposal and answered questions.

Commissioner Yokes commented this was the first time he's seen an applicant come in purchasing credits from a wetland bank versus wetland mitigation. Planner Retzlaff explained Stonecast needs to deal with Village and DNR wetland regulations and because of the amount of wetland Stonecast is filling, 35,070 sqft, they are required to provide wetland compensatory mitigation by the DNR. Stonecast has elected to purchase credits from a wetland mitigation bank and is in the process of purchasing 1.17 credits from the Lake Superior Site #1 Mitigation Bank pending approval of these applications by the Village. Commissioner Gray questioned why the mitigation credits were not purchased in Germantown and why the north section of wetlands was not developed. Planner Retzlaff said there were no wetland banks here for purchase and the DNR dictates quality and quantity of wetlands to be filled.

MOTION Baum second Peck to Approve the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

- 1. All technical corrections listed in the Village Surveyor's August 22, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.***

MOTION carried unanimously.

MOTION Baum second Shadid to Approve the application to Rezone and remove up to 35,070 sqft (.805 acres) of area from the Shoreland-Wetland Zoning District as shown in the Wetland Mitigation Plan dated 10-20-14 pursuant to Section 24.07 of the Shoreland-Wetland Zoning Code provided that DNR permit approval for the proposed wetland filling has been approved.

MOTION carried unanimously.

MOTION Baum second Peck to Approve a Conditional Use Permit to allow development within the 25' wetland setback areas and proposed compensation as presented in the Wetland Mitigation Plan pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

- 1. The owner shall prepare and submit an annual monitoring report to the Village and Local DNR staff concerning the various management activities proposed in***

the plan including the planting/restoration of native vegetation. Said report shall at a minimum detail the type and amount of plantings, all activities carried out in the previous year and the observed success of all previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities to be carried out, and a list of planned activities for the upcoming year. Said report shall be submitted annually at the end of each year beginning in 2015 for a period of three (3) years.

MOTION carried unanimously.

MOTION Baum second Peck to Approve the site development & building plans submitted by Stonecast Products for the proposed 54,275 sqft outdoor storage expansion for the facility located at N112 W14343 Mequon Road subject to the following conditions:

- 1. Approval is for the site development and building plan sets dated October 20, 2014 subject to final approval of the wetland fill permit by the DNR.***
- 2. All landscaping, grading, open space and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit for the proposed buildings unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs that has been reviewed and approved by the Village is submitted to the Village to ensure installation of the proposed features will be completed within one (1) year after issuance of an occupancy permit.***
- 3. All season access to and along the internal access roads and gates shall be maintained. The owner shall coordinate with the Fire Department to ensure the required access is provided prior to commencement of construction.***
- 4. All technical corrections listed in the Village Engineer's August 25, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to commencement of any construction activities.***

MOTION carried unanimously.

Chaz Hastings for Gerald Grosenick – Main Street Mr. Hastings, owner/operator of the Old town Inn & Bier Stube is seeking feedback concerning a proposed private park to be developed on a 5.2 acre parcel located south of the Old Town Inn at N116 W15841 Main Street. Planner Retzlaff summarized the proposal. Mr. Hastings spoke on the project and answered questions. He said he wanted to bring back some of the heritage that once existed on this property and feels the park fits in exactly with the 2020 vision that the Village has for this street. He said the park could be used for car shows, weddings, anniversaries, graduation parties, farmers market, polka in the park, Mai Fest and Oktoberfest. He feels it will be good for tourism for the community and bring other developments to the street.

Plan Commissioners had the following comments:

- Will the Park have lighting and night events?
- Good idea but concerned how residents that live nearby will be affected
- Could park be reoriented to the west side of the property away from residents
- Looks like a lot of parking and not enough green space
- Will this park take away from Oktoberfest, Mai Fest and band shell at Fireman's Park
- This is a beer garden

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN SHORELAND-WETLAND ZONING CODE**
(James Marriott, President and Agent for Stonecast Products Inc.)

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY,
WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the district boundaries of the Village of Germantown Shoreland-Wetland Zoning District are amended to reflect the following described area being removed from the District as a result of wetland filling approved by the Wisconsin Department of Natural Resources (WisDNR) and the Army Corp. of Engineers (ACOE):

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 2, CSM #2747, THENCE S 63°28'04" E, 352.85 FEET; THENCE N 26°31'56" E, 21.55 FEET TO THE POINT OF BEGINNING; THENCE N15°09'35" E, 1 97 FEET; THENCE N 25°44'04" E, 33.37 FEET; THENCE N 25°56'20" E, 14.37 FEET; THENCE N 16°34'58" W, 19.76 FEET; THENCE N 31°15'28" E, 31.06 FEET; THENCE N 36°11'35" E, 17.78 FEET; THENCE N 68°47'09" E, 39.41 FEET; THENCE N 46°29'27" E, 18.12 FEET; THENCE N 33°21'53" E, 31.64 FEET; THENCE N 28°28'02" E, 19.54 FEET; THENCE N 28°28'02" E, 4.44 FEET; THENCE N 47°25'43" E, 35.97 FEET; THENCE N 02°37'08" E, 2.14 FEET; THENCE S 63°28'11" E, 94.90 FEET; THENCE S 22°50'44" W, 12.75 FEET; THENCE S 06°25'01" W, 17.57 FEET; THENCE S 16°29'04" W, 24.12 FEET; THENCE S 22°59'32" W, 13.59 FEET; THENCE S 36°29'38" W, 19.56 FEET; THENCE S 31°57'46" W, 20.14 FEET; THENCE S 39°16'35" W, 36.93 FEET; THENCE S 36°39'16" W, 21.74 FEET; THENCE S 27°01'55" W, 19.45 FEET; THENCE S 10°38'02" E, 28.92 FEET; THENCE S 13°16'05" E, 33.26 FEET; THENCE S 21°34'10" E, 26.46 FEET; THENCE S 30°43'02" E, 10.73 FEET; THENCE N 63°27'46" W, 207.22 FEET TO THE POINT OF BEGINNING. CONTAINING: 35,070 SQUARE FEET OR 0.805 ACRES

SECTION 2. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee:

Date Adopted:

Ayes:

Nays:

Dean Wolter, Village President

APPROVED AS TO FORM:

ATTEST:

Brian C. Sajdak, Village Attorney
Published:

Barbara K. D. Goeckner, Village Clerk

CUP # – 14

Document No.

CONDITIONAL USE PERMIT

Document Title

**VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

James Marriott, President, Stonecast Products Inc.

agrees to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to permit the to allow development within the 25' wetland setback areas as presented in the Wetland Mitigation Plan dated October 22, 2014, and exhibits contained in the application pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

GTNV 261-983 & 261-985

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

N112 W14343 Mequon Road; Tax Key No. 261-983 & 261-985

Pursuant to the following condition(s):

1. The owner shall prepare and submit an annual monitoring report to the Village and Local DNR staff concerning the various management activities proposed in the plan including the planting/restoration of native vegetation. Said report shall at a minimum detail the type and amount of plantings, all activities carried out in the previous year and the observed success of all previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities to be carried out, and a list of planned activities for the upcoming year. Said report shall be submitted annually at the end of each year beginning in 2015 for a period of three (3) years.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the ____ day of _____, 2014.

ATTEST:

Dean Wolter, Village President

Barbara K. D. Goeckner, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this ____ day of _____, 2014, the above named Dean Wolter, Village President, and Barbara K. D. Goeckner, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

The following named person, who is authorized to represent Stonecast Products Inc., hereby accept the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this ____ day of _____, 2014

{type or print name on this line}

{signature on this line}

Agent for Stonecast Products Inc.

STATE OF WISCONSIN) SS

COUNTY)

Personally came before me this ____ day of _____, 2014, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

This instrument was drafted by:
Jeffrey W. Retzlaff, AICP
Village Planner/Zoning Administrator
Village of Germantown, Wisconsin

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF PARCEL 2, CSM 2747 ALONG WITH LANDS IN THE NORTHEAST 1/4 OF SECTION 26, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY WISCONSIN

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN) SS
RACINE COUNTY)

I, CHRISTOPHER JACKSON, A REGISTERED LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, MAPPED AND COMBINED LANDS LOCATED IN THE NORTHEAST 1/4 OF SECTION 26, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID 1/4 SECTION, THENCE N 88°35'07" E 1624.33 FEET ALONG THE NORTH LINE OF SAID 1/4 SECTION TO A POINT; THENCE S 01°25'00" E 65.00 FEET TO THE SOUTH LINE OF MEQUON ROAD (S.T.H. "167") AND THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE S 37°42'52" E 488.50 FEET; THENCE SOUTHEAST ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTHEAST, WHOSE RADIUS IS 4363.25 FEET AND WHOSE CHORD BEARS S 40°42'52" E 456.71 FEET; THENCE N 63°28'04" W 1086.46 FEET; THENCE N 63°28'11" W 218.88 FEET TO THE EAST LINE OF PARCEL 1 CSM 2747; THENCE N 01°24'59" W ALONG SAID EAST LINE, 230.32 FEET TO THE SOUTH LINE OF MEQUON ROAD (S.T.H. "167"); THENCE N 88°35'00" E ALONG SAID SOUTH LINE, 661.14 FEET TO THE POINT OF BEGINNING.

