

AGENDA - FINAL
WAUKESHA COUNTY PARK AND PLANNING COMMISSION – Regular Meeting
Thursday, September 18, 2025 1:00 P.M. Room AC 255/259
Administration Center, 515 W. Moreland Blvd., Waukesha, WI 53188

CALL TO ORDER
CORRESPONDENCE
MEETING APPROVAL
MINUTES
PUBLIC COMMENT

Approval of the August 21, 2025, Minutes

SCHEDULED MATTER

- **1:00 p.m. Public Hearing for a 2025 Amendment to the Comprehensive Development Plan for Waukesha County**
 - 2A Messinger/Roman – Town of Genesee
- **Consideration of a Year 2025 Request for Amendment to the Comprehensive Development Plan for Waukesha County**
 - 2A Messinger/Roman – Town of Genesee

REZONES

- **RZ164 (Ross and Jana Roman) Town of Genesee, Section 28**

Part of the SE ¼ of Section 28, T6N, R18E, Town of Genesee. More specifically, the property is located at S53 W31165 Old Village Road.
Request: Rezone from the A-5 Mini Farm District to the B-3 General Business District.
- **RZ166 (William and Mary Karen Irwin Jon Spheeris) Town of Delafield, Section 30**

Lot 2, Certified Survey Map No. 8537, part of the SE ¼ of Section 30, T7N, R18E, Town of Delafield. More specifically, the property is located at W330 N247 Kettle Moraine Drive.
Request: Rezone from the A-1 Agricultural District to the A-2 Rural Home District.

CONDITIONAL USE

- **CU133 (Andrew and Michelle Miner) Town of Merton, Section 20**

Lot 1, Certified Survey Map No. 12636, part of Lots 9, 10 and 11 Moose Hills, a subdivision of a part of Government Lots 5 and 6 and vacated Forest Drive, part of the W ½ of the SW ¼ of Section 20, T8N, R18E, Town of Merton. More specifically, the property is located at W329 N6579 Forest Drive.
Request: Land altering activities associated with the construction of a single-family residence.

ADJOURNMENT

Robert Peregrine

Robert Peregrine, Chairperson

Park and Planning Commission
Thursday, September 18, 2025

(The Staff Reports and Recommendations for the issues listed above are available upon request. For questions regarding this agenda, please call (262) 896-8300).

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be conducted by the Waukesha County Park and Planning Commission at 1:00 p.m., on Thursday, September 18, 2025, in Room AC 255/259, of the Waukesha County Administration Center, 515 W. Moreland Boulevard*, Waukesha, WI, 53188, to consider an amendment to the Comprehensive Development Plan for Waukesha County adopted by the Waukesha County Board of Supervisors, on February 24, 2009. The area of amendment pertains to the following specific site and/or plan request:

2. In the Town of Genesee, the following request is being made:

- A. **Ross Roman**, S44 W32531 Rhapsody Lane, Waukesha, WI 53189, requests property owned by Scott and Sandra Messinger, S53 W31165 Old Village Road, Genesee Depot, WI 53127-0275, located in part of the SW ¼ of Section 27 and part of the SE ¼ of Section 28, T6N, R18E, Town of Genesee (part of Tax Key No. GNT 1547.973), be amended from the Rural Density and Other Agricultural Land category to the Commercial and Office Park category, to allow a heating and cooling business.

Following the Public Hearing, the staff will evaluate public input and prepare a formal recommendation for the above-cited issue to be presented to the Waukesha County Park and Planning Commission, Waukesha County Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors for final consideration.

Plan amendment request files are available for viewing and copying in the offices of the Waukesha County Planning and Zoning Division located in Room AC 230 of the Waukesha County Administration Center located at 515 W. Moreland Blvd., Waukesha, WI 53188. The proposed map amendment will be available for viewing at [Meeting Information | Waukesha County](#) under the Park and Planning Commission Meeting Documents heading no later than Monday, September 15, 2025.

For more detailed information on the above request, please contact Jason Fruth at (262) 896-8300 or jfruth@waukeshacounty.gov.

All interested parties will be heard.

A quorum of the Waukesha County Board or its Committees may be present.

***Please note: Due to controlled access screening, you must enter the building via the main entrance of the Courthouse, located at 515 W. Moreland Blvd.**

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd., Room AC 260
Waukesha, WI 53188

Legal Notice to be published in the
Waukesha Freeman on
Tuesday, August 19, 2025

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. Moreland Blvd. Room AC230
Waukesha, Wisconsin 53188
Phone (262) 548-7790 Fax (262) 896-8071

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

**REQUEST TO AMEND THE COMPREHENSIVE DEVELOPMENT PLAN
FOR WAUKESHA COUNTY**

Fee Pd. \$ 2735 Receipt No. 265506 Appl recvd by AT/JF

**THIS REQUEST MUST BE ACCOMPANIED BY A FILING FEE AND AN ELECTRONIC COPY
OF A SCALED MAP, SURVEY, SITE PLAN OR OTHER SIMILAR MEANS OF DEPICTING
THE SUBJECT PROPERTY.**

Name of Municipality Town of Genesee ☒ Town ☐ City ☐ Village

Tax Key No(s). of the subject property:

GNT 1547973

Legal Description of the subject property:

PT SW 1/4 SEC 27 & PT SE 1/4 SEC 28 T6N R18E C1M SE COR SEC 28 288° 27' W 986.60
FT N 02° 06' W 753.05 FT N 44° 43' E 298.07 FT S 50° 37' E 305.43 FT N 44° 43' E 490.85 FT N 50°
11° W 338.33 FT N 44° 36' E 575.28 FT S 50° 11' E 375 FT S 72° 36' E 510.54 FT N 33° 30' W 1006.00 FT N 74° Cont!

Address of subject premises: 553 W 311th Old Village Road Mukwonago 53149

Existing Land Use category as designated on the Comprehensive Development Plan (CDP) map

Rural density and other agricultural land

Amendment requested (e.g., which Land Use category is being proposed?)

Commercial and office park

How much acreage is to be amended to the new Land Use category? 5 acres

Is the amendment within the jurisdiction of a community (locally) adopted Land Use Plan? X Y N

If yes, what community? Town of Genesee

Is the amendment within the jurisdiction of a community adopted Extra-territorial Plan? Y X N

If yes, what community?

Is the amendment within an adopted Sewer Service Area? Y X N

If yes, is sewer available to the subject property? Y X N

Existing Land Use(s) Commercial (vacant bottling plant)

Proposed Land Use(s) Commercial (heating and cooling business)

Reasons/Conditions that justify the requested amendment to the CDP (attached addl pages, if necessary):

The only allowable business is a bottling plant and zoning needs
to be changed in order for our heating and cooling business
to operate there. We also need property to be sellable to a like business in the future.

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the
(Co. Park and Planning Commission) meeting: janasws@ic@gmail.com

Note: Review of this application may include a site inspection.

geneseehrac@gmail.com

The undersigned owner hereby certifies that all of the above statements, information and attachments contained herein are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to inspect the site as necessary and related to this application even if the property has been posted against trespassing pursuant to Wis. Stat.; and serves as your acceptance of the wetland statement included on your Property Owner letter issued with your permit, as applicable.

Owner Scott Messinger

Address 218 Providence Pt.

Anderson, SC 29626

Daytime Phone No. 229-710-2421

Signature of Owner

Date: 8/6/2025

Applicant Ross Roman

Address 544 W 325th Rhapsody Ln

Waukesha WI 53189

Daytime Phone No. 414-241-7432

Signature of Applicant (if different)

Date: 8/6/2025

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. MORELAND BLVD, ROOM AC 230 WAUKESHA, WI 53188
(262) 548-7790 Fax (262) 896-8071
Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

LANDOWNER'S AUTHORIZED AGENT FORM

Subject Property Address S53W31165 Old Village Rd Mukwonago WI 53149

Street/Section/Town (FP Dev in ROW Permits only) _____

Add Location Description (FP Dev in ROW Permits only) _____

Tax Key No(s), if applicable GNT 1547.973

Owner(s) of the Subject Property* Scott messenger

Officer to be Contacted (if Corporate Owner) _____

Owner's Mailing Address 218 Providence Point Anderson SC 29626

Phone (Day) 239-770-2421 Phone (Evening) _____

*The applicant for any permit, variance, special exception, appeal, conditional use, site plan, plan of operation, rezoning, comprehensive development plan amendment, CSM, subdivision plat, license or other application for governmental approval under the Planning and Zoning Division ordinances **shall be the landowner**, specifically a person or entity holding fee title to the subject property, as set forth below.

- A. In the case of a corporation, an officer or by a member of the corporation who has overall responsibility for the operation of the site for which the permit is sought.
- B. In the case of a limited liability company, a member or manager.
- C. In the case of a partnership, a general partner.
- D. In the case of a sole proprietorship, the proprietor.
- E. For a unit of government, by an elected official or other duly authorized representative.
- F. In the case of an individual, by the individual, an attorney, or one allowed to act as power of attorney.

I, Scott messenger (owner's name), authorize the named agent below to represent my interests (see ** below) in the subject property described above for the purpose of these applications and any permits subsequently issued.

Owner's Signature(s) [Signature] Date 8/7/2025

Owner's Signature(s) _____ Date _____

Agent Ross Roman

Agent's Company Name (if applicable) _____

Agent's Mailing Address 544 W 32531 Rhapsody Lane Waukesha WI 53189

Phone (Day) 414-241-7432 Phone (Evening) _____

**I, the authorized agent for the owner, am aware of the requirements of the Planning and Zoning Division ordinances and I understand and agree to follow the procedures, deadlines, fees, inspection requirements, and the proposal associated with these applications and any permits subsequently issued.

Agent's Signature [Signature] Date 8/6/2025

CERTIFIED SURVEY

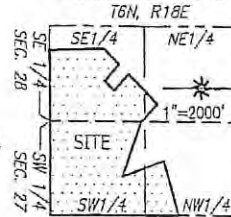
MAP NO. _____

A redivision of Lot 2 and Outlot 1 Certified Survey Map No. 4468 recorded in Volume 35 Pages 307-309 as Doc. No. 1243787, and unplatted lands, all being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28, Township 6 North, Range 18 East and part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 27, Township 6 North, Range 18 East, in the Town of Genesee, Waukesha County, Wisconsin.

