

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, July 16, 2018 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 AND DEPARTMENT 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, Village Clerk, And Department Heads.
- 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. **APPOINTMENTS:**
A. **Commissions/Boards/Committees**
1. **Library Board**
Member Joletta Kerpan 07/16/2018 – 06/30/2021
- VIII. **CONSENT AGENDA:**
A. Approval of Minutes: July 2, 2018 Regular Village Board Meeting.
B. Accounts payable/payroll
1. June 30, 2018 Accounts Payable \$ 277,736.02
2. July 10, 2018 Accounts Payable \$ 534,830.78
3. July 11, 2018 Payroll (Hourly) \$ 256,175.32
C. Operator Licenses: Jason Boeldt, Angela Butula, Kailee Garstecki, Lauren Head, Matthew Jones, Gina Pirelli, Michael Markowski, Holly Meyer, Taran Reeb-Slimmer, Mehul Soni, Elizabeth Reilly, Logan Reindl, Annette Vesper, Julie Vicenzi, Jessica Wilson [Recommended Approval]

The following items were forwarded from **Public Safety Committee** with a unanimous recommendation.

- D. Police Department – Waive \$5 Bike Registration Fee for Annual Neighbors Against Crime Event on August 7, 2018.

IX. PUBLIC HEARING:

- A. Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners of 107- Acres, N120 W12851 Freistadt Road, Tax Key: GTNV 214-997, GTNV 242-999, and GTNV 241-998. Conditional Use Permit (CUP) to allow development within a 25’ wetland setback on portions of the following described property pursuant to Section 24.04(3) of the Municipal Code.

X. NEW BUSINESS:

- A. Conditional Use Permit to “allow development within a 25’ wetland setback” on portions of the following described property pursuant to Section 24.04(3) of the Municipal Code, Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners N120 W12851 Freistadt Road, GTNV 214-997, GTNV 242-999, and GTNV 241-998.
- B. Preliminary Subdivision Plat (Harvest Hills), 37-Lot Single-Family Residential Subdivision, Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners, N120 W12851 Freistadt Road, Tax Key: GTNV 241-997, GTNV 242-999 & GTNV 241-988, 107 acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road.
- C. Resolution 57-2018, Approval of Harvest Hills Developers Agreement.
- D. Acceptance of 2017 Comprehensive Annual Financial Report (CAFR).
- E. Purchase of New Water Utility 2500 Chevy 4WD Double Cab Truck from Holz Motors for a cost of \$29,100.60 and transfer the balance of funds budgeted in 2018 to the 2019 budget to allow staff to convert the truck bed to a service body with lift gate.
- F. Resolution 58-2018, Contract with Forward Construction Group, LLC in an amount not to exceed \$159,183.20 for the purpose of constructing a Police Department Evidence Storage Facility.
- G. Resolution 59-2018, Schedule of Fees Revision – Increase of Operator (Bartender) Renewal License Fee.
- H. Presentation & Recommendations - R.W. Management Group, Analysis of Fire Department.

XI. ADJOURNMENT.

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.

NOTICE is given that a quorum of Police and Fire Commission members may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Police and Fire Commission per State ex rel. Badke v. Greendale Village Board, even though the Police and Fire Commission will not take formal action at this meeting.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
July 2, 2018**

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

ROLL CALL: Present: President Wolter, Trustees Baum, Hughes, Kaminski, Miller, Myers, Warren, Wing, Zabel. Also present: Administrator Kreklow, Clerk Boldrey, and Attorney Sajdak.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT: Pres. Wolter reminded everyone about the July 4th Festivities including the Parade and Fireworks.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/DEPARTMENT AND COMMITTEE REPORTS:

Trustees provided information on upcoming meeting dates and times.

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

CONSENT AGENDA:

A. Approval of Minutes: June 18, 2018 Regular Village Board Meeting and June 26, 2018 Special Village Board Meeting.

B. Accounts payable/payroll

1. June 25, 2018	Accounts Payable	\$ 577,050.41
2. June 26, 2018	Payroll (Hourly)	\$ 260,902.23
3. June 29, 2018	Payroll (Salary)	\$ 87,106.70

C. Operator Licenses: Theron Beauregard, Aaron Castellano, Jennifer Fieldhack, Stephanie Glosser, Marie-Ashley Mendiola, Michelle Michek, Luanna Naputi, Susan Nebel, Javier Ortega, Christopher Reason, Elizabeth Reilly, Jon Rieckhoff, Brenda Schultz, Ashley Smith, Samantha Stroebe, Tyler Vavrik, Annette Vesper, Ciara Wilson.
[Recommended Approval]
Tamara R. Miller [Recommended Denial]

The following items were forwarded from **General Government and Finance** with a unanimous recommendation.

D. Auditing Services Agreement Extension – Baker Tilly.

E. Senior Center Van Purchase from A & J Mobility in an amount not to exceed \$43,000, \$26,000 from Capital Improvements, balance from van fund.

The following items were forwarded from **Board of Public Works** with a unanimous recommendation.

F. Resolution 53-2018, Contract for 2018 Seal Coating with Fahrner Asphalt in an amount not to Exceed \$270,000.

MOTION (Baum/Meyers) to approve Consent Agenda Items A-F. Motion Carried Unanimously.

UNFINISHED BUSINESS:

- A. Resolution 51-2018, Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 8, Village of Germantown, Wisconsin.

MOTION (Baum/Myers) to approve Resolution 51-2018, Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 8, Village of Germantown, Wisconsin. Motion Carried; Zabel, Wing, Baum voted no.

- B. Resolution 52-2018, Development Agreement – ZPG Development LLC – TID No. 8.

MOTION (Baum/Warren) to approve Resolution 52-2018, Development Agreement – ZPG Development LLC – TID No. 8.

Discussion ensued of the developer incentives and the transfer of risk from the Village to Zilber. Estimates from the hired engineering firm were discussed.

Zabel offered information from the League article, that if the TIF falls short at anytime the Developer will be responsible for costs.

Attorney Sajdak advised that the language in the article is not directly applicable in this circumstance as there are project costs that are outside of the development. There is language in the agreement that is similar that the Developer will guarantee a certain level of assessment in the first two buildings.

Discussion ensued that this development has an anchor business, Briggs & Stratton.

Discussion ensued of the additional developer. The first phase shortfall was discussed with the increment at all phases.

Motion Carried; Zabel and Wing voted no.

PUBLIC HEARING:

- A. Rosanne & Daniel Tetzlaff, Property Owners W197 N12525 Prairie Ridge Court. Conditional Use Permit (CUP) to allow the “raising of poultry for family consumption” pursuant to Section 17.14(2)(a) of the Village Zoning Code.

Pres. Wolter read the item. Planner Retzlaff gave background of the conditional use permit application to allow the raising of poultry for family consumption” pursuant to Section 17.14(2)(a) of the Village Zoning Code. This is a five acre parcel in the Rs/1, Single Family Zoning District. Rosanne & Daniel Tetzlaff, Property Owners W197 N12525 Prairie Ridge Court want to raise 6-8 chicken, no roosters. This is for a family hobby purpose; no commercial purposes. The coop will be in the rear yard of their property. Isabelle Farms Homeowners Association has deed restrictions allowing for the hens. Rosanne & Daniel Tetzlaff do have homeowners association approval. The Plan Commission recommended approval subject to two conditions as outlined in the conditional use permit.

Pres. Wolter read the Public Hearing Notice and opened the Public Hearing at 7:33 P.M. He explained the public hearing process and that individuals will have to come up front to the podium and state their name and address.

No one spoke.

The Public Hearing was closed at 7:34 P.M.

NEW BUSINESS:

- A. Conditional Use Permit to allow the “raising of poultry for family consumption”, Rosanne & Daniel Tetzlaff, Property Owners of W197 N12525 Prairie Ridge Court.

MOTION (Zable/Baum) to approve Conditional Use Permit to allow the “raising of poultry for family consumption”, Rosanne & Daniel Tetzlaff, Property Owners of W197 N12525 Prairie Ridge Court. Motion Carried Unanimously.

- B. Certified Survey Maps (2) for J.W. Speaker Corporation, Agent for Phylmack LLC and Speaker Corporation LLC, Property Owners; N120 W19434 Freistadt Road; (Lot Combination).

MOTION (Baum/Myers) to approve Certified Survey Maps (2) for J.W. Speaker Corporation, Agent for Phylmack LLC and Speaker Corporation LLC, Property Owners; N120 W19434 Freistadt Road; (Lot Combination). Motion Carried Unanimously.

- C. Kiwanis of Germantown, Picnic License, Temporary Class “B” Fermented Malt Beverage for Taste of Germantown, July 26, Firemen’s Park, Northside of Gehl’s Performing Arts Pavilion..

MOTION (Myers/Baum) to approve Kiwanis of Germantown, Picnic License, Temporary Class “B” Fermented Malt Beverage for Taste of Germantown, July 26, Firemen’s Park, Northside of Gehl’s Performing Arts Pavilion.. Motion Carried Unanimously.

- D. New Class “B” Fermented Malt Beverage and “Class C” Wine License for MC Roadhouse LLC, DBA Swingtime, W197 N10340 Appleton Ave, Matthew Roadhouse of W160 N10544 Old Farm Road;

MOTION (Myers/Baum) to approve New Class “B” Fermented Malt Beverage and “Class C” Wine License for MC Roadhouse LLC, DBA Swingtime, W197 N10340 Appleton Ave, Matthew Roadhouse of W160 N10544 Old Farm Road. Motion Carried Unanimously.

- E. Resolution 40-2018, Employee Policy and Procedure Manual – Amendment to Prohibited Harassment.

MOTION (Zabel/Kaminski) to approve Resolution 40-2018, Employee Policy and Procedure Manual – Amendment to Prohibited Harassment. The policy was sent to the insurance company. The insurance company did not respond; however, the Village Labor Attorney wrote the policy and assisted with the changes in the policy. Motion Carried Unanimously.

- F. Ordinance 13-2018, An Ordinance To Amend Section 1.34 (1) of the Germantown Municipal Code Relating to the Composition of Members of the Library Board.

MOTION (Kaminski/Wing) to approve Ordinance 13-2018, An Ordinance To Amend Section 1.34 (1) of the Germantown Municipal Code Relating to the Composition of Members of the Library Board. Discussion ensued that the ordinance allows for a member to be of the school district rather than a Village resident. Discussion ensued that the library system is very open and collaborative with other libraries. Revenue is coming from other communities. Library Director Smith came to the podium and explained user statistics and revenue information. Motion Carried; Zabel voted no.

- G. Resolution 54-2018 Germantown Soccer Club Field Usage Agreement for 2018-2020.

MOTION (Baum/Zabel) to approve Resolution 54-2018 Germantown Soccer Club Field Usage Agreement for 2018-2020. Motion Carried Unanimously.

- H. Resolution 55-2018, Contract with Frank Armstrong Enterprises, not to exceed \$18,507, for Spassland Park Tennis Court Project.

MOTION (Zabel/Myers) to approve Resolution 55-2018, Contract with Frank Armstrong Enterprises, not to exceed \$18,507, for Spassland Park Tennis Court Project. Motion Carried Unanimously.

ADJOURNMENT: There being no further business, meeting adjourned at 7:46 p.m.

Deanna L. Boldrey, WCMC/CMC
Village Clerk

Public Safety Committee
GERMANTOWN, WI

MEETING DATE: July 2nd, 2018

AGENDA ITEM: New Business

ITEM TITLE: Fee Waiver

SUBMITTED BY: Chief Peter Hoell 

ATTACHMENT: ORDINANCE___ RESOLUTION___ OTHER__ X__

SUMMARY EXPLANATION:

The Police Departments Annual Neighbors Against Crime night is Tuesday, August 7th, 2018. To promote and encourage bicycle registration, we would like to waive the \$5 registration fee.

RECOMMENDATION:

To approval waiving of the \$5 fee for bicycle registration on August 7th.

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: July 16, 2018

AGENDA ITEM: Public Hearing & New Business [CUP Ordinance]

ITEM TITLE: Baudhin Surveying & Engineering, agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners, N120 W12851 Freistadt Road (107-Acre Harvest Hills Subdivision); Conditional Use Permit to allow development within a 25' wetland setback

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

SUMMARY EXPLANATION:

Top Leaf Development LLC has submitted a preliminary subdivision plat for "Harvest Hills", a 37-lot single-family residential development located south of Freistadt Road and north of Elm Lane. The site contains 24 different wetland areas totaling approximately 11 acres scattered throughout the property. Development activity includes the installation of roads and storm water management facilities that will encroach into portions of the Village's 25' wetland setback areas around some of the wetlands. Approximately 1.17 acres of setback area will be impacted.

The applicant has submitted a CUP application under the Village's Shoreland-Wetland Zoning Code to allow development activity (i.e. grading and pavement) within portions of the 25' wetland setback as detailed in the Wetland Setback Mitigation Plan (dated July 3, 2018). The CUP is needed to allow development within the 25' wetland setback, and, to accept the owner's "mitigation plan" as compensation for that development.

ATTACHMENTS:

- ◆ July 9, 2018 Staff Report
- ◆ July 9, 2018 Plan Commission Meeting Minutes
- ◆ Conditional Use Permit (Draft)
- ◆ Wetland Setback Mitigation Plan

PLAN COMMISSION 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 one (1) condition. *See draft CUP for recommended & standard CUP conditions of approval.*

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, July 16, 2018
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the applications filed by the following applicant for a CONDITIONAL USE PERMIT to allow development within a 25' wetland setback on portions of the following described property pursuant to Section 24.04(3) of the Municipal Code:

Applicant: Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners

Property: N120 W12851 Freistadt Road (Tax Key: GTNV 241-997)
Parcel 1 of CSM 3641 (GTNV 242-999) & (GTNV 241-998)

A parcel of land being Parcel1 of C.S.M. No. 3641, Washington County Records, and the SW 1/4 of the NE 1/4, and part of the NW 1/4 of the NE 1/4, all in Section 24, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. More particularly described as follows:

Commencing at the SE corner of said Parcel1 of C.S.M. No. 3641, said corner being at the intersection of the east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 and the northerly right of way line of Elm Lane, and the point of beginning of lands to be described; thence S. 87°58'17" W., along the southerly line of said Parcel1 (northerly right of way line of Elm Lane) to the SE corner of Parcel 2 of said C.S.M. No. 3641; thence around the perimeter of said Parcel2 as follows: N. 01°51'37" W., 433.00 feet to the NE corner of said Parcel 2; thence S. 87°58'17" W., 372.19 feet to the NW corner of said Parcel 2; thence S. 01°51'37" E., 433.00 feet to the SW corner of said Parcel2; thence leaving said perimeter, S. 87°58'17" W., 290.04 feet along the aforementioned southerly line of said Parcel1 to the SW corner of said Parcel1, said corner being on the west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°55'59" W., 1286.04 feet along the westerly line of said Parcel 1, said line also being the aforementioned west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NW corner of said Parcel1, said corner also being the NW corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 88°11'13" E., 1327.99 feet along the northerly line of said Parcel1, said line also being the north line of the BSE 1/4 of the NW 1/4 of said Section 24-9-20 to the NE corner of said Parcel1, said corner also being the NE corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°46'35" W., 786.06 feet along the west line of the NW 1/4 of the NE 1/4 of said Section 24-9-20 to the SW corner of Parcel1 of C.S.M. No. 386, Washington County Records; thence N. 88°13'31" E., 663.08 feet along the southerly line of said C.S.M. No. 386 to the SE corner of Parcel 3 of said C.S.M. No. 386; thence N. 02°06'39" W., 528.00 feet along the easterly line of said Parcel3 to the north line of the NW 1/4 of the NE 1/4 of said Section 24-9-20, said line also being the centerline of C.T.H. 'F'; thence N. 88°13'31" E., 676.98 feet along said north line (centerline) to the NE corner of the NW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 01°39'58" E., 2630.97 feet along the east line of the West 112 of the NE 1/4 of said Section 24-9-20 to the SE corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20, said corner also being on the centerline of Elm Lane; thence S. 88°20'55" W., 1331.92 feet along the south line of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of Elm Lane) to the Center of said Section 24-9-20; thence N. 01°46'35" W., 33.00 feet along the aforementioned east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the point of beginning. Said parcel contains 107.92 acres and is subject to the rights of the public over those portions previously dedicated for the rights of way of Elm Lane and C.T.H. 'F'.

A copy of the application is on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Deanna Boldrey, Village Clerk
Dated this 20th day of June 2018

To Be Published On: June 27th and July 3rd, 2018

CUP # xx – 18

Document No.

CONDITIONAL USE PERMIT

Document Title

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

Whereas the Applicant:

**Top Leaf Development LLC, Agent for Alan & Lynda
 Luther, Property Owners**

agree 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 Preliminary Subdivision Plat dated 6-25-2018, and exhibits contained in the Wetland Setback Mitigation Plan dated July 3, 2018, 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 241-997, 241-998 &
 242-999**

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

A parcel of land being Parcel1 of C.S.M No. 3641, Washington County Records, and the SW 1/4 of the NE 1/4, and part of the NW 1/4 of the NE 1/4, all in Section 24, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. More particularly described as follows:

Commencing at the SE corner of said Parcel1 of C.S.M. No. 3641, said corner being at the intersection of the east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 and the northerly right of way line of Elm Lane, and the point of beginning of lands to be described; thence S. 87°58'17" W., along the southerly line of said Parcel1 (northerly right of way line of Elm Lane) to the SE corner of Parcel 2 of said C.S.M. No. 3641; thence around the perimeter of said Parcel2 as follows: N. 01°51'37" W., 433.00 feet to the NE corner of said Parcel 2; thence S. 87°58'17" W., 372.19 feet to the NW corner of said Parcel 2; thence S. 01°51'37" E., 433.00 feet to the SW corner of said Parcel2; thence leaving said perimeter, S. 87°58'17" W., 290.04 feet along the aforementioned southerly line of said Parcel1 to the SW corner of said cel1, said corner being on the west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°55'59" W., 1286.04 feet along the westerly line of said Parcel 1, said line also being the aforementioned west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NW corner of said Parcel1, said corner also being the NW corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 88°11'13" E., 1327.99 feet along the northerly line of said Parcel1, said line also being the north line of the BSE 1/4 of the NW 1/4 of said Section 24-9-20 to the NE corner of said Parcel1, said corner also being the NE corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°46'35" W., 786.06 feet along the west line of the NW 1/4 of the NE 1/4 of said Section 24-9-20 to the SW corner of Parcel1 of C.S.M. No. 386, Washington County Records; thence N. 88°13'31" E., 663.08 feet along the southerly line of said C.S.M. No. 386 to the SE corner of Parcel 3 of said C.S.M. No. 386; thence N. 02°06'39" W., 528.00 feet along the easterly line of said Parcel3 to the north line of the NW 1/4 of the NE 1/4 of said Section 24-9-20, said line also being the centerline of C.T.H. 'F';

thence N. 88°13'31" E., 676.98 feet along said north line (centerline) to the NE corner of the NW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 01°39'58" E., 2630.97 feet along the east line of the West 112 of the NE 1/4 of said Section 24-9-20 to the SE corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20, said corner also being on the centerline of Elm Lane; thence S. 88°20'55" W., 1331.92 feet along the south line of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of Elm Lane) to the Center of said Section 24-9-20; thence N. 01°46'35" W., 33.00 feet along the aforementioned east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the point of beginning. Said parcel contains 107.92 acres and is subject to the rights of the public over those portions previously dedicated for the rights of way of Elm Lane and C.T.H. 'F'.

Tax Key No: GTNV 241-997, 241-998 & 242-999

Address: N120 W12851 Freistadt Road

Pursuant to the following condition(s):

1. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or, where there is a change in the nature, character, intensity or extent of the activities or uses which causes problems or harmful effects that were not anticipated at the time of approval of this CUP, the conditional use permit may be modified or terminated by the Village Board by the amendment to or addition of conditions after public hearing thereon.
2. The Property Owner shall implement the wetland setback compensation measures as set forth in the Wetland Setback Mitigation Plan (date stamped received on July 3, 2018) as part of the site development activities. Any changes to the Mitigation Plan, or, changes to any proposed development of the site that impacts the ability to implement to Mitigation Plan shall be reported to the Village.
3. The Property 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 invasive species removal and wetland grass planting/restoration. 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 2018 for a period of three (3) years.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin
on the ____ day of _____, 2018.

ATTEST:

Dean Wolter, Village President

_____, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this ____ day of _____, 2018, the above
named Dean Wolter, Village President, and _____, 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 Alan & Lynda Luther, Property Owners, hereby accepts 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 _____, 2018

{type or print name on this line}

{signature on this line}
Agent for Talan & Lynda Luther

STATE OF WISCONSIN) SS
_____ COUNTY)

Personally came before me this ____ day of _____, 2018, 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
Community Development Director/Zoning Administrator
Village of Germantown, Wisconsin

PLAN COMMISSION MINUTES
July 9, 2018

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Rep. David Baum, Commissioners Tony Laszewski and Bob Williams were present. Commissioner Peter Nilles and Matt Kimmler were absent and excused. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES: *MOTION Baum second Laszewski to Approve the minutes from 6-25-18. MOTION carried unanimously.*

Top Leaf Development LLC and Alan & Lynda Luther – 107 acres south of Freistadt Road, North of Elm Lane and west of Wasaukee Road. The property owner is requesting approval of a Conditional Use Permit (CUP) for encroachment into a 25' wetland setback and Preliminary Subdivision Plat for Harvest Hills, a 37-lot residential development. Planner Retzlaff summarized the proposal.

MOTION Baum second Williams to Approve the Harvest Hills preliminary subdivision plat subject to the following conditions:

- 1. Developer shall enter into a Development Agreement with the Village pursuant to Section 18 of the Village Code (Subdivision and Platting), as well as, the preparation of detailed plans for the installation of public utilities and improvements including, but not limited to public street and intersection improvements, sanitary sewer, storm sewer & storm water management facilities, master grading plan and erosion control, trails, landscaping & street trees, open space, lighting and signage.***
- 2. The street tree landscape plan dated June 21, 2018 (revision date) shall be approved by the Village Forester prior to installation of any street trees within the development. Street trees shall be installed close to the front/street yard property line. The timing of installation of the street trees and common open space landscaping shall be determined as set forth in the Development Agreement.***
- 3. All of the comments, outstanding issues, construction plan details and corrections, and plat preliminary corrections identified by the Director of Public Works in a May 4 and June 13, 2018 review memos, and by the Village Surveyor in a May 1, 2018 review memo, shall be addressed prior to executing the Development agreement and/or commencement of construction.***
- 4. The Development Agreement shall include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to final plat submittal that include a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).***
- 5. The proposed landscaping and monument sign at the Freistadt Road shall be located***

outside of the vision triangle and within a landscape easement on Lot 18.

MOTION carried unanimously.

MOTION Baum second Laszewski 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 Developer 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 invasive species removal and wetland grass planting/restoration. 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 2018 for a period of three (3) years.***

MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

PRELIMINARY SUBDIVISION PLAT & CONDITIONAL USE PERMIT (CUP)

7/9/18 Plan Commission Meeting

Baudhuin Surveying & Engineering / Top Leaf Development LLC

Village Planner Report

Germantown, Wisconsin

Summary

Baudhuin Surveying & Engineering, agent for Top Leaf Development LLC, property owner, is requesting approval of a conditional use permit (CUP) and preliminary subdivision plat for Harvest Hills, a 107-acre, 37-lot residential development located south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

Property Location: Freistadt Road, Elm Lane and Wasaukee Road

Applicant/

Property Owner:

Pete Hurth
Baudhuin Survey & Eng
312 N 5th Ave
Sturgeon Bay, WI

Shari Waggoner
Alan & Lynda Luther
Top Leaf Development LLC
Colgate, WI

Zoning: Rs-3: Single-family Residential

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



Proposal/Background

Baudhuin Surveying & Engineering, agent for Top Leaf Development LLC, property owner, is requesting approval of a conditional use permit (CUP) and preliminary subdivision plat for Harvest Hills, a 107-acre, 37-lot residential development located south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

As presented in the preliminary plat and summarized in Table 1, Harvest Hills has the following characteristics:

TABLE 1.
Harvest Hills Preliminary Plat

Gross Area (Ac)	107.74
Wetland Area (Ac)	10.86
Right-of-Way (Ac)	8.63
Net Density Area (Ac)	88.25
# Single-Family Lots/DU's	37
Gross Density (DU/gross acre)	0.34
Net Density (DU/net acre)	0.42
Open Space Outlots (Ac)	54.77
Avg Lot Size (ac)	1.20
Lot Size Range (Ac)	1.0 to 1.86

As noted in Table 1, the proposed density will only be .42 DU/ net acre (.34 DU/gross acre). This is significantly less than the maximum allowed in the underlying Rs-3 District (1.0 DU/acre).

The preliminary plat is different than the approved concept plan approved in February. As shown in the February 26 concept plan (copy attached); specifically, the west side of the site. Because of the extensive network of connected and isolated wetlands, the original plan for the west 35+ acres was to create five (5) larger lots served by a shared private driveway connected to the west segment of Elm Lane north of Forest Drive. However, subsequent to concept plan approval, the WisDNR field-checked the Developer's wetland delineation and found additional wetlands that make the original lot and driveway layout difficult, if not impossible, to carry out as planned without making further changes (see DNR letter dated June 18). Also, the original plan for the private shared driveway involved the crossing and possible filling of a small wetland area north of Lot 38 (see attached). However, the Army Corp of Engineers (ACOE) and WisDNR have not yet determined if that wetland is a federally-regulated wetland. If so, the permitting process needed to fill that wetland will be significantly different, more difficult and not necessarily a guaranteed approval. Finally, comments from the Southeastern Wisconsin Regional Planning Commission (SEWRPC), indicate that the west side of the site contains both Primary and Secondary Environmental Corridor (PEC) features, including an 18-acre "natural area of local significance" (Class NA-3) known as the

Schoessow Woods. SEWRPC recommends that these areas be protected from development and/or conveyed to a public agency or subject of a conservation easement under private ownership to provide the recommended level of protection (see SEWRPC letter dated April 27). For these reasons, the Developer is requesting that that 33.2 acres of the west side of the site be designated as an "outlot" on the preliminary plat with the intention of possibly platting this area into lots at a later date.

Conditional Use Permit (CUP): 25' Wetland Setback Encroachment

The applicant has submitted a conditional use permit (CUP) application under the Village's Shoreland-Wetland Zoning Code because of proposed development activity within portions of the 25' wetland setback areas throughout the development.

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 25' and 75' setbacks 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 detailed in the Mitigation Plan (dated July 3, 2018), all of the proposed development activity within the 25' setback areas is grading associated with the storm water management basins and internal road construction (see exhibits in Section 2 of the Mitigation Plan). Detailed in the narrative and exhibits, the total amount of setback area encroachment is approximately 51,033 sqft (1.17 acres), including:

- 40,627 sqft with < 3' of grade change (horizontal development)
- 10,406 sqft with > 3' of grade change (vertical development)

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 61,429 sqft (1.41 acres).

Compensation will be provided in an area totaling 19,500 sqft lying along the east property line within and around portions of the setback areas. Compensation will be provided in the form of: (1) invasive species removal/eradication (min. 2 acres of Buckthorn removal)); and (2) planting native wetland grass seed mix (min. 1 acre) as shown in Exhibit 4 in the Mitigation Plan.

Comments: Preliminary Plat

Village Planner/Zoning Administrator

In accordance with the Village's Subdivision Code, the Plan Commission is responsible for reviewing the preliminary plat application and forwarding a recommendation to the Village Board along with comments received from the official "objecting agencies" (i.e. Department of Administration, WisDOT and Washington County), as well as, all other review agencies to whom the plat has been submitted (e.g. Southeastern Wisconsin Regional Planning Commission/SEWRPC, Germantown School District, all utility

companies, etc).

The proposed landscaping and monument sign at the Freistadt Road entrance are located in the vision triangle on Lot 18 and will need to be moved; ideally into a landscape easement area on Lot 18 outside the vision triangle. Also, the street tree landscape plan needs final approval from the Village Forester. With all of the proposed streets having a rural cross-section (open ditches vs. curb & gutter), the street trees will need to be installed close to the front/street yard property line.

With respect to existing trees, a tree removal and protection plan has been prepared (copy attached). A significant number of large trees (>6" dia.) are proposed to be removed to make room for the streets and storm water basins, including Basswood (American Linden), Beech, Cherry, Hawthorn, Maple, Pine and Poplar. A large number of Pine, Boxelder and dead/dying Ash trees are also proposed to be removed.

Although the Developer is now proposing to leave the west side of the property in open space outlots, including a 6.9-acre outlot containing the large storm water basin (Outlot 7) and a 33.2-acre outlot (Outlot 8) that will likely be platted into additional lots the future, staff supports the SEWRPC recommendation that any platted lots in this area be located outside the primary environmental corridor area (PEC). Future plans to re-plat Outlot 8 should reflect this recommendation. Also, in order to avoid any wetland filling, the proposed private, shared driveway may need to be relocated (with one alternative being an extension of Elm Lane further west and north of the Village park with access to the north via a separate street as was originally proposed).

The Developer's Agreement should include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to final plat submittal that include a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).

In an April 20 email from Park & Recreation Director Mark Schroeder, the Village's Park & Recreation Commission is on record as being in favor of the proposed Harvest Hills development provided that a paved pedestrian path is provided (as proposed) along and within the unimproved Elm Lane right-of-way to provide access to Friedenfeld Park.

Village Engineer/Public Works

The developer has submitted construction plans for the road improvements, storm water management facilities, and landscaping (street trees) for the development. Those plans are currently being reviewed and not yet approved by the Village Engineer and Public Works Department staff.

In a series of review memos dated May 4 and June 13, (copies attached), the Village Director of Public Works identifies a series of issues and plan details and corrections that will need to be addressed in the construction plans submitted or in additional/supplemental plans required prior to the Village executing a Development Agreement with the Developer and/or commencing construction. A couple of significant

issues include storm water management and the need for a mass grading plan for the site.

Also, the Village Surveyor has identified a series of minor preliminary plat details in a May 1, 2018 review memo that need to be made/corrected prior to approval of the preliminary plat by the Village Board.

Fire Department

The Fire Department has reviewed the preliminary plat and is recommending approval provided the temporary “T” road closure at the end of Taylor Trail be designed to accommodate emergency vehicles. With regard to the previously proposed shared driveway, the Department recommends a minimum driveway width of 22 feet and a permanent cul-de-sac type (min. 65’ radius) closure designed to accommodate emergency vehicles.

Washington County

On April 17, the Washington County Public Works Committee went on record stating their objection to the preliminary plat for reasons related to a lack of soil tests not having been submitted (since resolved by the Developer), lack of approval for the proposed CTH F access driveway (since resolved as stated in a June 7 Highway Department letter), the primary and secondary environmental corridors not being shown on the plat. Washington County is an “objecting agency” (vs. an “approving agency”) for subdivision plats proposed in the Village. The Village Plan Commission and Village Board are not obligated, but encouraged, to consider Washington County’s objections when deciding what action to take.

Wisconsin Dept of Administration

In an April 26, 2018 letter, the Department of Administration (DOA) indicates that they are withholding certification of the preliminary plat due to the objections filed by Washington County. DOA also identifies a series of corrections that will need to be made to the final plat in order to comply with the platting requirements under Wis. Stats. Chapter 236. *[NOTE: The DOA does not require re-submittal of a preliminary plat, but looks for any objections to be addressed and reflected in the final plat prior to DOA certification]*

Southeastern Wisconsin Regional Planning Commission (SEWRPC)

In an April 27, 2018 letter, SEWRPC provides a series of comments and recommendations regarding the property and proposed development. As discussed previously, SEWRPC recommends that the west side of the site containing both Primary and Secondary Environmental Corridor (PEC) features, including an 18-acre “natural area of local significance” (Class NA-3) known as the Schoessow Woods, be protected from development and/or conveyed to a public agency or subject of a conservation easement under private ownership to provide the recommended level of protection.

WisDOT

Harvest Hills does not abut any highway under WisDOT jurisdiction. Therefore, no comments or objections have been filed.

Germantown School District

No comments or objections have been filed.

Staff Comments: 25' Wetland Setback CUP

With regard to the CUP for development within the 25' wetland setback areas, staff supports the proposed mitigation plan that includes the removal of invasive species and the planting/restoration of wetland grasses near the disturbed setback areas. 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.

Village Planner Recommendation

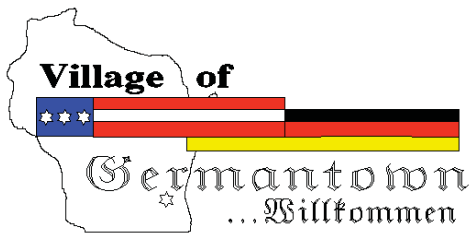
APPROVE the Harvest Hills preliminary subdivision plat subject to the following conditions:

1. Developer shall enter into a Development Agreement with the Village pursuant to Section 18 of the Village Code (Subdivision and Platting), as well as, the preparation of detailed plans for the installation of public utilities and improvements including, but not limited to public street and intersection improvements, sanitary sewer, storm sewer & storm water management facilities, master grading plan and erosion control, trails, landscaping & street trees, open space, lighting and signage.
2. The street tree landscape plan dated June 21, 2018 (revision date) shall be approved by the Village Forester prior to installation of any street trees within the development. Street trees shall be installed close to the front/street yard property line. The timing of installation of the street trees and common open space landscaping shall be determined as set forth in the Development Agreement.
3. All of the comments, outstanding issues, construction plan details and corrections, and plat preliminary corrections identified by the Director of Public Works in a May 4 and June 13, 2018 review memos, and by the Village Surveyor in a May 1, 2018 review memo, shall be addressed prior to executing the Development agreement and/or commencement of construction.
4. The Development Agreement shall include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to final plat submittal that include a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).
5. The proposed landscaping and monument sign at the Freistadt Road shall be located outside of the vision triangle and within a landscape easement on Lot 18.

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 Developer 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 invasive species removal and wetland grass planting/restoration. 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 2018 for a period of three (3) years.



Engineering Department Memorandum

To : Jeffrey W. Retzlaff, AICP, Planning Director/Zoning Administrator

From : Lawrence Ratayczak, P.E., Director of Public Works

Date : June 13th, 2018

Re : Harvest Hills Subdivision: Site Plan Review

Items Reviewed:

1. Civil Plan Set (21 pages) Dated: 05-18-18
2. Stormwater Management Report/Calcs Dated: 05-18-18

General Comments:

1. Please respond to each item below. **A written response addressing each item shall be included in your submittal.**
2. The submitted plans have been reviewed for general conformance with State and Village design guidelines. The items listed below will need to be fully resolved before the Engineering Dept. can recommend a formal approval of the plans and permit for construction.
3. This project will require an NOI from the DNR. Please submit a copy of the approved permit prior to final approval.
4. Septic system review and approval is handled by Washington County. The County is currently reviewing the plat and may have additional comments on the plat and septic system design.
5. As-builts prepared to Village standards shall be prepared and provided to the Village post-construction (for all applicable items).
6. A professional engineer's original seal is to be affixed, signed and dated on the final set of construction plans.
7. Contact Frank Rosecky, 262-250-4722 for a utility permit.
8. As a guide to the review response: Items in *italics* are resolved or acknowledged, items in regular font are to be addressed yet, items in **Bold** are additional feedback to remaining original comment.
9. Submit a copy of the approved wetland fill permit, for the shared driveway on the southwest portion of the site.

EC-1 Erosion Control Plan

1. *Please update plan to show existing and proposed contours.*
2. *Adjust plan to a smaller scale. 1" = 120' does not show adequate detail for an erosion control plan.*
3. *Move erosion control and stabilization notes from the detail sheet to the erosion control plan.*

Update notes to include WDNR standard notes. At minimum the following should be included.

- Construction Sequence. Update to include likely dates. A 60 day construction schedule is likely not appropriate for a 120 acre site.
- Winter stabilization dates and requirements. (update to match current wdnr standards)
- Requirement that all areas be topsoiled and seeded within 7 days of reaching final grade or when inactive for more than 14 days (this includes stockpiles)

4. Please include a legend.

5. Show temporary swales as needed to convey runoff to sediment basins.

6. Add ditch checks as required by WDNR technical standards. **Revise ditch check spacing to match WDNR technical standards or provide documentation that the current plan meets the spacing requirements.**

7. Show erosion control measures for CTH F intersection and roadway improvements.

8. Update silt fence to contain all runoff from the site. Specifically the areas around lots 16, 17 and 18.

9. Adjust silt fence to be outside of proposed grading.



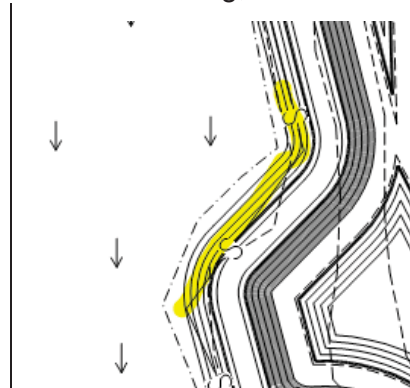
10. Show erosion control measures for the roadside swales. Matting, ditch checks, etc.

11. Show erosion matting on all slopes of 4:1 or steeper.

EC-2 Erosion Control Plan

1. Show erosion control measures for the roadside swales. Matting, ditch checks, etc.

2. Adjust silt fence to be outside of proposed grading.



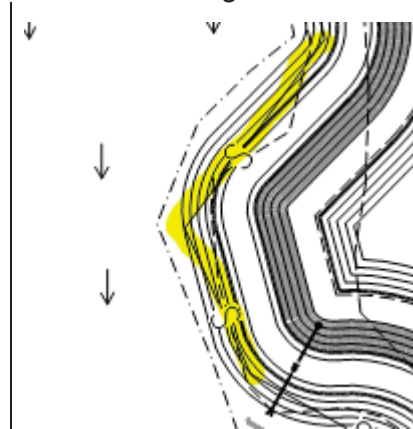
3. Add silt fence to contain runoff from all portions of the site. Specifically along the east side of

the site.

4. Show erosion matting on all slope 4:1 and steeper

EC-3 Erosion Control Plan

1. Show erosion control measures for the roadside swales. Matting, ditch checks, etc.
2. Adjust silt fence to be outside of proposed grading.



3. Add silt fence to contain runoff from all portions of the site.
4. Show erosion matting on all slope 4:1 and steeper.
5. Label erosion matting types.

EC-4 Erosion Control Plan

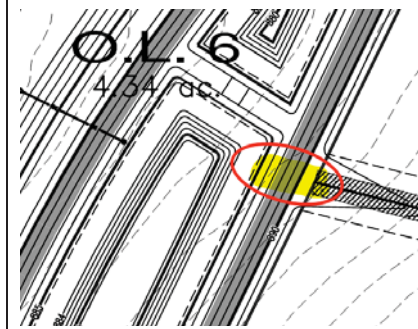
1. Show erosion control measures for construction of the driveway.

General Comments GP-1 – GP-3

1. *Label slopes in areas of 3:1 or 4:1 slopes*
2. Village requires trapezoidal shaped swales. Revised all swales to have a trapezoidal shape not a 'V' shape. **Roadside swales are still shown with a 'V' shape. Revise to trapezoidal.**
3. *Show a building pad with finished floor elevation and yard grade for each lot.* Show grading for each lot to allow for proper drainage and a building a pad for the building. **Building pads and elevations are now shown however many of these pads will not be able to be constructed to the elevation shown without grading over the lot lines. A mass grading plan for the site is required. The grading plan should show proposed/anticipated building pads and site grading to construct those building pads and driveways. The grading plan should create swales along side lot lines and rear lot lines to convey runoff. Building pad areas can be left lower when constructed to account for basement spoils, but the mass grading plan should show the site in its final condition. This plan will then be available for the village to reference when individual lots are constructed. This will ensure all lots are buildable and there will be no drainage issues once lots are built out. Should the homebuyer decide to alter from the proposed mass**

grading plan, they can submit an alternative/acceptable grading solution at the time of building permit.

4. Provide spot elevations at each lot corner and additional spot elevations as needed at high and low points. **Spot elevation have been added at lot corners. Add spot elevations at high and low points as needed for the mass grading plan.**
5. *Show and label all easements on the plans.*
6. Revise plans to show Village required wetland setbacks and or buffer mitigation plans. **Wetland setback is now shown however the setback area is being disturbed in many places. A conditional use permit and buffer mitigation plan are required per Village code. It is understood the developer is currently working with the village to prepare this. Mitigation plan will need to be approved prior to engineering approval of the plans.**
7. *Add level spreaders to all pond outlets.* Include a detail for the level spreader. **Add additional detail to the level spreader detail. Increase width to 20', show a depressed area at the pipe outfall and then a berm for the level spreader. The entire area between the berm and pipe outlet shall be stoned. Show height and width of the rock berm.**
8. Add additional contour labels for both the existing and proposed contours. Many of the contours are not labeled or are spaced far apart making the plan difficult to review.
9. Continue drainage swales/grading into all the stormwater basins and show permanent erosion control methods in these areas.



GP-1 Grading Plan

1. *Swale between lots 19 and 20 is very narrow and will be difficult to construct. Revise to widen the swale with a trapezoidal shape.*
2. *Lots 15 and 20 appear to have the septic area blocking access to the site. Demonstrate how driveway access will work for these sites.*
3. *Storm sewer at the rear of lot 22. Adjust to be a minimum of 10' from the property line to allow room for an easement.*
4. *Adjust limits of plan to show connection to CTH F.*
5. Culvert at lot 17 has less than 2' of cover. Adjust to provide a minimum of 2' of cover.
6. Culvert between lot 23 and 24 has less than 2' of cover. Adjust to provide a minimum of 2' of cover.

GP-2 Grading Plan

1. *Basin near wetland #5 is in the ROW. Adjust grading so the 909 contour (top of berm) is outside the ROW.*
2. *The ditches along Hazel lane are very steep and will likely cause ongoing erosion issues. Provide calculations showing grass cover is adequate protection for these ditches. Provide additional controls (permanent ditch checks, widen the swale, etc) as needed to provide on erosive flow in the ditches.*
3. Label all storm sewer with length, size, material, slope and invert elevations. **Slopes are not shown. Please label slopes.**
4. Provide additional details for the grading on the street side of lot 12. Show how runoff will be directed into the culvert and not just run by it. **Response indicates driveway will be a high point, show spot elevations showing a high point at the driveway and at all high points in swales.**
5. Culvert in Hazel lane north of lot 12 only has 0.70' of cover. Adjust to provide a minimum of 2'
6. All three culverts at the intersection of Sunrise Circle and Taylor Trail have less than 2' of cover. Adjust to provide a minimum of 2' of cover.
7. Address drainage for lots 8-12 as a part of the mass grading plan. Create swales along lot lines with drainage easements to allow proper drainage without drainage for upstream lots having to flow through downstream lots.

GP-3 Grading Plan

1. *Wetland 13 appears to be taking drainage from a portion of the roadway and from lots 1, 2, and 3. Show that runoff is properly pre-treated before discharging to the wetlands and show how runoff that enters this wetland makes it to the stormwater management basin as shown on the stormwater management report.*
2. *Swale between lots 33 and 34 is very narrow and will be difficult to construct. Widen swale to have a trapezoid shape and be constructible.*

GP-4 and GP-5 Grading Plan

1. Update grading plan to show how proposed shared driveway will be graded. Provide details on culverts shown.

PP-1 – PP-5

1. *Four different elevations are shown at the bottom of the profile. Please label what these elevations refer to.*

Pond 1 Detail

1. *Provide calculations showing a 6' wide overflow spillway can safely pass the 100 year storm event if the outlet structure is plugged.*

2. *Southeast corner of the basin (near the property line) has an area where the top of berm elevation will be less than 909. Adjust so the entire basin has a 10' berm of at least elevation 909.*
3. Label size of rip rap or fieldstone cobbles on the spillway detail.
4. Provide more detail on the anti-clog cage. What will it be constructed of? How will it be fastened to the structure?
5. Provide additional detail on the 'Safety Grate' called out for the top of the outlet structure. What will this be made of and how will it be constructed?
6. Adjust the spillway detail to show the bottom of the stone at elevation 908.10 or adjust the calculations to have the spillway elevation at 907.10. Water will begin to discharge over the spillway once it reaches the bottom of the stone elevation not the top.

Pond 2 Detail

1. *Provide calculations showing a 6' wide overflow spillway can safely pass the 100 year storm event if the outlet structure is plugged.*
2. Consider lowering spillway between the two basins to the safety shelf elevation of 884. This would eliminate the need for all the water entering the basin from the north to flow through the 6' wide spillway and reduce future maintenance.
3. Label size of rip rap or fieldstone cobbles on the spillway detail.
4. Provide more detail on the anti-clog cage. What will it be constructed of? How will it be fastened to the structure?
5. Provide additional detail on the 'Safety Grate' called out for the top of the outlet structure. What will this be made of and how will it be constructed?
6. Adjust the spillway detail to show the bottom of the stone at elevation 890.00 or adjust the calculations to have the spillway elevation at 889.00. Water will begin to discharge over the spillway once it reaches the bottom of the stone elevation not the top.

Pond 3 Detail

1. *Provide calculations showing a 6' wide overflow spillway can safely pass the 100 year storm event if the outlet structure is plugged.*
2. Label size of rip rap or fieldstone cobbles on the spillway detail.
3. Provide more detail on the anti-clog cage. What will it be constructed of? How will it be fastened to the structure?
4. Provide additional detail on the 'Safety Grate' called out for the top of the outlet structure. What will this be made of and how will it be constructed?
5. Adjust the spillway detail to show the bottom of the stone at elevation 890.25 or adjust the calculations to have the spillway elevation at 889.25. Water will begin to discharge over the spillway once it reaches the bottom of the stone elevation not the top.
6. This basin will really function as two separate interconnected basins. Adjust the stormwater

management calcs to reflect this. Split the drainage area up into two areas (area to the portion south of the wetland being one area and area to the main pond north of the wetland being the other) Model the south pond as a separate pond that discharges to the north via a weir. Model them as interconnected so tailwater effects are accounted for.

7. Add permanent erosion measures to the spillway route between the two basins. All the water from the south basin will need to flow over this route and it will likely be a source of ongoing erosion.

DET1 Construction Details

1. Provide a pavement design by a geotechnical engineer as listed under design requirements. (pavement detail was noted, just ensure the thickness' are appropriate for the roadways)
2. Provide HMA pavement specifications. All HMA pavement should utilize the new DOT system. **Revise specs on plans to match the specs provided in exhibit B.**
3. Asphalt path detail: Revise to utilize new DOT pavement system designation.
4. Revise roadway cross section to trapezoidal ditches.

DET2 Construction Details

1. *Swale detail, revise to trapezoidal shape.*
2. Culvert Rip Rap detail. Call out size of rip rap required.

ENT1

1. *Show existing and proposed grades.*
2. *Show lane and taper width dimensions.*
3. Label radii.
4. *Provide additional detail on how the bypass lane will interface with the existing retaining wall.*
5. *Provide additional detail on what will be used as protection from vehicles driving off the wall. A guardrail may be needed here.*
6. Understand you are working with the county on review and approval of the intersection improvements. Provide the approval letter from the county and include the final approved plan in the final stamped plan set provided to the Village.

Stormwater Management Plan

1. *Stormwater management plan references lots 38-42 however those do not appear on the plans.*

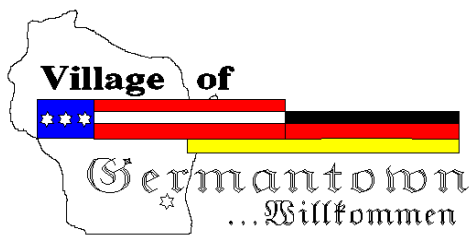
2. *Drainage maps are very small and difficult to read. Please adjust to be at a smaller scale. Use a larger sheet size if needed. Please show proposed contours on the proposed drainage map.*
3. Proposed drainage boundaries should represent the actual final grading. For example lot 14 will likely not have the drainage boundary as currently shown when that lot is developed.
 - i) **Update proposed drainage boundaries to match final grading plan required for the site.**
 - ii) **Revise proposed drainage boundaries to account for portions of the site that will be undetained and not tributary to the basins. For example, Outlot 5 will flow offsite to the west and not to the basin. The backside of the pond berms will be released undetained. Remove these areas from the basin tributary areas and include them as undetained areas.**
 - iii) **The post developed boundary for the west side of basin 6 does not appear to match the predeveloped boundary. The overall boundary and total area should match between pre and post developed conditions.**
4. Include discussion on what is being proposed for the 35.5 acre Westside area in the stormwater summary. Also include this area in the SLAMM calculations. Updated the SLAMM model and peak rate summaries to account for this area. **Understand that there will be minimal impervious added to this area, but Village and DNR ordinances require it to meet peak rate and water quality requirements. If BMP's are not desired in this area then current proposed basins could be enlarged to account for this area. Provide one SLAMM model showing the site as a whole meets the 80% TSS reduction requirement.**
5. *It's not clear why the site was split into so many drainage basins for the pre-developed condition. There appear to be three discharge points from the site. Runoff leaving the site to the North and West, runoff leaving to the East and runoff tributary to the large wetland complex in Outlot 7. Either clarify why there are so many drainage watersheds or revise to represent the three discharge points from the site.*
6. It's not clear how the peak flow summaries are tabulated. Include tables that clearly show the pre and post developed runoff for the drainage basins and for the site as a whole. **Please add a table that shows the pre and post developed peak release rate for the site as a whole. Include the West Side area in the total peak release rate for the site.**
7. *The north basin appears to be two interconnected ponds, but it doesn't appear to be modeled as two separate ponds in the Hydroflow model. Adjust the calcs to accurately model this as two basins. Include an outlet control structure between the two basins, instead of having all the flow overtop a weir.*
8. *Many of the practices modeled in SLAMM are in series. The DNR generally does not allow practices to be modeled in series. Refer to WinSLAMM document titled 'Modeling Practices in Series Using WinSLAMM' and adjust the model to comply with this or provide additional documentation that the version of WinSLAMM used can accurately model the practices in series.*
9. *The WinSLAMM model has driveways modeled as disconnected. Please provide documentation showing all of the requirements to model them as disconnected are met. Refer to item number 38 of the WDNR guidance found at the following link.*

https://dnr.wi.gov/topic/stormwater/documents/Modeling_Post-Construction_Guidance_2011.pdf

10. Grass swales are modeled with a bottom width of two feet however the plans show a V shaped swale. Update the plans and model to match each other.
11. Include swale calculations showing the swales can handle the flow from the required storm event with the freeboard as required by Village standards. **Please update the swale calcs to use a more appropriate 'C' value. 0.25 would be appropriate for lawns areas however it does not account for the roadway. Many of the swale drainage areas shown contain close to a 50% impervious coverage.**
12. Swale calcs show flow depth in most of these swales is between 4-6" deep, but many of these swales are shown at only 6" deep on the plans. Update swales to be a minimum of 1' deep to allow some freeboard between the top of the swale and calculated depth to ensure the flow stays in the swale.

Water Quality Comments

1. The SLAMM calcs include a number of swales and the tributary area to the swales does not appear to be accurately accounted for. If swales will be used to meet that water quality requirement update the model to include separate drainage areas for each swale section and include an exhibit showing the areas. For example ditch 4/5 has the entire 19 acres of drainage area 4/5 being routed through the roadside ditch when only a small portion of that drainage area will flow through the roadside ditch.
2. Land use #1 includes 0.34 acres of driveways and 0.32 acres of roadway. Please show how this was calculated as this basin appears to have very little roadway and driveway area.
3. Land use #3 includes 0.5 acres of driveways and 0.5 acres of roadway. However Basin #3 as shown on the post developed map has no roadway area and likely has very little driveway area. Please show how this was calculated.
4. SLAMM calcs use filter strips in a number of areas, however most of these areas do not meet the requirements for filter strips. In talking with Pete Wood at the WDNR, in order to utilize an area as a filter strip it must take runoff from a source area in a sheet flow manner and the filter strip should be less than 8% slope. Please revise the filter strips to only the areas that meet those parameters. Provide an exhibit showing the filter strip and tributary area to the filter strip and adjust the model to match the areas.
5. South pond shows an initial stage elevation of 6', however the south portion of the pond only has a 5' depth and has a different NWL elevation. How was this accounted for in the SLAMM model?