CONTAINING: 463,329 SQUARE FEET OR 10.636 ACRES

THAT I HAVE MADE SUCH SURVEY, MAP AND LAND COMBINATION BY THE DIRECTION OF SPI REAL ESTATE, LLC, OWNERS OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE COMBINATION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE STATUTES OF THE STATE OF WISCONSIN AND THE REGULATIONS OF THE VILLAGE OF GERMANTOWN IN SURVEYING, MAPPING AND COMBINING THE SAME.

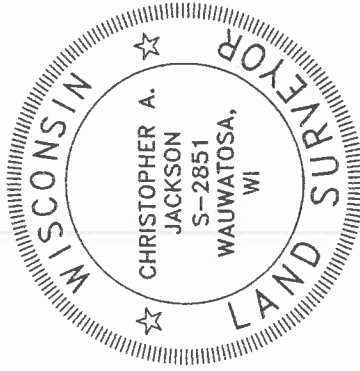
DATED THIS _____ DAY OF _____, 2014.

CHRISTOPHER A. JACKSON
REGISTERED LAND SURVEYOR, S-2851
STATE OF WISCONSIN

CORPORATE OWNER'S CERTIFICATE

SPI REAL ESTATE, LLC, A LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE STATE OF WISCONSIN AS OWNER, DOES HEREBY CERTIFY THAT SAID COMPANY CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED ON THIS MAP.

IN WITNESS WHEREOF, SPI REAL ESTATE, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JIM MARRIOTT, OWNER, AND ITS CORPORATE SEAL TO BE AFFIXED
THIS _____ DAY OF _____, 2014.



CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF PARCEL 2, GSM 2747 ALONG WITH LANDS IN THE NORTHEAST 1/4 OF SECTION 26, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY WISCONSIN

CONSENT OF MORTGAGEE CERTIFICATE

LAYTON STATE BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, MAPPING AND COMBINING OF THE LAND DESCRIBED ON THIS MAP AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATION OF OWNERS

IN WITNESS WHEREOF, THE SAID LAYTON STATE BANK, HAS CAUSED THESE PRESENTS TO BE SIGNED BY GARY SZPARA, SENIOR VICE PRESIDENT AT _____, WISCONSIN, THIS DAY OF _____, 2014.

BY:

NAME: GARY SZPARA

TITLE: SENIOR VICE PRESIDENT

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2014, THE ABOVE GARY SZPARA, TO ME KNOWN TO BE THE SENIOR VICE PRESIDENT OF LAYTON STATE BANK AND THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION EXPIRES _____, 2014

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE VILLAGE OF GERMANTOWN ON THIS _____ DAY OF _____, 2014.

DEAN WOLTER, CHAIRMAN

DATE

LAURA A. JOHNSON, SECRETARY

DATE

VILLAGE OF GERMANTOWN BOARD APPROVAL

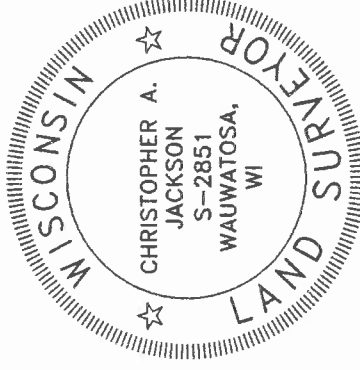
THIS CERTIFIED SURVEY MAP, BEING A DIVISION OF NE 1/4 SECTION 26, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, HAVING BEEN APPROVED BY THE PLANNING COMMISSION BEING THE SAME, IS HEREBY APPROVED AND ACCEPTED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF GERMANTOWN ON THIS _____ DAY OF _____

DEAN WOLTER, VILLAGE PRESIDENT

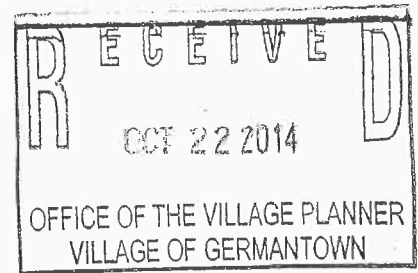
DATE

BARBARA K.D. GOECKNER, VILLAGE CLERK

DATE



Project Summary
for
Stonecast Products Inc.
Germantown, WI



Project Background

Stonecast Products Inc. supplies precast concrete products to leading contractors for their award-winning buildings for over twenty years. The concrete products include a variety of precast wall panels: architectural clad wall panels, pre-stressed structural wall panels and insulated composite and non-composite wall panels. Quickly, Stonecast products has become a leading producer of "Architectural Precast" concrete products for commercial and institutional projects in Wisconsin, Michigan and Illinois and include concrete arches, sills, bands and panels that are incorporated into the exterior of large masonry buildings. Recent changes in the building construction industry have changed and the demand for precast concrete products is expanding. Traditional masonry construction has declined over the last several years based primarily on the energy efficiency of that type of construction; whereas, the demand for buildings constructed with large "insulated Wall Panels" has increased dramatically. "Insulated Wall Panels" meet the requirements of today's energy-efficient construction code and are less costly to install compared to traditional masonry construction. To meet the increased demand for the "insulated wall panels", Stonecast Products needs additional outside storage space based on the production capacity increase from 4 small panels per day to 10 large panels per day that they are currently producing. Panels must be produced and stored at Stonecast's plant, ready for delivery in advance of their installation at the construction site. A lead time of 60-days is necessary in order balance production capacity and the construction schedule for several concurrent customer projects.

The expansion is a part of an existing facility. In January 2002, Jim Marriott purchased Stonecast Products Inc., a Germantown, WI manufacturer of custom concrete products (formerly known as Wisconsin Lintel). The following year, Mr. Marriott exercised his option to purchase Stonecast's land and buildings from the business' former owner.

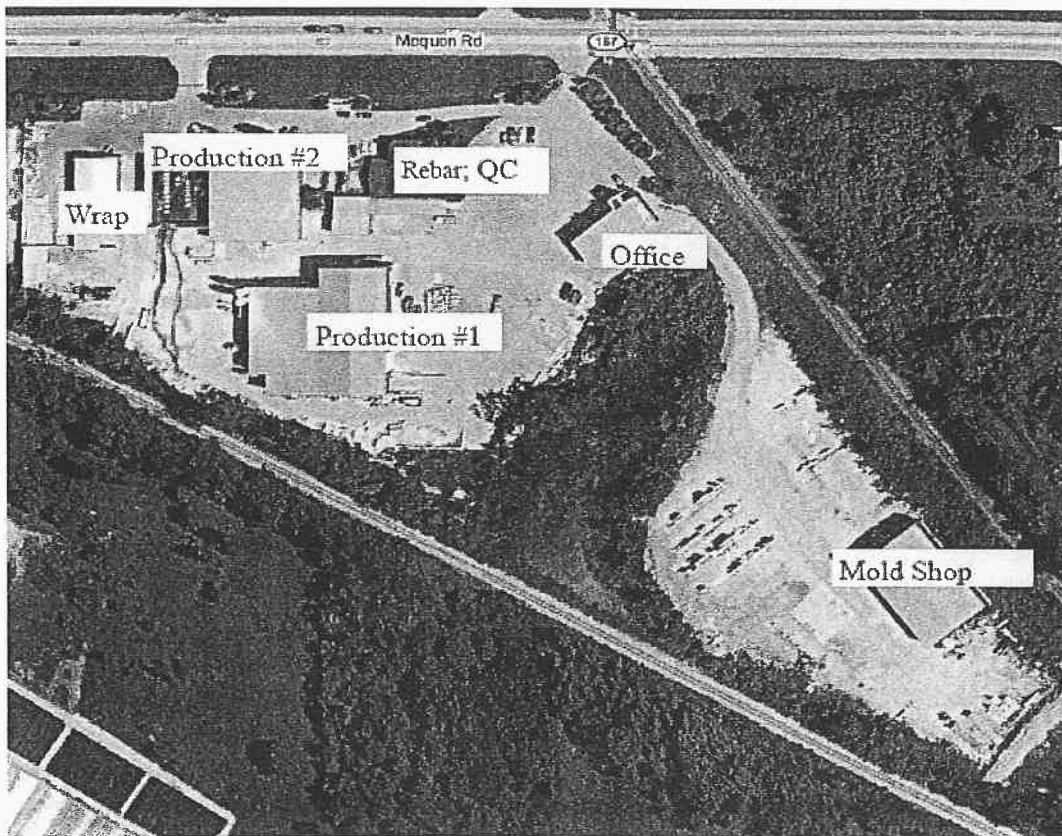
The purchase of Stonecast Products Inc. and the land occurred in 2002 and 2003. In 2013, Stonecast Products Inc. made investments of \$1,000,000 to its plant and equipment by installing an "Insulated Wall Panel" production line. These investments include two new 80 foot casting tables along with two new cranes. These investments in 2013 have created a critical demand for additional outside storage space.