Owner: CSBC Inc.
PO Box 275
Genesee Depot, WI 53127

CONC. MON. BRASS CAP
SW COR. OF SE 1/4
SEC. 28, T6N, R18E.
(REC. AS N01°06'E PER C.S.M. 2440)
(REC. AS S01°27'W PER C.S.M. 4899)

VICINITY MAP



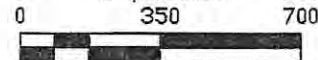
LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Set 1" X 18" Iron pipe, 1.5 LBS./FT.
- ⓓ - Dedicated to the public for roadway purposes

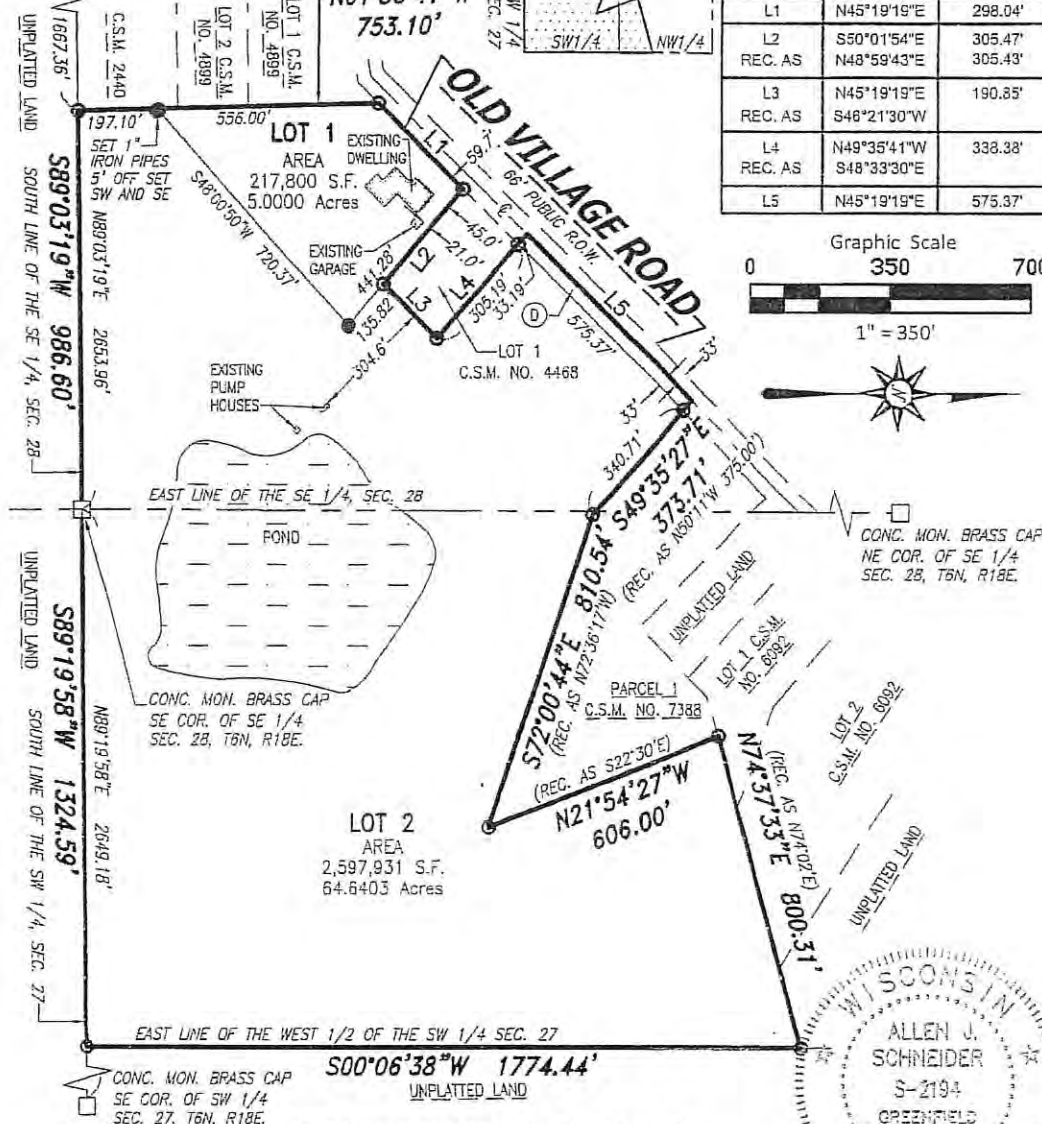
LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L1 | N45°19'19"E | 298.04' |
| L2 | S50°01'54"E | 305.47' |
| REC. AS | N48°59'43"E | 305.43' |
| L3 | N45°19'19"E | 190.85' |
| REC. AS | S48°21'30"W | |
| L4 | N49°35'41"W | 338.38' |
| REC. AS | S48°33'30"E | |
| L5 | N45°19'19"E | 575.37' |

Graphic Scale



1" = 350'



CHAPUT
LAND SURVEYS

124 W. Florida St. Ste. 202
Greenfield, WI 53122

714-224-8192
www.chaputland.com

All bearings are referenced to the Wisconsin Coordinate System, (NAD83/2011) in which the South line of the SE 1/4, Sec. 28, bears N89°03'19"E.

This instrument was drafted by Allen J. Schneider
Professional Land Surveyor S-2194



Date: April 4, 2024
Survey No. 5533.00-lpm
Sheet 1 of 6 Sheets

TO: Town of Genesee Plan Commission
CC: Town Clerk
FROM: Mark Lyons, Planning Consultant
RPT DATE: June 18, 2025
MTG DATE: June 23, 2025
RE: Comprehensive Land Use Plan Amendment

BACKGROUND:

1. Petitioner/Agent: Scott Messinger and Sandra Messinger
2. Property Owner: Scott Messinger and Sandra Messinger
3. Address: S53 W31165 Old Village Road, Mukwonago, WI 53149
4. Location:
Lot 2 CSM 4468 as previously recorded. PT SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N T19E.
5. Tax Key Number(s): 1547.973
6. Area: 5.0 AC
7. Current Land Use Designation: 5-Acre Density
8. Proposed Land Use Designation: Commercial
9. Current Town Zoning: A-5 Mini Farm
10. Proposed Town Zoning: B-3 General Business District
11. Public Hearing Dates: May 27, 2025 and continues to June 23, 2025.

OVERVIEW:

The petitioner is requesting approval of a Comprehensive Land Use Plan Amendment. The applicant is requesting to utilize the former water bottling facility located at S53 W31165 Old Village Road for the operation of Genesee Heating and Air Conditioning. The prior industrial facility existing is a legal non-conforming use and therefore in order for Genesee Heating and Air Conditioning to occupy the building several processes are required. The first step in the processes is amending the Comprehensive Plans Future Land Use designation. The property owner has previously been approved for a CSM to split the subject 5-acre parcel from the larger lot they own.

PLANNER COMMENTS:

TOWN OF GENESEE LAND USE PLAN – 2035: The subject area presently consists of a Land Use designation of 5-Acre Density. Considering the subject area is currently a non-conforming vacant industrial building, the current designation is not consistent with the reasonably expected uses of existing building. Therefore, it is appropriate to consider if the 5-Acre designation is appropriate. The applicants request to alter the Land Use designation to Commercial is consistent with the

long term expected uses of property given its current configuration. Although no other Commercial designation is adjacent to the subject property, it is appropriate to consider the proposed amendment due to the historic nature of the site and the ability to adequately buffered future uses from the adjoining residential area.



Current Land Use Map

STAFF RECOMMENDATION:

Depending on confirmation by the Town of Genesee Plan Commission of the above-described comments, the Plan Commission may take the following action:

The Town of Genesee Plan Commission **Recommends to the Town Board Approval of** the Comprehensive Land Use Plan Amendment for Scott Messinger and Sandra Messinger for the property located at S53 W31165 Old Village Road, Mukwonago, WI.

EXHIBIT:

- A. GIS Location Map
- B. Application/Submittal

TO: Town of Genesee Plan Commission
CC: Town Clerk
FROM: Mark Lyons, Planning Consultant
RPT DATE: June 18, 2025
MTG DATE: June 23, 2025
RE: Site Plan / Plan of Operation.

BACKGROUND:

1. Petitioner/Agent: Genesee Heating & Air Conditioning LLC
2. Property Owner: Scott Messinger and Sandra Messinger
3. Address: S53 W31165 Old Village Road, Mukwonago, WI 53149
4. Location:
Lot 2 CSM 4468 s previously recorded. PT SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N T19E.
5. Tax Key Number(s): 1547.973
6. Area: 5.0 AC
7. Current Land Use Designation: 5-Acre Density
8. Proposed Land Use Designation: Commercial
9. Current Town Zoning: A-5 Mini Farm
10. Proposed Town Zoning: B-3 General Business District
11. Public Hearing Dates: May 27, 2025 and continues to June 23, 2025.

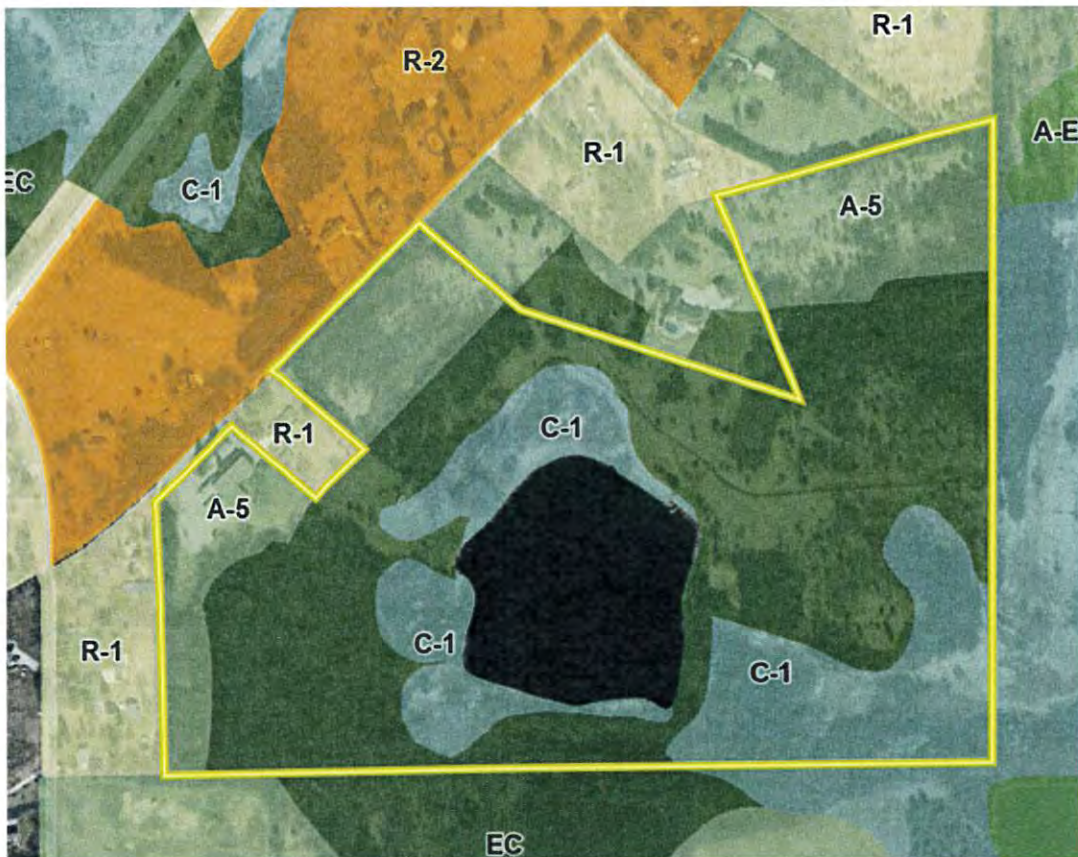
OVERVIEW:

The petitioner is requesting approval of a Site Plan / Plan of Operation. The applicant is requesting to utilize the former water bottling facility located at S53 W31165 Old Village Road for the operation of Genesee Heating and Air Conditioning. The prior industrial facility existing is a legal non-conforming use and therefore in order for Genesee Heating and Air Conditioning to occupy the building several processes are required. The property owner has previously been approved for a CSM to split the subject 5-acre parcel from the larger lot they own. The project

PLANNER COMMENTS:

TOWN OF GENESEE LAND USE PLAN – 2035: The subject parcel is presently pending a Comprehensive Plan Land Use amendment from 5-Acre Density to Commercial.

