

**CHAPTER 18**

**LAND DIVISION CONTROL  
ORDINANCE**

VILLAGE OF MERTON  
WAUKESHA COUNTY, WISCONSIN

JULY/2006

ORDINANCE NO. 152  
AN ORDINANCE TO REVISE AND CODIFY  
THE LAND DIVISION ORDINANCES OF THE VILLAGE OF MERTON

WHEREAS, it is deemed expedient and necessary that the Land Division Ordinance of the Village of Merton be revised, codified and arranged in appropriate chapters, sections, and subsections; that omissions be supplied, defects be amended and the new code be enacted; and the same be published in book form to make the whole thereof plain, concise, intelligible and convenient and:

WHEREAS, the Village Board had previously authorized the preparation of a Land Division Code for the village, and the Village Board held a public hearing on April 20, 2006.

WHEREAS, a copy of the Land Division Ordinance has been on file and open for public inspection in the office of the Village Clerk for not less than two weeks, and published as a class 2 notice as required by law.

NOW, THEREFORE THE VILLAGE BOARD OF THE VILLAGE OF MERTON DO ORDAIN AS FOLLOWS:

PART I. That the Land Division Ordinance of the village of Merton in book form entitled Chapter 18 of the *Municipal Code of the Village of Merton*, a copy which is on file in the office of the Village clerk for public inspection, shall be and is hereby adopted as the Land Division Ordinance in and for the Village of Merton, Wisconsin.

PART II. Should any section, clause or provision of this ordinance be declared by the court to be invalid the same shall not affect the validity of the ordinance as a whole or part thereof.

PART III. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PART IV. All ordinances shall take effect and be in full force from and after the date of passage and posting according to law.

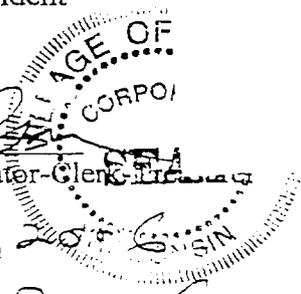
  
Robert W. Weber, Village President

ATTEST:

  
Thomas A. Nelson, Administrator-Clerk

ADPOTED: July 20, 2006

POSTED: July 25, 2006



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## **DIVISION 18.100    INTRODUCTION**

### **18.101 TITLE**

This Ordinance shall be known as the "Land Division Control Ordinance of the Village of Merton", or as "Chapter 18 of the Village of Merton Code of Ordinances."

### **18.102 STATUTORY AUTHORIZATION**

These regulations are adopted under the authority granted by Section 236.45 of the Wisconsin Statutes.

### **18.103 PURPOSE**

The purpose of this Ordinance is to regulate and control all land divisions within the corporate limits of the Village of Merton and within the extraterritorial plat approval jurisdiction of the Village in order to promote and protect the public health, safety, aesthetics, and general welfare of the community. More particularly, and without limitation, it is the purpose of this Ordinance to:

- (1) Implement the Village's comprehensive plan and components thereof and facilitate enforcement of community development standards as set forth in the zoning code, building code, and official map.
- (2) Promote the wise use, development, conservation, and protection of the soil, water, wetland, woodland, and wildlife resources in the Village and its area of extraterritorial plat approval jurisdiction, and to achieve a balanced relationship between land use and development and the supporting and sustaining natural resource base.
- (3) Further the orderly layout and appropriate use of land.
- (4) Avoid the harmful effects of premature division or development of land.
- (5) Provide for proper ingress to and egress from development sites.
- (6) Secure safety from fire, flooding, water pollution, and other hazards and minimize expenditures for flood relief and flood control projects.
- (7) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface waters.
- (8) Preserve natural vegetation and cover and protect the natural beauty of the Village.
- (9) Provide adequate light and air.
- (10) Prevent the overcrowding of land and avoid undue concentration of population.
- (11) Facilitate the division of land into smaller parcels.

- (12) Facilitate and ensure the adequate provision of transportation, water, sewerage, storm water management, schools, parks, playgrounds, and other public facilities and services.
- (13) Ensure adequate legal description and proper survey monumentation of divided land.
- (14) Restrict building in areas of unsuitable soils.
- (15) Provide for the administration and enforcement of this Ordinance.

#### **18.104 ABROGATION AND GREATER RESTRICTIONS**

It is not the intent of this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, regulations, permits, or approvals previously adopted or issued pursuant to law. However, where this Ordinance imposes greater restrictions, and such restrictions do not contravene rights vested under law, the provisions of this Ordinance shall govern.

#### **18.105 INTERPRETATION**

The provisions of this Ordinance shall be interpreted to be minimum requirements and shall be liberally construed in favor of the Village, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

#### **18.106 SEVERABILITY**

If any section, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

#### **18.107 REPEAL**

All other ordinances or parts of ordinances of the Village inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

#### **18.108 DISCLAIMER OF LIABILITY**

The Village does not guarantee, warrant, or represent that only those areas delineated as floodplains on plats and certified survey maps will be subject to periodic inundation, nor does the Village guarantee, warrant, or represent that the soils shown to be unsuited for a given land use from tests required by the Ordinance are the only unsuited soils within the jurisdiction of this Ordinance; and thereby asserts that there is no liability on the part of the Village Board, its agencies or agents, or employees for flooding problems, sanitation problems, or structural damages that may occur as a result of reliance upon, and conformance with, this Ordinance.

#### **18.109 – 18.199 RESERVED**

## **DIVISION 18.200    GENERAL PROVISIONS**

### **18.201 AREA OF JURISDICTION**

This Ordinance shall apply to all lands within the corporate limits of the Village of Merton and to all lands within the extraterritorial plat approval jurisdiction of the Village.

### **18.202 APPLICABILITY**

- (1) Subdivision: Any division of land within the Village or the extraterritorial plat approval jurisdiction of the Village that results in a subdivision as defined in Section 18.1101 shall be, and any other division of land may be, surveyed and a plat thereof approved and recorded pursuant to the provisions of Divisions 18.400 and 18.500 of this Ordinance and Chapter 236 of the Wisconsin Statutes.
- (2) Minor Land Division: Any division of land within the Village or the extraterritorial plat approval jurisdiction of the Village that results in a minor land division as defined in Section 18.1101 shall be surveyed and a certified survey map of such division approved and recorded as required by Division 18.600 of this Ordinance and Chapter 236 of the Wisconsin Statutes.
- (3) It is the Express Intent of this Ordinance to regulate condominiums having one or more principal structures on any parcel, except for condominium conversions of existing structures where no additional units are being created. In no case shall the maximum number of units in a condominium exceed the maximum number of units the same parcel could have accommodated under the Village Zoning Ordinance if the parcel had been conventionally divided.
- (4) The provisions of this Ordinance shall not apply to:
  - (a) Cemetery plats made under Section 157.07 of the Wisconsin Statutes.
  - (b) Assessors' plats made under Section 70.27 of the Wisconsin Statutes; however, assessors' plats shall comply with Sections 236.15(1)(a) through (g), and 236.20(1), and (2)(a) through (e) of the Wisconsin Statutes unless waived under Section 236.20(2)(L).
  - (c) Sale or exchange of parcels of public utilities or railway rights-of-way to adjoining property owners if the Village Board and Waukesha County approve such sale or exchange on the basis of applicable local ordinances or the provisions of Chapter 236 of the Wisconsin Statutes.

### **18.203 COMPLIANCE**

No person shall divide any land located within the jurisdictional limits of the Village, which results in a subdivision, minor land division, replat, or condominium as defined herein; and no such subdivision, minor subdivision, replat, or condominium shall be entitled to record without compliance with:

- (1) All requirements of this Ordinance.
- (2) The Village Comprehensive Plan or any component thereof, the Zoning Ordinance, and official map ordinance.
- (3) The provisions of Chapter 236 of the Wisconsin Statutes.
- (4) The provisions of Chapter 703 of the Wisconsin Statutes for all proposed condominiums.
- (5) The rules of the Wisconsin Department of Commerce regulating lot size and lot elevation necessary for proper sanitary conditions if any lot or unit is not served by a public sewer and provisions for such service have not been made.
- (6) The rules of the Wisconsin Department of Transportation relating to provision for the safety of entrance upon and departure from state trunk highways or connecting highways and for the preservation of the public interest and investment in such highways.
- (7) The rules of the Wisconsin Department of Natural Resources setting water quality standards preventing and abating pollution, and regulating development within flood plain, wetland, and shoreland areas.
- (8) All other applicable ordinances.

### **18.204 LAND SUITABILITY**

No land shall be divided which is held unsuitable for such use by the Village Plan Commission, upon recommendation of the Village Engineer or other agency as determined by the Plan Commission, for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography, or any other feature likely to be harmful to the health, safety, or welfare of the future residents or occupants of the proposed land division, or the Village, or which poses an imminent harm to the environment. In addition:

- (1) Floodplains. No lot served by public sanitary sewerage facilities shall have less than fifty percent (50%) of its required lot area, or 4,200 square feet, whichever is greater, above the elevation of the 100-year recurrence interval flood, or where such data are not available, five (5) feet above the maximum flood of record. No lot one acre or less in area served by an onsite sanitary sewage disposal system shall include floodplains. All lots more than one acre in area served by an onsite sanitary sewage disposal system shall contain not less than 40,000 square feet of land which is at least two (2) feet above the elevation of

the 100-year recurrence interval flood, as determined by the Federal Emergency Management Agency or the Southeastern Wisconsin Regional Planning Commission. Where such flood stage data are not available, the regulatory flood elevation shall be determined by a registered professional engineer and the sealed report of the engineer setting forth the regulatory flood stage and the method of its determination shall be approved by the Village Engineer.

- (2) Lands Made, Altered, or Filled with Non-earth Materials within the preceding twenty (20) years shall not be divided into building sites which are to be served by onsite sanitary sewage disposal systems except where soil tests by a certified soil tester clearly show that the soils are suited to such use. Soil reports shall include, but need not be limited to, an evaluation of soil permeability, depth to groundwater, depth to bedrock, soil bearing capacity, and soil compaction. To accomplish this purpose, a minimum of one test per acre shall be made initially.
- (3) Lands Made, Altered, or Filled with Earth within the preceding seven (7) years shall not be divided into building sites which are to be served by onsite sanitary sewage disposal systems except where soil tests by a certified soil tester clearly show that the soils are suited to such use. Soil reports shall include, but need not be limited to, an evaluation of soil permeability, depth to groundwater, depth to bedrock, soil bearing capacity, and soil compaction. To accomplish this purpose, a minimum of one test per acre shall be made initially.
- (4) Lands Having a Slope of twelve percent (12%) or more may be required by the Plan Commission to be maintained in natural open uses. No lot shall have more than fifty percent (50%) of its minimum required area in slopes of twelve percent (12%) or more.
- (5) Lands Having Bedrock within ten (10) feet of the natural undisturbed surface shall not be divided into building sites to be served by private onsite waste treatment systems, unless the sites are compliant with standards set forth in Chapters Comm 83 and 85 of the Wisconsin Administrative Code. The minimum depth of suitable soil over bedrock must comply with the specifications set forth in Table 83.44-3 of Comm 83. The depth of soil required over bedrock will be dependent on soil texture, soil structure, and the quality of the influent entering the proposed soil dispersal area. The subdivision layout shall permit the infiltrative surfaces of dispersal cells to be located at least twenty-four (24) inches above bedrock.
- (6) Lands Having Seasonal and/or Permanent Groundwater within ten (10) feet of the natural undisturbed surface shall not be divided into building sites to be served by private onsite waste treatment systems unless the sites are compliant with standards set forth in Chapters Comm 83 and 85 of the Wisconsin Administrative Code. The minimum depth of unsaturated soil above seasonal groundwater must comply with the specifications set forth in Table 83.44-3 of Comm 83. The subdivision layout shall permit the infiltrative surfaces of the dispersal cells to be located at least twenty-four (24) inches above the highest groundwater elevation as estimated utilizing soil redoximorphic features. At least six (6) of the twenty-four (24) inches of soil separation required shall be

comprised of an in situ soil type for which soil treatment capability is credited under the afore-referenced table. Seasonal soil saturation shall be assumed to reach the ground surface where redoximorphic features are present within four (4) inches of the bottom of the A horizon.

- (7) Lands Covered by Soils Having Coarse Textures such as loamy coarse sand with sixty percent (60%) or more coarse fragment content shall not be divided into building sites to be served by private onsite waste treatment systems unless compliance with Chapters Comm 83 and 85 of the Wisconsin Administrative Code can be demonstrated.
- (8) Land Drained by Farm Drainage Tile or Farm Ditch Systems shall not be divided into building sites to be served by private onsite waste treatment systems unless compliance with Chapters Comm 83 and 85 of the Wisconsin Administrative Code can be demonstrated.
- (9) The Village Plan Commission, in applying the provisions of this Section, shall, in writing, recite the particular facts upon which it based its conclusion that the land is not suitable for the intended use and afford the subdivider an opportunity to present evidence regarding such unsuitability, if so desired. The Plan Commission may thereafter affirm, modify, or withdraw its determination of unsuitability.

#### **18.205 DEDICATION AND RESERVATION OF LANDS**

- (1) Streets, Highways, and Drainageways. Whenever a proposed subdivision, minor land division, or condominium plat encompasses all or any part of an arterial street, drainageway, or other public way which has been designated in the comprehensive plan or component thereof or the official map of the Village, said public way shall be made a part of the plat or certified survey map and dedicated or reserved, as determined by the Village, by the subdivider in the locations and dimensions indicated on said plan or map and as set forth in Division 18.700.
- (2) Park, Open Space, and School Sites. Park and school sites shall be dedicated or reserved as provided in Section 18.710.
- (3) Proposed Public Lands Lying Outside the corporate limits of the Village but within the extraterritorial plat approval jurisdictional area of these regulations shall be reserved for acquisition by the Town or County.

#### **18.206 HOMEOWNER OR CONDOMINIUM ASSOCIATIONS**

Common areas or facilities within a land division or condominium shall be held in common ownership as undivided proportionate interests by the individual lot owners and the members of the homeowners' or condominium association, subject to the provisions set forth herein. In the event an association dissolves, the individual property owners will be fully responsible for all provisions set forth herein. The

homeowners' or condominium association shall be governed according to the following:

- (1) The Subdivider shall provide the Village with a description of the homeowners' or condominium association, including its bylaws, and all documents governing maintenance requirements and use restrictions for common areas and facilities. These documents shall be subject to approval by the Village Attorney at the subdivider's expense.
- (2) The Association shall be established by the owner or applicant and shall be operating prior to the sale of any lots or units in the subdivision or condominium.
- (3) Membership in the association shall be mandatory for all purchasers of lots or units therein and their successors and assigns.
- (4) The Association shall be responsible for maintenance and insurance of common areas and facilities.
- (5) A Land Stewardship Plan for any common open space to be retained in a natural state shall be included in the submittal of association documents.
- (6) The Members of the association shall share equitably the costs of maintaining, insuring, and operating common areas and facilities.
- (7) The Association shall administer, maintain, and operate common areas and facilities.
- (8) The Subdivider shall arrange with the Village Assessor a method of assessment of any common areas and facilities, which will allocate to each lot, parcel, or unit within the land division or condominium a share of the total assessment for such common areas and facilities.
- (9) The Village must approve any proposed transfer of common areas or facilities by the association or the assumption of maintenance of common areas or facilities. Notice shall be given to all members of the association and to the Village at least thirty (30) days prior to such transfer.
- (10) In the Event that the association established to own and maintain common areas and facilities, or any successor organization thereto, fails to properly maintain all or any portion of the aforesaid common areas or facilities, the Village may serve written notice upon such association setting forth the manner in which the association has failed to maintain the aforesaid common areas and facilities. Such notice shall set forth the nature of corrections required and the time within which the corrections shall be made. Upon failure to comply within the time specified, the association, or any successor association, shall be considered in violation of this Ordinance, in which case the Village shall have the right but not the obligation to enter the premises and take the needed corrective actions. The costs of corrective actions by the Village shall be assessed against the properties that have the right of enjoyment of the common areas and facilities.

## 18.207 IMPROVEMENTS

Before approval of any final plat located within the corporate limits of the Village, the subdivider shall install street and other improvements as hereinafter provided. In the alternative, if such improvements are not installed at the time the final plat is submitted for approval, the subdivider shall, before approval of the plat, enter into a development agreement with the Village agreeing to install the required improvements, and shall file with said agreement a letter of credit with good and sufficient surety meeting the approval of the Village Attorney or a certified check in the amount equal to 120% of the estimated cost of the improvements. Said estimate shall be made by the Village Engineer, as a guarantee that such improvements will be completed by the subdivider or his or her subcontractors no later than two (2) years from the date the plat is recorded and as a further guarantee that all obligations to subcontractors for work on the subdivision are satisfied. Sureties shall not expire until developer's agreement is complied with and 60 days after notice of expiration is given to the Village.

- (1) Contracts and contract specifications for the construction of street and utility improvements within public street rights-of-way, as well as contractors and subcontractors providing such work, shall be subject to approval of the Village Attorney and Engineer.
- (2) Governmental Units to which these bond and contract provisions apply may file, in lieu of said contract and bond, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this section.
- (3) Survey Monuments. Before final approval of any plat within the corporate limits of the Village, the subdivider shall cause survey monuments to be installed as required by and placed in accordance with the requirements of Section 236.15 of the Wisconsin Statutes, and as may be required by the Village Engineer. The Village Engineer may waive the placing of monuments, as provided in Section 236.15(1) (h) of the Wisconsin Statutes, for a reasonable time, not to exceed one year, on condition that the subdivider provide a letter of credit, certified check, or surety bond equal to the estimated cost of installing the monuments to ensure the placing of such monuments within the time required by statute. Additional time may be granted upon show of cause.
- (4) Plats Outside Corporate Limits. Before final approval by the Village of any plat located outside the corporate limits of the Village but within the extraterritorial plat approval jurisdiction of the Village, the subdivider shall give evidence that he or she has complied with all street and utility improvement requirements of the Town in which the land being platted is located.

## 18.208 DEVELOPMENT AGREEMENT

Before final approval, or as a condition of receiving final approval from the Village Board of any final plat, condominium plat, or certified survey map for which public

improvements are required by this Ordinance; or for which public improvements, dedications, or fees are being deferred under this Ordinance; or for which phasing approval is being granted under Section 18.902 of this Ordinance, the subdivider shall sign and file with the Village Board a development agreement. The development agreement shall be reviewed by the Village Plan Commission, approved by the Village Attorney and Village Engineer, and shall be approved by the Village Board prior to approval of the final plat, condominium plat, or certified survey map.

### **18.209 EXCEPTIONS AND MODIFICATIONS**

Where, in the judgment of the Village Plan Commission, it would be inappropriate to apply literally the provisions of Divisions 18.700 and 18.800 of this Ordinance because exceptional or undue hardship would result, the Plan Commission may waive or modify any requirement to the extent deemed just and proper. Such relief shall be granted without detriment to the public good, without impairing the intent and purpose of this Ordinance or the desirable general development of the community in accordance with an adopted comprehensive plan or component thereof. No exception or modification shall be granted unless the Plan Commission finds that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

- (1) Exceptional Circumstances: There are exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that this Ordinance should be changed.
- (2) Preservation of Property Rights: That such exception or modification is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.
- (3) Absence of Detriment. That the exception or modification will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.
- (4) A Simple Majority Vote of the full membership of the Plan Commission shall be required to grant any exception or modification of this Ordinance, and the reasons shall be entered into the minutes of the Commission.

### **18.210 VIOLATIONS**

No person, firm, or corporation shall build upon, divide, convey, record or place monuments on any land in violation of this Ordinance or the Wisconsin Statutes. No person, firm, or corporation shall be issued a building permit by the Village authorizing the building on, or improvement of, any subdivision, minor land division, replat, or condominium within the jurisdiction of this Ordinance until the provisions and requirements of this Ordinance have been fully met with the exception of existing lots of record as of the effective date of this Ordinance. Any permits issued shall be null and void. The Village may institute appropriate action or proceedings to enjoin violations of this Ordinance.

## 18.211 PENALTIES AND REMEDIES

- (1) Upon becoming aware of any violation of any provisions of this Ordinance the Village Zoning Administrator, Village Administrator, or designee shall serve notice of such violation on the person committing or permitting the violation. Notice may be served for matters referenced under this Ordinance such as a failure to utilize or maintain best management practices for erosion control or the failure to protect against spills of contaminants inasmuch as it may be served for direct violations of provisions specifically set forth herein. If such violation has not ceased within such reasonable time as has been specified in such notice, he shall institute such action as may be necessary to terminate the violation. At the discretion of the Zoning Administrator, a verbal or written warning may be given prior to referring the matter to the Village Attorney for the commencement of action. The written warning shall include information regarding the fact that fines may amount to as much as \$100 per day per offense, are cumulative, and do not exempt the offender from compliance. In situations that pose an immediate hazard to the public health, safety or welfare, in the opinion of the Village Zoning Administrator, no warning period is required before a written notice to correct the violation may be issued, action may be taken under (2) below, and double fines may be warranted.
- (2) The Village Zoning Administrator or Village Administrator may initiate injunction, mandamus, or any other appropriate action to prevent, enjoin, abate or remove anything that is in violation of any provision of this Ordinance. Such action may also be instituted by any citizen who may be aggrieved or particularly damaged by a violation of any provisions of the ordinance.
- (3) Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than \$20 and as much as \$100, plus any additional applicable costs incurred by the Village for each offense. The penalty for default of payment of such forfeiture and costs shall be imprisonment in the County Jail until payment thereof, but not exceeding six (6) months. Each day a violation exists or continues shall constitute a separate offense subject to cumulative fines. The imposition of any penalties shall not exempt the offender from compliance. Violations and concomitant penalties shall include the following:
  - (a) Recordation improperly made carries penalties as provided in Section 236.30 of the Wisconsin Statutes.
  - (b) Conveyance of lots in unrecorded plats carries penalties as provided for in Section 236.31 of the Wisconsin Statutes.
  - (c) Monuments disturbed or not placed carries penalties as provided for in Section 236.32 of the Wisconsin Statutes.
  - (d) An Assessor's Plat made under Section 70.27 of the Wisconsin Statutes may be ordered as a remedy by the Village, at the expense of the subdivider, when a subdivision is created by successive divisions.

## **18.212 APPEALS**

Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal such objection or failure to approve, as provided in Sections 236.13(5) and 62.23(7)(e) of the Wisconsin Statutes, within thirty (30) days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds that the action of the approving or objecting agency is arbitrary, unreasonable, or discriminatory.

## **18.213 BUILDING PERMIT LIMITATIONS**

The Village of Merton requires that building permits for any subdivision of 10 to 19 lots shall be issued over a two (2) year period and for any subdivision of 20 to 30 lots shall be issued over a three (3) year period or longer if required by the Village Board. The first year of the issuance of building permits shall commence as of the date of issuance of the first building permit for a lot within the subdivision, and each successive year begins on the anniversary date of the first permit issued. Building permits to be issued shall not exceed one-half of the total number of lots in any one year for a subdivision of 10 to 19 lots nor more than one-third of the total number of lots in any one year for a subdivision of 20 to 30 lots, unless such time for the issuance of building permits is further limited or extended by the Village Board. The limitations herein provided for the issuance of building permits for any subdivision of 10 to 30 lots shall be determined by the Village Board at the time the preliminary plat of such subdivisions are presented to the Village Board for approval and the limitation on the number of building permits that may be issued annually for such subdivisions shall be incorporated and made a part of the final plat before the same is accepted by the Village Board. The Village Board shall establish the annual number of building permits that may be issued for any subdivision in excess of thirty (30) lots and shall also establish the number of years in which such building permits shall be issued. This determination by the Board shall be made at the time the preliminary plat is submitted to the Board for approval and the restrictions contained herein with reference to the limitation on the number of building permits that may be issued annually shall be incorporated in and made a part of the final plat before the same is accepted by the Village Board. The Village Board may consider further subdividing of land abutting or in reasonable proximity to the original plat, even if done by another subdivider, as a part of the original plat in determining the total number of building permits to be issued in any year. The Village Board may revise the development guidelines given above, provided specified conditions existing at the time of the request, in the opinion of the Village Board, justify a revision.

## **18.214 – 18.299 RESERVED**

## **DIVISION 18.300    LAND DIVISION PROCEDURES**

### **18.301 PRE-APPLICATION STAFF CONFERENCE**

It is recommended that, prior to the filing of an application for the approval of a preliminary plat, condominium plat, or certified survey map, the subdivider consult with the Plan Commission and/or Village staff in order to obtain advice and assistance. It is recommended that a conceptual plan of the proposed subdivision, condominium, or certified survey map be brought by the applicant to the meeting, but such conceptual plan is not required. This consultation is neither formal nor mandatory, but is intended to inform the subdivider of the purpose and objectives of these regulations, the comprehensive plan, and duly adopted plan implementation devices of the Village and to otherwise assist the subdivider in planning the development. In so doing, both the subdivider and Plan Commission may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and community. The subdivider will gain a better understanding of the subsequent required procedures.

### **18.302 PRELIMINARY PLAT REVIEW WITHIN THE VILLAGE**

Before submitting a final plat for approval, the subdivider shall prepare a preliminary plat and complete an application form, a complete submittal package and a review checklist (found in Appendix B). The preliminary plat shall be prepared in accordance with this Ordinance and the subdivider shall file an adequate number of copies of the plat for distribution in accordance with this Section; the completed application and checklist; and the preliminary plat review fee with the Village Clerk, or designee, at least ninety (90) days prior to the meeting of the Village Board at which action is desired.

- (1) The Village Clerk shall, within two (2) normal working days after filing, transmit:
  - (a) Four (4) copies to Waukesha County;
  - (b) Two (2) copies to the Director of Plat Review, Wisconsin Department of Administration;
  - (c) Additional copies to the Director of Plat Review, Wisconsin Department of Administration, for re-transmission as follows:
    1. Two (2) copies to the Wisconsin Department of Transportation (WisDOT) if the subdivision abuts or adjoins a state trunk highway or a connecting highway;
    2. Two (2) copies to the Wisconsin Department of Commerce if the subdivision is not served by a public sewer and provision for such service has not been made; and
    3. Two (2) copies to the Wisconsin Department of Natural Resources (WDNR) if lands included in the plat lie within 500 feet of the ordinary

high water mark of any navigable stream, lake, or other navigable body of water, or if any shoreland areas are located within the plat.

- (2) In Lieu of the Procedure Set Forth Above, the subdivider may, pursuant to Section 236.12(6) of the Wisconsin Statutes, submit the original of the preliminary plat directly to the plat review section of the Wisconsin Department of Administration, who will prepare and forward copies of the plat at the subdivider's expense to the objecting agencies. When the subdivider elects to use this alternative procedure, it shall be the responsibility of the subdivider to submit to the Village Clerk the additional copies required for the reviews required below.
- (3) The Village Clerk shall also transmit, within two (2) normal working days after filing, eight (8) copies of the preliminary plat to the Village Plan Commission and one copy each to the Village Engineer, Planner and Fire Chief for review and recommendations concerning matters within their jurisdiction. The recommendations of Village officials shall be transmitted to the Plan Commission within twenty (20) days from the date the plat is received. The preliminary plat shall then be reviewed by the Plan Commission for conformance with this Ordinance, and all other Village ordinances, rules, regulations, and the comprehensive plan and components thereof.
- (4) The Village Clerk shall also transmit, within two (2) normal working days after filing, one copy each of the preliminary plat to the Southeastern Wisconsin Regional Planning Commission, affected public and private utility companies, and the affected school district or districts for their review and recommendation concerning matters within their jurisdiction. Their recommendations shall be transmitted to the Plan Commission within twenty (20) days from the date the plat is received.

### **18.303 APPROVAL OF A PRELIMINARY PLAT LOCATED WITHIN THE VILLAGE**

- (1) The Objecting Agencies shall, within twenty (20) days of the date of receiving their copies of the preliminary plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the plat and shall return that copy to the Village Clerk. If an objecting agency fails to act within twenty (20) days, it shall be deemed to have no objection to the plat.
- (2) The Village Plan Commission shall promptly review the preliminary plat, after objections and comments have been received by the objecting and reviewing agencies and officials, for conformance with this Ordinance and all applicable laws, ordinances, and comprehensive plans and components of such plans. The Plan Commission shall comment and recommend action on the preliminary plat to the Village Board.

- (3) The Village Board shall, within ninety (90) days of the date of filing of the preliminary plat with the Village Clerk, approve, approve conditionally, or reject such plat. One copy of the plat shall thereupon be returned to the subdivider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the plat. One copy each of the plat and letter shall be placed in the Plan Commission's permanent file.
- (4) Failure of the Village Board to act within ninety (90) days shall constitute an approval of the plat as filed, unless the review period is extended by mutual consent.
- (5) Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat, except that if the final plat is submitted within twenty-four (24) months after the last required approval of the preliminary plat and conforms substantially to the preliminary plat, including any conditions of that approval, and to local plans and ordinances, the final plat shall be entitled to approval as provided in Section 236.11(1)(b) of the Wisconsin Statutes.

#### **18.304 FINAL PLAT REVIEW WITHIN THE VILLAGE**

A final plat shall be prepared in accordance with this Ordinance and the subdivider shall file an adequate number of copies of the plat for distribution in accordance with this Section; the completed application; and the final plat review fee with the Village Clerk at least sixty (60) days prior to the meeting of the Village Board at which action is desired.

- (1) The Village Clerk shall, within two (2) normal working days after filing, transmit:
  - (a) Four (4) copies to Waukesha County;
  - (b) Two (2) copies to the Director of Plat Review, Wisconsin Department of Administration;
  - (c) Additional copies to the Director of Plat Review, Wisconsin Department of Administration, for re-transmission as follows:
    1. Two (2) copies to the Wisconsin Department of Transportation (WisDOT) if the subdivision abuts or adjoins a state trunk highway or a connecting highway;
    2. Two (2) copies to the Wisconsin Department of Commerce if the subdivision is not served by a public sewer and provision for such service has not been made; and
    3. Two (2) copies to the Wisconsin Department of Natural Resources (WDNR) if lands included in the plat lie within 500 feet of the ordinary high water mark of any navigable stream, lake, or other navigable body of water, or if any shoreland areas are located within the plat.

- (2) In Lieu of the Procedure Set Forth Above, the subdivider may, pursuant to Section 236.12(6) of the Wisconsin Statutes, submit the original of the final plat directly to the plat review section of the Wisconsin Department of Administration, who will prepare and forward copies of the plat at the subdivider's expense to the objecting agencies. When the subdivider elects to use this alternative procedure, it shall be the responsibility of the subdivider to submit to the Village Clerk the additional copies required for the reviews required below.
- (3) The Village Clerk shall also transmit, within two (2) normal working days after filing, eight (8) copies of the final plat to the Village Plan Commission and one copy to the Village Engineer, Planner, Fire Chief and each of the affected public or private utilities.
- (4) The Village Plan Commission shall examine the final plat as to its conformance with the approved preliminary plat; conditions of approval of the preliminary plat; this Ordinance and all ordinances, rules, regulations, comprehensive plans or components thereof which may affect it; and shall recommend approval or rejection of the plat to the Village Board.
- (5) Partial Platting. The final plat may, if permitted by the Plan Commission, constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time; however, it is required that each phase be final platted and designated as a phase of the approved preliminary plat.

### **18.305 APPROVAL OF A FINAL PLAT LOCATED WITHIN THE VILLAGE**

The objecting agencies, shall, within twenty (20) days of the date of receiving their copies of the final plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the plat and shall return that copy to the Village Plan Commission. If an objecting agency fails to act within twenty (20) days, it shall be deemed to have no objection to the plat.