If Stonecast Products Inc. is not granted these requested impacts, Stonecast would not be able to expand their outdoor storage. By limiting the storage of the produced products, Stonecast would suffer significant economic impacts. Stonecast would need to reduce its

production capacity by 6 panels per day—from 10 panels to 4 panels. The loss of revenue would be approximately \$2.25 million—approximately 31% of Stonecast's annual projected revenue. This amount of loss of revenue would certainly put the business' ongoing operations at a significant risk.

6 panels per day x \$1,500 average selling price = \$9,000 revenue per day
\$9,000 revenue per day x 250 production days per year = \$2,250,000 lost revenue

Stonecast Products Inc. must impact the wetland area primarily based on the need to store wall panels based on the recently increased output. The immediate needs include 10 panels produced per day and based on a lead time of 60 days, at least 600 panels need to be stored on site. Stonecast currently does not have the outside storage space to do this.



Aerial View of Stonecast Products Facility

Secondly, the orientation of existing wetlands, being located in the middle of the site nearly extending the entire width of the parcel, creates numerous production roadblocks. As seen in the aerial view above, the panels are generated at Production #1 and #2 where they have to be loaded onto trucks and transported past the office and around the north end of the existing wetlands, along an asphalt driveway, where they are then unloaded and stored southeast east of the wetlands. With a permit to fill some of the wetlands, not only would it facilitate the needed additional storage, but would greatly increase production efficiency from panel completion to site storage and transform and streamline the entire process.

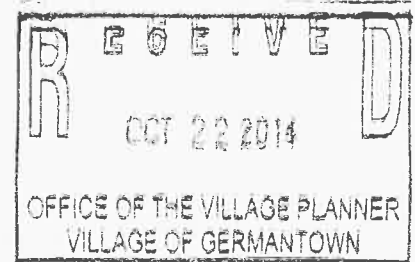
Project Narrative
for
Stonecast Products Inc.
Germantown, WI

Stonecast Products Inc. supplies precast concrete products to leading contractors for their award-winning buildings for over twenty years. The concrete products include a variety of precast wall panels: architectural clad wall panels, pre-stressed structural wall panels and insulated composite and non-composite wall panels. Stonecast operates out of the existing facility at N122W14343 Mequon Road in the Village of Germantown. Based on significant increased demand for their “insulated wall panels”, Stonecast is looking to expand their Germantown facility.

The current needs and proposed expansion includes the need for additional outside storage. Immediate needs include 10 panels produced per day and based on a lead time of 60 days, at least 600 panels need to be stored on site. Based on this need, the existing gravel storage area will be expanded by approximately 54,275 s.f. with 34,070 s.f. of that as wetland disturbance and will require a WDNR Wetland Individual Permit. Future building expansions to the Production and Rebar and QC are also part of the development. Existing wetlands were delineated by Thompson and Associated on April 24, 2014. The existing Zoning of M-1 with wetland overlay is requested to be modified to M-1 with a reduction of wetland overlay to accommodate the required wetland disturbance.

For storm water purposes, an existing storm water basin located southeast of the existing production building will be removed and the existing basin at the very southeast portion of the parcel will be modified to a wet detention basin and sized to satisfy water quality and quantity requirements per MMSD and the Village of Germantown. The revised basin and site has been evaluated via the volumetric design approach where site and watershed specific analyses are used to determine the maximum volume of runoff than can be released from the development based on the development characteristics and the timing of the overall watershed (the critical time period). The watershed for Stonecast Products Inc. is the Menomonee River watershed. The runoff from the site will sheet drain to a proposed swale along the south property line into the proposed basin. The existing basin outlet pipe will be modified based on the calculations of the site characteristics.

Wetland Mitigation Plan
for
Stonecast Products, Inc.
Germantown, WI



Purpose and Need:

Stonecast Products Inc. supplies precast concrete products to leading contractors for their award-winning buildings for over twenty years. The concrete products include a variety of precast wall panels: architectural clad wall panels, pre-stressed structural wall panels and insulated composite and non-composite wall panels. Stonecast operates out of the existing facility at N122W14343 Mequon Road in the Village of Germantown. Based on significant increased demand for their “insulated wall panels”, Stonecast is looking to expand their Germantown facility.

The current needs and proposed expansion includes the need for additional outside storage. Immediate needs include 10 panels produced per day and based on a lead time of 60 days, at least 600 panels need to be stored on site. Based on this need, the existing gravel storage area will be expanded by approximately 54,275 s.f. with 35,070 s.f. of that as wetland disturbance and will require a WDNR Wetland Individual Permit. Future building expansions to the Production and Rebar and QC are also part of the development. Existing wetlands were delineated by Thompson and Associated on April 24, 2014. The existing Zoning of M-1 with wetland overlay is requested to be modified to M-1 with a reduction of wetland overlay to accommodate the required wetland disturbance.

For storm water purposes, an existing storm water basin located southeast of the existing production building will be removed and the existing basin at the very southeast portion of the parcel will be modified to a wet detention basin and sized to satisfy water quality and quantity requirements per MMSD and the Village of Germantown. The runoff from the site will sheet drain to a proposed swale along the south property line into the proposed basin that discharges to existing railroad R.O.W.

Avoidance and minimization:

Stonecast Products Inc. must impact the wetland area primarily based on the need to store wall panels based on the recently increased output. The immediate needs include 10 panels produced per day and based on a lead time of 60 days, at least 600 panels need to be stored on site. Stonecast currently does not have the outside storage space to do this.



Aerial View of Stonecast Products Facility

Secondly, the orientation of existing wetlands, being located in the middle of the site nearly extending the entire width of the parcel, creates numerous production roadblocks. As seen in the arial view above, the panels are generated at Production #1 and #2 where they have to be loaded onto trucks and transported past the office and around the north end of the existing wetlands, along an asphalt driveway, where they are then unloaded and stored southeast east of the wetlands. With a permit to fill some of the wetlands, not only would it facilitate the needed additional storage, but would greatly increase production efficiency from panel completion to site storage and transform and streamline the entire process.

25 Foot Wetland Setback Encroachments:

As mentioned above, Stonecast Products, Inc. is proposing to a wetland impact on the site as a part of their development; however, the development also encroaches into the 25 foot Wetland Setback. The following table summarizes the encroachments and compensation ratios as required by the Village of Germantown:

Encroachment Type	Encroachment Area (s.f.)	Compensation Ratio	Compensation Area (s.f.)
Green Space (< 3.0' grade change)	946	1:1	946
Impervious Surface	9,962	2:1	19,924

(see attached map)

Mitigation Plan:

Stonecast Products, Inc. proposes to mitigate all 20,870 s.f. the encroachments by providing two types of mitigation:

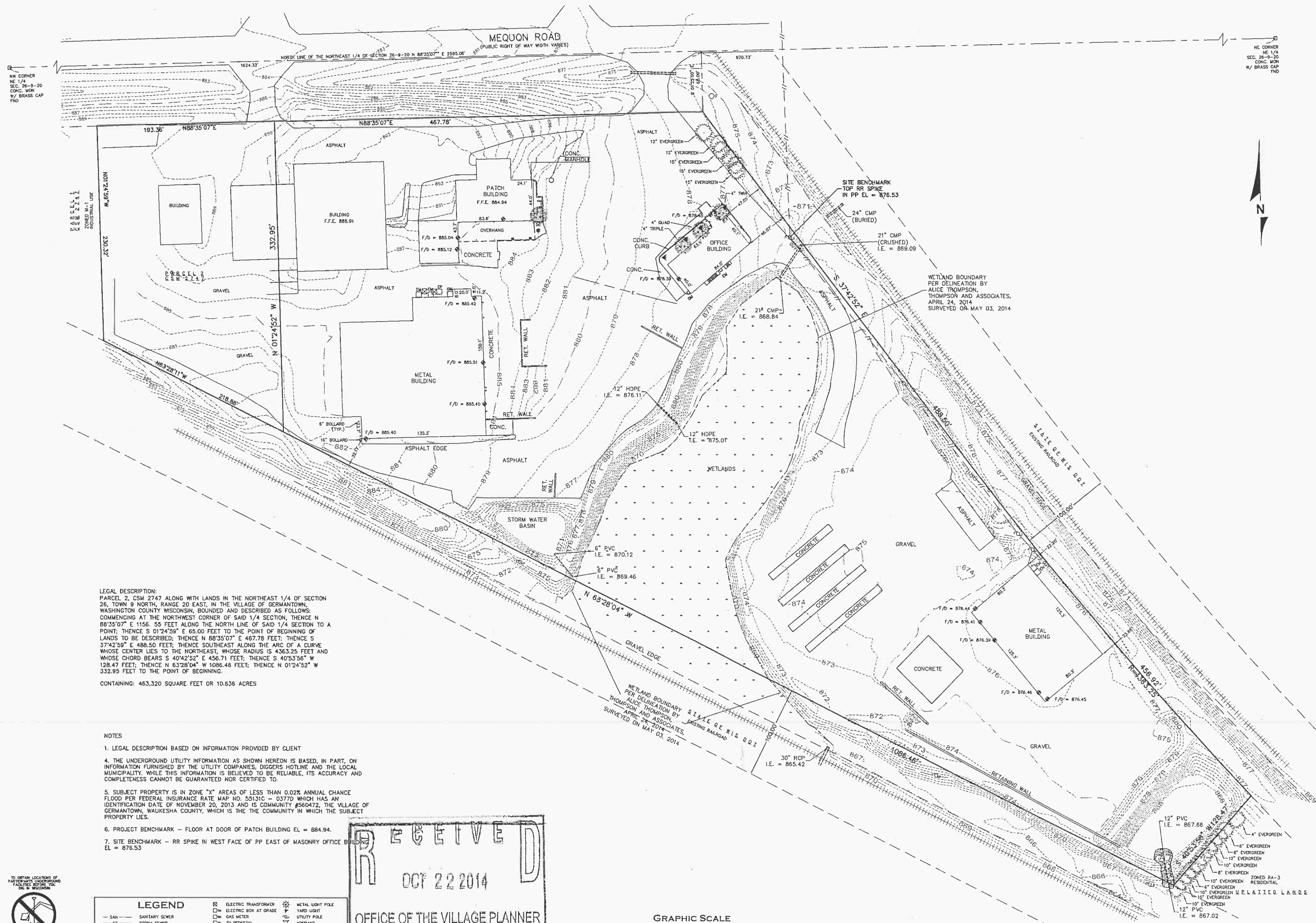
1. An area of 10,040 s.f. of existing wetlands north of the proposed fill area is to remain as wetlands. This area is surrounded by an existing vegetated buffer (6,496 s.f.) that is also to remain. As a part of the mitigation plan, this existing buffer area is to be amended by eliminating all non-native, noxious species of plants/trees and amended with the establishment of native plantings.
2. The other areas of mitigation will occur at the south and southwest portions of the site where the establishment of native plantings will occur. This includes an area (2,586 s.f.) to the southwest of the proposed wetland fill that is contiguous with the existing wetlands to the south of the site (railroad R.O.W.) The final area is the proposed swale and area and storm water basin (19,222 s.f.) that conveys runoff and treatment for the site. A vegetated swale and storm water basin will promote water quality by slowing runoff and trapping any sediment by velocity reduction; thereby enhancing the overall storm water subcatchment.

Overall, the establishment of native prairie vegetation will increase native biodiversity, improve wildlife habitat and help reduce the spread of invasive plants within the area with on-going maintenance. The native plantings, once established, will also aid in the permeation of stormwater, further lessening the impact of the development on the abutting wetlands and provide both aesthetic interest and additional function to a project, benefiting both our client and the environment. The proposed broadleaf deciduous shade trees in the native prairie seeding area are also proposed to be native species of trees to further blend the native portion of the site to the constructed portions.

The following is a summary of the wetland mitigation exhibit information for proposed enhancements :

Low profile prairie seed mix, a swale seed mix, storm water basin seed mix and an economy prairie seed mix from JF New. The seed mixes are engineered to assist in filtering out

pollutants in the surface water. They include varieties of naïve grasses, forbs and sedges to provide diversity in the wetland landscape. Additionally broadleaf deciduous native shrubs are included to add additional buffering and diversity to the landscape along with providing seasonal color and a food source for birds.



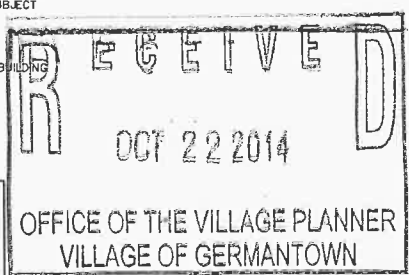
CJE NO.: 14IIRIEX
JULY 11, 2014

PLAT OF SURVEY

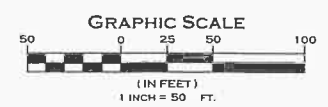
SV1.0

LEGAL DESCRIPTION:
PARCEL 2, CSM 2747 ALONG WITH LANDS IN THE NORTHEAST 1/4 OF SECTION 26, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID 1/4 SECTION, THENCE N 88°35'07" E 1156.55 FEET ALONG THE NORTH LINE OF SAID 1/4 SECTION TO A POINT; THENCE S 01°24'52" E 65.00 FEET TO THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE N 88°35'07" E 467.78 FEET; THENCE S 37°42'59" E 488.50 FEET; THENCE SOUTHEAST ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTHEAST, WHOSE RADIUS IS 4363.25 FEET AND WHOSE CHORD BEARS S 40°42'52" E 456.71 FEET; THENCE S 40°53'56" W 128.47 FEET; THENCE N 63°28'04" W 1086.46 FEET; THENCE N 01°24'52" W 332.95 FEET TO THE POINT OF BEGINNING.
CONTAINING: 463,320 SQUARE FEET OR 10.636 ACRES

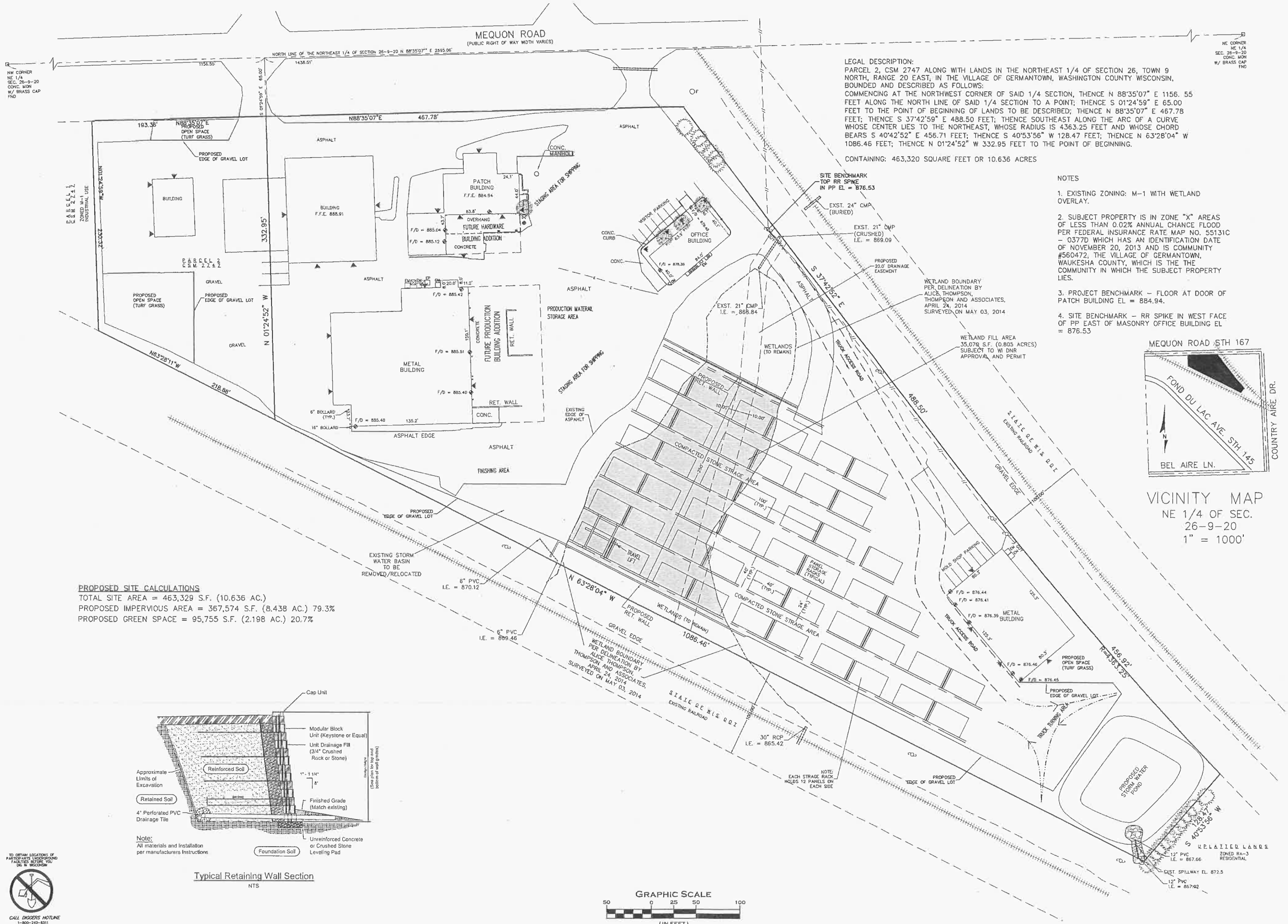
- NOTES
- LEGAL DESCRIPTION BASED ON INFORMATION PROVIDED BY CLIENT
 - THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, ON INFORMATION FURNISHED BY THE UTILITY COMPANIES, DIGGERS HOTLINE AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.
 - SUBJECT PROPERTY IS IN ZONE "X" AREAS OF LESS THAN 0.02% ANNUAL CHANCE FLOOD PER FEDERAL INSURANCE RATE MAP NO. 55131C - 0377D WHICH HAS AN IDENTIFICATION DATE OF NOVEMBER 20, 2013 AND IS COMMUNITY #560472, THE VILLAGE OF GERMANTOWN, WAUKESHA COUNTY, WHICH IS THE COMMUNITY IN WHICH THE SUBJECT PROPERTY LIES.
 - PROJECT BENCHMARK - FLOOR AT DOOR OF PATCH BUILDING EL = 884.94.
 - SITE BENCHMARK - RR SPIKE IN WEST FACE OF PP EAST OF MASONRY OFFICE BUILDING EL = 876.53