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: May 1, 2018

Re: Harvest Hills Subdivision-Preliminary Plat Review
Jeff,

Here are my review comments for the preliminary subdivision plat received 3-29-2018. Revised plat received 7-3-2018

Harvest Hills Subdivision-Preliminary Plat Review

Applicant or Owner Shari Waggoner /Top Leaf Development LLC

Land Surveyor/Firm: Mike McCarty, PLS, Baudhuin Surveying and Engineering

1. There will be a 60' road right of way dedication to the public along the Freistadt Road-CTH F frontage. This width is also concurrent with a Washington County requirement. The lot size for Lots 18 and 19 need to be adjusted. **Dimensions showing dedicated R/W indicate 60' and also 50'. If the 50' dimension is existing/ old, it needs to be removed. Leader lines could improve limits od the dimension**
2. There will be a 40' road right of way dedication to the public along the subdivision fronting Elm Lane. The lot size for Lots 2, 3, 4, 37, 38 and Outlot's 7, 9 and 11 need to be adjusted. **Dimensions showing dedicated R/W indicate 40' and also 33'. If the 33' dimension is existing/ old, it needs to be removed. Leader lines could improve limits od the dimension**
3. There are existing buildings located on the property that need to be mapped and shown as well as the location of any wells and septic tanks or fields serving these buildings. **Buildings were razed and removed. What is the current status of the existing septic fields and has the well been abandoned?**
4. It appears Lots 39-42 are being served by way of Outlot 10. I assume there will be a shared driveway/access easement over Outlot 10 for shared maintenance of the road. No typical cross section for this road was provided, but based on the dimensions provided on the plat, it appears emergency vehicles are going to have a challenging time getting to the lots.

Specifically, the Fire Department. As this area has no public water main, the fire department will have to run relays for water in the event of a fire and the road/driveway layout does not allow for a water relay to be established. **NA Comment no longer valid due to platting OL-8**

5. The private access roads along the west side of the subdivision with access to Elm Lane should be a consistent width. **NA Comment no longer valid due to platting OL-8**

6. There is a 25' wetland setback that is not shown on the preliminary plat or the grading plan. No earthmoving activities are to be done within the 25' setback. **25' setback line still not shown or dimensioned and labeled.**
7. The detention pond located on the east side of Outlot 4 is located within the road R/W of Hazel Lane and needs to be relocated outside of the R/W. **NA Comment addressed**
8. The power poles on Elm Lane need to be relocated to the new north R/W line to allow for the reconstruction of Elm Lane as directed by the Village Public Works Committee.
9. The south exit from the subdivision onto Elm Lane should be made based on the re-alignment and reconstruction of Elm Lane
10. Map scale shall use standard engineering scales. (1"=100', 200', 300') **NA Comment addressed.**
11. Existing and proposed contours at vertical intervals of not more than 2 feet where the slope of the ground surface is less than 10% and of not more than 4 feet where the slope of the ground surface is 10% or more. Elevations shall be marked on such contours based on National Geodetic Datum of 1929 (mean sea level). **NA Comment addressed**
12. Water elevations of adjoining lakes, ponds and streams at the date of the survey and approximate high and low water elevations, all referred to mean sea level (1929) datum. **NA Comment addressed.**
13. Add right-of-way width and names of all existing streets. **Forest Heights Drive still missing on Sheet 2 of 3 and 3 of 3.**
14. Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, all to mean sea level (1929) datum. **NA Comment addressed**
15. Location and names of any adjacent subdivision, parks and cemeteries and owners of record of abutting unplatted lands. **(Still missing)**
16. Location, width and names of all proposed streets and public rights-of-way such as alleys and easements. **NA Comment addressed**
17. Existing zoning on and adjacent to the proposed plat. **NA Comment addressed**
18. Location of soil boring tests, where required by Wis. Adm. Code H 65.06(2), made to a depth of 6 feet, unless bedrock is at a lesser depth. The number of such tests shall be adequate to portray the character of the soil and the depths of bedrock and ground water from the natural undisturbed surface. To accommodate this purpose, a minimum of one test per 3 acres shall be made. Two copies of all test results shall accompany the preliminary plat.

Location of soil percolation tests, as required by and conducted in accordance with Wis. Adm. Code H 65.06(3), taken at the location and depth in which on-site soil absorption sanitary sewerage disposal systems are to be installed. The number of such tests shall not

be less than one test per 3 acres or one test per lot, whichever is greater. Two copies of all test results shall accompany the preliminary plat. **NA Comment addressed**

19. The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this chapter and Chapter 236 of the Wisconsin Statute.

NA Comment addressed

No further review comments.

Document Submittals and Data Conversion

As of October 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2016 on compact disk (CD) or via email to the Village Surveyor.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

The model space of the drawing will be done in Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) and the Grid Bearing basis.

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.



Village of



Germantown

Willkommen

Fee must accompany application



\$1460

Paid

Date

6-6-18

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

Shari Waggoner
Top Leaf Development
3955 Hawks Ridge Dr
Hubertus WI 53033

Phone (262) 923-0469

Fax ()

E-Mail topleafdevelopment@gmail.com

PROPERTY OWNER

Harvest Hills Subdivision LLC
3955 Hawks Ridge Dr
Hubertus WI 53033

Phone (262) 923-0469

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Harvest Hills Subdivision LLC

3 PROPERTY ADDRESS

107 acres South of CTH F, North of Elm Ln
1/4 mile west of Wausaukee road

TAX KEY NUMBER

241997, 241998,
242999

4 DESCRIPTION OF EXISTING OPERATION

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages as necessary.

Existing agricultural fields bordering wetlands

5 DESCRIPTION OF PROPOSED OPERATION

Write the name of the proposed conditional use exactly as it appears in the Municipal Code.

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

Proposed grading associated with stormwater ponds and road construction.
No grading or filling shall occur within wetlands, only within 25' setback to wetlands. Grading required to allow ponds to properly drain while maintaining sufficient storm detention for peak flow reduction.

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY — REQUIRED

6

Attach pages as necessary.

NW $\frac{1}{4}$ SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 24 and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 24

SUPPORTING DOCUMENTATION:

7

- ☐ Site plan and elevations for new construction (can be conceptual)
- ☐ Photos of existing use and/or proposed use operating elsewhere
- ☒ 3pg document outlining proposed grading in
- ☐ relation to the 25' setback to wetlands

READ AND INITIAL THE FOLLOWING:

8

SW I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.

SW I will notify the Village if any aspect of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

SW I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.

SIGNATURES — ALL APPLICATIONS MUST BE SIGNED BY OWNER!

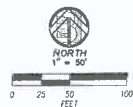
9

Shari Waggoner
Applicant

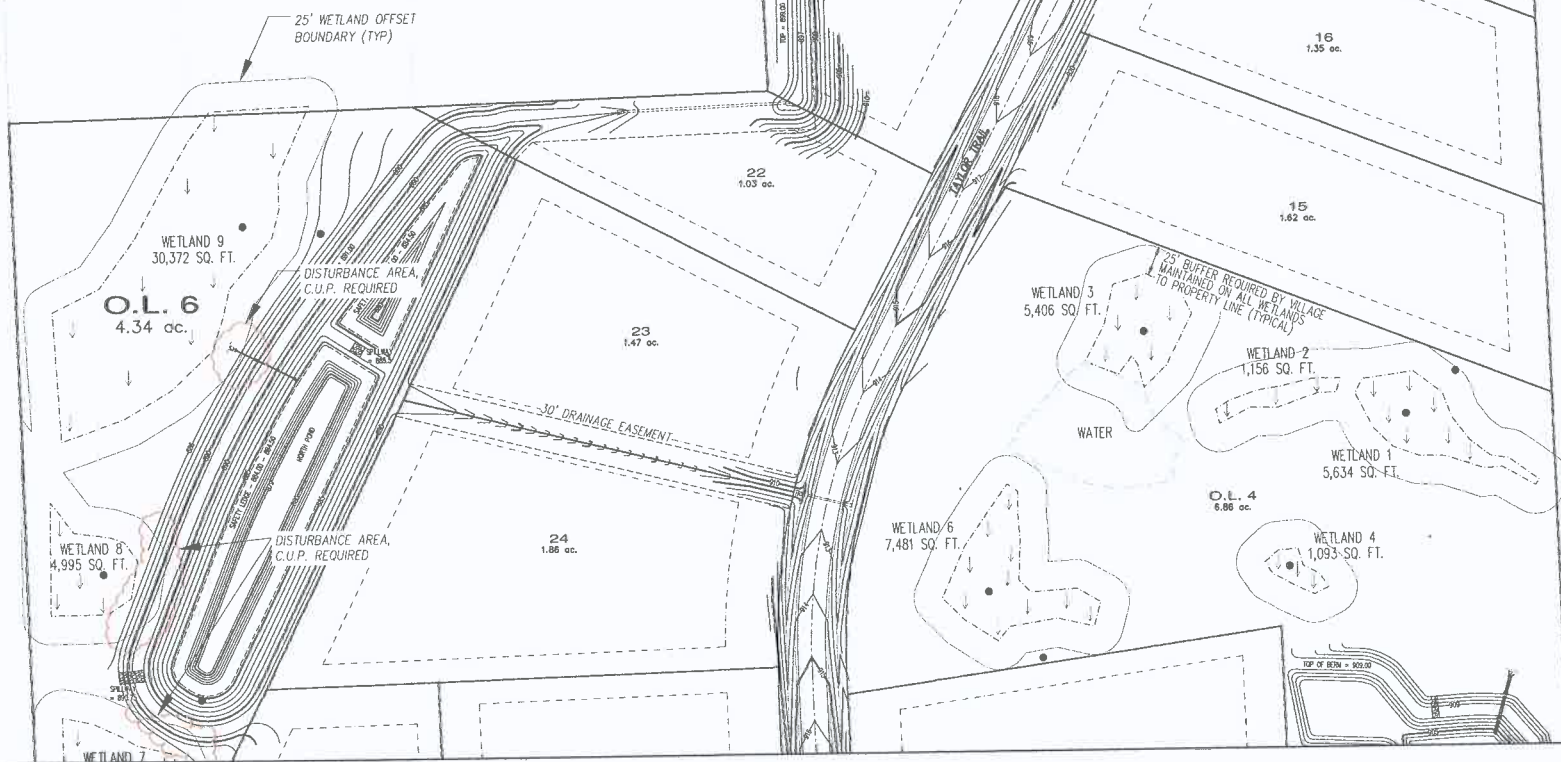
6/6/18
Date

Shari Waggoner
Owner

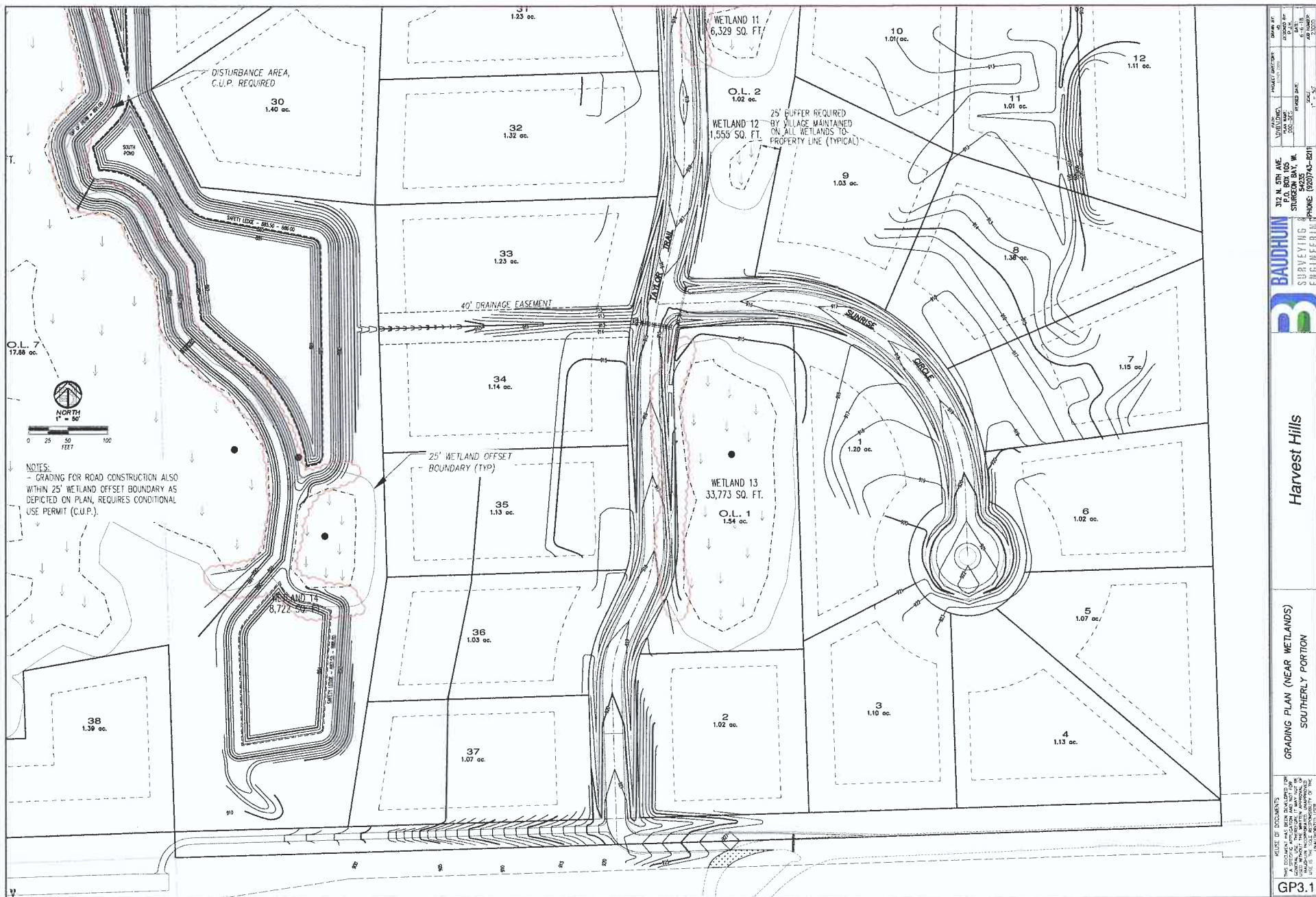
6/6/18
Date



NOTES:
- GRADING FOR ROAD CONSTRUCTION ALSO WITHIN 25' WETLAND OFFSET BOUNDARY AS DEPICTED ON PLAN, REQUIRES CONDITIONAL USE PERMIT (C.U.P.).



BAUDHUIN SURVEYING & ENGINEERING 312 N. 5TH AVE. STURGEON BAY, WI. P.O. BOX 103 PHONE (920) 43-8211		DRAWN BY: [blank] CHECKED BY: [blank] DATE: [blank] PROJECT NO.: [blank] SHEET NO.: [blank] OF [blank]
RELEASE OF DOCUMENTS THIS DOCUMENT HAS BEEN REVIEWED AND FOUND TO BE ACCURATE AND COMPLETE. THE WRITER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER OF THIS DOCUMENT ASSUMES ALL RESPONSIBILITY OF THE USER.		GP 1.1





**Harvest Hills Residential Development
Wetland Setback Mitigation Plan**

**Location
Village of Germantown, Washington County, Wisconsin**

Prepared for:

Top Leaf Development, LLC
c/o Shari Waggoner
3955 Hawks Ridge Drive
Hubertus, WI 53033

Prepared by:

Peter J. Hurth, P.E., LEED AP
Baudhuin Surveying and Engineering
312 N. 5th Avenue
Sturgeon Bay, WI 54235
(920) 743-8211
phurth@baudhuin.com

Section

1
2

Description

Mitigation Summary
Plan Exhibits

SECTION #1

Mitigation Summary

Mitigation Plan

I. Summary

The following summarizes the wetland setback mitigation plan for the Harvest Hills Residential Development site located in the Village of Germantown, Wisconsin. Baudhuin Surveying and Engineering has developed this mitigation plan in accordance with the Village of Germantown Municipal Code, Chapter 24 - Shoreland-Wetland Zoning Code. The proposed mitigation for encroachments on the 25' wetland setback includes planting a native species vegetative buffer and removing the invasive species buckthorn. These two mitigation techniques will promote an indigenous environment and provide a more livable community for the surrounding homes.

Horizontal development affects 0.94 acres of the 25' wetland setback and will be mitigated using a 1:1 ratio. Vertical development affects 0.24 acres and will be mitigated using a 2:1 ratio. The summary of the proposed encroachments and mitigation ratios are provided in the following table. Refer to Exhibits 1 through 3 which present the locations and types of all encroachments.

Encroachment Type	Encroachment Area		Mitigation Ratio	Minimum Mitigation Area	
	SF	Acre		SF	Acre
Green Space (native species) Horizontal Development	40,403	0.93	1:1	40,403	0.93
Green Space (native species) Vertical Development	10,346	0.24	2:1	20,692	0.48
Impervious Surface (Road) Horizontal Development	224	0.01	1:1	224	0.01
Impervious Surface (Road) Vertical Development	60	0.00	2:1	120	0.00
				Total	1.42

II. Native Species Buffer

A native wetland grass seed mix will be sown as a vegetative buffer between wetland areas and new development. The selected seed mix is recommended by and available for purchase from the Washington County Land and Water Conservation Department. The seed mix is presented in Exhibit 4. The buffer will cover a minimum of one acre. This buffer is presented on Exhibit 4.

To promote growth of native species and minimize the growth of annual, biennial, and perennial weeds, the area will be mowed to a height of approximately 6" early in the first year and at 12" later in the year if the native grasses grow taller than 6". The areas should be mowed 2-3 times the first year.

In early June of the second year, the planted areas will be mowed at 12" to mitigate annual, biennial, and perennial weeds. If weeds persist, an herbicide may be used to control broadleaf weeds.

III. Buckthorn Removal

Approximately two acres of surrounding wetlands will be targeted for buckthorn removal. The areas are presented on Exhibit 4. Cutting and chemically treating the stumps is the

most appropriate method of removal for this area. This procedure will be most effective in the late summer and fall.

The procedure is as follows:

- Buckthorn larger than 1" diameter at the base will be cut and immediately treated with 30% triclopyr based herbicide approved for use in aquatic environments.
- Saplings 1" or smaller in diameter will be cut but not treated to reduce environmental impact of the herbicide.
- Seedlings will be removed by pulling.
- All brush will be left on site to minimize dispersal of seed.

To minimize resurgence of buckthorn in the treated area, the following measures will be taken:

- In the year after the initial removal of the large buckthorn, the new seedlings will be removed and left on site to dry.
- The following year, the treated area will be revisited, and the same procedure repeated as needed.

IV. Conclusion

The total wetland setback mitigation area required is 1.42 acres based on encroachment type and mitigation ratios. This mitigation will be achieved by providing a minimum of one acre of native species buffer and a minimum of two acres of buckthorn management in the surrounding wetlands. The total proposed three acres of mitigation exceeds the minimum 1.42 acres required by the Village of Germantown.

SECTION #2

Plan Exhibits



LEGEND

- GREEN SPACE (NATIVE PLANTINGS) - 40,403 SF
HORIZONTAL DEVELOPMENT (< 3-FT OF GRADE CHANGE)
- GREEN SPACE (NATIVE PLANTINGS) - 10,346 SF
VERTICAL DEVELOPMENT (≥ 3-FT OF GRADE CHANGE)
- IMPERVIOUS SURFACE (ROADS) - 224 SF
HORIZONTAL DEVELOPMENT (< 3-FT OF GRADE CHANGE)
- IMPERVIOUS SURFACE (ROADS) - 60 SF
VERTICAL DEVELOPMENT (≥ 3-FT OF GRADE CHANGE)

NOTE:
THE AREA LISTED FOR EACH ENCHROACHMENT TYPE IS THE TOTAL FROM
EXHIBITS 1, 2, AND 3.



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WETLAND SETBACK
MITIGATION EXHIBIT

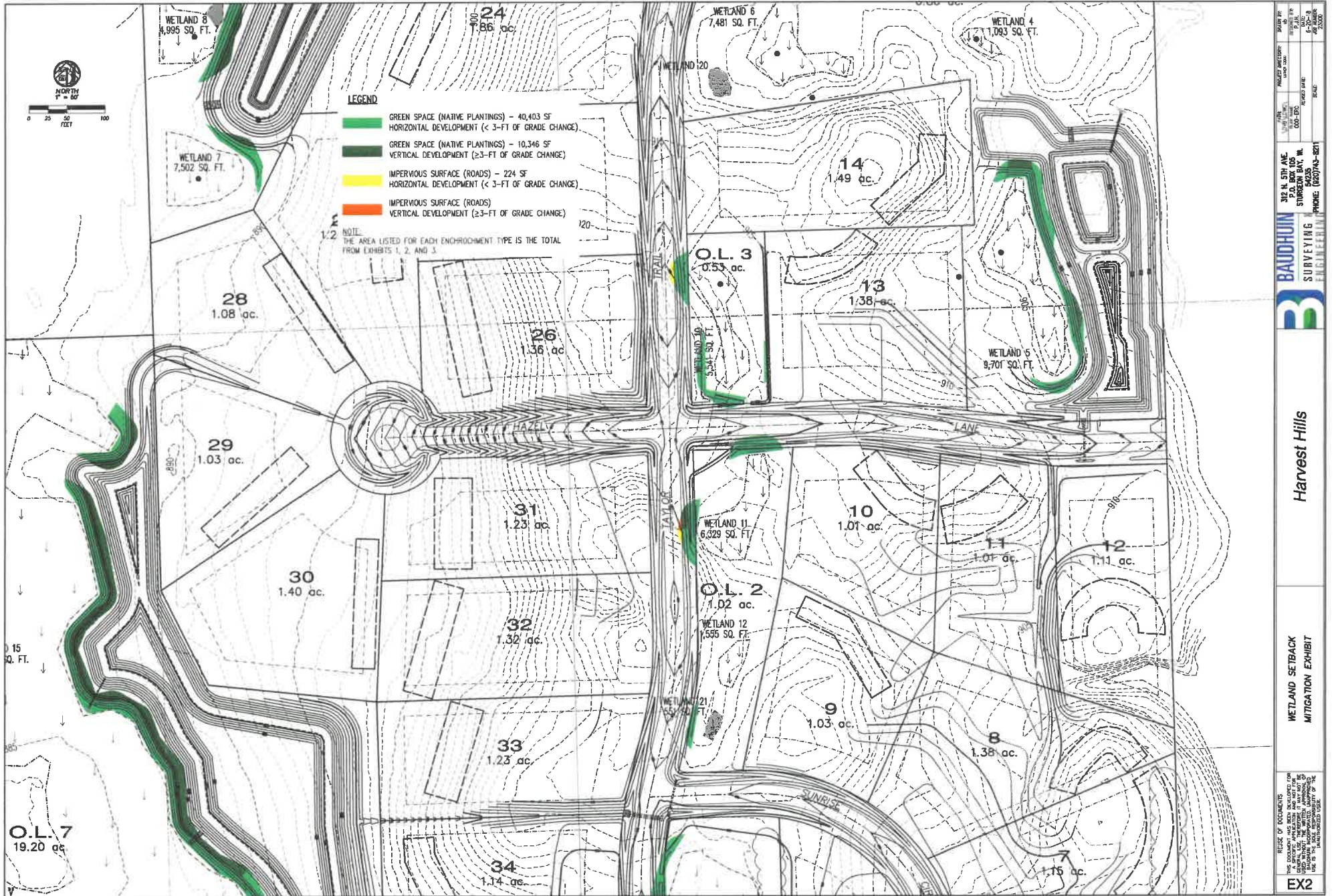
Harvest Hills

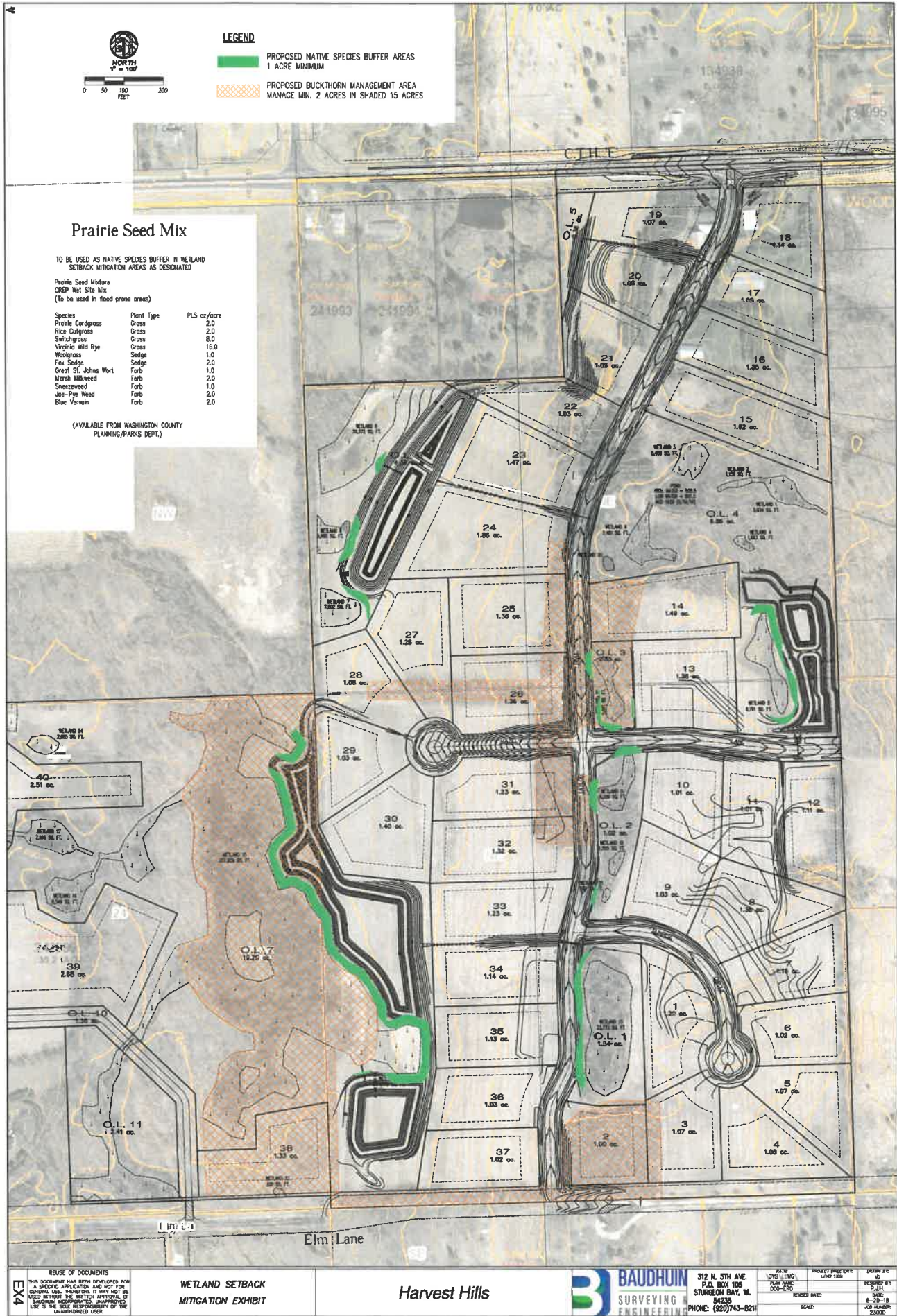


312 N. 5TH AVE.
STURGEON BAY, WI 54225
PHONE: (820) 740-8211

PROJECT: WETLAND SETBACK MITIGATION
DATE: 10/1/2020
SCALE: 1" = 100'

EX1





Prairie Seed Mix

TO BE USED AS NATIVE SPECIES BUFFER IN WETLAND
SETBACK MITIGATION AREAS AS DESIGNATED

Prairie Seed Mixture
CREP Wet Site Mix
(To be used in flood-prone areas)

Species	Plant Type	PLS. oz./acre
Species	Plant Type	PLS. oz./acre
Prairie Cordgrass	Grass	2.0
Rice Cutgrass	Grass	2.0
Switchgrass	Grass	8.0
Virginia Wild Rye	Grass	16.0
Woolgrass	Sedge	1.0
Fox Sedge	Sedge	2.0
Great St. Johns Wort	Forb	1.0
Morph. Milkweed	Forb	2.0
Sweetwood	Forb	1.0
Joe-Pye Weed	Forb	2.0
Blue Vervain	Forb	2.0

(AVAILABLE FROM WASHINGTON COUNTY
PLANNING/PARKS DEPT.)

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WETLAND SETBACK
MITIGATION EXHIBIT

Harvest Hills

BAUDHUIN
SURVEYING
ENGINEERING

312 N. 5TH AVE.
P.O. BOX 105
STURGEON BAY, WI.
54223
PHONE: (920)743-8211

DATE: 10/10/10
PROJECT: 100-010
PROJECT DIRECTOR: LINDA VON
DESIGNED BY: J. J. J.
DRAWN BY: J. J. J.
CHECKED BY: J. J. J.
SCALE: 1"=200'

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: July 16, 2018

AGENDA ITEM: New Business [Preliminary Subdivision Plat]

ITEM TITLE: Baudhin Surveying & Engineering, agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners, N120 W12851 Freistadt Road (107-Acre Harvest Hills Subdivision); Preliminary Subdivision Plat for a 37-lot single-family residential development.

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

SUMMARY EXPLANATION:

Top Leaf Development LLC has submitted a preliminary subdivision plat for “Harvest Hills” a 37-lot single-family residential development located south of Freistadt Road and north of Elm Lane.

The preliminary plat is slightly different than the approved concept plan (see February 26 concept plan attached). Due to the amount and location of connected and isolated wetlands across the property, the original plan for the west 35+ acres to create five (5) larger lots served by a shared private driveway from Elm Lane north of Forest Drive has been put on hold. Subsequent to concept plan approval, the WisDNR has identified additional wetlands that make the original lot and driveway layout difficult. Also, the Army Corp of Engineers (ACOE) and WisDNR have not yet determined what, if any, wetland on the property is federally-regulated. Finally, comments from the Southeastern Wisconsin Regional Planning Commission (SEWRPC), indicate that the west side of the site contains both Primary and Secondary Environmental Corridor (PEC) features, including an 18-acre “natural area of local significance” (Class NA-3) known as the Schoessow Woods. SEWRPC recommends that this area be protected from development by being acquired by a public agency or subject to a conservation easement under private ownership (see SEWRPC letter dated April 27). For these reasons, the Developer is requesting that that 33.2 acres of the west side of the site be designated as an “outlot” on the preliminary plat with the intention of platting this area into lots at a later date after the wetland issues have been resolved.

ATTACHMENTS:

- ◆ July 9, 2018 Staff Report
- ◆ July 9, 2018 Plan Commission Meeting Minutes
- ◆ Preliminary Plat

PLAN COMMISSION RECOMMENDATION:

APPROVE the Harvest Hills preliminary subdivision plat subject to the following five (5) conditions:

1. Developer shall enter into a Development Agreement with the Village pursuant to Section 18 of the Village Code (Subdivision and Platting), as well as, the preparation of detailed plans for the installation of public utilities and improvements including, but not limited to public street and intersection improvements, sanitary sewer, storm sewer & storm water management facilities, master grading plan and erosion control, trails, landscaping & street trees, open space, lighting and signage.
2. The street tree landscape plan dated June 21, 2018 (revision date) shall be approved by the Village Forester prior to installation of any street trees within the development. Street trees shall be installed close to the front/street yard property line. The timing of installation of the street trees and common open space landscaping shall be determined as set forth in the Development Agreement.
3. All of the comments, outstanding issues, construction plan details and corrections, and plat preliminary corrections identified by the Director of Public Works in a May 4 and June 13, 2018 review memos, and by the Village Surveyor in a May 1, 2018 review memo, shall be addressed prior to executing the Development agreement and/or commencement of construction.
4. The Development Agreement shall include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to final plat submittal that include a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).
5. The proposed landscaping and monument sign at the Friestadt Road shall be located outside of the vision triangle and within a landscape easement on Lot 18.

PLAN COMMISSION MINUTES
July 9, 2018

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Rep. David Baum, Commissioners Tony Laszewski and Bob Williams were present. Commissioner Peter Nilles and Matt Kimmler were absent and excused. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES: *MOTION Baum second Laszewski to Approve the minutes from 6-25-18. MOTION carried unanimously.*

Top Leaf Development LLC and Alan & Lynda Luther – 107 acres south of Freistadt Road, North of Elm Lane and west of Wasaukee Road. The property owner is requesting approval of a Conditional Use Permit (CUP) for encroachment into a 25' wetland setback and Preliminary Subdivision Plat for Harvest Hills, a 37-lot residential development. Planner Retzlaff summarized the proposal.

MOTION Baum second Williams to Approve the Harvest Hills preliminary subdivision plat subject to the following conditions:

- 1. Developer shall enter into a Development Agreement with the Village pursuant to Section 18 of the Village Code (Subdivision and Platting), as well as, the preparation of detailed plans for the installation of public utilities and improvements including, but not limited to public street and intersection improvements, sanitary sewer, storm sewer & storm water management facilities, master grading plan and erosion control, trails, landscaping & street trees, open space, lighting and signage.***
- 2. The street tree landscape plan dated June 21, 2018 (revision date) shall be approved by the Village Forester prior to installation of any street trees within the development. Street trees shall be installed close to the front/street yard property line. The timing of installation of the street trees and common open space landscaping shall be determined as set forth in the Development Agreement.***
- 3. All of the comments, outstanding issues, construction plan details and corrections, and plat preliminary corrections identified by the Director of Public Works in a May 4 and June 13, 2018 review memos, and by the Village Surveyor in a May 1, 2018 review memo, shall be addressed prior to executing the Development agreement and/or commencement of construction.***
- 4. The Development Agreement shall include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to final plat submittal that include a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).***
- 5. The proposed landscaping and monument sign at the Freistadt Road shall be located***

outside of the vision triangle and within a landscape easement on Lot 18.

MOTION carried unanimously.

MOTION Baum second Laszewski 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 Developer 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 invasive species removal and wetland grass planting/restoration. 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 2018 for a period of three (3) years.**

MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

PRELIMINARY SUBDIVISION PLAT & CONDITIONAL USE PERMIT (CUP)

7/9/18 Plan Commission Meeting

Baudhuin Surveying & Engineering / Top Leaf Development LLC

Village Planner Report

Germantown, Wisconsin

Summary

Baudhuin Surveying & Engineering, agent for Top Leaf Development LLC, property owner, is requesting approval of a conditional use permit (CUP) and preliminary subdivision plat for Harvest Hills, a 107-acre, 37-lot residential development located south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

Property Location: Freistadt Road, Elm Lane and Wasaukee Road

Applicant/

Property Owner:

Pete Hurth
Baudhuin Survey & Eng
312 N 5th Ave
Sturgeon Bay, WI

Shari Waggoner
Alan & Lynda Luther
Top Leaf Development LLC
Colgate, WI

Zoning: Rs-3: Single-family Residential

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



Proposal/Background

Baudhuin Surveying & Engineering, agent for Top Leaf Development LLC, property owner, is requesting approval of a conditional use permit (CUP) and preliminary subdivision plat for Harvest Hills, a 107-acre, 37-lot residential development located south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

As presented in the preliminary plat and summarized in Table 1, Harvest Hills has the following characteristics:

TABLE 1.
Harvest Hills Preliminary Plat

Gross Area (Ac)	107.74
Wetland Area (Ac)	10.86
Right-of-Way (Ac)	8.63
Net Density Area (Ac)	88.25
# Single-Family Lots/DU's	37
Gross Density (DU/gross acre)	0.34
Net Density (DU/net acre)	0.42
Open Space Outlots (Ac)	54.77
Avg Lot Size (ac)	1.20
Lot Size Range (Ac)	1.0 to 1.86

As noted in Table 1, the proposed density will only be .42 DU/ net acre (.34 DU/gross acre). This is significantly less than the maximum allowed in the underlying Rs-3 District (1.0 DU/acre).

The preliminary plat is different than the approved concept plan approved in February. As shown in the February 26 concept plan (copy attached); specifically, the west side of the site. Because of the extensive network of connected and isolated wetlands, the original plan for the west 35+ acres was to create five (5) larger lots served by a shared private driveway connected to the west segment of Elm Lane north of Forest Drive. However, subsequent to concept plan approval, the WisDNR field-checked the Developer's wetland delineation and found additional wetlands that make the original lot and driveway layout difficult, if not impossible, to carry out as planned without making further changes (see DNR letter dated June 18). Also, the original plan for the private shared driveway involved the crossing and possible filling of a small wetland area north of Lot 38 (see attached). However, the Army Corp of Engineers (ACOE) and WisDNR have not yet determined if that wetland is a federally-regulated wetland. If so, the permitting process needed to fill that wetland will be significantly different, more difficult and not necessarily a guaranteed approval. Finally, comments from the Southeastern Wisconsin Regional Planning Commission (SEWRPC), indicate that the west side of the site contains both Primary and Secondary Environmental Corridor (PEC) features, including an 18-acre "natural area of local significance" (Class NA-3) known as the

Schoessow Woods. SEWRPC recommends that these areas be protected from development and/or conveyed to a public agency or subject of a conservation easement under private ownership to provide the recommended level of protection (see SEWRPC letter dated April 27). For these reasons, the Developer is requesting that that 33.2 acres of the west side of the site be designated as an "outlot" on the preliminary plat with the intention of possibly platting this area into lots at a later date.

Conditional Use Permit (CUP): 25' Wetland Setback Encroachment

The applicant has submitted a conditional use permit (CUP) application under the Village's Shoreland-Wetland Zoning Code because of proposed development activity within portions of the 25' wetland setback areas throughout the development.

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 25' and 75' setbacks 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 detailed in the Mitigation Plan (dated July 3, 2018), all of the proposed development activity within the 25' setback areas is grading associated with the storm water management basins and internal road construction (see exhibits in Section 2 of the Mitigation Plan). Detailed in the narrative and exhibits, the total amount of setback area encroachment is approximately 51,033 sqft (1.17 acres), including:

- 40,627 sqft with < 3' of grade change (horizontal development)
- 10,406 sqft with > 3' of grade change (vertical development)

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 61,429 sqft (1.41 acres).

Compensation will be provided in an area totaling 19,500 sqft lying along the east property line within and around portions of the setback areas. Compensation will be provided in the form of: (1) invasive species removal/eradication (min. 2 acres of Buckthorn removal)); and (2) planting native wetland grass seed mix (min. 1 acre) as shown in Exhibit 4 in the Mitigation Plan.

Comments: Preliminary Plat

Village Planner/Zoning Administrator

In accordance with the Village's Subdivision Code, the Plan Commission is responsible for reviewing the preliminary plat application and forwarding a recommendation to the Village Board along with comments received from the official "objecting agencies" (i.e. Department of Administration, WisDOT and Washington County), as well as, all other review agencies to whom the plat has been submitted (e.g. Southeastern Wisconsin Regional Planning Commission/SEWRPC, Germantown School District, all utility

companies, etc).

The proposed landscaping and monument sign at the Freistadt Road entrance are located in the vision triangle on Lot 18 and will need to be moved; ideally into a landscape easement area on Lot 18 outside the vision triangle. Also, the street tree landscape plan needs final approval from the Village Forester. With all of the proposed streets having a rural cross-section (open ditches vs. curb & gutter), the street trees will need to be installed close to the front/street yard property line.

With respect to existing trees, a tree removal and protection plan has been prepared (copy attached). A significant number of large trees (>6" dia.) are proposed to be removed to make room for the streets and storm water basins, including Basswood (American Linden), Beech, Cherry, Hawthorn, Maple, Pine and Poplar. A large number of Pine, Boxelder and dead/dying Ash trees are also proposed to be removed.

Although the Developer is now proposing to leave the west side of the property in open space outlots, including a 6.9-acre outlot containing the large storm water basin (Outlot 7) and a 33.2-acre outlot (Outlot 8) that will likely be platted into additional lots the future, staff supports the SEWRPC recommendation that any platted lots in this area be located outside the primary environmental corridor area (PEC). Future plans to re-plate Outlot 8 should reflect this recommendation. Also, in order to avoid any wetland filling, the proposed private, shared driveway may need to be relocated (with one alternative being an extension of Elm Lane further west and north of the Village park with access to the north via a separate street as was originally proposed).

The Developer's Agreement should include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to final plat submittal that include a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).

In an April 20 email from Park & Recreation Director Mark Schroeder, the Village's Park & Recreation Commission is on record as being in favor of the proposed Harvest Hills development provided that a paved pedestrian path is provided (as proposed) along and within the unimproved Elm Lane right-of-way to provide access to Friedenfeld Park.

Village Engineer/Public Works

The developer has submitted construction plans for the road improvements, storm water management facilities, and landscaping (street trees) for the development. Those plans are currently being reviewed and not yet approved by the Village Engineer and Public Works Department staff.

In a series of review memos dated May 4 and June 13, (copies attached), the Village Director of Public Works identifies a series of issues and plan details and corrections that will need to be addressed in the construction plans submitted or in additional/supplemental plans required prior to the Village executing a Development Agreement with the Developer and/or commencing construction. A couple of significant

issues include storm water management and the need for a mass grading plan for the site.

Also, the Village Surveyor has identified a series of minor preliminary plat details in a May 1, 2018 review memo that need to be made/corrected prior to approval of the preliminary plat by the Village Board.

Fire Department

The Fire Department has reviewed the preliminary plat and is recommending approval provided the temporary “T” road closure at the end of Taylor Trail be designed to accommodate emergency vehicles. With regard to the previously proposed shared driveway, the Department recommends a minimum driveway width of 22 feet and a permanent cul-de-sac type (min. 65’ radius) closure designed to accommodate emergency vehicles.

Washington County

On April 17, the Washington County Public Works Committee went on record stating their objection to the preliminary plat for reasons related to a lack of soil tests not having been submitted (since resolved by the Developer), lack of approval for the proposed CTH F access driveway (since resolved as stated in a June 7 Highway Department letter), the primary and secondary environmental corridors not being shown on the plat. Washington County is an “objecting agency” (vs. an “approving agency”) for subdivision plats proposed in the Village. The Village Plan Commission and Village Board are not obligated, but encouraged, to consider Washington County’s objections when deciding what action to take.

Wisconsin Dept of Administration

In an April 26, 2018 letter, the Department of Administration (DOA) indicates that they are withholding certification of the preliminary plat due to the objections filed by Washington County. DOA also identifies a series of corrections that will need to be made to the final plat in order to comply with the platting requirements under Wis. Stats. Chapter 236. *[NOTE: The DOA does not require re-submittal of a preliminary plat, but looks for any objections to be addressed and reflected in the final plat prior to DOA certification]*

Southeastern Wisconsin Regional Planning Commission (SEWRPC)

In an April 27, 2018 letter, SEWRPC provides a series of comments and recommendations regarding the property and proposed development. As discussed previously, SEWRPC recommends that the west side of the site containing both Primary and Secondary Environmental Corridor (PEC) features, including an 18-acre “natural area of local significance” (Class NA-3) known as the Schoessow Woods, be protected from development and/or conveyed to a public agency or subject of a conservation easement under private ownership to provide the recommended level of protection.

WisDOT

Harvest Hills does not abut any highway under WisDOT jurisdiction. Therefore, no comments or objections have been filed.

Germantown School District

No comments or objections have been filed.

Staff Comments: 25' Wetland Setback CUP

With regard to the CUP for development within the 25' wetland setback areas, staff supports the proposed mitigation plan that includes the removal of invasive species and the planting/restoration of wetland grasses near the disturbed setback areas. 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.

Village Planner Recommendation

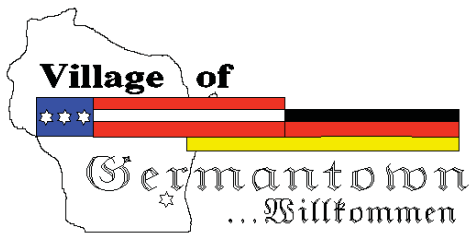
APPROVE the Harvest Hills preliminary subdivision plat subject to the following conditions:

1. Developer shall enter into a Development Agreement with the Village pursuant to Section 18 of the Village Code (Subdivision and Platting), as well as, the preparation of detailed plans for the installation of public utilities and improvements including, but not limited to public street and intersection improvements, sanitary sewer, storm sewer & storm water management facilities, master grading plan and erosion control, trails, landscaping & street trees, open space, lighting and signage.
2. The street tree landscape plan dated June 21, 2018 (revision date) shall be approved by the Village Forester prior to installation of any street trees within the development. Street trees shall be installed close to the front/street yard property line. The timing of installation of the street trees and common open space landscaping shall be determined as set forth in the Development Agreement.
3. All of the comments, outstanding issues, construction plan details and corrections, and plat preliminary corrections identified by the Director of Public Works in a May 4 and June 13, 2018 review memos, and by the Village Surveyor in a May 1, 2018 review memo, shall be addressed prior to executing the Development agreement and/or commencement of construction.
4. The Development Agreement shall include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to final plat submittal that include a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).
5. The proposed landscaping and monument sign at the Freistadt Road shall be located outside of the vision triangle and within a landscape easement on Lot 18.

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 Developer 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 invasive species removal and wetland grass planting/restoration. 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 2018 for a period of three (3) years.



Engineering Department Memorandum

To : Jeffrey W. Retzlaff, AICP, Planning Director/Zoning Administrator

From : Lawrence Ratayczak, P.E., Director of Public Works

Date : June 13th, 2018

Re : Harvest Hills Subdivision: Site Plan Review

Items Reviewed:

1. Civil Plan Set (21 pages) Dated: 05-18-18
2. Stormwater Management Report/Calcs Dated: 05-18-18

General Comments:

1. Please respond to each item below. **A written response addressing each item shall be included in your submittal.**
2. The submitted plans have been reviewed for general conformance with State and Village design guidelines. The items listed below will need to be fully resolved before the Engineering Dept. can recommend a formal approval of the plans and permit for construction.
3. This project will require an NOI from the DNR. Please submit a copy of the approved permit prior to final approval.
4. Septic system review and approval is handled by Washington County. The County is currently reviewing the plat and may have additional comments on the plat and septic system design.
5. As-builts prepared to Village standards shall be prepared and provided to the Village post-construction (for all applicable items).
6. A professional engineer's original seal is to be affixed, signed and dated on the final set of construction plans.
7. Contact Frank Rosecky, 262-250-4722 for a utility permit.
8. As a guide to the review response: Items in *italics* are resolved or acknowledged, items in regular font are to be addressed yet, items in **Bold** are additional feedback to remaining original comment.
9. Submit a copy of the approved wetland fill permit, for the shared driveway on the southwest portion of the site.

EC-1 Erosion Control Plan

1. *Please update plan to show existing and proposed contours.*
2. *Adjust plan to a smaller scale. 1" = 120' does not show adequate detail for an erosion control plan.*
3. *Move erosion control and stabilization notes from the detail sheet to the erosion control plan.*

Update notes to include WDNR standard notes. At minimum the following should be included.

- Construction Sequence. Update to include likely dates. A 60 day construction schedule is likely not appropriate for a 120 acre site.
- Winter stabilization dates and requirements. (update to match current wdnr standards)
- Requirement that all areas be topsoiled and seeded within 7 days of reaching final grade or when inactive for more than 14 days (this includes stockpiles)

4. Please include a legend.

5. Show temporary swales as needed to convey runoff to sediment basins.

6. Add ditch checks as required by WDNR technical standards. **Revise ditch check spacing to match WDNR technical standards or provide documentation that the current plan meets the spacing requirements.**

7. Show erosion control measures for CTH F intersection and roadway improvements.

8. Update silt fence to contain all runoff from the site. Specifically the areas around lots 16, 17 and 18.

9. Adjust silt fence to be outside of proposed grading.



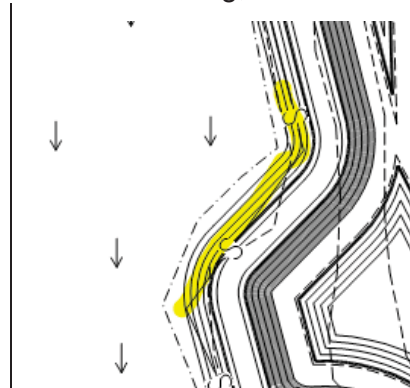
10. Show erosion control measures for the roadside swales. Matting, ditch checks, etc.

11. Show erosion matting on all slopes of 4:1 or steeper.

EC-2 Erosion Control Plan

1. Show erosion control measures for the roadside swales. Matting, ditch checks, etc.

2. Adjust silt fence to be outside of proposed grading.



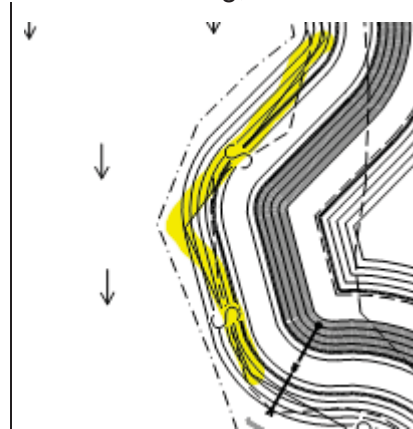
3. Add silt fence to contain runoff from all portions of the site. Specifically along the east side of

the site.

4. Show erosion matting on all slope 4:1 and steeper

EC-3 Erosion Control Plan

1. Show erosion control measures for the roadside swales. Matting, ditch checks, etc.
2. Adjust silt fence to be outside of proposed grading.



3. Add silt fence to contain runoff from all portions of the site.
4. Show erosion matting on all slope 4:1 and steeper.
5. Label erosion matting types.

EC-4 Erosion Control Plan

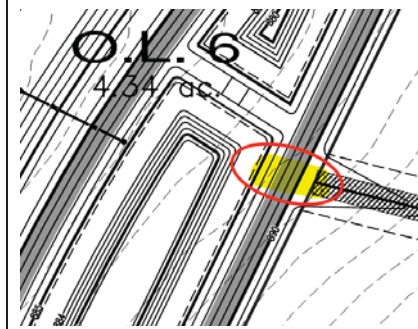
1. Show erosion control measures for construction of the driveway.

General Comments GP-1 – GP-3

1. *Label slopes in areas of 3:1 or 4:1 slopes*
2. Village requires trapezoidal shaped swales. Revised all swales to have a trapezoidal shape not a 'V' shape. **Roadside swales are still shown with a 'V' shape. Revise to trapezoidal.**
3. *Show a building pad with finished floor elevation and yard grade for each lot.* Show grading for each lot to allow for proper drainage and a building a pad for the building. **Building pads and elevations are now shown however many of these pads will not be able to be constructed to the elevation shown without grading over the lot lines. A mass grading plan for the site is required. The grading plan should show proposed/anticipated building pads and site grading to construct those building pads and driveways. The grading plan should create swales along side lot lines and rear lot lines to convey runoff. Building pad areas can be left lower when constructed to account for basement spoils, but the mass grading plan should show the site in its final condition. This plan will then be available for the village to reference when individual lots are constructed. This will ensure all lots are buildable and there will be no drainage issues once lots are built out. Should the homebuyer decide to alter from the proposed mass**

grading plan, they can submit an alternative/acceptable grading solution at the time of building permit.

4. Provide spot elevations at each lot corner and additional spot elevations as needed at high and low points. **Spot elevation have been added at lot corners. Add spot elevations at high and low points as needed for the mass grading plan.**
5. *Show and label all easements on the plans.*
6. Revise plans to show Village required wetland setbacks and or buffer mitigation plans. **Wetland setback is now shown however the setback area is being disturbed in many places. A conditional use permit and buffer mitigation plan are required per Village code. It is understood the developer is currently working with the village to prepare this. Mitigation plan will need to be approved prior to engineering approval of the plans.**
7. *Add level spreaders to all pond outlets.* Include a detail for the level spreader. **Add additional detail to the level spreader detail. Increase width to 20', show a depressed area at the pipe outfall and then a berm for the level spreader. The entire area between the berm and pipe outlet shall be stoned. Show height and width of the rock berm.**
8. Add additional contour labels for both the existing and proposed contours. Many of the contours are not labeled or are spaced far apart making the plan difficult to review.
9. Continue drainage swales/grading into all the stormwater basins and show permanent erosion control methods in these areas.



GP-1 Grading Plan

1. *Swale between lots 19 and 20 is very narrow and will be difficult to construct. Revise to widen the swale with a trapezoidal shape.*
2. *Lots 15 and 20 appear to have the septic area blocking access to the site. Demonstrate how driveway access will work for these sites.*
3. *Storm sewer at the rear of lot 22. Adjust to be a minimum of 10' from the property line to allow room for an easement.*
4. *Adjust limits of plan to show connection to CTH F.*
5. Culvert at lot 17 has less than 2' of cover. Adjust to provide a minimum of 2' of cover.
6. Culvert between lot 23 and 24 has less than 2' of cover. Adjust to provide a minimum of 2' of cover.

GP-2 Grading Plan

1. *Basin near wetland #5 is in the ROW. Adjust grading so the 909 contour (top of berm) is outside the ROW.*
2. *The ditches along Hazel lane are very steep and will likely cause ongoing erosion issues. Provide calculations showing grass cover is adequate protection for these ditches. Provide additional controls (permanent ditch checks, widen the swale, etc) as needed to provide on erosive flow in the ditches.*
3. Label all storm sewer with length, size, material, slope and invert elevations. **Slopes are not shown. Please label slopes.**
4. Provide additional details for the grading on the street side of lot 12. Show how runoff will be directed into the culvert and not just run by it. **Response indicates driveway will be a high point, show spot elevations showing a high point at the driveway and at all high points in swales.**
5. Culvert in Hazel lane north of lot 12 only has 0.70' of cover. Adjust to provide a minimum of 2'
6. All three culverts at the intersection of Sunrise Circle and Taylor Trail have less than 2' of cover. Adjust to provide a minimum of 2' of cover.
7. Address drainage for lots 8-12 as a part of the mass grading plan. Create swales along lot lines with drainage easements to allow proper drainage without drainage for upstream lots having to flow through downstream lots.

