

MEETING:	REGULAR MEETING OF THE VILLAGE BOARD
DATE AND TIME:	Monday, October 2, 2023 7:00 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

NOTICE: Pursuant to the recommendations of the Centers for Disease Control and Prevention concerning the prevention of COVID-19 infections, any member of the body and/or citizen may also attend the meeting virtually through the WebEx platform, **Meeting #:2551 455 8667 Password: ywM4qU5krp2** which can be accessed by phone at 408-418-9388 or by logging on at <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m49bcd70fc98c6f1696315d2744b3586a>

Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@germantownwi.gov by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration. Previously recorded VillageBoard Meeting Videos can be viewed at https://www.youtube.com/channel/UCOYp0EgELzTCa9X_iCohyhQ

AGENDA

- 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:
- VI. **CITIZEN INPUT:** *(Please be advised per 19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.)*
- VII. **CONSENT AGENDA:**
- VIII. **UNFINISHED BUSINESS**
- IX. **NEW BUSINESS:**
 - A. Hans Dawson, Agent for Moraine Development LLC, Property Owner - W218 N11546 Appleton Avenue. Applications to: (1) Create an Rs-2:Single-Family Residential Planned Development District (Rs-2/PDD) pursuant to Sections 17.15 and 17.27 of the Zoning Code; (2) Rezone from the M-4: Mineral Extraction, A-2: Agricultural, and Rs-2: Single-Family Zoning Districts into the newly created Rs-2/PDD Zoning District; and (3) a Certified Survey Map (CSM) to combine six parcels all for the purpose of restoring and redeveloping the former gravel mining property into a 126.5-acre private conservation area and 15-lot Single-Family residential development.
 - B. Original Alcohol Beverage Retail License Application - Ivey's At Main (Change in LLC)
 - C. Renewal of Sun Life Stoploss Contract

- D. 2023 Road Program Change Order #1
- E. Agreement between the Village of Germantown and the Germantown Municipal Employees Union Local 730 an Affiliate of the Labor Association of Wisconsin, Inc. The Village Board may go into closed session as per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may re-enter open session to take such action as it deems appropriate.
- F. Village Official Performance. The Village Board may go into closed session as per Wis. Stat. § 19.85(1)(f) for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, and then may re-enter open session to take such action as it deems appropriate.

X. 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)250-4745 at least 2 days prior to the meeting.

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: October 2, 2023

PLACEMENT: Action Item

ITEM TITLE: Hans Dawson, Agent for Moraine Development LLC, Property Owner - W218 N11546 Appleton Avenue. Applications to: (1) Create an Rs-2:Single-Family Residential Planned Development District (Rs-2/PDD) pursuant to Sections 17.15 and 17.27 of the Zoning Code; (2) Rezone from the M-4: Mineral Extraction, A-2: Agricultural, and Rs-2: Single-Family Zoning Districts into the newly created Rs-2/PDD Zoning District; and (3) a Certified Survey Map (CSM) to combine six parcels all for the purpose of restoring and redeveloping the former gravel mining property into a 126.5-acre private conservation area and 15-lot Single-Family residential development.

SUBMITTED BY: Jeff Retzlaff, Community Dev. Director

SUMMARY EXPLANATION:

Moraine Development LLC is requesting the necessary approvals that will enable restoration and redevelopment of the former gravel mining site into a 126-acre private conservancy and 15-lot single-family residential development. Restoration of the former gravel mining property (formerly owned by James Cape & Sons and Merget Sand & Gravel) is expected to take many years of land management activities to achieve full restoration.

Under the proposed "Master Development Plan", two specific areas of upland restoration with clustered residential units are proposed; one north (12 lots) and the other south (3 lots) of the centrally located quarry lake within the property. Each residential area will be served by a private cul-de-sac and on-site wastewater treatment systems (POWTS). Other proposed features within the site include on-site storm water management basins & swales, strategically located 10'-15' high articulated, landscaped berms along Appleton Avenue, and a 6' wide gravel/asphalt walking path around the quarry lake and connecting the two upland restoration/residential development areas.

Moraine Development LLC is requesting approval of a rezoning application that includes the creation of a new Planned Development District (PDD) with the Rs-2: Single-Family Zoning District as the underlying zoning district and a Certified Survey Map (CSM) to combine all of the individual parcels that comprise the 126-acre site into one parcel. The basic features of the proposed PDD include:

- Develop the site with a "conservation design" with clustered dwelling units and at least 40% open space;
- Allow a maximum of fifteen (15) single-family detached condominium-style dwelling units (no defined lots and shared ownership of common areas);

- On-site private wells and community septic systems (vs. public water & sanitary sewer)

If the PDD rezoning application and "Master Development Plan" are approved, a separate "conditions & restrictions" resolution containing specific development regulations, restrictions, and allowances will need to be prepared by staff in cooperation with the owner/developer and adopted by the Village Board at a separate meeting. The conditions & restrictions resolution will contain any other conditions of approval deemed appropriate by the Village Board.

ATTACHMENT:

1. Moraine Development-PDD Zoning Ord-10-2-23
2. Moraine Dev PDD and CSM 8-14-23-revised for VB
3. Minutes Moraine Dev 8-14-23
4. Park Commission-Moraine Development MEMO-9-25-23

RECOMMENDATION:

Plan Commission Recommendations:

APPROVE the Certified Survey Map (CSM) to combine six (6) parcels owned by Moraine Development LLC totaling 126.5 acres subject to three (3) conditions *[see the August 14, 2023 Plan Commission meeting minutes for detailed conditions]*.

APPROVE creating an Rs-2/PDD for the 126-acre Moraine Development LLC property and rezoning the six parcels into the newly created Rs-2/PDD as proposed subject to five (5) conditions *[see the August 14, 2023 Plan Commission meeting minutes for detailed conditions]*.

ACTION BY Committee:

ORDINANCE NO. XX-2023

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING CODE AND ZONING MAP
OF THE VILLAGE OF GERMANTOWN**

("Moraine Residential Conservancy District"; Moraine Development LLC, Property Owner)

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

SECTION 1. That the Zoning Code and zoning map of the Village of Germantown is amended by the creation of an Rs-2: Single-Family Residential Planned Development District (Rs-2/PDD) to be known as the "Moraine Residential Conservancy District" which shall include the following described land:

Tax Parcels:

GTNV 193-951, 193-952, 193-953, 193-973, 193-980 and 192-999

Property Description:

Part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4, and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 19; thence North 89° 18' 40" East along the South line of said 1/4 Section a distance of 850.00 feet to the point of beginning of lands to be described; thence continuing North 89° 18' 40" East along said South line 448.99 feet to a point in the West line of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 02° 00' 15" West along said West line 1315.32 feet to a point the Northwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 89° 43' 50" East along the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 1318.03 feet to a point in the East line of the Northwest 1/4 of said Section; thence South 01° 38' 23" East along said East line 1305.50 feet to the Southeast corner of the Northwest 1/4 of said Section; thence South 02° 19' 37" East along the East line of the Southwest 1/4 of said Section 2034.88 feet to a point; thence North 89° 49' 37" West 159.34 feet to a point; thence South 25° 10' 13" West 500.71 feet to a point in the center line of Meeker Hill Lane; thence North 52° 52' 04" West along said centerline 1196.21 feet to a point; thence North 01° 59' 19" West 42.54 feet to a point in the Northeasterly line of State Trunk Highway 175; thence North 52° 52' 04" West along said Northeasterly line 20.00 feet to a point; thence North 42° 56' 09" West along said Northeasterly line 405.93 feet to a point; thence North 24° 55' 18" West along said Northeasterly line 68.39 feet to a point; thence South 89° 27' 33" West along said Northeasterly line 34.26 feet to a point; thence North 37° 49' 15" West along said Northeasterly line 83.85 feet to a point; thence North 36° 58' 21" West along said Northeasterly line 327.03 feet to a point; thence North 36° 58' 19" West along said Northeasterly line 901.24 feet to a point; thence North 32° 21' 09" West along said Northeasterly line 86.90 feet to a point; thence North 89° 18' 26" East 681.12 feet to a point; thence North 00° 41' 20" West 200.00 feet to the point of beginning.

Said land contains 5,510,524 square feet or 126.5042 acres.

SECTION 2. That the zoning map of the Village of Germantown is amended by rezoning from the M-4: Mineral Extraction, A-2: Agricultural, and Rs-2: Single-Family Zoning Districts into the newly created Rs-2/PDD Zoning District the following described property:

Tax Parcels:
GTNV 193-951, 193-952, 193-953, 193-973, 193-980 and 192-999

Property Description:
Part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4, and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 19; thence North 89° 18' 40" East along the South line of said 1/4 Section a distance of 850.00 feet to the point of beginning of lands to be described; thence continuing North 89° 18' 40" East along said South line 448.99 feet to a point in the West line of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 02° 00' 15" West along said West line 1315.32 feet to a point the Northwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 89° 43' 50" East along the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 1318.03 feet to a point in the East line of the Northwest 1/4 of said Section; thence South 01° 38' 23" East along said East line 1305.50 feet to the Southeast corner of the Northwest 1/4 of said Section; thence South 02° 19' 37" East along the East line of the Southwest 1/4 of said Section 2034.88 feet to a point; thence North 89° 49' 37" West 159.34 feet to a point; thence South 25° 10' 13" West 500.71 feet to a point in the center line of Meeker Hill Lane; thence North 52° 52' 04" West along said centerline 1196.21 feet to a point; thence North 01° 59' 19" West 42.54 feet to a point in the Northeasterly line of State Trunk Highway 175; thence North 52° 52' 04" West along said Northeasterly line 20.00 feet to a point; thence North 42° 56' 09" West along said Northeasterly line 405.93 feet to a point; thence North 24° 55' 18" West along said Northeasterly line 68.39 feet to a point; thence South 89° 27' 33" West along said Northeasterly line 34.26 feet to a point; thence North 37° 49' 15" West along said Northeasterly line 83.85 feet to a point; thence North 36° 58' 21" West along said Northeasterly line 327.03 feet to a point; thence North 36° 58' 19" West along said Northeasterly line 901.24 feet to a point; thence North 32° 21' 09" West along said Northeasterly line 86.90 feet to a point; thence North 89° 18' 26" East 681.12 feet to a point; thence North 00° 41' 20" West 200.00 feet to the point of beginning.
Said land contains 5,510,524 square feet or 126.5042 acres.

SECTION 3. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____
Adopted: _____, 2023

Vote: Ayes: _____
 Nays: _____

Dean Wolter, Village President

ATTEST:

Donna S. Cox, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

DRAFT

PLANNED DEVELOPMENT DISTRICT (PDD) & CERTIFIED SURVEY MAP (CSM) APPLICATIONS

8/14/23 Plan Commission Meeting

Moraine Development LLC

Village Planner Report

Germantown, Wisconsin

Summary

Hans Dawson, agent for Moraine Development LLC, property owner, is requesting approval of a rezoning application to create a Planned Development District (PDD) and Certified Survey Map (CSM) for purposes of restoring and redeveloping the former gravel mining site into a 126-acre residential conservation development located at W218 W11546 Appleton Avenue.

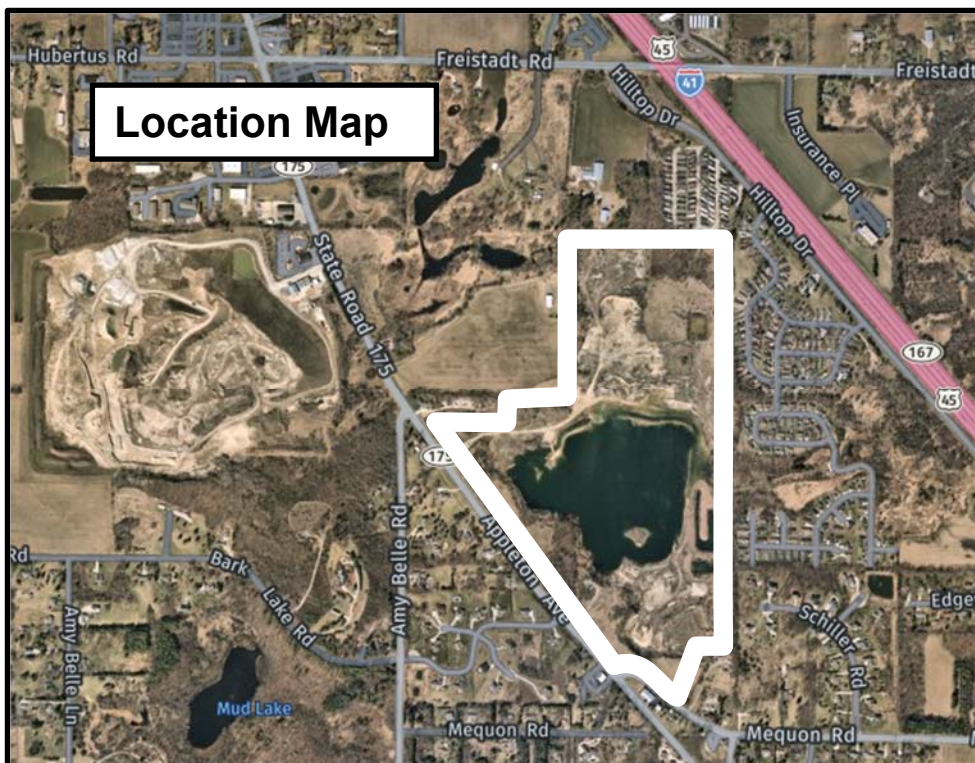
Property Location: W218 W11546 Appleton Avenue

Agent/

Property Owner: David Mortensen Hans Dawson, Lannon Stone Inc.
raSmith Engineering Moraine Development LLC
16745 W Bluemound Rd N52 W23096 Lisbon Road
Brookfield, WI Sussex, WI

Current Zoning: M-4: Mineral Extraction

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Agricultural/Residential	A-2/Rs-2
East	Residential (Brookside Mobile Home Park)	MHP
West	Residential	Rs-3



Background

As discussed in April, Moraine Development LLC is requesting the necessary approvals that will enable restoration and redevelopment of the former gravel mining site into a 126-acre residential conservation development. Restoration of the former gravel mining operation (formerly owned by James Cape & Sons and Merget Sand & Gravel before that) is expected to take multiple years of active and passive land management activities to achieve full restoration of the site.

As shown in the master plan, two specific areas for “upland restoration” with “clustered residential units” are proposed; one north and the other south of the centrally located quarry lake within the 126-acre site. Each upland restoration/residential development area will be served by a cul-de-sac and private on-site wastewater treatment systems (POWTS). Other restoration areas include shoreland and woodland restoration around the quarry lake.

The preliminary grading plan indicates an area for building pads for residential development both north and south of the lake within the upland restoration/residential areas. Other proposed features within the site include on-site storm water management basins & swales, strategically located 10’-15’ high articulated, landscaped berms along Appleton Avenue, and a 6’ wide gravel/asphalt walking path around the quarry lake and connecting the two upland restoration/residential development areas.

Proposal

At this time, Moraine Development LLC is requesting approval of a rezoning application that includes creating a Planned Development District (PDD) with the Rs-2: Single-Family Zoning District as the underlying zoning district and a Certified Survey Map (CSM) to combine all of the individual parcels that comprise the 126-acre site into one parcel.