- (1) Submission. If the final plat is not submitted within twenty-four (24) months of the last required approval of the preliminary plat, the Village Board may refuse to approve the final plat.
- (2) The Village Plan Commission shall, within forty-five (45) days of the date of filing of the final plat with the Village Clerk, recommend approval or rejection of the plat and shall transmit the final plat and application along with its recommendation to the Village Board unless a written extension of time has been obtained from the subdivider.
- (3) Notification. The Village Plan Commission shall, when it determines to recommend approval or rejection of a plat to the Village Board, give at least ten (10) days prior written notice of its recommendation to the clerk of any municipality within 1,000 feet of the plat.

- (4) The Village Board shall, in accordance with Section 236.12 of the Wisconsin Statutes, within sixty (60) days of the date of filing the original final plat with the Village Clerk, approve or reject such plat unless a written extension of time has been obtained from the subdivider. The Village Board may act on the plat at the same meeting at which the Plan Commission makes its recommendation. One copy of the plat shall thereupon be returned to the subdivider with the date and action endorsed thereon. If the plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons forwarded to the subdivider. One copy each of the plat and letter shall be placed in the Village Clerk's permanent file. The Village Board shall not inscribe its approval on the final plat unless the Village Clerk certifies on the face of the plat that the copies were forwarded to objecting agencies as required herein, with the date they were forwarded, and that no objections have been filed within twenty (20) days or, if filed, that they have been met.
- (5) Failure of the Village Board to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, and all fees payable by the subdivider having been paid, shall constitute approval of the final plat.
- (6) Recordation. After the final plat has been approved by the Village Board and required improvements either installed or a developer's agreement and sureties insuring their installation is filed in accordance with Sections 18.207 and 18.208 of this Ordinance, the Village Clerk shall cause the certificate inscribed upon the plat attesting to such approval to be duly executed and the plat returned to the subdivider for recording with the County Register of Deeds.
- (7) Copies. The subdivider shall file ten (10) copies of the recorded final plat with the Village Clerk. The Clerk shall distribute copies of the plat to the Village Engineer, Building Inspector, Assessor, Planner, and other affected Village and County departments for their files.

#### **18.306 PLATS WITHIN THE EXTRATERRITORIAL PLAT APPROVAL JURISDICTION OF THE VILLAGE**

- (1) When the Land to be Subdivided lies within the extraterritorial plat approval jurisdiction of the Village, the subdivider shall proceed as specified in Sections 18.301 through 18.305 except:
  - (a) If the subdivider elects to initially submit the proposed plat to the Village, the plat shall, as a matter of courtesy, be first submitted to the Town Clerk concerned. The Town Clerk shall then assume the responsibility for transmitting the plat to the objecting agencies and other approving authorities, including the Village.
  - (b) Approving agencies include the Village Board, Town Board, and Waukesha County; and the subdivider must comply with the land subdivision ordinances of the Village, Town, and County.

- (2) The Subdivider may proceed with the installation of such improvements and under such regulations as the Town Board of the Town within whose limits the plat lies may require. Wherever connection to any Village utility is desired, permission for such connection shall be approved by the Village Board.
- (3) All Improvement Requirements specified by the Town Board or any special improvement district in matters over which they have jurisdiction shall be met before the final plat is filed.

### **18.307 MINOR LAND DIVISION**

When it is proposed to divide land into less than five (5), parcels or building sites, inclusive of the original remnant parcel, any one of which is five (5) acres or less in area, by a division or by successive divisions of any part of the original parcel within a five (5) year period; or when it is proposed to divide a block, lot, or outlot within a recorded subdivision plat into more than one, but less than five (5), parcels or building sites, inclusive of the original remnant parcel, without changing the exterior boundaries of the subdivision plat or the exterior boundaries of blocks within the subdivision plat, and the division does not result in a subdivision, the subdivider may effect the division by use of a certified survey map rather than a subdivision plat. The subdivider shall prepare the certified survey map in accordance with this Ordinance and shall file sufficient copies of the map and the completed application with the Village Clerk at least sixty (60) days prior to the meeting of the Village Board at which action is desired. The Plan Commission may for good reason, such reason being set forth in the minutes of the meeting concerned, accept for review and approval certified survey maps that consist of a single parcel. For transfers of land between adjacent property owners, the Village does not require a certified survey map or subdivision plat; however, at the discretion of the Village Board, an assessor's map may be required per s.70.27 of the Wisconsin Statutes (see also 18.310).

- (1) A Pre-Application Staff Conference similar to the consultation suggested in Section 18.301 of this Ordinance is recommended.
- (2) The Village Clerk shall, within two (2) normal working days after filing, transmit the copies of the map and letter of application to the Village Plan Commission.
- (3) The Village Clerk shall transmit a copy of the map to all affected Village boards and commissions for their review and recommendations concerning matters within their jurisdiction. Copies may also be transmitted to Waukesha County and to the Southeastern Wisconsin Regional Planning Commission for review and comment. Their recommendations shall be transmitted to the Village Plan Commission within twenty (20) days from the date the map is received. The map shall be reviewed by the Plan Commission for conformance to this Ordinance, and all other ordinances, rules, regulations, and comprehensive plans and components thereof as may be applicable.
- (4) The Village Plan Commission shall, within forty-five (45) days from the date of filing of the map, recommend approval, conditional approval or rejection of the

map, and shall transmit the map along with its recommendations to the Village Board.

- (5) The Village Board shall approve, approve conditionally and thereby require resubmission of a corrected map, or reject such map within sixty (60) days from the date of filing of the map unless the time is extended by agreement with the subdivider. If the map is rejected, the reason shall be stated in the minutes of the meeting and a written statement forwarded to the subdivider. If the map is approved, the Village Board shall cause the Village Clerk to so certify on the face of the original map.
- (6) Recordation. After the final plat has been approved by the Village Board and required improvements either installed or a developer's agreement and sureties insuring their installation is filed in accordance with Sections 18.207 and 18.208 of this Ordinance, the Village Clerk shall cause the certificate inscribed upon the plat attesting to such approval to be duly executed and the plat returned to the subdivider for recording with the County Register of Deeds.
- (7) Copies. The subdivider shall file ten (10) copies of the recorded certified survey map with the Village Clerk. The Clerk shall distribute copies of the map to the Village Engineer, Village Planner, Building Inspector, Assessor, and other affected Village and County officials for their files.

### **18.308 REPLATS**

- (1) When It Is Proposed to replat a recorded subdivision, or part thereof, so as to vacate or alter areas within a plat dedicated to the public, or to change the boundaries of a recorded subdivision, or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded plat as provided in Sections 236.40 through 236.44 of the Wisconsin Statutes. If the replat is proposing to change the boundaries of a recorded subdivision, or part thereof, the subdivider or person wishing to replat shall then proceed as specified in Sections 18.301 through 18.306 of this Ordinance.
- (2) The Village Clerk shall schedule a public hearing before the Plan Commission when a preliminary plat of a replat of lands within the Village is filed, and shall cause notices of the proposed replat and public hearing to be published and mailed to the owners of record of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within 200 feet of the exterior boundaries of the proposed replat.

### **18.309 CONDOMINIUM PLATS**

A condominium plat prepared by a land surveyor registered in Wisconsin is required for all condominium plats or any amendments or expansions thereof. Such plat shall comply in all respects with the requirements of Section 703.11 of the Wisconsin Statutes and shall be reviewed and approved or denied in the same manner as a subdivision plat as set forth in Sections 18.301 through 18.306 of this Ordinance. Such plat shall comply with the design standards, improvements, and all other

requirements of this Ordinance that would otherwise apply to subdivision plats, including, but not limited to, those set forth in Divisions 18.700 and 18.800 of this Ordinance.

### **18.310 RECORDING OF ASSESSOR'S MAP**

Where it is not practicable to require that a final plat of a subdivision created by successive divisions be filed in accordance with the ordinance, the Village Board may order an assessor's map to be made under s. 70.27 of the Wisconsin Statutes, and may assess the cost thereof as provided in such section or to the subdivider. The subdivider shall file a reproducible tracing with the Village after approval has been given. When required such assessor's map shall be prepared in accordance with the following:

- (1) Registered Land Surveyor: The surveyor has been performed and the map prepared by the registered land surveyor.
- (2) Monuments: All corners have been monumented in accordance with s. 236.15 of the Wisconsin Statutes insofar as they are applicable.
- (3) Map: The map shall be prepared in accordance with s. 236.20 insofar as it is applicable with all lines made with non-fading black ink on a scale of not more than 100 feet to the inch.
- (4) Certificates and Description: The assessor's map shall include the surveyor's certificate including the name of the governing body by whose order the plat was made and the date of the order; a clear and concise description of the land surveyed and mapped, commencing with some corner marked and established in the government survey, and acceptable to the Village Engineer; a statement that the plat is a correct representation of all the exterior boundaries of the land surveyed and each parcel thereof; and a statement that he has fully complied with the provisions of s. 70.27 of the Wisconsin Statutes in filing the same.
- (5) Additional information: The map shall also show any other information deemed pertinent by the Village relating to existing buildings, watercourses, drainage ditches, easements, setbacks and building lines, etc.

### **18.311 – 18.399 RESERVED**

## **DIVISION 18.400    PRELIMINARY PLAT**

### **18.401 GENERAL REQUIREMENTS**

A preliminary plat shall be required for all subdivisions and condominiums and shall be based upon a survey by a registered land surveyor. The plat shall be prepared on tracing cloth or paper of good quality at a scale no smaller than one inch equals 100 feet and shall show correctly on its face the following information:

- (1) Title or Name under which the proposed subdivision is to be recorded. Such title shall not be the same or similar to a previously approved and recorded plat, unless it is an addition to a previously recorded plat and is so stated on the plat.
- (2) Location of proposed subdivision by quarter section, township, range, county, and state.
- (3) Date, graphic scale, and north arrow.
- (4) Names and addresses of the owner, subdivider, and land surveyor preparing the plat.
- (5) The Entire Area Contiguous to the proposed plat owned or controlled by the subdivider shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development. The Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of this Ordinance and undue hardship would result from strict application thereof.

### **18.402 SITE ANALYSIS INFORMATION**

In the absence of an adopted neighborhood plan, the following site analysis information shall be inventoried and mapped at a scale no smaller than one inch equals 100 feet in sufficient detail, with brief descriptions if necessary, to allow for the proper evaluation of a preliminary plat. The site analysis map and accompanying descriptions shall be included with the submittal of the preliminary plat. The map shall include:

- (1) Topographic Features, with two (2) foot intervals for slopes less than twelve percent (12%) and at no more than five (5) foot intervals for slopes twelve percent (12%) and greater. Elevations shall be marked on such contours, referenced to National Geodetic Vertical Datum (NGVD) of 1929. Any rock outcrops, slopes of twelve percent (12%) or greater, ridgelines, and hilltops shall be noted.
- (2) Hydrologic Characteristics, including lakes, ponds, rivers, streams, creeks, drainage ditches, wetlands, floodplains, shoreland areas, and surface drainage patterns. Concurrence on the boundaries of wetlands shall be obtained from Wisconsin Department of Natural Resources. The boundaries of the 100-year recurrence interval floodplain, as determined by the Federal Emergency

Management Agency or the Southeastern Wisconsin Regional Planning Commission, shall be shown. Where such floodplain data are not available, the floodplain boundaries and related stages shall be determined by a registered professional engineer retained by the subdivider, and the engineer's report providing the required data shall be subject to review and approval by the Village Engineer.

- (3) Delineations of Natural Resource Areas, including the boundaries of primary and secondary environmental corridors and isolated natural resource areas as identified by the Southeastern Wisconsin Regional Planning Commission, and the location and type of any rare or endangered species habitat.
- (4) Soil Types, as shown on the soil survey maps prepared by the Natural Resources Conservation Service.
- (5) Existing Vegetation, including the boundaries and characteristics of woodlands, hedgerows, and prairies. Predominant species of hedgerows and woodlands shall be identified. Unless located within an area proposed to be maintained in open space, specimen trees shall be located and identified by species, size, and health.
- (6) Historic, Cultural, and Archaeological Features, with a brief description of the historic character of buildings, structures, ruins, and burial sites.
- (7) Scenic Vistas, both into the proposed subdivision from adjacent roads and public areas and views from within the proposed subdivision.
- (8) The Location and Classification of existing streets and highways within or adjacent to the proposed subdivision and desirable or undesirable entry points into the subdivision.
- (9) Existing Land Uses within the proposed subdivision and within 200 feet therefrom, including cultivated and non-cultivated fields, paved areas, buildings, structures, and all encumbrances, such as easements or covenants.
- (10) Public Parks and Open Space Areas within or adjacent to the proposed subdivision, and potential open space connections between the proposed subdivision and adjacent lands.
- (11) Existing and Proposed Zoning on and adjacent to the proposed subdivision.

## 18.403 PLAT DATA

All preliminary plats shall show the following:

- (1) Length and Bearing of the exterior boundaries of the proposed subdivision referenced to two (2) corners established in the U.S. Public Land Survey and the total acreage encompassed thereby. The lengths of lines shall be given to the nearest 0.01 foot and bearings to the nearest one second of arc. The arc length, chord length, radius length, and bearing shall be given for all curved lines.
- (2) Topographic Features, including existing contours, with two (2) foot intervals for slopes less than twelve percent (12%) and at no more than five (5) foot intervals for slopes twelve percent (12%) and greater. Elevations shall be marked on such contours, referenced to National Geodetic Vertical Datum (NGVD) of 1929.
- (3) Boundaries of the 100-year recurrence interval floodplain and related regulatory stages, as determined by the Federal Emergency Management Agency or the Southeastern Wisconsin Regional Planning Commission. Where such data are not available, the floodplain boundaries and related stages shall be determined by a registered professional engineer retained by the subdivider and the engineer's report providing the required data shall be submitted with the plat for review and approval by the Village Engineer.
- (4) Location and Water Elevations at the date of the survey of all lakes, ponds, rivers, streams, creeks, and drainage ditches within the plat and within 200 feet of the exterior boundaries of the plat. Approximate high and low water elevations and the ordinary high water mark referenced to NGVD 1929 shall also be shown. The status of navigability of the lakes, ponds, rivers, streams, creeks, and drainage ditches shall be indicated based upon a determination by the Wisconsin Department of Natural Resources.
- (5) Lake and Stream Meander Lines proposed to be established.
- (6) Boundaries of Primary and Secondary Environmental Corridors and isolated natural resource areas, as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission. The boundaries of wetlands shall also be shown. The wetland boundaries shall be determined on the basis of a field survey made to identify, delineate, and map those boundaries; and the name of the person, agency, or firm identifying, delineating, and mapping the boundaries shall be provided together with the date of the field survey concerned.
- (7) The Location of Woodlands as mapped by the Southeastern Wisconsin Regional Planning Commission and existing vegetation to be retained within the proposed subdivision.

- (8) Location, right-of-way width, and names of all existing and proposed streets, highways, alleys, or other public ways, pedestrian and bicycle ways, utility rights-of-way, active and abandoned railway rights-of-way, vision corner easements, and other easements within or adjacent to the plat.
- (9) Type, Width, and Elevation of any existing street pavements within or adjacent to the plat, together with any legally established centerline elevations, referenced to mean NGVD (1929).
- (10) Approximate Radii of all curved lines within the exterior boundaries of the plat.
- (11) Location and Names of any adjoining subdivisions, parks, cemeteries, public lands, and watercourses, including impoundments. The owners of record of abutting unplatted lands shall also be shown.
- (12) All Existing Structures, together with an identification of the type of structure, such as residence, garage, barn, or shed; the distances of such structures from existing and proposed property lines, wells, watercourses, and drainage ditches; and existing property boundary lines in the area adjacent to the exterior boundaries of the proposed plat and within 100 feet thereof. The proposed use of existing structures to be retained shall be noted. All wells within the exterior boundaries of the plat, and within fifty (50) feet of the exterior boundaries of the plat, shall be shown.
- (13) Locations of all civil division boundary lines and U.S. Public Land Survey system section and one-quarter section lines within the plat and within 100 feet of the exterior boundaries of the plat.
- (14) Approximate Dimensions of all lots, the minimum lot area required by the zoning district in which the plat is located, and proposed lot and block numbers.
- (15) Building or Setback Lines which are proposed to be more restrictive than the regulations of the zoning district in which the plat is located.
- (16) Location, Approximate Dimensions, and Area of any sites to be reserved or dedicated for parks, playgrounds, drainageways, open space preservation, or other public use.
- (17) Location, Approximate Dimensions, and Area of any proposed common areas or facilities.
- (18) Location, Approximate Dimensions, and Area of any sites that are to be used for multi-family housing, shopping centers, church sites, or other non-public uses not requiring platting.
- (19) Location, Size, and Invert Elevation of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, electric and communication facilities, whether overhead or underground, and the location and size of any existing water and gas mains within or adjacent to the plat. If no sewers or water mains are located on or immediately adjacent to the proposed subdivision, the nearest such sewers or water mains which might

be extended to serve the proposed subdivision shall be indicated by their direction and distance from the plat, and by their size and invert elevations. All elevations shall be referenced to NGVD (1929).

- (20) Any Proposed Lake and Stream Access, and the width of the proposed access, to be provided within the exterior boundaries of the plat.
- (21) Any Proposed Lake and Stream Improvement or relocation, and notice of application for approval by the Wisconsin Department of Natural Resources, when applicable.
- (22) The Approximate Location of any existing onsite sewage treatment and disposal facilities.
- (23) Any Additional Information requested by the Village Plan Commission.

#### **18.404 STREET PLANS AND PROFILES**

The Village Engineer or Plan Commission may require that the subdivider provide street plans and profiles showing the existing ground surface, proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon NGVD (1929), and plans and profiles shall meet the approval of the Village Engineer.

#### **18.405 SOIL BORINGS AND TESTS**

- (1) The Plan Commission, upon recommendation of the Village Engineer, may, in order to determine the suitability of specific areas for the construction of buildings and supporting roadways, require that soil borings and tests be made to ascertain subsurface soil conditions and depths to bedrock and to the groundwater table. The number of such borings and tests shall be adequate to portray for the intended purpose the character of the soil and the depths to bedrock and groundwater from the undisturbed surface.
- (2) Where a Subdivision is not to be served by public sanitary sewer, soil borings and tests shall be made to determine the suitability of the site for the use of onsite sewage treatment and disposal systems. Such borings and tests shall meet the requirements of Chapters Comm 83 and 85 of the Wisconsin Administrative Code. The location of the borings shall be shown on the preliminary plat and the findings, with respect to the suitability of the site for the use of onsite sewage treatment and disposal systems, shall be set forth in a separate report submitted with the plat.

#### **18.406 SOIL AND WATER CONSERVATION**

The subdivider shall provide complete soil erosion and sedimentation control plans and specifications. Such plans shall be in accordance with the requirements set forth in the Waukesha County Erosion Control and Storm Water Management Ordinance.

### **18.407 COVENANTS AND CONDOMINIUM OR HOMEOWNERS ASSOCIATION DOCUMENTS**

- (1) A Draft Copy of any proposed protective covenants whereby the subdivider intends to regulate land use in the proposed subdivision shall accompany the preliminary plat. The proposed covenants shall be subject to review and approval by the Village Attorney.
- (2) A Draft Copy of any proposed condominium or homeowners' association declarations, covenants, or other documents shall accompany the preliminary plat. These documents shall include the information specified in Section 18.206. The proposed documents shall be subject to review and approval by the Village Attorney.

### **18.408 SURVEYOR'S CERTIFICATE**

The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of the exterior boundaries of the proposed plat and of all existing land divisions and features within and adjacent thereto; and that the surveyor has fully complied with the provisions of this Ordinance and of Chapter 236 of the Wisconsin Statutes.

### **18.409 COMPLETE APPLICATION SUBMITTAL PACKET**

At the time of plat submittal, a complete submittal package shall be provided to the Village, in the required number of copies. A complete package includes the following:

- (1) Application form
- (2) All submittal requirements as listed on currently adopted Village checklists, appended to this Ordinance under Appendix B. Such checklists require, without limitation, a written agreement that the subdivider will be responsible for and will submit to the Village a copy of and/or proof of:
  - (a) All permits issued relative to the development
  - (b) All as-built records for on-site and off-site improvements
  - (c) Final flushing and cleaning of water and storm water infrastructure
  - (d) Construction and construction site management in accordance with all adopted Village standards

### **18.410 – 18.499 RESERVED**

## **DIVISION 18.500    FINAL PLAT**

### **18.501 GENERAL REQUIREMENTS**

A final plat prepared by a registered land surveyor shall be required for all subdivisions and condominiums. It shall comply in all respects with the requirements of Chapter 236 of the Wisconsin Statutes.

### **18.502 PLAT DATA**

The Plat shall show correctly on its face, in addition to the information required by Section 236.20 of the Wisconsin Statutes, the following:

- (1) Length and Bearing of the centerline of all streets. The lengths shall be given to the nearest 0.01 foot and bearings to the nearest one second of arc. The arc, chord, and radius lengths and the chord bearings, together with the bearings of the radii at the ends of the arcs and chords, shall be given for all curved streets.
- (2) Street Width along the line of any obliquely intersecting street to the nearest 0.01 foot.
- (3) Active and Abandoned Railway rights-of-way within and abutting the exterior boundaries of the plat.
- (4) Building or Setback Lines required by the Village Plan Commission or other approving or objecting agency that is more restrictive than the regulations of the zoning district in which the plat is located, or which are proposed by the subdivider and are to be included in recorded private covenants.
- (5) Easements for any Public sanitary sewers, water supply mains, storm water management facilities, drainageways, or access ways.
- (6) All Lands Reserved for future public acquisition or reserved for the common use of property owners within the plat. If property reserved for common use is located within the subdivision or condominium, the information required by Section 18.206 shall be submitted with the Final Plat, together with any associated deed or plat restrictions required by the Plan Commission.
- (7) Boundaries of the 100-year recurrence interval floodplain and related regulatory stages as determined by the Federal Emergency Management Agency or the Southeastern Wisconsin Regional Planning Commission. Where such data are not available, the floodplain boundaries and related stages shall be determined by a registered professional engineer retained by the subdivider and the engineer's report providing the required data shall be submitted with the plat for review and approval by the Village Engineer.
- (8) Location and Right-of-Way of existing and proposed bicycle and pedestrian ways and utility rights-of-way.

- (9) Notations or Any Restrictions required by the Village Plan Commission or other approving or objecting agency relative to access control along any public ways within or adjacent to the plat; the provision and use of planting strips; or provisions for the protection of any existing wetlands or other environmentally significant lands within the exterior boundaries of the plat.

### **18.503 DEED RESTRICTIONS**

The Village may require that deed restrictions be filed with the final plat. When required, such restrictions shall be recorded with the final plat.

### **18.504 SURVEY ACCURACY**

The Village Engineer shall examine all final plats within the Village and may make, or cause to be made by a registered land surveyor under the supervision or direction of the Village Engineer, field checks for the accuracy and closure of survey, proper kind and location of monuments, and liability and completeness of the drawing. In addition:

- (1) The Maximum Error of Closure before adjustment of the survey of the exterior boundary of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in 10,000, nor in azimuth, of four (4) seconds of arc per interior angle. If field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure is obtained. When a satisfactory closure of the field measurements has been obtained, the survey of the exterior boundary shall be adjusted to form a closed geometric figure.
- (2) All Street, Block, and Lot Dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If field checks disclose an error for any interior line of the plat greater than the ratio of one part in 5,000, or an error in measured angle greater than one minute of arc for any angle where the shorter side forming the angle is 300 feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than 300 feet in length, the error shall not exceed the value of one minute multiplied by the quotient of 300 divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.
- (3) The Village Board shall receive the results of the Village Engineer's examination prior to approving the final plat. The Village Engineer may, however, in accordance with Section 18.207(3) of this Ordinance, waive the placing of monuments for a reasonable time, not to exceed one year, on condition that the subdivider provide a letter of credit, or certified check equal to the estimated cost of installing the monuments, to ensure the placing of such monuments within the time required by Statute. In that case, the Village Engineer's examination required under this Section and any related field checks shall be made after the required monuments have been installed. The letter of

credit or certified check concerned shall not be released until the Village Engineer is satisfied with the accuracy of the land surveying concerned.

### **18.505 SURVEYING AND MONUMENTING**

All final plats shall meet all surveying and monumenting requirements of Section 236.15 of the Wisconsin Statutes.

### **18.506 STATE PLANE COORDINATE SYSTEM**

Where the plat is located within a quarter-quarter section, section, township, and range the corners of which have been located, monumented, and placed on the State Plane Coordinate System through high order horizontal control surveys conducted to standards established by the Southeastern Wisconsin Regional Planning Commission, the plat shall be tied directly to two (2) adjacent section or quarter-section corners defining a quarter section line so located, monumented, and placed on the State Plane Coordinate System. The ground bearing and distance of each tie shall be determined by field measurements, the grid Wisconsin State Plane Coordinates, together with a description of the monuments marking the section or quarter-section corners to which the plat is tied shall be shown on the plat. All distances and bearings shall be referenced to the Wisconsin State Plane Coordinate System, South Zone, based upon the North American Datum of 1927, and shall be adjusted to the control survey network established to the standards promulgated by the Southeastern Wisconsin Regional Planning Commission for the area concerned. Where the field measurements differ from the control survey data by more than one part in 10,000, in the alternative to adjusting the field measured distances and bearings of the ties to the control survey network, the surveyor shall show both the measured field distances and bearings and the recorded and published control survey distances and bearings concerned. Under this alternative, the discrepancies shall be brought to the attention of the custodian of the control survey data for the area concerned by the surveyor. All distances shall be recorded to the nearest 0.01 foot and all bearings to the nearest one second of arc. The ground bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision.

### **18.507 CERTIFICATES**

All final plats shall provide all the certificates required by Section 236.21 of the Wisconsin Statutes; and, in addition, the surveyor shall certify that he or she has fully complied with all the provisions of this Ordinance.

### **18.508 FILING AND RECORDING**

- (1) The Final Plat shall be submitted for recording in accordance with Section 18.305(6) of this Ordinance.
- (2) The County Register of Deeds shall record the plat as provided by Section 236.25 of the Wisconsin Statutes.
- (3) The Subdivider shall file a copy of the final plat with the Village Clerk, as provided by Section 236.27 of the Wisconsin Statutes.

### **18.509 – 18.599 RESERVED**

## **DIVISION 18.600    CERTIFIED SURVEY MAP**

### **18.601 GENERAL REQUIREMENTS**

A certified survey map prepared by a registered land surveyor shall be required for all minor land divisions. It shall comply in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. The minor land division shall comply with the design standards and improvement requirements set forth in Divisions 18.700 and 18.800 of this Ordinance.

A preliminary map or sketch map may be submitted by the subdivider to the Village Plan Commission or its staff for review and comment prior to the submission of a proposed certified survey map for review and approval.

### **18.602 REQUIRED INFORMATION**

The map shall show correctly on its face, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

- (1) Inset Map of the area concerned showing the location of the proposed certified survey map in relation to the U.S. Public Land Survey section and quarter-section lines and abutting and nearby public streets and highways.
- (2) Date, graphic scale, and north point.
- (3) Name and addresses of the owner, subdivider, and land surveyor preparing the plat.
- (4) All Existing Structures, together with an identification of the type of structure, such as residence, garage, barn, or shed; the distances of such structures from existing and proposed property lines, wells, watercourses, and drainage ditches; and existing property boundary lines in the area adjacent to the exterior boundaries of the proposed certified survey map and within 100 feet thereof. The proposed use of existing structures to be retained shall be noted. All wells within the exterior boundaries of the proposed certified survey map, and within fifty (50) feet of the exterior boundaries of the map, shall be shown.
- (5) Location, Approximate Dimensions, and Area of any sites to be reserved or dedicated for parks, playgrounds, drainageways, open space preservation, or other public use.
- (6) Building or Setback Lines required by the Village Plan Commission, or other approving or objecting agency, which are more restrictive than the regulations of the zoning district in which the certified survey map is located, or which are proposed by the subdivider and are to be included in recorded private covenants.
- (7) Location and Names of any adjoining streets, highways, subdivisions, parks, cemeteries, public lands, and watercourses, including impoundments. The owners of record of abutting unplatted lands shall also be shown.

- (8) Length and Bearing of the centerline of all streets. The lengths shall be given to the nearest 0.01 foot and the bearings to the nearest one second of arc. The arc, chord, and radius lengths, and the chord bearing, together with the bearings of the radii of the ends of the arcs and chords, shall be given for all curved lines.
- (9) Street Width along the line of any obliquely intersecting street line to the nearest 0.01 foot.
- (10) Active and Abandoned Railway rights-of-way within and abutting the exterior boundaries of the proposed certified survey map, and the location and right-of-way of existing and proposed bicycle and pedestrian ways.
- (11) Notations or Any Restrictions required by the Village Plan Commission or other approving or objecting agency relative to access control along any public ways within or adjacent to the proposed certified survey map; the provision and use of planting strips; or provisions for the protection of any existing wetlands or other environmentally significant lands within the exterior boundaries of the proposed certified survey map.
- (12) Easements for any Public sanitary sewers, water supply mains, storm water management facilities, drainageways, or access ways.

#### **18.603 ADDITIONAL INFORMATION**

The Plan Commission may require that the following additional information be provided when necessary for the proper review and consideration of the proposed land division:

- (1) Topographic Features, including existing and/or proposed contours, with two (2) foot intervals for slopes less than twelve percent (12%) and at no more than five (5) foot intervals for slopes twelve percent (12%) and greater. Elevations shall be marked on such contours, referenced to National Geodetic Vertical Datum (NGVD) of 1929. The requirement to provide topographic data may be waived if the parcel or parcels proposed to be created are fully developed.
- (2) Soil Types as shown on the soil survey maps prepared by the Natural Resources Conservation Service.
- (3) The Square Footage and elevation of the first floor of all buildings proposed to remain on the site or sites included in the certified survey map.
- (4) The Village Plan Commission, upon recommendation of the Village Engineer, may, in order to determine the suitability of the site concerned for the construction of buildings and supporting roadways, require that soil borings and tests be made to ascertain subsurface soil conditions and depths to bedrock and to the groundwater table. The number of such borings and tests shall be adequate to portray for the intended purpose the character of the soil and the depths to bedrock and groundwater from the undisturbed surface.

- (5) Where the Site is Not to be Served by public sanitary sewer, soil borings and tests shall be made to determine the suitability of the site for the use of onsite sewage treatment and disposal systems. Such borings and tests shall meet the requirements of Chapters Comm 83 and 85 of the Wisconsin Administrative Code. The location of the borings shall be shown on the map and the findings, with respect to suitability for the use of onsite sewage treatment and disposal systems, set forth in a separate report submitted with the proposed certified survey map.
- (6) Boundaries of Primary and Secondary Environmental Corridors and isolated natural resource areas, as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission. The boundaries of wetlands shall also be shown. The wetland boundaries shall be determined on the basis of a field survey made to identify, delineate, and map those boundaries; and the name of the person, agency, or firm identifying, delineating, and mapping the wetland boundaries shall be provided together with the date of the field survey concerned.
- (7) Boundaries of the 100-year recurrence interval floodplain and related regulatory stages, as determined by the Federal Emergency Management Agency or the Southeastern Wisconsin Regional Planning Commission. Where such data are not available, the floodplain boundaries and related stages shall be determined by a registered professional engineer retained by the subdivider, and the engineer's report providing the required data shall be submitted for review by the Village Engineer.
- (8) The Location of Woodlands, as mapped by the Southeastern Wisconsin Regional Planning Commission, within the proposed certified survey map.
- (9) The Approximate Location of existing and proposed onsite sewage treatment and disposal facilities.
- (10) Historic, Cultural, and Archaeological Features, with a brief description of the historic character of buildings, structures, ruins, and burial sites.
- (11) Location and Water Elevations at the date of the survey of all lakes, ponds, rivers, streams, creeks, and drainage ditches within the proposed certified survey map and within 200 feet of the exterior boundaries of the map. Approximate high and low water elevations and the ordinary high water mark referenced to NGVD 1929 shall also be shown. The status of navigability of the lakes, ponds, rivers, streams, creeks, and drainage ditches shall be indicated based upon a determination by the Wisconsin Department of Natural Resources.
- (12) The Village Plan Commission may require that the entire area contiguous to the land encompassed within the proposed certified survey map and owned or controlled by the subdivider be included in the certified survey map even though only a portion of said area is proposed for immediate development. The Village Plan Commission may also require the submission of a sketch plan,

drawn to scale, showing the entire contiguous holdings owned or controlled by the subdivider and identifying proposed future development of the parcel, including general street and parcel locations.