ZONING: The subject parcel is presently pending a conditional zone map amendment from A-5 Mini Farm to B-3 General Business District with limited uses.



Current Zoning Map

PLAN OF OPERATION: The applicant is proposing to utilize the building with minimal or no changes. Additional information regarding the plan of operation is found below.

Employees: The applicant has indicated 10 full-time and 2 part-time employees will work at this location.

Hours of Operation: Hours of operation are Monday-Friday 7am-5am. The applicant has also indicated some 24-hour emergency service use is expected.

Parking: 20 parking spaces and 2 loading docks are located on the subject site.

Site Plan: At this time the only proposed site modification proposed are to remove the exiting century springs signs. During the public hearing neighbors did ask about site lighting and landscaping / façade improvements. Although, none are proposed it is within the Plan Commissions purview to consider these elements.

STAFF RECOMMENDATION:

Depending on confirmation by the Town of Genesee Plan Commission of the above-described comments, the Plan Commission may take the following action:

The Town of Genesee Plan Commission **Recommends Approval of** the Site Plan / Plan of Operation for Genesee Heating & Air Conditioning LLC for the property located at S53 W31165 Old Village Road, Mukwonago, WI subject to the following conditions:

1. The subject property must be developed in substantial conformity with the plans presented with the zone map amendment petition, and in substantial conformity with the presentation at the public hearings of May 27, 2025, and June 23, 2025.
2. The Site Plan / Plan of operation conditionally approved subject to the Comprehensive Plan Land Use being amended to Commercial and the zoning map amendment being amended to B-3 General Business District.
3. This approval is subject to the Petitioner complying at all times with the plans and documents presented to the Town of Genesee Plan Commission on June 23, 2025. Any change of use shall require the petitioner to apply for a new or amended Plan of Operation to be reviewed and approved by the Town of Genesee Plan Commission.
4. No outside storage shall be allowed as part of this request.
5. The Town reserves the right to review any condition imposed as part of this Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area.
6. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
7. Subject to the applicant allowing the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.
8. Subject to all activities on the subject property herein may not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.
9. Subject to the petitioner being required to appear before the Town Plan Commission to answer complaints upon written notification by the Town Planner.
10. A violation of any condition established above or if the activities on the property become a nuisance to the surrounding neighborhood, the Town Plan Commission has the authority to revoke or terminate their approval of the Site Plan and Plan of Operation.
11. Documentation shall be submitted to the Town Planner that the Fire Chief of the Lake Country Fire and Rescue Fire Department has inspected the building for compliance with all local fire codes, prior to occupancy of this portion of the building.

12. Documentation shall be submitted to the Town Planner that the Town Building Inspector has inspected the building for compliance with all applicable building codes, prior to occupancy of this portion of the building.
13. Documentation shall be submitted to the Town Planner that all required Federal, State, County, or local licenses and permits have been obtained, including a new liquor license approved by the Town Board.
14. Professional fees. Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this Plan of Operation, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
15. Payment of Charges. Any unpaid bills owed to the Town by the subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

EXHIBIT:

- A. GIS Location Map
- B. Application/Submittal

STATE OF WISCONSIN

TOWN OF GENESEE

WAUKESHA COUNTY

ORDINANCE NO. 25-6

AN ORDINANCE TO AMEND THE TOWN OF
GENESEE COMPREHENSIVE LAND USE PLAN – 2035

WHEREAS, in 1999 the Wisconsin Legislature enacted a comprehensive planning law, which is §66.1001, Wis. Stats., also known as the Comprehensive Planning (Smart Growth) Law, which requires that comprehensive plans be completed and adopted by local governing bodies by January 1, 2010, in order for counties, cities, villages and towns to enforce land use regulatory ordinances; and

WHEREAS, the Town of Genesee Comprehensive Land Use Plan – 2035 has been completed and adopted and complies with all of the elements of the comprehensive planning law (§66.1001, Wis. Stats.); and

WHEREAS, the Wisconsin Department of Administration has reviewed and accepted the Town of Genesee Comprehensive Land Use Plan – 2035 as meeting the comprehensive plan requirements of §66.1001, Wis. Stats.; and

WHEREAS, §66.1001, Wis. Stats., provides that the Plan Commission may recommend the adoption of an amendment to the comprehensive land use plan by adopting a resolution by a majority vote of the entire Plan Commission, which resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan; and

WHEREAS, an application was made to amend the Town of Genesee Comprehensive Land Use Plan – 2035 to reclassify the land use on land described as Lot 2 CSM 4468 as previously recorded, being a part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E., in the Town of Genesee, from "5-Acre Density" classification to "Commercial" category to allow for the development of the subject property into HVAC business; and

WHEREAS, the Town Board has adopted written procedures designed to foster public participation in every stage of the preparation of amendments to the Comprehensive Plan for the Town of Genesee, and that process has been followed to provide an opportunity for oral and written comments to be received from the public in this matter; and

RECEIVED

JUL 30 2025

DEPT OF PARKS & LAND

WHEREAS, the Town of Genesee Plan Commission considered the aforementioned application for amendment of the Town of Genesee Comprehensive Land Use Plan – 2035 and accompanying Map Q at a regularly scheduled and noticed Plan Commission meeting held on June 23, 2025; and

WHEREAS, the Town of Genesee Plan Commission, by a majority vote of the entire Plan Commission, adopted a resolution on June 23, 2025, recommending that the Town Board of the Town of Genesee adopt an ordinance under §66.1001, Wis. Stats., to amend the Town of Genesee Comprehensive Land Use Plan – 2035 and accompanying Map Q, to reclassify the land use of the land described as being a part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E, in the Town of Genesee and located at Lot 2 CSM 4468 as previously recorded, from "5-Acre Density" classification to "Commercial" category; and

WHEREAS, pursuant to §66.1001, Wis. Stats., no amendment to a comprehensive plan may take effect until the Town Board enacts an ordinance that adopts the amendment; and

WHEREAS, a public hearing for which notice was duly given under, §66.1001, Wis. Stats. was conducted by the Town Board on May 27, 2025 and June 23, 2025, concerning the proposed amendment to amend the Town of Genesee Comprehensive Land Use Plan - 2035 and Map Q thereof to reclassify the lands identified as Lot 2 CSM 4468 as previously recorded, which are part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E, from "5-Acre Density" classification to "Commercial" category; and

WHEREAS, following input from the public, the Town Board finds that the requested amendment to "Commercial" meets the intent of the Town of Genesee Comprehensive Land Use Plan – 2035 as outlined in Chapter 9, the Land Use Element, and the Town Board further finds that all procedural requirements required as a precursor to the adoption of this Ordinance have been satisfied, including all applicable aspects of the public participation plan.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF GENESEE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The Town of Genesee Comprehensive Land Use Plan – 2035 and Map Q thereof is hereby amended to reclassify the land use of land described as Lot 2 CSM 4468 as previously recorded, being part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E., in the Town of Genesee, from its current, "5-Acre Density" classification to "Commercial".

SECTION 2: A copy of this Ordinance and related amendment to the Town of Genesee Comprehensive Land Use Plan – 2035 shall be sent to all of the following:

1. Every governmental body that is located in whole or in part within the boundaries of the Town of Genesee.
2. The clerk of every local governmental unit that is adjacent to the Town of Genesee.
3. The Department of Administration.
4. The Southeastern Wisconsin Regional Planning Commission.
5. The public library that serves the area in which the Town of Genesee is located.

SECTION 3: SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or enforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of this ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance having terms in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall be effective upon passage, posting and publication as required by law.

DATED: July 14, 2025

TOWN OF GENESEE

By: Terry Tesch

Terry Tesch, Chairman

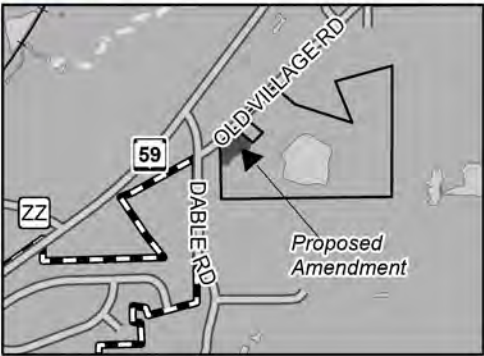
ATTEST:

Meri Majeskie
Meri Majeskie, Clerk

Date Adopted: July 14, 2025
Effective Date: _____

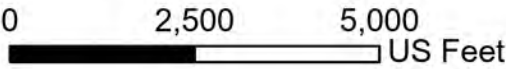
DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 28,
TOWN OF GENESEE



COUNTY DEVELOPMENT PLAN AMENDMENT FROM RURAL DENSITY AND OTHER AGRICULTURAL LAND TO COMMERCIAL AND OFFICE PARK

PETITIONER.....Ross Roman
DATE OF PUBLIC HEARING.....09/18/25
AREA OF CHANGE.....2.9 ACRES



Prepared by the Waukesha Department of Parks and Land Use



WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2025 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
2(A), TOWN OF GENESEE

DATE: September 18, 2025

PUBLIC HEARING DATE:
Thursday, September 18, 2025, 1:00 p.m.

REQUEST:

2. In the Town of Genesee, the following request is being made:

- A. *Ross Roman*, S44 W32531 Rhapsody Lane, Waukesha, WI 53189, requests property at S53 W31165 Old Village Road, Genesee Depot, WI 53127-0275, located in part of the SW ¼ of Section 27 and part of the SE ¼ of Section 28, T6N, R18E, Town of Genesee (part of Tax Key No. GNT 1547.973), be amended from the Rural Density and Other Agricultural Land category to the Commercial and Office Park category, to allow a heating and cooling business.

EXISTING LAND USE CATEGORY:
Rural Density and Other Agricultural Land.

PROPOSED LAND USE CATEGORY
Commercial and Office Park.

PUBLIC REACTION:
Public comments from the September 18, 2025 hearing will be summarized verbally.

TOWN ACTION:
On June 23, 2025, the Town of Genesee Plan Commission unanimously recommended approval of the parallel request to amend the Town Plan designation.

On July 14, 2025, the Town of Genesee Board unanimously approved the parallel town plan amendment request to amend the designation from 5-Acre Density to Commercial category.

STAFF ANALYSIS:
The 2.9 acres to be amended was recently divided as part of a new five-acre parcel along the south side of Old Village Road in the Town of Genesee (see Lot 1 on Exhibit A). The parent parcel was 70-acres that included a former bottling plant in the area of the property that is proposed to be amended. A rezoning application for the same lands is also pending (see RZ164). The balance of the 70 acres is largely environmental corridor with a pond and wetlands in the central part of the property. Another buyer is acquiring the balance of the 70 acres. The neighborhood setting is rural residential and rural, with these lands being the lone commercial type property in the area. There are homes to the north, east and west.

The subject 2.9-acre portion of the property formerly housed a bottling plant and related improvements; the plant closed fairly recently. Century Springs Bottling Company operated the facility for spring water filtering, bottling and distribution and also distributed other instant beverage supplies, including coffee and tea products. The plant operated as a legal non-

conforming use; the use existed prior to the establishment of zoning on the property in 1959. In 1969, the use obtained a Legal Nonconforming Use Conditional Use (CU) authorization to allow for office space expansion. The CU permit was amended a number of times, most recently in 2000. Light industrial buildings and commercial buildings are not permitted by right in the town's A-5 Mini Farm District, which is the property's current zoning designation. Nor were commercial uses available in the residential zoning category that applied to the property prior to the town's adoption of their own zoning ordinance. The town and county land use plans were prepared long after the business use of the site began and presumably called for rural type uses anticipating that perhaps someday the commercial use would terminate.

