

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, MARCH 17, 2014 7:00 p.m.

LOCATION: Germantown Village Hall Board Room

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **PRESIDENT'S REPORT**
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS:**
The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney and Village Clerk.
- VI. **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**
Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes)
- VII. **CONSENT AGENDA:**
 - A. Minutes – March 3, 2014
 - B. Accounts payable/payroll
 1. March 10, 2014 Accounts payable \$ 474,439.72
 2. March 11, 2014 Payroll (hourly) \$ 219,393.88
 3. March 14, 2014 Payroll (salary) \$ 75,664.85
 - C. Operator Licenses – March 18, 2014 – June 30, 2014
Courtney M. Baumgartner, Catherine Anne Braun, Amber L. Fitzwilliams, Ross D. Hoppe, Kristian K. Lindo, James P. Peterson, Melissa S. Recore, Amanda J. Repka, Nicholas A. Rump, and Sami B. Voss
The following items were forwarded from the Public Works Committee with a unanimous recommendation:
 - D. Standards & Specifications Revisions, Chapter 7 "Storm Water management Requirements" [Recommended Approval]

VII. CONSENT AGENDA continued:

- E. WPDES & MMSD Ch. 13 Annual Report Submittal to WI DNR and MMSD [Recommended Approval]
- F. Payment of Invoice From Boehlke Hardware in the Amount of \$6,875.00 for Emergency Pipe Repair at the Main Street Lift Station with Funds Allocated From Acct. #60-830-530-8323 [Recommended Approval]
- G. Advertise and fill the vacancy in the Wastewater Utility Department and consideration of cross training the position in the future [Recommended Approval]
- H. Contract Marine Biochemist for the Treatment of Algae in the WAGO Pond at a Cost of \$1,764.00 and Treatment as Needed in the Friedenfeld Park Pond at a Cost of \$609 per Treatment with Funds Allocated from Accts. #10-542-530-4100 and #10-553-530-4100 [Recommended Approval]
- I. Contract TAPCO for the Traffic Signal Cabinet Repair at Fleet Farm and County Line Road at a Cost of \$5,817.00 and Invoice Fleet Farm Upon Completion [Recommended Approval]
- J. Contract with HGACBuy Purchasing Cooperative to Allow the Village to Purchase Construction Equipment at Reduced Costs [Recommended Approval]
- K. Purchase One Crack Filling Machine through HGACBuy Purchasing Cooperative from CRAFCO at a Cost not to Exceed \$45,000 with Funds Allocated from Acct. #40-542-570-8450 [Recommended Approval]
- L. Purchase of Crack Filling Material for Village Roads at a Cost of \$.5574 Per Pound with Funds Allocated from Acct. #10-542-530-3505
- M. Authorize Village Board President to Sign the WI DOT Form DT2195 "Engineering Service Request" for the STH167-Eisenhower Traffic Signals [Recommended Approval]
- N. Authorize Village Board President to Sign Amendment #3 of the Memorandum of Understanding Between the Village and the WI DOT Regarding the Traffic Signals at the Germantown Business Park [Recommended Approval]

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

- O. Application for Dance License, Kiwanis Club of Germantown, Firemen's Park, July 4th, 1:30 pm – 11:00 pm [Recommended Approval]
- P. Ordinance Amending Section 12.16(3) of Municipal Code of Ordinances as it Relates to Licensing of Cats Within the Village [Recommended Approval]

VIII. UNFINISHED BUSINESS: None

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

- A. St. John United Church of Christ & St. John United Church of Christ Cemetery Association, Property Owners of N104 W14181 Donges Bay Road (Church) & Cemetery ½ mile west on Donges Bay Road, GTNV #351-988(Church) & GTNV#264-990 (Cemetery) applicant for a Historic Designation pursuant to Section 26.06 of the Germantown Municipal Code

IX. PUBLIC HEARINGS continued:

- B. Terri Masse, Agent for Dennis & Marie Wendtland, Property Owners and applicant for a Rezoning application to rezone the following described property from the A-1: Agricultural District to the A-2: Agriculture District pursuant to Sections 17.13 of the Village Zoning Code on the following described property: GTNV #021-992 (W140 N14315 Country Aire Drive)**
- C. Core Commercial, Inc., Agent for Russell & Karen Kloehn and Paul & Vivian Pingel, Property Owners and applicant for a Rezoning application to rezone the following described area from the Rs-4: Single-family District to the B-1: Neighborhood Business District pursuant to Section 17.28 of the Village Zoning Code on the following described property: GTNV #324-967 N96 W19100 County Line Road (Kloehn property) & GTNV #324-965 N96 W19062 County Line Road (Pingel property)**
- D. David Pauers, Owner/Operator of Adversity Wisconsin VBC, and agent for DC Cartledge LLC, Property owner and applicant for a Conditional Use Permit (CUP) for the operation of a 10,800 sqft Volleyball Training Facility (Adversity Wisconsin Volleyball Club) from a portion of the building on the property described below pursuant to Section 17.07(3)(a)2. Of the Village Zoning Code, GTNV #213-993 N113 W18750 Carnegie Drive**
- E. Amendments to Chapter 27 of the Germantown Municipal Code (relating to post-construction stormwater management), and to Chapter 29 of the Village of Germantown Municipal Code (relating to comprehensive erosion and sediment control plans)**

X. NEW BUSINESS:

- A. Application for Historic Designation for the Church Located at of N104 W14181 Donges Bay Road (GTNV 351-988) & Cemetery ½ mile west on Donges Bay Road (GTNV 264-990); St. John United Church of Christ & St. John United Church of Christ Cemetery Association, Applicants.**
- B. Rezoning application to rezone W140 N14315 Country Aire Drive (Tax Key No. GTNV 021-992) from the A-1: Agricultural District to the A-2: Agriculture District pursuant to § 17.13 of the Village Zoning Code; Terri Masse, Agent for Dennis & Marie Wendtland, Property Owners and Applicants.**
- C. 3-Lot Certified Survey Map (CSM) of W140 N14315 Country Aire Drive (Tax Key No. 021-992); Terri Masse, Agent for Dennis & Marie Wendtland, Property Owners and Applicants.**
- D. Rezoning application to rezone N96 W19100 County Line Road (Tax Key No. GTNV 324-967, Kloehn property) & N96 W19062 County Line Road (Tax Key No. GTNV 324-965, Pingel property) from the Rs-4: Single-family District to the B-1: Neighborhood Business District; Core Commercial, Inc., Agent for Russell & Karen Kloehn and Paul & Vivian Pingel, Property Owners and Applicants.**
- E. 1-Lot Certified Survey Map (CSM) of N96 W19100 County Line Road (Tax Key No. 324-967, Kloehn property) & N96 W19062 County Line Road (Tax Key no. 324-965, Pingel property); Core Commercial, Inc., Agent for Russell & Karen Kloehn and Paul & Vivian Pingel, Property Owners and Applicants.**
- F. Conditional Use Permit (CUP) for the operation of a 10,800 sqft Volleyball**

X. NEW BUSINESS continued:

- Training Facility (Adversity Wisconsin Volleyball Club) from a portion of the building on the property located at N113 W18750 Carnegie Drive (GTNV #213-993); David Pauers, Owner/Operator of Adversity Wisconsin VBC, and agent for DC Cartledge LLC, Property Owner and Applicant.
- G. Contract to Payne & Dolan at a Cost not to Exceed \$1,330,729.35 for the 2014 Roads Project with Funds to be Allocated from Acct. #40-542-570-8810
 - H. Ordinance Amending Chapter 27 of the Municipal Code of Germantown "Post-Construction Stormwater Management" and Ordinance Amending Chapter 29 of the Municipal Code of Germantown "Construction Site Erosion Control"
 - I. Village-wide Market Revaluation

XI. ADJOURNMENT

The next Village Board meeting will be on April 7, 2014 at 7:00 p.m.

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

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
MARCH 3, 2014**

CALL TO ORDER: The meeting was called to order at 7:03 p.m. by President Wolter

ROLL CALL: President Wolter, Trustees Baum, Daniels, Ewert, Hughes, Vanderheiden, Werderman and Zabel. Trustee Kaminski was absent and excused. Also present: Administrator Schornack, Attorney Sajdak, Finance Director Rath and Clerk Goeckner.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT – President Wolter presented information on the state of the Village.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST & COMMITTEE REPORTS: Upcoming meetings were announced.

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

CONSENT AGENDA:

- A. Minutes - February 3rd and February 17th, 2014
- B. Accounts payable/payroll
 - 1. February 25, 2014 Accounts payable \$1,351,396.44
 - 2. February 25, 2014 Payroll (hourly) \$ 216,242.16
 - 3. February 28, 2014 Payroll (salary) \$ 75,424.07
 - 4. February 2014 Accounts payable \$ 31,898.36

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

- C. Renewal of the Investment Advisory Agreement with Ehlers Investment Partners and to continue on an annual review date [Recommended Approval]
- D. AT&T ISDN PRI State Contract renewal for a three year period [Recommended Approval]

MOTION (Vanderheiden/Zabel) to approve Consent Agenda Items A-D, roll call vote, carried unanimously.

UNFINISHED BUSINESS: None

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

NEW BUSINESS:

- A. Consideration of Resolution No. 2014- An Initial Resolution Regarding Industrial Development Revenue Bond Financing for Ultra Tool & Mfg., Inc. Project.
Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution

MOTION (Zabel/Vanderheiden) to approve as presented by roll call vote, carried unanimously.

NEW BUSINESS continued:

- B. Consideration to cancel meeting of April 21st for Village Board
Discussion of consideration to cancel meeting of April 21st for Village Board. Clerk alerted the Board to several upcoming items with timelines that may require the meeting to be held. **MOTION (Zabel/Baum) to postpone action, carried unanimously.**
- C. 2014 Salary Resolution Amendment Adding Part Time Deputy Fire Chief Pay During Weekend Shifting
MOTION (Ewert/Werderman) to approve as presented. Discussion of resolution indicating both pay rate for weekend staffing as well as without weekend staffing. **Roll call vote, 7 in favor, 1 opposed (Baum), carried.**
- D. Recommendation by Statewide Services, Inc., Regarding Claim of 2/7/2014, Tammi Birdsall, W160N10586 Old Farm Road, Germantown WI 53022
MOTION (Ewert/Hughes) to disallow the claim of 2/7/2014 for Tammi Birdsall, Germantown. All in favor, carried unanimously.
- E. Developers Agreement Continental 246 Fund LLC
MOTION (Vanderheiden/Zabel) to approve Developers Agreement with Continental 246 Fund LLC and to make approval contingent on staff approval and the developer submitting all required plans and specifications within the document and contingent upon staff approval. All in favor, carried unanimously.
- F. Memorandum of Understanding between Cambridge Major, Washington County and the Village relating to Development Incentives as per Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating, when competitive or bargaining reasons require a closed session and then may re-enter open session to take such action as it deems appropriate.
It was determined the Board did not need to go into closed session for this item. Attorney Sajdak provided information on the document. **MOTION (Hughes/Werderman) approve the Memorandum of Understanding between Cambridge Major, Washington County and the Village. Roll call vote, 6 in favor, 2 opposed (Baum, Ewert), motion carried.**
- G. **MOTION (Zabel/Ewert) to go into closed session at 7:55 pm for the Offer to Purchase for Parcels GTNV 252970 and GTNV 252971 (Lots 41 & 42 of CSM #6488) in the Germantown Business Park, as per Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating, when competitive or bargaining reasons require a closed session and then may re-enter open session to take such action as it deems appropriate, by roll call vote, carried unanimously.**

MOTION (Zabel/Baum) to go back into open session at 8:35 p.m., carried unanimously.

NEW BUSINESS continued:

MOTION (Zabel/Baum) to accept the Offer to Purchase for Parcels GTNV 252970 and GTNV 252971 in the Germantown Business Park, consistent with the terms discussed in closed session, carried unanimously.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:35 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

DRAFT

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

MEETING DATE: March 17, 2014

AGENDA ITEM: Consent Agenda

ITEM TITLE: Standards & Specifications Revisions – Chapter 7 “Storm Water Management Requirements”

SUBMITTED BY: Brionne R. Bischke, P.E., Village Engineer 

SUMMARY EXPLANATION:

Village ordinances were reviewed by Wisconsin DNR, Birchline Planning and the Village Engineer during the inaugural year of the Village’s Menomonee River Group Wisconsin Pollutant Discharge Elimination System (WPDES) permit. Wisconsin DNR identified updates needed to correlate the ordinances with Wisconsin Administrative Code updates. Birchline Planning identified updates needed to render green infrastructure as a *permissible* alternative for storm water management. The Village Engineer identified updates needed to delineate ownership and maintenance of private vs. public storm sewers, ditches and swales (primarily in Chapter 08 “Public Works”, with cascading revisions to Chapters 27 and 29). MMSD reviewed the revisions and found that they conform to their Rules. The Village Attorney also reviewed the revisions and prepared the adoption documents.

These revisions were approved by the Public Works & Highway Committee during their January 7, 2014 meeting. Chapter 08 “Public Works” revisions were approved by the Village Board during their January 20, 2014 meeting. Chapter 27 “Post-Construction Stormwater Management” and Chapter 29 “Construction Site Erosion Control” revisions were approved by the Plan Commission during their February 24, 2014 meeting.

ATTACHMENTS:

None

RECOMMENDATION:

Recommend to Village Board to adopt the proposed Standards & Specifications revisions.

COMMITTEE ACTION:

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



DESIGN, DRAFTING & CONSTRUCTION STANDARDS & SPECIFICATIONS

SECTION 7.0: STORM WATER MANAGEMENT REQUIREMENTS

TABLE 1.0: GOVERNING AGENCIES AND APPLICABLE CODES/GUIDELINES/RULES

Wisconsin Department of Natural Resources (WDNR)	• Ch NR 151 & 216 Wisconsin Administrative Code • Technical Standards (a.k.a., Conservation Practice Standards) • Permit to Discharge under the Wisconsin Pollutant Discharge Elimination System (WPDES)
Milwaukee Area Sewerage District (MMSD)	• Ch 13 Rule • <i>Surface Water and Storm Water Rules Technical Guidance</i>
Village of Germantown	• Ch 27, 28 & 29 Municipal Code • <i>Design, Drafting & Construction Standards and Specifications</i> • <i>Stormwater Maintenance Manual for Private Facilities</i> • <i>Declaration of Covenant for Storm Water Management Facility Maintenance</i>

TABLE 2.0: SWMP APPLICABILITY

Triggers requiring a storm water management plan (SWMP)	• Site is situated within the MMSD ultimate sewer service area • Sites accumulating ½-acre or more of newly created impervious surface when summed from Jan. 1, 2002 to present • Demolition or construction during redevelopment disturbs an area larger than 2 acres • Parking lot reconfiguration or re-contouring • Sites subject to post-construction performance standard for new development and redevelopment as presented in §§151.12 or 151.24 [NR] §151.121 and §151.241, Wis. Admin. Code. • Village Engineer discretion where drainage facilities, the environment, or property may be adversely affected
Exceptions not requiring a SWMP	• Area of impervious surface < 5% of total site area • Site tributary to an existing storm water management facility designed to handle all prospective runoff from all tributary sites • Recreational trails less than or equal to 10-feet in width and has a continuous pervious buffer at least 5-feet wide on each side • Residential infill in which the site is: ○ Exclusively residential ○ 5 acres or less ○ The net increase of impervious area < 20% of total site area, and ○ Each site boundary is contiguous to: a) sites that contain earlier development served by sanitary sewers, streets, or public water supply, or b) by parkland, other public land, a utility ROW, or watercourse • Parking lot maintenance (i.e., sealing, milling & overlay, pulverize & compacting)

DESIGN, DRAFTING & CONSTRUCTION STANDARDS & SPECIFICATIONS

SECTION 7.0: STORM WATER MANAGEMENT REQUIREMENTS

TABLE 3.0: SWMP RUNOFF REDUCTION REQUIREMENTS

Sites accumulating ½-acre or more of newly created impervious surface when summed from Jan. 1, 2002 to present	Storm (probability/recurrence interval)	Maximum Runoff Release Rate (cubic feet per second per acre)
	1%/100-year	0.5
	50%/2-year	0.15
Alternative volumetric method for sites ½-acre or more of newly created impervious surface when summed from Jan. 1, 2002 to present	Limit post-development runoff volume to existing condition runoff volume during a critical time period for both the 1%/100-year and the 50%/2-year storms	
Demolition or construction during redevelopment disturbing an area larger than 2 acres while not accumulating ½-acre or more of newly created impervious surface when summed from Jan. 1, 2002 to present	Area Disturbed by Demolition or Construction	Reduction to the Existing Runoff Release Rate
	Between 2 and 3.5 acres	10%
	From 3.5 to 5 acres	15%
	Greater than 5 acres	20%

TABLE 4.0: SWMP TOTAL SUSPENDED SOLIDS (TSS) REDUCTION REQUIREMENTS

New development	80% removal as compared to no controls
In-fill > or = 5 acres	80% removal as compared to no controls
In-fill < 5 acres on or after Oct. 1, 2012	80% removal as compared to no controls
Redevelopment	40% removal from parking areas and roads as compared to no controls
In-fill < 5 acres before Oct. 1, 2012	40% removal as compared to no controls

TABLE 5.0: SWMP INFILTRATION REQUIREMENTS

Residential developments	- Post development volume shall be at least 90% of pre-development infiltration volume - Volume shall be at least 25% of the 2-year, 24-hour storm runoff volume with SCS Type II distribution - Maximum effective infiltration area: 1% of development site
Non-residential developments	- Post development volume shall be at least 60% of pre-development infiltration volume - Volume shall be at least 10% of the 2-year, 24-hour storm runoff volume with SCS Type II distribution - Maximum effective infiltration area: 2% of development site
Low imperviousness	For development up to 40 percent connected imperviousness, such as parks, cemeteries, and low density residential development, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 90 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than one percent of the post-construction site is required as an effective infiltration area.
Moderate imperviousness	For development with more than 40 percent and up to 80 percent connected imperviousness, such as medium and high density residential, multi-family development, industrial and institutional development, and office parks, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 75



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SECTION 7.0: STORM WATER MANAGEMENT REQUIREMENTS

	percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2 percent of the post-construction site is required as an effective infiltration area.
High imperviousness	For development with more than 80 percent connected imperviousness, such as commercial strip malls, shopping centers, and commercial downtowns, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 60 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2 percent of the post-construction site is required as an effective infiltration area.

TABLE 6.0: SWMP ANALYSIS REQUIREMENTS

Analysis Method	Technical Release 55 (TR-55): <i>Urban Hydrology for Small Watersheds</i>, Soil Conservation Service, USDA														
Acceptable Software	- Carlson - HydroCAD - Hydroflow - PondPack														
Study Area	- The sum of the development / redevelopment area and all area tributary to the development / redevelopment area - Tributary area can be excluded if applicant can safely by-pass runoff from the tributary area around the development / redevelopment area														
Rainfall Depths & Distribution	SEWRPC Technical Report No. 40, Rainfall Frequency in the Southeastern Wisconsin Region <table> <tr> <th>Recurrence Interval (years)</th><th>Rainfall Amount (inches/24 hours)</th></tr> <tr> <td>2</td><td>2.57</td></tr> <tr> <td>5</td><td>3.14</td></tr> <tr> <td>10</td><td>3.62</td></tr> <tr> <td>25</td><td>4.41</td></tr> <tr> <td>50</td><td>5.11</td></tr> <tr> <td>100</td><td>5.88</td></tr> </table> - NOAA Atlas 14, <i>Precipitation-Frequency Atlas of the United States, Volume 8, Version 2.0: Midwestern States (Colorado, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Wisconsin)</i> - SCS Type II Distribution	Recurrence Interval (years)	Rainfall Amount (inches/24 hours)	2	2.57	5	3.14	10	3.62	25	4.41	50	5.11	100	5.88
Recurrence Interval (years)	Rainfall Amount (inches/24 hours)														
2	2.57														
5	3.14														
10	3.62														
25	4.41														
50	5.11														
100	5.88														
Runoff Curve Numbers (RCN)	TR-55 methodology, excluding the following maximum curve numbers for existing conditions required by MMSD <i>Surface Water and Storm Water Rules Technical Guidance</i> <table> <tr> <th>Predominant Hydrologic Soil Group</th><th>Maximum Pervious Area Curve Number</th></tr> <tr> <td>A</td><td>55</td></tr> <tr> <td>B</td><td>68</td></tr> <tr> <td>C</td><td>77</td></tr> <tr> <td>D</td><td>80</td></tr> </table>	Predominant Hydrologic Soil Group	Maximum Pervious Area Curve Number	A	55	B	68	C	77	D	80				
Predominant Hydrologic Soil Group	Maximum Pervious Area Curve Number														
A	55														
B	68														
C	77														
D	80														
Time of Concentration (Tc)	TR-55 methodology														

DESIGN, DRAFTING & CONSTRUCTION STANDARDS & SPECIFICATIONS

SECTION 7.0: STORM WATER MANAGEMENT REQUIREMENTS

TABLE 7.0: STORM WATER MANAGEMENT FACILITY DESIGN REQUIREMENTS

Location	• Situated entirely within development / redevelopment • <u>Off-site locations are permissible, but require recorded easement agreements and recorded maintenance agreements</u>
Outlots & Easements	• For subdivisions, situated within an outlet in which responsibility is equally divided among subdivision property owners and in which the outlet is accessible to Village via right-of-way or easement • For other than subdivisions, easements shall overlay the facilities • Easements shall overlay all conveyance systems serving more than one property
Pond & Infiltration Basin Geometry	• Ponds shall be wet ponds conforming to WDNR technical standard <i>Wet Detention Pond (1001)</i> • Infiltration basins shall conform to WDNR technical standard <i>Infiltration Basin (1003)</i> • Dry ponds are prohibited • Curvilinear geometry preferred over geometric shapes • Forebays required at each inflow point • Side slopes: 4H:1V preferred, 3H:1V maximum • Safety shelf: 10-foot minimum width, 18-inches maximum depth, 12-inches minimum depth • Top-of-berm width: 10-foot minimum
Outlet Structure	• Concrete riser structures imbedded into side slopes with high-performance turf reinforcement mat (HPTRM) or rip-rip armoring preferred • Corrugated metal risers and trash racks are prohibited • Clog protection that does not abut but instead protrudes from the outlet structure(s) are required
Emergency Overflow Spillway	• Situate so not a nuisance to adjacent properties • Elevation 6-inches above 100-year storm elevation • Armor with HPTRM from bottom of safety shelf up through spillway and spillway's side slopes and down to outside toe-of-slope. Rip-rap armor at toe-of-slope.
Matting	• HPTRM for emergency overflow spillway • Turf reinforcement mat (TRM) for pond inside side slope and for drainage channels • Erosion control re-vegetative matting (ECRM) for pond top-of-berm and outside side slope
Vegetation	• Trees prohibited on pond and infiltration basin inside side slopes and top of berm • Promote native plant diversity • Establish and maintain 15-25 foot "no-mow and chemical free" buffer zone
Aeration	• Aeration is required in the main pool of wet ponds and prohibited in forebays
Wet Ponds used as Temporary Sediment Basins for Developments having 5 acres or more of land disturbance	• Temporary sediment basins shall conform to WDNR technical standard <i>Sediment Basin (1064)</i> • TR-55 methodology required for 1-year, 24-hour storm with RCN for "newly graded area" • Include design and model in SWMP • Construction sequence converting temporary sediment basin into wet pond, including dredging and removal of accumulated sediments
<u>Green Infrastructure</u>	• <u>Green infrastructure is permissible.</u> • <u>Example green infrastructure BMPs include downspout</u>

DESIGN, DRAFTING & CONSTRUCTION STANDARDS & SPECIFICATIONS

SECTION 7.0: STORM WATER MANAGEMENT REQUIREMENTS

	<u>disconnection, rainwater harvesting, rain gardens, planter boxes, bioswales, permeable pavements, green alleys and streets, green parking, green roofs, urban tree canopy, and land conservation.</u>
Snow Storage Areas	• <u>Site plans shall designate snow storage areas.</u> • <u>Snow storage shall be prohibited upon green infrastructure BMPs and prohibited upon all areas used for runoff infiltration.</u>

TABLE 8.0: STORM WATER MANAGEMENT PLAN REPORT

Certification	• Wisconsin Professional Engineer seal & signature required on all drafts whether preliminary or final • Reports without signed PE seal will not be reviewed and the engineer will be summoned to affix & sign the PE seal
Copies	• Two original copies are required, one for the Village and one for forwarding to MMSD
Binding	• SWMP shall be bound with D-sized drawings folded and inserted into flaps
Narrative	• Site description • Intentions of development / redevelopment • Impact to down-gradient drainage facilities • Tabular summary of pre-development hydrology, water quality analysis, and assumptions • Tabular summary of post-development hydrology, water quality analysis, and assumptions • Tabular comparison of results vs. regulatory requirements
<u>Green Infrastructure</u>	• <u>The stormwater management plan shall include an analysis of at least two green infrastructure BMPs appropriate for the site as compared to use of traditional BMPs only. For example, for green infrastructure BMP "G1" and traditional BMP "T1", the analysis shall be of the following form: ["G1" + ("T1"- "G1")] as compared to "T1".</u> • <u>Analysis criteria shall include runoff peak flow reduction, runoff volume reduction, initial construction cost, life cycle, annual operation and maintenance cost, and seasonal weather constraints.</u> • <u>The analysis shall include a Wisconsin professional engineer's recommendation whether or not to include green infrastructure BMPs in the site's runoff management system.</u>
Appendix A	• Site information exhibits
Appendix B	• Soils reports
Appendix C	• Pre-development hydrology analysis • Include off-site tributary areas • Include graphic model, input data, summary sheets, hydrographs, watershed & sub-basin exhibits
Appendix D	• Pond & outlet structure drawings & detail sheets
Appendix E	• Post-development hydrology analysis • Include off-site tributary areas • Include graphic model, input data, summary sheets, hydrographs, watershed & sub-basin exhibits, additional analysis for plugged outlet conditions, and (if applicable) MMSD volumetric design procedure
Appendix F	• Post-development water quality analysis • Include input data & output results
Appendix G	• Sediment basin & outlet structure drawings & detail sheets



DESIGN, DRAFTING & CONSTRUCTION STANDARDS & SPECIFICATIONS

SECTION 7.0: STORM WATER MANAGEMENT REQUIREMENTS

Appendix H	- Sediment basin hydrology analysis & orifice sizing computations - Include off-site tributary areas - Include graphic model, input data, summary sheets, hydrographs, watershed & sub-basin exhibits, additional analysis for plugged outlet conditions, and orifice sizing computations
Appendix I	- Sediment basin water quality analysis - Include off-site tributary areas - Include input data & output results
MMSD Ch 13 Surface Water and Storm Water Reviews Storm Water Management Plan Submittal Checklist	Engineering Consultant shall prepare the entire MMSD Surface Water and Storm Water Review package

TABLE 9.0: SUBMITTAL REQUIREMENTS

Construction Drawings, MMSD Surface Water and Storm Water Review Package, As-Built Drawings & Compliance Reports	- Plans on D-sized paper prepared, sealed and signed by Wisconsin P.E. - Datum: Local NVGD 1929 datum required - Submit both paper and electronic copies to Village Engineer - Preparation and submittal of construction drawings, MMSD Surface Water and Storm Water Review package, as-builts, and compliance reports shall be at the Engineering Consultant's expense.
Plan Review	- Engineering Consultant shall prepare the entire MMSD Surface Water and Storm Water Review package - If applicable, Engineering Consultant shall prepare the entire Dept. of Commerce <u>Safety & Professional Services</u> Plumbing Plan Review package for "private" storm water services - Submit 1 original paper and 1 electronic copy of all documents to the Village Engineer for review - Village Engineer will provide Engineering Consultant an Owner Letter once the documents are accepted by the Village - Engineering Consultant shall submit the entire package to the MMSD with the Owner Letter - If applicable, Engineering Consultant shall submit the entire Dept. of Commerce <u>Safety & Professional Services</u> Plumbing Plan Review package for "private" storm water services with the Owner Letter - Preparation and submittal of plan review packages shall be at the Engineering Consultant's expense.
Street Excavation in ROW Permit	Contractor to prepare and submit with fee to Village Engineering Dept.
Erosion Control Permit	Contractor to prepare and submit with fee to Village Inspection Services (Building Inspection) Dept.
Building Permit	Plans, reports and permits shall be reviewed and accepted by the MMSD, Dept. of Commerce <u>Safety & Professional Services</u>, and Village Engineer before the Village will issue a building permit
Occupancy Permit	As-Builts and compliance reports shall be reviewed and accepted by the Village Engineer before the Village will issue an occupancy permit

TABLE 10.0: MAINTENANCE REQUIREMENTS

Maintenance Agreement	- Complete the Village's template <i>Declaration of Covenant for Storm Water Management Facility Maintenance</i> - Submit a draft with the SWMP report for review - Include as-built drawings in final draft
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DESIGN, DRAFTING & CONSTRUCTION STANDARDS & SPECIFICATIONS

SECTION 7.0: STORM WATER MANAGEMENT REQUIREMENTS

	• Responsible party to execute before notary after accepted by Village Engineer • Village Clerk to record at Washington Co. at responsible party's expense
On-going Certifications	• Responsible party shall employ a Wisconsin Professional Engineer or Registered Land Surveyor to recertify the facilities conform to original designs every five (5) years

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

MEETING DATE: March 17, 2014

AGENDA ITEM: Consent Agenda

ITEM TITLE: WPDES & MMSD Ch. 13 Annual Report

SUBMITTED BY: Brionne R. Bischke, P.E., Village Engineer 

SUMMARY EXPLANATION:

The Village's Wisconsin Pollutant Discharge Elimination System (WPDES) Municipal Separate Storm Sewer System (MS4) Permit #WI-S065404-1 and the MMSD's Chapter 13 Rule, both require the Village to submit an annual report to both the Wisconsin DNR and the MMSD. Section III.H of the Permit requires that the Village's governing body review and acknowledge that it has been appraised of the Report's contents. The Report's summary (which excludes appendices) is provided to the Committee members for acknowledgement.

ATTACHMENTS:

- WPDES and MMSD Ch. 13 2013 Annual Report summary

RECOMMENDATION:

Authorize the Village President to sign the Report and to approve submittal to the Wisconsin DNR and to the MMSD.

COMMITTEE ACTION:

During their March 10, 2014 meeting, the Public Works & Highway Committee advanced this item with positive recommendation to authorize the Village President to sign the Report and to approve submittal to the Wisconsin DNR and to the MMSD.

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

MS4 Annual Report

(Due by March 31, 2014)

Please use this template to assist in compiling information for the annual report. Use of this template is optional. Please refer to the permit language for the information minimally required to be submitted in the reporting year. If you have any questions, please contact Bryan Hartsook at (262) 574-2129 or by email at Bryan.Hartsook@wisconsin.gov. Please submit a signed copy of the annual report and any attachments to my attention at the Waukesha Service Center: 141 NW Barstow St., Rm 180, Waukesha, WI 53188

** ELECTRONIC SUBMITTALS ARE ACCEPTABLE **

Municipality: Village of Germantown		Reporting Year: 2013	
Name of Permit Group (if applicable): Menomonee River Watershed	WPDES Permit No. WI-S065404-1	Facility ID No. (FIN):	
Contact Information:			
Name: Brionne Bischke, P.E.		Title: Village Engineer	
Mailing Address: N112 W17001 Mequon Rd. P.O. Box 337	City: Germantown	State: WI	Postal Code 53022
E-mail Address: bbischke@village.germantown.wi.us		Telephone No: (262) 250-4721	
Section I. Summarize program activities implemented during the reporting year to maintain compliance with the six minimum control measures identified in the permit. Please include the management practice, individual or department responsible, measurable goals, and activities planned for next year. Amendments to the planned activities and/or changes to measurable goals should also be identified. <i>Add rows or attach additional sheets as needed</i>			
A. PUBLIC INVOLVEMENT, EDUCATION, AND OUTREACH <u>BMP Description:</u> See attached chart <i>Public Involvement, E&O BMPs, Measurable Goals, and Progress</i> behind tab I.A. <u>Responsible Dept./Person:</u> Engineering/ Brionne Bischke, P.E. <u>Measurable Goal(s):</u> See attached chart <i>Public Involvement, E&O BMPs, Measurable Goals, and Progress</i> behind tab I.A. <u>Progress Made Towards Achieving Goal(s):</u> See attached chart <i>Public Involvement, E&O BMPs, Measurable Goals, and Progress</i> behind tab I.A. <u>Planned Activities for Next Reporting Year:</u> 1. Continue participating in group activities and tracking measurable goals. 2. Contribute \$3,000 towards the Respect Our Waters campaign for South Eastern Wisconsin <u>Program Modifications or Changes to Measurable Goal(s):</u> Made the Measurable Goals more streamlined and adaptable to the new MS4 Permit.			

B. ILLICIT DISCHARGE DETECTION AND ELIMINATIONScreening Strategy (priority areas identified in plan?):

5 year projected screening plan has been assembled. See Appendix B (pg 1).

Number of Outfalls Screened, Parameters Used, Detection Limits:

10 of the 22 outfalls identified in the June 2008 IDDE Program Procedures Manual were screened in 2013. The field screening analysis complied with NR 216.07(3)(i) and was conducted during a dry weather period.

Test Parameter Ranges and Follow-Up Levels

Indicator	Limits of Detection	Follow-Up Levels
pH	0.0 – 14.0	≤ 6.0 or ≥ 9.0
Detergents	0.25 mg/l	≥ 0.5 mg/l
Chlorine	0.10 mg/l	≥ 1.0 mg/l (total residual)
Phenols	0.10 mg/l	≥ 0.1 mg/l
Copper	0.10 mg/l	≥ 0.2 mg/l (total)
Ammonia	0.10 mg/l	> 0.1 mg/l
Flouride	0.10 mg/l	> 0.6 mg/l

Number of Illicit Discharges / Illegal Connections Detected (identify outfall ID numbers):

Two outfall discharges had exceeded the threshold for Phenols. GC-02 and GC-04. The source was not found, potential herbicide or industrial runoff could be to blame. Sampling error could also be at fault. 10 inspections were performed with 3 outfalls being active.

These three active outfalls were tested using the above parameters. The three active outfall were as follows:

GC-02, GC-04, JD-04.

Inspection forms and locations can be seen in Appendix B (pgs 2- 22).

Number of Complaints Received and Summarize Result(s) of Follow-Up (include description of sewershed investigation):

No complaints were received about illicit discharging, but a major spill did happen in the TIF 4 Business Park. Cambridge Majors had a spill that required a clean up. DNR representatives were notified. Appendix B (pg 23) shows a correspondence email regarding the

Screening Strategy for Next Reporting Year (identify priority areas / basins and outfall ID's):

See Appendix B (pg 1-2). A past sampling chart describes the 5 year history of Germantown IDDE. Appendix B (pg 1) describes the projected sampling schedule.

Storm Sewer Map Updated? (summarize changes identifying basins and outfall ID's):

1. Wago Pond Relay added 60ft of RCP and 292 ft of ADS storm sewer along the south side of Freistadt Rd. (West Branch Menomonee River Basin)
2. 740 ft of ADS storm sewer was installed in the Forest Heights subdivision to help reduce stagnant water in resident ditches.
3. 770 ft of ADS storm sewer was installed on Cedar Lane west in order to convey water past several properties that could not accomodate a ditch complying with Village cross-section standards. An additional 20ft 15" RCP pipe was added to accept ditch runoff and redirect it through a manhole.
4. 579 ft of 8 inch ADS storm sewer was installed to drain five cul de sac islands in the Indian Hills and Hawthorne Meadows Subdivisions.

C. CONSTRUCTION SITE POLLUTANT CONTROLTarget Number of Inspections (measurable goal, can be represented as percentage of permits issued):

No target was established. Inspections were performed when staff was available after significant rainfall events.

Number of Permit Applications Received / Number of Permits Issued:

Engineering Dept. Received = 11 (Bradley Corp, Crossways Church, The Gables, Trans Coil, Scott's Company, Gary Schwind, H-T Properties, Krenz & Co., WI Stamping, Glue Dots, [Joe Rakow (Permit was denied)])

Inspection Services: Received & Issued = 75/76 Commercial and Residential erosion control permits

Individual(s) Responsible for Plan Review, Inspection, and Enforcement Procedures:

Engineering Dept. = Brionne Bischke, Village Engineer

Inspection Services = Mike Guttman

Number of Inspections Completed:

Engineering Inspections Completed = 7 (Bradley Corp, D&G Transport, Ellsworth Glue Dots, Ellsworth S Patton Ct, Life Church, Technitrol, TIF 4 Storage). Engineering Department staff also inspected erosion control for all 2013 projects while onsite with contractor (Hawthorne Meadows Subdivision, Indian Hills Subdivision, Cedar Lane East, Country Aire Dr near railroad tracks, Wago Storm Relay, 2012 Punchlist work in Happy Hollow Subdivision and Forest Heights Subdivision).

Inspection Services completes an erosion control inspection every time they are on site. For residential permits this is a minimum of 13 inspections and 5 to 15 inspections for commercial depending on the scope of the project.

Number of Enforcement Actions and Description:

Engineering = Two: 1) Scotts Company: Increase of impervious surface in excess of 1/2-acre without adequate storm water management facilities. Construction of all storm water management facilities was completed. See Appendix C (pg 1). 2) Ellsworth Company had a path washout with all of the materials washing into the storm water pond. The facilities maintenance supervisor was contacted and the site was restored back to normal with proper erosion control installed. See Appendix C (pgs 2-3) for inspection notes.

Inspection Services = Two: 1) Bill Shepard on Willow Creek Rd: Excessive filling of his property without proper permitting from DNR and Village. See Appendix C (pgs 4-5) for follow up letter with Bill Shepard. 2) Gary Schwind: Apple Blossom Ln, filling over 1/2 acre of land without a permit. A stop was ordered to the filling and a permit was given. Appendix C (pgs 6-7) show inspection report as well as the approved permit. Reports of violations and corrections are stored to each individual project file. Typical violations are silt fence repairs and refreshing/cleaning the tracking pad.

Changes in Inspection and/or Enforcement Strategy and Protocol:

No revisions/changes were made.

D. POST-CONSTRUCTION STORM WATER MANAGEMENTNumber of Storm Water Management Plans Reviewed:

Reviewed = 8 (Scott's Company (Completed); Transcoil; Matterhaus (The Gables); Design2Construct; Skyline Development; Bradley Corp; Construction Supply and Erection; Continental Fund)

Approved or Scheduled Ordinance Updates:

Scheduled to be effective 3/31/2014 Refer to Chapters 8, 27, 29 of the Village Ordinances. Available upon request. Letter to the DNR is in Appendix D, (pg 1).

Number of Redevelopment Sites Reviewed:

Reviewed = 7 (Construction Supply and Erection; Skyline Development; Florian Park (former Quilted Bear) Concept Review; Transcoil; Design2Construct; Bradley Corp; Continental Fund). All were below DNR and MMSD applicability thresholds.

Are you Documenting TSS Reductions Achieved on Redeveloped Sites? (for later inclusion in MS4 pollutant loading analysis):

Not applicable. All were below DNR and MMSD applicability thresholds.

Inspection and/or Scheduled Maintenance of Facilities Where a Long-Term Maintenance Agreement was Recorded:

None

E. POLLUTION PREVENTIONEstimate quantity of Street Sweepings and Catch Basin Cleanings Collected:

Street sweeper was deployed for a total of 320 hours using 27550 gallons of water for spraying on roadway and cleaning out truck. 193.5 yards of material was collected.

No catch basin or storm sewer cleaning occurred during 2013. 983.5 Man Hours rebuilding Storm Inlets

Summarize Findings of Municipal Yard Inspection(s), SWPPP Implemented and Up to Date?:

January 30th 2013 quarterly monitoring found some gas/deisel mixed with water near the fuel pumps. Some oil dry was used for the clean up and the pumps were inspected. August 2nd 2013 quarterly monitoring inspection found some mud and grass clippings near the wash bay. The debris was cleaned up.

Updates to Yard Waste Collection:

No changes have occurred to rules or supervision of this facility.

Year	No. Users
2009	33,999
2009	38,483
2010	33,865
2011	31,662
2013	91990

2013 waste oil and antifreeze collected from residents

3,250 gal waste oil

248 gal antifreeze

4 – 55 gal drums of oil filters

2012 waste oil and antifreeze collected from DPW garage

600 gal waste oil ±

55 gal parts washer fluid ±

0 gal antifreeze

2 – 55 gal drums of oil filters

Winter Road Maintenance Program (description and estimate quantity of anti-icing or deicing materials used):

On November 28, 2013 the annual snow plow meeting was held. All staff responsible for winter maintenance are required to attend. Meeting agenda available upon request.

2012 Winter Road Maintenance Summary

First Salt Brine Operation – October 5th

Last Salt Brine Operation – November 13th

3 Operations- 1600 Gallons

Salting/ Plow Operations

First out Dec 9th

Last out March 25th

50 Operations - 3466 Tons of Salt

Planned Activities for Next Reporting Year:

No changes to activities are planned for next year.

Program Modifications or Changes:

No changes or modifications are planned for next year.

F. STORM WATER QUALITY MANAGEMENT

Have there been any changes in implementation, maintenance, mapping or modeling of storm water management practices in the past year? If yes, please complete the remainder of Section F.

	No
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Pollutant Loading Analysis:

Date of last model run: _____	"No Controls" Load (tons/yr): _____	"With Controls" Load (tons/yr): _____	
Model Version Used: _____	Average Unit Area Load (lbs/acre/yr): _____	TSS Reduction % <table border="1"><tr><td></td></tr></table>	

Storm Water Management Plan:

If TSS percent reduction is less than 20%, has a strategy been developed under a municipal-wide storm water management planning effort to achieve compliance?

Projected Timeframe to Achieve 20% TSS Reduction (if applicable): N/A

BMPs Implemented in Reporting Year:

The Wago Pond located at the south side of Freistadt Rd, between McCormick Dr. and Maple Rd. directly drained into the West Branch Menomonee River, as did a portion of storm sewer along Freistadt Rd. This project redirected storm water collected from the road and adjacent properties into the Wago pond to settle out solids and then outfall to the West Branch Meno River. This decreased TSS in the system. See Appendix F (pgs 1-2).

The Village installed inlet grates in five cul de sac islands, as well as increasing the green space in each cul de sac. This will help infiltrate more storm water and keep water from draining across roadways.

BMP Maintenance Activities in Reporting Year:

Street Sweeping, Inlet Cleaning, and Culvert cleaning were all parts of BMP maintenance. The Village also installed a V-notch restrictor plate at the Jefferson Ditch outfall. This controls the flow of outfall and helps keep the outfall from clogging.

Agreements or Discussions with Other Municipalities to Employ a Regional Watershed Approach?

The Village of Germantown has entered into a Watershed Based Permit for the Menomonee River Watershed. See Appendix F (pg 3).

Planned Activities for Next Reporting Year:

The Village is considering bank stablization for the Jefferson Ditch. This project is pending due to lack of funds. The Village is looking into a pilot project using permeable pavement for a parking lot at Alt Bauer park. This will reduce direct runoff into the jefferson ditch and improve water quality. This project is also pending due to lack of funds.

Program Modifications or Changes to Measurable Goal(s):

No modifications or changes are planned at this time.

Section II. Identify any known or perceived water quality improvements or degradation in the receiving water to which the MS4 system discharges. Where degradation is identified, identify why and what actions are being taken to improve the water quality of the receiving water. Please describe the stream reach or lake effected and the basin / outfall ID contributing to the improvement or degradation.

Goldenthal Creek & West Branch Menomonee River – 303d listed on 4-01-2010

Five major outfalls (GC-01 thru GC -05) discharge to these water bodies, however, it is unlikely these are major contributing factors to the degradation of this stream. All outfalls have been sampled with all screening parameters within acceptable ranges. Possible pollution source could be livestock.

Nor-X-way Channel – 303d listed on 4-01-2010

Three major outfalls (NX-01 thru NX-04) discharge to this water body, however, it is unlikely these are major contributing factors to the degradation of this stream. All outfalls have been sampled with all screening parameters within acceptable ranges. Possible pollution source could be livestock.

Willow Creek – 303d listed on 4-01-2010

One major outfall (WC-01) discharge to this water body, however, it is unlikely this is a major contributing factor to the degradation of this stream. Outfall has been sampled with all screening parameters within acceptable ranges.

Water Quality Improvements:

The Wago Pond located on the south side of Freistadt road between McCormick Dr and Maple Rd directly drained into the West Branch Menomonee River, as did a portion of storm sewer along Freistadt Rd. This project redirected storm water collected from the road and adjacent properties into the Wago pond to settle out solids and then outfall to the West Branch Meno River, thus decreasing TSS in the system.

Program Element	2013 Annual Expenditure	2014 Budget	Source of Funds
Public Involvement, Education and Outreach	\$3,000 SWEET Staff Time	\$3,000 SWEET Staff Time	General Fund/ Tax Revenue
IDDE	500.00 Supplies Staff Time	\$500.00 Supplies Staff Time	General Fund/ Tax Revenue
Construction Site Pollutant Control	\$4,000 Staff Time	\$4,000 Staff Time	General Fund/ Tax Revenue
Post-Construction Storm Water Management	Staff Time	Staff Time	General Fund/ Tax Revenue
Pollution Prevention	Staff Time	Staff Time	General Fund/ Tax Revenue
Storm Water Quality Management	\$51,300 (WAGO Storm Relay) Staff Time	N/A	Capital Funds General Fund/ Tax Revenue
Other	700 hrs Village Engineer 400 Hrs Civil Engineer	700 hrs Village Engineer 400 Hrs Civil Engineer	General Fund/ Tax Revenue

Section IV. Certification Statement

I hereby certify that I am an authorized representative of the municipality covered under the MS4 permit for which this annual report is being submitted and that the information contained in this document and all attachments were gathered and prepared under my direction or supervision. Based on my inquiry of the person or persons under my direction or supervision involved in the preparation of this document, to the best of my knowledge, the information is true, accurate, and complete. I further certify that the municipality's governing body or delegated representatives have reviewed and apprised of the contents of this annual report. I understand that Wisconsin law provides severe penalties for submitting false information.