#### **18.604 STATE PLANE COORDINATE SYSTEM**

Where the map is located within a quarter-quarter section, section, township and range, the corners of which have been located, monumented, and placed on the State Plane Coordinate System through high order horizontal control surveys conducted to standards established by the Southeastern Wisconsin Regional Planning Commission, the map shall be tied directly to two (2) adjacent section or quarter section corners defining a quarter section line so located, monumented, and placed on the State Plane Coordinate System. The ground bearing and distance of each tie shall be determined by field measurements. The Wisconsin State Plane Coordinates, together with a description, of the monuments marking the section or quarter section corners to which the map is tied shall be shown on the map. All distances and bearings shall be referenced to the Wisconsin State Plane Coordinate System, South Zone, based upon the North American Datum of 1927, and shall be adjusted to the control survey network established to the standards promulgated by the Southeastern Wisconsin Regional Planning Commission for the area concerned. Where the field measurements differ from the control survey data by more than one part in 10,000, in the alternative to adjusting the field measured distances and bearings of the ties to the control survey network, the surveyor shall show both the measured field distances and bearings and the recorded and published control survey distances and bearings concerned. Under this alternative, the discrepancies shall be brought to the attention of the custodian of the control survey data for the area concerned by the surveyor. All distances shall be recorded to the nearest 0.01 foot and all bearings to the nearest one second of arc. The ground bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the certified survey map.

#### **18.605 CERTIFICATES**

All certified survey maps shall provide all of the certificates required for final plats by Section 236.21 of the Wisconsin Statutes. The Village Board shall certify its approval on the face of the map. In addition, the surveyor shall certify that he or she has fully complied with all of the provisions of this Ordinance.

#### **18.606 RECORDING**

After the certified survey map has been duly approved by the Village Board, the Village Clerk shall cause the certificate to be inscribed upon the map attesting to such approval and the map shall be recorded as provided for under Section 18.307(6) of this Ordinance.

#### **18.607 – 18.699 RESERVED**

## **DIVISION 18.700    DESIGN STANDARDS**

### **18.701 STREET ARRANGEMENT**

- (1) General Requirements. In any new land division or condominium, the street layout shall conform to the arrangement, width, type, and location indicated on the adopted County jurisdictional highway system plan, the adopted Village official map, or the adopted Village comprehensive plan or plan component. In areas for which such plans have not been completed, or are of insufficient detail, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and existing trees, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. The land division or condominium shall be designed so as to provide each lot with satisfactory frontage on a public street.
- (2) Arterial Streets shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and planned system of arterial streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.
- (3) Collector Streets shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the arterial street and highway system and shall be properly related to the arterial streets to which they connect.
- (4) Local Streets shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.
- (5) Proposed Streets shall extend to the boundary lines of the lot, parcel, or tract being subdivided or developed unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the land division or condominium or for the advantageous development of adjacent lands.
- (6) Arterial Street Protection. Whenever an existing or planned arterial street is located adjacent to or within a proposed land division or condominium, adequate protection of residential lots, limitation of access to the arterial street, and separation of through and local traffic shall be provided through the use of alleys, frontage roads, cul-de-sacs or loop streets. A restricted non-access

easement along any property line abutting an arterial street may be required. Permanent screening or landscape plantings may be required in any restricted non-access area.

- (7) Development Control or Reserve Strips shall not be allowed on any plat or certified survey map to control access to streets or alleys, except where control of such strips is placed with the Village under conditions approved by the Plan Commission.
- (8) Access shall be provided in commercial and industrial districts for off-street loading and service areas.
- (9) Street Names shall be approved by the Village and shall not duplicate or be similar to existing street names elsewhere in the Village. Existing street names shall be continued into the land division or condominium wherever possible. Where an adopted Village or County street address system plan exists, the street names shall be assigned in accordance with the recommendations of such plan or plans.

## **18.702 RESERVED**

## **18.703 STREET, BICYCLE, AND PEDESTRIAN WAY DESIGN STANDARDS**

- (1) Minimum Width. The minimum right-of-way and roadway width of all proposed streets and alleys shall be as specified by the comprehensive plan or component thereof, official map, or County jurisdictional highway system plan. If no width is specified therein, the minimum right-of-way and roadway widths for arterial, collector, and local streets shall be as shown on Table 1 for streets having an urban cross-section.
- (2) Cross-Sections shall be as shown on Table 1 and as detailed in Appendix A. The cross-sections for arterial streets should be based on detailed engineering studies.
- (3) Cul-de-Sac Streets designed to have one end permanently closed shall not exceed 500 feet without approval of the Plan Commission and in no event shall exceed 1,000 feet in length unless provisions are made for adequate emergency access. Cul-de-sac streets shall terminate in a circular turnabout meeting the design standards listed in Table 1 and as detailed in Appendix A.
- (4) Temporary Termination of streets intended to be extended at a later date shall be accomplished with the construction of a fully improved cul-de-sac. At the Village's option, a temporary "T"-shaped turnabout contained within the street right-of-way may be permitted provided that a letter of credit with good and sufficient surety meeting the approval of the Village Attorney or a certified check in the amount equal to 120% of the estimated cost of a fully improved cul-de-sac is filed with the Village. Said estimate shall be made by the Village Engineer, as a guarantee that such improvements will be completed by the

subdivider or his or her subcontractors not later than one year from the date the plat is recorded if the street extension has not been platted at that time.

- (5) Temporary Easements shall be provided for a fully improved cul-de-sac even when a temporary "T"-shaped turn around is approved.
- (6) Bicycle and Pedestrian Ways with a right-of-way width of not less than twenty (20) feet may be required where deemed necessary by the Plan Commission to provide adequate bicycle and pedestrian circulation or access to schools, shopping centers, churches, or transportation facilities. Bicycle and pedestrian ways in wooded and wetland areas shall be so designed and constructed as to minimize the removal of trees, shrubs, and other vegetation, and to preserve the natural beauty of the area.

**Table 1**

**REQUIRED URBAN CROSS-SECTIONS  
FOR STREETS AND OTHER PUBLIC WAYS**

Type of Street Or Public Way	Right-of-Way Width To be Dedicated	Roadway, Terrace, Sidewalk, and Related Widths
Arterial Streets	80 feet, or as required by the Village Official Map or Comprehensive Plan	As determined by the Village Plan Commission, but not less than the dimensions specified for collector streets
Collector Streets	80 feet	<ul style="list-style-type: none"> <li>• 44-foot pavement (flange of curb to flange of curb)</li> <li>• 10-foot terraces</li> <li>• 5-foot sidewalks</li> <li>• 3-foot sidewalk buffers</li> </ul>
Local Streets	60 feet	<ul style="list-style-type: none"> <li>• 24-foot pavement (flange of curb to flange of curb)</li> <li>• 10-foot terraces</li> <li>• 5-foot sidewalks</li> <li>• 3-foot sidewalk buffers</li> </ul>
Alley	20 feet	<ul style="list-style-type: none"> <li>• 20-foot pavement</li> <li>• 2.5-foot buffers</li> </ul>
Cul-de-Sac	75-foot outside radius without island 76-foot outside radius w/center island	<ul style="list-style-type: none"> <li>• 61.5-foot outside curb radius</li> <li>• 31-foot radius for center island<sup>a</sup></li> <li>• 24-foot pavement (flange of curb to flange of curb)</li> <li>• 13.5-foot terrace</li> <li>• 5-foot sidewalk</li> <li>• 1-foot sidewalk buffer</li> </ul>
Pedestrian and Bicycle Ways	20 feet <sup>b</sup>	<ul style="list-style-type: none"> <li>• 8-foot pavement<sup>c</sup></li> <li>• 6-foot buffer</li> </ul>

See standard details in Appendix

<sup>a</sup>The center island should be tapered with a face-of-curb radius of 31 feet at its widest end, a face-of-curb radius of 20 feet at its narrowest end, and a length of 100 feet.

<sup>b</sup>Recommended right-of-way width for combined bicycle and pedestrian ways separate from street rights-of-way.

<sup>c</sup>The pavement width of pedestrian and bicycle ways in areas of high use may be increased to 12 feet, and the buffers decreased to four feet each.

(7) Grades

- (a) Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general leveling of the topography.
- (b) Different connecting street gradients shall be connected with vertical parabolic curves. The minimum length of vertical parabolic curves shall provide a stopping sight distance of not less than 300 feet. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to 30 times the algebraic difference in the rate of grade for arterial streets, and 1/2 this minimum for all other streets, provided that no curve of less than fifty (50) feet in length be used.
- (c) The change in grade across an intersection and within fifty (50) feet of the property line limits of the intersection shall not exceed three percent (3%).
- (d) Unless necessitated by exceptional topography, subject to the approval of the Plan Commission, the maximum centerline grade of any street or public way shall not exceed the following:
  - 1. Arterial streets: Four percent (4%)
  - 2. Collector streets: Four percent (4%)
  - 3. Local streets: Five percent (5%)
  - 4. Alleys: Eight percent (8%)
  - 5. Bicycle ways: Five percent (5%); however, steeper grades are acceptable for distances up to 500 feet.
  - 6. Pedestrian ways: Eight percent (8%). Steps or stairs shall be provided if the grade will exceed eight percent (8%).
- (e) The grade of any street shall in no case exceed eight percent (8%) or be less than one-half of one percent. The grade of any open swale ditches shall not be less than one percent (1%).
- (f) When street grades exceed six percent (6%) the Village may require additional provisions for drainage such as asphalt or concrete flumes meeting DOT standards, etc.

- (8) Crowns. Unless otherwise approved, roadway pavements shall be designed with a centerline crown. Offset crowns or continuous cross-slopes may be utilized upon approval of the Village after review and recommendation of the Village Engineer. Alley pavements shall be "V"-shaped, with a centerline gutter for drainage.

(9) Radii of Curvature. When a continuous street centerline deflects at any one point by more than five (5) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

- (a) Arterial streets and highways: 500 feet
- (b) Collector streets: 300 feet
- (c) Local streets: 150 feet

A tangent at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.

(10) Elevations of Arterial Streets shall be set so that they will not be overtopped by a fifty (50) year recurrence interval flood.

(11) Bridges and Culverts. All new and replacement bridges and culverts over navigable waterways, including pedestrian and other minor bridges, shall be designed so as to accommodate the peak rate of discharge of a 100-year recurrence interval flood event without raising the peak stage, either upstream or downstream, more than 0.01 foot above the peak stage for the 100-year recurrence interval flood, as established by the Southeastern Wisconsin Regional Planning Commission or the Federal Emergency Management Agency. Larger permissible flood stage increases may be acceptable for reaches having topographic or land use conditions which could accommodate the increased stages without creating additional flood damage potential upstream or downstream of the proposed structure, providing that flood easements or other appropriate legal measures have been secured from all property owners affected by the excess stage increases. Such bridges and culverts shall be so designed and constructed as to facilitate the passage of ice flows and other debris.

(12) Half-Streets. Where an existing dedicated or platted half-street is adjacent to the proposed land division or condominium plat, the other half of the street shall be dedicated by the subdivider. The platting of new half-streets is not permitted.

#### **18.704 STREET INTERSECTIONS**

(1) Right Angle. Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.

(2) The Maximum Number of streets converging at one intersection shall not exceed two (2).

(3) The Number of Intersections along arterial streets and highways shall be held to a minimum. Wherever practicable, the distance between such intersections shall not be less than 1,200 feet.

- (4) Continuation of Local and Collector Streets. Collector streets shall not necessarily continue across arterial streets; but if the centerlines of such streets approach the arterial streets from opposite sides within 500 feet of each other, measured along the centerline of the arterial or collector streets, then the location of the collector street shall be so adjusted so that a single intersection is formed. Local street jogs with centerline offsets of less than 125 feet are not permitted.
- (5) Corner Curves. Property lines at intersections of arterial streets and at intersections of collector and arterial streets shall be rounded to an arc with a minimum radius of fifteen (15) feet, or a greater radius if required by the Village.
- (6) Vision Clearance Easements shall be provided at street intersections as may be required by the Village Zoning Ordinance and by any approving or objecting authority concerned.
- (7) The Village may require a taper or a deceleration lane at intersections.

#### **18.705 BLOCKS**

- (1) General Requirements. The widths, lengths, and shapes of blocks shall be suited to the planned use of the land; zoning requirements; the need for convenient bicycle, pedestrian, and motor vehicle access; traffic safety; and the limitations and opportunities of topography.
- (2) The Length of Blocks in residential areas shall not as a general rule be less than 400 feet nor more than 1,200 feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design. Pedestrian walkways not less than fifteen (15) feet wide may be required by the Village Board within blocks more than 900 feet long to provide convenient pedestrian circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.
- (3) The Width of Blocks shall be sufficient to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from arterial streets

#### **18.706 LOTS**

- (1) General Requirements. The size, shape, and orientation of lots shall be appropriate for the location of the land division and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site, and a proper architectural setting for the buildings contemplated. Lot lines shall follow municipal boundary lines rather than cross them.
- (2) Side Lot Lines shall be at right angles to straight street lines or radial to curved streets.

- (3) Double Frontage Lots shall be prohibited except where necessary to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation.
- (4) Public Street Frontage. Every lot shall front or abut for a distance of at least forty (40) feet on a public street.
- (5) The Area and Dimensions of Lots shall conform to the requirements of the Village Zoning Ordinance. Lots shall contain sufficient area to permit compliance with all required setbacks, including those set forth in the Village Zoning Ordinance and those that may be required to meet the requirements of Chapter Trans 233 of the Wisconsin Administrative Code. Buildable lots that will not be served by a public sanitary sewerage system shall be of sufficient size to permit the use of a private onsite wastewater treatment system designed in accordance with Chapter Comm 83 of the Wisconsin Administrative Code.
- (6) Re-division of Lots. Wherever a lot, parcel, or tract is subdivided into lots or parcels that are more than twice the minimum lot area required in the zoning district in which the lot or parcel is located, the Plan Commission may require that such lots or parcels be arranged and dimensioned to allow re-division into smaller lots or parcels that will meet the provisions of this Ordinance and the Village Zoning Ordinance.
- (7) Depth. Lots shall have a minimum average depth of 100 feet. Excessive depth in relation to width shall be avoided and a proportion of two to one (2:1) shall be considered a desirable ratio, unless a deeper lot is needed to protect natural resources. The depth of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street parking and loading areas required by the contemplated use and the Village Zoning Ordinance.
- (8) The Width of Lots shall conform to the requirements of the Village Zoning Ordinance. The width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street parking and loading areas required by the contemplated use and the Village Zoning Ordinance.
- (9) Corner Lots, when located in a district that permits a lot width less than 100 feet, shall have an extra width of ten (10) feet to permit adequate building setbacks from side streets.
- (10) The Shape of lots shall be approximately rectangular, with the exception of lots located on a curved street or on a cul-de-sac turnabout. Flag lots shall be prohibited, except where necessary to accommodate exceptional topography or to preserve natural resources.
- (11) Lands Lying Between the Meander Line and the Water's Edge and any otherwise unplattable lands which lie between a proposed land division or condominium and the water's edge shall be included as part of lots, outlots, or public dedications in any plat abutting a lake or stream.

- (12) Restrictions Prohibiting Development. Whenever a lot appearing on a final plat, condominium plat, or certified survey map is not intended to be buildable, or is intended to be buildable only upon certain conditions, an express restriction to that effect, running with the land and enforceable by the Village, shall appear on the face of the plat or map.

### **18.707 BUILDING AND SETBACK LINES**

Building setback lines appropriate to the location and type of development contemplated, which are more restrictive than required in the applicable zoning district, may be permitted or required by the Plan Commission and shall be shown on the final plat, condominium plat, or certified survey map. Examples of the application of this provision would include requiring greater setbacks on cul-de-sac lots to achieve the necessary lot width at the setback line, requiring greater setbacks to conform to setbacks of existing adjacent development, requiring greater setbacks to avoid placing buildings within easements or vision clearance triangles, setting special yard requirements to protect natural resources, or requiring greater setbacks along arterial streets and highways to meet the requirements of Chapter Trans 233 of the Wisconsin Administrative Code.

### **18.708 EASEMENTS**

- (1) Utility Easements. The Plan Commission may require utility easements of widths deemed adequate for the intended purpose. Such easements shall be located as determined by the applicable utility company, but preferably should be located along rear and side lot lines and should be designed to avoid the location of such facilities as electric power transformers in the flow lines of drainage swales and ditches. All lines, pipes, cables and similar equipment shall be installed underground unless the Plan Commission finds that the topography, soils, depth to bedrock, woodlands, wetlands, or other physical barriers would make underground installation impractical, or that the lots to be served by said facilities can be served directly from existing overhead facilities and requiring underground installation would constitute an undue hardship upon the subdivider. Associated equipment and facilities which are appurtenant to underground electric power, communications, and gas facility systems, including but not limited to, substations, pad-mounted transformers, pad-mounted sectionalizing switches, above-grade pedestal-mounted terminal boxes, junction boxes, meter points, and similar equipment may be installed at ground level. A landscape screening plan for such aboveground equipment shall be submitted by the subdivider to the affected utility and the Plan Commission for approval. All utility easements shall be noted on the final plat, condominium plat, or certified survey map followed by reference to the use or uses for which they are intended.
- (2) Drainage Easements. Where a land division or condominium is traversed by a drainageway or stream, an adequate easement shall be provided as required by the Plan Commission. The location, width, alignment, and improvement of

such drainageway or easement shall be subject to the approval of the Village Engineer; and parallel streets or parkways may be required in connection therewith. Where necessary, storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the Village Engineer.

### **18.709 PROTECTION OF NATURAL RESOURCES**

Where natural drainage channels, floodplains, wetlands, or other environmentally sensitive areas are encompassed in whole or in part within a proposed land division or condominium, the Plan Commission may require that such areas be dedicated or that restriction be placed on the plat or certified survey map to protect such resources. The Plan Commission may further require that such areas be included in outlots designated on the plat or certified survey map and restricted from development.

### **18.710 PARK, OPEN SPACE, AND OTHER PUBLIC SITES**

- (1) In the Design of a subdivision or condominium plat or a certified survey map, due consideration shall be given to the dedication or reservation of suitable sites of adequate size for future schools, parks, playgrounds, public access to navigable waters, and other public purposes. Accordingly, each subdivider of land in the Village shall dedicate park and open space lands designated on the Village official map or comprehensive plan or component thereof. Proposed school sites shall be reserved by the subdivider for future acquisition by the School Board. See also Municipal Code Section 4.5 regarding land dedication and impact fees.
- (2) Navigable Streams or Lakeshores shall have a public access-way at least sixty (60) feet in width platted to the low water mark at intervals of not more than one-half mile and connecting to existing public streets, unless wider access or greater shoreline intervals are agreed upon by the Wisconsin Department of Administration, the Wisconsin Department of Natural Resources, and the Village, as required by Section 236.16(3) of the Wisconsin Statutes.

### **18.711 – 18.799 RESERVED**

## **DIVISION 18.800    REQUIRED IMPROVEMENTS**

### **18.801 GENERAL REQUIREMENTS**

All required improvements shall be constructed in accordance with plans and specifications approved by the Village Engineer.

### **18.802 SURVEY MONUMENTS**

The subdivider shall install survey monuments placed in accordance with the requirements of Section 236.15 of the Wisconsin Statutes and as may be required by the Village Engineer.

### **18.803 GRADING**

- (1) Master Grading Plan is required. The developers are responsible for providing a Master Grading Plan the contents of which include but are not limited to: proposed yard elevations, exposures, side yard swales, and proposed contours for front and rear yard drainage. This plan shall include back-of-curb heights at all drainage connections to side yard swales, storm sewer inlet grates and manhole rim elevations. The Master Grading plan must be approved by the Village prior to the commencement of any work at the site.
- (2) Following the Installation of temporary block corner monuments or other survey control points by the subdivider and establishment of street grades by the Village Engineer, the subdivider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and specifications approved by the Village upon recommendation of the Village Engineer. The subdivider shall grade the roadbeds in the street rights-of-way to subgrade.
- (3) Streets and Lots shall be brought to finished grades as specified in a site grading plan approved by the Village upon recommendation of the Village Engineer. All buildings constructed in the Village shall be required to submit to the Village a certified survey of the footing heights as constructed in the field and a certified survey of the final yard grades. If the grades do not match what was submitted to and approved by the Village, the builder will be responsible for correcting the structure or grade to rectify the problem.

### **18.804 SURFACING**

Following the installation, inspection, and approval by the Village Engineer of utility and storm water drainage improvements, the subdivider shall surface all roadways in streets proposed to be dedicated to the public to widths prescribed by this Ordinance, the Village official map, comprehensive plan or component thereof, or neighborhood plan. Said surfacing shall be done in accordance with plans and specifications approved by the Village upon recommendation of the Village Engineer. In addition to any other requirements stated herein or as mandated by the Village, the Village

requires the use of pavement wedges with the first lift of asphalt for curb protection (see Appendix A).

#### **18.805 CURB AND GUTTER**

- (1) Following the Installation and the Village's inspection and approval of all utility and storm water drainage improvements, the subdivider shall construct concrete curbs and gutters in accordance with plans and specifications approved by the Village upon recommendation of the Village Engineer including the use of roll-faced curbs as detailed in Appendix A.
- (2) Curb Ramps shall be installed in accordance with the Americans with Disabilities Act and Section 66.0909 of the Wisconsin Statutes, and as approved by the Village upon recommendation of the Village Engineer.
- (3) Curb cutting may only be undertaken following the express written approval of the Village.

#### **18.806 RURAL STREET SECTIONS**

New rural street sections are not permitted in the Village. All new construction shall be to an urban improvement standard.

#### **18.807 SIDEWALKS**

The subdivider may be required to construct a concrete sidewalk on all streets within the land division or condominium. The construction of all sidewalks when required shall be in accordance with plans and specifications approved by the Village upon recommendation of the Village Engineer. Wider than standard sidewalks may be required by the Village upon recommendation of the Village Engineer in the vicinity of schools, commercial areas, and other places of public assembly. In certain cases the Plan Commission may determine that sidewalks are not required because of the provision of a separate network of pedestrian ways, low vehicular or pedestrian traffic volumes, or lot arrangement.

#### **18.808 PRIVATE SEWAGE DISPOSAL SYSTEMS**

The Subdivider shall make provision for adequate private sewage disposal systems as specified by the Village, County, and State agencies concerned.

#### **18.809 PUBLIC SANITARY SEWERAGE AND PRIVATE SEWAGE DISPOSAL SYSTEMS**

At this time a public sanitary sewerage is not available in the Village. If one becomes available, the following regulations apply:

- (1) The Subdivider shall construct sanitary sewers in such a manner as to make adequate sanitary sewerage service available to each lot within the land division or condominium. Where public sanitary sewer facilities are not available, the

Subdivider shall make provision for adequate private sewage disposal systems as specified by the Village, County, and State agencies concerned.

- (2) The subdivider shall install sewer laterals to the street lot line. If, at the time of final platting, sanitary sewer facilities are not available to the plat, but if the Village Board concludes that sanitary sewers are reasonably likely to become available within a period of five years from the date of plat recording, the subdivider shall install or cause to be installed sanitary sewers and sewer laterals to the street lot line in accordance with this Section and shall cap all laterals as may be specified by the Village Engineer. The size, type, and installation of all sanitary sewers proposed to be constructed shall be in accordance with the plans and specifications reviewed by the Village Engineer and recommend for approval to the Village Board.
- (3) The subdivider shall assume the cost of installing all sanitary sewers, laterals, and appurtenances required to serve the land division or condominium development proposed. If sewers greater than eight (8) inches in diameter are required to accommodate sewage flows originating from outside of the proposed development, the cost of such larger sewers shall be prorated either in proportion to the ratio of the total area of the land division or condominium development to the total tributary drainage area to be served by such larger sewer, or in proportion to the contributing sewage flows, as may be agreed upon between the subdivider and the Village, and the excess cost either borne by the Village or assessed against the total tributary drainage area.
- (4) Construction of public sewers shall follow the standards set forth in the "Standard Specifications for Sewer and Water Construction in Wisconsin" latest addition along with any amendments or additional specifications as required by the Village Engineer.

#### **18.810 STORM WATER MANAGEMENT FACILITIES**

- (1) The Subdivider shall Construct storm water drainage facilities, to include curbs and gutters, catch basins and inlets, storm sewers, and storage facilities as required. All such facilities are to be of adequate size and grade to hydraulically accommodate potential volumes of flow. The type of facilities required and the design criteria shall be determined by the Village upon recommendation of the Village Engineer. Storm drainage facilities shall be so designed as to prevent and control soil erosion and sedimentation and present no hazard to life or property. The size, type, and installation of all storm water management facilities proposed to be constructed shall be in accordance with the plans and specifications approved by the Village Engineer. The use of interim catch basins and full storm drain protection to Village specifications are required during the construction phase. (See Appendix A) All properties being developed are required to have side yard swales or berming to assure no overland flow of surface waters can create a problem to the neighboring properties.

- (2) The Subdivider shall Assume the costs entailed in constructing storm water conveyances and storage facilities necessary to serve the proposed development and to carry the existing storm water flows through the proposed development. If larger conveyance and storage facilities are required to accommodate flows originating from outside of the proposed development, or to avoid flooding attendant to increased flows downstream of the proposed development caused not by the development but by preexisting development upstream, the cost of such facilities shall be prorated in proportion to the contributing rates of flows, and the excess cost shall be borne by the Village or assessed against the tributary drainage areas concerned.
- (3) The Subdivider shall be responsible for the regular maintenance of all storm water and erosion control mechanisms up through the point of acceptance by the Village. The Village reserves the right to make such orders as are necessary to provide for the continued performance of these mechanisms.
- (4) The Subdivider shall be responsible for the final cleaning and flushing of all storm water management systems. The subdivider shall also be responsible for cleaning out all retention and detention ponds to the satisfaction of the Village Engineer. All of these activities shall be completed prior to Village acceptance of any part of the storm water management system.

#### **18.811 WATER SUPPLY FACILITIES**

- (1) The Subdivider shall make provision for adequate private water systems as specified by the Village, County, and State agencies concerned.
- (2) At this time public water supply is not available in the Village. If a public water supply becomes available the following regulations will apply:
  - (a) The subdivider shall assume the cost of installing all water mains eight (8) inches in diameter or less in size. If water mains greater than eight (8) inches in diameter are required to serve areas outside the proposed development, the excess cost shall be borne by the Village.
  - (b) The subdivider shall be responsible for the final cleaning and flushing of all parts of the water supply system prior to Village acceptance of any part of the system.

#### **18.812 OTHER UTILITIES**

- (1) The Subdivider Shall Cause gas, electrical power, and telephone and other communication facilities to be installed in such a manner as to make adequate service available to each lot in the land division or condominium, in accordance with Section 18.708.
- (2) Plans Indicating the proposed location of all gas, electrical power, telephone, and other communications distribution and transmission lines required to serve the land division or condominium shall be approved by the Village upon recommendation of the Village Engineer.

### **18.813 STREET LIGHTS**

- (1) The Subdivider Shall Install public streetlights at locations identified by the Village. The Plan Commission upon review and recommendation of the Village Engineer shall approve the design and location of all streetlights, which shall be compatible with the neighborhood and type of development proposed. Streetlights shall be installed at major intersections and other intersections as identified by the Village.
- (2) In Addition to the Installation of public streetlights, the Village Plan Commission may permit the installation of private post lamps on each lot of a land division and at appropriate locations within a condominium. The type and location of such post lamps shall be approved by the Village upon recommendation of the Village Engineer.

### **18.814 STREET SIGNS**

- (1) At the subdivider's expense, the Village will install at the intersection of all streets proposed to be dedicated a street sign of a design specified by the Village Engineer.
- (2) Subdivision identification signs shall be located on private property, not in the public right-of-way, except for those boulevard islands, with the prior approval of the Village Board.

### **18.815 EROSION AND SEDIMENTATION CONTROL**

- (1) The Subdivider Shall Prepare an erosion and sedimentation control plan addressing the installation and maintenance of soil erosion and sedimentation control measures. Such plans shall meet the requirements set forth in the Waukesha County Erosion Control and Storm Water Management Ordinance.
- (2) The Subdivider Shall Plant those grasses, trees, and groundcover of species and size specified by the Plan Commission, upon recommendation of the Village Engineer, necessary to prevent soil erosion and sedimentation, in accordance with the approved erosion and sedimentation control plan.
- (3) The Subdivider Shall Install those protection and rehabilitation measures, such as fencing, sloping, seeding, riprap, revetments, jetties, clearing, dredging, snagging, drop structures, brush mats, willow poles, erosion bales, inlet sediment guards and grade stabilization structures, set forth in the approved erosion and sedimentation control plan. Such measures shall be performed in accordance with specifications set forth in Appendix A and B, when included there.
- (4) The Subdivider Shall be Responsible for the regular maintenance of all erosion and sedimentation control mechanisms. The Village reserves the right to make such orders as are necessary to provide for the continued performance of these

mechanisms. It should be understood that the Village requires the use of silt fences around all individual lots the replacement of sediment guard fabric after any storm event with 0.5 inch or greater rainfall in a 24 hour period, the cleaning and maintenance of tracking pads, the cleaning of all roadways at the close of each work day, the removal of any litter and/or loose debris from the site on a daily basis, and the use of best management practices for any standards not specifically set forth herein.

#### **18.816 LANDSCAPING**

- (1) The Subdivider Shall Install landscaping in accordance with a landscaping plan approved by the Village Plan Commission. If plantings are not installed prior to approval of a final plat or condominium plat, a landscaping schedule shall be specified in the Development Agreement and appropriate sureties shall be provided.
- (2) Maintenance of All Landscaping included in an approved landscaping plan shall be the responsibility of the property owner, or, for landscaping installed in common areas, the homeowners or condominium owners association. Provisions for the maintenance of such landscaping shall be included in the homeowners association documents required under Section 18.206.

#### **18.817 STANDARDS AND SPECIFICATIONS**

Where details, standards, or specifications are depicted in Appendix A, B or C of this Ordinance, they are mandatory and carry the same force as if contained directly herein. This is also the case for policies and rules set forth in the Appendices.

#### **18.818 – 18.899 RESERVED**

## **DIVISION 18.900    CONSTRUCTION**

### **18.901 COMMENCEMENT**

- (1) Minimum standards before commencing subdivision construction. No construction or installation of improvements shall commence in a proposed land division or condominium development until a preliminary plat has been approved (if required for the project), development agreement has been executed or the Village Board has authorized proceeding without, required sureties have been filed, the Village Engineer has given written authorization to proceed, and a preconstruction meeting of concerned parties, such as the utilities and contractors concerned, has been called by the Village Engineer. All construction shall be in accordance with Village construction policy as set forth in Appendix C, and to the standards and specifications set forth in Appendix A and elsewhere in this Ordinance.
  
- (2) Minimum driveway standards before commencing building construction. Following issuance of a building permit for construction on a site that does not already have a driveway constructed to Village specifications, the permittee shall construct a driveway in accordance with the following specifications from pavement edge to the proposed building side before any construction is commenced. The driveway area shall be stripped of topsoil to a depth of not less than six (6) inches. Permittee shall then place 1-3/4 to 2-1/2" crushed limestone or 3/4 inch crushed bank run in said driveway area to a depth of not less than six (6) inches. This material shall be laid before construction is commenced unless special written permission is obtained from the building inspector to utilize gravel from the proposed basement excavation. The driveway so constructed shall be of a width sufficient for passage of all construction equipment and/or vehicles. All construction vehicles shall use this driveway. No curb cuts may be made without prior written authorization by the Village.