The existing principal building footprint is approximately 9,000 square feet in area. There is a large, paved parking and circulation area on the north and west sides of the building improvements. Even though Conditional Use status would allow for the use to continue as a Conditional Use into the future, the new owner and the town expressed a preference to amend the land use plan and zoning designations to recognize that, because of the existing investment on the property, it is likely to continue as some form of commercial/light industrial use for the foreseeable future. The plan amendment and rezone process also offer the owner more options to be able to sell the property for another closely related use type in the future. The owner did recently receive Conditional Use approval to be able to close on the sale of the property while waiting for the finalization of the plan amendment and rezoning processes.

The owners intend to operate Genesee Heating and Air Conditioning from the premises. They are planning to utilize the existing building largely as-is. The building will primarily accommodate storage of heating and cooling equipment and office space. Unlike the prior use, this business will not receive semi-trucks and will be a low traffic generator. The business currently has eight service employees but two drive personal vehicles directly to job sites and another two take their work vans home at night, meaning that there are only four service vans coming and going daily.

The business hours of operation are 7:00 am to 5:00 pm, Monday-Friday with some 24-hour service needs expected. To protect the surrounding residential and rural residential uses from incompatible future use types, the town has conditioned their action on the related pending rezoning (RZ164) to allow for a relatively narrow range of commercial/light industrial enterprises: wholesalers and distributors, printing and publishing houses and dairies and bottling plants. The B-3 District allows for other more traffic intensive uses, but those use-types will not be available by right as conditioned by the town. All other uses can only be authorized after a public hearing by the Town Plan Commission and Board.

The town will have review authority of all operational matters for any new use in the future via their Site Plan/Plan of Operation process. There will be no direct customer sales. The parking lot will be used as-is; they intend to improve landscaping and paint the building to be more aesthetically pleasing.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** subject to the following conditions:

1. No retail sales shall be conducted from the premises.

2. Business operations, except for 24-hour emergency service, shall cease on the premises by the hours specified in the Town's Site Plan/Plan of Operation but shall conclude no later than 6:00 pm.
3. Truck traffic shall be limited in accordance with the Town's Site Plan/Plan of Operation for any business operation and no regular semi-truck traffic shall be permitted without a public hearing conducted by the Town of Genesee, consistent with the process identified in county rezone file RZ164.

The change to a commercial designation will allow for a long-standing commercial property with substantial improvements to continue to be used in a manner that will be compatible with the surrounding rural residential neighborhood. The change in plan designation will allow for the owners to continue to pursue their related pending rezoning request which will make subsequent sale to another owner easier in the future. The change in plan designation will put nearby property owners on notice that limited business activities should continue to be expected in the area going forward. The recommended conditions of approval will ensure that the continued use of the property for business purposes will not negatively impact neighbors.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Attachments: Exhibit A
Map
Town Ordinance No. 25-6

CERTIFIED SURVEY

MAP NO. _____

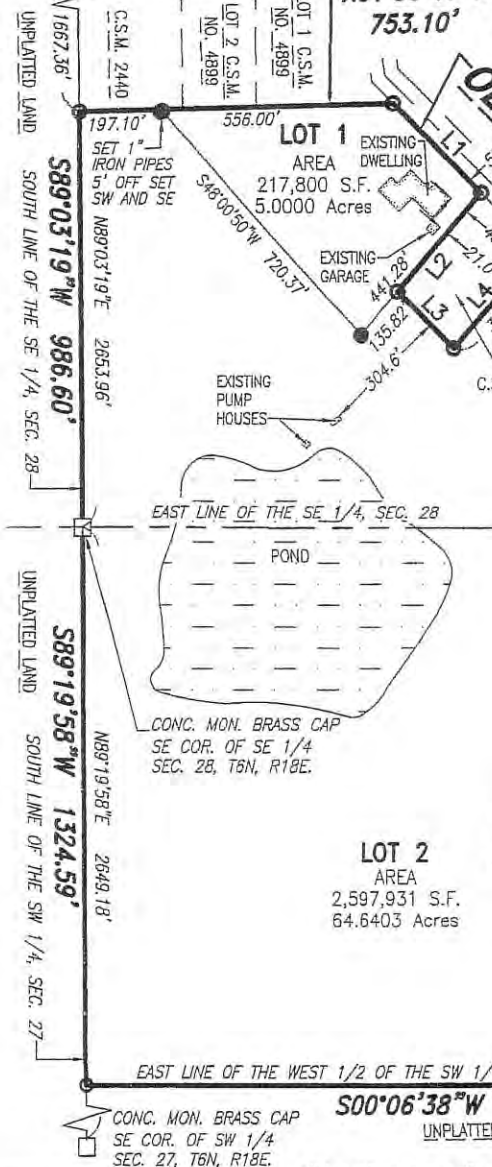
A redivision of Lot 2 and Outlot 1 Certified Survey Map No. 4468 recorded in Volume 35 Pages 307-309 as Doc. No. 1243787, and unplatted lands, all being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28, Township 6 North, Range 18 East and part of the Northwest 1/4 and Southwest 1/4 of Section 27, Township 6 North, Range 18 East, in the Town of Genesee, Waukesha County, Wisconsin.

Owner: CSBC Inc.
PO Box 275
Genesee Depot, WI 53127

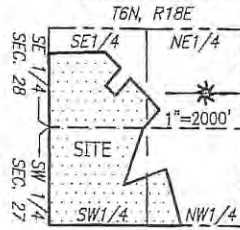
CONC. MON. BRASS CAP
SW COR. OF SE 1/4
SEC. 28, T6N, R18E.

(REC. AS N01°06'E PER C.S.M. 2440)

(REC. AS S01°27'W PER C.S.M. 4899)



VICINITY MAP



LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Set 1" X 18" Iron pipe, 1.5 LBS./FT.
- ⓓ - Dedicated to the public for roadway purposes

LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L1 | N45°19'19"E | 298.04' |
| L2 | S50°01'54"E | 305.47' |
| REC. AS | N48°59'43"E | 305.43' |
| L3 | N45°19'19"E | 190.85' |
| REC. AS | S46°21'30"W | |
| L4 | N49°35'41"W | 338.38' |
| REC. AS | S48°33'30"W | |
| L5 | N45°19'19"E | 575.37' |

Graphic Scale

0 350 700

1" = 350'



CHAPUT
LAND SURVEYS

234 W. Florida Street
Waukesha, WI 53044

143-221-3063
www.chaputland.com

All bearings are referenced to the Wisconsin Coordinate System, (NAD83/2011) in which the South line of the SE 1/4, Sec. 28, bears N89°03'19"E.

This instrument was drafted by Allen J. Schneider
Professional Land Surveyor S-2194

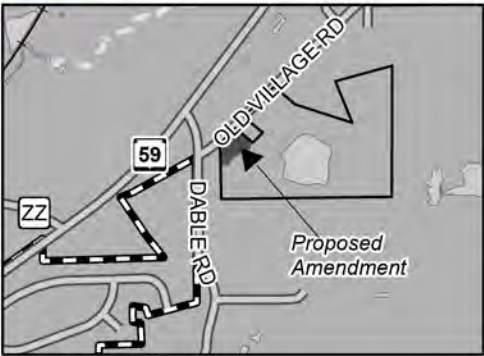


Date: April 4, 2024

Survey No. 5533.00-lpm
Sheet 1 of 6 Sheets

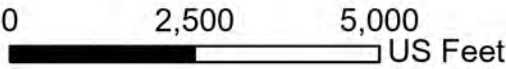
DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 28,
TOWN OF GENESEE



COUNTY DEVELOPMENT PLAN AMENDMENT FROM RURAL DENSITY
AND OTHER AGRICULTURAL LAND TO COMMERCIAL AND OFFICE PARK

PETITIONER.....Ross Roman
DATE OF PUBLIC HEARING.....09/18/25
AREA OF CHANGE.....2.9 ACRES



ORDINANCE NO. 25-6

AN ORDINANCE TO AMEND THE TOWN OF
GENESEE COMPREHENSIVE LAND USE PLAN – 2035

WHEREAS, in 1999 the Wisconsin Legislature enacted a comprehensive planning law, which is §66.1001, Wis. Stats., also known as the Comprehensive Planning (Smart Growth) Law, which requires that comprehensive plans be completed and adopted by local governing bodies by January 1, 2010, in order for counties, cities, villages and towns to enforce land use regulatory ordinances; and

WHEREAS, the Town of Genesee Comprehensive Land Use Plan – 2035 has been completed and adopted and complies with all of the elements of the comprehensive planning law (§66.1001, Wis. Stats.); and

WHEREAS, the Wisconsin Department of Administration has reviewed and accepted the Town of Genesee Comprehensive Land Use Plan – 2035 as meeting the comprehensive plan requirements of §66.1001, Wis. Stats.; and

WHEREAS, §66.1001, Wis. Stats., provides that the Plan Commission may recommend the adoption of an amendment to the comprehensive land use plan by adopting a resolution by a majority vote of the entire Plan Commission, which resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan; and

WHEREAS, an application was made to amend the Town of Genesee Comprehensive Land Use Plan – 2035 to reclassify the land use on land described as Lot 2 CSM 4468 as previously recorded, being a part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E., in the Town of Genesee, from "5-Acre Density" classification to "Commercial" category to allow for the development of the subject property into HVAC business; and

WHEREAS, the Town Board has adopted written procedures designed to foster public participation in every stage of the preparation of amendments to the Comprehensive Plan for the Town of Genesee, and that process has been followed to provide an opportunity for oral and written comments to be received from the public in this matter; and

RECEIVED

JUL 30 2025

DEPT OF PARKS & LAND USE

WHEREAS, the Town of Genesee Plan Commission considered the aforementioned application for amendment of the Town of Genesee Comprehensive Land Use Plan – 2035 and accompanying Map Q at a regularly scheduled and noticed Plan Commission meeting held on June 23, 2025; and

WHEREAS, the Town of Genesee Plan Commission, by a majority vote of the entire Plan Commission, adopted a resolution on June 23, 2025, recommending that the Town Board of the Town of Genesee adopt an ordinance under §66.1001, Wis. Stats., to amend the Town of Genesee Comprehensive Land Use Plan – 2035 and accompanying Map Q, to reclassify the land use of the land described as being a part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E, in the Town of Genesee and located at Lot 2 CSM 4468 as previously recorded, from "5-Acre Density" classification to "Commercial" category; and

WHEREAS, pursuant to §66.1001, Wis. Stats., no amendment to a comprehensive plan may take effect until the Town Board enacts an ordinance that adopts the amendment; and

WHEREAS, a public hearing for which notice was duly given under, §66.1001, Wis. Stats. was conducted by the Town Board on May 27, 2025 and June 23, 2025, concerning the proposed amendment to amend the Town of Genesee Comprehensive Land Use Plan - 2035 and Map Q thereof to reclassify the lands identified as Lot 2 CSM 4468 as previously recorded, which are part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E, from "5-Acre Density" classification to "Commercial" category; and

WHEREAS, following input from the public, the Town Board finds that the requested amendment to "Commercial" meets the intent of the Town of Genesee Comprehensive Land Use Plan – 2035 as outlined in Chapter 9, the Land Use Element, and the Town Board further finds that all procedural requirements required as a precursor to the adoption of this Ordinance have been satisfied, including all applicable aspects of the public participation plan.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF GENESEE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The Town of Genesee Comprehensive Land Use Plan – 2035 and Map Q thereof is hereby amended to reclassify the land use of land described as Lot 2 CSM 4468 as previously recorded, being part of the SW1/4 SEC 27 & PTSE1/4 SEC 28 T6N R18E., in the Town of Genesee, from its current, "5-Acre Density" classification to "Commercial".

