MEETING:	**REGULAR MEETING OF THE PLAN COMMISSION**
DATE & TIME:	**Monday, October 14, 2024 at 6:30 PM**
LOCATION:	**Germantown Village Hall Board Room** **N112 W17001 Mequon Road**

Any member of the body and/or citizen also attend the meeting virtually through the WebEx platform, Meeting #: **2553 216 2843** Password: **qRNiKJrY345** 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=m3e60c9657945a5ad89155bdbfd3c356f**

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 Village Board 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. APPROVAL OF MINUTES:

A. PC Minutes 9/9/24

IV. NEW BUSINESS:

A. Presentation on the Wisconsin Farmland Preservation Program, Draft Washington County Farmland Preservation Plan, and Draft "Farmland Preservation Areas" Map for the Village of Germantown; Adam Christensen, Washington County Community Development Department. NOTE: Public comments will be received following the presentation.

B. Everett Frenz, Agent for the Anton Frenz Trust & SA Technologies LLC, Property Owners - 65.2 acres located east of Fond du Lac Avenue/STH145 and north of Donges Bay Road. Application to Rezone 65.2 acres from the M-1: Limited Industrial Zoning District to an Rm-3: Multi-Family & B-1: Neighborhood Business Planned Development District (PDD) for purposes of developing a 570 dwelling unit & 24,000 sqft retail commercial mixed-use development called "ArborVillage". (PUBLIC HEARING & ACTION)

C. Village of Germantown Community Development Department - Proposed Text Amendments to Chapter 17.41 (Accessory Use, Building & Structures), Section 17.43 (Site Plan Approval Requirements), Section 17.45 (Traffic, Parking, Loading & Access), and Section 17.46 (Signs) of the Village of Germantown Municipal Code. (STAFF REQUEST TO TABLE PRESENTATION & PUBLIC HEARING TO NOVEMBER 11, 2024)

D. OneEnergy Development, LLC, Agent for Wayne Lutynski, Property Owner. Certified Survey Map (CSM) to combine parcels and Site Plan Review for a 30-acre Solar Energy Facility located at approximately N132W18100 Rockfield Road. (ACTION)

E. Truck Country of Wisconsin Inc., Agent for RA Steinman Legacy LLC, property owner,- N128W21795 Hwy 167; Site Plan Review for a 37,700 sqft commercial truck sales & service facility on a 15.9 acre parcel located in the southeast corner of the Holy Hill Road @ I-41 interchange in the "Holy Hill Gateway District". (ACTION)

F. Neumann Developments, Agent for Wrenwood North LLC, Property Owner, property south of Freistadt Road and Pleasant View Drive. Final Subdivision Plat for the Wrenwood North Addition No. 1 Subdivision (Wrenwood North-Phase 2 containing 26 single-family lots). (ACTION)

V. CITIZEN INPUT/PUBLIC APPEARANCE: *(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.)*

VI. ANNOUNCEMENTS:

VII. 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. Notice is given that a majority of the Village Board may attend this meeting to gather information about an item over which they have decision-making responsibility. This may constitute a meeting of the Village Board per State ex rel.Badke v Greendale Village Board, even though the Village Board will not take formal action at this meeting.

MEETING:	**REGULAR MEETING OF THE PLAN COMMISSION**
DATE AND TIME:	**Monday, September 9, 2024 6:30 PM**
LOCATION:	**Germantown Village Hall Board Room** **N112 W17001 Mequon Road**

MINUTES

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.*

Chairman Wolter called the meeting to order at 6:30pm.

II. ROLL CALL:

Chairman Wolter and Committee Members Baum, Tarantino, Shadid and Williams were present. Committee Member Henk and Germantown School District Reprentative Ewert were both absent. Also present were Community Development Director Retzlaff and Associate Planner Jordan Yanke.

III. APPROVAL OF MINUTES:

A. PC Minutes 8/26/24

Motion: Approve as presented
Motioned By: David Baum
Seconded By: William Shadid
Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid
No: None
Abstain: None
Motion Passed (Yes 5, No 0, Abstained 0)

IV. NEW BUSINESS:

A. Public Hearing regarding proposed amendments to Tax Incremental District (TID) No. 9, including amending the district boundaries by adding territory as permitted under Wisconsin Statutes Section 66.1105(4)(h)2., and amending the Project Plan to increase the list of estimated project costs by approximately $4.2M as permitted under Wis. Stats. Section 66.1105(4)(h)1, followed by consideration and possible action on a Resolution Approving the proposed amendments to the Project Plan and district boundaries of Tax Incremental District No. 9. (PUBLIC HEARING & ACTION)

Director Retzlaff announced Ehlers Representative Phil Cosson who gave a presentation on the proposed amendments to TID #9.
Public Hearing opened at 6:55pm.
Comments were received from:
Lynn Bednarz who lives on Pawney Court.
Melanie Smythe who lives on Cedar Lane.

Scott Hefle who lives on Old Farm Road.
Public Hearing closed at 7pm.
Motion: Approve with all elements as presented
Motioned By: David Baum
Seconded By: William Shadid
Discussion Followed. Commission members provided the following comments:
-Williams wants to understand the financial aspects of this. Is it up to the Plan Commission to vote on or if that's another committee? Cosson responded in the affirmative.
-Why now? This is driven by EDWC's communications with Sterling Pharma. They want to have an answer to this first hurdle taken off the table so that they can make a decision on whether or not they want to proceed.
-Retzlaff asked what happens if Sterling Pharma decides that they don't want to proceed? Could we remove the area that is being added now? Cosson said yes, you can remove the additional parcels in the future if you want to, using this same process.
-Williams asked what happens if the Village puts infrastructure money into this area, and then they back out after we have already incurred costs. Cosson stated that there are no infrastructure costs with this amendment. The only 2 costs are the loan from the county and the separate municipal revenue obligations that are tied to the expansions.
Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid
No: None
Abstain: None
Motion Passed (Yes 5, No 0, Abstained 0)

B. Michael Anderson, agent for GH Industries LLC, and Klosett Investments and Mark Mason, Property Owners; Review and Action on the following: a 2-Lot Certified Survey Map (CSM) to combine parcels; a Site Development and Building Plan application; and Conditional Use Permit applications to allow the operation of a "Horticultural Services" business and a "Snow Removal Services" business pursuant to Section 17.33(3) of the Zoning Code, and a "Salt or Deicing Material Storage" business pursuant to Section 17.40 of the Zoning Code, all on the property located at N114 W18686 Clinton Drive in the Germantown Industrial Park. (PUBLIC HEARING & ACTION)

Associate Planner Yanke went over the background of the proposed business, the overall layout, what the site will be used for, landscape plan, new monument sign, etc. The site is 3-acres and is located in a groundwater protection overlay district.
Staff recommends approval of the proposed 1-lot Certified Survey Map (CSM) to combine 2 existing lots for the Green Hills Industries facility located at N114 W18686 Clinton Drive, subject to the following condition:

1. All technical issues and corrections identified by the Village Surveyor (see August 27, 2024, memo from Bob Beilfuss, PLS) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.

Staff recommends approval of the Conditional Use Permits (CUPs) for “Horticultural Services” and “Snow Removal Services” for Michael Anderson, agent for Green Hills Industries, for property located at N114 W18686 Clinton Drive, subject to the following conditions:

1. The uses and activities allowed on the property shall be limited to those uses and activities specified in the Conditional Use Permit (CUP) applications, project narrative dated August 7, 2024, and supporting site plan documents revised dated September 5, 2024. Days and hours of operation shall be limited to those specified in the CUP supporting documents submitted to the Village.
2. The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount, or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under these CUPs to the Village Zoning Administrator.
3. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or, where there is a change in the nature, character, intensity or extent of the activities or uses which causes problems or harmful effects (i.e. groundwater monitoring results finds harmful levels of pollutants) that were not anticipated at the time of approval of these CUPs, the Conditional Use Permits (CUPs) may be modified or terminated by the Village Board by the amendment to or addition of conditions after public hearing thereon.
4. All temporary and permanent exterior signs require a permit and shall comply with all current sign regulations. Off-premises advertising and directional signage is regulated by the Village and requires a permit if/when allowed.
5. All future site improvements, including all building, parking area, landscaping, storm water management facilities, signage, exterior lighting, and any other improvements made to or on the property that are necessary for the land uses and activities authorized under these CUPs shall be submitted for review and approval by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.
6. Building permits and commercial building code plan approval are required for the planned building remodel and addition. Contact SAFEbuilt staff in Inspection Services at Village Hall prior to any work for more information.
7. Pursuant to Section 17.47 of the Zoning Code, if the Village observes and/or receives complaints regarding negative impacts associated with and/or created by business-related activities conducted on the property, including but not limited to noise, dust or other airborne materials, the Property Owner/Operator shall work with the Village to identify the source of such impact(s), evaluate alternative mitigation measures, and implement a mutually-agreeable solution to mitigating the impact(s).

Staff recommends approval of the site development and building plans submitted by Green Hills Industries for a 6,144 square foot warehouse/office building addition (12,616 square feet total), parking lot improvements, new storage and circulation yard, additional driveway cut, and landscaping installation for property is located at N114 W18686 Clinton Drive, subject to the following conditions:

1. This approval is for the various plan sheets that comprise the site plan set as noted below and is subject to compliance with all the conditions and requirements set forth herein and subsequently adopted and/or revised by the Plan Commission. Approval is granted for the following unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:

**Architectural plans dated July 12, 2024 (revised August 15, 2024).*
**Civil Engineering plans dated July 24, 2024 (revised Sept. 5, 2024).*
**Landscaping plans dated July 24, 2024 (revised Sept. 5, 2024).*

If revised plan sheets are necessary, each revised sheet shall contain the date of said revision clearly stamped in the lower right corner.

2. Additional and/or altered landscaping shall be shown in a revised landscape plan review and approved by the Village Forester, including:

a. Along the western property line/boundary where the building is situated.
b. Along the western and northern property line/boundary to further buffer the supply/storage yard. Applicant shall install additional and/or altered landscaping in these areas to buffer the yard that includes storage bins that have eight (8) foot walls.
c. Along the eastern property line/boundary to further buffer the supply/storage yard. Applicant shall install additional and/or altered landscaping in this area to buffer the yard that includes storage bins that have eight (8) foot walls and where the salt storage bin (i.e. hoop structure) is proposed.
d. Landscape Plan Page 8 and Page 9. Specify maple and elm tree species and/or varieties that have been added to the landscape plan. The following species are included in the "unapproved" Street Tree Guidelines within the Village, and cannot be utilized as newly planted street trees for this project:

a. American Elm
b. Siberian Elm
c. Red Maple
d. Silver Maple
e. Sugar Maple

3. Per Code Section 17.45(1)(c), the storage and supply yard shall be paved with bituminous or concrete pavement in accordance with Village standards and specifications. The site plan shall be revised to reflect this surfacing.
4. The technical issues and plan revisions identified in the August 28, 2024, memo from the Village Engineer shall be addressed in revised plan sheets and/or supplemental documents as necessary prior to commencing construction activities (excluding site demolition, early start site preparation, and footing & foundation installation).
5. Applicant shall submit final easement agreements with the property owners of parcels located at N114 W18628 Clinton Drive (GTNV_213985) and W185 N11513 Whitney Drive (GTNV_213976) for the stormwater facilities proposed to serve the subject development prior to commencing construction activities. Stormwater facilities include a detention basin and discharge pipe directed toward Whitney Drive to the east of subject property.
6. State agency (DSPS) approved plans and a $20,000 occupancy bond are required by Inspection Services. The Village of Germantown is an authorized delegated agent of DSPS and may be used as an alternative to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.
7. Site plan shall be revised to denote correct setback distance from property line running east/west in the middle of the site. Setback distance shall be revised from 25 feet to reflect a 10-foot setback. The structure shown in this area shall comply with specified setback.
8. One (1) additional ADA parking space shall be installed to meet accessibility standards. The site plan shall be revised to show the additional ADA space.

Staff recommends approval of the proposed ground sign Green Hills Industries located at N114 W18686 Clinton Drive, subject to the following conditions:
1. Applicant/owner shall obtain an electrical permit from building inspection services for the sign installation.
2. Prior to permit issuance and sign installation, applicant/owner shall submit a revised sign plan showing specific setback distance the sign is from the right-of-way/property line. Revised sign plan shall also denote specific landscape details around the base of the sign, so village staff can verify compliance with code.

Groundwater Technical Review Committee Recommendation: Based on discussion and testimony at its September 4, 2024, meeting, the recommendation is to Approve the Conditional Use Permit (CUP) to allow "Salt or Deicing Material Storage" within a Groundwater Protection Overlay District, subject to the following conditions:

1. Applicant/owner shall provide current copies of all federal, state, and local facility operation approval or certificates and ongoing environmental monitoring results to the Village.

2. Applicant/owner shall establish environmental or safety structures/monitoring to include an operation safety plan, material processes and containment, operations monitoring, best management practices, stormwater runoff management, and groundwater monitoring.
3. Replace equipment or expand in a manner that improves the environmental and safety technologies in existence.
4. Prepare, file, and maintain a current contingency plan which details the response to any emergency which occurs at the facility, including notifying municipal, county, and state officials. Provide a current copy to the Village.
5. Obtain all necessary building permits, including plumbing and electrical for the underground run-off containment and pumping/evacuation system to be installed under the granular storage concrete pad.
6. The proposed underground run-off containment tank shall include a sealed concrete vault and monitored by three (3) water quality sampling wells installed on the property. Annual reporting with test results for the monitoring of the wells shall be submitted to the Village.
7. Prior to the landscaping season, all remaining granular deicing material not stored in the designated concrete storage enclosure shall be bagged and/or stored indoors to protect against run-off and possible contamination.

Discussion Followed: Commissioner Williams asked if the CUP would stay with the business or the property? Retzlaff stated that we could restructure the CUP to stay with the current business. Tarantino asked how much salt the business would go through? Anderson stated that he didn't have a solid # but the storage onsite is between 1200–1000 tons. Trustee Baum wants more information regarding the hoop structure. It's basically 6' walls with a frame, a concrete floor and fabric over the top pulled taut to shield the structure from weather. Do we have rules or regulations about fabric structures? Retzlaff stated that we do not have any for industrial parks. Baum is concerned that it will rip and shred and look terrible. Anderson stated that they have a 20-year warranty for the Clear Span material they are using for the covering.
Public Hearing was opened at 7:39pm
Comments were received from:
Scott Hefle who lives on Old Farm Road.
Jan Miller who lives on Windsong Circle West.
Melanie Smythe who lives on Cedar Lane.
Public Hearing closed at 7:43pm.

Chairman Wolter left the meeting at 7:45pm.
Motion: Appoint Trustee Baum as Chairman Pro-tem
Motioned By: William Shadid
Seconded By: Robert Williams
Yes: David Baum, Josh Tarantino, Robert Williams, William Shadid
No: None
Abstain: None

Motion 2: Approve all 4 sections with all conditions as presented
Motioned By: William Shadid
Seconded By: Josh Tarantino

Commissioner Shadid has a problem with putting this in a wellhead protection area. Tarantino stated that problems arise with his similar business with the amount of dust. With this tight of a facility, how would you mitigate the dust? Anderson stated that the asphalt grindings should help with the dust and there would be very little wind inside the small work area. Yanke stated that we recommend that the entire area be paved. Retzlaff stated that the staff report acknowledges that this type of business has been allowed in the past and is typically located in agricultural areas with larger properties. With this use proposed in the middle of the industrial park, there is a need for this conditional use permit with conditions to address these issues, in case nearby property concerns are submitted so they can be addressed by the Village and applicant. Dust mitigating measures

could be added to #7. Anderson stated that they will use a product called Dust Guard that acts as a binding agent and is sprayed onto millings/mulch. Baum stated that he feels Commissioner Shadid's objection has been covered by the Groundwater Technical Review Committee's assessment and asked if everyone agreed, they did. Retzlaff asked applicant whether the color shown in the photo is the color proposed for building? Anderson stated that the basic color is brick, which they will stain to match the charcoal gray coloring.

Motion 3: Amend Motion 1 to add another condition to the CUPs to terminate if the business changes owners, meaning the CUP's are non-transferrable
Motioned By: Robert Williams
Seconded By: William Shadid
Results of Motion 3:
Yes: Josh Tarantino, Robert Williams, William Shadid
No: David Baum
Abstain: None
Motion Passed (Yes 3, No 1, Abstained 0)

Results of Motion 2 as Amended:
Yes: David Baum, Josh Tarantino, Robert Williams, William Shadid
No: None
Abstain: None
Motion Passed (Yes 4, No 0, Abstained 0)

C. MSI General, Agent for Moldmakers Investments LLC, Property Owner, and MGS Manufacturing, W188 N11707 Maple Road. Site Plan review of proposed revisions to the landscape plan for the previously approved 118,650 sqft building addition. (ACTION)

Director Retzlaff stated that in 2023 MGS added their innovation center along Maple Road. There was a landscape plan at that time that reflected a series of existing Maple trees along Maple Road. They want to remove 10 trees along Maple Road to enable a view of the building addition and headquarters of their facility. As a mitigation measure, they will plant 12 new trees that will be planted in clusters of 3 trees each to replace the removed trees to meet the most recently approved Comprehensive Tree Plan for the Village.

Staff recommends approval of the revised landscape plan previously approved as part of the 118,650 sqft industrial building addition to the MGS Medical Manufacturing campus located at W188 N11707 Maple Road subject to the following 3 conditions:

1. This approval is for the plans noted below and is subject to compliance with all the conditions and requirements set forth herein and subsequently adopted and/or revised by the Plan Commission. Approval is granted for the following unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission: *Landscaping plans dated August 13, 2024*. If revised plan sheets are necessary, each revised sheet shall contain the date of said revision clearly stamped in the lower right corner.
2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit for the shell building.
3. A revised landscape plan addressing the recommendations of the Village Forester, including a revised list of plant types and installation sizes that meet the minimum requirements of the Village's Comprehensive Tree

Plan and Zoning Code, shall be prepared and submitted for review and approval by Village Forester prior to installation of the proposed replacement plantings.

Motion: Approve as presented
Motioned By: William Shadid
Seconded By: Josh Tarantino
Yes: David Baum, Josh Tarantino, Robert Williams, William Shadid
No: None
Abstain: None
Motion Passed (Yes 4, No 0, Abstained 0)

V. CITIZEN INPUT/PUBLIC APPEARANCE: *(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.)*

The following residents spoke:
Sarah Larson who lives on Butternut Road.
Melanie Smythe who lives on Cedar Lane.

VI. ANNOUNCEMENTS:

None.

VII. ADJOURNMENT:

Chairman Pro-Tem Baum adjourned the meeting at 8:10pm.

WASHINGTON COUNTY
FARMLAND PRESERVATION AREAS & PLAN
10/14/24 Plan Commission Meeting

Germantown Planning Department

Village Staff Report & Recommendation ***Germantown, Wisconsin***

As you may be aware, Washington County is in the process of revising their Farmland Preservation Plan. At this point in time, the County has identified the farmland preservation areas they propose for the Village of Germantown.

Adam Christensen, Planner, with the Washington County Community Development Department, will present an overview of Wisconsin's Farmland Preservation Program (FPP) (see enclosed Wis. Stats. Chapter 91), recent revisions to the FPP, details on the County's planning effort to date and the process and criteria used to identify "farmland preservation areas" for the Village of Germantown.

At some point in the near future (ideally before the end of the year), the Village will have to decide whether to participate in the FPP and, if so, take action to: (1) pass a resolution of intent to modify our 2050 Comprehensive Plan to include key elements of the Washington County Farmland Preservation Plan (see enclosed draft chapters 1 through 5) and the draft map of designated "farmland preservation areas" (see draft map below); and (2) adopt a farmland preservation zoning district that would enable farmers/property owners with land in a farmland preservation area to qualify for tax credits available through the Wisconsin FPP.

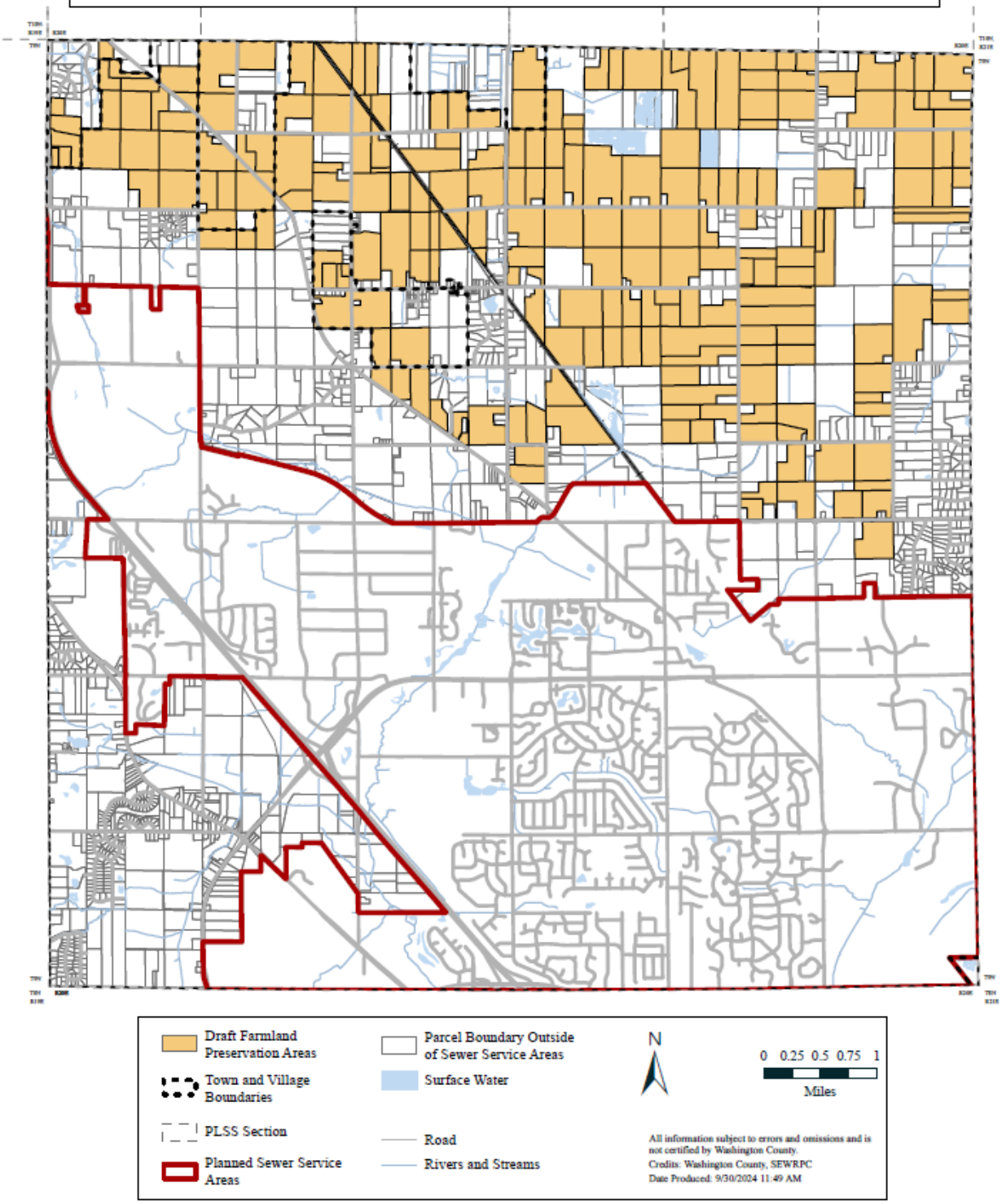
Notwithstanding any decision the Village might make regarding participation in the overall FPP, we need to provide Washington County staff feedback on their proposed farmland preservation areas and, if necessary, make recommendations for any revisions we feel are necessary.

Approximately ninety (90) property owners with land located within the draft designated farmland preservation areas shown on the map below were sent a postcard invitation by Washington County to attend tonight's meeting and listen to the presentation. While tonight's meeting does not include a formal public hearing, public comments will be received from anyone who wants to speak and share their thoughts and feelings regarding the Washington County FP Plan, the designated farmland preservation areas, the overall FPP, and the Village's possible participation.

This will be a good opportunity for the Plan Commission to see/hear the reaction and receive comments from some of our residents and property owners regarding this topic and be useful when considering whether the Village will get back into Wisconsin's Farmland Preservation Program.

After the presentation and public comment, County staff will be available to meet and go over the draft farmland preservation maps with affected property owners in Conference Room "A" adjacent to the Board Room (accessed from the main lobby).

Draft Farmland Preservation Areas for the Town and Village of Germantown



Draft Farmland Preservation Areas – Village of Germantown

Presentation Agenda

1. Overview of the State Farmland Preservation Program
2. State Farmland Preservation Program Update
3. Creating the draft Farmland Preservation Areas
4. Review Draft Farmland Preservation Areas
5. Next Steps

Presentation Goal: To review the Draft Farmland Preservation Areas

Wisconsin Farmland Preservation Program

Farmland Preservation Program Components

1. County Farmland Preservation Plan

2. The County establishes Farmland Preservation Areas

3. DATCP Certifies the Farmland Preservation Plan and the County Adopts the Farmland Preservation Plan

4. The Village incorporates the Farmland Preservation Areas into their Future Land Use Map

5. Village Adopts a **Farmland Preservation Zoning District**

And/Or

5. Five landowners petition the State to create an **Agricultural Enterprise Area and sign a Farmland Preservation Agreement**

6. Landowners within these preservation programs qualify for the Farmland Preservation Tax Credit

Update to the Farmland Preservation Program

In December 2023 – Wisconsin Act 42 made changes to:

- Farmland preservation tax credit amounts
  - Landowners in an agricultural enterprise area with a farmland preservation agreement from **$5 to $10 per acre**.
  - Landowners in an area zoned for farmland preservation from **$7.50 to $10 per acre**.
  - Landowners in both an agricultural enterprise area with a farmland preservation agreement and in an area zoned for farmland preservation from **$10 to $12.50 per acre**.
- Farmland preservation agreements:
  - Minimum term limit length was reduced from **15-years to 10-years**.

Farmland Tax Credit Claims FY 2023 – Previous Tax Credit Amounts

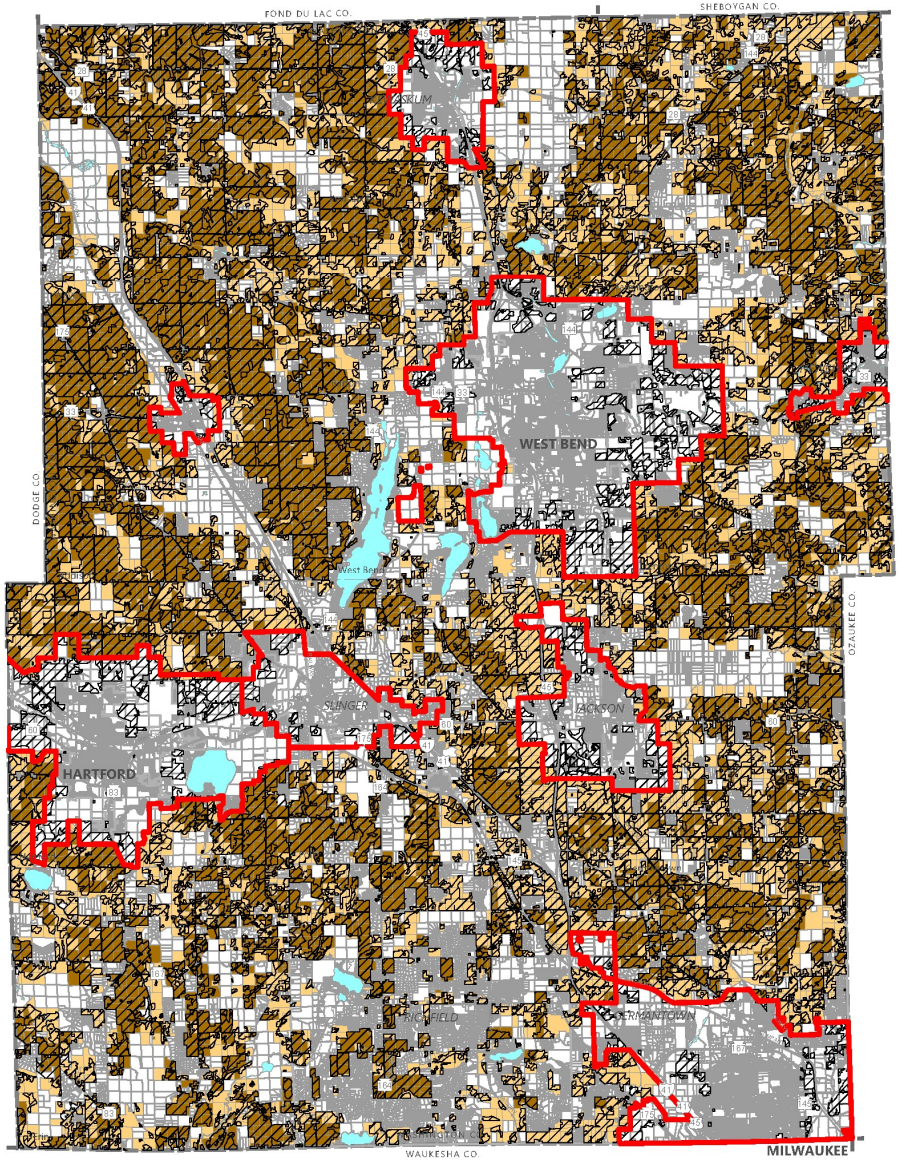
Dodge County

- 486 claims
- Average claim amount: $1,464
- Total credit received: $711,751

Washington County

- 26 claims – These are Washington County residents that own land in an adjacent County that qualifies for the State Farmland Preservation Program.
- Average claim amount: $1,492
- Total credit received: $38,811

Farmland Preservation Areas – Land Evaluation and Site Assessment (LESA) Analysis



1. Land Evaluation - Natural Features
2. Site Assessment - Manmade Features
3. LESA Score (1 to 10)

Tier I Farmlands
Agricultural land identified as best suited for long-term farmland protection for consideration by county and local officials

Tier II Farmlands
Agricultural lands which should be considered for long-term farmland protection by county and local officials on a case-by-case basis

Agricultural Lands: 2015

Parcel Boundaries

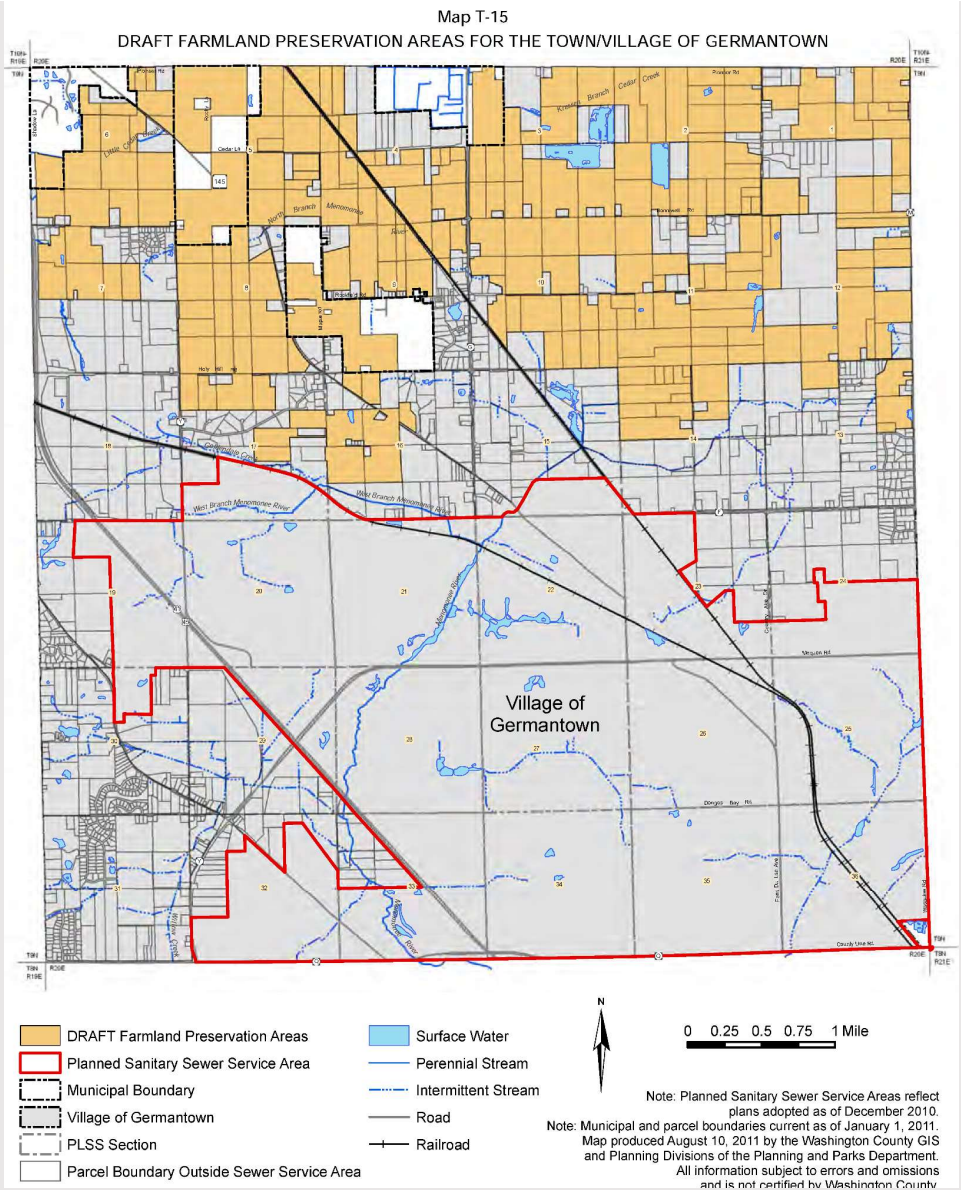
Sewer Service Area
(Agricultural Lands within Sewer Service Areas were not Included in the LESA Analysis)

Identifying Farmland Preservation Areas

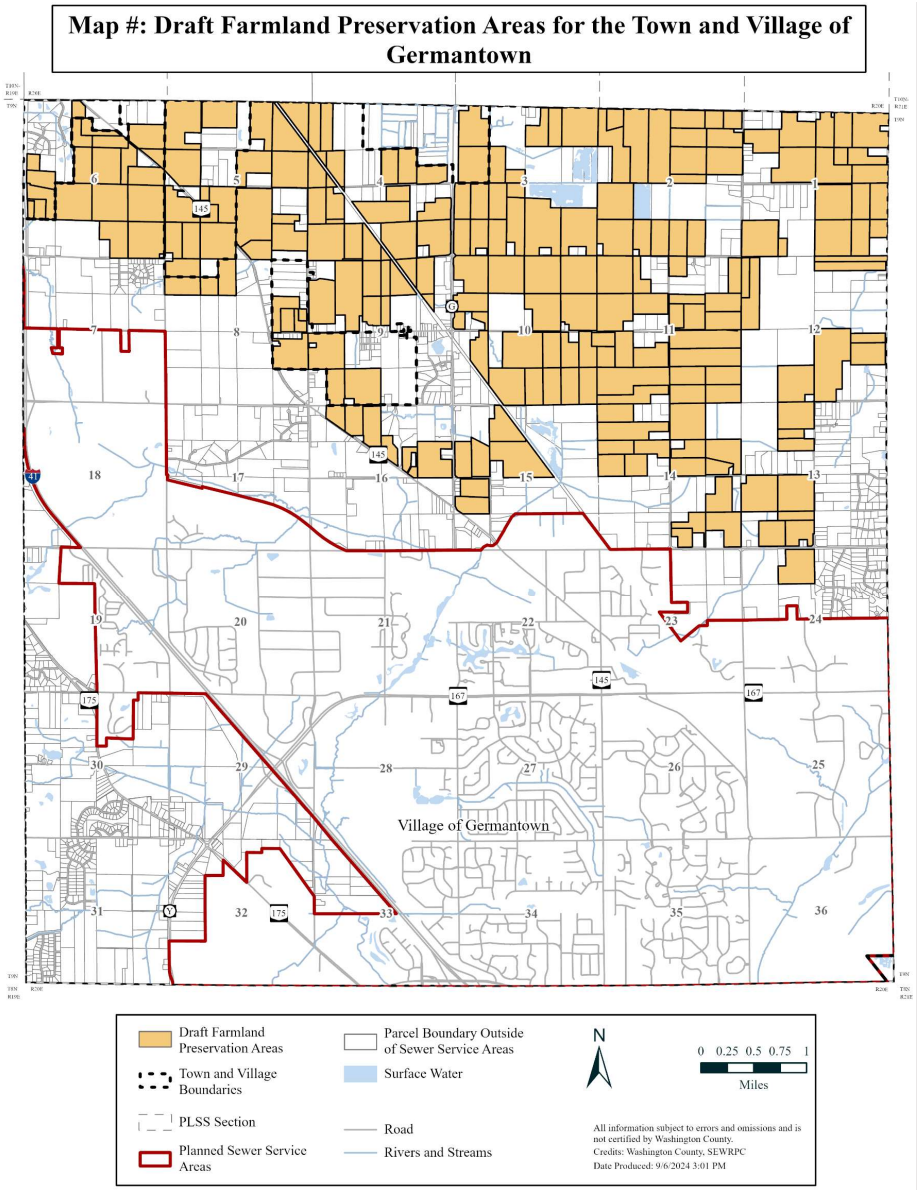
The Farmland Preservation Plan Advisory Committee recommended the following criteria to define farmland preservation areas:

1. Minimum of ~~100~~ 35-acre block of at least ~~3~~ 1 farm of common ownership
2. ~~All parcels within the block must have a LESA score of 6.8 or higher~~
3. All parcels must be located outside of a city or village boundary (except for the Village of Germantown) and planned sanitary sewer service area
4. All parcels must not have or be planned for non-agricultural development
5. All parcels must not be located in a non-agricultural zoning district
6. All parcels must have at least 30% of land in agricultural use

2013 Farmland Preservation Areas – Village of Germantown



2024 Draft Farmland Preservation Areas – Village of Germantown



FPA Map Edits – Village of Germantown

Consideration of Farmland Preservation Areas for the Village of Germantown:

- Proposed FPA's are acceptable

  OR

- Determine if changes need to be made to the FPA areas (Additions or Removals)

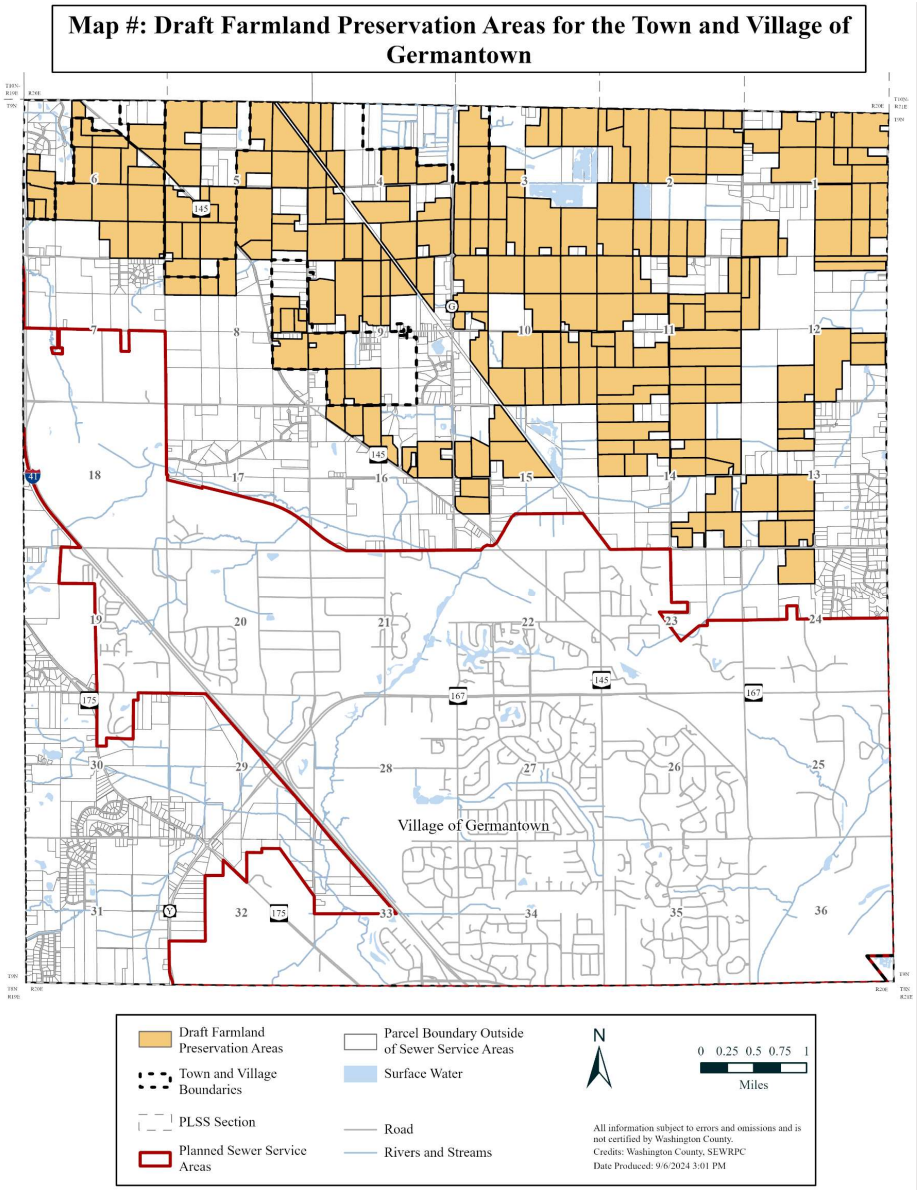
FPA Map Edits – Additions and Removals

1. May include parcels with natural resource and open space areas

2. Cannot include parcels that are planned for nonagricultural development within 15 years of plan adoption

3. As per Chapter 91, the reasoning to add or remove a parcel cannot be simply because the landowner wants to be added or taken out

2024 Draft Farmland Preservation Areas – Village of Germantown



Next Steps – Farmland Preservation Areas

Next steps:

1. Present Draft Farmland Preservation Area to all Towns and the Village of Germantown
2. Make changes to the Draft Farmland Preservation Areas
3. Consider the Draft Resolution of Intent
   - If adopted the Village of Germantown Farmland Preservation Areas will be added to the Washington County Farmland Preservation Plan
4. County Adopts the Farmland Preservation Plan
5. Add the Draft Farmland Preservation Areas to the Villages Comprehensive Plan

Next Steps – Farmland Preservation Programs

Next steps to participate in the State Farmland Preservation Program:

- Amend the Village Zoning Ordinance to create Farmland Preservation Zoning District

  And/Or

- A group of **five** landowners work to petition the State to establish an Agricultural Enterprise Area

Questions?

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Appendix T – Washington County Farmland Preservation Plan

Prepared by

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(INSERT ADOPTION DATE)

(INSERT APPROVALS, CERTIFICATION, AND ADOPTION MEETINGS AND DATES)

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Reserved for Acknowledgements

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Definitions:

Farm. The USDA defines a farm as "any place that produced and sold – or normally would have produced and sold – at least $1,000 of agricultural products during a given year."

New and beginning producers. It includes producers operating on any operation for 10 years or less. They may be on farms with producers who are not beginning producers.

Producer. The term producer designates a person who is involved in making decisions for the farm operation. Decisions may include decisions about such things as planting, harvesting, livestock management, and marketing. The producer may be the owner, a member of the owner's household, a hired manager, a tenant, a renter, or a sharecropper. If a person rents land to others or has land worked on shares by others, he/she is considered the producer only of the land which is retained for his/her own operation. The census collected information on the total number of male producers, the total number of female producers, and demographic information for up to four producers per farm.

Young producers. A young producer is defined as a producer 34 years of age or younger. This is a definition change from 2017. Young producers in 2017 included producers 35 years of age or younger. The data are not comparable.

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Chapter 1: Introduction

Introduction

The preservation of farmland is vital for the future of agriculture, and the health of our environment and economy in Wisconsin. In 2017 Wisconsin's farms and agricultural businesses generated $104.8 billion in economic activity and 437,700 jobs, according to a study conducted by University of Wisconsin-Extension.

A Farmland Preservation Plan for Washington County as an amendment to *A Multi-jurisdictional Comprehensive Plan for Washington County: 2035* was adopted on December 10th, 2013, by the Washington County Board of Supervisors and the plans expiration was extended by one-year from December 31st, 2023, to December 31st, 2024, by the Secretary of the Department of Agriculture, Trade, and Consumer Protection (DATCP). Farmland preservation plans are required to be updated every 10-years and must conform to the statutory requirements in Chapter 91 of Wis. Stats.

Washington County received a $30,000 farmland preservation planning grant from DATCP to cover the cost of updating the plan. *A Farmland Preservation Plan for Washington County 2024* (Plan) updates and replaces the farmland preservation plan adopted in 2013. An Advisory Committee with public and private stakeholders was formed to guide the plan's development. A public open house and public hearing was held on (INSERT PUBLIC HEARING DATE). Upon completion of the public hearing the Plan was sent to DATCP for certification on (INSERT DATE). On (INSERT DATE) the Plan was certified by DATCP and was adopted by the Washington County Board of Supervisors on (INSERT DATE).

Planning Area

The planning area includes all of Washington County and the portions of the City of Hartford and Village of Newburg that extend outside Washington County. Washington County is bordered on the north by Fond du Lac and Sheboygan Counties, on the west by Dodge County, on the east by Ozaukee County, to the south by Waukesha County, and by Milwaukee County to the southeast. In total the planning area encompasses a total of 279,148 acres, or just above 436 square miles.

Purpose

As an amendment to Comprehensive Plans, farmland preservation plans provide additional information on agricultural resources, trends related to farmland preservation, identify farmland preservation areas, and provides a foundation for the implementation of the State Farmland Preservation Program.

Farmland preservation areas identified through this Plan were created through a Land Evaluation and Site Assessment (LESA) analysis. This analysis assigned values to natural features while analyzing their adjacency to man-made features and boundaries such as sewer service areas. The results are farmland areas that should be preserved in Washington County.

The State's Farmland Preservation Program provides the framework for establishing Agricultural Enterprise Areas (AEA), farmland preservation zoning districts, and farmland preservation

agreements that can all be used to preserve farmland. Farmland being preserved through this program qualifies landowners for a tax credit. Tax credits are broken into the following three categories:

- $10 per acre for qualifying acres that are in a farmland preservation zoning district but are not subject to a farmland preservation agreement.
- $10 per acre for qualifying acres that are subject to a farmland preservation agreement in an AEA but are not located in a farmland preservation zoning district, OR qualifying acres that are subject to a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements.
- $12.50 per acre for qualifying acres that are in a farmland preservation zoning district and subject to a farmland preservation agreement in an AEA or a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements.
- $10 per acre for farmland conservation easements that were purchased under s. 93.73, Wis. Stats and that are not already eligible through a farmland preservation zoning district or farmland preservation agreement.

Zoning authority in Washington County is at the town level. Town zoning ordinances would need to be amended to either include farmland preservation zoning districts or conform to Chapter 91 of Wis. Stat. AEAs are created through collaboration between landowners and local governments and established by the State. Farmland preservation agreements can be established in AEAs and are 10-year agreements between the landowner and the State.

History of Farmland Preservation Planning in Washington County

1977 – The State created the original Farmland Preservation Program.

1981 – Washington County Board of Supervisors adopts the first *Farmland Preservation Plan.* The first plan defines preservation areas as contiguous blocks of farmland at least 640 acres in size, are relatively uninterrupted by conflicting uses, and have at least 50 percent of soils designated as "Prime Farmland" or "Farmland of Statewide Importance".

Source: Wisconsin Historical Society

2009 – The State repealed and recreated the farmland preservation program, created a new program that allows for the creation of agricultural easements, and required that counties update their farmland preservation plan every 10-years.

2013 – Washington County Board of Supervisors adopts the *A Farmland Preservation Plan for Washington County.* The second plan brought *A Farmland Preservation Plan for Washington County* into conformance with the Working Lands Initiative, it identified farmland preservation areas, and set the foundation for the implementation of farmland preservation strategies.

Statutory Requirements

Chapter 91, Subchapter II, 91.10(1) and (2) of Wis. Stats outlines the requirements for farmland preservation plan certification. DATCP provides plan review and certification of completed farmland preservation plans.

Plan Certification Process

Once a farmland preservation plan is developed, a county must apply to DATCP for plan certification. By completing the "County Application for Farmland Preservation Plan Certification," a county self-certifies to DATCP that the plan meets the applicable requirements for certification identified in State law. Based on a county's self-certification, DATCP can certify the plan if all certification requirements are met. DATCP must make a certification decision within 90 days if the application submitted is complete. There is no requirement to seek certification from a State level board such as the Land and Water Conservation Board, and a farmland preservation plan may be certified for a period of up to 10 years.

Self-certification of the plan requires a county corporation counsel and county planning director or county chief elected official to review the farmland preservation plan and certify that it meets State law. DATCP has the authority to conduct additional review of the plan to ensure that the plan meets the State Farmland Preservation Program standards. If a county plan is denied certification, a county can re-submit a revised application that addresses the issues cited by the department in denying the earlier certification request.

For certification a farmland preservation plan must identify, describe, and document:

1. Agricultural uses of land in the county at the time that the farmland preservation plan is adopted, including key agricultural specialties.
2. Key agricultural resources, including available land, soil, and water and resources.
3. Key agricultural infrastructure, including facilities for processing, storage, transportation, and supply.
4. Significant trends in the county related to agricultural land use, agricultural production, enterprises related to agriculture, and the conversion of agricultural land to other uses.
5. Anticipated changes in the nature, scope, location, and focus of agricultural production, processing, supply, or distribution.
6. Goals for agricultural development in the county, including goals related to the development of enterprises related to agriculture.
7. Actions that the county will take to preserve farmland and to promote agricultural development.
8. Policies, goals, strategies, and proposed actions to increase housing density in areas that are not identified for agricultural preservation.
9. Key land use issues related to preserving farmland and to promoting agricultural development and plans for addressing those issues.

Farmland preservation plans also identifies, describes, and documents other development trends, plans, or needs that may affect farmland preservation and agricultural development in the county. These topic areas include:

- Population
- Housing
- Economic Growth
- Municipal Expansion
- Transportation
- Utilities
- Communications
- Energy
- Community facilities and services
- Waste Management
- Environmental Preservation

Farmland preservation plans must be consistent with and an amendment to a county comprehensive plan; thus, this Plan is Appendix T of *A Multi-jurisdictional Comprehensive Plan for Washington County: 2050* (Washington County Comprehensive Plan). Comprehensive plans provide data on several elements that impact farmland preservation while also forming goals that include farmland preservation.

Planning Process

The following planning process was followed during the Plan update:

1. Apply for and receive the DATCP Farmland Preservation Planning Grant
2. Formation of the Advisory Committee
3. Update and revise of the previous plan's chapters
4. Review of the draft chapters by the Advisory Committee
5. Formation of the goals, objectives, policies, and programs for the plan
6. Public hearing and open house
7. Consideration of the Plan by the Advisory Committee
8. Final revisions and plan certification by DATCP
9. County Board of Supervisors adoption of the Plan
10. Plan implementation

Public Participation

As stated in Section 91.10(3) of the *Statutes*, "To adopt a farmland preservation plan, a county shall follow the procedures under s. 66.1001(4) for the adoption of a comprehensive plan" which includes the adoption of a public participation plan.

A *Public Participation Plan for Amending "A Multi-jurisdictional Comprehensive Plan for Washington County 2050"* was adopted by the Washington County Board of Supervisors on January 12, 2010. The public participation plan seeks to enhance public awareness of the planning effort and its importance; educate citizens about current and past growth trends that have occurred in Washington County; and provide opportunities for citizen input. Techniques to obtain public opinion included a public open house, a public hearing, local government meetings, and advisory committee meetings.

Plan Review and Adoption

Section 91.10(3) of the *Wisconsin Statutes* requires that a county adopt a farmland preservation plan following the procedures under s. 66.1001(4) for the adoption of a comprehensive plan. On (insert adoption date), Washington County's Land Use and Committee (LUPC) recommended the

adoption of this Farmland Preservation Plan (FPP) to the Washington County Board of Supervisors by approving a resolution and ordinance by a majority vote of the entire committee. The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) certified the FPP on (insert certification date).[1] Changes based on DATCP's recommendations were presented to the LUPC on (insert date, if DATCP has suggested changes) and they recommended adoption of the FPP to the Washington County Board of Supervisors by approving a resolution and ordinance. The County's FPP was made a part of Washington County's Comprehensive Plan by adoption of an amendment known as *Amendment* (*insert amendment number*): *Appendix* (*insert appendix number*) – *A Farmland Preservation Plan for Washington County 2024* to *A Multi-jurisdictional Comprehensive Plan for Washington County: 2050* on (insert adoption date).

Committee Structure

The County farmland preservation planning effort was coordinated through the Washington County LUPC of the County Board. The LUPC provided oversight of the County planning effort and approval of the recommended farmland preservation plan for consideration for adoption by the full County Board. A Farmland Preservation Plan Advisory Committee was established to guide preparation of the County FPP, including:

- Development of planning goals and objectives
- Review draft plan chapters and other plan materials
- Identification of Farmland Preservation Areas
- Development of a recommended plan for consideration by the LUPC

During the winter and spring of 2024, Washington County staff attended Plan Commission and/or Town Board meetings in Washington County to present an overview of the State's Farmland Preservation Program and the County's plan of action to update the farmland preservation plan. All cities, villages, and towns within the County were invited to appoint a representative to serve on the Advisory Committee. Members of the Advisory Committee are listed in the front of this plan.

Relationship Between Comprehensive Planning and Farmland Preservation Planning

Comprehensive Planning Overview

In 1999 the Wisconsin Legislature enacted a new comprehensive planning law, set forth in Section 66.1001 of the *Wisconsin Statutes*, requiring county and local governments that enforce general zoning, shoreland zoning, subdivision, or official mapping ordinances to have an adopted comprehensive plan.

On April 10, 2019, the Washington County Board of Supervisors adopted the Washington County Comprehensive Plan. The plan provides long-range goals, objectives, policies, and programs for Washington County officials and citizens to effectively address future development and natural resource protection in the County through the year 2050.

[1] *DATCP's certification order is included as Appendix B .*

Farmland preservation was one of many issues identified during the comprehensive planning process in Washington County. Valuable agricultural information can be found throughout the Washington County's Comprehensive Plan including an inventory of agricultural resources (Chapter 5); specific goals, objectives, policies, and programs developed for agriculture (Chapter 12), land use (Chapter 6), and economic development (Chapter 10). This plan references tables and maps found in Washington County's Comprehensive Plan.

Farmland Preservation Plan as Part of the Comprehensive Plan

Section 91.10(2) of the Wisconsin Statutes states that "If the county has a comprehensive plan, the county shall include the farmland preservation plan in its comprehensive plan and shall ensure that the farmland preservation plan is consistent with the comprehensive plan. The county may incorporate information contained in other parts of the comprehensive plan into the farmland preservation plan by reference." Therefore, this Plan is being developed as a part of Washington County's Comprehensive Plan as an appendix. The County FPP should also be consistent with local government comprehensive plans.

Counties should strive to ensure consistency between all county plans during development of a farmland preservation plan. Washington County's Land and Water Resource Management Plan addresses issues related to soil and water conservation compliance, a requirement for claiming a tax credit under the Farmland Preservation Program. The County has a strategy to monitor the compliance of farmland preservation participants with these standards as a part of a land and water resource management workplan. County departments should communicate with each other to ensure that there is consistency between plans. County and Regional Plans are discussed in Chapter 3 of this Plan.

Plan Implementation

While planning provides many important public benefits, it is important to recognize that an adopted plan is not an "end result," but rather provides recommendations for future action. Plan recommendations will be fulfilled over time in generally small, incremental steps. A farmland preservation plan provides a foundation and guide for implementing numerous preservation tools, which may include community zoning ordinances and maps, subdivision ordinances, capital improvements programming, detailed facilities planning, and other County and local ordinances, programs, and policies. The implementation of new County programs identified in the Plan will require the review and approval of appropriate County Board liaison committees and the County Board of Supervisors through the annual budget process.

Suggestions for local government consideration are included in various parts of this Plan and under Chapter 12 in Washington County's Comprehensive Plan. Local governments will have a greater influence over farmland preservation than County government, especially regarding providing protection for agricultural lands through local comprehensive plans and zoning ordinances. Each community should consider and refine the suggestions as they relate to their farmland preservation goals, objectives, policies, and programs in their local comprehensive plans. Local governments may also choose not to consider suggestions that are not relevant to their community's needs or are not consistent with their local comprehensive plan.

Chapter 2: Trends, Needs, and Plans

Section 91.10 (1) (b) of the *Wisconsin Statutes* requires that a farmland preservation plan identify, describe, and document trends, plans, or needs that may affect farmland preservation and agricultural development in the County. Identified topics include population, economic growth, housing, transportation, utilities, communications, business development, community facilities and services, energy, waste management, municipal expansion, and environmental preservation. Additionally, Section 91.10 (c) (7m) requires that a farmland preservation plan include policies, goals, strategies, and proposed actions to increase housing density in areas that are not planned for future agricultural use. Understanding the trends, plans, or needs associated with these elements is important to farmland preservation planning because of the effects they have on the demand for land. A plan that accounts for future demand can incorporate strategies that provide the necessary amount of land for all the County's needs while preserving agriculture.

Population

Historic Population

The historic and current population of Washington County is set forth in Table 2.1. The total population of Washington County remained stagnant from 1860 to 1920. Between 1920 and 1940, the population increased from 25,713 to 28,430 residents. The County experienced rapid growth rates in the decades between 1940 and 1980, including population gains of over 35 percent in each of the two decades between 1950 and 1970. From 1990 to 2010, the population increased by just over 38 percent, adding approximately 36,500 new residents. This rapid growth can be attributed to both the migration of new residents to Washington County and the natural increase of the existing population (more births than deaths).

Table 2.1: Washington County Population 1850 to 2020

Year	Population	Change	Percent
1850	19,485	-	-
1860	23,622	4,137	21.2%
1870	23,919	297	1.3%
1880	23,442	-477	-2.0%
1890	22,751	-691	-2.9%
1900	23,589	838	3.7%
1910	23,784	195	0.8%
1920	25,713	1,929	8.1%
1930	26,551	838	3.3%
1940	28,430	1,879	7.1%
1950	33,902	5,472	19.2%
1960	46,119	12,217	36.0%
1970	63,839	17,720	38.4%
1980	84,848	21,009	32.9%
1990	95,328	10,480	12.4%
2000	117,496	22,168	23.3%
2010	131,887	14,391	12.2%
2020	136,761	4,874	3.7%

Source: U.S. Census Bureau Decennial Census

Farm in the Village of Richfield

Present Population

According to the US Census Bureau, Washington County grew by 4,878 people between 2010 and 2020. The Washington County population growth rate of 3.7% between 2010 and 2020 was lower than the 2000 – 2010 growth rate of 12.2%.

Table 2.2 shows the change in population by community from 2010 to 2020. In the incorporated communities the City of Hartford (1,394 people), and the Villages of Germantown (1,168 people) and Slinger (924 people) experienced the highest increase in population between 2010 and 2020. In the rural portions of the County, the Town of Jackson experienced the highest increase in population between 2010 and 2020 with an increase of nearly 12% (495 people). The Towns of Barton, Erin, Kewaskum, Polk, and Wayne experienced slight increases in population. The Towns of Hartford, West Bend, Trenton, Farmington, and the remaining towns experienced declines in population. These declines can be attributed to either people leaving these towns or lands being annexed into incorporated areas.

Table 2.2: Population in Washington County by Municipality 2010 and 2020

Municipality	2010	2020	Change	Percent
Cities				
Hartford[a]	14,223	15,617	1,394	9.8%
West Bend	31,078	31,752	674	2.2%
Villages				
Germantown	19,749	20,917	1,168	5.9%
Jackson	6,753	7,185	432	6.4%
Kewaskum	4,004	4,309	305	7.6%
Newburg[b]	1,157	1,049	-108	-9.3%
Richfield[c]	11,300	11,739	439	3.9%
Slinger	5,068	5,992	924	18.2%
Towns				
Addison	3,495	3,464	-31	-0.9%
Barton	2,637	2,743	106	4.0%
Erin	3,747	3,825	78	2.1%
Farmington	4,014	3,645	-369	-9.2%
Germantown	254	241	-13	-5.1%
Hartford	3,609	3,400	-209	-5.8%
Jackson	4,134	4,629	495	12.0%
Kewaskum	1,053	1,118	65	6.2%
Polk	3,937	3,988	51	1.3%
Trenton	4,732	4,525	-207	-4.4%
Wayne	2,169	2,182	13	0.6%
West Bend	4,774	4,441	-333	-7.0%
Total	131,887	136,761	4,874	3.7%

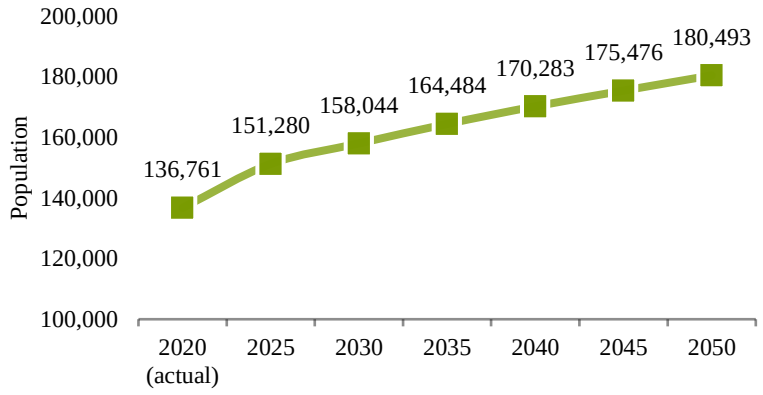
[a] Washington County portion only. In 2010, no persons in the City of Hartford resided in Dodge County. In 2020, the population of the City of Hartford was 15,626, of which 9 resided in Dodge County.
[b] Washington County portion only. Total population for the Village of Newburg was 1,254 in 2010 and 1,142 in 2020.
[c] On February 13, 2008, the Town of Richfield was incorporated as the Village of Richfield.

Source: U.S. Census Bureau Decennial Census (2010, 2020) and SEWRPC.

Population Projections

Graph 2.1 shows that by 2050 the projected population in Washington County should be about 180,493 people, according to SEWRPC's Vision 2050 Plan. This is an increase of 43,732 people over the 2020 actual population of 136,761 people. Washington County could experience an estimated increase in population of about 5,000 to 6,000 people every five years.

Graph 2.1: Projected Population in Washington County 2020 to 2050



Source: SEWRPC

Housing

Housing Stock and Household Size

Table 2.3 compares 2010 and 2020 United States Census housing unit and household size data. As of 2020 there were 58,311 housing units in Washington County of which 55,879 were occupied and 2,432 vacant. The total number of housing units and occupied housing units has increased while the total number of vacant housing units experienced a decrease, potentially due to people deciding to permanently move into or sell their seasonal home.

Table 2.3: Washington County Housing Statistics 2010 and 2020

Housing Units	2010	2020
Total:	54,695	58,311
Occupied	51,605	55,879
Vacant	3,090	2,432
Average Household Size	2.53	2.43

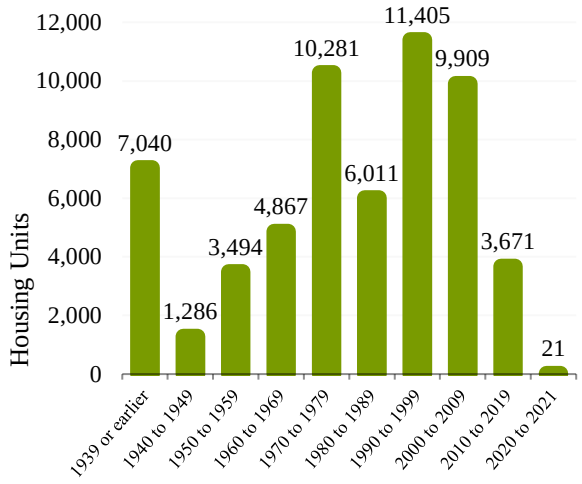
Source: U.S. Census Bureau Decennial Census (2010. 2020)l

The average household size in Washington County decreased from 2.53 in 2010 to 2.43 in 2020. This follows state and national trends of decreasing household sizes.

Age of Housing Stock

Graph 2.2 shows the year housing units were built. Most of Washington County's housing stock was constructed in spurts of growth with the peak occurring from 1990 to 1999. Since then, the construction of new housing has declined with only 3,671 housing units being built from 2010 to 2019.

Graph 2.2: Washington County Housing Units by Year Built



Source: U.S. Census Bureau American Community Survey 2021 5-year estimates

Housing Affordability

Since the Great Recession in 2008, the number of lots being created in the state has dropped according to the Wisconsin Department of Administration. In Washington County, there were only 162 lots platted in 2021 compared to 1,010 lots platted in 2008. When housing costs grow faster than incomes, fewer families can afford a home. Families respond by renting, purchasing a less expensive house, or by stretching to purchase a home with more mortgage debt.

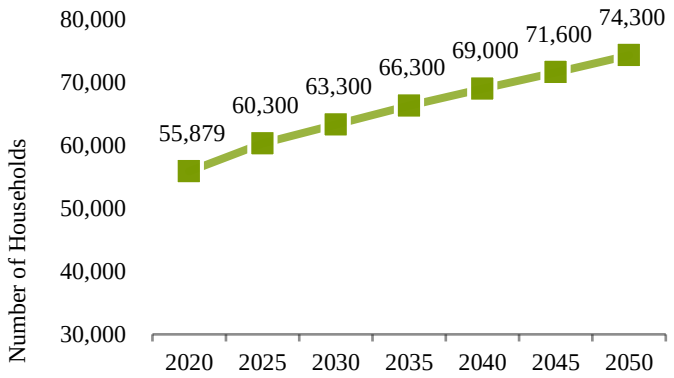
The Washington County Next Generation Housing Initiative was launched in 2021 as one solution to address housing issues. The main goal for this initiative is to create 1,000 new owner-occupied dwelling units in Next Generation Housing developments with 75% selling for under $320,000 and 100% under $420,000, including home and lot/site, by 2032. As part of the inventory analysis for potential site development, the municipalities and the County looked at locations within

planned sewer service areas. Higher density development will be encouraged to reduce urban sprawl and preserve farmland in the rural portions of the County.

Housing Projections

Graph 2.3 shows that according to VISION 2050, the number of households in Washington County is projected to increase to 74,300 households by 2050. This is an increase of 18,421 households from the 2020 actual of 55,879 households. The County could expect to see an estimated increase of 2,000 to 3,000 households every five years.

Graph 2.3: Household Projections for Washington County 2020 to 2050



Source: SEWRPC – Vision 2050

Plans

The following summarizes how existing Washington County and regional plans address housing and could impact agricultural land uses.

Vision 2050 Regional Land Use and Transportation Plan

Vision 2050 recommends a long-range vision for land use and transportation in the seven-county Southeastern Wisconsin Region. It makes recommendations to local and State governments to shape and guide land use development and transportation improvement, including public transit, arterial streets and highways, freight, and bicycle and pedestrian facilities, to the year 2050 (SEWRPC).

Recommendations:

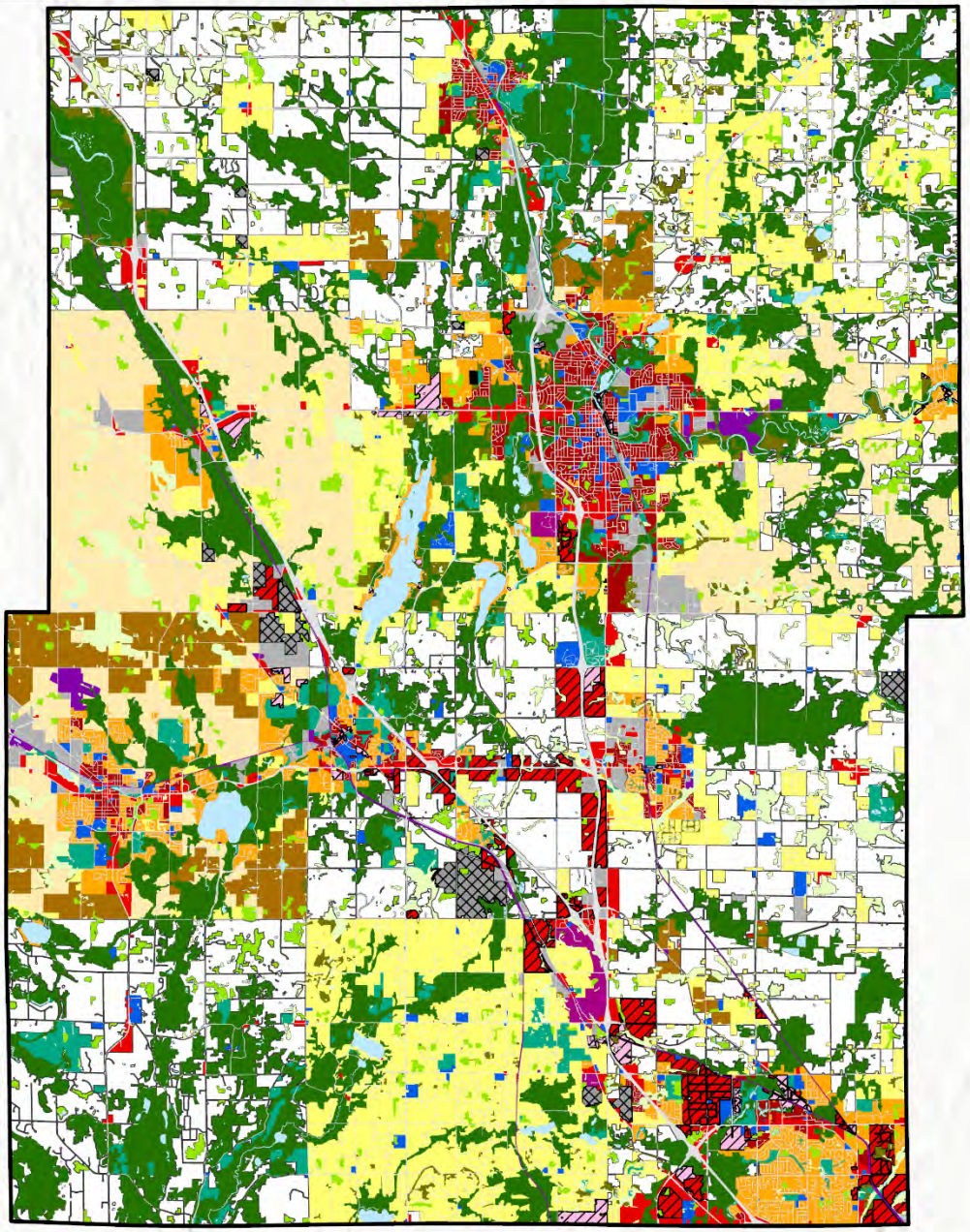
1. Preserve the Region's most productive agricultural land
2. Focus urban development in areas that can be efficiently served by essential municipal facilities and services
3. Provide a mix of housing types near employment-supporting land uses
4. Develop urban service areas with a mix of housing types and land uses
5. Consider cluster subdivision design in residential development outside urban service areas

Washington County Land Use Plan: 2050

The Washington County Land Use Plan: 2050 is presented on Map 12.1 and analyzed in Table 12.1 in the Washington County Comprehensive Plan, and both are shown below. Table 2.4 (Table 12.1 in the Comprehensive Plan) sets forth the number of acres and percent of the County in each land use category on the Land Use Plan Map. The Washington County Land Use Plan: 2050 indicates where certain types of urban development should be encouraged while preserving agricultural and environmentally significant land and resources. The Washington County land use plan map is a compilation of the land use plan maps prepared by each of the cities, towns, and villages in the county.

Map 2.1: Land Use Plan 2050

Washington County



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All information subject to errors and omissions and is not certified by Washington County.

Credits: Washington County, Wisconsin Department of Transportation, SEWRPC

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- Agricultural and Rural Residential
- Business/Industrial Parks
- Extractive
- Farmland Preservation Area
- General Agriculture
- General Commercial
- Governmental and Institutional
- Industrial
- Isolated Natural Resource Area
- Landfill
- Medium Density Urban Residential
- Mixed Use
- Multi - Family and High Density Urban Residential
- Office/Professional Services Park
- Other Conservancy Lands to be Preserved
- Other Conservancy Lands to be Preserved by Local Government
- Other Transportation and Utilities
- Park and Recreation
- Primary Environmental Corridor
- Streets and Highways
- Suburban Density Residential
- Surface Water
- Wetland Outside of Primary Environmental Corridor or Isolated Natural Resource Area

Table 2.4: Planned Land Uses in Washington County: 2050

Land Use Category	Acres	Percent of Subtotal (Urban and Nonurban)	Percent of Total
Urban			
Suburban-Density Residential	35,262	38.0	12.6
Medium-Density Urban Residential	10,176	11.0	3.7
High-Density Urban Residential	5,157	5.6	1.9
Residential Subtotal	50,595	54.6	18.2
Mixed-Use	1,539	1.7	0.6
General Commercial	4,476	4.8	1.6
Office/Professional Services	707	0.8	0.3
Business/Industrial Parks	4,475	4.8	1.6
Industrial	4,256	4.6	1.5
Governmental and Institutional	2,861	3.1	1.0
Park and Recreation	6,243	6.6	2.2
Street and Highway Rights-of-Way	16,085	17.4	5.8
Other Transportation and Utilities	1,464	1.6	0.5
Urban Subtotal	92,701	100.0	33.3
Nonurban			
Farmland Preservation	7,811	4.2	2.8
General Agriculture	22,423	12.1	8.0
Agriculture and Rural Residential	73,375	39.4	26.3
Extractive	1,778	1.0	0.6
Landfill	31	--[a]	--[a]
Primary Environmental Corridor	56,795	30.5	20.4
Isolated Natural Resource Areas	6,320	3.4	2.3
Wetlands Outside Primary Environmental Corridors and Isolated Natural Resource Areas	8,763	4.7	3.1
Other Conservancy Lands to be Preserved by Local Government	3,909	2.1	1.4
Surface Water	4,851	2.6	1.8
Nonurban Total	186,056	100.0	66.7
Total	278,757		100.0

[a] less than 0.05 percent.

Source: SEWRPC

Land use plan categories shown on each local land use plan map were standardized to the categories shown on Map 2.1 (Map 12.1 in the Washington County Comprehensive Plan). The Land Use Plan: 2050 addresses housing, business development, transportation, community facility and service, and utility related land uses through the following land use categories:

Agricultural and Rural Residential

Agricultural and rural residential uses occupy 73,375 acres, or about 26 percent of Washington County, on the 2050 land use plan map. The agricultural and rural residential category would allow all agricultural uses, as well as rural-density residential development with an average density of one home for each five to 34.9 acres. The plan encourages continued agricultural activity in these areas. Where rural-density residential development is accommodated, local governments are encouraged to require cluster subdivision design or lot-averaging techniques to help preserve rural character and provide a buffer between adjacent farmland and residential uses. In some cases, the common open space in cluster subdivisions may be used for agriculture.

Residential Development

Residential uses occupy 50,595 acres, or about 18 percent of Washington County, on the 2050 land use plan map. This compares to 30,812 acres of residential lands in Washington County on the 2015 Existing Land Use map, or an increase of 19,783 acres or about 64 percent between 2015 and 2050. Residential categories include a suburban-density residential category, which would include predominantly single-family homes at densities equating to lot sizes of between one and five acres; a medium-density urban residential category, which would include single-family and potentially two-family homes at densities equating to lot sizes of 10,000 square feet to one acre; and a high-density urban residential category, which would include single-, two-, and multifamily homes at a density of less than 10,000 square feet per dwelling unit. Of the urban residential land uses, about 70 percent are in the suburban residential category, about 20 percent are in the medium-density residential category, and about 10 percent are in the high-density residential category.

Housing Development

Condominums – City of West Bend

Mixed-Use

The mixed-use category occupies 1,539 acres, or just over 1 percent of the County, on the 2050 land use plan map, and would include a mix of residential, commercial, and institutional uses. Parcels designated for mixed use should be developed in accordance with a site plan approved by the local government concerned, and typically would be subject to planned unit development or traditional neighborhood development regulations in the local zoning ordinance. Each local government would determine the uses allowed within this category by specifying the uses and allowable densities in their community comprehensive plan and zoning ordinance.

General Commercial

General commercial uses occupy 4,476 acres, or just over 1 percent of the County, on the 2050 land use plan map. This category includes retail stores; services, including drycleaners, barber shops, banks, and restaurants; and business and professional offices. This category also includes downtown business districts and community and neighborhood shopping centers.

Office/Professional Services

The office/professional services category occupies 707 acres, or less than 1 percent of the County, on the 2050 land use plan map. This category is more limited in the types of uses permitted than the general commercial category; primarily because it would include only limited retail uses. The office/professional services category includes a variety of business uses such as the offices and professional services of doctors, dentists, architects, engineers, attorneys, computer programmers, graphic artists, insurance agents, travel agents, financial planners, and other similar recognized professions and consultation services. This category may also include corporate headquarters, financial institutions, and medical facilities.

Business/Industrial

The business/industrial category occupies 4,475 acres, or almost 2 percent of the County, on the 2050 land use plan map. This category would allow a mix of industrial, office, retail, and service uses, and reflects the modern business park where a mix of office and industrial uses are typically accommodated. It is anticipated that these areas would be developed in a park-like setting with landscaping, consistent signage, and similar building materials and designs to present an integrated image to customers.

Industrial

The plan envisions that the areas devoted to industrial land uses would occupy 4,256 acres, or almost 2 percent of the County. This category would accommodate manufacturing and other industrial uses, such as outdoor storage of commercial vehicles and building materials.

Street and Highway Rights-of-Way

All existing street and highway rights-of-way (as of 2015) are shown on Map 12.1 in Washington County's comprehensive plan as a separate category. Proposed streets and highways shown on local land use plan maps are also included in this category. Chapter 8 in the comprehensive plan provides additional information regarding planned transportation facilities in Washington County. There are 16,085 acres, or about 6 percent of the County, within existing street and highway rights-of-way.

Other Transportation and Utilities (Except Streets and Highways)

This category includes transportation facilities other than street rights-of-way, such as airports, park-ride lots, and railroad rights-of-way. It also includes private and public utilities that provide residents and businesses with electric power, natural gas, communications, water, and wastewater

and solid waste management facilities and services. This category occupies 1,464 acres, or about 1 percent of the County, on the 2035 land use plan map.

Governmental and Institutional

The governmental and institutional land use category includes governmental and institutional buildings and grounds for which the primary function involves administration, safety, assembly, or educational purposes. This includes public and private schools, government offices, police and fire stations, libraries, cemeteries, religious institutions, hospitals, nursing homes, and similar facilities. The plan envisions that the areas devoted to such uses would occupy 2,861 acres, or 1 percent of the County.

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Economic Growth

The following section summarizes some of the economic growth needs and trends in general and agricultural employment, farm earnings, and employment projections in Washington County.

Employment by Industry

Table 2.5 shows the change in full- and part-time employment by industry between 2001 and 2020. In 2020 the total number of employed people in Washington County was 74,368, which is a growth of 11,267 jobs from 2001. Manufacturing, Health, Educational, and Social Service industries had the most employment and saw the largest increases in employment during the past 20 years. Government and government enterprises declined slightly in employment by about 16 people from 2001 to 2020. The majority of the decline came from local government and military personnel, but there was an increase of 225 state government jobs. From 2001 to 2020 farm employment itself decreased by 280 jobs.

Table 2.5: Employment by Industry in Washington County: 2001 to 2020

Industry Group (NAICS)	2001	2010	2020	2001 to 2020 Change
Farm employment	1,192	998	912	(280)
Nonfarm employment	61,909	66,344	73,456	11,547
Private nonfarm employment	56,219	60,264	67,782	11,563
Manufacturing	15,555	12,286	14,665	(890)
Retail trade	7,781	8,470	8,933	1,152
Health care and social assistance	4,364	6,074	7,661	3,297
Other services (except government and government enterprises)	3,880	4,106	4,704	824
Construction	4,227	3,697	4,305	78
Accommodation and food services	4,135	4,570	4,273	138
Finance and insurance	2,631	3,602	4,094	1,463
Wholesale trade	2,625	3,206	3,399	774
Real estate and rental and leasing	1,978	2,988	3,277	1,299
Admin., support, and waste management and remediation services	2,209	2,786	3,125	916
Professional, scientific, and technical services	2,078	2,552	3,096	1,018
Arts, entertainment, and recreation	1,243	1,499	1,635	392
Educational services	552	726	784	232
Management of companies and enterprises	99	227	472	373
Information	567	839	464	(103)
Forestry, fishing, and related activities	90	(D)	184	94
Mining, quarrying, and oil and gas extraction	66	101	102	36
Transportation and warehousing	(D)	(D)	(D)	(D)
Utilities	(D)	(D)	(D)	(D)
Government and government enterprises	5,690	6,080	5,674	(16)
State government	249	470	474	225
Local government	4,748	4,943	4,580	(168)
Military	425	376	350	(75)
Federal civilian	268	291	270	2
Total employment (number of jobs)	63,101	67,342	74,368	11,267

(D) Not shown to avoid disclosure of confidential information; estimates are included in higher-level totals.
Source: U.S. Bureau of Economic Analysis

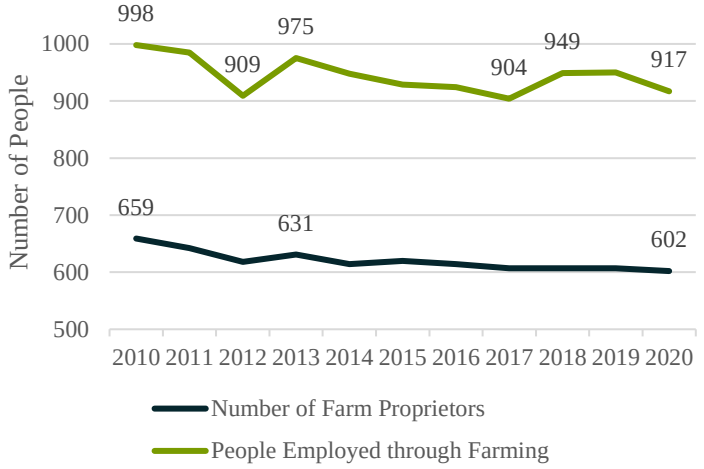
Farm Employment and Farm Proprietorship

Graph 2.4 summarizes the number of people employed through farming and number of farm proprietors in Washington County from 2010 to 2020. Farm employment fluctuated from 998 people employed through farming in 2010 to 917 people in 2020. Additionally, farm proprietorship shows a steady decline from 659 proprietors in 2010 to 602 in 2020, but this decreasing trend has slowed from the initial decline.

Farm Earnings

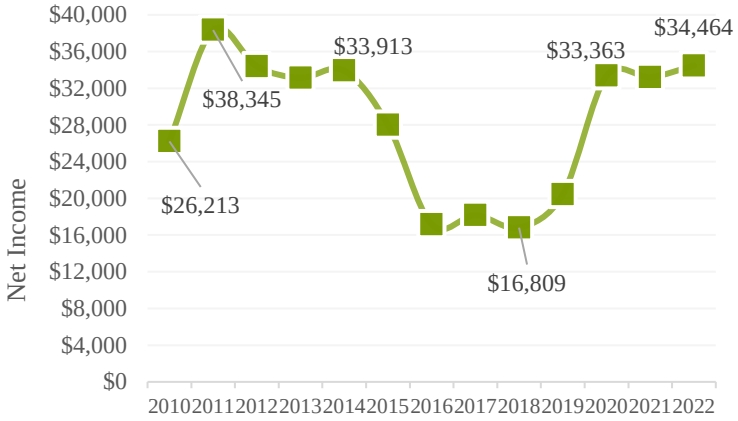
Graph 2.5 shows the average annual farm after expenditures from 2010 to 2022. Farm earnings is comprised of the net income of sole proprietors, partners, and hired laborers. It includes net farm proprietors' income and the wages and salaries, and other labor income of hired farm laborers. The average farm earnings fluctuated from 2010 to 2022, with a high of $38,345 in 2011 to a low of $16,809 in 2018 then an increase to an average of $34,464 in earnings in 2022.

Graph 2.4: Number of Farm Proprietors and People Employed Through Farming 2010 to 2020



Source: Bureau of Economic Analysis

Graph 2.5: Washington County Average Annual Farm Earnings 2010 to 2022



Source: Bureau of Economic Analysis

Picture Provided by: Robert Hartwig

Soybeans

Employment Projections

Vision 2050 employment projections for Washington County's shows an expected increase for 87,400 jobs by 2050. This is an increase of 23,506 jobs from 63,894 jobs in 2010. The primary industry expected to grow is the service industry, which includes jobs in healthcare, hospitality, finance, insurance, and real estate. Retail, industrial, transportation and utility, and government jobs are expected to increase while the agricultural and natural-resource related jobs are projected to decrease. Employment projections for Washington County can be found on Table 2.6 below (3.21 in the Washington County Comprehensive Plan).

Table 2.6: Employment Projections for Washington County Under VISION 2050

Industry Group	Existing Jobs 2010	Projected Jobs 2050	Change: 2010-2050		Percent of Total Employment	
			Number	Percent	2010	2050
Industrial[a]	18,681	22,250	3,569	19.1	29.2	25.4
Retail	12,269	15,013	2,744	22.4	19.2	17.2
Services[b]	23,925	40,622	16,697	69.8	37.5	46.5
Transportation, Warehousing, and Utilities	2,301	2,712	411	17.9	3.6	3.1
Government	5,511	5,825	314	5.7	8.6	6.7
Other[c]	1,207	978	(229)	-19.0	1.9	1.1
Total	63,894	87,400	23,506	36.8	100	100

a Includes construction, manufacturing, and wholesale trade categories
b Includes finance, insurance, and real estate, and other service categories
c Includes agricultural, agricultural services, forestry, mining, and unclassified jobs
Source: U.S. Bureau of Economic Analysis and SEWRPC

Business Development

The following section summarizes agricultural sector business development trends and needs that are documented in Chapter 10 of Washington County's Comprehensive Plan.

Agricultural Sector

The agricultural sector in Washington County includes establishments (e.g. farms, orchards, greenhouses, nurseries) primarily engaged in the production of crops, plants, and trees, excluding forestry operation. It also includes establishments (e.g., farms, dairies, feedlots, egg production facilities) primarily engaged in raising livestock for sale or for the sale of livestock products. While the agricultural sector is a smaller share of the regional economy, it still constitutes an important economic sector. Wisconsin agriculture holds advantages in dairy, vegetables, and nursery crops. However, due to continued technological advances in genetics and mechanization, cost pressures from national and global competition, modern management practices, and the continued conversion of farmland into other uses farm employment levels are expected to continue to decline. The continued conversion of farmland to urban uses may also be expected to reduce agricultural employment in the Region. Agricultural employment is projected to decrease by 23 percent to 4,000 jobs in 2050.

A list of desirable businesses was developed by the Housing, Utilities and Community Facilities, and Economic Development elements workgroup during the comprehensive planning process. Desired agricultural business and industries for Washington County included:

- Entrepreneurial companies and independent businesses led by visionaries will attract venture capital to the County.
- Niche agriculture, including organic farming; food production for local restaurants, micro-breweries, and other niches; and crop production for the biofuel industry
- Continuation of dairy farming and other existing types of agriculture
- Food processing

Plans

The following summarizes how existing Washington County and regional plans address business development.

Vision 2050 Regional Land Use and Transportation Plan

Recommendations:

1. Provide a mix of housing types near employment-supporting land uses
2. Encourage and accommodate economic growth

Washington County Land Use Plan 2050

Washington County's Land Use Plan 2050 addresses business development related land uses through the following land use categories:

Mixed-Use

The mixed-use category land uses include a mixture of residential, commercial, office, and institutional uses.

General Commercial

The general commercial category land uses include retail stores; services, including drycleaners, barber shops, banks, and restaurants; and business and professional offices.

Office/Professional Services

The office/professional services category land uses include a variety of business uses such as the offices and professional services of doctors, dentists, architects, and engineers.

Business/Industrial

The business/industrial category allows for a mix of industrial, office, retail, and service uses, and reflects the modern business park where a mix of office and industrial uses are typically accommodated.

Industrial

The industrial category accommodates manufacturing and other industrial uses, such as outdoor storage of commercial vehicles and building materials.

Business Development Organizations and Programs

Site Redevelopment Program

Washington County directly aids in business development through the County's Site Redevelopment Program. This program provides funding for the assessment and redevelopment of brownfield sites in Washington County. This program has been highly successful at redeveloping and infilling contaminated and underutilized vacant sites that would have otherwise potentially resulted in the development of greenfield sites, such as farmland.

Economic Development Washington County

Economic Development Washington County (EDWC) provides businesses with professional services and financial resources needed to establish, or expand their business in Washington County.

UW-Extension

UW-Extension provides various resources that connect farmers with state specialists and specialized programming. UW-Extension has programs ranging from water quality and crops and soils to farm management and assistance with business planning for farmers and agribusinesses.

Municipal Expansion

Urban Growth Ring Analysis and Historical Urban Growth

SEWRPC utilizes an urban growth ring analysis and a land use inventory to inventory and monitor urban growth and development in the SEWRPC region. Vision 2050 provides a detailed regional land use inventory that places all land and water areas in the Region into one of 10 land use categories, providing a basis for analyzing specific urban and nonurban land uses.

Map 6.1 in Washington County's Comprehensive Plan shows the historical urban growth areas in Washington County from 1850 to 2010. According to Map 6.1 Washington County saw the most municipal expansion from 1963 to 2000. Municipal expansion mainly occurred in scattered locations throughout the County, particularly in the southern portion of the County in the Village of Germantown and the then-Town of Richfield. Moderate expansion occurred in and around the City of West Bend and the other established urban centers in the northern portion of the County during this period. Municipal expansion occurred in all the cities and villages in the County between 2000 and 2010, and in some of the towns. The Village of Jackson has experienced significant municipal expansion from 1971 to 2010.

Plans

The following summarizes how existing Washington County and regional plans address municipal expansion.

Vision 2050 Regional Land Use and Transportation Plan

- Focus urban development in areas that can be efficiently served by essential municipal facilities and services

Municipal Boundary Agreements

Boundary agreements currently exist between the following local governments:

- City of Hartford and Town of Erin
- City of Hartford, Town of Erin, and Town of Hartford, and the Village of Richfield
- City of Hartford and Town of Hartford
- Village of Jackson and Town of Jackson
- Village of Richfield and Town of Erin
- Village of Richfield and Town of Polk

Intergovernmental Agreements

Intergovernmental agreements currently exist between the following local governments:

- City of Hartford and Town of Erin
- City of Hartford and Village of Slinger
- Washington County and the Village of Newburg, Village of Richfield, the Town of Trenton for Sheriff's patrols
- Washington County, the Village of Jackson, the Town of Jackson, and the Town of Polk regarding sewer and water services to the Fair Park.
- Washington County and City of West Bend authorizing the use of the County's Employee Health Center by City Employees.
- Intergovernmental agreements for administration of erosion control and stormwater management and nonmetallic mining reclamation ordinances (see Chapter 2 of the Washington County Comprehensive Plan for additional information)
- Intergovernmental agreement between Washington County and the towns for town enforcement of human health hazard violations under Chapter 8 of the County Code of Ordinances.
- Interlocal Governmental Agreement between the Village of Richfield and the Village of Germantown for the provision of municipal wastewater and municipal water utility service.

Ordinances

Section 66.1001(3) of the *Wisconsin Statutes* requires that zoning, land divisions, and official mapping decisions made by local and county governments be consistent with local and county comprehensive plans. The following summarizes how existing ordinances may impact farmland preservation.

Zoning Ordinances

Each city, town, and village in Washington County has adopted and enforces its own zoning ordinance. Local governments have substantial influence over agricultural resources in the County, especially regarding protection for agricultural lands and providing areas for development through local comprehensive plans and zoning ordinances. In towns, zoning applies in all areas of the town except the shoreland area. The County enforces shoreland and floodplain zoning regulations in unincorporated areas.

Zoning ordinances dictate the development patterns that occur in Washington County by determining the location, size, and type of land uses that may exist in a municipality. Table 7.16 in the Washington County Comprehensive Plan provides an inventory of existing residential zoning districts in each local government.

Extraterritorial Zoning Regulations

Wisconsin Statutes authorizes cities and villages to adopt extraterritorial zoning regulations for adjacent unincorporated areas, in cooperation with the adjacent town, within three miles of a city of the first, second, or third class, and within 1.5 miles of a city of the fourth class or villages.

No permanent extraterritorial zoning regulations were in effect in Washington County in 2016. More information regarding extraterritorial zoning regulations in Washington County can be found in Chapter 2 of Washington County's Comprehensive Plan.

Extraterritorial Platting Authority

Under Section 236.10 of the *Wisconsin Statutes*, a city or village may review, and approve or reject, subdivision plats located within its extraterritorial area if it has adopted a subdivision ordinance or an official map. Section 236.02 of the *Statutes* defines the extraterritorial plat review jurisdiction as the unincorporated area within three miles of the corporate limits of a city of the first, second, or third class, or within 1.5 miles of the corporate limits of a city of the fourth class or a village. All incorporated communities in Washington County have extraterritorial plat authority over adjacent land in unincorporated areas.

Land Division Regulations

The Washington County Land Division Ordinance regulates land divisions in towns that initially or by subsequent divisions create five or more parcels of one and one half acres each or less in area within a five-year period. In addition, the Washington County shoreland and floodplain zoning ordinance includes land division regulations for areas located in the shoreland district. As required by Chapter NR 115 of the *Wisconsin Administrative Code*, the ordinance regulates land divisions creating three or more parcels of five acres or less within a five-year period. Washington County has authority under Section 236.10 of the *Wisconsin Statutes* to review and approve all subdivisions located in unincorporated portions of the County.

All cities, villages, and towns, except the Town of Germantown, in the County have adopted a land division ordinance. Under Chapter 236, local governments are required to review and act on plats for subdivisions. Table 2.8 in Chapter 2 of Washington County's Comprehensive Plan provides a summary of the scope of land division ordinances adopted by local governments in Washington County.

Official Mapping Ordinances

Section 62.23(6) of the *Wisconsin Statutes* allows the Common Council of any City to establish an official map for the precise identification of right-of-way lines and boundaries of streets, highways, waterways, and parkways and the location and extent of railroad rights-of-way, public transit facilities, parks, and playgrounds. An official map is intended to be used as a precise planning tool for implementing master and comprehensive plans and for insuring the availability of land for the above features.

All the towns in Washington County have adopted village powers and created a town plan commission. The clerk of any city, village, or town in the County that adopts an official map by ordinance or resolution must record a certificate showing that the city, village, or town has established an official map with the Washington County register of deeds.

Local government subdivision ordinances can also require land shown on the official map to be dedicated for street, park, or other public use at the time land is subdivided. The official map is a plan implementation device that operates on a communitywide basis in advance of land development and can thereby effectively assure the integrated development of the street and highway system.

Transportation

The following section summarizes and inventories the road networks, rail service, bike and pedestrian infrastructure systems found in Washington County.

Road Network

A functional and maintained road network is an important aspect of an efficient and healthy agricultural industry. The road network provides agricultural producers direct and indirect connections to agricultural businesses, services, and the customers.

Map 2.2 shows the road network in Washington County by functional classification. Functional classification can be broken down into three categories of arterial, collector, and local road. Arterial and collector roads connect agricultural producers to local and global supply chains through land, air, and sea shipping. Interstate 41 and US HWY 45 run north and south in Washington County and are important arterial roads that connect the central and southern parts of Wisconsin. US HWY 45 runs through the Villages of Jackson and Kewaskum and the City of West Bend and provides a northern and southern route for vehicles. Local roads provide agricultural producers connections to local businesses, customers, and farmland.

Figure 2.1: Functional Classification Categories

Source: SEWRPC and Washington County

Figure 2.1 shows the total miles of roadway in Washington County by functional classification and was calculated using Map 2.2 below. Map 2.2 shows that there are 277 miles of arterial roads (this includes state arterial roads), 277 miles of collector roads, and 984 of local roads in Washington County.

Rail Service

Map 2.2 also shows the different train routes that go through Washington County. Train routes in Washington County run north and south with one route going to West Bend and another going to Slinger where the rail splits, one continuing North to the Fox Cities, and the other proceeding Northwest to Dodge County. Wisconsin & Southern Rail and Canadian National operate the rail lines that run through Washington County, and both are freight operators. Wisconsin & Southern Rail's primary commodities include, but are not limited to, forest products, consumer foods, paper, ethanol, fertilizers, and grains.

Rail service connects agriculture producers to the regional, national, and global supply chains. Major rail customers in Washington County include Quad Graphics in the City of Hartford and Cedar Lake Sand and Gravel in the Towns of Addison and Hartford.

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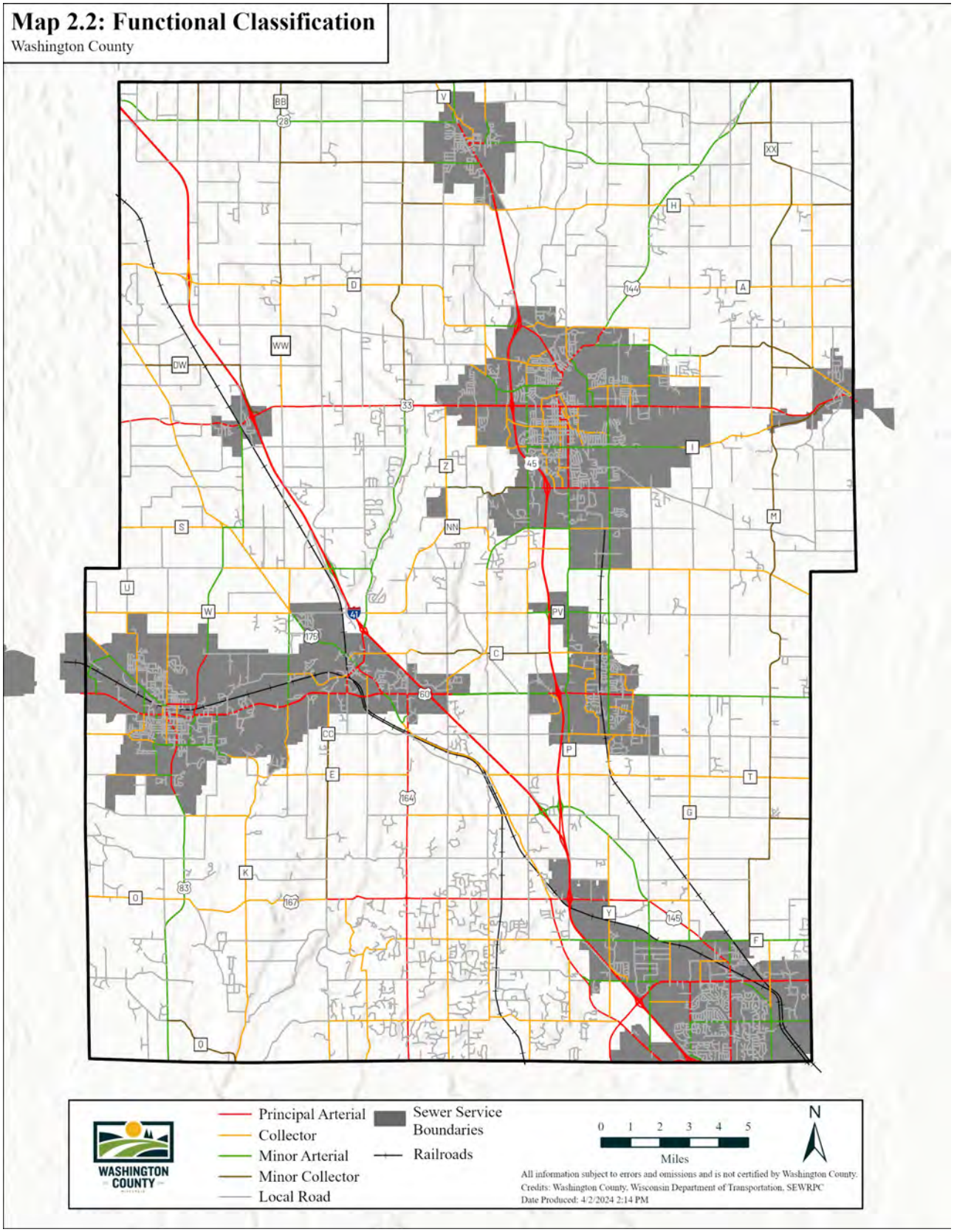
Map 2.2: Functional Classification
Washington County
Principal Arterial
Collector
Minor Arterial
Minor Collector
Local Road
Sewer Service Boundaries
Railroads
0 1 2 3 4 5
Miles
N
WASHINGTON COUNTY
All information subject to errors and omissions and is not certified by Washington County.
Credits: Washington County, Wisconsin Department of Transportation, SEWRPC
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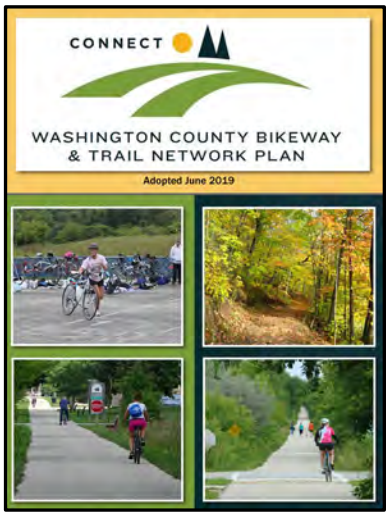
Bike and Pedestrian Infrastructure

The *Washington County Bikeway & Trail Network Plan* was adopted in 2019 and was created to increase bike and pedestrian infrastructure and connections in and between communities. This plan creates goals and objectives for improving bike and pedestrian infrastructure, maps where routes should be implemented, prioritizes the implementation of corridors, and provides cost estimates for improvements. Washington County has been working with municipalities, WisDOT, and other entities to implement the planned routes.



Washington County Bikeway & Trail Network Plan

The largest bike and pedestrian trail in Washington County is the Eisenbahn State Trail which runs for 25 miles from West Bend through Kewaskum and Campbellsport, and ends in Eden, Fond Du Lac County.

Plans

The following summarizes how existing Washington County and regional plans address transportation.

Vision 2050 Regional Land Use and Transportation Plan

The *Regional Land Use and Transportation Plan* provides a vision for, and guide to, transportation system development in the Region into 2050. It is a multimodal plan of recommended transportation actions designed to address existing and anticipated future transportation problems and needs. The plan consists of five transportation elements: public transit, transportation systems management, bicycle and pedestrian, arterial streets and highways, and freight transportation. Future needs for transit, street and highway, and other transportation improvements considered in the regional transportation planning process are derived from the future growth proposed in the land use element of the plan. The elements of the *Regional Land Use and Transportation Plan* are described in the Transportation Element (Chapter 8) of Washington County's Comprehensive Plan.

Rural Road

Regional Transportation Improvement Program: 2023 – 2026

The Regional Transportation Improvement Program (TIP) outlines the specific arterial highway and public transit improvements projects proposed to be carried out over the next four years (2023 – 2026) in the seven-county Southeastern Wisconsin Region.

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Washington County 2050 Land Use Plan
Washington County's Land Use Plan 2050 addresses transportation related land uses through the following land use categories:

Street and Highway Rights-of-Way

The street and highway rights-of-way category include all existing and proposed streets and highway rights-of-way as of 2015.

Other Transportation and Utilities (Except Streets and Highways)

The other transportation and utilities (except streets and highways) category includes other transportation facilities, such as airports, and public and private utilities.

2050 Transportation Network Sustainability Plan
Washington County created a long-range transportation plan to serve as a guide for budgeting. The plan provides estimation for when specific stretches of Washington County highway systems should be improved based on a 25-year pavement lifecycle.

Community Facilities and Services

This section briefly analyzes the community facilities and services that are found throughout Washington County and recent trends. Further information on community facilities and services can be found in Chapter 9 of the Washington County Comprehensive Plan.

Police Departments
The Cities of Hartford and West Bend and the Villages of Germantown, Jackson, Kewaskum, and Slinger each have a municipal police department that provides service 24 hours a day, seven days a week. The Village of Newburg and the Town of Trenton also have police departments that do not operate 24 hours a day, seven days a week. The Washington County Sheriff's Department provides service to these areas when the municipal police departments are not operating.

Fire Departments
There were 14 fire departments serving the County as of 2015, which include:

- Allenton Volunteer
- Ashippun Volunteer (Dodge County)
- Boltonville Volunteer
- Fillmore Volunteer
- Germantown
- Hartford
- Jackson
- Kewaskum
- Kohlsville Volunteer
- Newburg Volunteer
- Richfield Volunteer
- Slinger Volunteer
- St. Lawrence Volunteer
- West Bend

Emergency Medical Services

In 2015 there were 33 emergency medical service (EMS) zones in the County served by 14 EMS departments in 2015. As of 2015, there were four public safety answering points (dispatch centers) in Washington County taking emergency calls 24 hours a day.

West Bend Fire Department

Hospitals

There were two hospitals in the County offering a full range of medical services in 2015, Froedtert West Bend Hospital located in the Town of Polk and Aurora Medical Center of Washington County located in Hartford. Froedtert West Bend had 70 beds and Aurora Medical Center of Washington County had 53 beds in 2015.

Public and Private Schools

There were 36 public schools in five high school districts and 26 private schools in the County in 2016 serving elementary and secondary grades. There is also one college and one technical college.

Washington County Departmental Services

The Land Resources Division provides local leadership, education, and technical expertise to improve the quality of life in Washington County by working closely with farmers, landowners, government officials, teachers, youth group leaders, community businesses, civic organizations and concerned residents to improve and conserve our soil and water resources.

The Land Resources Division works with local producer-led groups to promote conservation and sustainable farming practices. These producer-led groups provide local farmers an opportunity to learn from other farmers on successes and failures in trying new practices while also providing opportunities to connect with natural resources experts and create valuable communication networks between farmers. Producer-led groups are becoming increasingly more active in Washington County and these groups include, but are not limited to:

Washington County Government Center

- Cedar Creek Farmers
- Farmers for Lake Country
- Milwaukee River Watershed Clean Farm Families

The Land Resources Division also provides free technical assistance and cost-sharing for a variety of conservation practices.

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Trends
Two recent trends communities have experienced are an increase in the cost of community services and in some cases a lack of personnel to fill positions. In general, as communities grow and land is developed the tax base increases, but expenses related to providing community services and infrastructure also increase. To mitigate the impact of these trends urban and rural communities are more reliant on intergovernmental cooperation and service sharing agreements.

Plans
The following summarizes how Washington County's 2050 Land Use Plan addresses community facilities and services as documented in Chapter 9 of Washington County's Comprehensive Plan.

Washington County 2050 Land Use Plan
Washington County's 2050 Land Use Plan addresses community facility and service related land uses through the following land use category:

Governmental and Institutional

The governmental and institutional category includes public and private schools, government offices, police and fire stations, libraries, cemeteries, religious institutions, hospitals, nursing homes, and similar facilities.

Communication

Telecommunications Service and Facilities
Communication towers and wireless telecommunication sites in Washington County were inventoried in 2017 and are shown on Map 9.8 and listed in Table 9.9 of Washington County's Comprehensive Plan. Providers with facilities in the County include:

- Ameritech
- AT&T
- Charter Communications
- Cingular
- Motorola
- NConnect
- Netwurx
- Nextel
- Prime Co
- Sprint
- TeleCorp
- T-Mobile
- SBC
- U.S. Cellular
- Verizon
- Verizon North
- Voice Stream Wireless
- Time-Warner Cable

The Washington County Sheriff's Department is investing in upgrading its radio systems. The project will upgrade Washington County's radio system for law enforcement, fire, emergency medical, and public work departments.

According to the Wisconsin Broadband Map, internet speeds in Washington County are sufficient to provide rural and urban areas with internet services at acceptable levels. Internet speeds range from 25+ Mbps download / 3+ upload to 100+ Mbps download / 20+ upload speeds, with some parcels in the below 5 Mbps download / 0.6 upload speed.

Plans

The following summarizes the communications plans in Washington County.

Regional Telecommunication Plan

Telecommunications have become increasingly important in the local, national, and global economies. SEWRPC has undertaken a regional telecommunication planning effort to create a better understanding of telecommunications networks and the provision of services such as wireless and wireline telecommunications and high speed, broadband telecommunications throughout the Region. An inventory of wireless telecommunications providers and antennas providing cell phone service in Washington County is included in SEWRPC Planning Report No. 51, A Wireless Antenna Siting and Related Infrastructure Plan for Southeastern Wisconsin, published in September 2006. In addition to presenting inventories of both infrastructure and performance for the existing cellular/PCS mobile wireless networks operating in the Region, the plan describes a recommended wireless telecommunications plan for the Region.

The wireless communications plan recommended in Planning Report No. 51 consists of two levels of wireless networks – a wireless backhaul network plan and a community-level wireless access network plan. The plan sets forth an approach to implement both the regional wireless backhaul network and community level wireless network plans. The proposed plan implementation process is intended to influence, rather than replace, existing competitive private sector, market-driven planning in order to promote the public interest within the Region. The Towns of Addison and Wayne worked with SEWRPC to develop a community level wireless access network plan.

A regional broadband access plan, which built upon the wireless telecommunications plan, was completed in 2007. Upon implementation, this plan will support a mix of wireline and wireless networks that will provide fourth generation (4G) video, voice, and data communications services to the entire Region. A central feature of the recommended plan is the potential for cooperative efforts between the public and private sectors in which infrastructure costs are shared between the public safety and commercial networks. Implementation of the recommended plan will require county or multi-county action, although partial implementation can be achieved at the community or multi-community level.

Utilities

The section summarizes and inventories the utilities found throughout Washington County. Chapter 9 of the Washington County Comprehensive Plan provides more information on utilities.

Energy

Natural gas and electricity services in Washington County are provided through WE Energies. The City of Hartford and the Village of Slinger each provide their own municipal water and electric utilities.

Village of Germantown Power Plant

Sources of renewable energy in Washington County's come from solar, hydroelectric, biogas, and wind. The most common sources of renewable energy are solar and small scale-wind turbines that have been installed by utility companies, private businesses, and homeowners. In most cases solar and small-scale wind turbines are installed somewhere on their property campus.

In Washington County some solar fields have been constructed on what was previously farmland, these solar fields have been constructed in the City of West Bend and in the Town of Jackson. Solar and other renewable energy sources continue to gain popularity among residents and businesses alike as they become more affordable than other sources of energy production.

Sewer Service

Sewer service areas within Washington County include the Cities of Hartford and West Bend and surrounding areas; the Villages of Jackson, Kewaskum, Newburg, and Slinger and surrounding areas; portions of the Village of Germantown and the Village of Richfield; and in the unincorporated areas of Allenton in the Town of Addison. About 49,784 acres, or 18 percent of the County, were within existing planned sanitary sewer service areas in 2015. About 18,594 acres, or about 7 percent of the County, and 84,500 residents, or 64 percent of the population, were served by public sanitary sewers in 2010.

Sanitary Districts

Sanitary districts in Washington County include:

- Allenton Sanitary District in the Town of Addison
- Hilldale Sanitary District in the Town of Hartford
- Sand Drive Sanitary District and Scenic Drive Sanitary District in the Town of Trenton
- Silver Lake Sanitary District in the Town of West Bend
- Wallace Lake Sanitary District in the Towns of Barton and Trenton

Utility Districts

There are also two utility districts in the County:

- Bark Lake Utility District in Richfield
- Pike Lake Utility District in the Town of Hartford

Both the Bark Lake Utility District and the Sand Drive Sanitary District are inactive.

The Pike Lake Utility District includes land within the boundaries of the Pike Lake Protection and Rehabilitation District but extends outside lake district boundaries. Sanitary sewer service is provided by the Pike Lake utility district, which discharges to the City of Hartford sewage treatment plant.

The Hilldale Sanitary District is located in the Town of Hartford between the Village of Slinger and the City of Hartford. The Sanitary District provides sanitary sewer service and discharges to the Village of Slinger Wastewater Treatment Plant.

The Big Cedar Lake Management District and the Little Cedar Lake Protection and Rehabilitation Districts, both located partially in the Town of West Bend and partially in the Town of Polk, have

adopted sanitary district powers in addition to their lake district powers, but neither district provides sanitary sewerage services. The Big Cedar Lake District provides trash collection services for properties in the district.

Private Onsite Waste Treatment Systems

Washington County regulates private onsite waste treatment systems (POWTS) for any development that is not served by sanitary sewer. Development in this case applies to residential, commercial, and industrial uses. The authority to regulate POWTS comes from the *Wisconsin Administrative Code*, Chapter SPS 383, with related information in Chapters SPS 84 through 87, SPS 91, SPS 305, SPS 316, and SPS 382. Chapter 25 (the Sanitary Code) of the *Washington County Code of Ordinances* sets forth the regulations for POWTS in both incorporated (city and village) and unincorporated (town) areas of the County. As of January 2024, there were 21,049 active POWTS in Washington County. An active POWTS is a septic system that is currently in operation and being maintained.

Groundwater

Groundwater is the source of water for residential, commercial, and industrial uses in Washington County. Map 9.3 in the Washington County Comprehensive Plan shows portions of Washington County served by public water utilities and private water supply systems, and those areas where development depends on the use of private wells. Portions of Washington County served by public water utilities encompassed about 17,300 acres, or about 6 percent of the County, in 2010. An estimated 80,100 County residents, or about 61 percent of the County population, were served by public water utilities in 2010. Private water supply systems in the County served about 240 acres in 2010. Other users get their water from private wells.

Stormwater Management

The Cities of Hartford and West Bend and the Villages of Jackson, Kewaskum, Newburg, and Slinger have extensive, although not all-inclusive, curb and gutter storm sewer systems. Portions of the Village of Germantown and hamlet of Allenton also have curb and gutter storm sewer systems. The Towns of Barton, Erin, Farmington, Germantown, Hartford, Jackson, Kewaskum, Polk, Trenton, Wayne, West Bend, the Village of Richfield, and rural portions of the Town of Addison outside Allenton rely heavily on roadside swales and culverts to collect stormwater and runoff. Many local governments require the use of wet detention basins to help control stormwater runoff and meet the water quality standards specified in Chapter NR 151 of the *Wisconsin Administrative Code*, regardless of whether they use curb and gutter or roadside swales to convey stormwater.

Stormwater Runoff

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Waste Management

Solid Waste

Solid waste collection in Washington County was provided by a combination of public and private services in 2015. Solid waste is deposited at general-use landfills accepting municipal waste in adjacent counties. There are no landfills in Washington County that accept municipal or residential waste, but Washington County does operate a Hazardous Waste Collection program. Each local government in the County operates a recycling program.

Transfer stations, drop-off centers, recycling centers, and solid waste facilities are shown in Map 9.9 and listed in Table 9.10 of the comprehensive plan. The Washington County Comprehensive Plan has an inventory of 24 waste management facilities which includes recycling centers, compost sites, drop-off sites, processing facilities, and transfer stations. Most waste in Washington County is transported to landfills in Dodge and Waukesha County.

Animal Waste Management

According to the 2017 Census of Agriculture, Washington County was home to 45,000 cattle and calves and over 1,500 sheep, pigs, chickens, goats, and turkeys. The manure these animals produce can be used as a valuable and economical source of fertilizer; however, if improperly managed, it can adversely impact water quality and aquatic life.

Major sources of manure runoff in the County may include improper manure storage, field spreading practices, and stream pasturing. The Wisconsin Department of Natural Resources (WDNR) develops nine-key element plans to improve water quality within watersheds by assessing what contributes to the causes and sources of nonpoint source pollution, and by involving key stakeholders in the restoration and protection of watersheds. Nine-key element plans have been successful in cleaning up watersheds and improving water quality, but manure management practices must be implemented by all livestock farms in Washington County as per Chapter NR 151 of *Wisconsin Statute* and Chapter 238 of the *Washington County Code*. The Washington County Land Resources Division works with farms to minimize the impacts of manure entering waterbodies.

Plans

The following summarizes how existing Washington County and regional plans address sewer service.

Water Quality Management Plan

In 1979, SEWRPC adopted an areawide water quality management plan[2] for Southeastern Wisconsin as a guide to achieving clean and healthy surface waters within the seven-county Region. The plan has five elements: a land use element; a point source pollution abatement element; a non-point source pollution abatement element; a sludge management element; and a water quality monitoring element. The point source pollution abatement element recommends major sewage conveyance and treatment facilities and identifies planned sewer service areas for

[2] *Documented in the three-volume SEWRPC Planning Report No. 30,* A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*, as amended. An update to the plan was completed in December 2007.*

each of the sewerage systems in Southeastern Wisconsin. Under Wisconsin law, major sewerage system improvements and all sewer service extensions must conform with the water quality management plan. A list of adopted sewer service plans in Washington County is set forth in Table 2.3. Chapter 9 of the Washington County Comprehensive Plan provides additional information and a map (Map 9.1) on sewer service areas and sewage facilities in Washington County.

Water Quality Management Plan Update

SEWRPC worked with the MMSD to update the regional water quality management plan[3] for the area within the Kinnickinnic River, Menomonee River, Milwaukee River, Root River, and Oak Creek watersheds; the Milwaukee Harbor estuary; and the adjacent nearshore areas draining to Lake Michigan. The planning area included about 59 percent of Washington County (see Map 5.16 in Chapter 5 of Washington County's Comprehensive Plan). The interagency effort used the U.S. Environmental Protection Agency's recommended watershed approach to update the water quality management plan. The plan recommends standards to control point and nonpoint pollution sources, and provides the basis for decisions on community, industrial, and private waste disposal systems.

Regional Water Supply Plan

SEWRPC adopted a regional water supply plan in 2010[4]. The regional water supply plan together with the abovementioned groundwater inventories and a ground water simulation model form the SEWRPC regional water supply management program. The preparation of these three elements included interagency partnerships with the U.S. Geological Survey, the Wisconsin Geological and Natural History Survey, the University of Wisconsin-Milwaukee, the Wisconsin Department of Natural Resources, and many of the area's water supply utilities. The regional water supply plan includes the following major components:

- Water supply service areas and forecast demand for water use.
- Recommendations for water conservation efforts to reduce water demand.
- Evaluation of alternative sources of supply, recommended sources of supply, and recommendations for development of the basic infrastructure and institutional structures required to deliver that supply.
- Identification of groundwater recharge areas to be protected from incompatible development.
- Specification of new institutional structures necessary to carry out plan recommendations.
- Identification of constraints to development levels in subareas of the Region due to water supply sustainability concerns.

Washington County 2050 Land Use Plan

Washington County's 2050 Land Use Plan addresses utility related land uses through the following land use category:

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[3] *Documented in the two-volume SEWRPC Planning Report No. 50,* A Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds.

[4] *Documented in the two-volume SEWRPC Planning Report No. 52,* A Regional Water Supply Plan for Southeastern Wisconsin, *December 2010.*

Other Transportation and Utilities

The other transportation and utilities (except streets and highways) category includes other transportation facilities, such as airports, and public and private utilities.

Land and Water Resources Management Plan

Land and water resource management plans are long-term strategic plans that provide an assessment of the resource conditions and environmental needs of the County and to guide the activities of the Land and Water Conservation Division. These plans are used to develop the annual work plans to achieve State and County priorities identified in the plan. Many of the activities and actions outlined in the plan have direct impact on the agricultural sector, including:

- Management of animal waste
- Improving and protecting surface and groundwater
- Preserving and protecting land resources
- Enhancing the productivity and sustainability of all cropland
- Reducing sediment delivery into streams, lakes, and wetlands

Washington County Feasibility Study - Community Animal Waste Treatment System

The purpose of the *Washington County Feasibility Study - Community Animal Waste Treatment System* was to explore the feasibility of a community-based manure treatment system in Washington County for a group of farms in the Town of Farmington in 2023. The feasibility study evaluates and overviews the potential technological systems that could be used by a Washington County animal waste treatment facility. These systems include anaerobic digestion and other manure treatment systems. In summary anaerobic digestion system biological processes with microorganisms to breakdown waste and convert it into biproducts such as methane, which can be used in electrical generations. The study concluded that:

- An anaerobic digestive system can be economically feasible in Washington County
- Anaerobic digestive system could produce either or both renewable natural gas or separated solids
- The most economically feasible anaerobic digestive operation would be to produce solely renewable natural gas

Inside the Tractor Cab

Environmental Preservation

Environmental Corridors

Environmental corridors are discussed in Chapter 5 of the Washington County Comprehensive Plan. Map 5.23 and Table 5.13, in chapter 5, inventories the primary environmental corridors and isolated natural resource areas in Washington County. In 2015 Washington County totaled 63,282 acres of primary environmental corridors and 7,476 acres of isolated natural resource areas.

Parks and Open Space

A Park and Open Space Plan for Washington County: 2035 (POSP) provides inventories of current park and open space areas in the County, objectives for preserving natural resources and open space, and recommendations for the expansion of park resources. As of 2017 (including 2019 numbers for Washington County parks), there were 496 park and open space sites that cover 33,868 acres in Washington County. Of the 496 parks and open space sites, 14 of these are owned by the County which cover 1,377 acres. Table 2.7 provides a summary of the ownership, number of sites, and acreage of the park and open space sites in Washington County.

Table 2.7: Park and Open Space Sites in Washington County as of 2019

Organization	Number of Sites	Total Acres
Washington County (2019)	14	1,377
State	38	13,311
Conservation Organizations	70	4,115
Local Governments and Public School Districts	166	4,693
Commercial and Organizational	133	7,015
Protective Easements	75	3,357
Total	496	33,868

Source: Washington County

Objective 6 in the POSP is connected to the preservation of natural resources including farmland:

> *"To preserve sufficient high-quality open-space lands for protection of the underlying and sustaining natural resource base and enhancement of the social and economic well-being and environmental quality of the County."*

The plan also provides several recommendations for increasing the number of acres that are preserved for open space, environmentally valuable land, or specifically for their natural resource benefit. Further details regarding these recommendations and other details can be found in Chapter 5 and 6 of the POSP.

Ackerman Grove – Little Cedar Lake

Natural Areas, Critical Species Habitat, and Aquatic Sites

Natural areas, critical species habitat, and aquatic sites are described in Chapter 6 of Washington County's POSP.

As of 2016, a total of 95 natural areas, encompassing about 16,906 acres, or about 6 percent of Washington County, have been identified. Of the 95 identified sites, eight are classified as NA-1 sites (statewide or greater significance) and encompass about 3,267 acres, 28 are classified as NA-2 sites (countywide or regional significance) and encompass about 5,533 acres, and 59 are classified as NA-3 sites (local significance) and encompass about 8,106 acres. These sites are shown on Map 5.21 and described in Table 5.10 in the Washington County Comprehensive Plan.

Twenty-one critical species habitat sites have been identified in Washington County. These sites encompass an area of 1,035 acres, or less than 1 percent of the County. There are also 60 aquatic habitat sites supporting threatened or rare fish, herptile, or mussel species in the County, including 200 miles of rivers and streams and 2,749 acres of lake waters. Critical terrestrial and aquatic habitat areas are shown on Map 5.22 and critical terrestrial habitat areas are described in Table 5.11 and critical aquatic habitat areas are described in Table 5.12 in the Washington County Comprehensive Plan.

Land Conservation

There are several conservation organizations working in Washington County including the Ozaukee-Washington Land Trust, the Cedar Lakes Conservation Foundation (CLCF), the Ice Age Trail Alliance, Tall Pines Conservancy, Milwaukee Metropolitan Sewerage District (MMSD), and other nonprofit conservation organizations. In Chapter 5 of the Washington County Comprehensive Plan Map 5.27 and Table 5.16 inventory resource protection sites that are owned by conservation organizations. Also in Chapter 5, Map 5.28 and Table 5.17 inventory protective easements and the holder of the easement, as of 2017.

As of 2017, Washington County conservation organizations owned and maintained 70 resource protection sites (4,115 acres) and have a further 75 properties (3,357 acres) that are in some type of conservation easement.

Several conservation organizations have created agricultural conservation easements to protect farmland from development or have allowed the continued agricultural use of farmland on owned resource protection sites. The MMSD has created the Working Soils Programs to implement conservation easements on working lands and provides landowners with access to staff and resources to implement conservation practices.

Milwaukee Metropolitan Sewerage District

The MMSD operates two land conservation programs within the Milwaukee River Watershed, which covers much of Washington County. The Greenseams Program works to preserve and protect lands containing water-absorbing soils, such as wetlands, to mitigate the impact that floods have locally and on downstream communities. The second program, the Working Soils Program, purchases agricultural conservation easements to prevent the development of

farmland which can store rainwater, recharge groundwater, and reduce water pollution. In the Working Soils Program the landowners retain ownership of the land, but the agricultural conservation easement prevents the development of the land. Landowners with agricultural conservation easements through the Working Soils Program work with Natural Resources Conservation Services (NRCS) staff to implement an Agricultural Conservation Plan to improve soil health and mitigate flooding.

Cedar Lake Conservation Foundation

The CLCF has been conserving land around the Cedar Lakes Region since 1974. In addition to conserving open space and natural lands, such as forests and wetlands, CLCF has been working to preserve farmland as well. CLCF has partnered MMSD to purchase several agricultural conservation easements. Currently, as of 2024, CLCF has conserved 219 acres of farmland,

Tall Pines Conservancy

Another land trust that is working to conserve farmland is Tall Pines Conservancy which partners with several other programs to not only conserve farmland but also improve soil health and water quality. In total Tall Pines Conservancy has preserved 178 acres of farmland in Washington County and has conserved several more acres of farmland in Waukesha and Dodge County.

Wisconsin Department of Natural Resources North Branch Milwaukee River Wildlife and Farming Heritage Area

The North Branch Milwaukee River Wildlife and Farming Heritage Area encompasses northwestern Ozaukee, southwestern Sheboygan and northeastern Washington counties. This area was established because it represents one of the least developed areas within 20 miles of the Milwaukee metropolitan area. The area is dominated by wetlands, riparian corridors, and agricultural land uses. In total 1,477 acres of land have been protected through direct land purchases or through conservation easements.

Quaas Creek Watershed Protection Plan

A Quaas Creek Watershed Protection Plan was adopted by the County Board in February 2004. The plan was created to address issues impacting the water quality and recreational use of Quaas Creek, located in the City of West Bend and Towns of Polk, Trenton, Jackson, and West Bend. These issues focus on future land development, especially the changing of rural land use to urban land use, and the detrimental effects these land use changes may have on the hydrology, water quality, habitat quality, bank stability, and fisheries within Quaas Creek.

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Chapter 3: Existing Goals, Objectives, Policies, and Programs

Section 91.10 of the *Wisconsin Statutes* requires that plans identify trends related to the conversion of agricultural land to other uses, describe actions that the County will take to preserve farmland and to promote agricultural development, describe goals related to the development of enterprises related to agriculture, and outline policies, goals, strategies and proposed actions to increase housing density outside of areas for agricultural preservation.

The following goals, objectives, policies, and programs in this section are drawn from *A Multi-jurisdictional Comprehensive Plan for Washington County: 2050*, the *Land and Water Resource Management Plan*, and the *Park and Open Space Plan*. These goals, objective, policies, and programs show how Washington County recommends addressing the future needs of agriculture and agriculture related businesses. Goals, objectives, policies, and programs regarding agriculture and agriculture businesses from all Washington County municipalities can be found in Attachment A.

A Multi-jurisdictional Comprehensive Plan for Washington County: 2050

Strategic Goals

Safe and Secure Community

1. Provides assistance, prevention and education programs that support the physical, emotional, socio-economic and safety needs in the community.
2. Sustains a secure, sensibly-regulated and well-maintained environment that is healthy, attractive and fosters a feeling of personal safety.

Economic Growth and Vitality

1. Partners to attract, retain and develop a well-balanced diverse mix of commercial, industrial and agriculture businesses that are sustainable and benefit the economy.
2. Effectively plans for a reliable, well-maintained and accessible transportation network that meets the current and future growth needs of the community.
3. Offers access to unique amenities and natural resources to attract businesses and visitors.
4. Creates a safe, business-friendly and sensibly regulated environment that stimulates business development and increases the tax base.

Policies and Programs

Highway Department

Policies:

- Work to ensure consistency between regional, County, and local land use and transportation plans so that the arterial street network, transit services, and bicycle and pedestrian facilities are safe, efficient, appropriately sized and located to serve all county users, including vehicular traffic, bicyclists, pedestrians, and farm equipment.
- Provide an efficient arterial street and highway system that can move people and goods within and through the County to promote a strong economy.

- Encourage development of highways and utilities in a manner that minimizes disruption of Tier I farmlands as mapped in the Washington County farmland preservation plan.

Programs:

1. Continue to promote interconnection between all transportation modes and systems available within the County and the Region.
2. Continue to maintain County highways, including resurfacing, reconstruction, and patching; snow clearing; sign maintenance; and mowing, trash removal, and tree trimming withing highway rights-of-way.
3. Continue to maintain the road network within the County.
4. Study the use of Transportation Economic Assistance (TEA) funds and Freight Railroad Infrastructure Improvement Program funds for transportation projects and improvements that may help attract employers to Washington County or encourage existing businesses to remain and expand in the County.
5. Continue to cooperate with local governments to provide construction and maintenance services for local transportation facilities, as County funding and staffing levels allow.

Land Resources Division

Policies:

- Implement strategies and recommendations identified in the Washington County Land and Water Resource Management Plan.
- Protect, conserve and improve the quality and quantity of groundwater from the loss of recharge areas, overly concentrated pumping, inappropriate private onsite wastewater treatment systems and agricultural practices in order to provide safe drinking water.
- Encourage soil conservation practices to reduce farmland erosion and sustain and increase farmland productivity in the County by encouraging wise soil management practices to protect farmland for continued agricultural use.
- Work to reduce the human and environmental risks through the proper management of agricultural animal waste.
- Provide cost effective ways for County residents to dispose of unused hazardous waste and agricultural chemicals and implement strategies regarding the human and environmental risks posed by other hazardous waste materials.
- Support strategies that retain agricultural businesses that are sustainable and benefit the economy.

Programs:

- Continue to consider Federal, State or other partnering entities for soil resource conservation grant funds that would be available to county governments.
- Continue to undertake countywide education efforts to promote conservation practice. Continue to develop and distribute educational materials to the public regarding non-point and point source pollution.

- Continue to enforce animal waste storage facility code, Chapter 16, of the *Washington County Code of Ordinances*.
- Continue to enforce the recommendations for management of animal waste storage facilities and utilization of waste set forth in Standard 590 of the USDA-NRCS Technical Guide and conduct routine inspections of facilities to ensure proper facility maintenance and waste management.
- Encourage cooperation and collaboration among groups and municipalities while continuing to maintain compliance with the County's WPDES MS4 Permit based on the requirements identified in NR 216 and NR 151 of the *Wisconsin Administrative Code* to address non-point and point source pollution. Enforce ordinances and programs such as an illicit discharge detection and elimination and other components of a stormwater management program.
- Encourage sound, well planned development that protects the natural resources of the County.
- Continue to work with WDNR to implement compliance with agricultural performance standards of NR 151 regarding evaluation of parcels for compliance.
- Conduct on-site inventories of existing operations to determine compliance. Ensure that all livestock operations have no overflowing manure storage facilities; no unconfined manure stacks within Water Quality Management Areas (WQMAs); no direct runoff from feedlots or stored manure to water resources; and no animals in streams where degradation of the stream bank has or is likely to occur.
- Assist owners and operators of farmland with conservation and nutrient control planning. Continue to increase the use of best management practices such as conservation tillage. Encourage wise soil management practices to protect farmland for continued agricultural use. Educate and work with farmers to encourage soil conservation practices to reduce farmland erosion and sustain and increase farmland productivity in the County.
- Continue educational programs that specifically outline soil conservation and best management practices, resources and grants available through State agencies such as DATCP and the WDNR.
- Work with appropriate organizations to develop programs that support Wisconsin's Working Lands Initiative recommendations. Work with area land trusts, such as the Ozaukee Washington Land Trust, to protect agricultural parcels through agricultural conservation easements and/or purchases to preserve and enhance agricultural lands that are best suited for agricultural use.
- Continue to offer the State Wildlife Damage and Abatement Program to County residents that are negatively affected by the State's wildlife management programs.

Planning

Policies:

- Develop plans that support a positive quality of life for residents of Washington County.
- Work with SEWRPC on regional plans and issues affecting Washington County.
- Provide professional planning expertise to local governments and recommend strategies and programs to promote responsible growth and development of the County and its communities.

- Assist other County departments and agencies on a variety of land use and planning related topics.
- Lead the County Site Redevelopment Program, working with the Local Government Coalition and State and Federal agencies to assess and redevelop suspected and known brownfield sites throughout the County.

Program:

- Continue to update the County farmland preservation plan at least every 10 years to reflect the recommendations of the comprehensive plan, and as required in Chapter 91 of *Wisconsin Statutes*.
- Continue participating with SEWRPC in the update of regional plans.
- Continue to work with Parks Division, WDNR, non-profit conservation organizations, and local governments to implement recommendations in the park and open space plan and Parks Fiscal Sustainability Plan.
- Continue to participate in on-going regional cooperative planning efforts.
- Continue the project management and grant administration of the County Site Redevelopment Program and the US EPA Coalition Assessment Grant for Hazardous Substance & Petroleum Brownfields.

Economic Development

Policies:

1. Support EDWC programs that fuel growth companies for the creation of quality jobs and economic prosperity countywide.
2. Work with and support EDWC in executing a Targeted Business Development Program that (1) builds relationships and businesses, developers, and site selectors; (2) focuses on export industries representing driver potential for our county; (3) effectively leverages and enhances local and regional assets and (4) transforms into opportunity the disruption created large manufacturing facilities being developed in Southeastern Wisconsin.
3. Both quantitatively and qualitatively assess the economic and fiscal impacts of economic development growth projects in which the County participates through loans or other publicly funded incentives.
4. Encourage Countywide and regional cooperation on economic development issues including business creation, retention, and expansion and the creation of a range of employment opportunities that improve and enhance the economic vitality of Washington County.
5. Support conversion of underutilized and/or brownfield related properties into higher, better, and more productive reuses through dedicated, sustained and high-performing site redevelopment programming.
6. Promote development of new businesses, or business expansion, in areas with existing physical; infrastructure and community services, or in areas near or contiguous to existing service areas that can readily be served by extending infrastructure.
7. Encourage cooperation between high schools, technical colleges and colleges and universities located in Washington County and the Region to develop educational programs that provide the services needed by County residents.

8. Promote commercial and industrial development in business/industrial parks and TIF Districts.
9. Promote commercial redevelopment in the downtown areas of cities, villages, and hamlets.

Programs:

- Work with EDWC and local governments to build an unbeatable platform for business growth and, in so doing, be recognized statewide as a top performing economic development practice.
- Work with appropriate entities to identify and promote value-added agriculture (for example, on-farm production of yogurt, cheese, and other dairy products).
- Work with UW-Extension and local high schools and colleges to promote agribusiness education programs and encourage young and beginning farmers to attend classes. Provide tuition assistance to farmers attending classes.
- Study the feasibility of providing County tax credits for agricultural parcels and agribusinesses.

Recommendations for Local Governments

Although the focus of the Washington County Comprehensive Plan update is on the core services provided by the County, there are important aspects of various plan elements that are heavily influenced by the local governments located within the County. One of the primary reasons is because local governments have some land use regulatory authorities, such as general zoning, that the County does not have. General zoning authority allows local governments to have significant influence over development within the County, which, in turn, impacts planning considerations such as the location of new development, the amount of land that is converted from non-urban to urban uses, and the types of housing that are developed within the County. In addition, local governments are responsible for a significant amount of infrastructure within the County and a number of core services provided to County residents. The following programs are suggested for local government consideration. Some suggested programs may not be relevant to a local government, depending on the needs of the individual community.

Agricultural, Natural and Cultural Resources Element

1. Support implementation of the Working Land Initiative recommendation to establish working land enterprise areas outside planned sewer service areas.
2. Encourage the protection, preservation, and appropriate use of the natural resource base.
3. Encourage compact development within the sewer service areas.
4. Farmlands in sewer service areas should be encouraged to remain in agricultural use until public sewer and water services are extended to the parcel.
5. Local governments should review and, if necessary, revise the local zoning ordinance to allow for produce stands on farms and bed-and-breakfast establishments on farms. Local governments may also provide incentives for activities such as produce stands and farmers markets through an expedited permitting process and reduced permitting fees.
6. Local governments should review their zoning ordinances and revise them to be consistent with natural resources protection recommendations outlined in the local comprehensive plan and the local land use plan map for 2050.
7. Local governments should consider amending their zoning ordinances to allow nonmetallic mining as a conditional use in agricultural districts, in addition to specific extractive districts.

This would streamline the process for permitting extractive sites, yet still provide for local government review as part of the CUP process.

Land Use Element

1. Local government land use elements and land use plan maps should be designed to accommodate the projected growth in population, households, and employment for the community through the comprehensive plan design year.
2. Local governments are encouraged to renew and redevelop older, underutilized urban areas that are in need of revitalization, and encourage infilling of undeveloped land within existing urban service areas, to accommodate additional urban growth before developing land on the outskirts of urban service areas.
3. Promote the redevelopment of land with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
4. Promote commercial and industrial development in business/industrial parks and tax incremental finance (TIF) Districts.
5. Promote commercial redevelopment in the downtown areas of cities, villages, and in hamlets identified in town land use plans for urban development.
6. Promote the remediation and reuse of environmentally contaminated sites for commercial and industrial uses, where feasible.
7. Promote the development of new businesses, or business expansion, in areas with existing physical infrastructure and community services, or in areas near or contiguous to existing service areas that can readily be served by extending infrastructure.

Economic Development Element

1. Support the conversion of underutilized and/or brownfield related properties into higher, better and more productive reuses through dedicated, sustained and high-performing site redevelopment programming.
2. Promote the development of new businesses, or business expansion, in areas with existing physical infrastructure and community services, or in areas near or contiguous to existing service areas that can readily be served by extending infrastructure.

Recommendations for County Partnering Organizations

1. Encourage a variety of farming operations that are sustainable and benefit the economy in Washington County. (Washington County, UW-Extension, Economic Development Washington County, Natural Resources Conservation Service)
2. Encourage farming by younger age groups and establish a beginner farmer program to recruit and train the next generation of farmers. (UW-Extension, Washington County)
3. Encourage the protection of primary environmental corridors, natural areas, critical species habitat sites and high-quality open space lands through public and non-profit conservation organization (NCO) fee simple purchase or purchase of conservation easements. Encourage land owners to collaborate with NCOs in their effort to conserve land. (Planning and Parks Department, Nonprofit Conservation Organizations)

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Land and Water Resource Management Plan

Goal: Improve and protect surface and groundwater through the proper use of fertilizers and pesticides.

Objective: Assist farmers and private consultants with the development and implementation of nutrient management plans on cropland and sod farms.

Actions:

1. Continue to provide nutrient management related training programs.
2. Assist producers in updates to their Nutrient Management Plans
3. Maintain nutrient management database and monitoring.
4. Provide support for private agronomists.

Goal: Protect and enhance the productivity and sustainability of all croplands and reduce sediment delivery into streams, lakes, and wetlands.

Objective: Work with agricultural producers to achieve an erosion rate at or below "T" and the agricultural performance standard phosphorus index at or below 6 for cropland fields, pastureland, and winter grazing areas.

Actions:

1. Maintain a crop field database that identifies current conservation planning areas.
2. Develop and revise producer resource conservation plans on areas that do not have plans.
3. Maintain conservation planning database and monitoring to ensure compliance with standards.

Objective: Encourage riparian buffers that effectively augment existing programs, incorporating a 5-foot tillage setback agricultural performance standard.

Actions:

1. Actively promote buffer programs by providing educational materials and technical and funding assistance.
2. Develop and administer a monitoring and maintenance program.
3. Continue to work with local organizations and land trusts to leverage resources.

Objective: Promote agricultural BMPs that improve soil health.

Actions:

1. Increase education about and use of BMPs such as conservation tillage and cover crops, including principles of balanced pH and micronutrient content of soils.
2. Participate with and help foster Producer-Led Watershed Protection Groups.
3. Raise awareness about the benefits of soil health and water quality practices.

Goal: Reduce the human and environmental risks posed by animal waste.

Objective: Continued application of the County's Manure Storage Ordinance.

Actions:

1. Continue to provide high quality technical review and planning assistance.
2. Update the County Code to include new State and Federal standards.
3. Continue to develop an inspection procedure and inspection schedule for existing manure storage facilities.
4. Educate producers, town officials, agricultural leaders, and contractors regarding requirements.

Objective: Assist livestock operations with meeting the Agricultural Performance standards by having no overflowing manure storage facilities, unconfined manure stacks within Surface Water Quality Management Areas, significant discharge of process wastewater to State waters, direct runoff from feedlots or stored manure to waters, and no animals in streams where degradation of the streambank has or will likely occur.

Actions:

1. Maintain a livestock operations database and conduct on-site evaluations to determine compliance.
2. Continue to develop and revise producer farm resource conservation plans.
3. Educate producers, town officials, agricultural lenders, and contractors regarding these objectives.
4. Assist with the planning and development of livestock expansion, ensuring compliance with requirements.

A Park and Open Space Plan for Washington County: 2035

Objectives:

1. To provide an integrated system of public general use outdoor recreation sites and related open space areas which will allow the resident population of the County adequate opportunity to participate in a wide range of outdoor recreation activities.
2. To provide sufficient outdoor recreation facilities to allow the resident population of the County adequate opportunity to participate in intensive nonresource-oriented outdoor recreation activities.
3. To provide sufficient outdoor recreation facilities to allow the resident population of the County adequate opportunity to participate in intensive resource-oriented outdoor recreation activities.
4. To provide sufficient outdoor recreation facilities to allow the resident population of the County adequate opportunity to participate in extensive land-based outdoor recreation activities.
5. To provide sufficient access areas to allow the resident population of the County adequate opportunities to participate in extensive water-based outdoor recreation activities on the major inland lakes and rivers which are consistent with enjoyable surface water use and the maintenance of adequate water quality.

6. To preserve sufficient high-quality open-space lands for protection of the underlying and sustaining natural resource base and enhancement of the social and economic well-being and environmental quality of the County.

   To provide for the efficient and economical satisfaction of outdoor recreation and related open space needs meeting all other objectives at the lowest possible cost.

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Beck Farmstead

Chapter 4: Inventory of Agricultural Resources and Trends

The sustainable use of agricultural resources is fundamental to achieving strong and stable economic development. Furthermore, agriculture is considered an essential aspect of community identity throughout Washington County. Information on the characteristics and location of agricultural resources in Washington County is needed to help properly locate future land uses. This chapter provides inventories on existing agricultural resources in Washington County and current agricultural trends. Additional relevant information regarding soil types, existing farmland, farming operations, topography and geology, water resources, and other environmental and cultural resources is available in Chapter 5 of *A Multi-Jurisdictional Comprehensive Plan for Washington County: 2050*. All these areas and aspects may be considered when determining which land should be preserved for agricultural use.

Summary – Chapter 4 Agricultural Trends

Chapter 4 provides an inventory of agricultural statistics and an analysis of these statistics for agricultural trends in Washington County. Several trends show a change in agriculture in Washington County such as a decrease in the number of acres in farmland and the number of farmers, and an increase in the size of farms, the average age of a farmer, and the number of farmers not reporting farming as their primary occupation. These Washington County agricultural trends follow similar State level and national agricultural trends.

Figure 4.1

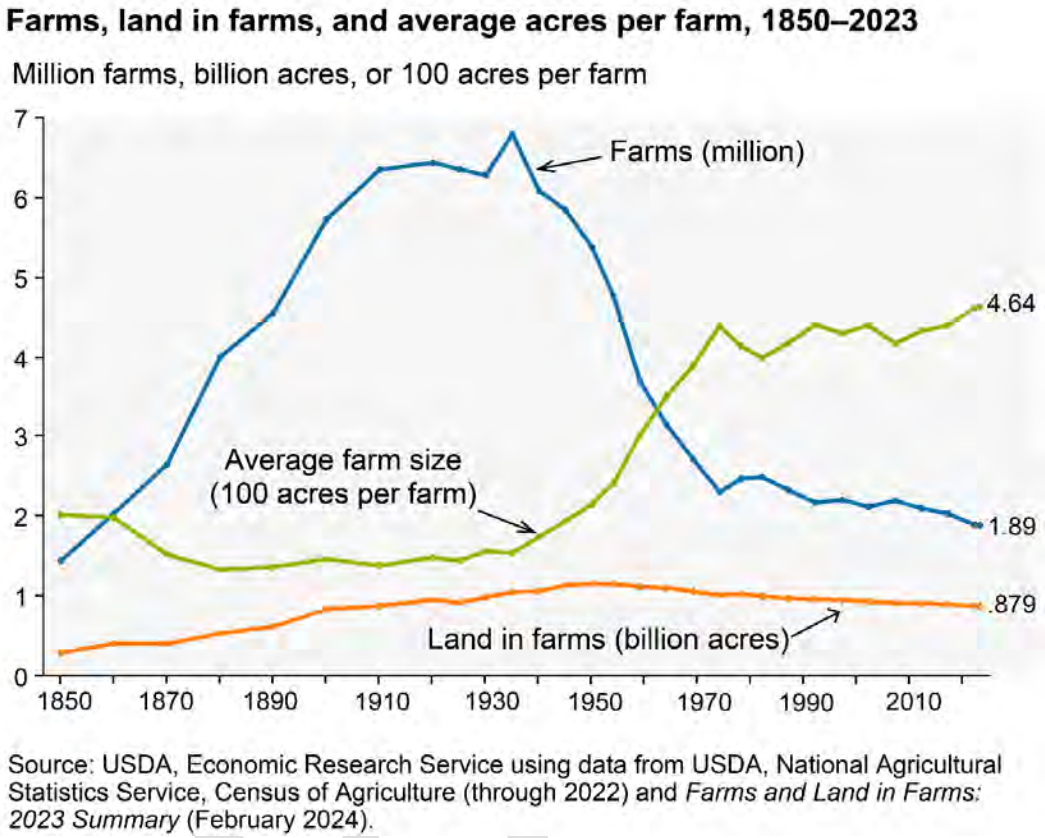

Figure 4.1 shows a USDA Economic Research Service (ERS)[5] nation level analysis of the number of farms, the size of farms, and the land in farms from 1850 to 2022. In the nation the number of farms peaked in 1938 at 6.8 million farms. After 1938 the number of farms experienced a sharp decline until the 1970s. Since 1982 the decline in the number of farms in the U.S. has slowed. In 2017 at the national level there were 2.04 million farms and as of 2023 there were 1.89 million farms. Additionally, the amount of land in agriculture has decreased from 900 million acres in 2017 to 879 million acres in 2023. The average size of farms has increased from an average 100 acres per farm in the 1940s to an average of 464 acres per farm in 2023. The USDA ERS attributes the decline in the number of farms to growing farm productivity and an increase in the number of off the farm employment opportunities.

UW-Extension reported in their 2022 WIndicator[6] article that in Wisconsin there was a decrease of 6,272 farms and the USDA National Agricultural Statistics Service (NASS) *Census of Agriculture* showed a decrease of 533,952 acres of agricultural land between 2017 and 2022. Although the number of farms and the number of agricultural lands has decreased, the Farm

[5] USDA ERS. "*The number of U.S. farms continues slow decline*". Web. 16 May 2024. (https://www.ers.usda.gov/data-products/chart-gallery/gallery/chart-detail/?chartId=58268)

[6] UW-Extension, WIndicator Volume 7, Issue 1: Wisconsin Farming: Insights from the 2022 Census of Agriculture. Web. 16 May 2024. (https://economicdevelopment.extension.wisc.edu/articles/windicators-volume-7-issue-1-wisconsin-farming-insights-from-the-2022-census-of-agriculture/).

Bureau[7] reported that farmers are using advancements in technology to increase crop and livestock productivity. The combination of technological advances and inflation has also led to increases in the value of agricultural products. Although there have been increases in the value of agricultural products, the Farm Bureau[8] reported that agricultural expenses are also increasing. Expenses are estimated to increase to $455 billion in 2024 from $438 billion in 2023 at the national level.

The USDA NASS[9] reported that the national average age of farmers increased from an average age of 53.2 in 2002 to an average age of 58.1 in 2022. UW-Extension's WIndicator article reported changes in the distribution of farmer ages in Wisconsin from 2017 to 2022. The WIndicator article reported increases in younger and older farmer age groups and decreases in middle-aged farmer age groups. In total Wisconsin farmers that are 75 and over increased by 22.4% and represent 10.8% of the total farmer population in the State. Farmers that are 34 years of age and younger experienced an increase of 1.6% while farmers between the ages of 45 to 54 decreased by 25.6% from 2017 to 2022. In Washington County 33.1% of farmers were 65 years of age or older in 2022, but the average age of a farmer decreased from 58.6 in 2017 to 57 in 2022.

UW-Extension also reported that over 58.1% of Wisconsin farmers indicated that farming was not their primary occupation. In 2022, 572 farmers out of 1065 farmers in Washington County did not report farming as their primary occupation. According to the USDA ERS[10] farmers and their spouses seek off-farm employment because they provide a stable income, health insurance, and retirement benefits.

According to a collection of sources (Farm Bureau, USDA, UW-Extension, and the National Young Farmer Coalition[11]), there are several barriers for young farmers to either start farming or take over the family farm. Young farmers struggle to find the financial resources and capital they need to start or expand their farm operation, find affordable agricultural land, find enough labor, pay off other debts (such as student loans), find other young farmers to communicate with and learn from, they need to access modern technologies, and they need to be able to access the internet to purchase farm products and sell their products.

Agricultural Land Use

In 2015, agricultural lands were identified by SEWRPC as part of the regional land use inventory conducted in conjunction with the regional planning program. The land use inventory identified croplands, pasture lands, orchards, nurseries, specialized farming, and non-residential farm

[7] Farm Bureau. "*Over 140,000 Farms Lost in 5 Years*". Web. 16 May 2024. (https://www.fb.org/market-intel/over-140-000-farms-lost-in-5-years).
[8] Farm Bureau. "*Net Farm Income in 2024 Forecast to Be Down 25% from Last Year*". Web. 16 May 2024. (https://www.fb.org/market-intel/net-farm-income-in-2024-forecast-to-be-down-25-from-last-year).
[9] USDA NASS. *2022 Census of Agriculture*. Complete data available at http://www.nass.usda.gov/AgCensus.
[10] USDA ERS, "*Family Farm Households Reap Benefits in Working Off the Farm*". Web. 20 May 2024. (https://www.ers.usda.gov/amber-waves/2020/march/family-farm-households-reap-benefits-in-working-off-the-farm/).
[11] National Young Farmer Coalition. "*The Young Farmer Agenda*". Web. 16 May 2024. (https://www.youngfarmers.org/resource/2022-young-farmer-agenda/)

buildings. Farm residences, together with a 20,000 square foot dwelling site, are classified as single-family residential land uses.

Based on the land use inventory, existing agricultural lands totaled 119,134 acres in 2015, representing almost 43 percent of the County in agricultural use. Agricultural land uses include lands used for agriculture, primarily cultivated lands and lands used for pasture, excluding the wetland and woodland portions of farm fields. Table 4.1 sets forth the number of acres occupied by farmland in each local government and the County in 2015.

Map 4.1 and Table 4.1 show the area devoted to farmland use in 2015, categorized as follows:

- Cultivated Lands, which includes lands used for the cultivation of crops including row crops, grain crops, vegetable crops, and hay.
- Pasture and Unused Agricultural Lands, which includes lands used as pasture, or lands which were formerly cultivated or used for pasture which have not yet succeeded to a wetland or woodland plant community.
- Orchards, Nurseries, and Specialty Crops, which includes lands used for orchards, nurseries, sod farms, and specialty crops such as mint, ginseng, and berry fields. Greenhouses are not included in this category but are shown as commercial on Map 4.1 the existing land use map.
- Farm Buildings, which includes barns, silos, and other buildings used to store farm equipment or supplies or house farm animals.

Dairy Cows

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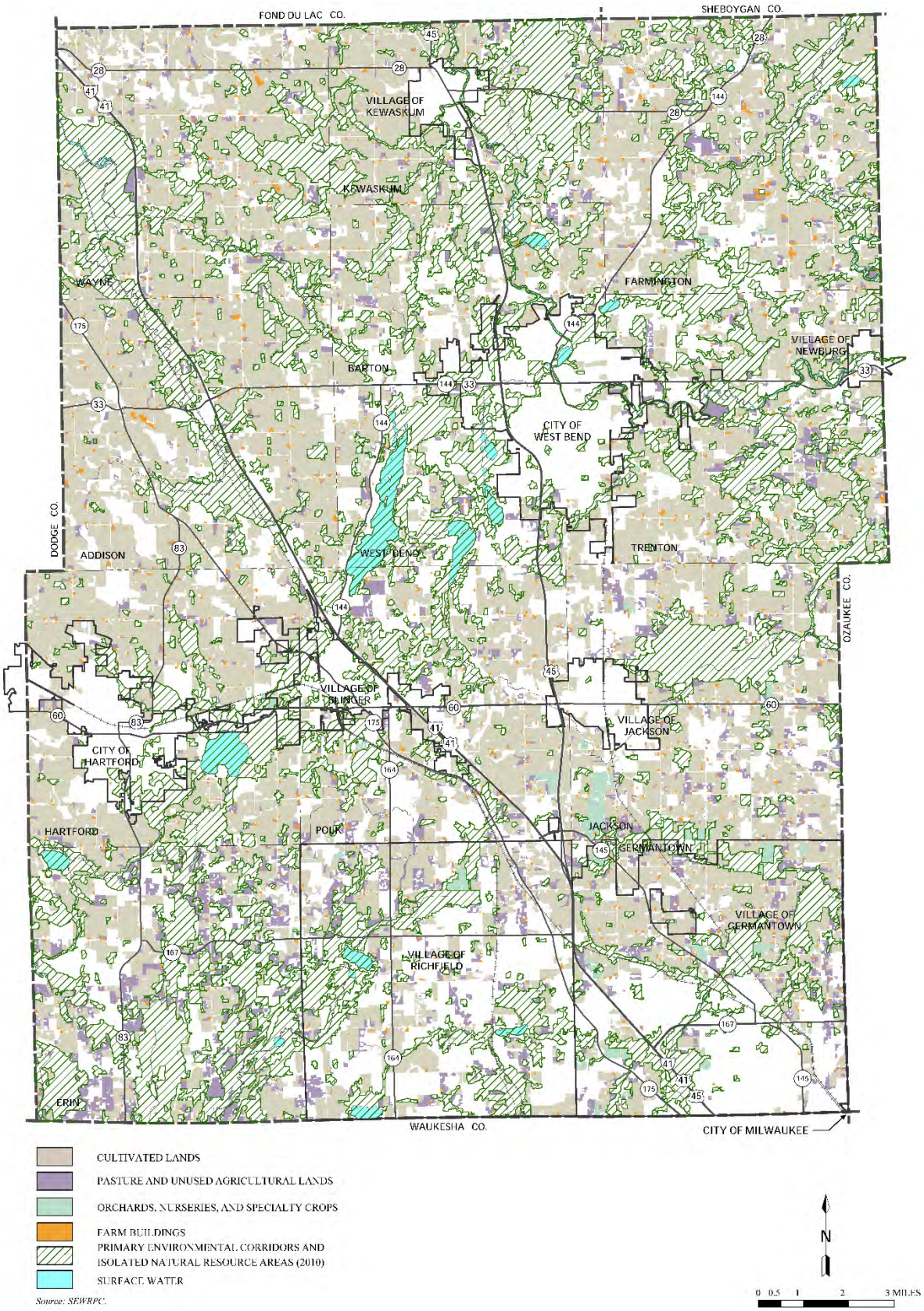
Table 4.1: Existing Agricultural Lands in Washington County Communities 2015

	Cultivated Lands		Pasture and Unused Agricultural Lands		Orchards, Nurseries, and Specialty Crops		Farm Buildings		
Local Government	**Acres**	**Percent of Total**	**Acres**	**Percent of Total**	**Acres**	**Percent of Total**	**Acres**	**Percent of Total**	**Total (acres)**
City of Hartford	331	92.8	20	5.7	-	-	5	1.5	356
City of West Bend	661	86	101	13.1	-	-	7	0.9	769
Village of Germantown	6,103	73.4	1,495	18	524	6.3	189	2.3	8,311
Village of Jackson	197	95.3	3	1.4	-	-	7	3.3	207
Village of Kewaskum	93	76.3	28	23.1	-	-	1	0.6	122
Village of Newburg	83	84.3	10	10.2	-	-	6	5.5	99
Village of Richfield	5,290	71.3	1,858	25	134	1.9	136	1.8	7,418
Village of Slinger	401	83.9	66	13.9	1	0	10	2.2	478
Town of Addison	13,077	93.4	612	4.4	-	-	312	2.2	14,001
Town of Barton	4,657	88.1	472	9	28	0.5	129	2.4	5,286
Town of Erin	5,088	59.5	3,279	38.3	41	0.5	147	1.7	8,555
Town of Farmington	10,796	88.5	1,013	8.3	59	0.5	331	2.7	12,199
Town of Germantown	523	82.5	100	15.7	-	-	11	1.8	634
Town of Hartford	9,600	92.4	542	5.2	33	0.3	216	2.1	10,391
Town of Jackson	8,859	79.1	1,550	13.8	489	4.4	302	2.7	11,200
Town of Kewaskum	5,521	88.4	574	9.2	10	0.2	139	2.2	6,244
Town of Polk	7,430	84.5	1,030	11.7	124	1.4	213	2.4	8,797
Town of Trenton	8,002	83.5	1,293	13.5	49	0.5	239	2.5	9,583
Town of Wayne	11,006	90.4	905	7.4	2	-	262	2.2	12,175
Town of West Bend	1,829	79.2	416	18	13	0.6	51	2.2	2,309
Washington County	**99,547**	**83.6**	**15,367**	**12.9**	**1,507**	**1.2**	**2,713**	**2.3**	**119,134**

Source: SEWRPC

Map 4.1
Existing Agricultural Lands and Environmental Corridors in Washington County: 2015



Source: SEWRPC.

Table 4.2: Existing Land Use in Washington County 2020

Land Use Category	Area (acres)	Percent of Total
Residential	32,381	11.6%
Commercial	1,965	0.7%
Industrial	2,305	0.8%
Transportation, Communication, and Utilities	17,187	6.2%
Governmental and Institutional	1,891	0.7%
Recreational	4,055	1.5%
Agricultural	116,548	41.8%
Wetlands	46,887	16.8%
Woodlands	26,665	9.6%
Surface Water	5,232	1.9%
Extractive	1,608	0.6%
Unused and Other Open Lands [a b c]	22,025	7.9%
Total	**278,749**	**100.0%**

[a] Unused and Other Open Lands includes unused lands in urban and rural areas.
[b] Unused and Other Open Lands in rural areas include lands that are not utilized for agricultural purposes and do not encompass wetlands, woodlands, or water.
[c] Unused and Other Open Lands in urban areas include lands that are not utilized for an identifiable use.
Source: SEWRPC

Existing Land Use

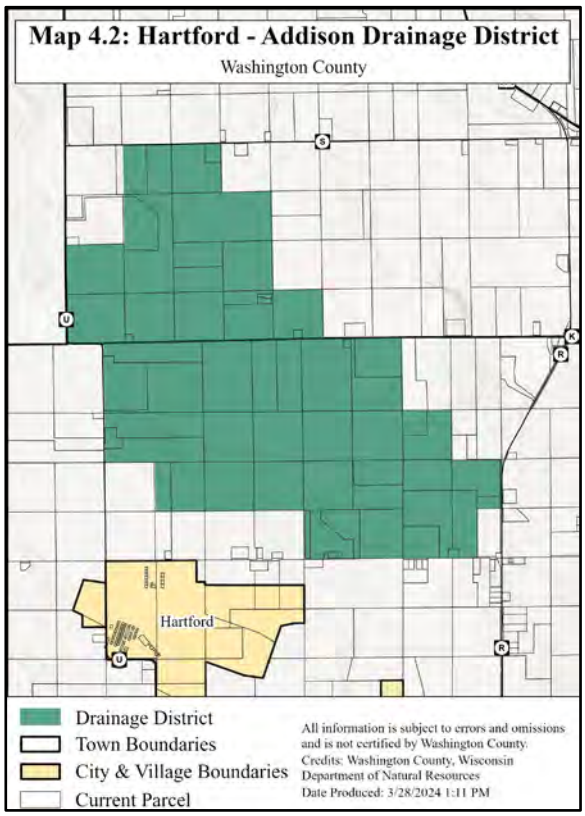
Table 4.2 shows the existing land uses by acreage in Washington County as of 2020. The land use inventory was conducted by SEWRPC and is an update from the existing land use inventory in the Washington County Comprehensive Plan.

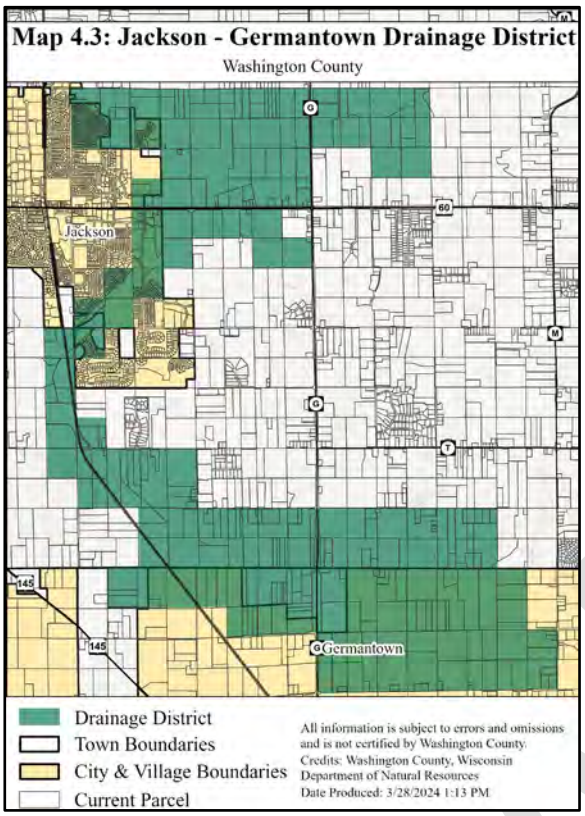
According to the inventory, the largest land use in Washington County is agricultural land use at 116,548 acres or 41.8% of the land uses in the County. Natural land uses of wetlands, woodlands, and surface waters make up the second largest group of land uses, while residential land uses make up the third largest urban land use. A significant portion of Washington County is considered unused and other open land uses which is a combination of vacant rural and urban lands.

Drainage Districts

Midwestern farmlands often become inundated with water; therefore, establishing proper drainage systems is a primary concern for farmers in Wisconsin. Farm drainage districts are special-purpose units and government authorized under Chapter 88 of the *Wisconsin Statutes*. The majority of the existing drainage districts in the State were formed to carry out area-wide drainage improvements to correct problems of high-water tables and poor drainage that interfere with agricultural uses and practices. Drainage systems also protect structures built below grade, such as basements and septic tanks, from periodic flooding. The drainage systems are paid for and maintained by the landowners within the drainage district. A drainage district may lie in more than one local government and may also cross county lines.

There are two active drainage districts in Washington County: the Hartford-Addison Drainage District located in the southern portion of the Town of Addison and the northern portion of the Town of





Hartford, and the Jackson-Germantown Drainage District located in the Town and Village of Jackson and northern portions of the Town and Village of Germantown. The Hartford-Addison District shown on Map 4.2, was established in 1918, and is governed by landowners in the district. The Jackson-Germantown District is shown on Map 4.3, was established around 1916, the district is still considered active by DATCP, but no activity, assessments, or maintenance have taken place in several decades.

Available Land Resources

Topography and Soils

Topography and soils are tied to agricultural productivity in a variety of ways. Slope steepness affects the velocity and erosive potential of runoff, placing moderate to severe limitations on urban development and agricultural activities. The operation of agricultural equipment on slopes can be difficult or hazardous while the cultivation of sloped lands can negatively impact surface water quality through related erosion and sedimentation. A soil survey can play an important role in land use decisions. For example, by identifying saturated or wet soils, which can restrict or prevent the use of land for crops, surveys may help to determine which areas of the County are suitable for agricultural use.

Agricultural Soil Capability

The NRCS has classified the agricultural capability of soils based on their general suitability for most kinds of farming. These groupings are based on the limitations of soils, the risk of damage when used, and the way in which the soils respond to treatment. Generally, lands with Class I and II soils are considered “National Prime Farmlands” and lands with Class III soils are considered “Farmlands of Statewide Significance.” Class I soils have few limitations, the widest range of use, and the least risk of damage when used. The soils in the other classes have progressively greater natural limitations. Class II soils have some limitations that reduce the choice of plants that can be grown or require moderate conservation practices to reduce the risk of damage when used. Class III soils have severe limitations that reduce the choice of plants, require special conservation practices, or both, and Class IV soils have very severe limitations. Class V, VI, and VII soils are considered suitable for pasture but not for crops, and Class VIII soils are rough, shallow, or otherwise limited so that they do not produce economically worthwhile yields of crops, forage, or wood products. The location and amount of Class I, II, and III soils can be found on Map 5.4 and

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Table 5.3 in Washington County's Comprehensive Plan. The location and amount of Class I, II, and III soils, as set forth in Map 5.4 and Table 5.3 in Washington County's Comprehensive Plan.

Land Evaluation and Site Assessment Analysis (LESA)

Pumpkin and Gourd Field

During development of the 2035 Washington County's Comprehensive Plan in 2007, the Agricultural, Natural, and Cultural Resources (ANCR) Workgroup formed a subcommittee to develop a Land Evaluation and Site Assessment (LESA) analysis to determine parcels in Washington County that are most suitable for long-term agricultural use. The results of the 2007 analysis are intended for Washington County and local government use to help identify areas that should be designated for farmland protection. The results of the 2007 LESA analysis can be found on Table 4.3 below.

A LESA analysis is an analytical tool designed to provide a systematic and objective procedure for rating and ranking the agricultural importance of a parcel. LESA is a numeric system for rating potential farmland preservation areas by evaluating soil quality (LE or land evaluation) and geographic variables (SA or site assessment). The first step in the analysis was to identify parcels to be analyzed. Parcels within an adopted sewer service area and parcels with less than two percent of the parcel in agricultural use were excluded from the analysis.

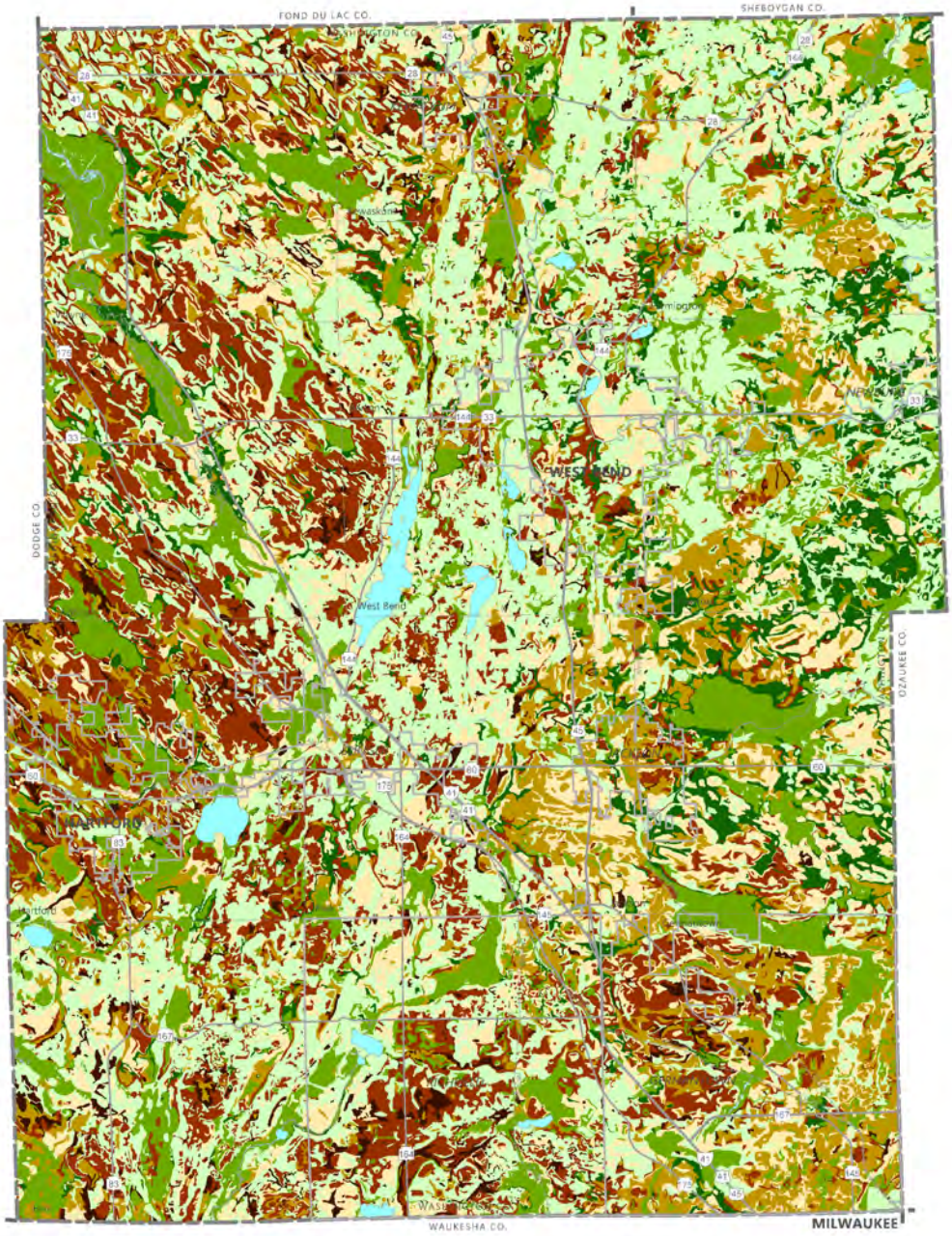
During 2023-2024 update to the Washington County Farmland Preservation Plan a second LESA analysis was completed to analyze the change in LE and SA factors from 2007 to 2023 and to update the Farmland Preservation Areas. Since the certification of the Farmland Preservation Plan in 2013 the NRCS has revised and updated the LE values downward from the values used in the 2007 LESA analysis. This has led to an overall decrease in the number of Tier I farmland and an increase in the number of Tier II farmland identified in the analysis.

Land Evaluation Component

The land evaluation component of the LESA rating system was determined by the NRCS, which rated each soil in Wisconsin based on soil type, slope, agricultural capability class, and soil productivity for producing corn and soybeans. The resulting ratings were then placed into groups ranging from the best to the worst suited for cropland production, with the best soil group assigned a value of 100. Since the previous LESA analysis in 2007, the NRCS revised the LE values which led to a decrease in their value.

Soil LE values were "normalized" for Washington County, so that each soil is rated in relative value to other soils in the County, rather than to soils in the State. Map 4.4 depicts the land evaluation ratings for agricultural soils in Washington County. Acres within each range in each local government are listed in Table 4.4.

Map 4.4
Land Evaluation Ratings by Soil Type in Washington County



Land Evaluation Rating

95 - 100	70 - 79.9
90 -94.9	60 - 69.9
85 - 89.9	Less than 60
80 -84.9	Surface Water

Note: Higher ratings are associated with greater soil productivity for corn and soybeans

N

0 1 2 3 Miles

Source: USDA Natural Resources Conservation Service, Washington County, and SEWRPC
Last Updated: May 2023

Table 4.3: LESA Results for Washington County Communities: 2007

Community	Tier I Farmland			Tier II Farmland			Totals [a]		
	No. of Parcels	Total Acres [b]	Acres in Agricultural Use [c]	No. of Parcels	Total Acres [b]	Acres in Agricultural Use [c]	No. of Parcels	Total Acres [b]	Acres in Agricultural Use [c]
Towns									
Addison	618	15,714	13,514	185	2,617	1,487	803	18,331	15,001
Barton	185	4,501	3,616	236	3,724	2,279	421	8,225	5,895
Erin	497	10,379	7,095	293	3,903	1,762	790	14,282	8,857
Farmington	515	12,813	10,427	353	5,726	3,107	868	18,538	13,534
Germantown	43	774	638	11	91	43	54	865	684
Hartford	294	7,924	6,933	106	1,796	1,160	400	9,720	8,093
Jackson	629	12,286	10,055	194	2,702	1,433	823	14,988	11,488
Kewaskum	262	7,121	5,433	117	2,037	966	379	9,157	6,399
Polk	348	7,361	6,167	363	5,058	2,855	711	12,419	9,023
Richfield	317	6,348	5,229	344	4,419	2,495	661	10,767	7,724
Trenton	273	7,537	5,813	252	4,755	2,696	525	12,292	8,509
Wayne	682	15,615	12,293	142	2,107	1,022	824	17,722	13,315
West Bend	98	1,685	1,394	122	1,752	859	220	3,437	2,253
Village of Germantown	360	7,371	5,932	201	2,946	1,627	561	10,317	7,560
Total [d]	5,183	117,632	94,709	2,964	43,724	23,865	8,147	161,355	118,574

[a] Total number of parcels and acres included in LESA analysis.
[b] Total number of acres included in LESA analysis. Includes all parcels outside planned sewer service areas with at least 2 percent of the parcel in agricultural use.
[c] Number of acres in agricultural use within parcels included in the LESA analysis. Lands occupied by woodlands, wetlands, surface waters, and other areas that were not used for agricultural purposes are not included. Farmhouses and farm buildings on parcels 20 acres or more were considered agricultural uses and are included in the acres of agricultural use.
[d] Total includes 147 parcels located in the City of Hartford and Village of Slinger that are not included in the table. These 147 parcels encompassed 294 acres, of which 239 were in agricultural use.
Source: Washington County and SEWRPC

Table 4.4: LESA Results for Washington County Communities: 2023

Community	Tier I Farmland			Tier II Farmland			Totals [a]		
	No. of Parcels	Total Acres [b]	Acres in Agricultural Use [c]	No. of Parcels	Total Acres [b]	Acres in Agricultural Use [c]	No. of Parcels	Total Acres [b]	Acres in Agricultural Use [c]
Towns									
Addison	528	13,514	11,863	255	3,994	2,012	783	17,508	13,875
Barton	128	3,181	2,657	267	4,546	2,197	395	7,727	4,854
Erin	407	7,045	5,345	487	7,124	3,017	894	14,169	8,362
Farmington	404	9,601	7,805	487	8,436	4,468	891	18,037	12,273
Germantown	29	475	408	34	406	229	63	881	637
Hartford	220	5,322	4,809	184	4,144	2,798	404	9,466	7,607
Jackson	347	6,962	6,009	533	7,347	4,491	880	14,309	10,500
Kewaskum	192	4,665	3,816	202	3,801	1,879	394	8,466	5,695
Polk	279	4,960	4,100	506	6,548	4,003	785	11,508	8,103
Trenton	226	5,892	4,668	370	6,509	3,075	596	12,401	7,743
Wayne	512	10,995	9,239	353	5,822	2,705	865	16,817	11,944
West Bend	64	1,273	1,040	128	1,731	746	192	3,004	1,786
Cities									
Hartford	8	202	129	1	10	10	9	212	139
Villages									
Germantown	202	3,882	3,393	389	5,772	3,279	591	9,654	6,672
Jackson	-	-	-	14	93	3,071	14	93	3,071
Richfield	252	4,367	3,671	421	5,500	24	673	9,867	3,695
Slinger	-	-	-	19	125	81	19	125	81
Total	3,798	82,336	68,952	4,650	71,908	38,085	8,448	154,244	107,037

[a] Total number of parcels and acres included in LESA analysis.
[b] Total number of acres included in LESA analysis. Includes all parcels outside planned sewer service areas with at least 2 percent of the parcel in agricultural use.
[c] Number of acres in agricultural use within parcels included in the LESA analysis. Lands occupied by woodlands, wetlands, surface waters, and other areas that were not used for agricultural purposes are not included. Farmhouses and farm buildings on parcels 20 acres or more were considered agricultural uses and are included in the acres of agricultural use.

Source: Washington County and SEWRPC

Site Assessment Component

The Site Assessment component rates non-soil factors affecting a parcel's relative importance for agricultural use and is separated into three classifications. The LESA subcommittee selected the following nine SA factors to be used in the Washington County LESA analysis:

SA-1 Factors (agricultural productivity)

- Size of farm in contiguous management by one farm operator
- Compatibility of surrounding land uses within one-half mile
- Percent of farm in agricultural use

SA-2 Factors (development pressures impacting a site's continued agricultural use)

- Distance from adopted sewer service area
- Distance from selected hamlets
- Distance from interchanges along USH 41 and 45

SA-3 Factors (other public values of a site supporting retention in agriculture)

- Primary environmental corridors, isolated natural resource areas, natural areas, or critical species habitat outside environmental corridor areas present on farm
- Floodplains present on farm
- Proximity to permanently protected land 20 acres or more in size

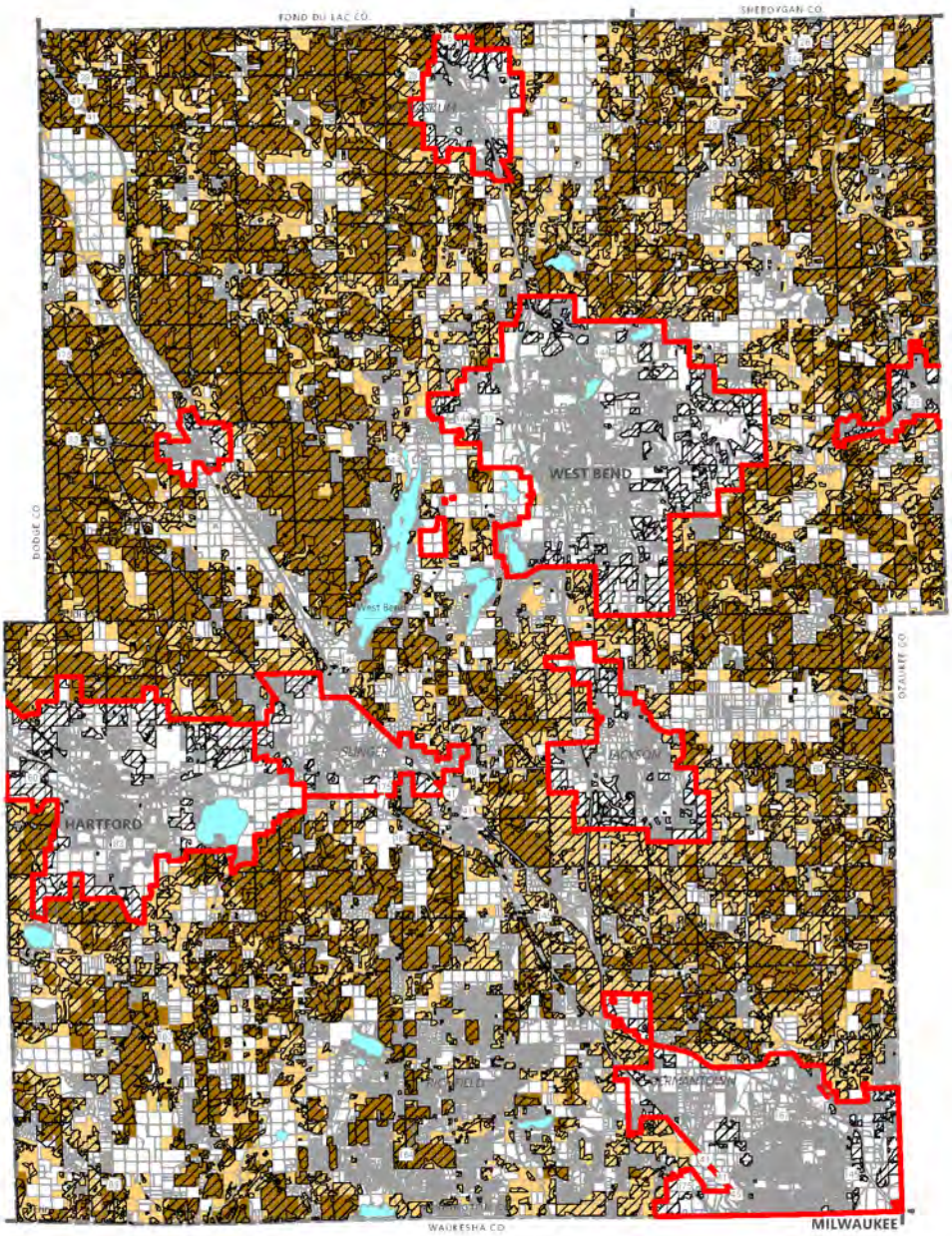
Parcel Scoring

The LESA system recognizes that some of the factors used to rank agricultural parcels are more important than others. To account for this, the LESA subcommittee assigned the LE component a weight of 0.34, or about one-third of the total weight. The remaining 0.66 weighting "points" were divided among the nine SA factors, with the first two SA-3 factors given the lowest weight (0.01) and the other factors weighted between 0.05 and 0.13. Each parcel analyzed was scored on a scale of 1 to 10, with 10 being the best score. The average score of the parcels analyzed was 7.0, and the median score was 6.8 (half of all parcels received a higher score and half received a lower score than 6.8). The LESA subcommittee defined lands scoring 6.8 or higher as Tier I farmlands, which are the best suited for long-term protection. Lands scoring below 6.8 were defined as Tier II farmlands, which are areas that should be considered for long-term protection by County and local officials on a case-by-case basis. The subcommittee agreed that setting the benchmark at 6.8 left adequate amounts of acreage for development in the next 30 years, yet also protected a suitable amount of land for future agricultural production. The results of the LESA analysis are shown on Map 4.5 and the acreages of Tier I and Tier II farmlands are as follows:

- 82,337 acres, or approximately 30 percent of the County, were designated as Tier I farmlands, scoring 6.8 or higher. Of this, 68,951 acres are in agricultural use.
- 71,911 acres, or approximately 26 percent of the County, were designated as Tier II farmlands, scoring less than 6.8. Of this, 38,085 acres are in agricultural use.

The ANCR Workgroup recommended that each municipality use the final LESA map as a guide to help identify farmland protection areas that best reflect their local agricultural resource goals.

Map 4.5
Farmland Protection Areas in Washington County Identified Through the LESA Analysis: 2023



Tier I Farmlands
Agricultural land identified as best suited for long-term farmland protection for consideration by county and local officials

Tier II Farmlands
Agricultural lands which should be considered for long-term farmland protection by county and local officials on a case-by-case basis

Agricultural Lands: 2015

Parcel Boundaries

Sewer Service Area
(Agricultural Lands within Sewer Service Areas were not Included in the LESA Analysis)

Note: LESA (Land Evaluation and Site Assessment) is a system used by the USDA - Natural Resources Conservation Service as a way to determine the importance of a parcel for continued agricultural use. The system combines soil quality factors with non-soil factors relating to farming practices, development pressure, and factors measuring other public values (such as environmental resources). Factors included in the analysis were selected and weighted by the LESA subcommittee of the Washington County Comprehensive Planning Agricultural, Natural, and Cultural Resources Work Group.

N

0 1 2 3 Miles

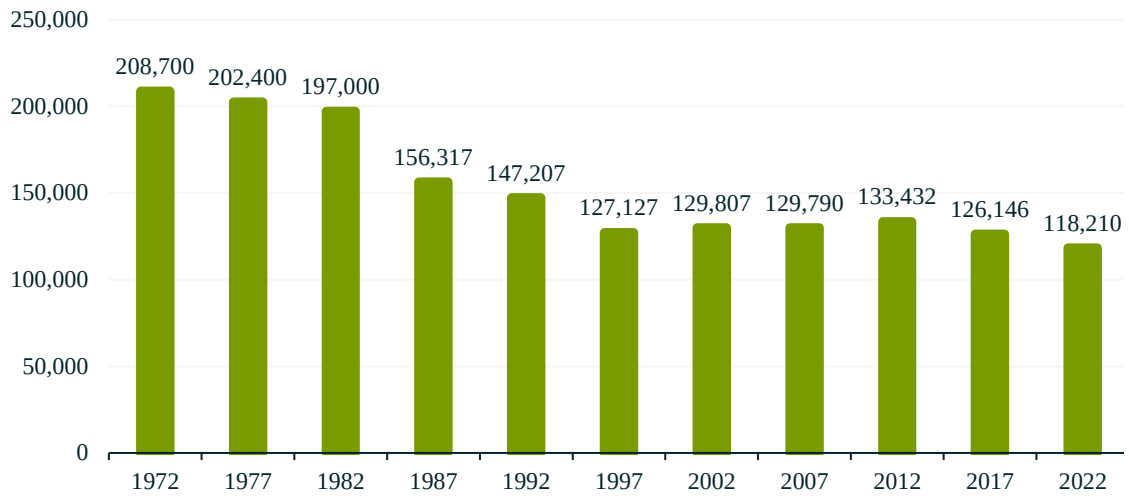
Source: Washington County and SEWRPC
Last Updated: May 2023

Agricultural Trends

Agricultural Land Use

Graph 4.1 shows the total number of acres of farmland in Washington County from 1972 to 2022. The graph shows that there has been an overall decline in the number of farmland acres since 1972 with the largest decline in farmland taking place between the years of 1982 and 1987 with 40,683 acres of farmland converted to other land uses. Since 1997 farmland in Washington County has continued to experience a decline. From 2017 to 2022 the total number of acres in farmland declined by 7,936 acres in just five years.

Graph 4.1: Acres of Farmland in Washington County 1972 to 2022



Source: USDA Census of Agriculture

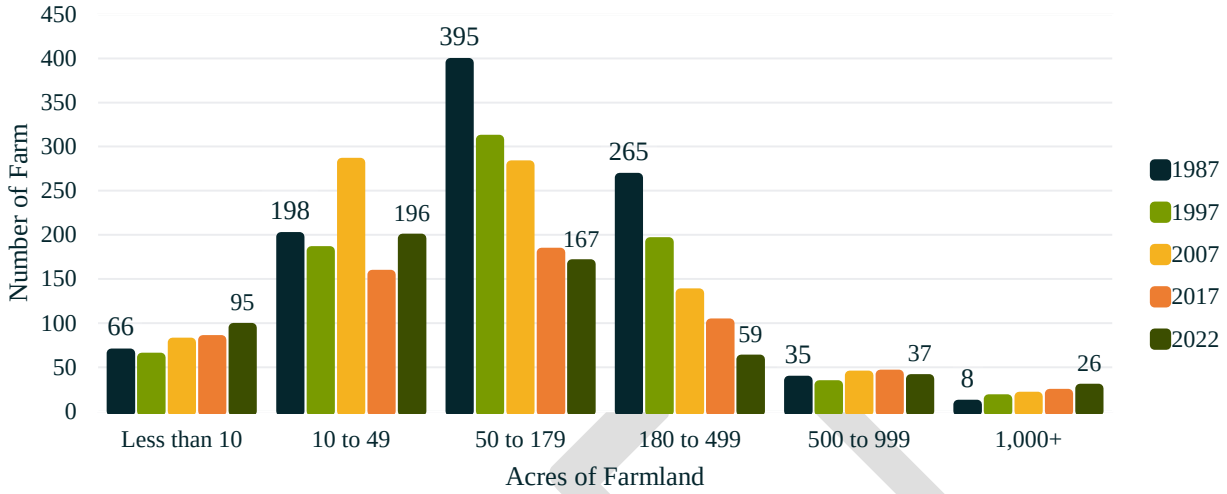
Farm Size

Graph 4.2 shows the change in the size of farms in Washington County from 1987 to 2022. During this period, the number of farms between 50 to 499 acres in size declined while farms less than 49 acres and above 500 acres in size increased. Overall, farm size in Washington County is trending towards a decrease in the number of medium size farms (50 to 499 acres) and an increase the number of small (1 to 49 acres) and large farms (500 to 1,000+ acres).

The USDA defines a farm as "any place that produced and sold – or normally would have produced and sold – at least $1,000 of agricultural products during a given year."

Agricultural Drone

Graph 4.2: Farm Size in Washington County 1987 to 2022

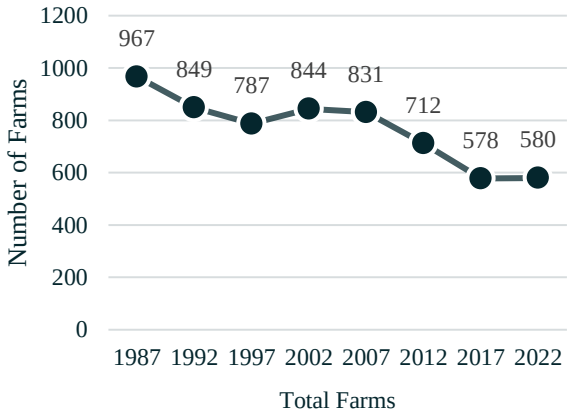


Source: USDA Census of Agriculture

Total Number of Farms

Graph 4.3 shows the total number of farms within Washington County from 1987 to 2022. The graph shows that since 1987 the number of farms in Washington County has declined from 967 to 580 in 2022, a decline of 387 farms.

Graph 4.3: Total Farms from 1987 to 2022



Source: USDA Census of Agriculture

Farm Field in the Town of Wayne

Conversion of Agricultural Land

Table 4.5 below shows land use trends in the County from 2010 to 2020. During the ten-year time period, land in agricultural uses declined by 13,386 acres, or about 10.3%. Agricultural land use was the only natural resource land use to decrease in acreage.

Table 4.5: Land Use Change in Washington County: 2010 to 2020

Land Uses	Area (acres) 2010	Area (acres) 2020	Change in Area 2010 to 2020 Number	Change in Area 2010 to 2020 Percent (%)
Residential	30,092	32,381	2,289	7.6%
Commercial	1,749	1,965	216	12.4%
Industrial	1,864	2,305	441	23.7%
Transportation, Communication, and Utilities	16,815	17,187	372	2.2%
Governmental and Institutional	1,757	1,891	134	7.6%
Recreational	4,134	4,055	-79	-1.9%
Agricultural	129,934	116,548	-13,386	-10.3%
Wetlands	46,528	46,887	359	0.8%
Woodlands	24,053	26,665	2,612	10.9%
Surface Water	5,143	5,232	89	1.7%
Extractive	1,452	1,608	156	10.7%
Unused and Other Open Lands [a b c]	16,688	22,025	5,337	32.0%
Total	**278,757**	**278,749**	--	--

[a] Unused and Other Open Lands includes unused lands in urban and rural areas.
[b] Unused and Other Open Lands in rural areas include lands that are not utilized for agricultural purposes and do not encompass wetlands, woodlands, or water.
[c] Unused and Other Open Lands in urban areas include lands that are not utilized for an identifiable use.
Source: SEWRPC

Three land uses grew the most from 2010 to 2020 which includes unused and other open land (5,337 acres), woodlands (2,612 acres), and residential (2,289 acres). Unused and open lands represent several potential land uses such as undeveloped portions of commercial and industrial sites, underutilized urban sites, platted lands that have not been developed yet, and rural areas that do not fit into the woodland or wetland land use categories. The increase in unused and other open lands occurred because some public open space land which had originally been classified as agricultural pastureland was reclassified to unused open land. Residential land use represents the largest development-oriented land use that increased from 30,092 in 2010 to 32,381 acres in 2020.

Land Sales

Table 4.6 shows the average dollars per acre for agricultural land being sold for other uses (such as residential or commercial) in Washington, Dodge, Fond Du Lac, Ozaukee, and Waukesha County, and at the State level. In 2017 Washington County experienced high average dollars per acre for agricultural land being diverted to other uses at $20,459 per acre. In 2020 the average dollars per acre decreased to $12,331 per acre in Washington County and then saw an increase to $18,731 per acre in 2021.

Table 4.6: Agricultural Land Sales: Average Dollars Per Acre for Agricultural Land Being Diverted to Other Uses

County & State	2017	2018	2019	2020	2021	2022
Dodge	-*	$23,000	-*	$12,359	-*	$7,353
Fond Du Lac	$5,942	-*	$6,600	$12,121	$7,550	$8,954
Ozaukee	-*	$16,000	-*	$10,200	$18,154	$15,495
Washington	**$20,459**	**-***	**-***	**$12,331**	**$14,145**	**$18,731**
Waukesha	$10,300	$25,016	$2,600	$19,297	$42,370	$18,616
Wisconsin	$10,794	$13,820	$5,942	$12,458	$32,158	$24,485

* - Not Reported
Source: USDA Annual Agricultural Statistic Bulletin

Rent Price

Table 4.7 shows the average rent prices per acre of non-irrigated cropland in Washington, Dodge, Fond Du Lac, Ozaukee, and Waukesha County, and at the State level. Since 2017 the average rent price for non-irrigated cropland increased from $108 in 2017 to $130 in 2022.

Table 4.7: Average Non-Irrigated Cropland Cash Rent

County & State	2017	2018	2019	2020	2021	2022	2023
Dodge	$199	-*	$189	$173	$163	-*	-*
Fond Du Lac	$173	-*	$154	$156	$165	$163	$177
Ozaukee	-*	-*	-*	-*	$113	$111	$123
Washington	**$108**	**-***	**$112**	**$119**	**$119**	**$135**	**$130**
Waukesha	$128	-*	$118	$136	$127	$137	$151
Wisconsin	$131	-*	$137	$138	$133	$145	$145

* - Not Reported
Source: USDA Annual Agricultural Statistic Bulletin

Livestock Inventory

Table 4.8 inventories different types of livestock by the number of farms producing them and provides the total number of animals per livestock type for Washington County from 2007 to 2022. Overall, the number of livestock farms decreased from 2007 to 2022, except for poultry farms which increased from 2017 to 2022 after decreasing for a 10-year period (2007 to 2017). Although milk cow farms decreased from 104 in 2007 to 63 in 2022 the number of milk cows increased from 14,772 milk cows in 2007 to 15,622 milk cows in 2022. The three largest increases in animals came from milk cows (850), broilers and other meat-type chickens (478), and turkeys (142).

In Washington County cattle, hog and pig, sheep and lamb, and goat farms decreased from 2007 to 2022. Other cattle farms saw the largest decline in both the number of farms and animals with a loss of 91 farms and 1,323 animals from 2007 to 2022. Additionally, hog and pigs farms saw the second largest decline in animals at a loss of 864 animals and is followed by pullets for laying flock replacement with a loss of 300 animals between 2007 and 2022.

Table 4.8: Livestock Inventory (Farms & Animals) Washington County

	Number of Farms					Number of Animals				
Livestock	2007	2012	2017	2022	Change 2007 to 2022	2007	2012	2017	2022	Change 2007 to 2022
Beef cows	105	74	72	73	-32	1,296	946	1,218	1,112	-184
Milk cows	104	105	87	63	-41	14,772	14,493	15,290	15,622	850
Other cattle	258	228	204	167	-91	19,161	26,918	28,672	17,838	-1,323
Hogs and pigs	43	19	21	16	-27	1,069	355	165	205	-864
Sheep and Lambs	31	26	31	22	-9	578	305	532	580	2
Goats	32	31	10	25	-7	198	232	53	202	4
Layers	79	69	63	111	32	2,961	-*	-*	-*	-
Pullets for laying flock replacement	7	6	10	14	7	590	212	148	290	-300
Broilers and other meat-type chickens	20	11	15	22	2	1,240	367	636	1,718	478
Turkeys	19	3	7	21	2	99	12	72	241	142
Ducks, geese, and other miscellaneous poultry	48	12	32	52	4	-*	-*	-*	-*	-

Other Cattle: Includes heifers that had not calved, steers, calves, and bulls
-* = Not reported
Source: USDA Census of Agriculture

Soybeans

Crop Inventory

Table 4.9 inventories the types of crops produced by the number of farms producing them and by the total acreage per crop. Overall, between 2007 and 2022 Washington County experienced decreases in both the number of farms and the number of acres per crop type, except for the number of vegetable and floriculture farms, and the number of acres being dedicated to soybean production. The decline in the number of farms shown in Table 4.8 tracts with the overall trend shown in Graph 4.3 of the total number of farms in Washington County declining from 967 to 580 from 2007 to 2022.

The most common crop produced was corn for grain or silage from 2007 to 2022 with a total of 32,955 acres producing corn in 2022. The second most common crop was soybeans at 26,014 acres in 2022 which was followed by forage at 18,728 acres in 2022.

Table 4.9: Crop Inventory Washington County

Crop	Number of Farms 2007	2012	2017	2022	Change 2007 to 2022	Acres 2007	2012	2017	2022	Change 2007 to 2022
Corn for grain	307	286	243	215	-92	31,356	27,087	29,667	26,273	-5,083
Corn for silage or green chop	140	142	117	49	-91	6,815	14,929	10,858	6,682	-133
Wheat	140	131	109	93	-47	5,643	6,114	5,211	4,886	-757
Oats	151	117	74	28	-123	2,904	3,104	1,970	1,399	-1,505
Barley	26	25	10	5	-21	526	439	166	34	-492
Soybeans	224	244	230	207	-17	21,540	22,286	28,089	26,014	4,474
Forage	423	389	318	288	-135	25,524	26,599	26,185	18,728	-6,796
Vegetables	66	37	45	93	27	1,874	1,697	1,488	698	-1,176
Nursery Crops	27	21	8	9	-18	685	773	479	677	-8
Floriculture Crops	21	25	19	29	8	75	64	65	47	-28
					Total Acres	**96,942**	**103,092**	**104,178**	**85,438**	**-11,504**

Source: USDA Census of Agriculture

Agricultural Production and Revenue

Market Value of Agricultural Products Sold

Table 4.10 shows the market value of agricultural products sold (including direct sales) in Washington County in 2012 and 2017 and is listed by commodity and broken down by number of farms and total sales revenue. General commodity groups are described in the following section. Sales of agricultural products in Washington County totaled $157,444,000 in 2017 and $184,637,000 in 2022, an increase of $27,193,000. The paragraphs below summarize the market value for several agricultural products in Washington County.

Table 4.10: Market Value of Products Sold

Commodity or Commodity Group	2017 Farms	2017 Sales (in thousands)	2022 Farms	2022 Sales (in thousands)
Crops, including nursery and greenhouse crops	443	68,307	422	70,855
Grains, oilseeds, dry beans, and dry peas	308	29,207	255	44,233
Corn	255	15,625	217	25,057
Wheat	109	1,439	93	2,852
Soybeans	230	11,750	207	15,639
Sorghum	0	0	0	0
Barley	10	28	5	15
Vegetables, melons, potatoes, and sweet potatoes	46	D	63	4,840
Fruits, tree nuts, and berries	20	957	18	988
Fruits and tree nuts	16	282	15	484
Berries	12	678	7	504
Nursery, greenhouse, floriculture, and sod	28	31,285	41	16,663
Cultivated Christmas trees	4	D	3	79
Other crops and hay	201	3,570	166	4,051
Maple syrup	7	3	14	2
Livestock, poultry, and their products	293	89,137	270	113,782
Poultry and eggs	57	D	99	D
Cattle and Calves	213	23,820	155	16,234
Milk from cows	85	62,906	62	89,700
Hogs and pigs	24	111	29	89
Sheep, goats, wool, mohair, and milk	18	D	20	145
Horse, ponies, mules, burros, and donkeys	8	29	13	D
Aquaculture	3	D	4	27
Total Sales (Crops and Livestock)		**157,444**		**184,637**

Source: USDA Census of Agriculture

Crops

In 2022, 422 of Washington County's 580 farms (73 percent) produced crops (including nursery and greenhouse products). In total crop sales generated $70,855,000 in Washington County averaging $122,163 per farm.

Nursery, Greenhouse, Floriculture, and Sod Products

Nursery, greenhouse, floriculture, or sod products generated $16,663,000 in 2022 which was a decrease from $31,285,000 in 2017. On average, farms that grew nursery, greenhouse, floriculture, or sod product generated $406,414 per farm in 2022.

Corn

Corn generated the most crop revenue in Washington County in 2022. In total corn generated $25,057,000 or 35 percent of all revenue generated from crops, including nursery and greenhouse crops in 2022. On average, farms that grew corn generated $98,262 per farm.

Soybeans

Another high valued crop product was soybeans which generated a total of $15,639,000 or 22 percent of all revenue generated from grain, oilseed, dry bean, and dry pea products in 2022. On average, farms that grew soybeans generated $67,995 per farm.

Livestock, Poultry, and their Products

In 2022, 270 of Washington County's 580 farms (47 percent) produced livestock. In total livestock sales generated $113,782,000 in Washington County averaging $421,414 per farm.

Milk and other Dairy Products

Milk and other dairy products from cows generated the most livestock revenue Washington County in 2022. In total milk and other dairy products from cows generated $89,700,000 or nearly 79 percent of all revenue generated from livestock, poultry, and their products in 2022. On average, dairy farms generated $1,446,774 per farm.

In southeastern Wisconsin, Washington County is one of the regional leaders in the dairy industry, along with Walworth and Ozaukee Counties. Table 4.11 shows that Washington County had the highest number of dairy farms (62), the second highest dairy sales ($89,700,000) in the region in 2022, and was second in dairy sales as a percentage of total farm sales (48.6%).

Table 4.11: Market Value of Milk from Cows Sold in Southeastern Wisconsin Counties 2022

County	Number of Farms	Dairy Sales (in thousands)	Average Dairy Sales per Farm (in thousands)	Total Sales of Agricultural Products (in thousands)	Dairy Sales as Percentage of Total Sales
Kenosha	15	$18,345	1,223	$70,678	26.0%
Milwaukee	0	0	0	$6,547	0.0%
Ozaukee	28	$48,596	1,736	$86,672	56.1%
Racine	16	$15,702	981	$110,742	14.2%
Walworth	44	$102,822	2,337	$272,519	37.7%
Washington	**62**	**$89,700**	**1,447**	**$184,637**	**48.6%**
Waukesha	14	$9,320	666	$62,020	15.0%

Source: USDA Census of Agriculture

Total Value of Sales by Farm

Table 4.12 shows the total value of sales[12] for farms in Washington County and Wisconsin in 2022. Overall, percentages of farms sales in Washington County were similar to farms Statewide. The percentage of farms with sales valuing below $4,999 and farms with sales valuing at $100,000 or more were similar at both the Washington County and the

Table 4.12: Farms in Washington County and Wisconsin by Value of Sales 2022

	Washington County		Wisconsin	
Value of Sales	**Number**	**Percent**	**Number**	**Percent**
Less than $2,500	157	27.1%	16,916	28.9%
$2,500 to $4,999	43	7.4%	4,139	7.1%
$5,000 to $9,999	41	7.1%	5,182	8.9%
$10,000 to $24,999	55	9.5%	6,658	11.4%
$25,000 to $49,999	67	11.6%	4,957	8.5%
$50,000 to $99,999	64	11.0%	4,894	8.4%
$100,000 or more	153	26.4%	15,775	27.0%
Total	580	100	58,521	100

Source: USDA Census of Agriculture

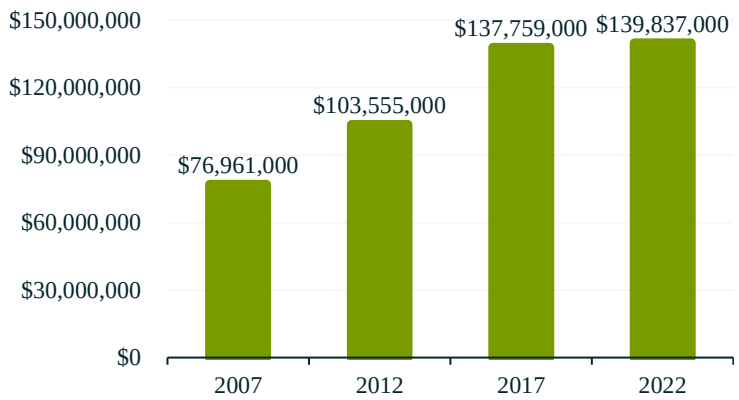
[12] *The total value of sales is equal to the gross market value before taxes and production expenses for all agricultural products sold.*

Statewide levels. For farms with sales valuing between $5,000 and $24,999 Washington County had lower percentages of those farms when compared to the Statewide level. Washington County had higher percentages of farms with sales valuing between $25,000 and $99,999 than at the Statewide level.

Farm Expenses

Farm expenses are the costs required for farmers to operate their farm, these expenses include, but are not limited to feed and medical services for livestock, fertilizer, farm labor, seed, taxes, rent, and equipment. Graph 4.4 shows that from 2007 to 2022 farm expenses grew from $76,961,000 to $139,837,000 in Washington County, which is an increase of $62,876,000. Between 2017 and 2022 the amount of expenses grew but at a slower rate than experienced between 2007 and 2017.

Graph 4.4: Total Farm Expenses in Washington County



Source: USDA Census of Agriculture

Table 4.13 ranks the different farm related expenditures for the entirety of Wisconsin in 2021. These numbers show that the top five expedentidures in the state were for:

1. Feed
2. Farm services
3. Labor
4. Fertilizer, lime, and soil conditioners
5. Farm supplies and repairs

Treaded Tractor

Table 4.13: 2021 Wisconsin Farm Expenses

Expenditure Item	In $ Millions	Percent
Feed	2,240	19.2%
Farm services	1,580	13.6%
Labor	1,020	8.8%
Fertilizer, lime, and soil conditioners	990	8.5%
Farm supplies and repairs	830	7.1%
Seed and plants	770	6.6%
Farm improvements and construction	610	5.2%
Tractors and self-propelled machinery	560	4.8%
Rent	550	4.7%
Taxes (real estate and property)	460	4.0%
Interest	410	3.5%
Fuels	410	3.5%
Agricultural chemicals	360	3.1%
Other farm machinery	345	3.0%
Livestock, poultry, and related expenses	300	2.6%
Trucks and autos	160	1.4%
Miscellaneous capital expenses	45	0.4%
Total	11,640	100.0%

Source: USDA, NASS Highlights, U.S. Farm Production Expenditures

Farm Operation Income

Table 4.14 shows the average net farm income by operation for Washington County from 2007 to 2022. From 2007 to 2012 Washington County farm operations experienced a decrease in the total net farm operation income of $9,372,000 to $26,825,000 in 2012. The decline continued into 2017 with a decrease in the total net farm operation income by $2,454,000 to $24,371,000 in 2017. From 2017 to 2022 the total net farm operation income increased by $24,472,000 to $48,843,000.

Table 4.14: Washington County Average Net Farm Income by Operation

Year	Number of Farms	Total Net Farm Operation Income	Average Net Farm Operation Income
2007	831	$36,197,000	$43,558.36
2012	712	$26,825,000	$37,675.56
2017	578	$24,371,000	$42,164.36
2022	580	$48,843,000	$84,212.07

Source: USDA Census of Agriculture

The USDA reported that at the national level net farm income experienced a record-setting $196.4 billion in 2022. USDA forecasts net farm income to experience a decrease in 2023 and 2024 from the 2022 high.

Food Marketing Practices

Throughout Wisconsin there has been an increase in the number of farms that sell products directly to consumers. This trend is analyzed at the Washington County level in Table 4.15 which shows the number of farms that directly sell to consumers and farms that sell directly to retail markets, institutions, and food hubs and the value of their sales. From 2017 to 2022 the number of farms selling directly to consumers increased by 29 farms and farms selling directly to retail markets, institutions, and food hubs increased by 17 farms. Understanding that there were 580 farms in Washington County in 2022 this means 18% of Washington County farms sold products directly to consumers and 6% sold to retail markets, institutions, and food hubs.

Table 4.15: Food Marketing Practices

Marketing Practices	2017 Farms	2017 Sales (in thousands)	2022 Farms	2022 Sales (in thousands)
Value of food sold directly to consumers	76	2,220	105	2,033
Value of agricultural products sold directly to retail markets, institutions, and food hubs for local or regionally branded products	12	87	29	236

Source: USDA Census of Agriculture

In addition to selling directly to consumers DATCP runs the *Something Special from Wisconsin* program that helps promote Wisconsin products through marketing and special labeling on Wisconsin products in stores. The program provides services for a wide range of agricultural products that include, but are not limited to, artisan products, bakeries, fruits & vegetables, meat & seafood, dairy, business services (connected to the agricultural industry), manufacturing (connected to the agricultural industry), and many more.

Furthermore, Wisconsin Act 101, also known as the Pickle Bill, created an easier process for people to produce and sell home-canned foods without a license. The bill stipulates that sales are limited to under $5,000 per year, occur only at the producer to consumer level such as sales occurring at community events, and require proper labeling. DATCP offers further resources, training, and information on food processing and product creation on their website.

Changes in Nature, Scope, Location, and Focus of Agriculture

Sales by Agricultural Sector

Table 4.16 inventories the top four agricultural sectors in Washington County by sales from 2017 to 2022. Milk from cows had the highest sales in Washington County and experienced an increase in sales of $26,794,000 from 2017 to 2022. Grains, oilseeds, dry beans, and dry peas were second in sales and increased by $15,026,000 from 2017 to 2022. The number of sales that nursey, greenhouse, floriculture, and sod brought in 2017 which was higher than grains, oilseeds, dry beans, and dry peas, but decreased to position three in 2022 with a decline of $14,622,000 from 2017 to 2022. Lastly, cattle and calves were in position four and declined by $7,586,000 from 2017 to 2022.

Table 4.16: Top Sales by Commodity Group in Washington County

Commodity Group	Sales (in thousands) 2017	Sales (in thousands) 2022	Percent Change 2017 - 2022
Milk from Cows	$62,906	$89,700	42.6%
Grains, oilseeds, dry beans, and dry peas	$29,207	$44,233	51.4%
Nursey, greenhouse, floriculture, and sod	$31,285	$16,663	-46.7%
Cattle and Calves	$23,820	$16,234	-31.8%

Source: USDA Census of Agriculture

Dairy Farming in Washington County

Dairy Market Values

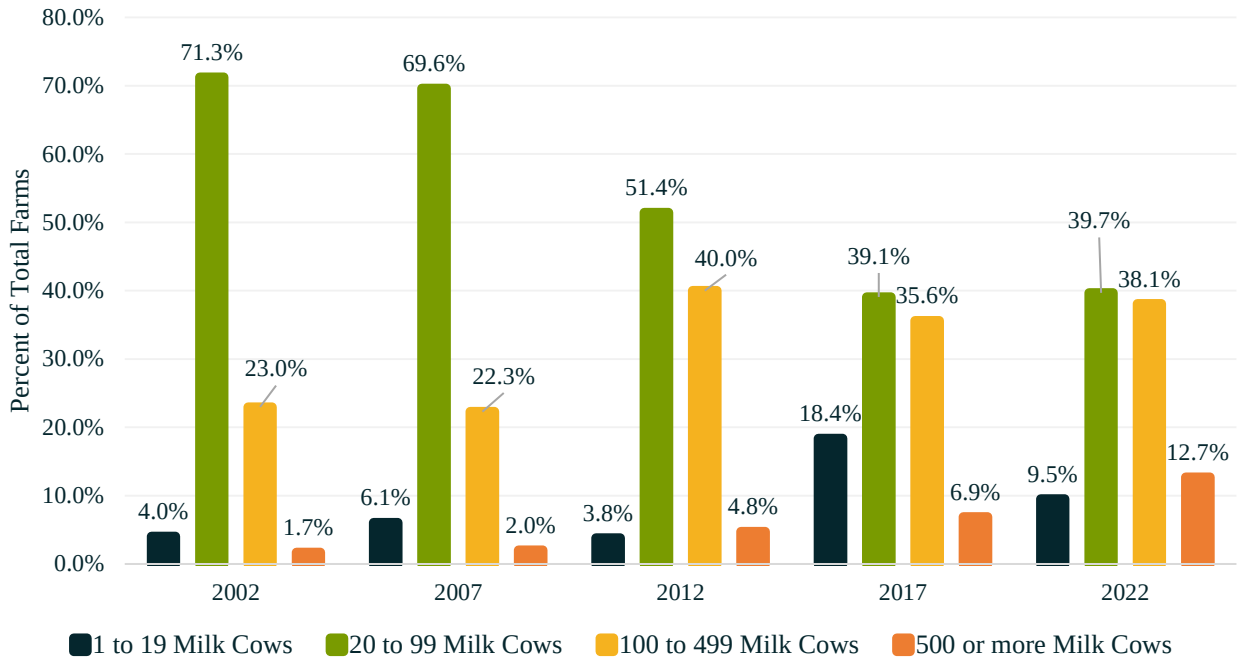
Table 4.17 analyzes Washington County dairy farms, the market value they generate, and the precent changes from 2002 to 2022. Between 2002 and 2022 Washington County lost 264 dairy farms, but the number of milk cows increased from 15,179 in 2002 to 15,622 in 2022. Meanwhile, the market value per dairy farm nearly doubled from 2002 to 2007 and continued to scale upwards reaching $740,071 in 2017, and then nearly double again to $1,423,810 in 2022.

Table 4.17: Dairy Farming and Market Value in Washington County: 2002-2022

Category	Year 2002	2007	2012	2017	2022	Percent Change 2002-2022
Total Farms	844	831	712	578	580	-31.30%
Number of Farms with Milk Cows	174	148	105	87	63	-63.80%
Number of Milk Cows	15,179	14,772	14,493	15,290	15,622	102.9%
Average Number of Milk Cows per Milking Farm	87	100	138	176	248	285.1%
Percent of Farms with Milk Cows	20.6	17.8	14.7	15.1	9.2	-55.3%
Market Value of Milk and Other Dairy Products from Cows (thousands)	$33,131	$56,694	$54,411	$62,906	$89,700	270.7%
Market Value of Milk and Other Dairy Products from Cows per Milk Producing Farm	$187,181	$368,143	$523,183	$740,071	$1,423,810	760.7%

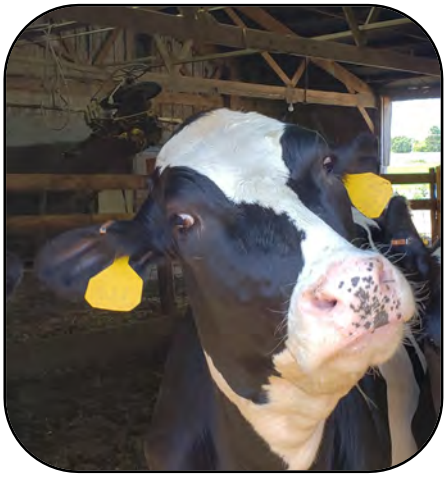
Source: USDA Census of Agriculture

Graph 4.5: Milk Cow Farms by Herd Size



Source: USDA Census of Agriculture

Graph 4.5 further analyzes the trend of the number of dairy farms declining while milk cow herd size increasing. From 2002 to 2022 the number of dairy farms with between 20 to 99 milk cows has decreased from 71.3% of all dairy farms to 39.7% in 2022. Dairy farms with between 100 to 499 or 500+ milk cows have increased. Since 2002 dairy farms with between 100 to 499 milk cows have increased from 23.1% to 38.1% in 2022, and dairy farms with 500 or more milk cows have increased from 1.7% in 2002 to 12.7% in 2022.



Dairy Cow

Dairy Production

Tables 4.18 shows the milk cow herd size, how much an average milk cow produced, and the total amount of milk produced in Washington County from 2017 to 2022.

Table 4.18: Milk Production and Herd Size in Washington County

Category	2017	2018	2019	2020	2021	2022
Milk Cow - Herd Size [a]	15,500	15,200	15,800	15,000	15,500	15,500
Milk Per Cow (lbs.)	26,200	26,400	26,600	27,200	27,800	28,100
Production (1000 lbs.)	406,100	401,280	420,280	408,000	430,900	435,550

[a] - Average number of milk cows on farm during year, excluding heifers not yet fresh
Source: USDA Annual Agricultural Statistic Bulletin

Between 2017 and 2022 the number of milk cows in Washington County has remained steady. The same the average amount of milk produced per milk cow has gradually increased from 26,200 lbs. per milk cow in 2017 to 28,100 lbs. per milk cow in 2022.

Land Use Practices

Table 4.19 shows the total acres of irrigated, no till, reduced till, intensive till, cover crops, and land under a conservation easement in Washington County from 2002 to 2022. Between 2002 and 2012 the only data available for land use practices at the County level was irrigated acres. Of which from 2002 to 2022 the number of irrigated acres decreased by 551 acres to 210 irrigated acres. No till practices increased from 26,274 acres in 2017 to 26,923 acres in 2022. Reduced till practices decreased from 37,029 acres in 2017 to 31,636 acres in 2022, a decrease of 5,393 acres. Intensive till practices also decreased from 17,294 acres in 2017 to 11,720 acres in 2022, a decrease of 5,574 acres. Cover crop practices increased from 5,889 acres in 2017 to 6,270 acres in 2022. Farmland under a conservation easement increased from 715 acres in 2017 to 1,729 acres in 2022, an increase of 1,014 acres.

Table 4.19: Land Use Practices by Acres

Category	2002	2007	2012	2017	2022	Change 2002 to 2022	Change 2017 to 2022
Acres irrigated	761	528	485	289	210	-551	-
No Till	-	-	-	26,274	26,923	-	649
Reduced Till	-	-	-	37,029	31,636	-	-5,393
Intensive Till	-	-	-	17,294	11,720	-	-5,574
Cover Crops	-	-	-	5,889	6,270	-	381
Farmland Under a Conservation Easement	-	-	-	715	1,729	-	1,014

- No total reported
Source: USDA Census of Agriculture

The Washington County Land Resources Division completes a transect survey of farmland almost every year since 1998. During this survey, County Staff collect data on crop type, tillage level, and the amount of crop residue left on the field. Crop residue is used in the transect survey to determine the type of tilling practices being used on a field, the higher the crop residue the lower the tillage practice. Crop residue 76% or greater is considered to be no-till. As of 2023 they have noted the following trends:

- Since 1998 soybeans have become a more common field crop while corn, hay, and small grains have decreased.
- No-till practices are increasing and being adopted by farmers, which has led to a decrease in the use of moldboard plows as a method of tilling. The use of moldboard plows is an intense form of tilling.
- Since 1998 is more common for fields in Washington County to have 76% or greater field crop residue cover. While 76% or greater field crop residue cover has increased 0 to 15% field crop residue cover has decreased.

Concentrated Animal Feeding Operations

The Wisconsin Department of Natural Resources defines concentrated animal feeding operations (CAFOs) as animal feeding operations with at least 1,000 animal units. CAFO operations require

a Wisconsin Pollutant Discharge Elimination System (WPDES) permit which helps to preserve water quality. Currently, Washington County has six permitted CAFOs, five are dairy and one poultry operation.

Farmer Demographics

Age & Sex

Table 4.20 shows the age ranges of farm producers in Washington County from 2002 to 2022. As of 2022, over 77.8 percent of farmers in Washington County were aged 45 or older and the average age of farmers was 57.

Table 4.20: Age Range of Farm Producers

Age Range	2002	2007	2012	2017	2022	2022 Percent of Total
Under 25 years	6	10	0	4	19	1.8%
25 to 34 years	52	34	33	33	71	6.7%
35 to 44 years	147	113	74	81	146	13.7%
45 to 54 years	231	235	156	140	209	19.6%
55 to 64 years	194	200	227	287	267	25.1%
65 and older	214	239	222	259	353	33.1%
Total	**844**	**831**	**712**	**804**	**1065**	**-**
Average Age	54.8	56.4	58.2	58.6	57	-

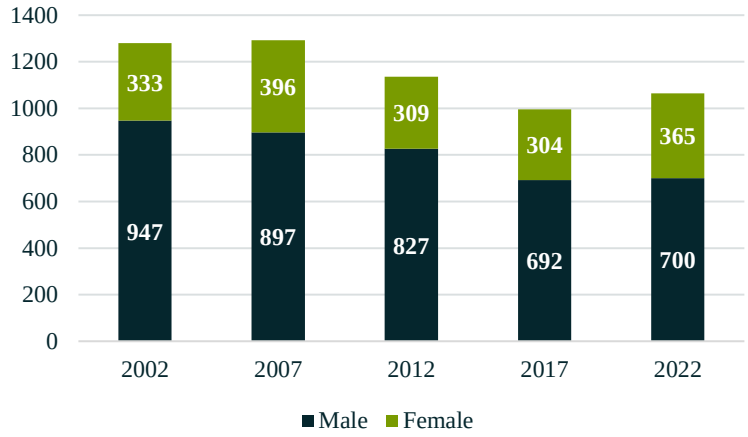
Source: USDA Census of Agriculture

Graph 4.6 inventories the total number of farmers by sex. As of 2022 in Washington County, there were 700 male (65.7%) and 365 female (34.3%) farmers. The number of male farmers in Washington County saw a decline of 247 farmers since 2002, while the number of female farmers experienced an increase of 32 farmers since 2002.

New and Beginning Farmers

Table 4.21 describes the number of new and beginning and young producers by county. In 2022 Washington County had 367 new and beginning farmers with 28,262 acres of farmland and 90 young producers with 10,251 acres of farmland. Washington County new and beginning and young producer numbers are similar to Sheboygan and Racine Counties.

Graph 4.6: Male and Female Farm Producers in Washington County



Source: USDA Census of Agriculture

USDA Definitions:

- New and beginning producers: "producers operating on any operation for 10 years or less."
- Young producers: "a producer 34 years of age or younger."

Table 4.21: New and Beginning Producers & Young Producers by County - 2022

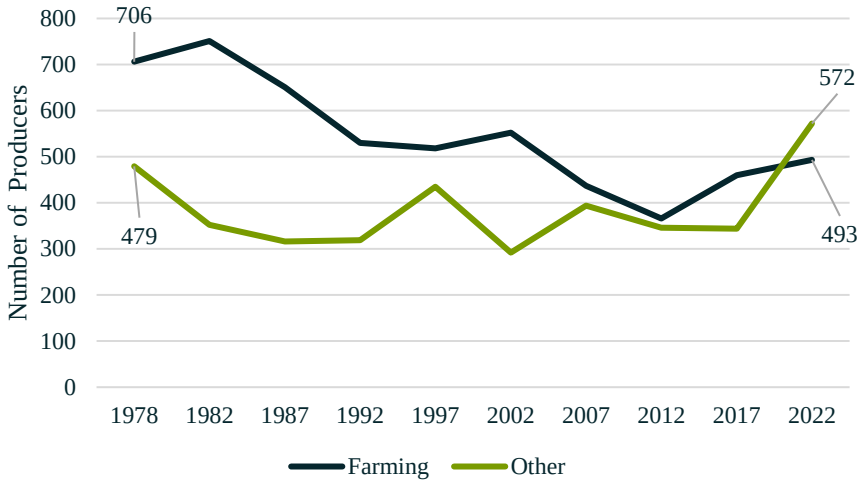
Counties	New and Beginning Producers			Young Producers			Totals	
	Farms	New and Beginning Producers	Land in Farms (acres)	Farms	Young Producers	Land in Farms (acres)	Total Number of Farms	Total acres in Farmland
Dodge	359	523	69,876	167	212	54,648	526	124,524
Fond Du Lac	300	479	59,343	118	153	43,723	418	103,066
Ozaukee	107	186	9,348	22	39	4,187	129	13,535
Racine	206	320	28,786	73	87	17,878	279	46,664
Sheboygan	255	400	54,087	130	159	25,147	385	79,234
Washington	**216**	**367**	**28,262**	**63**	**90**	**10,251**	**279**	**38,513**
Waukesha	155	239	11,777	44	67	6,228	199	18,005

Source: USDA Census of Agriculture

Secondary Farmer Employment

The USDA Census of Agriculture tracks whether producers report farming or other as their primary occupation. As of 2022, more producers have reported other (572) as their primary occupation than farming (493).

Graph 4.7: Primary Occupation of Producers in Washington County 1978 to 2022



Source: USDA Census of Agriculture

Freestall Barn

Key Infrastructure for Agriculture

As agribusiness markets continue to evolve, it is important to identify infrastructure that exists and what is needed to account for shifts in an ever-changing industry. Table 4.22 sets forth an inventory of key agricultural infrastructure and support services located in or serving the County.

Key Agriculture Infrastructure and Support Services

Table 4.22: Key Agricultural Infrastructure

Name	Municipal Location	Notes
Cooperatives		
United Cooperative	City of Hartford	Feed, grain, agronomy, and energy products
United Cooperative-Horicon	City of Horicon (Dodge County)	Feed, seed, and fertilizer products
Country Visions Cooperative	City of Plymouth (Sheboygan County)	Feed, grain, agronomy, and energy products
Adell Cooperative	Village of Adell (Sheboygan County)	Feed, seed, and other farm supplies
Equity Cooperative Livestock	Village of Lomira (Dodge Co.) & Johnson Creek (Jefferson Co.)	Livestock marketer
Farm Veterinary Services		
Kettle Hills Vet Service	City of Hartford	Large animal on-farm services and small animal clinical services
Schimdt Vet Clinic	City of Cedarburg (Ozaukee County)	Large animal on-farm services and small animal clinical services
The Animal Doctors	Town of Hartford	Large animal on-farm services and small animal clinical services
Kewaskum Veterinary Clinic	Village of Kewaskum	Large animal on-farm services and small animal clinical services
Country Veterinary Clinic	Town of Rubicon (Dodge County)	Small animal clinical services
Processors		
Gehring's Meat Market	Town of Addison	Meat and cheese processing and retail
Kettle Moraine Hardwoods, Inc.	Town of Addison	Sawmill and dry kiln producing hardwoods for sale
Fideler Farms	Town of Barton	Processed farm grown fruits and vegetable products
Witte Vegetable Market	Town of Jackson	Processed farm grown fruits and vegetable products
Schreiber Foods	Town of Jackson	Production of cheeses and numerous dairy products
Bieri's Jackson Cheese & Deli	Town of Jackson	Retail cheeses and sausage
Kerry Ingredients	Village of Jackson	Food, food ingredients, and flavor products supplier
Gehl Foods	Village of Germantown	Processing and packaging of dairy-based sauces, puddings, and beverages
Kewaskum Frozen Foods, Inc.	Village of Kewaskum	Meat processing; cheese retail
DCI Cheese Company	Village of Richfield	Production, processing, and retail of imported and domestic specialty cheeses
Held Meat Products, Inc.	Village of Slinger	Meat and cheese processing and retail
Kemps Dairy, LLC	City of Cedarburg (Ozaukee County)	Processor of fluid milk
Ocean Spray, Inc.	City of Kenosha (Kenosha County)	Production of various beverages and food products
Lodi Canning Co.	City of Lodi (Columbia County)	Production of canned vegetables
Kraft Foods Oscar Mayer (Louis Rich Co.)	City of Madison (Dane County)	Meat processing and packaging
Lakeside Foods, Inc.	City of Manitowoc (Manitowoc County)	Production of canned and frozen foods
United Ethanol	City of Milton (Rock County)	Ethanol Production
Archer Daniels Midland Company-Ambrosia Chocolate	City of Milwaukee (Milwaukee County)	Processing and marketing of food and animal feed ingredients
Sargento Foods, Inc.	City of Plymouth (Sheboygan County)	Production, packaging, and marketing of various cheese products
Del Monte Corp.	City and County of San Francisco, California*	Manufacturer and marketer of primarily canned processed foods
Cedar Crest Ice Cream	Town of Cedarburg	Manufacturer of ice cream
Didion Ethanol	Town of Courtland (Columbia County)	Ethanol Production
Cedar Valley Cheese, Inc.	Town of Fredonia (Ozaukee County)	Manufacturer of cheese

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Seneca Foods Co.	Town of Marion (Wayne County, New York)*	Processed fruit and vegetables products
United WI Grain Producers, LLC	Village of Friesland (Columbia County)	Ethanol Production
Krier Foods	Village of Random Lake (Sheboygan County)	Canning and bottling
Widmer's Cheese Cellars	Village of Theresa (Dodge County)	Retail cheeses and sausage
Supplier or Other Services		
Gehl Company	City of West Bend	Agricultural machinery and equipment manufacturing
Stewart Peterson Group	City of West Bend	Agricultural marketing and operation consultation
Farmers Grain and Feed	Town of Addison	Grain cleaning services, etc.
Farmers Implement, LLC	Allenton, WI	Agricultural machinery and equipment manufacturing
Helena Chemical	Town of Barton	Crop seed development and provider
Russ Breit Sales, Inc.	Town of Barton	Farm building construction and repair
West Bend Elevator	Town of Barton	Feed, seed, and other farm supply wholesales; grain processing
St. Lawrence Equipment, Inc.	Town of Hartford	Farm implements
Spring Valley Fertilizer	Town of Jackson	Agricultural fertilizer and chemical wholesales; crop management consulting
Dairyland Seed	Town of Kewaskum	Crop seed development and provider
Mid States Power & Equipment	Town of Polk	Farm and garden machinery
Wagner Seed and Conditioning	Town of Trenton	Grain cleaning services
Locken Implement	Village of Newburg	Agricultural machinery and equipment
Strupp Implement, Inc.	Village of Slinger	Agricultural machinery and equipment
Lemke Seed Farm	City of Mequon (Ozaukee County)	Seed grower and sales
Riesterer and Schnell	Village of Campbellsport (Fond du Lac County)	Agricultural machinery and equipment
Kellers Farms Supply, Inc.	Town of Herman (Fond du Lac County)	Agricultural machinery and equipment
Saukville Feeds	Village of Saukville (Ozaukee County)	Feed, seed, and other farm supplies

*Location of corporate headquarters listed. Numerous, more localized plants serve Washington County
Source: UW-Extension and Washington County

Enterprises Related to Agriculture

Agricultural diversification is an important mechanism for economic growth. It depends, however, on there being opportunities for diversification and on farmers' responsiveness to those opportunities. Agricultural diversification can be facilitated by technological breakthroughs, changes in consumer demand, changes in government policy and trade arrangements, and by development of irrigation, roads, and other infrastructures. Conversely, it can be impeded by risks in markets and prices and in crop-management practices, by degradation of natural resources, and by conflicting socio-economic requirements.

This section explores enterprises related to agriculture. Many of these farming enterprises have been growing in popularity to keep farming strong and profitable in Washington County and the State of Wisconsin.

Tractor

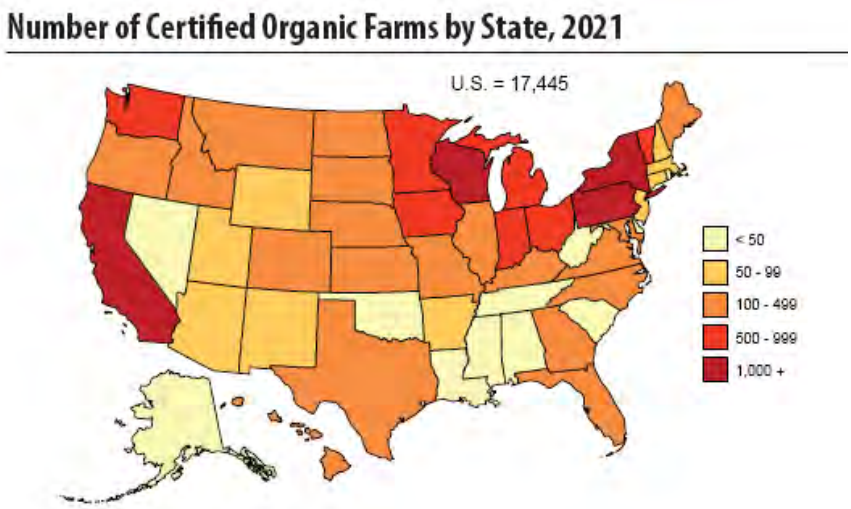
Planter

Combine

Organic Farming

The USDA NASS survey of organic farming in the United States, collects data from operators of farms that are either USDA certified organic, making the transition to organic production, or exempt from certification because of sales totaling less than $5,000. Map 4.6 highlights the number of certified organic farms by state in 2021. The survey counted 17,445 certified organic farms in the United States comprising 4.8 million acres of land. Wisconsin has the second largest number of certified organic farms in the nation at 1,455 farms (8 percent of the Nation's total) and is one of only a few states to have over 1,000 certified farms, joined by California, New York, and Pennsylvania. Wisconsin ranks fourth in total certified organic acres at 245,000 acres. Table 4.23 shows the top states with certified organic acres. According to the 2017 Census of Agriculture, there were 12 USDA certified organic farms in Washington County and the value of products sold totaled $1,461,000.

Map 4.6



Source: USDA NASS Highlights, Organic Farming Results from the 2021 Organic Survey

Table 4.23: Top States with Certified Organic Acres

State	Acres (in thousands)
California	814
New York	331
Montana	320
Wisconsin	245
Texas	241
Oregon	228
Idaho	216
Vermont	203
Colorado	191
Iowa	169

Source: USDA NASS Highlights

Horticulture and Floriculture

The horticulture and floriculture industry produced around $119 million Statewide in 2017. Over 400 nurseries utilizing more than 7,000 acres and 8.3 million square feet of bedding plants, cut flowers and floriculture crops grown under glass. Additionally, retail greenhouses brought in $10 million in the State. Forty-four sod growers raise just under 5,000 acres of sod annually at an estimated value of $11 million.

As shown above in the Sales by Agricultural Sector section on Table 4.15 horticulture, floriculture, and nursery crops had the third highest sales. The relative importance of the horticultural industry

in Washington County compared to the State could likely be in response to the demand for landscaping material for urban development within the Milwaukee metropolitan area (Milwaukee, Ozaukee, Washington, and Waukesha Counties). According to the 2017 Census of Agriculture, Washington County moved from third place in 2007 to first place in 2017 of all Wisconsin counties in the value of sales of commodities that fall under the nursery, greenhouse, floriculture, and sod group.

Nursery in the Town of Jackson

Agritourism

Agritourism offers farmers and agricultural businesses an opportunity to generate additional or most of their income through the direct sale of products to consumers, agricultural education, vacation, and recreational opportunities. In Washington County and throughout Wisconsin there are opportunities to hand-pick vegetables and fruits, buy products directly from farmers through farmers markets and stands, stay at bed and breakfasts, drink locally made beer and wine, have breakfast on the farm, learn about the many different types of farms and agricultural businesses, and attend county fairs. According to Travel Wisconsin there are over 300 farmers markets across Wisconsin.

Sustainable Agricultural Practices

Soil Health and Resilience

A major focus on sustainable agriculture is focusing on soil health which is the practice of improving the health of the soil to increase crop productivity while decreasing costs and increasing crop and soil resilience to seasonal weather impacts. Soil health is improved through several methods, and often farmers utilize several methods in conjunction with one another. These methods include, but are not limited to planting cover crops, reduced till or no till, filter strips, and harvestable buffers.

Farmer led groups in Washington County, such as Cedar Creek Farmers and Farmers for Lake Country are offering farmers opportunities to learn directly from other farmers and experts about these practices, discuss the implementation of these practices, and learn from each other. The information sharing occurring in these groups is important to the future existence of agriculture in Washington County.

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Cover Crops

Cover crops are used for several purposes such as breaking up the plow pan, increasing soils organic matter and nitrogen levels, weed and pest control, reduce and prevent soil erosion, enhancing water availability, and to increase biodiversity. In 2022 there was 6,270 acres of farmland in Washington County that were planted with cover crops.

Cover Crop Demonstration Plot

Reduced and No Till

Reduced and no till farmers plant crops into soil without tilling or with limited tilling. Reduced and no till reduces soil disturbance, compaction, aeration, erosion, and time spent tilling. In 2022 there was 58,559 acres of farmland in Washington County that were either tilled using reduced tilling practices or had no tilling at all.

No Till Field

Filter Strips and Harvestable Buffers

Filter strips are strips of vegetated land that act as a barrier preventing sediment, nutrients, and pesticides from entering waterways. These strips are located on, parallel to, or adjacent to a waterway. Similarly, harvestable buffers offer the same benefit as filter strips with the added benefit of a harvestable crop that can be sold or used as animal feed.

Prairie Filter Strip

Agricultural Conservation Easement

Agricultural conservation easements focus on conserving farmland by purchasing the development rights which preserve the farmland in perpetuity. In 2022 there was 1,729 acres of farmland in Washington County that was under an agricultural conservation easement.

INSERT a picture of a AGRICULTURAL CONSERVATION EASEMENT?

Innovations in Agriculture

Automation and Precision Agriculture

Automation and precision agriculture are more recent technological innovations that utilize other technologies, such as GPS and drones, to collect data, automatically guide equipment, precisely apply fertilizer, clean facilities, and more. The *2022 USDA Census of Agriculture* started to track the use of precision farming of which 54 farms in Washington County reported using precision agriculture practices. These technologies have great benefits but also have drawbacks.

Benefits

- Reduced labor
- Increased productivity
- Efficient use of materials
- Current and updated data
- Helps in decision making
- Improved safety

Drawbacks

- Worker displacement
- Large capital investment
- New safety hazards
- Requirement of human intervention
- Requires training
- Large amounts of data can be confusing and difficult to analyze

Automation

Auto steering and autonomous tractors

Auto steering uses GPS technology to guide equipment along programmed or automated straight or curved lines. Once a field is finished the lines created can be saved and uploaded into other

equipment to be used on the same field. Precise positioning reduces overlapping and results in using less fuel and seed. There are technological costs associated with these systems and require time to learn.

Drones

Drones can serve a variety of uses in agriculture from seeding and spraying to mapping and data collection. Drones have been used to spray and seed cover crops into standing crops to mitigate crop disturbance. Drones have also been used for monitoring crop health through imagery and mapping functions which collect data that can be used to make timely decisions and aid in future decision making.

Insert image of drone applying seed to a field

Agricultural Robots

Agricultural robots are being used to automate tasks, increase efficiencies, and improve the quality of life for farmers and livestock. There are several robots on the market that can clean, feed livestock, milk cows, seed, weed, and package products. Agricultural robots provide farm operations with guaranteed workers, reduce waste, increase productivity and precision.

Dairy parlor automation

Dairy parlor automation grants higher production rates and requires less time. Increased size and precision of parlors increases the number of animals in the parlor. Additionally, new technology and automation create seamless entry and exit points into the parlor and make milking more efficient and safer.

Milking operations have also implemented robot milkers that automate the milking process. Robot milkers allows cows to choose when to be milked and provides a reward for being milked. Cows are tracked through a collar which knows when a cow has recently been milked. This tracking collar allows the robot to compile data on the health and milk production of individual cows. That data can then be used by farmers to administer medication or change practices to help increase milk production.

Insert automated dairy parlor picture

Biofuels

Biodiesel is produced using renewable resources, such as vegetable oils and animal fats. Biodiesel can be used as a pure fuel (B100) or blended with petroleum and can be used in any diesel engine with little or no engine modifications. The State of Wisconsin continues to promote the production and use of biodiesel as an alternative transportation fuel and position itself as a leader in biodiesel

technology innovation, production, and consumption. As of 2022, biofuels represent the primary renewable energy resource in Wisconsin.

Wisconsin Ethanol Production

According to the U.S. Energy Information Administration, as of January 2022, Wisconsin ranked ninth in the country for ethanol production at 587 million gallons of annual capacity. Additionally, the State ranks nineteenth in the country for ethanol blending at 10.5% (6.39 million). The State's nine ethanol facilities can produce around 600 million gallons per year (MMGY), which is almost twice the amount that the State consumes and adds an estimated $4 billion to the economy. Total operating capacity for ethanol facilities in the State increased by nearly 100 MMGY over the past decade from 498 MMGY in 2010 to 594 MMGY in 2023, a 19 percent increase. The State's ethanol plants utilize corn as feedstock. Wisconsin is a top ten producer of corn in the U.S.

Table 4.24 shows the location of the nine ethanol facilities located in Wisconsin and their production capacity, according to the Renewable Fuels Association. These facilities are located primarily in the southern to central part of the State. The closest biorefinery facilities to Washington County are Didion Ethanol in Cambria, United WI Grain Producers, LLC in Friesland, Aztalan Bio LLC in Jefferson, and United Ethanol in Milton.

Table 4.24: Fuel Ethanol Facilities and Capacities by Plant in Wisconsin: 2023

Company Name	Location	Nameplate/ Operating Capacity (MMGY [a])
Ace Ethanol LLC	Stanley	54
Aztalan Bio LLC	Jefferson	108
Badger State Ethanol LLC	Monroe	81
Big River Resources Boyceville LLC	Boyceville	64
Didion Ethanol LLC	Cambria	50
Fox River Valley Ethanol LLC	Oshkosh	65
Marquis Energy-Wisconsin LLC	Necedah	50
United Ethanol LLC	Milton	62
United Wisconsin Grain Producers LLC	Friesland	60
Total		**594**

[a] Millions of gallons per year.
Source: Renewable Fuels Association

Urban Agriculture

Urban agriculture utilizes innovative and traditional techniques to increase access to food in urban environments. These techniques include vertical farming, community gardens, utilizing vacant lots for agriculture production, and urban livestock. Urban agricultural operations utilize many different kinds on farming practices to produce products. These operations can range from providing rentable garden plots for community members to large vertical hydroponic operations. These operations not only provide produce for people to eat but also opportunities for urban populations to learn about and experience agriculture.

- Vertical farms grow crops in a controlled environment and stack plants on top of each other. Vertical farms can range from small-scale farms located in a single room of a building to large-scale farms that are in specially designed buildings built for the sole purpose of vertical crop production. Vertical farms often utilize a combination of other urban agriculture techniques such as rain harvesting, hydroponics, aeroponics, and aquaponics.
- Hydroponics is the agricultural practice of growing crops in water without the use of soil. Hydroponics can be paired with aquaponics which is the addition of fish that adds nutrients to the water. Aeroponics grows plants only in air or mist environments instead of plant roots being permanently submerged in water.

Vertical/hydroponics Farming photo

- Community gardens can range in size from a few plots at an apartment complex to community gardens located on several acres. Community garden plots can be for rental, for individual use, or for the sole purpose of producing food for sale at farmers markets or donations to local organizations, such as senior centers.
- Open space is limited in urban areas, so people and organizations have converted rooftops, vacant lots, and other underutilized urban open areas for crop production. Not only are these areas now able to produce food but they also help with stormwater management and can improve the aesthetics of urban environments.
- An increasing number of people are choosing to invest in a few animals to produce animal products. Urban livestock tend to be chickens, waterfowl, bees, and goats, depending on the local zoning ordinance.

Advances in Waste Management

Innovations in waste management practices have led to improvements in nutrient management and water quality and some have been created through public-private partnerships. Manure digesters are used to transform manure into biogas and digestate (residual material left after the digestion process). Biogas can be used to create electricity for heating or fuel for vehicles. Digestate can be created in a solid and liquid form and can be used as a fertilizer, animal bedding, and building materials. Digesters give farmers additional options for disposing of manure. They also help to reduce the amount of phosphorus and other nutrients entering the waterways.

Digester photo

Chapter 5: Preserving and Supporting Agriculture

The State Farmland Preservation Program, outlined in Wisconsin State Statute 91, identifies multiple farmland preservation tools and techniques that farmland owners may utilize to protect their lands and to make themselves eligible to claim farmland preservation tax credits. The State Farmland Preservation Program utilizes four preservation tools: farmland preservation zoning, agricultural enterprise areas, farmland preservation agreements, and purchase of agricultural conservation easements. This chapter describes these farmland preservation tools in detail, explores other preservation techniques not specifically outlined by the State Farmland Preservation Program, and explores local programs and marketing techniques that support local farmland preservation efforts.

For Towns, Cities, and Villages in Washington County to participate in the Wisconsin Farmland Preservation Program they must adopt the Washington County Farmland Preservation Areas into their Comprehensive Plan.

State Farmland Preservation Program

The State Farmland Preservation Program utilizes to prevent the development of farmland, protect soil and water, and minimize land use conflicts.

The Farmland Preservation Program offers three categories of tax credits in the following per acre amounts:

- $10 per acre for qualifying acres that are in a farmland preservation zoning district but are not subject to a farmland preservation agreement.
- $10 per acre for qualifying acres that are subject to a farmland preservation agreement in an AEA but are not located in a farmland preservation zoning district, OR qualifying acres that are subject to a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements.
- $12.50 per acre for qualifying acres that are in a farmland preservation zoning district and subject to a farmland preservation agreement in an AEA or a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements.
- $10 per acre for farmland conservation easements that were purchased under s. 93.73, Wis. Stats and that are not already eligible through a farmland preservation zoning district or farmland preservation agreement.

Farmland Preservation Zoning

Farmland preservation zoning may be implemented by the local zoning authority (town, village, city or county)[13] if it chooses to adopt a farmland preservation zoning ordinance. A farmland

[13] *The only zoning authorities in Washington County able to adopt and enforce a farmland preservation zoning ordinance through the State Farmland Preservation Program for tax credit purposes are the towns and villages participating in the farmland preservation planning process that have designated farmland preservation areas within their municipal boundaries. The County does not have zoning authority outside of shoreland, wetland, and floodplain zoning.*

preservation zoning ordinance and its corresponding zoning map should identify any districts zoned for farmland preservation and describe the uses permitted within such districts.

Local zoning ordinances must be consistent with a county's certified farmland preservation plan. Therefore, only land within a farmland preservation area, as designated within a certified county farmland preservation plan, is eligible for farmland preservation zoning. Landowners covered by the ordinance may claim state farmland preservation tax credits if the ordinance is certified for compliance with state farmland preservation standards.

Benefits of farmland preservation zoning include the predictability for farm management decisions, limiting land use conflicts with neighbors, and encouraging agricultural investment.

In Washington County no municipalities have adopted a farmland preservation zoning ordinance. Several municipalities have maintained their exclusive agriculture zoning districts as a zoning practice to preserve farmland. Many exclusive agricultural zoning districts require a minimum lot sizes that range from 10 to 35 acres to deter the subdivision of farmland for residential or commercial land uses.

To establish farmland preservation zoning a community must:

1. Update and amend their zoning ordinance in accordance with the requirements of Subchapter III – Farmland Preservation Zoning of Chapter 91 of Wis. Stat.
2. Submit the amended zoning ordinance to DATCP for certification.
3. Zoning ordinances are certified for a period of up to 10 years after which the zoning ordinance needs to be recertified.
4. After the zoning ordinance has been certified, municipalities must report by March 1st of each year the number of acres that have been rezoned out of the farmland preservation zoning district during the previous year.

DATCP has two model farmland preservation zoning ordinances available on their website. One is for municipalities that want to exclude nonfarm residences from the farmland preservation zoning districts and the other is for only limiting residences in farmland preservation zoning districts.

Rezoning Farmland Preservation Zoning Districts

Section 91.48 of the *Statutes* outlines the conditions to rezone land out of a certified farmland preservation zoning district. Though rezoning may be done without penalty as part of a comprehensive farmland preservation zoning ordinance map revision, special procedures apply for removing individual parcels from a certified farmland preservation district.

State law requires a zoning authority to do all the following before rezoning land out of a certified farmland preservation district at the request of any person:

- Hold a public hearing on the requested rezoning.
- Make all the following "findings" after public hearing:
  - The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

- The rezoning is consistent with any applicable comprehensive plan.
- The rezoning is substantially consistent with the *county's* certified farmland preservation plan.
- The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

By March 1 of each year, a political subdivision must provide a report to DATCP of the number of acres that the political subdivision has rezoned out of a farmland preservation zoning district with a map that clearly shows the location of those areas. A copy of the report must also be submitted to the County.

An Alternative to Rezoning

A zoning authority concerned over landowner resistance to rezoning procedures has another option for farmland preservation. Wis Stat. 91 allows farmers to continue claiming farmland preservation tax credits and permits compatible residential construction within a farmland preservation district, without the need for rezoning, pursuant to a conditional use permit. Conditional use permit standards ensure that approved residences are compatible with the farmland preservation district.[14]

A zoning authority could take advantage of this option by adopting a simple zoning ordinance text amendment that allows residential construction that meets the state standards under Wis. Stat. 91.46 to occur within a farmland preservation district under a conditional use permit. Such an amendment would not take away any existing landowner rights in farmland preservation districts. The text amendment alternative can protect farmland and does not require any official zoning map changes.

Nonfarm Residences

By State law, utilization of conditional use permits for the creation of nonfarm residences within farmland preservation zoning districts is an option only if all the following apply:

- The ratio of nonfarm residential acreage to farm acreage on the base farm tract on which the residence is or will be located will not be greater than 1 to 20 after the residence is constructed or converted to a nonfarm residence.
- There will not be more than four dwelling units in nonfarm residences, nor, for a new nonfarm residence, more than five dwelling units in residences of any kind, on the base farm tract after the residence is constructed or converted to a nonfarm residence.
- The location and size of the proposed nonfarm residential parcel, and, for a new nonfarm residence, the location of the nonfarm residence on that nonfarm residential parcel, will not do any of the following:
  - Convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a nonfarm residential parcel or nonfarm residence.

[14] *See State Statute 91.46 for more information regarding conditional uses.*

- Significantly impair or limit the current or future agricultural use of other protected farmland.

Nonfarm Residential Clusters

A zoning authority may issue one conditional use permit that covers more than one nonfarm residence in a qualifying nonfarm residential cluster. A nonfarm residential cluster qualifies if all the following apply:

- The parcels on which the nonfarm residences would be located are contiguous.
- The zoning authority imposes legal restrictions on the construction of the nonfarm residences so that if all the nonfarm residences were constructed, each would satisfy the requirements listed above for nonfarm residences.

Farmland Preservation Zoning Ordinance Certification

DATCP may certify a farmland preservation zoning ordinance for a period that does not exceed 10 years. Upon the time of certification expiration, the zoning authority may make necessary amendments and submit its farmland preservation zoning ordinance for recertification. If land is rezoned to a nonagricultural use, the landowner is no longer eligible to claim tax credits.

Agricultural Enterprise Areas

Whether or not a local zoning authority adopts a farmland preservation zoning ordinance, owners of land within a farmland preservation area may petition for the establishment of an Agricultural Enterprise Areas (AEA) provided the authority has adopted the farmland preservation areas within its comprehensive plan. An AEA is a contiguous[15] land area which is devoted primarily to agricultural use and locally targeted for the preservation and development of agriculture. DATCP is authorized by administrative rule to designate up to 2,000,000 acres as AEA statewide. As of 2021 the State Farmland Preservation Program has designated 1.47 million acres as AEA with three new AEAs established in 2024. Only land within a certified farmland preservation area, as designated in the county's certified farmland preservation plan, is eligible for DATCP's consideration for AEA designation.

To have an area designated as an AEA, a petition must be submitted to DATCP for consideration.

- Petitions must be jointly filed by owners of at least five eligible farms in the area and any political subdivision (town, village, city, or county) in which any part of the proposed AEA is located.
- Petitions must address participating landowners' and local governments' goals regarding the preservation of agricultural land use and agricultural development for the proposed AEA.
- Petitioners must also identify the activities and the existing or future land use controls that will aid in achieving those goals.

[15] *"Contiguous" means parcels that meet at more than one point and are only separated by a lake, stream, or transportation or utility right-of-way.*

The boundary of a proposed AEA must enclose a contiguous land area, containing land owned by each of the farm owners petitioning. However, the land owned by the petitioning farm owners need not be contiguous. As a result, the boundary may include land owned by others who are not petitioners. While AEAs are oriented towards agricultural preservation and agricultural development, they may include other compatible land uses such as natural areas, or compatible infrastructure that supports agriculture, so long as the land in the AEA is primarily in agricultural use.

It is important to recognize that the designation of an AEA does not restrict or control land use within the designated area, though local regulations and restrictions within the designated area are still applicable. Designation of an AEA does not specifically protect areas from encroaching development or land use conflicts. Instead, designation of an AEA identifies the area as valuable for current and future agricultural use, with the potential to promote investment in agriculture and agricultural-related businesses. It is up to local governments to establish or enforce land use practices to preserve, protect and promote agricultural enterprises as appropriate.

Farmland Preservation Agreements

If an AEA is designated, landowners are not automatically eligible to claim tax credits. Eligible landowners within the area must voluntarily sign a farmland preservation agreement with the State to collect tax credits. A farmland preservation agreement requires the land to be in agricultural use for a minimum of 10 years. The designation of an AEA remains in effect unless the designation is terminated by the State through administrative rule, an action which requires a public hearing.

Agreement Conversion Fees

A landowner under a farmland preservation agreement may terminate the agreement on any or all acres of land outlined in the agreement prior to the expiration date (minimum 10-year term) by paying a "conversion fee". Conversion fees involved with the termination of farmland preservation agreements are equal to three times the per acre value, for the year in which the farmland preservation agreement is terminated or the land is released, of the highest value category of tillable cropland in the city, village, or town in which the land is located.

For example, Figure 5.1 shows how the conversion fee would be calculated for the Town of Addison. In 2023, the Grade 1 Value[16] averaged approximately $364 for the Town of Addison and termination fees averaged $1,092 per acre. Even if the land is sold, it remains a part of the designated AEA. Land located within

Figure 5.1: Conversion fee example

FARMLAND PRESERVATION AGREEMENT CONVERSION FEE CALCULATION FOR THE TOWN OF ADDISON

2023 Grade 1 Agricultural Land Assessment Value = $364 per acre

Conversion Fee: $364 x 3 = $1,092 per acre being released from the agreement

If 2 acres are being released from the agreement, conversion fee equals $2,184 .

[16] *This is based on the Wisconsin Department of Revenue Use Value Guidelines for Agricultural Land Assessment, value guidelines are available on their website.*

a designated AEA can only be removed from the AEA through the state administrative rule process.

Purchase of Agricultural Conservation Easement Program

The Purchase of Agricultural Conservation (PACE) program provides State funding for the purchase of agricultural conservation easements. An agricultural conservation easement prohibits development that would make the land unavailable or unsuitable for agricultural use. Easements are voluntary and allow a landowner to be compensated for limiting development on their farmland. Easements are carried over to subsequent landowners if the property is sold. With an agricultural conservation easement, a landowner continues to pay property tax on the land at the current required rate.

Through the PACE program, DATCP provides funding to cooperating local entities (local governments or non-profit organizations) for the purchase of easements from willing landowners. Local entities purchase the easements and may be reimbursed for up to 50 percent of the easement cost by the PACE program. The State and local entities then be co-holders of the easement. As of 2023, the PACE program has not been provided additional funding to purchase easements.

Land with an agricultural conservation easement cannot be developed for any purpose that would prevent the land from being used for agriculture. Land with an agricultural conservation easement will remain on property tax rolls. With an agricultural conservation easement on the property, a landowner will continue to:

- Own and manage the land
- Keep farming the land
- Keep the title to the property
- Be eligible for the farmland preservation income tax credit (if standards are met for tax credit eligibility through farmland preservation zoning or in designated AEAs)
- Control if public access is allowed

Applying for Easements

When DATCP makes a request for proposals, the cooperating local entity can submit easement proposals. Landowners should contact their cooperating local entities if they are interested in an agricultural conservation easement for their land.

To be eligible for consideration for a grant under the PACE program, an application must meet all of the following:

- Identifying information for the cooperating entity, including information showing that the cooperating entity is a political subdivision or nonprofit conservation organization.
- A description of the land that would be subject to the proposed agricultural conservation easement, including location, acreage, and current use.
- The name and address of each owner of land that would be subject to the proposed agricultural conservation easement.

- Evidence that all of the owners under par. (c) are willing to convey the proposed agricultural conservation easement.
- An indication that the cooperating entity is willing to arrange the purchase of the proposed agricultural conservation easement in accordance with this section and share in the purchase cost, subject to reimbursement under sub. (9) of the department's agreed upon share of the costs.
- The purpose of and rationale for the proposed agricultural conservation easement.
- Information needed to evaluate the application using the criteria in sub. (4) and in the department's solicitation under sub. (2) (b).

Easements considered for PACE funding will be evaluated based on:

- The value of the proposed agricultural conservation easement in preserving or enhancing agricultural production capacity in this state.
- The importance of the proposed agricultural conservation easement in protecting or enhancing the waters of the state or in protecting or enhancing other public assets.
- The extent to which the proposed agricultural conservation easement would conserve important or unique agricultural resources, such as prime soils and soil resources that are of statewide importance or are unique.
- The extent to which the proposed agricultural conservation easement would be consistent with local land use plans and zoning ordinances, including any certified farmland preservation plans and zoning ordinances under ch. 91.
- The extent to which the proposed agricultural conservation easement would enhance an agricultural enterprise area designated under s. 91.84.
- The availability, practicality, and effectiveness of other methods to preserve the land that would be subject to the proposed agricultural conservation easement.
- The proximity of the land that would be subject to the proposed agricultural conservation easement to other land that is protected for agricultural use or conservation use and the extent to which the proposed agricultural conservation easement would enhance that protection.
- The likely cost-effectiveness of the proposed agricultural conservation easement in preserving land for agricultural use.
- The likelihood that the land that would be subject to the proposed agricultural conservation easement would be converted to nonagricultural use if the land is not protected by the proposed agricultural conservation easement.

The apparent willingness of each landowner to convey the proposed agricultural conservation easement.

Easement Approval Process

An interested landowner applies to the local cooperating entity for easement consideration. A local government or non-profit organization then submits a proposal for an easement to DATCP. DATCP then evaluates and considers the easement.

Tax Credits Eligibility Requirements

Though a property's location within a certified farmland preservation area is the principal criterion, the State Farmland Preservation Program requires landowners to meet multiple criteria to be considered eligible to claim farmland preservation tax credits. These criteria include the following:

- The landowner must have been the owner of the farmland for the year in which the credit is claimed of lands located in a certified farmland preservation zoning district, enrolled in an effective farmland preservation agreement or both. The landowner need not be the farm operator and may rent the land to a farmer.
- The landowner must have been a resident of Wisconsin for the entire taxable year.
- The landowner may not have claimed homestead credit or veterans and surviving spouses property tax credit for that year.
- The farm must meet applicable state soil and water conservation standards. For exact requirements, contact the county land conservation department in which the land is located.
- The land produced $6,000 in gross farm revenue in the preceding year or $18,000 in gross farm revenue during the preceding three years. If a landowner rents the farmland, the landowner may claim on that land provided the renter meets the gross farm revenue requirement.

Soil and Water Conservation Compliance[17]

Landowners who claim a farmland preservation tax credit must comply with Wisconsin soil and water conservation standards and must certify on their tax returns that they comply with these standards. Certification requires that:

- Their land already meets the agricultural performance standards established in NR 151[18], or
- Have a schedule of compliance designed to meet state conservation standards by a specific deadline set by the county.

For those farmers who do not know their compliance status, they can contact the Washington County Land Resources Division to assess their farm's compliance status and take further actions to come into compliance if needed.

Counties have the responsibility to monitor compliance and issue certificates, with an inspection at least once every four years. The County will take appropriate actions to address farms found out of compliance with the standards, and in certain cases may issue a notice of noncompliance to the Department of Revenue. Once the farmer is back into compliance, the County will notify the Department of Revenue.

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[17] *See State Statutes 91.80 and 91.82 for more information regarding soil and water conservation compliance.*

[18] *NR 151 of the Wisconsin Administrative Code establishes and prescribes runoff pollution performance standards and prohibitions for agricultural facilities, operations and practices.*

Additional Preservation Techniques

The preservation tools listed in this section represent existing and potential strategies for the protection of farmland and open space within Washington County. These preservation tools offer other farmland preservation options for communities.

Preservation tools are grouped into two categories: regulatory and incentive based. Regulatory tools are created through ordinances and regulate different activities and uses that can occur on specified parcels. Incentive tools help to encourage and support the adoption of different agricultural techniques or support the purchase of development rights on agricultural lands for the purpose of preservation. Incentive tools can be incorporated into ordinances and regulations, but in general they are voluntary.

The following are preservation tools:

Regulatory Tools

- Agricultural Protection Zoning (Exclusive Agriculture Zoning)
- Incentive Zoning (Density Bonus Incentives)
- Sliding-Scale Zoning
- Lot Averaging
- Conservation Development
- Mitigation Ordinances and Policies
- Right-to-Farm Laws

Incentive Tools

- Fee-simple Purchase
- Land Donations
- Bargain Sale
- USDA Programs & Initiatives
  - Agricultural Conservation Easement Program
  - Environmental Quality Incentive Program
- Transfer of Development Rights

More information on the above farmland and open space preservation tools and additional farmland and open space preservation tools can be found in the Washington County Farmland & Open Space Preservation Tools study.

Recommendations to Increase Housing Density

Increasing housing density can help preserve farmland by reducing the amount of land needed for nonfarm development. In general, local governments are recommended to have rural areas maintain low-density residential development with higher-density housing being reserved for urban areas. The following are housing recommendations for the consideration of local governments from *A Multi-Jurisdictional Comprehensive Plan for Washington County: 2050:*

- In communities with sewer service areas and other urban services, encourage local comprehensive plans and ordinances that support the provision of a full range of structure types and sizes, including single-family, two-family, and multifamily dwellings, at appropriate densities.
- Seek to protect the character of residential neighborhoods by precluding the encroachment of incompatible land uses and minimizing adverse impacts on the environment.
- Encourage local governments to accommodate higher density development in areas with appropriate urban services to encourage a diverse portfolio of housing options.

- Rural-density residential development with an average density of one home for each five to 34.9 acres. Encourage continued agricultural activity in these areas, whether it is conventional farming or hobby farming.
- Where rural-density residential development is accommodated, local governments are encouraged to require cluster subdivision design or lot-averaging techniques to help preserve rural character and provide a buffer between adjacent farmland and residential uses. In some cases, the common open space in cluster subdivisions may be used for agriculture.

Supporting Agriculture

This section describes programs that promote local agriculture and help to preserve local farmland. Although these programs will not directly preserve the land itself, they help generate awareness of local farmland preservation needs and create a sustainable environment for existing agriculture.

Marketing Farm Products

Direct and intermediate marketing opportunities enable farmers to have an active role in determining the sale price of their products. Farmers must be able to evaluate their interests, preferences, and capabilities when determining which market to pursue for their agricultural products. Some such considerations include whether the farmer is willing and interested in complying with State inspections, having direct customer contact, participating in food preparation, and taking on varying degrees of risk.

Farm to School Programs

The Wisconsin Farm to School program is a part of an international Farm to School program that connects schools and local farms to improve student nutrition, increase access to locally grown food, and provide agricultural education. Local and regional farmers benefit from providing a direct market while helping to educate kids about agriculture, where their food comes from, and how it is produced.

Community Gardens

Community gardens provide people with a garden plot which can be rented or reserved for growing their own food. Community gardens can be in urban, suburban, and rural areas and can be a single large plot or several individual plots. Community gardens are utilized to grow vegetables, flowers, herbs, and fruits which can be for individual use or for sale at markets.

Farmers' Market

Farmers' markets provide a location for people to sell products directly to consumers. Products range from produce, meats, dairy products, baked goods, handmade crafts, art, and several other items. Farmers' markets in Washington County can be found in Allenton, Germantown, Hartford, Kewaskum, Richfield, Slinger, and West Bend.

Community Supported Agriculture

Community supported agriculture (CSA) is a partnership between producers and consumers. A farm which decides to create a CSA offers consumers memberships. The membership revenue covers farm expenses and in return members receive a share of the product. The share that is

provided depends on the CSA and can occur for a portion, throughout, or even after the growing season.

Culinary Incubators

Culinary incubators provide people and businesses with a shared commercial kitchen facility with supplies and equipment that can be used to produce food products which can be sold. Culinary incubators, in some cases, are connected to other food related programs such as community gardens and food pantries. Culinary incubators also provide people with classes and workshops for people to learn skills in cooking and food preparation.

Farm Listening Sessions

Agriculture community listening sessions bring together members of the agricultural community, county staff and local leaders to discuss the state of agriculture and how to support its continued future. Themes such as transportation, education, land use, and community well-being are considered in the sessions. In 2021, Washington County held several listening sessions, gathering 45 participants, to discuss agriculture in the County. Discussions ranged from governmental barriers to preserving productive farmland and maintaining an ongoing dialogue between the County and agricultural community.

Farm listening session photo

Farm Mentorship Programs

It can be difficult for new farmers to access the information and resources that they need to start farming, especially if they are not from the area and don't have the necessary networks. A farmer mentorship program can help connect new farmers with experienced mentors that can provide education, resources, support, and can help new farmers build their local network.

The DATCP Conservation Farmer Mentor Service is an initiative that brings together a group of Conservation Farmer Mentors to support and advise other farmers on conservation practices and soil health. For example, the Marbleseed Farmer-to-Farmer Mentorship program, located in Spring Valley WI, provides one-on-one guidance from experienced organic farmers that can guide beginning organic farmers to organic certification and teach best practices. Additionally, UW-Extension offers various farmer training programs and mentorship opportunities.

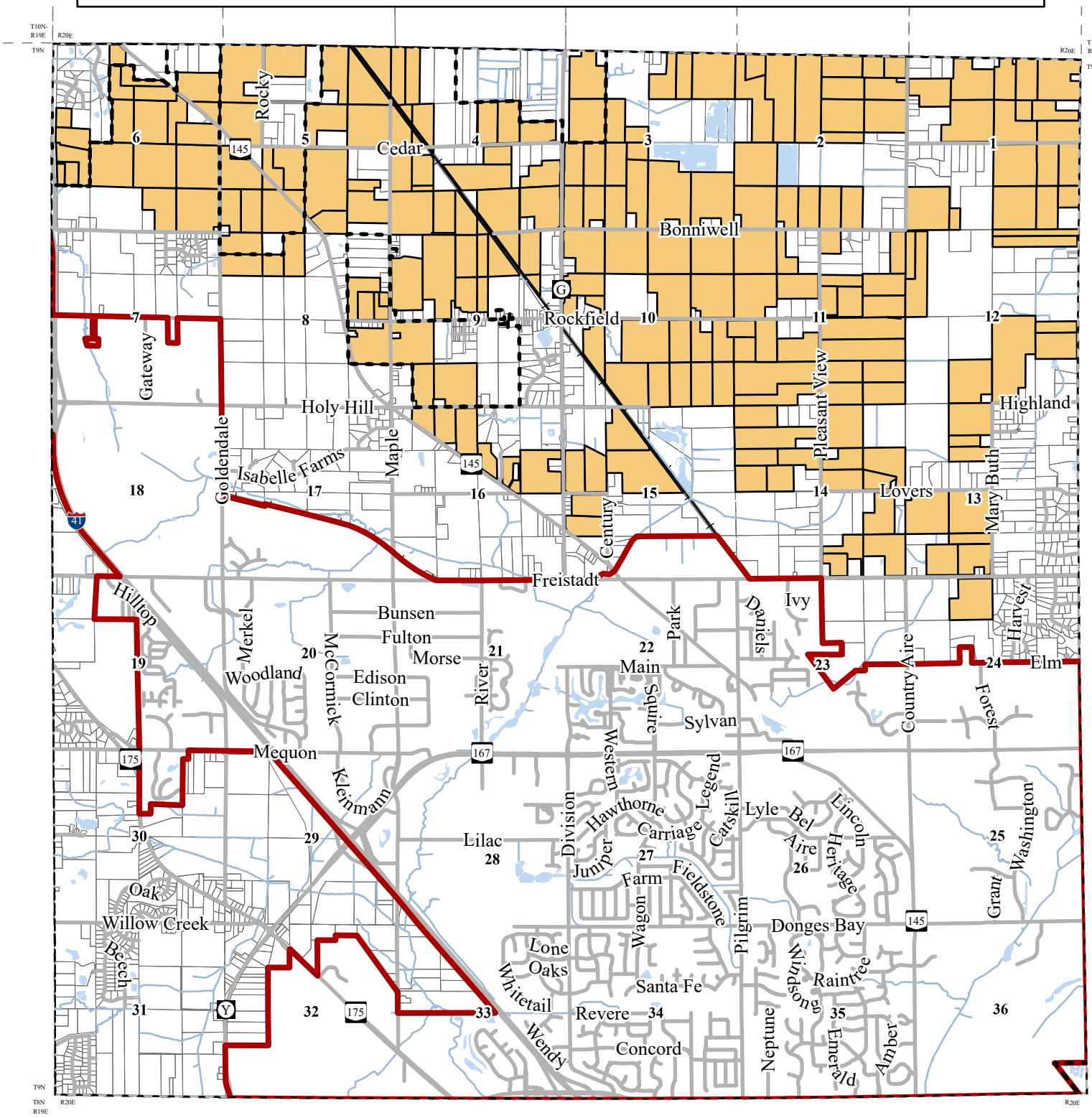
Although Washington County does not have a formal mentorship program there are several informal mentorship programs that take place either through new farmers starting by working for and learning from experienced farmers, or through producer led groups. Producer led groups offer opportunities for not only new farmers but also experienced farmers to learn from other farmers.

Farmer Education

One way that farmers support their operations is by learning new techniques and about emerging technologies through education programs provided by private, public, and non-profit organizations. Two examples would be the National No-Till Conference and nutrient management planning courses provided by the Washington County Land Resources Department. Farmers are also educating the public about farming through Farmer in the Classroom, farm tours, field days, workshops, and several other farm learning programs.

DRAFT

Draft Farmland Preservation Areas for the Town and Village of Germantown



WASHINGTON COUNTY
EST 1836
WISCONSIN

Community Development Department
Debora Sielski, Community Development Director

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Updated Farmland Preservation Area Delineation Process Memo
Date: 8/7/2024
To: Farmland Preservation Plan Advisory Committee
From: Adam Christensen – Community Development Planner
Cc: Debora Sielski - Community Development Director
Re: Update to the Draft Farmland Preservation Areas

New Farmland Preservation Area Delineation Steps:

1. Minimum of 35-acre block of at least 1 ~~separate and contiguous~~ farm~~s~~ of common ownership.
2. ~~All parcels within the block must have a LESA score of 6.8 or higher.~~

Summary of the new delineation process:

The Farmland Preservation Plan Advisory Committee recommended two changes to the Farmland Preservation Area (FPA) delineation process:

- Reduce the acreage requirement for blocks of farmland from 100 acres with at least 3 separate and contiguous farms of common ownership to only 35-acres blocks with at least 1 farm.
- Use all Tier I and II farmland parcels that were created in the Land Evaluation and Site Assessment (LESA) Analysis in the delineation process instead of only those with a LESA score of 6.8 and above.

As recommended, both changes to the FPA delineation process were used. The Tier I and II farmland parcels were used as the base parcels that were analyzed throughout the delineation process. The final step was to analyze blocks of parcels to verify that they met the 35-acre minimum requirement.

Additionally, Town Zoning Maps and Future Land Use Plan Maps were used to screen for Tier I and II farmland parcels that are developed or planned for development, as it is a requirement in the State Statute that the FPA parcels not be planned for development. To complete this Town Zoning Maps and Future Land Use Plan Maps were gathered from Southeastern Wisconsin Regional Planning Commission so the most recent versions were used. A draft version of the Town of Hartford's Zoning Map was obtained from their consultant, and its revision is up to date to December 20, 2023. The Town of Germantown's Zoning Map and Land Use Plan Map still need to be verified.

As a final new quality control step, the Washington County Ortho image was used to screen for recently developed parcels.

There are 3 maps provided below:

- Maps A shows the previous draft FPAs from the 2013 FPP.
- Map B compares the changes between the new draft FPAs and the previous draft FPAs. The previous draft FPAs only used Tier I farmland from the LESA Analysis. Since the previous Farmland Preservation Planning process, the Land Evaluation values for soils in Washington County changed and many decreased in value which led to more Tier II farmland during this planning process. To understand the impact of the Land Evaluation change, the Tier I and II FPAs went through the delineation process separately. The previous FPAs are shown in a tan hatched layer that is set above the blue Teir I farmland and red Tier II farmland to easily analyze the change. Farmland parcels that were included in the previous FPAs but were excluded in the new FPAs are shown in the double black hatched layer on the map.
- Map C shows the final draft FPA map that the County will present to the Towns. To create this map the Tier I FPAs and Tier II FPAs layers were combined.

Comparison of the new draft FPAs and the previous draft FPAs:
To understand the impact that the delineation recommendations would have on the Draft FPAs the County compared the new Draft FPA Map to the previous Draft FPA Map from the 2013 Farmland Preservation Plan. Below is a summary of how the parcels and acreage of how each FPA Map compared:

Previous Draft FPA Map (2013 FPP)		
	Number of Parcels	Number of Acres
Total	3,276	84,175

New Draft FPA Map		
Tier	Number of Parcels	Number of Acres
Tier I	2,269	59,933
Tier II	1,056	23,980
Total	3,325	83,913

The total number of parcels in FPAs increased from 3,276 parcels to 3,325 parcels, an increase of 49 parcels. The total number of acres decreased from 84,175 acres to 83,913 acres, a decrease of 262 acres. The change in the FPA parcels and acreage is due to the change of agricultural parcels to another land use, the subdivision of land into smaller parcels, and the recommendations of the Farmland Preservation Plan Advisory Committee to change the FPA delineation process to decrease the minimum block acreage from 100 to 35 acres and to utilize all farmland parcels whether they are Tier I or II farmland.

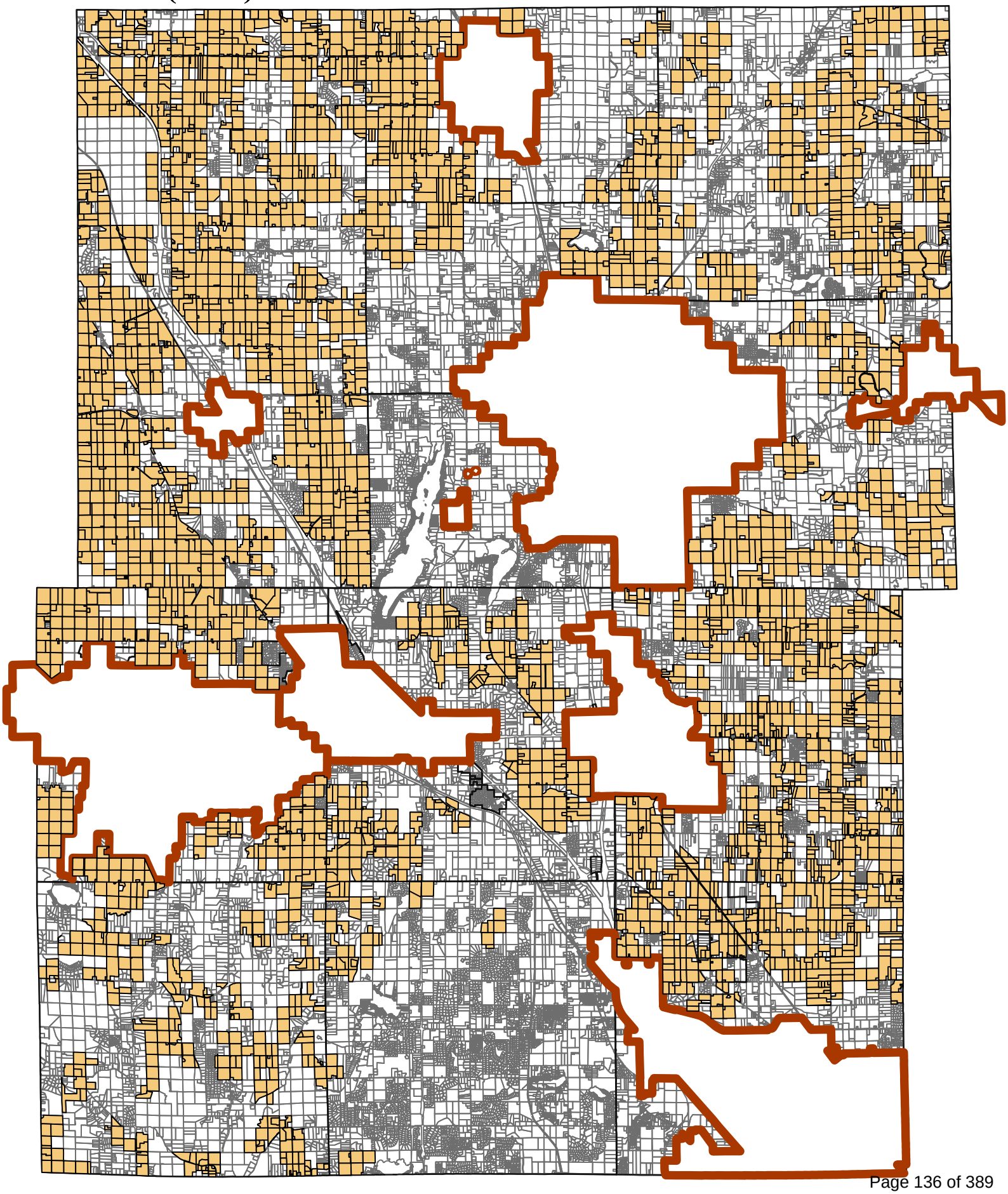
Next Steps:
Town specific FPA maps will be presented and reviewed by all Towns in Washington County. Towns will be able to determine if parcels need to be added, removed, or if there aren't any changes needed. Parcels that are added to the map still need to pass the delineation steps above to be added.

Map A: Previous Draft Farmland Preservation Areas (2013)

Draft Farmland Preservation Areas

Planned Sanitary Sewer Service Area

Parcel Boundary Outside Sewer Service Area



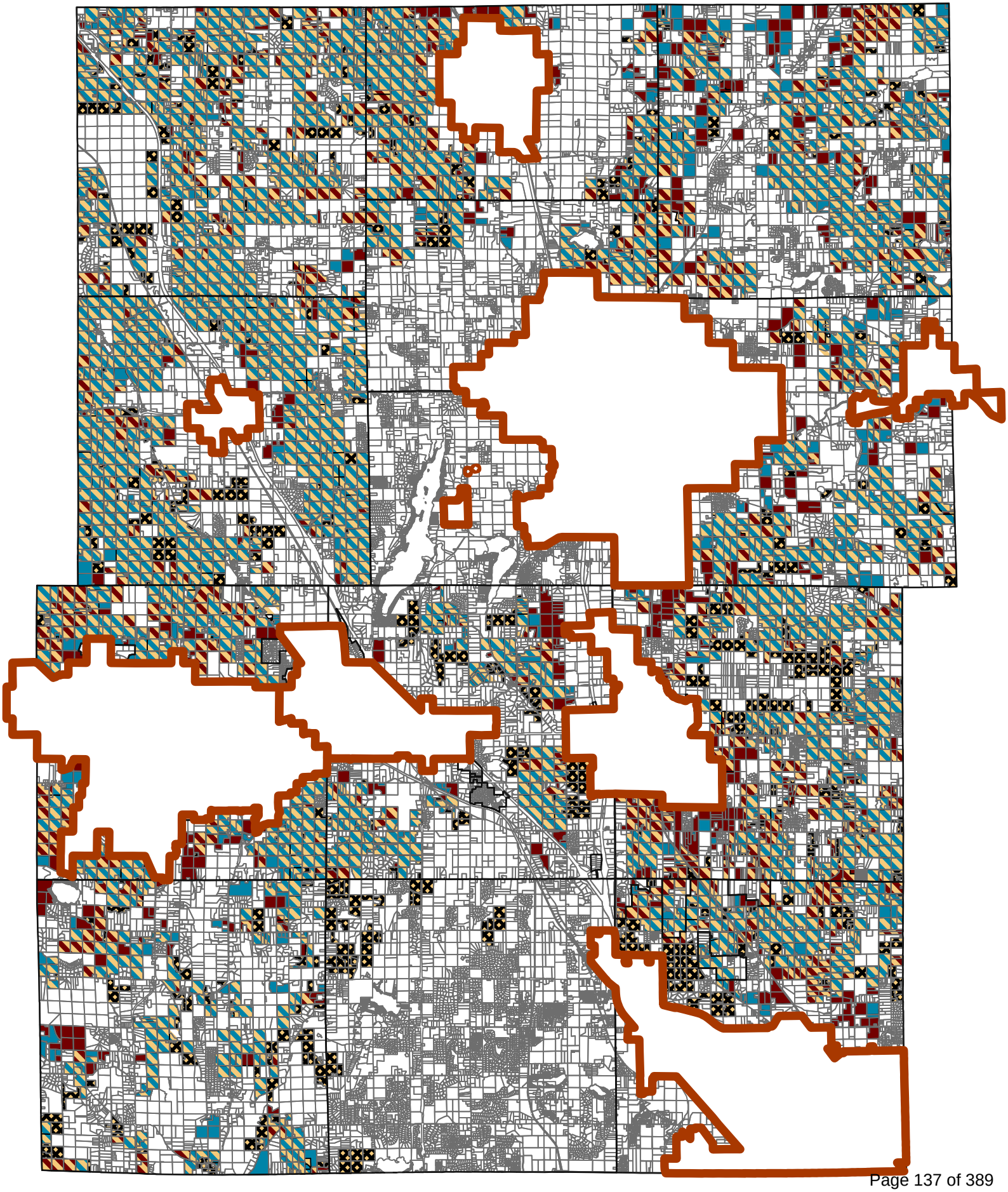
Map B: Comparison of Previous Draft FPAs (2013) and the New Draft FPAS

Adopted FPAs that do not overlap the new FPAs

Previous Draft FPA

Tier I FPA

Tier II FPA

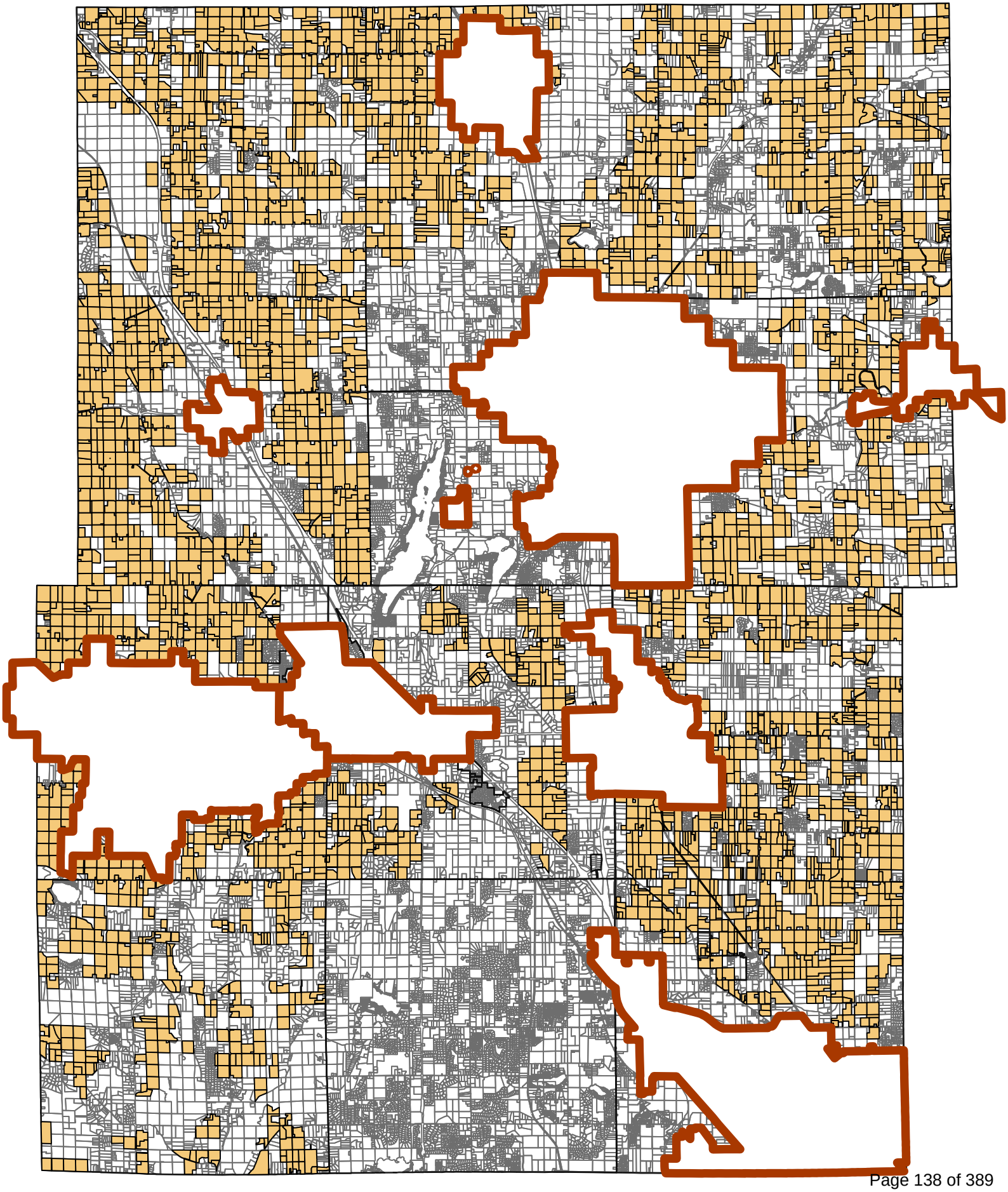


Map C: New Draft Farmland Preservation Areas

Draft Farmland Preservation Areas

Planned Sanitary Sewer Service Area

Parcel Boundary Outside Sewer Service Area



CHAPTER 91

FARMLAND PRESERVATION

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SUBCHAPTER I

DEFINITIONS AND GENERAL PROVISIONS

91.01 Definitions. In this chapter:

(1) "Accessory use" means any of the following land uses on a farm:

(a) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.

(b) An activity or business operation that is an integral part of, or incidental to, an agricultural use.

(c) A farm residence.

(d) A business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm, that requires no buildings, structures, or improvements other than those described in par. (a) or (c), that employs no more than 4 full-time employees annually, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

(e) Any other use that the department, by rule, identifies as an accessory use.

(1m) "Agricultural enterprise area" means an area designated in accordance with s. 91.84.

(2) "Agricultural use" means any of the following:

(a) Any of the following activities conducted for the purpose of producing an income or livelihood:

1. Crop or forage production.
2. Keeping livestock.
3. Beekeeping.
4. Nursery, sod, or Christmas tree production.
4m. Floriculture.
5. Aquaculture.
6. Fur farming.
7. Forest management.
8. Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

(b) Any other use that the department, by rule, identifies as an agricultural use.

(3) "Agriculture-related use" means any of the following:

(a) An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products, or facility for processing agricultural wastes.

(b) Any other use that the department, by rule, identifies as an agriculture-related use.

(5) "Base farm tract" means one of the following:

(a) All land, whether one parcel or 2 or more contiguous parcels, that is in a farmland preservation zoning district and that is part of a single farm on the date that the department under s. 91.36 (1) first certifies the farmland preservation zoning ordinance covering the land or on an earlier date specified in the farmland preservation zoning ordinance, regardless of any subsequent changes in the size of the farm.

(b) Any other tract that the department by rule defines as a base farm tract.

(6) "Certified farmland preservation plan" means a farmland preservation plan that is certified as determined under s. 91.12.

(7) "Certified farmland preservation zoning ordinance" means a zoning ordinance that is certified as determined under s. 91.32.

(8) "Chief elected official" means the mayor of a city or, if the city is organized under subch. I of ch. 64, the president of the council of that city, the village president of a village, the town board chairperson of a town, or the county executive of a county, or, if the county does not have a county executive, the chairperson of the county board of supervisors.

(9) "Comprehensive plan" has the meaning given in s. 66.1001 (1) (a).

(10) "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a political subdivision.

(11) "County land conservation committee" means a committee created under s. 92.06 (1).

(12) "Department" means the department of agriculture, trade and consumer protection.

(13) "Farm" means all land under common ownership that is primarily devoted to agricultural use.

(14) "Farm acreage" means size of a farm in acres.

(15) "Farmland preservation agreement" means any of the following agreements between an owner of land and the department under which the owner agrees to restrict the use of land in return for tax credits:

(a) A farmland preservation agreement or transition area agreement entered into under s. 91.13, 2007 stats., or s. 91.14, 2007 stats.

(b) An agreement entered into under s. 91.60 (1).

(16) "Farmland preservation area" means an area that is planned primarily for agricultural use or agriculture-related use, or both, and that is one of the following:

(a) Identified as an agricultural preservation area or transition area in a farmland preservation plan described in s. 91.12 (1).

(b) Identified under s. 91.10 (1) (d) in a farmland preservation plan described in s. 91.12 (2).

(17) "Farmland preservation plan" means a plan for the preservation of farmland in a county, including an agricultural preservation plan under subch. IV of ch. 91, 2007 stats.

(18) "Farmland preservation zoning district" means any of the following:

(a) An area zoned for exclusive agricultural use under an ordinance described in s. 91.32 (1).

(b) A farmland preservation zoning district designated under s. 91.38 (1) (c) in an ordinance described in s. 91.32 (2).

(19) "Farm residence" means any of the following structures that is located on a farm:

(a) A single-family or duplex residence that is the only residential structure on the farm or is occupied by any of the following:

1. An owner or operator of the farm.

2. A parent or child of an owner or operator of the farm.

3. An individual who earns more than 50 percent of his or her gross income from the farm.

(b) A migrant labor camp that is certified under s. 103.92.

(20) "Gross farm revenues" has the meaning given in s. 71.613 (1) (g).

(20m) "Livestock" means bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm-raised fish.

(21) "Nonfarm residence" means a single-family or multi-family residence other than a farm residence.

(22) "Nonfarm residential acreage" means the total number of acres of all parcels on which nonfarm residences are located.

(22m) "Overlay district" means a zoning district that is superimposed on one or more other zoning districts and imposes additional restrictions on the underlying districts.

(23) "Owner" means a person who has an ownership interest in land.

(23m) "Permitted use" means a use that is allowed without a conditional use permit, special exception, or other special zoning permission.

(24) "Political subdivision" means a city, village, town, or county.

(25) "Prime farmland" means any of the following:

(a) An area with a class I or class II land capability classification as identified by the natural resources conservation service of the federal department of agriculture.

(b) Land, other than land described in par. (a), that is identified as prime farmland in a certified farmland preservation plan.

(26) "Prior nonconforming use" means a land use that does not conform with a farmland preservation zoning ordinance, but that existed lawfully before the farmland preservation zoning ordinance was enacted.

(27) "Protected farmland" means land that is located in a farmland preservation zoning district, is covered by a farmland preservation agreement, or is otherwise legally protected from nonagricultural development.

(28) "Taxable year" has the meaning given in s. 71.01 (12).

History: 2009 a. 28.

Wisconsin's Working Lands: Securing Our Future. Matson. Wis. Law. Dec. 2009.

91.02 Rule making. (1) The department shall promulgate rules that set forth technical specifications for farmland preservation zoning maps under s. 91.38 (1) (d).

(2) The department may promulgate rules for the administration of this chapter, including rules that do any of the following:

(a) Identify accessory uses under s. 91.01 (1) (e).

(b) Identify agricultural uses under s. 91.01 (2) (b).

(c) Identify agriculture-related uses under s. 91.01 (3) (b).

(d) Identify base farm tracts under s. 91.01 (5) (b).

(e) Specify requirements for certification under s. 91.18 (1) (b).

(f) Require information in an application for certification of a farmland preservation plan or amendment under s. 91.20 (4).

(g) Specify types of ordinance amendments for which certification is required under s. 91.36 (8) (b) 3.

(h) Specify exceptions to the requirement that land in a farmland preservation zoning district be included in a farmland preservation area under s. 91.38 (1) (g).

(i) Specify requirements for certification of a farmland preservation zoning ordinance under s. 91.38 (1) (i).

(j) Require information in an application for certification of a farmland preservation zoning ordinance or amendment under s. 91.40 (5).

(k) Authorize additional uses in a farmland preservation zoning district under s. 91.42 (4).

(L) Authorize additional uses as permitted uses in a farmland preservation zoning district under s. 91.44 (1) (g).

(m) Authorize additional uses as conditional uses in a farmland preservation zoning district under s. 91.46 (1) (j).

(p) Require information in an application for a farmland preservation agreement under s. 91.64 (2) (h).

(r) Prescribe procedures for compliance monitoring under s. 91.82 (3).

History: 2009 a. 28; 2011 a. 253.

91.03 Intergovernmental cooperation. State agencies shall cooperate with the department in the administration of this chapter and in other matters related to the preservation of farmland in this state. State agencies shall, to the extent feasible, cooperate in sharing and standardizing relevant information, identifying and mapping significant agricultural resources, and planning and evaluating the impact of state actions on agriculture.

History: 2009 a. 28.

91.04 Department to report. At least once every 2 years, beginning not later than December 31, 2011, the department shall submit a farmland preservation report to the joint committee on finance, the standing committees of the legislature with jurisdic-

tion over agriculture under s. 13.172 (3), and the board of agriculture, trade and consumer protection and provide copies of the report to the department of revenue and the department of administration. The department shall prepare the report in cooperation with the department of revenue and shall include all of the following in the report:

(1) A review and analysis of farmland availability, uses, and use trends in this state, including information related to farmland conversion statewide and by county.

(2) A review and analysis of relevant information related to the farmland preservation program under this chapter and associated tax credit claims under subch. IX of ch. 71, including information related to all of the following:

(a) Participation in the program by political subdivisions and landowners.

(b) Tax credit claims by landowners, including the number of claimants, the amount of credits claimed, acreage covered by tax credit claims, the amount of credits claimed under zoning ordinances and under farmland preservation agreements, and relevant projections and trends.

(bm) The amount of the tax credits per qualifying acre, and the recommendations of the department for the tax credit amounts.

(c) The number, identity, and location of counties with certified farmland preservation plans.

(d) Trends and developments related to certification of farmland preservation plans.

(e) The number, identity, and location of political subdivisions with certified farmland preservation zoning ordinances.

(f) Trends and developments related to certification of farmland preservation zoning ordinances.

(g) The number, nature, and location of agricultural enterprise areas.

(h) The number and location of farms covered by farmland preservation agreements, including new farmland preservation agreements, and the number and location of farms for which farmland preservation agreements have expired.

(i) Conservation compliance by landowners under s. 91.80 and compliance activities by county land conservation committees under s. 91.82.

(j) Rezoning of land out of farmland preservation zoning districts under s. 91.48.

(k) Program costs, cost trends, and cost projections.

(L) Key issues related to program performance and key recommendations, if any, for enhancing the program.

History: 2009 a. 28; 2011 a. 32; 2023 a. 42.

SUBCHAPTER II

FARMLAND PRESERVATION PLANNING

91.10 County plan required; planning grants. (1) By January 1, 2016, a county shall adopt a farmland preservation plan that does all of the following:

(a) States the county's policy related to farmland preservation and agricultural development, including the development of enterprises related to agriculture.

(b) Identifies, describes, and documents other development trends, plans, or needs, that may affect farmland preservation and agricultural development in the county, including trends, plans, or needs related to population and economic growth, housing, transportation, utilities, communications, business development, community facilities and services, energy, waste management, municipal expansion, and environmental preservation.

(c) Identifies, describes, and documents all of the following:

1. Agricultural uses of land in the county at the time that the farmland preservation plan is adopted, including key agricultural specialities, if any.

2. Key agricultural resources, including available land, soil, and water resources.

3. Key infrastructure for agriculture, including key processing, storage, transportation, and supply facilities.

4. Significant trends in the county related to agricultural land use, agricultural production, enterprises related to agriculture, and the conversion of agricultural lands to other uses.

5. Anticipated changes in the nature, scope, location, and focus of agricultural production, processing, supply, and distribution.

6. Goals for agricultural development in the county, including goals related to the development of enterprises related to agriculture.

7. Actions that the county will take to preserve farmland and to promote agricultural development.

7m. Policies, goals, strategies, and proposed actions to increase housing density in areas that are not identified under par. (d).

8. Key land use issues related to preserving farmland and to promoting agricultural development and plans for addressing those issues.

(d) Clearly identifies areas that the county plans to preserve for agricultural use and agriculture-related uses, which may include undeveloped natural resource and open space areas but may not include any area that is planned for nonagricultural development within 15 years after the date on which the plan is adopted.

(dm) Describes the rationale used to determine which areas to identify under par. (d).

(e) Includes maps that clearly delineate all areas identified under par. (d), so that a reader can easily determine whether a parcel is within an identified area.

(f) Clearly correlates the maps under par. (e) with text that describes the types of land uses planned for each area on a map.

(g) Identifies programs and other actions that the county and local governmental units within the county may use to preserve the areas identified under par. (d).

(2) If the county has a comprehensive plan, the county shall include the farmland preservation plan in its comprehensive plan and shall ensure that the farmland preservation plan is consistent with the comprehensive plan. The county may incorporate information contained in other parts of the comprehensive plan into the farmland preservation plan by reference.

(3) To adopt a farmland preservation plan under sub. (1), a county shall follow the procedures under s. 66.1001 (4) for the adoption of a comprehensive plan.

(4) The department may provide information and assistance to a county in developing a farmland preservation plan under sub. (1).

(5) A county shall notify the department before the county holds a public hearing on a proposed farmland preservation plan under sub. (1) or on any amendment to a farmland preservation plan. The county shall include a copy of the proposed farmland preservation plan or amendment in the notice. The department may review and comment on the plan or amendment.

(6) (a) From the appropriation under s. 20.115 (7) (dm) or (tm), the department may award a planning grant to a county to provide reimbursement for up to 50 percent of the county's cost of preparing a farmland preservation plan required under sub. (1). In determining priorities for awarding grants under this subsec-

tion, the department shall consider the expiration dates for plan certification under s. 91.14.

(b) The department shall enter into a contract with a county to which it awards a planning grant under par. (a) before the department distributes any grant funds to the county. In the contract, the department shall identify the costs that are eligible for reimbursement through the grant.

(c) The department may distribute grant funds under this subsection only after the county shows that it has incurred costs that are eligible for reimbursement under par. (b). The department may not distribute more than 50 percent of the amount of a grant under this subsection for a farmland preservation plan before the county submits the farmland preservation plan for certification under s. 91.16.

History: 2009 a. 28.

91.12 Certified plan. The following farmland preservation plans are certified, for the purposes of this chapter and s. 71.613:

(1) An agricultural preservation plan that was certified under s. 91.06, 2007 stats., if the certification has not expired.

(2) A farmland preservation plan that was certified under s. 91.16 if the certification has not expired or been withdrawn.

History: 2009 a. 28.

91.14 Expiration of plan certification. (1) Except as provided under sub. (4), the certification of a farmland preservation plan that was certified under s. 91.06, 2007 stats., expires on the date provided in the certification or, if the certification does not provide an expiration date, on the following date:

(a) December 31, 2011, for a county with an increase in population density of more than 9 persons per square mile.

(b) December 31, 2012, for a county with an increase in population density of more than 3.75 but not more than 9 persons per square mile.

(c) December 31, 2013, for a county with an increase in population density of more than 1.75 but not more than 3.75 persons per square mile.

(d) December 31, 2014, for a county with an increase in population density of more than 0.8 but not more than 1.75 persons per square mile.

(e) December 31, 2015, for a county with an increase in population density of not more than 0.8 person per square mile.

(2) The certification of a farmland preservation plan that the department certifies under s. 91.16 expires on the date specified under s. 91.16 (2).

(3) For the purposes of sub. (1), a county's increase in population density is the number by which the county's population per square mile based on the department of administration's 2007 population estimate under s. 16.96 exceeds the county's population per square mile based on the 2000 federal census.

(4) The secretary of agriculture, trade and consumer protection may delay the date for the expiration of a county's farmland preservation plan for up to 2 years beyond the date under sub. (1) upon a written request from the county demonstrating to the secretary's satisfaction that a delay would allow the county to concurrently develop a farmland preservation plan and a comprehensive plan or an update to a comprehensive plan.

History: 2009 a. 28.

91.16 Certification of plan by the department. (1) GENERAL. The department may certify a farmland preservation plan or an amendment to a farmland preservation plan as provided in this section.

(2) CERTIFICATION PERIOD. (a) The department may certify a farmland preservation plan for a period that does not exceed 10 years. The department shall specify the expiration date of the certification of the farmland preservation plan in the certification.

(b) The certification of an amendment to a certified farmland preservation plan expires on the date that the certification of the farmland preservation plan expires, except that the department may treat a comprehensive revision of a certified farmland preservation plan as a new farmland preservation plan and shall specify an expiration date for the certification of the revised farmland preservation plan as provided in par. (a).

(3) SCOPE OF DEPARTMENT REVIEW. (a) The department may certify a county's farmland preservation plan or an amendment to the farmland preservation plan based on the county's certification under s. 91.20 (3), without conducting any additional review or audit.

(b) The department may do any of the following before it certifies a county's farmland preservation plan or amendment:

1. Review the farmland preservation plan or amendment for compliance with s. 91.18.

2. Review and independently verify the application for certification, including the statement under s. 91.20 (3).

(4) DENIAL OF CERTIFICATION. The department shall deny a county's application for certification of a farmland preservation plan or amendment if the department finds any of the following:

(a) That the farmland preservation plan or amendment does not comply with the requirements in s. 91.18.

(b) That the application for certification does not comply with s. 91.20.

(5) WRITTEN DECISION; DEADLINE. The department shall grant or deny an application for certification under this section no more than 90 days after the day on which the county submits a complete application, unless the county agrees to an extension. The department shall issue its decision in the form required by s. 227.47 (1).

(6) CONDITIONAL CERTIFICATION. The department may grant an application for certification under this section subject to conditions specified by the department in its decision under sub. (5). The department may certify a farmland preservation plan or amendment contingent upon the county board adopting the farmland preservation plan or amendment as certified.

(7) EFFECTIVE DATE OF CERTIFICATION. A certification under this section takes effect on the day on which the department issues its decision, except that if the department specifies conditions under sub. (6), the certification takes effect on the day on which the department determines that the county has met the conditions.

(8) EFFECTIVENESS OF PLAN AMENDMENTS. For purposes of this chapter and s. 71.613, a certified farmland preservation plan does not include an amendment adopted after July 1, 2009, unless the department certifies the amendment.

(9) WITHDRAWAL OF CERTIFICATION. The department may withdraw a certification that it granted under sub. (3) (a) if the department finds that the farmland preservation plan materially violates the requirements under s. 91.18.

History: 2009 a. 28.

91.18 Requirements for certification of plan. (1) A farmland preservation plan qualifies for certification under s. 91.16 if it complies with all of the following:

(a) The requirements in s. 91.10 (1) and (2).

(b) Any other requirements that the department specifies by rule.

(2) An amendment to a farmland preservation plan qualifies for certification under s. 91.16 if it complies with all of the requirements in sub. (1) that are relevant to the amendment and it

does not cause the farmland preservation plan to violate any of the requirements in sub. (1).

History: 2009 a. 28.

91.20 Applying for certification of plan. A county seeking certification of a farmland preservation plan or amendment to a farmland preservation plan shall submit all of the following to the department in writing, along with any other relevant information that the county chooses to provide:

(1) The proposed farmland preservation plan or amendment.

(2) All of the following background information:

(a) A concise summary of the farmland preservation plan or amendment, including key changes from any previously certified farmland preservation plan.

(b) A concise summary of the process by which the farmland preservation plan or amendment was developed, including public hearings, notice to and involvement of other governmental units within the county, approval by the county, and identification of any key unresolved issues between the county and other governmental units within the county related to the farmland preservation plan or amendment.

(c) The relationship of the farmland preservation plan or amendment to any county comprehensive plan.

(3) A statement, signed by the county corporation counsel and the county planning director or chief elected official, certifying that the farmland preservation plan or amendment complies with all of the requirements in s. 91.18.

(4) Other relevant information that the department requires by rule.

History: 2009 a. 28.

SUBCHAPTER III

FARMLAND PRESERVATION ZONING

91.30 Authority to adopt. A political subdivision may adopt and administer a farmland preservation zoning ordinance in accordance with s. 59.69, 60.61, 60.62, or 62.23.

History: 2009 a. 28.

91.32 Certified ordinance. The following zoning ordinances are certified, for the purposes of this chapter and s. 71.613:

(1) An exclusive agricultural use zoning ordinance that was certified under s. 91.06, 2007 stats., if the certification has not expired or been withdrawn.

(2) A farmland preservation zoning ordinance that was certified under s. 91.36 if the certification has not expired or been withdrawn.

History: 2009 a. 28.

91.34 Expiration of zoning certification. (1) Except as provided under sub. (4), the certification of a farmland preservation zoning ordinance that was certified under s. 91.06, 2007 stats., expires on the date provided in the certification or, if the certification does not provide an expiration date, on the following date:

(a) December 31, 2012, for a county with an increase in population density of more than 9 persons per square mile or a city, village, or town in such a county.

(b) December 31, 2013, for a county with an increase in population density of more than 3.75 but not more than 9 persons per square mile or a city, village, or town in such a county.

(c) December 31, 2014, for a county with an increase in population density of more than 1.75 but not more than 3.75 persons per square mile or a city, village, or town in such a county.

(d) December 31, 2015, for a county with an increase in population density of more than 0.8 but not more than 1.75 persons per square mile or a city, village, or town in such a county.

(e) December 31, 2016, for a county with an increase in population density of not more than 0.8 person per square mile or a city, village, or town in such a county.

(2) The certification of a farmland preservation zoning ordinance that the department certifies under s. 91.36 expires on the date specified under s. 91.36 (2).

(3) For the purposes of sub. (1), a county's increase in population density is the number by which the county's population per square mile based on the department of administration's 2007 population estimate under s. 16.96 exceeds the county's population per square mile based on the 2000 federal census.

(4) The secretary of agriculture, trade and consumer protection may delay the date for the expiration of a political subdivision's farmland preservation zoning ordinance for up to 2 years beyond the date under sub. (1) upon a written request from the political subdivision demonstrating to the secretary's satisfaction that a delay would allow the political subdivision to concurrently develop a farmland preservation zoning ordinance and a comprehensive plan or an update to a comprehensive plan.

History: 2009 a. 28.

91.36 Certification of zoning ordinance by the department. (1) GENERAL. The department may certify a farmland preservation zoning ordinance or an amendment to a farmland preservation zoning ordinance as provided in this section.

(2) CERTIFICATION PERIOD. (a) The department may certify a farmland preservation zoning ordinance for a period that does not exceed 10 years. The department shall specify the expiration date of the certification of the farmland preservation zoning ordinance in the certification.

(b) The certification of an amendment to a certified farmland preservation zoning ordinance expires on the date that the certification of the farmland preservation zoning ordinance expires, except that the department may treat a comprehensive revision of a certified farmland preservation zoning ordinance as a new farmland preservation zoning ordinance and specify an expiration date for the certification of the revised farmland preservation zoning ordinance as provided in par. (a).

(3) SCOPE OF DEPARTMENT REVIEW. (a) The department may certify a farmland preservation zoning ordinance or amendment to a farmland preservation zoning ordinance based on statements submitted under s. 91.40 (3) and (4), without conducting any additional review or audit.

(b) The department may do any of the following before it certifies a farmland preservation zoning ordinance or amendment:

1. Review the farmland preservation zoning ordinance or amendment for compliance with the requirements under s. 91.38.

2. Review and independently verify the application for certification, including the statements under s. 91.40 (3) and (4).

(4) DENIAL OF CERTIFICATION. The department shall deny an application for certification of a farmland preservation zoning ordinance or amendment if the department finds any of the following:

(a) That the farmland preservation zoning ordinance or amendment does not comply with the requirements in s. 91.38.

(b) That the application for certification does not comply with s. 91.40.

(5) WRITTEN DECISION; DEADLINE. The department shall grant or deny an application for certification under this section no

more than 90 days after the day on which the political subdivision submits a complete application, unless the political subdivision agrees to an extension. The department shall issue its decision in the form required by s. 227.47 (1).

(6) CONDITIONAL CERTIFICATION. The department may grant an application for certification under this section subject to conditions specified by the department in its decision under sub. (5). The department may certify a farmland preservation zoning ordinance or amendment contingent upon the political subdivision adopting the farmland preservation zoning ordinance or amendment as certified.

(7) EFFECTIVE DATE OF CERTIFICATION. A certification under this section takes effect on the day on which the department issues the certification, except that if the department specifies conditions under sub. (6), the certification takes effect on the day on which the department determines that the political subdivision has met the conditions.

(8) AMENDMENTS TO ORDINANCES; CERTIFICATION. (a) Except as provided in par. (b), an amendment to a certified farmland preservation zoning ordinance is automatically considered to be certified as part of the certified farmland preservation zoning ordinance.

(b) An amendment to a certified farmland preservation zoning ordinance that is one of the following and that is adopted after July 1, 2009, is not automatically considered to be certified:

1. An amendment that is a comprehensive revision of a certified farmland preservation zoning ordinance.

2. An amendment that extends coverage of a certified farmland preservation zoning ordinance to a town that was not previously covered.

3. An amendment of a type specified by the department by rule that may materially affect compliance of the certified farmland preservation zoning ordinance with the requirements under s. 91.38.

(c) The department may withdraw certification of a farmland preservation zoning ordinance if, as a result of an amendment adopted after July 1, 2009, the amended farmland preservation zoning ordinance fails to comply with the requirements under s. 91.38. This paragraph applies regardless of whether the farmland preservation zoning ordinance was originally certified under s. 91.06, 2007 stats., or under this section.

(d) A political subdivision shall notify the department in writing whenever the political subdivision adopts an amendment that is described in par. (b) 1. to 3. to a certified farmland preservation zoning ordinance. The political subdivision shall include a copy of the amendment in the notice. This paragraph does not apply to an amendment that rezones land out of a farmland preservation zoning district.

History: 2009 a. 28.

91.38 Requirements for certification of ordinance. (1) A farmland preservation zoning ordinance does not qualify for certification under s. 91.36 unless all of the following apply:

(a) The farmland preservation zoning ordinance includes jurisdictional, organizational, and enforcement provisions that are necessary for proper administration.

(c) The farmland preservation zoning ordinance clearly designates farmland preservation zoning districts in which land uses are limited in compliance with s. 91.42.

(d) The farmland preservation zoning ordinance includes maps that clearly delineate each farmland preservation zoning district, so that a reader can easily determine whether a parcel is within a farmland preservation zoning district; that are correlated to the text under par. (e); and that comply with technical specifications that the department establishes by rule.

(e) The text of the farmland preservation zoning ordinance clearly describes the types of land uses authorized in each farmland preservation zoning district.

(f) The farmland preservation zoning ordinance is substantially consistent with a certified farmland preservation plan.

(g) Except as provided by the department by rule, land is not included in a farmland preservation zoning district unless the land is included in a farmland preservation area identified in the county certified farmland preservation plan.

(h) If an overlay district, such as an environmental corridor, is superimposed on a farmland preservation zoning district, all of the following apply:

1. The farmland preservation zoning ordinance clearly identifies the overlay district as such.

2. The overlay district is shown on the maps under par. (d) in a way that allows a reader to easily identify the underlying farmland preservation zoning district and its boundaries.

3. The overlay district does not remove land use restrictions from the underlying farmland preservation zoning district.

(i) The farmland preservation zoning ordinance complies with any other requirements that the department specifies by rule.

(2) An amendment to a farmland preservation zoning ordinance qualifies for certification under s. 91.36 if it complies with all of the requirements in sub. (1) that are relevant to the amendment and it does not cause the farmland preservation zoning ordinance to violate any of the requirements in sub. (1).

(3) The limits on land uses in farmland preservation districts under s. 91.42 are minimum standards for certification of a farmland preservation zoning ordinance under s. 91.36.

History: 2009 a. 28.

91.40 Applying for certification of ordinance. A political subdivision seeking certification of a farmland preservation zoning ordinance or amendment to a farmland preservation zoning ordinance shall submit all of the following to the department in writing, along with any other relevant information that the political subdivision chooses to provide:

(1) The complete farmland preservation zoning ordinance or amendment proposed for certification.

(2) All of the following background information:

(a) A concise summary of the farmland preservation zoning ordinance or amendment, including key changes from any previously certified farmland preservation zoning ordinance.

(b) A concise summary of the process by which the farmland preservation zoning ordinance or amendment was developed, including public hearings, notice to and involvement of other governmental units, approval by the political subdivision, and identification of any key unresolved issues with other governmental units related to the farmland preservation zoning ordinance or amendment.

(c) A description of the relationship of the farmland preservation zoning ordinance or amendment to the county certified farmland preservation plan, including any material inconsistencies between the farmland preservation zoning ordinance or amendment and the county certified farmland preservation plan.

(3) A statement, signed by the county planning director or the chief elected official, certifying that the farmland preservation zoning ordinance or amendment complies with s. 91.38 (1) (f) and (g).

(4) A statement, signed by the applicant's attorney or chief elected official, certifying that the farmland preservation zoning ordinance or amendment complies with all applicable requirements in s. 91.38.

(5) Other relevant information that the department requires by rule.

History: 2009 a. 28; 2011 a. 258.

91.42 Land use in farmland preservation zoning districts; general. A farmland preservation zoning ordinance does not qualify for certification under s. 91.36, if the farmland preservation zoning ordinance allows a land use in a farmland preservation zoning district other than the following land uses:

(1) Uses identified as permitted uses in s. 91.44.

(2) Uses identified as conditional uses in s. 91.46.

(3) Prior nonconforming uses, subject to s. 59.69 (10), 60.61 (5), or 62.23 (7) (h).

(4) Other uses allowed by the department by rule.

History: 2009 a. 28.

91.44 Permitted uses. (1) Except as provided in s. 84.01 (34), a farmland preservation zoning ordinance does not comply with s. 91.42 if the farmland preservation zoning ordinance allows as a permitted use in a farmland preservation zoning district a land use other than the following land uses:

(a) Agricultural uses.

(b) Accessory uses.

(c) Agriculture-related uses.

(d) Nonfarm residences constructed in a rural residential cluster in accordance with an approval of the cluster as a conditional use under s. 91.46 (1) (e).

(e) Undeveloped natural resource and open space areas.

(f) A transportation, utility, communication, or other use that is required under state or federal law to be located in a specific place or that is authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for that use.

(g) Other uses identified by the department by rule.

(2) The department may promulgate rules imposing additional limits on the permitted uses that may be allowed in a farmland preservation zoning district in order for a farmland preservation zoning ordinance to comply with s. 91.42.

History: 2009 a. 28.

91.46 Conditional uses. (1) GENERAL. Except as provided in s. 84.01 (34), a farmland preservation zoning ordinance does not comply with s. 91.42 if the farmland preservation zoning ordinance allows as a conditional use in a farmland preservation zoning district a land use other than the following land uses:

(a) Agricultural uses.

(b) Accessory uses.

(c) Agriculture-related uses.

(d) Nonfarm residences that qualify under sub. (2) or that meet more restrictive standards in the farmland preservation zoning ordinance.

(e) Nonfarm residential clusters that qualify under sub. (3) or that meet more restrictive standards in the farmland preservation zoning ordinance.

(f) Transportation, communications, pipeline, electric transmission, utility, or drainage uses that qualify under sub. (4).

(g) Governmental, institutional, religious, or nonprofit community uses, other than uses covered by par. (f), that qualify under sub. (5).

(h) Nonmetallic mineral extraction that qualifies under sub. (6).

(i) Oil and gas exploration or production that is licensed by the department of natural resources under subch. II of ch. 295.

(j) Other uses allowed by the department by rule.

(1m) ADDITIONAL LIMITATIONS. The department may promulgate rules imposing additional limits on the conditional uses that may be allowed in a farmland preservation zoning district in order for a farmland preservation zoning ordinance to comply with s. 91.42.

(2) NONFARM RESIDENCES. A proposed new nonfarm residence or a proposal to convert a farm residence to a nonfarm residence through a change in occupancy qualifies for the purposes of sub. (1) (d) if the political subdivision determines that all of the following apply:

(a) The ratio of nonfarm residential acreage to farm acreage on the base farm tract on which the residence is or will be located will not be greater than 1 to 20 after the residence is constructed or converted to a nonfarm residence.

(b) There will not be more than 4 dwelling units in nonfarm residences, nor, for a new nonfarm residence, more than 5 dwelling units in residences of any kind, on the base farm tract after the residence is constructed or converted to a nonfarm residence.

(c) The location and size of the proposed nonfarm residential parcel, and, for a new nonfarm residence, the location of the nonfarm residence on that nonfarm residential parcel, will not do any of the following:

1. Convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a nonfarm residential parcel or nonfarm residence.

2. Significantly impair or limit the current or future agricultural use of other protected farmland.

(3) NONFARM RESIDENTIAL CLUSTER. A political subdivision may issue one conditional use permit that covers more than one nonfarm residence in a qualifying nonfarm residential cluster. A nonfarm residential cluster qualifies for the purposes of sub. (1) (e) if all of the following apply:

(a) The parcels on which the nonfarm residences would be located are contiguous.

(b) The political subdivision imposes legal restrictions on the construction of the nonfarm residences so that if all of the nonfarm residences were constructed, each would satisfy the requirements under sub. (2).

(4) TRANSPORTATION, COMMUNICATIONS, PIPELINE, ELECTRIC TRANSMISSION, UTILITY, OR DRAINAGE USE. A transportation, communications, pipeline, electric transmission, utility, or drainage use qualifies for the purposes of sub. (1) (f) if the political subdivision determines that all of the following apply:

(a) The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(b) The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize conversion of land, at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(5) GOVERNMENTAL, INSTITUTIONAL, RELIGIOUS, OR NONPROFIT COMMUNITY USE. A governmental, institutional, religious, or nonprofit community use qualifies for the purposes of

sub. (1) (g) if the political subdivision determines that all of the following apply:

(a) The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(b) The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(6) NONMETALLIC MINERAL EXTRACTION. Nonmetallic mineral extraction qualifies for the purposes of sub. (1) (h) if the political subdivision determines that all of the following apply:

(a) The operation complies with subch. I of ch. 295 and rules promulgated under that subchapter, with applicable provisions of the local ordinance under s. 295.13 or 295.14, and with any applicable requirements of the department of transportation concerning the restoration of nonmetallic mining sites.

(b) The operation and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(c) The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the farmland preservation zoning district, or are specifically approved under state or federal law.

(d) The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

(e) The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(f) The farmland preservation zoning ordinance requires the owner to restore the land to agricultural use, consistent with any required locally approved reclamation plan, when extraction is completed.

History: 2009 a. 28.

91.48 Rezoning of land out of a farmland preservation zoning district. (1) A political subdivision with a certified farmland preservation zoning ordinance may rezone land out of a farmland preservation zoning district without having the rezoning certified under s. 91.36, if the political subdivision finds all of the following, after public hearing:

(a) The land is better suited for a use not allowed in the farmland preservation zoning district.

(b) The rezoning is consistent with any applicable comprehensive plan.

(c) The rezoning is substantially consistent with the county certified farmland preservation plan.

(d) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(2) A political subdivision shall by March 1 of each year provide to the department a report of the number of acres that the political subdivision has rezoned out of a farmland preservation zoning district under sub. (1) during the previous year and a map that clearly shows the location of those acres.

(3) A political subdivision that is not a county shall by March 1 of each year submit a copy of the information that it reports to the department under sub. (2) to the county in which the political subdivision is located.

(4) If a political subdivision fails to comply with sub. (2), the department may withdraw the certification granted under s. 91.06, 2007 stats., or under s. 91.36 for the political subdivision's farmland preservation zoning ordinance.

History: 2009 a. 28; 2011 a. 32; 2011 a. 257 s. 56.

91.50 Exemption from special assessments. (1) Except as provided in sub. (3), no political subdivision, special purpose district, or other local governmental entity may levy a special assessment for sanitary sewers or water against land in agricultural use, if the land is located in a farmland preservation zoning district.

(2) A political subdivision, special purpose district, or other local governmental entity may deny the use of improvements for which the special assessment is levied to land that is exempt from the assessment under sub. (1).

(3) The exemption under sub. (1) does not apply to an assessment that an owner voluntarily pays, after the assessing authority provides notice of the exemption under sub. (1).

History: 2009 a. 28.

SUBCHAPTER IV

FARMLAND PRESERVATION AGREEMENTS

91.60 Farmland preservation agreements; general. (1) AGREEMENTS AUTHORIZED. The department may enter into a farmland preservation agreement that complies with s. 91.62 with the owner of land that is eligible under sub. (2).

(2) ELIGIBLE LAND. Land is eligible if all of the following apply:

(a) The land is operated as part of a farm that produced at least $6,000 in gross farm revenues during the taxable year preceding the year in which the owner applies for a farmland preservation agreement or a total of at least $18,000 in gross farm revenues during the last 3 taxable years preceding the year in which the owner applies for a farmland preservation agreement.

(b) The land is located in a farmland preservation area identified in a certified farmland preservation plan.

(c) The land is in an agricultural enterprise area designated under s. 91.84.

(3) PRIOR AGREEMENTS. (a) Except as provided in par. (c) or s. 91.66, a farmland preservation agreement entered into before July 1, 2009, remains in effect for the term specified in the agreement and under the terms that were agreed upon when the agreement was last created, extended, or renewed.

(b) The department may not extend or renew a farmland preservation agreement entered into before July 1, 2009.

(c) The department and an owner of land who entered into a farmland preservation agreement before July 1, 2009, may agree to modify the farmland preservation agreement in order to allow the owner to claim the tax credit under s. 71.613 rather than the tax credit for which the owner would otherwise be eligible.

History: 2009 a. 28.

91.62 Farmland preservation agreements; requirements. (1) CONTENTS. The department may not enter into a farmland preservation agreement unless the agreement does all of the following:

(a) Specifies a term of at least 10 years.

(b) Includes a correct legal description of the tract of land covered by the farmland preservation agreement.

(c) Includes provisions that restrict the tract of land to the following uses:

1. Agricultural uses and accessory uses.

2. Undeveloped natural resource and open space uses.

(2) FORM. The department shall specify a form for farmland preservation agreements that complies with s. 59.43 (2m).

(3) EFFECTIVENESS. A farmland preservation agreement takes effect when it is signed by all owners of the land covered by the farmland preservation agreement and by the department.

(4) RECORDING. The department shall provide a copy of a signed farmland preservation agreement to a person designated by the signing owners and shall promptly present the signed agreement to the register of deeds for the county in which the land is located for recording.

(5) CHANGE OF OWNERSHIP. A farmland preservation agreement is binding on a person who purchases land during the term of a farmland preservation agreement that covers the land.

History: 2009 a. 28; 2023 a. 42.

91.64 Applying for a farmland preservation agreement. (1) SUBMITTING AN APPLICATION. An owner who wishes to enter into a farmland preservation agreement shall submit an application signed by the owner and each person required to be identified under sub. (2) (f), on a form provided by the department, to the county clerk of the county in which the land is located.

(2) CONTENTS OF APPLICATION. A person submitting an application under sub. (1) shall include all of the following in the application:

(a) The name and address of each person who has an ownership interest in the land proposed for coverage by the agreement.

(b) The location of the land proposed for coverage, indicated by street address, global positioning system coordinates, or township, range, and section.

(c) The legal description of the land proposed for coverage.

(d) A map or aerial photograph of the land proposed for coverage, showing parcel boundaries, residences and other structures, and significant natural features.

(e) Information showing that the land proposed for coverage is eligible under s. 91.60 (2).

(f) A description of every existing mortgage, easement, and lien, other than liens on growing crops, on land proposed for coverage, including the name and address of the person holding the lien, mortgage, or easement.

(h) Any other information required by the department by rule.

(i) Any fee under sub. (2m).

(2m) COUNTY PROCESSING FEE. A county may charge a reasonable fee for processing an application for a farmland preservation agreement.

(3) COUNTY REVIEW. (a) A county shall review an application under sub. (2) to determine whether the land proposed for coverage meets the requirements under s. 91.60 (2) (b) and (c). The county shall provide its findings to the applicant in writing within 60 days after the day on which the county clerk receives a complete application.

(b) If the county finds under par. (a) that the land proposed for coverage meets the requirements under s. 91.60 (2) (b) and (c), the county shall promptly send all of the following to the department, along with any other comments that the county chooses to provide:

1. The original application, including all of the information provided with the application.

2. A copy of the county's findings.

(4) DEPARTMENT ACTION ON APPLICATION. (a) The department may prepare a farmland preservation agreement that complies with s. 91.62 and enter into the farmland preservation agreement under s. 91.60 (1) based on a complete application and on county findings under sub. (3) (b).

(b) The department may decline to enter into a farmland preservation agreement for any of the following reasons:

1. The application is incomplete.

2. The land is not eligible land under s. 91.60 (2).

History: 2009 a. 28; 2013 a. 20.

91.66 Terminating a farmland preservation agreement. (1) The department may terminate a farmland preservation agreement or release land from a farmland preservation agreement at any time if all of the following apply:

(a) All of the owners of land covered by the farmland preservation agreement consent to the termination or release, in writing.

(b) The department finds that the termination or release will not impair or limit agricultural use of other protected farmland.

(c) The owners of the land pay to the department, for each acre or portion thereof released from the farmland preservation agreement, a conversion fee equal to 3 times the per acre value, for the year in which the farmland preservation agreement is terminated or the land is released, of the highest value category of tillable cropland in the city, village, or town in which the land is located, as specified by the department of revenue under s. 73.03 (2a).

(1m) All conversion fees received under sub. (1) (c) shall be deposited in the working lands fund.

(2) The department shall provide a copy of its decision to terminate a farmland preservation agreement or release land from a farmland preservation agreement to a person designated by the owners of the land and shall present a copy of the decision to the register of deeds for the county in which the land is located for recording.

History: 2009 a. 28.

91.68 Violations of farmland preservation agreements. (1) The department may bring an action in circuit court to do any of the following:

(a) Enforce a farmland preservation agreement.

(b) Restrain, by temporary or permanent injunction, a change in land use that violates a farmland preservation agreement.

(c) Seek a civil forfeiture for a change in land use that violates a farmland preservation agreement.

(2) A forfeiture under sub. (1) (c) may not exceed twice the fair market value of the land covered by the agreement at the time of the violation.

History: 2009 a. 28.

91.70 Farmland preservation agreements; exemption from special assessments. (1) Except as provided in sub. (3), no political subdivision, special purpose district, or other local governmental entity may levy a special assessment for sanitary sewers or water against land in agricultural use, if the land is covered by a farmland preservation agreement.

(2) A political subdivision, special purpose district or other local governmental entity may deny the use of improvements for which the special assessment is levied to land that is exempt from the assessment under sub. (1).

(3) The exemption under sub. (1) does not apply to an assess-

ment that an owner voluntarily pays, after the assessing authority provides notice of the exemption under sub. (1).

History: 2009 a. 28.

SUBCHAPTER V

SOIL AND WATER CONSERVATION

91.80 Soil and water conservation by persons claiming tax credits. An owner claiming farmland preservation tax credits under s. 71.613 shall comply with applicable land and water conservation standards promulgated by the department under ss. 92.05 (3) (c) and (k), 92.14 (8), and 281.16 (3) (b) and (c).

History: 2009 a. 28.

91.82 Compliance monitoring. (1) COUNTY RESPONSIBILITY. (a) A county land conservation committee shall monitor compliance with s. 91.80.

(b) For the purpose of par. (a), a county land conservation committee shall inspect each farm for which the owner claims farmland preservation tax credits under subch. IX of ch. 71 at least once every 4 years.

(c) For the purpose of par. (a), a county land conservation committee may do any of the following:

1. Inspect land that is covered by a farmland preservation agreement or farmland preservation zoning and that is in agricultural use.

2. Require an owner to certify, not more than annually, that the owner complies with s. 91.80.

(d) At least once every 4 years, the department shall review each county land conservation committee's compliance with par. (b).

(2) NOTICE OF NONCOMPLIANCE. (a) A county land conservation committee shall issue a written notice of noncompliance to an owner if the committee finds that the owner has done any of the following:

1. Failed to comply with s. 91.80.

2. Failed to permit a reasonable inspection under sub. (1) (c) 1.

3. Failed to certify compliance as required under sub. (1) (c) 2.

(b) A county land conservation committee shall provide to the department of revenue a copy of each notice of noncompliance issued under par. (a).

(c) If a county land conservation committee determines that an owner has corrected the failure described in a notice of noncompliance under par. (a), it shall withdraw the notice of noncompliance and notify the owner and the department of revenue of the withdrawal.

(3) PROCEDURE. The department may promulgate rules prescribing procedures for the administration of this section by land conservation committees.

History: 2009 a. 28.

SUBCHAPTER VI

AGRICULTURAL ENTERPRISE AREAS

91.84 Agricultural enterprise areas; general. (1) DESIGNATION. (a) 1. The department may by order designate agricultural enterprise areas targeted for agricultural preservation and development.

2. The department may by order modify or terminate the designation of an agricultural enterprise area.

(b) The department may designate agricultural enterprise areas with a combined area of not more than 2,000,000 acres of land.

(e) The department may not designate an area as an agricultural enterprise area unless all of the following apply:

1. The department receives a petition requesting the designation and the petition complies with s. 91.86.

3. The parcels in the area are contiguous. Parcels that are only separated by a lake, stream, or transportation or utility right-of-way are contiguous for the purposes of this subdivision.

4. The area is located entirely in a farmland preservation area identified in a certified farmland preservation plan.

5. The land in the area is primarily in agricultural use.

(f) In designating agricultural areas under this subsection, the department shall give preference to areas that include at least 1,000 acres of land.

(1m) PUBLICATION OF ORDER. The department shall publish a notice of an order designating, modifying, or terminating an agricultural enterprise area, including a general description of the towns affected by the order, in the official state newspaper.

(2m) EFFECTIVENESS OF PRIOR DESIGNATIONS. A rule designating an agricultural enterprise area under s. 91.84 (2), 2009 stats., remains in effect until December 31, 2012.

(3) EFFECT OF DESIGNATION. The designation of an area under sub. (1) allows owners of eligible land within the area to enter into farmland preservation agreements with the department. If the department modifies or terminates the designation of an area under sub. (1) and that modification or termination results in land covered by a farmland preservation agreement no longer being located in a designated area, the farmland preservation agreement remains in effect for the remainder of its term, but the department may not extend or renew the farmland preservation agreement.

(4) MAP. In an order designating an agricultural enterprise area, the department shall include a map that clearly shows the boundaries of the proposed agricultural enterprise area so that a reader can easily determine whether a parcel of land is located within the agricultural enterprise area. The department shall make the map available on its Internet site.

(5) EFFECTIVE DATE OF ORDERS. The designation of an agricultural enterprise area takes effect on January 1 of the calendar year following the year in which the order designating the area is published, unless the order specifies a later effective date. An order modifying or terminating the designation of an agricultural enterprise area takes effect upon publication under sub. (1m).

History: 2009 a. 28; 2011 a. 253; 2013 a. 352.

91.86 Agricultural enterprise area; petition. (1) DEFINITION. In this section, "eligible farm" means a farm that produced at least $6,000 in gross farm revenues during the taxable year preceding the year in which a petition is filed requesting the department to designate an area in which the farm is located as an agricultural enterprise area or a total of at least $18,000 in gross farm revenues during the 3 taxable years preceding the year in which a petition is filed.

(2) PETITIONERS. (a) The department may consider a petition requesting that it designate an area as an agricultural enterprise area if all of the following jointly file the petition:

1. Each political subdivision in which any part of the proposed agricultural enterprise area is located.

2. Owners of at least 5 eligible farms located in the area.

(b) Each petitioner under par. (a) who is an individual shall sign the petition. For a petitioner that is not an individual, an authorized officer or representative shall sign the petition.

(3) CONTENTS OF PETITION. (a) The department may not ap-

prove a petition requesting that it designate an area as an agricultural enterprise area unless the petition contains all of the following:

1. The correct legal name and principal address of each petitioner.

2. A summary of the petition that includes the purpose and rationale for the petition.

3. A map that clearly shows the boundaries of the proposed agricultural enterprise area so that a reader can easily determine whether a parcel of land is located within the proposed area.

4. Information showing that the proposed agricultural enterprise area meets the requirements under s. 91.84 (1) (e).

5. A clear description of current land uses in the proposed agricultural enterprise area, including current agricultural uses, agriculture-related uses, transportation, utility, energy, and communication uses, and undeveloped natural resource and open space uses.

6. A clear description of the agricultural land use and development goals for the proposed agricultural enterprise area, including proposed agricultural uses, agriculture-related uses, and relevant transportation, utility, energy, and communication uses.

7. A plan for achieving the goals under subd. 6., including any planned investments, grants, development incentives, cooperative agreements, land or easement purchases, land donations, and promotion and public outreach activities.

8. A description of any current or proposed land use controls in the proposed agricultural enterprise area, including farmland preservation agreements.

(b) Petitioners under sub. (2) may include in the petition the names and addresses of other persons who propose to cooperate in achieving the goals under par. (a) 6.

History: 2009 a. 28, 276.

Legislative Updates to the Farmland Preservation Program

Wisconsin Department of Agriculture, Trade and Consumer Protection

What is the Farmland Preservation Program?

Wisconsin's Farmland Preservation Program is a tool that farmers and local governments can use to preserve farmland, protect soil and water resources, and minimize land use conflicts. Through participation in the program:

- Agricultural landowners can preserve their productive farmlands and participate through locally adopted farmland preservation zoning ordinances or by signing farmland preservation agreements in locally petitioned Agricultural Enterprise Areas (AEAs). Communities can layer the different participation options together to best fit their community's needs.
- Participating landowners who meet the state soil and water conservation standards are not only protecting their agricultural and natural resources, but are also eligible to claim the tax credit. .

2023 legislative updates make the following changes to the current Farmland Preservation Program:

- Decreases the minimum term of a farmland preservation agreement from 15 years to 10 years for new agreements signed after December 8, 2023.
- Increases the amounts of the tax credits that eligible landowners may receive for qualifying acres to the following amounts:
  - $10 per acre for qualifying acres that are in a farmland preservation zoning district but are not subject to a farmland preservation agreement.
  - $10 per acre for qualifying acres that are subject to a farmland preservation agreement in an AEA but are not located in a farmland preservation zoning district, OR qualifying acres that are subject to a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements.
  - $12.50 per acre for qualifying acres that are in a farmland preservation zoning district and subject to a farmland preservation agreement in an AEA or a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements.
- Expands eligibility for farmland preservation tax credits to land that is subject to an agricultural conservation easement purchased under s. 93.73, Wis. Stats[1] to the extent planned for farmland preservation and not already eligible through a farmland preservation zoning district or farmland preservation agreement. Eligible landowners will receive $10 per acre for qualifying acres.
- Requires DATCP to report on tax credits per qualifying acre and recommendations for the tax credit amounts in the program biennial report.

[1] Note: There are 17 easements acquired under s. 93.73, Wis. Stats located in Columbia, Dane, Dodge, Iowa, Jefferson, and Waupaca counties. 71.613 (1) (h) 4. does not create new eligibility for farms subject to Purchase of Agricultural Conservation Easements acquired outside of authority granted under s. 93.73, Wis. Stats. Contact DATCP for more information.

Legislative Updates to the Farmland Preservation Program

Wisconsin Department of Agriculture, Trade and Consumer Protection

How do these changes affect my participation?

Current Farmland Preservation Program Participants:

If you participate only through farmland preservation zoning, you will be able to claim the farmland preservation tax credit at the new rate starting in Tax Year 2023.

If you participate through a farmland preservation agreement, you will be able to claim the farmland preservation tax credit at the new rate starting in Tax Year 2023. Your expiration date will not change. Agreements signed after December 8, 2023 will be subject to the new minimum 10-year agreement term. [2]

You will not need to obtain an updated Certification of Compliance unless there has been a change in the number of acres that are eligible to participate in the program for your farm(s) in tax year 2023. If you need a copy or to update your Certification of Compliance, please contact your county land conservation department.

How do these changes affect back dated tax credit claims?

Current farmland preservation participants are eligible to file for the farmland preservation tax credit up to four years from the unextended due date for that tax credit. Back dated tax credit claims made for any tax year prior to 2023 will be subject to the original tax credit rates:

- $5 per acre for qualifying acres that are subject to a farmland preservation agreement in an AEA but are not located in a farmland preservation zoning district, OR qualifying acres that are subject to a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements;
- $7.50 per acre for qualifying acres that are in a farmland preservation zoning district but are not subject to a farmland preservation agreement; or
- $10 per acre for qualifying acres that are in a farmland preservation zoning district and subject to a farmland preservation agreement in an AEA or a farmland preservation agreement signed before July 1, 2009 that has been modified to meet current eligibility requirements.

New Farmland Preservation Program Participants:

To find out if you are in an eligible Farmland Preservation area, please visit the interactive map at https://datcpgis.wi.gov/maps/?viewer=fpp. To participate in the Farmland Preservation Program, contact your local land conservation department to get started.

[2] If you are still the owner of all the land subject to your farmland preservation agreement, you may apply to add additional acres to a farmland preservation agreement at any time without changing your existing expiration date. Please contact your county land conservation department to start this process.

RESOLUTION NO. _____
VILLAGE OF GERMANTOWN

A RESOLUTION OF INTENT TO INCORPORATE FARMLAND PRESERVATION AREAS INTO THE *VILLAGE OF GERMANTOWN 2050 COMPREHENSIVE PLAN*

WHEREAS, the Village of Germantown, pursuant to Sections 60.10(2)(c), 62.23, 61.35, 60.22 (3), and 66.1001 (4) (b) of the Wisconsin Statutes, adopted the comprehensive (master) plan embodied in the *Village of Germantown 2050 Comprehensive Plan*; and

WHEREAS, the Washington County Board of Supervisors, pursuant to Sections 59.69 and 66.1001 (4) (b) of the Wisconsin Statutes, adopted the comprehensive (master) plan embodied in *A Multi-Jurisdictional Comprehensive Plan for Washington County: 2050*; and

WHEREAS, the 2050 land use plan map in *A Multi-Jurisdictional Comprehensive Plan for Washington County: 2050* incorporates the adopted land use plan maps identified in the adopted comprehensive (master) plans for areas within the corporate limits of all Cities, Villages and Towns in Washington County; and

WHEREAS, the Wisconsin Farmland Preservation Program includes three programs (Farmland Preservation Zoning Program, Agricultural Enterprise Area Program and Farmland Preservation Agreement, and the Purchase of Agricultural Conservation Easement Program); and

WHEREAS, the Department of Agriculture, Trade, and Consumer Protection (DATCP) certified *A Farmland Preservation Plan for Washington County* on May 17, 2013, and set the Plan expiration for 10-years after the adoption of the Plan by Washington County; and

WHEREAS, the Washington County Board of Supervisors, pursuant to Sections 59.69 and 66.1001 (4) (b) of the Wisconsin Statutes, adopted the Farmland Preservation Plan embodied in *A Farmland Preservation Plan for Washington County* on December 10, 2013; and

WHEREAS, Washington County was approved for a one year plan extension by DATCP that extended the certification of the Washington County Farmland Preservation Plan to December 31, 2024, and

WHEREAS, Washington County, in cooperation with a Farmland Preservation Plan Advisory Committee, including representatives from 16 local governments and 3 non-governmental organizations, is updating the Washington County Farmland Preservation Plan that meets the requirements set forth in Section 91.10 of the Wisconsin Statutes; and

WHEREAS, the updated Washington County Farmland Preservation Plan must be recertified by DATCP and adopted by the Washington County Board of Supervisors by December 31, 2024; and

WHEREAS, the Farmland Preservation Plan Advisory Committee, has updated the Farmland Preservation Area Map that meets the requirements set forth in Section 91.10 (1)(d), (dm), (e) and (f) of the Wisconsin Statutes and has prepared a Farmland Preservation Area Map for the Village of Germantown that identifies areas to preserve for agricultural use and agriculture-related uses; and

WHEREAS, incorporating the Farmland Preservation Area Map for the Village of Germantown into the *Village of Germantown 2050 Comprehensive Plan* allows the Village of Germantown to implement a Farmland Preservation Zoning Ordinance and allows landowners within Farmland Preservation Areas to voluntarily participate in the Agricultural Enterprise Area Program and the Purchase of Agricultural Conservation Easement Program of the Wisconsin Farmland Preservation Program.

WHEREAS, pursuant to Section 91.16(5) and (6) of the Wisconsin Statutes, DATCP shall grant or deny an application for plan certification within 90 days of submittal and may certify the Plan subject to conditions specified by DATCP.

NOW, THEREFORE, BE IT RESOLVED, that after DATCP has certified the Farmland Preservation Plan and the Washington County Board of Supervisors adopts the update to the Farmland Preservation Plan, that the Village of Germantown will review any changes or conditions specified by DATCP.

BE IT FURTHER RESOLVED, by the Village of Germantown that if in agreement with any changes or conditions specified by DATCP that the Village of Germantown will take the necessary steps to amend their comprehensive (master) plan embodied in *Village of Germantown 2050 Comprehensive Plan* accordingly to include the Farmland Preservation Area Map for the Village of Germantown with references to their 2050 Future Land Use Plan Map.

Adopted this ____ day of _____, 2024.

Ayes_____ Noes_____ Absent_____

_____
Village President
Village of Germantown

Attest: _____
Clerk
Village of Germantown

CONDITIONALLY PERMITTING NONFARM RESIDENCES

To conditionally permit nonfarm residences in a certified district:

- The ratio of nonfarm residential acreage to farm acreage on a base farm tract must be at least 1:20 (divide by 21).
  - Nonfarm residential acreage: Total acres of parcels with nonfarm residences
  - Base farm tract: All commonly owned parcels that are part of a farm on the date the ordinance requirement takes effect.
- No more than four dwelling units in a base farm tract may be nonfarm residences.
- No more than five total dwelling units of any kind may be allowed in a base farm tract.
- No prime farmland may be converted if there is a reasonable alternative location, and the residence may not significantly impair or limit ag use of other protected farmland.

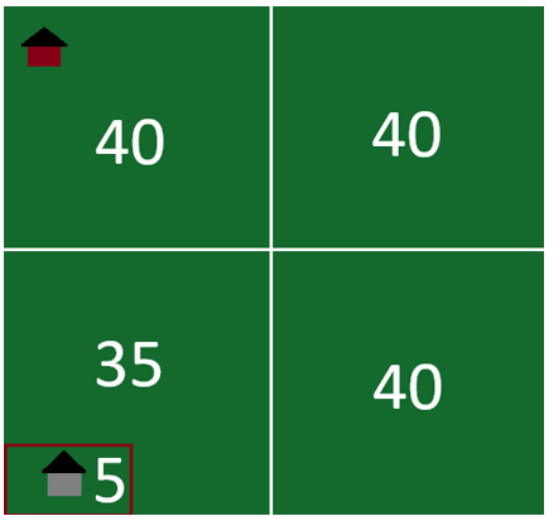
Local ordinances can be more restrictive than this.

EXAMPLE BASE FARM TRACT

This land was all commonly owned at the date of adoption and was primarily in ag use. The owner currently resides in a farm residence and the total size of the base farm tract is 160 acres. The landowner wishes to sell a five-acre parcel to allow a new owner to build a nonfarm residence. Can the new nonfarm residence be conditionally permitted?

- 160 total acres / 21 = 7.62 nonfarm residential acres allowed on this tract.
- One existing farm residence + one nonfarm residence is less than five total dwelling units.

Yes, it can be conditionally permitted.



Local ordinances can be more restrictive than this.

MODEL FARMLAND PRESERVATION ZONING ORDINANCE

What follows below is a farmland preservation zoning ordinance that local governments may use as a reference in creating or updating their own farmland preservation zoning ordinance. This particular version allows some nonfarm residences in the farmland preservation district with a conditional use permit. This model ordinance follows the restrictions found in chapter 91 of the Wisconsin Statutes: in order to issue a conditional use permit for a nonfarm residence on a base farm tract, the ratio of nonfarm residential acreage to farm acreage is no greater than 1:20 and there would be no more than 4 nonfarm residences or 5 residences of any kind after the residence is constructed. A political subdivision may be more restrictive if it chooses, by, for example, limiting the number of nonfarm residences to 2.

Please note that a political subdivision may choose not to include all of the uses listed below in its certified farmland preservation district. Alternatively, the political subdivision may list any of the uses found under Permitted Uses (Section (D)) as Conditional Uses (Section (E)). If the political subdivision lists additional uses as Conditional Uses under Section (E), be sure that there are conditions identified in the ordinance that must be found before a conditional use permit for that use may be issued.

Text in italics and between brackets should not be included in a political subdivision's zoning ordinance. This text needs to be replaced with text specific to the political subdivision. For example, the political subdivision should replace "[zoning authority]" with the political subdivision's name.

FARMLAND PRESERVATION DISTRICT

(A) Purpose. The intent of this district is to maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses.

(B) Definitions. The following definitions apply in the A-1 Farmland Preservation District:

(1) Accessory Use means any of the following land uses on a farm:

(a) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.

(b) An activity or business operation that is an integral part of, or incidental to, an agricultural use.

(c) A farm residence.

(d) A business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm, that requires no buildings, structures, or improvements other than those described in paragraph (a) or (c), that employs no more than 4 full-time employees annually, and that

does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

(e) Any other use that the department, by rule, identifies as an agricultural use.

(2) Agricultural Use means any of the following:

(a) Any of the following activities conducted for the purpose of producing an income or livelihood:

1. Crop or forage production.

2. Keeping livestock.

3. Beekeeping.

4. Nursery, sod, or Christmas tree production.

5. Floriculture.

6. Aquaculture.

7. Fur farming.

8. Forest management.

9 Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

(b) Any other use that the department, by rule, identifies as an agricultural use

(3) Agriculture-related use means any of the following:

(a) An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products, or facility for processing agricultural wastes.

(b) Any other use that the department, by rule, identifies as an agriculture-related use.

(4) Base farm tract means one of the following:

(a) All land, whether one parcel or 2 or more contiguous parcels, that is in a farmland preservation zoning district and that is part of a single farm on <enter

date here that is either the date that DATCP certifies ordinance or an earlier date determined by the local government regardless of any subsequent changes in the size of the farm.

(b) Any other tract that the department by rule defines as a base farm tract.

(5) Conditional use means a use allowed under a conditional use permit issued by the political subdivision.

(6) Department means the department of agriculture, trade and consumer protection.

(7) Farm means all land under common ownership that is primarily devoted to agricultural use.

(8) Farm acreage means size of a farm in acres.

(9) Farmland preservation agreement means any of the following agreements between an owner of land and the department under which the owner agrees to restrict the use of land in return for tax credits:

(a) A farmland preservation agreement or transition area agreement entered into under s. 91.13, 2007 stats., or s. 91.14, 2007 stats.

(b) An agreement entered into under s. 91.60(1), Stats.

(10) Farmland preservation area means an area that is planned primarily for agricultural use or agriculture-related use, or both, and that is one of the following:

(a) Identified as an agricultural preservation area or transition area in a farmland preservation plan described in s. 91.12(1), Stats.

(b) Identified under s. 91.10(1)(d) in a farmland preservation plan described in s. 91.12(2), Stats.

(11) Farmland preservation plan means a plan for the preservation of farmland in a county, including an agricultural preservation plan under subch. IV of ch. 91, 2007 stats.

(12) Farm residence means any of the following structures that is located on a farm:

(a) A single-family or duplex residence that is the only residential structure on the farm or is occupied by any of the following:

1. An owner or operator of the farm.

2. A parent or child of an owner or operator of the farm.

3. An individual who earns more than 50 percent of his or her gross income from the farm.

(b) A migrant labor camp that is certified under s. 103.92.

(13) Livestock means bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm-raised fish.

(14) Nonfarm residence means a single-family or multi-family residence other than a farm residence.

(15) Nonfarm residential acreage means the total number of acres of all parcels on which nonfarm residences are located.

(16) Owner means a person who has an ownership interest in land.

(17) Permitted use means a use that is allowed without a conditional use permit, special exception, or other special zoning permission.

(18) Prior nonconforming use means a land use that does not conform with the farmland preservation zoning ordinance but that existed lawfully before the farmland preservation zoning ordinance was enacted.

(19) Protected farmland means land that is located in the farmland preservation zoning district, is covered by a farmland preservation agreement, or is otherwise legally protected from nonagricultural development.

(C) Land Use in the Farmland Preservation District; General. Only the following land uses are allowed in a farmland preservation zoning district:

(1) Uses allowed under Section (D) as a permitted use.

(2) Uses allowed under Section (E) with a conditional use permit.

(3) Prior nonconforming uses, subject to [*choose s. 59.69(10), 60.61(5), or 62.23(7)(h), Wis. Stats., as applicable*]

(D) Permitted Uses

(1) Agricultural Uses

(2) Accessory Uses

(3) Agriculture-related Uses

(4) Nonfarm residences constructed in a rural residential cluster in accordance with an approval of the cluster as a Conditional Use under Section (E).

(5) Undeveloped natural resource and open space areas.

(6) A transportation, utility, communication, or other use that is required under state or federal law to be located in a specific place or that is authorized to be located in a specific place under a state or federal law that preempts the requirement of a special use permit for that use.

(7) Other uses identified by DATCP rule.

(E) Conditional Uses

(1) Creation of a nonfarm residence or conversion of a farm residence to a nonfarm residence through a change in occupancy, subject to the following requirements.

(a) The ratio of nonfarm residential acreage to farm acreage on the base farm tract on which the residence is or will be located will not be greater than 1:20 after the residence is constructed or converted to a nonfarm residence.

(b) There will not be more than four dwelling units in nonfarm residences, nor more than five dwelling units in residences of any kind, on the base farm tract after the residence is constructed or converted to a nonfarm residence.

(c) The location and size of the proposed nonfarm residential parcel, and, for a new nonfarm residence, the location of the nonfarm residence on that nonfarm residential parcel, will not do any of the following:

(i) Convert prime farmland from agricultural use or convert land previously used as crop land, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a nonfarm residential parcel or a nonfarm residence.

(ii) Significantly impair or limit the current or future agricultural use of other protected farmland.

(2) Creation of a nonfarm residential cluster that covers more than one nonfarm residence if all of the following apply:

(a) The parcels on which the nonfarm residences would be located are contiguous.

(b) Each nonfarm residence constructed in the nonfarm residential cluster must satisfy the requirements of E(1).

(3) Transportation, communication, pipeline, electric transmission, utility, or drainage uses, if all of the following apply:

(a) The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(b) The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize conversion of land at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(4) Governmental, institutional, religious, or nonprofit community uses, if all of the following apply:

(a) The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(b) The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limite the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

(5) Nonmetallic mineral extraction, if all of the following apply:

(a) The operation complies with Subchapter I of Chapter 295, Wisconsin Statutes, and rules promulgated under that subchapter, with applicable provisions of local ordinances under Wis. Stat. § 295.13 or Wis. Stat. § 295.14 (including all applicable provisions of this ordinance), and with any applicable requirements of the department of transportation concerning the restoration of nonmetallic mining sites.

(b) The operation and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(c) The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the farmland preservation zoning district, or are specifically approved under state or federal law.

(d) The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

(e) The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(f) The owner agrees to restore the land to agricultural use, consistent with any required reclamation plan, when extraction is completed.

(6) Oil and gas exploration or production that is licensed by the department of natural resources under Subchapter II of Chapter 295, Wisconsin Statutes.

(F) Rezoning Land Out of a Farmland Preservation Zoning District.

(1) Except as provided in sub. (2), the [*zoning authority*] may not rezone land out of the farmland preservation zoning district unless the [*zoning authority*] finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

(a) The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

(b) The rezoning is consistent with any applicable comprehensive plan.

(c) The rezoning is substantially consistent with the [*county*] farmland preservation plan, which is in effect at the time of the rezoning.

(d) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

(2) Subsection (1) does not apply to any of the following:

(a) A rezoning that is affirmatively certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats.

(b) A rezoning that makes the farmland preservation zoning ordinance map more consistent with the county farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the rezoning.

(3) By March 1 of each year the [*zoning authority*] shall provide to the Wisconsin Department of Agriculture, Trade and Consumer Protection a report of the number of acres that the [*political subdivision*] has rezoned out of the farmland preservation zoning district under sub. (1) during the previous year and a map that clearly shows the location of those acres. [*If not a county then the political subdivision must also provide a copy of the information reported under this paragraph to the county in which the political subdivision is located*].

MODEL FARMLAND PRESERVATION ZONING ORDINANCE

What follows below is a farmland preservation zoning ordinance that local governments may use as a reference in creating or updating their own farmland preservation zoning ordinance. This particular version does not allow nonfarm residences in the farmland preservation district. As a result, there is no mention of nonfarm residences, nonfarm acreage, or base farm tracts. Please note that a political subdivision may choose not to include all of the uses listed below in its certified farmland preservation district. Alternatively, the political subdivision may list any of the uses found under Permitted Uses (Section (D)) as Conditional Uses (Section (E)). If the political subdivision lists additional uses as Conditional Uses under Section (E), be sure that there are conditions identified in the ordinance that must be found before a conditional use permit for that use may be issued.

Text in italics and between brackets should not be included in a political subdivision's zoning ordinance. This text needs to be replaced with text specific to the political subdivision. For example, the political subdivision should replace "[zoning authority]" with the political subdivision's name.

FARMLAND PRESERVATION DISTRICT

(A) Purpose. The intent of this district is to maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses.

(B) Definitions. The following definitions apply in the A-1 Farmland Preservation District:

(1) Accessory Use means any of the following land uses on a farm:

(a) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.

(b) An activity or business operation that is an integral part of, or incidental to, an agricultural use.

(c) A farm residence.

(d) A business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm, that requires no buildings, structures, or improvements other than those described in paragraph (a) or (c), that employs no more than 4 full-time employees annually, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

(e) Any other use that the department, by rule, identifies as an agricultural use.

(2) Agricultural Use means any of the following:

(a) Any of the following activities conducted for the purpose of producing an income or livelihood:

1. Crop or forage production.

2. Keeping livestock.

3. Beekeeping.

4. Nursery, sod, or Christmas tree production.

5. Floriculture.

6. Aquaculture.

7. Fur farming.

8. Forest management.

9 Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

(b) Any other use that the department, by rule, identifies as an agricultural use

(3) Agriculture-related use means any of the following:

(a) An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products, or facility for processing agricultural wastes.

(b) Any other use that the department, by rule, identifies as an agriculture-related use.

(4) Conditional use means a use allowed under a conditional use permit issued by the political subdivision.

(5) Department means the department of agriculture, trade and consumer protection.

(6) Farm means all land under common ownership that is primarily devoted to agricultural use.

(7) Farmland preservation agreement means any of the following agreements between an owner of land and the department under which the owner agrees to restrict the use of land in return for tax credits:

(a) A farmland preservation agreement or transition area agreement entered into under s. 91.13, 2007 stats., or s. 91.14, 2007 stats.

(b) An agreement entered into under s. 91.60(1), Stats.

(8) Farmland preservation area means an area that is planned primarily for agricultural use or agriculture-related use, or both, and that is one of the following:

(a) Identified as an agricultural preservation area or transition area in a farmland preservation plan described in s. 91.12(1), Stats.

(b) Identified under s. 91.10(1)(d) in a farmland preservation plan described in s. 91.12(2), Stats.

(9) Farmland preservation plan means a plan for the preservation of farmland in a county, including an agricultural preservation plan under subch. IV of ch. 91, 2007 stats.

(10) Farm residence means any of the following structures that is located on a farm:

(a) A single-family or duplex residence that is the only residential structure on the farm or is occupied by any of the following:

1. An owner or operator of the farm.

2. A parent or child of an owner or operator of the farm.

3. An individual who earns more than 50 percent of his or her gross income from the farm.

(b) A migrant labor camp that is certified under s. 103.92.

(11) Livestock means bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm-raised fish.

(12) Owner means a person who has an ownership interest in land.

(13) Permitted use means a use that is allowed without a conditional use permit, special exception, or other special zoning permission.

(14) Prior nonconforming use means a land use that does not conform with the farmland preservation zoning ordinance but that existed lawfully before the farmland preservation zoning ordinance was enacted.

(15) Protected farmland means land that is located in the farmland preservation zoning district, is covered by a farmland preservation agreement, or is otherwise legally protected from nonagricultural development.

(C) Land Use in the Farmland Preservation District; General. Only the following land uses are allowed in a farmland preservation zoning district:

(1) Uses allowed under Section (D) as a permitted use.

(2) Uses allowed under Section (E) with a conditional use permit.

(3) Prior nonconforming uses, subject to [*choose s. 59.69(10), 60.61(5), or 62.23(7)(h), Wis. Stats., as applicable*]

(D) Permitted Uses

(1) Agricultural Uses

(2) Accessory Uses

(3) Agriculture-related Uses

(3) Undeveloped natural resource and open space areas.

(4) A transportation, utility, communication, or other use that is required under state or federal law to be located in a specific place or that is authorized to be located in a specific place under a state or federal law that preempts the requirement of a special use permit for that use.

(5) Other uses identified by DATCP rule.

(E) Conditional Uses

(1) Transportation, communication, pipeline, electric transmission, utility, or drainage uses, if all of the following apply:

(a) The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(b) The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize conversion of land at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(2) Governmental, institutional, religious, or nonprofit community uses, if all of the following apply:

(a) The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(b) The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limite the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

(3) Nonmetallic mineral extraction, if all of the following apply:

(a) The operation complies with Subchapter I of Chapter 295, Wisconsin Statutes, and rules promulgated under that subchapter, with applicable provisions of local ordinances under Wis. Stat. § 295.13 or Wis. Stat. § 295.14 (including all applicable provisions of this ordinance), and with any applicable requirements of the department of transportation concerning the restoration of nonmetallic mining sites.

(b) The operation and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(c) The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the

farmland preservation zoning district, or are specifically approved under state or federal law.

(d) The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

(e) The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(f) The owner agrees to restore the land to agricultural use, consistent with any required reclamation plan, when extraction is completed.

(4) Oil and gas exploration or production that is licensed by the department of natural resources under Subchapter II of Chapter 295, Wisconsin Statutes.

(F) Rezoning Land Out of a Farmland Preservation Zoning District.

(1) Except as provided in sub. (2), the [*zoning authority*] may not rezone land out of the farmland preservation zoning district unless the [*zoning authority*] finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

(a) The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

(b) The rezoning is consistent with any applicable comprehensive plan.

(c) The rezoning is substantially consistent with the [*county*] farmland preservation plan, which is in effect at the time of the rezoning.

(d) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

(2) Subsection (1) does not apply to any of the following:

(a) A rezoning that is affirmatively certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats.

(b) A rezoning that makes the farmland preservation zoning ordinance map more consistent with the county farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the rezoning.

(3) By March 1 of each year the [*zoning authority*] shall provide to the Wisconsin Department of Agriculture, Trade and Consumer Protection a report of the number of acres that the [*political subdivision*] has rezoned out of the farmland preservation zoning district under sub. (1) during the previous year and a map that clearly shows the location of those acres.

[*If not a county then the political subdivision must also provide a copy of the information reported under this paragraph to the county in which the political subdivision is located*].

SECTION 14.0 FARMLAND PRESERVATION

14.1 FP Farmland Preservation Zoning District

The purpose of this district is to promote areas for uses of a generally exclusive agricultural nature in order to protect farmland and to allow participation in the state's farmland preservation program. Land zoned under this district must comply with the following:

(1) Permitted Uses

A. Agricultural uses, except livestock facilities housing more than 500 animal units of cattle, poultry, swine, sheep, or goats or any other animal confinement facilities housing other types of animals (e.g., mink). See Section 14.4 for agricultural use definitions.

B. Accessory Uses including the farm residence. See Section 14.4 for accessory use definition.

C. Nonfarm residences constructed in a rural residential cluster in accordance with an approval of the cluster as a conditional use.

D. (Upon notification to the Village Board) of any transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.

[Subsection (D) acknowledges that state or federal law may sometimes preempt local authority to restrict the siting of certain facilities. It does not purport to determine which state or federal actions are preemptive. It merely says that IF state or federal action is preemptive, no local permit is required and there is no need to rezone the site out of the farmland preservation district. Uses covered by subsection (D) might include, for example, state and federal highways, federally mandated pipelines, and energy generation and transmission facilities whose location and design are specifically mandated by the Wisconsin Public Service Commission pursuant to a certificate of convenience and necessity.]

E. Undeveloped natural resource and open space areas.

F. Non-Farm residences built prior to January 1, 2014.

(2) Conditional Uses

A. Livestock Facilities housing more than 500 animal units of cattle, poultry, swine, sheep, or goats or any other animal confinement facilities housing other types of animals (e.g., mink) with a Village of Kekoskee Livestock Siting License Permit.

B. Agriculture-related uses. (See Section 14.4 for agricultural related use definition.)

C. New nonfarm residences or a proposal to convert a farm residence to a nonfarm residence after January 1, 2014, through a change in occupancy if all of the following apply:

1. The ratio of nonfarm residential acreage to farm acreage on the base farm tract on which the residence is located will not be greater than 1 to 20 after the residence is constructed or converted to a nonfarm residence.

2. There will not be more than 4 dwelling units in nonfarm residences, nor, for a new residence, more than 5 dwelling units in residences of any kind, on the base farm tract after the residence is constructed or converted to a nonfarm residence.

   Please note that a certified FP zoning district will often include some "outlier" parcels that are not located in any "base farm tract" (because they were not part of a "farm" when the ordinance was certified). Those "outlier" parcels are NOT subject to the density standards in subsections 14.1(2) C.1 and 14.1(2) C.2 but ARE subject to the siting standards in subsection 14.1(2) C.3 below.

3. The location and size of the proposed nonfarm residential parcel, and, for a new nonfarm residence, the location of the nonfarm residence on that nonfarm residential parcel, will not do any of the following:

   (a) Convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a nonfarm residential parcel or nonfarm residence.
   (b) Significantly impair or limit the current or future agricultural use of other protected farmland.

D. Nonfarm residential clusters.
The Village Board, after review by the Plan Commission, may issue a single conditional use permit authorizing 2 or more proposed nonfarm residences if all of the following apply:

1. The conditional use permit includes all of the following information:
   (a) The total number of nonfarm residences authorized by the permit.
   (b) A legal or survey description of each parcel on which a nonfarm residence is authorized.
   (c) The number of nonfarm residences authorized on each parcel under subsection D.2., if more than one.
   (d) The number of dwelling units authorized in each authorized nonfarm residence, if more than one.

2. Each of the parcels described under subsection D.1(b), shares a boundary with at least one other parcel described under subsection D.1(b).

3. Each of the proposed nonfarm residences will meet all of the standards under subsection C when all of the proposed nonfarm residences have come into existence.

4. The conditional use permit prohibits all of the following:
   (a) Any further division of any parcel described in subsection D.1(b).
   (b) Any nonfarm residence or dwelling unit on a parcel identified in subsection D.1(b), other than a nonfarm residence or dwelling unit identified in the permit.

E. Upon Notification of the Village Board, transportation, communication, pipeline, electric transmission, utility, or drainage uses, facilities for the generation from sunlight, wind, coal, or natural gas, if all the following apply:

1. The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

2. The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

3. The use is reasonably designed to minimize conversion of land at and around the site of the use, from agricultural use or open space use.

4. The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

5. Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

   A wind turbine that complies with Wisconsin Public Service Commission siting rules under (proposed) PSC 128, Wis. Adm. Code, and s. 91.46(4), Wis. Stats. is presumed to comply with the conditional use criteria.

F. Governmental, institutional, religious, or nonprofit community uses, if all of the following apply:

1. The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

2. The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

3. The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.

4. The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

5. Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

G. Nonmetallic mineral extraction if all of the following apply:

1. The operation complies with Subchapter I of Chapter 295, Wisconsin Statutes, and rules promulgated under that subchapter, with applicable provisions of local ordinances under Wis. Stat. §295.14 (including all applicable provisions of this ordinance), and with any applicable requirements of the Wisconsin Department of Natural Resources concerning the restoration of nonmetallic mining sites.

2. The operation and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

3. The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the farmland preservation zoning district, or are specifically approved under state or federal law.

4. The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

5. The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

6. The owner agrees to restore the land to agricultural use, consistent with any required reclamation plan, when extraction is completed.

7. Compliance with Section 4.5 of this ordinance.

H. Oil and gas exploration or production that is licensed by the Department of Natural Resources under Subchapter II of Chapter 295, Wisconsin Statures.

I. Exotic animals not typically associated with Wisconsin and/or agricultural farming practices.

J. Private airport or air strip qualifying as an accessory use under s. 91.01(1)

K. Dog kennels qualifying as an accessory use under s. 91.01(1)

L. Game farms/shooting preserves qualifying as an accessory use under s. 91.01(1)(b). To meet the definition of agricultural use, the game birds or cervids must be raised on the farm for release for hunting.

M. Shooting Ranges meeting the requirements in s. 91.01(1)(d).

N. Manure storage systems. (Please note that permits for manure storage systems are subject to S. ATCP 50.56 and Ch. ATCP 51, Wis Adm. Code.

O. Slaughtering of livestock from the FP District.

P. Processing agricultural by-products or wastes received directly from farms, including farms in the FP District.

Upon a recommendation from the Plan Commission, the Village Board may issue a conditional use permit for a proposed land use identified in this section if the proposed land use meets applicable conditions under this section. Before issuing a conditional use permit, the Village Board shall determine in writing, that the proposed use meets applicable conditions under this section. The Village Board may issue the permit subject to any additional conditions beyond which the Plan Commission recommended to carry out the purposes of this ordinance.

(3) Area, Height and Yard Requirements:

A. All Principal Structures shall be on a lot consistent with the principal use permitted on such lot by the regulations of the district in which it is located.

B. No Zoning Permit shall be issued for a lot which abuts a public road dedicated to only a portion of its proposed width and located on that site thereof from which the required dedication has not been secured.

C. Dimensions of Building Sites:

1. Minimum Area and Width: Except as otherwise specifically required or permitted, the minimum lot area shall be 1.0 acre and a minimum lot width of 125 feet at the building line, 125 feet at the water's edge and 125 feet of road frontage.
2. Side and Rear Yards: There shall be a fifteen (15) foot minimum side yard for the principal structure. Accessory structures shall not be located in the front yard of any parcel (i.e., beyond the front wall of the principal structure). Accessory structures shall not exceed the height of the principal structure and should not be closer than 5 feet from the lot line. Accessory structures shall not be closer than 10 feet from the principal structure in side yards and occupy no more than 20% of the rear yard area or 20% of the side yard area.
3. Height Limitations: The maximum height for all residential structures shall be forty (40) feet. The maximum height for all accessory structures shall be forty (40) feet. Height limitations are further regulated per Section 6.1 of this Ordinance.
4. Yard and Other Limitations: Per Sections 6.2, and 6.3 of this Ordinance.
5. Setbacks: All new structures shall be regulated in accordance with Section 5.0 of this Ordinance.
6. Street Grade: Every building hereafter erected, structurally altered, or relocated shall be at a grade approved by the Land Use Administrator as

being in satisfactory relationship with the existing street grade, with particular consideration for proper drainage and safe vehicular access.

7. Preservation of Topography: In order to protect the property owner from possible damage due to change in the existing grade of adjoining land, and to aid in preserving and protecting the natural beauty and character of the landscape, no change in the existing topography of any land shall be made which would result in increasing any portion of the slope to a ratio greater than 1-1/2 horizontal to 1 vertical within a distance of 20 feet from the property line, except with the written consent of the abutting property owner and with review of the Plan Commission and approval of the Village Board, or which would alter the existing drainage or topography in any way as to adversely affect the adjoining property. In no case shall any slope exceed the normal angle of slippage of material involved, and all slopes shall be protected against erosion.

14.2 Rezoning Land out of the FP Farmland Preservation Zoning District

Land may be rezoned out of the FP Farmland Preservation Zoning District if the Plan Commission through their review and recommendation, and Village Board, after a public hearing, finds that all of the following apply:

(1) The land is better suited for a use not allowed in the FP Farmland Preservation Zoning District.

(2) The rezoning is consistent with the Village of Kekoskee Comprehensive Plan.

(3) The rezoning is substantially consistent with the Dodge County Farmland Preservation Plan, certified under Ch. 91, Wis. Stats., which is in effect at the time of zoning.

(4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

The above Section 14.2 (1-4) does not apply to any of the following situations:

(5) A rezoning that is affirmatively certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under Ch. 91, Wis. Stats.

(6) A rezoning that makes the farmland preservation zoning ordinance map more consistent with the Dodge County farmland preservation plan map, certified under Ch. 91, Wis. Stats., which is in effect at the time of the rezoning.

14.3 Certification of Ordinance and Amendments by DATCP

(1) This Zoning Ordinance must be certified by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) in order for owners of land that is zoned FP Farmland Preservation in the Village of Kekoskee to be eligible to claim tax credits under the State of Wisconsin's Farmland Preservation Program.

(2) The Village of Kekoskee shall notify DATCP of any amendments as required by Wis. Stats. 91.36(8).

(3) The Village of Kekoskee shall notify DATCP and the Dodge County Land Resources and Park Department, by March 1 annually, of any acres rezoned out of a farmland preservation zoning district during the previous year and a map that clearly shows the location of those acres as required by Wis. Stats. 91.48(2) and 91.48(3).

14.4 Farmland Preservation Definitions

For the purposes of Section 14 of this Ordinance, the following definitions shall be used. Please see Section 13 for conventional zoning district definitions.

Accessory Use: With the FP Zoning District means any of the following land uses on a farm:

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use. This may include, for example:
   A. A facility used to store or process raw agricultural commodities, all of which are produced on the farm.
   B. A facility used to keep livestock on the farm.
   C. A facility used to store or process inputs primarily for agricultural uses on the farm.
   D. A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
   E. A wind turbine or solar energy facility that collects wind or solar energy on the farm and uses or transforms it to provide energy primarily for use on the farm.
   F. A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm, primarily for use on the farm.
   G. A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.

(2) An activity or business operation that is an integral part of or incidental to, an agricultural use.

(3) A farm residence, including normal residential appurtenances.

(4) A business, activity, or enterprise, whether or not associated with an agricultural use, which meets all of the following requirements:
   A. It is conducted on a farm by an owner or operator of that farm.
   B. It requires no buildings, structures, or improvements other than those described in par. (1) or (3).
   C. It employs no more than 4 full-time employees annually.
   D. It does not impair or limit the current or future agricultural use of the farm or other protected farmland.

(5) Any other use that DATCP, by rule, identifies as an accessory use.

Agricultural Use:
Any of the following activities conducted for the purpose of producing an income or livelihood:
(1) Crop or forage production.
(2) Keeping livestock.
(3) Beekeeping.
(4) Nursery, sod, or Christmas tree production.

(5) Floriculture.
(6) Aquaculture.
(7) Fur farming.
(8) Forest management.
(9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.
(10) Any other use that the Department of Agriculture, Trade and Consumer Protection, by rule, identifies as an agricultural use.

Agriculture-related use:
An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products, or facility for processing agricultural wastes. In addition, any use that the Department of Agriculture, Trade and Consumer Protection identifies by rule as an agriculture-related use. An "agricultural related use" must be primary (not just incidentally) related to agriculture and must have a direct connection to agriculture uses in the FP zoning district.

Animal Confinement Facility:
Any animal, livestock, or poultry operation with 500 or more animal units that are used in the production of food, fiber, or other animal products or that will be fed, confined, maintained, or stabled for a total of 45 days or more in any 12-month period.

Animal Unit:
Animal Unit has the following meaning that was given in s. NR 243.03 (3) Wisconsin Administrative Code as of April 27, 2004: "Animal Unit" means a unit of measure used to determine the total number of single animal types or combination of animal types, as specified in s. NR 243.11, Wisconsin Administrative Code, which are fed, confined, maintained, or stabled in an animal feeding operation. The total number of animal units for a given type of animal shall be calculated by multiplying the number of animals for each animal type by the appropriate equivalency factor from the following table and summing the products. The number of combined animal units shall be the sum of the number of animal units for each animal type. For animal types not listed in the following table, the equivalency to animal units shall be based on live animal weights. In these cases, 1,000 pounds of live weight is equivalent to one animal unit.

Animal Unit Calculation Table Number Equivalent to 500 Animal Units		
Number Equivalent to 500 Animal Units	Animal Type	Animal Equivalency Factor
	Dairy Cattle:	
350	Milking and Dry Cows	1.4
455	Heifers (800 to 1200 lbs.)	1.1
835	Heifers (400 to 800 lbs.)	0.6
2500	Calves (under 400 lbs.)	0.2
	Beef Cattle:	
500	Steers or Cows (600 lbs. to Mkt.)	1.0
1000	Calves (under 600 lbs.)	0.5
350	Bulls	1.4
	Swine:	
1250	Pigs (55 lbs. to Mkt.)	0.4

5000	Pigs (up to 55 lbs.)	0.1
1250	Sows	0.4
1000	Boars	0.5
	Sheep:	
5000	Per Animal	0.1
	Horses:	
250	Per Animal	2.0
	Ducks:	
2500	Per Bird (Wet Lot)	0.2
50000	Per Bird (Dry Lot)	0.01
	Chickens:	
50000	Layers	0.01
100000	Broilers	0.005
50000	Broilers (continuous overflow watering)	0.01
15000	Layers or Broilers (Liquid Manure System)	0.033
	Turkeys:	
27500	Per Bird	0.018
	Combined Animal Units:	
500	Calculated Total	

Base Farm Tract:
All land, whether one parcel or two or more contiguous parcels, that is in the FP Farmland Preservation Zoning District and that is part of a single farm on the adoption date of this ordinance regardless of any subsequent changes in the size of the farm. Alternatively, any other tract that the Department of Agriculture, Trade and Consumer Protection by rule defines as a base farm tract.

Base farm tracts are defined ONLY for the purpose of calculating residential densities in connection with conditional use permit applications. They have no other legal or ownership implications and are not used for any other purpose. A "base farm tract" is a fixed geographical reference area that (once determined) remains constant over time.

Certified Farmland Preservation Plan:
A farmland preservation plan that is certified as determined under Wis. Stats. 91.12.

Certified Farmland Preservation Zoning Ordinance:
A zoning ordinance that is certified as determined under Wis. Stats. 91.32.

Common Ownership:
Ownership by the same person or persons, or by persons that are all wholly owned by the same person or persons. "Common ownership" includes joint tenancy and tenancy in common. Solely for purposes of this definition, a parcel owned by one member of a married couple is deemed to be owned by the married couple.

Land is deemed to be under "common ownership," for purposes of this ordinance, if it is all owned by the same individual, married couple, joint tenants, and tenants in common, corporation, LLC, partnership, estate or trust. If land parcels are owned by separate legal entities, but those legal entities are all wholly owned by exactly the same person or persons, those land parcels are deemed to be under "common ownership" for purposes of this ordinance.

Contiguous:
Adjacent to or sharing a common boundary. “Contiguous" land includes land that is separated only by a river, stream, section line, public road, private road, railroad, pipeline, transmission line, or transportation or transmission right-of- way. Parcels are not "contiguous" if they meet only at a single point.

Conditional Uses:
Uses of a special nature as to make impractical their predetermination as a permitted use in a district. Conditional uses as used in the FP Farmland Preservation Zoning District must meet the requirements of Wis. Stats. 91.46.

Density:
The number of dwelling units per acre allowable under the schedule of district regulations.

Farm:
All land under common ownership that is primarily devoted to agricultural use. For the purpose of this definition, land is deemed to be primarily devoted to agricultural use if the following apply:
(1) The land produces at least $6,000 in annual gross farm revenues to its owner or renter, regardless of whether on a majority of the land area is in agricultural use; or,
(2) A majority (greater than 50%) of the land is in agricultural use.

In determining whether land is in agricultural use for purposes of par. (2), a zoning authority may consider how the land is classified for property tax purposes. See Ch. TAX 18, Wis. Adm. Code.]

Farm Acreage:
The size of a farm in acres for the purpose of determining the “base farm tract”. “Farm acreage” includes farmland, farm buildings, farm residence and open space parcels over 10 acres. Farm acreage does not include non-farm residential acreage.

Farm Residence:
A single-family or two-family residence that is the only residential structure on the farm or is occupied by any of the following:
(1) An owner or operator of the farm.
(2) A parent or child of an owner or operator of the farm.
(3) An individual who earns more than 50 percent of his or her gross income from the farm.

To qualify as a “farm residence," a residence must be located on a "farm." If a farm owner deeds off a residential parcel to another person (even if that person is the farm owner's parent, child, or employee), the separately owned parcel is no longer part of the original "farm." A residence built on that parcel does not qualify as a "farm residence" unless the parcel qualifies as a "farm" in its own right.

Gross Farm Revenues:
Means gross receipts from agricultural use of a farm, excluding rent receipts, less the cost or other basis of livestock or other agricultural items purchased for resale which are sold or otherwise disposed of during the taxable year. Gross farm revenue includes receipts accruing to a renter but does not include rent paid to the landowner.

Livestock:
Means domestic animals traditionally used in this state in the production of food, fiber, or other animal products. “Livestock” includes cattle, swine, poultry, sheep, and goats. “Livestock” does not include equine animals, bison, farm raised deer, fish, captive game birds, camelids, ratites, or mink. (Please refer to ATCP 51 for any possible amendments to this definition.

Livestock Facilities with More Than 500 Animal Units: Means facilities covered by Wis. Adm. Code Ch. ATCP 51.

Nonfarm Residence: Any residence other than a farm residence.

Nonfarm Residential Acreage:
Nonfarm residential acreage" means the combined total acreage of all parcels on which nonfarm residences are located, all parcels on which Plan Commission has approved nonfarm residences, all parcels of 10 acres or less that do not qualify as farms, and the parcel to which the conditional use permit application pertains. If a residence is located or proposed to be located on an undivided farm, but does not qualify as a farm residence, the size of the residential parcel is deemed to be 10 acres

Nonfarm residential acreage is defined ONLY for the purpose of calculating residential densities in connection with conditional use permit applications in the FP zoning district.

This ordinance counts, as "nonfarm residential acreage," parcels on which residences have been approved but not yet built, as well as "open space" parcels less than 10 acres. Larger "open space parcels" may be counted as "farm acreage" (see definitions of "farm acreage" and "open space parcel)."

Nonconforming Uses or Structures: Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance which does not conform to the regulations of this Ordinance. Any such structure conforming in respect to use, but not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements shall be considered a nonconforming structure and not a nonconforming use.

Open Space Parcel:
A parcel on which no buildings, other than hunting blinds or small sheds, have been constructed or approved for construction.

Person:
An individual, corporation, partnership, limited liability company (LLC), trust, estate, or other legal entity.

Prime Farmland:
An area with a class I or II land capability classification as identified by the Natural Resources Conservation Service of the United States Department of Agriculture or land that is identified as prime farmland in a certified farmland preservation plan. Prime farmland soils are not necessarily associated with the boundaries of the FP Farmland Preservation Zoning District.

Protected farmland:

Land that is any of following:

(1) Land that is located in the FP Farmland Preservation Zoning District certified under Ch. 91, Wis Stats.

(2) Covered by a farmland preservation agreement under Ch. 91, Wis Stats.

(3) Covered by an agricultural conservation easement under s. 93.73, Wis Stats.

(4) Otherwise legally protected from nonagricultural development

SECTION 15.0 RIGHT-TO-FARM

15.1 Purpose

It is the intent of this section to conserve, protect, and encourage the continued use and improvement of agricultural land in the Village of Kekoskee for the production of agricultural products. Additionally, this Right-to-Farm section is designed to preserve the right of farmers to produce, without unnecessary interference, agricultural products using generally accepted agricultural practices.

15.2 Applicability

The provisions of this section shall apply to all land use change applications within the jurisdiction of this Ordinance.

15.3 Limitation on Private Action

This section shall not apply in the case of a negligent agricultural operation. An agricultural use or agricultural practice is not, nor shall it become, a nuisance if the following apply:

(1) The agricultural use or agricultural practice alleged to be a nuisance is conducted on, or on a public right-of-way adjacent to, land that was in agricultural use without substantial interruption before the plaintiff began the use of property that the plaintiff alleges was interfered with by the agricultural use or agricultural practice; and

(2) The agricultural use or agricultural practice does not present a substantial threat to public health or safety.

15.4 Development Review

In reviewing any application for a land use change, the Village Board and/or Plan Commission shall, to the maximum extent feasible, ensure that such change does not adversely affect any existing agricultural operation on land not subject to the land use change, including access to active agricultural operations.

15. 5 Sounds and Smells

Farmers often work late into the night, especially during planting and harvest time, when noise from their machinery can be heard. Land preparation can cause dust, especially during windy and dry weather. The smell of organic fertilizer may be evident during field applications.

15.6 Slow Moving Vehicles

Moving at top speeds of 15 to 20 miles per hour, farm equipment may slow travel time on rural roads. Vigilance and patience are required. Farm equipment will display a Slow-Moving Vehicle emblem, a red-orange, fluorescent triangle surrounded by a reflective red border, on the rear of the implement. This is a warning to slow down. Large farm equipment may extend into the oncoming traffic lane. Safety should be a top concern for all drivers on Village roads, as well as the equipment operators.

15.7 Chemicals

Fertilizers and herbicides are often used in growing crops. These products are applied by licensed applicators. Respect for a neighbor's adjacent land is shown by knowing the prevailing winds and preventing drift.

15.8 Exceptions

Should the Village be presented scientific information and evidence that certain farming practices threaten the health of Village residents, this section of the ordinance shall not apply to protecting those farming activities.

NOTE: Through section 823.08 of the Wisconsin Statutes, the Wisconsin Legislature has adopted a right to farm law. This statute limits the remedies of later established residential property to seek changes to pre-existing agricultural practices in the vicinity of residential property. Active agricultural operations are now taking place and may continue in the vicinity of the Village of Kekoskee. These active agricultural operations may produce noises, odors, dust, machinery traffic, or other conditions during daytime and evening hours.

Wisconsin Department of Agriculture, Trade and Consumer Protection
Agricultural Resource Management Division
Bureau of Land Resources
P.O. Box 8911 Madison, WI 53708-8911
608-224-4630

FARMLAND PRESERVATION
LOCAL JURISDICTIONS WITH ZONING
FOR 2023 TAX YEAR

Following each county, this list shows county, city, village and town administered farmland preservation zoning.
Bold = Town Administered Certified FP Zoning
Not bold = Town in County Administered Certified FP Zoning
~~Strike through~~ = Jurisdiction no longer has a certified FP Zoning Ordinance
Italics = New FP Zoning Ordinance for tax year 2023

Landowners with land in **certified farmland preservation zoning districts should use tax Schedule FC-A**.

For information on claiming the FP tax credit with a FP agreement see DOR publication 503.

ADAMS – Adams, Colburn, Dell Prairie, New Chester, New Haven, Preston, Richfield
ASHLAND – No jurisdictions with certified ordinances
BARRON
(Extraterritorial) Cities of Barron
Towns of Almena, Barron, Clinton, Crystal Lake, Cumberland, Dallas, Doyle, Maple Grove, Maple Plain, Oak Grove, Prairie Lake, Rice Lake, Stanfold, Stanley, Sumner and Turtle Lake
BAYFIELD – No jurisdictions with certified ordinances
BROWN
Villages Howard, Hobart and Suamico
Towns of Eaton, Glenmore, Green Bay, Holland, Humboldt, Lawrence, Ledgeview, Morrison, New Denmark, Pittsfield, Rockland, Scott and Wrightstown
BUFFALO–
Towns of Alma, Belvidere, Cross, Dover, Glencoe, Modena, Mondovi, Naples and Nelson
BURNETT
Towns of Anderson, Dewey, Grantsburg, Roosevelt, Rusk, Scott, Swiss and Trade Lake
CALUMET
Towns of Brillion, Charlestown and Woodville
Towns of Chilton and Rantoul
CHIPPEWA – No jurisdictions with certified ordinances
CLARK
Towns of Colby and Mayville
COLUMBIA
Towns of Arlington, Caledonia, Columbus, Dekorra, Fort Winnebago, Fountain Prairie, Hampden, Leeds, Lewiston, Lodi, Lowville, Marcellon, Newport, Otsego, Pacific, Springvale, West Point and Wyocena
Town of Courtland
CRAWFORD
Village of Soldiers Grove
Towns of Freeman, Haney and Utica
DANE
(Extraterritorial) City of Deforest/Vienna
(Extraterritorial) City of Middleton/Westport
(Extraterritorial) Village of Waunakee/ Westport
City of Fitchburg
Village of Dane, Windsor
Towns of Albion, Black Earth, Blooming Grove, Christiana, Cottage Grove, Cross Plains, Dane, Deerfield, Dunkirk, Dunn, Madison, Mazomanie, Medina, Montrose, Oregon, Perry, Pleasant Springs, Primrose, Roxbury, Rutland, Vermont, Verona, Vienna and York
Towns of Berry, Blue Mounds, Springfield, Sun Prairie and Westport
DODGE
Towns of Calamus, Elba, Fox Lake, Hustisford, LeRoy, Lebanon, Lomira, Oak Grove, Shields and Trenton
Towns of Burnett, Chester, Herman, Hubbard, Portland, Theresa and Williamstown
DOOR
Town of Clay Banks
DOUGLAS– No jurisdictions with certified ordinances
DUNN
Towns of Grant, Lucas and Wilson
EAU CLAIRE
Towns of Brunswick, Clear Creek, Drammen, Lincoln, Otter Creek, Pleasant Valley, Seymour, Union and Washington
FLORENCE – No jurisdictions with certified ordinances.
FOND DU LAC
Towns of Alto, Ashford, Auburn, Byron, Calumet, Eden, Eldorado, Empire, Fond Du Lac, Forest, Friendship, Lamartine, Marshfield, Metomen, Oakfield, Osceola, Ripon, Rosendale, Springvale, Taycheedah and Waupun
FOREST– No jurisdictions with certified ordinances
GRANT
Towns of Clifton, Ellenboro, Fennimore, Harrison, Hickory Grove, Jamestown, Liberty, Lima, Millville, Mount Hope, Mount Ida, Paris, Platteville, Potosi, South Lancaster, Watterstown and Wingville
GREEN– No jurisdictions with certified ordinances
GREEN LAKE
Towns of Berlin, Brooklyn, Green Lake, Mackford, Manchester and Marquette
IOWA
(Extraterritorial) City of Mineral Point
Village of Highland
Towns of Arena, Brigham, Clyde, Dodgeville, Eden, Highland, Linden, Mifflin, Mineral Point, Moscow, Pulaski, Ridgeway, Waldwick and Wyoming
IRON– No jurisdictions with certified ordinances
JACKSON– No jurisdictions with certified ordinances
JEFFERSON
Towns of Aztalan, Cold Spring, Concord, Farmington, Hebron, Ixonia, Jefferson, Koshkonong, Lake Mills, Milford, Oakland, Palmyra, Sullivan, Sumner, Waterloo and Watertown
JUNEAU– No jurisdictions with certified ordinances
KENOSHA– No jurisdictions with certified ordinances
KEWAUNEE
Towns of Ahnapee, Carlton, Casco, Franklin, Lincoln, Luxemburg, Montpelier, Pierce, Red River and West Kewaunee
LA CROSSE
Towns of Bangor, Barre, Farmington, Greenfield, Hamilton, Holland, Onalaska, Shelby and Washington
Town of Burns
LAFAYETTE
Towns of Argyle, Belmont, Elk Grove, Fayette, Gratiot, Kendall, Lamont, Monticello, Shullsburg, Wayne and Wiota
LANGLADE
Towns of Ackley, Ainsworth, Antigo, Elcho, Neva, Norwood, Parrish, Peck, Polar, Price, Rolling, Vilas and Wolf River
LINCOLN– No jurisdictions with certified ordinances
MANITOWOC
Towns of Cato, Cooperstown, Eaton, Gibson, Kossuth,

Liberty, Manitowoc, Manitowoc Rapids, Maple Grove, Meeme, Mishicot, Rockland, Two Creeks and Two Rivers
Towns of Centerville, Franklin and Newton

MARATHON
Towns of Brighton, Eau Pleine, Hull, Marathon and McMillan
Towns of Mosinee and Stettin

MARINETTE – No jurisdictions with certified ordinances

MARQUETTE
Towns of Crystal Lake, Harris, Mecan, Montello, Moundville, Neshkoro, Newton, Oxford, Packwaukee and Westfield
Town of Buffalo

MILWAUKEE – No jurisdictions with certified ordinances

MONROE– No jurisdictions with certified ordinances

OCONTO– No jurisdictions with certified ordinances

ONEIDA– No jurisdictions with certified ordinances

OUTAGAMIE
Village of Greenville
Towns of Cicero, Deer Creek, Maple Creek and Seymour
Towns of Black Creek, Hortonia and Kaukauna

OZAUKEE
Town of Belgium

PEPIN
Town of Waterville

PIERCE
Town of River Falls

POLK – No jurisdictions with certified ordinances

PORTAGE
Town of Grant

PRICE– No jurisdictions with certified ordinances

RACINE
Towns of Burlington and Waterford

RICHLAND
(Extraterritorial) City of Richland Center
Towns of Akan, Buena Vista, Dayton, Eagle, Forest, Henrietta, Marshall, Orion, Richland, Richwood, Westford and Willow
Towns of Ithaca and Rockbridge

ROCK
Towns of Avon, Beloit, Bradford, Center, Clinton, Fulton, Harmony, Janesville, Johnstown, La Prairie, Lima, Magnolia, Milton, Plymouth, Porter, Rock, Spring Valley, Turtle and Union

RUSK– No jurisdictions with certified ordinances

ST. CROIX
Towns of Baldwin, Cylon, Erin Prairie, Pleasant Valley, Rush River, Somerset, Stanton and Star Prairie
Town of Troy

SAUK
(Extraterritorial) Village of Prairie du Sac/ Prairie du Sac
(Extraterritorial) Village of Sauk City/ Prairie du Sac
Towns of Excelsior, Franklin, Honey Creek, Ironton, Prairie Du Sac, Reedsburg, Sumpter, Troy and Westfield

SAWYER– No jurisdictions with certified ordinances

SHAWANO
Towns of Aniwa, Fairbanks, Grant, Maple Grove, Navarino and Washington
Town of Hartland

SHEBOYGAN
Towns of Greenbush, Herman, Holland, Lima, Lyndon, Mosel, Plymouth, Russell, Scott, Sheboygan Falls and Sherman

TAYLOR – No jurisdictions with certified ordinances

TREMPEALEAU– No jurisdictions with certified ordinances

VERNON
Towns of Coon, Harmony, *Hamburg*, Christiana, Stark and Virocqua

VILAS– No jurisdictions with certified ordinances.

WALWORTH
Towns of Darien, Delavan, East Troy, Geneva, Lafayette, La Grange, Linn, Lyons, Richmond, Sharon, Spring Prairie, Sugar Creek, Troy, Walworth and Whitewater.

WASHBURN– No jurisdictions with certified ordinances

WASHINGTON – No jurisdictions with certified ordinances

WAUKESHA
Towns of Oconomowoc and Ottawa
Town of Eagle

WAUPACA
Towns of Bear Creek, Farmington, Larrabee, Lebanon, Lind, Little Wolf, Matteson, Scandinavia, St. Lawrence and Union

WAUSHARA– No jurisdictions with certified ordinances

WINNEBAGO
Town of Nepeuskun

WOOD– No jurisdictions with certified ordinances

Claiming the Farmland Preservation Tax Credit with Schedule FC-A[1]

Information for landowners and tax preparers

Eligible landowners may claim a farmland preservation tax credit on their income tax return in exchange for keeping the land in agricultural use and complying with the state's soil and water conservation standards, also known as agricultural performance standards.

If you are an eligible landowner, you can file **Schedule FC-A** with your income tax return to collect one of the following per acre credits:

- $10.00 for landowners with a farmland preservation agreement signed after July 1, 2009 and located in an agricultural enterprise area, or for landowners who have modified an agreement signed before July 1, 2009
- $10.00 for landowners in an area zoned for farmland preservation
- $12.50 for landowners in an area zoned for farmland preservation and in an agricultural enterprise area, with a farmland preservation agreement signed after July 1, 2009[2]

Step 1: Determine Eligibility to file Schedule FC-A

If you can answer "Yes" to all of the questions below, you are eligible to claim the farmland preservation tax credit using **Schedule FC-A**.

☐ Am I a Wisconsin resident?

☐ Is my land covered by at least one of the following; (a) a certified farmland preservation zoning district, (b) a farmland preservation agreement signed or modified after July 1, 2009? *Note: Contact your town or county zoning office to confirm eligible zoning.*

☐ Did my land produce $6,000 in gross farm revenue during the previous year or $18,000 in gross farm revenues during the previous three years?

☐ Have the previous year's property taxes been paid?

☐ Have I obtained a certificate of compliance from my county's land conservation committee to show that I comply with the state's soil and water conservation standards?

Step 2: Submit the Appropriate Paperwork

Nearly all eligible landowners will need to submit **Schedule FC-A** when filing the tax credit claim. The only exception is for landowners with a farmland preservation agreement entered into prior to July 1, 2009 that has not been modified. These landowners must continue to use Schedule FC.

Landowners claiming the farmland preservation tax credit using Schedule FC-A must obtain a certificate of compliance issued by the county land conservation committee to ensure continued eligibility. If you have not yet received a certificate of compliance, you must contact your county land conservation department to schedule a time to discuss your farm's compliance status. If you are claiming the credit for the first time, or the number of acres on which the claim is based has changed, you will need to submit a copy of the certificate of compliance with your income tax return.

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[1] Please note that if you have a farmland preservation agreement signed before July 1, 2009 that has not been modified, you must continue to use **Schedule FC** to claim your tax credit. More information on modifying agreements is available on the DATCP website at https://datcp.wi.gov/Pages/Programs_Services/ModifyFPAgreement.aspx.

[2] Landowners who have modified an agreement that was originally signed before July 1, 2009 and the covered land is also located within an area zoned for farmland preservation may also be eligible for the $12.50 per acre tax credit.

Frequently Asked Questions

What are the soil and water conservation standards?
The soil and water conservation standards (agricultural performance standards) are listed in ATCP 50.04, WI Adm. Code at http://docs.legis.wisconsin.gov/code and include requirements for nutrient management planning and for controlling sources of soil erosion and other agricultural sources of nonpoint pollution. Contact your county land conservation department for more specific information about these standards.

What counts towards the gross farm revenue requirements?
Gross farm revenue means that the land produced $6,000 in gross farm revenue during the previous year or $18,000 during the previous three years. If the land is rented out, the value of what is produced by the operator on the land can be used to meet the gross farm revenue requirement. The rental payment received does not count toward the gross farm revenue requirement. Other payments received, such as payments for enrolling land in the federal conservation reserve program (CRP), and other state and federal programs, can be used to meet the gross farm revenue requirement.

I have a farmland preservation agreement that was signed prior to July 1, 2009. What do I need to do to claim the farmland preservation tax credit?
You may continue to claim the farmland preservation tax credit as you always have by using Schedule FC. If you wish to claim the per acre tax credit available to landowners after July 1, 2009, you may modify your existing farmland preservation agreement. Once an agreement is modified, you must file Schedule FC-A. Learn about modifying your agreement at https://datcp.wi.gov/Pages/Programs_Services/ModifyFPAgreement.aspx

Do I still need to attach a zoning certificate to my income tax return?
No. The law no longer requires landowners to submit a zoning certificate. In some instances, the Department of Revenue may follow up with claimants to certify that the number of acres listed on Schedule FC-A are eligible for the tax credit. In these instances, the landowner should work with the county or town zoning office to obtain documentation showing that the acres are eligible for the credit. Acceptable documentation could include a letter from the appropriate zoning administrator.

Is land under the Managed Forest Law eligible for the tax credit?
Land that is under the Managed Forest Law (MFL) is eligible for the tax credit using Schedule FC-A if the other requirements, including the gross farm revenue, are met. Landowners under old agreements with land in MFL who must use Schedule FC are not eligible to claim the tax credit on this land.

Can farmers receive a tax credit if they also apply for the Homestead Tax Credit?
A farmer is not eligible for the farmland preservation tax credit if they choose to apply for the Homestead Tax Credit on any of their land.

Are there enough state funds to cover the tax credits?
The state is obligated to pay the full amount for all farmland preservation tax credits claimed in a given tax year. There is no cap on the amount of credit that an individual can claim or on the amount of acreage eligible for a credit.

For more information on the farmland preservation tax credits, contact DATCP at (608) 224-4611 or the Wisconsin Department of Revenue at (608) 266-2442.

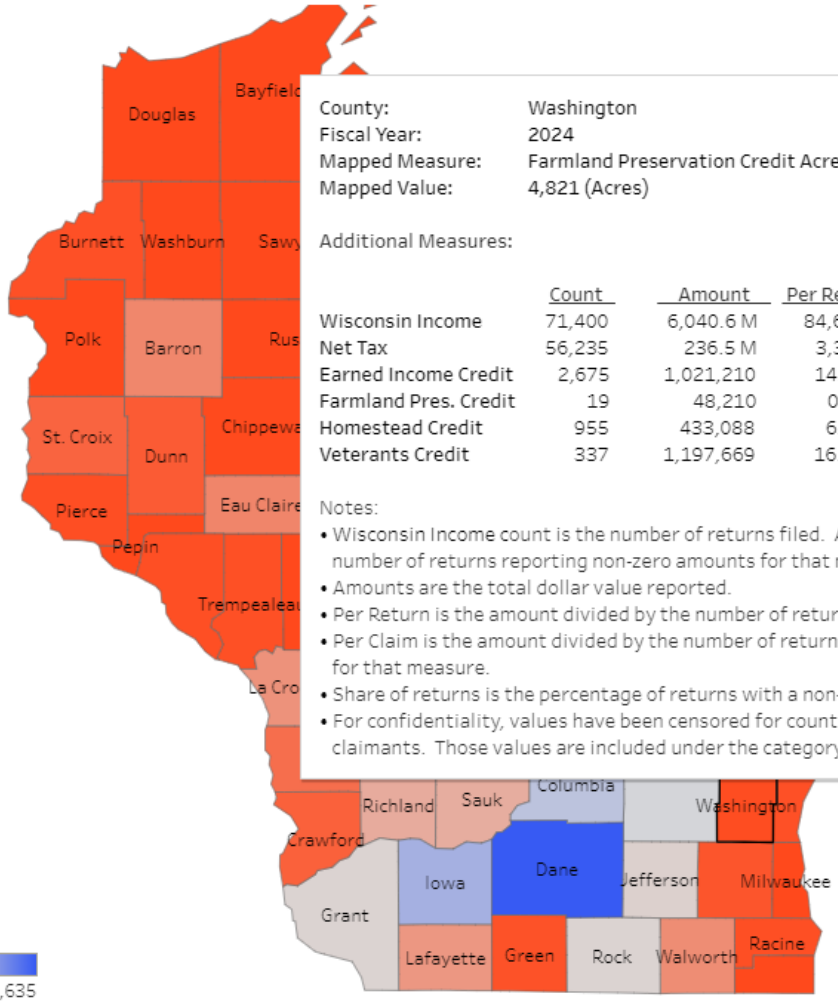
Wisconsin Department of Agriculture, Trade and Consumer Protection
Phone: (608) 224-4611
Website: http:/datcp.wi.gov
Email: DATCPWorkingLands@wisconsin.gov
ARM-PUB-233 (January 2024)

Measure to Chart

Farmland Preservation Credit Acres

Year

2024



County: Washington
Fiscal Year: 2024
Mapped Measure: Farmland Preservation Credit Acres
Mapped Value: 4,821 (Acres)

Additional Measures:

	Count	Amount	Per Return	Per Claim	% of Returns
Wisconsin Income	71,400	6,040.6 M	84,602	84,602	100%
Net Tax	56,235	236.5 M	3,313	4,206	78.8%
Earned Income Credit	2,675	1,021,210	14.30	381.8	3.7%
Farmland Pres. Credit	19	48,210	0.68	2,537.4	0.0%
Homestead Credit	955	433,088	6.07	453.5	1.3%
Veterants Credit	337	1,197,669	16.77	3,553.9	0.5%

Notes:

- Wisconsin Income count is the number of returns filed. All other counts are the number of returns reporting non-zero amounts for that measure.
- Amounts are the total dollar value reported.
- Per Return is the amount divided by the number of returns.
- Per Claim is the amount divided by the number of returns reporting non-zero amounts for that measure.
- Share of returns is the percentage of returns with a non-zero amount for that measure.
- For confidentiality, values have been censored for counties with fewer than 10 credit claimants. Those values are included under the category, 'Unknown, Out-of-state'.

View on Tableau Public

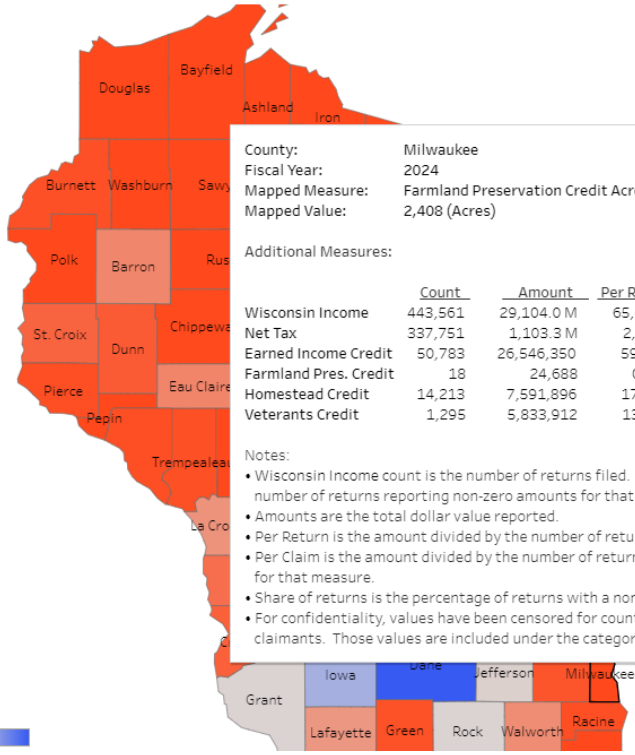
Share

Measure to Chart

Farmland Preservation Credit Acres

Year

2024



County: Milwaukee
Fiscal Year: 2024
Mapped Measure: Farmland Preservation Credit Acres
Mapped Value: 2,408 (Acres)

Additional Measures:

	Count	Amount	Per Return	Per Claim	% of Returns
Wisconsin Income	443,561	29,104.0 M	65,614	65,614	100%
Net Tax	337,751	1,103.3 M	2,487	3,267	76.1%
Earned Income Credit	50,783	26,546,350	59.85	522.7	11.4%
Farmland Pres. Credit	18	24,688	0.06	1,371.6	0.0%
Homestead Credit	14,213	7,591,896	17.12	534.2	3.2%
Veterants Credit	1,295	5,833,912	13.15	4,505.0	0.3%

Notes:
- Wisconsin Income count is the number of returns filed. All other counts are the number of returns reporting non-zero amounts for that measure.
- Amounts are the total dollar value reported.
- Per Return is the amount divided by the number of returns.
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Washington County
Community Development Department
333 E. Washington St., Suite 2300
West Bend, WI 53095

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Farmland Preservation Plan Presentation

Come to the Washington County presentation on the Draft Farmland Preservation Area Map for the Village of Germantown at the **Germantown Village Hall on Monday, October 14th at 6:30 pm.** This is part of the County update to the Farmland Preservation Plan.

The Draft Farmland Preservation Area Map can be found by using the QR Code below, or by using the following url: https://maps.washcowisco.gov/apps/fpp

QR Code:

Germantown Village Hall
N112 W17001 Mequon Rd,
Germantown, WI 53022

For more information please contact:
adam.christensen@washcowisco.gov
or call (262) 335-4543

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REZONING APPLICATION
10/14/24 Plan Commission Meeting

ArborVillage
Anton Frenz Trust / FMC Group LLC / SA Technologies LLC

Village Staff Report & Recommendation ***Germantown, Wisconsin***

Summary

Everett Frenz, AVN Group 109 LLC, agent for Anton Frenz Trust, FMC Group LLC, and SA Technologies LLC, property owners, is requesting approval to rezone 65.2 acres from M-1: Limited Industrial to a Planned Development District (PDD) with underlying Rm-3: Multi-Family and B-1: Neighborhood Business Zoning districts for purposes of developing a mixed-use residential & commercial development located on Fond du Lac Avenue/STH145 north of Donges Bay Road in the "Victory Center Corridor".

Property Location: Fond du Lac Ave/STH145 @ Donges Bay Road

Agent/
Property Owner:

Jeff Groenier Concepts in Architecture W125 Amidon Road Brooklyn, WI	Everettt Frenz, AVN Group 109 LLC Frenz Trusts FMC Group LLC& SA Technologies LLC Madison, WI

Current Zoning: M-1: Limited Industrial
Proposed Zoning: Rm-3: Multi-Family & B-1: Neighborhood Business Planned Development District (PDD)

Adjacent Land Uses		Zoning
North	Residential	Rs-3
South	Institutional/Industrial	I/M-1
East	Industrial	M-1
West	Residential/Commercial	Rs-3/Rs-5/B-3

Location Map

Background

ArborVillage was originally proposed in 2001 as a 65.2-acre mixed-use development with 350-400 independent senior/elderly housing units and 145,000 sqft of retail commercial and business center/office uses. The proposed development was to be built in five (5) phases over a 10-year period. Although some preliminary approvals were obtained, including the rezoning of portions of the land into the EH: Elderly Housing and B-1: Neighborhood Business Zoning Districts, deadlines for obtaining subsequent permits and approvals necessary to maintain the zoning changes were not met. The preliminary development approvals lapsed, the zoning reverted back to the original M-1 Zoning District, and the development never happened.

In 2021, the ArborVillage concept was brought back to the Village for consideration at the same time when the Plan Commission was discussing what type and density of future development and land use would be deemed “desirable” to develop within the “Victory Center Corridor” along Fond du Lac Ave/STH145; what would be deemed “acceptable”; and what would be deemed “undesirable”. Eventually, 2050 Plan was adopted in September 2022 with the only “desirable” land use selected for the “victory Center Corridor” being “commercial”. Other land uses are deemed to be “acceptable”, including mixed-use commercial, multi-family and senior residential, institutional, and industrial (see enclosed “Victory Center Corridor” summary sheet).

In early 2023, rezoning and site plan applications were submitted for consideration by the Plan Commission. At their May 2023 meeting, the Plan Commission reviewed a revised mixed-use development plan that included 594 total dwelling units comprised of market rate multi-family apartments, condominiums and senior housing with approximately 50,000 sqft of commercial space located near the Donges Bay Road intersection. Primary access to the development would be from Fond du Lac Ave/STH145 with secondary access to Country Aire Drive (to the north) and Donges Bay Road (to the south). At that time, the PC discussion was neutral with concerns about the overall density, type of residential units, relative location being so removed from the Village Center, a general lack of cohesion in the design or layout, potential impact on the public school district, and whether a mixed-use development of this type was the highest and best use for this property (vs. commercial or industrial).

In response to those concerns, another variation of the same mixed-use development was submitted for PC consideration at their February 12, 2024 meeting. The revised plan had residential units that included ranch and 2-story townhouse duplexes, with 4-unit, 6-unit, and 14-unit 2-story multi-family buildings, 42-unit 3-story, and 105-unit 4-story buildings with both underground and above ground parking structures. The total unit count ranged from 580-600 dwelling units. The retail commercial component was reduced in size to 20-40,000 sqft.

Once again, the overall response was unenthusiastic with many of the same/similar concerns expressed regarding earlier concept plans. There was no consensus on any aspect of the proposal with further direction to reevaluate the overall concept, residential density, building types and sizes, phasing, amenities, and the overall layout.

Proposal

In response to the comments and concerns raised in February, another revised concept plan has been prepared and submitted (see enclosed phasing plans and overall "buildout" plan). Unlike previous "consultations", the developer is requesting formal action on their rezoning application. Specifically, the request is to rezone 65.2 acres from M-1: Limited Industrial to a Planned Development District (PDD) with underlying Rm-3: Multi-Family and B-1: Neighborhood Business Zoning Districts.

As shown in the overall concept plan and proposed phases (five phases in all spanning an estimated 15-year timeframe), the revised plan is very similar to previous plans in the overall layout with minor revisions to the number of dwelling units, type and orientation of buildings, and more amenities. Access to Fond du Lac Ave/STH145 and Donges Bay Road are generally the same. The most significant difference is in the number and type of amenities, including both private amenities for ArborVillage residents and public amenities intended for use by the public. As in previous plans, there is the 6-acre wooded area on the north side of the property that will be preserved in open space with 1 mile of paved bike and pedestrian trails throughout the development. The latest plan includes a community center with swimming pool, play fields (basketball, baseball, soccer, tennis, and pickleball), a pet park, and picnic/seating areas scattered throughout the development. Residential units include ranch and 2-story townhouse-style duplexes, 4-unit, 6-unit, and 14-unit 2-story multi-family condominium buildings, and 42-unit and 60-unit 3-story apartment buildings with underground parking (the 105-unit, 4-story apartment buildings with a central parking garage have been removed). The total dwelling unit count has a range from 575 to 585 total units. The retail commercial component has been reduced in size to 24,000 sqft total in two buildings near the intersection.

Staff Comment

Current zoning of the 65-acre property is M-1: Limited Industrial. Given the mix of proposed residential units, development density, relative location, and proposed phasing, creation of a planned development district (PDD) to guide development is the appropriate zoning tool for a development of this type and size. A PDD enables the Village and developer to create a unique set of zoning restrictions that are tailored to meet the land use, density and open space provisions set out in the 2050 Plan for the "Victory Center Corridor" and characteristics of the property.

As discussed in February, the number of dwelling units (up to 585 units at a density of 9 units/acre) and type of mixed-use residential and neighborhood commercial development is generally consistent with the basic type and density parameters for residential development allowed in the "Victory Center Corridor" (a maximum density of 10 units/acre may be allowed). Although commercial land use is the only "desirable" land use, "acceptable" land uses include all the residential uses outlined in the revised concept plan.

This proposal can also be considered consistent with the findings of the Village's recent residential market analysis prepared by Tracy Cross & Associates, Inc. The developer has indicated that the target sale prices for the condominium units will range from $275K to $450K. The developer has indicated that their own market analysis (although no report or other documentation has been provided to the Village) reveals a strong demand for the various housing types proposed, e.g. duplex, townhouse, and multi-story condominium units for families/prospective buyers whose annual incomes fall into the 50%-150% range around the $86,200 median income for the Germantown area. More information about unit pricing and market demand will be presented by the developer at the October 14 meeting.

Notwithstanding the above, Staff does not support the proposed ArborVillage mixed-use development in this location for the following reasons:

Land Use

With respect to land use, Staff believes this 65-acre area is better suited for light industrial and business-related land uses and development consistent with the "Victory Center Corridor". The property is/was a part of the now-retired Tax Incremental District (TID) No. 4 but was never seriously considered or marketed for industrial development over the last 25+ years because of the property owners/developers desire for a legacy-type residential development that more aligns with their desires and family ties to this property and the Germantown community. Nonetheless, the relative location of this property to the existing Germantown Business Park, abutting the railroad with additional rail siding potential (Waste Management has an active rail siding for the shipment of recyclables processed in their facility east of the railroad), closer proximity to the interstate transportation system via Fond du Lac Ave/STH145 and Wasaukee Road, proximity to other industrial parks including the Village's new Town 9 Industrial Park located only ¼-mile away on Donges Bay Road, all make this property unique in terms of its potential for additional, future light industrial and business park-type development. In addition, Fond du Lac Ave/STH145 provides a natural boundary and buffer from the residential development to the west that can be further enhanced with berms, landscaping, and building setbacks along Fond du Lac Ave/STH145 given the size and orientation of this property.

Residential Density

The maximum density for residential development allowed in the "Victory Center Corridor" is 2.9 units/acre for single-family (Rs-4 Zoning District), up to 6 units/acre for duplex to 4-family townhouses (Rd-2 and Rm-1 Zoning Districts), and 10 units/acre for multi-family condominiums, rental apartments, and any other multi-unit building types providing rental or ownership units. Staff's vision for future residential development in the "Victory Center Corridor" as well as other corridors and districts in the Village is one where the type of dwelling units and buildings will vary within the corridor or district and not necessarily be all of one type or density (unlike the existing residential "neighborhoods" designated in the 2050 Plan). Other than the 65.2-acre Frenz Trust property, most if not all the remaining developable or potentially re-developable parcels in the "Victory Center Corridor" are under 10 acres in size with many in the 5 to 10 acre

range. With respect to the idea of fostering and encouraging infill development and/or re-development of previously subdivided parcels that have challenging characteristics or land use compatibility concerns that have hindered development or re-development along the Fond du Lac Ave/STH145 corridor, Staff believes that the Village should allow a higher residential density to encourage development/re-development to a higher or better use, such as the recently approved 4-unit townhouse development by Virtus Development (Greg Nagel) as part of the Kuhburg PDD that includes the former Kuhburg Junction tavern and new Kaffeehaus coffee shop. The size and proximity of this and other, similarly situation parcels along the corridor are not conducive to single-family uses at the same low density as the residential neighborhoods to the west and beyond "the beaten path" of Fond du Lac Ave/STH145. Parcels like this won't be acquired and re-developed unless the density and unit type is economically feasible. In Staff's opinion, it is not envisioned that the maximum density allowed in the corridor would be utilized and applied across an entire property of this size. Ideally, the maximum density allowance would be used not as a broad brush for a large "greenfield" property, but rather, used strategically to foster infill and/or re-development of smaller and/or more difficult or challenging parcels within the corridor.

Location

Like the wheel on a bicycle, the radiating spokes support the more important hub in the center by distributing weight more evenly. Individually, each spoke handles less weight or mass than the hub to which it is connected. For this analogy, the Victory Center Corridor, like the Mequon-Lannon Road Corridor, is one of the spokes that connects to and supports the Village Center District to which it is connected by way of Fond du Lac Ave/STH145 and Mequon Road. With this concept in mind, the designation of neighborhoods, districts and corridors under the 2050 Plan is sort of a wheel (albeit an imperfect one lacking the shape and symmetry of a wheel) where the larger mass or density of residential and commercial development is envisioned to occur within the Village Center and to a lesser extent and density outward from the center in and along the corridors and neighborhoods. For this reason, the maximum density allowed in the Village Center District is 25 units/acre with an allowance for an even higher (or lower) density if a development is proposed as part of a Planned Development District (PDD) and offers a unique mix of amenities, architecture, materials, and overall quality of development. While the proposed density for ArborVillage (9 units/acre) is less than what is allowed in the Village Center, it does nearly "max out" the density allowance in the "victory Center Corridor" across the entire 65-acre parcel with up to 585 residential units proposed. When combined with the "residential density" argument above, a development project with this number and mass of residential units is better suited to be within or at least closer to the Village Center District.

The Village Engineer has provided a list of general comments and items that will be required if/as the proposal moves through the development approval process in a January 25, 2024 memo (copy attached).

VILLAGE STAFF RECOMMENDATION

DENY the request to rezone 65.2 acres from M-1: Limited Industrial to a Planned Development District (PDD) with underlying Rm-3: Multi-Family and B-1: Neighborhood Business Zoning Districts for purposes of developing a mixed-use residential & commercial development located on Fond du Lac Avenue/STH145 north of Donges Bay Road in the “Victory Center Corridor”.

NOTE: If the Plan Commission decides to forward a positive recommendation to the Village Board in favor of rezoning the property as requested, the Plan Commission needs to give further direction to the developer regarding the level or amount of detail that the Plan Commission will want to see incorporated into the General Development Plan and other aspects of the proposed PDD, e.g., phasing, architecture & materials, type, number & density of residential units types, amenities, etc.

Village of Germantown ...Willkommen

Fee must accompany application

- ☐ $700 Minor Addition
- ☐ $1,240 Construction <10,000 SF
- ☐ $2,095 Construction 10,000 SF to 50,000
- ☐ $3,460 Industrial Construction >50,000 SF
- ☐ $3,460 Commercial Construction >50,000
- ☐ $200 Plan Commission Consultation
- ☐ $125 Fire Department Plan Review

PAID [illegible] DATE 3/24/23

SITE PLAN REVIEW APPLICATION

Pursuant to Section 17.43 of the Municipal Code

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

1 APPLICANT OR AGENT

AVN GROUP 109 LLC
By: EVERETT FREMZ. PRESIDENT
Phone: 414-550-8014
Email: EJFRENZ@GMAIL.COM

PROPERTY OWNER

ANTON FRENZ TRUST
FMC GROUP LLC
S.A. TECHNOLOGIES LLC By:
BYRON L. FRENZ, President
Phone: 608-251-8400
Email: BLFRENZ@GMAIL.COM

2

PROPERTY ADDRESS

SW 1/4 OF SECTION 25

3 NEIGHBORING USES – Specify name and type of use, e.g. Enviro Tech – Industrial, Smith – Residential, etc.

North RESIDENTIAL	South RESIDENTIAL	East RAIROAD	West RESIDENTIAL

4 READ AND INITIAL THE FOLLOWING:

[illegible] I am aware of the Village of Germantown ordinance requiring fire sprinklers in most new construction.

[illegible] I understand that all new development is subject to Impact and/or Connection Fees that must be paid before building permits will be issued.

[illegible] I understand that an incomplete application will be withdrawn from the Plan Commission agenda and that all resubmissions to the Plan Commission are subject to a new application fee.

5 SIGNATURES – ALL APPLICATION MUST BE SIGNED BY OWNER!

[illegible] 3/22/23 — Applicant — Date

Byron L. Frenz pres 3-22-23 — Owner — Date

Village of Germantown ...Willkommen

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

AVN GROUP 109 LLC
By: EVERETT FRENZ, President
Phone 414-550-8014
Email: EJFRENZ@GMAIL.COM

PROPERTY OWNER

ANTON FRENZ TRUST
FMC GROUP LLC
S.A. TECHNOLOGIES LLC

By: Byron L. Frenz, President
Phone 608 251-8400
EMail BLFRENZ@GMAIL.COM

2

PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
SW 1/4 OF SECTION 25	SEE ATTACHED

3

REZONING REQUEST

FROM	TO
EH, B-1 & RS2	PDD

4

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

SEE ATTACHED

5 PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable. SEE ATTACHED

6 SUPPORTING DOCUMENTATION:

☒ Plat of Survey (1:100)

☒ Site Plan and elevations for new construction (can be conceptual)

7 READ AND INITIAL THE FOLLOWING:

BL I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.

BL I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself by sufficient cause to deny the petition.

BL I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

BL I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and time frame.

8 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Applicant	3/22/23 Date	Byron L. Freng PRES. Owner	3-22-23 Date

ArborVillage

ArborVillage: A 65-Acre Urban Development in Germantown

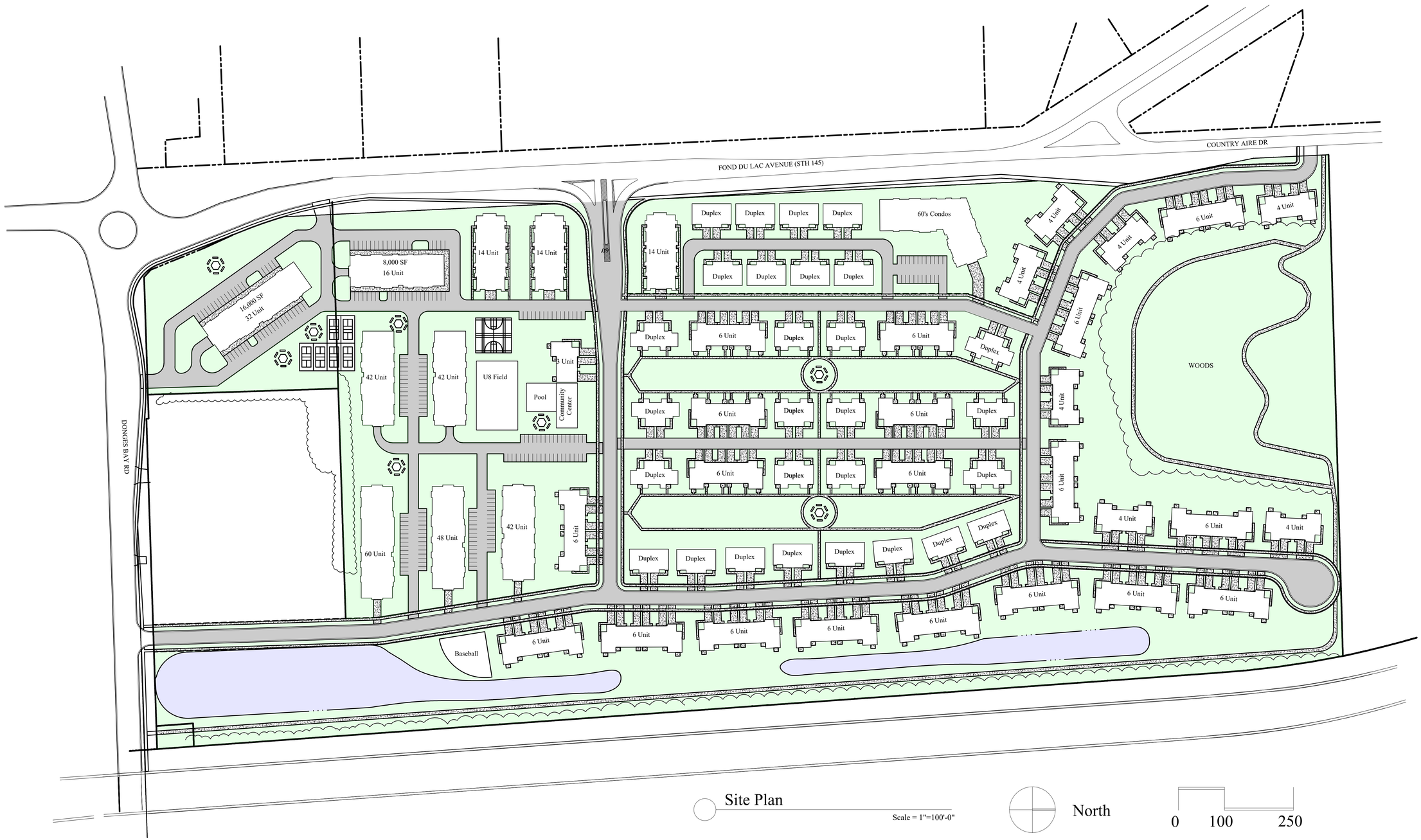
We are excited to present a proposal for ArborVillage, a new development on a 65-acre site that has been a family-owned farm and residence for over 100 years. We wish to honor Arbor Day by naming the project ArborVillage, which aligns with the growth and needs of Germantown.

ArborVillage is strategically located to serve as a buffer between industrial and residential areas, making it an ideal site for this development and enhance the community's overall landscape.

This project is projected to unfold over 10 to 14 years, divided into five phases, depending on economic conditions and real estate demand. ArborVillage will feature innovative and community-focused designs along with public amenities, addressing the current need for diverse residential options, including condominiums that promote sustainable growth.

Attached are drawings that incorporate feedback from previous consultations with the planning commission and local residents.

We feel ArborVillage will be an asset to the community and a benefit to Germantown



Site Plan

Scale = 1"=100'-0"

North

0 100 250

Jeffery Groenier, Architect
W125 Amidon Road
Brooklyn, WI 53521
608-698-3186 ciallc@hotmail.com

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Concepts In Architecture, LLC

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Everett Frenz, President

Address: 6115 N Lydell Avenue
Whitefish Bay, WI 53217
414-550-8014 ejfrenz@gmail.com

Project: ArborVillage

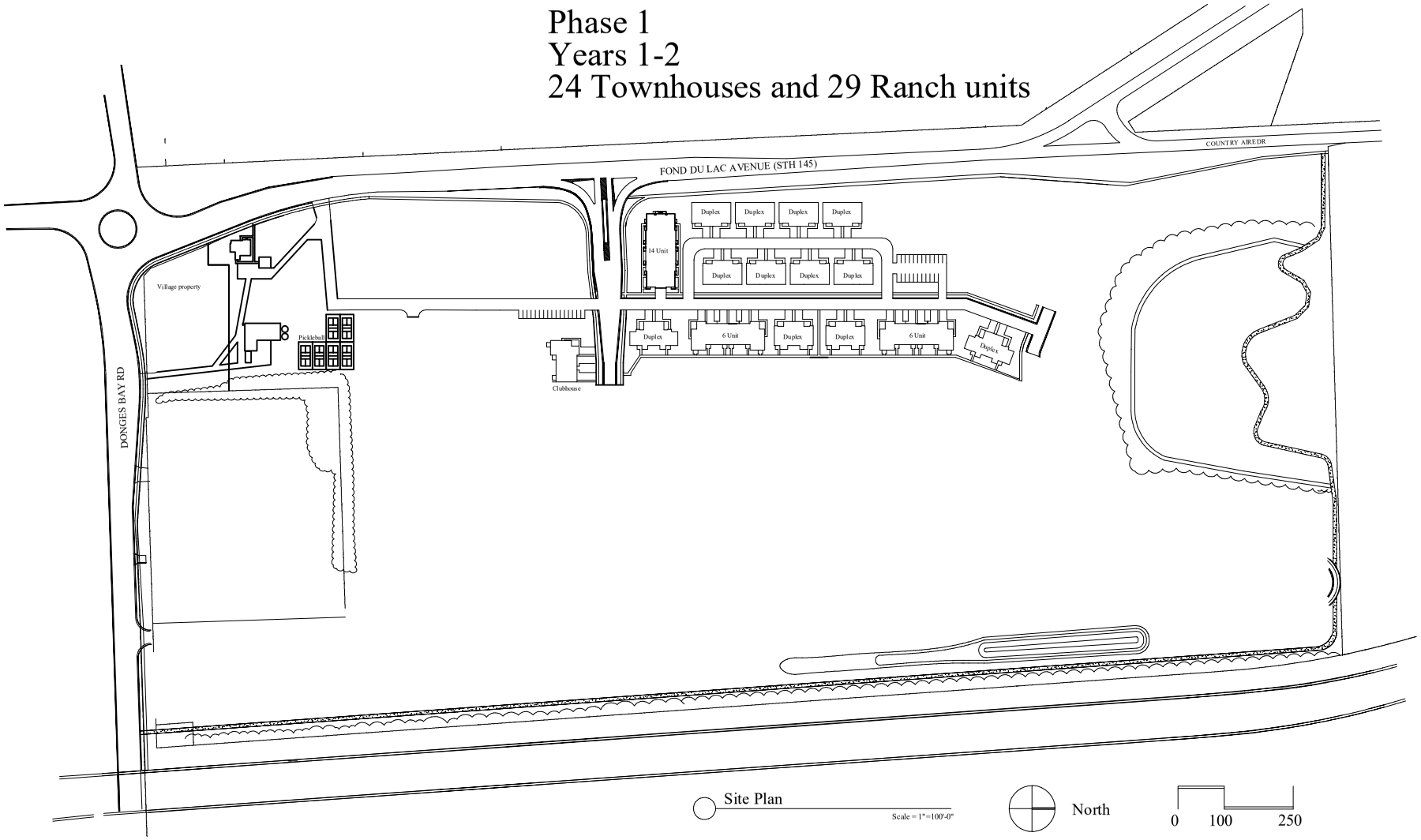
Address: Germantown, WI

Sheet Title: Site Plan

Date:	09-30-2024
Scale:	As Noted
Job #:	06-01

SHEET
C1

Phase 1
Years 1-2
24 Townhouses and 29 Ranch units



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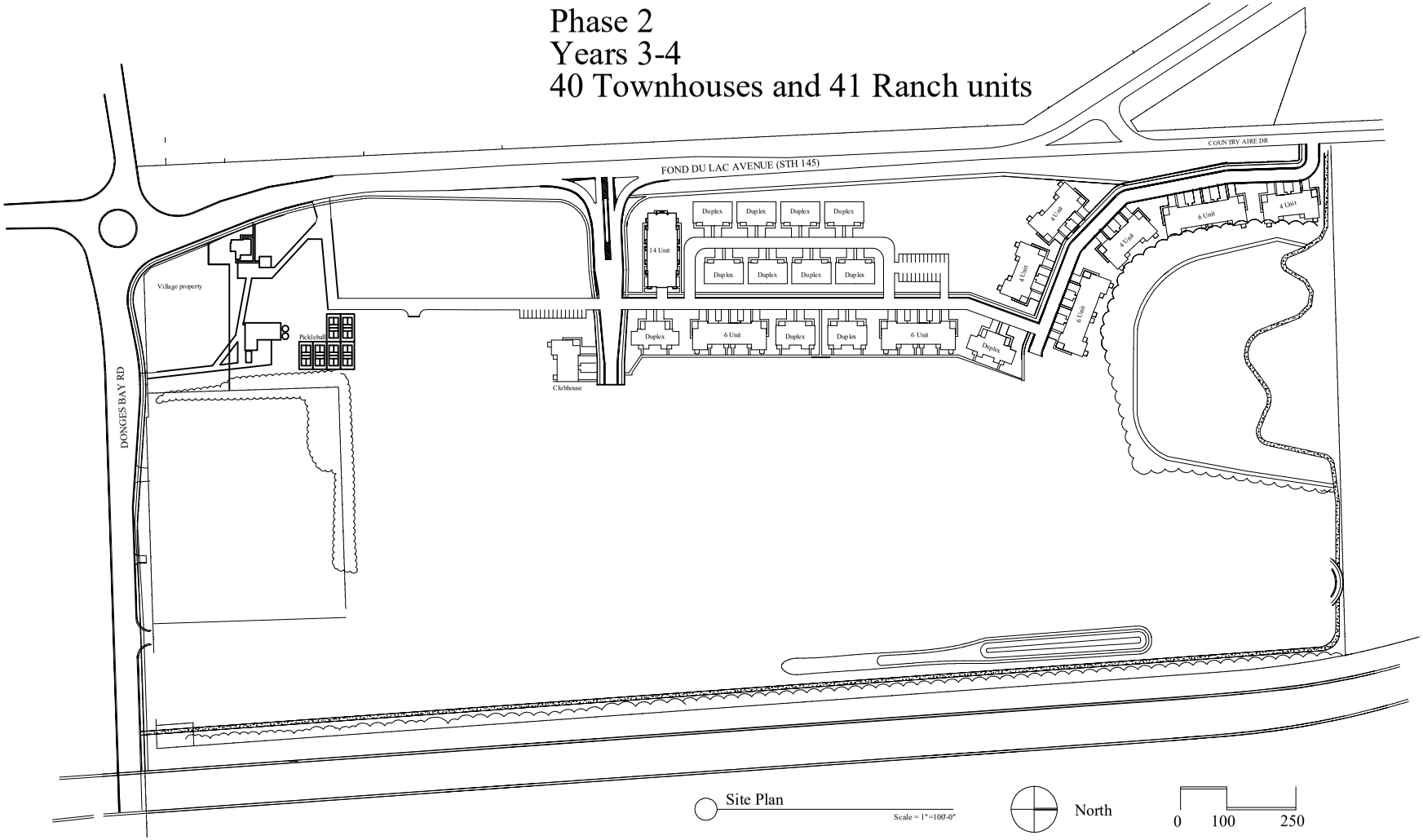
414-530-8014 efrenz@gmail.com

Project: ArborVillage
Address: Germantown, WI
Sheet Title: Site Plan

Date:	09-28-2024
Scale:	As Noted
Job #:	06-01

SHEET
C1

Phase 2
Years 3-4
40 Townhouses and 41 Ranch units



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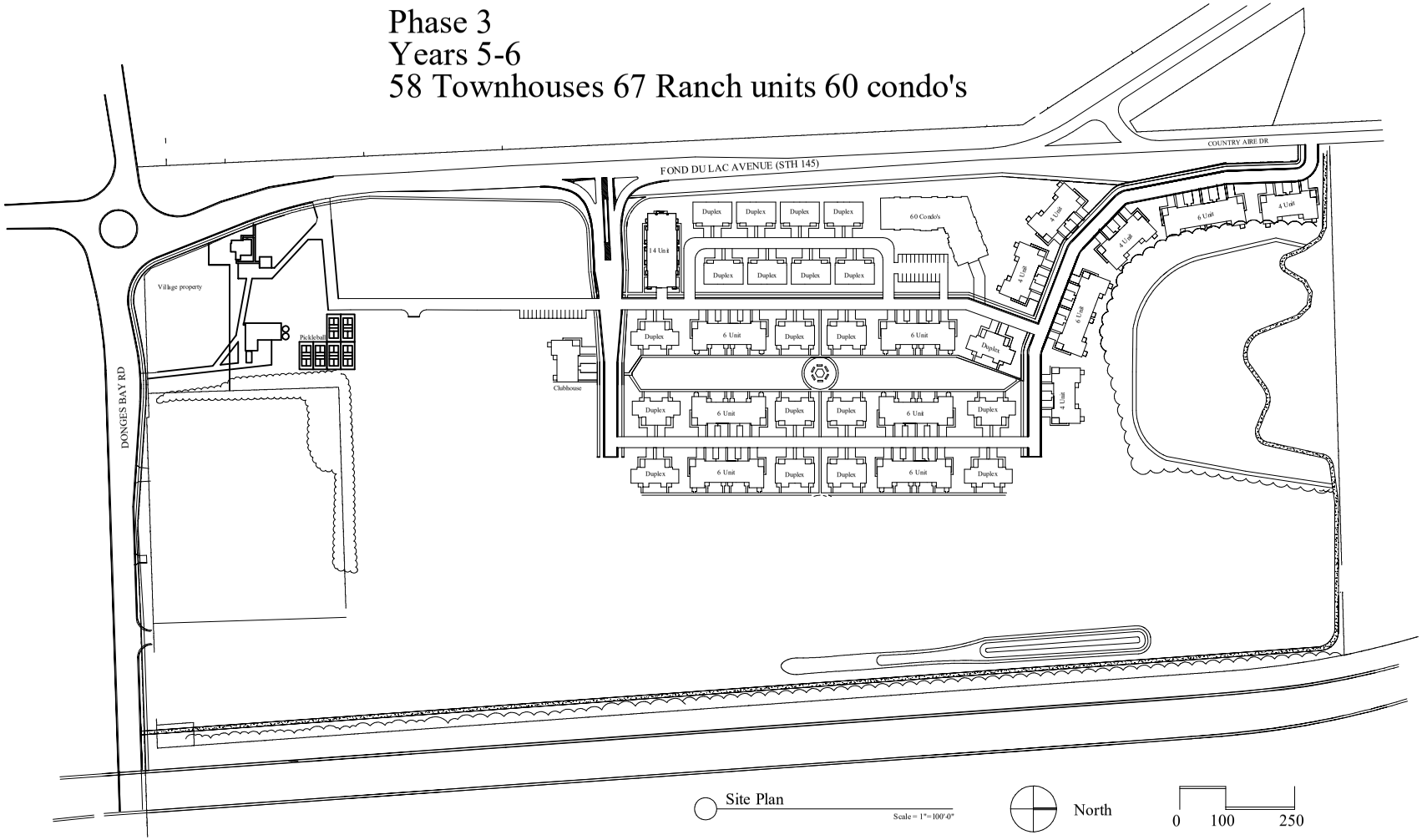
414-530-8014 efrenz@gmail.com

Project: ArborVillage
Address: Germantown, WI
Sheet Title: Site Plan

Date: 09-28-2024
Scale: As Noted
Job #: 06-01

SHEET
C1

Phase 3
Years 5-6
58 Townhouses 67 Ranch units 60 condo's



Site Plan
Scale = 1"=100'-0"

North

0 100 250

Jeffery Greenier, Architect
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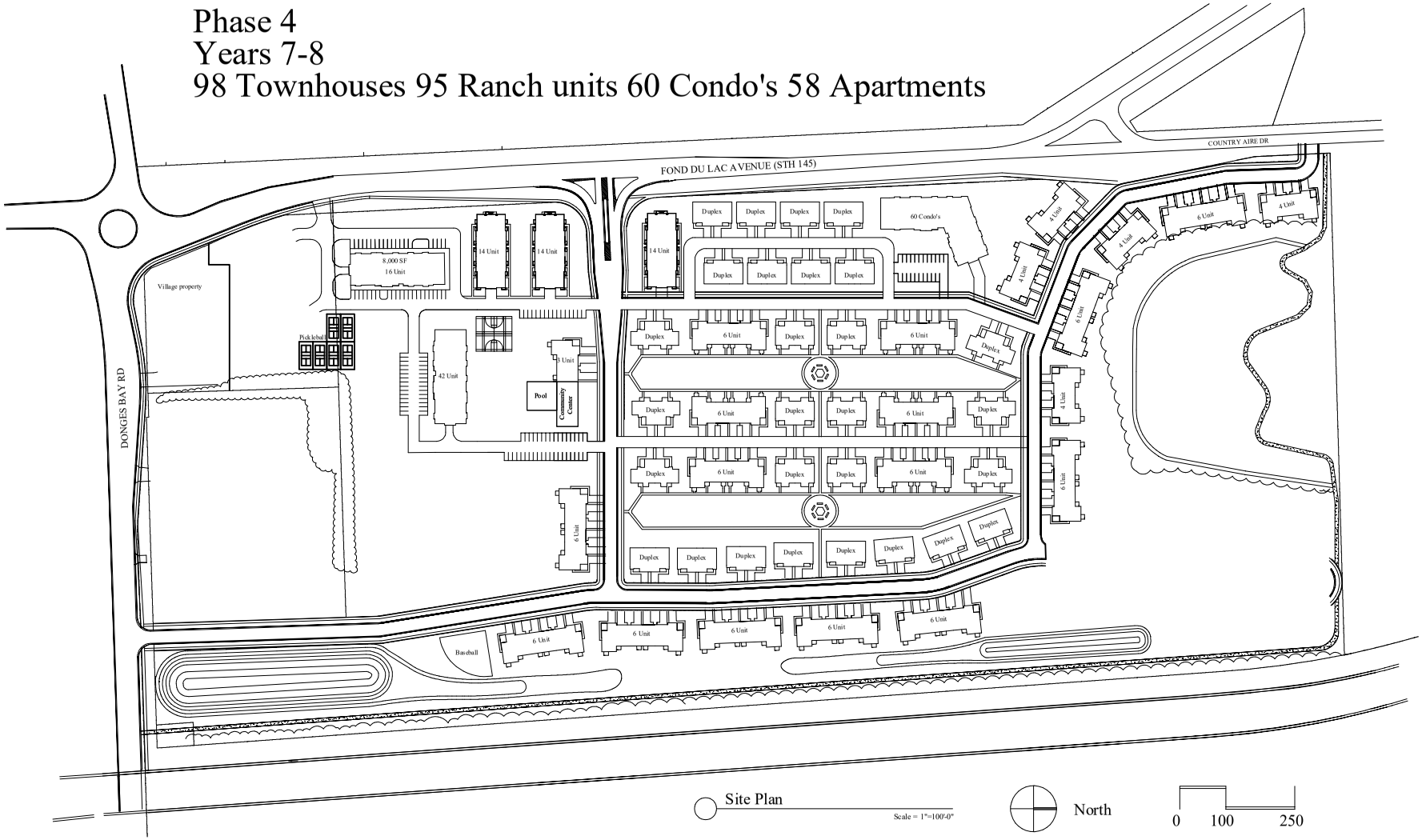
414-550-8014 gfrenz2@gmail.com

Project: ArborVillage
Address: Germantown, WI
Sheet Title: Site Plan

Date: 09-28-2024
Scale: As Noted
Job #: 06-01

SHEET
C1

Phase 4
Years 7-8
98 Townhouses 95 Ranch units 60 Condo's 58 Apartments



Site Plan
Scale = 1"=100'-0"

North

0 100 250

Jeffery Groenier, Architect
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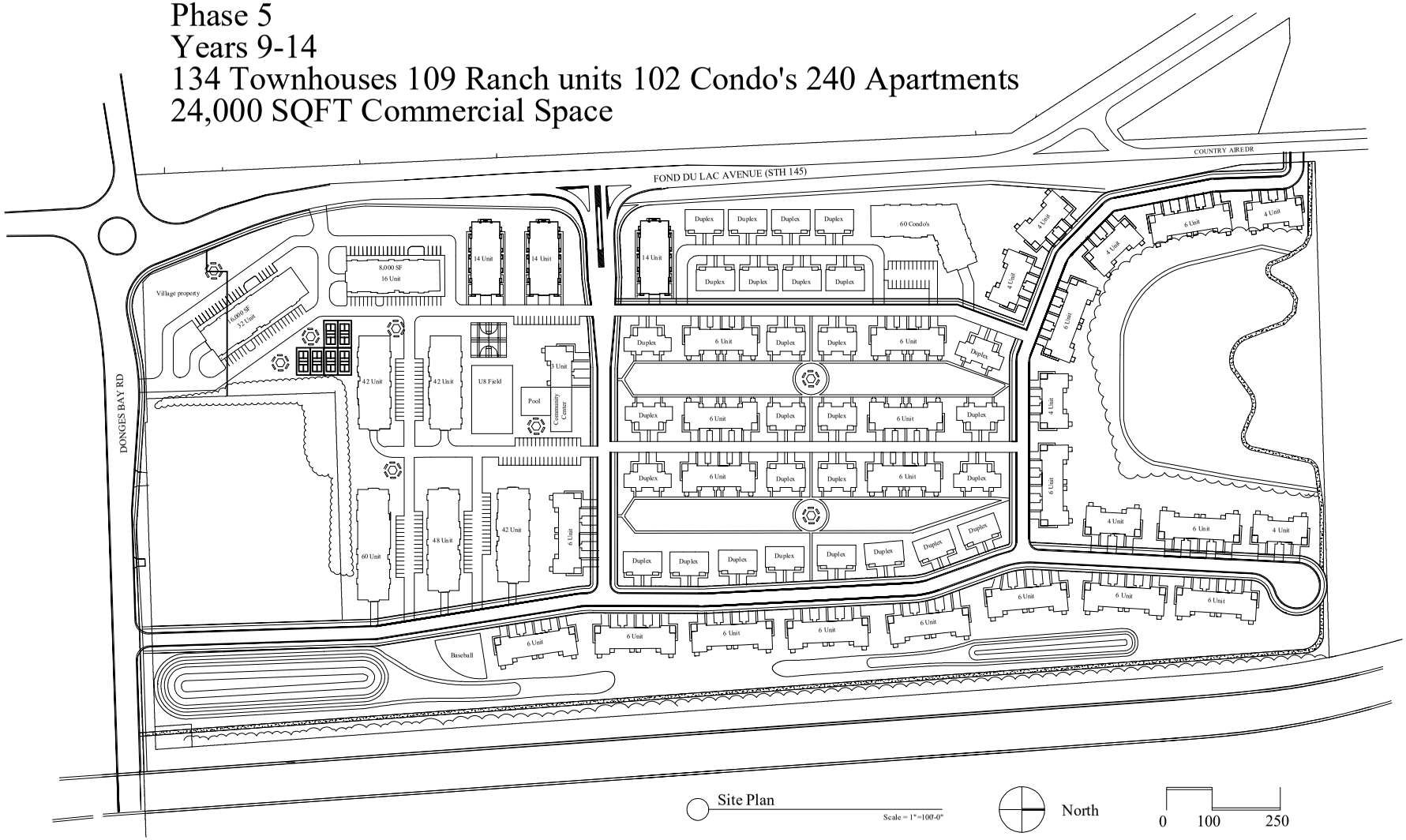
414-550-8014 efrenz@gmail.com

Project: ArborVillage
Address: Germantown, WI
Sheet Title: Site Plan

Date: 09-28-2024
Scale: As Noted
Job #: 06-01

SHEET
C1

Phase 5
Years 9-14
134 Townhouses 109 Ranch units 102 Condo's 240 Apartments
24,000 SQFT Commercial Space



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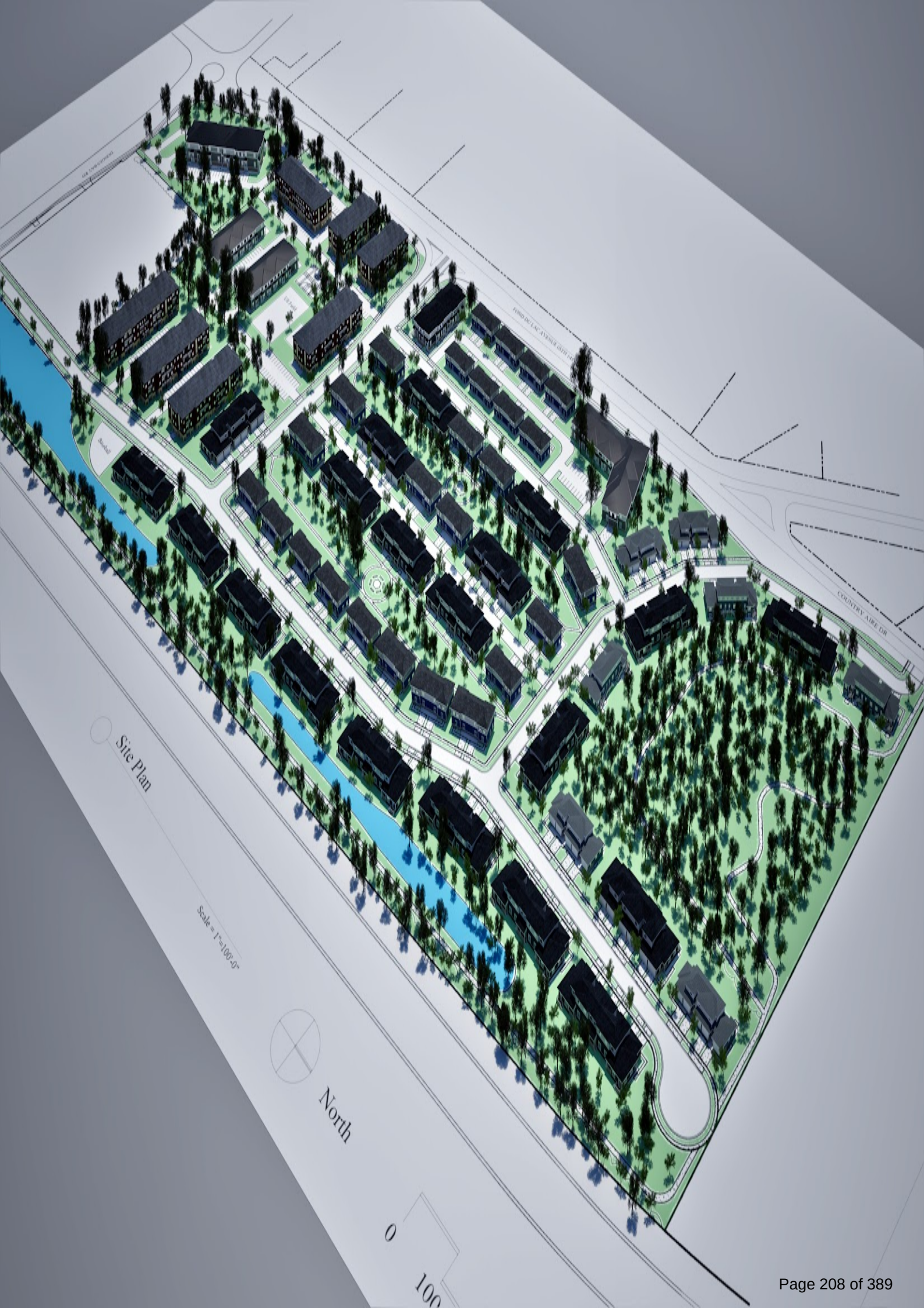
414-550-8014 efrenz@gmail.com

Project: ArborVillage
Address: Germantown, WI
Sheet Title: Site Plan

Date: 09-28-2024
Scale: As Noted
Job #: 06-01

SHEET
C1


Site Plan
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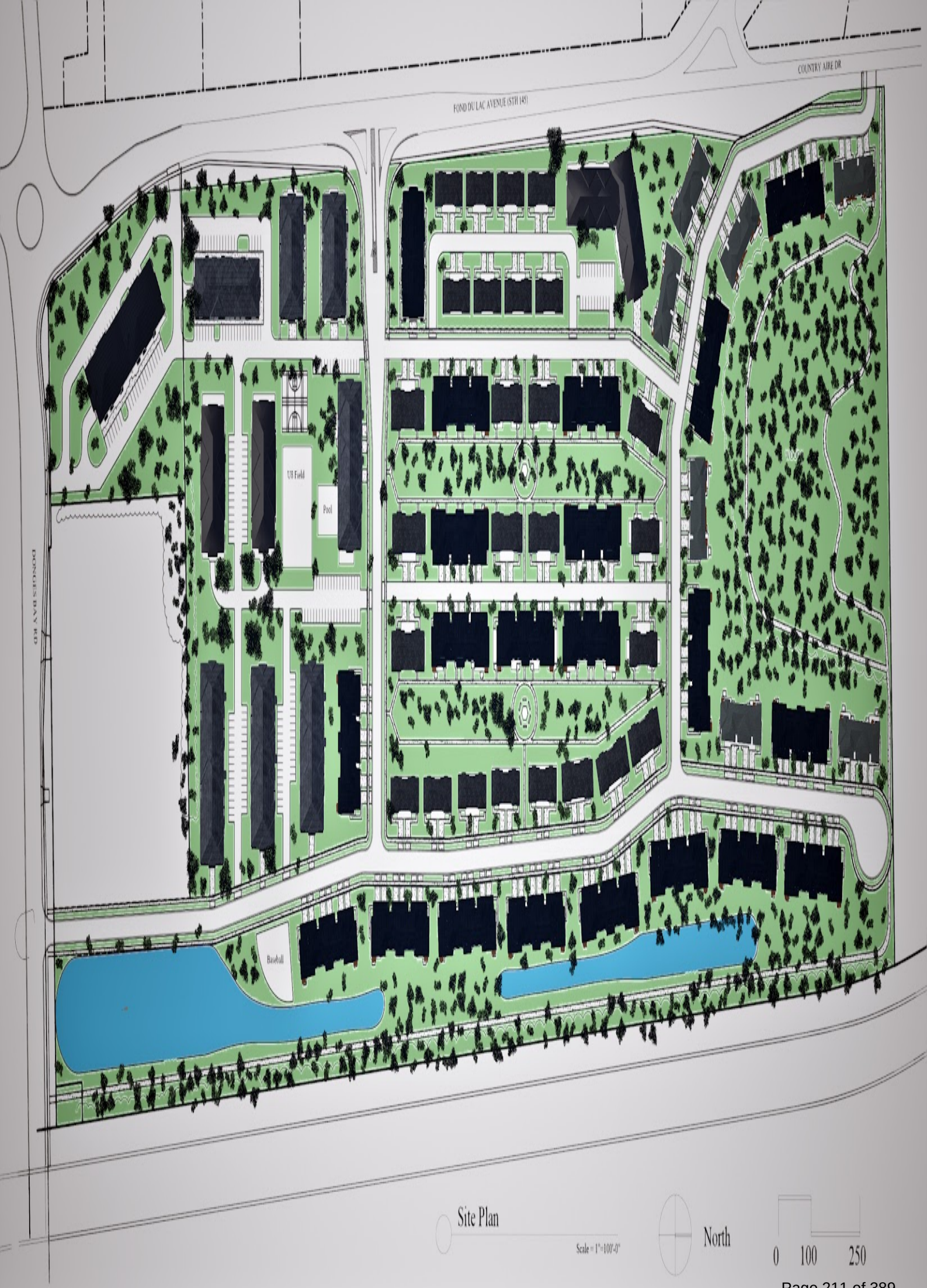
North
0
100
COUNTRY AIRE DR

Wisconsin Builders Inc
Everett Frost - President
Site Plan
Scale = 1"=100'-0"
North
0
FORD DU LAC AVENUE (STH 149)
DONGE BAY RD
Baseball
Pool
LH Field

Site Plan
Scale = 1"=100'-0"
North
0
100
250
Arbor Village
Wisconsin Rapids
Lyndon Frenn
Proposed Site
Addition
COUNTY AIR 5W
FOND DU LAC AVENUE (STH 40)
Pool
Club Hall
Playfield
DONGES BAY RD


COUNTRY AIRE DR
FOND DU LAC AVENUE (STH 145)
DONGES BAY RD
U8 Field
Pool
Baseball
Site Plan
Scale = 1"=100'-0"
North
0
100
250

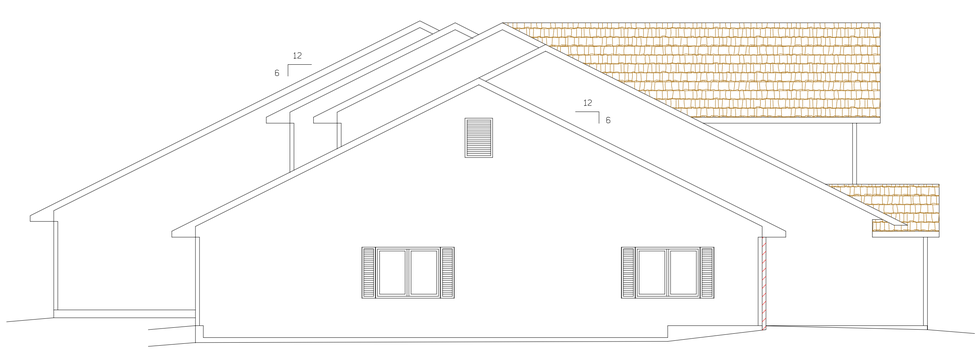
6 UNIT

Front Elevation

Scale = 3/16"=1'-0"

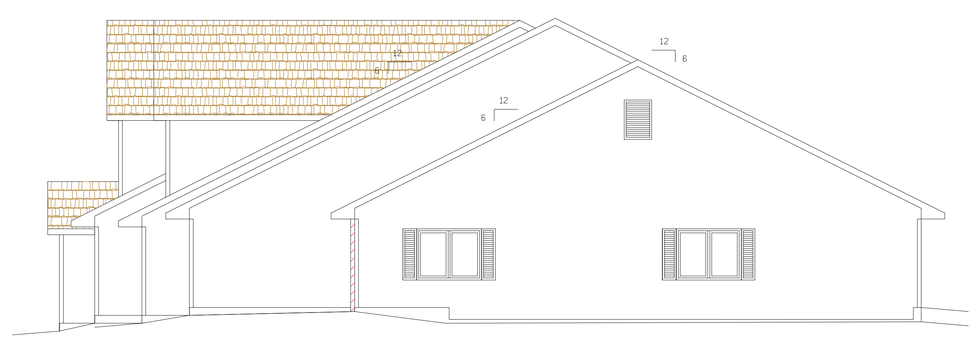
Rear Elevation

Scale = 3/16"=1'-0"



Left Elevation

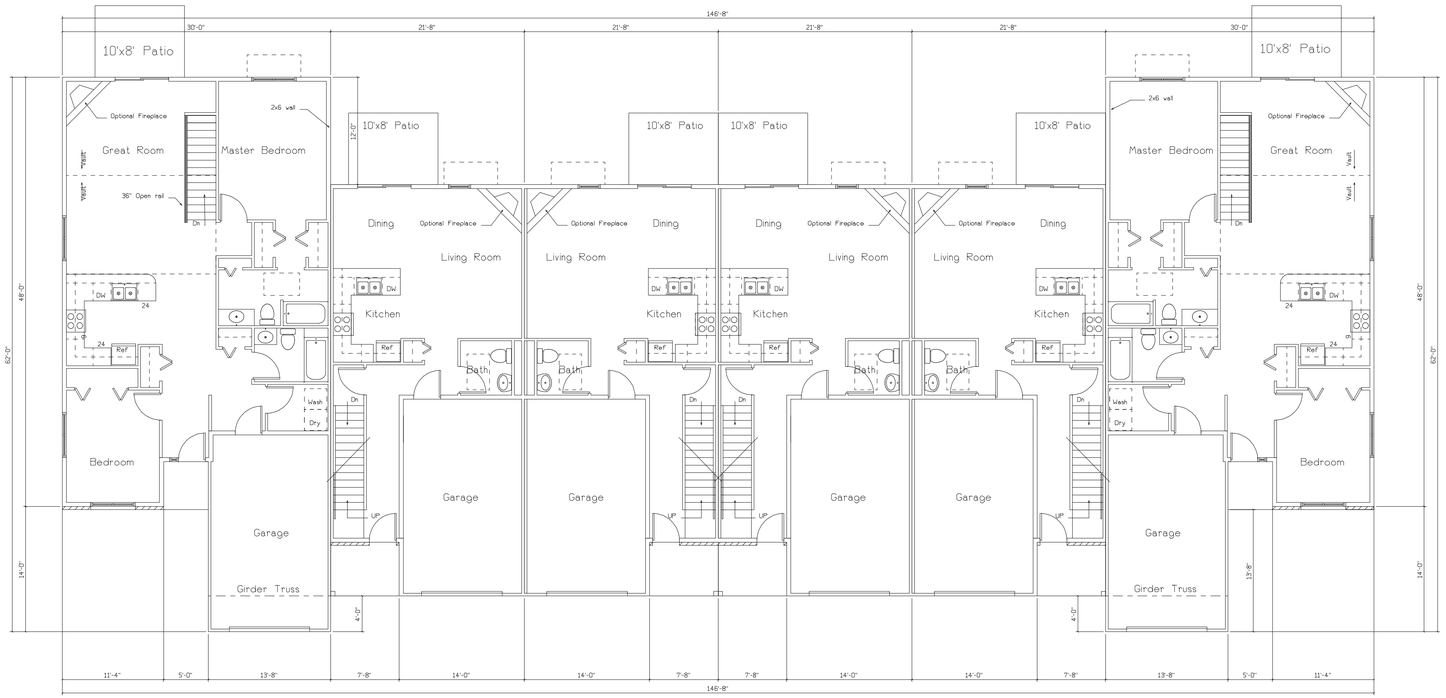
Scale = 1/4"=1'-0"



Right Elevation

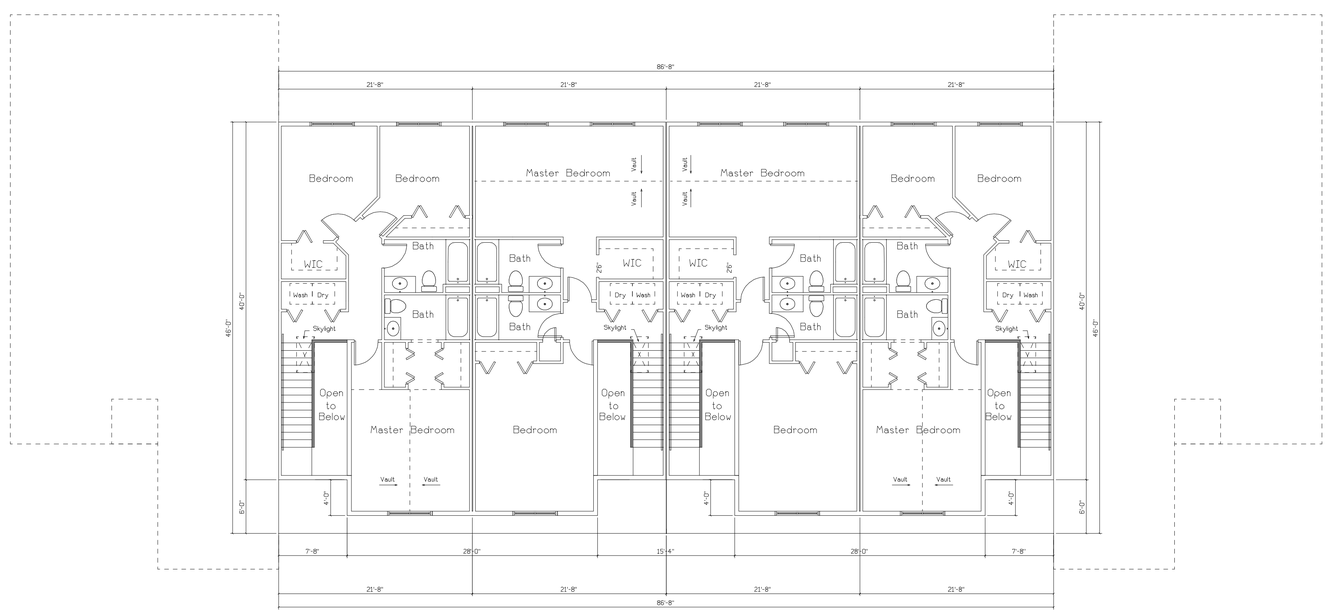
Scale = 1/4"=1'-0"

6 UNIT



First Floor Plan Unit "C"

Scale = 3/16"=1'-0"



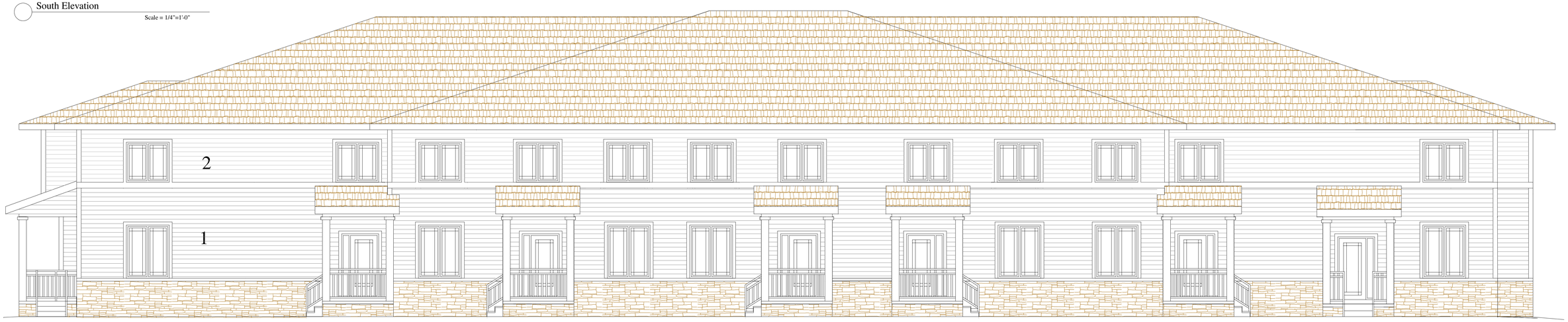
Second Floor Plan Unit "C"

Scale = 3/16"=1'-0"

14 UNIT

South Elevation

Scale = 1/4"=1'-0"

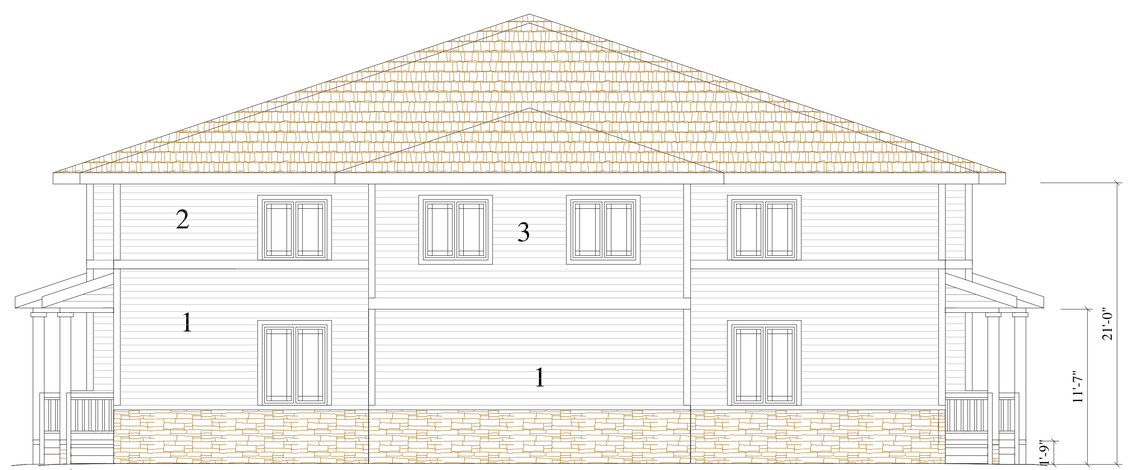


North Elevation

Scale = 1/4"=1'-0"

East Elevation

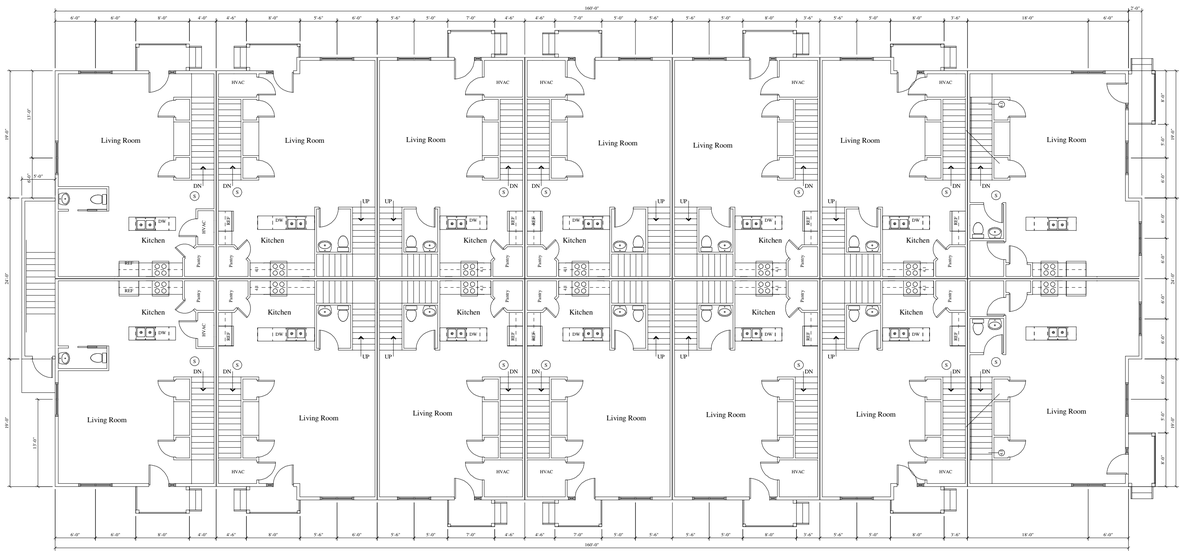
Scale = 1/4"=1'-0"



West Elevation

Scale = 1/4"=1'-0"

14 UNIT



First Floor Plan

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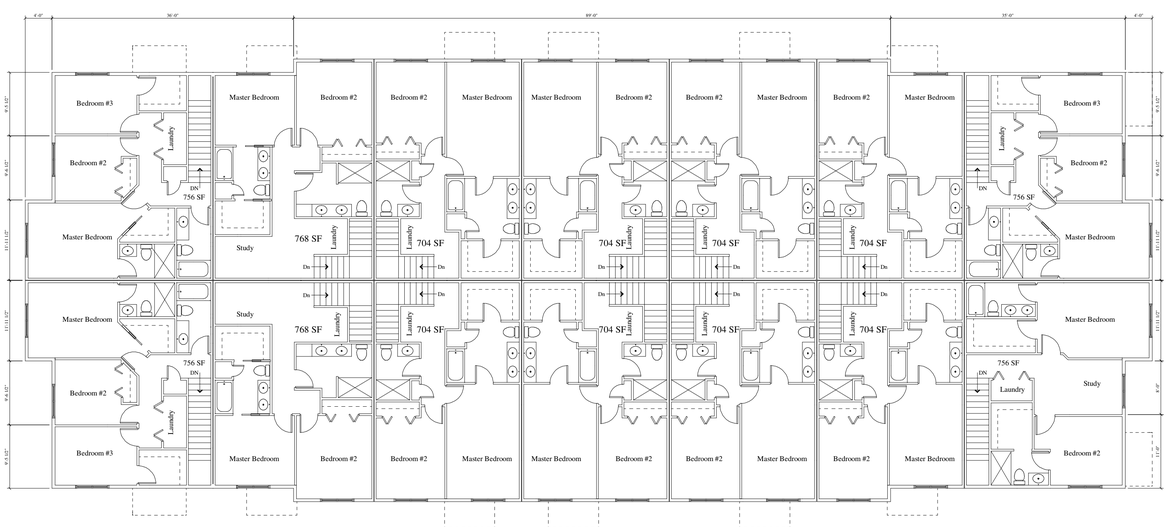
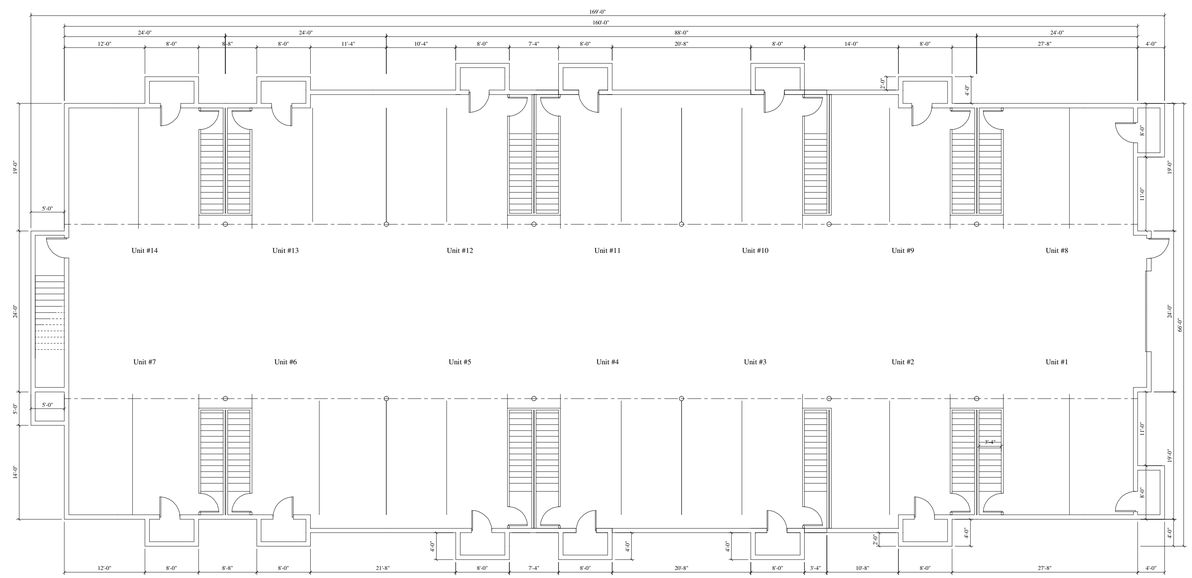


Second Floor Plan

Scale = 1/4"=1'-0"



Lower Level Plan

Scale = 1/4"=1'-0"

North

42 UNIT

Front Elevation

Scale = 1/8"=1'-0"

West Elevation

Scale = 1/8"=1'-0"

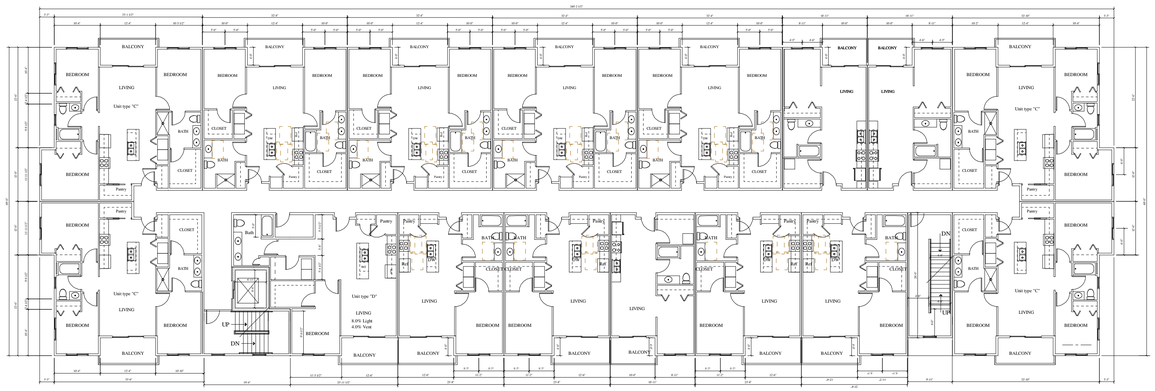
East Elevation

Scale = 1/8"=1'-0"

South Elevation

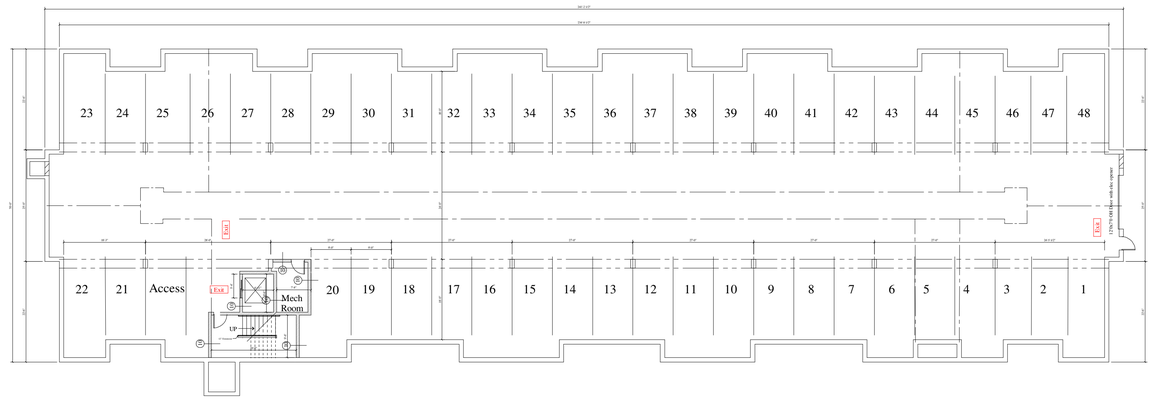
Scale = 1/8"=1'-0"

42 UNIT



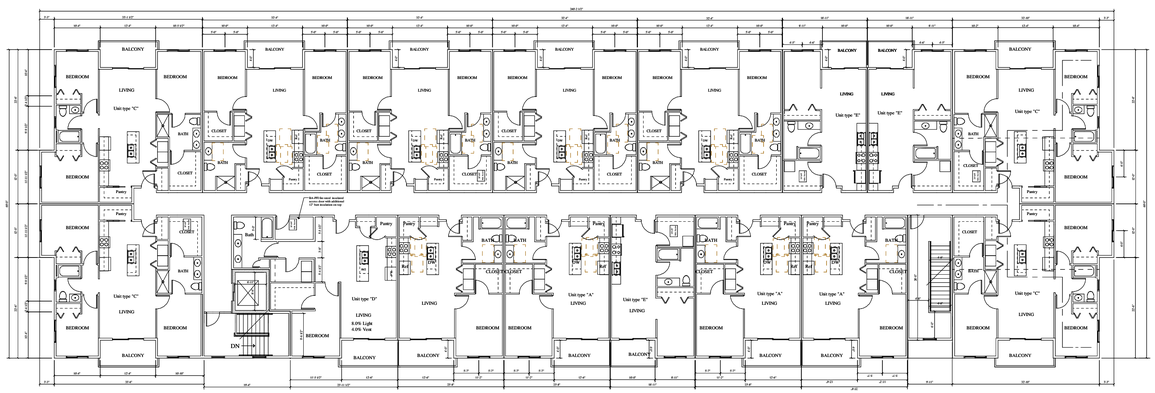
Second Floor Plan - sf

Scale = 3/32"=1'-0"



Lower Level Plan

Scale = 1/8"=1'-0"



Third Floor Plan - sf

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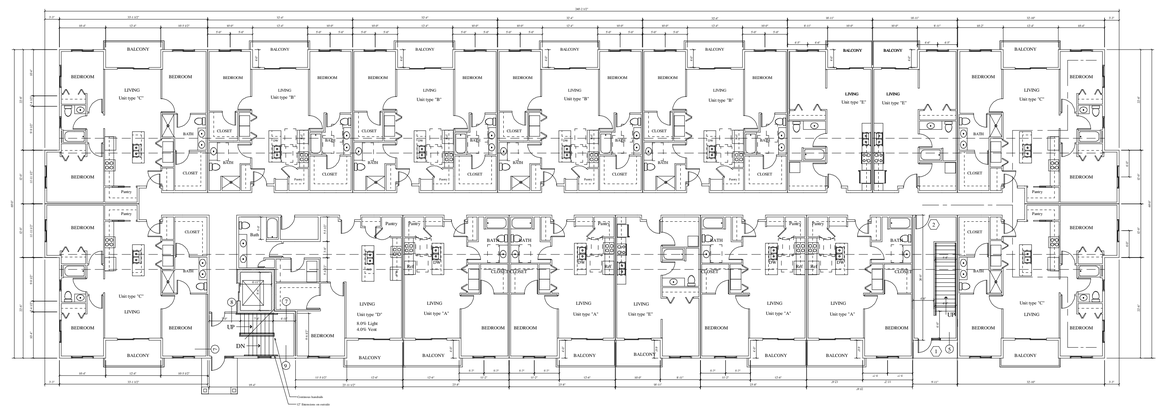
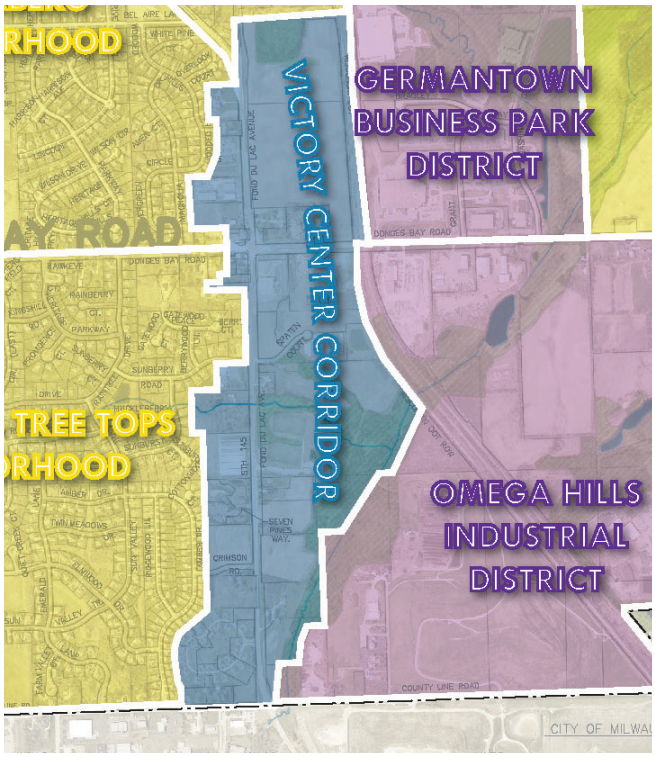


First Floor Plan - 15,476 SF

Scale = 3/32"=1'-0"

Victory Center CORRIDOR



GENERAL CHARACTER

The Victory Center Corridor is predominantly a mixed-use commercial corridor with service-oriented uses, including auto and truck repair services, personal storage uses, a local bar, and a coffee shop. Sports Specialists, a wholesaler of fishing equipment, has a large warehouse near the Donges Bay @ Fond du Lac Ave intersection.

A portion of the corridor is in Tax Incremental district (TID) No. 4, including approximately 60 acres of vacant land east of Fond du Lac Ave.

SPECIAL FEATURES

Transportation The Victory Center corridor includes land abutting a portion of Fond Du Lac Avenue (STH 145) from the Country Aire Drive intersection south to County Line Road. The corridor is bounded on the east by the WSOR railroad, Nor-X-Way Channel and Omega Hills landfill.

Environmental, Natural & Agricultural The Nor-X-Way Channel and associated secondary environmental corridor is located along the eastern edge of the corridor.

Public Park, Education, Safety & Utility The Germantown School District office is in the corridor. The FC Wisconsin soccer organization has play and practice fields at their facility on the east side of Fond du Lac Ave. The corridor is served by Village sewer and water.

Historical & Cultural The Victory Center, also known as "Kuhberg", was one of seven unincorporated hamlets within what is now the Village of Germantown.

PREFERRED FUTURE LAND USE

Victory Center Corridor

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	A	A	A	A	A	D	A	A	u	A	u	Yes	Yes	D	U	U	SF: 2.9 units/ac 2-4F: 6 units/ac MF: 10 units/ac

The Victory Center corridor is intended to further develop as a mixed-use area with commercial, mixed-use commercial, institutional, and residential development in a traditional or conservation design pattern with average single-family densities of 2.2 to 2.9 DU's/acre on 15-20,000 sqft lots, two- to four-family densities up to 6 DU's/acre, and multi-family densities up to 10.0 DU's/acre.

Future commercial uses are desirable including retail, office and other service-oriented uses. Industrial uses are also acceptable in those areas currently zoned M-1 and/or located within the TID No. 4 boundary.

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.

See all notes on page 42.

Engineering Department Memorandum

To: **Jeff Retzlaff, Village Planner**

From: **Kevin Driscoll, Village Engineer**

Date: **January 25, 2023**

Re: **Arbor Village Consultation - Fond du Lac Ave and Donges Bay Road Rezoning Parcel GTNV_253977**

Items Reviewed:

1. Application with Concept Plan Dated: <3-23-2023>

General Comments apply if rezoning approved:

1. Additional comments are anticipated to arise with additional plan updates and modifications. The items listed below should not be considered comprehensive, rather at a minimum the following will need to be fully resolved before the Engineering Department can recommend a formal approval of the plans and permit for construction.
2. Provide documentation for WisDOT approval of the work shown in the ROW, including a current traffic study. Fond du Lac Avenue is state jurisdiction, STH 145. Any driveway or roadway connection to a state highway requires a connection permit from the Wisconsin Department of Transportation.
3. Traffic Study to Clarify anticipated trips generated, and requirements for acceleration and deceleration lanes, and potentially any stop signs or signals.
4. Clarify boundary set-backs in particular the Cul du Sac set-back from north property line.
5. A Storm Water Management Plan would be required.
6. Erosion Control. This project would require a WRAPP/NOI from the DNR approved permit prior to final approval.
7. Identify any impacts to wetlands.
8. Utility permits and permits for work within the ROW are required. Contact the Village Engineering Department to obtain permits.
9. Water Service. A 12-inch dia. water main is available on the west side of Fond du Lace Ave. Provide plans for water supply to your site. Plan for each livable unit to be metered with it's own individual water meter, where all meters to be centrally housed in a master meter room accessed from the outside.
10. Sanitary Service. A 10-inch dia. sanitary sewer manhole is available on the east side of Fond du Lac Avenue. Provide plans and any necessary flow calculations for sanitary sewers to service your site.
11. As-builts prepared to Village standards shall be prepared and provided to the Village post-construction (for all applicable items).
12. A professional engineer's original seal is to be affixed, signed and dated on the final set of construction plans.

Lori Johnson

From: Paul Haugen
Sent: Thursday, January 11, 2024 7:07 AM
To: Lori Johnson; Matthew Mortwedt; John Delain; Chief Mike Snow; Tim Zimmerman; Thomas Olejniczak; Brad Seubert; Scott Anderson; Mike Paulos -; Nathan Schuettpelz - Wachtel Tree Science; Kevin Driscoll
Cc: Jeff Retzlaff
Subject: RE: Plan Commission Staff Review for 2-12-24 - Arbor Village Consultation

Hi Lori
One water utility comment, Each livable unit will be metered by it own individual water meter and all meters will be centrally housed in a master meter room accessed from the outside. If this moves forward we would have more comments.
I know we are only at concept for the Arbor Village but I wanted them to be aware of this requirement on the get go since in the past it has been a sticking point with developers.

Thanks Paul

Paul Haugen-Water Superintendent
Germantown Water Utility
Village of Germantown
PO Box 337
N122W17177 Fond du Lac Ave.
Germantown, WI 53022
Office - 262-253-8254
phaugen@village.germantown.wi.us

From: Lori Johnson <ljohnson@germantownwi.gov>
Sent: Wednesday, January 10, 2024 12:27 PM
To: Matthew Mortwedt <mmortwedt@germantownwi.gov>; John Delain <jdelain@germantownwi.gov>; Chief Mike Snow <msnow@germantownpolicewi.gov>; Tim Zimmerman <tzimmerman@germantownwi.gov>; Paul Haugen <phaugen@germantownwi.gov>; Thomas Olejniczak <tom.olejniczak@hecl.com>; Brad Seubert <brad.seubert@hecl.com>; Scott Anderson <sanderson@germantownwi.gov>; Mike Paulos - <mike.paulos@graef-usa.com>; Nathan Schuettpelz - Wachtel Tree Science <NateS@wachteltree.com>; Kevin Driscoll <kdriscoll@Germantownwi.gov>
Cc: Jeff Retzlaff <jretzlaff@germantownwi.gov>
Subject: Plan Commission Staff Review for 2-12-24 - Arbor Village Consultation

Plan Commission Agenda – February 12, 2024

Please review the new consultation application for Arbor Village and provide your written comments to the Planning Department no later than January 19, 2024. Your comments are important and will be incorporated into the staff report prepared for the Plan Commission. If you have any specific questions or concerns, feel free to contact the applicant or Jeff Retzlaff at Extension #4757 or E-Mail at jretzlaff@germantownwi.gov

1. David J. Frank – N120 W21350 Freistadt Road. Site Plan Review application for a Mechanics Shop.

2. Dawn DiNicola – W158 N9763 Sumac Road. Zoning Permit to allow a fence in an easement.

3. Keller Inc. for Force Global – N114 W18635 Clinton Drive. Site Plan Review for a 7,500 sqft building addition.

4. **Everett Frenz for Arbor Village – 60 acres located east of Fond du Lac Avenue north of Donges Bay Road. Site Plan Consultation for a mixed use commercial and residential development. See letter of explanation.**

Thank you.

Lori Johnson
Planning Assistant
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
(262) 250-4735
ljohnson@germantownwi.gov

CERTIFIED SURVEY MAP (CSM) & SITE PLAN REVIEW

10/14/24 Plan Commission Meeting

OneEnergy Development, LLC / Wayne Lutynski

Village Staff Report & Recommendation ***Germantown, Wisconsin***

SUMMARY

OneEnergy Development, LLC, agent for Wayne Lutynski, property owner, is seeking approval of a Certified Survey Map (CSM) and site development plan to allow for an approximate 30-acre solar energy facility (i.e. "solar farm"). The site is zoned Agricultural (A-1) and is located at approximately N132 W18100 Rockfield Road in the Rural Preservation District.

Location: N132 W18100 Rockfield Road (Approximate Address)

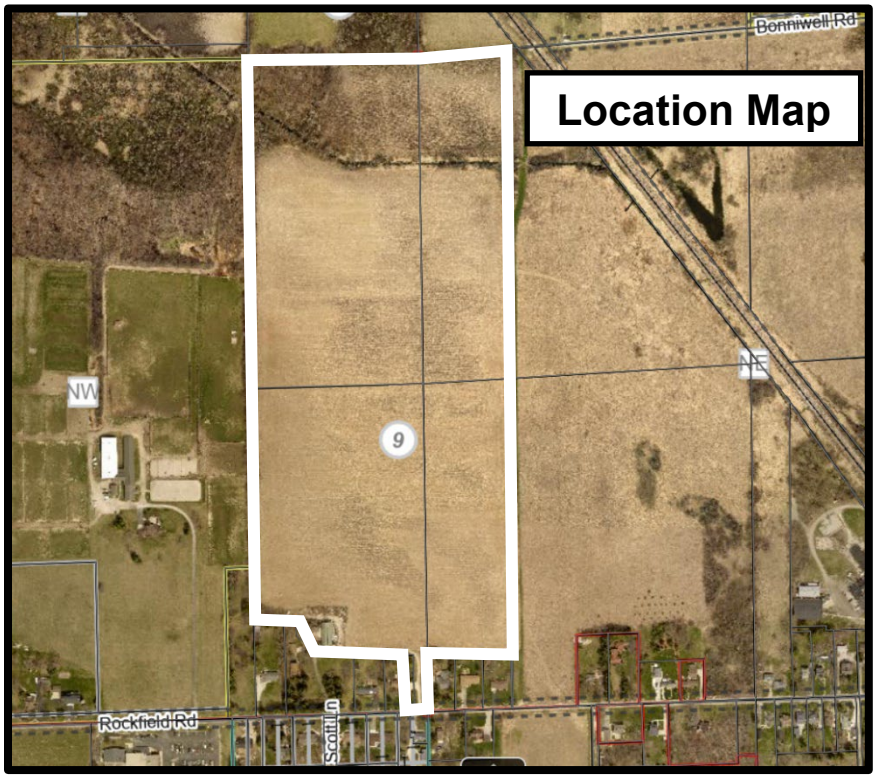
Applicant/ Owner:

OneEnergy Development, LLC
10 N Livingston Street, Suite 201
Madison, WI 53703

Wayne Lutynski
W167 N11183 Queens Court
Germantown, WI 53022

Zoning: A-1: Agricultural

Adjacent Land Uses		**Zoning**
North	Agricultural	A-1/A-2
South	Residential (Village & Town of Germ.)	RS-3/RS-4
East	Agricultural	A-1
West	Agricultural (Equestrian Center)	A-1



Background/Proposal

OneEnergy Development, LLC, agent for Wayne Lutynski, property owner, is seeking approval of a Certified Survey Map (CSM) and site development plan to allow for an approximate 30-acre solar energy project. The site is zoned Agricultural (A-1) and is located at approximately N132 W18100 Rockfield Road in the Rural Preservation District. As designated in the Comprehensive Plan institutional type uses are allowable in the Rural Preservation District, and the proposed use is a permitted use within the A-1 District requiring site plan review and approval.

As presented in the application, the proposed solar energy facility will consist of solar modules and associated collection equipment that delivers power to the electric grid serving local We Energies customers. The solar facility will have a capacity of six (6) megawatts (MW) capable of serving 1,400 average Wisconsin households. The on-site equipment will consist primarily of solar modules mounted on single-axis tracking racking. These panels generate direct current (DC) electricity. Approximately 24 inverters, situated throughout the array area, convert the DC electricity to alternating current (AC) electricity to allow it to be delivered to the existing electric distribution system. Two (2) transformers increase the AC voltage produced by the inverters to the grid voltage of the existing 3-phase distribution line to which the project connects.

The facility will be an unmanned plant that will operate through local and remote control and monitoring. The solar photovoltaic (PV) system will be monitored remotely through the Utility Energy Management System and the integrated Data Acquisition System (DAS), which signals alerts for any irregular operating condition. Scheduled maintenance will occur once annually to inspect all elements of the project to ensure optimal performance. After construction is complete (typically 4-6 months from start date and targeted for late 2025), there will be limited access to the site for periodic inspections (monthly), maintenance and vegetation management. Per submittal documents, the following are additional details associated with the proposal:

- Hours of Operation: The solar facility will operate during daylight hours. This facility will not be continuously staffed and will not be open to the public. It is anticipated that once construction is complete, operations and maintenance personnel (one or two people) will access the site once or twice per month for inspection or minor maintenance.
- Number of Employees: There will be no employees stationed at the facility. As noted in Item No. 1 above, one or two people will visit the site a once or twice each month for inspection and minor maintenance, as needed.
- Anticipated Customers: No customers will be served at the facility, and there will be no traffic associated with such customers. The renewable electricity generated from the facility will be used to serve the needs of local utility customers.
- Outside Storage: None proposed.
- Outdoor Activities: Inspection of the solar electric system and periodic maintenance as described above.
- Outdoor Lighting: No permanent outdoor lighting is proposed.
- Outside Loudspeakers: None.

- Proposed Signs: The site will only include necessary safety signage with contact information for the Project Operations team and an entrance sign.
- Trash Removal: There will not be trash generated at this site.

As it pertains to this proposal, the expected useful lifespan of the project is 30-50 years, meaning the project will be decommissioned and the site restored after there is no longer an economical reason for the solar facility to keep operating. Note that a Solar Generating Facility Decommissioning Plan was provided by the applicant and is attached. During the project's existence the property owner intends to continue farming the portion of land unaffiliated with the solar facility.

According to their website (link), *"OneEnergy is a Public Benefit Corporation with a mission to fight climate change by making clean energy the number one source of electricity for consumers and utilities."* The company has five (5) listed office locations with a regional office in Madison, WI. OneEnergy has a portfolio that includes implementation of solar energy projects across the country, including 42 projects in the Midwest and 31 of those being in Wisconsin. More information on the company and their profile statistics are included in the attachments section.

Certified Survey Map (CSM)
The development site is currently comprised of four (4) parcels totaling 54 acres. The applicant submitted a Certified Survey Map (CSM) to combine the parcels to create one (1) lot for development purposes (i.e. applicable setbacks and development standards). Below are the parcels that would be combined into an individual lot:

- GTNV_091986 (10.0 Acres) – Vacant
- GTNV_091987 (8.37 Acres) – Vacant
- GTNV_092979 (20.0 Acres) – Vacant
- GTNV_092994 (16.0 Acres) – Existing Barn Structure

Site Plan
As indicated in the application and site plan, the proposed solar energy facility is approximately 30 acres in size and will contain the primary components of bifacial solar panels, inverters and transformers, access drive (16' width), perimeter 8' fencing, and vegetative screening. These components and additional details are spelled out further in this section.

Site & Land Use Summary

Total property acreage:	54.25
Solar facility acreage:	27.69
Access road acreage:	0.61
Module count:	11,960
Inverter count:	24
Solar Array Height:	8' (Average); 10' (Maximum)

Landscape and Buffering
The applicant submitted a landscape plan that includes vegetative screening along the

southern boundary of the solar facility, running parallel to and on the outside of the perimeter fence/enclosed area. The screening is shown to run the entire width of the property with evergreen trees planted every 25'. It is understood the screening is proposed along the southern boundary of the facility as there are nearby homes, although several hundred feet away, to the south of the facility. The property to the west, which contains an equestrian center, is buffered by a natural tree line between the properties, while the properties to the north and east are large undeveloped plots of land. Finally, an 8' tall agricultural (i.e. deer-exclusion style) fence will enclose the site where the solar array panels are located.

Access and Traffic Circulation

Access to the site will be provided through a private driveway entrance (existing) from Rockfield Road. The drive will extend several hundred feet straight north from Rockfield Road until its terminus in the center of the solar panel area. The drive is proposed at 16' in width and made of aggregate material. Note that a separate property owner shares access to the driveway from Rockfield Road to gain entry into his/her private property where their home is located. The entry to this resident's property is roughly 80-100 feet north of Rockfield Road, meaning shared access is for that distance until the separate property owner's drive breaks off to the west.

Minimal traffic is anticipated in relation to the solar energy facility, as the applicant states the facility will not be continuously staffed and will not be open to the public. It is anticipated that once construction is complete, operations and maintenance personnel (one or two people) will access the site once or twice per month for inspection or minor maintenance. There will be no employees stationed at the facility and no customers will be served at the facility.

Vegetation Installation and Stormwater Management

The project proposal includes the installation of native prairie plants on site. A vegetation plan was submitted specifying that the site will be managed for native pollinator habitat after the construction of the solar arrays. According to the submitted vegetation plan, there are several benefits of pollinator habitats with native plantings on solar sites, including but not limited to the following:

- Restores soil by preventing erosion.
- Improves soil structure and fertility.
- Increases carbon storage.
- Diversifies microbial communities.
- Increase value of soil for future agricultural production.

In order to implement the pollinator habitat, the plan lays out site preparation tasks, temporary/permanent seeding timing, management and monitoring guidelines, which includes invasive species management. While native prairie plants are known to prevent stormwater runoff and improve surrounding water quality, the applicant is required to supplement the submitted vegetation plan with a stormwater management plan.

Utilities

As the purpose of this project is for the solar facility to produce and deliver power to the

electric grid, there is a proposed point of connection with the electric grid at the site's entrance at Rockfield Road. Sanitary and water utilities are not needed/required to serve the proposed solar energy facility.

Signage Plan
Staff understands the only signage proposed is safety/wayfinding signage that includes contact information for the Project Operations team and an entrance sign.

Lighting
According to the application, no permanent outdoor lighting is proposed.

Staff Comments
Community Development: Planning and Zoning
The project site is in the "Rural Preservation District" under the Village's 2050 Comprehensive Plan and is zoned A-1 Agricultural. The Comprehensive Plan designation lists institutional type uses as allowable and the A-1 District is intended to provide for the continuation of general farming and related uses in those areas of the Village that are not committed to urban development. It is further the intent of the district to protect rural lands in the Village from urban development until their orderly transition into urban-oriented districts is required. Therefore, the proposed use of "solar energy conversion system" is a permitted use within the A-1 District.

Wisconsin has enacted statutes that protect solar development and limit municipal oversight. Wisconsin Statute § 66.0401 explicitly limits the authority of municipalities to regulate solar energy systems. Under Wis. Stat. § 66.0401(1m), municipalities may not place any restriction on the installation or use of solar energy systems unless the restriction satisfies one of the following conditions:

- Serves to preserve or protect the public health or safety;
- Does not significantly increase system cost or decrease efficiency; or
- Allows for an alternative system of comparable costs and efficiency.

The above-mentioned statute is not superseded by municipal zoning powers. As proposed, however, the project complies with the A-1 District zoning standards. The solar array structures comply with setbacks, building height, and the proposed agricultural fence complies with code. While there is no applicable lot coverage standard in the A-1 District, there is little change to the amount of impervious surface quantity through implementation of the project.

OneEnergy has committed through its lease agreement with the landowner to remove the system at the end of the project life, including provisions to ensure that there is adequate financial security set aside to perform such decommissioning. When the project is decommissioned, all infrastructure will be removed, and the site will be restored to predevelopment conditions for continued agricultural use with rested and restored soils. Please see attached Decommissioning Plan.

Additionally, the applicant submitted a Glare Analysis performed by ForgeSolar. According to the analysis there was no glare found for all photovoltaic (PV) solar arrays.

Community Development: Inspection Services
State agency (DSPS) approved plans and a $20,000 bond are required by Inspection Services. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of Wisconsin and the Village of Germantown.

Public Works/Village Engineer/Village Surveyor
The Village Engineer and Village Surveyor have identified technical issues and plan revisions that need to be resolved or otherwise addressed by the applicant prior to commencing construction activities. Staff is recommending a condition requiring all outstanding items and issues identified in the following review memos be resolved and reflected in additional information and/or revised plans submitted to staff for further review, comment, and approval prior to commencing any site construction:

- September 14, 2024 – Review Memo from Village Surveyor
- September 25, 2024 – Review Memo from Village Engineer

Village Forester
After review of the landscape screening and vegetation plan, the Village Forester had one comment for the applicant to address as follows: "Include evergreen tree species selection, nursery stock selection, and caliper sizes. Additionally, include planting/tree installation specifications."

The applicant acknowledged this review comment and has submitted a response and revised plan for staff review.

Fire and Police Departments
The Fire Department is requiring an additional ingress/egress point to the solar facility on the northeast side. The additional access point can be provided by installing a gate per the Fire Department, which the applicant since has acknowledged and agreed to. No comments were made by the Police Department.

VILLAGE STAFF RECOMMENDATIONS

APPROVE the proposed 1-lot Certified Survey Map (CSM) for OneEnergy Renewables solar project located at approximately N132 W18100 Rockfield Road, subject to the following conditions:

1. All technical issues and corrections identified by the Village Surveyor (see September 14, 2024, memo from Bob Beilfuss, PLS) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.
2. The CSM be revised to denote a front setback of 60' in accordance with the A-1 District. Any pre-existing structures found to be within this setback shall be noted as "nonconforming" on the CSM.

APPROVE the site development plan submitted by OneEnergy Development, LLC for a solar energy facility approximately 30 acres in size containing bifacial solar panels, inverters and transformers, access drive (16' width), perimeter 8' fencing, and vegetative screening for property located at approximately N132 W18100 Rockfield Road, subject to the following conditions:

1. This approval is for the plan sheets that comprise the site plan set as noted below and is subject to compliance with all the conditions and requirements set forth herein and subsequently adopted and/or revised by the Plan Commission. Approval is granted for the following unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:
    a. *Site Development Plan dated October 2, 2024.*
    b. *Vegetative Screening Plan dated August 26, 2024.*

    If revised plan sheets are necessary, each revised sheet shall contain the date of said revision clearly stamped in the lower right corner.
2. The Vegetative Screening Plan shall be subject to final acceptance by the Village Forester and Community Development staff prior to commencement of construction.
3. The technical issues and plan revisions identified in the September 25, 2024, memo from the Village Engineer shall be addressed in revised plan sheets and/or supplemental documents as necessary prior to commencing construction activities (excluding early start site preparation).
4. Site operations are limited to the proposed activity by the applicant per the submitted/attached "Solar Generating Facility Operations Plan".
5. State agency (DSPS) approved plans and a $20,000 bond are required by Inspection Services. The Village of Germantown is an authorized delegated agent of DSPS and may be used as an alternative to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.
6. A gate shall be installed providing another ingress/egress point into the solar array facility on the northeast side of the development site. The gate installation and specifications shall be approved and inspected by the Fire Department prior to commencement of facility operations.
7. The maximum height of the solar array panels (i.e. structures) shall be 10' from established grade.
8. All temporary and permanent exterior signs require a permit and shall comply with all current Village sign regulations and requires a permit if/when allowed.
9. Applicant shall provide a commitment to the Village including provisions to ensure that there is adequate financial security set aside to perform the specified decommissioning of the project and any restoration needed to be performed to the shared access drive after construction of the project or its decommissioning. Said commitment shall be reviewed and approved/accepted by the Village Attorney.

Village of Germantown
Willkommen

Fee must accompany application
☐ $2,900 with public improvements
☒ $1,960 no public improvements
Paid DR Date 8/9/24
chk #004856

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
OneEnergy Development, LLC

Phone (262) 573-3089
Fax ( )
E-Mail peter@oneenergyrenewables.com

PROPERTY OWNER
Wayne Lutynski

Phone (414) 659-8901

2

PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
Approximately 43.257821, - 88.131597	091986, 091987, 092979, 092994

3 PURPOSE OF LAND SPLIT

Combine parcels	Will the land split require rezoning? No	
	From	To

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!

Applicant — Date 8/6/2024
Owner — Wayne Lutynski (Aug 6, 2024 13:27 CDT) — Date 8/6/24

RECEIVED
AUG - 9 2024
OFFICE OF THE VILLAGE PLANNER
VILLAGE OF GERMANTOWN

Village of Germantown ...Willkommen

Fee must accompany application

- ☐ $700 Minor Addition
- ☐ $1,240 Construction <10,000 SF
- ☐ $2,095 Construction 10,000 SF to 50,000
- ☐ $3,460 Industrial Construction >50,000 SF
- ☐ $3,460 Commercial Construction >50,000
- ☒ $200 Plan Commission Consultation
- ☐ $125 Fire Department Plan Review

PAID DR DATE 8/9/24
chk#004856

SITE PLAN REVIEW APPLICATION

Pursuant to Section 17.43 of the Municipal Code

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

1

APPLICANT OR AGENT

OneEnergy Development, LLC

Phone (262) 573 - 3089

E-Mail peter.murphy@oneenergyrenewables.com

PROPERTY OWNER

Wayne Lutynski

Phone (414) 659 - 8901

E-Mail

2

PROPERTY ADDRESS

To be assigned. Approximately 43.257821°, -88.131597°

3

NEIGHBORING USES – Specify name and type of use, e.g. Enviro Tech – Industrial, Smith – Residential, etc.

North	South	East	West
Saddle Up LLC, A-2, Agricultural (Horse Stable), MARLENE KASTEN, MARY LYNN PROST ET AL, A-1, Agricultural	Residential homes, RS-3 & RS-4	Milwaukee Metropolitan Sewerage District, A-1, Agricultural	Saddle Up LLC, A-1, Agricultural (Horse Stable)

4

READ AND INITIAL THE FOLLOWING:

X I am aware of the Village of Germantown ordinance requiring fire sprinklers in most new construction.

X I understand that all new development is subject to Impact and/or Connection Fees that must be paid before building permits will be issued.

X I understand that an incomplete application will be withdrawn from the Plan Commission agenda and that all resubmissions to the Plan Commission are subject to a new application fee.

5

SIGNATURES – ALL APPLICATION MUST BE SIGNED BY OWNER!

Applicant 8/6/2024 Date

Wayne Lutynski (Aug 6, 2024 13:28 CDT) Owner 8/6/24 Date

RECEIVED AUG – 9 2024 OFFICE OF THE VILLAGE PLANNER VILLAGE OF GERMANTOWN

OneEnergy RENEWABLES

GERMANTOWN SOLAR
Project Overview

OneEnergy Renewables is in the process of developing a 6 MW solar project in the Village of Germantown, Washington County, WI. The project is located north of Rockfield Road (Please see site plan on reverse). OneEnergy Renewables will develop, design, and construct the solar project, and electricity from the project will serve local We Energies customers.

The project will occupy approximately 30 acres, and has an expected useful life of 30-50 years, providing clean, local renewable energy for years to come. At the height of construction, roughly 30 people will be employed on this project. *Solar installer* is one of the fastest growing jobs in the USA.

SYSTEM STATISTICS

6 Megawatts
~30 acres
~12,000,000 kWh per year

MAIN SYSTEM COMPONENTS

- Single-axis tracker (tracks the sun from east to west throughout the day)
- Bifacial solar panels
- Inverters
- Transformers

12,000,000 kWh of electricity per year, equivalent to…

1,400
AVERAGE WISCONSIN HOUSEHOLDS

9,241
TONS OF CO_2 AVOIDED, LIKE TAKING 1,600+ CARS OFF THE ROAD*

9,787
ACRES OF U.S. FOREST CARBON SEQUESTRATION*

**Source*: EPA Greenhouse Gas Equivalencies Calculator

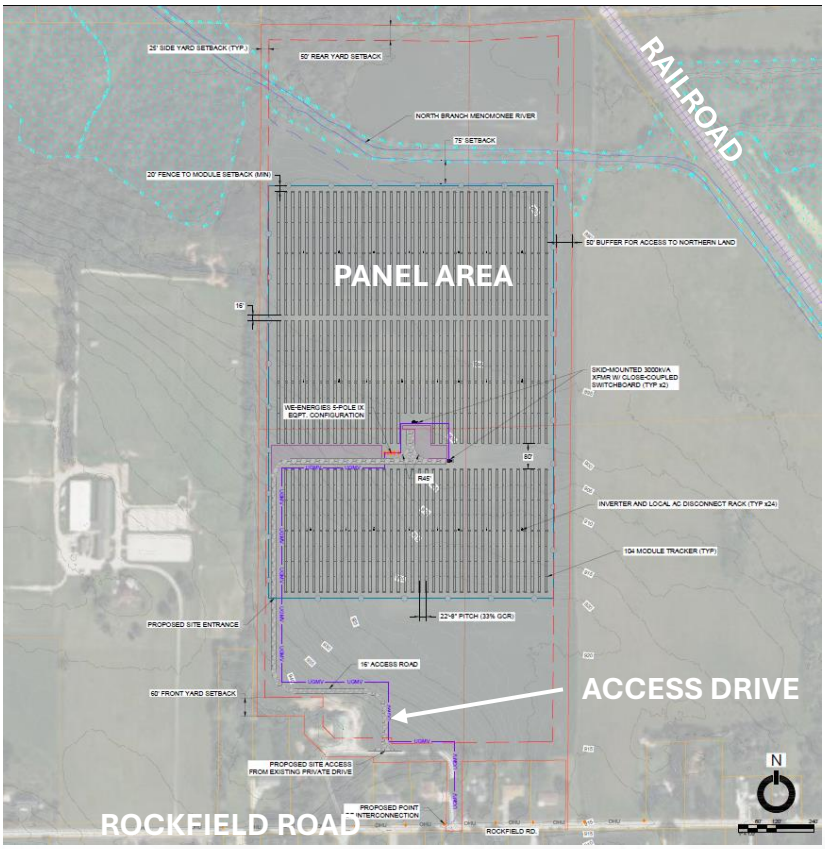
Sustainable Design and Construction

The area beneath and around the panels will be planted to a low-growing perennial pollinator mix. This increases water infiltration relative to conventional row-cropping. Water that flows off solar panels is safe for people and wildlife.

The project area will be fenced within an 8’ tall deer-exclusion style fence, similar to what one might find around an orchard. The area surrounding the project will continue to be farmed.

When the project is decommissioned, all infrastructure will be removed, and the site restored to pre-development conditions for continued agricultural use with rested and restored soils.

PROPOSED GERMANTOWN SOLAR PROJECT SITE PLAN



Contact

PETER MURPHY
PROJECT MANAGER

(414) 768-2590 |C

peter@oneenergyrenewables.com

10 N. Livingston St, Suite 201
Madison, WI 53703

Village of Germantown, WI

Germantown Solar Project

Applicant:
OneEnergy Development, LLC
10 N. Livingston St., Suite 201
Madison, WI 53703

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H. Decommissioning and Removal 9
I. About OneEnergy 9

Exhibits

Exhibit A – Site Plan

Exhibit B – Operations Plan

Exhibit C – Vegetation Management Plan

Exhibit D – Project Profile

Exhibit E – Decommissioning Plan

Exhibit F – Survey Map

Exhibit G – Glare Analysis

Background

The Germantown Solar Project (the "Project") is a proposed 6 Megawatt solar generation facility. OneEnergy Development, LLC ("OneEnergy" or "the Applicant") will develop, engineer, and construct the Project.

The Applicant will complete all environmental studies and surveys required to construct the Project, including the following: wetland delineation, Phase I Environmental Site Assessment, soil analysis, Wisconsin State Historical Preservation Office, and endangered resources review. The Project is not expected to impact natural resources.

The Applicant intends to start construction on the Project in the spring of 2025, pending receipt of all required permits and approvals and availability of key equipment for the project. Construction of the project is expected to take approximately 4-6 months. If construction starts in spring of 2025, the Project is expected to be completed by the end of 2025. If construction is delayed due to key equipment availability or other issues until spring of 2026, the project is expected to be constructed and operational by the end of 2026. Once complete, the Project will generate local power for local customers within We Energies' service territory.

Strobus Solar Project in Black River Falls, WI

A. General Land Use Description

Location

The Project is located on approximately 30 acres of vacant land in the Village of Germantown known as parcels 092994, 092979, 091987, and 091986 at the north of Rockfield Road and east of Maple Road. The land is part of a larger 54-acre group of parcels owned by Wayne Lutynski.

Zoning

The proposed Project is situated on land that is zoned A-1 Agricultural Preservation District. Adjacent parcels are farms, several homes, and a horse training facility, zoned A-1, A-2, RS-4, and RS-3.

Setbacks

OneEnergy commits to following all applicable Setbacks (please see Village of Germantown Ordinance 17.12(5) and 24.04)

(a) Front Setback. 60 feet, minimum.
(b) Side Yards. 25 feet, minimum, except that bee hives and buildings used for keeping livestock and poultry, and all new buildings constructed after the effective date of this Code shall have yards of not less than 50 feet.

(c) Rear Yard. 50 feet, minimum.
Setback from navigable waterway located to the north: 75'

Description of Equipment

Racking and Panels

The racking for the proposed project consists of driven steel I-Beams that are embedded approximately 10’ into the ground, and extend approximately 5’ above ground. A torque tube connects to the top of the I-Beams, and the panels are mounted to the top of the torque tube. All components of the racking system are galvanized steel.

Below is a depiction of the horizontal profile view of the panels and racking, which will run in rows from north to south throughout the site and will track the sun from east to west throughout the day. At their maximum angle in morning and evening, the panels are 50 degrees from horizontal facing either east (morning) or west (evening). At mid-day, the panels are flat. At their maximum tilt angle in morning and evening, the tallest part of the panel is ~8’ above ground level.

Figure 1 – Example of Horizontal Profile View panels and racking

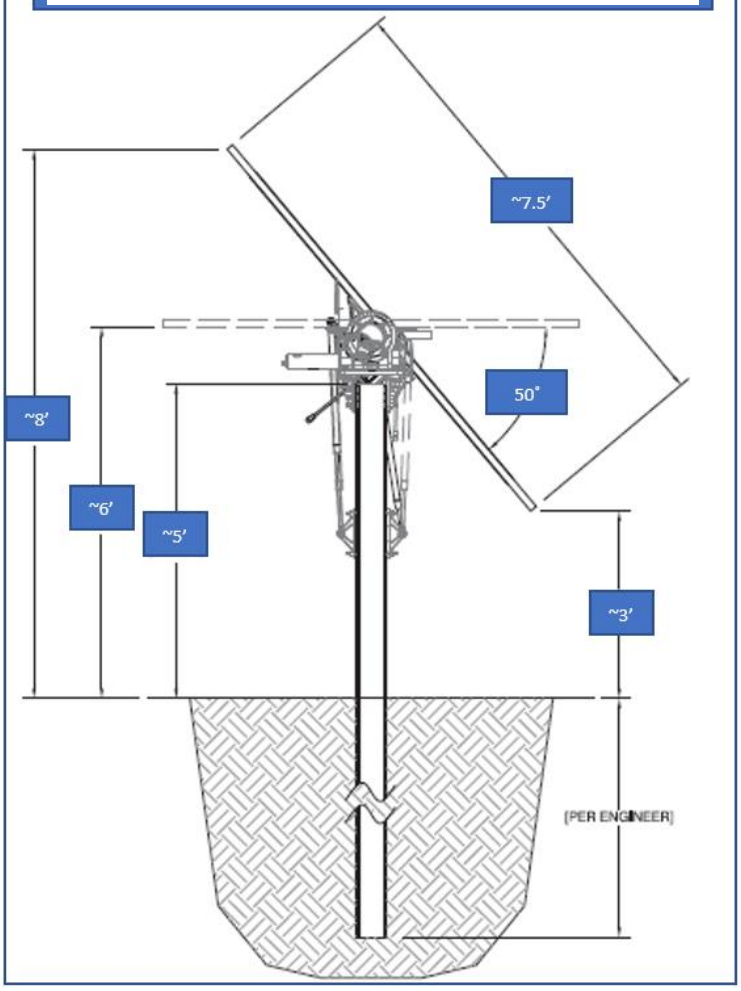


Image 2 - Strobus Solar Project in Merrillan, WI

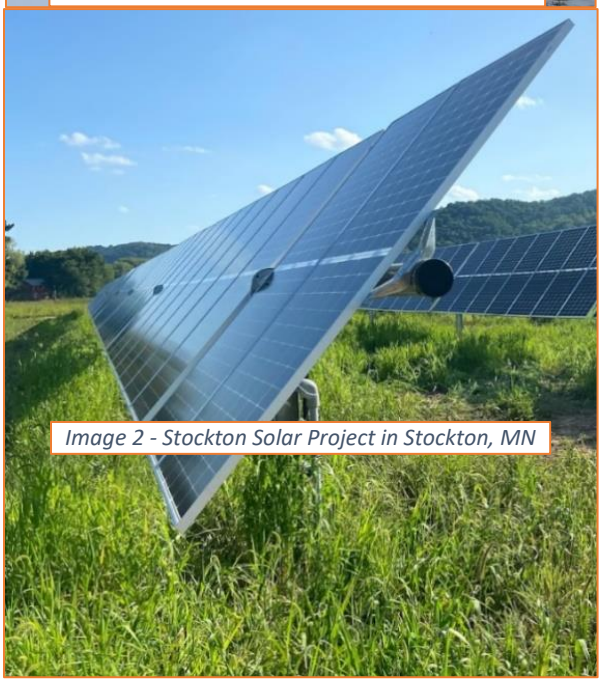


Image 2 - Stockton Solar Project in Stockton, MN

Solar Panels

Crystalline silicon solar PV panels, which represent ~95% of the installed solar panels in the US, consist primarily of tempered glass, silicon wafers, anodized aluminum, and wiring, all of which can recovered and recycled at the end of their useful life. PV panels are extremely durable and built for long service life, as indicated by their 30-year warranty.

Inverters, Transformer, Electrical Rack

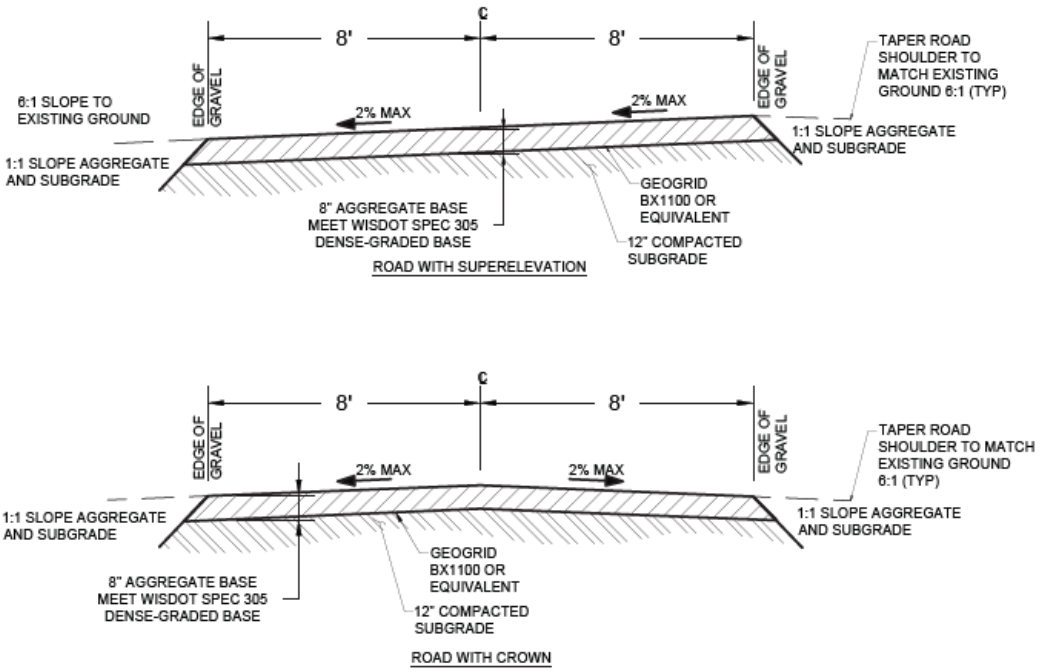
The inverters, electrical panels and transformers will be located in the middle of the project as depicted in the site plan. Most equipment (inverters, electrical panel, etc.) will be mounted on driven pilings similar to the pilings that support the solar panels and racking with a maximum height of 8 feet. The transformers and disconnects will be mounted on a concrete pad. These pieces of electrical equipment look similar to what you would see at a large load service like a grocery store.

Image 3 - Hodag Solar Project in Rhinelander, WI

Access Drive

The access drive is proposed to be 16' wide and will come off of Rockfield Road. The access drive will be installed below depending on the slope. The access drive is installed at-grade to minimize changes to existing drainage patterns.

Figure 2 – Example of Access Drive Design Detail



Fence

A fence will surround the solar project and will be an 8’ tall agricultural-style fixed knot wildlife exclusion fence similar to what you might see around an orchard. The fence will have either wood or steel posts.

Image 4 – Fence at Rushford Village Solar Project in Rushford Village, MN

Image 5 – Fence at Blue Prairie Solar Project in Black River Falls, WI

B. Scale Map of the Project Site

Please see **Exhibit A - Proposed Site Plan** for dimensions and location of proposed facilities. OneEnergy designs our projects using highly efficient bifacial solar panels and single-axis tracking racking. Using this equipment, a 6 Megawatt solar system can be located on approximately 30 acres of relatively flat topography and, most importantly, consistent elevations in the north-south direction.

The proposed project is expected to produce enough electricity for approximately 1,400 average Wisconsin residences, or almost 17% of the electricity needs of the Village of Germantown's approximately 8,280 households.

C. Landscaping

Image 6 - Stockton Solar Project in Stockton, MN

The Project will be developed in a manner that complements the agricultural setting by using an agricultural-style fence, either a pasture for grazing sheep or a pollinator seed mix to attract bees and birds. Topsoil integrity will be preserved throughout construction by pre-seeding a cover crop prior to construction to minimize erosion and compaction, as well as by minimizing grading within the site. The permanent seeding will take place after construction is complete, and will conform with Wisconsin DNR recommendations for solar projects. The final landscape plan will be developed in partnership with the Wisconsin DNR and in compliance with all applicable stormwater requirements. By planting dense perennial vegetation beneath and around the solar panels, the project provides ecosystem services associated with pollinator benefits, soil building, increased water infiltration and reduced stormwater runoff compared to regularly tilled farmland. Please see **Exhibit C –Vegetation Management Plan**.

D. Wetland and Drainage Facilities

The project is designed to minimize soil disturbance and drainage alterations as much as possible. OneEnergy anticipates limited ground disturbance for the installation of the solar array and will ensure all grading is done in compliance with recommended best practices for stormwater and sediment erosion control. Because the project will occupy more than one acre, OneEnergy will be required to comply with the Wisconsin Department of Natural Resources NPDES Construction General Permit, which has the following requirements:

- Implement Best Management Practices to control sedimentation during construction, i.e. silt fencing, fiber logs, temporary stabilization, etc.
- Submittal of a Water Resource Application for Project Permits (WRAPP)
- Develop a Stormwater Management Plan approved by the Wisconsin DNR prior to commencement of construction

Sedimentation will be controlled from leaving the project area after construction by changing the land use of the project area from cultivated agricultural land to nearly 100% vegetated ground cover. The pollinator meadow growing beneath and around the solar panels acts as a vegetative buffer that covers ~95% of the site. Runoff from the access roads and concrete pads will travel through the vegetative cover prior to leaving the project area. Water that runs off panels into the proposed dense pollinator planting below will act as a natural vegetative buffer which will increase infiltration and act as erosion control to help the site meet required standards.

OneEnergy solicited records from the landowner on any known drain tile on the property, reviewed aerial photographs available on Google Earth, and studied the Project Area for evidence of drain tile. OneEnergy then contracted environmental resource specialists Emmons & Olivier Resources (EOR), to evaluate the Project site for evidence of drain tile. Based on all available information and EOR's expert opinion, there is not expected to be drain tile within the project area

E. Construction Schedule

OneEnergy's goal is to finalize engineering in the winter of 2024-2025, to enable purchasing of long-lead equipment in early 2025 and construction during the months of May to October, 2025. If construction is delayed due to key equipment availability or other issues until spring of 2026, the project is expected to be constructed and operational by the end of 2026.

A project of this size typically takes 4-6 months to construct. The Project is intended to start construction in the summer of 2025 and be complete by the end of 2025. A tentative construction schedule is as follows:

Civil Work and Fencing Install	5/1/2025	5/31/2025
Pile Installation	6/1/2025	7/1/2025
Racking and Module Installation	7/1/2025	9/1/2025
Wiring and Transformer Installation	9/1/2025	10/15/2025
Pollinator Seeding and Revegetation	10/15/2025	11/1/2025
Target In-service Date	11/1/2025	

F. Operations & Vehicular Traffic Description

During operation, the Facility will be an unmanned plant that will operate through local and remote control/monitoring. Please see **Exhibit B –Operations Plan**. During construction, we anticipate that there will be between 5 and 30 construction workers on-site for the 6-month period (May-October) during which the bulk of construction will take place. Adequate provision for parking of such construction staff has been included in the design of the laydown area within the site perimeter. Additionally, deliveries will be expected during business hours. It is not expected that more than 3-4 delivery trucks will arrive at the site per day during construction. Following construction, traffic will be very limited. We typically expect approximately one pickup truck to visit the site per month during the operational period for routine site maintenance and mowing.

G. Decommissioning and Removal

OneEnergy has committed through its lease agreement with the landowner to remove the system at the end of the project life, including provisions to ensure that there is adequate financial security set aside to perform such decommissioning. When the Project is decommissioned, all infrastructure will be removed, and the site will be restored to predevelopment conditions for continued agricultural use with rested and restored soils. Please see **Exhibit E – Decommissioning Plan.**

H. About OneEnergy

OneEnergy is the leading developer of community-scale solar projects in Wisconsin, having developed 42 projects in Wisconsin and adjacent states totaling 155 MW, and 31 projects totaling 125 MW in Wisconsin that are currently operating or under construction. Our regional team, consisting of developers, engineers, legal and construction managers based out of our Madison office, completed development, engineering and in 2023 managed the construction of 16 projects in Wisconsin, including:

- A series of four 7.5 Megawatt projects for WE Energies located in Kenosha, Washington, Walworth and Shawano Counties
- A portfolio of 10 projects for rural electric cooperatives in Western Wisconsin.

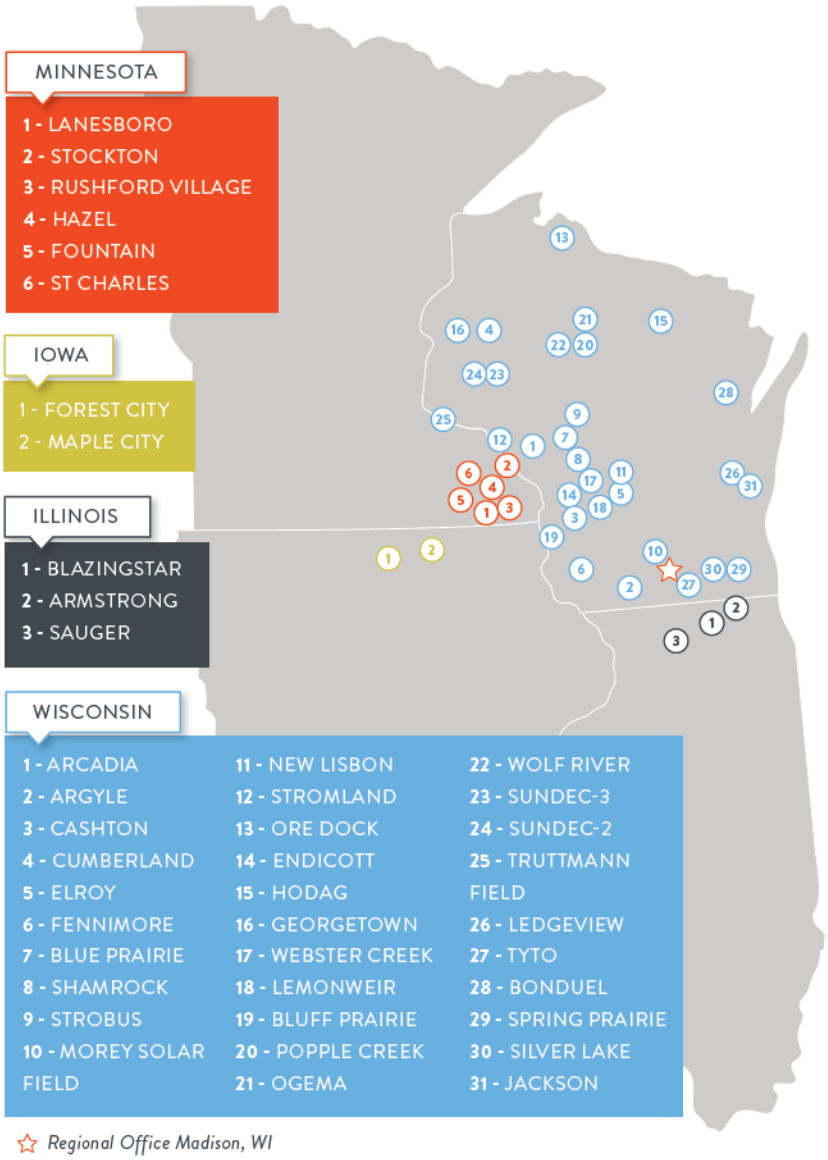


Figure 3 – OneEnergy Midwest Solar Projects

OneEnergy Renewables

Germantown Solar Project

Solar Generating Facility Operations Plan

Type of Activity Proposed: OneEnergy Development, LLC is proposing to build a solar generation project (the "Facility" or "Project") located on approximately 30 acres, consisting of solar modules and associated collection equipment that delivers power to the electric grid. The Facility will have a maximum capacity of 6 MW AC. The on-site equipment at the Facility will consist primarily of solar modules mounted on single-axis tracking racking. These panels generate direct current (DC) electricity. Approximately 24 inverters, situated throughout the array area, convert the DC electricity to alternating current (AC) electricity to allow it to be delivered to the existing electric distribution system. Two transformers increase the AC voltage produced by the inverters to the grid voltage of the existing three-phase distribution line to which the Project connects.

The Facility will be an unmanned plant that will operate through local and remote control and monitoring. The PV system will be monitored remotely through the Utility Energy Management System and the integrated Data Acquisition System (DAS), which signals alerts for any irregular operating condition. Scheduled maintenance will occur once annually to inspect all elements of the project to ensure optimal performance. After construction is complete, there will be limited access to the site for periodic inspections (monthly), maintenance and vegetation management.

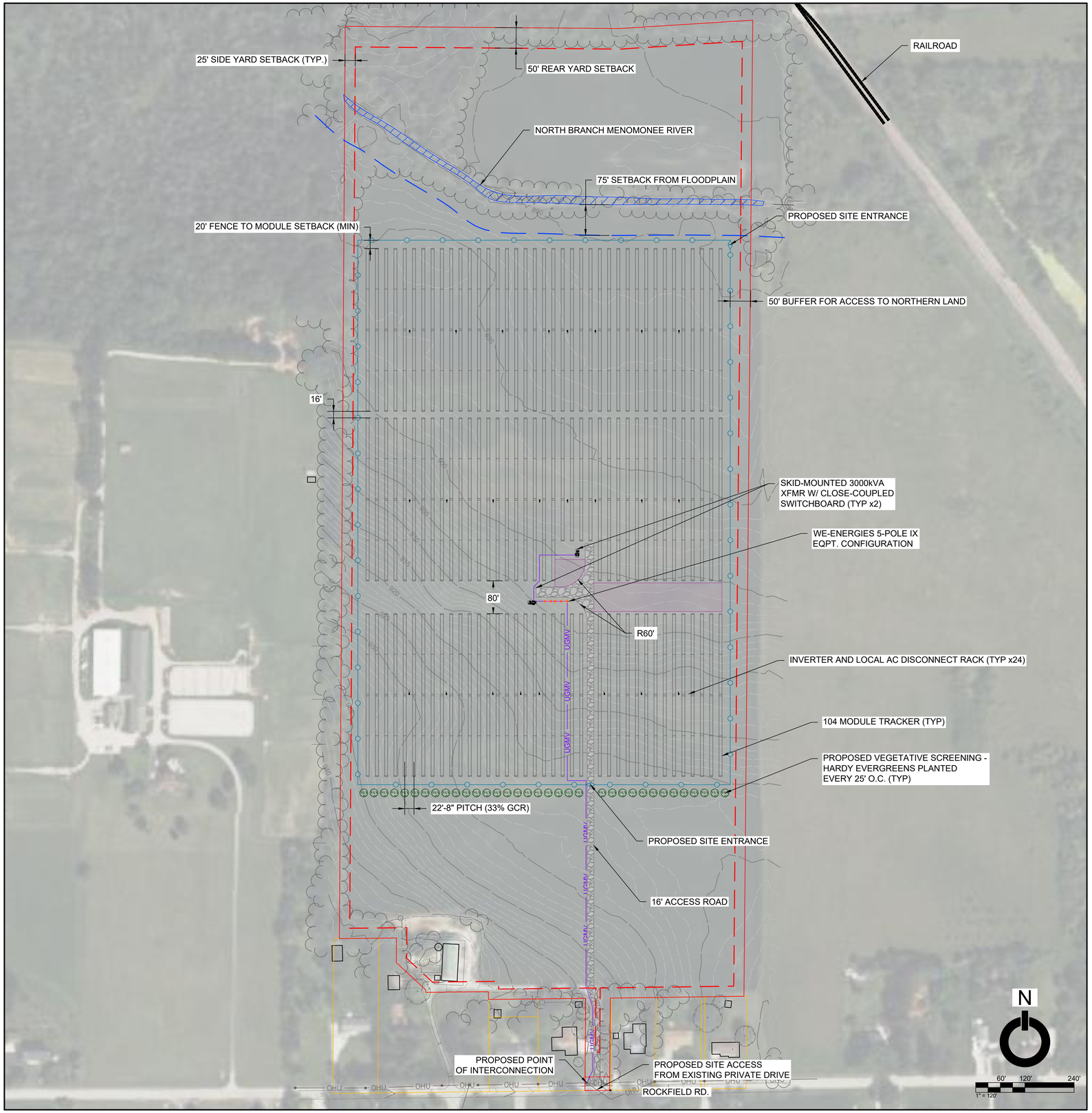
The Facility will provide solar electricity to serve the needs of local utility customers.

1. **Hours of Operation**: The solar facility will operate during daylight hours. This Facility will not be continuously staffed and will not be open to the public. It is anticipated that once construction is complete, operations and maintenance personnel (one or two people) will access the site once or twice per month for inspection or minor maintenance.
2. **Number of Employees**: There will be no employees stationed at the Facility. As noted in Item No. 1 above, one or two people will visit the site a once or twice each month for inspection and minor maintenance, as needed.
3. **Anticipated Customers**: No customers will be served at the Facility, and there will be no traffic associated with such customers. The renewable electricity generated from the Facility will be used to serve the needs of local utility customers.
4. **Outside Storage**: None proposed.
5. **Outdoor Activities**: Inspection of the solar electric system and periodic maintenance as described above.
6. **Outdoor Lighting**: No permanent outdoor lighting is proposed.
7. **Outside Loudspeakers**: None.
8. **Proposed Signs**: The site will only include necessary safety signage with contact information for the Project Operations team and an entrance sign.
9. **Trash Removal**: There will not be trash generated at this site.

GERMANTOWN SOLAR

WASHINGTON COUNTY, WISCONSIN

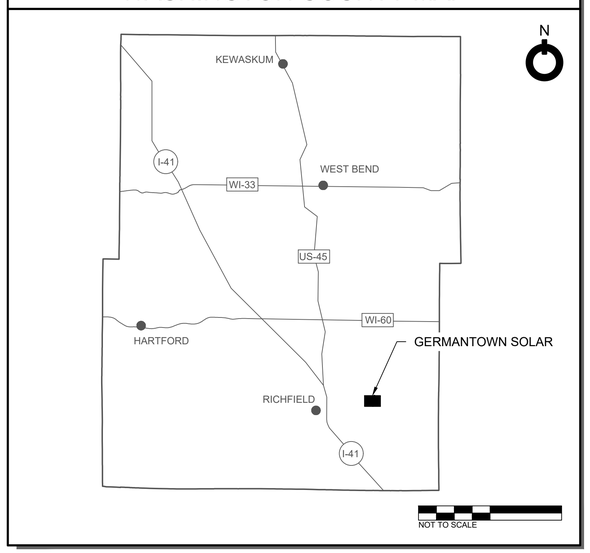
SOLAR PV PROJECT
6.877 MWDC / 6.000 MWAC



LEGEND

- PROJECT AREA PARCEL BOUNDARY
- ZONING SETBACK
- RIGHT-OF-WAY
- NEIGHBORING PARCEL
- TREELINE (E)
- FEMA FLOODPLAIN
- FLOODPLAIN SETBACK
- PERIMETER FENCE (P)
- GRAVEL ACCESS ROAD
- STAGING AREA
- UGMV — UG MV
- OHU — OH ELECTRICAL (P)
- OHU — OH ELECTRICAL (E)
- UTILITY POLE (E)
- UTILITY POLE (P)

WASHINGTON COUNTY MAP



PROJECT DETAILS

THIS PROJECT CONSISTS OF THE DESIGN AND INSTALLATION OF 6.000 MWAC SOLAR PHOTOVOLTAIC SYSTEM. MODULES ARE TO BE MOUNTED IN A SINGLE AXIS TRACKERS, WHICH FOLLOW THE SUN FROM EAST TO WEST THROUGHOUT THE DAY.

SITE DETAILS:

PARCEL ID	092994, 092979, 091987, 091986
OWNER:	WAYNE LUTYNSKI
ACREAGE:	54.25
EXISTING ZONE:	A-1

LAND USE SUMMARY:

TOTAL PARCEL AREA (ACRES):	54.25
TOTAL LEASED AREA (ACRES):	TBD
TOTAL FENCED AREA (ACRES):	27.69
GRAVEL ACCESS ROAD (ACRES):	0.61
LAYDOWN AREA (ACRES):	0.59

DESIGN SUMMARY:

MODULE POWER:	575 W
MODULE COUNT:	11960
ARRAY DC VOLTAGE:	1500 V
INVERTER SIZE:	250 kW / 250 kVA
INVERTER COUNT:	24
DC SIZE:	6.877 MWdc
AC SIZE:	6.000 MWac
DC/AC RATIO:	1.146
GROUND COVERAGE RATIO:	33.0 %
ASCE 7-16 GSL:	30 PSF
ASCE 7-16 WIND SPEED:	100 MPH

ADDITIONAL NOTES:

- BASEMAP DEVELOPED FROM ALTA FIELD SURVEY
- PARCEL DATA TAKEN FROM ALTA FIELD SURVEY
- FEMA FLOOD HAZARD ZONE FROM GIS DATA

OneEnergy RENEWABLES
2003 Western Ave, Suite 225
Seattle, WA 98121
oneenergyrenewables.com
206 922 7072

WRITTEN DIMENSIONS ON THIS PLAN SHALL SUPERCEDE SCALED DIMENSIONS. CONTRACTORS ARE RESPONSIBLE FOR FIELD VERIFYING ALL DIMENSIONS. THIS DRAWING, DESIGN, CONCEPT AND ARRANGEMENT REMAIN THE PROPERTY OF ONEENERGY RENEWABLES AND SHALL NOT BE COPIED, DISCLOSED OR REPRODUCED WITHOUT CONSENT.

REVISION LOG

REV	DESCRIPTION	DATE	BY	CK'D	SME
00	5% DEVELOPMENT LAYOUT	10/02/2024	AMB	AK	

PRELIMINARY

NOT FOR CONSTRUCTION

GERMANTOWN SOLAR
ONEENERGY RENEWABLES
43.257821°, -88.131597°
WASHINGTON COUNTY, WISCONSIN

SHEET TITLE:
DEVELOPMENT LAYOUT

SHEET NO:
D-100

CERTIFIED SURVEY MAP NO. _____

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

▲ INDICATES FOUND 3/4" IRON ROD, UNLESS NOTED

● INDICATES FOUND 1" IRON PIPE, UNLESS NOTED

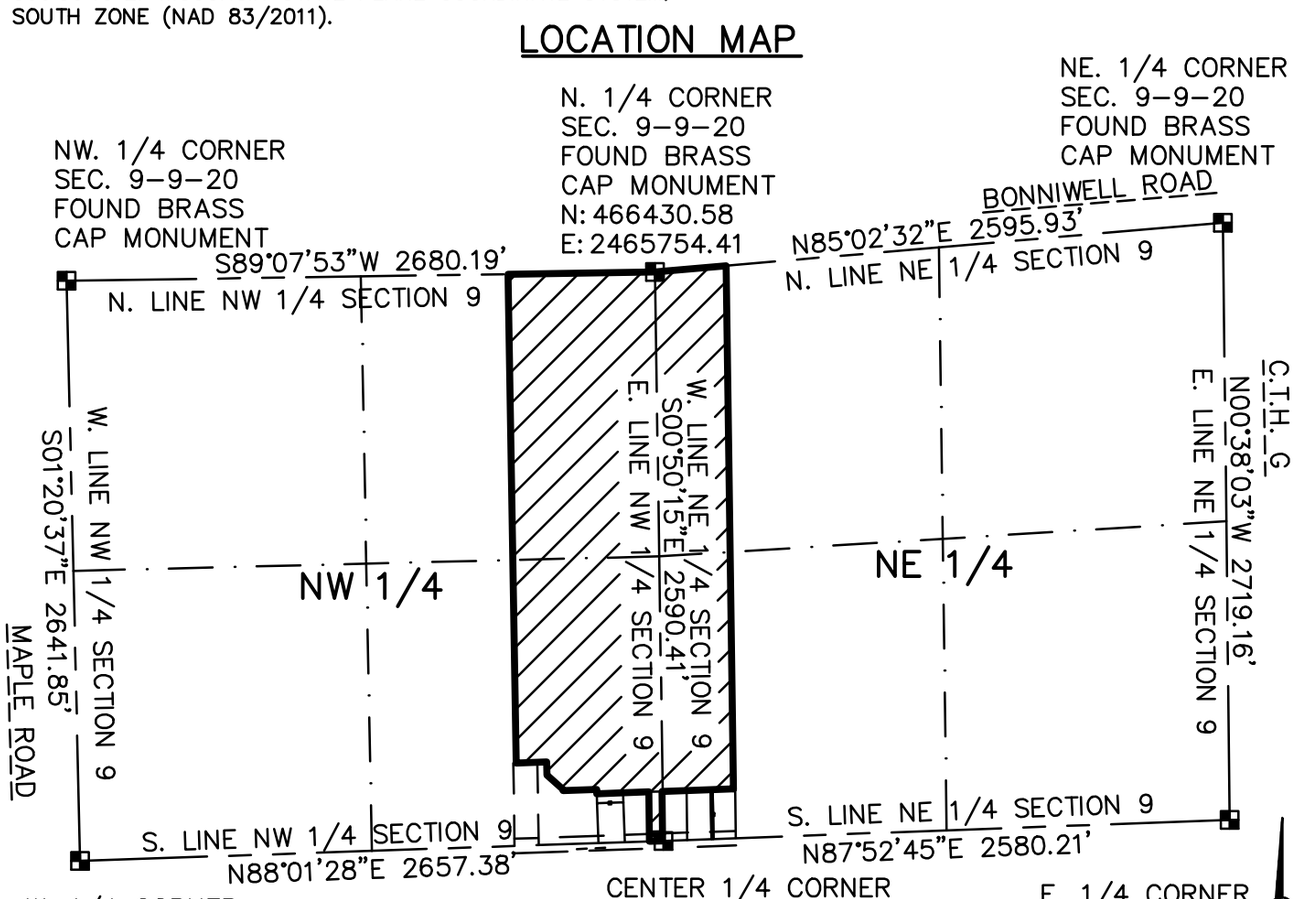
△ INDICATES SET MAG NAIL

○ INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.

Ⓓ INDICATES DEDICATED TO THE VILLAGE OF GERMANTOWN FOR PUBLIC ROAD PIRPOSES

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
ALL BEARINGS ARE REFERENCED TO THE WEST LINE OF THE NE 1/4 OF SECTION 9, T 9 N, R 20 E, WHICH BEARS S00°50'15"E. WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 83/2011).

LOCATION MAP



10/07/2024

WISCONSIN
MICHAEL J. RATZBURG
S-2236
WAUKESHA
WI
LAND SURVEYOR

OWNER:
WAYNE LUTYNSKI
W167 N11183 QUEENS CT.
GREMANTOWN, WI., 53022

SURVEYOR:
MICHAEL J. RATZBURG
R.A. SMITH, INC.
BROOKFIELD, WI., 53005
262-781-1000

GRAPHIC SCALE
0 400 800
1" = 800'

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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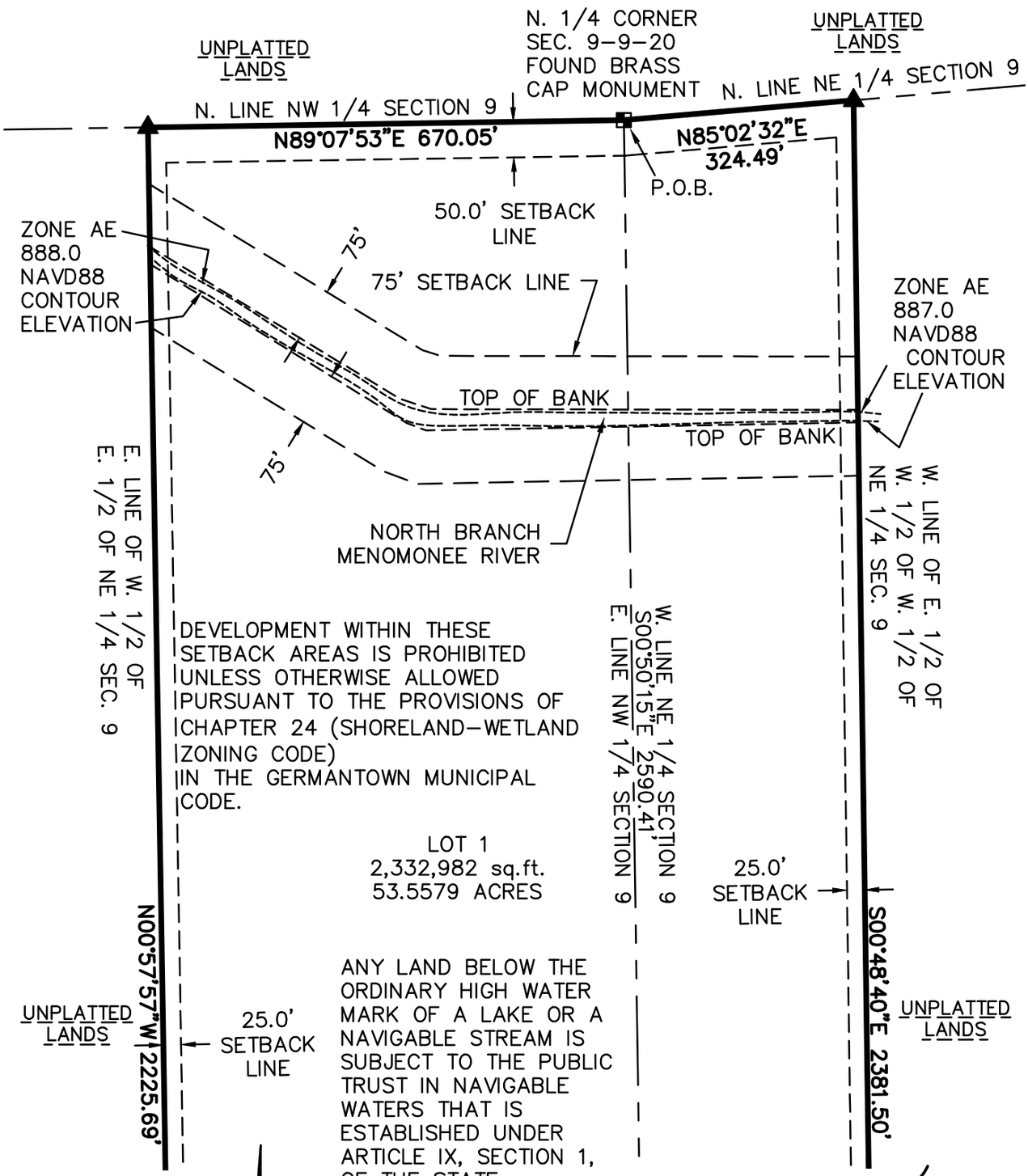


10/07/2024

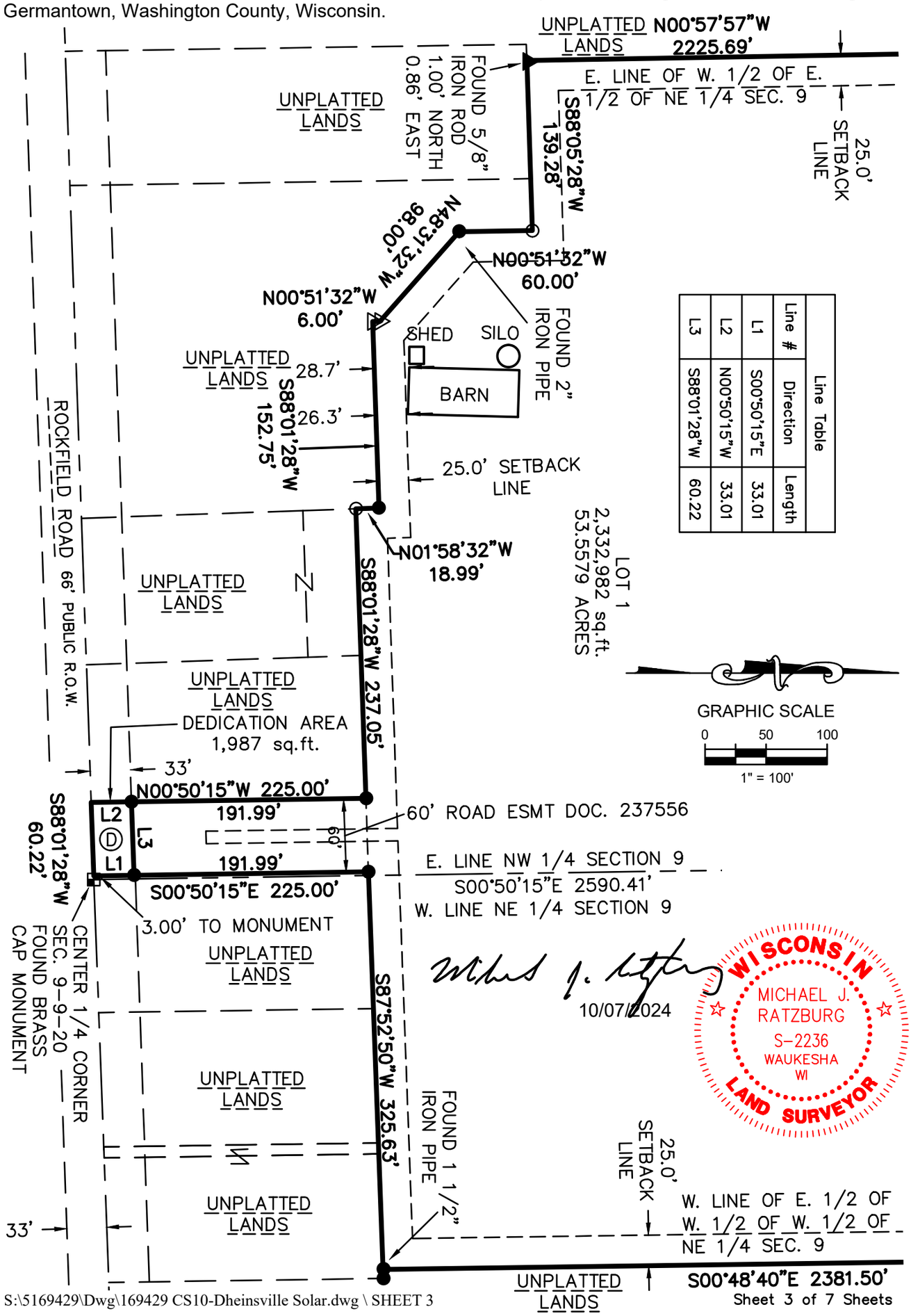
WISCONSIN
MICHAEL J.
RATZBURG
S-2236
WAUKESHA
WI
LAND SURVEYOR

S:\5169429\Dwg\169429 CS10-Dheinsville Solar.dwg \ SHEET 2

Sheet 2 of 7 Sheets

CERTIFIED SURVEY MAP NO. _____

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



Line Table		
Line #	Direction	Length
L1	S00°50'15"E	33.01
L2	N00°50'15"W	33.01
L3	S88°01'28"W	60.22

S:\5169429\Dwg\169429 CS10-Dheinsville Solar.dwg \ SHEET 3

Sheet 3 of 7 Sheets

CERTIFIED SURVEY MAP NO. _____

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

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
:SS
WAUKESHA COUNTY }

I, MICHAEL J. RATZBURG, Professional Land Surveyor, do hereby certify:

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

BEGINNING at the North 1/4 corner of said Section 9; thence North 85° 02' 32" East along the North line of the Northeast 1/4 of said Section 324.49 feet to a point in the West line of the East 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of said Section; thence South 00° 48' 40" East along said west line 2381.50 feet to a point; thence South 87° 52' 50" West 325.63 feet to a point; thence South 00° 50' 15" East 225.00 feet to a point in the South line of the Northwest 1/4 of said Section; thence South 88° 01' 28" West along said South line 60.22 feet to a point; thence North 00° 50' 15" West 225.00 feet to a point; thence South 88° 01' 28" West 237.05 feet to a point; thence North 01° 58' 32" West 18.99 feet to a point; thence South 88° 01' 28" West 152.75 feet to a point; thence North 00° 51' 32" West 6.00 feet to a point; thence North 48° 31' 32" West 98.00 feet to a point; thence North 00° 51' 32" West 60.00 feet to a point; thence South 88° 05' 28" West 139.28 feet to a point in the East line of the West 1/2 of the East 1/2 of the Northwest 1/4 of said Section; thence North 00° 57' 57" West along said East line 2225.69 feet to a point in the North line of the Northwest 1/4 of said Section; thence North 89° 07' 53" East along said North line 670.05 feet to the point of beginning.

Said land contains 2,334,969 square feet or 53.6035 acres.

THAT I have made the survey, land division and map by the direction of WAYNE LUTYNSKI, 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.

10/07/2024
Field date

MIKE J. RATZBURG
PROFESSIONAL LAND SURVEYOR S-2236

WISCONSIN
MICHAEL J.
RATZBURG
S-2236
WAUKESHA
WI
LAND SURVEYOR

raSmith
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OWNER CERTIFICATE

WAYNE LUTYNSKI, as owner, certifies that said corporation has caused the land described on this map to be surveyed, divided, dedicated, and mapped as represented on this map in accordance with the Ordinances of the Village of Sussex.

WAYNE LUTYNSKI, 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 Rockfield Road to the Village of Germantown for public road purposes as represented on this Certified Survey Map.

IN Witness Whereof, WAYNE LUTYNSKI, has caused these presents to be signed

this _____ day of _____, 2024.

WAYNE LUTYNSKI

_____

PERSONALLY came before me this _____day of _____, 2024, WAYNE LUTYNSKI, to me known as the person who executed the foregoing instrument and acknowledged the same.

(Notary Seal)

_____

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

10/07/2024

WISCONSIN
MICHAEL J. RATZBURG
S-2236
WAUKESHA
WI
LAND SURVEYOR

CERTIFIED SURVEY MAP NO. _____

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CONSENT OF CORPORATE MORTGAGEE

_____, a national banking association, duly organized and existing under

and by virtue of the laws of the State of _____, as mortgagee of the above described land, consents to the surveying, dividing, mapping and restricting of the land described on this map and in the surveyor's certificate, and to the certificate of the owner of said land.

Date: _____

Entity Name: _____

Signature: _____

Print Name: _____

Title: _____

STATE OF _____}
}SS
_____ COUNTY }

PERSONALLY came before me this_____day of_____, 20_____,

_____, the _____ of the above named organization, 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_____

10/07/2024

WISCONSIN
MICHAEL J. RATZBURG
S-2236
WAUKESHA
WI
LAND SURVEYOR

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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 _____,2024.

Date:_____ _____
Dean Wolter, Chairman

Date:_____ _____
Deborah J. Remich, Secretary

VILLAGE OF GERMANTOWN BOARD APPROVAL

This Certified Survey Map, being a division of a part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 9, 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 Rockfield Road 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 _____,2024.

Date:_____ _____
Dean Wolter, Village President

Date:_____ _____
Donna Ott, Village Clerk

10/07/2024

WISCONSIN
MICHAEL J.
RATZBURG
S-2236
WAUKESHA
WI
LAND SURVEYOR

THIS INSTRUMENT DRAFTED BY MICHAEL J. RATZBURG, S-2236

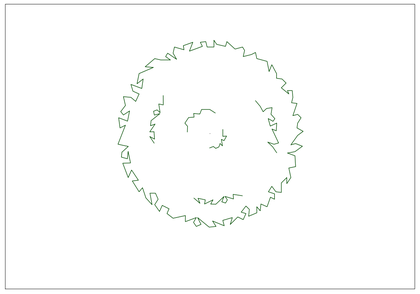
S:\5169429\Dwg\169429 CS10-Dheinsville Solar.dwg \ SHEET 7

1 SITE PLAN VIEW
SCALE: 1" = 100'

LEGEND

- PROJECT AREA PARCEL BOUNDARY
- ZONING SETBACK
- RIGHT-OF-WAY
- NEIGHBORING PARCEL
- FEMA FLOODPLAIN
- FLOODPLAIN SETBACK
- PERIMETER FENCE (P)
- GRAVEL ACCESS ROAD
- STAGING AREA
- UGMV — UG MV
- OHU — OH ELECTRICAL (P)
- OHU — OH ELECTRICAL (E)
- UTILITY POLE (E)
- UTILITY POLE (P)
- TREE LINE (E)
- TREE (E)
- EVERGREEN TREE (P)

2 VEGETATION ELEVATION VIEW
SCALE: NTS



3 VEGETATION PLAN VIEW
SCALE: NTS

GENERAL NOTE(S):

1. HARDY EVERGREEN TREES WILL BE PLANTED AT 25' INCREMENTS ON CENTER WITH AN APPROXIMATE HEIGHT OF 4' AT PLANTING. SPECIES MAY INCLUDE BUT ARE NOT LIMITED TO BLUE SPRUCE, WHITE SPRUCE, BLACK HILLS SPRUCE, OR EASTERN RED CEDAR.

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Seattle, WA 98121
oneenergyrenewables.com
206 922 7072

OneEnergy RENEWABLES

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GERMANTOWN SOLAR
ONEENERGY RENEWABLES
ROCKFIELD RD.
GERMANTOWN, WI 53022
43.257821°, -88.131597°

PRELIMINARY
NOT FOR CONSTRUCTION

REVISION LOG

REV	DESCRIPTION	DATE	BY	CKD	SME
A	VEGETATION SCREENING PLAN	08/26/2024	AMB		

SHEET TITLE:
VEGETATION SCREENING PLAN

SHEET NO:
EX-100

Germantown Solar

Vegetation Installation and Management Plan

Date: 7/26/2024
Site Location: 43.257821, -88.131597

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WWW.ONEENERGYRENEWABLES.COM

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5 Vegetation Management and Monitoring 4

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1 Site Overview

Germantown Solar is a 6 MWac solar project located north of Germantown in Washington County, Wisconsin. The 30-acre project site is currently used for agricultural production. The site does not contain wetlands and the predominant soils on site are well drained loam, well drained silt loam, and somewhat poorly drained silt loam. Following construction of the solar array, the site will be managed for native pollinator habitat.

2 Benefits of Pollinator-Friendly Solar

There are many benefits to installing native prairie plant communities on solar sites. Pollinator friendly solar sequesters carbon into the soil through plants, while carbon emissions are simultaneously reduced by using renewable solar energy. Planting native prairie species restores soil by preventing erosion, improving soil structure, increasing carbon storage, diversifying microbial communities, and increasing soil fertility. In addition to supporting native wildlife, these improvements to the soil will increase the value of the soil for future agricultural production once the solar panels are removed. Agricultural benefits are not limited to future land use. Supporting native pollinator populations can increase yields of nearby pollinator-dependent crops such as soybeans, apples, and many vegetables.

The aesthetic benefits of pollinator habitat provide additional services to the local community for those who appreciate observing the wildflowers, birds, butterflies, and other species that are drawn to the solar site. Native prairie plants prevent stormwater runoff and improve surrounding water quality, which is an important consideration following the construction of solar projects. While the initial costs and amount of planning needed for installing and managing native pollinator habitat may be greater than turfgrass, the benefits outweigh the costs. Following the first five years of management, as the hardier native plant communities become established, reduced maintenance needs are anticipated for the remainder of the time the solar array is in operation.

3 Site Preparation and Temporary Seeding

Construction debris and building materials will be cleared from the seeding area. An herbicide application may be required to remove undesirable vegetation from the site. The type of herbicide used will depend on the target species observed during initial site inspections by environmental specialists. If an herbicide such as glyphosate is used, this would necessitate a 10-day waiting period before disturbing the soil or seeding.

The environmental specialist overseeing site preparation activities and selecting herbicide treatments for noxious and invasive species suppression will have comprehensive knowledge and experience selecting and applying herbicides for restricting invasive species and managing vegetation to encourage native plant communities. Additionally, the environmental specialist

will have detailed knowledge of Wisconsin flora, excellent vegetation identification skills, and experience in ecological restoration that includes overseeing and conducting native prairie restoration and vegetation assessments.

Winter wheat or oats will be used as a cover crop depending on the time of year and based on the WDNR Technical Standard (1059) and the WisDOT seeding specification (630). For example, construction may delay seeding from fall until the following spring, in which case a cover crop would be used. A cover crop is also used during construction as part of the Stormwater Pollution Prevention Plan.

4 Permanent Seeding

The soil will be disced and then either harrowed or raked to prepare the soil for seeding. Native grasses will be seeded using a mechanical broadcast spreader at a depth of ¼ to ½-inch. Depending on site conditions, a nurse crop such as winter wheat will be seeded to stabilize the soil. Following grass seeding, the site will be raked and harrowed. Wildflowers and sedges will be seeded using a mechanical broadcast spreader and covered by raking the site.

The primary seed mix used will be a diverse mix of around thirty plant species designed by environmental specialists to suit site-specific soil and microclimate conditions and to provide continuous forage and habitat for pollinators. The seed mix includes flowering species with a wide range of bloom times to cover each season pollinators are active. Additionally, a lowland seed mix will be used where hydric soils are located. The upland and lowland seed mix examples can be found in Appendix A.

Changes to plant species and their proportions in the mix may be necessary depending on seed availability at the time of planting. The diversity of species and quality of the mix will be maintained.

5 Vegetation Management and Monitoring

Vegetation will be managed to achieve the following objectives:

1. Establish native vegetation cover as prescribed in the selected pollinator seed mixes.
2. Maintain complete vegetation cover while limiting noxious and invasive species.
3. Encourage the growth of flowering species to provide continuous forage and habitat for pollinators.

During the germination year, the site will be mowed to reduce competition and control weed growth. Additional mowing may be required to prevent annual and biennial weeds from setting seed. Vegetation will be mowed to a height of 8” and clippings will be mulched in place. During the establishment period, which spans 2 to 5 years after seeding, mowing should occur 2 to 3 times per year subject to the recommendations of the environmental specialist. Following the

establishment period, the site will be mowed as needed for weed and invasive species control and to intermittently remove biomass. A suggested timeline for vegetation management is provided in Section 7.

The following objectives will be achieved through vegetation monitoring:

1. Document the presence of targeted native species.
2. Document the presence of noxious and invasive species.
3. Provide recommendations for appropriate corrective actions to promote and maintain the planned vegetative cover and limit noxious and invasive species.

Specific maintenance activities and timelines will depend on observations during seasonal site inspections to determine vegetation growth progress and whether undesirable species are present. Following a fall seeding, these inspections would begin in late April to mid-June. Following a spring seeding, inspections should begin by mid-May.

Vegetation Management Reports (VMR) will be completed during each site visit to record the amount of vegetation cover, vegetation height, and presence of noxious and invasive species and targeted native species. Recommended next steps will be noted, and management plans will remain flexible to reflect changes in vegetation and noxious and invasive species pressure.

6 Invasive and Weed Species Management

In addition to the removal of invasive species, plant species will be suppressed if they are likely to either outcompete the native species planted or grow to a height that would potentially shade the solar panels. Noting noxious and invasive species through well-timed site inspections and proactively controlling these species during the establishment phase is critical for the long-term success of native vegetation establishment. Control of noxious and invasive species may include spot-spraying, spot-mowing, hand weeding, wicking, or other methods selected by the environmental specialist and depending on the target species and time of year.

If necessary, the following herbicides may be used for spot-treatment: glyphosate, triclopyr, clopyralid, or aminopyralid. Glyphosate is a non-selective systemic herbicide used to treat broadleaf weeds, grasses, and woody plants, and triclopyr is a selective systemic herbicide used to control woody and herbaceous broadleaf species. Clopyralid and aminopyralid are selective herbicides used to target broadleaf weeds, especially clover and thistle. Herbicide contact with native species will be limited and herbicides will not be used when wind speeds exceed 10 mph to prevent drift.

Other herbicides may be utilized based on the target species observed and identified for management. Environmental specialists will identify actual herbicide prescriptions based on observations during site inspections. The site will be inspected at least twice a year – once from

late April to mid-May, and again in mid-June. Site inspections may be needed at other times, depending on the life cycle of the species targeted for removal. Spot-mowing and removal of invasive species and other weeds will be completed as needed. If biomass removal is needed, the site can be mowed every three years using a flail mower. After the initial 5-year establishment period, the site should not be mowed more than once per year.

7 Vegetation Management Timeline

Year 0		
Seedbed Preparation	Herbicide application, soil bed preparation	Sep-Oct
Seeding	Site may be seeded with a temporary cover crop (see Section 3), followed by seeding with pollinator mix.	November
Years 1-3		
Site Inspections	Three site inspections to monitor vegetation and complete VMR. Plans will be made for any necessary reseeding, erosion mitigation, or weed/invasive species management. Site inspection may take place at the same time as management visit.	Late April to early May, mid-June, and late July
1st Mow	Site mowed to 8” vegetation height. Spot-treat weed/invasive species as needed. Timing of mowing is dependent on plant phenology and weed/invasive species pressure, which will be evaluated during site inspections. Herbicide treatment types will depend on the target species observed during site inspection.	Late June to early July
2nd Mow	Site mowed to 8” height. Spot-treatment of weed/invasive species as needed. Timing of mowing is dependent on observations during site assessments.	Late July to early August
Year 4		
Site Inspection	Vegetation will be monitored and VMR will be completed.	Late April to early May & mid-June
Spot treatment of invasives/weeds	Herbicide treatment types will depend on the target species observed during site inspections.	Variable
Dormant Mow	Mulch biomass by mowing in the spring to reduce competition and encourage native plant growth.	Spring
Years 5-25		
Site Inspection	Two annual visits to monitor vegetation in the spring and early summer. Spot-mowing or weed/invasive species removal will be completed as needed based on site inspections. If biomass removal is needed, sites can be mowed every three years using a flail mower. Site should	Late April to early May & mid-June

	not be mowed more than once per year, and mowing should occur from Mar-Apr 15th or Sept-Oct to avoid disturbing nesting birds. Rotating halves or thirds of the site while mowing will increase plant diversity and structure and provide adjacent refuge for wildlife.	

8 References

Siegner, K., Wentzell, S., Urrutia, M., Mann, W., & Kennan, H. (2019) Maximizing land use benefits from utility scale solar: A cost benefit analysis of pollinator-friendly solar in Minnesota. *Yale Center for Business and the Environment*. https://cbey.yale.edu/research/maximizing-land-use-benefits-from-utility-scale-solar.

Walston, L. et al. (2018) Examining the potential for agricultural benefits from pollinator habitat at solar facilities in the United States. *Environmental Science & Technology 52* (13), 7566-7576. https://doi.org/10.1021/acs.est.8b00020.

Walston, L. et al. (2020) Modeling the ecosystem services of native vegetation management practices at solar energy facilities in Midwestern United States. *Ecosystem Services* (47), 101227. https://doi.org/10.1016/j.ecoser.2020.101227.

9 Appendix A – Pollinator Seed Mixes

Upland Mix

Scientific Name	Common Name	% of Mix	Seeds/ft^2
Grasses			
Sideoats Grama	Bouteloua curtipendula	27.27%	6.61
Blue Grama	Bouteloua gracilis	7.27%	11.75
Plains Oval Sedge	Carex brevior	2.55%	2.98
June Grass	Koeleria macrantha	1.82%	14.69
Little Bluestem	Schizachyrium scoparium	33.45%	20.28
Prairie Dropseed	Sporobolus heterolepis	0.36%	0.24
Forbs			
Common Yarrow	Achillea millefolium	0.36%	2.62
Anise Hyssop	Agastache foeniculum	0.09%	0.33
Prairie Onion	Allium stellatum	0.73%	0.32
Lead Plant	Amorpha canescens	1.36%	0.88
Wild Columbine	Aquilegia canadensis	0.18%	0.28
Common Milkweed	Asclepias syriaca	0.36%	0.06
Butterfly Milkweed	Asclepias tuberosa	0.91%	0.16
Sky Blue Aster	Symphyotrichum oolentangiense	0.18%	0.59
Upland White Goldenrod	Solidago ptarmicoides	0.73%	1.88
Partridge Pea	Chamaecrista fasciculata	2.73%	0.30
Lanceleaf Coreopsis	Coreopsis lanceolata	1.09%	0.88
White Prairie Clover	Dalea candida	4.55%	3.49
Purple Prairie Clover	Dalea purpurea	5.82%	4.23
Rough Blazing Star	Liatris aspera	0.27%	0.18
Spotted Bee Balm	Monarda punctata	0.18%	0.66
Large-flowered Beardtongue	Penstemon grandiflorus	0.73%	0.41
Prairie Wild Rose	Rosa arkansana	0.09%	0.01
Black-eyed Susan	Rudbeckia hirta	2.09%	7.77
Gray Goldenrod	Solidago nemoralis	0.09%	1.10
Ohio Spiderwort	Tradescantia ohiensis	0.45%	0.15
Hoary Vervain	Verbena stricta	1.73%	1.95
Heartleaf Alexanders	Zizia aptera	0.36%	0.18
Golden Alexanders	Zizia aurea	2.18%	0.97

Seeding Rate: 11 lbs/acre (85.9 seeds/square foot)

Lowland Mix

Scientific Name	Common Name	% of Mix	Seeds/ft^2
Grasses			
Carex scoparia	Pointed-broom Sedge	1.40%	2.81
Carex stipata	Common Fox Sedge	6.85%	5.56
Carex vulpinoidea	Brown Fox Sedge	4.65%	11.1
Juncus dudleyi	Dudley's Rush	0.15%	11.46
Juncus effusus	Common Rush	0.40%	9.55
Elymus virginicus	Virginia Wild Rye	55.60%	5.58
Poa palustris	Fowl Bluegrass	9.00%	27.93
Forbs			
Anemone canadensis	Canada Anemone	3.65%	0.7
Symphyotrichum novae-angliae	New England Aster	1.30%	2.05
Verbena hastata	Blue Vervain	0.90%	2
Lobelia siphilitica	Great Blue Lobelia	0.35%	4.18
Lycopus americanus	Water Horehound	0.45%	1.4
Lythrum alatum	Winged Loosestrife	0.01%	0.72
Mimulus ringens	Monkey Flower	0.10%	5.49
Alisma subcordatum	Water Plantain	1.95%	2.79
Pycnanthemum virginianum	Virginia Mountain Mint	0.65%	3.41
Tradescantia ohiensis	Ohio Spiderwort	7.29%	1.39
Zizia aurea	Golden Alexanders	5.30%	1.39

Seeding rate: 99.50 seeds/ft^2

FORGESOLAR GLARE ANALYSIS

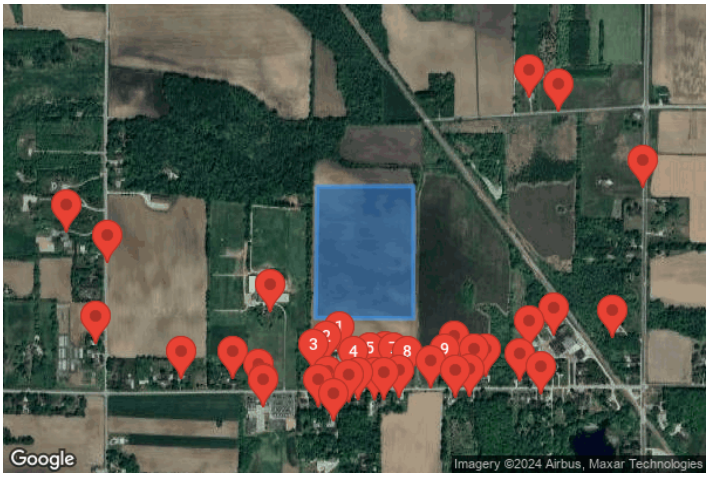
Project: **Germantown Solar**

Germantown Solar is a proposed 6 MWac solar photovoltaic facility located on approximately 30 acres of agricultural land in the Village of Germantown, Washington County, Wisconsin. Some light grading and clearing may take place but there will be little change to the quantity of impervious surface.

Site configuration: **Germantown Solar**

Created 26 Jul, 2024
Updated 26 Jul, 2024
Time-step 1 minute
Timezone offset UTC-8
Minimum sun altitude 0.0 deg
DNI peaks at 1,000.0 W/m^2
Category 1 MW to 5 MW
Site ID 125282.21473

Ocular transmission coefficient 0.5
Pupil diameter 0.002 m
Eye focal length 0.017 m
Sun subtended angle 9.3 mrad
PV analysis methodology V2



Summary of Results No glare predicted

PV Array	Tilt	Orient	Annual Green Glare		Annual Yellow Glare		Energy
	°	°	min	hr	min	hr	kWh
Germantown Solar	SA tracking	SA tracking	0	0.0	0	0.0	-

Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 7	0	0.0	0	0.0
OP 8	0	0.0	0	0.0
OP 9	0	0.0	0	0.0
OP 10	0	0.0	0	0.0
OP 11	0	0.0	0	0.0
OP 12	0	0.0	0	0.0

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 13	0	0.0	0	0.0
OP 14	0	0.0	0	0.0
OP 15	0	0.0	0	0.0
OP 16	0	0.0	0	0.0
OP 17	0	0.0	0	0.0
OP 18	0	0.0	0	0.0
OP 19	0	0.0	0	0.0
OP 20	0	0.0	0	0.0
OP 21	0	0.0	0	0.0
OP 22	0	0.0	0	0.0
OP 23	0	0.0	0	0.0
OP 24	0	0.0	0	0.0
OP 25	0	0.0	0	0.0
OP 26	0	0.0	0	0.0
OP 27	0	0.0	0	0.0
OP 28	0	0.0	0	0.0
OP 29	0	0.0	0	0.0
OP 30	0	0.0	0	0.0
OP 31	0	0.0	0	0.0
OP 32	0	0.0	0	0.0
OP 33	0	0.0	0	0.0
OP 34	0	0.0	0	0.0
OP 35	0	0.0	0	0.0
OP 36	0	0.0	0	0.0
OP 37	0	0.0	0	0.0
OP 38	0	0.0	0	0.0
OP 39	0	0.0	0	0.0
OP 40	0	0.0	0	0.0

Component Data

PV Arrays

Name: Germantown Solar
Axis tracking: Single-axis rotation
Backtracking: Shade-slope
Tracking axis orientation: 180.0°
Max tracking angle: 52.0°
Resting angle: 52.0°
Ground Coverage Ratio: 0.32
Rated power: -
Panel material: Light textured glass with AR coating
Reflectivity: Vary with sun
Slope error: correlate with material

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	43.259323	-88.135360	938.13	8.00	946.13
2	43.259307	-88.131770	920.33	8.00	928.33
3	43.262839	-88.131772	889.80	8.00	897.80
4	43.262825	-88.135300	896.85	8.00	904.85

Discrete Observation Point Receptors

Name	ID	Latitude (°)	Longitude (°)	Elevation (ft)	Height (ft)
OP 1	1	43.258322	-88.134489	947.43	15.00
OP 2	2	43.258093	-88.134955	948.25	15.00
OP 3	3	43.257851	-88.135401	950.57	15.00
OP 4	4	43.257671	-88.133952	936.29	15.00
OP 5	5	43.257781	-88.133368	936.88	15.00
OP 6	6	43.257813	-88.132812	933.23	15.00
OP 7	7	43.257759	-88.132501	929.45	15.00
OP 8	8	43.257688	-88.131976	921.31	15.00
OP 9	9	43.257747	-88.130608	921.52	15.00
OP 10	10	43.258071	-88.130259	924.90	15.00
OP 11	11	43.257738	-88.129537	918.82	15.00
OP 12	12	43.257746	-88.129107	918.85	15.00
OP 13	13	43.257214	-88.129708	916.68	15.00
OP 14	14	43.257168	-88.130234	919.62	15.00
OP 15	15	43.257175	-88.132294	919.57	15.00
OP 16	16	43.257113	-88.132841	928.08	15.00
OP 17	17	43.257121	-88.133174	931.27	15.00
OP 18	18	43.257097	-88.133764	932.01	15.00
OP 19	19	43.257043	-88.134107	932.93	15.00
OP 20	20	43.257128	-88.134890	937.90	15.00
OP 21	21	43.256535	-88.134690	934.47	15.00
OP 22	22	43.256922	-88.135243	934.16	15.00
OP 23	23	43.256957	-88.137238	939.52	15.00
OP 24	24	43.256934	-88.137243	939.39	15.00
OP 25	25	43.257671	-88.138374	950.57	15.00
OP 26	26	43.257627	-88.127843	911.35	15.00
OP 27	27	43.257260	-88.127092	912.77	15.00
OP 28	28	43.258495	-88.127510	902.10	15.00
OP 29	29	43.258823	-88.126609	894.71	15.00
OP 30	30	43.258770	-88.124465	891.87	15.00
OP 31	31	43.259441	-88.137021	954.22	15.00
OP 32	32	43.257346	-88.137440	941.28	10.00
OP 33	33	43.257420	-88.131124	914.31	10.00
OP 34	34	43.260781	-88.142954	943.58	10.00
OP 35	35	43.262781	-88.123363	892.90	10.00
OP 36	36	43.264813	-88.126432	890.04	10.00
OP 37	37	43.257681	-88.140282	953.94	10.00
OP 38	38	43.258603	-88.143394	956.23	10.00
OP 39	39	43.261572	-88.144467	942.80	10.00
OP 40	40	43.265182	-88.127536	896.64	10.00

Glare Analysis Results

Summary of Results No glare predicted

PV Array	Tilt	Orient	Annual Green Glare		Annual Yellow Glare		Energy
	°	°	min	hr	min	hr	kWh
Germantown Solar	SA tracking	SA tracking	0	0.0	0	0.0	-

Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 7	0	0.0	0	0.0
OP 8	0	0.0	0	0.0
OP 9	0	0.0	0	0.0
OP 10	0	0.0	0	0.0
OP 11	0	0.0	0	0.0
OP 12	0	0.0	0	0.0
OP 13	0	0.0	0	0.0
OP 14	0	0.0	0	0.0
OP 15	0	0.0	0	0.0
OP 16	0	0.0	0	0.0
OP 17	0	0.0	0	0.0
OP 18	0	0.0	0	0.0
OP 19	0	0.0	0	0.0
OP 20	0	0.0	0	0.0
OP 21	0	0.0	0	0.0
OP 22	0	0.0	0	0.0
OP 23	0	0.0	0	0.0
OP 24	0	0.0	0	0.0
OP 25	0	0.0	0	0.0
OP 26	0	0.0	0	0.0
OP 27	0	0.0	0	0.0
OP 28	0	0.0	0	0.0
OP 29	0	0.0	0	0.0
OP 30	0	0.0	0	0.0
OP 31	0	0.0	0	0.0

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 32	0	0.0	0	0.0
OP 33	0	0.0	0	0.0
OP 34	0	0.0	0	0.0
OP 35	0	0.0	0	0.0
OP 36	0	0.0	0	0.0
OP 37	0	0.0	0	0.0
OP 38	0	0.0	0	0.0
OP 39	0	0.0	0	0.0
OP 40	0	0.0	0	0.0

PV: Germantown Solar no glare found

Receptor results ordered by category of glare

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 7	0	0.0	0	0.0
OP 8	0	0.0	0	0.0
OP 9	0	0.0	0	0.0
OP 10	0	0.0	0	0.0
OP 11	0	0.0	0	0.0
OP 12	0	0.0	0	0.0
OP 13	0	0.0	0	0.0
OP 14	0	0.0	0	0.0
OP 15	0	0.0	0	0.0
OP 16	0	0.0	0	0.0
OP 17	0	0.0	0	0.0
OP 18	0	0.0	0	0.0
OP 19	0	0.0	0	0.0
OP 20	0	0.0	0	0.0
OP 21	0	0.0	0	0.0
OP 22	0	0.0	0	0.0
OP 23	0	0.0	0	0.0
OP 24	0	0.0	0	0.0
OP 25	0	0.0	0	0.0
OP 26	0	0.0	0	0.0
OP 27	0	0.0	0	0.0
OP 28	0	0.0	0	0.0
OP 29	0	0.0	0	0.0
OP 30	0	0.0	0	0.0
OP 31	0	0.0	0	0.0
OP 32	0	0.0	0	0.0
OP 33	0	0.0	0	0.0
OP 34	0	0.0	0	0.0
OP 35	0	0.0	0	0.0
OP 36	0	0.0	0	0.0
OP 37	0	0.0	0	0.0

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 38	0	0.0	0	0.0
OP 39	0	0.0	0	0.0
OP 40	0	0.0	0	0.0

Germantown Solar and OP 1

No glare found

Germantown Solar and OP 2

No glare found

Germantown Solar and OP 3

No glare found

Germantown Solar and OP 4

No glare found

Germantown Solar and OP 5

No glare found

Germantown Solar and OP 6

No glare found

Germantown Solar and OP 7

No glare found

Germantown Solar and OP 8

No glare found

Germantown Solar and OP 9

No glare found

Germantown Solar and OP 10

No glare found

Germantown Solar and OP 11

No glare found

Germantown Solar and OP 12

No glare found

Germantown Solar and OP 13

No glare found

Germantown Solar and OP 14

No glare found

Germantown Solar and OP 15

No glare found

Germantown Solar and OP 16

No glare found

Germantown Solar and OP 17

No glare found

Germantown Solar and OP 18

No glare found

Germantown Solar and OP 19

No glare found

Germantown Solar and OP 20

No glare found

Germantown Solar and OP 21

No glare found

Germantown Solar and OP 22

No glare found

Germantown Solar and OP 23

No glare found

Germantown Solar and OP 24

No glare found

Germantown Solar and OP 25

No glare found

Germantown Solar and OP 26

No glare found

Germantown Solar and OP 27

No glare found

Germantown Solar and OP 28

No glare found

Germantown Solar and OP 29

No glare found

Germantown Solar and OP 30

No glare found

Germantown Solar and OP 31

No glare found

Germantown Solar and OP 32

No glare found

Germantown Solar and OP 33

No glare found

Germantown Solar and OP 34

No glare found

Germantown Solar and OP 35

No glare found

Germantown Solar and OP 36

No glare found

Germantown Solar and OP 37

No glare found

Germantown Solar and OP 38

No glare found

Germantown Solar and OP 39

No glare found

Germantown Solar and OP 40

No glare found

Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.
"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.
Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.
The algorithm does not rigorously represent the detailed geometry of a system; detailed features such as gaps between modules, variable height of the PV array, and support structures may impact actual glare results. However, we have validated our models against several systems, including a PV array causing glare to the air-traffic control tower at Manchester-Boston Regional Airport and several sites in Albuquerque, and the tool accurately predicted the occurrence and intensity of glare at different times and days of the year.
Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare. This primarily affects V1 analyses of path receptors.
Random number computations are utilized by various steps of the annual hazard analysis algorithm. Predicted minutes of glare can vary between runs as a result. This limitation primarily affects analyses of Observation Point receptors, including ATCTs. Note that the SGHAT/ ForgeSolar methodology has always relied on an analytical, qualitative approach to accurately determine the overall hazard (i.e. green vs. yellow) of expected glare on an annual basis.
The analysis does not automatically consider obstacles (either man-made or natural) between the observation points and the prescribed solar installation that may obstruct observed glare, such as trees, hills, buildings, etc.
The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)
The variable direct normal irradiance (DNI) feature (if selected) scales the user-prescribed peak DNI using a typical clear-day irradiance profile. This profile has a lower DNI in the mornings and evenings and a maximum at solar noon. The scaling uses a clear-day irradiance profile based on a normalized time relative to sunrise, solar noon, and sunset, which are prescribed by a sun-position algorithm and the latitude and longitude obtained from Google maps. The actual DNI on any given day can be affected by cloud cover, atmospheric attenuation, and other environmental factors.
The ocular hazard predicted by the tool depends on a number of environmental, optical, and human factors, which can be uncertain. We provide input fields and typical ranges of values for these factors so that the user can vary these parameters to see if they have an impact on the results. The speed of SGHAT allows expedited sensitivity and parametric analyses.
The system output calculation is a DNI-based approximation that assumes clear, sunny skies year-round. It should not be used in place of more rigorous modeling methods.
Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.
Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.
Refer to the Help page at **www.forgesolar.com/help/** for assumptions and limitations not listed here.

Default glare analysis parameters and observer eye characteristics (for reference only):

- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

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OneEnergy Renewables

Germantown Solar Project

Solar Generating Facility Decommissioning Plan

1. Introduction

The Decommissioning Plan provides an overview of activities that will occur during the decommissioning phase of the Germantown Solar Project, the "Project," including activities related to the restoration of land and management of materials and waste.

The Project has an estimated useful lifetime of 40 years. This Decommissioning Plan assumes at the point it is no longer economical or prudent to continue operating, the Project will be dismantled, and the site restored to a state similar to its pre-construction condition.

Decommissioning activities include but are not limited to, disconnecting the Solar Facility from the electrical grid and removal of all components, including:

- Photovoltaic (PV) modules, panel racking, and supports
- Inverter units, transformers, and other electrical equipment
- Wiring cables, communications, and perimeter fence
- Concrete pads

The Decommissioning Plan is based on current best management practices and procedures. This Plan may be subject to revision based on new standards and best management practices at the time of decommissioning. Permits will be obtained as required and notification will be given to stakeholders prior to decommissioning.

Project Information

Address: To be assigned

County: Washington, Wisconsin

AHJ: Village of Germantown

Project Size: 6 MWac

2. Decommissioning Process

At the time of decommissioning, the installed components will be removed, reused, disposed, and recycled where possible. The site will be restored to a state similar to its pre-construction condition. All removal of equipment will be done in accordance with any applicable regulations and manufacturer recommendations. All applicable permits will be acquired before decommissioning activities begin.

Equipment Dismantling and Removal

Generally, the decommissioning of a Solar Project proceeds in the reverse order of the installation.

1. The Project will be disconnected from the utility power grid.
2. PV modules will be disconnected, collected, and disposed at an approved solar module recycler or reused/resold on the market. Although the PV modules will not be cutting edge technology at the time of decommissioning, they are expected to produce approximately 80% of the original electricity output at year 40 and offer value for many years.
3. All aboveground and underground electrical interconnection and distribution cables will be removed and disposed off-site at an approved facility.
4. Galvanized steel PV module support and racking system support posts will be removed and disposed off-site at an approved facility.
5. Electrical and electronic devices, including transformers and inverters will be removed and disposed off-site at an approved facility.
6. Concrete pads will be removed and disposed off-site at an approved facility.
7. Fencing will be removed and disposed off-site at an approved facility.

Environmental Effects

Decommissioning activities, particularly the removal of project components, could result in environmental effects similar to construction such as ground disturbance (erosion/sedimentation). Mitigation measures employed during the construction phase of the Project will be implemented. These will remain in place to mitigate erosion and silt/sediment runoff and prevent any impact to the natural features located adjacent to the site.

Road traffic will temporarily increase due to the movement of decommissioning crews and equipment. Work will be undertaken during daylight hours to conform to any applicable restrictions.

Site Restoration

Upon completion of the decommissioning phase, the site will be restored to a state similar to its pre-construction condition. Rehabilitated lands may be seeded with native seed mixes to help stabilize soil conditions, enhance soil structure, and increase soil fertility.

Managing Materials and Waste

During the decommissioning phase, a variety of excess materials and wastes (listed in the table below) will be generated. Most of the materials used in a Solar Project are reusable or recyclable and some equipment may have manufacturer take-back and recycling requirements. Any remaining materials will be removed and disposed of off site at an appropriate facility. Policies and procedures will be established to maximize recycling and reuse and project owners will work with manufacturers, local subcontractors, and waste firms to segregate material to be disposed of, recycled, or reused.

Solar module manufacturers are looking for ways to recycle and/or reuse solar modules when they have reached the end of their lifespan. OneEnergy works with The Retrofit Companies, Inc. (TRC) in Minnesota to recycle panels that are damaged during shipping or installation and intends to partner with TRC or another similar panel recycler to recycle any panels that require disposal in the future. Modules will be disposed in the best way possible using best management practices at the time of decommissioning.

Material / Waste	Means of Managing Excess Materials and Waste
PV Panels	If there is no possibility for reuse, the panels will either be returned to the manufacturer for appropriate disposal or will be transported to a recycling facility where the glass, metal, and semiconductor materials will be separated and recycled.
Mounting racks and supports	These steel and other metal materials will be disposed off-site at an approved facility
Transformer	The small amount of oil from the transformer will be removed on-site to reduce the potential for spills and will be transported to an approved facility for disposal. The transformers will be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards of the day.
Inverters	The metal components of the inverters will be disposed of or recycled, where possible. Remaining components will be disposed of in accordance with the standards of the day.

Concrete Pad	Concrete pads will be broken down and transported by a certified and licensed contractor to a recycling or approved disposal facility.
Cables and Wiring	All electrical wiring will be disconnected and disposed of at an approved facility, associated electronic equipment (isolation switches, fuses, metering) will either be returned to the manufacturer for recycling or disposed off-site in accordance with current standards and best practices.
Fencing	Fencing will be removed and recycled at a metal recycling facility.
Debris	Any remaining debris on the site will be separated into recyclables/residual wastes and will be transported from the site and managed as appropriate.

Decommissioning Notification

Decommissioning activities will require the notification of stakeholders given the nature of the works at the site. Twelve months prior to the start of decommissioning activities the list of stakeholders will be updated and notified. Federal, county, and local authorities will be notified as needed to discuss the potential approvals required to engage in decommissioning activities.

Approvals

Well-planned and well-managed renewable energy facilities are not expected to pose environmental risks at the time of decommissioning. Decommissioning of the Project will follow all standards of the day. Any required permits will be obtained prior to the start of any decommissioning activities.

This Decommissioning Report will be updated as necessary in the future to ensure that changes in technology and site restoration methods are taken into consideration.

Engineering Department Memorandum

To: **Jeff W. Retzlaff, AICP, Community Development Director**

From: **Kevin R. Driscoll, PE, Village Engineer**

Date: **September 25, 2024**

Re: **Site Plan Review – Solar GTNV_092979, GTNV_092994, GTNV_091986, GTNV_091987**

Items Reviewed:

1. Site Plan Review Application Dated: 9/13/2024

General Comments:

1. Please respond to each item below. **A written response addressing each item shall be included in your submittal**.
2. The submitted plans have been reviewed for general conformance with State and Village design guidelines identified in the Village Code of Ordinances, Section 17.43. Additional comments could arise as a result of the plan completion and modifications. The items listed below will need to be fully resolved before the Engineering Dept. can recommend a formal approval of the plans and permit for construction.
3. This project will require a WRAPP/NOI from the DNR. Please submit a copy of the approved permit prior to final approval.
4. As-builts prepared to Village standards shall be prepared and provided to the Village post-construction (for all applicable items).
5. A professional engineer's original seal is to be affixed, signed and dated on the final set of construction plans.
6. Permits for work within the ROW are required. Contact the Village Engineering Department to obtain a driveway permit and permit for excavation in the right of way.
7. As a guide to the review response: Items in *italics* are resolved or acknowledged, items in regular font are to be addressed yet, items in **Bold** are additional feedback to remaining original comment.

Storm Water Management

1. Sheet D-100 – Identify area of disturbance. Identify area of new impervious surface.
2. Provide storm water management plan, as identified in your site plan application addendum (page 7).
3. Provide a wetland delineation, or copies of any approved wetland exemptions.
4. Provide grading plan that avoids impacts to the floodplain. Clarify note "C.Flood Note" Note references falling into Zone X. Zone AE identified on mapped area.
5. Provide erosion control plan.

Road Plan

1. Complete a driveway permit and permit for excavation in the right of way.
2. Identify depth of proposed point of interconnection.
3. Provide plan at scale of 1:30 as listed in the attached checklist and per Village Code of Ordinance Section 17.43 (3).

To: Kevin Driscoll, Village Engineer

CC: Jeff Retzlaff Village Planner

From: Bob Beilfuss, PLS

Date: September 14, 2024

Re: Germantown Solar CSM

Kevin,

Here are my review comments for the CSM received from Anderson-Klosett/ Greenhills Contracting.

Kevin and Jeff,

Here are my review comments for the CSM received 9/13/2024.

Certified Survey Map

Applicant or Owner: Greenhills Contracting, Inc.
Land Surveyor/Firm: Mike Ratzburg, PLS – RA Smith

1. The Village Clerks name is Donna Ott. Please correct the Village Board approval certificate accordingly. Page 7 of 7.

2. The secretary of the Planning Commission is Deborah J. Remich. Please correct the Village Planning Commission approval certificate accordingly. Page 7 of 7.

3. In the Village Board Approval certificate on page 7 of 7, there are references to "the dedication of that part of Meeker Hills Lane and State Trunk Highway 175 for public road purposes". These two roads are not located in this Section and do not adjoin these properties. The road dedication should be for Rockfield Road.

4. Were there any wetlands located along the North Branch of the Menomonee River? The DNR Wetland Viewer does show wetlands along the North Branch and should be delineated, mapped and added to the CSM. The wetland setback should also be included and dimensioned. The wetlands should be dimensionally tied to both boundary lines on Lot 1 in a north-south direction from where those lines intersect the exterior boundary.

5. There were no professional seals and signatures of the professional land surveyor affixed to any of the 7 sheets of the document.

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 and signature of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

This includes the CADD file.

Any documents or digital files not submitted by the due date or contain outstanding technical review comments that have not be 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 2023 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

Sincerely,

Point Land Surveying & Mapping

Bob Beilfuss

Bob Beilfuss, P.L.S.
Principle

SITE PLAN APPLICATION
10/14/24 Plan Commission Meeting

Truck Country of Wisconsin Inc. / RA Steinman Legacy LLC

Village Staff Report & Recommendation ***Germantown, Wisconsin***

Summary

Truck Country of Wisconsin Inc., agent for RA Steinman Legacy LLC, property owner, is requesting approval of site development & building plans for a 37,700 sqft commercial truck sales & service facility on a 15.9 acre parcel located in the southeast corner of the Holy Hill Road @ I-41 interchange in the "Holy Hill Gateway District".

Property Location: N128 W21795 Holy Hill Road (behind Holy Hill Self Storage)

Agent/
Property Owner:

Jim Kane, VP McCoy Group/Truck Country 501 Bell Street Dubuque, IA	James Barry III, Agent RA Steinman Legacy LLC 1232 N Edison Street Milwaukee, WI

Current Zoning: B-5: Highway Business

Adjacent Land Uses		**Zoning**
North	Industrial/Highway Business	M-1/B-5
South	Industrial	M-1
East	Agricultural	A-1/A-2
West	Business (Richfield) & I-41	n/a

Background

In November 2023, Truck Country of Wisconsin Inc. and the property owner, RA Steinman Legacy LLC, were granted: (1) rezoning approval for the 15.9-acre property from the M-1: Limited Industrial to the B-5: Highway Business Zoning District; and (2) a Conditional Use Permit (CUP) to allow a 37,700 sqft "motor vehicle sales and service" facility with the following characteristics:

- Full Truck Sales/Service/Parts Freightliner Dealership
- 37,700 sqft commercial building
    - 16,000 sqft service area
    - 7,000 sqft office
    - 14,700 sqft parts warehouse
- 206 total parking stalls (130 truck display stalls)
- 8' high vinyl coated fence enclosure around entire site
- Operating M-F from 7 AM to 11 PM, Saturday from 7 AM to 4 PM, Closed on Sundays
- 45 Total Employees (2 shifts)
- Customer trucks parked pre & post service work; number will vary based on workload
- Dealership vehicles parked on the lot for parts delivery and off-site service

Truck Country is part of the McCoy Group, Inc., founded in 1958 by Robert McCoy in Shullsburg, WI. The company is family-owned and operated under the leadership of the McCoy family. Truck Country is one of the largest Freightliner dealership groups in the U.S. today, serving customers at locations in Iowa, Indiana, Illinois, Ohio, Michigan, and Wisconsin. Truck Country offers new and used medium and heavy-duty trucks, expert service, and an extensive parts inventory. Brands include Freightliner, Western Star, Autocar and Wabash. Truck Country is a full service dealership, providing repairs and parts for trucks and trailers, as well as a large selection of new and used semi-trailers from the top brands in the industry.https://www.truckcountry.com/

Truck Country is planning to relocate their existing facility from the Granville area business park on 107th Street in Milwaukee to this location.

Proposal

At this time, Truck Country is requesting approval of site development & building plans for a 37,700 sqft commercial truck sales & service facility on a 15.9 acre parcel located in the southeast corner of the Holy Hill Road @ I-41 interchange in the "Holy Hill Gateway District" with the following characteristics:

Site Improvements

- Raze (5) existing buildings totaling 48,300 sqft used by the former tenant, Kasten Marine, and remove existing rail siding (used when the property was used as a lumber storage yard);
- Construct one (1) new access driveway (paved w/ curb & gutter) south of the Holy Hill Storage parcel as the primary access to the facility and parking areas serving a total of 76 (9'x18) vehicle parking stalls (2 ADA stalls) and 130 truck-trailer

display/parking stalls (14'x36') with asphalt & concrete sidewalks, drive aisles and parking areas;
- Construct (1) on-site stormwater management basin in the SE corner of the site
- Install internal site landscaping & stormwater measures around the building, parking area and driveways;
- Install new water and sanitary sewer laterals to/through the property;
- Remove/decommission the existing gravel driveway on the north side of the Holy Hill Storage site (once site development & building construction is complete)
- Remove existing billboards in the SW corner of the site (pursuant to CUP requirement)

Building Improvements (see enclosed building elevation & floor plans)
- 37,700 sqft single-story commercial building
    - 16,000 sqft service area
    - 7,000 sqft office
    - 14,700 sqft parts warehouse
- Painted exterior insulated pre-cast concrete wall panels @ 30'8" & 27' wall height w/ white, gray & red color scheme
- Clear Low-E glazing & aluminum framing window system

Storm Water Management. A total of 276,764 sqft or 6.35 acres of impervious surfaces are proposed as part of the re-development or 40.1% of the total 15.9-acre site leaving 59.9% in open/green space. Storm sewer installed throughout the parking areas and driveways will convey storm water to one (1) on-site stormwater basin in the southeast corner of the property approximately .0 acres in size (surface area).

Water & Sanitary Sewer Utilities.
Water and sanitary sewer will be installed in the primary driveway to/from the proposed building to the future High Point Pass public roadway to be constructed along the east side of the property (see details under "Staff Comments" below).

Landscaping & Buffering. Landscaping is proposed around the perimeter of the site and parking areas, curbed medians, and on the north side of the building. Plantings include a variety of deciduous shade trees, ornamental trees, evergreen trees, deciduous and evergreen shrubs, perennial plantings and ornamental grasses. (see Sheet L-100 to L-102). No-mow grass will be planted around the perimeter, including in the areas subject of wetland filling (see details under "Staff Comments" below). The installation of street trees along the future High Point Pass will occur at the time High Point Pass is constructed.

Lighting. Proposed exterior lighting of the site and building includes:
- (10) 24 Lumen Watt 4000K color (bright white) LED cut-off wall pack building-mounted fixtures at a height of 12';
- (10) 6 Lumen Watt 4000K color (bright white) LED cut-off wall pack building-mounted fixtures at a height of 8';
- (4) 72 Lumen Watt 4000K color (bright white) LED cut-off wall pack building-mounted fixtures at a height of 16';

- (2) 28 Lumen Watt 4000K color (bright white) bollard fixtures at a height of 3.5' near the east building entrance along the east elevation;
- (31) 194 Lumen Watt 4000K color (bright white) LED cut-off style pole-mounted fixtures on a 25' pole and 3' base in the parking areas and site perimeter

Signage. A general depiction of potential wall signage is shown in the building renderings. However, the details of and approval for any code compliant wall or monument signage for the property have yet to be provided and will be covered under a separate sign permit reviewed and approved by the Plan Commission.

Staff Comments

2050 Comprehensive Plan

This property is in the "Holy Hill Gateway District" as designated in the Village's 2050 Comprehensive Plan. The current zoning is B-5: Highway Business. The property is also located within the Village's recently expanded Sanitary Sewer Service Area (SSSA) and capable of being served by existing public water and sanitary sewer laterals located in the Holy Hill Road right-of-way east of the soon-to-be improved Holy Hill Road @ High Point Pass intersection.

[NOTE: at one point water and sanitary sewer were going to be provided directly through the site when the alignment for the future water & sewer utility extensions into the Village of Richfield traversed the Truck Country property (the landscape plan sheets still show what once was proposed as a north-south utility easement through the property east of the building). At this time, the preferred alignment for the Richfield utility extensions in this vicinity is now located within the High Point Pass right-of-way east of the Truck Country property.]

Public Road Access

With respect to public road access, as was discussed in 2023, the Truck Country property does not have direct frontage onto a public right-of-way. Access is currently provided by way of an existing private driveway owned by and serving the Holy Hill Self Storage facility under the terms of a mutual access easement agreement. However, the problem with using the existing gravel driveway for the proposed development is that the intersection & driveway are located too close to the Holy Hill Road intersection with insufficient turning area to accommodate the expected volume and size of the trucks and trailers that will be entering & leaving the site. To overcome this problem, Truck Country has an agreement with Holy Hill Storage to acquire a 2-acre "outlot" within which the existing private driveway exists and, in turn, dedicate that outlot to the Village. As stipulated in a Development Agreement with the Village, the Village will construct a public road, a.k.a. "High Point Pass", from Holy Hill Road south to the railroad (and eventually to Freistadt Road if/when a railroad crossing is approved by WisDOT and the Office of the Commissioner of Railroads).

Remnants of the existing gravel driveway along the north side of the Holy Hill Self Storage parcel appear on the proposed site plans but will only be used for temporary access during site development & building construction purposes. Once site development and building construction are complete, the existing north driveway will be closed permanently and access to the Truck Country facility will be by way of a new driveway constructed to/from High Point Pass south of the Holy Hill Self Storage parcel. The design, construction, and partial right-of-way acquisition for High Point Pass roadway and Holy Hill road intersection improvements will be funded through Tax Incremental District (TID) No. 7. Additional right-of-way for High Point Pass along the east side of the planned frontage road and north of the railroad will be acquired through agreements with MLG Properties and the Milwaukee Metropolitan Sewerage District (MMSD).

The design & engineering for High Point Pass is underway and expected to be completed this fall 2024. Construction of the roadway and signalized intersection improvements @ Holy Hill Road (that will also serve the Green Bay packaging facility to the north) are expected to commence in early 2025 with completion by August 31, 2025. Completion is planned to coincide with the opening of the Truck Country facility pursuant to terms in the Truck Country Development Agreement. High Point Pass will be constructed as a median-divided, 4-lane roadway from Holy Hill Road south to the Truck Country driveway and will taper down to a 2-lane roadway in a 4-lane right-of-way all the way down to the railroad.

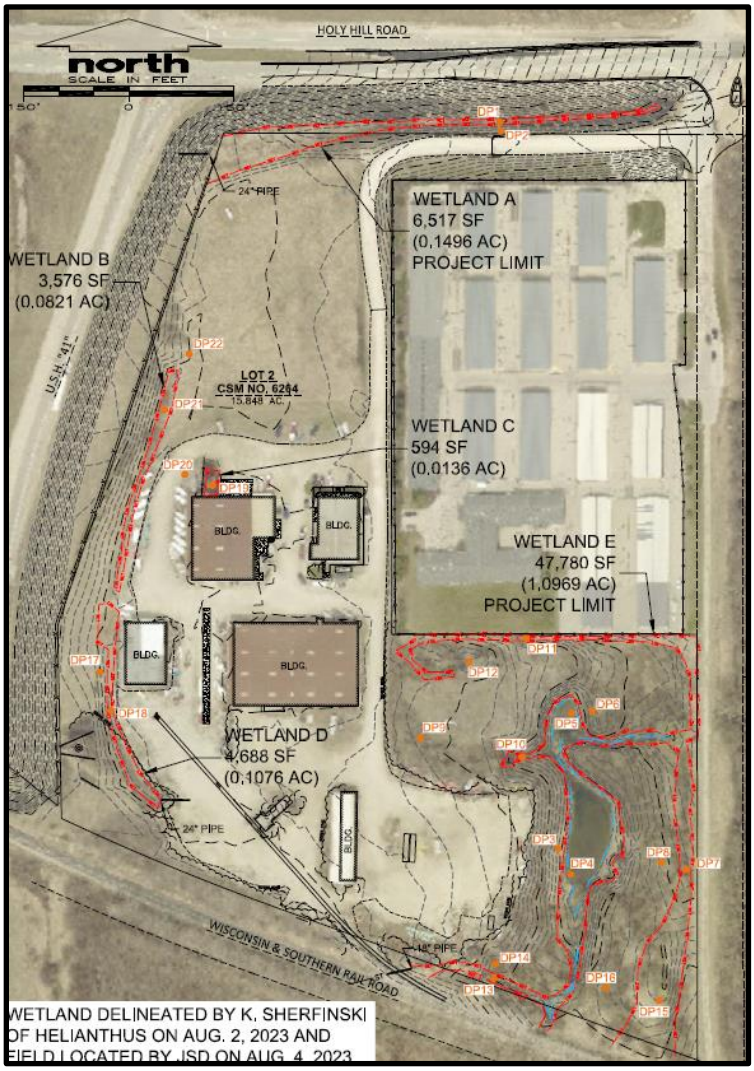
Water & Sanitary Sewer

With respect to water and sanitary sewer, given that the timeframe for extending utilities to the Village of Richfield has been delayed, the Village will be extending sanitary sewer and water laterals to the Truck Country site from the existing mains/laterals further east in the Holy Hill Road right-of-way. Water will be extended directly south from the Holy Hill Road @ High Point Pass intersection as the road is constructed and sanitary sewer will be extended from Holy Hill Road, westerly across the MLG Properties land to the Truck Country site. These utilities will be available to serve not only Truck Country, but future development on the MLG Properties and re-development of Holy Hill Self Storage.

Wetlands

The Truck Country site contains a number of wetland areas within the property, almost all of which have been determined by the DNR to be artificial and, therefore, not regulated or protected (see map inset below).

The one wetland area that has been determined to be natural and subject to regulation is located in the southeast portion of the site through which Truck Country proposes to install the new south driveway and storm water management basin.



Truck Country has submitted a Water & Wetland "General Permit" application to the DNR requesting permission to fill 6,378 sqft of wetland not deemed to be artificial. General Permits to fill wetlands are regularly issued by the DNR for isolated wetland fill areas less than 10,000 sqft without any requirement for compensation. DNR action on the Truck Country application is expected in the next 2-4 weeks.

At this time, any action to approve the Truck Country Site Plan application will need to be conditionally approved subject to the DNR approving the filling of 6,378 sqft of wetland as proposed and shown on the site plans. Except for demolition and/or early start permits for footings and foundations, no permits authorizing site improvement construction or building permits should be issued until the wetland fill issue has been resolved. In the event that the DNR does not approve the proposed wetland fill, in whole or in part, a revised set of site development & building plans may need to be reviewed and approved by the Plan Commission (or Village staff if only a minor site plan adjustment is needed).

<u>Public Works/Village Engineer</u>
Review comments from the Village Engineer contained in a December 12, 2023 memo were addressed in a response letter received from JSD Professional Services Inc., engineer for the Truck Country project. Approval of all site development plans shall be subject to final review by the Village Engineer and agreement with the responses and revised stormwater management plan, site grading plan, site utility plan, waste water utility plan, and other general responses contained in the September 26, 2024 response letter.

Village Forester
The Village Forester has reviewed the proposed landscape plans and has determined that the plans provide plant types, quantities, installation specifications, and tree preservation measures are sufficient.

Community Development: Inspection Services
State agency (DSPS) approved plans and a $20,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.

Fire & Police Departments
All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.

VILLAGE STAFF RECOMMENDATION

APPROVE the site development and building plans for Truck Country of Wisconsin Inc. for the development and operation of a 37,700 sqft commercial truck sales & service facility on a 15.9-acre parcel located at N128 W21795 Holy Hill Road in the southeast corner of the Holy Hill Road @ I-41 interchange subject to the following conditions:

1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following plans unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:
   a. *Architectural, Building & Elevation plans dated August 16, 2024*
   b. *Civil Engineering plans dated September 26, 2024*
   c. *Landscaping plans dated September 26, 2024*
   d. *Lighting plans (photometric plan) dated November 13, 2023*
   e. *Stormwater Management Plan September 26, 2024*

2. This approval is conditional and subject to the DNR approving the proposed filling of 6,378 sqft of wetland as shown on Sheet C-100. Except for demolition and/or early start permits for footings and foundations, no permits authorizing site improvement construction or building permits shall be issued until the wetland fill application has been approved. If the DNR does not approve the proposed wetland fill, in whole or only in part, a revised set of site development plans may need to be reviewed and approved by the Plan Commission (or Village staff if only minor site plan adjustments are required).

3. Consistent with Section 17.43(6) of the Zoning Code (Site Plan Requirements), the Village and Truck Country have entered into a

Development Agreement regarding the need for and timing of construction of certain public improvements, including roadway infrastructure, water, and sanitary sewer facilities, as well as, other Truck Country and Village obligations as set forth therein. This approval is conditional and subject to the execution and satisfactory performance of and compliance with the terms and requirements of said Development Agreement.

4. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs is reviewed and approved by the Village as deemed necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit for the shell building.

5. All exterior doors (except primary entrance) shall be clearly marked with reflective 5” or larger letters/numbers to aid emergency personnel access as required by the Police Department.

6. This approval is conditional and subject to final review and approval by the Village Engineer of the responses provided in the JSD Professional Services letter dated September 26, 2024 and the revised stormwater management plan, civil engineering plans, utility plans, and other general responses contained therein.

7. Truck Country shall coordinate with the Village of Germantown regarding the design and construction of High Point Pass and the new driveway intersection thereon serving the Truck Country facility and property. Site improvements related to the construction of High Point Pass not specifically addressed or included in the site plan set that will require coordination include the installation of street lighting and street trees along the public road frontage of High Point Pass pursuant to Section 17.43(5) of the Zoning Code and Village’s Comprehensive Tree Plan.

    a. Section 17.43(5) requires the installation of a minimum of thirteen (13) deciduous street trees along High Point Pass in an amount, type and and manner set forth in the Village’s Comprehensive Tree Plan and approved by the Village Forester in a supplemental landscaping plan submitted for review and approval prior to the issuance of occupancy for the Truck Country facility. As provided therein, Tuck Country may provide a payment in lieu of installing street trees in an amount deemed appropriate by the Village Forester and the Village Public Works & Highway Committee.

b. The proposed site plans do not include site lighting at the future driveway intersection @ High Point Pass. If desired, Truck Country shall coordinate the installation of a light fixture/pole at or near the driveway intersection as may be necessary to provide adequate and safe lighting with the Village prior to completion of the engineering design for High Point Pass by the Village.

8. State agency (DSPS) approved plans and a $20,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.

9. All temporary and permanent signs to be installed on the property shall obtain the necessary permits or approvals from the Village Plan Commission and/or Community development Department.

10. The exterior lighting poles and fixtures proposed to be installed in the parking areas and perimeter of the property are shown in the photometric plan at a mounting height of twenty-eight (28) feet. The Village's lighting guidelines require light fixtures to be mounted at a height not to exceed twenty-five (25) feet. The lighting photometric plan shall be revised to lower the fixture mounting height to not exceed twenty-five (25) feet.

11. The set of architectural plans does not include a roof plan indicating whether or not roof-mounted mechanicals will be installed. According to the architect for the project, the HVAC mechanicals have not yet been designed. If HVAC mechanical equipment is proposed to be mounted on the roof, screening for such equipment shall be installed. A roof plan showing the relative location, height, size, and screening for any roof mounted mechanical equipment, units, etc., shall be submitted to the Village Planner for review and approval prior to the issuance of building permits for the building.

Village of Germantown ...Willkommen

Fee must accompany application

- ☐ $700 Minor Addition
- ☐ $1,240 Construction <10,000 SF
- ☒ $2,095 Construction 10,000 SF to 50,000
- ☐ $3,460 Industrial Construction >50,000 SF
- ☐ $3,460 Commercial Construction >50,000
- ☐ $200 Plan Commission Consultation
- ☐ $125 Fire Department Plan Review

PAID_____ DATE_____

SITE PLAN REVIEW APPLICATION

Pursuant to Section 17.43 of the Municipal Code

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

1 APPLICANT OR AGENT

Truck Country of Wisconsin, Inc.
501 Bell Street
Suite #301
Dubuque, IA 52001
C/O Jim Kane

Phone (563)584-2626
E-Mail jimkane@mccoygroup.com

PROPERTY OWNER

RA Steinman Legancy LLC
C/O The Barry Company
1232 North Edison Street
C/O Jim Barry

Phone (414)271-1870
E-Mail

2 PROPERTY ADDRESS

N128 W21795 HIGHWAY 167, GERMANTOWN, WI

3 NEIGHBORING USES – Specify name and type of use. e.g. Enviro Tech – Industrial, Smith – Residential, etc.

North	South	East	West
Across Holy Hill Rd., A-1 agricultural use / B-5 Shell Gas station	M-1 Limited Industrial / agricultural use	M-1 Limited Industrial/Holy Hill self storage & A-1, agricultural	Interstate I-41

4 READ AND INITIAL THE FOLLOWING:

X I am aware of the Village of Germantown ordinance requiring fire sprinklers in most new construction.

X I understand that all new development is subject to Impact and/or Connection Fees that must be paid before building permits will be issued.

X I understand that an incomplete application will be withdrawn from the Plan Commission agenda and that all resubmissions to the Plan Commission are subject to a new application fee.

5 SIGNATURES – ALL APPLICATION MUST BE SIGNED BY OWNER!

11-10-23
Applicant Date

11-10-23
Owner Authorized Member Date

milwaukee : 333 E Chicago St | 414.271.5350
madison : 309 W Johnson St, Ste 202 | 608.442.5350
green bay : 124 N Broadway | 920.336.9929
denver : 1899 Wynkoop St, Ste 700 | 303.595.4500
atlanta : 1401 Peachtree St NE, Ste 300 | 404.596.8006

eua.com

November 14, 2023

Jeffrey Retzlaff
Community Development Director
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

Re: Design Narrative Proposed Truck Country at N128 W21795 Highway 167

Dear Mr. Retzlaff

The letter is to further detail our application for Site Plan Approval for the proposed development located at the current site known as Kasten Marine. The newly proposed development is for entire 15.9 acre site, and includes an approximately 37,700 SF building for Truck Country of Wisconsin. This location will service as a truck sales and service center, featuring of 16,000 SF of service bays plus +/- 7,000 SF of office and employee support area and approximately 15,000 SF of parts warehouse space.

The exterior materials are primarily painted precast concrete load wall system, with clear Low-E glazing and aluminum framing system. The color scheme is in keeping with Truck Country's branded colors with a primary field white with vertical accent of gray and cardinal red at the entry canopy.

Zoning
Separate from this submittal McCoy Group, the parent company of Truck Country has requested a change of zoning to B-5, currently M-1.

Business Operation
The proposed development is to support a Freightliner truck dealership sales, service, and parts sales. The hours of operation are planned to be 7 am to 11 pm Monday through Friday and 7 am to 4 pm on Saturday's and closed on Sundays. The total employee count is 45 over two shifts.
There are parking stalls for new and used for sale vehicles as well as before and after service. The dealership will also have parts delivery vehicles parked on site. The site will be enclosed with an 8' high vinyl coated chain mesh fence with powered sliding gates at both entrances.

The project team consists of:

Applicant:
Jim Kane, Vice President of Facilities
McCoy Group / Truck Country

Architect of Record:
Chris Johns, Senior Project Manager
EUA, Milwaukee Office

Civil Engineer:
Andrew Mertz, PE
JSD Professional Services

Storm Water Engineer:
Jared Simon, PE
JSD Professional Services

Landscape Architect:
Kevin Byrne, PLA
JSD Professional Services

The development team is excited to continue the progress for this development within the Village of Germantown.

Sincerely,

Chris Johns
Senior Project Manager : Associate
EUA

Truck Country - Plan Commission Updated Submittal

DRAWING INDEX

CIVIL
C-100 SITE DEMOLITION PLAN
C-101 SITE DIMENSION AND PAVEMENT ID PLAN
C-102 GRADING PLAN
C-103 SITE EROSION CONTROL PLAN
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C-200 SITE NOTES AND DETAILS
C-201 SITE NOTES AND DETAILS

LANDSCAPE
L-100 LANDSCAPE PLAN
L-101 LANDSCAPE PLAN NORTH
L-102 LANDSCAPE PLAN SOUTH
L-200 LANDSCAPE NOTES AND DETAILS

ARCHITECTURAL
AP101 FIRST FLOOR PLAN
AP102 EXTERIOR ELEVATIONS
AP103 EXTERIOR ELEVATIONS
AP104 EXTERIOR RENDERINGS

OWNER
MCCOY GROUP

501 Bell St. Suite #301
Dubuque, IA 52001
PHONE: (563) 584-2626
www.mccoygroup.com

PROJECT CONTACT: Jim Kane , Facilities
DIRECT PHONE: (319) 551-1797
EMAIL ADDRESS: jimkane@mccoygroup.com

ARCHITECTURAL
EPPSTEIN UHEN ARCHITECTS

333 East Chicago Street
Milwaukee, WI 53202
PHONE: (414) 271-5350
www.eua.com

PROJECT CONTACT: Chris Johns , Project Manager
DIRECT PHONE: (414) 291-8152
EMAIL ADDRESS: chrisj@eua.com

CIVIL/LANDSCAPE
JSD, Inc.

W238N1610 Busse Road, Suite 100
Waukesha, WI 53188
PHONE: (262) 513-0666
www.jsdinc.com

PROJECT CONTACT: Andrew Mertz , P.E.
DIRECT PHONE: (262) 933-4178
EMAIL ADDRESS: andrew.mertz@jsdinc.com

09/27/2024 **PROJECT NUMBER: 23351**

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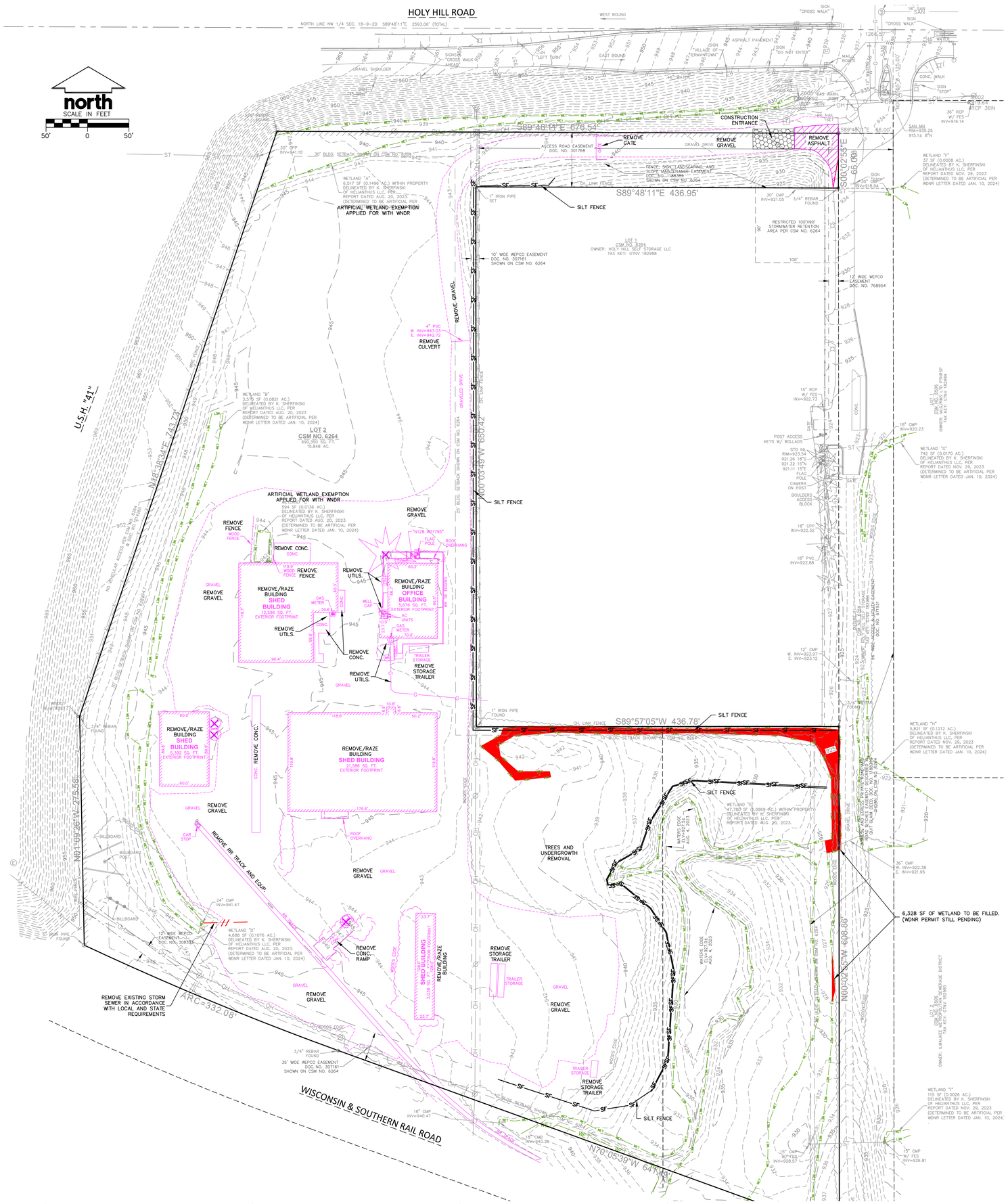

GENERAL NOTES

1. REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGENDS.
2. ALL WORK IN THE ROW AND/OR PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER & WATER CONSTRUCTION IN WISCONSIN AND MUNICIPAL REQUIREMENTS.
3. EXISTING GRADE SPOT ELEVATIONS SHOWN FOR INFORMATIONAL PURPOSES. DURING CONSTRUCTION MATCH EXISTING GRADES AT CONSTRUCTION LIMITS.
4. NO SITE GRADING OUTSIDE OR DOWNSLOPE OF PROPOSED SILT FENCE LOCATION. NO LAND DISTURBANCE BEYOND PROPERTY LINES.
5. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.

CONSTRUCTION SEQUENCING

1. INSTALL PERIMETER SILT FENCE, INLET PROTECTION AND TEMPORARY CONSTRUCTION ENTRANCE.
2. ROUGH GRADE TEMPORARY SEDIMENT TRAPS AND INSTALL OUTLETS.
3. STRIP AND STOCKPILE TOPSOIL, INSTALL SILT FENCE AROUND PERIMETER OF STOCKPILE.
4. CONDUCT ROUGH GRADING EFFORTS AND INSTALL CHECK DAMS WITHIN DRAINAGE DITCHES AS NEEDED.
5. CONSTRUCT BUILDING FOOTINGS.
6. INSTALL UTILITY PIPING AND STRUCTURES, IMMEDIATELY INSTALL INLET PROTECTION.
7. COMPLETE FINAL GRADING, INSTALLATION OF GRAVEL BASE COURSES, PLACEMENT OF CURBS, PAVEMENTS, WALKS, ETC.
8. PLACE TOPSOIL AND IMMEDIATELY STABILIZE DISTURBED AREAS WITH EROSION CONTROL MEASURES AS INDICATED ON PLANS.
9. REMOVE TEMPORARY SEDIMENT TRAPS AND FINAL GRADE AREA PER PLAN.
10. EROSION CONTROLS SHALL NOT BE REMOVED UNTIL SITE IS FULLY STABILIZED OR 70% VEGETATIVE COVER IS ESTABLISHED.

CONTRACTOR MAY MODIFY SEQUENCING AFTER ITEM NO. 1 AS NEEDED TO COMPLETE CONSTRUCTION IF EROSION CONTROLS ARE MAINTAINED IN ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.

DEMOLITION NOTES

1. THIS PLAN INDICATES ITEMS ON THE PROPERTY INTENDED FOR DEMOLITION BASED ON THE CURRENT SITE DESIGN THAT HAVE BEEN IDENTIFIED BY A REASONABLE OBSERVATION OF THE EXISTING CONDITIONS THROUGH FIELD SURVEY RECONNAISSANCE, "DIGGER'S HOTLINE" LOCATION, AND GENERAL "STANDARD OF CARE". THERE MAY BE ADDITIONAL ITEMS THAT CAN NOT BE IDENTIFIED BY A REASONABLE ABOVE GROUND OBSERVATION, OF WHICH THE ENGINEER WOULD HAVE NO KNOWLEDGE OR MAY BE A PART OF ANOTHER DESIGN DISCIPLINE. IT IS THE CONTRACTOR'S/BIDDER'S RESPONSIBILITY TO REVIEW THE PLANS, INSPECT THE SITE AND PROVIDE THEIR OWN DUE DILIGENCE TO INCLUDE IN THEIR BID WHAT ADDITIONAL ITEMS, IN THEIR OPINION, MAY BE NECESSARY FOR DEMOLITION. ANY ADDITIONAL ITEMS IDENTIFIED BY THE CONTRACTOR/BIDDER SHALL BE IDENTIFIED IN THE BID AND REPORTED TO THE ENGINEER OF RECORD. JSD TAKES NO RESPONSIBILITY FOR ITEMS ON THE PROPERTY THAT COULD NOT BE LOCATED BY A REASONABLE OBSERVATION OF THE PROPERTY OR OF WHICH THEY WOULD HAVE NO KNOWLEDGE.
2. ALL TREES WITHIN THE CONSTRUCTION LIMITS SHALL BE REMOVED UNLESS SPECIFICALLY CALLED OUT FOR PROTECTION. ALL TREES TO BE REMOVED SHALL BE REMOVED IN THEIR ENTIRETY AND STUMPS SHALL BE GROUND TO PROPOSED SUBGRADE.
3. ABANDONED/REMOVED ITEMS SHALL BE DISPOSED OF OFF SITE UNLESS OTHERWISE NOTED.
4. CONTRACTOR TO REPLACE ALL SIDEWALK AND CURB AND GUTTER ABUTTING THE PROPERTIES, WHICH IS DAMAGED BY THE CONSTRUCTION, OR ANY SIDEWALK AND CURB AND GUTTER THAT THE CITY ENGINEER DETERMINES NEEDS TO BE REPLACED BECAUSE IT IS NOT AT A DESIRABLE GRADE REGARDLESS OF WHETHER THE CONDITION EXISTED PRIOR TO BEGINNING CONSTRUCTION.
5. PRIOR TO CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR:
   - 5.1. EXAMINING ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
   - 5.2. VERIFYING UTILITY ELEVATIONS AND NOTIFYING ENGINEER OF ANY DISCREPANCIES. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCIES ARE RESOLVED.
   - 5.3. NOTIFYING ALL UTILITIES PRIOR TO THE REMOVAL OF ANY UNDERGROUND UTILITIES.
   - 5.4. NOTIFYING THE DESIGN ENGINEER AND LOCAL CONTROLLING MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION INSPECTION.
6. CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF THESE IMPROVEMENTS.
7. CONTRACTOR TO COORDINATE PRIVATE UTILITY REMOVAL / ABANDONMENT AND NECESSARY RELOCATION WITH RESPECTIVE UTILITY COMPANY. COORDINATION REQUIRED PRIOR TO CONSTRUCTION.
8. ALL DEMOLITION SHALL BE IN ACCORDANCE WITH THE APPROVED MUNICIPALITY RECYCLING PLAN.
9. ANY CONTAMINATED SOILS SHALL BE REMOVED IN ACCORDANCE WITH FEDERAL AND STATE REGULATIONS TO AN APPROVED LANDFILL.
10. ALL EXISTING UTILITIES TO BE FIELD LOCATED AND FLAGGED BY CONTRACTOR.
11. SEWER ABANDONMENT SHALL BE IN ACCORDANCE WITH SECTION 3.2.24, OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER CONSTRUCTION IN WISCONSIN, LATEST ADDITION, AND VILLAGE OF GERMANTOWN SPECIFICATIONS.
12. WATER ABANDONMENT SHALL BE IN ACCORDANCE WITH SECTION 4.14.0 OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER CONSTRUCTION IN WISCONSIN, LATEST ADDITION, AND VILLAGE OF GERMANTOWN SPECIFICATIONS.
13. ALL PERIMETER EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO THE START OF DEMOLITION ACTIVITIES. CONTRACTOR SHALL KEEP ALL STREETS AND PAVEMENT FREE AND CLEAR OF ALL CONSTRUCTION RELATED DIRT, DUST AND DEBRIS.
14. CONTRACTOR TO REMOVE EXISTING UTILITY PIPE OR PROVIDE PIPE BACK-FILLING AFTER REMOVAL OF EXISTING UTILITIES WITHIN BUILDING FOOTPRINT USING "LOW DENSITY CONCRETE/FLOWABLE FILL".
15. RESTORATION OF THE EXISTING ROADWAY RIGHT-OF-WAYS ARE CONSIDERED INCIDENTAL AND SHOULD BE PART OF THE COST OF THE UNDERGROUND IMPROVEMENTS, DEMOLITION AND REMOVAL. THIS INCLUDES CURB & GUTTER, SIDEWALK, TOPSOIL, SEEDING AND MULCHING.

LEGEND

SANITARY SEWER MANHOLE		SAN	SANITARY SEWER
STORM MANHOLE		W	WATER MAIN
CATCH BASIN ROUND		ST	STORM SEWER
CATCH BASIN SQUARE		RD	ROOF DRAIN
FIRE HYDRANT		G	UNDERGROUND GAS
WATER VALVE		E	UNDERGROUND ELECTRIC
GAS VALVE		T	UNDERGROUND TELEPHONE
LIGHT POLE		FIB	UNDERGROUND FIBER OPTICS
TELEPHONE PEDESTAL		OH	OVERHEAD UTILITY
ELECTRICAL MANHOLE		SF	SILT FENCE
SIGN			18" STANDARD CURB AND GUTTER
POWER POLE			18" HIGH SIDE CURB AND GUTTER
GUY WIRE			CONIFEROUS TREE
			DECIDUOUS TREE

SHEET INDEX

C-100	SITE DEMOLITION PLAN
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C-102	SITE GRADING PLAN
C-103	SITE EROSION CONTROL PLAN
C-104	SITE UTILITY PLAN
C-200	NOTES AND DETAILS
C-201	NOTES AND DETAILS

WISCONSIN JARED J. SIMON E-42111 PROFESSIONAL ENGINEER
09/26/2024

JSD
MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666
JSD PROJ. NO: 23-13460A
JSD PROJ. MGR.: APM

DIGGERS HOTLINE
Call 811 or (800) 242-8511
Milwaukee Area (262) 432-7910
Hearing Impaired TDD (800) 542-2289
www.DiggersHotline.com

eua
milwaukee | madison | green bay | denver | atlanta

PROJECT INFORMATION

TRUCK COUNTRY

N128W21795
Holy Hill Road
Village of Germantown
Washington Co., WI

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
05/17/24	Plan Commission Updated Submittal
08/15/24	Plan Commission Updated Submittal
09/26/24	DNR Submittal & City Resubmittal

KEY PLAN

SHEET INFORMATION

PROGRESS DOCUMENTS NOT FOR CONSTRUCTION

These documents reflect progress and intent and may be subject to change, including additional detail. These are not final construction documents and shall not be used for final bidding or construction-related purposes.

PROJECT MANAGER	CJ
PROJECT NUMBER	23351

SITE DEMOLITION PLAN

C-100

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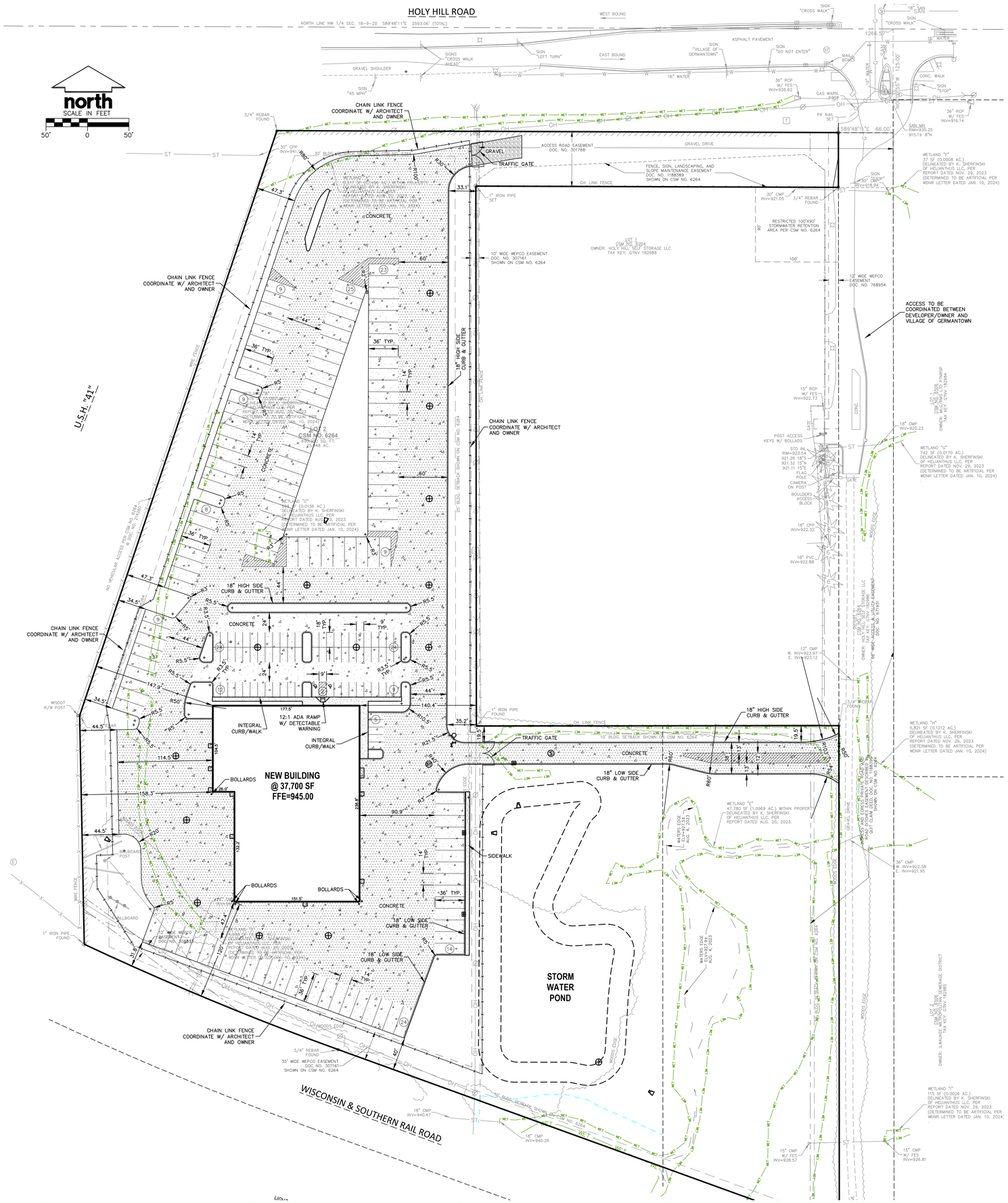

PAVING NOTES

1. GENERAL

1.1. ALL PAVING SHALL CONFORM TO "STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION", LATEST EDITION, APPLICABLE VILLAGE OF GERMANTOWN ORDINANCES AND RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER OF RECORD.

1.2. ALL PAVING DIMENSIONS ARE TO FACE OF CURB UNLESS SPECIFIED OTHERWISE.

1.3. SURFACE PREPARATION – NOTIFY ENGINEER/OWNER OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.

1.4. ANY REQUIRED REPLACEMENT OF PUBLIC CURB AND GUTTER SHALL MATCH EXISTING AND MEET MUNICIPALITY REQUIREMENTS.

2. CONCRETE PAVING SPECIFICATIONS

2.1. CONCRETE PAVING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 415 AND 416 OF THE STATE HIGHWAY SPECIFICATIONS.

2.2. CONCRETE PAVEMENT SHALL BE REINFORCED WITH NOVOMESH 950 (OR EQUAL) FIBER REINFORCEMENT AT A RATE OF 5 LBS/CUBIC YARD.

2.3. CURING COMPOUNDS SHALL CONFORM TO SECTION 415 OF THE STATE HIGHWAY SPECIFICATIONS.

2.4. CONTRACTOR SHALL PROVIDE CONTROL JOINTS AND CONSTRUCTION JOINTS OF ONE-QUARTER CONCRETE THICKNESS AT AN EQUAL RATIO OF LENGTH TO WIDTH WHEREVER POSSIBLE WITH A MAXIMUM LENGTH BETWEEN JOINTS OF 8' ON CENTER.

2.5. CONTRACTOR SHALL PROVIDE EXPANSION JOINTS IN SIDEWALKS AT A MAXIMUM 24' ON CENTER.

2.6. EXTERIOR CONCRETE SURFACES SHALL BE BROOM FINISHED.

2.7. ALL CONCRETE SURFACES TO BE SEALED WITH TYPE TK-26UV CONCRETE SEALANT.

3. PAVEMENT MARKING SPECIFICATIONS

3.1. USE 4" WIDE, HIGH VISIBILITY YELLOW LATEX PAINT FOR STALL LINES.

3.2. MARK AND STRIPE ADA PARKING SPACES APPROPRIATELY.

3.3. 2' x 4' TRUNCATED DOME WARNING DETECTION FIELD SHALL BE PLACED AT ALL ADA RAMPS.

PAVING THICKNESS NOTES

**** FINAL PAVEMENT DESIGN TO BE DETERMINED BY OWNER BASED ON GEOTECHNICAL ENGINEER OF RECORD RECOMMENDATIONS. ALL PAVING SHALL BE PERFORMED IN ACCORDANCE WITH THE GEOTECHNICAL ENGINEER OF RECORDS RECOMMENDATIONS AS SPECIFIED IN THE SAID GEOTECHNICAL REPORT.**

MINIMUM PAVEMENT STRUCTURE

CONCRETE PAVEMENT (TRUCK DOCK, MAIN DRIVE, APRON DRIVE-IN ENTRANCE, TRASH PAD)
8" CONCRETE W/ MESH REINFORCEMENT
6" CRUSHED AGGREGATE BASE COURSE (1-1/4" DENSE GRADED LIMESTONE)
CLEAN RECYCLED CRUSHED CONCRETE MAY BE USED IF APPROVED BY GEOTECH ENGINEER OF RECORD.

CONCRETE PAVEMENT (CAR PARKING)
6" CONCRETE W/ MESH REINFORCEMENT
6" CRUSHED AGGREGATE BASE COURSE (1-1/4" DENSE GRADED LIMESTONE)
CLEAN RECYCLED CRUSHED CONCRETE MAY BE USED IF APPROVED BY GEOTECH ENGINEER OF RECORD.

CONCRETE SIDEWALK AND STOOPS
5" CONCRETE
6" CRUSHED AGGREGATE BASE COURSE
CLEAN RECYCLED CRUSHED CONCRETE MAY BE USED IF APPROVED BY GEOTECH ENGINEER OF RECORD.

LEGEND

	SANITARY SEWER MANHOLE	SAN	SANITARY SEWER
	STORM MANHOLE	W	WATER MAIN
	CATCH BASIN ROUND	ST	STORM SEWER
	CATCH BASIN SQUARE	RD	ROOF DRAIN
	FIRE HYDRANT	G	UNDERGROUND GAS
	WATER VALVE	E	UNDERGROUND ELECTRIC
	GAS VALVE	T	UNDERGROUND TELEPHONE
	LIGHT POLE	FIB	UNDERGROUND FIBER OPTICS
	TELEPHONE PEDESTAL	OH	OVERHEAD UTILITY
	ELECTRICAL MANHOLE	SF	SILT FENCE
	SIGN		18" STANDARD CURB AND GUTTER
	POWER POLE		18" HIGH SIDE CURB AND GUTTER
	GUY WIRE		CONIFEROUS TREE
			DECIDUOUS TREE
			SANITARY SEWER MANHOLE
			WATER VALVE
			HYDRANT

PROPERTY IS ZONED M-1, LIMITED INDUSTRIAL DISTRICT, PER VILLAGE OF GERMANTOWN ZONING MAP. PER VILLAGE CODE PROPERTY HAS THE FOLLOWING BUILDING SETBACKS:

FRONT SETBACK: 30 FEET
SIDE SETBACK: 10 FEET
REAR SETBACK: 25 FEET

PRE-DEVELOPMENT (PROPERTY LIMIT*):

PERVIOUS – 413,586 SF (59.9% GREEN SPACE)

IMPERVIOUS – 276,764 SF (40.1% IMPERVIOUS)

POST-DEVELOPMENT (PROPERTY LIMIT*):

PERVIOUS – 369,150 SF (53.5% GREEN SPACE)

IMPERVIOUS – 321,200 SF (38,600 SF BUILDING) (46.5% IMPERVIOUS)
74 STANDARD PARKING STALLS
2 ADA ACCESSIBLE STALLS
130 TRUCK DISPLAY STALLS
PROJECT DISTURBANCE AREA: ~546,260 SF (12.5 AC.)

*LOT 4 OF CSM NO. 6264 (PROPERTY AREA 15.8 AC.)

JSD
MILWAUKEE REGIONAL OFFICE
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PROJECT INFORMATION

TRUCK COUNTRY

N128W21795
Holy Hill Road
Village of Germantown
Washington Co., WI

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
05/17/24	Plan Commission Updated Submittal
08/15/24	Plan Commission Updated Submittal
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KEY PLAN

SHEET INFORMATION

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PROJECT MANAGER	CJ
PROJECT NUMBER	23351

SITE DIMENSION AND PAVEMENT ID PLAN

C-101

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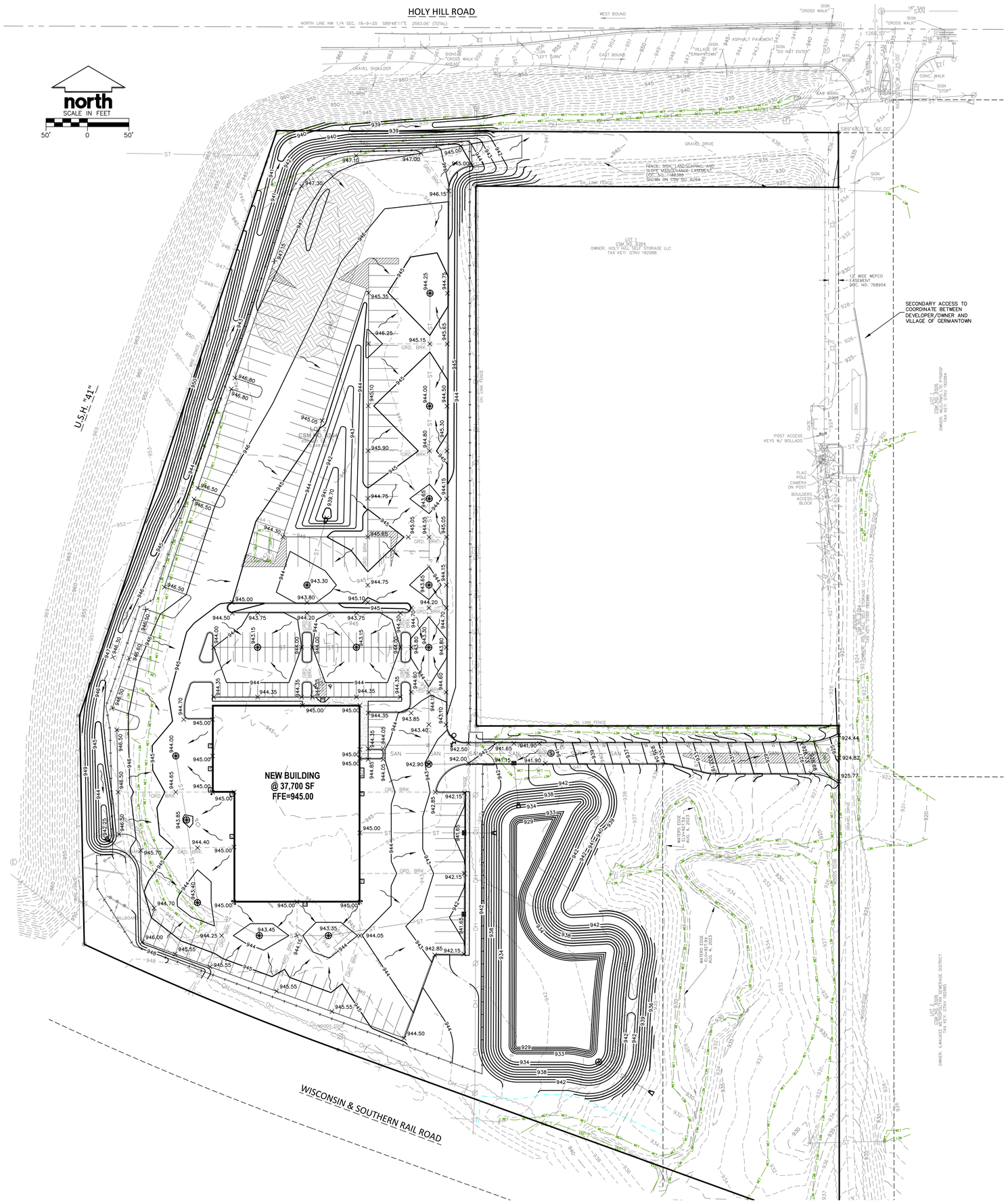

GRADING AND SEEDING NOTES

1. ALL PROPOSED GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL VERIFY ALL GRADES, MAKE SURE ALL AREAS DRAIN PROPERLY AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR COMPUTATIONS OF ALL GRADING QUANTITIES. WHILE JSD PROFESSIONAL SERVICES, INC. ATTEMPTS TO PROVIDE A COST EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARDS OF CARE. THEREFORE, NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.
3. PARKING LOT AND DRIVEWAY ELEVATIONS ARE PAVEMENT GRADES, NOT TOP OF CURB GRADES, UNLESS OTHERWISE NOTED.
4. ANY WORK WITHIN RIGHT-OF-WAY SHALL BE PROPERLY PERMITTED AND COORDINATED WITH THE APPROPRIATE OFFICIALS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. ALL GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY SAID OFFICIALS.
5. CONTRACTOR SHALL PROVIDE NOTICE TO THE MUNICIPALITY IN ADVANCE OF ANY SOIL DISTURBING ACTIVITIES, IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS.
6. ALL DISTURBED AREAS SHALL BE SODDED AND/OR SEEDED AND MULCHED IMMEDIATELY FOLLOWING GRADING ACTIVITIES. SOD/SEED MIX TO BE IN ACCORDANCE WITH LANDSCAPE PLAN.
7. CONTRACTOR SHALL WATER ALL NEWLY SODDED/SEEDED AREAS DURING THE SUMMER MONTHS WHENEVER THERE IS A 7 DAY LAPSE WITH NO SIGNIFICANT RAINFALL.
8. CONTRACTOR TO DEEP TILL ALL COMPACTED PERVIOUS SURFACES PRIOR TO SODDING AND/OR SEEDING AND MULCHING.
9. ALL SLOPES 20% OR GREATER SHALL BE TEMPORARY SEEDED, MULCHED, OR OTHER MEANS OF COVER PLACED ON THEM WITHIN 2 WEEKS OF DISTURBANCE.
10. ALL EXPOSED SOIL AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE OR ON WHICH LAND DISTURBING ACTIVITIES WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 14 DAYS AND REQUIRE VEGETATIVE COVER FOR LESS THAN 1 YEAR, REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1059 AND VILLAGE OF GERMANTOWN ORDINANCE.

LEGEND

	SANITARY SEWER MANHOLE	SAN	SANITARY SEWER
	STORM MANHOLE	W	WATER MAIN
	CATCH BASIN ROUND	ST	STORM SEWER
	CATCH BASIN SQUARE	RD	ROOF DRAIN
	FIRE HYDRANT	G	UNDERGROUND GAS
	WATER VALVE	E	UNDERGROUND ELECTRIC
	GAS VALVE	T	UNDERGROUND TELEPHONE
	LIGHT POLE	FIB	UNDERGROUND FIBER OPTICS
	TELEPHONE PEDESTAL	OH	OVERHEAD UTILITY
	ELECTRICAL MANHOLE	SF	SILT FENCE
	SIGN		18" STANDARD CURB AND GUTTER
	POWER POLE		18" HIGH SIDE CURB AND GUTTER
	GUY WIRE		CONIFEROUS TREE
			DECIDUOUS TREE
			SANITARY SEWER MANHOLE
			WATER VALVE
			HYDRANT

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SITE GRADING PLAN

C-102

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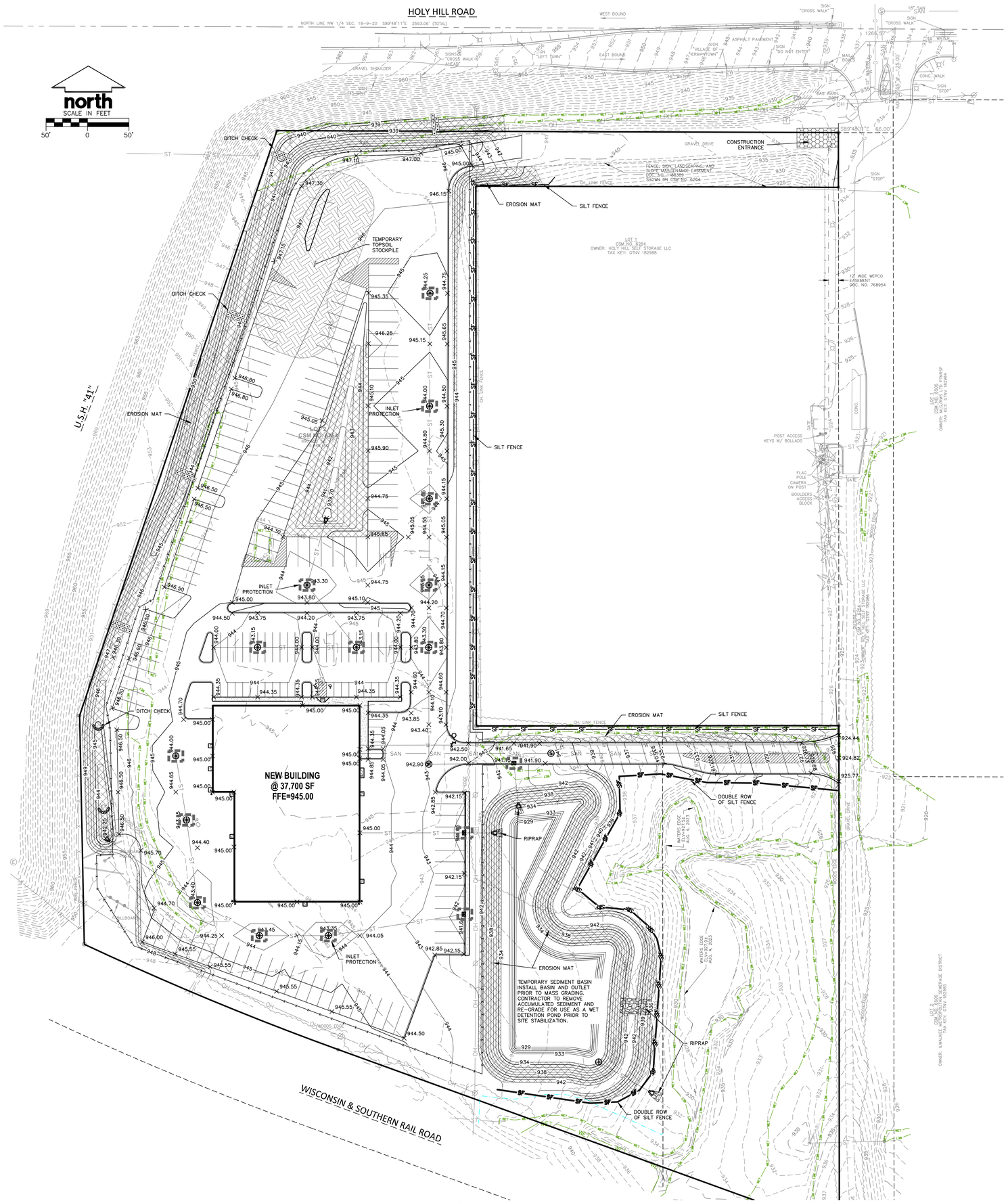

EROSION CONTROL NOTES

1. CONTRACTOR IS RESPONSIBLE TO NOTIFY ENGINEER OF RECORD AND OFFICIALS OF ANY CHANGES TO THE EROSION CONTROL PLAN. ENGINEER OF RECORD AND APPROPRIATE VILLAGE OF GERMANTOWN OFFICIALS MUST APPROVE ANY CHANGES PRIOR TO DEVIATION FROM THE APPROVED PLANS.

2. INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN.

3. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED BY THE CONTRACTOR IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARDS (REFERRED TO AS BMP'S) AND VILLAGE OF GERMANTOWN ORDINANCE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN A COPY OF THESE STANDARDS. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY MODIFICATIONS OR ADDITIONAL EROSION CONTROL MEASURES WHICH MAY BE NECESSARY TO MEET UNFORESEEN FIELD CONDITIONS. MODIFICATIONS TO THE APPROVED EROSION CONTROL DESIGN IS ALLOWED IF MODIFICATIONS CONFORM TO BMP'S. ALL DESIGN MODIFICATIONS MUST BE APPROVED BY THE VILLAGE OF GERMANTOWN PRIOR TO DEVIATION OF THE APPROVED PLAN.

4. ADDITIONAL EROSION CONTROL MEASURES, AS REQUESTED BY STATE INSPECTORS, LOCAL INSPECTORS, COUNTY INSPECTORS AND/OR ENGINEER OF RECORD SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.

5. INSPECTIONS AND MAINTENANCE OF ALL EROSION CONTROL MEASURES SHALL BE ROUTINE (ONCE PER WEEK MINIMUM) TO ENSURE PROPER FUNCTION OF EROSION CONTROLS AT ALL TIMES. EROSION CONTROL MEASURES ARE TO BE IN WORKING ORDER AT THE END OF EACH WORK DAY.

6. ALL EROSION AND SEDIMENT CONTROL ITEMS SHALL BE INSPECTED WITHIN 24 HOURS OF ALL RAIN EVENTS EXCEEDING 0.5 INCHES. ANY DAMAGED EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED IMMEDIATELY UPON INSPECTION.

7. CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. ADDITIONAL LOCATIONS OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE MUNICIPALITY. CONSTRUCTION ENTRANCES SHALL BE 50' LONG AND NO LESS THAN 12" THICK BY USE OF 3" CLEAR STONE. CONSTRUCTION ENTRANCES SHALL BE MAINTAINED BY THE CONTRACTOR IN A CONDITION WHICH WILL PREVENT THE TRACKING OF MUD OR DRY SEDIMENT ONTO ADJACENT PUBLIC STREETS AFTER EACH WORKING DAY OR MORE FREQUENTLY AS REQUIRED.

8. PAVED SURFACES ADJACENT TO CONSTRUCTION SITE VEHICLE ACCESS SHALL BE SWEPT AND/OR SCRAPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST AFTER THE END OF EACH WORK DAY AND AS REQUESTED BY THE VILLAGE OF GERMANTOWN.

9. INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS.

10. INSTALL EROSION CONTROLS ON THE DOWNSTREAM SIDE OF STOCKPILES. IF STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES IS REQUIRED. IF DISTURBANCE OCCURS BETWEEN NOVEMBER 15TH AND MAY 15TH, THE MULCHING SHALL BE PERFORMED BY HYDRO-MULCHING WITH A "TACKIFIER."

11. DITCH CHECKS AND APPLICABLE EROSION NETTING/MATTING SHALL BE INSTALLED IMMEDIATELY AFTER COMPLETION OF GRADING EFFORTS WITHIN DITCHES/SWALES TO PREVENT SOIL TRANSPORTATION.

12. EROSION CONTROL FOR UTILITY CONSTRUCTION (STORM SEWER, SANITARY SEWER, WATER MAIN, ETC.):
    - A. PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
    - B. BACKFILL, COMPACT, AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
    - C. DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH THE DEWATERING TECHNICAL STANDARD NO. 1061 PRIOR TO RELEASE INTO THE STORM SEWER, RECEIVING STREAM, OR DRAINAGE DITCH.

13. ALL SLOPES 4:1 OR GREATER SHALL BE STABILIZED WITH CLASS I, TYPE B EROSION MATTING OR APPLICATION OF A WISCONSIN DEPARTMENT OF TRANSPORTATION (WisDOT) APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED WITHIN 7 DAYS OF REACHING FINAL GRADE AND/OR AS SOON AS CONDITIONS ALLOW. DRAINAGE SWALES SHALL BE STABILIZED WITH CLASS II, TYPE B EROSION MATTING. EROSION MATTING AND/OR NETTING USED ONSITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES AND WDNR TECHNICAL STANDARDS 1052 AND 1053.

14. CONTRACTOR SHALL TAKE ALL NECESSARY STEPS TO CONTROL DUST ARISING FROM CONSTRUCTION OPERATIONS. REFER TO WDNR TECHNICAL STANDARD 1068.

15. EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL ALL LAND DISTURBING CONSTRUCTION ACTIVITY AT THE SITE HAS BEEN COMPLETED AND THAT A UNIFORM PERENNIAL VEGETATIVE COVER HAS BEEN ESTABLISHED WITH A DENSITY OF AT LEAST 70% FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES OR THAT EMPLOY EQUIVALENT PERMANENT STABILIZATION MEASURES.

16. AREAS USED FOR TEMPORARY SEDIMENT BASINS SHALL BE REMOVED IN THEIR ENTIRETY AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN FULLY STABILIZED OR 70% VEGETATIVE COVER IS ESTABLISHED.

17. CONTRACTOR/OWNER SHALL FILE A NOTICE OF TERMINATION UPON COMPLETION OF THE PROJECT IN ACCORDANCE WITH WDNR REQUIREMENTS AND/OR PROPERTY SALE IN ACCORDANCE WITH WDNR REQUIREMENTS.

18. STABILIZATION PRACTICES:

    18.1. STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, NO MORE THAN SEVEN (7) DAYS SHALL PASS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS CEASED UNLESS:

    18.2. THE INITIATION STABILIZATION MEASURES BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS CEASED IS PRECLUDED BY SNOW COVER. IN THAT EVENT, STABILIZATION SHALL BE INITIATED AS SOON AS PRACTICABLE.

    18.3. CONSTRUCTION ACTIVITY WILL RESUME ON A PORTION OF THE SITE WITHIN FOURTEEN (14) DAYS FROM WHEN ACTIVITY CEASED, (I.E. THE TOTAL TIME PERIOD THAT THE CONSTRUCTION ACTIVITY IS TEMPORARILY CEASED IS LESS THAN FOURTEEN (14) DAYS. IN THAT EVENT, STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED.

    18.4. STABILIZATION MEASURES SHALL BE DETERMINED BASED ON SITE CONDITIONS AT THE TIME OF CONSTRUCTION ACTIVITY HAS CEASED, INCLUDING BUT NOT LIMITED TO WEATHER CONDITIONS AND LENGTH OF TIME MEASURE MUST BE EFFECTIVE. THE FOLLOWING ARE ACCEPTABLE STABILIZATION MEASURES:
    - PERMANENT SEEDING; IN ACCORDANCE WITH APPROVED CONSTRUCTION SPECIFICATION
    - TEMPORARY SEEDING; MAY CONSIST OF SPRING OATS(100LBS/ACRE) AND/OR WHEAT OR CEREAL RYE (150LB/ACRE)
    - HYDRO-MULCHING WITH A TACKIFIER
    - GEOTEXTILE EROSION MATTING
    - SODDING

LEGEND

	SANITARY SEWER MANHOLE	SAN	SANITARY SEWER
	STORM MANHOLE	W	WATER MAIN
	CATCH BASIN ROUND	ST	STORM SEWER
	CATCH BASIN SQUARE	RD	ROOF DRAIN
	FIRE HYDRANT	G	UNDERGROUND GAS
	WATER VALVE	E	UNDERGROUND ELECTRIC
	GAS VALVE	T	UNDERGROUND TELEPHONE
	LIGHT POLE	FIB	UNDERGROUND FIBER OPTICS
	TELEPHONE PEDESTAL	OH	OVERHEAD UTILITY
	ELECTRICAL MANHOLE	SF	SILT FENCE
	SIGN		18" STANDARD CURB AND GUTTER
	POWER POLE		18" HIGH SIDE CURB AND GUTTER
	GUY WIRE		CONIFEROUS TREE
			DECIDUOUS TREE
			SANITARY SEWER MANHOLE
			WATER VALVE
			HYDRANT

SEDIMENT BASIN SIZING

BASIN SURFACE AREA	41,011 S.F.
PARTICLE SETTLING VELOCITY (SOIL CLASS 2)	0.000073 FPS
ALLOWABLE 1-YR STORM EVENT DISCHARGE RATE	2.49 CFS
ACTUAL 1-YR STORM EVENT DISCHARGE RATE	1.10 CFS

NOTES:

1. CONSTRUCT TEMPORARY SEDIMENT BASIN IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1064.
2. OUTLET STRUCTURE SHALL BE CONSTRUCTED AS SHOWN ON DETENTION POND OUTLET DETAIL.
3. PRIOR TO FINAL SITE STABILIZATION, SEDIMENT BASIN SHALL BE DREDGED AND RE-GRADED TO ESTABLISH FINISHED WET DETENTION POND GRADES AS SHOWN.

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SITE EROSION CONTROL PLAN

C-103

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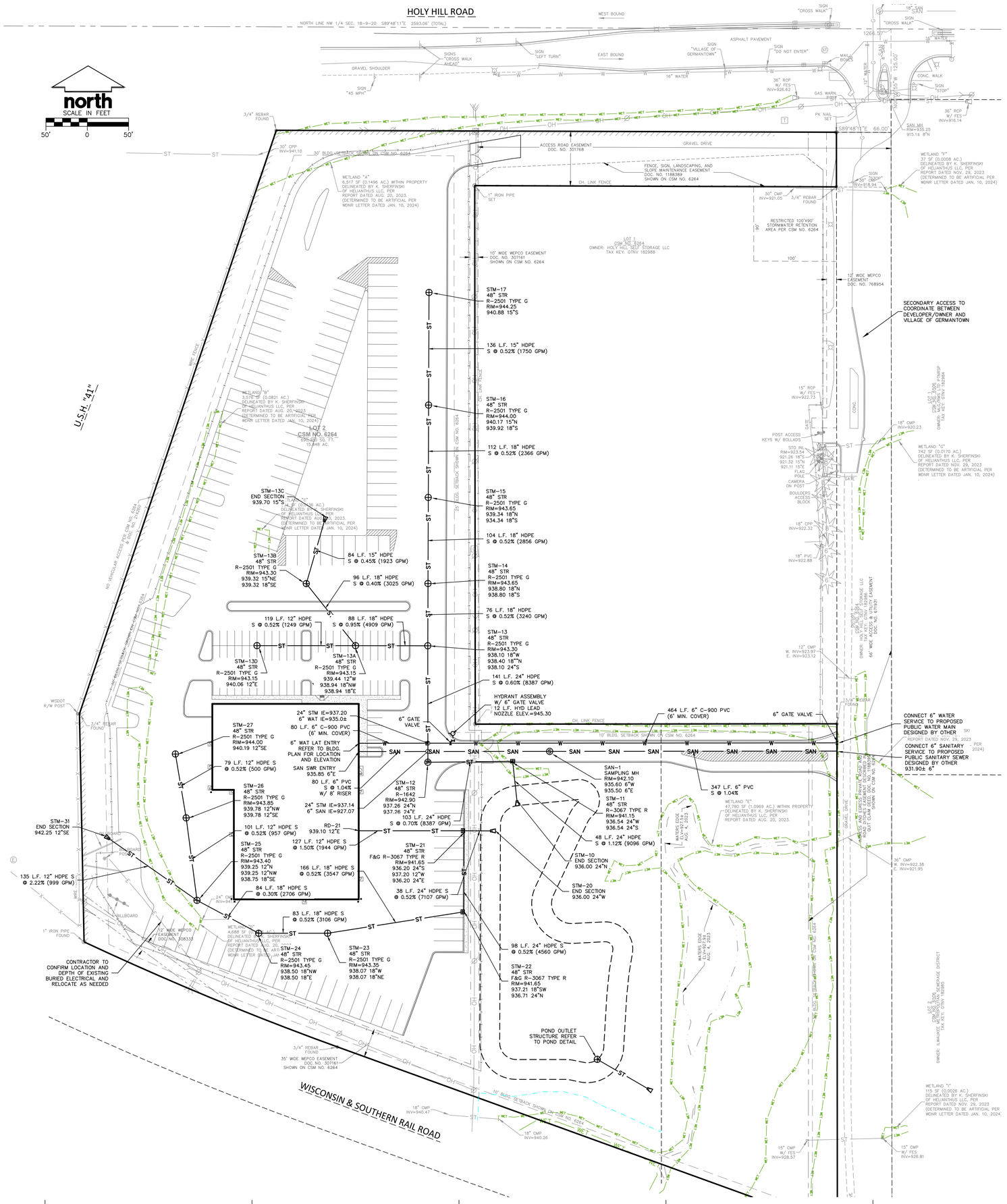

UTILITY NOTES

1. ALL EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATIONS OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. CONTRACTOR/OWNER SHALL CALL "DIGGER'S HOTLINE" PRIOR TO ANY CONSTRUCTION.

2. PRIOR TO CONSTRUCTION, THE PRIME CONTRACTOR IS RESPONSIBLE FOR:
   - EXAMINING ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
   - OBTAINING ALL PERMITS INCLUDING PERMIT COSTS, TAP FEES, METER DEPOSITS, BONDS, AND ALL OTHER FEES REQUIRED FOR PROPOSED WORK TO OBTAIN OCCUPANCY.
   - VERIFYING ALL ELEVATIONS, LOCATIONS AND SIZES OF SANITARY, WATER AND STORM LATERALS AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS. NOTIFY ENGINEER OF ANY DISCREPANCY. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS RESOLVED.
   - NOTIFYING ALL UTILITIES PRIOR TO INSTALLATION OF ANY UNDERGROUND IMPROVEMENTS.
   - NOTIFYING THE DESIGN ENGINEER AND MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION OBSERVATION.
   - COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.

3. ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN – AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTORS RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.

4. SPECIFICATIONS SHALL COMPLY WITH THE VILLAGE OF GERMANTOWN SPECIAL PROVISIONS.

5. LENGTHS OF ALL UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS SHALL BE VERIFIED IN THE FIELD DURING CONSTRUCTION.

6. CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVER NIGHT AS REQUIRED IN CONSTRUCTION SITES WHERE THE POTENTIAL FOR PEDESTRIAN INJURY EXISTS.

7. CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.

8. THE PRIME CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.

9. ANY UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.

10. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE ENGINEER WITH AS–BUILT CONDITIONS OF THE DESIGNATED IMPROVEMENTS IN ORDER THAT THE APPROPRIATE DRAWINGS CAN BE PREPARED, IF REQUIRED. ANY CHANGES TO THE DRAWINGS OR ADDITIONAL ITEMS MUST BE REPORTED TO THE ENGINEER AS WORK PROGRESSES.

11. STORM SEWER SPECIFICATIONS –

    PIPE – HIGH DENSITY DUAL–WALL POLYETHYLENE CORRUGATED PIPE SHALL BE AS MANUFACTURED BY ADS OR EQUAL WITH WATER TIGHT JOINTS, AND SHALL MEET THE REQUIREMENTS OF AASHTO DESIGNATION M–294 TYPE "S".

    INLETS – INLETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH FILE. NO. 28 OF THE "STANDARD SPECIFICATIONS", OR APPROVED EQUAL WITH A 1'–8" X 2'–6" MAXIMUM OPENING. FRAME & GRATE SHALL BE NEENAH R–2501 WITH TYPE G GRATE, OR EQUAL. INLETS LOCATED IN LANDSCAPED AREAS SHALL USE NEENAH R–2501–G BEEHIVE FRAME & GRATE, OR EQUAL. CURB FRAME & GRATE SHALL BE NEENAH R–3067 WITH TYPE R GRATE, OR EQUAL.

    MANHOLE FRAMES AND COVERS – MANHOLE FRAMES AND COVERS SHALL BE NEENAH R–1642 WITH TYPE "B" SELF SEALING LIDS, NON–ROCKING OR EQUAL.

    BACKFILL AND BEDDING – STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BACKFILL AND CLASS "B" BEDDING IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS".

    FIELD TILE CONNECTION – ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION SHALL BE INCLUDED IN THE UNIT PRICE(S) FOR STORM SEWER. TILE LINES CROSSED BY THE TRENCH SHALL BE REPLACED WITH THE SAME MATERIAL AS THE STORM SEWER.

12. WATER MAIN SPECIFICATIONS –

    PIPE – POLYVINYL CHLORIDE (PVC) PIPE SHALL MEET THE REQUIREMENTS OF AWWA STANDARD C–900, CLASS 150, DR–18, WITH CAST IRON O.D. AND INTEGRAL ELASTOMERIC BELL AND SPIGOT JOINTS. NON–METALLIC WATER MAINS SHALL BE INSTALLED WITH BLUE INSULATION TRACER WIRE AND CONFORM WITH SPS 382.30(11)(h).

    VALVES AND VALVE BOXES – GATE VALVES SHALL BE AWWA GATE VALVES MEETING THE REQUIREMENTS OF AWWA C–500 AND CHAPTER 8.27.0 OF THE "STANDARD SPECIFICATIONS". GATE VALVES AND VALVE BOXES SHALL CONFORM TO LOCAL PLUMBING ORDINANCES.

    BEDDING AND COVER MATERIAL – PIPE BEDDING AND COVER MATERIAL SHALL BE SAND, CRUSHED STONE CHIPS OR CRUSHED STONE SCREENINGS CONFORMING TO CHAPTER 8.43.2 OF THE "STANDARD SPECIFICATIONS".

    BACKFILL – BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE WITH CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS". GRAVEL BACKFILL IS REQUIRED IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS".

13. SANITARY SEWER SPECIFICATIONS –

    PIPE – SANITARY SEWER PIPE MATERIAL SHALL BE POLYVINYL CHLORIDE (PVC) MEETING REQUIREMENTS OF ASTM D 3034, SDR–35, WITH INTEGRAL BELL TYPE FLEXIBLE ELASTOMERIC JOINTS, MEETING THE REQUIREMENTS OF ASTM D–3212.

    BEDDING AND COVER MATERIAL – BEDDING AND COVER MATERIAL SHALL CONFORM TO THE APPROPRIATE SECTIONS OF THE "STANDARD SPECIFICATION" WITH THE FOLLOWING MODIFICATION: "COVER MATERIAL SHALL BE THE SAME AS USED FOR BEDDING AND SHALL CONFORM TO SECTION 8.43.2 (A). BEDDING AND COVER MATERIAL SHALL BE PLACED IN A MINIMUM OF THREE SEPARATE LIFTS, OR AS REQUIRED TO INSURE ADEQUATE COMPACTING OF THESE MATERIALS, WITH ONE LIFT OF BEDDING MATERIAL ENDING AT OR NEAR THE SPRINGLINE OF THE PIPE. THE CONTRACTOR SHALL TAKE CARE TO COMPLETELY WORK BEDDING MATERIAL UNDER THE HAUNCH OF THE PIPE TO PROVIDE ADEQUATE SIDE SUPPORT."

    BACKFILL – BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS." GRAVEL BACKFILL IS REQUIRED IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS."

14. WATERMAIN AND SANITARY SEWER SHALL BE INSULATED WHEREVER THE DEPTH OF COVER IS LESS THAN 6 FEET. INSULATION AND INSTALLATION OF INSULATION SHALL BE CONFORMING WITH CHAPTER 4.17.0 "INSULATION" OF THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN 6TH EDITION UPDATED WITH ITS LATEST ADDENDUM (TYP.).

15. TRACER WIRE SHALL BE INSTALLED ALONG THE SANITARY SEWER SERVICE. THE TRACER WIRE SHALL BE CONTINUOUS AND SHALL BE EXTENDED ABOVE GRADE VIA A 4–INCH PVC PIPE WITH SCREW–ON CAP ADJACENT TO THE PROPOSED TERMINATION POINT OF THE LATERAL FOR THE PROPOSED BUILDING.

16. ALL NEW STORM SEWER UTILITIES SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE PROPERTY OWNER.

LEGEND

	SANITARY SEWER MANHOLE	SAN	SANITARY SEWER
	STORM MANHOLE	W	WATER MAIN
	CATCH BASIN ROUND	ST	STORM SEWER
	CATCH BASIN SQUARE	RD	ROOF DRAIN
	FIRE HYDRANT	G	UNDERGROUND GAS
	WATER VALVE	E	UNDERGROUND ELECTRIC
	GAS VALVE	T	UNDERGROUND TELEPHONE
	LIGHT POLE	FIB	UNDERGROUND FIBER OPTICS
	TELEPHONE PEDESTAL	OH	OVERHEAD UTILITY
	ELECTRICAL MANHOLE	SF	SILT FENCE
	SIGN		18" STANDARD CURB AND GUTTER
	POWER POLE		18" HIGH SIDE CURB AND GUTTER
	GUY WIRE		CONIFEROUS TREE
	SANITARY SEWER MANHOLE		DECIDUOUS TREE
	WATER VALVE		
	HYDRANT		

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PROJECT INFORMATION

TRUCK COUNTRY

N128W21795
Holy Hill Road
Village of Germantown
Washington Co., WI

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
05/17/24	Plan Commission Updated Submittal
08/15/24	Plan Commission Updated Submittal
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KEY PLAN

SHEET INFORMATION

PROGRESS DOCUMENTS NOT FOR CONSTRUCTION

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PROJECT MANAGER	CJ
PROJECT NUMBER	23351

SITE UTILITY PLAN

C-104

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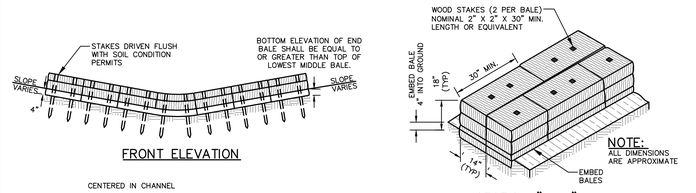
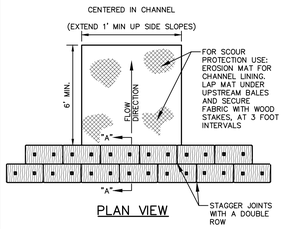


FRONT ELEVATION

SECTION "A–A"

NOTE:
ALL DIMENSIONS ARE APPROXIMATE



PLAN VIEW

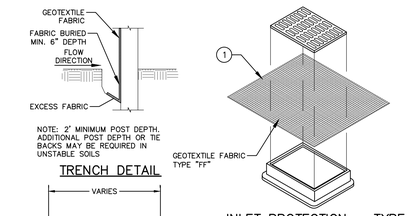
GENERAL NOTES:

1. INSTALLED, THE MINIMUM HEIGHT OF DITCH CHECKS SHALL BE 10–INCHES AND SHALL NOT EXCEED A MAXIMUM HEIGHT OF 16–INCHES FOR MANUFACTURED OR BIODEGRADABLE MATERIALS.
2. DITCH CHECKS MUST BE INSTALLED WITH THE CENTER LOWER THAN THE SIDES FORMING A WEIR.
3. AT A MINIMUM, INSTALL ONE DITCH CHECK FOR EVERY TWO–FEET OF DROP IN THE CHANNEL.
4. DITCH CHECK SHALL, AT A MINIMUM, BE INSPECTED WEEKLY AND WITHIN 24– HOURS AFTER EVERY PRECIPITATION EVENT THAT PRODUCES 0.5–INCHES OF RAIN OR MORE DURING A 24–HOUR PERIOD.
5. SEDIMENT DEPOSITS SHALL BE REMOVED WHEN DEPOSITS REACH HALF OF THE HEIGHT OF THE LOWEST BALE.
6. DITCH CHECKS SHALL BE UTILIZED DURING ROUGH GRADING AND SHALL BE REMOVED ONCE FINAL GRADING AND CHANNEL STABILIZATION IS APPLIED.
7. DITCH CHECK CONSTRUCTION AND MAINTENANCE SHALL BE IN ACCORDANCE WITH WDNR TECHNICAL STANDARD (1062). EROSION MATTING SCOUR PROTECTION SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH WDNR TECHNICAL STANDARD (1053).

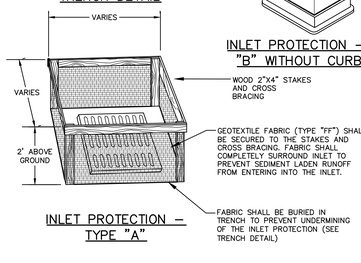
DITCH CHECK (STRAW BALES)

N.T.S.

REV: 11–19–2018



INLET PROTECTION – TYPE "B" WITHOUT CURB BOX



INLET PROTECTION – TYPE "A"

REV: 11–19–2018

GENERAL NOTES:

INLET PROTECTION DEVICES SHALL BE MAINTAINED OR REPLACED AT THE DIRECTION OF THE ENGINEER.

MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE DEPARTMENT'S EROSION CONTROL PRODUCT ACCEPTABILITY LIST MAY BE SUBSTITUTED.

WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

1. FINISHED SIZE, INCLUDING FLAP POCKETS WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10" AROUND THE PERIMETER OF FACILITATE MAINTENANCE OR REMOVAL.
2. FOR INLET PROTECTION, TYPE "C" (WITH CURB BOX), AN ADDITIONAL 18" OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING.
3. FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT A WOOD 2X4

INSTALLATION NOTES:

TYPE "B" & "C"

TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3 INCHES OF THE GRATE.

THE CONTRACTOR SHALL DEMONSTRATE A METHOD OF MAINTENANCE, USING A SEWN FLAP, HAND HOLDS OR OTHER METHODS TO PREVENT ACCUMULATED SEDIMENT FROM ENTERING THE INLET.

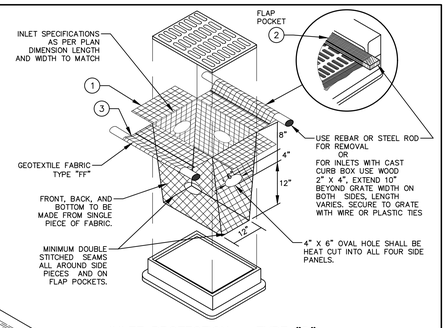
INSTALLATION NOTES:

TYPE "D"

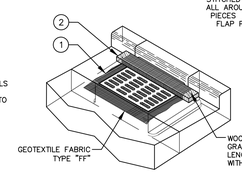
DO NOT INSTALL INLET PROTECTION TYPE "D" IN INLETS SHALLOWER THAN 30 INCHES, MEASURED FROM THE BOTTOM OF THE INLET TO THE TOP OF THE GRATE.

TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3 INCHES OF THE GRATE.

THE INSTALLED BAG SHALL HAVE A MINIMUM SIDE CLEARANCE, BETWEEN THE INLET WALLS AND THE BAG, MEASURED AT THE BOTTOM OF THE OVERFLOW HOLES, OF 3 INCHES. WHERE NECESSARY THE CONTRACTOR SHALL CINCH THE BAG, USING PLASTIC ZIP TIES, TO ACHIEVE THE 3 INCHES CLEARANCE. THE TIES SHALL BE PLACED AT A MAXIMUM OF 4 INCHES FROM THE BOTTOM OF THE BAG.



INLET PROTECTION – TYPE "D"



INLET PROTECTION – TYPE "C" WITH CURB BOX

INLET PROTECTION

N.T.S.

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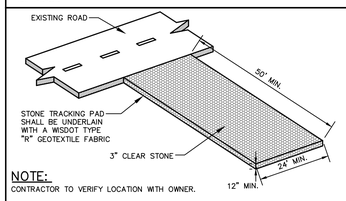
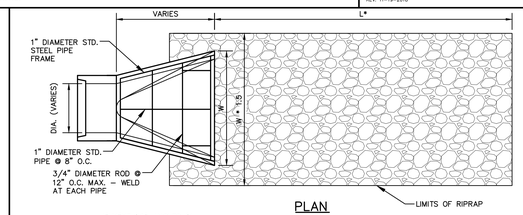


NOTE:
CONTRACTOR TO VERIFY LOCATION WITH OWNER.

CONSTRUCTION ENTRANCE

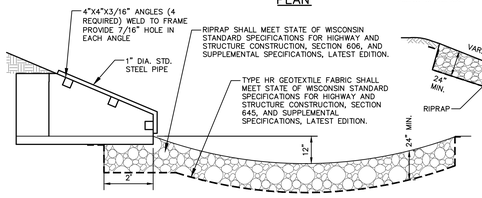
N.T.S.

REV: 12–10–2018

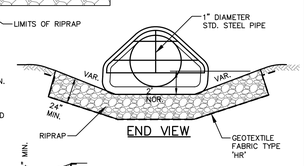


* L = 3 TIMES DIAMETER (NOR.) OR 10' MIN. OR AS DIRECTED BY THE ENGINEER

PLAN



SIDE VIEW

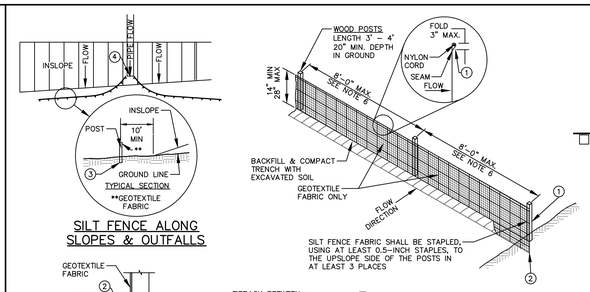


END VIEW

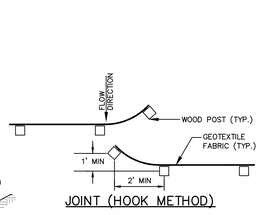
APRON ENDWALL W/ GRATE - RIPRAP

N.T.S.

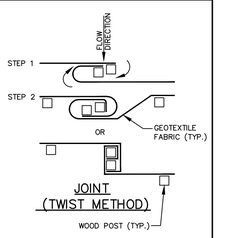
REV: 12–7–2018



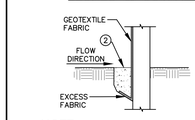
SILT FENCE ALONG SLOPES & OUTFALLS



JOINT (HOOK METHOD)

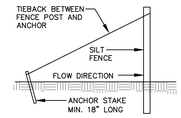


JOINT (TWIST METHOD)



NOTE:
ADDITIONAL POST DEPTH OR TIE BACKS MAY BE REQUIRED IN UNSTABLE SOILS.

TRENCH DETAIL



SILT FENCE TIE BACK
(WHEN ADDITIONAL SUPPORT REQUIRED)

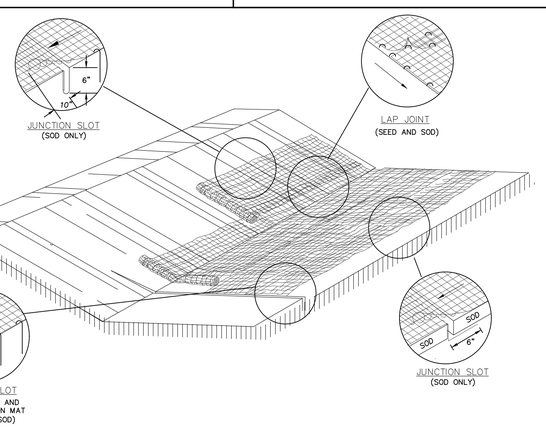
GENERAL NOTES:

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

SILT FENCE

N.T.S.

REV: 7–01–2019



GENERAL NOTES

1. DETAILS OF CONSTRUCTION, MATERIALS AND WORKMANSHIP NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE PERTINENT REQUIREMENTS OF THE STANDARD SPECIFICATIONS AND THE APPLICABLE SPECIAL PROVISIONS.

2. VARIATIONS IN THE DIMENSIONS OR MATERIALS SHOWN HEREON SHALL BE PERMITTED IF THEY PROVIDE EQUIVALENT PROTECTION AND MATERIAL STRENGTH AND IF PRIOR APPROVAL OF THE ENGINEER IS OBTAINED.

3. LAP JOINTS SHALL NOT BE PLACED IN THE BOTTOM OF V–SHAPED DITCHES.

4. JUNCTION SLOTS ON ADJACENT STRIPS OF MATTING SHALL BE STAGGERED A MINIMUM OF 4' (FEET), (1.219 m) APART. EDGES OF EROSION MAT SHALL BE IMPRESSED IN THE SOIL. EROSION MAT SHALL BE MEASURED AND PAID FOR IN ACCORDANCE WITH THERE STANDARD SPECIFICATIONS.

EROSION MAT OVER SOD

A. ONLY JUTE FABRIC SHALL BE PERMITTED OVER SOD.

B. WOOD STAKES FOR SOD MAY BE OMITTED BY THE ENGINEER IF THE EXISTING SLOPE AND SOIL CONDITIONS SO WARRANT.

C. THE WIDTH OF THE EROSION MAT SHALL ALWAYS EQUAL THE SOD WIDTH.

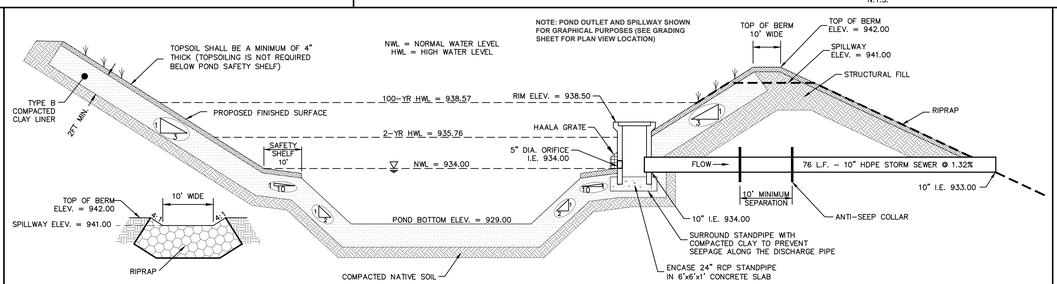
D. SOD STRIPS MAY BE PLACED EITHER LONGITUDINALLY OR TRANSVERSELY TO THE FLOW OF THE DITCH.

EROSION MAT OVER SEEDING

JUNCTION OR ANCHOR SLOTS SHALL BE AT MINIMUM INTERVALS OF 100 FEET (30.48m) ON GRADES UP TO AND INCLUDING 3%, AND 50 FEET (15.24m) ON GRADES EXCEEDING 3%.

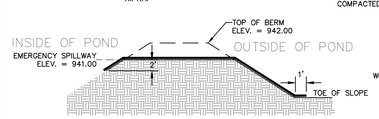
EROSION CONTROL IN CHANNEL

N.T.S.



CROSS-SECTION

N.T.S.



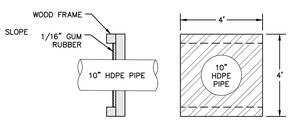
NOTES:

1. EXTEND RIPRAP 2' BELOW THE ELEVATION OF THE SPILLWAY ON THE INSIDE OF THE POND.
2. EXTEND RIPRAP TO THE TOE OF SLOPE ON THE OUTSIDE OF THE POND.

SPILLWAY DETAIL

N.T.S.

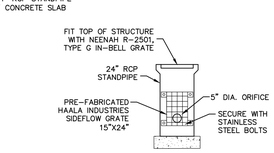
IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE PROPER CONSTRUCTION PRACTICES HAVE BEEN UTILIZED AND THAT STORMWATER MANAGEMENT FEATURES HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH APPROVED DESIGN PLANS. JSD, INC. SHALL NOT BE LIABLE FOR ANY CONSTRUCTION PRACTICES OR INSTALLATION WHICH DEVIATES FROM THE APPROVED PLAN SET. ONCE THE OWNER HAS PROVIDED FINAL APPROVAL TO THE WORK PERFORMED BY THE CONTRACTOR AND ENSURED COMPLIANCE WITH THE PLAN, IT IS THE OWNER'S RESPONSIBILITY TO MAINTAIN STORMWATER MANAGEMENT FEATURES IN ACCORDANCE WITH THE RECORDED MAINTENANCE AGREEMENT. PROPER OPERATION IS DEPENDENT ON A MULTITUDE OF VARIABLES INCLUDING WEATHER. THESE COMPONENTS REQUIRE ONGOING MAINTENANCE FOR WHICH THE OWNER IS RESPONSIBLE. JSD TAKES NO RESPONSIBILITY FOR PROPER OPERATION AND MAINTENANCE OF THE STORMWATER COMPONENTS.



NOTE: ANTI–SEEP COLLAR TO BE AGRI DRAIN ASC04 OR EQUAL

GUM RUBBER ANTI-SEEP COLLAR

N.T.S.



OUTLET STRUCTURE DETAIL

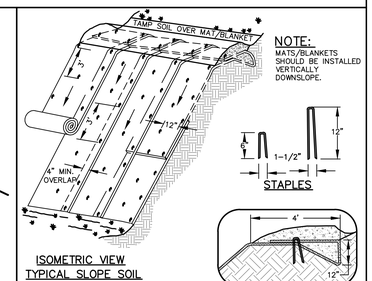
N.T.S.

GENERAL NOTES

1. ALL CONSTRUCTION SHALL MEET THE SPECIFICATIONS OF "WDNR WET DETENTION BASIN TECHNICAL STANDARD 1001".
2. ALL WORK TO BE CONDUCTED IN CONFORMANCE WITH THE STORMWATER MANAGEMENT PLAN FOR THE PROJECT SITE AS APPROVED BY THE REGULATORY ENGINEER OF RECORD.
3. CLAY LINER SHALL BE "TYPE B" AS SPECIFIED IN TECHNICAL STANDARD 1001 AND A MINIMUM OF 2–FEET THICK. CLAY SHALL BE COMPACTED AT ±2.0% OPTIMAL MOISTURE CONTENT TO 90% MODIFIED PROCTOR. MEDIUM STIFF TO STIFF CLAYS PRESENT ONSITE MAY BE USED AT THE DISCRETION OF THE GEOTECHNICAL ENGINEER OF RECORD.
4. CONTRACTOR SHALL POSITION ANTI–SEEP COLLARS SUCH THAT THE COLLARS ARE COMPLETELY CONTAINED WITHIN EMBANKMENT.
5. FOR CONSTRUCTED EMBANKMENTS WHERE THE PERMANENT POOL IS PONDED 3 FT OR MORE AGAINST THE EMBANKMENT, THERE SHALL BE A CORE TRENCH OR KEYWAY ALONG THE CENTERLINE OF THE EMBANKMENT UP TO THE PERMANENT POOL ELEVATION. THE CORE TRENCH OR KEYWAY SHALL BE A MINIMUM OF 2 FT DEEP AND 8 FT WIDE WITH A SIDE SLOPE OF 1:1 OR FLATTER.

DETENTION POND

N.T.S.



NOTE:
MATS/BLANKETS SHOULD BE INSTALLED VERTICALLY DOWNSLOPE.

STAPLES

ISOMETRIC VIEW
TYPICAL SLOPE SOIL STABILIZATION

BERM

GENERAL NOTES:

1. EROSION MAT CONSTRUCTION SHALL BE IN ACCORDANCE WITH WISCONSIN DNR TECHNICAL STANDARD 1052 "NON–CHANNEL EROSION MAT".
2. ONLY WisDOT EROSION CONTROL PRODUCT ACCEPTABILITY LIST (PAL) APPROVED MATS SHALL BE ALLOWED. REFER TO EROSION CONTROL PLAN FOR EXACT MAT CLASSIFICATION.
3. APPLY PERMANENT SEEDING BEFORE PLACING BLANKETS.
4. LAY BLANKETS LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH THE SOIL. DO NOT STRETCH.

EROSION MATTING

N.T.S.

REV: 11–19–2018

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E

PROJECT INFORMATION

TRUCK COUNTRY

D

N128W21795
Holy Hill Road
Village of Germantown
Washington Co., WI

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
05/17/24	Plan Commission Updated Submittal
08/15/24	Plan Commission Updated Submittal
09/26/24	DNR Submittal & City Resubmittal

C

KEY PLAN

B

SHEET INFORMATION

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A

PROJECT MANAGER	CJ
PROJECT NUMBER	23351

SITE NOTES AND DETAILS

C-200

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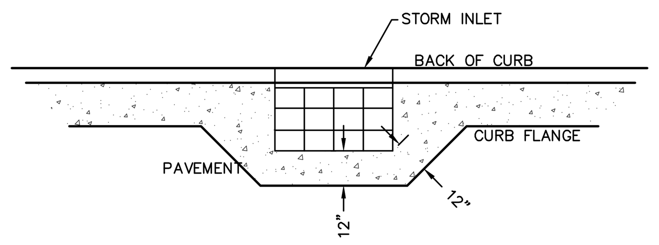

CONCRETE INLET COLLAR

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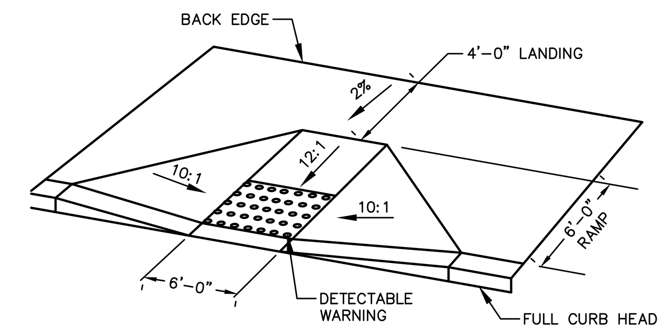
REV. 11-20-2018



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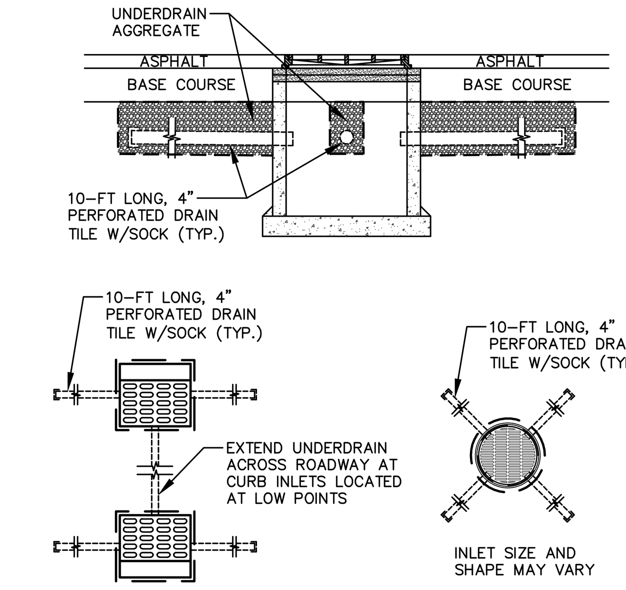
REV. 11-20-2018



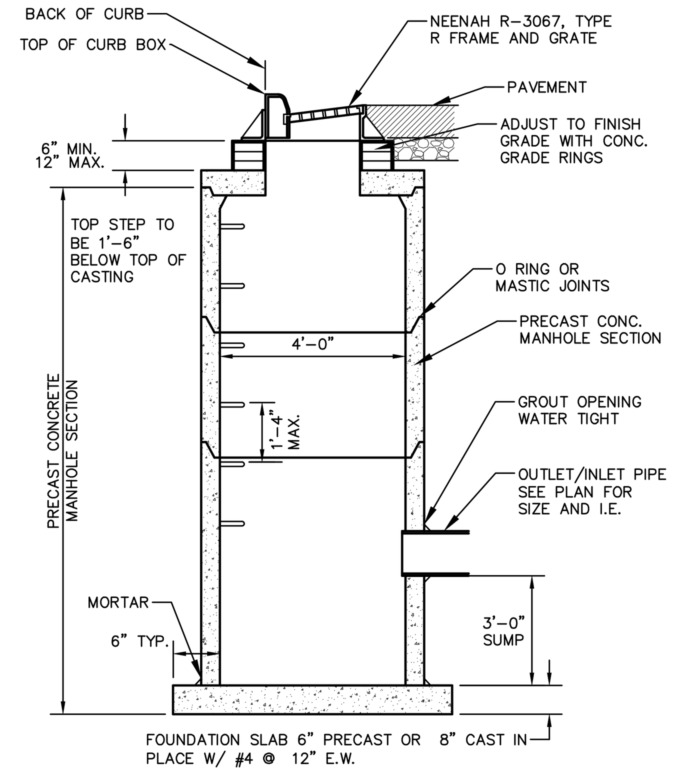
GENERAL NOTES:

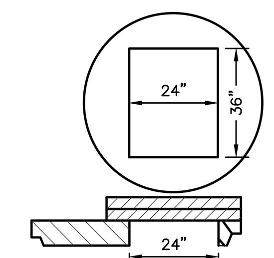
1. UNDERDRAINS SHALL BE INSTALLED ON ALL INLET/CATCH BASINS LOCATED WITHIN IMPERVIOUS PAVEMENTS.
2. UNDERDRAIN CONNECTIONS SHALL BE CORED ONSITE.
3. UNDERDRAIN VERTICAL LOCATION MAY VARY DEPENDING ON STORM SEWER PIPE LOCATION.
4. ALTERNATIVE DESIGN MAY BE SUBSTITUTED IF SHOP DRAWINGS ARE SUBMITTED AND APPROVED BY VILLAGE OF GERMANTOWN.

CATCH BASIN/INLET UNDERDRAIN

N.T.S.

REV. 12-7-2018





FLAT TOP SLAB

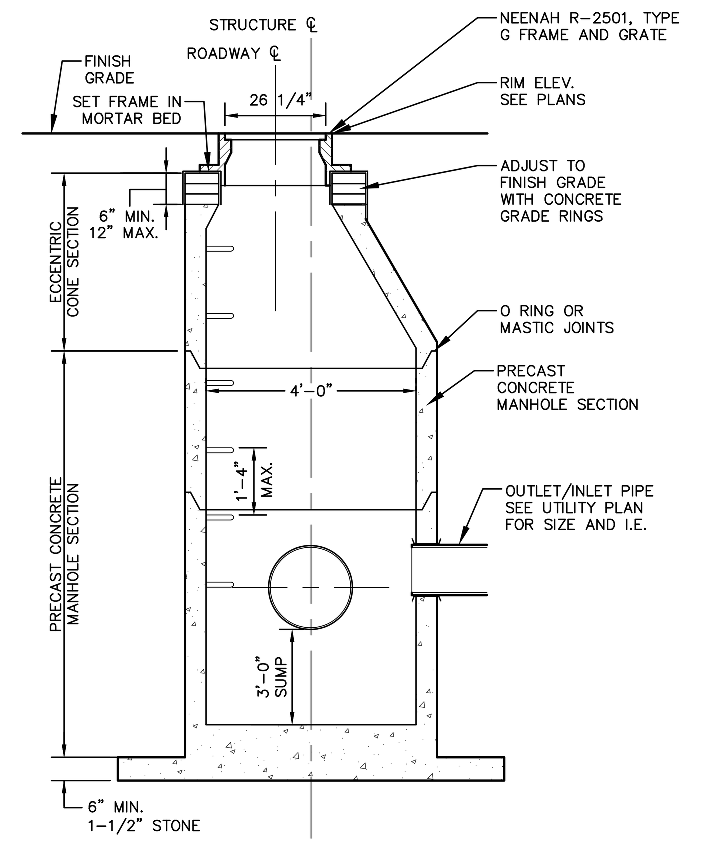
GENERAL NOTES:

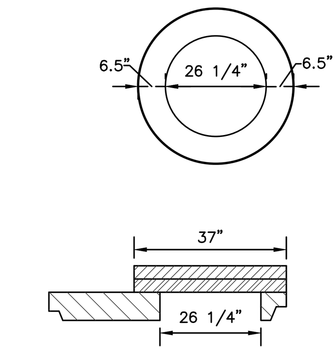
1. MANHOLE CONSTRUCTION TO MEET REQUIREMENTS OF ASTM C478.
2. PROVIDE FLAT TOP SLAB FOR MANHOLES 5' OR LESS IN DEPTH. FLAT TOP SLABS TO BE IN-BELL TYPE.
3. JOINTS SHALL BE WATERTIGHT. USE BUTYL RUBBER GASKET.
4. USE MORTAR FOR PIPE CONNECTIONS.

4' CATCH BASIN W/ SUMP (CURB INLET)

N.T.S.

REV. 12-07-2018





FLAT TOP SLAB

GENERAL NOTES:

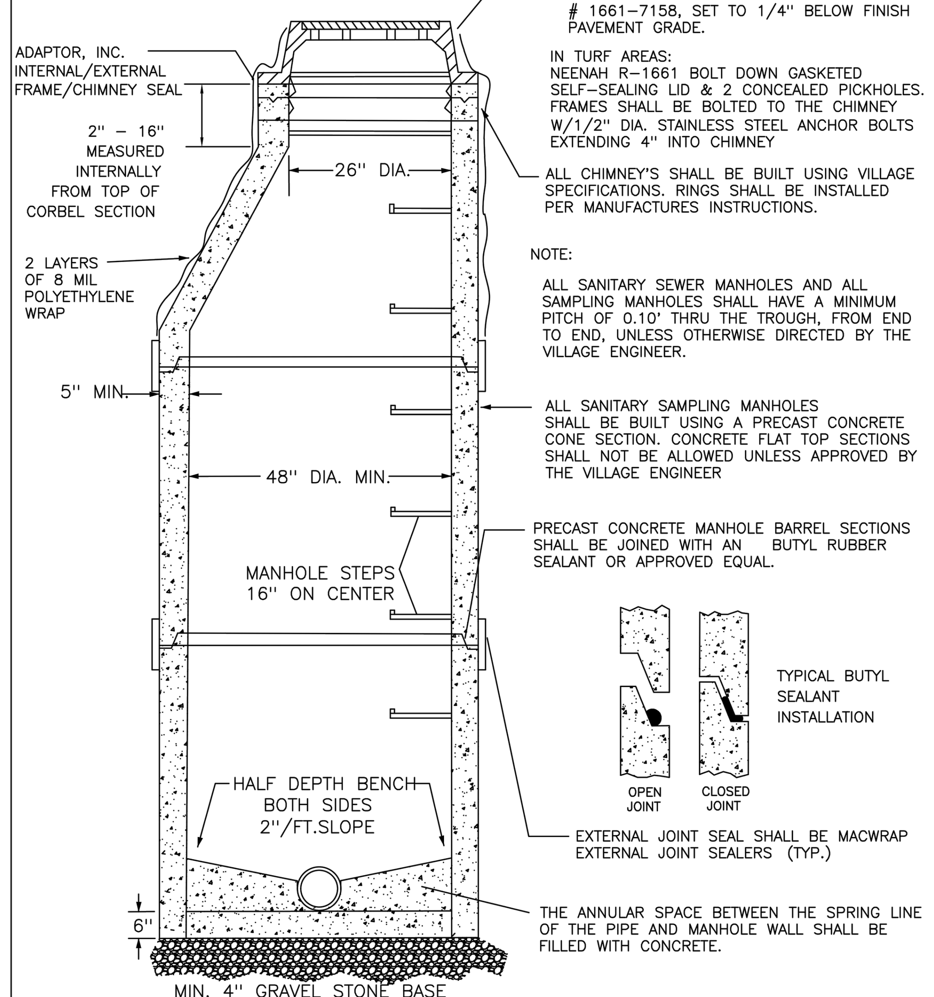
1. MANHOLE CONSTRUCTION TO MEET REQUIREMENTS OF ASTM C478.
2. PROVIDE FLAT TOP SLAB FOR MANHOLES 5' OR LESS IN DEPTH. FLAT TOP SLABS TO BE IN-BELL TYPE.
3. JOINTS SHALL BE WATERTIGHT. USE BUTYL RUBBER GASKET.
4. USE MORTAR FOR PIPE CONNECTIONS.
5. ECCENTRIC CONE SECTION OF MANHOLE TO BE SET OUTSIDE OF VEHICULAR WHEEL PATH NEAR ℄ ROADWAY.
6. USE NEENAH R-2501-G BEEHIVE FRAME AND GRATE WHEN IN LANDSCAPE AREAS.

STORM SEWER MANHOLE W/ SUMP

N.T.S.

REV. 12-07-2018

MAXIMUM TOTAL CHIMNEY HEIGHT, EXCLUDING MANHOLE FRAME, SHALL NOT EXCEED 16 INCHES AND BE A MINIMUM OF 2''. ALL CHIMNEY'S SHALL BE BUILT ACCORDING TO THE SAN. MH. CHIMNEY ASSEMBLY DETAILS. ASSEMBLY DIFFERS FOR MH. IN PAVEMENT OR TURF.



FRAME AND COVER IN PAVED AREAS: NEENAH R-1661 W/SELF SEALING COVER & CONCEALED PICKHOLES. ALL MANHOLES SHALL REQUIRE A 2'' PAVING RING, NEENAH R-1979 SERIES REF. # 1661-7158, SET TO 1/4'' BELOW FINISH PAVEMENT GRADE.

IN TURF AREAS: NEENAH R-1661 BOLT DOWN GASKETED SELF-SEALING LID & 2 CONCEALED PICKHOLES. FRAMES SHALL BE BOLTED TO THE CHIMNEY W/1/2'' DIA. STAINLESS STEEL ANCHOR BOLTS EXTENDING 4'' INTO CHIMNEY

ALL CHIMNEY'S SHALL BE BUILT USING VILLAGE SPECIFICATIONS. RINGS SHALL BE INSTALLED PER MANUFACTURES INSTRUCTIONS.

NOTE:

ALL SANITARY SEWER MANHOLES AND ALL SAMPLING MANHOLES SHALL HAVE A MINIMUM PITCH OF 0.10' THRU THE TROUGH, FROM END TO END, UNLESS OTHERWISE DIRECTED BY THE VILLAGE ENGINEER.

ALL SANITARY SAMPLING MANHOLES SHALL BE BUILT USING A PRECAST CONCRETE CONE SECTION. CONCRETE FLAT TOP SECTIONS SHALL NOT BE ALLOWED UNLESS APPROVED BY THE VILLAGE ENGINEER

PRECAST CONCRETE MANHOLE BARREL SECTIONS SHALL BE JOINED WITH AN BUTYL RUBBER SEALANT OR APPROVED EQUAL.

EXTERNAL JOINT SEAL SHALL BE MACWRAP EXTERNAL JOINT SEALERS (TYP.)

THE ANNULAR SPACE BETWEEN THE SPRING LINE OF THE PIPE AND MANHOLE WALL SHALL BE FILLED WITH CONCRETE.

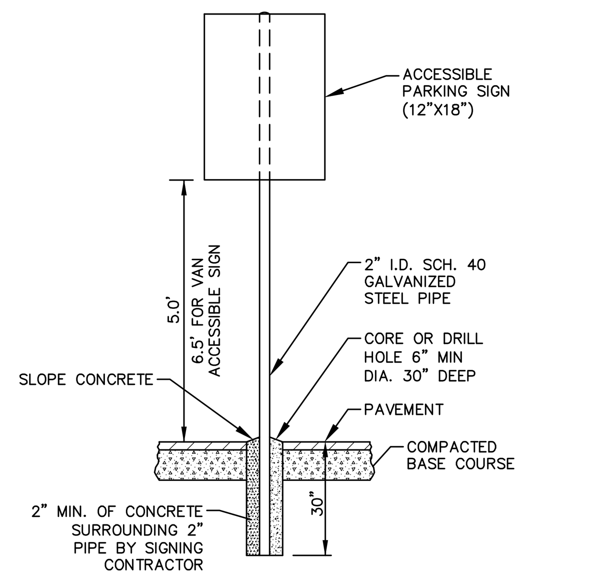
SPRAY EPOXY COATINGS — MH EXTERIOR: 2 COATS (BLACK) OF AMERON INTERNATIONAL, AMERCOAT 78 HB AT 8-10 MILS EA. MH INTERIOR: 2 COATS (WHITE) OF PERMITE PCS-9043 TYPE II PERMOX PIPE GLAZE AT 20 MILS EA. COATINGS SHALL BE APPLIED BY SUPPLIERS AT THE PLANT.

ENGINEERING DEPARTMENT Village of Germantown ...Willkommen

REVISED DATE: 10/11/2019 FJR

STANDARD SANITARY MANHOLE & SAMPLING MANHOLE DETAIL

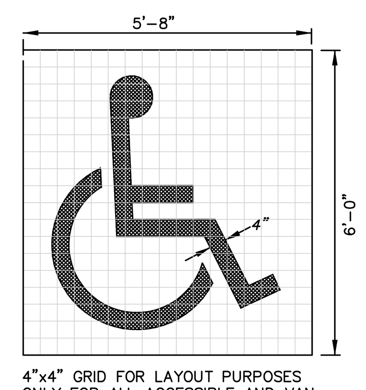
NOT TO SCALE



NOTE:
SIGNAGE DETAILS ARE SHOWN FOR INTENT ONLY. CONTRACTOR SHALL VERIFY EXACT REQUIREMENTS PRIOR TO CONSTRUCTION.

ACCESSIBLE PARKING SIGN AND POST INSTALLATION

N.T.S.

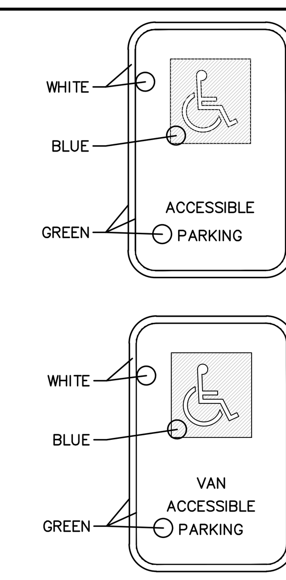


4"x4" GRID FOR LAYOUT PURPOSES ONLY FOR ALL ACCESSIBLE AND VAN ACCESSIBLE SPACES

NOTE:
SYMBOL DETAILS ARE SHOWN FOR INTENT ONLY. CONTRACTOR SHALL VERIFY EXACT REQUIREMENTS PRIOR TO CONSTRUCTION.

PAINTED SYMBOL

N.T.S.



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SIGNAGE AND SYMBOL DETAILS ARE SHOWN FOR INTENT ONLY. CONTRACTOR SHALL VERIFY EXACT REQUIREMENTS PRIOR TO CONSTRUCTION.

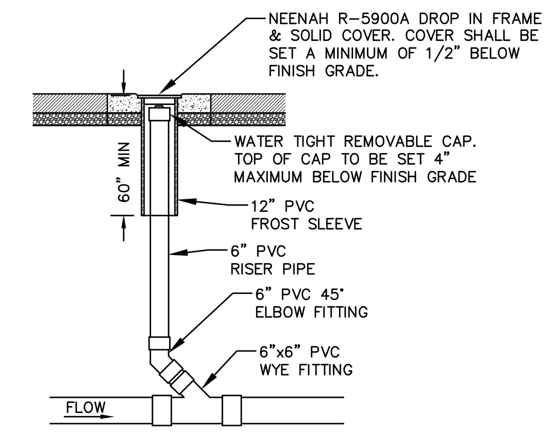
SIGN DETAILS

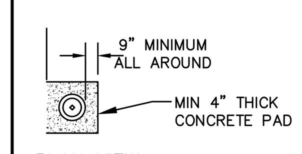
N.T.S.

ADA PARKING

N.T.S.

REV. 11-19-2018





PLAN VIEW

Comm Table 82.35

Dia of Lateral	Min Dia of Cleanout Riser	Min Dia of Riser Cap
1.5	1.5	1.5
2	1.5	1.5
3	3	2.5
4	4	3.5
5	5	4
6	6	5
8+	6	6

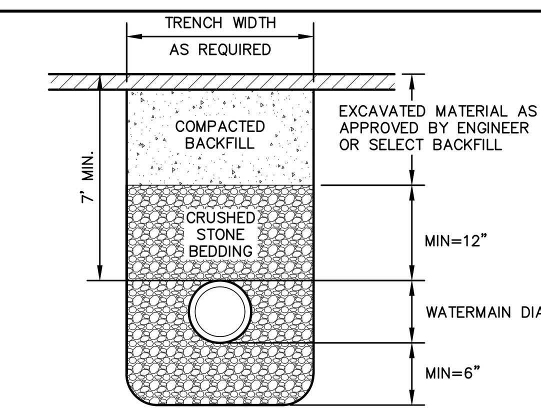
Neenah Grates
R-5900A 12-inch Pipe

NOTE:
CLEANOUT PIPING AND FITTINGS SHALL MATCH SANITARY SEWER LATERAL MATERIAL

SANITARY SEWER CLEANOUT

N.T.S.

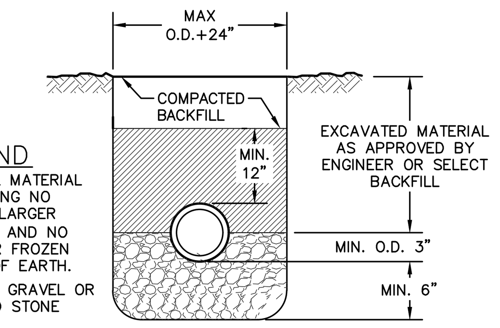
REV. 12-6-2018



WATERMAIN BEDDING

N.T.S.

REV. 12-05-2018



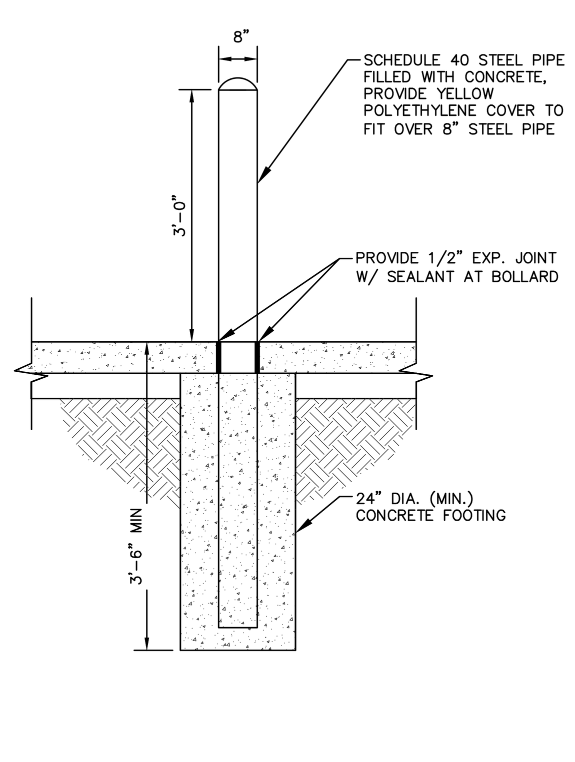
LEGEND

- BACKFILL MATERIAL CONTAINING NO STONES LARGER THAN 3" AND NO HARD OR FROZEN LUMPS OF EARTH.
- WASHED, GRAVEL OR CRUSHED STONE

STORM & SANITARY SEWER BEDDING

N.T.S.

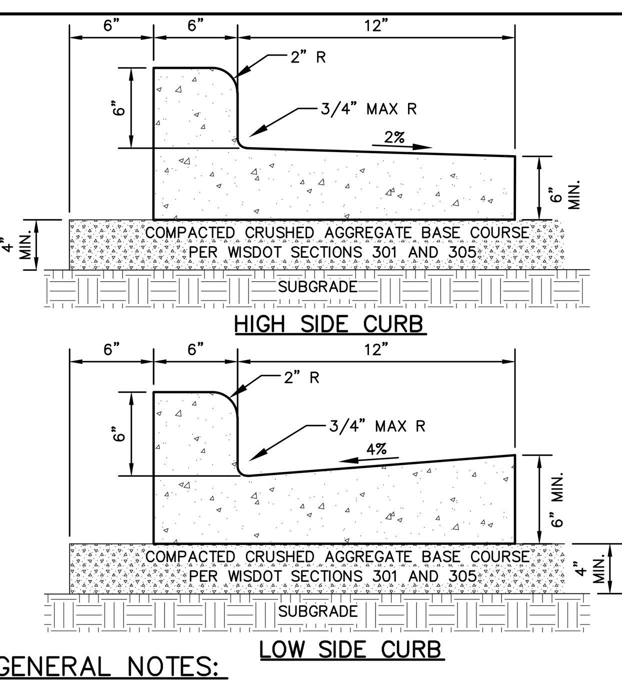
REV. 12-05-2018



CONCRETE BOLLARD

N.T.S.

REV. 12-17-2018



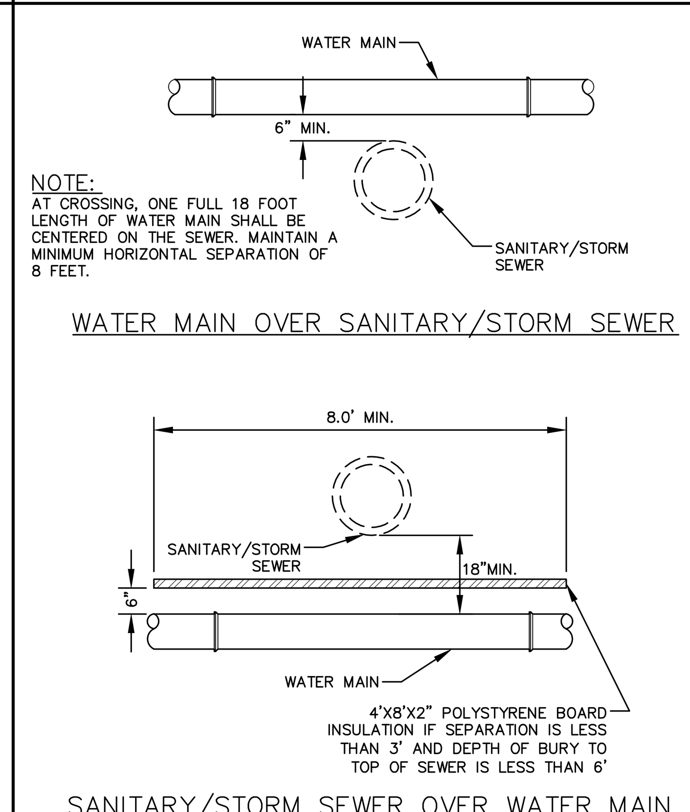
GENERAL NOTES:

1. LATERAL CONTRACTION JOINTS SHALL BE PLACED AT INTERVALS OF NOT MORE THAN 15 FEET NOR LESS THAN 6 FEET. THE JOINTS SHALL BE A MINIMUM OF 3 INCHES IN DEPTH.
2. EXPANSION JOINTS SHALL BE PLACED TRANSVERSELY AT RADIUS POINTS ON CURVES OF RADIUS 200 FEET OR LESS, AND AT ANGLE POINTS, OR AS DIRECTED BY THE ENGINEER OF RECORD. THE EXPANSION JOINT FILLER SHALL BE A ONE PIECE FIBER BOARD OR THE APPROVED EQUIVALENT MATERIAL HAVING THE SAME DIMENSIONS AS CURB & GUTTER AT THAT STATION AND BE 0.5 INCH THICK.
3. IN ALL CASES, CONCRETE CURB & GUTTER SHALL BE PLACED ON THOROUGHLY COMPACTED CRUSHED STONE.

18" STANDARD CURB & GUTTER

N.T.S.

REV. 12-24-2020

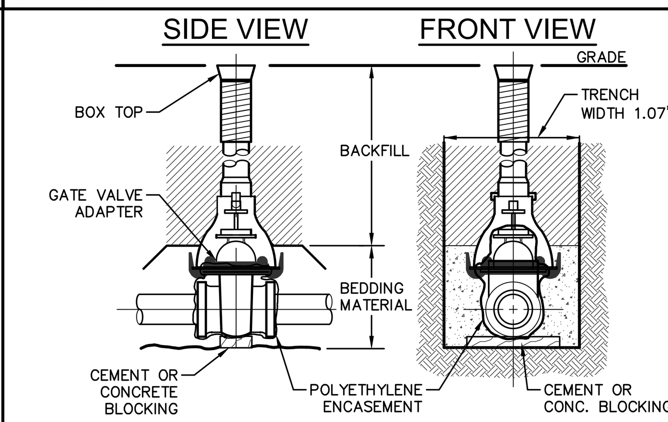


NOTE:
AT CROSSING, ONE FULL 18 FOOT LENGTH OF WATER MAIN SHALL BE CENTERED ON THE SEWER. MAINTAIN A MINIMUM HORIZONTAL SEPARATION OF 8 FEET.

SEWER - WATER MAIN SEPARATION

N.T.S.

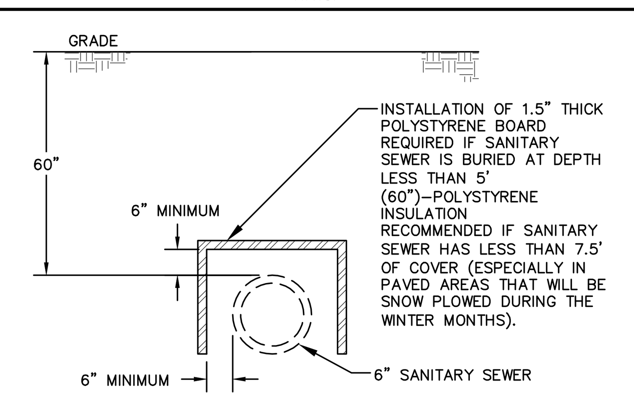
REV. 7-01-2019



GATE VALVE BOX SETTING

N.T.S.

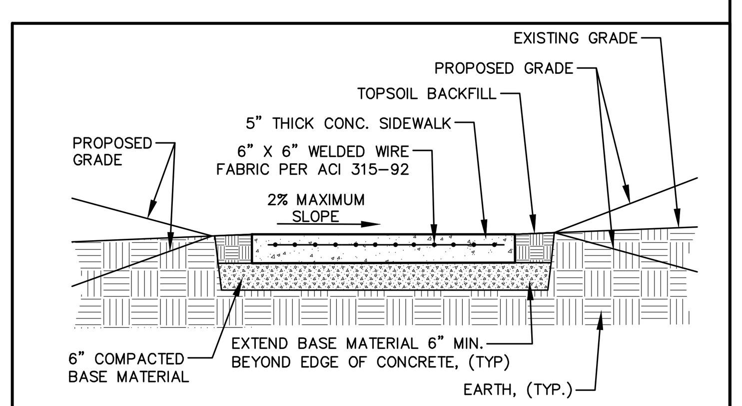
REV. 12-04-2018



SANITARY SEWER FROST SEPARATION

N.T.S.

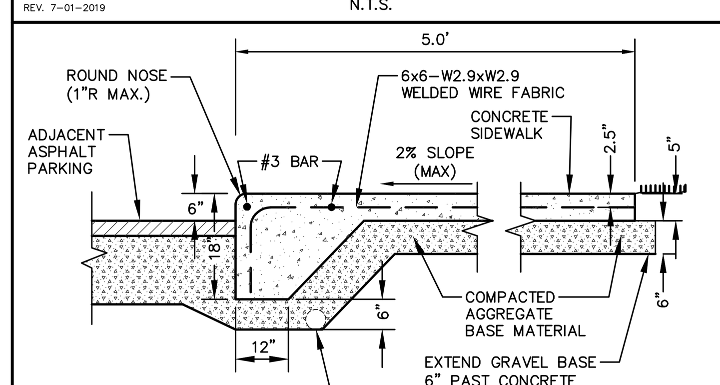
REV. 12-6-2018



CONCRETE SIDEWALK

N.T.S.

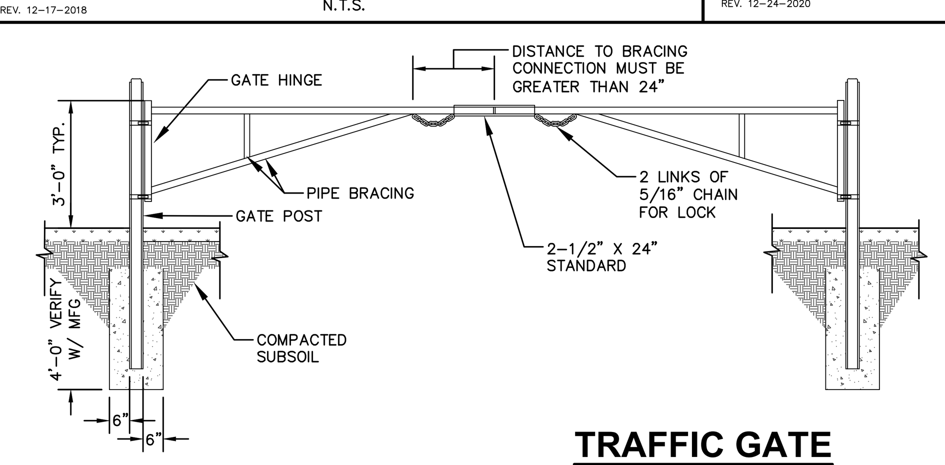
REV. 7-01-2019



THICKENED EDGE SIDEWALK

N.T.S.

REV. 07-14-2020



20' TO 40' GATE

FRAMEWORK	O.D.	WALL	WT. PER FT.
GATE POST	4"	.226	9.11
LATCH POST	4"	.226	9.11
PIPE RAIL	2"	.090	1.7
PIPE BRACING	1-5/8"	.090	1.4

TRAFFIC GATE

N.T.S.

REV. 8-22-2018

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PROJECT INFORMATION

TRUCK COUNTRY

N128W21795
Holy Hill Road
Village of Germantown
Washington Co., WI

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
05/17/24	Plan Commission Updated Submittal
08/15/24	Plan Commission Updated Submittal
09/26/24	DNR Submittal & City Resubmittal

KEY PLAN

SHEET INFORMATION

PROGRESS DOCUMENTS NOT FOR CONSTRUCTION

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JSD
MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666
JSD PROJ. NO.: 23-13460A
JSD PROJ. MGR.: APM

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PROJECT MANAGER CJ

PROJECT NUMBER 23351

SITE NOTES AND DETAILS

C-201

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E D C B A

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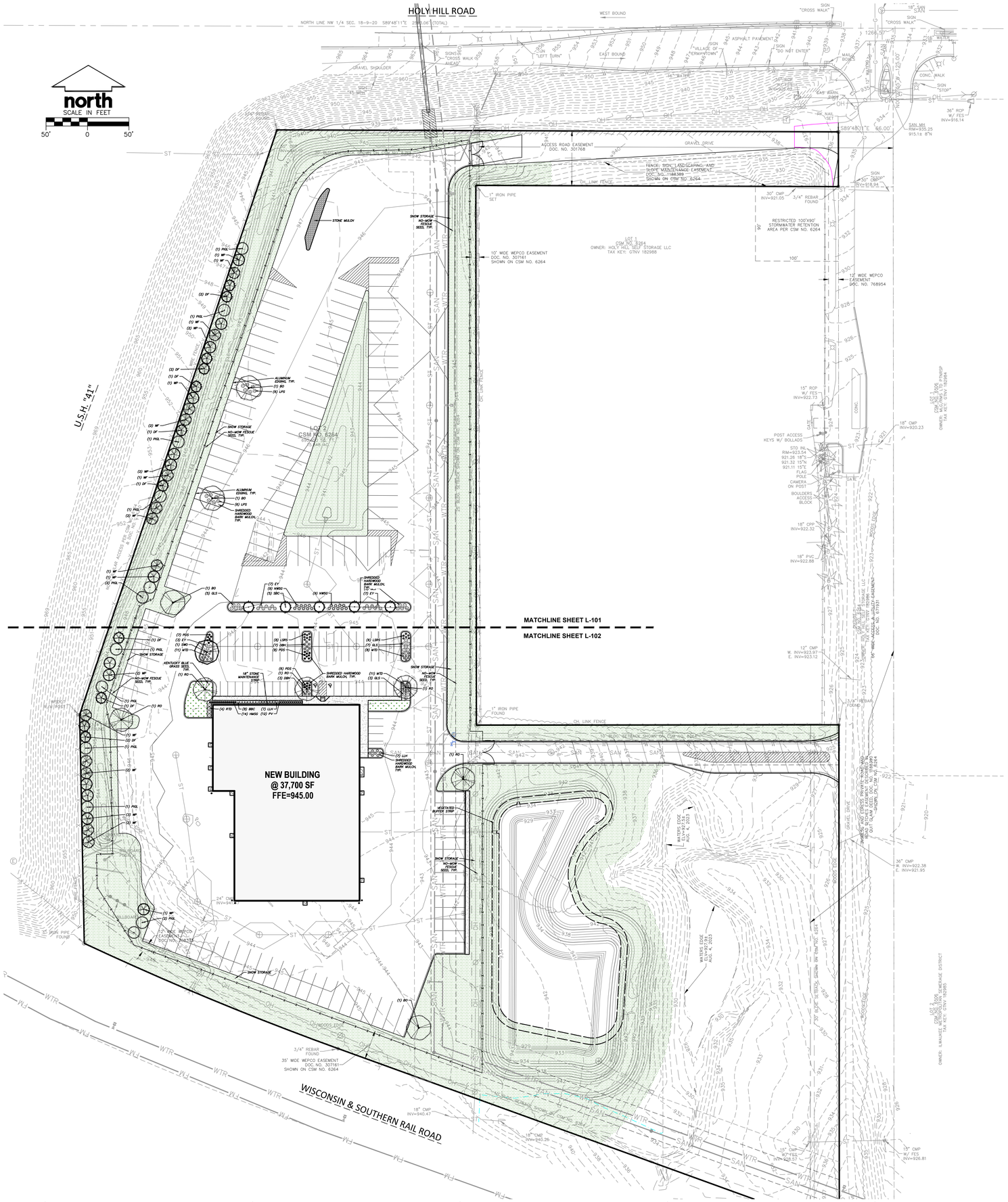

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7. DO NOT COMMENCE PLANTING OPERATIONS UNTIL ALL ADJACENT SITE IMPROVEMENTS, IRRIGATION INSTALLATION (IF APPLICABLE), AND FINISH GRADING ARE COMPLETE

LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY
- EASEMENT LINE
- BUILDING OUTLINE
- EDGE OF PAVEMENT
- STANDARD CURB AND GUTTER
- 18" HIGH SIDE CURB AND GUTTER
- CONCRETE PAVEMENT
- 959 PROPOSED 1 FOOT CONTOUR
- 960 PROPOSED 5 FOOT CONTOUR
- 959 EXISTING 1 FOOT CONTOUR
- 960 EXISTING 5 FOOT CONTOUR
- KENTUCKY BLUE GRASS SEED, FERTILIZER, AND MULCH
- NO-MOW FESCUE WITH ANNUAL RYE SEED, FERTILIZER, AND MULCH
- STONE MULCH
- SAN SANITARY SEWER
- W WATERMAIN
- ST STORM SEWER
- SAN PUBLIC SANITARY SEWER
- W PUBLIC WATERMAIN
- X X FENCE
- LIGHT POLE (REFER TO PHOTOMETRIC PLAN)
- ALUMINUM EDGING

PLANT SCHEDULE

DECIDUOUS TREES	CODE	BOTANICAL / COMMON NAME	CONT	SIZE	QTY
	SWO	Quercus bicolor / Swamp White Oak	B & B	3"Cal	1
	BO	Quercus macrocarpa / Burr Oak	B & B	3"Cal	4
	RO	Quercus rubra / Red Oak	B & B	3"Cal	5
EVERGREEN TREES	**CODE**	**BOTANICAL / COMMON NAME**	**CONT**	**SIZE**	**QTY**
	WF	Abies concolor / White Fir	B & B	8' Tall	13
	PIGL	Picea glauca / White Spruce	B & B	8' Tall	12
	WP	Pinus strobus / White Pine	B & B	8' Tall	13
	DF	Pseudotsuga menziesii / Douglas Fir	B & B	8' Tall	11
	SBC	Taxodium distichum 'Mickelson' TM / Shawnee Brave Bald Cypress	B & B	8' Tall	5
DECIDUOUS SHRUBS	**CODE**	**BOTANICAL / COMMON NAME**	**CONT**	**SIZE**	**QTY**
	BBC	Aronia melanocarpa 'Morton' TM / Iroquis Beauty Black Chokeberry	Cont.	#3	8
	RTD	Cornus baileyi / Bailey's Red-twig Dogwood	B & B	36" Ht.	4
	DBH	Diervilla lonicera / Dwarf Bush Honeysuckle	Cont.	#3	10
	LLH	Hydrangea paniculata 'Little Lime' / Little Lime Hydrangea	Cont.	#3	14
	GLS	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	Cont.	#3	20
	LPS	Spiraea japonica 'Little Princess' / Little Princess Japanese Spirea	Cont.	#3	12
EVERGREEN SHRUBS	**CODE**	**BOTANICAL / COMMON NAME**	**CONT**	**SIZE**	**QTY**
	EY	Taxus x media 'Everlow' / Everlow Yew	B & B	24" Tall	17
PERENNIALS & GRASSES	**CODE**	**BOTANICAL / COMMON NAME**	**CONT**	**SIZE**	**QTY**
	MTD	Hemerocallis x 'Mary Todd' / Mary Todd Daylily	Cont.	#1	30
	HMSG	Panicum virgatum 'Heavy Metal' / Heavy Metal Switch Grass	Cont.	#1	14
	NWSG	Panicum virgatum 'Northwind' / Northwind Switch Grass	Cont.	#1	18
	PV	Panicum virgatum 'Shenandoah' / Shenandoah Switch Grass	Cont.	#1	12
	LSRS	Perovskia atriplicifolia 'Little Spire' / Little Spire Russian Sage	Cont.	#1	14
	PDS	Sporobolus heterolepis / Prairie Dropseed	Cont.	#1	21

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E

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B

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A

PROJECT MANAGER	CJ
PROJECT NUMBER	23351

LANDSCAPE PLAN

L-100

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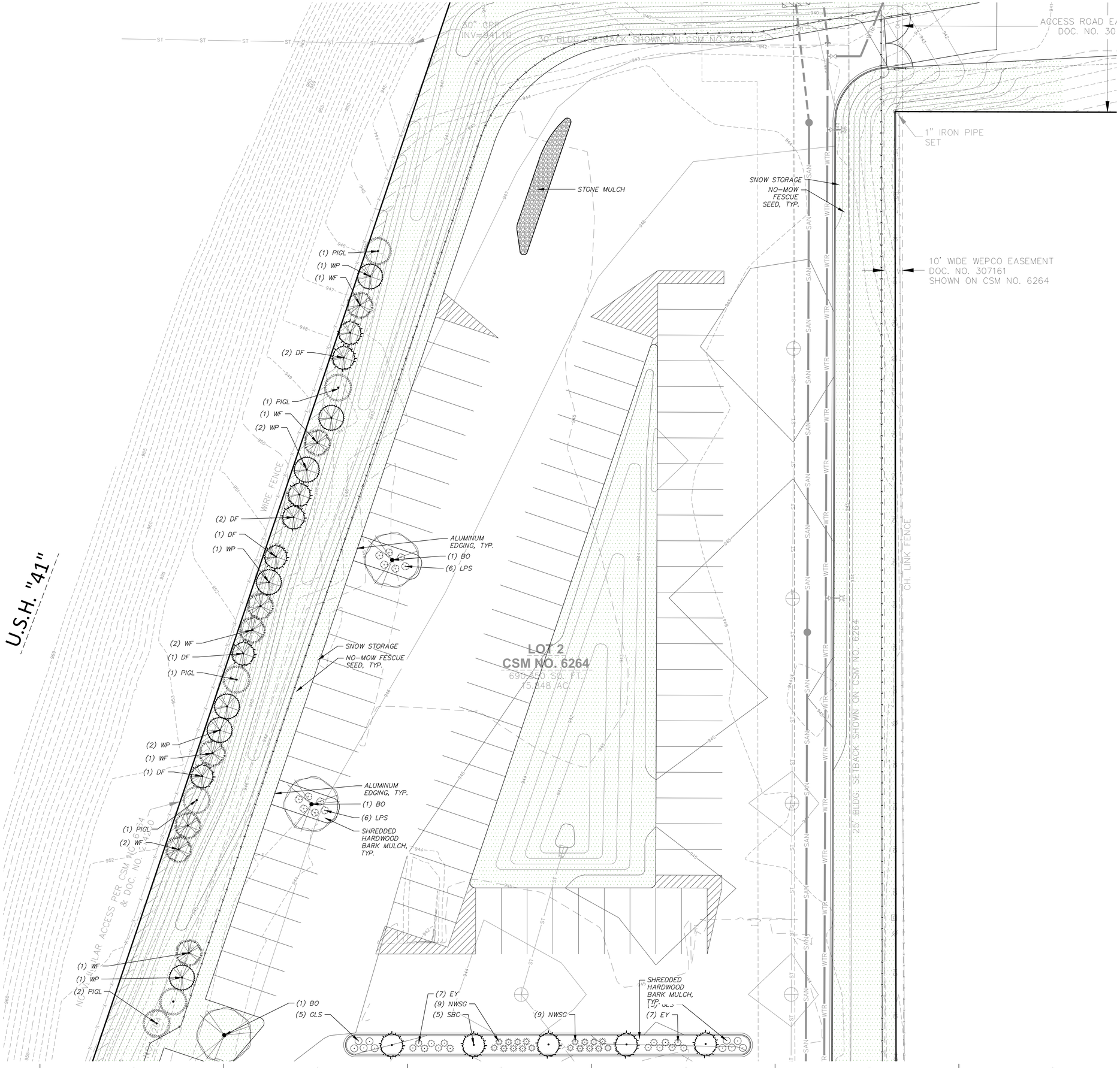
1 2 3 4 5 6 7



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	STONE MULCH
SAN	SANITARY SEWER
W	WATERMAIN
ST	STORM SEWER
SAN	PUBLIC SANITARY SEWER
W	PUBLIC WATERMAIN
X X	FENCE
	LIGHT POLE (REFER TO PHOTOMETRIC PLAN)
	ALUMINUM EDGING

north
SCALE IN FEET
20' 0 20'

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09/26/24	DNR Submittal & City Resubmittal

C

KEY PLAN

B

SHEET INFORMATION

PROGRESS DOCUMENTS NOT FOR CONSTRUCTION

These documents reflect progress and intent and may be subject to change, including additional detail. These are not final construction documents and shall not be used for final bidding or construction-related purposes.

A

PROJECT MANAGER	CJ
PROJECT NUMBER	23351

LANDSCAPE
PLAN NORTH

L-101

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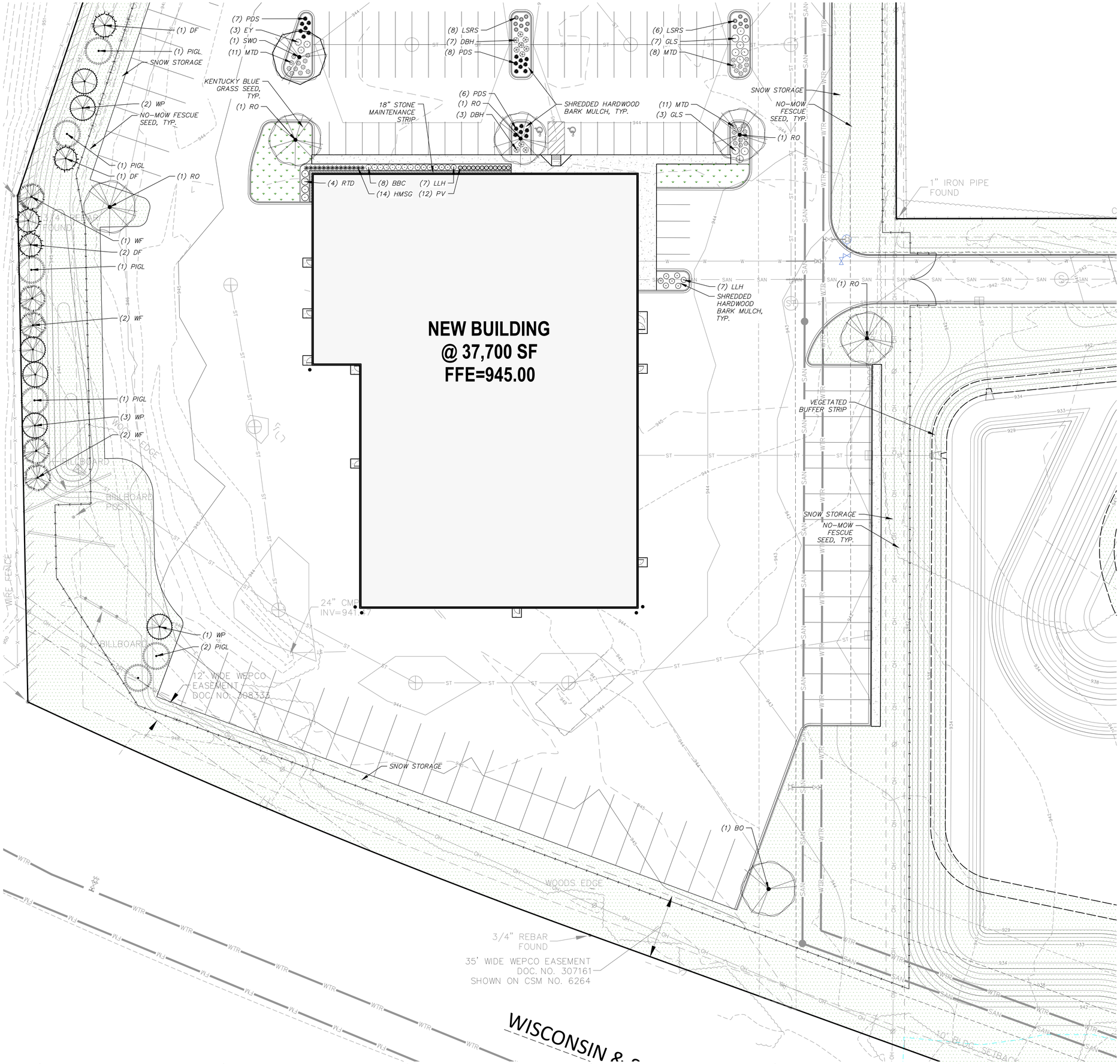
1 2 3 4 5 6 7



GENERAL NOTES

1. ALL WORK IN THE ROW SHALL BE IN ACCORDANCE WITH THE MUNICIPAL STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.
3. DRAWING FOR REVIEW – NOT FOR CONSTRUCTION UNLESS OTHERWISE NOTED IN THE TITLE BLOCK.
4. THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL FINE GRADING AND TOPSOILING WITH GENERAL CONTRACTOR
5. REFER TO "LANDSCAPE DETAILS AND NOTES" SHEET FOR ADDITIONAL DETAILS, NOTES AND SPECIFICATION INFORMATION INCLUDING MATERIALS, GUARANTEE AND EXECUTION RELATED TO LANDSCAPE PLAN
6. CONTRACTOR SHALL REVIEW SITE CONDITIONS FOR UTILITY CONFLICTS, DRAINAGE ISSUES, SUBSURFACE ROCK, AND PLANT PLACEMENT CONFLICTS PRIOR TO PLANT INSTALLATION. REPORT ANY CONDITIONS THAT MAY HAVE ADVERSE IMPACT ON PLANTING OPERATIONS TO LANDSCAPE ARCHITECT
7. DO NOT COMMENCE PLANTING OPERATIONS UNTIL ALL ADJACENT SITE IMPROVEMENTS, IRRIGATION INSTALLATION (IF APPLICABLE), AND FINISH GRADING ARE COMPLETE

LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY
- EASEMENT LINE
- BUILDING OUTLINE
- EDGE OF PAVEMENT
- STANDARD CURB AND GUTTER
- 18" HIGH SIDE CURB AND GUTTER
- CONCRETE PAVEMENT
- 959 PROPOSED 1 FOOT CONTOUR
- 960 PROPOSED 5 FOOT CONTOUR
- 959 EXISTING 1 FOOT CONTOUR
- 960 EXISTING 5 FOOT CONTOUR
- KENTUCKY BLUE GRASS SEED, FERTILIZER, AND MULCH
- NO-MOW FESCUE WITH ANNUAL RYE SEED, FERTILIZER, AND MULCH
- STONE MULCH
- SAN SANITARY SEWER
- W WATERMAIN
- ST STORM SEWER
- SAN PUBLIC SANITARY SEWER
- W PUBLIC WATERMAIN
- X FENCE
- LIGHT POLE (REFER TO PHOTOMETRIC PLAN)
- ALUMINUM EDGING

north
SCALE IN FEET
20' 0 20'

JSD
MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666
JSD PROJ. NO.: 23-13460A
JSD PROJ. MGR.: APM

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E

PROJECT INFORMATION

TRUCK COUNTRY

D

N128W21795
Holy Hill Road
Village of Germantown
Washington Co., WI

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
05/17/24	Plan Commission Updated Submittal
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PROJECT MANAGER	CJ
PROJECT NUMBER	23351

LANDSCAPE PLAN SOUTH

L-102

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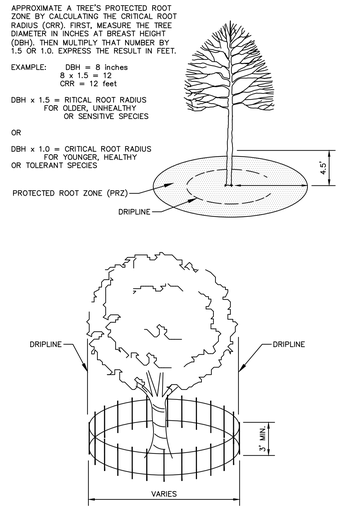
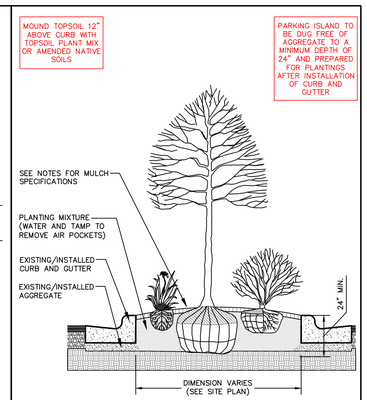


NOTE:
1. CONTRACTOR SHALL INSTALL TREE PROTECTION FENCING IN THE AREA SURROUNDING THE TREE WITHIN THE CRITICAL ROOT RADIUS
2. NO EXCAVATION IS PERMITTED WITHIN THE CRITICAL ROOT RADIUS
3. IF EXCAVATION WITHIN THE CRITICAL ROOT RADIUS OF ANY TREE IS NECESSARY, CONTRACTOR SHALL CONTACT CITY FORESTER PRIOR TO EXCAVATION TO ASSESS THE IMPACT TO THE TREE AND ROOT SYSTEM.

TREE PROTECTION DETAIL

N.T.S.

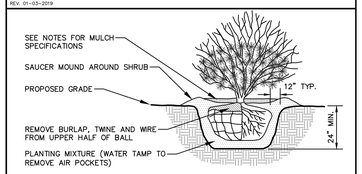
REV. 01-04-2019



PARKING ISLAND LANDSCAPE DETAIL

N.T.S.

REV. 01-03-2019



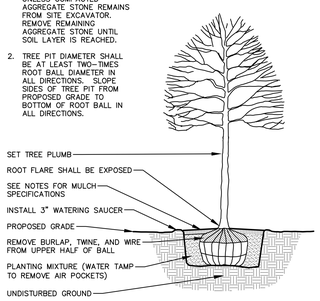
NOTE:
1. ROOT FLARE TO BE EXPOSED.

SHRUB PLANTING DETAIL

N.T.S.

REV. 01-03-2019

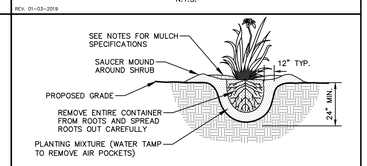
NOTE:
1. DIG HOLE NO DEEPER THAN BASE OF ROOT BALL TO FLARE. ROOT BALL TO BE SET ON UNDISTURBED SOIL UNLESS COMPACTED AGGREGATE STONE REMAINS FROM SITE EXCAVATOR. REMOVE REMAINING AGGREGATE STONE UNTIL SOIL LAYER IS REACHED.
2. TREE PIT DIAMETER SHALL BE AT LEAST TWO-TIMES ROOT BALL DIAMETER IN ALL DIRECTIONS. SLOPE SIDES OF TREE PIT FROM PROPOSED GRADE TO BOTTOM OF ROOT BALL IN ALL DIRECTIONS.



DECIDUOUS TREE PLANTING DETAIL

N.T.S.

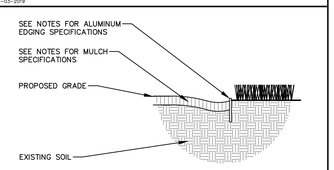
REV. 10-29-2021



PERENNIAL/ORNAMENTAL GRASS PLANTING DETAIL

N.T.S.

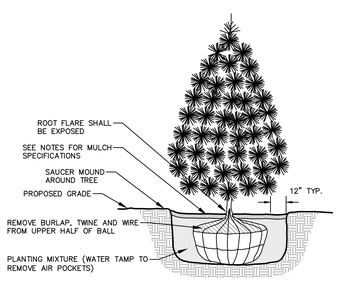
REV. 01-03-2019



ALUMINUM LANDSCAPE EDGING DETAIL

N.T.S.

REV. 01-03-2019



NOTE:
1. DIG HOLE NO DEEPER THAN BASE OF ROOT BALL TO FLARE. ROOT BALL TO BE SET ON UNDISTURBED SOIL UNLESS COMPACTED AGGREGATE STONE REMAINS FROM SITE EXCAVATOR. REMOVE REMAINING AGGREGATE STONE UNTIL SOIL LAYER IS REACHED

EVERGREEN TREE PLANTING DETAIL

N.T.S.

REV. 01-03-2019

GENERAL NOTES

1. GENERAL: ALL WORK IN THE R-O-W AND PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH LOCAL MUNICIPAL REQUIREMENTS. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES. LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO UTILITIES. CONTRACTOR MUST CALL 1-800-242-8511 FOR UTILITY LOCATIONS AT LEAST THREE DAYS PRIOR TO DIGGING. HAND DIG AND INSTALL ALL PLANTS THAT ARE NEAR EXISTING UTILITIES. PROTECT PREVIOUSLY INSTALLED WORK OF OTHER TRADES. CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
2. DELIVERY AND HANDLING: DO NOT DELIVER MORE PLANT MATERIALS THAN CAN BE PLANTED IN ONE DAY, UNLESS ADEQUATE, APPROPRIATE AND SECURE STORAGE IS PROVIDED AND APPROVED BY OWNER'S REPRESENTATIVE. AT ALL TIMES, PROTECT ALL PLANT MATERIALS FROM WIND AND DIRECT SUN. DELIVER PLANTS WITH LEGIBLE IDENTIFICATION LABELS. PROTECT PLANTS DURING DELIVERY AND DO NOT PRUNE PRIOR TO DELIVERY. ALL TREES AND SHRUBS SHALL BE PLANTED ON THE DAY OF DELIVERY; IF THIS IS NOT POSSIBLE, PROTECT THE PLANT MATERIALS NOT PLANTED BY STORING THEM IN A SHADED, SECURE AREA, PROTECTING THE ROOT MASS WITH WET SOIL, MULCH, HAY OR OTHER SUITABLE MEDIUM. CONTRACTOR TO KEEP ALL PLANT MATERIALS ADEQUATELY WATERED TO PREVENT ROOT DESICCATION. DO NOT REMOVE CONTAINER GROWN STOCK FROM CONTAINERS BEFORE TIME OF PLANTING. DO NOT PICK UP CONTAINER OR BALLED PLANTS BY STEM OR ROOTS. ALL PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE CONTAINER OR BALL. PERFORM ACTUAL PLANTING ONLY WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE IN ACCORDANCE WITH LOCALLY ACCEPTED BEST HORTICULTURAL PRACTICES.
3. MATERIALS – PLANTS: ALL PLANTS SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1. PLANTS SHALL BE TRUE TO SPECIES AND VARIETY SPECIFIED AND NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT FOR AT LEAST 2 YEARS. PLANTS SHALL BE FRESHLY DUG (DURING THE MOST RECENT FAVORABLE HARVEST SEASON). PLANTS SHALL BE SO TRAINED IN DEVELOPMENT AND APPEARANCE AS TO BE UNQUESTIONABLY SUPERIOR IN FORM, COMPACTNESS, AND SYMMETRY. PLANTS SHALL BE SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF, AND FREE OF DISEASE AND INSECTS (ADULT EGGS, PUPAE OR LARVAE). THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE FROM PHYSICAL DAMAGE OR OTHER CONDITIONS THAT WOULD PREVENT THRIVING GROWTH OR PREMATURE MORTALITY. PLANTS SHALL BE OF THE HIGHEST QUALITY, POSSESS TYPICAL GROWTH HABITS AND FORM FOR THEIR SPECIES AND BE FREE OF INJURY. PARKWAY TREES AND PARKING LOT TREES SHALL HAVE A MINIMUM BRANCHING HEIGHT OF SIX (6) FEET ABOVE THE GROUND TO ALLOW ADEQUATE VISUAL AND PHYSICAL CLEARANCE.
4. PRUNING: THE CONTRACTOR SHALL PRUNE ALL TREES AND REPAIR ANY INJURIES THAT OCCURRED DURING THE PLANTING PROCESS. DOUBLE LEADERS, DEAD BRANCHES, AND LIMBS DAMAGED OR BROKEN DURING THE PLANTING PROCESS, SHALL BE PRUNED. THIS SHALL BE THE ONLY PRUNING ALLOWED AT PLANTING. PRUNING SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR TREE CARE OPERATIONS, ANSI A300. PRUNE TREES IN ACCORDANCE WITH NAA GUIDELINES. DO NOT TOP TREES. PRUNE SHRUBS ACCORDING TO STANDARD HORTICULTURAL PRACTICES. ON CUTS OVER 3/4" IN DIAMETER AND BRUISES OR SCARS ON BARK, TRACE THE INJURED CAMBIUM LAYER BACK TO LIVING TISSUE AND REMOVE. SMOOTH AND SHAPE WOUNDS SO AS NOT TO RETAIN WATER. TREAT THE AREA WITH AN APPROVED INCONSPICUOUS LATEX BASED ANTISEPTIC TREE PAINT, IF PRUNING OCCURS "IN SEASON". DO NOT PRUNE ANY OAK TREES DURING THE MONTHS FROM APRIL TO OCTOBER.
5. CLEANUP: THE WORK AREA SHALL BE KEPT SAFE AND NEAT AT ALL TIMES. DISPOSED OF EXCESS SOIL. REMOVE ALL CUTTINGS AND WASTE MATERIALS. SOIL AND BRANCHES, BIND AND WRAP THESE MATERIALS, ANY REJECTED PLANTS, AND ANY OTHER DEBRIS RESULTING FROM ALL PLANTING TASKS AND PROMPTLY CLEAN UP AND REMOVE FROM THE PROJECT SITE. UNDER NO CIRCUMSTANCES SHALL THE ACCUMULATION OF SOIL, BRANCHES OR OTHER DEBRIS BE ALLOWED UPON A PUBLIC PROPERTY IN SUCH A MANNER AS TO RESULT IN A PUBLIC SAFETY HAZARD OR DAMAGE. LIKEWISE, UNDER NO CIRCUMSTANCES SHALL ANY DEBRIS OR INCIDENTAL MATERIALS BE ALLOWED UPON ADJACENT PRIVATE PROPERTY.
6. ANY SUBSTITUTIONS IN PLANT TYPE, LOCATION, OR SIZE SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
7. CONTRACTOR TO VERIFY PLANT MATERIAL QUANTITIES AND SQUARE FOOTAGES. QUANTITIES SHOWN ON PLAN TAKE PRECEDENCE OVER THOSE ON SCHEDULE.

LANDSCAPE MATERIAL NOTES

1. MATERIALS – PLANTING MIXTURE: ALL HOLES EXCAVATED FOR TREES, SHRUBS, PERENNIALS AND ORNAMENTAL GRASSES SHALL BE BACKFILLED WITH TWO (2) PARTS TOPSOIL, ONE (1) PART SAND AND ONE (1) PART COMPOST. SOIL MIXTURE SHALL BE WELL BLENDED PRIOR TO INSTALLATION.
2. MATERIALS – TOPSOIL: TOPSOIL TO BE CLEAN, FRIABLE LOAM FROM A LOCAL SOURCE, FREE FROM STONES OR DEBRIS OVER 3/4" IN DIAMETER, AND FREE FROM TOXINS OR OTHER DELETERIOUS MATERIALS. TOPSOIL SHALL HAVE A pH VALUE BETWEEN 6 AND 7. TOPSOIL AND PLANTING SOIL SHALL BE TESTED TO ENSURE CONFORMANCE WITH THESE SPECIFICATIONS AND SHALL BE AMENDED TO MEET THESE SPECIFICATIONS. PROVIDE TEST RESULTS TO OWNER'S REPRESENTATIVE PRIOR TO PLACEMENT. DO NOT PLACE FROZEN OR MUDDY TOPSOIL. APPLY SOIL AMENDMENTS TO ALL LANDSCAPE AREAS PER SOIL TEST.
3. MATERIALS – SHREDDED HARDWOOD BARK MULCH: ALL PLANTING AREAS LABELED ON PLAN SHALL RECEIVE CERTIFIED WEED FREE SHREDDED HARDWOOD BARK MULCH INSTALLED TO A MINIMUM AND CONSISTENT DEPTH OF 3-INCHES. SHREDDED HARDWOOD BARK MULCH SIZE & COLOR TO BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. FERTILIZER SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, COUNTY AND STATE REQUIREMENTS. SHREDDED HARDWOOD BARK MULCH AREAS SHALL NOT RECEIVE WOVEN WEED BARRIER FABRIC.
4. MATERIALS – STONE MULCH: ALL PLANTING AREAS LABELED ON PLAN SHALL RECEIVE DECORATIVE STONE MULCH SPREAD TO A MINIMUM AND CONSISTENT DEPTH OF 3-INCHES. DECORATIVE STONE MULCH TYPE, SIZE & COLOR TO BE 2" MISSISSIPPI RIVER STONE, FINAL SELECTION APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. FERTILIZER SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, COUNTY AND STATE REQUIREMENTS. STONE MULCH AREAS SHALL RECEIVE WOVEN WEED BARRIER FABRIC. NO PLASTIC/IMPERVIOUS BARRIERS WILL BE PERMITTED. EXAMPLE: BLACK VISQUEEN.
5. MATERIALS – TREE & SHRUB RINGS: ALL TREES AND/OR SHRUBS PLANTED IN SEEDED LAWN AREAS TO BE INSTALLED WITH A MINIMUM 4' DIAMETER SHREDDED HARDWOOD BARK MULCH TREE RING SPREAD TO A CONSISTENT DEPTH OF 3-INCHES. ALL TREE RINGS SHOULD BE INSTALLED WITH A 5" DEPTH SHOVEL CUT EDGE, ANGLED 45 DEGREES INTO SOIL AT A 5' DIAMETER ABOUT THE CENTER OF THE TREE PLANTING. A PRE-EMERGENT GRANULAR HERBICIDE WEED-PREVENTER SHOULD BE MIXED WITH MULCH USED TO INSTALL TREE RING AS WELL AS TOPICALLY APPLIED TO COMPLETED INSTALLATION OF TREE RING.
6. MATERIALS – ALUMINUM EDGING: EDGING SHALL BE 1/8" X 4", ALUMINUM EDGING, MILL FINISH. OWNER'S REPRESENTATIVE SHALL APPROVE PRODUCT SPECIFICATION PROVIDED BY LANDSCAPE CONTRACTOR.
7. MATERIALS – TREE PROTECTION: ALL TREES TO BE INSTALLED WITH LDPE TREE GUARDS AS MANUFACTURED BY A.M. LEONARD HORTICULTURAL TOOL & SUPPLY CO., OR APPROVED EQUAL.

SEEDING, SODDING, & POND VEGETATION NOTES

1. MATERIALS – TURFGRASS SEED: DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 6" OF TOPSOIL AND EARTH CARPET'S "MADISON PARKS" GRASS SEED, OR EQUIVALENT AS APPROVED BY THE OWNER'S REPRESENTATIVE, INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. IN ADDITION TO TURFGRASS SEED, ANNUAL RYE SHALL BE APPLIED TO ALL DISTURBED AREAS AT A RATE OF 1 1/2 LBS PER 1000 SQUARE FEET. FERTILIZE AND MULCH PER MANUFACTURER'S RECOMMENDATIONS. MULCH SHALL BE CERTIFIED NOXIOUS WEED SEED-FREE
2. MATERIALS – NO-MOW FESCUE SEED: DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 6" OF TOPSOIL AND PRAIRIE NURSERY NO-MOW FESCUE GRASS SEED, OR EQUIVALENT AS APPROVED BY THE OWNER'S REPRESENTATIVE, INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. IN ADDITION TO NO-MOW SEED, ANNUAL RYE SHALL BE APPLIED TO ALL DISTURBED AREAS AT A RATE OF 1 1/2 LBS PER 1000 SQUARE FEET. FERTILIZE AND MULCH PER MANUFACTURER'S RECOMMENDATIONS. MULCH SHALL BE CERTIFIED NOXIOUS WEED SEED--FREE

CONTRACTOR AND OWNER RESPONSIBILITY NOTES

1. GUARANTEE: THE CONTRACTOR SHALL GUARANTEE ALL PLANTS THROUGH ONE (1) YEAR AFTER ACCEPTANCE BY THE OWNER'S REPRESENTATIVE. PLANTS SHALL BE ALIVE AND IN HEALTHY AND FLOURISHING CONDITION AT THE END OF THE GUARANTEE PERIOD. THE CONTRACTOR SHALL REPLACE (AT NO COST TO OWNER) ANY PLANTS THAT ARE DEAD OR NOT IN A VIGOROUS THRIVING CONDITION. REPLACEMENT PLANTS SHALL BE OF THE SAME KIND AND SIZE AS ORIGINALLY SPECIFIED UNLESS OTHERWISE DIRECTED BY OWNER'S REPRESENTATIVE. RESTORE BEDS AS NECESSARY FOLLOWING PLANT REPLACEMENT, INCLUDING BUT NOT LIMITED TO BEDDING, EDGING, MULCH, ETC. REPLACE PLANTS DAMAGED AT TIME OF PLANTING. REPAIR AREAS DISTURBED IN ANY WAY DURING PLANT REPLACEMENT AT NO COST TO OWNER. CONTRACTOR SHALL PROVIDE A ONE (1)-YEAR STRAIGHTENING GUARANTEE FOR ALL TREES.
2. CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER'S REPRESENTATIVE PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
3. MAINTENANCE: (CONTRACTOR) FOR ALL PLANTINGS, SEEDED AND/OR SODDED LAWN AREAS: THE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS AND LAWN AREAS FOR A MINIMUM TIME PERIOD OF 60 DAYS, UNTIL FINAL ACCEPTANCE BY OWNER'S REPRESENTATIVE. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY WATERING PLANTS AND LAWN/TURFGRASS DURING THIS 60 DAY ESTABLISHMENT PERIOD. CONTRACTOR IS RESPONSIBLE FOR THE ESTABLISHMENT OF HEALTHY VIGOROUS PLANT MATERIALS AND LAWN/TURFGRASS GROWTH. CONTRACTOR IS ALSO RESPONSIBLE FOR ANY PRUNING OF PLANT MATERIALS, AND SHAPING AND/OR REPLACEMENT OR SUPPLEMENT OF DEFICIENT SHREDDED HARDWOOD BARK MULCH DURING THIS PERIOD. LONG TERM PLANT MATERIALS AND LAWN/TURFGRASS MAINTENANCE AND ANY PROGRAM FOR SUCH IS THE RESPONSIBILITY OF THE OWNER. ALL PLANTINGS AND LAWN/TURFGRASS AREAS SHALL BE MAINTAINED IN A MANICURED CONDITION UNTIL THE TIME WHEN THE OWNER'S ACCEPTANCE IS GIVEN.
4. MAINTENANCE: (OWNER) THE OWNER IS RESPONSIBLE FOR THE CONTINUED MAINTENANCE, REPAIR AND REPLACEMENT OF ALL LANDSCAPING MATERIALS AND WEED BARRIER FABRIC AS NECESSARY FOLLOWING THE ONE (1) YEAR CONTRACTOR GUARANTEE PERIOD.

LANDSCAPE REQUIREMENTS

BUILDING FOUNDATION AREA (124 LF Plantable Foundation)	
Landscape Requirement:	*Plantings shall be along each building façade visible from r-o-w*
Total Required:	***124 LF of plantable area for foundation planting***
Total Provided:	***124 LF of plantable area for foundation planting***
PARKING SCREENING (860 LF)	
Landscape Requirement:	*8' wide evergreen greenbelt*
Total Required:	***860 LF evergreen belt***
Total Provided:	***800 LF evergreen belt***
STREET TREES N/A	
Landscape Requirement:	*Mix of deciduous trees with minimum 3" caliper*
Total Required:	***0 LF of street trees***
Total Provided:	***0 LF of street trees***
LANDSCAPE ISLANDS (4,765 SF)	
Landscape Requirement:	*Low plantings and taller tree species*
Total Required:	***4,765 SF landscape island plantings***
Total Provided:	***4,765 SF landscape island plantings***
BUFFER STRIP (977 LF)	
Landscape Requirement:	*8' vegetated buffer strip shall be planted with prairie grasses along shoreline of wet ponds*
Total Required:	***842 LF vegetated buffer strip***
Total Provided:	***842 LF vegetated buffer strip***

JSD
MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666
JSD PROJ. NO.: 23-13460A
JSD PROJ. MGR.: APM

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Hearing Impaired TDD (800) 542-2289
www.DiggersHotline.com

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PROJECT INFORMATION

TRUCK COUNTRY

N128W21795
Holy Hill Road
Village of Germantown
Washington Co., WI

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
05/17/24	Plan Commission Updated Submittal
08/15/24	Plan Commission Updated Submittal
09/26/24	DNR Submittal & City Resubmittal

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PROJECT MANAGER	CJ
PROJECT NUMBER	23351

LANDSCAPE NOTES AND DETAILS

L-200

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FIRST FLOOR PLAN

eu:a

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N
PLAN

Truck Country - Plan Commission Updated Submittal

23351
08/16/2024

EXTERIOR COLOR LEGEND
PT-1: WHITE DUCK SW7010
PT-2: DORIAN GRAY SW7017
PT-3: CARDINAL RED SW2908

East Elevation

North Elevation

EXTERIOR ELEVATIONS

eu:a

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Truck Country - Plan Commission Updated Submittal

23351
08/16/2024

EXTERIOR COLOR LEGEND
PT-1: WHITE DUCK SW7010
PT-2: DORIAN GRAY SW7017
PT-3: CARDINAL RED SW2908

West Elevation

South Elevation

EXTERIOR ELEVATIONS

eu:a

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Truck Country - Plan Commission Updated Submittal

23351
08/16/2024

VIEW FROM NORTHWEST CORNER

VIEW FROM NORTHEAST CORNER

VIEW FROM SOUTHWEST CORNER

VIEW FROM SOUTHEAST CORNER

EXTERIOR RENDERINGS

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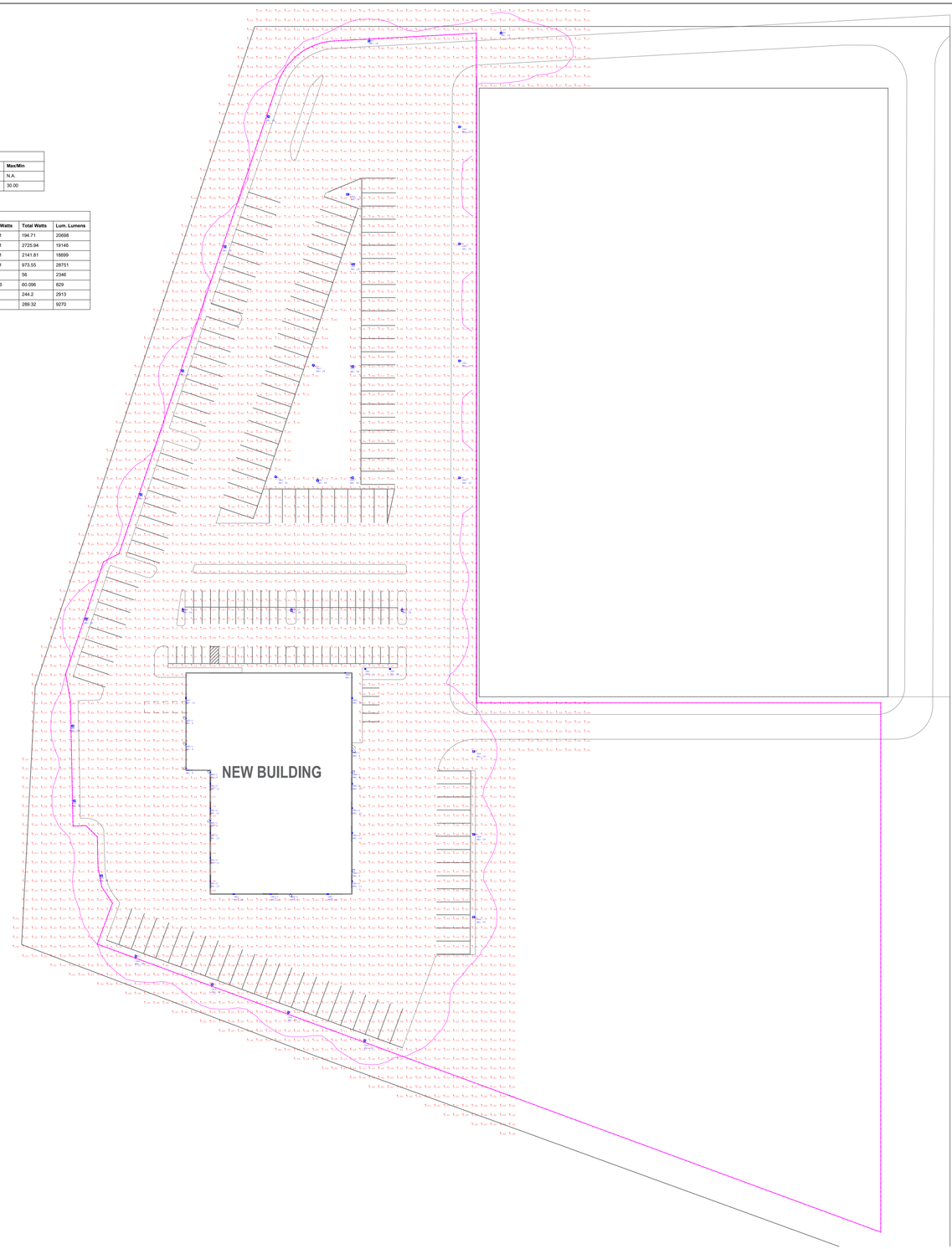
Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
SITE	Illuminance	Fc	1.47	10.80	0.00	N.A.	N.A.
PARKING AREAS	Illuminance	Fc	2.04	9.0	0.3	6.80	30.00

Luminaire Schedule								
Qty	Label	Arrangement	LLF	MFR	Description	Lum. Watts	Total Watts	Lum. Lumens
1	OA2	SINGLE	0.950	LITHONIA	RSX3 LED P1 xxK R2 MVOLT (Mounting) HS (Finish) -25FT POLE 3FT BASE	194.71	194.71	20698
14	OA3	SINGLE	0.950	LITHONIA	RSX3 LED P1 40K R3 MVOLT (Mounting) HS (Finish) -25FT POLE 3FT BASE	194.71	2725.94	19146
11	OA4	SINGLE	0.950	LITHONIA	RSX3 LED P1 40K R4 MVOLT (Mounting) HS (Finish) -25FT POLE 3FT BASE	194.71	2141.81	18699
5	OA5	SINGLE	0.950	LITHONIA	RSX3 LED P1 40K RS5 MVOLT (Mounting) (Finish) -25FT POLE 3FT BASE	194.71	973.55	28751
2	OB1	SINGLE	0.950	LITHONIA	KBRB LED 16C 530 xxK SYM MVOLT (Finish)	28	56	2346
10	OW0-1	SINGLE	0.950	LITHONIA	WPX0 LED ALO-1 SWW2 MVOLT PE DDBXD	6.0096	60.096	829
10	OW1-2	SINGLE	0.950	LITHONIA	WPX1 LED P2 xxK MVOLT -(FINISH)	24.42	244.2	2913
4	OW3	SINGLE	0.950	LITHONIA	WPX3 LED xxK MVOLT -(FINISH)	72.33	289.32	9270



ENTERPRISE
Lighting & Control

#	DATE	COMMENTS

REVISIONS

DRAWN BY : DC

DATE : NOVMEBER 13, 2023

SCALE : 1/64" = 1'-0"

McCOY GROUP

GERMANTOWN, WISCONSIN

SITE LIGHTING

RSX3 LED
Area Luminaire

Catalog Number **OA2, OA3, OA4 & OA5 Fixtures**

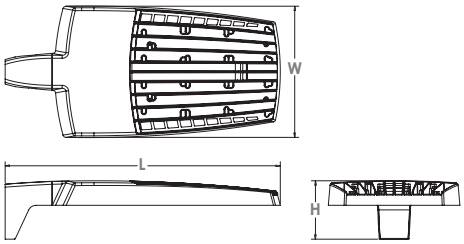
Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

EPA (ft^2@0°):	0.70 ft^2 (0.07 m^2)
Length:	33.8" (85.9 cm) (SPA mount)
Width:	16.1" (40.9 cm)
Height:	3.0" (7.6 cm) Main Body 7.2" (18.3 cm) Arm
Weight (max):	48.0 lbs (21.8 kg)



Introduction

The new RSX LED Area family delivers maximum value by providing significant energy savings, long life and outstanding photometric performance at an affordable price. The RSX3 delivers 25,000 to 41,000 lumens allowing it to replace 400W to 1000W HID luminaires.

The RSX features an integral universal mounting mechanism that allows the luminaire to be mounted on most existing drill hole patterns. This "no-drill" solution provides significant labor savings. An easy-access door on the bottom of mounting arm allows for wiring without opening the electrical compartment. A mast arm adaptor, adjustable integral slipfitter and other mounting configurations are available.

design select

Items marked by a shaded background qualify for the Design Select program and ship in 15 days or less. To learn more about Design Select, visit www.acuitybrands.com/designselect.
*See ordering tree for details

Design Select options indicated by this color background.

Ordering Information

EXAMPLE: RSX3 LED P4 40K R3 MVOLT SPA DDBXD

RSX3 LED

Series	Performance Package	Color Temperature	Distribution	Voltage	Mounting
RSX3 LED	P1 P2 P3 P4	30K 3000K 40K 4000K 50K 5000K	R2 Type 2 Wide R3 Type 3 Wide R3S Type 3 Short R4 Type 4 Wide R4S Type 4 Short R5 Type 5 Wide [1] R5S Type 5 Short [1] AFR Automotive Front Row AFRR90 Automotive Front Row Right Rotated AFRL90 Automotive Front Row Left Rotated	MVOLT (120V-277V) [2] HVOLT (347V-480V) [3] XVOLT (277V-480V) [4] **(use specific voltage for options as noted)** 120 [2] 277 [5] 208 [2] 347 [5] 240 [2] 480 [5]	SPA Square pole mounting (3.0" min. SQ pole for 1 at 90°, 3.5" min. SQ pole for 2, 3, 4 at 90°) RPA Round pole mounting (3.2" min. dia. RND pole for 2, 3, 4 at 90°, 3.0" min. dia. RND pole for 1 at 90°, 2 at 180°, 3 at 120°) MA Mast arm adaptor (fits 2-3/8" OD horizontal tenon) IS Adjustable slipfitter (fits 2-3/8" OD tenon) [6] WBA Wall bracket WBASC Wall bracket with surface conduit box AASP Adjustable tilt arm square pole mounting [6] AARP Adjustable tilt arm round pole mounting [6] AAWB Adjustable tilt arm with wall bracket [6] AAWSC Adjustable tilt arm wall bracket and surface conduit box [6]

Options

Shipped Installed

HS	House-side shield [7]
PE	Photocontrol, button style [8,9]
PER7	Seven-wire twist-lock receptacle only (no controls) [9, 10, 11]
SF	Single fuse (120, 277, 347) [3]
DF	Double fuse (208, 240, 480) [3]
SPD20KV	20KV Surge pack (10KV standard)
FAO	Field adjustable output [9]
DMG	0-10V dimming extend out back of housing for external control (control ordered separate) [9]

Shipped Installed

***Standalone and Networked Sensors/Controls (factory default settings, see table page 9)**

NLTAIR2 PIRHN	nLight AIR generation 2, with Networked Bi-Level motion/ambient sensor [9, 12, 13, 14]
BAA	Buy America(n) Act Compliant
CCE	Coastal Construction [15]

*Note: PIRHN with nLight Air can be used as a standalone or networked solution. Sensor coverage pattern is affected when luminaire is tilted.

Shipped Separately (requires some field assembly)

EGS	External glare shield [7]
EGFV	External glare full visor (360° around light aperture) [7]
BS	Bird spikes [16]

Finish

DDBXD	Dark Bronze
DBLXD	Black
DNAXD	Natural Aluminum
DWHXD	White
DDBTXD	Textured Dark Bronze
DBLBXD	Textured Black
DNATXD	Textured Natural Aluminum
DWHGXD	Textured White

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Ordering Information

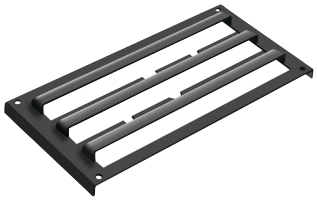
Accessories

Ordered and shipped separately.

RSX3HS U	RSX3 House side shield (includes 3 shields)
RSX3HSAFRR U	RSX3 House side shields for AFR rotated optics (includes 3 shields)
RSX3EGS (FINISH) U	External glare shield (specify finish)
RSX3EGFV (FINISH) U	External glare full visor (specify finish)
RSXRPA (FINISH) U	RSX Universal round pole adaptor plate (specify finish)
RSXWBA (FINISH) U	RSX WBA wall bracket (specify finish) [1]
RSXSCB (FINISH)U	RSX Surface conduit box (specify finish, for use with WBA, WBA not included)
DLL127F 1.5 JU	Photocell -SSL twist-lock (120-277V)
DLL347F 1.5 CUL JU	Photocell -SSL twist-lock (347V) [17]
DLL480F 1.5 CUL JU	Photocell -SSL twist-lock (480V) [17]
DSHORT SBK U	Shorting cap [17]

NOTES
1 Any Type 5 distribution, is not available with WBA.
2 MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
3 HVOLT driver operates on any line voltage from 347-480V (50/60 Hz).
4 XVOLT driver operates on any line voltage from 277V-480V (50/60 Hz). XVOLT not available with fusing (SF or DF) and not available with PE.
5 Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
6 Maximum tilt is 90° above horizontal.
7 It may be ordered as an accessory.
8 Requires MVOLT or 347V.
9 Two or more of the following options cannot be combined including PE, DMG, PER7, FAO and NLTAIR2 PIRHN. (Exception: PE and FAO can be combined; also PE and DMG can be combined.)
10 Compatible with standard twist-lock photocells for dusk to dawn operation or advanced control nodes that provide 0-10V dimming signals. Wire 4/Wire 5 wired to dimming leads on driver. Wire6/Wire7 capped inside luminaire. Twistlock photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Shorting Cap included.
11 For units with option PER7, the mounting must be restricted to +/- 45° from horizontal aim per ANSI C136.10-2010.
12 Must be ordered with PIRHN.
13 Requires MVOLT or HVOLT.
14 Must be ordered with NLTAIR2. For additional information on PIRHN visit here.
15 CCE option not available with WBA, WBASC, AASP, AARP, AAWB, AAWBSC, EGS, EGFV and BS.
16 Must be ordered with fixture for factory pre-drilling.
17 Requires luminaire to be specified with PER7 option. Ordered and shipped as a separate line item from Acuity Brands Controls.

External Shields



House Side Shield

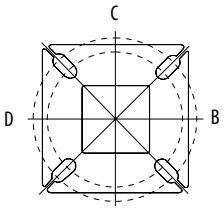
External Glare Shield

External 360 Full Visor

Pole/Mounting Informatiion

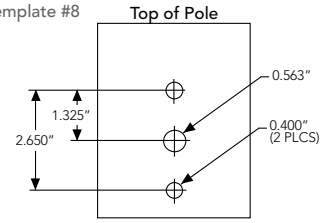
Accessories including bullhorns, cross arms and other adapaters are available under the accessories tab at Lithonia's Outdoor Poles and Arms product page. Click here to visit Accessories.

HANDHOLE ORIENTATION

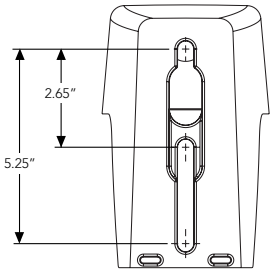


RSX POLE DRILLING

Template #8



RSX STANDARD ARM & ADJUSTABLE ARM



Round Tenon Mount - Pole Top Slipfitters

Tenon O.D.	RSX Mounting	Single	2 at 180°	2 at 90°	3 at 120°	3 at 90°	4 at 90°
2-3/8"	RPA, AARP	AS3-5 190	AS3-5 280	AS3-5 290	AS3-5 320	AS3-5 390	AS3-5 490
2-7/8"	RPA, AARP	AST25-190	AST25-280	AST25-290	AST25-320	AST25-390	AST25-490
4"	RPA, AARP	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490

Drill/Side Location by Configuration Type

Drilling Template	**Mounting Option**	Single	2 @ 180	2 @ 90	3 @ 120	3 @ 90	4 @ 90
	Head Location	Side B	Side B & D	Side B & C	Round Pole Only	Side B, C & D	Side A, B, C & D
#8	**Drill Nomenclature**	DM19AS	DM28AS	DM29AS	DM32AS	DM39AS	DM49AS

RSX3 - Luminaire EPA

*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

Fixture Quantity & Mounting Configuration		EPA (ft^2)								
		Single	2 @ 90	2 @ 180	3 @ 90	3 @ 120	4 @ 90	2 Side by Side	3 Side by Side	4 Side by Side
Mounting Type	**Tilt**									
SPA - Square Pole Adaptor	0°	0.7	1.32	1.37	2	1.76	2.62	1.39	2.09	2.8
RPA - Round Pole Adaptor		0.75	1.37	1.47	2.1	1.86	2.72	1.44	2.19	2.9
MA - Mast Arm Adaptor		0.62	1.24	1.21	1.84	1.6	2.46	1.31	1.93	2.64
IS - Integral Slipfitter AARP/AASP - Adjustable Arm Square/Round Pole	0°	0.7	1.32	1.37	2	1.76	2.62	1.39	2.09	2.8
	10°	0.96	1.85	1.84	2.76	2.4	3.64	1.92	1.92	3.84
	20°	1.34	2.58	2.64	3.83	3.35	5.11	2.68	2.68	5.36
	30°	2.04	3.52	3.79	5.2	4.7	7.03	4.09	4.09	8.16
	40°	3.12	4.54	5.23	6.6	6.33	9.02	6.23	6.23	12.48
	45°	3.72	5.05	6.12	7.35	7.15	10.01	7.45	7.45	14.88
	50°	4.01	5.49	6.6	7.87	7.81	10.88	8.02	8.02	16.04
	60°	4.72	6.36	7.69	9.09	9.11	12.61	9.44	9.44	18.88
	70°	4.9	7.01	8.05	10.02	9.78	13.94	9.80	9.80	19.6
	80°	4.95	7.4	8.23	10.61	10.26	14.75	9.90	9.90	19.8
	90°	4.91	7.55	8.34	10.88	10.54	15.05	9.82	9.82	19.64

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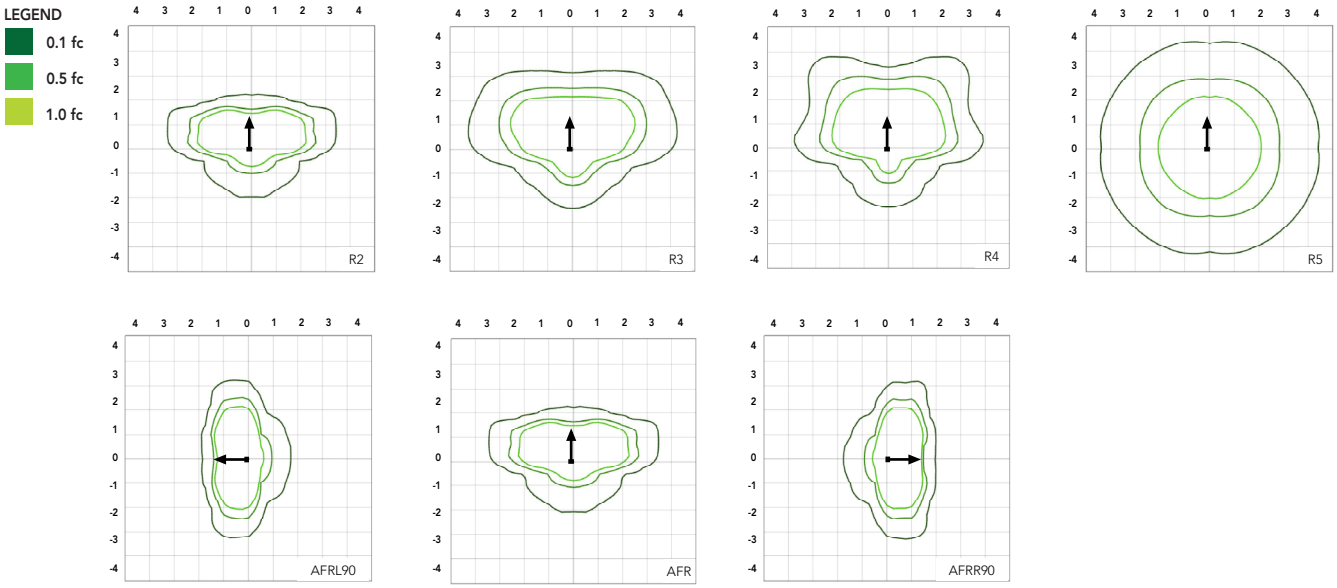
Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's RSX Area homepage.

Isofootcandle plots for the RSX3 LED P4 40K. Distances are in units of mounting height (30').



Performance Data

Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-50°C (32-122°F).

Ambient	Ambient	Lumen Multiplier
0°C	32°F	1.05
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
25°C	77°F	1.00
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97
45°C	113°F	0.96
50°C	122°F	0.95

Electrical Load

		Current (A)					
Performance Package	System Watts (W)	120V	208V	240V	277V	347V	480V
P1	194W	1.61	0.92	0.80	0.69	0.56	0.40
P2	222W	1.85	1.06	0.92	0.80	0.63	0.45
P3	266W	2.22	1.27	1.10	0.95	0.76	0.55
P4	312W	2.60	1.49	1.29	1.11	0.89	0.64

Projected LED Lumen Maintenance

Operating Hours	50,000	75,000	100,000
Lumen Maintenance Factor	>0.97	>0.95	>0.92

Values calculated according to IESNA TM-21-11 methodology and valid up to 40°C.

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Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Performance Package	System Watts	Distribution. Type	30K (3000K, 70 CRI)					40K (4000K, 70 CRI)					50K (5000K, 70 CRI)				
			Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
P1	194W	R2	24,920	3	0	2	128	27,379	3	0	2	141	27,379	3	0	2	141
		R3	24,832	3	0	4	128	27,283	3	0	4	141	27,283	3	0	4	141
		R3S	25,494	3	0	3	131	28,010	3	0	3	144	28,010	3	0	3	144
		R4	25,157	3	0	4	130	27,639	3	0	4	142	27,639	3	0	4	142
		R4S	24,272	3	0	3	125	26,667	3	0	3	137	26,667	3	0	3	137
		R5	25,494	5	0	4	131	28,010	5	0	4	144	28,010	5	0	4	144
		R5S	26,171	4	0	2	135	28,754	4	0	2	148	28,754	4	0	2	148
		AFR	24,886	3	0	2	128	27,342	3	0	2	141	27,342	3	0	2	141
		AFRR90	25,123	4	0	3	129	27,602	4	0	3	142	27,602	4	0	3	142
		AFRL90	25,229	4	0	3	130	27,718	4	0	3	142	27,718	4	0	3	142
P2	222W	R2	27,570	3	0	2	124	30,291	3	0	2	136	30,291	3	0	2	136
		R3	27,473	3	0	4	124	30,185	3	0	4	136	30,185	3	0	4	136
		R3S	28,206	3	0	3	127	30,990	3	0	4	139	30,990	3	0	4	139
		R4	27,833	3	0	4	125	30,579	3	0	4	138	30,579	3	0	4	138
		R4S	26,854	3	0	3	120	29,504	3	0	3	132	29,504	3	0	3	132
		R5	28,206	5	0	4	127	30,990	5	0	4	140	30,990	5	0	4	140
		R5S	28,955	4	0	2	130	31,813	5	0	3	143	31,813	5	0	3	143
		AFR	27,533	3	0	2	124	30,251	3	0	2	136	30,251	3	0	2	136
		AFRR90	27,795	4	0	3	125	30,538	5	0	3	137	30,538	5	0	3	137
		AFRL90	27,912	4	0	3	125	30,667	5	0	3	138	30,667	5	0	3	138
P3	266W	R2	32,285	3	0	3	121	35,471	3	0	3	133	35,471	3	0	3	133
		R3	32,172	3	0	4	121	35,346	3	0	5	133	35,346	3	0	5	133
		R3S	33,030	3	0	4	124	36,289	3	0	4	136	36,289	3	0	4	136
		R4	32,593	3	0	4	123	35,809	3	0	5	135	35,809	3	0	5	135
		R4S	31,446	3	0	4	118	34,550	3	0	4	129	34,550	3	0	4	129
		R5	33,030	5	0	4	124	36,289	5	0	4	136	36,289	5	0	4	136
		R5S	33,907	5	0	3	127	37,253	5	0	3	140	37,253	5	0	3	140
		AFR	32,242	3	0	3	121	35,424	3	0	3	133	35,424	3	0	3	133
		AFRR90	32,549	5	0	4	122	35,761	5	0	4	134	35,761	5	0	4	134
		AFRL90	32,686	5	0	3	123	35,911	5	0	4	135	35,911	5	0	4	135
P4	312W	R2	36,945	3	0	3	118	40,591	3	0	3	130	40,591	3	0	3	130
		R3	36,815	3	0	5	118	40,448	3	0	5	130	40,448	3	0	5	130
		R3S	37,797	3	0	4	121	41,527	3	0	4	133	41,527	3	0	4	133
		R4	37,297	3	0	5	120	40,978	3	0	5	131	40,978	3	0	5	131
		R4S	35,985	3	0	4	115	39,537	3	0	4	127	39,537	3	0	4	127
		R5	37,797	5	0	4	121	41,527	5	0	5	133	41,527	5	0	5	133
		R5S	38,801	5	0	3	124	42,630	5	0	3	137	42,630	5	0	3	137
		AFR	36,896	3	0	3	118	40,537	3	0	3	130	40,537	3	0	3	130
		AFRR90	37,247	5	0	4	119	40,923	5	0	4	131	40,923	5	0	4	131
		AFRL90	37,403	5	0	4	120	41,095	5	0	4	132	41,095	5	0	4	132

Note: XVOLT configurations only for all RSX3 LED P4 — Inputs watts is reduced by 9% to 285W. Delivered lumens reduced by 8% for all published values under P4.
IES files for RSXF3 LED P4 with XVOLT are available on Acuitybrands.com.

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KBR8 LED
LED Specification Bollard

BAA

Catalog Number OB1

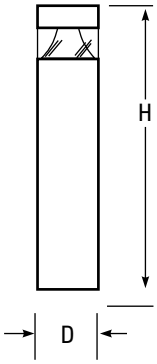
Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

	8" Round (20.3 cm)
Height:	40" (101.6 cm)
Weight (max):	27 lbs (12.25 kg)



Introduction

The KBR8 Bollard is a stylish, fully integrated LED solution for walkways. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 70% in energy savings over comparable 100W metal halide luminaires, the KBR8 Bollard is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

Ordering Information

EXAMPLE: KBR8 LED 16C 700 40K SYM MVOLT DDBXD

KBR8 LED

Series	LEDs	Drive current	Color temperature	Distribution	Voltage	Control options	Other options	Finish *(required)*
KBR8 LED	**Asymmetric** 12C 12 LEDs [1] **Symmetric** 16C 16 LEDs [2]	350 350 mA 450 450 mA [3,4] 530 530 mA 700 700 mA	30K 3000 K 40K 4000 K 50K 5000 K AMBPC Amber phosphor converted AMBLW Amber limited wavelength [3,4]	ASY Asymmetric [1] SYM Symmetric [2]	MVOLT [5] 120 [5] 208 [5] 240 [5] 277 [5] 347 [4]	**Shipped installed** PE Photoelectric cell, button type DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately) ELCW Emergency battery backup, CA Title 20 Noncompliant [6]	**Shipped installed** SF Single fuse (120, 277, 347V) [4,7] DF Double fuse (208, 240V) [4,7] H24 24" overall height H30 30" overall height H36 36" overall height FG Ground-fault festoon outlet L/AB Without anchor bolts (3 bolt base) L/AB4 4 bolt retrofit base without anchor bolts [8]	DWHXD White DNAXD Natural aluminum DDBXD Dark bronze DBLXD Black DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white

Accessories

Ordered and shipped separately.

MRAB U	Anchor bolts for KBR8 LED [8]

NOTES

1. Only available in the 12C, ASY version.
2. Only available in the 16C, SYM version.
3. Only available with 450 AMBLW version.
4. Not available with ELCW.
5. MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options), or photocontrol (PE option).
6. Not available with 347V. Not available with fusing. Not available with 450 AMBLW.
7. Single fuse (SF) requires 120, 277, or 347 voltage option. Double fuse (DF) requires 208 or 240 voltage option.
8. MRAB U not available with L/AB4 option.

LITHONIA LIGHTING
One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
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Performance Data

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Actual wattage may differ by +/- 8% when operating between 120-480V +/- 10%.

Light Engines	Drive Current	System Watts	3000 K					4000 K					5000 K					Limited Wavelength Amber				
			Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
Asymmetric 3 Engines (12 LEDs)	350	16	641	40	1	1	1	809	51	1	1	1	870	54	1	1	1					
	530	22	947	43	1	1	1	1,191	54	1	1	1	1,282	58	1	1	1					
	700	31	1,214	40	1	1	1	1,527	51	1	1	1	1,646	55	1	1	1					
	Amber 450	16																324	20	0	1	0
Symmetric 4 Engines (16 LEDs)	350	20	888	44	1	0	0	1,116	56	1	0	0	1,203	60	1	0	0					
	530	28	1,254	45	1	0	0	1,598	57	1	0	1	1,719	61	1	0	1					
	700	39	1,608	41	1	0	1	2,022	52	1	0	1	2,180	56	2	0	1					
	Amber 450	20																374	19	0	0	0

Note: Available with phosphor-converted amber LED's (nomenclature AMBPC). These LED's produce light with 97+% >530 nm. Output can be calculated by applying a 0.7 factor to 4000 K lumen values and photometric files.

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.00	0.98	0.97	0.95

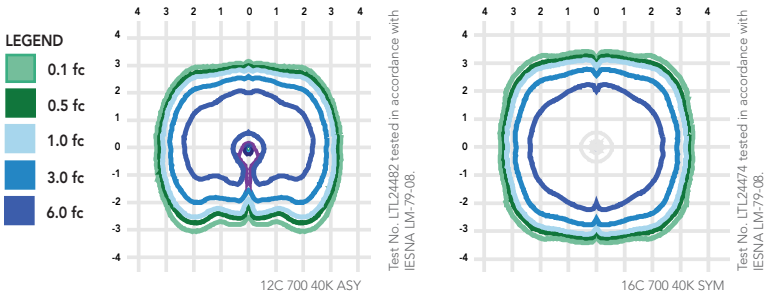
Electrical Load

Light Engines	Drive Current (mA)	System Watts	Current (A) 120	208	240	277	347
12C	350	16W	0.158	0.118	0.114	0.109	0.105
	530	22W	0.217	0.146	0.136	0.128	0.118
	700	31W	0.296	0.185	0.168	0.153	0.139
	Amber 450	16W	0.161	0.120	0.115	0.110	0.106
16C	350	20W	0.197	0.137	0.128	0.121	0.114
	530	28W	0.282	0.178	0.162	0.148	0.135
	700	39W	0.385	0.231	0.207	0.185	0.163
	Amber 450	20W	0.199	0.139	0.130	0.123	0.116

Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's KBR8 Bollard homepage.

Isofootcandle plots for the KB LED Bollards. Distances are in units of mounting height (3').



FEATURES & SPECIFICATIONS

INTENDED USE
The rugged construction and clean lines of the KBA bollard is ideal for illuminating building entryways, walking paths, and pedestrian plazas, as well as any other location requiring a low mounting height light source with fully cutoff illumination.

CONSTRUCTION
One-piece 8-inch round extruded aluminum shaft with thick side walls for extreme durability, a high-impact clear acrylic lens and welded top cap. Die-cast aluminum mounting ring allows for easy leveling even in sloped locations and a full 360-degree rotation for precise alignment during installation. Three ½" x 11" anchor bolts with double nuts and washers and 3 ¾" bolt circle template ensure stability. Overall height is 42" standard.

FINISH
Exterior parts are protected by a zinc-infused super durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering for maximum retention of gloss and luster. A tightly controlled multi-stage process ensures a minimum 3-mil thickness for a finish that can withstand the elements without cracking or peeling. Available in both textured and non-textured finishes.

OPTICS
Two fully cutoff optical distributions are available: symmetrical and asymmetrical. IP66 sealed LED light engine provides smoothly graduated illumination without any uplight. Light engines are available in standard 4000 K (>70 CRI) or optional 3000 K (>80 CRI) or 5000 K (67 CRI). Limited-wavelength amber LEDs are also available.

ELECTRICAL
Light engines consist of high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (L95/100,000 hours at 700mA at 25°C). Class 2 electronic drivers are designed for an expected life of 100,000 hours with < 1% failure rate. Electrical components are mounted on a removable power tray.

LISTINGS
CSA certified to U.S. and Canadian standards. Light engines are IP66 rated. Rated for -40°C minimum ambient. Cold-weather emergency battery backup rated for -20°C minimum ambient.

BUY AMERICAN ACT
This product is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT regulations. Please refer to www.acuitybrands.com/resources/buy-american for additional information.

WARRANTY
Five-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx.

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.

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Catalog Number	OW0-1, OW1-2 & OW3
Notes	
Type	

Contractor Select™

WPX LED

Wall packs

The WPX LED wall packs are energy-efficient, cost-effective, and aesthetically appealing full-cut off solution for both new construction and HID wall pack replacement/renovation opportunities. Reliable IP66 construction and excellent LED lumen maintenance ensure a long service life.

FEATURES:

- Architectural design at very economical prices
- Energy efficient - payback in less than two years
- Wide range of configuration options available

Note : WPX3 lumen package and all the WPX configuration options are not included in the Contractor Select program. For more information, please visit WPX LED.

Luminaire	CCT	Lumens	Input Watts	Photocell	Finish	Voltage	Catalog Number	CI Code	UPC	Pallet qty.	Replaces Up To
WPX0	SWW2 3000K/ 4000K/ 5000K	850 - 1,650	6.4-13W	Switchable On/Off	DARK BRONZE	120-277V	WPX0 LED ALO SWW2 MVOLT PE DDBXD M2	*276U4U	196182511806	280	70W Metal Halide
WPX1	4000K	2,900	24W	N/A	DARK BRONZE	120-277V	WPX1 LED P2 40K MVOLT DDBXD M4	*265SWK	193048870589	160	150W Metal Halide
WPX2	4000K	6,000	47W	N/A	DARK BRONZE	120-277V	WPX2 LED 40K MVOLT DDBXD M2	*265SX3	193048870756	120	250W Metal Halide
	5000K	6,000	47W	N/A	DARK BRONZE	120-277V	WPX2 LED 50K MVOLT DDBXD M2	*265SX6	193048870770	120	250W Metal Halide

More configurations are available. Click here or visit www.acuitybrands.com and search for WPX LED.

CONTRACTOR SELECT™

LITHONIA LIGHTING®

Specifications

INTENDED USE:

The WPX LED wall packs are designed to provide a cost-effective, energy-efficient solution for the one-for-one replacement of existing HID wall packs. The WPX0, WPX1, WPX2 and WPX3 are ideal for replacing up to 70W, 150W, 250W, and 400W HID luminaires respectively. WPX luminaires deliver a uniform, wide distribution. WPX is rated for -40°C to 40°C.

CONSTRUCTION:

WPX feature a die-cast aluminum main body with optimal thermal management that both enhances LED efficacy and extends component life. The luminaires are IP66 rated, and sealed against moisture or environmental contaminants.

ELECTRICAL:

Light engine(s) configurations consist of high-efficacy LEDs with a min LED lumen maintenance of L86/100,000 hours. Color temperature (CCT) options of 3000K, 4000K and 5000K with minimum CRI of 70 (80 for WPX0). Electronic drivers ensure system power factor >90% and THD <20%. All luminaires have 6kV surge protection (Note: WPX1 LED P1 package and WPX0 comes with a standard surge protection rating of 2.5kV).

Note: The standard WPX LED wall pack luminaires come with field-adjustable drive current feature. This feature allows tuning the output current of the LED drivers to adjust the lumen output (to dim the luminaire).

INSTALLATION:

WPX can be mounted directly over a standard electrical junction box. A port on the back surface allows poke-through conduit wiring on surfaces that don't have an electrical junction box. WPX1, WPX2 and WPX3 come with three 1/2 inch conduit ports on three sides that allow for surface conduit wiring. Wiring can be made in the integral wiring compartment in all cases. WPX is only recommended for installations with LEDs facing downwards.

LISTINGS:

CSA Certified to meet U.S. and Canadian standards. Suitable for wet locations. IP66 Rated.

DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

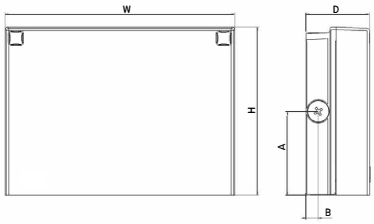
WARRANTY:

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: www.acuitybrands.com/support/warranty/terms-and-conditions

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25°C. Specifications subject to change without notice.

Dimensions

All dimensions are inches (centimeters) unless otherwise indicated.



Front View Side View

Luminaire	Height (H)	Width (W)	Depth (D)	Side Conduit Location		Weight
				A	B	
WPX0	5.75″ (14.6 cm)	5.5″ (14.0 cm)	2″ (5.1 cm)	N/A	N/A	2.5 lbs (1.1kg)
WPX1	8.1″ (20.6 cm)	11.1″ (28.3 cm)	3.2″ (8.1 cm)	4.0″ (10.3 cm)	0.6″ (1.6 cm)	6.1 lbs (2.8kg)
WPX2	9.1″ (23.1 cm)	12.3″ (31.1 cm)	4.1″ (10.5 cm)	4.5″ (11.5 cm)	0.7″ (1.7 cm)	8.2 lbs (3.7kg)
WPX3	9.5″ (24.1 cm)	13.0″ (33.0 cm)	5.5″ (13.7 cm)	4.7″ (12.0 cm)	0.7″ (1.7 cm)	11.0 lbs (5.0kg)

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Stormwater Management Plan Report

Truck Country
N128 W21795 Holy Hill Rd.
Village of Germantown, Wisconsin

Report Date: November 13, 2023
Revision Date: May 17, 2024
Revision Date: September 26, 2024

WISCONSIN
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09/26/2024

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JSD Project No. 23-13460

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APPENDICES

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- SLAMM INPUT
- SLAMM OUTPUT

APPENDIX 6 - DESIGN DETAILS

- PROPOSED GRADING & EROSION CONTROL PLAN
- PROPOSED STORM SEWER PLAN
- PROPOSED DETENTION POND DETAILS
- STORM SEWER SIZING CALCULATIONS

APPENDIX 7 - STORM WATER MAINTENANCE & OPERATION PLAN

1.0 INTRODUCTION

The proposed Truck Country redevelopment will be located in the Northwest 1/4 of the Northwest 1/4 of Section 18, Township 9 North, Range 20 East in the Village of Germantown, Washington County, Wisconsin. The site is positioned adjacent to Interstate 41, south of Holy Hill Road and is generally bounded by I-41 to the west, Holy Hill Road to the north, storage units to the east, and Wisconsin & Southern Railroad to the south. A location map illustrating the project site has been included in **Appendix 1**.

This Stormwater Management Plan has been created to address peak runoff rate control, water quality treatment, and infiltration requirements in accordance with Village of Germantown, Milwaukee Metropolitan Sewerage District (MMSD), and Wisconsin Department of Natural Resources (WDNR) regulations.

The proposed redevelopment will consist of a 38,600 square-foot commercial building with concrete sidewalks, and asphalt parking and drive aisles. A proposed wet detention pond will be constructed on-site to provide stormwater management, and private storm sewer will provide drainage conveyance to the pond. Please refer to **Section 3.0** and **Section 5.0** for design criteria and additional details of the stormwater facilities.

2.0 EXISTING CONDITIONS

The existing site contains multiple commercial buildings surrounded by gravel parking, drive aisles, and storage yards. The north end of the site is open grassland and the southeast corner contains a pond surrounded by woods. The existing topography generally slopes from west to east towards the pond.

According to the United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey the on-site soils consist of loam and silt loam. A soil location map illustrating the soils has been included in **Appendix 2** and a listing of the soil map units and descriptions is shown in Table 1 below.

Table 1 – Soil Types

Map Symbol	Map Unit Name	Hydrologic Soil Group
AzB	Aztalan loam	C/D
BsA	Brookston silt loam	C/D
HmB2	Hochheim loam	D
LmA	Lamartine silt loam	B/D
MoB	Mayville silt loam	C

3.0 DESIGN CRITERIA

3.1 Village of Germantown

Municipal Code – Post-Construction Stormwater Management (Chapter 27)

3.2 Milwaukee Metropolitan Sewerage District

MMSD – Surface Water and Storm Water Regulations (Chapter 13)

3.3 Wisconsin Department of Natural Resources

WDNR – Technical Standards (NR151 and NR216)

Water Quantity: Village of Germantown and MMSD require sites which increase impervious surface area by greater than one-half acre to either maintain the existing 2-year and 100-year runoff volumes during the watershed's critical time period or reduce the peak runoff rate to no more than 0.15 cfs/acre during the 2-year event and no more than 0.50 cfs/acre during the 100-year event. Redevelopment sites are exempt from WDNR peak discharge standards per NR 151.123(2)(b). Refer to **Section 5.1** for a description of the on-site water quantity measures.

Water Quality: For redevelopment, Village of Germantown and WDNR require stormwater discharges to be treated to remove a minimum of 40% of the total suspended solids load from parking areas and roads, based on an average annual rainfall. New development must remove a minimum of 80% of total suspended solids. Please refer to **Section 5.2** for a description of the on-site water quality measures.

Infiltration: As a redevelopment site, the proposed Truck Country project is exempt from Village of Germantown and WDNR infiltration requirements per NR151.124(3)(b)3.

4.0 ANALYSIS

HydroCAD® Stormwater Modeling System (Version 10.20) software has been used to analyze the stormwater characteristics for the Truck Country redevelopment. HydroCAD® uses the accepted TR-55 methodology for determining peak runoff rates and volumes. Curve numbers for existing and proposed ground cover have been selected using the standard values specified in TR-55 for soil belonging to hydrologic soil group "D". Rainfall depths utilized in the HydroCAD® models were based on the rainfall amounts specified in NOAA Atlas 14 for Washington County using an MSE, type 3 rainfall distribution. Results of the modeling have been included in **Appendix 3**. The corresponding rainfall depths are shown below in Table 2.

Table 2 – Rainfall Depths

Storm Event	Rainfall Depth
1-year	2.35"
2-year	2.65"
100-year	6.41"

The sediment reduction characteristics of the proposed stormwater management facilities have been analyzed using WinSLAMM® (Version 10.5.0) Source Loading and Management Model. Source areas were based on proposed ground cover used in the HydroCAD® model. Storage volumes and outlet devices entered into the WinSLAMM® model were also derived from the HydroCAD® analysis. WinSLAMM® input and output data have been included in **Appendix 4**.

5.0 DESIGN

The proposed Truck Country improvements will include construction of a 38,600 square-foot commercial building, asphalt parking lot and drive aisles, concrete sidewalks, installation of private utilities, and construction of a wet detention pond. Stormwater runoff will be conveyed to the detention pond via proposed storm sewer. Development of the site will disturb 11.9 acres and will increase the amount of impervious surface by 1.5 acres compared to existing conditions.

Drainage Area 1S represents the part of the site classified as redevelopment which will drain to proposed detention pond 1P. Drainage Area 2S consists of surfaces that will also drain to the detention pond but are classified as new development since the proposed improvements occur in an undeveloped part of the site. The detention pond will control runoff volume using a two-stage outlet structure. The structure will be comprised of a 24-inch diameter standpipe with a 5-inch diameter orifice to control discharge from smaller, more frequent storm events. Larger storm events will be controlled by the top of the standpipe. The outlet structure will discharge through a 10-inch diameter HDPE storm sewer at the southeast corner of the detention pond. Discharge will flow into the existing pond, which eventually outlets to the east. In the event the outlet structure becomes clogged or otherwise inoperable, or during storm events in excess of the 100-year event, stormwater will discharge through an emergency spillway located on the east side of the pond which will direct runoff into the existing pond.

Runoff from Drainage Areas 3S and 4S will flow offsite without detention or treatment for sediment removal. 3S is located on the western and northern edges of the property and will drain overland to the northeast corner of the property. 4S is located at the southeast corner of the site and will drain overland to the existing pond. Finally, Drainage Area 5S represents offsite area at the southwest corner of the site that will drain onto the property and into the detention pond. A Proposed Conditions Hydrology Exhibit illustrating the drainage areas has been included in **Appendix 3.** Please refer to **Appendix 5** for additional details of the detention pond and outlet structure.

5.1 Runoff Volume Control

The proposed detention pond has been designed to maintain existing runoff volumes during the critical time period in accordance with Village of Germantown and MMSD regulations for the 2-year and 100-year storm events. The Truck Country site lies within the Cedar Creek watershed, which itself is part of the larger Milwaukee River watershed. According to the MMSD Surface Water and Storm Water Rules Guidance Manual, the critical time period begins at the point of maximum rainfall intensity, which for this site occurs at 12.10 hours. MMSD further defines the duration as 12 hours for the Milwaukee River watersheds, so the critical time period lasts from 12.10 hours to 24.10 hours.

Table 3 presents the proposed drainage area characteristics and Table 4 illustrates the proposed stormwater management facility characteristics. Table 5 summarizes the existing and proposed runoff volumes determined using HydroCAD®. The proposed runoff volumes in Table 5 represent

only the onsite runoff as detention of offsite runoff is not required. Please refer to **Appendix 3** for additional details of the runoff volume calculations.

Table 3 – Proposed Drainage Area Hydrologic Characteristics

Drainage Area (HydroCAD® Node)	Area (Acres)	Curve Number	Peak Runoff Rate (cfs)	
			2-year	100-year
1S Redevelopment Detained	9.045	95	31.69	82.04
2S New Development Detained	0.560	87	1.44	4.63
3S Redevelopment Undetained	1.487	81	1.77	7.21
4S New Development Undetained	0.809	86	1.98	6.58
5S Offsite Detained	0.873	86	2.14	7.10

Table 4 – Proposed Wet Detention Pond Characteristics

		2-year	100-year
1P	Peak Inflow (cfs)	35.25	93.77
	Peak Outflow (cfs)	0.84	3.28
	Peak Water Surface Elevation	935.86	938.70
	Normal Water Surface Elevation	934.00	
	Spillway Elevation	941.00	
	Top of Berm Elevation	942.00	

*Peak flows and water surface elevations include offsite runoff

Table 5 – Runoff Volumes (acre-feet)

	Area (acres)	2-year	100-year
Existing	11.901	1.129	3.341
Proposed	11.901	0.943	1.998

*Runoff volumes exclude offsite runoff

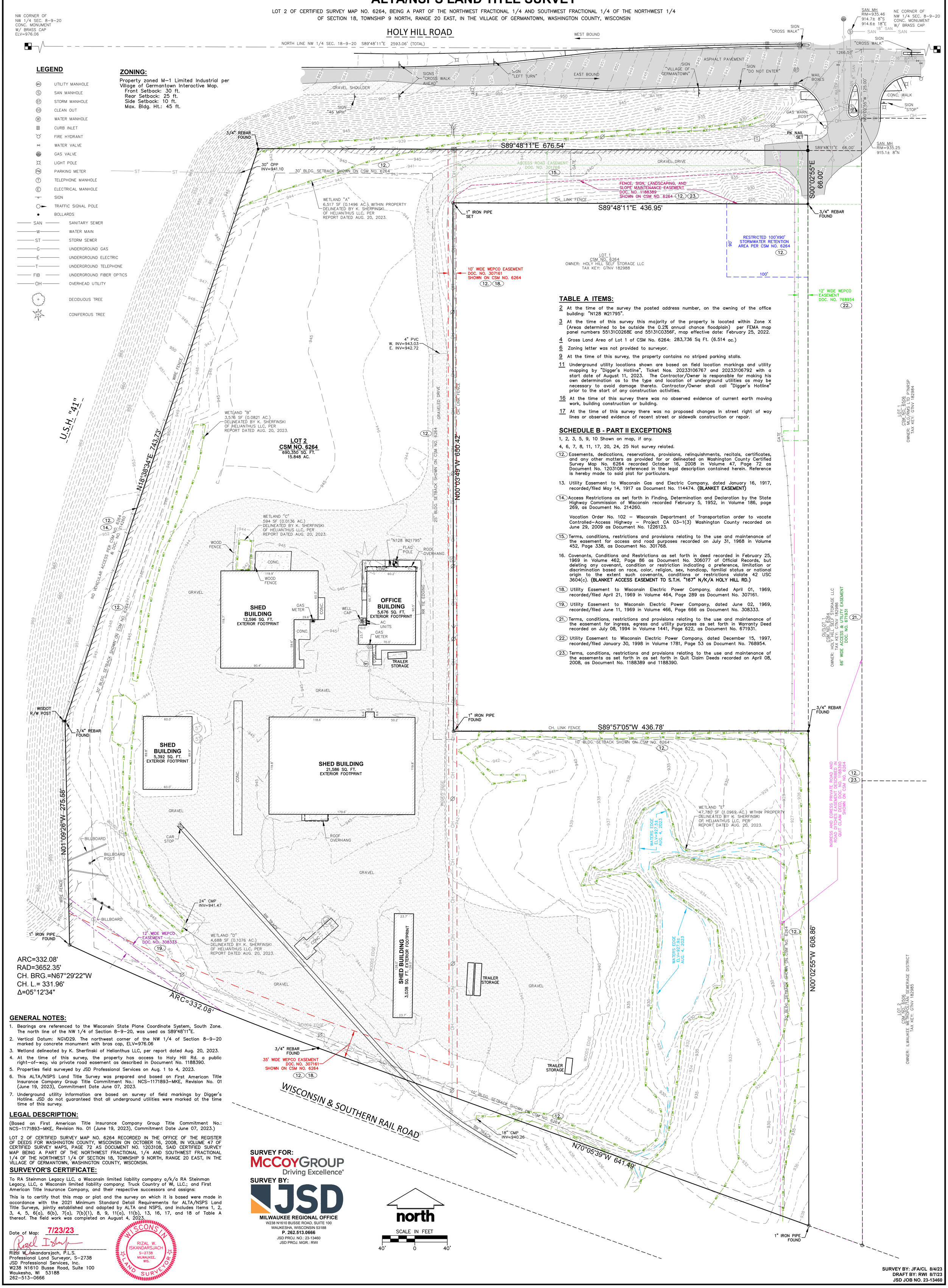
5.2 Water Quality – Total Suspended Solids Treatment

Water quality treatment for the Truck Country improvements will be achieved through the settling of suspended solids in the proposed detention pond. The detention pond has been designed in accordance with the parameters set forth in WDNR Technical Standard 1001 and features a permanent pool depth of at least 5 feet to allow for sediment settling and storage. To maintain the permanent pool depth, a clay liner has been specified in accordance with Appendix D of WDNR Technical Standard 1001.

Total suspended solids reduction was determined based on the “without controls” and “with controls” solids yield using WinSLAMM® software. The mass of solids required to be removed was determined using 80% removal for all source areas in newly developed areas plus 40% removal for solids from paved surfaces in redeveloped areas. This minimum required mass of solids was then compared to the total mass of solids removed by the detention pond. Offsite runoff was routed to an “other device” control practice to avoid claiming credit for removal of offsite sediment, but the model still accounts for the effect of offsite runoff on the efficiency of

ALTA/NSPS LAND TITLE SURVEY

LOT 2 OF CERTIFIED SURVEY MAP NO. 6264, BEING A PART OF THE NORTHWEST FRACTIONAL 1/4 AND SOUTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN



LEGEND

- UTILITY MANHOLE
- SAN MANHOLE
- STORM MANHOLE
- CLEAN OUT
- WATER MANHOLE
- CURB INLET
- FIRE HYDRANT
- WATER VALVE
- GAS VALVE
- LIGHT POLE
- PARKING METER
- TELEPHONE MANHOLE
- ELECTRICAL MANHOLE
- SIGN
- TRAFFIC SIGNAL POLE
- BOLLARDS
- SAN — SANITARY SEWER
- W — WATER MAIN
- ST — STORM SEWER
- G — UNDERGROUND GAS
- E — UNDERGROUND ELECTRIC
- T — UNDERGROUND TELEPHONE
- FIB — UNDERGROUND FIBER OPTICS
- OH — OVERHEAD UTILITY
- DECIDUOUS TREE
- CONIFEROUS TREE

ZONING:

Property zoned M-1 Limited Industrial per Village of Germantown Interactive Map.
Front Setback: 30 ft.
Rear Setback: 25 ft.
Side Setback: 10 ft.
Max. Bldg. Ht.: 45 ft.

TABLE A ITEMS:

2 At the time of the survey the posted address number, on the awning of the office building: "N128 W21795".

3 At the time of this survey this majority of the property is located within Zone X (Areas determined to be outside the 0.2% annual chance floodplain) per FEMA map panel numbers 55131C0268E and 55131C0356F, map effective date: February 25, 2022.

4 Gross Land Area of Lot 1 of CSM No. 6264: 283,736 Sq Ft. (6.514 ac.)

6 Zoning letter was not provided to surveyor.

9 At the time of this survey, the property contains no striped parking stalls.

11 Underground utility locations shown are based on field location markings and utility mapping by "Digger's Hotline", Ticket Nos. 20233106767 and 20233106792 with a start date of August 11, 2023. The Contractor/Owner is responsible for making his own determination as to the type and location of underground utilities as may be necessary to avoid damage thereto. Contractor/Owner shall call "Digger's Hotline" prior to the start of any construction activities.

16 At the time of this survey there was no observed evidence of current earth moving work, building construction or building.

17 At the time of this survey there was no proposed changes in street right of way lines or observed evidence of recent street or sidewalk construction or repair.

SCHEDULE B - PART II EXCEPTIONS

1, 2, 3, 5, 9, 10 Shown on map, if any.

4, 6, 7, 8, 11, 17, 20, 24, 25 Not survey related.

(12.) Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Washington County Certified Survey Map No. 6264 recorded October 16, 2008 in Volume 47, Page 72 as Document No. 1203108 referenced in the legal description contained herein. Reference is hereby made to said plat for particulars.

13. Utility Easement to Wisconsin Gas and Electric Company, dated January 16, 1917, recorded/filed May 14, 1917 as Document No. 114474. **(BLANKET EASEMENT)**

(14.) Access Restrictions as set forth in Finding, Determination and Declaration by the State Highway Commission of Wisconsin recorded February 5, 1952, in Volume 186, page 269, as Document No. 214260.

Vacation Order No. 102 – Wisconsin Department of Transportation order to vacate Controlled-Access Highway – Project CA 03-1(3) Washington County recorded on June 29, 2009 as Document No. 1226123.

(15.) Terms, conditions, restrictions and provisions relating to the use and maintenance of the easement for access and road purposes recorded on July 31, 1968 in Volume 452, Page 338, as Document No. 301768.

16. Covenants, Conditions and Restrictions as set forth in deed recorded in February 25, 1969 in Volume 462, Page 86 as Document No. 306077 of Official Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c). **(BLANKET ACCESS EASEMENT TO S.T.H. "167" N/K/A HOLY HILL RD.)**

(18.) Utility Easement to Wisconsin Electric Power Company, dated April 01, 1969, recorded/filed April 21, 1969 in Volume 464, Page 289 as Document No. 307161.

(19.) Utility Easement to Wisconsin Electric Power Company, dated June 02, 1969, recorded/filed June 11, 1969 in Volume 466, Page 666 as Document No. 308333.

(21.) Terms, conditions, restrictions and provisions relating to the use and maintenance of the easement for ingress, egress and utility purposes as set forth in Warranty Deed recorded on July 08, 1994 in Volume 1441, Page 622, as Document No. 671931.

(22.) Utility Easement to Wisconsin Electric Power Company, dated December 15, 1997, recorded/filed January 30, 1998 in Volume 1781, Page 53 as Document No. 768954.

(23.) Terms, conditions, restrictions and provisions relating to the use and maintenance of the easements as set forth in as set forth in Quit Claim Deeds recorded on April 08, 2008, as Document No. 1188389 and 1188390.

GENERAL NOTES:

1. Bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone. The north line of the NW 1/4 of Section 8-9-20, was used as S89°48'11"E.
2. Vertical Datum: NGVD29. The northwest corner of the NW 1/4 of Section 8-9-20 marked by concrete monument with bras cap, ELV=976.06
3. Wetland delineated by K. Sherfinski of Helianthus LLC, per report dated Aug. 20, 2023.
4. At the time of this survey, the property has access to Holy Hill Rd. a public right-of-way, via private road easement as described in Document No. 1188390.
5. Properties field surveyed by JSD Professional Services on Aug. 1 to 4, 2023.
6. This ALTA/NSPS Land Title Survey was prepared and based on First American Title Insurance Company Group Title Commitment No.: NCS-1171893-MKE, Revision No. 01 (June 19, 2023), Commitment Date June 07, 2023.
7. Underground utility information are based on survey of field markings by Digger's Hotline. JSD do not guaranteed that all underground utilities were marked at the time time of this survey.

LEGAL DESCRIPTION:

(Based on First American Title Insurance Company Group Title Commitment No.: NCS-1171893-MKE, Revision No. 01 (June 19, 2023), Commitment Date June 07, 2023.)

LOT 2 OF CERTIFIED SURVEY MAP NO. 6264 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR WASHINGTON COUNTY, WISCONSIN ON OCTOBER 16, 2008, IN VOLUME 47 OF CERTIFIED SURVEY MAPS, PAGE 72 AS DOCUMENT NO. 1203108, SAID CERTIFIED SURVEY MAP BEING A PART OF THE NORTHWEST FRACTIONAL 1/4 AND SOUTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

To RA Steinman Legacy LLC, a Wisconsin limited liability company a/k/a RA Steinman Legacy, LLC, a Wisconsin limited liability company; Truck Country of WI, LLC.; and First American Title Insurance Company, and their respective successors and assigns:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 7(b)(1), 8, 9, 11(a), 11(b), 13, 16, 17, and 18 of Table A thereof. The field work was completed on August 4, 2023.

Date of Map: 7/23/23

Rizal W. Iskandarsjach, P.L.S.
Professional Land Surveyor, S-2738
JSD Professional Services, Inc.
W238 N1610 Busse Road, Suite 100
Waukesha, WI 53188
262-513-0666

WISCONSIN RIZAL W. ISKANDARSJACH S-2738 MILWAUKEE, WIS. LAND SURVEYOR

SURVEY FOR: McCOYGROUP Driving Excellence®

SURVEY BY: JSD
MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666
JSD PROJ. NO.: 23-13460
JSD PROJ. MGR.: RWI

SURVEY BY: JFA/CL 8/4/23
DRAFT BY: RWI 8/7/23
JSD JOB NO. 23-13460

Engineering Department Memorandum

To: **Jeff Retzlaff**

From: **Kevin Driscoll, P.E.**

Date: **February 6, 2024**

Re: **Planning Commission Item Review – Truck Country - N128 W21795 HOLY HILL RD, Parcel GTNV_182987**

In response to Planning Commission Projects for Engineering Staff review were received week ending 11/13, responses are provided below for the Site Plan Review of Truck Country, N128 W21795 Highway, 167 Holy Hill Rd.

Items Reviewed:

1. Civil Plan Set Dated: 11-13-2023
2. JSD Turning movement: 2-1-2024

General Comments:

1. Development Agreement required to address access from Holy Hill Road, in addition to sanitary sewer and water utility connections.
2. Show proposed Utility Easements in subject parcel for sanitary sewer and water main.
3. Show easement access to utilities with flat surface/ shelf on south end of pond for utility access.
4. Show temporary construction access easement from proposed driveway.
5. Address turning movements at north end. The radius used is shown as 25ft at north end. The south end shows 50 ft radius. If 50ft radius is used at north end that could potentially interfere with northbound traffic. (Sheet EX-5)
6. Show conceptual right of way expanding approximately 47 feet at north end to match curb line.
7. Please respond to each item below. **A written response addressing each item shall be included in your submittal**.
8. The submitted plans have been reviewed for general conformance with State and Village design guidelines. Additional comments could arise as a result of the plan completion and modifications. The items listed below will need to be fully resolved before the Engineering Dept. can recommend a formal approval of the plans and permit for construction.
9. If this project disturbs over one area it will require a WRAPP/NOI from the DNR. Please submit a copy of the approved permit prior to final approval.
10. A professional engineer's original seal is to be affixed, signed and dated on the final set of construction plans.
11. Utility permits and permits for work within the ROW are required. Contact the Village engineering department to obtain permits.

12. As-builts prepared to Village standards shall be prepared and provided to the Village post-construction (for all applicable items).
13. As a guide to the review response: Items in *italics* are resolved or acknowledged, items in regular font are to be addressed yet, items in **Bold** are additional feedback to remaining original comment.

Waste Water Utility Comments

1. Sand and grease interceptors are required.
2. Provide a sampling manhole meeting Village requirements.

C-102 Site Grading Plan

1. Revise note 10 to require disturbed areas that will remain inactive for 14 days or longer to be stabilized.

C-104 Site Utility Plan

1. Where does the existing line shown going east out of ST-30 drain to?

SWMP

1. The wooded portion of the site would be new development not redevelopment.
2. The peak release rate required applies to the entire disturbed area, not jus the area tributary to the retention pond.
3. Type C soils should be modeled as clayey in WinSLAMM

Milwaukee Regional Office
W238 N1610 Busse Road, Suite 100
Waukesha, WI 53188
262.513.0666

September 26, 2024

Kevin Driscoll, P.E.
Village Engineer
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

Subject ***Truck Country – Germantown, WI***
Plan Review 2
JSD Project No. 23-13460

Dear Mr. Driscoll,

We received and reviewed the Engineering Department memorandum, dated December 12, 2023. Below are item by item responses in Blue to said letter:

General Comments:

1. Please respond to each item below. **A written response addressing each item shall be included in your submittal.**

   Written responses have been included for each review item.
2. The submitted plans have been reviewed for general conformance with State and Village design guidelines. Additional comments could arise as a result of the plan completion and modifications. The items listed below will need to be fully resolved before the Engineering Dept. can recommend a formal approval of the plans and permit for construction.

   Understood.
3. This project will require a WRAPP/NOI from the DNR. Please submit a copy of the approved permit prior to final approval.

   A copy of the approved NOI permit will be provided once it has been received from DNR.
4. Provide copies of approved artificial wetland exemptions.

   A copy of the approved artificial wetland exemption has been included with this submittal.
5. As-builts prepared to Village standards shall be prepared and provided to the Village post-construction (for all applicable items)

   Understood.
6. A professional engineer's original seal is to be affixed, signed and dated on the final set of construction plans.

   The submitted plans have been signed and sealed by a professional engineer.
7. Utility permits and permits for work within the ROW are required. Contact the Village

engineering department to obtain permits.

The contractor will apply for necessary Village permits.

8. Provide documentation for WisDOT approval of the work shown in the ROW.

   WisDOT has indicated no permitting is required for the proposed work in the ROW. Please refer to the attached email.

9. As a guide to the review response: Items in *italics* are resolved or acknowledged, items in regular font are to be addressed yet, items in **Bold** are additional feedback to remaining original comment.

   Understood.

Waste Water Utility Comments:

1. Sand and grease interceptors are required.
   Storm sewer manhole and curb inlet details have been revised to include a 3-foot sump for sand and grease removal.
2. Provide a Sampling manhole meeting Village requirements.
   The Village standard detail for a sanitary sampling manhole has been added to the plans.

C-102 Site Grading Plan

1. Revise note 10 to require disturbed areas that will remain inactive for 14 days or longer to be stabilized.
   Note 10 has been revised as specified.

C-104 Site Utility Plan

1. Where does the existing line shown going east out of ST-30 drain to?
   JSD was unable to field locate the discharge point for the existing storm sewer leading east from STM-30. It is possible the existing storm line would conflict with the proposed stormwater pond, so the design has been revised to specify removal of the existing pipe. Offsite drainage from the U.S.H. 41 right-of-way will now be directed into the onsite storm sewer system which will discharge into the detention pond. Stormwater quantity and quality calculations have been revised to account for the offsite flow.

SWMP

1. The wooded portion of the site would be new development not redevelopment.
   The water quality calculations have been revised to differentiate between redeveloped portions of the site and newly developed areas. The wooded area at the southeastern corner of the property has been considered new development, while the remainder of the site is considered redevelopment. Total suspended solids removal calculations were updated to demonstrate 40% TSS removal from paved areas of redevelopment and 80% TSS

removal from all source areas of new development.

2. The peak release rate required applies to the entire disturbed area, not just the area tributary to the retention pond.
   Stormwater analysis of the site has been revised to use the volumetric method instead of unit release rate. The revised modeling now accounts for the entire disturbed area, including offsite drainage and undetained areas not tributary to the pond.
3. Type C soils should be modeled as clayey in WinSLAMM
   The WinSLAMM model has been revised to list the soils as clayey

Sincerely,

JSD Professional Services, Inc.

Jared Simon, P.E.
Project Engineer

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
141 NW Barstow St.
Waukesha, WI, 53188

Tony Evers, Governor
Adam N. Payne, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

Jim Kane
501 Bell Street, Suite 301
Dubuque, IA 52001

WIC-SE-2023-67-03584
1/10/2024

RE: Artificial Wetland Exemption Determination for an area described as Wetlands A through I located in the Village of Germantown, Washington County

Dear Mr. Kane:

This letter is in response to your request for an artificial wetland exemption determination for the above-mentioned wetlands.

According to 281.36 (4n), State Statutes, a landscape feature where hydrophytic vegetation may be present as a result of human modification to the landscape or hydrology and for which no definitive evidence exists showing a prior wetland or stream history before August 1, 1991, may be exempt from state wetland regulations. The following types of artificial wetlands cannot be exempted from state wetland regulation: 1) a wetland that serves as a fish spawning area or that is passage to a fish spawning area and 2) a wetland created as a result of a wetland mitigation requirement. In addition, DNR must also consider whether the artificial wetland is providing significant flood protection to adjacent or downstream properties and infrastructure, and/or significant water quality functions to adjacent or downstream water bodies.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative
- Site photographs that show different angles and views of the wetland
- Historic Maps such as the Original Land Survey Plat, Bordner Survey, USGS topographic Quad map, and soil mapping

Conclusion:
Based upon the information provided above, the wetlands identified as Wetland A, B, C, D, F, G, H, and I lacked a wetland history prior to August 1, 1991, and fulfills all artificial wetland exemption standards. Therefore, those wetlands are exempt from state wetland regulations.

Based upon the information provided above, the wetland identified as Wetland E, had a wetland history prior to August 1, 1991 and is not exempt from state wetland regulations.

This letter describes DNR's decision regarding the jurisdictional status of the above-mentioned wetlands and is only valid for state jurisdictional purposes. For decisions regarding the federal jurisdictional status of these above-mentioned wetlands you will need to contact the U.S. Army Corps of Engineers.

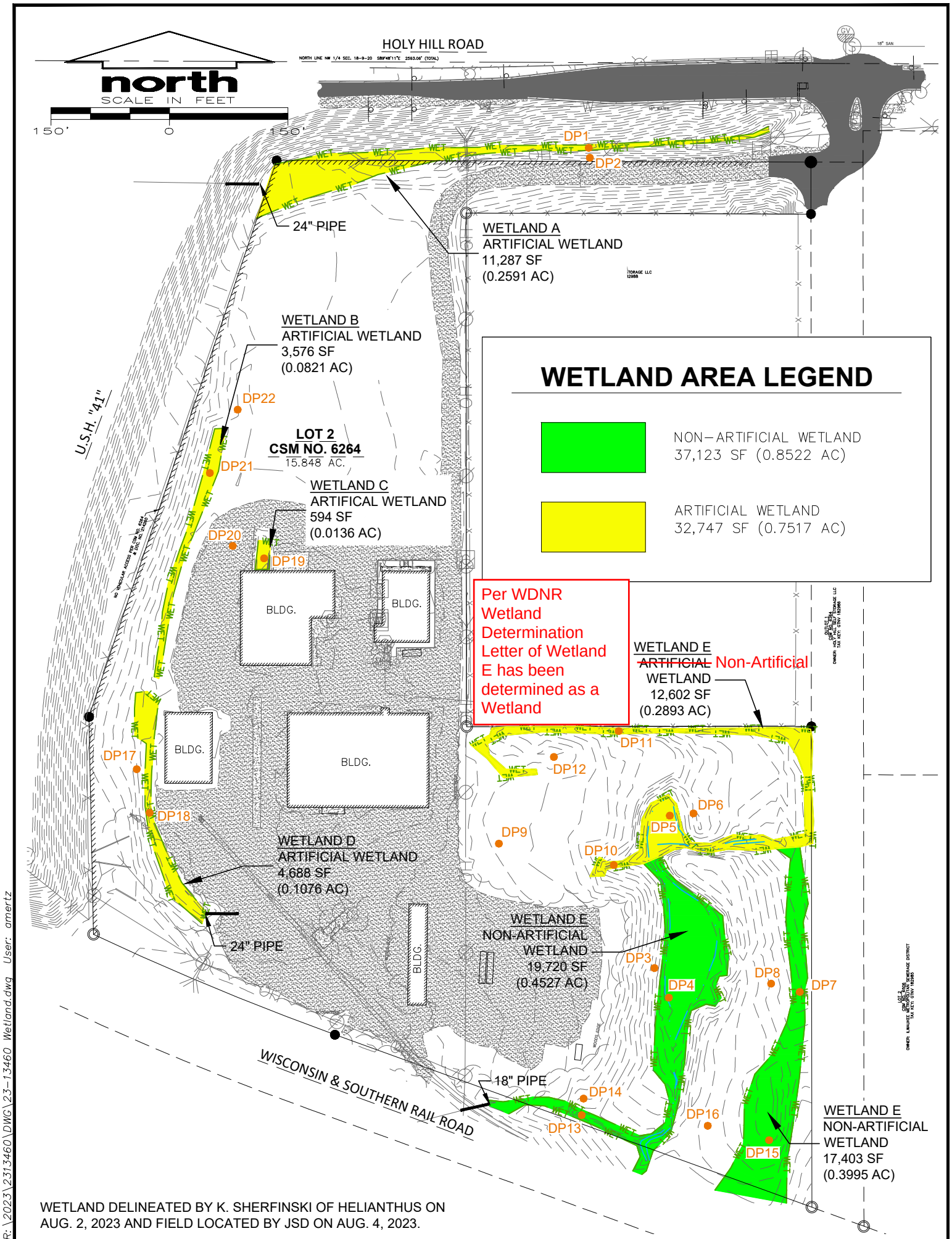
If you have any questions, please call me at (262) 282-2029 or email Erin.Cox@wisconsin.gov.

Sincerely,

Erin Cox
Water Management Specialist

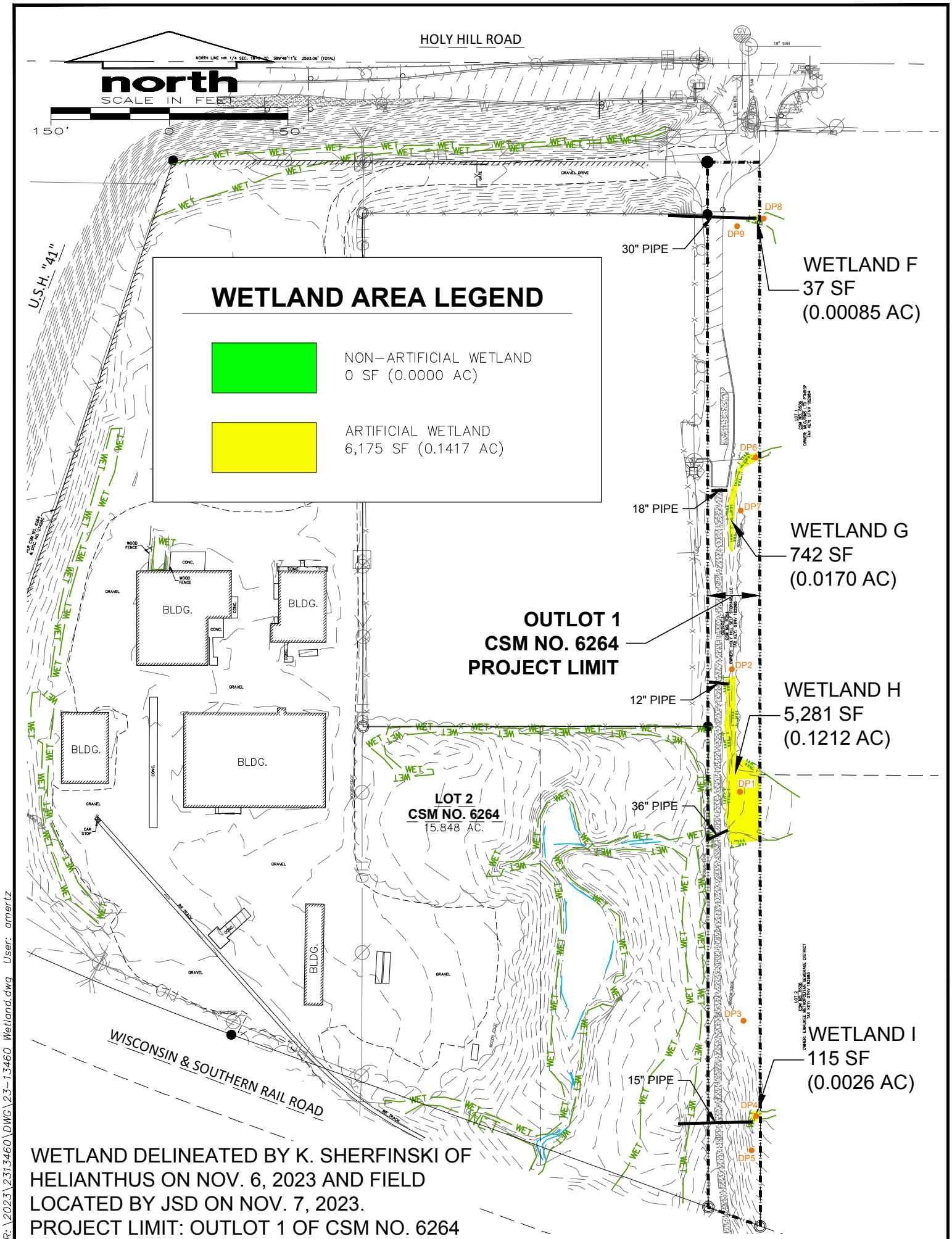
Copy to:

USACE General Inbox
Village of Germantown Zoning
Andrew P Mertz, Project Engineer, JSD Inc.



WETLAND DELINEATED BY K. SHERFINSKI OF HELIANTHUS ON AUG. 2, 2023 AND FIELD LOCATED BY JSD ON AUG. 4, 2023.

R:\2023\2313460\DWG\23-13460 Wetland.dwg User: amertz



WETLAND DELINEATED BY K. SHERFINSKI OF HELIANTHUS ON NOV. 6, 2023 AND FIELD LOCATED BY JSD ON NOV. 7, 2023.
PROJECT LIMIT: OUTLOT 1 OF CSM NO. 6264

R:\2023\2313460\DWG\23-13460 Wetland.dwg User: amertz

Milwaukee Regional Office
W238 N1610 Busse Road, Suite 100
Waukesha, WI 53188
262.513.0666

Truck Country

Germantown, WI

Project Narrative

Introduction:

The proposed redevelopment will be a new location for Truck Country of Wisconsin. In order to provide permanent access to the development the Village of Germantown will be constructing a new public roadway named High Point Pass.

The redevelopment will include the demolition of the existing buildings with associated storage area, and the construction of 37,700 square foot building and requisite site development needed to support the new building. McCoy Group / Truck County will be the owner/occupant of this building, which will house service bays and business offices.

The proposed public roadway will be configured within proposed public right-of-way, however, to construct the roadway some grading will need to be performed on the Truck Country property.

Existing site:

The proposed Truck Country development is located in the Northwest fractional 1/4 and the Southwest fractional 1/4 of Section 18, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. The existing site is located on the south side of Holy Hill Road and east of Interstate 41, approximately 4,800 feet west of the intersection of Holy Hill Road and Goldendale Road. The site is generally bounded by Holy Hill Road to the north; storage units and wooded land to the east; Wisconsin & Southern Railroad to the south; and Interstate 41 to the west. The total development site area is 15.9 acres, excluding the proposed roadway.

The current site known as Kasten Marine, is a boat storage yard. The site was originally developed as a lumber storage yard, with five (5) buildings in total of 48,288 square feet, several are unheated shed buildings. These buildings will be razed along with the existing rail siding. A wetland delineation was recently conducted by Kristi Sherfinski (Helianthus), Wisconsin Assured Wetland Delineator, however majority of the wetlands were determine to fulfill all artificial wetland exemption standards by the WDNR on January 10, 2024.

Separate from this submittal McCoy Group, the parent company of Truck Country has requested a change of zoning to B-5, currently M-1.

Site operation:

The proposed development is to support a Freightliner truck dealership sales, service, and parts sales. The hours of operation are planned to be 7 am to 11 pm Monday through Friday and 7 am to 4 pm on Saturday's and closed on Sundays. The total employee count is 45 over two shifts.

There are parking stalls for new and used for sale vehicles as well as before and after service. The dealership will also have parts delivery vehicles parked on site. The site will be enclosed with an 8' high vinyl coated chain mesh fence with powered sliding gates at both entrances.

Proposed Private Building/Site:

The proposed building is an approximately 37,700 SF building for Truck Country of Wisconsin. This location will service as a truck sales and service center, featuring of 16,000 SF of service bays plus +/- 7,000 SF of office and employee support area and approximately 15,000 SF of parts warehouse space. The exterior materials are primarily painted precast concrete load wall system, with clear Low-E glazing and aluminum framing system. The color scheme is in keeping with Truck Country's branded colors with a primary field white with vertical accent of gray and cardinal red at the entry canopy.

Private and/or public water and sanitary sewer services will be installed to serve the proposed building and storm sewer will be constructed to provide drainage conveyance. Stormwater management will be provided by a proposed detention pond located along the southeast portion of the development. The proposed pond will be utilized to provide runoff rate control and water quality treatment in accordance with Village of Germantown (Village), Milwaukee Metropolitan Sewerage District (MMSD), and Wisconsin Department of Natural Resources (WDNR) standards.

Proposed Public Improvements:

High Point Pass is a public road being designed to connect at the intersection of Holy Hill Road and 48th Street. The Village of Germantown approved a Development Agreement with Truck Country on September 16, 2024, so this design is moving forward. The design includes a four-lane road anticipated for a future railroad crossing and trailhead for a recreational trail along the Goldendale Creek as identified in the Village's comprehensive plan. The road construction will be phased with four lanes extending south to the Truck Country driveway, and a two-lane road to the railroad tracks and trailhead parking lot. Once the future phase is constructed in conjunction with the Richfield Utility extension project, then the additional road work would be constructed in a future phase.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S Webster Street
Madison, WI 53703

Tony Evers, Governor

Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

10/1/2024

McCoy Group
Jim Kane
501 Bell Street, Suite 301
Dubuque, IA 52001

GP-SE-2024-67-03315

Dear Jim Kane:

This letter accepts your application for Wetland Disturbance - Residential/Commercial/Industrial on Little Cedar Creek, located in the NW 1/4, NW 1/4, Section 18, Township 09N, Range 20E, Village of Germantown, Washington County.

Our field staff are currently evaluating your proposal. Depending on the amount of information you provided and the complexity of your project, you may be asked to provide additional information so that a complete evaluation can be made. We will notify you of the final disposition of your application as soon as we complete our review.

If you have not already done so, please contact the Washington County and local municipal zoning offices to determine if a local permit is also required for your project. I have forwarded a copy of your application to the U.S. Army Corps of Engineers. They will advise you directly as to whether their regulations apply to your project.

If you want to review the submitted application, please visit the DNR water permit tracking page on ePermitting at https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx and search for any of the following:

- Applicant name
- Docket Number: GP-SE-2024-67-03315
- ePermitting number: WP-GP-SE-2024-67-X09-26T11-57-12.

If you have any questions, please contact your local Water Management Specialist, Erin Cox at (262) 282-2029 or email Erin.Cox@wisconsin.gov .

Sincerely,

Sarah Bogen
Waterway and Wetland Permit Intake Specialist

Email CC:

Erin Cox, Water Management Specialist
Simon Jared, JSD Professional Services, Inc.
USACE Project Manager

Milwaukee Regional Office
W238 N1610 Busse Road, Suite 100
Waukesha, WI 53188
262.513.0666

October 20, 2023

Subject: ***Site Water Quality and Flooding Impact Statement***
Truck Country
N128 W21795 Holy Hill Road
Village of Germantown, WI

To whom it may concern:

The following statement is an explanation on how the proposed development does not significantly affect water quality or impact flooding to adjacent or downstream properties.

The proposed Truck Country development is consisting of two watersheds. A small portion of the northeast corner of the site drains to a ditch located on the south side of Holy Hill road, and the remaining majority of the site drains from the west to the east to the neighboring properties. The site currently accepts and conveys runoff through the site from U.S.H. 41.

A proposed Stormwater Management Plan will be developed to meet the requirements of the current Village of Germantown (Village), Milwaukee Metropolitan Sewerage District (MMSD), and Wisconsin Department of Natural Resources (WDNR) standards. The Stormwater Management Plan will address runoff rate control, water quality treatment, and infiltration requirements for the proposed Truck Country development. The stormwater management plan will meet local and state standards by utilizing a wet detention basin. For water quantity, the post-development peak discharge rate for the 1-year 24-hour storm events will be reduced to the pre-development 1-year 24-hour storm event as specified in the WDNR standards, and the post-development peak discharge for the 2-year and 100- year 24-hour storm events will be reduced to 0.15 cfs per acre and 0.5 cfs per acre, respectfully, as specified in the Village and MMSD standards. For water quality, Village ordinance and WDNR regulations require a reduction in total suspended solids load of 80%, based on an average annual rainfall, as compared to no runoff management controls. This will be achieved through the settling of suspended solids in the wet detention basin. The wet basin features a 5-foot permanent pool depth to allow for sediment settling and storage. The site will not impact adjacent and downstream property infrastructure by flooding and is not detrimental to water quality of downstream waters or wetlands, due to the use of Stormwater Management measures. The Stormwater Management Report will be available upon completion.

Please feel free to contact me via email at andrew.mertz@jsdinc.com or by phone at 262.513.0666.

Sincerely,

JSD Professional Services, Inc.

Andrew P. Mertz, P.E.
Project Engineer

CUP # xx-2023 Document No.	CONDITIONAL USE PERMIT Document Title

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

Whereas the Applicants:
Truck Country of Wisconsin Inc., and RA Steinman Legacy LLC, Property Owner

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

Now, therefore, this permit is issued to allow the development and operation of a vehicles sales and service facility from the property located at N128 W21795 Holy Hill Road pursuant to Section 17.32(3)(d) of the Village Zoning Code.

Name & Return Address:
Village of Germantown
P.O. Box 337
Germantown, WI 53022

Parcel Identification No:
GTNV 182-987

On the following described property located in the Village of Germantown, Washington County, Wisconsin:
Lot 2 of Certified Survey Map (CSM) No. 6264, being a part of the West ½ of the Northwest ¼ of Section 18, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

Tax Key No: 182-987
Address: N128 W21795 Holy Hill Road

Pursuant to the following condition(s):

1. The uses and activities allowed on the property shall be limited to those uses and activities specified in the conditional use permit (CUP) application and supporting documents dated October 9, 2023. Uses and features common to “truck stop” operations are prohibited, including but not limited to customer showers, laundry facilities, in-vehicle or on-site over-night sleeping accommodations. The size and location of buildings, parking, storm water management, and those areas within the property from which said uses and activities are permitted are limited to that presented in the “Architectural Site Plan” Sheet AS100 and “Exterior Rendering” dated October 9, 2023, and description submitted in the application and supporting documents. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday 7:00am to 11:00pm and Saturday from 7:00am to 4:00pm).
2. The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount, or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Zoning Administrator.

3. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or, where there is a change in the nature, character, intensity or extent of the activities or uses which causes problems or harmful effects that were not anticipated at the time of approval of this CUP, the conditional use permit may be modified or terminated by the Village Board by the amendment to or addition of conditions after public hearing thereon.
4. All temporary and permanent exterior signs require a permit and shall comply with all current sign regulations. Off-premises advertising and directional signage is regulated by the Village and requires a permit if/when allowed.
5. Use of the existing non-conforming billboards located on the property for advertising and/or wayfinding for the Truck Country operation shall be prohibited. Subject to further review by the Village Attorney, the two (2) non-conforming billboards shall be removed from the property.
6. All future site improvements, including all building, parking area, landscaping, storm water management facilities, signage, exterior lighting, and any other improvements made to or on the property that are necessary for the land uses and activities authorized under this CUP shall be submitted for review and approval by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.
7. Building permits and commercial building code plan approval are required for the planned demolition of existing structures on the site and the proposed 37,700 sqft building. Contact SAFEbuilt staff in Inspection Services at Village Hall prior to any work for information about required permits and/or plan approvals.
8. If the existing north driveway is intended to be used for any type of access to the Truck Country site, a traffic impact study (TIS) for the Truck Country operation shall be prepared and submitted prior to or concurrent with the submittal of site development & building plan applications. Said TIS should include an analysis of all existing and proposed intersections and driveways serving the Truck Country site to determine the adequacy of site distance, available ingress/egress maneuvering, site distances, corner clearances and driveway separation, turning lane and traffic control requirements, etc. Said analysis shall consider the impact of future development traffic from future development north and south of Holy Hill Road with and without the Village's proposed frontage road and railroad crossing.
9. Site development and building plans for the proposed 37,700 sqft Truck Country building and site shall not be approved by the Village until a mutually acceptable and code compliant access road/driveway(s) has been determined and agreed to by the Village, Truck Country/RA Steiman Legacy LLC, and Holy Hill Self Storage LLC. Zoning Compliance & Occupancy Permits for the proposed building and use of the site as authorized under this CUP shall not be issued until construction of said access road/driveway(s) and the extension/installation of sewer & water utilities has been completed or is scheduled to be completed prior to or concurrent with the business startup date.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the _____ day of _____, 2023.

_____
Dean Wolter, Village President

ATTEST:

_____
Donna S. Cox, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)
Personally came before me this _____ day of _____, 2023, the above named Dean Wolter, Village President, and Donna S. Cox, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____
{type or print name of Notary on this line}

_____
{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY OPERATOR

As agent for the business owner/operator, Truck Country of Wisconsin Inc., I hereby accept the terms and conditions set forth in this Permit and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this ___ day of _____, 2023

_____
Agent for Truck Country of Wisconsin Inc.

STATE OF WISCONSIN) SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2023, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
{type or print name of Notary on this line}

_____
{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

As agent for the property owner, RA Steinman Legacy LLC, I hereby accept the terms and conditions set forth in this Permit and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this ___ day of _____, 2023

_____
Agent for RA Steinman Legacy LLC, Property Owner

STATE OF WISCONSIN) SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2023, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
{type or print name of Notary on this line}

_____
{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

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

FINAL SUBDIVISION PLAT

10/14/24 Plan Commission Meeting

Nuemann Developments / Wrenwood North, LLC

Village Staff Report & Recommendation ***Germantown, Wisconsin***

SUMMARY

Neumann Developments, agent for Wrenwood North, LLC, property owner, is requesting approval of a Final Subdivision Plat for Wrenwood North Addition No. 1/Phase 2 (26 out of 95 total single-family lots) in the Wrenwood North Subdivision located south of Freistadt Road, west of Pleasant View Drive (GTNV_232280).

Location: South of Freistadt Road, west of Pleasant View Drive

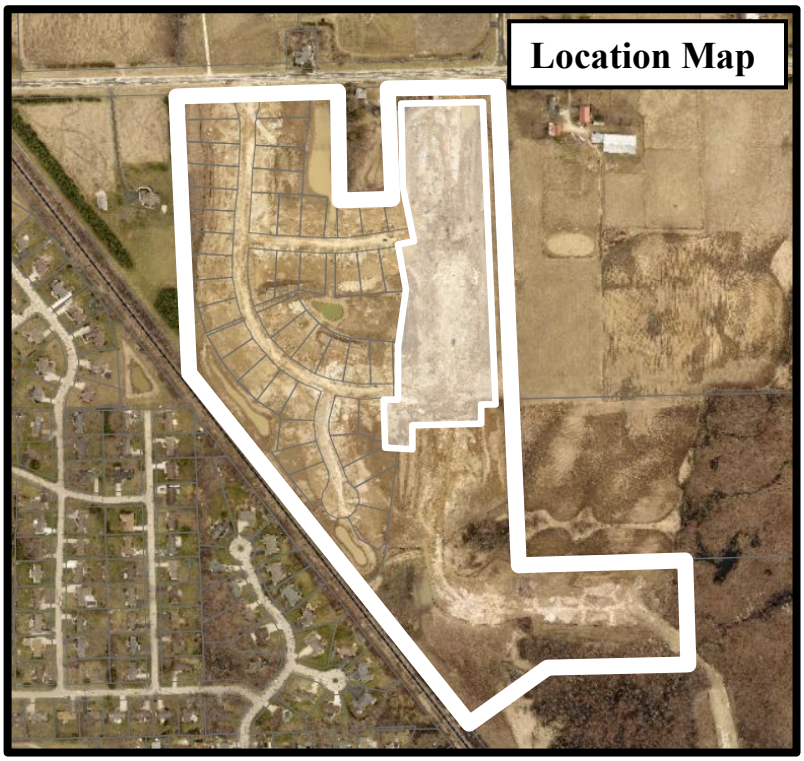
Applicant/ Property Owner:

Neumann Developments
N27W24025 Paul Ct, Suite 100
Pewaukee, WI 53072

Wrenwood North, LLC
N27W24025 Paul Ct, Suite 100
Pewaukee, WI 53072

Zoning: Wrenwood Planned Development District (RS-5/PDD)

Adjacent Land Uses		**Zoning**
North	Agricultural/Residential	A-2/RS-1/RS-4
South	Residential	RS-5/PDD
East	Agricultural	A-1
West	Agricultural/Residential	A-2/RS-5



Background/Proposal

Neumann Developments, agent for Wrenwood North, LLC, property owner, is requesting approval of a Final Subdivision Plat for Wrenwood North Addition No. 1/Phase 2 (26 out of 95 total single-family lots) in the Wrenwood North Subdivision located south of Freistadt Road, west of Pleasant View Drive.

The overall preliminary subdivision plat for both the Wrenwood South and Wrenwood North residential development was approved by the Village Board on August 6, 2018.

As summarized in Table 1, both Wrenwood North and South has the following overall characteristics:

TABLE 1.
Wrenwood Preliminary Plat Summary

Gross Area (Ac)	145.36
Wetland Area (Ac)	20.69
Right-of-Way (Ac)	18.04
Net Density Area (Total Ac)	106.63
Net Density Area (SF Ac)	92.77
Net Density Area (MF Ac)	13.86
# Single-Family Lots/DU's	142
#Multi-Family Lots/Du's	60
SF Net Density (SF DU/Acre)	1.53
MF Net Density (MF DU/Acre)	4.33
Open Space (Outlot Total Ac)	59.88
SF Avg Lot Size (Ac) SF Lot Size Range (Ac)	17,779 sq ft 15,005 to 26,507 sq ft

This development has and will continue to be completed in phases. Wrenwood South is complete and includes 47 single-family lots and 44 condominium-style duplex and 4-plex units located in the southern half of the overall development with access to Country Aire Drive. The developer is now requesting final plat approval for Addition No. 1/Phase 2 of Wrenwood North, which is comprised of 26 out of 95 total single-family lots located in the northern area of the development with access to Freistadt Road. Note that Wrenwood North Phase 1 contained 46 single-family lots and was final platted in 2022.

Staff Comments

Community Development: Planning & Zoning

To be eligible for approval by the Village, Wis. Stats. 236.11(1)(b) requires a final plat to "substantially conform" to the approved preliminary plat. Staff has determined that the final plat substantially conforms to the approved preliminary plat.

The Developer entered into a Development Agreement with the Village, which was approved by the Village Board in August 2022. A subsequent amendment to the Development Agreement was approved by the Village Board in May 2024.

In accordance with the Village's Subdivision Code, the Plan Commission is responsible for reviewing the final plat and forwarding a recommendation to the Village Board along with comments received from the official "objecting agencies". A letter from the Department of Administration was received that stated three (3) corrections that are needed on the final plat. Compliance with the DOA's stated corrections is reflected as a condition of approval in this memo. As of October 2023, Washington County discontinued their objecting authority for subdivision plats within the incorporated areas of the county.

Finally, the Declaration of Covenants, Conditions, and Restrictions of Wrenwood North was recorded in September 2022. A copy of the recorded document is attached.

Village Surveyor
The Village Surveyor reviewed the proposed Final Plat and provided comments in a memorandum dated September 30, 2024. These revisions have been added as a condition of approval prior to the recording of the final plat.

Public Works/Village Engineer
Public Works has completed the inspections of the improvements completed to date associated with the development and a "punch list" of outstanding work items was formulated, as illustrated in the attached punch list report on R.A. Smith, Inc. letterhead dated October 11, 2024. A condition of approval has been added by staff requiring the Developer to fulfill/complete the punch list items prior to recording of the final plat, unless otherwise specified by the applicable Development Agreement, or prior to release of the Letter of Credit (LOC) on file with the Village.

VILLAGE STAFF RECOMMENDATION

APPROVE the final subdivision plat for Wrenwood North Addition No. 1/Phase 2 containing 26 single-family residential lots located south of Freistadt Road, west of Pleasant View Drive, subject to the following conditions:

1. A letter of "no objection" from the WI Department of Administration (DOA) shall be submitted to the Village prior to recording the final plat.
2. All technical issues and revisions identified in the "Punch List Report" provided on R.A. Smith, Inc. letterhead, dated October 11, 2024, shall be fulfilled/completed prior to recording of the final plat, unless otherwise specified in the applicable Development Agreement, or prior to release of the Letter of Credit (LOC) on file with the Village.
3. All technical issues and plat corrections identified by the Village Surveyor (see September 30, 2024, memo from Bob Beilfuss, PLS) shall be addressed and reflected in a revised final plat reviewed and approved by Village staff prior to recording.
4. The landscape and buffer plan for Outlots 7 and 8 be approved and accepted by the Village Forester prior to issuance of any building permits.

Village of Germantown
Willkommen

Fee must accompany application
Preliminary & Final Plat Fees Combined
Under 10 lots $4,575
11-25 lots $5,600
26-50 lots $6,625
Over 51 lots $7,650

Received 2/1/24 Paid

SUBDIVISION PLAT APPLICATION

Pursuant to Section 18.04 and 18.05 of the Municipal Code

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

1

APPLICANT OR AGENT
Neumann Developments
N27 W24025 Paul Court, #100
Pewaukee, WI 53072

Phone (262) 542-9200
Fax ( )
E-Mail kevin@neumanncompanies.com

PROPERTY OWNER
Wrenwood North, LLC
N27 W24025 Paul Court, #100
Pewaukee, WI 53072

Phone (262) 542-9200

2

PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER(S)
South of Freistadt Road, west of Pleasant View Drive	GTNV 232280 & 234987

3 READ AND INITIAL THE FOLLOWING:

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

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

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

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

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

4 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

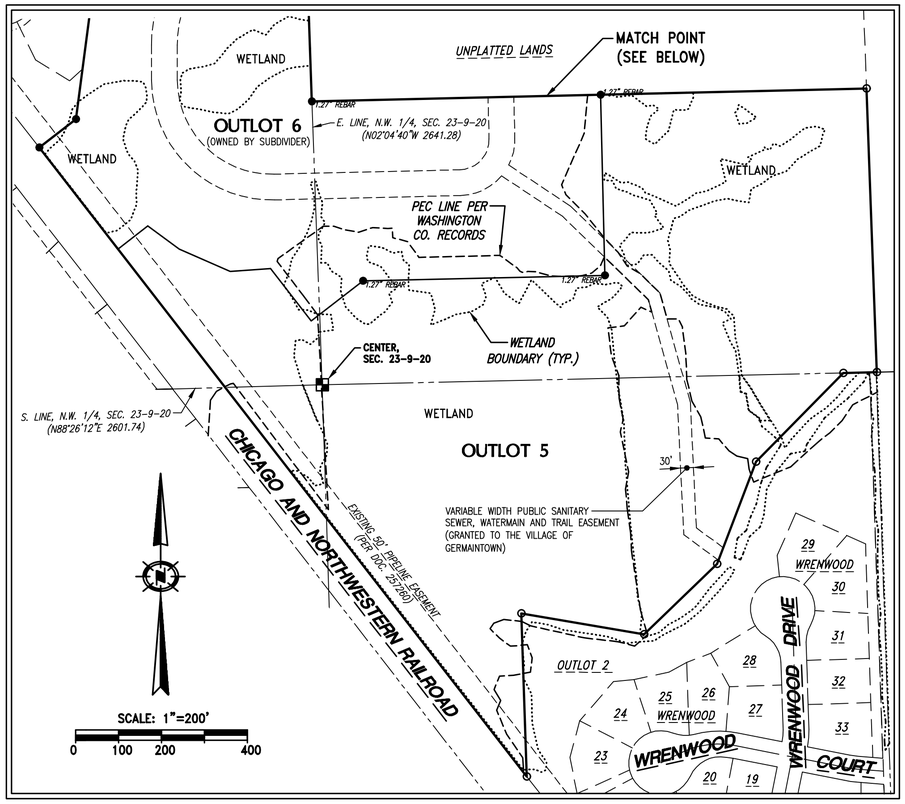
Kevin Anderson 01-24-24
Applicant Date
Project Manager, Neumann Dev.

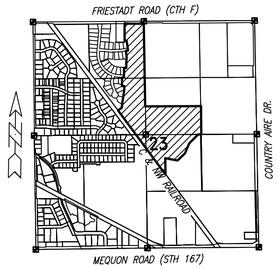
Kevin Anderson 01-24-24
Owner Date
As agent for Owner

WRENWOOD NORTH ADDITION NO. 1

BEING A REDIVISION OF OUTLOT 4 OF "WRENWOOD NORTH" AND LOT 3 OF C.S.M. #6890, BEING LOCATED IN A PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

OVERALL DETAIL SHEET





LOCALITY MAP:
SECTION 23,
T. 9 N., R. 20 E.
SCALE: 1"=2000'

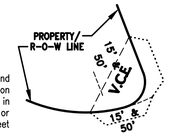
OWNER:
WRENWOOD, LLC
N27W24025 PAUL COURT, STE. 100
PEWAUKEE, WI 53072
PHONE: (262) 542-9200
FAX: (262) 349-9324

BUILDING SETBACK SUMMARY	
DEVELOPMENT: RS-5 SINGLE FAMILY RESIDENTIAL DISTRICT w/PDD OVERLAY (LOTS 47-72)	
MIN. FRONT SETBACK:	35 FT.
MIN. REAR SETBACK:	35 FT.
MIN. SIDE SETBACK:	12 FT.

VILLAGE VISION CORNER EASEMENT DETAIL (V.C.E.)

V.C.E. APPLIES TO:

Lots 47, 51, 52, 56, 59, 60, 62 and Outlot 9 are herein subject to a Vision Corner Easement as shown on this plat in that nothing may be grown, stored or erected to a height more than two feet above the intersection elevation.



GENERAL NOTES:

- ⊙—• Indicates Set 1.270" outside diameter x 18" long Reinforcing Bar weighing 4.303 lbs. per lineal foot. All other Lot and Outlot corners are staked with 0.750" outside diameter x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.
- ●—• Indicates Found 0.750" outside diameter Reinforcing Bar (unless otherwise noted).
- All linear measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to nearest second and computed to the nearest half-second.
- All bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the East line of the N.W. 1/4 of Section 23, Town 9 North, Range 20 East, bears North 02°04'40" West.
- The Variable Width Public Sanitary Sewer, Watermain and Trail Easement is herein granted to the Village of Germantown.
- The 25' wide Landscape Easements are herein granted to the Subdivision's Homeowners Association for installation, repairs and maintenance.
- The Owners of the residential Lots 1 through 46 within the "Wrenwood North" Subdivision and the Owners of the residential Lots 47 through 72 of this subdivision, shall each own an equal undivided fractional interest in Outlots 5, 7, 8 and 9 of this Subdivision. Washington County shall not be liable for fees or special charges in the event they become the owner of any Lot or Outlot in the Subdivision by reason of tax delinquency.
- Outlot 6 to be retained by the owner for future development.
- Outlots 7 and 8 are to be preserved as a landscape area.
- All Wetland shown hereon was field delineated and field located by STANTEC in 2017.
- All Primary Environmental Corridor (PEC) shown hereon is per available Washington County records.
- Stormwater Management Facilities are located on Outlots 5 and 9 of this Subdivision. The Owners of the residential Lots within this Subdivision and any previous and future additions to this Subdivision shall each be liable for an equal undivided fractional share of the cost to repair, maintain or restore said Stormwater Management Facilities within this Subdivision. Said repairs, maintenance and restoration shall be performed by the Owners of all Lots within this Subdivision and any previous and future additions to this Subdivision.

TRIO
DESIGN • LAND SURVEYING
CIVIL ENGINEERING
4100 N. Calhoun Road
Suite 300
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

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

Certified _____, 20_____

Department of Administration

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17-037-953-01

THIS INSTRUMENT WAS DRAFTED BY GRADY L. GOSSER, P.L.S. (S-2972)

REVISED THIS 23RD DAY OF JULY, 2024
DATED THIS 1ST DAY OF FEBRUARY, 2024

WRENWOOD NORTH ADDITION NO. 1

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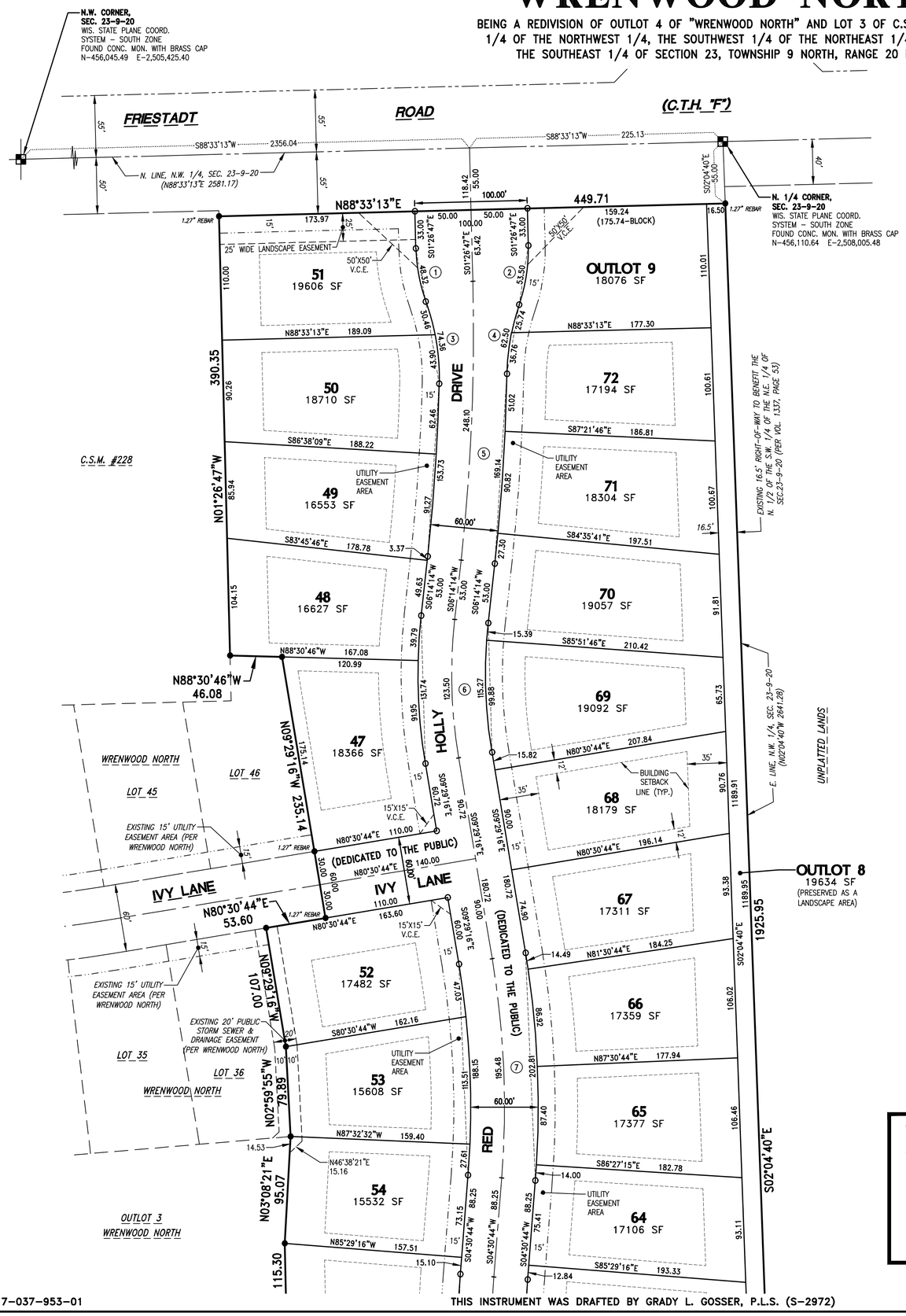

SCALE: 1"=60'

0 30 60 120

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CURVE TABLE:

NO.	LOT(S)	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
1	51	150.00	18°27'27"	48.32	48.11	S10°40'30.5"E	S01°26'47"E	S19°54'14"E
2	OUTLOT 9	150.00	20°26'06"	53.50	53.22	N08°46'16"E	N18°59'19"E	N01°26'47"W
3	TOTAL	200.00	21°18'06"	74.36	73.93	N09°15'11"W	N01°23'52"E	N19°54'14"W
	51	200.00	8°43'30"	30.46	30.43	N15°32'29"W	N11°10'44"W	N19°54'14"W
	50	200.00	12°34'36"	43.90	43.81	N04°53'26"W	N01°23'52"E	N11°10'44"W
4	TOTAL	200.00	17°54'22"	62.50	62.25	S10°02'08"W	S18°59'19"W	S01°04'57"W
	OUTLOT 9	200.00	7°22'24"	25.74	25.72	S15°18'07"W	S18°59'19"W	S11°36'55"W
	72	200.00	10°31'58"	36.76	36.71	S06°20'56"W	S11°36'55"W	S01°04'57"W
5	C/L	1850.00	7°41'01"	248.10	247.92	N02°23'43.5"E	N06°14'14"E	N01°26'47"W
	WEST	1820.00	4°50'22"	153.73	153.68	N03°49'03"E	N06°14'14"E	N01°23'52"E
	50	1820.00	1°57'59"	62.46	62.45	N02°22'51.5"E	N03°21'51"E	N01°23'52"E
	49	1820.00	2°52'23"	91.27	91.26	N04°48'02.5"E	N06°14'14"E	N03°21'51"E
	EAST	1880.00	5°09'17"	169.14	169.08	N03°39'35.5"E	N06°14'14"E	N01°04'57"E
	72	1880.00	1°33'17"	51.02	51.01	N01°51'35.5"E	N02°38'14"E	N01°04'57"E
	71	1880.00	2°46'05"	90.82	90.82	N04°01'16.5"E	N05°24'19"E	N02°38'14"E
	70	1880.00	0°49'55"	27.30	27.30	N05°49'16.5"E	N06°14'14"E	N05°24'19"E
6	C/L	450.00	15°43'30"	123.50	123.12	S01°37'31"E	S06°14'14"W	S09°29'16"E
	WEST	480.00	15°43'30"	131.74	131.32	S01°37'31"E	S06°14'14"W	S09°29'16"E
	48	480.00	4°45'00"	39.79	39.78	S03°51'44"W	S06°14'14"W	S01°29'14"W
	47	480.00	10°58'30"	91.95	91.80	S04°00'01"E	S01°29'14"W	S09°29'16"E
	EAST	420.00	15°43'30"	115.27	114.91	S01°37'31"E	S06°14'14"W	S09°29'16"E
	70	420.00	2°06'00"	15.39	15.39	S05°11'14"W	S06°14'14"W	S04°08'14"W
	69	420.00	13°37'30"	99.88	99.64	S02°40'31"E	S04°08'14"W	S09°29'16"E
7	C/L	800.00	14°00'00"	195.48	194.99	N02°29'16"W	N04°30'44"E	N09°29'16"W
	WEST	770.00	14°00'00"	188.15	187.68	N02°29'16"W	N04°30'44"E	N09°29'16"W
	52	770.00	3°29'58"	47.03	47.02	N07°44'17"W	N05°59'18"W	N09°29'16"W
	53	770.00	8°26'46"	113.51	113.40	N01°45'55"W	N02°27'28"E	N05°59'18"W
	54	770.00	2°03'16"	27.61	27.61	N03°29'06"E	N04°30'44"E	N02°27'28"E
	EAST	830.00	14°00'00"	202.81	202.30	N02°29'16"W	N04°30'44"E	N09°29'16"W
	67	830.00	1°00'00"	14.49	14.49	N08°59'16"W	N08°29'16"W	N09°29'16"W
	66	830.00	6°00'00"	86.92	86.88	N05°29'16"W	N02°29'16"W	N08°29'16"W
	65	830.00	6°02'01"	87.40	87.36	N00°31'44.5"E	N03°32'45"E	N02°29'16"W
	64	830.00	0°57'59"	14.00	14.00	N04°01'44.5"E	N04°30'44"E	N03°32'45"E
8	C/L	800.00	5°49'46"	81.39	81.36	S01°35'51"W	S04°30'44"W	S01°19'02"E
	WEST	830.00	5°49'46"	84.45	84.41	S01°35'51"W	S04°30'44"W	S01°19'02"E
	EAST	770.00	5°49'46"	78.34	78.31	S01°35'51"W	S04°30'44"W	S01°19'02"E

VARIABLE WIDTH PUBLIC SANITARY SEWER, WATERMAIN AND TRAIL EASEMENT CURVE TABLE:

NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	70.00	89°59'59"	109.96	98.99	N43°38'47.5"E	N88°38'47"E	N01°21'12"W
C2	130.00	28°22'26"	64.38	63.72	S12°50'01"W	S01°21'12"E	S27°01'14"W
C3	130.00	48°22'27"	109.76	106.53	S64°27'33.5"W	S40°16'20"W	S88°38'47"W
C4	280.00	91°17'53"	446.17	400.44	N45°42'16.5"W	S88°38'47"W	N00°03'20"W
C5	330.00	25°50'34"	148.84	147.59	N12°51'57"E	N00°03'20"W	N25°47'14"E
C6	170.00	27°06'16"	80.42	79.67	N12°14'06"E	N25°47'14"E	N01°19'02"W
C7	230.00	27°06'16"	108.80	107.79	S12°14'06"W	S01°19'02"E	S25°47'14"W
C8	270.00	25°50'34"	121.78	120.75	S12°51'57"W	S25°47'14"W	S00°03'20"E
C9	220.00	91°17'53"	350.56	314.63	S45°42'16.5"E	S00°03'20"E	N88°38'47"E

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

Certified _____, 20_____

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SHEET 2 OF 5

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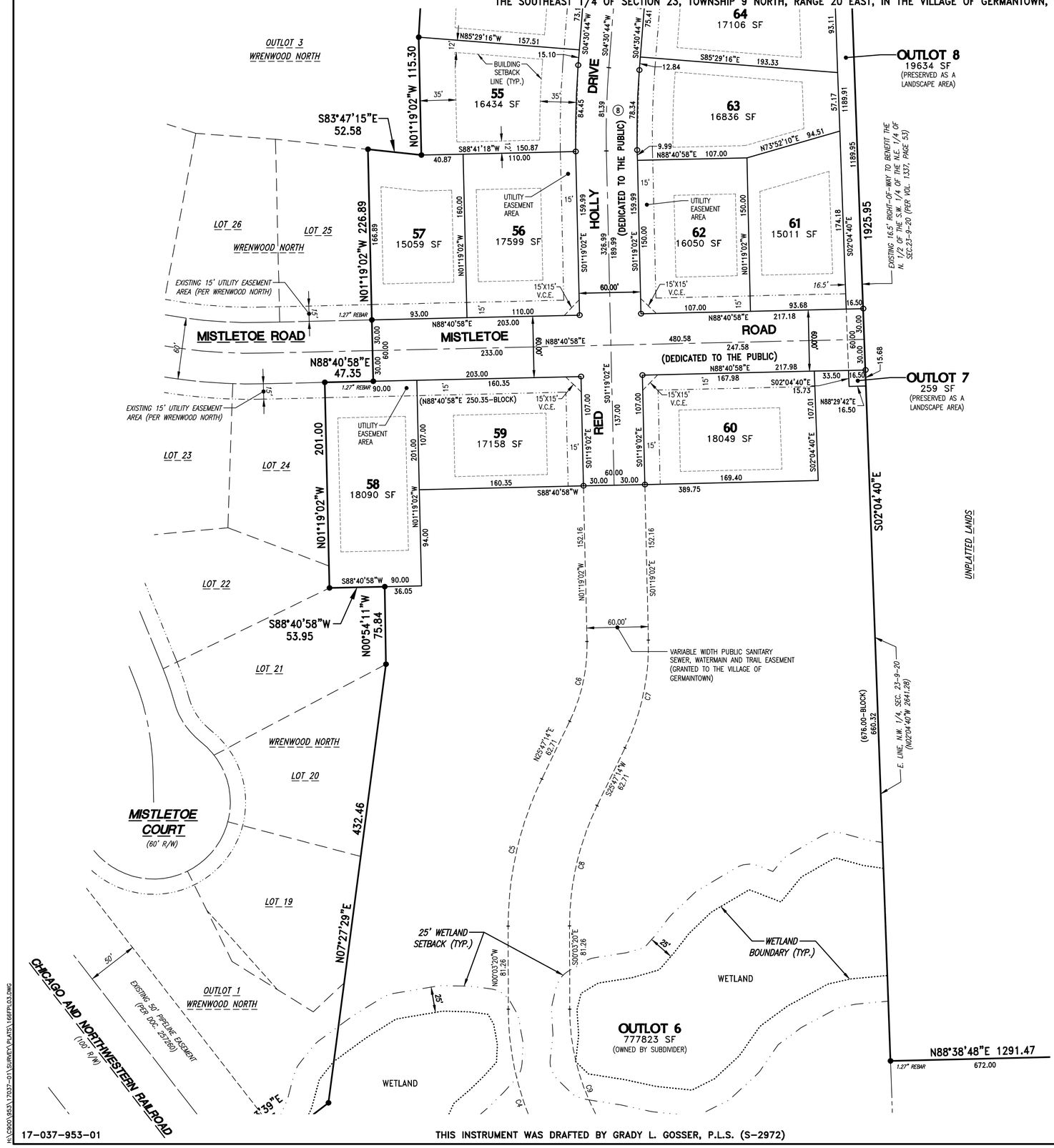

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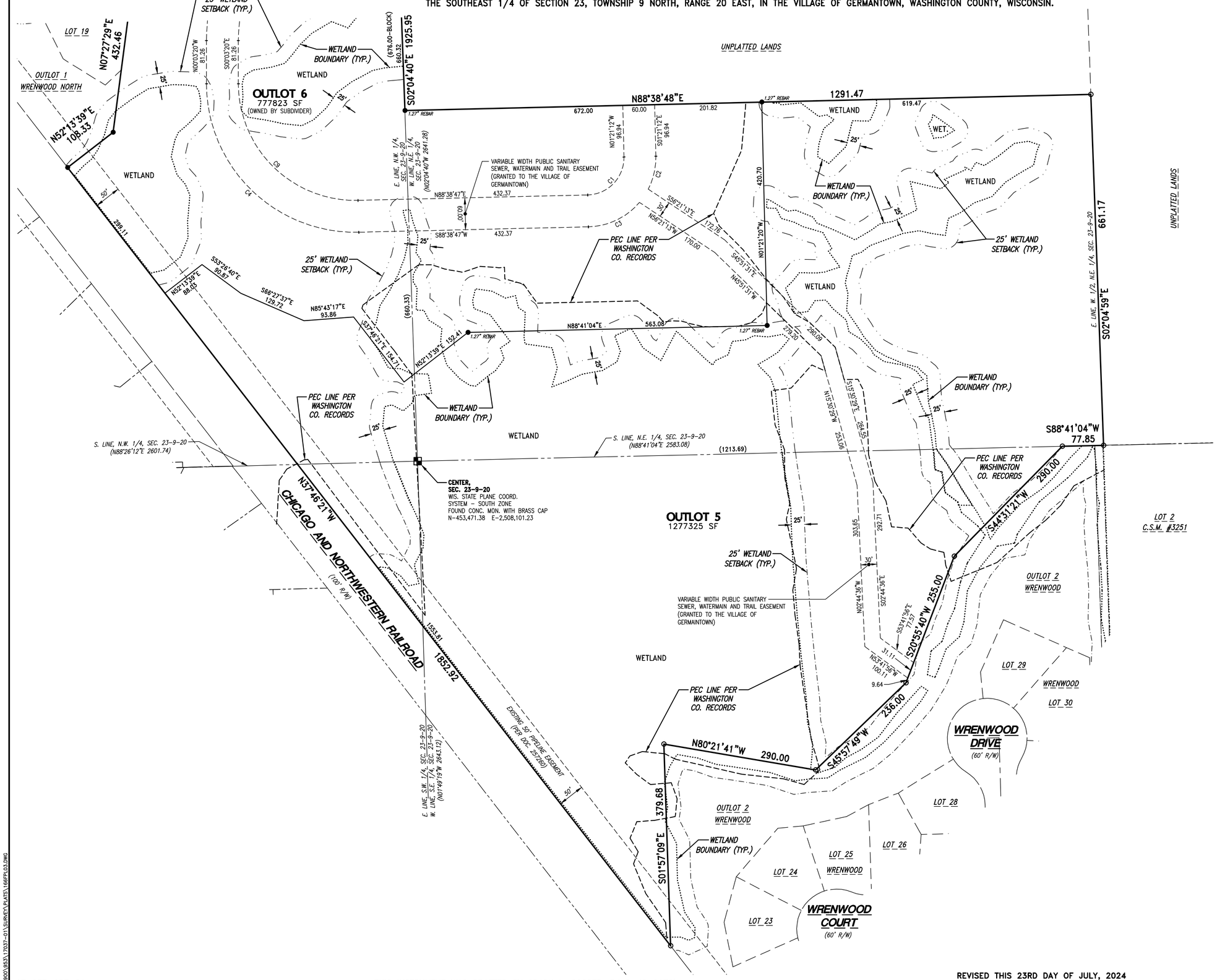

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DATED THIS 1ST DAY OF FEBRUARY, 2024

WRENWOOD NORTH ADDITION NO. 1

BEING A REDIVISION OF OUTLOT 4 OF "WRENWOOD NORTH" AND LOT 3 OF C.S.M. #6890, BEING LOCATED IN A PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

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

That I have surveyed, divided and mapped a redivision of Outlot 4 of "Wrenwood North", recorded in the Office of the Register of Deeds for Washington County on September 21, 2022, in Book 53 of Subdivision Plats, at Pages 88 through 93 inclusive, as Document No. 1568669, and Lot 3 of Certified Survey Map No. 6890, recorded in the Office of the Register of Deeds for Washington County on May 14, 2019, in Volume 53 of Certified Survey Maps, at Pages 193 through 202 inclusive, as Document No. 1471674, all being located in a part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, the Northeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 23, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

Said Parcel contains 2,659,897 Square Feet (or 61.0628 Acres) of land, more or less.

That I have made such survey, land division, and map by the direction of WRENWOOD, LLC, owner of said lands.

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

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

Dated this _____ Day of _____, 20 _____.

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

UTILITY EASEMENT PROVISIONS:

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

WRENWOOD, LLC, Grantor, to

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

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

WRENWOOD, LLC, a Wisconsin Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, certifies that said Limited Liability Company has caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. As Owner, I hereby dedicate that part of "Mistletoe Road", "Red Holly Drive" and "Ivy Lane" to the Village of Germantown for public Road purposes as represented on Sheets 1, 2 and 3 of 6 of this Plat. I also certify that this plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection.

APPROVING AGENCIES:

1. Village of Germantown

AGENCIES WHO MAY OBJECT:

1. State of Wisconsin, Department of Administration

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

WRENWOOD, LLC

_____
Bryan Lindgren, President of
Neumann Developments, its Sole Member

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

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

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

CONSENT OF CORPORATE MORTGAGEE:

MIDLAND STATES BANK, a corporation duly organized and existing by virtue of the laws of the State of Illinois, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping, and dedicating of the land described on this Plat, and does hereby consent to the above certificate of WRENWOOD, LLC, owner, this _____ day of _____, 20 _____.

MIDLAND STATES BANK

_____
Dave Sobojinski, Senior Commercial Relationship Manager

STATE OF ILLINOIS)
) SS
COUNTY OF)

Personally came before me this _____ day of _____, 20_____, the above named Dave Sobojinski, Senior Commercial Relationship Manager of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Senior Commercial Relationship Manager of said corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

_____
Print Name: _____
Public, _____, IL
My Commission Expires: _____

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

Certified _____, 20_____

Department of Administration

DESIGN • LAND SURVEYING
TRIO
CIVIL ENGINEERING

4100 N. Calhoun Road
Suite 300
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

CERTIFICATE OF COUNTY TREASURER:

STATE OF WISCONSIN)
) SS
WASHINGTON COUNTY)

I, Scott M. Henke, being the duly elected, qualified and acting Treasurer of the County of Washington, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of the ____ Day of _____, 20 ____ affecting the lands included in the plat of "WRENWOOD NORTH ADDITION NO. 1".

Dated this _____ Day of _____, 20 _____.

_____
Scott M. Henke, County Treasurer

CERTIFICATE OF VILLAGE TREASURER:

STATE OF WISCONSIN)
) SS
WASHINGTON COUNTY)

I, Matthew Uselding, being the duly elected, qualified and acting Treasurer of the Village of Germantown, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of the _____ Day of _____, 20 _____ affecting the lands included in the plat of "WRENWOOD NORTH ADDITION NO. 1".

Dated this _____ Day of _____, 20 _____.

_____
Matthew Uselding, Village Treasurer

VILLAGE OF GERMANTOWN PLAN COMMISSION APPROVAL:

This Plat, known as "WRENWOOD NORTH ADDITION NO. 1", is hereby approved by the Village of Germantown Plan Commission as being in conformance with the Village's Subdivision Ordinance. The Village of Germantown Plan Commission also hereby approves and accepts all dedications shown thereon, this _____ day of _____, 20 _____.

APPROVED AND SIGNED:

_____
Dean Wolter, Chairman

Dated this _____ Day of _____, 20 _____.

_____
Lori Johnson, Secretary

VILLAGE BOARD APPROVAL:

Resolved, that the plat of "WRENWOOD NORTH ADDITION NO. 1", in the Village of Germantown having been recommended by the Plan Commission, and being the same, is hereby approved and the dedication herein accepted by the Village Board of Trustees of the Village of Germantown, on this _____ Day of _____, 20 _____.

_____
Dean Wolter, Village President

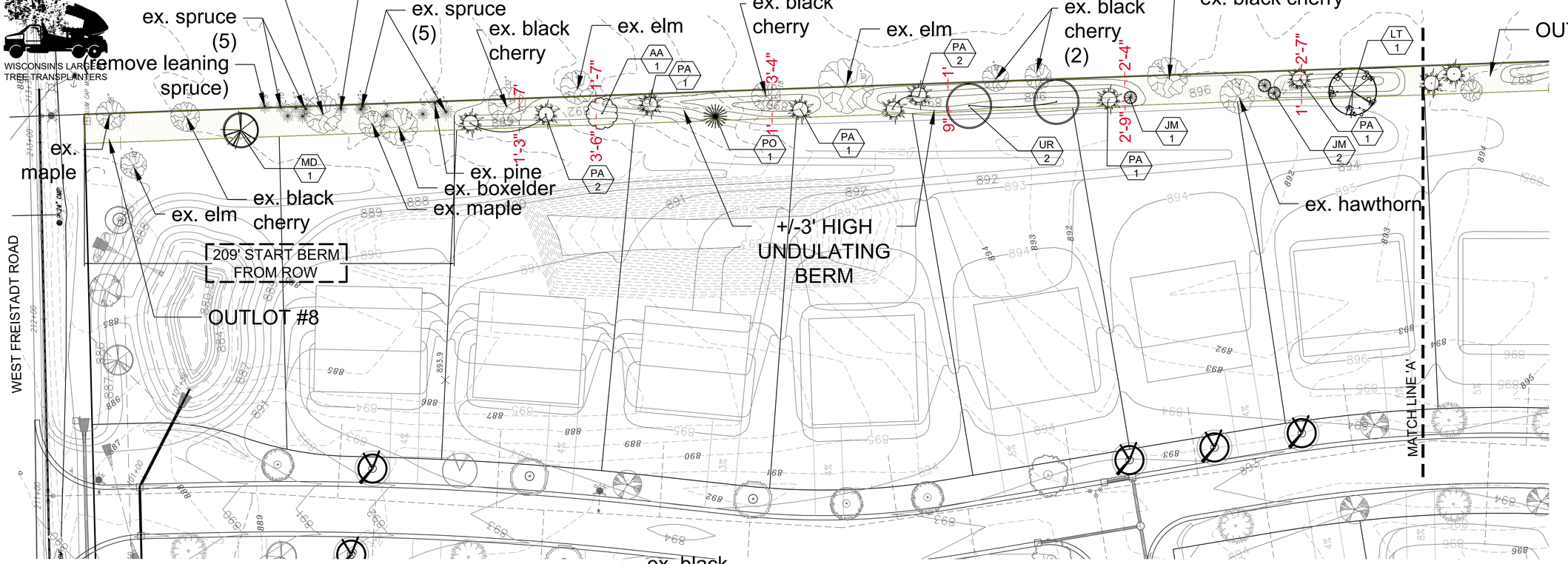
I hereby certify that the foregoing is a copy of a resolution adopted by the Village Board of Trustees of the Village of Germantown.

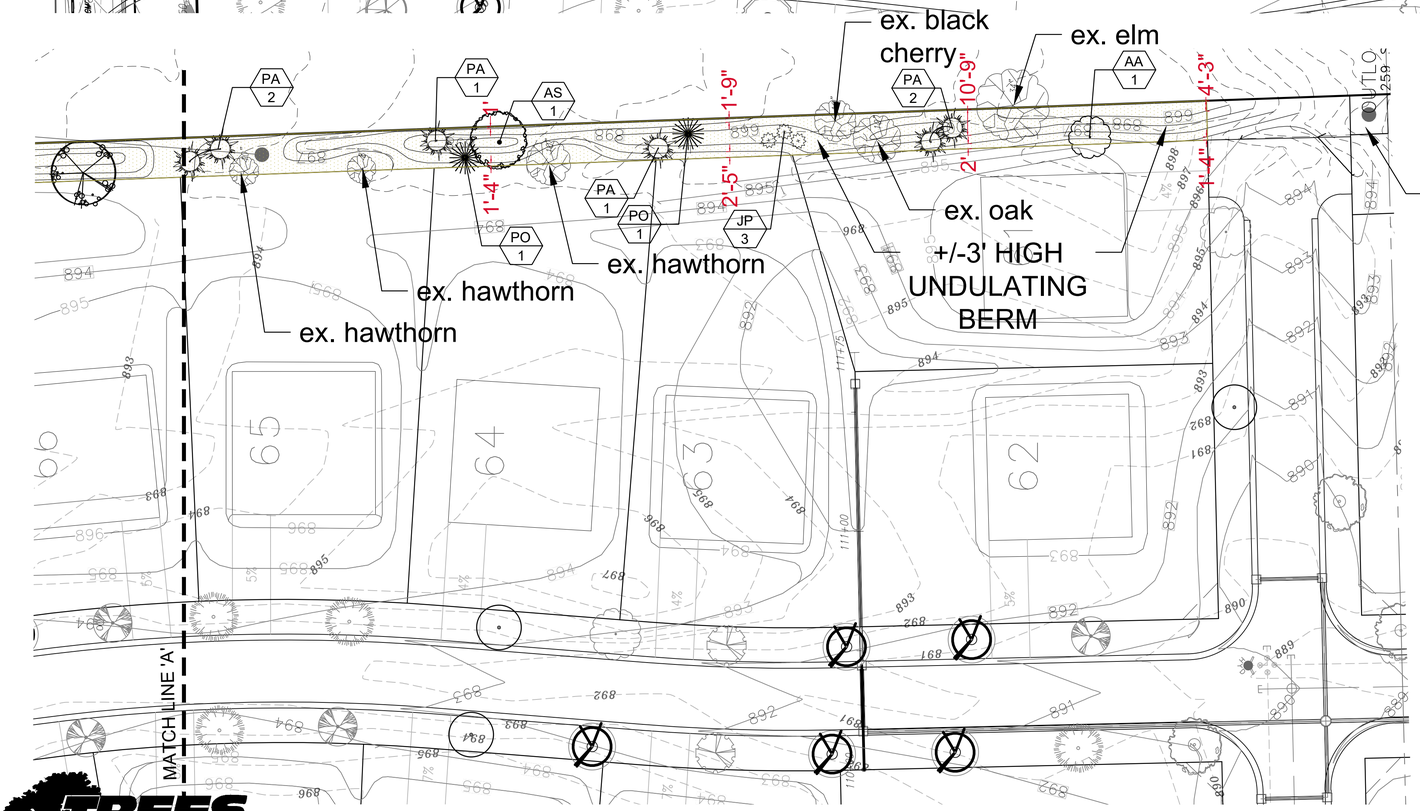
_____
Donna Ott, Village Clerk

H:\C900\953\17037-01\SURVEY\PLATS\166FPL03.DWG

THIS DRAWING IS MADE SOLELY FOR THE INDIVIDUAL NAMES HEREIN AND IS PROPERTY OF TREES ON THE MOVE, INC. ANY UNAUTHORIZED USE OR DUPLICATOIN IS IN VIOLATION OF THE COPYRIGHT LAWS AND SUBJECT TO PROSECUTION

WISCONSIN'S LARGEST TREE TRANSPLANTERS





NOTE:
- ALL BERM CONTOURS ARE LOCATED WITHIN OUTLOT 8 BOUNDARY
- PLACE FIELDRUN TOPSOIL FOR FILL MATERIAL
- PLACE MIN. 12" TOPSOIL AS COVER MATERIAL

Outlot #8 Buffer Trees Plant Schedule

Key	Botanical Name	Common Name		Size	Root	Spacing
SHADE TREES						
AS	Acer saccharum	Sugar Maple	1	2.5-3" Cal.	B&B	as shown
AA	Acer x freemanii ' Armstrong'	Armstrong Maple	2	2.5-3" Cal.	B&B	as shown
LT	Liriodendron tulipifera	Tulip Tree	1	2.5-3" Cal.	B&B	as shown
UR	Ulmus 'Valley Forge'	Valley Forge Elm	2	2-2.5" Cal.	B&B	as shown
ORNAMENTAL TREES						
MD	Malus 'Donald Wyman'	Donald Wyman Crab	1	1.5-2" Cal.	B&B	as shown
EVERGREEN TREES						
JM	Juniperus chinensis 'Mountbatten'	Mountbatten Juniper	3	5' High	B&B	as shown
JP	Juniperus x JNBlue Select	Star Power Juniper	3	6' High	B&B	as shown
PA	Picea abies	Norway Spruce	14	6'-7' High	B&B	as shown
PO	Picea omorika	Serbian Spruce	3	6'-7' High	B&B	as shown

N

0 30' 60'

BUFFER PLANTING PLAN: OUT LOT#8
LOTS 61-72

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

WLCA

Premier Landscapes

LANDSCAPE DEVELOPMENT FOR
WRENWOOD NORTH DEVELOPMENT
W. FREISTADT ROAD
GERMANTOWN, WISCONSIN

LANDSCAPE ARCHITECTURE	
DESIGN BY:	GAR
DRAWN BY:	GAR
DATE:	6/28/2024
REVISED:	8/16/2024 9/16/2024 10/3/2024
SCALE:	1"=30'-0"
SHEET:	L320

TREES ON THE MOVE
5611 S. Calhoun Road
New Berlin, WI 53151
Phone: (262) 679-5200
treesonthemove.com

Plat Review Comments

Department of Administration

Plat Review – DOA
PO Box 1645, Madison WI 53701
plat.review@wi.gov
https://doa.wi.gov/platreview
608-266-3200

Date: March 05, 2024

From: Sime, Don R - DOA

To: Grady Gosser, TRIO ENGINEERING, LLC
4100 N CALHOUN RD SUITE 300, BROOKFIELD WI 53005-2000, 262/790-1480, ggosser@trioeng.com

Subject: Wrenwood North Addition No. 1, File No **121833**

We have reviewed your plat and the changes listed below must be made. If you have questions, please contact us at the number listed above. Please refer to file number **121833**. Thank you!

COMMENTS:
s. 236.20 (2) (c) The 676.00' block length must be shown along the east line of Outlot 6/Outlot 7 on sheet 3.

The portion of the public storm sewer/drainage easement crossing lot 54 must be dimensioned and ties to a lot corner.

s. 236.21 (1) (b) The plat name should be shown as Wrenwood North Addition No. 1 in the Surveyor's certificate.

NOTES TO SURVEYOR:
-To help us, and other review authorities, track revised drawings, **please include a revision date on each Sheet of your revised drawing.**

To: Kevin Driscoll, Village Engineer

CC: Jeff Retzlaff Village Planner

From: Bob Beilfuss, PLS

Date: September 30, 2024

Re: Wrenwood North Addition 1 Plat review

Kevin and Jeff,

Here are my review comments for the CSM received from Wrenwood North, LLC received 9/19/2024.

Certified Survey Map

Applicant or Owner: Neumann Developments
Land Surveyor/Firm: Grady Gosser, PLS – Trio Engineering

1. The secretary of the Planning Commission is Deborah J. Remich. Please correct the Village Planning Commission approval certificate accordingly. Page 5 of 5.

2. On Sheet 5, in the Corporate Owners Certificate of Dedication, there is a sheet reference "3 of 6" which should read "3 of 5" as there is no sheet 6 in this plat.

3. There were no professional seals and signatures of the professional land surveyor affixed to any of the 5 sheets of the document.

4. The bearing basis for the plat is incorrect. The bearing basis for the plat references the North American Datum of 1927 instead of the required North American Datum of 1983. The bearing of the east line of the NW ¼ is North 02°04'41" West according to SEWRPC control data sheet. The digital CADD file will need to be translated into the correct datum.

5. The State Plane Coordinates for the section and quarter section monuments will need to be revised to reflect the correct Datum.

6. The wetland delineation performed by Stantec in 2017 has exceeded the 5-year time limit and has expired.

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 and signature of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

This includes the CADD file.

Any documents or digital files not submitted by the due date or contain outstanding technical review comments that have not be 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 2023 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

Sincerely,

Point Land Surveying & Mapping

Bob Beilfuss

Bob Beilfuss, P.L.S.
Principle

raSmith
CREATIVITY BEYOND ENGINEERING

R.A. Smith, Inc.
16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000 | rasmith.com

PUNCH LIST REPORT

Project: Wrenwood North Ph. 2

Page: 1 of 2

Date: 10/11/2024

Item No:	Punch List Items:	Date Complete:	Accepted By:
1	Connect blue tracer wire and red wire inside 3" tracer wire access box with a winged wire nut filled with silicone gel at all hydrants. Raise all tracer wire access boxes to proposed grade elevation as shown in plan detail C7.02		
2	Install extension for hydrant at approximate plan STA 33+41. Nozzle elevation to be 18-24" above top of curb (C3.00).		
3	Rotate hydrant at PH. 1/ PH. 2 limits of Mistletoe Rd. so that the pumper nozzle is perpendicular to the roadway.		
4	Re-plumb water box for the west most isolation valve at the intersection of Red Holly and Freistadt.	With surface	
5	Re-plumb water box for the south most isolation valve at the intersection of Red Holly and Freistadt. Top section of water box appears to be on the last thread and may need an extension as it may not reach surface.	With surface	
6	Re-plumb water box for the north most isolation valve at the intersection of Red Holly and Freistadt.	With surface	
7	Re-plumb water box for the east most isolation valve at the intersection of Red Holly and Freistadt.	With surface	
8	Re-plumb water box for the gate valve for hydrant at approximate plan STA 42+40.	with surface, If in pavemnt	
9	Remove and replace cracked concrete curb and gutter panel in the southeast radius of the intersection of Red Holly and Freistadt.	With surface	
10	Remove and replace cracked concrete curb and gutter panel at approximate plan STA 31+55 on the west side of the road.	With surface	
11	Clean asphalt out of all interim inlets and reset inlet protection. (Note: Inlets were not opened at this time and will require additional punchlist inspection once cleaned as noted).		
12	Clean construction debris/ sediment out of all storm and sanitary MH's.		
13	Remove temporary plugs in Sanitary MH #14.		
14	Final adjust and install internal external seal for Sanitary MH #37.	With surface	
15	Place stop bar markings and signage at the intersection of Red Holly and Freistadt (C6.02)		
16	Place pavement markings on Freistadt Road per plan sheet C6.02		
17	Install signage at the end of the temporary tee turn-around (C7.01)		
18	Install 2' wide gravel shoulder along the north bypass lane (westbound traffic) on Freistadt (C6.01).		
19	Final grade and restoration. Implement erosion measures noted on plan sheet C2.00 until final stabilization has been reached.		
20	Perform continuity testing on all tracer wire.		

raSmith
CREATIVITY BEYOND ENGINEERING

R.A. Smith, Inc.
16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000 | rasmith.com

PUNCH LIST REPORT

Project: Wrenwood North Ph. 2

Date: 10/11/2024

21	Adjust interim inlets to final grade before paving surface course.	With surface	
22	Perform walkthrough before paving surface course with all parties present (Village of Germantown, Neumann Developments, and raSmith).	Prior to surface	
23	At Freistadt near outlot 7, 8" South main line valve-Needs a gate valve box extension-Top section is screwed out to the full extent and is shifted badly. See drawing		
24	Hydrant at Lot 70/71, Hydrant gate valve box top section is shifted-dig and reset top section to be able to key the valve.		
25	Lot 62, Hydrant gate valve box needs a complete dig and reset down to the valve. See drawing		
26	At Mistletoe and Red Holly Drive, East valve needs a complete dig and reset down to the valve. See Drawing		
27	CCTV Sanitary		
28	Stripe Freistadt		
29	Lot Corners		
30	As-builts		
31	Replace temporary asphalt curb with Concrete Curb at inlet catch basins		

Document # **1568766**
WASHINGTON COUNTY WISCONSIN
2022-09-22 11:42:00 AM
Sharon A. Martin
SHARON A MARTIN
WASHINGTON COUNTY
REGISTER OF DEEDS
Fee: **$30.00**

***The above recording information verifies
this document has been electronically recorded***
Returned to **Wisconsin Title, Closing and Credit Ser**
Pages: **31**

DECLARATION OF PROTECTIVE COVENANTS FOR WRENWOOD NORTH SUBDIVISION

Name and Return Address:

Wrenwood, LLC
c/o Neumann Developments, Inc.
N27 W24025 Paul Court, Suite 100
Pewaukee, WI 53072

Tax Key No(s):

THIS DECLARATION OF PROTECTIVE COVENANTS FOR WRENWOOD NORTH SUBDIVISION (the "***Declaration***") is made this 21 day of September, 2022, by Wrenwood, LLC, a Wisconsin limited liability company ("***Declarant***").

RECITALS

WHEREAS, Declarant owns the real estate located in the Village of Germantown, Washington County, Wisconsin, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "***Property***").

WHEREAS, as shown on the plat for the Subdivision (as hereinafter defined), the Subdivision consisting of fourty-six (46) single-family lots and four (4) outlots ("***Phase I***"),, as more particularly described on Exhibit A and as depicted on Exhibit B, (the "Final Plat"), recorded in the Register of Deeds office of Washington County on September 21, 2022 as document #1568669; as attached hereto and incorporated herein.

WHEREAS, at the time of this Declaration, the Declarant desires to subject Phase I of the Subdivision to the covenants, conditions, restrictions, reservations and easements hereinafter set forth, for the benefit of the Subdivision as a whole, and for the benefit of each Lot Owner (as hereinafter defined).

DECLARATION

NOW, THEREFORE, Declarant, as fee owner of the Property, hereby declares that Phase 1 of the Subdivision and all portions thereof shall be used, held, leased, transferred, sold, and conveyed subject to the covenants, conditions, restrictions, reservations and easements hereinafter set forth, which shall inure to the benefit of and shall pass with each Lot (as hereinafter defined) as covenants running with the land and shall apply to and bind all successors in interest, users and owners.

The general purpose of this Declaration is to: (1) promote the harmonious development of the Subdivision into a high quality residential community while protecting the natural beauty and quality of the environment; (2) help ensure that the Subdivision will become and remain an attractive community; (3) guard against the erection of poorly designed or poorly proportioned structures; (4) require harmonious use of building materials; (5) promote the highest and best

residential development of the Subdivision; (6) require the erection of attractive homes in appropriate locations on building sites; (7) be in compliance with Municipal (as hereinafter defined) codes and ordinances; and (8) provide for the expansion of the Subdivision consistent with this Declaration.

ARTICLE 1. DEFINITIONS

Capitalized terms not otherwise defined in this Declaration shall have the assigned definitions:

1.1 "***Association***" shall mean Wrenwood North Homeowners Association, Inc., the members of which shall be all Owners (as hereinafter defined) of Lots (as hereinafter defined) in the Subdivision.

1.2 "***ACC***" shall mean the Architectural Control Board as established by the Declarant.

1.3 "***Amenity Area***", if any, shall mean that area as more particularly described in Article 7.5. The area shall be a Common Area and any improvements which may be constructed in the Amenity Area shall be Common Improvements.

1.4

1.5 "***Association Insurance***" shall mean all policies of insurance as may be maintained by the Association under this Declaration.

1.6 "***Board***" or "***Board of Directors***" shall mean the governing body of the Association, elected according to the Bylaws.

1.7 "***Building***" shall mean any freestanding structure located in the Subdivision. A "***dwelling***" or a "***home***" is a Building intended for occupancy in accordance with Article 6.

1.8 "***Bylaws***" shall mean the Bylaws of the Association as adopted by the Board.

1.9 "***Common Areas***" shall mean the easements, Outlot(s) [other than the Expansion Area], and those areas identified on that certain Plat of Subdivision as recorded in the Register's Office. Each Owner shall have an equal undivided interest in the Common Areas, and all deeds and other conveyances of any Lot shall be deemed to include such interest in the Common Areas, whether or not so specifically stated in any such deed or other conveyance.

1.10 "***Common Improvements***" shall mean all personal property, fixtures, structures, improvements, signs, Storm Water Facilities, landscaping, utilities, Mailbox CBUs, Buildings or other improvements made by the Developer or the Association in the Common Areas, cul-de-sac islands and medians.

1.11 "***County***" shall mean the County of Washington, Wisconsin.

1.12 "***Declarant***" shall mean Wrenwood, LLC and its successors and assigns pursuant to Section 15 of this Declaration.

1.13 "***Declaration***" shall mean this Declaration as the same may be amended from time to time.

1.14 "***Developer***" shall mean Neumann Developments, Inc.

1.15 "***Director***" shall mean a member of the Board.

1.16 "***Documents***" shall mean the Articles of Incorporation of the Association, the Bylaws, the Rules, and this Declaration, as they may be amended from time to time.

1.17 "***Easement*" *or* "*Landscape Easement*"** shall mean an area on a Lot or in the Subdivision to which has been granted the right of use to an Owner, the Association or a third party for a limited purpose and shall be identified as shown on the Plat. An Owner shall not build, plant or create any obstruction on, over, under or through an Easement or Landscape Easement, except as consistent with the express, written grant of said Easement rights and approval by the HOA and/or ACC.

1.18 "***Expansion Area***" shall mean Outlot #4 as depicted and described on Exhibit A and any land in general physical proximity to the Subdivision as described in Section 11.2.5.

1.19 "***Lot***" shall mean a platted lot intended for construction of a home as shown on the Plat. The reference to a Lot by a number shall mean that particular Lot as shown on the Plat. The term "Lot" will also include any platted lot intended for construction of a home as shown on any amendment to the Plat or additional plat of any Outlot, which lots are included in any amendment expanding the jurisdiction of this Declaration under Article 11.

1.20 "***Mortgage***" shall mean a recorded first lien mortgage against a Lot or the vendor's interest under a recorded first lien land contract relating to a Lot.

1.21 "***Mortgagee***" shall mean the holder of a Mortgage.

1.22 "***Municipality***" or "***Municipal***" shall mean the Village of Germantown, Washington County, Wisconsin.

1.23 "***Natural Materials***" shall mean any building material that is naturally forming or generally composed of natural materials. Examples shall include, but not be limited to wood, masonry, stone, cement board, or LP SmartSide Siding or other as determined by the ACC. Materials specifically excluded in this definition include, but are not limited to, vinyl, aluminum, fabricated wood panel wall sheathing or other materials as determined by the ACC.

1.24 "***Occupant***" shall mean the Owner and any other person residing in a Building.

1.25 "***Owner***" shall mean each fee simple owner or land contract vendee of a Lot. The Declarant is an Owner with respect to Lots to which it holds title.

1.26 "***Outlot***" or "***Outlots***" shall mean an outlot as shown on the Plat, and any subsequent plats. The reference to an Outlot by a number shall mean that particular Outlot as shown on such Plat.

1.27 "***Pet***" shall mean a domestic cat, a domestic dog, service animal and emotional support animal, a single caged bird or common small tank fish.

1.28 "***Plat***", "***Plat of Subdivision***", or "***Final Plat***" shall mean the Plat of Wrenwood North Subdivision, as recorded with the Register's Office and attached hereto as Exhibit B.

1.29 "***Register's Office***" shall mean the office of the Register of Deeds for County in which the project is located.

1.30 "***Rules***", if any, shall mean rules established by the Association governing the administration of the Common Areas and Common Improvements.

1.31 "***Storm Water Facilities***" shall mean the private storm water basins, including but not limited to storm water ponds and structures, installed in the Outlot(s) together with the easements as shown on the Final Plat.

1.32 "***Storm Water Management Agreement***" shall mean that certain Storm Water Management Practice Maintenance Agreement executed by Declarant and recorded with the Register's Office.

1.33 "***Storm Water Permit***" shall mean the permit as issued by the Municipality, as shall be assigned to the Association, for the maintenance and upkeep of the Storm Water Facilities.

1.34 "***Subdivision***" shall mean all of the Lots and Outlots, as more particularly described on Exhibit A and as depicted on the Plat attached hereto as Exhibit B.

ARTICLE 2. ARCHITECTURAL CONTROL

2.1 Architectural Controls; Restrictions on Development.

2.1.1 Architectural Control Committee. So long as Declarant has title to any Lot subject to this Declaration, including the Expansion Area, the ACC shall consist of three (3) members appointed in writing by Declarant. The Declarant appointed members are not required to be Lot Owners in the Subdivision. All members of the ACC shall serve at the pleasure of the Declarant. The Declarant shall surrender the selection of the members of the ACC upon the earlier of: (a) thirty (30) days from the final Lot Owner being granted an occupancy permit and Declarant's conveyance of the final Lot, including any Lots which may be platted within the Expansion Area as provided in this Declaration; (b) ten (10) years from the date of this Declaration; or (c) Declarant's election to waive its rights to control the ACC. Upon Declarant's surrender of the ACC as provided above, the members of the ACC shall be elected by the Board, provided, however, that if selected by the Board, a representative of Declarant may serve on the ACC. Notwithstanding the election of the new members of the ACC, the approval of Drawings for the initial construction of a home on a Lot shall not be effective without the express prior

consent of the Declarant; approval of Drawings for other matters will not require Declarant's approval. For the avoidance of doubt, for purposes of this Section a "bulk" or multi-Lot conveyance to a party who is not intending to occupy the property conveyed shall not be considered a conveyance for purposes of (a) above.

2.1.2 No Development Without Prior Approval. Not less than ten (10) days prior to each time any of the following is proposed to occur:

(a) commencement of construction of any Building or other improvements or alteration on any Lot; or

(b) the reconstruction of any Building or other improvements on any portion or portions of such property following a casualty loss thereto; or

(c) the demolition of any Building or other improvements on any portion or portions of such property; or

(d) the initial painting, or subsequent decoration or alteration of the exterior of any Building or other improvement on such property; or

(e) the installation of items such as, but not limited to, solar panels, wind-driven energy devices, awnings, enclosure, hot tub, deck, swimming pool, mailboxes, fences, berms or other features on any such property;

the Owner(s) of such property shall submit to the ACC for consideration as described below three (3) copies of written information, which shall include a survey of such property prepared by a licensed surveyor or the equivalent, as approved by the ACC for the particular submission, ("***Drawings***") showing:

(1) the location, size, elevations and type of Building(s) and other improvements, including, but not limited to, homes, garages and fences or other matters proposed to be erected or reconstructed on such property,

(2) detailed plans and specifications for construction or reconstruction, including building material, type and color, and plans to screen the demolition, construction or reconstruction from view,

(3) the proposed landscaping, including any fences or walls, and

(4) the proposed location and specifications for utilities servicing such improvements.

The Drawings shall be submitted in 11x17 format and reflect the proposals in (1) through (4) above, which are appropriate to be shown on the survey. Any of the actions described in clauses (a) through (e) above may be taken (subject to Section 2.1.3 below) on or after the date on which the ACC approves or does not object or is deemed to have done so as provided in

Section 2.1.3 below, unless such time periods are waived by the ACC in its sole discretion where the ACC believes that such earlier commencement is consistent with the purposes of this Declaration. No action described in paragraphs (a) through (e) above shall take place without the approval by the ACC of the Drawings for such action, except if the action is the repair or replacement of previously approved exterior features with features that are identical or if the action is the repainting of an exterior surface with paint of the same color.

The Municipality may also require permits prior to proceeding with the development activities for the items listed above.

2.1.3 Standards and Procedural Matters of Consideration. The ACC shall not unreasonably refuse to consider submitted Drawings provided that any fees imposed for review have been paid. In considering any Drawings, the ACC shall consider, among other factors, whether all of the improvements and the lighting, exterior finishes (such as materials, decorations, and paint color), landscaping, the placement and protection of trees and such other matters proposed in such Drawings comply with the terms of this Declaration and the Municipality's ordinances and otherwise are, in the ACC's sole opinion, in keeping with and do not detract from the harmony of the external design of, or depreciate any portion of the Property, whether then undeveloped, developed or in the process of development, even if the Drawings otherwise do not breach any other standard set forth in this Declaration. The ACC may approve Drawings (absolutely or conditionally), may object to Drawings (absolutely or conditionally), or may state that it has no objection to Drawings (absolutely or conditionally). Approval must be express and in writing. The failure of the ACC to approve, object to, or acquiesce conditionally as provided above within thirty (30) business days after submittal of the complete Drawings and payment of any review fees shall be deemed to be the ACC's acceptance of the Drawings as submitted. If the ACC objects to Drawings in whole or in part for any reason, the submitting Owner shall thereafter resubmit Drawings to the ACC with such revisions as are required. Each time an Owner so submits the Drawings, the ACC shall have the right to approve, acquiesce conditionally or object to the Drawings as described above in the time periods as measured from the last submittal. Following the ACC's approval of the Drawings, the improvements described therein shall be developed strictly in accordance with the approved Drawings and requirements. If the approved improvements are not completed within one (1) year of their initial approval, then such approval shall be deemed withdrawn and the same or different Drawings required to be submitted or resubmitted, as the case may be; provided that the ACC may, in its discretion, extend such period by up to an additional six (6) months if it reasonably determines that delay has been primarily caused by factors outside of the control of the Owner; and provided further that the initial driveway need not be completed until the time period specified.

2.1.4 Prior Approval for Changes. If after the completion of the improvements to an affected Lot, the Owner thereof desires to construct any additional improvements or to substantially alter the then existing improvements or the grade of the affected Lot, the Owner shall comply with the provisions of Section 2.1.2 above. A proposed alteration will be deemed substantial if it affects the grade of the affected Lot or the location or exterior appearance of the approved improvements.

2.1.5 Procedures and Budget. The ACC may set its own operating procedures consistent with this Declaration and any limitations hereafter imposed by the Board. The costs

of operating the ACC shall be assessed by the Association as common expenses, except as permitted below. The ACC may, but need not, require the payment of a review fee in connection with the submittal of any Drawings pursuant to a written policy. The ACC may engage consultants (e.g., architects, engineers or attorneys) either on a general or on a case-by-case basis, and the costs thereof may be charged to the applicant. The members of the ACC shall not draw any compensation for serving thereon, but may be reimbursed for expenses incurred in performing their duties. All funds relating to the ACC shall be handled by the treasurer of the Association.

2.1.6 Separate Municipal Approval. Matters which require approval of the ACC may also require the approval of the Municipality. Obtaining approval from the ACC and from the Municipality is the sole responsibility of the Owner desiring approval. Approval of Drawings by the ACC shall not be deemed approval by the Municipality, and approval by the Municipality shall not be deemed approval by the ACC. ACC interpretations of Municipal ordinances are not binding on the Municipality.

2.1.7 Uniformity Standards. Certain standards of architectural control are set forth below. The ACC may adopt additional written standards of uniformity, setback, grading, landscaping, basements, roofing, or exterior, whether generally or for certain types of improvements. The ACC may enforce any standard even if it has, expressly or by acquiescence, permitted previous deviations from such standard.

2.1.8 Indemnification. Each member or former member of the ACC, together with the personal representatives and heirs of each such person, shall be indemnified, defended, and held harmless by the Association from and against any and all claims, actions, suits, proceedings (including criminal proceedings), losses, costs, damages and expenses, including, without limitation, reasonable attorneys' fees and costs, asserted against, incurred by, imposed in connection with, related to, or resulting from service as a member of the ACC, except as to matters resulting in a final determination of negligence or willful misconduct on the part of such member. In the event of settlement of such proceeding, indemnification shall be provided only in connection with such matters covered by the settlement as to which the Association is advised by counsel that the person to be indemnified has not been guilty of negligence or willful misconduct in the performance of such person as a member in the matter involved. This right of indemnification shall be in addition to all other rights and defenses. All liability, loss, damage, cost and expense incurred or suffered by the Association in connection with this indemnification shall be a common expense. Nothing in this subsection shall be deemed an indemnification of such person with respect to such person's status as an Owner, Occupant or otherwise.

2.2 Antennas. No antenna, aerial, satellite dish or cable for television or radio reception which is greater than 36" in diameter shall be erected or installed on or in any roof or any other portion of a Building, on any Lot, or on the unimproved portions of such properties, except as erected or installed by Declarant, the Association, or any individual Owner with written approval of the ACC, and, in each case, in compliance with Municipal ordinances.

2.3 Minimum / Maximum Home Size Requirements. Only one single-family home not to exceed two stories in height may be constructed on each Lot. The following types of homes on Lots shall have the following minimum sizes:

HOME TYPE:	MINIMUM SIZE:
One story	1,900 square feet
More than one story	2,200 square feet

For purposes hereof, "more than one story" includes homes referred to as one and a half story, two-story, split level or bi-level. The type of home and the number of square feet shall be determined on a uniform basis by the ACC and shall not include basement, attic, garage, porch or patio areas in the computation.

2.4 Garages / Driveway / Curbing & Roadways.

2.4.1 Garages. Each residence shall have a garage for not less than two cars attached to the residence containing a minimum of 440 square feet. All garage doors facing the street shall be decorative garage doors (raised panels alone shall not be considered decorative); doors shall have glass inserts or other architectural design such as carriage style or similar.

2.4.2 Driveways. All drives shall be asphalt or concrete or some other hard surface as approved by the ACC and shall be installed no later than twelve (12) months from occupancy. No permanent gravel drive will be permitted.

2.4.3 Curbing & Roadways. Lot Owner shall be responsible for repairing and/or replacing any curbing damaged during construction of the home. Damaged curbing shall be removed and replaced per municipal requirements as part of the driveway installation if allowed by the Municipality. The Declarant is responsible for placing the surface course of asphalt on the public roadways; the Lot Owner is hereby notified that is may occur after the structure is built on the Lot. Prior to installing the surface course of paving, the Municipality will inspect the roadways and curbing, if the Declarant is notified by the Municipality that curbing needs replacement, the owner of the Lot shall be responsible for costs associated with the replacement of the damaged curbing.

2.5 Certain Exterior Features. With respect to the construction of a Building on a Lot or other improvement to a Lot:

2.5.1 Exterior Siding. Exterior siding of the Buildings may consist of cement board, natural stone, cultured stone, brick, Dryvit, stucco and/or stucco panels; provided, however, that fascia and soffit may be aluminum. A minimum of one hundred (100) square feet of the front of the residences must have a stone/masonry architectural feature. Stone or brick must terminate at an inside corner or have an acceptable termination point, as determined by the ACC. Window and door wraps shall be at least four inch (4") nominal in width and used on all locations except on windows with shutters. All corners shall be six inch (6") trim boards. Side elevations must have at a minimum two (2) architectural elements for a ranch elevation and three (3) architectural elements for each two-story elevation. Architectural elements may include any window, door, closed shutter (false window), fypon, horizontal trim, or break in elevation or foundation. The ACC shall be acting reasonably if it disapproves the Drawings, or any portion

thereof, for a home because such home would be similar in appearance, or color, to other homes in close proximity, as determined by the ACC. .

2.5.2 Roof. A residence shall have a roof made of dimensional shingles, or better, with a minimum pitch ratio of 6:12, 8:12 for front facing gables, or such other pitch as is specifically approved by the ACC. "3-tab" shingles shall not be allowed.

2.5.3 Fences. All fences are subject to review and approval by the ACC and are subject to applicable Municipal ordinances, governmental easements and building codes. Fences shall not exceed forty-eight inches (48") in height, shall be constructed of ornamental/decorative metal (wrought iron or aluminum) which is black in color. Stone or masonry columns may be used at corners and in lieu of posts. Chain-link, natural wood, stockade fences, white vinyl fencing and other fencing materials are not allowed. Subject to ACC approval, fencing may be permitted in the front yard in limited quantities subject to the other provisions of this Declaration. Fences shall be installed no closer than twenty-four inches (24") from any property line. Fences shall not be located on a public easement area, drainage area, right of way, or the Common Areas.

2.5.4 Grading. No soil shall be removed from any Lot nor may excess soil stored on any Lot (except for prompt use for backfilling, finish grading or landscaping) unless in either case contemplated by the approved Drawings. Even if so approved, the final grades (sometimes called a "finish grade" or "master grade") of a Lot must conform to grading plans approved by the Municipality. The ACC shall be acting reasonably if it requires that, on Lots with significant grades as determined by the ACC, portions of basement walls be exposed to allow for a more natural transition between homes. Any such exposed basement or foundation walls shall be covered with suitable material consistent with the overall architecture of the home.

2.5.5 Pools. Only in-ground pools may be installed on a Lot (above-ground pools are not allowed) and only with approval of the ACC, which approval shall not be construed as a review of conformance to the Municipal or other regulatory bodies' requirements. Pools shall be completely enclosed by a wall or fence of a minimum of four foot (4') elevation, with a self-closing or self-latching gate or door (at the top of such gate or door) with at least four feet (4') clearance between the fence and the pool. Owner is responsible to insure conformance to applicable Municipal and State of Wisconsin codes and ordinances to insure conformance to size, setbacks and any other requirements.

2.5.6 Cluster Box Units & Lamppost:

(a) Cluster Box Units ("CBU"). The United States Postal Service requires the use of Cluster Box Units ("CBUs") within the subdivision. At each lot closing, Buyer will pay a $450.00 fee to cover the costs of installation of the CBUs for the subdivision. The Association shall be responsible for all costs associated with the CBUs, including contracting and payment for the materials and installation. The Association will be responsible for coordinating maintenance and repairs of the CBUs along with initial distribution of the mailbox keys to the initial lot owners. The Association will be responsible for providing a clear path free of snow or debris to the CBUs for the mail delivery carrier and residents. Upon the initial request from an

Owner, the Association shall turn over all of the mailbox keys for that respective unit to the initial Owner in exchange for a signed agreement from the Owner. In the event keys are damaged, lost or not transferred to subsequent Owners; the current Owner shall have sole responsibility for coordinating obtaining keys to their box in the CBU and payment of all costs incurred.

(b) Lamppost. The term "***lamppost***" shall mean the post and lantern combination including lamps and other devices. The lamppost shall consist of a black post that is 96 inches in height with a tapered base and a black post mounted lantern above with a minimum lantern width/diameter of 12 inches and a minimum lantern height of 24 inches. The lamppost shall be purchased and installed by Owner, or Owner's contractor. The lamppost must be located in the front yard, generally ten feet (10') from the edge of the driveway and no more than fifteen feet (15') from the front of the house or sidewalk, on the front door side of the driveway. Each lamppost shall be fitted with a photocell that automatically energizes the lamps at dusk and de-energized the lamps at dawn. Owner shall maintain the lamppost in operational condition and shall not tamper with such lantern controls

(c) Installation by Declarant. If Declarant, in its discretion, installs, any mailbox or mailbox post, or performs or pays for any other matter required herein on behalf of any Owner, it shall not be deemed a waiver of any of the requirements herein as to any other Lot or Owner and shall not obligate Declarant to perform the same action on any other Lot, for any other Owner, or on any subsequent occasion.

2.5.7 Utilities. All utilities servicing the Lot shall be installed underground.

2.5.8 Alternative Energy. No solar collectors, wind turbines, or other exterior energy producing devices shall be erected or installed unless approved by the ACC.

2.5.9 Dog Kennels. Dog kennels shall not be allowed on any Lot even one would otherwise be permitted by Municipal ordinance or code.

2.5.10 Play Equipment. If an Owner chooses to install a play set of any size, whether temporary or permanent, said playground equipment must be approved in advance by the ACC and conform to Municipal codes and ordinances. Play equipment shall be located a minimum of ten feet (10') away from any property lines.

2.5.11 Outbuildings. Storage sheds or outbuildings of any size, temporary or permanent, shall not be permitted under any circumstance.

2.6 Grading and Landscaping.

2.6.1 Master Grading Plan.

(a) Declarant has established a master surface drainage plan consistent with the master grading plan on file with the Municipality (the "***Master Grading Plan***") designating the manner in which each Lot shall drain in relation to all other Lots. Compliance of all grading and construction work to the Master Grading Plan is important

to the effective drainage of all Lots and affects the value of all Lots. Within sixty (60) days after substantial completion of a dwelling on any Lot, the Owner shall grade the Lot to conform to the Master Grading Plan. Each Owner will take such action as is reasonably necessary to maintain the grading and landscaping of the Owner's Lot in accordance with the Master Grading Plan, and shall refrain from taking actions which would cause the grading or landscaping to not conform to the Master Grading Plan without Municipal and ACC approval. Declarant and the Association shall each have the right to enter upon any Lot at any time for the purpose of inspection, maintenance, correction of any drainage condition, and the Owner shall be responsible for the cost thereof. Despite Declarant's efforts to prepare a Master Grading Plan which will achieve the effective and efficient drainage of storm water from and within the Subdivision, Declarant does not warrant or represent that the Master Grading Plan will achieve any particular effect. Building envelopes are shown on the Plat. Any deviations to the Master Grading Plan shall require review and approval by the Municipal Engineer prior to the issuance of the building permit.

(b) No Owner shall or will at any time alter the grade of any Lot from that which is naturally occurring on that Lot at the time the site development improvements have been completed by the Declarant unless and until the Owner shall first obtain the written approval of the Municipal Engineer for such grade alteration. In order to obtain this approval, it shall first be necessary for the Owner, at the Owner's expense, to have prepared a grading plan which shows in detail the area to be re-graded, the existing and proposed topography, analyzes the effects of site drainage, states that the effects on site drainage will not be in violation of law as to alteration of natural drainage courses, and is a plan which does not unreasonably affect an adjacent property owner with respect to drainage or their viewing of unreasonable slope treatment. The Municipal Engineer's approval, if granted shall not relieve the Owner from the ultimate responsibility for the design, performance, and function of the grade alteration and/or drainage condition, and the Owner by requesting the alteration, and/or altering the grade, thereby agrees to indemnify and hold harmless the Municipality and its agents, employees and independent contractors regarding the same. The Declarant and/or the Municipality and/or their agents, employees or independent contractors shall have the right to enter upon any Lot, at any time, for the purpose of inspection, maintenance, correction of any drainage condition, and the property owner is responsible for the cost of the same.

2.6.2 Landscaping.

(a) Plantings. In addition to Street Tree Plantings performed by the Association per below, each Lot with a home in the Subdivision must plant and maintain a minimum of one (1) – 2" caliper ornamental tree located in the front yard. Additionally, there must be a minimum of twelve (12) foundation plantings and mulched bed along the front foundation wall.

(b) Street Tree Plantings. A Street Tree Planting Plan has been required by the Village of Germantown and available from the Declarant upon request. The Homeowners Association will plant the required street trees as identified on the

Street Tree Plan. A fee of $600 will be collected by the Association at each Lot closing for installation of the required trees for each lot.

(c) Vegetative Cover. Each individual Lot Owner shall be responsible for installing and maintaining vegetative cover (a lawn or landscaping) on all exposed soil on their Lot to prevent erosion of the soil into unwanted locations. This vegetative cover must be installed within one hundred twenty (120) days of obtaining occupancy of the home or, in the case of winter occupancy as outlined below. Note that other materials are allowable around the foundation and paved surfaces including, but not limited to gravel, mulch, brick or any other material that will reduce erosion and permanently stabilize the disturbed areas of soil. If the Owner of any Lot, after reasonable written notice from the Association, fails or refuses to install vegetative cover as described herein, or maintain it as required above, the Association, through its duly authorized agents or employees, shall have the right to enter upon said Lot at reasonable hours to perform said landscaping and/or maintenance. The costs of the materials and labor to perform such landscaping and/or maintenance shall be assessed against said Lot in accordance with Municipal codes or ordinances, or the Wisconsin State Statutes. This restriction for vegetative cover does not apply during the winter months when growing conditions will not allow the establishment of vegetation cover. In such an event the Owner shall be required to establish vegetative cover within one hundred twenty (120) days of proper growing conditions which is anticipated to be from mid-April to mid-October.

2.6.3 Irrigation. Irrigation systems for lawns and planting beds, if installed, shall utilize irrigation controllers and components that are water conservation models. Controllers shall be equipped with a soil moisture sensor and rain sensor, as minimum components. Controllers and equipment shall be installed, programmed and maintained according to manufacturer's recommendations.

2.6.4 Easements. Plantings in the public and private easements may not be permitted by terms of the easement and should be avoided. Plantings within easements will be at-risk for removal by the Municipality and may be subject to damage or removal for maintenance and/or repair operations.

2.7 Municipal Codes and Ordinances. All items in this Article 2 shall be subject to Municipal codes and ordinances, as may be modified from time to time.

ARTICLE 3. ASSOCIATION OF OWNERS

3.1 Administration. Declarant shall establish the Association, which shall be incorporated as a Wisconsin nonstock corporation, and shall adopt Bylaws for its governance and administration of the Common Areas and Common Improvements. The Board may, but need not, from time to time adopt and amend Rules that are binding on all Owners and Occupants. The Board shall administer and enforce the Common Areas, the provisions of this Declaration and the Bylaws, the Rules, and all other uses of and restrictions on the Property such as easements. Until the establishment of the Association, all powers of the Association shall be exercised by Declarant.

3.2 Membership and Voting. Effective as of the date of purchase or creation of a Lot, each Owner shall be a member of the Association. In the Association, the Owner(s) of each Lot shall be entitled to one vote for each Lot owned. If one or more Lots change their status to some other form of ownership, the votes appurtenant to each original Lot shall not be changed. No member shall be permitted to vote if such member is more than thirty (30) days delinquent in the payment of any amount due to the Association under Article 4 of this Declaration.

3.3 Control of Association. Declarant shall have the right to appoint and remove Directors of the Association and to exercise any and all powers and responsibilities assigned to the Association, the Board, or its officers, by the Articles of Incorporation, Bylaws, this Declaration or the Wisconsin Nonstock Corporation Law (as amended from time to time), which rights shall expire upon the earlier of: (a) thirty (30) days from Declarant's conveyance of the final Lot, including any Lots which may be platted within the Expansion Area as provided in this Declaration, to an Owner who has been granted an occupancy permit and intends to reside on the Lot; (b) fifteen (15) years from the date of this Declaration; or (c) Declarant's election to waive its rights to control the Association. Upon Declarant's surrender of its rights to control the Association as provided above, the Directors shall be elected by the majority vote of the Owners within the Subdivision. For the avoidance of doubt, for purposes of this Section a "bulk" or multi-Lot conveyance to a party who is not intending to occupy the property conveyed shall not be considered a conveyance for purposes of (a) above.

3.4 Management. The Association may employ a professional management agent or company to assist in carrying out its duties regarding the Common Areas, the Common Improvements, and this Declaration, with such experience and qualifications and on such terms and conditions as are acceptable to the Board. Any such agreement must be terminable by the Board, without cause, upon 90-day notice without payment of any penalty.

ARTICLE 4. ASSESSMENTS

4.1 Budget and Assessments.

4.1.1 Deposit. In addition to the Lot purchase price, each Owner will deposit an initial fee with the Association as an initial assessment; amount as stated in the purchase documents. The deposit must be made at the time of closing of the initial purchase of the Lot by an Owner intending to occupy a home on such Lot.

4.1.2 Assessments. The Association shall have the power to levy an annual assessment against each Lot for the purpose of defraying, in whole or in part, the costs incurred by the Association, including costs to operate the Amenity Area improvements and to fund capital accounts. Such annual assessment shall be levied by the Association as of March 1st of each year, for all platted lots in the subdivision as of January 1st of that year, and a statement for such amount shall be mailed to the owner of each Lot as of such date and shall be payable on or before March 31st of each year. The Association may from time to time permit the payment of the annual assessment on a monthly or other basis, but the entire assessment remains due.

4.1.3 Budget. The Association shall annually adopt a budget of common expenses and levy assessments on the Lots based on such budget as provided above, allocating

such assessments equally to each Lot, subject to the limitations herein. The budget shall include amounts representing assessments that are bad debts, and a reserve for contingencies and replacements for the Amenity Area as provided in Section 7.5, and may include a replacement reserve for any other purpose determined by the Board in its reasonable discretion, which in each case shall constitute part of the general assessments. Until a new budget is adopted, the prior year's budget shall remain in effect.

4.1.4 Collection. The Association may delegate to a third party manager or collection agent the authority to collect any assessments.

4.1.5 Special Assessments; Fines. The Association may also levy: (a) special assessments on all Lots for any purpose for which a general assessment or special assessment may be levied; or (b) fines on particular Owners for the purpose of collecting any amounts due the Association or enforcing compliance by such Owners with any provision of this Declaration, the Bylaws or any Rules. The Board may adopt a Rule to impose uniform charges for services which the Association provides related to transfer of Lots, review of proposals under Article 2, and the like. The Board may adopt an initial budget showing the anticipated amounts necessary to cover common expenses.

4.2 Installments; Late Payments. General assessments shall be levied on an annual basis, but shall be due and payable on March 31st, or as determined by the Board from time to time and as set forth herein. Special assessments shall be due and payable at such time and in such manner as the Board may determine. If an assessment is not paid when due then such assessment shall become delinquent and shall accrue interest at the rate of twelve percent (12%) per annum until the assessment is paid in full. Any assessment or installment of an assessment not paid within ten (10) days of its due date may also be subject to a late charge and/or interest as set forth in the Bylaws and/or in the Rules.

4.3 Enforcement; Liens. All general and special assessments which are not paid when due shall constitute a lien on the Lot; and shall be collectible and enforceable by the Association by suit against the Lot Owner, by foreclosure of the lien, and/or in any other manner or method provided under this Declaration or laws of the State of Wisconsin. The lien granted hereunder shall also cover and include all interest accruing on delinquent assessments, plus costs, expenses and attorneys' fees for collection. The Association shall have the exclusive right and power to collect or enforce collection of all general and special assessments and shall further have the exclusive right to bring any and all actions and proceedings for the collection thereof and/or the enforcement of liens arising therefrom. The Association may bring an action at law against any Lot Owner personally to collect such assessments and/or to foreclose the lien for such assessments against the Lot (in the same manner and method as an action to foreclose a real estate mortgage). The Association may purchase a property upon foreclosure of its lien. Under Section 3.2 an Owner delinquent in payments may in some cases not be permitted to vote on matters before the membership of the Association.

4.4 Association Statements. Within five (5) business days of written request from an Owner or a Mortgagee, the Association shall provide a letter stating the existence and amount of outstanding general or special assessments against the Owner's property, if any. Notwithstanding anything to the contrary in the preceding sentence, all property conveyed by

Declarant shall be deemed conveyed free from outstanding general, special or working capital assessments and no such letter shall be required or given as to such property.

4.5 Common Expenses and Surpluses. Common expenses and surpluses shall be allocated in the same manner as general assessments are allocated. All common surpluses for each fiscal year shall be retained for common expenses for the next succeeding fiscal year.

4.6 No Fees or Assessments in Event of Tax Forfeiture. Neither the County nor the Municipality shall be liable for any fees or special assessments in the event that the County or the Municipality become the owner of one or more Lots by reason of tax delinquency.

ARTICLE 5. MAINTENANCE AND ALTERATIONS

5.1 Owner Responsibility. Each Owner or Occupant shall reimburse the Association for the cost of the Association's repair or replacement of any portion of the Common Areas, Landscape Easements or Common Improvements (including the Amenity Area, if any) damaged through the fault or negligence of such Owner/Occupant or such Owner's/Occupant's family, guests, invitees or tenants. Each Owner shall, at the Owner's cost, even if no home has been constructed by such Owner, maintain the yard, including the cutting of grass and snow removal from driveways and, if any, sidewalks, in an orderly and neat manner and shall maintain all structures on the Lot in good repair and condition.

5.2 Association Responsibility. The Association shall maintain in good condition and repair, including but not limited to snow removal, replace and operate all of the Common Areas, Landscape Easements and Common Improvements, including but not limited to the landscaping and plantings on the Landscape Easement on Lots 1 & 37 along Freistadt Road, landscaping, trees and plantings in the Common Areas and trimming, removal and replacement of such landscaping. The Association may, in its discretion, install additional Common Improvements in the Common Areas. Each Owner shall be responsible for its share of the cost for such activities. The Association shall release and indemnify the Municipality for any maintenance responsibilities with respect to same.

5.3 Municipal Responsibility. The Municipality shall have no responsibility for maintenance or alteration under this Article 5. If the Association fails to maintain the Common Area as set forth herein, the Municipality, after proper notice to the Association, may cause such maintenance to be accomplished and may invoice the Association for the cost thereof. If such invoice is not paid in accordance with the period of time customary for the Municipality, the costs may be apportioned among the Owners of all Lots in the subdivision and placed on the next tax bill of each Lot.

5.4 Alterations and Maintenance. Landscaping, berms, grading, drainage pathways, Common Improvements, or other improvements in the Amenity Area, Landscape Easements or Common Areas may not be removed or substantially altered without written approval by the Association, Municipal engineer and the Municipal plan commission, as may be required. Maintenance and minor alterations of these improvements are allowed, such as the removal/repair of damage structures, pruning of trees, replacement of ground cover, and repair or

replacement of the fencing and other structures. Owners are encouraged to remove trash and debris and should report any unauthorized use within the Common Areas, Landscape Easements or Common Improvements to the Association. Declarant and or the Municipality are able to provide a copy of the plans for the Common Area upon request by the Association.

ARTICLE 6. RESTRICTIONS ON USE AND OCCUPANCY

6.1 Permitted Uses.

6.1.1 Single-Family Residential. Each Lot shall be occupied and used only for single family residential purposes, except as provided in Section 6.1.2. The term "***residential purposes***" includes only those activities necessary for or normally associated with the use and enjoyment of a home site as a place of residence and limited recreation. No garage or other mobile or accessory structure shall be used for temporary or permanent living or sleeping for family or guests without prior approval of the ACC.

6.1.2 Home Business. A home may be used for a home-business if it obtains the prior written approval of the ACC. A home-business shall only be approved if the home-business has no (zero) employees other than immediate family members, and the home-business has no outside client, vendor or customer sales occurring at the home. No trade or business shall be carried on anywhere in the Subdivision, except for (1) the incidental use of a Lot for personal business conducted by mail and telecommunications which does not burden the use of the Subdivision by frequent visits by business service providers or customers, subject to any Rules relating to such burdens, or (2) the sale of Lots, subject to the other provisions hereof and any Rules related thereto, or (3) the establishment of offices by Declarant or its agents for sales of Lots or by the Association for conducting its affairs. These uses may require specific approval by the Municipality and must be in compliance with all Municipal ordinances and regulations or receive a temporary use permit as authorized by the Municipality. Approval of a use by the ACC does not constitute approval by the Municipality or certification that the use complies with Municipal ordinances and regulations.

6.2 Pets. Subject to Municipal Ordinances, and applicable federal or state statutes, rules, regulations, or orders to the extent they supersede the restrictions of this Declaration, no animals, livestock or poultry shall be raised, bred or kept on any Lot, except that Pets shall be permitted providing they are not raised, bred and/or kept for commercial purposes and service animals and emotional support animals shall be permitted to the extent permitted by applicable municipal ordinances and applicable federal or state statutes, rules, regulations, or orders to the extent they supersede the restrictions of this Declaration. An Owner or Occupant may keep no more than three (3) Pets per Lot on the conditions that:

(a) the Pet is not permitted on any of the Common Areas while unattended or unleashed; and

(b) the Pet is licensed by the Municipality or appropriate licensing authority, if required under applicable ordinances; and

(c) no reptiles or un-caged birds shall be permitted; and

(d) the Pet must immediately and permanently be removed from the Property if, in the sole judgment of the Board or Municipality, the Pet is or becomes offensive, a nuisance or harmful in any way to the Property or any Owner or Occupant, or otherwise violates the terms of this Section or any Rules adopted relating to Pets; and

(e) the Pet is subject to such Rules as the Association may adopt from time to time on the subject; and

(f) possession of Pets is a privilege which may be revoked and shall not be considered a property right.

6.3 Vehicles. No outdoor parking of vehicles shall be permitted on the Lots for more than twenty-four (24) consecutive hours, without the express prior consent of the Board. No person shall occupy, park or otherwise use a vehicle so as to block access to a Lot. Storage or parking of trailers, campers, camping trucks, boats or other marine craft, horse or boat trailers, motorcycles, mopeds, motorized bicycles, vehicles licensed as recreational vehicles or commercial vehicles, snowmobiles, all-terrain vehicles, inoperative or unlicensed vehicles or the like shall not be permitted on a Lot, except (i) in a garage, (ii) in the case of recreational vehicles, commercial vehicles, campers, trailers, and boats, outside of a garage for no longer than one twenty-four (24) hours in a one week period; or (iii) outside parking on a case-by-case basis as approved by the ACC.

6.4 Waste. Accumulations of waste, litter, excess or unused building materials or trash other than in appropriate receptacles is prohibited. Garbage containers stored outside during initial construction or remodeling shall be situated only in locations designated by the Association. Lots shall be kept free of debris during construction of improvements thereon by maintenance of a dumpster on-site. The refuse and garbage receptacles for each occupied home shall be stored in the home or garage, except for a period of twelve (12) hours prior to and following the scheduled garbage pickup. All incinerators and other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

6.5 Temporary Structures. No structure, trailer, shack or barn, temporary or otherwise, shall be placed or maintained on any portion of a Lot or Common Area without written approval of the ACC, except for construction trailers maintained by Declarant and its successors and assigns, or the Association.

6.6 Quiet Enjoyment. Each Owner shall have the right to use its property in accordance with this Declaration and applicable law, free from unreasonable interference from any other Owner, Occupant and other invitee. No person shall cause or permit the Common Areas to be used so as to deny any Owner or Occupant the full use of the Common Areas except as permitted by the Association under Article 3 or in accordance with rules established by the Association with respect to the Amenity Area.

6.7 Noxious Activity. No use or practice shall be allowed in the Subdivision or the Common Areas which is immoral, improper or offensive in the opinion of the Board or which is in violation of the Documents. By way of example and not limitation, offensive activity shall include excessive amplification of musical instruments and/or audio or audio visual equipment.

6.8 Patios and Balconies. Patios, decks and balconies of Buildings on Lots shall be kept in good condition and maintained in a quality similar to that of any Building on the Lot.

6.9 Signs. No Owner or Occupant may erect, post or display posters, Signs or advertising material on the Common Areas or at locations within a Building which are visible from the public streets or Common Areas without the prior written consent of the Board, except (a) Declarant may do so without such approval, and (b) an Owner may erect or post a temporary sign of customary and reasonable dimension relating to the sale of a Lot. The Board may at its discretion, in particular circumstances or in general, delegate its right to consent under this Section to the ACC described in Article 2. Where Board consent is sought and obtained, the permitted Signs will be erected and maintained in accordance with all ordinances, rules, regulations and conditions applicable thereto. "***Signs***" as used herein shall be construed and interpreted in the broadest possible sense, and shall include any placard, posters or other such devices as may be affixed to the interior of any exterior windows so as to be visible from the exterior of the Building. All Signs placed within easements or the public right-of-ways shall also require Municipal approval and/or permits.

6.10 Compliance with Laws; Environmental Matters. Each Owner and Occupant shall comply with all applicable governmental or Association statutes, ordinances, regulations or rules, including but not limited to, Municipal ordinances. Such applicable laws include, but are not limited to, those relating to the storage, transport and release to, from, on or in such Lot of any substance or compound governed by any one or more State of Wisconsin Statutes; Comprehensive Environmental Response, Compensation and Liability Act ("***CERCLA***"); Toxic Substances Control Act ("***TOCSA***"); Resource Conservation and Recovery Act ("***RCRA***"); Municipal ordinances; and similar laws relating to the storage, transport or release of substances, compounds or recyclable materials, all as in effect from time to time.

6.11 Obstructions. Unless installed by the Declarant or the Association, no playground equipment, bicycle racks or other equipment or material may be placed on the Common Areas.

6.12 No Further Divisions. No Lot may be further subdivided without the approval of the Municipality and the Association and/or the ACC.

ARTICLE 7. SPECIAL FEATURES

7.1 Storm Water Facilities. The Storm Water Facilities shall be fractionally owned by the Lot Owners and managed by the Association. The Association shall have the ability to impose assessments for the inspection, maintenance, and repair of the Storm Water Facilities. The Common Areas include storm sewer and surface water drainage systems. The Storm Water Facilities are located in commonly owned outlots as shown on the Final Plat and are Common Areas maintained by the Association in accordance with the Storm Water Agreement and shall be used solely for drainage and storm water purposes and not for recreational purposes. The Association has no duty to ensure the safety of persons using the drainage areas, or to warn of dangers concerning them. Neither the Declarant nor the Association is responsible for the safety of any drainage area for use by humans or Pets, and neither represents nor warrants that any drainage area is safe for any such use.

7.2 Easements. As provided on the Plat, there are easements located on various Lots for storm water utilities, overland storm water flow, underground utilities, and other items. These easements allow access by the Municipality, Association, ACC or other entity to maintain, repair and access the Lots as may be required from time to time.

7.3 Parade of Homes. Declarant discloses that Declarant may arrange for the Subdivision to be included in the Metropolitan Builders Association (the "***MBA***") Parade of Homes or similarly titled event in which members of the public are invited to inspect a number of Lots improved with homes constructed by one or more contractors. Such events may result in temporary periods of significant construction activity, traffic slowdowns and large crowds, and may continue for a period of several weeks. A Lot Owner is deemed to acknowledge the possibility of said event and is deemed to have waived any objection to the issuance of any Municipal permits required for such event. Declarant is not, however, required to include the Subdivision in any such event, and may base its decision on the Declarant's individual needs, if any. While the Parade of Homes is open and during the one-hour period before the Parade opens and the one-hour period after the Parade closes, for the entire duration of the Parade of Homes, purchaser/owner and/or Non-Parade Builders agree that:

1) No construction work or sales activities of any kind (including work of subcontractors, trades, deliveries, inspections, showings, realtor activity, open houses, signage, advertising, sales activity or tours of any kind) shall be performed on, in or adjacent to any home built on any lot;

2) No advertising, marketing, signage, sales activities or tours (including virtual tours) of any kind shall be permitted or take place, directly or indirectly, on or adjacent to the lot;

3) The lot or any home constructed thereon may not be opened as a model home;

4) That no contractor, subcontractor, supplier or realtor signs, advertising materials, or placards shall be placed on the lot, on the home, or in the windows of any home on the lot, or adjacent to the lot, or in the road abutting the lot and shall not use or permit any rolling or mobile advertising, vehicles, or trailers.

7.4 Amenity Area. The Declarant or, after the period of Declarant control has ended, the Association, may, in its sole discretion, construct various recreational amenities (which may include, without limitation, a playground, sport court, fire pit, and paved pathways) in certain Common Areas determined by Declarant or paved pathways) on those improvements on the Association, as applicable. Each Owner shall have the right to use the Amenity Area as with any other Common Area, subject to the Rules. Nothing herein is a representation or warranty that any particular amenity will ever be installed or constructed, or as to the quality of any amenity which is installed or constructed. In addition to the Amenity Area, the Declarant or Association (under the conditions above) may install amenities and Common Improvements in any other Common Area.

7.4.1 Rules and Regulations. The Association shall, through its Board of Directors, establish all rules and regulations regarding the use of the Amenity Area, including

without limitation rules related to hours of use and permitted and prohibited activities and conduct.

7.4.2 Maintenance, Repair, and Replacement. Subject to other applicable provisions of this Declaration, the Association shall maintain, repair and replace the Amenity Area to the extent determined necessary or advisable by the Association and as required by law.

7.4.3 Insurance. The Association shall insure the Amenity Area against direct loss or damage occasioned by fire, extended coverage perils and other hazards in amounts and with insurers reasonably chosen by the Association. Such insurance shall be issued in an amount without co-insurance at least equal to the full value any Building(s) and other improvements erected thereon. The Association shall also maintain general public liability insurance and such other insurance with coverages, in amounts and with insurers that the Association reasonably requires from time to time.

7.4.4 Annual Budget. The Association shall include in its annual budget an estimate of the total amount necessary to pay the costs for the following calendar year of operating, maintaining, repairing and replacing the Amenity Area. Expenses shall include without limitation all costs of employees, payroll taxes, materials, parking costs, insurance, services, management fees, supplies, maintenance, repair, landscaping, fuel and power, together with a reasonable amount considered by the Board to be necessary for a reserve for contingencies and replacements.

7.4.5 Reserves. The Association, by its Board, shall establish, fund, and maintain a reasonable reserve for contingencies and replacements for the Amenity Area. The Association shall first charge against such reserve all extraordinary expenditures for the Amenity Area not originally included in the annual estimate which may become necessary during the year. If the annual budget proves inadequate for any reason (other than as a result of the failure by one or more unit owners in the Association to pay their assessments), the Board may, at any time, levy a further assessment, which shall be assessed in the same proportion as other general assessments.

ARTICLE 8. INSURANCE

8.1 Association Insurance. The Association shall obtain and maintain comprehensive general public liability insurance for occurrences on the Common Areas and with respect to Common Improvements not in the Common Areas, all-risk casualty insurance coverage on all Common Improvements, and such other policies and/or coverage as the Board deems necessary or advisable, such as fidelity insurance for Association officers handling fund of the Association.

8.2 Coverage of Association Insurance. The casualty insurance coverage shall be in an amount equal to the maximum insurable replacement value, with an "agreed amount" and a "replacement cost" endorsement, without deduction or allowance for depreciation. This coverage amount shall be annually reviewed and shall insure against loss or damage by fire and other hazards as commonly covered by a standard extended coverage endorsement and such other hazards as customarily covered with respect to buildings similar in construction, location

and use. Commercial general liability coverage shall be in such amounts as the Board determines annually, but not less than $1,000,000 per occurrence.

8.3 Proceeds. Association Insurance proceeds for casualty loss shall be for the benefit of the Association in order to finance construction of damaged Common Areas or Common Improvements. Liability coverage and other insurance proceeds shall be applied as the Association directs.

8.4 Cost. All premiums for Association Insurance and other insurance obtained by the Association shall be a general assessment.

8.5 Waiver. The Association and, by acceptance of a conveyance to a Lot or the use thereof, or any portion thereof or interest therein, each Owner or Occupant acting both for themselves and for their respective insurers, waive any claim it or they may have against the other for any loss insured under any policy obtained by either to the extent of insurance proceeds actually received, however the loss is caused, including such losses as may be due to the negligence of the other party, its agents or employees. All policies of insurance shall contain a provision that they are not invalidated by the foregoing waiver, but such waiver shall cease to be effective if the existence thereof precludes the Association from obtaining any policy of insurance at a reasonable and customary rate.

8.6 Acts Affecting Insurance. No Owner or Occupant shall commit or permit any violation of covenants or agreements contained in any of the Association Insurance, or do or permit anything to be done, or keep or permit anything to be kept, or permit any condition to exist, which might (a) result in termination of any such policies, (b) adversely affect the right of recovery thereunder, (c) result in reputable insurance companies refusing to provide such insurance, or (d) result in an increase in the insurance rate or premium over the premium which would have been charged in the absence of such violation or condition, unless, in the case of such increase, the Owner or Occupant responsible for such increase shall pay the same. If the rate of premium payable with respect to the Association Insurance shall be increased by reason of (1) the size, design or composition of a Building, or (2) anything done or kept in a property subject to this Declaration, or (3) the failure of an Owner or Occupant to comply with Association Insurance requirements, or (4) the failure of any such Owner or Occupant to comply with this Declaration or the Bylaws, then the particular Owner or Occupant shall reimburse the Association for the resulting additional premiums. The Association reimbursement right is without prejudice to any other Association remedy, and may be enforced by special assessment against the particular property involved.

8.7 Exclusions from Coverage. Association Insurance coverage shall exclude (a) coverage on any home or personal property located within or pertaining to the exclusive use of an Owner except to the extent included as a standard coverage in the policy of Association Insurance; and (b) liability coverage on an Owner or Occupant, its guests, invitee, employees or tenants, arising out of any occurrences within a Lot and/or relating in any way to an Owner's or Occupant's personal property. It is the sole responsibility of each Owner or Occupant to obtain such insurance coverage as are excluded from Association Insurance.

ARTICLE 9. AMENDMENT OF DECLARATION

9.1 General. Except as otherwise provided herein, this Declaration may be amended only by the written consent of at least sixty-seven percent (67%) of the total votes of the Association then entitled to vote. Regardless of the manner of adoption, no amendment shall adversely affect a special right or easement reserved to Declarant under this Declaration, or the rights of Mortgagees under Article 10, without the express written consent of Declarant or Mortgagee, as applicable. Notwithstanding the foregoing, Declarant reserves the right to unilaterally amend the Declaration until one (1) year after one hundred percent (100%) of the then existing Lots (inclusive of any Lots added to the Expansion Area by Declarant in its discretion or vacant land in the Expansion Area that is not developed) have been sold to an Owner intending to reside thereon and occupancy permits have been granted for each Lot. During such period, Declarant may also enter into other agreements on behalf of the Association or Lot Owners for purposes of easements and/or other items necessary for the orderly operation and maintenance of the Subdivision and/or Association, provided however, that any amendments to the restrictions where the Municipality is involved or has an interest may require the approval by the Municipality.

9.2 Procedures. Except with respect to an amendment by Declarant, amendments to this Declaration shall be prepared and executed by the president of the Association and shall become effective when recorded in the office of the Register of Deeds. No action to challenge the validity of an amendment shall be commenced more than one (1) year after the amendment is recorded.

ARTICLE 10. RIGHTS OF MORTGAGE HOLDERS

10.1 Notice. Any Mortgage holder, insurer or guarantor of a Mortgage encumbering a Lot that submits a written request to the Association, identifying the name and address of such holder, insurer or guarantor and the Lot involved, will be entitled to timely written notice of:

(a) Any thirty (30) day delinquency in the payment of assessments owed by the Owner of the Lot on which it holds a Mortgage or any breach of the provisions of any of the Documents which is not cured by such Owner within thirty (30) days of such Owner's receipt of notice of such breach;

(b) A lapse, cancellation or material modification of any Association Insurance; and

(c) Any proposed action that requires the consent of a Mortgage holder.

10.2 Mortgagee Acquisition of Lot. A Mortgagee acquiring title to a Lot pursuant to remedies provided in its Mortgage, or by a deed in lieu of foreclosure following an Owner's default under the Mortgage, shall not be liable for such Lot's unpaid assessments under this Declaration accruing prior to the Mortgagee's acquisition of title to such Lot (except to the extent unpaid assessments are included in subsequent budgets generally), but shall ensure that any such prior delinquent assessments are paid upon transfer of the Lot to a third party.

ARTICLE 11. RIGHTS OF DECLARANT

11.1 Reserved Rights. Prior to the sale of all Lots by Declarant and occupancy permits granted for all Lots, Declarant:

(a) may use the Common Areas or Amenity Area, and any unsold Lots in any manner as may facilitate the sale of Lots including, but not limited to, maintaining a sales and/or rental offices, model homes and signs and/or showing the Lots. Declarant may from time to time also delegate such rights (on a non-exclusive basis and subject to such conditions as Declarant may impose) to persons desiring to construct Buildings on particular Lots as model homes. In delegating such rights to other persons, Declarant's delegatees shall not have the right, without Declarant's express written consent, to locate a general sales office operation in any such model home, although use of a model home to facilitate sales of Lots or sales of Buildings on Lots may be permitted for a period not to exceed forty-eight (48) months from the date of issuance of the certificate of occupancy therefor; provided, however, that once a model home is used as a home for an Occupant, it may not thereafter be used as a "model home". Notwithstanding the foregoing, any such use must be in compliance with all Municipal ordinances and regulations and may require a use permit granted by the Municipality.

(b) shall have the right to (1) grant easements upon, over, through and across the Lots (limited to the ten (10) feet area adjacent to each Lot line), which rights shall expire one (1) year after conveyance of a Lot by Declarant. Additionally, the right to grant easements upon, over, through and across the Common Areas as may be required in Declarant's sole opinion for furnishing any kind of utility services, maintenance and replacement thereof, drainage, grading, communications or public purposes including, which easements may be granted to itself or its nominee and as may be necessary for excavation and construction of any Buildings or for ingress and egress and maintenance and replacement thereof, to, from, and within, the Property and other real property adjacent to it.

(c) shall have the right to veto any proposed amendment to this Declaration for any reason or no reason, in which case it shall not be deemed approved or effective.

For purposes of this Section, a "bulk" or multi-Lot conveyance to a party who is not intending to occupy the property conveyed shall not be considered a "sale" for purposes of this Section.

11.2 Addition to or Subtraction from the Subdivision. Declarant reserves the right, at any time during the term of this Declaration and in its sole discretion, from time to time to subject portions of the Expansion Area to this Declaration in accordance with this Section. Each time Declarant subjects a portion of the Expansion Area to this Declaration it is known as an "***Expansion***".

11.2.1 Expansion. Declarant reserves the right, at any time, and from time to time, during the term of this Declaration and in its sole discretion, to subject additional real estate

outside the Subdivision to this Declaration by recording a document imposing on such real estate the provisions of this Declaration (as amended from time to time). The additional real estate shall be located in the Municipality and shall be adjacent to the Subdivision (ignoring streets, railroads and navigable waters which may separate the additional real estate from the Subdivision). The additional real estate will be subject to the provisions of this Article 11 as though it were a part of the original Subdivision.

11.2.2 Procedure for Expansion. Declarant shall add to the Subdivision by recording with the Register of Deeds one or more amendments to this Declaration setting forth the legal description of the area so affected. An amendment creating an Expansion need be executed only by the Declarant and does not require consent from or notice to any other person.

11.2.3 Contents of Expansion Amendment. An Expansion amendment will (a) state the legal description of the land being subjected to this Declaration; (b) set forth such other limitations on such future Lots as Declarant may desire not inconsistent with this Declaration; and (c) set forth such other information as is reasonable to facilitate the Expansion and the integration of the area into the Association. All other provisions of the Declaration shall apply to the Lots or Outlots included in any Expansion.

11.2.4 Procedure for Subtraction of Land. For so long as the Declarant is in control of the Association, the Declarant may also, in its sole discretion, by recorded document, remove the Expansion Land or any Lots not yet sold, from the effect of this Declaration and thereby reduce the extent of the Subdivision, without the consent of the Lot Owners within the Subdivision, subject to the amendment procedures of Section 9.1.

11.2.5 Other Lands. Declarant also reserves the right, at any time, and from time to time, during the term of this Declaration and in its sole discretion, to subject additional real estate outside the Subdivision to this Declaration by recording a document imposing on such real estate the provisions of this Declaration (as amended from time to time), subject to the amendment procedures of Section 9

11.2.6 Modification of Budget and Assessments. Upon each such Expansion, the Association will amend the annual Budget and annual assessments as appropriate to account for the effects of any Expansion or subtraction. Any assessments prior to the addition or subtraction of the area affected by the Expansion or subtraction will be pro-rated and adjusted by the Association accordingly. Each Owner in the Expansion Area shall have the same rights and obligations as if such Owner was an Owner under the initial Declaration. All Owners acknowledge that the proportionate share of expenses and the corresponding assessments will be revised to reflect the presence of additional Lots. Each Owner also acknowledges that assessments could increase or decrease based on the facts and circumstances in effect at the time of such addition or subtraction.

11.2.7 Effective Date of Expansion. The Subdivision shall be deemed expanded when an amendment to this Declaration, executed by Declarant, is recorded with the Register's Office.

11.2.8 Effect of Expansion or Reduction on Outlots. To the extent that Owners have a tenancy in common interest in Outlots prior to an Expansion, the interests of such Owners will be deemed adjusted, upon the recording of an Expansion or reduction amendment and without more, to equally allocate ownership among all Owners, both pre-existing and new. The interest of any Mortgagee in Outlots by virtue of this tenancy in common interest, shall attach, by operation of law, to the new percentage interests in the Outlots appurtenant to the Lot on which it has its lien. Tenancy in common ownership rights in Outlots are extinguished for Lots removed from the Declaration pursuant to Section 11.2.3.

11.2.9 Reserved Easements. Declarant reserves easements over the Common Areas for the benefit of all portions of the Subdivision not yet included in this Declaration, for the purposes of vehicular and pedestrian access; installation, repair, maintenance and replacement of utilities to serve the Expansion Areas; marshaling of construction materials and personnel for improvements made to the Expansion Area; and the use of Common Improvements and Common Areas for recreational purposes consistent with those uses granted to Owners.

ARTICLE 12. REMEDIES

12.1 General Remedies. If any Owner or Occupant fails to comply with this Declaration, the Bylaws, or the Rules, such Owner or Occupant shall be liable for damages, subject to injunctive relief (including an order requiring the removal at the Owner's expense of Buildings constructed without ACC approval), subject to any other remedy provided by the Bylaws or at law, or all of the above, as a result of such noncompliance. The Association or, in a proper case, an aggrieved Owner, may bring an action because of such noncompliance.

12.2 Owner or Occupant Violation; Association Right to Cure. In addition to any other remedies provided herein, if any Owner or Occupant fails to comply with this Declaration, the Bylaws, or the Rules, which failure continues for a period of fifteen (15) days following written notice from the Association, the Association shall have the right, but not the obligation, to perform or cause to be performed such maintenance, replacement, restoration or commence litigation, arbitration or other proceeding or other action as the Association deems necessary or appropriate, in its sole discretion. Expenses incurred therefor by the Association shall be assessed against the Owner or Occupant and shall be subject to all rights and remedies reserved under this Declaration with respect to collection, expense, late payment penalties or interest, filing of a lien and/or foreclosure as reserved at Article 4 of this Declaration. Once the Association has taken such an action, it shall not be obligated to take any other or further action with respect to the same, similar or subsequent failure by the same or a different Owner or Occupant.

ARTICLE 13. EASEMENTS

13.1 Right of Entry. A right of entry to each Lot or Common Area is reserved to the Association to service utility installations located on, in or under such Lot or Common Area provided request for entry is made in advance and such entry is limited in scope so as to extend only as is reasonably necessary to service such utility installations. In case of emergency, entry by the Association onto any such Lot or Common Area may be made immediately, whether the Owner or Occupant of such Lot or Common Area is or is not present and without liability of the

Association or its agents if such entry is necessary for the safety or welfare of persons or property. Any damage or loss caused as a result of such emergency entry shall be the sole expense of the Owner or Occupant if, in the reasonable judgment of those authorizing the entry, such entry was for emergency purposes.

13.2 Common Area Easements. The Association may grant easements over and through the Common Areas for such purposes as the Board deems reasonable for the benefit of the Owners.

ARTICLE 14. TERMINATION

14.1 Termination. This Declaration shall be in effect for a period of twenty-five (25) years and automatically renewed for successive periods of ten (10) years each, unless terminated at the end of the original or any extended term by: (i) Declarant (if during the period of Declarant control of the Association), or (ii) the written consent of the owners of not less than ninety percent (90%) of the aggregate then existing Lots provided that no vote shall effect an amendment to or termination of any provision hereof conferring on or reserving a special right or easement to Declarant without the express written consent of Declarant, as appropriate. Voluntary termination of this Declaration must be express and shall be effective upon recording a written instrument to such effect in the office of the Register of Deeds. If the Owners decide to terminate the Association, a maintenance and operation plan for the Common Areas and Storm Water Facilities, if any, may need to be presented and approved by the Municipality prior to such termination. Nothing provided in this Section, by itself, terminates or shall be interpreted to authorize termination of any drainage easements, common area maintenance requirements, or other restriction herein that affects an interest in real estate while the record title to the real estate or an interest in the real estate remains in the State of Wisconsin or a political subdivision or municipal corporation of the State of Wisconsin, including the Municipality, and the duration of any such restriction shall be unlimited and perpetual, unless terminated by the benefitted political subdivision by record document.

ARTICLE 15. CONSTRUCTION AND EFFECT

15.1 Number and Gender. Whenever used herein, unless the context shall otherwise provide, the singular shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders.

15.2 Including. Whenever used herein, the term "including" preceding a list of one or more items shall indicate that the list contains examples of a general principle and is not intended as an exhaustive listing.

15.3 Captions. The captions and article and section headings in this Declaration are intended for convenience and reference only and in no way define or limit the scope or intent of the various provisions hereof.

15.4 Severability. If any portion of this Declaration or its application to any person or circumstance is held to be invalid or unenforceable, the remainder of this Declaration, or the application of such provision, or any part thereof, to persons or circumstances other than those to

which it is held invalid or unenforceable, shall not be affected thereby. The remainder of this Declaration shall be valid, and enforced, to the fullest extent permitted by law.

15.5 Remedies. All remedies herein are cumulative.

15.6 Waivers. Whenever a waiver, consent or approval is required or permitted herein, it must be express and in writing; no waiver, consent or approval shall be implied. A waiver, consent or approval to any one matter shall not be deemed a waiver, consent or approval to any subsequent matter whether similar or not.

15.7 Assignment of Declarant's Rights. Declarant may from time to time assign any or all of the rights and benefits conferred on or reserved herein for Declarant in its status as such (as opposed to those rights or benefits conferred on or reserved for all Owners or groups thereof), by an instrument in writing specifically identifying the rights and benefits so assigned which is recorded in the Register's Office.

15.8 Other Regulation. Nothing herein shall preclude or restrict Declarant recording other covenants, conditions or restrictions which further regulate portions of the Subdivision which Declarant owns at the time of recordation.

15.9 Conflict. In the event any covenant or provision of this Declaration is in conflict with any ordinance, code or law of the Municipality or other governmental authority having jurisdiction, the governing authority shall control and supersede that provision of the Declaration. All remaining covenants and provisions of this Declaration shall remain in full force and effect

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, this Declaration has been duly executed as of the date first above written.

DECLARANT:

Wrenwood, LLC,
a Wisconsin limited liability company

By: Neumann Developments, Inc., sole Member

By: _____
Steve DeCleene, President

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

Personally came before me this 21 day of September, 2022, the above named Steve DeCleene, President of Neumann Developments, Inc. sole member of Wrenwood, LLC, by its authority, and to me known to be the person who executed the foregoing instrument and acknowledged the same.

[SEAL]

WENDY GRIFFIN NOTARY PUBLIC STATE OF WISCONSIN

_____
Name: Wendy Griffin
Notary Public, State of Wisconsin
My commission: 2/5/25

This instrument was drafted by:
Kevin Anderson
Neumann Developments
N27 W24025 Paul Court, #Suite 100
Pewaukee, WI 53072

EXHIBIT A

Legal Description of the Subdivision

1. The Subdivision, being a redivision of Lot 4 of CSM No. 6890, being located in a part of the Northwest ¼, Northeast ¼ and Southeast ¼ of the Northwest ¼ and the Southwest ¼ of the Northeast ¼ of Section 23, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

2. Consisting of the following portions of the Subdivision:

   Lots 1 thru 4 and Outlots 1, 2 & 3

   Specifically excluding: Outlot #4 which shall be retained by Developer as an Expansion Area.

EXHIBIT B

Final Plat recording page attached for reference

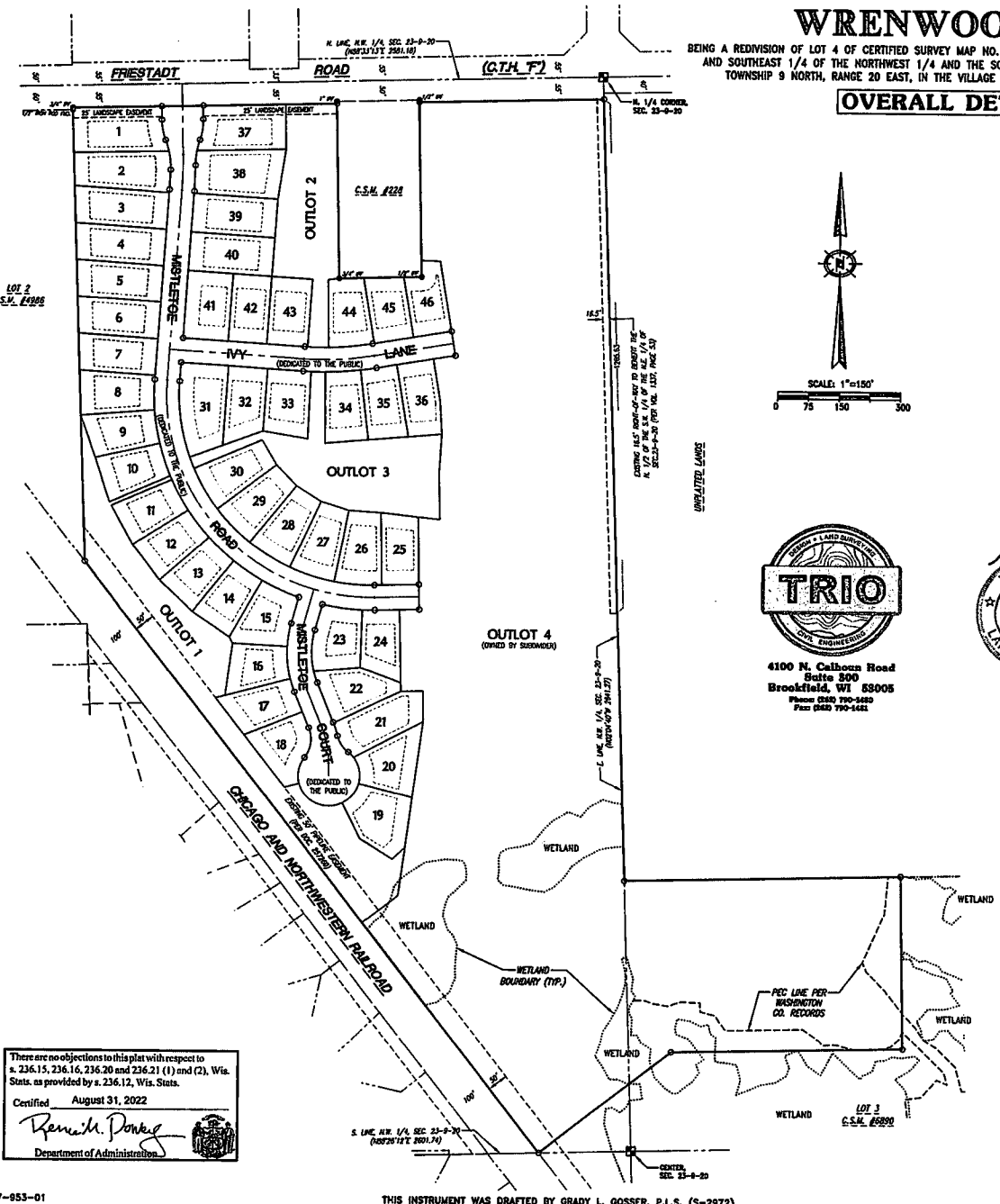
Map Book 53 Pg 88

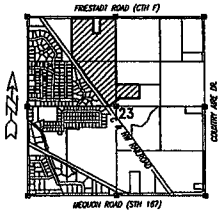
WRENWOOD NORTH

BEING A REDIVISION OF LOT 4 OF CERTIFIED SURVEY MAP NO. 6890, BEING LOCATED IN A PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

OVERALL DETAIL SHEET

Document # 1568669
WASHINGTON COUNTY WISCONSIN
2022-09-21 11:14:00 AM
SHARON A MARTIN
WASHINGTON COUNTY
REGISTER OF DEEDS
Fee: $50.00
Pages: 6





LOCALITY MAP:
SECTION 23,
T. 9 N., R. 20 E.
SCALE: 1"=2000'

OWNER:
WRENWOOD NORTH, LLC
N27W24025 PAUL COURT, STE. 100
PEWAUKEE, WI 53072
PHONE: (262) 542-9200
FAX: (262) 349-9324

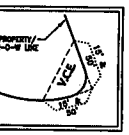
BUILDING SETBACK SUMMARY	
DEVELOPMENT: RS-5 SINGLE FAMILY RESIDENTIAL DISTRICT w/PDD OVERLAY (LOTS 1-46)	
MIN. FRONT SETBACK:	35 FT.
MIN. REAR SETBACK:	35 FT.
MIN. SIDE SETBACK:	12 FT.

TRIO
SURVEYING + LAND SURVEYING
CIVIL ENGINEERING
4100 N. Calhoun Road
Suite 300
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

WISCONSIN
GRADY L. GOSSER
S-2972
MENOMONEE FALLS, WI
LAND SURVEYOR
4/13/22
5/23/22
8/18/22

VILLAGE VISION CORNER EASEMENT DETAIL (V.C.E.)

V.C.E. APPLIES TO:
Lots 1, 15, 23, 31, 37 and 41 are herein subject to a Vision Corner Easement as shown on this plat in that nothing may be grown, stored or erected in a height more than two feet above the intersection elevation.



GENERAL NOTES:

- O—• Indicates Set 1.270" outside diameter x 18" long Reinforcing Bar weighing 4.303 lbs. per lineal foot. All other Lot and Outlot corners are staked with 0.750" outside diameter x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.
- ●—• Indicates Found Monumentation (See Plat).
- All linear measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to nearest second and computed to the nearest half-second.
- All bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the East line of the N.W. 1/4 of Section 23, Town 9 North, Range 20 East, bears North 02°04'40" West.
- The Easements for Sanitary Sewer, Watermain, Storm Sewer and Drainage are herein granted to the Village of Germantown.
- The 25' wide Landscape Easements are herein granted to the Subdivision's Homeowners Association for installation, repairs and maintenance.
- The Owners of the residential Lots 1 through 46 within the "Wrenwood North" Subdivision and any future additions to this subdivision, shall each own an equal undivided fractional interest in Outlots 1, 2 and 3 of this Subdivision. Washington County shall not be liable for fees or special charges in the event they become the owner of any Lot or Outlot in the Subdivision by reason of tax delinquency.
- Outlot 4 to be retained by the Owner for future development.
- All Wetland shown hereon was field delineated and field located by STANTEC in 2017.
- All Primary Environmental Corridor (PEC) shown hereon is per available Washington County records.
- Stormwater Management Facilities are located on Outlots 1, 2 and 3 of this Subdivision. The Owners of the residential Lots within this Subdivision and any future additions to this Subdivision shall each be liable for an equal undivided fractional share of the cost to repair, maintain or restore said Stormwater Management Facilities within this Subdivision. Said repairs, maintenance and restoration shall be performed by the Owners of all Lots within this Subdivision and any future additions to this Subdivision.

There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.
Certified August 31, 2022
Department of Administration

REVISED THIS 18TH DAY OF AUGUST, 2022
REVISED THIS 23TH DAY OF MAY, 2022
DATED THIS 13TH DAY OF APRIL, 2022

THIS INSTRUMENT WAS DRAFTED BY GRADY L. GOSSER, P.L.S. (S-2972)

17-037-953-01