### **18.902 PHASING**

The Village Board may permit the construction and installation of public improvements in phases corresponding to the development phases of a final plat.

### **18.903 BUILDING PERMITS**

With the exception of lots of record that existed prior to the effective date of this ordinance, no building permits shall be issued for a structure on any lot in the Village until all the requirements of this Ordinance have been met.

### **18.904 PLANS**

Each of the following plans and accompanying construction specifications shall, except for the landscaping plan, be approved by the Village Board upon review and recommendation of the Village Engineer and any other agency having relevant

approving authority before commencement of the installation of the relevant improvement. The landscaping plan shall be approved by the Village Plan Commission.

- (1) Street Plans and Profiles showing existing and proposed grades, elevations, cross-sections, materials, and other details of required improvements.
- (2) Sanitary Sewer Plans and profiles showing the locations, grades, sizes, elevations, materials, and other details of required facilities.
- (3) Plans for Storm water Management Facilities showing the locations, grades, sizes, elevations, materials, and other details of required facilities, together with the path of drainage to the receiving storm sewer, drainage channel, or watercourse.
- (4) Water Supply and Distribution Plans and profiles showing the locations, sizes, elevations, materials, and other details of required facilities.
- (5) Grading Plans showing existing and proposed topographic contours, mass and finished grading plans, proposed top of building foundation and finished yard grade elevations, and such supplemental information as required by the Village Engineer.
- (6) Erosion and Sedimentation Control Plans showing those structures necessary to retard the rate of runoff water and those measures and practices that will minimize erosion and sedimentation, in accordance with Section 18.815. Erosion control plans shall clearly specify provisions that will be made for the on-going maintenance of all erosion and sedimentation control mechanisms.
- (7) Landscaping Plans showing and describing in detail the location, size, and species of any proposed new trees, shrubs, and other vegetation; existing trees, shrubs, and other vegetation proposed to be retained; nonliving durable material such as rocks, sand, gravel, or mulch; and structures such as walls, fences, and entrance signs.
- (8) Additional Special Plans or information required by the Village staff, Plan Commission, or Village Board.

### **18.905 EARTH MOVING**

- (1) Earth moving, such as grading, topsoil removal, mineral extraction, stream course changing, road cutting, waterway construction or enlargement, removal of stream or lake bed materials, excavation, channeling, clearing, ditching, drain tile laying, dredging, and lagooning, shall be so conducted as to minimize erosion and sedimentation and disturbance of the natural fauna, flora, watercourse, water regimen, and topography.
- (2) Upon completion, there shall be topsoil at a minimum of four (4) inches of depth in all rights-of-way and outlots. Said topsoil shall not contain any rocks in excess of one inch in diameter.

- (3) No work, including but not limited to earthmoving, filling, excavating, or tree removal, shall be conducted on any Village lot without first obtaining a building permit unless the work is consistent with an approved master grading plan and it is specifically approved by the Village Engineer.
- (4) Lot yard grades and exposure must be received and approved by the Village engineer prior to the issuance of a building permit. Footing elevations, top of foundation elevation and locations, and final yard grades must be certified by a licensed surveyor and approved by the Village prior to the issuance of occupancy permits.

#### **18.906 PRESERVATION OF EXISTING VEGETATION**

The subdivider shall make every effort to protect and retain all existing desirable trees, shrubs, grasses, and groundcover not actually lying in public roadways, drainageways, building foundation sites, private driveways, soil absorption waste disposal areas, and bicycle and pedestrian ways. Trees shall be protected and preserved during construction in accordance with the approved landscaping plan and with sound conservation practices, including the preservation of trees by well islands or retaining walls, whenever abutting grades are altered.

#### **18.907 INSPECTION**

- (1) The subdivider, prior to commencing any work within the land division or condominium, shall make arrangements with the Village Engineer to provide for inspection. The Village Engineer shall inspect and recommend approval of all completed work prior to approval of the final plat or release of the sureties.
- (2) In accordance with the Village Engineer's recommendations, the Village shall have the authority to contract the developer in order to correct any deficiencies in the improvements. The developer shall incur all costs derived from said actions.

#### **18.908 COMPLETION OF IMPROVEMENTS**

A certified check or letter of credit approved by the Village Attorney sufficient to cover 120% of the cost of completion of all of the improvements required under this Ordinance is required prior to the final approval of a subdivision or condominium plat by the Village Board in accordance with Section 18.207. All required improvements shall be completed in the time frame specified in the developer's agreement. The time frame shall not exceed two (2) years after approval of the final plat unless the specifically authorized by the Village Board.

### **18.909 AS-BUILT PLANS**

Prior to final lift and Village acceptance of roads, the subdivider shall provide both reproducible copies as well as an electronic copy in a format acceptable to the Village of plans and profiles that accurately show the location, extent, and horizontal and vertical location and alignment of all improvements as actually constructed as set forth in Appendix B. Horizontal locations shall be expressed in terms of Wisconsin State Plane Coordinates, North American Datum of 1927 and vertical locations shall be referenced to the National Geodetic Vertical Datum of 1929. The as-built drawings shall be utilized to update the Village's system maps. All costs for the as-built drawings and costs to update the system maps will be the responsibility of the developer.

### **18.910 ACCEPTANCE OF IMPROVEMENTS**

The Village will not accept public improvements except between May 1st and November 1st of any year. Installation of the final lift of asphalt is not permitted until at least one of the following has occurred:

- (1) Occupancy permits have been issued for at least eighty percent (80%) of the lots within the subdivision.
- (2) Three (3) winter seasons have passed since the installation of the binder course of asphalt.

The acceptance of the final lift of asphalt will not occur until the subdivision as-built drawings have been received.

### **18.911 – 18.999 RESERVED**

## **DIVISION 18.1000 FEES**

### **18.1001 GENERAL**

The subdivider shall pay to the Village Treasurer all fees as hereinafter required and at the times specified before being entitled to record the Plat or Certified Survey Map concerned.

### **18.1002 PRELIMINARY PLAT OR CERTIFIED SURVEY MAP REVIEW FEE**

- (1) The Subdivider Shall pay a fee as set forth in the Village fee schedule to the Village Treasurer at the time of first application for approval of any preliminary plat or certified survey map to assist in defraying the cost of review. A deposit may also be required and utilized to pay for project review; any overpayment of deposited funds will be returned to the applicant upon project approval or formal withdrawal.
- (2) A Reapplication Fee as set forth in the Village fee schedule shall be paid to the Village Treasurer at the time of reapplication for approval of any preliminary plat or certified survey map that has previously been reviewed.

### **18.1003 IMPROVEMENT REVIEW FEE**

- (1) The Subdivider Shall pay a fee or present a letter of credit or a bond equal to one percent (1%) of the cost of the required public improvements as estimated by the Village Engineer at the time of the submission of improvement plans and specifications to partially cover the cost to the Village of reviewing such plans and specifications.
- (2) The Fee may be recomputed, upon demand of the subdivider or Village Engineer, after completion of improvement construction in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the subdivider. Evidence of cost shall be in such detail and form as required by the Village Engineer.

### **18.1004 CONSTRUCTION REVIEW FEE**

The subdivider shall pay a fee equal to the actual cost to the Village for such inspection as the Village Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications, and ordinances of the Village or any other governmental authority.

### **18.1005 FINAL PLAT REVIEW FEE**

- (1) The Subdivider Shall pay a fee as set forth in the Village fee schedule for each lot or parcel within the final plat to the Village Treasurer at the time of first application for approval of said plat to assist in defraying the cost of review. A deposit may also be required and utilized to pay for project review; any

overpayment of deposited funds will be returned to the applicant upon project approval or formal withdrawal.

- (2) A Reapplication Fee as set forth in the Village fee schedule shall be paid to the Village Treasurer at the time of a reapplication for approval of any final plat, which has previously been reviewed.

#### **18.1006 IMPACT FEE**

Impact fees shall be paid in accordance with Section 4.5 of the Village Municipal Code.

#### **18.1007 ENGINEERING FEE**

- (1) The Subdivider Shall pay a fee equal to the actual cost to the Village for all engineering work incurred by the Village in connection with the plat.
- (2) Engineering Work shall include the review and preparation of construction plans and standard specifications and updates of storm sewer maps related to the project. The Village may permit the subdivider to furnish all, some, or part of the required construction plans and specifications, in which case no engineering fees shall be levied for the preparation of such plans and specifications although review fees still apply.

#### **18.1008 SPECIAL LEGAL AND FISCAL REVIEW FEES**

The subdivider shall pay a fee equal to the cost of any special legal or fiscal analyses, which may be undertaken by the Village in connection with the proposed land division or condominium plat, including the drafting of contracts between the Village and the subdivider. These fees may also include the cost of obtaining independent professional opinions of engineers, landscape architects, and land planners requested by the Village Plan Commission in connection with the review of the land division or condominium plat being considered. Deposits may be required of any person wishing to come before the Plan Commission for a conceptual review and/or any applicant, such deposits to be utilized for payment of related review fees and any excess deposit reimbursable upon project approval or formal withdrawal.

#### **18.1009 APPEAL OF FEES**

The Subdivider shall have the right to challenge the amount of any fees levied under Divisions 18.1003, 18.1004, 18.1007, and 18.1008 of this Ordinance by an appeal to the Village Board. Upon receipt of such an appeal, the Village Board, upon due notice, shall hold a public hearing at which the Subdivider and the Village officials concerned can present their case. Based upon review of relevant records and the testimony presented at the public hearing, the Village Board shall make a determination with respect to the fairness of the amount of the fees challenged and shall make a determination to decrease, affirm, or increase the fees concerned.

#### **18.1010 – 18.1099 RESERVED**

## **DIVISION 18.1100 DEFINITIONS**

### **18.1101 GENERAL DEFINITIONS**

For the purposes of this Ordinance, the following definitions shall apply. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular. The word "shall" is mandatory. Any words not defined in this Section shall be presumed to have their customary dictionary definitions.

### **18.1102 SPECIFIC WORDS AND PHRASES**

- (1) Advisory Agency. Any agency, other than an objecting agency, to which a plat or certified survey map may be submitted for review and comment. An advisory agency may give advice to the Village and suggest that certain changes be made to the plat or certified map, or it may suggest that a plat or certified survey map be approved or denied. Suggestions made by an advisory agency are not, however, binding on the Village Board or Plan Commission. Examples of advisory agencies include the Southeastern Wisconsin Regional Planning Commission, school districts, and local utility companies.
- (2) Alley. A public way affording secondary access to abutting properties.
- (3) Approving Authorities. Each governmental body having authority to approve or reject a preliminary or final plat. Approving authorities are set forth in Section 236.10 of the Wisconsin Statutes.
- (4) Arterial Street. A street used, or intended to be used, primarily for fast or heavy through traffic, whose function is to convey traffic between municipalities and activity centers. Arterial streets are designated in the Regional Transportation System Plan prepared and adopted by the Southeastern Wisconsin Regional Planning Commission.
- (5) Block. An area of land bounded by streets, or a combination of streets, public parks, cemeteries, railroad rights-of-way, bulkhead lines, shorelines of waterways, and Village or town boundaries.
- (6) Building. Any structure having a roof supported by columns or walls.
- (7) Building Line. A line parallel to a lot line and at a specified minimum distance from the lot line to comply with the building setback requirements of the Village Zoning Ordinance and the requirements of this Ordinance.
- (8) Building Setback Line. See Building Line.
- (9) Certified Survey Map. A map, prepared in accordance with Section 236.34 of the Wisconsin Statutes and this Ordinance, for the purpose of dividing land into not more than four (4) parcels; or used to document for recording purposes survey and dedication data relating to single parcels.

- (10) Collector Street. A street used, or intended to be used, to carry traffic from local streets to the system of arterial streets, including the principal entrance streets to residential developments.
- (11) Common Open Space. See Open Space, Common.
- (12) Comprehensive Plan. The extensively developed plan, also called a master plan, adopted by the Plan Commission and certified to the Village Board pursuant to Section 62.23 of the Wisconsin Statutes, or a Comprehensive Plan adopted by the Village Board pursuant to Section 66.1001 of the Wisconsin Statutes. Components of a comprehensive plan include, but are not limited to, a land use, transportation system, park and open space, sanitary sewer, public water supply, and storm water management system elements, and neighborhood unit development plans. Devices for the implementation of such plans include zoning, official mapping, land division control, and capital improvement programs.
- (13) Condominium. A form of ownership combining individual unit ownership with shared use and ownership of common property or facilities, established in accordance with Chapter 703 of the Wisconsin Statutes. Common areas and facilities are owned by all members of the condominium association on a proportional, undivided basis. A condominium is a legal form of ownership, and not a specific building type or style.
- (14) Condominium Association. An association, whose members consist of owners of units in a condominium, which administers and maintains the common property and common elements of a condominium.
- (15) Condominium Declaration. The instrument by which property becomes subject to Chapter 703 of the Wisconsin Statutes.
- (16) Condominium Unit. A part of a condominium intended for any type of independent use, including one or more cubicles of air at one or more levels of space or one or more rooms or enclosed spaces located on one or more floors (or parts thereof) in a building. A unit may include two (2) or more noncontiguous areas.
- (17) County Planning Agency. The agency created by the County Board and authorized by Statute to plan land use and to review subdivision plats and certified survey maps.
- (18) Covenant. A restriction on the use of land, usually set forth in the deed.
- (19) Cul-de-sac Street. A local street with only one outlet and having an appropriate turn-about for vehicular traffic.
- (20) Deed Restriction. A restriction on the use of a property set forth in the deed.
- (21) Development Agreement. An agreement entered into by and between the Village and a subdivider whereby the Village and subdivider agree as to the design, construction, and installation of required public improvements; the payment for such public improvements; dedication of land; and other matters related to the requirements of this Ordinance. The Development Agreement

shall not come into effect unless and until a Letter of Credit or other appropriate surety has been provided to the Village by the subdivider.

- (22) Environmental Corridor. See "Primary Environmental Corridor", "Secondary Environmental Corridor", and "Isolated Natural Resource Area".
- (23) Extraterritorial Plat Approval Jurisdiction. The unincorporated area within 1.5 miles of a fourth class Village or a village and within three (3) miles of all other cities. Where such jurisdictions overlap, the jurisdiction over the overlapping area is divided on a line, all parts of which are equidistant from the boundaries of each municipality, so that not more than one municipality exercises extraterritorial plat approval jurisdiction over any area.
- (24) Final Plat. A map prepared in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and this Ordinance for the purpose of creating a subdivision.
- (25) Floodplains. Those lands, including the floodplains, floodways, and channels, subject to inundation by the 100-year recurrence interval flood or, where such data are not available, the maximum flood of record.
- (26) Frontage. The total dimension of a lot abutting a public street measured along the street line.
- (27) Hedgerow. A row of shrubs or trees planted for enclosure or separation of fields.
- (28) Homeowners Association. An association combining individual home ownership with shared use, ownership, maintenance, and responsibility for common property or facilities, including private open space, within a land division.
- (29) Isolated Natural Resource Area. An area containing significant remnant natural resources at least five (5) acres in area and at least 200 feet in width, as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.
- (30) Land Division. A generic term that includes both subdivisions and minor land divisions, as those terms are defined in this Section.
- (31) Landscaping. Living plant material, such as grass, groundcover, flowers, shrubs, vines, hedges, and trees; nonliving durable material such as rocks, pebbles, sand, mulch, wood chips or bark; and structures such as walls and fences.
- (32) Letter of Credit. A irrevocable written agreement guaranteeing payment for improvements, entered into by a bank, savings and loan, or other financial institution authorized to do business in the State of Wisconsin and which has a financial standing acceptable to the Village, which secures a subdivider's obligation to pay the cost of designing, constructing, and installing required public improvements and certain other obligations in connection with an approved land division or condominium.

- (33) Local Street. A street used, or intended to be used, primarily for access to abutting properties.
- (34) Lot. A parcel of land legally recognized as a separate parcel, having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet lot width, lot frontage, lot area, setback, yard, parking, and other requirements of the Village Zoning Ordinance.
- (35) Lot, Corner. A lot abutting two (2) or more streets at their intersection provided that the corner of such intersection has an angle of 135 degrees or less.
- (36) Lot, Double Frontage. A lot, other than a corner lot, with frontage on more than one street. Double frontage lots shall normally be deemed to have two (2) front yards and two (2) side yards and no rear yard.
- (37) Lot, Flag. A lot not fronting on or abutting a public street to its full required width and where access to the public street system is by a narrow strip of land, easement, or private right-of-way. Flag lots generally are not considered to conform to sound planning principles.
- (38) Minor Land Division. A minor land division is any division of land that:
  - (a) Creates less than five (5), parcels or building sites, inclusive of the original remnant parcel, any one of which is five (5) acres or less in area, by a division or by successive divisions of any part of the original parcel within a period of five (5) years; or
  - (b) Divides a block, lot, or outlot within a recorded subdivision plat into more than one, but less than five (5), parcels or building sites, inclusive of the original remnant parcel, without changing the exterior boundaries of said plat or the exterior boundaries of blocks within the plat, and the division does not result in a subdivision.
- (39) Municipality. An incorporated village or city.
- (40) National Map Accuracy Standards. Standards governing the horizontal and vertical accuracy of topographic maps and specifying the means for testing and determining such accuracy, endorsed by all Federal agencies having surveying and mapping functions and responsibilities. These standards have been fully reproduced in Appendix D of SEWRPC Technical Report No. 7, Horizontal and Vertical Survey Control in Southeastern Wisconsin.
- (41) Navigable Water. Lake Michigan, all natural inland lakes within Wisconsin, and all rivers, streams, ponds, sloughs, flowages, and other waters within the territorial limits of Wisconsin which are navigable under the laws of this State. The Wisconsin Supreme Court has declared navigable all bodies of water with a bed differentiated from adjacent uplands and with levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis. The Wisconsin Department of Natural Resources is responsible for determining if a water body or watercourse is navigable.

- (42) Objecting Agency. An agency empowered to object to a subdivision plat pursuant to Chapter 236 of the Wisconsin Statutes. The Village may not approve any plat upon which an objection has been certified until the objection has been satisfied. The objecting agencies include the Wisconsin Department of Administration, the Wisconsin Department of Commerce, the Wisconsin Department of Transportation, and Waukesha County.
- (43) Official Map. A document prepared and adopted pursuant to Section 62.23(6) of the Wisconsin Statutes, which shows the location of existing and planned streets, parkways, parks, playgrounds, railway rights-of-way, waterways, and public transit facilities.
- (44) Open Space. Any site, parcel, lot, area, or outlot of land or water that has been designated, dedicated, reserved, or restricted from further development. Open space may be privately or publicly owned, but shall not be part of individual residential lots. Open space shall be substantially free of structures, but may contain recreational facilities approved by the Village.
- (45) Open Space, Common. Privately-owned land within a land division or condominium that has been restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the land division or condominium. Common open space shall be substantially free of structures, but may contain recreational facilities approved by the Village.
- (46) Open Space, Public. Land within a land division or condominium that has been dedicated to the public for recreational or conservation purposes. Open space lands shall be substantially free of structures, but may contain recreational facilities approved by the Village.
- (47) Ordinary High Water Mark. The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
- (48) Outlot. A parcel of land, other than a buildable lot or block, so designated on the plat, which is used to convey or reserve parcels of land. Outlots may be created to restrict a lot which is unbuildable due to high groundwater, steep slopes, or other physical constraints, or to create common open space. Outlots may also be parcels of land intended to be re-divided into lots or combined with lots or outlots in adjacent land divisions in the future for the purpose of creating buildable lots. An outlot may also be created if a lot fails to meet requirements for a private onsite wastewater treatment system, but which may be buildable if public sewer is extended to the lot or land division.

Section 236.13(6) of the Wisconsin Statutes prohibits using an outlot as a building site unless it complies with all the requirements imposed for buildable lots. The Village will generally require that any restrictions related to an outlot be included on the face of the plat.

- (49) Parcel. A single piece of land separately owned, either publicly or privately, and capable of being conveyed separately.

- (50) Plat. A map prepared, as required by Section 18.202 of this Ordinance, for the purpose of recording a subdivision, minor land division, or condominium.
- (51) Prairies. Open, generally treeless areas which are dominated by native grasses, as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.
- (52) Preliminary Plat. A map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration. A preliminary plat precisely describes the location and exterior boundaries of the parcel proposed to be divided, and shows the approximate location of lots and other improvements.
- (53) Primary Environmental Corridor. A concentration of significant natural resources at least 400 acres in area, at least two (2) miles in length, and at least 200 feet in width, as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.
- (54) Public Improvement. Any sanitary sewer, storm sewer, open channel, water main, street, park, sidewalk, bicycle or pedestrian way, or other facility for which the Village may ultimately assume the responsibility for maintenance and operation.
- (55) Public Way. Any public street, highway, bicycle or pedestrian way, drainageway, or part thereof.
- (56) Replat. The process of changing, or the plat or map which changes, the boundaries of a recorded subdivision plat, certified survey map, or a part thereof. The division of a large block, lot, or outlot within a recorded subdivision plat or certified survey map without changing the exterior boundaries of said block, lot, or outlot is not a replat.
- (57) Reserve Strip. Any land which would prohibit or interfere with the orderly extension of streets, bicycle or pedestrian ways, sanitary sewer, water mains, storm water facilities or other utilities or improvements between two (2) abutting properties.
- (58) Secondary Environmental Corridor. A concentration of significant natural resources at least 100 acres in area and at least one mile in length. Where such corridors serve to link primary environmental corridors, no minimum area or length criteria apply. Secondary environmental corridors are delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.
- (59) Shorelands. Those lands lying within the following distances: 1,000 feet from the ordinary high water elevation of a navigable lake, pond, or flowages; or 300 feet from the ordinary high water elevation of a navigable stream, or to the landward edge of the floodplain, whichever is greater.
- (60) Soil Mapping Unit. Soil type, slope, and erosion factor boundaries as shown on the operational soil survey maps prepared by the Natural Resources Conservation Service.

- (61) Subdivider. Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor land division, or replat, or any person who creates a condominium under Chapter 703 of the Wisconsin Statutes.
- (62) Subdivision. A division of a lot, parcel, or tract of land by the owner thereof or the owner's agent for the purpose of sale or of building development, including condominium development, where:
  - (a) The act of division creates five (5) or more parcels or building sites, inclusive of the original remnant parcel, any one of which is five (5) acres or less in area, by a division or by successive divisions of any part of the original property within a period of five (5) years; or
  - (b) The act of division creates six (6) or more parcels or building sites, inclusive of the original remnant parcel, of any size by successive divisions of any part of the original property within a period of five (5) years.
- (63) Surety Bond. A bond guaranteeing performance of a contract or obligation through forfeiture of the bond if said contract or obligation is unfulfilled by the subdivider.
- (64) Tract. A parcel lying in more than one U.S. Public Land Survey section.
- (65) Unit. See condominium unit.
- (66) Village Attorney. A licensed attorney who is duly appointed by the Village Board to the position.
- (67) Village Engineer. A registered professional engineer who is duly appointed by the Village Board to the position.
- (68) Village Planner. A registered planner who is duly appointed by the Village Board to the position.
- (69) Wetland. An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation, and which has soils indicative of wet conditions.
- (70) Woodlands. Upland areas at least one acre in extent covered by deciduous or coniferous trees as delineated and mapped by the Southeastern Wisconsin Regional Planning Commission.

**18.1103 – 18.1199 RESERVED**

**DIVISION 18.1200 ADOPTION AND EFFECTIVE DATE**

**18.1201 PLAN COMMISSION RECOMMENDATION**

The Village Plan Commission recommended the adoption of this Land Division Control Ordinance at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**18.1202 PUBLIC HEARING**

The Village Board held a public hearing on the proposed Land Division Control Ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**18.1203 VILLAGE BOARD APPROVAL**

The Village Board of the Village of Merton concurred with the recommendations of the Plan Commission and adopted the Land Division Control Ordinance at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**18.1204 EFFECTIVE DATE**

This Land Division Control Ordinance shall take effect upon adoption by the Village Board and the filing of proof of publication in the office of the Village Clerk.

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

**APPENDIX A:  
STANDARDS AND SPECIFICATIONS**

**DEVELOPMENT REQUIREMENTS  
VILLAGE OF MERTON**

1. STREET DESIGN

A. Grades

The center of the roadbed shall be in the centerline of the land dedicated for street purposes. The grade of the street shall conform to the approved plans prepared by the owner's engineer and submitted to the Village Engineer for review.

B. Horizontal Curves

A minimum sight distance with clear visibility, measured along the centerline, shall be provided of at least 300 feet on arterial streets, 200 feet for collector streets, and 100 feet on local streets. All streets shall accommodate the WB-50 design vehicle. The WB-62 design vehicle shall be accommodated as directed by the Village.

C. Driveways, Curb and Gutter, and Handicap Ramps

All driveways, curb and gutter, and handicap ramp construction shall conform to these requirements and the Typical Details contained in the appendix. No driveway shall be constructed within 5 feet of the nearest lot line. No driveway shall be constructed within 10 feet of a sanitary sewer lateral, water service and hydrant.

Detectable warning fields shall be constructed at all curb ramps, sidewalk street crossings and multi-use trail street crossings.

2. GENERAL

A. Specifications

All work performed shall be in accordance with the Standard Specifications for Highway and Structure Construction of State of Wisconsin, Department of Transportation, Division of Highway - latest edition, hereinafter known as the "State Specifications", unless otherwise specified by these Development Requirements.

B. Preconstruction Conference

Village will schedule and conduct a preconstruction conference. The conference will be held at a time and location selected by the Village.

The conference shall be attended by authorized representatives of the Contractor and Village and may also include those others who Contractor may desire to invite or Village may request.

C. Work Schedule/Noise Abatement

1. The Contractor shall submit a detailed work schedule to the Village prior to the preconstruction conference.
2. In order to abate objectionable noise to the extent feasible, motorized construction equipment shall not be operated between the hours of 9:00 P.M. and 7:00 A.M. without prior written approval of the Village. There shall be no work on Sundays or holidays. Each item of motorized construction equipment shall be equipped with a muffler constructed according to the equipment manufacturer's specifications or a system of equivalent noise reducing capability. Mufflers and exhaust systems shall be maintained in good operating condition, free from leaks and holes.

D. Alternate Materials

If the Contractor wishes to substitute an alternate material as an "equal" to the material specified, he shall first submit a detailed description of such to the Village for its review and approval/disapproval. The Contractor shall not install any alternate materials prior to receiving approval for their use.

E. Protection of Work

1. Openings and surface obstructions: Protect with barricades, signs, or other devices.
2. Street barricades, signs and other devices: Erect and maintain for public safety and convenience. Follow applicable Laws and Regulations. Generally, mark hazards within Work limits and on detours around work with well-painted, well-maintained barricades, reflectors, electric lights, flashers, and warning and directional signs in quantity and size to protect life and property. Locate and use safeguards to meet changing work conditions.
  - a. Streets closed to through traffic: Place barricades at adjacent intersections as well as at obstruction location. Attach detour signs to barricades at adjacent intersections.
  - b. Streets totally closed: At Engineer's request, install snow fence across full width of streets or alleys.
  - c. At the end of each day, install secure fencing at least six feet in height around any open excavation.

F. Underground Utility Approval

No street construction work may begin until the alignment and grade of Village utilities has been accepted by the Village.

3. DAMAGED PROPERTY

All damaged private and public property, such as trees, fences, culverts, utility poles, etc. and including existing streets and underground utilities, caused by the construction of this project shall be restored to the condition existing prior to construction at the Contractor's expense unless otherwise specified by the Village.

#### 4. UTILITIES

The Contractor shall contact all utility companies prior to the commencement of construction and shall arrange to have those existing utilities located and staked or marked in the field that are in the construction area.

#### 5. EROSION CONTROL

The Contractor shall obtain an erosion control permit from the Village prior to beginning any work and shall take all measures necessary to minimize erosion, water pollution and siltation caused by construction of this project. Erosion control measures shall be in accordance with the State of "Wisconsin Construction Site Best Management Practice Handbook" published by the Wisconsin Department of Natural Resources and Section 107.20 of the "State Specifications", and shall include, but not be limited to: prompt removal of excavated material, proper storage of backfill and bedding materials, construction of erosion control measures such as temporary silt traps, silt fences and erosion control bales, prompt cleanup of material tracked onto adjacent streets and timely restoration of damaged surface areas.

The Contractor shall maintain silt fences, hay bales, and silt traps which are installed by him, at all times to prevent sediment from entering any surface water, existing ditches or storm sewers. If maintenance of the existing silt traps is needed due to the occurrence of sedimentation from this project, the Contractor will be responsible for this maintenance work.

The Contractor shall remove all erosion control measures installed by him after notification is given by the Village. If sedimentation and/or erosion does occur, the Contractor must promptly remove said sediment material and must repair erosion damage or such property damage caused by said sedimentation and/or erosion.

#### 6. STREET CONSTRUCTION

The streets shall be constructed according to the profiles and Typical Sections as shown on the plans. Such plans shall be consistent with Village specifications contained elsewhere in this Appendix. The roadways shall be graded and compacted to bring the subgrade of the roads and parkways to the proposed grades as shown on the plans.

The gravel base course material for all streets shall conform to Section 305, 3/4 inch Gradation, for gravel of the "State Specs". Compaction of the subgrade and the base course shall be in accordance with the "State Specifications" but shall never be less than 95% of the maximum density of the material being compacted using the modified Proctor test.

All manholes, valve boxes, etc. shall be adjusted to finished binder course grade. The Road Contractor shall coordinate all utility adjustments with the Utility Contractor. Neenah R-1979 series adjusting rings shall be used when adjusting manhole rims from binder grade to finish surface pavement grade.

All utilities such as valve boxes shall be mechanically adjusted to finished grade upon installation of the bituminous concrete surface course pavement. The Road Contractor shall coordinate all utility adjustments with the Utility Contractor.

The bituminous concrete pavement shall be installed in stages. The bituminous concrete surface course shall not be installed for a minimum of three (3) years after the initial construction of the street. (i.e. after three (3) winter seasons have passed or until occupancy permits have been issued for at least 80% of the lots within the subdivision). The binder course pavement shall conform to Gradation No. 2 of the "State Specifications". The surface course pavement shall conform to Gradation No. 3 of the "State Specifications". Bituminous materials used in the work shall be asphalt type AC with a penetration grade of 85-100. The asphalt cement content for the base course material shall be between 4-6% and the surface course material shall be between 5-8%. A tack or prime coat shall be applied at a rate of 0.10 to 0.25 gallons per square yard (as directed by the Village). Successive lifts of bituminous pavement shall be tacked or primed as directed by the Village. All existing bituminous concrete pavements shall be saw cut at all match points.

#### 7. UNDERCUTTING SUBGRADE

The Village may order that the subgrade of the roadway be undercut due to unsuitable soil conditions. Where directed by the Village, the Contractor shall undercut these areas to a stable base and backfill with compacted backfill material approved by the Village. This work may include the placement of geotextile fabric equal to Mirafi 600X.

- A. Topsoil, mucky soil, peat, and other unstable material shall be removed below the subgrade of streets to the depth specified by the Village Engineer and replaced with suitable, sound fill materials.
- B. Rock shall be excavated to a point at least 20 inches below the finished grade of streets, 16 inches below ditch grades. Undrained pockets in the rock surface shall be drained prior to the placement of base materials.
- C. Placement and compaction of roadway embankment material shall conform to "State Specs".
- D. The subgrade shall be graded within a tolerance of two (2) inches plus or minus from the elevations indicated on the developer's approved grading plan. When excavation to subgrade is complete, the developer's engineer shall inspect same and send written certification of its compliance with the approved plans to the Village Clerk and Village Engineer.

#### 8. SUBGRADE/GRAVEL CHECKS

Contractor shall contact the Village upon completion of the grading of the subgrade of the roads and again upon completion of the gravel base course for review and approval.