Certified Survey Map (CSM)

The proposed CSM combines six (6) parcels with a total gross area of 126.8 acres (see the Zoning Exhibit provided in the application for details). Small areas of right-of-way are proposed for dedication consistent with the Village’s Subdivision and Platting Code.

Planned Development District (PDD)

To facilitate the planned development, Moraine Development is proposing to create a new Rs-2/Planned Development District with minimal changes to the underlying Rs-2 Zoning District requirements that would ordinarily apply, e.g. minimum lot size & width, public road frontage, building setbacks, etc.

The basic features of the proposed PDD include:

- Develop the site with a “conservation design” with clustered dwelling units and at least 40% open space;
- Allow a maximum of fifteen (15) single-family condominium-style dwelling units (detached or attached with no defined lots and shared ownership of common areas) with attached or detached garages as permitted uses (actual type of

-
- dwelling unit type to be determined);
 - On-site private wells and up to 5 dwelling units per well and a private community septic system (vs. public water & sanitary sewer)

Restoration and re-development of the site is intended to be in accordance with the Development Master Plan” included in the PDD application (dated June 9,2023).

A separate “conditions & restrictions” resolution containing these development-specific allowances, references to the detailed general development plan, and any other conditions of approval deemed appropriate, will be prepared by Village staff at the time the PDD is considered by the Village Board.

Staff Comments

Planning & Zoning

As summarized above, current zoning of the 126-acre site varies from parcel to parcel and is a combination of M-4: Mineral Extraction, Rs-2: Single-Family, and A-1: Agricultural. While a change in zoning is not required to commence restoration activities, re-development and use of the property, in whole or in part, require rezoning into the new PDD prior to any site improvements or dwelling construction.

This property is in the “Meeker Hill Neighborhood” under the Village’s 2050 Comprehensive Plan (see attached). This amount and type of residential development that is proposed is consistent with the type and density of single-family development allowed in the Meeker Hill Neighborhood.

In the “Meeker Hill Neighborhood”, if the property is not served by public sewer & water, a maximum density of 1 dwelling unit per 5 acres is allowed if development is done as a “conventional” development with minimum 5-acre lots. If development is done as a “conservation” development, a density of 1 dwelling unit per 3 acres is allowed with smaller lots and a minimum of 40% open space (final zoning district requirements and conservation design criteria for this type of development in the Meeker Hill Neighborhood has not yet been adopted).

Based on an overall development area of 126 acres and a maximum of fifteen (15) dwelling units, the resulting density of 1 DU/8.4 acres would be less than the maximum density allowance of 1 DU/3 acres and be consistent with the residential development type and density policies for the “Meeker Hill Neighborhood” in the 2050 Plan.

In addition to the Rs-2 District modifications proposed by the Developer summarized above, additional provisions will need to be built into the PDD as specific “conditions and restrictions” to address other aspects of the Village’s development regulations that apply to “planned developments” and condominiums (see Section 18.02(8) of the Subdivision Code):

The following provisions should be incorporated into the “conditions and restrictions” resolution for the PDD:

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- Allowance for private streets designed in accordance with Section 18.07(1)(d) of the Subdivision Code;
 - Provision to waive the public sanitary sewer and water system requirements under Section 18.08(7) & (8) of the Subdivision Code;
 - Requirement that the Developer address the land suitability requirement under Section 18.08(6) of the Subdivision Code by providing engineering, environmental analysis (e.g. water quality testing) or other data and information necessary to reasonably show to the Village that this site is suitable for its proposed use for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other features likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village;
 - Requirement for detailed site development & building plan review and approval prior to construction of improvements, including private streets, storm water management facilities, landscaped berms & screening features (including street trees in accordance with Section 18.08(14) of the Subdivision Code;
 - Requirement for obtaining necessary permits, including Village permits for all residential dwelling and other building construction, building demolition (if any), erosion control, topsoil removal (if any), Washington County sanitary permits, WisDOT permits for driveway/intersection improvements on Appleton Avenue;
 - Requirement for a lake and shoreland management plan reviewed/approved by the DNR to ensure the quarry lake and upland areas draining to the lake are maintained in a manner that does not negatively impact water quality and/or the water table;
 - Allowance for the export or removal of any previously processed gravel products that remain on the site and the import of clean fill that may be necessary for restoration of the site;
 - Given the intent to develop and use the 126-acre site as a private residential and recreation/conservation area, provisions or restrictions should be included that address potential uses that may create potential negative impacts or nuisances affecting surrounding property owners, e.g. private campground, private recreation uses that have potential nuisance impacts, use of residential dwellings for short-term vacation rental, etc.

The Village's 2021-26 Comprehensive Outdoor Recreation Plan (CORP) includes a map of "potential future park or shared open spaces" that is intended to guide future decision making with respect to the acquisition and/or dedication of land for public park and recreation facilities. One of the designated locations for such future park or shared open spaces is on this property (shown with a purple star on page 27 of the CORP).

Clearly, the thought behind this designation was that the quarry lake and (presumably unbuildable) land that was mined for its gravel resources might be a suitable site for redevelopment into a recreation area (as is the Owner's proposal except that it is intended to be a private recreation and area). While Sections 18.02(3) and 18.07(9) of the Subdivision code requires the dedication and/or reservation of land designated for a public park on a duly adopted comprehensive plan, no such allowance or provision has been incorporated into the proposed General Development Plan. Frankly, other than the designation of this property for a potential park or shared open space area in the CORP, the Village does not currently have a detailed plan for any such area, much less a concept plan that can guide the Developer identify and reserve a future public park or open space area in the General Development Plan. Prior to Village Board adoption of the specific conditions & restrictions resolution for the PDD, the Developer and Village Park Commission should discuss the specifics of what, if any, future park site or shared open space area can/will be dedicated or reserved for future acquisition pursuant to Section 18.07(9).

Similarly, Section 18.08(6) of the Subdivision Code provides that the Village may require sidewalks along abutting streets. The Village's bikeway & trail network in the CORP and Washington County's Bikeway & Trail Plan do not indicate such facilities are planned for Appleton Avenue/STH175 or Meeker Hill Lane in this location. However, the intent section of the Village's PDD indicates that it is *"...intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of a site than is possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of amenities, and preservation of the natural qualities of open spaces"*.

Typically, those PDD's that have been approved by the Village include one or more features or design considerations that provide a benefit or amenity for the larger community and not just future residents and owners of the development. The Developer and Village should discuss and consider a future park site dedication/reservation and possible construction of public sidewalks along Appleton Avenue in this light.

Fire Department

The Fire Department is recommending that provisions be included that require a "dry hydrant" connection to the quarry lake be installed consistent with the requirements of NFPA 1142 Chapter 8.

Public Works/Engineering

Detailed comments will be provided at such time as detailed site development and construction plans have been submitted for review and approval for site improvements including private streets, grading, erosion control and storm water management facilities in the residential development sites within the upland restoration areas, landscaped berms & screening features.

In an August 10, 2023 review letter, the Village Surveyor has identified a series of minor technical corrections in an August 10, 2023 memo that will need to be addressed in a revised CSM prior to recording. The Surveyor also indicates that additional right-of-way along both Appleton Avenue and Meeker Hill Lane will be required:

“The Village’s ultimate right-of-way map shows a 120 feet right-of-way for Appleton Ave/STH175. Where necessary, additional right-of-way should be dedicated from the property east of and abutting the centerline of Appleton Avenue to complete the 120’ right-of-way requirement. Similarly, Meeker Hill Lane has a 100 feet ultimate right-of-way requirement; where necessary, additional right-of-way should be dedicated from the property north of and abutting Meeker Hill Lane to complete the 100’ right-of-way requirement.”

With respect to Appleton Avenue, WisDOT has jurisdiction and should be consulted with regarding to the need for additional right-of-way. Germantown has jurisdiction over Meeker Hill Lane and does require the additional right-of-way.

VILLAGE STAFF RECOMMENDATIONS

APPROVE the Certified Survey Map (CSM) to combine six (6) parcels owned by Moraine Development LLC totaling 126.5 acres subject to the following conditions:

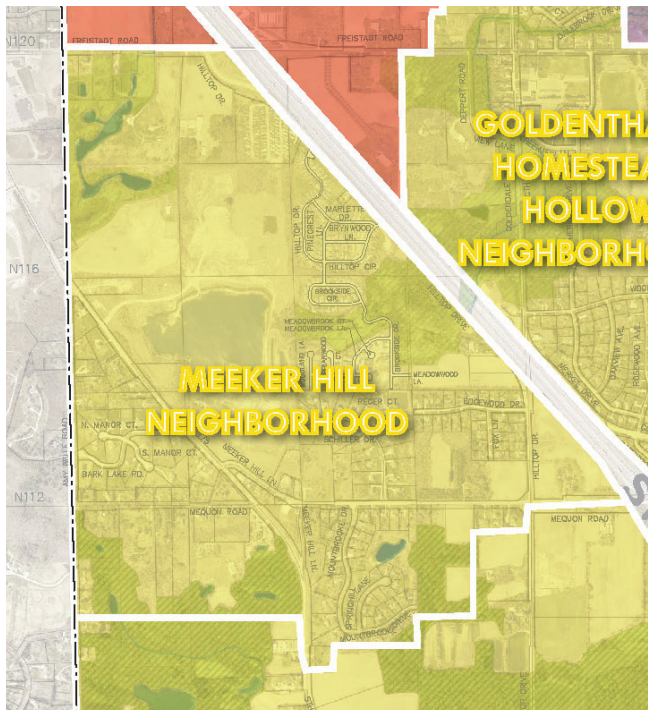
1. The CSM shall be revised to reflect the technical corrections noted in the Village Surveyor comments contained in the August 10, 2023, review memo prior to recording the CSM.
2. The Developer shall contact WisDOT to determine additional right-of-way needs for Appleton Avenue/STH175 and dedicate any required right-of-way as part of a revised CSM prior to recording.
3. The CSM shall be revised to reflect the additional right-of-way requirement for Meeker Hill Lane review memo prior to recording the CSM.

APPROVE creating a Rs-2/PDD for the 126-acre Moraine Development LLC property as proposed subject to the following requirements and conditions:

1. The Rs-2: Single-Family Zoning District regulations shall constitute the underlying conditions and restrictions for the PDD subject to the Developer proposed modifications and Village staff provisions summarized herein. A complete “conditions & restrictions” resolution establishing all use and development allowances, requirements, and restrictions shall be drafted for review and approval by the Village Board concurrent with review and approval of an ordinance creating the Moraine Development Planned Development District (PDD);
2. The conditions & restrictions resolution shall include the following provisions:
 - a. Allowance for private streets designed in accordance with Section 18.07(1)(d) of the Subdivision Code;
 - b. Provision to waive the public sanitary sewer and water system requirements

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- under Section 18.08(7) & (8) of the Subdivision Code;
- c. Requirement that the Developer address the land suitability requirement under Section 18.08(6) of the Subdivision Code by providing engineering, environmental analysis (e.g. water quality testing) or other data and information necessary to reasonably show to the Village that this site is suitable for its proposed use for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other features likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village;
 - d. Requirement for detailed site development & building plan review and approval prior to construction of improvements, including private streets, storm water management facilities, landscaped berms & screening features (including street trees in accordance with Section 18.08(14) of the Subdivision Code;
 - e. Requirement for obtaining necessary permits, including Village permits for all residential dwelling and other building construction, building demolition (if any), erosion control, topsoil removal (if any), Washington County sanitary permits, WisDOT permits for driveway/intersection improvements on Appleton Avenue;
 - f. Requirement for a lake and shoreland management plan reviewed/approved by the DNR to ensure the quarry lake and upland areas draining to the lake are maintained in a manner that does not negatively impact water quality and/or the water table;
 - g. Allowance for the export or removal of any previously processed gravel products that remain on the site and the import of clean fill that may be necessary for restoration of the site;
 - h. Given the intent to develop and use the 126-acre site as a private residential and recreation/conservation area, provisions or restrictions should be included that address potential uses that may create potential negative impacts or nuisances affecting surrounding property owners, e.g. private campground, private recreation uses that have potential nuisance impacts, use of residential dwellings for short-term vacation rental, etc.
 - i. Requirement that a “dry hydrant” connection to the quarry lake be installed consistent with the requirements of NFPA 1142 Chapter 8. The location and design shall be determined in cooperation with the Village Fire Department.
3. Prior to Village Board adoption of the specific conditions & restrictions resolution for the PDD, the Developer and Village Park Commission should discuss the specifics of what, if any, future park site or shared open space area can/will be dedicated or reserved for future acquisition pursuant to Section 18.07(9) of the Subdivision Code.
 4. The Development Master Plan dated June 9, 2023 and any subsequent revisions necessary as a result of satisfying Village approval shall constitute the General Development Plan required under Section 17.27 of the Zoning Code;
 5. The Developer shall provide one complete and accurate legal description for all the land to be included in the PDD boundary prior to review of the PDD application by the Village Board.

Meeker Hill NEIGHBORHOOD



GENERAL CHARACTER

The Meeker Hill neighborhood is comprised of a mix of single-family residential lot sizes and is home to the Village's only Mobile Home Park. Residential zoning within this neighborhood is predominantly Rs-4 (2.2 DU's/acre with minimum 20,000 sqft lots) and Rs-3 (1.0 DU's/acre with minimum 1-acre lots). Mobile Home Park (MHP) zoning allows a density of 4.4 DU's/acre with 6,000 sqft "lots".

There are a few commercially zoned properties located at the intersection of Mequon Road and Appleton Avenue. There is approximately 100 acres of mineral extraction area located in the Meeker Hill neighborhood which is inactive and privately owned.

SPECIAL FEATURES

Transportation The Meeker Hill neighborhood is bounded by the western limits of the Village and I-41 to the east. The neighborhood extends approximately ¼ mile south of Mequon Road. Mequon Road connects the Meeker neighborhood to Lannon Road to the east, which connects to I-41.

Environmental, Natural & Agricultural There are environmental areas located in the east central and northwestern portions of the neighborhood. There is approximately 100 acres of mineral extraction area located in the Meeker neighborhood which is inactive and privately owned. There are scattered sites of agricultural row crop production throughout the neighborhood.

Public Park, Education, Safety & Utility This neighborhood is located outside the Sewer Service Area. Residential lots are served by onsite septic and well water.

PREFERRED FUTURE LAND USE

Meeker Hill Neighborhood

Preferred Future Land Uses												Enviro Corr.	SSA	Preferred Site Design			Maximum Density (residential uses)
Existing Uses (+ existing non-conforming zoning) See NOTE 5 for details	Residential: Single Family	Residential: Two to Four Family	Residential: Multi-family / Senior	Mixed-Use: Commercial / Residential	Mixed-Use: Commercial / Industrial	Commercial (includes "Activity Centers")	Institutional	Open Space & Recreational	Mineral Extraction	Industrial	Agricultural / Hobby Farming / Agribusiness	Contains an Environmental Corridor?	Sewered? (Y/N/Partial)	Traditional Neighborhood	Suburban Subdivision	Conservation Subdivision**	Dwelling Units / Acre See NOTE 4 for details
A	D	u	u	u	u	u	u	D	u	u	D	Yes	P	A	U	D	see NOTE 2 and NOTE 3

Desirable future land uses within the Meeker Hill Neighborhood include open space, recreational areas, agricultural and hobby farm uses, and limited residential development given that this neighborhood is currently outside the sewer service area. Future residential development is acceptable at an average density of 1 DU/5 acres for 4 or fewer individual lots created by minor land division (certified survey map), or 1 DU/3 acres for 5 or greater conservation subdivision lots. No new or expanded mobile home development is intended to occur in the neighborhood.