Authorized Representative Printed Name:

Title:

Dean Wolter

Village President

Authorized Representative Signature:

Date Signed:

Chapter 13 Annual Report

Annual reports are due on or before April 30th of each year for the preceding calendar year and must be organized by watershed.

Municipality: Village of Germantown

Date Submitted: March, 2014
Submitted for calendar year: 2013

A. WPDES STORMWATER PERMIT

Attach a copy of Wisconsin DNR required annual report.

B. Inspection and Maintenance Activities [Sec 13.12(3)(g)]

Watershed	Name of Approval Project	Inspection/Maintenance Activities
Menomonee	Germantown Community Library Red Swamp Crawfish Eradication	Year 2011: Wisconsin DNR – Village partnership filled-in storm water pond to temporarily remove invasive species habitat for 2-5 years. Year 2012: Wisconsin DNR stream bank stabilization downstream from aforementioned pond to temporarily remove invasive species habitat. Year 2013: No action by Wisconsin DNR or Village.
Menomonee	Ellsworth Glue Dots Expansion	Year 2013: Tributary to Blackstone Creek pre-existing regional pond east of River Ln. 1.63-ac of new impervious area.
Menomonee	Construction Supply & Erection Expansion	Year 2013: On-site pond expanded. 0.72-ac of new impervious area.
Menomonee	Scotts Co. Pad Expansion	Year 2013: On-site Pond 4 constructed. 2.38-ac of new impervious area.
Menomonee	Trans-Coil (TCI)	Year 2013: Tributary to Business Park pre-existing regional pond east of Washington Dr. and north of Donges Bay Rd. 7.50-ac of new impervious area.
Menomonee	Matterhaus (The Gables)	Year 2013: Tributary to on-site pre-existing storm water pond. 1.14-ac of new impervious area.
Menomonee	Wago Pond Storm Sewer Relay	Year 2013: Rerouted un-detained runoff to Industrial Park pre-existing regional storm water pond south of Freistadt Rd. and east of McCormick Dr. 34 cfs reduction in peak flow.

Chapter 13 Annual Report

C. Proposed Developments: Summary of foreseeable projects subject to Sec. 13.10.

Watershed	Project Name	Size of Project	New Impervious Area (acres)	Anticipated Construction Year
Menomonee	Continental 246 Fund (Buffalo Wild Wings; Retail)	3.51-ac parcel	1.91-ac	2014
Menomonee	Airgas (Distribution Center)	23.69-ac parcel	11.05-ac (Ph. 1), Yr. 2014	
Menomonee	Core Commercial (Retail)	3.67-ac parcel	3.74-ac (Ph. 2), Future	2014
Menomonee	Prairie Glen North (Residential)	14.40-ac parcel	2.25-ac	2014
			3.60-ac	2014-2015

D. Storm Sewer/Culvert Modifications: List projects which increased or will increase storm sewer to greater than 36" diameter or increase capacity of existing stormwater conveyance systems or outfalls.

Watershed	Project Name	Previous Size (inch-diameter)	Previous Capacity (cfs)	New Size (inch-diameter)	New Capacity (cfs)
N/A	N/A	N/A	N/A	N/A	N/A

E. Runoff Reduction: List projects that have reduced runoff by removal of impervious surfaces.

Watershed	Project Name	Impervious Area Removed (acres)	Impervious Area Transferred (acres)	Name of Project Transferred To	Date Transfer Occurred
Menomonee	2013 Road Projects (Friars Ct.; Hidden Glen Ct.)	0.1 ac removed	N/A	N/A	N/A

Chapter 13 Annual Report

F. Multi-jurisdictional Watershed Projects

Watershed	Project Name	Governmental Units Involved	Size of Development (acres)
Menomonee	Germantown Community Library Red Swamp Crawfish Eradication	Germantown; Wisconsin DNR	N/A
Menomonee	Watershed-based Permit: Education & Outreach <i>Respect our Waters</i> Campaign Green Infrastructure Codes/Ordinances Audit	Brookfield; Butler; Elm Grove; Germantown; Greenfield; Menomonee Falls; Milwaukee (City); Milwaukee (County); West Allis; West Milwaukee; Wauwatosa	N/A

For each project identified above, include a discussion relating to the status.

G. Any other plans to increase/decrease runoff volume or peak flow

Watershed	Project Name, if applicable	Increase/Decrease Volume (ft ³)	Increase/Decrease Peak Flow (cfs)
Menomonee	Alt Bauer Parking Lot Ordinance Revisions, making Green Infrastructure permissible: Ch 8 "Public Works"; Ch 27 "Post-Construction Stormwater Management"; Ch 29 "Construction Site Erosion Control"	1,655 cf reduction in volume	0.61 cfs reduction in peak flow
Menomonee		N/A	N/A

Include a discussion of plans that will reduce runoff management requirements for new impervious surface in response to the removal of impervious surfaces at other sites.

**BUSINESS OF THE VILLAGE BOARD
VILLAGE OF GERMANTOWN**

MEETING DATE: March 17, 2014

AGENDA ITEM: Amending Section 12.16(3) Relating to the Licensing of Cats in the Village.

SUBMITTED BY: Christine M. Micka, Deputy Clerk

SUMMARY EXPLANATION: During the renewal process for the animal fancier permits, it was discovered that the section of the code pertaining to animal fancier establishments did not include the licensing of cats, as listed in Section 12.15(3)(b). The code amendment adds the licensing of cats to Section 12.16(3)(f).

ATTACHMENTS:
Proposed ordinance amendment.

RECOMMENDATION:
Public Safety Committee recommended approval of the ordinance updating the provisions in Section 12.16(3)(d), (f) and (h) to be consistent with the provisions under Section 12.15(3)(b).

ORDINANCE NO. ____-14

AN ORDINANCE AMENDING SECTION 12.16(3) OF
THE MUNICIPAL CODE OF GERMANTOWN AS IT RELATES
TO THE LICENSING OF CATS WITHIN THE VILLAGE

WHEREAS, the Village Board previously adopted Section 12.16(3)(f) of the Municipal Code of Germantown, which requires the licensing of dogs kept pursuant to an animal fancier's permit; and

WHEREAS, the Village Board also previously adopted Section 12.15(3)(b) of the Municipal Code of Germantown, which requires cats within the Village to licensed; and

WHEREAS, the Village Board desires to further clarify that cats kept pursuant to an animal fancier's permit must be licensed; and

WHEREAS, it is in the interests of the public's health, safety and welfare that the Village Board regulate the licensing of animals within the Village;

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

SECTION I:

Section 12.16(3)(f) of the Municipal Code of Germantown is hereby amended to read as follows (NOTE: Additions are Underlined; Deleted Text is ~~Struckthrough~~):

12.16(3)(f): **Dogs and cats to be Licensed.** Any dogs ~~or cats~~ to be kept in an pursuant to an animal fancier's permit establishment shall be duly licensed by the Village.

SECTION II:

Section 12.16(3)(d) of the Municipal Code of Germantown is hereby amended to add “, or cats.” to the end of the existing paragraph.

SECTION III:

Section 12.16(3)(h) of the Municipal Code of Germantown is hereby amended to read as follows (NOTE: Additions are Underlined; Deleted Text is ~~Struckthrough~~):

(h) Grant or Denial of Permit; Notice. For any initial permit issued hereunder,
tThe Public Safety Committee shall review the application and grant or deny
the permit. In addition to the operational requirements of paragraph (g) above,
the Committee may require additional conditions and failure to comply with
such conditions may be cause for revocation of the permit. While a hearing is
not required, a copy of the notice of the meeting at which the application will
be acted upon shall be mailed to the owners of property within 300 feet of the
applicant's property and the owners of property immediately across the street
at least 7 days before the meeting. For any renewal of a permit issued
hereunder, notice of the hearing shall be made only when a complaint has been
made or such notice is otherwise recommended by the Village Clerk and/or
Chief of Police.

SECTION IV:

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

SECTION V:

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

Introduced by _____ on _____, 2014.

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

Dean Wolter, Village President

ATTEST:

Approved as to form:

Barbara Goeckner, Village Clerk

Brian C. Sajdak, Village Attorney

Published: _____

X-A

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

MEETING DATE: March 17, 2014

AGENDA ITEM: Public Hearing & New Business (ORDINANCE)

ITEM TITLE: St. John United Church of Christ & St. John United Church of Christ Cemetery Association, Property Owners; N104 W14181 Donges Bay Road (Church) & Cemetery ½ mile west on Donges Bay Road; Historic Designation Application

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

SUMMARY EXPLANATION:

St. John UCC & the St. John UCC Cemetery Association, property owners, are seeking approval of the Village's Historic Designation for the church located at N104 W14181 Donges Bay Road and the cemetery located 1/2-mile west of the church on Donges Bay Road.

The properties are zoned I: Institutional and the 2020 Land Use Plan map designation for this parcel is "Low Density Residential".

Except for Public Works, all Village departments have expressed their support for the Historical Society request. The Department of Public Works initially objected given concerns the historic designation might have on the Village's ability to acquire right-of-way from and/or install necessary improvements across the St. John parcels for the future Donges Bay Road improvement project. The DPW has indicated that they will withdraw their objection (and have) to the historic designation if St. John's does not object to the improvements (which they have done).

The Historic Preservation Commission and the Plan Commission have also reviewed the request and have recommended approval. Approval of the historic designation requires a 2/3 majority vote of the Village Board.

ATTACHMENTS:

- ◆ 2/10/14 Staff Report
- ◆ 2/10/14 Plan Commission Meeting Minutes
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATION:

APPROVE the Village's Historic Site and Structure designations Historic Designation for the St. John UCC properties located on Donges Bay Road (church located at N104 W14181 Donges Bay Road).

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF GERMANTOWN ZONING CODE AND ADOPT THE "HISTORIC SITE" and "HISTORIC STRUCTURE" DESIGNATIONS FOR THE ST. JOHN UNITED CHURCH OF CHRIST & ST. JOHN UNITED CHURCH OF CHRIST CEMETERY ASSOCIATION PROPERTIES LOCATED ON DONGES BAY ROAD

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

SECTION 1. That the zoning map of the Village of Germantown be amended to include the Historic Designation Zoning District Overlay ("HD") to the existing zoning designation of "I: Institutional" for the following described property.

Properties: N104 W14181 Donges Bay Road (Church)
Cemetery located 1/2 mile west on Donges Bay Road (no address)
Tax Key No: GTNV#351-988 (Church) & GTNV#264-990 (Cemetery)

Being a part of the NE 1/4 of the NE 1/4 of Section 35, T9N, R20E, Village of Germantown, Washington County, Wisconsin, and, a part of the SW 1/4 of the SE 1/4 of Section 26, T9N, R20E, Village of Germantown, Washington County, Wisconsin.

SECTION 2. That Pursuant to the provisions of Section 26 of the Germantown Municipal Code (Historic Preservation Code), the designations of "Historic Structure" and Historic Site" are hereby assigned to the property and existing structures constructed upon the St. John United Church of Christ & St. John United Church of Christ Cemetery Association properties located on Donges Bay Road located at W156 N11685 Pilgrim Road and having Tax Key GTNV #221-081.

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

Introduced by Trustee:

Adopted:

Vote: Ayes: Nays:

Dean Wolter, Village President

APPROVED AS TO FORM:

ATTEST:

Brian C. Sajdak, Village Attorney

Barbara K. D. Goeckner, Village Clerk

Published:

HISTORIC DESIGNATION APPLICATION

2/10/14 Plan Commission Meeting

St. John United Church of Christ / St. John United Church of Christ Cemetery Association

Village Planner Report

Germantown, Wisconsin

Summary

St. John UCC & the St. John UCC Cemetery Association, property owners, are seeking approval of the Village's Historic Designation for the church located at N104 W14181 Donges Bay Road and the cemetery located on Donges Bay Road.

Property Location: N104 W14181 Donges Bay Road (church)

**Owner/
Applicant:** St. John United Church of Christ
N104 W14181 Donges Bay Road
Germantown, WI 53022

Current Zoning: I: Institutional

Adjacent Land Uses		Zoning
North	Residential	Rs-3
South	Residential	Rs-3
East	Residential	Rs-5
West	Residential	B-3



Proposal/Background

Historic Designation applications are part of an overall voluntary program as set forth in Section 26 of the Village Code. The Historic Designation (HD) serves as an "overlay" district with specific design and improvement guidelines that need to be met in order to retain the Historic Designation. Once designated, the regulations set forth in Section 26 limit the type and amount of future improvements to designated structures or lands without meeting certain guidelines intended to protect and preserve historical character.

St. John UCC & the St. John UCC Cemetery Association, property owners, are seeking approval of the Village's Historic Designation for the church located at N104 W14181 Donges Bay Road and the cemetery located on Donges Bay Road. As required, the owners have provided a detailed history of the property and former owners as part of their application (attached).

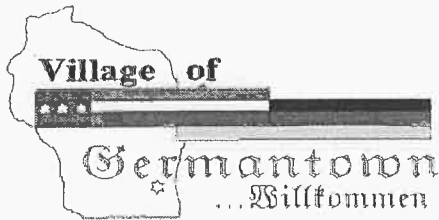
The St. John cemetery property on Donges Bay Road was the site of the first church building for the congregation that was formerly established in 1843. The current church building located 1/2-mile to the east was constructed in 1869.

As required, other Village Departments have reviewed the request and provided recommendations. Except for Public Works, all Village departments have expressed their support for the Historical Society request. The Department of Public Works objection concerns the potential impact the historic designation might have on the Village's ability to acquire right-of-way from and/or install necessary improvements across the St. John parcels for the planned Donges Bay Road improvement project. As discussed in the Village engineer's January 17, 2014 memo (copy attached), the DPW has mapped out the currently planned road improvements along the frontage of both St. John parcels (see attached). While relatively minor in terms of impacting the properties (no right-of-way acquisition is required), the DPW has indicated that they will withdraw their objection to the historic designation if St. John's does not object to the improvements.

The Plan Commission is required to review the request and make a recommendation to the Village Board (similar to a rezoning application). A recommendation for approval of the historic designation requires a 2/3-majority vote (5 of 7 members) of the Plan Commission.

Village Planner Recommendation

APPROVE the requested Historic Designation for the St. John UCC properties located on Donges Bay Road (church located at N104 W14181 Donges Bay Road).



Engineering Department Memorandum

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

From : Brionne R. Bischke, P.E., Village Engineer *BRB*

Date : January 17, 2014

Re : St. John United Church – N104 W14181 Donges Bay Road. Historic Designation Application.

Donges Bay Road construction is expected in Years 2015 and 2016. Attached are potential proposed roadway templates overlain upon aerial exhibits of the St. John UCC Church and Cemetery parcels. If the Church does not object to the potential impacts these templates may have to the subject parcels, then DPW/Engineering does not object to the proposed historic designation.

Attachments:

- Roadway template overlain upon aerial exhibit of St. John's UCC Church
- Roadway template overlain upon aerial exhibit of St. John's UCC Cemetery

WIS 145 INTER
IMPROVEMENT P

198+00

199+00

200+00

201+00

SS LANE

ST JOHNS CHURCH
N104 W14181
DONGES BAY RD

R.A. Sm

ST JOHN UNITED
N104 W14181
DONGES BAY RD

NE
N10364
FIELD CT

BERGUM
W147 N10379
HERITAGE HILLS PKWY

KONOP
W147 N10363
HERITAGE HILLS PKWY

EGAN
W147 N10345
HERITAGE HILLS PKWY

DE
N103
HAWKE

PLAN COMMISSION MINUTES

February 10, 2014

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

ROLL CALL: Chairman Wolter, Commissioners Warren, Stauffacher, Peck, Gray and Yokes were present. Trustee Representative Baum was late. Also present were Village Planner Jeff Retzlaff, Village Engineer Brionne Bischke and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

PREVIOUS MINUTES: *MOTION Warren second Peck to Approve the Minutes from February 3, 2014.*

MOTION carried unanimously.

Terry Masse for Dennis Wendtland – W140 N14315 Country Aire Drive. Request for a 3-lot Certified Survey Map and Rezoning in order to create three agricultural parcels from a 41.8 acre parcel. Planner Retzlaff summarized the proposal.

MOTION Stauffacher second Warren to Approve the Rezoning of the entire 41.8 acre property from A-1:Agricultural to A-2:Agricultural; and

Approve the 3-lot Certified Survey Map land division for the 41.8-acre property located on Pioneer Road subject to the following conditions:

- 1. All technical corrections identified by the Village Surveyor set forth in the November 1, 2013 memo shall be made prior to recording the CSM by the Village Board.***
- 2. A note shall be added to the CSM indicating that "Lot 3 shall not be developed or divided until a soil evaluation report reviewed and approved by Washington County has been submitted to the Village of Germantown that indicates the lot can support an on-site sanitary system".***

MOTION carried unanimously.

St. John United Church of Christ & Cemetery – N104 W14181 Donges Bay Road. St. John UCC & the St. John UCC Cemetery Association, property owners, are seeking approval of the Village's Historic Designation for the church and cemetery located on Donges Bay Road. Planner Retzlaff summarized the proposal. He said all Village departments supported the request except for the Public Works Department who had a concern with regard to the ability to acquire right of way for the future Donges Bay Road project. But after further discussions, Public Works has identified the potential improvements to be made to Donges Bay Road that will narrowly impact the church parcel. Public Works has indicated that the church is OK with the improvements that are shown and has dropped their objections to the historic designation request.

Discussion followed regarding if State funding would become involved in the road project. Engineer Bischke said the Village will not use State funding therefore the State historical preservation process will probably not be involved in the process. Chairman Wolter confirmed that the road improvements will be a Village project and built to local standards.

MOTION Stauffacher second Peck to Approve the requested Historic Designation for the St. John UCC properties located on Donges Bay Road (church located at N104 W14181

Donges Bay Road).

Chairman Wolter asked if the new road and width of the gravel and paths could possibly be impacted depending on what is approved or can it be engineered to have no impact. Engineer Bischke said the Village will minimize impact to affected properties.

Trustee Representative Baum arrived 6:51 p.m.

MOTION carried unanimously.

Cambridge Major Laboratories – W132 N10550 Grant Drive & W130 N10497 Washington Dr.

Skyline Development, agent for Cambridge Major Laboratories, is requesting a consultation with the Plan Commission regarding a proposal to install a perimeter security fence around their property. Planner Retzlaff summarized the proposal.

He said the Business Park Covenants do not allow security fencing so they would have to be changed to allow a fence of this nature.

Mike Krenz, Skyline Development, said Cambridge Major Labs is growing and expanding by leaps and bounds. Safety for their assets is the number one concern. He said they are looking at developing other business and to enable them to do that, part of the requirement is to have a security fence around the property. Prasad Raje, Cambridge Major Laboratories, said the installation of a fence will bring Cambridge up to pharmaceutical standards.

Plan Commissioners had the following comments and concerns regarding the proposal for a fence:

- Suggests the property is a medium security prison
- 8 foot fence is too tall
- It's looks scary
- Emergency access concerns
- Looks harsh
- What are the fence requirements
- Landscaping would help obscure the fence
- Bring fence back to the building and engage the building
- Concern that other businesses will also want a fence
- Good Covenants will be needed to be created
- Establish a minimum set of standards (height, landscaping, setback)
- Don't like concrete piers
- No cyclone fences, to wire fences, no concertina wire

Chairman Wolter said Cambridge has had a long history in Germantown and he appreciates them staying here. He understands as the business grows, security now becomes a need and we want to accommodate the growth of the company. He added that because they are the first to request a fence, they will be setting the standard for the future. He explained all business owners will be sent the covenant change to review and 50 percent approval will be needed to implement. Staff indicated that they would bring a draft set of standards to the next Plan Commission meeting.

Core Commercial for Russell & Karen Kloehn and Paul & Vivian Pingel – N96 W19100 & N96 W19062 County Line Road. The developer is seeking approval of a Rezoning Application, 1-Lot Certified Survey Map and Site Plans for a 21,750 sqft retail center on a 3.7 acre parcel located west of the Germantown Plaza II on County Line Road. Planner Retzlaff summarized the

APPROVED BY THE GERMANTOWN HISTORIC PRESERVATION COMMISSION

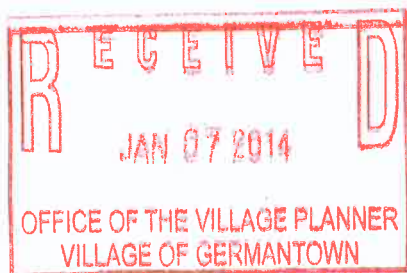
ST. JOHN UNITED CHURCH OF CHRIST AND HISTORIC CEMETERY

An Application for Historic Designation

Applied for by the Church Council of St. John. Signed by Eric Hillstrom, Council President.

Agents: Joan and Ken Schaetzel

1/7/2014



Includes a signed and dated application. Current photos. Zoning map of the parcels and the surrounding area. Certified Survey Maps. An Informational story about the people and events associated with the property that has contributed to the history of Germantown and the surrounding area. Copies of the original warranty deeds for both parcels. Comments from the village departments.



**HISTORIC PRESERVATION
COMMISSION**
N112 W17001 MEQUON ROAD
P.O. Box 337
GERMANTOWN, WI 53022-0337

APPLICATION FOR HISTORIC DESIGNATION

PURSUANT TO SECTION 17.00 OF THE MUNICIPAL CODE

PLEASE READ AND COMPLETE THIS APPLICATION CAREFULLY. ALL APPLICATIONS MUST BE SIGNED AND DATED.

1. APPLICANT OR AGENT

St. John United Church of Christ and the
St. John United Church of Christ Cemetery
Association

PHONE (262) 251-0640

2. PROPERTY OWNER

Same

PHONE Same

3. PROPERTY ADDRESS

Church - N104 W14181 Donges Bay Road

4. TAX KEY NUMBER

GTNV 351988, Old cemetery GTNV 264990

5. PROPERTY HISTORY

HISTORIC NAME OF PROPERTY

St. John United Church of Christ

DATE BUILT

1869

ARCHITECT / BUILDER

Myath and Koch

SOURCE OF THIS INFORMATION

Various church records and published pamphlets.

☐ CHECK HERE IF THIS PROPERTY IS THREATENED WITH DEMOLITION OR DESTRUCTION.

6. PURPOSE OF APPLICATION

BRIEFLY DESCRIBE THE REASON FOR YOUR REQUEST

The architecture of this era as it reflects in the age and beauty of this building should be preserved. It is a well-proportioned building with graceful lines, it has admirable masonry work, unique stained glass windows and a landmark bell tower.

7. HISTORIC SIGNIFICANCE OF PROPERTY

CHOOSE ONE OR MORE OF THE FOLLOWING.

- ☒ THIS PROPERTY ILLUSTRATES AN IMPORTANT ASPECT OF GERMANTOWN'S HISTORY THROUGH ITS ETHNIC, AGRICULTURAL, INDUSTRIAL, ETC., HISTORY.
- ☐ THIS PROPERTY IS DIRECTLY ASSOCIATED WITH A PERSON WHO MADE IMPORTANT CONTRIBUTIONS TO GERMANTOWN'S HISTORY.
- ☒ THIS PROPERTY IS ARCHITECTURALLY OR ARTISTICALLY SIGNIFICANT.

EXPLAIN BRIEFLY AND INCLUDE SOURCES IF APPROPRIATE. ATTACH ADDITIONAL PAGES AS NECESSARY.

see attached

8. DOCUMENTATION

PLEASE CHECK ONE OR MORE OF THE FOLLOWING:

- ☒ RECENT PHOTOGRAPH (REQUIRED)
- ☐ BUILDING PLANS (IF AVAILABLE)
- ☒ HISTORIC PHOTOGRAPH (IF AVAILABLE)
- ☒ ANY ADDITIONAL SUPPORTING INFORMATION.
- ☒ SIMPLE MAP OF THE PROPERTY (REQUIRED)

BRIEFLY DESCRIBE. ATTACH ADDITIONAL PAGES AS NECESSARY.

Photograph taken 2012

Historic photograph and various pamphlets published in 1943, 1968 and 1993 and church records

Map of the area from village hall

9. ALTERATIONS / ADDITIONS TO PROPERTY

BRIEFLY DESCRIBE WITH DATES. ATTACH ADDITIONAL PAGES AND PHOTOGRAPHS AS NECESSARY.

In 1985, an addition was made to the original building including new entry, narthex, church offices, choir room and lower-level fellowship hall. The outside was made in keeping with the lines of the original building by using masonry stone of the front facade.

10. SIGNATURES


APPLICANT

Council President, St. John UCC 9/8/13
DATE OWNER President

DATE

Addendum to the Application

7. This building began as an important place of worship in the 1800's for many settlers to the area. The congregation was formally established in 1843. At the time, they met in a log building located a half mile west of the current site. That site is still part of St. John United Church of Christ as an historic cemetery. The building not only gave the congregation a place to worship but also a place to gather for fellowship, an important aspect in the social life of the early settlers as they needed to rely on each other as they went about their daily lives. The history books tell us on numerous occasions how the people of that time came together in worship, work and fellowship. They joined together to erect the current building in 1868 with completion in 1869.

The church is featured in H. Russell Zimmermann's book, *The Heritage Guidebook, Landmarks and Historic Sites in Southeastern Wisconsin*, published first in 1975. The church is located under section/Washington County/Germantown/page 248/number 537.

In 1982 the church was recognized by the Washington County Historical Society as an historic landmark.

In 1985 it was honored with the Owner Award given by the Wisconsin Society of Architects and the American Institute of Architects. The firm of Kubala Wahatko Architects received this citation for distinguished accomplishments in architecture.

The architects who designed the church took details from several architectural styles that were popular at the time to produce a building that has been a landmark for many years in this community. Greek Revival can be seen in the gabled roof, the segmental pediments over the windows and transom window over the door. The stone quoins and engaged columns at the belfry are Roman inspired. Italianate influence can be seen with the paired bracket on the belfry and in the door panels at the entrance of the church.





St. John United Church of Christ

St. John's congregation was founded in 1843 by a group of immigrants who had left Germany for economic and political reasons. They came mainly from the Rhine province of Hessen Darmstadt and the Bavarian Palatinate.

The land for the original log church and small burial ground were located approximately one-half mile west of the present location of the church on Donges Bay Road. On May 24th 1845, John and Gertrude Gilbert sold two hundred and fifty-five thousands of an acre in the southeast quarter of Section 26 in Town Nine and Range Twenty to the Trustees of the German reformed Lutheran Society. Before the log church was completed we understood that services and confirmation classes were held under the basswood tree. The church was served by circuit riders. This young congregation was served sometimes by Lutheran and sometimes Reformed pastors.

On August 25, 1867, the first resident minister was call. The Rev. G. Ebling formalized the start of the relationship which was to become a part of the German Evangelical Synod of North America, later known as the Evangelical and Reformed Church. The next day the congregation met to discuss the possibility of purchasing more land to build a new church and

parsonage. In the course of making this decision, a group withdrew and formed what is today known as St. Paul's United Church of Christ in Menomonee Falls. Over these few short years, it could be said that St. John has been the parent church for four neighboring congregations as several other groups had left earlier.

On the 16th of December 1867, the remaining membership bought three acres of land located in Section 35 from Adam and Maria Stein for \$150. In February of 1868, fifty-one members pledged \$3,785 and the present St. John's slowly took on shape and form under the skillful hands of Peter Bronn, a master craftsman in masonry. The stone was cut and quarried on land of members Conrad Dexheimer, Henry Leonhardt and Valentine Schaetzel who received the sums of \$18.75, \$68.75 and \$65.00 respectively. All three men then donated this money in addition to their pledges, this at a time when \$1.00 was paid for a full day's work digging sand for the church construction. The architecture firm of Myath and Koch was hired for \$30.00 to draw up the plans, after a bid of \$5.00 was rejected from another firm. Henry C. Koch was the architect who later designed the Milwaukee City Hall, which was built in 1895. The good judgment of the congregation in selecting a building with graceful and well-proportioned lines has been proven. Even today St. John's building is recognized as an outstanding example of the architecture of that era.

Although there was a cemetery on the site of the original church, another cemetery began at the site of the new building. Church records show that the first recorded burial was in 1851. Currently, the Germantown VFW maintains the original cemetery. Church members maintain the new cemetery and burials continue to this day.

Upon completion of the church, free-will pledges were signed in 1869 to build a parsonage. This project was complete in 1872. Both buildings were erected and paid for without outside assistance and without assuming a debt.

Soon after the church and parsonage were completed, a fund of \$300.00 was raised to purchase a 900 lb. bell for the bell tower. Later, on the occasion of the 50th Anniversary of the church, Mr. John Juedes donated a larger bell, weighing 1675 pounds. Both bells are still used today. Music has always played an important part in the life of this congregation. The first organ was purchased in 1876.

Through the years the church has been redecorated from time to time, first in 1892 at a cost of \$1300. This amount was raised again by free-will offerings.

The beautiful art glass windows were placed in 1919, one presented by the Ladies Guild and another by the Sunday school. The other stained-glass windows were paid for by free-will contributions. Electric lights were installed in the church and parsonage in 1926.

In May of 1931 the church was renovated and local artist LeRoy Obermann painted a large mural on the altar (south) wall of the sanctuary. This mural remained until 1961 when the church was repainted and new altar furniture and a large wall cross were dedicated.

A major building project was undertaken in 1952 and 1953. The congregation borrowed \$7,500 to excavate the church building and construct a basement. Volunteer help greatly reduced the cost of the remodeling. A new heating system was installed along with kitchen and lavatory facilities. New carpeting was installed and the chancel was rearranged. A new wall cross was designed and made by member Warren Schwartz, along with the chancel furnishings.

The new basement provided much needed space for Sunday School and the business and social activities of the congregation. In April of 1960, a house adjoining the church property to the east was purchased for \$15,000 for use as a parsonage. The former parsonage was then used as a Christian Education Building. The size of the parking lot was doubled in 1961.

The Women's Guild (formerly known as the Ladies Aid) donated a new organ in 1955, replacing one purchased in 1911.

On June 25, 1957 the historic merger of the Evangelical and Reformed Church of America and the Congregational Christian Church took place, forming the United Church of Christ. As a result of this merger, the congregation voted to change the name to St. John United Church of Christ.

Through the ensuing years, the congregation flourished under the leadership of various pastors. They not only continued to worship and fellowship with one another but they began to reach out into the community. In the 1970's the Wee-Care Day Nursery operated a center in the church basement and the Washington County Youth Bureau Services occupied the Christian Board of Education Building one day a week as a branch office.

From 1970 to 1980, the congregation was served by the part-time services of Rev. Gervas Meinzer.

Late in 1980, the congregation realized that growth was essential for survival in the changing neighborhood of emerging subdivisions and new churches. A full-time pastor was hired to guide and represent our presence in the community. Rev. John Klein was called and the congregation flourished in activities and services.

The age and beauty of the building resulted in the designation of St. John as a Washington County Historical Landmark by the Washington County Landmark Commission in

1982. It also marked the 25th anniversary of the United Church of Christ. A logo was developed to illustrate the slogan: 'St. John, the Little Church with the Big Heart – Historically Rooted, Branching Toward the Future'.

As the congregation grew, it became more apparent that an addition to the existing building was necessary. Under the care and guidance of architects, Kubala-Washatko the new addition and remodeling began in 1985 and was completed in 1986. This addition included church offices, a foyer and a narthex, choir room/nursery, coatroom and rest rooms. The balcony was removed and the sanctuary was reversed. The lower level provided a much needed fellowship hall, kitchen and restrooms.

While church services were held in Etzel's Hall across the street, members worked diligently in refurbishing the pews in Leicht's barn and in painting the new addition. A dedication was held on June 22, 1986.

There is a merging of the old and the new in this addition, an attempt to honor the past by preparing for the future. The exterior pays respect to the historical nature of the original building, which makes it clear that this present generation values the tremendous heritage given to us by our forefathers. The interior of the addition is designed to meet the modern educational needs of the growing minds of youth and adults alike. It attempts to be responsible in Christian stewardship by using twentieth century, energy-efficient technology. Architects, Kubala-Washatko, received an award from the Wisconsin Society of Architects for their distinguished accomplishment in architecture for the design of the new addition.

Pastor Greg Young was hired in 1988 and the church continued to thrive under his leadership.

In that same year, the old parsonage (Christian Education Building) was sold and moved nearby (Country Aire Drive) where it was renovated by the new owners, Ron and Jan Johnson. Also that year the sewer hook-up for the church and the building to the east of the church was completed.

1993 brought about the celebration of 150 years of dedication and service to our Savior. Various programs, services and events were planned to celebrate this occasion. The Women's Guild was instrumental in designing and making a heritage quilt, wherein each member designed a square. Each square needed to include a heart. The quilt hangs in the church stairwell at this time. Old-Fashioned Sunday in June proved to be a big success as the church service was held outdoors and the congregation dressed in period clothing. An old-fashioned box social was held at noon and the afternoon was filled with fun and games, culminating with a pig roast for supper, followed by square dancing and a campfire vesper service.

Former pastors, members and confirmands were invited to Reunion Sunday on September 19, 1993 for a re-dedicatory service and fellowship. The Rev. Robert Horst, SE Wisconsin Association Pastor was the guest speaker. The noon luncheon consisted of the menu the Women's Guild served many years ago for their annual ham dinner.

Anniversary Sunday was held in October with the Rev. Frederick Trost, Wisconsin Conference Pastor, as the honored guest and speaker. He not only extended his congratulations to the congregation but also presented a challenge for the future.

As in any building project, storage is always an issue. The congregation was able to purchase a used storage shed and it was moved onto the church property. The old shed on the northwest side of the property was removed.

The result of many fund raisers enabled the congregation to purchase a new organ in 1997.

Other changes were forthcoming as the congregation continued to flourish and enjoy their new church building. There was a personal request from a church member to create a special memorial. Member Bill Kaiser, working with the theme "The Little Church with the Big Heart" designed the heart memorial. The project was started in September, 1998 and completed in June, 1999. The cross was created from a 100-year old barn timber donated by the Mittag family whose history with the church dated back over 135 years. The flowerbed is a symbolism relating to the three crosses of the Lord's crucifixion. It includes a white cross in the center of the heart, the wooden timber cross and the third cross which appears at night when a spotlight casts a shadow image from the wooden cross upon the wall behind the memorial.

1998 also brought the addition of a much need additional parking lot, located to the east of the church building.

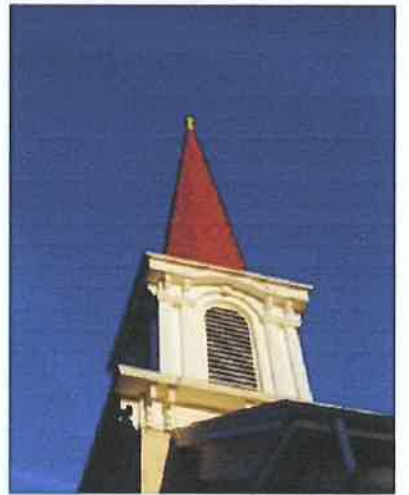
The mortgage for the remodeling and new addition was fulfilled in 2003.

In 2007 it was determined that the congregation did not want to be in the rental business. The church parsonage to the east of the church had been rented out for many years as pastors chose to purchase their own homes and, therefore, the parsonage was not needed for them. The building was removed and in 2013 the congregation dedicated a Memorial and Prayer Garden in that location. The Memorial and Prayer garden was the culmination of several years of planning by the congregation to develop land immediately east of the church that originally housed the church parsonage. The garden is designed to provide a quiet space for reflection and prayer for all members of the community. The project was exclusively funded through member donations

and memorials. The garden was designed by Jan Puhlmann, who is a member of New Hope UCC in Jackson.

In 1998 St. John entered into a yoked agreement with its sister church Our Savior's UCC in Germantown. Under the arrangement, the two congregations have shared the leadership of Pastor Michael Matheny until mid-2013 when Pastor Tara Tetzlaff assumed that same role.

(Information was obtained from various church records, pamphlets, booklets and member recollections. 2013)



29-9-21

Gottlieb Sturz and Johanna his wife of the County of Washington and Territory of Wisconsin, parties of the first part and John W. Schwaano of the same place, party of the second part, Witnesseth, that the said parties of the first part, for and in consideration of the sum of Two hundred and fifty Dollars lawful money of the United States to them in hand paid, by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened and confirmed and by their presents do give, grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part and to his heirs and assigns forever. All of the South East quarter of the South West quarter of Section number Twenty eight (28) in Township N. Nine (9) North of Range N. Twenty one (21) East containing forty (40) acres, according to government survey. To have and to hold the said premises with the hereditaments and appurtenances thereto belonging unto the said party of the second part and to his heirs and assigns forever, together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining and all the estate, right, title, interest, claim or demand whatsoever of the said parties of the first part, either in Law or equity, either in possession or expectancy of, in and to the above bargained premises and their hereditaments and appurtenances. And the said parties of the first part, for themselves, their heirs, executors, administrators and assigns, do further covenant, grant, bargain and agree to and with the said party of the second part, his heirs and assigns, that at the time of the executing and delivering of these Presents, they are well seized of the premises as above described as of a good, sure, perfect, absolute and in defeasible estate of inheritance in the land, in fee simple, and that the same is free and clear from all incumbrances whatsoever and that the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns; against all and every person or persons lawfully claiming the whole or any part thereof, they will forever warrant and defend. In witness whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in presence of

Fred. W. Flora

C. G. Gueyler

Territory of Wisconsin

County of Washington

On the ninth day of February A.D. 1876, personally came before me the within named grantors Gottlieb Sturz and Johanna Sturz his wife and acknowledged that they had executed the above covenants, freely and voluntarily for the uses and purposes therein mentioned.

Friedrich W. Flora Justice of the Peace.

Received for Record February 9th 1876 at 11 o'clock A. M.

Friedrich W. Flora, Register of Washington County, W. T.

18. John Gilbert and wife to Philip Weber et al. Trustees of Wm. Good. This Indenture made the twenty fourth day of May, in the year of our Lord one thousand eight hundred and forty five, Between John Gilbert and Gertrude Gilbert his wife, both of Washington County, and Territory of Wisconsin, parties of the first part and Philip Weber, John Knout, William Straub, John Felner and Peter

Schreier of same place, Trustees of the German reformed Lutheran Society, parties of the second part, witnesseth, that the said parties of the first part, for and in consideration of the sum of One Dollar good and lawful money of the United States of North America, to them in hand paid, by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien and confirm, unto the said parties of the second part and to their successors in office forever in trust, for the use of the said German reformed Lutheran Society, the following piece or parcel of land, lying and being in Washington County aforesaid, to wit: Two hundred and fifty five thousands of an acre in the South East quarter of Section Twenty six in Town Nine and Range Three bounded as follows: Commencing at a post on the South line of said Section Twenty six - Three chains and sixteen links East of the quarter post, running thence East on Section line Three chains and twenty seven links to a post, thence North one chain and fifteen links to a post, thence West Three chains and sixteen links to a post, thence South one chain and fifteen links to the place of beginning, containing, including the half of the road on the Section line, three hundred and seventy six thousandths of an acre, and without the road, Two hundred and fifty five thousandths of an acre. Together with all and singular the hereditaments and appurtenances therunto belonging, or in any wise appertaining; and all the estate, right, title, interest claim or demand, whatsoever, of the said parties of the first part, either in law or equity, either in possession or expectation of, in and to the above bargained premises and their hereditaments and appurtenances, To have and to hold the said premises, as above described, with the hereditaments and appurtenances, unto the said part, us of the second part and to their successors in office, forever. And the said parties of the first part, for themselves, their heirs, executors and administrators do covenant, grant, bargain and agree to and with the said parties of the second part and their successors in office, that they at the time of the executing and delivering of these presents, are well seized of the premises above described as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the land in fee simple, and that the same are free and clear from all incumbrances whatever, and that the above bargained premises, in the quiet and peaceable possession of the said parties of the second part & their successors in office, against all and every person or persons, lawfully claiming the whole or any part thereof, they will forever warrant and defend. In witness whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written.

MS 50
26-9-20

All the interlineations viz in tenth line from the top, in the twenty third, twenty fifth and twenty eighth, were made before signing, the interlineation between lines twelve and thirteen was also inserted before signing.

Sealed and delivered in presence of
 John Claus Glubenckel, Edw. Matthe, & J. Brown } Johannes Gilbert Seal
 Gertrude Gilbert Seal

Territory of Wisconsin } Be it remembered, that on the twenty fourth
 County of Washington } day of May personally came before me the
 undersigned, a Notary public in and for said County, the above named John Gilbert
 and Gertrude his wife and acknowledged that they had executed this deed
 for the uses and purposes therein mentioned. In witness whereof I have

hereto set my hand in Washington County, the day and year above written - All which I do certify, according to the Statute.

S. S.

J. D. Brown, Notary Public.

Received for Record February 9th 1846 at 2 o'clock P. M.
Frederick W. Horn, Register of Washington County, W. T.

John Gilbert to Trustees of Fulton Sch. Dist. No. 4. Warranted Good.

This Indenture made the twenty fourth day of January, in the year of our Lord one thousand eight hundred and forty one, between John Gilbert of Washington County, Wisconsin Territory, party of the first part and the Trustees and inhabitants of Fulton School District No. four of the County and Territory aforesaid, parties of the second part, witnesseth, that the said party of the first part for and in consideration of the sum of Two dollars and fifty Cents in hand paid by the said parties of the second part; the receipt whereof is hereby acknowledged, has granted, bargained, sold, remised, released, aliened and confirmed, and by these presents doth grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and to their successors in office, heirs and assigns forever: All that certain piece or parcel of land lying, being and situated in the County of Washington and Territory of Wisconsin, described and known as follows, to wit: commencing at South West corner of Section twenty six (26) and running North thirteen rods, thence East thirteen rods, thence South thirteen rods, thence West thirteen rods to the place of beginning in Township No. Nine (9) North of Range No. twenty (20) East, containing one hundred and sixty nine (169) rods or one acre and nine rods of land for the purpose of a burying ground. Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining. And the reversion and reversions, remainders and remainders, rents, issues and profits thereof, And all the estate, right, title, interest, claim or demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances. To have and to hold the said premises as above described, with the appurtenances, unto the said parties of the second part and to their successors in office, heirs and assigns forever. And the said party of the first part, for himself, his successors, heirs, executors or administrators, doth covenant, grant, bargain, and agree, to and with the said parties of the second part and to their successors, heirs and assigns, that at the time of the executing and delivering of these presents they are well seized of the premises above conveyed as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and hath good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid. And that the same is free and clear of all incumbrances of what kind and nature soever. And that the above bargained premises, in the quiet and peaceable possession of the said parties of the second part, their successors, heirs and assigns, against all and every person or persons, lawfully claiming or to claim the whole or any part thereof, will forever warrant and defend. In witness whereof the said party of the first part has hereto set his hand and seal the day and year first above written. The date altered before signing,

✓
SKSH

26-9-20

Madame. Simon May. Trustees of St. John Church. X. B. & Co., Stationers, Milwaukee.

This Indenture, made the Twentieth day of December in the year of our Lord one thousand eight hundred and Eighty between Adam Simon and Maria his wife of the Town of Germantown, County of Washington, and State of Wisconsin parties of the first part, and John C. Smith, Jacob H. Hall, and Henry Haushalter Trustees of the Territorial Evangelische James Johannes Kirche, of the Town of Germantown, County of Washington and State of Wisconsin, parties of the second part

Witnesseth, that the said parties of the first part, for and in consideration of the sum of One hundred and fifty \$150. Dollars herein hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said parties of the second part, and their heirs and assigns forever.

Successors in office forever, all that part parcel or piece of land situate lying and being in the Town of Germantown, County of Washington, and State of Wisconsin and being within the following boundaries to wit: Commencing on a point thirty (30) rods West of the North East corner of Section No. Thirty Five (35) Township No. 9 North of Range No. Twenty Two East, and running from thence North, twenty (20) rods, thence South Twenty four (24) rods, thence East, twenty (20) rods, thence North twenty four (24) rods to the place of beginning, containing in all three (3) acres of land. The said land to be used for Religious purposes. The said Territorial Evangelische James Johannes Kirche shall enclose the premises with a good substantial board fence, which said fence shall never be removed. The place of beginning shall fall farther East or West by any Public Survey hereafter.

436. P. 27

Admitted

NOTED
21 of 50-4

Together with all and singular the Hereditaments and Appurtenances thereunto belonging, or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever of the said parties of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances. To Have and to Hold the said premises as above described, with the Hereditaments and Appurtenances, unto the said parties of the second part, and to their heirs and assigns forever.

And the Said Parties of the first part for themselves heirs, executors and administrators, do covenant, grant, bargain and agree, to and with the said parties of the second part, their successors heirs and assigns, that at the time of the enacting and delivery of these presents, they are well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever.

and that the above bargained premises, in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, they will forever WARRANT AND DEFEND.

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered In Presence of }

John C. Smith
Jacob H. Hall
Henry Haushalter

Adam Simon
Maria Simon

STATE OF WISCONSIN, ss.