Contractor shall provide the equipment and perform a roll test of the subgrade and the gravel base course as directed by the Village Engineer. All tests shall be in the presence of and directed by the Village Engineer.

#### 9. BASE COURSE

- A. Streets shall be constructed with a base course consisting of eight inches of 3/4 inch crushed gravel or stone conforming to Gradation of the "State Specs". The Village may require that the gravel and stone be tested at the owner's expense by an approved testing laboratory before being placed on the road. If additional stone is required, in the judgment of the Village to stabilize the road, the same

shall be furnished and applied to the satisfaction of the Village before acceptance, at no cost to the Village.

- B. The Base Course material shall be placed in accordance with the applicable provisions of the "State Specs".

#### 10. BITUMINOUS CONCRETE BINDER AND SURFACE COURSES

- A. The bituminous concrete binder course shall be a minimum of 2-1/2 inches in thickness and the aggregate used shall conform with Gradation No. 1 of the "State Specs" (See typical street sections that follow). The asphaltic cement shall be 85-100 penetration and conform to the "State Specs".
- B. The bituminous concrete wearing surface shall be a minimum of 1-1/2 inches in thickness and the aggregates used shall conform with Gradation No. 3 of the "State Specs" (See typical street sections that follow). The asphaltic cement shall be of the same penetration as that used in the binder course.
- C. The placing and construction of both the binder course and the wearing course shall be performed in accordance with the requirements of the "State Specs".

#### 11. CURB & GUTTER AND SIDEWALK CONSTRUCTION

- A. All work shall be constructed in accordance with the "State Specifications" and with the typical sections. Curb ramps shall be installed at all intersections in accordance with the detail as shown on the plans.

The subgrade shall be prepared by excavating to the line, grade and cross section as established by the Development Requirements. Soft and unsuitable material shall be removed to a stable base and replaced with compacted backfill material approved by the Village. The subgrade shall be thoroughly and uniformly compacted and moistened immediately before the concrete is placed. On embankments, the subgrade shall extend at least one foot beyond each edge of the sidewalk.

Concrete shall be air entrained (6+/-1%), maximum slump of 3 inches, shall have a minimum designed 28 day compressive strength of 3500 pounds per square inch, and a cement content of at least a six (6) bag mix. Aggregate shall conform to applicable "State Specifications".

Prior to beginning any concrete work the Contractor shall submit to the Village the concrete mix design. In addition to the requirements specified above, concrete materials shall be proportioned according to the procedures outlined in ACI 301-84, Section 3.9 and the maximum allowable water-cement ratio shall not exceed 0.45.

Gravel shall meet the requirements of the dense graded base as specified by the Wisconsin Department of Transportation, 3/4 inch nominal size. Concrete shall be mixed until a uniform consistency is achieved.

Concrete which has not been discharged from the truck within 1-1/2 hours or 300 drum turns after mixing shall be rejected.

Concrete shall be placed in straight forms of wood or metal of sufficient strength to resist springing, tipping, or other displacement during the process of depositing

and consolidating the concrete. Wood forms shall be surfaced plank of at least two inches thickness, except for sharply curved sections. Metals forms shall be of a Village approved section with a flat surface on top. The forms shall be the full depth of the required walk and shall be of such design as to permit secure fastening. Securely stake and brace, to hold the forms firmly to the required line and grade. Make the forms tight to prevent mortar leakage. Forms shall be thoroughly cleaned and oiled before concrete is placed against them. Concrete shall be placed within the forms on a moist subgrade, deposited just above the finished grade and consolidated and spaded sufficiently to bring the mortar to the surface and to prevent honeycombing. Slip forming may be allowed with the approval of the Village.

Sidewalks shall be constructed in 5 inch thickness in all areas except where driveways and road crossing are located. A 7 inch sidewalk thickness must be placed in these areas (see exhibit 14). In areas of existing sidewalk, no sidewalk shall be repaired or replaced that is less than the width of the existing or abutting sidewalk.

B. Expansion Joint Filler

Type I shall consist of a bituminous (asphalt or tar) mastic composition, formed and encased between two layers of bituminous impregnated felt.

C. Finishing

After the concrete has been placed and struck off to the required elevations, the surface shall be worked by means of long handled wood or metal floats with a circular motion until a thin uniform mortar surface is obtained. The surface shall then be troweled smooth with a metal hand trowel. Immediately after the water glaze or sheen has disappeared, the surface shall again be troweled smooth with a metal hand trowel operated with a circular motion.

All sidewalk edges shall be finished with an edging tool having a radius of 1/2 inch. All dummy joints shall be finished with a jointer having radii of 1/2 inch and minimum depth equal to one third of the sidewalk depth.

Before final finishing, the surface shall be checked with a ten foot straight edge and any areas departing more than one eighth inch from the testing edge shall be corrected by adding or removing concrete while the concrete in the walk is still elastic.

The final surface finish shall be obtained by brushing lightly with a damp whitewash brush or with a floor brush having soft bristles. Any marring of the finished concrete surface before it has set will be cause for rejection and replacement of the concrete at the Contractor's expense.

D. Joints

Dummy joints for the sidewalks shall be constructed at right angles to the edge of the walk and spaced at a distance equal to the width of the sidewalk, unless otherwise directed. These joints shall be 1/4 inch in width and have a minimum depth equal to one third of the depth of the sidewalk.

Dummy joints for curb and gutter shall be constructed at right angles to the edge of the curb at a distance of every 10 feet.

Expansion Joints shall be one-half-inch expansion joint material (Type I) installed to the full depth of the concrete in a neat workmanlike manner with its upper edge slightly below the finished surface at the following locations:

- The end of all curb & gutter radii;
- 3 feet from all catch basins;
- Where walk adjoins a curb;
- Where walk abuts a building, wall, driveway, flag pole or other fixed object;
- At intervals not to exceed 150 feet;
- Where curb ramp adjoins sidewalk.

#### E. Curing and Protection

All freshly placed concrete shall be protected from rapid drops in temperature and loss of moisture and from subsequent construction operations. No concrete shall be allowed to freeze. An approved liquid membrane-forming curing compound shall be applied to all finished concrete surfaces as soon as possible after placement, but in no case more than two hours after concrete placement. Curing compound shall have white pigmentation having AASHTO Designation M148 and be applied in two coats in directions opposite to each other (cross pattern). Each coat should be applied at the recommended application rate. Extreme care shall be taken so as not to injure the surface of the concrete during the process of applying curing compound. Curing compound shall be applied thick enough that the concrete is white, not grey and sprayed on to the top and all exposed sides at the time of placement. Failure to comply with this requirement shall be deemed sufficient cause for rejection of the work.

Concrete work shall be closed to pedestrian traffic for a period of twenty-four hours and to vehicular traffic for seven days unless otherwise authorized. The Contractor shall provide and maintain sufficient barricades to effectively close the concrete work to traffic.

#### F. Concrete Testing

The Contractor shall be responsible for supplying, obtaining and testing of concrete cylinders at the discretion of the Village. One set (3 cylinders per set) of test cylinders shall be taken for every 1500 feet of concrete curb placed with a minimum of two sets of test cylinders per day. Test results shall be submitted to the Village and shall include one cylinder tested for 7 day strength and two cylinders tested for 28 day strength per set. The minimum 28 day compressive strength is 4,000 psi.

The Village may take test cylinders at their discretion. Concrete failing to obtain the required 28 day strength shall be rejected as unacceptable material. Areas in which this material was placed shall be removed and replaced with concrete of specified quality and thickness at the Contractor's expense. The Contractor may have an independent testing laboratory cut cores from a questionable area at his expense. In this case, acceptance of the compressive strength shall be based on the compressive strength of the cores.

G. Hot Weather Work

Comply with the requirements of ACI 305-77R. During hot weather, that is when the air temperature is above 80 degrees F., special precautions shall be taken, during mixing, transporting, handling and placement, and finishing of all concrete work. Concrete work shall be carefully scheduled and maintained to minimize the elapsed time between mixing and placement.

During handling and placement, special efforts shall be directed toward the prevention of excessive loss of moisture from the concrete, loss of slump, flash setting, and the development of cold joints. Subgrades and abutting finished concrete work shall be sprinkled or wetted just prior to placement to prevent suction of water from fresh concrete. All new work shall be carefully protected against excessively rapid drying.

The published recommended practices of the ACI and PCA shall be adhered to as they apply to the work. A set-retarding admixture may be used when approved by the Village.

H. Cold Weather Work

Comply with the provisions of ACI 306R. Unless the air temperature is at least 40 degrees F. and rising, heat concrete materials at the time of mixing. Handle and protect the mix so that the temperature of the concrete when placed is not less than 55 degrees F. Written authorization from the Village must be obtained for concrete placement when the air temperature is below 40 degrees F.

The use of salts or other chemical additives (i.e., calcium chloride) which prevent the concrete from freezing will not be permitted, except in extreme conditions as determined by the Village

All reinforcement, forms, fillers, soils and other surfaces with which the concrete may come in contact shall be free of frost, snow and ice. All concrete must be protected from frost for a minimum of seven days.

When the projected overnight temperature is 32 degrees F. or below, double polyethylene wrap must be placed over concrete. When the projected overnight temperature is 25 degrees F. or below, hay must be placed over concrete in addition to the double polywrap.

I. Sidewalks

The sidewalks shall be installed in accordance with the typical Section shown on the plans, except as where noted on the plans.

J. Stormwater Inlets

Inlet castings shall be set by the Paving Contractor as part of their curb and gutter placement operations. Any needed height adjustments shall be made by the Paving Contractor using precast concrete chimney rings with mortar joints. Adjustments made with any materials other than precast concrete adjusting rings will not be accepted and will be cause for rejection. After curb and gutter operations have been completed, the Utility Contractor shall return to tuckpoint and back plaster the interior of all catch basins.

# Merton Fire Department

28343 Sussex Road

Merton, WI 53056-0911

Merton Fire Dept. Water Reservoir Tank Ordinance and Requirements

Date approved: Village of Merton: August 23, 1990

Town of Merton : November 20, 1993

Revised requirements prepared: October 04, 1997 by Chief John C. Leidel

Subject: Fire Department water reservoir installation requirements for the Village of Merton Fire Department District, including both the Town and Village of Merton.

Following is a summary of the Fire Department requirements for the installation of new or upgraded underground water storage tanks. These requirements are in addition to any engineering specifications, which define installation. This document is to more accurately define the requirements of the Merton Fire Department as they apply to the use of underground water sources.

Sub dividers must provide emergency water reservoirs as follows.

5-40 lots: 1-10,000 gallon tank

41-80 lots: 2-10,000 gallon tanks

81-120 lots: 3-10,000 gallon tanks

( above 120 lots, one additional tank for every 40 lots)

1. The minimum capacity of each tank shall be 10,000 gallons or larger by order of the Fire Chief
2. Sand bedding and back fill will be used on all tank installations.
3. All tanks will be hydrostatically tested and coated to NFPA standards.
4. The finished height of the **Drafting Pipe** shall be 24 inches above the finished roadway surface, measuring from the centerline of the 4-1/2 inch hydrant fitting. ( This is not the distance above grade at the pipe)
5. The **Drafting Pipe** shall extend to within 6 inches of the bottom of the tank. The total length of the drafting pipe shall be kept to a minimum after meeting item #4. The **Drafting pipe** must be **6 inches in diameter** and terminate with an elbow to accept a 4-1/2 male hydrant fitting with a cap and chain.
6. A screened **4 inch diameter vent pipe**, with the opening facing downward, will be included on all tanks.
7. A **4 inch diameter fill pipe** will be provided on each tank which shall terminate with an elbow to accept a 2-1/2 inch "Siamese Y" fitting with caps and chains.

8. The **Maximum distance** from road edge to the drafting pipe shall not exceed 9 feet. This will allow a fire engine, positioned on the road surface, to easily reach the Draft pipe using one standard length of hard suction hose.
9. All above ground painting shall be primed and painted the following colors: **Red for the 6 inch drafting pipe, White for the 4 inch vent pipe, Yellow for the 4 inch fill pipe.**
10. The Fire Department will provide "NO PARKING" signs to be installed at the location by the installer
11. The top of the tank shall be **4 feet below the finished grade** to prevent freezing during extended periods of below zero weather.
12. A \$1,000.00 bond will be held by the Municipality until final approval is given.
13. A 48 hour notification of inspection must be given to the Fire Chief.
14. Approval of a new or upgraded installation will require the Fire Chief, and in the Town of Merton the Highway Superintendent, to sign off.
15. Once approved, tanks will be filled by the Fire Department to the proper finished water level.
16. The Fire Department has the right to designate the location of the water reservoir tanks.
17. Any tank in the Village of Merton Fire District may be used by any fire department, however, all tanks must be refilled by the fire department using the water as soon as possible. The fire department using the tank must inform the Merton Fire Chief if the tank is left empty.
18. The Merton Fire Chief or his designee shall verify all aspects of the installation before a tank is approved and put into service.
19. Any other questions on underground water storage tanks will be referred to NFPA standards.
20. This document, and all other supporting documents, shall be provided to the Developer and Installer Prior to any work being performed. It is the installers responsibility to understand this document and all other specifications. This document is **NOT** an engineering specification.

**MULTI-USE TRAIL STANDARDS  
VILLAGE OF MERTON**

**I. Purpose**

The Village of Merton Comprehensive Plan (Year 2022 Comprehensive Plan for the Village of Merton) requires the installation and connection of multi-use trails within and throughout the community. Where the trails are required and constructed with new development, these standards are provided for consistency of design and construction within and between developments, for the protection and safety of path users, for the mitigation of conflicts between path users and neighboring private property owners and for reduction of long term maintenance costs of the trails.

**II. General Location Criteria**

1. Multi-use trails should be located in accordance with recommendations contained in the Village Comprehensive Plan and should be provided to connect residential areas to each other; to park and pool and park and ride transit stations; to commercial, industrial and other major activity centers; and to recreational areas.
2. Proposed new trails should be located so as to connect to existing trails in adjacent residential, commercial and industrial areas and in major parks and parkways so as to form an integrated system.
3. Trails generally should not be located immediately adjacent to roadways, except as directed by the Comprehensive Plan.
4. Trails that are located adjacent to roadways shall be located as far from the roadway as reasonably practicable.

**III. General Rules**

The following general rules apply to these standards:

1. Developer and/or subdivider shall be responsible for the cost of design and installation, with all appurtenances, for trails required within the subdivision and within adjacent right-of-way.
2. These standards will apply in most situations. When special circumstances exist, such as constructing a trail within a right-of-way adjacent to a public street, exceptions can be granted by the Village Engineer and Village Planner. If exceptions are granted, then any deviation to the design pursuant to these standards shall conform with safety guidelines found in the "Guide for the Development of Bicycle Facilities by the American Association of State Highway and Transportation Officials" (AASHTO).
3. In the absence of the Village Engineer and/or Village Planner, a Committee of the Village Administrator, Building Inspector, Police Chief and Fire Chief shall determine compliance with these standards.

#### IV. Design

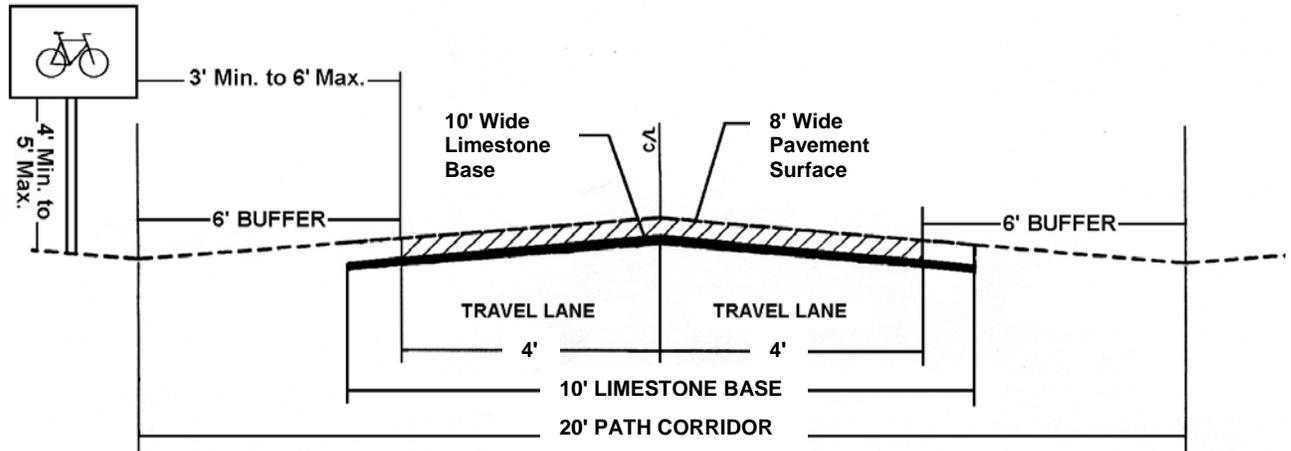
Whenever feasible, the multi-use trail design shall be part of the development design and/or layout so the trail and trail corridor shall conform to AASHTO Guidelines and the following Village of Merton standards:

1. The trail corridor shall be at least 20 feet wide as illustrated in Figure 1.
2. The trail corridor shall accommodate a path width of a 10 foot base and an 8 foot paved surface as illustrated in Figure 1.
3. The trail shall provide for two-way traffic.
4. When the trail corridor is straight (non-curved), the alignment shall accommodate a cross section of 2% grade from the high side to the direction of desired drainage.
5. When the trail corridor is curved, the alignment shall accommodate:
  - a. A superelevation of 3%.
  - b. A minimum radii of curvature in accordance to AASHTO guidelines.
  - c. To transition the superelevation of the curve to a straight route or reversing curves, a 25-foot tangent transition distance shall be required.
6. Where conditions such as limited sight distances make it desirable to clearly separate the two directions of travel, a double yellow line shall be used to indicate no passing and no travelling to the left of the center line. A yellow centerline shall be used 100 feet from the intersection of the path with the public right-of-way street pavement. On the trail, permanent marking shall be installed with the installation of the paving.
7. The trail corridor shall accommodate a maximum lineal grade of no less than 0.5% and no more than 5%, or per the table in the AASHTO Guidelines, subject to the approval of the Village Engineer.
8. The trail corridor shall accommodate a slope on each path side, of between 2 to 4% grade slope away from path, and of at least 6 feet in width. However, on the side accepting the path drainage, a swale shall be allowed 3 inches deep over a 2 foot width.
9. If site conditions prevent the opportunity to accommodate a 2 to 4% slope away from the trail to a distance of 6 feet from path's edge of pavement, then the Village Engineer may grant a waiver to #8. To grant a waiver, the following conditions must exist:
  - a. Extreme site conditions that prevent conformance with #8, and the waiver shall only apply to the section of path where the extreme site conditions exist.
  - b. The maximum slope allowed, from the edge of trail base, shall be 3 to 1.

- c. Only in severe topographical cases shall the gradual slope be waived on both sides of the trail. In those cases, accommodations shall be made to drain the trail along the lineal length of path, and not to the edge of cross section.
  - d. Where a down slope exists immediately adjacent to the trail, a decorative safety rail shall be installed between slope and trail, with rail design approved by Village Engineer and Village Planner.
10. Trail pavement shall accommodate a minimum of 6-foot horizontal distance from trees, poles, wall, fences or other lateral obstruction, except where a waiver is granted by the Village Planner when the obstruction is unavoidable due to a pre-existing condition or the obstruction is necessary for the safety of trail users, such as a bridge.
  11. Trail pavement shall accommodate a minimum of 10-foot vertical clearance from any overhead wires, tree branches, low structural members of underpasses, or other horizontal obstructions.
  12. Crossing of streams or wetlands shall be avoided if at all possible. If unavoidable in certain conditions, a trail corridor shall be selected that minimizes disturbance to the natural feature, such as crossing the stream or wetland at the narrowest point.
  13. Developer/Subdivider shall be responsible for obtaining any permits required by Wisconsin Department of Natural Resources (WDNR), or any other government agency, for the crossing of streams and/or wetlands.
  14. At no time shall any creek, stream, or man-made or natural flow of drainage be allowed to sheet drain across the trail's surface. In those cases, the design shall include a bridge or piping of the drainage below the crushed limestone base of the trail, so to not obstruct or interfere with proper use of the trail.
    - a. Bridge water openings and culverts or piping shall be designed to pass the 10-year recurrence interval flood flow of the stream, watercourse, or drainageway concerned without raising the upstream or downstream hydraulic grade line by more than 0.001 foot and without overstepping the bicycle way.
    - b. In the case of a required WDNR permit, design and sizing of flow beneath the trail shall be according to the approval of the WDNR.
    - c. In the case the WDNR is not needed, design and sizing of flow beneath the trail shall be according to the approval of the Village Engineer.

15. If a bridge is required to cross a drainage flow, then the following shall apply:
  - a) Developer/Subdivider shall obtain all necessary permits.
  - b) Design shall be as approved by WDNR, other government agency, or Village Engineer.
  - c) Bridge shall have a usable width of at least 8 feet.
  - d) Design precautions shall be taken at bridge approaches, such as aesthetic barriers or fencing, to prevent inadvertent bicycling off of the trail. For purposes of these standards, aesthetic means nicely designed fitting into the natural landscape.
  - e) Developer/Subdivider shall be responsible for cost of bridge design, materials and installation.
16. The trail edge of pavement shall be located at least 10 feet from any property line in private ownership. If it is determined a fence is necessary to separate the trail from neighboring property, the fence design shall be aesthetically pleasing and approved by the Village Planner.
17. The trail shall intersect a sidewalk and street pavement at a right angle or radial to sidewalk or street pavement.
18. All trails shall connect to a subdivision sidewalk or to street pavement to allow a continuous trail circuit.
19. When a trail is designed to connect to a street pavement and will extend across the street pavement, either with current construction or in the future, the trail shall cross the street at a right angle or radial to the street centerline.
20. Any trail intersection with street curb and gutter shall employ the design of a ramp from path to street level. The width of ramp and path taper to ramp, and other standards, shall meet the requirements of the Americans With Disabilities Act (ADA) and Wisconsin State Statutes 66.0909 and all pertinent federal and state laws, and shall be subject to the approval of Village Administrator, Village Engineer and Village Planner. Design could differ from location to location due to conditions at the location, anticipated amount of bike traffic, site distances, etc.
21. Where trails and sidewalks intersect, the concrete sidewalks shall extend through the intersection with the trails, with the asphalt trail continuing between the sidewalk and the edge of the street curb and gutter or pavement.
22. The Village Administrator, Village Engineer, Village Planner, Police Chief and/or Fire Chief may require the design and installation of a bollard or gate system at trail entrances from streets. The bollard or gate system would prevent motor vehicle access to the path, while retaining an opening to allow free flow of bicycles or pedestrians. A lock system would allow emergency vehicle access to the path.

**Figure 1: Desirable Multi-Use Trail Cross-Section**



## V. Construction

Construction standards shall be utilized conjointly with the design standards. Generally, construction shall adhere to the standards of Village Development Requirements. Where the standards are not specific to a trail, the following shall apply:

1. Remove all top soil and remove subgrade to depth of at least 8 inches below adjacent match grade.
2. If the trail necessitates a grade higher than existing grade to facilitate proper slopes away from path, then remove top soil of entire width to be disturbed (complying with permit requirements of protection of any natural site feature), and raise path base with clean clay and/or other suitable material.
3. Compact subgrade, with proper sloping as designed.
4. Install and compact 6 inches of 3/4 inch crushed limestone traffic bond, to a 10 foot width as illustrated in Figure 1.
5. Install 3 inch surface course Bituminous Concrete (State Gradation #3), leaving one foot of crushed limestone visible on each side.
6. Complete side slopes in accordance with design standards and fill 2 to 4 inches top soil over exposed crushed limestone to edge of surface course.
7. Where trail intersects with street and trail is planned to continue across the street, paint onto street pavement a crosswalk according to the Manual of Uniform Traffic Control Devices (MUTCD) standards.

8. Install street warning signs indicating a trail street crossing according to the Manual of Uniform Traffic Control Devices (MUTCD) standards. All trail street signs within common space of a subdivision shall be maintained and replaced when necessary by the Homeowners Association.
9. Install trail signage (stop signs) at intersections with sidewalks/streets according to the Manual of Uniform Traffic Control Devices (MUTCD) standards.

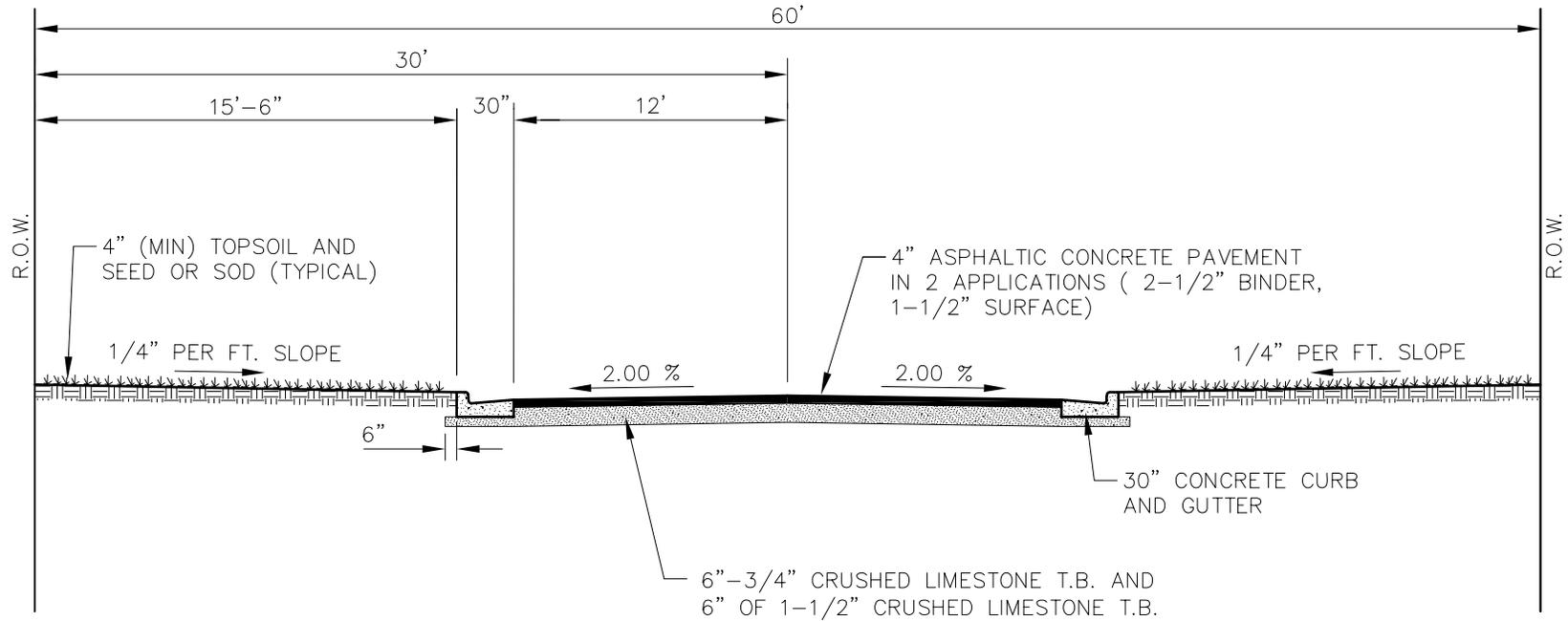
## **VI. Landscaping**

Landscaping along the trail shall conform to the following standards:

1. Top soil shall be placed over the crushed limestone that extends beyond the pavement, at 2 to 4 inch depth.
2. Top soil shall be placed over the required side slope, at 2 to 4 inch depth.
3. On the side slope, a durable grass mixture or a low growing ground cover, such as crown vetch, shall be planted, subject to the approval of the Village Engineer.
4. Planting of any deciduous or coniferous trees or bushes within six feet of the edge of pavement shall be prohibited.
5. Any preserved existing trees within the trail corridor shall be trimmed to maintain a 10 foot vertical clearance from trail surface to any tree branch or limb.

## **VII. Maintenance**

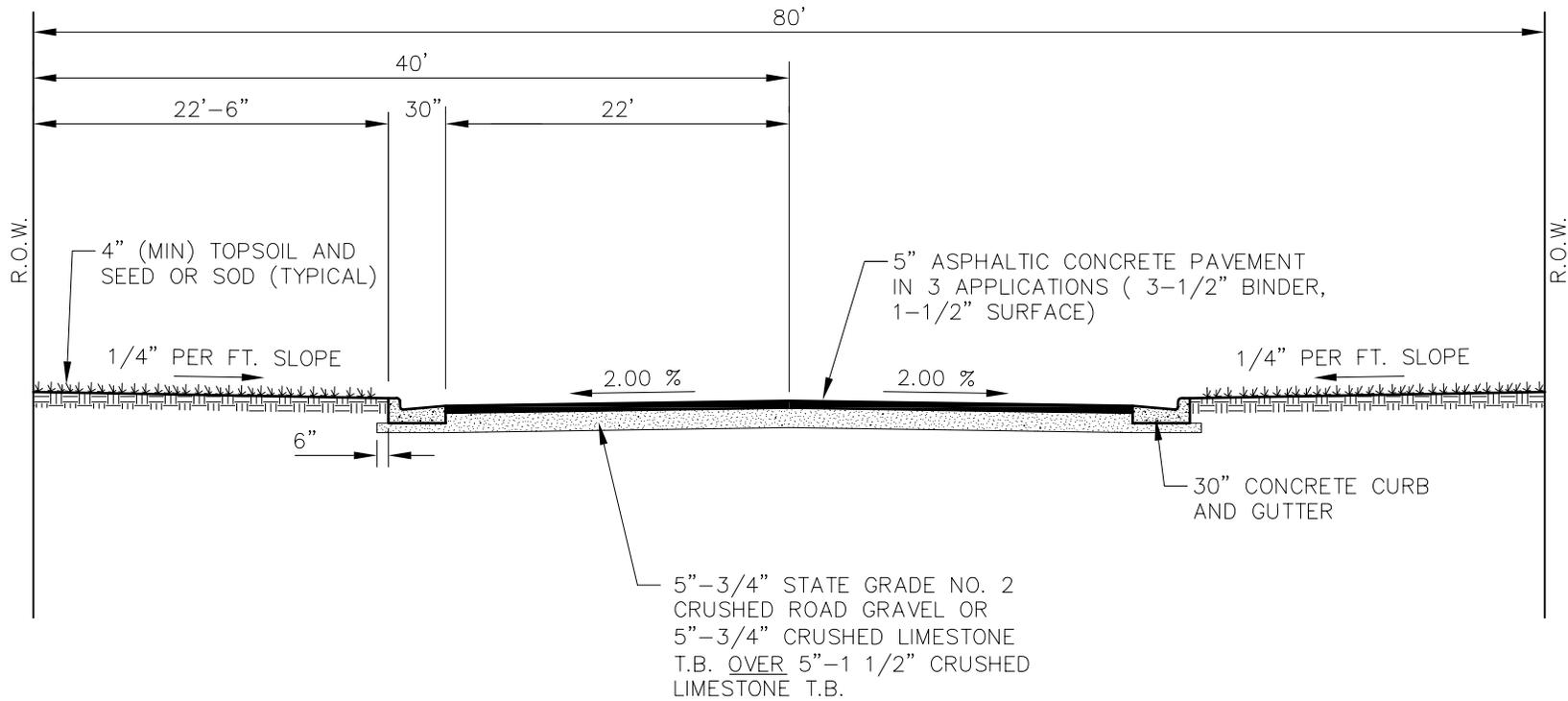
The Homeowners' Association shall be responsible for all lawn mowing, tree pruning, and all other landscape maintenance along the trail and trail corridor, for the trails within common open space controlled by the Homeowners' Association.