GP-3 Grading Plan

1. *Wetland 13 appears to be taking drainage from a portion of the roadway and from lots 1, 2, and 3. Show that runoff is properly pre-treated before discharging to the wetlands and show how runoff that enters this wetland makes it to the stormwater management basin as shown on the stormwater management report.*
2. *Swale between lots 33 and 34 is very narrow and will be difficult to construct. Widen swale to have a trapezoid shape and be constructible.*

GP-4 and GP-5 Grading Plan

1. Update grading plan to show how proposed shared driveway will be graded. Provide details on culverts shown.

PP-1 – PP-5

1. *Four different elevations are shown at the bottom of the profile. Please label what these elevations refer to.*

Pond 1 Detail

1. *Provide calculations showing a 6' wide overflow spillway can safely pass the 100 year storm event if the outlet structure is plugged.*

2. *Southeast corner of the basin (near the property line) has an area where the top of berm elevation will be less than 909. Adjust so the entire basin has a 10' berm of at least elevation 909.*
3. Label size of rip rap or fieldstone cobbles on the spillway detail.
4. Provide more detail on the anti-clog cage. What will it be constructed of? How will it be fastened to the structure?
5. Provide additional detail on the 'Safety Grate' called out for the top of the outlet structure. What will this be made of and how will it be constructed?
6. Adjust the spillway detail to show the bottom of the stone at elevation 908.10 or adjust the calculations to have the spillway elevation at 907.10. Water will begin to discharge over the spillway once it reaches the bottom of the stone elevation not the top.

Pond 2 Detail

1. *Provide calculations showing a 6' wide overflow spillway can safely pass the 100 year storm event if the outlet structure is plugged.*
2. Consider lowering spillway between the two basins to the safety shelf elevation of 884. This would eliminate the need for all the water entering the basin from the north to flow through the 6' wide spillway and reduce future maintenance.
3. Label size of rip rap or fieldstone cobbles on the spillway detail.
4. Provide more detail on the anti-clog cage. What will it be constructed of? How will it be fastened to the structure?
5. Provide additional detail on the 'Safety Grate' called out for the top of the outlet structure. What will this be made of and how will it be constructed?
6. Adjust the spillway detail to show the bottom of the stone at elevation 890.00 or adjust the calculations to have the spillway elevation at 889.00. Water will begin to discharge over the spillway once it reaches the bottom of the stone elevation not the top.

Pond 3 Detail

1. *Provide calculations showing a 6' wide overflow spillway can safely pass the 100 year storm event if the outlet structure is plugged.*
2. Label size of rip rap or fieldstone cobbles on the spillway detail.
3. Provide more detail on the anti-clog cage. What will it be constructed of? How will it be fastened to the structure?
4. Provide additional detail on the 'Safety Grate' called out for the top of the outlet structure. What will this be made of and how will it be constructed?
5. Adjust the spillway detail to show the bottom of the stone at elevation 890.25 or adjust the calculations to have the spillway elevation at 889.25. Water will begin to discharge over the spillway once it reaches the bottom of the stone elevation not the top.
6. This basin will really function as two separate interconnected basins. Adjust the stormwater

management calcs to reflect this. Split the drainage area up into two areas (area to the portion south of the wetland being one area and area to the main pond north of the wetland being the other) Model the south pond as a separate pond that discharges to the north via a weir. Model them as interconnected so tailwater effects are accounted for.

7. Add permanent erosion measures to the spillway route between the two basins. All the water from the south basin will need to flow over this route and it will likely be a source of ongoing erosion.

DET1 Construction Details

1. Provide a pavement design by a geotechnical engineer as listed under design requirements. (pavement detail was noted, just ensure the thickness' are appropriate for the roadways)
2. Provide HMA pavement specifications. All HMA pavement should utilize the new DOT system. **Revise specs on plans to match the specs provided in exhibit B.**
3. Asphalt path detail: Revise to utilize new DOT pavement system designation.
4. Revise roadway cross section to trapezoidal ditches.

DET2 Construction Details

1. *Swale detail, revise to trapezoidal shape.*
2. Culvert Rip Rap detail. Call out size of rip rap required.

ENT1

1. *Show existing and proposed grades.*
2. *Show lane and taper width dimensions.*
3. Label radii.
4. *Provide additional detail on how the bypass lane will interface with the existing retaining wall.*
5. *Provide additional detail on what will be used as protection from vehicles driving off the wall. A guardrail may be needed here.*
6. Understand you are working with the county on review and approval of the intersection improvements. Provide the approval letter from the county and include the final approved plan in the final stamped plan set provided to the Village.

Stormwater Management Plan

1. *Stormwater management plan references lots 38-42 however those do not appear on the plans.*

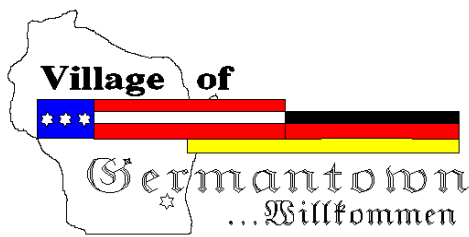
2. *Drainage maps are very small and difficult to read. Please adjust to be at a smaller scale. Use a larger sheet size if needed. Please show proposed contours on the proposed drainage map.*
3. Proposed drainage boundaries should represent the actual final grading. For example lot 14 will likely not have the drainage boundary as currently shown when that lot is developed.
 - i) **Update proposed drainage boundaries to match final grading plan required for the site.**
 - ii) **Revise proposed drainage boundaries to account for portions of the site that will be undetained and not tributary to the basins. For example, Outlot 5 will flow offsite to the west and not to the basin. The backside of the pond berms will be released undetained. Remove these areas from the basin tributary areas and include them as undetained areas.**
 - iii) **The post developed boundary for the west side of basin 6 does not appear to match the predeveloped boundary. The overall boundary and total area should match between pre and post developed conditions.**
4. Include discussion on what is being proposed for the 35.5 acre Westside area in the stormwater summary. Also include this area in the SLAMM calculations. Updated the SLAMM model and peak rate summaries to account for this area. **Understand that there will be minimal impervious added to this area, but Village and DNR ordinances require it to meet peak rate and water quality requirements. If BMP's are not desired in this area then current proposed basins could be enlarged to account for this area. Provide one SLAMM model showing the site as a whole meets the 80% TSS reduction requirement.**
5. *It's not clear why the site was split into so many drainage basins for the pre-developed condition. There appear to be three discharge points from the site. Runoff leaving the site to the North and West, runoff leaving to the East and runoff tributary to the large wetland complex in Outlot 7. Either clarify why there are so many drainage watersheds or revise to represent the three discharge points from the site.*
6. It's not clear how the peak flow summaries are tabulated. Include tables that clearly show the pre and post developed runoff for the drainage basins and for the site as a whole. **Please add a table that shows the pre and post developed peak release rate for the site as a whole. Include the West Side area in the total peak release rate for the site.**
7. *The north basin appears to be two interconnected ponds, but it doesn't appear to be modeled as two separate ponds in the Hydroflow model. Adjust the calcs to accurately model this as two basins. Include an outlet control structure between the two basins, instead of having all the flow overtop a weir.*
8. *Many of the practices modeled in SLAMM are in series. The DNR generally does not allow practices to be modeled in series. Refer to WinSLAMM document titled 'Modeling Practices in Series Using WinSLAMM' and adjust the model to comply with this or provide additional documentation that the version of WinSLAMM used can accurately model the practices in series.*
9. *The WinSLAMM model has driveways modeled as disconnected. Please provide documentation showing all of the requirements to model them as disconnected are met. Refer to item number 38 of the WDNR guidance found at the following link.*

https://dnr.wi.gov/topic/stormwater/documents/Modeling_Post-Construction_Guidance_2011.pdf

10. Grass swales are modeled with a bottom width of two feet however the plans show a V shaped swale. Update the plans and model to match each other.
11. Include swale calculations showing the swales can handle the flow from the required storm event with the freeboard as required by Village standards. **Please update the swale calcs to use a more appropriate 'C' value. 0.25 would be appropriate for lawns areas however it does not account for the roadway. Many of the swale drainage areas shown contain close to a 50% impervious coverage.**
12. Swale calcs show flow depth in most of these swales is between 4-6" deep, but many of these swales are shown at only 6" deep on the plans. Update swales to be a minimum of 1' deep to allow some freeboard between the top of the swale and calculated depth to ensure the flow stays in the swale.

Water Quality Comments

1. The SLAMM calcs include a number of swales and the tributary area to the swales does not appear to be accurately accounted for. If swales will be used to meet that water quality requirement update the model to include separate drainage areas for each swale section and include an exhibit showing the areas. For example ditch 4/5 has the entire 19 acres of drainage area 4/5 being routed through the roadside ditch when only a small portion of that drainage area will flow through the roadside ditch.
2. Land use #1 includes 0.34 acres of driveways and 0.32 acres of roadway. Please show how this was calculated as this basin appears to have very little roadway and driveway area.
3. Land use #3 includes 0.5 acres of driveways and 0.5 acres of roadway. However Basin #3 as shown on the post developed map has no roadway area and likely has very little driveway area. Please show how this was calculated.
4. SLAMM calcs use filter strips in a number of areas, however most of these areas do not meet the requirements for filter strips. In talking with Pete Wood at the WDNR, in order to utilize an area as a filter strip it must take runoff from a source area in a sheet flow manner and the filter strip should be less than 8% slope. Please revise the filter strips to only the areas that meet those parameters. Provide an exhibit showing the filter strip and tributary area to the filter strip and adjust the model to match the areas.
5. South pond shows an initial stage elevation of 6', however the south portion of the pond only has a 5' depth and has a different NWL elevation. How was this accounted for in the SLAMM model?



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: May 1, 2018

Re: Harvest Hills Subdivision-Preliminary Plat Review
Jeff,

Here are my review comments for the preliminary subdivision plat received 3-29-2018. Revised plat received 7-3-2018

Harvest Hills Subdivision-Preliminary Plat Review

Applicant or Owner Shari Waggoner /Top Leaf Development LLC

Land Surveyor/Firm: Mike McCarty, PLS, Baudhuin Surveying and Engineering

1. There will be a 60' road right of way dedication to the public along the Freistadt Road-CTH F frontage. This width is also concurrent with a Washington County requirement. The lot size for Lots 18 and 19 need to be adjusted. **Dimensions showing dedicated R/W indicate 60' and also 50'. If the 50' dimension is existing/ old, it needs to be removed. Leader lines could improve limits od the dimension**
2. There will be a 40' road right of way dedication to the public along the subdivision fronting Elm Lane. The lot size for Lots 2, 3, 4, 37, 38 and Outlot's 7, 9 and 11 need to be adjusted. **Dimensions showing dedicated R/W indicate 40' and also 33'. If the 33' dimension is existing/ old, it needs to be removed. Leader lines could improve limits od the dimension**
3. There are existing buildings located on the property that need to be mapped and shown as well as the location of any wells and septic tanks or fields serving these buildings. **Buildings were razed and removed. What is the current status of the existing septic fields and has the well been abandoned?**
4. It appears Lots 39-42 are being served by way of Outlot 10. I assume there will be a shared driveway/access easement over Outlot 10 for shared maintenance of the road. No typical cross section for this road was provided, but based on the dimensions provided on the plat, it appears emergency vehicles are going to have a challenging time getting to the lots.

Specifically, the Fire Department. As this area has no public water main, the fire department will have to run relays for water in the event of a fire and the road/driveway layout does not allow for a water relay to be established. **NA Comment no longer valid due to platting OL-8**

5. The private access roads along the west side of the subdivision with access to Elm Lane should be a consistent width. **NA Comment no longer valid due to platting OL-8**

6. There is a 25' wetland setback that is not shown on the preliminary plat or the grading plan. No earthmoving activities are to be done within the 25' setback. **25' setback line still not shown or dimensioned and labeled.**
7. The detention pond located on the east side of Outlot 4 is located within the road R/W of Hazel Lane and needs to be relocated outside of the R/W. **NA Comment addressed**
8. The power poles on Elm Lane need to be relocated to the new north R/W line to allow for the reconstruction of Elm Lane as directed by the Village Public Works Committee.
9. The south exit from the subdivision onto Elm Lane should be made based on the re-alignment and reconstruction of Elm Lane
10. Map scale shall use standard engineering scales. (1"=100', 200', 300') **NA Comment addressed.**
11. Existing and proposed contours at vertical intervals of not more than 2 feet where the slope of the ground surface is less than 10% and of not more than 4 feet where the slope of the ground surface is 10% or more. Elevations shall be marked on such contours based on National Geodetic Datum of 1929 (mean sea level). **NA Comment addressed**
12. Water elevations of adjoining lakes, ponds and streams at the date of the survey and approximate high and low water elevations, all referred to mean sea level (1929) datum. **NA Comment addressed.**
13. Add right-of-way width and names of all existing streets. **Forest Heights Drive still missing on Sheet 2 of 3 and 3 of 3.**
14. Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, all to mean sea level (1929) datum. **NA Comment addressed**
15. Location and names of any adjacent subdivision, parks and cemeteries and owners of record of abutting unplatted lands. **(Still missing)**
16. Location, width and names of all proposed streets and public rights-of-way such as alleys and easements. **NA Comment addressed**
17. Existing zoning on and adjacent to the proposed plat. **NA Comment addressed**
18. Location of soil boring tests, where required by Wis. Adm. Code H 65.06(2), made to a depth of 6 feet, unless bedrock is at a lesser depth. The number of such tests shall be adequate to portray the character of the soil and the depths of bedrock and ground water from the natural undisturbed surface. To accommodate this purpose, a minimum of one test per 3 acres shall be made. Two copies of all test results shall accompany the preliminary plat.

Location of soil percolation tests, as required by and conducted in accordance with Wis. Adm. Code H 65.06(3), taken at the location and depth in which on-site soil absorption sanitary sewerage disposal systems are to be installed. The number of such tests shall not

be less than one test per 3 acres or one test per lot, whichever is greater. Two copies of all test results shall accompany the preliminary plat. **NA Comment addressed**

19. The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this chapter and Chapter 236 of the Wisconsin Statute.

NA Comment addressed

No further review comments.

Document Submittals and Data Conversion

As of October 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2016 on compact disk (CD) or via email to the Village Surveyor.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

The model space of the drawing will be done in Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) and the Grid Bearing basis.

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.

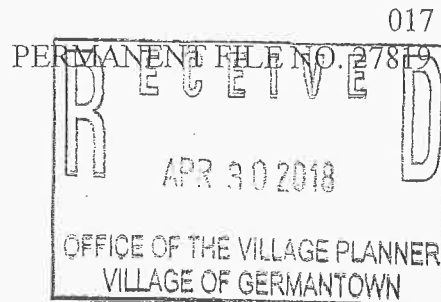


STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Scott Walker, Governor
Ellen E. Nowak, Secretary
Dawn Vick, Division Administrator

April 26, 2018

MICHAEL G. MCCARTY
BAUDHUIN INCORPORATED
PO BOX 105
STURGEON BAY WI 54130



Subject: HARVEST HILLS
NE1/4 & NW1/4 S24 T9N R20E
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY

Dear Mr. McCarty:

You have submitted the preliminary plat of HARVEST HILLS for review. The Department of Administration must withhold certification of this preliminary plat due to objections filed by the Washington County Planning & Parks Department.

DEPARTMENT OF ADMINISTRATION COMMENTS:

We have examined and find that, with the exceptions noted below, this preliminary plat appears to conform with the applicable layout requirements of ss. 236.16 and 236.20, Wis. Stats.

- s. 236.16 (2) The overall width of SUNRISE CIRCLE, TAYLOR TRAIL and HAZEL LANE scales and are assumed to be 60' wide. On the final plat, the right of way width must be shown.
- It appears that ELM LANE does not extend along the entire south line of the plat. If the final plat is only dedicating 33' of new right of way, "Future 66' Street" must be included within the partial street dedication.
- s. 236.20 (4) (b) On the final plat, all of the right of way that is being dedicated must be labeled "Dedicated to the Public" within the right of way.
- s. 236.20 (4) (d) This section provides that lots shall have public street access unless otherwise permitted by local ordinance. It appears that access to Lots 39-42 will be Outlot 10? The final plat must clearly indicate how access is being provided. Also, we must receive a letter from the clerk stating that such access complies with the local ordinance.

s. 236.20 (5) (a) Our reference maps indicate that there are building on the northern portion of this plat. If they still exist, they must be shown on the final plat.

NOTE TO SURVEYOR:

-It appears that additional right of way will be dedicated for C.T.H. F on the final plat. Please make sure this is shown clearly on the final plat.

COUNTY PLANNING AGENCY:

The Washington County Planning & Parks Department is an objecting agency on this plat. On March 21, 2018 we transmitted copies to them for review. On April 25, 2018 they notified us that they have objections to the preliminary plat.

Local government units, during their review of the plat, will resolve, when applicable, that the plat:

- complies with local comprehensive plans, official map or subdivision control ordinances;
- conforms with areawide water quality management plans, if sewerred;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- includes service or is serviceable by necessary utilities.

If there are any questions concerning this review or preparation and submittal of the final plat, please contact our office, at the number listed below. If there are any questions regarding private sewerage system review, please contact Mark Finger, Department of Safety and Professional Services, at (608) 574-1189.

Sincerely,



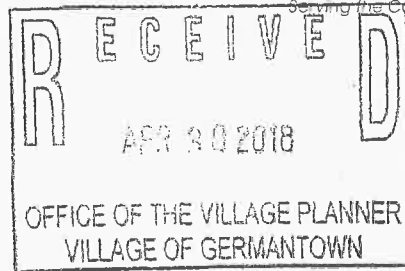
Renee Powers, PLS
Plat Review
Phone: (608) 266-3200

Enc: Print

cc: Top Leaf Development, Owner
Clerk, Village of Germantown
Washington County Planning & Parks Department
Department of Safety and Professional Services

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 • TELEPHONE (262) 547-6721
FAX (262) 547-1103



KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



April 27, 2018

Ms. Lori Johnson
Planning Assistant
Village of Germantown
P. O. Box 337
Germantown, WI 53022

RE: Preliminary Plat/Harvest Hills Subdivision,
NE ¼ and NW ¼, Section 24, T 9 N, R 20 E, Village of Germantown
SEWRPC No. CA-606-240

Dear Ms. Johnson:

This is to acknowledge receipt of your letter of April 2, 2018, concerning the above-captioned matter and to advise of the following Commission staff findings and recommendations relative thereto:

1. The proposed subdivision would create 42 single-family urban residential lots (i.e., residential density of less than five acres per dwelling unit) with 38 of the lots ranging in size from one to 1.5 acres. The plat is proposed to be developed with onsite sewage disposal systems and not with centralized sanitary sewer service. While the area of the proposed subdivision is located outside of the planned sewer service area for Germantown, it abuts upon the current planned sewer service area. Consequently, the Commission would suggest that consideration be given to adding the area of the plat to the sewer service area and 1) developing the site with public sanitary sewers, or 2) requiring that the lot owners connect to sanitary sewers at such future time that sewers are extended to the property.
2. The subject subdivision plat abuts upon CTH F which is identified in the transportation element of VISION 2050 as a two-lane arterial along the development site. The existing right-of-way is adequate for the maintenance and improvement of this arterial facility.
3. The subject plat contains land delineated by the Commission as primary environmental corridor (PEC) which consists of wetlands, woodlands, and significant wildlife habitat. Commission adopted plans recommend that PEC lands be preserved in essentially natural, open use. The PEC is contained within Lots 39-41 and Outlots 7,8,10, and 11. To be consistent with plan recommendations, building envelopes for Lots 39-41 should be located outside of the primary environmental corridor. We would also recommend that the corridor boundary, along with deed restrictions against the filling, disturbance, or development of the corridor, be shown on the face of the plat.

The subject plat also contains secondary environmental corridor (SEC) which consists of wetlands, woodlands, significant wildlife habitat, and steep slopes. The regional plan recommends that

County and local government consider preserving and protecting such resources. As shown on the plat, the SEC is located within Lots 14-16 and Outlot 4. The wetland portions of the SEC are located within Outlot 4.

In addition, the developer has appropriately identified the locations of wetland areas outside both the PEC and SEC. As proposed, these wetland areas would be contained within the Outlots 1-4 and Outlots 6-11. We would recommend that deed restrictions against the disturbance or development of all identified wetland areas within the subject subdivision be placed on the face of the plat.

4. The aforementioned PEC also contains a portion (18 acres) of a larger area as identified in the regional natural areas and critical species habitat protection and management plan as a natural area of local significance (NA-3) known as the Schoessow Woods. The Washington County park and open space plan and the regional natural area plan recommend that this natural area be preserved and protected with ownership of this NA-3 being conveyed to an appropriate public agency, namely the Village of Germantown. While consideration should be given to conveying ownership of this area to the Village during the platting process, preservation of this natural area through a conservation easement in private ownership would not be in conflict with those plans.
5. The subject plat is not located within an identified one-percent-annual-probability (100-year recurrence interval) flood hazard area as delineated in the Federal Flood Insurance Study (FIS) for Washington County.
6. The subject plat is located in the Menomonee River watershed. Runoff from the subject plat drains to the Upper Menomonee River, Little Menomonee Creek, and Nor-x-way Channel. The regional water quality management plan recommends that nonpoint source pollution in this area be reduced. Adequate erosion control is necessary to reduce pollutant runoff from construction sites, and post-construction stormwater management would be needed to meet the nonpoint source pollution reduction requirements of the Village stormwater management ordinance. We would suggest that the subdivider call upon the Village Engineer for technical guidance in the attainment of sound erosion control management practices in connection with the development process, and that the post-construction stormwater management plan for the site comply with the requirements of the Village ordinance.

Should you have any questions concerning the foregoing, please do not hesitate to call.

Sincerely,



Michael G. Hahn, P.E., P.H.
Executive Director



Washington County

Planning and Parks Department

NOTIFICATION OF ACTION ON PROPOSED SUBDIVISION PLAT WASHINGTON COUNTY PUBLIC WORKS COMMITTEE

April 17, 2018

Department of Administration
Plat Review Unit
P O Box 1645
Madison WI 53701-1645

COPY

To Whom it May Concern:

This letter is to inform you that the Washington County Public Works Committee has considered the following subdivision plat pursuant to Wisconsin Statutes and applicable local Ordinances:

Date of Meeting: April 17, 2018

Subdivision Name: HARVEST HILLS

// Pre-Preliminary Plat /X/ Preliminary Plat // Final Plat

Location: NW ¼ OF THE NE ¼, THE SW ¼ OF THE NE ¼,
AND THE SE ¼ OF THE NW ¼ - SECTION, 24
Municipality: VILLAGE OF GERMANTOWN
Subdivider: TOP LEAF DEVELOPMENT, LLC - C/O SHARI WAGGONER
Surveyor: BAUDHUIN SURVEYING & ENGINEERING

Action taken: Washington County Planning & Parks Department and Highway Department staff voiced their concerns identifying the following reasons for their objections to the preliminary plat review:

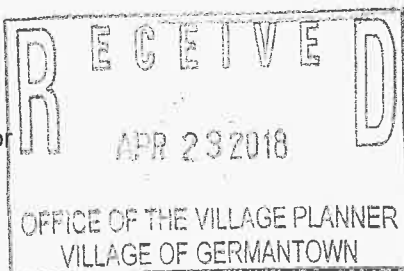
- 1) Soil tests have not been submitted for review to determine if a suitable soil absorption site exists on each proposed lot for a Private Onsite Wastewater Treatment System.
- 2) Approval for access to CTH F has not been obtained from the County Highway Department.
- 3) Wetland delineation needs to be approved by the Department of Natural Resources in order to determine if proposed road/driveway can be placed in currently mapped wetland area.
- 4) Environmental corridors should be clearly identified on plat and protected from any building or development.

Moved by Mr. Milier, seconded by Mr. Schief to object to the Preliminary Plat of Harvest Hills in the Village of Germantown, due to the reasons presented by Washington County staff as noted above.

If you have any questions regarding this subdivision plat, please do not hesitate to contact me.

Sincerely,

Jamie Ludovic, Central Services Director
JL:PG:ff



RECEIVED

APR 23 2018

cc: Municipal Clerk
Subdivider
Surveyor
Land & Water Conservation Division

VILLAGE OF GERMANTOWN
CLERK'S OFFICE



Washington County Highway Department

Commissioner: Scott M. Schmidt, PE, PLS

June 7, 2018

Attn: Pete Hurth
Baudhuin Surveying & Engineering
312 N. 5th Ave
P.O. Box 105
Sturgeon Bay, WI 54235

Dear Mr. Hurth,

On May 30, 2018, the Washington County Highway Department emailed a list of items to you to address on your plan set for the Harvest Hills Subdivision access on County Trunk Highway F in the Village of Germantown. You emailed a revised plan set back to the Highway Department dated 5/31/18. The Highway Department has reviewed that plan set (dated 5/31/18) and does not see any additional concerns or issues to address at this point in time.

This letter is not stating the Washington County Highway Department's official approval of your access project. That would be in the form of an approved access permit after a financial deposit is in place for the project. This letter is being sent to you per your request and is intended to assist you with obtaining other levels of approval for your project.

If you have any questions, please contact the Highway Department at (262)335-4435.

Sincerely,

Joshua Glass
Project Technician

Lori Johnson

Subject: FW: Harvest Hills Preliminary Plat

From: Mark Schroeder
Sent: Friday, April 20, 2018 3:17 PM
To: Jeff Retzlaff <jretzlaff@village.germantown.wi.us>
Cc: Scott Coulthurst <scott.coulthurst@olympusgrp.com>
Subject: Harvest Hills Preliminary Plat

Hello Jeff,

In response to the April 2nd letter from Planning Assistant Lori Johnson, the Park & Recreation Commission reviewed the preliminary plat for the Harvest Hills Subdivision at the April 18th commission meeting. Based on the meeting discussion, the commission affirmed the direction that the developer provide improved (paved) pedestrian access along the Elm Lane public right-of-way to maintain connectivity from the area of planned improvements to the current section of Elm Lane to the west. This pedestrian access will insure public access to Friedenfeld Park by future residents of the Harvest Hills Subdivision as well as existing residents of the area.

Thanks,

Mark Schroeder, CPRP
Park & Recreation Director
Germantown Park & Recreation Department
Ph: (262) 250-4710 Fax: (262) 255-2920



Visit Us on Facebook

Discover. Play. Grow



Village of

Germantown

Willkommen

Fee must accompany application
Preliminary & Final Plat Fees Combined

Under 10 lots \$4,575

11-25 lots \$5,600

26-50 lots \$6,625

Over 51 lots \$7,650

☐
☒
☐

PAID 3-28-17 *L*

SUBDIVISION PLAT APPLICATION

Pursuant to Section 18.04 and 18.05 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1

APPLICANT OR AGENT

PETE HURTH, P.E.

BAUDHUIN SURVEYING & ENGINEERING

312 N. 5TH AVE

STURGEON BAY, WI 54235

Phone (920) 743-8211

Cell (920) 495-9101

E-Mail phurth@baudhuin.com

PROPERTY OWNER

SHARI WAGGONER OF TOPLEAF DEVELOPMENT, LLC

FOR ALAN & LYNDIA LUTHER

342 HILLSIDE ROAD

COLGATE, WI 53033

Phone (262) 923-0469

topleafdevelopment@gmail.com

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER(S)

107 ACRES SOUTH OF CTH F, NORTH OF ELM LAKE,
1/4 MILE WEST OF WAUSAUKEE RD.

241997, 241998
242999

3

READ AND INITIAL THE FOLLOWING:

hl ☒ I understand that the Subdivision Plat is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

hl ☒ If technical corrections to the Plat are required, I understand that the document will not be recorded until all corrections are made and approved by the Village.

hl ☒ I understand that all applicable impact fees must be paid prior to recording. Failure to pay fees will delay recording and may ultimately result in the revocation of Village approval. I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

hl ☒ I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

hl ☒ I understand that a Developer's Agreement will be required prior to recording of the plat.

4

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

P. Hurth

Applicant

3/26/18

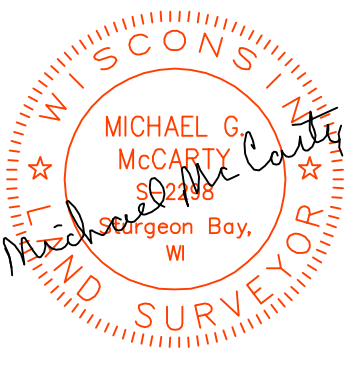
Date

Lyndia Luther

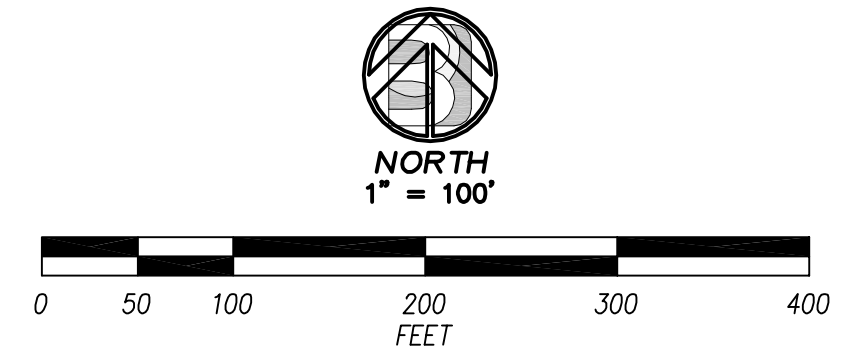
Owner

3-26-2018

Date



PRELIMINARY PLAT
HARVEST HILLS
 LOCATED IN:
 THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
 AND THE SE 1/4 OF THE NW 1/4
 ALL IN:
 SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
 VILLAGE OF GERMANTOWN,
 WASHINGTON COUNTY,
 WISCONSIN.



- SOIL BORING
- WASHINGTON COUNTY MONUMENT
(6"x6" CONCRETE W/ BRASS CAP)
- FOUND 1.27" STEEL PIPE

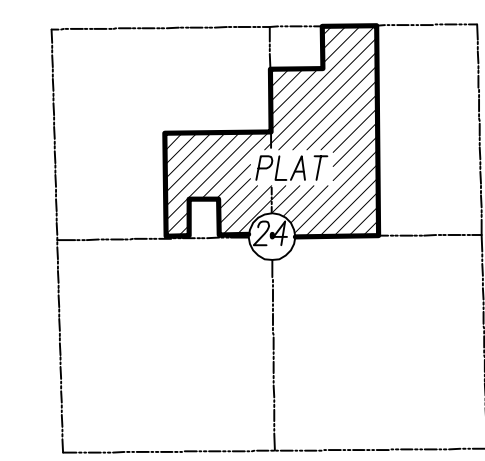
OWNER:
 TOP LEAF DEVELOPMENT LLC
 SHARI WAGGONER, PRESIDENT
 3855 HAWKS RIDGE DR
 HUBERTUS, WI 53033

SURVEYOR/ENGINEER:
 BAUDJUN SURVEYING & ENGINEERING
 312 N. 5TH AVENUE
 STURGEON BAY, WI 54235

OBJECTING AUTHORITIES:
 DEPARTMENT OF ADMINISTRATION
 WASHINGTON COUNTY

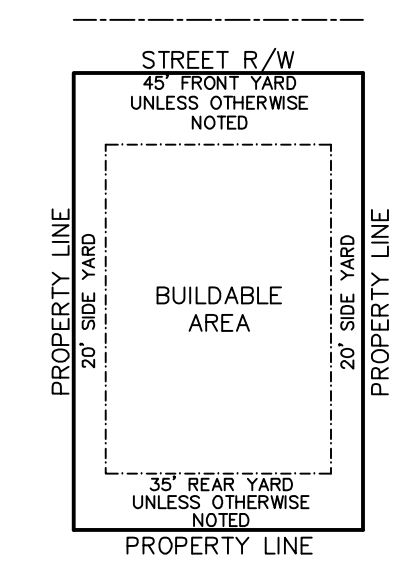
APPROVING AUTHORITIES:
 VILLAGE OF GERMANTOWN

LOCATION SKETCH
 SECTION 24-9-20
 SCALE: 1" = 2000'



BEARINGS ARE BASED ON THE WISCONSIN STATE
 PLANE COORDINATE SYSTEM GRID, SOUTH ZONE, AND
 THE WEST LINE OF THE NE 1/4 OF SECTION 24
 (ASSUMED N 01°46'35" W)

TYPICAL
 SUBDIVISION LOT
 (RS-3 ZONING)



ALL LOTS SHALL HAVE AN EQUAL INTEREST IN THE OWNERSHIP
 OF ALL OUTLOTS.

THIS PRELIMINARY PLAT COMPLES WITH THE LAND DIVISION
 ORDINANCE OF THE VILLAGE OF GERMANTOWN.

PLAT ZONING - R-3 Single-Family Residential District

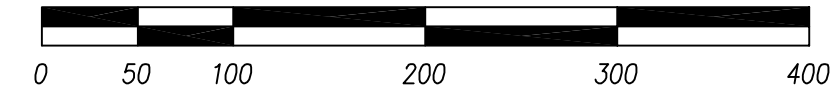
Unplatted Lands
 GERMANTOWN ACQUISITIONS LLC

I CERTIFY THAT THIS PRELIMINARY PLAT IS A CORRECT REPRESENTATION OF ALL EXISTING
 LAND DIVISIONS AND FEATURES AND THAT IT FULLY COMPLIES WITH THE PROVISION OF
 CHAPTER 18 OF THE VILLAGE OF GERMANTOWN ORDINANCES AND CHAPTER 236 OF THE
 WISCONSIN STATUTES.



PRELIMINARY PLAT
HARVEST HILLS

LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
VILLAGE OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



- SOIL BORING
- WASHINGTON COUNTY MONUMENT (6"x6" CONCRETE W/ BRASS CAP)
- FOUND 1.27" STEEL PIPE

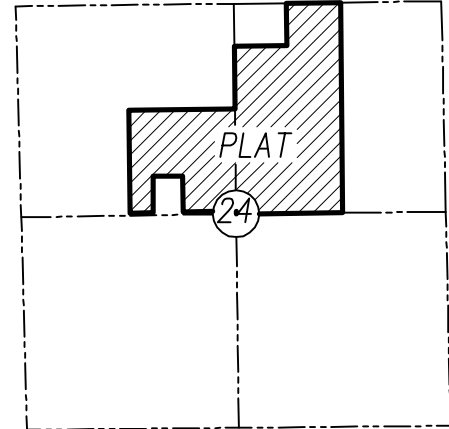
OWNER:
TOP LEAF DEVELOPMENT LLC
SHARI WAGGONER, PRESIDENT
3855 HAWKS RIDGE DR
HUBERTUS, WI 53033

SURVEYOR/ENGINEER:
BAUDJUN SURVEYING & ENGINEERING
312 N. 5TH AVENUE
STURGEON BAY, WI 54235

OBJECTING AUTHORITIES:
DEPARTMENT OF ADMINISTRATION
WASHINGTON COUNTY

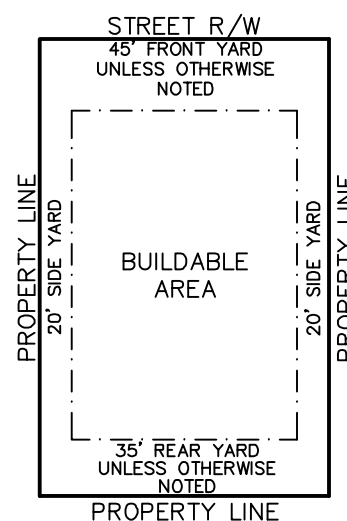
APPROVING AUTHORITIES:
VILLAGE OF GERMANTOWN

LOCATION SKETCH
SECTION 24-9-20
SCALE: 1" = 2000'



BEARINGS ARE BASED ON THE WISCONSIN STATE
PLANE COORDINATE SYSTEM GRID, SOUTH ZONE, AND
THE WEST LINE OF THE NE 1/4 OF SECTION 24
(ASSUMED N 01°46'35" W)

TYPICAL
SUBDIVISION LOT
(RS-3 ZONING)



ALL LOTS SHALL HAVE AN EQUAL INTEREST IN THE OWNERSHIP
OF ALL OUTLOTS.

THIS PRELIMINARY PLAT COMPLIES WITH THE LAND DIVISION
ORDINANCE OF THE VILLAGE OF GERMANTOWN.

A-2 Agricultural District
Lot 1
C.S.M. No. 4134

A-2 Agricultural District
Lot 2
C.S.M. No. 5795

Rs-3 Single-Family Residential District
Lot 1
C.S.M. No. 3297

Rs-1
Lot 1
C.S.M. No. 4743

Rs-1 Single-Family Residential District
Parcel A
C.S.M. No. 397

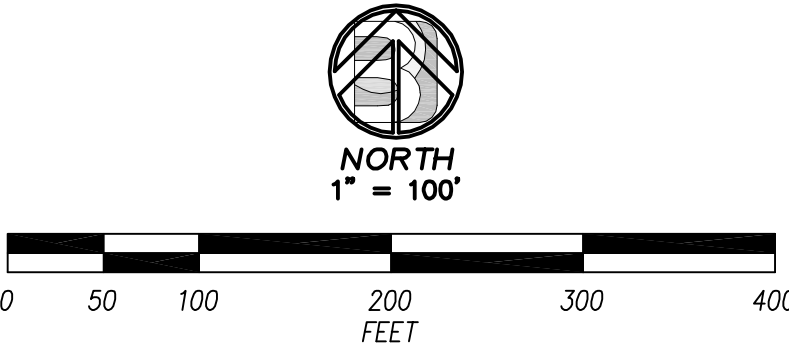
Rs-2 Single-Family Residential District
Lot 7

Forest Heights North
Block 3



PRELIMINARY PLAT
HARVEST HILLS

LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
VILLAGE OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



- ⊠ - SOIL BORING
- ⊙ - WASHINGTON COUNTY MONUMENT
(6"x6" CONCRETE W/ BRASS CAP)
- - FOUND 1.27" STEEL PIPE

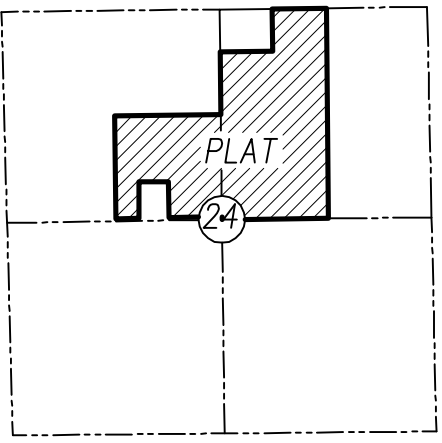
OWNER:
TOP LEAF DEVELOPMENT LLC
SHARI WAGGONER, PRESIDENT
3955 HAWKS RIDGE DR
HUBERTUS, WI 53033

SURVEYOR/ENGINEER:
BAUDHUIN SURVEYING & ENGINEERING
312 N. 5TH AVENUE
STURGEON BAY, WI 54235

OBJECTING AUTHORITIES:
DEPARTMENT OF ADMINISTRATION
WASHINGTON COUNTY

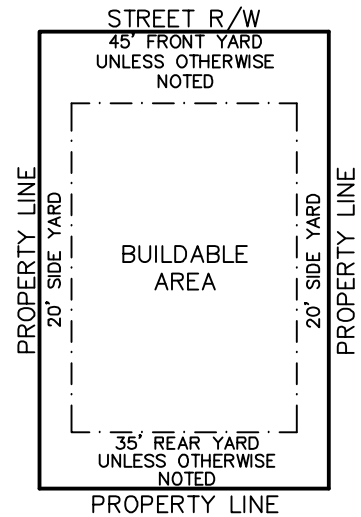
APPROVING AUTHORITIES:
VILLAGE OF GERMANTOWN

LOCATION SKETCH
SECTION 24-9-20
SCALE: 1" = 2000'



BEARINGS ARE BASED ON THE WISCONSIN STATE
PLANE COORDINATE SYSTEM GRID, SOUTH ZONE, AND
THE WEST LINE OF THE NE 1/4 OF SECTION 24
(ASSUMED N 01°46'35" W)

TYPICAL
SUBDIVISION LOT
(RS-3 ZONING)



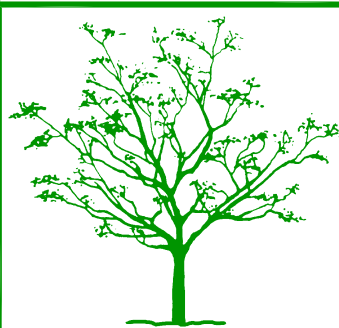
ALL LOTS SHALL HAVE AN EQUAL INTEREST IN THE OWNERSHIP
OF ALL OUTLOTS.
THIS PRELIMINARY PLAT COMPLIES WITH THE LAND DIVISION
ORDINANCE OF THE VILLAGE OF GERMANTOWN.



Landscape Plan

Scale: 1" = 100'-0"

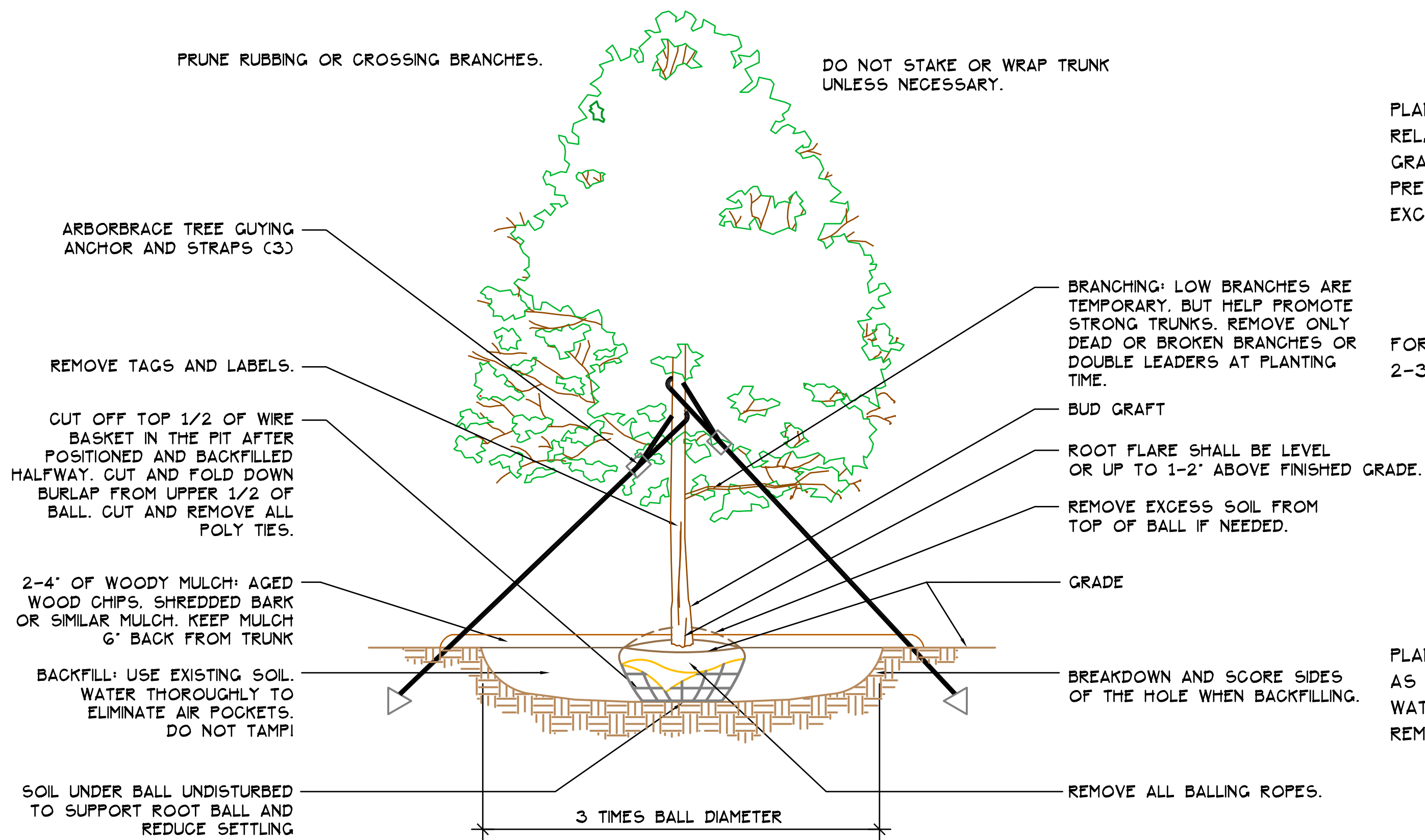
PLANTINGS, STRUCTURES AND OTHER REPRESENTATIONS SHOWN ON THIS PLAN ARE FOR THE PURPOSE OF CONVEYING LANDSCAPE DESIGN FEATURES. REFER TO PREPARED CONTRACT DOCUMENTS FOR SPECIFIC ITEMS INCLUDED IN ANY PARTICULAR PHASE OF LANDSCAPE CONSTRUCTION.



Notes:

- The contractor is required to notify Diggers Hotline (811 or 800-242-8511) to have site marked at least 2 business days prior to digging.
- Contractor is required to confirm all plant quantities shown on Plant & Material List and landscape planting symbols and list any inconsistencies/concerns to Landscape Architect.
- Plantings must comply with standards as defined in American Standard of Nursery Stock - Z60.1 ANSI. The Landscape Architect reserves the right to inspect, and potentially reject any plants that are inferior, compromised, undersized, and diseased, improperly transported, installed incorrectly or damaged. Any potential plant substitutions that are "B Grade" or "Park Grade" plant material must be approved by Landscape Architect.
- Plantings must be planted as per sizes indicated on Plant & Material Schedule, unless approved by Landscape Architect. Any deviations to sizes shown on plan must be submitted in writing to the Landscape Architect prior to installation.
- Plantings are to be watered comprehensively at the time of planting, through construction and upon completion of project as required.
- Topsoil ought to be placed to within 3" of finish grade by general / grading contractor during rough grading procedures. All parking lot islands if (applicable) to be backfilled with topsoil to a minimum depth of 18" and crown all planting islands and beds a minimum of 6" to allow proper drainage (unless otherwise specified).
- Mulching: All tree and shrub planting beds to receive a 3" deep layer of shredded hardwood bark mulch.
- Mulching: perennial planting areas (groupings) shall receive a 3" layer of shredded hardwood bark mulch, and groundcover areas a 1-2" layer of the same mulch.
- Manual Edging: All planting beds will be bordered with a 3" deep spade edge using a flat landscape spade or a mechanical edger. A clean definition between landscape beds and lawn is required, Bed lines are to be cut crisp, smooth.
- Plant bed amendment composition: All perennial, groundcover and annual areas are required to receive a blend of soil amendments before installation consisting of mushroom compost.
- Seeded areas: remove/kill off any existing unwanted vegetation prior to seeding. Formulate the topsoil (if adequate or provide as in item #6 above) and seed bed by removing all surface stones 1" or larger. Erosion control actions are to be used in swales and on slopes in excess of 1:3 and where applicable as seen in (I) Drawings. Means of installation may differ and are at the discretion of the Landscape Contractor on his/her responsibility to establish and warranty a smooth, uniform, quality turf.
- The Landscape Contractor is accountable for the watering and maintenance of all landscape areas for a period of 60 days after the substantial completion of the landscape installation. This shall include all trees, shrubs, evergreens, perennials, ornamental grasses, turf grass, no-mow grass, and native prairie seed. Work also includes weeding, edging, mulching fertilizing, and trimming, sweeping up grass clippings, pruning and deadheading.
- Project Completion: Landscape Contractor is accountable to conduct a final review of the project, upon completion, with the Landscape Architect, Client or Owner / Client Representative.