LEGEND	
— SAN	— ELECTRIC TRANSFORMER
— ST	— ELECTRIC BOX AT GRADE
— W	— GAS METER
— G	— TV PEDESTAL
— B	— FIBER OPTIC MARKER
— TEL	— FLAG POLE
— E	— TELEPHONE PEDESTAL
— O	— AIR CONDITIONER
— M	— METAL SIGN
— R	— RAILROAD TRACKS
— T	— BOLLARD
— U	— MAIL BOX
— V	— METAL LIGHT POLE
— Y	— YARD LIGHT
— H	— UTILITY POLE
— I	— HYDRANT
— S	— AUTO SPRINKLER
— W	— WATER VALVE
— G	— GAS VALVE
— D	— DOOR SILL ELEVATION



TO OBTAIN LOCATION OF
PARTICIPATING UNDERGROUND
UTILITIES, CALL THE
DIGGERS HOTLINE
1-800-212-8811
TOLL FREE
OR VISIT THE WEBSITE
WWW.DIGGERSHOTLINE.COM
NOTICE BEFORE YOU EXCAVATE
WIS. REG. 200-1151

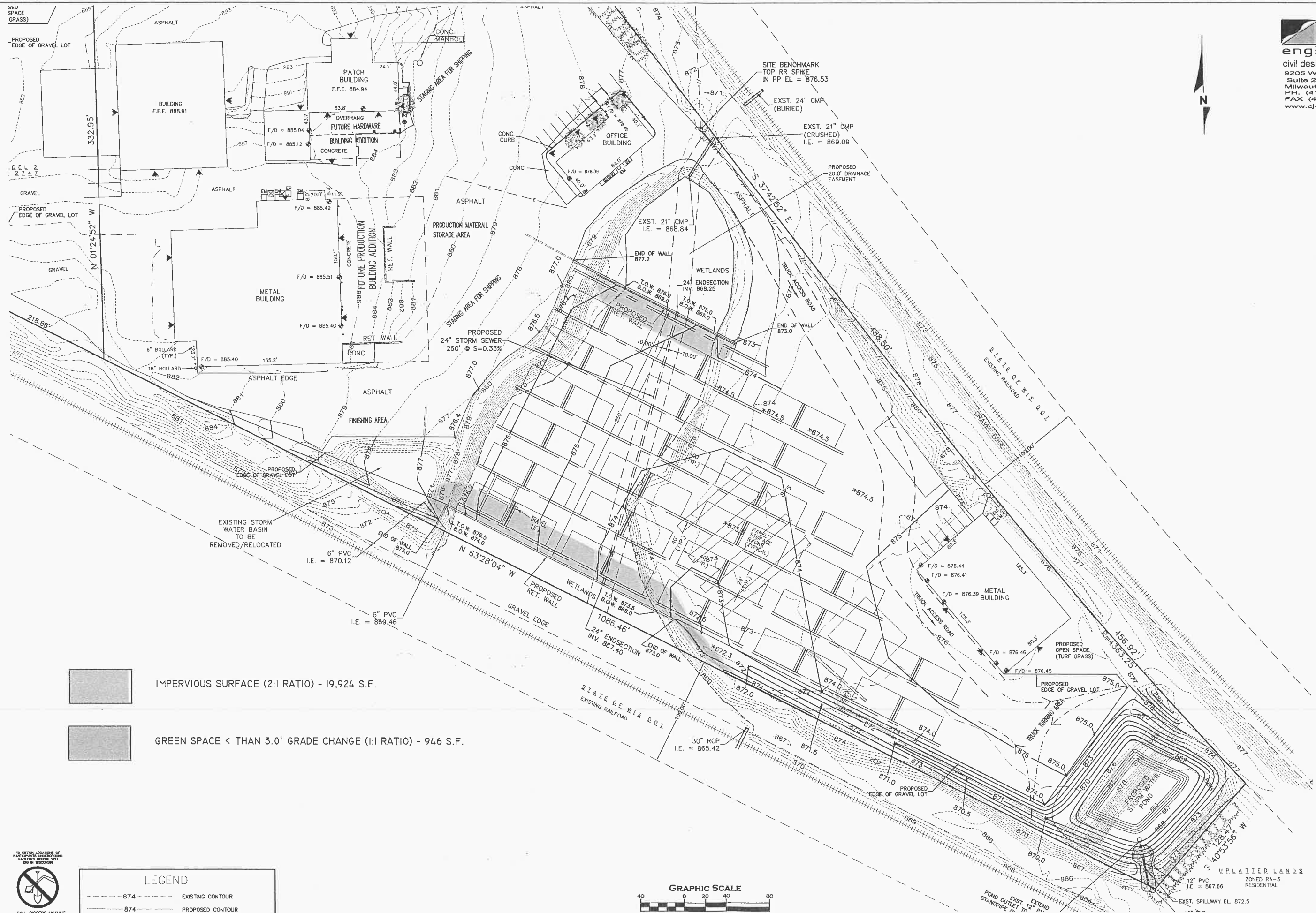


STONECAST PRODUCTS
N112 W14343 MEQUON ROAD GERMANTOWN, WI

CJE NO.: 141R10
AUGUST 8, 2014
REVISED OCT. 20, 2014



STONECAST PRODUCTS
N112 W14343 MEQUON ROAD GERMANTOWN, WI

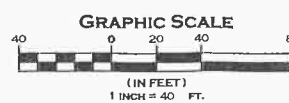


IMPERVIOUS SURFACE (2:1 RATIO) - 19,924 S.F.

GREEN SPACE < THAN 3.0' GRADE CHANGE (1:1 RATIO) - 946 S.F.

LEGEND

- 874 --- EXISTING CONTOUR
- 874 --- PROPOSED CONTOUR
- x 874.0 PROPOSED ELEVATION
- ST --- PROPOSED STORM SEWER



WETLAND MITIGATION PLAN
PROPOSED ENCROACHMENTS

CJE NO.: 1411R10
OCTOBER 20, 2014

UNPLAIED LANDS
ZONED RA-3
RESIDENTIAL

C4.0
SHEET 1 OF 2



STONECAST PRODUCTS
N112 W14343 MEQUON ROAD GERMANTOWN, WI

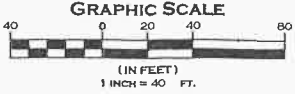


PROPOSED WETLAND ENHANCEMENT/PRAIRIE AREA - 28,304 S.F.

TO OBTAIN LOCATIONS OF
PARENTS/ARTS/UNDERGROUND
FACILITIES BEFORE YOU
DIG BY MISCONSTRUCTION

CALL DIGGERS HOTLINE
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TOLL FREE
WE STRONGLY RECOMMEND THAT
YOU HIRE A PROFESSIONAL
ENGINEER BEFORE YOU EXCAVATE
ANY AREA. 200-1191

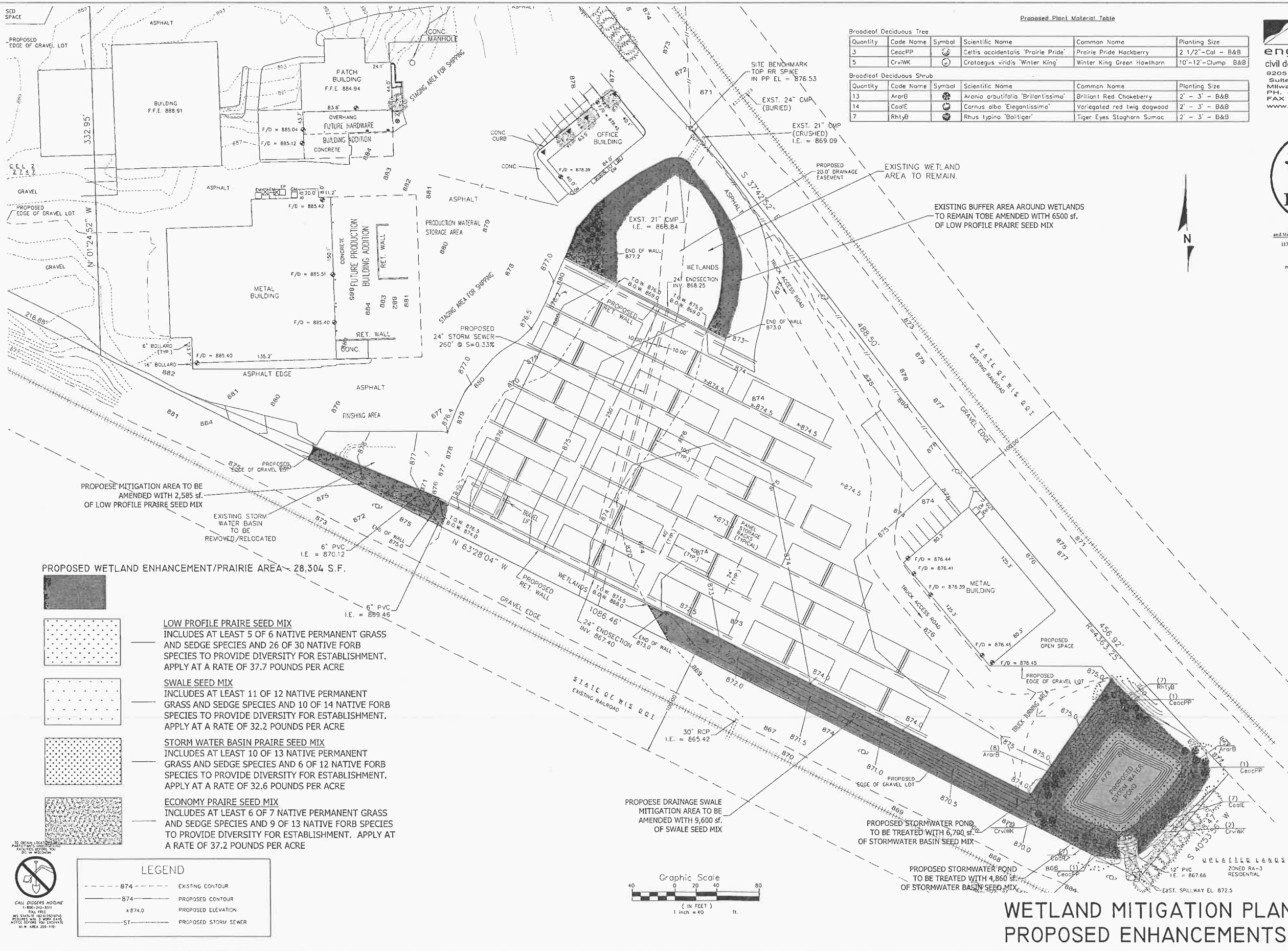
LEGEND	
---	874 EXISTING CONTOUR
---	874 PROPOSED CONTOUR
x 874.0	PROPOSED ELEVATION
ST	PROPOSED STORM SEWER



CJE NO.: 141IR10
OCTOBER 20, 2014

**WETLAND MITIGATION PLAN
PROPOSED ENHANCEMENTS**

C4.0
SHEET 2 OF 2



Proposed Plant Material Table					
Broadleaf Deciduous Tree					
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size
3	CeacPP		Celtis occidentalis 'Prairie Pride'	Prairie Pride Hackberry	2 1/2" - Cal - B&B
5	CrviWK		Crataegus viridis 'Winter King'	Winter King Green Hawthorn	10'-12'-Clump B&B
Broadleaf Deciduous Shrub					
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size
13	ArarB		Aronia arbutifolia 'Brilliantissima'	Brilliant Red Chokeberry	2' - 3' - B&B
14	CoalE		Cornus alba 'Elegantissima'	Variegated red twig dogwood	2' - 3' - B&B
7	RhtyB		Rhus typhina 'Baltiger'	Tiger Eyes Staghorn Sumac	2' - 3' - B&B

CJ
engineering
civil design and consulting
9205 W. Center Street
Suite 214
Milwaukee, WI 53222
PH: (414) 443-1312
FAX: (414) 443-1317
www.cj-engineering.com



Landscape Architecture
and Master Planning Design Consulting
11525 W. North Avenue Suite 1B
Wauwatosa, WI 53226
Tel: (414) 476-1281
www.insitedesign.com
mdavis@insitedesign.com

STONECAST PRODUCTS
N112 W14343 MEQUON ROAD
GERMANTOWN, WI

CJE NO.: 1411R9
AUGUST 8, 2014

WETLAND MITIGATION PLAN
PROPOSED ENHANCEMENTS
C4.0
SHEET 2 OF 2

X.C

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: December 15, 2014

AGENDA ITEM: New Business **(Certified Survey Map)**

ITEM TITLE: Skyline Development Corp., Agent for Cambridge Major Laboratories Inc., Property Owner; W130 N10437 Washington Drive; Certified Survey Map (CSM)

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

Skyline Development Corp., agent for Cambridge Major Laboratories Inc., property owner, has submitted a Certified Survey Map (CSM) application to attach the 3.15-acre parcel formerly owned by Hometown Publications-Express News to the existing 9.08-acre campus at W130 N10437 Washington Drive.

ATTACHMENTS:

- ◆ 11/24/14 Staff Report
- ◆ 11/24/14 Plan Commission Meeting Minutes
- ◆ CSM

PLAN COMMISSION RECOMMENDATION:

APPROVE the CSM subject to (1) condition:

1. All technical corrections identified in the Village Surveyor's November 20, 2014 review memo shall be addressed in a revised CSM prior to recording.

CERTIFIED SURVEY MAP (CSM) & SITE PLAN REVIEW

11/24/14 Plan Commission Meeting

Skyline Development Corp. / Cambridge Major Laboratories Inc.

Village Planner Report

Germantown, Wisconsin

Summary

Skyline Development Corp., agent for Cambridge Major Laboratories Inc., property owner, has submitted Certified Survey Map (CSM) and Site Plan applications to attach a 3.15-acre parcel (formerly Hometown Publications-Express News) to the existing 9.08-acre campus and construct a 15-stall parking lot and sidewalk connecting the parcel located at W130 N10437 Washington Drive.

Location: W130 N10437 Washington Drive

Applicant/

Property Owner: Mike Krenz
Skyline Development Corp.
9400 N. 107th St
Milwaukee, WI 53224

Eric Evans, CFO
Cambridge Major Labs
W130 N10497 Washington Dr
Germantown, WI

Current Zoning: M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Industrial	M-1
South	Industrial	M-1
East	Industrial	M-1
West	Industrial	M-1



Proposal

Skyline Development Corp., agent for Cambridge Major Laboratories Inc. (CM-Labs), property owner, has submitted Certified Survey Map (CSM) and Site Plan applications to attach a 3.15-acre parcel (formerly Hometown Publications-Express News) to the existing 9.08-acre campus and construct a 15-stall parking lot and sidewalk connecting the parcel located at W130 N10437 Washington Drive.

As discussed in the Project Summary, CM-Labs recently acquired the former Hometown Publications 3.15-acre property south of their existing campus for purposes of expanding their operation with additional office space and personnel over the next 3-6 months. In the meantime, CM-Labs wants to attach this parcel to the existing campus, and, install a few minor improvements to incorporate the new "Washington Drive South" facility.

Certified Survey Map (CSM)

The 3.15-acre parcel is bounded along the north property line by a 40' wide drainage easement and open ditch. The parcel will be combined with the existing 9.08-acre parcel, thereby eliminating the common property line and need to maintain parking and building setbacks. The proposed CSM is a simple combination of the two parcels into one 12.23-acre parcel.

Site Development Plan

As presented in the detailed site development plans, CM-Labs proposes to fill and re-grade a portion of the existing drainage ditch and install 125 linear feet of 48" storm sewer. An internal access driveway, 15-stall parking lot and 5' wide paved sidewalk will be installed over the filled area; linking the existing campus to the new facility. An existing light pole and fixture will be relocated from the existing driveway to the parking lot. Six (6) Arborvitae will be installed between the new 15-stall parking area and the new sidewalk for screening. *[NOTE: CM-Labs has obtained a Zoning Permit authorizing the installation of a temporary sidewalk along Washington Drive and, as a condition of approval, posted a \$5,000 cash bond financial surety to ensure restoration of the right-of-way once the permanent sidewalk has been completed.]*

Staff Comments

Engineering

The Village Engineer has identified a few technical corrections (see November 11, 2014 memo) that will need to be addressed prior to any construction. The Village Surveyor has also identified a few technical corrections (see November 20, 2014 memo) for the CSM that will need to be addressed prior to recording the CSM.

Fire Department

The Fire Department has the following comments and recommendations:

1. Street parking should be restricted to "No Parking Any Time" on the west side of Washington Drive and the east side of Grant Drive between Donges Bay Road and Bradley Way.
2. CM-Labs should install one (1) fire hydrant at a location approved by the GFD near the existing south parking lot and near the overhead pipelines at the tank farm complex. The center area of the CM-Labs campus exceeds the required water supply distance to any street hydrant.

VILLAGE PLANNER RECOMMENDATION

APPROVE the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

1. All technical corrections listed in the Village Surveyor's November 20, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.

VILLAGE PLANNER RECOMMENDATION

APPROVE the site development plan for the proposed storm sewer, parking lot and sidewalk improvements for the property located at W130 N10437 Washington Drive subject to the following conditions:

1. Approval is for the site development and building plan sets dated October 27, 2014, subject to final approval and any revisions required by the Plan Commission.
2. All landscaping, grading, and paving improvements shown on the approved site development plans shall be installed as proposed prior to release of the \$5,000 financial guarantee deposited with the Village for the temporary sidewalk currently being installed.
3. All technical corrections listed in the Village Engineer's November 11, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to commencement of any construction activities.
4. The planting size for the six (6) Arborvitae shall be a minimum of 6 to 8 feet.

Berean Bible Society – N112 W17761 Mequon Road. Bauer Signs, agent for the applicant, is requesting approval for a new monument sign for the office and bookstore facility. Planner Retzlaff summarized the proposal.

MOTION Shadid second Campbell to Approve the new monument sign proposed for the Berean Bible Society facility located at N112 W17761 Mequon Road subject to the following conditions:

- 1. Electrical permits shall be obtained from the Building Inspection Department prior to installation.***
- 2. All electronic components shall be inspected and labeled by a licensed lab.***
- 3. Address coordinates shall be a minimum 5" height.***

MOTION carried unanimously.

Cambridge Major Laboratories – W130 N10497 Washington Drive. Skyline Development, agent for the property owner, has submitted Certified Survey Map and Site Plan applications to attached a 3.15 acre parcel (formerly Hometown Publications-Express News) to the existing 9.08 acre campus and construct a 15 stall parking lot and sidewalk connecting the parcel. Planner Retzlaff summarized the proposal.

MOTION Campbell second Shadid to Approve the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

- 1. All technical corrections listed in the Village Surveyor's November 20, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.***

MOTION carried unanimously.

MOTION Campbell second Shadid to Approve the site development plan for the proposed storm sewer, parking lot and sidewalk improvements for the property located at W130 N10437 Washington Drive subject to the following conditions:

- 1. Approval is for the site development and building plan sets dated October 27, 2014 subject to final approval of any revisions required by the Plan Commission.***
- 2. All landscaping, grading and paving improvements shown on the approved site development plans shall be installed as proposed prior to release of the \$5,000 financial guarantee deposited with the Village for the temporary sidewalk currently being installed.***
- 3. All technical corrections listed in the Village Engineer's November 11, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to commencement of any construction activities.***
- 4. The planting size for the six (6) Arborvitae shall be a minimum of 6 to 8 feet.***

Mike Krenz, Skyline Development, said the sidewalk will be used by employees to go between buildings.

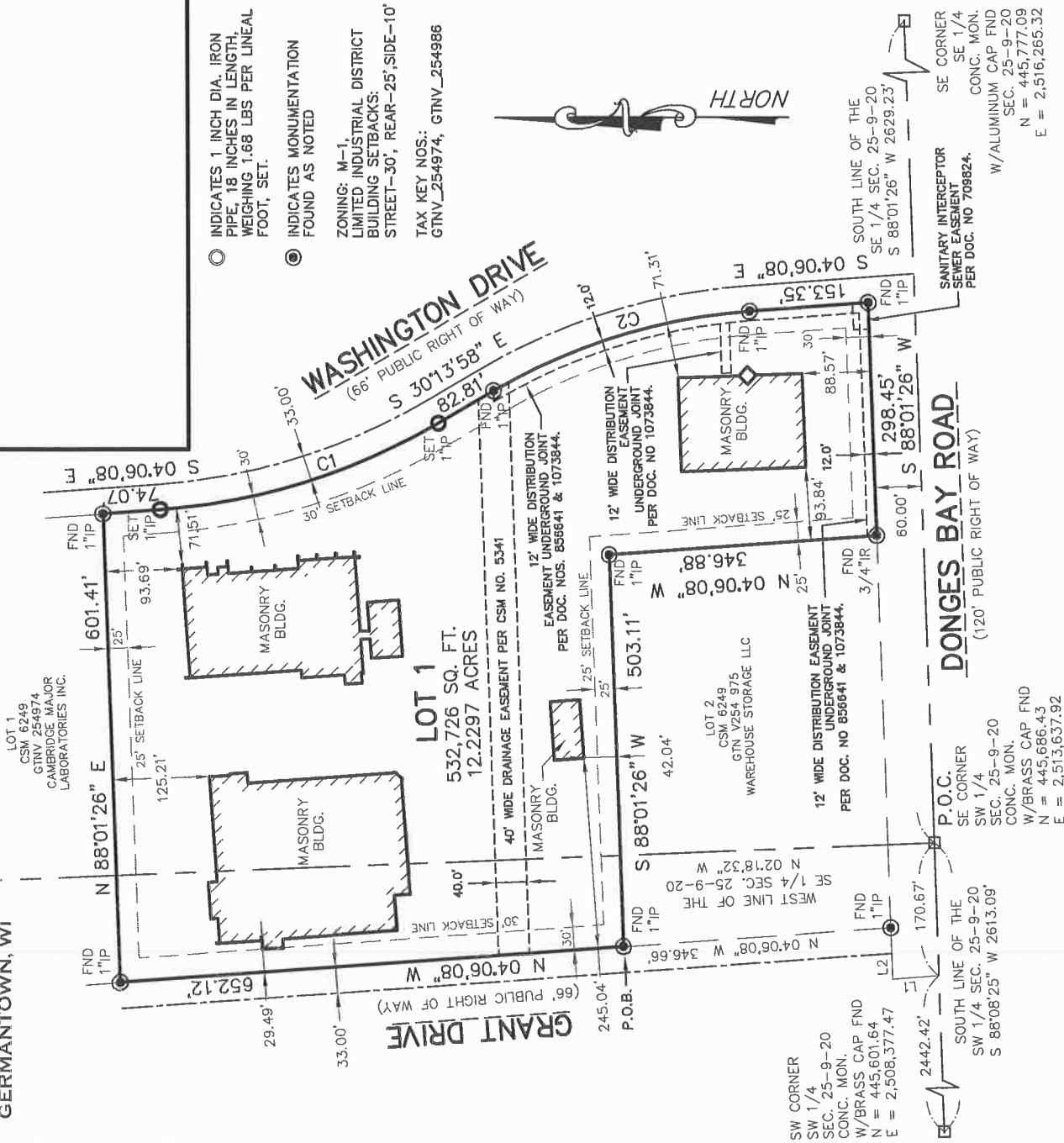
MOTION carried unanimously.

CERTIFIED SURVEY MAP NO.

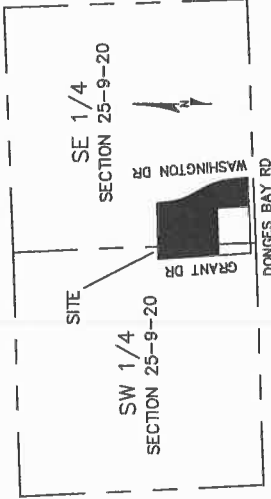
A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6249 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 5341, IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

PREPARED FOR:

CAMBRIDGE MAJOR LABORATORIES
W130 N10497 WASHINGTON DR.
GERMANTOWN, WI

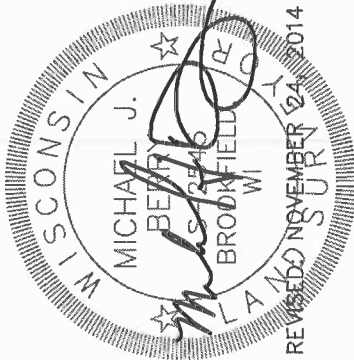


VICINITY MAP
1" = 2000'



LINE TABLE		
LINE	LENGTH	BEARING
L1	60.05'	N04°06'08"W
L2	66.05'	N88°08'25"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD
C1	379.90'	833.00'	S17°10'03"E 376.62'
C2	349.80'	767.00'	S17°10'03"E 346.78'



CAPITOL SURVEY ENTERPRISES

220 REGENCY CT. STE. 210
BROOKFIELD, WI 53045
PH: (262) 786-6600
FAX: (262) 786-6608
WWW.CAPITOLSURVEY.COM

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
ALL BEARINGS REFER TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 25, WHICH HAS A WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) (NAD 27 JAN. 2013 REVISION) BEARING OF N 88°01'26" E.

GRAPHIC SCALE



1 INCH = 200 FT.

CERTIFIED SURVEY MAP NO.