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PROJECT NO : 4602004.100	DATE : 10/28/05	

**LOCAL STREETS**  
**VILLAGE OF MERTON**  
**WAUKESHA COUNTY, WISCONSIN**

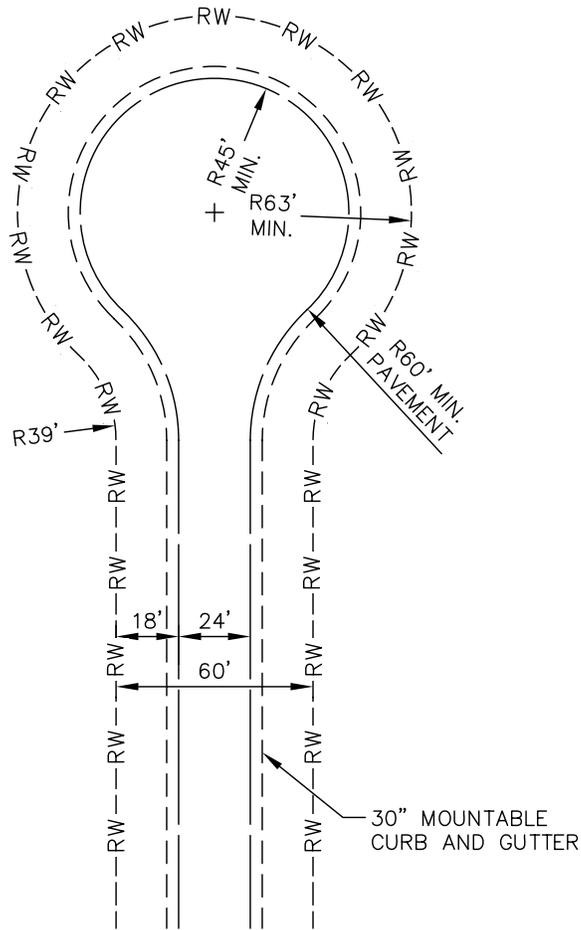


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**COLLECTOR STREETS AND COMMERCIAL / INDUSTRIAL STREETS**

**VILLAGE OF MERTON  
 WAUKESHA COUNTY, WISCONSIN**



NOTES:

1. CURB AND GUTTER, PAVEMENT AND BASE PER TYPICAL CROSS SECTION.
2. ADDITIONAL DRAINAGE EASEMENTS MAY BE REQUIRED ON PROJECT SPECIFIC BASIS.

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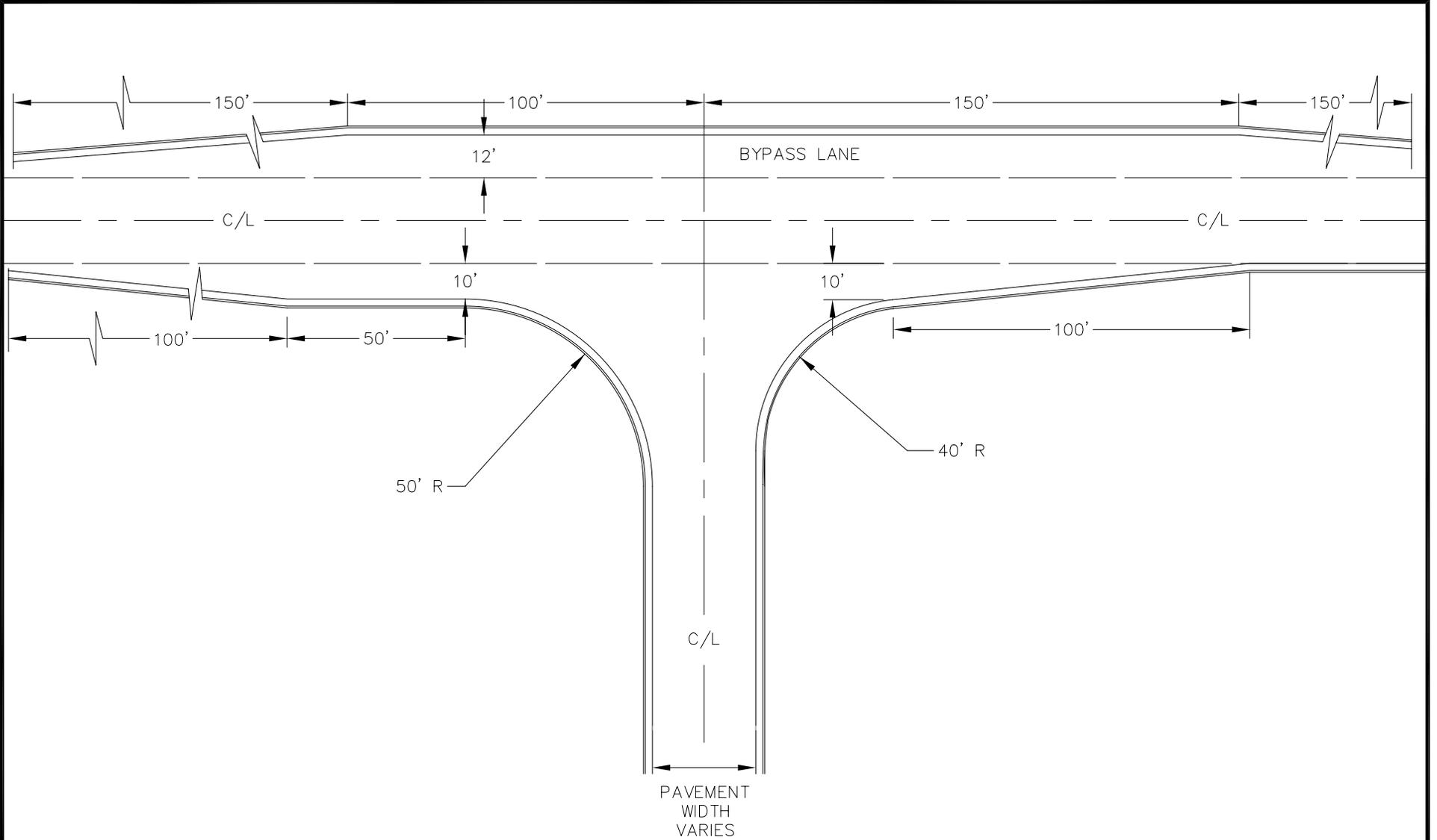
PROJECT NO : 4602004.100	DATE : 10/28/05
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**TYPICAL RESIDENTIAL CUL-DE-SAC  
(HARD CENTER)**

**VILLAGE OF MERTON  
WAUKESHA COUNTY, WISCONSIN**





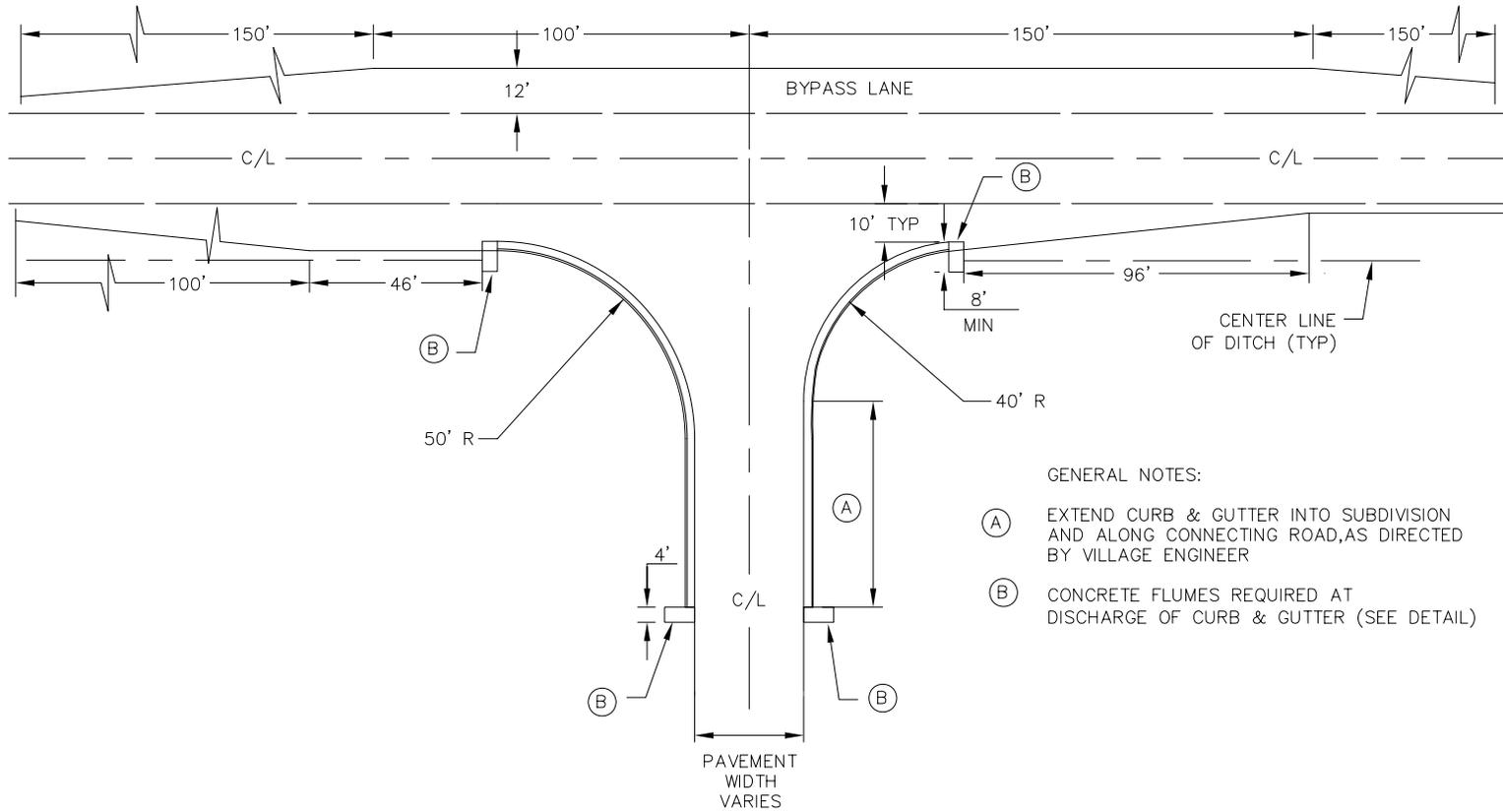


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## TYPICAL URBAN INTERSECTION DETAIL

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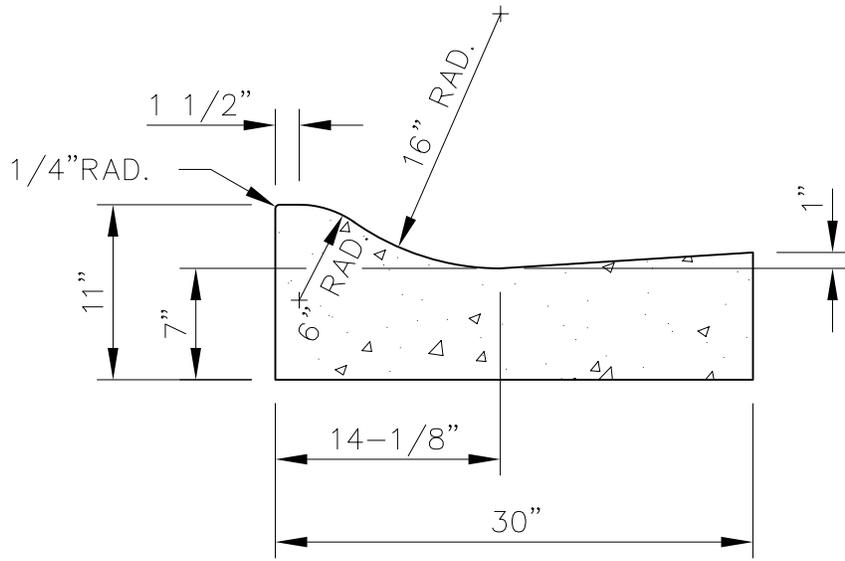


GENERAL NOTES:

- (A) EXTEND CURB & GUTTER INTO SUBDIVISION AND ALONG CONNECTING ROAD, AS DIRECTED BY VILLAGE ENGINEER
- (B) CONCRETE FLUMES REQUIRED AT DISCHARGE OF CURB & GUTTER (SEE DETAIL)

## TYPICAL RURAL INTERSECTION DETAIL

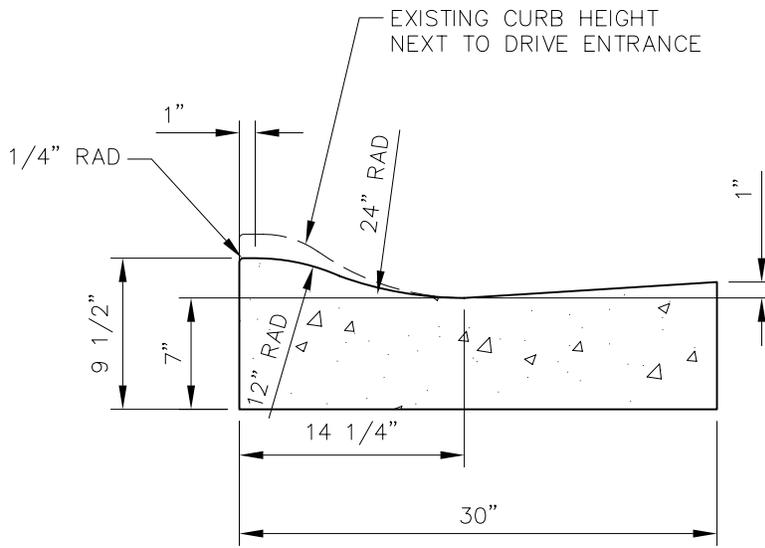
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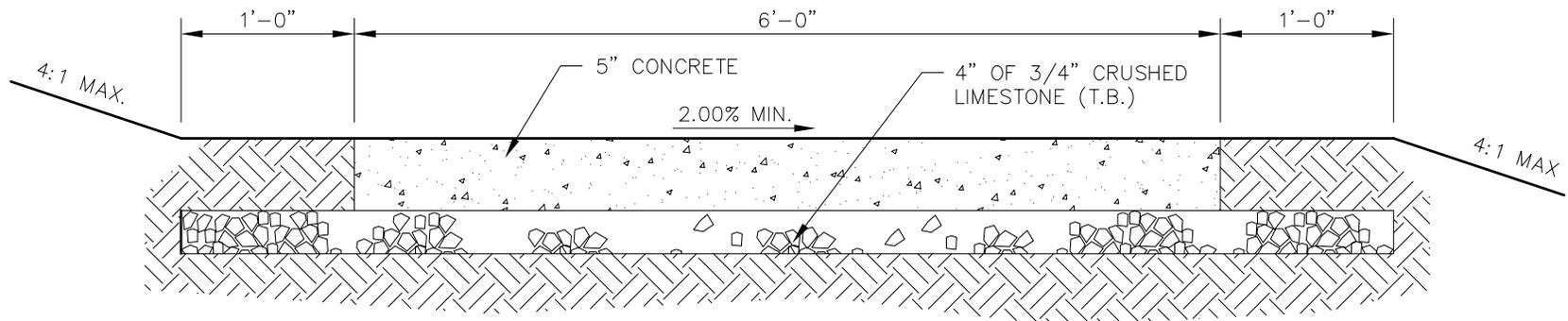
**MOUNTABLE CURB DETAIL**  
**VILLAGE OF MERTON**  
**WAUKESHA COUNTY, WISCONSIN**



DESIGNED BY : THK	DRAFTED BY : JTN	CHECKED BY :
PROJECT NO : 4602004.100	DATE : 5/20/04	

**MOUNTABLE CURB DETAIL  
 AT DRIVEWAY**

**VILLAGE OF MERTON  
 WAUKESHA COUNTY, WISCONSIN**



 **Ruekert-Mielke**  
engineering solutions for a working world

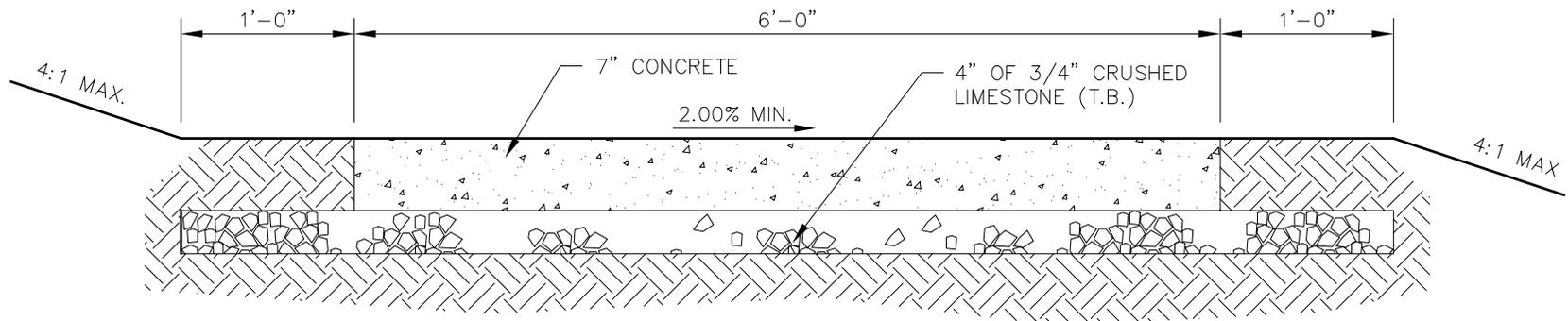
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PROJECT NO : 4602004.100    DATE : 10/28/05

### CONCRETE SIDEWALK SECTION

VILLAGE OF MERTON  
WAUKESHA COUNTY, WISCONSIN



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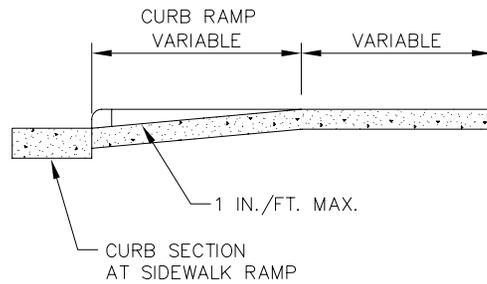
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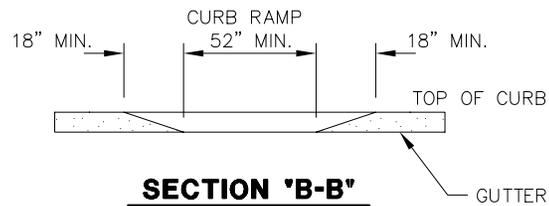
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### CONCRETE SIDEWALK SECTION AT DRIVEWAY

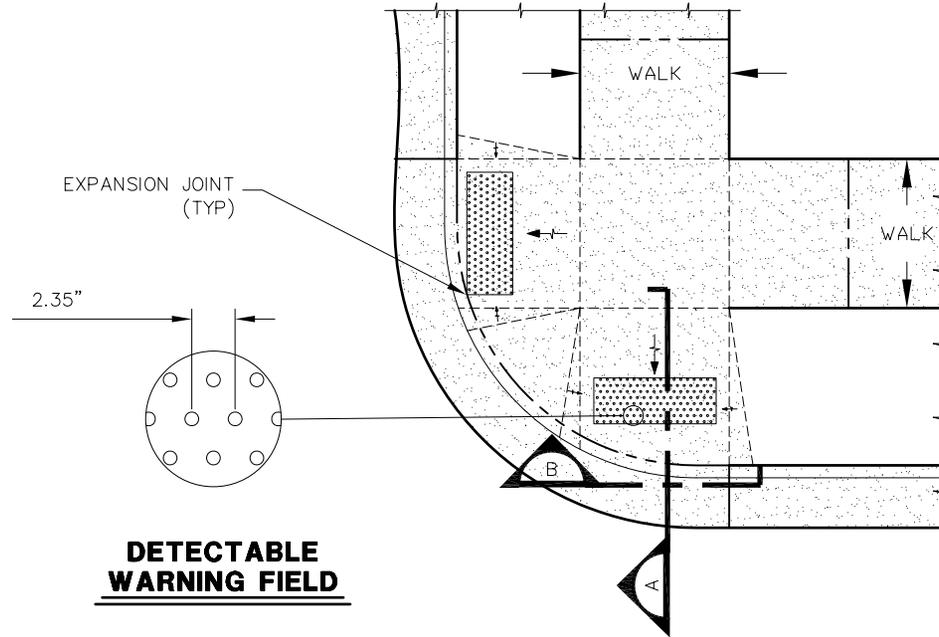
VILLAGE OF MERTON  
WAUKESHA COUNTY, WISCONSIN



**SECTION 'A-A'**



**SECTION 'B-B'**



**DETECTABLE WARNING FIELD**

**TYPE 2 CURB RAMP**

GENERAL NOTES

DETAILS OF CONSTRUCTION, MATERIALS AND WORKMANSHIP NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE PERTINENT REQUIREMENTS OF THE STANDARD SPECIFICATIONS OF THE APPLICABLE SPECIAL PROVISIONS.

RAMPS SHALL BE BUILT AT 12:1 OR FLATTER. WHEN NECESSARY, THE SIDEWALK ELEVATION MAY BE LOWERED TO MEET THE HIGH POINT ON THE RAMP.

SURFACE TEXTURE SHALL BE OBTAINED BY USING THE ARMOR TILE SYSTEM BY ENGINEERED PLASTICS FOLLOWING THE MANUFACTURERS RECOMMENDATIONS AND FOLLOWING WISCONSIN DEPARTMENT OF TRANSPORTATION STANDARD DETAIL S.D.D. 8D5-9B AND SECTION 602.0505.S OF THE 2003 STANDARD SPECIFICATIONS AND 2004 SUPPLEMENTAL SPECIFICATIONS.



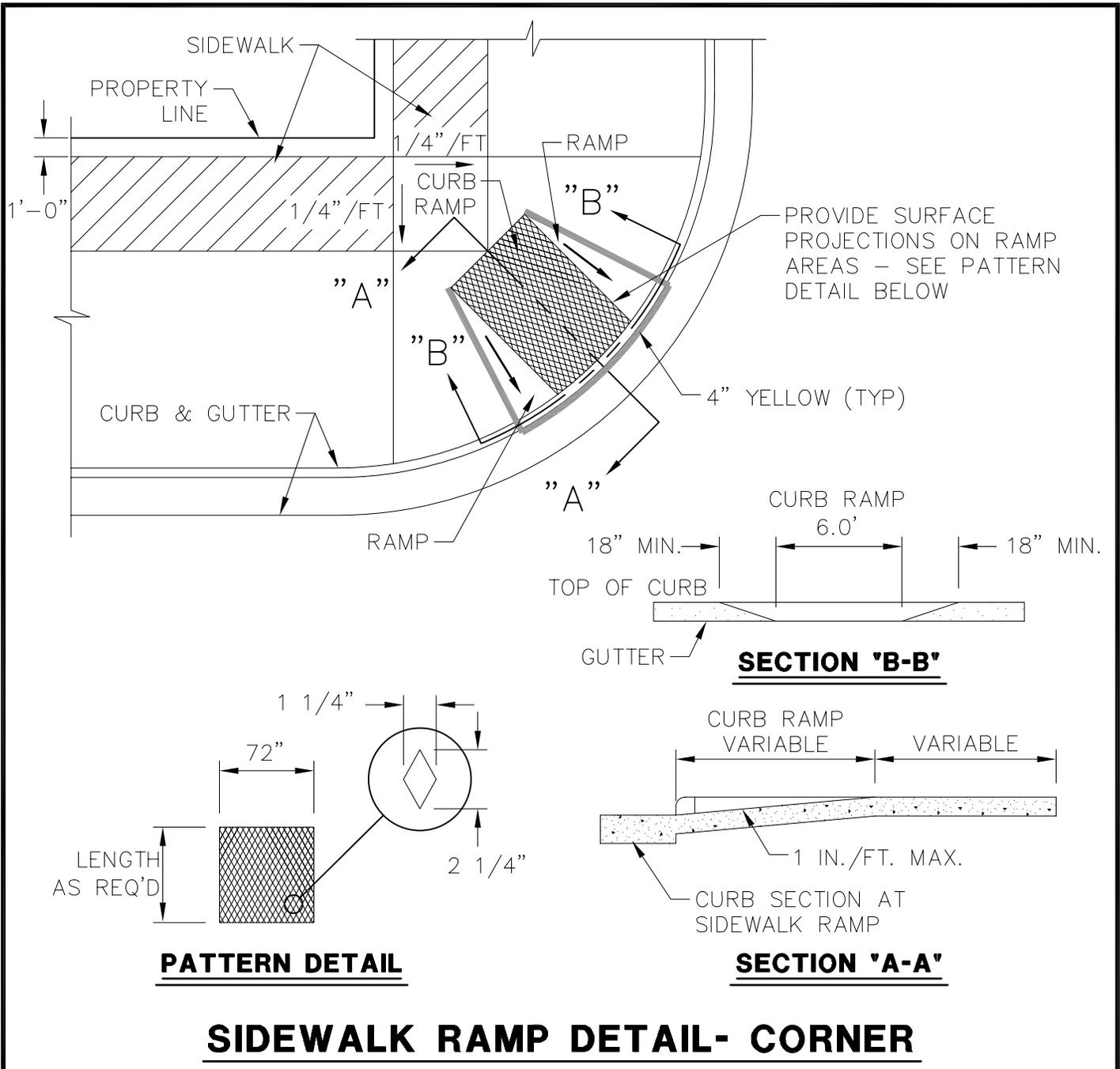
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 CHECKED BY :

PROJECT NO : 4602004.100  
 DATE : 10/28/05

**TYPICAL SIDEWALK RAMP DETAIL**

**VILLAGE OF MERTON  
 WAUKESHA COUNTY, WISCONSIN**



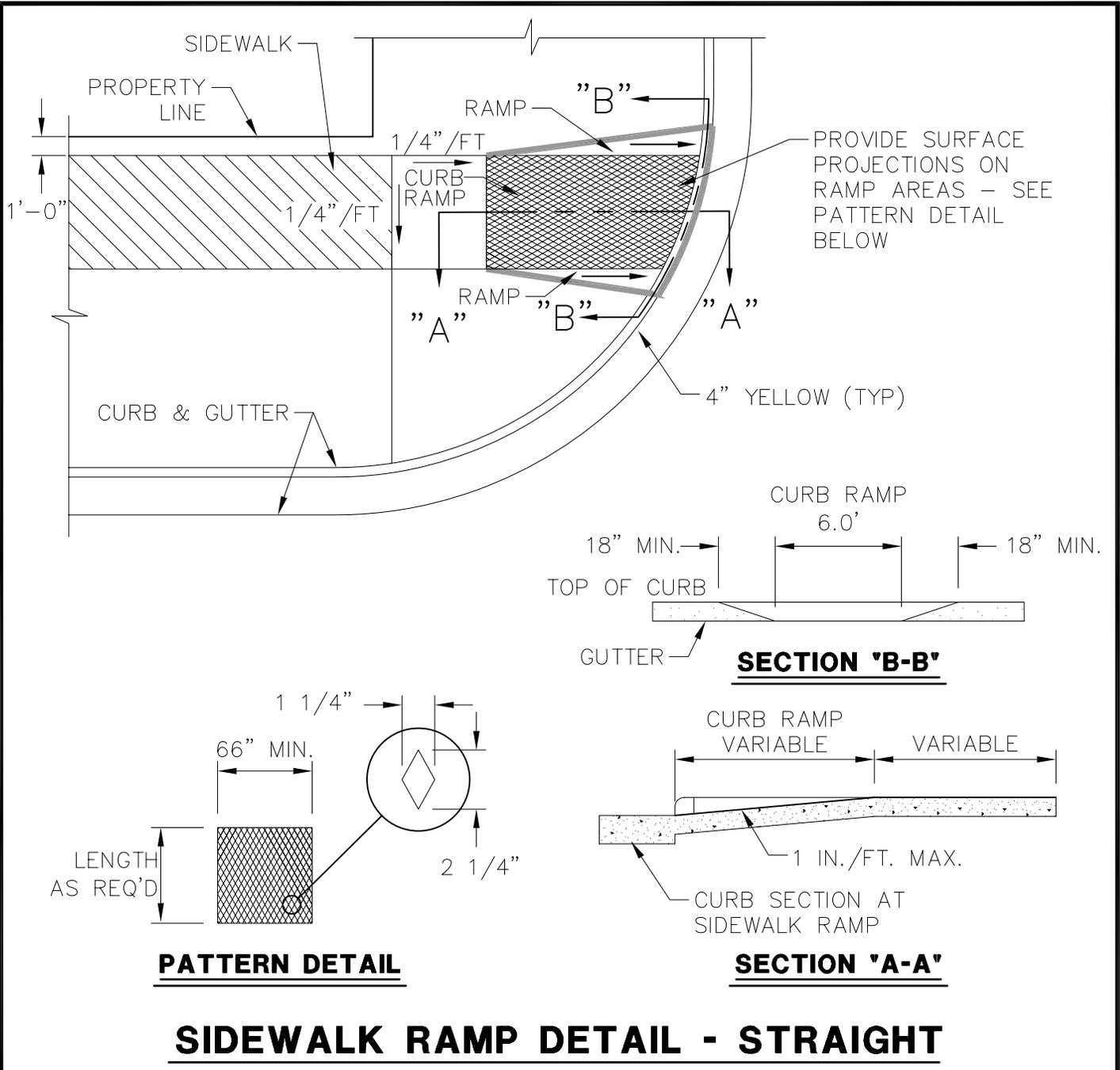
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CGDTRAMP (96)

**GENERAL NOTES**

RAMPS SHALL BE BUILT AT 12:1 OR FLATTER. WHEN NECESSARY, THE SIDEWALK ELEVATION MAY BE LOWERED TO MEET THE HIGH POINT ON THE RAMP.

SURFACE TEXTURING SHALL CONSIST OF LINEAR IMPRESSIONS APPROXIMATELY 1/4 INCH TO 3/8 INCH IN DEPTH AND WIDTH, ORIENTED TO PROVIDE A UNIFORM PATTERN OF DIAMOND SHAPES MEASURING APPROXIMATELY 1 1/4 INCHES IN WIDTH BY 2 1/4 INCHES IN LENGTH, WITH THE LENGTH BEING PARALLEL TO THE DIRECTION OF PEDESTRIAN MOVEMENT. THIS SURFACE TEXTURE MAY BE ACHIEVED BY IMPRESSING AND REMOVING A PIECE OF EXPANDED METAL REGULAR INDUSTRIAL MESH INTO THE SURFACE OF THE RAMP WHILE THE CONCRETE IS IN A PLASTIC STATE.

THE RAMP SHALL BE BORDERED ON BOTH SIDES AND ON THE CURB LINE WITH A 4 INCH WIDE YELLOW STRIPE



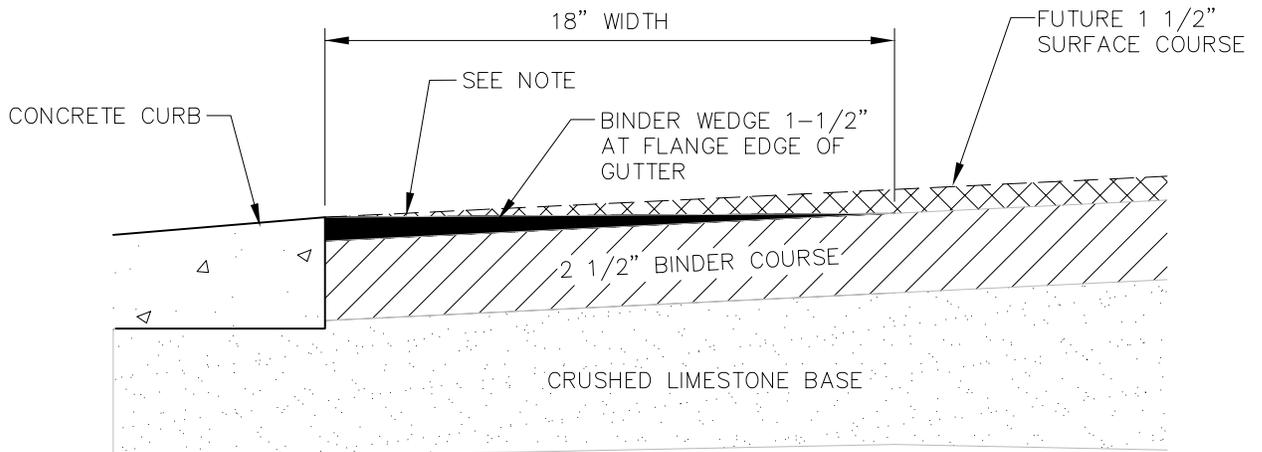
NOT TO SCALE  
CGDTRAMP (96)

**GENERAL NOTES**

RAMPS SHALL BE BUILT AT 12:1 OR FLATTER. WHEN NECESSARY, THE SIDEWALK ELEVATION MAY BE LOWERED TO MEET THE HIGH POINT ON THE RAMP.