County of Washington. Be it Remembered, That on the Twentieth day of December A. D. 18 88 personally came before me the above named Adam Simon & Maria his wife

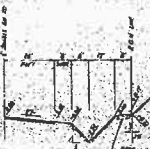
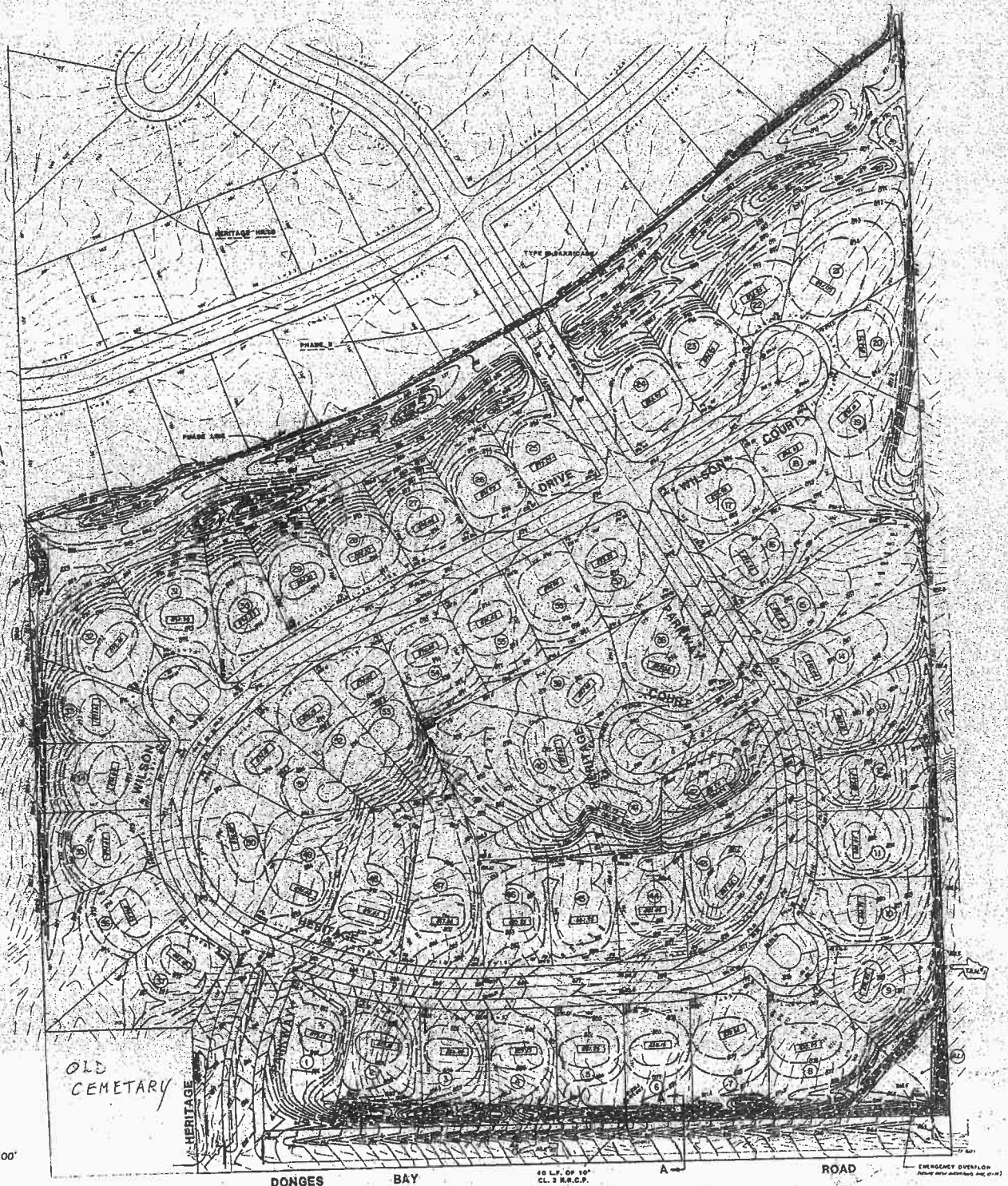
to me known to be the person who executed the said Deed, and acknowledged the same to be their free act and deed, for the uses and purposes therein mentioned.

Received for Record, at 8 o'clock P. M.
December 16th 1888
John C. Smith Register.

Philip J. Zimmerman
Notary Public
Washington County Wis.

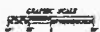
HERITAGE HILLS

GRADING PLAN

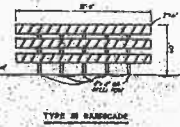


ROADWAY DITCH DETAIL
(SECTION A-A)

SCALE N 1" = 100'



Menon Engineering Associates
Consulting Engineers and Surveyors
734 N. North Washington Road
Madison, WI 53717
(608) 261-1200
Fax (608) 261-1201



TYPE III BARRICADE

LEGEND

- EXISTING GRADE CONTROL
- PROPOSED GRADE CONTROL
- ROADWAY DITCH DETAIL
- EMERGENCY OVERTURN
- EMERGENCY OVERTURN DETAIL

GRADE ADJUST:
T.O. M.F. - EXISTING GRADE AT WEST SIDE OF
OF TYPE III BARRICADE
M.F. - EXIST. GRADE AT EAST SIDE OF TYPE III BARRICADE

APPROVED BY: [Signature]
DATE: 10/1/88

SHEET 1 of 3

DATE: 10/1/88
BY: [Signature]
CHECKED BY: [Signature]
DATE: 10/1/88

DHH 91000

Denise Hoinacki

From: Chief Peter Hoell <phoell@germantownpolice.org>
Sent: Monday, November 11, 2013 11:36 AM
To: Denise Hoinacki; Dan Ludwig ; Jeff Retzlaff ; Justin Casperson; Mike Guttman; Gary Pollpeter
Cc: Chris Kauth ; Jerry Hoinacki ; Jeff Werderman; Barb Mendenhall
Subject: RE: HPC Application

The Police Dept. has no objections.

Chief Peter Hoell

Peter G Hoell
Chief of Police
Germantown Police Department
N112 W16877 Mequon rd.
Germantown, WI. 53022
PH 262-253-7788
Fax 262-253-7787
E-mail phoell@germantownpolice.org

Excellence In Police Service



From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Monday, November 11, 2013 11:30 AM
To: Dan Ludwig ; Jeff Retzlaff ; Justin Casperson; Mike Guttman; Chief Peter Hoell; Gary Pollpeter
Cc: Chris Kauth ; Jerry Hoinacki ; Jeff Werderman; Barb Mendenhall
Subject: HPC Application

The Historic Preservation Commission is considering an application from St. John's United Church of Christ located at N104 W14181 Donges Bay Road for historic designation. The church graveyard and the historic cemetery to the west on the north side of Donges Bay is also included with this application.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06 (1)(b)1, requires us to solicit your comments on any present or future project or condition that would directly affect the applicant's property. Your comments and information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you, in advance for your attention to our request.

Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022
262-251-8513

Denise Hoinacki

From: Dan Ludwig <dludwig@village.germantown.wi.us>
Sent: Monday, November 11, 2013 12:19 PM
To: Denise Hoinacki; Jeff Retzlaff; Justin Casperson; Inspector; Peter Hoell ; Gary Pollpeter
Cc: Chris Kauth ; Jerry Hoinacki ; Jeff Werderman; Barb Mendenhall
Subject: RE: HPC Application

Denise,

I have concerns regarding the request for historic designation for the parcel at N104 W 14181 Donges Bay Road: St. John's United Church of Christ. Since the application was not attached: is the application for local historic designation or for National Historic designation? I don't understand how discontinuous parcels can be applied for on an application unless it is for local designation?

The Village's Engineering Department is in the process of designing an upgrade to the Donges Bay Road facility. The historic designation may hamper acquisition of right of way and restrict needed safety measures for multi-modal compliance.

If the application could be approved conditionally to take effect after the road project in 2016, my concern is dismissed and I would remove my objection.

Sincerely,

Dan Ludwig
Director of Public Works

From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Monday, November 11, 2013 11:30 AM
To: Dan Ludwig; Jeff Retzlaff; Justin Casperson; Inspector; Peter Hoell ; Gary Pollpeter
Cc: Chris Kauth ; Jerry Hoinacki ; Jeff Werderman; Barb Mendenhall
Subject: HPC Application

The Historic Preservation Commission is considering an application from St. John's United Church of Christ located at N104 W14181 Donges Bay Road for historic designation. The church graveyard and the historic cemetery to the west on the north side of Donges Bay is also included with this application.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06 (1)(b)1, requires us to solicit your comments on any present or future project or condition that would directly affect the applicant's property. Your comments and information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you, in advance for your attention to our request.

Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022
262-251-8513

Denise Hoinacki

From: Gary Pollpeter <gpollpeter@germantownfiredept.com>
Sent: Monday, November 11, 2013 1:16 PM
To: 'Denise Hoinacki'; Dan Ludwig ; Jeff Retzlaff ; Justin Casperson; Mike Guttman; Peter Hoell
Cc: Chris Kauth ; Jerry Hoinacki ; Jeff Werderman; Barb Mendenhall
Subject: RE: HPC Application

The Germantown Fire Department has no objections. Thank you.

Gary Pollpeter
Fire Chief
Village of Germantown
N115 W18752 Edison Drive
Germantown , Wisconsin 53022
Phone 262-502-4701 ext 1701
Fax 262-502-4744
e-mail gpollpeter@germantownfiredept.com
NFA-EFO

From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Monday, November 11, 2013 11:30 AM
To: Dan Ludwig ; Jeff Retzlaff ; Justin Casperson; Mike Guttman; Peter Hoell ; Gary Pollpeter
Cc: Chris Kauth ; Jerry Hoinacki ; Jeff Werderman; Barb Mendenhall
Subject: HPC Application

The Historic Preservation Commission is considering an application from St. John's United Church of Christ located at N104 W14181 Donges Bay Road for historic designation. The church graveyard and the historic cemetery to the west on the north side of Donges Bay is also included with this application.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06 (1)(b)1, requires us to solicit your comments on any present or future project or condition that would directly affect the applicant's property. Your comments and information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you, in advance for your attention to our request.

Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022
262-251-8513
dhoinacki@wi.rr.com

From: [Inspector](#)
To: dhoinacki@wi.rr.com
Subject: St. John's UCC
Date: Monday, November 11, 2013 1:22:01 PM

Inspection Services has no objection.

Michael D. Guttman
Building Inspector



Village of

Germantown
Willkommen

Community Development Department

Jeffrey W. Retzlaff, AICP, Director
N112 W17001 Mequon Road P.O. Box 337
Germantown, WI 53022-0337
(262) 250-4735 direct line
(262) 253-8255 fax

December 5, 2013

Denise Hoinacki, Secretary
Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022

RE: St. John's United Church of Christ Property; N104 W14181 Donges Bay Road

Ms. Hoinacki:

The purpose for this letter is to confirm the Village of Germantown's Community Development Department's support for the property owner's request for historic designation of the above cited property. The church property is comprised of adjoining two parcels totaling 3.05 acres in area and the cemetery property is 1 acre in area. All three parcels are located in the I: Institutional Zoning District designated as "Institutional/Government" on the Village's 2020 Land Use Plan map.

While there are no outstanding building code issues affecting the church property, the fact that a portion of the parking lot is on a separate (albeit adjoining) parcel does render the parking lot non-conforming. Ideally, the church could/should combine the two parcels into one to bring the parking lot into zoning code compliance.

Also, I do agree with the comments and suggestion put forth by Dan Ludwig, Public Works Director, regarding the possibility of this designation hampering right-of-way acquisition for future road and/or safety improvements for Donges Bay Road.

As required under Section 26.06(1)(b)(2), the Village Plan Commission is required to consider this application within thirty (30) days after the Historic Preservation Commission decision. Please inform the property owner that they are responsible for ensuring that their application is scheduled before the Plan Commission. They should contact the Planning Department to discuss how their application will be processed, meeting dates, forms, and application fees (\$75). The owner is encouraged to include in their application specific details on the history of the property and a copy of whatever documentation they provided to the Historic Preservation Commission.

Please contact me if you have question or concerns with the comments provided herein.

Respectfully,
Jeffrey W. Retzlaff, AICP
Village Planner & Zoning Administrator



Denise Hoinacki

From: Justin Casperson <jcasperson@village.germantown.wi.us>
Sent: Friday, December 06, 2013 11:29 AM
To: Denise Hoinacki
Subject: RE: HPC Second Request

Denise,

I share the same concern as Dan Ludwig.

"I have concerns regarding the request for historic designation for the parcel at N104 W 14181 Donges Bay Road: St. John's United Church of Christ. Since the application was not attached: is the application for local historic designation or for National Historic designation? I don't understand how discontinuous parcels can be applied for on an application unless it is for local designation?"

The Village's Engineering Department is in the process of designing an upgrade to the Donges Bay Road facility. The historic designation may hamper acquisition of right of way and restrict needed safety measures for multi-modal compliance.

If the application could be approved conditionally to take effect after the road project in 2016, my concern is dismissed and I would remove my objection."

*Justin Casperson
Park & Recreation Director
Village of Germantown
262-250-4710*

From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Thursday, December 05, 2013 10:40 PM
To: Justin Casperson
Cc: Barb Mendenhall ; Chris Kauth ; Jeff Werderman; Jerry Hoinacki
Subject: HPC Second Request
Importance: High

The Historic Preservation Commission is considering an application from St. John's United Church of Christ located at N104 W14181 Donges Bay Road for historic designation. The church graveyard and the historic cemetery to the west on the north side of Donges Bay is also included with this application.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06 (1)(b)1, requires us to solicit your comments on any present or future project or condition that would directly affect the applicant's property. Your comments and information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you, in advance for your attention to our request.

Denise E. Hoinacki – Secretary

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

MEETING DATE: March 17, 2014

AGENDA ITEM: Public Hearing & New Business (ORDINANCE & CSM)

ITEM TITLE: Terri Masse, Agent for Dennis & Marie Wendtland, Property Owners; W140N14315 Country Aire Drive; Rezoning & 3-Lot Certified Survey Map (CSM)

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

SUMMARY EXPLANATION:

Terri Masse, agent for the owners of a 41.8-acre parcel with frontage on both Pioneer Road and Country Aire Drive is seeking approval of a 3-lot Certified Survey Map (CSM) and rezoning (A-1 to A-2) in order to create three parcels, two with existing dwellings, in order to sell one parcel with an existing dwelling to a relative.

ATTACHMENTS:

- ◆ 2/10/14 Staff Report
- ◆ 2/10/14 Plan Commission Meeting Minutes
- ◆ Draft Rezoning Ordinance
- ◆ CSM

PLAN COMMISSION RECOMMENDATION:

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

1. All technical corrections identified by the Village Surveyor set forth in the November 1, 2013 memo shall be made prior to recording the CSM by the Village Board.
2. A note shall be added to the CSM indicating that "Lot 3 shall not be developed or divided until a soil evaluation report reviewed and approved by Washington County has been submitted to the Village of Germantown that indicates the lot can support an on-site sanitary system".

ORDINANCE NO. _____

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

(Dennis & Marie Wendtland, Property Owners)

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

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

Being a Part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 2,
Township 9 North, Range 20 East, Located in the Village of Germantown, Washington County,
Wisconsin, bounded and described as follows:

Commencing at the Northwest Corner of said 1/4 Section and said Northwest Corner is the
Point of Beginning of this Description; thence North 89°59'51" East on and along the North
Line of said 1/4 Section, 42.87 feet to the South 1/4 Corner of Section 2, Township 10 North,
Range 20 East; thence North 89°57'47" on and along said North Line, 2593.23 feet to the
Northeast Corner of said 1/4 Section thence South 00°23'58" East on and along the East Line
of said 1/4 Section 685.25 feet to a point; thence South 89°43'56" West, 2637.15 feet to a
point on the West Line of said 1/4 Section; thence North 00°18'37" West, 695.89 feet to the
Place of beginning of this description. The gross area of said parcel contains 1,820,734
Square feet or (41.79830) of land more or less.

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

Introduced by Trustee: _____

Adopted: _____, 2014

Vote: Ayes: _____
Nays: _____

Dean Wolter, Village President

ATTEST:

Barbara K. D. Goeckner, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

CERTIFIED SURVEY MAP (CSM) & REZONING APPLICATION

2/10/14 Plan Commission Meeting

Terry Masse / Dennis & Marie Wendtland

Village Planner Report

Germantown, Wisconsin

Summary

Terry Masse, agent for Dennis & Marie Wendtland, property owners of a 41.8-acre parcel located on Pioneer Road is seeking approval of a 2-lot Certified Survey Map (CSM) and rezoning in order to create three agricultural parcels.

Location: Pioneer Road @ Country Aire Drive

Applicant: Terry Masse
W140 N14315 Country Aire Drive
Germantown, WI 53022

Property Owners: Dennis & Marie Wendtland
W3798 Shady Lane
Saukville, WI 53080

Current Zoning District: A-1: Agricultural

Proposed Zoning District: A-2: Agricultural

Adjacent Land Uses		Zoning
North	Agricultural (Town of Jackson)	A-1
South	Agricultural	A-1
East	Residential/Agricultural	Rs-1/A-2
West	Agricultural	A-1

Location Map



Proposal

Terry Masse, agent for Dennis & Marie Wendtland, property owners of a 41.8-acre parcel located on Pioneer Road is seeking approval of a 2-lot Certified Survey Map (CSM) and rezoning in order to create three agricultural parcels. The purpose for the proposed land division is to sell one parcel with an existing home to a relative and create a separate parcel for the other existing house (two dwellings are located on the current 38-acre parcel).

Staff Analysis**Consistency with Village's Land Use Plan.**

The Plan map classifies this property as "Agricultural/Conservation Residential". The proposed A-2 zoning with a minimum 10-acre lot size is consistent with the 2020 Land Use Plan.

Conformance with Zoning District Requirements.

Lot 1 and Lot 2 have existing dwellings with existing on-site septic systems. Proposed Lot 3 will require soil evaluations indicating that the lot can support an on-site sanitary system. Until soil evaluations are provided, a note shall be added to the CSM indicating that *"Lot 3 shall not be developed or divided until a soil evaluation report reviewed and approved by Washington County has been submitted to the Village of Germantown indicating the lot can support an on-site sanitary system"*.

The Village Surveyor has identified a number of technical corrections in their November 1, 2013 memo (copy attached) that will have to be corrected prior to recording of the CSM.

Village Planner Recommendation

APPROVE rezoning of the entire 41.8 acre property from A-1: Agricultural to A-2: Agricultural; and

APPROVE the 3-lot Certified Survey Map land division for the 41.8-acre property located on Pioneer Road subject to the following conditions:

1. All technical corrections identified by the Village Surveyor set forth in the November 1, 2013 memo shall be made prior to recording the CSM by the Village Board.
2. A note shall be added to the CSM indicating that *"Lot 3 shall not be developed or divided until a soil evaluation report reviewed and approved by Washington County has been submitted to the Village of Germantown that indicates the lot can support an on-site sanitary system"*.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner
CC:
From: Bob Beilfuss, RLS, Village Surveyor
Date: November 1, 2013
Re: Wendtland/Hillmann CSM

Jeff,

Here are my review comments for the CSM received 10/29/2013.

Certified Survey Map

Applicant or Owner: Dennis and Marie Wendtland
Land Surveyor/Firm: Rick Hillmann, RLS Continental Surveying Services, LLC
Current Zoning: A1
Rezoning Requested: A2

1. The exterior limits of the CSM do not encompass the limits of the property as described in the Warranty Deed for the property. Recorded as Document No. 1151278, the description in this document described the property as the "North Half of the North Fractional Half of the Northeast Fractional $\frac{1}{4}$ of Section 2. As described, this parcel contains approximately 40.15 acres.

What the map is showing and the Surveyors Certificate describes in the CSM is the parcel with the tax key number 021992 (East Parcel) and a portion of the adjoining parcel to the west (West Parcel) having a tax key number of 021993.

These two parcels have never been legally divided. They are show as two parcels on the tax maps and have only been "divided" graphically. The current description of record still describes these two parcels as one parcel.

The properties south of the one just described being tax parcel 021994 and 021995 have the same problem. The legal describes the parcel as one parcel but they are shown graphically on the tax maps as two separate parcels.

The manner and exterior limits of the proposed CSM legal cross over the line that defines the split between the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ just enough for there to be 2-10 acre lots to be created.

November 1, 2013

This leaves an un-described remnant parcel in the NW ¼ of the NE ¼. This method could remove the ability of the remnant parcel to be split into a smaller parcel(s) at a later date.

It also leaves the remnant parcel without a complete, standalone, retraceable and clean legal description.

The correct method to subdivide this parcel would be to create a 3 lot CSM of the parcel and include that remnant unplatted land to the west of this proposed CSM but still part of the parent originally described parcel.

2. Setbacks shown on the map are incorrect for the requested rezoning of A2. The sideyard setback is 50'. The new sideyard setback of 50' would have about 20' of the house located off Country Aire Drive to encroach into the sideyard setback and cause the new proposed lot (Lot 1) to be non-conforming.
3. It doesn't appear the surveyor measured all of the lines of the quarter section to establish the bearings of all of the ¼ - ¼ lines. Only 3 of the 4 PLSS monuments are shown on the map.

How he established the south line of proposed Lot 1 and 2, and the west line of Lot 2 is unknown. I suspect they were based on an area computation as opposed to established lines of the PLSS.

4. There are no signatures for any of the seals on any of the pages. Professional seals are required to be signed **in contrasting color per A-E 2.02(7)(b)(1) for all sheets of the document.**
5. The document is to be compiled in a black and white format. The colored north arrow will not be allowed by the Village or the Register of Deeds Office.
6. The colored north arrow on sheet 2 detail areas will not be allowed.
7. The note "Sheet x of x" has not been completed on any of the 5 sheets submitted.
8. The existing septic and well locations for the house located on Country Aire Drive are not shown.
9. The right of way dedication for both Pioneer Road and Country Aire Drive is incorrect. The Village will be requiring the right of way dedicated out to 40 feet parallel with the North and East lines of the NE ¼ Section.
10. There is a ingress/egress easement for a driveway for the benefit of the parcel south of the property being divided. This easement is referred to on the proposed CSM but is not depicted. The easement is described in Document No. 264834 and the description of the easement area is ambiguous stating the driveway, " a long existing roadway to the

November 1, 2013

residence of the seller's, said roadway is 24 ft. in width and located 1250' east of the ½ section line, running north and south through Section 2"

The location of the driveway defines the easement location, so the driveway will need to be shown along with the associated bearings and distances and sub-distances to tie the easement into other lines of the proposed lots. This easement will be located on Lot 3.

11. There are no boundary markers shown or called for on the map sheets or the Surveyor's Certificate for the exterior corners at the southeast corner and the northwest corner (also the point of beginning). These two points have to be monumented according to Chapter 236 unless the surveyor obtains a Monument Waiver form from DOA-Plat Review. A copy of this waiver form will be submitted with the next submittal of the CSM.
12. Unless the Owner can provide a letter of mortgage satisfaction, the surveyor will need to add a certificate of mortgage with a notary signature area as well.
13. Other than the header for the individual Village certificates, the rest of the associated certificate text is too small and will not be accepted by the County Register of Deeds. This document is scanned by the Register of Deeds when recorded and small text cannot be reproduced at a later date for the general public that is readable and legible.
14. The North line of the NE ¼ of Section 2 is also the Village's corporate line between Germantown and the Town of Jackson and should be annotated as such.
15. A location map is needed on the map showing at least the limits of the ¼ section and the location of the CSM within those limits.
16. I do not recommend that this document to be considered for Planning Commission agenda or approval in its current state.

Document Submittals and Data Conversion

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

Prior to Recording the Certified Survey Map, the professional land surveyor shall submit an AutoCad drawing file (.dwg) of the document in version 2004 on compact disk (CD) or via email to the Village Surveyor.

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

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

November 1, 2013

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map.

PLAN COMMISSION MINUTES

February 10, 2014

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

ROLL CALL: Chairman Wolter, Commissioners Warren, Stauffacher, Peck, Gray and Yokes were present. Trustee Representative Baum was late. Also present were Village Planner Jeff Retzlaff, Village Engineer Brionne Bischke and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

PREVIOUS MINUTES: *MOTION Warren second Peck to Approve the Minutes from February 3, 2014.*

MOTION carried unanimously.

Terry Masse for Dennis Wendtland – W140 N14315 Country Aire Drive. Request for a 3-lot Certified Survey Map and Rezoning in order to create three agricultural parcels from a 41.8 acre parcel. Planner Retzlaff summarized the proposal.

MOTION Stauffacher second Warren to Approve the Rezoning of the entire 41.8 acre property from A-1:Agricultural to A-2:Agricultural; and

Approve the 3-lot Certified Survey Map land division for the 41.8-acre property located on Pioneer Road subject to the following conditions:

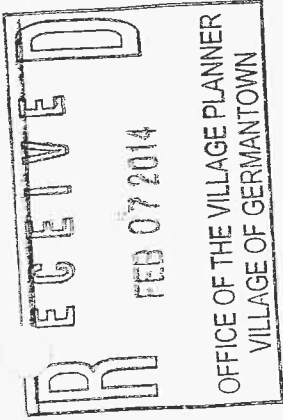
- 1. All technical corrections identified by the Village Surveyor set forth in the November 1, 2013 memo shall be made prior to recording the CSM by the Village Board.***
- 2. A note shall be added to the CSM indicating that "Lot 3 shall not be developed or divided until a soil evaluation report reviewed and approved by Washington County has been submitted to the Village of Germantown that indicates the lot can support an on-site sanitary system".***

MOTION carried unanimously.

St. John United Church of Christ & Cemetery – N104 W14181 Donges Bay Road. St. John UCC & the St. John UCC Cemetery Association, property owners, are seeking approval of the Village's Historic Designation for the church and cemetery located on Donges Bay Road. Planner Retzlaff summarized the proposal. He said all Village departments supported the request except for the Public Works Department who had a concern with regard to the ability to acquire right of way for the future Donges Bay Road project. But after further discussions, Public Works has identified the potential improvements to be made to Donges Bay Road that will narrowly impact the church parcel. Public Works has indicated that the church is OK with the improvements that are shown and has dropped their objections to the historic designation request.

Discussion followed regarding if State funding would become involved in the road project. Engineer Bischke said the Village will not use State funding therefore the State historical preservation process will probably not be involved in the process. Chairman Wolter confirmed that the road improvements will be a Village project and built to local standards.

MOTION Stauffacher second Peck to Approve the requested Historic Designation for the St. John UCC properties located on Donges Bay Road (church located at N104 W14181



purposes per Wisconsin State
Statute 703.11(2)(a)(am)

Certified Survey Map

Being a Part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 2, Township 9 North, Range 20 East, Located in the Village of Germantown, Washington County, Wisconsin.

East Line of the Northeast 1/4 of Section 2-9-20 (N 00°23'58" W 2682.48')
The East 40 feet Dedicated to the Village of Germantown for road purposes

Northeast Corner of Section 2-9-20 (Conc. Mon. w/Brass Cap)

East 1/4 Corner of Section 2-9-20 (Conc. Mon. w/Brass Cap)

COUNTRY AIRE DRIVE

LOT 1 See Detail "A" Sheet 2

Gross Area: 489,955 S.F.
11.24781 Ac.
Net Area: 435,601 S.F.
10.00002 Ac.

1" I.P. FOUND N-1.8' & W-0.7'

OWNER: (A)
Norman L & Carolyn E Abbiehl
W140 N14299 Country Aire Dr.
Germantown WI 53022

OWNER:
Hensley & Harriet Foster
N144 W14315 Pioneer Road
Jackson WI. 53037

LOT 2

Gross Area: 462,312 S.F.
10.61323 Ac.
Net Area: 435,605 S.F.
10.00012 Ac.

See Detail "B" Sheet 2

OWNER:
Hensley & Harriet Foster
N144 W14315 Pioneer Road
Jackson WI. 53037

OWNER:
Dennis & Marie Wendtland
W3798 Shady Lane
Saukville, WI. 53080

LOT 3

Gross Area: 868,467 S.F.
19.93726 Ac.
Net Area: 818,269 S.F.
18.78487 Ac.

South 1/4 Corner of Section 35-10-20 (Conc. Mon. w/Brass Cap)

North 1/4 Corner of Section 2-9-20 (Conc. Mon. w/Brass Cap)

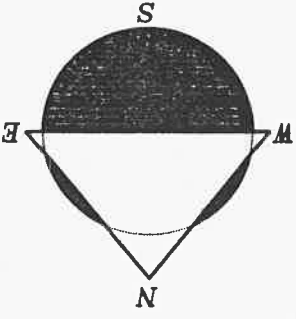
P.O.B. N 89°59'51" E 42.87'

1 N 00°18'37" E 2007.87'

2 Center of Section 2-9-20 (Conc. Mon. w/Brass Cap)

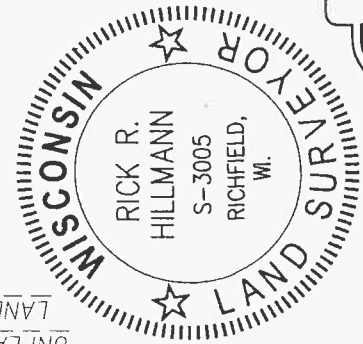
North Line of the Northeast 1/4 of Section 2-9-20 is the Village of Germantown Corporate Limits.

The North 40 feet Dedicated to the Village of Germantown for road purposes



SCALE: 1"=300'

- 1 N 00°18'37" W 695.89'
- 2 N 00°18'37" W 655.87'
- 3 N 89°59'51" E 42.67'



LEGEND

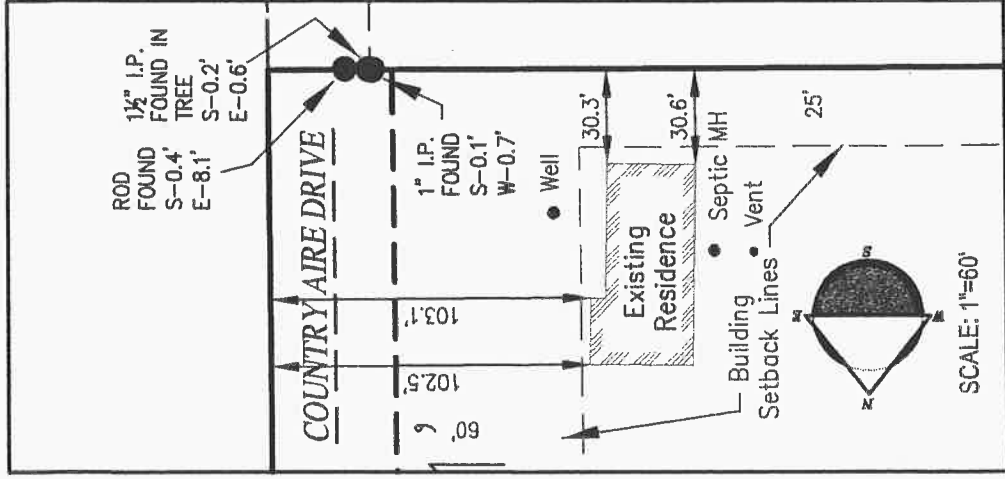
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- MONUMENT FOUND
- ROD SET-24"x3/4" Iron Rod Set (1.13 lb/foot)

Continental Surveying Services LLC

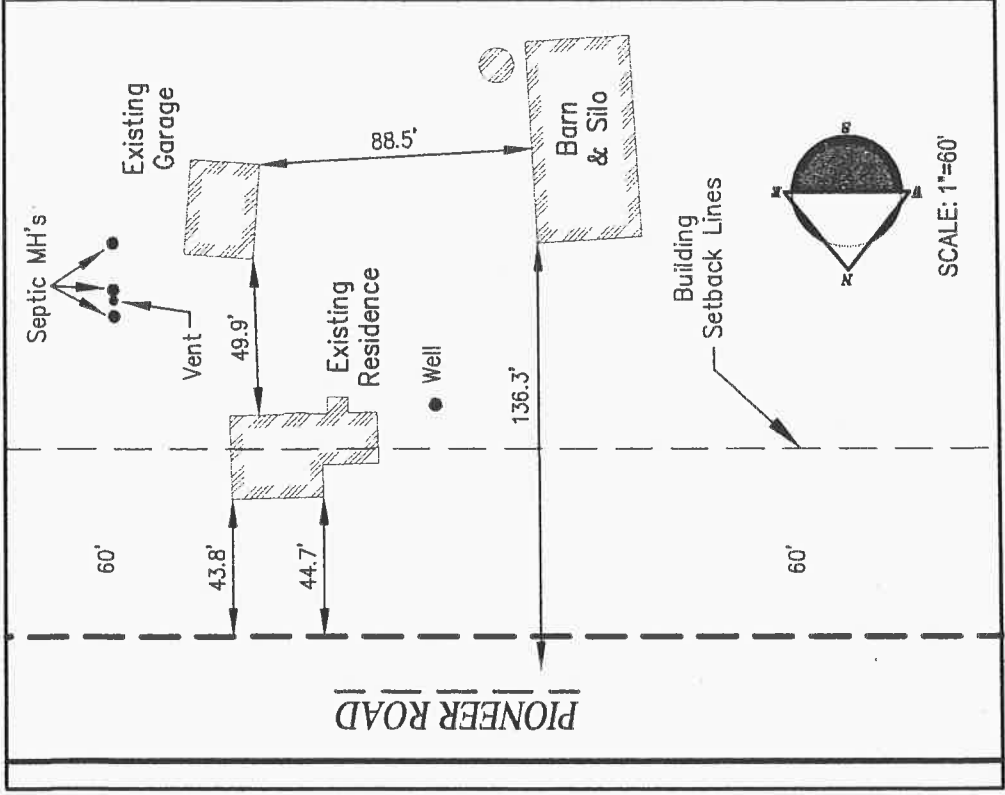
Certified Survey Map

Being a Part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 2,
Township 9 North, Range 20 East, Located in the Village of Germantown,
Washington County, Wisconsin.

Building Detail "A"



Building Detail "B"



CONTINENTAL SURVEYING SERVICES LLC

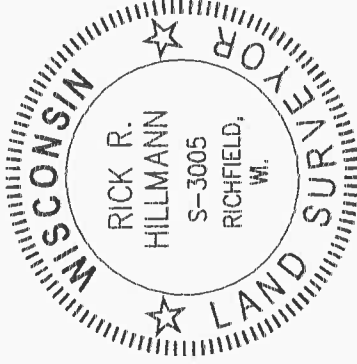
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Phone: (262) 389-9200
Website: www.csslurveys.com
Email: survey@csssurveys.com



NOTE: All bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the North line of the NE 1/4 of Section 2, Township 9 North, Range 20 East bears N 89°57'47" E.

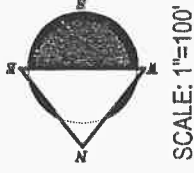
This Instrument was drafted by Rick R. Hillmann, a Registered Land Surveyor, S-3005 on this 22nd day of August, 2013

Sheet 2 of 6

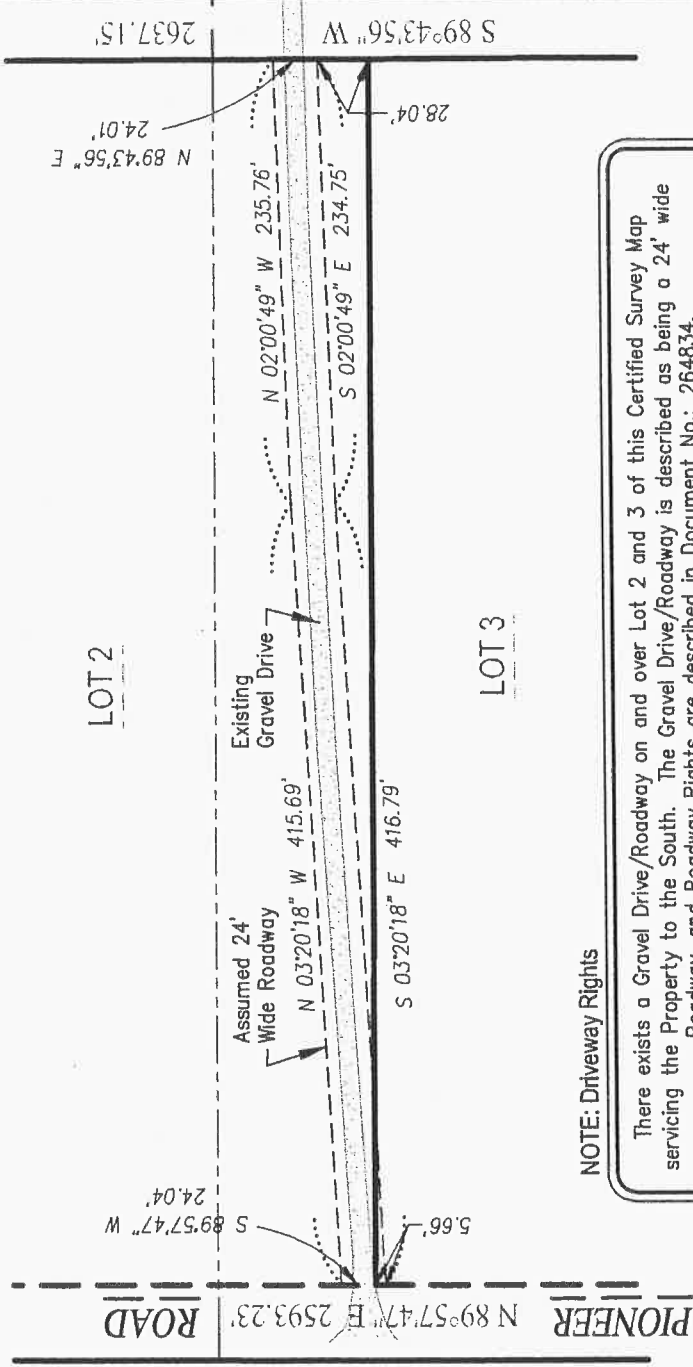
Project No.: 20130527_CSM0001

Certified Survey Map

Being a Part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 2,
Township 9 North, Range 20 East, Located in the Village of Germantown,
Washington County, Wisconsin.



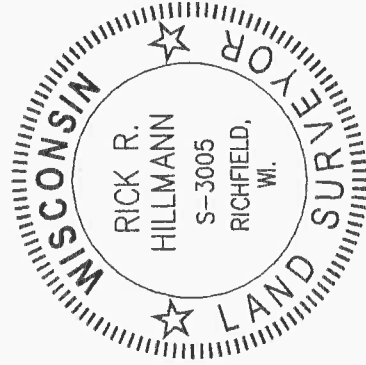
Existing 24' Wide Roadway Detail "C"



NOTE: Driveway Rights

There exists a Gravel Drive/Roadway on and over Lot 2 and 3 of this Certified Survey Map servicing the Property to the South. The Gravel Drive/Roadway is described as being a 24' wide Roadway, and Roadway Rights are described in Document No.: 264834.

24 wide Roadway as described in said Document is too ambiguous to be described in terms of bearings and distances. Per the direction of the Village of Germantown the Surveyor has identified an area 24 feet wide and that is centered over an existing Gravel Driveway. Said area being 24 feet wide and identified on this Certified Survey Map is the opinion of the Surveyor based on field measurements.



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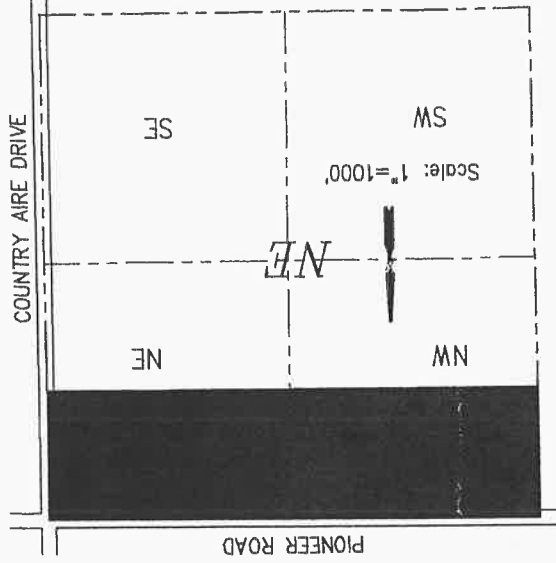
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Richfield WI. 53076

Phone: (262) 389-9200

Website: www.csssurveyors.com

Email: survey@csssurveyors.com



VICINITY SKETCH

Northeast 1/4, Section 2,
Township 9 North,
Range 20 East

NOTE: All bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the North line of the NE 1/4 of Section 2, Township 9 North, Range 20 East bears N 89°57'47" E.

This Instrument was drafted by Rick R. Hillmann, a Registered Land Surveyor, S-3005 on this 22nd day of August, 2013 Sheet 3 of 6

Certified Survey Map

Being a Part of the Northwest $\frac{1}{4}$ and Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2,
Township 9 North, Range 20 East, Located in the Village of Germantown,
Washington County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I Rick R. Hillmann, Registered Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a parcel of land located in a part of the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, Township 9 North, Range 20 East, Located in the Village of Germantown, Wisconsin, now being more particularly bounded and described and follows:

Commencing at the Northwest Corner of said $\frac{1}{4}$ Section and said Northwest Corner is the Point of Beginning of this Description;

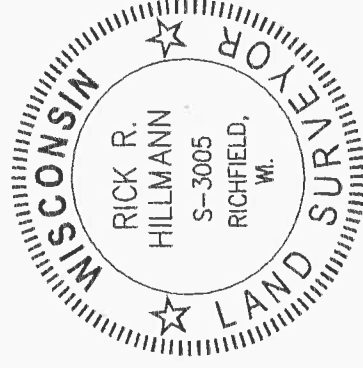
Thence North 89°59'51" East on and along the North Line of said $\frac{1}{4}$ Section, 42.87 feet to the South $\frac{1}{4}$ Corner of Section 35, Township 10 North, Range 20 East; thence North 89°57'47" on and along said North Line, 2593.23 feet to the Northeast Corner of said $\frac{1}{4}$ Section thence South 00°23'58" East on and along the East Line of said $\frac{1}{4}$ Section 685.25 feet to a point; thence South 89°43'56" West, 2637.15 feet to a point on the West Line of said $\frac{1}{4}$ Section; thence North 00°18'37" West, 695.89 feet to the Place of beginning of this description.

The gross area of said parcel contains 1,820,734 Square feet or (41.79830) of land more or less.

That I have made such survey, land division and map by the direction of Dennis & Marie Wendtland, owners of said land. That such map is a correct representation of all exterior boundaries of land surveyed and land division made thereof. That I have fully complied with the provision of chapter 236 of the Wisconsin Statutes and the Platting ordinance of the Village of Germantown in surveying, dividing and mapping same.

Dated this _____ day of _____, 20____.

Rick R. Hillmann RLS
Registered Land Surveyor S-3005



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Email: survey@csssurveys.com

NOTE: All bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the North line of the NE $\frac{1}{4}$ of Section 2, Township 9 North, Range 20 East bears N 89°57'47" E.

This Instrument was drafted by Rick R. Hillmann, a Registered Land Surveyor, S-3005 on this 22nd day of August, 2013 Sheet 4 of 6

Certified Survey Map

Being a Part of the Northwest $\frac{1}{4}$ and Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2,
Township 9 North, Range 20 East, Located in the Village of Germantown,
Washington County, Wisconsin.

OWNER'S CERTIFICATE:

As owner, I hereby certify that I have caused the land described on this map to be surveyed, divided, and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin State Statutes and ordinances of the Village of Germantown, this _____ day of _____, 20_____.

ALSO

As Owners we hereby dedicate that part of Country Aire Drive and Pioneer Road to the Village of Germantown for public road purposes as represented on Sheet 1 of ? of this Certified Survey map.

Dennis Wendtland

Marie Wendtland

STATE OF WISCONSIN)
) SS
County of _____)

Personally came before me this _____ day of _____, 20_____,
the above named Dennis Wendtland and Marie Wendtland, to me known to be the persons who executed
the foregoing instrument and acknowledged the same.

Print Name _____

Notary Public, _____ County, WI.

My Commission Expires: _____

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SERVICES LLC**

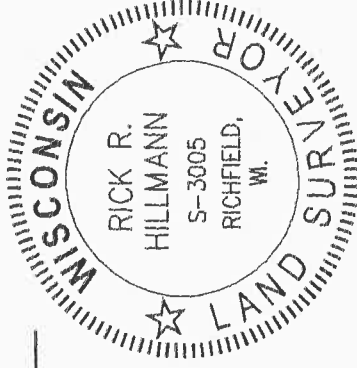
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NOTE: All bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the North line of the NE $\frac{1}{4}$ of Section 2, Township 9 North, Range 20 East bears N 89°57'47" E.

This Instrument was drafted by Rick R. Hillmann, a Registered Land Surveyor, S-3005 on this 22nd day of August, 2013 Sheet 5 of 6

Certified Survey Map _____

Being a Part of the Northwest ¼ and Northeast ¼ of the Northeast ¼ of Section 2,
Township 9 North, Range 20 East, Located in the Village of Germantown,
Washington County, Wisconsin.

VILLAGE OF GERMANTOWN PLAN COMMISSION APPROVAL:

This Certified Survey Map is hereby approved by the Plan Commission of the Village of Germantown on
this _____ day of _____, 20_____.

Dean Walter, Chairman

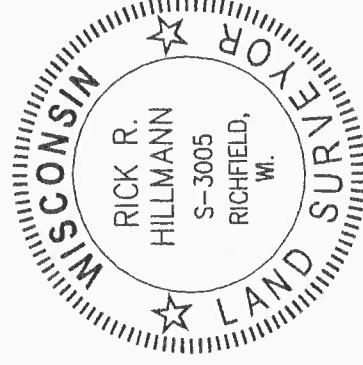
Laura A. Johnson, Secretary

VILLAGE OF GERMANTOWN BOARD APPROVAL:

This Certified Survey Map, being a division of the Northwest ¼ and the Northeast ¼ of the Northeast ¼, Section 2, 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 Country Aire Drive and Pioneer Road for public road purposes as shown on Sheet 1 of ? is hereby accepted by the Village Board of Trustees of the Village of Germantown on this _____ day of _____, 20_____.

Dean Walter, Village President

Barbara K.D. Goekner, Village Clerk



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NOTE: All bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the North line of the NE ¼ of Section 2, Township 9 North, Range 20 East bears N 89°57'47" E.

This instrument was drafted by Rick R. Hillmann, a Registered Land Surveyor, S-3005 on this 22nd day of August, 2013 Sheet 6 of 6

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

MEETING DATE: March 17, 2014

AGENDA ITEM: Public Hearing & New Business (ORDINANCE & CSM)

ITEM TITLE: Core Commercial, Inc., Agent for Russell & Karen Kloehn and Paul & Vivian Pingel, Property Owners; N96 W19100 County Line Road (Kloehn property) & N96 W19062 County Line Road (Pingel property); Rezoning & 1-Lot Certified Survey Map (CSM)

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

SUMMARY EXPLANATION:

Core Commercial Inc., developer and agent for property owners Russell & Karen Kloehn and Paul & Vivian Pingel, is seeking approval of a Rezoning Application (Rs-4: single-Family TO B-1: Neighborhood Business) and a 1-Lot Certified Survey Map (CSM) to combine 2 lots in order to develop a 23,248 sqft retail center on the total 3.7 acres of land located west of the Germantown Plaza II (T.J. Maxx, World Market) on County Line Road.