Plant Key	Qty	Botanical Name	Common Name	Size	Root	Specifications/Notes
Deciduous Trees						
ABM	52	Acer x freemanii 'Jeffsred'	Autumn Blaze Maple	2" CAL	BB	Evenly Shaped Tree; No Trunk Scars
GSM	53	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2" CAL	BB	Evenly Shaped Tree; No Trunk Scars
RSM	52	Acer rubrum 'Franksred'	Red Sunset Maple	2" CAL	BB	Evenly Shaped Tree; No Trunk Scars
BO	17	Quercus macrocarpa	Bur Oak	2" CAL	BB	Evenly Shaped Tree; Rotate Planting Location
RO	17	Quercus rubra	Red Oak	2" CAL	BB	Evenly Shaped Tree; Rotate Planting Location
SWO	17	Quercus bicolor	Swamp White Oak	2" CAL	BB	Evenly Shaped Tree; Rotate Planting Location
Deciduous Shrubs						
DFG	5	Fothergilla gardenii	Dwarf Fothergilla	#5	CONT	Full, Well Rooted Plant, Evenly Spaced
Perennials						
PDS	7	Sporobolus heterolepis	Prairie Dropseed Grass	#1	CONT	Full, Well Rooted Plant
KFG	8	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Grass	#1	CONT	Full, Well Rooted Plant
PMD	12	Hemerocallis 'Pardon Me'	Pardon Me Daylily	#1	CONT	Full, Well Rooted Plant
GBD	6	Hemerocallis 'Going Bananas'	Going Bananas Daylily	#1	CONT	Full, Well Rooted Plant



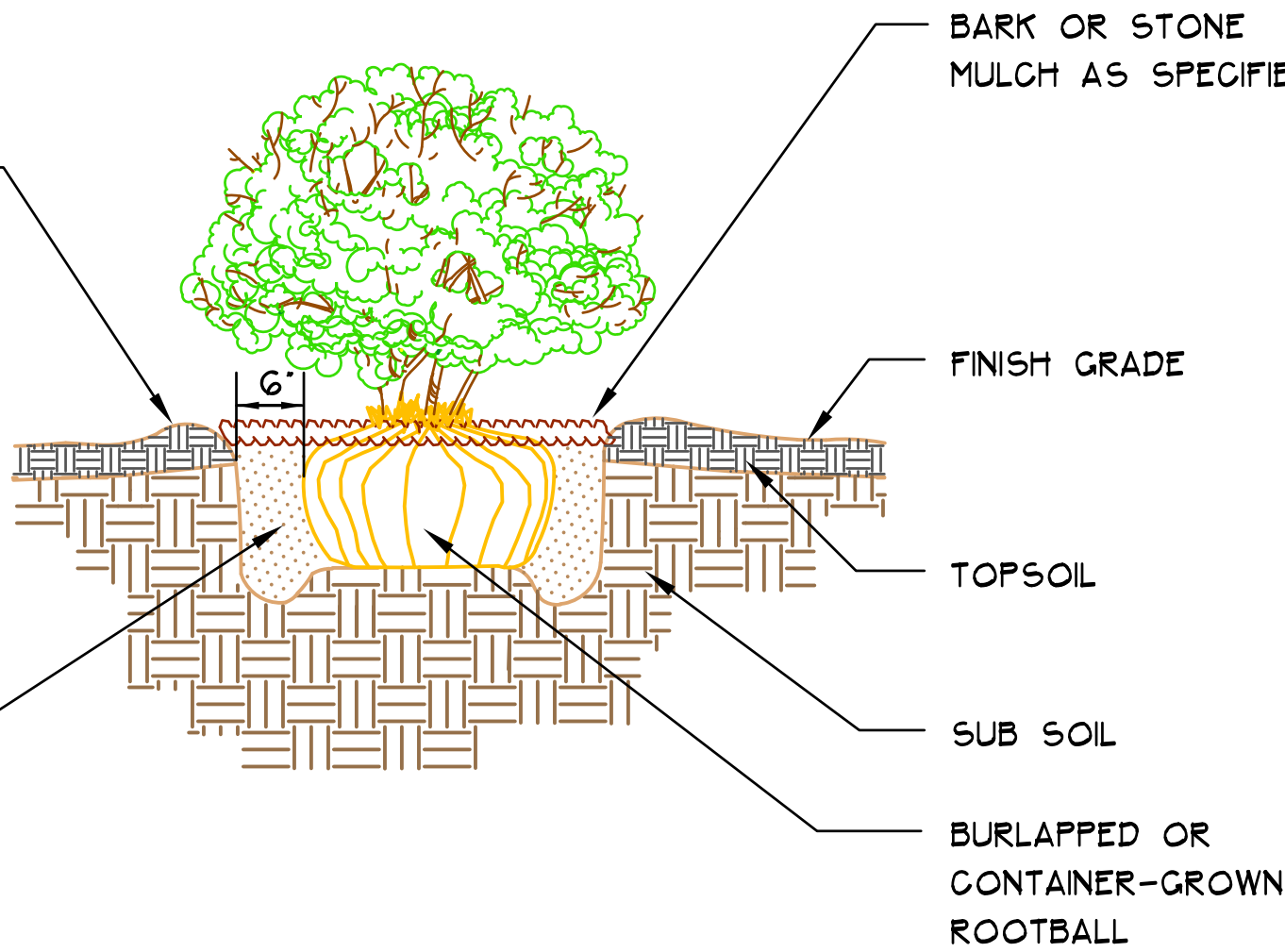
TREE PLANTING

Scale: Not To scale

PLANT SHALL BEAR SAME RELATIONSHIP TO FINISHED GRADE AS IT BORE TO PREVIOUS EXISTING GRADE EXCEPT AS SPECIFIED

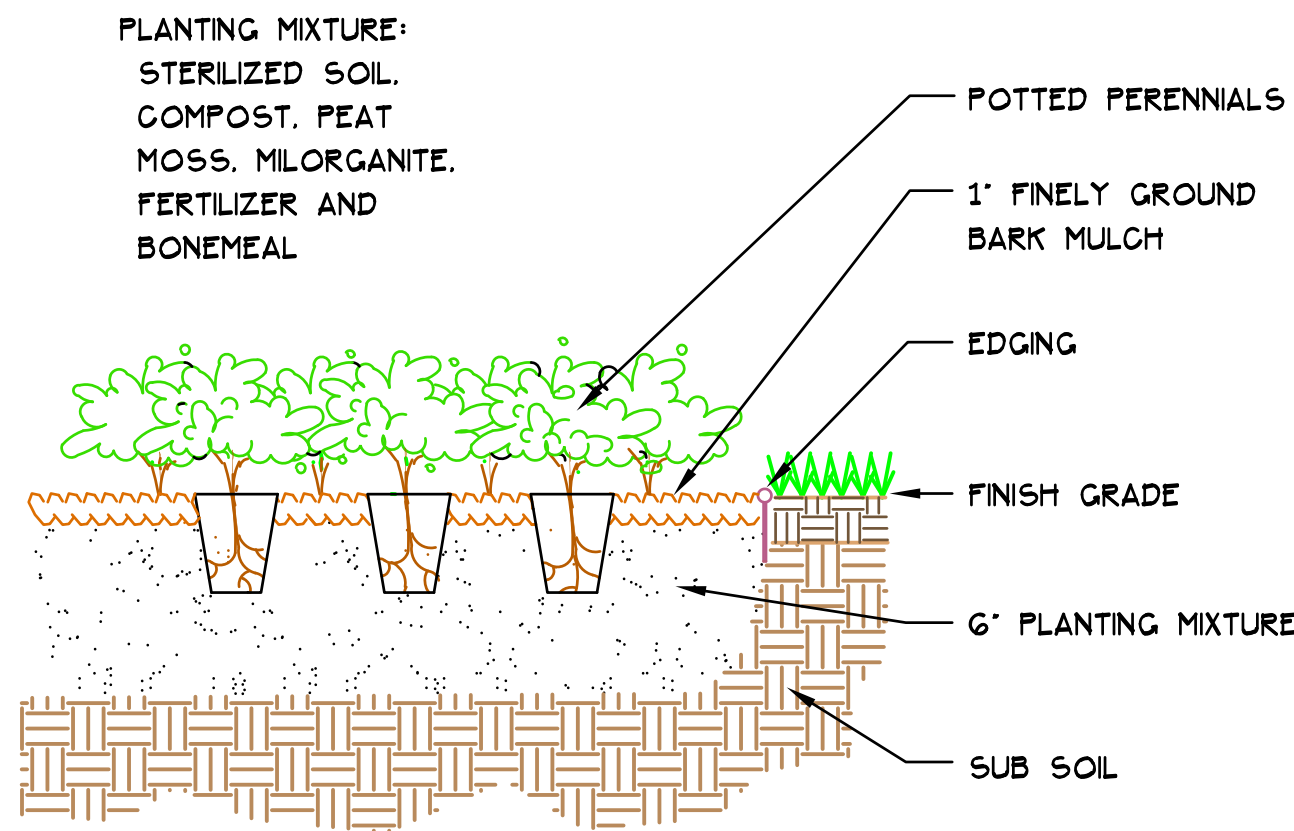
FORM SAUCER WITH 2-3" CONTINUOUS RIM

PLANTING MIXTURE AS SPECIFIED WATER AND TAMP TO REMOVE AIR POCKETS

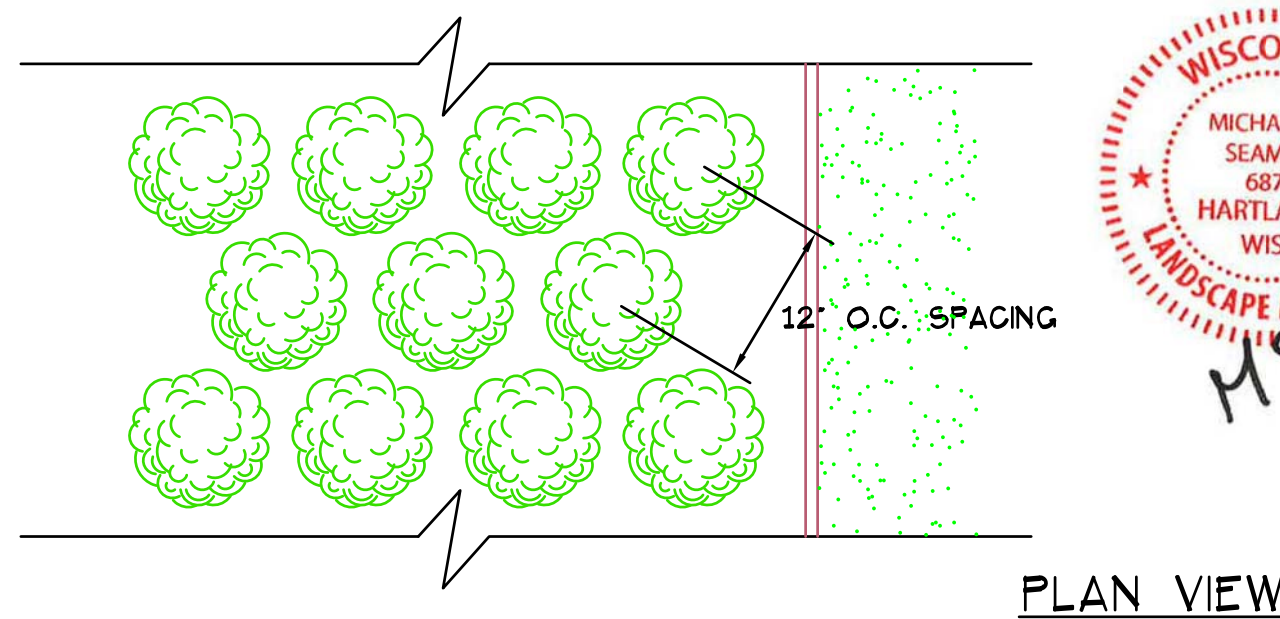


SHRUB PLANTING

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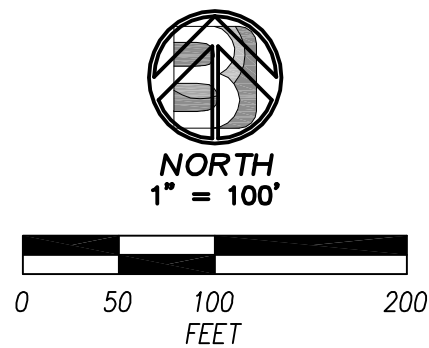
SECTION



PLAN VIEW

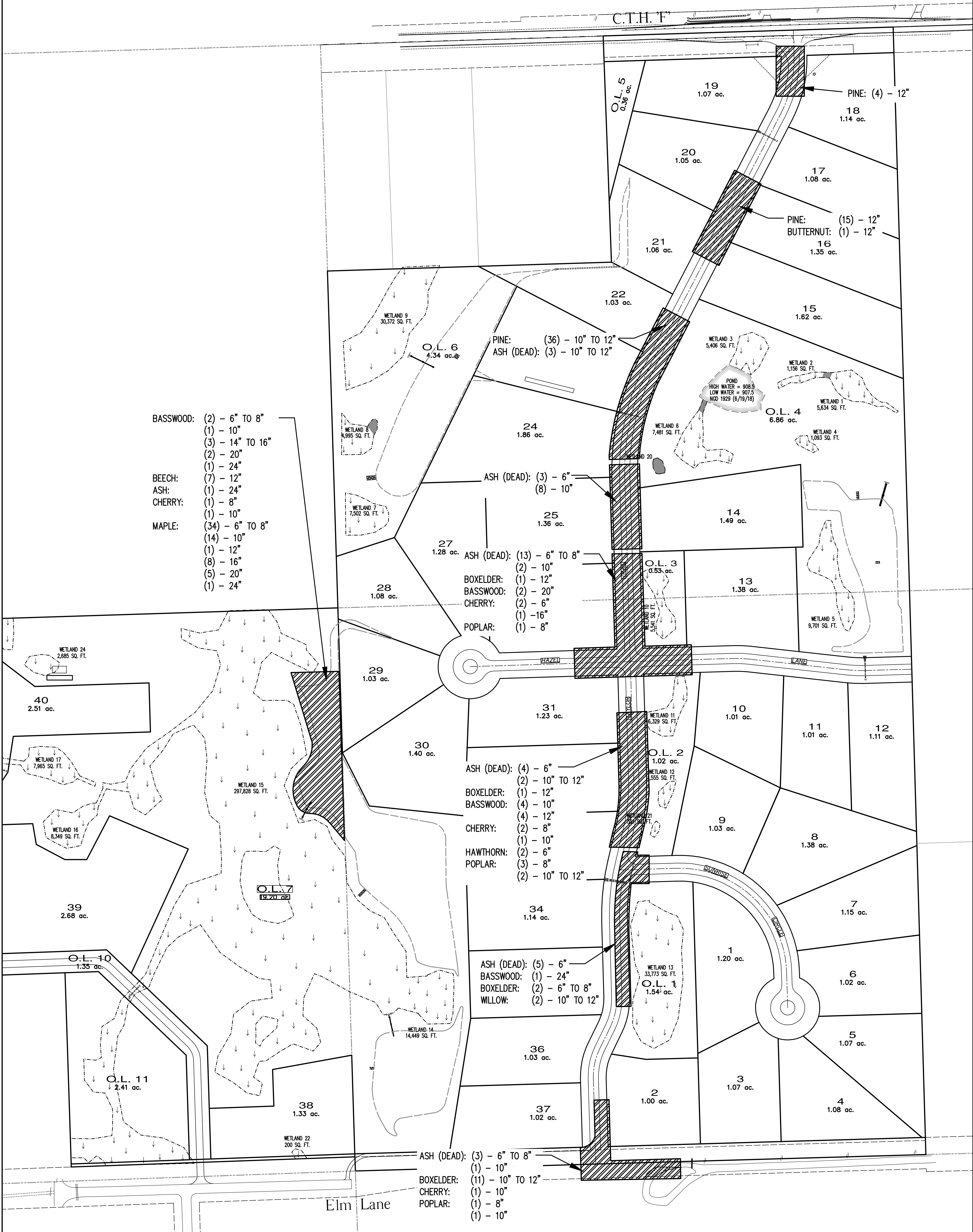
PERENNIAL PLANTING

Scale: Not To Scale



TREE PROTECTION PLAN

FOR TREES CLOSE TO THE CONSTRUCTION AREA THAT ARE TO BE SAVED, CONTRACTORS SHALL AVOID DAMAGE TO TREES' ROOTS, TRUNK, AND CROWN. CONTRACTORS SHALL AVOID ANY DISTURBANCE OR HARMFUL ACTIVITY WITHIN A MINIMUM OF 8 FEET OF THE TREE. IF POSSIBLE, AVOID DISTURBANCE WITHIN THE TREES' DRIPLINE. AN ORANGE SNOW FENCE MAY BE INSTALLED AROUND THE TREES TO BE SAVED FOR VISIBLE ADDED PROTECTION, AS NEEDED.



WETLAND DELINEATION REPORT

A COPY OF THE WETLAND DELINEATION REPORT FOR THE TOP LEAF DEVELOPMENT PROPOSAL IS AVAILABLE IN THE PLANNING DEPARTMENT.

THE REPORT WAS COMPLETED BY BAY ENVIRONMENTAL STRATEGIES, INC. ON NOVEMBER 29, 2017.

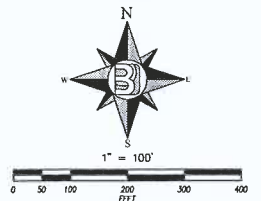
STORMWATER MANAGEMENT PLAN

A COPY OF THE STORMWATER MANAGEMENT SUMMARY COMPLETED BY BAUDHUIN SURVEYING AND ENGINEERING IS ALSO AVAILABLE IN THE PLANNING DEPARTMENT.

FEBRUARY 26, 2018

SITE PLAN

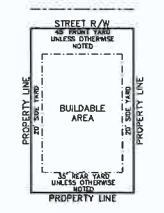
LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SE 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



SUBDIVISION DENSITY CALCULATIONS

Area of Parcel	=	107.74 acres
Number of Lots	=	42
Lots Per Acre	=	0.39
Total Acreage of Lots	=	62.35 acres
Average Lot Size	=	1.48 acres
Number of Outlots	=	11
Total Acreage of Outlots	=	38.96 acres
Average Outlot Size	=	3.54 acres
Area of Right of Way	=	6.43 acres

TYPICAL
SUBDIVISION LOT
(RS-3 ZONING)



HARVEST HILLS
CONSTRUCTION PLANS

JOB NUMBER
23000

LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
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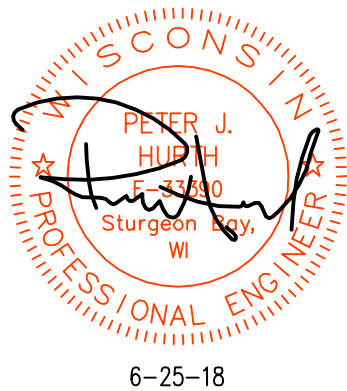
NOTES:

- 1) PLACEMENT OF ELECTRIC/GAS/CATV TO BE DETERMINED BY WE-ENERGIES (EASEMENTS TO BE SHOWN ON PLAT).
- 2) DRAINAGE SWALES SHOWN ENCROACHING ON RESIDENTIAL LOTS TO BE ADDRESSED BY DRAINAGE EASEMENTS TO BE SHOWN ON PLAT.

PREPARED FOR:
TOP LEAF DEVELOPMENT, LLC
c/o SHARI WAGGONER
3955 HAWKS RIDGE DRIVE
HUBERTUS, WI
53033
(262)923-0469
topleafdevelopment@gmail.com

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
COV1	COVER & INDEX SHEET
EC1-EC4	EROSION CONTROL PLAN
GP1	GRADING PLAN - NORTHERLY PORTION
GP2	GRADING PLAN - CENTRAL PORTION
GP3	GRADING PLAN - SOUTHERLY PORTION
GP4	GRADING PLAN - WEST SIDE SOUTHERLY PORTION
GP5	GRADING PLAN - WEST SIDE NORTHERLY PORTION
PP1	PLAN & PROFILE - TAYLOR TRAIL - 0+00.00 - 12+50.00
PP2	PLAN & PROFILE - TAYLOR TRAIL - 12+00.00 - 24+00.00
PP3	PLAN & PROFILE - TAYLOR TRAIL - 15+00.00 - 27+48.78
PP4	PLAN & PROFILE - HAZEL LANE - 0+00 - 4+48.78 & 6+58.53
PP5	PLAN & PROFILE - SUNRISE CIRCLE - 0+00 - 6+84.52
POND1	EAST POND DETAIL
POND2	NORTH POND DETAIL
POND3	SOUTH A POND DETAIL
POND4	SOUTH B POND DETAIL
ENT1-ENT2	WASHINGTON COUNTY TYPE C ENTRANCE DETAIL
DET1	CONSTRUCTION DETAILS
DET2	CONSTRUCTION DETAILS



6-25-18

BAUDHUIN
SURVEYING &
ENGINEERING

312 N. 5TH AVE.
P.O. BOX 105
STURGEON BAY, WI
54235
PHONE: (920)743-8211

COVER &
INDEX SHEET

COV1

PROJECT DIRECTORY: LATER 2000	DATE: JOB NAME: 000-ERG	DESIGNED BY: DATE: 5-18-18	DRAWN BY: VD
	REVISION DATE: 6-25-18		
	SCALE: NONE		
	JOB NUMBER: 23000		

REUSE OF DOCUMENTS
THIS DOCUMENT HAS BEEN DEVELOPED FOR
A SPECIFIC APPLICATION AND NOT FOR
GENERAL USE. THEREFORE IT MAY NOT BE
REPRODUCED OR TRANSMITTED IN ANY FORM
OR BY ANY MEANS, ELECTRONIC OR MECHANICAL,
INCLUDING PHOTOCOPYING, RECORDING, OR BY
ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM,
WITHOUT THE WRITTEN PERMISSION OF THE
ENGINEER. UNAUTHORIZED USE IS THE SOLE RESPONSIBILITY OF THE
UNAUTHORIZED USER.

Erosion Control Notes

- IN ACCORDANCE WITH NR 216.46(9) AND NR 216.48(4), THE LANDOWNER, OR THE LANDOWNER'S REPRESENTATIVE, SHALL INSPECT EROSION AND SEDIMENT CONTROL PRACTICES WEEKLY, AND WITHIN 24 HOURS FOLLOWING A RAINFALL OF 0.5 INCHES OR GREATER. WRITTEN DOCUMENTATION OF EACH INSPECTION SHALL BE MAINTAINED AT THE CONSTRUCTION SITE AND SHALL INCLUDE THE TIME, DATE AND LOCATION OF INSPECTION, THE PHASE OF LAND DISTURBANCE AT THE CONSTRUCTION SITE, PERSON CONDUCTING THE INSPECTION, ASSESSMENT OF CONTROL PRACTICES, AND A DESCRIPTION OF ANY EROSION OR SEDIMENT CONTROL MEASURE INSTALLATION OR MAINTENANCE PERFORMED IN RESPONSE TO THE INSPECTION.
- ANY SOIL STOCKPILE THAT REMAINS FOR MORE THAN 7 DAYS SHALL BE COVERED OR TREATED WITH STABILIZATION PRACTICES SUCH AS TEMPORARY OR PERMANENT SEEDING AND MULCHING. SEEDING SHALL FOLLOW THE REQUIREMENTS OF MNRR TECHNICAL STANDARDS 1058 AND 1059 AND WS. DOT STANDARD SPECIFICATIONS, SECTION 630.
- A MINIMUM OF 4 TO 6 INCHES OF TOPSOIL MUST BE APPLIED TO ALL AREAS TO BE SEEDED OR SODDED ACCORDING TO MNRR TECHNICAL STANDARD 1059.
- ALL OFF-SITE SEDIMENT DEPOSITS OCCURRING AS A RESULT OF CONSTRUCTION WORK OR STORM EVENT SHALL BE CLEANED UP BY THE END OF EACH DAY. FLUSHING SHALL NOT BE ALLOWED. IMPLEMENT TEMPORARY GRADING PRACTICES AS DESCRIBED IN MNRR TECHNICAL STANDARDS 1066 AND 1067 TO PREVENT SEDIMENT FROM LEAVING THE SITE.
- ALL DISTURBED AREAS SHALL BE TREATED WITH STABILIZATION MEASURES, AS SPECIFIED, WITHIN 3 WORKING DAYS OF FINAL GRADING.
- ANY SOIL EROSION THAT OCCURS AFTER FINAL GRADING AND/OR THE APPLICATION OF STABILIZATION MEASURES MUST BE REPAIRED AND STABILIZATION WORK REDONE.
- TREAT ANY DISTURBED AREA THAT REMAINS INACTIVE FOR GREATER THAN 7 WORKING DAYS OR WHERE GRADING WORK EXTENDS BEYOND THE PERMANENT SEEDING DEADLINES WITH TEMPORARY BEST MANAGEMENT PRACTICES SUCH AS LAND APPLICATION OF ANIONIC POLYACRYLAMIDE, STRAW BALES, SILT FENCE, MULCHING, TEMPORARY SEEDING, AND SEDIMENT TRAPS AS RESPECTIVELY REQUIRED BY MNRR TECHNICAL STANDARDS 1050, 1055, 1056, 1058, 1059, AND 1063.
- ALL TEMPORARY BEST MANAGEMENT PRACTICES SHALL BE MAINTAINED UNTIL THE SITE IS STABILIZED.
- WIND EROSION SHALL BE KEPT TO A MINIMUM DURING CONSTRUCTION. WATERING, MULCHING, OR A TACKING AGENT MAY NEED TO BE UTILIZED TO PROTECT NEARBY RESIDENTS AND WATER RESOURCES. DUST CONTROL MEASURES SHALL BE IMPLEMENTED ACCORDING TO MNRR TECHNICAL STANDARD 1068.
- WHEN THE DISTURBED AREA HAS BEEN STABILIZED BY PERMANENT VEGETATION OR OTHER MEANS, TEMPORARY BEST MANAGEMENT PRACTICES SUCH AS SILT FENCE, STRAW BALES, AND SEDIMENT TRAPS SHALL BE REMOVED.
- ALL REMAINING TOPSOIL STOCKPILES SHALL BE SEEDED OR HAULED OFF-SITE WITHIN 60 DAYS OF CONSTRUCTION COMPLETION.
- WINTER STABILIZATION:** ALL AREAS REQUIRING SEED AFTER OCTOBER 15TH SHALL BE STABILIZED BY AN APPROVED WINTER STABILIZATION METHOD. THE RECOMMENDED METHOD IS UTILIZING A HYDROSEEDER CONTAINING ADEQUATE TACKIFIER POLYMER MIXED WITH WINTER WHEAT OR RYE SEED. ANOTHER ACCEPTABLE EROSION CONTROL METHOD IS THE LAND APPLICATION OF ANIONIC POLYACRYLAMIDE IN CONFORMANCE WITH MNRR TECHNICAL STANDARD 1050. POLYMER CANNOT BE USED TO STABILIZE ROADSIDE SWALES. THESE AREAS MUST BE MATTED.
- ADDITIONAL EROSION CONTROL METHODS SUCH AS SILT FENCE, BALE CHECKS, EROSION MAT, (ABOVE AND BEYOND THE QUANTITIES LISTED IN THE BID PROPOSAL) AS NEEDED TO PREVENT WASHOUT OR SILT TRANSFER PROBLEMS WITHIN THE CONSTRUCTION AREA OR DOWNSTREAM SHALL BE CONSIDERED INCIDENTAL TO THIS PROPOSAL.

Stabilization Specifications
(REFER TO EROSION CONTROL PLAN FOR APPLICABLE AREAS)

MULCH: MATERIAL SHALL CONSIST OF ANY STRAW, HAY, WOOD EXCELSDOR FIBER OR OTHER SUITABLE MATERIAL OF A SIMILAR NATURE WHICH IS SUBSTANTIALLY FREE OF NOXIOUS WEED SEEDS AND OBJECTIONABLE FOREIGN MATTER. MULCH SHALL CONFORM TO MNRR TECHNICAL STANDARD 1058.

STANDARD BIODEGRADABLE MAT: CLASS 1, TYPE A, AS LISTED IN THE LATEST EDITION OF THE WS. DOT EROSION CONTROL P.A.L. PRODUCTS WITH UV DEGRADABLE NETTING SHALL NOT BE INSTALLED AFTER SEPTEMBER 1ST. TYPE B MAT MAY BE USED IN REPLACEMENT FOR TYPE A MAT AT THE OPTION OF THE CONTRACTOR WITH NO ADDITIONAL COST TO THE OWNER. EROSION MAT SHALL ALSO MEET THE REQUIREMENTS OF MNRR TECHNICAL STANDARD 1053.

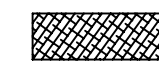
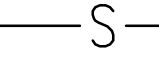
HIGH VELOCITY EROSION MAT: CLASS 1, TYPE B, AS LISTED IN THE LATEST EDITION OF THE WS. DOT EROSION CONTROL P.A.L. PRODUCTS WITH UV DEGRADABLE NETTING SHALL NOT BE INSTALLED AFTER SEPTEMBER 1ST. EROSION MAT SHALL ALSO MEET THE REQUIREMENTS OF MNRR TECHNICAL STANDARD 1053.

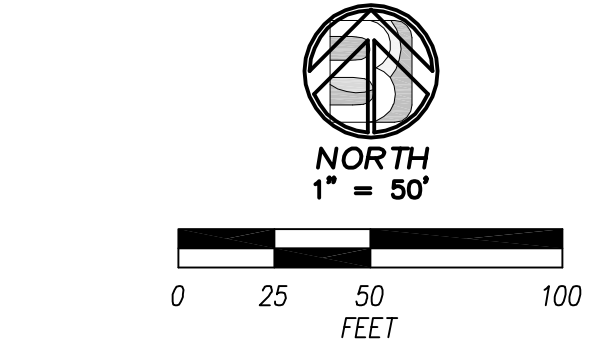
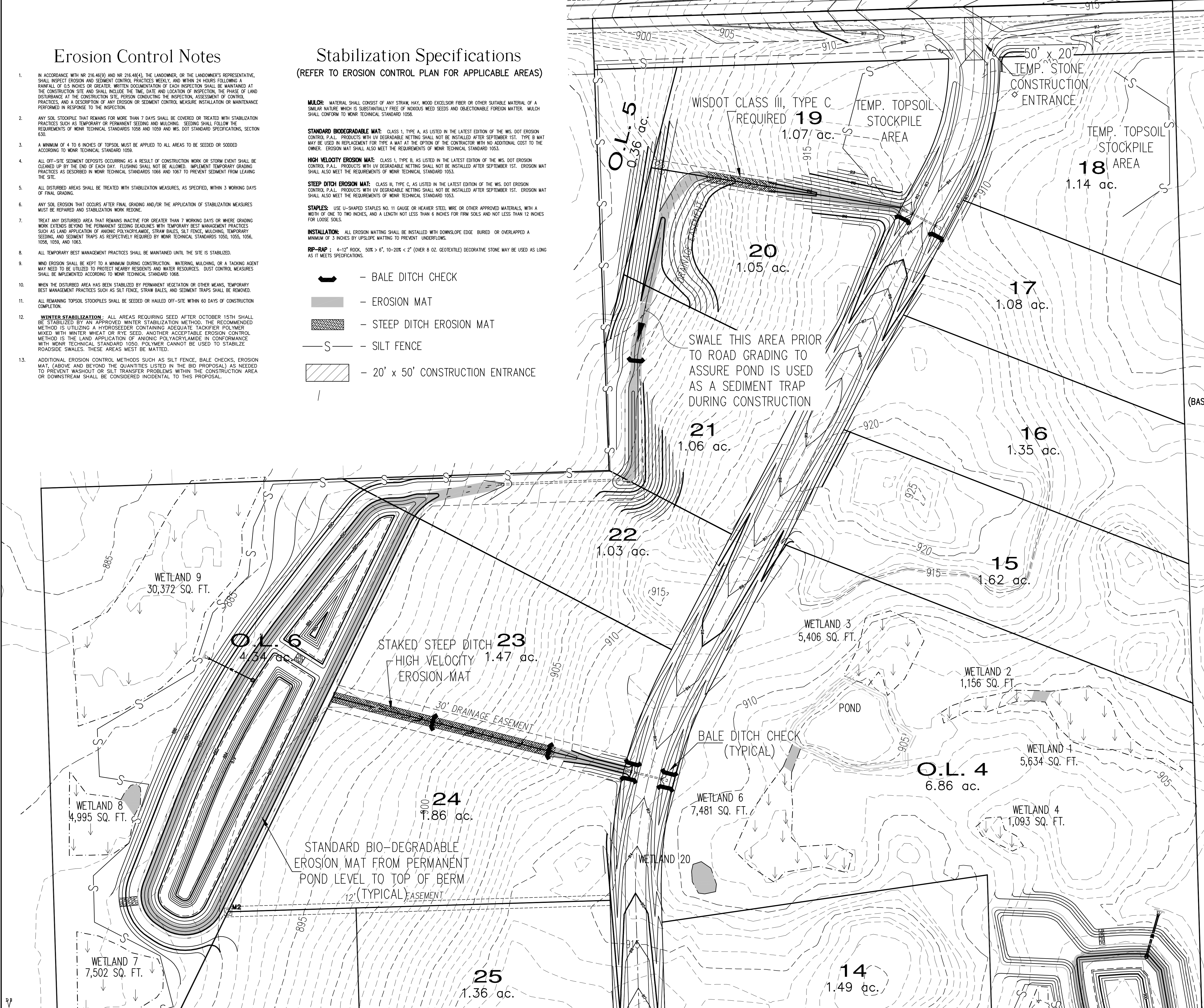
STEEP DITCH EROSION MAT: CLASS II, TYPE C, AS LISTED IN THE LATEST EDITION OF THE WS. DOT EROSION CONTROL P.A.L. PRODUCTS WITH UV DEGRADABLE NETTING SHALL NOT BE INSTALLED AFTER SEPTEMBER 1ST. EROSION MAT SHALL ALSO MEET THE REQUIREMENTS OF MNRR TECHNICAL STANDARD 1053.

STAPLES: USE U-SHAPED STAPLES NO. 11 GAUGE OR HEAVIER STEEL WIRE OR OTHER APPROVED MATERIALS, WITH A WIDTH OF ONE TO TWO INCHES, AND A LENGTH NOT LESS THAN 6 INCHES FOR FIRM SOILS AND NOT LESS THAN 12 INCHES FOR LOOSE SOILS.

INSTALLATION: ALL EROSION MATTING SHALL BE INSTALLED WITH DOWNSLOPE EDGE BURIED OR OVERLAPPED A MINIMUM OF 3 INCHES BY UPSLOPE MATTING TO PREVENT UNDERFLOWS.

RIP-RAP: 4-12" ROCK, 50% > 6", 10-20% < 2" (OVER 8 OZ. GEOTEXTILE) DECORATIVE STONE MAY BE USED AS LONG AS IT MEETS SPECIFICATIONS.

-  - BALE DITCH CHECK
-  - EROSION MAT
-  - STEEP DITCH EROSION MAT
-  - SILT FENCE
-  - 20' x 50' CONSTRUCTION ENTRANCE



- NOTES:
- CONTRACTOR HAS OPTION TO RELOCATE TOPSOIL STOCKPILE AREAS AS LONG AS SILT FENCE SURROUNDS LOW END.
 - ALL POND DISCHARGE POINTS INCLUDING SPILLWAYS AND PIPE OUTFLOWS SHALL BE STABILIZED WITH RIP-RAP.
 - WHEN MASS GRADING SITE, RE-TOPSOIL AND SEED COMPLETED AREAS AS SOON AS PRACTICAL UPON REACHING SUBGRADE.
 - CONTRACTOR SHALL ABIDE BY WEIGHT LIMITS ON ADJOINING ROADS.
 - ADDITIONAL DITCH CHECKS SHALL BE PLACED AS NEEDED DURING CONSTRUCTION TO MINIMIZE SEDIMENT TRANSFER & SWALE WASHOUT.
 - ALL REMAINING DISTURBED AREAS ON THE SITE SHALL BE RESTORED WITH 6" THICK TOPSOIL, SEED, AND MULCH PER SPECIFICATIONS.
 - HATCHED AREAS IN DITCH LINES INDICATE EROSION MAT SHALL BE PLACED A MINIMUM OF 6" WIDE AND AT LEAST AS WIDE AS THE BASE OF SWALE AND CENTERED IN THE BASE OF THE DITCH. HATCHED AREAS AT ENDS OF CULVERTS INDICATES RIP RAP PER DETAIL.
 - TEMPORARY BEST MANAGEMENT PRACTICES SUCH AS SILT FENCE, STRAW BALES, AND SEDIMENT TRAPS SHALL BE REMOVED WHEN DISTURBED AREAS HAVE BEEN SATISFACTORILY RESTORED AND STABILIZED.
 - DITCH CHECKS IN ROAD DITCHES SHALL BE REMOVED WHEN SEEDING & FINAL STABILIZATION MEASURES ARE IN PLACE.
 - RIP-RAP AND EROSION MATTING SHALL BE TERMINATED AT OBSERVED WATER LEVEL IN PONDS.
 - STORM PONDS SHALL BE CONSTRUCTED PRIOR TO ROADS TO ALLOW USE AS TEMPORARY SEDIMENT TRAP DURING CONSTRUCTION.
 - ADDITIONAL TEMPORARY STONE CONSTRUCTION ENTRANCE REQUIRED AT ANY POINT USED FOR CONSTRUCTION EQUIPMENT ACCESS.
 - CONTRACTOR RESPONSIBLE FOR AVOIDING ALL SEPTIC AREAS SHOWN ON CONSTRUCTION PLANS.

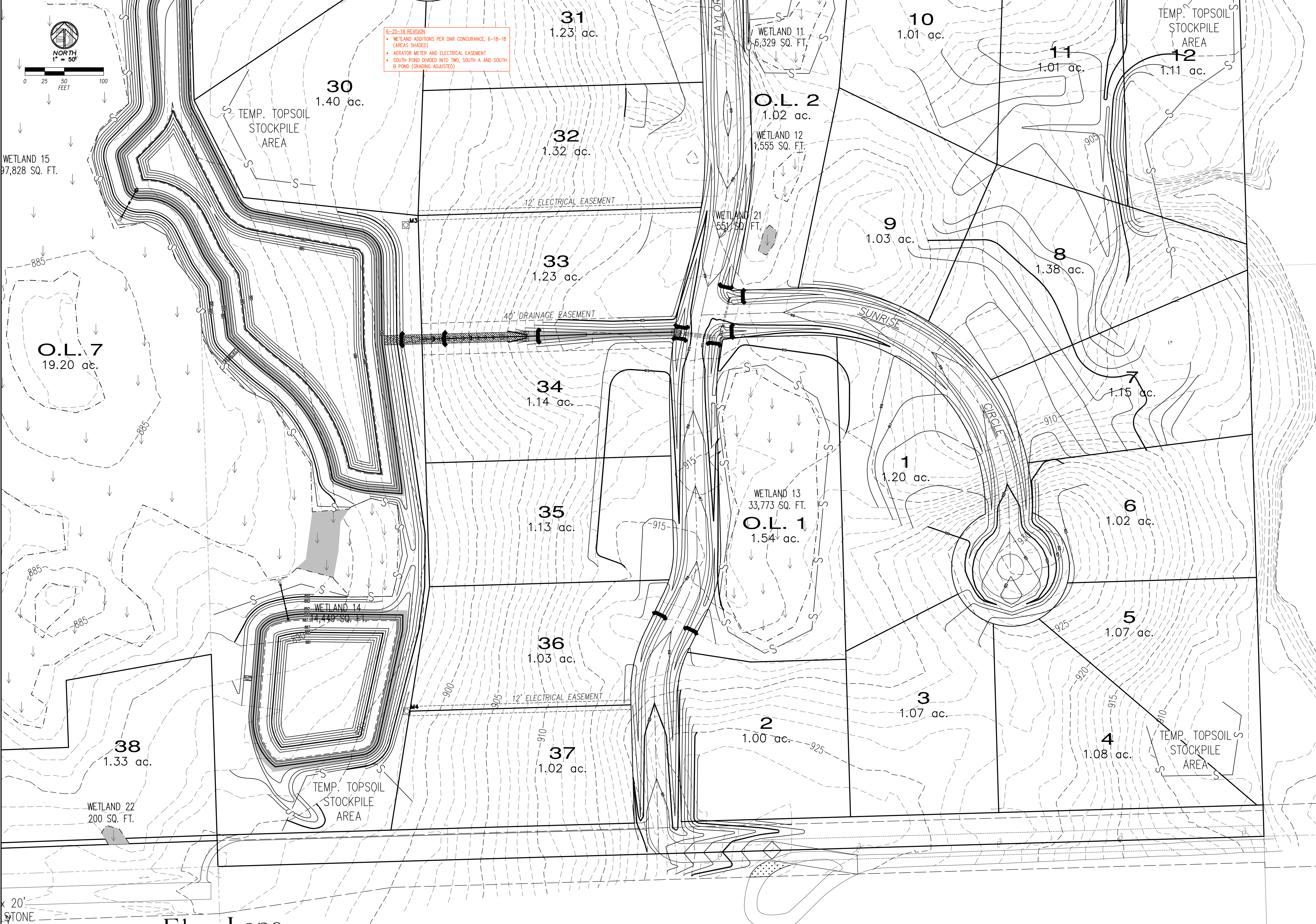
Procedures of Construction
(BASED ON A 90 DAY SCHEDULE, ANTICIPATED START: AUG. 1, 2018)

- INSTALL EROSION CONTROL MEASURES PER PLAN FOR PHASE PLANNED FOR CONSTRUCTION. (COMPLETED DAY 1)
 - STRIP TOPSOIL IN STORM WATER PONDS AREAS AND STOCKPILE. (COMPLETED DAY 7)
 - EXCAVATE STORM WATER PONDS, INSTALL OUTLET STRUCTURES, SEED, FERTILIZE AND MULCH AND EROSION MATTING AS SPECIFIED ON EROSION CONTROL PLAN. (COMPLETED DAY 15)
 - UTILIZE PONDS AS SEDIMENT TRAPS DURING CONSTRUCTION. USE TEMPORARY SWALES AS NEEDED TO DIRECT WATER TO POND. USE DITCH CHECKS AND COMPLETE SITE GRADING WITHIN 30 DAYS OF TEMPORARY SWALES.
 - STRIP TOPSOIL IN ROADWAY AREAS AND FILL AREAS AND STOCKPILE. (COMPLETED DAY 20)
 - GRADE ROADWAY TO SUB GRADE. (COMPLETED DAY 35)
 - INSTALL CULVERTS WITH DITCH CHECKS (ROCK, SEDIMENT LOGS, BALES, ETC.) AROUND UPSLOPE END. (COMPLETED DAY 40)
 - PLACE GRAVEL IN ROADWAY. (COMPLETED DAY 60)
 - TOPSOIL, SEED, FERTILIZE AND MULCH ALL DISTURBED AREAS, INSTALL ELECTRIC/GAS/CATV. (COMPLETED DAY 70)
 - INSTALL STABILIZATION MEASURES (EROSION NETTING/MATTING PER PLAN). (COMPLETED DAY 75)
 - INSTALL BINDER COURSE ON ROADWAY. (COMPLETED DAY 80)
 - PLACE GRAVEL SHOULDERS. (COMPLETED DAY 90)
 - EXCAVATE SEDIMENT FROM CONSTRUCTION SITE RUNOFF OUT OF POND TO MATCH PLAN GRADE AFTER AT LEAST 75% OF THE PERMANENT VEGETATION HAS BEEN ESTABLISHED. (AS NEEDED)
 - TOPSOIL, SEED, FERTILIZE AND MULCH ALL DISTURBED AREAS.
 - REMOVE EROSION CONTROL MEASURES WHEN GRASS HAS BEEN WELL ESTABLISHED.
 - STABILIZE ANY DISTURBED AREAS DURING UTILITY INSTALLATION IMMEDIATELY UPON COMPLETION OF TRENCH WORK.
- NOTE: SURFACE COURSE PAVING AND RE-SHOULDERING TO OCCUR FOLLOWING YEAR OR AS ESTABLISHED IN DEVELOPER'S AGREEMENT.

6-25-18 REVISION
• WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
• AERATOR METER AND ELECTRICAL EASEMENT

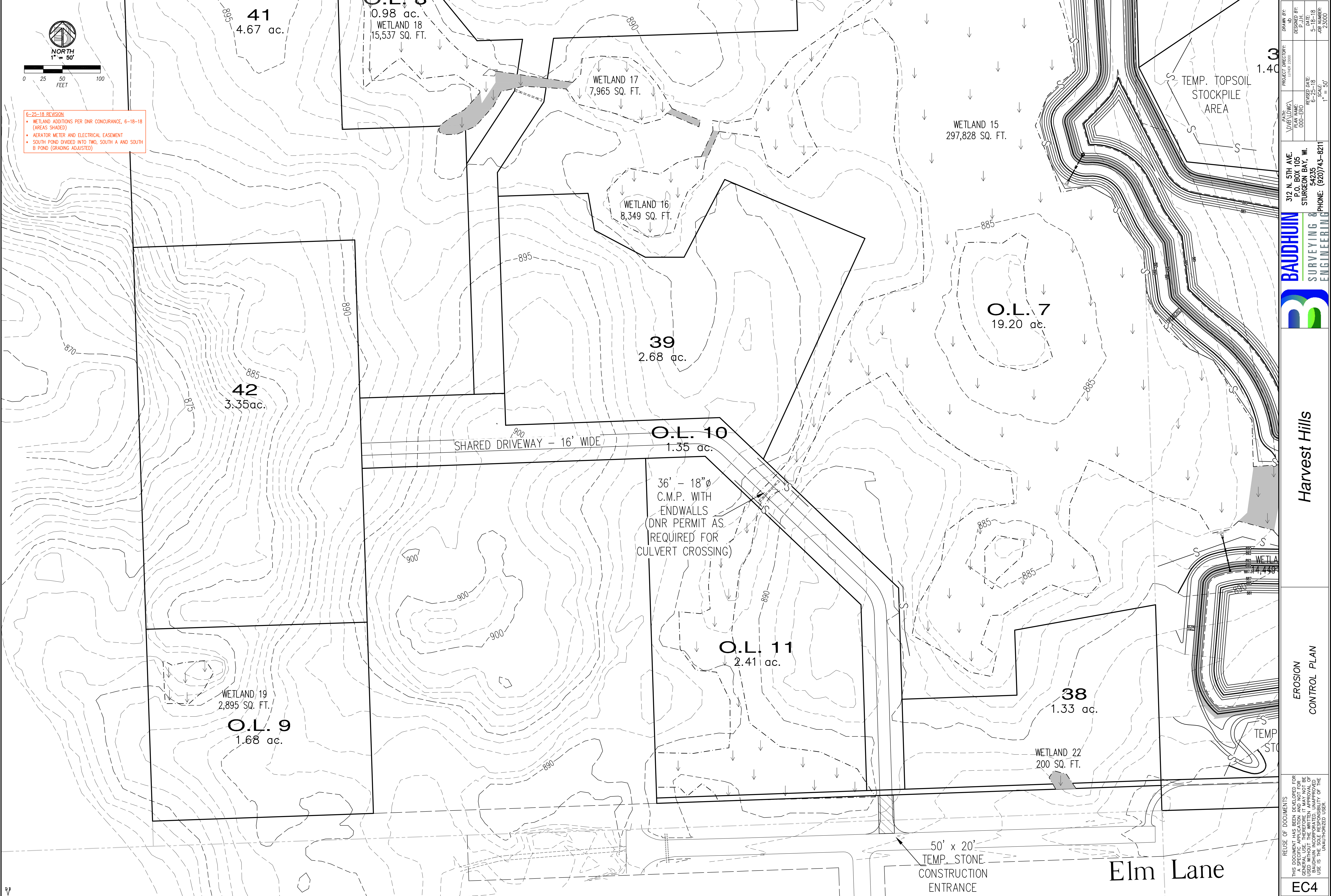
PROJECT DIRECTORY: UNIVER 2300	DRAWN BY: V.D.	DESIGNED BY: V.D.	DATE: 5-18-18	JOB NUMBER: 23000
DATE: 10/16/2018	PLAN NAME: 000-ERO	REVISION DATE: 6-25-18	SCALE: 1" = 50'	
312 N. 5TH AVE. P.O. BOX 105 STURGEON BAY, WI 54235 BAUDHUIN SURVEYING & ENGINEERING PHONE: (920)743-8211				
EROSION CONTROL PLAN				
EC1				

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6-25-18 REVISION
 • WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
 • AERATOR METER AND ELECTRICAL EASEMENT
 • SOUTH POND DIVIDED INTO TWO, SOUTH A AND SOUTH B POND (GRADING ADJUSTED)

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	EROSION CONTROL PLAN	
	Harvest Hills	
BAUDHUIN SURVEYING & ENGINEERING	312 N. 5TH AVE. P.O. BOX 105 STURGEON BAY, WI 54235 PHONE: (920)743-8211	
DRAWN BY: V.D. PROJECT DIRECTORY: LUTHER 2000 DATE: 6-25-18 SCALE: 1" = 50'	DESIGNED BY: J.M. DATE: 5-18-18 JOB NUMBER: 23000	



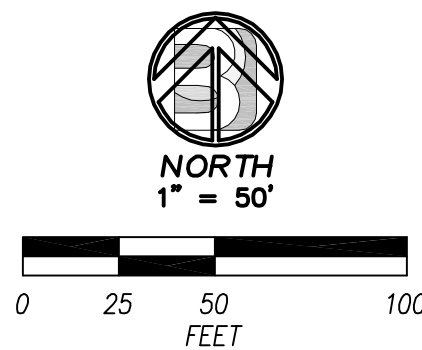
6-25-18 REVISION
• WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
• AERATOR METER AND ELECTRICAL EASEMENT
• SOUTH POND DIVIDED INTO TWO, SOUTH A AND SOUTH B POND (GRADING ADJUSTED)

	Harvest Hills	EROSION CONTROL PLAN	REUSE OF DOCUMENTS THIS DOCUMENT HAS BEEN DEVELOPED FOR A SPECIFIC APPLICATION AND NOT FOR GENERAL USE. THEREFORE IT MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BAUDHUIN SURVEYING & ENGINEERING. UNAUTHORIZED USER.
DRAWN BY: V.D. PROJECT DIRECTORY: LUTHER 23000 DESIGNED BY: J.M. PLAN NAME: 000-ERO DATE: 5-18-18 REVISION DATE: 6-25-18 JOB NUMBER: 54235 SCALE: 1" = 50' PHONE: (920)743-8211			
312 N. 5TH AVE. P.O. BOX 105 STURGEON BAY, WI 54235			

CTH F

SEE PLAN SHEET ENT1 FOR CONNECTION TO CTH F-915

- 6-25-18 REVISION
- WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
 - AERATOR METER AND ELECTRICAL EASEMENT



NOTES:

1. CONTOURS INDICATE FINISHED GRADES TO BE COMPLETED BY ROAD CONTRACTOR
2. F.F.E. = SUGGESTED FINISHED FLOOR ELEVATION. BUILDER HAS OPTION TO PRESENT DIFFERENT PLAN AT TIME OF BUILDING PERMIT.
3. DRIVEWAY SLOPE MATCH SUGGESTED BUILDING PADS. BUILDER HAS OPTION TO PRESENT DIFFERENT PLAN AT TIME OF BUILDING PERMIT.

ELEV. PROPOSED FINISHED GRADE AT LOT CORNERS

M1 PROPOSED ELECTRICAL METERS FOR POND AERATORS

30' WIDE GRASS FILTER STRIP
FOR WATER QUALITY PURPOSES
MINIMAL COMPACTION REQUIRED

WETLAND 9
30,372 SQ. FT.

O.L. 6
4.34 ac.

WETLAND 8
4,995 SQ. FT.

WETLAND 7

WETLAND 20

WETLAND 6
7,481 SQ. FT.

WETLAND 3
5,406 SQ. FT.

WETLAND 2
1,156 SQ. FT.

WETLAND 4
5,634 SQ. FT.

WETLAND 4
1,093 SQ. FT.

O.L. 4
6.86 ac.

18
1.14 ac.

17
1.08 ac.

16
1.35 ac.

15
1.62 ac.

21
1.06 ac.

20
1.05 ac.

19
1.07 ac.

22
1.03 ac.

23
1.47 ac.

24
1.86 ac.

PROJECT DIRECTOR:	DESIGNED BY:
DATE: 10-1-18	P.J.H.
PLAN NAME:	DATE: 6-18-18
000-DES	5-DATE: 6-18-18
	JOB NUMBER: 23000
	1" = 50'

312 N. 5TH AVE.
P.O. BOX 105
STURGEON BAY, WI.
54235
PHONE: (920) 743-8211

BAUDHUIN
SURVEYING &
ENGINEERING

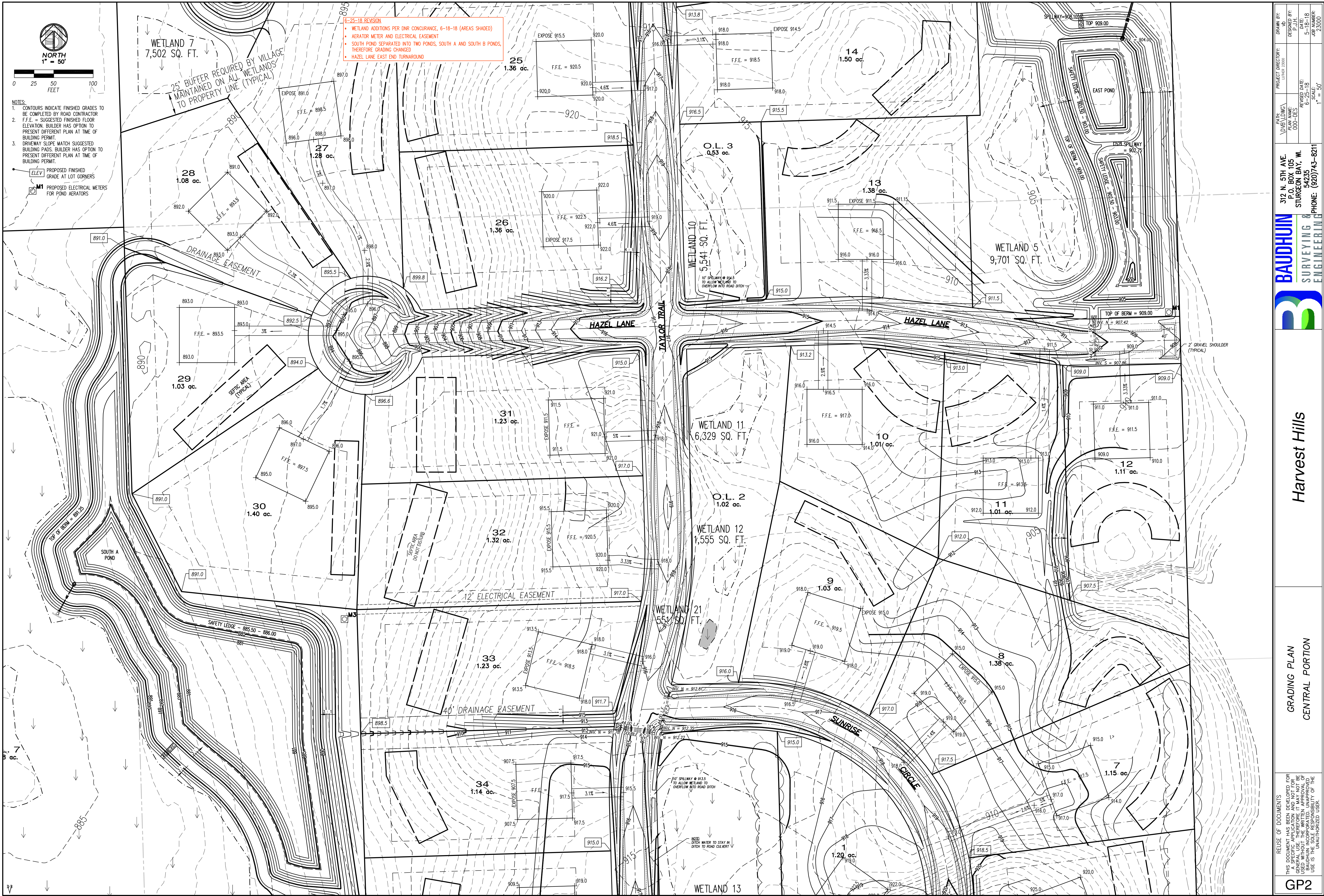


Harvest Hills

GRADING PLAN
NORTHERLY PORTION

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UNAUTHORIZED USER.

GP1



NOTES:
1. CONTOURS INDICATE FINISHED GRADES TO BE COMPLETED BY ROAD CONTRACTOR
2. F.F.E. = SUGGESTED FINISHED FLOOR ELEVATION. BUILDER HAS OPTION TO PRESENT DIFFERENT PLAN AT TIME OF BUILDING PERMIT.
3. DRIVEWAY SLOPE MATCH SUGGESTED BUILDING PADS. BUILDER HAS OPTION TO PRESENT DIFFERENT PLAN AT TIME OF BUILDING PERMIT.