SURFACE TEXTURING SHALL CONSIST OF LINEAR IMPRESSIONS APPROXIMATELY 1/4 INCH TO 3/8 INCH IN DEPTH AND WIDTH, ORIENTED TO PROVIDE A UNIFORM PATTERN OF DIAMOND SHAPES MEASURING APPROXIMATELY 1 1/4 INCHES IN WIDTH BY 2 1/4 INCHES IN LENGTH, WITH THE LENGTH BEING PARALLEL TO THE DIRECTION OF PEDESTRIAN MOVEMENT. THIS SURFACE TEXTURE MAY BE ACHIEVED BY IMPRESSING AND REMOVING A PIECE OF EXPANDED METAL REGULAR INDUSTRIAL MESH INTO THE SURFACE OF THE RAMP WHILE THE CONCRETE IS IN A PLASTIC STATE.

THE RAMP SHALL BE BORDERED ON BOTH SIDES AND ON THE CURB LINE WITH A 4 INCH WIDE YELLOW STRIPE

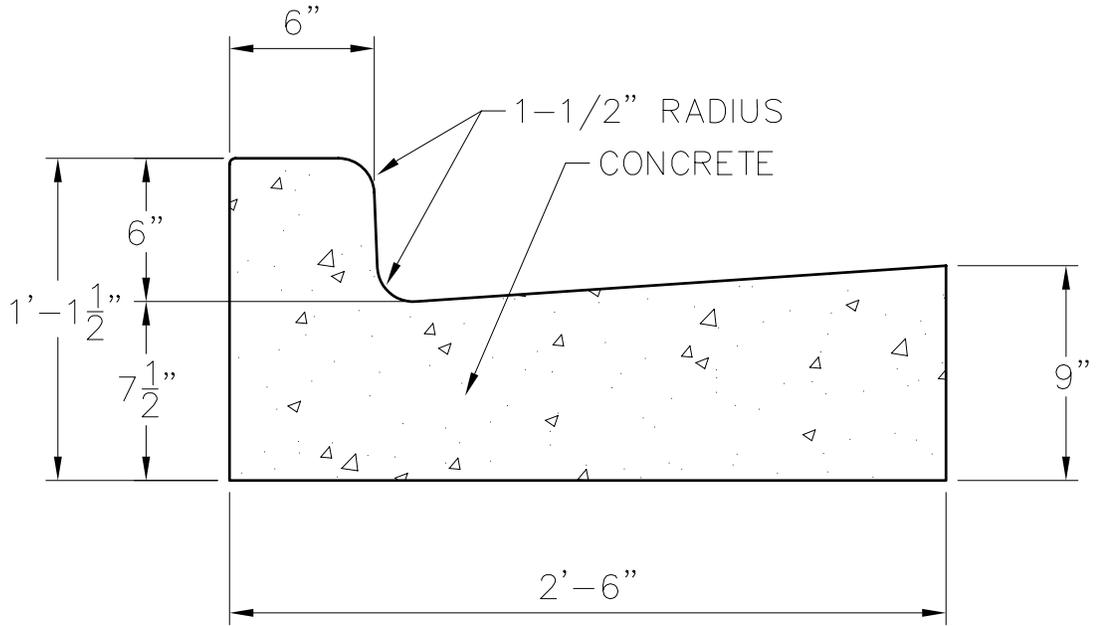


NOTE : MILL BINDER WEDGE PRIOR TO SURFACE PLACEMENT

DESIGNED BY : THK	DRAFTED BY : JTN	CHECKED BY :
PROJECT NO : 4602004.100	DATE : 10/28/05	

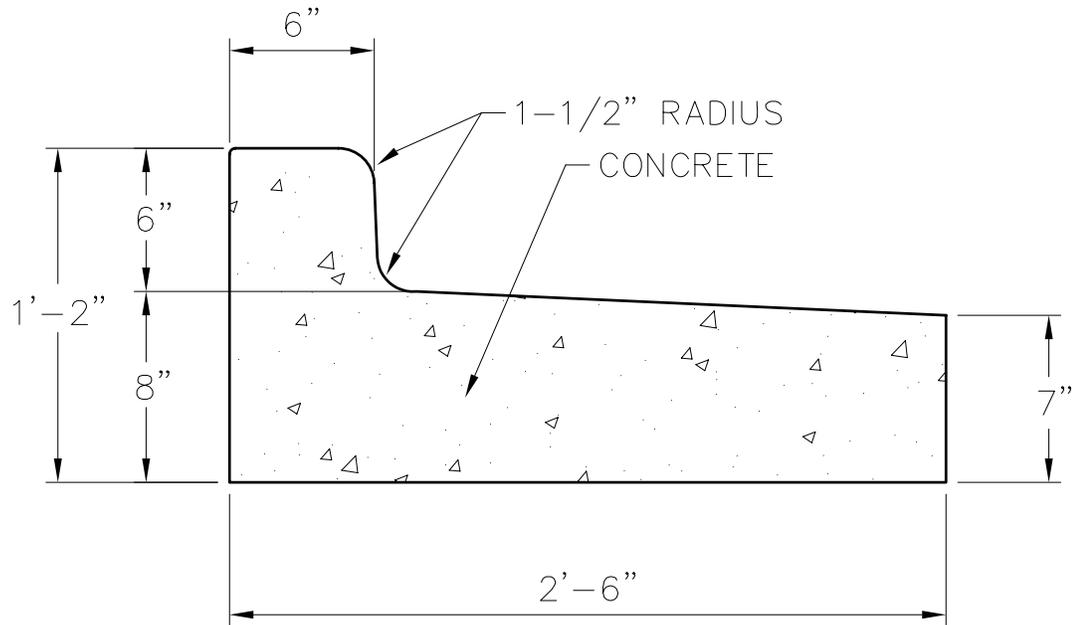
**PAVEMENT WEDGE DETAIL WITH  
 CONCRETE CURB AND GUTTER**

**VILLAGE OF MERTON  
 WAUKESHA COUNTY, WISCONSIN**



**LOW SIDE**  
**CURB & GUTTER**

NOT TO SCALE  
CGDTCG01 8



**HIGH SIDE**  
**CURB & GUTTER**

NOT TO SCALE  
CGDTCG01 8

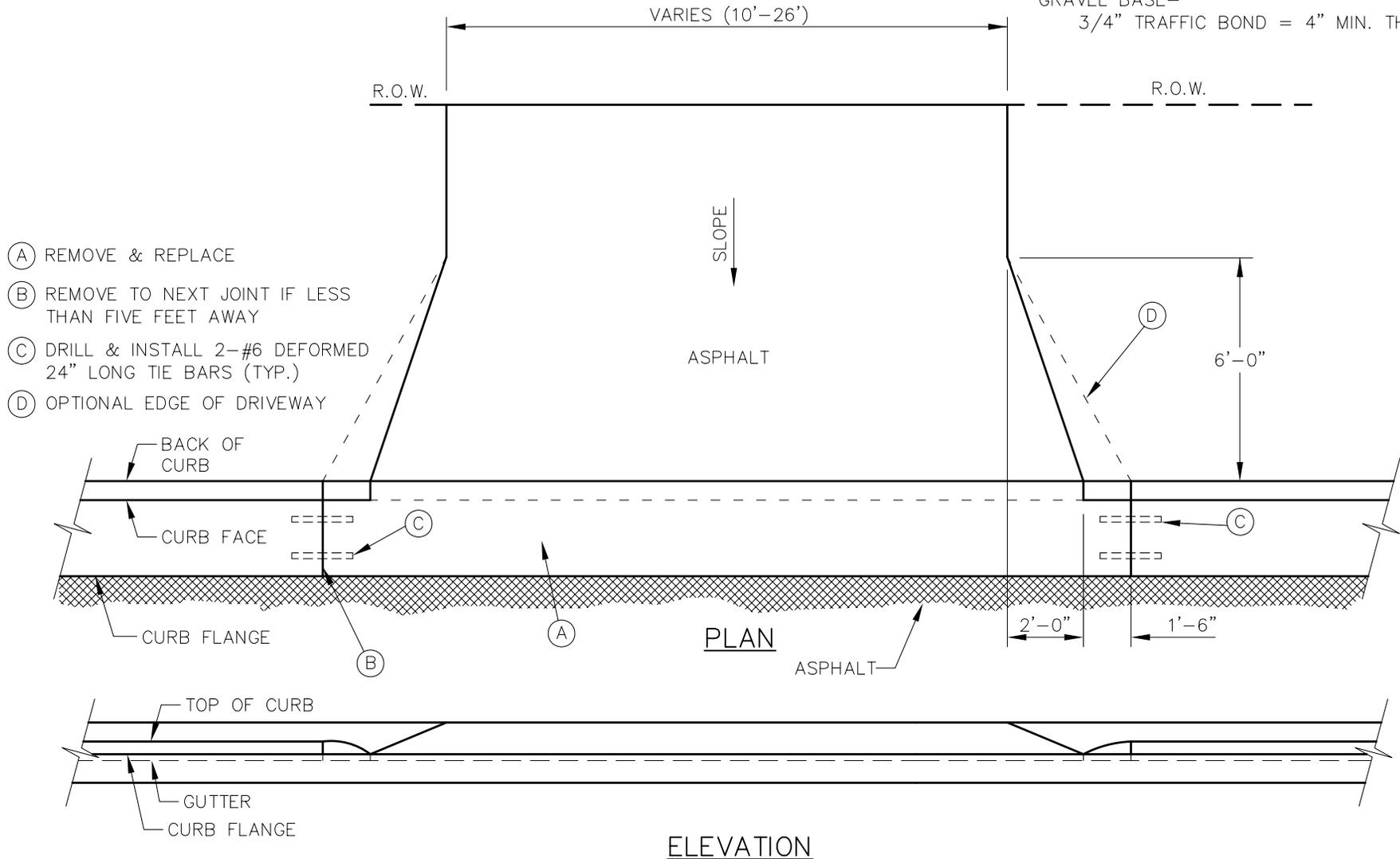
SPECIFICATIONS:

PAVEMENT-

ASPHALT = 3" MIN. THICKNESS

GRAVEL BASE-

3/4" TRAFFIC BOND = 4" MIN. THICKNESS



NOTE: CURB & GUTTER SHALL HAVE CONTROL JOINTS INSTALLED OR SAWED AT 10' MAX. SPACING. 5' MIN. SPACING.

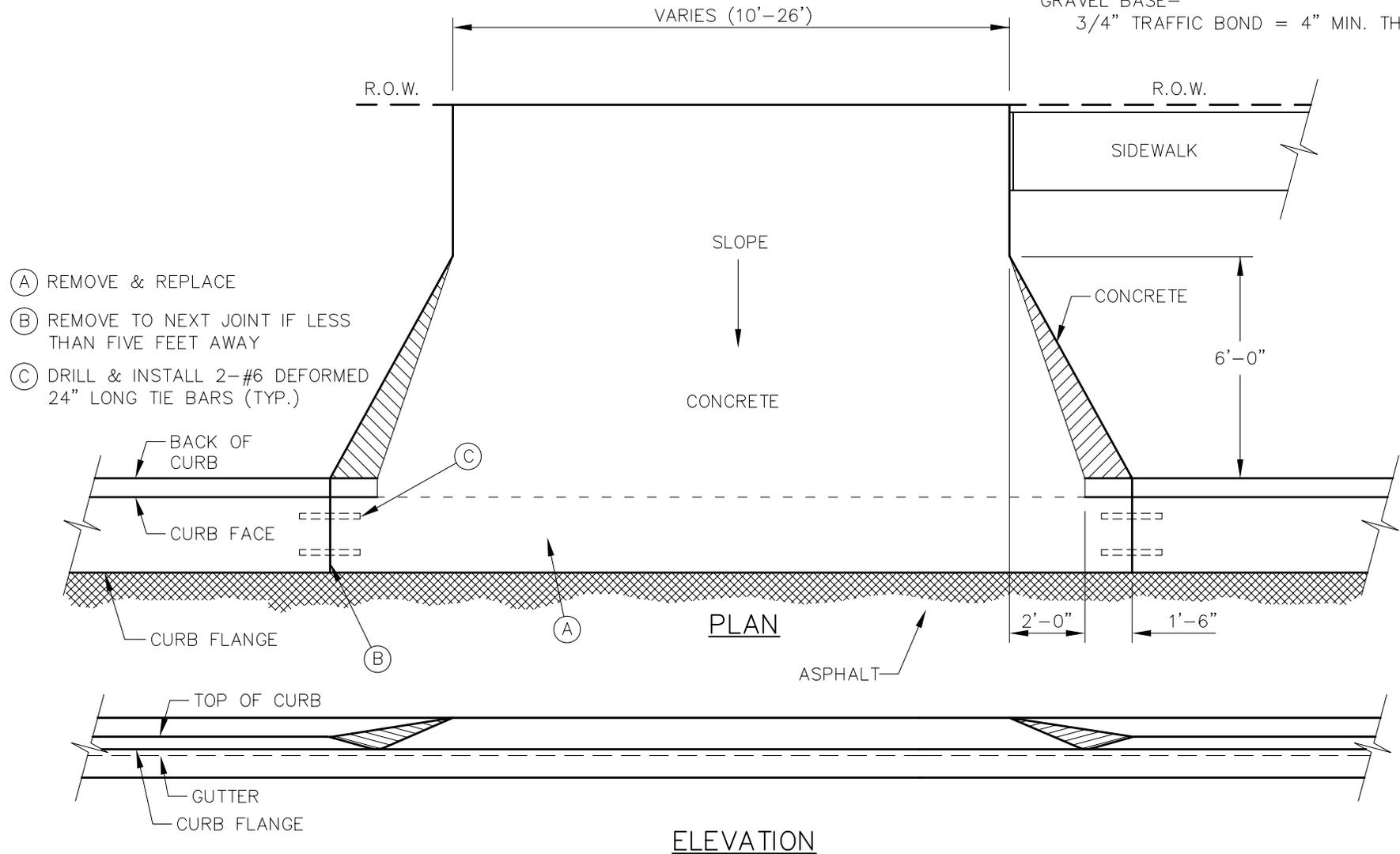
# RESIDENTIAL ASPHALT DRIVEWAY

NOT TO SCALE

ASPHDRIV 48

SPECIFICATIONS:

- PAVEMENT—
- CONCRETE = 7" MIN. THICKNESS (4000 PSI)
- GRAVEL BASE—
- 3/4" TRAFFIC BOND = 4" MIN. THICKNESS



NOTE: CONCRETE DRIVES SHALL HAVE CONTROL JOINTS INSTALLED OR SAWED AT 10' MAX. SPACING. 5' MIN. SPACING.

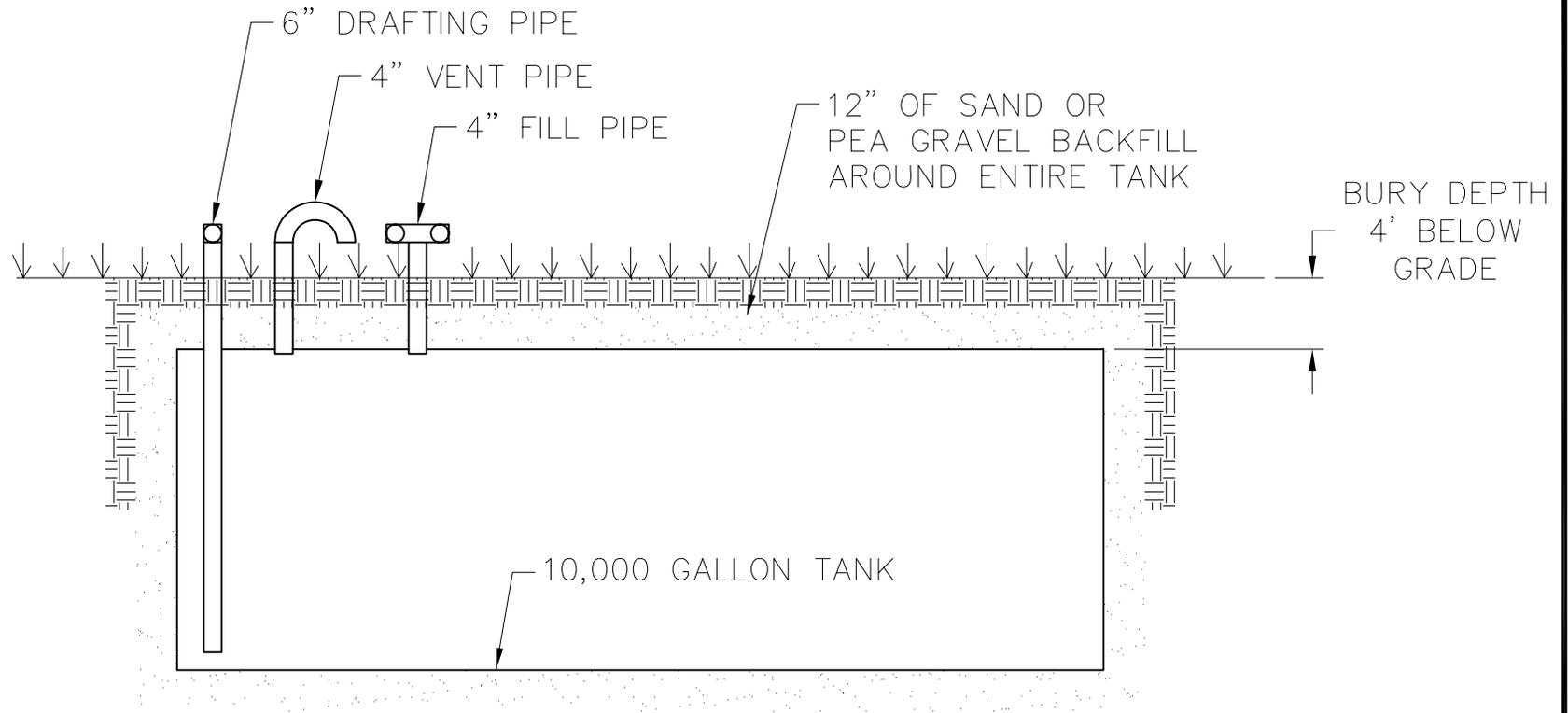
# RESIDENTIAL CONCRETE DRIVEWAY

NOT TO SCALE  
 DRIVEAPR 48

NOTE: DRIVEWAY APRON TO BE CONSTRUCTED MONOLITHIC FROM PAVEMENT EDGE TO RIGHT-OF-WAY

43R

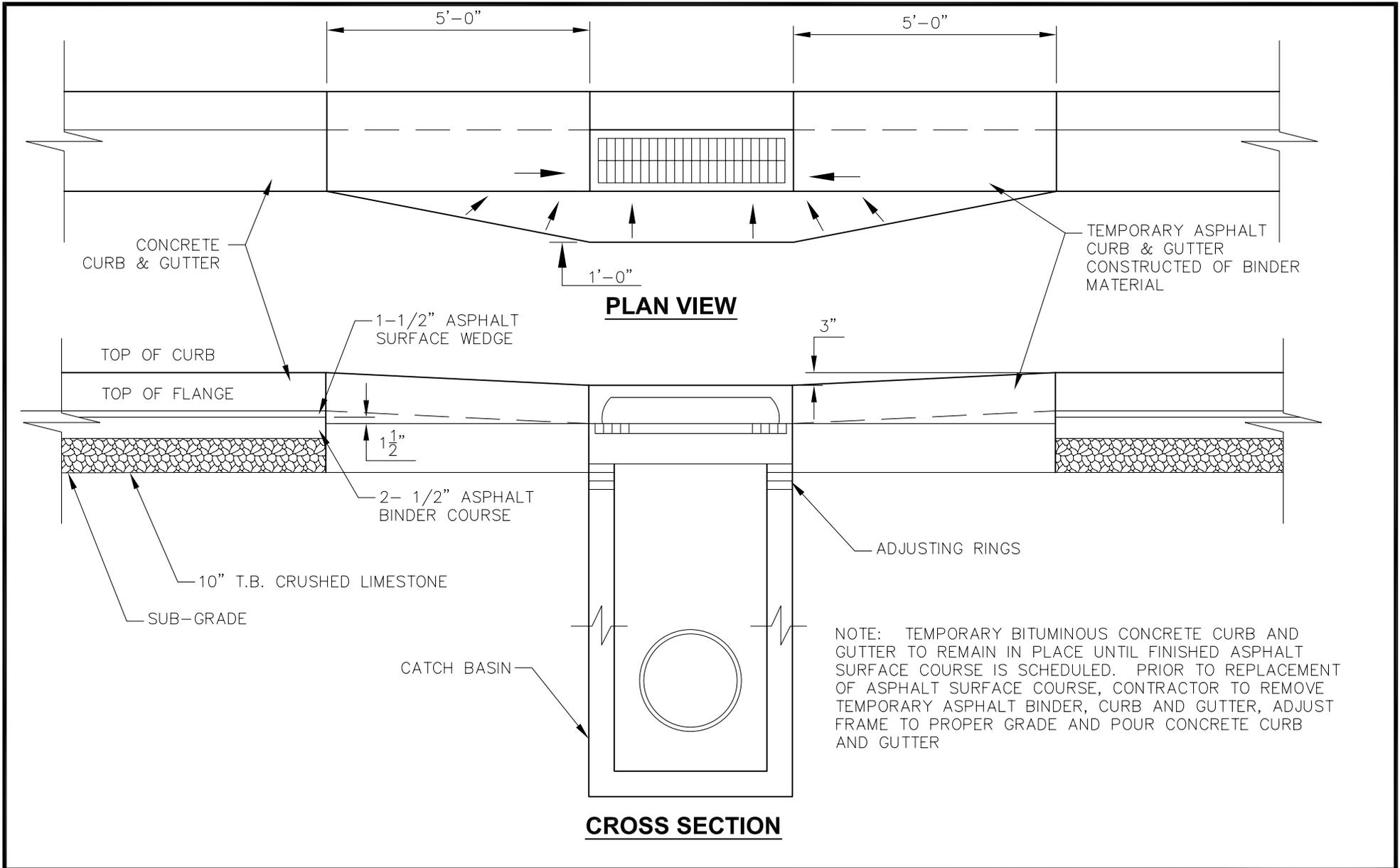


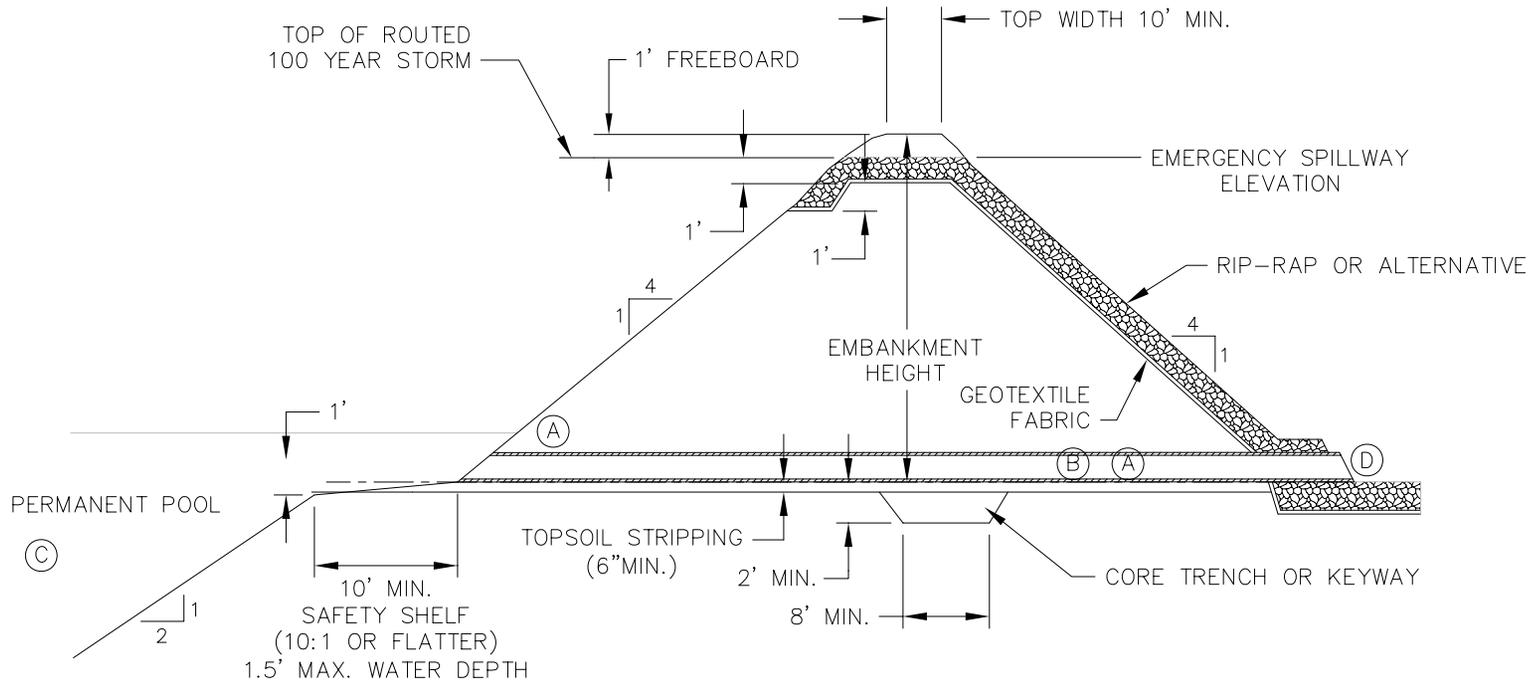


DRAFTING PIPE  
 (1) 6" PIPE  
 (1) 6" ELBOW  
 (1) 4-1/2" MALE HYDRANT CONNECTION WITH CAP AND CHAIN

VENT PIPE  
 (1) 4" PIPE  
 (2) 4" ELBOWS OR (1) 180° BEND  
 (1) SCREEN MESH

FILL PIPE  
 (1) 4" PIPE  
 (1) 4" ELBOW  
 (1) STANDARD SIAMESE "Y" WITH 2"x 2-1/2" CLAPPER VALVES WITH CAPS





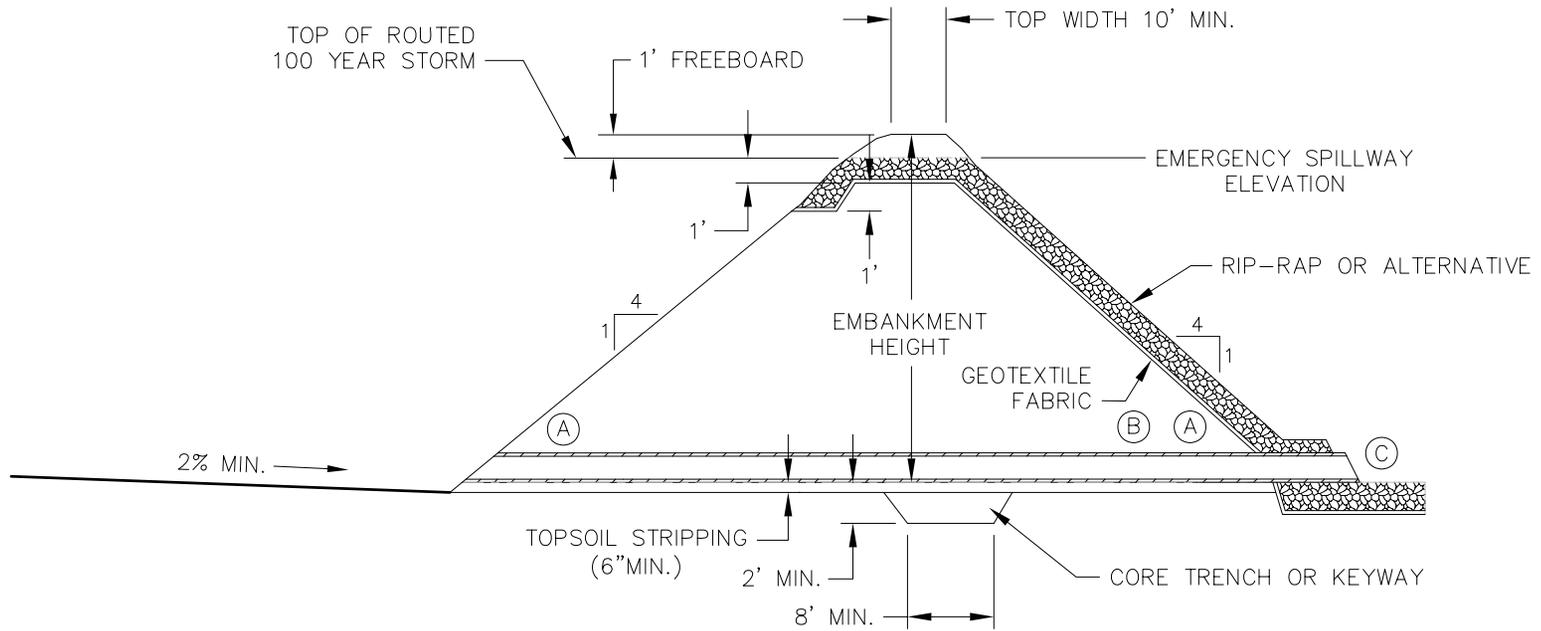
CROSS SECTION

NOTE:

- (A) SEE ORDINANCE FOR OUTLET REQUIREMENTS. USE OF DETENTION POND OUTLET STRUCTURE REQUIRED UNLESS OTHERWISE APPROVED BY VILLAGE ENGINEER.
- (B) ANTI-SEEPAGE COLLARS REQUIRED ON OUTLET PIPE. (2 MIN. - EXTEND MINIMUM OF 12" BEYOND DIAMETER OF PIPE.) INSTALL AT 1/3 POINTS OF BERM.
- (C) MINIMUM DEPTH OF 3' REQUIRED TO ELIMINATE WEEDS. MINIMUM DEPTH OF 5' REQUIRED FOR FISH HABITAT.
- (D) DIAMETER SIZE PER DESIGN

**TYPICAL WET DETENTION POND**

NOT TO SCALE  
 CGDTSED2 1



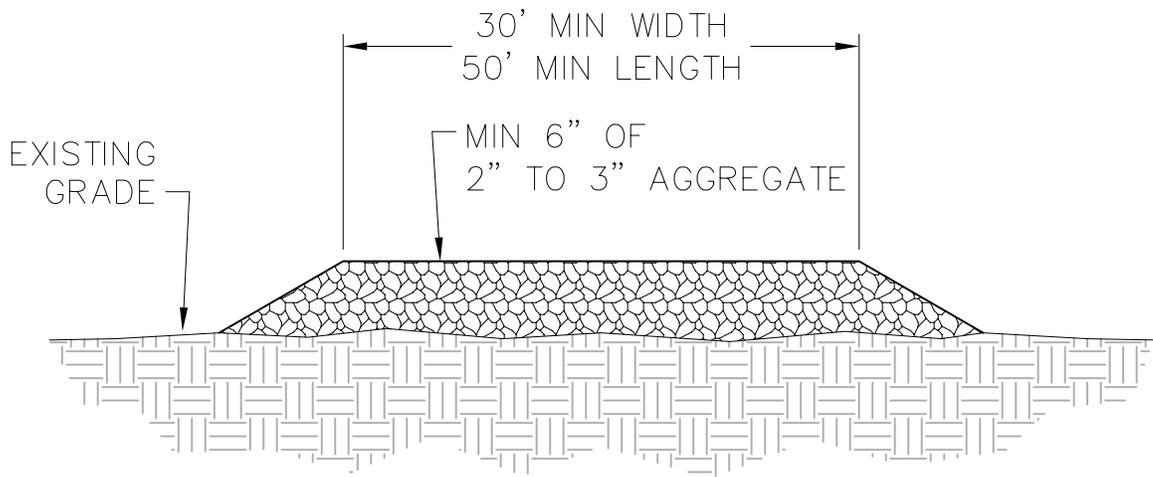
### CROSS SECTION

NOTES:

- (A) SEE ORDINANCE FOR OUTLET REQUIREMENTS. USE OF DETENTION POND OUTLET STRUCTURE REQUIRED UNLESS OTHERWISE APPROVED BY VILLAGE ENGINEER.
- (B) ANTI-SEEPAGE COLLARS REQUIRED ON OUTLET PIPE. (2 MIN. - EXTEND MINIMUM OF 12" BEYOND DIAMETER OF PIPE.) INSTALL AT 1/3 POINTS OF BERM
- (C) DIAMETER SIZE PER DESIGN

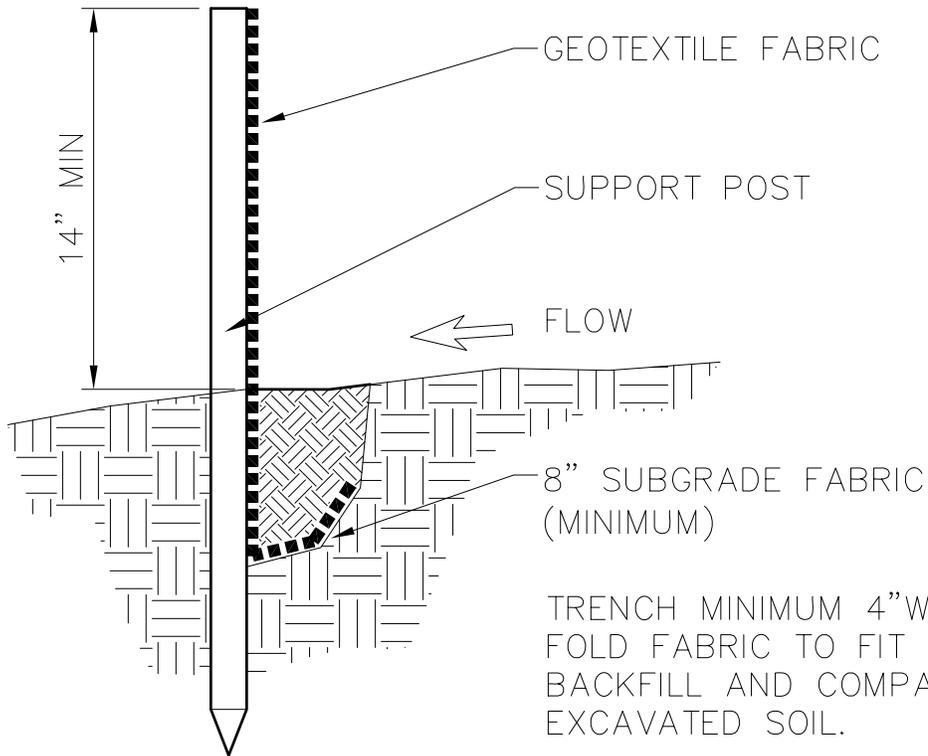
## TYPICAL DETENTION POND

NOT TO SCALE  
CGDTSED1 1



PAD MAY BE POSITIONED AS PERMANENT DRIVEWAY SUBBASE IF PLACED ON MINERAL SOIL AND IT MEETS BEARING & COMPACTION REQUIREMENTS BEFORE BASE PLACEMENT.