SECTION 2: A copy of this Ordinance and related amendment to the Town of Genesee Comprehensive Land Use Plan – 2035 shall be sent to all of the following:

1. Every governmental body that is located in whole or in part within the boundaries of the Town of Genesee.
2. The clerk of every local governmental unit that is adjacent to the Town of Genesee.
3. The Department of Administration.
4. The Southeastern Wisconsin Regional Planning Commission.
5. The public library that serves the area in which the Town of Genesee is located.

SECTION 3: SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or enforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of this ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance having terms in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall be effective upon passage, posting and publication as required by law.

DATED: July 14, 2025

TOWN OF GENESEE

By: Terry Tesch

Terry Tesch, Chairman

ATTEST:

Meri Majeskie
Meri Majeskie, Clerk

Date Adopted: July 14, 2025
Effective Date: _____

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

FILE NO: RZ164

DATE: September 18, 2025

TAX KEY NO.: GNT 1547.973

OWNERS: Ross and Jana Roman
S44 W32531 Rhapsody Lane
Waukesha, WI 53189

LOCATION:

Part of the SE ¼ of Section 28, T6N, R18E, Town of Genesee. More specifically, the part of the property proposed to be rezoned is located at S53 W31165 Old Village Road, containing approximately 2.9 acres.

EXISTING ZONING:

A-5 Mini Farm District (Town).

PROPOSED ZONING:

B-3 General Business District (Town).

EXISTING LAND USE:

Light Industrial with office

PROPOSED LAND USE:

Light Industrial with office

PUBLIC HEARING DATES:

May 27, 2025 and June 23, 2025

PUBLIC REACTION:

A resident stated that he would like to see a "fail safe" put into place in case the HVAC business fails and goes out of business. He didn't want just any business to be able to come in there with noise and traffic. Another resident stated that she thinks the business plan for Genesee Heating and Air Conditioning is a good one, however, she expressed concerns about the possible growth of the business. She didn't want it to become a problem like other HVAC businesses have become in the town. She did not agree with the zoning change and thought that any trucks should not be allowed to go down Old Village Road and should have to go around to exit. Two other residents, one of which also stated opposition to the rezoning, expressed concerns about the amount of traffic that the business will bring to the road and that it was a safety hazard, and that the road is already dangerous and more vehicles will make it even worse.

Three letters were submitted with some noting that this new business is acceptable but that they preferred a Conditional Use process to keep business accountability or that zoning should revert to residential should the HVAC business leave in the future. Another person noted ongoing problems with speeding and safety on this roadway.

TOWN PLANNING COMMISSION/TOWN BOARD ACTION:

On June 23, 2025, the Town of Genesee Plan Commission unanimously recommended to the Town Board, approval of the rezone with conditions.

On July 14, 2025, the Town of Genesee Board unanimously approved the rezone with conditions recommended by the Town Plan Commission as amended (see conditions in the Staff Recommendation section of this report).

COMPLIANCE WITH THE TOWN OF GENESEE COMPREHENSIVE DEVELOPMENT PLAN AND THE WAUKESHA COUNTY COMPREHENSIVE DEVELOPMENT PLAN:

STAFF ANALYSIS:

The Town of Genesee Land Use Plan was recently amended to place the property in the Commercial category. A request to amend the County Development Plan designation from the Rural Density and Other Agricultural Land category to the Commercial and Office Park category is pending and will be considered prior to action on this rezoning.

STAFF ANALYSIS:

The 2.9 acres to be rezoned was recently divided as part of a new five-acre parcel along the south side of Old Village Road in the Town of Genesee (see Lot 1 on Exhibit A). The parent parcel was 70-acres that included a former bottling plant in the area of the property that is to be rezoned. The balance of the 70 acres is largely environmental corridor with a pond and wetlands in the central part of the property. Another buyer is acquiring the balance of the 70 acres. The neighborhood setting is rural residential and rural, with these lands being the lone commercial type property in the area. There are homes to the north, east and west.

The property is subject to the Town of Genesee Zoning Code. The subject 2.9-acre portion of the property formerly housed a bottling plant and related improvements; the plant closed fairly recently. Century Springs Bottling Company operated the facility for spring water filtering, bottling and distribution and also distributed other instant beverage supplies, including coffee and tea products. The plant operated as a legal non-conforming use; the use existed prior to the establishment of zoning on the property in 1959. In 1969, the use obtained a Legal Nonconforming Use Conditional Use (CU) authorization to allow for office space expansion. The CU permit was amended a number of times, most recently in 2000. Light industrial buildings and commercial buildings are not permitted by right in the town's A-5 Mini Farm District, nor were those uses available in the residential zoning category that applied to the property prior to the town's adoption of their own zoning ordinance.

The existing principal building footprint is approximately 9,000 square feet in area. There is a large, paved parking and circulation area on the north and west sides of the building improvements. Even though Conditional Use status would allow for the use to continue as a Conditional Use into the future, the new owner and the town expressed a preference to amend the land use plan and zoning

designations to recognize that, because of the existing investment on the property, it is likely to continue as some form of commercial/light industrial use for the foreseeable future. The rezone process also offers the owner more options to be able to sell the property for another closely related use type in the future. The owner did recently receive Conditional Use approval to be able to close on the property while waiting for the finalization of the plan amendment and rezoning processes. The owners intend to operate Genesee Heating and Air Conditioning from the premises. They are planning to utilize the existing building largely as-is. The building will primarily accommodate storage of heating and cooling equipment and office space. Unlike the prior use, this business will not receive semi-trucks and will be a low traffic generator. The business currently has eight service employees but two drive personal vehicles directly to job sites and another two take their work vans home at night, meaning that there are only four vans coming and going daily.

The business hours of operation are 7:00 am to 5:00 pm, Monday-Friday with some 24-hour service needs expected. To protect the surrounding residential and rural residential uses from incompatible future use types, the town has conditioned their action on the rezoning to allow for a relatively narrow range of commercial/light industrial enterprises: wholesalers and distributors, printing and publishing houses and dairies and bottling plants. The B-3 District allows for other more traffic intensive uses, but those use types will not be available by right as conditioned by the town. All other uses can only be authorized after a public hearing by the Town Plan Commission and Board.

The town will have review authority of all operational matters for any new use in the future via their Site Plan/Plan of Operation process. There will be no direct customer sales. The parking lot will be used as-is, they intend to improve landscaping and paint the building to be more aesthetically pleasing.

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division staff recommends **approval** of the request subject to the following conditions that were imposed by the town:

1. Use of the property shall be limited to the specific following uses as specified in the Genesee Zoning Code, Section 74(A)(2): Items (a),(f), & (g), except as described in No. 2 below.
2. Use of the property for uses permitted in the B-3 General Business District, other than those specified in No. 1 above, may be approved after a public hearing by the Town Plan Commission and Town Board.
3. The Zoning Map amendment is conditionally approved subject to the Comprehensive Plan Land Use being amended to Commercial.

The rezoning will allow for a property with a long commercial/industrial history to continue to be occupied for that use while ensuring that future use types are narrowly limited to ensure neighborhood harmony. While there is no similar zoning in the immediate vicinity, the town feels that the change in plan designation and zoning will place nearby residents and future residents on notice that limited commercial activities should be expected from this long-standing business property. The current proposed heating and cooling business is a low-impact type business that

should fit the neighborhood, consistent with the sentiments that were offered by the nearby residents during the public hearing. If the site changes hands over time, the Town will need to carefully review each business' operational plans during the site plan review process to ensure that trucking and hours of operation are appropriate in the rural residential setting.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning & Zoning Manager

Attachment: Rezone Map
 Town Ordinance No. 25-07
 Exhibit A

JF/kb

N:\PRKANDLU\Planning and Zoning\Rezoning\PROJECT FILES\Genesee\RZ164 Messinger\Staff Report_Exhibits_Decision Letter\RZ164
Messinger_Roman Staff Report.doc



ZONING AMENDMENT

PART OF SE1/4 SEC 28 T6N R18E,
TOWN OF GENESEE

0 2,000 4,000
Feet



CONDITIONAL TOWN ZONING CHANGE FROM A-5 MINI-FARM
DISTRICT TO B-3 GENERAL BUSINESS DISTRICT

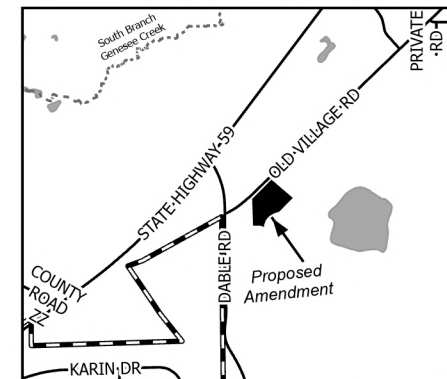


EC Environmental Corridor District



C-1 Conservancy District

FILE.....RZ164
DATE OF PLAN COMMISSION.....09/18/25
AREA OF CHANGE.....2.9 ACRES
TAX KEY NUMBER.....GNT 1547973



ORDINANCE 25-07

**An Ordinance to conditionally amend the Zoning Map of the Town of Genesee
from A-5 Mini Farm District to B-3 General Business District on lands located in SW ¼ Section 27
and part of the SE ¼ Section 28, T6N, R18E, Town of Genesee, Waukesha County Wisconsin**

WHEREAS, a petition has been filed by Scott and Sandra Messinger, ("Petitioner") the owner of certain lands in the Town of Genesee, to rezone certain property located generally at S53 W31165 Old Village Road, as further described as Lot 2 CSM 4468 as previously recorded. SW ¼ Section 27 and part of the SE ¼ Section 28, T6N, R18E, Town of Genesee, hereto and incorporated herein ("Subject Property"); and

WHEREAS, said rezoning petition was submitted to rezone the Subject Property from A-5 Mini Farm District to B-3 General Business District; and

WHEREAS, the Petitioner has supplied all required data pursuant to the Town of Genesee Zoning Code, and the Town Clerk properly referred the matter to the Town of Genesee Plan Commission pursuant to the Town of Genesee Zoning Code; and

WHEREAS, a public hearing was conducted by the Town Board of the Town of Genesee on May 27, 2025 and June 23, 2025 as required by the Town of Genesee Zoning Code, upon due notice as required by the Town of Genesee Zoning Code; and

WHEREAS, the Town Board of the Town of Genesee having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such rezoning on the health, safety and welfare of the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others, hereby determine that the rezoning will not violate the spirit or intent of the Zoning Code for the Town of Genesee will not be contrary to the public health, safety or general welfare of the Town of Genesee, will not be hazardous, harmful, noxious, offensive and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the operation is conducted pursuant to the following conditions and in strict compliance with the same and the rezoning is consistent with the Town of Genesee Comprehensive Plan.

NOW, THEREFORE, the Town Board of the Town of Genesee, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1:

The Subject Property is hereby conditionally rezoned to B-3 General Business District, and the Zoning Map of the Town of Genesee is hereby conditionally amended to change the zoning of the Subject Property from A-5 Mini Farm District to the B-3 General Business District, if the conditions stated in Section 2 of this ordinance are complied with.