ELEV PROPOSED FINISHED GRADE AT LOT CORNERS
M1 PROPOSED ELECTRICAL METERS FOR POND AERATORS

6-25-18 REVISION
• WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
• AERATOR METER AND ELECTRICAL EASEMENT
• SOUTH POND SEPARATED INTO TWO PONDS, SOUTH A AND SOUTH B PONDS, THEREFORE GRADING CHANGED
• HAZEL LANE EAST END TURNAROUND

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GP2

BAUDHUIN
SURVEYING & ENGINEERING

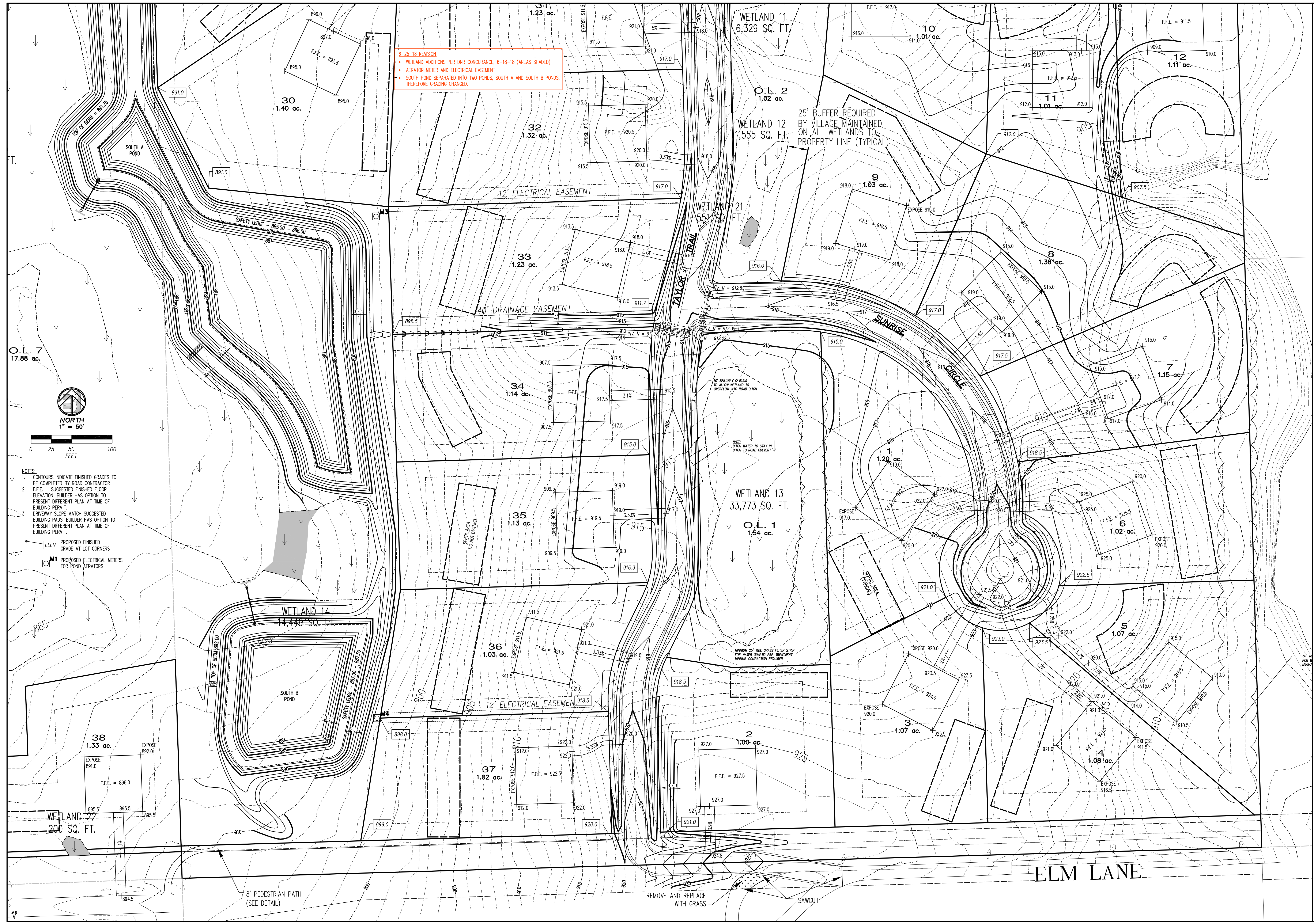
Harvest Hills

GRADING PLAN
CENTRAL PORTION

312 N. 5TH AVE.
P.O. BOX 105
STURGEON BAY, WI.
54235
PHONE: (920)743-8211

PROJECT DIRECTOR:
JAMES BAUDHUIN
DESIGNED BY:
P.J.H.
DATE:
6-25-18
REVISED DATE:
6-25-18
JOB NUMBER:
23000
1" = 50'

6-25-18 REVISION
• WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
• AERATOR METER AND ELECTRICAL EASEMENT
• SOUTH POND SEPARATED INTO TWO PONDS, SOUTH A AND SOUTH B PONDS, THEREFORE GRADING CHANGED.



BAUDHUIN
SURVEYING & ENGINEERING

Harvest Hills

GRADING PLAN
SOUTHERLY PORTION

GP3

PROJECT DIRECTOR:
JAMES HALL

DESIGNED BY:
P.J.H.

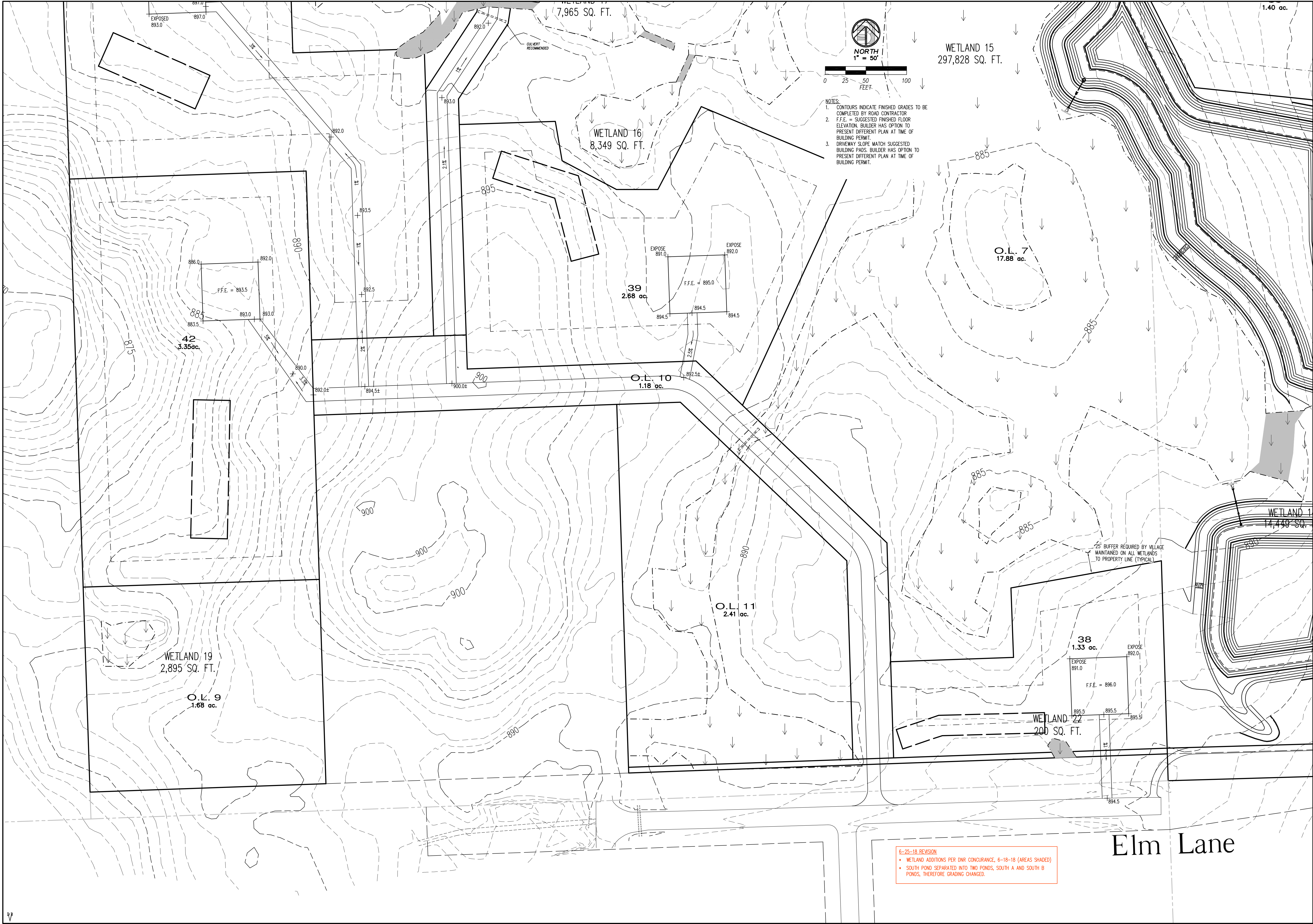
DATE:
6-18-18

JOB NUMBER:
23000

312 N. 5TH AVE.
P.O. BOX 105
STURGEON BAY, WI.
54235

PHONE: (920)743-8211

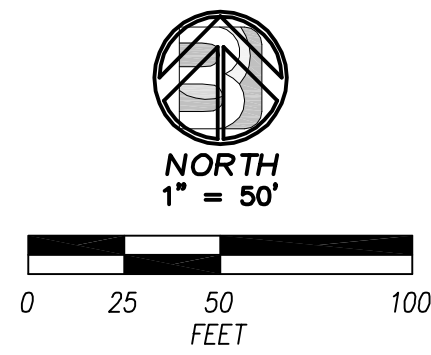
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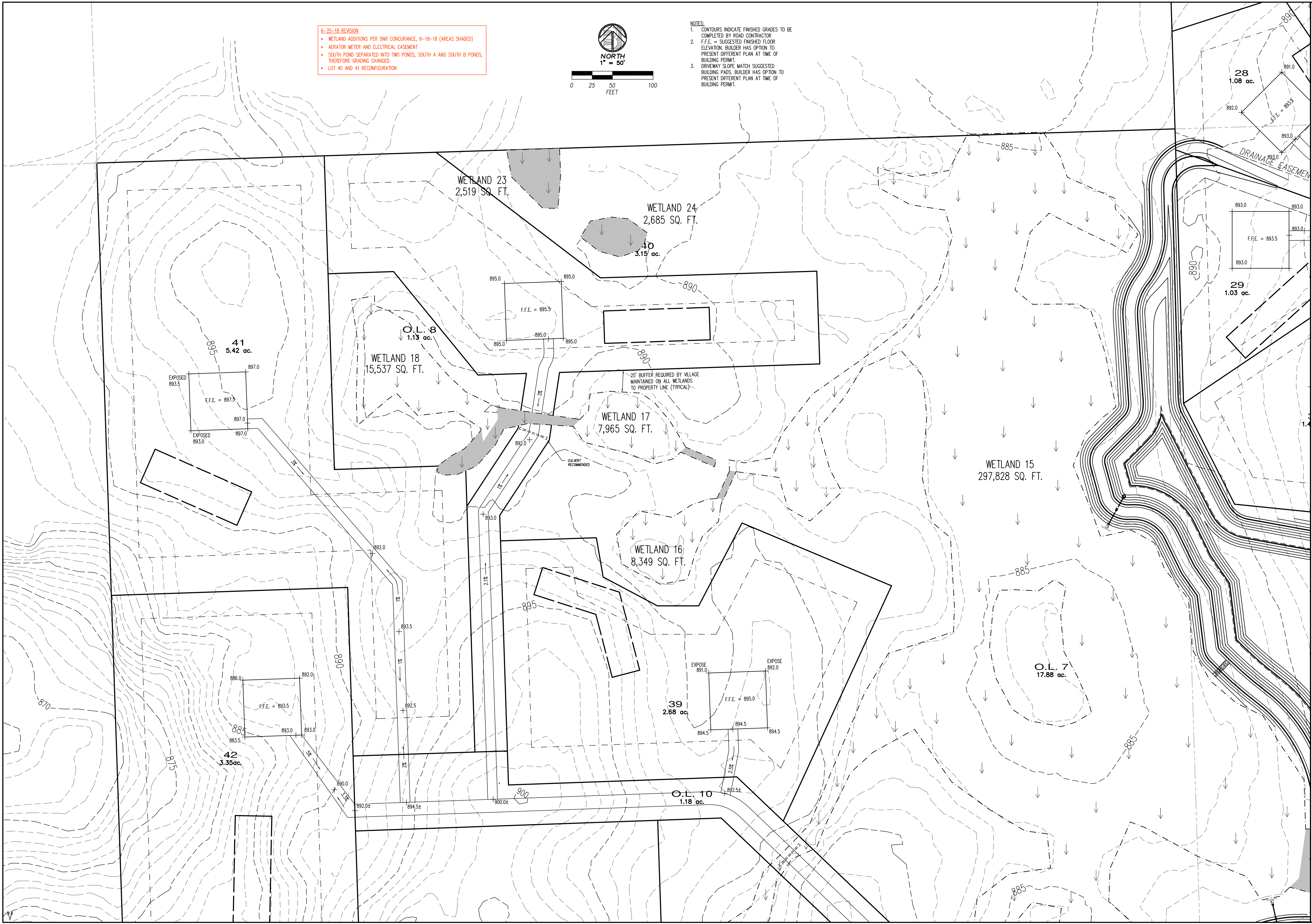
6-25-18 REVISION
• WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
• SOUTH POND SEPARATED INTO TWO PONDS, SOUTH A AND SOUTH B PONDS, THEREFORE GRADINGS CHANGED.

PROJECT DIRECTORY: DATE: 10/18/18	DESIGNED BY: P.J.H.	DATE: 10/18/18	JOB NUMBER: 23000
	PLAN NAME: 000-DES	REVISED DATE: 6/25/18	SCALE: 1" = 50'
BAUDHUIN SURVEYING & ENGINEERING			
312 N. 5TH AVE. P.O. BOX 105 STURGEON BAY, WI. 54235 PHONE: (920) 743-8211			
Harvest Hills			
GRADING PLAN WEST SIDE SOUTHERLAY PORTION			
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GP4			

- 6-25-18 REVISION
- WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
 - AERATOR METER AND ELECTRICAL EASEMENT
 - SOUTH POND SEPARATED INTO TWO PONDS, SOUTH A AND SOUTH B PONDS, THEREFORE GRADING CHANGED.
 - LOT 40 AND 41 RECONFIGURATION



- NOTES:
1. CONTOURS INDICATE FINISHED GRADES TO BE COMPLETED BY ROAD CONTRACTOR.
 2. F.F.E. = SUGGESTED FINISHED FLOOR ELEVATION. BUILDER HAS OPTION TO PRESENT DIFFERENT PLAN AT TIME OF BUILDING PERMIT.
 3. DRIVEWAY SLOPE MATCH SUGGESTED BUILDING PADS. BUILDER HAS OPTION TO PRESENT DIFFERENT PLAN AT TIME OF BUILDING PERMIT.



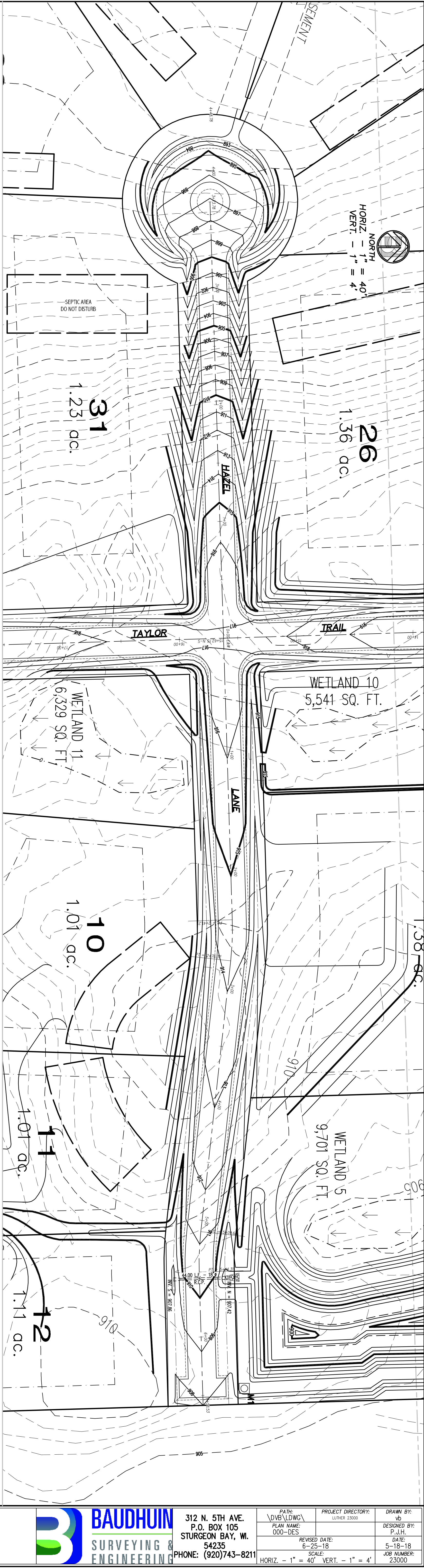
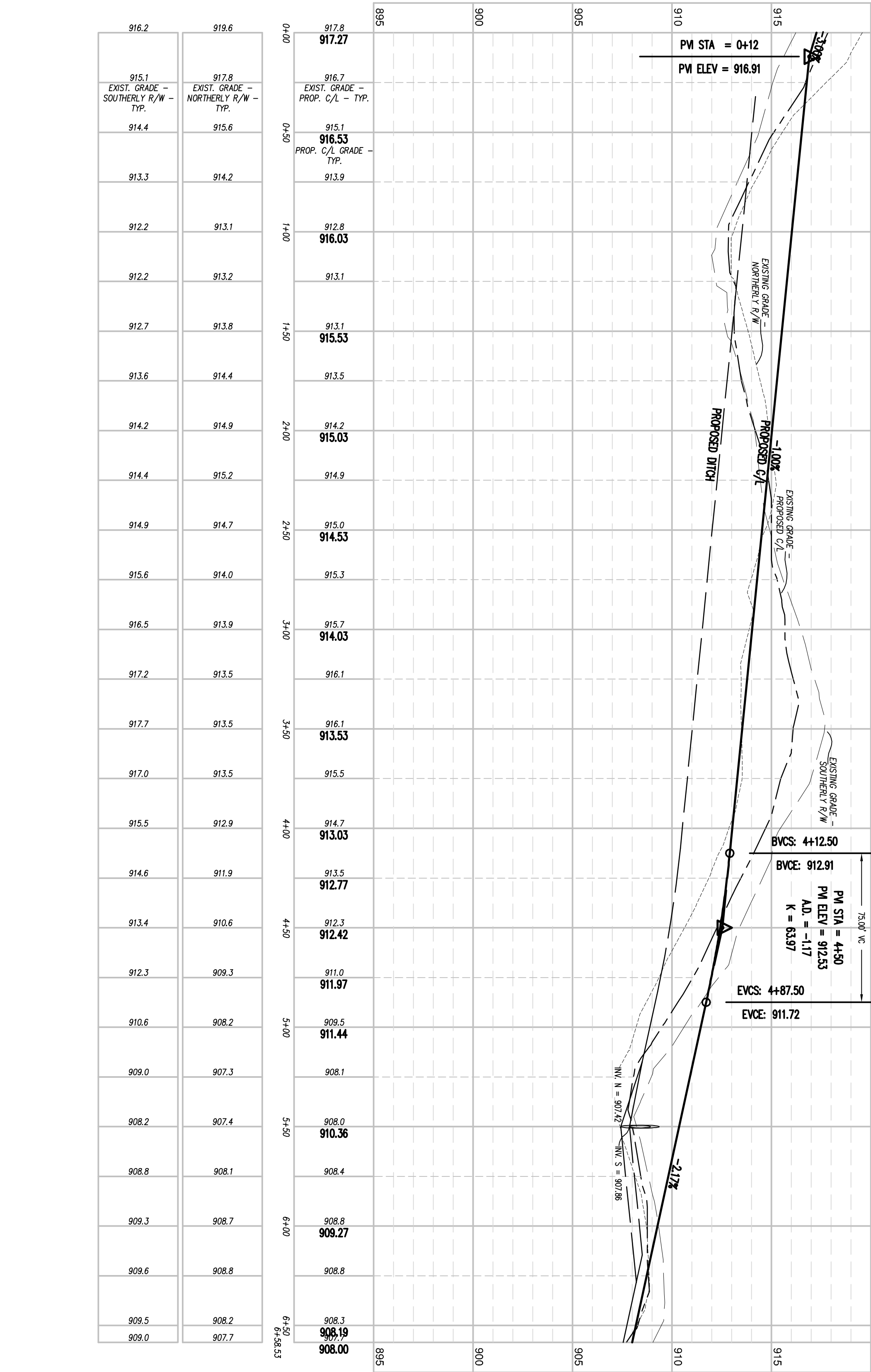
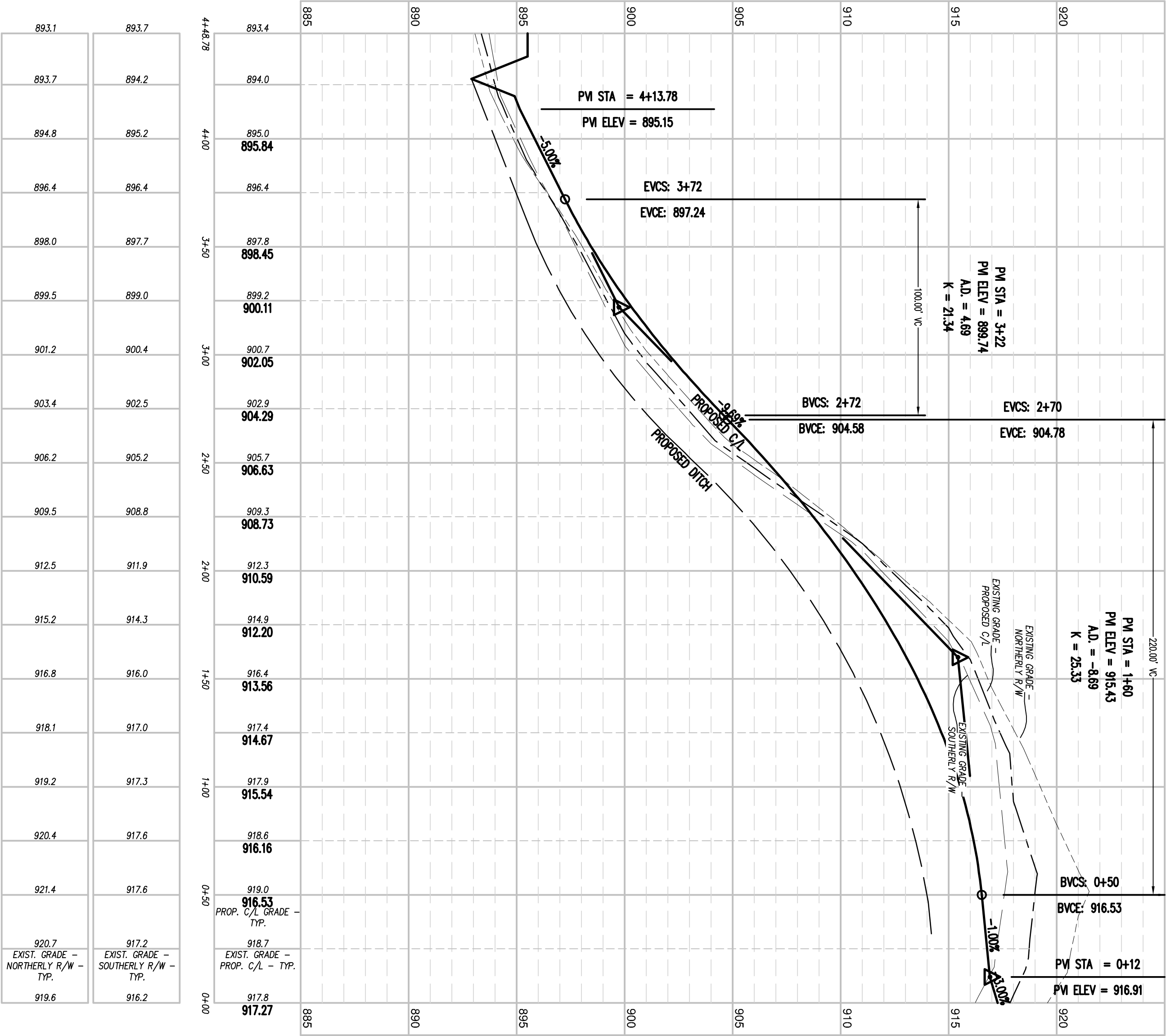
PROJECT DIRECTORY: DATE: 6-18-18	DESIGNED BY: P.J.H.	DRAWN BY: P.J.H.
	DATE: 6-18-18	
PLAN NAME: 000-DES	REVISED DATE: 6-18-18	JOB NUMBER: 23000
312 N. 5TH AVE. P.O. BOX 105 STURGEON BAY, WI. 54235 BAUDHUIN SURVEYING & ENGINEERING PHONE: (920)743-8211		
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GP5		

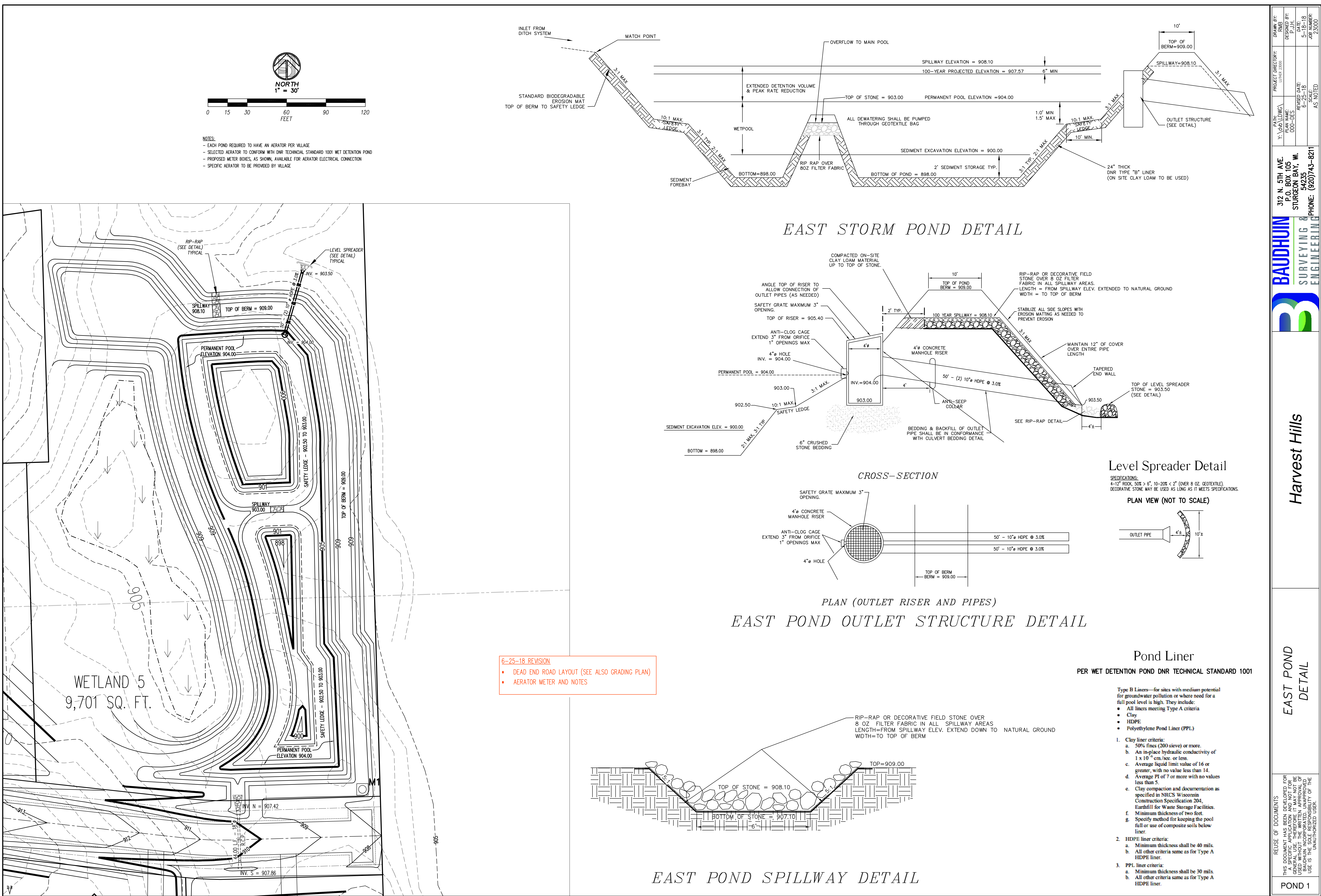


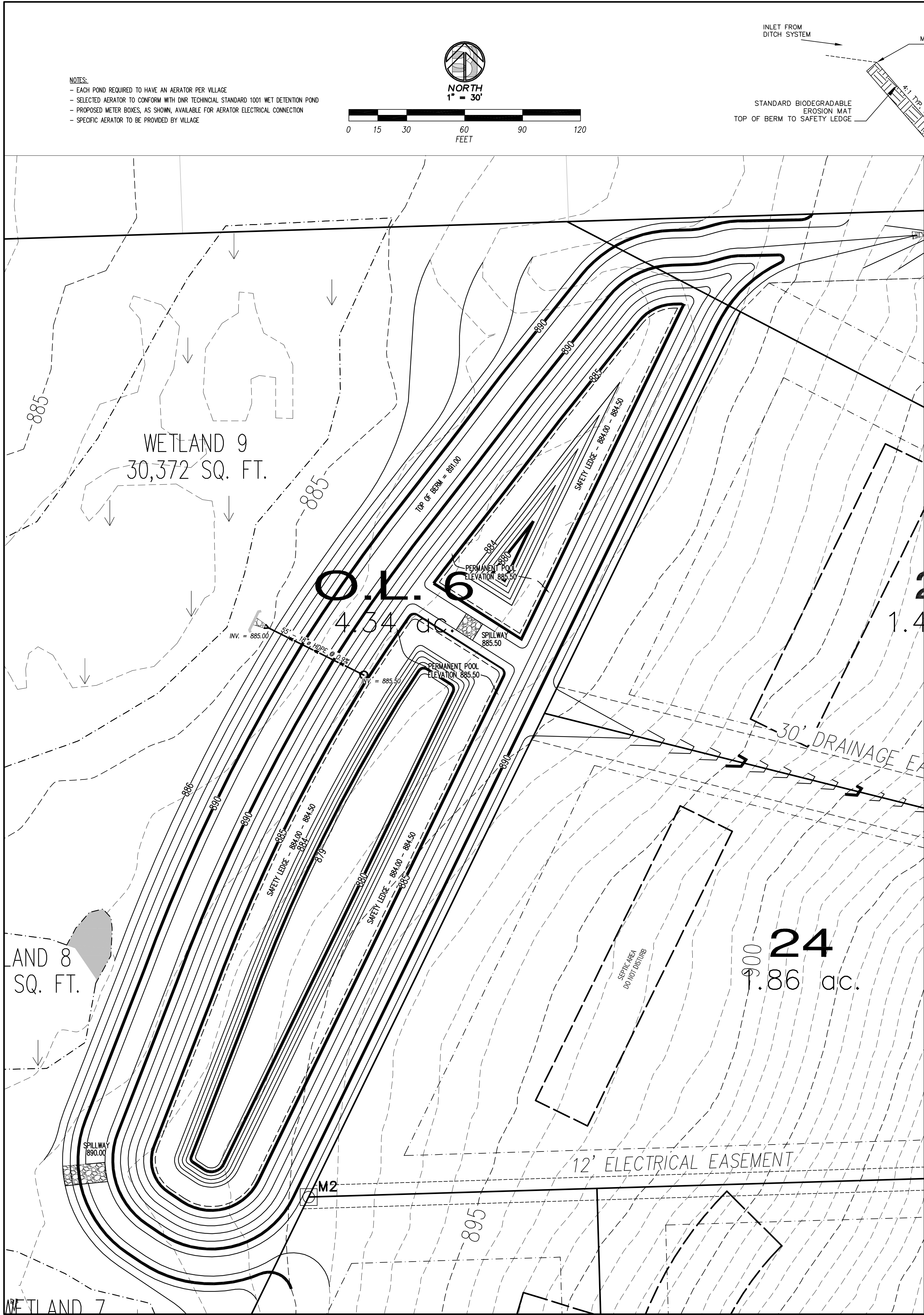




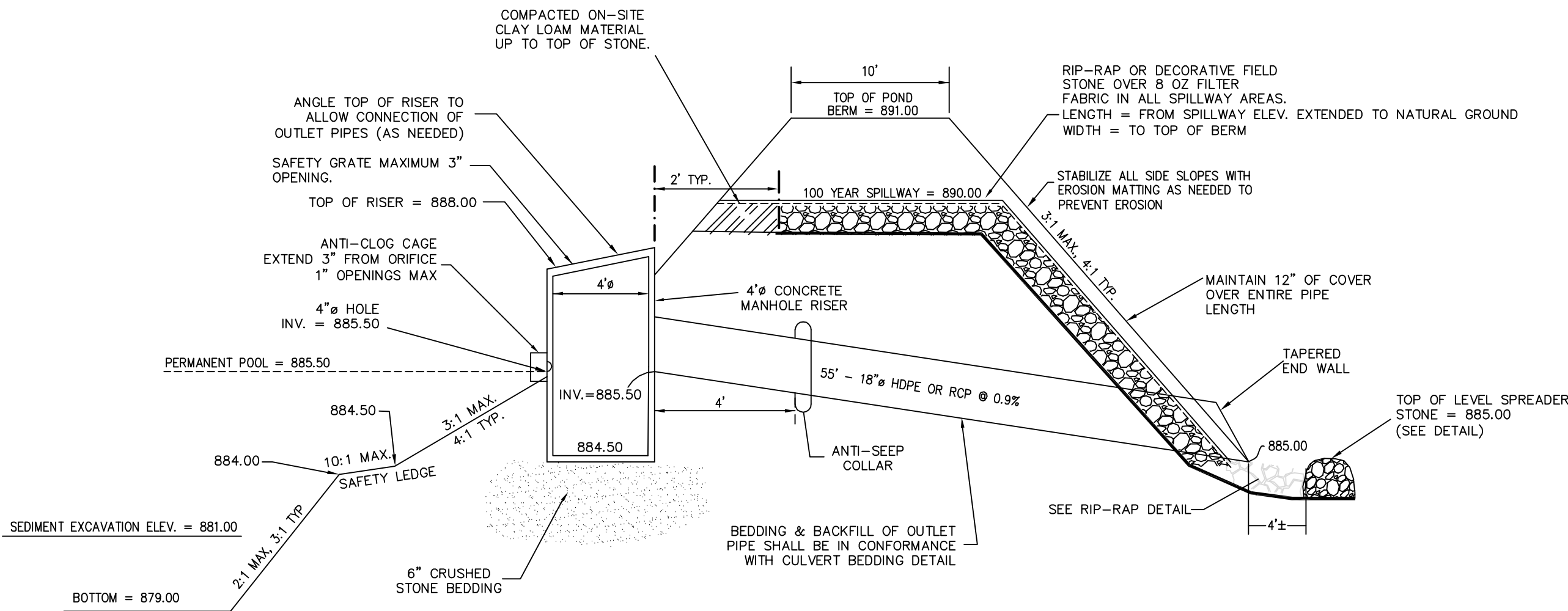
37







NORTH STORM POND DETAIL

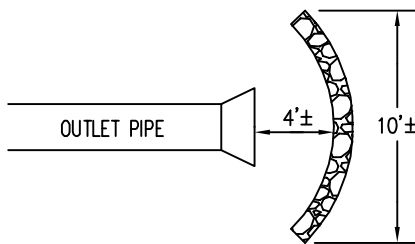


NORTH POND OUTLET STRUCTURE DETAIL

Level Spreader Detail

SPECIFICATIONS:
4-12" ROCK, 50% > 6", 10-20% < 2" (OVER 8 OZ. GEOTEXTILE).
DECORATIVE STONE MAY BE USED AS LONG AS IT MEETS SPECIFICATIONS.

PLAN VIEW (NOT TO SCALE)



Pond Liner

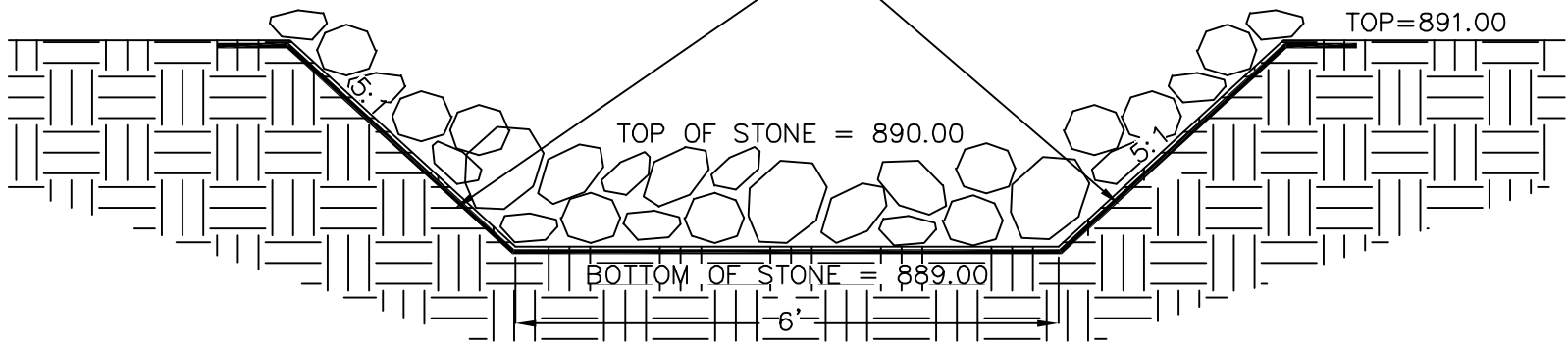
PER WET DETENTION POND DNR TECHNICAL STANDARD 1001

Type B Liners—for sites with medium potential for groundwater pollution or where need for a full pool level is high. They include:

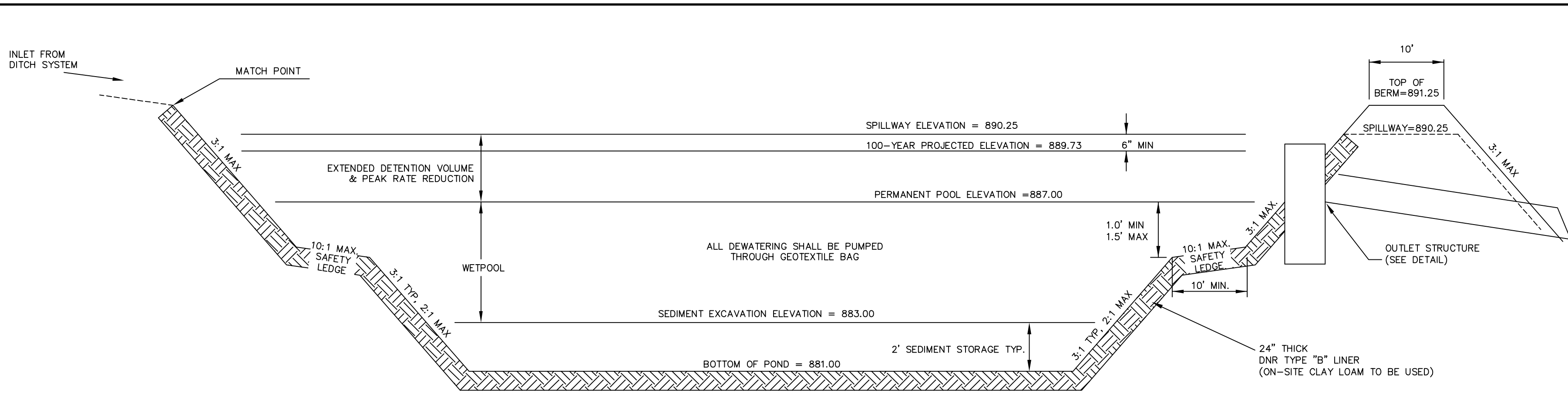
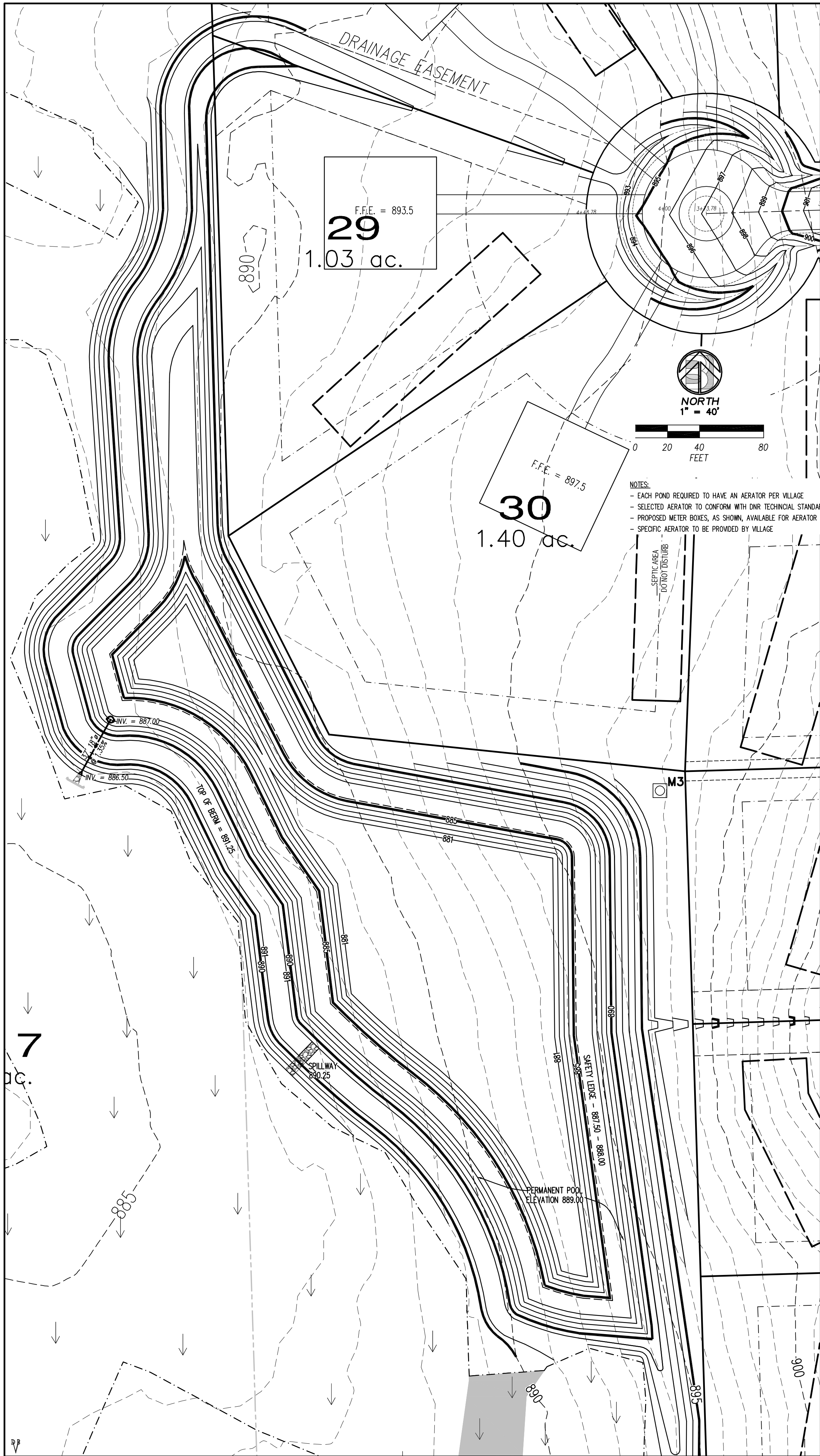
- All liners meeting Type A criteria
- Clay
- HDPE
- Polyethylene Pond Liner (PPL)

1. Clay liner criteria:
 - a. 50% fines (200 sieve) or more.
 - b. An in-place hydraulic conductivity of 1×10^{-10} cm/sec. or less.
 - c. Average liquid limit value of 16 or greater, with no value less than 14.
 - d. Average PI of 7 or more with no values less than 5.
 - e. Clay compaction and documentation as specified in NRCS Wisconsin Construction Specification 204, Earthfill for Waste Storage Facilities.
 - f. Minimum thickness of two feet.
 - g. Specify method for keeping the pool full or use of composite soils below liner.
2. HDPE liner criteria:
 - a. Minimum thickness shall be 40 mils.
 - b. All other criteria same as for Type A HDPE liner.
3. PPL liner criteria:
 - a. Minimum thickness shall be 30 mils.
 - b. All other criteria same as for Type A HDPE liner.

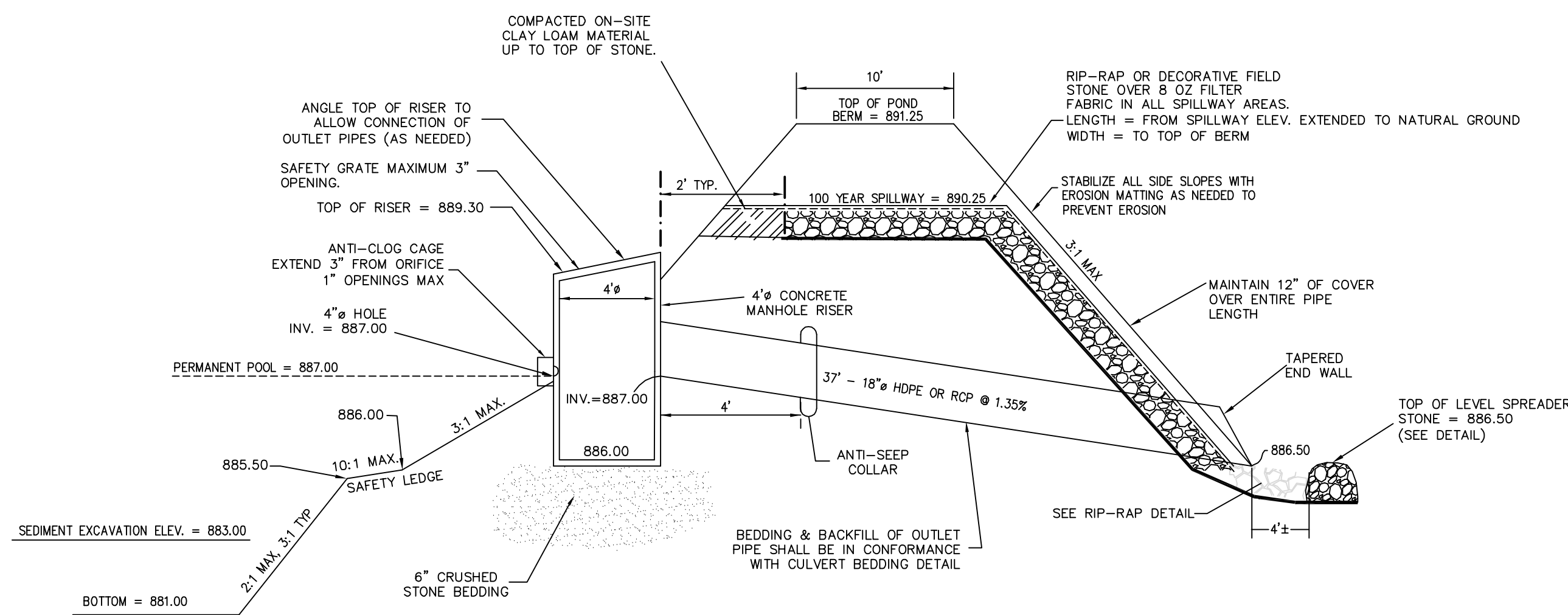
RIP-RAP OR DECORATIVE FIELD STONE OVER 8 OZ. FILTER FABRIC IN ALL SPILLWAY AREAS. LENGTH=FROM SPILLWAY ELEV. EXTEND DOWN TO NATURAL GROUND WIDTH=TO TOP OF BERM



NORTH POND SPILLWAY DETAIL



SOUTH STORM POND DETAIL



SOUTH POND OUTLET STRUCTURE DETAIL

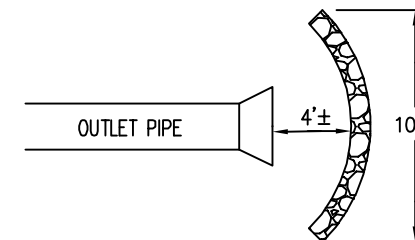
6-25-18 REVISION

- WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
- AERATOR METER, NOTES, AND ELECTRICAL EASEMENT
- SOUTH POND SEPARATED INTO TWO PONDS, SOUTH A (SEE SHEET POND 3) AND SOUTH B (SEE SHEET POND 4) PONDS, THEREFORE GRADING CHANGED.
- SOUTH A POND 100-YEAR STORM ELEVATION

Level Spreader Detail

SPECIFICATIONS:
4-12" ROCK, 50% > 6", 10-20% < 2" (OVER 8 OZ. GEOTEXTILE).
DECORATIVE STONE MAY BE USED AS LONG AS IT MEETS SPECIFICATIONS.