ATTACHMENTS:

- ◆ 3/10/14 Staff Report
- ◆ 3/10/14 Plan Commission Meeting Minutes
- ◆ Draft Rezoning Ordinance
- ◆ CSM

PLAN COMMISSION RECOMMENDATION:

APPROVE the proposed rezoning of the 3.67-acre area from Rs-4: single-family to B-1: Neighborhood Business District subject to approval of the proposed Certified Survey Map (CSM); and

APPROVE the 1-lot Certified Survey Map land combination for the 3.67-acre property currently owned by Russell & Karen Kloehn and Paul & Vivian Pingel located on County Line Road subject to approval of the proposed rezoning and Site Development & Building plans by the Plan Commission and (2) conditions:

1. All technical corrections identified by the Village Surveyor as set forth in the February 4, 2014 staff review letter shall be made prior to recording the CSM.
2. The required cross-access easement agreement for the benefit of this development (required of the Germantown Plaza developer) shall be obtained and submitted for review and approval by the Village Attorney prior to recording the CSM.

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE**
(Russell & Karen Kloehn and Paul & Vivian Pingel, Property Owners)

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

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the Rs-4: Single-Family Residential District to the B-1: Neighborhood Business District the following described property:

3.667 acres (N96 W19100 & N96 W19062 County Line Road)

Lot 1 and Lot 2 of Certified Survey Map No. 2565, recorded in Volume 14, Page 60, as Document No. 457204 in the Washington County Register of Deeds Office, all being a part of the SE 1/4 of the SE 1/4, Section 32, Township-9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, being more particularly described as follows:

Commencing at the Southeast corner of said Section 32; thence South 89°-18'-05" West along the South line of the Southeast 1/4 of said Section 32, a distance of 924.00 feet; thence North 01°-05'-55" West, a distance of 55.00 feet to the point of beginning, said point also being on the North right-of-way line of County Line Road (C.T.H. "Q"); thence South 89°-18'-05" West along said North right-of-way line, a distance of 264.00 feet to a point on the West line of said Lot 1; thence North 01°-05'-55" West along said West line, a distance of 605.00 feet to the Northwest corner of said Lot 1; thence North 89°-18'-05" East along the North line of said Lot 1 and said Lot 2, a distance of 264.00 feet to the Northeast corner of said Lot 2; thence South 01°-05'-55" East along the East line of said Lot 2, a distance of 605.00 feet to the point of beginning and containing 3.667 acres (159,716 sq. ft.) more or less, and being subject to all easements and restrictions of record.

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

Introduced by Trustee: _____

Adopted: _____, 2014

Vote: Ayes: _____
Nays: _____

Dean Wolter, Village President

ATTEST:

Barbara K. D. Goeckner, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

SITE PLAN & SIGN PERMIT REVIEW

3/10/14 Plan Commission Meeting

Core Commercial Inc. / Kloehn & Pingel

Village Planner Report

Germantown, Wisconsin

Summary

Core Commercial Inc., developer and agent for property owners Russell & Karen Kloehn and Paul & Vivian Pingel, is seeking approval of Site Development & Building Plans for a 23,248 sqft retail center on a 3.7-acre parcel located west of the Germantown Plaza II at N96 W19100 County Line Road.

Location: N96 W19100 County Line Road

Applicant/

Developer:

Kim Pischke
Core Commercial Inc.
Appleton, WI 54912

Russell & Karen Kloehn
N96 W19100 County Line Rd
Paul & Vivian Pingel
N96 W19062 County Line Rd
Germantown, WI 53022

Current Zoning: Rs-4: Single-family Residential

Proposed Zoning: B-1: Neighborhood Business

Adjacent Land Uses		Zoning
North	Commercial	B-2
South	Residential (Menomonee Falls)	n/a
East	Commercial	B-3
West	Commercial	B-5



Background

At the February 10 Plan Commission meeting, the PC recommended approval of the proposed rezoning (Rs-4: single-family to B-1: Neighborhood Business) and the 1-lot certified survey map (to combine two 1.83-acre residential lots into 1 lot). However, the PC continued action on the site development and building plans pending revisions to both as discussed by the PC. Revised plans have been prepared and submitted. The following discussion taken from the original staff report reflects the revised site plans (and excludes any further discussion of the rezoning and CSM that were already recommended for approval by the PC).

Proposal

Core Commercial Inc., developer and agent for property owners Russell & Karen Kloehn and Paul & Vivian Pingel, is seeking approval of a Rezoning Application, 1-Lot Certified Survey Map (CSM) and Site Plans for a 23,248 sqft retail center on a 3.7-acre parcel located west of the Germantown Plaza II at N96 W19100 County Line Road.

As presented in the applications, plans and supporting documents, the proposed development includes the following components:

- 23,248 sqft. four (4) tenant retail building
- (1) right-turn in/out only access driveways on County Line Road
- Cross-access easement to/from the Germantown Plaza II parking lot w/ shared driveway to County Line Road
- CMU masonry walls and EIFS materials

A statement of the architecture and design intent is provided in the attached supporting documents. As indicated therein, the architectural design and exterior materials incorporate elements that are similar to the existing Germantown Plaza II retail development to the east. Materials include: Split-faced CMU masonry walls with smooth-faced CMU and cast stone accent bands; EIFS wall and accent panels; and a flat/low-slope roof with parapet walls. Glass entrances and metal canopy awnings are also proposed to add color and depth to the elevations. HVAC units are intended to be roof-mounted and hidden from view by the parapet walls along the front (south) elevation facing County Line Road.

Access to the site includes two (2) access points: a right-turn in/out only driveway onto County Line Road and a driveway leading to the existing parking lot for the Germantown Plaza II retail center and shared access driveway to County Line Road. A total of (117) parking stalls are proposed (122 recommended) with curb and gutter throughout the parking area and landscaped islands. A paved fire lane and loading area is proposed along the west side of the building.

Between the proposed building, parking lot and other paved areas, impervious surfaces will total 81,548 sqft (51 percent) of this 3.7-acre site (vs. the 80% maximum allowed) leaving 49 percent in green/open space. Storm water run-off from the site will flow across the paved parking to storm sewer/inlets at various locations on the site and a swale located on the east side of the parking area. An on-site storm water basin is

proposed on the north side of the site.

Landscaping proposed for the site includes a large number of deciduous, evergreen and ornamental trees planted around the perimeter of the site, in the islands of the parking area, at the driveway entrances and along the east side of the building. Deciduous and evergreen shrubs are planted in attractive groupings around the perimeter of the parking lot and driveway entrances, and at the corners of the east side of the building.

A trash enclosure (20' wide x 20' deep x 8' high) will be located at the end of the fire lane on the back (north) side of the building. The enclosure walls will have the same CMU masonry material as the building with privacy-slatted steel frame gates. None of the existing wooded areas are intended to be preserved on the site except for the area within the wetland and 25' wetland setback area. Retaining walls are proposed west of the building along the west property line and fire lane; along the southeast corner of the site adjacent to the parking lot; and along the access driveway to the east.

Exterior lighting includes: five (4) 100W metal-halide cut-off wall-mounted fixtures located above the service doors on the west and north side of the large building; and twelve (12) 250W metal-halide cut-off fixtures on free-standing 25' poles in the parking area. According to the photometric statistics, lighting levels are proposed to be within the Village's recommended guidelines for industrial sites.

A single monument sign with an internally-illuminated sign cabinet 10' wide x 10'6" high (84 sqft per side; 168 sqft total) mounted on a 3' masonry base (with a maximum height of 15') is proposed in the southeast corner of the site close to County Line Road. Wall signage for the individual tenants is not proposed at this time.

Staff Analysis/Comments

The proposed B-1: Neighborhood Zoning District is the same as the Germantown Plaza developments to the east and consistent with the "Commercial" classification (also "Environmental Corridor") for the property as shown on the Village's 2020 Land Use Plan map.

The subject property is heavily wooded as part of an existing environmental corridor and the change in topography across the property from front to back (south to north) is significant. The land slopes from an elevation of approximately 886' at the southeast corner along County Line Road to 856' along the navigable stream in the northwest corner...a 30' change in elevation. Consequently, a significant amount of cutting and filling is required to make the site developable. The existing elevation in the area where the larger building is proposed ranges from 861' to 870' with a finished floor elevation for that building at 872'.

The previously proposed retaining wall and paved truck turning/loading area north of the building and fenced-enclosed storm water basin on the east side of the building have been eliminated from the site plan in favor of a larger, shallower basin on the north side of the building.

To accomplish site preparation, almost all of the site outside of the wetland setback area will be disturbed by grading and/or filling activities with none of the existing trees or other vegetation preserved. While we have stated objectives in our 2020 Comprehensive Plan to preserve our environmental corridors, we do not have specific development regulations that specifically limit or prohibit development of/within these areas. As stated above, this area is classified as "Commercial" and "Environmental Corridor" on the 2020 Land Use Plan.

The revised landscaping has been significantly enhanced compared to the original plan. Despite being a challenging site for landscaping given topography and utility easements that run across the front of the site adjacent to County Line Road, additional landscaping, particularly street trees and plantings around the perimeter of the parking areas and along County Line Road has been added to the plan.

The proposed architecture and exterior materials has been improved with the revised plans. A better attempt has been made to compliment the existing retail buildings to the east with greater articulation and the use of more, higher quality materials (and less EIFS). The previously-proposed fabric awnings have been replaced with metal canopies; the color of which is "to be determined".

Roof plans have been added that clearly show how the roof-mounted HVAC systems will be screened from view by the parapet walls.

As discussed previously, the Germantown Plaza development to the east was required to provide an access easement across their property for the benefit of this development. The easement document provided in the application is simply the commitment of the Germantown Plaza developer to grant that easement upon request by the developer of this project. The details of that access easement will need to work out and the easement granted prior to recording the CSM.

Because this is a multi-tenant building with currently unknown tenants, separate Zoning Compliance/Occupancy permits will be required for each tenant prior to occupancy. Zoning permits are obtained at the same time building permits for interior space improvements/renovations are obtained, or, prior to a change in tenant occupancy.

Because no specific wall-mounted signage is proposed for any tenant at this time, all signs, temporary and permanent, will require separate sign permits. Sample wall signage is shown on the building elevations that are comprised of individual lettering. Given the design and materials proposed, a consistent type/style of wall signage should be required for all tenants and limited to an internally or back-lit type of individual lettering & logos vs. sign "cabinets" w/ plastic & vinyl covered faces that are simply hung from the building. The proposed monument sign meets the sign regulations for this type of multi-tenant retail center. The background color of the sign inserts on the monument sign will be opaque.

Fire Department/Police Department

The Fire Department has indicated that a monitored sprinkler system and Knox Box are required. The Fire Department has worked extensively with the developer to come up

with the fire lane/loading area features proposed on the west side of the building. The Police Department is requesting that all doors and docks be numbered with reflective numbers to aid emergency personnel access, and, that contact information for all tenants be provided once occupied.

Engineering/Public Works

At this time, the Village Engineer has not yet commented on the revised plans. Given extensive revisions to the storm water management features included in the revised plans, it is expected that the Engineer will have some technical corrections that will need to be addressed. Also, the Village Surveyor has not yet commented on the corrections made to the CSM (which was recommended for approval subject to addressing the Surveyor's previous comments).

ORIGINAL COMMENTS: The Engineering Department has recommended a number of technical corrections to the plans as set forth in the Village Engineer's January 24, 2014 memo (copy attached). These corrections and other items will need to be addressed in a set of revised plans submitted to the Village Engineer for review/approval prior to issuance of a building permit. In addition, the Village Surveyor has identified a number of corrections required in the CSM as set forth in a February 4, 2014 staff review memo (copy attached).

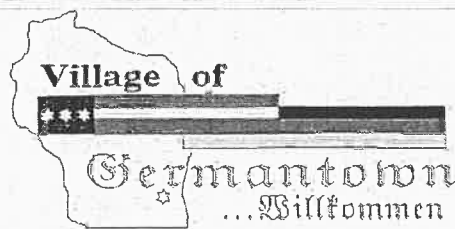
Inspection Services

The Building Inspector has indicated that state-approved plans will be required prior to issuing a building permit along with the required \$20,000 occupancy bond.

Village Planner Recommendation

APPROVE the Site Development, Building and Sign Plans for a 23,248 sqft retail center on the 3.7-acre parcel located west of the Germantown Plaza II at N96 W19100 County Line Road subject to the following conditions:

1. Approval is for the site development and building plan set dated March 5, 2014, and, the monument sign plan dated February 20, 2014, unless otherwise revised by subsequent plans submitted to and approved by the Village Planner pursuant to revisions required by the Plan Commission.
2. All landscaping, screening, and lighting 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.
3. A monitored sprinkler system and Knox Box shall be installed in the building as required by the Fire Department.
4. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.
5. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.
6. All technical corrections and issues raised in the Engineering Department's January 24, 2014 memo shall be addressed and reflected in a revised plan set submitted to the Village Engineer for review/approval prior to issuance of a building permit. Additional comments and/or technical corrections resulting from the Village Engineer's review of the revised plan set dated March 5, 2014 and the revised storm water management report shall also be addressed prior to issuance of a building permit.
7. Zoning Permit Compliance/Occupancy permits are required for all tenants occupying space in the office building.
8. Sign permits are required for all permanent and temporary exterior signage. A consistent type and style of wall signage shall be required for all tenants (example: internally or back-lit individual lettering that is surface or race-mounted). Sign "cabinets" w/ plastic & vinyl covered faces or flush-mounted lettering simply hung from the building shall not be permitted.



Engineering Department Memorandum

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

From : Brionne R. Bischke, P.E., Village Engineer (36)

Date : January 24, 2014

Re : Core Commercial & Russell Kloehn – N96 W19100 & W19062 County Line Road. Site Plan application for a new commercial building.

DPW/Engineering Dept. reviewed progress drawings submitted for *Plan Commission* review. Several revisions are needed to conform to the Village's publicly-published design and construction standards and specifications. All of the remaining work and revisions must be completed before plan review submission to *Wisconsin DNR* and *Wisconsin DSPS*, and before Building Permit application to the Village.

Excel Site Plan Sheet C1.2 (Jan. 13, 2014)

1. Consider installing curb stops for parking spaces next to main building's west wall, which would help prevent car bumpers from accidentally bumping into the building wall and ultimately damaging it.

Excel Utilities Plan Sheet C1.4 (Jan. 13, 2014)

1. Private Sanitary Service:
 - a. Annotate *dfus*, which will be required for *Wisconsin DSPS* exterior plumbing plan review.
 - b. Change annotation at building connection from *Wisconsin DCOMM* to *Wisconsin DSPS*.
2. Private Water Service:
 - a. Better describe connection of 8" PVC pipe to 14" HDPE pipe, which includes a 14"x8" branch saddle with flange, then an 8" gate valve, and then the 8" PVC pipe.
 - b. Increase the diameter of the other connection to 1 1/2"; if the building will require sprinklers, increase the diameter to 6".
 - c. Annotate invert elevations at fittings, and hydrant nozzle and invert elevations. This will be required for *Wisconsin DSPS* exterior plumbing plan review.
 - d. Annotate invert elevations at two (2) storm sewer crossings, which will be required for *Wisconsin DSPS* exterior plumbing plan review. Consider insulation at the crossing to protect the water service from freezing.
 - e. Annotate *wsfus*, which will be required for *Wisconsin DSPS* exterior plumbing plan review.
 - f. Change annotations at main connections from *City of Germantown* to *Village of Germantown*.
 - g. *Pressure Loss Worksheet for Watermain Extensions* is acceptable.

3. Private Storm Sewer:

- a. Annotate invert elevations at two (2) water service crossings, which will be required for *Wisconsin DSPS* exterior plumbing plan review. Consider insulation at the crossing to protect the water service from freezing.

Excel Erosion Control/Storm Water Management Notes and Details Sheet C1.8 (Jan. 13, 2014)

1. Include grate(s) for permanent clog protection of the outlet structure's orifices on the *Retention Pond Detail*.
2. Include either *Private* or *Public* in the *18" Mountable Concrete Curb & Gutter Detail*.
3. Include either *Private* or *Public* in the *18" Concrete Curb & Gutter Detail*.

Excel Storm Water and Erosion Control Calculations (Jan. 13, 2014)

1. Analysis and report were well-conducted and well-prepared. Village Engineer forwarded document to MMSD for Chapter 13 review.

Excel Declaration of Covenant for Storm Water Management Facility Maintenance:

1. *Washington Co. Register of Deeds* will require that *Figures 2 and 3* be more legible, which may require enlargement to remedy. Since the *Register of Deeds* scans these documents, they will not record the document until all components are legible. Record with the *Washington Co. Register of Deeds*.

Excel Private Interceptor Sanitary Sewer Facilities Maintenance Agreement:

1. Change *Comm 81* to *SPS 382* in the first *THEREFORE* paragraph. Record with the *Washington Co. Register of Deeds*.

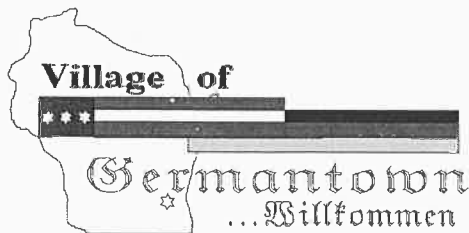
Excel Private Water Main Operation/Inspection/Maintenance Agreement:

1. Change *Department of Commerce* to *Department of Safety & Professional Services* in the second *WHEREAS* paragraph and in the first *THEREFORE* paragraph. Record with the *Washington Co. Register of Deeds*.

Developer's Agreement

1. Contact DPW Director at (262) 250-4721 to develop the Developer's Agreement. The Developer's Agreement will need to be approved by the Village's Public Works & Highway Committee and the Village Board.
2. Declaration of Covenant to Create Access Easement: Include reference to the existing Agreement Doc. #1108821 recorded Nov. 10, 2005.
3. Declaration of Covenant to Create Sanitary Sewer Easement: Include reference to the existing Agreement Doc. #1108820 recorded Nov. 10, 2005.

4. Declaration of Covenant for Storm Water Management Facility Maintenance: Include reference that Agreement will be recorded at Washington Co. Register of Deeds.
5. Private Interceptor Sanitary Sewer Facilities Maintenance Agreement: Include reference that Agreement will be recorded at Washington Co. Register of Deeds.
6. Private Water Main Operation/Inspection/Maintenance Agreement: Include reference that Agreement will be recorded at Washington Co. Register of Deeds.
7. Sanitary and Water Connection Fees: Provide number of employees and SIC numbers to Public Works Assistant at (262) 250-4721 for connection fee computation. Submit fees before or at time of building permit application.
8. As-Built Drawings: After construction, Core Commercial's consultant shall prepare and submit as-built drawings of storm water management facilities and the fire hydrant lead to the Engineering Dept.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner
CC:
From: Bob Beilfuss, RLS, Village Surveyor
Date: November 1, 2013
Re: Wendtland/Hillmann CSM

Jeff,

Here are my review comments for the CSM received 2/7/2014. My new comments are below the old comments in red.

Certified Survey Map

Applicant or Owner: Dennis and Marie Wendtland
Land Surveyor/Firm: Rick Hillmann, RLS Continental Surveying Services, LLC
Current Zoning: A1
Rezoning Requested: A2

1. The exterior limits of the CSM do not encompass the limits of the property as described in the Warranty Deed for the property. Recorded as Document No. 1151278, the description in this document described the property as the "North Half of the North Fractional Half of the Northeast Fractional $\frac{1}{4}$ of Section 2. As described, this parcel contains approximately 40.15 acres.

What the map is showing and the Surveyors Certificate describes in the CSM is the parcel with the tax key number 021992 (East Parcel) and a portion of the adjoining parcel to the west (West Parcel) having a tax key number of 021993.

These two parcels have never been legally divided. They are show as two parcels on the tax maps and have only been "divided" graphically. The current description of record still describes these two parcels as one parcel.

The properties south of the one just described being tax parcel 021994 and 021995 have the same problem. The legal describes the parcel as one parcel but they are shown graphically on the tax maps as two separate parcels.

The manner and exterior limits of the proposed CSM legal cross over the line that defines the split between the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ just enough for there to be 2-10 acre lots to be created.

This leaves an un-described remnant parcel in the NW ¼ of the NE ¼. This method could remove the ability of the remnant parcel to be split into a smaller parcel(s) at a later date.

It also leaves the remnant parcel without a complete, standalone, retraceable and clean legal description.

The correct method to subdivide this parcel would be to create a 3 lot CSM of the parcel and include that remnant unplatted land to the west of this proposed CSM but still part of the parent originally described parcel.

The surveyor has addressed this comment by creating the third lot as I suggested and has accounted for the remnant lands on the property.

2. Setbacks shown on the map are incorrect for the requested rezoning of A2. The sideyard setback is 50'. The new sideyard setback of 50' would have about 20' of the house located off Country Aire Drive to encroach into the sideyard setback and cause the new proposed lot (Lot 1) to be non-conforming.

The surveyor has addressed this comment by mapping and defining the building setback per the zoning code. He should note the date and origin of the setback information because setback dimensions do change. This is a suggestion and not a requirement.

3. It doesn't appear the surveyor measured all of the lines of the quarter section to establish the bearings of all of the ¼ - ¼ lines. Only 3 of the 4 PLSS monuments are shown on the map.

How he established the south line of proposed Lot 1 and 2, and the west line of Lot 2 is unknown. I suspect they were based on an area computation as opposed to established lines of the PLSS.

The surveyor has addressed this comment by measuring and mapping all of the PLSS

4. There are no signatures for any of the seals on any of the pages. Professional seals are required to be signed **in contrasting color per A-E 2.02(7)(b)(1) for all sheets of the document.**

The surveyor has not addressed this comment. A-E 2.02(4) states:

(4) Each sheet of plans, drawings, documents, specifications and reports for architectural, landscape architectural, professional engineering, design or land surveying practice shall be signed, sealed and dated by the registrant or permit holder who prepared, or directed and controlled preparation of, the written material, except as specified in sub. (5).

5. The document is to be compiled in a black and white format. The colored north arrow will not be allowed by the Village or the Register of Deeds Office.

The surveyor has addressed this comment.

6. The colored north arrow on sheet 2 detail areas will not be allowed.

The surveyor has addressed this comment.

7. The note "Sheet x of x" has not been completed on any of the 5 sheets submitted.
The surveyor has addressed this comment. However now the Sheet 1 of 6 is missing from Sheet 1.
8. The existing septic and well locations for the house located on Country Aire Drive are not shown.
The surveyor has addressed this comment.
9. The right of way dedication for both Pioneer Road and Country Aire Drive is incorrect. The Village will be requiring the right of way dedicated out to 40 feet parallel with the North and East lines of the NE ¼ Section.
The surveyor has addressed this comment.
10. There is a ingress/egress easement for a driveway for the benefit of the parcel south of the property being divided. This easement is referred to on the proposed CSM but is not depicted. The easement is described in Document No. 264834 and the description of the easement area is ambiguous stating the driveway, " a long existing roadway to the residence of the seller's, said roadway is 24 ft. in width and located 1250' east of the ½ section line, running north and south through Section 2.

The location of the driveway defines the easement location, so the driveway will need to be shown along with the associated bearings and distances and sub-distances to tie the easement into other lines of the proposed lots. This easement will be located on Lot 3.

The surveyor has addressed this comment.

11. There are no boundary markers shown or called for on the map sheets or the Surveyor's Certificate for the exterior corners at the southeast corner and the northwest corner (also the point of beginning). These two points have to be monumented according to Chapter 236 unless the surveyor obtains a Monument Waiver form from DOA-Plat Review. A copy of this waiver form will be submitted with the next submittal of the CSM.
The surveyor has addressed a portion of this comment. The SE corner of the exterior still needs to be either monumented or a monument waiver form from Plat Review needs to be included with the final recordable document.

12. Unless the Owner can provide a letter of mortgage satisfaction, the surveyor will need to add a certificate of mortgage with a notary signature area as well.

The surveyor has not addressed this comment.

13. Other than the header for the individual Village certificates, the rest of the associated certificate text is too small and will not be accepted by the County Register of Deeds. This document is scanned by the Register of Deeds when recorded and small text cannot be reproduced at a later date for the general public that is readable and legible.
The surveyor has addressed this comment.

14. The North line of the NE ¼ of Section 2 is also the Village's corporate line between Germantown and the Town of Jackson and should be annotated as such.
The surveyor has addressed this comment.

15. A location map is needed on the map showing at least the limits of the $\frac{1}{4}$ section and the location of the CSM within those limits.

The surveyor has addressed this comment.

16. New Comment: On sheet 1, the word "Survey" in the header is missing the letter R

Document Submittals and Data Conversion

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

Prior to Recording the Certified Survey Map, the professional land surveyor shall submit an AutoCad drawing file (.dwg) of the document in version 2004 on compact disk (CD) or via email to the Village Surveyor.

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

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

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map.

REZONING APPLICATION, CERTIFIED SURVEY MAP (CSM) & SITE PLAN REVIEW

2/10/14 Plan Commission Meeting

Core Commercial Inc. / Kloehn & Pingel

Village Planner Report

Germantown, Wisconsin

Summary

Core Commercial Inc., developer and agent for property owners Russell & Karen Kloehn and Paul & Vivian Pingel, is seeking approval of a Rezoning Application, 1-Lot Certified Survey Map (CSM) and Site Plans for a 21,750 sqft retail center on a 3.7-acre parcel located west of the Germantown Plaza II at N96 W19100 County Line Road.

Location: N96 W19100 County Line Road

Applicant/

Developer:

Kim Pischke
Core Commercial Inc.
Appleton, WI 54912

Russell & Karen Kloehn
N96 W19100 County Line Rd
Paul & Vivian Pingel
N96 W19062 County Line Rd
Germantown, WI 53022

Current Zoning: Rs-4: Single-family Residential

Proposed Zoning: B-1: Neighborhood Business

Adjacent Land Uses		Zoning
North	Commercial	B-2
South	Residential (Menomonee Falls)	n/a
East	Commercial	B-3
West	Commercial	B-5



Proposal

Core Commercial Inc., developer and agent for property owners Russell & Karen Kloehn and Paul & Vivian Pingel, is seeking approval of a Rezoning Application, 1-Lot Certified Survey Map (CSM) and Site Plans for a 21,750 sqft retail center on a 3.7-acre parcel located west of the Germantown Plaza II at N96 W19100 County Line Road.

As presented in the applications, plans and supporting documents, the proposed development includes the following components:

Certified Survey Map (CSM)

The retail center is proposed on 3.7 acres of land created by the combination of two (2) existing residential parcels. Lot 1 of CSM #2565 is a 1.83-acre lot owned by Russell & Karen Kloehn (west lot). Lot 2 of CSM #2565 is a 1.83-acre lot owned by Paul & Vivian Pingel (east lot). The proposed CSM combines these two lots into one 3.7-acre parcel. Because the northernmost portion of both lots contains a small, navigable stream and wetlands, the CSM establishes the wetland boundary and applicable setbacks.

Rezoning

The 3.7-acre parcel is proposed to be rezoned from the current Rs-4: Single-family District to the B-1: Neighborhood Business District. The wetland area on the north portion of the property will continue to be located within the Shoreland-Wetland Overlay District. No development is proposed within the wetland or wetland setback area on the site.

Site Development & Building Plans

The proposed retail center is to be comprised on two (2) separate buildings with a shared parking area:

- 19,336 sqft. three (3) tenant retail building
- 2,412 sqft single-tenant retail building
- (1) right-turn in/out only access driveways on County Line Road
- Cross-access easement to/from the Germantown Plaza II parking lot w/ shared driveway to County Line Road
- CMU masonry walls and EIFS materials

A statement of the architecture and design intent is provided in the attached supporting documents. As indicated therein, the architectural design and exterior materials incorporate elements that are similar to the existing Germantown Plaza II retail development to the east. Materials include: Split-faced CMU masonry walls with extensive EIFS wall and accent panels, a flat/low-slope roof with parapet walls. Glass entrances and fabric covered awnings are also proposed to add color and depth to the elevations.

The larger building (19,336 sqft) is designed to serve three (3) retail tenants with space available ranging from 5,000 to 9,000 sqft. HVAC units are intended to be roof-mounted and hidden from view by the parapet walls along the front (south) elevation facing County Line Road. The smaller building (2,412 sqft) is designed for one tenant.

Access to the site includes two (2) access points: a right-turn in/out only driveway onto County Line Road and a driveway leading to the existing parking lot for the Germantown Plaza II retail center and shared access driveway to County Line Road. A total of (117) parking stalls are proposed (115 recommended). A large, paved truck turning and loading area is proposed north of the main building.

Between the proposed building, parking lot and other paved areas, impervious surfaces will total 88,898 sqft (55 percent) of this 3.7-acre site (vs. the 80% maximum allowed) leaving 45 percent in green/open space. Storm water run-off from the site will flow across the paved parking to storm sewer/inlets at various locations on the site and a swale located on the east side of the parking area. An on-site storm water basin is proposed in the northeast corner of the site.

Landscaping proposed for the site includes minimal deciduous and ornamental trees around the perimeter and in the islands of the parking area. Deciduous and evergreen shrubs at points around the buildings and parking lot. A trash enclosure (17' wide x 13' deep x 8' high) will be located adjacent to the parking area near the small building with another 24' x 25' dumpster area on the back (north) side of the larger building. The enclosure walls will have the same CMU masonry material as the larger building with privacy-slatted steel frame gates. None of the existing wooded areas are intended to be preserved on the site except for the area within the wetland and 25' wetland setback area.

Exterior lighting includes: five (4) 250W metal-halide cut-off wall-mounted fixtures located above the service doors on the west and north side of the large building; and ten (10) 250W metal-halide cut-off fixtures on free-standing 25' poles in the parking area. According to the photometric statistics, lighting levels are proposed to be within the Village's recommended guidelines for industrial sites.

A single monument sign with an internally-illuminated sign cabinet 11' wide x 10'6" high (84 sqft per side; 168 sqft total) mounted on a 3' masonry base is proposed in the southeast corner of the site close to County Line Road. Wall signage for the individual tenants is not proposed at this time.

Staff Analysis/Comments

The proposed B-1: Neighborhood Zoning District is the same as the Germantown Plaza developments to the east and consistent with the "Commercial" classification (also "Environmental Corridor") for the property as shown on the Village's 2020 Land Use Plan map.

The subject property is heavily wooded as part of an existing environmental corridor and the change in topography across the property from front to back (south to north) is significant. The land slopes from an elevation of approximately 886' at the southeast corner along County Line Road to 856' along the navigable stream in the northwest corner...a 30' change in elevation. Consequently, a significant amount of cutting and filling is required to make the site developable. The existing elevation in the area where the larger building is proposed ranges from 861' to 870' with a finished floor elevation for that building at 872'. Closer to the wetland area to the north, a long, curved retaining

wall 300' in length ranging in height from 2' to 8' high is required around the perimeter of the paved truck turning/loading area north of the large building. Similarly, the storm water basin to be constructed will have a wall height ranging from 5' to 11' high to effectively create the basin that will have a permanent pool elevation of 859'. A 4' chain-link security fence will encompass the storm water basin.

To accomplish site preparation, almost all of the site outside of the wetland setback area will be disturbed by grading and/or filling activities with none of the existing trees or other vegetation preserved. While we have stated objectives in our 2020 Comprehensive Plan to preserve our environmental corridors, we do not have specific development regulations that specifically limit or prohibit development of/within these areas. As stated above, this area is classified as "Commercial" and "Environmental Corridor" on the 2020 Land Use Plan.

The proposed landscaping is minimal. Despite being a challenging site for landscaping given topography and utility easements that run across the front of the site adjacent to County Line Road, additional landscaping, particularly street trees and plantings around the perimeter of the parking areas and along County Line Road should be required. A revised landscape plan should be provided.

The proposed architecture and exterior materials is also of limited quality and appearance. While an attempt was made to compliment the existing retail buildings to the east, both of the proposed buildings lack the same degree of articulation, creativity of architectural features and quality of materials. More than half of the front (south) elevation of the larger building is comprised of EIFS panels and storefront glass systems that are flush with the remaining (albeit limited use of) masonry wall panels. The small building is similar and should be enhanced with more masonry, greater articulation, better use of other architectural features and less EIFS. Fabric awnings are proposed for color and depth to both buildings; however, more permanent and architecturally compatible features that better relate to the existing retail buildings to the east are recommended.

Both buildings are intended to have roof-mounted HVAC systems, but no roof plans are presented. Screening of roof-mounted HVAC units is required and will likely be difficult for the small building where parapet walls are only proposed on the west and east elevations while the south elevation facing County Line Road is exposed and likely visible from the higher elevation of the roadway. Detailed sight-line views in the form of renderings or an animated "drive-by" presentation of the buildings from County Line Road should be prepared.

The Germantown Plaza development to the east was required to provide an access easement across their property for the benefit of this development. The easement document provided in the application is simply the commitment of the Germantown Plaza developer to grant that easement upon request by the developer of this project. The details of that access easement will need to work out and the easement granted prior to recording the CSM.

Because this is a multi-tenant building with currently unknown tenants, separate Zoning

Compliance/Occupancy permits will be required for each tenant prior to occupancy. Zoning permits are obtained at the same time building permits for interior space improvements/renovations are obtained, or, prior to a change in tenant occupancy.

Because no specific wall-mounted signage is proposed for any tenant at this time, all signs, temporary and permanent, will require separate sign permits. Sample wall signage is shown on the building elevations that are comprised of individual lettering. Given the design and materials proposed, a consistent type/style of wall signage should be required for all tenants and limited to an internally or back-lit type of individual lettering & logos vs. sign "cabinets" w/ plastic & vinyl covered faces that are simply hung from the building. The proposed monument sign meets the sign regulations for this type of multi-tenant retail center except that the background color of the sign inserts needs to be a dark or opaque color.

Fire Department

The Fire Department has indicated that a monitored sprinkler system and Knox Box are required. The Police Department is requesting that all doors and docks be numbered with reflective numbers to aid emergency personnel access, and, that contact information for all tenants be provided once occupied.

Engineering/Public Works

The Engineering Department has recommended a number of technical corrections to the plans as set forth in the Village Engineer's January 24, 2014 memo (copy attached). These corrections and other items will need to be addressed in a set of revised plans submitted to the Village Engineer for review/approval prior to issuance of a building permit. In addition, the Village Surveyor has identified a number of corrections required in the CSM as set forth in a February 4, 2014 staff review memo (copy attached).

Inspection Services

The Building Inspector has indicated that state-approved plans will be required prior to issuing a building permit along with the required \$20,000 occupancy bond.

For the reasons summarized above, including the need to revise and improve the proposed architecture, exterior materials, and landscaping, Staff does not endorse the development plans and recommends that the Plan Commission not approve the plans at this time. Revised plans, including revised site plans, building elevations, renderings and sight-line views that show the buildings as viewed from County Line Road (for purposes of assessing the need for screening of roof-mounted HVAC units) should be provided to the Plan Commission before final action is taken.

Recognizing that the Plan Commission may choose to approve the revised plans, the following should be considered and acted upon as part of the Plan Commission's action and/or recommendation(s) to the Village Board.

Revised Plans may be presented by the Developer at the February 10 Plan Commission meeting along with the required materials board.

Village Planner Recommendation:

Rezoning

If the Plan Commission APPROVES the development plans:

Recommend APPROVAL of the proposed rezoning of the 3.67-acre area from Rs-4: single-family to B-1: Neighborhood Business District subject to approval of the proposed Certified Survey Map (CSM) and Site Development & Building plans by the Plan Commission.

Village Planner Recommendation:

Certified Survey Map (CSM)

If the Plan Commission APPROVES the development plans:

Recommend **APPROVAL** of the 1-lot Certified Survey Map land combination for the 3.67-acre property currently owned by Russell & Karen Kloehn and Paul & Vivian Pingel located on County Line Road subject to approval of the proposed rezoning and Site Development & Building plans by the Plan Commission and the following:

1. All technical corrections identified by the Village Surveyor as set forth in the February 4, 2014 staff review letter shall be made prior to recording the CSM.
2. The required cross-access easement agreement for the benefit of this development (required of the Germantown Plaza developer) shall be obtained and submitted for review and approval by the Village Attorney prior to recording the CSM.

Village Planner Recommendation:
Site Development & Building Plans

If the Plan Commission APPROVES the development plans:

APPROVE the and Site Plans for a 21,750 sqft retail center on the 3.7-acre parcel located west of the Germantown Plaza II at N96 W19100 County Line Road subject to the following conditions:

1. Approval is for the site development and building plan set dated January 13, 2014 unless otherwise revised by subsequent plans submitted to and approved by the Village Planner pursuant to revisions required by the Plan Commission.
2. All landscaping, screening, and lighting 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.
3. A monitored sprinkler system and Knox Box shall be installed in the building as required by the Fire Department.
4. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.
5. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.
6. All technical corrections and issues raised in the Engineering Department's January 24, 2014 memo shall be addressed and reflected in a revised plan set submitted to the Village Engineer for review/approval prior to issuance of a building permit.
7. Zoning Permit Compliance/Occupancy permits are required for all tenants occupying space in the office building.
8. Sign permits are required for all permanent and temporary exterior signage. A consistent type and style of wall signage shall be required for all tenants (example: internally or back-lit individual lettering that is surface or race-mounted). Sign "cabinets" w/ plastic & vinyl covered faces or flush-mounted lettering simply hung from the building shall not be permitted.
9. Additional street trees are required along the property frontage for County Line Road. Depending on the mature size of the type of street tree planted (where 1 tree is required for every 40' of frontage for small/medium varieties and 1 tree per 50' of frontage for large varieties), a total of 5-7 trees are required. The developer shall submit a revised or supplemental landscape plan showing the required street trees to the Village Planner for review/approval prior to issuance of an occupancy permit.
10. Additional landscaping is required along the west, south and east edges of the parking area with continuous screening comprised of evergreen shrubs, evergreen and deciduous trees. This additional landscape screening shall be shown in a revised or supplemental landscape plan submitted to the Village Planner for review/approval prior to issuance of an occupancy permit.

Core Commercial for Russell & Karen Kloehn and Paul & Vivian Pingel – N96 W19100 & N96 W19062 County Line Road. The developer is seeking approval of a Rezoning Application, 1-Lot Certified Survey Map and Site Plans for a 21,750 sqft retail center on a 3.7 acre parcel located west of the Germantown Plaza II on County Line Road. Planner Retzlaff summarized the proposal.

Kim Pischke, Core Commercial and Stan Ramaker and Grant Duchac, Excel Engineering, spoke on behalf of the development. They presented revised building elevations in response to staff not endorsing the development plans and their concerns regarding the proposed architecture, exterior materials and landscaping.

Commissioner Gray said the proposed landscaping is minimal and asked if the developer could use some significant type plants instead of those shown. Grant Duchac said the building architectural elements and landscaping were matched to the neighboring development. He said they would be open to different plant materials.

Commissioner Stauffacher did not like the separate building fronting County Line Road. Discussion continued with Commissioners wanting additional landscaping suggesting evergreens on the corner and plantings at the entrance. Chairman Wolter said they want the building to be seen from the road and not screened with trees. Commissioner Gray said she's not looking for screening, just something to break up the development.

MOTION Baum second Warren to Approve the proposed rezoning of the 3.67 acre area from Rs-4 Single-family to B-1: Neighborhood Business District subject to the approval of the proposed Certified Survey Map (CSM) and Site Development and Building plans by the Plan Commission.

MOTION carried unanimously.

MOTION Baum second Stauffacher to Approve the 1-lot Certified Survey Map land combination for the 3.67 acre property currently owned by Russell & Karen Kloehn and Paul & Vivian Pingel located on County Line Road subject to approval of the proposed rezoning and site development and building plans by the Plan Commission and the following:

- 1. All technical corrections identified by the Village surveyor as set forth in the February 4, 2014 staff review letter shall be made prior to recoding the CSM.***
- 2. The required cross-access easement agreement for the benefit of this development (required of the Germantown Plaza developer) shall be obtained and submitted for review and approval by the Village Attorney prior to recording the CSM.***

MOTION carried unanimously.

Commissioner Peck did not like the separate building either and asked if it was necessary to the development. Ms. Pischke confirmed the building was needed to make the development work. She said they would make revisions to the buildings and bring them back for review. Trustee Baum made suggestions for revisions to the building:

- Entrances are flat and bland – needs more articulation
- Sidewalk plantings could be used – use planters
- Parking lot could use some plantings
- Use of color differentiation on pilasters
- Columns could be different color

- Red and green colors are distracting
- Don't like canvas awnings-useless
- Needs additional landscaping
- Natural tone better
- Soften sidewalk area

The revised site and sign application will be reviewed at the Plan Commission meeting scheduled for Monday, February 24, 2014 with a submittal deadline of February 21st.

Village of Germantown – Municipal Code Chapter 27 (Post Construction Stormwater Management) & Chapter 29 (Construction Site Erosion Control) Code Amendments.

Planner Retzlaff said the Planning Commission needs to make a recommendation to the Village Board on the documents proposed. Engineer Bischke explained the Public Works and Highway Committee had met and approved the updates to the Code. The updates include provisions to allow developers to use green infrastructure and establish a policy that defines public money cannot be used for private drainage issues.

Discussion followed. Commissioner Stauffacher asked for more time to review the changes.

MOTION Stauffacher second Baum to Postpone to the next scheduled meeting.

MOTION carried unanimously.

ANNOUNCEMENTS: Chairman Wolter announced the Old Towne Inn is having their grand opening on Tuesday, February 18th.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:42 p.m.

Respectfully submitted,

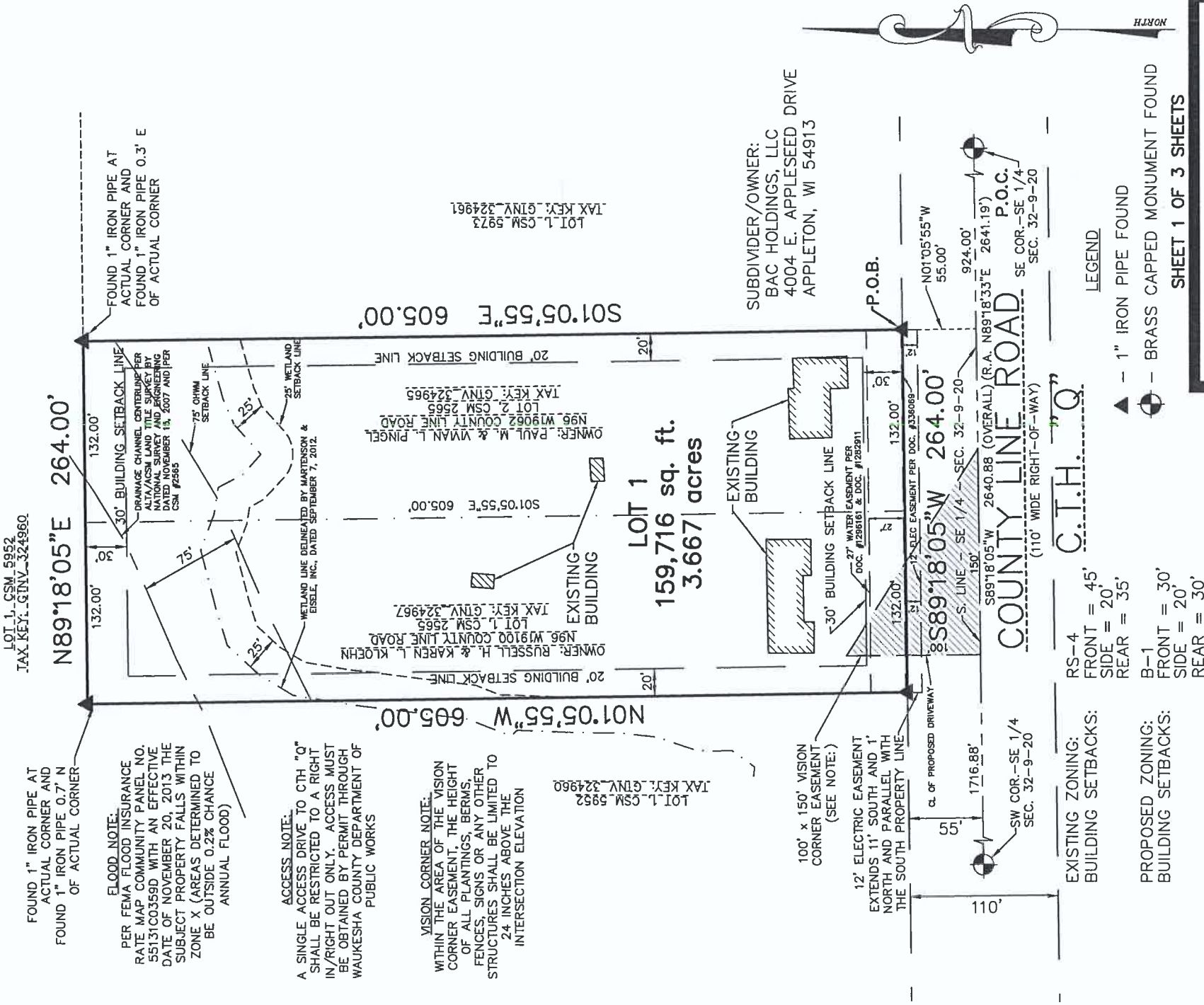
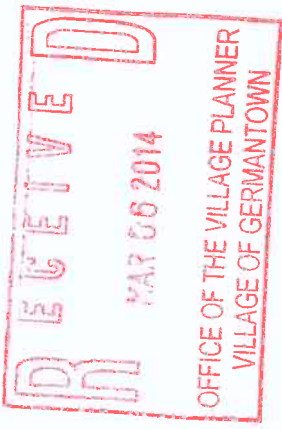
Lori Johnson
Planning Assistant

CERTIFIED SURVEY MAP

FOR

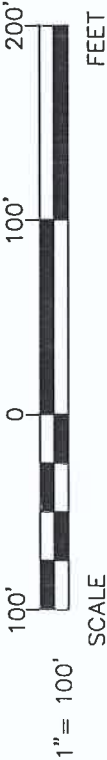
BAC HOLDINGS, LLC

A COMBINATION OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 2565, BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 32, T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.