Section 2:

RECEIVED

JUL 30 2025

DEPT OF PARKS & LAND USE

The above rezoning and Zoning Map amendment is conditioned upon the following conditions, which must be complied with or this ordinance is null and void:

1. Use of the property shall be limited to the specific following uses as specified in Section 74(A)(2): Items (a),(f), & (g), except as described in No. 2 below.
2. Use of the property for uses permitted in the B-3 General Business District, other than those specified in No. 1 above, may be approved after a public hearing by the Town Plan Commission and Town Board.
3. The Zoning Map amendment is conditionally approved subject to the Comprehensive Plan Land Use being amended to Commercial.

Section 3:

The subject property owner is hereby put on notice that the Town of Genese may rezone the lands or portions thereof subject to this conditional rezoning ordinance to A-5 Mini Farm District if the conditions of this ordinance are not fully complied with.

Section 4: Severability.

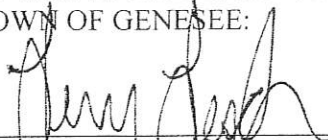
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 5: Effective Date.

This ordinance shall be in full force and effect from and after its passage and publication upon approval of the Waukesha County Board subject to the conditions stated in Section 2, and this ordinance is null and void and original district zoning shall be in effect with no further notice if said conditions are not complied with on the terms and conditions stated herein.

Passed and adopted this 14 day of July, 2025

BY THE TOWN BOARD OF THE
TOWN OF GENESEE:


Terry Tesch, Town Chairman

ATTEST:


Meri Majeskie, Town Clerk

CERTIFIED SURVEY

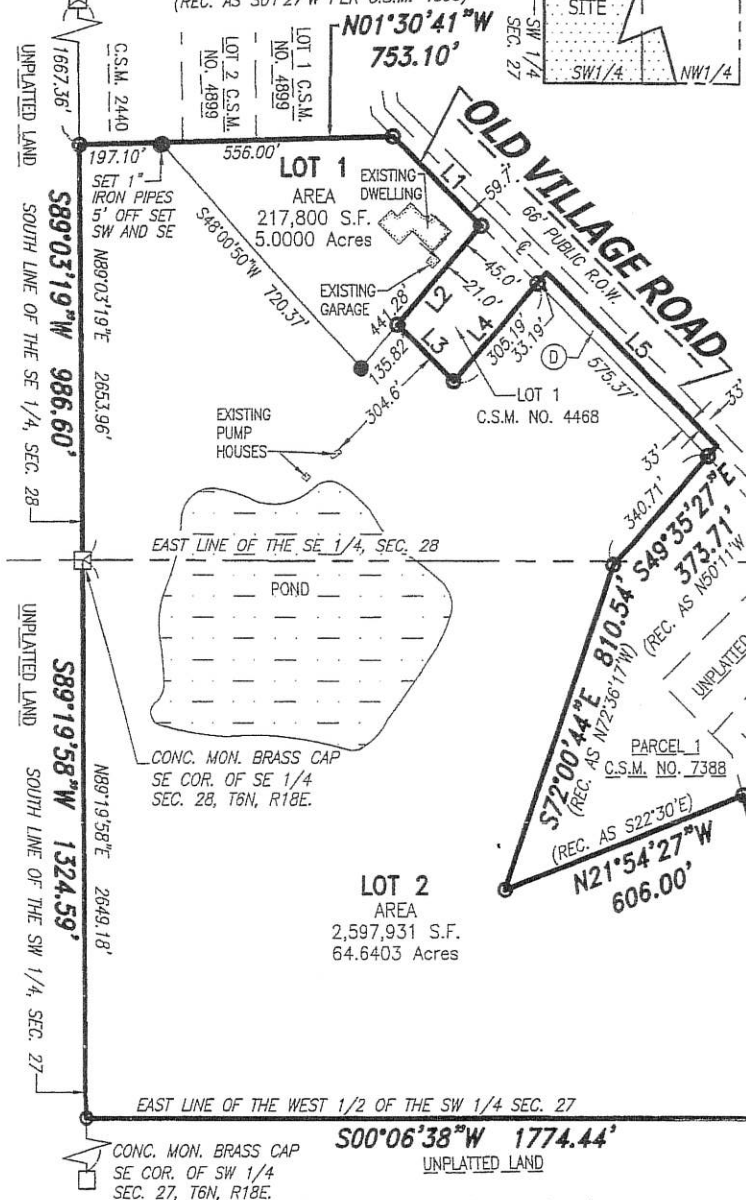
MAP NO. _____

A redivision of Lot 2 and Outlot 1 Certified Survey Map No. 4468 recorded in Volume 35 Pages 307-309 as Doc. No. 1243787, and unplatted lands, all being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28, Township 6 North, Range 18 East and part of the Northwest 1/4 and Southwest 1/4 of Section 27, Township 6 North, Range 18 East, in the Town of Genesee, Waukesha County, Wisconsin.

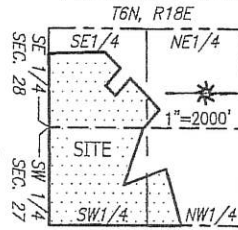
Owner: CSBC Inc.
PO Box 275
Genesee Depot, WI 53127

CONC. MON. BRASS CAP
SW COR. OF SE 1/4
SEC. 28, T6N, R18E.

(REC. AS N01°06'E PER C.S.M. 2440)
(REC. AS S01°27'W PER C.S.M. 4899)



VICINITY MAP



LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Set 1" X 18" Iron pipe, 1.5 LBS./FT.
- ⓓ - Dedicated to the public for roadway purposes

LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L1 | N45°19'19"E | 298.04' |
| L2 | S50°01'54"E | 305.47' |
| REC. AS | N48°59'43"E | 305.43' |
| L3 | N45°19'19"E | 190.85' |
| REC. AS | S46°21'30"W | |
| L4 | N49°35'41"W | 338.38' |
| REC. AS | S48°33'30"E | |
| L5 | N45°19'19"E | 575.37' |

Graphic Scale

0 350 700

1" = 350'



CONC. MON. BRASS CAP
NE COR. OF SE 1/4
SEC. 28, T6N, R18E.

CONC. MON. BRASS CAP
SE COR. OF SE 1/4
SEC. 28, T6N, R18E.

LOT 2
AREA
2,597,931 S.F.
64.6403 Acres

S00°06'38"W 1774.44'
UNPLATTED LAND

CHAPUT
LAND SURVEYS

334 W. Florida Street
Milwaukee, WI 53204

114-224-8062
www.chaputlandsurveys.com

All bearings are referenced to the Wisconsin
Coordinate System, (NAD83/2011) in which the South
line of the SE 1/4, Sec. 28, bears N89°03'19"E.

This instrument was drafted by Allen J. Schneider
Professional Land Surveyor S-2194



Date: April 4, 2024

Survey No. 5533.00-lpm
Sheet 1 of 6 Sheets

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

DATE: September 18, 2025

FILE NO.: RZ166

OWNER: William L. and Mary Karen Irwin
W330 N247 Kettle Moraine Drive
Delafield, WI 53018-2518

TAX KEY NO.: DELT 0840.994.003

LOCATION:

The property is described as part of Lot 2, Certified Survey Map No. 8537, being a part of the SE ¼ of Section 30, T7N, R18E, Town of Delafield. More specifically, the property is located at the Kettle Moraine Drive address cited above containing approximately 11.8 acres, of which, 3.1 acres is proposed to be rezoned.

EXISTING ZONING:

A-1 Agricultural District (Town)

PROPOSED ZONING:

A-2 Rural Home District (Town) with W-F 1 Wetland-Floodplain District, C-1 Conservancy Overlay (District to remain unchanged)

EXISTING USE(S):

Residential (single-family home in estate setting).

REQUESTED USE(S):

Residential (rezone the property to create a new 3.13-acre residential lot).

PUBLIC HEARING DATE:

August 5, 2025

PUBLIC COMMENT:

At the Town of Delafield Plan Commission meeting held on August 5, 2025, Kelly Cavaiani, neighbor to the proposed parcel, expressed concern regarding the proposal. She noted that this new parcel and residence would be in view of her backyard and affect her existing viewsheds and property value. Karen Irwin, owner of the existing parent parcel and applicant, spoke indicating that the new proposed parcel would have no impact on their property.

TOWN PLAN COMMISSION AND BOARD ACTION:

On August 5, 2025, the Town of Delafield Plan Commission unanimously recommended approval of the rezone with a condition that Waukesha County provide Town staff with certification that appropriate soil tests have been completed for the site. On August 26, 2025, the Town of Delafield Board unanimously recommended approval of the rezone as conditioned by the Plan Commission.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDP) FOR WAUKESHA COUNTY AND THE TOWN OF DELAFIELD CDP:

The town and county plans designate the majority of the parent parcel in the Suburban Density II Residential (3.0-4.9 acres per dwelling unit) category with much of the west side of the property mapped in the Primary Environmental Corridor category (five upland acres per dwelling unit). These

plan designations allow for a maximum of two dwelling units on the subject lands. The proposal could add one additional dwelling unit to the property resulting in a maximum of two units. Therefore, the proposal is consistent with the density recommendations of both plans.

STAFF ANALYSIS:

The proposal is to rezone the east 3.1 acres of the subject 11.8-acre parcel from the Town of Delafield's A-1 Agricultural District, which is a 40-acre minimum district, to the Town's A-2 Rural Home District, which is a three-acre minimum category to allow for the creation of a new 3.1 acre lot (see Exhibit A). The property is a residential estate that is located amongst a cluster of other estates that share access to CTH C via a private road immediately opposite the Kettle Moraine State Forest. County Shoreland jurisdiction covers a small portion of the northeast corner of the current parent parcel and the proposed new parcel. This area is already designated as A-2 Rural Home District in the County's jurisdiction. The Town's zoning change is required to create a new lot less than the 40-acre minimum currently required. In this case, no district change is needed at the County level.

As noted above, the Town of Delafield Comprehensive Plan designates the lands as Suburban Density II Residential and Primary Environmental Corridor categories. This land use designation is consistent with the proposed zoning map amendment to the Town's A-2 district due to its minimum area requirement of three acres. With the anticipated use of this property also being a single-family residence, the proposed parcel's activities will also fit the spirit and intent of the district as well. The proposed parcel size will closely align with the three parcels immediately to the east.

There is one nearby parcel similarly zoned A-2 while the other larger parcels in the vicinity are zoned A-1. The town has been consistently rezoning smaller parcels out of the A-1 District over the past several years, recognizing that the 40-acre parcel size minimum is often out of sync with existing parcel sizes and land use plan recommendations. In this case, staff will communicate to the Town Planner a recommendation that the zoning of the remaining portion of the parent parcel also be examined more closely in the future to ensure a designation that aligns with its use and reduced area.

There are multiple wetland areas mapped on the proposed parcel, two of which are >0.25 acres and one that is <0.25 acres in size. One of the large wetland areas and the smaller one are located north of the private driveway in the buildable area of the proposed lot. While the County and DNR have these areas mapped, a delineation may be required to gain a more accurate depiction of where these areas end and where wetland setbacks would be measured from. Given the applicant's lot division application and provided certified survey map, staff does not believe that there are dimensional or setback issues that would render the proposed property unbuildable.