DESIGNED BY : THK	DRAFTED BY : JTN	CHECKED BY :
PROJECT NO : 4602004.100	DATE : 10/28/05	

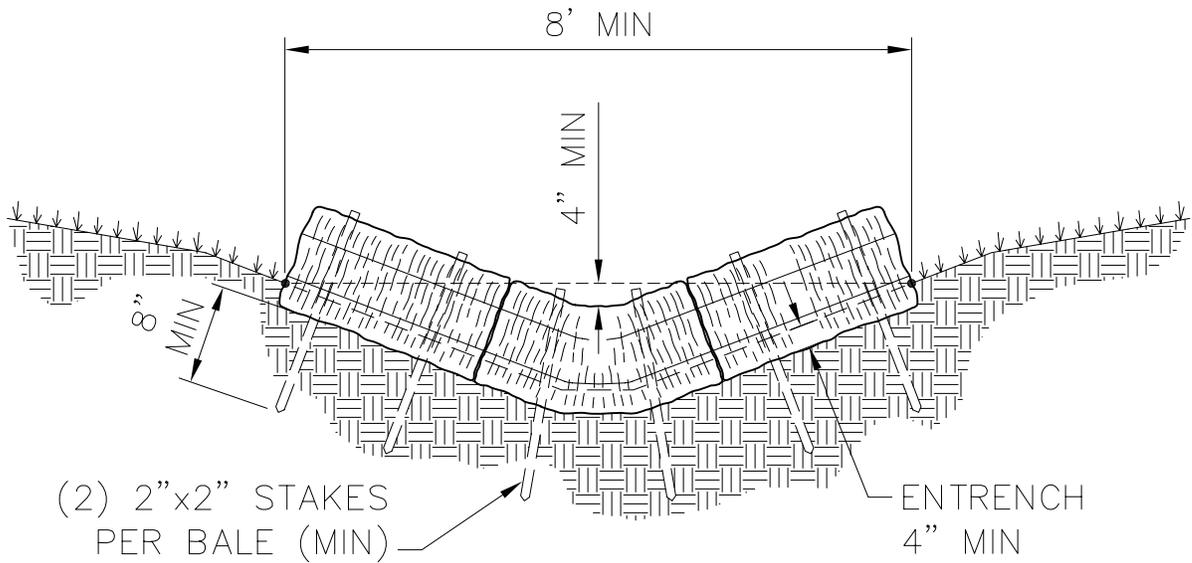


TRENCH MINIMUM 4"W x 6" D.  
 FOLD FABRIC TO FIT TRENCH,  
 BACKFILL AND COMPACT WITH  
 EXCAVATED SOIL.

DESIGNED BY : THK	DRAFTED BY : JTN	CHECKED BY :
PROJECT NO : 4602004.100	DATE : 10/28/05	

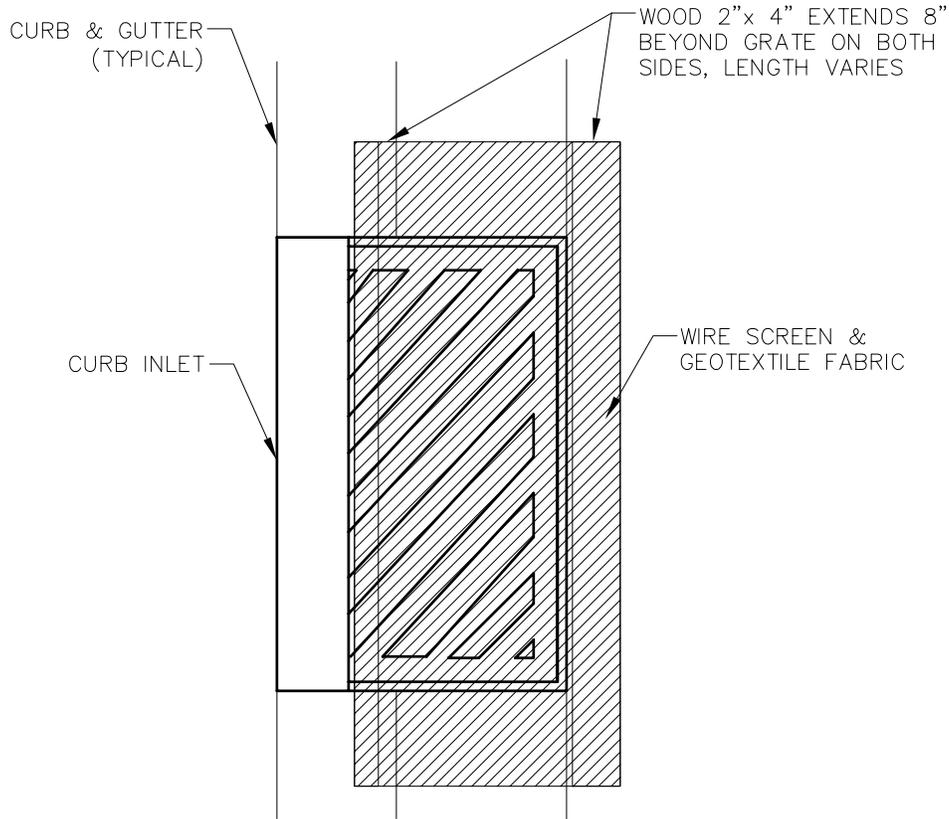
**SILT FENCE**

**VILLAGE OF MERTON  
 WAUKESHA COUNTY, WISCONSIN**

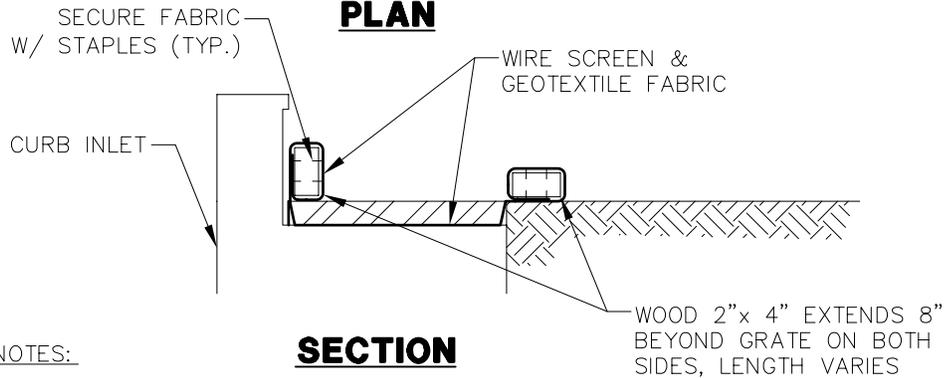


DESIGNED BY : THK	DRAFTED BY : JTN	CHECKED BY :
PROJECT NO : 4602004.100	DATE : 10/28/05	

**EROSION BALES ACROSS DITCH**  
**VILLAGE OF MERTON**  
**WAUKESHA COUNTY, WISCONSIN**



**PLAN**



**SECTION**

GENERAL NOTES:

FABRIC SHALL BE REPLACED AT THE ENGINEER'S DISCRETION.

THE WOOD SHALL NOT BLOCK ENTIRE HEIGHT OF THE CURB BOX.

WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT THE SEDIMENT TRAPPED IN ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

1. FABRIC SIZE SHALL BE 8" (MIN.) OR GREATER ON ALL SIDES OF THE INLET COVER TO PROVIDE A HAND HOLD WHEN MAINTENANCE OR REMOVAL IS REQUIRED.
2. FOR INLET WITH A CURB BOX, AN ADDITIONAL 18" OF FABRIC SHALL BE WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES.
3. INLET GUARDS MUST BE REPLACED AFTER EACH 1/2" RAIN EVENT UNTIL TURF IS ESTABLISHED ON ENTIRE SITE.

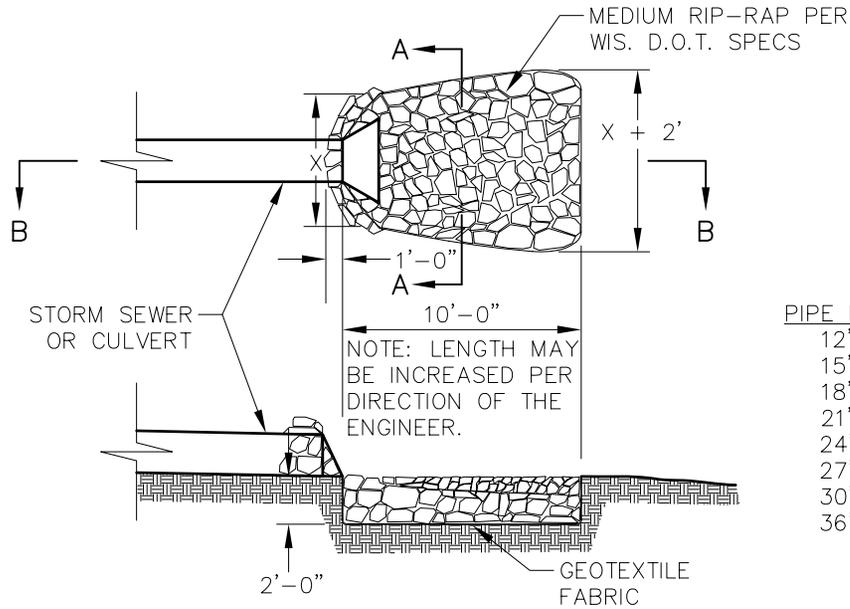


© COPYRIGHT 2005

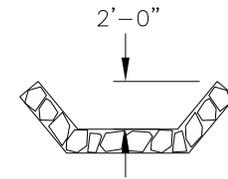
DESIGNED BY : THK	DRAFTED BY : JTN	CHECKED BY :
PROJECT NO : 4602004.100	DATE : 10/28/05	

**INLET SEDIMENT GUARD**

**VILLAGE OF MERTON  
WAUKESHA COUNTY, WISCONSIN**



PIPE DIA.	X
12"	4.0'
15"	4.5'
18"	5.0'
21"	5.5'
24"	6.0'
27"	6.5'
30"	7.0'
36"	8.0'



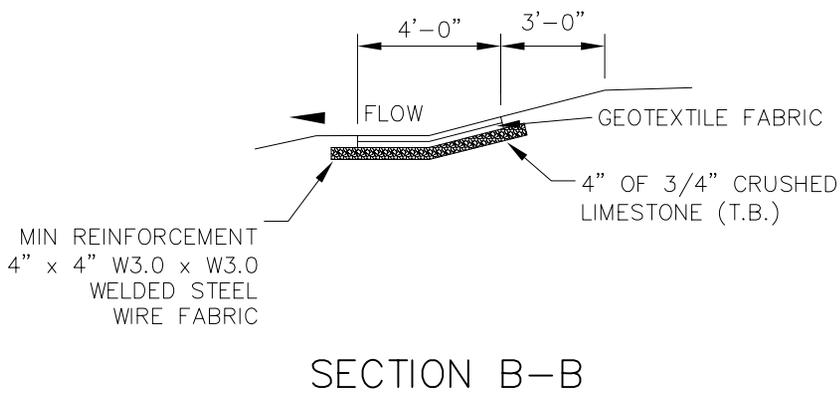
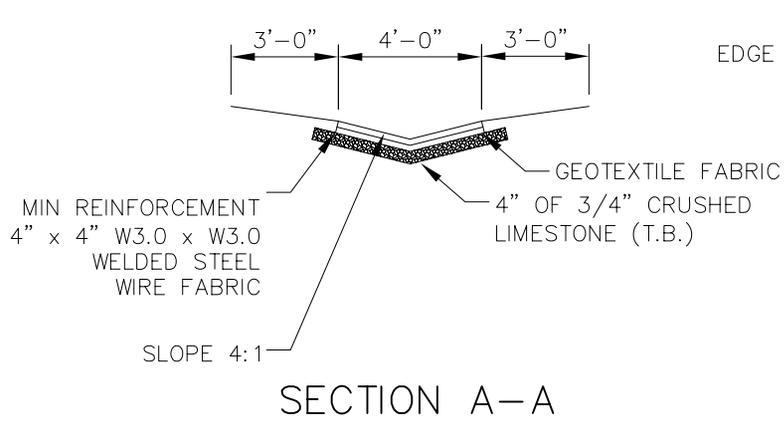
SECTION B-B

SECTION A-A

## RIP-RAP DETAIL

NOT TO SCALE

CGDTRR01 96



GENERAL NOTES:

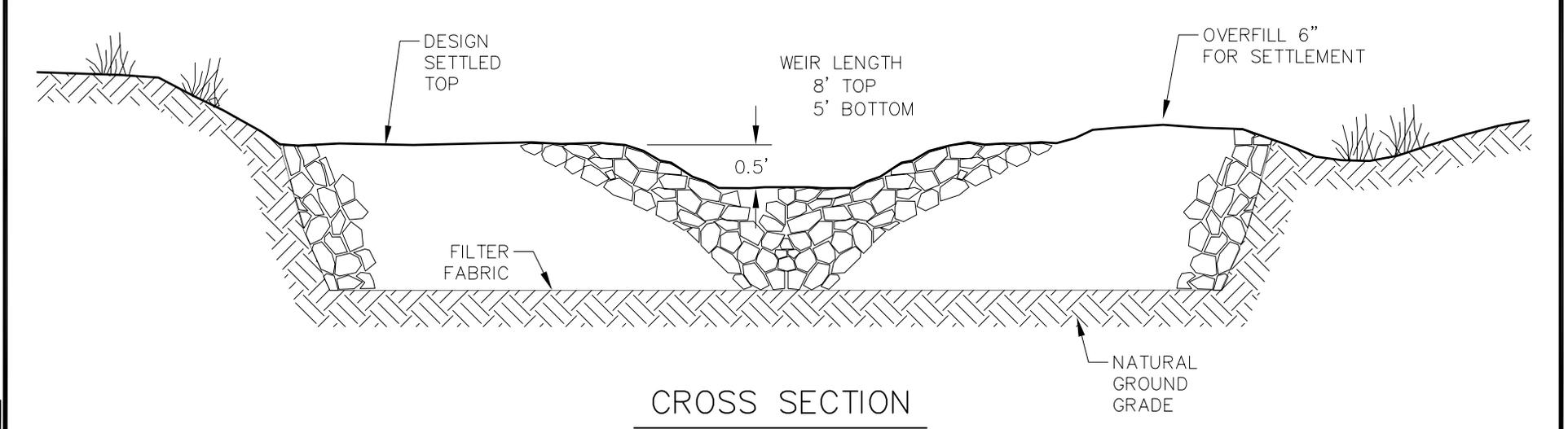
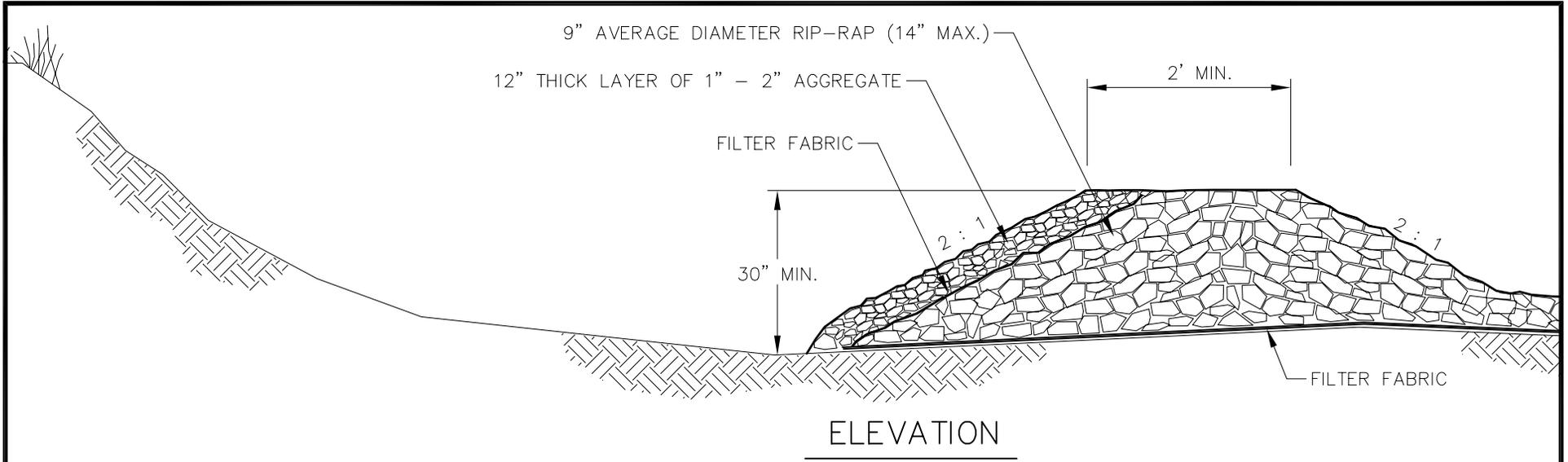
CONCRETE FLUME 5" MIN THICKNESS

WELDED STEEL WIRE FABRIC SHALL BE IN ACCORDANCE WITH AASHTO SPEC. M55.

- ① JOINTS SHALL BE 1/8" TO 1/4" WIDE BY 1-1/2" DEEP AND SPACED AT UNIFORM INTERVALS OF APPROX. 4 FEET.

## CONCRETE FLUME DETAIL

NOT TO SCALE  
 CGDTCF01 64



# SEDIMENT TRAP DETAIL

NOT TO SCALE  
CGDTRAP 64

# **APPENDIX B: CHECKLISTS**

**VILLAGE OF MERTON**

Tom Nelson, Village Administrator

***PARKS STREETS STORMWATER WATER WASTEWATER  
AS-BUILT REQUIREMENTS AND SUBMITTAL***

**Submittal:**

1. Minimum of 2 paper copies of as-builts shall be submitted to the Village. Prepared on sheets measuring not less than 22" high by 34" wide. Nor greater than 24" high x 36" wide.
2. Submission of an AutoCAD compatible drawing file shall be made to the Village Engineer and Administrator. Data must be compatible to the version in use by the Village of Merton and the reviewing consulting engineer. Contact the Village Engineer for current AutoCAD version in use. The developer will pay all costs associated with conversion of data into formats and required data layers and informational uses by the village or its reviewing consulting engineer. Use of emailing electronic copies to the village is permissible.

**Date Format:**

1. All data will be provided in Wisconsin State Plane Coordinates. (South Zone, NAD 27)
2. All vertical data shall be based on mean sea level, 1929 adjustment.  
Any data submitted requiring conversion will be the sole expense of the developer.

**General Features:**

1. Street Names
2. Right-of-way lines
3. Sidewalk
4. Curb/gutter and Pavement edges
5. Lot lines, lot numbers and addresses
6. All easements, including dimensions
7. The benchmarks used on the project shall be indicated on the cover sheet and on each sheet where they appear.

**Additional Features required for:**

**Sanitary Sewer (when applicable)**

1. Pipe inverts, size, material, class and manufacturer shall be indicated
2. Percent grade, direction of flow, and center to center length of pipe installed between manholes shall be indicated.
3. Manhole RIM elevation, size, casting manufacturer, model and cover numbers shall be indicated.
4. All laterals shall be shown with invert elevation at right-of-way line and length clearly shown.
5. Dimensions between laterals and manholes shall be indicated.

**Force Main (when applicable)**

1. Pipe size, material, class and manufacturer shall be indicated
2. Location of all fittings including tees, crosses, reducers, air vents, and bends shall be shown and suitably labeled for identification.

**Water Main (when applicable)**

1. Pipe size, material, class and manufacturer shall be indicated.
2. Location of all fittings including tees, crosses, reducers, air vents, bends and lateral taps shall be shown and suitably labeled for identification.
3. Location of all curb stops shall be shown indicating size, length of service and depth of bury.
4. All valves shall be shown and identified with type, size, model and manufacturer
5. All hydrants shall be shown and identified with type, size, model, manufacturer and depth of bury.

**Storm sewer**

1. Pipe inverts, size, material, class and manufacturer shall be indicated.
2. Percent grade, direction of flow, and center to center length of pipe installed between structures shall be indicated.
3. Location, RIM/Grate elevation, size, type, casting manufacturer, model and cover numbers of all manholes, inlets, catch basins, and outlets shall be indicated.
4. Size, length and invert of all end sections shall be indicated.

**Grading and Drainage Record Drawing**

After grading is complete, to verify conformance with the approved grading plan, a record drawing of final grading shall be submitted that includes the following:

1. Spot elevations at all property corners to the nearest tenth of a foot
2. Spot elevations in side yard swales between lots to the nearest tenth of a foot
3. Flow line ditch elevations at every even station to the nearest tenth of a foot
4. Berm elevations to the nearest tenth of a foot.
5. Verify topographic lines.
6. Include water retention and detention ponds, any storm water control on residential lots (i.e. "rain gardens"), water quality ponds and temporary sedimentation basins. Show length, width and elevations of berms, pond bottoms, spillways and safety shelves.
7. Elevations shall be given in a minimum of 50 ft. grid, starting at the outside toe of the berms or for ponds at the point of influence of the pond's first declining elevation. A tighter grid may be required at the direction of the director, or engineer. Normal standards of grid elevations are considered with a deviation between 0.1 feet higher to 0.4 feet lower than grades given on the grading plan.

## Storm Water Management Plan Submittal Checklist

Additional impervious surfaces in a proposed development may trigger the need for a storm water management plan to obtain a permit. A storm water management plan is designed to protect downstream water resources and property owners from water pollution, flooding and other damage caused by urban runoff after a development is complete. This checklist shows what information needs to be provided and what issues need to be addressed when preparing a storm water management plan. All items listed may not be applicable to each site, nor is the list all-inclusive. It is meant to serve as a guide for the storm water planner. A Preliminary Review Letter from the Village Engineer is required prior to approving a preliminary plat or other large developments. **NOTE: Underlined items are required for preliminary review letter.**

### **Delineate and Label on Maps (1" equals no more than 100') & Drawings:**

\_\_\_ \*North arrow, graphic scale, drafting date/version and designation of source documents for all features;

\_\_\_ \*Existing and proposed watershed, subwatershed, and land use boundaries.  
(Contributing watersheds that extend beyond the site boundaries may be delineated on a separate map.)

\_\_\_ Delineation of all proposed impervious surfaces, except for single-family residences.

\_\_\_ Existing and proposed Tc/Tt flow paths used to calculate pre/post development flows.

\_\_\_ \*Proposed storm water discharge points (water leaves the site by surface or subsurface flows).

\_\_\_ Type, size, location and cross-section of all proposed storm water management

conveyance systems (grass swale, diversion, lined channel, storm sewer, etc.).

\_\_\_ \*Location and type of all proposed storm water management structures. Detailed drawings, including cross-sections, profiles and elevations are also required. (stilling basin, grade stabilization structure, detention basin, filtering/infiltration practices, etc.)

\_\_\_ \*Proposed drainage easements and widths (in feet).

\_\_\_ \*Location of all soil profile investigations with surface elevations and link to support data.

\_\_\_ \*Proposed access lanes and sediment disposal areas for future maintenance of storm

water management facilities.

### **Provide Supporting Information** (summary format – no stacks of computer printouts):

\_\_\_ \*Plan narrative describing site drainage, storm water management objectives, and how the proposed storm water management plan will meet the objectives and be implemented.

\_\_\_ \*Watershed, subwatershed and land use areas (in acres – by watershed, not ownership lines).

\_\_\_ \*Impervious surface areas (in acres), except for planned single family residences.

\_\_\_ Pre/post development TR-55 runoff curve numbers and Tc/Tt values.

\_\_\_ Pre/post development peak flows for the 2-yr, 10-yr, and 100-yr/24 hours storm events for all proposed storm water discharge points from the site.

\_\_\_ Support data for all storm water practices designs, such as inflow/outflow rates, state/storage data, hydrographs, outlet designs, infiltration rates, water elevations, etc.

\_\_\_ \*Soil profile investigation data (color, texture, groundwater/bedrock depth, structure, etc.) extending at least 3 feet below the planned bottom elevation of any structure/component.

- \_\_\_ 10-yr./24 hour peak flow calculation for all proposed storm sewers and for cross-culverts and open channels with drainage areas > 20 acres.
- \_\_\_ Other hydraulic and hydrologic computations critical to the plan/designs.
- \_\_\_ Impact assessment for discharges to wetlands.
- \_\_\_ Planting and landscaping plans that are critical to the storm water designs.

**Sample Reviewer Questions:** (Yes, No or Not Applicable)

- \_\_\_ Is the plan stamped by a professional engineer licensed in Wisconsin?
- \_\_\_ Are all plan input parameters clearly stated and all geographic elements used in making the calculations clearly cross-referenced on maps?
- \_\_\_ Does the plan maintain natural drainage patterns, infiltration areas (depressions) and watershed boundaries as much as practical?
- \_\_\_ Does the plan minimize potential downstream/off-site impacts?
- \_\_\_ Is adequate space reserved for storm water management practices?
- \_\_\_ Does the plan comply with the ordinance peak flow control requirements? Will it be adequate to prevent downstream gullies or stream bank erosion?

*(Standard – check post development against predevelopment 2-yr., 10 yr. And 100-yr/24 hour storms)*

- \_\_\_ Will the plan protect downstream water resources? Does it utilize a "treatment train" effect of filtering the first 1/2" of runoff? *(Standard – control 80% total suspended solids of post development runoff)*

- \_\_\_ Is it coordinated with erosion control efforts? *(combo sediment basin/wet detention)*

- \_\_\_ Are impervious surfaces minimized for the proposed land use? Do they drain to vegetated areas for filtering and infiltration where feasible?

- \_\_\_ Are native plantings used to encourage good soil structure and maximize infiltration?

- \_\_\_ Have adequate soil profile investigations been conducted *(2-3 per storm water practice)*? Do they support the planned practices *(clay liner for ponds, texture/mottling/bedrock for infiltration)*?

- \_\_\_ Will the plan minimize downstream impacts from increased runoff volumes, such as chronic wetness conditions/flooding? Is there a need or opportunity for infiltration?

- \_\_\_ Does the plan allow attenuation and filtering of flows in vegetated swales?
- \_\_\_ Does the plan minimize hydrologic changes and pollutant loading to wetlands?
- \_\_\_ Does the plan recognize mandatory separation distances between wells and detention or infiltration practices? (*100' from residential wells, 1200' from municipal well, wellhead protection?*)
- \_\_\_ Do storm water practice designs comply with adopted technical standards?
- \_\_\_ Does the proposed outlet device allow for future drawdown for maintenance?
- \_\_\_ Does the plan protect groundwater resources? (*pretreatment before infiltration*)
- \_\_\_ For wet detention basins, are the soils and watershed adequate to maintain a permanent pool? Is topsoil specified to be reapplied on the safety shelf?
- \_\_\_ Are inflow and outflow channels adequately armored to prevent erosion?
- \_\_\_ Is enough plan detail provided for correct installation of practices? (*rock channel cross-sections, profiles, elevations, etc.*)
- \_\_\_ Does the plan allow adequate access to storm water practices for future maintenance? How about sediment disposal areas?
- \_\_\_ Have other applicable permits been obtained?

*(Chapter 30 – DNR, NR 216 – DNR, Shoreland & local zoning – County/Town, 404 Wetlands –Army Corp.)*

***Note: A similar form may be sent to you by the plan reviewer to indicate missing items.***

# **APPENDIX C: POLICIES**

**VILLAGE OF MERTON**  
**FALL/WINTER/SPRING CONSTRUCTION POLICY**

1. Subgrade
  - May not be constructed over any frozen subsoil
  - Proof Rolls may not be done on frozen grade
2. Stone and Gravel Base Courses
  - Prohibited on subgrades which do not have a passing proof roll
  - Proof Rolls may not be done on frozen base courses
3. Binder Course Paving
  - Prohibited on frozen base or when ambient air temperature is below 32° F
4. Surface Course Paving Prohibited
  - November 1 to May 1 (or on frozen grade)
5. Concrete work may not be placed on frozen base or grade
6. All other work follow Wisconsin DOT Standard Specifications