NORTH POINT REFERENCED TO THE WISCONSIN COORDINATE GRID SYSTEM, SOUTH ZONE. THE SOUTH LINE OF THE SOUTHEAST QUARTER HAS A BEARING OF S89°-18'-05"W.

This Instrument was drafted by Ryan Wilgreen, RLS S-2647



Always a Better Plan

100 CAMELOT DRIVE
FOND DU LAC, WI 54935
PHONE: (920) 926-9800
FAX: (920) 926-9801

EXCEL
ENGINEERING^{INC}
SURVEYING GROUP

PROJECT NO. 1321710

CERTIFIED SURVEY MAP

A COMBINATION OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 2565, BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 32, T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Ryan Wilgreen, Professional Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a parcel of land described below.

That I have made such Certified Survey under the direction of BAC Holdings, LLC bounded and described as follows:

A combination of Lot 1 and Lot 2 of Certified Survey Map No. 2565, recorded in Volume 14, Page 60, as Document No. 457204 in the Washington County Register of Deeds Office, all being a part of the SE 1/4 of the SE 1/4, Section 32, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, being more particularly described as follows:

Commencing at the Southeast corner of said Section 32; thence South 89°-18'-05" West along the South line of the Southeast 1/4 of said Section 32, a distance of 924.00 feet; thence North 01°-05'-55" West, a distance of 55.00 feet to the point of beginning, said point also being on the North right-of-way line of County Line Road (C.T.H. "Q"); thence South 89°-18'-05" West along said North right-of-way line, a distance of 264.00 feet to a point on the West line of said Lot 1; thence North 01°-05'-55" West along said West line, a distance of 605.00 feet to the Northwest corner of said Lot 1; thence North 89°-18'-05" East along the North line of said Lot 1 and said Lot 2, a distance of 264.00 feet to the Northeast corner of said Lot 2; thence South 01°-05'-55" East along the East line of said Lot 2, a distance of 605.00 feet to the point of beginning and containing 3.667 acres (159,716 sq. ft.) more or less, and being subject to all easements and restrictions of record.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the Village of Germantown in surveying, dividing, and mapping the same.

Ryan Wilgreen, P.L.S. No. S-2647

Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935

Project Number: 1321710

Village of Germantown Planning Commission Approval

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this ____ day of _____, 2014.

Dean Wolter, Chairman _____ (Date)

Laura A. Johnson, Secretary _____ (Date)

Village of Germantown Board Approval

This Certified Survey Map, being a division of the Southeast 1/4 of the Southeast 1/4, Section 32, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby accepted by the Village Board of trustees of the Village of Germantown on this ____ day of _____, 2014.

Dean Wolter, Village President _____ (Date)

Barbara K.D. Goeckner, Village Clerk _____ (Date)

CERTIFIED SURVEY MAP

A COMBINATION OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 2565, BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 32, T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

OWNER'S CERTIFICATE-LLC

BAC Holdings, LLC., a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, and mapped as represented on this plat.

BAC Holdings, LLC., does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

1. Village of Germantown

WITNESS the hand and seal of said owners this _____ day of _____, 2014.

IN PRESENCE OF:

BAC Holdings, LLC.

Witness

_____, Member

STATE OF _____)
COUNTY _____)SS

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

Notary Public, _____ County, _____

My Commission Expires: _____

X-F

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

MEETING DATE: March 17, 2014

AGENDA ITEM: Public Hearing & New Business (CONDITIONAL USE PERMIT)

ITEM TITLE: David Pauers, Owner/Operator of Adversity Wisconsin VBC, and agent for DC Cartledge LLC, Property Owner; N113 W18750 Carnegie Drive; Conditional Use Permit (CUP) for the operation of a Volleyball Training Facility (Adversity Wisconsin Volleyball Club)

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

SUMMARY EXPLANATION:

David Pauers, owner of Adversity Wisconsin VBC and agent for DC Cartledge LLC, is seeking approval of a Conditional Use Permit to allow the operation of an in-door volleyball training facility from a 10,800 sqft area located within the existing industrial building at N113 W18750 Carnegie Drive.

Adversity-Wisconsin VBC is a private volleyball club providing training to girls 12 through 18 years of age. The facility would have days and hours of operation from Sunday to Saturday, 7:00 am to 9:00 pm. Six to ten employees would work at the facility serving up to 35 players on two (2) volleyball courts at any one time.

An area 90' x 120' (10,800 sqft) is proposed to be walled off from the WI Expo warehouse/storage space by way of installing two 15' high walls comprised of steel storage racks and non-combustible drywall. Access to/from the volleyball area will be provided via a new ADA-accessible sidewalk from the parking lot to the northwest entrance of the building. Additional emergency access doors will be installed on the north wall of the building. Existing restroom facilities on the first floor of the west side of the building are accessible to the volleyball area. Ten (10) stalls in the parking lot will be specifically designated for volleyball facility students and employees.

ATTACHMENTS:

- ◆ 2/24/14 Staff Report
- ◆ 2/24/14 Plan Commission Meeting Minutes
- ◆ Application Information
- ◆ Draft CUP

PLAN COMMISSION RECOMMENDATION:

APPROVE a Conditional Use Permit for Adversity-Wisconsin VBC and DC Cartledge LLC, property owner, for the operation of a volleyball training facility from the existing industrial building located at N113 W18750 Carnegie Drive in the Germantown Industrial Park subject to (11) conditions [SEE DRAFT CUP FOR LIST OF CONDITIONS].

CUP # xx – 14

Document No.

CONDITIONAL USE PERMIT

Document Title

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

Whereas the Applicants:

David Pauers, Owner/Operator of Adversity Wisconsin Volleyball Club, and Agent for DC Cartledge 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 the Applicants to permit the operation of Volleyball Training Facility from a portion of the building and property located at N113 W18750 Carnegie Drive pursuant to Section 17.09(3) of the Village Zoning Code.

Name & Return Address:

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

Parcel Identification No:

GTNV 213-993

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

Parcel 2 of Certified Survey Map (CSM) No. 1918, being a part of the NW 1/4 and SW 1/4 of the SW 1/4 of Section 21, T9N, R20E, Village of Germantown, Washington County, Wisconsin. Said land containing 179,467 sq. ft. or 4.12 +/- acres.

Tax Key No: 213-993

Address: N113 W18750 Carnegie Drive

Pursuant to the following condition(s):

1. The owner/operator shall install all interior and exterior building and site improvements as presented in the plan set date stamped February 13, 2014 prior to issuance of an occupancy permit from the Village;
2. The owner/operator shall comply with all conditions and requirements set forth by DSPS approval letter dated 2/11/2014 shall be completed prior to occupancy.
3. The owner/operator shall prepare an emergency plan for the facility per NFPA 1 (10.9.1 and 10.9.2.1). Said plan to include: evacuation plan for all occupants in attendance; the means to control (prevent) warehouse access by occupants without reducing required exit access; the means of alerting occupants of emergencies elsewhere in building; a fixed telephone for contacting 911; a procedure for accounting for occupants; a diagram showing exits, path ways, extinguishers and fire protection equipment. The emergency plan shall be submitted to the Fire Department for review and approval prior to occupancy.
4. Ceiling tiles in the court area shall be secured in place with all fire sprinkler heads in the ceiling tiles shall be protected with guards to prevent damage or activation. Guards shall be placed over exit all signs and emergency lights to prevent damage.

5. The owner/operator shall install an Occupancy Limit sign at the entrance indicating that occupancy of the volleyball area shall not exceed 49 persons.
6. The paved parking area shall be adequately marked/stripped to indicate a minimum of ten (10) parking stalls to serve the operation as shown on the ;
7. The owner/operator shall cooperate with the Fire Department to conduct a pre-occupancy inspection and provide/install whatever additional fire safety measures are required under Village and other applicable fire safety codes.
8. All exterior temporary and permanent signs shall comply with the Village's sign regulations including obtaining approval and/or permits from the Village Planning Department or Plan Commission as necessary.
9. The owner/operator shall contact Inspection Services regarding the type of building, electrical and/or plumbing permits that are required for the proposed interior and exterior improvements. The state-approved plans subject of the DSPS February 11, 2014 conditional approval shall be revised to include all of the DSPS requirements and submitted as part of the building permit application.
10. Depending on the hours and time of year for the operation, additional lighting along the proposed access sidewalk from the parking lot to the primary entrance to/from the volleyball training area shall be installed. The owner/operator shall coordinate with the Zoning Administrator and Building Inspector to determine the need for and identify the type and number of lights to be installed (if necessary) The day care facility shall meet and continuously comply with all applicable state, county and local licensing requirements for a group child care facility. A copy of all state or county agency issued permits or licenses for the day care operation shall be provided to the Planning Department within thirty (30) days of issuance by such agencies;
11. Subject to applicable building code requirements, the two (2) interior accessways (currently open and without doors) providing access to the corridor from the warehouse space adjacent to the bathrooms shall have doors installed in order to prohibit free and easy access from the volleyball tenants into the warehouse space.

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

ATTEST:

Dean Wolter, Village President

Barbara K. D. Goeckner, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

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

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

As the business owner/operator, _____ and property owner, _____, we hereby accept the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this ____ day of _____, 2014

Beth Burger, Business Owner/Operator

Steven A. Dahlke, Property Owner

STATE OF WISCONSIN) SS
_____ COUNTY)

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

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin

My Commission Expires: _____

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

CONDITIONAL USE PERMIT APPLICATION

2/24/14 Plan Commission Meeting

Adversity Wisconsin VBC / DC Cartledge LLC (Wisconsin EXPO)

Village Planner Report

Germantown, Wisconsin

Summary

David Pauers, owner of Adversity Wisconsin VBC and agent for DC Cartledge LLC, property owner, is seeking a Conditional Use Permit to allow the operation of a volleyball training facility from the existing industrial building located at N113 W18750 Carnegie Drive in the Germantown Industrial Park.

Property Location: N113 W18750 Carnegie Drive

Property Owner: Dan Cartledge/DC Cartledge LLC
N4985 Arrowhead Trail
Juneau, WI

Current Zoning: M-1: Limited Industrial District

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



Background

This 4.12-acre parcel is zoned M-1: Limited Industrial and was initially developed with a 49,172 sqft industrial building in 1978. At that time, the owner was granted a conditional use permit to use the building as an indoor racquetball club (Kettle Moraine Racquetball Club).

In March 2012, the Plan Commission approved site development and building plans for Wisconsin Expo, a contractor providing services for tradeshow, conventions, conferences, and corporate events in Wisconsin and the upper Midwest. WI Expo supplies pipe & drape, skirted tables, chairs, carpeting and other such equipment for such events. WI Expo currently uses the building for storage and production purposes related to their services. WI Expo currently has 16 employees and operates Monday through Friday, 7:30 am to 4:00 p.m.

In addition to some interior remodeling, WI Expo made the following improvements to the site and building:

- Added (2) 14' overhead doors (east elevation)
- Added (2) 10' dock bays w/ depressed dock & levelers
- Installed additional concrete in parking lot & a trench drain at loading dock
- Constructed a new driveway/approach onto Carnegie Drive (for improved truck/trailer access & on-site circulation)
- Re-striped parking lot
- Installed additional landscaping along the building foundation and east property line

Proposal

At this time, David Pauers, owner of Adversity Wisconsin VBC and agent for DC Cartledge LLC, is seeking a Conditional Use Permit to allow the operation of an in-door volleyball training facility from a 10,800 sqft area located within the existing industrial building at N113 W18750 Carnegie Drive.

Adversity-Wisconsin VBC is a private volleyball club providing training to girls 12 through 18 years of age. Training and "tune-up" sessions are provided September through November, club tryouts in November, with traveling tournaments around the state of Wisconsin, Minnesota and AAU Nationals in Florida. Adversity currently has four (4) training facilities in Jackson (Jackson Area Community Center); Brookfield (Brookfield Christian School); Mount Mary University (Bloechl Center); and Nashotah (Lake Country Christian School).

The Germantown facility would have days and hours of operation from Sunday to Saturday, 7:00 am to 9:00 pm. Six to ten employees or coaches would work at the facility serving up to 35 players on two (2) volleyball courts at any one time.

Additional information about Adversity-Wisconsin VBC, its history, coaches, teams, services offered and other facilities can be found in the attached supporting application documents and their website: www.adversitywisconsin.org/joomla/

As shown in the proposed site plan, an area 90' x 120' (10,800 sqft) is proposed to be walled off from the WI Expo warehouse/storage space by way of installing two (2) 15' high walls comprised of steel storage racks with 3/4"x 4'x 8' non-combustible drywall sheets bolt-strapped to the face or inside of the racking. Netting will be attached to and draped from the 24' high ceiling and attached to the top of the racking to complete the separation walls between the volleyball court area and the WI Expo warehouse area.

Access to/from the volleyball area will be provided via a new ADA-accessible concrete sidewalk to be constructed from the north side of the parking lot to an existing access doorway located on the northwest side of the building. Additional access doors are to be installed along the north wall of the building to provide additional emergency access to/from the volleyball court area and the WI Expo warehouse (as required by the Wisconsin Department of Safety and Professional Services). Restroom and locker room facilities already exist on the first floor of the west side of the building and are easily accessible to/from the volleyball court area.

A small, ten (10) stall (2 stalls ADA-accessible) parking area specifically designated for volleyball facility students and employees will be created on the north side of the existing parking lot on the west side of the building. The site was initially developed with a parking area containing (72) parking stalls. As a result of the WI Expo improvements, the existing parking include: (29) vehicle stalls and six (6) long truck/trailer stalls. Under the new site plan proposed to support the addition of the volleyball training facility, the parking lot will be re-striped to include: (34) vehicle stalls and four (4) long truck/trailer stalls.

Staff Comments

The property is located in the M-1 Zoning District which does specifically allow this type of use; however, the Plan Commission can allow "unclassified or unspecified uses" provided the use is similar in character and/or potential impacts as either a permitted or conditional use. In this case, Staff is of the opinion that the proposed volleyball training use is similar in character to the sort of commercial uses that can be permitted as a conditional use in the M-1 district. Further, as discussed above, the existing building/facility was originally developed and used as a racquet club in the late 70's.

Given the proposed joint occupancy of the building and nature of the proposed separation walls, Staff required the owner/operator to submit detailed building plans to the state of Wisconsin Department of Safety and Professional Services (DSPS) for review and approval prior to submitting the CUP application. As set forth in their February 11, 2014 "conditional approval" letter (copy attached), the DSPS has determined that with the interior and exterior improvements presented in their site and building plans, the use and occupancy of the building can meet applicable building code and ADA-accessibility requirements.

The Fire Department has reviewed the plans and has identified the following four (4) additional requirements recommended as conditions of approval (see February 19, 2014 e-mail):

1. All conditions and requirements set forth by DSPS approval letter dated 2/11/2014 shall be completed prior to occupancy;
2. Emergency plan for facility per NFPA 1 (10.9.1 and 10.9.2.1). Plan to include: evacuation plan for all occupants in attendance; the means to control (prevent) warehouse access by occupants without reducing required exit access; the means of alerting occupants of emergencies elsewhere in building; a fixed telephone for contacting 911; a procedure for accounting for occupants; a diagram showing exits, path ways, extinguishers and fire protection equipment. The plan to be submitted to Germantown Fire Department prior to occupancy;
3. Ceiling tiles in the court area shall be secured in place with all fire sprinkler heads in the ceiling tiles shall be protected with guards to prevent damage or activation. Guards shall be placed over exit signs and emergency lights to help prevent damage;
4. Occupancy sign shall be posted (not to exceed 49 Persons) at the volleyball court entrance.

The building is already served by a sprinkler system (required prior to occupancy by WI Expo).

The Building inspector has also reviewed the plans and is requiring that a final set of revised plans containing all of the DSPS requirements be prepared and submitted as part of the building permit application.

Staff is cautiously optimistic about a successful shared occupancy of the building. One concern is the amount of parking. WI Expo has agreed to modify the existing parking lot to designate 10 parking stalls for the volleyball operation. The applicant has indicated that most of the students will be dropped off by parents and not necessarily need dedicated parking stalls. Days and hours of operation for the volleyball training include evenings and weekends when WI Expo employees may not be working (although truck and trailers are kept on-site when not in use). The adequacy of parking will need to be monitored and, if necessary, additional parking may need to be provided in the future.

At this time, there is limited exterior lighting on the site within the parking lot. Given the proposed hours of operation as late as 9:00 p.m. with training occurring into the fall and winter, additional lighting in or around the north side of the parking lot may be needed; particularly the need for lighting along the new sidewalk leading from the parking lot to the north entrance (building mounted cut-off fixtures may be sufficient).

Village Planner Recommendation

APPROVE a Conditional Use Permit for Adversity-Wisconsin VBC and DC Cartledge LLC, property owner, for the operation of a volleyball training facility from the existing industrial building located at N113 W18750 Carnegie Drive in the Germantown Industrial Park subject to the following conditions:

1. The owner/operator shall install all interior and exterior building and site improvements as presented in the plan set date stamped February 13, 2014 prior to issuance of an occupancy permit from the Village;
2. The owner/operator shall comply with all conditions and requirements set forth by DSPS approval letter dated 2/11/2014 shall be completed prior to occupancy.
3. The owner/operator shall prepare an emergency plan for the facility per NFPA 1 (10.9.1 and 10.9.2.1). Said plan to include: evacuation plan for all occupants in attendance; the means to control (prevent) warehouse access by occupants without reducing required exit access; the means of alerting occupants of emergencies elsewhere in building; a fixed telephone for contacting 911; a procedure for accounting for occupants; a diagram showing exits, path ways, extinguishers and fire protection equipment. The emergency plan shall be submitted to the Fire Department for review and approval prior to occupancy.
4. Ceiling tiles in the court area shall be secured in place with all fire sprinkler heads in the ceiling tiles shall be protected with guards to prevent damage or activation. Guards shall be placed over exit all signs and emergency lights to prevent damage.
5. The owner/operator shall install an Occupancy Limit sign at the entrance indicating that occupancy of the volleyball area shall not exceed 49 persons.
6. The paved parking area shall be adequately marked/stripped to indicate a minimum of ten (10) parking stalls to serve the operation as shown on the ;
7. The owner/operator shall cooperate with the Fire Department to conduct a pre-occupancy inspection and provide/install whatever additional fire safety measures are required under Village and other applicable fire safety codes.
8. All exterior temporary and permanent signs shall comply with the Village's sign regulations including obtaining approval and/or permits from the Village Planning Department or Plan Commission as necessary.
9. The owner/operator shall contact Inspection Services regarding the type of building, electrical and/or plumbing permits that are required for the proposed interior and exterior improvements. The state-approved plans subject of the DSPS February 11, 2014 conditional approval shall be revised to include all of the DSPS requirements and submitted as part of the building permit application.
10. Depending on the hours and time of year for the operation, additional wall-mounted lighting along the proposed access sidewalk from the parking lot to the primary entrance to/from the volleyball training area may be needed. The owner/operator shall coordinate with the Zoning Administrator and Building Inspector to determine the need for and identify the type and number of lights to be installed (if necessary).



DIVISION OF INDUSTRY SERVICES
PO BOX 7162
MADISON WI 53707-7162
Contact Through Relay
www.dsps.wi.gov/sb/
www.wisconsin.gov

Scott Walker, Governor
Dave Ross, Secretary

February 11, 2014

CUST ID No. 987546

ATTN: Buildings & Structures Building Inspector

RICHARD W SCHALK
1085 RIDGEWAY RD
BROOKFIELD WI 53045

BUILDING INSPECTION
VILLAGE OF GERMANTOWN
PO BOX 337
GERMANTOWN WI 53022-0337

(Please forward a copy of this letter to the fire department conducting inspections of this project.)

CONDITIONAL APPROVAL
PLAN APPROVAL EXPIRES: 02/11/2015

SITE:

Dc Cartledge LLC
N113 W18750 Carnegie Dr
Village of Germantown, 53022
Washington County

FOR:

Facility: 719870 DC CARTLEDGE LLC
N113 W18750 CARNEGIE DR
GERMANTOWN 53022

Identification Numbers
Transaction ID No. 2358550 Site ID No. 776029
Please refer to both identification numbers, above, in all correspondence with the agency.

Tenant Name or Addn/Alt Description: DAVID POWERS VOLLEYBALL ACADEMY
Object Type: Building ICC Regulated Object ID No.: 1466738 Code Applies Date: 01/16/14
Alteration Level: 2; Major Occupancy: Assembly; Type VB Combustible Unprotected class of construction;
Alteration plan; 10,000 project sq ft; Completely Sprinklered; Occupancy: B Business, S-1 Storage Moderate-Hazard; Sprinkler Design: NFPA-13 Sprinkler; Allowable area determined by: Unseparated Use

The submittal described above has been reviewed for conformance with applicable Wisconsin Administrative Codes and Wisconsin Statutes. The submittal has been **CONDITIONALLY APPROVED**. The owner, as defined in chapter 101.01(10), Wisconsin Statutes, is responsible for compliance with all code requirements. Only those object types listed above have been approved; other submittals such as plumbing and those listed below under Also Submit, may also be required.

The following conditions shall be met during construction or installation and prior to occupancy or use:

Key Item(s)

- **IBC 303.1** - An Assembly Group A occupancy includes a building or portion of a building used by 50 or more persons for gathering together for purposes of civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation. A building used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy. **Per owner's letter, the occupant load of the volley ball courts is a max of 49 making this occupancy a business occupancy.**
- **IBC 603.1** - Buildings of Types I and II construction shall meet an exception of Section 603.1 or Table 601 footnote b to allow the use of combustible construction materials. **Per designer's letter, all new construction will be light gage steel studs and non combustible materials.**
- **IBC 1014.2.1** - Where more than one tenant occupies any one floor of a building or structure, shall be provided with access to the required exits without passing through adjacent tenant spaces unless an exception

is met. **Per designer's letter, no exiting from the volley ball courts will be through the warehouse tenant and a new exit door will be provided and located on the north wall near the east end of the volleyball courts.**

- **IBC 1014.3/SPS 362.1014** –The common path of egress shall not exceed 100 feet for the warehouse area adjoining the volleyball courts. **Per designer's letter , a new exit door is provided from the warehouse area located on the north wall east of the volleyball courts.**
- **IBC 1104.1** - Accessible routes within the site shall be provided from the accessible parking to the accessible Volleyball courts entrance.
- **Submit** – Please submit the following additional components or systems to our agency prior to installation or occupancy of the building. Be aware that additional fees are required if submittals are not timely. Our agency offers a number of worksheets and checklists for the Commercial Building Code at:

http://dsps.wi.gov/Documents/Industry%20Services/Forms/Commercial%20Buildings/Combined%20Worksheets%20Instructions%20_2009%20ICC_.pdf

that may assist you in preparing your submittal. Record approval information for each required submittal below. When ready for building occupancy, provide this information to your municipal building official, along with any required compliance statement, in order to obtain any municipal occupancy permit or license.

- **SPS 361.30(3)** - This approval does not include heating, ventilating or air conditioning. The owner should be reminded that HVAC plans, calculations, and appropriate fees are required to be submitted for review and approval prior to installation. Building Designer should coordinate with HVAC design to avoid problems with clearance to combustibles, dampers etc. The submitted HVAC plans shall match the approved building plans. Building Designer is requested to provide a complete set of plans, Energy Calculations and the Building plan review Transaction I.D. number to the HVAC Designer to help coordinate review. **Note as per SPS 302.10 installation of HVAC without approved plans could result in double plan review fees.**
- **SPS 361.30(3)** - Unless the sprinkler system is part of a multi-purpose piping system, or an exception listed under SPS 361.30(4)(b) [ie. alteration or addition of 20 or fewer sprinkler heads to an existing fire sprinkler system] is met, submit prior to installation, properly signed and sealed fire suppression plans to the Industry Services office that reviewed the building plans except for the Holmen office. A review appointment and simplified application completion may be made in advance by using the online plan review request retrieval feature and the next available appointment feature from our web page at <http://165.189.64.111/Default.aspx?Page=fe17ff79-0c6c-42c7-9c1f-0da69cfa7e16> If this is a multi-purpose piping system, then submit plans per the Plumbing program requirements explained at <http://dsps.wi.gov/Default.aspx?Page=bf2c2d08-4a18-4797-8a83-5dd5d48c0943>

Reminders

- **IBC 2902.3.1** Provide the public with access to the required toilet facilities at ALL times the building is occupied. A directional sign directing patrons to the locations of the toilet room(s) shall be posted as required by IBC 2902.4.1.
- **IEBC 605.2** The owner has submitted a letter of disproportionality (Existing toilets are not accessible)

A full size copy of the approved plans, specifications and this letter shall be on-site during construction and open to inspection by authorized representatives of the Department, which may include local inspectors. If plan index sheets were submitted in lieu of additional full plan sets, a copy of this approval letter and index sheet shall be attached to plans that correspond with the copy on file with the Department. If these plans were submitted in an electronic form, the designer is responsible to download, print, and bind the full size set of plans along with our approval letter. A department electronic stamp and signature shall be on the plans which are used at the job site for construction.

All permits required by the state or the local municipality shall be obtained prior to commencement of construction/installation/operation. You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. For more information, visit the Department of Natural

Resources wetlands identification web page or contact a Department of Natural Resources service center. Nothing in this approval limits the power of municipalities to make or enforce additional or more stringent regulations, providing the regulations do not conflict with this code or any other rule of the department or any law. This plan has not been generally reviewed for compliance with fire code requirements, including those for fire lanes and fire protection water supply, so contact the local fire department for further information.

If this construction project will disturb one or more acres of land, a Water Resources Application for Project Permits (WRAPP) (previously known as the Notice of Intent) shall be filed with the Department of Natural Resources prior to any land-disturbing activities. More information regarding the DNR's permitting requirements for runoff management for construction sites can be found at the DNR's website, <http://dnr.wi.gov/topic/stormwater/construction/>

In granting this approval, the Division of Industry Services reserves the right to require changes or additions, should conditions arise making them necessary for code compliance. As per state stats 101.12(2), nothing in this review shall relieve the designer of the responsibility for designing a safe building, structure, or component. The Division does not take responsibility for the design or construction of the reviewed items.

Per s. SPS 361.40(4), projects for buildings of over 50,000 cubic feet total volume shall have supervising professionals who file compliance statements with this agency and the local code officials prior to occupancy of the project. The compliance statement form is available on our website,

http://dsps.wi.gov/Documents/Industry%20Services/Forms/Commercial%20Buildings/Combined%20Worksheets%20Instructions%20_2009%20ICC_.pdf under forms for commercial buildings.

Inquiries concerning this correspondence may be made to me at the telephone number listed below, or at the address on this letterhead. We look forward to working with you to make this code-compliant construction.

Sincerely,

Moktar Taamallah, P.E.
Engineering Consultant , Integrated Services
(608)266-8737 , M-f, 8:45AM - 5:15PM
moktar.taamallah@wisconsin.gov

Fee Required \$ 600.00

This Amount Will Be Invoiced.
When You Receive That Invoice,
Please Include a Copy With Your
Payment Submittal.

WiSMART code: 7648

cc: Betty J Wiese, State Building Inspector, (414) 852-3694 , Monday, 7:45 A.M. - 4:30 P.M.
James Mella , James Mella & Assoc
Dan Cartledge , Wisconsin Expo

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Note: Effective May 7, 2012, Effective immediately, the Division of Industry Services Commercial Building Program will no longer require the submittal of either emergency egress lighting plans or lighting energy conservation plans to our agency. Instead following are revised expectations:

- Emergency Egress Lighting - Building designers shall provide at the project site an egress plan showing where exit lights and emergency egress lighting will be required for new buildings, additions and alterations that create new egress paths. **Effective July 1, 2012, this egress plan shall be included with the building plan submittal to our agency.** In addition to the egress plan at the jobsite, there shall be emergency lighting cut-sheets, calculations or other means to show compliance of the installed fixtures. Local inspectors may request additional information.
- Energy Conservation – Building designers, electrical designers or electrical contractors shall provide fixture layouts, fixture cut-sheet, energy calculations or other documentation at the project site.



DIVISION OF INDUSTRY SERVICES
PO BOX 7162
MADISON WI 53707-7162
Contact Through Relay
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Scott Walker, Governor
Dave Ross, Secretary

February 06, 2014

CUST ID No. 987546

RICHARD W SCHALK
1085 RIDGEWAY RD
BROOKFIELD WI 53045
REQUEST FOR ADDITIONAL INFORMATION

SITE:

Dc Cartledge LLC
N113 W18750 Carnegie Dr
Village of Germantown, 53022
Washington County

FOR:

Facility: 719870 DC CARTLEDGE LLC
N113 W18750 CARNEGIE DR
GERMANTOWN 53022

Identification Numbers
Transaction ID No. 2358550
Site ID No. 776029
Please refer to both identification numbers, above, in all correspondence with the agency.

Tenant Name or Addn/Alt Description: DAVID POWERS VOLLEYBALL ACADEMY
Object Type: Building ICC Regulated Object ID No.: 1466738 Code Applies Date: 01/16/14
Alteration Level: 2; Major Occupancy: Assembly; Type VB Combustible Unprotected class of construction;
Alteration plan: 10,000 project sq ft; Completely Sprinklered; Occupancy: A-4 Indoor Sports Seating, S-1 Storage
Moderate-Hazard; Sprinkler Design: NFPA-13 Sprinkler; Allowable area determined by: Unseparated Use

The submittal described above has been placed on **HOLD** and the review and approval is pending subject to receipt of the **ADDITIONAL INFORMATION** and/or revised plans requested by this letter. Upon receipt of the additional information and/or revised plans, the plans will be reviewed for compliance to applicable Wisconsin Administrative Codes and Wisconsin Statutes.

The following must be corrected/revised and accompany the resubmittal:

Key Item(s)

- **IBC 303.1** - An Assembly Group A occupancy includes a building or portion of a building used by 50 or more persons for gathering together for purposes of civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation. A building used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy. **Submit a letter from the owner indicating the use of the volley ball courts is limited to 49 people.**
- **IBC 603.1** - Buildings of Types I and II construction shall meet an exception of Section 603.1 or Table 601 footnote b to allow the use of combustible construction materials. This building is Type II construction not VB construction as submitted. No combustible materials are allowed except as per this section.
- **IBC 1014.2.1** - Where more than one tenant occupies any one floor of a building or structure, each tenant space, shall be provided with access to the required exits without passing through adjacent tenant spaces unless an exception is met. Provide exits from the volley ball courts that do not go through the adjoining S1 tenant.

- **IBC 1014.3/SPS 362.1014** –As a result of this alteration, The area in the existing warehouse east of the volley ball court is now provided with only one way exit path. The common path of travel exceeds 100 feet for this area. This distance is measured at right angles from the most remote corner of the occupied space to the separate egress paths or single exit. **A second exit is needed from this area of the warehouse.**
- **IBC 1104.1** – **Provide an accessible** within the site from the accessible parking to the accessible building entrance and be in compliance with ICC/ANSI A117.1 chapter 4. Show on plans.
- **IBC 2902.3.1** - The accessible route to public facilities for toilets, lavatories, etc., shall not pass through kitchens, storage rooms, closets or similar spaces.
- **IBC 2902.3.1** Provide the public with access to the required toilet facilities at ALL times the building is occupied. A directional sign directing patrons to the locations of the toilet room(s) shall be posted as required by IBC 2902.4.1. Show on plans.
- **IEBC 605.2** - This project includes alterations to a primary function area so provide accessible alterations, including toilet and drinking facilities, along the path of travel to the primary function area, unless a listed code exception is met. **Note that per exception 1, the owner is not required to spend more than 20% of the project cost on providing the accessible route. A letter of disproportionality shall be submitted from the owner.**

Our agency offers a number of worksheets and checklists for the Commercial Building Code at http://dsps.wi.gov/Documents/Industry%20Services/Forms/Commercial%20Buildings/Combined%20Worksheets%20Instructions%20-2009%20ICC_.pdf that may assist you in preparing your submittal.

Send your re-submittal into the address listed above, unless otherwise noted, and the department will review the resubmittal within 5 working days of receipt date. Please include a copy of this letter with your resubmittal.

Designer shall identify plan revisions by a readily discernible means such as shading, highlighting, hatching or clouding the changed areas prior to plan re-submittal. Failure to do so may delay review.

If the above requested information and/or plans are not received within 30 business days of the date of this correspondence, this submittal will be returned denied. No fees will be refunded, and a new fee, application form, and submittal of plans/specifications will be required should you desire to continue with this project. The code in effect at the time of new submittal would apply.

If you have any questions, after reading the above comments and related code sections cited, please call me at the telephone number below.

Sincerely,

Moktar Taamallah, P.E.
Engineering Consultant, Integrated Services
(608)266-8737, M-f, 8:45AM - 5:15PM
moktar.taamallah@wisconsin.gov

Fee Received \$ 0.00

WiSMART code: 7648

cc: Betty J Wiese, State Building Inspector, (414) 852-3694, Monday, 7:45 A.M. - 4:30 P.M.
Building Inspection Village of Germantown, 262/250-4760
James Mella, James Mella & Assoc
Dan Cartledge, Wisconsin Expo

Jeff Retzlaff

From: Steve Smith [ssmith@germantownfiredept.com]
Sent: Wednesday, February 19, 2014 10:30 AM
To: Jeff Retzlaff; Inspector; Craig Rossman; Mike Maury
Subject: RE: Conditional Use Permit Application (Adversity Wisconsin VBC)
 Per 2/17/2014 Memo Updates: Plan Commission Agenda- February 24, 2014

With the following inclusions the GFD recommends approval of the CUP for Adversity Wisconsin.

1. All conditions and requirements set forth by DSPS approval letter dated 2/11/2014.
2. Emergency plan for facility per NFPA 1 (10.9.1 and 10.9.2.1). Plan to include evacuation plan for all occupants in attendance. The means to control (prevent) warehouse access by occupants without reducing required exit access. Means of alerting occupants of emergencies elsewhere in building. Fixed telephone for contacting 911. Procedure for accounting for occupants. Diagram showing exits, path ways, extinguishers and fire protection equipment. Plan to be submitted to GFD prior to occupancy.
3. Ceiling tiles in court area shall be secured in place. Fire sprinkler heads in ceiling tiles shall be protected with guards to prevent damage or activation. Guard shall be placed exit signs and emergency lights to help prevent damage.
4. Occupancy sign shall be posted (49 Persons) at the volleyball court entrance.

Steven Smith
 Fire Inspector
 Germantown Fire Department
 W162N11862 Park Avenue
 Germantown WI 53022
 262 253 7795 ext 1733
 262 253 7797 fax
 ssmith@germantownfiredept.com

From: Steve Smith
Sent: Thursday, January 02, 2014 10:15 AM
To: 'Jeff Retzlaff'; Inspector; Craig Rossman; Mike Maury
Subject: RE: Conditional Use Permit Application (Adversity Wisconsin VBC)

Jeff:

The GFD Inspection has concerns as to the possible mixed use of warehouse use and gymnasiums (Assembly) use of the Wisconsin Expo Building at N113W18750 Carnegie Drive. Although the building has vastly improved fire safety by the recent fire sprinkler system, the fire alarm system is only a small monitoring system and may require upgrading. Exit plan is not clearly disclosed in the e mail or permit application. Based on the 10K sq. ft. number of people that could be allowed is about 666 persons. Unless a lower number of people is agreed to by the business and property owner they will be allowed that high number of people; if the exiting is capable and the alarm system is upgraded. Are they planning on hosting tournaments in the future? An emergency plan will need to be provided for the facility. The plan should state how people (minors) are going to be controlled prevent access to building warehouse operations and hazards. With only a "simple dividing wall" there is no air

2/19/2014

separation between the warehouse and gym operations for smoke control. The change of occupancy also will require state approval by DSPS.

Based on the information received in the application, the GFD does not recommend approval of Conditional Use Permit for Adversity Wisconsin VBC.

Steven Smith
Fire Inspector
Germantown Fire Department
W162N11862 Park Avenue
Germantown WI 53022
262 253 7795 ext 1733
262 253 7797 fax
ssmith@germantownfiredept.com

From: Jeff Retzlaff [<mailto:jretzlaff@village.germantown.wi.us>]
Sent: Friday, December 27, 2013 1:38 PM
To: Steve Smith; Inspector; Craig Rossman; Mike Maury
Subject: RE: Conditional Use Permit Application

Thanks. I understand. I'm having the Building Inspector talk with the applicant about state-approved plans. That alone may be too much for the proposal to go any further. I will keep you posted.
Jeff

Jeffrey W. Retzlaff, AICP

Director/Village Planner/Zoning Administrator

Community Development Department

Village of Germantown

N112 W17001 Mequon Road

262-250-4735 Tel

262-253-8255 FAX

jretzlaff@village.germantown.wi.us

From: Steve Smith [<mailto:ssmith@germantownfiredept.com>]
Sent: Friday, December 27, 2013 1:36 PM
To: Jeff Retzlaff; Inspector; Craig Rossman; Mike Maury

2/19/2014

PLAN COMMISSION MINUTES

February 24, 2014

CALL TO ORDER: Planning Assistant Lori Johnson called the meeting to order at 6:31 p.m.

ROLL CALL: Trustee Representative Baum, Commissioners Warren, Stauffacher, Gray and Yokes were present. Chairman Wolter and Commissioner Peck were absent and excused. Also present were Village Planner Jeff Retzlaff, Village Engineer Brionne Bischke and Planning Assistant Lori Johnson.

MOTION Stauffacher second Warren to appoint Trustee Baum as Chairman Pro Tem.

MOTION carried unanimously.

PUBLIC INPUT: None

PREVIOUS MINUTES: ***MOTION Warren second Stauffacher to Approve the Minutes from February 10, 2014.***

Commissioner Warren wanted to clarify the minutes for the St. John United Church of Christ historic designation item relating to funding. "Discussion followed regarding if the State funding would become involved in the road project. Engineer Bischke said the Village will not use State funding therefore the State historical preservation process will probably not be involved in the process." Engineer Bischke agreed with the clarification.

MOTION carried unanimously.

Planner Retzlaff requested Item C under New Business be tabled.

MOTION Stauffacher second Yokes to Postpone item C under New Business.

MOTION carried unanimously.

Village of Germantown – Municipal Code Chapter 27 (Post Construction Stormwater Management) & Chapter 29 (Construction Site Erosion Control) Code Amendments.

Engineer Bischke explained the Public Works and Highway Committee had met and approved the updates to the Code. The updates include revisions to Chapter 8 and provisions to allow developers to use green infrastructure. The code amendments need to advance to Village Board for a public hearing.

MOTION Stauffacher second Warren to Approve the proposed ordinance revisions.

MOTION carried unanimously.

Engineer Bischke left the meeting 6:40 p.m.

David Pauers for Adversity Wisconsin Volleyball Club – N113 W18750 Carnegie Drive.

Request for a Conditional Use Permit for the operation of a volleyball training facility from the existing industrial building in the Industrial Park. Planner Retzlaff summarized the proposal. David Pauers said he got his start at this site 15 years ago when it was the Lynch Courthouse. He said he was a teacher for 13 years and has been a coach for over 16 years. He said there would be 4 coaches on site with the total number of kids not exceeding 40.

A lengthy discussion followed including the following concerns:

- Will the facility be leased to other organizations or hold league events?
Mr. Pauers said that was a possibility in the future, but additional parking would be required and the maximum capacity is 49. The proposed use is for a training facility.

- Is there space for additional parking?

Planner Retzlaff said there is space for additional parking north of the existing parking lot. He said the original site plan shows 70 to 75 parking stalls that could be obtained through re-striping the lot. Limited street parking is permitted.

- Are the stairs going to the bathroom up to ADA requirements.

Planner Retzlaff said the State is not requiring modifications for this occupancy. Chairman Baum said the building is grandfathered.

- The safety of the students is a concern. The building doesn't comply with NFPA requirements.

Chairman Baum said because the modifications to the building are considered a Level 1 modification and the State is not requiring that the building be modified to today's code.

Planner Retzlaff said the Building Inspector will make sure the building is code compliant and the Fire Department will inspect the building to ensure fire safety requirements have been met.

- How will the owner deal with the open access to the warehouse? This is a safety issue.
Commissioner Stauffacher said the 2 openings providing access to the warehouse should be closed off. Planner Retzlaff said it would be easy for someone to wander off into the warehouse area after using the bathroom. Mr. Pauers said safety is a priority and if there are problems in the future, he will address them with the owner. Planner Retzlaff asked how often the building would be occupied by both tenants. Mr. Pauers said the club practices mostly at night but will have summer morning hours when both businesses would co-exist. Another concern with Commissioners is that the bathroom facilities would be shared by both users. Commissioners discussed how to control access to the warehouse. Dan Cartledge, owner of Wisconsin Expo, said he was willing to secure the entrances with doors. He said he employs approximately 10 employees and is willing to put forth the effort to expand the parking lot if needed. Planner Retzlaff said a plan for how access to the rest of the building will be controlled should be provided.

MOTION Stauffacher second Yokes to Approve a Conditional Use Permit for Adversity Wisconsin VBC and DC Cartledge LLC, property owner, for the operation of a volleyball training facility fro the existing industrial building located at N113 W18750 Carnegie Drive in the Germantown Industrial Park subject to the following conditions:

- 1. The owner/operator shall install all interior and exterior building and site improvements as presented in the plan set date stamped February 13, 2014 prior to issuance of an occupancy permit from the Village;***
- 2. The owner/operator shall comply with all conditions and requirements set forth by DSPS approval letter dated 2/11/2014 shall be completed prior to occupancy.***
- 3. The owner/operator shall prepare an emergency plan for the facility per NFPA 1 (10.9.1 and 10.9.2.1). Said plan to include: evacuation plan for all occupants in attendance; the means to control (prevent) warehouse access by occupants without reducing required exit access; the means of alerting occupants of emergencies elsewhere in building; a fixed telephone for contacting 911; a procedure for accounting for occupants; a diagram showing exits, path ways, extinguishers and fire protection equipment. The emergency plan shall be submitted to the Fire Department for review and approval prior to occupancy.***
- 4. Ceiling tiles in the court area shall be secured in place with all fire sprinkler heads in the ceiling tiles shall be protected with guards to prevent damage or activation.***

- Guards shall be placed over exit all signs and emergency lights to prevent damage.*
- 5. The owner/operator shall install an Occupancy Limit sign at the entrance indicating that occupancy of the volleyball area shall not exceed 49 persons.*
 - 6. The paved parking area shall be adequately marked/stripped to indicate a minimum of ten (10) parking stalls to serve the operation as shown on the ;*
 - 7. The owner/operator shall cooperate with the Fire Department to conduct a pre-occupancy inspection and provide/install whatever additional fire safety measures are required under Village and other applicable fire safety codes.*
 - 8. All exterior temporary and permanent signs shall comply with the Village's sign regulations including obtaining approval and/or permits from the Village Planning Department or Plan Commission as necessary.*
 - 9. The owner/operator shall contact Inspection Services regarding the type of building, electrical and/or plumbing permits that are required for the proposed interior and exterior improvements. The state-approved plans subject of the DSPS February 11, 2014 conditional approval shall be revised to include all of the DSPS requirements and submitted as part of the building permit application.*
 - 10. Depending on the hours and time of year for the operation, additional wall-mounted lighting along the proposed access sidewalk from the parking lot to the primary entrance to/from the volleyball training area ~~may be needed~~ will be required. The owner/operator shall coordinate with the Zoning Administrator and Building Inspector to determine the need for and identify the type and number of lights to be installed (if necessary).*

MOTION to Amend Stauffacher second Yokes to add a condition that the 2 doors that are currently open walkways be secured with doors that will restrict the new tenants access into the warehouse area.

MOTION to Amend carried unanimously.

MOTION to Amend Stauffacher second Warren to change Condition #10 by striking "wall-mounted" and "may be needed" to "will be required"

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Rick's Quick Lube – N112 W16076 Mequon Road. Richard Donaldson, operator, is seeking approval of a revised site plan for the oil change operation. Planner Retzlaff summarized the proposal to eliminate two landscaped islands at the entrance driveway to the building and delete the twelve plantings proposed along the south side of the parking lot. He said the staff recommendation was to allow eliminating the landscaped islands but not deleting the twelve plantings.

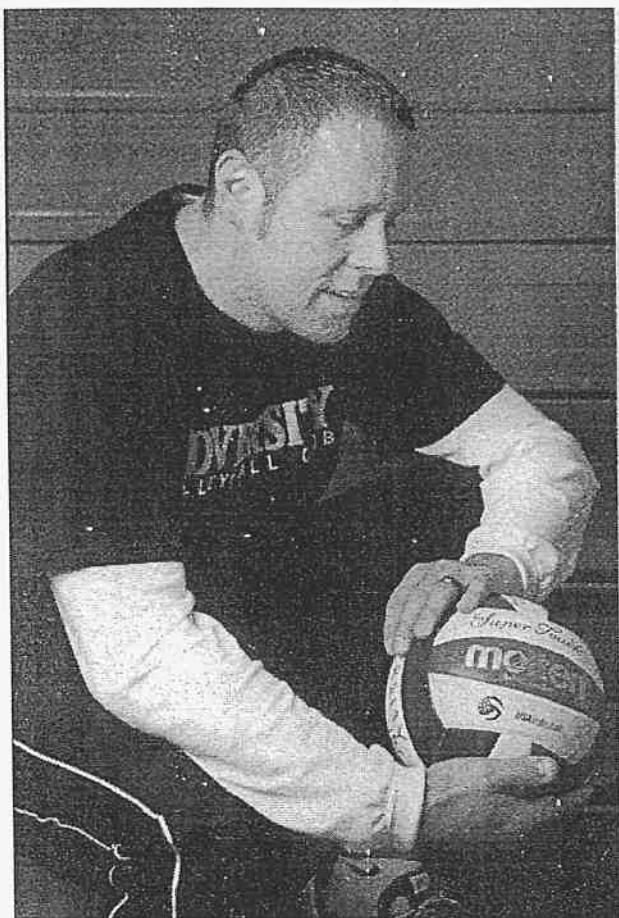
Commissioner Gray was opposed to diminishing the landscaping and requested changing the plant requirement to include three (3) or four (4) tree lilacs or crabapple trees. Commissioner Warren was in agreement.