PLAN VIEW (NOT TO SCALE)



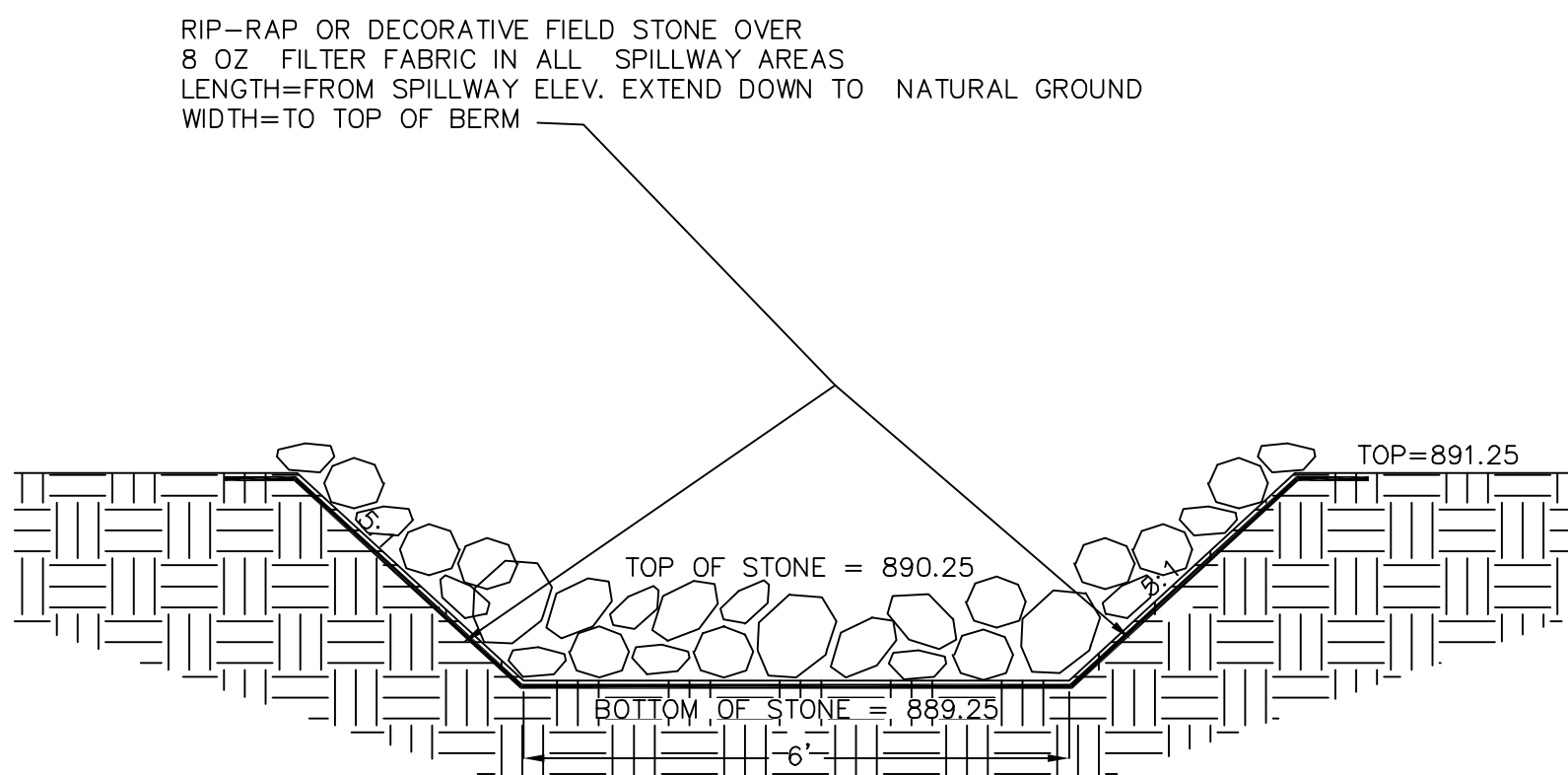
Pond Liner

PER WET DETENTION POND DNR TECHNICAL STANDARD 1001

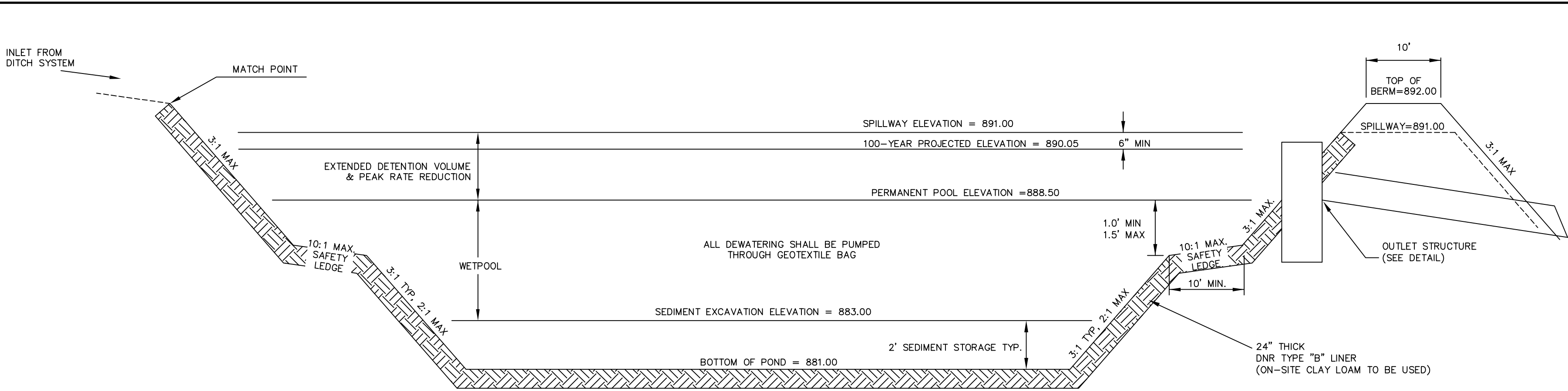
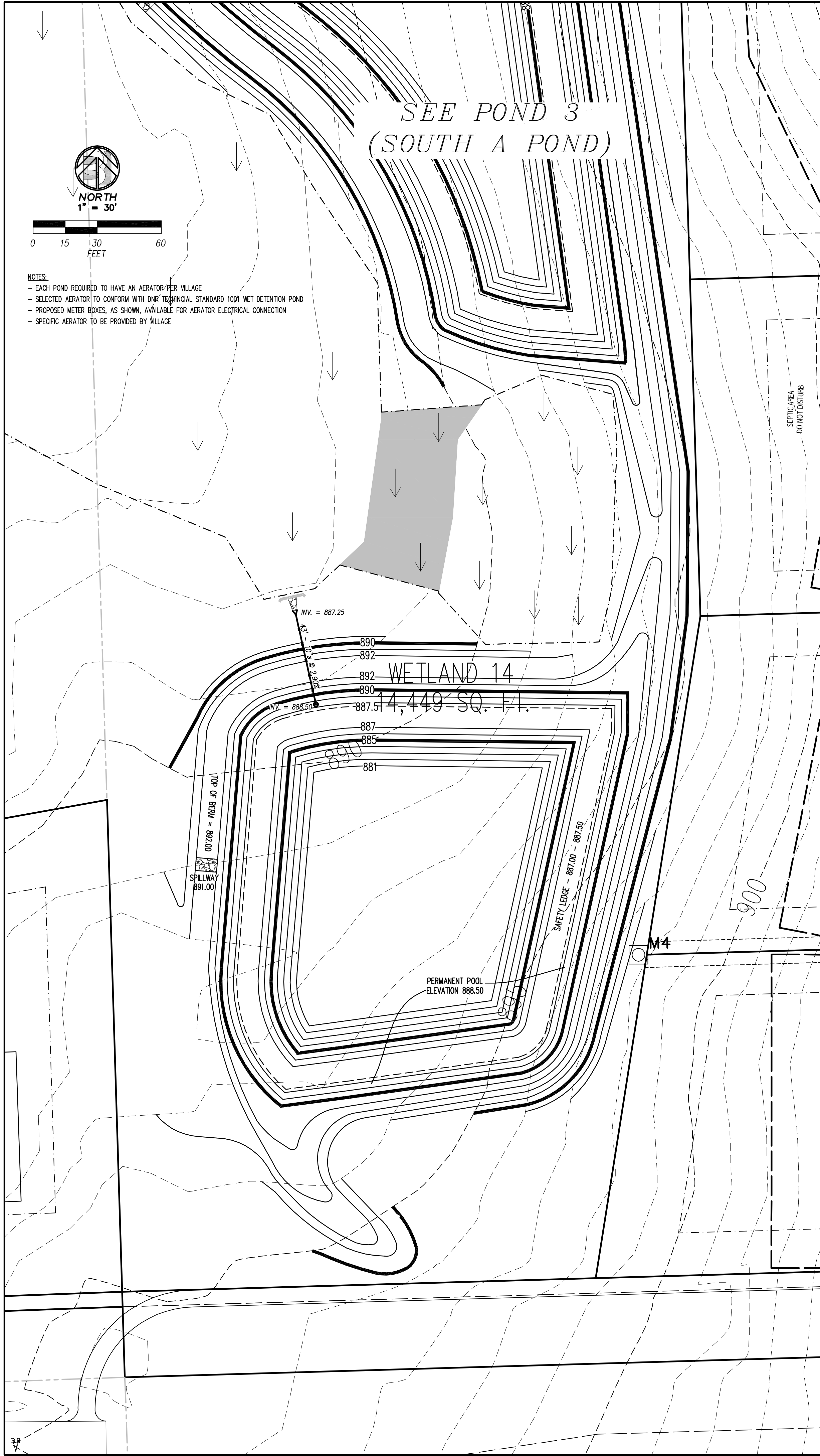
Type B Liners—for sites with medium potential for groundwater pollution or where need for a full pool level is high. They include:

- All liners meeting Type A criteria
- Clay
- HDPE
- Polyethylene Pond Liner (PPL)

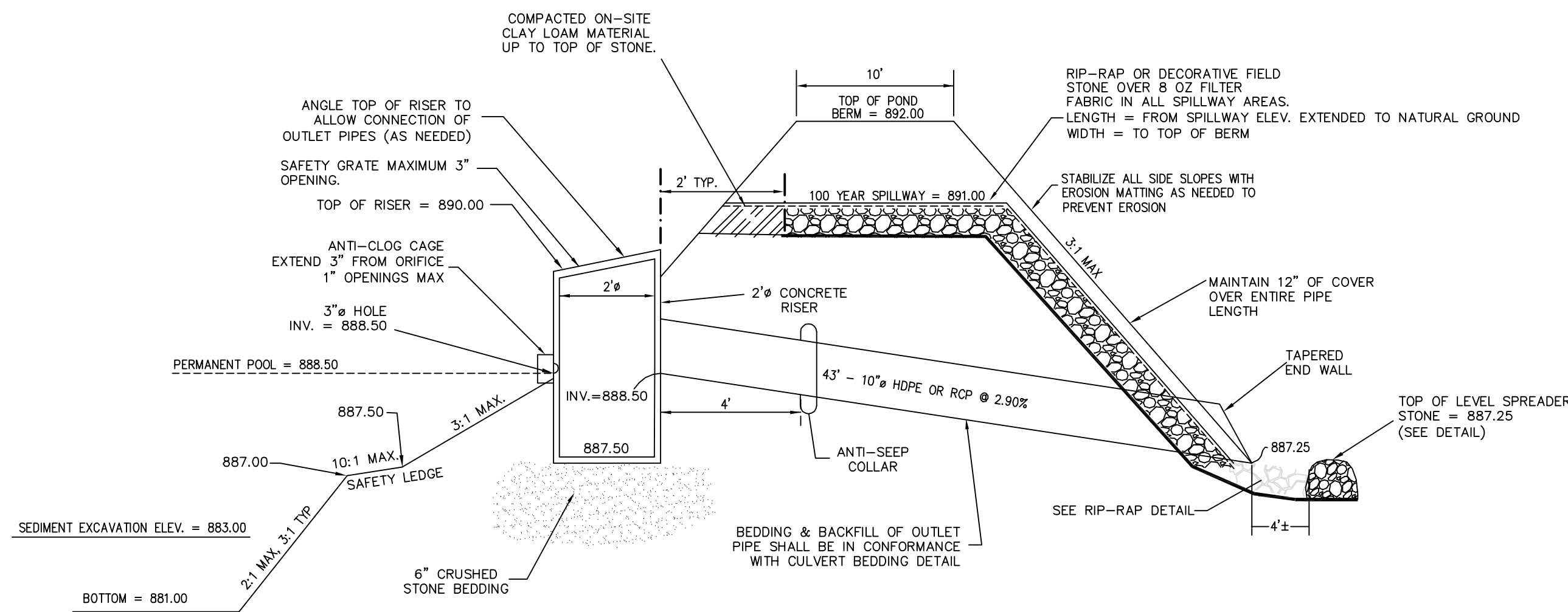
- Clay liner criteria:
 - 50% fines (200 sieve) or more.
 - An in-place hydraulic conductivity of 1×10^{-9} cm/sec. or less.
 - Average liquid limit value of 16 or greater, with no value less than 14.
 - Average PI of 7 or more with no values less than 5.
- Clay compaction and documentation as specified in NRCS Wisconsin Construction Specification 204, Earthfill for Waste Storage Facilities.
- Minimum thickness of two feet.
- Specify method for keeping the pool full or use of composite soils below liner.
- HDPE liner criteria:
 - Minimum thickness shall be 40 mils.
 - All other criteria same as for Type A HDPE liner.
- PPL liner criteria:
 - Minimum thickness shall be 30 mils.
 - All other criteria same as for Type A HDPE liner.



SOUTH POND SPILLWAY DETAIL



SOUTH STORM POND DETAIL



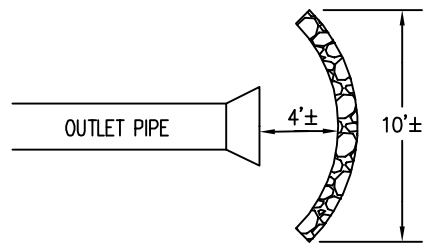
SOUTH POND OUTLET STRUCTURE DETAIL

- 6-25-18 REVISION**
- WETLAND ADDITIONS PER DNR CONCURRENCE, 6-18-18 (AREAS SHADED)
 - AERATOR METER, NOTES, AND ELECTRICAL EASEMENT
 - SOUTH POND SEPARATED INTO TWO PONDS, SOUTH A (SEE SHEET POND 3) AND SOUTH B (SEE SHEET POND 4) PONDS, THEREFORE GRADING CHANGED.
 - SOUTH B POND DESIGN AND OUTLET STRUCTURES

Level Spreader Detail

SPECIFICATIONS:
4-12" ROCK, 50% > 6", 10-20% < 2" (OVER 8 OZ. GEOTEXTILE).
DECORATIVE STONE MAY BE USED AS LONG AS IT MEETS SPECIFICATIONS.

PLAN VIEW (NOT TO SCALE)



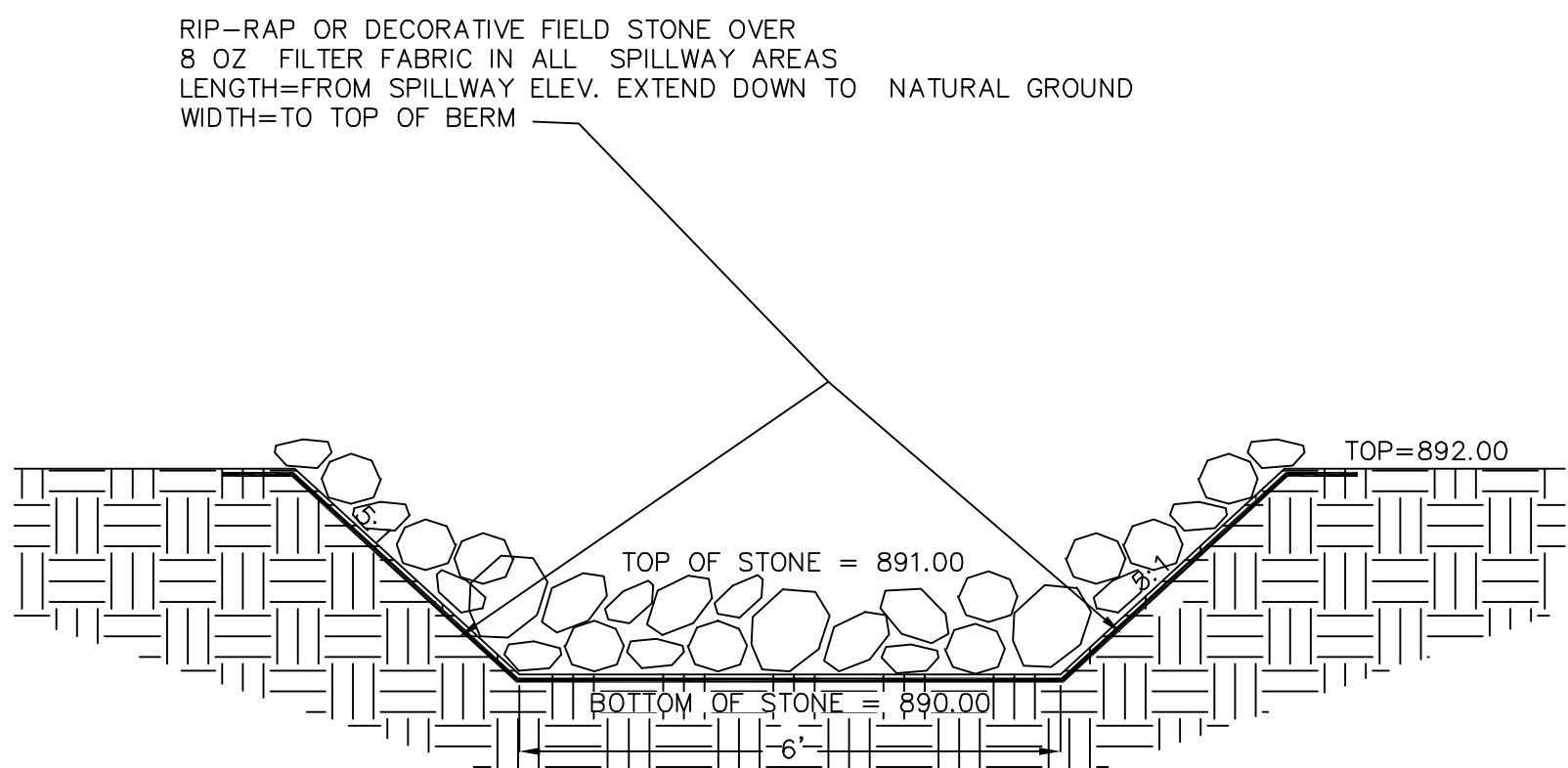
Pond Liner

PER WET DETENTION POND DNR TECHNICAL STANDARD 1001

Type B Liners—for sites with medium potential for groundwater pollution or where need for a full pool level is high. They include:

- All liners meeting Type A criteria
- Clay
- HDPE
- Polyethylene Pond Liner (PPL)

- 1. Clay liner criteria:**
- 50% fines (200 sieve) or more.
 - An in-place hydraulic conductivity of 1×10^{-9} cm/sec. or less.
 - Average liquid limit value of 16 or greater, with no value less than 14.
 - Average PI of 7 or more with no values less than 5.
- e. Clay compaction and documentation as specified in NRCS Wisconsin Construction Specification 204, Earthfill for Waste Storage Facilities. Minimum thickness of two feet.**
- f. Specify method for keeping the pool full or use of composite soils below liner.**
- 2. HDPE liner criteria:**
- Minimum thickness shall be 40 mils.
 - All other criteria same as for Type A HDPE liner.
- 3. PPL liner criteria:**
- Minimum thickness shall be 30 mils.
 - All other criteria same as for Type A HDPE liner.

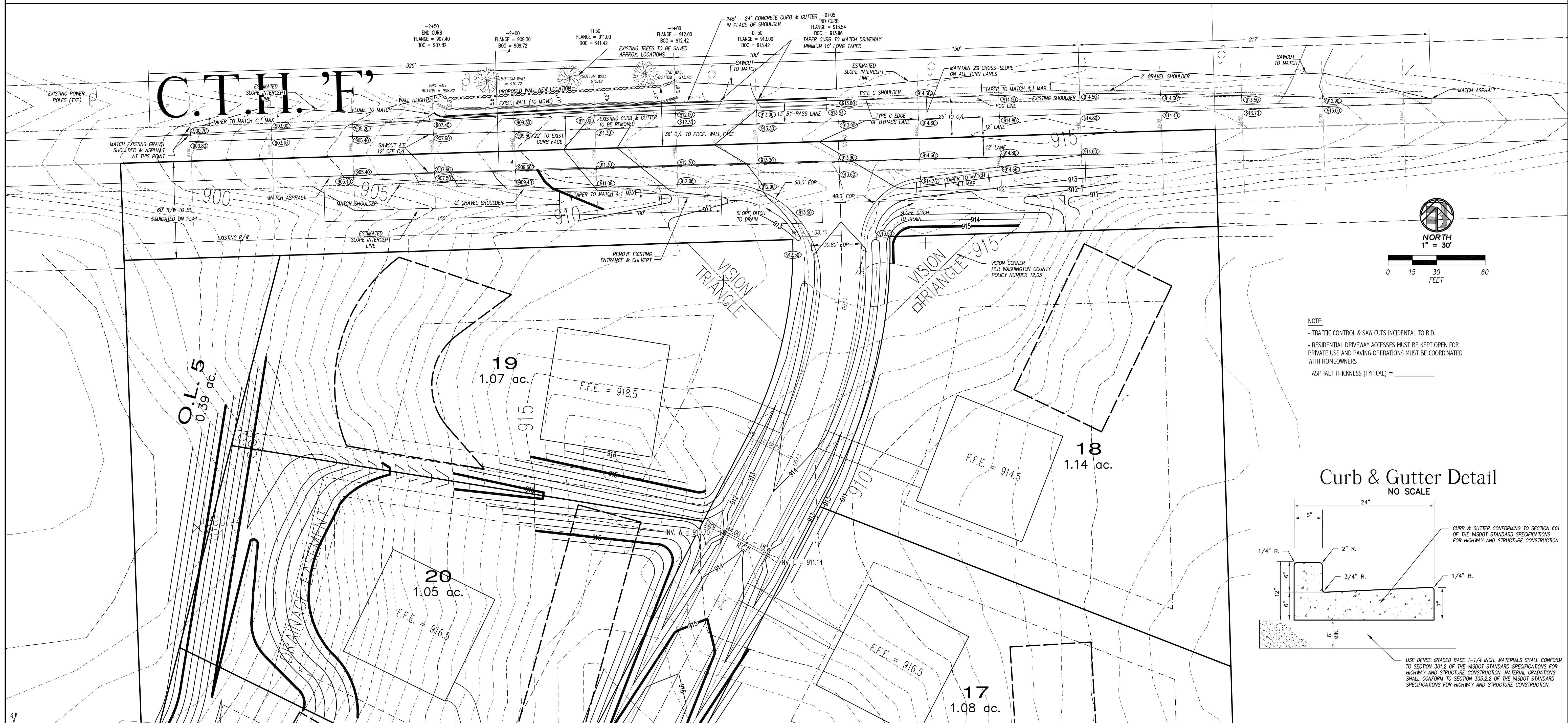
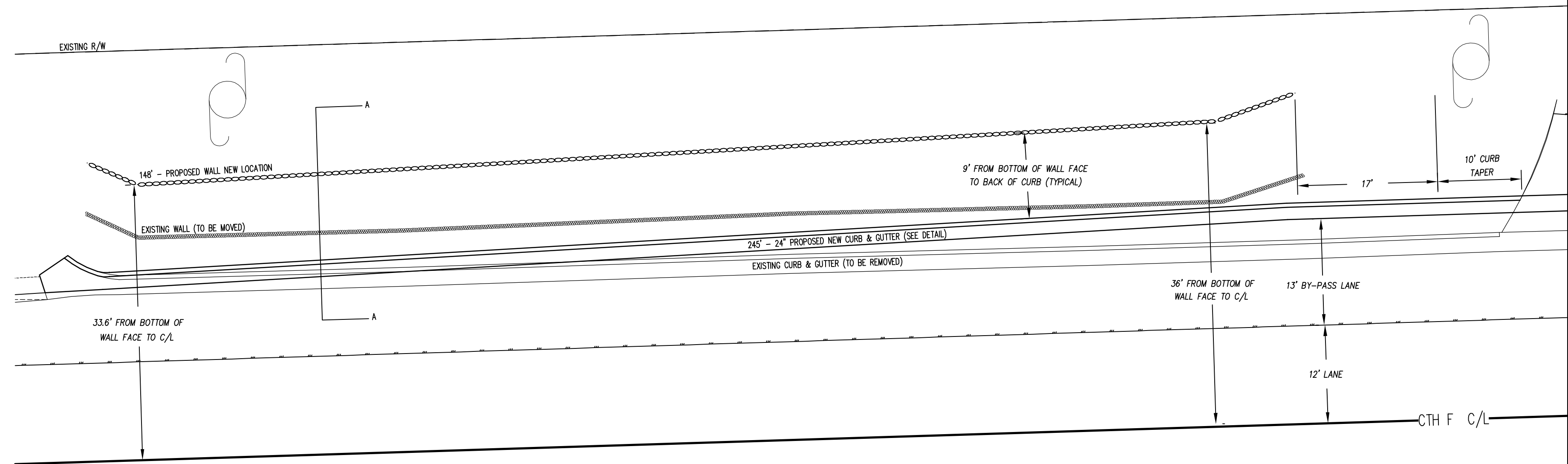
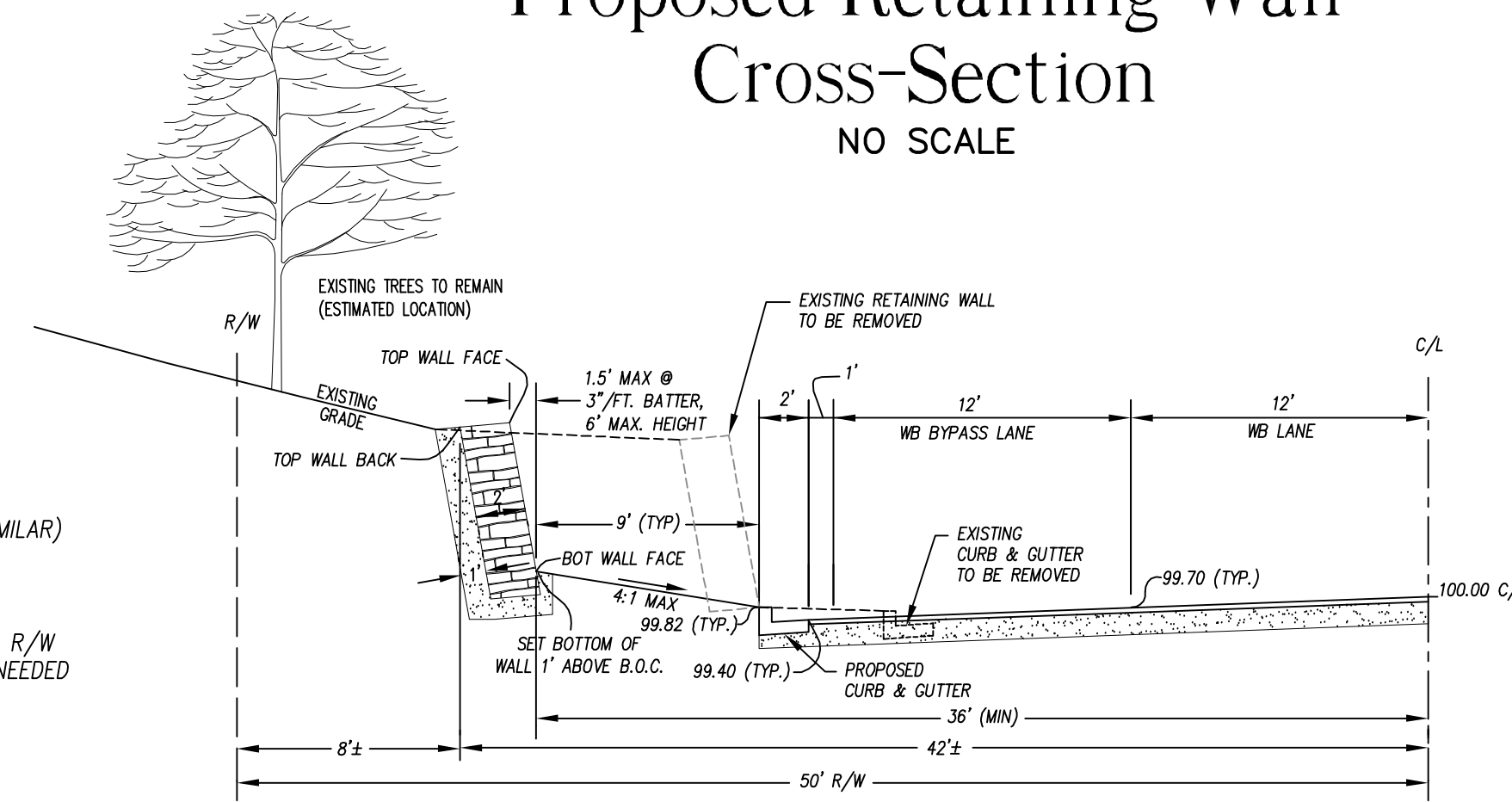
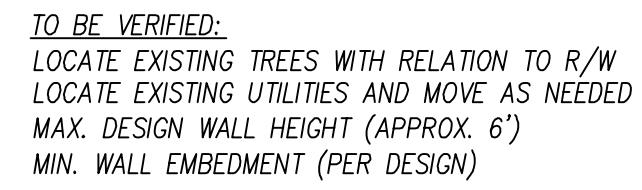


SOUTH B POND SPILLWAY DETAIL

PROJECT DIRECTOR: JAMES J. BAUDHUIN	DRAWN BY: JAMES J. BAUDHUIN	DESIGNED BY: P.J.H.	DATE: 8/18/18	JOB NUMBER: 23000
DATE: 8/18/18	PLAN NAME: 000-DES	REVISED DATE: 8/18/18	REVISED BY: JAMES J. BAUDHUIN	AS NOTED
312 N. 5TH AVE. P.O. BOX 105 STURGEON BAY, WI. 54235	BAUDHUIN SURVEYING & ENGINEERING	Harvest Hills	SOUTH B POND DETAIL	POND 4

Retaining Wall Blowup Detail

NO SCALE



PATH: \\D:\B\DWG\	PROJECT DIRECTORY: LUPES 23000	DRAWN BY: N.D.
PLAN NAME: 000-DES		DESIGNED BY: P.J.H.
	REVISED DATE: 5-31-18	DATE: 5-18-18
		JOB NUMBER: 23000
	SCALE: 1" = 30'	

312 N. 5TH AVE.
P.O. BOX 105
STURGEON BAY, WI.
54235
PHONE: (920)743-8211

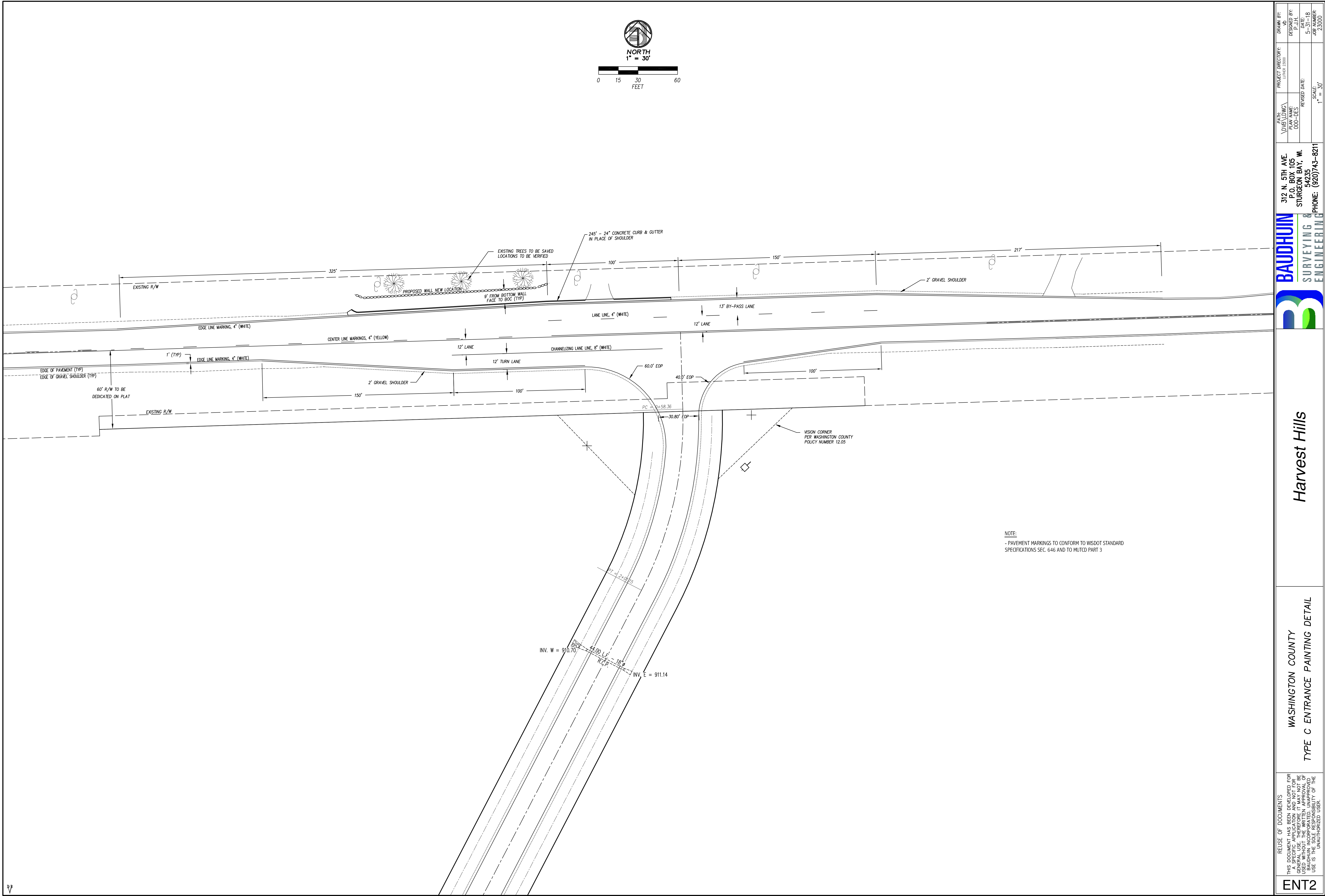
BAUDHUIN
SURVEYING &
ENGINEERING

Harvest Hills

WASHINGTON COUNTY
TYPE C ENTRANCE DETAIL

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UNAUTHORIZED USER.

ENT1



33

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							DATE: REVISED DATE: JOB NUMBER: 23000	SCALE: 1" = 30'	

WIS DOT Standard Specifications
Section 630
Permanent Seed Mixtures

SPECIES	% MINIMUM PURITY	% MINIMUM GERMINATION	MIXTURE PROPORTIONS in percent			
			NO. 10	NO. 20	NO. 30	NO. 40
KENTUCKY BLUEGRASS	98	85	40	6	10	35
RED FESCUE	97	85	25	6	30	20
HARD FESCUE	97	85		24	25	20
TALL FESCUE	98	85		40		
SALT GRASS	98	85			10	
RED TOP	92	85	5			
PERENNIAL RYEGRASS	97	90	20	30		
IMPROVED FINE PERENNIAL RYEGRASS	96	85			15	25
WHITE CLOVER	95	90	10			
BIRDFOOT TREFOIL	95	80			10	

- USE SEED MIXTURE NO. 10 WHERE AVERAGE LOAM, HEAVY CLAY, OR MOIST SOILS PREDOMINATE.
- USE SEED MIXTURE NO. 20 WHERE LIGHT, DRY, WELL-DRAINED, SANDY, OR GRAVELLY SOILS PREDOMINATE AND FOR ALL HIGH CUT AND FILL SLOPES GENERALLY EXCEEDING 6 TO 8 FEET (1.8 TO 2.4 m).
- USE SEED MIXTURE NO. 10 OR NO. 20 ON ALL DITCHES, INSLOPES, MEDIAN AREAS, AND LOW FILLS, EXCEPT WHERE USING NO. 30.
- USE SEED MIXTURE NO. 30 FOR MEDIANS AND ON SLOPES OR DITCHES GENERALLY WITHIN 15 FEET (4.5 m) OF THE SHOULDER WHERE A SALT-TOLERANT TURF IS PREFERRED.
- USE SEED MIXTURE NO. 40 IN URBAN OR OTHER AREAS WHERE A LAWN TYPE TURF IS PREFERRED.

USE THE FOLLOWING SOWING RATE FOR SEEDS IN POUNDS (kg) PER 1000 SQUARE FEET (100 SQUARE METERS) OF AREA:

- SEED MIXTURE NO. 10 AT 1.5 POUNDS (0.7 kg)
- SEED MIXTURE NO. 20 AT 3.0 POUNDS (1.5 kg)
- SEED MIXTURE NO. 30 AT 2.0 POUNDS (1.0 kg)
- SEED MIXTURE NO. 40 AT 2.0 POUNDS (1.0 kg)

Site Dewatering
(IF NEEDED)

- DEWATERING FOR POND & UTILITY CONSTRUCTION SHALL CONFORM TO REQUIREMENTS SET FORTH IN WDMR TECHNICAL STANDARD 1061.
- THE CONTRACTOR HAS THE OPTION TO UTILIZE WDMR APPROVED METHODS INCLUDING:
 - GEOTEXTILE BAGS (SEE TECHNICAL STANDARD 1061)
 - SEDIMENT TRAPS (SEE TECHNICAL STANDARD 1063)
 - SEDIMENT BASINS (SEE TECHNICAL STANDARD 1064)
- CONTRACTOR HAS OPTION TO UTILIZE STORM PONDS CONSTRUCTED ON THIS SITE AS SEDIMENT BASINS FOR DEWATERING.
- CONTRACTOR SHALL LIMIT PUMP RATE TO BE LESS THAN 70 G.P.M. TO PREVENT NEED FOR WDMR WELL PERMIT.
- IN NO EVENT SHALL UNTREATED DISCHARGE BE ALLOWED TO FLOW DIRECTLY INTO WETLANDS OR WATERWAYS.

Temporary Seeding

SPECIES	% MINIMUM PURITY	% MINIMUM GERMINATION
ANNUAL OATS	98	90
AGRICULTURAL RYE	97	85
WINTER WHEAT	95	90
ANNUAL RYEGRASS	97	90

- USE OATS IN SPRING AND SUMMER PLANTINGS.
- USE WINTER WHEAT OR RYE FOR FALL PLANTINGS STARTED AFTER SEPTEMBER 1.
- APPLY TEMPORARY SEEDING AT 3 POUNDS PER 1000 SQUARE FEET OF AREA, EXCEPT ANNUAL RYEGRASS WHICH MAY BE APPLIED AT 2 POUNDS PER 1000 SQUARE FEET OF AREA.

Prairie Seed Mix

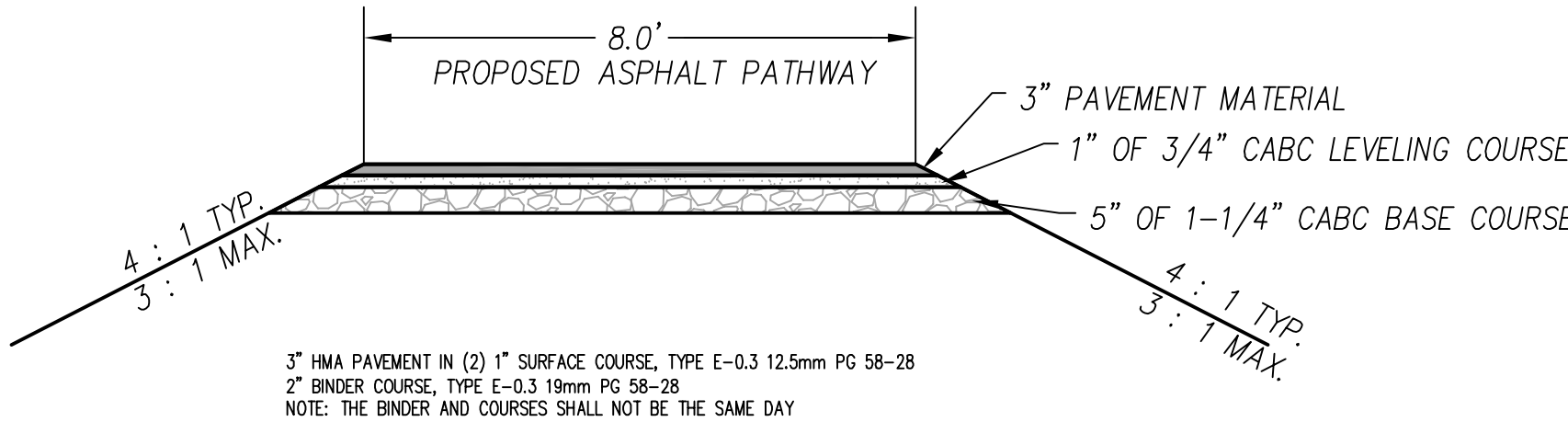
(OPTIONAL IF SELECTED BY OWNER
AROUND POND PERIMETERS)

Prairie Seed Mixture
CREF Wet Site Mix
(To be used in flood prone areas)

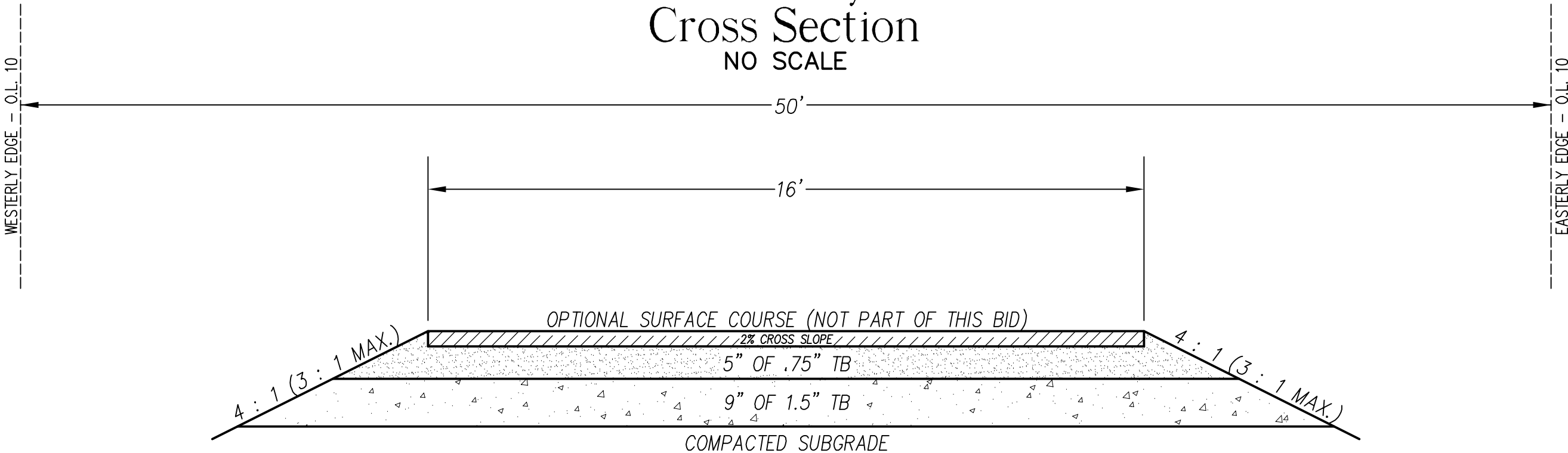
Species	Plant Type	PLS <i>oz/acre</i>
Prairie Cordgrass	Grass	2.0
Rice Cutgrass	Grass	8.0
Switchgrass	Grass	2.0
Virginia Wild Rye	Grass	16.0
Woolgrass	Sedge	1.0
For Sedge	Sedge	2.0
Great St. Johns Wort	Forb	1.0
Marsh Milkweed	Forb	2.0
Snowweed	Forb	1.0
Joe-Pye Weed	Forb	2.0
Blue Vervain	Forb	2.0

(AVAILABLE FROM WASHINGTON
COUNTY PLANNING/PARKS DEPT.)

Pedestrian Path Cross Section
NO SCALE



Shared Driveway (O.L. 10)
Cross Section
NO SCALE



CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE AND DOCUMENTATION OF EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION PHASE. OWNER IS RESPONSIBLE FOR MAINTENANCE AFTER CONTRACTOR LEAVES THE SITE.

Typical Road
Cross Section
NO SCALE

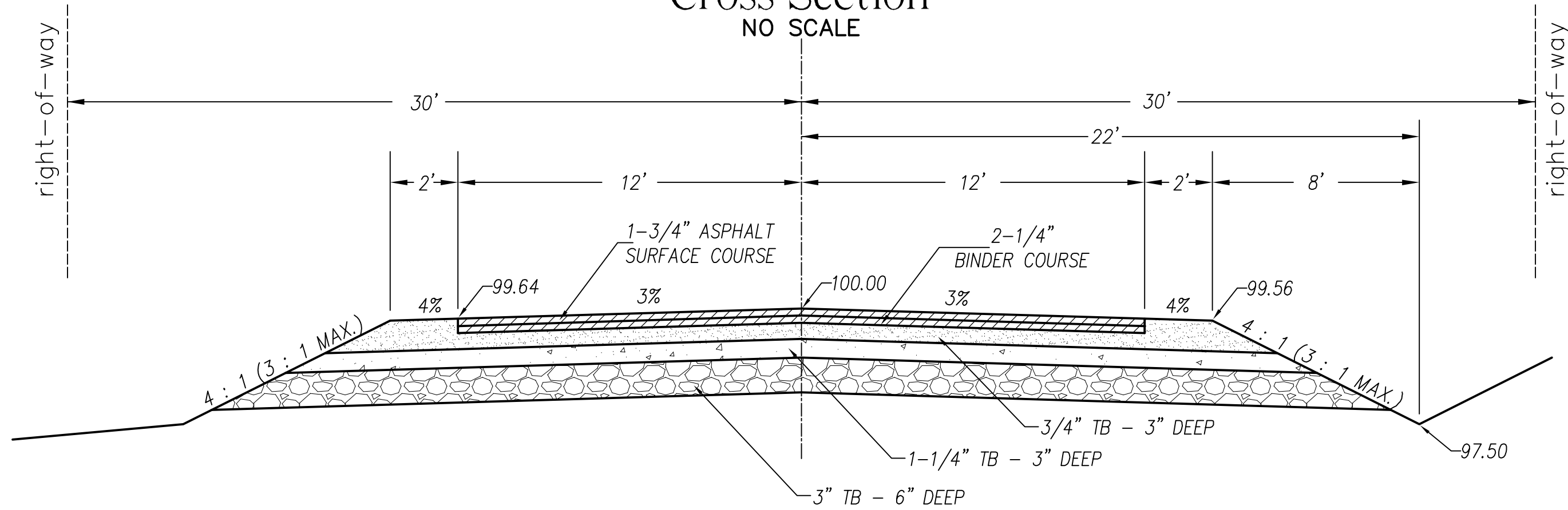


TABLE 1.0: GOVERNING AGENCIES AND APPLICABLE CODES/GUIDELINES/REGULATIONS (Most stringent shall apply)	
State of Wisconsin Department of Transportation (WisDOT)	- WisDOT Standard Specifications for Highway and Structure Construction (WisDOT Standard Specifications) - WisDOT Facility Development Manual (FDM) - WisDOT Construction and Materials Manual - WisDOT Approved Product List
Village of Germantown	- Municipal Code - Design, Drafting & Construction Standards & Specifications (Sec. 1-9) - Village Board and Committee actions - DPW Director, Village Engineer, Highway Superintendent discretion
Other	- American Association of State Highway and Transportation Officials (AASHTO) Geometric Design of Highways and Streets (latest ed.) - AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400) (latest ed.) - Manual of Uniform Traffic Control Devices (MUTCD) - Wisconsin Asphalt Pavement Association (WAPA) Design Guide 28 CFR Part 36, "ADA Standards for Accessible Design" - Southeast Wisconsin Regional Planning Commission (SEWRPC) - Manufacturer specifications

TABLE 2.0: DESIGN CRITERIA	
Geotechnical Services Report	- A geotechnical engineer shall be retained to assess and evaluate site conditions and subsurface conditions, and to recommend pavement structures - The report shall be prepared, sealed and signed by a Wisconsin P.E.
HMA Pavements	- Design Life = 20 years - Terminal Serviceability = 2.0 - Reliability = 85% - Initial Serviceability = 4.2 - Standard Deviation = 0.45
Geometrics	Conform to WisDOT FDM Sec. 11-10
Local Roads	- ADT>400: Conform to AASHTO Geometric Design of Highways and Streets Ch. 5 - ADT<400: Conform to AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads - Conform to Municipal Code Sec. 18.07 Tables 2, 2a, and 3; Definitions in Municipal Code Sec. 18.07(1)
Collector Roads	- Conform to AASHTO Geometric Design of Highways and Streets Ch. 6 - Conform to Municipal Code Sec. 18.07 Tables 2, 2a, and 3; Definitions in Municipal Code Sec. 18.07(1)
Arterials	- Conform to AASHTO Geometric Design of Highways and Streets Ch. 7 - Conform to Municipal Code Sec. 18.07 Tables 2, 2a, and 3; Definitions in Municipal Code Sec. 18.07(1)
Intersections	- ADT>400: - Conform to AASHTO Geometric Design of Highways and Streets Ch. 9 - Conform to WisDOT FDM Sec. 11-25 - ADT<400: Conform to AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads - Acceleration, Deceleration and By-pass Lanes are required at all residential subdivision, commercial center and retail center entrances
Longitudinal Slope	1% min., 10% max.

TABLE 3.0: SUBGRADE	
Earth Subgrade	Conform to WisDOT Standard Specification Sec. 211.3.2
Surface Elev. Tolerance	+0.10'
Compaction	95% Modified Proctor
Weather Constraints	Compaction prohibited during rainfall and on wet surfaces
Geotechnical Fabric	In event of proof-roll failure, place Type SR to overlay utility crossings; Conform to WisDOT Standard Specifications Sec. 645

TABLE 4.0: BASE COURSE	
Materials	- New Construction or Reconstruction: - Bottom Layer: 3" gradation crushed interlocking limestone aggregate from a quarry source <i>PLAN TO USE 1"</i> - Middle Layer: 1-1/2" gradation crushed interlocking limestone aggregate from a quarry source <i>PLAN TO USE 3"</i> - Top Layer: 3/4" gradation crushed interlocking limestone aggregate from a quarry source <i>PLAN TO USE 1"</i> - Quarry Source: Quarry source shall be listed on the WisDOT Pit and Quarry Listing [latest edition] - Gradations: Gradations shall conform to WisDOT Standard Specifications Sec. 305 - Pulverize & Overlay: Pulverized pavement acceptable when recommended by Geotechnical Services Report - Conform to WisDOT Standard Specifications Sec. 301 and 305
Thicknesses	Comply with Geotechnical Services Report accepted by Village Engineer
Surface Elev. Tolerance	+0.05'
Compaction	95% Modified Proctor - Conform to WisDOT Standard Specification Sec. 305.3.2
Weather Constraints	Compaction prohibited during rainfall and on wet surfaces

NOTES:

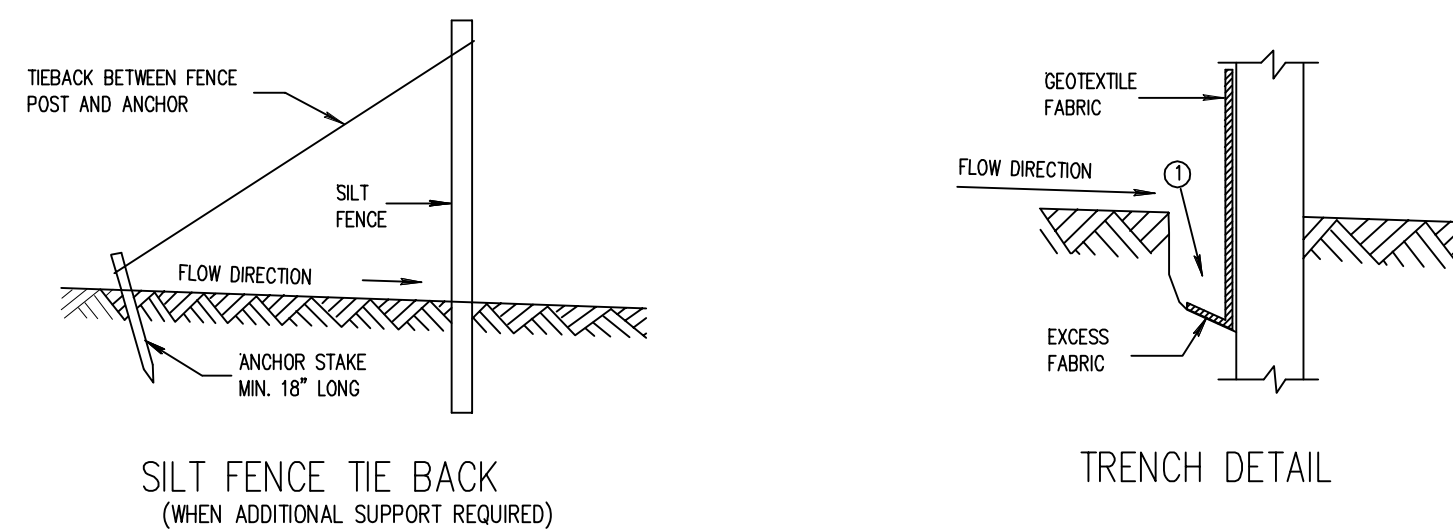
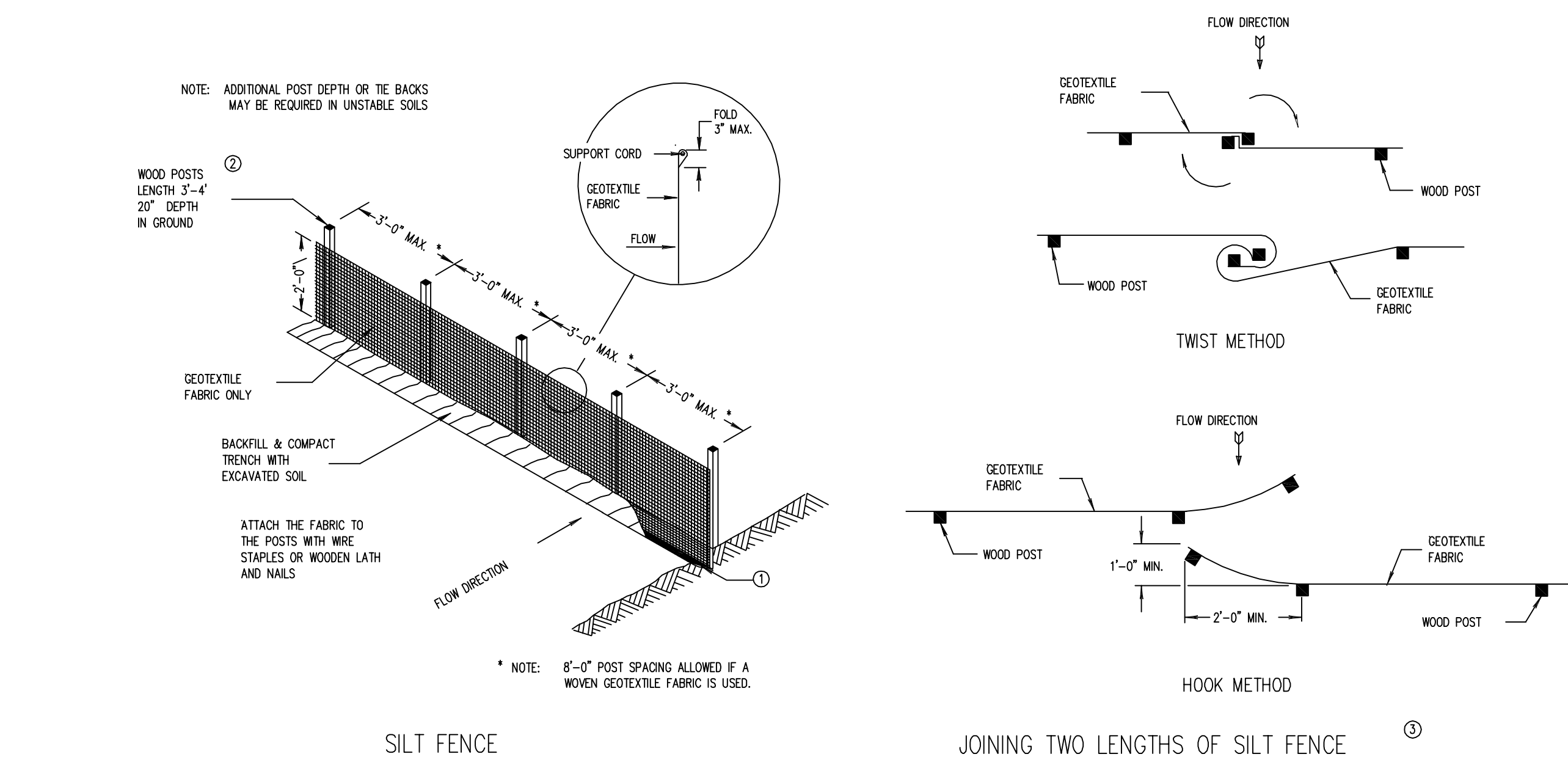
- PAVING PROHIBITED OCT. 15 – MAY 1 UNLESS AUTHORIZED BY VILLAGE ENGINEER.
- PAVING PROHIBITED DURING RAIN AND ON WET SURFACES.
- PROOF ROLL ON SUB-GRADE AND BASE COURSE REQUIRED PRIOR TO GRAVELLING/PAVING. CONTACT ENGINEERING DEPARTMENT (262)250-4721 TWO BUSINESS DAYS IN ADVANCE TO SCHEDULE.