In the event that the SSA is expanded and public sewer and water facilities extended into this neighborhood, future residential development is acceptable at an

D =	Desirable – These uses should be encouraged because they are consistent with, support, and enhance the desired character of the area.
A =	Allowable – These uses are generally considered appropriate for the area, but may require additional consideration and/or specific modification or developed features to be compatible with other uses in the area.
u =	Undesirable – These uses should not be encouraged but may still be acceptable for the area under special circumstances.

average density of 2.2 DU's/acre for 4 or fewer lots created by minor land division (certified survey map) or 3.5 DU's/acre for 5 or more lots in a conservation subdivision.

Other than the pre-existing commercial parcels along Appleton Avenue, no additional commercial uses are intended to develop in this neighborhood.

NOTE 2:	Neighborhood in SSA (w/ water & sewer)	2.2 units/ acre (4 or fewer CSM lots)
		3.5 units/acre with Conservation Subdivision (5 or greater lots subdivided)
NOTE 3:	Neighborhood outside SSA (no sewer & water)	1 unit/ 5 acres (4 or fewer CSM lots)
		1 unit/ 3 acres with Conservation Subdivision (5 or greater lots subdivided)

See all notes on page 42.

The map displays the following neighborhoods and landmarks:

- Neighborhoods:** WOODBRIDGE, GATEWAY CORPORATE PARK, HOLY HILL, MAPLE, PARKS, ONEVILL, FOND DU LAC, BACKSTONE, MEQUON, SOUTH COUNTRY, DONGES BAY, and others.
- Highways:** STH 145, STH 167, STH 41/45, STH 175, CTH 9, CTH F, CTH 12, CTH 11, CTH 10, CTH 7, CTH 6, CTH 5, CTH 4, CTH 3, CTH 2, CTH 1.
- Roads:** PIONEER ROAD, BONNIWELL ROAD, C. & N. W. RAILROAD, PLEASANT VIEW DR., FREISTADT ROAD, MEQUON ROAD, DONGES BAY ROAD, DIVISION RD, PILGRIM ROAD, LANNON ROAD, COUNTY LINE ROAD, HOLY HILL ROAD, MAPLE ROAD, STH 145, STH 167, STH 41/45, STH 175, CTH 9, CTH F, CTH 12, CTH 11, CTH 10, CTH 7, CTH 6, CTH 5, CTH 4, CTH 3, CTH 2, CTH 1.
- Landmarks:** 12, 8, 6, 5, 3, 4, 9, 1, 7, 10, 11, 2.

 = Potential Future Park or Shared Open Space



CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

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

1

APPLICANT OR AGENT

Hans Dawson

N52 W23096 Lisbon Road

Sussex, WI 53089

Phone (262) 251-1520

Fax () _____

E-Mail hans@lannonstone.net

PROPERTY OWNER

Moraine Development LLC

N52 W23096 Lisbon Road

Sussex, WI 53089

Phone (262) 251-1520

hans@lannonstone.net

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2

W218N11546 Appleton Avenue, Germantown, WI 53022

193951; 193973; 192999; 1939

3

PURPOSE OF LAND SPLIT

To combined six parcels currently owned by Moraine Development, LLC into one contiguous parcel

Will the land split require rezoning?

Yes

From

M-4; RS-2; A-2

To

RS-2

4

READ AND INITIAL THE FOLLOWING:

X I understand that the Certified Survey Map 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.

X I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

X 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.

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

5

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

[Signature]

Applicant

6/12/23

Date

[Signature]

Owner

6/12/23

Date

**FEES MUST BE PAID AT TIME OF APPLICATION**

\$200 Plan Commission Consultation

\$1,085 Rezoning

\$1,240 PDD < 5 acres

\$2,095 PDD 5-20 acre site

\$3,460 PDD > 20 acre site

Date Paid: _____ Received by: _____

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.****1 APPLICANT OR AGENT**

Hans Dawson

N52 W23096 Lisbon Road

Sussex, WI 53089

Phone (262) 251-1520

E-Mail hans@lannonstone.net

PROPERTY OWNER

Moraine Development, LLC

N52 W23096 Lisbon Road

Sussex, WI 53089

Phone (262) 251-1520

E-Mail hans@lannonstone.net

2 PROPERTY ADDRESS OR GENERAL LOCATIONW218N11546 Appleton Avenue
Germantown, WI 53022**TAX KEY NUMBER**193951; 193973; 192999;
193953; 193952; 193980**3 REZONING REQUEST**FROM
M-4; A-2; RS-2TO
RS-2**4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED**

Attach pages as necessary

See additional pages.

Legal Description
Moraine Development LLC lands
to be combined by Certified Survey Map

Part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 19; thence North 89° 18' 40" East along the South line of said 1/4 Section a distance of 850.00 feet to the point of beginning of lands to be described;
thence continuing North 89° 18' 40" East along said South line 448.99 feet to a point in the West line of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 02° 00' 15" West along said West line 1315.32 feet to a point the Northwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 89° 43' 50" East along the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 1318.03 feet to a point in the East line of the Northwest 1/4 of said Section; thence South 01° 38' 23" East along said East line 1305.50 feet to the Southeast corner of the Northwest 1/4 of said Section; thence South 02° 19' 37" East along the East line of the Southwest 1/4 of said Section 2034.88 feet to a point; thence North 89° 49' 37" West 159.34 feet to a point; thence South 25° 10' 13" West 500.71 feet to a point in the center line of Meeker Hill Lane; thence North 52° 52' 04" West along said centerline 1196.21 feet to a point; thence North 01° 59' 19" West 42.54 feet to a point in the Northeasterly line of State Trunk Highway 175; thence North 52° 52' 04" West along said Northeasterly line 20.00 feet to a point; thence North 42° 56' 09" West along said Northeasterly line 405.93 feet to a point; thence North 24° 55' 18" West along said Northeasterly line 68.39 feet to a point; thence South 89° 27' 33" West along said Northeasterly line 34.26 feet to a point; thence North 37° 49' 15" West along said Northeasterly line 83.85 feet to a point; thence North 36° 58' 21" West along said Northeasterly line 327.03 feet to a point; thence North 36° 58' 19" West along said Northeasterly line 901.24 feet to a point; thence North 32° 21' 09" West along said Northeasterly line 86.90 feet to a point; thence North 89° 18' 26" East 681.12 feet to a point; thence North 00° 41' 20" West 200.00 feet to the point of beginning.

Said land contains 5,510,524 square feet or 126.5042 acres.

Prepared by: John P. Casucci, PLS
Date: May 24, 2023
Project No.: 168118

June 12, 2023

Mr. Jeff Retzlaff, AICP
Village of Germantown
Planning and Zoning
Community Development Director
N112 W17001 Mequon Road
Germantown, WI 53022

RE: Moraine Development, LLC
W218N11546 Appleton Avenue
Planned Development District Narrative

Dear Mr. Retzlaff:

On behalf of Moraine Development, LLC (property owner), I am pleased to present this proposed Planned Development District rezoning petition associated with the proposed restoration and redevelopment of the 87-acre property formerly used as a gravel mining operation located at W218N11546 Appleton Avenue. The intent of the restoration and redevelopment is to make the site a beautiful part of the Village and ultimately keep it as private residential development for the property owner and their family.

The proposed Planned Development District is presented under the auspices of the RS-2 Single Family Residential District, with the following modifications:

- Develop the site as a “conservation” design with at least 40% open space
- Allow condominium dwellings with attached or detached garages as part of permitted uses.
- On-site private wells, with up to 5 dwelling units per well and a private community septic system.

The proposed Planned Development District will not negatively impact the Village or surrounding area because it will comply with the Comprehensive Plan, the base zoning modifications will benefit the Village by providing open space preservation, and make site a beautiful part of the Village, while maintaining a balance of urban and rural atmospheres that have always existed across the Village.

If you should have any questions or require any additional detail, please email me at david.mortensen@rasmith.com or call me at 262-317-3285.

Sincerely,
R.A. Smith, Inc.



David Mortensen, PE
Senior Project Manager

CERTIFIED SURVEY MAP NO. _____

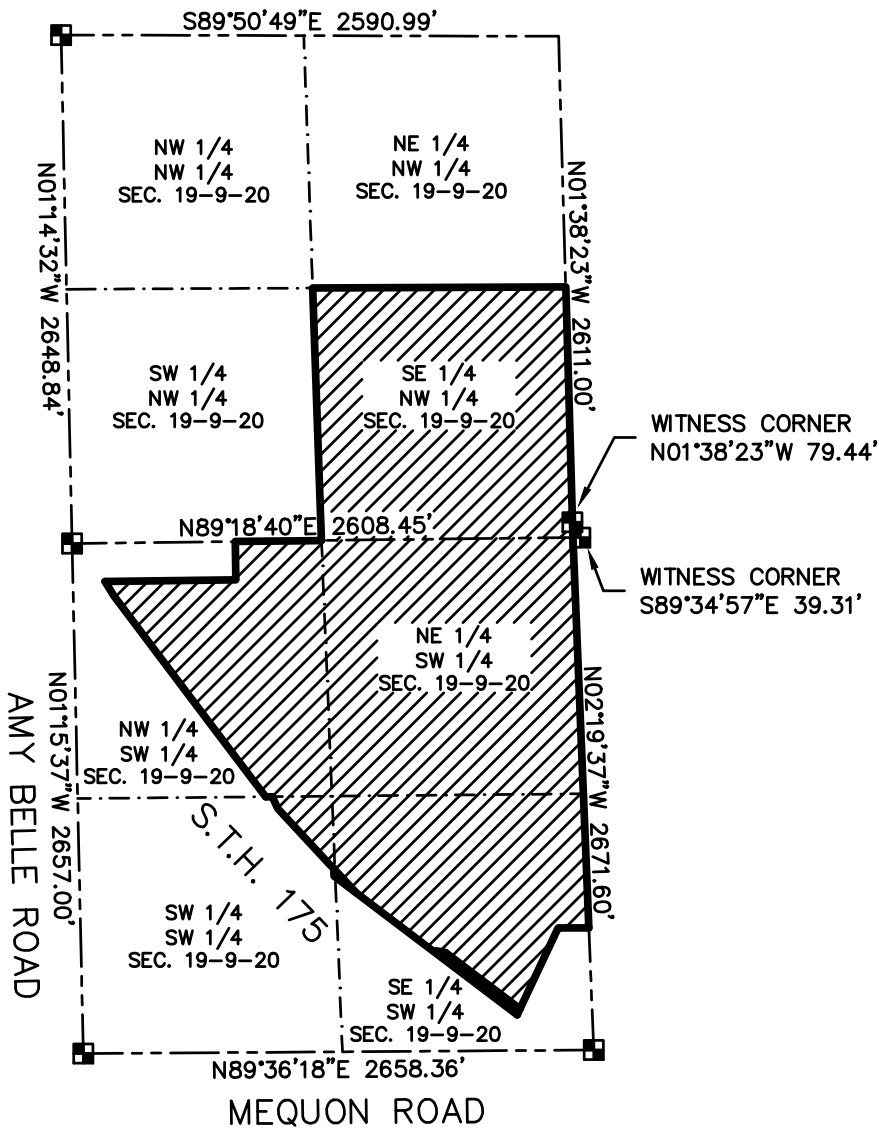
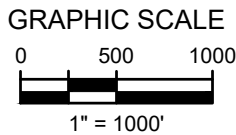
A division of a part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

- ▲ INDICATES FOUND MAG NAIL
- △ INDICATES SET MAG NAIL
- INDICATES FOUND 1" IRON PIPE
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- INDICATES FOUND BRASS CAP MONUMENT
- Ⓢ INDICATES DEDICATED TO THE VILLAGE OF GERMANTOWN FOR PUBLIC ROAD PURPOSES

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
ALL BEARINGS ARE REFERENCED TO THE WEST LINE OF THE SW 1/4 OF SECTION 19, T 9 N, R 20 E, WHICH BEARS S01°15'37"E. WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 83/2011).

OWNER:
MORaine DEVELOPMENT LLC
N52 W23096 LISBON RD.
SUSSEX, WI., 53089
1-262-251-1520

SURVEYOR:
R.A. SMITH, INC.
JOHN P. CASUCCI
16745 W. BLUEMOUND RD.
BROOKFIELD, WI., 53005
1-262-781-1000



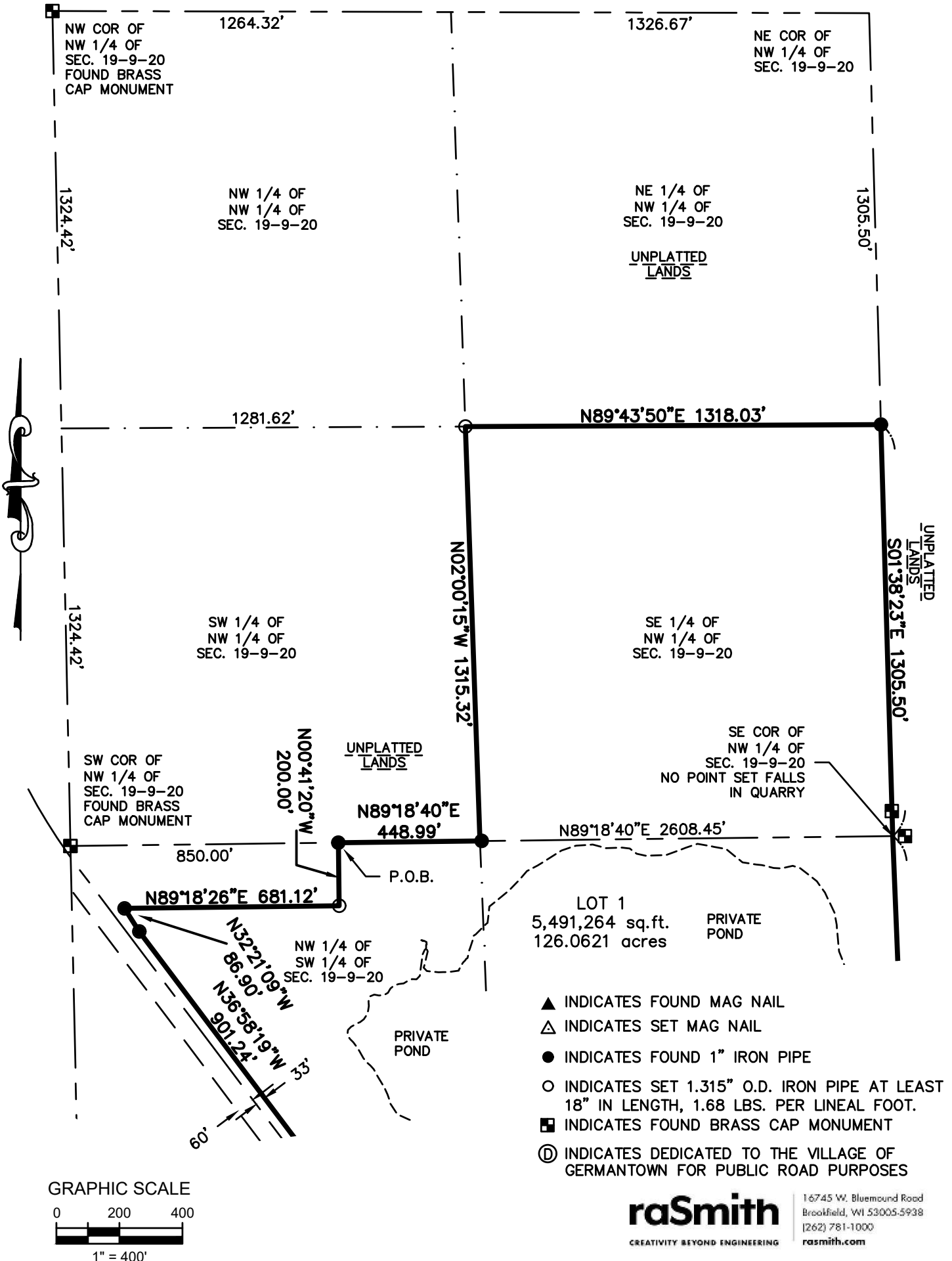
DRAFT: 5-24-2023

CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
rasmith.com

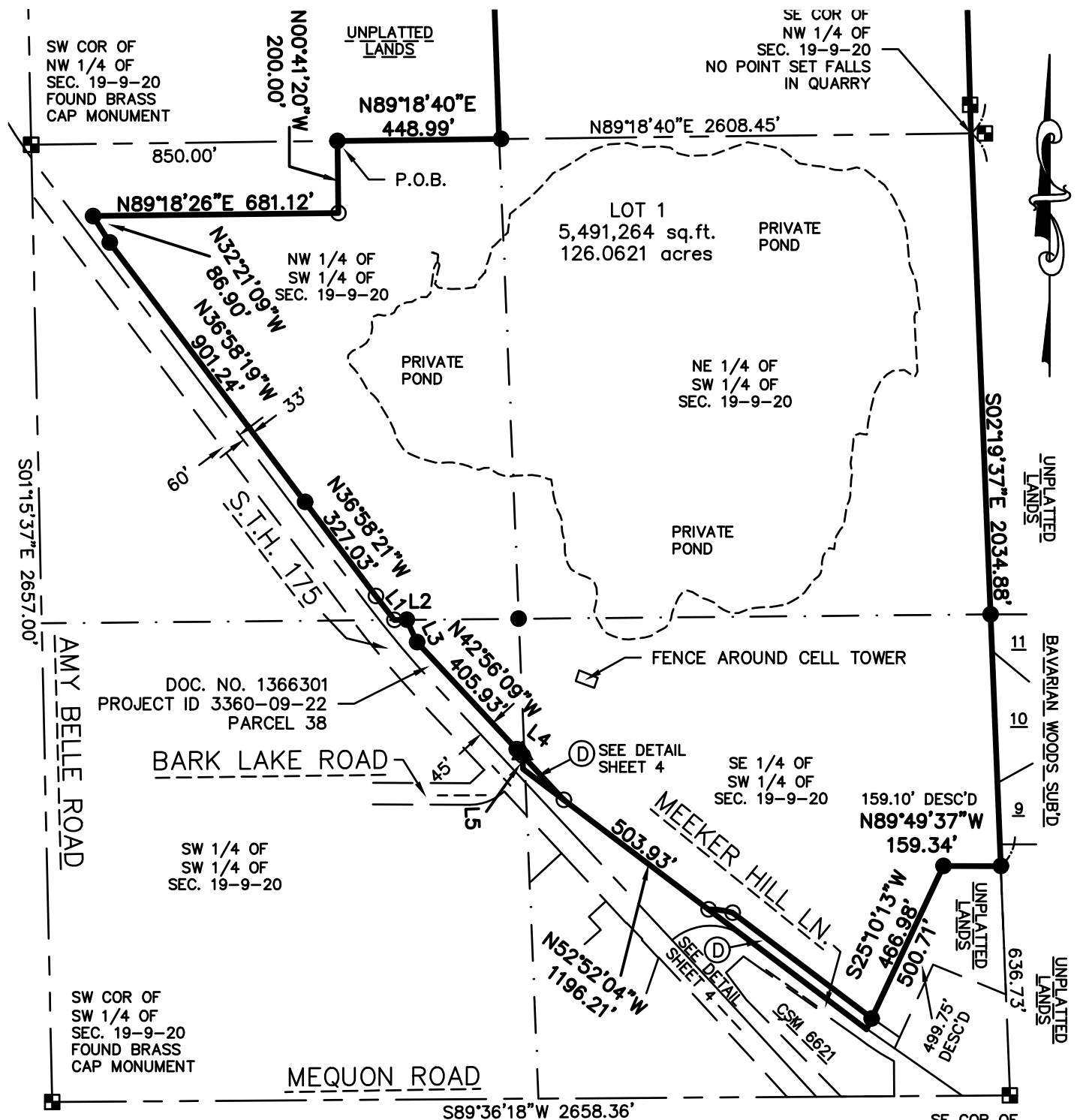
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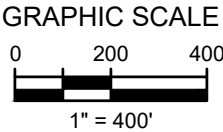


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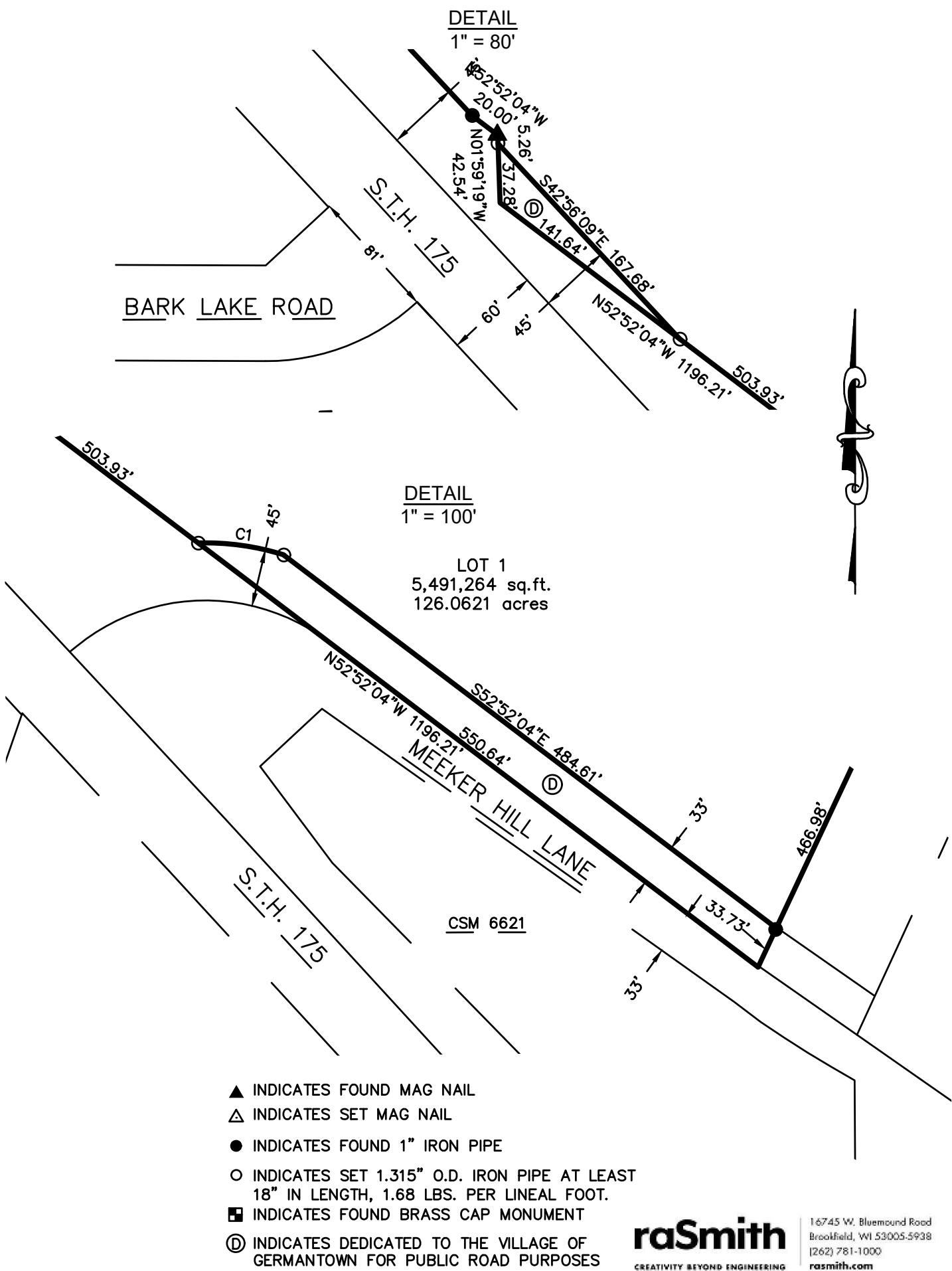


raSmith
CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
rasmith.com

CERTIFIED SURVEY MAP NO. _____

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CERTIFIED SURVEY MAP NO. _____

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SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN .
:SS
WAUKESHA COUNTY }

I, JOHN P. CASUCCI, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of a part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 19; thence North 89° 18' 40" East along the South line of said 1/4 Section a distance of 850.00 feet to the point of beginning of lands to be described:

thence continuing North 89° 18' 40" East along said South line 448.99 feet to a point in the West line of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 02° 00' 15" West along said West line 1315.32 feet to a point the Northwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section; thence North 89° 43' 50" East along the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 1318.03 feet to a point in the East line of the Northwest 1/4 of said Section; thence South 01° 38' 23" East along said East line 1305.50 feet to the Southeast corner of the Northwest 1/4 of said Section; thence South 02° 19' 37" East along the East line of the Southwest 1/4 of said Section 2034.88 feet to a point; thence North 89° 49' 37" West 159.34 feet to a point; thence South 25° 10' 13" West 500.71 feet to a point in the center line of Meeker Hill Lane; thence North 52° 52' 04" West along said centerline 1196.21 feet to a point; thence North 01° 59' 19" West 42.54 feet to a point in the Northeasterly line of State Trunk Highway 175; thence North 52° 52' 04" West along said Northeasterly line 20.00 feet to a point; thence North 42° 56' 09" West along said Northeasterly line 405.93 feet to a point; thence North 24° 55' 18" West along said Northeasterly line 68.39 feet to a point; thence South 89° 27' 33" West along said Northeasterly line 34.26 feet to a point; thence North 37° 49' 15" West along said Northeasterly line 83.85 feet to a point; thence North 36° 58' 21" West along said Northeasterly line 327.03 feet to a point; thence North 36° 58' 19" West along said Northeasterly line 901.24 feet to a point; thence North 32° 21' 09" West along said Northeasterly line 86.90 feet to a point; thence North 89° 18' 26" East 681.12 feet to a point; thence North 00° 41' 20" West 200.00 feet to the point of beginning.

Said land contains 5,510,524 square feet or 126.5042 acres.

THAT I have made the survey, land division and map by the direction of MORaine DEVELOPMENT, LLC., owner.

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

THAT I have fully complied with provisions of Chapter 236.34 of the Wisconsin Statutes and Chapter 18 of the Village of Germantown Subdivision Control Ordinances in surveying, dividing and mapping the same.

May 24, 2023
Field date

JOHN P. CASUCCI
PROFESSIONAL LAND SURVEYOR S-2055



CERTIFIED SURVEY MAP NO. _____

A division of a part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

OWNER CERTIFICATE

MORAINE DEVELOPMENT, LLC., a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said corporation has caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the Ordinances of the Village of Sussex.

MORAINE DEVELOPMENT, LLC., does further certify that this map is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection: Village of Germantown.

As Owners, we hereby dedicate that part of Meeker Hill Lane and State Trunk highway 175 to the Village of Germantown for public road purposes as represented on this Certified Survey Map.

IN Witness Whereof, MORAINE DEVELOPMENT, LLC., has caused these presents to be signed
by _____, it's _____ on this ____ day of _____, 2023.

MORAINE DEVELOPMENT, LLC.

PERSONALLY came before me this _____ day of _____, 2023,
_____, the _____ of the above named company, to me known
to be the person who executed the foregoing instrument, and acknowledged that he/she executed the
foregoing instrument as such officer on behalf of the entity, by its authority.

(Notary Seal)

(print name)
Notary Public, State of Wisconsin
My commission expires _____

CERTIFIED SURVEY MAP NO. _____

A division of a part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This Certified Survey Map is hereby APPROVED by the Planning Commission of the of the Village of Germantown on

this _____ day of _____,2023.

Date: _____
Dean Wolter, Chairman

Date: _____
Lori Johnson, Secretary

VILLAGE OF GERMANTOWN BOARD APPROVAL

This Certified Survey Map, being a division of a part of the Southeast 1/4 of the Northwest 1/4 and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4, all in Fractional Section 19, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and the dedication of that part of Meeker Hills Lane and State Trunk Highway 175 for public road purposes as shown on this Certified Survey Map is hereby accepted by the Village Board of Trustees of the Village of Germantown

on this _____ day of _____,2023.

Date: _____
Dean Wolter, Village President

Date: _____
Angel Rettler, Village Clerk



The Avenue
275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

collaborāte / formulāte / innovāte

August 10, 2023

Jeff Retzlaff, Village Planner
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

SUBJECT: Moraine Development LLC CSM Review

Certified Survey Map

Applicant or Owner: Moraine Development LLC

Land Surveyor/Firm: John P. Casucci, PLS / R.A. Smith, Inc.

1. Label coordinates (NAD 1983 Grid) of point of commencement monument.
2. Current building setback lines mapped and dimensioned.
3. A Professional Land Surveyor's seal and signature in contrasting color should be included on all sheets.
4. Curve data should be labeled on sheet 4 for C1.
5. The Village Clerk's name is Erin Hirn, Interim Village Clerk.
6. A mortgage certificate should be included, if applicable.
7. A table should be provided showing bearings and distances for L1, L2, L3, L4 and L5.
8. Label acreage for roadway dedications.
9. Bearing N 52-52-04 W on the top of sheet 4 detail should be moved to avoid overlay of ROW dimension.
10. The Village's ultimate right-of-way map shows a 120' right-of-way for Appleton Ave/STH175. Where necessary, additional right-of-way should be dedicated from the property east of and abutting the centerline of Appleton Avenue to complete the 120' right-of-way requirement. Similarly, Meeker Hill Lane has a 100' ultimate right-of-way requirement; where necessary, additional right-of-way should be dedicated from the property north of and abutting Meeker Hill Lane to complete the 100' right-of-way requirement.

No further review comments.

Document Approval and Recording

For this CSM to be approved by the Village Board and recorded at the Washington County Register of Deeds, the document must be provided to the Village Clerk's office in a completed format including all original signatures of the owner and lending institution, original seals of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

Any documents or digital files not submitted by the due date or contain outstanding technical review comments that have not been addressed, will be moved to the next scheduled Village Board meeting agenda.

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 or Subdivision Plat, The professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2019 on compact disk (CD) or via email to the Village Surveyor for mapping purposes.

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

Note: In 2020, the Village will be upgrading its municipal code to recognize the NAD83 Datum, 2011 adjustment for horizontal control and NAVD88 for vertical control for mapping all land division documents and plan submittals for review.

There are new dossier sheets for all the Public Land Survey System monuments that contain the new coordinate positions and elevations available currently on the State Cartographer's website by using the Survey Control Finder application

Prior to Recording the Certified Survey Map or Final Subdivision Plat, 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.

Sincerely,

V. NEW BUSINESS:

- A. Hans Dawson, Agent for Moraine Development LLC, Property Owner - W218 N11546 Appleton Avenue. Applications to (1) Create an Rs-2:Single-Family Residential Planned Development District (Rs-2/PDD) pursuant to Sections 17.15 and 17.27 of the Zoning Code; and, (2) Rezone from the M-4:Mineral Extraction, A-2:Agricultural, and Rs-2:Single-Family Zoning Districts into the newly created Rs-2/PDD Zoning District; and (3) Certified Survey Map (CSM) to combine six parcels for purposes of restoring and redeveloping the former gravel mining property into a 126.5-acre, 15-unit residential condominium and conservation development. (PUBLIC HEARING & ACTION)

Director Retzlaff summarized the proposal. Hans Dawson, Lannon Stone Products, provided information on the development and said he considers fixing the site as an amenity to the Village in exchange for creating the PDD. He said he was open to making a donation to the park system instead of creating a public open space on the property so there is less trespassing.

Public hearing opened at 7:03 pm.

-Eric Roberts, TR Capital, W219 N11588 Appleton Avenue said he supported the development (comments were read into the record)

-Ray & Leslie Bencivenga, W218 N11495 Appleton Avenue, disappointed to have this development across the street, enjoy the quiet neighborhood, don't want a lot of truck traffic (comments read into the record).

-Laura Steinman, W210 N11190 Mountbrooke Drive, said dump trucks on Mequon Road have already trashed the road,

-Gene Wisch, N113 W21692 Bark Lake Road, would like more clarification, what are cluster houses, concerned there is an entrance across from Bark Lake Road

-Tony Gindt, W218 N11431 Appleton Avenue, in favor of the single family homes but concerned with the debris on the roads, his yard and driveway is horrible,

-Scott Hefle, N10514 Old Farm Road, in favor of the development, the reclamation for this site is going to be millions of dollars, they will put plantings in and make it a conservancy.

-Richard Ehrlich, W216 N11718 Appleton Avenue, in favor of the development, it needs something, he has trespassers across his property, can see people fishing, if done with nature it will be a benefit for everyone.

-Scott Stevlinson, N97 W14997 Burning Bush Court, confirmed the water would have no public access.

Public Hearing closed at 7:15 pm.

Discussion followed.

MOTION Laszewski second Tarantino to Approve the Certified Survey Map (CSM) to combine six (6) parcels owned by Moraine Development LLC totaling 126.5 acres subject to the following conditions:

1. The CSM shall be revised to reflect the technical corrections noted in the Village Surveyor comments contained in the August 10, 2023, review memo prior to recording the CSM.
2. The Developer shall contact WisDOT to determine additional right-of-way needs for Appleton Avenue/STH175 and dedicate any required right-of-way as part of a revised CSM prior to recording.

3. The CSM shall be revised to reflect the additional right-of-way requirement for Meeker Hill Lane review memo prior to recording the CSM.

Discussion continued.

MOTION carried unanimously.

MOTION Shadid second Laszewski to Approve creating a Rs-2/PDD for the 126-acre Moraine Development LLC property as proposed subject to the following requirements and conditions:

1. The Rs-2: Single-Family Zoning District regulations shall constitute the underlying conditions and restrictions for the PDD subject to the Developer proposed modifications and Village staff provisions summarized herein. A complete “conditions & restrictions” resolution establishing all use and development allowances, requirements, and restrictions shall be drafted for review and approval by the Village Board concurrent with review and approval of an ordinance creating the Moraine Development Planned Development District (PDD);
2. The conditions & restrictions resolution shall include the following provisions:
 - a. Allowance for private streets designed in accordance with Section 18.07(1)(d) of the Subdivision Code;
 - b. Provision to waive the public sanitary sewer and water system requirements under Section 18.08(7) & (8) of the Subdivision Code;
 - c. Requirement that the Developer address the land suitability requirement under Section 18.08(6) of the Subdivision Code by providing engineering, environmental analysis (e.g. water quality testing) or other data and information necessary to reasonably show to the Village that this site is suitable for its proposed use for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other features likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village;
 - d. Requirement for detailed site development & building plan review and approval prior to construction of improvements, including private streets, storm water management facilities, landscaped berms & screening features (including street trees in accordance with Section 18.08(14) of the Subdivision Code;
 - e. Requirement for obtaining necessary permits, including Village permits for all residential dwelling and other building construction, building demolition (if any), erosion control, topsoil removal (if any), Washington County sanitary permits, WisDOT permits for driveway/intersection improvements on Appleton Avenue;
 - f. Requirement for a lake and shoreland management plan reviewed/approved by the DNR to ensure the quarry lake and upland areas draining to the lake are maintained in a manner that does not negatively impact water quality and/or the water table;
 - g. Allowance for the export or removal of any previously processed gravel products that remain on the site and the import of clean fill that may be necessary for restoration of the site;
 - h. Given the intent to develop and use the 126-acre site as a private residential and recreation/conservation area, provisions or restrictions should be included that address potential uses that may create potential negative impacts or nuisances affecting surrounding property owners, e.g. private campground, private recreation uses that have potential nuisance impacts, use of residential dwellings for short-term vacation rental, etc.
 - i. Requirement that a “dry hydrant” connection to the quarry lake be installed consistent with the requirements of NFPA 1142 Chapter 8. The location and design

shall be determined in cooperation with the Village Fire Department.

3. Prior to Village Board adoption of the specific conditions & restrictions resolution for the PDD, the Developer and Village Park Commission should discuss the specifics of what, if any, future park site or shared open space area can/will be dedicated or reserved for future acquisition pursuant to Section 18.07(9) of the Subdivision Code.

4. The Development Master Plan dated June 9, 2023 and any subsequent revisions necessary as a result of satisfying Village approval shall constitute the General Development Plan required under Section 17.27 of the Zoning Code;

5. The Developer shall provide one complete and accurate legal description for all the land to be included in the PDD boundary prior to review of the PDD application by the Village Board.

Director Retzlaff asked for a recommendation or guidance related to the dedication of a future park site or open space in Condition #3. Commissioner Laszewski said it would be cool to add a walking path or trail but that might create a nuisance down the road with people wanting to go near the water to fish and swim. Given the nature of the restoration of the site that will bring more wildlife and waterfowl that will contribute to the eco-system and given the nature of the investment, by itself, he would be in favor of that. Director Retzlaff said a sidewalk could provide a public benefit that is non-intrusive to the development, but neither the Village or the County have a bike or trail plan shown for Appleton Avenue. Commissioner Williams commented that he would like to see some benefit for the Village. Mr. Dawson said he doesn't want to have to call the cops every day because of people trespassing and indicated he would rather invest in the park system. Trustee Baum said there are some significant needs in the parks system and he should talk to the Parks Department to see which of their needs he'd like to gift to.

MOTION to Amend Baum second Laszewski to add to Condition #3 that the Developer should discuss with the Parks Department dedicating some land or hear some other needs that the parks have for other parks that we do have that need some assistance. The dollar value shall be discussed between the Village Planner, Parks Director and the Developer to agree what in kind contribution or other alternative contribution to the parks system can be made.

Discussion continued.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

B. Carter Schmitz Training Systems, LLC, Agent for Ozaukee Development Corporation, Property Owner - W188 N11770 Maple Road Unit 5. Conditional Use Permit (CUP) application for an "Indoor Health or Recreation Establishment" pursuant to Section 17.33(3)(h) and Section 17.29(1)(kk) of the Village Zoning Code. (PUBLIC HEARING & ACTION)

Director Retzlaff summarized the proposal. Carter Schmitz, Training Systems LLC, spoke on his business.

Public hearing opened: 7:48 pm.

-Scott Hefle, W159 N10514 Old Farm Road, said he was 100 percent in support of this business.

Public hearing closed: 7:51 pm.

MOTION Laszewski second Shadid to Approve a conditional use permit for the

MEMORANDUM

TO: Gil Standridge, Director, Park & Recreation Department

FROM: Jeff Retzlaff, Director, Community Development Department

DATE: September 25, 2023

RE: Moraine Development LLC; Planned Development District (PDD) Proposal

It may be important for the Park Commission to know how the issue surrounding the Moraine Development LLC proposal came about as they consider what, if anything, they should recommend to the Village Board in their advisory role as the Moraine Development proposal moves through the approval process.

As you and the Park Commission are likely already aware, the property owner, Moraine Development LLC, represented by Hans Dawson, has submitted a proposal to create a special zoning district known as a Planned Development District (PDD) that would enable restoration and re-development of the 126-acre gravel pit property into a private conservancy area and 15-lot, single-family residential “neighborhood”. The features of the proposed re-development are generally depicted in the “Master Development Plan” (dated August 11; a copy of which was sent to you for your September 27 meeting). At the conclusion of their review and discussion of this proposal at their August 14 meeting, the Plan Commission recommended approval of the proposed PDD and Master Plan subject to a series of conditions.

As highlighted (yellow) on page 5 of the attached staff report, I felt it was necessary to point out to the Plan Commission and the property owner that the Village’s 2021-26 Comprehensive Outdoor Recreation Plan (CORP) includes a “potential future park or shared open space” designation on the Moraine Development property (shown with a purple star on page 27 of the CORP).

While I understand that this and the other “potential future park or shared open space” designations on the CORP map are conceptual and only intended to serve as a general guide to those areas in the Village that may need to be served in the future, I thought it would be beneficial to get the owner, Park Commission and Village Board to discuss the development proposal and talk about a future park site or shared open space that might fit into a mutually agreeable plan and, if so, whether or not such a site or space could be acquired by (or dedicated to) the Village.

Also, and equally as important, the staff report includes discussion (highlighted blue on page 5) about the Village’s Subdivision Code requirement for sidewalks along streets abutting new development and the PDD requirement for a “higher level of amenities” in exchange for the flexibility gained by creating a special zoning district tailored for a specific development.

Frankly, it is my intention that, if the owner, Park Commission and Village Board cannot mutually agree on a “potential future park or shared open space” within the 126-ac property, the owner could meet the PDD “higher amenities” requirement by constructing a sidewalk or multi-use trail across the property along Appleton Avenue (or make a financial contribution to the Village as “payment-in-lieu-of” constructing a sidewalk or trail).

Consequently, Condition #3 contained in the staff recommendation that was also adopted by the Plan Commission requires the owner and Village to have that discussion:

3. *Prior to Village Board adoption of the specific conditions & restrictions resolution for the PDD, the Developer and Village Park Commission should discuss the specifics of what, if any, future park site or shared open space area can/will be dedicated or reserved for future acquisition pursuant to Section 18.07(9) of the Subdivision Code.*

Obviously, since the Plan Commission meeting on August 14, several meetings and discussions have taken place with and between the owner, Hans Dawson, and Village staff. It's clear from those discussions that the owner has no interest in setting aside any area for a future park or shared open space within the 126-acre property. The owner made this clear to the Plan Commission when discussing the staff report and prior to the Plan Commission's positive recommendation for the PDD proposal.

The owner has indicated a willingness to make a financial contribution to the Village... equal to the estimated cost of constructing a sidewalk/trail along the entire 2,300' of road frontage abutting Appleton Avenue. I understand that Dawson has offered \$80,000 as a potential financial contribution based on his own estimate of the cost to construct a trail along Appleton Avenue across the property.

Based on the Village's current design standard for trails and sidewalks (used for the Holy Hill Road re-construction project) and current cost estimates provided by the Village's engineering consultant, staff estimates the cost of constructing a sidewalk and trail as follows (both estimates include a 3" surface over 6" base aggregate):

Multi-Use Trail:	2,300 linear feet of 10' wide asphalt surface @ \$35/foot = \$80,500
Sidewalk:	2,300 linear feet of 5' wide concrete surface @ \$50/foot = \$115,000

Based on the above, it appears that a potential “payment-in-lieu-of” financial contribution of \$80,000 is a reasonable and realistic amount if construction of a trail is not required from the owner as part of approving the proposed development.

With that said, it's important to keep in mind where this proposal is in the overall development review/approval process.

The proposed PDD application will be considered by the Village Board at their October 2 meeting. At that time, the Board will decide whether to accept the Plan Commission's recommendations to approve the PDD zoning district, the Master Development Plan, and a set of "conditions and restrictions" to guide specific details and requirements for future development consistent with the Master Development Plan.

The Plan Commission recommendation does NOT include a requirement for land dedication or financial contribution. The thought being that the Park Commission should discuss the matter with the owner and decide what, if any, recommendation they want to make to the Village Board given that the "potential future park or shared open space" designation appears in the CORP.

Given the above, it's my opinion that the Park Commission should discuss the merits and likely outcome of the following recommendations to make to the Village Board:

1. The Village Board should pursue acquiring a portion of the Moraine Development property for future development & use as a Village-owned public park or open space;
2. The Village Board should require the construction of a multi-use trail along Appleton Ave as part of any proposed development pursuant to requirements in the Village's Subdivision Code, or accept a "payment-in-lieu-of" said construction for use by the Village for future trail construction or park development in the Village

However, considering the owner's position regarding a potential future park or open space as part of the 126-acre property, the Village Boards likely unwillingness to pursue acquisition without the owner's consent and cooperation, and the owner's willingness to make a financial contribution as a "payment-in-lieu-of" constructing a sidewalk or trail, I recommend that the Park Commission work with the owner on a mutually acceptable financial contribution.

Regardless of what the Park Commission might recommend (one, both or neither of the above), the Village Board will likely take final action on the proposal at their October 2 meeting.

PLANNED DEVELOPMENT DISTRICT (PDD) & CERTIFIED SURVEY MAP (CSM) APPLICATIONS

8/14/23 Plan Commission Meeting

Moraine Development LLC

Village Planner Report

Germantown, Wisconsin

Summary

Hans Dawson, agent for Moraine Development LLC, property owner, is requesting approval of a rezoning application to create a Planned Development District (PDD) and Certified Survey Map (CSM) for purposes of restoring and redeveloping the former gravel mining site into a 126-acre residential conservation development located at W218 W11546 Appleton Avenue.

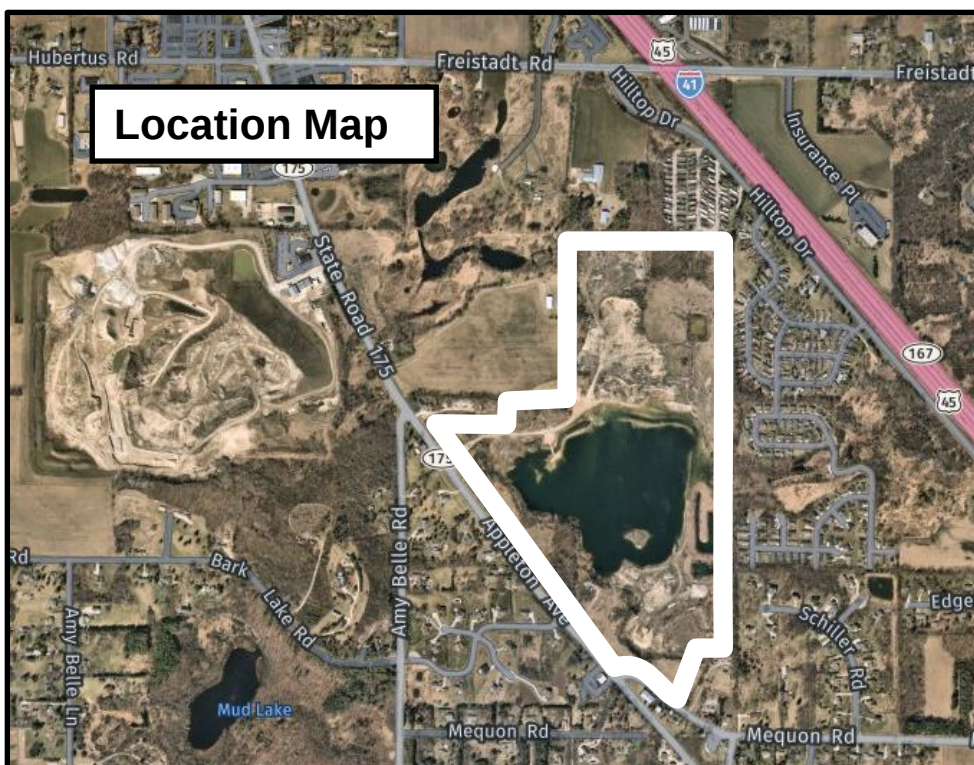
Property Location: W218 W11546 Appleton Avenue

Agent/

Property Owner: David Mortensen Hans Dawson, Lannon Stone Inc.
raSmith Engineering Moraine Development LLC
16745 W Bluemound Rd N52 W23096 Lisbon Road
Brookfield, WI Sussex, WI

Current Zoning: M-4: Mineral Extraction

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Agricultural/Residential	A-2/Rs-2
East	Residential (Brookside Mobile Home Park)	MHP
West	Residential	Rs-3



Background

As discussed in April, Moraine Development LLC is requesting the necessary approvals that will enable restoration and redevelopment of the former gravel mining site into a 126-acre residential conservation development. Restoration of the former gravel mining operation (formerly owned by James Cape & Sons and Merget Sand & Gravel before that) is expected to take multiple years of active and passive land management activities to achieve full restoration of the site.

As shown in the master plan, two specific areas for “upland restoration” with “clustered residential units” are proposed; one north and the other south of the centrally located quarry lake within the 126-acre site. Each upland restoration/residential development area will be served by a cul-de-sac and private on-site wastewater treatment systems (POWTS). Other restoration areas include shoreland and woodland restoration around the quarry lake.

The preliminary grading plan indicates an area for building pads for residential development both north and south of the lake within the upland restoration/residential areas. Other proposed features within the site include on-site storm water management basins & swales, strategically located 10’-15’ high articulated, landscaped berms along Appleton Avenue, and a 6’ wide gravel/asphalt walking path around the quarry lake and connecting the two upland restoration/residential development areas.

Proposal

At this time, Moraine Development LLC is requesting approval of a rezoning application that includes creating a Planned Development District (PDD) with the Rs-2: Single-Family Zoning District as the underlying zoning district and a Certified Survey Map (CSM) to combine all of the individual parcels that comprise the 126-acre site into one parcel.

Certified Survey Map (CSM)

The proposed CSM combines six (6) parcels with a total gross area of 126.8 acres (see the Zoning Exhibit provided in the application for details). Small areas of right-of-way are proposed for dedication consistent with the Village’s Subdivision and Platting Code.

Planned Development District (PDD)

To facilitate the planned development, Moraine Development is proposing to create a new Rs-2/Planned Development District with minimal changes to the underlying Rs-2 Zoning District requirements that would ordinarily apply, e.g. minimum lot size & width, public road frontage, building setbacks, etc.

The basic features of the proposed PDD include:

- Develop the site with a “conservation design” with clustered dwelling units and at least 40% open space;
- Allow a maximum of fifteen (15) single-family condominium-style dwelling units (detached or attached with no defined lots and shared ownership of common areas) with attached or detached garages as permitted uses (actual type of

dwelling unit type to be determined);

- On-site private wells and up to 5 dwelling units per well and a private community septic system (vs. public water & sanitary sewer)

Restoration and re-development of the site is intended to be in accordance with the Development Master Plan” included in the PDD application (dated June 9,2023).

A separate “conditions & restrictions” resolution containing these development-specific allowances, references to the detailed general development plan, and any other conditions of approval deemed appropriate, will be prepared by Village staff at the time the PDD is considered by the Village Board.

Staff Comments

Planning & Zoning

As summarized above, current zoning of the 126-acre site varies from parcel to parcel and is a combination of M-4: Mineral Extraction, Rs-2: Single-Family, and A-1: Agricultural. While a change in zoning is not required to commence restoration activities, re-development and use of the property, in whole or in part, require rezoning into the new PDD prior to any site improvements or dwelling construction.

This property is in the “Meeker Hill Neighborhood” under the Village’s 2050 Comprehensive Plan (see attached). This amount and type of residential development that is proposed is consistent with the type and density of single-family development allowed in the Meeker Hill Neighborhood.

In the “Meeker Hill Neighborhood”, if the property is not served by public sewer & water, a maximum density of 1 dwelling unit per 5 acres is allowed if development is done as a “conventional” development with minimum 5-acre lots. If development is done as a “conservation” development, a density of 1 dwelling unit per 3 acres is allowed with smaller lots and a minimum of 40% open space (final zoning district requirements and conservation design criteria for this type of development in the Meeker Hill Neighborhood has not yet been adopted).

Based on an overall development area of 126 acres and a maximum of fifteen (15) dwelling units, the resulting density of 1 DU/8.4 acres would be less than the maximum density allowance of 1 DU/3 acres and be consistent with the residential development type and density policies for the “Meeker Hill Neighborhood” in the 2050 Plan.

In addition to the Rs-2 District modifications proposed by the Developer summarized above, additional provisions will need to be built into the PDD as specific “conditions and restrictions” to address other aspects of the Village’s development regulations that apply to “planned developments” and condominiums (see Section 18.02(8) of the Subdivision Code):

The following provisions should be incorporated into the “conditions and restrictions” resolution for the PDD:

-
- Allowance for private streets designed in accordance with Section 18.07(1)(d) of the Subdivision Code;
 - Provision to waive the public sanitary sewer and water system requirements under Section 18.08(7) & (8) of the Subdivision Code;
 - Requirement that the Developer address the land suitability requirement under Section 18.08(6) of the Subdivision Code by providing engineering, environmental analysis (e.g. water quality testing) or other data and information necessary to reasonably show to the Village that this site is suitable for its proposed use for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other features likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village;
 - Requirement for detailed site development & building plan review and approval prior to construction of improvements, including private streets, storm water management facilities, landscaped berms & screening features (including street trees in accordance with Section 18.08(14) of the Subdivision Code;
 - Requirement for obtaining necessary permits, including Village permits for all residential dwelling and other building construction, building demolition (if any), erosion control, topsoil removal (if any), Washington County sanitary permits, WisDOT permits for driveway/intersection improvements on Appleton Avenue;
 - Requirement for a lake and shoreland management plan reviewed/approved by the DNR to ensure the quarry lake and upland areas draining to the lake are maintained in a manner that does not negatively impact water quality and/or the water table;
 - Allowance for the export or removal of any previously processed gravel products that remain on the site and the import of clean fill that may be necessary for restoration of the site;
 - Given the intent to develop and use the 126-acre site as a private residential and recreation/conservation area, provisions or restrictions should be included that address potential uses that may create potential negative impacts or nuisances affecting surrounding property owners, e.g. private campground, private recreation uses that have potential nuisance impacts, use of residential dwellings for short-term vacation rental, etc.

The Village's 2021-26 Comprehensive Outdoor Recreation Plan (CORP) includes a map of "potential future park or shared open spaces" that is intended to guide future decision making with respect to the acquisition and/or dedication of land for public park and recreation facilities. One of the designated locations for such future park or shared open spaces is on this property (shown with a purple star on page 27 of the CORP).

Clearly, the thought behind this designation was that the quarry lake and (presumably unbuildable) land that was mined for its gravel resources might be a suitable site for redevelopment into a recreation area (as is the Owner's proposal except that it is intended to be a private recreation and area). While Sections 18.02(3) and 18.07(9) of the Subdivision code requires the dedication and/or reservation of land designated for a public park on a duly adopted comprehensive plan, no such allowance or provision has been incorporated into the proposed General Development Plan. Frankly, other than the designation of this property for a potential park or shared open space area in the CORP, the Village does not currently have a detailed plan for any such area, much less a concept plan that can guide the Developer identify and reserve a future public park or open space area in the General Development Plan. Prior to Village Board adoption of the specific conditions & restrictions resolution for the PDD, the Developer and Village Park Commission should discuss the specifics of what, if any, future park site or shared open space area can/will be dedicated or reserved for future acquisition pursuant to Section 18.07(9).

Similarly, Section 18.08(6) of the Subdivision Code provides that the Village may require sidewalks along abutting streets. The Village's bikeway & trail network in the CORP and Washington County's Bikeway & Trail Plan do not indicate such facilities are planned for Appleton Avenue/STH175 or Meeker Hill Lane in this location. However, the intent section of the Village's PDD indicates that it is *"...intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of a site than is possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of amenities, and preservation of the natural qualities of open spaces"*.

Typically, those PDD's that have been approved by the Village include one or more features or design considerations that provide a benefit or amenity for the larger community and not just future residents and owners of the development. The Developer and Village should discuss and consider a future park site dedication/reservation and possible construction of public sidewalks along Appleton Avenue in this light.

Fire Department

The Fire Department is recommending that provisions be included that require a "dry hydrant" connection to the quarry lake be installed consistent with the requirements of NFPA 1142 Chapter 8.

Public Works/Engineering

Detailed comments will be provided at such time as detailed site development and construction plans have been submitted for review and approval for site improvements including private streets, grading, erosion control and storm water management facilities in the residential development sites within the upland restoration areas, landscaped berms & screening features.

In an August 10, 2023 review letter, the Village Surveyor has identified a series of minor technical corrections in an August 10, 2023 memo that will need to be addressed in a revised CSM prior to recording. The Surveyor also indicates that additional right-of-way along both Appleton Avenue and Meeker Hill Lane will be required:

“The Village’s ultimate right-of-way map shows a 120 feet right-of-way for Appleton Ave/STH175. Where necessary, additional right-of-way should be dedicated from the property east of and abutting the centerline of Appleton Avenue to complete the 120’ right-of-way requirement. Similarly, Meeker Hill Lane has a 100 feet ultimate right-of-way requirement; where necessary, additional right-of-way should be dedicated from the property north of and abutting Meeker Hill Lane to complete the 100’ right-of-way requirement.”

With respect to Appleton Avenue, WisDOT has jurisdiction and should be consulted with regarding to the need for additional right-of-way. Germantown has jurisdiction over Meeker Hill Lane and does require the additional right-of-way.

VILLAGE STAFF RECOMMENDATIONS

APPROVE the Certified Survey Map (CSM) to combine six (6) parcels owned by Moraine Development LLC totaling 126.5 acres subject to the following conditions:

1. The CSM shall be revised to reflect the technical corrections noted in the Village Surveyor comments contained in the August 10, 2023, review memo prior to recording the CSM.
2. The Developer shall contact WisDOT to determine additional right-of-way needs for Appleton Avenue/STH175 and dedicate any required right-of-way as part of a revised CSM prior to recording.
3. The CSM shall be revised to reflect the additional right-of-way requirement for Meeker Hill Lane review memo prior to recording the CSM.

APPROVE creating a Rs-2/PDD for the 126-acre Moraine Development LLC property as proposed subject to the following requirements and conditions:

1. The Rs-2: Single-Family Zoning District regulations shall constitute the underlying conditions and restrictions for the PDD subject to the Developer proposed modifications and Village staff provisions summarized herein. A complete “conditions & restrictions” resolution establishing all use and development allowances, requirements, and restrictions shall be drafted for review and approval by the Village Board concurrent with review and approval of an ordinance creating the Moraine Development Planned Development District (PDD);
2. The conditions & restrictions resolution shall include the following provisions:
 - a. Allowance for private streets designed in accordance with Section 18.07(1)(d) of the Subdivision Code;
 - b. Provision to waive the public sanitary sewer and water system requirements

-
- under Section 18.08(7) & (8) of the Subdivision Code;
- c. Requirement that the Developer address the land suitability requirement under Section 18.08(6) of the Subdivision Code by providing engineering, environmental analysis (e.g. water quality testing) or other data and information necessary to reasonably show to the Village that this site is suitable for its proposed use for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other features likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village;
 - d. Requirement for detailed site development & building plan review and approval prior to construction of improvements, including private streets, storm water management facilities, landscaped berms & screening features (including street trees in accordance with Section 18.08(14) of the Subdivision Code;
 - e. Requirement for obtaining necessary permits, including Village permits for all residential dwelling and other building construction, building demolition (if any), erosion control, topsoil removal (if any), Washington County sanitary permits, WisDOT permits for driveway/intersection improvements on Appleton Avenue;
 - f. Requirement for a lake and shoreland management plan reviewed/approved by the DNR to ensure the quarry lake and upland areas draining to the lake are maintained in a manner that does not negatively impact water quality and/or the water table;
 - g. Allowance for the export or removal of any previously processed gravel products that remain on the site and the import of clean fill that may be necessary for restoration of the site;
 - h. Given the intent to develop and use the 126-acre site as a private residential and recreation/conservation area, provisions or restrictions should be included that address potential uses that may create potential negative impacts or nuisances affecting surrounding property owners, e.g. private campground, private recreation uses that have potential nuisance impacts, use of residential dwellings for short-term vacation rental, etc.
 - i. Requirement that a “dry hydrant” connection to the quarry lake be installed consistent with the requirements of NFPA 1142 Chapter 8. The location and design shall be determined in cooperation with the Village Fire Department.
3. Prior to Village Board adoption of the specific conditions & restrictions resolution for the PDD, the Developer and Village Park Commission should discuss the specifics of what, if any, future park site or shared open space area can/will be dedicated or reserved for future acquisition pursuant to Section 18.07(9) of the Subdivision Code.
4. The Development Master Plan dated June 9, 2023 and any subsequent revisions necessary as a result of satisfying Village approval shall constitute the General Development Plan required under Section 17.27 of the Zoning Code;
5. The Developer shall provide one complete and accurate legal description for all the land to be included in the PDD boundary prior to review of the PDD application by the Village Board.

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: _____ ending: 06/30/2024
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☒ Village of Germanatown
☐ City of

County of Washington Aldermanic Dist. No. _____
(if required by ordinance)

Check one: ☐ Individual ☒ Limited Liability Company
☐ Partnership ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1031480288-04</u>	
EIN Number <u>93-2601053</u>	
TYPE OF LICENSE REQUESTED	FEE
☐ Class A beer	\$
☒ Class B beer	\$ <u>100</u>
☐ Class C wine	\$
☐ Class A liquor	\$
☐ Class A liquor (cider only)	\$ N/A
☒ Class B liquor	\$ <u>500</u>
☐ Reserve Class B liquor	\$
☐ Class B (wine only) winery	\$
Publication fee	\$ <u>20</u>
TOTAL FEE	\$ <u>620</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

CATS CREW LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>Thomas</u>	(First) <u>Craig</u>	(Middle Name) <u>A</u>	Home Address (Street, City or Post Office, & Zip Code) <u>1109 WIS 825 Blacksmith Ct. 53022</u>
Vice President / Member Last Name <u>Thomas</u>	(First) <u>Andrea</u>	(Middle Name) <u>E</u>	Home Address (Street, City or Post Office, & Zip Code) <u>1109 WIS 825 Blacksmith Ct. Germanatown 53022</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name <u>Thomas</u>	(First) <u>Brynn</u>	(Middle Name) <u>E</u>	Home Address (Street, City or Post Office, & Zip Code) <u>1213 River Park Circle #207 Mukwonago 53149</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name IVEE'S AT MAIN Business Phone Number _____
2. Address of Premises W157 N11618 Fond Du Lac Ave. Post Office & Zip Code Germanatown WI 53022

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

Served AT The bar, ^{main floor} behind the bar, beer cooler (Northside),
dining area, (patio area prev. approved) assuming
approval at the P.S. + V.B. mtg on 10/2

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No

(b) If yes, under what name was license issued? IVEE'S AT MAIN
Northside outdoor bar enterprise LLC

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ☒ Yes ☐ No
Andrea Thomas has hers
Brynn Thomas has hers
Craig Thomas has his
7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ☐ Yes ☒ No

9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 7-27-23 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ☐ Yes ☒ No

- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** ☐ Yes ☒ No

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>Thomas Andrea E</u>	Title/Member <u>owner</u>	Date <u>9-4-23</u>
Signature 	Phone Number <u>4145263763</u>	Email Address <u>Aellatnomas@gmail.com</u>

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>9-6-23</u>	Date reported to council / board <u>10-2-23</u>	Date provisional license issued _____	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: October 2, 2023

PLACEMENT: Action Item

ITEM TITLE: Renewal of Sun Life Stoploss Contract

SUBMITTED BY:

SUMMARY EXPLANATION:

ATTACHMENT:

1. Sun Life Renewal 9.27 FIRM (002)

RECOMMENDATION:

ACTION BY Committee:

STOP-LOSS

Expertise

Renewal proposal created for
Germantown, Village Of

Presented by Kevin O'Neil
Telephone: 773-744-6909
Kevin.Oneil@sunlife.com



Why Sun Life?

A leader you can **continue** to count on

Being a leader in stop-loss coverage doesn't happen overnight. Sun Life has been in the business for more than 35 years, listening closely to what our clients want from us and delivering the coverage, insights, and client experience to be the best partner in stop-loss. As an industry leader, we are proud to provide our clients the dependability and stability they need, along with the flexible options they want to meet the unique needs of their business.

Strength and Stability



Count on us to be there to support you now and into the future, even in times of uncertainty.

- A leading stop-loss carrier, with more than 35 years of experience
- Over 4.7M covered members and \$2B of in-force premium¹
- Strong financial ratings²
- Consistent underwriting and fast claim reimbursement

Innovation and Customization



Count on us to build customized solutions to best fit your unique needs – and to always be thinking about what's next.

- Tailored coverage options that work for you
- Increased predictability on your renewal
- Consultative, value-added services to improve cost and care outcomes
- A variety of features including NEW COVID-19 options

Insights and Expertise



Count on us to turn our robust data into actionable insights to help you make the right decisions about your coverage.

- Annual high-cost claim and injectable drug trends analysis with actionable recommendations
- Insights on emerging gene therapies
- Self-funding best practices and legislative updates
- Customized benchmarking data to guide your self-funded strategy

Predictable renewals

Our comprehensive renewal approach provides customers with fair and predictable renewals.

All of Sun Life Stop-Loss renewals include the following:



1. An explanation about how **pooling** helps deliver rate stability



2. A **claims summary** showing how your plan is performing



3. Education about **market factors** that affect stop-loss rates



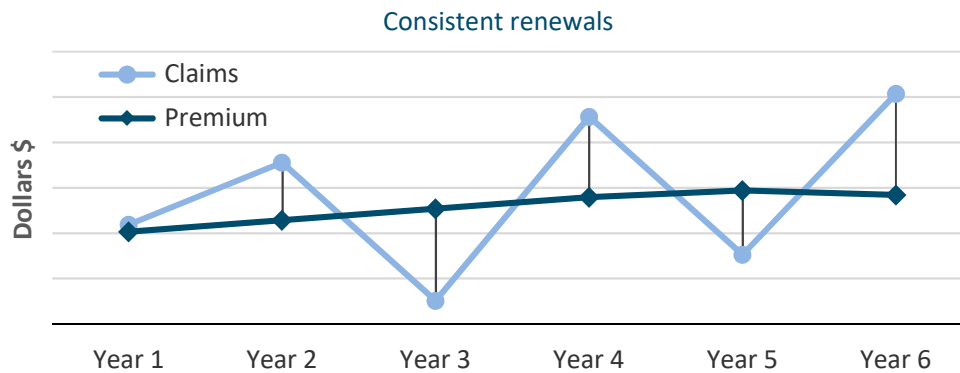
4. A clear renewal illustration that outlines **current rates and renewal options**



SECTION ONE

How pooling helps deliver renewal rate stability over time

We combine your company’s Stop-Loss experience with that of other customers to help produce more consistent renewal costs. This is called “pooling”, which means that the overall cost of claims is shared by your company and the others in the pool. Sun Life is able to provide increased rate stability through pooling due to our book of Stop-Loss business being large enough to absorb the claim fluctuations that would be produced by any one customer



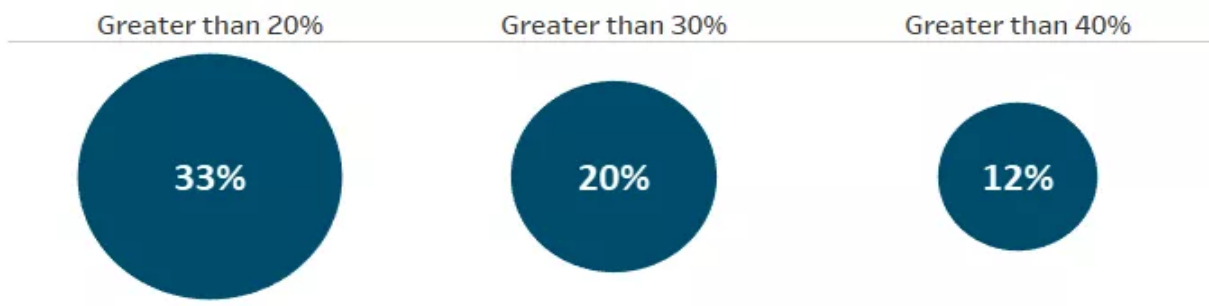
The chart above shows how our pooled approach can provide protection against significant changes in renewal costs. Your Stop-Loss claims can rise and fall from year to year, largely due to the volatility often associated with catastrophic claims.

In a non-pooled approach, your renewal premium would likely be adjusted each year to reflect your individual claims experience. The corresponding rate changes might be extreme, depending on how poor or how favorable the experience was during the most recent contract periods. Pooling decreases volatility, since the cost of the catastrophic claim is shared by the entire customer pool.

Proven results you can depend on

Our pooled approach has provided stability for our clients in good times and bad.

Below is the distribution of rate increases over the last three renewal years **2018-2020** ³:





SECTION TWO

Specific claims summary

Germantown, Village Of, Specific claims summary

The charts below show your current Specific claims activity related to your Specific deductible.

This chart shows the total number of claims that exceeded the Specific deductible during the contract period(s). For the current period, the expected claim count is a year-to-date number to be comparable to the claim count.

Number of claims beyond Specific deductible

Year	Spec level	Claim count	Expected	Actual to expected
Current	\$50,000	0	2	0%
Prior 1	\$50,000	6	5	130%
Prior 2				
Totals		6	6	95%

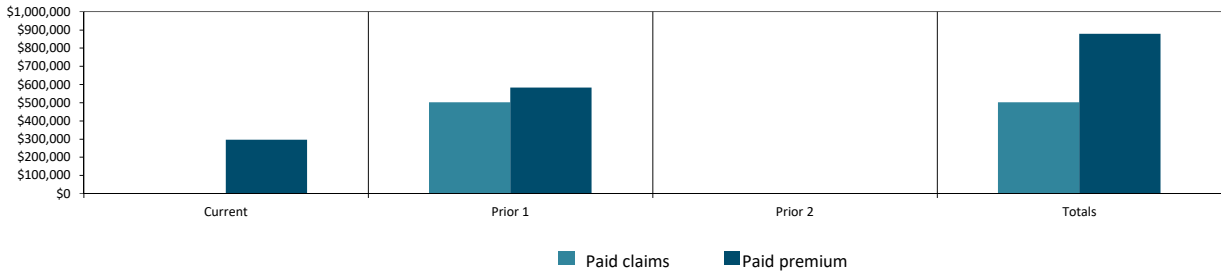
This chart shows the total number of claims that exceeded the Specific deductible during the contract period(s). For the current period, the expected claim count is a year-to-date number to be comparable to the claim count.

Reimbursed claims compared to paid premiums

Year	Claim count	Paid claims	Paid premium	Loss ratio
Current	0	\$0	\$295,837	0%
Prior 1	6	\$501,957	\$582,021	86%
Prior 2				#VALUE!
Totals	6	\$501,957	\$877,857	57%

This chart shows your total reimbursed claims compared to total paid premiums.

Paid claims versus paid premiums



This chart shows your total reimbursed claims compared to total premiums.

Estimated reimbursable claims

When preparing your renewal options, Sun Life assumes that a number of claims have not yet been reported in the current policy period. We use a completion factor to help us predict how many claims will be submitted for reimbursement in the remaining months of the policy period. A completion factor is an estimated amount of time it might take for an incurred stop-loss claim to be submitted for reimbursement.

Estimated reimbursable claims projection

Reported claims	Not-yet-reported claims
Spanning the 7 completed months of the policy year	Spanning the remaining 5 months in the policy year
36%	64%

This chart shows the estimated percentage of reported and not-yet-reported claims for your policy year as of the date of this renewal proposal.



SECTION THREE

Market factors that affect stop-loss rates

A variety of market factors impact the development of your stop-loss rates. Some of the more influential are medical trend, leveraged trend, your health-care plan design, and your group's attributes. However, other factors such as economic conditions, current legislation and the stop-loss industry itself are also taken into consideration.



Here's more detail behind the key factors that affect stop-loss rates:



The health-care plan and the group's attributes

Significant factors that influence how a stop-loss carrier sets its rates are:

Health-care plan design services may include co-payments, deductibles, employee contributions, incentives, wellness programs, and participation levels

Network selections provides the choice of preferred provider organization (PPO), a health maintenance organization (HMO) or a reference-based pricing approach

Group attributes like the demographics of the employee population, the geographic location of the employer, and the type of industry.



Medical trend is a prediction of how much health-care costs will change over time. It is driven by a combination of the changes in costs for services as well as the rates of utilization. Historically, medical trend has increased at a rate that has outpaced inflation.⁴



Leveraged trend is a prediction of how much the cost of catastrophic claims – the type of claims that stop-loss insurance covers – will rise or fall over time in relation to health-care costs.

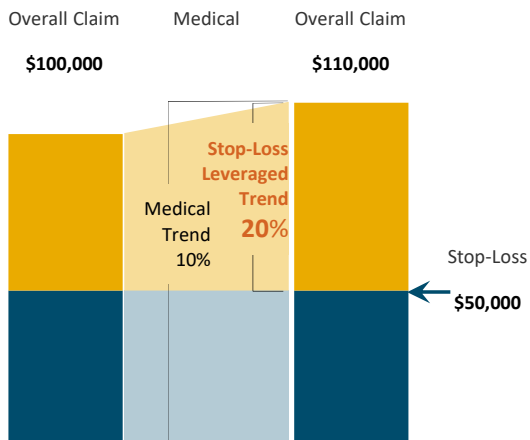
If the stop-loss deductible remains the same from year to year, the division of risk between the employer and the stop-loss insurer will change and the stop-loss carrier will assume a larger portion of the risk in return for higher premiums.

How can you reduce the impact of leveraged trend?

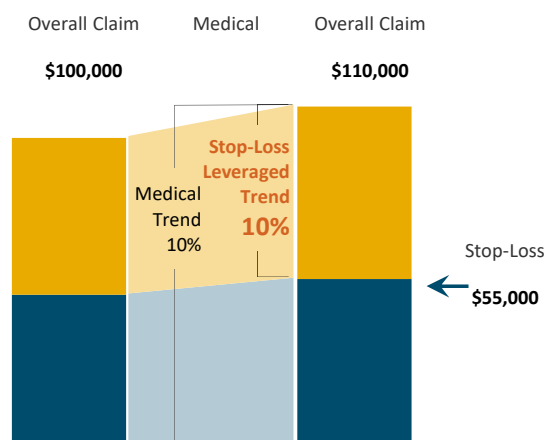
An employer can offset the effect of leveraged trend on its Specific stop-loss premium by choosing a higher specific deductible to offset the additional risk absorbed by the carrier.

Leveraged trend example

Impact without a change to Stop-Loss Deductible



Impact with an increase to Stop-Loss Deductible





Renewal options

To accept the renewal proposal, please do the following:

- At the bottom of this page, select a renewal option and sign where indicated.
- Email, fax, or mail this page to me by December 1, 2023, in order to avoid a lapse in coverage.