Topographically, the proposed lot has an approximately 8% slope coming from where the residence to the east sits on a higher section of land. This slope is less dramatic towards the rear of the property, potentially creating a more workable building envelope there. There is also indication of high groundwater and hydric soils on the proposed parcel. Any proposed residence may require soil testing and groundwater separation requirements from either the Town or County.

As part of the County review of the certified survey map application, the Planning and Zoning staff reached out to the County Department of Public Works (DPW) to understand if servicing another lot off of the private road connecting to County Highway C (Kettle Moraine Drive) would have any negative impacts on traffic volume or safety. The current access for this area services four parcels, with this proposed division creating a fifth. Staff at the DPW did not believe an additional single-family residential parcel off of County Highway C would create a significant negative impact on access and traffic flow. The town has also made a determination that another lot being served by the private road

is acceptable. An easement is being provided on the proposed CSM that will allow for a driveway to be shared by the existing residence and the proposed lot.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** subject to the following condition which was required by the town.

1. Documentation from the Waukesha County Environmental Health Division shall be submitted to the Town Planner that indicates suitable soils have been found on site that would allow for a septic system for a new residential home, prior to a Certified Survey Map being recorded.

The rezoning will allow for the subject parcel to be divided and will place the new parcel in a zoning category that aligns with the parcel's size. The existing natural resource zoning categories will remain and will ensure that a future home is located outside of sensitive natural resources.

Respectfully submitted,

Evan G. Hoier

Evan G. Hoier
Senior Land Use Specialist

Attachment: Rezone Map
Exhibit A, proposed CSM



ZONING AMENDMENT

PART OF SE1/4 SEC 30 T7N R18E,
TOWN OF DELAFIELD

0 85 170 340
Feet

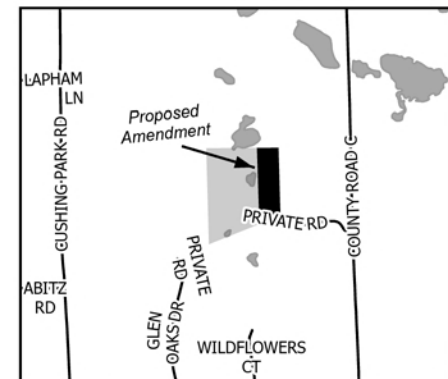


CONDITIONAL TOWN ZONING CHANGE FROM A-1 AGRICULTURAL DISTRICT TO A-2 RURAL HOME DISTRICT

C-1 Conservancy Overlay

WF - 1 Wetland Floodplain District

FILE.....RZ166
DATE OF PLAN COMMISSION.....09/18/25
AREA OF CHANGE.....3.1 ACRES
TAX KEY NUMBER.....DELT0840994003



WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
CONDITIONAL USE

DATE: September 18, 2025

FILE NO.: CU133

OWNER: Andrew and Michelle Miner
2765 Lancaster Court
Brookfield, WI 53045

APPLICANT: Miller Marriott Construction Co.
711 Wells Street
Delafield, WI 53018

TAX KEY NO.: MRTT 0367.009.001

LOCATION:

The subject property is described as Lot 1, Certified Survey Map No. 12636, part of Lots 9, 10 and 11 Moose Hills, a subdivision of a part of Government Lots 5 and 6 and vacated Forest Drive, part of the W ½ of the SW ¼ of Section 20, T8N, R18E, Town of Merton. More specifically, the property is located at W329 N6579 Forest Drive, Hartland, WI 53029-9715, containing approximately 0.93 acres.

ZONING CLASSIFICATION:

R-3 Residential District.

EXISTING LAND USE:

Residential.

PROPOSED LAND USE:

Land altering activities associated with the construction of a single-family residence.

PUBLIC HEARING DATE: August 20, 2025

PUBLIC REACTION:

The public hearing for this item on August 20, 2025 had no participants and no further comments from members of the public. Neighbors of the subject property called Waukesha County staff prior to the public hearing to voice support for this item.

TOWN PLAN COMMISSION AND TOWN BOARD ACTION:

At their meeting on August 20, 2025, the Town of Merton Plan Commission unanimously recommended to the Waukesha County Park and Planning Commission approval of the request.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY (WCDP) AND THE TOWN OF MERTON COMPREHENSIVE DEVELOPMENT PLAN:

The subject property is designated as Low Density Residential (20,000 sq. ft. – 1.4 acres/dwelling unit) on the Waukesha County Comprehensive Development Plan (CDP) and the Town of Merton Land Use Plan. The Plans contain recommendations relative to preservation of topography. The Plans recommend that slopes in excess of 12% be preserved. As conditioned, the proposed grading activities are in conformance with the plan recommendations and allow for the redevelopment of the parcel.

STAFF ANALYSIS:

The subject property is located on Forest Drive, on the east side of Moose Lake. The heavily wooded parcel is located between two other properties currently used for single-family residences. A one-story cottage currently resides on the property, which is served by a private on-site treatment system. The cottage will be removed. Steep slopes above 12% are present on either side of the ridgeline on the property, which is located about halfway between Forest Drive and Moose Lake. The property is a combination of multiple narrow parcels that previously obtained access via an easement across the neighbor's steep driveway to the south. There is currently a step pathway from the cottage to the shoreline. The property to the north also received conditional use approval for land altering activities in 2022 to accommodate a new residence and driveway.

The petitioners are proposing to develop the parcel with a new single-family residence with an attached garage and attached screened porch. The proposed residence will cover 2,631 square feet of the property, including overhangs. With the addition of 197 lineal feet of retaining walls, 2,718 square feet of driveway, and 235 square feet of walkway coverage, the total impervious surface cover for the site is 14.2%. This is well-within the County's maximum impervious surface percentage for highly developed riparian parcels at 30%.

According to the applicant's building plans (See Exhibit B), the total gross floor area of the residence will be 2,631 square feet. The residence is a three-bedroom and three-bathroom and will be built in a shingle style, incorporating some Craftsman and Tudor Revival architectural influences. The attached garage for the residence will be located step-down from the main level to avoid bringing in further fill and alteration to the site.

The grading plan (See Exhibit A) indicates that the residence itself, has been designed to fairly closely match existing variable grades. The plan also shows significant grading on the north and middle parts of the parcel. On the north side of the parcel, grading changes are intended to provide driveway access to the residence's location, smooth out the topography related to the neighboring property to the south, and prepare the site for construction of the residence. Another area of significant fill is the driveway area, with some areas on the north side of the driveway increasing by more than four feet. Large retaining walls are proposed around the sides of the driveway to support the filled driveway area and in front of the home's front landing and walkway. For these areas, the builder has indicated that protective railings are planned to be installed for vehicle and pedestrian safety. A note on the applicant's grading plan shows that all walls over four feet will require railings. Grading toward the center of the site is necessary to even out the top of the ridgeline and create room for the proposed residence. In total, approximately four and one-half feet of grade is planned to be cut and removed from the ridgeline area on the site.

There are several priority trees present on the property including:

1. Shagbark Hickory
2. Oaks (Red, Burr)
3. Red Cedar
4. Basswood

The applicant's Tree Assessment provides information about trees they plan to remove including their species, size, health, and additional comments about their viability. There are 39 trees on the applicant's landscaping plan that are intended to be removed. The trees to be removed have been identified as small, unhealthy, or within the permitted Access and Viewing Corridor for the site. Other trees within the applicant's building footprint are also planned to be removed including several Shagbark Hickory, Oak, and Cherry trees. The applicant's original grading and landscaping plans included the removal of one White Oak and four Red Cedar on the south side of the property. Staff comments to the applicant noted that the grading could be changed to protect these trees as much as possible. The applicant's updated grading plan now shows these trees as remaining.

There is a sizable wetland area towards the front (road side) of the parcel. Upon initial inspection of the site, staff noted that the wetlands appear to be somewhat low quality and that protection priority should focus on the shoreland of the parcel instead. Because of this, staff has worked with the applicant and their contractors to create a building envelope for the site that keeps the 75-foot shoreland setback while reducing the required 75-foot wetland setback to 19 feet. The applicant has indicated that once their residence is completed, they may be interested in investing toward some sort of wetland reconstruction or enhancement. Staff does not have any concerns about the reduced wetland setback for this application.

Staff conducted a site visit alongside Chris Miller from Miller Marriot Construction staff on Tuesday, August 5th. The purpose of this visit was to gain a better understanding of the grading, topographical, and vegetation conditions on the property. Staff noted and documented the grading of both the subject and neighboring properties from Forest Drive and throughout the site. Staff used the original grading plan to identify key areas on the site where significant grading or vegetation removal would occur. Several of the trees proposed to be removed are of sound quality. However, the applicant demonstrated that the tight building envelope requires these select trees to be removed so that the proposed residence's foundation may be constructed. With the ridgeline being reduced, the proposed driveway does not need such a dramatic slope, which will improve the safety and accessibility of the site.

Related to vegetation, County staff noted that the slopes near shoreline on the subject property are eroding in some areas and contain invasive species which leaves some fairly steep areas with bare ground conditions. Slope and near shoreline stabilization landscaping could be beneficial to improve conditions. This could include deep-rooted plantings to maintain as much of the shoreline as possible.

Land Resources Division Staff also reviewed and approved the applicant's stormwater management application. The proposed grading and stormwater management plans comply with the County's stormwater management and erosion control ordinances. This approval demonstrates that the construction activities and proposed grading for this site will not create adverse drainage or other stormwater concerns.

STAFF RECOMMENDATION:

The Planning and Zoning Division Staff recommends **approval** of the request, subject to the following conditions:

1. Grading and land altering shall substantially comply with the grading plan prepared by Robert Davy of Lake Country Engineering, with a revision date of June 26, 2025.
2. If retaining walls exceed 4 ft. in height, a Licensed Landscape Architect or Professional Engineer shall certify that the walls will be constructed in a manner to withstand the pressure from the soil, groundwater and surface water runoff. Cross sections of the wall(s) shall be submitted to the Planning and Zoning Division staff for review and approval, prior to the issuance of a Zoning Permit.
3. All land altering and grading activities shall not create adverse drainage conditions or have an adverse impact on an adjacent property.
4. Subject to a Vegetation Removal Permit being issued for Priority Tree Removal and any associated deed restrictions being recorded, if applicable.
5. Subject to the Conditional Use Permit being issued prior to the Zoning Permit for the single-family residence, attached garage and all appurtenances.

6. A plan for the stabilization of eroding soil conditions within the steep slope area within 35' of the shoreline shall be provided. Said plan shall include deep rooted ground level plantings or alternative vegetative stabilization methods and must include a plan for the removal of invasive species within said area along with ongoing maintenance and monitoring. The plan shall be subject to the review and approval of the Waukesha County Planning & Zoning Division staff and the requirements of said plan shall be stated in a restriction document to be recorded in the Waukesha County Register of Deeds Office.
7. A plan for downspout and other surface water runoff shall be provided to ensure that steep slopes are not eroded by water discharge.
8. Tree protection by way of wiring 2x4s to trees to protect bark, as shown on the applicant's revised grading plan, shall be installed prior to construction activity or grading on-site. The trees to receive this protection are located in the northeast corner of the site.
9. Any retaining wall greater than four feet in height shall have a protective barrier, fence, or railing installed for pedestrian and vehicle safety.
10. All conditions of Stormwater Permit #601690, issued on 8/22/2025 shall be met.