ASPHALT SPECIFICATION

- MIX LT 58-28 S
- BINDER 2-1/4" THICK LIFT
- SURFACE 1-3/4" THICK LIFT
- HMA TEMPERATURES 250° – 300° F
- MAXIMUM DENSITY = 91.5%

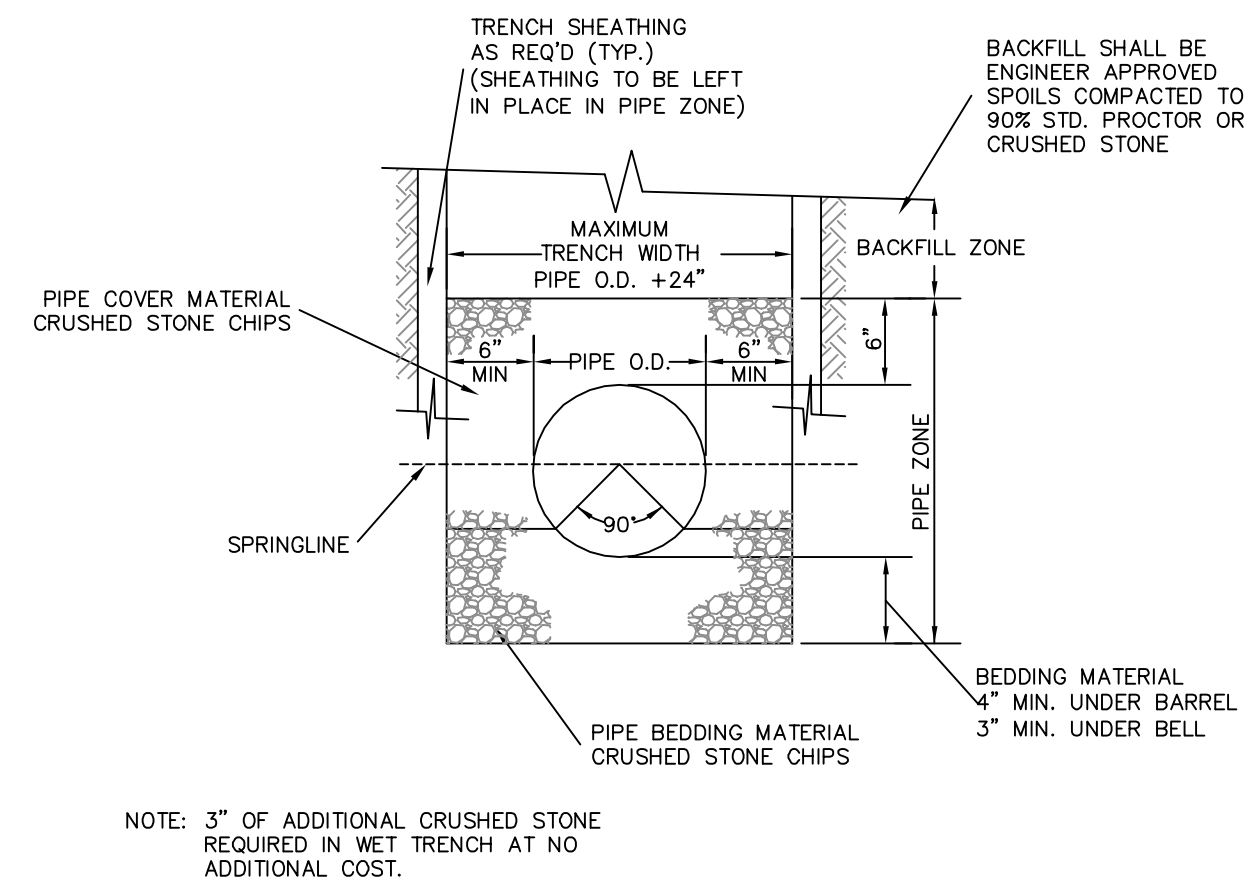
Silt Fence Detail

NO SCALE



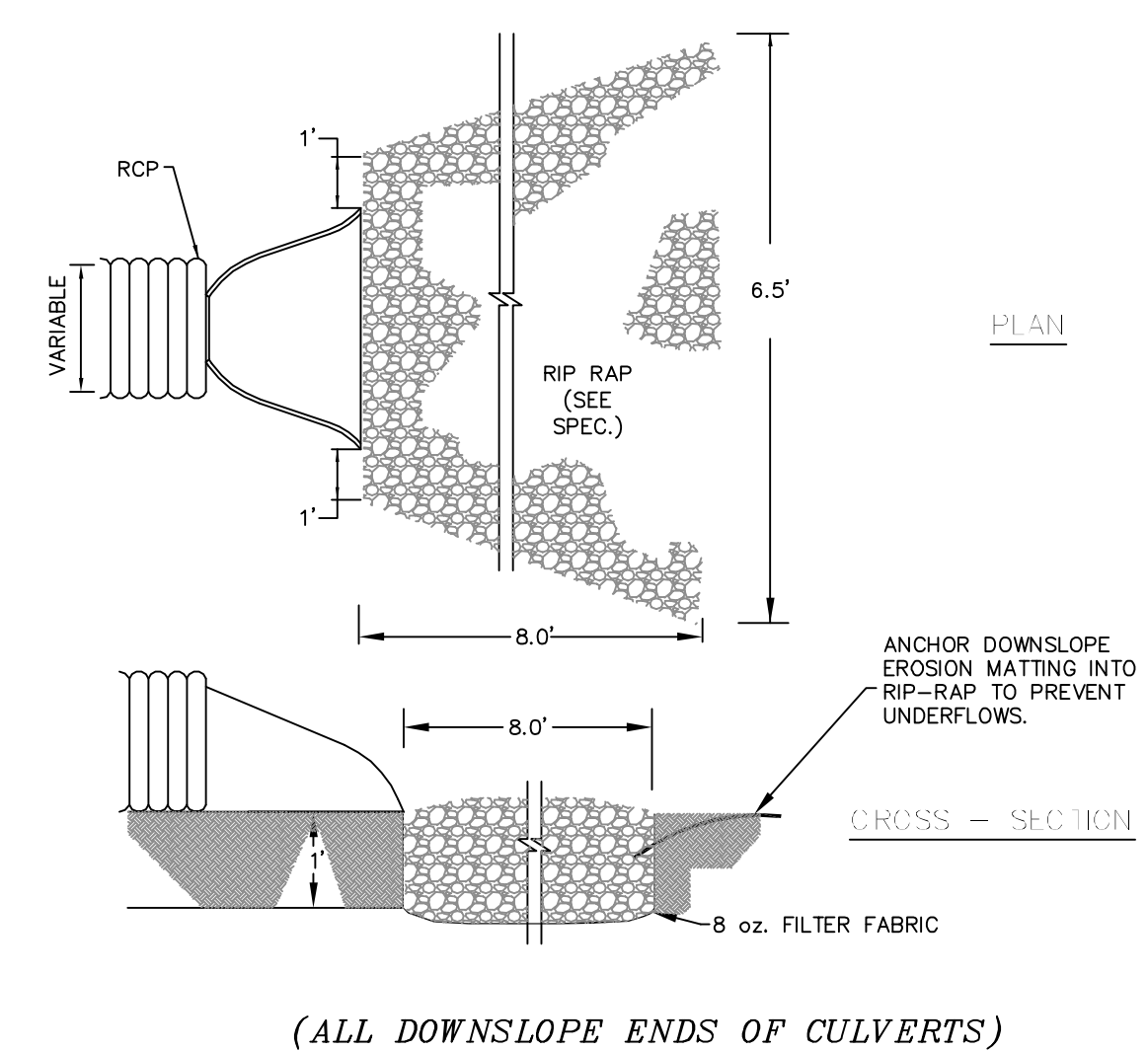
Culvert Bedding Detail

NO SCALE



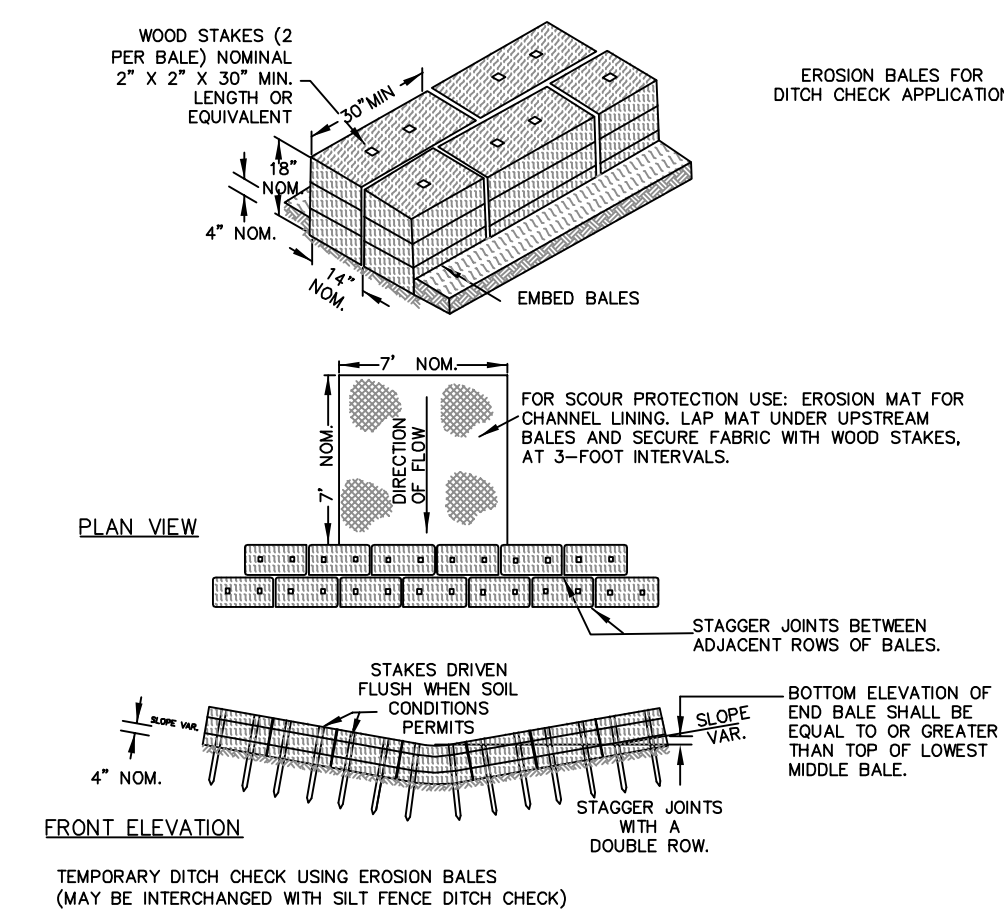
Culvert Rip-rap Detail

NO SCALE



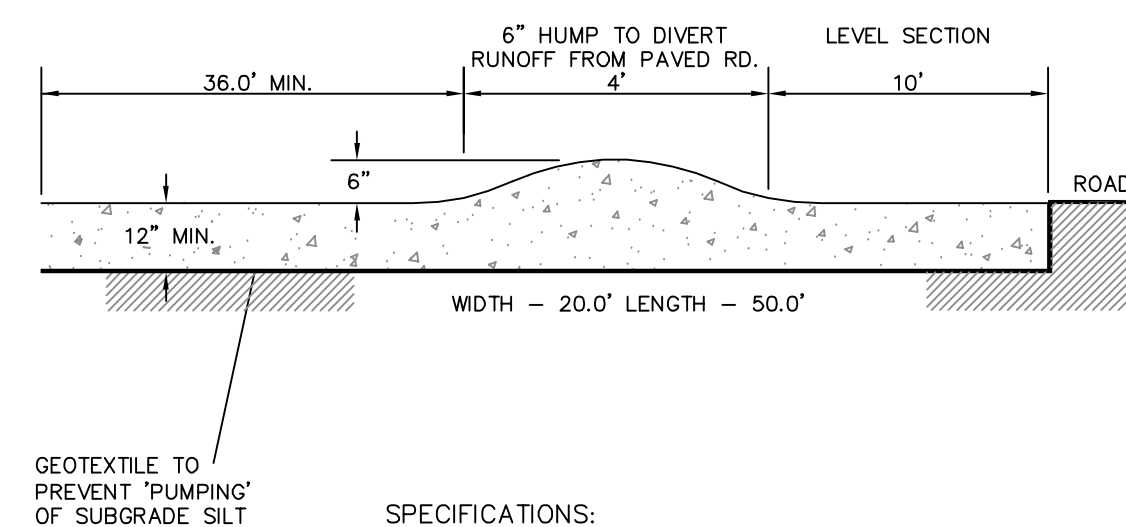
Channel Ditch Check Detail

NO SCALE



- NOTES:**
1. INSTALLATION OF EROSION BALES / TEMPORARY DITCH CHECKS SHALL CONFORM TO MNHR TECHNICAL STANDARD 1062.
 2. MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE WISDOT EROSION CONTROL P.A.L. MAY BE SUBSTITUTED

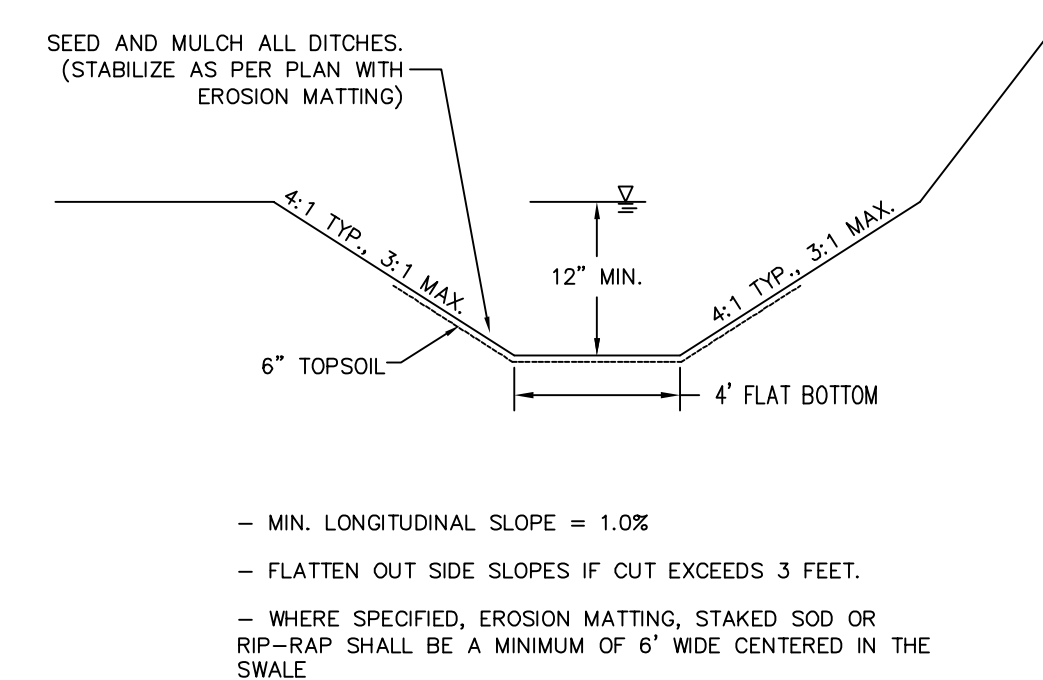
Temporary Stone Construction Entrance Detail



- SPECIFICATIONS:**
1. CLEAR THE ENTRANCE / EXIT AREA OF ALL VEGETATION, ROOTS, AND OTHER OBJECTIONABLE MATERIAL.
 2. GRADE THE ROAD FOUNDATION SO THAT THE ENTRANCE / EXIT WILL HAVE A CROSS SLOPE.
 3. PLACE STONE TO THE DIMENSIONS, GRADE AND ELEVATION SHOWN.
 4. USE WASHED STONE 3" TO 6" IN SIZE.

NOTE:
MAINTAIN THE STONE PAD IN A CONDITION TO PREVENT MUD
OR SEDIMENT FROM LEAVING THE SITE. SHOULD MUD BE
TRACKED OR WASHED ONTO ROAD, IT MUST BE REMOVED
IMMEDIATELY.

Non-Roadway Swale Detail



**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 57-2018

APPROVING A DEVELOPMENT AGREEMENT WITH HARVEST HILLS

WHEREAS, the Village Board is in the process of approving the creation of Harvest Hills; and

WHEREAS, it is in the best interests of the residents of the Village to ensure that development occurs within an appropriate timeframe; and

WHEREAS, the attached development agreement accomplishes that goal;

NOW, THEREFORE BE IT RESOLVED, by the Village Board of the Village of Germantown, that the Development Agreement between the Village and Harvest Hills in the form attached is hereby approved subject to those non-material legal and technical changes deemed necessary and appropriate by the Village Attorney.

BE IT FURTHER RESOLVED that the Village President and Village Clerk are hereby authorized to execute and deliver the same.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

DEVELOPMENT AGREEMENT

HARVEST HILLS SUBDIVISION

THIS AGREEMENT is entered into by and between the **Village of Germantown**, a Municipal Corporation of the State of Wisconsin located in Washington County, hereinafter called the "Village", and **Harvest Hills Subdivision, LLC.**, hereinafter referred to as "Developer".

WHEREAS, the Village has heretofore approved or anticipates approving in the near future, a Preliminary Subdivision Plat for the Harvest Hills Subdivision (Exhibit B), located in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; all in Section 24, Township 9 North, Range 20 East in the Village of Germantown, Washington County, Wisconsin; and

WHEREAS, according to the development plan Developer has submitted for approval by the Village, the Harvest Hills subdivision will be a 37 Lot single-family residential subdivision (the "Development" or "Subdivision") to be located in the Village of Germantown in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, all in Section 24, Township 9 North, Range 20 East (the "Property") which Developer proposes to complete as described in the plans submitted to the Village, and as ultimately approved by it; and

WHEREAS, the Village may require that Developer make and install any public improvements reasonably necessary and/or that Developer execute a certified check or irrevocable letter of credit to ensure that those improvements will be made within a reasonable time; and further that the acceptance of dedication of these improvements may be conditioned upon the construction of such improvements according to Village specifications and without cost to the Village; and

WHEREAS, it will be necessary that Developer construct landscaping and roadway facilities in public right-of-way, and the Village will require that such plans and designs be approved and that the Developer furnish an appropriate financial guarantee; and

WHEREAS, The Village seeks to protect the health, safety and general welfare of the Village as a whole and, in particular, property owners who abut the site or are potentially affected by the project through application of the Municipal Code and rules and regulations of governmental agencies with jurisdiction.

NOW, THEREFORE, in consideration of these recitals, the mutual agreements, benefits and responsibilities outlined herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

DEVELOPMENT AGREEMENT

ARTICLE I - REQUIRED IMPROVEMENTS

1.01 GENERALLY. Developer, entirely at its own expense, shall, except as herein provided, design and install the public improvements required by Sec.18.08 of the Municipal Code in accordance with the provisions of that section and as directed by the Village Engineer or Village Board. It is the intent of this Agreement that all public improvements shall be installed by Developer. Notwithstanding the foregoing, the public improvements described in this Agreement are deemed to be undertaken for a public (not a private) purpose.

1.02 PRIVATE ONSITE WASTEWATER TREATMENT SYSTEMS (POWTS). Developer is not required to install public sanitary sewer in this development. The individual lots are to be served by (POWTS). The Mound Systems are to be approved by Washington County Land Use Division and are to be constructed pursuant to the Permit issued by Washington County.

1.03 PRIVATE WELLS. Developer is not required to install a public water main. The individual lots are to be served by Private Wells.

1.04 OTHER UTILITIES. Developer shall be responsible for and cause electrical power, telephone, cable and natural gas facilities to be installed in such manner as to make proper and adequate service available to each occupied building in the Subdivision. All such services shall be located underground in accordance with applicable codes. Design and installation shall conform to Sec. 18.08(11) of the Municipal Code. Public utility and/or work-in-right-of-way permits shall be applied for by Developer and secured from the Village Engineering Department. Private utility permits shall be applied for and secured from the Village Building Inspection Department.

1.05 GRADING AND SURFACING OF PUBLIC STREETS. All Development streets shall be graded and surfaced in accordance with Sections 18.08(2), (3) and (5) of the Municipal Code and shall be located and be of the dimensions as depicted on the site Development Plan. The Development's internal roads shall have a rural cross section for vehicular access to all lots within the Subdivision. The final layer of street surfacing shall be installed within 30 days of the issuance of an occupancy permit for the 80 % of the lots within the Subdivision except as may be directed by the Village Engineer. Disturbed edges of asphalt created by connecting to existing Village or County streets shall be saw-cut full road width prior to resurfacing. The intersection of Freistadt Road and Harvest Ridge shall be constructed as a Washington County TYPE "C" Entrance as approved by the Washington County Highway Department. The intersection of Harvest Ridge to Elm Lane shall be constructed as a long sweeping radius maintaining the 24-foot-wide rural cross-section with a taper at the easterly terminus point connecting to the existing Elm Lane and as indicated on the approved plans. The centerline of the New Elm Lane shall line up with the Center line of Elm Lane Right-of-Way.

DEVELOPMENT AGREEMENT

HARVEST HILLS SUBDIVISION

Developer shall be responsible for future improvements to Elm Lane from the east end of radius of Harvest Ridge (at a point prior to start of taper) to the east property line of the Development, which is approximately 740 lineal feet. The Village, in accordance with Section 18.08(15), and in its discretion will require Elm Lane to be improved to a rural road. In Lieu of escrowing funds to defray the cost of the design and construction of such street improvements the Village will accept the estimated value of improvements in the amount of \$55,000.00, in the form of cash payment to be paid at the time of execution of the Development Agreement.

Developer shall be responsible for the construction of a T- turn around (hammer head) at the east end of Taylor Trail. The T- turn around shall be temporary with a crushed aggregate surface. If after a one (1) year time period beginning from the date of acceptance of the Plat the adjoining property has not been developed to the point of extending Taylor Trail with a cul-de-sac then Developer shall be responsible to construct a modified (50' diameter) cul-de-sac at the east end of Taylor Trail. The funds to construct the future cul-de-sac will be held in the Letter of Credit with the amount to be determined at the time of construction but not to be less than \$40,000.00.

Developer shall design and submit to the Village Engineer for approval all proposed plans, specifications and contract documents for all grading, street surfacing, concrete curb and gutter, walkway, and traffic signs and street signs before authorization for construction will be given. Design and installation shall conform to Sec. 18.07(3), 18.08(2), 18.08(3), 18.08(4), 18.08(6), and 18.08(13) and 18.08(15) of the Municipal Code and the Village Design, Drafting & Construction Standards & Specifications, Sec. 3.0 "Grading and Erosion Control Requirements" and Sec. 8.0 "Roadway Requirements". All such documents shall be prepared in accordance with state and local standards by a Professional Engineer registered in the State of Wisconsin and submitted stamped and signed for review by the Village Engineer and by all applicable governmental agencies. Implicit in this provision is the right of the Village Engineer and Building Inspector to require document revisions and modifications in the best interests of the Village. All grading, street surfacing, concrete curb and gutter, traffic signs and street signs that are to be transferred to the Village shall be contained in Village right-of-way dedicated to the Village.

Work-in-right-of-way permits shall be applied for by Developer and secured from the Village Engineering Department and/or the Washington County Highway Department. All grading, street surfacing, concrete curb and gutter and traffic signs and street signs related to the

DEVELOPMENT AGREEMENT

Subdivision that will be transferred to the Village shall be inspected by Engineering Department and Highway Department personnel prior to acceptance by the Public Works & Highway Committee.

1.06 CURB AND GUTTER. Developer shall construct, at a minimum, concrete curb and gutter in accordance with Sec. 18.08(4) of the municipal Code within the Development at the locations depicted on the approved Site Development Plan. All intersections shall have curb/gutter installed to the tangent of the radius. This requirement includes Harvest Ridge/Freistadt Road, Harvest Ridge/Taylor Trail and Harvest Ridge/Hazel Heights. The curb/gutter on Freistadt Road shall be extended to the endpoint of the acceleration/deceleration lanes on Freistadt Road.

1.07 SURVEY MONUMENTS. The Developer shall install survey monuments, to include interior and exterior boundary markers, in accordance with Sections 18.02(4) and 18.08(1) of the Municipal Code not later than one year (12 months) after the acceptance of this agreement.

1.08 EROSION CONTROL. Developer shall install and maintain erosion and sediment control devices within the Subdivision and for all related work abutting the Subdivision.

Developer shall design and submit to the Village Engineer for approval all proposed plans, specifications and contract documents for all construction site erosion and sediment control before authorization for construction will be given. Design and installation shall conform to Wisconsin Department of Natural Resources Conservation Practice Standards, Ch. 29 of the Municipal Code, and the Village Design, Drafting & Construction Standards & Specifications, Sec. 3.0 "Grading and Erosion Control Requirements". All such documents shall be prepared in accordance with state and local standards by a Professional Engineer registered in the State of Wisconsin and submitted stamped and signed for review by the Village Engineer and by all applicable governmental agencies. Implicit in this provision is the right of the Village Engineer and Building Inspector to require document revisions and modifications in the best interests of the Village.

Work-in-right-of-way permits shall be applied for and secured from the Village Engineering Department Wisconsin Department of Natural Resources construction site storm water permit forms shall be prepared by Developer and submitted to the Department of Natural Resources. An erosion control permit shall be applied for and secured from the Village Building Inspection Department.

DEVELOPMENT AGREEMENT

HARVEST HILLS SUBDIVISION

Developer shall monitor and mitigate off-site tracking through use of tracking pads and daily sweeping of streets. In event Developer defaults in keeping the Village streets clear of tracking, the Developer will reimburse the Village for performing street sweeping services within 30 days of invoice. In event Developer defaults payment, the Village may charge the Developer's escrow account or draw from the Developer's letter-of-credit to recover such costs. Notwithstanding the foregoing, the right of the Village to respond to off-site sediment tracking hereunder shall not excuse Developer from strict compliance with required erosion control measures or be considered a substitute or replacement for such measures.

Developer shall remove and dispose of all erosion and sediment control devices after landscaping and after 85% successful vegetative cover has been achieved to the satisfaction of the Village Engineer.

1.09 POST-CONSTRUCTION STORMWATER MANAGEMENT AND STORMWATER DRAINAGE FACILITIES. Developer shall install publicly owned storm sewer and publicly owned ditches to adequately drain publicly owned roadways within the Subdivision and shall install publicly owned roadway ditches and storm sewer abutting the Subdivision. Developer shall install privately owned storm sewer, ditches, and swales to adequately drain privately owned lands within the Subdivision. Developer shall install and maintain a privately owned wet pond forebay and infiltration basin to control storm water runoff peak flows and volumes in conformance with MMSD requirements and to control storm water runoff water quality in conformance with Wisconsin DNR requirements prior to discharge from the Subdivision. The privately-owned storm sewers, ditches, wet pond forebays, and infiltration basins shall be situated in privately owned easements.

Developer shall design and submit to the Village Engineer for approval all proposed plans, specifications and contract documents for all post-construction storm water management and storm water drainage facilities before authorization for construction will be given. Design and installation shall conform to Wisconsin Department of Natural Resources Conservation Practice Standards, Milwaukee Metropolitan Sewerage District Ch. 13 Rule, Ch. 27 and Sec. 18.08(10) of the Municipal Code, and the Village Design, Drafting & Construction Standards & Specifications, Sec. 7.0 "Storm Water Management Requirements" and Sec. 4.0 "Storm Water Conveyance System Requirements". All such documents shall be prepared in accordance with

DEVELOPMENT AGREEMENT

state and local standards by a Professional Engineer registered in the State of Wisconsin and submitted stamped and signed for review by the Village Engineer and by all applicable governmental agencies. Implicit in this provision is the right of the Village Engineer and Building Inspector to require document revisions and modifications in the best interests of the Village.

Work-in-right-of-way permits shall be applied for by Developer and secured from the Village Engineering Department. Wisconsin Department of Natural Resources and Milwaukee Metropolitan Sewerage District storm water management forms shall be prepared by Developer and provided to the Village Engineer.

Developer shall prepare, submit to the Village Engineer and Village Attorney for review and approval, and upon approval record with the Washington Co. Register of Deeds a Declaration of Covenant for Storm Water Management Facility Maintenance before applying for an occupancy permit. Developer shall prepare and submit to the Village Engineer a Storm Water Management Facility Compliance Report and an Engineering/Construction Certification letter before applying for an occupancy permit.

1.10 LANDSCAPING. Developer shall provide permanent landscaping, including topsoil, seeding and other vegetation, of all publicly owned rights of way. Developer shall also provide temporary landscaping of disturbed areas of privately owned lots to establish and maintain vegetative cover.

Developer shall design and submit to the Village Zoning Administrator for approval all proposed plans, specifications and contract documents for all landscaping before authorization for construction will be given. Design and installation shall conform to Sec. 17.085 and 17.43(5) of the Municipal Code. All such documents shall be prepared in accordance with state and local standards by a Landscape Architect registered in the State of Wisconsin and submitted stamped and signed for review by the Village Zoning Administrator and by all applicable governmental agencies. Implicit in this provision is the right of the Village Zoning Administrator and Building Inspector to require document revisions and modifications in the best interests of the Village.

A minimum of 4" of topsoil (i.e., after settlement) free of deleterious materials shall cover all areas of the terrace areas. Section 17.441(4)(a) prohibits topsoil export without special exception by the Village Public Works & Highway Committee. All landscaping related to the Subdivision that will be transferred to the Village shall be inspected by Engineering Department and Highway Department personnel prior to acceptance by the Public Works & Highway Committee. All landscaping related to the Subdivision in privately owned areas shall be inspected by Community Development Department personnel prior to issuing an occupancy permit.

DEVELOPMENT AGREEMENT

HARVEST HILLS SUBDIVISION

The Developer shall include a requirement in Subdivision covenants and deed restrictions that each individual lot is required to contain the minimum landscaping required under Section 17.43(5) of the Municipal Code.

1.11 STREET TREES. Developer shall install street trees in roadway terraces of the Subdivision in a quantity equal or greater than one tree per 50 linear feet as generally depicted in a landscape plan approved by the Village Forester. The Developer shall install all street trees required herein prior to or concurrent with the installation of all other public improvements.

Developer shall design and submit to the Village Forester for approval all proposed plans, specifications and contract documents for all street trees before authorization for construction will be given. Design and installation shall conform to Sec. 18.08(14) of the Municipal Code. All such documents shall be prepared in accordance with state and local standards by a Landscape Architect registered in the State of Wisconsin and submitted stamped and signed for review by the Village Forester and by all applicable governmental agencies. Implicit in this provision is the right of the Village Forester to require document revisions and modifications in the best interests of the Village. The Developer shall warranty all street trees, including trees replaced under this warranty, for a period of two (2) growing seasons as required under Sec 18.08(14) of the Municipal Code”.

Work-in-right-of-way permits shall be applied for by Developer and secured from the Village Engineering Department. All street trees related to the Subdivision that will be transferred to the Village shall be inspected by Engineering Department and Highway Department personnel prior to acceptance by the Public Works & Highway Committee.

1.12 STREET LIGHTS AND YARD LIGHTS. 1) Developer shall be required to provide street lights in accordance with Section 18.08(12) of the Municipal Code. Said street lights shall be of an approved design and furnished and installed by Developer within the Development and all costs for the furnishing and installation of such street lights shall be borne by Developer. Street lights shall be LED. Street lights shall be installed at the following intersections; 1) Harvest Ridge and Freistadt Road, and 2) Harvest Ridge and Elm Lane.

2) Electric yard lights for each lot in the Development shall be required as provided in Section 18.08(12) of the Municipal Code. Such lights shall be of uniform design throughout the Development to meet industry standards for minimum illumination levels and they shall be installed as part of the original building construction. Provisions for the maintenance of the

DEVELOPMENT AGREEMENT

electric lights shall be included in the deed restrictions recorded by Developer, subject to prior review and approval by the Village Attorney.

Developer shall design and submit to the Village Engineer for approval all proposed plans, specifications and contract documents for street lamps and to the Zoning Administrator for approval all proposed plans, specifications and contract documents for yard lights before authorization for construction will be given. Design and installation shall conform to Sec. 18.08(12) of the Municipal Code. All such documents shall be prepared in accordance with state and local standards by a Professional Engineer registered in the State of Wisconsin and submitted stamped and signed for review by the Village Engineer and by all applicable governmental agencies. Implicit in this provision is the right of the Village Engineer and Building Inspector to require document revisions and modifications in the best interests of the Village. All street lamps related to the Subdivision that will be transferred to the Village shall be contained in Village right-of-way and shall be inspected by Engineering Department and Highway Department personnel prior to acceptance by the Public Works & Highway Committee.

1.14 PEDESTRIAN PATH. Developer shall install an eight-foot-wide by approximately 600 lineal feet long asphalt paved Pedestrian Path from the west side of Harvest Ridge to the east end of the westerly section of Elm Lane (Forest Heights area) and as depicted on sheet GP3 & DET1 of the approved construction plans. The Pedestrian Path is to be a public improvement located in existing roadway right-of way. The Developer shall be responsible for all costs for design and installation of the 8-foot Pedestrian Path.

Developer shall design and submit to the Village for approval all proposed plans and specifications before authorization for construction is given. The Pedestrian Path shall include a minimum clear area of 4 feet on each side restored with turf capable of being mowed.

1.15 STREET SIGNS & MARKINGS. A street sign marking plan shall be submitted by Developer as required in Section 2.03 for review and approval by the Village Engineer. Developer shall pay to the Village Treasurer the cost of installation of street signs by the Village, pursuant to Section 18.08(13) of the Municipal Code.

At a minimum, the Public Safety Committee requires the following signage: "Stop" signs at the intersections of Harvest Ridge/Freistadt Road, Harvest Ridge/Taylor Trail, Hazel Heights(cul-de-sac)/Harvest Ridge and a "No Outlet" signs on Taylor Trail (both directions) and on Hazel Heights and street name signs at all intersections. Pursuant to Village Board actions on March 6, 2006, "Public Safety Numbers" shall be required on each lot near the street.

For safety and protection of the public, Developer shall install a permanent barricade immediately upon the installation of the binder layer of asphalt, which shall be constructed in accordance with specifications established by the Village Engineer at the following location: East end of Taylor Trail.

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ARTICLE II - CONSTRUCTION

2.01 GENERALLY. Developer, entirely at its own expense, shall construct and install all public improvements and provide all plans, specifications and other documents in accordance with Sec. 18.09 of the Municipal Code or as required by the Village Engineer pursuant to Sec. 18.09. Developer understands and acknowledges that the Municipal Code may be and is subject to revision from time to time, and that such revisions may impose altered or additional obligations on individual and entities creating subdivisions and other developments in the Village, including Developer. Developer hereby agrees that with respect to any such revision which shall be approved by the Village prior to issuance of permits for all public improvements provided for herein, or as mutually agreed upon between Developer and the Village after the commencement of work, Developer shall incorporate any such revision into Developer's plans, specifications and work.

Developer shall provide a schedule of construction setting forth approximate dates of commencement and completion of each phase of the construction. Developer agrees that no work shall be scheduled for the improvements without the Village Engineer's written approval of the starting date and schedule.

A pre-construction meeting shall be scheduled between Developer, the Contractors and the Village prior to commencement of any construction on the improvements. Developer shall, prior to such meeting, notify all utilities of the planned construction and the date and location of the pre-construction meeting.

2.02 BUILDING AND OCCUPANCY PERMITS. No building or occupancy permits shall be issued by the Village for any construction within the Subdivision until all roads, storm sewer, and all other improvements required under this Agreement are installed, inspected by the Village Engineer Department Inspection staff and/or Highway Department, approved by the Village Engineer, the Village has received all record-drawings in accordance with 2.05 below, and have been accepted by the Public Works & Highway Committee, except that notwithstanding the above, building permits may be issued prior to the installation of the initial asphalt lift on the roadway surfaces (roadway areas must be stoned) provided that the Developer provides a Letter of Credit that provides for security acceptable to the Village, in its sole judgment, to ensure eventual installation. Occupancy permits may be issued prior to the installation of the final asphalt lift on roadway surfaces provided that Developer provides a

DEVELOPMENT AGREEMENT

Letter of Credit that provides security acceptable to the Village, in its sole judgment, to ensure eventual installation.

2.03 REQUIRED PLANS. Developer shall submit to the Village Engineer for approval all of the plans, profiles and specifications required by Sec. 18.09(3) of the Municipal Code. Required plans for improvements shall include the following:

- (1) Grading plans, including interim and final;
- (2) Erosion & sediment control plans, including interim and final;
- (3) Private utility plans and capacity computations, including storm sewer & laterals;
- (4) Paving plans & profiles, including public roads, sidewalks, curb-and-gutter.
- (6) Storm water management plan
- (7) Landscape plans (including street tree plans);
- (8) Sign and Street marking plans

In addition, Developer shall submit to the Village Engineer for approval all specifications before authorization for construction will be given. Implicit in this provision is the right of the Village Engineer to require document revisions and modifications in the best interests of the Village.

2.04 EXISTING FLORA. Developer shall, in accordance with Sec. 18.09(5) of the Municipal Code, make reasonable efforts to protect and retain all existing trees, shrubbery, vines and grasses not actually lying within public roadways, drainage-ways, building foundation sites, private driveways and parking areas, soil absorption waste and disposal areas, paths and trails, except as necessary for implementation of the Development Plan. Such trees are to be protected and preserved during construction in accordance with sound conservation practices, including the preservation of trees by use of wells or islands or retaining walls whenever abutting grades are altered.

2.05 RECORD DRAWING DOCUMENTS. Developer shall prepare and submit to the Village Engineer record-drawing documents in digital format (i.e., .dwg extension) of the post-construction storm water management. All record-drawing measurements shall include horizontal and vertical location referenced to the Village coordinate system (Wisconsin State Plane Coordinate System, South Zone, based on North American Datum of 1927 (NAD 27)). If Developer is unable to furnish the location and digital files as required, the Village Engineer shall complete the record-drawing plans with costs charged back to Developer. Each original or copy shall be certified by Developer's engineer and/or architect, in accordance with requirements of the Village Engineering Department. Record drawings shall be submitted by Developer before applying for a Village occupancy permit.

ARTICLE III - DEDICATION AND ACCEPTANCE

3.01 GENERAL: Developer agrees that the improvements will not be accepted by the Village until: (i) all outstanding charges to be paid by Developer under the Ordinances have

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been paid in full, (ii) affidavits and lien waivers are received by the Village indicating that all contractors providing work, services or materials in connection with the improvements have been paid in full for all such work, services and materials, and (iii) the Village has received evidence satisfactory to it that no liens or other encumbrances (except those approved in writing by the Village) encumber the improvements.

Developer shall request in writing to the Village Engineer, acceptance of the public improvements. The Village Engineer will order an inspection of the improvements by the Village Water Utility, Wastewater Utility, Highway Department, and Engineering Department, and a punch-list of corrections (if needed) shall be forwarded to Developer for completion prior to acceptance. Upon completion of corrective action, Developer shall inform the Village Engineer in writing and request acceptance by the Public Works & Highway Committee. Upon satisfaction of the conditions set forth in this Agreement, and upon written request by Developer, the Village shall accept the improvements (the "Final Acceptance"). The acceptance of the public improvements by the Public Works & Highway Committee shall commence running of the one-year warranty period provided for and in accordance with Section 7.01 of this Agreement.

ARTICLE IV - PAYMENT OF FEES

4.01 GENERALLY. Developer shall pay all fees, expenses, costs and disbursements which Developer is required to pay, pursuant to Sec. 18.10 of the Municipal Code. Nothing in this provision, nor in the remaining provisions of this article, shall be construed as exempting Developer, its successors and assigns, from such future fees, expenses, costs, or assessments which might be imposed by way of general operation of law or ordinance, and as otherwise assessable against properties within the Village of Germantown. Fees identified below are as of the date of this Agreement and may be subject to change. Developer shall pay the fees in the amount then-required at the time of fee payment.

4.02 IMPACT FEES. As a condition of the approval of this Agreement by the Village, Developer shall pay to the Village Treasurer tax impact fees/Residential Unit that have been determined in accordance with Sec. 3.14 of the Municipal Code. These fees include:

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Parks: (\$736.00/Res. Unit)
Fire: (\$171.00/Res. Unit)
Police: (\$148.00/Res. Unit)
Library: (\$281.00/Res. Unit)

These fees are payable at the time of individual lot Building Permit issuance.

4.03 IMPROVEMENT REVIEW FEE. Developer shall pay a fee based on the cost of required development improvements for all phases of the project to cover the cost of the Village for checking and reviewing plan and specification documents. Such improvement review fee shall be as provided by Sec. 18.10(3) of the Municipal Code. The fee shall be calculated as follows:

- (1) 2.25% of the first \$250,000 of construction costs; plus
- (2) 1.75% of the next \$250,000 of construction costs; plus
- (3) 1.25% of construction costs which exceed \$500,000; plus
- (4) A minimum \$5,000 Developer's Agreement fee pursuant to Section 18.10(3) of the Municipal Code.

4.04 PROFESSIONAL FEES AND INSPECTION FEES. In accordance with Sec. 18.10(4), 18.10(7), and 18.10(8) of the Municipal Code, Developer shall be responsible for all professional (technical and legal) fees incurred by the Village in connection with this Development. Inspection costs shall be reimbursed to Village by Developer, whether performed by the Village Engineering Department, Water Utility, Wastewater Utility, Highway Department, or outsourced to a third-party engineering consultant, and shall also be reimbursed for services rendered by the Village Attorney. Developer will be billed for Village personnel at the standard rates. Developer will be billed for third-party engineering consultants by presenting their invoices.

4.05 DATA CONVERSION FEE. In accordance with Section 18.10(13) of the Municipal Code, Developer shall be responsible for all fees associated with the upload of Geographic Information System data incurred by the Village in connection with this project.

4.06 PREPAYMENT OF CERTAIN FEES. Developer, and/or a lot owner in the case of impact fees, shall pay the fees specified in Paragraphs 4.02, 4.03 and 4.05, as itemized in Exhibit A, prior to the issuance of any building permit for the Property.

ARTICLE V - SPECIAL PROVISIONS

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5.01 SEWER CONNECTIONS. NONE

5.02 SEWER CAPACITY. NOT APPLICABLE

5.03 WETLAND AND FLOODPLAIN CONDITIONS. It shall be an explicit condition that Developer shall comply with all required regulations and shall obtain all necessary approvals in writing from the appropriate agencies relative to the wetlands and floodplain areas which may be on the Property. Approval of the subject Development Plan by the Village Plan Commission shall not be construed to be Village approval of intrusions into wetland or floodplain areas, or Village approval of filling or modifications to wetlands or floodplain areas. Developer, shall not be allowed to grade, fill, or conduct any other type of development within 75 feet of the high-water mark of a navigable waterway or 25 feet from a wetland except as provided under Conditional Use Permit No. 04-2018 and the Wetland Setback Mitigation Plan approved therein. If the Zoning Administrator suspects the presence of wetlands or navigable stream upon site inspection, an updated delineation will be required. Final delineation of wetlands and navigable streams shall be confirmed by the Wisconsin Department of Natural Resources and/or Federal Army Corp of Engineers.

5.04 PHASES. Developer has represented that it will construct the public improvements for this project in one phase. All public improvement work associated with the Development shall be completed within one year following the date of issuance of permits for such work by the Village.

5.05 GARBAGE/RECYCLABLE COLLECTION: In accordance with Section 11.08 of the Municipal Code, the Village is responsible for garbage, refuse and recyclables collection for the Development.

5.06 ROADWAY MAINTENANCE: (1) Harvest Ridge, Taylor Trail, Hazel Heights and the Pedestrian Path will be Public Roads/Path and will be maintained, including snow & ice removal, by the Village

ARTICLE VI - FINANCIAL GUARANTY

6.01 AMOUNT. Developer shall deposit with the Village a certified check or provide an irrevocable letter of credit which shall assure the faithful performance of Developer's obligations under this Agreement as itemized in Exhibit "A" attached hereto and incorporated herein by reference. The Village may in its sole discretion following Developer's request and

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acceptance by the Village Public Works & Highway Committee of some but not all of the improvements constructed as part of this Agreement, reduce the deposit or letter of credit to the amount estimated by the Village Engineer (in a manner consistent with the Ordinances) to be necessary to secure performance by Developer hereunder. In no event shall the amount of the guaranty be reduced below the aggregate total estimated cost of the improvements not yet installed or accepted, plus fifteen percent (15%). The Village is hereby authorized to contact directly Developer's financial agent from time to time regarding the sufficiency of the financial guaranty. The termination date of the Letter of Credit, following acceptance by the Village shall be no earlier than one year following the date of issuance of permits for public improvement work by the Village. If the public improvements to be undertaken by Developer under this Agreement are not complete within one year following the issuance of permits for such work, for any reason including force majeure under Section 8.03 below and without regard to the fault of Developer, then Developer's obligation to provide a letter of credit shall be extended through the completion of the work and its inspection and acceptance of dedication by the Village. After construction and total completion of the project and acceptance of the project by the Village Public Works & Highway Committee, the surety or Letter of Credit will be reduced to 10% of the actual cost of construction for a period of one (1) year (the guaranty period). In the event the original surety would, by its terms, expire prior to the end of the one year guaranty period, or if the guaranty period is extended due to repairs of defects as provided in Sec 7.01, a new surety shall be issued to cover the remaining guaranty period for the 10% of actual original construction costs.

In addition, the Developer shall pay to the Village in the amount of \$55,000.00 in cash for the future construction of Elm Lane as described in Section 1.05. Also, as indicated in Exhibit A the LOC shall include an estimated amount of \$40,000.00 to complete the construction, if required at a future date, of a cul-de sac at the east end of Taylor Trail 9 (see section 1.05) and an amount for the financial warranty of the Street Trees pursuant to Section 1.11.

6.02 FORM. The form of the letter of credit shall be approved by the Village Attorney prior to acceptance of the letter of credit by the Village as satisfying Developer's obligation as provided in Section 6.01 above. The letter of credit shall provide that it may be drawn upon only by the Village to guaranty to the Village the performance by Developer of all obligations under this Agreement. The letter of credit shall be from a local lending institution, in the form of an irrevocable standby letter of credit and auto renewable.

6.03 LIABILITY NOT RELEASED. All deposits or Letters of Credit given hereunder are security devices only which in no manner limit the liability of Developer to the Village, however arising and regardless of the amount.

6.04 RESERVATION OF ASSESSMENT RIGHTS. In addition to the remedies for default provided to the Village by this financial guaranty, the Village reserves the right without notice or hearing to impose special assessments or charges for any amounts to which it is specifically entitled by virtue of this Agreement for improvements specifically provided for

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herein upon the property described in Exhibit "A" attached hereto. Such special assessments or charges shall be collected on the next succeeding tax roll as are other special assessments or charges. This provision constitutes Developer's Waiver of Notice and Consent to all special assessment or special charges proceedings which may be required by law.

6.05 REMEDIES. At the option of the Village, a material breach of this Agreement shall result in the Village having the right to revoke any and all occupancy or use permits, or to rescind any zoning granted in consideration of the proposed project. Compliance with this contract shall be deemed a condition of any such zoning, which shall revert to the original zoning classification upon action of the Village Board under authority of this provision. As an alternative thereto, and at the option of the Village the Village may impose a liquidated damage penalty in the amount of \$500.00 per diem as until such time as there shall be compliance. In addition, the Village shall have the right to remedy such breach at its expense and assess the cost thereof against the subject property. All remedies as stated herein shall be deemed alternative remedies, and cumulative as and to such other remedies in law or equity as the Village may assert and herein reserves.

ARTICLE VII - GUARANTEE AND INDEMNIFICATION

7.01 GUARANTEE OF IMPROVEMENTS. Developer shall guarantee all dedicated public improvements against defects due to faulty materials or workmanship which appear within one (1) year from the date of Final Acceptance by the Village, as provided in Article III of this Agreement. Developer shall repair or replace any such improvements as required by the Village Engineer to eliminate such defects and shall pay for all damages to Village property resulting from such defects. Each repair or replacement performed pursuant to this paragraph shall be guaranteed for one (1) year from the completion thereof.

7.02 GENERAL INDEMNIFICATION. Developer shall indemnify and hold the Village harmless against and from any and all liability, judgments, costs and expenses incurred by the Village as the result of any action by whomsoever or whenever brought or obtained against the Village or Developer, or both, which may in any manner result from or arise in the course of, out of, or as a result of the carelessness, negligence or neglect of Developer, its agents, contractors or employees. In every case where judgment is recovered against the Village and where notice of the pendency of the suit and an opportunity to defend the same has been given to Developer within ten (10) days after its commencement, the judgment shall be conclusive upon

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Developer, not only as to the amount of damages, but also as to its liability to the Village.

7.03 CONTRACTOR INSURANCE. Contractors engaged by Developer to perform the work required by this Agreement within public rights-of-way shall, prior to commencing such work, submit to the Village proof of the following:

- (1) Unemployment and Workers' Compensation insurance which is in strict compliance with state laws.
- (2) Personal and public liability insurance having limits of not less than \$1,000,000.00.
- (3) Property damage insurance having limits of not less than \$500,000.00.
- (4) Fire and extended coverage which shall insure against losses and damage to completed work, materials or equipment until the same has been accepted by the Village.

7.04 INDEMNIFICATION FOR ENVIRONMENTAL CONTAMINATION: Developer shall indemnify, and hold the Village and its officers, agents and employees harmless from and against any and all losses, damages, costs, expenses, liabilities, obligations, claims or suits (including, without limitation, reasonable attorneys' fees, punitive damages, fines, penalties and consequential damages) resulting from or relating in any way to the presence of toxic or hazardous material or substances present or suspected to be present in or on the real property dedicated or conveyed to the Village, pursuant to, or in connection with the platting/subdivision of Developer's Property as more specifically detailed in the terms of this Agreement. For purposes of this Agreement, "toxic or hazardous material or substances" is defined as any pollutant, contaminant, waste or toxic or hazardous chemicals, wastes or substances, including, without limitation, asbestos, urea formaldehyde insulation, petroleum, PCBs, lead, air pollutants, water pollutants, soil pollutants and other substances defined as hazardous or toxic or words of similar import under federal, state or local statute, rule, regulation or order of any government entity having jurisdiction over the control of such wastes or substances.

Upon the Village becoming aware of the occurrences of any event or the existence of any state of facts in respect of which the Village has or will have a claim for indemnification under this Section 7.04 ("Claim"), as soon as reasonably practicable thereafter:

- (a) the Village shall provide Developer notice of the losses, damages, costs, expenses, liabilities, obligations, claims or suits (including, without limitation, reasonable attorney's fees, punitive damages, fines, penalties, and consequential damages) as and when reasonably apprehended. Notwithstanding anything to the contrary

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contained herein, the Village's failure to timely notify Developer shall not prevent or in any way impair recovery by the Village unless Developer is materially prejudiced as a result of such failure;

- (b) subject to paragraphs (c) through (f) below, Developer diligently, at its own expense, shall control and shall be responsible for the defense, negotiation and/or settlement of the Claim, including the diligent performance of any remediation associated therewith;
- (c) the Village may at its own expense hire counsel or consultants to monitor the Claim;
- (d) Developer shall not, without the prior written consent of the Village, which consent shall not be unreasonably delayed, withheld or conditioned, settle any Claim;
- (e) Developer shall lose its right to defend, negotiate and settle any Claim if, in the reasonable judgment of the Village, it fails to diligently defend, negotiate or settle such Claim. In the event that Developer has lost its right to defend, negotiate or settle any Claim: (i) the Village shall have the right, without prejudice to its right of indemnification hereunder, at Developer's cost and expense, to defend, negotiate and settle any Claim, and (ii) Developer shall pay such reasonable costs and expenses incurred by the Village within twenty (20) days of receipt of written notice from the Village;
- (f) If Developer does not timely assume responsibility for any Claim, the Village shall have the right, without prejudice to its right of indemnification hereunder, at the sole cost and expense of Developer, to assume control of the defense, negotiation and/or settlement of the Claim, and may engage counsel or other agents, consultants, and contractors to contest, defend, settle or otherwise dispose of such Claim, including, without limitation, hiring any environmental consultant or contractor to perform any remediation necessary to address the Property or the toxic or hazardous materials or substances at the Property.

ARTICLE VIII - TIME OF COMPLETION

8.01 COMPLETION DATE. The work required by this Agreement shall be completed by Developer not later than one (1) year after acceptance of this Agreement by the Village Board.

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8.02 DEFAULT. In the event Developer does not complete installation of the public improvements required by this Agreement within thirty (30) days after the Village has served notice of default upon Developer, the Village may complete the same and take title thereto. The costs of doing such work shall be collected as provided in Article VI of this Agreement.

8.03 FORCE MAJEURE. Notwithstanding anything herein to the contrary, in the event that Developer is delayed or hindered in or prevented from the performance of any act required hereunder by reason of strikes, lockouts, labor troubles, inability to procure materials, failure of power, restrictive governmental regulations, orders or decrees, riots, insurrection, war, acts of God, inclement weather, or other reasons beyond Developer's reasonable control, then performance of such act shall be excused for the period of the delay and the period for the performance of any such act shall be extended for the period of such delay.

8.04 SUNSET CLAUSE. The conditions of this Agreement shall terminate two (2) years after Village Board approval unless construction has begun or amended in writing by both parties.

ARTICLE IX - GENERAL PROVISIONS

9.01 PLATTING REGULATIONS. All provisions of the Village's subdivision and platting code as set forth in Chapter 18 of the Municipal Code of the Village which are not inconsistent with or in conflict with any of the provisions of this Agreement are incorporated herein by reference and all such provisions shall bind the parties hereto and be a part of this Agreement as fully as if set forth herein. This Agreement, shall be performed and carried out in strict compliance with and subject to the provisions of Chapter 18.

9.02 APPROVAL TERMS. The approvals granted by the Village to Harvest Hills Subdivision, LLC are conditioned upon the fact that Harvest Hills Subdivision, LLC (Developer), use is not tax-exempt and shall be subject to general property taxation; No tax-exempt use is authorized by the aforesaid approvals.

9.03 AGREEMENT FOR BENEFIT OF PURCHASER. Developer agrees that in addition to the Village's rights herein, the provisions of this Agreement shall be for the benefit of the purchaser of any dwelling unit, building, lot or parcel of land within the Development.

9.04 ENTIRE AGREEMENT. This written Agreement and written amendments and any referenced attachments thereto shall constitute the entire agreement between the Developer and the Village.

9.05 AMENDMENTS. This Agreement may be amended or modified only by an instrument in writing executed by all of the parties to this Agreement.

9.06 OWNERSHIP. Harvest Hills Subdivision, LLC (Developer) certifies and warrants to the Village that the owner of the real estate within said Development and all of the land contract vendors and/or mortgagees having interest in said real estate are as follows: Harvest Hills Subdivision, LLC.

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9.07 AUTHORITY. Harvest Hills Subdivision, LLC, Owner and Developer.

9.08 NO VESTED RIGHTS GRANTED. Except as expressly provided by law or as expressly provided by this Agreement, no vested rights in connection with this project shall inure to the Developer, its heirs, successors or assigns.

9.09 NO WAIVER. No waiver of any provision of this Agreement shall be deemed to constitute a waiver of any other provision, nor shall it be deemed or constitute a continuing waiver unless expressly provided for by a duly signed and executed, written amendment by all parties to this Agreement. The Village's failure to act or exercise any right under this Agreement shall not constitute the approval or a waiver of its right to act or exercise any right under this Agreement or a ratification of any wrongful or negligent act by the Developer or the acceptance of any improvement or performance on the part of the Developer.

9.10 APPROVAL. No approval by the Village Engineer or the Village Attorney or any other person acting on behalf of the Village shall be construed as a waiver of any of the requirements of the Ordinances, or any statute or regulation governing the improvements.

9.11 COVENANTS AND DEED RESTRICTIONS. Developer shall, before selling any lots within the Subdivision, record restrictive covenants and deed restrictions. All proposed covenants and deed restrictions shall be submitted to and be approved by the Village Attorney prior to recording, and shall include, in addition to any other provision required under this Agreement, the following:

- (1) A requirement that the lot owner set the final yard grade, building elevations and contours subject to the approval of the Villages Building Inspector and Engineer prior to construction. The lot owner shall also ensure that the lot is graded in accordance with such approval.
- (2) A requirement that the lot owners install a front yard light that is in conformance with Sec. 18.08(12) of the Municipal Code subject to the approval of the Village Engineer.
- (3) VILLAGE REMEDIES. The Village shall have the right to remedy deficiencies under the preceding paragraphs, the right to charge Developer for costs incurred and the right to enforce collection of such amounts in accordance with § 66.0627 of the Wisconsin Statutes.
- (4) A requirement that each individual lot owner is responsible for installing the minimum landscaping required under Section 17.43(5)

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- (5) A requirement that a Homeowner's Association is created comprised of all lot owners for purposes of assuming the perpetual maintenance of all privately-owned storm water management basins, storm sewer, ditches, and swales required under Section 1.09, and, other privately-owned improvements including the monument entrance sign(s) and commonly owned outlots and open spaces including Outlot Nos. 1 through 7.
- (6) A requirement that the wetland and Primary Environmental Corridor (PEC) depicted on the subdivision plat within Outlot 7 is to be preserved and protected from development and any uses or activities that would damage or destroy the natural resource features, wildlife and associated habitat therein, including but not limited to, the unnecessary removal of trees or other vegetation, the use of motorized vehicles, recreational hunting, etc.

9.12 SEVERABILITY. If any part, term or provision of this Agreement is held by a court to be illegal or otherwise unenforceable, such illegality or unenforceability shall not affect the validity of any other part, term or provision; and the right of the parties will be construed as if the part, term or provision was never part of the Agreement.

ARTICLE X - NON-ASSIGNMENT

This Agreement which is binding upon Developer, Developer's agents, officers, employees, personal representatives, guardians and trustees shall not be assigned by Developer to any individual, firm, partnership or corporation without the express approval of the Village.

IN WITNESS WHEREOF, Developer and the Village have caused this Agreement to be signed in duplicate originals this _____ day of _____, 2018 which shall be the effective date of this Agreement.

HARVEST HILLS SUBDIVISION, LLC

By: _____
Print Name: **SHARI WAGGONER**

OWNER / DEVELOPER

STATE OF WISCONSIN)
) SS
)
) COUNTY)

Personally came before me this ____ day of _____, 2018, the above-named, Shari Waggoner, to me known to be the person who executed the foregoing instrument and to me known to be such OWNER, and acknowledged that he executed the foregoing instrument in such

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capacity.

By: _____
Print Name: _____
Notary Public, State of Wisconsin
My Commission Expires:

"In Duplicate"

VILLAGE OF GERMANTOWN

By _____
Dean Wolter, Village President

By _____
Deanna D. Boldrey, Village Clerk

Per Village Board Approval: Dated _____

STATE OF WISCONSIN)
) SS
_____COUNTY)

Personally, came before me this ____ day of _____, 2018, the above-named, Dean M. Wolter, Village President, and Deanna D. Boldrey, Village Clerk, to me known to be the persons who executed the foregoing instrument and to me known to be the persons who executed the foregoing instrument in such capacity and acknowledged the same.

By _____
Print Name: _____

DEVELOPMENT AGREEMENT

Notary Public, State of Wisconsin
My Commission Expires:

Approved as to form:

Brian C. Sajdak, Village Attorney

This instrument was drafted by:
Lawrence W Ratayczak, P.E., Director of Public Works

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EXHIBIT “A”

FINANCIAL

EXHIBIT "A"**HARVEST HILLS SUBDIVISION****RESIDENTIAL DEVELOPMENT AGREEMENT**

ITEM DESCRIPTION	BASIS	ESTIMATED AMOUNT
Survey Monuments	1.02	\$500.00
Site & Street Grading	1.03 & 1.11	\$170,669.00
Gravel Base and Asphalt Pavement(road)	1.03	\$319,738.00
Asphalt Surface Coarse	1.03	\$85,526.00
Curb & Gutter (est. 280 lf @ \$35/lf)	1.04	\$9,800.00
Pedestrian Path	1.05	\$17,589.00
Erosion Control	1.11&2.04	\$27,525.00
Storm Water System & Drainage	1.12	\$423,900.00
Clearing & Grubbing	1.03	\$69,000.00
Street Lights	1.1	TBD
Street Signs	1.08	TBD
Future cul-de-sac at east end Taylor		\$40,000.00
Permanent Barricades	1.13	\$700.00
SUB-TOTAL		\$1,164,947.00
DATA Conversion Fee	4.03	\$500.00 *
Improvement Review Fee: Minimum Fee	4.03	\$5,000.00 *
Professional Fee (Attorney)	4.05	\$500.00 *
Developers Share Cost Sidewalk/Pathway	1.14	\$5,000.00 *
Future Elm Lane Construction		\$55,000.00
Inspection Fee (Estimate)	4.05	\$3,000.00 *
SUB-TOTAL		\$69,000.00
IMPACT & CONNECTION FEE'S TO BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE		
Sanitary Sewer	4.02	N/A **
Water	4.02	N/A **
Fire (37 RES @ \$171.00 / RES)	4.02	\$6,327.00 **
Police (37 RES @ \$148.00 / RES)	4.02	\$5,476.00 **
Park & Recreation (37 RES @ \$736.00 / RES)	4.02	\$27,232.00 **
Library (37 RES @ \$281.00 / RES)	4.02	\$10,397.00 **
SUB-TOTAL		\$49,432.00
Initial Letter of Credit Amount		\$1,164,947.00
* Amount to be Paid at Time of Signing of Development Agreement		\$69,000.00
** Amount to be Paid at Time of Building Permit Issuance		\$49,432.00

DEVELOPMENT AGREEMENT

EXHIBIT “B”

PLAT MAP

Future

DEVELOPMENT AGREEMENT

HARVEST HILLS SUBDIVISION

EXHIBIT “C”

LABOR RATES

LABOR RATES -- 2018

VILLAGE OF GERMANTOWN

Annual Hourly Rates

POSITION DESCRIPTION	2016	2017	2018
Director of Public Works	\$72.21	\$73.65	\$75.13
Village Engineer	\$60.83	\$62.05	\$63.29
Project Engineer	\$52.40	\$53.45	\$54.52
Engineer Tech III / Land Surveyor	\$45.97	\$46.89	\$47.83
Land Surveyor/Survey Crew w/Robot	\$133.66	\$136.33	\$139.06
Highway Superintendent	\$52.09	\$53.13	\$54.19
Zoning Administrator/Planner	\$59.18	\$60.36	\$61.57
Civil Engineer	\$38.79	\$39.57	\$40.36
Record Drawing Documentation Preparation	\$46.14	\$47.06	\$48.00
Construction Inspection	\$46.14	\$47.06	\$48.00
Highway Maintenance Worker II	\$43.70	\$44.57	\$45.47
Highway Operators (Traffic Signals)	\$50.74	\$51.75	\$52.79
Water Superintendent	\$52.09	\$53.13	\$54.19
Waste Water Superintendent	\$52.09	\$53.13	\$54.19
Utility Operator	\$44.83	\$45.73	\$46.64
Clerical	\$35.34	\$36.05	\$36.77

NOTE: 2018 rates reflect a 2% increase to the 2017 wages.

EQUIPMENT RATES -- 2018

VILLAGE OF GERMANTOWN

Annual Hourly Rates

EQUIPMENT DESCRIPTION	2016	2017	2018
Cruz-Air	\$62.20	\$64.07	\$65.99
Case Backhoe & Loader	\$36.72	\$37.82	\$38.96
Michigan Loader	\$46.92	\$48.33	\$49.78
Case/John Deer Loader/Snow Plow	\$79.56	\$81.95	\$84.41
Case/John Deer Loader/Snow Blower	\$108.12	\$111.36	\$114.70
Single Axle Dump Truck (5yd)	\$33.66	\$34.67	\$35.71
Single Axle Dump Truck w/Plow/Aux. Wing/Sander (5 yd)	\$54.06	\$55.68	\$57.35
Tandem Axle Dump Truck	\$44.88	\$46.23	\$47.61
Tandem Axle Dump Truck w/Plow/Aux. Wing/Sander	\$66.30	\$68.29	\$70.34
4 Wheel Oshkosh w/Plow/Wing/Sander	\$108.12	\$111.36	\$114.70
1-Ton Patrol Truck (2-3 yd)	\$25.50	\$26.27	\$27.05
1-Ton Truck w/Plow	\$31.62	\$32.57	\$33.55
Truck w/Water Jetter w/Aux. Power Unit	\$51.00	\$52.53	\$54.11
Aerial Lift Truck	\$63.24	\$65.14	\$67.09
Pickup Truck	\$19.89	\$20.49	\$21.10
Pickup Truck w/Plow	\$28.56	\$29.42	\$30.30
Self Propelled Vibrating Roller	\$38.76	\$39.92	\$41.12
Self Propelled Non-Vibratory Roller	\$35.70	\$36.77	\$37.87
185 cfm Air Compressor (Portable)	\$28.56	\$29.42	\$30.30
Street Sweeper 40 Hp w/Front Mounted Broom	\$37.74	\$38.87	\$40.04
Vacuum Sweeper	\$83.64	\$86.15	\$88.73
Vac All	\$87.72	\$90.35	\$93.06
Sewer line Televising Truck	\$118.32	\$121.87	\$125.53
Combination Sewer Machine (pipe jetter & vac)	\$142.80	\$147.08	\$151.50
Mini Excavator	\$50.00	\$51.50	\$53.05
Skid Steer Loader w/Bucket	\$32.64	\$33.62	\$34.63
Skid Steer Loader w/Snow Blower/Broom	\$35.70	\$36.77	\$37.87
Tar Kettle	\$34.68	\$35.72	\$36.79
Motorized Mower (24" & Under)	\$13.52	\$13.93	\$14.34
Motorized Mower (25"-47")	\$18.87	\$19.44	\$20.02
Motorized Mower (48" & larger)	\$21.93	\$22.59	\$23.27
Tractor w/Sickle or Flail Mower	\$46.92	\$48.33	\$49.78

Chain Saw	\$12.50	\$12.88	\$13.26
Hydraulic Saw	\$12.50	\$12.88	\$13.26
Hydraulic Pruner	\$12.50	\$12.88	\$13.26
Chipper	\$40.80	\$42.02	\$43.28
Generator (225 Kw)	\$58.14	\$59.88	\$61.68
Generator (Under 10 Kw)	\$25.50	\$26.27	\$27.05
Trailer Mounted Vacuum Excavator	\$85.68	\$88.25	\$90.90
6 " Pump/Hose	\$31.62	\$32.57	\$33.55
4" Pump/Hose	\$26.52	\$27.32	\$28.14
3" Pump/Hose	\$21.93	\$22.59	\$23.27
Barricades-----DAILY COST	\$3.06	\$3.15	\$3.25
Traffic Control Signs-----DAILY COST	\$1.53	\$1.58	\$1.62
NOTE: 2018 rates reflect a 3% increase of 2017 rates			

DEVELOPMENT AGREEMENT

EXHIBIT “D”

MAP

FUTURE

BUSINESS OF VILLAGE OF GERMANTOWN

THE GENERAL GOVERNMENT & FINANCE COMMITTEE & VILLAGE BOARD

MEETING DATE: July 16, 2018 – GGF
July 16, 2018 – VB

PLACEMENT: New Business

ITEM TITLE: Acceptance of the 2017 Comprehensive Annual Financial Report

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

The 2017 Comprehensive Annual Financial report has been completed and is presented to the General Government & Finance Committee. The audit report was e-mailed to the board members and placed on the Village of Germantown website. If you have any questions before the meeting, please contact me. A representative from Baker Tilly Virchow Krause will be available for a summary report and to answer any questions.

2017 Points of Interest

General Fund Unassigned Fund Balance \$5.18 million – 33% of subsequent year expenditures – year end 2016 it was \$28.87%

Water Utility ending 2017 unassigned cash balance = \$1,556,427, down \$210,671 from 2016. Balances for other accounts = Assigned (Water Tower Maintenance) \$510,60, Restricted \$257,607 (Impact Fees), \$173,330 (Debt Reserve, Redemption & Depreciation).

Sewer Utility ending 2017 cash balance = \$5,505,823. Deducting for the April 2018 Capital charge of \$3,042,082 the unassigned balance is \$2,463,741, an increase of \$1.375 million over 2016. The Sewer Utility will complete additional sections of sewer main relining the end of 2018, or beginning 2019. Sewer Replacement CD \$316,477 and Vehicle Replacement Fund \$412,698.

The Health & Dental plans combined year end balance is \$1,680,735.

The Communication and Internal Controls reports again mentions separation of duties for more oversight is recommended, plus adjusting for a TIF 4 Land sale from 2014 that wasn't recorded properly, and auditor journal entries for Wisconsin Retirement pension reporting.

ATTACHMENT: ORDINANCE____ RESOLUTION ____ OTHER _xx____

2017 Comprehensive Annual Financial Report (Sent in an earlier email and posted to website)

<http://wi-germantown2.civicplus.com/DocumentCenter/View/2894/Village-of-Germantown-2017-CAFR>

Communication to Those Charged with Governance & Management

RECOMMENDATION:

Acceptance

COMMITTEE ACTION

VILLAGE OF GERMANTOWN

Germantown, Wisconsin

COMMUNICATION TO THOSE CHARGED
WITH GOVERNANCE AND MANAGEMENT

As of and for the Year Ended December 31, 2017

VILLAGE OF GERMANTOWN

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**REQUIRED COMMUNICATION OF INTERNAL CONTROL RELATED MATTERS
IDENTIFIED IN THE AUDIT TO THOSE CHARGED WITH GOVERNANCE**

To the Village Board
Village of Germantown
Germantown, Wisconsin

In planning and performing our audit of the financial statements of the Village of Germantown as of and for the year ended December 31, 2017, in accordance with auditing standards generally accepted in the United States of America, we considered its internal control over financial reporting (internal control) as a basis for designing our auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of its internal control. Accordingly, we do not express an opinion on the effectiveness of its internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified certain deficiencies in internal control that we consider to be material weaknesses.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We consider the following deficiencies in the Village of Germantown's internal control to be material weaknesses:

- > Internal Control Environment
- > Internal Control Over Financial Reporting

This communication is intended solely for the information and use of management, the Village Board, and others within the organization and is not intended to be, and should not be, used by anyone other than these specified parties.

Baker Tilly Virchow Krause, LLP

Madison, Wisconsin
June 21, 2018

Auditing standards require that we perform procedures to obtain an understanding of your government and its internal control environment as part of the annual audit. This includes an analysis of significant transaction cycles and an analysis of the year-end financial reporting process and preparation of your financial statements.

INTERNAL CONTROL OVER FINANCIAL REPORTING

Properly designed systems of internal control provide your organization with the ability to process and record accurate monthly and year-end transactions and annual financial reports.

Our audit includes a review and evaluation of the internal controls relating to financial reporting. Common attributes of a properly designed system of internal control for financial reporting are as follows:

- > There is adequate staffing to prepare financial reports throughout and at the end of the year.
- > Material misstatements are identified and corrected during the normal course of duties.
- > Complete and accurate financial statements including footnotes are prepared.
- > Financial reports are reviewed by an individual who is not the preparer for completeness and accuracy.

Our evaluation of the internal controls over financial reporting has identified control deficiencies that are considered material weakness surrounding the preparation of financial statements and footnotes, adjusting journal entries identified by the auditors, and an independent review of financial reports.

Management has not prepared financial statements that are in conformity with generally accepted accounting principles. In addition, material misstatements in the general ledger were identified during the financial audit.

This level of internal control over financial reporting can be a difficult task for governments that operate with only enough staff to process monthly transactions and reports, and often rely on their auditors to prepare certain year-end audit entries and financial statements

INTERNAL CONTROL ENVIRONMENT

A properly designed system of internal control includes adequate staffing as well as policies and procedures to properly segregate duties. This includes systems that are designed to limit the access or control of any one individual to your government's assets or accounting records, and to achieve a higher likelihood that errors or irregularities in your accounting processes would be discovered by your staff in a timely manner.

At this time, due to staffing and financial limitations, the proper internal controls are not in place to achieve adequate segregation of duties. As a result, errors, irregularities or fraud could occur as part of the financial reporting process that may not be discovered by someone in your organization. Therefore, we are reporting a material weakness related to the internal control environment.

There are also certain controls that are not currently in place related to significant transaction cycles. As a result, there is a risk that erroneous or unauthorized transactions or misstatements could occur without the knowledge of management or the governing body. Our recommendations for strengthening controls are listed below.

INTERNAL CONTROL ENVIRONMENT (cont.)

CONTROLS OVER PAYROLL

- > Staff preparing the payroll are neither independent of other personnel duties nor restricted from access to the payroll account. (Segregation of duties)

CONTROLS OVER PROPERTY TAXES

- > The tax account should be reconciled by someone independent of the tax collection process. (Segregation of duties)

CONTROLS OVER GENERAL ACCOUNTING

- > Cash receipts should be collected by personnel who do not have access to the general ledger or reconcile general ledger accounts. (Segregation of duties)

Since the controls listed above or other compensating controls are not currently in place, errors or irregularities could occur as part of the accounting processes that might not be discovered by management or the governing body. Therefore, the absence of these controls is considered to be a material weakness.

We recommend that a designated employee review the segregation of duties, risks, and these potential controls and determine whether additional controls should be implemented. This determination should take into consideration a cost / benefit analysis.

OTHER COMMUNICATIONS TO THOSE CHARGED WITH GOVERNANCE

TWO WAY COMMUNICATION REGARDING YOUR AUDIT

As part of our audit of your financial statements, we are providing communications to you throughout the audit process. Auditing requirements provide for two way communication and are important in assisting the auditor and you with more information relevant to the audit.

As this past audit is concluded, we use what we have learned to begin the planning process for next year's audit. It is important that you understand the following points about the scope and timing of our next audit:

- a. We address the significant risks or material misstatement, whether due to fraud or error, through our detailed audit procedures.
- b. We will obtain an understanding of the five components of internal control sufficient to assess the risk of material misstatement of the financial statements whether due to error or fraud, and to design the nature, timing, and extent of further audit procedures. We will obtain a sufficient understanding by performing risk assessment procedures to evaluate the design of controls relevant to an audit of the financial statements and to determine whether they have been implemented. We will use such knowledge to:
 - > Identify types of potential misstatement.
 - > Consider factors that affect the risks of material misstatement.
 - > Design tests of controls, when applicable, and other substantive procedures.

We will not express an opinion on the effectiveness of internal control over financial reporting or compliance with laws, regulations, and provisions of contracts or grant programs.

- c. The concept of materiality recognizes that some matters, either individually or in the aggregate, are important for fair presentation of financial statements in conformity with generally accepted accounting principles while other matters are not important. In performing the audit, we are concerned with matters that, either individually or in the aggregate, could be material to the financial statements. Our responsibility is to plan and perform the audit to obtain reasonable assurance that material misstatements, whether caused by errors or fraud, are detected.

We are very interested in your views regarding certain matters. Those matters are listed here:

- a. We typically will communicate with your top level of management unless you tell us otherwise.
- b. We understand that the Village Board has the responsibility to oversee the strategic direction of your organization, as well as the overall accountability of the entity. Management has the responsibility for achieving the objectives of the entity.
- c. We need to know your views about your organization's objectives and strategies, and the related business risks that may result in material misstatements.
- d. Which matters do you consider warrant particular attention during the audit, and are there any areas where you request additional procedures to be undertaken?
- e. Have you had any significant communications with regulators or grantor agencies?
- f. Are there other matters that you believe are relevant to the audit of the financial statements?

TWO WAY COMMUNICATION REGARDING YOUR AUDIT (cont.)

Also, is there anything that we need to know about the attitudes, awareness, and actions of the village concerning:

- a. The village's internal control and its importance in the entity, including how those charged with governance oversee the effectiveness of internal control?
- b. The detection or the possibility of fraud?

We also need to know if you have taken actions in response to developments in financial reporting, laws, accounting standards, governance practices, or other related matters, or in response to previous communications with us.

With regard to the timing of our audit, here is some general information. We will perform preliminary financial audit work during the months of October-December, and sometimes early January. Our final financial fieldwork is scheduled during the March - April to best coincide with your readiness and report deadlines. After fieldwork, we wrap up our financial audit procedures at our office and may issue drafts of our report for your review. Final copies of our report and other communications are issued after approval by your staff. This is typically 6-12 weeks after final fieldwork, but may vary depending on a number of factors.

Keep in mind that while this communication may assist us with planning the scope and timing of the audit, it does not change the auditor's sole responsibility to determine the overall audit strategy and the audit plan, including the nature, timing, and extent of procedures necessary to obtain sufficient appropriate audit evidence.

We realize that you may have questions or wish to provide other feedback. We welcome the opportunity to talk with you.

**COMMUNICATION OF OTHER CONTROL DEFICIENCIES, RECOMMENDATIONS
AND INFORMATIONAL POINTS TO MANAGEMENT THAT ARE NOT
MATERIAL WEAKNESSES OR SIGNIFICANT DEFICIENCIES**

GENERAL FUND BALANCE

Ordinance No. 9-15 states the village will maintain a minimum unassigned fund balance between 16-25% of the village's subsequent year budgeted expenditures. As of December 31, 2017, the unassigned fund balance covers 33% of the 2018 budgeted expenditures. This compares to a figure of 29% at the end of 2016.

DEPARTMENTAL CONTROLS

As part of our annual audit process, we focus our efforts on the primary accounting systems, internal controls, and procedures used by the village. This is in keeping with our goal to provide an audit opinion which states that the financial statements of the village are correct in all material respects.

In some cases, the primary system of accounting procedures and controls of the village are supported by smaller systems which are decentralized, and reside within a department or other location such as the library, police department, and recreation sites. In many cases, those systems are as simple as handling cash collections and remitting those collections to the village treasurer. In other cases, the department may send invoices or statements of amounts due, and track collections of those amounts in a standalone accounts receivable system.

Generally, the more centralized a function is, the easier it is to design and implement accounting controls that provide some level of checks and balances. That is because you are able to divide certain tasks over the people available to achieve some segregation of duties. For those tasks that are decentralized, it is usually very difficult to provide for proper segregation of duties. Therefore, with one person being involved in most or all aspects of a transaction, you lose the ability to rely on the controls to achieve the safeguarding of assets and reliability of financial records.

As auditors, we are required to communicate with you on a variety of topics. Since there is now more emphasis on internal controls and management's responsibilities, we believe it is appropriate to make sure that you are informed about the lack of segregation of duties that may occur at departments or locations that handle cash or do miscellaneous billing, such as recreation sites, the library, and the senior center. As you might expect, similar situations are common in most governments.

As auditors, we are required to focus on the financial statements at a highly summarized level and our audit procedures support our opinion on those financial statements. Departments or locations that handle relatively smaller amounts of money, such as the senior center and recreation sites, are not the primary focus of our audit. Yet, because of the lack of segregation of duties, the opportunity for loss is higher there than in centralized functions that have more controls.

Because management is responsible for designing and implementing controls and procedures to detect and prevent fraud, we believe it is important for us to communicate this information to you. We have no knowledge of any fraud that has occurred or is suspected to have occurred within any decentralized locations. However, your role as the governing body is to assess your risk areas and determine that the appropriate level of controls and procedures are in place. As always, the costs of controls and staffing must be weighed against the perceived benefits of safeguarding your assets.

Without adding staff or splitting up the duties, your own day-to-day contact and knowledge of the operation are also important mitigating factors.

INFORMATIONAL POINTS

GASB UPDATES

The Government Accounting Standard Board (GASB) has been very active in recent years, issuing new standards at a fast pace. Over the next few years, your government will have many new standards to evaluate and implement. Here are the standards likely to impact you the most in the upcoming year:

- > GASB 75 covers the employer reporting of Other Post Employment Benefits (OPEB)
- > GASB 86 provides guidance for accounting for Certain Debt Extinguishment Issues

There were two significant GASB statements issued in 2017. While the implementation dates for these are a few years away, they are anticipated to have significant impacts on many government financial statements:

- > GASB 84 improves guidance regarding the identification of Fiduciary Activities and how they should be reported, effective for years ending December 31, 2019
- > GASB 87 improves accounting and financial reporting for Leases, effective for years ending December 31, 2020

Looking even further ahead, the Technical Agenda, below, outlines significant areas GASB is currently working on:

- > Major Projects
 - Financial Reporting Model
 - Revenue and Expense Recognition
- > Practice Issues
 - Capitalization of Interest Cost
 - Conduit Debt
 - Debt Disclosures
 - Equity Ownership Issues
 - Implementation Guidance
- > Pre-Agenda Research
 - Going Concern
 - Cloud Computing
 - Note Disclosure reexamination
 - Public-Private Partnerships
 - Social Impact Bonds

Through our firm involvement on AICPA committees, Baker Tilly follows these developments closely so that we can help you prepare for the changes as they evolve. This participation also allows us to share with GASB the experiences and perspectives of our clients to potentially influence the direction of future projects.

Full lists of projects, as well as many resources, are available on GASB's website which is located at www.gasb.org.

INFORMATIONAL POINTS (cont.)

GOVERNMENT FRAUD PREVENTION AND DETECTION: NOW IS THE TIME TO ACT

When it comes to preventing and detecting fraud in government, being proactive is critical. In fact, government is the second most likely industry to be impacted by fraud. According to the audit standards, the primary responsibility for the prevention and detection of fraud rests with both those charged with governance of the entity and management. To get started, your government should conduct a fraud risk assessment to identify where and how fraud might occur and what individuals may be in a position to commit fraud. Once you've identified your entity's fraud risk areas, the next step is to develop a fraud risk assessment and investigation policy.

As you begin your fraud risk assessment or develop tools to prevent and detect fraud, it is important to keep in mind the following information provided by the Association of Certified fraud Examiners:

- > Misappropriation of assets accounts for 80 percent of fraud
- > The primary internal control weaknesses observed are lack of internal controls, lack of management review, override of existing internal controls and poor tone at the top
- > A tip is the most effective tool to catch a fraudster followed by management review
- > The professional requirements and objectives of a financial audit are different than a forensic audit. Due to the nature of a financial audit, less than 10 percent of frauds have been discovered as a result of a financial audit conducted by an independent accounting firm.

Since your government has not gone through a formal fraud risk assessment and does not have a plan to prevent and detect fraud, we recommend that this be done and then updated on a regular basis. We are available to assist you with this process.

GOVERNMENT FRAUD PREVENTION AND DETECTION: VENDOR FRAUD

Vendor fraud poses a unique threat to governments. Due to the public and transparent nature of operations, government entities have an increased susceptibility for this type of criminal activity. Since governments publish a significant amount of information online — for example, meeting minutes, which often contain vendor names, contract amounts and project status — it is easier for fraudsters to create falsified documents.

Fraud specialists have noted recent fraud cases where criminals falsified vendor change requests for legitimate vendors, including company addresses and bank account information for Electronic Fund Transfers (EFT). When governments unwittingly process these fraudulent changes, the perpetrators can collect payments on legitimate and approved vendor invoices — while legitimate vendors go unpaid. Preventing vendor fraud completely may be impossible; however, governments can go a long way towards protecting themselves by taking appropriate safety and control measures.

Help ensure your vendor transactions are secure and authentic by:

- > Performing a risk assessment that focuses on vendor accounts payable activities.
- > Periodically revisiting your control activities
- > Educate your employees on potential fraud schemes
- > Identify which vendors may be high-risk targets.

Our fraud experts are also available to assist with your fraud risk questions, assessments, and programs.

INFORMATIONAL POINTS (cont.)

RESOURCES FOR STATE AND LOCAL GOVERNMENT BOARDS

Expectations and accountability are at all-time high and the knowledge required to be an effective board member is substantial. As a benefit to our clients, we have compiled a number of resources dedicated to educating state and local government board members. Go to our Board Governance Resource Center at www.bakertilly.com/board-governance.

The Resource Center includes the following short informative videos:

1. Government financial statements 101
2. Understanding your government's fraud risk
3. Financial ratios and benchmarks
4. Fund balance and other financial policies
5. Benefits of a fraud risk assessment
6. Understanding utility finances

We encourage you to subscribe to our complimentary newsletter "Government Connection" to stay abreast of the latest issues impacting state and local governments. You can do so by clicking on the "subscribe" button and indicating "State and Local Government" as an area of interest on the subscription form. Also, if you or your board members have suggested topics to feature on our Board Governance webpage or Government Connection newsletter, we invite you to submit your ideas in person or online.

UPCOMING LEASE STANDARD

In June 2017, the Governmental Accounting Standards Board (GASB) issued new guidance to establish a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. This standard is effective for fiscal years ending on or after December 31, 2020. Statement No. 87, *Leases*, requires recognition of certain lease assets and liabilities for leases that were previously classified as operating leases and recognize as inflows of resources or outflow of resources based on the payment provisions of the contract.

Under the new standard a lease is defined as a contract that conveys control of the right to use another entity's nonfinancial asset (underlying asset) as specified in the contract for a period of time in an exchange or exchange-like transaction. Control is defined by 1) the right to obtain the present service capacity from the use of the underlying asset and 2) the right to determine the nature and manner of use of the underlying asset. Any contract that meets this definition should be accounted for under the lease guidance, unless specifically excluded in this statement. Leases include contracts that, although not explicitly identified as leases, meet the above definition of a lease.

The following are contract exclusions and exceptions from applying lease accounting:

- > Intangible assets (mineral rights, patents, software, copyrights)
- > Biological assets (including timber, living plants, and living animals)
- > Service concession arrangements (See GASB Statement 60)
- > Assets financed with outstanding conduit debt unless both the asset and conduit debt are reported by lessor

Supply contracts (such as power purchase agreements that do not convey control of the right to use the underlying power generating facility)

INFORMATIONAL POINTS (cont.)

UPCOMING LEASE STANDARD (cont.)

- > Inventory
- > Short-term leases - max possible term 12 months or less
- > Leases that transfer ownership and do not contain termination options
- > Leases of assets that are investments
- > Certain regulated leases (e.g., airport-airline agreements)

We recommend village review this standard and start planning how this will affect your financial reporting. An inventory of all contracts that might meet the definition of a lease should be started. The contract listing should include key terms of the contracts such as:

- > Description of contract
- > Underlying asset
- > Contract term
- > Options for extensions and terminations
- > Service components, if any
- > Dollar amount of lease

In addition, the village should begin to establish a lease policy to address the treatment of common lease types, including a dollar threshold for each lease. We are available to discuss this further and help you develop an action plan.

NEW REPORTING REQUIREMENTS FOR FIDUCIARY ACTIVITIES

In January 2017, the Governmental Accounting Standards Board (GASB) issued new guidance to address how governments report fiduciary activities which is effective for fiscal years ending on or after December 31, 2019. Statement No. 84, *Fiduciary Activities*, supersedes reporting of agency funds and replaces it with a newly coined custodial fund, and requires several additional reporting requirements for fiduciary funds.

Under current guidance, Statement 34 requires that governments report fiduciary activities in fiduciary funds, but that statement does not provide a clear definition of what constitutes a fiduciary activity. GASB sought to reduce inconsistencies in reporting and provide a clear foundation for future reporting. The new guidance will impact a significant amount of local governments. Many local governments have activities that may be considered fiduciary, including:

- > Student activity funds of a school district
- > Tax collection funds
- > Circuit court fund of a municipality or county
- > Jail inmate accounts
- > Nursing home patient accounts
- > Cemetery trust funds
- > Postemployment benefit plans

INFORMATIONAL POINTS (cont.)

NEW REPORTING REQUIREMENTS FOR FIDUCIARY ACTIVITIES (cont.)

Under the recently issued Statement 84, governments will need to apply specific criteria to determine if a fiduciary activity exists. The criteria focuses on determining if a government is controlling the assets of the potential fiduciary activity and determining who the beneficiaries are. A few of the major changes that will impact many governments include:

- > Pension/OPEB Plans as Fiduciary Component Units: Pension and other postemployment benefit (OPEB) plans will need to be evaluated to determine if they meet the fiduciary component unit criteria.
- > Other Fiduciary Activities: There are various other types of assets that a government controls which will need to be evaluated under the new standard. Part of this evaluation will include identification of the beneficiary of the funds, consideration of how the assets are derived and the extent of administrative or direct financial involvement with the assets.

The following is a summary of two significant changes in the reporting requirements:

- > The standard requires that governments recognize a liability to the beneficiaries in a fiduciary fund only when an event has occurred that compels the government to disburse fiduciary resources.
- > Presentation of additions and deductions on the statement of changes in fiduciary net position for all fiduciary funds, including custodial funds

The time to start assessing your government's fiduciary activities is approaching. Start with reading the new statement and reviewing the non-authoritative flowchart provided by GASB in the appendix of the statement. This will give you an understanding of the new criteria and requirements and help you identify the fiduciary reporting changes that will impact your financial statements.

REQUIRED COMMUNICATIONS BY THE AUDITOR TO THOSE CHARGED WITH GOVERNANCE

To the Village Board
Village of Germantown
Germantown, Wisconsin

Thank you for using Baker Tilly Virchow Krause, LLP as your auditor.

We have completed our audit of the financial statements of the Village of Germantown for the year ended December 31, 2017 and have issued our report thereon dated June 21, 2018. This letter presents communications required by our professional standards.

OUR RESPONSIBILITY UNDER AUDITING STANDARDS GENERALLY ACCEPTED IN THE UNITED STATES OF AMERICA

The objective of a financial statement audit is the expression of an opinion on the financial statements. We conducted the audit in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements prepared by management with your oversight are free of material misstatement, whether caused by error or fraud. Our audit included examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. Our audit does not relieve management or the Village Board of their responsibilities.

As part of the audit we obtained an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing and extent of further audit procedures. The audit was not designed to provide assurance on internal controls or to identify deficiencies in internal control.

OTHER INFORMATION IN DOCUMENTS CONTAINING AUDITED FINANCIAL STATEMENTS

Our responsibility does not extend beyond the audited financial statements identified in this report. We do not have any obligation to and have not performed any procedures to corroborate other information contained in client prepared documents, such as official statements related to debt issues.

PLANNED SCOPE AND TIMING OF THE AUDIT

We performed the audit according to the planned scope and timing previously communicated to you in our Communication to Those Charged with Governance and Management dated June 28, 2017.

QUALITATIVE ASPECTS OF THE ENTITY'S SIGNIFICANT ACCOUNTING PRACTICES

Accounting Policies

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the village are described in Note I to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2017. We noted no transactions entered into by the village during the year that were both significant and unusual, and of which, under professional standards, we are required to inform you, or transactions for which there is a lack of authoritative guidance or consensus.

QUALITATIVE ASPECTS OF THE ENTITY'S SIGNIFICANT ACCOUNTING PRACTICES (cont.)

Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. Estimates affecting the financial statements include:

- > Management's estimate of the allowance for uncollectible ambulance receivables, which is based on prior history and aging analysis.
- > Net pension liability/asset and related deferred outflows and inflows of resources, which are based on information obtained from the Wisconsin Retirement System.

We evaluated the key factors and assumptions used to develop the estimate for uncollectible ambulance receivables in determining that it is reasonable in relation to the financial statements taken as a whole.

Financial Statement Disclosures

The disclosures in the notes to the financial statements are neutral, consistent, and clear.

DIFFICULTIES ENCOUNTERED IN PERFORMING THE AUDIT

We encountered no significant difficulties in dealing with management in performing our audit.

CORRECTED AND UNCORRECTED MISSTATEMENTS

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management.

An uncorrected financial statement misstatement involves the sale of land conducted in a previous year that was not recorded until the current year. This results in an overstatement of expenses reported in governmental activities of \$295,572. Management has determined that its effect is immaterial to the financial statements taken as a whole.

Material audit adjustments included recording the net pension liability and related deferred outflows and inflows of resources in the water utility and sewer utility in accordance with GASB No. 68. In addition, we prepared GASB No. 34 conversion entries which are summarized in the "Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position" and the "Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities" in the financial statements.

DISAGREEMENTS WITH MANAGEMENT

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

CONSULTATIONS WITH OTHER INDEPENDENT ACCOUNTANTS

In some cases, management may decide to consult with other accountants about auditing and accounting matters. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

MANAGEMENT REPRESENTATIONS

We have requested certain representations from management that are included in the management representation letter. This letter follows this required communication.

INDEPENDENCE

We are not aware of any relationships between Baker Tilly Virchow Krause, LLP and the village that, in our professional judgment, may reasonably be thought to bear on our independence.

Relating to our audit of the financial statements of the Village of Germantown for the year ended December 31, 2017, Baker Tilly Virchow Krause, LLP hereby confirms that we are, in our professional judgment, independent with respect to the village in accordance with the Code of Professional Conduct issued by the American Institute of Certified Public Accountants, and provided no services to the village other than audit services provided in connection with the audit of the current year's financial statements and the following nonaudit services which in our judgment do not impair our independence.

- > Financial statement preparation
- > Adjusting journal entries
- > Compiled regulatory reports

None of these nonaudit services constitute an audit under generally accepted auditing standards, including *Government Auditing Standards*.

OTHER AUDIT FINDINGS OR ISSUES

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the village's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

OTHER MATTERS

With applied certain limited procedures to the required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the supplementary information which accompanies the financial statements but is not RSI. With respect to the supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on the other information, which accompanies the financial statements but are not RSI. We did not audit or perform other procedures on this other information and we do not express an opinion or provide any assurance on it.

This information is intended solely for the use of the Village Board and management and is not intended to be, and should not be, used by anyone other than these specified parties.

We welcome the opportunity to discuss the information included in this letter and any other matters. Thank you for allowing us to serve you.

Baker Tilly Virchow Krause, LLP

Madison, Wisconsin
June 21, 2018

MANAGEMENT REPRESENTATIONS

June 21, 2018

Baker Tilly Virchow Krause, LLP
Ten Terrace Court
P.O. Box 7398
Madison, WI 53707-7398

Dear Baker Tilly Virchow Krause, LLP:

We are providing this letter in connection with your audit of the financial statements of the Village of Germantown as of December 31, 2017 and for the year then ended for the purpose of expressing opinions as to whether the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Village of Germantown and the respective changes in financial position and cash flows, where applicable, in conformity with accounting principles generally accepted in the United States of America. We confirm that we are responsible for the fair presentation of the previously mentioned financial statements in conformity with accounting principles generally accepted in the United States of America. We are also responsible for adopting sound accounting policies, establishing and maintaining internal control over financial reporting, and preventing and detecting fraud.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, the following representations made to you during your audit.

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter.
2. The financial statements referred to above are fairly presented in conformity with accounting principles generally accepted in the United States of America. We have engaged you to advise us in fulfilling that responsibility. The financial statements include all properly classified funds of the primary government required by accounting principles generally accepted in the United States of America to be included in the financial reporting entity.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
5. Significant assumptions we used in making accounting estimates, if any, are reasonable.

6. All events subsequent to the date of the financial statements and for which accounting principles generally accepted in the United States of America require adjustment or disclosure have been adjusted or disclosed. No other events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.
7. All material transactions have been recorded in the accounting records and are reflected in the financial statements.
8. All known audit and bookkeeping adjustments have been included in our financial statements, and we are in agreement with those adjustments.
9. There are no known or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements. There are no unasserted claims or assessments that our lawyer has advised us are probable of assertion and must be disclosed in accordance with accounting principles generally accepted in the United States of America.
10. Guarantees, whether written or oral, under which the Village is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

11. We have provided you with:
 - a. Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as financial records and related data, documentation, and other matters.
 - b. Additional information that you have requested from us for the purpose of the audit.
 - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
 - d. Minutes of the meetings of the Village Board or summaries of actions of recent meetings for which minutes have not yet been prepared.
12. We have not completed an assessment of the risk that the financial statements may be materially misstated as a result of fraud.
13. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
 - a. Management,
 - b. Employees who have significant roles in internal control, or
 - c. Others where the fraud could have a material effect on the financial statements.
14. We have no knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, regulators, or others.
15. We have no knowledge of known instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or abuse, whose effects should be considered when preparing financial statements.
16. There are no known related parties or related party relationships and transactions of which we are aware.

Other

17. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.

18. We have a process to track the status of audit findings and recommendations.
19. We have identified to you any previous financial audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
20. The Village has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
21. We are responsible for compliance with federal, state, and local laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits, debt contracts, and IRS arbitrage regulations; and we have identified and disclosed to you all federal, state, and local laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
22. There are no:
- a. Violations or possible violations of budget ordinances, federal, state, and local laws or regulations (including those pertaining to adopting, approving and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency, or for reporting on noncompliance, except those already disclosed in the financial statement, if any.
 - b. Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by accounting principles generally accepted in the United States of America.
 - c. Nonspendable, restricted, committed, or assigned fund balances that were not properly authorized and approved.
 - d. Rates being charged to customers other than the rates as authorized by the applicable authoritative body.
 - e. Violations of restrictions placed on revenues as a result of bond resolution covenants such as revenue distribution or debt service funding.
23. In regards to the nonattest services performed by you listed below, we have 1) accepted all management responsibility; 2) designated an individual with suitable skill, knowledge, or experience to oversee the services; 3) evaluated the adequacy and results of the services performed, and 4) accepted responsibility for the results of the services.
- a. Financial statement preparation
 - b. Adjusting journal entries
 - c. Compiled regulatory reports
- None of these nonattest services constitute an audit under generally accepted auditing standards, including *Government Auditing Standards*.
24. The Village of Germantown has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
25. The Village of Germantown has complied with all aspects of contractual agreements that would have a material effect on the financial statement in the event of noncompliance.
26. The financial statements do not exclude any component units or joint ventures with an equity interest, other joint ventures, or other related organizations.
27. The financial statements properly classify all funds and activities.

28. All funds that meet the quantitative criteria in GASB Statement No. 34 and No. 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
29. Components of net position (net investment in capital assets; restricted; and unrestricted) and components of fund balance (nonspendable, restricted, committed, assigned and unassigned) are properly classified and, if applicable, approved.
30. The Village of Germantown has no derivative financial instruments such as contracts that could be assigned to someone else or net settled, interest rate swaps, collars or caps.
31. Provisions for uncollectible receivables, if any, have been properly identified and recorded.
32. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
33. Revenues are appropriately classified in the statement of activities within program revenues and general revenues.
34. Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
35. Deposits and investments are properly classified, valued, and disclosed (including risk disclosures, collateralization agreements, valuation methods, and key inputs, as applicable).
36. Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated/amortized. Any known impairments have been recorded and disclosed.
37. Tax-exempt bonds issued have retained their tax-exempt status.
38. We have appropriately disclosed the Village of Germantown's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position are available and have determined that net position were properly recognized under the policy. We have also disclosed our policy regarding which resources (that is, restricted, committed, assigned or unassigned) are considered to be spent first for expenditures for which more than one resource classification is available.
39. We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
40. With respect to the supplementary information, (SI):
 - a. We acknowledge our responsibility for presenting the SI in accordance with accounting principles generally accepted in the United States of America, and we believe the SI, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the SI have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
 - b. If the SI is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor's report thereon.

41. We assume responsibility for, and agree with, the information provided by the Wisconsin Retirement System as audited by the Legislative Audit Bureau relating to the net pension asset/liability and related deferred outflows and deferred inflows and have adequately considered the reasonableness of the amounts and disclosures used in the financial statements and underlying accounting records. We also assume responsibility for the census data that has been reported to the plan.

Sincerely,

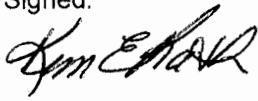
Village of Germantown

Signed:

A handwritten signature in black ink, appearing to read "Steven R. Kreklow", with a long horizontal flourish extending to the right.

Steven R. Kreklow, Administrator

Signed:

A handwritten signature in black ink, appearing to read "Kim E. Rath", with a stylized, cursive script.

Kim E. Rath, Finance Director

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

MEETING DATE: July 16th, 2018

AGENDA ITEM: New Business

ITEM TITLE: Consideration to purchase and replace a locating/utility vehicle.

SUBMITTED BY: Paul Haugen, Water Utility Superintendent

SUMMARY EXPLANATION:

The Utility is requesting to replace a 2005 Chev van with 137,000 miles. This vehicle is used for locating/service work and is financially supported by three departments and has come to the end of its service life. Three quotes were received, from State bidding.

- Ewald \$30,262.00
- Fish \$30,864.00
- Holz \$29,100.60

The estimated amount of \$45,000.00 was approved in the 2018 budget.

Holz Motors 5961 S 108th Pl, Hales Corners, WI 53130	\$29,100.60
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ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

The Water Utility is requesting authorization to purchase from the low bid of Holz Motors, a new 2019 2500 Chev 4WD double cab truck with accessories of emergency lighting, tow package, DC inverter for a cost not to exceed \$33,000.00. Staff also requests to roll over the balance of funds to the 2019 budget to convert this truck bed to a service body with lift gate.

COMMITTEE 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.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 58-2018

**CONTRACT WITH FORWARD CONSTRUCTION GROUP, LLC IN AN AMOUNT NOT
TO EXCEED \$159,183.20 FOR THE PURPOSES OF CONSTRUCTING A
POLICE DEPARTMENT EVIDENCE FACILITY**

WHEREAS, the Village of Germantown will contract for the construction of a Police Department Evidence Facility located at the southwest corner of the Police Department; and,

WHEREAS, the Public Works Committee met on July 5th, 2018 and recommended authorization to contract Forward Construction Group, LLC to construct a Police Department Evidence Facility at the southwest corner of the Police Department at a cost of \$144,712.00 plus a contingency of 10% for a total approved project amount not to exceed \$159,183.20. The Building is funded by Impact Fees; and,

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown, does hereby approve the construction of a Police Department Evidence Facility at the Police Department by Forward Construction Group, LLC at a cost of \$144,712.00 plus a contingency of 10% for a total approved project amount not to exceed \$159,183.20.

Introduced by: _____

Adopted: July 16, 2018

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

BUSINESS OF THE VILLAGE BOARD

GERMANTOWN, WI

MEETING DATE: July 16, 2018

AGENDA ITEM: New Business

ITEM TITLE: Police Evidence Building

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

Staff advertised and received two (2) proposals for the construction of the proposed Village of Germantown Police Departments Evidence Building. Staff was expecting to receive more than two proposals but are satisfied with the two proposals that were received. The low bid is at \$80.00 per square foot which is what the industry is currently seeing for buildings of this type having concrete footings and foundation walls. The building is being funded through Impact Fees.

The two (2) proposals were received from:

- 1) Forward Construction Group, LLC (Beloit, WI) = \$144,712.00
- 2) J.H. Hassinger, Inc, (Menomonee Falls, WI) = \$218,000.00

Staff recommends awarding the bid to Forward Construction Group, LLC in the amount of \$144,712.00.

Public Work and Highway Committee has approved this project.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Staff recommends the Village Board follow the recommendation of the Public Works and Highway Committee to approve awarding the project to Forward Construction Group, LLC in the amount of \$144,712.00 plus a contingency of 10% or \$14,471.20 for a total approved project amount of \$159,183.20.

COMMITTEE 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.

NEW BUSINESS:

REPLACEMENT VEHICLE – WATER & SEWER UTILITY DEPARTMENTS:

MOTION made by Warren, seconded by Hughes to forward to the Village Board with a positive recommendation authorizing the purchase of a 2019 2500 Chevy 4WD double cab truck with accessories from Holz Motors for a cost of \$29,100.60 and transfer the balance of funds budgeted in 2018 to the 2019 budget to allow staff to convert the truck bed to a service body with lift gate. Motion carried 3-1 (Zabel)

AUTHORIZATION TO CONTRACT – POLICE EVIDENCE GARAGE:

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to award the Police Evidence Building Garage Contract to Forward Construction Group, LLC in the amount of \$144,712 plus a 10% contingency for a total project amount of \$159,183.20.

Motion carried 3-1 (Hughes)

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 59-2018

**SCHEDULE OF FEES REVISION –
INCREASE OF OPERATOR (BARTENDER) RENEWAL LICENSE FEE**

WHEREAS, Operators' Licenses (Bartenders' Licenses) run July 1st – June 30th of each year; and,

CURRENTLY, the Village Schedule of Fees allows \$50 for a new license and \$45 for a renewal license, both include the background check fee of \$7; and,

WHEREAS, the Clerk's Office is requesting for the Renewal Operator License Fee to increase by \$5, for a total of \$50, as the renewal licenses are the same amount of detail as the new licenses. This amount includes a background check fee of \$7; and,

NOW THEREFORE BE IT RESOLVED, that the Village Board approves increasing the Operator Renewal License fee by \$5, totaling \$50 including the background check fee.

Introduced by: _____

Adopted: July 16, 2018

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk