

MEETING: REGULAR MEETING OF THE VILLAGE BOARD
DATE & TIME: Monday, April 21, 2025 at 7:00 PM
LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road

Any member of the body and/or citizen may attend the meeting virtually through the WebEx platform, Meeting #:2551 746 8900 Password: RGfHMePh684 which can be accessed by phone at 408-418-9388 or by clicking the link below: <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=mbac09c1bf900c82b3d4fd86d044402dc>

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

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:**
- III. **PLEDGE OF ALLEGIANCE:**
- IV. **PRESIDENT'S REPORT:**
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST COMMITTEE AND DEPARTMENT REPORTS:**
- VI. **CITIZEN INPUT:** *(Please be advised per 19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.)*
- VII. **APPOINTMENTS & RE-APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS:**
 - A. Term Dates Effective 2025
- VIII. **CONSENT AGENDA:**
 - A. Minutes: April 7, 2025
 - B. Dispatch Incentive Pay
- IX. **UNFINISHED BUSINESS:**
 - A. Contract for Turf Management Plan with Total Lawn Care for 2025-2026
- X. **PUBLIC HEARINGS:**
- XI. **NEW BUSINESS:**
 - A. Resolution Authorizing the Issuance and Sale of Up to \$953,025 Water System Revenue Bonds, Series 2025A and Providing for Other Details and Covenants With Respect Thereto
 - B. Village of Germantown Community Development Department - Proposed Text Amendments to Sections 14 (Building) and 17 (Zoning) of the Village of Germantown Municipal Code.

- C. Trio Engineering, LLC, Agent for Charles Smith, Property Owner - W148N12470 Pleasant View Drive; Application for Rezoning a portion of property from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property from the A-1: Agricultural District to the A-2: Agricultural District, and a 2-Lot Certified Survey Map.
- D. Donald Thoma, Accurate Surveying & Engineering, LLP Agent for Shepherd ETAL, property owners, N104 W21677 Willow Creek Road (GTNV312-993) and Laskowski Revocable Family Trust, property owner N101 W21628 Birch Lane (GTNV312-990); Rezoning to and from the RS-1: Single-Family Residential and A-2: Agricultural Districts and two (2) Certified Survey Maps (CSM) for a Land Exchange and Property Line Adjustment.
- E. Savannah Wehinger, Property Owner and Agent for John and Christine Ceremuga, and Daniel and Christina Ihde, Property Owners - W204N10530/10558/10578 Hilltop Drive; Application for Rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District, and a Certified Survey Map to accommodate the adjustment of property lines between three (3) existing parcels.
- F. Crew Carwash, Inc., Agent for Dahm Properties 74 LLC, Property Owner - N96 W17500 County Line Road; Conditional Use Permit (CUP) Approval Extension Request.
- G. Refund Conditional Use Permit (CUP) Application Fee to Greg Kamyszek, Agent for BioResearch Associates Inc.
- H. Discussion and Possible Action related to enforcement of the Outdoor Entertainment Permit
- I. Resolution Establishing a 2025 Fee Schedule for Weights & Measures Devices Required Under Section 12.26 of the Municipal Code
- J. Collective Bargaining Agreement Between Germantown Professional Police Association Local 306 and the Village of Germantown. The Village Board may convene into closed session pursuant to Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as the Board deems appropriate.

XII. 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 Economic Development Committee, Utility Advisory Committee, Tourism Commission, and/or Senior Advisory Committee may attend this meeting to gather information about an item over which they have decision-making responsibility. This may constitute a meeting of these bodies per State ex rel. Badke v Greendale Village Board, even though these bodies will not take formal action at this meeting.

MEETING:	REGULAR MEETING OF THE VILLAGE BOARD
DATE AND TIME:	Monday, April 7, 2025 7:00 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.*

Village President Dean Wolter called the Village Board meeting to order at 7:00 PM.

II. **ROLL CALL:**

Present: Trustee David Baum, Trustee Terri Kaminski, Trustee Rick Miller, Trustee Robert Warren, Trustee Jolene Pieper, Trustee Jan Miller, President Dean Wolter, Trustee Meg Cutts

Also Present: Village Administrator Steve Kreklow, Village Attorney Brian Sajdak, Village Clerk Donna Ott, Police Chief Pat Merten, Park & Recreation Director Gil Standridge, Public Works Director Matthew Morttwedt

III. **PLEDGE OF ALLEGIANCE:**

IV. **SWEARING IN OF CAPTAIN DANIEL MIKULEC AND LIEUTENANT MATTHEW JONES OF THE GERMANTOWN POLICE DEPT**

Village Clerk Donna Ott swore in the following individuals of the Germantown Police Department:

- Captain Daniel Mikulec
- Lieutenant Matthew Jones

V. **PRESIDENT'S REPORT:**

Village President Wolter thanked Germantown residents and congratulated Bob Soderberg on becoming the next Village President.

VI. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST COMMITTEE AND DEPARTMENT REPORTS:**

Trustees provided dates and times of upcoming meetings

Administrator Kreklow thanked President Wolter for his years of service and presented

him with a plaque signed by Village staff.

The Village Clerk provided dates of upcoming Board of Review meetings.

- VII. CITIZEN INPUT:** *(Please be advised per 19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.)*

Lynne Schauer Bednarz (W156N10121 Pawnee Ct) spoke regarding the Village procedures.

Doug Loman (W180N9881 Riversbend Cir W) spoke regarding high-density housing and thanked President Wolter for his service.

Scott Hefle (W159N10514 Old Farm Rd) spoke regarding the Joint Review Board, 4th of July activities, and thanked President Wolter for his service.

Sarah Larson (W159N9737 Butternut Rd) spoke regarding the Joint Review Board, New Business Item F (Richfield Intergovernmental Agreement), software updates, and thanked President Wolter for his service.

Steve Wesolowski (W169N10427 Pheasant Run) spoke regarding New Business Item F (Richfield Intergovernmental Agreement), and thanked President Wolter for his service.

VIII. CONSENT AGENDA:

Motion 1: Approve Items A-F as presented

Motioned By: Trustee Baum

Seconded By: Trustee Warren

Request: Pull Items B & F for discussion

Requested By: Trustee Pieper

Motion 2: Approve Items A, C, D, & E

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, Trustee Jan Miller, President Wolter, Trustee Cutts

No: None

Abstain: None

Motion 2 Carried by Roll Call Vote (Yes 8, No 0, Abstained 0)

Motion: For Item B, direct staff to publish a formal RFP to get additional bids

Motioned By: Trustee Pieper

Seconded By: Trustee Baum

Yes: Trustee Baum, Trustee Kaminski, Trustee Pieper, President Wolter

No: Trustee Jan Miller, Trustee Warren, Trustee Rick Miller, Trustee Cutts

Abstain: None

Motion Failed by Roll Call Vote (Yes 4, No 4, Abstained 0)

Motion: For Item B, receive one other bid to compare pricing to confirm that the Village is not being overcharged

Motioned By: Trustee Pieper

Seconded By: None

Motion Failed for Lack of a Second

Motion: For Item B, approve as presented

Motioned By: Trustee Baum

Seconded By: Trustee Warren

Yes: Trustee Rick Miller, Trustee Warren, Trustee Jan Miller, Trustee Cutts

No: Trustee Baum, Trustee Kaminski, Trustee Pieper, President Wolter

Abstain: None

Motion Failed by Roll Call Vote (Yes 4, No 4, Abstained 0)

Motion: For Item B, postpone until the next Village Board meeting

Motioned By: Trustee Pieper

Seconded By: Trustee Kaminski

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Pieper, Trustee Jan Miller, President Wolter, Trustee Cutts

No: Trustee Warren

Abstain: None

Motion Carried by Voice Vote (Yes 7, No 1, Abstained 0)

Motion: For Item F, send contract to new Tree Advisory Board for review

Motioned By: Trustee Pieper

Seconded By: Trustee Baum

Trustee Pieper Called the Question.

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, Trustee Jan Miller, President Wolter, Trustee Cutts

No: None

Abstain: None

Motion to Call the Question Carried by Voice Vote (Yes 8, No 0, Abstained 0)

Yes: Trustee Pieper, Trustee Jan Miller

No: Trustee Baum, Trustee Warren, Trustee Cutts, Trustee Kaminski, Trustee Rick Miller, President Wolter

Abstain: None

Motion Failed by Roll Call Voice Vote (Yes 2, No 6, Abstained 0)

Motion: For Item F, approve as presented

Motioned By: Trustee Baum

Seconded By: Trustee Kaminski

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, President Wolter, Trustee Cutts

No: Trustee Pieper, Trustee Jan Miller

Abstain: None

Motion Carried by Roll Call Vote (Yes 6, No 2, Abstained 0)

- A. Minutes: March 17, 2025
- B. Contract for Turf Management Plan with Total Lawn Care for 2025-2026
- C. A Resolution Approving the Germantown Professional Firefighters International Association of Firefighters Local 4854, AFL-CIO, CLC Union Collective Bargaining Agreement
- D. Application for Appointment of Successor Agent: Aldi #67, N96W18838 County Line Rd; Agent for Consideration: Sarah R Backhaus
- E. Award of a professional service agreement to Foth Infrastructure to prepare bid documents for Well 7 rehabilitation for an amount not to exceed \$37,200.00.
- F. Award of annual tree planting contract to Dan Larsen Landscaping for an amount not to exceed \$29,250.00.

IX. UNFINISHED BUSINESS:

- A. Windows 11 Upgrade Project

Motion: Send this item back to the General Government & Finance Committee for further review

Motioned By: Trustee Pieper

Seconded By: Trustee Rick Miller

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, Trustee Jan Miller, President Wolter, Trustee Cutts

No: None
Abstain: None

Motion Carried by Voice Vote (Yes 8, No 0, Abstained 0)

X. PUBLIC HEARINGS:

XI. NEW BUSINESS:

A. New Dispatcher Appointment

Motion: Approve as presented
Motioned By: Trustee Pieper
Seconded By: Trustee Baum

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, Trustee Jan Miller, President Wolter, Trustee Cutts

No: None
Abstain: None

Motion Carried by Roll Call Vote (Yes 8, No 0, Abstained 0)

B. Report on the 2025-2026 WISDOT-Municipal Salt Agreement.

Public Works Director Matthew Mortwedt provided an update on the 2025-2026 WISDOT Municipal Salt Agreement.

C. Application for the Wisconsin DOT Signals and ITS Standalone Program (SISP) grant for signal traffic control improvements to County Line Road and Appleton Ave.

Motion: Approve as presented
Motioned By: Trustee Baum
Seconded By: Trustee Rick Miller

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, Trustee Jan Miller, President Wolter, Trustee Cutts

No: None
Abstain: None

Motion Carried by Roll Call Vote (Yes 8, No 0, Abstained 0)

D. Update on Planning for 4th of July Activities

Administrator Kreklow provided an update on the planning of the 4th of July activities.

E. Discussion concerning Membership of the Joint Review Board

Village Attorney Sajdak discussed the processes regarding membership or appointment to the Joint Review Board.

F. Purchase of Right of Way Land for Sewer and Water Lines as Part of the Intergovernmental Agreement with Richfield

Motion: Approve as presented

Motioned By: Trustee Baum

Seconded By: Trustee Rick Miller

Trustee Pieper Called the Question.

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, President Wolter, Trustee Cutts

No: Trustee Jan Miller

Abstain: None

Motion to Call the Question Carried by Voice Vote (Yes 7, No 1, Abstained 0)

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, President Wolter

No: Trustee Jan Miller, Trustee Cutts

Abstain: None

Motion Carried by Roll Call Vote (Yes 6, No 2, Abstained 0)

G. Meridian Germantown LLP v. Village of Germantown, Case Nos. 23-CV-426 and 24-CV-781. The Village Board may convene into closed session pursuant to Wis. Stat. § 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved and then reconvene in open session to take such action as it deems appropriate.

Motion: Enter into Closed Session with the Village Administrator and the Village Attorney in attendance

Motioned By: Trustee Pieper

Seconded By: Trustee Warren

Trustee Pieper withdrew the motion, and the Village Board remained in Open Session.

Motion: Approve as presented

Motioned By: Trustee Pieper

Seconded By: Trustee Baum

Yes: Trustee Baum, Trustee Kaminski, Trustee Rick Miller, Trustee Warren, Trustee Pieper, Trustee Jan Miller, President Wolter, Trustee Cutts

No: None

Abstain: None

Motion Carried by Roll Call Vote (Yes 8, No 0, Abstained 0)

XII. ADJOURNMENT:

Before adjourning, Village President Wolter made an announcement regarding Wisconsin Severe Weather Awareness Week (April 7-11) and the tornado siren testing on April 10.

Village President Wolter adjourned the Village Board meeting at 9:10 PM.

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: April 7, 2025
AGENDA ITEM: Action Item
ITEM TITLE: Dispatcher Incentive Pay
SUBMITTED BY: Chief Patrick Merten

SUMMARY EXPLANATION:

I am requesting approval for dispatch bonuses from September 2, 2024 to December 31, 2024. These bonuses were agreed to by Washington County Sheriff's Department as part of the consolidation process.

Bonus Consideration for Communication Officer's

It was decided that in 2024 we would start a phased in approach to transfer dispatch services to the Washington County Sheriff's Department. Prior to 2024, Germantown Police Department had 8 dispatchers providing twenty-four hour coverage, seven days a week. They are now 4 dispatchers that are tasked with dispatching officers, training a new dispatcher, and handling multiple office duties.

We propose a bonus for our full-time dispatchers to recognize the substantial burden this has placed on them. They have sacrificed a great deal and have been significantly impacted by this process. The bonuses would be an additional \$4 per hour for hours worked between September 2, 2025 and December 31, 2025. For those dispatchers that were training, we would propose \$6 per hour for those hours they were training.

We have discussed this with Washington County, they have agreed to these bonuses and have committed to providing the funds necessary to cover the cost of all bonuses.

The following reflects the amount of hours each dispatcher worked from September 2, 2025 to December 31, 2025.

<u>Communication Officer</u>	<u>Hours Assigned @ \$4/hour</u>	<u>Training @\$6/hour</u>	<u>Bonus \$</u>
Eric Hanson	644.5	0	\$2,578.00
Carrie Ross	212	350	\$2,948.00
Kelly Nolan	615.5	34	\$2,666.00
Hannah Weisflog	66	17	\$366.00
Total			\$8,558.00

ATTACHMENT: ORDINANCE___ RESOLUTION___ OTHER__X__

RECOMMENDATION:

Approval of the dispatcher bonuses as presented.



Germantown Park and Recreation Department
N112W17001 Mequon Rd
P.O. Box 337
Germantown, Wisconsin 53022-0337
(262)250-4710 Fax (262)255-2920
Information Line (262)250-4711

Meeting Date: April 21, 2025
To: General Government & Finance Committee
From: Gil Standridge, Park and Recreation Director
RE: Approval of Total Lawn Care to do Turf Management Plan

At the previous Village Board meeting, April 7th, I requested that the Board approve awarding the contract to Total Lawn Care to implement the Parks Turf Management program for 2025-26 for \$33,635 each year. The amount was approved by the Village Board for the 2025 Budget. This contract will be paid out of account 10591000-532060. On March 10th the General Government and Finance Committee unanimously approved the awarding of the Parks Turf Management Program to Total Lawn Care.

Requests for proposals were sent to three companies, Total Lawn Care, David J. Frank Landscape, and Corbin Lawn Care. Only Total Lawn Care submitted a quote by the original deadline set. The other two companies did not submit a quote

When I approached the Board with this request at the April 7th meeting, I was asked to get one other quote. I requested David J Frank Landscape, a local landscape company that has done work for the village in the past, submit a quote. Paul Frank agreed to send me a proposal. His proposal is attached to this letter. David J. Frank Landscape quote was for \$71,535 over twice the amount Total Lawn Care submitted.

I am requesting that the Board approve awarding the Parks Turf Management Program to Total Lawn Care. This company has managed the Village parks for years with excellent results. The turf management program consists of Broadleaf Herbicide, Fertilization application, and Aeration on all park turfs.

Thanks in advance for your consideration on this matter.

Regards,

Gil Standridge
Parks and Recreation Director
Village of Germantown

**REQUEST FOR PROPOSALS
FOR
GERMANTOWN PARKS AND RECREATION DEPARTMENT
VILLAGE OF GERMANTOWN, WISCONSIN**

January 21, 2025

Submittal deadline:
Friday February 14th, 2025 4:30 P.M.

PURPOSE AND BACKGROUND

The department of public works is responsible for turf management in all the village parks and athletic fields. However they do not have the equipment, or manpower to handle the proper turf management required to keep the youth athletic fields (within the village parks) properly maintained and competitive.

Approximately ten years ago a supervisor for Department of Public works reach out to an independent landscape company and contracted them to take care of Friedenfeld Park main football field. The field was in bad shape and DPW did not have the proper equipment to make the necessary landscape repairs. The field needed aerivation, top dressing, fertilization and broadleaf herbicide. The independent contractor did such a good job of getting the football field back into great condition that other sports programs such as soccer and baseball that also have fields in Friedenfeld and other parks, noticed and was requesting the same care for their fields. So the private contractor agreed to take on the other athletic fields and make the improvements.

Besides the athletic fields the parks were over taking with broadleaf weeds so the contractor was asked to control the weeds. They were also ask to provide aerivation and herbicide to all of the parks. For Years the cost to do these treatments was low enough that the Village did not have to put this service out for bid. However in the past couple of years due to rising cost in chemicals, equipment, manpower and so forth the cost to do all the work necessary for a turf management plan has risen considerably, to the point the Village Board has requested competitive prices from different landscape companies.

SCOPE OF WORK

Turf management (landscape) firms will be asked to apply their cost to each of the work expected to be done seasonally. The work is spelled out on the sheets in the attachment for each athletic field and park. Most parks and athletic fields require treatment four times a year, noted on the management plan. However Friedenfeld main football field requires treatment five times a year. Also a map of Friedenfeld Park with the layout of the athletic fields will also be include as well as a parks/facility address sheet that list all the addresses of all the parks involved.

Five parks, Alt Bauer, Spassland, Schoen Laufen, Widenbach, and Dheinsville only need one (1) application of weed control with no fertilizer.

INFORMATION REQUIRED FROM LANDSCAPE FIRMS

1. Name of firm and identify individual(s) preparing the proposal and who is representing the firm on the project. Complete address, phone, and email information.
2. Basic qualifications and related experience
3. Include on the work specs in the attachment the cost for each treatment and a total. Please note a contract will be awarded for two years. So this agreement will cover 2025-2026. If you anticipate your costs going up in 2026 that needs to be noted as well.

ISSUING OFFICE AND CONTACT INFORMATION

Gil Standridge
Parks and Recreation Director
Village of Germantown, Parks and Recreation Suite
N112 W17001 Mequon Road
P.O. Box 337
Germantown, WI 53022-0337
262-250-4715 office phone



**Turf Management Plan
Germantown Parks Department
2025-2026**

Friedenfeld Park

Total Cost For The Complete Turf Management Program \$11,240

Friedenfeld Main Football Field

Total Cost For The Complete Turf Management Program \$7,425

Haupt Strasse Park

Total Cost For The Complete Turf Management Program \$2,640

Firemans Park

Total Cost For The Complete Turf Management Program \$2,445

Kinderburg Park

Total Cost For The Complete Turf Management Program \$4,520

Alt Bauer Park*

Total Cost For The Complete Turf Management Program \$1,850

Spassland Park*

Total Cost For The Complete Turf Management Program \$1,850

Schoen Laufen Park*

Total Cost For The Complete Turf Management Program \$130

Wiedenbach Park*

Total Cost For The Complete Turf Management Program \$540

Dheinsville Park*

Total Cost For The Complete Turf Management Program \$995

*These 5 parks are scheduled for 1 application of weed control -w- no fertilizer.

Total Cost For The Complete Turf Management Program \$33,635

April 17, 2025



Gil Standridge
Village of Germantown, Parks and Recreation
N112W17001 Mequon Rd
PO Box 337
Germantown, WI 53022

2025 GROUNDS MAINTENANCE AGREEMENT

David J. Frank Landscape Contracting Inc. agrees to provide landscape horticultural services as set forth in the attached schedules and to furnish the labor, equipment, and materials necessary to perform these services in an efficient and professional manner.

The client agrees to pay David J. Frank Landscape Contracting, Inc. the following amounts:

☐ **1-year Contract Option:**

2025: \$71,535.00 + tax

Payment to be made as follows: 8 monthly payments of \$8,941.89 + tax

This proposal may be withdrawn by us if not accepted within 60 days.

Terms: Net due 30 days from invoice. A finance charge of 1% will be added to any unpaid account 30 days past due for each month or part thereof that any part of the balance due remains unpaid.

Sincerely,

Adam Wagner
Client Service Representative

Client Acceptance

Date

N120 W21350 Freistadt Road
P O Box 70
Germantown, WI 53022
Tel: 262-255-4888
Fax: 262-628-4729
mail@davidjfrank.com

**Turf Management Plan
Germantown Parks Department
2025-2026**

Please note on here if you plan to increase cost in 2026

Friedenfeld Park Total Cost For The Complete 2025 Turf Management Program	<u>\$17,745⁰⁰</u>
Friedenfeld Main Football Field Total Cost For The Complete 2025 Turf Management Program	<u>31,900</u>
Haupt Strasse Park Total Cost For The Complete 2025 Turf Management Program	<u>4095</u>
Firemans Park Total Cost For The Complete 2025 Turf Management Program	<u>4210</u>
Kinderburg Park Total Cost For The Complete 2025 Turf Management Program	<u>7925</u>
Alt Bauer Park* Total Cost For The Complete 2025 Turf Management Program	<u>1565</u>
Spassland Park* Total Cost For The Complete 2025 Turf Management Program	<u>2225</u>
Schoen Laufen Park* Total Cost For The Complete 2025 Turf Management Program	<u>355</u>
Wiedenbach Park* Total Cost For The Complete 2025 Turf Management Program	<u>420</u>
Dheinsville Park* Total Cost For The Complete 2025 Turf Management Program	<u>995</u>
*These 5 parks are scheduled for 1 application of weed control -w- no fertilizer.	
Total Cost For The Complete Turf Management Program For 2025	<u>71,535</u>



**Turf Management Plan
Friedenfeld Practice, Baseball, & Soccer Fields
2025**

Early Spring

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Early Summer

- 1) Aerivation on all turf
- 2) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Late Summer

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb. of N/1000 sq ft

Late Fall (After football season is complete)

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft
- 2) Aerivation on all turf

Total Cost For Broadleaf Herbicide Of Entire Park (45 Acres): _____

Total Cost For Turf Management Plan Field A: **N/A**

Total Cost For Turf Management Plan Field B: _____

Total Cost For Turf Management Plan Field C: _____

Total Cost For Turf Management Plan Field D: _____

Total Cost For Turf Management Plan Field E: _____

Total Cost For Turf Management Plan Field F: _____

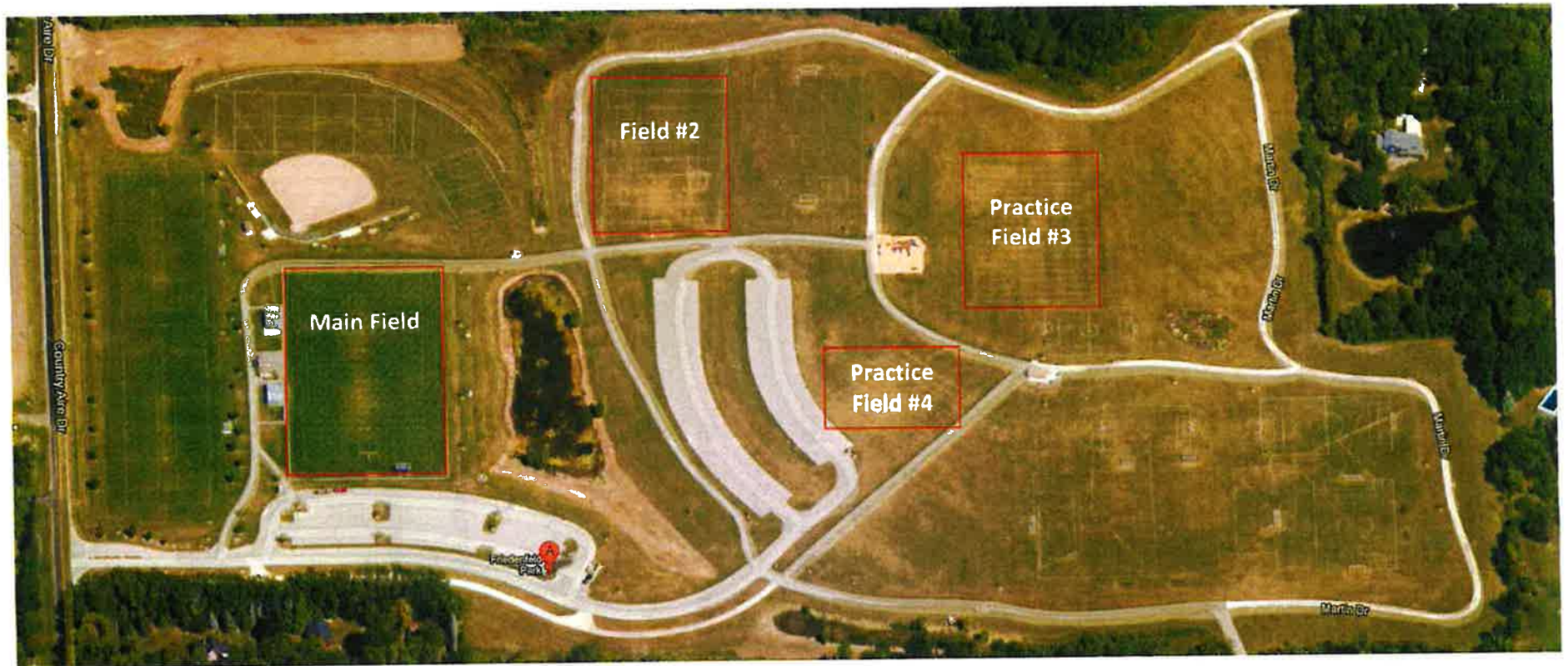
Total Cost For Turf Management Plan Field G: _____

TOTAL COST FOR COMPLETE 2025 TURF MANAGEMENT PLAN: _____

Please note: If you plan to increase cost for 2026 please note that on here.

APPENDIX A

Friedenfeld Park Field Map



**Turf Management Plan
Friedenfeld Main Football Field
2025**

Early Spring

- 1) Top-dress the entire field with top-dressing sand.
- 2) Top-dress the middle 1/3rd of the field with Leissners' organic golf course topdressing.
- 3) Aerivation on all turf working the top-dressing into the soil.
- 4) 25 - 0 - 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Total Cost Early Spring Work _____

Late Spring

- 1) Apply Mec Amine D - selective broadleaf herbicide

Total Cost For Herbicide Application _____

Early Summer

- 1) Aerivation on all turf

Total Cost For Aerivation _____

- 2) 25 - 0 - 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Total Cost For Fertilizer Application _____

Mid-Summer

- 1) 25 - 0 - 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Total Cost For Fertilizer Application _____

Late Summer

- 2) 25 - 0 - 3 with NutriSphere applied at a rate of 1 lb. of N/1000 sq ft

Total Cost For Fertilizer Application _____

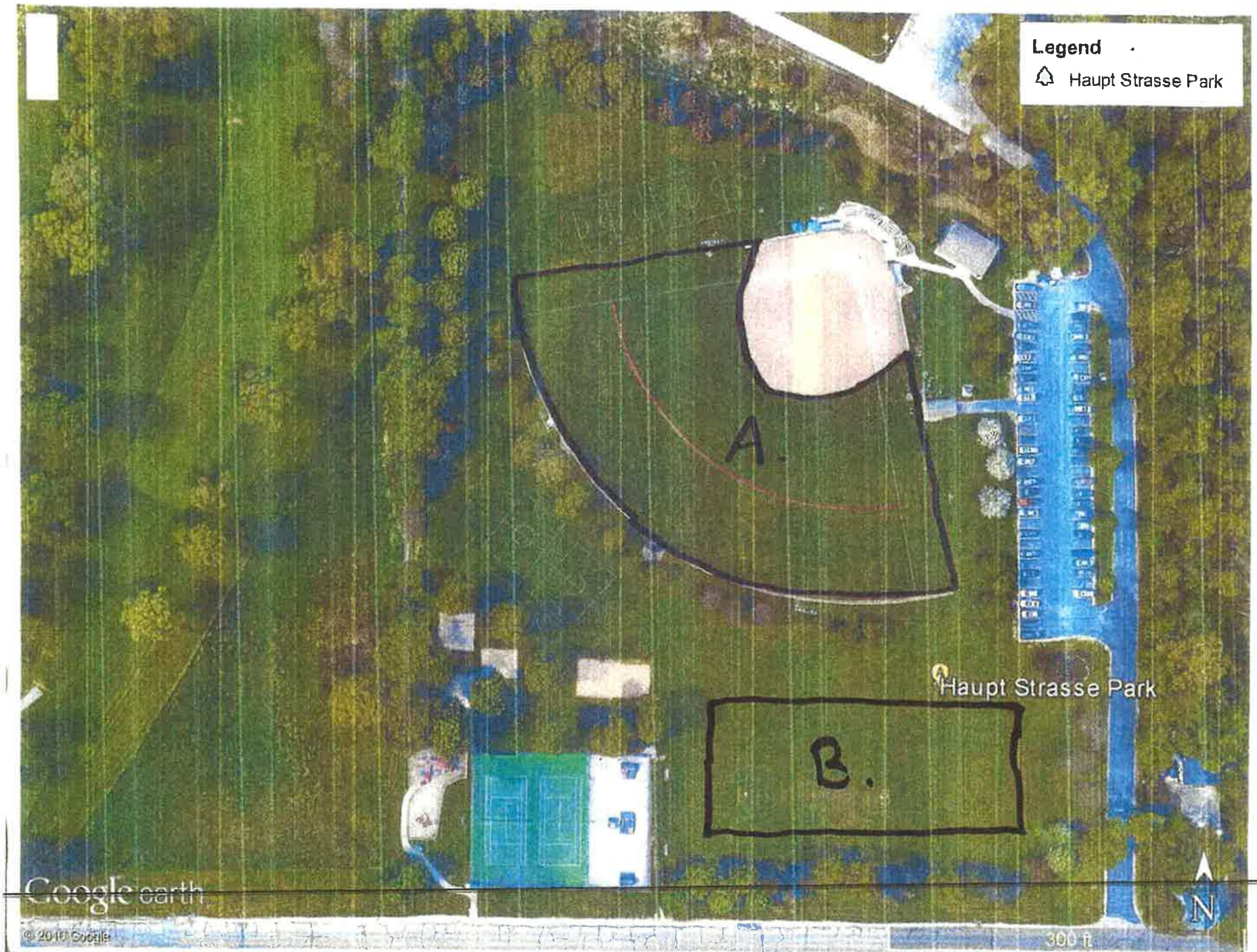
Late Fall (After football season is complete)

- 1) Top-dress the middle 1/3rd of the field with Leissners' organic golf course topdressing.
- 2) Aerivation on all turf + dormant slit seeding of the middle 1/3rd of the field.
- 3) 25 - 0 - 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Total Cost For Late Fall Work _____

Total Cost For The Turf Management Plan 2025 _____

Please note: If you plan to increase your cost for 2026 please note that on here



**Turf Management Plan
Haupt Strasse Park
2025**

Early Spring

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Early Summer

- 1) Aerivation on all turf
2) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Late Summer

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb. of N/1000 sq ft

Late Fall

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft
2) Aerivation on all turf
-

Total Cost For Broadleaf Herbicide Of Entire Park (8.5 Acres): _____

Total Cost For Turf Management Plan Field A: _____

Total Cost For Turf Management Plan Field B: _____

TOTAL COST FOR COMPLETE 2025 TURF MANAGEMENT PLAN: _____

Note: If you plan to increase cost for 2026 please note on here



**Turf Management Plan
Firemans Park
2025**

Early Spring

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Early Summer

- 1) Aerivation on all turf
- 2) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Late Summer

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb. of N/1000 sq ft

Late Fall

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft
- 2) Aerivation on all turf

Total Cost For Broadleaf Herbicide Of Entire Park (14 Acres): _____

Total Cost For Turf Management Plan Field A: _____

Total Cost For Turf Management Plan Field B: _____

TOTAL COST FOR COMPLETE 2025 TURF MANAGEMENT PLAN: _____

Please note: If you plan to increase cost for 2026 it should be noted on here.



**Turf Management Plan
Kinderburg Park
2025**

Early Spring

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Early Summer

- 1) Aerivation on all turf
- 2) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft

Late Summer

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb. of N/1000 sq ft

Late Fall

- 1) 25 – 0 – 3 with NutriSphere applied at a rate of 1 lb of N/1000 sq ft
- 2) Aerivation on all turf

Total Cost For Broadleaf Herbicide Of Entire Park (22 Acres): _____

Total Cost For Turf Management Plan Field A: _____

Total Cost For Turf Management Plan Field B: _____

Total Cost For Turf Management Plan Field C: _____

TOTAL COST FOR COMPLETE 2025 TURF MANAGEMENT PLAN: _____

Please note: If you plan to increase your cost for 2026 please note that on here.

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Resolution

ITEM TITLE: Resolution Authorizing the Issuance and Sale of Up to \$953,025 Water System Revenue Bonds, Series 2025A and Providing for Other Details and Covenants With Respect Thereto

SUBMITTED BY: Matthew Uselding, Finance Director

SUMMARY EXPLANATION:

On June 17th, 2024, the Village Board adopted a resolution declaring its official intent to reimburse project expenditures from the proceeds of future borrowing for the Water Tower No. 3 Rehabilitation Project.

The project has since been completed, and the Village is scheduled to close on the tax-exempt bonds through the Wisconsin Safe Drinking Water Fund Program on May 14th.

Attached is the Bond Authorization Resolution prepared by our bond counsel, Griggs Law Office, for your review and consideration.

ATTACHMENT:

1. RES 18-24 Reimburse Expend From Proceeds of Borrowing
2. Germantown Village (2025-05-14 SDW Water Rev Bond 2025A) Bond Resolution

STAFF RECOMMENDATION:

ACTION BY Committee:

RESOLUTION NO. 18-2024

A Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

WHEREAS, the Village of Germantown, Washington County, Wisconsin (the "Municipality") plans to undertake the Water Tower No. 3 Rehab Project (the "Project"); and

WHEREAS, the Municipality expects to finance the Project on a long-term basis by issuing tax-exempt bonds or promissory notes to the State of Wisconsin Safe Drinking Water Fund Program and State of Wisconsin Clean Water Funds (the "Bonds"); and

WHEREAS, because the Bonds will not be issued prior to December 2024, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the bonds; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance monies from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

NOW THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown, Wisconsin that:

Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available.

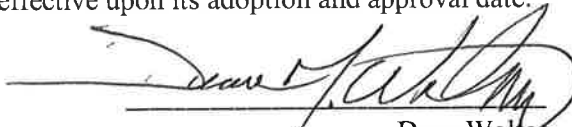
Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$ 1,130,000.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds, or are reasonably expected to be, reserved, allocated on long-term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the Village of Germantown Clerk's Office within 30 days after its approval in compliance with applicable State Law governing the availability of records of official acts including Subchapter II of Chapter 19 and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval date.

Date Adopted: June 17, 2024.


Dean Wolter
Village President

(SEAL)

ATTEST:

Donna Ott
Village Clerk

RESOLUTION AUTHORIZING THE ISSUANCE AND
SALE OF UP TO \$953,925 WATER SYSTEM
REVENUE BONDS, SERIES 2025A AND PROVIDING FOR OTHER
DETAILS AND COVENANTS WITH RESPECT THERETO

WHEREAS, the Village of Germantown, Washington County, Wisconsin (the "Municipality") owns and operates a water system (the "System") which is operated for a public purpose as a public utility by the Municipality; and

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Safe Drinking Water Loan Program No. 5381-03 by the State of Wisconsin Department of Natural Resources (the "Department of Natural Resources"), and as defined in Department of Natural Resources approval letter for the plans and specifications, or portions thereof, issued under Wis. Stat. Section 281.41 dated February 2, 2024 and assigned number W-2023-0996; and

WHEREAS, under the provisions of Chapter 66 of the Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality has heretofore issued its \$971,470 Water System Revenue Bonds, Series 2009A dated November 12, 2009 (the "2009 Bonds"); and

WHEREAS, the Municipality has heretofore issued its \$4,140,000 Water System Revenue Bonds, Series 2022C dated May 18, 2022 (the "2022 Bonds") pursuant to a resolution adopted on April 4, 2022 (the "2022 Bond Resolution"); and

WHEREAS, the 2022 Bond Resolution permits the issuance of additional bonds on a parity with the 2009 Bonds and the 2022 Bonds upon certain conditions, and those conditions have been met with respect to the issuance of bonds pursuant to this resolution; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell water system revenue bonds of the Municipality payable solely from the revenues of the System, pursuant to the provisions of Section 66.0621 of the Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, other than "preliminary expenditures" as defined in the Treas. Reg. 26 CFR 1.150-2 in an amount not exceeding 20% of the principal amount of the bonds authorized to be issued by this resolution, or other than a "de minimis" amount as defined in Treas. Reg. 26 CFR 1.150-2 in an amount not exceeding the lesser of \$100,000 or 5% of the principal amount of the bonds authorized to be issued by this resolution, all of the proceeds loaned to the Municipality will be used for Project costs paid by the Municipality subsequent to (i) the date which is 60 days prior to the date on which the Municipality adopted a "declaration of intent" pursuant to Treas. Reg. 26 CFR 1.150-2 stating its intent to reimburse other funds of the Municipality previously used to finance the Project, or (ii) the date on which the bonds authorized herein are issued; and

WHEREAS, other than the 2009 Bonds and the 2022 Bonds, no bonds or obligations payable from the revenues of the System are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621 of the Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer, who shall act as Paying Agent for the Bonds;
- (c) "Bonds" mean the \$953,925 Water System Revenue Bonds, Series 2025A of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance, and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;
- (f) "Debt Service Fund" means the Debt Service Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;
- (g) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form presented to the Governing Body and incorporated herein by reference;
- (h) "Fiscal Year" means the twelve-month period ending on each December 31;
- (i) "Governing Body" means the Village Board of the Municipality, or such other body as may hereafter be the chief legislative body of the Municipality;
- (j) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from water charges imposed by the Municipality, all payments to the Municipality under any water service agreements between the Municipality and any contract users of the System, any tax incremental district revenues appropriated by the Governing Body to the System, and any other monies received from any source including all rentals and fees and any special assessments levied and collected in connection with the Project;

(k) "Municipal Treasurer" means the Treasurer of the Municipality, who shall act as Bond Registrar and Paying Agent;

(l) "Municipality" means the Village of Germantown, Washington County, Wisconsin;

(m) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;

(n) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;

(o) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;

(p) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;

(q) "System" means the entire water system of the Municipality, specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the collection, treatment, storage and distribution of water, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature constituting part of or used or useful in connection with such water system and including all appurtenances, contracts, leases, franchises, and other intangibles;

(r) "2009 Bonds" means the 2009 Bonds as defined in the preamble to this Resolution;

(s) "2022 Bonds" means the 2022 Bonds as defined in the preamble to this Resolution; and

(t) "2022 Bond Resolution" means the 2022 Bond Resolution as defined in the preamble to this Resolution.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to the sum of \$953,925; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Safe Drinking Water Loan Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is

incorporated herein by this reference and the President and the Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Water System Revenue Bonds, Series 2025A" (the "Bonds"); shall be dated May 14, 2025; shall be numbered one and upward; shall bear interest at the rate of 2.200% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement. Interest on the Bonds shall be payable commencing on November 1, 2025 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the President and the Clerk and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's registrar (the "Bond Registrar").

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bonds will be payable upon presentation and surrender of the Bonds to the Bond Registrar. Payment of principal on the Bonds and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by electronic transfer or by check or draft of the Municipality as directed by the registered owner, dated on or before the applicable payment date and, if by check or draft, mailed to such registered owner at his or its address as appears on such registration book or at such other address as may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter created and established, and shall be a valid claim of any holder thereof only against such Debt Service Fund and the revenues of the System pledged to such fund. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Bonds and Parity Bonds, certain funds of the System are hereby created and established which shall be used solely for the following respective purposes:

- (a) Revenue Fund, into which shall be deposited as received the entire Gross Earnings of the System, which money shall then be divided among the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund in the amounts and in the manner set forth in Section 7 hereof and used for the purposes described below.
- (b) Operation and Maintenance Fund, which shall be used for the payment of Current Expenses.
- (c) Debt Service Fund, which shall be used for the payment of the principal of, premium, if any, and interest on the Bonds and any Parity Bonds as the same becomes due.
- (d) Depreciation Fund, which may be expended for repairs, replacements, new construction, extensions or additions to the System. Any money on deposit in the Depreciation Fund not required during the current Fiscal Year for purposes of the Depreciation Fund, may be transferred to the Surplus Fund.
- (e) Surplus Fund, which shall first be used whenever necessary to pay principal of, premium, if any, or interest on the Bonds and Parity Bonds when the Debt Service Fund shall be insufficient for such purpose, and thereafter shall be disbursed as follows: (i) at any time, to remedy any deficiency in any of the Funds provided in this Section 6 hereof; and (ii) money thereafter remaining in the Surplus Fund at the end of any Fiscal Year may be transferred to any of the Funds or accounts created herein or to reimburse the general fund of the Municipality for advances made by the Municipality to the System or for any other lawful purpose.

Section 7. Application of Revenues. After the delivery of the Bonds, the entire Gross Earnings of the System shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Operation and Maintenance Fund, an amount equal to the estimated Current Expenses for such month and for the following month (after giving affect to available amounts in said Fund from prior deposits);
- (b) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the Bonds and any Parity Bonds coming due during such Bond Year

(after giving affect to available amounts in said account from accrued interest, any premium or any other source);

- (c) to the Depreciation Fund, an amount determined by the Governing Body to be sufficient to provide a proper and adequate depreciation account for the System;
- (d) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any Fund required or permitted by subsection (a) through (c) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other Funds and Accounts and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34 of the Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m) of the Wisconsin Statutes. The other funds herein created (except the Water System SDWLP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m) of the Wisconsin Statutes.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the System by furnishing water services for public purposes shall be charged against the Municipality and shall, to the extent permitted by law, be paid in monthly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The reasonable cost and value of such service to the Municipality in each year shall be equal to an amount which, together with other revenues of the System, will produce in each Fiscal Year Net

Revenues equivalent to not less than the annual principal and interest requirements on the Bonds, any Parity Bonds, and any other debt obligations payable from the revenues of the System then outstanding times the greater of (i) 110%, or (ii) the highest debt service coverage ratio required with respect to any debt obligations payable from the revenues of the System then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; but neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the services rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. No bonds or obligations payable out of the revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if the lien and pledge is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

(a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Safe Drinking Water Loan Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or

(b) Additional Parity Bonds may also be issued if all of the following conditions are met:

(1) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all bonds outstanding payable from the revenues of the System, and on the bonds then to be issued, times the greater of (i) 1.10 or (ii) the highest debt service coverage ratio to be required with respect to the additional Parity Bonds then to be issued or on any debt obligations payable from the revenues of the System then outstanding. Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as an independent certified public accountant, consulting professional engineer, a registered municipal adviser or the Wisconsin Public Service Commission may certify would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

- (2) The payments required to be made into the Funds enumerated in Section 6 of this Resolution must have been made in full.
- (3) The additional Parity Bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.
- (4) The proceeds of the additional Parity Bonds must be used only for the purpose of providing extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Safe Drinking Water Loan Program for the purchase price of up to \$953,925, and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as herein above provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Water System SDWLP Project Fund." The Water System SDWLP Project Fund shall be used solely for the purpose of paying the costs of the Project (including capitalized interest, if any, on the Bonds) and refunding expended proceeds of the Line of Credit as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Water System SDWLP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the System or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest by the U.S. Government, or by a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Rebate Fund. Unless the Bonds are exempt from the rebate requirements of the Internal Revenue Code of 1986, as amended, the Municipality shall establish and maintain a separate account for the Bonds to be known as the "Rebate Fund". The sole purpose of the Rebate Fund is to provide for the payment of any rebate liability with respect to the Bonds under the relevant provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder (the "Regulations"). The Rebate Fund shall be maintained by the Municipality until all required rebate payments with respect to the Bonds have been made in accordance with the relevant provisions of the Code and the Regulations.

The Municipality hereby covenants and agrees that it shall pay to the United States from the Rebate Fund, at the times and in the amounts and manner required by the Code and the Regulations, the portion of the "rebate amount" (as defined in Section 1.148-3(b) of the Regulations) that is due as of each "computation date" (within the meaning of Section 1.148-3(e) of the Regulations). As of the date of this Resolution, the provisions of the Regulations specifying the required amounts of rebate installment payments and the time and manner of such payments are contained in Sections 1.148-3(f) and (g) of the Regulations, respectively. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds or any parity bonds and may only be used for the payment of any rebate liability with respect to the Bonds.

The Municipality may engage the services of accountants, attorneys or other consultants necessary to assist it in determining the rebate payments, if any, owed to the United States with respect to the Bonds. The Municipality shall maintain or cause to be maintained records of determinations of rebate liability with respect to the Bonds for each computation date until six (6) years after the retirement of the last of the Bonds. The Municipality shall make such records available to the State of Wisconsin upon reasonable request therefor.

Section 17. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body, and any and

all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 18. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State, to provide to the State of Wisconsin Safe Drinking Water Loan Program (the “SDWLP”) and to such other persons or entities as directed by the SDWLP such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the SDWLP may require, in order that securities issued by the Municipality and the SDWLP satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended or may be amended from time to time imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 19. Conflicting Resolutions. All ordinances, resolutions (except the 2022 Bond Resolution) or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In the case of any conflict between this Resolution and the 2022 Bond Resolution, the 2022 Bond Resolution shall control as long as the 2022 Bonds are outstanding.

Passed: April 21, 2025

Approved: April 21, 2025

Robert Soderberg, Village President

Attest:

Donna Ott, Village Clerk

EXHIBIT A

FORM OF BOND

REGISTERED
NO. R - 1

UNITED STATES OF AMERICA
STATE OF WISCONSIN
COUNTY OF WASHINGTON
VILLAGE OF GERMANTOWN

REGISTERED
\$953,925

WATER SYSTEM REVENUE BONDS, SERIES 2025A

Final
Maturity Date

Date of
Original Issue

May 1, 2045

May 14, 2025

REGISTERED OWNER: STATE OF WISCONSIN SAFE DRINKING WATER LOAN PROGRAM

KNOW ALL MEN BY THESE PRESENTS that the Village of Germantown, Washington County, Wisconsin, (the "Municipality") hereby acknowledges itself to owe and for value received promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed Nine Hundred Fifty Three Thousand Nine Hundred Twenty-Five Dollars (\$953,925) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2026 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 2.200% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on November 1, 2025.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2026 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Two and Two Tenths percent (2.200%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Exhibit A.

Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft as directed by the registered owner dated on or before the applicable payment date and if by check or draft mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

The Bonds shall not be redeemable prior to their maturity, except with the consent of the registered owner.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing for the payment of the cost of constructing improvements to the Water System of the Municipality, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted on April 21, 2025, and entitled: "Resolution Authorizing the Issuance and Sale of up to \$953,925 Water System Revenue Bonds, Series 2025A and Providing for Other Details and Covenants with Respect Thereto", and is payable only from the income and revenues derived from the operation of the Water System of the Municipality (the "Utility"). This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of its Utility has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its Village President and Village Clerk, and its corporate seal (or a true facsimile thereof), if any, to be impressed (or imprinted) hereon, all as of the date of original issue specified above.

VILLAGE OF GERMANTOWN
WASHINGTON COUNTY, WISCONSIN

By: _____ [FORM OF BOND] _____
Robert Soderberg, Village President

By: _____ [FORM OF BOND] _____
Donna Ott, Village Clerk

(Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite name and address, including zip code, of Assignee).

Please insert Social Security or other
identifying number of Assignee

the within Bond, and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of
substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must
correspond with the name as it appears upon the
face of the within Bond in every particular, without
alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

EXHIBIT A TO BOND FORM

\$953,925

VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
WATER SYSTEM REVENUE BONDS, SERIES 2025A

<u>Amount of Disbursement</u>	<u>Date of Disbursement</u>	<u>Series of Bonds</u>	<u>Principal Repaid</u>	<u>Principal Balance</u>
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
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\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____
\$ _____	_____	_____	\$ _____	\$ _____

EXHIBIT A TO BOND FORM (CONTINUED)

PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2026	\$38,484.60
May 1, 2027	\$39,331.26
May 1, 2028	\$40,196.54
May 1, 2029	\$41,080.87
May 1, 2030	\$41,984.65
May 1, 2031	\$42,908.31
May 1, 2032	\$43,852.29
May 1, 2033	\$44,817.04
May 1, 2034	\$45,803.02
May 1, 2035	\$46,810.68
May 1, 2036	\$47,840.52
May 1, 2037	\$48,893.01
May 1, 2038	\$49,968.66
May 1, 2039	\$51,067.97
May 1, 2040	\$52,191.46
May 1, 2041	\$53,339.68
May 1, 2042	\$54,513.15
May 1, 2043	\$55,712.43
May 1, 2044	\$56,938.11
May 1, 2045	\$58,190.75

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

ITEM SECTION XI. NEW BUSINESS:

ITEM TITLE: B. Village of Germantown Community Development Department - Proposed Text Amendments to Sections 14 (Building) and 17 (Zoning) of the Village of Germantown Municipal Code.

ITEM TYPE: Action Item

SUBMITTED BY: Jeff Retzlaff, Community Dev. Director

SUMMARY EXPLANATION:

Amendment #1 (see *Draft Ordinance Section 1; page 1*)

The proposed amendment creates Section 14.095 to provide for the installation and use of temporary accessory structures, e.g. gazebos, pergolas, arbors, that enhance outdoor service areas associated with restaurants, bars and other retail establishments on a temporary or seasonal basis (up to 180 days in a year) without having to meet the same rigorous building code requirements that apply to permanent structures and buildings.

Amendment #2 (see *Draft Ordinance Section 2; page 2*)

The proposed amendment to Section 17.41(7) revises similar provisions already in the Zoning Code for outdoor accessory structures installed on residential properties intended for private, personal use on a seasonal or year-round basis.

Amendment #3 (see *Draft Ordinance Section 3; page 3*)

The proposed amendment revises Section 17.45 to add design and construction standards for trash and recycling container enclosures installed on property in all business, industrial, institutional and other zoning districts that are not residential or agricultural zoning districts.

ATTACHMENT:

1. Staff Report-4-14-25-Code Amendment
2. ORDINANCE-Zoning-Building Code Text Amendments-4-14-25-PC REVISED
3. NOTICE OF PUBLIC HEARING

STAFF RECOMMENDATION:

ACTION TAKEN BY COMMITTEE:

PLAN COMMISSION (Recommendation to the Village Board)

APPROVE the proposed text amendments as presented in the draft ordinance (copy enclosed).

BUILDING & ZONING CODE TEXT AMENDMENTS

4/14/25 Plan Commission Meeting

Germantown Community Development Department

Village Staff Report & Recommendation

Germantown, Wisconsin

Summary

The Community Development Department (Planning & Zoning Services) is proposing a series of text amendments to Section 14 (Building Code) and Section 17 (Zoning Code) in the Germantown Municipal Code.

While only amendments to the Zoning Code require a public hearing before the Plan Commission, it is/has been our practice to bring development-related code amendments to the Plan Commission for review and recommendation. The following proposed text amendments to the various sections in the Building Code and Zoning Code correspond to the attached draft ordinance:

Amendment #1 (see Section 1; page 1)

The proposed amendment creates Section 14.095 to provide for the installation and use of temporary accessory structures that create or enhance existing outdoor service areas associated with “public buildings”, such as restaurants, bars and other retail business establishments, on a temporary or seasonal basis (up to 180 days in a year) without having to meet the same rigorous building code requirements that apply to permanent structures and buildings.

Amendment #2 (see Section 2; page 2)

The proposed amendment to Section 17.41(7) revises similar provisions already in the Zoning Code for outdoor accessory structures installed on 1 and 2-family residential properties intended for private, personal use on a seasonal or year-round basis.

Amendment #3 (see Section 3; page 3)

The proposed amendment revises Section 17.45 to add design and construction standards for new or replacement trash and recycling container enclosures installed on property in all business, industrial, institutional and other zoning districts that are not 1 and 2-family residential or agricultural zoning districts.

VILLAGE STAFF RECOMMENDATION

A recommendation from the Plan Commission is necessary to move the proposed code amendments to the Village Board for consideration and action. The recommendation is to **APPROVE** the proposed text amendments as presented in the draft ordinance (copy attached) and summarized herein.

**AN ORDINANCE AMENDING SECTION 14 (BUILDING) AND
SECTION 17 (ZONING) OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE**

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

SECTION 1. That Section 14.095 (OUTDOOR ACCESSORY STRUCTURES) is created to read as follows:

14.095 OUTDOOR ACCESSORY STRUCTURES; NON-RESIDENTIAL PUBLIC BUILDINGS.

- (1) Purpose and Intent. It is the intent of this section to provide for the installation and use of temporary, portable, accessory structures to create and/or extend outdoor service areas for restaurants, bars and other retail business establishments on a temporary basis without having to meet the same building code requirements that apply to permanent buildings. While these provisions do not eliminate nor reduce the need to comply with Building and Fire Code requirements adopted by the Village for permanent buildings, they are intended to follow or mirror the requirements provided in the Wis Admin Code (SPS Section 360-366) and the International Building Code (IBC Section 3103) for “temporary structures”.
- (2) Definitions. For purposes of this section, the following definitions apply:
 - (a) “Outdoor accessory structure” means a structure intended for temporary or seasonal use for outdoor activities, dining, entertainment and/or protection from the weather, including but not limited to gazebos, pergolas, pavilions, arbors, dining bubbles, and tents.
 - (b) “Non-residential Public Buildings” means a building and the exterior parts of such building such as a deck, porch, or patio used by the public for assembly, trade, or occupancy as defined under Wis. Stats. Section 101.01(12).
- (3) Zoning Districts Allowed. Outdoor accessory structures may be erected or installed as an accessory use as part of any non-residential public building located in any business, industrial, or other zoning district that is not an agricultural or single-family residential zoning district in the Village.
- (4) Installation Requirements. Installation of an outdoor accessory structure shall meet the following requirements.
 - (a) Structures shall not be installed for a period of 180 days or more in a calendar year. Structures installed for more than 180 days constitute a code violation and are subject to enforcement action by the Village;
 - (b) Structures shall comply with the following as provided under Wisconsin Admin Code Section SPS 362 and International Building Code (IBC) Section 3103 for “temporary structures” but only to the extent deemed necessary by the Building Inspector or Fire Chief after considering the type, size, height, construction materials, location, time of the year to be installed, purpose, and occupant load of the proposed outdoor accessory structure:
 1. Ingress/egress
 2. Anchoring
 3. Fire safety

**AN ORDINANCE AMENDING SECTION 14 (BUILDING) AND
SECTION 17 (ZONING) OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE**

- (c) Structures shall be located a minimum five (5) feet setback from all property lines;
 - (d) Structures shall have a height equal to or less than fifteen (15) feet or the height of any abutting building, whichever is less;
 - (e) Structure may have a roof or ceiling to provide protection from sun, wind or rain but cannot have rigid or fixed walls that cover more than 25 percent of the potential side wall area below the roof or ceiling and between the support structures;
 - (f) The use of portable heaters or other devices that require an open flame, combustible fuel, or extension cords for electrical service shall be inspected and approved by the Building Inspector or Fire Department prior to such use.
- (5) Permitting and Inspection. Issuance of a building permit from the Village is required prior to installation and a pre-occupancy inspection by the Building Inspector and Fire Inspector is required prior to use of an outdoor accessory structure. A building permit application shall include the following:
- (a) Specifications on the size, height, type of materials, and maximum occupancy load;
 - (b) Details on and description of the means and methods of anchoring and installation;
 - (c) Site plan showing the proposed location, means of egress, setbacks from property lines, buildings, and other features of the property.
- (6) Applicability and Exemptions. These provisions and requirements do not apply to the following:
- (a) Outdoor furniture (e.g. tables, chairs, patio umbrellas, sunshades)
 - (b) Outdoor accessory structures for 1 and 2-family buildings on property located in residential districts [see Section 17.41(7)] and agricultural zoning districts
 - (c) Outdoor accessory structures intended to be installed for a period of 180 days or more are not considered to be “temporary structures” and are required to comply with all applicable Building and Fire Codes adopted by the Village.

SECTION 2. That Section 17.41(7) (OUTDOOR ACTIVITY ACCESSORY STRUCTURES) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

- (7) ~~OUTDOOR ACTIVITY ACCESSORY STRUCTURES;~~ RESIDENTIAL. Arbors, pergolas, gazebos, BBQ shelters, sun shade, pavilion, outdoor kitchens, school children bus shelter, and other similar outdoor structures and landscaping features used primarily for seasonal, temporary space for outdoor activities, entertainment, shade and protection from outdoor weather (vs. the storage of vehicles, equipment, tools, toys, etc.) are considered to be accessory structures and not accessory buildings subject to the maximum number and area limitations set forth in the table above. Outdoor accessory structures shall meet all of the following requirements:

**AN ORDINANCE AMENDING SECTION 14 (BUILDING) AND
SECTION 17 (ZONING) OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE**

(a) located in a side or rear yard only;

- (b) meet a minimum five (5) feet setback from all property lines, dwellings and other permanent buildings or structures;
- (c) must be free-standing and not attached to a dwelling, garage or other permanent building; if attached to a fence must meet all fence requirements;
- (d) may have a roof or ceiling that provides protection from sun, wind or rain but cannot have enclosed sides more than 50 25 percent of the potential side area below the roof or ceiling and between the support structure;
- (e) Maximum height of fifteen (15) feet;
- (f) Not more than three (3) outdoor accessory structures per residential property with a maximum footprint or area for all structures not to exceed 625 sqft.

(8) OUTDOOR ACCESSORY STRUCTURES; NON-RESIDENTIAL. See Section 14.095

SECTION 3. That Section 17.45 (TRAFFIC, PARKING, LOADING, AND ACCESS) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.45 (TRAFFIC, PARKING, ~~LOADING, AND ACCESS,~~ TRASH & RECYCLING)

(6) Trash & Recycling Container Enclosures. All new or replacement trash and recycling container enclosures installed on property in all business, industrial, institutional, and other zoning districts that are not 1 and 2-family residential and agricultural zoning districts shall comply with the following requirements:

- (a) The enclosure area shall be large enough to accommodate the containers and be located on the lot with adequate space for access and maneuverability by the collection service without having to back onto or encroach into the public right-of-way.
- (b) All containers and enclosures shall be located in the rear or side yard of a lot. There shall not be any type of enclosure or container(s) stored or installed in the front yard.
- (c) The enclosure shall be placed on a concrete pad with a minimum concrete depth of four inches (4").
- (d) The enclosure area shall be screened on three (3) sides by a wall from view from public streets and abutting properties with the access/opening directed toward the interior of the property.
- (e) The walls shall be constructed in a durable fashion of brick, stone or other masonry materials compatible with the principal building. The access gate shall be comprised of an opaque material or design. Acceptable materials include: wood, concrete, woven vinyl or chain link fencing in the access gate are allowed provided that privacy slats are also installed within the woven fencing.
- (f) The height of the enclosure shall fully enclose the container(s) and should generally not exceed eight feet (8') in height (unless necessitated by the height of the container).

**AN ORDINANCE AMENDING SECTION 14 (BUILDING) AND
SECTION 17 (ZONING) OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE**

- (g) The enclosure shall be constructed in such a manner that all structural members, including braces, posts, poles and other projections, shall be on the interior side of the enclosure.
- (h) Access gates shall be constructed with commercial grade hinges, poles and latches to ensure function and durability. Access gates must remain closed and securely latched at all times except during service.
- (i) Enclosure areas shall be designed to direct run-off to and through vegetated buffer areas prior to indirect discharge to a storm sewer or on-site storm water retention system. Drains that connect directly to the sanitary system are not generally permitted; contact the Village Engineer for further details and requirements.
- (j) All enclosure areas shall include landscaping comprised of evergreen and deciduous trees & shrubs. Said landscaping shall be integrated and compatible with the entire lot and included in the overall landscape plan for the lot.

SECTION 4. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____

Adopted: _____, 2025

Vote:

Ayes: _____

Nays: _____

Robert A. Soderberg, Village President

ATTEST:

Donna Ott, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Plan Commission at the Germantown Village Hall located at N112W17001 Mequon Road, Germantown, Wisconsin and virtually through the WebEx platform on the following date and at the time noted below (or soon thereafter):

DATE: Monday, April 14, 2025

TIME: 6:30 pm or later

The purpose of said hearing will be to hear all parties, their attorneys or agents, for or against the petition filed by the Village of Germantown Community Development Department for proposed text amendments to Section 14 (Building Code) and Section 17 (Zoning Code) of the Village of Germantown Municipal Code concerning trash, recycling, and mechanical equipment storage areas and temporary outdoor accessory structures.

A copy of the proposed text amendments is on file at the Community Development Department-Planning & Zoning Services office in the Germantown Village Hall.

Citizens wishing to submit any public comments should do so by sending them by email to: comments@germantownwi.gov no later than 4:00 pm on the meeting date listed above.

Donna Ott, Village Clerk

Dated this 19th day of March 2025

To Be Published On: March 26 and April 2, 2025

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Action Item

ITEM TITLE: Trio Engineering, LLC, Agent for Charles Smith, Property Owner - W148N12470 Pleasant View Drive; Application for Rezoning a portion of property from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property from the A-1: Agricultural District to the A-2: Agricultural District, and a 2-Lot Certified Survey Map.

SUBMITTED BY: Jordan Yanke, Associate Planner

SUMMARY EXPLANATION:

Trio Engineering, LLC, Agent for Charles Smith, Property Owner, is requesting approval for Rezoning a portion of property from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property from the A-1: Agricultural District to the A-2: Agricultural District, and a 2-Lot Certified Survey Map for a land division. Property is located at W148 N12470 Pleasant View Drive in the Rural Preservation District.

ATTACHMENT:

1. STAFF REPORT_CHARLES SMITH REZONING & CSM
2. REZONING ORDINANCE_CHARLES SMITH_04.21.25
3. APPLICATION
4. CERTIFIED SURVEY MAP
5. REZONING LEGAL DESCRIPTION EXHIBITS
6. SITE PLAN
7. 2050 PLAN_RURAL PRESERVATION DISTRICT
8. WETLAND DELINEATION REPORT
9. STAFF REVIEW MEMO
10. NOTICE OF PUBLIC HEARING

STAFF RECOMMENDATION:

APPROVE the proposed Rezoning for a portion of property (CSM Lot 1; 5.0 acres) from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property (CSM Lot 2; 12.87 acres) from the A-1: Agricultural District to the A-2: Agricultural District.

APPROVE the proposed Certified Survey Map (CSM) for Charles Smith to divide an existing parcel into two (2) parcels totaling 17.87 acres for property located at W148 N12470 Pleasant View Drive, subject to (3) conditions.

ACTION BY Committee:

Plan Commission recommended to **APPROVE** the Rezoning, as proposed.

Plan Commission recommended to **APPROVE** the Certified Survey Map (CSM), subject to (3) conditions.

REZONING & CERTIFIED SURVEY MAP (CSM) APPLICATIONS

04/21/25 Village Board Meeting

Trio Engineering, LLC / Charles Smith

Village Staff Report & Recommendation

Germantown, Wisconsin

SUMMARY

Trio Engineering, LLC, Agent for Charles Smith, Property Owner, is requesting approval for Rezoning a portion of property from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property from the A-1: Agricultural District to the A-2: Agricultural District, and a 2-Lot Certified Survey Map for a land division. Property is located at W148 N12470 Pleasant View Drive in the Rural Preservation District.

Location: W148 N12470 Pleasant View Drive

Applicant/

Owner:

Trio Engineering, LLC
4100 N Calhoun Rd, Suite 300
Brookfield, WI 53005

Charles Smith
2942 N 117TH Street
Wauwatosa, WI 53222

Current Zoning: A-1: Agricultural District

Proposed Zoning: Rs-1: Single-Family Residential District (Lot 1)

A-2: Agricultural District (Lot 2)

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



Proposal

Trio Engineering, LLC, Agent for Charles Smith, Property Owner, is requesting approval for Rezoning a portion of property from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property from the A-1: Agricultural District to the A-2: Agricultural District, and a 2-Lot Certified Survey Map for a land division. Property is located at W148 N12470 Pleasant View Drive in the Rural Preservation District.

Certified Survey Map (CSM)

The proposed CSM will divide an existing parcel to create a 5.0-acre parcel (Lot 1) and a 12.87-acre parcel (Lot 2). The purpose of this land division is to split off an existing home and accessory buildings (Lot 1) from the remaining agricultural land (Lot 2). The owner intends to build a new single-family residence and accessory building(s) on Lot 2 and use the other acreage on the property for agricultural/recreational use.

Rezoning

Based on the proposed CSM, the resulting acreage of the new lots, and the requirement for the lots to meet minimum size standards (acreage), a Rezoning of Lot 1 is required from A-1: Agricultural District to Rs-1: Single-Family Residential District, which has a minimum lot size standard of 5 acres. A Rezoning of Lot 2 from A-1: Agricultural District to A-2: Agricultural District is also required, which has a minimum lot size standard of 10 acres. A breakdown of the proposed lots, acreage, and the requested zoning is shown below:

OWNER	CSM LOTS & ZONING PROPOSED
SMITH	5.0 ACRES; Rs-1 (LOT 1)
SMITH	12.87 ACRES; A-2 (LOT 2)

Staff Comments**Community Development: Planning & Zoning**

The property is currently zoned A-1: Agricultural District and located in the Rural Preservation District as designated under the Village's 2050 Comprehensive Plan. While the Rural Preservation District is intended to limit single-lot CSM development to a density of 1 unit/20-acres, the 2050 Plan also notes an intent to allow existing parcels 10-20 acres in size to "be divided one time into parcels not less than 5 acres in area". In the absence of an actual Zoning Code implementing/requiring a 1 unit/20-acre provision, the proposed CSM lots and their corresponding zoning meet the provision allowing a one-time land division of a parcel 10-20 acres in size.

A significant amount of wetlands and floodplain associated with the Menomonee River impact the proposed lots, mostly on the eastern half of each. The applicant submitted a Wetland Delineation Report (attached) performed by an Assured Wetland Delineator, and the extent of the wetlands is reflected on the CSM. The floodplain extent is also shown.

Soil evaluations were done for Lot 2 in the CSM and indicate that the parcel is suitable for the installation of a Private Onsite Wastewater Treatment System (POWTS).

Finally, review of Lot 1 in the CSM shows multiple detached accessory buildings. While these structures are existing, a Rezoning from A-1: Agricultural District to Rs-1: Single-Family Residential District impacts the number of detached accessory buildings allowed on the property. Under Village Code Sec. 17.41, properties in the Rs-1: Single-Family Residential District are limited to two (2) detached accessory buildings, so staff has added a condition stipulating that the applicant/owner shall take action to comply with this code standard within a reasonable amount of time after the CSM is recorded (6 months).

Village Surveyor

The Village Surveyor identified a series of minor technical corrections in a January 31, 2025, memo which is included as an attachment to this report. The applicant has since submitted a revised Certified Survey Map (CSM) and supporting documents addressing the Village Surveyor's comments. No further corrections are required per the Village Surveyor.

VILLAGE STAFF RECOMMENDATIONS

APPROVE the proposed Rezoning for a portion of property (CSM Lot 1; 5.0 acres) from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property (CSM Lot 2; 12.87 acres) from the A-1: Agricultural District to the A-2: Agricultural District.

APPROVE the proposed Certified Survey Map (CSM) for Charles Smith to divide an existing parcel into two (2) parcels totaling 17.87 acres for property located at W148 N12470 Pleasant View Drive, subject to the following conditions:

1. Any new Private Onsite Wastewater Treatment System (POWTS) for proposed Lot 1 or Lot 2 must comply with the requirements of Wis Admin Code SPS 383 and be issued a permit by the Washington County Land Resources Division prior to installation. A note stipulating this condition shall be added to the CSM prior to recording.
2. Applicant/owner shall identify/document which detached accessory buildings will be removed on Lot 1 in the proposed CSM to comply with Village Code Sec. 17.41 in terms of the maximum number allowed (2). Applicant/owner shall submit such documentation to Village staff prior to recording the CSM. Applicant/owner shall apply for a demolition permit with SAFEBuilt Inspection Services, and the identified buildings shall be removed within six (6) months after recording of the CSM.
3. The Village signature block shall be revised to reflect correct Village officials prior to submitting CSM for recording.

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

WHEREAS, the Village of Germantown has adopted a Zoning Code under the authority granted by Wis. Stats. 61.35 and 62.23(7); and

WHEREAS, the Plan Commission has considered this petition for a Rezoning and found the request to be consistent with the Village's 2050 Comprehensive Plan; and

WHEREAS, the Plan Commission forwarded a recommendation of approval to the Village Board for the Rezoning at its meeting on April 14, 2025;

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

SECTION I

That the zoning map of the Village of Germantown is amended by rezoning from the A-1: Agricultural District to the Rs-1: Single-Family Residential District, for property shown in Exhibit A (Lot 1) and with the following description:

Being a part of the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, now being more particularly bounded and described as follows: Commencing at the East 1/4 Corner of said Section 14, Thence South 88°32'12" West and along the South line of the said Northeast 1/4 of said Section 14, 1294.41 feet to a point; Thence North 01°01'25" West and along the East line of the said Southwest 1/4 of the said Northeast 1/4 of said Section 14, 520.87 feet to the place of beginning of lands hereinafter described; Thence South 88°29'23" West, 1021.60 feet to a point; Thence South 30°20'06" West, 342.56 feet to a point; Thence South 88°51'45" West, 55.00 feet to a point; Thence North 01°08'15" West, 430.65 feet to a point on the South line of Certified Survey Map No. 5478; Thence North 88°29'23" East and along the said South line, 1255.73 feet to a point on the said East line; Thence South 01°01'25" East and along the said East line, 140.00 feet to the point of beginning of this description. Said Parcel contains 217,801 Square Feet (or 5.0000 Acres) of land, more or less.

That the zoning map of the Village of Germantown is amended by rezoning from the A-1: Agricultural District to the A-2: Agricultural District, for property shown in Exhibit A (Lot 2) and with the following description:

Being a part of the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, now being more particularly bounded and described as follows: Commencing at the East 1/4 Corner of said Section 14, Thence South 88°32'12" West and along the South line of the said Northeast 1/4 of said Section 14, 1294.41 feet to a point; Thence North 01°01'25" West and along the East line of the said Southwest 1/4 of the said Northeast 1/4 of said Section 14, 40.00 feet to the place of beginning of lands hereinafter described; Continuing thence North 01°01'25" West and along the said East line, 480.87 feet to a point; Thence South 88°29'23" West, 1021.60 feet to a point; Thence South 30°20'06" West, 342.56 feet to a point; Thence South 88°51'45" West, 55.00 feet to a point; Thence South 01°08'15" East, 189.18 feet to a point; Thence North 88°32'12" East, 1254.49 feet to the point of beginning of this description. Said Parcel contains 560,791 Square Feet (or 12.8740 Acres) of land, more or less.

SECTION II

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

SECTION III

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

SECTION IV

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

Adopted: April 21, 2025

Robert A. Soderberg, Village President

ATTEST:

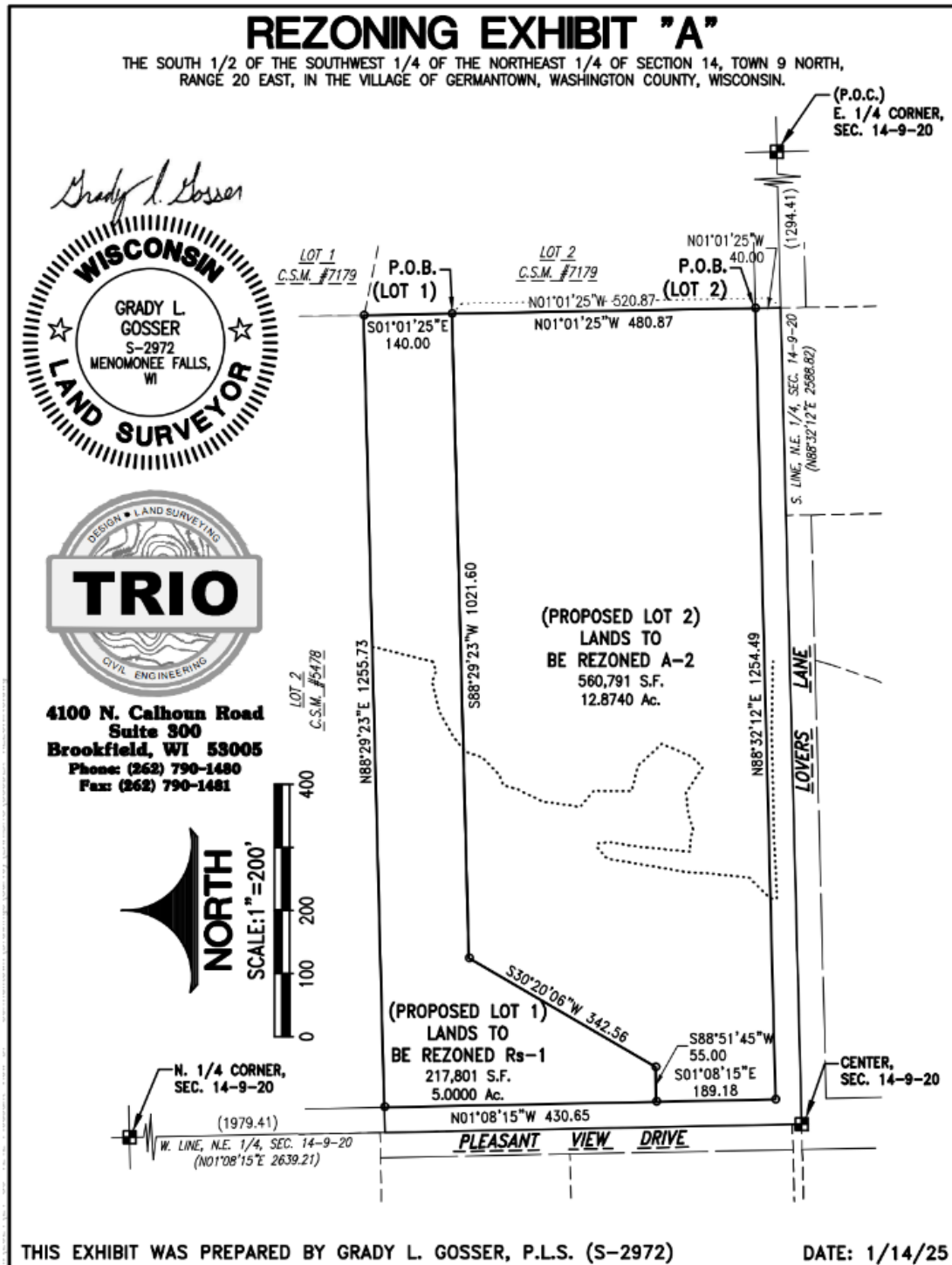
Donna Ott, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published:

EXHIBIT A: REZONING MAP





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: 01/24/25 Received by: 01/24/25

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

Josh Pudelko

Trio Engineering, LLC

4100 N. Calhoun Rd., Suite 300

Brookfield, WI 53005

Phone (262) 790-1480

E-Mail jpudelko@trioeng.com

PROPERTY OWNER

Charles R. Smith

2942 N. 117th St

Wauwatosa, WI 53222

Phone (262) 786-5885

E-Mail chuck@callcurrent.com

2

PROPERTY ADDRESS OR GENERAL LOCATION

W148 N12470 Pleasant View Drive

TAX KEY NUMBER

GTNV 141998

3

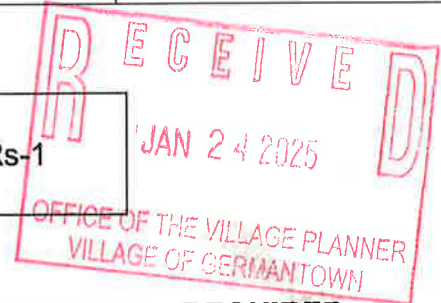
REZONING REQUEST

FROM

A-1

TO

A-2 & Rs-1



4

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

The South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

5

PURPOSE OF REZONING REQUEST

Existing home and accessory buildings to be split off by Certified Survey Map and rezoned from A-1 to Rs-1. New larger lot to be rezoned from A-1 to A-2, to have additional residential dwelling and accessory building.

6

SUPPORTING DOCUMENTATION:

- ☒ Plat of Survey (1:100)
- ☒ Site Plan and elevations for new construction (can be conceptual)

7

READ AND INITIAL THE FOLLOWING:

CRS 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.

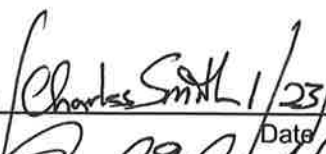
CRS I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.

CRS 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

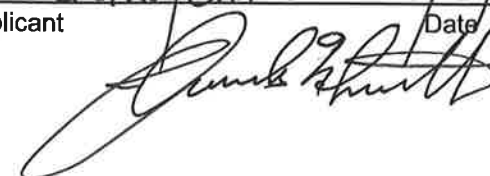
CRS I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission 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 _____ Date 1/23/2025 Owner _____ Date 1/23/2025





Village of



Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid 01/24/25 Date 01/24/25

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

Josh Pudelko

Trio Engineering, LLC

4100 N. Calhoun Rd., Suite 300

Brookfield, WI 53005

Phone (262) 790-1480

Fax (262) 790-1481

E-Mail jpudelko@trioeng.com

PROPERTY OWNER

Charles R. Smith

2942 N. 117th St.

Wauwatosa, WI 53222

Phone (262) 786-5885

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2

W148 N12470 Pleasant View Drive

GTNV 141998

3

PURPOSE OF LAND SPLIT

Existing home and accessory buildings to be split off.
New larger lot to have additional residential dwelling
and accessory building.

Will the land split require rezoning?

Yes

From A-1

To Rs-1 & A-2

4

READ AND INITIAL THE FOLLOWING:

CRS 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.

CRS 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.

CRS 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.

CRS 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!

Josh Pudelko / Charles R. Smith / 1/23/2025 / 1/23/2025
Applicant Date Owner Date

CERTIFIED SURVEY MAP NO.

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

OVERALL DETAIL SHEET

SEE LOCALITY MAP ON SHEET 2

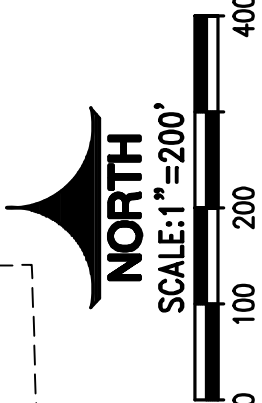
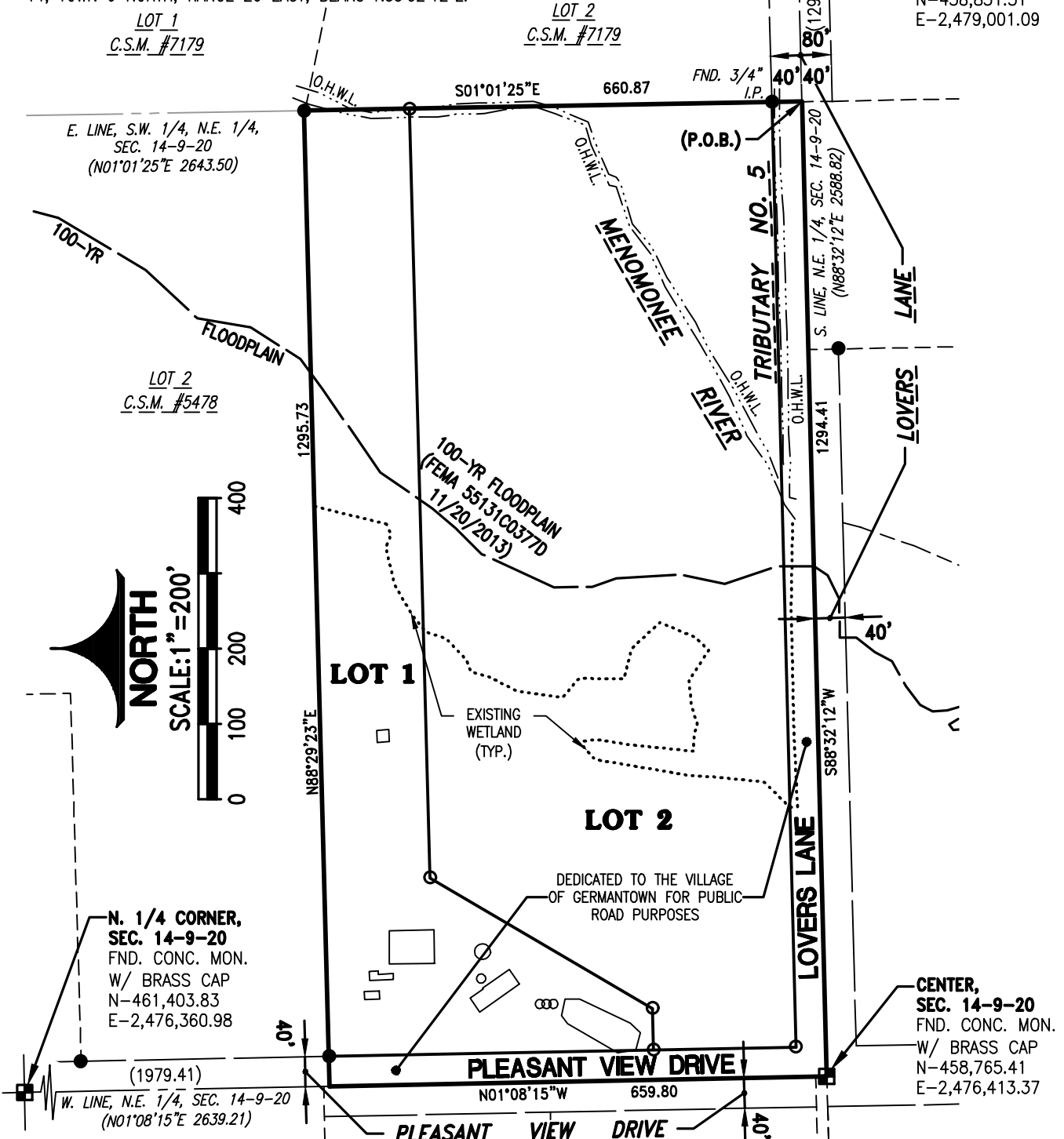
OWNER:
CHARLES R. SMITH
2942 N 117TH ST
WAUWATOSA, WI 53222
PHONE: 262-786-5885

PREPARED BY:
TRIO ENGINEERING, LLC
4100 N. CALHOUN ROAD
SUITE 300
BROOKFIELD, WI 53005
PHONE: 262-790-1480



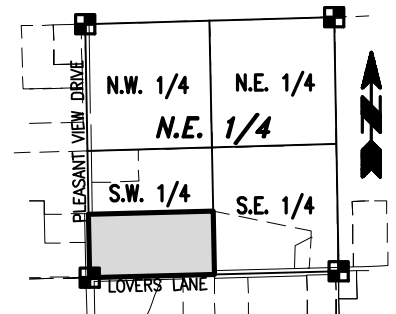
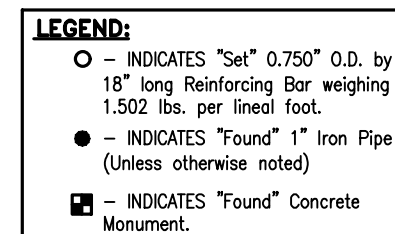
NOTES:

- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-83/2011), IN WHICH THE SOUTH LINE OF THE N.E. 1/4 OF SECTION 14, TOWN 9 NORTH, RANGE 20 EAST, BEARS N88°32'12"E.



X:\2024\24-59-1242 Pleasant View Dr - Germantown\Drawings\Survey\CSM\530CSM01.dwg

**THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 9 NORTH,
RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.**



LOCALITY MAP:
N.E. 1/4, SEC. 14,
T. 9 N., R. 20 E.
SCALE: 1"=2000'

JOB NO. 21-046-974-01
SHEET 2 OF 5

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 9 NORTH,
RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.

[illegible]

100 YEAR FLOODPLAIN LINE SHOWN HEREON WITHIN THE SURVEYED
PROPERTY IS PER DESIGNATION ON THE FLOOD INSURANCE RATE MAP, MAP
NUMBER: 55131C0377D, EFFECTIVE DATE 11/20/2013.

JOB NO. 21-046-974-01
SHEET 3 OF 5



CERTIFIED SURVEY MAP NO. _____

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 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 the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the East 1/4 Corner of said Section 14, thence South 88°32'12" West and along the South line of the said Northeast 1/4 of said Section 14, 1294.41 feet to the place of beginning of lands hereinafter described;

Continuing thence South 88°32'12" West and along the said South line of said 1/4 Section, 1294.41 feet to a point marking the Center of said Section 14; Thence North 01°08'15" West and along the West line of said 1/4 Section, 659.80 feet to a point; Thence North 88°29'23" East and along the South line of Certified Survey Map No. 5478, 1295.73 feet to a point on the East line of the said Southwest 1/4 of the said Northeast 1/4 of said Section 14; Thence South 01°01'25" East and along the said East line, 660.87 feet to the point of beginning of this description.

The Gross area of said Parcel contains 855,162 Square Feet (or 19.6318 Acres) of land, more or less. The Net area of said Parcel after the Public Road Dedications of "Pleasant View Drive" and "Lovers Lane" contains 778,592 Square Feet (or 17.8740 Acres) of land, more or less.

That I have made such survey, land division and map by the direction of **Charles R. Smith**, 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 236.34 of the Wisconsin Statutes and Chapter 18 of the Village of Germantown Subdivision Control Ordinance 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

CERTIFIED SURVEY MAP NO. _____

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 9 NORTH, RANGE 20 EAST,
IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

OWNER'S CERTIFICATE OF DEDICATION:

I, **Charles R. Smith**, owner, do hereby certify that I caused the land described on this map to be surveyed, divided, mapped, and dedicated as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes, and the Village of Germantown Subdivision Regulations. I also certify that this Certified Survey Map is required to be submitted to the Village of Germantown for approval.

Dated this _____ day of _____, 20____.

Charles R. Smith

STATE OF WISCONSIN)
) ss
COUNTY OF)

Personally came before me this _____ day of _____, 20____, Charles R. Smith, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Print Name: _____
Notary Public, _____ County, WI
My commission expires: _____

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL:

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this ____ day of _____, 2025.

Dean Wolter, Chairman

Deborah J. Remich, Secretary

VILLAGE OF GERMANTOWN BOARD APPROVAL:

This Certified Survey Map, being a division of the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved, and the dedication of that part of “Pleasant View Drive” for public road purposes as shown on Sheet 3 of 5, and the dedication of that part of “Lovers Lane” for public road purposes as shown on Sheets 2 and 3 of 5 is hereby accepted by the Village Board of Trustees of the Village of Germantown on this _____ day of _____, 2025.

Dean Wolter, Village President

Donna Ott, Village Clerk

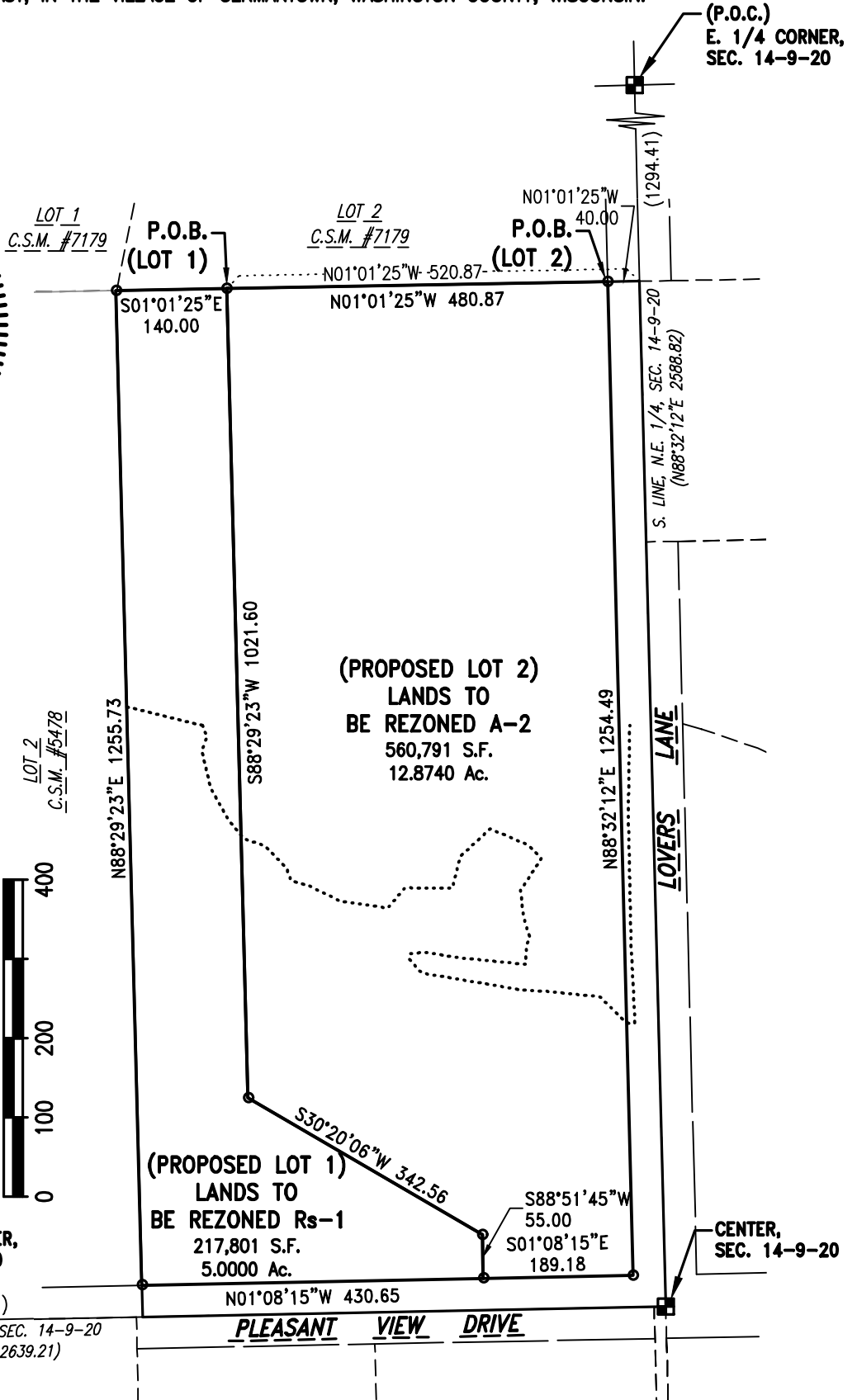
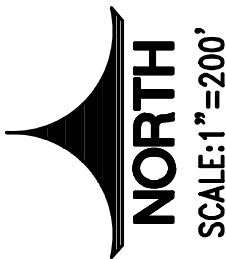
REZONING EXHIBIT "A"

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 9 NORTH,
RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

Grady L. Gosser



**4100 N. Calhoun Road
Suite 300
Brookfield, WI 53005**
Phone: (262) 790-1480
Fax: (262) 790-1481



THIS EXHIBIT WAS PREPARED BY GRADY L. GOSSER, P.L.S. (S-2972)

DATE: 1/14/25

REZONING EXHIBIT “B”

LEGAL DESCRIPTION-PROPOSED LOT 1 (TO BE REZONED Rs-1):

Being a part of the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, now being more particularly bounded and described as follows:

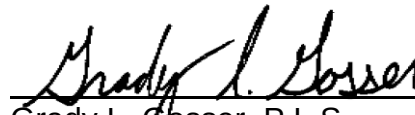
Commencing at the East 1/4 Corner of said Section 14, Thence South 88°32'12" West and along the South line of the said Northeast 1/4 of said Section 14, 1294.41 feet to a point; Thence North 01°01'25" West and along the East line of the said Southwest 1/4 of the said Northeast 1/4 of said Section 14, 520.87 feet to the place of beginning of lands hereinafter described;

Thence South 88°29'23" West, 1021.60 feet to a point; Thence South 30°20'06" West, 342.56 feet to a point; Thence South 88°51'45" West, 55.00 feet to a point; Thence North 01°08'15" West, 430.65 feet to a point on the South line of Certified Survey Map No. 5478; Thence North 88°29'23" East and along the said South line, 1255.73 feet to a point on the said East line; Thence South 01°01'25" East and along the said East line, 140.00 feet to the point of beginning of this description.

Said Parcel contains 217,801 Square Feet (or 5.0000 Acres) of land, more or less.

Date: 1/14/25




Grady L. Gosser, P.L.S.
Professional Land Surveyor S-2972
TRIO ENGINEERING, LLC
4100 N. Calhoun Road, Suite 300
Brookfield, WI 53045
Phone: (262)790-1480

REZONING EXHIBIT “B”

LEGAL DESCRIPTION-PROPOSED LOT 2 (TO BE REZONED A-2):

Being a part of the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, now being more particularly bounded and described as follows:

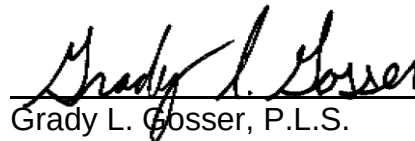
Commencing at the East 1/4 Corner of said Section 14, Thence South 88°32'12" West and along the South line of the said Northeast 1/4 of said Section 14, 1294.41 feet to a point; Thence North 01°01'25" West and along the East line of the said Southwest 1/4 of the said Northeast 1/4 of said Section 14, 40.00 feet to the place of beginning of lands hereinafter described;

Continuing thence North 01°01'25" West and along the said East line, 480.87 feet to a point; Thence South 88°29'23" West, 1021.60 feet to a point; Thence South 30°20'06" West, 342.56 feet to a point; Thence South 88°51'45" West, 55.00 feet to a point; Thence South 01°08'15" East, 189.18 feet to a point; Thence North 88°32'12" East, 1254.49 feet to the point of beginning of this description.

Said Parcel contains 560,791 Square Feet (or 12.8740 Acres) of land, more or less.

Date: 1/14/25




Grady L. Gosser, P.L.S.
Professional Land Surveyor S-2972
TRIO ENGINEERING, LLC
4100 N. Calhoun Road, Suite 300
Brookfield, WI 53045
Phone: (262)790-1480

RS-1 Zoning Summary

- Lot Size = 5 acres (minimum)
- Lot Width = 300' at setback
- Minimum Setbacks:
 - Front = 45'
 - Side = 30'
 - Rear = 35' principal
 - 5' accessory
 - 50' accessory when housing a stable, etc.
- Lot Coverage = 2.5% max

A-2 Proposed Zoning Summary

- Lot Area = Min 10 acres
- Lot Width = Min 300'
- Minimum Setbacks:
 - Front = 60'
 - Side = 25'
 - Rear = 50'

Site Data Table

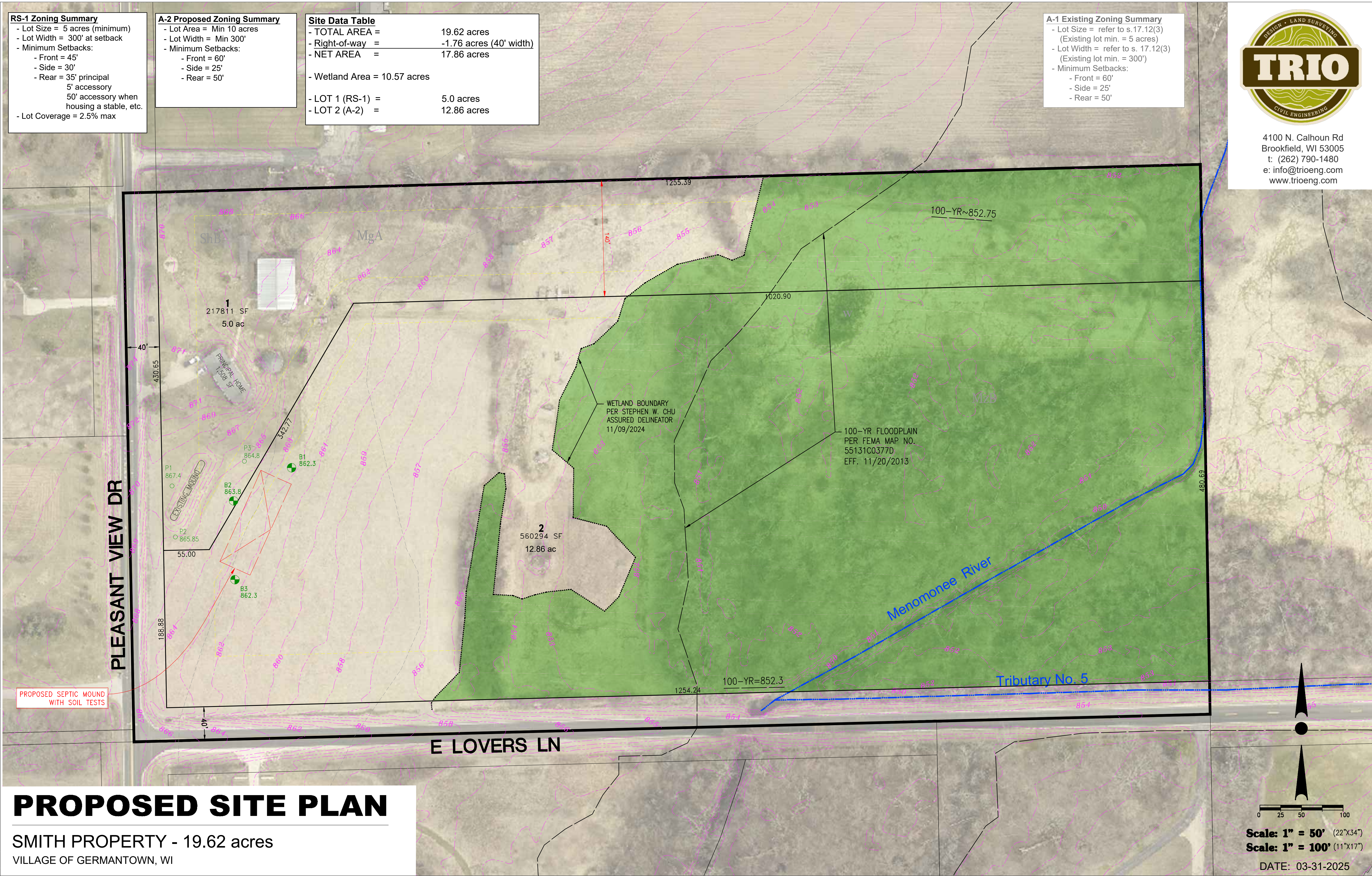
- TOTAL AREA =	19.62 acres
- Right-of-way =	-1.76 acres (40' width)
- NET AREA =	17.86 acres
- Wetland Area = 10.57 acres	
- LOT 1 (RS-1) =	5.0 acres
- LOT 2 (A-2) =	12.86 acres

A-1 Existing Zoning Summary

- Lot Size = refer to s.17.12(3)
(Existing lot min. = 5 acres)
- Lot Width = refer to s. 17.12(3)
(Existing lot min. = 300')
- Minimum Setbacks:
 - Front = 60'
 - Side = 25'
 - Rear = 50'

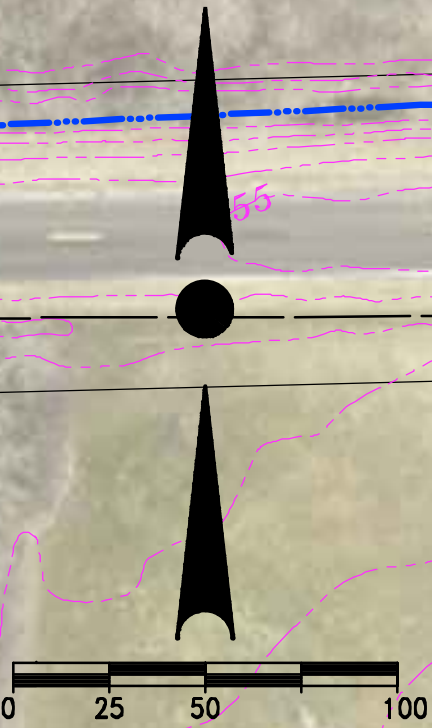


4100 N. Calhoun Rd
Brookfield, WI 53005
t: (262) 790-1480
e: info@trioeng.com
www.trioeng.com



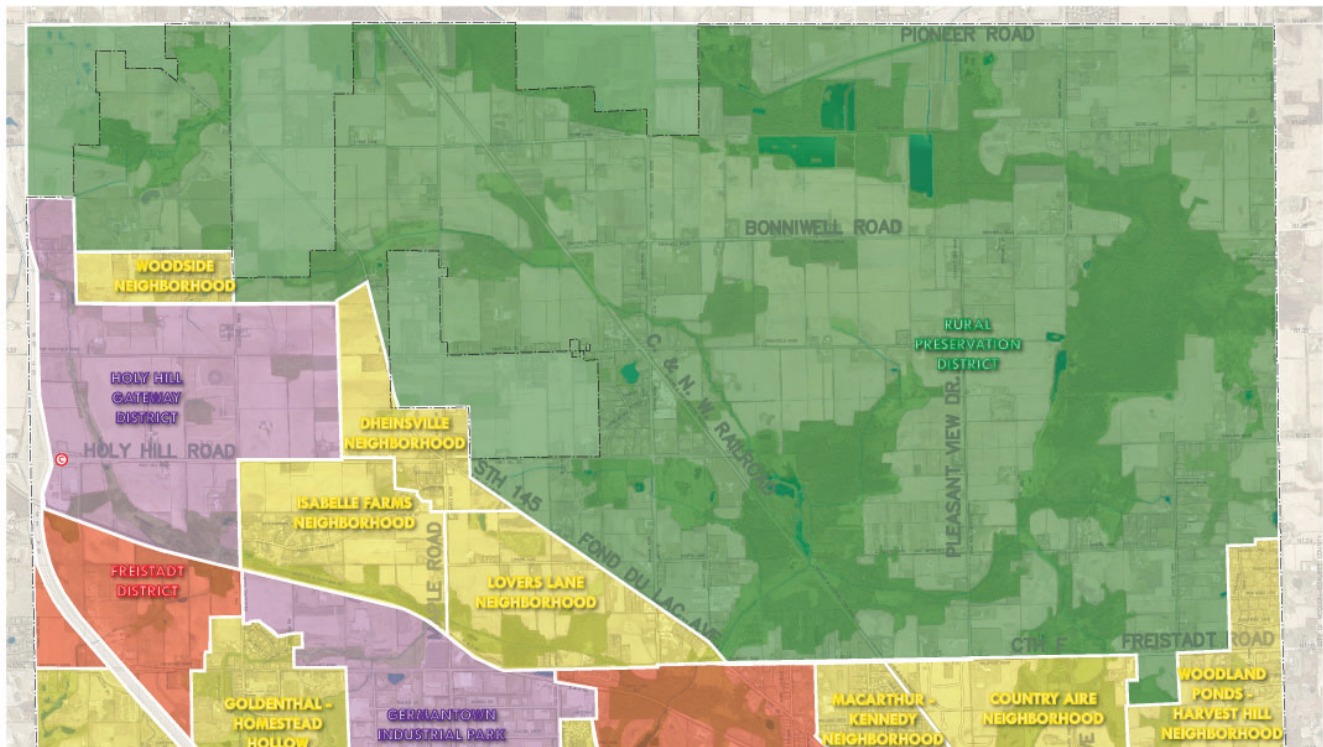
PROPOSED SITE PLAN

SMITH PROPERTY - 19.62 acres
VILLAGE OF GERMANTOWN, WI



Scale: 1" = 50' (22"x34")
Scale: 1" = 100' (11"x17")
DATE: 03-31-2025

Rural Preservation DISTRICT



GENERAL CHARACTER

The Rural Preservation District includes the majority of land outside of the sewer service area in the northern portion of the village. Nearly 1/3 of the total area includes environmental corridors. The remaining land is either working agricultural land or low-density residential.

SPECIAL FEATURES

Transportation The Rural Preservation District is generally bounded by Pioneer Road to the north, Wasaukee Road to the east, Freistadt Road to the south, and Fond du Lac Avenue to the west. The District also includes land west of Goldendale Road and north of Bonniwell Road.

Environmental, Natural & Agricultural The headwaters of the Menomonee River are within the district along with Little Cedar Creek.

Public Park, Education, Safety & Utility Wilderness Park is located in the district. This district is not served by Village sewer and water.

PREFERRED FUTURE LAND USE

Rural Preservation District

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	u	u	u	u	u	A	D	A	u	D	Yes	No	U	U	D	see NOTE 1

The Rural Preservation District is intended to primarily contain agricultural and open space uses. In order to retain the rural character of the district, the allowance for new non-farm residential uses is limited to (1) the development of residential subdivisions as a conservation subdivision at a density of 1 unit/5 acre; or (2) single-lot CSM development to a density of 1 unit/20-acre.

This residential development policy replaced the previous 5-acre density and lot size policy in an effort to better preserve the rural character, appearance, and quality of life in the district. It is intended that the Village will adopt a new set of "conservation subdivision design" regulation in the Zoning Code based on a density of 1 unit/5 acres, a minimum open space requirement of 40-60%, and a minimum lot size of 1.0 acres.

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.

To transition from a 5-acre to 20-acre minimum parcel size requirement and give guidance to property owners who may want to divide an existing "parent" parcel into smaller parcels that are greater than 10 acres and less than 20 acres in area, the following policy should be implemented through revisions to the Zoning and Subdivision Codes:

Existing parcels greater than 10 acres but less than 20 acres in area may be divided one time into parcels not less than 5 acres in area.

NOTE 1:	"Rural Preservation" District:	1 unit/ 20 acres (4 or fewer CSM lots)
		1 unit/ 5 acres with Conservation Subdivision (5 or greater lots subdivided)

See all notes on page 42.

WETLAND AND WATERBODY DELINEATION REPORT

Western half of Parcel: 141998
W148N12470 Pleasant View Drive
Germantown, Washington County, Wisconsin

November 18, 2024

WETLAND AND WATERBODY DELINEATION REPORT

Western half of Parcel: 141998
W148N12470 Pleasant View Drive
Germantown, Washington County,
Wisconsin



Stephen W. Chu, Senior PWS
Wisconsin Assured Wetland Delineator

Prepared for:

Mr. Chuck Smith
2942 N 117th Street
Wauwatosa, WI 53222

Prepared by:

Stephen W. Chu
Wisconsin Assured Wetland Delineator
4263 Glenmore Road
Rockton, Illinois 61072

Our Ref.:

240010

Date:

November 18, 2024

This document is intended only for the use of the individual or entity for which it was prepared and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this document is strictly prohibited.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1027 W St Paul Ave
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March 22, 2024

Stephen W. Chu, PWS
Arcadis U.S., Inc.
126 North Jefferson Street, Suite 400
Milwaukee, WI 53202

Subject: 2024 Assured Wetland Delineator Confirmation

Dear Mr. Chu:

This letter provides Wisconsin Department of Natural Resources (WDNR) confirmation for the wetland delineations you conduct during the 2024 growing season. You and your clients will not need to wait for the WDNR to review your wetland delineations before moving forward with project planning. This will help expedite the review process for WDNR's wetland regulatory program. Your name and contact information will continue to be listed on our website at: <http://dnr.wi.gov/topic/wetlands/assurance.html>.

In the instance where a municipality may require a letter of confirmation for your work prior to moving forward in the local regulatory process, this letter shall serve as that confirmation. Although your wetland delineations do not require WDNR field review, inclusion of a Wetland Delineation Report is required for projects needing State authorized wetland, waterway and/or storm water permit approvals.

To comply with Chapter 23.321, State Statutes, please supply the department with a polygon shapefile of the wetland boundaries delineated within the project area. Please do not include data such as parcel boundaries, project limits, wetland graphic representation symbols, etc. If internal upland polygons are found within a wetland polygon, then please label as UPLAND. The shapefile should utilize a State Plane Projection and be overlain onto recent aerial photography. If a different projection system is used, please indicate in which system the data are projected. In the correspondence sent with the shapefile, please supply a brief description of each wetland's plant community (eg: wet meadow, floodplain forest, etc.). Please send these data to Calvin Lawrence (608-266-0756 or email at calvin.lawrence@wisconsin.gov).

If you or any client has a question regarding your status in the Wetland Delineation Professional Assurance Program, contact me by email at kara.brooks@wisconsin.gov or phone at 414-308-6780. Thank you for all your hard work and best wishes for the upcoming field season.

Sincerely,

A handwritten signature in black ink that reads 'Kara Brooks'.

Kara Brooks
Wetland Identification Coordinator
Bureau of Watershed Management

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1 INTRODUCTION

This Wetland and Waterbody Delineation Report summarizes the results of a wetland and waterbody delineation survey conducted on November 9, 2024, by Stephen W. Chu, Senior PWS on behalf of the property owner, Mr. Chuck Smith, for the western half of Parcel: 141998 located at W148N12470 Pleasant View Drive, Germantown, Washington County, Wisconsin. The environmental survey area (ESA) is approximately 10-acres, located at 43.243616° latitude and -88.092970° longitude in Section 14, Township 9 North, Range 20 East.

The purpose of the wetland and waterbody delineation survey was to assess the presence or absence of wetlands and other waters that may be on the subject parcel, and to assess general ecological conditions within the environmental survey area (ESA).

2 STATEMENT OF QUALIFICATION

The wetland and waterbody delineation and report were performed and authored by Stephen W. Chu, Senior Professional Wetland Scientist (PWS) and Wisconsin Assured Wetland Delineator.

Mr. Stephen W. Chu is a Senior PWS (#1770), Wisconsin Department of Natural Resources (WDNR) Assured Wetland Professional, Certified Senior Ecologist, and Certified Arborist. He earned a Master of Science degree in Natural Resources and Environmental Sciences from the University of Illinois at Urbana-Champaign, and a Bachelor of Science degrees in Zoology and Conservation Biology from the University of Wisconsin-Madison. Mr. Chu has over 22 years of experience managing and completing complex ecological-related projects. His areas of expertise consist of wetland delineations, wetland mitigation design, wetland restoration, wetland and native area monitoring, habitat surveys, tree surveys, and threatened and endangered species surveys. Mr. Chu has extensive experience in fieldwork and permitting throughout the Midwest.

3 BACKGROUND INFORMATION

Prior to conducting the wetland and waterbody delineation survey, the following resources were reviewed to identify the potential location and extent of wetlands and waterbodies within the ESA:

- U.S. Geological Survey (USGS) topographic maps (Menomonee Falls Quadrangle) (USGS, 2024a).
- Washington County contour data (Washington County GIS, 2024).
- Current aerial imagery (Bing, 2024) and historic aerial imagery (Google Earth Pro, 2024).
- WDNR Hydrography mapped rivers and streams and mapped lakes and open water (WDNR, 2024a).
- WDNR Wisconsin Wetlands Inventory (WWI) dataset (WDNR, 2024b).
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 55131C0377D (FEMA, 2024).

- U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) of Washington County, Wisconsin (NRCS, 2024) and WDNR Wetland Indicators (WDNR, 2024b).

3.1 USGS Topographic Maps

According to topographic mapping (Figure 1), the eastern portion of the ESA contains a mapped marsh or swamp. A blue-dashed intermittent stream is mapped offsite, within the mapped marsh or swamp area, located directly southeast of the ESA. The subject stream is labeled as the Menomonee River and appears to flow from northeast to southwest, eventually draining into Lake Michigan.

3.2 Contour Maps

One-foot contour data was acquired from the Washington County GIS portal to evaluate drainage patterns within the ESA. The ESA exhibited a gently rolling topography. The maximum and minimum recorded elevations within the ESA (Figure 2) are approximately 873 and 851 feet above mean sea level, respectively. In general, the ESA drains from west to east.

3.3 Aerial Imagery

A review of current aerial imagery for the ESA indicates that the residence and ancillary structures are located within the northwestern portion of the ESA. The remaining portion of the ESA appears to be under hayfield production. The ESA is bound by row-crop agriculture fields to the north and west, single-family residence to the south, and forested wetlands to the east. Historical aerial imagery demonstrates that the surrounding areas adjacent to the ESA appears to remain relatively unchanged from at least 2000 to present.

3.4 WDNR 24K Hydrography

The WDNR hydrography data represent the WDNR's register of waterbodies, including linear features such as streams and rivers and polygons such as lakes and other open water features. According to WDNR hydrography data, no streams are present within the ESA. The closest mapped stream is approximately 20-feet east of the southeastern corner of the ESA. The subject stream is mapped as an intermittent second order stream, Menomonee River (WBIC 16000).

The ESA lies within the Village of Menomonee Fall - Menomonee River Sub-watershed (USGS Hydrologic Unit Code [HUC] 040400030401) and the Menomonee River watershed (HUC 0404000304). The site appears to eventually drain to the Menomonee River. Portions of the Menomonee River are considered a traditionally navigable waterway (TNW).

3.5 WDNR WWI

WWI maps are used as a guide, along with other data, to indicate the potential presence of wetlands. The information is not necessarily field-verified. The presence of a WWI feature is not a definitive indicator that

a wetland is present. Conversely, the absence of a WWI feature is not a definitive indicator that a wetland is not present.

The WWI data indicates one (1) mapped wetland complex located within the eastern portion of the ESA and continues northeast offsite. The mapped WWI feature, WDNR Wetland ID: 67423698863 is approximately 6.32-acres (including areas outside of the ESA) and is mapped as a Forested, Broad-leaved Deciduous, Wet Soil, Palustrine (T3K) wetland.

3.6 FEMA Floodplain Maps

The identification and location of mapped FEMA flood zones within the ESA were determined by reviewing the FEMA FIRM Panel 55131C0377D. The extent of digitized floodplain data is depicted in Figures 3. The majority of the ESA is mapped within an area of minimal flood hazard (Zone X). The eastern portion of the ESA is mapped within special flood hazards: 100-year floodplain (Zone AE), and the 500-year floodplain (Flood Hazard Zone X).

3.7 USDA NRCS WSS of Washington County, Wisconsin and WDNR Wetland Indicators

According to the USDA NRCS WSS for Washington County, three (3) soil map units, listed in Table 1, are mapped within the ESA. The WDNR Wetland Indicators data show the intersect of hydric soils mapped by the USDA NRCS and topography indicative of a wetland landscape position based on 10-meter USGS topographic data. Hydric soils are typically found within areas designated as wetlands.

Generally, soil units identified as hydric contain soils that indicate through their color and texture that they have experienced dominantly reducing (i.e.; oxygen poor) conditions, which are a result of inundation and/or saturation by water. The location and extent of the soil unit and wetland indicator identified within the ESA is depicted in Figure 4.

Table 1. Soil Map Units within the Environmental Survey Area

Soil Unit Symbol	Soil Map Unit	Hydric Rating	WDNR Wetland Indicator?
MgA	Martinton silt loam, 1 to 3 percent slopes	Predominantly non-hydric (10)	Partially Present
Mzb	Montgomery silty clay loam	Predominantly hydric (95)	Present
ShB	Saylesville silt loam, 2 to 6 percent slopes	Not Hydric (0)	None

4 METHODOLOGY

A pedestrian survey was conducted within the ESA to identify wetlands and waterbodies on November 9, 2024. Wetland boundaries were field-delineated according to Section 404 of the Clean Water Act routine onsite methodology described in the Technical Report Y-87-1 Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory, 1987) and subsequent guidance documents and the U.S. Army Corps of Engineers (USACE) 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0). The ESA is within the Central Feed Grains and Livestock Region Land Resource Region (USACE, 2012). National Wetland Indicator status and taxonomic nomenclature is referenced from The National Wetland Plant List (USACE, 2020). Indicators of hydric soil are based on the Field Indicators of Hydric Soils in the United States guide Version 9.0 (USDA, 2024).

Wetland delineation data were recorded on the USACE Midwest Supplement wetland determination data forms. In general, a representative data point was recorded for each wetland. Corresponding representative upland data points were recorded to document upland boundaries and conditions surrounding the wetlands within the ESA. Additional data points were recorded within WWI features and mapped hydric soils if wetland conditions were not observed.

Streams were identified as those waters that possessed a defined “bed and bank” or ordinary high water mark (OHWM) indicators and lacked a dominance of upland vegetation in the channel. Channels that parallel roadways were identified as upland drainage features and were not considered to be jurisdictional unless they had an identifiable OHWM, were identified on the USGS topographic map, or represented a presumed relocation of a natural channel.

The outer boundaries of each wetland and waterbody (determined by the OHWM) were delineated and recorded using a handheld Trimble R1 global positioning system receiver paired with Environmental Systems Research Institute software on a hand-held tablet. As features were collected, their spatial position was recorded with sub-meter accuracy and the features were given a unique feature identification (ID).

Precipitation data from approximately 90 days prior to the wetland and waterbody delineation surveys were obtained from the Germantown Wastewater Utility, Wisconsin (USC00473058) weather station (Midwestern Regional Climate Center 2024). The USACE Antecedent Precipitation Tool was utilized to determine if antecedent hydrologic conditions at the time of the survey were normal, wetter, or drier than the normal range.

5 SURVEY RESULTS

5.1 Antecedent Precipitation

Prior to conducting the field visit, antecedent precipitation data were analyzed. Data were obtained from a nearby weather station (Germantown Wastewater Utility, Wisconsin (USC00473058)) (Appendix A). The most recent rainfall event occurred on November 6, 2024. A total of 0.09-inches of precipitation was recorded that day by the weather station. Precipitation for the 14 days prior to the site visit was 0.8-inches. The USACE Antecedent Precipitation Tool indicates that the antecedent hydrologic conditions were drier than normal conditions, suggesting that climatic/hydrologic conditions were atypical for this time of year. It was assumed that the wetland hydrology indicators observed during the site visit may be less observable than it would be during normal conditions. As a result, the presence of hydrophytic vegetation and hydric soils were weighed more heavily when making the wetland boundary determination.

5.2 Vegetative Communities

Vegetative communities observed within the ESA consisted of mowed fallow hayfield, Palustrine Forested (PFO), Palustrine Scrub-Shrub (PSS), and Palustrine Emergent (PEM) wetland plant communities. Photographs of the ESA are provided in Appendix B and photo point locations are depicted in Figure 6.

The dominant plant species in the fallow hayfield consisted of tall fescue (*Schedonorus arundinaceus*) and Queen Anne's lace (*Daucus carota*).

The dominant plant species in the PFO plant community consisted of American elm (*Ulmus americana*), eastern cottonwood (*Populus deltoides*), common buckthorn (*Rhamnus cathartica*), and eastern woodland sedge (*Carex blanda*).

The dominant plant species in the PSS plant community consisted of red-osier dogwood (*Cornus sericea*) and common buckthorn.

The dominant plant species in the PEM plant community consisted of sandbar willow (*Salix interior*), red-osier dogwood, common buckthorn, and reed canary grass (*Phalaris arundinacea*).

5.3 Wetlands

As shown in Figure 5, one (1) wetland complex, W01, totaling 2.76-acres was delineated within the eastern portion of the ESA. The delineated wetland complex is comprised of PFO, PEM, and PSS wetland plant communities. W01 continues offsite to the east and appears to directly abut the Menomonee River. Portions of the Menomonee River are considered a TNW. USACE Wetland Determination Data Forms are provided in Appendix C and wetland characteristics are summarized in Table 2.

WETLAND AND WATERBODY DELINEATION REPORT

Table 2. Wetlands Identified within the ESA

Feature ID	Cowardin Classification	Delineated Wetland Area ¹	Observed Hydrologic Connection ²
W01	Palustrine Forested/Scrub-Shrub/Emergent (PFO/SS/EM)	2.76-acres PEM: 1.6-acres PSS: 0.21-acres PFO: 0.95-acres	Subject wetland complex continues east offsite and appears to abut the Menomonee River. Portions of the Menomonee River are considered a TNW.
Total Delineated Wetlands:		2.76-acre	

Notes:

¹The wetland may extend outside of the ESA; this acreage corresponds to the size of the feature located within the ESA.

²The determination of hydrologic connection is based on the boundary delineations and field observations and have not been formally approved by the USACE and/or WDNR.

Wetland Complex W01

W01 is a 2.76-acre wetland complex with PFO, PSS, and PEM plant communities. Four (4) wetland data points (DP01, DP02, DP04, and DP06) were recorded within W01. A total of four (4) upland data points (DP03, DP05, DP07 and DP08) were recorded in adjacent upland areas. The dominant species within W01 consisted of American elm, eastern cottonwood, common buckthorn, red-osier dogwood, sandbar willow, reed canary grass, and eastern woodland sedge.

The primary wetland hydrology indicators that were observed within the wetland data points consisted of Water Marks (B1) and Oxidized Rhizospheres on Living Roots (C3). The secondary wetland hydrology indicators observed at the wetland data points included Geomorphic Position (D2), and a positive FAC-Neutral Test (D5). The hydric soil indicators observed at the wetland data points were Depleted Below Dark Surface (A11), Thick Dark Surface (A12), Depleted Matrix (F3), and Redox Dark Surface (F6). The wetland boundary was determined by moderate changes in elevation and between the presence or absence of wetland hydrology, hydric soil indicators, and hydrophytic vegetation.

5.4 Waterways

As shown on Figure 5, no waterways were delineated within the ESA. An upland roadside ditch is located within the southern portion of the ESA. The subject drainage ditch did not exhibit a clear bed and bank or a discernable ordinary high-water mark (OHWM). An upland data point, DP08, was recorded within the eastern portion of the roadside ditch to confirm upland conditions. The drainage ditch does appear to eventually discharge offsite into the Menomonee River.

6 CONCLUSIONS

A wetland and waterbody delineation survey was conducted by Stephen W. Chu, SPWS for the 10-acres ESA on November 9, 2024. Mr. Chu delineated one (1) wetland complex, W01, totaling 2.76-acres. The subject wetland complex appears to abut the Menomonee River offsite. Portions of the Menomonee River are considered TNWs. The USACE and WDNR make the final determination regarding jurisdictional status of features.

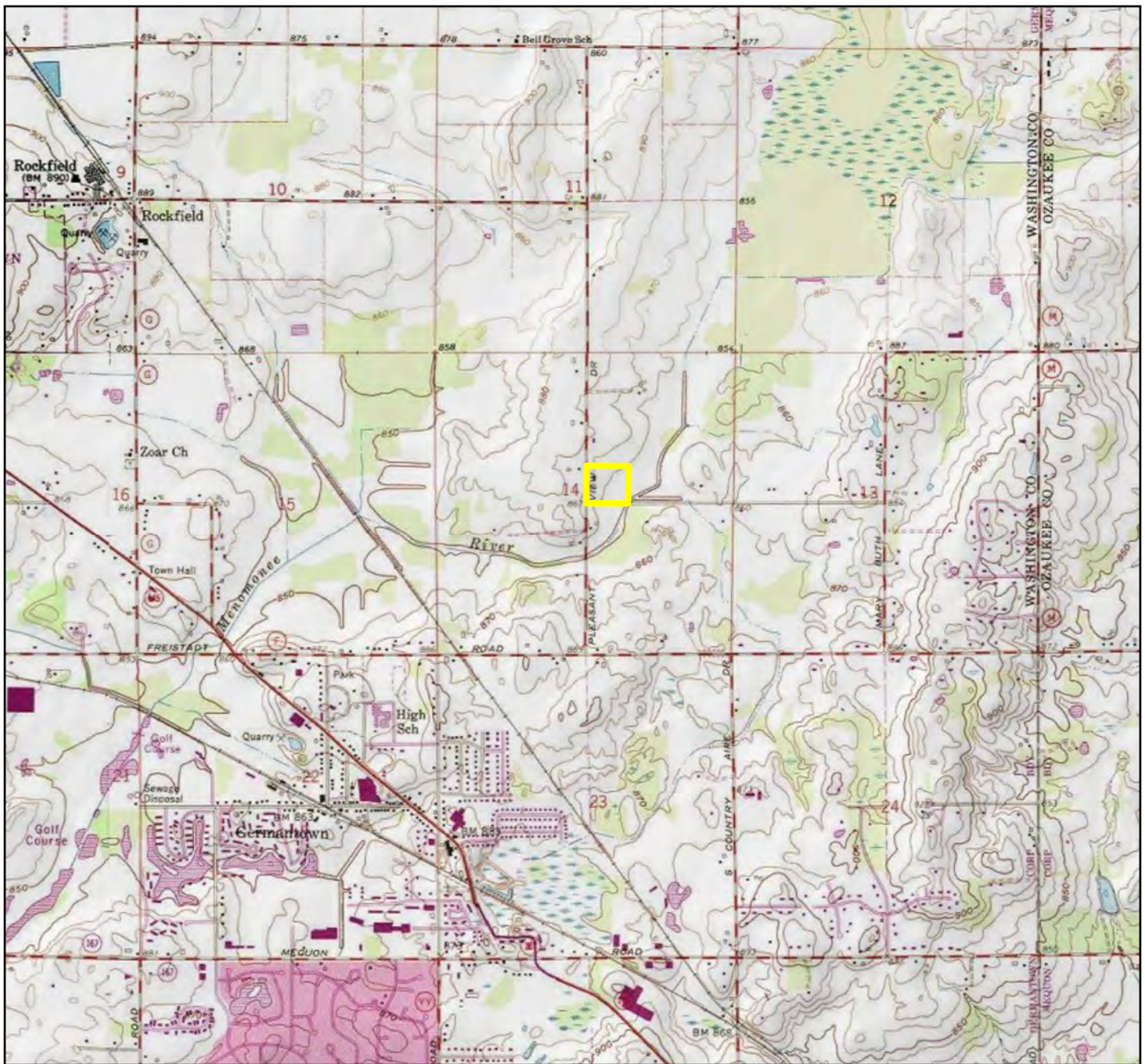
This wetland delineation report is only valid for a period of 5 years. If you have any future plans developing the parcel, it is recommended that all necessary permits are secured in advance to the 5-year wetland delineation expiration date (November 9, 2029). If that is not possible, an updated wetland delineation may be required by the respected regulatory agencies.

7 REFERENCES

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FIGURES



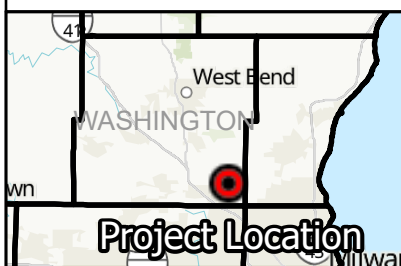


Legend

Environmental Survey Area ()



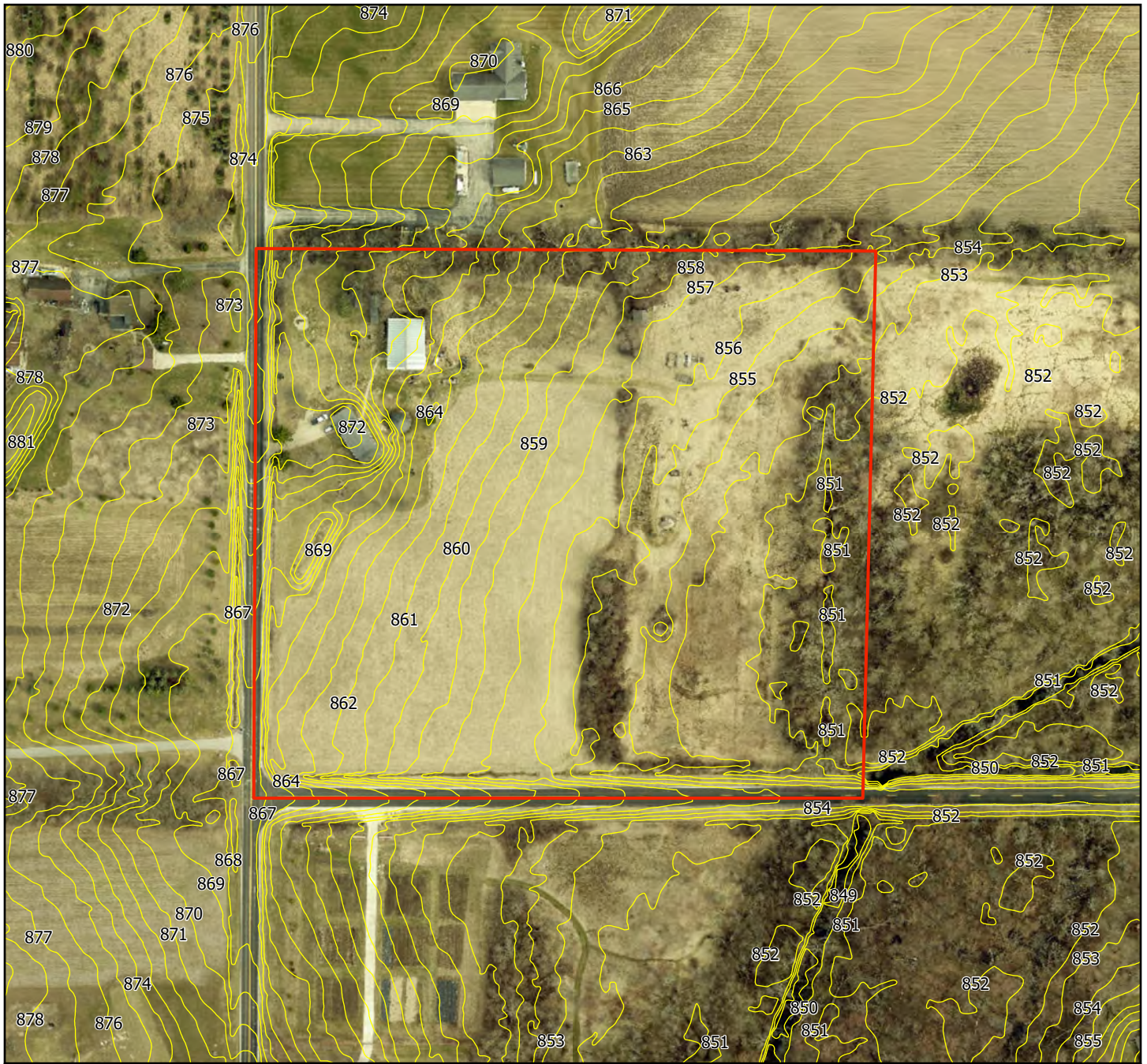
0 1,500 3,000 Feet



PROJECT LOCATION

W148N12470 Pleasant View Drive
Parcel: 141998
Germantown, Washington County, Wisconsin

FIGURE:
1

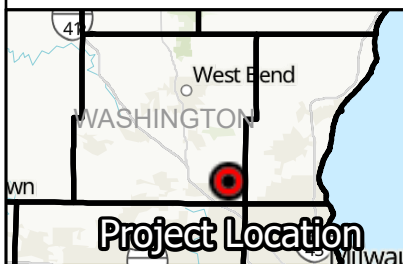


Legend

- Environmental Survey Area (ESA)
- 1-Ft Contours



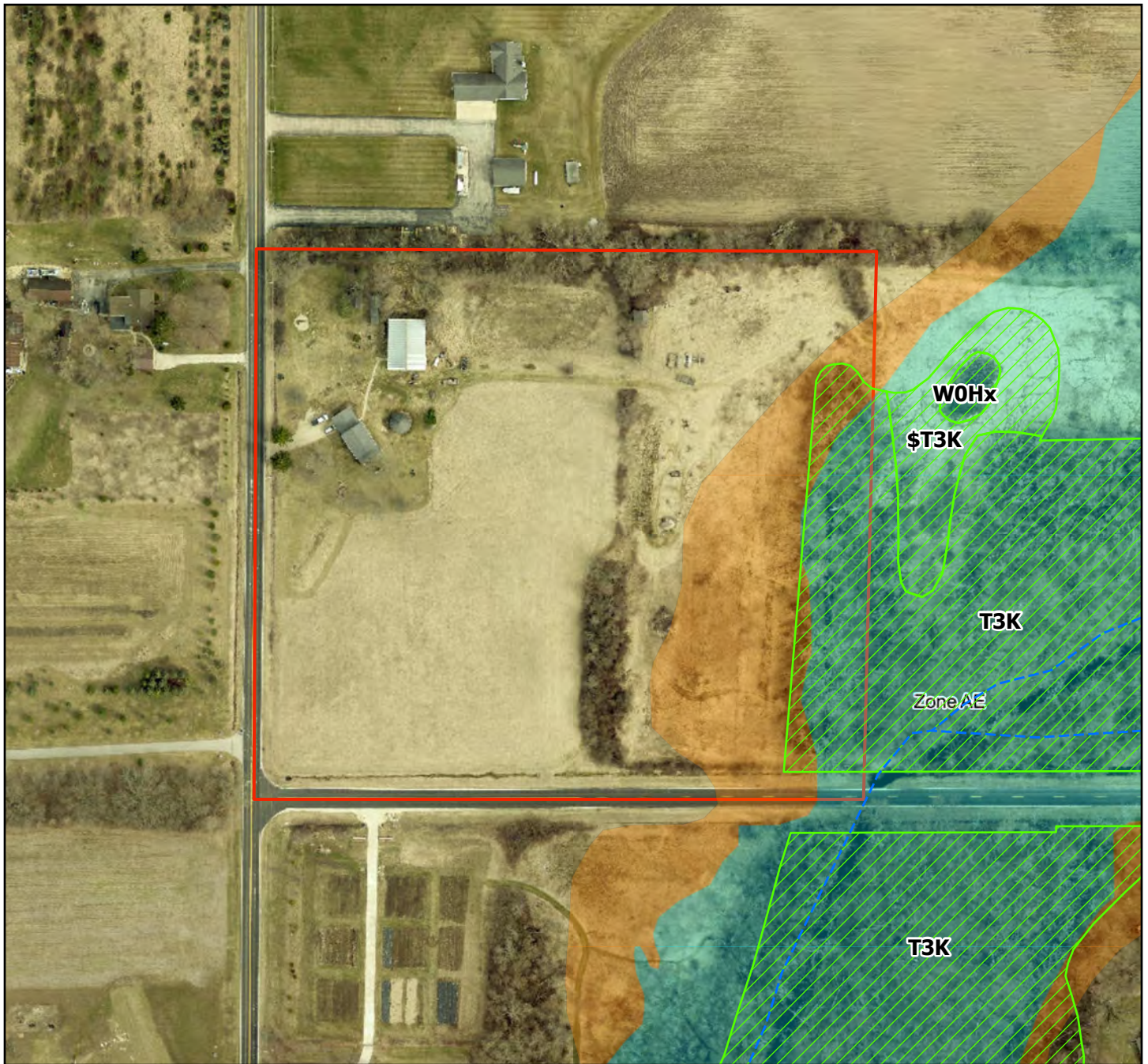
0 135 270 Feet



1-Ft. Contour Map

W148N12470 Pleasant View Drive
Parcel: 141998
Germantown, Washington County, Wisconsin

FIGURE:
2

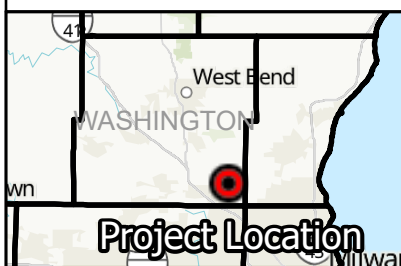


Legend

- Environmental Survey Area (ESA)
- Wisconsin Wetland Inventory
- Intermittent Stream
- 1% Annual Chance Flood Hazard (100-Yr Floodplain)
- 0.2% Annual Chance Flood Hazard (500-Yr Floodplain)



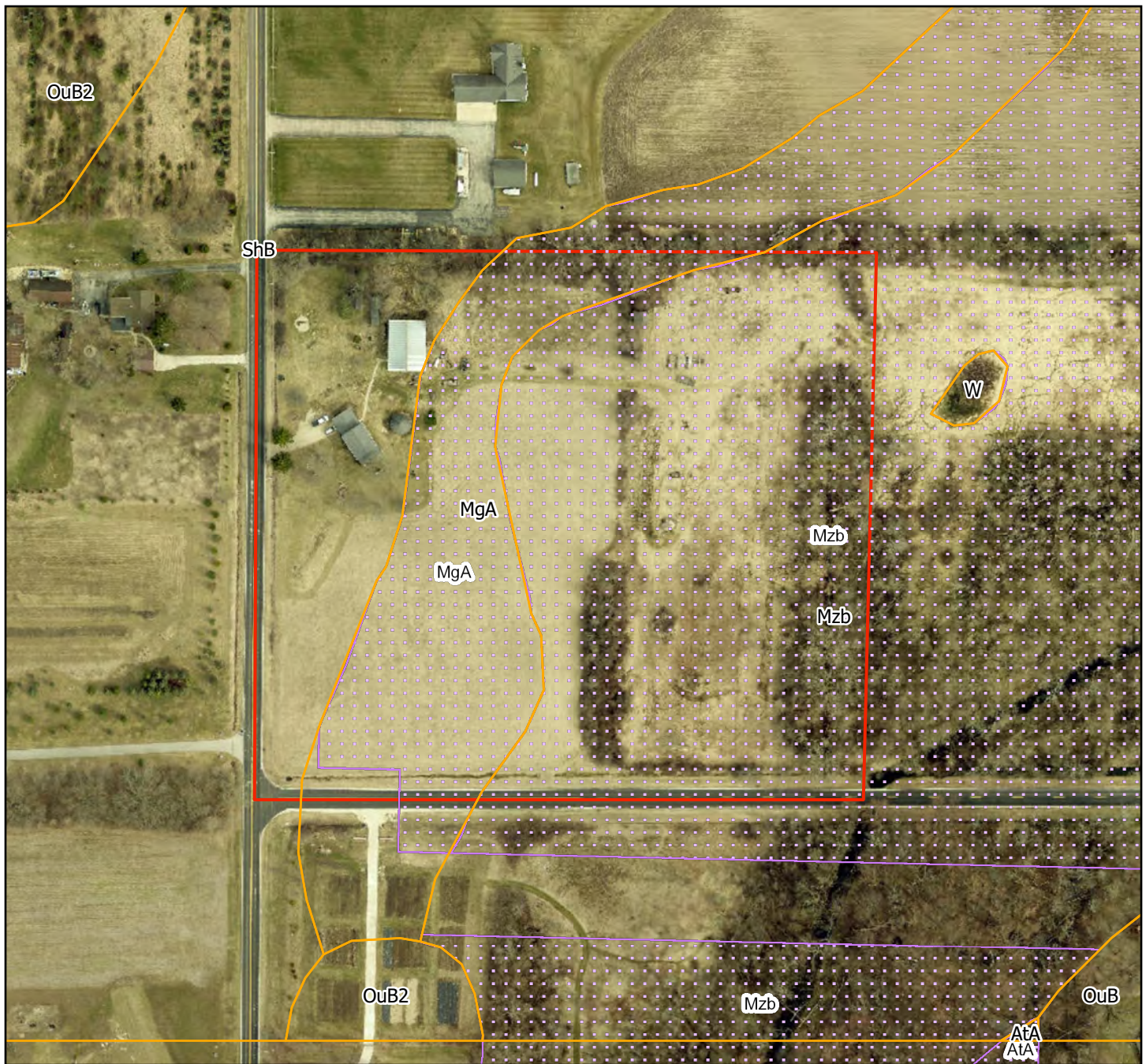
0 135 270 Feet



Wisconsin Wetland Inventory, WDNR 24K Hydrology, & FEMA Floodplain Map

W148N12470 Pleasant View Drive
Parcel: 141998
Germantown, Washington County, Wisconsin

FIGURE:
3



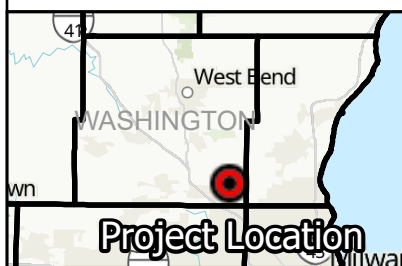
Legend

- Environmental Survey Area (ESA)
- ✱ USDA Wetspots
- Maximum Extent Wetland Indicators
- NRCS Soil Map Unit

Soil ID	Soil Map Unit	Hydric Rating	WDNR Wetland Indicator?
MgA	Martinton silt loam, 1 to 3 percent slopes	Predominantly non-hydric (10)	Partially Present
Mzb	Montgomery silty clay loam	Predominantly hydric (95)	Present
ShB	Saylesville silt loam, 2 to 6 percent slopes	Not Hydric (0)	None



0 135 270 Feet



WDNR WETLAND INDICATOR LAYER & NRCS SOILS MAP

W148N12470 Pleasant View Drive
Parcel: 141998
Germantown, Washington County, Wisconsin

FIGURE:
4



Legend

Environmental Survey Area (ESA)

● Upland Data Point Wetland

● Data Point

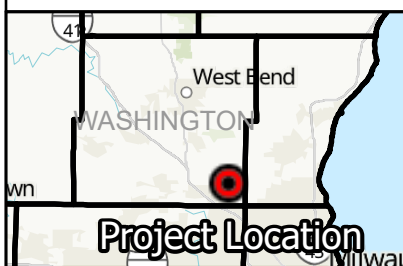
Palustrine Emergent (PEM) Wetland (1.6-acres)

Palustrine Scrub-Shrub (PSS) Wetland (0.21-acres)

Palustrine Forested (PFO) Wetland (0.95-acres)



0 90 180 Feet



DELINEATED WETLANDS AND WATERBODIES

W148N12470 Pleasant View Drive
Parcel: 141998
Germantown, Washington County, Wisconsin

FIGURE:
5



Legend

Environmental Survey Area (ESA)

Photo Point Location

Palustrine Emergent (PEM) Wetland (1.6-acres)

Palustrine Forested (PFO) Wetland (0.95-acres)

Palustrine Scrub-Shrub (PSS) Wetland (0.21-acres)



0 90 180 Feet

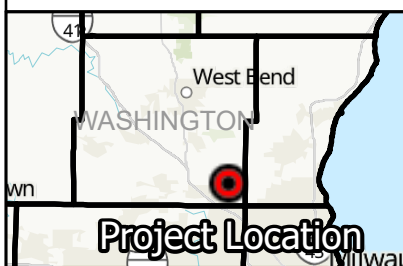


PHOTO POINT LOCATIONS

W148N12470 Pleasant View Drive
Parcel: 141998
Germantown, Washington County, Wisconsin

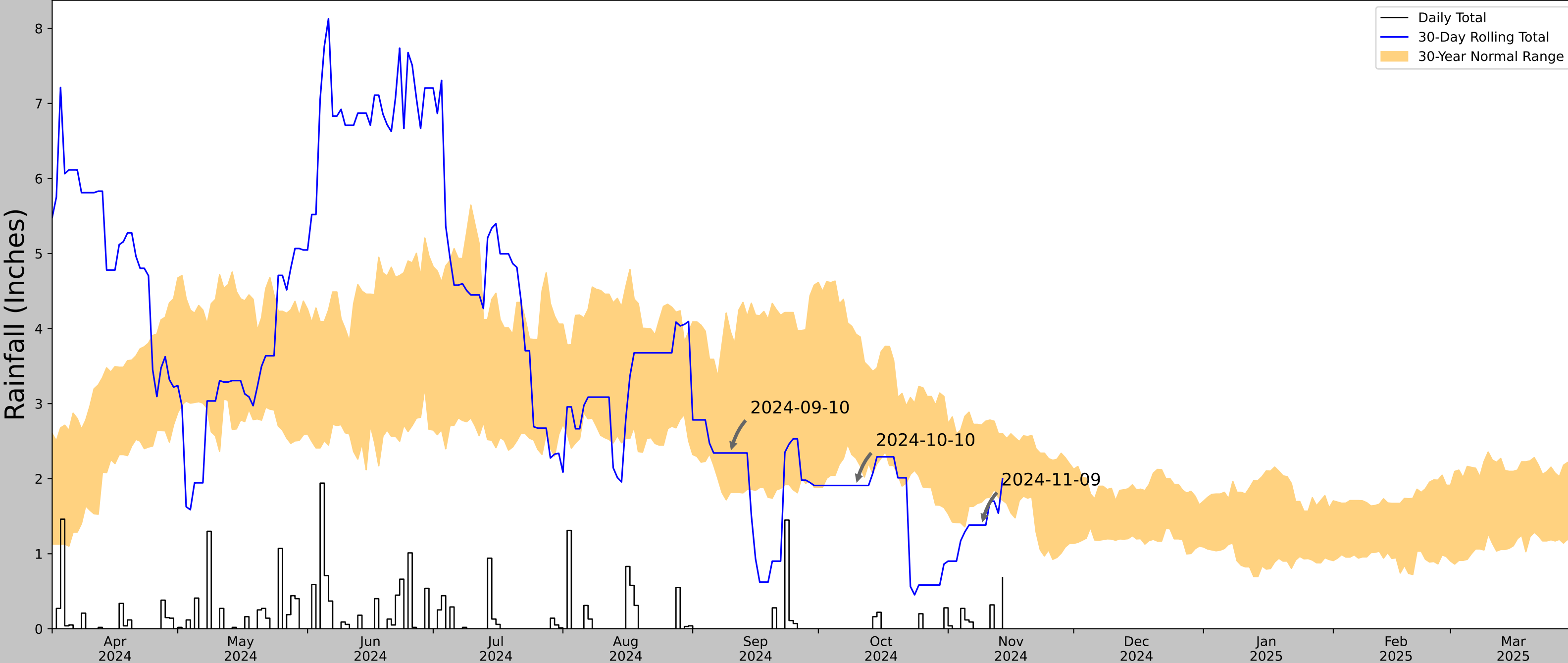
FIGURE:
6

APPENDIX A

Antecedent Precipitation



Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	43.243616, -88.092970
Observation Date	2024-11-09
Elevation (ft)	862.38
Drought Index (PDSI)	Mild wetness (2024-10)
WebWIMP H ₂ O Balance	Wet Season

30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2024-11-09	1.687008	2.714567	1.38189	Dry	1	3	3
2024-10-10	2.272835	3.924803	1.909449	Dry	1	2	2
2024-09-10	1.816929	3.959055	2.34252	Normal	2	1	2
Result							Drier than Normal - 7

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
GERMANTOWN WASTEWATER UTILITY	43.2389, -88.1222	870.079	1.507	7.699	0.69	11307	80
GERMANTOWN 0.6 S	43.2268, -88.1214	855.971	0.837	14.108	0.388	7	10
GERMANTOWN 1.2 NE	43.2313, -88.1023	895.013	1.131	24.934	0.537	4	0
HUBERTUS 3.1 E	43.2368, -88.1589	890.092	1.853	20.013	0.871	2	0
CEDARBURG 3.7 WSW	43.2788, -88.0566	878.937	4.301	8.858	1.974	2	0
JACKSON 0.5 SSE	43.3144, -88.1617	895.997	5.582	25.918	2.657	3	0
JACKSON	43.3197, -88.1681	892.06	6.041	21.981	2.851	4	0
WEST BEND	43.3681, -88.0858	939.961	9.113	69.882	4.738	18	0
W BEND FIRE STN #2	43.4319, -88.1603	895.013	13.472	24.934	6.398	4	0
MT MARY COLLEGE	43.0722, -88.0294	714.895	12.431	155.184	7.523	2	0



Figures and tables made by the
Antecedent Precipitation Tool
Version 2.0



Developed by:
U.S. Army Corps of Engineers and
U.S. Army Engineer Research and
Development Center

APPENDIX B
Representative Photographs



REPRESENTATIVE PHOTOGRAPHS

Western Half of Parcel: 141998
W148N12470 Pleasant View Drive
Germantown, Washington County, Wisconsin



Photo: PP01

Date: 11-09-2024

Description:
PFO portion of
Wetland Complex
W01 and data point
DP01.

Location:
Eastern portion of the
ESA

Direction:
East



Photo: PP02

Date: 11-09-2024

Description:
PEM portion of
Wetland Complex
W01 and data point
DP02

Location:
Eastern portion of the
ESA

Direction:
South

REPRESENTATIVE PHOTOGRAPHS

Western Half of Parcel: 141998
W148N12470 Pleasant View Drive
Germantown, Washington County, Wisconsin



Photo: PP03

Date: 11-09-2024

Description:
Representative
upland data point
DP03

Location:
Eastern portion of the
ESA

Direction:
North



Photo: PP04

Date: 11-09-2024

Description:
PSS portion of
Wetland Complex
W01 and data point
DP04

Location:
Southeastern portion
of the ESA

Direction:
South

REPRESENTATIVE PHOTOGRAPHS

Western Half of Parcel: 141998
W148N12470 Pleasant View Drive
Germantown, Washington County, Wisconsin



Photo: PP05

Date: 11-09-2024

Description:
Representative
upland data point
DP05

Location:
Southern portion of
the ESA

Direction:
West



Photo: PP06

Date: 11-09-2024

Description:
PEM portion of
Wetland Complex
W01 and data point
DP06

Location:
Southeastern portion
of the ESA

Direction:
North

REPRESENTATIVE PHOTOGRAPHS

Western Half of Parcel: 141998
W148N12470 Pleasant View Drive
Germantown, Washington County, Wisconsin



Photo: PP07

Date: 11-09-2024

Description:
Representative
upland data point
DP07 within a WDNR
wetland indicator
polygon

Location:
Central portion of the
ESA

Direction:
East



Photo: PP08

Date: 11-09-2024

Description:
Upland roadside ditch
and representative
upland data point
DP08

Location:
Western portion of the
ESA

Direction:
North

APPENDIX C

Wetland Determination Data Forms



U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: <u>Western half of Parcel: 141998</u>	City/County: <u>Germantown / Washington</u>	Sampling Date: <u>11/09/24</u>
Applicant/Owner: <u>Mr. Chuck Smith</u>	State: <u>WI</u>	Sampling Point: <u>DP01</u>
Investigator(s): <u>Stephen W. Chu, SPWS</u>	Section, Township, Range: <u>S14,T9N,R20E</u>	
Landform (hillside, terrace, etc.): <u>Floodplain</u>	Local relief (concave, convex, none): <u>Concave</u>	
Slope (%): <u>0</u>	Lat: <u>43.244041</u>	Long: <u>-88.091018</u>
		Datum: <u>WGS84</u>
Soil Map Unit Name: <u>Montgomery silty clay loam</u>		NWI classification: <u>T3K</u>
Are climatic / hydrologic conditions on the site typical for this time of year? Yes <u> </u> No <u> X </u> (If no, explain in Remarks.)		
Are Vegetation <u> </u> , Soil <u> </u> , or Hydrology <u> </u> significantly disturbed? Are "Normal Circumstances" present? Yes <u> X </u> No <u> </u>		
Are Vegetation <u> </u> , Soil <u> </u> , or Hydrology <u> </u> naturally problematic? (If needed, explain any answers in Remarks.)		

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u> X </u> No <u> </u> Hydric Soil Present? Yes <u> X </u> No <u> </u> Wetland Hydrology Present? Yes <u> X </u> No <u> </u>	Is the Sampled Area within a Wetland? Yes <u> X </u> No <u> </u>
--	--

Remarks:
 Based on the APT tool, antecedent hydrologic conditions are drier than normal. Based on the presence of all three parameters, this area is a wetland. Representative PFO data point for wetland Complex W01.

VEGETATION – Use scientific names of plants.

<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Tree Stratum</th> <th style="text-align: center;">(Plot size: <u>30-Ft</u>)</th> <th style="text-align: center;">Absolute % Cover</th> <th style="text-align: center;">Dominant Species?</th> <th style="text-align: center;">Indicator Status</th> </tr> <tr><td>1. <u>Ulmus americana</u></td><td></td><td style="text-align: center;">20</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FACW</td></tr> <tr><td>2. <u>Populus deltoides</u></td><td></td><td style="text-align: center;">10</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FAC</td></tr> <tr><td>3. <u>Fraxinus pennsylvanica</u></td><td></td><td style="text-align: center;">5</td><td style="text-align: center;">No</td><td style="text-align: center;">FACW</td></tr> <tr><td>4. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td style="text-align: center;">35</td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Sapling/Shrub Stratum</th> <th style="text-align: center;">(Plot size: <u>15-Ft</u>)</th> <th style="text-align: center;">Absolute % Cover</th> <th style="text-align: center;">Dominant Species?</th> <th style="text-align: center;">Indicator Status</th> </tr> <tr><td>1. <u>Rhamnus cathartica</u></td><td></td><td style="text-align: center;">30</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FAC</td></tr> <tr><td>2. <u>Fraxinus pennsylvanica</u></td><td></td><td style="text-align: center;">5</td><td style="text-align: center;">No</td><td style="text-align: center;">FACW</td></tr> <tr><td>3. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>4. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td style="text-align: center;">35</td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Herb Stratum</th> <th style="text-align: center;">(Plot size: <u>5-Ft</u>)</th> <th style="text-align: center;">Absolute % Cover</th> <th style="text-align: center;">Dominant Species?</th> <th style="text-align: center;">Indicator Status</th> </tr> <tr><td>1. <u>Carex blanda</u></td><td></td><td style="text-align: center;">5</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FAC</td></tr> <tr><td>2. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>3. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>4. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>6. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>7. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>8. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>9. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>10. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td style="text-align: center;">5</td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Woody Vine Stratum</th> <th style="text-align: center;">(Plot size: <u>30-Ft</u>)</th> <th style="text-align: center;">Absolute % Cover</th> <th style="text-align: center;">Dominant Species?</th> <th style="text-align: center;">Indicator Status</th> </tr> <tr><td>1. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>2. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td></td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table>	Tree Stratum	(Plot size: <u>30-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	1. <u>Ulmus americana</u>		20	Yes	FACW	2. <u>Populus deltoides</u>		10	Yes	FAC	3. <u>Fraxinus pennsylvanica</u>		5	No	FACW	4. _____					5. _____							35	=Total Cover		Sapling/Shrub Stratum	(Plot size: <u>15-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	1. <u>Rhamnus cathartica</u>		30	Yes	FAC	2. <u>Fraxinus pennsylvanica</u>		5	No	FACW	3. _____					4. _____					5. _____							35	=Total Cover		Herb Stratum	(Plot size: <u>5-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	1. <u>Carex blanda</u>		5	Yes	FAC	2. _____					3. _____					4. _____					5. _____					6. _____					7. _____					8. _____					9. _____					10. _____							5	=Total Cover		Woody Vine Stratum	(Plot size: <u>30-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	1. _____					2. _____								=Total Cover		Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B) Prevalence Index worksheet: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: left;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>30</u></td> <td>x 2 = <u>60</u></td> </tr> <tr> <td>FAC species <u>45</u></td> <td>x 3 = <u>135</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>75</u> (A)</td> <td><u>195</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>2.60</u></td> </tr> </table> Hydrophytic Vegetation Indicators: <u> </u> 1 - Rapid Test for Hydrophytic Vegetation <u> X </u> 2 - Dominance Test is >50% <u> X </u> 3 - Prevalence Index is ≤3.0¹ <u> </u> 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation¹ (Explain) ¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. Hydrophytic Vegetation Present? Yes <u> X </u> No <u> </u>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>30</u>	x 2 = <u>60</u>	FAC species <u>45</u>	x 3 = <u>135</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>75</u> (A)	<u>195</u> (B)	Prevalence Index = B/A = <u>2.60</u>	
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Remarks: (Include photo numbers here or on a separate sheet.)
 PP01. The criterion for hydrophytic vegetation is met.

SOIL

Sampling Point: DP01

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6	10YR 2/1	100					Loamy/Clayey	
6-10	10YR 2/1	98	10YR 4/6	2	C	PL/M	Loamy/Clayey	
10-24	10YR 4/1	90	10YR 4/6	10	C	M	Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Iron-Manganese Masses (F12)
☐ Histic Epipedon (A2)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Other (Explain in Remarks)
☐ Stratified Layers (A5)	
☐ 2 cm Muck (A10)	
☒ Depleted Below Dark Surface (A11)	
☐ Thick Dark Surface (A12)	
☐ Iron Monosulfide (A18)	
☐ Sandy Mucky Mineral (S1)	
☐ 5 cm Mucky Peat or Peat (S3)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: <u>None</u> Depth (inches): <u> </u>	Hydric Soil Present? Yes <u>X</u> No <u> </u>
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Remarks:
The criterion for hydric soil is met.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☒ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☒ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☒ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☒ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Water Table Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Saturation Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No <u> </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
 Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps

Remarks:
 Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is met.

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Midwest Region
See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Western half of Parcel: 141998 City/County: Germantown / Washington Sampling Date: 11/09/24
Applicant/Owner: Mr. Chuck Smith State: WI Sampling Point: DP02
Investigator(s): Stephen W. Chu, SPWS Section, Township, Range: S14,T9N,R20E
Landform (hillside, terrace, etc.): Toeslope Local relief (concave, convex, none): Concave
Slope (%): 0 Lat: 43.243957 Long: -88.091221 Datum: WGS84
Soil Map Unit Name: Montgomery silty clay loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks.)
Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No
Hydric Soil Present? Yes X No
Wetland Hydrology Present? Yes X No

Is the Sampled Area
within a Wetland? Yes X No

Remarks:

Based on the APT tool, antecedent hydrologic conditions are drier than normal. Based on the presence of all three parameters, this area is a wetland. Representative PEM data point for wetland Complex W01.

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
5.				
			=Total Cover	
Sapling/Shrub Stratum	(Plot size: <u>15-Ft</u>)			
1.	<u>Salix interior</u>	<u>25</u>	<u>Yes</u>	<u>FACW</u>
2.				
3.				
4.				
5.				
		<u>25</u>	=Total Cover	
Herb Stratum	(Plot size: <u>5-Ft</u>)			
1.	<u>Phalaris arundinacea</u>	<u>90</u>	<u>Yes</u>	<u>FACW</u>
2.	<u>Symphotrichum novae-angliae</u>	<u>10</u>	<u>No</u>	<u>FACW</u>
3.	<u>Schedonorus arundinaceus</u>	<u>10</u>	<u>No</u>	<u>FACU</u>
4.				
5.				
6.				
7.				
8.				
9.				
10.				
		<u>110</u>	=Total Cover	
Woody Vine Stratum	(Plot size: <u>30-Ft</u>)			
1.				
2.				
			=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>125</u>	x 2 = <u>250</u>
FAC species <u>0</u>	x 3 = <u>0</u>
FACU species <u>10</u>	x 4 = <u>40</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>135</u> (A)	<u>290</u> (B)
Prevalence Index = B/A = <u>2.15</u>	

Hydrophytic Vegetation Indicators:

 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0¹

 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

 Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No

Remarks: (Include photo numbers here or on a separate sheet.)
PP02. The criterion for hydrophytic vegetation is met.

SOIL

Sampling Point: DP02

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-4	10YR 2/1	100					Loamy/Clayey	
4-18	10YR 2/1	98	10YR 4/6	2	C	PL/M	Loamy/Clayey	
18-24	10YR 4/1	90	10YR 4/6	10	C	M	Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
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☐ Stratified Layers (A5)	
☐ 2 cm Muck (A10)	
☐ Depleted Below Dark Surface (A11)	
☒ Thick Dark Surface (A12)	
☐ Iron Monosulfide (A18)	
☐ Sandy Mucky Mineral (S1)	
☐ 5 cm Mucky Peat or Peat (S3)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: <u>None</u> Depth (inches): <u> </u>	Hydric Soil Present? Yes <u>X</u> No <u> </u>
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Remarks:
The criterion for hydric soil is met.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☒ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☒ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☒ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Water Table Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Saturation Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No <u> </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
 Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps

Remarks:
Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is met.

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: <u>Western half of Parcel: 141998</u>	City/County: <u>Germantown / Washington</u>	Sampling Date: <u>11/09/24</u>
Applicant/Owner: <u>Mr. Chuck Smith</u>	State: <u>WI</u>	Sampling Point: <u>DP03</u>
Investigator(s): <u>Stephen W. Chu, SPWS</u>	Section, Township, Range: <u>S14,T9N,R20E</u>	
Landform (hillside, terrace, etc.): <u>Backslope</u>	Local relief (concave, convex, none): <u>Convex</u>	
Slope (%): <u>0-1</u>	Lat: <u>43.243989</u>	Long: <u>-88.091620</u>
		Datum: <u>WGS84</u>
Soil Map Unit Name: <u>Mzb: Montgomery silty clay loam</u>		NWI classification: <u>None</u>

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)

Are Vegetation ☒, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☐ No ☒

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: Based on the APT tool, antecedent hydrologic conditions are drier than normal. Vegetation subject to periodic mowing. Based on the absence of all three parameters, this area is an upland.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0.0%</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
=Total Cover				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>10</u> x 3 = <u>30</u> FACU species <u>90</u> x 4 = <u>360</u> UPL species <u>25</u> x 5 = <u>125</u> Column Totals: <u>125</u> (A) <u>515</u> (B) Prevalence Index = B/A = <u>4.12</u>
Sapling/Shrub Stratum (Plot size: <u>15-Ft</u>)				
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
=Total Cover				Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Herb Stratum (Plot size: <u>5-Ft</u>)				
1. <u>Schedonorus arundinaceus</u>	<u>90</u>	<u>Yes</u>	<u>FACU</u>	
2. <u>Daucus carota</u>	<u>25</u>	<u>Yes</u>	<u>UPL</u>	
3. <u>Poa pratensis</u>	<u>10</u>	<u>No</u>	<u>FAC</u>	
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
=Total Cover				Hydrophytic Vegetation Present? Yes ☐ No ☒
Woody Vine Stratum (Plot size: <u>30-Ft</u>)				
1. _____				
2. _____				
=Total Cover				
Remarks: (Include photo numbers here or on a separate sheet.) PP03. Vegetation subject to periodic mowing, a reference location approximately 50-Ft was used for species confirmation. The criterion for hydrophytic vegetation is not met.				

SOIL

Sampling Point: DP03

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-13	10YR 2/1	100					Loamy/Clayey	
13-15	10YR 2/2	100					Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Iron-Manganese Masses (F12)
☐ Histic Epipedon (A2)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Other (Explain in Remarks)
☐ Stratified Layers (A5)	
☐ 2 cm Muck (A10)	
☐ Depleted Below Dark Surface (A11)	
☐ Thick Dark Surface (A12)	
☐ Iron Monosulfide (A18)	
☐ Sandy Mucky Mineral (S1)	
☐ 5 cm Mucky Peat or Peat (S3)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: <u> None </u> Depth (inches): <u> </u>	Hydric Soil Present? Yes <u> </u> No <u> X </u>
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Remarks:
Refusal at 15-inches. The criterion for hydric soil is not met.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☐ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> Water Table Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> Saturation Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u> </u> No <u> X </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
 Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps

Remarks:
Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is not met.

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Western half of Parcel: 141998 City/County: Germantown / Washington Sampling Date: 11/09/24
Applicant/Owner: Mr. Chuck Smith State: WI Sampling Point: DP04
Investigator(s): Stephen W. Chu, SPWS Section, Township, Range: S14,T9N,R20E
Landform (hillside, terrace, etc.): Toeslope Local relief (concave, convex, none): Concave
Slope (%): 0-1 Lat: 43.243024 Long: -88.092004 Datum: WGS84
Soil Map Unit Name: Montgomery silty clay loam NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks.)
Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>	Is the Sampled Area within a Wetland? Yes <u>X</u> No <u> </u>
Hydric Soil Present? Yes <u>X</u> No <u> </u>	
Wetland Hydrology Present? Yes <u>X</u> No <u> </u>	

Remarks:
Based on the APT tool, antecedent hydrologic conditions are drier than normal. Based on the presence of all three parameters, this area is a wetland. Representative PSS data point for wetland Complex W01.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
<u> </u> =Total Cover				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>60</u> x 2 = <u>120</u> FAC species <u>30</u> x 3 = <u>90</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column Totals: <u>90</u> (A) <u>210</u> (B) Prevalence Index = B/A = <u>2.33</u>
Sapling/Shrub Stratum (Plot size: <u>15-Ft</u>)				
1. <u>Cornus sericea</u>	<u>40</u>	<u>Yes</u>	<u>FACW</u>	
2. <u>Rhamnus cathartica</u>	<u>30</u>	<u>Yes</u>	<u>FAC</u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	Hydrophytic Vegetation Indicators: <u> </u> 1 - Rapid Test for Hydrophytic Vegetation <u>X</u> 2 - Dominance Test is >50% <u>X</u> 3 - Prevalence Index is ≤3.0 ¹ <u> </u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
<u>70</u> =Total Cover				
Herb Stratum (Plot size: <u>5-Ft</u>)				
1. <u>Phalaris arundinacea</u>	<u>20</u>	<u>Yes</u>	<u>FACW</u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>
6. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
7. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
8. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
9. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
10. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
<u>20</u> =Total Cover				
Woody Vine Stratum (Plot size: <u>30-Ft</u>)				
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
<u> </u> =Total Cover				

Remarks: (Include photo numbers here or on a separate sheet.)
PP04. The criterion for hydrophytic vegetation is met.

SOIL

Sampling Point: DP04

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6	10YR 2/1	100					Loamy/Clayey	
6-15	10YR 2/1	98	10YR 4/6	2	C	M	Loamy/Clayey	
15-24	10YR 4/1	95	10YR 4/6	5	C	M	Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Iron-Manganese Masses (F12)
☐ Histic Epipedon (A2)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Other (Explain in Remarks)
☐ Stratified Layers (A5)	
☐ 2 cm Muck (A10)	
☐ Depleted Below Dark Surface (A11)	
☒ Thick Dark Surface (A12)	
☐ Iron Monosulfide (A18)	
☐ Sandy Mucky Mineral (S1)	
☐ 5 cm Mucky Peat or Peat (S3)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: <u>None</u> Depth (inches): <u> </u>	Hydric Soil Present? Yes <u>X</u> No <u> </u>
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Remarks:
The criterion for hydric soil is met.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☒ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☒ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Water Table Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Saturation Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No <u> </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
 Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps

Remarks:
Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is met.

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u> X </u> No <u> </u> Hydric Soil Present? Yes <u> </u> No <u> X </u> Wetland Hydrology Present? Yes <u> </u> No <u> X </u>	Is the Sampled Area within a Wetland? Yes <u> </u> No <u> X </u>
Remarks: Based on the APT tool, antecedent hydrologic conditions are drier than normal. Based on the absence of two of three parameters, this area is an upland.	

Tree Stratum		Absolute % Cover	Dominant Species?	Indicator Status
(Plot size: 30-Ft)				
1.	<i>Fraxinus pennsylvanica</i>	5	Yes	FACW
2.				
3.				
4.				
5.				
		5	=Total Cover	
Sapling/Shrub Stratum		Absolute % Cover	Dominant Species?	Indicator Status
(Plot size: 15-Ft)				
1.	<i>Rhamnus cathartica</i>	60	Yes	FAC
2.				
3.				
4.				
5.				
		60	=Total Cover	
Herb Stratum		Absolute % Cover	Dominant Species?	Indicator Status
(Plot size: 5-Ft)				
1.	<i>Rhamnus cathartica</i>	25	Yes	FAC
2.	<i>Schedonorus arundinaceus</i>	25	Yes	FACU
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
		50	=Total Cover	
Woody Vine Stratum		Absolute % Cover	Dominant Species?	Indicator Status
(Plot size: 30-Ft)				
1.				
2.				
			=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 75.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species 0	x 1 = 0
FACW species 5	x 2 = 10
FAC species 85	x 3 = 255
FACU species 25	x 4 = 100
UPL species 0	x 5 = 0
Column Totals: 115 (A)	365 (B)
Prevalence Index = B/A = 3.17	

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

3 - Prevalence Index is ≤3.0¹

4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No

Remarks: (Include photo numbers here or on a separate sheet.)

PP05. The criterion for hydrophytic vegetation is met.

SOIL

Sampling Point: DP05

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-14	10YR 2/1	100					Loamy/Clayey	
14-24	10YR 3/1	95	10YR 4/6	5	C	M	Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Iron-Manganese Masses (F12)
☐ Histic Epipedon (A2)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Other (Explain in Remarks)
☐ Stratified Layers (A5)	
☐ 2 cm Muck (A10)	
☐ Depleted Below Dark Surface (A11)	
☐ Thick Dark Surface (A12)	
☐ Iron Monosulfide (A18)	
☐ Sandy Mucky Mineral (S1)	
☐ 5 cm Mucky Peat or Peat (S3)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: <u>None</u> Depth (inches): <u> </u>	Hydric Soil Present? Yes <u> </u> No <u> X </u>
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Remarks:
Refusal at 15-inches. The criterion for hydric soil is not met.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☐ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> Water Table Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> Saturation Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u> </u> No <u> X </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
 Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps

Remarks:
 Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is not met.

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: <u>Western half of Parcel: 141998</u>	City/County: <u>Germantown / Washington</u>	Sampling Date: <u>11/09/24</u>
Applicant/Owner: <u>Mr. Chuck Smith</u>	State: <u>WI</u>	Sampling Point: <u>DP06</u>
Investigator(s): <u>Stephen W. Chu, SPWS</u>	Section, Township, Range: <u>S14,T9N,R20E</u>	
Landform (hillside, terrace, etc.): <u>Toeslope</u>	Local relief (concave, convex, none): <u>Concave</u>	
Slope (%): <u>0-1</u>	Lat: <u>43.242945</u>	Long: <u>-88.091915</u>
		Datum: <u>WGS84</u>
Soil Map Unit Name: <u>Montgomery silty clay loam</u>	NWI classification: <u>None</u>	
Are climatic / hydrologic conditions on the site typical for this time of year? Yes <u> </u> No <u>X</u> (If no, explain in Remarks.)		
Are Vegetation <u> </u> , Soil <u> </u> , or Hydrology <u> </u> significantly disturbed? Are "Normal Circumstances" present? Yes <u>X</u> No <u> </u>		
Are Vegetation <u> </u> , Soil <u> </u> , or Hydrology <u> </u> naturally problematic? (If needed, explain any answers in Remarks.)		

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>	Is the Sampled Area within a Wetland? Yes <u>X</u> No <u> </u>
Hydric Soil Present? Yes <u>X</u> No <u> </u>	
Wetland Hydrology Present? Yes <u>X</u> No <u> </u>	
Remarks: Based on the APT tool, antecedent hydrologic conditions are drier than normal. Based on the presence of all three parameters, this area is a wetland. Representative PEM data point for wetland Complex W01.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
<u> </u> =Total Cover				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>90</u> x 2 = <u>180</u> FAC species <u>10</u> x 3 = <u>30</u> FACU species <u>15</u> x 4 = <u>60</u> UPL species <u>0</u> x 5 = <u>0</u> Column Totals: <u>115</u> (A) <u>270</u> (B) Prevalence Index = B/A = <u>2.35</u>
Sapling/Shrub Stratum (Plot size: <u>15-Ft</u>)				
1. <u>Rhamnus cathartica</u>	<u>5</u>	<u>Yes</u>	<u>FAC</u>	
2. <u>Acer negundo</u>	<u>5</u>	<u>Yes</u>	<u>FAC</u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
<u>10</u> =Total Cover				Hydrophytic Vegetation Indicators: <u> </u> 1 - Rapid Test for Hydrophytic Vegetation <u>X</u> 2 - Dominance Test is >50% <u>X</u> 3 - Prevalence Index is ≤3.0 ¹ <u> </u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Herb Stratum (Plot size: <u>5-Ft</u>)				
1. <u>Phalaris arundinacea</u>	<u>90</u>	<u>Yes</u>	<u>FACW</u>	
2. <u>Solidago canadensis</u>	<u>10</u>	<u>No</u>	<u>FACU</u>	
3. <u>Symphytotrichum pilosum</u>	<u>5</u>	<u>No</u>	<u>FACU</u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
6. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
7. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
8. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
<u>105</u> =Total Cover				
Woody Vine Stratum (Plot size: <u>30-Ft</u>)				Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
<u> </u> =Total Cover				
Remarks: (Include photo numbers here or on a separate sheet.) PP06. The criterion for hydrophytic vegetation is met.				

SOIL

Sampling Point: DP06

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-8	10YR 2/1	100					Loamy/Clayey	
8-24	10YR 2/1	97	10YR 4/6	3	C	M	Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Iron-Manganese Masses (F12)
☐ Histic Epipedon (A2)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Other (Explain in Remarks)
☐ Stratified Layers (A5)	
☐ 2 cm Muck (A10)	
☐ Depleted Below Dark Surface (A11)	
☐ Thick Dark Surface (A12)	
☐ Iron Monosulfide (A18)	
☐ Sandy Mucky Mineral (S1)	
☐ 5 cm Mucky Peat or Peat (S3)	
☐ Sandy Gleyed Matrix (S4)	
☐ Sandy Redox (S5)	
☐ Stripped Matrix (S6)	
☐ Dark Surface (S7)	
☐ Loamy Mucky Mineral (F1)	
☐ Loamy Gleyed Matrix (F2)	
☐ Depleted Matrix (F3)	
☒ Redox Dark Surface (F6)	
☐ Depleted Dark Surface (F7)	
☐ Redox Depressions (F8)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: <u>None</u> Depth (inches): <u> </u>	Hydric Soil Present? Yes <u>X</u> No <u> </u>
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Remarks:
The criterion for hydric soil is met.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☒ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☒ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Water Table Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> Saturation Present? Yes <u> </u> No <u>X</u> Depth (inches): <u> </u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No <u> </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
 Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps

Remarks:
Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is met.

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: <u>Western half of Parcel: 141998</u>	City/County: <u>Germantown / Washington</u>	Sampling Date: <u>11/09/24</u>
Applicant/Owner: <u>Mr. Chuck Smith</u>	State: <u>WI</u>	Sampling Point: <u>DP07</u>
Investigator(s): <u>Stephen W. Chu, SPWS</u>		Section, Township, Range: <u>S14,T9N,R20E</u>
Landform (hillside, terrace, etc.): <u>Backslope</u>		Local relief (concave, convex, none): <u>Convex</u>
Slope (%): <u>0-1</u>	Lat: <u>43.243481</u>	Long: <u>-88.092492</u> Datum: <u>WGS84</u>
Soil Map Unit Name: <u>MgA: Martinton silt loam, 1 to 3 percent slopes</u>		NWI classification: <u>None</u>
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)		
Are Vegetation ☒ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☐ No ☒		
Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)		

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: Based on the APT tool, antecedent hydrologic conditions are drier than normal. Vegetation subject to periodic mowing. Based on the absence of all three parameters, this area is an upland.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30-Ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0.0%</u> (A/B)																
1.																					
2.																					
3.																					
4.																					
5.																					
		=Total Cover																			
Sapling/Shrub Stratum	(Plot size: <u>15-Ft</u>)				Prevalence Index worksheet: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 40%;">Total % Cover of:</th> <th style="width: 60%;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>0</u></td> <td>x 3 = <u>0</u></td> </tr> <tr> <td>FACU species <u>95</u></td> <td>x 4 = <u>380</u></td> </tr> <tr> <td>UPL species <u>25</u></td> <td>x 5 = <u>125</u></td> </tr> <tr> <td>Column Totals: <u>120</u> (A)</td> <td><u>505</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>4.21</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>0</u>	x 3 = <u>0</u>	FACU species <u>95</u>	x 4 = <u>380</u>	UPL species <u>25</u>	x 5 = <u>125</u>	Column Totals: <u>120</u> (A)	<u>505</u> (B)	Prevalence Index = B/A = <u>4.21</u>	
Total % Cover of:	Multiply by:																				
OBL species <u>0</u>	x 1 = <u>0</u>																				
FACW species <u>0</u>	x 2 = <u>0</u>																				
FAC species <u>0</u>	x 3 = <u>0</u>																				
FACU species <u>95</u>	x 4 = <u>380</u>																				
UPL species <u>25</u>	x 5 = <u>125</u>																				
Column Totals: <u>120</u> (A)	<u>505</u> (B)																				
Prevalence Index = B/A = <u>4.21</u>																					
1.																					
2.																					
3.																					
4.																					
5.																					
		=Total Cover																			
Herb Stratum	(Plot size: <u>5-Ft</u>)				Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
1.	<u>Schedonorus arundinaceus</u>	<u>90</u>	<u>Yes</u>	<u>FACU</u>																	
2.	<u>Daucus carota</u>	<u>25</u>	<u>Yes</u>	<u>UPL</u>																	
3.	<u>Symphytotrichum pilosum</u>	<u>5</u>	<u>No</u>	<u>FACU</u>																	
4.																					
5.																					
6.																					
7.																					
8.																					
9.																					
10.																					
		<u>120</u>	=Total Cover																		
Woody Vine Stratum	(Plot size: <u>30-Ft</u>)				Hydrophytic Vegetation Present? Yes ☐ No ☒																
1.																					
2.																					
		=Total Cover																			
Remarks: (Include photo numbers here or on a separate sheet.) PP07. Vegetation subject to periodic mowing. The criterion for hydrophytic vegetation is met.																					

SOIL

Sampling Point: DP07

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-14	10YR 2/1	100					Loamy/Clayey	
14-20	10YR 3/2	100					Loamy/Clayey	
20-24	10YR 3/3	100					Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Iron-Manganese Masses (F12)
☐ Histic Epipedon (A2)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Other (Explain in Remarks)
☐ Stratified Layers (A5)	
☐ 2 cm Muck (A10)	
☐ Depleted Below Dark Surface (A11)	
☐ Thick Dark Surface (A12)	
☐ Iron Monosulfide (A18)	
☐ Sandy Mucky Mineral (S1)	
☐ 5 cm Mucky Peat or Peat (S3)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: <u> </u> None Depth (inches): <u> </u>	Hydric Soil Present? Yes <u> </u> No <u> X </u>
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Remarks:
The criterion for hydric soil is not met.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☐ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> Water Table Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> Saturation Present? Yes <u> </u> No <u> X </u> Depth (inches): <u> </u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u> </u> No <u> X </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
 Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps

Remarks:
Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is not met.

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Western half of Parcel: 141998 City/County: Germantown / Washington Sampling Date: 11/09/24
Applicant/Owner: Mr. Chuck Smith State: WI Sampling Point: DP08
Investigator(s): Stephen W. Chu, SPWS Section, Township, Range: S14,T9N,R20E
Landform (hillside, terrace, etc.): Toeslope (Roadside ditch) Local relief (concave, convex, none): Concave
Slope (%): 0-1 Lat: 43.243481 Long: -88.092492 Datum: WGS84
Soil Map Unit Name: MgA: Martinton silt loam, 1 to 3 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks.)
Are Vegetation X, Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No X
Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u> Hydric Soil Present? Yes <u> </u> No <u>X</u> Wetland Hydrology Present? Yes <u> </u> No <u>X</u>	Is the Sampled Area within a Wetland? Yes <u> </u> No <u>X</u>
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Remarks:
Based on the APT tool, antecedent hydrologic conditions are drier than normal. Vegetation subject to periodic mowing. Data point located within a roadside ditch. Based on the absence of all three parameters, this area is an upland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30-Ft</u>) 1. <u> </u> 2. <u> </u> 3. <u> </u> 4. <u> </u> 5. <u> </u> <u> </u> =Total Cover	Absolute % Cover <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>	Dominant Species? <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>	Indicator Status <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0.0%</u> (A/B)	
Sapling/Shrub Stratum (Plot size: <u>15-Ft</u>) 1. <u> </u> 2. <u> </u> 3. <u> </u> 4. <u> </u> 5. <u> </u> <u> </u> =Total Cover	<u> </u> <u> </u> <u> </u> <u> </u> <u> </u>	<u> </u> <u> </u> <u> </u> <u> </u> <u> </u>	<u> </u> <u> </u> <u> </u> <u> </u> <u> </u>		Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>20</u> x 2 = <u>40</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>90</u> x 4 = <u>360</u> UPL species <u>5</u> x 5 = <u>25</u> Column Totals: <u>115</u> (A) <u>425</u> (B) Prevalence Index = B/A = <u>3.70</u>
Herb Stratum (Plot size: <u>5-Ft</u>) 1. <u>Schedonorus arundinaceus</u> 2. <u>Phalaris arundinacea</u> 3. <u>Pastinaca sativa</u> 4. <u> </u> 5. <u> </u> 6. <u> </u> 7. <u> </u> 8. <u> </u> 9. <u> </u> 10. <u> </u> <u>115</u> =Total Cover	<u>90</u> <u>20</u> <u>5</u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>	<u>Yes</u> <u>No</u> <u>No</u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>	<u>FACU</u> <u>FACW</u> <u>UPL</u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>		
Woody Vine Stratum (Plot size: <u>30-Ft</u>) 1. <u> </u> 2. <u> </u> <u> </u> =Total Cover	<u> </u> <u> </u> <u> </u>	<u> </u> <u> </u> <u> </u>	<u> </u> <u> </u> <u> </u>		

Remarks: (Include photo numbers here or on a separate sheet.)
PP07. Vegetation subject to periodic mowing. The criterion for hydrophytic vegetation is met.

SOIL

Sampling Point: DP08

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth	Matrix		Redox Features				Texture	Remarks
(inches)	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-9	10YR 3/2	100					Loamy/Clayey	
9-24	10YR 3/3	100					Loamy/Clayey	
¹ Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.						² Location: PL=Pore Lining, M=Matrix.		
Hydric Soil Indicators:						Indicators for Problematic Hydric Soils³:		
☐ Histosol (A1)			☐ Sandy Gleyed Matrix (S4)			☐ Iron-Manganese Masses (F12)		
☐ Histic Epipedon (A2)			☐ Sandy Redox (S5)			☐ Red Parent Material (F21)		
☐ Black Histic (A3)			☐ Stripped Matrix (S6)			☐ Very Shallow Dark Surface (F22)		
☐ Hydrogen Sulfide (A4)			☐ Dark Surface (S7)			☐ Other (Explain in Remarks)		
☐ Stratified Layers (A5)			☐ Loamy Mucky Mineral (F1)			³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.		
☐ 2 cm Muck (A10)			☐ Loamy Gleyed Matrix (F2)					
☐ Depleted Below Dark Surface (A11)			☐ Depleted Matrix (F3)					
☐ Thick Dark Surface (A12)			☐ Redox Dark Surface (F6)					
☐ Iron Monosulfide (A18)			☐ Depleted Dark Surface (F7)					
☐ Sandy Mucky Mineral (S1)			☐ Redox Depressions (F8)					
☐ 5 cm Mucky Peat or Peat (S3)								
Restrictive Layer (if observed):								
Type: _____ None						Hydric Soil Present? Yes _____ No <u> X </u>		
Depth (inches): _____								
Remarks:								
The criterion for hydric soil is not met.								

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)	
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ True Aquatic Plants (B14)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Crayfish Burrows (C8)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Stunted or Stressed Plants (D1)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ Geomorphic Position (D2)	
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☐ FAC-Neutral Test (D5)	
☐ Inundation Visible on Aerial Imagery (B7)	☐ Gauge or Well Data (D9)		
☐ Sparsely Vegetated Concave Surface (B8)	☐ Other (Explain in Remarks)		
Field Observations:			
Surface Water Present?	Yes ☐ No ☒	Depth (inches):	
Water Table Present?	Yes ☐ No ☒	Depth (inches):	
Saturation Present?	Yes ☐ No ☒	Depth (inches):	
(includes capillary fringe)		Wetland Hydrology Present? Yes ☐ No ☒	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:			
Wisconsin Wetland Inventory, National Hydrography Dataset, NRCS Soils Map, Google Aerial Imagery, WDNR 24K Hydrology Data and USGS Topographic Maps			
Remarks:			
Based on the APT tool, antecedent hydrologic conditions are drier than normal. The criterion for wetland hydrology is not met.			

Stephen W. Chu, PWS
Wisconsin Assured Wetland Delineator
4263 Glenmore Road
Rockton, IL 61072
Tel 815 871 7248

To: Kevin Driscoll, Village Engineer

CC: Jeff Retzlaff Village Planner

From: Bob Beilfuss, PLS

Date: January 31, 2025

Re: Charles Smith CSM

Kevin and Jeff,

Here is my review comments for the CSM received from Charles Smith for the property located at W148 N12470 Pleasant View Drive

Certified Survey Map

Applicant or Owner: Charles R. Smith

Land Surveyor/Firm: Grady L. Gosser, PLS – Trio Engineering LLC

1. There are professional land surveyor seals on each sheet, but no signatures of the professional land surveyor who prepared the document to any of the 5 sheets of the document.
2. The wetlands as mapped need to include the 25' setback line.
3. Add the following note to the document: *"Development within these setback areas is prohibited unless otherwise allowed pursuant to the provisions of Chapter 24 (Shoreland-Wetland Zoning Code) in the Germantown Municipal Code"*.
4. The ¾"x18" iron rod set symbol for the SE corner of Lot 2 is missing from Sheet 1 of 5 (Overall Detail Sheet) and needs to be added. All of the other monumented corners for both proposed lots are shown on this sheet.
5. Show by dimensions, the existing septic mound system is encroaching into the dedicated right of way of Pleasant View Drive. An additional note maybe required by the Village Planner regarding the septic system encroaching into Village Road right of way.
6. Is there a mortgage on this property and is a certificate of mortgagee needed? If the property is owned without a lien, then the owner needs to submit a letter from the lender to the Village that the property is free and clear of any mortgage.
7. The point of beginning of the described land is not shown on sheet 1 or 2 of 5.

8. The location of passing soil borings on proposed Lot 2 showing it is a viable lot for an onsite septic system.

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 or Village Engineer 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

Professional Land Surveying and Mapping Services
W174 N9467 Joper Road, Menomonee Falls, Wisconsin, 53051
262-250-8003 office pointlandsurveying@gmail.com email

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Plan Commission at the Germantown Village Hall located at N112W17001 Mequon Road, Germantown, Wisconsin and virtually through the WebEx platform on the following date and at the time noted below (or soon thereafter):

DATE: Monday, April 14th, 2025
TIME: 6:30 pm or later

The purpose of said hearing is to hear all parties, their attorneys or agents, for or against the following application: REZONING a portion of the subject property from the A-1: Agricultural District to the Rs-1: Single-Family District pursuant to Code Sec. 17.14 and REZONING a portion of the subject property from the A-1: Agricultural District to the A-2: Agricultural District pursuant to Code Sec. 17.13.

Applicant:

Josh Pudelko, Agent for Trio Engineering, LLC, and Charles Smith, Property Owner

Property Address: W148N12470 Pleasant View Drive (GTNV_141998)

Property Description (LEGAL DESCRIPTION – PROPOSED LOT 1 TO BE REZONED Rs-1):

BEING A PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, NOW BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 14, THENCE SOUTH 88°32'12" WEST AND ALONG THE SOUTH LINE OF THE SAID NORTHEAST 1/4 OF SAID SECTION 14, 1294.41 FEET TO A POINT; THENCE NORTH 01°01'25" WEST AND ALONG THE EAST LINE OF THE SAID SOUTHWEST 1/4 OF THE SAID NORTHEAST 1/4 OF SAID SECTION 14, 520.87 FEET TO THE PLACE OF BEGINNING OF LANDS HEREINAFTER DESCRIBED;

THENCE SOUTH 88°29'23" WEST, 1021.60 FEET TO A POINT; THENCE SOUTH 30°20'06" WEST, 342.56 FEET TO A POINT; THENCE SOUTH 88°51'45" WEST, 55.00 FEET TO A POINT; THENCE NORTH 01°08'15" WEST, 430.65 FEET TO A POINT ON THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 5478; THENCE NORTH 88°29'23" EAST AND ALONG THE SAID SOUTH LINE, 1255.73 FEET TO A POINT ON THE SAID EAST LINE; THENCE SOUTH 01°01'25" EAST AND ALONG THE SAID EAST LINE, 140.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. SAID PARCEL CONTAINS 217,801 SQUARE FEET (OR 5.0000 ACRES) OF LAND, MORE OR LESS.

Property Description (LEGAL DESCRIPTION – PROPOSED LOT 2 TO BE REZONED A-2):

BEING A PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, NOW BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 14, THENCE SOUTH 88°32'12" WEST AND ALONG THE SOUTH LINE OF THE SAID NORTHEAST 1/4 OF SAID SECTION 14, 1294.41 FEET TO A POINT; THENCE NORTH 01°01'25" WEST AND ALONG THE EAST LINE OF THE SAID SOUTHWEST 1/4 OF THE SAID NORTHEAST 1/4 OF SAID SECTION 14, 40.00 FEET TO THE PLACE OF BEGINNING OF LANDS HEREINAFTER DESCRIBED;

CONTINUING THENCE NORTH 01°01'25" WEST AND ALONG THE SAID EAST LINE, 480.87 FEET TO A POINT; THENCE SOUTH 88°29'23" WEST, 1021.60 FEET TO A POINT; THENCE SOUTH 30°20'06" WEST, 342.56 FEET TO A POINT; THENCE SOUTH 88°51'45" WEST, 55.00 FEET TO A POINT; THENCE SOUTH 01°08'15" EAST, 189.18 FEET TO A POINT; THENCE NORTH 88°32'12" EAST, 1254.49 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. SAID PARCEL CONTAINS 560,791 SQUARE FEET (OR 12.8740 ACRES) OF LAND, MORE OR LESS.

A copy of the application and a map showing the property described above are on file at the Community Development Department-Planning & Zoning Services office in the Germantown Village Hall and can be viewed on the Village's website by following this link:

Website: <https://www.germantownwi.gov/589/Proposed-Development-Projects>

Citizens wishing to submit any public comments should do so by sending them by email to: comments@germantownwi.gov no later than 4:00pm on the meeting date listed above.

Donna Ott, Village Clerk

Dated this 19th day of March 2025

To Be Published On: March 26th and April 2nd, 2025

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Action Item

ITEM TITLE: Donald Thoma, Accurate Surveying & Engineering, LLP Agent for Shepherd ETAL, property owners, N104 W21677 Willow Creek Road (GTNV312-993) and Laskowski Revocable Family Trust, property owner N101 W21628 Birch Lane (GTNV312-990); Rezoning to and from the RS-1: Single-Family Residential and A-2: Agricultural Districts and two (2) Certified Survey Maps (CSM) for a Land Exchange and Property Line Adjustment.

SUBMITTED BY: Jeff Retzlaff, Community Dev. Director

SUMMARY EXPLANATION:

The two (2) adjoining property owners have entered into a settlement agreement to exchange land via quit claim deeds that also requires Village approval of two certified survey maps (one for each property). The private settlement agreement was reached to resolve a building and other encroachments by Shepherd onto the Laskowski property and to adjust the common property line.

ATTACHMENT:

1. Staff Report-4-14-25-Shepherd-Laskowski-CSM-Rezoning
2. REZONING ORDINANCE_SHEPHERD-LASKOWSKI-04.21.25
3. 4-Laskowski CSM
4. 5-Shepherd CSM
5. 2-Accurate Survey-Laskowski-Apps
6. 3-Accurate Survey-Shepherd-Apps
7. 6-Exchange Areas-Graphic
8. 7-Legal Desc-Land Area to Laskowski
9. 8-Legal Desc-Land Area to Shepherd
10. 9-Settlement Agreement-Laskowski-Shepherd
11. 10-Villag Surveyor Review-Laskowski CSM-2-21-25
12. 11-Village Surveyor Review-Shepherd CSM-2-21-25
13. NOTICE OF PUBLIC HEARING

STAFF RECOMMENDATION:

ACTION BY Committee:

PLAN COMMISSION (Recommendations to the Village Board)

APPROVE the proposed Certified Survey Map (CSM) for the Shepherd ETAL property and the proposed Certified Survey Map (CSM) for the Laskowski Family Trust property as submitted subject to the two (2) conditions.

APPROVE rezoning .582 acres of the Shepherd property from Rs-1: Single-Family to

A-2: Agricultural and .326 acres of the Laskowski property from A-2: Agricultural to Rs-1: Single-Family as proposed.

REZONING & CERTIFIED SURVEY MAP (CSM) APPLICATIONS

4/14/24 Plan Commission Meeting

Accurate Surveying / Laskowski Trust & Shepherd ETAL

Village Planner Report

Germantown, Wisconsin

Summary

Don Thoma, Accurate Surveying & Engineering LLP, agent for the Lisa Laskowski Revocable Family Trust and the ownership group of Michael Shepherd, Maureen Piontek, Kathleen Fritz, and Daniel Shepherd as “tenants in common”, are seeking approval of two (2) separate Certified Survey Maps (CSM) to exchange portions of their respective property and relocate the common property line between their property.

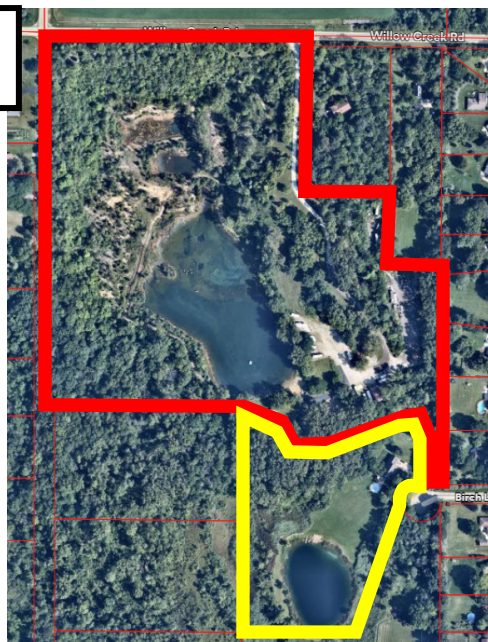
Location: N104 W21677 Willow Creek Road (Shepherd ETAL property)
N101 W21628 Birch Lane (Laskowski Trust property)

Property Owners: Shepherd ETAL Laskowski Family Trust
12860 Greenbriar Lane N101 W21628 Birch Lane
New Berlin, WI Germantown, WI

Current & Proposed Zoning: A-2: Agricultural (Shepherd ETAL property)
Rs-1: Single-Family (Laskowski Trust property)

Adjacent Land Uses		Zoning
North	Agricultural	A-1/A-2
South	Residential	Rs-1
East	Residential	Rs-3/Rs-4
West	Residential (V of Richfield)	Rs-2/Rs-3

Location Map
(larger image last page)



Proposal/Background

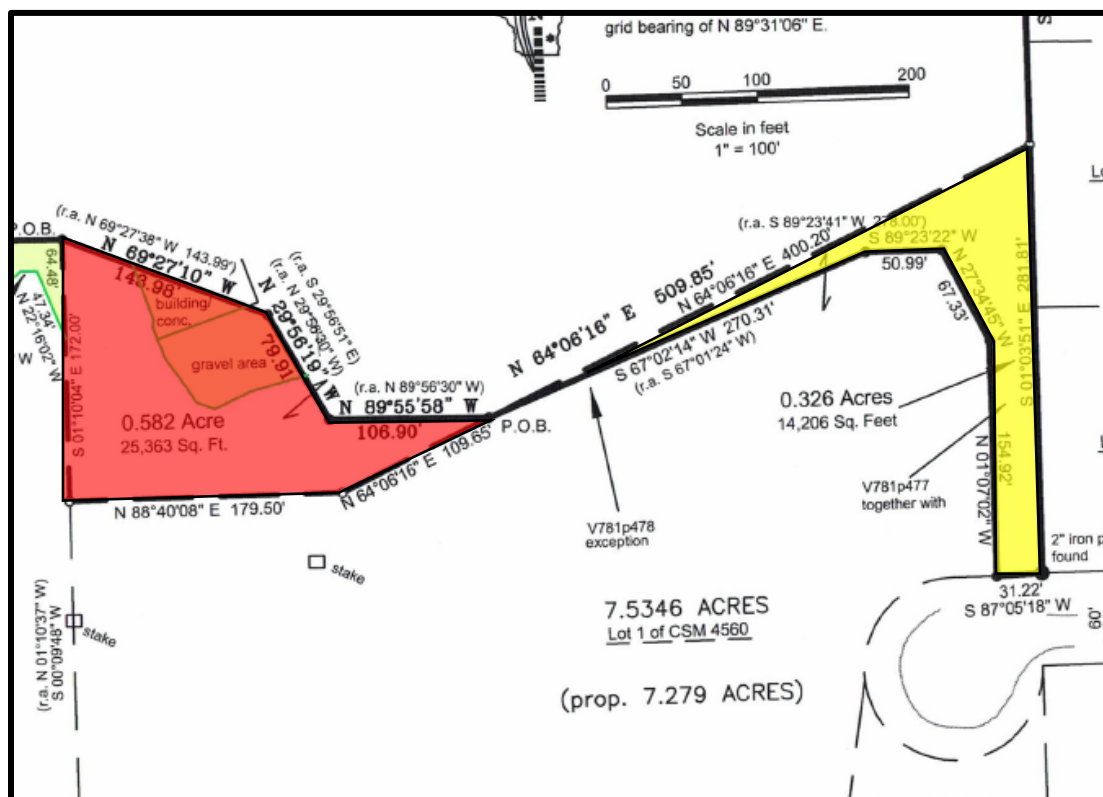
Don Thoma, Accurate Surveying & Engineering LLP, agent for the Lisa Laskowski Revocable Family Trust and the ownership group of Michael Shepherd, Maureen Piontek, Kathleen Fritz, and Daniel Shepherd as "tenants in common", are seeking approval of two (2) separate Certified Survey Maps (CSM) to finalize an agreement to exchange portions of their respective property and relocate the common property line between their property.

The two (2) adjoining property owners have entered into a settlement agreement (copy enclosed) to exchange land via quit claim deeds that also requires Village approval of two certified survey maps (one for each property).

Certified Survey Maps

As shown in the two CSM's and other supporting documents (see enclosed), the settlement agreement was reached to resolve a building and other encroachments by Shepherd onto the Laskowski property and to adjust the common property line. The graphic below shows the two areas of exchange along the existing property line (SOLID line) and the proposed property line (DASHED line). Each of the two CSM's reflects the agreed to land exchange and new common property line:

- .582 acre area (RED) from Laskowski to Shepherd
- .326 acre area (YELLOW) from Shepherd to Laskowski



Rezoning

Because the Shepherd property is zoned A-2: Agricultural and the Laskowski property is zoned Rs-1: Single-Family Residential, the exchange areas are required to be rezoned as follows:

- .582 acre area from Rs-1 to A-2 (RED area from Laskowski to Shepherd)
- .326 acre area from A-2 to Rs-1 (YELLOW area from Shepherd to Laskowski)

Staff Comment

The resulting parcels, the 29.31 acre Shepherd property and the 7.279 acre Laskowski property, will be consistent with the respective A-2 and Rs-1 Zoning District requirements in terms of parcel size and location within the Willow Creek-Weidenbach Neighborhood under the 2050 Plan.

As shown in the CSM's and other supporting documents, the settlement agreement was reached to resolve a building and other encroachments by Shepherd onto the Laskowski property. The most significant encroachment in Staff's opinion is the approximately 40' x 60' metal roof structure that was constructed across the common property line in an area south of the large quarry lake (the Shepherd property is a former gravel pit that operated during the late 1950's through the 1990's). This and other structures that appear on aerial photos of the property were not properly permitted through the Village and remain potential Building Code violations. Although zoned A-2: Agricultural, current uses of the Shepherd property appear to include a private campground with multiple RV's and boats and construction equipment and material storage; all of which are potential Zoning Code violations. These issues are separate from the proposed rezoning & CSM applications needed to consummate the settlement agreement between Shepherd and Laskowski and will be addressed at a later date with the Shepherd property owners.

As part of the settlement agreement, and in addition to exchanging land, the parties are also entering into a separate Access & Maintenance Agreement that will allow Shepherd to continue to use an area of encroachment and existing water valve that were installed by Shepherd on the Laskowski property. Village approval of this agreement is not required.

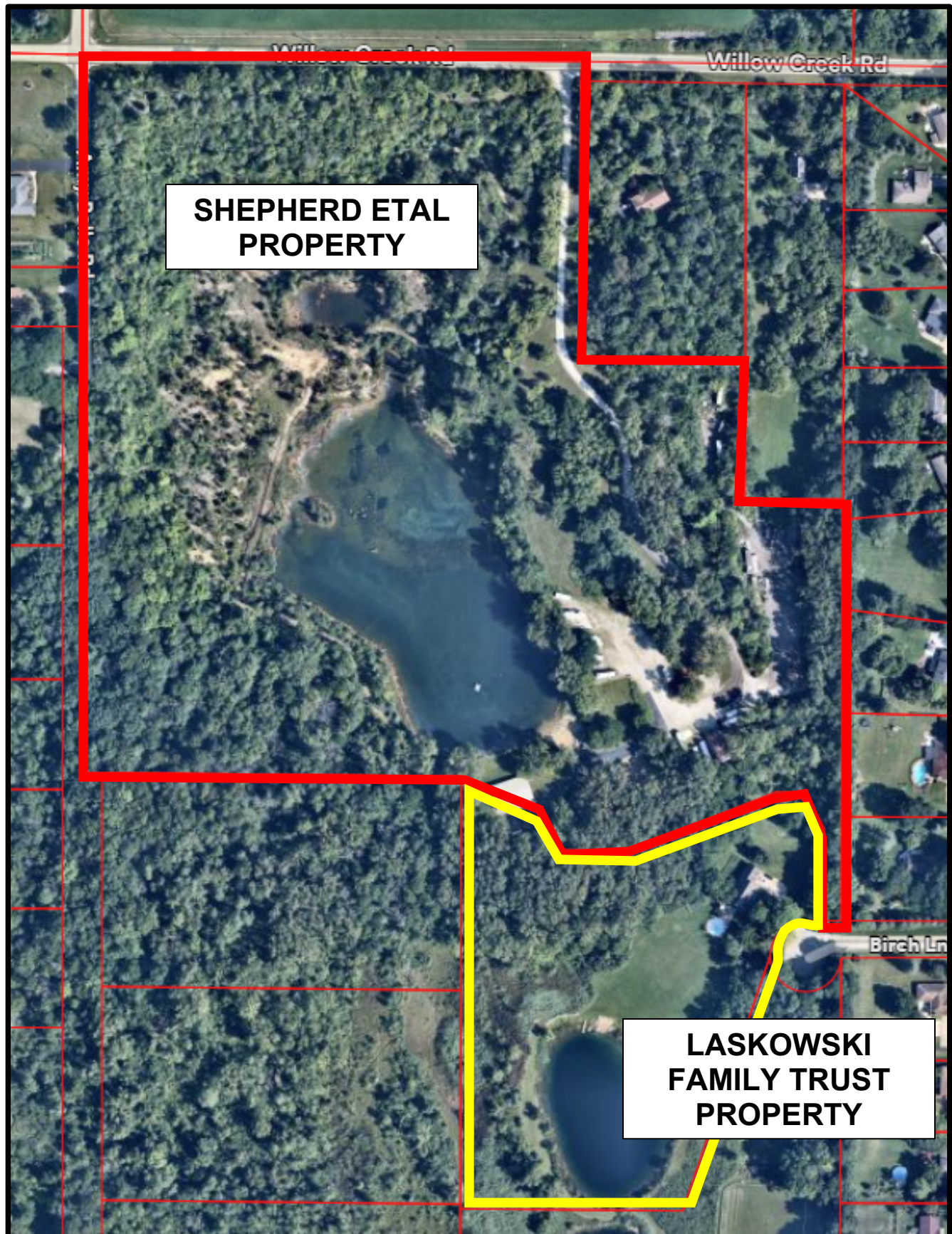
Village Engineer/Surveyor

The Village's surveying consultant has identified a couple of minor technical corrections that need to be made to both CSM's in memos dated February 21, 2025 (copies enclosed).

VILLAGE STAFF RECOMMENDATION

APPROVE the proposed Certified Survey Map (CSM) for the Shepherd ETAL property and the proposed Certified Survey Map (CSM) for the Laskowski Family Trust property as submitted subject to the following conditions:

1. All technical issues and plan correction identified by the Village Surveyor's review memo dated February 21, 2025 shall be addressed and reflected in a revised CSM submitted and approved by the Village Engineer prior to recording the CSM.
2. The Village signature block on both CSM's shall be revised to reflect the correct Village officials prior to submitting the CSM's for recording.



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

WHEREAS, the Village of Germantown has adopted a Zoning Code under the authority granted by Wis. Stats. 61.35 and 62.23(7); and

WHEREAS, the Plan Commission has considered this petition for a Rezoning and found the request to be consistent with the Village's 2050 Comprehensive Plan; and

WHEREAS, the Plan Commission forwarded a recommendation of approval to the Village Board for the Rezoning at its meeting on April 14, 2025;

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

SECTION I

That the zoning map of the Village of Germantown is amended by rezoning from the A-2: Agricultural District to the Rs-1: Single-Family Residential District for land transferred from Kathleen M. Fritz, Daniel T. Shepherd, Maureen Piontek & Michael J. Shepherd to Lisa Laskowski Revocable Family Trust to with the following description:

Part of Lots 1 and 2 of Certified Survey Map No. 2387 as recorded in the Washington County Registry in Volume 12 of Certified Survey Maps on pages 327-329 as Document No. 436648 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet, to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560 and the point of beginning of lands herein described; thence continuing N 64°06'16" E, 400.20 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence N 01°07'02" W, along the easterly line of said Lot 1 of Certified Survey Map No. 4560, 154.92 feet; thence N 27°34'45" W, along the northeasterly line of said Lot 1 of Certified Survey Map No. 4560, 67.33 feet; thence S 89°23'22" W, along the northerly line of Certified Survey Map

No. 4560, 50.99 feet; thence S 67°02'14" W, along the northerly line of said Lot 1 of Certified Survey Map No. 4560, 270.31 feet, to the point of beginning. Containing 0.326 acre (14,206 square feet) more or less. Releasing any and all access rights to Birch Lane by easement or access reservation as shown on said Certified Survey Maps No. 2387 and 1602.

That the zoning map of the Village of Germantown is amended by rezoning from the Rs-1: Single-Family to the A-2: Agricultural District, for land being transferred from Lisa Laskowski Revocable Family Trust to Kathleen M. Fritz, Daniel T. Shepherd, Maureen Piontek & Michael J. Shepherd with the following description:

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560, being the point of beginning of lands herein described; thence S 01°10'04" E, along the west line of said Lot 1 of Certified Survey Map No. 4560, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560; thence N 89°55'58" W, along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 106.90 feet; thence N 29°56'19" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 79.91 feet; thence N 69°27'10" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 143.98 feet, to the point of beginning. Containing 0.582 acre (25,363 square feet) more or less

SECTION II

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

SECTION III

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

SECTION IV

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

Adopted: April 21, 2025

Robert A. Soderberg, Village President

ATTEST:

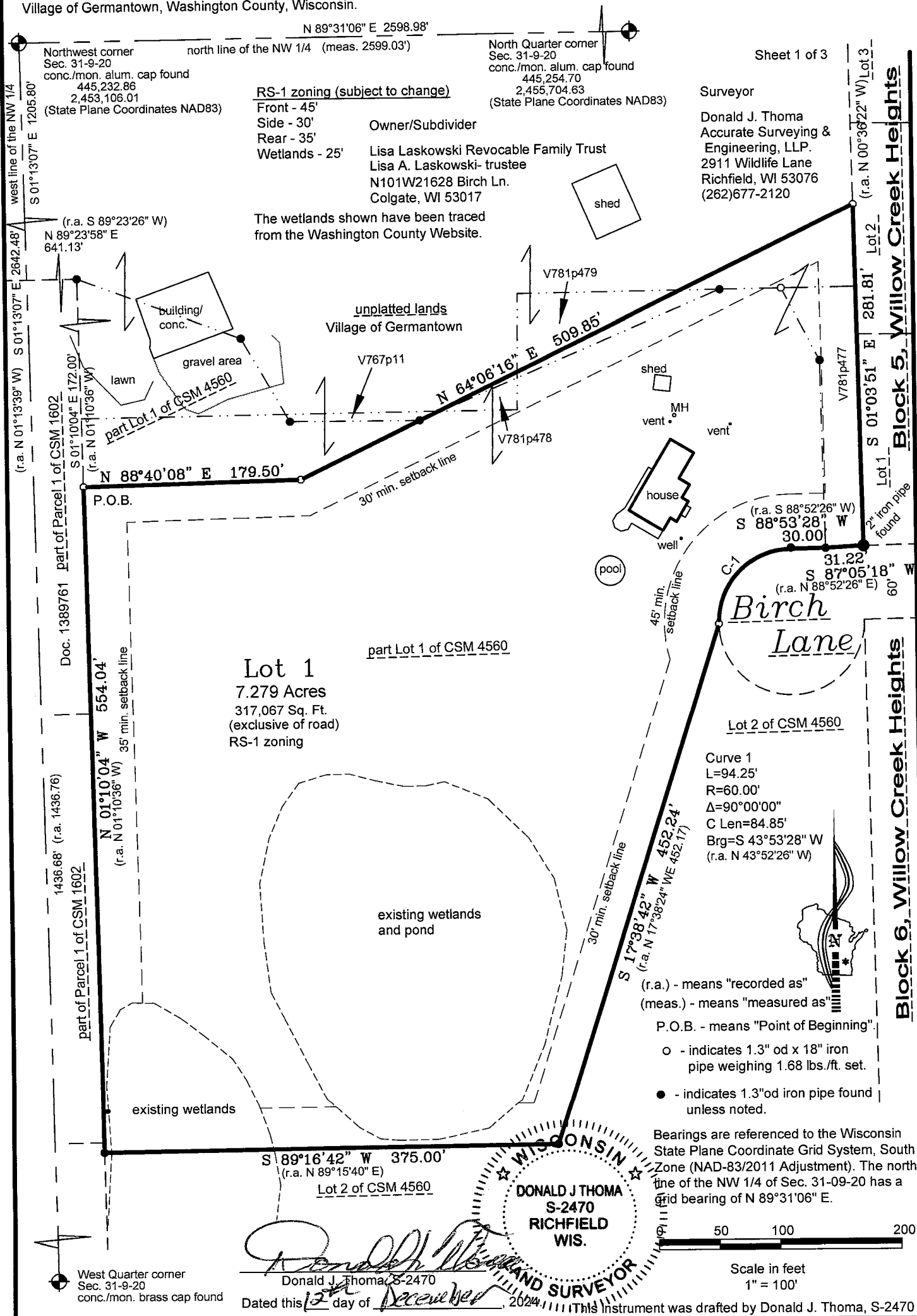
Donna Ott, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published:

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

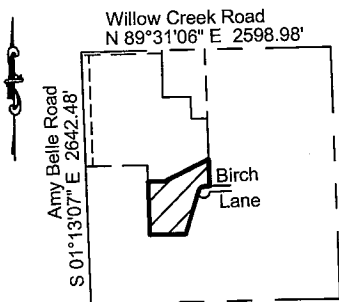


Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Location Sketch

NW 1/4 Section 31-9-20
Scale: 1" = 2000'



Surveyor's Certificate:

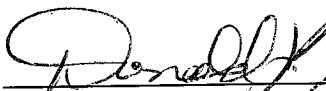
I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Lisa A. Laskowski, I have surveyed, divided and mapped the land shown and described hereon, part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

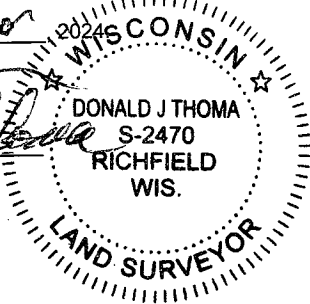
Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet, to the point of beginning of lands herein described; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence S 88°53'28" W, continuing along said north right-of-way line, 30.00 feet; thence southwesterly continuing along said right-of-way of Birch Lane and along the arc of a curve to the left 94.25 feet, radius 60.00 feet, delta 90°00'00", chord S 43°53'28" W 84.85 feet; thence S 17°38'42" W, along the southeasterly line of said Lot 1 of Certified Survey Map No. 4560, 452.24 feet; thence S 89°16'42" W, along the south line of said Lot 1, 375.00 feet; thence N 01°10'04" W, along said west line of said Lot 1, 554.04 feet, to the point of beginning.

Containing 7.279 acres (317,067 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping said lands, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 12th day of December, 2024


Donald J. Thoma S-2470



Owner's Certificate:

As owner Lisa Laskowski Revocable Family Trust / Lisa A. Laskowski - Trustee, I hereby certify that I caused the land shown and described herein to be surveyed, divided and mapped as represented on this Certified Survey Map. I also certify that there is no mortgage on this property and this Certified Survey Map is required to be submitted to the following for approval:

Village of Germantown Plan Commission

Village of Germantown Village Board

Lisa Laskowski Revocable Family Trust / Lisa A. Laskowski - Trustee

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s.

Personally came before me this ____ day of _____, 202__, the above named Trustee is to me known to be the same person who executed the foregoing instrument and acknowledge the same.

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

My commission expires _____

Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Village of Germantown Plan Commission Approval:

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this ____ day of _____, 202__.

Dean Wolter - Chairperson

Deborah J. Remich - Secretary

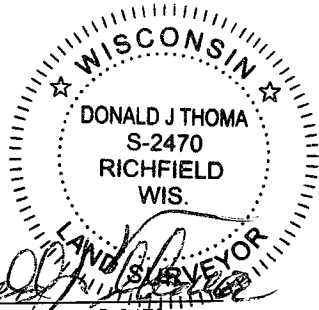
Village of Germantown, Village Board Approval:

This Certified Survey Map, Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and accepted by the Village Board of Trustees of the Village of Germantown on

this ____ day of _____, 202__.

Dean Wolter - Village President

Donna Ott - Village Clerk



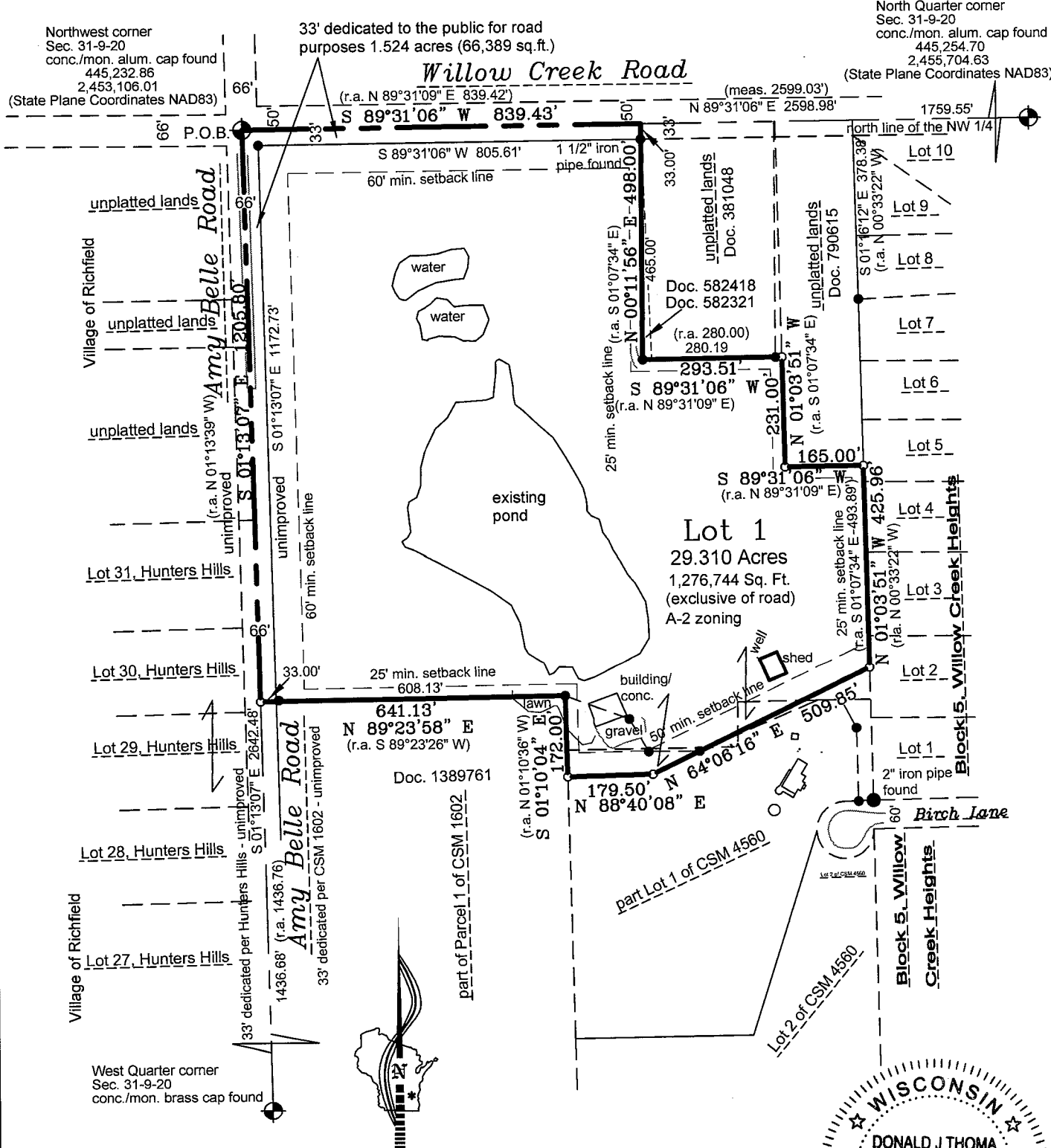
Donald J. Thoma, S-2470

Dated this 12th day of December, 2024.

Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

A-2 zoning (subject to change)	Surveyor	Owner/Subdivider	
Front - 60'	Donald J. Thoma	Kathleen M. Fritz, Daniel T. Shepherd,	Sheet 1 of 3
Side - 25'	Accurate Surveying & Engineering, LLP.	Maureen Piontek & Michael J. Shepherd	
Rear - 50'	2911 Wildlife Lane	12860 W. Greenbriar Ln.	
Wetlands - 25'	Richfield, WI 53076	New Berlin, WI 53151	
	(262)677-2120		



(r.a.) - means "recorded as"
(meas.) - means "measured as"
P.O.B. - means "Point of Beginning".
○ - indicates 1.3" od x 18" iron pipe weighing 1.68 lbs./ft. set.
● - indicates 1.3"od iron pipe found unless noted.

Bearings are referenced to the Wisconsin State Plane Coordinate Grid System, South Zone (NAD-83/2011 Adjustment). The north line of the NW 1/4 of Sec. 31-09-20 has a grid bearing of N 89°31'06" E.

0 50 100 200
Scale in feet
1" = 100'

WISCONSIN
DONALD J THOMA
S-2470
RICHFIELD
WIS.
LAND SURVEYOR

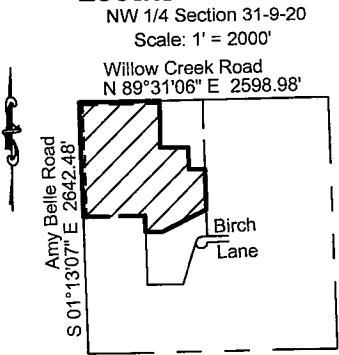
Donald J. Thoma, S-2470
Dated this 12th day of December, 2024.

This instrument was drafted by Donald J. Thoma, S-2470

Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Location Sketch



Surveyor's Certificate:

I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Michael Shepherd, I have surveyed, divided and mapped the land shown and described hereon, part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

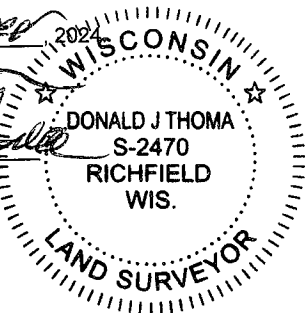
Beginning at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence N 01°03'51" W, along said west line of Willow Creek Heights subdivision, 425.96 feet, to the southeast corner of lands described in Document No. 790615, as recorded in the Washington County Registry; thence S 89°31'06" W, along the south line of said Document No. 790615, 165.00 feet; thence N 01°03'51" W, along the west line of said Document No. 790615, 231.00 feet; thence S 89°31'06" W, along the easterly extension and south line of lands described in Document No. 381048, 582418 and 582321, as recorded in the Washington County Registry, 293.51 feet, to a 1.3 inch od iron pipe found; thence N 00°11'56" E, along the west line of said Document No. 582418 and 582321, 498.00 feet, to the intersection of the north line of said NW 1/4; thence S 89°31'06" W, along said north line, 839.43 feet, to the point of beginning.

Containing 30.834 acres (1,343,133 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping said lands, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 12th day of December, 2024

Donald J. Thoma, S-2470



Owner's Certificate:

As owners we hereby certify that we caused the land shown and described herein to be surveyed, divided, mapped and dedicated that part of Willow Creek Road and Amy Belle Road to the Village of Germantown for public road purposes as represented on Sheet 1 of 3 of this Certified Survey Map. We also certify that there is no mortgage on this property and this Certified Survey Map is required to be submitted to the following for approval:

Village of Germantown Plan Commission

Village of Germantown Village Board

Kathleen M. Fritz - Owner

Maureen Piontek - Owner

Daniel T. Shepherd, - Owner

Michael J. Shepherd- Owner

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s.

Personally came before me this ____ day of _____, 202____, the above named Trustee is to me known to be the same person who executed the foregoing instrument and acknowledge the same.

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

My commission expires _____

Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Village of Germantown Plan Commission Approval:

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this ____ day of _____, 202__.

Dean Wolter - Chairperson

Deborah J. Remich - Secretary

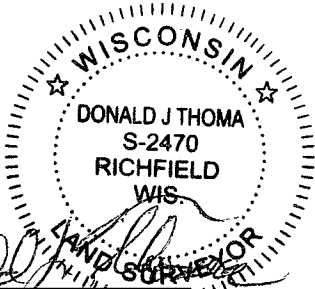
Village of Germantown, Village Board Approval:

This Certified Survey Map, Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and the dedication of that part of Willow Creek Road and Any Belle Road for public road purposes as shown on Sheet 1 of 3 is hereby accepted by the Village Board of Trustees of the Village of Germantown on

this ____ day of _____, 202__.

Dean Wolter - Village President

Donna Ott - Village Clerk



Donald J. Thoma, S-2470
Dated this 12th day of December, 2024.



Village of



Germantown

...Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid

Date

2/11/25
CHK # 13597

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
Donald J. Thoma
AccurateSurveying&EngineeringLLP
2911 Wildlife Lane
Richfield WI 53076
Phone (262) 677-2120
Fax ()
E-Mail don@accuratesurveying.net

PROPERTY OWNER
Lisa Laskowski Revocable Family Trust
% Lisa A. Laskowski - Trustee
N101W21628 Birch Lane
Colgate WI 53017
Phone (713) 218-6449

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2 N101W21628 Birch Lane, Colgate WI 53017 GTNV-312990

3 PURPOSE OF LAND SPLIT

Lot line adjustment. The two owners are resolving some lot lines from occupation and future access from Birch Lane.

Will the land split require rezoning?

yes

From

A-2

To

RS-1

4 READ AND INITIAL THE FOLLOWING:

rr 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.

rr 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.

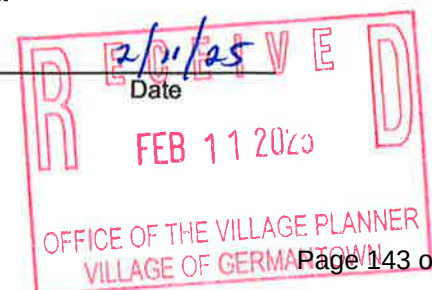
rr I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

rr 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!

rr Applicant Date 2/11/25

rr Owner





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: 2/11/25 Received by: [Signature]

CHK # 3597

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

Donald J. Thoma

AccurateSurveying&EngineeringLLP

2911 Wildlife Lane

Richfield WI 53076

Phone (262) 677-2120

Fax ()

E-Mail don@accuratesurveying.net

PROPERTY OWNER

Lisa Laskowski Revocable Family Trust

% Lisa A. Laskowski - Trustee

N101W21628 Birch Lane

Colgate WI 53017

Phone ()

2 PROPERTY ADDRESS OR GENERAL LOCATION

N101W21628 Birch Lane, Colgate WI 53017

TAX KEY NUMBER

GTNV-312990

3 REZONING REQUEST

FROM

A-2

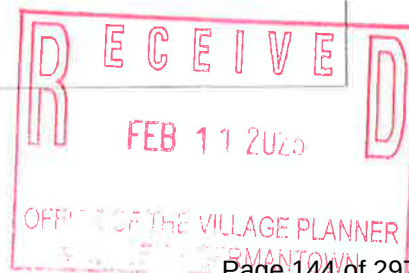
TO

RS-1

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

See Attachment



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.

lot line adjustment

6

SUPPORTING DOCUMENTATION:

CSM
Plat of Survey (1:100)



Site Plan and elevations for new construction (can be conceptual)

7

READ AND INITIAL THE FOLLOWING:

ff

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.

ff

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 be sufficient cause to deny the petition.

ff

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

ff

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
Accurate Surveying

1-14-25
Date


Owner

2/10/25
Date

Village of

Germantown

Village of Germantown
Clerk Treasurer
N112W17001 MEQUON ROAD
Germantown, WI 53022
(262)250-4700
Welcome

02/12/2025 08:57AM Jennifer
000841-0001
Payment Effective Date 02/12/2025

MISCELLANEOUS

PLAT REVIEW FEES (GENPLT)

2025 Item: GENPLT

1 @ \$3,045.0000

PLAT REVIEW FEES

(GENPLT)

\$3,045.00

\$3,045.00

Subtotal

\$3,045.00

Total

\$3,045.00

CHECK

\$3,045.00

Check Number 3597

Change due

\$0.00

Thank you for your payment

CUSTOMER COPY



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: 2/10/25

Received by: OR

CHK # 5867

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

Donald J. Thoma

AccurateSurveying&EngineeringLLP

2911 Wildlife Lane

Richfield WI 53076

Phone (262) 677-2120

Fax ()

E-Mail don@accuratesurveying.net

PROPERTY OWNER

Fritz, Piontek, Shepherd & Shepherd ETAL

12860 W Greenbriar Lane

New Berlin WI 53151

Phone (414) 801-6052

Mike Shepherd

2 PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

N104W21677 Willow Creek Road, Colgate WI 53017

GTNV-312993

3 REZONING REQUEST

FROM

RS-1

TO

A-2

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

See Attachment



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.

Lot Line Adjustment

6

SUPPORTING DOCUMENTATION:

☒ *CSM*
Plat of Survey (1:100)

☐ Site Plan and elevations for new construction (can be conceptual)

7

READ AND INITIAL THE FOLLOWING:

MJS 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.

MJS 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 be sufficient cause to deny the petition.

MJS 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

MJS 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!

Donald J. Thomas 1-14-25
Applicant Date
Accurate Surveying

Michael J. Shylus 2-10-25
Owner Date



Village of



Germantown

Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid 2/10/25 Date [Signature]

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

Donald J. Thoma

AccurateSurveying&EngineeringLLP

2911 Wildlife Lane

Richfield WI 53076

Phone (262) 677-2120

Fax ()

E-Mail don@accuratesurveying.net

PROPERTY OWNER

Fritz, Piontek, Shepherd & Shepherd ETAL

12860 W Greenbriar Lane

New Berlin WI 53151

Phone (414) 801-6052

Mike Shepherd

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2

N104W21677 Willow Creek Road, Colgate WI 53017

GTNV-312993

3

PURPOSE OF LAND SPLIT

Lot line adjustment. The two owners are resolving some lot lines from occupation and future access from Birch Lane.

Will the land split require rezoning?

yes

From RS-1

To A-2

4

READ AND INITIAL THE FOLLOWING:

MJS

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.

MJS

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.

MJS

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.

MJS

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

5

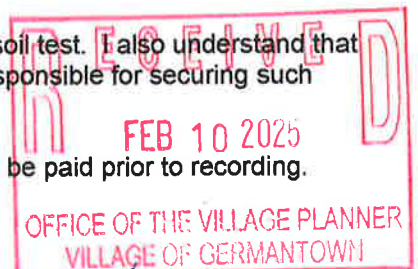
SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

[Signature]
Applicant

1/21/25
Date

[Signature]
Owner

1/21/25
Date



Village of

Germantown

Village of Germantown
Clerk Treasurer
N112W17001 MEQUON ROAD
Germantown, WI 53022
(262)250-4700
Welcome

02/10/2025 11:57AM Jennifer
000839-0039
Payment Effective Date 02/07/2025

MISCELLANEOUS

ZONING FEES (GENZON)

2025 Item: GENZON

1 @ \$3,045.0000

ZONING FEES (GENZON) \$3,045.00

\$3,045.00

Subtotal \$3,045.00

Total \$3,045.00

CHECK \$3,045.00

Check Number 5865

Change due \$0.00

Thank you for your payment

Village of Germantown COPY
DUPLICATE RECEIPT

Accurate Surveying & Engineering LLP

Land Surveying, Developing and Consulting
2911 Wildlife Lane, Richfield, WI 53076

Phone (262)677-2120

December 12, 2024

RE: Legal description for land, Lisa Laskowski Revocable Family Trust to Kathleen M. Fritz, Daniel T. Shepherd, Maureen Piontek & Michael J. Shepherd:

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560, being the point of beginning of lands herein described; thence S 01°10'04" E, along the west line of said Lot 1 of Certified Survey Map No. 4560, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560; thence N 89°55'58" W, along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 106.90 feet; thence N 29°56'19" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 79.91 feet; thence N 69°27'10" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 143.98 feet, to the point of beginning.

Containing 0.582 acre (25,363 square feet) more or less.

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Phone (262)677-2120

December 12, 2024

RE: Legal description for lawn area on part of Parcel 1 of Certified Survey Map No. 1602 owned by, Lisa Laskowski Revocable Family Trust:

Part of Parcel One (1) of Certified Survey Map No. 1602 as recorded in the Washington County Registry in Volume 8 of Certified Survey Maps on pages 190-192 as Document No. 385561, in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 524.13 feet, to the point of beginning of lands herein described; thence continuing N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 114.00 feet to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 64.48 feet; thence N 22°16'02" W, 47.34 feet; thence S 87°40'29" W, 11.64 feet; thence southwesterly along the arc of a curve 54.17 feet, radius 45.17 feet, delta 68°42'29", chord S 77°21'19" W 50.98 feet; thence N 49°10'30" W, 47.57 feet, to the point of beginning.

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December 12, 2024

RE: Legal description for land, Kathleen M. Fritz, Daniel T. Shepherd, Maureen Piontek & Michael J. Shepherd to Lisa Laskowski Revocable Family Trust:

Part of Lots 1 and 2 of Certified Survey Map No. 2387 as recorded in the Washington County Registry in Volume 12 of Certified Survey Maps on pages 327-329 as Document No. 436648 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet, to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560 and the point of beginning of lands herein described; thence continuing N 64°06'16" E, 400.20 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence N 01°07'02" W, along the easterly line of said Lot 1 of Certified Survey Map No. 4560, 154.92 feet; thence N 27°34'45" W, along the northeasterly line of said Lot 1 of Certified Survey Map No. 4560, 67.33 feet; thence S 89°23'22" W, along the northerly line of Certified Survey Map No. 4560, 50.99 feet; thence S 67°02'14" W, along the northerly line of said Lot 1 of Certified Survey Map No. 4560, 270.31 feet, to the point of beginning.

Containing 0.326 acre (14,206 square feet) more or less.

Releasing any and all access rights to Birch Lane by easement or access reservation as shown on said Certified Survey Maps No. 2387 and 1602.

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December 12, 2024

RE: Legal description for land, Kathleen M. Fritz, Daniel T. Shepherd, Maureen Piontek & Michael J. Shepherd to Lisa Laskowski Revocable Family Trust:

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Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet, to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560 and the point of beginning of lands herein described; thence continuing N 64°06'16" E, 400.20 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence N 01°07'02" W, along the easterly line of said Lot 1 of Certified Survey Map No. 4560, 154.92 feet; thence N 27°34'45" W, along the northeasterly line of said Lot 1 of Certified Survey Map No. 4560, 67.33 feet; thence S 89°23'22" W, along the northerly line of Certified Survey Map No. 4560, 50.99 feet; thence S 67°02'14" W, along the northerly line of said Lot 1 of Certified Survey Map No. 4560, 270.31 feet, to the point of beginning.

Containing 0.326 acre (14,206 square feet) more or less.

Releasing any and all access rights to Birch Lane by easement or access reservation as shown on said Certified Survey Maps No. 2387 and 1602.

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December 12, 2024

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Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560, being the point of beginning of lands herein described; thence S 01°10'04" E, along the west line of said Lot 1 of Certified Survey Map No. 4560, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560; thence N 89°55'58" W, along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 106.90 feet; thence N 29°56'19" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 79.91 feet; thence N 69°27'10" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 143.98 feet, to the point of beginning.

Containing 0.582 acre (25,363 square feet) more or less.

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release (the “Agreement”) is made and entered into as of this 1st day of April, 2025 (“Effective Date”) by and between Lisa Laskowski, Trustee of the Lisa Laskowski Revocable Family Trust (“Laskowski”), and Michael Shepherd, Maureen Piontek, Kathleen Fritz and Daniel Shepherd (collectively, “Shepherd”). Laskowski and Shepherd are hereinafter collectively referred to as the Parties.

RECITALS

WHEREAS, Laskowski is the owner of that certain real property and improvements commonly known as N101 W21628 Birch Lane, Colgate, WI 53017 and with Tax Parcel ID No. 312990 (“Laskowski Property”); and

WHEREAS, Shepherd owns, as tenants-in-common, that certain real property and improvements commonly known as N104 W21677 Willow Creek Road, Colgate, WI 53017 and with Tax Parcel ID No. 312993 (“Shepherd Property”), which shares its southern border with the Laskowski Property; and

WHEREAS, Shepherd (i) constructed and owns a building that encroaches the northwest section of the Laskowski Property, and (ii) extended its lawn onto and operates a water valve on the northwest section of the Laskowski Property, both as depicted on Exhibit A attached hereto (the “Encroachment”); and

WHEREAS, the Parties hereby agree to exchange portions of their respective properties with each other via Quit Claim Deed and execute an easement agreement for the benefit of Shepherd to access and maintain the lawn and water valve located on the Laskowski Property, in accordance with the terms herein; and

WHEREAS, the parties acknowledge and agree that they are exchanging reasonably equivalent value for the consideration, obligations, promises and covenants that they each are providing to each other to resolve the Encroachment, and that such consideration, obligations, promises and covenants are sufficient to support the enforceability of this Agreement under applicable law.

TERMS AND CONDITIONS

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

2. Certified Survey Maps. The Parties hereby agree to reasonably cooperate with the Village of Germantown, Wisconsin (the “Village”) in order to finalize and approve the proposed certified survey maps, attached hereto as Exhibits B-1 and B-2 (collectively, the “CSMs”), which depict the New Laskowski Property and the New Shepherd Property, respectively (each as defined hereafter). The Parties hereby acknowledge and agree such CSMs are drafts and may be modified, upon mutual agreement by Laskowski, Shepherd and the Village, prior to the execution and recording of the same. Upon the Village’s approval of the CSMs, Laskowski and Shepherd hereby agree to execute such CSMs where required by either party, and submit original signatures pages to such CSMs to Laskowski’s counsel with Godfrey & Kahn, S.C. (“Laskowski’s Counsel”). Laskowski’s Counsel shall submit such executed CSMs for recording with the Washington County Register of Deeds in accordance with Section 9 hereafter.

3. Quit Claim Deeds. Upon approval and recording of the CSMs in accordance with Section 2 above:

(a) Transfer of Laskowski Property. Laskowski shall convey a portion of the Laskowski Property (the “Conveyed Laskowski Land”) to Shepherd via the recording of the quit claim deed attached hereto as Exhibit C-1 (the “Laskowski Deed”), in accordance with Section 9 hereafter. The remainder of the Laskowski Property shall be legally described as set forth on Exhibit C-2 and attached hereto (the “New Laskowski Property”), subject to the modification of Exhibit B-1 pursuant to Section 2 above, upon the recording of the Laskowski Deed;

(b) Transfer of Shepherd Property. Shepherd shall convey a portion of the Shepherd Property (the “Conveyed Shepherd Land”) to Laskowski via the recording of the quit claim deed attached hereto as Exhibit D-1 attached hereto (the “Shepherd Deed”, together with the Laskowski Deed, the “Deeds”), in accordance with Section 9 hereafter. The remainder of the Shepherd Property shall be legally described as set forth on Exhibit D-2 and attached hereto (the “New Shepherd Property”), subject to the modification of Exhibit B-2 pursuant to Section 2 above, upon the recording of the Shepherd Deed; and

(c) Property Taxes. The Parties hereby agree not to prorate applicable property taxes incurred against the Laskowski Property or Shepherd Property prior to or after the recording of the Deeds. Laskowski shall be obligated to pay such taxes levied against the New Laskowski Property upon receipt of a tax bill from the applicable taxing authority. Shepherd shall be obligated to pay such taxes levied against the New Shepherd Property upon receipt of a tax bill from the applicable taxing authority.

4. Conveyance of Easement. Upon approval of the CSMs in accordance with this Agreement, the Parties shall record an Access and Maintenance Easement Agreement setting forth the terms and conditions under which Shepherd may access and maintain the Encroachment located on the Laskowski Property, in substantially the same form as set forth on Exhibit E attached hereto (the “Easement Agreement”), in accordance with Section 9 hereafter.

5. Mutual Release; Indemnification.

(a) From and after the recording of the Deeds, Laskowski shall have no further rights or claims to the Conveyed Laskowski Land. Shepherd shall hereby indemnify and hold harmless Laskowski from and against any and all losses, costs (including reasonable attorneys’ fees and legal expenses), liabilities, claims, injuries, deaths and damages to persons or property which occur after the recording of the Deeds in connection to Shepherd’s ownership, maintenance or operation of the Conveyed Laskowski Land and that arise after the Effective Date. Laskowski shall hereby indemnify and hold harmless Shepherd from and against any and all losses, costs (including reasonable attorneys’ fees and legal expenses), liabilities, claims, injuries, deaths and damages to persons or property which occurred prior to the recording of the Deeds in connection to Laskowski’s ownership, maintenance or operation of the Conveyed Laskowski Land and that arise after the Effective Date.

(b) From and after the recording of the Deeds, Shepherd shall have no further rights or claims to the Conveyed Shepherd Land. Laskowski shall hereby indemnify and hold harmless Shepherd from and against any and all losses, costs (including reasonable attorneys’ fees and legal expenses), liabilities, claims, injuries, deaths and damages to persons or property which occur after the recording of the Deeds in connection to Laskowski’s ownership, maintenance or operation of the Conveyed Shepherd Land and that arise after the Effective Date. Shepherd shall hereby indemnify and hold harmless Laskowski from and against any and all losses, costs (including reasonable attorneys’ fees and legal expenses), liabilities, claims, injuries, deaths and damages to persons or property which

occurred prior to the recording of the Deeds in connection to Shepherd's ownership, maintenance or operation of the Conveyed Shepherd Land and that arise after the Effective Date.

6. Authority. By executing this Agreement, each party represents and warrants to each other party to this Agreement that it has all necessary power and authority to execute and deliver this Agreement, and that this Agreement is a valid and binding obligation of the signing party, enforceable against it in accordance with its terms, except as such enforcement may be limited by bankruptcy, insolvency, moratorium, reorganization or other similar laws affecting the enforcement of creditors' rights generally and judicial limitations on the enforcement of the remedy of specific performance and other equitable remedies. Each signing party agrees to indemnify, defend and hold harmless the other parties to this Agreement from and against any and all claims, costs, damages and injuries (including reasonable attorneys' fees and legal costs) suffered by the other parties to this Agreement as a result of a breach of this section.

7. No Representations Except as Stated Herein. Each Party represents and warrants that the other Party has not made any promise, representation, or warranty, express or implied, not contained herein, concerning the subject matter of this Agreement to induce it to execute this Agreement, and that this Agreement was not executed in reliance on any such promise, representation, or warranty.

8. Legal Advice. Each Party to this Agreement represents and warrants that it has obtained the advice of counsel of choice, has carefully read and fully understands all the terms in this Agreement, including the release and obligations contained herein, and has entered into this Agreement voluntarily.

9. Recording.

(a) Shepherd hereby agrees to pay the costs of recording the CSMs, Deeds and Easement Agreement (collectively, the "Recordable Documents") with the Washington County Register of Deeds. The Recordable Documents shall be submitted by Laskowski's Counsel for recording with the Washington County Register of Deeds no later than fifteen (15) business days after the Village's approval of the CSMs pursuant to Section 2 above, with the updated legal descriptions included in the CSMs attached to the respective Recordable Document, and in the following order:

- i. The CSMs;
- ii. The Deeds; and
- iii. The Easement Agreement.

(b) Shepherd shall pay Laskowski's Counsel for the cost of such aforementioned recording and survey expenses no later than fourteen (14) days after Shepherd's receipt of an invoice for such costs from Laskowski's Counsel.

10. Attorneys' Fees. Subject to Section 9 above, Laskowski and Shepherd each agrees to bear its own costs, expenses, and attorneys' fees associated with the negotiation and drafting of this Agreement, and the negotiations leading to this Agreement.

11. Integration and Severability. This Agreement, together with its Exhibits, consists of the entire, complete, and integrated agreement and understanding of the Parties concerning the subject matter herein, and shall, except as set forth herein, supersede, terminate, and cancel all other previous oral or written proposals or negotiations between the Parties relating to the subject matter of this Agreement. If any provision or portion of this Agreement is held invalid, void, or unenforceable under any applicable

statute or rule of law, only that provision, or portion thereof, shall be deemed omitted from this Agreement, and only to the extent to which it is held invalid, and the remainder of the Agreement shall remain in full force and effect.

12. Governing Law, Venue, and Waiver. This Agreement shall be construed and governed by the laws of the State of Wisconsin without giving effect to any choice of law or conflict of law rules or provisions that would cause the application of the laws of any jurisdiction other than the State of Wisconsin.

13. Amendments and Modifications. This Agreement may not be amended or modified in any manner except by written agreement of the Parties, executed by all of the Parties, after the full execution of this Agreement.

14. Construction. The Parties acknowledge and agree that each of them has participated in drafting this Agreement, and as a result, nothing in this Agreement shall be construed in favor of one Party against another Party.

15. Headings. The section headings in this Agreement are for convenience only; they form no part of this Agreement and shall not affect its interpretation.

16. Successors and Assigns. This Agreement is intended to bind and inure to the benefit of and be enforceable by each of the Parties and their respective heirs, successors, and assigns.

17. Counterparts. This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Agreement. Furthermore, a faxed or emailed original signature page shall be deemed an original.

[SIGNATURE PAGE FOLLOWS]

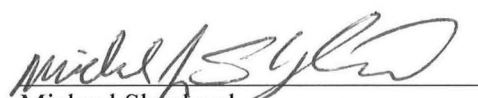
IN WITNESS HEREOF, the Parties sign below indicating their intent to be bound by all of the terms and conditions of this Agreement.

LASKOWSKI:

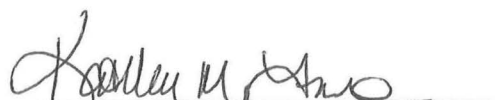
**LISA LASKOWSKI REVOCABLE
FAMILY TRUST**

By: 
Lisa Laskowski, Trustee

SHEPHERD:


Michael Shepherd


Maureen Piontek


Kathleen Fritz


Daniel Shepherd

EXHIBIT A

Encroachment

(SEE ATTACHED)

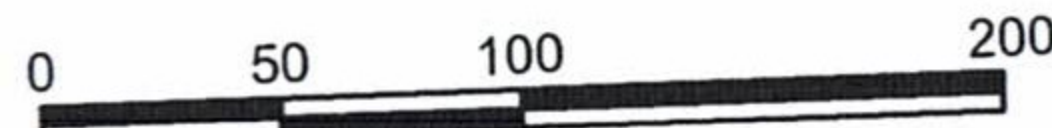
Option 8

(r.a.) - means "recorded as"

● - indicates 1.3" od iron pipe found unless noted.

○ - indicates 1.3" od x 18" iron pipe weighing 1.68 lbs./ft. set.

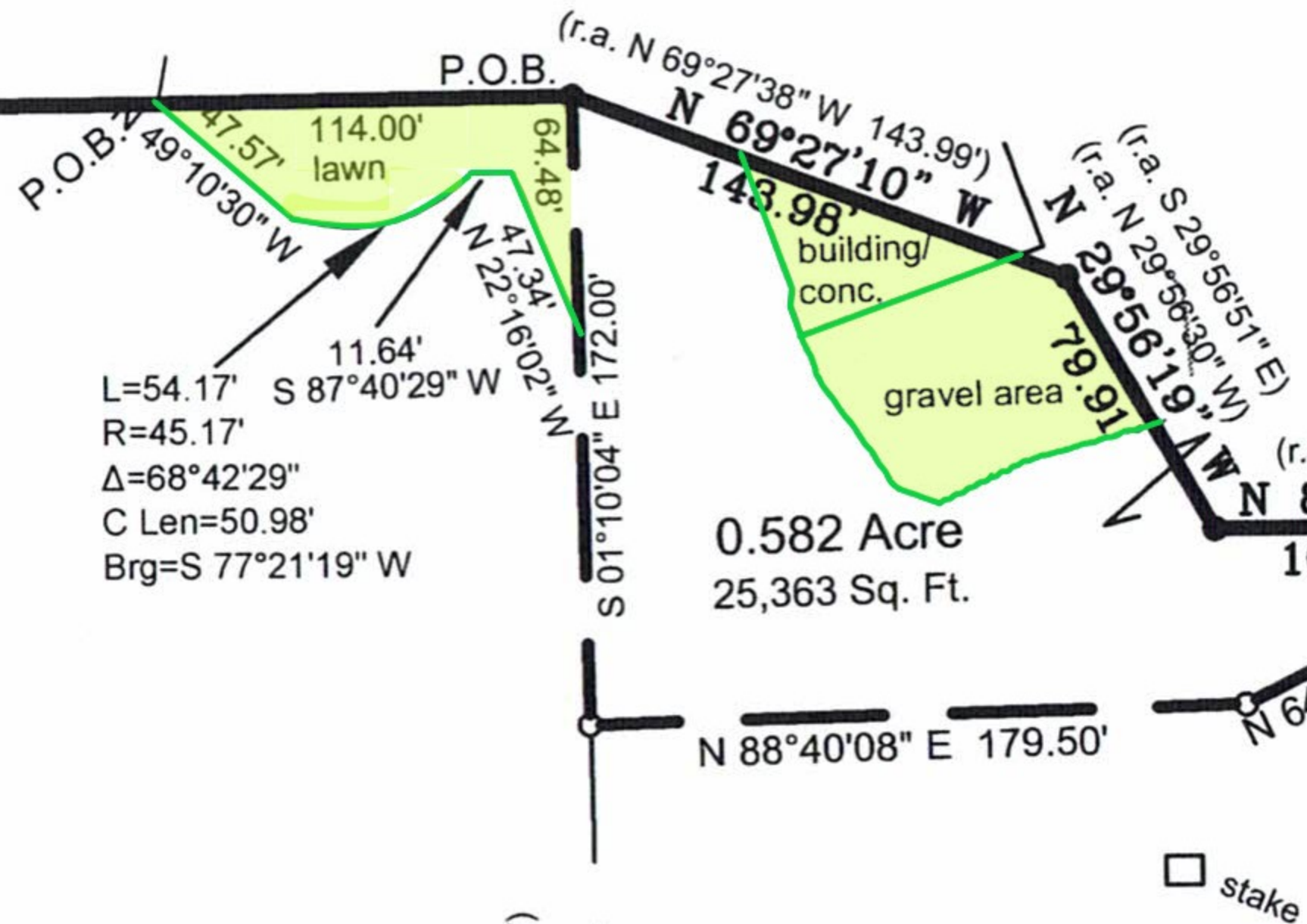
Bearings are referenced to the Wisconsin State Plane Coordinate Grid System, South Zone (NAD-83/2011 Adjustment). The north line of the NW 1/4 of Sec. 31-09-20 has a grid bearing of N 89°31'06" E.



Scale in feet
1" = 100'

(r.a. S 89°23'26" W)
N 89°23'58" E 641.13'
524.13'

Doc. 1389761
part of Parcel 1 of CSM 1602



(r.a. N 01°10'37" W)
S 00°09'48" W
stake

N 88°40'08" E 179.50'

stake

(r.a. N 89°56'30" W)
N 89°55'58" W
106.90'

N 64°06'16" E 509.85'
S 67°02'14" W 270.31'
(r.a. S 67°01'24" W)

V781p478
exception

7.5346 ACRES
Lot 1 of CSM 4560

(prop. 7.279 ACRES)

(r.a. S 89°23'41" W 278.00')
S 89°23'22" W
50.99'

0.326 Acres
14,206 Sq. Feet

V781p477
together with

31.22'
S 87°05'18" W

Lot 2 of CSM 4560

(r.a. S 01°07'34" E 493.89')
S 01°03'51" E 707.78'
(r.a. N 00°33'22" W)

Lot 3

Lot 2

Lot 1

Block 5, Willow Creek Heights

Birch Lane

Accurate



Surveying & Engineering LLP

Land Surveying, Consulting, Developing

2911 Wildlife Lane
Richfield, WI 53076

262 677-2120

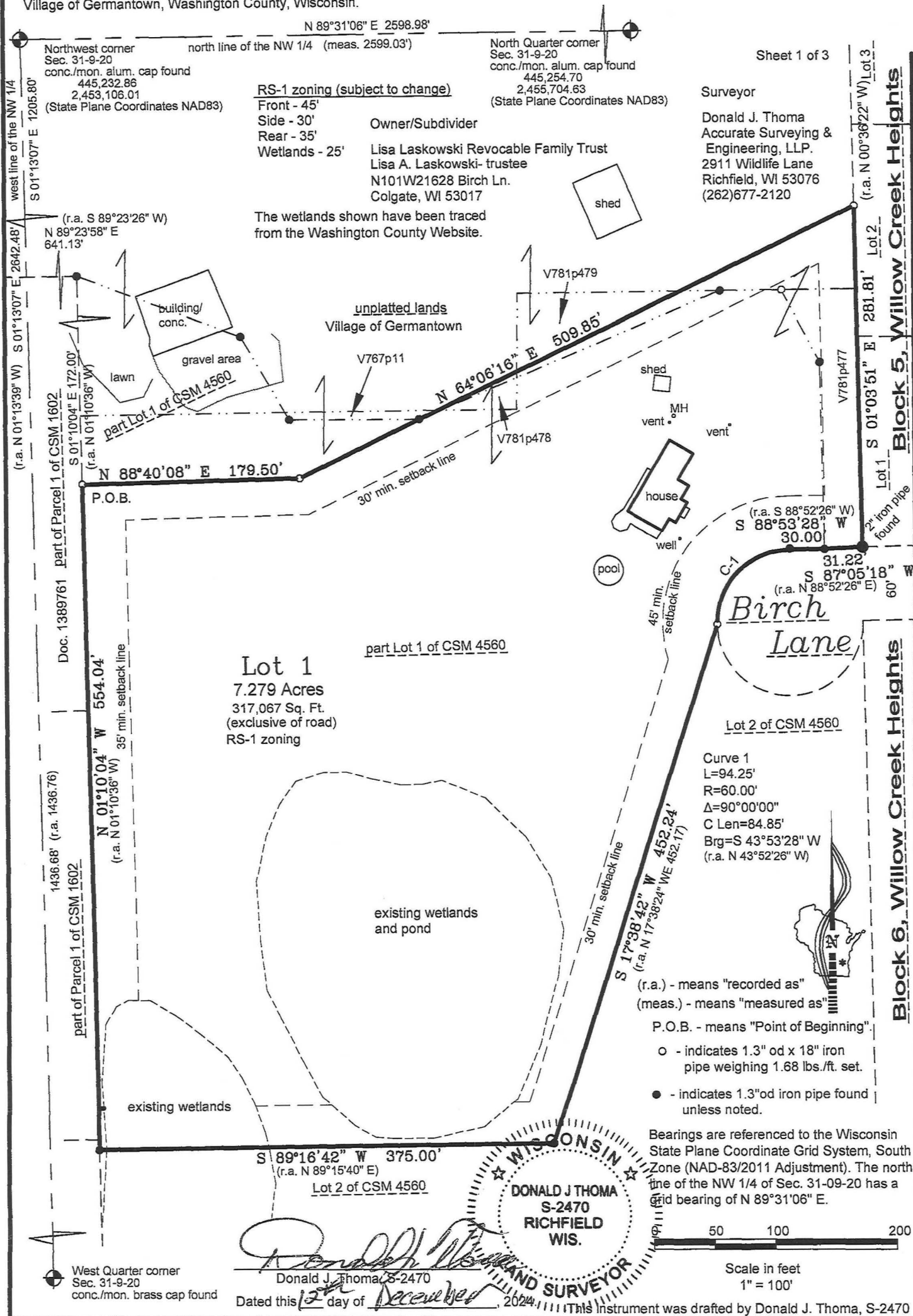
EXHIBIT B-1

New Laskowski Property CSM

(SEE ATTACHED)

Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.



Washington County Certified Survey Map

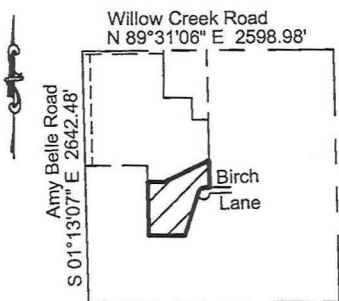
Sheet 2 of 3

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Location Sketch

NW 1/4 Section 31-9-20

Scale: 1" = 2000'



Surveyor's Certificate:

I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Lisa A. Laskowski, I have surveyed, divided and mapped the land shown and described hereon, part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

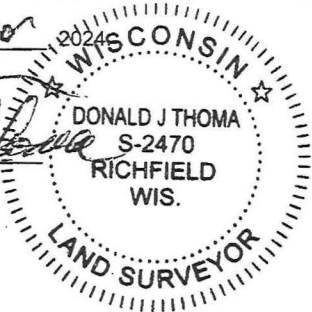
Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet, to the point of beginning of lands herein described; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence S 88°53'28" W, continuing along said north right-of-way line, 30.00 feet; thence southwesterly continuing along said right-of-way of Birch Lane and along the arc of a curve to the left 94.25 feet, radius 60.00 feet, delta 90°00'00", chord S 43°53'28" W 84.85 feet; thence S 17°38'42" W, along the southeasterly line of said Lot 1 of Certified Survey Map No. 4560, 452.24 feet; thence S 89°16'42" W, along the south line of said Lot 1, 375.00 feet; thence N 01°10'04" W, along said west line of said Lot 1, 554.04 feet, to the point of beginning.

Containing 7.279 acres (317,067 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping said lands, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 12th day of December, 2024


Donald J. Thoma, S-2470

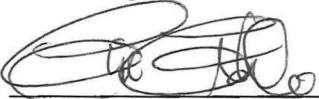


Owner's Certificate:

As owner Lisa Laskowski Revocable Family Trust / Lisa A. Laskowski - Trustee, I hereby certify that I caused the land shown and described herein to be surveyed, divided and mapped as represented on this Certified Survey Map. I also certify that there is no mortgage on this property and this Certified Survey Map is required to be submitted to the following for approval:

Village of Germantown Plan Commission

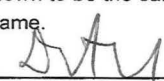
Village of Germantown Village Board



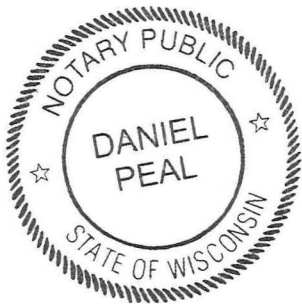
Lisa Laskowski Revocable Family Trust / Lisa A. Laskowski - Trustee

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s.

Personally came before me this 15th day of April, 2025, the above named Trustee is to me known to be the same person who executed the foregoing instrument and acknowledge the same.

(Notary Seal) , Notary Public, Washington County, Wisconsin.

My commission expires 3/12/27



Washington County Certified Survey Map

Sheet 3 of 3

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Village of Germantown Plan Commission Approval:

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this _____ day of _____, 202__.

Dean Wolter - Chairperson

Deborah J. Remich - Secretary

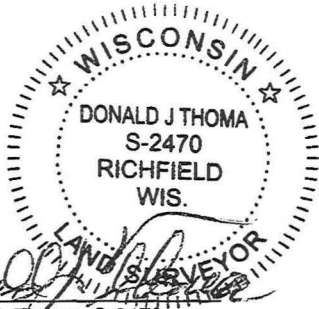
Village of Germantown, Village Board Approval:

This Certified Survey Map, Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and accepted by the Village Board of Trustees of the Village of Germantown on

this ____ day of _____, 202__.

Dean Wolter - Village President

Donna Ott - Village Clerk



Donald J. Thoma, S-2470

Dated this 12th day of December, 2024.

EXHIBIT B-2

New Shepherd Property CSM

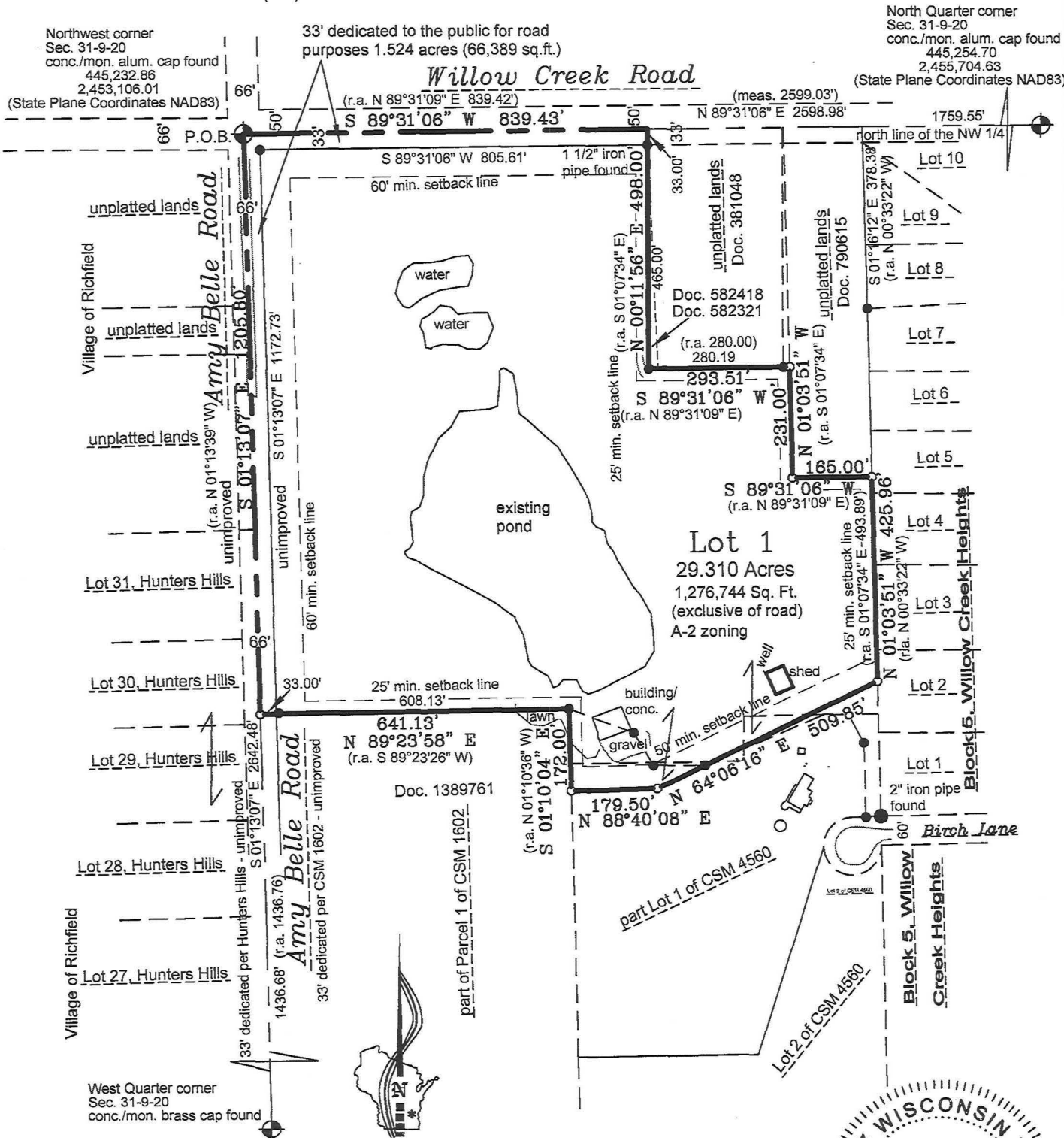
(SEE ATTACHED)

Washington County Certified Survey Map

Part of Lot (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

A-2 zoning (subject to change)	Surveyor	Owner/Subdivider
Front - 60'	Donald J. Thoma	Kathleen M. Fritz, Daniel T. Shepherd,
Side - 25'	Accurate Surveying & Engineering, LLP.	Maureen Piontek & Michael J. Shepherd
Rear - 50'	2911 Wildlife Lane	12860 W. Greenbriar Ln.
Wetlands - 25'	Richfield, WI 53076	New Berlin, WI 53151
	(262)677-2120	

Sheet 1 of 3



(r.a.) - means "recorded as"
(meas.) - means "measured as"
P.O.B. - means "Point of Beginning".
○ - indicates 1.3" od x 18" iron pipe weighing 1.68 lbs./ft. set.
● - indicates 1.3" od iron pipe found unless noted.

Bearings are referenced to the Wisconsin State Plane Coordinate Grid System, South Zone (NAD-83/2011 Adjustment). The north line of the NW 1/4 of Sec. 31-9-20 has a grid bearing of N 89°31'06" E.
Scale in feet
1" = 100'

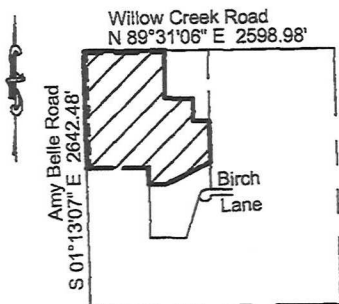
WISCONSIN
DONALD J. THOMA
S-2470
RICHFIELD
WIS.
LAND SURVEYOR
Donald J. Thoma, S-2470
Dated this 12 day of December, 2024.
This instrument was drafted by Donald J. Thoma, S-2470

Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Location Sketch

NW 1/4 Section 31-9-20
Scale: 1" = 2000'



Surveyor's Certificate:

I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Michael Shepherd, I have surveyed, divided and mapped the land shown and described hereon, part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

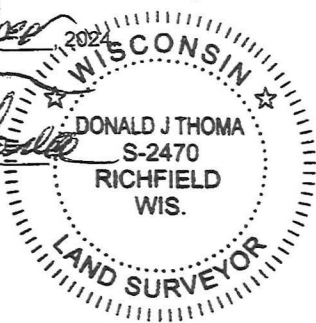
Beginning at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence N 01°03'51" W, along said west line of Willow Creek Heights subdivision, 425.96 feet, to the southeast corner of lands described in Document No. 790615, as recorded in the Washington County Registry; thence S 89°31'06" W, along the south line of said Document No. 790615, 165.00 feet; thence N 01°03'51" W, along the west line of said Document No. 790615, 231.00 feet; thence S 89°31'06" W, along the easterly extension and south line of lands described in Document No. 381048, 582418 and 582321, as recorded in the Washington County Registry, 293.51 feet, to a 1.3 inch od iron pipe found; thence N 00°11'56" E, along the west line of said Document No. 582418 and 582321, 498.00 feet, to the intersection of the north line of said NW 1/4; thence S 89°31'06" W, along said north line, 839.43 feet, to the point of beginning.

Containing 30.834 acres (1,343,133 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping said lands, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 12th day of December, 2024

Donald J. Thoma, S-2470



Owner's Certificate:

As owners we hereby certify that we caused the land shown and described herein to be surveyed, divided, mapped and dedicated that part of Willow Creek Road and Amy Belle Road to the Village of Germantown for public road purposes as represented on Sheet 1 of 3 of this Certified Survey Map. We also certify that there is no mortgage on this property and this Certified Survey Map is required to be submitted to the following for approval:

Village of Germantown Plan Commission

Village of Germantown Village Board

Kathleen M. Fritz - Owner

Maureen Piontek, Owner

Daniel T. Shepherd, - Owner

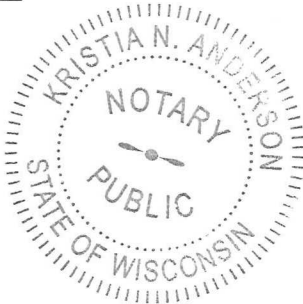
Michael J. Shepherd- Owner

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s.

Personally came before me this 1st day of April, 2025, the above named Trustee is to me known to be the same person who executed the foregoing instrument and acknowledge the same.

(Notary Seal)
Notary Public, Milwaukee, Wisconsin.

My commission expires is permanent.



Washington County Certified Survey Map

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Village of Germantown Plan Commission Approval:

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this _____ day of _____, 202__.

Dean Wolter - Chairperson

Deborah J. Remich - Secretary

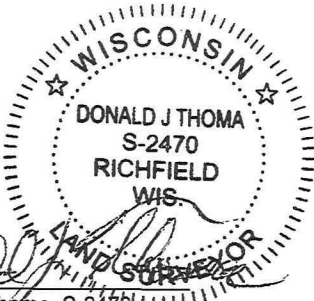
Village of Germantown, Village Board Approval:

This Certified Survey Map, Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and the dedication of that part of Willow Creek Road and Any Belle Road for public road purposes as shown on Sheet 1 of 3 is hereby accepted by the Village Board of Trustees of the Village of Germantown on

this ____ day of _____, 202__.

Dean Wolter - Village President

Donna Ott - Village Clerk



Donald J. Thoma, S-2470
Dated this 12th day of December, 2024.

EXHIBIT C-1

Laskowski Deed

(SEE ATTACHED)

QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between Lisa Laskowski as Trustee of the Lisa Laskowski Revocable Family Trust
 _____ ("Grantor," whether one or more),
 and Michael Shepherd, Maureen Piontek, Kathleen Fritz and Daniel Shepherd, as tenants in common
 _____ ("Grantee," whether one or more).

Grantor, quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in
Washington County, State of Wisconsin ("Property")
 (if more space is needed, please attach addendum):

SEE ATTACHED EXHIBIT A.

Recording Area

Name and Return Address

Michael Shepherd
 N104 W21677 Willow Creek Road
 Colgate, WI 53017

312990

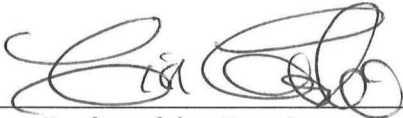
Parcel Identification Number (PIN)

This is not homestead property.
 (~~is~~) (is not)

Dated _____, 2025

GRANTOR:

LISA LASKOWSKI REVOCABLE FAMILY TRUST


* Lisa Laskowski, Trustee

AUTHENTICATION

Signature(s) _____

authenticated on _____

*

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
 authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Kristia N. AndersonGodfrey & Kahn, S.C.

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.
QUIT CLAIM DEED **STATE BAR OF WISCONSIN** **FORM No. 3-2003**

*Type name below signatures.

EXHIBIT A

Legal Description

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560, being the point of beginning of lands herein described; thence S 01°10'04" E, along the west line of said Lot 1 of Certified Survey Map No. 4560, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560; thence N 89°55'58" W, along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 106.90 feet; thence N 29°56'19" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 79.91 feet; thence N 69°27'10" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 143.98 feet, to the point of beginning.

Containing 0.582 acre (25,363 square feet) more or less.

EXHIBIT C-2

Legal Description of New Laskowski Property

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet, to the point of beginning of lands herein described; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence S 88°53'28" W, continuing along said north right-of-way line, 30.00 feet; thence southwesterly continuing along said right-of-way of Birch Lane and along the arc of a curve to the left 94.25 feet, radius 60.00 feet, delta 90°00'00", chord S 43°53'28" W 84.85 feet; thence S 17°38'42" W, along the southeasterly line of said Lot 1 of Certified Survey Map No. 4560, 452.24 feet; thence S 89°16'42" W, along the south line of said Lot 1, 375.00 feet; thence N 01°10'04" W, along said west line of said Lot 1, 554.04 feet, to the point of beginning.

Containing 7.279 acres (317,067 square feet) more or less.

EXHIBIT D-1

Shepherd Deed

(SEE ATTACHED)

QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between Michael Shepherd, Maureen Piontek, Kathleen Fritz and Daniel Shepherd, as tenants in common ("Grantor," whether one or more), and Lisa Laskowski as Trustee of the Lisa Laskowski Revocable Family Trust ("Grantee," whether one or more).

Grantor, quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Washington County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

*SEE ATTACHED EXHIBIT A.

Recording Area

Name and Return Address

Lisa Laskowski
N101 W21628 Birch Lane
Colgate, WI 53017

312993

Parcel Identification Number (PIN)

This is not homestead property.
 (~~is~~) (is not)

Dated _____, 2025

*SEE ATTACHED SIGNATURE PAGES

 * _____ (SEAL) _____ (SEAL)

 * _____ (SEAL) _____ (SEAL)

AUTHENTICATION**ACKNOWLEDGMENT**

Signature(s) _____

STATE OF WISCONSIN)
) ss.
 _____ COUNTY)

authenticated on _____

Personally came before me on _____,
 the above-named _____

* _____

TITLE: MEMBER STATE BAR OF WISCONSIN

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

(If not, _____
 authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

* _____

Kristia N. Anderson
Godfrey & Kahn, S.C.

Notary Public, State of Wisconsin
 My Commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

QUIT CLAIM DEED

STATE BAR OF WISCONSIN

FORM No. 3-2003

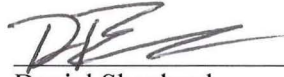
*Type name below signatures.


Kathleen Fritz

STATE OF WISCONSIN)
COUNTY OF Waukesha ^{KMF})SS
Milwaukee)

Personally came before me on March 18, 2025, the above-named Kathleen Fritz, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: 
Name Printed: Jacquelyn Berens
Notary Public, State of Wisconsin
My Commission Expires: March 17, 2029


Daniel Shepherd

STATE OF WISCONSIN)
COUNTY OF Waukesha)SS
)

Personally came before me on March 18, 2025, the above-named Daniel Shepherd, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: 
Name Printed: Jacquelyn Berens
Notary Public, State of Wisconsin
My Commission Expires: March 17, 2029

This document was drafted by:
Godfrey & Kahn, S.C.
Kristia N. Anderson
833 E. Michigan St., Suite 1800
Milwaukee, WI 53202

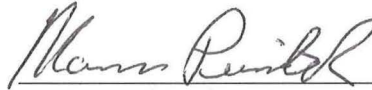
GRANTOR:


Michael Shepherd

STATE OF WISCONSIN)
)SS
COUNTY OF WAUKESHA)

Personally came before me on March 18, 2025, the above-named Michael Shepherd, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: Jacquelyn Berens
Name Printed: Jacquelyn Berens
Notary Public, State of: Wisconsin
My Commission Expires: March 17, 2029


Maureen Piontek

STATE OF WISCONSIN)
)SS
COUNTY OF Waukesha)

Personally came before me on March 18, 2025, the above-named Maureen Piontek, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: Jacquelyn Berens
Name Printed: Jacquelyn Berens
Notary Public, State of: Wisconsin
My Commission Expires: March 17, 2029

(Signatures continue)

EXHIBIT A

Legal Description

Part of Lots 1 and 2 of Certified Survey Map No. 2387 as recorded in the Washington County Registry in Volume 12 of Certified Survey Maps on pages 327-329 as Document No. 436648 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet, to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560 and the point of beginning of lands herein described; thence continuing N 64°06'16" E, 400.20 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence N 01°07'02" W, along the easterly line of said Lot 1 of Certified Survey Map No. 4560, 154.92 feet; thence N 27°34'45" W, along the northeasterly line of said Lot 1 of Certified Survey Map No. 4560, 67.33 feet; thence S 89°23'22" W, along the northerly line of Certified Survey Map No. 4560, 50.99 feet; thence S 67°02'14" W, along the northerly line of said Lot 1 of Certified Survey Map No. 4560, 270.31 feet, to the point of beginning.

Containing 0.326 acre (14,206 square feet) more or less.

Releasing any and all access rights to Birch Lane by easement or access reservation as shown on said Certified Survey Maps No. 2387 and 1602.

EXHIBIT D-2

Legal Description of New Shepherd Property

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Beginning at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence N 01°03'51" W, along said west line of Willow Creek Heights subdivision, 425.96 feet, to the southeast corner of lands described in Document No. 790615, as recorded in the Washington County Registry; thence S 89°31'06" W, along the south line of said Document No. 790615, 165.00 feet; thence N 01°03'51" W, along the west line of said Document No. 790615, 231.00 feet; thence S 89°31'06" W, along the easterly extension and south line of lands described in Document No. 381048, 582418 and 582321, as recorded in the Washington County Registry, 293.51 feet, to a 1.3 inch rod iron pipe found; thence N 00°11'56" E, along the west line of said Document No. 582418 and 582321, 498.00 feet, to the intersection of the north line of said NW 1/4; thence S 89°31'06" W, along said north line, 839.43 feet, to the point of beginning.

Containing 30.834 acres (1,343,133 square feet) more or less.

EXHIBIT E

Easement Agreement

(SEE ATTACHED)

31907400.5

DOCUMENT NO.

**ACCESS AND MAINTENANCE
EASEMENT AGREEMENT**

THIS ACCESS AND MAINTENANCE EASEMENT AGREEMENT (the “Agreement”) is made effective as of the ___ day of _____, 2025 (the “Effective Date”), by and between Lisa Laskowski, Trustee of the Lisa Laskowski Revocable Family Trust (“Grantor”), and Michael Shepherd, Maureen Piontek, Kathleen Fritz and Daniel Shepherd (collectively, “Grantee”).

WITNESSETH:

WHEREAS, Grantor is the owner of the real estate described on the attached **Exhibit A** (the “Grantor Property”), and Grantee is the owner of the real estate described on the attached **Exhibit B** (the “Grantee Property”), as tenants-in-common; and

WHEREAS, Grantee (i) maintains a lawn on the Grantee Property that partially extends onto the Grantor Property (the “Lawn”), and (ii) installed and maintains a water valve entirely located on the Grantor Property (the “Water Valve”, together with the Lawn, the “Encroachments”); and

WHEREAS, Grantee desires to continue to access and maintain the Encroachments on Grantor’s Property, as more particularly depicted on the attached **Exhibit C** and labeled therein as “lawn” (the “Easement Area”); and

WHEREAS, Grantor desires to grant an access and maintenance easement to Grantee upon, across and along the Easement Area so that Grantee may continue to access and maintain the Encroachments, as hereinafter provided.

NOW, THEREFORE, in consideration of the mutual promises and agreements set forth herein, and for other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, Grantor and Grantee hereby covenant and agree as follows:

1. Term. This Agreement shall be perpetual and shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successors or assigns. Upon any transfer or conveyance of either the Grantor Property or the Grantee Property, the transferor shall be released from any liability under this Agreement (to the extent of the interest transferred) accruing after the date of such transfer relative to the real estate so transferred or conveyed, and the transferee shall be bound by and deemed to have assumed the obligations of its transferor arising after the date of such transfer or conveyance. Notwithstanding the foregoing, this Agreement is terminable upon thirty (30) days written notice from Grantor to Grantee.

2. Grant of Easements. Grantor hereby grants and conveys to Grantee a perpetual right and easement over and across that Easement Area.

3. Restoration. After the exercise of any of its rights hereunder, Grantee shall promptly restore the Easement Area and any impacted portions of the Grantor Property, to the same condition in

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

Kristia Anderson
Godfrey & Kahn, S.C.
833 East Michigan Street
Suite 1800
Milwaukee, WI 53202

See Exhibits A and B attached
hereto

Parcel Identification Number

which they existed prior to the exercise of such rights. The exercise of any rights hereunder by Grantee shall not affect Grantor's use of the Grantor Property.

4. Work. Grantee shall be responsible, at its sole cost and expense, for any maintenance, repairs and/or replacements, whether elected, required or advisable, within the Easement Area with respect to the Encroachments, including but not limited to maintenance and inspection requirements set forth by any governmental entities with jurisdiction over the Grantor Property and Grantee Property (the "Work"). All Work performed shall be in a good, workmanlike and expeditious manner and in compliance with all applicable laws.

5. Notice of Work. Grantee shall provide Grantor with 48 hours' notice prior to performing any Work in the Easement Area, except for common maintenance performed on the Lawn and Water Valve.

6. Use of the Easement Area. Grantee shall not construct any improvements in the Easement Area. Grantee shall not engage in or permit any other use of the Easement Area that may unreasonably (i) interfere with Grantor's use of the Grantor Property without the prior written consent of Grantor, in its sole discretion, or (ii) or violate any applicable local, municipal, state or federal laws.

7. Insurance and Indemnification. Grantee shall provide Grantor, upon request, proof of liability insurance in single limits of liability of not less than One Million Dollars (\$1,000,000.00) for bodily injury or property damage, which liability insurance shall name Grantor and its successors as an additional insured. Grantee shall indemnify and hold Grantor and its successors and their respective employees, tenants, contractors, agents, licensees, successors and assigns (herein collectively, the "Indemnified Parties") harmless from and against any and all loss, cost, damage, liability or expense (including reasonable attorneys' fees actually incurred and court costs) ever incurred by any of the Indemnified Parties in connection with Grantee's activities conducted on the Grantor Property, except to the extent caused by the negligence or willful misconduct of any of the Indemnified Parties.

8. Liens. Grantee shall not cause or permit to be filed, recorded or enforced against the Grantor Property any mechanics', materialmens', or contractors' liens, or any claim for damage or any action affecting the title to the Grantor Property arising from any work performed on the Easement Area. Grantee shall indemnify, defend and hold Grantor harmless from any and all liability, losses, costs and causes of action and expenses in connection with or resulting from liens or claims arising from work performed on the Easement Area pursuant to this Agreement.

9. Severability. If any term or provision of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, then such holding shall not affect any other terms or provision of this Agreement, and the same shall continue to be effective to the fullest extent permitted by law.

10. Miscellaneous. This Agreement shall be governed in accordance with the laws of the State of Wisconsin. Nothing in this Agreement shall be construed to make the parties hereto partners or joint venturers. This Agreement may only be amended by a writing signed by both parties.

[Signature pages follow]

IN WITNESS WHEREOF, Grantor and Grantee have set their hands and seals as the day, month and year first above written.

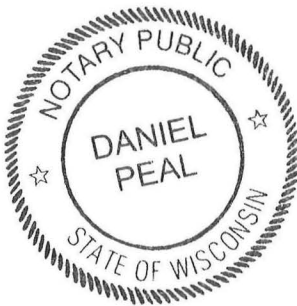
GRANTOR:

**LISA LASKOWSKI REVOCABLE
FAMILY TRUST**

By: 
Lisa Laskowski, Trustee

STATE OF WISCONSIN)
)SS
COUNTY OF Washington)

Personally came before me on April 1st, 2025, the above-named Lisa Laskowski, Trustee of the Lisa Laskowski Revocable Family Trust, to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of the Trust.



By: 
Name Printed: Daniel Peal
Notary Public, State of: Wisconsin
My Commission Expires: 3/12/27

(Signatures continue)

GRANTEE:

Michael J Shepherd
Michael Shepherd

STATE OF WISCONSIN)
)SS:
COUNTY OF Waukesha)

Personally came before me on March 18, 2025, the above-named Michael Shepherd, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: Jacquelyn Berens
Name Printed: Jacquelyn Berens
Notary Public, State of: Wisconsin
My Commission Expires: March 17, 2029

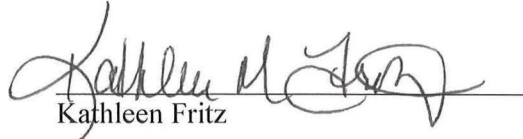
Maureen Piontek
Maureen Piontek

STATE OF WISCONSIN)
)SS:
COUNTY OF Waukesha)

Personally came before me on March 18, 2025, the above-named Maureen Piontek, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: Jacquelyn Berens
Name Printed: Jacquelyn Berens
Notary Public, State of: Wisconsin
My Commission Expires: March 17, 2029

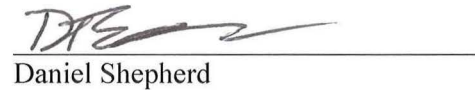
(Signatures continue)


Kathleen Fritz

STATE OF WISCONSIN)
~~389-20~~ KMF)SS
COUNTY OF Milwaukee)

Personally came before me on March 18, 2025, the above-named Kathleen Fritz, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: Jacquelyn Berens
Name Printed: Jacquelyn Berens
Notary Public, State of: Wisconsin
My Commission Expires: March 17, 2029


Daniel Shepherd

STATE OF WISCONSIN)
389-82-0022)SS
COUNTY OF Waukesha)

Personally came before me on March 18, 2025, the above-named Daniel Shepherd, to me known to be the person who executed the foregoing instrument and acknowledged the same.

By: Jacquelyn Berens
Name Printed: Jacquelyn Berens
Notary Public, State of: Wisconsin
My Commission Expires: March 17, 2029

This document was drafted by:
Godfrey & Kahn, S.C.
Kristia N. Anderson
833 E. Michigan St., Suite 1800
Milwaukee, WI 53202

EXHIBIT A

GRANTOR PROPERTY

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet, to the point of beginning of lands herein described; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line of Willow Creek Heights subdivision, 281.81 feet, to a 2 inch iron pipe found marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence S 88°53'28" W, continuing along said north right-of-way line, 30.00 feet; thence southwesterly continuing along said right-of-way of Birch Lane and along the arc of a curve to the left 94.25 feet, radius 60.00 feet, delta 90°00'00", chord S 43°53'28" W 84.85 feet; thence S 17°38'42" W, along the southeasterly line of said Lot 1 of Certified Survey Map No. 4560, 452.24 feet; thence S 89°16'42" W, along the south line of said Lot 1, 375.00 feet; thence N 01°10'04" W, along said west line of said Lot 1, 554.04 feet, to the point of beginning.

Containing 7.279 acres (317,067 square feet) more or less.

EXHIBIT B

GRANTEE PROPERTY

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps on pages 283-286 as Document No. 701316, being a redivision of Lots 1 and 2 of Certified Survey Map No. 2387 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Beginning at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 509.85 feet, to a point in the west line of Willow Creek Heights subdivision; thence N 01°03'51" W, along said west line of Willow Creek Heights subdivision, 425.96 feet, to the southeast corner of lands described in Document No. 790615, as recorded in the Washington County Registry; thence S 89°31'06" W, along the south line of said Document No. 790615, 165.00 feet; thence N 01°03'51" W, along the west line of said Document No. 790615, 231.00 feet; thence S 89°31'06" W, along the easterly extension and south line of lands described in Document No. 381048, 582418 and 582321, as recorded in the Washington County Registry, 293.51 feet, to a 1.3 inch rod iron pipe found; thence N 00°11'56" E, along the west line of said Document No. 582418 and 582321, 498.00 feet, to the intersection of the north line of said NW 1/4; thence S 89°31'06" W, along said north line, 839.43 feet, to the point of beginning.

Containing 30.834 acres (1,343,133 square feet) more or less.

EXHIBIT C

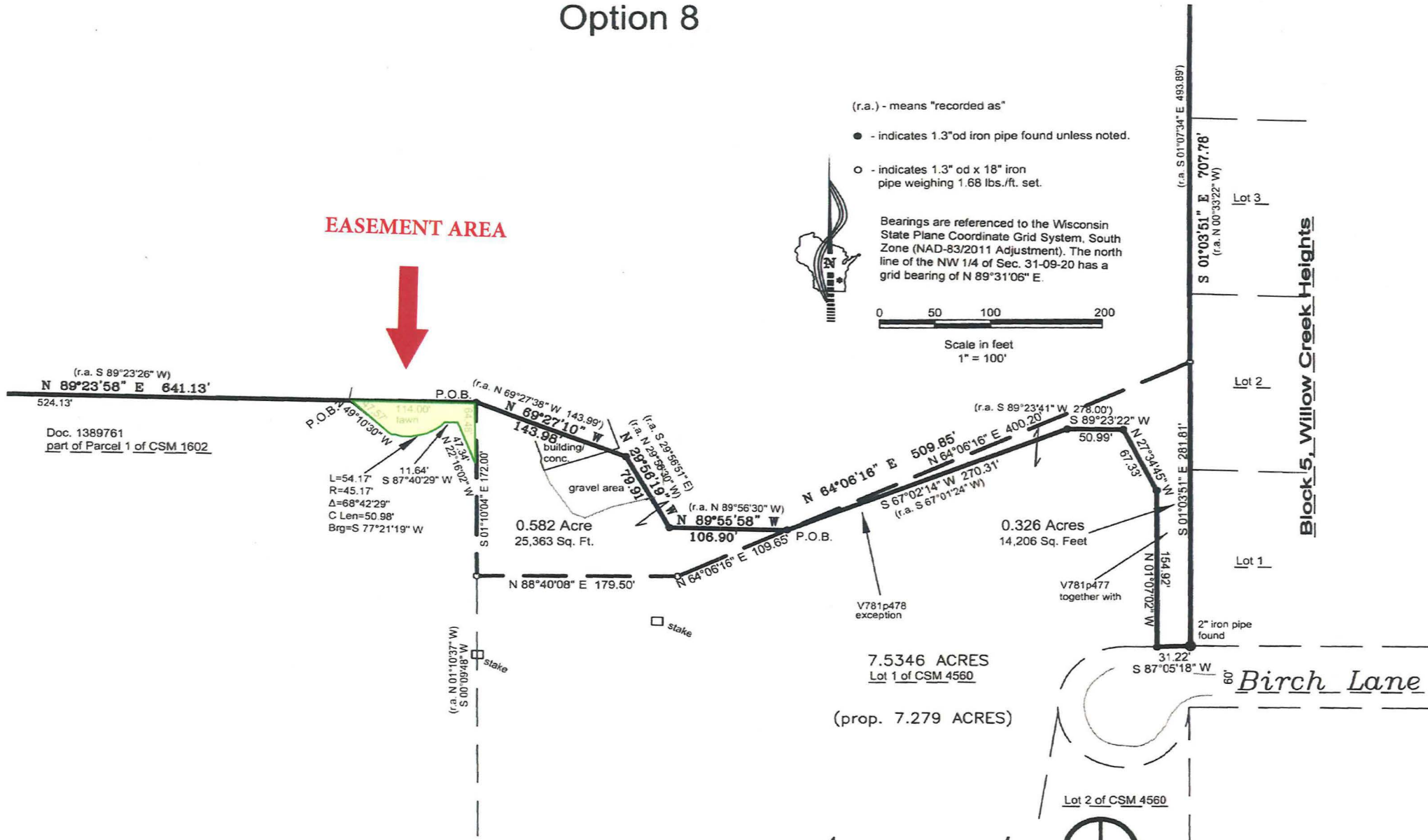
EASEMENT AREA

(SEE ATTACHED)

31893181.3

Option 8

EASEMENT AREA



7.5346 ACRES
Lot 1 of CSM 4560
(prop. 7.279 ACRES)

Accurate
Surveying & Engineering LLP

Land Surveying, Consulting, Developing

2911 Wildlife Lane
Richfield, WI 53076

262 677-2120

To: Kevin Driscoll, Village Engineer

CC: Jeff Retzlaff Village Planner

From: Bob Beilfuss, PLS

Date: February 21, 2025

Re: Fritz-Piontek-Shepherd CSM

Kevin,

Here is my review comments for the CSM received 2/17/2025.

Certified Survey Map

Applicant or Owner: Lisa Laskowski Revocable Family Trust

Land Surveyor/Firm: Don Thoma, PLS – Accurate Surveying & Engineering LLP.

1. The monuments marking the Northwest and North ¼ corners are Berntsen W-1-B aluminum monuments and not concrete as stated. These descriptions need to be revised.
2. No further review comments.

Document Approval and Recording

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

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

Professional Land Surveying and Mapping Services
W174 N9467 Joper Road, Menomonee Falls, Wisconsin, 53051
262-250-8003 office pointlandsurveying@gmail.com email

required by Wisconsin Statute and Village Ordinances as part of the land division approval.

The digital mapping should be prepared using the NAD83 Datum (2011 Adjustment)

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

To: Kevin Driscoll, Village Engineer

CC: Jeff Retzlaff Village Planner

From: Bob Beilfuss, PLS

Date: February 21, 2025

Re: Fritz-Piontek-Shepherd CSM

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Applicant or Owner: Fritz-Piontek-Shepherd Etal

Land Surveyor/Firm: Don Thoma, PLS – Accurate Surveying & Engineering LLP.

1. The monuments marking the Northwest and North ¼ corners are Berntsen W-1-B aluminum monuments and not concrete as stated. These monument descriptions need to be revised.
2. No review comments.

Document Approval and Recording

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

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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

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Plan Commission at the Germantown Village Hall located at N112W17001 Mequon Road, Germantown, Wisconsin and virtually through the WebEx platform on the following date and at the time noted below (or soon thereafter):

DATE: Monday, April 14th, 2025
TIME: 6:30 pm or later

The purpose of said hearing is to hear all parties, their attorneys or agents, for the following application: REZONING application to rezone portions of the following described property from the A-2: Agricultural to the RS-1: Single-Family Residential District for the property described below:

Applicant: Donald Thoma, Accurate Surveying & Engineering, LLP Agent for Fritz, Piontek, Shepherd & Shepherd ETAL Property Owners
Property Address: N104 W21677 Willow Creek Road (GTNV312-993)

Property Description:

Part of Lots 1 and 2 of Certified Survey Map No. 2387 as recorded in the Washington County Registry in Volume 12 of Certified Survey Maps as Document No. 436648 and a division of Parcel 2 of Certified Survey Map No. 1602 as recorded in the Washington County Registry, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560; thence S 01°10'04" E, along the west line of said Lot 1, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet, to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560 and the point of beginning of lands herein described; thence continuing N 64°06'16" E, 400.20 feet, to a point in the west line of Willow Creek Heights subdivision; thence S 01°03'51" E, along said west line, 281.81 feet, to a 2" pipe marking the north right-of-way line of Birch Lane; thence S 87°05'18" W, along said north right-of-way line, 31.22 feet; thence N 01°07'02" W, along the easterly line of said Lot 1 of Certified Survey Map No. 4560, 154.92 feet; thence N 27°34'45" W, along the northeasterly line of said Lot 1 of Certified Survey Map No. 4560, 67.33 feet; thence S 89°23'22" W, along the northerly line of Certified Survey Map No. 4560, 50.99 feet; thence S 67°02'14" W, along the northerly line of said Lot 1 of Certified Survey Map No. 4560, 270.31 feet, to the point of beginning. Containing 0.326 acre (14,206 square feet) more or less.

A copy of the application and a map showing the property described above are on file at the Community Development Department-Planning & Zoning Services office in the Germantown Village Hall and can be viewed on the Village's website: <https://www.germantownwi.gov/589/Proposed-Development-Projects>

Citizens wishing to submit any public comments should do so by sending them by email to: comments@germantownwi.gov no later than 4:00pm on the meeting date listed above.

Donna Ott, Village Clerk

Dated this 19th day of March 2025

To Be Published On: March 26 and April 2, 2025

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Plan Commission at the Germantown Village Hall located at N112W17001 Mequon Road, Germantown, Wisconsin and virtually through the WebEx platform on the following date and at the time noted below (or soon thereafter):

DATE: Monday, April 14th, 2025

TIME: 6:30 pm or later

The purpose of said hearing is to hear all parties, their attorneys or agents, for the following application: REZONING application to rezone portions of the following described property from the RS-1: Single-Family Residential to the A-2: Agricultural District for the property described below:

Applicant: Donald Thoma, Accurate Surveying & Engineering, LLP Agent for Lisa Laskowski Revocable Family Trust, Property Owner

Property Address: N101 W21628 Birch Lane (GTNV312-990)

Property Description:

Part of Lot One (1) of Certified Survey Map No. 4560 as recorded in the Washington County Registry in Volume 30 of Certified Survey Maps as Document No. 701316 and a division of Parcel 2 of Certified Survey Map No. 1602, all in part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 31, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said Section 31; thence S 01°13'07" E, along the west line of said NW 1/4, 1205.80 feet, to the northwest corner of said Certified Survey Map No. 1602; thence N 89°23'58" E, along the north line of said Certified Survey Map No. 1602, 641.13 feet, to the northeast corner of Parcel 1 of said Certified Survey Map No. 1602 and the northwest corner of said Lot 1 of Certified Survey Map No. 4560, being the point of beginning of lands herein described; thence S 01°10'04" E, along the west line of said Lot 1 of Certified Survey Map No. 4560, 172.00 feet; thence N 88°40'08" E, 179.50 feet; thence N 64°06'16" E, 109.65 feet to the intersection of the northerly line of said Lot 1 of Certified Survey Map No. 4560; thence N 89°55'58" W, along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 106.90 feet; thence N 29°56'19" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 79.91 feet; thence N 69°27'10" W, continuing along said northerly line of said Lot 1 of Certified Survey Map No. 4560, 143.98 feet, to the point of beginning. Containing 0.582 acre (25,363 square feet) more or less.

A copy of the application and a map showing the property described above are on file at the Community Development Department-Planning & Zoning Services office in the Germantown Village Hall and can be viewed on the Village's website: <https://www.germantownwi.gov/589/Proposed-Development-Projects>

Citizens wishing to submit any public comments should do so by sending them by email to: comments@germantownwi.gov no later than 4:00pm on the meeting date listed above.

Donna Ott, Village Clerk

Dated this 19th day of March 2025

To Be Published On: March 26 and April 2, 2025

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Action Item

ITEM TITLE: Savannah Wehinger, Property Owner and Agent for John and Christine Ceremuga, and Daniel and Christina Ihde, Property Owners - W204N10530/10558/10578 Hilltop Drive; Application for Rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District, and a Certified Survey Map to accommodate the adjustment of property lines between three (3) existing parcels.

SUBMITTED BY: Jordan Yanke, Associate Planner

SUMMARY EXPLANATION:

Savannah Wehinger, Property Owner and Agent for John and Christine Ceremuga, and Daniel and Christina Ihde, Property Owners, is requesting approval for Rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District, and a Certified Survey Map to accommodate the adjustment of property lines between three (3) existing parcels. Properties are located at W204 N10530/10558/10578 Hilltop Drive in the Willow Creek-Weidenbach Neighborhood.

ATTACHMENT:

1. STAFF REPORT_WEHINGER, CEREMUGA, & IHDE REZONING & CSM
2. REZONING ORDINANCE_WEHINGER, CEREMUGA, & IHDE_04.21.25
3. APPLICATION
4. EXISTING LOT LAYOUT
5. CERTIFIED SURVEY MAP
6. REZONING LEGAL DESCRIPTION EXHIBITS
7. 2050 PLAN_WILLOW CREEK-WEIDENBACH NEIGHBORHOOD
8. STAFF REVIEW MEMO
9. NOTICE OF PUBLIC HEARING

STAFF RECOMMENDATION:

APPROVE the proposed Rezoning for portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District (Lot 1; 0.93 acres and Lot 3; 0.86 acres) and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District (Lot 2; 6.43 acres).

APPROVE the proposed Certified Survey Map (CSM) for Savannah Wehinger, John

and Christine Ceremuga, and Daniel and Christina Ihde, to accommodate the adjustment of property lines between three (3) existing parcels for properties located at W204 N10530/10558/10578 Hilltop Drive, subject to (1) condition.

ACTION BY Committee:

Plan Commission recommended to **APPROVE** the Rezoning, as proposed.

Plan Commission recommended to **APPROVE** the Certified Survey Map (CSM), subject to (1) condition.

REZONING & CERTIFIED SURVEY MAP (CSM) APPLICATIONS

04/21/25 Village Board Meeting

Wehinger / Ceremuga / Ihde

Village Staff Report & Recommendation

Germantown, Wisconsin

SUMMARY

Savannah Wehinger, Property Owner and Agent for John and Christine Ceremuga, and Daniel and Christina Ihde, Property Owners, is requesting approval for Rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District, and a Certified Survey Map to accommodate the adjustment of property lines between three (3) existing parcels. Properties are located at W204 N10530/10558/10578 Hilltop Drive in the Willow Creek-Weidenbach Neighborhood.

Location: W204 N10530 Hilltop Drive
W204 N10558 Hilltop Drive
W204 N10578 Hilltop Drive

Applicant/

Owner:	Savannah Wehinger	Daniel & Christina Ihde	John & Christine Ceremuga
	W204 N10558 Hilltop Dr	W204 N10530 Hilltop Dr	W204 N10578 Hilltop Dr
	Germantown, WI 53022	Germantown, WI 53022	Germantown, WI 53022

Current Zoning: Rs-1: Single-Family Residential District
Rs-4: Single-Family Residential District

Proposed Zoning: Rs-4: Single-Family Residential District (Lot 1)
Rs-1: Single-Family Residential District (Lot 2)
Rs-4: Single-Family Residential District (Lot 3)

Adjacent Land Uses		Zoning
North	Residential/Agricultural	Rs-2/A-1
South	Residential/Commercial	Rs-4/B-3
East	Residential	Rd-2
West	Residential	Rs-3/Rs-4



Proposal

Savannah Wehinger, Property Owner and Agent for John and Christine Ceremuga, and Daniel and Christina Ihde, Property Owners, is requesting approval for Rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District, and a Certified Survey Map to accommodate the adjustment of property lines between three (3) existing parcels. Properties are located at W204 N10530/10558/10578 Hilltop Drive in the Willow Creek-Weidenbach Neighborhood.

Certified Survey Map (CSM)

The proposed CSM will reconfigure property lines between three (3) existing parcels that maintain single-family residences. The purpose of adjusting lot lines between the parcels is strictly “cleanup” to eliminate the existing odd configuration of the parcel lines and to provide more spacing (i.e. distance) from existing structures to property lines on Lot 1 and Lot 3 in the CSM. No change in use or development is proposed on the subject CSM lots as part of the application. Attached to this memo (prior to the CSM drawing) is an illustration showing the existing lot line layout/configuration for reference.

Rezoning

While the proposed CSM strictly transfers acreage (i.e. lot line adjustment) between three (3) existing parcels, a Rezoning application is required due to the fact the subject parcels are not all within the same zoning designation. Lot 1 and Lot 3 in the CSM are zoned Rs-4 Single-Family Residential District and Lot 2 is zoned Rs-1: Single Family Residential District. To avoid a split-zoning scenario for the lots after the acreage is transferred, each portion of property/acreage that is being transferred will be Rezoned into the “parent” parcel’s designation. A breakdown of the proposed lots, acreage, and their zoning designation is shown below on the following page:

OWNER	CSM LOT	ZONING & ACREAGE
WEHINGER	LOT 1	Rs-4; 0.93 Acres
IHDE	LOT 2	Rs-1; 6.43 Acres
CEREMUGA	LOT 3	Rs-4; 0.86 Acres

Staff Comments

Community Development: Planning & Zoning

The properties are currently zoned Rs-1: Single-Family Residential District and Rs-4: Single-Family Residential District and are located in the Willow Creek-Weidenbach Neighborhood as designated under the Village's 2050 Comprehensive Plan. No change in use or development is proposed as part of this application. The purpose of this application is to adjust lot lines between three (3) existing parcels to eliminate the odd property line configuration that currently exists. Given the fact the properties will maintain single-family residential use and comply with development standards, staff finds the proposal consistent with the Village Zoning Code and 2050 Plan, as single-family residential use is permitted in the applicable zoning districts and is listed as a desirable land use in the Willow-Creek-Weidenbach Neighborhood.

Village Surveyor

The Village Surveyor identified a series of minor technical corrections in a February 21, 2025, memo which is included as an attachment to this report. The applicant has since submitted a revised Certified Survey Map (CSM) and supporting documents addressing the Village Surveyor's comments. No further corrections are required per the Village Surveyor.

VILLAGE STAFF RECOMMENDATIONS

APPROVE the proposed Rezoning for portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District (Lot 1; 0.93 acres and Lot 3; 0.86 acres) and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District (Lot 2; 6.43 acres).

APPROVE the proposed Certified Survey Map (CSM) for Savannah Wehinger, John and Christine Ceremuga, and Daniel and Christina Ihde, to accommodate the adjustment of property lines between three (3) existing parcels for properties located at W204 N10530/10558/10578 Hilltop Drive, subject to the following condition:

1. The Village signature block shall be revised to reflect correct Village officials prior to submitting CSM for recording.

ORDINANCE NO. ____-2025

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

WHEREAS, the Village of Germantown has adopted a Zoning Code under the authority granted by Wis. Stats. 61.35 and 62.23(7); and

WHEREAS, the Plan Commission has considered this petition for a Rezoning and found the request to be consistent with the Village's 2050 Comprehensive Plan; and

WHEREAS, the Plan Commission forwarded a recommendation of approval to the Village Board for the Rezoning at its meeting on April 14, 2025;

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

SECTION I

That the zoning map of the Village of Germantown is amended by rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District, for property shown in Exhibit 1 (Lot 1) and with the following description:

That part of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows: Commencing at the Southwest corner of said Southwest 1/4; thence N00°28'01"W along the West line of said Southwest 1/4; 834.40 feet; thence S64°30'35"E, 36.70 feet to a point on the Easterly Right of Way of Hilltop Drive; thence N00°28'01"W along said Right of Way, 180.60 feet to the point of beginning of this description; thence continuing N00°28'01"W along said Right of Way, 99.00 feet; thence N89°31'59"E, 410.34 feet; thence S00°28'01"E, 99.00 feet; thence S89°31'59"W, 410.34 feet to the point of beginning of this description. Said description containing 40,624 Sq. Ft. or 0.933 Acres.

That the zoning map of the Village of Germantown is amended by rezoning portions of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District, for property shown in Exhibit 1 (Lot 2) and with the following description:

That part of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows: Commencing at the Southwest corner of said Southwest 1/4; thence N00°28'01"W along the West line of said Southwest 1/4; 834.40 feet; thence S64°30'35"E, 36.70 feet to a point on the Easterly Right of Way of Hilltop Drive and the point of beginning of this description; thence N00°28'01"W, 180.60 feet; thence N89°31'59"E, 410.34 feet;

thence N00°28'01"W, 99.00 feet; thence S89°31'59"W, 240.01 feet; thence N00°28'01"W, 219.60 feet to a point on the North line of said Southwest 1/4 of the Southwest 1/4; thence N89°44'10" E along said North line, 395.80 feet; thence S00°14'28"E, 710.79 feet; thence S27°03'31"W, 55.09 feet; thence N64°30'35"W, 598.22 feet to the point of beginning of this description. Said description containing 28,0374 Sq. Ft. or 6.437 Acres.

That the zoning map of the Village of Germantown is amended by rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District, for property shown in Exhibit 1 (Lot 3) and with the following description:

That part of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows: Commencing at the Southwest corner of said Southwest 1/4; thence N00°28'01"W along the West line of said Southwest 1/4; 834.40 feet; thence S64°30'35"E, 36.70 feet to a point on the Easterly Right of Way of Hilltop Drive; thence N00°28'01"W along said Easterly Right of Way, 279.60 feet to the point of beginning of this description; thence continuing N00°28'01"W along said Right of Way, 220.21 feet to a point on the North line of said Southwest 1/4 of the Southwest 1/4; thence N89°44'10"E along said North line, 170.34 feet; thence S00°28'01"E, 219.60 feet; thence S89°31' 59"W, 170.33 feet to the point of beginning of this description. Said description containing 37,457 Sq. Ft. or 0.860 Acres.

SECTION II

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

SECTION III

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

SECTION IV

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

Adopted: April 21, 2025

Robert A. Soderberg, Village President

ATTEST:

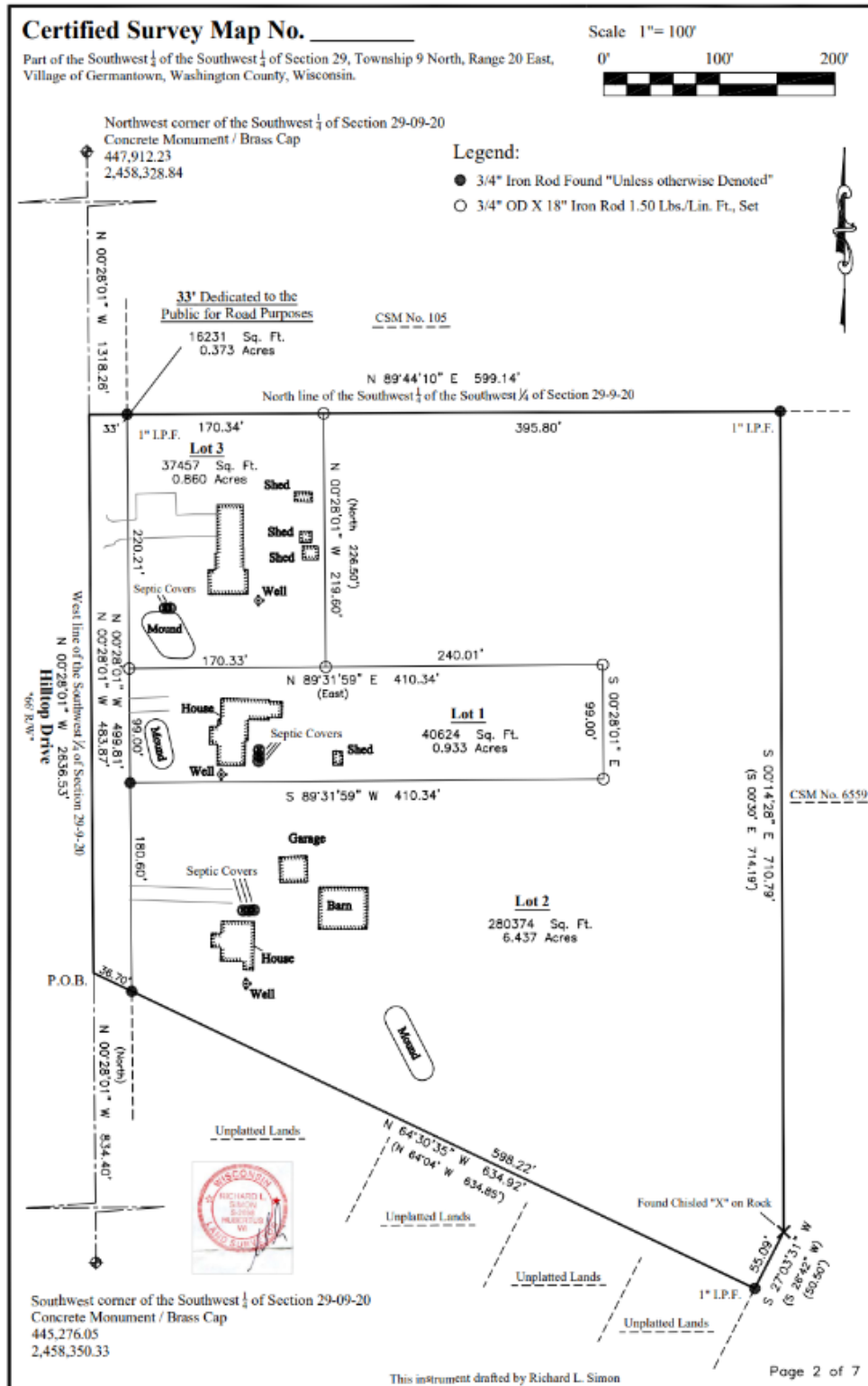
Donna Ott, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published:

EXHIBIT 1: REZONING MAP





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: 2/11/25 Received by: [Signature]

CHK #144

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

Savannah Wehinger

Phone (608)289-0371

E-Mail savannah.wehinger@gmail.com

PROPERTY OWNER

Savannah Wehinger

W204N10558 Hilltop Dr.

Daniel Ihde

W204N10530 Hilltop Dr.

John Ceremuga

W204N10578 Hilltop Dr.

2

PROPERTY ADDRESS OR GENERAL LOCATION

W204N10558 Hilltop Dr. Germantown, WI 53022

W204N10530 Hilltop Dr. Germantown, WI 53022

W204N10578 Hilltop Dr. Germantown, WI 53022

TAX KEY NUMBER

GTNV_293974

GTNV_293975

GTNV_293973

3

REZONING REQUEST

FROM RS-4

RS-1

TO RS-1

RS-4

4

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

see attached CSM



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.

adjusting property lines

5

6

SUPPORTING DOCUMENTATION:

- ☒ Plat of Survey (1:100)
- ☒ Site Plan and elevations for new construction (can be conceptual)

7

READ AND INITIAL THE FOLLOWING:

SW

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.

SW

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 be sufficient cause to deny the petition.

SW

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

SW

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!

Savannah Wehinger 2/11/25
Applicant Date

John J. Caramazza 2-11-25
Owner Date
SW 2/11/25
Owner Date
SW 2/11/25
Owner Date



Village of

Germantown
...Willkommen

SCANNED

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid DR Date 2/11/25
CHK # 144

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

Savannah Wehinger

Phone (608) 289-0371

Fax () n/a

E-Mail savannah.wehinger@gmail.com

PROPERTY OWNER

Savannah Wehinger

W204N10558 Hilltop Dr.

Daniel Ihde

W204N10530 Hilltop Dr.

John Ceremuga

W204N10578 Hilltop Dr.

2 PROPERTY ADDRESS OR GENERAL LOCATION

W204N10558 Hilltop Dr. Germantown, WI 53022
W204N10530 Hilltop Dr. Germantown, WI 53022
W204N10578 Hilltop Dr. Germantown, WI 53022

TAX KEY NUMBER

GTNV_293974
GTNV_293975
GTNV_293973

3 PURPOSE OF LAND SPLIT

adjust property lines

Will the land split require rezoning?

yes

From RS-4/RS-1

To RS-1/RS-4

4 READ AND INITIAL THE FOLLOWING:

SW 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.

SW 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.

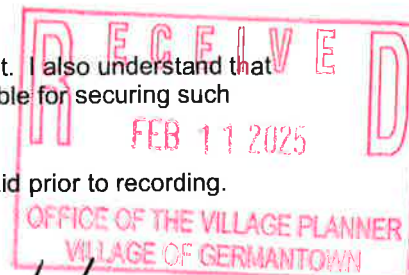
SW I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

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

5 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

[Signature] 2/11/25
Applicant Date
John J. Ceremuga 2-11-25
Owner Date

[Signature] 2/11/25
Owner Date
[Signature] 2/11/25
Owner Date



EXISTING LOT LAYOUT & PROPERTY LINES

LOT 3
(EXISTING)

10578

CSM ADJUSTS LOT LINES TO
ELIMINATE ODD LOT LINE
CONFIGURATION AND ADD
SPACING/DISTANCE FROM
BUILDINGS TO PROPERTY LINES
(SEE CSM DOCUMENT)

LOT 1

(EXISTING)

10558

LOT 2

(EXISTING)

10530

10466

10430

10486

Hilltop Dr

Certified Survey Map No. _____

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin.

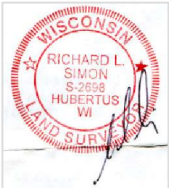
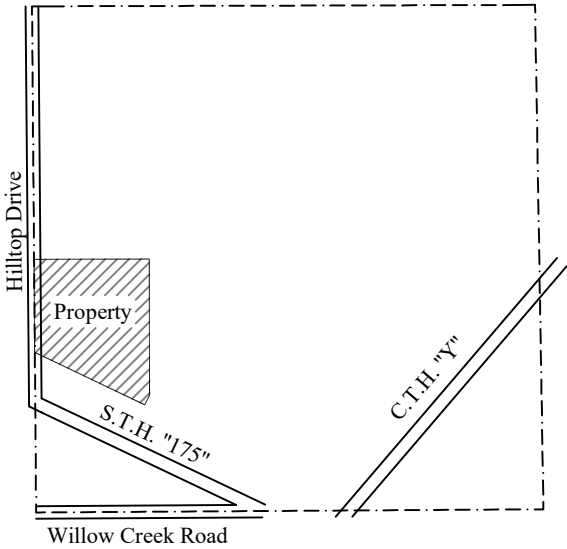
Surveyor:
Richard Simon
Cornerstone Land Surveying, Inc.
5080 Fairy Chasm
West Bend, WI 53095
rls2698@gmail.com
(262) 424-5630

Owners:
Savannah Wehinger
W204 N10558 Hilltop Drive
Germantown, WI 53022

Owners:
Daniel R. Ihde
Christina M. Ihde
W204 N10530 Hilltop Drive
Germantown, WI 53022

Owners:
John Ceremuga
Christine F. Ceremuga
W204 N10578 Hilltop Drive
Germantown, WI 53022

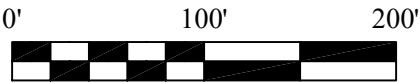
Location Map
Southwest $\frac{1}{4}$ of Section 29-09-20



Certified Survey Map No. _____

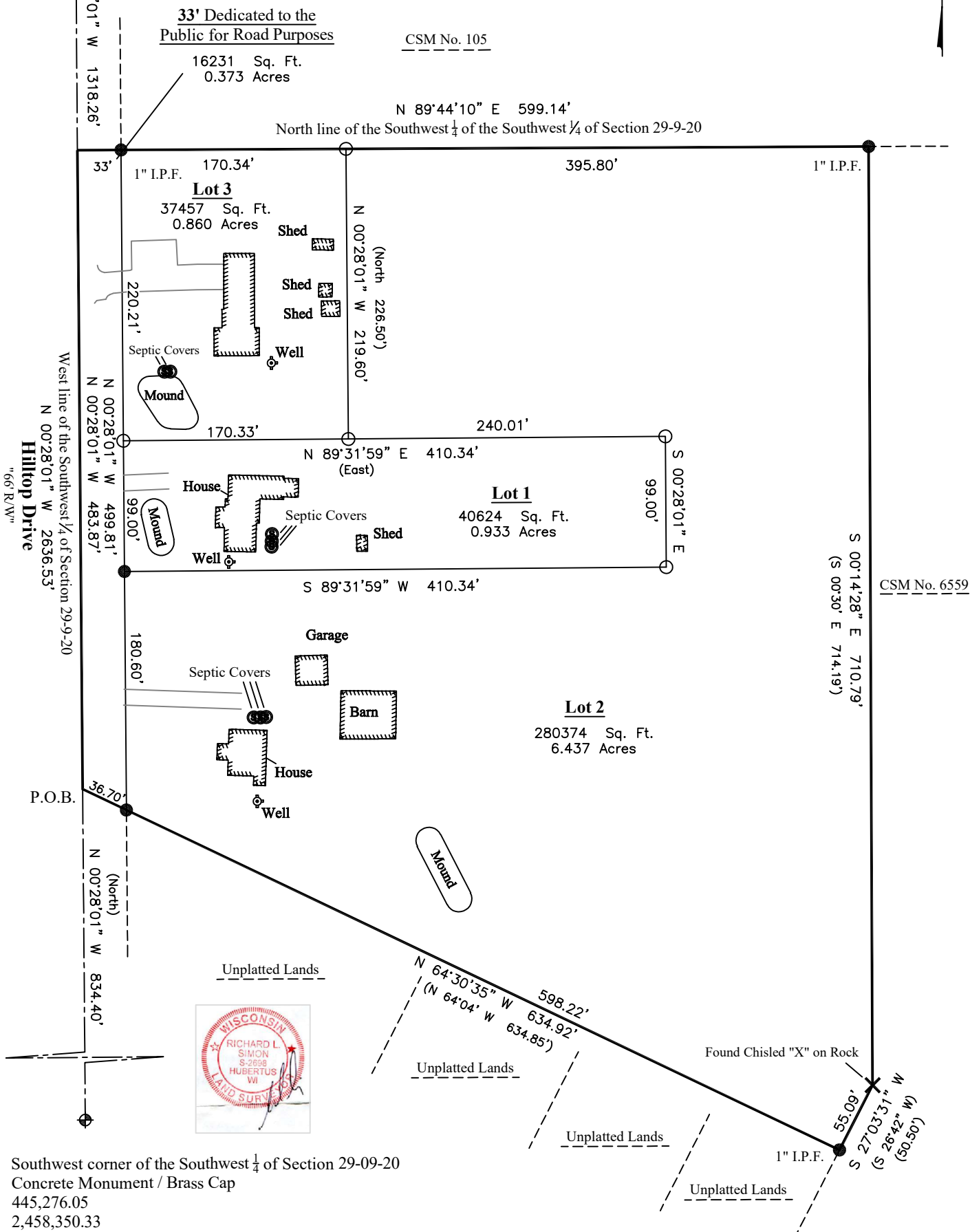
Part of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin.

Scale 1"= 100'



Northwest corner of the Southwest 1/4 of Section 29-09-20
Concrete Monument / Brass Cap
447,912.23
2,458,328.84

- Legend:
- 3/4" Iron Rod Found "Unless otherwise Denoted"
 - 3/4" OD X 18" Iron Rod 1.50 Lbs./Lin. Ft., Set



Certified Survey Map No. _____

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Surveyor's Certificate

I, Richard L Simon, Professional Land Surveyor, hereby certify that I have Surveyed:

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Described as follows:

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Commencing at the Southwest corner of said Southwest $\frac{1}{4}$; thence N00°28'01"W along the West line of said Southwest $\frac{1}{4}$; 834.40 feet to the point of beginning of this description; thence continuing N00°28'01"W along said West line, 483.87 feet to a point on the North line of the Southwest $\frac{1}{4}$ of said Southwest $\frac{1}{4}$; thence N89°44'10"E along said North line, 599.14 feet; thence S00°14'28"E, 710.79 feet; thence S27°03'31"W, 55.09 feet; thence N64°30'35"W, 634.92 feet to the point of beginning of this description.

Said description contains 374,686 Sq. Ft or 8.602 Acres

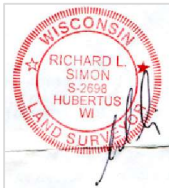
That I have made such survey, division, dedication, and map by the direction of Savannah Wehinger, Daniel R. Ihde, Christina M. Ihde, John Ceremuga and Christine F. Ceremuga, Owners.

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

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

Dated this 3rd day of December, 2024
Revised this 4th day of February, 2025
Revised this 26th day of February, 2025

Richard L Simon, P.L.S. #2698
Cornerstone Land Surveying
5080 Fairy Chasm Road
West Bend, WI 53095
262-424-5630



Notes:

- 1) In providing this boundary survey no attempt has been made to obtain or show data concerning the existence of any utility on the site, whether private, municipal, or public owned.
- 2) Bearings are referenced to the West Line of the Southwest $\frac{1}{4}$ of Section 29-09-20, bearing N 00°28'01"W. (State Plane Coordinate System South Zone (NAD 83)).
- 3) Bearings or Distance in () are recorded measurements.

Certified Survey Map No. _____

Part of the Southwest ¼ of the Southwest ¼ of Section 29, Township 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin.

Owner's Certificate

I, Savannah Wehinger, do hereby certify that I caused the land described in the foregoing affidavit of Richard L. Simon , Surveyor, to be surveyed, divided and mapped as represented on this Certified Survey Map. As Owner, we hereby dedicate that part of Hilltop Drive to the Village of Germantown for public road purposes as represented on Sheet 2 of 7 of this Certified Survey Map.

WITNESS the hand and seal of said Signer, this _____ day of _____, _____

Savannah Wehinger

State of Wisconsin) SS
_____ County)

Personally came before me this _____ day of _____, _____, the above named Savannah Wehinger to me, known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public

_____ County, State of Wisconsin

My commission expires: _____

Consent of Mortgagee

I, _____ of _____, mortgagee of the above described land, do hereby consent to the surveying, dividing, and mapping of the described land on this Certified Survey Map, and I do hereby consent to the certificate of Savannah Wehinger, as owner of said land.

Witness the hand and seal of said mortgagee this _____ day of _____, _____.

Bank Officer

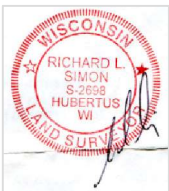
State of Wisconsin) SS
_____ County)

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

Notary Public

_____ County, State of Wisconsin

My commission expires: _____



Certified Survey Map No. _____

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin.

Owner's Certificate

We, Daniel R. Ihde and Christina M. Ihde, do hereby certify that we caused the land described in the foregoing affidavit of Richard L. Simon , Surveyor, to be surveyed, divided and mapped as represented on this Certified Survey Map. As Owners, we hereby dedicate that part of Hilltop Drive to the Village of Germantown for public road purposes as represented on Sheet 2 of 7 of this Certified Survey Map.

WITNESS the hand and seal of said Signer, this _____ day of _____, _____

Daniel R. Ihde

Christina M. Ihde

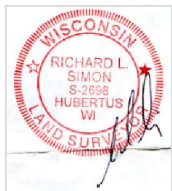
State of Wisconsin) SS
_____ County)

Personally came before me this _____ day of _____, _____, the above named
Daniel R. Ihde and Christina M. Ihde to me, known to be the people who executed the foregoing instrument and acknowledge the same.

Notary Public

_____ County, State of Wisconsin

My commission expires: _____



Certified Survey Map No. _____

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin.

Owner's Certificate

We, John Ceremuga and Christine F. Ceremuga, do hereby certify that we caused the land described in the foregoing affidavit of Richard L. Simon , Surveyor, to be surveyed, divided and mapped as represented on this Certified Survey Map. As Owners, we hereby dedicate that part of Hilltop Drive to the Village of Germantown for public road purposes as represented on Sheet 2 of 7 of this Certified Survey Map.

WITNESS the hand and seal of said Signer, this _____ day of _____, _____

John Ceremuga

Christine F. Ceremuga

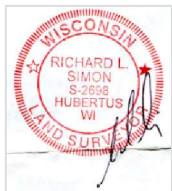
State of Wisconsin) SS
_____ County)

Personally came before me this _____ day of _____, _____, the above named John Ceremuga and Christine F. Ceremuga to me, known to be the people who executed the foregoing instrument and acknowledge the same.

Notary Public

_____ County, State of Wisconsin

My commission expires: _____



Certified Survey Map No. _____

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin.

Village of Germantown Planning Commission Approval

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

_____ day of _____, 20____

Dean Wolter, Chairman Dated

Deborah J. Remich, Secretary Dated

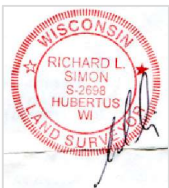
Village of Germantown Board Approval

This Certified Survey Map, being a division of (Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin), having been approved by the Planning Commission being the same, is hereby approved and the dedication of that part of Hilltop Drive for public road purposes as shown on Sheet 2 of 7 is hereby accepted by the Village Board of Trustees of the Village of Germantown on this

_____ day of _____, _____

Dean Wolter, Village President Dated

Donna Ott, Village Clerk Dated



Lot 1

That part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the Southwest corner of said Southwest $\frac{1}{4}$; thence N00°28'01"W along the West line of said Southwest $\frac{1}{4}$; 834.40 feet; thence S64°30'35"E, 36.70 feet to a point on the Easterly Right of Way of Hilltop Drive; thence N00°28'01"W along said Right of Way, 180.60 feet to the point of beginning of this description; thence continuing N00°28'01"W along said Right of Way, 99.00 feet; thence N89°31'59"E, 410.34 feet; thence S00°28'01"E, 99.00 feet; thence S89°31'59"W, 410.34 feet to the point of beginning of this description.

Said description containing 40624 Sq. Ft. or 0.933 Acres

Lot 2

That part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the Southwest corner of said Southwest $\frac{1}{4}$; thence N00°28'01"W along the West line of said Southwest $\frac{1}{4}$; 834.40 feet; thence S64°30'35"E, 36.70 feet to a point on the Easterly Right of Way of Hilltop Drive and the point of beginning of this description; thence N00°28'01"W, 180.60 feet; thence N89°31'59"E, 410.34 feet; thence N00°28'01"W, 99.00 feet; thence S89°31'59"W, 240.01 feet; thence N00°28'01"W, 219.60 feet to a point on the North line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence N89°44'10"E along said North line, 395.80 feet; thence S00°14'28"E, 710.79 feet; thence S27°03'31"W, 55.09 feet; thence N64°30'35"W, 598.22 feet to the point of beginning of this description.

Said description containing 280374 Sq. Ft. or 6.437 Acres

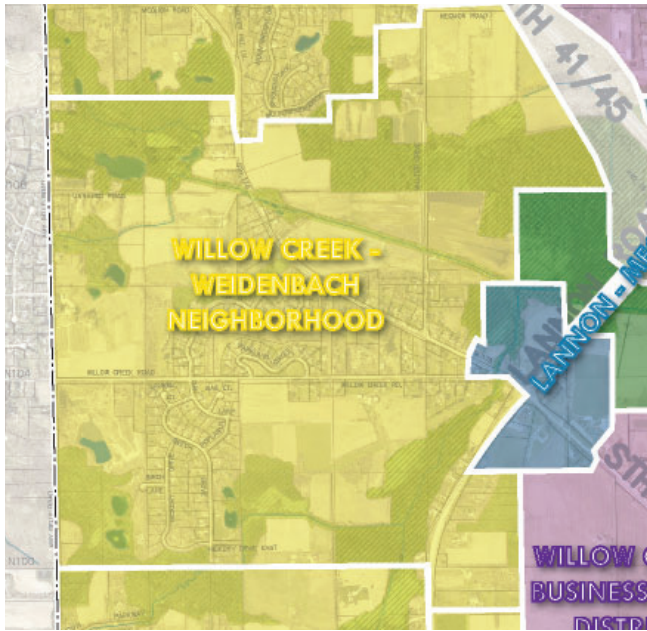
Lot 3

That part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the Southwest corner of said Southwest $\frac{1}{4}$; thence N00°28'01"W along the West line of said Southwest $\frac{1}{4}$; 834.40 feet; thence S64°30'35"E, 36.70 feet to a point on the Easterly Right of Way of Hilltop Drive; thence N00°28'01"W along said Easterly Right of Way, 279.60 feet to the point of beginning of this description; thence continuing N00°28'01"W along said Right of Way, 220.21 feet to a point on the North line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence N89°44'10"E along said North line, 170.34 feet; thence S00°28'01"E, 219.60 feet; thence S89°31'59"W, 170.33 feet to the point of beginning of this description.

Said description containing 37457 Sq. Ft. or 0.860 Acres

Willow Creek-Weidenbach NEIGHBORHOOD



SPECIAL FEATURES

Transportation The Willow Creek - Weidenbach neighborhood is bounded by the western limits of the Village and the Lannon-Mequon Road Corridor to the east. Appleton Avenue (Hwy 175) runs from the north central area of the neighborhood, south and east to connect with Lannon Road, which provides access to I-41.

Environmental, Natural & Agricultural Environmental corridor areas make up a large portion of the northern, eastern and southern areas of the neighborhood. Much of the remaining undeveloped area is in agricultural row crop production.

Public Park, Education, Safety & Utility Weidenbach Park is located in the south-central area of the Weidenbach neighborhood, containing 4 acres. This neighborhood is located outside the Sewer Service Area. Residential lots are served by onsite septic and well water.

GENERAL CHARACTER

The Willow Creek-Weidenbach neighborhood is a predominantly single-family residential neighborhood located in the southwest area of the Village. The neighborhood is home to residential subdivisions north and south of Willow Creek Road and along Appleton Avenue, pre-existing commercial properties scattered along Appleton Avenue and individual large-lot residential lots and agricultural parcels throughout the neighborhood. Residential zoning within this neighborhood is predominantly Rs-4 (2.2 DU's/acre with minimum 20,000 sqft lots) and Rs-2 (.5 DU's/acre with minimum 2-acre lots).

PREFERRED FUTURE LAND USE

Willow Creek-Weidenbach Neighborhood

Preferred Future Land Uses												Enviro Corr.	SSA	Preferred Site Design			Maximum Density (residential uses)
Existing Uses (+ existing non-conforming zoning) See NOTE 5 for details	Residential: Single Family	Residential: Two to Four Family	Residential: Multi-family / Senior	Mixed-Use: Commercial / Residential	Mixed-Use: Commercial / Industrial	Commercial (includes "Activity Centers")	Institutional	Open Space & Recreational	Mineral Extraction	Industrial	Agricultural / Hobby Farming / Agribusiness	Contains an Environmental Corridor?	Sewered? (Y/N/Partial)	Traditional Neighborhood	Suburban Subdivision	Conservation Subdivision**	Dwelling Units / Acre See NOTE 4 for details
A	D	u	u	u	u	u	u	D	u	u	D	Yes	No	A	U	D	see NOTE 2 and NOTE 3

Desirable future land uses within the Willow Creek-Weidenbach neighborhood include undeveloped open space, recreational areas, agricultural and hobby farm uses, and limited residential development given that this neighborhood is currently outside of the sewer service area. Future residential development is acceptable at an average density of 1 DU/5 acres for 4 or fewer individual lots created by minor land division (certified survey map), or 1 DU/3 acres for 5 or greater conservation subdivision lots.

In the event that the SSA is expanded and public sewer and water facilities extended into this neighborhood, future residential development is acceptable at an average density of 2.2 DU's/acre for 4 or fewer lots created by minor land division (certified survey map)

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.

or 3.5 DU's/acre for 5 or more lots in a conservation subdivision.

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

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

See all notes on page 42.

To: Kevin Driscoll, Village Engineer

CC: Jeff Retzlaff Village Planner

From: Bob Beilfuss, PLS

Date: February 21, 2025

Re: Savannah Wehinger-Daniel Ihde-John Ceremuga CSM

Kevin,

Here is my review comments for the CSM received 2/17/2025.

Certified Survey Map

Applicant or Owner: Savannah Wehinger-Daniel Ihde-John Ceremuga

Land Surveyor/Firm: Richard Simon, PLS – Cornerstone Land Surveying, Inc.

1. The Village Clerks name is Donna Ott. Please correct the Village Board approval certificate accordingly.
2. The secretary of the Planning Commission is Deborah J. Remich. Please correct the Village Planning Commission approval certificate accordingly.
3. POB not annotated on the map.
4. A certificate of mortgagee was provided for Savannah Wehinger but not for owners Daniel Ihde or John Ceremuga. If these two owners do not have a lender and the properties are free of mortgage, then the owners need to provide:
 - Complete statements per Chapter 236.21(2)(a)
 - Lending institution name, signature of bank officer and date.
 - Notary statement, seal, signature and date.

The mortgage certificate requirement is waived if owner can provide written proof of ownership that the property is free of mortgage from the lending institution.

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

Professional Land Surveying and Mapping Services
W174 N9467 Joper Road, Menomonee Falls, Wisconsin, 53051
262-250-8003 office pointlandsurveying@gmail.com email

completed format including all original signatures of the owner and lending institution, original seals of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

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.

The digital mapping should be prepared using the NAD83 Datum (2011 Adjustment)

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

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Plan Commission at the Germantown Village Hall located at N112W17001 Mequon Road, Germantown, Wisconsin and virtually through the WebEx platform on the following date and at the time noted below (or soon thereafter):

DATE: Monday, April 14th, 2025
TIME: 6:30 pm or later

The purpose of said hearing is to hear all parties, their attorneys or agents, for the following application: REZONING application to rezone portions of the following described area from the Rs-1: Single-Family Residential to the Rs-4: Single-Family Residential to accommodate the adjustment of property lines between three (3) parcels as described below:

Applicant: John & Christine Ceremuga, Property Owners
Property Address: W204N10578 Hilltop Drive (GTNV_293973)

Applicant: Savannah Wehinger, Property Owner
Property Address: W204N10558 Hilltop Drive (GTNV_293974)

Applicant: Daniel & Christina Ihde, Property Owners
Property Address: W204N10530 Hilltop Drive (GTNV_293975)

Property Description:

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin bounded and described as follows:

Commencing at the Southwest corner of said Southwest $\frac{1}{4}$; thence N 00°28'01" W, along the west line of said Southwest $\frac{1}{4}$, 834.40 feet to the point of beginning of this description; thence continuing N 00°28'01" W, along said west line, 483.87 feet to a point on the north line of the Southwest $\frac{1}{4}$ of said Southwest $\frac{1}{4}$; thence N 89°44'10" E, along said north, 599.14 feet; thence S 00°14'28" E, 710.79 feet; ; thence S 27°03'31" W, 55.09 feet; ; thence N 64°30'35" W, 634.92 feet to the point of beginning. Said description contains 8.602 acres (374,686 sqft).

A copy of the application and a map showing the property described above are on file at the Community Development Department-Planning & Zoning Services office in the Germantown Village Hall and can be viewed on the Village's website: <https://www.germantownwi.gov/589/Proposed-Development-Projects>

Citizens wishing to submit any public comments should do so by sending them by email to: comments@germantownwi.gov no later than 4:00pm on the meeting date listed above.

Donna Ott, Village Clerk
Dated this 19th day of March 2025

To Be Published On: March 26th and April 2nd, 2025

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Action Item

ITEM TITLE: Crew Carwash, Inc., Agent for Dahm Properties 74 LLC, Property Owner - N96 W17500 County Line Road; Conditional Use Permit (CUP) Approval Extension Request.

SUBMITTED BY:

SUMMARY EXPLANATION:

Crew Carwash, property owner, is requesting a (12) month extension of the Conditional Use Permit (CUP) approval granted last year that is set to expire on April 15, 2025, to allow the construction and operation of a 4,512 sqft self-serve carwash facility located at N96 W17500 County Line Road. CUP approval is only valid for 12 months from the date of initial approval unless an extension is requested prior to the original expiration date. Brian Randall, Attorney for Crew Carwash, is requesting an extension of the CUP approval (and Site Plan approval that was extended in a separate action by the Plan Commission at their April 14, 2025 meeting).

As stated in the April 7, 2025 request letter (copy enclosed), Crew Carwash cites "...a combination of unanticipated factors and other coordination elements related to Crew Carwash business operations and construction". If granted, construction is expected to commence in early 2026.

ATTACHMENT:

1. Staff Report-4-14-25-Crew Carwash-Site Plan-Approval Extension
2. Crew Carwash-CUP-4-21-25-EXTENSION
3. 2-Crew Carwash-Extension Request Letter-Randall-REVISED 4-9-25
4. Original STAFF REPORT 4-8-24-CUP and SITE PLAN-Original Approval
5. CREW CARWASH-CIVIL PLANS-Original Approval
6. CREW CARWASH-SIGN package-Original Approval
7. CREW CARWASH-BUILDING PLANS-Original Approval
8. CREW CAR WASH - CUP-Original Approval-VB-4-15-24
9. 4-PC Minutes-4-8-24

STAFF RECOMMENDATION:

ACTION BY Committee:

SITE PLAN & CONDITIONAL USE PERMIT (CUP) APPROVAL EXTENSION

4/14/25 Plan Commission Meeting

Crew Carwash

Staff Report & Recommendation

Germantown, Wisconsin

Summary

Crew Carwash, property owner, is requesting an extension of the Site Plan and Conditional Use Permit (CUP) approvals granted in April, 2024, to allow the construction and operation of a 4,512 sqft self-serve carwash facility located at N96 W17500 County Line Road.

Property Location: N96 W17500 County Line Road (existing BP Station)

Agent/

Property Owner: Attorney Brian Randall
Amundsen Davis LLC
111 Kilbourn Ave
Milwaukee, WI

Katherine Rayner
Crew Carwash
11700 Exit 5 Pkwy
Fishers, IN

Current Zoning: B-5: Highway Business

Adjacent Land Uses		Zoning
North	Highway Business	B-5
South	Highway Business	B-5
East	Highway Business	B-5
West	Highway Business	B-5



Background/Proposal

In April, 2024, Crew Carwash was granted Site Plan and Conditional Use Permit (CUP) approval from the Village to allow the construction and operation of a 4,512 sqft self-serve carwash facility located at N96 W17500 County Line Road.

Site Plan approval was granted by the Plan Commission on April 8, 2024 subject to seven (7) conditions (see attached Staff Report and meeting minutes for details). Conditional Use Permit (see enclosed CUP# xx-2024) approval was granted by the Village Board on April 15, 2024 subject to six (6) conditions. Sign plan approval was granted by the Plan Commission on June 10, 2024 (but does not require re-approval).

Proposal

At this time, Attorney Brian Randall, Amundsen-Davis LLC, agent for Crew Carwash, property owner, is requesting an extension of the Site Plan and CUP approvals granted by the Village as provided for under Section 17.42 (CUP) and 17.43 (Site Plan) of the Zoning Code included for reference below:

CUP Approval (Section 17.42):

Section 17.42(6) stipulates:

(a) Except under the following conditions, if substantial construction or other activities necessary to implement a use authorized by a conditional use permit and/or the use has not commenced within 12 months from the date approval is granted by the Village Board, and, continue toward completion in accordance with the proposed/approved timeframe, or, if said construction or use has commenced but subsequently is stopped or abandoned for a period of 12 consecutive or cumulative months, the conditional use permit shall be deemed to have lapsed and all other Village permits and/or approvals granted subsequent to such conditional use permit approval shall expire and be null and void.

1. *An extension has been granted pursuant to [section 17.42\(8\)](#); or*
2. *Different project-specific commencement and/or completion deadlines and timeframes have been established as a condition of approval in the conditional use permit.*

Section 17.42(8) stipulates:

EXTENSION OF DEADLINE FOR COMMENCEMENT OR COMPLETION. *At its discretion, for good cause and following consideration of a written request by the applicant/property owner, the Village Board may grant one or more extensions of the deadline to commence, complete or continue the use for which a conditional use permit was granted. The duration of each extension shall be determined by the Village Board but shall not exceed 12 months.*

Site Plan Approval (Section 17.43):

Section 17.43(11)(a) stipulates:

(a) Except under the following conditions, if construction or other activities necessary to complete a development project and/or land use have not commenced within 12 months from the date site plan approval has been granted and continue toward completion in accordance with the proposed/approved timeframe, or, said construction or other activities have commenced but subsequently are stopped or abandoned for a period of 12 consecutive or cumulative months, site plan approval shall be deemed to have lapsed and all Village permits and/or approvals granted subsequent to such site plan approval shall expire and be null and void.

- 1. An extension has been granted pursuant to subsection (11a); or*
- 2. Different project-specific commencement and/or completion deadlines have been established as a condition of approval in the site plan approval, in a conditional use permit, or in a PDD condition and restrictions resolution adopted by the Village Board (including but not limited to phased development).*

Section 17.43(11a) provides:

EXTENSION OF DEADLINE FOR CONSTRUCTION COMPLETION. *At its discretion, for good cause and following consideration of a written request submitted by the applicant/property owner to the Village prior to expiration of the previous deadline, the Plan Commission (and Village Board in the case of projects being developed in a PDD) may grant one or more extensions of the deadline to complete the project for which site plan approval was granted. The duration of each extension shall be determined by the Plan Commission (or Village Board in the case of PDD projects) but shall not exceed 12 months. A deadline extension request that is received prior to expiration of the current deadline will not be subject to any applicable application fees. Requests received after expiration of the current deadline will be subject to applicable application fees.*

Approval Extension Request

As stated in the April 7, 2025 request letter (copy enclosed), the agent for Crew Carwash cites “...a combination of unanticipated factors and other coordination elements related to Crew Carwash’s business operations and construction”.

The developer provides additional details, explanation and a revised timeline for expected commencement & completion dates for the Crew Carwash facility. The request is to extend the approvals for both the CUP and Site Plan an additional 12 months with a new deadline to commence construction being extended to April 8, 2026.

Staff Comments

Copies of the original April 8, 2024, Staff Report & Recommendation presented to the Plan Commission and Village Board in 2024 are attached for additional supporting information with details about the project and conditions of approval.

Staff supports the request to extend both the Site Plan and CUP approvals as requested for 12 months with a new deadline for commencement of construction to April 8, 2026, with the same list of conditions contained in the original approvals.

VILLAGE STAFF RECOMMENDATION

APPROVE the request to extend Site Plan approval plan for an additional 12 months with a new deadline for commencement of construction to April 8, 2026, with the same conditions of approval in the original April 8, 2024 Plan Commission approval.

Recommend to the Village Board to **APPROVE** the request to extend the approval of CUP #xx-2024 for an additional 12 months with a new deadline for commencement of construction to April 8, 2026, with the same conditions of approval contained in CUP #xx-2024.

CUP # xx-2025 Document No.	CONDITIONAL USE PERMIT Document Title
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN CONDITIONAL USE ZONING PERMIT	
Whereas the Applicants: Crew Carwash Inc., Agent for Dahm Properties 74 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 carwash facility from the property located at N96 W17500 County Line Road pursuant to Section 17.32(3)(g) of the Village Zoning Code.	
Name & Return Address: Village of Germantown P.O. Box 337 Germantown, WI 53022	
Parcel Identification No: GTNV 334-990	

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

That part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 33, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows, viz: Commencing at the Southeast corner of said Section; thence North 89° 51'00" West, 1321.30 feet; thence North 00° 24'00" West, 440.70 feet; thence South 84° 15'00" East, 201.16 feet to the place of beginning of this description; thence North 00° 24'00" West, 219.05 feet; thence South 84° 15'00" East, 200.00 feet; thence South 00° 24'00" East, 219.05 feet; thence North 84° 15'00" West along the Northerly right of way of road, 200 feet to the place of beginning.

Tax Key No: 334-990

Address: N96 W17500 County Line 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, project narrative dated February 12, 2024, and supporting site plan documents dated January 12, 2024, and February 12, 2024. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Sunday through Saturday 7:00am to 9:00pm).
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. 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.
6. Building permits and commercial building code plan approval are required for the planned demolition of existing structures on the site and the proposed building and kiosk. Contact SAFEbuilt staff in Inspection Services at Village Hall prior to any work for information about required permits and/or plan approvals.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the 15th day of April, 2024, and as the deadline to commence construction was extended on April 21, 2025.

Robert A Soderberg, Village President

ATTEST:

Donna Ott, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this _____ day of _____, 2025, the above named Robert A. Soderberg, Village President, and Donna Ott, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER/OPERATOR

As agent for Crew Carwash, Inc., and Dahm Properties 74 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 _____, 2025

Agent for Crew Carwash, Inc. and Dahm Properties 74 LLC

STATE OF INDIANA) SS
HAMILTON COUNTY)

Personally came before me this _____ day of _____, 2025, 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 Indiana
My Commission Expires: _____

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



April 7, 2025

VIA EMAIL

jretzlaff@germantownwi.gov

Mr. Jeffrey W. Retzlaff, AICP
Director, Community Development Department
Village Planner & Zoning Administrator
N112 W17001 Mequon Road
Germantown, WI 53022

Re: Crew Carwash – N96 W17500 County Line Road

Subj: Project Approvals Extension Request

Dear Mr. Retzlaff:

As you know, we represent Crew Carwash in connection with the approvals and construction of a self-service carwash facility to be located at N96 W17500 County Line Road. On April 8, 2024, the Plan Commission approved Crew Carwash's site plan package. On April 15, 2024, the Village Board approved the Conditional Use Permit for the new development.

Request for 12 Month Extension

Under Village Zoning Code Sections 17.42(6)(a) and 17.43(11)(a), the Village Zoning Code requires construction to commence within 12 months or the Conditional Use Permit and Site Plan approvals shall be deemed to have lapsed. Accordingly, Crew Carwash respectfully requests a 12 month extension to commence construction for both the Conditional Use Permit and Site Plan approvals pursuant to Section 17.42(8) and Section 17.43(11a).

The reasons for the extension request relate to a combination of unanticipated factors and other coordination elements for Crew Carwash's business operations and construction .

What Crew Carwash did not expect were the continued challenging economic conditions affecting construction projects including high interest rates, inflationary impacts, and supply chain disruptions. Nevertheless, over the past year, Crew Carwash continued with the detailed design and construction plans to obtain the necessary permits in order to be ready to commence construction. Further, while the

BP gas station continues to operate under a short term lease, Crew Carwash completed the real estate transaction and is now the owner of the property.

From a business operations perspective, Crew Carwash is dedicated to entering the Southeastern Wisconsin market in a coordinated fashion. Wisconsin is a new state for the company so Crew Carwash wants to become recognizable to its new customers and potential employees by opening multiple locations at the same time.

Accordingly, Crew Carwash is managing the timing for construction and opening of its new locations in the state including the one in Germantown. It is likewise internally recruiting for key employees to relocate to Wisconsin as well as preparing to recruit and train the new employees that it will need.

Finally, once the BP gas station closes, Crew Carwash must remove the underground gasoline storage tanks through a qualified contractor and under the review of the Wisconsin DNR. The tank removal work will be timed to be concurrent – or in conjunction – with the demolition of the existing structure but prior to the site work for the new carwash that will, of course, also have to factor in winter conditions.

Conclusion

In light of the foregoing, Crew Carwash anticipates commencing the demolition and tank removal work in early 2026 followed by the site work and new carwash construction over the balance of that year. Accordingly, Crew Carwash respectfully requests a 12 month extension to April 8, 2026 in order to commence construction for both the Conditional Use Permit and Site Plan approvals pursuant to Section 17.42(8) and Section 17.43(11a).

Please do not hesitate to contact me at 414-225-1484 or BRandall@AmundsenDavisLaw.com should you or others have immediate questions, wish to discuss anything, or need anything further from us.

Very truly yours,

Amundsen Davis, LLC



Brian C. Randall

cc: Village of Germantown staff; Crew Carwash Project Team; Excel Engineering Project Team

SITE PLAN & CONDITIONAL USE PERMIT (CUP) APPLICATIONS

4/8/28 Plan Commission Meeting

Crew Carwash / Nomies Investments LLC

Staff Report & Recommendation

Germantown, Wisconsin

Summary

Crew Carwash, agent for Nomies Investments LLC, property owner, is requesting Site Plan approval and a Conditional Use Permit (CUP) to allow the construction and operation of a 4,512 sqft self-serve carwash facility located at N96 W17500 County Line Road.

Property Location: N96 W17500 County Line Road (existing BP Station)

Agent/

Property Owner: Katherine Rayner
Crew Carwash
11700 Exit 5 Pkwy
Fishers, IN

Nomies Investments LLC
N96 W17500 County Line Road
Germantown, WI

Current Zoning: B-5: Highway Business

Adjacent Land Uses		Zoning
North	Highway Business	B-5
South	Highway Business	B-5
East	Highway Business	B-5
West	Highway Business	B-5



Background/Proposal

Crew Carwash, agent for Nomies Investments LLC, property owner, is requesting Site Plan approval and a Conditional Use Permit (CUP) to allow the construction and operation of a 4,512 sqft self-serve carwash facility located at N96 W17500 County Line Road.

As presented on their website, Crew Carwash is a multi-generational, family-owned business founded in 1948 and based in Fiskers, Indiana. <https://crewcarwash.com/the-crew-story/>. Crew Carwash currently has 45 locations in Indiana and Minnesota. The proposed site in Germantown is one of a few leading their expansion into Wisconsin.

Conditional Use Permit (CUP)

Within the B-5 District, a self-serve carwash requires a Conditional Use Permit (CUP). The proposed Germantown facility and operation has the following components:

- 4,512 sqft self-serve carwash building w/ 345 sqft kiosk
- Business operations Sunday to Saturday from 7:00a to 9:00p with 2-3 shifts per day
- 25 Total Employees (2-5 employees per shift)

Site Plan

As indicated in the applications and February 12 project narrative, the proposed development includes a complete demolition and replacement of the existing BP gasoline station and carwash. The new Crew Carwash will have the following features:

- 4,512 sqft single-story carwash building 20' height w/ tower feature to 35' height
- 345 sqft single-story kiosk 13' height w/ 4-lane canopy (vehicle entry point)
- Masonry walls comprised of ground (smooth) face concrete masonry units color red with a knee-high wall and upper banding of limestone split-face concrete units with a buff color
- Tower feature comprised of architectural wall panel color pewter
- Aluminum-framed storefront and glazing system color clear anodized w/ overhead supported canopies above all windows
- Flat roof w/ exposed RTU's
- Paved curb & gutter parking area w/ 5 vehicle parking stalls for employees (1 ADA compliant) & 9 stalls with self-serve vacuum bays
- 20 vehicle staging area w/ 4 lanes wide
- New lighting & landscaping

Parking, Access & Traffic Circulation

Access will remain the same with two (2) driveways to Emmer Road on the southeast side of the property. The Village's parking guidelines do not include carwashes, but the number of stalls provided for employees (5) appears sufficient.

Storm Water Management

This 1.0-acre site is a re-development site with 90% of the area expected to be disturbed. A total of 30,506 sqft (70%) of impervious surfaces are proposed as part of the new development leaving 13,052 sqft or 30% in open/green space. Stormwater facilities include storm sewer, roof drains and grading to convey run-off from the building, staging, vacuum, and parking areas to on-site catch basins and storm sewer located through the middle of the site to an existing concrete pipe south the site in the Emmer Road ROW and to a new “green infrastructure” rain garden feature in the southeast corner of the site.

Utilities

Sanitary and water utilities will be upgraded and replace the existing in easements running north across the hotel property to existing laterals.

Landscaping & Buffering

Existing established landscaping along the north property line is going to be removed and replaced with a 1'-2' high retaining wall. A very large deciduous shade tree is going to be removed along the east property line and replaced with sod for a snow storage area. Minimal landscaping is provided along or within the curbed areas internal to the site. Decorative stone “mulch” is placed around the plantings across the site.

Lighting

Exterior lighting of the site and building includes:

- (4) 50W 4,000 lumens @ 5700K (cool white) LED recessed canopy lights mounted at a height of 10' under the kiosk canopy;
- (1) 131W 20,900 lumen @ 3000K (bright white) LED cut-off style pole-mounted fixtures mounted at overall 23' height on a pole near the south driveways;
- (6) 131W 13,175 lumen @ 3000K (bright white) LED cut-off style pole-mounted fixtures mounted at overall 23' height on poles around the parking and building;

Signage

A total of (21) permanent signs are proposed for the site, including:

- (1) Refacing the exiting monument sign in the SE corner of the site with the brick base painted black (see sign rendering EC-01; sheet 1 of 15 w/ no date);
- (1) Refacing the existing 50'+ pylon sign in the NE corner of the site with the pylon support structure to be painted black (see sign rendering EC-02; sheet 2 of 15 w/ no date)
- (3) internally lit wall-mounted signs on the tower structure w/ “Crew Carwash” lettering translucent white (see sign rendering EC-03; sheet 3 of 15 w/ no date)
- (1) internally lit wall-mounted sign above the exit door on the south end of the building w/ “Crew Carwash” lettering translucent white (see sign rendering EC-04; sheet 4 of 15 w/ no date)
- (1) internally lit monument sign w/ digital menu board mounted on a painted aluminum panel base located north of the kiosk on the north side of the property (see sign rendering EC-05; sheet 5 of 15 w/ no date)
- (2) internally lit directional signs installed at the driveway entrances on the south

side of the property w/ both saying "Open" and "Enter" (see sign rendering EC-06; sheet 6 of 15 w/ no date)

- (2) non-illuminated letter sets installed on south side of the kiosk canopy above the drive lanes indicating "Unlimited Club" (see sign rendering EC-07; sheet 7 of 15 w/ no date)
- (2) non-illuminated letter sets installed on south side of the kiosk canopy above the drive lanes indicating "Cashier" (see sign rendering EC-08; sheet 8 of 15 w/ no date)
- (4) non-illuminated framed menu panels installed on the columns of the kiosk lanes (see sign rendering EC-09; sheet 9 of 15 w/ no date)
- (1) non-illuminated letter sets installed on south side of the building above the exit door indicating "Clean Car Exit" (see sign rendering EC-11; sheet 11 of 15 w/ no date)
- (1) non-illuminated pole-mounted panel sign installed near the north entrance of the building indicating "We Are Responsible For" (see sign rendering EC-12; sheet 12 of 15 w/ no date)
- (2) non-illuminated painted directional signs installed on south side of the building near the exist indicating "'Vacuums" (see sign rendering EC-14; sheet 14 of 15 w/ no date)

Note: There are detail sheets for signs EC-10, EC-13, and EC-15 but they are not included in site map showing where these signs are proposed; It is assumed that they will not be installed at this site.

Staff Comments

Community Development: Planning & Zoning

This property is in the "County Line Road District" under the Village's 2050 Comprehensive Plan and the current zoning is B-5: Highway Business. The property is located within the Village's Sanitary Sewer Service Area (SSSA) and capable of being served with public sewer and water with extensions from existing laterals nearby from the north (water main and sanitary sewer). The proposed carwash use falls under the "desirable" commercial land use.

The amount, type, and location of proposed landscaping is a concern. First, an established deciduous shrub hedge (see views from both sides below) is being removed entirely and replaced with a 1'-2' retaining wall. The area abutting the hotel property to the north will be planted with sod. The property line runs right up against the front of the parking stalls on most of the hotel property, so all of the shrubs will be removed. Something needs to be installed to replace this hedge. There doesn't appear to be adequate area in the minimum required 8' buffer strip because there is a retaining wall proposed in that 8' buffer area.





More landscaping around the perimeter is required. The Village Forester has a similar comment (see below). Also, the large tree along the east side of the property (see below) is proposed to be removed and placed with sod for a snow storage area (see Sheet C1.0). The tree species has not been identified by the developer.



Construction work is required on the adjacent hotel property to the north to install upgraded water & sanitary sewer laterals within "private utility easements" to be obtained by others. Building permits for installation of water & sanitary sewer should not be issued until the easements are obtained and the adjacent property owner agrees with the construction work required to install the utilities and restore the easements to pre-construction conditions.

Signage appears to be excessive for a business model that relies on a recurring customer base (and probably not so much signage for every step of the way through the process). More signs are proposed than trees to be installed. Many of the directional signs exceed the height and area allowances in the sign regulations. Three "Crew Carwash" signs on the tower seem excessive given the re-use of the 50'+ pylon sign and monument sign in the SE corner of the sight. The detail sheets for the sign face replacement signs do not indicate the sign area and refer to a survey being needed. For these reasons, Staff recommend that sign package be re-evaluated in light of the sign regulations with goal of only proposing code-compliant signs that provide the minimum business name notification. A Sign Permit application is also required.

Finally, the photo renderings provided in the application from other Crew Carwash locations show actual wood mulch in the landscaping beds. At this location, the proposal is to install decorative “stone mulch”. Stone does not exactly satisfy the minimum 20% “green space” requirement in the B-5 Zoning District. Wood mulch is recommended.

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.

Public Works/ Village Engineer

The Village Engineer, Public Works Department and Utility staff have identified several technical issues and plan revisions that need to be resolved or otherwise addressed by the Developer prior to commencing construction activities and issuance of building permits. Nonetheless, Staff is recommending conditional approval of the site development and building plans subject to all the outstanding items and issues identified in the following review memos being 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 or issuance of building permits (excluding early start site preparation and footing and foundation installation):

- April 3, 2024, memo from Kevin Driscoll, Village Engineer

Village Forester

The following issues will need to be addressed as part of a revised landscape plan prior to issuance of a building permit:

- Tree planting detail image revision on sheet C1.4: Include that root flare should be left exposed, moss/mulch line should be at or just below top of root ball.
- Recommend substitution of tree options for the two (2) *Acer platanoides* and the two (2) *Pyrus calleryana* ‘Jaczam’. The Village has many Maple (*Acer*) trees and would benefit from an increased species diversity. Also, *Pyrus calleryana* has the potential to establish as an invasive tree species in Wisconsin. Acceptable substitutes: Common Hackberry (*Celtis Occidentalis*), Kentucky Coffeetree (seedless) (*Gymnocladus dioicus*), London Planetree (*Platanus x acerifolia*), Tulip tree (*Liriodendron tulipifera*), Oak spp. (*Quercus*)
- Per municipal code 17.43(c). Parking lot landscaping: perimeter plantings are required around the parking lot for screening from adjacent properties. This plan does not include perimeter plantings along the east boundary, the northwest, or southwest corners of the property. This is an existing perimeter planting along the property boundary to north (see similar comment above), the street tree plantings along the south side of the property are sufficient.

Fire & Police Departments

No comment. Concerns have been addressed into submitted plan set.

VILLAGE STAFF RECOMMENDATIONS

APPROVE the Conditional Use Permit (CUP) application for Crew Carwash for the construction and operation of a self-serve car wash facility on the property located at N96 W17500 County Line Road 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) application, project narrative dated February 12, 2024, and supporting site plan documents dated January 12, 2024, and February 12, 2024. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Sunday through Saturday 7:00am to 9:00pm).
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. 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.
6. Building permits and commercial building code plan approval are required for the planned demolition of existing structures on the site and the proposed building and kiosk. Contact SAFEbuilt staff in Inspection Services at Village Hall prior to any work for information about required permits and/or plan approvals.

APPROVE the site development and building plans submitted by Crew Carwash for a 4,512 sqft self-serve carwash facility w/ 345 sqft kiosk & canopy located at N96 W17500 County Line Road 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:
 - a. *Architectural plans dated January 12, 2024;*
 - b. *Civil Engineering plans dated February 12, 2024;*
 - c. *Landscaping plans dated February 12, 2024;*
 - d. *Lighting plans (photometric plan) dated February 12, 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 landscaping shall be shown in a revised landscape plan review and approved by the Village Forester, including:
 - a. along the north property to reasonably replace the existing screen hedge.
 - b. Per municipal code 17.43(c) around the perimeter of the site with plantings along the east boundary, the northwest, or southwest corners of the property.
3. The mulch in the landscaping beds shall be wood mulch and not decorative stone.
4. Tree planting detail on sheet C1.4 shall be revised to include that root flare should be left exposed, moss/mulch line should be at or just below top of root ball.
5. The following tree species shall be substituted for the two (2) *Acer platanoides* and the two (2) *Pyrus calleryana* 'Jaczam'. The Village has many Maple (*Acer*) trees and would benefit from an increased species diversity. Also, *Pyrus calleryana* has the potential to establish as an invasive tree species in Wisconsin. Acceptable substitutes: Common Hackberry (*Celtis Occidentalis*), Kentucky Coffeetree (seedless) (*Gymnocladus dioicus*), London Planetree (*Platanus x acerifolia*), Tulip tree (*Liriodendron tulipifera*), Oak spp. (*Quercus*)
6. The technical issues and plan revisions identified in the April 3, 2024 memo from the Village Engineer shall be addressed in revised plan sheets and/or supplemental documents as necessary prior to commencing construction activities and issuance of building permits (excluding site demolition, early

start site preparation, and footing & foundation installation).

7. 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 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.

TABLE the action on the sign package pending re-submittal of a sign permit application and code-compliant signs

CIVIL SHEET INDEX

CONTACTS

GENERAL PROJECT NOTES

1. ALL DRIVEWAYS AND CURB CUTS TO BE CONSTRUCTED ACCORDING TO LOCAL ORDINANCES. CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS.
2. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL WORK IN ROW PERMITS.
3. CONTRACTOR TO CONTACT EXCEL ENGINEERING TO COMPLETE AS-BUILT SURVEY OF THE STORMWATER MANAGEMENT SYSTEM UPON COMPLETION OF THE WORK.

OWNER

CIVIL
EXCEL ENGINEERING
100 CAMELOT DRIVE
FOND DU LAC, WISCONSIN 54935
CONTACT: DUSTIN SALTER, PE
P: (920) 926-9800
F: (920) 926-9801
dustin.s@excelengineer.com

C0.1



N96 W17500 COUNTY LINE RD • GERMANTOWN, WI 53022

PROPOSED CAR WASH FOR:

DIVISION 31 EARTH WORK

31 10 00 SITE CLEARING (DEMOLITION)

- A. CONTRACTOR SHALL CALL DIGGERS HOT LINE AND CONDUCT A PRIVATE UTILITY LOCATE AS REQUIRED TO ENSURE THAT ALL UTILITIES HAVE BEEN LOCATED BEFORE STARTING SITE DEMOLITION. DESIGN ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES BETWEEN PLAN AND FIELD CONDITIONS PRIOR TO CONSTRUCTION.
- B. DEMOLITION PLAN IS AN OVERVIEW OF DEMOLITION TO TAKE PLACE ON SITE. CONTRACTOR TO FIELD VERIFY EXISTING SITE CONDITIONS PRIOR TO BIDDING. CONTRACTOR SHALL REMOVE, REPLACE, OR DEMOLISH ALL ITEMS AS NEEDED DURING CONSTRUCTION.
- C. CONTRACTOR TO PROTECT EXISTING IMPROVEMENTS THAT ARE SCHEDULED TO REMAIN. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPLACED AT CONTRACTORS EXPENSE.
- D. ALL CONCRETE NOTED TO BE REMOVED SHALL BE REMOVED TO THE NEAREST CONTROL JOINT.

31 20 00 EARTH MOVING

- [illegible]

31 30 00 EROSION CONTROL

- A. THE GRADING PLAN REFLECTS THAT NOT 1 ACRE OF DISTURBED AREA. THE SITE IS THEREFORE EXEMPT FROM WISCONSIN DEPARTMENT OF NATURAL RESOURCES NR 216 NOTICE OF INTENT REQUIREMENTS. THE DESIGN ENGINEER SHALL PREPARE AN EROSION CONTROL PLAN TO MEET THE REQUIREMENTS OF CHAPTER NRS 10.09.
- B. EROSION AND SEDIMENT CONTROL IMPLEMENTED DURING CONSTRUCTION SHALL STRICTLY COMPLY WITH THE GUIDELINES AND REQUIREMENTS SET FORTH IN WISCONSIN ADMINISTRATIVE CODE (W.A.C. NR 115). THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES RUNOFF POLLUTION CONTROL PROGRAM (RPP) MANUAL (NR-708) SHALL BE CONSULTED FOR ADDITIONAL INFORMATION REGARDING BEST MANAGEMENT PRACTICES TO IMPLEMENT THE REQUIRED PERFORMANCE STANDARDS. THE METHODS AND TYPES OF EROSION CONTROL WILL BE DEPENDENT ON THE TYPE OF SLOPE, SOIL TYPE, CLIMATE, AND LOCAL HYDROLOGICAL CONDITIONS. EROSION CONTROL MEASURES MUST BE INSTALLED PRIOR TO CONSTRUCTION, AND INSTALLED PRIOR TO ANY GRADING OR DISTURBANCE OF EXISTING SURFACE MATERIAL. BELOW IS A LIST OF EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES TO ACHIEVE THE PERFORMANCE STANDARDS REQUIRED.
- C. EROSION CONTROL STANDARDS SHALL BE PROVIDED TO THE CONTRACTOR. THE CONTRACTOR SHALL ALSO BE PROVIDED AROUND THE PERIMETER OF ALL SOIL STOCKPILES THAT WILL EXIST FOR MORE THAN 7 DAYS. FOLLOW PROCEDURES FOUND IN WISCONSIN TECHNICAL STANDARD 1069 (CURRENT EDITION).
- D. DITCH CHECKS SHALL BE PROVIDED TO MONITOR THE VOLUME OF WATER FLOWING IN DITCH BOTTOMS. PLACE AT LOCATIONS SHOWN ON THE EROSION CONTROL PLAN. FOLLOW PROCEDURES FOUND IN WISCONSIN DRAINAGE TECHNICAL STANDARD 1062 (CURRENT EDITION).
- E. STORM DRAINAGE TRACKS SHALL BE INSTALLED PRIOR TO ANY TRAFFIC LEAVING THE CONSTRUCTION SITE. SEE THE EROSION CONTROL PLAN FOR LOCATIONS. THE AGGREGATE USED FOR THE STONE TRACKING PAD SHALL BE 3/8" TO 1 1/2" INCH CLEAR OR WASHED STONE AND SHALL BE PLACED IN A LAYER AT LEAST 12 INCHES THICK. THE STONE SHOULD BE PLACED IN SUCH A MANNER AS TO PROVIDE PROTECTION OF THE UNDERLYING SUBSTRATE TO A FULL WIDTH OF THE EGRESS POINT (12' MIN WIDTH) AND SHALL BE A MINIMUM OF 50 FEET LONG. SURFACE WATER MUST BE PREVENTED FROM PASSING THROUGH THE TRACKING PAD. THE TRACKING PAD SHALL BE MAINTAINED THROUGHOUT THE PROJECT. THE TRACKING PAD MANUFACTURED TRACKOUT CONTROL DEVICE, TREE WASHING, AND STREET/PAVEMENT CLEANING SHALL BE IMPLEMENTED AS NECESSARY TO MITIGATE THE TRACKOUT OF SEDIMENT OFFSITE. FOLLOW PROCEDURES FOUND IN WISCONSIN DRAINAGE TECHNICAL STANDARD 1057 (CURRENT EDITION).
- F. STORM DRAIN INLET PROTECTION SHALL BE PROVIDED FOR ALL NEW AND DOWNSTREAM STORM CATCH BASINS AND CURB INLETS. TYPE B OR C PROTECTION SHOULD BE PROVIDED AND SHALL BE IN CONFORMANCE WITH WISCONSIN DRAINAGE TECHNICAL STANDARD 1060 (CURRENT EDITION).
- G. DUST CONTROL MEASURES SHALL BE PROVIDED TO REDUCE OR PREVENT THE SURFACE AND AIR TRANSPORT OF DUST DURING CONSTRUCTION. DUST CONTROL MEASURES MAY INCLUDE BUT ARE NOT LIMITED TO APPLYING WATER TO ROADWAYS, GRAVEL DRIVEWAYS, ROUGHENING, APPLYING POLYMERS, SPRAY-ON TACKLERS, CHLORIDES, AND BARRIERS. SOME SITES MAY REQUIRE AN APPROACH THAT UTILIZES A COMBINATION OF MEASURES FOR DUST CONTROL. FOLLOW PROCEDURES FOUND IN WISCONSIN DRAINAGE TECHNICAL STANDARD 1068 (CURRENT EDITION).
- H. THE USE, STORAGE, AND DISPOSAL OF CHEMICALS, CEMENT, AND OTHER COMPOUNDS AND MATERIALS USED ON SITE SHALL BE MANAGED TO PREVENT CONTAMINATION OF ADJACENT AREAS. THE CONTRACTOR SHALL HAVE A SPILL RESPONSE PLAN IN PLACE.
- I. THE CONTRACTOR SHALL PROVIDE AN OPEN AGGREGATE CONCRETE TRUCK WASHOUT AREA ON SITE. CONTRACTOR TO ENSURE THAT CONCRETE WASHOUT SHALL BE CONTAINED TO THIS DESIGNATED AREA AND NOT BE ALLOWED TO RUN INTO STORM INLETS OR INTO THE OVERLAND DRAINAGE NETWORK.
- J. TEMPORARY SITE RESTORATION SHALL TAKE PLACE IN DISTURBED 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 requires vegetative cover for LESS THAN 1 YEAR. PERMANENT SITE RESTORATION SHALL TAKE PLACE IN DISTURBED AREAS THAT WILL BE BROUGHT TO FINAL GRADE OR ON WHICH PERMANENT RESTORATION APPLIES TO AREAS WHERE PERENNIAL VEGETATIVE COVER IS NEEDED TO PERMANENTLY STABILIZE AREAS OF DISTURBANCE. PERMANENT SITE RESTORATION SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND SHALL BE DONE IN GENERAL CONFORMANCE WITH TECHNICAL STANDARDS 1058 AND 1059 AND SHALL MEET THE SPECIFICATIONS FOUND IN THE LANDSCAPING AND SITE STABILIZATION SECTION OF THIS CONSTRUCTION DOCUMENT. ANY SOIL EROSION THAT OCCURS AFTER FINAL GRADING SHALL BE REPAIR IMMEDIATELY.

- F. IF SITE Dewatering IS REQUIRED, PROPOSED CONSTRUCTION ACTIVITIES, ALL SEDIMENT LADEN WATER GENERATED DURING THE Dewatering PROCESS SHALL BE TREATED TO REMOVE SEDIMENT PRIOR TO DISCHARGING OFF-SITE OR TO WATERS OF THE STATE. FOLLOW ALL PROCEDURES FOUND IN TECHNICAL STANDARD 1061.
- G. ALL EXISTING AND NEW CONSTRUCTION SHALL BE PROTECTED FROM DAMAGE BY CONSTRUCTION WORK OR A STORM EVENT SHALL BE CLEANED UP BY THE END OF EACH WORKING DAY. DUST CONTROL REQUIREMENTS SHALL BE FOLLOWED PER WDNR TECHNICAL STANDARD 1068 (CURRENT EDITION). FLOODING SHALL NOT BE ALLOWED.
- H. CONSTRUCTION SHALL BE LIMITED TO A MINIMUM BE INSPECTED WEEKLY AND WITHIN 24 HOURS AFTER ANY PRECIPITATION EVENT THAT PRODUCES 0.5 INCHES OF RAIN OR MORE DURING A 24 HOUR PERIOD. MAINTENANCE SHALL BE PERFORMED PER WISCONSIN ADMINISTRATIVE CODE (WAC) NR 151 STORMWATER MANAGEMENT TECHNICAL STANDARD REQUIREMENTS.
- I. ALL EXISTING AND NEW CONSTRUCTION SHALL BE PROTECTED FROM DAMAGE BY CONSTRUCTION WORK OR A STORM EVENT SHALL BE CLEANED UP BY THE END OF EACH WORKING DAY. DUST CONTROL REQUIREMENTS SHALL BE FOLLOWED PER WDNR TECHNICAL STANDARD 1068 (CURRENT EDITION). FLOODING SHALL NOT BE ALLOWED.
- J. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL LOCAL EROSION CONTROL PERMITS.

DIVISION 32 EXTERIOR IMPROVEMENTS

32 10 00 AGGREGATE BASE & ASPHALT PAVEMENT

- A. CONTRACTOR TO PROVIDE COMPACTED AGGREGATE BASE AND HOT MIX ASPHALT PAVEMENT WHERE INDICATED ON THE PLANS. ALL AGGREGATE PROVIDED MUST COMPLY WITH SECTION 305 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION. PROVIDE HOT MIX ASPHALT MIXTURE TYPES PER SECTION 460 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS TO MATCH THE EXISTING PAVEMENT SURFACE REMOVAL AND REPAIR REQUIREMENTS IS REQUIRED IN ACCORDANCE WITH LOCAL STANDARDS.
- B. CONTRACTOR TO COMPACT THE AGGREGATE BASE, ASPHALT BINDER COURSE, AND ASPHALT SURFACE COURSE TO AN AVERAGE DENSITY PER WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION. ALL ASPHALT PAVEMENT AREAS SHALL BE PAVED TO WITHIN 0.05 OF DESIGN SURFACE GRADES WITH POSITIVE DRAINAGE BEING MAINTAINED IN ACCORDANCE WITH DESIGN PLANS.
- C. HOT MIX ASPHALT CONSTRUCTION IS TO PROVIDED PER MORE STRINGENT REQUIREMENTS OF GEOTECHNICAL REPORT OR CONSTRUCTION DOCUMENTS.

32 20 00 CONCRETE AND AGGREGATE BASE

- A. CONTRACTOR TO PROVIDE CRUSHED AGGREGATE BASE AND CONCRETE WHERE INDICATED ON THE PLANS.
1. ALL AGGREGATE PROVIDED MUST COMPLY WITH SECTION 305 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION.
2. ALL CONCRETE PROVIDED MUST COMPLY WITH SECTION 306 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION.
3. EXISTING CONCRETE SLAB IN PLACE TO RECEIVE EXTERIOR CONCRETE PLAT WORK SHALL CONFORM TO T2 330R-08 & AC 318-08.
4. EXTERIOR CONCRETE PLAT WORK CONSTRUCTION TO BE PROVIDED PER MORE STRINGENT REQUIREMENTS OF THE GEOTECHNICAL REPORT OR THIS SPECIFICATION. CONCRETE PLAT WORK CONSTRUCTION IS AS FOLLOWS:
- C. DESIGN OF CONCRETE PLAT WORK SHALL BE IN ACCORDANCE WITH THE FOLLOWING: CONCRETE SHALL CONSIST OF 18" WIDE BY 4" DEEP TYPED FOOTING WHERE INDICATED ON THE PLANS.
- D. HEAD OF EXISTING CONCRETE PLAT WORK SHALL BE CRUSHED AGGREGATE. CONCRETE SHALL BE REINFORCED WITH 4 REBARS ON CHAIRS AT 3" OC. REBAR SHALL BE PLACED PLAIN IN THE UPPER 1/3 TO 1/2 OF THE SLAB.
- E. CONCRETE SHALL BE SPEC'D TO A MAXIMUM OF 10' ON CENTER.
- F. BUMPER PADDERMATION CONCRETE SHALL BE CONCRETE OVER 6" OF AGGREGATE BASE.
- a. CONCRETE SHALL BE STEEL REINFORCED WITH THE FOLLOWING AND PLACED IN THE UPPER 1/3 TO 1/2 OF THE SLAB:
1. THE BARS AT ALL CONCRETE JOINTS OF THE CONCRETE. THE BARS SHALL BE #4 REBAR 30" LONG PLACED AT 30" OC.
- b. BUMPER PAD CONCRETE JOINTING SHALL BE AS FOLLOWS:
1. CONSTRUCTION SAWCUT JOINT - CONTRACTOR SHALL PROVIDE A SAWCUT JOINT AT MAXIMUM SPACING OF 15' ON CENTER. SAWCUT SHALL BE 1" DEEP.
2. TYPICAL POOR CONTROL JOINT - POUR CONTROL JOINT SHALL BE PROVIDED WITH A 1" DIAMETER BY 20' LONG SHOOTING DOWEL PLACED AT 12' OC. ONE HALF OF THE DOWEL SHALL BE GREASED. GREENSTREAK 9" SPEED DOWEL TUBES SHALL BE USED.

32 30 00 LANDSCAPING AND SITE STABILIZATION

- [illegible]

DIVISION 33 UTILITIES

33 10 00 SITE UTILITIES

- C. CONTRACTOR TO FELD VERIFY ALL UTILITY LOCATIONS UNDER THE SITE. CONTRACTOR TO VERIFY PIPE LOCATIONS, SIZES, AND DEPTHS AT POINT OF PROPOSED CONNECTIONS AND VERIFY PROPOSED UTILITY ROUTES ARE CLEAR PER CODES OF ALL EXISTING UTILITIES AND OTHER AGENCIES.
- D. ALL PROPOSED SANITARY PIPE SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN DATA A; ALLOWABLE PIPE MATERIAL SCHEDULE ON C01 OF THE PROPOSED PLANSET.
- E. GASTAIR 8" OR 6" CRUST-CAST CONFORM TO THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN CURRENT EDITION UNLESS OTHERWISE DIRECTED BY THE ENGINEER. SANITARY MANHOLE FRAME AND GRATE TO BE NENAH 1550A OR EQUAL. RIM ELEVATION TO BE SET AT FINISHED GRADE IN DEVELOPED AREAS AND 17' ABOVE FINISHED GRADE IN UNDEVELOPED AREAS.
- F. CLEANOUTS SHALL BE PROVIDED FOR THE SANITARY SERVICE AT LOCATIONS INDICATED ON THE UTILITY PLAN. THE CLEANOUT SHALL CONSIST OF A COMBINATION WYE FITTING IN LINE WITH THE SANITARY SERVICE WITH THE CLEANOUT LEG OF THE COMBINATION WYE FACING STRAIGHT AWAY FROM THE BUILDING. THE CLEANOUT SHALL EXTEND TO A MINIMUM OF 18" ABOVE FINISHED GRADE. THE CLEANOUT SHALL BE PROVIDED. THE BOTTOM OF THE FIRST SLEEVE SHALL TERMINATE 12" ABOVE THE TOP OF THE SANITARY LATERAL OR AT LEAST 6" BELOW THE PREDICTED FROST DEPTH, WHICHEVER IS SHALLOWER. THE CLEANOUT SHALL EXTEND JUST ABOVE THE SURFACE GRADE IN LAWN OR DRIVE AREAS. THE CLEANOUT SHALL BE INSTALLED AT THE SURFACE GRADE. THE CLEANOUT SHALL EXTEND TO A MINIMUM OF 18" ABOVE FINISHED GRADE IN PAVED SURFACES WITH A ZURN D-1474-N HEAVY DUTY CLEANOUT HOUSING PLACED OVER THE TOP OF THE CLEANOUT FLUSH WITH THE SURFACE GRADE. IN PAVED SURFACES, THE FIRST SLEEVE SHALL TERMINATE IN A CONCRETE PAD AT LEAST 6" THICK AND EXTENDING AT LEAST 12" BEYOND THE END OF THE CLEANOUT HOUSING AWAY FROM THE BUILDING. THE CLEANOUT SHALL BE INSTALLED AS SPECIFIED PER MANUFACTURERS' REQUIREMENTS.
- G. ALL PROPOSED WATER PIPE SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN DATA A; ALLOWABLE PIPE MATERIAL SCHEDULE ON C01 OF THE PROPOSED PLANSET.
- H. ALL PROPOSED WATER PIPE SHALL BE COVERED AND SHALL BE PROVIDED OVER ALL WATER PIPING UNLESS OTHERWISE SPECIFIED.
- I. ALL PROPOSED STORM PIPE SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN DATA A; ALLOWABLE PIPE MATERIAL SCHEDULE ON C01 OF THE PROPOSED PLANSET. USE UTILITY PANS FOR ALL STORM PIPE MATERIAL TYPES TO BE USED. PIPE SHALL BE PLACED MIN. 6" HORIZONTALLY BELOW ANY FOUNDATION WALL.
- J. SANITARY, STORM, AND WATER UTILITY PIPE INVERTS SHALL BE CONSTRUCTED WITHIN 0.10 OF DESIGN INVERT ELEVATIONS ASSUMING PIPE JOINTS AND SEPARATION IS MAINTAINED PER THE UTILITY DESIGN PANS AND STATE REQUIREMENTS.
- K. HYDRAULIC DESIGN OF THE SANITARY SERVICE TO BE PROVIDED TO THE SEWER SERVICE TO BE PROVIDED FROM THE EXTERIOR WALL OF THE FOUNDATION. SITE UTILITY CONTRACTOR SHALL RUN STORM SERVICE FOR INTERNALLY DRAINLED BUILDINGS TO A POINT WHICH IS A MINIMUM 2'-0" FROM THE EXTERIOR WALL OF THE FOUNDATION. SITE UTILITY CONTRACTOR SHALL RUN DOWNSPOUT LINES TO BUILDING FOUNDATION. ARCHITECTURAL PANS AND DOWNSPROUT CONTRACTORS PRIOR TO INSTALLATION OF DOWNSPROUT LINES. DOWNSPROUT LINES SHALL NOT INTERFERE WITH FOUNDATION WALLS OR FOUNDATION FOOTINGS. DOWNSPROUT LINES SHALL BE INSTALLED TO THE FOUNDATION SPECIFIED BY THE PLUMBING PANS. CONTRACTOR TO CUT AND CAP WATER SERVICE 12" ABOVE FINISHED FLOOR ELEVATION.
- L. ALL UTILITIES SHALL BE INSTALLED WITH PLASTIC COATED TRACHER WITH 10 TO 14 GAUGE SOLID COPPER, OR COPPER COATED STEEL WIRE. ALL UTILITIES SHALL BE INSTALLED WITH PLASTIC COATED TRACHER WITH 10 TO 14 GAUGE SOLID COPPER, OR COPPER COATED STEEL WIRE. ALL UTILITIES SHALL BE INSTALLED WITH PLASTIC COATED TRACHER WITH 10 TO 14 GAUGE SOLID COPPER, OR COPPER COATED STEEL WIRE.
- M. ALL BLENDS, TRACHER WIRE SHALL HAVE ACCESS POINTS AT LEAST EVERY 300 FEET. TRACHER WIRE SHALL TERMINATE IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS AT GRADE OR IN TERMINATION BOX PER LOCAL CITY REQUIREMENTS.
- N. ALL DOWNSPROUT LINES SHALL BE INSTALLED WITH PLASTIC COATED TRACHER WITH 10 TO 14 GAUGE SOLID COPPER, OR COPPER COATED STEEL WIRE. THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR OBTAINING STATE PLUMBING REVIEW APPROVAL. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL OTHER PERMITS REQUIRED TO INSTALL ALL UTILITIES.
- O. SEE PANS FOR ALL OTHER UTILITY SPECIFICATIONS AND DETAILS.

WISCONSIN
DUSTIN WALTER
48770-6
FORD DU LAC
WISCONSIN
PROFESSIONAL ENGINEER

PRELIMINARY DATES

FEB. 12, 2024

MAY 3, 2024

NOT FOR CONSTRUCTION

JOB NUMBER

230022600

SHEET NUMBER

C0.1



EXCEL

Always a Better Plan

100 Camelot Drive
Fond du Lac, WI 54935
920-926-9800
excelengineer.com

PROPOSED CAR WASH FOR:
CREW CARWASH
N96 W17500 COUNTY LINE RD • GERMANTOWN, WI 53022

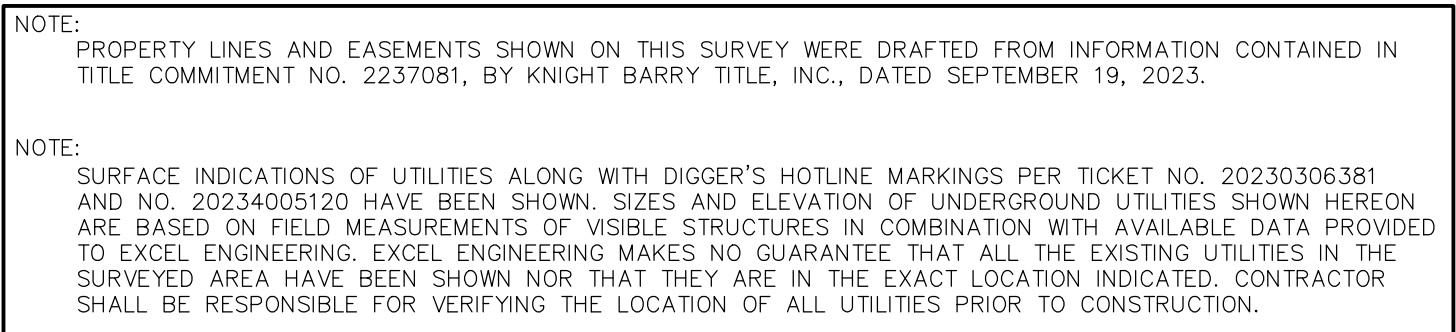
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MAY 3, 2024

NOT FOR CONSTRUCTION

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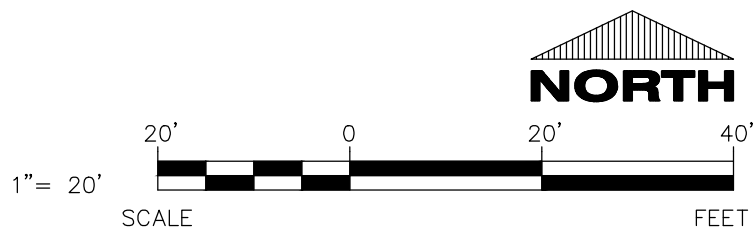
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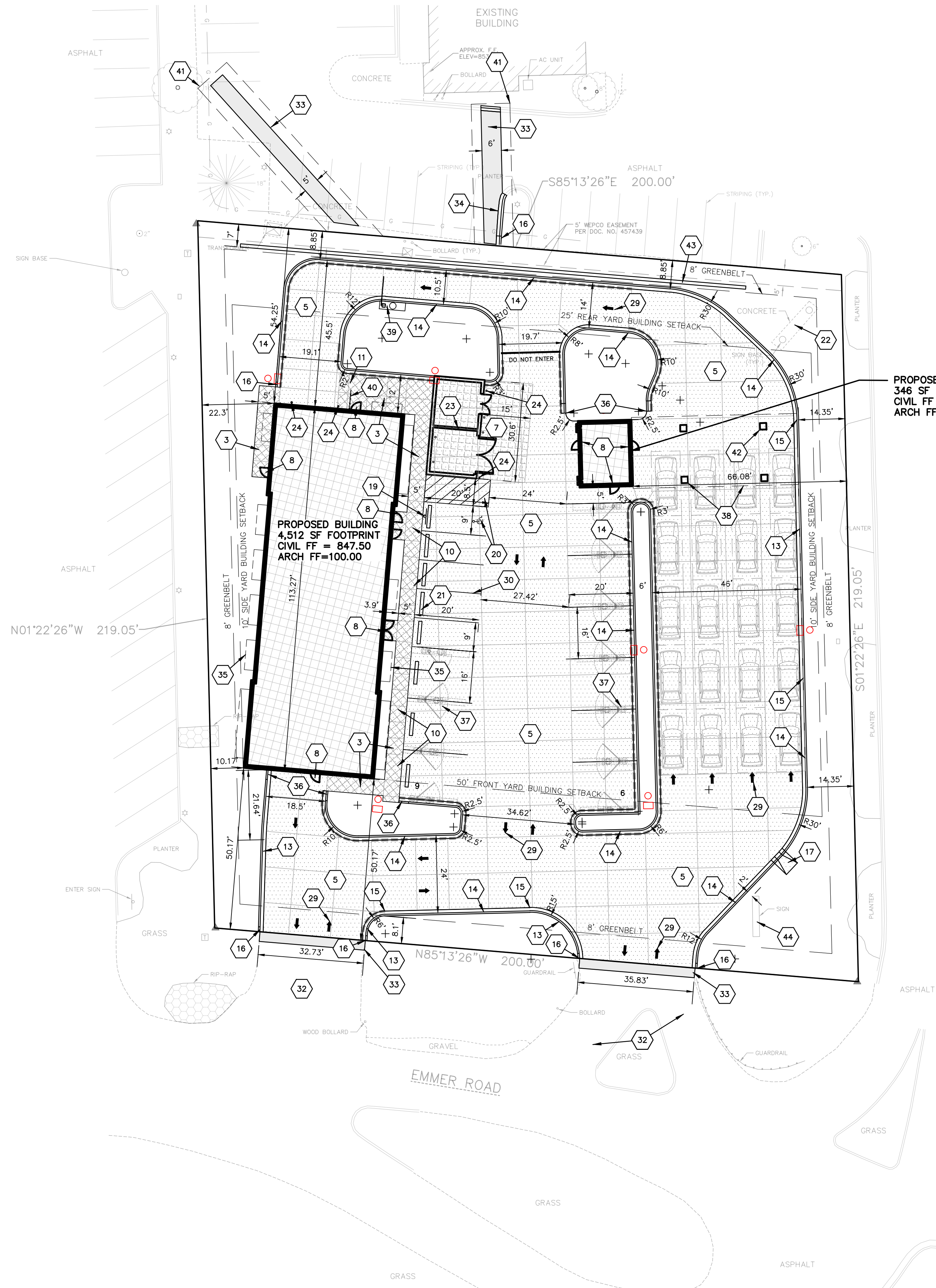
- DEMOLITION PLAN IS AN OVERVIEW OF DEMOLITION TO TAKE PLACE ON SITE. CONTRACTOR TO FIELD VERIFY EXISTING SITE CONDITIONS PRIOR TO BIDDING. CONTRACTOR SHALL REMOVE, OR DEMOLISH ITEMS AS NEEDED DURING CONSTRUCTION.
- PRIVATE LOCATIONS SHALL BE COMPLETED PRIOR TO CONSTRUCTION AND EXISTING UTILITY LOCATIONS AND DEPTHS SHALL BE FIELD VERIFIED AS NEEDED. PROPOSED DOWNSTREAM UTILITY CONNECTIONS SHALL BE VERIFIED PRIOR TO CONSTRUCTION. NOTIFY DESIGN ENGINEER OF CONFLICTS AND/OR DISCREPANCIES.

NOTE THAT ALL FUELING EQUIPMENT AND UNDERGROUND FUEL STORAGE TANKS ARE TO BE COMPLETELY REMOVED BY THE SELLER AT THE SELLER'S EXPENSE PRIOR TO CONSTRUCTION OF CREW CARWASH. CONTRACTOR TO COORDINATE WITH OWNER IF ANY UNDERGROUND FUELING TANKS OR EQUIPMENT ARE DISCOVERED DURING CONSTRUCTION.

CONTRACTOR SHALL REMOVE EXISTING SEWER AND WATER SERVICE LATERALS TO THE PROPERTY LINE. CAP/ABANDON PER LOCAL REQUIREMENTS. COORDINATE WITH LOCAL UTILITY DEPARTMENTS AS NEEDED PRIOR TO ABANDONMENT.



CIVIL EXISTING SITE AND DEMOLITION PLAN



PROPOSED BUILDING
346 SF FOOTPRINT
CIVIL FF = 847.30
ARCH FF=100.00

PROPOSED BUILDING
4,512 SF FOOTPRINT
CIVIL FF = 847.50
ARCH FF=100.00

EXISTING SITE DATA

	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	1.00	43,558	
BUILDING FLOOR AREA	0.06	2,627	6.0%
PAVEMENT (ASP. & CONC.)	0.50	21,843	50.1%
TOTAL IMPERVIOUS	0.56	24,470	56.2%
LANDSCAPE/ OPEN SPACE	0.44	19,088	43.8%

PROPOSED SITE DATA

	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	1.00	43,558	
BUILDING FLOOR AREA	0.11	4,858	11.2%
PAVEMENT (ASP. & CONC.)	0.59	25,648	58.9%
TOTAL IMPERVIOUS	0.70	30,506	70.0%
LANDSCAPE/ OPEN SPACE	0.30	13,052	30.0%

NOTE:

CONTRACTOR TO COORDINATE WITH OWNER AND MEP PLANS FOR ANY EXTERIOR HEATED CONCRETE SLAB LOCATIONS & REQUIREMENTS.

NOTE:

KNOX BOX TO BE PROVIDED AT PRIMARY ENTRANCE PER LOCAL REQUIREMENTS. CONTRACTOR TO COORDINATE W/ BUILDING INSPECTOR/FIRE DEPARTMENT FOR SPECIFIC REQUIREMENTS.

PAVEMENT HATCH KEY:

- ASPHALT
- HEAVY DUTY CONCRETE
- DUMPSTER PAD CONCRETE
- SIDEWALK CONCRETE

*SEE SHEET C0.1 FOR SECTION REQUIREMENTS

CURB & GUTTER MARKING KEY:

- INVERTED CURB & GUTTER
- SHEDDING CURB & GUTTER

SITE INFORMATION:

PROPERTY ADDRESS: N96W17500 COUNTY LINE RD, GERMANTOWN WI

PARCEL ID NUMBER: 334990

PROPERTY AREA: 43,558 S.F. (1.00 ACRES).

EXISTING ZONING: B-5 W/ HIGHWAY INTERCHANGE AREA OVERLAY

PROPOSED ZONING: B-5 W/ HIGHWAY INTERCHANGE AREA OVERLAY

ADJACENT PROPERTY ZONING: B-5

PROPOSED USE: CONVEYOR-STYLE CARWASH

AREA OF SITE DISTURBANCE: 43,346 SF (0.995 AC)

SETBACKS: BUILDING: FRONT = 50'
SIDE = 10'
REAR = 25'

PAVEMENT: FRONT = 8'
SIDE = 8'
REAR = 8'

PROPOSED BUILDING HEIGHT: 35' TO TOP OF TOWER (MAX. HEIGHT ALLOWED: 35')

PARKING REQUIRED: NO CODIFIED REQUIREMENT FOR CARWASH USE; ADEQUATE SPACE FOR EMPLOYEES AND CUSTOMERS

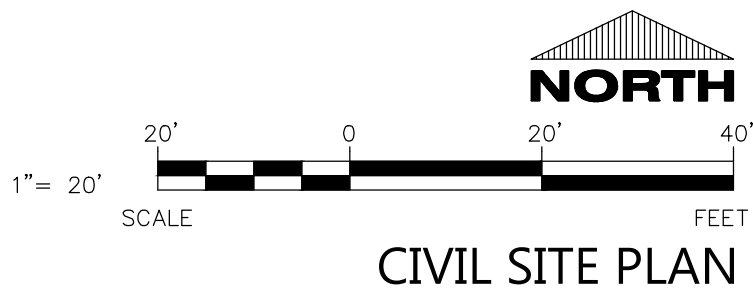
PARKING PROVIDED: 14 TOTAL (5 STANDARD EMPLOYEE SPACES, 9 VACUUM SPACES)

HANDICAP STALLS REQUIRED: 1 REQUIRED, 1 PROVIDED

LANDSCAPE REQUIREMENTS: MIN. LANDSCAPE SURFACE RATIO = 20% OPEN AREA

SITE PLAN KEYNOTES

- CONCRETE SIDEWALK (TYP.)
- HEAVY DUTY CONCRETE (TYP.)
- DUMPSTER PAD/APRON CONCRETE (TYP.)
- CONCRETE STOOP (TYP.) SEE ARCH. PLANS FOR DETAILS.
- FLUSH WALK (TYP.)
- SIDEWALK RAMP, SEE SHEET C1.2. (TYP.)
- 18" ROLL CURB, 3" CURB HEIGHT (TYP.)
- 18" CURB & GUTTER (TYP.)
- ROLL CURB/STANDARD CURB TRANSITION. (TYP.)
- CURB TAPER (TYP.)
- CURB CUT W/ 5" THICK CONCRETE PAD/FLUME WARPED TO MATCH CURB CUT (TYP.)
- HANDICAP SIGN (TYP.)
- HANDICAP STALL & STRIPING PER STATE CODES.
- PRECAST CONCRETE WHEEL STOP PINNED TO PAVEMENT (9 TYP.)
- EXISTING PYLON SIGN TO REMAIN AND BE RE-BRANDED. (DETAILS & APPROVAL BY SIGN VENDOR)
- DUMPSTER/STORAGE ENCLOSURE. ROLL OUT DUMPSTERS REQUIRED FOR SERVICE. (SEE ARCH PLANS FOR DETAILS)
- 6" CONCRETE BOLLARDS (SEE DETAIL)
- TRAFFIC FLOW ARROWS. COLOR TO MATCH PARKING STALL STRIPING.
- PAINT STRIPING (TYP.). COLOR TO MATCH PARKING STALL STRIPING.
- EXISTING DRIVEWAY ENTRANCES TO REMAIN IN PLACE (TYP.)
- REPLACE EXISTING ASPHALT PAVEMENT PER LOCAL STANDARDS. MATCH EXISTING PAVEMENT SECTION. (TYP.)
- REPLACE CONCRETE CURB AND GUTTER TO MATCH EXISTING. (TYP.)
- CANOPY. SEE ARCH PLANS. (TYP.)
- TAPER CURB TO FLUSH IN 3' (TYP.)
- OUTDOOR VACUUM EQUIPMENT. CONTRACTOR TO COORDINATE FINAL PRODUCTS, DETAILS, ETC WITH OWNER/DIRECTOR OF PROJECTS. VERIFY CONCRETE SLAB REQUIREMENTS WITH OWNER & EQUIPMENT SUPPLIER PRIOR TO INSTALLATION.
- ISLAND AND CANOPY TO BE PROVIDED BY OWNER AND INSTALLED BY CONTRACTOR. CONTRACTOR TO VERIFY FINAL LOCATIONS, DETAILS, EQUIPMENT, ETC WITH OWNER AND EQUIPMENT SUPPLIERS PRIOR TO CONSTRUCTION.
- BUG GATE (TYP.) CONTRACTOR TO VERIFY FINAL DETAILS AND REQUIREMENTS WITH OWNER AND EQUIPMENT SUPPLIER AS NEEDED. 6' OF RAILING/GUARDRAIL. FINAL COLOR/STYLE/DETAIL BY OWNER. (TYP.)
- PRIVATE UTILITY EASEMENTS TO BE COMPLETED BY OTHERS AS A SEPARATE DOCUMENT. OWNER TO COORDINATE AS NEEDED. SEE SHEET C1.3 FOR UTILITY SERVICE EXTENSIONS.
- COLUMN (TYP.) COORDINATE FINAL LOCATIONS W/ CANOPY SUPPLIER DRAWINGS.
- 157 LF OF VERSA LOK OR EQUIVALENT LANDSCAPE BLOCK RETAINING WALL. SEE SHEET C1.2 FOR WALL HEIGHTS. FINAL DESIGN DETAILS AND SPECIFICATIONS BY WALL SUPPLIER. CONTRACTOR TO COORDINATE DETAILS W/ WALL SUPPLIER & OWNER AS NEEDED. EXISTING MONUMENT SIGN TO REMAIN AND BE RE-BRANDED. (DETAILS & APPROVAL BY SIGN VENDOR.)



CIVIL SITE PLAN

PROJECT INFORMATION

PROPOSED CAR WASH FOR:
CREW CARWASH
N96 W17500 COUNTY LINE RD • GERMANTOWN, WI 53022

PROFESSIONAL SEAL

PRELIMINARY DATES

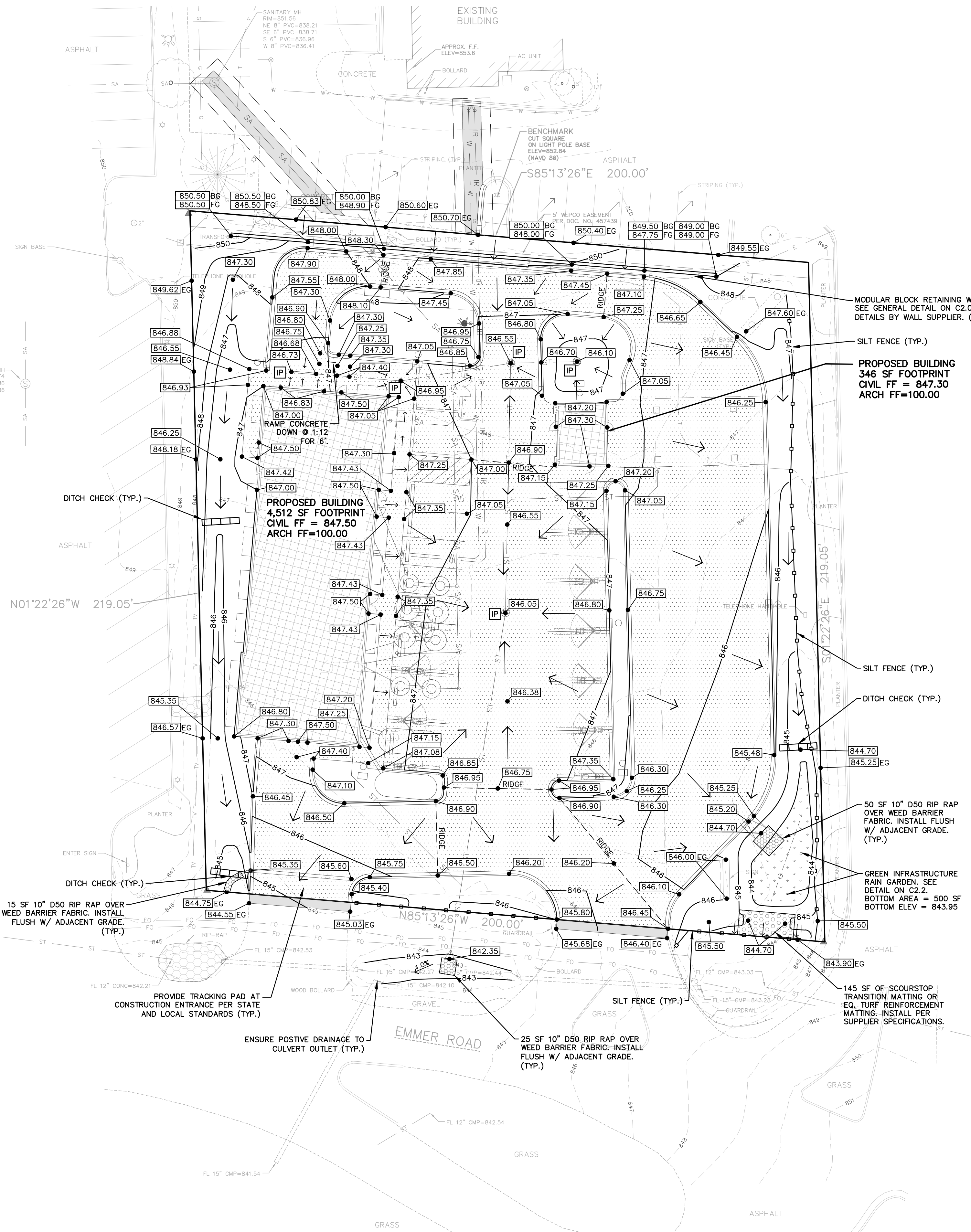
FEB. 12, 2024
MAY 3, 2024

JOB NUMBER

230022600

SHEET NUMBER

C1.1



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

- NOTES:
- HANDICAP STALL AND ACCESS AISLES SHALL NOT EXCEED A SLOPE OF 1.50% IN ANY DIRECTION. HANDICAP STALL & ACCESS AISLES SHALL CONFORM TO ADA REQUIREMENTS (CURRENT EDITION)
 - ALL SIDEWALKS SHALL NOT EXCEED A MAXIMUM CROSS SLOPE OF 1.50% AND RUNNING SLOPE OF 4.50% UNLESS OTHERWISE SPECIFIED.

INLET PROTECTION NOTE:
CONTRACTOR SHALL PROVIDE TEMPORARY INLET PROTECTION FOR ALL CURB INLETS & CATCH BASINS ONSITE & OFFSITE IMMEDIATELY DOWNSTREAM OF THE PROJECT SITE PER LOCAL CODE.

STABILIZED CONSTRUCTION ENTRANCE NOTE:
CONTRACTOR SHALL PROVIDE STABILIZED CONSTRUCTION ENTRANCE AT CONSTRUCTION ENTRANCE FOR PROPOSED IMPROVEMENTS AS REQUIRED PER CODE.

CONCRETE WASHOUT NOTE:
CONTRACTOR SHALL PROVIDE CONCRETE WASHOUT AS REQUIRED PER CODE. FINAL LOCATION TBD BY CONTRACTOR.

SPOT ELEVATION NOTE:
ALL SPOT ELEVATIONS NOTED ON THE PLAN REPRESENT FLOW LINE OF CURB UNLESS SPECIFICALLY NOTED OTHERWISE.

GRADING NOTE:
CONTRACTOR SHALL COORDINATE PROPOSED SITE GRADING AT PERIMETER OF BUILDING AND AT TUNNEL ENTRANCE/EXIT WITH ARCH/STRUCT PLANS AS NEEDED.

EROSION CONTROL/SWM COST ESTIMATE
(FOR REFERENCE ONLY)
LAND DISTURBANCE APPROX. 0.99 AC

Itemized cost of Erosion Control:

Tracking Pad = \$1500ea. x 1 = \$1500
Inlet Protection = \$75 x 5 = \$375
Silt Fence = 325' x \$2/lin. ft = \$650
Ditch Check = 3 x \$100ea. = \$300
Total Erosion Control Cost Estimate = \$2,825

Itemized cost of Storm Water Management:

Rain Garden/Spillway = \$10,000ea. x 1 = \$10,000
Total Storm Water Cost = \$10,000

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PROFESSIONAL SEAL

PRELIMINARY DATES

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MAY 3, 2024

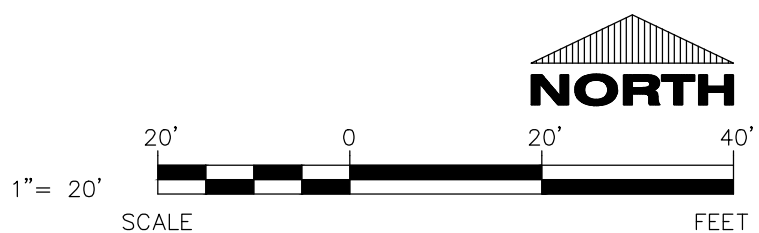
NOT FOR CONSTRUCTION

JOB NUMBER

230022600

SHEET NUMBER

C1.2



CIVIL GRADING AND EROSION CONTROL PLAN

SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

CLEANOUT NOTE:

 = DENOTES LOCATIONS WHERE
CONTRACTOR SHALL INSTALL CLEANOUTS, SEE
C0.1 FOR SPECIFICATION.

UTILITY NOTE:

CONTRACTOR TO VERIFY FINAL SIZE, DESIGN, AND LOCATIONS OF
ALL EXTERIOR SITE UTILITIES WITH INTERNAL MEP DESIGN AND
OWNER AS NEEDED.

UTILITY NOTE:

CONTRACTOR TO ENSURE ADEQUATE SEPARATION IS PROVIDED
BETWEEN DOMESTIC WATER SERVICE AND SANITARY/STORM SERVICE
PER WI DSPS PLUMBING CODE STANDARDS.

DRY UTILITY SERVICE NOTES:

CONTRACTOR SHALL COORDINATE DRY UTILITY SERVICE ROUTING
FOR ELECTRIC, GAS, ETC WITH APPLICABLE SERVICE PROVIDERS AS
NEEDED

WATER RECLAMATION SYSTEM NOTES (R):

R1. ACCESS RISER AND OPERATING 38" DIAMETER STEEL PLAT LID,
MODEL PER OWNER SPECIFICATIONS. STRUCTURE TOP TO HAVE A
36" DIAMETER OPENING CASTING. LID TO BE ALIGNED WITH LADDER
RUNGS IN MANHOLE.

R2. 8" PVC, SCHEDULE 40, TO RECLAIM PIT.

R3. 8" PVC, SCHEDULE 80 CONVEYOR TRENCH DRAIN. CONVEYOR
TRENCH DRAINS MUST BE RUN IN STRAIGHT LINES WITH NO TURNS.

R4. 8" PVC CONNECTOR TO SLEEVES, REFER TO TABLE FOR
INVERT ELEVATIONS.

R5. 4" PVC CONNECTOR SLEEVES.

GENERAL SYSTEM NOTES:

- CONTRACTOR SHALL VERIFY WATER RECLAMATION SYSTEM
LAYOUT, COMPONENTS, INVERT ELEVATIONS, AND PIPE ROUTING
WITH OWNER AND INTERNAL PLUMBING DESIGNER PRIOR TO
ORDERING MATERIALS.
- CONTRACTOR SHALL READ AND REVIEW GEOTECHNICAL REPORT
PREPARED FOR THE SITE. IF HIGH GROUNDWATER IS NOTED OR
ENCOUNTERED DURING CONSTRUCTION, CONTRACTOR SHALL
REVIEW WITH TANK SUPPLIER & OWNER TO DETERMINE IF
ANTI-BUOYANCY ACTIONS SHALL BE TAKEN.
- CONTRACTOR SHALL INSULATE RECLAMATION SYSTEM
CONNECTOR PIPES W/ POLYSTYRENE INSULATION BOARDS OR
OTHER APPROVED METHOD PER WI DSPS STANDARDS.

WATER RECLAIM SYSTEM (GRIT PIT) STRUCTURE TABLE

STRUCTURE NUMBER	STRUCTURE DIAMETER (IN)	RIM ELEV.	INVERT IN	INVERT OUT	SUMP	SUBGRADE	FFE = 847.50	
							PROVIDED STORAGE (CU FT)	PROVIDED STORAGE (US GAL)
1	60	847.25	842.00	841.75	833.67	833.17	137.40	1028
2	60	846.87	841.75	841.50	833.67	833.17	132.54	991
3	84	847.22	842.00	841.75	833.67	833.17	298.25	2230
4	72	846.90	841.75	841.50	833.67	833.17	212.06	1586
5	72	846.87	841.50	841.25	833.67	833.17	205.00	1533
6	72	847.25	841.25	841.00	833.67	833.17	197.92	1480
7	60	847.13	842.00	841.75	833.67	833.17	142.35	1065
8	60	846.83	841.75	841.50	833.67	833.17	137.40	1028



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PROJECT INFORMATION

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CREW CARWASH

N96 W17500 COUNTY LINE RD • GERMANTOWN, WI 53022

PROFESSIONAL SEAL

PRELIMINARY DATES

FEB. 12, 2024

MAY 3, 2024

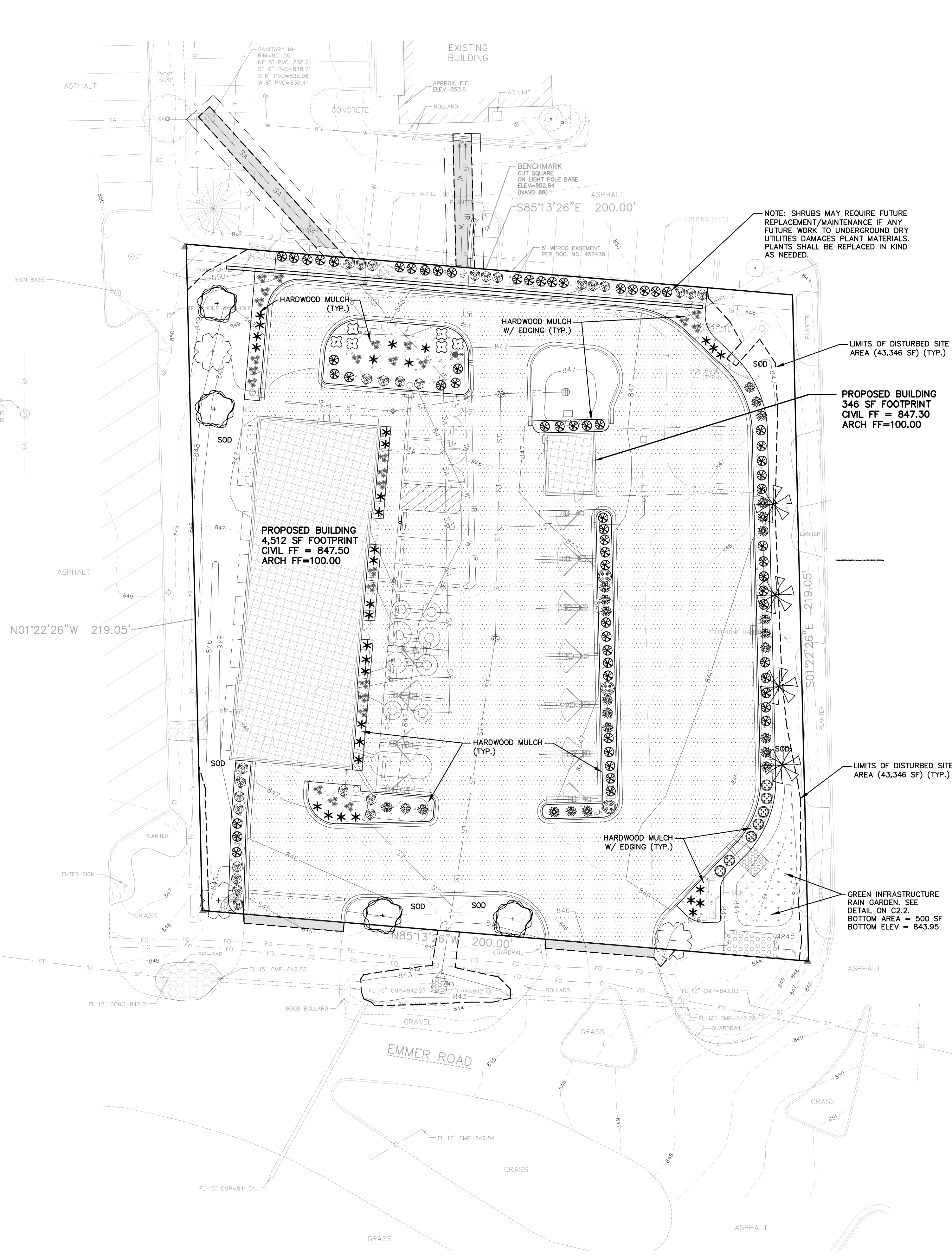
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JOB NUMBER

230022600

SHEET NUMBER

C1.3



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

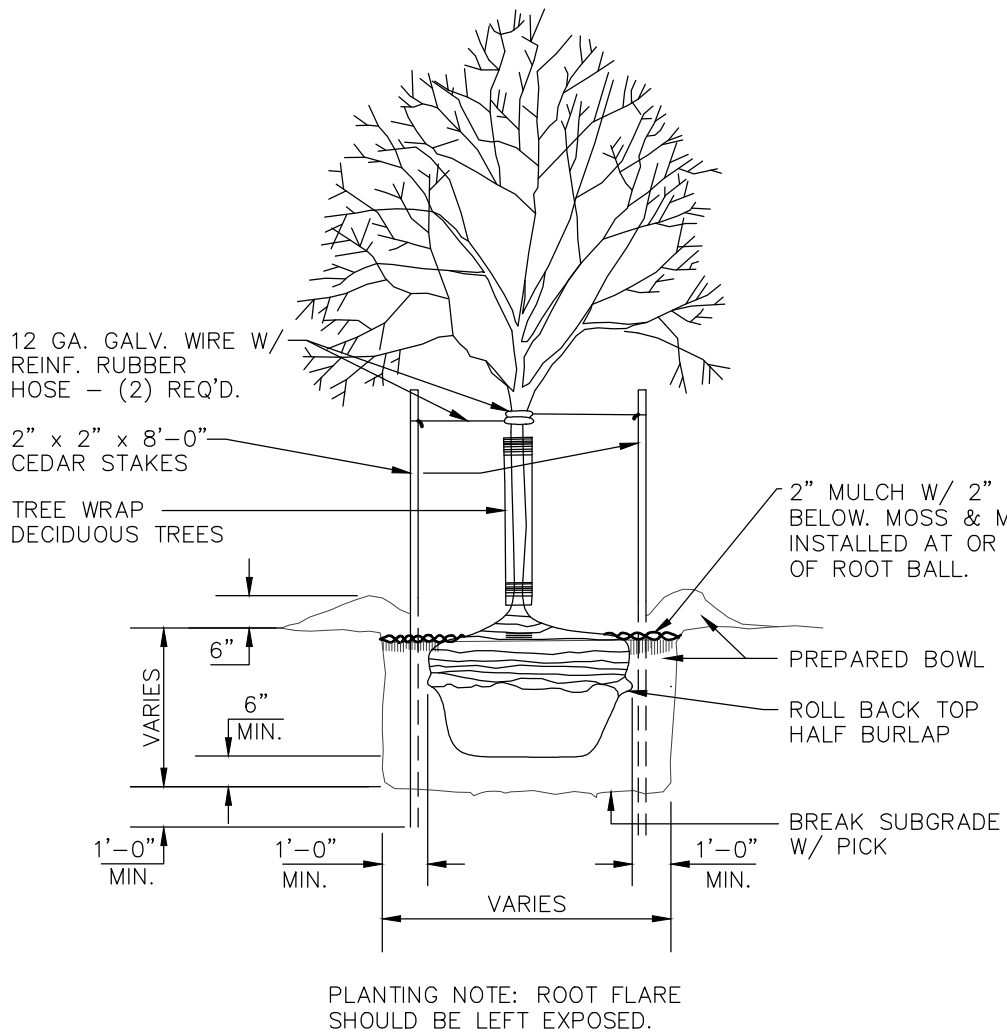
LANDSCAPING PLANTING SCHEDULE				
SYMBOL	COMMON NAME	BOTANICAL NAME	PLANTED SIZE	QUANTITY
DECIDUOUS TREES				
	Princeton Sentry Ginkgo	Ginkgo biloba	3" CAL	4
	Common Hackberry	Celtis Occidentalis	3" CAL	3
	Kentucky Coffeetree (Seedless)	Gymnocladus dioicus	3" CAL	4
DECIDUOUS SHRUBS				
	Gro-Low Fragrant Sumac	Rhus aromatica 'Gro Low'	18"	6
	Goldmound Spirea	Spiraea x bumalda 'Goldmound'	15"-18"	24
	Weigela Carnival	Weigela Florida 'courtalor'	24"	27
EVERGREEN SHRUBS				
	Taunton Yew	Tauntonii	24"	64
	Emerald Green Arborvitae	Thuja occidentalis 'Emerald Green'	36"	7
	Trautman Juniper	Juniperus chinensis 'Trautman'	36"	3
PERENNIALS				
	Daylilies 'Stella de Oro'	Hemerocallis 'Stella de Oro'	1 gal pot	33
	Karl Foerster Reed Grass	Clamagrostis x acutiflora 'Karl Foerster'	1 gal pot	26

LANDSCAPING CALCULATIONS		
ZONE	REQ. PLANTS	PLANTS PROVIDED
STREET	1 PER 50 LF FRONTAGE 200 LF FRONTAGE = 4 TREES	4 PROVIDED
PARKING	1 TREE PER 10 SPACES 15 SPACES = 2 TREES	2 PROVIDED
TOTAL	6 TOTAL TREES REQ.	11 TOTAL TREES PROVIDED

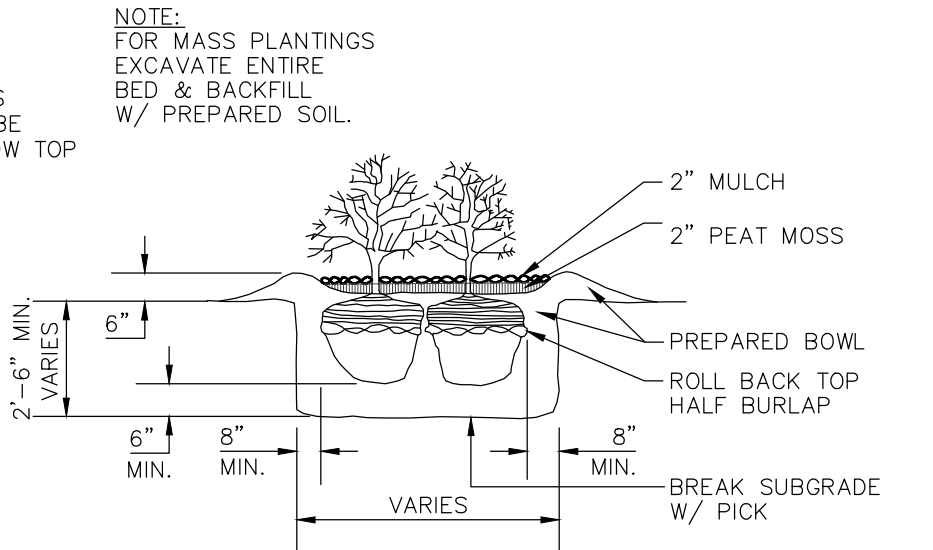
IRRIGATION NOTE: PROVIDE IRRIGATION FOR ALL LAWN/LANDSCAPED AREAS IN ACCORDANCE WITH PLAN SPECIFICATIONS ON SHEET C0.1. DESIGN-BUILD LANDSCAPE/IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR FINAL DESIGN, LAYOUT, AND INSTALLATION. COORDINATE FINAL LAYOUT WITH OWNER/GC AS NEEDED.

NOTE: LANDSCAPE CONTRACTOR SHALL REVIEW FINAL PLANTING LOCATIONS AND SPECIES WITH OWNER PRIOR TO INSTALLATION.

SNOW STORAGE NOTE: DUE TO LIMITED ONSITE SPACE AVAILABLE, EXCESS SNOW IS TO BE HAULED OFFSITE AS NEEDED.



TREE PLANTING DETAIL
NO SCALE



SHRUB PLANTING DETAIL
NO SCALE



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PROJECT INFORMATION

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PROFESSIONAL SEAL

PRELIMINARY DATES

FEB. 12, 2024
APR. 8, 2024
MAY 3, 2024

JOB NUMBER

230022600

SHEET NUMBER

C1.4



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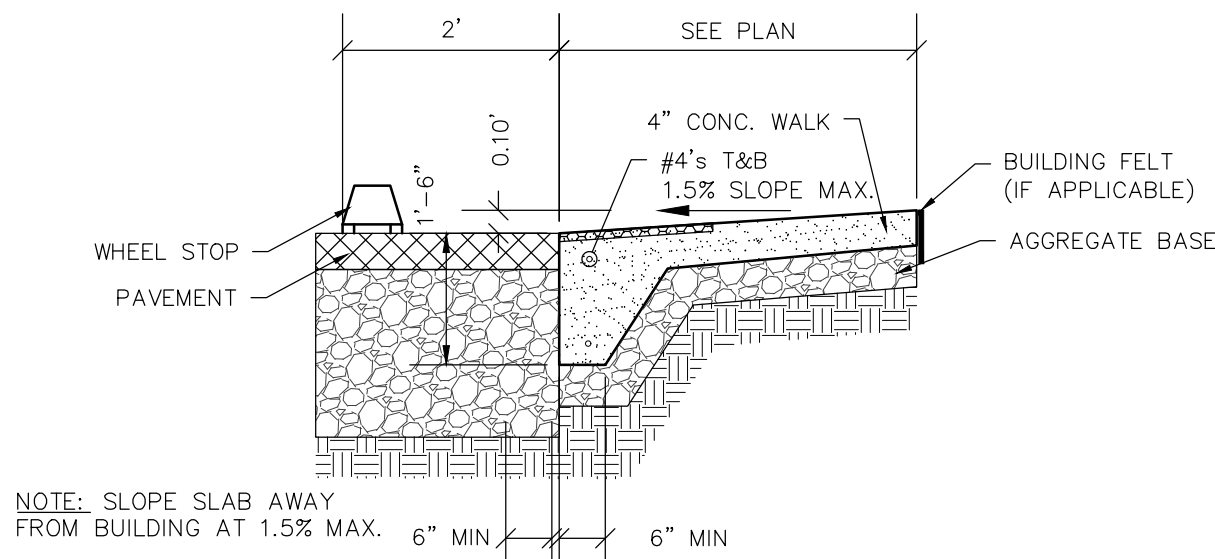
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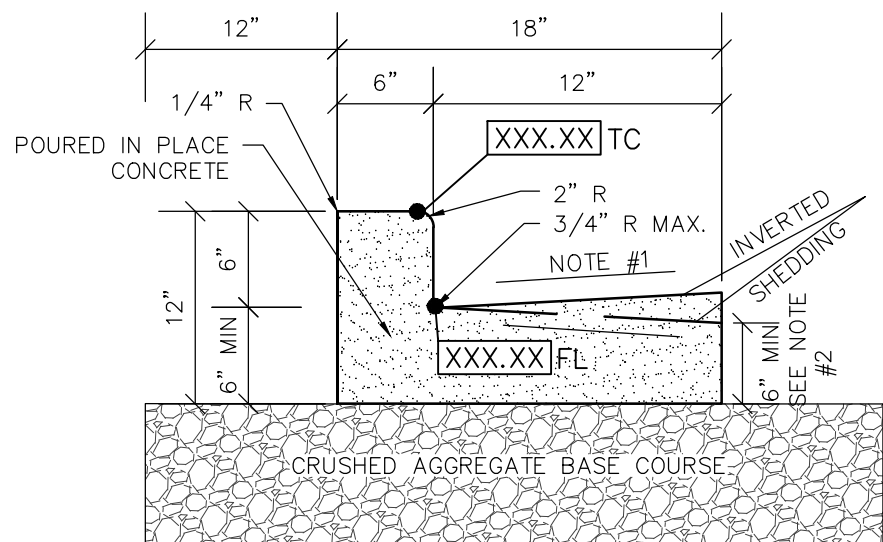
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C2.0

NOT FOR CONSTRUCTION



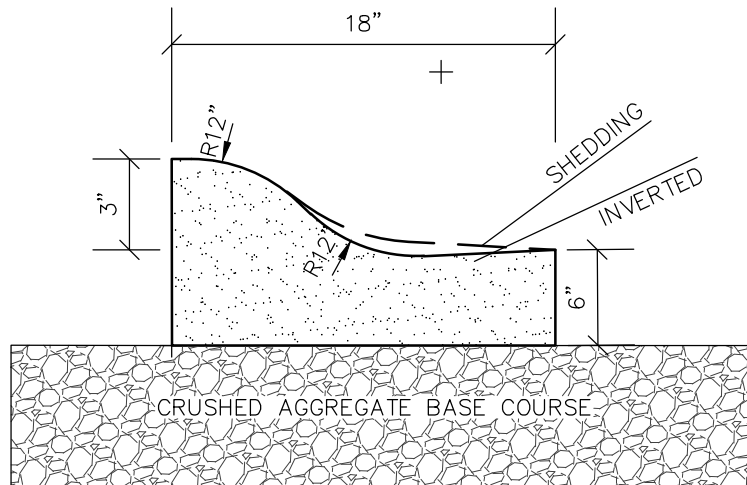
FLUSH WALK DETAIL
NO SCALE



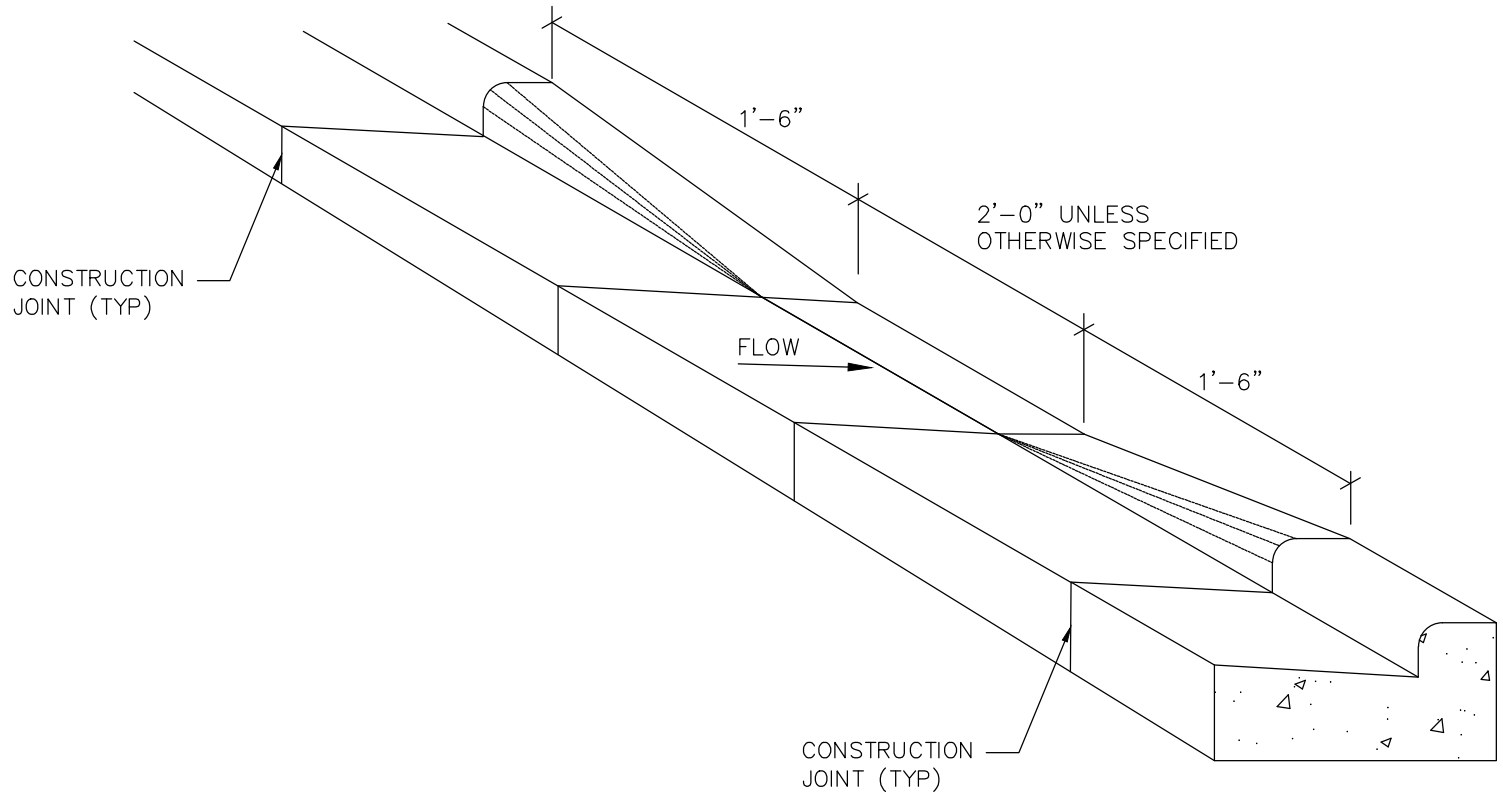
NOTE:

- USE 4% GUTTER CROSS SLOPE UNLESS OTHERWISE NOTED IN THE PLANS.
- THE BOTTOM OF CURB AND GUTTER MAY BE CONSTRUCTED EITHER LEVEL OR PARALLEL TO THE SLOPE OF THE SUBGRADE OR BASE AGGREGATE PROVIDED A 6" MIN. GUTTER THICKNESS IS MAINTAINED.
- SEE SITE PLAN & GRADING PLAN FOR INVERTED & SHEDDING CURB LOCATIONS

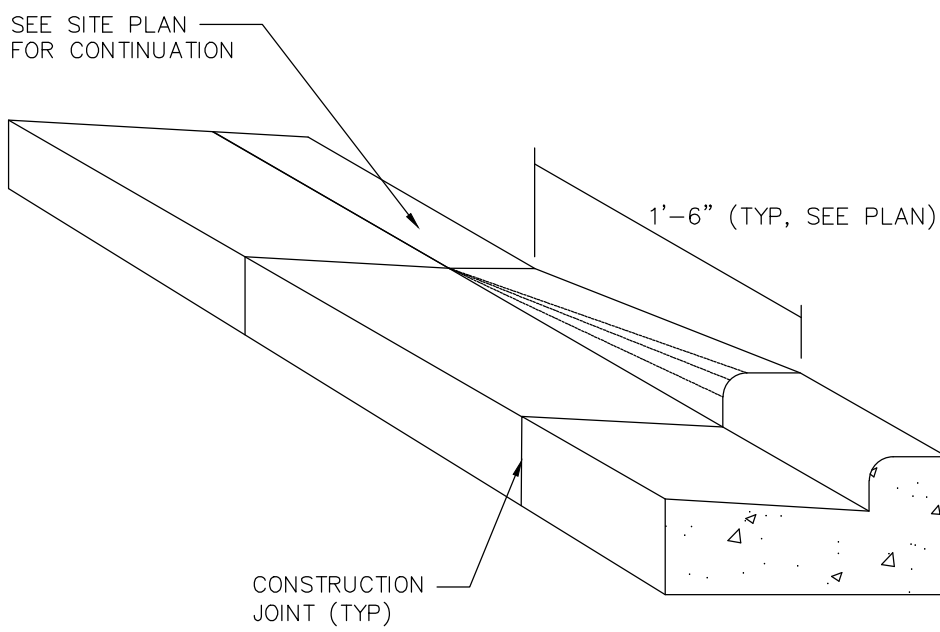
18" CONCRETE CURB & GUTTER DETAIL
NO SCALE



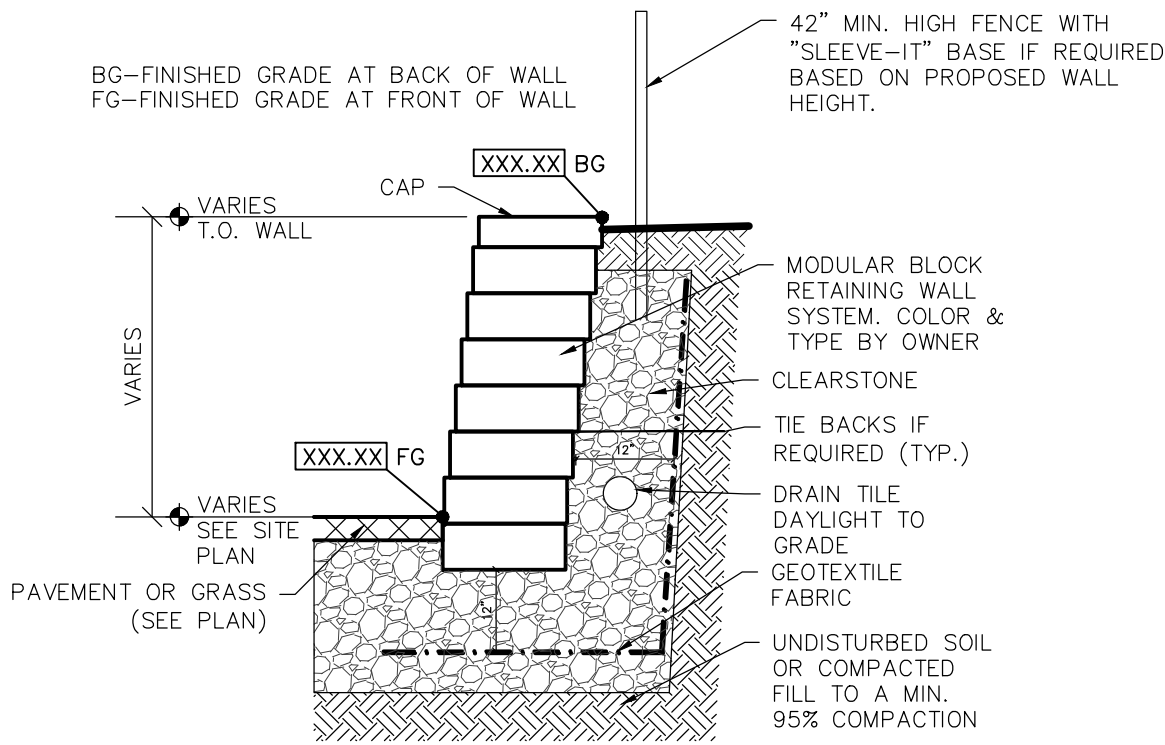
18" ROLLED CURB DETAIL
NO SCALE



CURB CUT DETAIL
NO SCALE



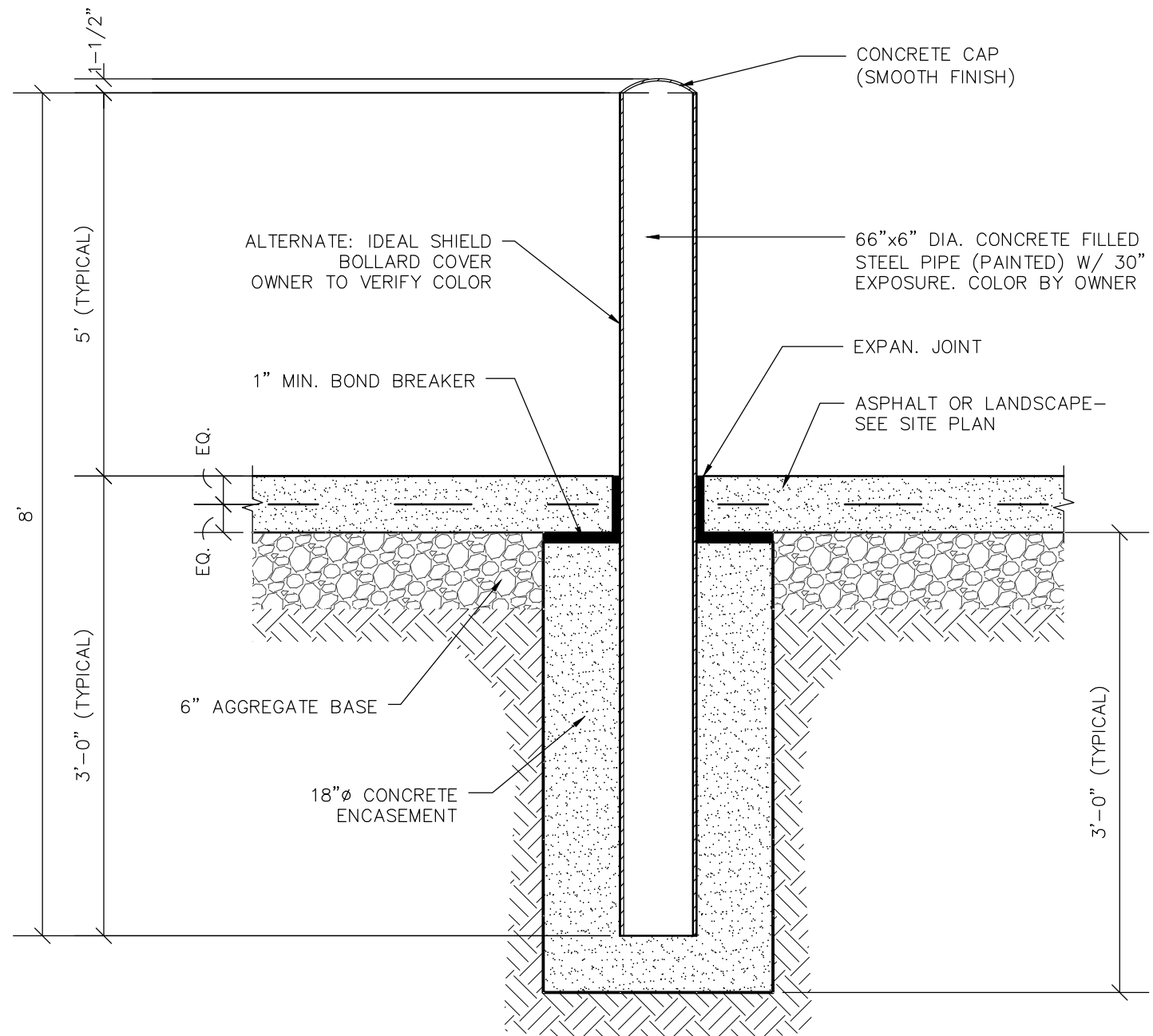
CURB TAPER DETAIL
NO SCALE



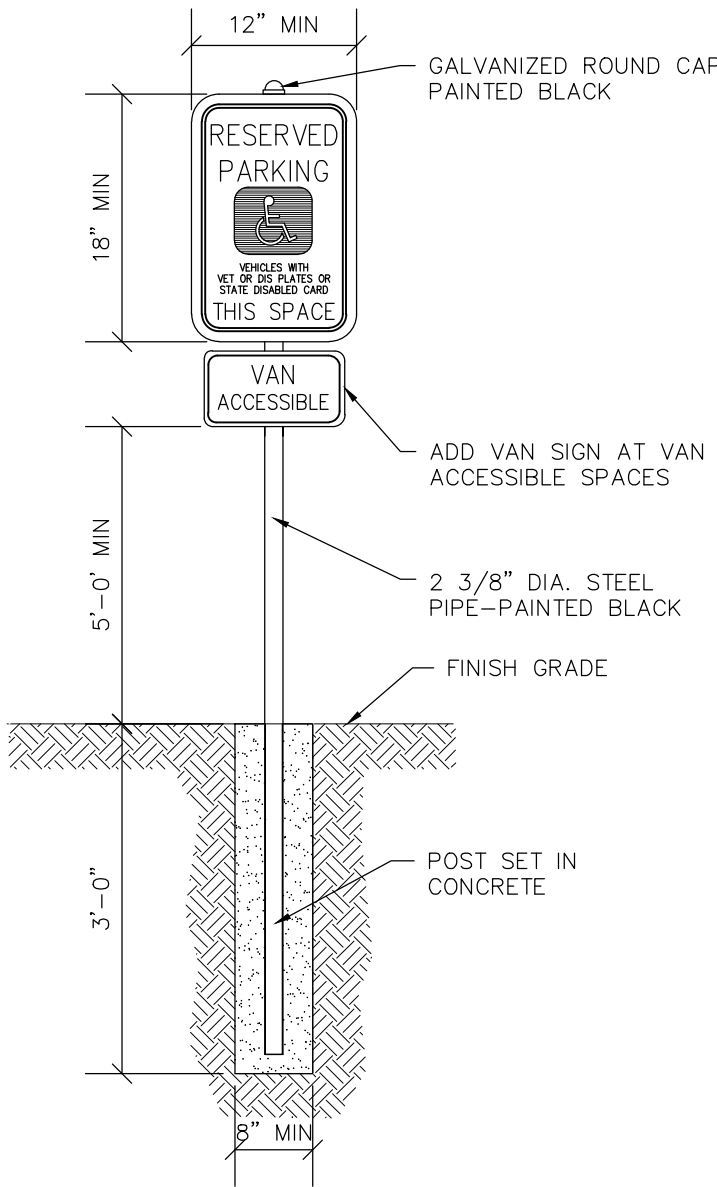
NOTE:

THIS DETAIL IS INFORMATIONAL ONLY AND IS NOT FOR CONSTRUCTION PURPOSES. THE WALL MANUFACTURER/SUPPLIER IS RESPONSIBLE FOR FINAL DESIGN AND CONSTRUCTION DETAILS.

RETAINING WALL DETAIL
NO SCALE



6" PIPE BOLLARD DETAIL
NO SCALE



HANDICAP SIGNAGE WITH CONCRETE BASE DETAIL
NO SCALE



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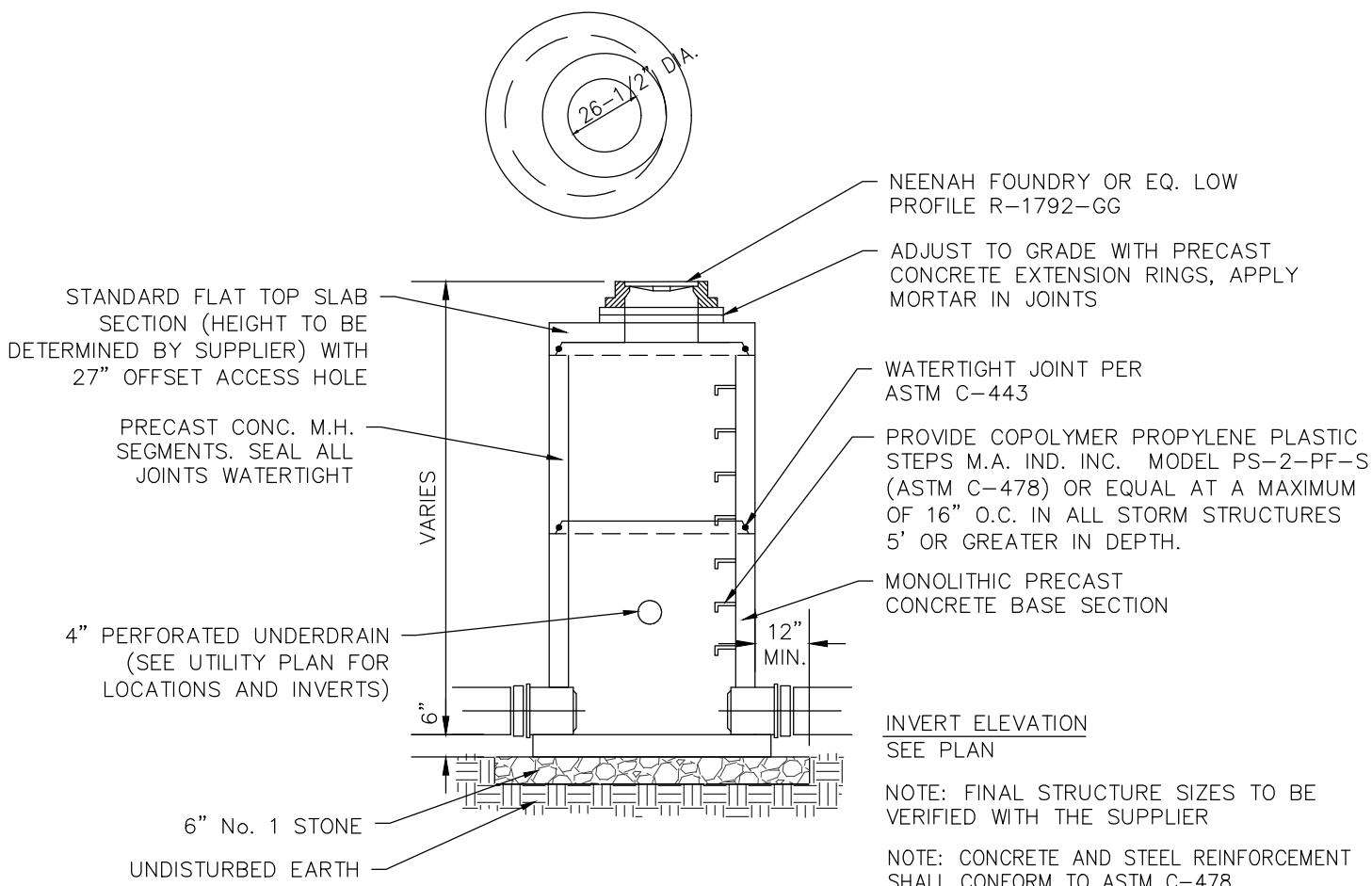
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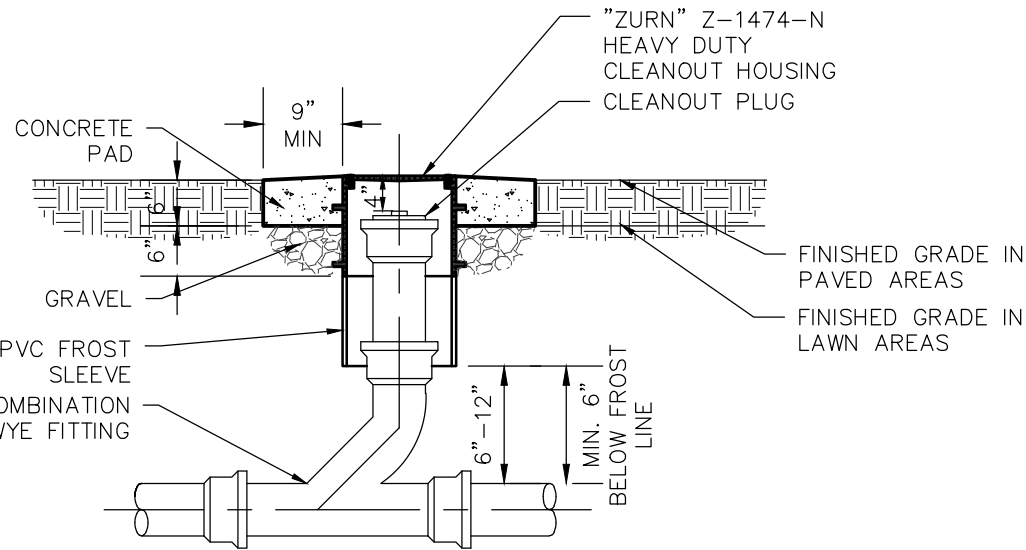
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NOT FOR CONSTRUCTION

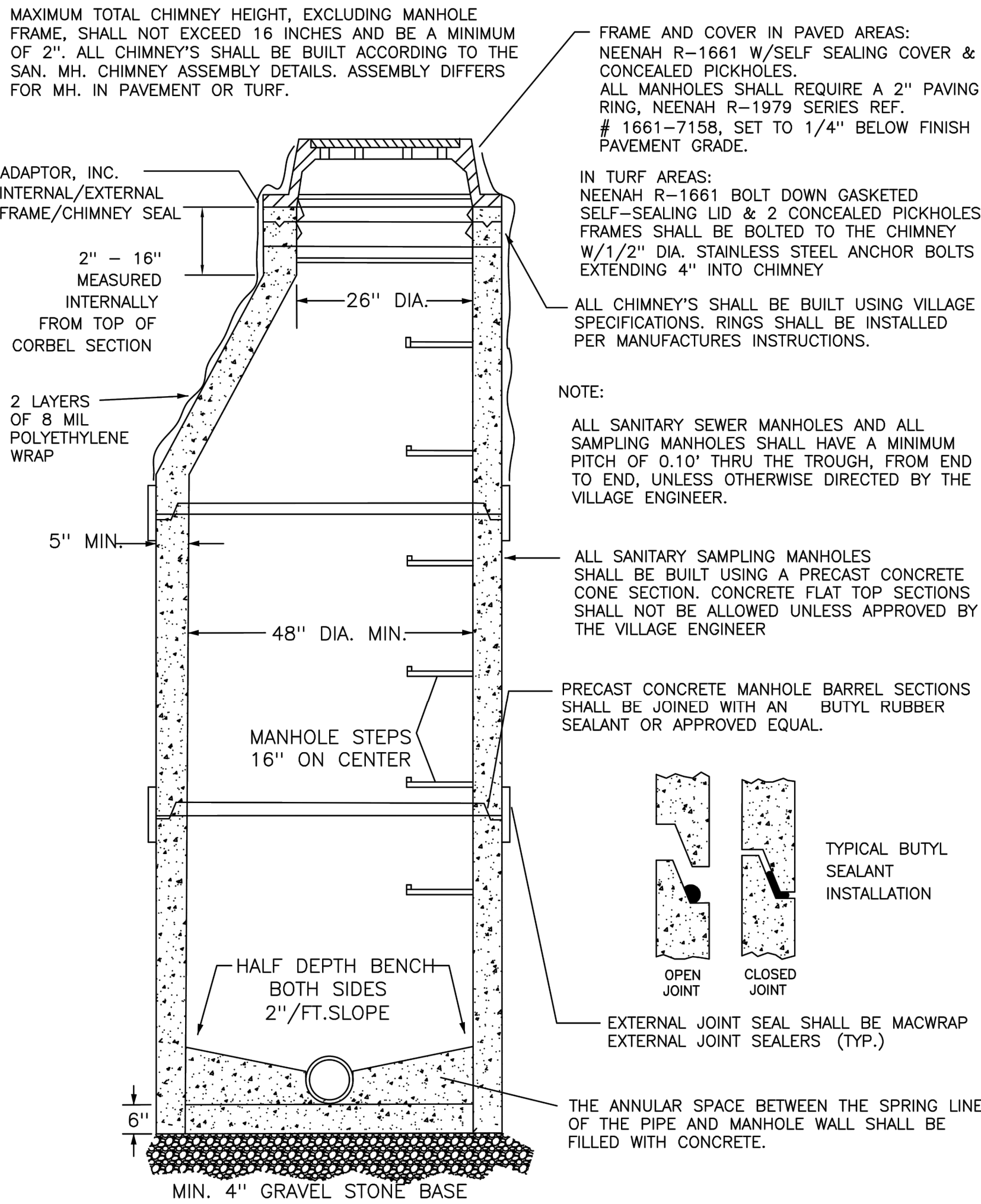
CIVIL DETAILS



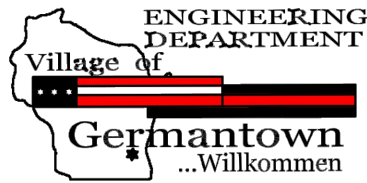
STORM CATCH BASIN DETAIL
NO SCALE



CLEANOUT TO GRADE DETAIL
NO SCALE



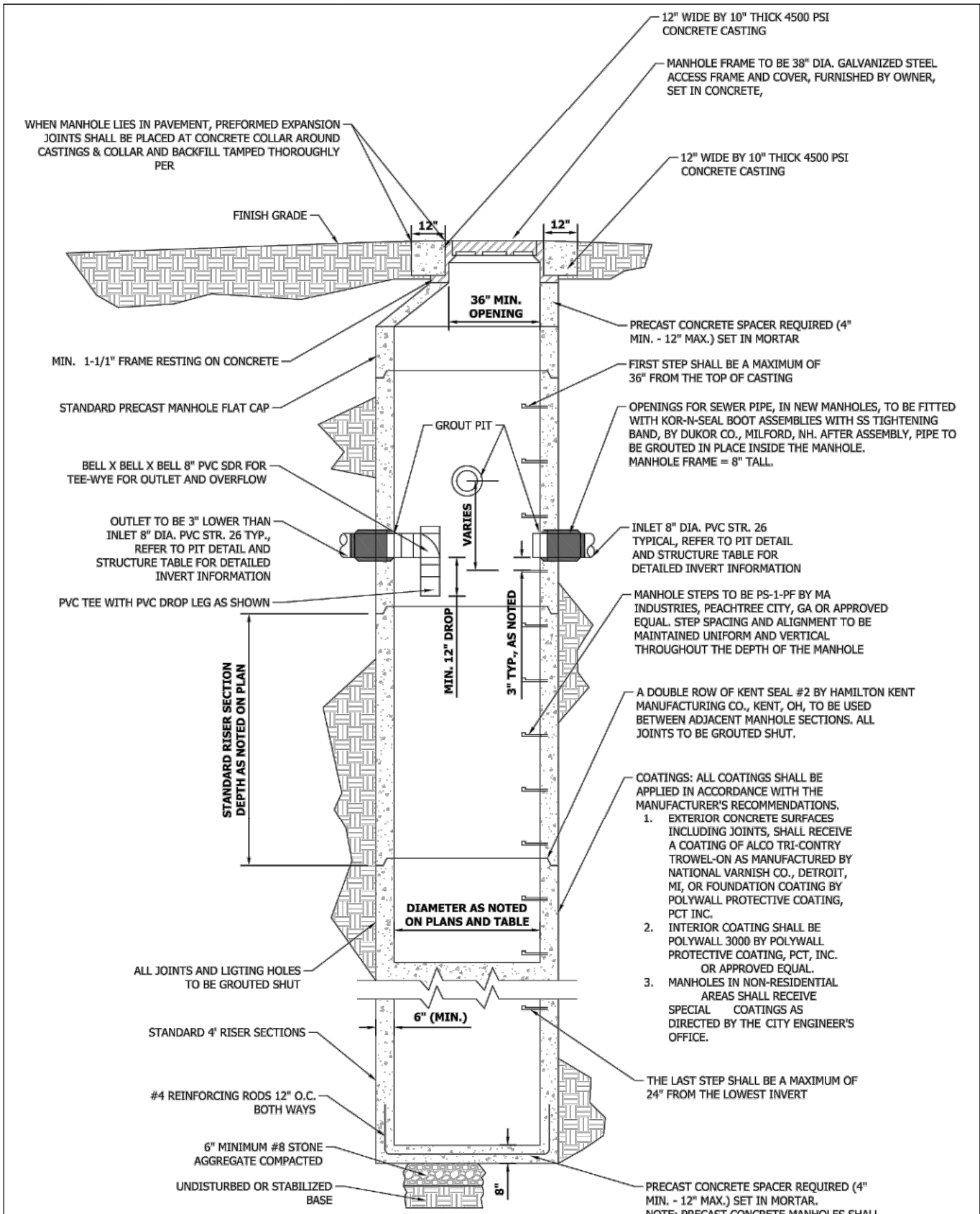
SPRAY EPOXY COATINGS
MH EXTERIOR: 2 COATS (BLACK) OF AMERON INTERNATIONAL, AMERCOAT 78 HB AT 8-10 MILS EA.
MH INTERIOR: 2 COATS (WHITE) OF PERMITE PCS-9043 TYPE II PERMOX PIPE GLAZE AT 20 MILS EA.
COATINGS SHALL BE APPLIED BY SUPPLIERS AT THE PLANT.



STANDARD
SANITARY MANHOLE &
SAMPLING MANHOLE DETAIL

NOT TO SCALE

REVISED DATE: 10/11/2019 FJR



WATER RECLAIM SYSTEM GRIT PIT MANHOLE

NOT TO SCALE

PROJECT INFORMATION

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PROFESSIONAL SEAL

PRELIMINARY DATES

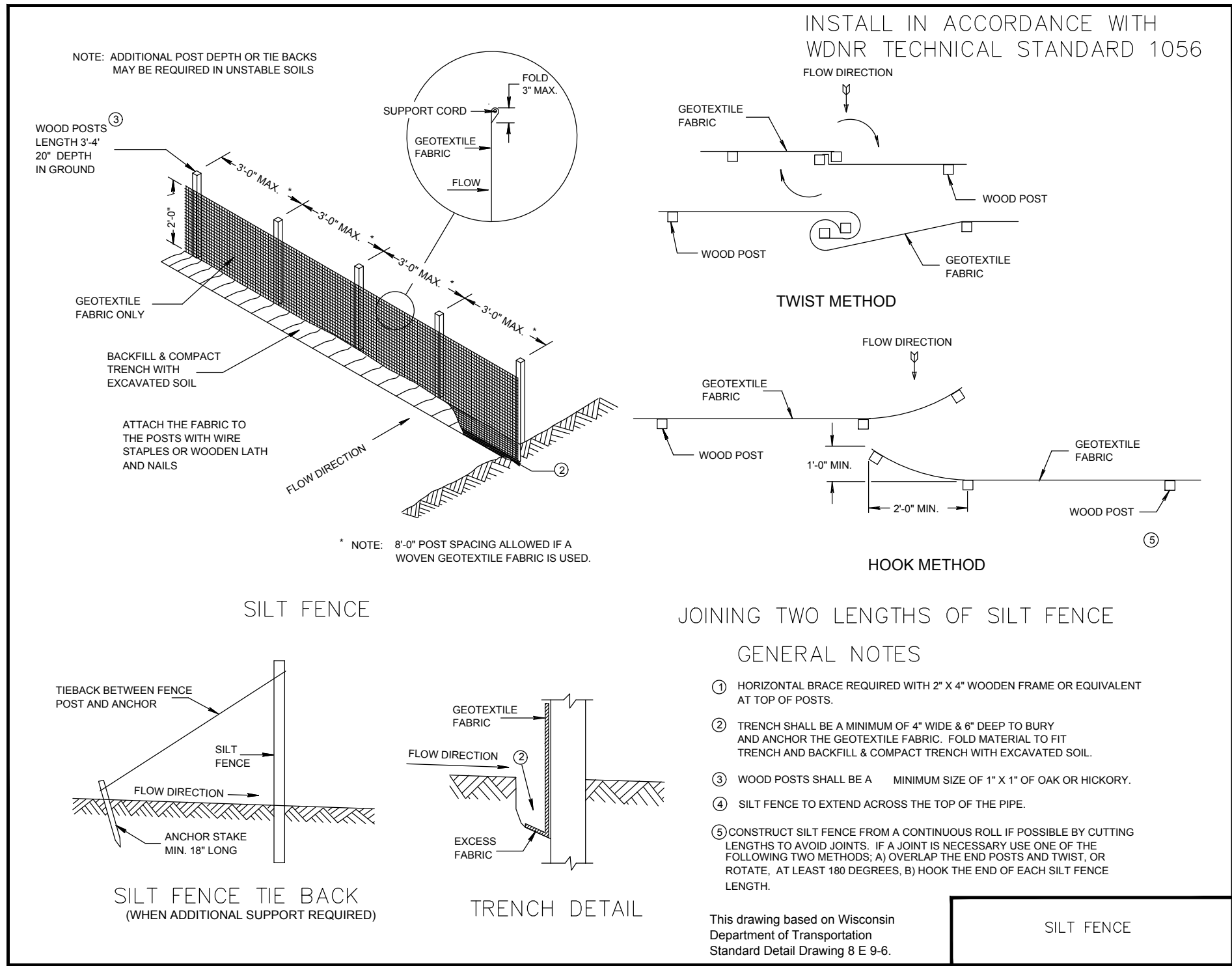
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JOB NUMBER

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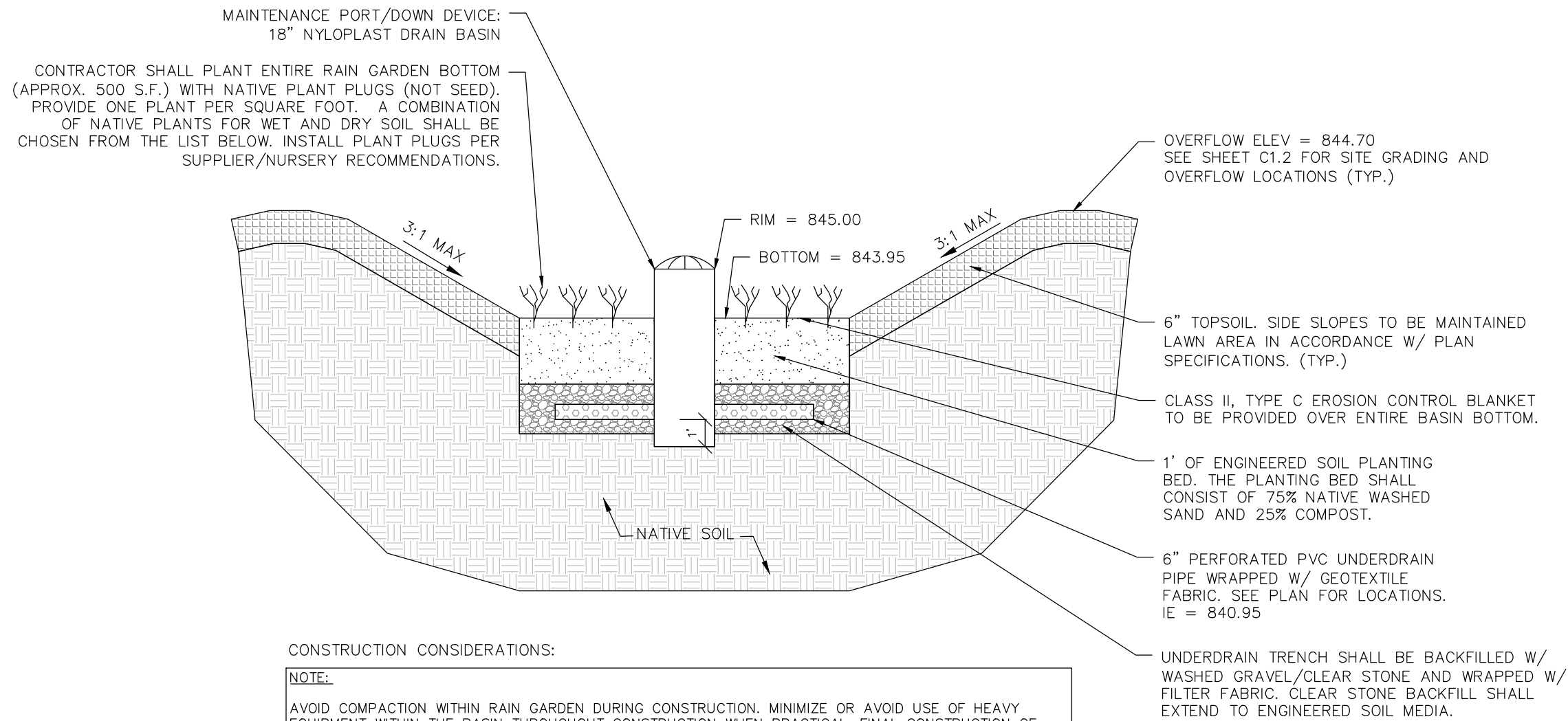
SHEET NUMBER

C2.2



SILT FENCE – INSTALLATION DETAIL

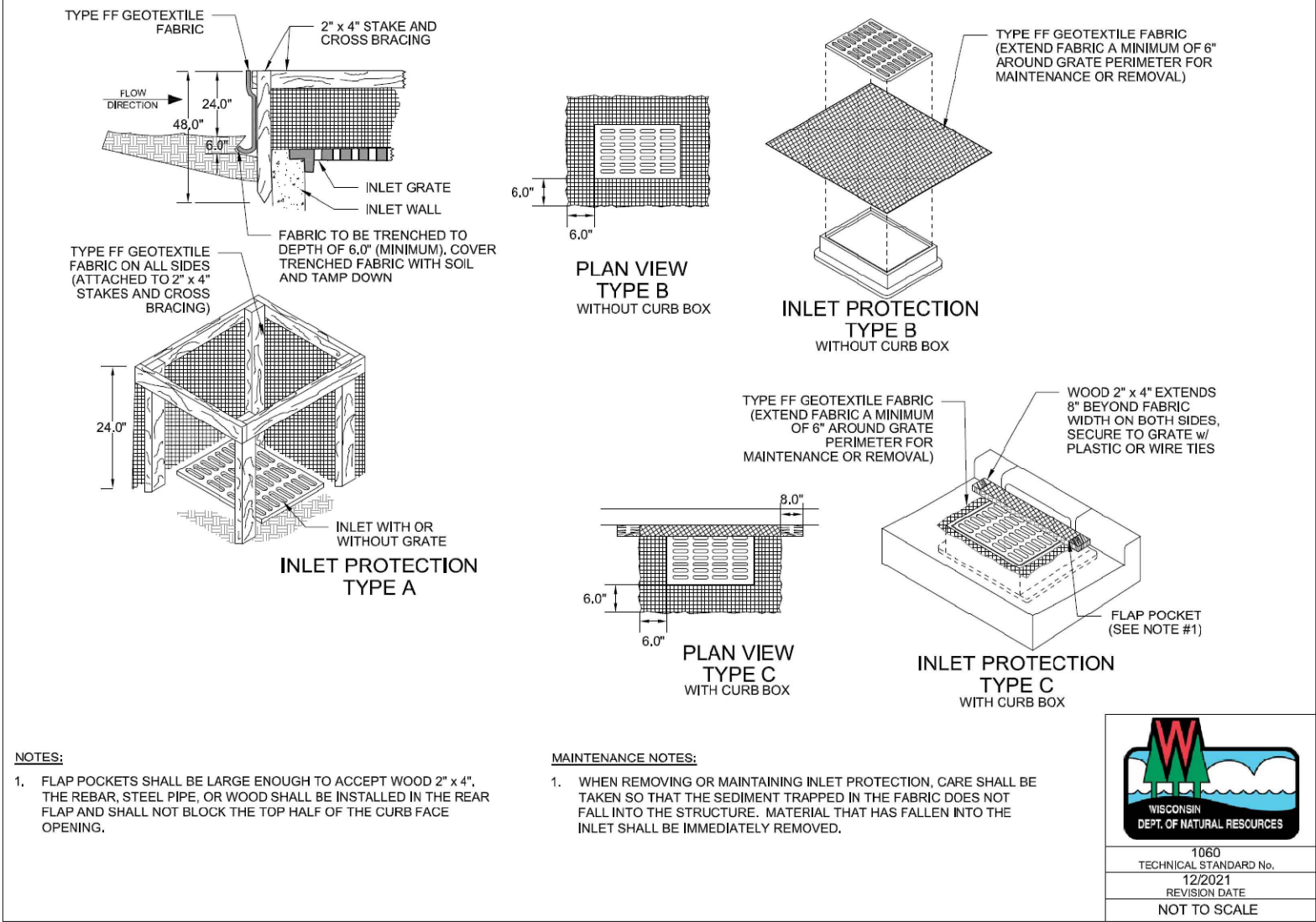
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RAIN GARDEN DETAIL

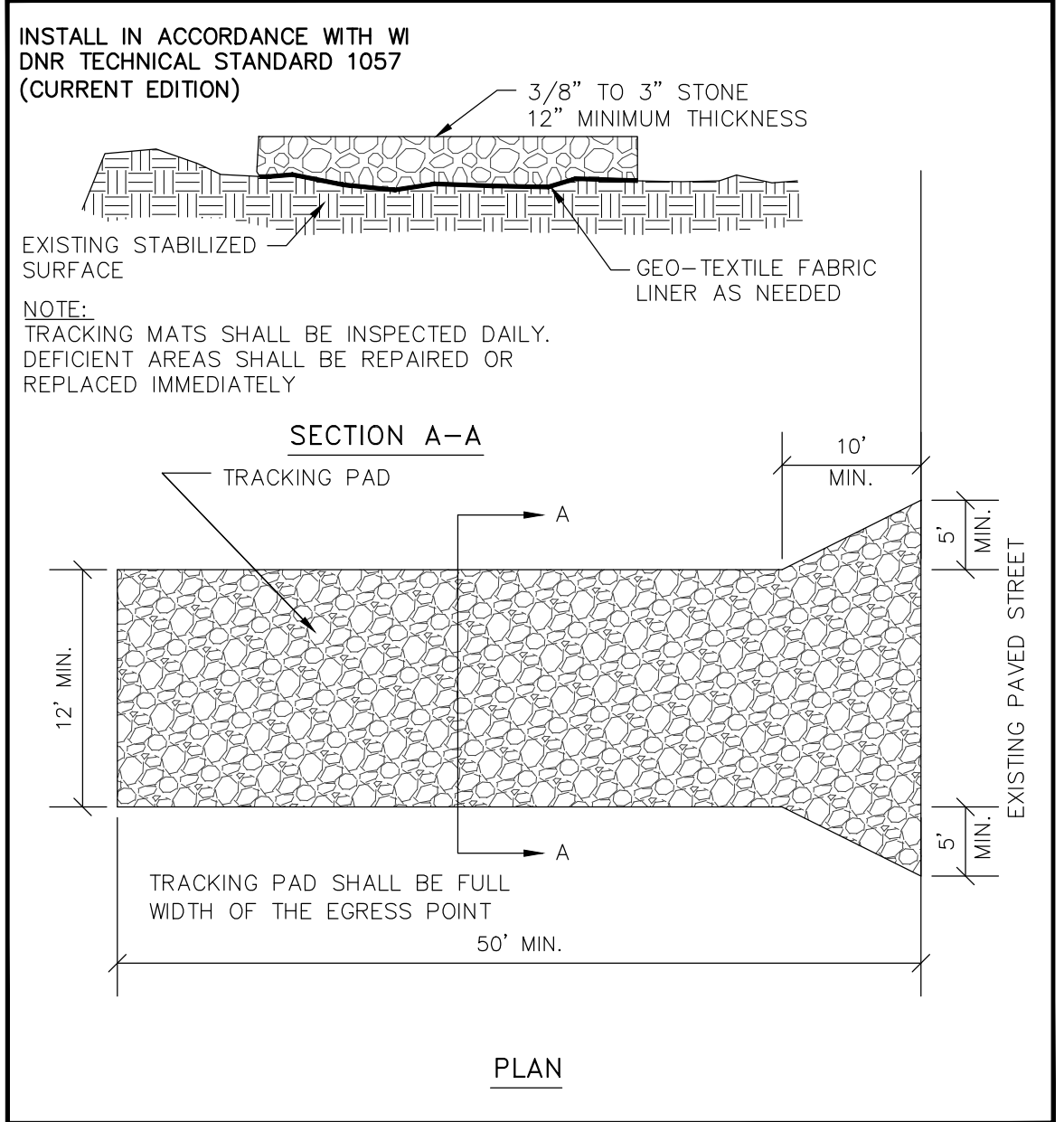
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FIGURE 1. INLET PROTECTION TYPES A, B AND C



INLET PROTECTION DETAIL

NO SCALE

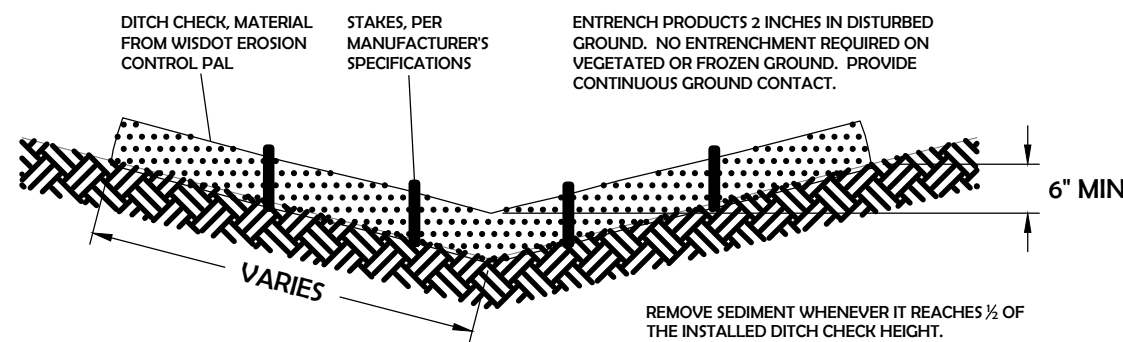


TRACKPAD DETAILS

NO SCALE

DITCH CHECK DETAIL

LOG-TYPE DITCH CHECK



CONSTRUCTION SEQUENCE

PHASE	TYPE OF ACTION
1. PRE-CONSTRUCTION ACTION	- CONTRACTOR TO CALL DIGGERS HOTLINE AT A MINIMUM OF 3 DAYS PRIOR TO CONSTRUCTION. - CONTRACTOR TO FIELD VERIFY LOCATION AND DEPTH OF ALL UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION. NOTIFY ENGINEER OF DISCREPANCIES. - PLACE ALL SILT FENCE AND INLET PROTECTION. - CONSTRUCT TRACKING STONE ENTRANCES AND ANY TEMPORARY CONSTRUCTION ROADWAYS AS NEEDED. - CONSTRUCT PERMANENT STORMWATER CONVEYANCE SYSTEMS. - CONSTRUCT ANY TEMPORARY STORMWATER CONVEYANCE SYSTEMS AS NEEDED. - STABILIZE ALL TEMPORARY AND PERMANENT EROSION CONTROL AND STORMWATER CONVEYANCE SYSTEMS BEFORE TOPSOIL CAN BE STRIPPED.
2. CONSTRUCTION ACTION	- SITE DEMOLITION AS REQUIRED. - STRIP AND RELOCATE TOPSOIL TO THE DESIGNATED TOPSOIL STOCKPILE. FINAL LOCATION BY CONTRACTOR/OWNER. PROVIDE PERIMETER SILT FENCE UNTIL STABILIZED. - BEGIN MASS EARTH WORK FOR THE BUILDING PAD AND PAVEMENT AREAS. - CONSTRUCT ANY REMAINING STORMWATER CONVEYANCE SYSTEMS, AND INSTALL ALL OTHER UTILITIES ON SITE. - DIG AND POUR ALL BUILDING FOOTINGS. - PLACE GRAVEL FOR ALL PROPOSED PAVEMENT AREAS. - TOPSOIL, SEED, AND MULCH ALL DISTURBED AREAS OUTSIDE THE BUILDING AND PROPOSED PAVEMENT AREAS. - CONSTRUCT BUILDING. - PAVE DRIVEWAYS AND PARKING AREAS. - TOPSOIL, SEED, AND MULCH ALL OTHER DISTURBED AREAS. PLACE EROSION MATTING AND RIP RAP AS NEEDED. - ONCE SITE IS STABILIZED, FINALIZE CONSTRUCTION OF RAIN GARDEN.
3. POST CONSTRUCTION ACTION	- CONTRACTOR TO REMOVE TEMPORARY EROSION CONTROL MEASURES UPON SITE STABILIZATION. - SEE THE POST CONSTRUCTION MAINTENANCE PLAN FOR PERMANENT STORMWATER MANAGEMENT SYSTEMS.

CONTRACTOR TO FOLLOW THE EROSION CONTROL SPECIFICATIONS FOR CONSTRUCTION EROSION CONTROL INSPECTION AND MAINTENANCE.

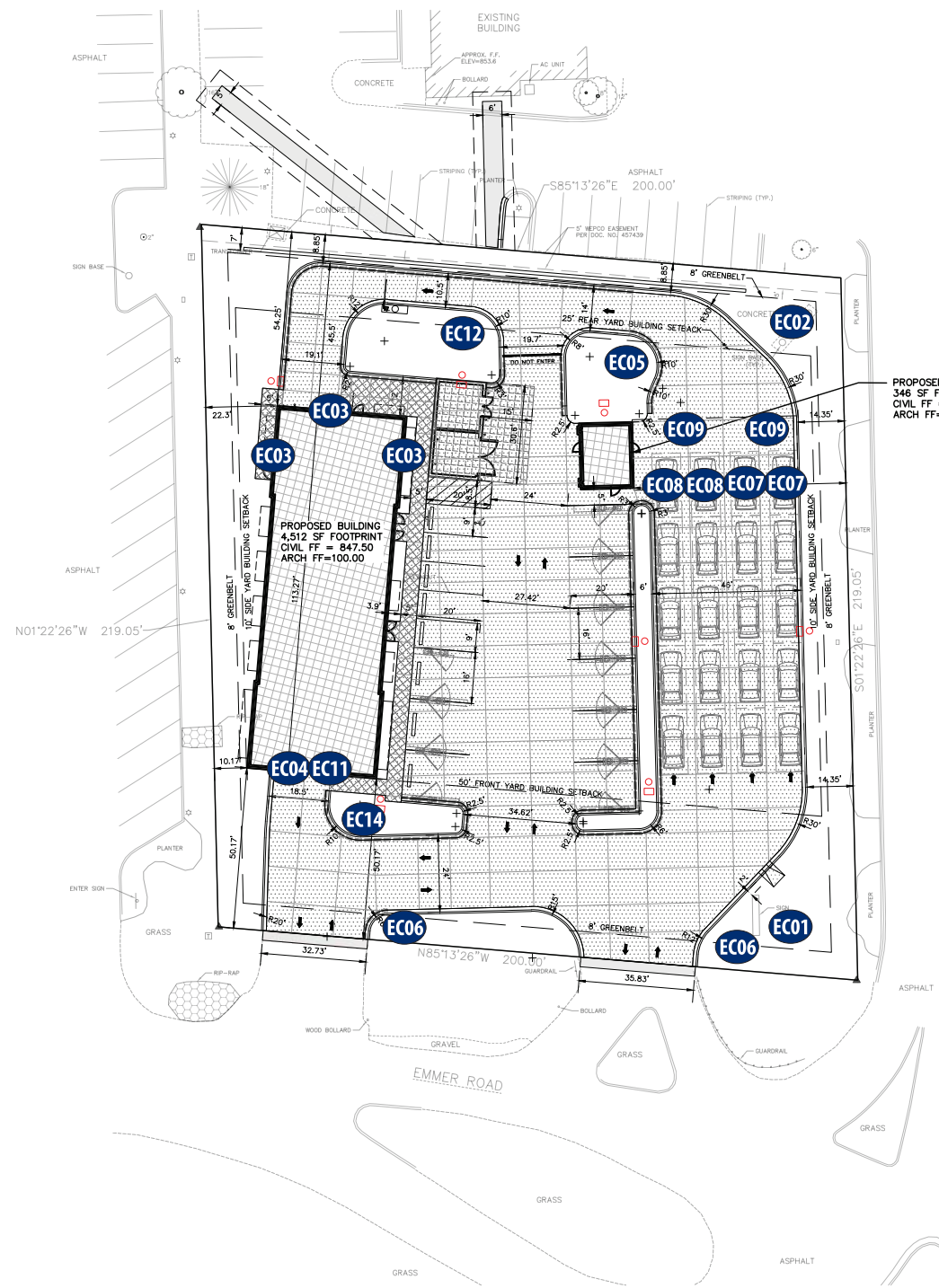
CIVIL DETAILS



GERMANTOWN, WI



SITE MAP



PROPOSED BUILDING
346 SF FOOTPRINT
CIVIL FF = 847.50
ARCH FF=100.00

NOTE:
CONTRACTOR TO COORDINATE
WITH OWNER AND MEP PLANS
FOR ANY EXTERIOR HEATED
CONCRETE SLAB LOCATIONS
& REQUIREMENTS.

NOTE:
KNOX BOX TO BE PROVIDED AT PRIMARY
ENTRANCE PER LOCAL REQUIREMENTS.
CONTRACTOR TO COORDINATE W/ BUILDING
INSPECTOR/FIRE DEPARTMENT FOR SPECIFIC
REQUIREMENTS.

PAVEMENT HATCH KEY:
ASPHALT
HEAVY DUTY CONCRETE
DUMPSTER PAD CONCRETE
SIDEWALK CONCRETE
*SEE SHEET C0.1 FOR SECTION REQUIREMENTS

CURB & GUTTER MARKING KEY:
INVERTED CURB & GUTTER
SHEDDING CURB & GUTTER

SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

SITE INFORMATION:
PROPERTY ADDRESS: N96W17500 COUNTY LINE RD, GERMANTOWN WI
PARCEL ID NUMBER: 334990
PROPERTY AREA: 43,558 S.F. (1.00 ACRES).
EXISTING ZONING: B-5 W/ HIGHWAY INTERCHANGE AREA OVERLAY
PROPOSED ZONING: B-5 W/ HIGHWAY INTERCHANGE AREA OVERLAY
PROPOSED USE: CONVEYOR-STYLE CARWASH
AREA OF SITE DISTURBANCE: 43,346 SF (0.995 AC)
SETBACKS: BUILDING: FRONT = 50'
SIDE = 10'
REAR = 25'
PAVEMENT: FRONT = 8'
SIDE = 8'
REAR = 8'
PROPOSED BUILDING HEIGHT: 35' TO TOP OF TOWER (MAX. HEIGHT ALLOWED: 35')
PARKING REQUIRED: NO CODIFIED REQUIREMENT FOR CARWASH USE; ADEQUATE
SPACE FOR EMPLOYEES AND CUSTOMERS
PARKING PROVIDED: 14 TOTAL (5 STANDARD EMPLOYEE SPACES, 9 VACUUM SPACES)
HANDICAP STALLS REQUIRED: 1 REQUIRED, 1 PROVIDED
LANDSCAPE REQUIREMENTS: MIN. LANDSCAPE SURFACE RATIO = 20% OPEN AREA



PROPOSED CAR WASH FOR:
CREW CARWASH
N96 W17500 COUNTY LINE RD • GERMANTOWN, WI 53022

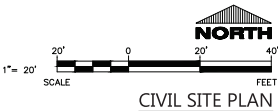
PROFESSIONAL SEAL

PRELIMINARY DATES
FEB. 1, 2024
FEB. 5, 2024
NOT FOR CONSTRUCTION

JOB NUMBER
230022600

SHEET NUMBER
C1.1

2021 © EXCEL ENGINEERING, INC.



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SIGN SPECIFICATIONS

EC01 EXISTING MONUMENT

EC02 EXISTING PYLON

EC03 3 CHANNEL LETTERS

EC04 EXIT CHANNEL LETTERS

EC05 DIGITAL MENU BOARD

EC06 2 DIRECTIONAL SIGNS

EC07 2 UNLIMITED CLUB SETS

EC08 2 CASHIER SETS

EC09 4 SNAP FRAMES

EC10 2 SPECIAL SERVICE SIGNS

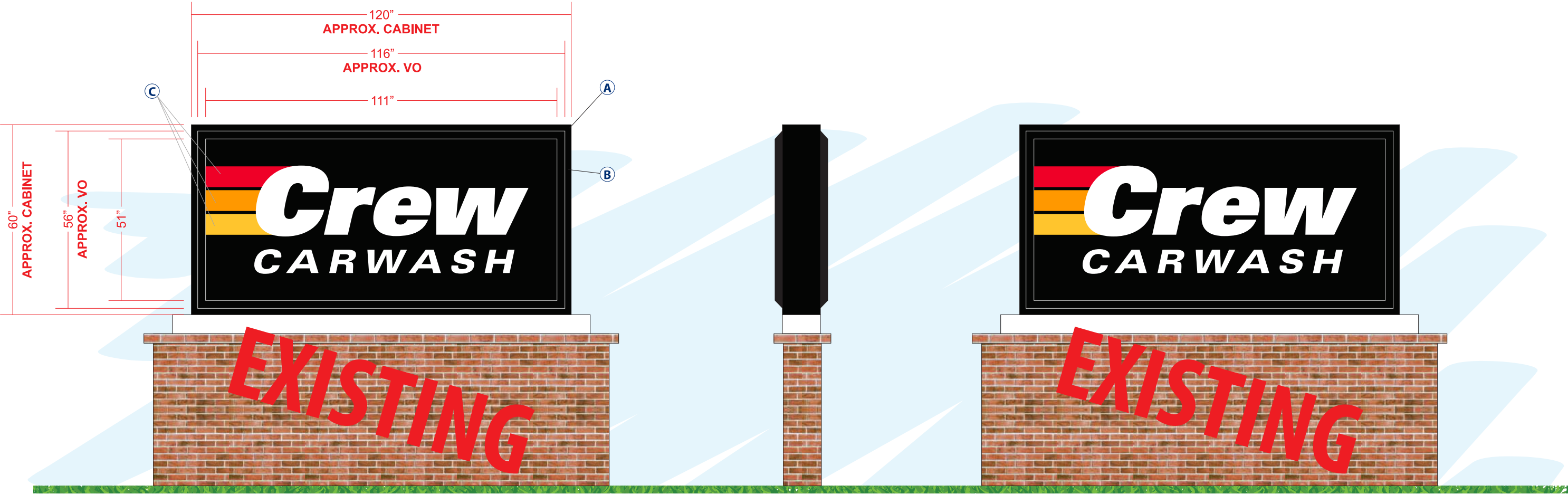
EC11 CLEAN CAR EXIT

EC12 WE ARE RESPONSIBLE SIGN

EC13 CLEARANCE BAR

EC14 VACUUMS SIGN

EC15 COMING SOON SITE SIGN



***NOTE: A SURVEY IS NEEDED TO DETERMINE SIZE OF NEW FACES**

***NOTE: CABINET TO BE REPAINTED BLACK**

FABRICATE AND INSTALL QTY 2 NEW FACES FOR EXISTING D/F MONUMENT SIGN

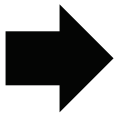
FACES

MATERIAL - PAN FORMED, EMBOSSED PLASTIC TO MATCH SPECS

FLANGE - 2 1/2"

PAN DEPTH - 2"

INSTALLATION - MOUNTED INTO RIGID RETAINERS



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EC02



***NOTE: A SURVEY IS NEEDED TO DETERMINE SIZE OF NEW FACES**

***NOTE: PYLON TO BE REPAINTED BLACK**

FABRICATE AND INSTALL QTY 2 NEW FACES FOR EXISTING D/F PYLON SIGN

FACES
MATERIAL - FLEX FACE MATERIAL PRINTED TO MATCH SPECS

INSTALLATION - MOUNTED INTO EXISTING RIGID RETAINERS

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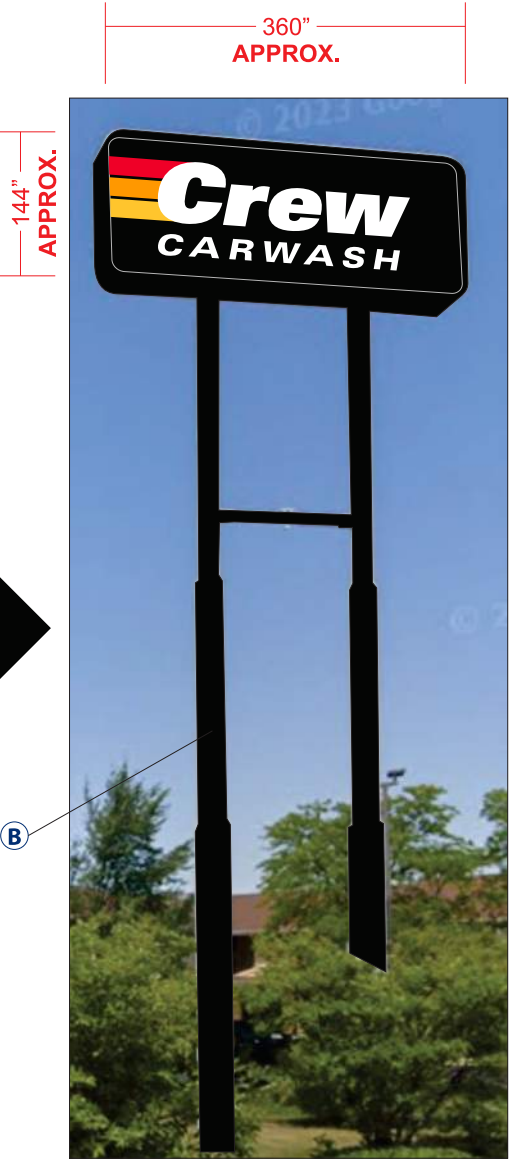
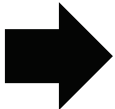
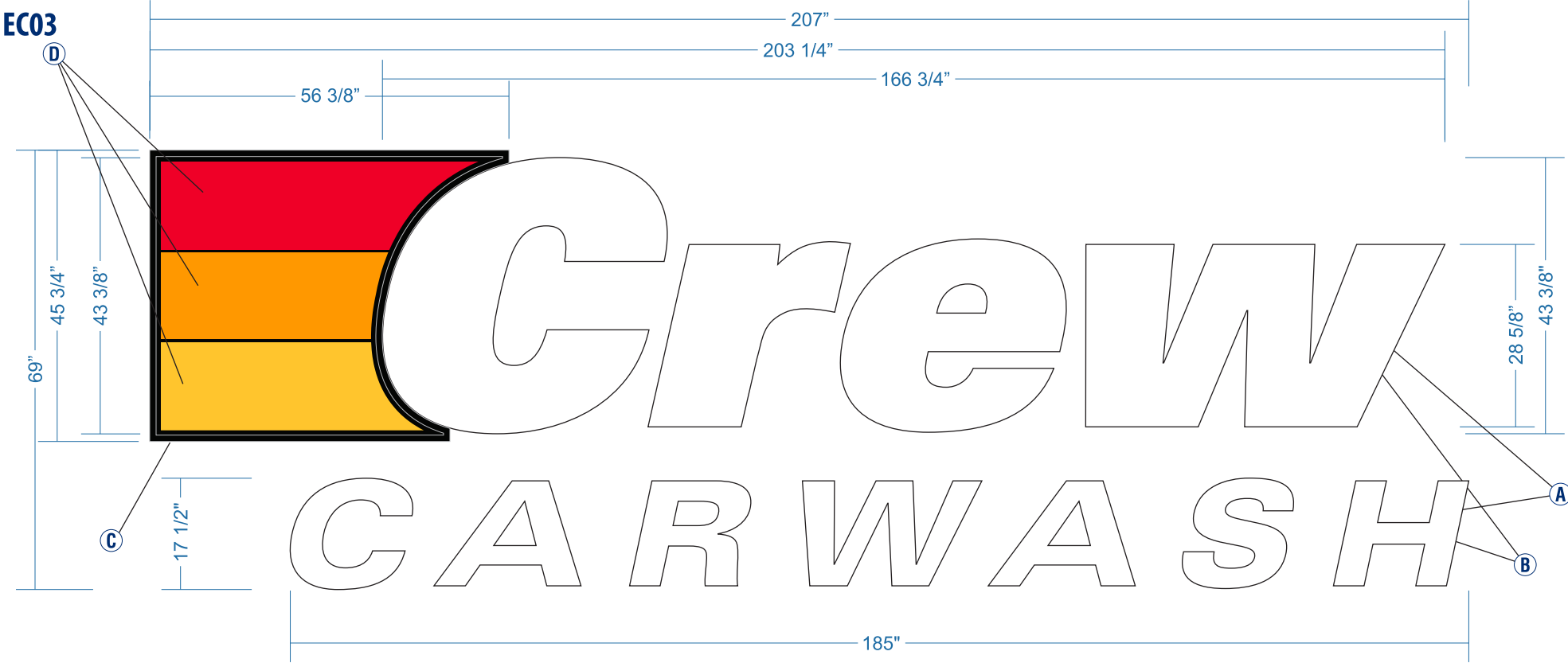


PHOTO SCALE: 1/16" = 1' - 0"



FABRICATE AND INSTALL QTY 3 INTERNALLY ILLUMINATED FACE-LIT BUILDING SIGNS

- RIBBON CABINET
- BODY - 1" ALUMINUM ANGLE SKINNED IN .090 ALUMINUM
- RETURNS - 3" TO MATCH SPECS
- RETAINERS - 1" RIGID RETAINERS TO MATCH SPECS
- LEDS - WHITE - **ADD EXTRA LEDS**

INSTALLATION - MOUNTED FLUSH TO FASCIA

- RIBBON FACES
- MATERIAL - PAN FORMED, EMBOSSED PLASTIC PAINTED
- SECOND SURFACE TO MATCH SPECS
- FLANGE - 1 1/4"
- PAN DEPTH - 1"

INSTALLATION - MOUNTED INTO RIGID RETAINERS

- "CREW" & "CARWASH"
- FACES - 1/8" 2447 WHITE ACRYLIC
- RETURNS - 4" TO MATCH SPECS
- TRIM CAPS - 1" TO MATCH SPECS
- BACKS - .063 ALUMINUM
- LEDS - WHITE

INSTALLATION - MOUNTED FLUSH TO FASCIA

- A
- B
- C
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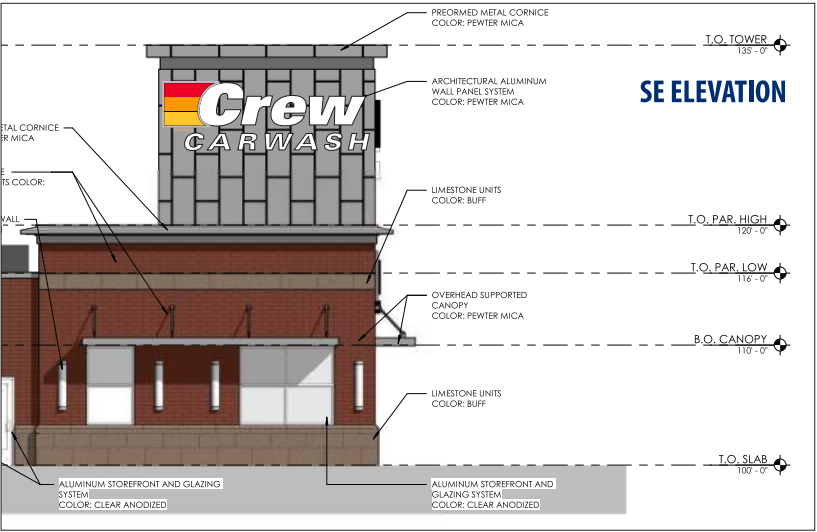
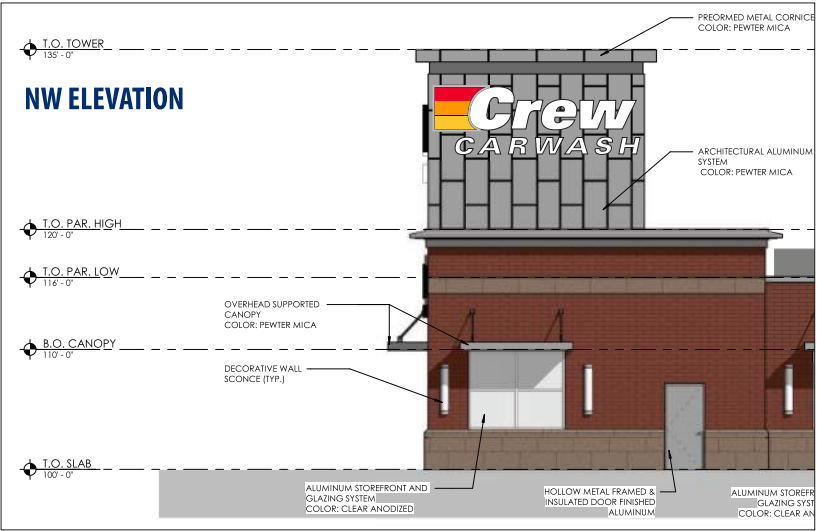
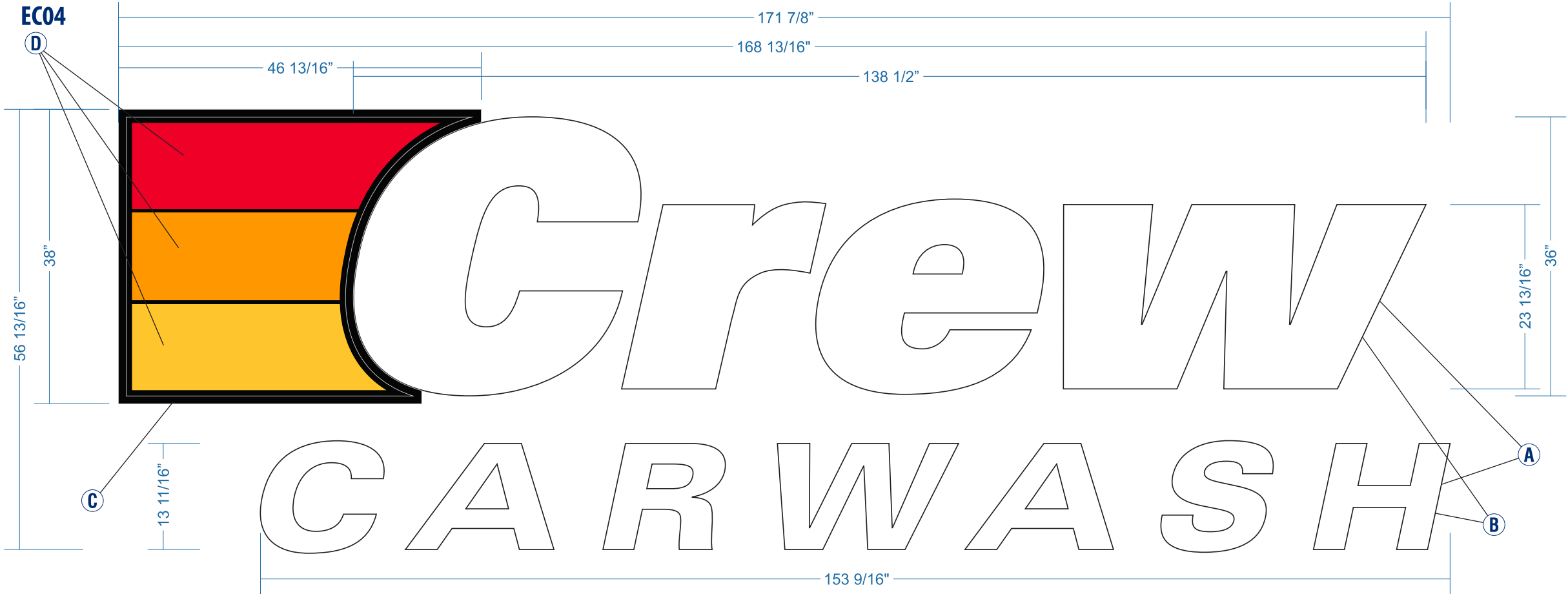


PHOTO SCALE: 1/16" = 1' - 0"



FABRICATE AND INSTALL QTY 1 INTERNALLY ILLUMINATED FACE-LIT BUILDING SIGN

RIBBON CABINET

BODY - 1" ALUMINUM ANGLE SKINNED IN .090 ALUMINUM

RETURNS - 3" TO MATCH SPECS

RETAINERS - 1" RIGID RETAINERS TO MATCH SPECS

LEDS - WHITE - **ADD EXTRA LEDS**

INSTALLATION - MOUNTED FLUSH TO FASCIA

RIBBON FACES

MATERIAL - PAN FORMED, EMBOSSED PLASTIC PAINTED

SECOND SURFACE TO MATCH SPECS

FLANGE - 1 1/4"

PAN DEPTH - 1"

INSTALLATION - MOUNTED INTO RIGID RETAINERS

"CREW" & "CARWASH"

FACES - 1/8" 2447 WHITE ACRYLIC

RETURNS - 4" TO MATCH SPECS

TRIM CAPS - 1" TO MATCH SPECS

BACKS - .063 ALUMINUM

LEDS - WHITE

INSTALLATION - MOUNTED FLUSH TO FASCIA

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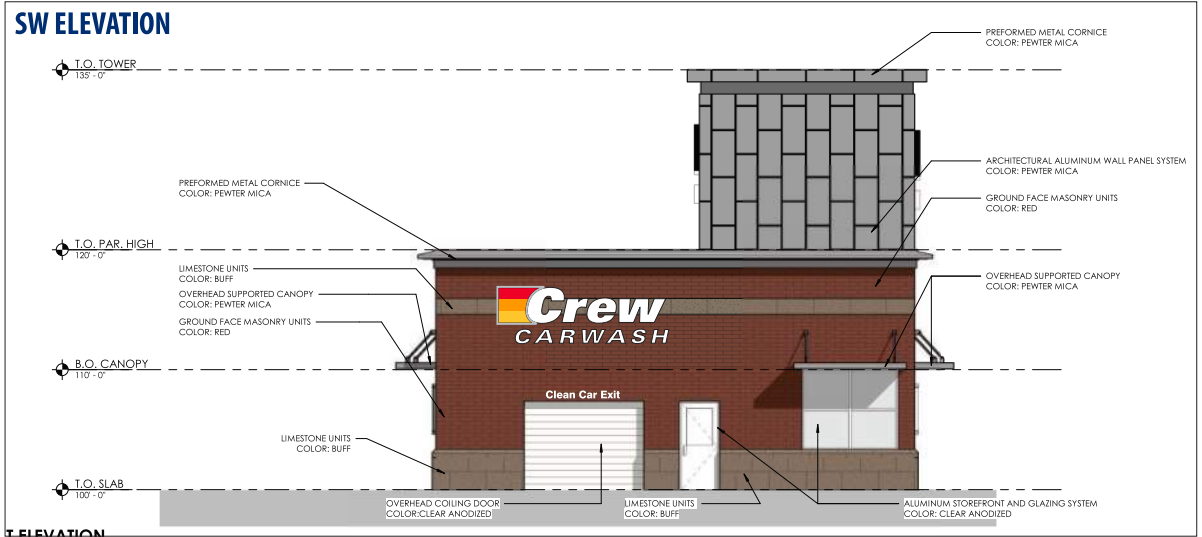
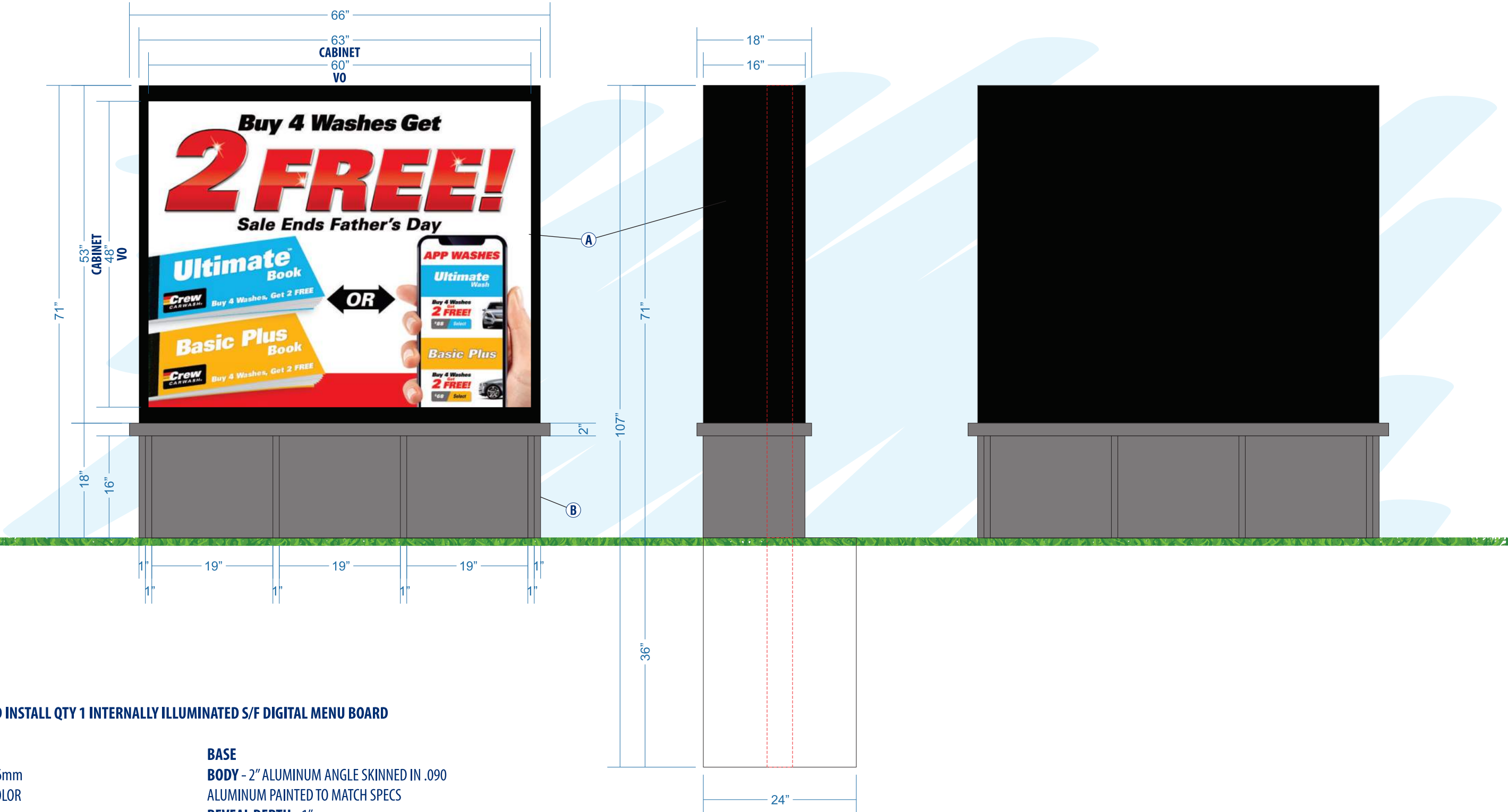


PHOTO SCALE: 1/16" = 1' - 0"



FABRICATE AND INSTALL QTY 1 INTERNALLY ILLUMINATED S/F DIGITAL MENU BOARD

EMC
RESOLUTION - 6mm
COLOR - FULL COLOR
DEPTH - 5"

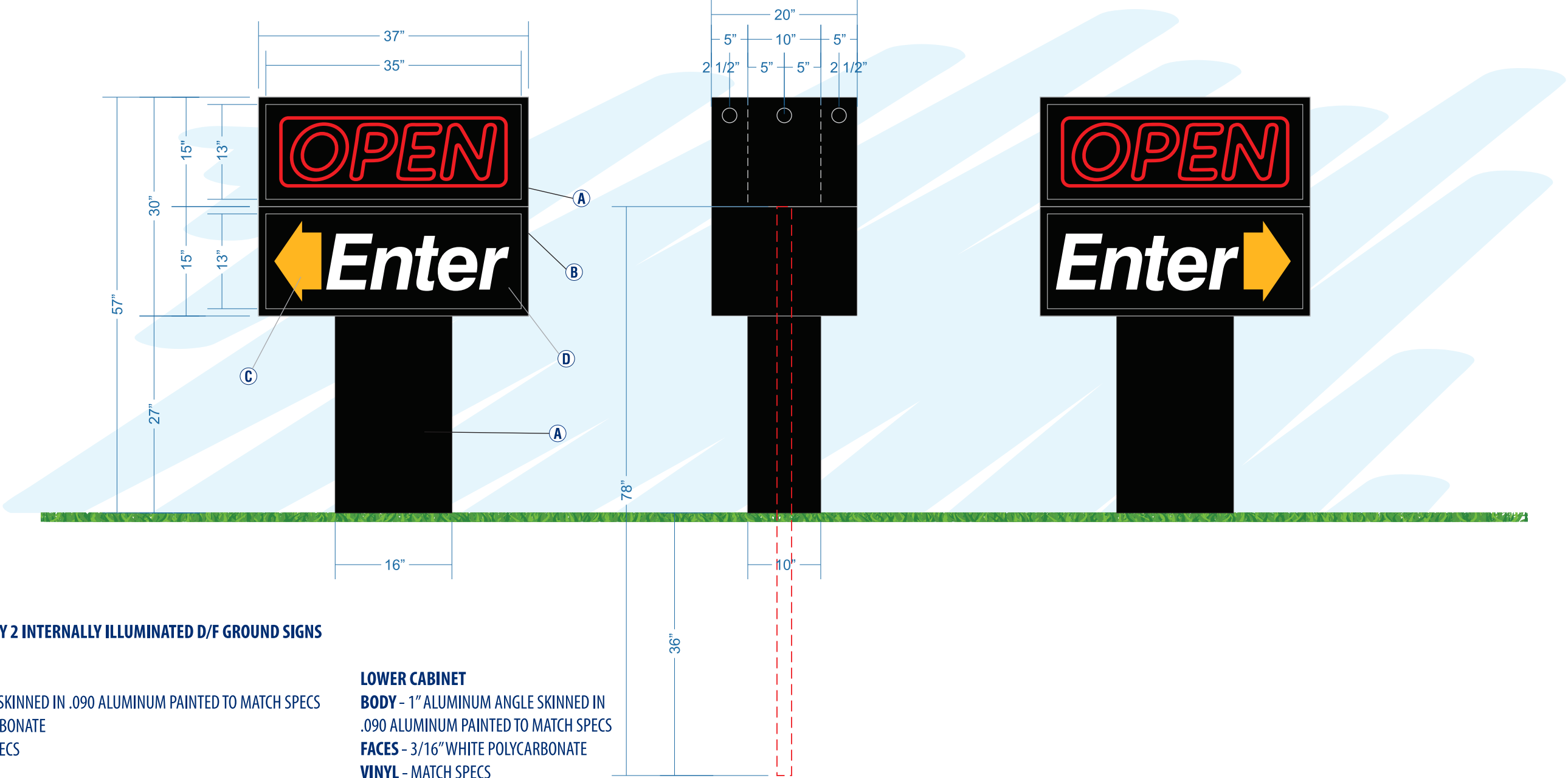
BASE
BODY - 2" ALUMINUM ANGLE SKINNED IN .090
ALUMINUM PAINTED TO MATCH SPECS
REVEAL DEPTH - 1"

INSTALLATION - MOUNTED TO SIGN BASE & POST

INSTALLATION - MOUNTED AROUND 4" SCH 40 PIPE BURIED INTO GRADE

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FABRICATE AND INSTALL QTY 2 INTERNALLY ILLUMINATED D/F GROUND SIGNS

UPPER CABINET
BODY - 1" ALUMINUM ANGLE SKINNED IN .090 ALUMINUM PAINTED TO MATCH SPECS
FACES - 3/16" CLEAR POLYCARBONATE
RETAINERS - 1" TO MATCH SPECS
NEON - 12 MM RED

INSTALLATION - BAFFLE & DIVIDER NEEDED BETWEEN TOP AND BOTTOM CABINETS

BASE
BODY - 1" ALUMINUM ANGLE SKINNED IN .090 ALUMINUM PAINTED TO MATCH SPECS

INSTALLATION - INSTALLED AROUND 2" SQ ALUMINUM POST BURIED INTO GRADE

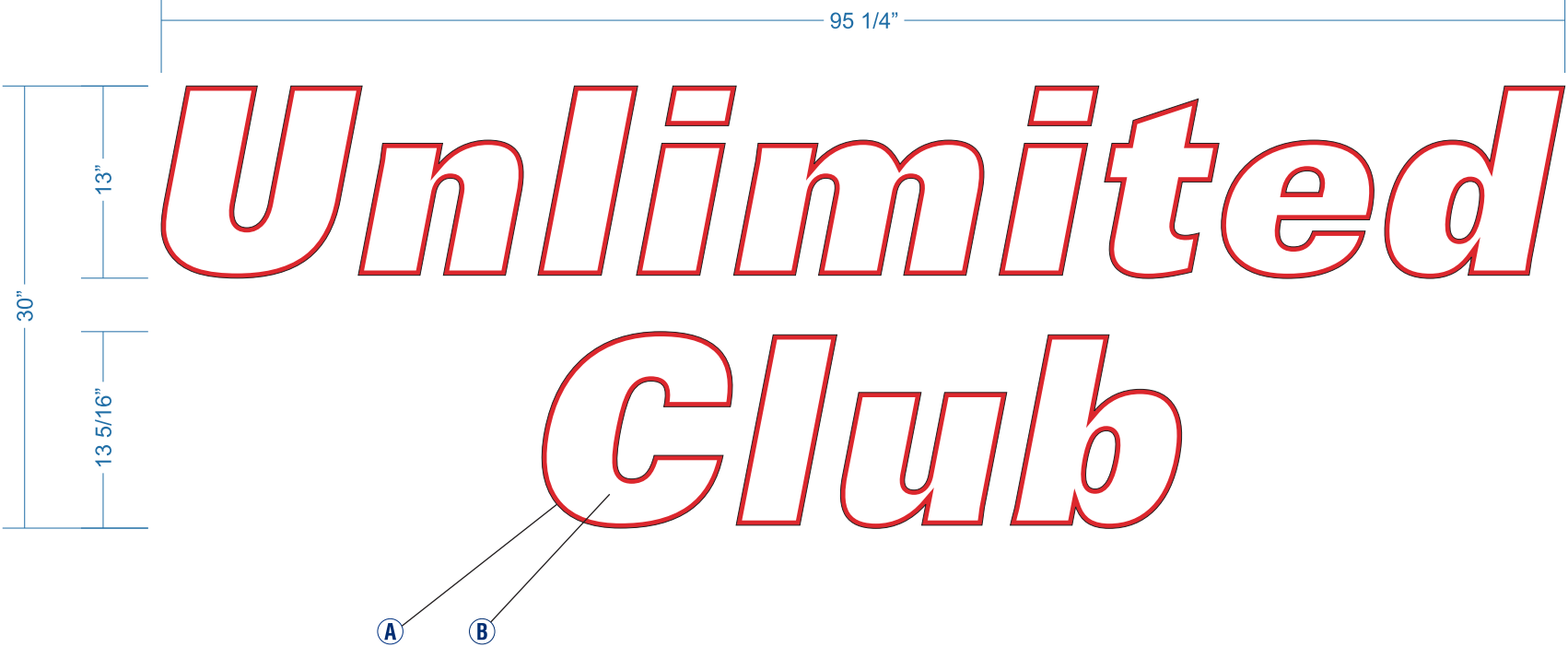
LOWER CABINET
BODY - 1" ALUMINUM ANGLE SKINNED IN .090 ALUMINUM PAINTED TO MATCH SPECS
FACES - 3/16" WHITE POLYCARBONATE
VINYL - MATCH SPECS
RETAINERS - 1" TO MATCH SPECS

INSTALLATION - MOUNTED TO BASE & POST

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- I
- J

EC07



FABRICATE AND INSTALL QTY 2 NON-ILLUMINATED LETTER SETS

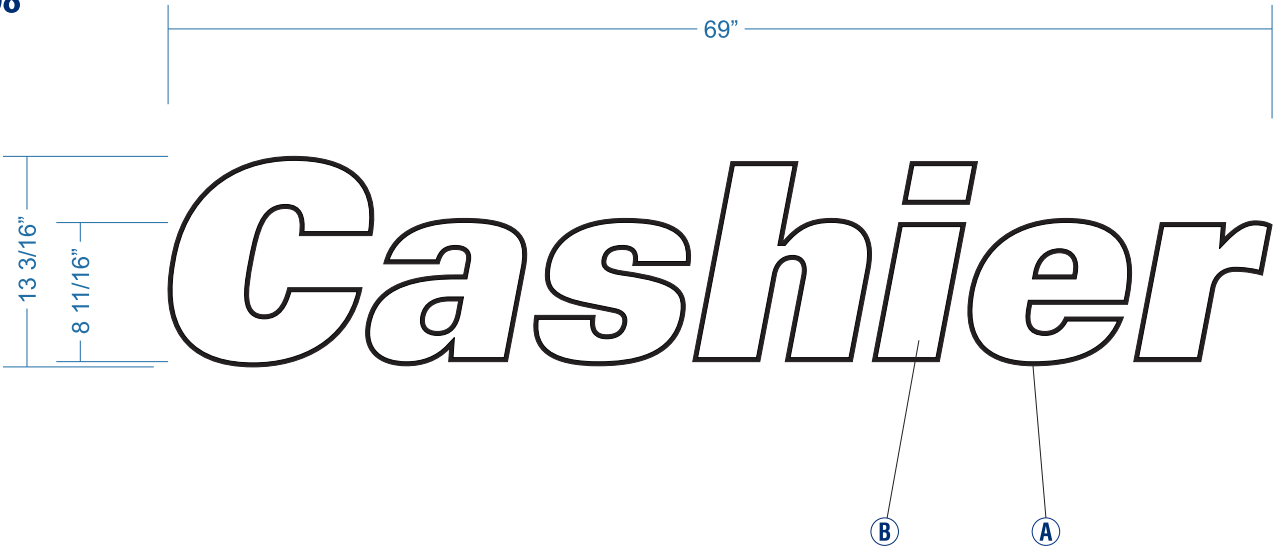
FACES - 1" WHITE PVC PAINTED TO MATCH SPECS
VINYL - MATCH SPECS

INSTALLATION - MOUNTED FLUSH TO CANOPY



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FABRICATE AND INSTALL QTY 2 NON-ILLUMINATED LETTER SETS

FACES - 1" WHITE PVC PAINTED TO MATCH SPECS
VINYL - MATCH SPECS

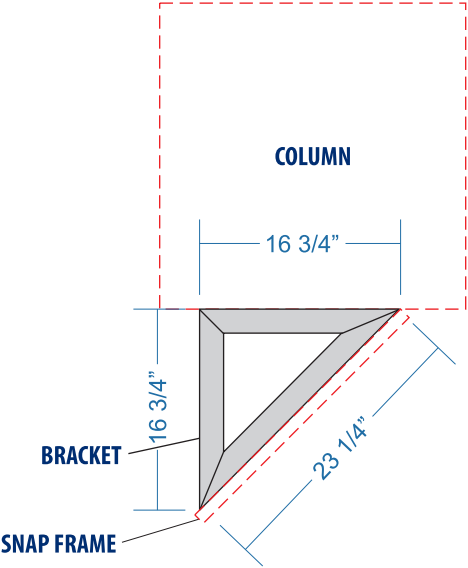
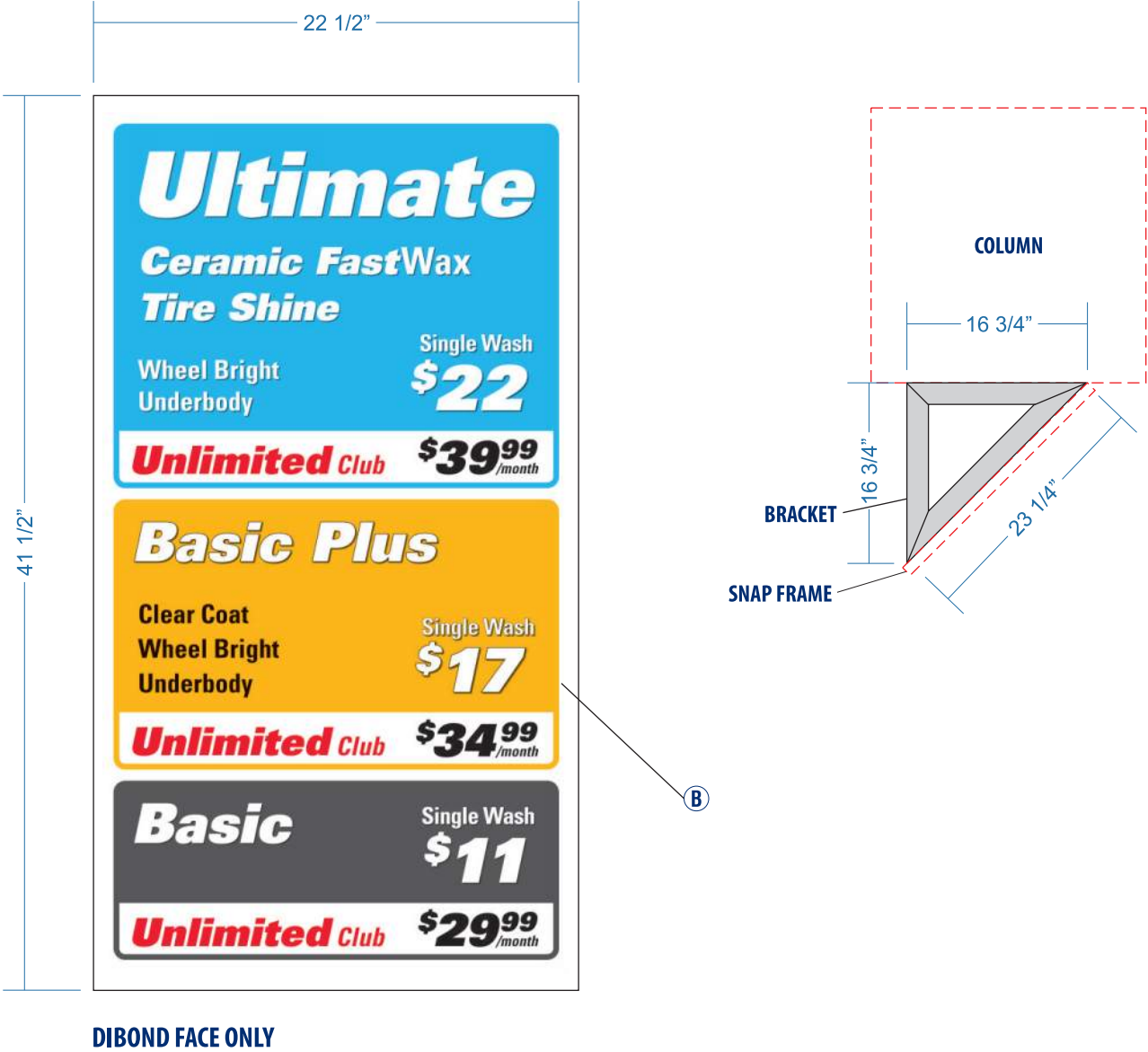
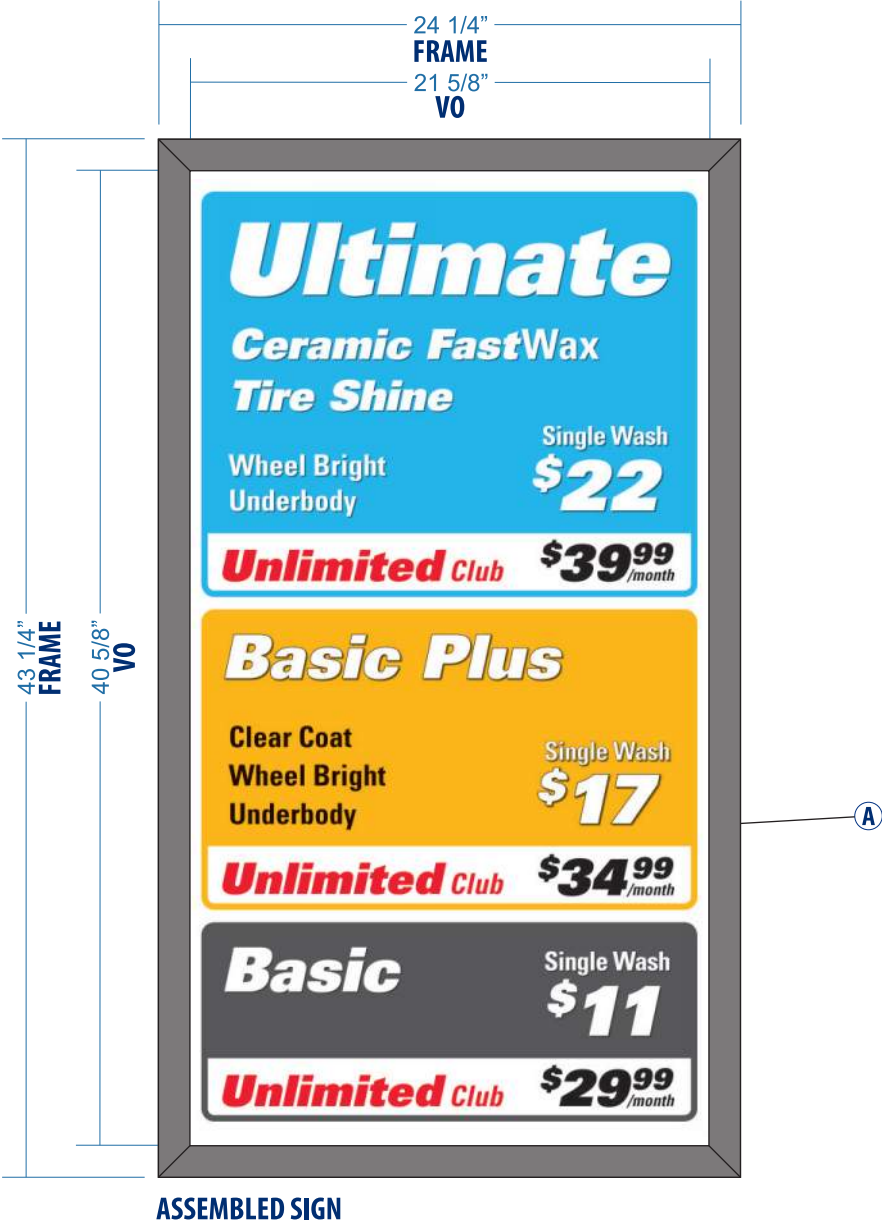
INSTALLATION - MOUNTED FLUSH TO CANOPY



PHOTO SCALE: 1/8" = 1' - 0"

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FABRICATE AND INSTALL QTY 4 SNAP FRAMES

BODY
SIGN COMP KIT - 1899 & 1869A PAINTED TO MATCH SPECS

INSTALLATION - QTY 2 FRAMES FLUSH MOUNTED TO COLUMNS, QTY 2 FRAMES ANGLED OFF COLUMNS

FACES
MATERIAL - 3MM WHITE DIBOND
VINYL - MATCH SPECS

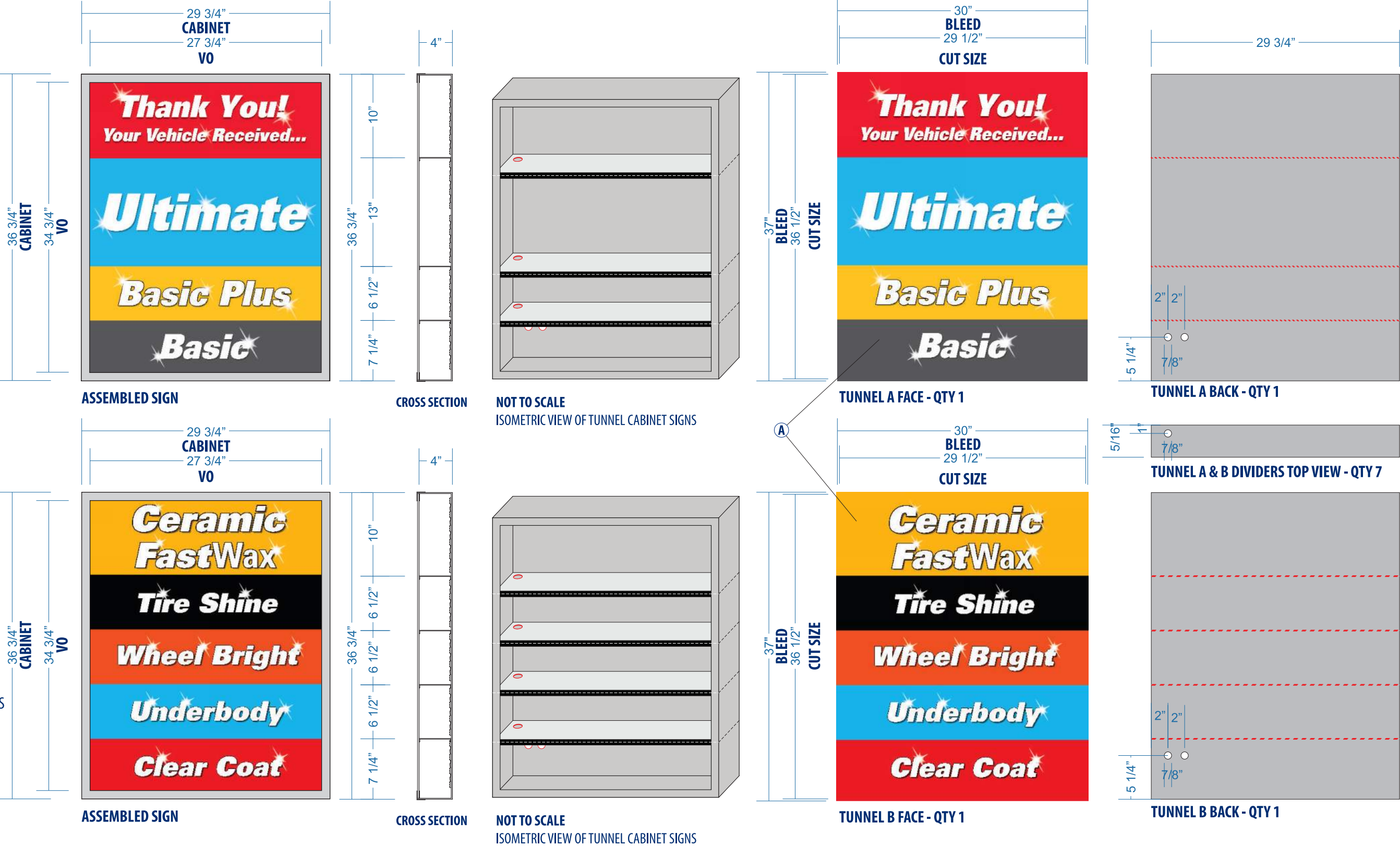
INSTALLATION - MOUNTED INTO SNAP FRAMES

ANGLED BRACKETS
BODY - 2" ALUMINUM ANGLE

INSTALLATION - MOUNTED TO SNAP FRAME AND COLUMN

- A
- B
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FABRICATE AND DELIVER QTY 2 INTERNALLY ILLUMINATED S/F CABINET SIGNS

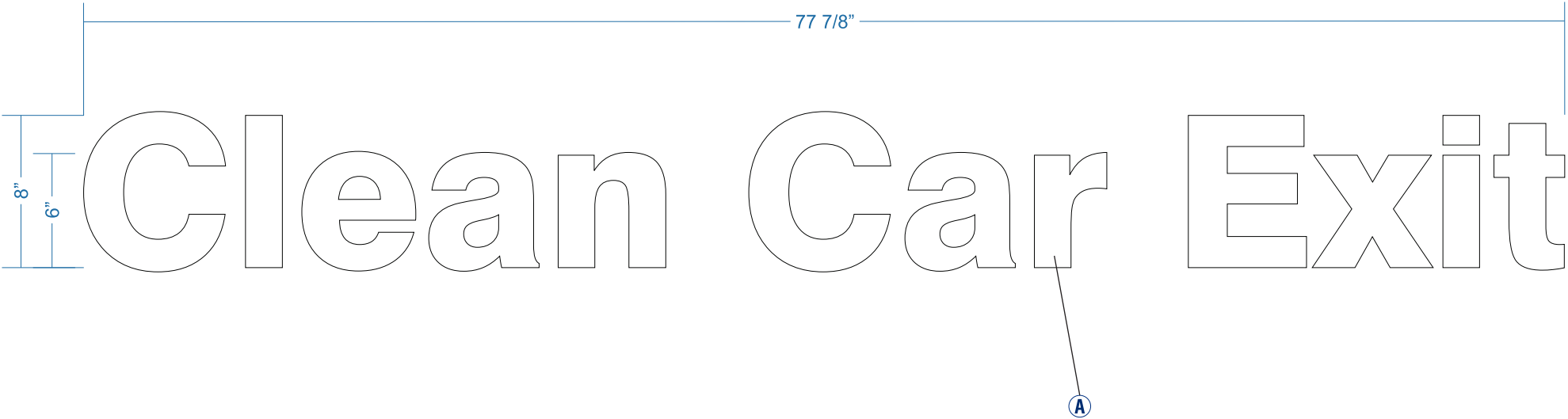
STRUCTURE
BODY - STAINLESS STEEL BODY WITH BAFFLES
RETAINERS - 1" STAINLESS STEEL TO MATCH SPECS
DEPTH - 5"
LEDS - PRINCIPLE IP68 WHITE

FACES
MATERIAL - 3/16" CLEAR ACRYLIC
VINYL - MATCH SPECS

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EC11



FABRICATE AND INSTALL QTY 1 NON-ILLUMINATED LETTER SET

FACES - 1" WHITE PVC PAINTED TO MATCH SPECS

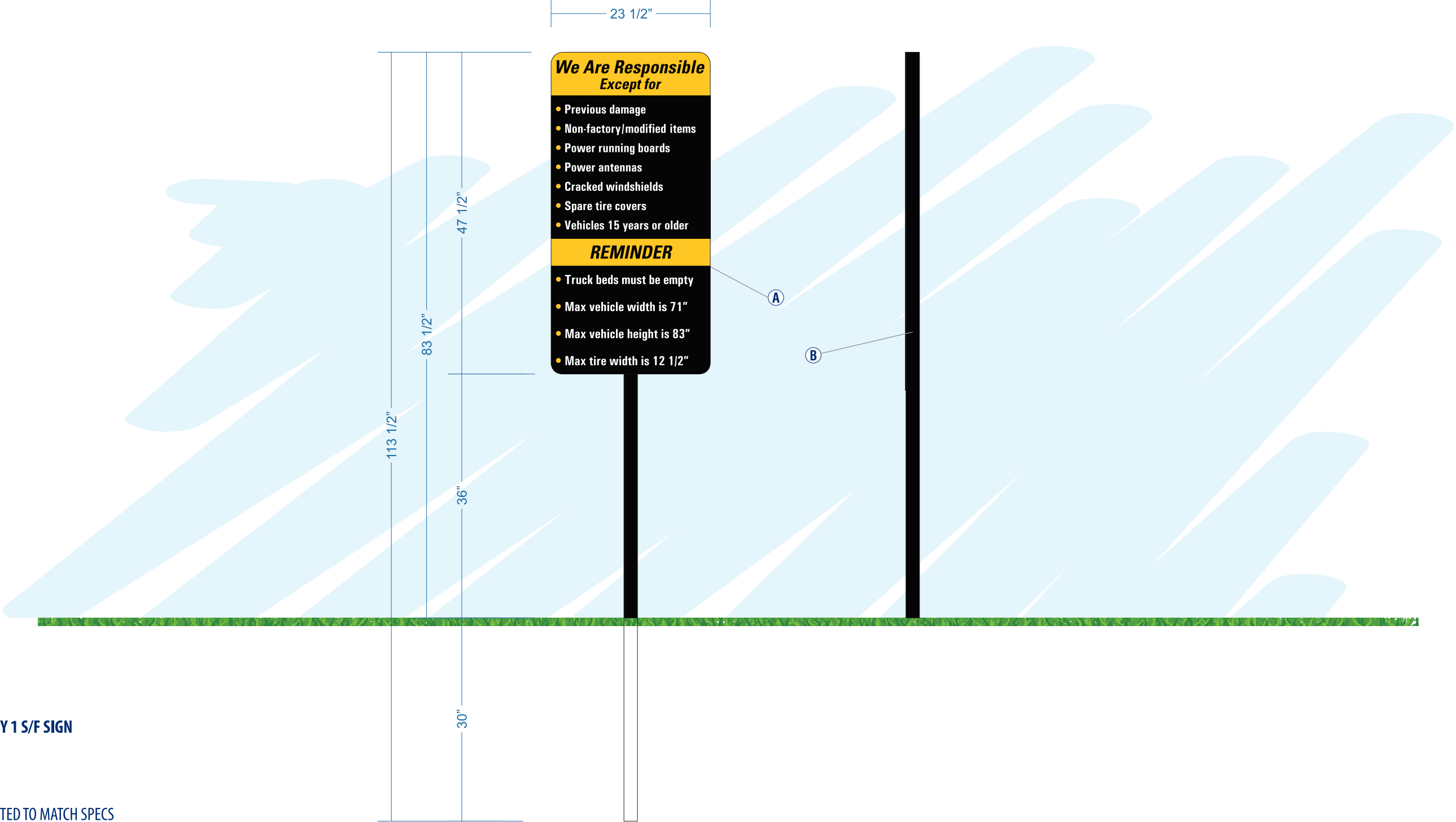
INSTALLATION - MOUNTED FLUSH TO FASCIA

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PHOTO SCALE: 1/16" = 1' - 0"



FABRICATE AND INSTALL QTY 1 S/F SIGN

FACES - 3MM BLACK DIBOND

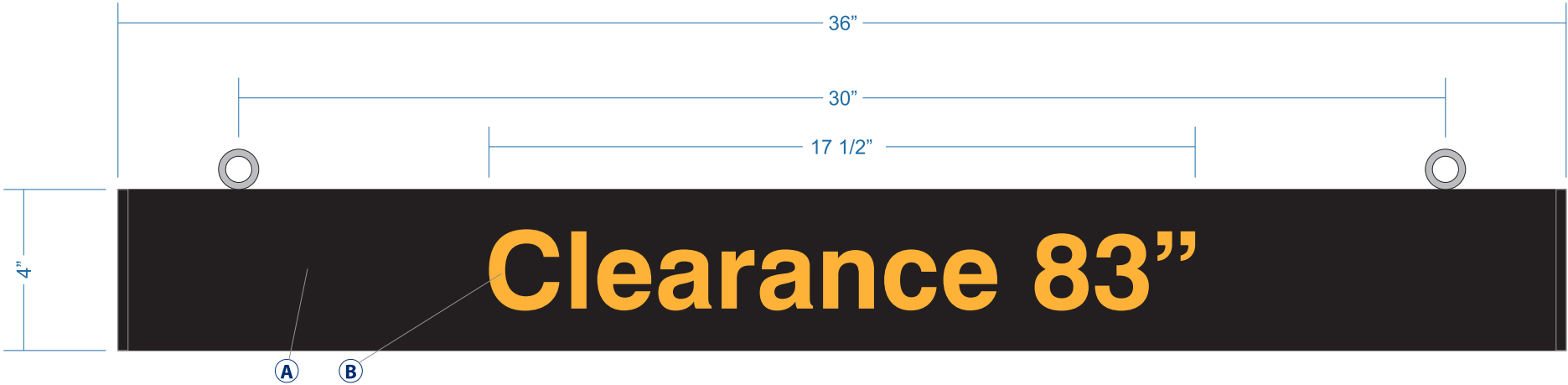
VINYL - MATCH SPECS

POST - 2" SQ ALUMINUM PAINTED TO MATCH SPECS

INSTALLATION - FACE MOUNTED TO POST, POST BURIED INTO GRADE

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FABRICATE AND INSTALL QTY 1 S/F CLEARANCE BAR

- MATERIAL – 4" ROUND PVC PIPE WITH CAPS ON ENDS AND PAINTED TO MATCH SPECS
- EYE HOOKS – STAINLESS STEEL
- VINYL – TO MATCH SPECS

INSTALLATION – HUNG WITH AIRCRAFT CABLE 83" ABOVE GRADE

- A

B

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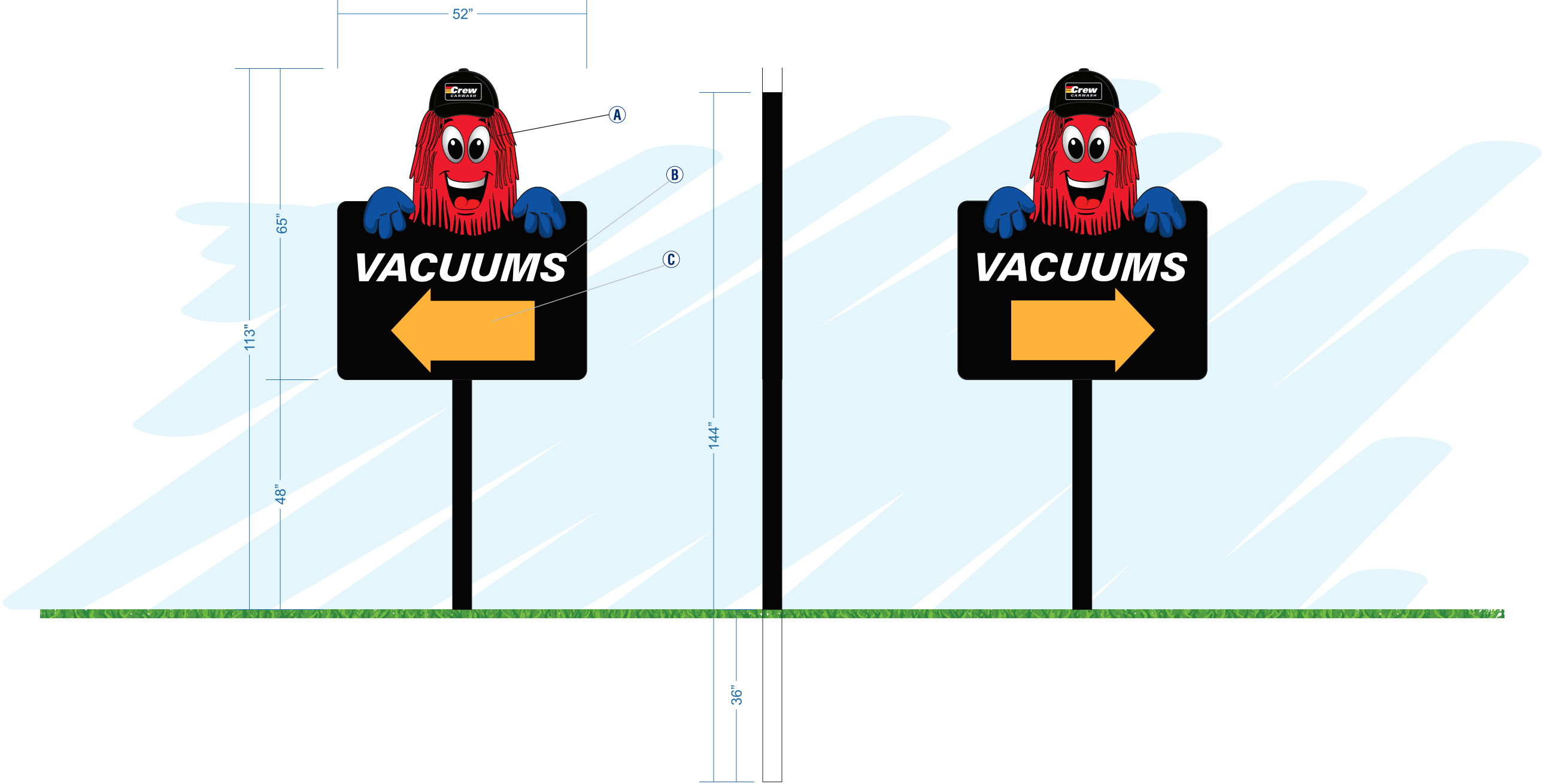
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- F

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FABRICATE AND INSTALL QTY 1 D/F VACUUM SIGN

FACES - 3MM BLACK DIBOND

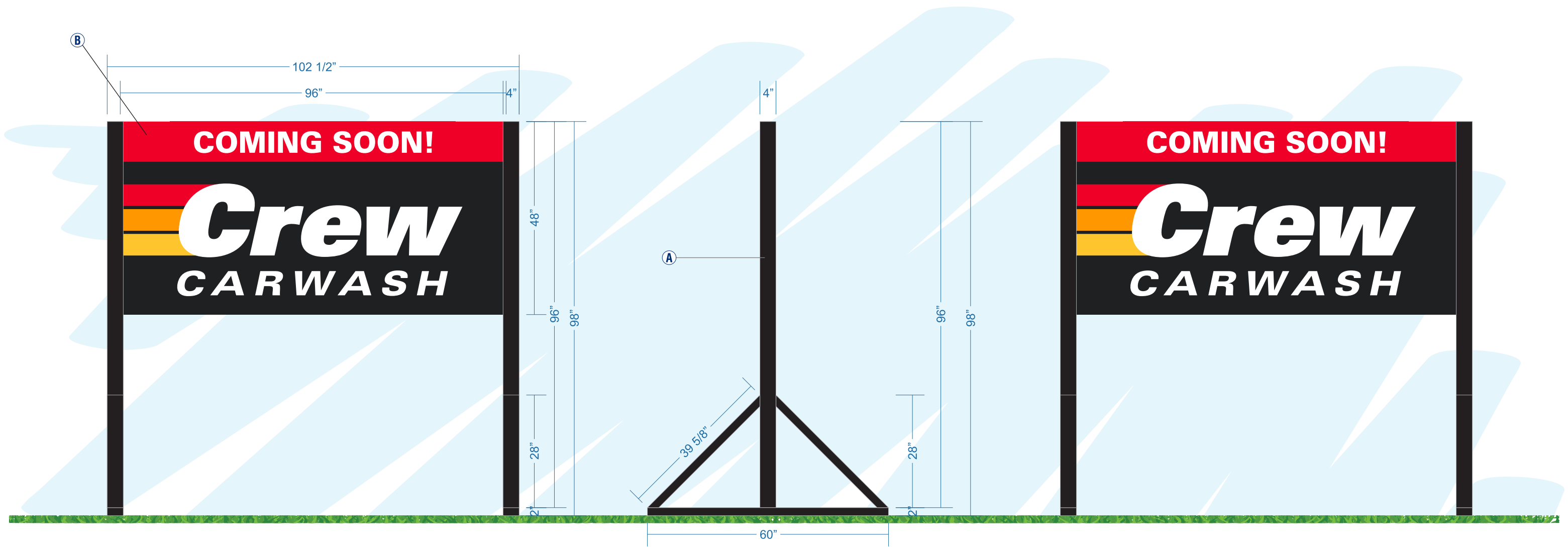
VINYL - MATCH SPECS

POST - 4" SQ ALUMINUM PAINTED TO MATCH SPECS

INSTALLATION - FACES MOUNTED TO POST, POST BURIED INTO GRADE

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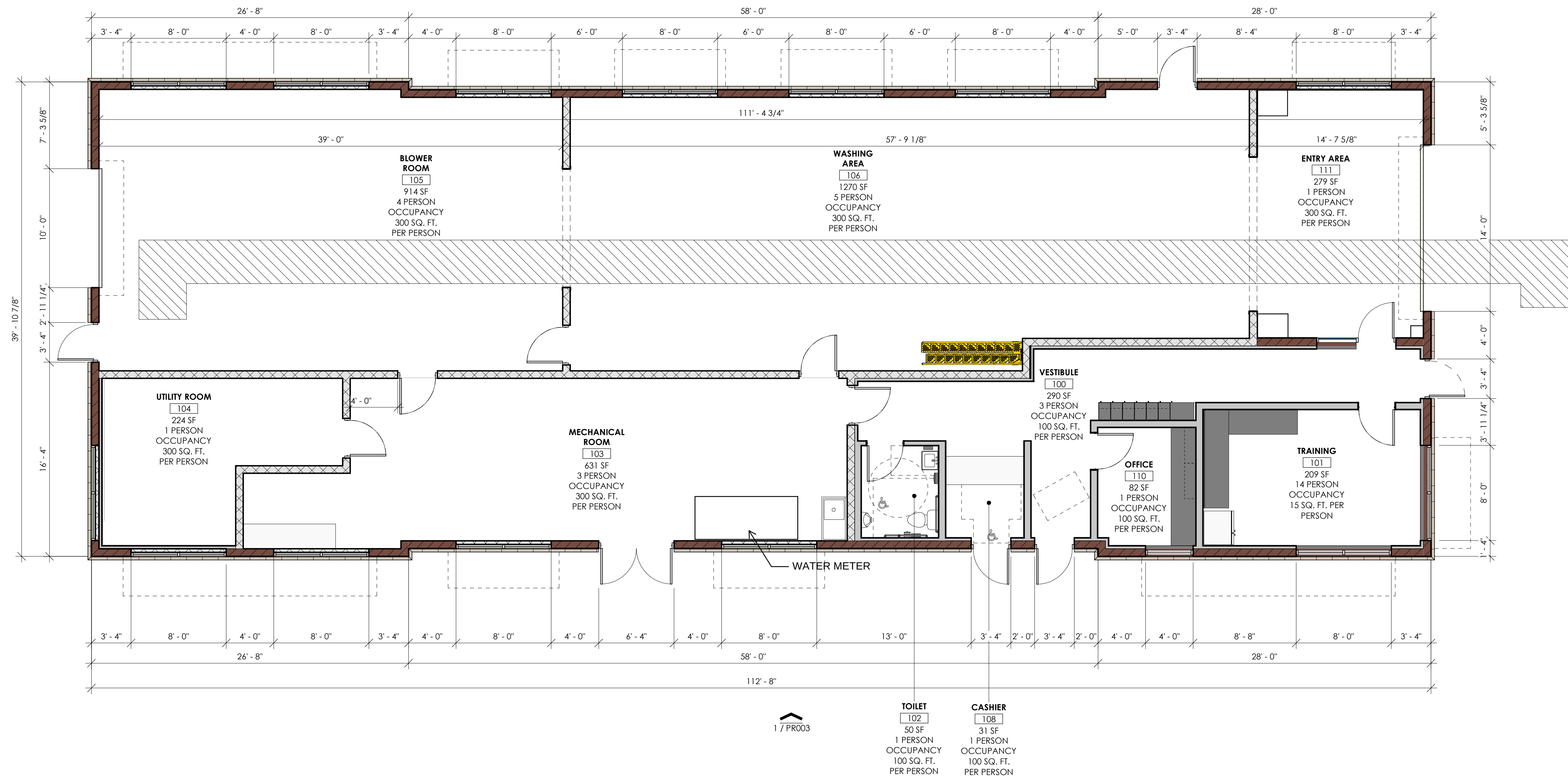
FABRICATE AND INSTALL QTY 1 D/F STANDING SIGN POSTS W/ SANDBAGS

FACES - 1/2" ALUMCORE PRINTED TO MATCH SPECS

POSTS - QTY 3 - 10' 2x4 TREATED WOOD PAINTED TO MATCH SPECS
QTY 2 - 8' 4x4 POSTS PAINTED TO MATCH SPECS

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BUILDING FLOOR PLAN

CREW CARWASH, INC
N96 W17500 COUNTY LINE RD.
GERMANTOWN, WI 53022



NORTH

04/29/2024

PRO2024

3/16" = 1'-0"



Solutions by Design Since 1937

CUP # -2024 Document No.	CONDITIONAL USE PERMIT Document Title
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN CONDITIONAL USE ZONING PERMIT	
Whereas the Applicants: Crew Carwash, Agent for Nomies Investments 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 carwash facility from the property located at N96 W17500 County Line Road pursuant to Section 17.32(3)(g) of the Village Zoning Code.	
Name & Return Address: Village of Germantown P.O. Box 337 Germantown, WI 53022	
Parcel Identification No: GTNV 334-990	

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

That part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 33, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows, viz: Commencing at the Southeast corner of said Section; thence North 89° 51'00" West, 1321.30 feet; thence North 00° 24'00" West, 440.70 feet; thence South 84° 15'00" East, 201.16 feet to the place of beginning of this description; thence North 00° 24'00" West, 219.05 feet; thence South 84° 15'00" East, 200.00 feet; thence South 00° 24'00" East, 219.05 feet; thence North 84° 15'00" West along the Northerly right of way of road, 200 feet to the place of beginning.

Tax Key No: 334-990

Address: N96 W17500 County Line 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, project narrative dated February 12, 2024, and supporting site plan documents dated January 12, 2024, and February 12, 2024. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Sunday through Saturday 7:00am to 9:00pm).
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.

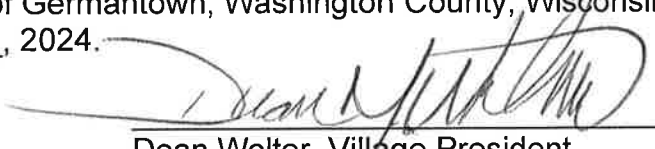
Conditional Use Permit (CUP)

Crew Carwash, Agent for Nomies Investments, Property Owner

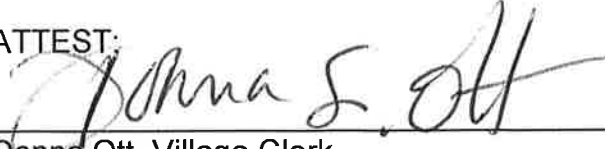
Page 2 of 4

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. 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.
6. Building permits and commercial building code plan approval are required for the planned demolition of existing structures on the site and the proposed building and kiosk. Contact SAFEbuilt staff in Inspection Services at Village Hall prior to any work for information about required permits and/or plan approvals.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the 15th day of April, 2024.

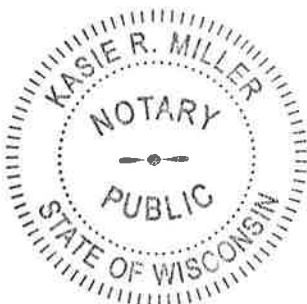

Dean Wolter, Village President

ATTEST:


Donna Ott, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this 24th day of April, 2024, the above named Dean Wolter, Village President, and Donna Ott, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.



Kasie R. Miller
{type or print name of Notary on this line}


{signature of Notary on this line}

Notary Public, State of Wisconsin

My Commission Expires: 05/03/2025

ACCEPTANCE OF TERMS AND CONDITIONS BY OPERATOR

As agent for the business owner/operator, Crew Carwash, 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 _____, 2024

Agent for Crew Carwash

STATE OF WISCONSIN) SS
_____) COUNTY)

Personally came before me this ____ day of _____, 2024, 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, Nomies Investments 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 _____, 2024

Agent for Nomies Investments LLC, Property Owner

STATE OF WISCONSIN) SS
_____) COUNTY)

Personally came before me this ____ day of _____, 2024, 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

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, April 8, 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.*
The meeting was called to order by Planning Assistant Lori Johnson at: 6:47pm.
MOTION Shadid second Laszewski to appoint Trustee Baum as Chairman Pro-tem.
MOTION carried unanimously.
- II. **ROLL CALL:**
Plan Commission members present were: Trustee Rep David Baum, Commissioners Tony Laszewski, Peter Nilles, Bob Williams, Bill Shadid and Josh Tarantino. Chairman Dean Wolter was absent and excused. Also present were Community Development Director Jeff Retzlaff and Planning Assistant Lori Johnson.
- III. **APPROVAL OF MINUTES:**

A. March 11, 2024
MOTION Shadid second Laszewski to Approve the minutes from March 11, 2024.
MOTION carried unanimously.
- IV. **NEW BUSINESS:**

A. Public Hearing regarding a proposed amendment of the Project Plan for Tax Incremental District (TID) No. 7 and a proposed amendment of the Project Plan for TID No. 8 followed by consideration and possible action on a Resolution Approving an Amendment to the Project Plan for TID No. 7 and consideration and possible action on a Resolution Approving an Amendment to the Project Plan for TID No. 8. (PUBLIC HEARING & ACTION)
Director Retzlaff announced Phil Cosson, Ehlers, who gave a presentation on the proposed amendments to TIF #7 and #8.
Public hearing opened at 7:09 pm.
Comments were received from:
- Katie Kautz, N135 W20647 Meadowlark Lane
- Sarah Larson - W159 N9739 Butternut Road
- Melanie Smythe - N140 W17938 Cedar Lane
- Scott Hefle, W159 N10514 Old Farm Road
- Jan Miller, PO. Box 837
Public hearing closed 7:25 pm.

Discussion followed. Commission members provided the following comments:

- Trusee Baum explained the Richfield water project will put a water line under Rockfield Road and tear up the road. So while the road is open, it was decided to put in the sewer line at the same time so that when the road is paved its fresh. The eastern half of Rockfield Road up to Goldendale is torn up and needs to be repaired, but nothing east of Goldendale will be done.
- What does the Village get when the TID closes and what more do we get because of the amendment. Mr. Cosson explained.
- What is the benefit to the Village when a TID closes.
- Can we setup neighborhood citizen meetings.
- TID 7 work - while Freistadt Road is torn up with water and sewer going in, it comes in to Freistadt Road east to Goldendale and ties back into the system. So while Freistadt Road is torn up should we run sewer and water west to the interstate while we rebuild the whole road.
- How will the railroad crossing affect what we want to do. The need for the additional improvements along Freistadt Road will go in whether or not the crossing is approved because the Freistadt district will develop. The timing coincides with the Richfield improvements.
- What decision is made when to close out TID 8 and what happens to the cumulative cash flow when the TID closes
- How do we know the roads are sized appropriately if the planning hasn't been completed
- Administrator Kreklow provided an update on the railroad crossing and the timing of the project.

MOTION Laszewski second Nilles to Approve the proposed Resolutions for TID No. 7 and TID No. 8.

MOTION carried 4-2 (Shadid, Tarantino)

- B. Crew Carwash, Agent for Nomies Investments, LLC, Property Owner - N96 W17500 County Line Road. Conditional Use Permit (CUP) and Site Plan Applications for redevelopment of the property for construction of a new 4,500 sqft self-serve carwash. (PUBLIC HEARING & ACTION)

Director Retzlaff summarized the proposal.

Public Hearing opened at 8:05 pm

- Brian Randall, Attorney with Amundsen Davis, 111 E. Kilbourn Avenue, Milwaukee, spoke on behalf of Crew Carwash. He stated the conditions of approval have been reviewed and indicated they can work with them. He explained the current gas station has a car wash but it will be demolished and the site reconfigured for the proposal.

- Melanie Smythe, W140 N17938 Cedar Lane commented on the building.

Public hearing closed at 8:08 pm.

MOTION Shadid second Williams to Approve the Conditional Use Permit (CUP) application for Crew Carwash for the construction and operation of a self-serve car wash facility on the property located at N96 W17500 County Line Road 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) application, project narrative dated February 12, 2024, and supporting site plan documents dated January 12,

2024, and February 12, 2024. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Sunday through Saturday 7:00am to 9:00pm).

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. 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.
6. Building permits and commercial building code plan approval are required for the planned demolition of existing structures on the site and the proposed building and kiosk. Contact SAFEbuilt staff in Inspection Services at Village Hall prior to any work for information about required permits and/or plan approvals.

Discussion followed. Commisisoner Shadid questioned what happens with the underground gasoline tanks. Travis Smith, Crew Carwash, said the State of Wisconsin has strict regulations how that is handled. Trustee Baum added they will need a closeout document that notifies the State. Discussion continued.

MOTION carried 5-1 (Nilles)

MOTION Shadid second Williams to Approve the site development and building plans submitted by Crew Carwash for a 4,512 sqft self-serve carwash facility w/ 345 sqft kiosk & canopy located at N96 W17500 County Line Road 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:

1. *Architectural plans dated January 12, 2024;*
2. *Civil Engineering plans dated February 12, 2024;*
3. *Landscaping plans dated February 12, 2024;*
4. *Lighting plans (photometric plan) dated February 12, 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 landscaping shall be shown in a revised landscape plan review and approved by the Village Forester, including:
 - a. along the north property to reasonably replace the existing screen hedge.
 - b. Per municipal code 17.43(c) around the perimeter of the site with plantings along the east boundary, the northwest, or southwest corners of the property.
3. The mulch in the landscaping beds shall be wood mulch and not decorative stone.
4. Tree planting detail on sheet C1.4 shall be revised to include that root flare should be left exposed, moss/mulch line should be at or just below top of root ball.
5. The following tree species shall be substituted for the two (2) *Acer platanoides* and the two (2) *Pyrus calleryana* 'Jaczam'. The Village has many Maple (*Acer*) trees and would benefit from an increased species diversity. Also, *Pyrus calleryana* has the potential to establish as an invasive tree species in Wisconsin. Acceptable substitutes: Common Hackberry (*Celtis Occidentalis*), Kentucky Coffeetree (seedless) (*Gymnocladus dioicus*), London Planetree (*Platanus x acerifolia*), Tulip tree (*Liriodendron tulipifera*), Oak spp. (*Quercus*)
6. The technical issues and plan revisions identified in the April 3, 2024 memo from the Village Engineer shall be addressed in revised plan sheets and/or supplemental documents as necessary prior to commencing construction activities and issuance of building permits (excluding site demolition, early start site preparation, and footing & foundation installation).
7. 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 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.

Commissioner Nilles said he was mildly shocked at the amount of pavement proposed with 4 lanes of staging. Travis Smith explained the 4 rows of staging has more to do with the width than the length. He said they found the layout as proposed works best for their customers. Commissioner Nilles thought the circulation is confusing and hard to navigate. Commissioner Laszewski suggested having 2 lanes going out to 4 lanes deep. Director Retzlaff said that wasn't a bad suggestion considering the large tree located on the east side of the property in the vicinity of the proposed light pole. If there were 2 lanes coming in then going to 4 lanes past the tree, is worth considering. Trustee Baum suggested Crew Carwash work with staff regarding the tree.

MOTION to Amend Laszewski second Tarantino to work with staff to try to preserve the tree by extending the landscape buffering in the southeastern portion of the property out a little bit.

MOTION carried 4-2 (Baum, Nilles)

MOTION to Approve as Amended carried 5-1 (Nilles)

MOTION Shadid second Laszewski to Table the Sign Review.

MOTION carried unanimously.

- C. Village of Germantown Community Development Department - Proposed Text Amendments to Chapter 17 of the Village of Germantown Municipal Code: 17.07 Temporary Uses; 17.08 Definitions; 17.33 M-1 Limited Industrial District; and 17.41 Accessory Uses, Buildings and Structures. (PUBLIC HEARING & ACTION)

Director Retzlaff summarized the proposed text amendments to Chapter 17 of the Municipal Code.

Public hearing opened at 8:27 pm.

Public hearing closed at 8:28 pm.

Commissioner Nilles asked if they should have the draft ordinances which were not included in the packet.

MOTION Shadid second Nilles to Table.

MOTION carried unanimously.

- D. Briohn Building Corp. Agent for Green Bay Packaging, Inc., and AHST 355 LLC, Property Owners - Approximately 52 acres north of Holy Hill Road, east of Hwy. 41, south of Rockfield Road. Site Plan Application for a 270,000 sqft light manufacturing and 12,500 office building. (ACTION)

Director Retzlaff summarized the proposal.

MOTION Shadid second Laszewski to Approve site development and building plans for a 270,000 sqft light manufacturing and 12,500 sqft office facility for Green Bay Packaging Inc. located in the northeast corner of the Holy Hill Road @ I-41 interchange in the Holy Hill Gateway District subject to the following conditions:

1. This approval is conditional and requires the following: (1) the DNR approving the filling of Wetland #3 and Wetland #4 (or determining that the wetlands are artificial); and (2) the Village granting a CUP to encroach into the 25' wetland setback. No permits to authorize construction or building permits should be issued until the wetland fill and 25' wetland setback issues are resolved (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).

2. 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 February 12, 2024;
- b. Civil Engineering plans dated March 18, 2024;
- c. Landscaping plans dated March 18, 2024;
- d. Lighting plans (photometric plan) dated February 9, 2024

3. 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.

4. 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.
5. All issues, both minor technical/plan corrections and major access and grading issues identified in the April 4, 2024 review memo from the Village Engineer shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment, and approval prior to commencing construction or issuance of building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).
6. Pursuant to Section 17.43(6) of the Zoning Code (Site Plan Requirements), the Village and GBP should enter into a "Development Agreement" for purposes of addressing the major issue raised in the Village Engineer's April 4, 2024 review memo, including but not limited to the access-related intersection re-construction, public road realignment & re-construction, traffic signal installation at the Holy Hill Road driveway intersection proposed for GBP.
7. The following issues identified by the Village Forester shall be addressed as part of a revised landscape plan submitted for review and approval prior to commencing construction or issuance of building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).
 - a. Sheet L2.02. Per municipal code 17.43(c) – Interior parking lot landscaping shall include one 2" caliper tree for every ten parking spaces. The current for the west parking lot does not meet this requirement. More trees are required.
 - b. Sheet L2.03. Per municipal code 17.43(c) – Interior parking lot landscaping shall include one 2" caliper tree for every ten parking spaces. The current plan for the north parking lot does not meet this requirement. More trees are required.
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.

Discussion followed. Paul Karas, Attorney for Noby Richfield and Rajan Shrestha, owner, reviewed issues they have related to the proposal. He said the owner has a concern the gas trucks will have trouble making the sharp turns into the gas station. They would like the developer to maybe make the road wider or a different angle. The other problem is access during construction. Mr. Shrestha is hoping to get some sort of assurance that the access from Holy Hill Road on the temporary basis during construction will be sufficient. Director Retzlaff stated the Village Engineer has identified in his review memo one of the things to be sorted out and specifically addressed in the developers agreement is the provision of a construction sequencing plan that provides uninterrupted access for the gas station which is item #3 under the Village Engineer comment section and in Condition#5 of the site plan conditions. These conditions would need to be sorted out before a building permit is issued. Trustee Baum explained the developer will sign a legal document with the Village and

will indicate how they will provide uninterrupted access for the gas station while under construction.

MOTION carried unanimously.

- 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 resident spoke:

- Melanie Smythe, N140 W17938 Cedar Lane.

- VI. **ANNOUNCEMENTS:**

There is a joint Plan Commission/Economic Development Meeting scheduled for April 22nd regarding the residential market analysis.

- VII. **ADJOURNMENT:**

The meeting was adjourned at: 8:50 pm.

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Action Item

ITEM TITLE: Refund Conditional Use Permit (CUP) Application Fee to Greg Kamyszek, Agent for BioResearch Associates Inc.

SUBMITTED BY:

SUMMARY EXPLANATION:

BioResearch Associates Inc. submitted a conditional use permit (CUP) application and fee in the amount of \$1,460 on June 12, 2023, for the purpose of operating a dental material research, sales and marketing business that includes a circuit board assembly and testing operation. Following Plan Commission review in August 2023, the CUP application was withdrawn.

ATTACHMENT:

1. BioResearch CUP Application-6-12-23

STAFF RECOMMENDATION:

ACTION BY Committee:



Fee must accompany application

\$1460 Paid *[Signature]* Date *6/12/23*

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

1 APPLICANT OR AGENT

Greg Kamyszek - CEO
 BioRESEARCH Assoc. Inc.
 4555 W. Schroeder Dr. #100
 Brown Deer, WI 53223
 Phone (414) 357-7525
 Fax ()
 E-Mail gregk@bioresearchinc.com

PROPERTY OWNER

Gerald m Grosenick revocable trust

 Phone 2625739334
 lwantjerry@gmail.com

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

BioRESEARCH Assoc. Inc.

3 PROPERTY ADDRESS

W157N11593 Fond Du Lac Ave, Germantown, WI 53022

TAX KEY NUMBER

GTNV 224009

4 DESCRIPTION OF EXISTING OPERATION

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

Vacant - was Exit Realty sales office

5 DESCRIPTION OF PROPOSED OPERATION

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

17.30(3)ii

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

See attached document
 "Village of Germantown – Conditional Use Permit Application (section 5)"

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

01 11 Assrs Plat NeSe V1602 P483 +DOC1529208

7 SUPPORTING DOCUMENTATION:

- ☐ **Site Plan and elevations for new construction (can be conceptual)**
- ☐ **Photos of existing use and/or proposed use operating elsewhere**
- ☐ _____
- ☐ _____

8 READ AND INITIAL THE FOLLOWING:

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

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

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

GK GME 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 being 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 timeframe.

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

AuthentiSIGN®
Greg Kamyszek
01/12/2023 10:02:40 AM EDT
Applicant

06/12/2023

Date _____

AuthentiSIGN
Gerald M Grasenick
6/9/2023 3:28:15 PM CDT
Owner

06/09/2023

Date _____

VILLAGE OF GERMANTOWN

*** CUSTOMER RECEIPT ***

DATE: 06/12/23 TIME: 11:47:12

DESCRIPTION PAY CD AMOUNT

CONDITIONAL USE 2 1460.00

BIO RESEARCH ASSOC 26469

TOTAL AMOUNT DUE 1460.00

AMOUNT TENDERED 1460.00

CHANGE DUE .00

TRANS #: 2 CASHIER CODE: 006

BATCH #: C230612 REGISTER ID: 004

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Action Item

ITEM TITLE: Discussion and Possible Action related to enforcement of the Outdoor Entertainment Permit

SUBMITTED BY: Brian Sajdak, Attorney, Donna Ott, Village Clerk

SUMMARY EXPLANATION:

The Village Board adopted Ordinance No. 02-2025 on January 6, 2025, which related to the regulation of noise within the Village. The ordinance included the creation of a new permit for outdoor entertainment (e.g., bands, amplified music, etc.). As is the standard, by its terms the ordinance became effective on the day after its publication—in this case, January 30, 2025. This effective date makes sense because, in addition to the new permit, the ordinance also amended various noise regulations and standards. As part of the approval process, the Board also requested a future amendment to the outdoor entertainment provisions to clarify the revocation/discipline process, which were ultimately adopted on March 17.

As it relates to the Outdoor Entertainment Permit, the ordinance provides for an annual permit year that runs from July 1 to June 30, which matches the license year for alcohol licenses. As part of the alcohol renewal process, renewal applications were sent out to existing license holders. For the first time, this renewal packet included the application for the Outdoor Entertainment Permit. For applicants who may have not been aware of the code change in January and the requirement for the permit, this communication was the first time they became aware of the permit requirement. As of writing this summary, we have had one license holder ask whether they needed a permit for events prior to July 1. There may also be some level of confusion among applicants as to whether the permit requirement kicks in July 1 or if it was before that date, which led some to not apply earlier.

Under the ordinance, the answer is yes. Outdoor entertainment permits became required for any outdoor entertainment occurring on or after January 30. The code also requires mailed public notice of an application at least 15 days before consideration of the application by the Public Safety Committee. Accordingly, unless the Public Safety Committee holds a special meeting, the earliest a permitted event could take place following an application that was filed today would be June 3rd. Thus, anyone who wishes to hold an event in April or May would be unable to do so. Based upon the ordinance, this is the status quo, or existing plan of operation, from staff's perspective.

Thus, the question before the Board is whether staff should enforce the permit requirement prior to July 1. NOTE: This discussion relates only to the enforcement of the permit. Even if the permit requirement is not enforced, any business holding an outdoor event would nonetheless be required to comply with the other noise

regulations. Options the Board would have:

1. Enforce the existing permit requirement — No change.
2. Direct staff to suspend enforcement of the permit requirement until July 1. — Anyone who has an event prior to that would not be subject to citation/enforcement for lacking the permit. This may have been the understanding of some Trustees and/or business owners.

In addition to any of the above, the Board could decide to allow for any annual permit applications to be effective from the date of issuance until June 30, 2026. This would avoid the double annual permit fee for those applicants who wish to hold events between now and June 30, 2025 and also wanting to hold annual events between July 1, 2025 through June 30, 2026. In other words, they would only need one permit application.

ATTACHMENT:

STAFF RECOMMENDATION:

Based upon the argument that the mailing of renewal applications may be the first notice some businesses received of the permit requirement, staff recommends suspending enforcement of the permit requirement until July 1. This is the cleanest and easiest method for staff and applicants. Staff also recommends making annual permits issued valid until June 30, 2026 to avoid double annual fees for these first permits issued.

ACTION BY Committee:

RESOLUTION NO. 06-2025

A RESOLUTION ESTABLISHING A 2025 FEE SCHEDULE FOR WEIGHTS & MEASURES
DEVICES REQUIRED UNDER SECTION 12.26 OF THE MUNICIPAL CODE

WHEREAS, The Village of Germantown and the Wisconsin Department of Agriculture, trade and Consumer Protection (DATCP) entered into a annually-renewing Memorandum of Agreement where both agencies agree that DATCP will furnish the services and perform the duties of sealers of weights and measures on an annual basis over a license period from July 1 to June 30 under Chapter 98.04, and that the Village will pay DATCP annually an amount necessary to cover the cost of such services no later than May 1 of the fiscal year; and

WHEREAS, the cost to DATCP for providing services to the Village of Germantown for the next license period (July 1, 2025 to June 30, 2026) is \$5,250; and

WHEREAS, the cost to the Village of Germantown for providing administrative services for the next license period (July 1, 2025 to June 30, 2026) is projected to be not less than \$1,650; and

WHEREAS, it is required under Section 12.26(7) that the Village Board establish a schedule of fees for each type of weighing and measuring device used for the purpose of computing a charge or payment for service rendered based on weight or measure within the Village of Germantown; and

WHEREAS, on April 21, 2025, the Village's General Government & Finance Committee did review and recommend approval of the proposed Weights & Measures Fee Schedule set forth in Exhibit 1 attached hereto; and

WHEREAS, the proposed fees were calculated by taking the total cost of the Weights and Measures program and dividing the same by the total number of anticipated licenses;

NOW, THEREFORE, BE IT RESOLVED that the Weights & Measures Fee Schedule attached hereto as Exhibit 1 is hereby established for licenses issued for the license period from July 1, 2025 to June 30, 2026.

Adopted: April 21, 2025

Robert A. Soderberg, Village President

ATTEST:

Donna Ott, Village Clerk

EXHIBIT 1
WEIGHTS AND MEASURES DEVICE
FEE SCHEDULE
JULY 1, 2025 - JUNE 30, 2026

Device Type	Fee Per Device
Vehicles Scales	\$53.00
Small Capacity Scales 0-30#	\$11.00
Large Capacity Scales 31-1000#	\$25.00
Point of sale Scanner Combo	\$14.00
Liquid Measuring Device (LMD)	\$11.00
Late Fee (per License)	\$100.00
Administrative Cost (per License)	\$50.00

BUSINESS OF THE VILLAGE BOARD

MEETING DATE: April 21, 2025

PLACEMENT: Action Item

ITEM TITLE: Collective Bargaining Agreement Between Germantown Professional Police Association Local 306 and the Village of Germantown. The Village Board may convene into closed session pursuant to Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as the Board deems appropriate.

SUBMITTED BY: Steve Kreklow, Administrator

SUMMARY EXPLANATION:

The Village negotiating team, consisting of Police Chief Pat Merten, Ryan Heidan from Von Briesen law firm and me, reached a tentative agreement with the Germantown Professional Police Association Local 306. The tentative agreement came after several negotiating sessions and during a formal mediation. A copy of the tentative agreement is attached. The agreement covers three years and provides Local 306 members with across-the-board 4% pay increases in 2025, 2026 and 2027. The resulting cost increases for salaries for union members would be \$138,000 in 2025, \$143,000 in 2026 and \$150,000 in 2027. If the same increases were applied to Police Department command staff, the resulting increases for all sworn personnel would be \$215,000 in 2025, \$223,000 in 2026 and \$233,000 in 2027. The 2025 budget includes funding for a 3% increase. The difference can be funded with unspent salary funds from positions that were added through the 2024 referendum but have not yet been filled. Any remaining unspent salary dollars should be reserved at the end of 2025 to help offset the costs of the 2026 and 2027 salary increases.

In my opinion, this Tentative Agreement represents the deal the Village could negotiate under current State collective bargaining laws and I recommend that the Board approve it. However, I also have to point out that the agreement sets the Village on a financially unsustainable course. Over the past eight years, the Village's levy limit has increased by an average of 2.38% and has only hit the 3.00% mark twice. The cost of increases in police salaries will likely consume the entire legal levy increase for the Village in each of the next three years. Many other municipalities in Wisconsin are on a similar course and the State government will have to either make changes to the financial structure of municipalities or many municipalities will see significant reductions in services.

If the Village Board does not approve the tentative agreement, the next step in the process of negotiations would be binding arbitration. Under binding arbitration, each side submits a final and best offer to an arbitrator. The arbitrator selects one of the submittals and both sides are required to comply with the agreement. If the Board decides to go this route, it is possible that the proposal selected by the arbitrator is

more costly than the tentative agreement.

Wis. Stat. § 19.85(1)(e) authorizes the Village Board to convene in closed session for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. In this case, the Board is being asked to accept the tentative agreement. If the Board desires to accept the recommendation to accept the agreement, it can do so without going into closed session. If the Board decides to reject the tentative agreement, the Board could go into closed session to provide guidance to the bargaining team with respect to the final and best offer to be submitted to the Arbitrator. This discussion would be in closed session so as to avoid the Union from obtaining the Board's position before submission of their offer, which could allow the Union an unfair advantage in making their offer.

ATTACHMENT:

1. TAs between Village of Germantown and Police Association for Successor CBA to 2022-2024 CBA - Police

STAFF RECOMMENDATION:

Approve Collective Bargaining Agreement between Germantown Professional Police Association Local 306 and the Village of Germantown.

In the alternative, the Village Board may enter into closed session to discuss this claim, if needed, which would be accomplished with a motion to convene into closed session as per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

ACTION BY Committee:

April 14, 2025

**TENTATIVE AGREEMENTS BETWEEN
VILLAGE OF GERMANTOWN AND
GERMANTOWN PROFESSIONAL POLICE ASSOCIATION, LOCAL 306
FOR A SUCCESSOR AGREEMENT
TO THE 2022-2024 COLLECTIVE BARGAINING AGREEMENT**

1. **ARTICLE IV – SALARIES, Section 4.03.** Revise as follows:

Section 4.03: Employees assigned as a Field Training Officer shall receive an additional ~~one dollar (\$1.00)~~ two dollars (\$2.00) per hour for every hour performing the duties of a Field Training Officer.²²

2. **ARTICLE V – OVERTIME, Section 5.01.** Revise as follows:

Section 5.01 – Overtime: Overtime is any time worked by an employee at the direction of the Village in excess of the normally scheduled workweek or workday. Employees working overtime shall be compensated for such time at a pay rate of time and one-half (1-1/2) based on their normal hourly rate of pay. Overtime will be computed at the nearest highest quarter hour. Employees who are called in prior to their regularly scheduled shift shall be allowed to complete their full regular shift unless mutually agreed otherwise. Subject to the limitations set forth elsewhere in this Agreement, there shall be no limit on the amount of overtime an employee may volunteer for, including double shifts.

3. **ARTICLE V – OVERTIME, Section 5.03.** Revise as follows:

Section 5.03 - Court Overtime: Employees who appear for court outside their normal work shift shall receive a minimum of two (2) hours' pay ~~or work~~ at time and one-half (1-1/2). Any court time in excess of two (2) hours shall be paid out at the rate of time and one-half (1-1/2) ~~for the actual time worked.~~ After dismissal from court, the employee shall contact the on-duty supervisor by phone for assignment. Retirees who retired from the Germantown Police Department in good standing and are subpoenaed to testify on behalf of the City will be paid an hourly rate (minimum of two hours) to comply with the subpoena, at the retiree's pay rate last in effect when the retiree retired. A retirement in good standing shall require active receipt of retirement benefits from the Wisconsin Retirement System and shall not include an officer who retires amid investigation or in lieu of disciplinary action.

4. **ARTICLE V – OVERTIME, Section 5.06.** Revise as follows:

[. . .] If an employee trades a shift with another employee and the trade is approved by a supervisor, the employee initially scheduled by the Department to work is no longer responsible for their original shift. If the employee who accepts the trade takes sick leave on the traded day, the original employee scheduled to work that shift shall not be required to do so. The shift shall be filled in accordance with the Department's officer staffing

procedure set forth in Section 5.07 of this Agreement, and the employee who took sick leave will have to use time from their sick bank.

5. **ARTICLE V – OVERTIME, Section 5.07.** Delete Subsection (1) and renumber remaining subsections of 5.07 to get rid of relief car shift.
6. **ARTICLE VI – WORK DAY AND WORK WEEK, Section 6.03.** Revise Section 6.03 as follows:

[. . .] The power shift shall be the same as second shift for purposes of ~~vacation selection~~ and shift vacancy replacement under Section 5.07. The power shift shall be ~~the same as second shift~~ treated as its own shift for purposes of vacation selection.

7. **ARTICLE X – VACATIONS.** Revise as follows:

Section 10.01: Vacations shall be granted to all employees and shall be taken in the anniversary year in which they accrue on the following basis:

After one (1) full year of service ~~ten (10) work days~~
After seven (7) years of service ~~sixteen (16) work days~~
After fifteen (15) years of service ~~twenty (20) work days~~
After twenty (20) years of service ~~twenty-five (25) work days~~

<u>Years of Service</u>	<u>Vacation Days</u> <u>(up to a maximum</u> <u>earned per year)</u>	<u>Vacation hours</u> <u>(up to a maximum</u> <u>earned per year)</u>	<u>Accrual Rate</u> <u>(Hrs/Pay</u> <u>Period)</u>
<u>0-6 full years of service</u>	<u>10 work days</u>	<u>85 hours</u>	<u>3.27</u>
<u>7-14 full years of service</u>	<u>16 work days</u>	<u>136 hours</u>	<u>5.23</u>
<u>15-19 full years of service</u>	<u>20 work days</u>	<u>170 hours</u>	<u>6.54</u>
<u>20+ full years of service</u>	<u>25 work days</u>	<u>212.5 hours</u>	<u>8.17</u>

Section 10.02: ~~At termination of employment, vacation shall be prorated and paid to the employees.~~ Vacation is earned by anniversary and will start accruing the day of hire and be calculated according to the chart above, prorating the first accrual based on start date and on a per pay period basis thereafter. No vacation time is accrued during pay periods where the employee uses unpaid leave or is not on payroll for the full pay period. In accordance with Section 10.03, employees may request to use unaccrued vacation during the course of the anniversary year it was accrued. It is possible that an approved vacation request could create a “negative” balance – where an employee requests more hours than they have accrued at the current time. In those situations, that employee is responsible for repayment of any paid vacation hours, should they subsequently leave employment or fail to accrue vacation before those

used hours are accrued. At retirement or separation of employment with the Village, the eligible employee will be paid out any additional documented vacation they have accrued as well as the annual vacation accrued, using the following formula: Annual Hour Allotment/26 pay periods x # of pay periods from anniversary to retirement/termination date.

Example: Employee Abbie was hired on January 10th and her first paycheck is February 1st. On that paycheck, she will see that she accrued 3.27 hours. After 1 year of service, this will come out to 85 hours. This will continue until the day she either resigns or retires at which point the hours documented on her time sheet will accurately state the hours she will be paid out on her last paycheck.

Section 10.03 - Vacation Schedules: ~~Vacations may be taken throughout the calendar year.~~ Vacation schedules shall be determined by seniority and shift on a rotating basis until March 15th. Thereafter, employees shall select remaining vacation days by date of application. Employees shall have the option of taking single vacation days in increments of not less than one (1) hour. Employees who request single vacation days shall do so as soon as possible to the Chief of Police or his designated representative. Vacation leave accruals will be capped at the applicable, maximum vacation accrual set forth herein, plus 42.50 hours of vacation. If an employee reaches this maximum accrual threshold, they will stop accruing additional vacation until they either use vacation and go below the maximum threshold or they attain enough seniority and their vacation accrual threshold goes up. ~~In the event an employee's vacation is canceled by the Chief or his representative and as a result the employee cannot reschedule his vacation during the calendar year, the employee shall be allowed to carry over the canceled vacation days. The employee must utilize the carried over vacation days prior to April 1st of the following year, unless other arrangements are made.~~ The Chief, at his sole discretion, shall determine the number of employees to be on vacation at any given time. The parties have agreed that Association members shall be allowed to pick their vacations and shall not be denied a vacation because of other non-bargaining unit employees of the Police Department selecting the same day(s) or weeks of vacation.

8. **ARTICLE XII – INSURANCE, Section 12.01.** Delete second paragraph in its entirety, as follows:

~~For employees enrolled in the Silver Plan, the Village will contribute a total annual amount of \$1,250 single/\$2,500 family, made in quarterly installments and only to the extent the employee is employed at the time of the installment, to the employee's HSA savings account.~~

9. **ARTICLE XII – INSURANCE, Sections 12.04 and 12.05.** Delete in their entirety, as follows:

Section 12.05: ~~All employees will be enrolled in the LAW, Inc VEBA Insurance Trust and the Village shall contribute the monthly cost of ten dollars (\$10.00) per month per employee.~~

10. **ARTICLE XIV – SENIORITY CLAUSE, Section 14.01.** Revise as follows:

Section 14.01: Seniority shall be defined as all continuous employment since the last date of hire with the police department or, in the case of new recruits hired on or after January 1, 2025, their Academy graduation date. There shall be two types of seniority; ‘departmental seniority’ and ‘bargaining unit seniority’. Departmental seniority is all time working for the department since the most recent date of hire or, in the case of new recruits hired on or after January 1, 2025, their Academy graduation date, and would be used for all benefits that accrue, such as sick leave, vacation and layoff and recall. Bargaining unit seniority would be defined as that amount of time spent in a classification covered under the collective bargaining agreement. Bargaining unit seniority would be used for shift selection, vacation selection and overtime preference. Employees who leave the bargaining unit and return would not gain any bargaining unit seniority while they were outside of the bargaining unit, but would continue to accumulate department seniority, provided they do not have a break in service. Time spent in the Armed Forces on military leaves of absence, and time lost because of duty-connected disabilities shall be included.

11. **ARTICLE XV – GUARANTEE OF RIGHTS AND PROTECTION, Section 15.01.**

Revise as follows:

Section 15.01. The intent of this guarantee is to protect and preserve the rights of members of the “Association” in matters involving them and the “Employer.” These matters shall include investigations of misconduct involving investigation leading to criminal charges, and the keeping of personnel records. The Department will provide notice of all internal investigations of its members to the Union President. For critical incidents, the Department will provide, within ninety (90) days of the District Attorney’s charging decision, written notice to the Union President as to whether the Department will investigate the matter internally.

12. **ARTICLE XV – GUARANTEE OF RIGHTS AND PROTECTION, Section 15.04.**

Revise as follows:

A non-probationary employee can only be disciplined or discharged for just cause; for discipline not covered under 62.13 of the Wisconsin Statutes, the discipline standard for non-probationary employees shall be reasonableness. Any non-probationary employee who wishes to challenge the discipline shall have the option of using the grievance procedure for discipline not covered under 62.13 of the Wisconsin Statutes.

13. **ARTICLE XVI – PROMOTIONAL PROCEDURE, Section 16.01.** Delete in its entirety, as follows:

~~**Section 16.01.** The Chief of Police and the Association President shall agree to meet prior to any promotion within the bargaining unit and agree to the proper promotional procedure.~~

14. **ARTICLE XVII – GRIEVANCE PROCEDURE, Section 17.03.** Revise as follows:

If the grievance is not settled in Step 3 of the Grievance Procedure, ~~the Association and the Employer shall each select three (3) arbitrators from the staff of the Wisconsin Employment Relations Commission (WERC). From these six (6) arbitrators, five (5) names will be drawn at random, the parties shall request that the Wisconsin Employment Relations Commission (WERC) provide the names of five arbitrators, two of which will be outside (non-WERC) arbitrators and three of which will be WERC arbitrators.~~ The parties will then proceed to alternately strike from that panel until an arbitrator is selected. The parties shall flip a coin to determine who strikes first. The parties shall then make a joint request to the WERC for the appointment of the agreed upon arbitrator. ~~If the WERC does not honor the request for the arbitrator selected by the parties, a request will be made of the WERC to submit a panel of five (5) arbitrators from the staff of the WERC. After the parties have received the panel, they will flip a coin to determine who strikes first and alternately strike names, until one is left.~~ The WERC shall be notified of the selection of the arbitrator within five (5) working days of the selection.

15. **ARTICLE XX – SICK AND EMERGENCY LEAVE, Section 20.07.** Revise as follows:

Except as otherwise permitted by state or federal family and medical leave laws, Regular full-time employees may use up to three (3) days of their accumulated sick leave per year in the event that their presence is required due to a serious illness or serious injury of a member of their immediate family. Immediate family member being defined as follows: His or her spouse, father, step-father, mother, step-mother, child, step-child, brother, sister, mother-in-law, father-in-law, grandchildren or grandparents.

16. **ARTICLE XX – SICK AND EMERGENCY LEAVE, Section 20.08, first sentence.** Revise as follows:

For employees who retire and are eligible to draw a WRS Annuity, the Village will convert fifty-five percent (55%) of their unused accumulated sick leave at the time of their retirement to establish a ~~Vantage-Care~~ Retirement Health Savings Plan (RHS) ~~with ICMA Retirement Corporation and~~ to be used as permitted by the plan and by law. In the event of the participant's death following retirement, then the surviving spouse or eligible dependents may maintain the account and utilize it as permitted by the plan and by law.

17. **POLICY ADOPTION.** The Chief of Police will draft a uniform policy. The Chief of Police will draft a detective and specialty assignment overtime policy.

18. **NOTICE OF EVAPORATION OF PERMISSIVE AND ILLEGAL LANGUAGE SUBJECT TO REMOVAL.** Prohibited subjects evaporate immediately and will not be followed by the Village of Germantown.

The Village has identified the following provisions as constituting permissive subjects of bargaining and, as such, they will be evaporated effective with the expiration of the contract unless the parties agree to retain the language:

ARTICLE XVI – PROMOTIONAL PROCEDURE, Section 16.01.

~~**Section 16.01.** The Chief of Police and the Association President shall agree to meet prior to any promotion within the bargaining unit and agree to the proper promotional procedure.~~

The Village has likewise identified the following provisions as constituting illegal subjects of bargaining and, as such, they will be evaporated from the agreement immediately and will not be followed by the Village of Germantown:

ARTICLE XII – INSURANCE, Section 12.05.

~~**Section 12.05:** All employees will be enrolled in the LAW, Inc VEBA Insurance Trust and the Village shall contribute the monthly cost of ten dollars (\$10.00) per month per employee.~~

19. **ARTICLE XXXIII – DURATION OF AGREEMENT.** Discuss duration of the successor agreement to the agreement expiring on December 1, 2024. The Village of Germantown is willing to consider a three-year collective bargaining agreement, depending on the terms. Section 33.01 to be revised as follows:

The Village and the Association agree to faithfully and diligently abide and be bound by all the provisions of this Agreement. The terms of this Agreement shall become effective on the 1st day of January, 2022 2025 and shall terminate at the close of business through the 31st day of December, 2024 2027. Either party wishing to amend the agreement shall, during the last year of the contract, notify the other party no later than September 1st. Thereafter, the parties, shall mutually agree to a date to exchange proposals and commence bargaining.

20. **APPENDIX A – WAGES.** The Village of Germantown is willing to discuss a fair and equitable wage rate for the duration of the next agreement. The Village proposes a 4.00 % across-the-board wage increase as of January 1, 2025 and a 4.00% across-the-board wage increase as of January 1, 2026, and a 4.00% across-the-board wage increase as of January 1, 2027. The pay increases set forth herein shall not be retroactively applied to former bargaining unit members who, at the time of payment, are no longer employed with the Village.

All tentative agreements remain subject to amendment, modification, or withdrawal until such time as final offers are ratified.