This approval will allow the petitioners to construct a residence partially located on an existing flat area of this property that contains extremely difficult and variable terrain while also allowing for the construction of a driveway leading to the attached garage. While the proposed grade change is considerable, the change is primarily occurring at the plateau above the extremely steep slopes and removes some of the considerable steepness to the homesite from the lake. Therefore, as conditioned, the approval of this request is within the purpose and intent of the Waukesha County Shoreland Protection Ordinance.

Respectfully submitted,

Evan G. Hoier

Evan G. Hoier
Senior Land Use Specialist

Attachments: Exhibit A (Grading Plan)
Exhibit B (Building Elevations)

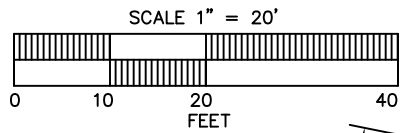


EXHIBIT A

- ITEMS OF CONSIDERATION
1. A 35' BUILDING SETBACK FROM THE WETLANDS WITH A NOTE THAT A 35' TO 40' GRASS BUFFER TO FILTER THE DRIVEWAY STORM WATER
 2. A 20' SETBACK FROM THE 100 YEAR FROZEN FLOOD STORM EVENT WITH A MINIMUM OF 8' ABOVE THE ELEVATION WITH THE LOWEST EXPOSED ELEVATION

SETBACKS TO BE DETERMINED BY WAUKESHA CO. AND TOWN OF MERTON

VIEWING CORRIDOR
150.16' x 35% = 52.6' WIDE

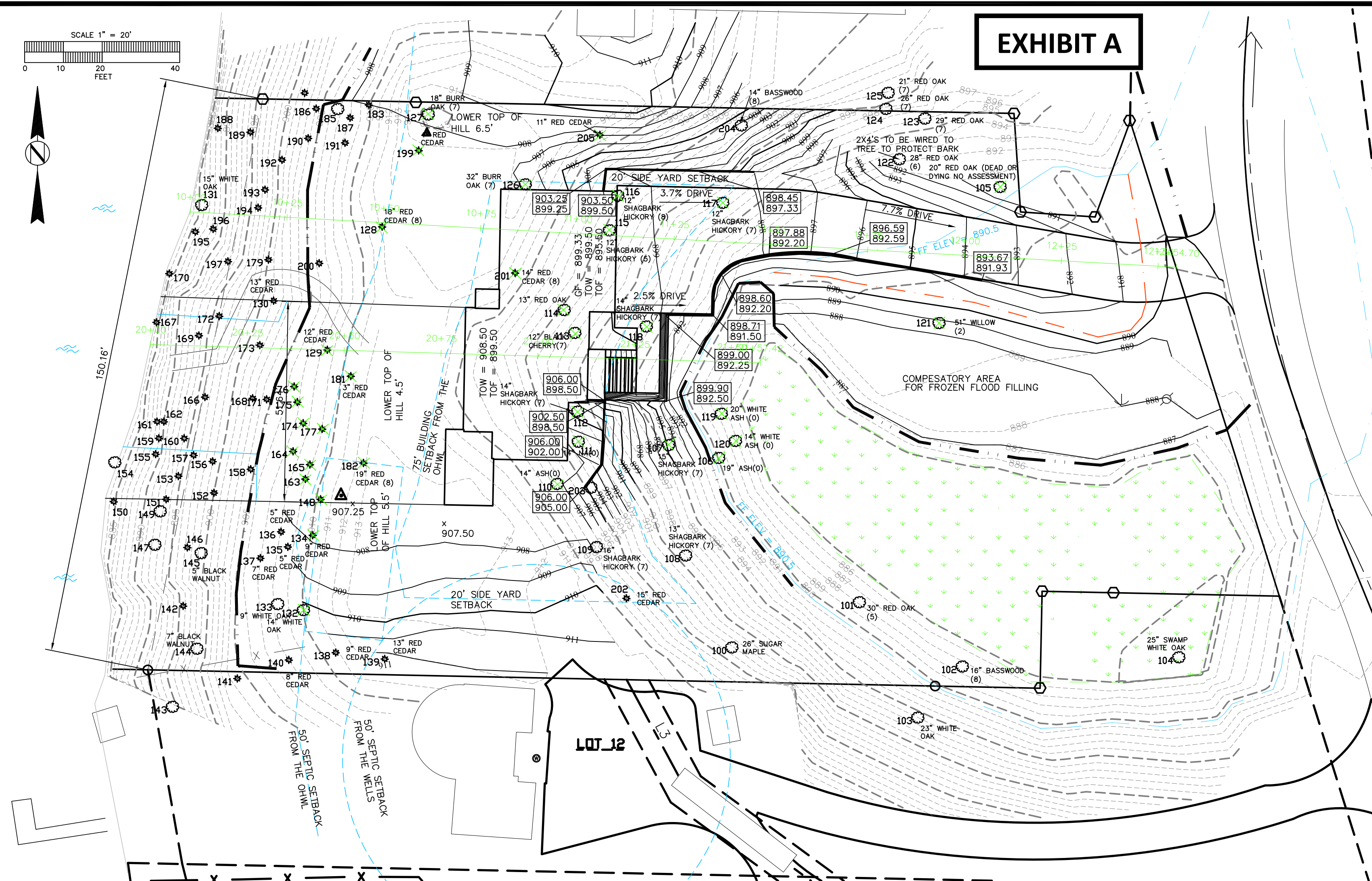
FROZEN FLOOD ELEVATION = 890.50
AMOUNT OF FILL BELOW THE 890.5
CONTOUR = 61 CY

AMOUNT OF CUT BELOW THE 890.50
CONTOUR = 57 CY.

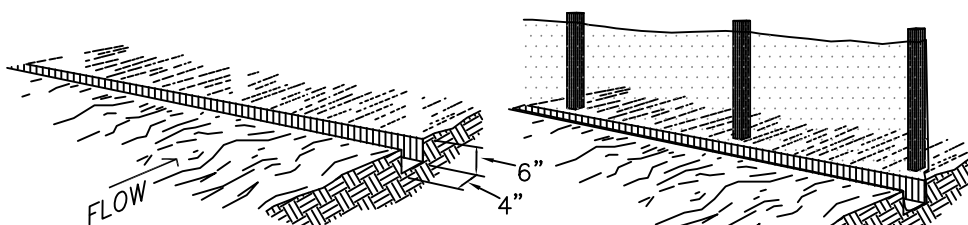
COMPENSATORY VOLUME TO BE AS-BUILT
AND SIGNED OFF ON BY A PE OR PLS

TREE INVENTORY SUMMARY

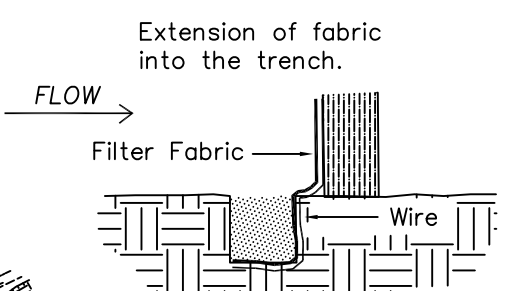
THERE WILL BE 12 TREES ON THE COUNTY LIST, OF 12" IN DIAMETER OR GREATER, AND OF A QUALITY OF 4 OR GREATER. NOTE THIS INVENTORY DOES NOT INCLUDE TREES INSIDE OF THE VIEWING CORRIDOR



1. Excavate a 4"Wx6"D trench
 2. Set Posts with filter fabric attached and extend it into trench.
- Note: Maximum post spacing for non-woven fabric shall be 3 feet, maximum post spacing for woven fabric shall be 8 feet, posts shall be 1 1/2" X 1 1/2" min. oak or hickory per WDNR Conservation Practice Standard 1056.



3. Backfill and compact the excavated soil.



CONSTRUCTION OF A SILT FENCE

CONSTRUCT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THE WISCONSIN DNR'S STORM WATER CONSTRUCTION AND POST-CONSTRUCTION TECHNICAL STANDARDS.

ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE MONITORED DAILY FOR STABILITY AND OPERATION AND REPORTED AT LEAST ONCE PER WEEK AND FOLLOWING EVERY 0.5" RAINFALL.

DUST CONTROL TO FOLLOW WDNR T.S. 1068

ALL RESTORATION TO BE IN ACCORDANCE WITH WDNR'S CONSERVATION PRACTICE STD 1059. CUT AND FILL SLOPES WILL BE 3:1 OR FLATTER OUTSIDE ROAD RIGHT OF WAY & 4:1 OR FLATTER WITHIN ROAD RIGHT OF WAY.

RESTORATION AREAS TO BE TOP SOILED (4" MIN), (IF GRADED), SEEDED, FERTILIZED, AND EMATTED CLASS I TYPE B (WISDOT PAL).

IF THE SITE OR PORTIONS OF THE SITE ARE TO REMAIN INACTIVE FOR GREATER THAN 14 DAYS TEMPORARY STABILIZATION MEASURES SUCH AS SOIL TREATMENT, TEMPORARY SEEDING OR MULCHING SHALL BE TAKEN WITHIN 7 DAYS FROM THE SITE BEING LEFT INACTIVE.

TURF TYPE SEED MIX, PER MANUFACTURERS SPEC

CONTRACTOR TO FOLLOW STANDARD PROCEDURES FOR SPILL PREVENTION AND RESPONSE

ALL UTILITIES TO BE INSTALLED PER THE STANDARD SPECIFICATIONS FOR SEWER AND WATER IN WISCONSIN LATEST ADDITION AND ADDENDUM'S.

GRADING AND PAVING PER STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION LATEST EDITION

PROOF-ROLLING SHALL BE COMPLETED PRIOR TO PLACING BASE COURSE AND PRIOR TO PAVING

SEE LANDSCAPE PLAN FOR SPECIFIC SEEDING REQUIREMENTS

LEGEND

- 901--- EXISTING 1' CONTOURS
 - 900--- EXISTING 5' CONTOURS
 - 901— FUTURE 1' CONTOURS
 - 900— FUTURE 5' CONTOURS
 - 864.6 EXISTING SPOT GRADES
 - 864.66 PROPOSED SPOT GRADES
 - 896.00 PROPOSED RETAINING WALL
 - 891.00
- RAILING REQUIRED ON ALL WALLS OVER 4' TALL
- SILT FENCE
 - DITCH CHECK
 - EX 100 YEAR FF LINE ELEV = 890.50
 - PR 100 YEAR FF LINE ELEV = 890.50



LAKE COUNTRY ENGINEERING, INC.
Consulting Engineers - Surveyors
970 S. Silver Lake Street, Suite 105, Oconomowoc, WI 53066
Phone (262) 569-9331 Fax (262) 569-9316

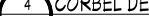
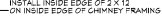
GRADING AND EROSION CONTROL PLAN
LOT 1 OF CSM 12636, W329N6579 FOREST DR.
ANDREW AND MICHELLE MINER
SW 1/4 OF S20, T.8N., R.18E., TO MERTON WAUKESHA CO, WI

PROJ. #
25-3540

SHEET #
1 OF 1

| REVISION DATE | REMARKS |
|---------------|---|
| 08-11-25 | MODIFY GRADES OVER SEPTIC TO SAVE TREES |

| | |
|------------------------|---------------------|
| SCALE: 1" = 20' | DRAFTED BY: R.J.D. |
| CHECKED BY: R. J. DAVY | DATE: JUNE 26, 2025 |



| | | |
|------------------|---------|---------|
| CLIENT INITIALS: | Initial | Initial |
| | AM | MM |

PROPERTY OF
MILLER MARRIOTT