MOTION Gray second Warren to Approve the following revisions to the site plan for the oil change operation located in the Germantown Commons Retail Center at N112 W16076 Mequon Road:

Adversity-Wisconsin VBC History & Information

A brief History through key points of how our club & business came into existence including our goals moving forward

- ✓ I graduated from **Kewaskum High School** in 1991
- ✓ After high school, I went on to pursue a baseball career by attending **IHCC** in Iowa (1991-1993)
- ✓ Attending **UW-Oshkosh** was ideal to earning my bachelor of science degree (1993-1998)
- ✓ The final degree I obtained was a master's in C & I from **Louis University** (2004-2006)
- ✓ I taught **Physical Education** for 13 years in Little Chute, Ozaukee, Brookfield & Slinger (2000-2009)
- ✓ Over the last 16 years, I have **coached** various public, parochial & club volleyball teams (1996-2013)
- ✓ In 2009, we started **Adversity-Wisconsin VBC** and implemented our programs in Slinger (2009-2013)
- ✓ Goals for the future are to **centralize** our 5 teams into 1 facility (practice would be twice a week only)
- ✓ **Currently we have 5 club teams** that lease 4 different gymnasiums (at the mercy of their schedule)
- ✓ Over the course of time, we would try and **transition** our various summer programs as well (later)
- ✓ **In the past**, we have ran programs in Slinger, Richfield, Lannon, Brookfield & Tosa
- ✓ **Currently we use sites in Jackson, Brookfield, Milwaukee & Nashota** (used Kennedy MS too)
- ✓ Leasing other various gymnasiums is not allowing us to provide **consistent schedules** for our families
- ✓ **Germantown & Wisconsin Expo Inc.** would be an ideal location for the majority of kids we coach
- ✓ By leasing a space available in Germantown, we could **provide a better service** to our customers
- ✓ **Annually we employ 5 people** to coach/club direct (through our club and various summer programs)
- ✓ Taking a huge risk in a new area is scary, but we feel Germantown & Wi Expo are worth the risk!
- ✓ **Conditional use permits were granted** at this site where I started my coaching career 16 years ago
- ✓ We never have more than **16 kids** on a court at a time, so volume or noise is not an issue to neighbors
- ✓ **Most club parents** typically drop their kids off and go exercise, go shopping or run errands ☺
- ✓ I am not worried about any type of **impact to surrounding businesses** and hope this will be approved
- ✓ My family and our **financial stability** are at the center of this, which is why I could use a discount
- ✓ We would be using the **north 10,000 square feet of the existing facility** (N113 W18750 Carnegie Drive)
- ✓ We have rented/leased a ton of gymnasiums in the last 16 years – **Please allow us this opportunity!**



Crossroads

BY KIRSTEN KOROSEK | PHOTOGRAPHY BY DAN BISHOP

New house. New wife. Twins. Budget cuts. New career?

On any given day, Dave Pauers' head is filled — swimming even — with the changes and possibilities life has thrown his way in the past year. He is a man on the brink of change.

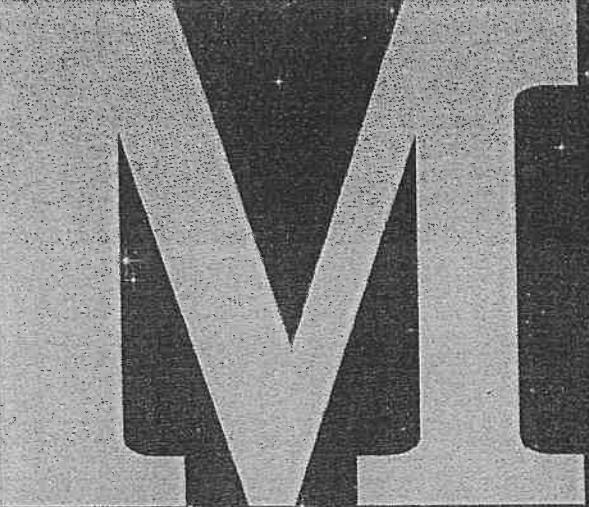
And his biggest life decision is yet to come.

The West Bend resident has taught physical education for 13 years, all the while building up his volleyball coaching resume. He's been successful in both arenas of his life. But now, with a booming club volleyball business and a public sector job that has been hit by budget cuts, Pauers has a tough choice to make.

"Now that I'm married and need to provide for my family, the safest choice would be to stick to the teaching job," says Pauers, who has been a teacher at Slinger Elementary School for nine years.

Pauers discovered a passion for coaching long before he was a teacher. As a freshman at UW-Oshkosh, Pauers decided to coach a middle school girls' volleyball team to boost his resume. "I still remember the first time one kid was successful," he says. "She had the biggest smile ever. And I just loved that I was part of making that happen."

About nine years ago, Pauers began to coach junior Olympic club volleyball — a growing and competitive program that aims to develop high-level players — and in that time worked for three clubs in the greater Milwaukee area. But it would be three girls, looking



Milwaukee's Lifestyle Magazine

Break Out Year

TAKE CHARGE OF YOUR JOB, FINANCES, HEALTH AND MORE IN 2010

for a little extra coaching over the summer, who would put Pauers on the path to starting his own club. Out of that experience, the Cedarburg Summer Sand program was born, a camp that has grown to 64 participants.

He has developed other volleyball programs, including an invite-only tournament camp for high school and collegiate level players; the Slinger Instructional program; and most recently, a Richfield Summer Sand program. In all, Pauers' various summer programs attract about 250 kids each year.

Pauers had always managed his life as a coach and teacher — two careers he loved. But looming budget cuts, which would force him to work reduced hours, provided a serendipitous window for Pauers. In April 2009 he made it official and registered his own junior Olympic volleyball club with the Badger Region Volleyball Association.

The club, called Adversity-Wisconsin VBC, speaks to not only the challenges of the game, but those in life. "The name adversity just kept popping in my head," Pauers says.

Adversity-Wisconsin's club season is in full swing with two competitive teams and two coaches — including Pauers — and an administrative staff member. Now comes the hard part: deciding whether to commit to another year of teaching or dedicating himself full-time to developing the club business.

"You can't hope to win, you have to go make it happen," he says. "It's one thing to say and another thing to do it. It's scary, but when I commit to something I'm in it completely."



Milwaukee's Lifestyle Magazine
NORTHSHORE • CITY • WEST

Story by Dave Backmann

Photography by Nathan Harrmann

◦ Leaps and bounds

Like the girls who play the sport, club volleyball has sprouted in the Milwaukee suburbs and is maturing rapidly. In Germantown, Cedarburg, Fox Point and other Northshore communities, a girl with hopes of earning a roster spot on her high school volleyball team had better own an athletic resume documenting club play.

As the level of club play rises across age groups, competition to make a team correspondingly spikes. Last November, 60 girls tried out for 11 spots on a team of "select" club players being assembled by coach Dave Pauers. The West

Bend resident, whose other full-time job is a physical education teacher at Slinger Elementary School, points to the startup of more than 100 teams of girls ages 12 to 18 throughout the region in the past year alone.

"It's growing by leaps and bounds," agrees Trudi Roesch, a Cedarburg resident whose 15-year-old daughter, Jenni, made Pauers' team as a defensive specialist. Jenni Roesch, a sophomore at Grafton High School this fall, has been playing volleyball since fifth grade. "There seems to be more of a problem of finding enough coaches for the clubs and I think that is a nice problem to have," Roesch says.

Competition is brisk not only among the girls, but among teams courting the top players, she says. "Some girls try out for several clubs and they may have to decide who they will play for from among three or four."

Coaches and parents identify a number of reasons for the popularity of club play, from the gold standard set by the U.S. Olympic volleyball team of Kerri Walsh and Misty May, to the more traditional factor of teen peer pressure. "A couple of girls do it and others want to join," Pauers says.

Now Pauers is seeking to elevate club play opportunities within the region to a new level. Building on a solid foundation of interest, the 33-year-old is seeking investors to construct a volleyball complex with at least eight courts. The price tag likely will exceed \$2 million.

Roesch acknowledges the club season grows longer each year, with tryouts beginning in November, high-profile tournaments stretching into June, and then volleyball clinics led by people such as Pauers served up in summer. Jenni's commitment to club play has scored points with her coach and her mother. "This has been a very intense year," her mom says. "But, boy, has she gotten a lot out of it."



Coach Dave Pauers says interest in club volleyball is soaring among Northshore teens.



Village of

Germantown
Willkommen

Fee must accompany application

\$1460

Paid

Date

12-16-13

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**
Adversity Wisconsin VBC
David B. Pauers

Phone (262) 707-1003
Fax () N/A
E-Mail Coachpauers@gmail.com

PROPERTY OWNER
DC Cartledge L.L.C.
N4985 Arrowhead Trail
Juneau, WI

Phone (262) 670-1300
(414) 313-1635

2 **TO WHOM SHOULD THE PERMIT BE ISSUED?**

Adversity Wisconsin VBC

3 **PROPERTY ADDRESS**

1113 W18750 Carnegie Drive
Germantown, WI 53022

TAX KEY NUMBER

213-993

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 if necessary.

Trade Show storage/loading, Prepping rental equipment.
10 employees hours 7:30-4 generally 5 days a week.
54,000 sq. ft.

5 **DESCRIPTION OF PROPOSED OPERATION**

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

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

Volleyball training facility and youth sports instruction; 6-10 employees/coaches; hours 7am-9pm. blocks (various) possibly new lighting, flooring, and divider (new paint) interior

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

Assessor's Parcel Number: 213-993

Land Area 179,467 SF 4.12 acres

Number of buildings: one

Gross/Net Building Area: 59,328

Year Built: 1978

Complete with building sprinkler system throughout and alarm monitored (required to do in 2012)

7 SUPPORTING DOCUMENTATION:

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

☐ Photos of existing use and/or proposed use operating elsewhere

☐

☐ SEE WWW.ADVERSITY-WISCONSIN.ORG

8 READ AND INITIAL THE FOLLOWING:

D.P. X 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.

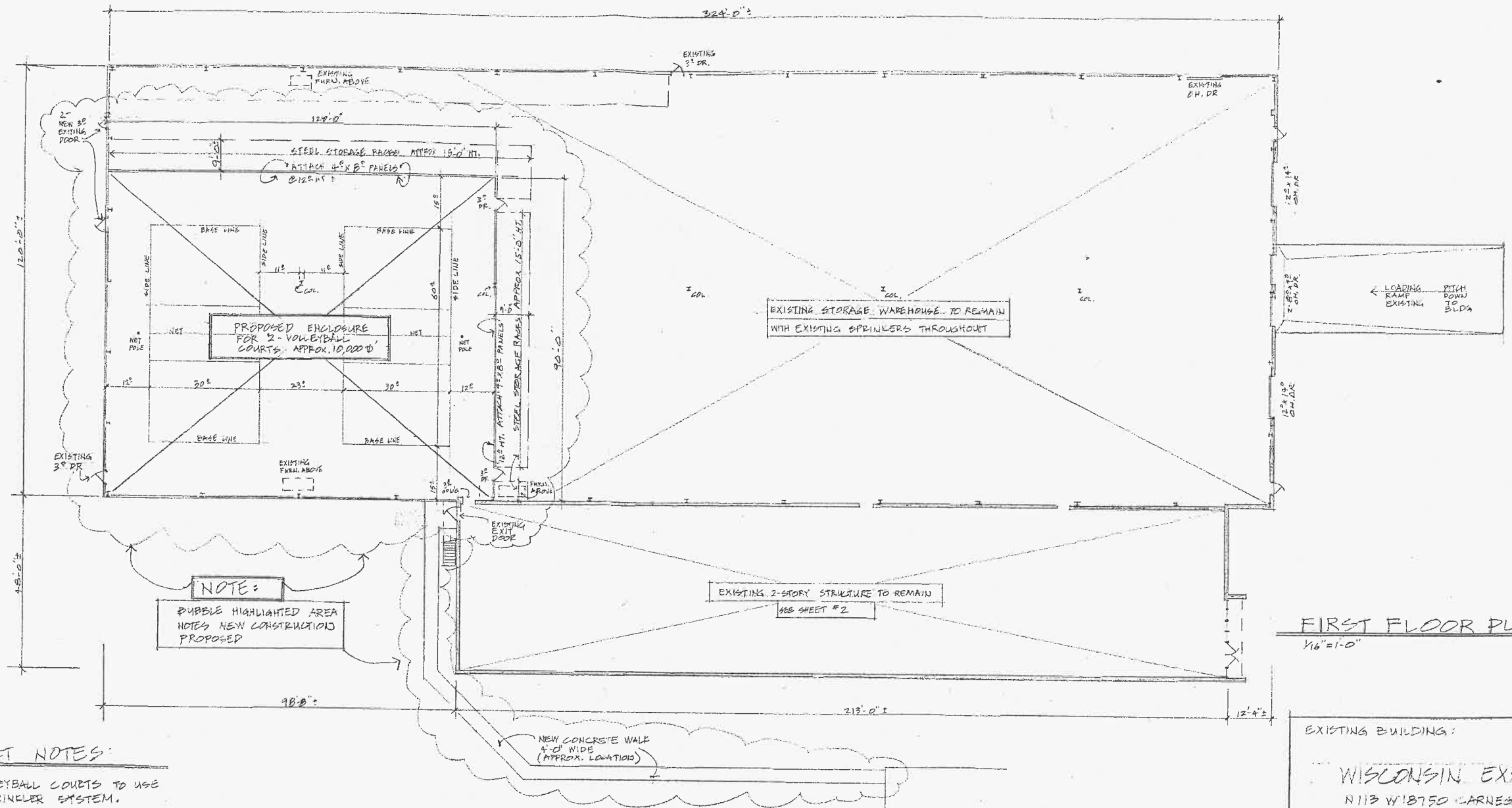
D.P. X I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

D.P. X 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.

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Daniel R. P. 12/16/13
Applicant Date

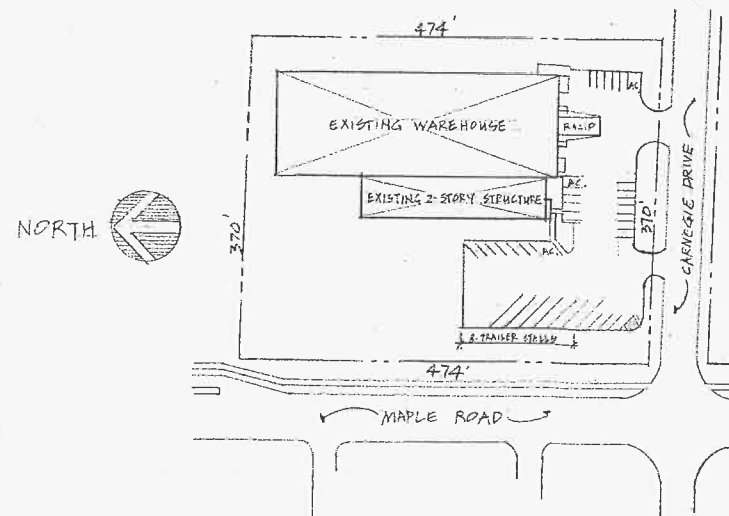
Dan Cartledge 12/16/13
Owner Date



FIRST FLOOR PLAN
1/16"=1'-0"

PROJECT NOTES:

- PROPOSED VOLLEYBALL COURTS TO USE EXISTING SPRINKLER SYSTEM.
- HEATING CONTRACTOR TO MODIFY EXISTING FURNACE(S) FOR VOLLEYBALL USE.
- HEATING CONTRACTOR TO DETERMINE INSULATION CHANGES PER CODE.
- ELECTRIC CONTRACTOR TO SUPPLY EMERGENCY LIGHTING REQUIREMENTS PER CODE.
- ELECTRIC CONTRACTOR TO DETERMINE VOLLEYBALL LIGHTING NEEDS AND BE CODE COMPLIANT.



**APPROX./EXISTING
SITE PLAN**

APPROX 1"=100' FT.

- 3- ACCESSIBLE PARKING STALLS
- 26- STANDARD PARKING STALLS
- 8- TRAILER PARKING STALLS



EXISTING BUILDING:

WISCONSIN EXPO
1113 W18750 CARNegie DR.
GERMANTOWN WI 53022
DAN CARTLEDGE
OFFICE: 262-670-1300

PROPOSED TENANT:

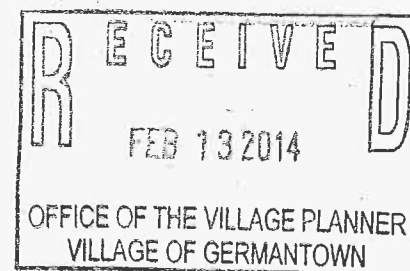
ADVERSITY-WISCONSIN V.B.C.
DAVID POWERS
CELL: 262-707-1003

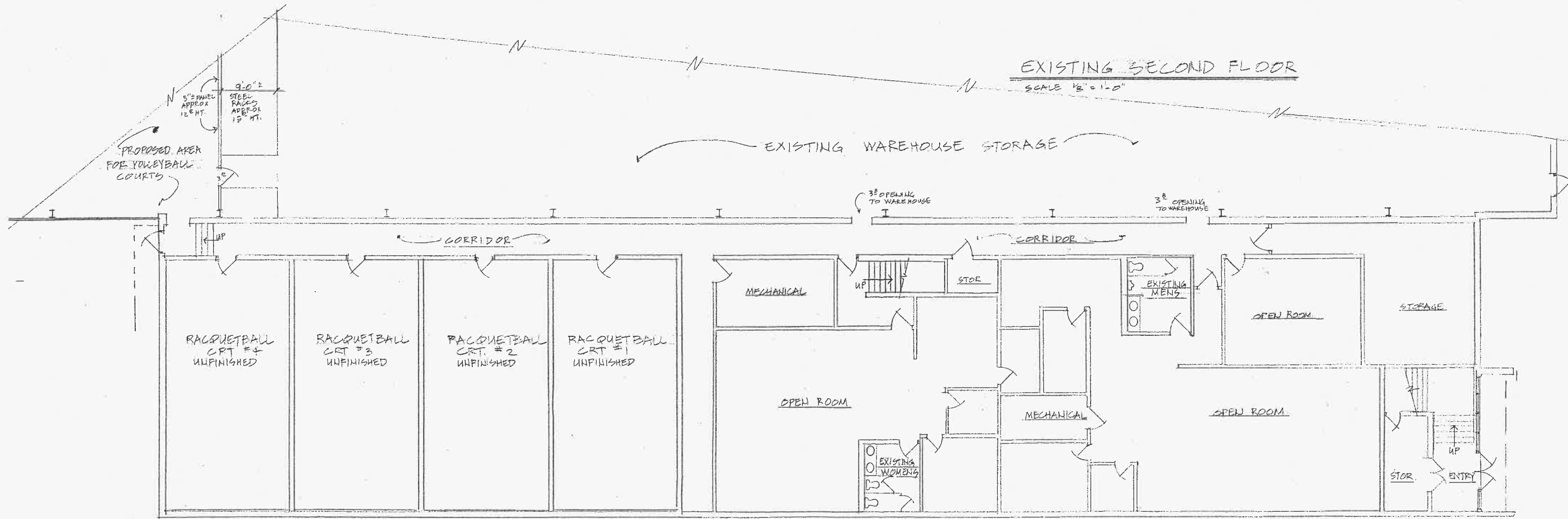
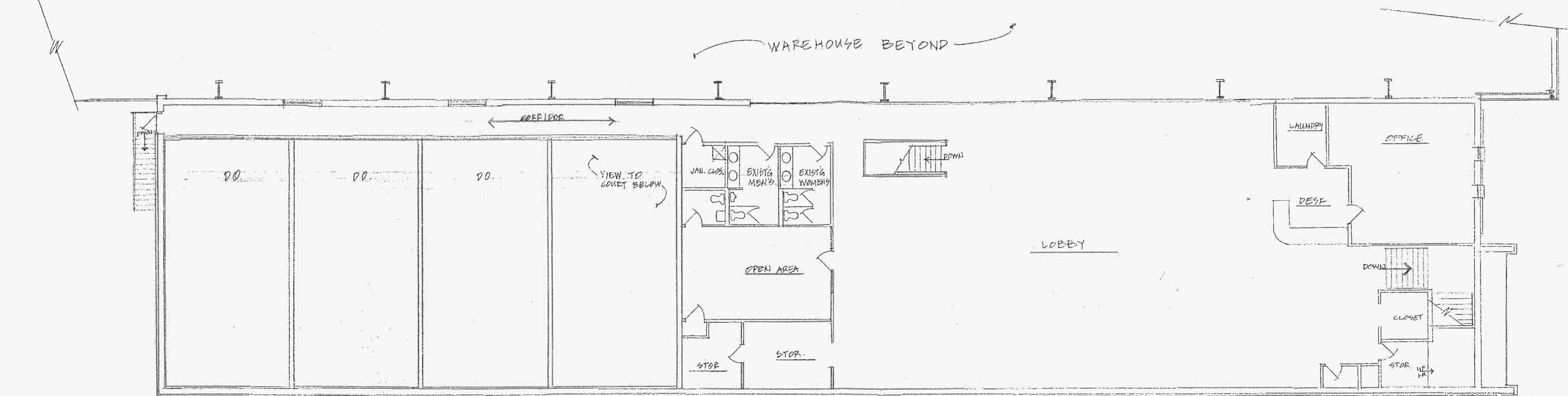
PROFESSIONAL OF RECORD:

RICHARD SCHALK, PE
CELL: 414-745-9160
E-MAIL: richardwschalk@yahoo.com

DESIGNER:

JIM MELLA & ASSOC.
909 BLACKSTONE AVE
ROOM 212
WALKESSHA WI 53136
262-548-9797





EXISTING FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

X - G

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

MEETING DATE: March 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: Award of Contract – 2014 Roads

SUBMITTED BY: Brionne R. Bischke, P.E., Village Engineer 

SUMMARY EXPLANATION:

The following projects were selected and budgeted for the Year 2014 Road Improvement Projects:

Projects	Selection Committee & Meeting Date
Willow Creek Rd.	Village Board, Apr. 16, 2013
Forest Dr. and Elm Ln.	Village Board, Apr. 16, 2013
Riversbend Ln.	Public Works & Highway Committee, Sep. 10, 2013

The Engineering Dept. prepared bid documents and publicly bid them. Gantt Chart schedules were required from bidders this time in order communicate and convey the importance of satisfying scheduled deadlines. Bids were received on February 24, 2014. The apparent responsible low-bidder is Payne & Dolan.

A geotechnical evaluation of Forest Dr. and Elm Ln. was concurrently conducted as a value engineering measure to see if those roads could undergo cheaper pulverize & overlay methodology instead of full-depth reconstruction. The evaluation found that pulverize & overlay is not a viable option for these roads, that full-depth reconstruction is necessary, and that additional excavation below subgrade is needed in areas of saturated soils.

Bids received were below the \$1.427 million budgeted; however, after incorporating the geotechnical engineer's findings, the amount needed to be contracted is \$1,330,729.35.

ATTACHMENTS:

- 2014 RIP Bid Tab – Project #1306 (original Bid)
- 2014 RIP Bid Tab – Project #1306 (award Contract)

RECOMMENDATION:

Award a contract to Payne & Dolan not-to-exceed \$1,330,729.35 to be funded from Account No. 40-542-570-8810.

COMMITTEE ACTION:

During their March 10, 2014 meeting, the Public Works & Highway Committee advanced this agenda item to the Village Board with a positive recommendation to award a contract to Payne & Dolan not-to-exceed \$1,330,729.35 to be funded from Account No. 40-542-570-8810.

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

Village of Germantown 2014 Road Improvement Projects:
Project #1306 Bid Tab - Award-Contract

EARTHWORK ITEMS (A) (Contractor assumes ownership and off-site transport & disposal expenses)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
A01	Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas	C.Y. (In Situ)	5335	\$12.52	\$1.75	\$66,767.53	\$10.26	Warning	\$54,737.10	\$13.90	OK	\$74,156.50	\$13.90	OK	\$74,156.50	\$12.00	OK	\$64,020.00
A02	For Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	1571	\$13.25	\$2.52	\$20,815.75	\$10.75	OK	\$16,888.25	\$12.75	OK	\$20,030.25	\$12.75	OK	\$20,030.25	\$16.75	Warning	\$26,314.25
A03	For Other than Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	6656	\$12.56	\$4.26	\$83,616.00	\$9.00	OK	\$59,904.00	\$11.25	OK	\$74,880.00	\$11.25	OK	\$74,880.00	\$18.75	Warning	\$124,800.00
A04	Removing Ex. Curb & Gutter	L.F.	1120	\$4.00	\$1.00	\$4,480.00	\$3.50	OK	\$3,920.00	\$3.50	OK	\$3,920.00	\$3.50	OK	\$3,920.00	\$5.50	Warning	\$6,160.00
A05	Removing Ex. Concrete Driveway/Sidewalk	C.Y. (In Situ)	100	\$23.63	\$5.72	\$2,362.50	\$20.00	OK	\$2,000.00	\$28.50	OK	\$2,850.00	\$28.50	OK	\$2,850.00	\$17.50	Warning	\$1,750.00
A06	Removing Ex. HMA Driveway	C.Y. (In Situ)	179	\$21.13	\$5.72	\$3,781.38	\$15.00	Warning	\$2,685.00	\$26.00	OK	\$4,654.00	\$26.00	OK	\$4,654.00	\$17.50	OK	\$3,132.50
A07	Common Excavation and Grading of Ditches (See drawings)	C.Y. (Loose)	9580	\$13.55	\$3.67	\$129,809.00	\$11.00	OK	\$105,380.00	\$12.10	OK	\$115,918.00	\$12.10	OK	\$115,918.00	\$19.00	Warning	\$182,020.00
A08	Removing Ex. Culverts	L.F.	977	\$5.25	\$1.77	\$5,129.25	\$7.75	Warning	\$7,571.75	\$4.00	OK	\$3,908.00	\$4.00	OK	\$3,908.00	\$5.25	OK	\$5,129.25
A09	Clearing & Grubbing (STA = one station, i.e., 100 L.F. of roadway)	STA	7	\$790.00	\$417.69	\$5,530.00	\$430.00	OK	\$3,010.00	\$430.00	OK	\$3,010.00	\$1,100.00	OK	\$7,700.00	\$1,200.00	OK	\$8,400.00
A10	Tree Removal, 6" Dia.	EA	1	\$442.50	\$432.70	\$442.50	\$100.00	OK	\$100.00	\$100.00	OK	\$100.00	\$570.00	OK	\$570.00	\$1,000.00	Warning	\$1,000.00

Village of Germantown 2014 Road Improvement Projects:
Project #1306 Bid Tab - Award-Contract

BASE AND SUBBASE ITEMS (B) (Materials conforming to Sec. 305 Standard Specifications)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
B01	For Isolated Base Patching: Dense Graded Base, Gradation 3-inch	Ton (Weight Ticket)	3318	\$11.81	\$1.07	\$39,193.88	\$10.25	Warning	\$34,009.50	\$12.50	OK	\$41,475.00	\$12.50	OK	\$41,475.00	\$12.00	OK	\$39,816.00
B02	For Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch	Ton (Weight Ticket)	1761	\$11.50	\$1.00	\$20,251.50	\$10.00	Warning	\$17,610.00	\$12.00	OK	\$21,132.00	\$12.00	OK	\$21,132.00	\$12.00	OK	\$21,132.00
B03	For Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch	Ton (Weight Ticket)	875	\$13.06	\$2.13	\$11,429.69	\$10.00	Warning	\$8,750.00	\$14.50	OK	\$12,687.50	\$14.50	OK	\$12,687.50	\$13.25	OK	\$11,593.75
B04	For Other than Isolated Base Patching: Dense Graded Base, Gradation 3-inch	Ton (Weight Ticket)	395	\$12.47	\$2.09	\$4,925.65	\$9.88	Warning	\$3,902.60	\$12.50	OK	\$4,937.50	\$12.50	OK	\$4,937.50	\$15.00	Warning	\$5,925.00
B05	For Other than Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch	Ton (Weight Ticket)	8804	\$11.28	\$2.50	\$99,265.10	\$9.60	OK	\$84,518.40	\$10.25	OK	\$90,241.00	\$10.25	OK	\$90,241.00	\$15.00	Warning	\$132,060.00
B06	For Other than Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch	Ton (Weight Ticket)	4377	\$11.40	\$2.44	\$49,897.80	\$9.60	OK	\$42,019.20	\$10.50	OK	\$45,958.50	\$10.50	OK	\$45,958.50	\$15.00	Warning	\$65,655.00

Village of Germantown 2014 Road Improvement Projects:
Project #1306 Bid Tab - Award-Contract

PAVEMENT ITEMS (C)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
C01	HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C	Ton (Weight Ticket)	1183	\$48.21	\$1.34	\$57,032.43	\$47.84	OK	\$56,594.72	\$46.50	Warning	\$55,009.50	\$49.00	OK	\$57,967.00	\$49.50	OK	\$58,558.50
C02	HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C	Ton (Weight Ticket)	919	\$52.67	\$4.32	\$48,401.43	\$48.62	OK	\$44,681.78	\$53.80	OK	\$49,442.20	\$50.00	OK	\$45,950.00	\$58.25	Warning	\$53,531.75
C03	HMA Binder Course, 2-1/4" Depth, Type E-3.0, 19 mm, PG 64°C-22°C	Ton (Weight Ticket)	2476	\$46.05	\$2.63	\$114,007.42	\$42.88	Warning	\$106,170.88	\$48.80	Warning	\$120,828.80	\$45.00	OK	\$111,420.00	\$47.50	OK	\$117,610.00
C04	HMA Binder Course, 6" Depth, Type E-3.0, 19 mm, PG 64°C-22°C (N. Patton Ct.)	Ton (Weight Ticket)	389	\$52.12	\$1.58	\$20,275.65	\$50.84	OK	\$19,776.76	\$53.90	Warning	\$20,967.10	\$53.00	OK	\$20,617.00	\$50.75	OK	\$19,741.75
C05	HMA Surface Course, 1-3/4" Depth, Type E-3.0, 12.5 mm, PG 64°C-22°C	Ton (Weight Ticket)	2039	\$53.41	\$2.96	\$108,902.99	\$50.39	Warning	\$102,743.21	\$54.00	OK	\$110,106.00	\$52.00	OK	\$106,028.00	\$57.25	Warning	\$116,732.75
C06	Concrete Curb & Gutter, 30-inch Mountable, Slip Form	L.F.	615	\$20.00	\$2.94	\$12,300.00	\$20.00	OK	\$12,300.00	\$23.00	Warning	\$14,145.00	\$21.00	OK	\$12,915.00	\$16.00	Warning	\$9,840.00
C07	Concrete Curb & Gutter, 30-inch Vertical Face, Hand Form	L.F.	20	\$23.56	\$7.44	\$471.25	\$16.80	OK	\$336.00	\$30.00	OK	\$600.00	\$17.45	OK	\$349.00	\$30.00	OK	\$600.00
C08	Concrete Curb & Gutter, 30-inch Vertical Face, Slip Form	L.F.	2006	\$18.09	\$2.64	\$36,283.53	\$16.80	OK	\$33,700.80	\$16.30	OK	\$32,697.80	\$17.25	OK	\$34,603.50	\$22.00	Warning	\$44,132.00
C09	Shoulder Construction: Dense Graded Base (Sec. 305 Std. Specs., Gradation 3/4-inch)	Ton (Weight Ticket)	806	\$18.70	\$2.52	\$15,072.20	\$16.00	Warning	\$12,896.00	\$17.80	OK	\$14,346.80	\$19.00	OK	\$15,314.00	\$22.00	Warning	\$17,732.00
C10	Concrete Driveway Residential, 5 inch Thickness	S.Y.	7	\$48.00	\$4.76	\$336.00	\$45.00	OK	\$315.00	\$55.00	Warning	\$385.00	\$47.00	OK	\$329.00	\$45.00	OK	\$315.00
C11	Concrete Driveway, Commercial, 9 inch Thickness, High Early Strength	S.Y.	259	\$52.25	\$4.25	\$13,532.75	\$49.00	OK	\$12,691.00	\$50.50	OK	\$13,079.50	\$51.00	OK	\$13,209.00	\$58.50	Warning	\$15,151.50
C12	HMA Driveway, 3-1/2 inch Thickness (2" binder lift, 1-1/2" surface lift)	S.Y.	1707	\$21.58	\$2.75	\$36,837.06	\$21.82	OK	\$37,246.74	\$17.75	Warning	\$30,299.25	\$22.50	OK	\$38,407.50	\$24.25	OK	\$41,394.75
C13	Concrete Sidewalk, 5 inch Thickness	S.Y.	1955	\$3.73	\$0.27	\$7,282.38	\$3.80	OK	\$7,429.00	\$3.35	Warning	\$6,549.25	\$4.00	Warning	\$7,820.00	\$3.75	OK	\$7,331.25
C14	Tack Coat	Gal	1307	\$2.31	\$0.50	\$3,022.44	\$1.90	OK	\$2,483.30	\$3.00	Warning	\$3,921.00	\$2.00	OK	\$2,614.00	\$2.35	OK	\$3,071.45
C15	Sawing Ex. Pavements, HMA	L.F.	1623	\$1.13	\$0.25	\$1,825.88	\$1.00	OK	\$1,623.00	\$1.00	OK	\$1,623.00	\$1.50	Warning	\$2,434.50	\$1.00	OK	\$1,623.00
C16	Sawing Ex. Pavements, Concrete	L.F.	293	\$1.96	\$0.47	\$575.01	\$1.50	OK	\$439.50	\$2.60	Warning	\$761.80	\$2.00	OK	\$586.00	\$1.75	OK	\$512.75

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CULVERT AND STORM SEWER ITEMS (D) (Manhole and CB Inlet items can be associated with each other, Earthwork, and Base and Subbase items)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
D01	Culvert Pipe, Arch, CMP, 12" Dia. Equiv. (Incl. FES)	L.F.	953	\$41.20	\$6.42	\$39,261.22	\$33.54	Warning	\$31,963.62	\$41.00	OK	\$39,073.00	\$41.00	OK	\$39,073.00	\$49.25	Warning	\$46,935.25
D02	Storm Sewer Pipe, RCP, 15" Dia. (Incl. FES)	L.F.	90	\$74.84	\$7.75	\$6,735.38	\$73.10	OK	\$6,579.00	\$70.00	OK	\$6,300.00	\$70.00	OK	\$6,300.00	\$86.25	Warning	\$7,762.50
D03	Storm Sewer Pipe, RCP, 18" Dia. (Incl. FES)	L.F.	116	\$74.33	\$4.22	\$8,621.70	\$75.50	OK	\$8,758.00	\$71.00	OK	\$8,236.00	\$71.00	OK	\$8,236.00	\$79.80	Warning	\$9,256.80
D04	Storm Sewer Pipe, RCP, 14"x23" Dia. (Incl. FES)	L.F.	48	\$115.46	\$22.72	\$5,542.20	\$83.85	Warning	\$4,024.80	\$120.00	OK	\$5,760.00	\$120.00	OK	\$5,760.00	\$138.00	OK	\$6,624.00
D05	Storm Sewer Pipe, ADS, 12" (Incl. FES)	L.F.	575	\$31.88	\$8.45	\$18,328.13	\$23.75	OK	\$13,656.25	\$30.00	OK	\$17,250.00	\$30.00	OK	\$17,250.00	\$43.75	Warning	\$25,156.25
D06	Storm Sewer Pipe, ADS, 15" (Incl. FES)	L.F.	503	\$34.24	\$10.63	\$17,220.21	\$20.49	Warning	\$10,306.47	\$35.00	OK	\$17,605.00	\$35.00	OK	\$17,605.00	\$46.45	Warning	\$23,364.35
D07	Storm Sewer Pipe, ADS, 18" (Incl. FES)	L.F.	180	\$38.08	\$11.35	\$6,854.40	\$23.32	Warning	\$4,197.60	\$39.00	OK	\$7,020.00	\$39.00	OK	\$7,020.00	\$51.00	Warning	\$9,180.00
D08	Storm Sewer Pipe, C-900 PVC, 10" Dia. Underdrain, 6" Dia. Perforated HDPE	L.F.	22	\$60.25	\$14.54	\$1,325.50	\$40.00	Warning	\$880.00	\$63.00	OK	\$1,386.00	\$63.00	OK	\$1,386.00	\$75.00	Warning	\$1,650.00
D09	Pipe w/ Filter Fabric & Splash Pans	L.F.	6274	\$6.25	\$2.23	\$39,228.19	\$4.41	OK	\$27,668.34	\$5.60	OK	\$35,134.40	\$5.50	OK	\$34,507.00	\$9.50	Warning	\$59,603.00
D10	Storm Sewer Manhole, Chimney Rebuild only	V.F.	3	\$680.00	\$362.22	\$2,040.00	\$600.00	OK	\$1,800.00	\$960.00	OK	\$2,880.00	\$960.00	OK	\$2,880.00	\$200.00	Warning	\$600.00
D11	Storm Sewer Catch Basin/Inlet, Chimney Rebuild only	V.F.	2	\$570.00	\$220.11	\$1,140.00	\$600.00	OK	\$1,200.00	\$715.00	OK	\$1,430.00	\$715.00	OK	\$1,430.00	\$250.00	Warning	\$500.00
D12	Storm Sewer Manhole, New Precast Concrete Structure	V.F.	16	\$655.50	\$71.56	\$10,488.00	\$550.00	Warning	\$8,800.00	\$700.00	OK	\$11,200.00	\$700.00	OK	\$11,200.00	\$672.00	OK	\$10,752.00
D13	Storm Sewer Manhole, New 30" Dia. Nyloplast Structure	V.F.	25	\$498.25	\$132.32	\$12,456.25	\$308.00	Warning	\$7,700.00	\$535.00	OK	\$13,375.00	\$535.00	OK	\$13,375.00	\$615.00	OK	\$15,375.00
D14	Storm Sewer Catch Basin/Inlet, Replace with Precast Structure	V.F.	12	\$564.31	\$70.61	\$6,771.75	\$625.00	OK	\$7,500.00	\$585.00	OK	\$7,020.00	\$585.00	OK	\$7,020.00	\$462.25	Warning	\$5,547.00
D15	Storm Sewer Catch Basin/Inlet, Relocate Ex.	Ea	1	\$1,510.00	\$842.46	\$1,510.00	\$600.00	Warning	\$600.00	\$1,400.00	OK	\$1,400.00	\$1,400.00	OK	\$1,400.00	\$2,640.00	Warning	\$2,640.00
D16	Storm Sewer Catch Basin/Inlet, Build Over Ex. Storm Sewer	V.F.	6	\$571.25	\$49.56	\$3,427.50	\$500.00	Warning	\$3,000.00	\$605.00	OK	\$3,630.00	\$605.00	OK	\$3,630.00	\$575.00	OK	\$3,450.00
D17	Inlet Type 10 Assembly for Willow Creek Rd	Ea	1	\$3,112.50	\$808.68	\$3,112.50	\$1,900.00	Warning	\$1,900.00	\$3,500.00	OK	\$3,500.00	\$3,500.00	OK	\$3,500.00	\$3,550.00	OK	\$3,550.00
D18	Concrete Flume, 8" Thick	S.Y.	6	\$50.50	\$22.53	\$303.00	\$30.00	OK	\$180.00	\$70.00	OK	\$420.00	\$32.00	OK	\$192.00	\$70.00	OK	\$420.00
D19	6" Dia. Perforated HDPE Pipe w/ Filter Fabric	L.F. Ton (Weight Ticket)	40	\$30.88	\$25.10	\$1,235.00	\$4.50	Warning	\$180.00	\$27.00	OK	\$1,080.00	\$27.00	OK	\$1,080.00	\$65.00	Warning	\$2,600.00
D20	Rip-Rap, Medium, Incl. Fabric		175	\$46.75	\$14.77	\$8,181.25	\$25.00	Warning	\$4,375.00	\$56.00	OK	\$9,800.00	\$56.00	OK	\$9,800.00	\$50.00	OK	\$8,750.00

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SANITARY SEWER ITEMS (E)																		
(Items can be associated with each other, Earthwork, and Base and Subbase items)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
E01	Sanitary Sewer Manhole, Paving Ring	Ea	2	\$198.75	\$50.39	\$397.50	\$140.00	Warning	\$280.00	\$175.00	OK	\$350.00	\$230.00	OK	\$460.00	\$250.00	Warning	\$500.00
WATER MAIN ITEMS (F)																		
(Items can be associated with each other, Earthwork, and Base and Subbase items)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
F01	Water Valve Box, Rim Adjustment by Turning Upward	Ea	3	\$245.00	\$336.67	\$735.00	\$80.00	OK	\$240.00	\$75.00	OK	\$225.00	\$75.00	OK	\$225.00	\$750.00	Warning	\$2,250.00
F02	Relocate Hydrant Assembly, Extending Lead	Ea	1	\$3,400.00	\$1,321.62	\$3,400.00	\$1,500.00	Warning	\$1,500.00	\$4,300.00	OK	\$4,300.00	\$4,300.00	OK	\$4,300.00	\$3,500.00	OK	\$3,500.00

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MISCELLANEOUS ITEMS (G)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
G01	Mobilization & Demobilization (one-time max. payout for ea. project area)	L.S.	4	\$7,875.00	\$3,299.12	\$31,500.00	\$9,200.00	OK	\$36,800.00	#####	OK	\$43,800.00	\$8,100.00	OK	\$32,400.00	\$3,250.00	Warning	\$13,000.00
G02	Traffic Control (one-time max. payout for ea. project area)	L.S.	4	\$5,587.50	\$3,627.76	\$22,350.00	\$2,400.00	OK	\$9,600.00	\$4,000.00	OK	\$16,000.00	\$5,200.00	OK	\$20,800.00	\$10,750.00	Warning	\$43,000.00
G03	Inlet Protection (Incl. installation & removal)	Ea	17	\$56.25	\$6.29	\$956.25	\$55.00	OK	\$935.00	\$55.00	OK	\$935.00	\$50.00	OK	\$850.00	\$65.00	Warning	\$1,105.00
G04	Wattles (North American Green WS925/WS1210) (Incl. installation & removal)	L.F.	1836	\$4.34	\$0.52	\$7,959.06	\$3.92	OK	\$7,197.12	\$3.92	OK	\$7,197.12	\$4.50	OK	\$8,262.00	\$5.00	Warning	\$9,180.00
G05	Topsoil (Imported & screened)	C.Y. (Load Ticket)	3387	\$25.75	\$2.50	\$87,215.25	\$27.00	OK	\$91,449.00	\$27.00	OK	\$91,449.00	\$27.00	OK	\$91,449.00	\$22.00	Warning	\$74,514.00
G06	Turf Restoration, Seed and Photodegradable Erosion Control Mat (North American Green DS75), (Incl. watering)	S.Y.	11584	\$1.73	\$0.32	\$19,982.40	\$1.45	OK	\$16,796.80	\$1.45	OK	\$16,796.80	\$2.00	OK	\$23,168.00	\$2.00	OK	\$23,168.00
G07	Turf Restoration, Hydroseed (Incl. watering)	S.Y.	13818	\$0.74	\$0.05	\$10,190.78	\$0.70	OK	\$9,672.60	\$0.70	OK	\$9,672.60	\$0.75	OK	\$10,363.50	\$0.80	Warning	\$11,054.40
G08	Flexterra® High Performance Flexible Growth Medium (or equal)	S.F.	6537	\$0.25	\$0.04	\$1,617.91	\$0.22	OK	\$1,438.14	\$0.22	OK	\$1,438.14	\$0.25	OK	\$1,634.25	\$0.30	Warning	\$1,961.10
G09	Pavement Marking, Stop Line, Water Bourne, 8-inch, White	L.F.	36	\$3.00	\$0.00	\$108.00	\$3.00	OK	\$108.00	\$3.00	OK	\$108.00	\$3.00	OK	\$108.00	\$3.00	OK	\$108.00
G10	Pavement Marking, Directional Arrows, Right-Turn, White	EA	2	\$50.50	\$1.00	\$101.00	\$50.00	OK	\$100.00	\$50.00	OK	\$100.00	\$52.00	Warning	\$104.00	\$50.00	OK	\$100.00
G11	Pavement Marking, Directional Arrows, Left-Turn and Through, White	EA	1	\$75.75	\$1.50	\$75.75	\$75.00	OK	\$75.00	\$75.00	OK	\$75.00	\$78.00	Warning	\$78.00	\$75.00	OK	\$75.00
G12	Pavement Marking, Directional Arrows, Through, White	EA	1	\$50.50	\$1.00	\$50.50	\$50.00	OK	\$50.00	\$50.00	OK	\$50.00	\$52.00	Warning	\$52.00	\$50.00	OK	\$50.00
G13	Pavement Marking, Channelizing, Water Bourne, 4-inch, White	L.F.	12872	\$0.26	\$0.03	\$3,314.54	\$0.24	OK	\$3,089.28	\$0.24	OK	\$3,089.28	\$0.25	OK	\$3,218.00	\$0.30	Warning	\$3,861.60
G14	Pavement Marking, Channelizing, Water Bourne, 4-inch, Yellow	L.F.	12872	\$0.26	\$0.03	\$3,314.54	\$0.24	OK	\$3,089.28	\$0.24	OK	\$3,089.28	\$0.25	OK	\$3,218.00	\$0.30	Warning	\$3,861.60
G15	Truncated Domes, Plate (24"x28")	EA	7	\$290.00	\$45.46	\$2,030.00	\$250.00	OK	\$1,750.00	\$300.00	OK	\$2,100.00	\$260.00	OK	\$1,820.00	\$350.00	Warning	\$2,450.00

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CONTINGENT ITEMS (H)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	UNIT PRICE	FROM UNIT	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
H01	Tracking Pad, Size 3-inch Clear or Washed Stone	Ton (Weight Ticket)	72	\$18.38	\$5.53	\$1,323.00	\$12.00	Warning	\$864.00	\$23.00	OK	\$1,656.00	\$23.00	OK	\$1,656.00	\$15.50	OK	\$1,116.00
H02	Excavation Below Subgrade	C.Y. (In Situ)	4605	\$13.25	\$2.87	\$61,017.58	\$10.00	Warning	\$46,051.00	\$13.00	OK	\$59,866.30	\$13.00	OK	\$59,866.30	\$17.00	Warning	\$78,286.70
H03	Breaker Run Stone, Size 6-inch	Ton (Weight Ticket)	3318	\$12.41	\$3.11	\$41,168.09	\$10.13	OK	\$33,611.34	\$11.25	OK	\$37,327.50	\$11.25	OK	\$37,327.50	\$17.00	Warning	\$56,406.00
H04	Class 2 Stabilization & Separation Fabric	S.Y.	10238	\$1.94	\$0.13	\$19,836.34	\$2.00	OK	\$20,476.22	\$2.00	OK	\$20,476.22	\$2.00	OK	\$20,476.22	\$1.75	Warning	\$17,916.69
H05	Exploratory Excavation for Locating Unknown Utility	C.Y. (In Situ)	32	\$45.25	\$23.31	\$1,448.00	\$11.00	Warning	\$352.00	\$60.00	OK	\$1,920.00	\$60.00	OK	\$1,920.00	\$50.00	OK	\$1,600.00
H06	Rock Excavation	C.Y. (In Situ)	20	\$93.75	\$12.50	\$1,875.00	\$75.00	Warning	\$1,500.00	\$100.00	OK	\$2,000.00	\$100.00	OK	\$2,000.00	\$100.00	OK	\$2,000.00
HIGHWAY DEPARTMENT'S REPAIR ITEMS (J)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
J01	Mobilization & Demobilization (one-time payout for all project areas); and Traffic Control (one-time max. payout for all project areas)	EA	1	\$4,000.00	\$4,015.80	\$4,000.00	\$1,800.00	OK	\$1,800.00	\$2,500.00	OK	\$2,500.00	\$1,700.00	OK	\$1,700.00	\$10,000.00	Warning	\$10,000.00
J02	3±" HMA Overlay (HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C; and HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C)	S.Y.	300	\$21.60	\$11.58	\$6,480.00	\$12.65	OK	\$3,795.00	\$37.25	Warning	\$11,175.00	\$13.00	OK	\$3,900.00	\$23.50	OK	\$7,050.00
J03	3±" HMA Mill & Fill (Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas; and HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C; and HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C)	S.Y.	300	\$33.63	\$17.70	\$10,088.25	\$18.16	OK	\$5,448.00	\$50.35	OK	\$15,105.00	\$18.50	OK	\$5,550.00	\$47.50	OK	\$14,250.00
J04	2±" HMA Department Remove & Replace (Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas; and For Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas; and For Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch; and For Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch; and HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C; and HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C)	S.Y.	400	\$47.14	\$20.68	\$18,854.00	\$25.44	Warning	\$10,176.00	\$68.60	Warning	\$27,440.00	\$34.00	OK	\$13,600.00	\$60.50	OK	\$24,200.00

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FOREST HEIGHTS PULVERIZE & OVERLAY OPTION ADJUSTMENTS (K)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
K01	Pulverize Ex. HMA Pavement, and Relay and Shape it for Proposed HMA Overlay	S.Y.	8576	\$1.49	\$0.83	\$12,756.80	\$0.46	Warning	\$3,944.96	\$1.49	OK	\$12,778.24	\$2.50	Warning	\$21,440.00	\$1.50	OK	\$12,864.00
K02	From Item A01: Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas	C.Y. (In Situ)	(1350)	\$14.05	\$2.74	(\$18,964.13)	\$10.19	Warning	(\$13,756.50)	\$16.00	OK	(\$21,600.00)	\$16.00	OK	(\$21,600.00)	\$14.00	OK	(\$18,900.00)
K03	From Item A03: For Other than Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	(2373)	\$12.00	\$2.92	(\$28,476.00)	\$9.00	Warning	(\$21,357.00)	\$11.50	OK	(\$27,289.50)	\$11.50	OK	(\$27,289.50)	\$16.00	Warning	(\$37,968.00)
K04	From Item B05: For Other than Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch	Ton (Weight Ticket)	(2579)	\$11.28	\$2.50	(\$29,078.23)	\$9.60	OK	(\$24,758.40)	\$10.25	OK	(\$26,434.75)	\$10.25	OK	(\$26,434.75)	\$15.00	Warning	(\$38,685.00)
K05	From Item B06: For Other than Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch	Ton (Weight Ticket)	(1297)	\$11.40	\$2.44	(\$14,785.80)	\$9.60	OK	(\$12,451.20)	\$10.50	OK	(\$13,618.50)	\$10.50	OK	(\$13,618.50)	\$15.00	Warning	(\$19,455.00)
K06	From Item A02: For Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	475	\$14.44	\$3.93	\$6,857.81	\$10.75	OK	\$5,106.25	\$13.50	OK	\$6,412.50	\$13.50	OK	\$6,412.50	\$20.00	Warning	\$9,500.00
Sum (A01-A10, B01-B06, C01-C16, D01-D20, E01, F01-F02, G01-G15, H01-H06), Recon Forest & Elm						\$1,539,604.55			\$1,330,729.35			\$1,512,140.89			\$1,513,981.52			\$1,801,566.44
Sum (A01-A10, B01-B06, C01-C16, D01-D20, E01, F01-F02, G01-G15, H01-H06, K01-K06), P&O Forest & Elm						\$1,467,915.01			\$1,267,457.46			\$1,442,388.88			\$1,452,891.27			\$1,708,922.44
Sum (J01-J04), Highway Dept.						\$39,422.25			\$21,219.00			\$56,220.00			\$24,750.00			\$55,500.00

Notes:

- 1) Bids will be reviewed by Public Works & Highway Committee during their March 10, 2014 meeting and Village Board during their March 17, 2014 meeting
2) "Warning" means unit price exceeds one standard deviation from the mean unit price

Village of Germantown 2014 Road Improvement Projects:
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EARTHWORK ITEMS (A) (Contractor assumes ownership and off-site transport & disposal expenses)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
A01	Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas	C.Y. (In Situ)	5335	\$12.52	\$1.75	\$66,767.53	\$10.26	Warning	\$54,737.10	\$13.90	OK	\$74,156.50	\$13.90	OK	\$74,156.50	\$12.00	OK	\$64,020.00
A02	For Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	1571	\$13.25	\$2.52	\$20,815.75	\$10.75	OK	\$16,888.25	\$12.75	OK	\$20,030.25	\$12.75	OK	\$20,030.25	\$16.75	Warning	\$26,314.25
A03	For Other than Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	6656	\$12.56	\$4.26	\$83,616.00	\$9.00	OK	\$59,904.00	\$11.25	OK	\$74,880.00	\$11.25	OK	\$74,880.00	\$18.75	Warning	\$124,800.00
A04	Removing Ex. Curb & Gutter	L.F.	1120	\$4.00	\$1.00	\$4,480.00	\$3.50	OK	\$3,920.00	\$3.50	OK	\$3,920.00	\$3.50	OK	\$3,920.00	\$5.50	Warning	\$6,160.00
A05	Removing Ex. Concrete Driveway/Sidewalk	C.Y. (In Situ)	100	\$23.63	\$5.72	\$2,362.50	\$20.00	OK	\$2,000.00	\$28.50	OK	\$2,850.00	\$28.50	OK	\$2,850.00	\$17.50	Warning	\$1,750.00
A06	Removing Ex. HMA Driveway	C.Y. (In Situ)	179	\$21.13	\$5.72	\$3,781.38	\$15.00	Warning	\$2,685.00	\$26.00	OK	\$4,654.00	\$26.00	OK	\$4,654.00	\$17.50	OK	\$3,132.50
A07	Common Excavation and Grading of Ditches (See drawings)	C.Y. (Loose)	9580	\$13.55	\$3.67	\$129,809.00	\$11.00	OK	\$105,380.00	\$12.10	OK	\$115,918.00	\$12.10	OK	\$115,918.00	\$19.00	Warning	\$182,020.00
A08	Removing Ex. Culverts	L.F.	977	\$5.25	\$1.77	\$5,129.25	\$7.75	Warning	\$7,571.75	\$4.00	OK	\$3,908.00	\$4.00	OK	\$3,908.00	\$5.25	OK	\$5,129.25
A09	Clearing & Grubbing (STA = one station, i.e., 100 L.F. of roadway)	STA	7	\$790.00	\$417.69	\$5,530.00	\$430.00	OK	\$3,010.00	\$430.00	OK	\$3,010.00	\$1,100.00	OK	\$7,700.00	\$1,200.00	OK	\$8,400.00
A10	Tree Removal, 6" Dia.	EA	1	\$442.50	\$432.70	\$442.50	\$100.00	OK	\$100.00	\$100.00	OK	\$100.00	\$570.00	OK	\$570.00	\$1,000.00	Warning	\$1,000.00

Village of Germantown 2014 Road Improvement Projects:
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BASE AND SUBBASE ITEMS (B) (Materials conforming to Sec. 305 Standard Specifications)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
B01	For Isolated Base Patching: Dense Graded Base, Gradation 3-inch	Ton (Weight Ticket)	666	\$11.81	\$1.07	\$7,867.13	\$10.25	Warning	\$6,826.50	\$12.50	OK	\$8,325.00	\$12.50	OK	\$8,325.00	\$12.00	OK	\$7,992.00
B02	For Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch	Ton (Weight Ticket)	1761	\$11.50	\$1.00	\$20,251.50	\$10.00	Warning	\$17,610.00	\$12.00	OK	\$21,132.00	\$12.00	OK	\$21,132.00	\$12.00	OK	\$21,132.00
B03	For Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch	Ton (Weight Ticket)	875	\$13.06	\$2.13	\$11,429.69	\$10.00	Warning	\$8,750.00	\$14.50	OK	\$12,687.50	\$14.50	OK	\$12,687.50	\$13.25	OK	\$11,593.75
B04	For Other than Isolated Base Patching: Dense Graded Base, Gradation 3-inch	Ton (Weight Ticket)	395	\$12.47	\$2.09	\$4,925.65	\$9.88	Warning	\$3,902.60	\$12.50	OK	\$4,937.50	\$12.50	OK	\$4,937.50	\$15.00	Warning	\$5,925.00
B05	For Other than Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch	Ton (Weight Ticket)	8804	\$11.28	\$2.50	\$99,265.10	\$9.60	OK	\$84,518.40	\$10.25	OK	\$90,241.00	\$10.25	OK	\$90,241.00	\$15.00	Warning	\$132,060.00
B06	For Other than Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch	Ton (Weight Ticket)	4377	\$11.40	\$2.44	\$49,897.80	\$9.60	OK	\$42,019.20	\$10.50	OK	\$45,958.50	\$10.50	OK	\$45,958.50	\$15.00	Warning	\$65,655.00

Village of Germantown 2014 Road Improvement Projects:
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PAVEMENT ITEMS (C)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
C01	HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C	Ton (Weight Ticket)	1183	\$48.21	\$1.34	\$57,032.43	\$47.84	OK	\$56,594.72	\$46.50	Warning	\$55,009.50	\$49.00	OK	\$57,967.00	\$49.50	OK	\$58,558.50
C02	HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C	Ton (Weight Ticket)	919	\$52.67	\$4.32	\$48,401.43	\$48.62	OK	\$44,681.78	\$53.80	OK	\$49,442.20	\$50.00	OK	\$45,950.00	\$58.25	Warning	\$53,531.75
C03	HMA Binder Course, 2-1/4" Depth, Type E-3.0, 19 mm, PG 64°C-22°C	Ton (Weight Ticket)	2476	\$46.05	\$2.63	\$114,007.42	\$42.88	Warning	\$106,170.88	\$48.80	Warning	\$120,828.80	\$45.00	OK	\$111,420.00	\$47.50	OK	\$117,610.00
C04	HMA Binder Course, 6" Depth, Type E-3.0, 19 mm, PG 64°C-22°C (N. Patton Ct.)	Ton (Weight Ticket)	389	\$52.12	\$1.58	\$20,275.65	\$50.84	OK	\$19,776.76	\$53.90	Warning	\$20,967.10	\$53.00	OK	\$20,617.00	\$50.75	OK	\$19,741.75
C05	HMA Surface Course, 1-3/4" Depth, Type E-3.0, 12.5 mm, PG 64°C-22°C	Ton (Weight Ticket)	2039	\$53.41	\$2.96	\$108,902.99	\$50.39	Warning	\$102,745.21	\$54.00	OK	\$110,106.00	\$52.00	OK	\$106,028.00	\$57.25	Warning	\$116,732.75
C06	Concrete Curb & Gutter, 30-inch Mountable, Slip Form	L.F.	615	\$20.00	\$2.94	\$12,300.00	\$20.00	OK	\$12,300.00	\$23.00	Warning	\$14,145.00	\$21.00	OK	\$12,915.00	\$16.00	Warning	\$9,840.00
C07	Concrete Curb & Gutter, 30-inch Vertical Face, Hand Form	L.F.	20	\$23.56	\$7.44	\$471.25	\$16.80	OK	\$336.00	\$30.00	OK	\$600.00	\$17.45	OK	\$349.00	\$30.00	OK	\$600.00
C08	Concrete Curb & Gutter, 30-inch Vertical Face, Slip Form	L.F.	2006	\$18.09	\$2.64	\$36,283.53	\$16.80	OK	\$33,700.80	\$16.30	OK	\$32,697.80	\$17.25	OK	\$34,603.50	\$22.00	Warning	\$44,132.00
C09	Shoulder Construction: Dense Graded Base (Sec. 305 Std. Specs., Gradation 3/4-inch)	Ton (Weight Ticket)	806	\$18.70	\$2.52	\$15,072.20	\$16.00	Warning	\$12,896.00	\$17.80	OK	\$14,346.80	\$19.00	OK	\$15,314.00	\$22.00	Warning	\$17,732.00
C10	Concrete Driveway Residential, 5 inch Thickness	S.Y.	7	\$48.00	\$4.76	\$336.00	\$45.00	OK	\$315.00	\$55.00	Warning	\$385.00	\$47.00	OK	\$329.00	\$45.00	OK	\$315.00
C11	Concrete Driveway, Commercial, 9 inch Thickness, High Early Strength	S.Y.	259	\$52.25	\$4.25	\$13,532.75	\$49.00	OK	\$12,691.00	\$50.50	OK	\$13,079.50	\$51.00	OK	\$13,209.00	\$58.50	Warning	\$15,151.50
C12	HMA Driveway, 3-1/2 inch Thickness (2" binder lift, 1-1/2" surface lift)	S.Y.	1707	\$21.58	\$2.75	\$36,837.06	\$21.82	OK	\$37,246.74	\$17.75	Warning	\$30,299.25	\$22.50	OK	\$38,407.50	\$24.25	OK	\$41,394.75
C13	Concrete Sidewalk, 5 inch Thickness	S.Y.	1955	\$3.73	\$0.27	\$7,282.38	\$3.80	OK	\$7,429.00	\$3.35	Warning	\$6,549.25	\$4.00	Warning	\$7,820.00	\$3.75	OK	\$7,331.25
C14	Tack Coat	Gal	1307	\$2.31	\$0.50	\$3,022.44	\$1.90	OK	\$2,483.30	\$3.00	Warning	\$3,921.00	\$2.00	OK	\$2,614.00	\$2.35	OK	\$3,071.45
C15	Sawing Ex. Pavements, HMA	L.F.	1623	\$1.13	\$0.25	\$1,825.88	\$1.00	OK	\$1,623.00	\$1.00	OK	\$1,623.00	\$1.50	Warning	\$2,434.50	\$1.00	OK	\$1,623.00
C16	Sawing Ex. Pavements, Concrete	L.F.	293	\$1.96	\$0.47	\$575.01	\$1.50	OK	\$439.50	\$2.60	Warning	\$761.80	\$2.00	OK	\$586.00	\$1.75	OK	\$512.75

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CULVERT AND STORM SEWER ITEMS (D) (Manhole and CB Inlet items can be associated with each other, Earthwork, and Base and Subbase items)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
D01	Culvert Pipe, Arch, CMP, 12" Dia. Equiv. (Incl. FES)	L.F.	953	\$41.20	\$6.42	\$39,261.22	\$33.54	Warning	\$31,963.62	\$41.00	OK	\$39,073.00	\$41.00	OK	\$39,073.00	\$49.25	Warning	\$46,935.25
D02	Storm Sewer Pipe, RCP, 15" Dia. (Incl. FES)	L.F.	90	\$74.84	\$7.75	\$6,735.38	\$73.10	OK	\$6,579.00	\$70.00	OK	\$6,300.00	\$70.00	OK	\$6,300.00	\$86.25	Warning	\$7,762.50
D03	Storm Sewer Pipe, RCP, 18" Dia. (Incl. FES)	L.F.	116	\$74.33	\$4.22	\$8,621.70	\$75.50	OK	\$8,758.00	\$71.00	OK	\$8,236.00	\$71.00	OK	\$8,236.00	\$79.80	Warning	\$9,256.80
D04	Storm Sewer Pipe, RCP, 14"x23" Dia. (Incl. FES)	L.F.	48	\$115.46	\$22.72	\$5,542.20	\$83.85	Warning	\$4,024.80	\$120.00	OK	\$5,760.00	\$120.00	OK	\$5,760.00	\$138.00	OK	\$6,624.00
D05	Storm Sewer Pipe, ADS, 12" (Incl. FES)	L.F.	575	\$31.88	\$8.45	\$18,328.13	\$23.75	OK	\$13,656.25	\$30.00	OK	\$17,250.00	\$30.00	OK	\$17,250.00	\$43.75	Warning	\$25,156.25
D06	Storm Sewer Pipe, ADS, 15" (Incl. FES)	L.F.	503	\$34.24	\$10.63	\$17,220.21	\$20.49	Warning	\$10,306.47	\$35.00	OK	\$17,605.00	\$35.00	OK	\$17,605.00	\$46.45	Warning	\$23,364.35
D07	Storm Sewer Pipe, ADS, 18" (Incl. FES)	L.F.	180	\$38.08	\$11.35	\$6,854.40	\$23.32	Warning	\$4,197.60	\$39.00	OK	\$7,020.00	\$39.00	OK	\$7,020.00	\$51.00	Warning	\$9,180.00
D08	Storm Sewer Pipe, C-900 PVC, 10" Dia. Underdrain, 6" Dia. Perforated HDPE	L.F.	22	\$60.25	\$14.64	\$1,325.50	\$40.00	Warning	\$880.00	\$63.00	OK	\$1,386.00	\$63.00	OK	\$1,386.00	\$75.00	Warning	\$1,650.00
D09	Pipe w/ Filter Fabric & Splash Pans	L.F.	6274	\$6.25	\$2.23	\$39,228.19	\$4.41	OK	\$27,668.34	\$5.60	OK	\$35,134.40	\$5.50	OK	\$34,507.00	\$9.50	Warning	\$59,603.00
D10	Storm Sewer Manhole, Chimney Rebuild only	V.F.	3	\$680.00	\$362.22	\$2,040.00	\$600.00	OK	\$1,800.00	\$960.00	OK	\$2,880.00	\$960.00	OK	\$2,880.00	\$200.00	Warning	\$600.00
D11	Storm Sewer Catch Basin/Inlet, Chimney Rebuild only	V.F.	2	\$570.00	\$220.11	\$1,140.00	\$600.00	OK	\$1,200.00	\$715.00	OK	\$1,430.00	\$715.00	OK	\$1,430.00	\$250.00	Warning	\$500.00
D12	Storm Sewer Manhole, New Precast Concrete Structure	V.F.	16	\$655.50	\$71.56	\$10,488.00	\$550.00	Warning	\$8,800.00	\$700.00	OK	\$11,200.00	\$700.00	OK	\$11,200.00	\$672.00	OK	\$10,752.00
D13	Storm Sewer Manhole, New 30" Dia. Nyloplast Structure	V.F.	25	\$498.25	\$132.32	\$12,456.25	\$308.00	Warning	\$7,700.00	\$535.00	OK	\$13,375.00	\$535.00	OK	\$13,375.00	\$615.00	OK	\$15,375.00
D14	Storm Sewer Catch Basin/Inlet, Replace with Precast Structure	V.F.	12	\$564.31	\$70.61	\$6,771.75	\$625.00	OK	\$7,500.00	\$585.00	OK	\$7,020.00	\$585.00	OK	\$7,020.00	\$462.25	Warning	\$5,547.00
D15	Storm Sewer Catch Basin/Inlet, Relocate Ex.	Ea	1	\$1,510.00	\$842.46	\$1,510.00	\$600.00	Warning	\$600.00	\$1,400.00	OK	\$1,400.00	\$1,400.00	OK	\$1,400.00	\$2,640.00	Warning	\$2,640.00
D16	Storm Sewer Catch Basin/Inlet, Build Over Ex. Storm Sewer	V.F.	6	\$571.25	\$49.56	\$3,427.50	\$500.00	Warning	\$3,000.00	\$605.00	OK	\$3,630.00	\$605.00	OK	\$3,630.00	\$575.00	OK	\$3,450.00
D17	Inlet Type 10 Assembly for Willow Creek Rd	Ea	1	\$3,112.50	\$808.68	\$3,112.50	\$1,900.00	Warning	\$1,900.00	\$3,500.00	OK	\$3,500.00	\$3,500.00	OK	\$3,500.00	\$3,550.00	OK	\$3,550.00
D18	Concrete Flume, 8" Thick	S.Y.	6	\$50.50	\$22.53	\$303.00	\$30.00	OK	\$180.00	\$70.00	OK	\$420.00	\$32.00	OK	\$192.00	\$70.00	OK	\$420.00
D19	6" Dia. Perforated HDPE Pipe w/ Filter Fabric	L.F. Ton (Weight Ticket)	40	\$30.88	\$25.10	\$1,235.00	\$4.50	Warning	\$180.00	\$27.00	OK	\$1,080.00	\$27.00	OK	\$1,080.00	\$65.00	Warning	\$2,600.00
D20	Rip-Rap, Medium, Incl. Fabric		175	\$46.75	\$14.77	\$8,181.25	\$25.00	Warning	\$4,375.00	\$56.00	OK	\$9,800.00	\$56.00	OK	\$9,800.00	\$50.00	OK	\$8,750.00

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SANITARY SEWER ITEMS (E) (Items can be associated with each other, Earthwork, and Base and Subbase items)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
E01	Sanitary Sewer Manhole, Paving Ring	Ea	2	\$198.75	\$50.39	\$397.50	\$140.00	Warning	\$280.00	\$175.00	OK	\$350.00	\$230.00	OK	\$460.00	\$250.00	Warning	\$500.00
WATER MAIN ITEMS (F) (Items can be associated with each other, Earthwork, and Base and Subbase items)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
F01	Water Valve Box, Rim Adjustment by Turning Upward	Ea	3	\$245.00	\$336.67	\$735.00	\$80.00	OK	\$240.00	\$75.00	OK	\$225.00	\$75.00	OK	\$225.00	\$750.00	Warning	\$2,250.00
F02	Relocate Hydrant Assembly, Extending Lead	Ea	1	\$3,400.00	\$1,321.62	\$3,400.00	\$1,500.00	Warning	\$1,500.00	\$4,300.00	OK	\$4,300.00	\$4,300.00	OK	\$4,300.00	\$3,500.00	OK	\$3,500.00

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MISCELLANEOUS ITEMS (G)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
G01	Mobilization & Demobilization (one-time max. payout for ea. project area)	L.S.	4	\$7,875.00	\$3,299.12	\$31,500.00	\$9,200.00	OK	\$36,800.00	#####	OK	\$43,800.00	\$8,100.00	OK	\$32,400.00	\$3,250.00	Warning	\$13,000.00
G02	Traffic Control (one-time max. payout for ea. project area)	L.S.	4	\$5,587.50	\$3,627.76	\$22,350.00	\$2,400.00	OK	\$9,600.00	\$4,000.00	OK	\$16,000.00	\$5,200.00	OK	\$20,800.00	\$10,750.00	Warning	\$43,000.00
G03	Inlet Protection (Incl. installation & removal)	Ea	17	\$56.25	\$6.29	\$956.25	\$55.00	OK	\$935.00	\$55.00	OK	\$935.00	\$50.00	OK	\$850.00	\$65.00	Warning	\$1,105.00
G04	Wattles (North American Green WS925/WS1210) (Incl. installation & removal)	L.F.	1836	\$4.34	\$0.52	\$7,959.06	\$3.92	OK	\$7,197.12	\$3.92	OK	\$7,197.12	\$4.50	OK	\$8,262.00	\$5.00	Warning	\$9,180.00
G05	Topsoil (Imported & screened)	C.Y. (Load Ticket)	3387	\$25.75	\$2.50	\$87,215.25	\$27.00	OK	\$91,449.00	\$27.00	OK	\$91,449.00	\$27.00	OK	\$91,449.00	\$22.00	Warning	\$74,514.00
G06	Turf Restoration, Seed and Photodegradable Erosion Control Mat (North American Green DS75), (Incl. watering)	S.Y.	11584	\$1.73	\$0.32	\$19,982.40	\$1.45	OK	\$16,796.80	\$1.45	OK	\$16,796.80	\$2.00	OK	\$23,168.00	\$2.00	OK	\$23,168.00
G07	Turf Restoration, Hydroseed (Incl. watering)	S.Y.	13818	\$0.74	\$0.05	\$10,190.78	\$0.70	OK	\$9,672.60	\$0.70	OK	\$9,672.60	\$0.75	OK	\$10,363.50	\$0.80	Warning	\$11,054.40
G08	Flexterra® High Performance Flexible Growth Medium (or equal)	S.F.	6537	\$0.25	\$0.04	\$1,617.91	\$0.22	OK	\$1,438.14	\$0.22	OK	\$1,438.14	\$0.25	OK	\$1,634.25	\$0.30	Warning	\$1,961.10
G09	Pavement Marking, Stop Line, Water Bourne, 8-inch, White	L.F.	36	\$3.00	\$0.00	\$108.00	\$3.00	OK	\$108.00	\$3.00	OK	\$108.00	\$3.00	OK	\$108.00	\$3.00	OK	\$108.00
G10	Pavement Marking, Directional Arrows, Right-Turn, White	EA	2	\$50.50	\$1.00	\$101.00	\$50.00	OK	\$100.00	\$50.00	OK	\$100.00	\$52.00	Warning	\$104.00	\$50.00	OK	\$100.00
G11	Pavement Marking, Directional Arrows, Left-Turn and Through, White	EA	1	\$75.75	\$1.50	\$75.75	\$75.00	OK	\$75.00	\$75.00	OK	\$75.00	\$78.00	Warning	\$78.00	\$75.00	OK	\$75.00
G12	Pavement Marking, Directional Arrows, Through, White	EA	1	\$50.50	\$1.00	\$50.50	\$50.00	OK	\$50.00	\$50.00	OK	\$50.00	\$52.00	Warning	\$52.00	\$50.00	OK	\$50.00
G13	Pavement Marking, Channelizing, Water Bourne, 4-inch, White	L.F.	12872	\$0.26	\$0.03	\$3,314.54	\$0.24	OK	\$3,089.28	\$0.24	OK	\$3,089.28	\$0.25	OK	\$3,218.00	\$0.30	Warning	\$3,861.60
G14	Pavement Marking, Channelizing, Water Bourne, 4-inch, Yellow	L.F.	12872	\$0.26	\$0.03	\$3,314.54	\$0.24	OK	\$3,089.28	\$0.24	OK	\$3,089.28	\$0.25	OK	\$3,218.00	\$0.30	Warning	\$3,861.60
G15	Truncated Domes, Plate (24"x28")	EA	7	\$290.00	\$45.46	\$2,030.00	\$250.00	OK	\$1,750.00	\$300.00	OK	\$2,100.00	\$260.00	OK	\$1,820.00	\$350.00	Warning	\$2,450.00

Village of Germantown 2014 Road Improvement Projects:
Project #1306 Bid Tab - Bid-Orig

CONTINGENT ITEMS (H)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	UNIT PRICE	FROM UNIT	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
H01	Tracking Pad, Size 3-inch Clear or Washed Stone	Ton (Weight Ticket)	72	\$18.38	\$5.53	\$1,323.00	\$12.00	Warning	\$864.00	\$23.00	OK	\$1,656.00	\$23.00	OK	\$1,656.00	\$15.50	OK	\$1,116.00
H02	Excavation Below Subgrade	C.Y. (In Situ)	1331	\$13.25	\$2.87	\$17,635.75	\$10.00	Warning	\$13,310.00	\$13.00	OK	\$17,303.00	\$13.00	OK	\$17,303.00	\$17.00	Warning	\$22,627.00
H03	Breaker Run Stone, Size 6-inch	Ton (Weight Ticket)	666	\$12.41	\$3.11	\$8,263.40	\$10.13	OK	\$6,746.58	\$11.25	OK	\$7,492.50	\$11.25	OK	\$7,492.50	\$17.00	Warning	\$11,322.00
H04	Class 2 Stabilization & Separation Fabric	S.Y.	5327	\$1.94	\$0.13	\$10,321.06	\$2.00	OK	\$10,654.00	\$2.00	OK	\$10,654.00	\$2.00	OK	\$10,654.00	\$1.75	Warning	\$9,322.25
H05	Exploratory Excavation for Locating Unknown Utility	C.Y. (In Situ)	32	\$45.25	\$23.31	\$1,448.00	\$11.00	Warning	\$352.00	\$60.00	OK	\$1,920.00	\$60.00	OK	\$1,920.00	\$50.00	OK	\$1,600.00
H06	Rock Excavation	C.Y. (In Situ)	20	\$93.75	\$12.50	\$1,875.00	\$75.00	Warning	\$1,500.00	\$100.00	OK	\$2,000.00	\$100.00	OK	\$2,000.00	\$100.00	OK	\$2,000.00
HIGHWAY DEPARTMENT'S REPAIR ITEMS (J)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
J01	Mobilization & Demobilization (one-time payout for all project areas); and Traffic Control (one-time max. payout for all project areas)	EA	1	\$4,000.00	\$4,015.80	\$4,000.00	\$1,800.00	OK	\$1,800.00	\$2,500.00	OK	\$2,500.00	\$1,700.00	OK	\$1,700.00	\$10,000.00	Warning	\$10,000.00
J02	3±" HMA Overlay (HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C; and HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C)	S.Y.	300	\$21.60	\$11.58	\$6,480.00	\$12.65	OK	\$3,795.00	\$37.25	Warning	\$11,175.00	\$13.00	OK	\$3,900.00	\$23.50	OK	\$7,050.00
J03	3±" HMA Mill & Fill (Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas; and HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C; and HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C)	S.Y.	300	\$33.63	\$17.70	\$10,088.25	\$18.16	OK	\$5,448.00	\$50.35	OK	\$15,105.00	\$18.50	OK	\$5,550.00	\$47.50	OK	\$14,250.00
J04	12±" Full Depth Patching and Repair (Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas; and For Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas; and For Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch; and For Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch; and HMA Binder Course, 2-1/4" Depth, Type E-0.3, 19 mm, PG 64°C-22°C; and HMA Surface Course, 1-3/4" Depth, Type E-0.3, 12.5 mm, PG 64°C-22°C)	S.Y.	400	\$47.14	\$20.68	\$18,854.00	\$25.44	Warning	\$10,176.00	\$68.60	Warning	\$27,440.00	\$34.00	OK	\$13,600.00	\$60.50	OK	\$24,200.00

Village of Germantown 2014 Road Improvement Projects:
Project #1306 Bid Tab - Bid-Orig

FOREST HEIGHTS PULVERIZE & OVERLAY OPTION ADJUSTMENTS (K)				STATISTICS			Payne and Dolan			Stark Asphalt			C.W. Purpero			Wolf Paving		
ITEM NO.	BID ITEM	UNIT	EST. QUANTITY	MEAN UNIT PRICE	STD DEV FROM UNIT PRICE	MEAN EXT. PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE	UNIT PRICE	STD DEV TEST	EXTENDED PRICE
K01	Pulverize Ex. HMA Pavement, and Relay and Shape it for Proposed HMA Overlay	S.Y.	8576	\$1.49	\$0.83	\$12,756.80	\$0.46	Warning	\$3,944.96	\$1.49	OK	\$12,778.24	\$2.50	Warning	\$21,440.00	\$1.50	OK	\$12,864.00
K02	From Item A01: Removing Existing Roadway HMA Pavement Structure, Computed by Method of Average End Areas	C.Y. (In Situ)	(1350)	\$14.05	\$2.74	(\$18,964.13)	\$10.19	Warning	(\$13,756.50)	\$16.00	OK	(\$21,600.00)	\$16.00	OK	(\$21,600.00)	\$14.00	OK	(\$18,900.00)
K03	From Item A03: For Other than Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	(2373)	\$12.00	\$2.92	(\$28,476.00)	\$9.00	Warning	(\$21,357.00)	\$11.50	OK	(\$27,289.50)	\$11.50	OK	(\$27,289.50)	\$16.00	Warning	(\$37,968.00)
K04	From Item B05: For Other than Isolated Base Patching: Dense Graded Base, Gradation 1-1/4-inch	Ten (Weight Ticket)	(2579)	\$11.28	\$2.50	(\$29,078.23)	\$9.60	OK	(\$24,758.40)	\$10.25	OK	(\$26,434.75)	\$10.25	OK	(\$26,434.75)	\$15.00	Warning	(\$38,685.00)
K05	From Item B06: For Other than Isolated Base Patching: Dense Graded Base, Gradation 3/4-inch	Ten (Weight Ticket)	(1297)	\$11.40	\$2.44	(\$14,785.80)	\$9.60	OK	(\$12,451.20)	\$10.50	OK	(\$13,618.50)	\$10.50	OK	(\$13,618.50)	\$15.00	Warning	(\$19,455.00)
K06	From Item A02: For Isolated Base Patching and Utility Structure Adjustments: Common Excavation of Ex. Base and Subbase for the Installation of Proposed Cross Section, Computed by Method of Average End Areas	C.Y. (In Situ)	475	\$14.44	\$3.93	\$6,857.81	\$10.75	OK	\$5,106.25	\$13.50	OK	\$6,412.50	\$13.50	OK	\$6,412.50	\$20.00	Warning	\$9,500.00
Sum (A01-A10, B01-B06, C01-C16, D01-D20, E01, F01-F02, G01-G15, H01-H06), Recon Forest & Elm				\$1,422,476.01			\$1,234,118.37			\$1,396,770.37			\$1,398,611.00			\$1,660,404.30		
Sum (A01-A10, B01-B06, C01-C16, D01-D20, E01, F01-F02, G01-G15, H01-H06, K01-K06), P&O Forest & Elm				\$1,350,786.47			\$1,170,846.48			\$1,327,018.36			\$1,337,520.75			\$1,567,760.30		
Sum (J01-J04), Highway Dept.				\$39,422.25			\$21,219.00			\$56,220.00			\$24,750.00			\$55,500.00		

X-H

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

MEETING DATE: March 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: Ordinance Revisions – Chapter 27 “Post-Construction Stormwater Management”; and Ordinance Revisions – Chapter 29 “Construction Site Erosion Control”

SUBMITTED BY: Brionne R. Bischke, P.E., Village Engineer 

SUMMARY EXPLANATION:

Village ordinances were reviewed by Wisconsin DNR, Birchline Planning and the Village Engineer during the inaugural year of the Village’s Menomonee River Group Wisconsin Pollutant Discharge Elimination System (WPDES) permit. Wisconsin DNR identified updates needed to correlate the ordinances with Wisconsin Administrative Code updates. Birchline Planning identified updates needed to render green infrastructure as a *permissible* alternative for storm water management. The Village Engineer identified updates needed to delineate ownership and maintenance of private vs. public storm sewers, ditches and swales (primarily in Chapter 08 “Public Works”, with cascading revisions to Chapters 27 and 29). MMSD reviewed the revisions and found that they conform to their Rules. The Village Attorney also reviewed the revisions and prepared the adoption documents.

These revisions were approved by the Public Works & Highway Committee during their January 7, 2014 meeting. Chapter 08 “Public Works” revisions were approved by the Village Board during their January 20, 2014 meeting. Chapter 27 “Post-Construction Stormwater Management” and Chapter 29 “Construction Site Erosion Control” revisions were approved by the Plan Commission during their February 24, 2014 meeting.

ATTACHMENTS:

RECOMMENDATION:

Recommend to Village Board to adopt the proposed ordinance revisions.

COMMITTEE ACTION:

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

ORDINANCE NO. ____-14

AN ORDINANCE AMENDING CHAPTER 27 OF THE
MUNICIPAL CODE OF GERMANTOWN RELATING TO
POST-CONSTRUCTION STORMWATER MANAGEMENT

WHEREAS, the Village Board previously adopted Chapter 27 of the Municipal Code of Germantown, which established certain regulations pertaining to Post-Construction Stormwater Management; and

WHEREAS, changes to the relevant sections of the Wisconsin Administrative Code caused the Village Engineer to recommend certain changes to Chapter 27 to bring the Village Code into compliance with the State regulations and to address certain other substantive matters to improve the effectiveness of the regulations; and

WHEREAS, it is in the interests of the public's health, safety and welfare that the Village Board regulate Post-Construction Stormwater Management;

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

SECTION I:

Chapter 27 of the Municipal Code of Germantown is hereby amended to read as provided for in the attached Exhibit A (NOTE: Within the Exhibit, Additions are Underlined; Deleted Text is ~~Struckthrough~~).

SECTION II:

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

SECTION III:

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

SECTION IV:

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

ORDINANCE NO. ____-14

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Introduced by _____ on _____, 2014.

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

Dean Wolter, Village President

ATTEST:

Approved as to form:

Barbara Goeckner, Village Clerk

Brian C. Sajdak, Village Attorney
Published: _____

EXHIBIT A

AN ORDINANCE AMENDING CHAPTER 27 OF THE MUNICIPAL CODE OF GERMANTOWN RELATING TO POST-CONSTRUCTION STORMWATER MANAGEMENT

CHAPTER 27 POST-CONSTRUCTION STORMWATER MANAGEMENT

SUBCHAPTER I: GENERAL PROVISIONS

27.01 PURPOSE.

The general purpose of this chapter is to establish long-term, post-construction runoff management requirements that will diminish the threats to public health, safety, welfare and the aquatic environment. Specific purposes are to:

- (1) Further the maintenance of safe and healthful conditions.
- (2) Prevent and control the adverse effects of stormwater; prevent and control soil erosion; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth.
- (3) Control exceedances of the safe capacity of existing drainage facilities and receiving water bodies; prevent undue channel erosion; control increases in the scouring and transportation of particulate matter; and prevent conditions that endanger downstream property.

27.02 AUTHORITY.

- (1) This chapter is adopted by the Village of Germantown under the authority granted by § 61.354, Wis. Stats., for villages. This chapter supersedes all provisions of an ordinance previously enacted under § 61.35, Wis. Stats., that relate to stormwater management regulations. Except as otherwise specified in § 61.354, Wis. Stats., § 61.35, Wis. Stats., applies to this chapter and to any amendments to this chapter.
- (2) The provisions of this chapter are deemed not to limit any other lawful regulatory powers of the same governing body.
- (3) The Village of Germantown shall administer and enforce the provisions of this chapter.
- (4) The requirements of this chapter do not preempt more stringent stormwater management requirements that may be imposed by any of the following:
 - (a) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under §§ 281.16 and 283.33, Wis. Stats., and NR Chs. 151 and 216, Wis. Adm. Code.

- (b) Ch. 13, Milwaukee Metropolitan Sewerage District.

27.03 FINDINGS OF FACT.

The governing body finds that uncontrolled, post-construction runoff has a significant impact upon water resources and the health, safety and general welfare of the community and diminishes the public enjoyment and use of natural resources. Specifically, uncontrolled post-construction runoff can:

- (1) Degrade physical stream habitat by increasing stream bank erosion, increasing streambed scour, diminishing groundwater recharge, diminishing stream base flows and increasing stream temperature.
- (2) Diminish the capacity of lakes and streams to support fish, aquatic life, recreational and water supply uses by increasing pollutant loading of sediment, suspended solids, nutrients, heavy metals, bacteria, pathogens and other urban pollutants.
- (3) Alter wetland communities by changing wetland hydrology and by increasing pollutant loads.
- (4) Reduce the quality of groundwater by increasing pollutant loading.
- (5) Threaten public health, safety, property and general welfare by overtaxing storm sewers, drainageways, and other minor drainage facilities.
- (6) Threaten public health, safety, property and general welfare by increasing major flood peaks and volumes.
- (7) Undermine floodplain management efforts by increasing the incidence and levels of flooding.

27.04 APPLICABILITY AND JURISDICTION.

(1) APPLICABILITY.

- (a) Where not otherwise limited by law, this chapter applies to all sites meeting any of the criteria in this paragraph, unless the site is otherwise exempt under paragraph (b).
 1. Sites subject to runoff management requirements as presented in § 13.10, MMSD Rules and Regulations.
 2. Sites subject to construction site performance standards for new development and redevelopment as presented in §§ NR 151.11 or 151.23, Wis. Adm. Code.
 3. Sites subject to post-construction performance standard for new development and redevelopment as presented in §§ NR 151.12 or 151.24, Wis. Adm. Code.
 4. Sites, which in the opinion of the Village Engineer, may cause adverse impact to existing drainage facilities, the environment or to property.

- (b) A site that meets any of the criteria in this paragraph is exempt from the requirements of this chapter.
 - 1. Sites exempt from runoff management requirements as presented in § 13.10, MMSD Rules and Regulations.
 - 2. Sites exempt from construction site performance standards for new development and redevelopment as presented in §§ NR 151.11 or 151.23, Wis. Adm. Code.
 - 3. Sites exempt from post-construction performance standard for new development and redevelopment as presented in §§ NR 151.12 or 151.24, Wis. Adm. Code.
- (2) **JURISDICTION.** Post-construction sites within the boundaries and jurisdiction of the Village of Germantown, as well as all lands located within the extraterritorial plat approval jurisdiction of the Village, even if plat approval is not involved.

27.05 RESERVED.

27.06 DEFINITIONS.

- (1) **ADMINISTERING AUTHORITY** means a governmental employee, or a regional planning commission empowered under §§ 59.693, 60.627, 61.354, 62.234, Wis. Stats., that is designated by the Governing body to administer this chapter.
- (2) **AGRICULTURAL FACILITIES AND PRACTICES** has the meaning given in § 281.16, Wis. Stats.
- (3) **AVERAGE ANNUAL RAINFALL** means a calendar year of precipitation, excluding snow, which is considered typical.
- (4) **BEST MANAGEMENT PRACTICE** or **BMP** means structural or nonstructural measures, practices, techniques or devices employed to reduce peak flows and minimize sediment or pollutants carried in runoff.
- (5) **BIOSWALE** means a vegetated, mulched or xeriscaped channel that provides treatment and retention as it moves stormwater from one place to another.
- (6) **BUSINESS DAY** means a day the office of the Village is routinely and customarily open for business.
- (7) **CEASE AND DESIST ORDER** means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.
- (8) **COMBINED SEWER SYSTEM** means a system for conveying both sanitary sewage and stormwater runoff.
- (9) **CONNECTED IMPERVIOUSNESS** means an impervious surface that is directly connected to a separate storm sewer or water of the State via an impervious flow path.

- ~~(10)~~ **CRITICAL TIME** means the period starting at the time of peak rainfall intensity with a duration equal to the time of concentration of the watershed.
- ~~(9)~~ ~~(11)~~ **DESIGN STORM** means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total depth of rainfall.
- ~~(10)~~ ~~(12)~~ **DEVELOPMENT** means any manmade changes to improved or unimproved real estate including, but not limited to, construction of or additions or substantial improvements to buildings, other structures or accessory uses, mining, dredging, filling, grading, paving, excavation or drilling operations, or deposition of materials.
- ~~(11)~~ ~~(13)~~ **DIVISION OF LAND** means the creation from one parcel of 2 or more parcels or building sites of any total area, where such creation occurs at one time or through the successive partition within a 5-year period.
- ~~(14)~~ **DOWNSPOUT DISCONNECTION** means rerouting of rooftop drainage pipes to drain rainwater to rain barrels, cisterns, or permeable areas instead of the storm sewer.
- ~~(12)~~ **MMSD** means Milwaukee Metropolitan Sewerage District.
- ~~(13)~~ ~~(15)~~ **EFFECTIVE INFILTRATION AREA** means the area of the infiltration system that is used to infiltrate runoff and does not include the area used for site access, berms or pretreatment.
- ~~(14)~~ ~~(16)~~ **EROSION** means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- ~~(15)~~ ~~(17)~~ **EXCEPTIONAL RESOURCE WATERS** means waters listed in Wis. Adm. Code NR §102.11.
- ~~(18)~~ **EXISTING DEVELOPMENT** means development in existence on October 1, 2004, or development for which a notice of intent to apply for a storm water permit.
- ~~(16)~~ ~~(19)~~ **EXTRATERRITORIAL** means the unincorporated area within 3 miles of the corporate limits of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.
- ~~(17)~~ ~~(20)~~ **FINAL STABILIZATION** means that all land disturbing construction activities at the construction site have been completed and that a uniform, perennial, vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or employment of equivalent permanent stabilization measures.
- ~~(18)~~ ~~(21)~~ **FINANCIAL GUARANTEE** means a performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the Village by the responsible party to assure that requirements of the ordinance are carried out in compliance with the stormwater management plan.
- ~~(19)~~ ~~(22)~~ **GOVERNING BODY** means Village Board of Trustees.
- ~~(23)~~ **GREEN INFRASTRUCTURE** means a runoff management system that uses vegetation, soils and natural processes to mimic nature's ability to soak up and store storm water. Example green infrastructure BMPs include downspout disconnection,

rainwater harvesting, rain gardens, planter boxes, bioswales, permeable pavements, green alleys and streets, green parking, green roofs, urban tree canopy, amended soils, and land conservation.

(24) **GREEN PARKING, STREETS AND ALLEYS** mean integrating green infrastructure elements into the parking, street and/or alley design to store, infiltrate, and evapotranspire stormwater.

(25) **GREEN ROOF** means a roof covered with growing media and vegetation that enables rainfall infiltration and evapotranspiration of storm water.

(20) (26) **IMPERVIOUS SURFACE** means an surface area that releases as runoff all or a large portion of the precipitation that falls on it including, but not limited to, rooftops, sidewalks, driveways, gravel or paved parking lots, and streets, but excluding ~~except for~~ frozen soil. ~~Rooftops, sidewalks, driveways, parking lots, and streets are examples of areas surfaces that typically are impervious.~~

(21) (27) **IN-FILL AREA** means an undeveloped area of land located within ~~existing development~~ an existing urban sewer service area, surrounded by development or development and natural man-made features where development cannot occur. "In-fill" does not include any undeveloped area that was part of a larger new development for which a notice of intent to apply for a storm water permit in accordance with Wis. Adm. Code Ch. NR 216 Subch. III was required to be submitted after October 1, 2004.

(22) (28) **INFILTRATION** means the entry of precipitation or runoff into or through the soil.

(23) (29) **INFILTRATION SYSTEM** means a device or practice such as a basin, trench, rain garden or swale designed specifically to encourage infiltration, but does not include natural infiltration in pervious surfaces such as lawns, redirecting of rooftop downspouts onto lawns or minimal infiltration from practices, such as swales or road side channels designed for conveyance and pollutant removal only.

(24) (30) **KARST FEATURE** means an area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets.

(25) (31) **LAND DISTURBING CONSTRUCTION ACTIVITY** means any manmade alteration of the land surface resulting in a change in the topography or existing vegetative or nonvegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the State. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.

(26) (32) **MAINTENANCE DECLARATION** means a legal document that provides for long-term maintenance of stormwater management practices.

(27) (33) **MEP or MAXIMUM EXTENT PRACTICABLE** means the highest level of performance that is achievable but is not equivalent to a performance standard identified in this Chapter. ~~a level of implementing best management practices in order to achieve a~~

~~performance standard specified in this chapter which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.~~

(34) MMSD means Milwaukee Metropolitan Sewerage District.

(28) (35) **NEW DEVELOPMENT** means development resulting from the conversion of previously undeveloped land or agricultural land uses.

(29) (36) **OFF-SITE** means located outside the property boundary described in the permit application.

(30) (37) **ON-SITE** means located within the property boundary described in the permit application.

(31) (38) **ORDINARY HIGH-WATER MARK** has the meaning given in Wis. Adm. Code NR § 115.03(6).

(32) (39) **OUTSTANDING RESOURCE WATERS** means waters listed in Wis. Adm. Code NR § 102.10.

(33) (40) **PERCENT FINES** means the percentage of a given sample of soil, which passes through a #200 sieve.

(34) (41) **PERFORMANCE STANDARD** means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

(42) **PERMEABLE PAVEMENTS** mean paved surfaces that infiltrate, treat, and/or store rainwater where it falls. Permeable pavements may be constructed from pervious concrete, porous asphalt, permeable interlocking pavers, and several other materials.

(35) (43) **PERMIT** means a written authorization made by the Village to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the State.

(36) (44) **PERMIT ADMINISTRATION FEE** means a sum of money paid to the Village by the permit applicant for the purpose of recouping the expenses incurred by the authority in administering the permit.

(37) (45) **PERVIOUS SURFACE** means an surface area that releases as runoff a small portion of the precipitation that falls on it. including, but not limited to, lawns, gardens, parks, forests or other similar vegetated areas ~~are examples of surfaces that typically are pervious.~~

(46) **PLANTER BOX** means an urban rain garden with vertical walls and open or closed bottoms that collect and absorb runoff from sidewalks, pavements, and other impervious surfaces.

(38) (47) **POLLUTANT** has the meaning given in § 283.01(13), Wis. Stats.

(39) (48) **POLLUTION** has the meaning given in § 281.01(10), Wis. Stats.

- (40) (49) **POST-CONSTRUCTION SITE** means a construction site following the completion of land disturbing construction activity and final site stabilization.
- (41) (50) **PRE-DEVELOPMENT CONDITION** means the extent and distribution of land cover types present before the initiation of land disturbing construction activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.
- (42) (51) **PREVENTIVE ACTION LIMIT** has the meaning given in Wis. Adm. Code NR § 140.05(17).
- (52) **PRIVATE STORM SEWERS, DITCHES AND SWALES:** Man-made exterior sewer and surface runoff management systems intended to directly drain runoff from privately-owned buildings, driveways, parking lots, lawns, etc. These systems are typically created by site plans associated with subdivision plats of survey, certified survey maps, or individual lot plats of survey.
- (53) **PUBLIC STORM SEWERS, DITCHES AND SWALES:** Man-made exterior sewer and surface runoff management systems intended to directly drain runoff from Village-owned buildings, streets, parks, lawns, etc. These systems are typically situated on Village-owned buildings and grounds, Village-owned outlots, and Village-owned rights-of-way.
- (54) **RAIN GARDEN** means a shallow, vegetated basin that collects and absorbs runoff from rooftops, pavements and other impervious surfaces.
- (55) **RAINWATER HARVESTING** means collecting and storing rainfall for later use.
- (43) (56) **REDEVELOPMENT** means areas where development is replacing older development.
- (44) (57) **RESPONSIBLE PARTY** means any entity holding fee title to the property or other person contracted or obligated by other agreement to implement and maintain post-construction stormwater BMPs.
- (45) (58) **RUNOFF** means stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (59) **RUNOFF MANAGEMENT SYSTEM** means the complete combination of structural and non-structural means used to reduce the rate or volume from a particular area, including, but not limited to, facilities constructed for conveyance and storage, management practices, and the protection, creation, or restoration of natural areas or systems such as vegetated swales, prairies, and wetlands for storage, conveyance, or infiltration.
- (60) **RUNOFF RELEASE RATE** means the volume of storm water flowing off of development per unit of time and area.
- (61) **SEDIMENT** means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.

- (46) (62) **SEPARATE STORM SEWER** means a conveyance or system of conveyances including roads with drainage systems, streets, catchbasins, curbs, gutters, ditches, constructed channels or stormdrains, which meets all of the following criteria:
- (a) Is designed or used for collecting water or conveying runoff.
 - (b) Is not part of a combined sewer system.
 - (c) Is not draining to a stormwater treatment device or system.
 - (d) Discharges directly or indirectly to waters of the State.
- (47) (63) **SITE** means the entire area included in the legal description of the land on which the land disturbing construction activity occurred.
- (48) (64) **STOP WORK ORDER** means an order issued by the Village which requires that all construction activity on the site be stopped.
- (49) (65) **STORMWATER MANAGEMENT PLAN** means a comprehensive plan designed to reduce the discharge of pollutants from stormwater after the site has undergone final stabilization following completion of the construction activity.
- (50) (66) **STORMWATER MANAGEMENT SYSTEM PLAN** is a comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.
- (51) (67) **TECHNICAL STANDARD** means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- (68) **TIME OF CONCENTRATION** means the time required for the point furthest from the outlet of the watershed to contribute to flow at the outlet of the watershed.
- (69) **TOTAL MAXIMUM DAILY LOAD (TMDL)** means the amount of pollutants specified as a function of one or more water quality parameters, than can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.
- (52) (70) **TOP OF THE CHANNEL** means an edge, or point on the landscape, landward from the ordinary high-water mark of a surface water of the State, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet, landward from the ordinary high-water mark, the top of the channel is the ordinary high-water mark.
- (53) (71) **TR-55** means the United States Department of Agriculture, Natural Resources Conservation Service (previously Soil Conservation Service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986.
- (54) (72) **TYPE II DISTRIBUTION** means a rainfall type curve as established in the "United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973". The Type II curve is applicable to all of Wisconsin and represents the most intense storm pattern.
- (55) (73) **WATERS OF THE STATE** has the meaning given in § 281.01(18), Wis. Stats.

SUBCHAPTER II: TECHNICAL AND PERFORMANCE STANDARDS

27.07 TECHNICAL STANDARDS.

The following resources and the methodologies contained therein are hereby adopted by reference in their entirety, and shall be used in designing the water quality, peak flow control, and infiltration components of stormwater practices needed to meet the water quality standards of this chapter:

- (1) Village of Germantown Stormwater Management Requirements, as promulgated and amended from time to time by the Village of Germantown Engineering Department, and as shall be approved by the Public Works Committee of the Village Board. (Runoff rates and quantities shall be analyzed using methodology as described in Urban Hydrology for Small Watersheds, USDA SCS Technical Release TR-55, using the Type II 24-hour rainfall distribution.)
- (2) Ch. 13, MMSD Rules and Regulations.
- (3) Technical standards (a.k.a., Conservation Practice Standards) identified, developed or disseminated by the Wisconsin Department of Natural Resources under Wis. Adm. Code Subch. V of NR Ch. 151.
- (4) In this chapter, the Village of Germantown design storm shall be based on ~~SEWRPC Technical Report No. 40, Rainfall Frequency in the Southeastern Wisconsin Region (latest edition.)~~ NOAA Atlas 14, *Precipitation-Frequency Atlas of the United States, Volume 8, Version 2.0: Midwestern States (Colorado, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Wisconsin)*

27.08 PERFORMANCE STANDARDS.

- (1) RESPONSIBLE PARTY. The responsible party shall implement a post-construction stormwater management plan that incorporates the requirements of this section.
- (2) PLAN. A written stormwater management plan in accordance with section 27.10 shall be developed and implemented for each post-construction site.
- (3) REQUIREMENTS. The plan required under subsection (2) shall include the following:
 - (a) *Total Suspended Solids*. (Am. Ord. #22-10) BMPs shall be designed, installed and maintained to control total suspended solids compliant with all of the following, with the more restrictive controlling:
 1. ~~Construction site performance standards for new development and redevelopment as presented in §151.11 or 151.23, Wis. Adm. Code.~~
 - 2 1. Post-construction performance standard for new development and redevelopment as presented in ~~§151.12 or 151.24, Wis. Adm. Code §§ NR 151.121 and 151.241.~~

- 3 2. Village Stormwater Management Requirements, as promulgated and amended from time to time by the Village of Germantown Engineering Department, and as shall be approved by the Public Works Committee of the Village Board.
 - 4 3. Site-specific standards, which in the opinion of the Village Engineer, will prevent adverse impact to existing drainage facilities, the environment or to property.
 4. Only green infrastructure BMPs that do not clog are permissible for achieving total suspended solids requirements.
- (b) *Peak Discharge.* (Am. Ord. #22-10) BMPs shall be designed, installed and maintained to control peak discharge compliant with all of the following, with the more restrictive controlling:
1. Runoff management requirements as presented in § 13.11, MMSD Rules and Regulations.
 2. Village Stormwater Management Requirements, as promulgated and amended from time to time by the Village of Germantown Engineering Department, and as shall be approved by the Public Works Committee of the Village Board.
 3. Site-specific runoff management requirements, which in the opinion of the Village Engineer, will prevent adverse impact to existing drainage facilities, the environment or to property.
 4. Green infrastructure BMPs are permissible means for achieving peak discharge requirements.
- (c) *Infiltration.* BMPs shall be designed, installed, and maintained to infiltrate runoff in accordance with the following or to the maximum extent practicable, in accordance with Wis. Adm. Code [NR] §151.12(5)(e) § NR 151.124.
1. Low imperviousness. For development up to 40 percent connected imperviousness, such as parks, cemeteries, and low density residential development, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 90 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than one percent of the post-construction site is required as an effective infiltration area.
 2. Moderate imperviousness. For development with more than 40 percent and up to 80 percent connected imperviousness, such as medium and high density residential, multi-family development, industrial and institutional development, and office parks, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 75 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this

requirement, no more than 2 percent of the post-construction site is required as an effective infiltration area.

3. High imperviousness. For development with more than 80 percent connected imperviousness, such as commercial strip malls, shopping centers, and commercial downtowns, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 60 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2 percent of the post-construction site is required as an effective infiltration area.

4. Green infrastructure BMPs are permissible means for achieving infiltration requirements.

(d) *Protective Areas.*

1. "Protective area" means an area of land that commences at the top of the channel of lakes, streams and rivers, or at the delineated boundary of wetlands, and that is the greatest of the following widths, as measured horizontally from the top of the channel or delineated wetland boundary to the closest impervious surface. However, in this paragraph, "protective area" does not include any area of land adjacent to any stream enclosed within a pipe or culvert, such that runoff cannot enter the enclosure at this location. The more restrictive of paragraphs a.—g. j., or all requirements pursuant to Section 24 including amended Ord. No. 23-07, Village of Germantown Shoreland-Wetland Zoning Code shall apply.

a. For outstanding resource waters and exceptional resource waters, ~~and for wetlands in areas of special natural resource interest as specified in Wis. Adm. Code NR §103.04,~~ 75 feet.

b. For perennial and intermittent streams identified on a United States geological survey 7.5-minute series topographic map, or a county soil survey map, whichever is more current, 50 feet.

c. For lakes, 50 feet.

d. For wetlands not subject to par. "e" or "f", 50 feet.

~~d e.~~ For highly susceptible wetlands, ~~50~~ 75 feet. Highly susceptible wetlands include the following types: calcareous fens, sedge meadows, open and coniferous bogs, low prairies, coniferous swamps, shrub lowland hardwood swamps, ~~other forested wetlands, fresh wet meadows, shallow marshes, deep marshes and seasonally flooded basins and ephemeral ponds.~~ Wetland boundary delineations shall be made in accordance with Wis. Adm. Code NR §103.08(1m). This paragraph does not apply to wetlands that have been completely filled in accordance with all applicable state and federal regulations. The protective area for wetlands that have been partially filled in accordance with all applicable state and federal

~~regulations shall be measured from the wetland boundary delineation after fill has been placed.~~

- e f. For less susceptible wetlands, 10% of the average wetland width, but no less than 10 feet nor more than 30 feet. Less susceptible wetlands include: degraded wetlands dominated by invasive species such as reed canary grass; cultivated hydric soils; and any gravel pits, or dredged material or fill material disposal sites that take on the attributes of a wetland.
 - f g. In paragraphs ~~1.a., d. and e.~~ “d” to “f”, determinations of the extent of the protective area adjacent to wetlands shall be made on the basis of the sensitivity and runoff susceptibility of the wetland in accordance with the standards and criteria in Wis. Adm. Code NR §103.03.
 - h. Wetland boundary delineation shall be made in accordance with Wis. Adm. Code § NR 103.08 (1m). This paragraph does not apply to wetlands that have been completely filled in compliance with all applicable state and federal regulations. The protective area for wetlands that have been partially filled in compliance with all applicable state and federal regulations shall be measured from the wetland boundary delineation after fill has been placed. Where there is a legally authorized wetland fill, the protective area standard need not be met in that location.
 - g i. For concentrated flow channels with drainage areas greater than 130 acres, 10 feet.
 - j. Notwithstanding pars. “a” to “i”, the greatest protective area width shall apply where rivers, streams, lakes and wetlands are contiguous.
- 2. Best management practices such as green infrastructure, filter strips, swales, or wet detention basins that are designed to control pollutants from non-point sources may be located in the protective area.
 - 3. Other regulations, such as Ch. 30, Wis. Stats., and Wis. Adm. Code NR Chs. 103, 115, 116 and 117, and their associated review and approval process may apply in the protective area.
 - 4. This paragraph does not apply to:
 - a. Structures constructed in accordance with § 59.692(1v), Wis. Stats.
- (e) *Fueling and Vehicle Maintenance Areas.* Fueling and vehicle maintenance areas shall, to the maximum extent practicable, have BMPs designed, installed and maintained to reduce petroleum within runoff, such that the runoff that enters waters of the State contains no visible petroleum sheen.
- 1. A combination of the following BMPs may be used: oil and grease separators, canopies, petroleum spill cleanup materials, or any other

structural or nonstructural method of preventing or treating petroleum in runoff.

(f) *Swale Treatment for Transportation Facilities.*

1. *Applicability.* Except as provided in subparagraph 2., transportation facilities that use swales for runoff conveyance and pollutant removal meet all of the requirements of this section, if the swales are designed to the maximum extent practicable to do all of the following:
 - a. Be vegetated. However, where appropriate, nonvegetative measures may be employed to prevent erosion or provide for runoff treatment, such as rock riprap stabilization or check dams. It is preferred that tall and dense vegetation be maintained within the swale due to its greater effectiveness at enhancing runoff pollutant removal.
 - b. Carry runoff through a swale for 200 feet or more in length that is designed with a flow velocity no greater than 1.5 feet per second for the peak flow generated using either a 2-year, 24-hour design storm or a 2-year storm with a duration equal to the time of concentration as appropriate. If a swale of 200 feet in length cannot be designed with a flow velocity of 1.5 feet per second or less, then the flow velocity shall be reduced to the maximum extent practicable. Check dams may be included in the swale design to slow runoff flows and improve pollutant removal. Transportation facilities with continuous features such as curb and gutter, sidewalks or parking lanes do not comply with the design requirements of this paragraph. However, a limited amount of structural measures such as curb and gutter may be allowed as necessary to account for other concerns such as human safety or resource protection.
2. *Exemptions.* The Village may, consistent with water quality standards, require other provisions of this section be met on a transportation facility with an average daily travel of vehicles greater than 2,500 and where the initial surface water of the State that the runoff directly enters is any of the following:
 - a. An outstanding resource water.
 - b. An exceptional resource water.
 - c. Waters listed in § 303(d) of the Federal Clean Water Act that are identified as impaired in whole or in part, due to nonpoint source impacts.
 - d. Waters where targeted performance standards are developed under Wis. Adm. Code NR §151.004, to meet water quality standards.

(g) Snow Storage Areas. Site plans shall designate snow storage areas. Snow storage shall be prohibited upon green infrastructure BMPs and prohibited upon all areas used for runoff infiltration.

(4) **GENERAL CONSIDERATIONS FOR ON-SITE AND OFF-SITE STORMWATER MANAGEMENT MEASURES.** The following considerations shall be observed in managing runoff:

(a) Natural topography and land cover features such as natural swales, natural depressions, native soil infiltrating capacity, and natural groundwater recharge areas shall be preserved and used, to the extent possible, to meet the requirements of this section.

(b) Emergency overland flow for all stormwater facilities shall be provided to prevent exceeding the safe capacity of downstream drainage facilities and prevent endangerment of downstream property or public safety.

(c) **PRIVATE DRAINAGE EASEMENTS:** Private easements shall overlay all private storm sewers, ditches, and swales. All private drainage easements shall be labeled as “Private Drainage Easements” on plats of survey, site plans, and as-built drawings.

(d) **PUBLIC DRAINAGE EASEMENTS:** Public easements shall overlay all public storm sewers, ditches, and swales not situated in Village-owned right-of-way. All public drainage easements shall be labeled as “Public Drainage Easements” on plats of survey, site plans, and as-built drawings.

(5) **LOCATION AND REGIONAL TREATMENT OPTION.**

(a) The BMPs may be located on-site, or off-site only as part of a regional stormwater device, practice or system, intended to serve a common entity.

(b) All commonly owned BMPs, (residential development, business or commercial districts, or other similar development where separate owners share a BMP), shall be located in an outlot. No BMP facilities and/or runoff from multiple properties may be directed or placed on any noncollectively owned private property or properties, except in cases in which easements and maintenance agreements are authorized by the Village Engineer and recorded at the Washington County Register of Deeds.

(c) Post-construction runoff within a water of the State that flows into a BMP, such as a wet detention pond, is not required to meet the performance standards of this chapter. Post-construction BMPs may be located in nonnavigable surface waters, provided all requirements of this chapter and Municipal Ord. No. 24 are met.

(d) Except as allowed under paragraph (c), post-construction runoff from new development shall meet the post-construction performance standards prior to entering a water of the State.

- (e) Post-construction runoff from any development within a water of the State that flows into a BMP is not required to meet the performance standards of this chapter if:
 - 1. The BMP was constructed prior to the effective date of this chapter and the BMP either received a permit issued under Ch. 30, Wis. Stats., or the BMP did not require a Ch. 30, Wis. Stats., permit; and
 - 2. The BMP is designed to provide runoff treatment from future upland development.
- (f) Runoff from existing development, redevelopment and in-fill areas shall meet the post-construction performance standards in accordance with this paragraph.
 - 1. To the maximum extent practicable, BMPs shall be located to treat runoff prior to discharge.
 - 2. Post-construction BMPs for such runoff may be located in a water of the State if allowable under all other applicable federal, state and local regulations such as Wis. Adm. Code NR Ch. 103, and Ch. 30, Wis. Stats. This allows the location of BMPs in waters of the State where necessary to augment management practices upstream of the navigable surface water to meet the performance standards.
- (g) The discharge of runoff from a BMP, such as a wet detention pond or green infrastructure, or after a series of such BMPs is subject to this chapter. This section does not supersede any other applicable Federal, State or local regulation such as Wis. Adm. Code NR Ch. 103 and Ch. 30, Wis. Stats.
- (h) The Village may approve off-site management measures provided that all of the following conditions are met:
 - 1. The Village determines that the post-construction runoff is covered by a stormwater management plan that is approved by the Village and the MMSD, and that contains management requirements consistent with the purpose and intent of this chapter.
 - 2. The off-site facility meets all of the following conditions:
 - a. The facility is in place.
 - b. The facility is designed and adequately sized to provide a level of stormwater control equal to or greater than that which would be afforded by on-site practices meeting the performance standards of this chapter.
 - c. The facility has a legally obligated entity responsible for its long-term operation and maintenance, and a corresponding Maintenance Declaration.

27.09 PERMITTING REQUIREMENTS, PROCEDURES AND FEES.

- (1) **PERMIT REQUIRED.** No responsible party may undertake a land-disturbing construction activity without receiving a post-construction runoff permit from the Village prior to commencing the proposed activity.
- (2) **PERMIT APPLICATION AND FEES.** Unless specifically excluded by this chapter, any responsible party desiring a permit shall submit to the Village a permit application made on a form provided by the Village for that purpose.
 - (a) Unless otherwise excepted by this chapter, a permit application must be accompanied by a stormwater management plan sealed and signed by a Wisconsin Professional Engineer, a Maintenance Declaration and a nonrefundable permit administration fee.
 - (b) The stormwater management plan shall be prepared to meet the requirements of sections 27.07, 27.08, and 27.10. The maintenance agreement shall be prepared to meet the requirements of section 27.11. The financial guarantee shall meet the requirements of section 27.12, and fees shall be those established by the Governing Body as set forth in section 27.13
- (3) **REVIEW AND APPROVAL ACCEPTANCE OF PERMIT APPLICATION.** The Village Engineer or designee shall review any permit application that is submitted with a stormwater management plan, Maintenance Declaration, and the required fee. The following ~~approval~~ acceptance procedure shall be used:
 - (a) Within ~~60~~ ten (10) business days of the receipt of a complete permit application, including all items as required by subsection (2), the Village Engineer or designee shall inform the applicant whether the application, plan and Maintenance Declaration are ~~approved or disapproved~~ acceptable or unacceptable based on the requirements of this chapter.
 - (b) If the stormwater permit application, plan and maintenance agreement are ~~approved~~ accepted, and a letter of ~~approval~~ acceptance is received from the MMSD, if applicable, the Village Engineer shall issue the permit.
 - (c) If the stormwater permit application, plan or maintenance agreement is ~~disapproved~~ are unacceptable, the Village Engineer or designee shall detail in writing the reasons ~~for disapproval~~ they are unacceptable.
 - (d) Additional information from the applicant may be requested. If additional information is submitted, the Village Engineer or designee shall have ~~30~~ ten (10) business days from the date the additional information is received to inform the applicant that the plan and maintenance agreement are either ~~approved or disapproved~~ acceptable or unacceptable.
 - (e) ~~Approvals~~ Acceptance by the Village Engineer shall not be deemed to represent a guarantee or inference of an ~~approval~~ acceptance by other applicable authorities or Village Departments.
- (4) **PERMIT REQUIREMENTS.** All permits issued under this chapter shall be subject to the following conditions, and holders of permits issued under this chapter shall be

deemed to have accepted these conditions. The Village Engineer or designee may suspend or revoke a permit for violation of a permit condition, following written notification of the responsible party. An action by the Village to suspend or revoke this permit may be appealed in accordance with section 27.15

- (a) Compliance with this permit does not relieve the responsible party of the responsibility to comply with other applicable Federal, State, and local laws and regulations.
- (b) The responsible party shall design and install all structural and nonstructural stormwater management measures in accordance with the approved stormwater management plan and this permit.
- (c) The responsible party shall notify the Village Engineer or designee at least two business days before commencing any work in conjunction with the stormwater management plan, and within five business days upon completion of the stormwater management practices. If required as a special condition under subsection (5), the responsible party shall make additional notification according to a schedule set forth by the Village Engineer so that practice installations can be inspected during construction.
- (d) Practice installations required as part of this chapter shall be certified by a licensed Wisconsin professional engineer or registered land surveyor retained by the responsible party. Completed stormwater management practices must pass a final inspection by the Village Engineer or designee to determine if they are in accordance with the approved stormwater management plan and ordinance. The Village Engineer or designee shall notify the responsible party in writing of any changes required in such practices to bring them into compliance with the conditions of this permit.
- (e) The responsible party shall notify the Village Engineer or designee of any significant modifications it intends to make to an approved stormwater management plan. Modifications may require submittal for approval prior to incorporation into the stormwater management plan and execution by the responsible party.
- (f) Responsible party shall maintain all stormwater management practices in accordance with the stormwater management plan until the practices become the responsibility of the owners as specified in the approved maintenance declaration.
- (g) The responsible party authorizes the Administering Authority to perform any work or operations necessary to bring stormwater management measures into conformance with the approved stormwater management plan, and consents to a special assessment or charge against the property as authorized under Subch. VII of Ch. 66, Wis. Stats., or to charging such costs against the financial guarantee posted under section 27.12
- (h) If so directed by the Administering Authority, the responsible party shall repair at the responsible party's own expense all damage to adjoining municipal facilities

and drainageways caused by runoff, where such damage is caused by activities that are not in compliance with the approved stormwater management plan.

- (i) The responsible party shall permit property access to the Administering Authority, or its designee, for the purpose of inspecting the property for compliance with the approved stormwater management plan and this permit.
 - (j) Where site development or redevelopment involves changes in direction, increases in peak rate and/or total volume of runoff from a site, the Village may require the responsible party to make appropriate legal arrangements with affected property owners concerning the prevention of endangerment to property or public safety.
 - (k) The responsible party is subject to the enforcement actions and penalties detailed in section 27.15, if the responsible party fails to comply with the terms of this permit.
- (5) **PERMIT CONDITIONS.** Permits issued under this subsection may include conditions established by the Administering Authority in addition to the requirements needed to meet the performance standards in section 27.08, and a financial guarantee as provided for in section 27.12
- (6) **PERMIT DURATION.** Permits issued under this section shall be valid from the date of issuance through the date the Village Engineer or designee notifies the responsible party that all stormwater management practices have passed the final inspection required under subsection (4)(d), and an ~~approved~~ acceptable Maintenance Declaration is recorded with the Register of Deeds as required under section 27.11

27.10 STORMWATER MANAGEMENT PLAN.

- (1) **PLAN REQUIREMENTS.** The stormwater management plan required under section 27.08 shall be sealed and signed by a Wisconsin professional engineer and shall comply with the following requirements, with the more restrictive controlling:
- (a) Site development stormwater management plan requirements as presented in §13.12, MMSD Rules and Regulations.
 - ~~(b) Plan requirements as presented in §151.11 or 151.23, Wis. Adm. Code.~~
 - (e) ~~(b)~~ Plan requirements as presented in ~~§151.12 or 151.24, Wis. Adm. Code, [NR]~~ Wis. Admin. Code §§ NR 151.121(4) and §151.241(3).
 - ~~(d)~~ ~~(c)~~ Village Stormwater Management Requirements, as promulgated and amended from time to time by the Village of Germantown Engineering Department, and as shall be approved by the Public Works & Highway Committee of the Village Board.
 - (e) ~~(d)~~ Site-specific plan requirements, which in the opinion of the Village Engineer, may best communicate the prevention of adverse impact to existing drainage facilities, the environment or to property.

- (2) **GREEN INFRASTRUCTURE.** The stormwater management plan shall include an analysis of at least two green infrastructure BMPs appropriate for the site as compared to use of traditional BMPs only. For example, for green infrastructure BMP “G1” and traditional BMP “T1”, the analysis shall be of the following form equilibrated by performance: [$G1 + (T1 - G1)$] as compared to “T1”. Analysis criteria shall include spatial requirements, runoff peak flow reduction, runoff volume reduction, initial construction cost, life cycle, annual operation and maintenance cost, and seasonal weather constraints. The analysis shall include a Wisconsin professional engineer’s recommendation whether or not to include green infrastructure BMPs in the site’s runoff management system.

27.11 MAINTENANCE DECLARATION.

- (1) **MAINTENANCE DECLARATION REQUIRED.** The maintenance declaration required is not an agreement between the Governing Body and the responsible party. The maintenance declaration shall be filed with the County Register of Deeds as a property deed restriction so that it is binding upon all subsequent owners of the land served by the stormwater runoff management system practices.
- (2) **DECLARATION PROVISIONS.** The maintenance declaration shall contain the following information and provisions and be consistent with the maintenance plan required by section 27.10
- (a) Identification of the stormwater runoff management system facilities and designation of the drainage area served by the facilities.
 - (b) A schedule for regular maintenance of each aspect of the stormwater runoff management system facility.
 - (c) Identification of the party(ies) or parties responsible for long-term maintenance of the stormwater runoff management practices BMPs.
 - (d) Declare that the responsible party(ies) or parties shall maintain stormwater runoff management practices BMPs in accordance with the schedule included in paragraph (b).
 - (e) Authorization for the Administering Authority to access the property to conduct inspections of stormwater management practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement.
 - (f) A stipulation that the Administering Authority may maintain public records of the results of any site inspections, to inform the responsible party responsible for maintenance of the inspection results, and to specifically indicate any corrective actions required to bring the stormwater management practice into proper working condition.
 - (g) Declare that the party designated under paragraph (c), as responsible for long term maintenance of the stormwater management practices, may be notified by the Administering Authority of maintenance problems which require correction. The

specified corrective actions shall be undertaken within a reasonable time frame as set by the Administering Authority, Village Engineer, or other designee.

- (h) Authorization of the Administering Authority to perform the corrected actions identified in the inspection report if the responsible party designated under paragraph (c) does not make the required corrections in the specified time period. The Village of Germantown shall enter the amount due on the tax rolls and collect the money as a special charge against the property pursuant to Subch. VII of Ch. 66, Wis. Stats.

27.12 FINANCIAL GUARANTEE.

- (1) **ESTABLISHMENT OF THE GUARANTEE.** The Administering Authority shall require the submittal of a financial guarantee, the form and type of which shall be acceptable to the Administering Authority. The financial guarantee shall be in an amount estimated by the responsible party and submitted to the Village Engineer and Village Attorney for review and approval. The amount of the guarantee shall be 100% of the estimated cost of construction of the stormwater management facility and post-construction submittals. The financial guarantee shall give the Administering Authority the authorization to use the funds to complete the stormwater management facility and post-construction documentation, if the responsible party defaults or does not properly implement the approved stormwater management plan. Upon written notice to the responsible party by the Village Engineer or designee that the requirements of this chapter have not been met, the responsible party shall have 10 calendar days to implement the requirements of the written notice before the Administering Authority shall pursue the release of the guarantee to conduct the work.
- (2) **CONDITIONS FOR RELEASE.** Conditions for the release of the financial guarantee are as follows:
 - (a) The Administering Authority shall release the financial guarantee established under this section, less any costs incurred to complete installation of practices and other appropriate fees, upon submission of "record drawing" plans and facility certification submitted and wet sealed by a licensed professional engineer, "final" Maintenance Declaration using actual construction data, all submitted for review and approval by the Village Engineer or designee, and Declaration forwarded by the Village to the Register of Deeds for recording, and a field inspection as may be applicable.
 - (b) As determined by Developer Agreement, if applicable.

27.13 FEE SCHEDULE.

The fees referred to in other sections of this chapter shall be established by the Governing Body and may from time to time be modified by resolution. A schedule of the fees established by the Administering Authority shall be available for review at Village Hall DPW/Engineering office.

27.14 ENFORCEMENT.

- (1) Any land disturbing construction activity or post-construction runoff initiated after the effective date of this chapter by any person, firm, association, or corporation subject to the chapter provisions shall be deemed a violation unless conducted in accordance with the requirements of this chapter.
- (2) The Administering Authority shall notify the responsible party by certified mail of any noncomplying land disturbing construction activity or post-construction runoff. The notice shall describe the nature of the violation, remedial actions needed, a schedule for remedial action, and additional enforcement action which may be taken.
- (3) Upon receipt of written notification from the Administering Authority under subsection (2), the responsible party shall correct work that does not comply with the stormwater management plan or other provisions of this permit. The responsible party shall make corrections as necessary to meet the specifications and schedule set forth by the Village in the notice.
- (4) If the violations to a permit issued pursuant to this chapter are likely to result in damage to properties, public facilities, or waters of the State, the Administering Authority may enter the land and take emergency actions necessary to prevent such damage. The costs incurred by the Administering Authority plus interest and legal costs shall be billed to the responsible party.
- (5) The Administering Authority is authorized to post a stop work order on all land disturbing construction activity that is in violation of this chapter, or to request the Village Attorney to obtain a cease and desist order in any court with jurisdiction.
- (6) The Administering Authority may revoke a permit issued under this chapter for noncompliance with ordinance provisions.
- (7) Any permit revocation, stop work order, or cease and desist order shall remain in effect unless retracted by the Administering Authority or by a court with jurisdiction.
- (8) The Administering Authority is authorized to refer any violation of this chapter, or of a stop work order or cease and desist order issued pursuant to this chapter, to the Village Attorney for the commencement of further legal proceedings in any court with jurisdiction.
- (9) Any person, firm, association, or corporation who does not comply with the provisions of this chapter shall be subject to a forfeiture of not less than \$100.00 or more than \$500.00 per offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense.
- (10) Compliance with the provisions of this chapter may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings. Injunctive orders are authorized pursuant to § 61.35, Wis. Stats., for villages.
- (11) When the Administering Authority determines that the holder of a permit issued pursuant to this chapter has failed to follow practices set forth in the stormwater management plan, or has failed to comply with schedules set forth in said stormwater management plan, the

Administering Authority or designee may enter upon the land and perform the work or other operations necessary to bring the condition of said lands into conformance with requirements of the approved plan. The Village shall keep a detailed accounting of the costs and expenses of performing this work. These costs and expenses shall be deducted from any financial security posted pursuant to section 27.12 of this chapter. Where such a security has not been established, or where such a security is insufficient to cover these costs, the costs and expenses shall be entered on the tax roll as a special charge against the property and collected with any other taxes levied thereon for the year in which the work is completed.

SUBCHAPTER III: PENALTIES

27.15 PENALTIES.

In addition to the penalties provided in this chapter, any person who shall violate any provision in this chapter, or any rule, regulation or order made hereunder shall be subject to a penalty as provided in section 25.04 of this Code.

This chapter shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the Board of Trustees of the Village of Germantown on the 15th day of September, 2008.

AN ORDINANCE AMENDING CHAPTER 29 OF THE MUNICIPAL
CODE OF GERMANTOWN TO MAKE CERTAIN TECHNICAL CHANGES
RELATED TO COMPREHESIVE EROSION AND SEDIMENT CONTROL PLANS

WHEREAS, the Village Board previously adopted Chapter 29 of the Municipal Code of Germantown, which established certain regulations pertaining to Construction Site Erosion Control; and

WHEREAS, changes to the relevant sections of the Wisconsin Administrative Code caused the Village Engineer to recommend certain changes to Chapter 29 to bring the Village Code into compliance with the State regulations; and

WHEREAS, it is in the interests of the public's health, safety and welfare that the Village Board regulate Construction Site Erosion Control;

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

SECTION I:

Section 29.05 of the Municipal Code of Germantown is hereby amended to read as follows (NOTE: Additions are Underlined; Deleted Text is ~~Struckthrough~~):

29.05 DEFINITIONS.

- (1) **ADMINISTERING AUTHORITY** means a governmental employee, or a regional planning commission empowered under Wis. Stats. § 61.354, that is designated by the Village Board to administer this chapter.
- (2) **AGRICULTURAL FACILITIES AND PRACTICES** has the meaning in Wis. Stats. § 281.16(1).
- (3) **AVERAGE ANNUAL RAINFALL** means a calendar year of precipitation, excluding snow, which is considered typical.
- (4) **BEST MANAGEMENT PRACTICE** or **BMP** means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the State.
- (5) **BUSINESS DAY** means a day the office of the Building Inspector is routinely and customarily open for business.

- (6) **CEASE AND DESIST ORDER** means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.
- (7) **CONSTRUCTION SITE** means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan.
- (8) **DIVISION OF LAND** means the creation from one parcel of 4 or more parcels or building sites of 5 or fewer acres each in area where such creation occurs at one time or through the successive partition within a 5-year period.
- (9) **EROSION** means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- (10) **EROSION AND SEDIMENT CONTROL PLAN** means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.
- (11) **EXTRATERRITORIAL** means the unincorporated area within 1.5 miles of the Village.
- (12) **FINAL STABILIZATION** means that all land disturbing construction activities at the construction site have been completed and that a uniform perennial vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.
- (13) **GOVERNING BODY** means the Village Board of Trustees.
- (14) **IMPERVIOUS SURFACE** means a surface area that releases as runoff all or a large portion of the precipitation that falls on it including, but not limited to, rooftops, sidewalks, driveways, gravel or paved parking lots, and streets, but excluding frozen soil.
- (14) (15) **LAND DISTURBING CONSTRUCTION ACTIVITY** means any manmade alteration of the land surface resulting in a change in the topography or existing vegetative or nonvegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the State. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.
- (15) (16) **MEP or MAXIMUM EXTENT PRACTICABLE** means the highest level of performance that is achievable but is not equivalent to a performance standard identified in this Chapter. a level of implementing

~~best management practices in order to achieve a performance standard specified in this chapter which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.~~

- (16) (17) **PERFORMANCE STANDARD** means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- (17) (18) **PERMIT** means a written authorization made by the Building Inspector to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the State.
- (18) (19) **POLLUTANT** has the meaning given in Wis. Stats. § 283.01(13).
- (19) (20) **POLLUTION** has the meaning given in Wis. Stats. § 281.01(10).
- (20) (21) **RESPONSIBLE PARTY** means any entity holding fee title to the property or performing services to meet the performance standards of this chapter through a contract or other agreement.
- (21) (22) **RUNOFF** means stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet, shallow or channelized flow.
- (22) (23) **SEDIMENT** means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- (23) (24) **SEPARATE STORM SEWER** means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:
- (a) Is designed or used for collecting water or conveying runoff.
 - (b) Is not part of a combined sewer system.
 - (c) Is not draining to a stormwater treatment device or system.
 - (d) Discharges directly or indirectly to waters of the State.
- (24) (25) **SITE** means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.
- (25) (26) **STOP WORK ORDER** means an order issued by the Building Inspector, which requires that all construction activity on the site be stopped.

~~(26)~~ (27) **TECHNICAL STANDARD** means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.

~~(27)~~ (28) **WATERS OF THE STATE** has the meaning given in Wis. Stats. § 281.01(18).

SECTION II:

Section 29.09(2) of the Municipal Code of Germantown is hereby amended to read as follows (NOTE: Additions are Underlined; Deleted Text is ~~Struckthrough~~):

(2) COMPREHENSIVE EROSION AND SEDIMENT CONTROL PLAN:

(a) For all land disturbing construction activities which cumulatively equal or exceed 1/2; acre in area and are not individual residential dwellings having 4 or less units, the responsible party shall prepare and submit to the Building Inspector a comprehensive erosion and sediment control plan consisting of all of the following elements:

1. Responsible party's contact information.
2. Project narrative.
3. Scaleable AutoCAD drawing of site.
4. Existing contours, elevations, structures and features.
5. Proposed contours, elevations, structures and features.
6. Erosion, sediment and dust control best management practices in plan view with details, to prevent or reduce all of the following:
 - i. The deposition of soil from being tracked onto streets by vehicles.
 - ii. The discharge of sediment from disturbed areas into on-site storm water inlets.
 - iii. The discharge of sediment from disturbed areas into adjacent waters of the state.
 - iv. The discharge of sediment from drainage ways that flow off the site.
 - v. The discharge of sediment by dewatering activities.
 - vi. The discharge of sediment eroding from soil stockpiles existing for more than 7 days.
 - vii. The discharge of sediment from erosive flows at outlets and in downstream channels.
 - viii. The transport by runoff into waters of the state of chemicals, cement, and other building compounds

- and materials on the construction site during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this subdivision.
- ix. The transport by runoff into waters of the state of untreated wash water from vehicle and wheel washing.
7. Area of land disturbance.
8. Construction sequence and schedule.
9. Soil loss and percent total suspended solids reduction computations demonstrating less than 5 tons per acre per year soil loss.
10. Preventative measures incorporating all of the following:
- i. Maintenance of existing vegetation, especially adjacent to surface waters whenever possible.
- ii. Minimization of soil compaction and preservation of topsoil.
- iii. Minimization of land disturbing construction activity on slopes of 20% or more.
- iv. Development of spill prevention and response procedures.
1140. Wisconsin Professional Engineer seal, signature, date and contact information.

SECTION III:

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 IV:

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

SECTION V:

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

ORDINANCE NO. _____-14

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Introduced by _____ on _____, 2014.

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

Dean Wolter, Village President

ATTEST:

Approved as to form:

Barbara Goeckner, Village Clerk

Brian C. Sajdak, Village Attorney

Published: _____

PLAN COMMISSION MINUTES

February 24, 2014

CALL TO ORDER: Planning Assistant Lori Johnson called the meeting to order at 6:31 p.m.

ROLL CALL: Trustee Representative Baum, Commissioners Warren, Stauffacher, Gray and Yokes were present. Chairman Wolter and Commissioner Peck were absent and excused. Also present were Village Planner Jeff Retzlaff, Village Engineer Brionne Bischke and Planning Assistant Lori Johnson.

MOTION Stauffacher second Warren to appoint Trustee Baum as Chairman Pro Tem.

MOTION carried unanimously.

PUBLIC INPUT: None

PREVIOUS MINUTES: ***MOTION Warren second Stauffacher to Approve the Minutes from February 10, 2014.***

Commissioner Warren wanted to clarify the minutes for the St. John United Church of Christ historic designation item relating to funding. "Discussion followed regarding if the State funding would become involved in the road project. Engineer Bischke said the Village will not use State funding therefore the State historical preservation process will probably not be involved in the process." Engineer Bischke agreed with the clarification.

MOTION carried unanimously.

Planner Retzlaff requested Item C under New Business be tabled.

MOTION Stauffacher second Yokes to Postpone item C under New Business.

MOTION carried unanimously.

Village of Germantown – Municipal Code Chapter 27 (Post Construction Stormwater Management) & Chapter 29 (Construction Site Erosion Control) Code Amendments.

Engineer Bischke explained the Public Works and Highway Committee had met and approved the updates to the Code. The updates include revisions to Chapter 8 and provisions to allow developers to use green infrastructure. The code amendments need to advance to Village Board for a public hearing.

MOTION Stauffacher second Warren to Approve the proposed ordinance revisions.

MOTION carried unanimously.

Engineer Bischke left the meeting 6:40 p.m.

David Pauers for Adversity Wisconsin Volleyball Club – N113 W18750 Carnegie Drive.

Request for a Conditional Use Permit for the operation of a volleyball training facility from the existing industrial building in the Industrial Park. Planner Retzlaff summarized the proposal. David Pauers said he got his start at this site 15 years ago when it was the Lynch Courthouse. He said he was a teacher for 13 years and has been a coach for over 16 years. He said there would be 4 coaches on site with the total number of kids not exceeding 40.

- Red and green colors are distracting
- Don't like canvas awnings-useless
- Needs additional landscaping
- Natural tone better
- Soften sidewalk area

The revised site and sign application will be reviewed at the Plan Commission meeting scheduled for Monday, February 24, 2014 with a submittal deadline of February 21st.

Village of Germantown – Municipal Code Chapter 27 (Post Construction Stormwater Management) & Chapter 29 (Construction Site Erosion Control) Code Amendments.

Planner Retzlaff said the Planning Commission needs to make a recommendation to the Village Board on the documents proposed. Engineer Bischke explained the Public Works and Highway Committee had met and approved the updates to the Code. The updates include provisions to allow developers to use green infrastructure and establish a policy that defines public money cannot be used for private drainage issues.

Discussion followed. Commissioner Stauffacher asked for more time to review the changes.

MOTION Stauffacher second Baum to Postpone to the next scheduled meeting.

MOTION carried unanimously.

ANNOUNCEMENTS: Chairman Wolter announced the Old Towne Inn is having their grand opening on Tuesday, February 18th.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

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

MEETING DATE: March 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: Village-wide Market Revaluation

SUBMITTED BY: Dave Schornack, Village Administrator

SUMMARY EXPLANATION:

President Wolter, Village Attorney Sajdak, Village Clerk Goeckner and myself had a meeting with Jim Danielson of Accurate Appraisal on February 20th. After the meeting with Jim Danielson we concluded that it may be in all of our best interests to have the Village-wide market revaluation performed in 2014 rather than in 2015 as previously planned. The impact on the 2014 and 2015 budget will be the same as the cost of the revaluation was equally divided among all three years of the agreement with Accurate. Jim Danielson will be attending the meeting in order to review why this might be something that the Village would want to do. It was necessary to bring this directly to Village Board because if this is something that the Trustees would like to have done this year there was not enough time to take this to the General Government and Finance Committee for a recommendation.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

As desired