A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6249 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 6249
5341, IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST
1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN,
WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN) SS
MILWAUKEE COUNTY)

I, MICHAEL J BERRY, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6249
AND LOT 2 OF CERTIFIED SURVEY MAP NO. 5341, IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND
THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN
THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.
BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION;
THENCE S 88°08'25" W 170.67 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID
SECTION TO A POINT; THENCE N 04°06'08" W 60.05 FEET TO THE SOUTHEAST CORNER OF
CSM NO. 3822; THENCE N 88°08'25" E 66.05 FEET TO THE SOUTHWEST CORNER OF CSM
NO. 5151; THENCE N 04°06'08" W 346.66 FEET ALONG THE WEST LINE OF SAID CSM TO
THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE CONTINUING N 04°06'08"
W 652.12 FEET ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF LOT 1 OF SAID
CSM NO 5151; THENCE N 88°01'26" E 601.41 FEET ALONG THE SOUTH LINE OF SAID LOT 1
TO THE SOUTHEAST CORNER OF SAID LOT; THENCE S 04°06'08" E 74.07 FEET; THENCE
379.90 FEET ALONG THE ARC OF A CURVE, WHOSE CENTER LIES TO THE NORTHEAST,
WHOSE RADIUS IS 833.00 FEET, AND WHOSE CHORD BEARS S 17°10'03" E 376.62 FEET;
THENCE S 30°13'58" E 82.81 FEET; THENCE 349.80 FEET ALONG THE ARC OF A CURVE
WHOSE CENTER LIES TO THE SOUTHWEST, WHOSE RADIUS IS 767.00 FEET AND WHOSE
CHORD BEARS S 17°10'03" E 346.78 FEET; THENCE S 04°06'08" E 153.35 FEET TO THE
SOUTHEAST CORNER OF CSM NO. 5341; THENCE S 88°01'26" W 298.45 FEET ALONG THE
SOUTH LINE OF SAID CSM NO. 5341 TO THE SOUTHWEST CORNER OF SAID CSM; THENCE N
04°06'08" W 346.88 FEET; THENCE S 88°01'26" W 503.11 FEET TO THE POINT OF
BEGINNING.

SAID LANDS CONTAINING: 532.726 SQUARE FEET OR 12.2297 ACRES

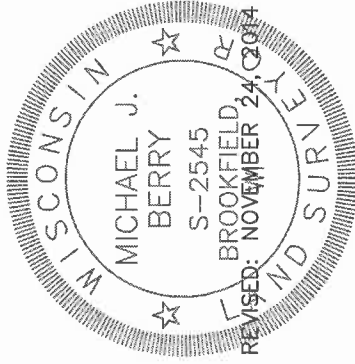
THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF CAMBRIDGE MAJOR
LABORATORIES, INC, OWNER OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND
THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE STATUTES OF THE STATE
OF WISCONSIN AND CHAPTER 330 OF THE VILLAGE OF GERMANTOWN CODE OF ORDINANCES IN SURVEYING,
DIVIDING, AND MAPPING THE SAME.

DATED THIS 28TH DAY OF OCTOBER, 2014.


MICHAEL J BERRY
REGISTERED LAND SURVEYOR, S-2545
STATE OF WISCONSIN



CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6249 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 5341, IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

CAMBRIDGE MAJOR LABORATORIES, INC., A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, CERTIFIES THAT SAID CORPORATION CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, MAPPED AS REPRESENTED ON THIS MAP IN ACCORDANCE WITH THE REQUIREMENTS OF THE VILLAGE OF GERMANTOWN CODE OF ORDINANCES.

THIS AGREEMENT SHALL BE BINDING ON THE UNDERSIGNED AND ASSIGNS.

IN WITNESS WHERE OF, CAMBRIDGE MAJOR LABORATORIES HAS CAUSED THESE PRESENTS TO BE SIGNED BY ERIC EVANS, AT THE VILLAGE OF GERMANTOWN, WISCONSIN, THIS _____ DAY OF _____, 2014.

IN THE PRESENCE OF:

CAMBRIDGE MAJOR LABORATORIES, INC.

(WITNESS)

ERIC EVANS, CFO

STATE OF WISCONSIN) SS
COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2014, MICHAEL W. MAJOR, OF THE ABOVE NAMED CORPORATION, TO ME KNOW AS THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE THE REPRESENTATIVE OF THE ABOVE CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICER AS THE DEED OF THE CORPORATION, BY ITS AUTHORITY.

NOTARY PUBLIC
STATE OF WISCONSIN
MY COMMISSION EXPIRES: _____

CONSENT OF CORPORATE MORTGAGE

CML PHARMACEUTICAL, INC., A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF MARYLAND, AS MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE ABOVE CERTIFICATION OF CAMBRIDGE MAJOR LABORATORIES, INC., AS OWNER OF SAID LAND.

IN WITNESS WHEREOF, CML PHARMACEUTICAL, INC., HAS CAUSED THESE PRESENTS TO BE SIGNED BY DAVID STOLLDORF AND ITS CORPORATE SEAL HEREUNTO AFFIXED, THIS _____ DAY OF _____, 2014

CML PHARMACEUTICAL, INC.

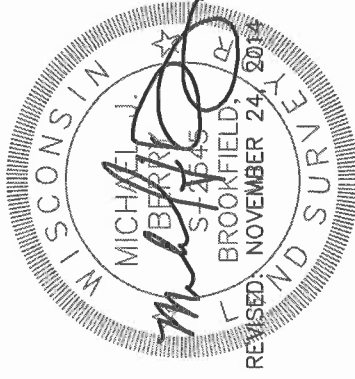
(WITNESS)

ERIC EVANS, CFO

STATE OF MARYLAND) SS
MONTGOMERY COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2014, THE ABOVE NAMED DAVID STOLLDORF, TO ME KNOWN AS THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
STATE OF MARYLAND
MY COMMISSION EXPIRES: _____



CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6249 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 5341, IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE VILLAGE OF GERMANTOWN ON THIS DAY _____ OF _____ 2014.

DEAN WOLTER, CHAIRMAN

DATE

LAURA A. JOHNSON, SECRETARY

DATE

VILLAGE OF GERMANTOWN BOARD APPROVAL

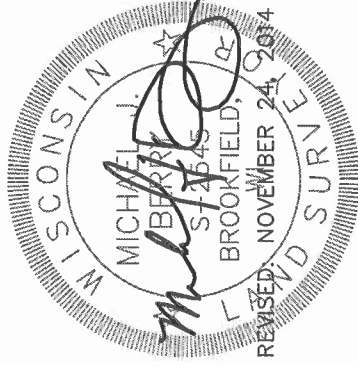
THIS CERTIFIED SURVEY MAP, BEING A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6249 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 5341, IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN., HAVING BEEN APPROVED BY THE PLANNING COMMISSION BEING THE SAME, IS HEREBY APPROVED AND ACCEPTED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF GERMANTOWN ON THIS _____ DAY OF _____ 2014.

DEAN WOLTER, VILLAGE PRESIDENT

DATE

BARBARA K.D. GOECKNER, VILLAGE CLERK

DATE



**BUSINESS OF
THE COMMITTEE OF THE WHOLE/VILLAGE BOARD**

MEETING DATE: December 15, 2014

PLACEMENT New Business

ITEM TITLE: Request for Approval to Go Paperless for Agenda Packets

SUBMITTED BY: Barbara K. D. Goeckner, Village Clerk

SUMMARY EXPLANATION:

At the September 29th and October 6th Village Board meetings information was presented to the Board to consider going paperless for Village Board packets and providing Board members with a stipend to offset the cost of using their own equipment during meetings to view the digital packets. Four (4) Trustees are already using a paperless system and beginning January 1, 2015 I would propose all Trustees go to this process.

Funds are available within the 2014 budget, in account #10-511-570-8100, a technology line item for Village Board, in order to cover a \$300 technology stipend in 2014 for each Trustee for this reimbursement, for a total of \$2,700. I would further propose Trustees then would get one (1) \$300 stipend during each term in office. Those Trustees up for election in 2015 would not get another additional stipend, except for any new, non-incumbent Trustees, who are elected. And starting in 2016 each newly elected Trustee or President each year would be eligible for the stipend set by the Village Board.

ATTACHMENT: ORDINANCE ____ RESOLUTION ____ OTHER X ____

RECOMMENDATION:

Approval of the proposal to move forward with going paperless for agenda packets as of January 1, 2015 and providing all Village Board members with a stipend of \$300 in 2014 to offset the cost of using their own equipment during meetings to view the digital packets, with funding allocated to account #10-511-570-8100, totaling \$2,700.

ACTION TAKEN:

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

ORDINANCE NO. ____-14

AN ORDINANCE CREATING SECTION 3.08(2)(f) OF THE MUNICIPAL CODE
OF GERMANTOWN RELATING TO THE APPROVAL OF CHANGE ORDERS

WHEREAS, the Village Board having previously adopted Section 3.08 of the Municipal Code of Germantown which provides for the procedure for payment of claims for the Village; and

WHEREAS, the Village Board in the interest of streamlining and clarifying the handling of change orders for Village contracts, wishes to establish a policy for handling change orders within the Village;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I:

Section 3.08(2)(f) of the Municipal Code of Germantown is created to read as follows:

- (f) All change orders are to be approved by the Department head that has authority over the contract for which the change order is applicable. If the change order exceeds \$5,000, then the change order shall also be approved by the Village Administrator. Once the change order has been approved, the work as stated in the change order can immediately proceed provided that:
1. The members of the Committee that oversees the contract or project shall be immediately notified by email of the amount and reason for the change order; and
 2. The change order shall be placed on the Committee's next agenda for approval.

SECTION II:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III:

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION IV:

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by Trustee:

Adopted: _____, 2014 Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: _____