Policyholder name:	Germantown, Village Of	Account number:	949309
Policyholder Address:	N112 W17001 Mequen Rd	Renewal status:	Open
	Germantown, WI 53022	TPA Name:	UMR
Situs State:	WI	PPO Name:	United Healthcare, ChoicePlus
Renewal Eff. Date:	January 1, 2024		

Current and renewal rate summary

Tier	Employees
Single	31
Family	64
Total	95

Specific Stop-Loss policy details and renewal options

Plan thresholds	Current	Renewal option 1	Renewal option 2	Renewal option 3
Individual Specific deductible	\$50,000	\$50,000	\$60,000	\$75,000
Aggregating Specific deductible	\$45,000	\$45,000	\$45,000	\$45,000
Annual maximum	Unlimited	Unlimited	Unlimited	Unlimited
Lifetime maximum	Unlimited	Unlimited	Unlimited	Unlimited
Claims basis	PAID	PAID	PAID	PAID
Benefits covered	Medical and Rx	Medical and Rx	Medical and Rx	Medical and Rx
Single	\$266.37	\$266.37	\$253.05	\$227.75
Family	\$639.35	\$639.35	\$607.38	\$546.64
Total monthly premium	\$49,175.87	\$49,175.87	\$46,717.08	\$42,045.37
Renewal rate action as a % increase to current monthly premium		0.0%	-5.0%	-14.5%

Aggregate Stop-Loss policy details and renewal options

Aggregate rates	Current	Renewal option 1	Renewal option 2	Renewal option 3
Aggregate Benefit Maximum	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Per employee per month rate	\$10.71	\$11.25	\$11.25	\$11.25
Total monthly premium	\$1,017.45	\$1,068.75	\$1,068.75	\$1,068.75
Renewal rate action as a % increase to current monthly premium		5.0%	5.0%	5.0%

Aggregate thresholds and rates	Current	Renewal option 1	Renewal option 2	Renewal option 3
Claims basis	PAID	PAID	PAID	PAID
Benefits covered	Medical and Rx	Medical and Rx	Medical and Rx	Medical and Rx
Corridor	125%	125%	125%	125%
Minimum Attachment Point %	100%	100%	100%	100%
Single Aggregate deductible factor	\$707.99	\$707.99	\$744.07	\$791.40
- Medical	\$578.69	\$578.69	\$614.77	\$662.10
- Rx Drug	\$129.30	\$129.30	\$129.30	\$129.30
Family Aggregate deductible factor	\$1,982.37	\$1,982.37	\$2,083.39	\$2,215.91
- Medical	\$1,620.33	\$1,620.33	\$1,721.35	\$1,853.87
- Rx Drug	\$362.04	\$362.04	\$362.04	\$362.04
Minimum Attachment Point	\$148,819.37	\$148,819.37	\$156,403.13	\$166,351.64
Estimated monthly renewal liability	\$148,819.37	\$148,819.37	\$156,403.13	\$166,351.64
Renewal rate action as a % increase to current monthly aggregate deductible factors.		0.0%	5.1%	11.8%

Total estimated annual plan costs

Total costs	Current	Renewal option 1	Renewal option 2	Renewal option 3
Total annual premium	\$602,319.84	\$602,935.44	\$573,429.92	\$517,369.43
Annual Aggregate Attachment Point	1,785,832.44	1,785,832.44	1,876,837.56	1,996,219.68
Total estimated self-funded plan costs	\$2,388,152.28	\$2,388,767.88	\$2,450,267.48	\$2,513,589.11
Renewal rate action as a % increase to total estimated annual plan cost.		0.0%	2.6%	5.3%

Select renewal option

X

Please indicate the renewal option you have selected by initialing one of the three boxes above. The premium rates agreed upon as part of the renewal will be effective on the Policy Renewal Effective Date. Your signature on the renewal proposal constitutes your acceptance of the terms, conditions, assumptions and contingencies set forth in it.

Please acknowledge your acceptance of the renewal proposal, which includes all pages of the proposal, by signing below and returning the signed page to Kevin O'Neil.

Policyholder Signature: _____

Date: _____

Printed Name: _____

Printed Title: _____

Policyholder name:	Germantown, Village Of
Account number:	949309
Renewal status:	Open
Renewal Eff. Date:	January 1, 2024

Specific Stop-Loss coverage

The following options and programs are included in your policy:

Options:

- Laser at Renewal option**
This option allows for new or revised lasers to be added to the policy when it renews. Based on the review of your large claims information that was provided on 8/7/2023, no new lasers are included in this renewal proposal. The right to set lasers remains until the renewal rates are confirmed.
- Mirroring Endorsement**
This option is subject to review and approval by Sun Life and may affect the quoted rates. To include this endorsement with your policy, within 90 days of the policy effective date, we need your plan document and an executed Renewal Options signature page.
- Advance Funding option**
This option enhances the cash flow of your self-funded plan by advancing the stop-loss funds to you or your administrator up front, before you pay the provider.
- Retiree coverage**
- Rx claims are included and bundled with the administration (no carve-out PBM)**
This proposal assumes that your stop-loss insurance will include coverage for prescription drug claims and that the standard large claimant reporting from your medical administrator will include both medical and prescription drug claims. Based on the information provided, your PBM vendor is Optum Rx.

Programs:

- SunElite™ medical document review service**
SunElite is a medical plan document review service for Sun Life Stop-Loss clients. Your custom SunElite report will analyze the plan's cost-containment, federal law compliance and discretionary authority.
- SunResources® preferred network program**
SunResources is our preferred cost-containment vendor program. On a voluntary basis, Sun Life clients gain access to an extensive network of cost-containment vendors that have gone through a rigorous vetting process to ensure quality service and performance. SunResources can help lower costs both before and after a catastrophic claim occurs.

The following are not included in your policy:

- No New Lasers at Renewal option with Renewal Rate Cap**
- Clinical Trials option**
- Electronic Funds Transfer**
- Terminal Liability option**
- Experience Rating Refund**

Special conditions

With respect to the Covered Person[s] named below, the Specific Benefit Deductible will be the amount shown below rather than the Specific Benefit Deductible shown in Specific policy details and renewal options.

Name	Amount	Description
Theresa Spreiter	\$150,000	Standard Laser

Producer commissions

Sun Life pays the following commission percent to the Stop-Loss producer: 0.0%.

Specific Benefit Stop-Loss renewal acceptance

Acceptance of your Specific Benefit Stop-Loss renewal by Sun Life is subject to timely receipt of a signed renewal proposal and contingent upon a review of large claims over \$25,000 with diagnosis/prognosis for the period of January 1, 2023, through September 30, 2023, with accompanying required information. For large claims, the required information includes paid claims, pending claims, and notification of known situations. Upon review of your large claims information, we reserve the right to recalculate quoted rates.

Sun Life will not reimburse for claims expenses incurred outside the Policy Year parameters.

Aggregate Benefit Stop-Loss

- Features**
Monthly Aggregate Accommodation is not included.
Terminal Liability option is not included.

Minimum Attachment Points

Renewal Option 1	Renewal Option 2	Renewal Option 3
\$1,785,832.44	\$1,876,837.56	\$1,996,219.68

- Aggregate Stop-Loss renewal acceptance**
Renewal acceptance of Aggregate Benefit coverage by Sun Life is subject to timely receipt of a signed renewal proposal and contingent upon a review of monthly claims and lives, by line of coverage, for the period

Policyholder name:	Germantown, Village Of
Account number:	949309
Renewal status:	Open
Renewal Eff. Date:	January 1, 2024

of January 1, 2023, through September 30, 2023. Upon review of that information, we reserve the right to recalculate the Aggregate Benefit Attachment Point.

General coverage

- **Captive coverage**
Any Stop Loss policy issued to a policyholder that is part of a captive program, is excluded from any and all Sun Life incentive, bonus or override programs.
- **Affordable Care Act accommodations**
This renewal proposal represents Sun Life's efforts to work with you to meet your requirements under the Affordable Care Act (ACA), including, but not limited to, the dependent age provisions of the ACA. It is the self-funded medical plan's responsibility to keep its census data up to date at all times. If the plan inadvertently does not remove a terminated participant, Sun Life may deny any claims from the participant. However, in that situation, the self-funded medical plan is responsible for the claim.

Proposal for Germantown, Village Of
GSLOT-2551, SLPC 24342 05/21 (exp. 05/23)

Disclosures

1. Sun Life book of business data through March 2020.
2. For complete financial ratings, visit www.sunlife.com/financialratings.
3. Sun Life renewal statistics data from 2018 to 2020.
4. Health Research Institute Medical Trend "Behind The Numbers" report 2021.

Producer licensing

All Sun Life companies require producers using insurance quotes we issue for the purpose of soliciting, selling, or negotiating insurance to be licensed both by the state where the prospective client is located and by any state where the solicitation, sale, or negotiation of insurance occurs, if different. This requirement pertains to all forms of solicitation, sales or negotiation of insurance, including but not limited to solicitation, sale, or negotiation conducted in person, by telephone, by email, by fax, or otherwise.

Producer compensation

We encourage brokers and their clients to discuss what commission or other compensation may be paid in connection with the purchase of products and services from Sun Life companies. All Sun Life companies may pay the selling broker, agency, or third party administrator for the promotion, sale, and renewal of the products and services offered in this proposal. In addition to our standard compensation, we may make additional cash payments or reimbursements to selling brokers in recognition of their marketing and distribution activities, persistency levels, and volume of business.

For New York situs business, we may pay reduced compensation where fewer services are offered and increased compensation where more services are provided. Producers must comply with the specific compensation disclosure requirements of New York Regulation 194.

Plan and rates

This renewal proposal is based on the employee census information that was provided. Acceptance of the group and final rates will be determined by the Sun Life home office in the United States based on actual enrollment and case experience, if required. Terms and conditions of any coverage under the policy will be determined by all necessary final data and by underwriting rules, policy requirements, and policy provisions in effect on the date coverage begins.

Sun Life Companies

The Sun Life group of companies operates under the "Sun Life" name. In the United States and elsewhere, insurance products are offered by members of the Sun Life group of companies that are insurance companies.

Currently, group underwriting companies include Sun Life and Health Insurance Company (U.S.) and Sun Life Assurance Company of Canada. Sun Life Inc., the publicly traded holding company for the Sun Life group of companies, is not an insurance company and does not guarantee the obligations of these insurance companies. Each insurance company relies on its own financial strength and claims-paying ability.

Group stop-loss insurance policies are underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) in all states, except New York, under Policy Form Series 07-SL REV 7-12. In New York, group stop-loss insurance policies are underwritten by Sun Life and Health Insurance Company (U.S.) (Lansing, MI) under Policy Form Series 07-NYSL REV 7-12. Product offerings may not be available in all states and may vary depending on state laws and regulations.

Stop-Loss information

The following services are not insurance and carry a separate charge included with the price of coverage: Clinical 360, owned by Sun Life; SunElite™, owned by Sun Life with services provided by The Phia Group, LLC.

Information

Issuance of a Stop Loss policy is dependent upon meeting underwriting guidelines and participation requirements.

If you have any questions or to learn more, contact your Sun Life Stop-Loss Specialist.

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: October 2, 2023

PLACEMENT: Action Item

ITEM TITLE: 2023 Road Program Change Order #1

SUBMITTED BY:

SUMMARY EXPLANATION:

Change Order No. 1 for the 2023 Annual Road Improvement Program includes the materials and labor required to apply the surface layer of asphalt on Gateway Crossing from Rockfield Road to about 1150 feet south. With developments in the area either nearly completed or delayed, and the existing binder surface nearing its planned exposed lifespan, engineering determined that now is the appropriate time to finalize this roadway before further degradation can occur. Funds for this work in the amount of \$74,765.00 will be taken from the TID 8 Improvement account # 48-574-530-4500.

Change Order No. 1 also provides additional Culverts to be used in the Glenwood Park area for stormwater infrastructure replacement. Funds for these culverts in the amount of \$7,634.30 will be taken out of the Road Improvement Program account #40-542-570-8810.

ATTACHMENT:

1. Change Order 1 - 2023 Road Improvement Program
2. Change Order 1 - 2023 Road Improvement Program Cost Breakdown

RECOMMENDATION:

Staff recommends that the Public Works & Highways Committee approve Change Order No. 1 related to the 2023 Road Improvement Program for the additional cost of labor & materials in the amount not to exceed \$82,399.30 and forward it to the Village Board with a positive recommendation.

ACTION BY Committee:

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.

CHANGE ORDER

NO. _____

1

PROJECT: _____ 2023 Road Program		EFFECTIVE DATE: <u>10/3/2023</u>									
DATE OF ISSUANCE: <u>10/2/2023</u>											
OWNER: _____ Village of Germantown											
OWNER'S CONTRACT NO. _____ 2301											
CONTRACTOR: _____ Payne & Dolan, Inc.	ENGINEER: _____ Jake Sajdak										
You are directed to make the following changes in the Contract Documents. Description: Additional Bid items for the surfacing of the remaining portion of Gateway Crossing as well as added culverts for the Road Program in Glenwood Park. Reason For Change Order: Proposed additions to the contract are of a significant change in work and costs. Attachments: (List documents supporting change) Bid Item break down.											
CHANGE IN CONTRACT PRICE Original Contract Price \$ _____ 2,072,809.70	CHANGE IN CONTRACT TIMES Original Contract Times Substantial Completion: _____ Ready for Final Payment: _____										
Net changes from previous changes Orders No. _____ To No. _____	Net changes from previous changes Orders No. _____ To No. _____										
Contract Price prior to this Change Order \$ _____ 2,072,809.70	Contract Times prior to this Change Order Substantial Completion: _____ Ready for Final Payment: _____										
Net Increase (Decrease) of this Change Order \$ _____ 82,399.30	Net Increase (Decrease) of this Change Order _____										
Contract Price with all approved Change Orders \$ _____ 2,155,209.00	Contract Times with all approved Change Orders Substantial Completion: _____ Ready for Final Payment: _____										
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">RECOMMENDED</td> <td style="width: 33%; text-align: center;">APPROVED</td> <td style="width: 33%; text-align: center;">ACCEPTED</td> </tr> <tr> <td style="border: none;"> By: <u></u> ENGINEER </td> <td style="border: none;"> By: _____ OWNER </td> <td style="border: none;"> By: _____ CONTRACTOR </td> </tr> <tr> <td style="border: none;"> Date: <u>9/29/2023</u> </td> <td style="border: none;"> Date: _____ </td> <td style="border: none;"> Date: _____ </td> </tr> </table>			RECOMMENDED	APPROVED	ACCEPTED	By: <u></u> ENGINEER	By: _____ OWNER	By: _____ CONTRACTOR	Date: <u>9/29/2023</u>	Date: _____	Date: _____
RECOMMENDED	APPROVED	ACCEPTED									
By: <u></u> ENGINEER	By: _____ OWNER	By: _____ CONTRACTOR									
Date: <u>9/29/2023</u>	Date: _____	Date: _____									

Item	Unit	QTY	Cost
MILL WEDGE AT CURB & CLEAN & BROOM	LF	2300	\$1.85
2" SURFACE COURSE - HMA 4 LT 58-28S, 12 mm	TON	490	\$80.00
ASPHALT TACK COAT	GAL	200	\$2.30
CONCRETE CURB & GUTTER, 30" REMOVE & REPLACE	LF	200	\$88.25
Adjust Catch Basin Frame	EA	5	\$800.00
Adjust storm manhole rings + binder patch	Ea	2	\$600.00
SURFACE RESTORATION, TOPSOIL, SEED, E-MAT & WATERING	SY	10	\$100.00
TRAFFIC CONTROL	LS	1	\$7,000.00

TOTAL ESTIMATED PRICING FOR GATEWAY XING

Glenwood Culvert, 15" CMPA w/ FES	LF	45	\$97.65
Glenwood Culvert 12" CMP w/ FES	LF	43	\$75.35

TOTAL ESTIMATED PRICING INCREASE FOR GLENWOOD

Ext.

\$4,255.00

\$39,200.00

\$460.00

\$17,650.00

\$4,000.00

\$1,200.00

\$1,000.00

\$7,000.00

\$74,765.00

\$4,394.25

\$3,240.05

\$7,634.30

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: October 2, 2023

PLACEMENT: Action Item

ITEM TITLE: Village Official Performance. The Village Board may go into closed session as per Wis. Stat. § 19.85(1)(f) for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, and then may re-enter open session to take such action as it deems appropriate.

SUBMITTED BY:

SUMMARY EXPLANATION:

ATTACHMENT:

RECOMMENDATION:

ACTION BY Committee: