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**AGENDA
PLAN COMMISSION
VILLAGE OF SUSSEX
THURSDAY, APRIL 21, 2016
AT 6:30 P.M.
VILLAGE HALL, N64W23760 MAIN STREET-LOWER LEVEL**

Pursuant to the requirements of Section 19.84, Wis Stats., notice is hereby given of a meeting of the Village of Sussex Plan Commission, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.)

1. Roll call.
2. Consideration and possible action on the minutes of the public hearing and Plan Commission meeting of March 17, 2016.
3. Comments from citizens present.
When speaking, citizens should state their name and address for the record and be concise with their comments and presentation.
4. Consideration and possible action on Permitted Uses and Plans:
 - A. Consideration and possible action on a Plan of Operation and site plan for M.J. Bauer Enterprises LLC (W240N6669 Maple Avenue).
 - B. Consideration and possible action on a Plan of Operation and site plan for Golner Precision Products (W222N5734 Miller Way).
 - C. Consideration and possible action of determination if a Plan of Operation amendment for Meijer Convenience and Gas Station (N51W24847 Lisbon Road) is substantial.
 - D. Consideration and possible action on an amendment to a Plan of Operation and adjustment of the Conditional Use for Meijer Convenience and Gas Station (N51W24847 Lisbon Road).
5. Consideration and possible action on Conditional Uses and Plans:
 - A. Consideration and possible action of an amendment to a Conditional Use, site and architectural building plans for the expansion of Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.
 - B. Conceptual review of a Conditional Use for a ground sign with an electronic message area for Piggly Wiggly (N63W23735 Main Street).
 - C. Conceptual review of a Conditional Use for a ground sign with an electronic message area for Sussex Civic Campus (N64W23760 Main Street).
 - D. Conceptual review of a Conditional Use for the modification of the flood elevation for Pewaukee River of cross section between CTH K and Clover Drive.

6. Consideration and possible action on Zoning and Planning Items:
 - A. Consideration and possible action on a Resolution to vacate Deyer Drive.
 - B. Consideration and possible action on an Ordinance to Create Section 4.035 entitled “Mobile Food Vendor” in Chapter 4 Licenses & Permits.
7. Consideration and possible action on CSM’s and Plats:
 - A. Consideration and possible action on CSM for Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.
9. Other items for future discussion.
10. Adjournment.

Greg Goetz
Chairperson

Jeremy Smith,
Village Administrator

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request service, contact Jeremy Smith at 246-5200.

VILLAGE OF SUSSEX
SUSSEX, WISCONSIN

Minutes of the public hearing held by the Plan Commission on March 17, 2016.

Chairman Goetz called the hearing to order at 6:30 p.m.

Members present: Annette Kremer, Deb Anderson, Roger Johnson, Pat Tetzlaff, Steve Pellechia, Amanda Schauer and Greg Goetz.

Members excused: None.

Others present: Administrator Jeremy Smith, Attorney John Macy, Engineer Judith Neu and Clerk-Treasurer Susan Freiheit.

Greg Goetz read the notice of public hearing which is to consider the following two items:

An amendment for a conditional use permit for the expansion of a mixed use development in the B-4 Central Mixed Use District which is a conditional use in accordance with Section 17.0506(A)(15)(f). The expansion of Mammoth Springs development will be located south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring Drive. The petitioner and property owner is Mammoth Springs LLC.

A conditional use permit for McGuire Contractors to operate a construction services business at N63W22625 Main Street Suite F in the M-1 Industrial District which is a conditional use in accordance with Section 17.0506 (A)(4)(a). The petitioner is Steve McGuire owner of McGuire Contractors. The property owner is Rosenow Creek LLC.

Mr. Art Sawall, representing Mammoth Springs, 4375 Pilgrim Hollow Ct., Brookfield, reviewed the proposed site plan for the development south of the Quarry pond. Mr. Sawall noted that the residential units on Main Street will be completed by June 15th and the commercial buildings will be finished by May 15th. Mr. Sawall reviewed the elevations of the proposed buildings including one 10 unit building, one 12 unit building, two 15 unit buildings, two 18 unit buildings and one 19 unit building with access on Waukesha Avenue and Silver Spring Drive. Mr. Sawall reviewed the location of the club house with a pool and terrace area overlooking the quarry. Mr. Sawall stated that instead of brick on the buildings there will be stonework. Mr. Sawall stated that these will be market rate apartments with rents around \$1,800 or so and include the amenities in the original Mammoth Springs as well as fireplaces and Grade A finishing.

President Goetz opened the hearing to take comments from citizens present.

Mrs. Chris VanMulle, W232N6256 Waukesha Avenue, asked how the developer was going to address the concerns for the safety of the people who live on Waukesha Avenue because there is an egress of this subdivision on Waukesha Avenue. Mrs. VanMulle stated that they already have difficulty with traffic and getting across the street. Mrs. VanMulle stated that they are better off than a lot of their neighbors because they have a full view of the north/south traffic. Mrs. VanMulle stated that she recently distributed pictures of the traffic backups that are there on a consistent basis. Mrs. VanMulle stated that the DOT website states that over 14,400 cars and trucks use the area from Main Street to Clover Drive. Mrs. VanMulle stated that this number does not include the 1,200 plus vehicles that will be redirected by the Main Street reconstruction. Mrs. VanMulle stated that she is asking that the speed limits be enforced on Waukesha Avenue. Mrs. VanMulle asked if the County has conducted a feasibility study that is necessary for the change of the road. Mrs. VanMulle stated that there are some things that could be done to create a trucking bypass. Mrs. VanMulle stated that another change could be to change the speed limit to 25 MPH. Mrs. VanMulle stated that she asked for speed limit enforcement before and they came there once. Mrs. VanMulle stated that she has concerns with safety because of the ill repaired road and chunks of concrete that shoot up at their house. Mrs. VanMulle stated that she also has concerns with the additional truck traffic.

Mr. Smith stated that the County access/traffic study has not been completed at this time and that the Developer will have to follow the County standards. Mr. Smith stated that with respect to the count of cars and trucks, the Waukesha Avenue roadway has been a State Trunk Highway and the traffic counts is not because of the Main Street restriction on trucks. Mr. Smith stated that the County can be approached on the possibility of lowering the speed limit as it is the County's jurisdiction as of January 1st. Mr. Smith stated that the County Sheriff's Department has been picking up trucks and cars on that road, but are not there all the time. Mr. Smith stated that Capt. Panas has done a study of this area with the speed trailer and has found the speeding more significant.

Mrs. VanMullem stated that she is asking any of the Commissioners to come and sit at her house during the rush time because they might as well be on the freeway with construction.

Mrs. Kremer stated that she has brought that issue to the Village Engineer, but at the time they didn't feel changes were necessary. Mrs. Kremer stated that she is very aware as well as others.

Mr. Bruce Johns, W232N6285 Waukesha Avenue, stated that an officer can sit in his driveway because people go by there at 50-55 MPH during the day. Mr. Johns stated that it is hard to get out of his driveway and officers are welcome to sit in his driveway.

Ms. Sharon Hust, N63W23309 Main Street, Apt. 106, stated that she lives at Mammoth Springs. Ms. Hust stated that she agrees with the traffic issues as cars are just flying. Ms. Hust stated that she enjoys living here. Ms. Hust stated that we are bringing a much higher level of class to this area and can't imagine living in any other areas of Sussex. Ms. Hust stated that she lived in the Town of Lisbon and is first on the waiting list for the town houses. Ms. Hust stated that she would work with anyone on the issues and asked if the problem was construction vehicles. Ms. Hust stated that she felt this development is going to be a great asset to Sussex as it brings in a lot of people who will settle in Sussex. Ms. Hust stated that Sussex is a wonderful community and we should keep it that way. Ms. Hust agreed that the traffic on Waukesha Avenue is an issue.

Mr. Derrin Wolford, N62W23409 Silver Spring Drive, asked with this development being on the south side of the quarry with traffic coming into the residential area, what will that do to the properties on Silver Spring Drive's values. Mr. Wolford asked if they know the extra estimated vehicles added due to the people living there. Mr. Wolford stated that he didn't know how many units are being added, but there will be one to two vehicles per unit and this will degrade the value of his home.

Mr. Smith stated that the property on the development site is zoned B-4 which is a mixed use zoning. Mr. Smith stated that there could be a reduction in the value of the land if it is sold for a residential use. However; if it is sold for a commercial development, the value could be higher due to the number of people living in this development.

Mrs. VanMullem stated that she did not receive an answer on the projected amount of additional traffic on Waukesha Avenue.

Mrs. Judith Neu, Village Engineer, stated that the standard number used is 10 trips per day per household or approximately 1,000 trips per day. Mrs. Neu stated that she didn't know the split, but estimated about ½ would access to Waukesha Avenue and ½ to Silver Spring Drive.

Mr. Jesse Gnass, N63W23333 Main Street, Sussex, stated that he lives in Mammoth Springs and travels extensively. Mr. Gnass stated that there was no question about the traffic and that it won't go away. Mr. Gnass stated that he owns a home in Hartland and wanted to downsize. Mr. Gnass stated that the types of people who live in Mammoth Springs don't want to cut the grass or are looking for a condo or another house. Mr. Gnass stated that during the day, most of his neighbors are gone. Mr. Gnass stated that this

is not a typical type of apartment and 90% of the people are in a similar situation to him. Mr. Gnass stated that he loves to live there and that Mr. Sawall has done a great job on the development. Mr. Gnass stated that adding a community center is a great concept. Mr. Gnass stated that traffic wise, the design of the east side of the apartments is a problem, and if you are leaving one of the restaurants, you must go right and then have to turn around.

As there was no one further who wished to be heard,

A motion by Pellechia, seconded by Tetzlaff, to close the public hearing on Mammoth South at 7:00 p.m.
Motion carried.

Mr. Steve McGuire, W272N7422 Denton's Run, Sussex, stated that he needs a bigger office. Mr. McGuire stated that they are leasing 3,200 sq. ft. with 2,000 for office space and the rest for storage. Mr. McGuire stated that the storage space will store small construction tools, temporary doors, ladders, surveying equipment, etc., but no heavy equipment will be stored there and there will be no outside storage. Mr. McGuire stated that this will simply be their office.

Chairman Goetz opened the hearing to take comments from citizens present.

There was no one present who wished to be heard.

A motion by Pellechia, seconded by Kremer, to close the public hearing on McGuire Contractors at 7:03 p.m.
Motion carried.

Respectfully submitted,

Susan M. Freiheit
Clerk-Treasurer

VILLAGE OF SUSSEX
SUSSEX, WISCONSIN

Minutes of the Plan Commission meeting held on March 17, 2016.

Chairman Goetz called the meeting to order at 7:03 p.m.

Members present: Annette Kremer, Deb Anderson, Roger Johnson, Pat Tetzlaff, Steve Pellechia, Amanda Schauer and Greg Goetz.

Members excused: None.

Others present: Administrator Jeremy Smith, Attorney John Macy, Engineer Judith Neu, Assistant Community Director Kasey Fluett and Clerk-Treasurer Susan Freiheit.

Consideration and possible action on the public hearing and minutes of the Plan Commission meeting on February 18, 2016.

Motion by Kremer, seconded by Tetzlaff, to approve the public hearing and minutes of the Plan Commission meeting on February 18, 2016 as submitted. Motion carried.

Comments from citizens present. There was no one present who wished to be heard.

Consideration and possible action on a Plan of Operation and site plan for Prime Resources LLC (N64W24050 Suite 302 Main Street).

Mr. John Houdek, N58W24793 Quail Run Lane, Sussex, stated that they are a professional, technical staffing agency and have started his own company. Mr. Houdek stated that they will use about 300 sq. ft. for a couple of desks. Mrs. Fluett reviewed the Plan Staff Memo on this matter (copy attached). There were no questions from the Commissioners.

A motion by Pellechia, seconded by Kremer, to approve the Plan of Operation and site plan for Prime Resources LLC (N64W24050 Suite 302 Main Street); makes a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A. Motion carried.

Consideration and possible action on a Plan of Operation and site plan for Edward Jones (N64W24801 Main Street Suite 108).

Mr. Jordan Bonnett was present on this matter. Mrs. Fluett reviewed the Plan Staff Memo on this matter (copy attached). The Commissioner had no questions on this matter.

A motion by Pellechia, seconded by Kremer, to approve the Plan of Operation and site plan for Edward Jones (N64W24801 Main Street Suite 108); makes a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A. Motion carried.

Consideration and possible action on a Plan of Operation and site plan for Paws R Us (W232N6127 Waukesha Avenue).

Mary Tran, 13113 Lancaster Avenue, Butler, stated that she would like to start a pet grooming shop and intends to open it in the fall. Ms. Tran stated that they won't house dogs overnight there. Mrs. Fluett reviewed the Plan Staff Memo on this matter (copy attached). Mr. Johnson asked if the access is on Silver Spring. Ms. Tran stated that it is. Mr. Smith stated that this is a wonderful way to transition a downtrodden building into a successful business. Mr. Smith stated that slowly the homes in this area will transition from residential to commercial and alleviate the challenges of the roadway (Waukesha Avenue). Mr. Johnson asked what color the building would be painted. Ms. Tran provided a sample of color.

A motion by Johnson, seconded by Tetzlaff, to approve the Plan of Operation and site plan for Paws R Us (W232N6127 Waukesha Avenue); makes a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A. Motion carried.

Conceptual review of a Conditional Use, Plan of Operation and site plan for McGuire Contractors, Inc. (N63W22625 Main Street).

Mr. Steve McGuire, of McGuire Contractors, Inc., was present on this matter. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). The Commissioners had no further questions on this.

A motion by Pellechia, seconded by Kremer, to approve of the Conditional Use, Plan of Operation and site plan for McGuire Contractors (N63W22625 Main Street); and makes a finding that the use and structures meet the principals of 17.1002(A-H); and the approvals are subject to the standard conditions of Exhibit A. Motion carried.

Consideration and possible action of an amendment to a Conditional Use, site and architectural building plans for the expansion of Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.

Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). Mrs. Tetzlaff asked about the walkability of this site. Mr. Smith stated that the Engineer is working on the markings and the walking flow of this site and its connection to the Bugline Trail. Mr. Sawall stated that Quarry is the centerpiece of this development and includes benches and the path. Mr. Sawall stated that a critical part is the Bugline that extends to Maple Avenue. Mr. Sawall stated that there will be access along the west side of Mammoth South to Silver Spring from the Bugline. Mr. Smith displayed a map of the south ½ of the Village of Sussex and the current sidewalks and gaps but showed the completed areas from the Glen at Seven Stones to the sidewalk on K & 164, at Meijers, through Sussex IM's development, following the stream to the Community Center, through Armory Park and north to the Village's property on Main Street. Mr. Smith stated that the area has a few small gaps, but within three years, they will be completed. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached).

It was the consensus of the Commissioners to direct staff to prepare an amended conditional use permit for consideration at the April Plan Commission meeting.

Conceptual review of a Conditional Use, Plan of Operation, site, architectural, lighting, landscape plan and CSM for Sussex IM (north side of CTH K and east of Executive Drive).

Mr. David Wald, from Sussex IM, N65W24770 Main Street, Sussex, stated that they intend to add a new building for additional capacity for production and some warehouse space. Mr. Wald stated that they researched many sites and this is close to their existing site and allows interaction between the sites. Mr. Wald stated that the new facility stems from the new contracts they have recently received from Nike for mouth guards, GOJO soap dispensers and Purell products. Mr. Wald stated that they anticipate 40 new employees, but there could be more. Mr. Wald stated that they just went to a 24/7 operation to accommodate the new business. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). Mr. Pellechia stated that he felt the metal panel wall should be removed after a certain amount of years and not be left open ended. Mr. Mark Christof stated that this is not the typical corrugated wall, but is a sandwich panel that is similar to stucco and looks like a precast concrete wall, but is metal. Mr. Christof stated that from Hwy K you won't be able to differentiate the material. Mr. Christof stated that this has a durable finish, not the typical metal. Mrs. Fluet stated that this was similar to the Sharp Packaging building. Mr. Johnson stated he was concerned with the long term use of metal buildings and that a time certain was done with Sharp. Mr. Goetz stated that if Sussex IM can't meet the time limit they can ask for an extension. Mr. Pellechia suggested that a 10 year time frame or change of ownership be used. Mr. Wald stated that he was amenable to that clause. Mr. Johnson stated that he wants to protect the investments of other businesses.

It was the consensus of the Commissioners to send the plans to the ARB for review and for staff to schedule the public hearing for the April Plan Commission meeting.

Consideration and possible action on two CSM's for Village Estates Addition No. 1 to create four single family lots on Outlot 3 and to create four single family lots on Outlot 4; and a petition from the Developer to be released from obligation to construct subdivision entrance sign.

Mr. Don Cotey, 808 Honey Creek Parkway, Wauwatosa, stated that the two CSMs will complete the Village Estates Subdivision. Mr. Cotey stated that the subdivision sign was requested by the Village to have an entrance to the Subdivision and that there is currently a 20x22 foot easement on Lot 34 for the monument sign. Mr. Cotey stated that he is requesting that this requirement be removed as this subdivision is an infill subdivision, this would also make selling Lot 34 easier without the easement, and the homeowners association won't have to take care of a sign. Mr. Smith stated that the Village has no concerns with the two CSMs. Mr. Smith stated that when this subdivision was first acted upon there was a four-to-three vote concerning the subdivision monument sign and it is required in the Developers Agreement. Mr. Smith stated that the Village Board makes the final determination on the sign. Mrs. Kremer stated that she thinks this sign is silly and it doesn't matter if you live in the Village. Mr. Pellechia stated that Brandon Oaks has a monument sign and is surrounded by another subdivision. Mr. Johnson stated that from a marketing perspective it is nice to have a sign. Mr. Johnson stated that in areas where you have islands of developments like in the Town, it is great to have, but not in this subdivision. Mr. Johnson stated that a subdivision that has its own identity can have signs and it's great for marketing. Mrs. Tetzlaff asked how much would having this sign impede selling the lot. Mr. Cotey stated that it takes away 400 sq. ft. Mrs. Tetzlaff and Mrs. Schauer agreed that the sign should not be required. Mr. Pellechia stated that it's nice to say I live in Eagles Ridge or Centennial Oaks, but not for an infill subdivision. Mr. Johnson, Mrs. Kremer and Mr. Goetz also agreed.

A motion by Johnson, seconded by Goetz, to recommend that the Village Board approve the two CSMs for Outlot 3 and Outlot 4 for Village Estates Addition No. 1 subject to review by the Village Engineer, recommends that the Village Board grant a waiver for the monument sign requirement, and that all approvals are conditioned upon meeting the standard conditions of CSM approval and Exhibit A.

Motion carried.

Consideration and possible action on the Preliminary Plat for Johanssen Farms, east side of Maple Avenue south of Clover Drive.

Mr. Wade Balson, of Johanssen Farms LLC, was present on this matter. Mr. Balson stated that Kaerek Homes has taken over the construction of the homes for this subdivision and have asked them to take over the developer's agreement. Mr. Balson stated that they also want the subdivision name to be returned to Johanssen Farms. Mr. Balson stated that they found a well on their side of the property line and will drill a new well on the property it serves and abandon the original one. Mr. Balson stated that the owner of the home bought the home with the well on our property. Mr. Balson stated that the Town has approved the plat and it is now before the County. Mr. Johnson asked about the sidewalks. Mr. Balson stated that the sidewalk information is in the "Notes." Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). Mr. Smith stated that the well is required to be abandoned prior to final plat approval and will be noted in the Developer's Agreement.

A motion by Pellechia, seconded by Kremer, to approve the Preliminary Plat and recommend to the Village Board to approve the Preliminary Plat for Johanssen Farms, subject to the standard conditions of approval for Plats, final review and conditions by the Village Engineer, entering into a developer's agreement with the Village and subject to the standard conditions of Exhibit A.

Motion carried.

Consideration and possible action on a CSM for (Associated Bank) to combine parcel SUXV0235963 and SUXV0235969001 and grant an easement to the Village of Sussex.

Mr. Smith reviewed the Plan Staff Memo on this matter (copy attached).

A motion by Pellechia, seconded by Anderson, to recommend that the Village Board approve of the CSM for Farmers & Merchants Bank (Associated Bank) to combine parcel SUXV0235963 and

SUXV0235969001, subject to review by the Village Engineer and the standard conditions of CSM approval and Exhibit A. Motion carried.

Other items for future discussion. There were no other items.

A motion by Kremer, seconded by Pellechia, to adjourn the meeting at 8:00 p.m. Motion carried.

Respectfully submitted,

Susan M. Freiheit
Clerk-Treasurer



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MEMORANDUM

TO: Plan Commission

FROM: Kasey Fluet, Assistant Development Director

RE: Plan Commission meeting of March 17, 2016

DATE: March 3, 2016

All Code Sections in this memo refer to the Sussex Municipal Code Chapter 17 version dated March 25, 2014 with subsequent amendments thereto.

01. **Roll call.**
02. **Consideration and possible action on the public hearing and minutes of the Plan Commission meeting on February 18, 2016.**
03. **Comments from citizens present.**
04. **Consideration and possible action on Permitted Uses and Site Plans:**
A. Consideration and possible action on a Plan of Operation and site plan for Prime Resources LLC (N64W24050 Suite 302 Main Street).

This site is zoned B-4. The employment placement business is a permitted use in the B-4 Central Mixed Use District in accordance with section 17.0419 (C)(7)(h). They will occupy 300 square feet of tenant space in the multi-tenant building. Prime Resources connects employees with employers in a specific field. The space will be used as a general office with a staff of one. Hours of operation are Monday through Friday 8:00 a.m. to 5:00 p.m. 39 of the 54 parking stalls are allocated and this user requires two spaces.

Policy Question:

1. Are there any concerns with the Plan of Operation?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and site plan.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Prime Resources LLC (N64W24050 Suite 302 Main Street); a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A.

B. Consideration and possible action on a Plan of Operation and site plan for Edward Jones (N64W24801 Main Street Suite 108).

This site is zoned B-3. The financial advisor agency is a permitted use in the B-3 Highway Business District in accordance with section 17.0418 (A)(4)(b). The agent will occupy 1,000 square feet of tenant in the multi-tenant building. Edward Jones is a financial agency offering investment advice to clients. This office will have two employees and the hours of operation will be Monday through Friday 8:00 a.m. to 5:00 p.m. 45 of the 102 parking stalls are allocated to other users and six are needed for this use.

Policy Question:

1. Are there any concerns with the Plan of Operation?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and site plan.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Edward Jones (N64W24801 Main Street Suite 108); a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A.

C. Consideration and possible action on a Plan of Operation and site plan for Paws R Us (W232N6127 Waukesha Avenue).

This site is zoned B-3. The pet grooming services is a permitted use in the B-3 Regional Business District in accordance with section 17.0418 (A)(8)(j). The owner of Paws R Us will purchase the empty blue house on the corner of Waukesha Avenue and Silver Spring to relocate her dog grooming business from Menomonee Falls and will operate the business on the first floor. The contractor has met with the building inspector and discussed the needed interior and exterior plans. Hours of operation will be Monday through Friday 8:00 a.m. to 5:00 p.m. and Saturday 8:00 a.m. to 5:00 p.m.

Provided is an exterior site plan showing paving of the site with a 24 foot wide driveway up to the building and the parking stalls to be striped. The plans also show a ramp to be installed for access into the waiting entrance of the business, a security chain link fence for the dogs to visit and adding landscaping to the site. The site has a two car garage and they will create five parking stalls as required by code.

Policy Question:

1. Are there any concerns with the Plan of Operation or site plan?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and site plan.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Paws R Us (W232N6127 Waukesha Avenue); a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A.

05. **Consideration and possible action on Conditional Uses and Plans:**

A. Conceptual review of a Conditional Use, Plan of Operation and site plan for McGuire Contractors, Inc. (N63W22625 Main Street).

This site is zoned M-1. The construction services business is a conditional use in the M-1 Industrial District in accordance with Section 17.0506 (A)(4)(a). McGuire Contractors is a full service general construction firm with five employees and will occupy 3,200 square feet in the 36,200 square foot building. They will use 2,000 square feet as office space and 1,200 as storage of construction items. Hours of operation will be Monday through Friday 8:00 a.m. to 5:00 p.m. This site is not allowed any outside storage. This site has 72 parking spaces with 38 allocated to other user. This user requires 5 per code.

Prior to this meeting there will be a Public Hearing for this item and it would be appropriate for the Plan Commission to address any relevant concerns of the Plan Commission from said public hearing during this point in the agenda.

Normally CU's come back to the Plan Commission for another meeting; this business owner would like to move in as soon as possible. The Village process does allow the CU to be granted at this meeting by Plan Commission discretion. Staff has prepared a CU document for consideration at this meeting.

Policy Question:

1. Are there any concerns with the CU?
2. Are there any additional conditions you want addressed in the CU?
3. Are there any concerns with the property?

Action Items:

1. Act on the CU, Plan of Operation and site plan OR
2. Provide additional comments for inclusion in the CU and direct staff to bring back for the April Plan Commission meeting.

Staff Recommendation: Staff recommends approval of the Conditional Use, Plan of Operation and site plan for McGuire Contractors (N63W22625 Main Street); and a finding the use and structures meet the principals of 17.1002(A-R); and the approvals are subject to the standard conditions of Exhibit A.

B. Consideration and possible action of an amendment to a Conditional Use, site and architectural building plans for the expansion of Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.

This site is zoned B-4. It is the expansion of the mixed use development of the Mammoth Springs Development with connectivity around and use of the quarry pond. The development requires an amendment to the CU granted for the Mammoth Springs development, which was contemplated when the original development was approved. It is an essential part of the adopted Village's TIF project plan and its redevelopment plan. The site has been planned for redevelopment with the Village Board authorizing the CDA to acquire properties in the area over a decade ago. The access point on Waukesha Avenue was determined by the State as the one access point between Main Street and Silver Spring.

The expanded development will support the 26,000 square feet of retail/office established on the northern side of the quarry pond with the addition of 103 high end apartments. 22 of the

units are townhome style units with three story living overlooking the quarry pond and 81 of the units are market rate units some of which include a lofted area. This will be the first three bedroom apartment development in Sussex and will have rents higher than Phase 1 development and is aimed at a different segment of the population than Phase 1. Stormwater is cleaned on site and sent to the Quarry pond in a similar fashion to the first phase of the development. Every unit has a garage available plus one available surface parking spot and the site has some additional guest parking spots. Mammoth South has a pool and clubhouse for use by the residents of the site and the residents on the north side of the quarry pond, while the workout area for the residents is located above the retail on the north side of the development.

The original phase of the development is in its final stages of completion. This phase of development will take 18 months to develop.

There are two townhouse buildings, four two story buildings, and one three story building lined up with the Topaz apartments to balance that scale. Two of the neighboring properties asked for a fence with evergreens, which staff supports and have been incorporated into the plan. The developer has also added striping and adjustments to the sidewalks to accommodate the request from the Plan Commission about pedestrian orientation.

The Public Hearing is being held just prior to this meeting and it would be appropriate for the Plan Commission to address any relevant concerns of the Plan Commission from said public hearing during this point in the agenda.

Since the conceptual meeting of this project the Developer, Mr. Sawall has finalized contracts to purchase the two homes on Silver Spring Drive and has submitted a new site plan showing an additional building. Mr. Sawall will remove the two houses and place an 18 unit building in that location. This allows the Village to fully vacated Dyer Drive.

The site plan and architectural plans for the buildings were reviewed at the March 2, 2016 ARB and the following motion was made:

A motion by Dietrich, seconded by Tetzlaff to recommend to the Plan Commission approval of the approve the site plan and architectural building plans for each, 10 unit building, 12 unit building, 15 unit building, 18 unit building and 19 unit building with the following conditions:

- *The material on each of the building will be a combination of Chilton stone and hardiplank with the preferred third material of brick but not required.*
- *The approval of the landscape and lighting plan to be made at a future ARB meeting.*

Motion carried.

The developer will also have to submit a CSM.

Policy Questions:

1. Are there any concerns with the plans?
2. Are there any concerns from the public you want included in the amended CU?
3. Are there any concerns with the property?

Action Items:

1. Direct staff to prepare the amended CU.

Staff Recommendation: Staff recommends preparing the amended conditional use for consideration at the April Plan Commission meeting.

C. Conceptual review of a Conditional Use, Plan of Operation, site, architectural, lighting, landscape plan and CSM for Sussex IM (north side of CTH K and east of Executive Drive).

This site is zoned BP-1. The injection molding business will use this location for general manufacturing of product which is a permitted use in the BP-1 Business Park District in accordance with Section 17.0420 (A)(5)(e). The first phase of the new building will be 81,000 square feet and they plan to construct the second phase addition of 60,000 square feet within the very near future.

In accordance with Section 17.0214 any earth movement within a shoreland area requires the petitioner to receive a conditional use under Section 17.0500. The site plan indicates grading in the area of the building for phase one. Section 17.0214 in addition states no tree cutting and shrubbery clearing within 100 feet is permitted, but paths and trails that do not exceed ten feet in width can be established that remove vegetation in the area.

All of the plans still require ARB review and will be on the ARB agenda for April 6, 2016.

Site

- Sufficient parking with 85 stalls.
- 10 foot wide pedestrian path.
- Must confirm drive entrance location with County Department of Transportation.

Architectural

- Building(s) meet height and required setbacks
- Will be constructed with precast finished panels
- Requesting to have east wall of phase one to be constructed with metal panels to accommodate the construction of phase two, this wall is 200 feet in length.

Lighting

- Lighting does not spill out onto neighboring properties.

Landscape

- Tree preservation report should be submitted to determine if the landscape plan meets the requirements.

The plans will be reviewed by the ARB in April.

Are there any concerns with the metal panel wall? This issue has been requested by others in the past and the Village has denied the request. The Plan Commission when reviewing these requests has previously stated that there was no timeline and so no guarantee on when the expansion would occur and felt like the wall panel would be visible to neighbors and street. The Plan Commission did allow metal to Sharp Packaging for their high density storage building due to height and weight consideration. In this application the visibility issue is less significant because the site is less visible from the street and due to woods and

wetlands less visible to neighboring properties as well. The Plan Commission will have to make a finding at some point on this request.

Are there any concerns about the plans you want the ARB to review?

Sussex IM is purchasing two parcels and combining them into one parcel to create an 18 acre lot. The CSM will contain language for an easement for the path dedicated to the Village of Sussex.

Policy Question:

1. Are there any concerns with the plan of operation?
2. Are there any concerns with the site, architectural, lighting and landscape plans?
3. Are there any concerns with the CSM?

Action Items:

1. Send the plans to ARB for review.
2. Direct staff to schedule the public hearing.

Staff Recommendation: Staff recommends the ARB review the plans and for staff to schedule the public hearing for the April Plan Commission meeting.

06. Consideration and possible action on CSM's and Plats:

A. Consideration and possible action on CSM's for Village Estates addition no. 1 to create 4 single family lots on outlot 3 and to create 4 single family lots on outlot 4 and a petition from the Developer to be released from obligation to construct subdivision entrance sign.

This subdivision is zoned RS-3. The Village Estates subdivision was created in 2005 with the preliminary plat approval of 34 lots. Phase 1 of the plan included lots 1- 18, second phase approved in 2013 included lots 19-26 with outlot 3 and outlot 4. The Developers of the subdivision are submitting two CSMs, CSM for outlot 3 will create single family lots #27-30 and CSM for outlot 4 will create single family lots #31-34 to complete the subdivision. Lot 34 indicates a sign easement for the subdivision entrance.

The Plan Commission as a matter of approval for this subdivision required a monument sign be established. The Developer ran into some challenges and does not wish to complete the monument sign. Waiver of this requirement can only be done by the Village Board and the Village Board will look for recommendation from the Plan Commission on the matter.

Policy Question:

1. Are there any concerns with the CSM?

Action Items:

1. Act on the CSMs.

Staff Recommendation: Staff recommends approval of the CSM for outlot 3 and outlot 4 to the Village Board for Village Estates addition no. 1 subject to review by the Village Engineer, establishing a monument sign or letter of credit amount sufficient for the monument sign construction or gaining a waiver of this requirement and the standard conditions of CSM approval and Exhibit A.

B. Consideration and possible action on the Preliminary Plat for Johanssen Farms, east side of Maple Avenue south of Clover Drive.

This site is zoned RS-3 Single Family Residential District with a Planned Development Overlay. The conceptual plan and rezone of this property has been approved by the Plan Commission at previous meetings.

The Preliminary Plat creates a subdivision to include 73 single family house lots with various lot sizes but none less than 12,000 square feet. The stormwater facilities for this subdivision will be located on an outlot located in the Town of Lisbon. Prior to final plat approval the developer will need to address the concerns of the Village Engineer and provide proof the well located on lot 40 has been abandoned.

Policy Questions:

1. Are there any concerns with the preliminary plat?

Action Items:

1. Act on the preliminary plat.

Staff Recommendation: Staff recommends the Plan Commission approve the Preliminary Plat and recommend to the Village Board to approve the Preliminary Plat for Settlement at Sussex Creek, subject to the standard conditions of approval for Plats, final review and conditions by the Village Engineer, entering into a developer's agreement with the Village and subject to the standard conditions of Exhibit A.

C. Consideration and possible action on a CSM for (Associated Bank) to combine parcel SUXV0235963 and SUXV0235969001 and grant an easement to the Village of Sussex.

This site is zoned B-4. The property owners are combining their adjacent lots into one parcel. One lot has the property owner's parking lot and the other lot has the buildings, with the drive through area across both lots. Staff recommends combining the two lots as the site function as one lot. On the CSM is language granting easements to the Village for a sidewalk which will be added along the side of the new drive entrance into the Civic Campus, and by Orchard an area for the new signalization equipment to be located.

Policy Question:

1. Are there any concerns with the CSM or combing these lots?

Action Items:

1. Act on the CSM.

Staff Recommendation: Staff recommends approval of the CSM for Farmers & Merchants Bank (Associated Bank) to combine parcel SUXV0235963 and SUXV0235969001, subject to review by the Village Engineer and the standard conditions of CSM approval and Exhibit A.

07. Consideration and possible action on Zoning and Planning Items:

08. Other Items for future discussion.

Exhibit “A”

Village of Sussex Plan Commission

Standard Conditions of Approval Plan of Operation and Site Plan

The Plan Commission for the Village of Sussex authorizes the Building Inspector to issue a building permit to the Petitioner and approves the general layout, architectural plans, ingress and egress, parking, loading and unloading, landscaping, open space utilization, site plan and plan of operation subject to the following conditions:

1. Presentation compliance. Subject to Petitioner operating the premises at all times in substantial conformity with the presentation made to the Village Plan Commission, as modified or further restricted by the comments or concerns of the Village Plan Commission.

2. Inspection compliance. Subject to the Petitioner submitting to and receiving the approval from the Village Administrator, written proof that the Village Building Inspector and Fire Chief have inspected the subject property and have found that the subject property is in substantial compliance with applicable federal, State, and local laws, statutes, codes, ordinances, policies, guidelines and best management practices, prior to this approval being effective.

3. Regulatory compliance. Subject to the Petitioner and Owner fully complying with all Village, County of Waukesha, State of Wisconsin and federal government codes, ordinances, statutes, rules, regulations and orders regarding the premises, including but not limited to compliance with Section 17.1000 of the Village of Sussex Zoning Code entitled “Site Plan Review and Architectural Control,” as determined by Village Staff.

4. Satisfaction of Engineer. Subject to the Developer satisfying all comments, conditions, and concerns of the Village Engineer regarding the Petitioner’s application prior to this approval being effective.

5. Required plans. Subject to the Developer submitting to and receiving written approval from the Village Administrator of all of the following plans as deemed necessary by the Village Administrator:

- A. Landscaping plan
- B. Parking plan
- C. Lighting plan
- D. Signage plan
- E. Traffic plan
- F. Grading plan

- G. Tree preservation plan
- H. Open space plan
- I. Water plan
- J. Surface and stormwater management plan
- K. Sewer plan
- L. Erosion control plan
- M. _____
- N. _____
- O. _____
- P. _____

6. Screening of All Dumpsters. Subject to the Petitioner and Owner screening all dumpsters as required by the ordinance to the satisfaction of the Village Administrator.

7. Payment and reimbursement of fees and expenses. Subject to the Petitioner and Owner paying all costs, assessments and charges due and owing to the Village of Sussex either by the Petitioner or imposed on the subject property, including, but not limited to, real estate taxes, personal property taxes, utility bills, special assessments, permit fees, license fees and professional fees which shall include all costs and expenses of any type that the Village incurs in connection with Petitioner’s application, including the cost of professional services incurred by the Village (including engineering, legal and other consulting fees) for the review of and preparation of the conditions of approval, attendance at meetings or other related professional services for this application, as well as for any actions the Village is required to take to enforce any of the conditions of this approval due to a violation of these conditions by the Petitioner or the Owner, as authorized by law.

8. Condition if the Property is in the B-4 Central Business District. If the property is in the B-4 Central Business District, the Petitioner shall comply with the standards and conditions found within the Village of Sussex Downtown Design and Development Plan and other plans as may be approved from time to time by the Community Development Authority in its role as a Redevelopment Authority to guide development within the Village’s Downtown.

9. Subject to acceptance. The Owner by requesting a permit either directly or through an agent, and accepting the same is acknowledging that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Petitioner will therefore need to re-commence the application process.

10. Any official named in this document can appoint a designee to perform his or her duties.



N64W23760 Main Street
Sussex, Wisconsin 53089
Phone (262) 246-5200
FAX (262) 246-5222
Email: info@villagesussex.org
Website: www.villagesussex.org

MEMORANDUM

TO: Plan Commission

FROM: Kasey Fluet, Assistant Development Director

RE: Plan Commission meeting of April 21, 2016

DATE: April 8, 2016

All Code Sections in this memo refer to the Sussex Municipal Code Chapter 17 version dated March 25, 2014 with subsequent amendments thereto.

01. **Roll call.**
02. **Consideration and possible action on the public hearing and minutes of the Plan Commission meeting on March 17, 2016.**
03. **Comments from citizens present.**
04. **Consideration and possible action on Permitted Uses and Site Plans:**
 - A. **Consideration and possible action on a Plan of Operation and site plan for M.J. Bauer Enterprises LLC (W240N6669 Maple Avenue).**

This site is zoned B-3. The repair and maintenance of furniture is a permitted use in the B-3 Highway Business District in accordance with Section 17.0418 (A)(5)(a). The furniture cabinet custom wood shop is not a retail business and is contracted by contractors and cabinet shops to customize or refurbish cabinets for their clients. The business will occupy the stand-alone 1,500 square foot building and out building. Hours of operation will be Monday through Friday 7:00 a.m. to 4:00 a.m. This site has sufficient parking with the 4 parking stalls.

Policy Question:

1. Are there any concerns with the Plan of Operation?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and site plan.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for M.J. Bauer Enterprises LLC (W240N6669 Maple Avenue); a finding that the use and structures meet the principals of 17.1002(A-H); subject to the Building Inspectors conditions and the standard conditions of Exhibit A.

B. Consideration and possible action on a Plan of Operation and site plan for Golner Precision Products (W222N5734 Miller Way).

This site is zoned BP-1. The machining of products is a permitted use in the BP-1 Business Park District in accordance with Section 17.0420 (A)(5)(d)(2). Golner Precision Company manufactures metal components and will purchase the 32,000 square foot building expanding their current business already located in the Village of Sussex. This new location will have room for expansion to meet their growing needs. Hours of operation are 24 hours a day 5 days a week. This site has 74 parking stalls and is sufficient for the 25 employees they will have at the largest shift.

Policy Question:

1. Are there any concerns with the Plan of Operation?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and site plan.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Golner Precision Products (W222N5734 Miller Way); a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A.

C. Consideration and possible action of a determination if a Plan of Operation amendment for Meijer Convenience and Gas Station (N51W24847 Lisbon Road) is substantial.

This site is zoned B-2. The Meijer main and convenience store conditional use was approved by the Plan Commission December 20, 2012. In the CU Section "A. 3. Plans", the Plan Commission can approve an amendment or change without a public hearing to specific plans, in this case the Plan of Operation, if they deem the amendment is not substantial.

In the CU Section "B. Plan of Operation item #3" a statement that no alcoholic beverages shall be sold from the "Gas Station" was added. The statement was spelled out in the CU because in 2012 sale of beer and hard cider was not allowed in gas stations, which was fairly unique to Sussex. Since that time the Village Board has deemed it appropriate, and modified the Village Ordinance to allow beer sales in gas stations and had granted several gas stations that license.

Since this language's intent was to spell out a unique provision of Village Ordinance and the policy decision has been made by the Village Board to remove that unique provision, it would be very appropriate to find the change as not substantial, but rather a clerical adjustment reflecting adopted practice. The Village Board has already deemed it appropriate for the Meijers Store to be able to sell beer and hard cider.

Meijer Convenience and Gas Station would like to amend the Plan of Operation and add the sale of beer and cider.

Policy Question:

1. Is the request to amend the Plan of Operation substantial?

Action Items:

1. Act on the request.

Staff Recommendation: Staff recommends the Plan Commission find the requested amendment to the Plan of Operation for Meijer Convenience and Gas Station to be non substantial, but rather clerical in nature due to the policy change by the Village Board on the matter and thus said amendment does not need a new public hearing.

D. Consideration and possible action on an amendment to a Plan of Operation and adjustment of the Conditional Use for Meijer Convenience and Gas Station (N51W24847 Lisbon Road).

This site is zoned B-2. The Meijer convenience store has applied for a Class A beer and hard cider license. The plan for this request has been approved by the Finance Committee and Village Board and signed off on by Captain Panas Director of Police Services.

Policy Question:

1. Are there any concerns with the amendment to the Plan of Operation?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation.

Staff Recommendation: Staff recommends the Plan Commission approve the amendment to the Plan of Operation and the adjustment of the Conditional Use in accordance with the same for Meijer Convenience and Gas Station (N51W24847 Lisbon Road) to allow the sale of beer within designated areas; a finding that the use and structures meet the principals of 17.1002(A-H); subject to conditions of the Village Board, the Director of Police Services and the standard conditions of Exhibit A.

05. Consideration and possible action on Conditional Uses and Plans:

A. Consideration and possible action of an amendment to a Conditional Use, site and architectural building plans for the expansion of Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.

This site is zoned B-4. It is the expansion of the mixed use development of the Mammoth Springs Development with connectivity around and use of the quarry pond. The development requires an amendment to the CU granted for the Mammoth Springs development, which was contemplated when the original development was approved. It is an essential part of the adopted Village's TIF project plan and its redevelopment plan. The site has been planned for redevelopment with the Village Board authorizing the CDA to acquire properties in the area over a decade ago. The access point on Waukesha Avenue was determined by the State as the one access point between Main Street and Silver Spring.

The expanded development will support the 26,000 square feet of retail/office established on the northern side of the quarry pond with the addition of 103 high end apartments. 22 of the units are townhome style units with three story living overlooking the quarry pond and 81 of the units are market rate units some of which include a lofted area. This will be the first three bedroom apartment development in Sussex and will have rents higher than Phase 1 development and is aimed at a different segment of the population than Phase 1. Stormwater is cleaned on site and sent to the Quarry pond in a similar fashion to the first

phase of the development. Every unit has a garage available plus one available surface parking spot and the site has some additional guest parking spots. Mammoth South has a pool and clubhouse for use by the residents of the site and the residents on the north side of the quarry pond, while the workout area for the residents is located above the retail on the north side of the development.

The original phase of the development is in its final stages of completion. This phase of development will take 18 months to develop.

There are two townhouse buildings, four two story buildings, and one three story building lined up with the Topaz apartments to balance that scale. Two of the neighboring properties asked for a fence with evergreens, which staff supports and have been incorporated into the plan. The developer has also added striping and adjustments to the sidewalks to accommodate the request from the Plan Commission about pedestrian orientation.

Memo from Plan Commission meeting of March 17, 2016 of the Public Hearing:

Since the conceptual meeting of this project the Developer, Mr. Sawall has finalized contracts to purchase the two homes on Silver Spring Drive and has submitted a new site plan showing an additional building. Mr. Sawall will remove the two houses and place an 18 unit building in that location. This allows the Village to fully vacated Dyer Drive.

The site plan and architectural plans for the buildings were reviewed at the March 2, 2016 ARB and the following motion was made:

A motion by Dietrich, seconded by Tetzlaff to recommend to the Plan Commission approval of the approve the site plan and architectural building plans for each, 10 unit building, 12 unit building, 15 unit building, 18 unit building and 19 unit building with the following conditions:

- *The material on each of the building will be a combination of Chilton stone and hardiplank with the preferred third material of brick but not required.*
- *The approval of the landscape and lighting plan to be made at a future ARB meeting.*

Motion carried.

The Public Hearing was held on March 17, 2016 at that meeting staff was directed to prepare the amendment to the Conditional Use for consideration at this meeting.

Policy Questions:

1. Are there any concerns with the plans?
2. Are there any concerns from the public you want included in the amended CU?
3. Are there any concerns with the property?

Action Items:

1. Act on the CU and plans.

Staff Recommendation: Staff recommends to approve the amendment of the Conditional Use, site and architectural building plans for the expansion of Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring, a finding that the use and structures meet the principals of 17.1002(A-H); subject to final review by the Village Engineer, meeting the conditions of the ARB and the standard conditions of Exhibit A.

B. Conceptual review of a Conditional Use for a ground sign with an electronic message area for Piggly Wiggly (N63W23735 Main Street).

This site is zoned B-4. The ground sign with an electronic message area is a conditional use in the B-4 Central Mixed use district in accordance with Section 17.0506 (A)(16)(a). Piggly Wiggly will remove the existing pole sign and replace it with a new ground sign with an electronic message area and locate this new sign on the east entrance of the site. In order for the Plan Commission to grant a CU the sign must also meet the requirements of Section 17.0807 (C).

16. *Electronic Message Signage. In addition to the requirements for an electronic message sign as stated in Section 17.0807 (C) the following criteria must be met:*

(a) In the B-4 Central Mixed Use District, B-1 Neighborhood Business and I-1 Institutional districts, the message sign is part of a ground sign. The Plan Commission must make the finding the sign is reasonably located and screened from residential view so as not impact the safety or welfare of any residential properties.

- C. *Electronic Message Signs are a special privilege sign granted under unique circumstances for orderly and pleasing development. The signs are intended to promote the effective display of brief messages in a clear and pleasing manner.*

1. These signs are permitted for single tenant buildings in the B-2, B-3, BP-1, OP-1, OP-2, I-1 and M-1 Districts. The Plan Commission must find the following for a permit to be issued:

a. The message sign is part of a ground or monument sign. Electronic Message Signs that are time and temperature devices only may be allowed as a wall sign, projecting sign, or ground sign although no time and temperature device shall be located closer than 750 feet from another time and temperature device.

b. The sign will not interfere with the visibility of any traffic signal.

c. The character and design of the sign is compatible with the general area and building, and that the impact of such a sign will not visually impact any nearby residential areas.

d. The electronic message sign is an essential component of the operations of the business as determined by the sole discretion of the Plan Commission.

e. All messages will be related to either the organization's sales information or for community events notification.

2. These signs are a conditional use under Section 17.0506(A)(16) in the B-1, B-4, and I-1 Districts, and for multi-tenant buildings in the B-2, B-3, BP-1, OP-2, and M-1 Districts.

Policy Question:

1. Are there any concerns with the ground sign with electronic message area?
2. Is there any direction to the ARB?

Action Items:

1. Send the plans to ARB for review.
2. Direct staff to schedule the public hearing.

Staff Recommendation: Staff recommends the ARB review the plans and for staff to schedule the public hearing for the May Plan Commission meeting.

C. Conceptual review of a Conditional Use for a ground sign with an electronic message area for Sussex Civic Campus (N64W23760 Main Street).

This site is zoned B-4. The ground sign with an electronic message area is a conditional use in the B-4 Central Mixed use district in accordance with Section 17.0506 (A)(16)(a). Due to the new building and drive location the Sussex Civic Campus will erect a new ground sign with an electronic message area. This sign will be located on the east side of the new drive

location. In order for the Plan Commission to grant a CU the sign must also meet the requirements of Section 17.0807 (C).

16. *Electronic Message Signage. In addition to the requirements for an electronic message sign as stated in Section 17.0807 (C) the following criteria must be met:*

(a) *In the B-4 Central Mixed Use District, B-1 Neighborhood Business and I-1 Institutional districts, the message sign is part of a ground sign. The Plan Commission must make the finding the sign is reasonably located and screened from residential view so as not impact the safety or welfare of any residential properties.*

- C. *Electronic Message Signs are a special privilege sign granted under unique circumstances for orderly and pleasing development. The signs are intended to promote the effective display of brief messages in a clear and pleasing manner.*

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a. *The message sign is part of a ground or monument sign. Electronic Message Signs that are time and temperature devices only may be allowed as a wall sign, projecting sign, or ground sign although no time and temperature device shall be located closer than 750 feet from another time and temperature device.*

b. *The sign will not interfere with the visibility of any traffic signal.*

c. *The character and design of the sign is compatible with the general area and building, and that the impact of such a sign will not visually impact any nearby residential areas.*

d. *The electronic message sign is an essential component of the operations of the business as determined by the sole discretion of the Plan Commission.*

e. *All messages will be related to either the organization's sales information or for community events notification.*

2. *These signs are a conditional use under Section 17.0506(A)(16) in the B-1, B-4, and I-1 Districts, and for multi-tenant buildings in the B-2, B-3, BP-1, OP-2, and M-1 Districts.*

Policy Question:

1. Are there any concerns with the ground sign with electronic message area?
2. Is there any direction to the ARB?

Action Items:

1. Send the plans to ARB for review.
2. Direct staff to schedule the public hearing.

Staff Recommendation: Staff recommends the ARB review the plans and for staff to schedule the public hearing for the May Plan Commission meeting.

D. Conceptual review of a Conditional Use for the modification of the flood elevation for Pewaukee River of cross section between CTH K and Clover Drive.

The reduction of the floodway or floodplain is considered a conditional use in accordance with Chapter 14 Section 14.970. Stormwater Solutions Engineering, LLC was hired to conduct a floodplain analysis of the Pewaukee River from the cross sections south of CTH K to north of Clover Drive. The objective of this study is to accurately depict the floodplain during flooding events in this area. Reducing the floodplain in this area is appropriate based upon field study and actual results and will support economic development. This study showed a lower modeled base flood elevation of up to 1.5 feet in some places.

The Village Engineer has begun the process with FEMA to revise the Flood Insurance Rate Maps.

Policy Question:

1. Are there any concerns with the modification to the floodplain?
2. Are there any concerns with directing the public hearing for a Conditional Use?

Action Items:

1. Direct staff to schedule a public hearing.

Staff Recommendation: Staff recommends scheduling a public hearing for the May Plan Commission meeting.

06. Consideration and possible action on Zoning and Planning Items:

A. Consideration and possible action on a Resolution to vacate Deyer Drive.

The new Mammoth South development will require the combination of several individual lots creating one larger parcel. The combining of lots will eliminate the requirement of Deyer Drive. In order to vacate the road in accordance with Wisconsin Stats. 66.1003(4)(a) a Resolution must be passed.

Policy Question:

1. Are there any concerns with the Resolution?

Action Items:

1. Act on the Resolution.

Staff Recommendation: Staff recommends the Plan Commission recommend the Village Board adopt the Resolution to vacate Deyer Drive.

B. Consideration and possible action on an Ordinance to Create Section 4.035 entitled “Mobile Food Vendor” in Chapter 4 Licenses & Permits.

A workgroup was formed to consider an Ordinance to allow food trucks. This group met in March and again in April. After researching and discussing other community’s policies and procedures, the workgroup created language for consideration to be added to Chapter 4 License & Permits. The recommended language provides definitions, guidelines and procedures for processing and approving a license for a Mobile Food Vendor.

A copy of the Ordinance is included in the packet for review. Some of the highlights the group is recommending are:

- Only issuing five permits annually valid between April 1 and November 30.
- Restrict location to the streets in the Industrial and Business Parks, on private property with written permission from the property owner and as approved by the Park and Recreation Department for park spaces with special events, etc.
- The vehicle must be inspected by the Waukesha Health Department and the Sussex Fire Department.
- A background check will be required on the driver(s).
- The application and a plan must be approved by the Village Board and a renewal may be approved administratively if there are no changes.

The consensus of the workgroup was to evaluate the first season and if necessary an amendment to the code could be considered in the future.

Policy Question:

1. Are there any concerns with the Ordinance?

Action Items:

1. Act on the Ordinance.

Staff Recommendation: Staff recommends the Plan Commission recommend the Village Board adopt the Ordinance to create Section 4.035 entitled Mobile Food Vendor in Chapter 4 License & Permits.

07. Consideration and possible action on CSM's and Plats:

A. Consideration and possible action on a CSM for Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.

This site is zoned B-4. This CSM will combine the ten lots owned by Mammoth South LLC to create one developable lot of 5.7682 acres. This CSM will also include the Resolution No. assigned, once approved, to vacate Deyer Drive.

Policy Question:

1. Are there any concerns with the CSM?

Action Items:

1. Act on the CSM.

Staff Recommendation: Staff recommends approval of the CSM for Mammoth Springs Development to the Village Board subject to review by the Village Engineer, vacation of Deyer Drive, closing on the two properties on Silver Spring Drive and the standard conditions of CSM approval and Exhibit A.

08. Other Items for future discussion.



PLAN OF OPERATION

To be used for a business with changes or new business in an existing building.

Is this request to be considered for a Conditional Use? No. If yes, is this a new CU? _____

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # 232.998

Zoning: B-3

Address of Tenant Space: W240 N6669 Maple Ave

1. Name of Business:

M J Bauer Enterprises LLC.
Business

Address _____ City, State, Zip _____ Phone # _____

Fax # _____ Email address _____

2. Business owner contact information:

Michael J. Bauer

Contact 151 South St. Juneau WI 53039

Address _____ City, State, Zip _____ Phone # _____

Fax # _____ Email address mjbauerent @ charter.net.

3. Building/Land owner contact information:

Tom + Jane Landvatter

Contact W16399 Camp B Loop Rd. Goodman, WI 54125

Address _____ City, State, Zip _____ Phone # _____

Fax # _____ Email address 715-336-2872

4. Number of Employees/Shifts: 1 Employees 1 Shifts

5. Days of Operation:

Put an X in box that applies:
Hours
Open for business

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
X	X	X	X	X		
7-4	7-4	7-4	7-4	7-4		

6. Is this an extension of an existing operation? NO
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? NO Do you need an Outdoor Establishment Permit? _____
 If yes, explain: _____
 If yes, please obtain and complete permit application.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? _____
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? NO If yes, explain: _____
11. Dimension of area to be occupied _____ Total square footage 1500
 If applicable list square footage according to 1st floor _____ 2nd floor _____

Please provide a copy of the site plan showing parking and layout of the building and if a multi tenant building, label the space which will be occupied by your business.

12. Parking:
 Total Number of Parking Spaces _____ Number of spaces needed per code _____
 Number of spaces allocated for employee parking _____
 Dimensions of parking lot _____ Is parking lot paved? _____

13. Signage: What type of signage are you proposing for your business?
Window or small sign on exterior
 If applicable, complete a Sign Permit application and submit to the Building Inspection Dept. Please refer to Chapter 17.0800.

I have reviewed a copy of the Zoning Ordinance in the Village of Sussex and hereby agree to abide by the same, as well as any and all terms and conditions of any permit issued pursuant to this application.

I do swear to or affirm that all statements contained herein are true and correct to the best of our knowledge.

Michael J. Bauer 3-10-16
 Name Date
President
 Title or Position

I am aware and approve of the business to be operating in the building owned by _____.

 Name Date

 Title or Position

M J Bauer Enterprises LLC

Michael and Kristine Bauer

151 South St.

Juneau, WI. 53039

920-3144-2235

We at M J Bauer Enterprises are a small custom wood finishing shop. We use various finishes such as paints, stains and varnishes.

We sub contract our services to contractors and cabinet shops. We are not a retail operation and do not expect any foot traffic.

Our current projects include: windows for Pella window and door, cabinetry for the Ritz Carlton in Chicago and other projects for various contractors in the area.

If you have any questions please call Mike at 920-344-2235.

W240N6669 Maple Ave





PLAN OF OPERATION

To be used for a business with changes or new business in an existing building.

Is this request to be considered for a Conditional Use? no If yes, is this a new CU? _____

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # 244.992.007

Zoning: BP-1

Address of Tenant Space: W222 N5734 Miller Way Sussex, WI 53089

1. Name of Business:

Golner Precision Products

Business

N56 W24600 N Corporate Cr Sussex WI 53089 (262) 820-8900

Address

City, State, Zip

Phone #

(262) 820-8910

joe.carr@golnerprecision.com

Fax #

Email address

2. Business owner contact information:

same as above

Contact

Address

City, State, Zip

Phone #

Fax #

Email address

3. Building/Land owner contact information:

same as above

Contact

Address

City, State, Zip

Phone #

Fax #

Email address

4. Number of Employees/Shifts:

25
Employees

3
Shifts

5. Days of Operation: 3 shifts, 5 days

Put an X in box that applies:

Hours
Open for business

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
					X	X
24	24	24	24	24	-	-

6. Is this an extension of an existing operation? yes
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises. attachment A
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? no Do you need an Outdoor Establishment Permit? no
 If yes, explain: _____
 If yes, please obtain and complete permit application.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? n/a
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? no If yes, explain: _____
11. Dimension of area to be occupied 32,000 Total square footage 32,000
 If applicable list square footage according to 1st floor 32,000 2nd floor n/a

Please provide a copy of the site plan showing parking and layout of the building and if a multi tenant building, label the space which will be occupied by your business.

12. Parking:
 Total Number of Parking Spaces 74 Number of spaces needed per code _____
 Number of spaces allocated for employee parking 60
 Dimensions of parking lot _____ Is parking lot paved? yes
13. Signage: What type of signage are you proposing for your business?
replace panels of existing sign
 If applicable, complete a Sign Permit application and submit to the Building Inspection Dept. Please refer to Chapter 17.0800.

I have reviewed a copy of the Zoning Ordinance in the Village of Sussex and hereby agree to abide by the same, as well as any and all terms and conditions of any permit issued pursuant to this application.

I do swear to or affirm that all statements contained herein are true and correct to the best of our knowledge.

Paul 3/15/11
 Name _____ Date _____
President
 Title or Position _____

I am aware and approve of the business to be operating in the building owned by _____

 Name _____ Date _____

 Title or Position _____

A, Golner Precision Products, Inc.
W222N5734 Miller Way
Sussex, WI 53089

7. Business –VIE –site will be used to manufacture, produce, store and sell metal components for OEM customers

W222N5734 Miller Way





PLAN OF OPERATION

To be used for a business with changes or new business in an existing building.

Is this request to be considered for a Conditional Use? No If yes, is this a new CU? _____

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # LSBT0279991

Zoning: B-2

Address of Tenant Space: N51W24847 Lisbon Rd., Pewaukee, WI 53072-1400

1. Name of Business:

Meijer

Business
 2929 Walker Ave. Grand Rapids, MI 49544 616-791-3747

Address City, State, Zip Phone #
 616-735-8950 David.Gilmore@meijer.com

Fax # Email address

2. Business owner contact information:

Same As Above David Gilmore

Contact

Address City, State, Zip Phone #

Fax # Email address

3. Building/Land owner contact information:

Meijer

Contact
 2929 Walker Ave. Grand Rapids, MI 49544 616-791-3747

Address City, State, Zip Phone #
 616-735-8950 David.Gilmore@meijer.com

Fax # Email address

4. Number of Employees/Shifts: 10-15
 Employees Shifts

5. Days of Operation:

Put an X in box that applies:

Hours

Open for business

Preparation/cleaning

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	X	X	X	X	X	X	X
Hours Open for business	24	24	24	24	24	24	24
Preparation/cleaning	24	24	24	24	24	24	24

6. Is this an extension of an existing operation? No
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? Retail liquor Do you need an Outdoor Establishment Permit? No
 If yes, explain: _____
 If yes, please obtain and complete permit application.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? None
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? Yes If yes, explain: Truck delivery
11. Dimension of area to be occupied 65' x 38' Total square footage 2,640
 If applicable list square footage according to 1st floor _____ 2nd floor _____

Please provide a copy of the site plan showing parking and layout of the building and if a multi tenant building, label the space which will be occupied by your business.

12. Parking:
 Total Number of Parking Spaces 14 Number of spaces needed per code 14
 Number of spaces allocated for employee parking 1
 Dimensions of parking lot 141' x 52.66' * Is parking lot paved? yes
 (*excludes gas fueling area and driveways)

13. Signage: What type of signage are you proposing for your business?
Please see attached signage information on the Plan of Operation Statement
 If applicable, complete a Sign Permit application and submit to the Building Inspection Dept. Please refer to Chapter 17.0800.

I have reviewed a copy of the Zoning Ordinance in the Village of Sussex and hereby agree to abide by the same, as well as any and all terms and conditions of any permit issued pursuant to this application.

I do swear to or affirm that all statements contained herein are true and correct to the best of our knowledge.

 Name Date

 Title or Position

I am aware and approve of the business to be operating in the building owned by _____.

 Name Date

 Title or Position

Print Form

Clear Form

Plan of Operation Statement

“C” Store/Fuel Station: Meijer will also construct and operate a fuel center w/convenience store. This is being proposed on one of the out lots in front and east of the main Meijer store parcel. The fuel center will have five (5) gas pump islands that will dispense from both sides of the pump. Regular unleaded, diesel and E-85 fuels will likely be provided at this location. Hours of operation will be 24 hours however full access to the C-Store will be from 6AM to 11PM. Parking proposed for this use will be 14 total spaces located directly in front of the C-Store with one space being an ADA van accessible space.

Additionally, several convenience services will be available, for sale, as part of the operation of the “C” store. A vacuum and air pump will be located adjacent to the dumpster enclosure. A propane exchange cage will be offered, located on the west façade of the “C” Store Building. If the ice chest is located outside it will be located next to the propane exchange cage and both will be screened behind a wing wall extended from the front elevation. A small seasonal merchandising display will be staged in an area just left of the front doors of the store. This will offer seasonally and special for sale items such as cases of pop, windshield fluid, snuggle wood, mulch, etc.

Beer and Cider sales will also be offered however, sales hours will be restricted to adhere to the Village Liquor Sales Ordinances, prohibiting the sales of alcohol between the hours of 9pm and 8am each day. Because full access to this store is 6am to 11pm and the sales of beer and cider is from 8am to 9pm, we will lock up the beer & cider from 9pm to 11pm each night, and keep it locked up until 8am the following morning. The four coolers closest to the restroom will contain the beer and cider. Each cooler has a locking mechanism on the door (see attached picture) that will be locked at 9pm and will be unlocked at 8am the following morning. There will be no beer or cider stored in any of the storage rooms. Additionally, all cashiers that sell beer & cider will have an Operator’s License or be overseen by a licensed operator.

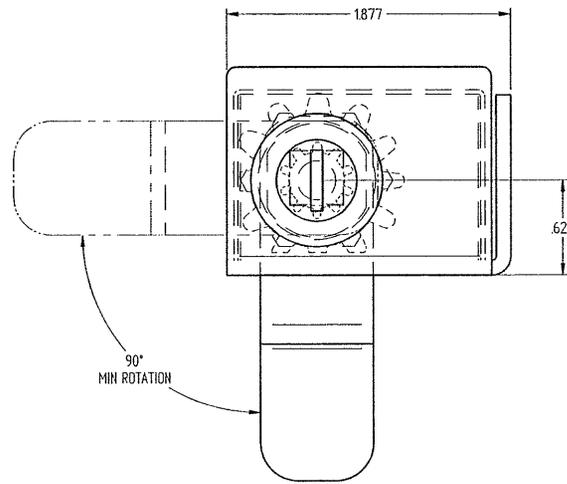
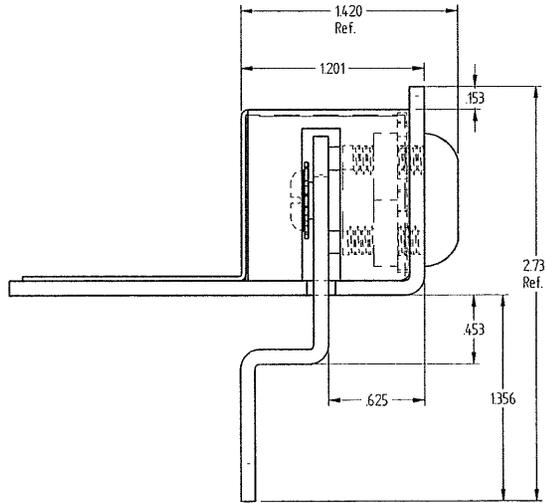
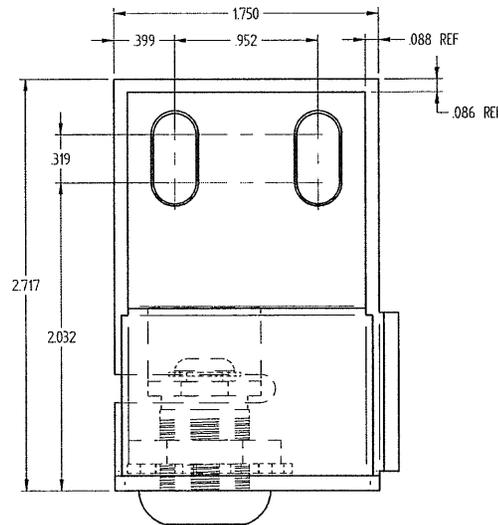
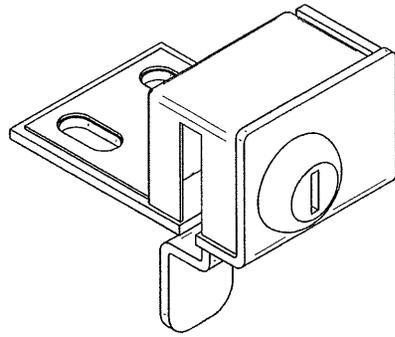
The “C” Store also has a dumpster located to the left of the store. This facility is fully screened with a masonry enclosure and cedar plank gates. The dumpster is serviced one to two times a month or approximately every two weeks.

Meijer proposed signage:

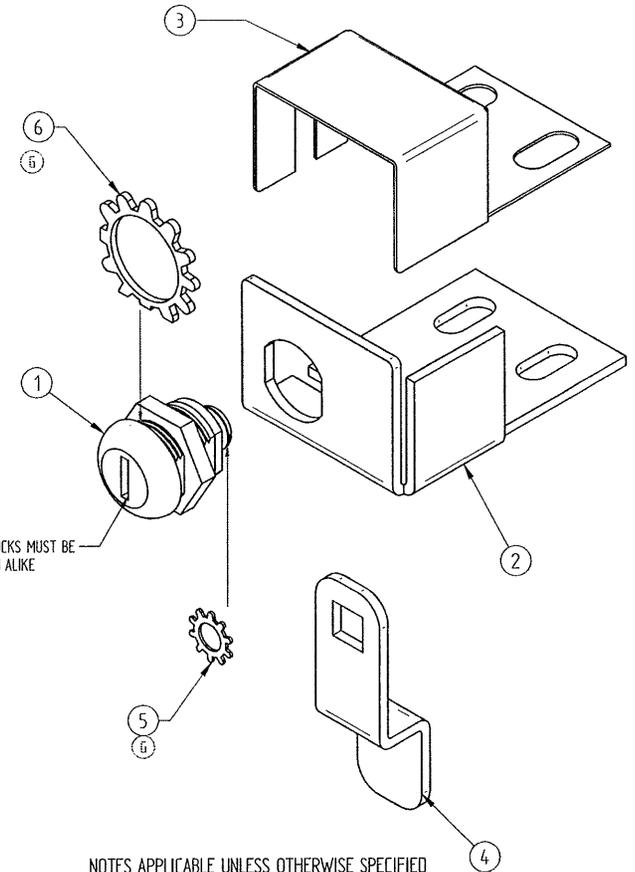
-Three “meijer” logos located on the canopy over the gas pumps, each would be 20 sq. ft. (totaling 60 sq. ft.)

- One convenience store wall sign, which is a box sign with the “meijer” logo and four lines of interchangeable letters totaling 25 sq. ft.

- One gas monument sign (w/ price point of gas) is proposed. This sign is also internally illuminated and will be a total of 100 sq. ft. in size (“meijer” panel 21 sq. ft. / price point cabinet 40 sq. ft. = totaling 61 sq. ft.) and will be at a total height of 10.5’ tall. This sign is proposed to be part of a 3’ screen wall designed to screen views to the pumps and cars parked at the pumps for gas.



ITEM NUMBER	P/N	DESCRIPTION	QTY.
1	0432434	LOCK-CAM INNOV DOOR LOCK	1
2	0432431	BASE-INNOV DOOR LOCK	1
3	0434633	HOUSING-INNOV DOOR LOCK	1
4	0432432	LATCH-INNOV DOOR LOCK	1
5	0456480	LOCK-WASHER EXTERNAL TOOTH .256" ID	1
6	0456481	LOCK-WASHER EXTERNAL TOOTH .750" ID	1



ALL LOCKS MUST BE KEYPED ALIKE

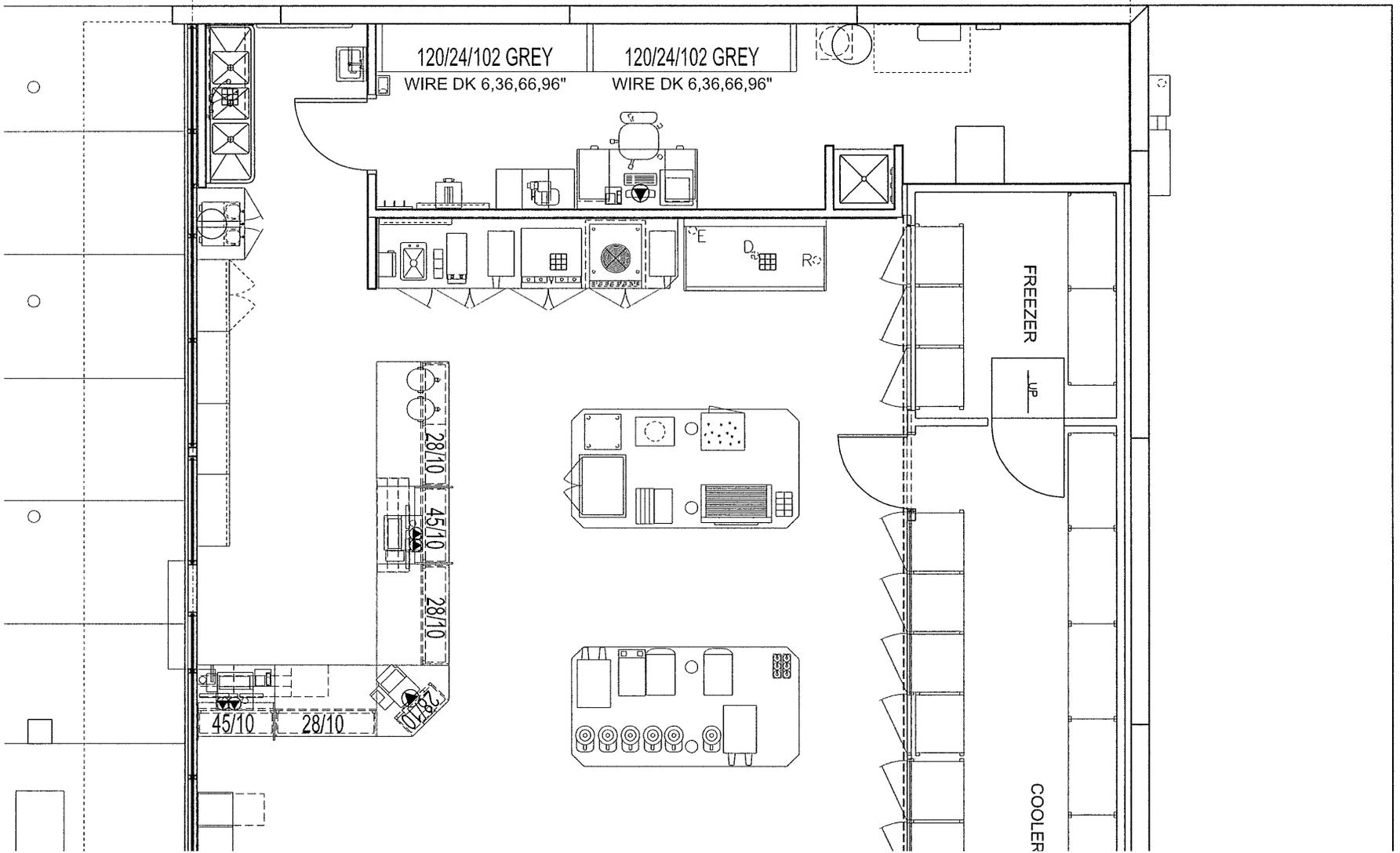
NOTES APPLICABLE UNLESS OTHERWISE SPECIFIED

-NOTES.
1- PAINT HUSSMANN 701 SHADOW BLACK.

REV EO # - 06H148	DO NOT SCALE LINEAR DIMENSIONS +/- .031" DIMENSIONS TO THE OUTSIDE PART TO BE FREE OF BURRS, SHARP EDGES, & CORNERS	FACE SIDE SHOWN ANGULAR DIMENSIONS +/- .2" HOLE TO HOLE +/- .010"	CERTICAL DIMENSIONS FRAMED HOLE TO HOLE +/- .010"		HUSSMANN® Bridgeton HOUSING ASM-DOOR LOCK BLK
REV DATE - 1/JUNE/06	6-ADDED ADDITIONAL LOCK WASHERS	MATERIAL SEE NOTES- -N8702-39	FINISH -N8702-39		
REV BY - JCTA	DATE DRAWN - 2001-10-25	DRAWN BY - MTB			

A

B

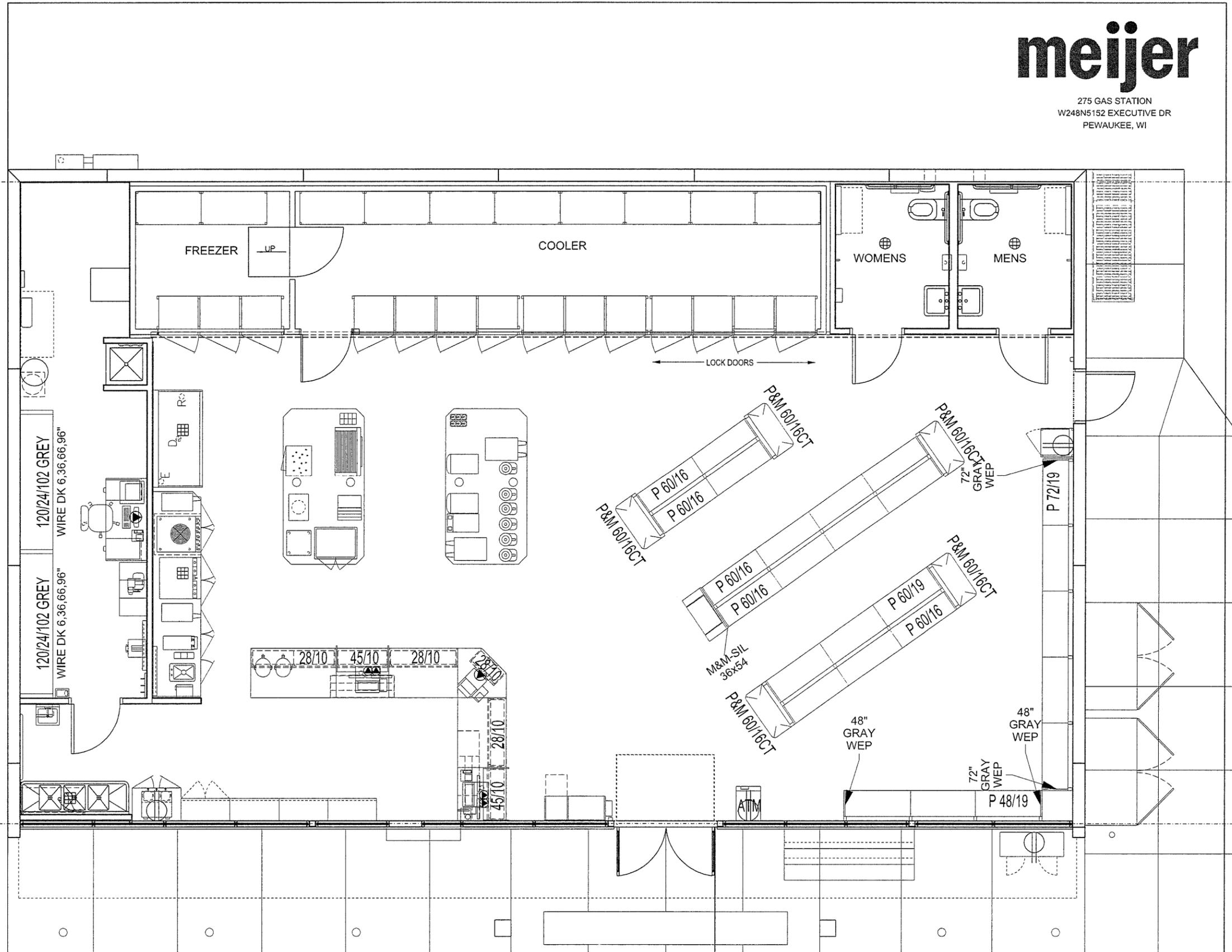


meijer

275 GAS STATION
W248N5152 EXECUTIVE DR
PEWAUKEE, WI

B

A



2016
VILLAGE OF SUSSEX ORDER
GRANTING AN AMENDMENT TO A
CONDITIONAL USE AND PRESCRIBING CONDITIONS FOR
MAMMOTH SPRINGS DEVELOPMENT
IN THE VILLAGE OF SUSSEX

WHEREAS, an application has been filed by Arthur Sawall, Developer of Mammoth Springs Development (hereinafter collectively “Petitioner”); and

WHEREAS, the Petitioner is requesting that an amendment to the conditional use permit be granted for the expansion of the Mammoth Springs Development pursuant to the Zoning Ordinance for the Village of Sussex for property located at the corner of Main Street and Waukesha Avenue as described on Exhibit A., which now includes the expanded development south of the Quarry pond west of Waukesha Ave and north of Silver Spring attached hereto and incorporated herein (hereinafter “Subject Property”); and

WHEREAS, the Subject Property is zoned B-4 Central Mixed Use District; and

WHEREAS, the Petitioner seeks an expansion of the conditional use permit to develop the Subject Property by constructing seven buildings one 19 unit, two 18 unit, two 15 unit, one 12 unit and one 10 unit buildings for a total of 107 units. The buildings will be a mixture of townhouse and residential buildings with surface parking and garages in addition to the existing mixed use development of five (5) – three (3) story 30 to 33 unit residential buildings with underground parking, two (2) 2 story commercial/mixed use buildings and common areas for parking; and

WHEREAS, the mixed use development in the B-4 Central Mixed Use District is permitted as a conditional use in accordance with Section 17.0506 (A)(15)(G) provide that it meets the following conditions:

1. The project shall be developed under a single development plan with a unified architectural scheme and site plan, to include building facades, street furniture, signs, lighting standards, parking, driveways and pedestrian circulation, in conformance with the following requirements:
 - (a) Residential and non-residential uses may be combined on a single parcel in new buildings or a combination of new and existing buildings or a conversion of existing non-residential building(s).
 - (b) Residential uses on the ground floor of buildings in a mixed use development are allowed if the Plan Commission finds that the overall mixed-use development has sufficient retail/office presence to meet the intent of the Downtown Development and Design Plan.
 - (c) When the mixed use involves a conversion of an existing non-residential building the development must establish and or maintain non-residential uses on the ground level of the building(s) such that the Plan Commission finds that the overall mixed-use development will maintain sufficient non-residential presence to meet the intent of the Downtown Development and Design plan.
 - (d) On large buildings, variations in facades, canopies, and roof lines to provide contrasts of height, color, texture, and materials are encouraged.
 - (e) Any building facade which is visible from a street or other public place shall be constructed of traditional building materials such as local stone, brick, and wood. The use of these materials on other facades is also encouraged.

2. Pedestrian circulation shall be included in the design of the development, with walkways planned for linkage to an existing or future pedestrian network of sidewalks. New sidewalks shall connect to the Bugline Recreation Trail where appropriate and in accordance with the “Downtown Design and Development Plan.”
3. A traffic impact study may be required for any development that, in the opinion of the Architectural Review Board or Plan Commission, may generate a traffic volume that may require special mitigation measures.
- (4) Residential Units in mixed use developments shall at a minimum each have one bedroom, one kitchen, and one bathroom. A one bedroom unit shall be at least 600 square feet in size and a two bedroom or larger unit shall be at least 800 square feet in size.

WHEREAS, pursuant to Section 17.0506(A)(15)(G) the Plan Commission finds that the project shall be developed under a single development plan with a unified architectural scheme and site plan, to include building facades, street furniture, signs, lighting standards, parking, driveways and pedestrian circulation, and is in conformance with necessary findings of this code section as the combined uses are on a single parcel in new buildings, the residential uses on the ground floor of certain buildings are appropriate due to the sufficient retail/office at the corner of the development and such mix is in keeping with the intent of the Downtown Design and Development Plan, the larger buildings have variations in the facades, canopies, and roof lines to provide a high level of contrast and are made of natural materials, the site has excellent connections with the Bugline Trail and public sidewalk system, the site does not require additional traffic study, and the residential units are above the minimum standards required in the B-4 district.

WHEREAS, pursuant to Section 17.0211 B the Plan Commission may permit more than one structure on a lot in a district for the orderly development of the parcel; and

WHEREAS, pursuant to Section 17.0211 B the Plan Commission finds that the seven (7) additional residential buildings plus the existing buildings (five (5) residential and two (2) commercial) buildings on the one site as outlined in the plans is consistent with the orderly development of the parcel and in keeping with the intent of the Downtown Design and Development Plan.

WHEREAS, pursuant to Section 17.0419 (E)(3) the Plan Commission allowed the reduced setback for the existing development of the residential and commercial buildings from the Bugline trail and shore yard delineation and that it will serve to implement the goals and objective of the Downtown Design and Development Plan; and

WHEREAS, pursuant to Section 17.0419 (E)(3) the Plan Commission finds that allowing a minimal setback for buildings of two (2) feet from the Bugline trail is appropriate given the intent to keep the main buildings close to the street right of way per the Downtown Development and Design Plan, and reduces the Shoreland setback to thirty (30) feet in order to accomplish the stream opening project and meet the intent of the Downtown Development and Design Plan. The reduced Shoreland setback is linked with the transfer of lands to the Counties Bugline Trail and the stormwater from the site being handled in the quarry pond per the approved stormwater plans.

WHEREAS, pursuant to Section 17.0419(F)(1) the Plan Commission may allow the build to line to be five (5) feet in the B-4 Central Mixed Use District if such a build to line serves the intent of the Downtown Design and Development Plan.

WHEREAS, pursuant to Section 17.0419 (F)(1) the Plan Commission makes a finding that the reduction of the build to line from the street right of way of the residential and commercial buildings will serve to implement the goals and objective of the Downtown Design and Development Plan; and

WHEREAS, the Petitioner filed the conditional use permit with the Village Clerk and upon referral of the application by the Village Clerk, the Plan Commission for the Village of Sussex determined that the application met all requirements as set forth in Section 17.0502 and scheduled a public hearing thereon as soon as practical; and

WHEREAS, upon publication of the required “Notice of Public Hearing” and mailing of said “Notice of Public Hearing” to all parties-in-interest as required by Section 17.1401 of the Zoning Ordinance, the Plan Commission held a public hearing on March 21, 2013, and March 17, 2016 for the amended development as required by Section 17.0505 of the Zoning Ordinance for the Village of Sussex; and

WHEREAS, the Plan Commission has followed the review procedures of Section 17.0503 by reviewing the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation; and

WHEREAS, the Plan Commission finds that the application is consistent with the zoning district regulations of B-4 Central Mixed Use District where the district is intended to provide for the orderly and appropriate development of the Central Business District as designated by the Community Development Authority, in conformance with and to implement “The Downtown Design and Development Plan”; and

WHEREAS, the Plan Commission for the Village of Sussex, following the public hearing and necessary study and investigation, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety, and economic prosperity of the Village and specifically of the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as impact on the surrounding properties as to noise, dust, smoke, odor, or other similar factors, hereby determines that the use will not violate the spirit or intent of the Zoning Ordinance for the Village of Sussex, will not be contrary to the public health, safety or general welfare of the Village of Sussex, will not be a hazardous, harmful, noxious, offensive, or nuisance by reason of smoke, dust, odor, or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the conditional use is operated pursuant to the following conditions and in strict compliance with the same.

THEREFORE, IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, a conditional use permit for the Subject Property is hereby granted. The amended conditional use permit granted herein shall apply only to the specific use of the Subject Property by the Petitioner for a mixed use with non-residential use and residential use development as well as the permitted and accessory uses set forth in Section 17.0419 and auxiliary uses as set forth in Section 17.0710 and the conditional use permit shall continue in existence only so long as the conditional use is operated in compliance with this permit. This conditional use permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions, and limitations.

A. This amended conditional use is granted for the Petitioner for the above for the above enumerated uses, incorporating the findings as set forth above and subject to the following conditions:

1. Presentation Compliance. The mixed use with non-residential use and residential use development is approved herein on the Subject Property, and the use thereof, shall be used in substantial conformity with the presentation at the Public Hearing before the Plan Commission held on March 21, 2013 and March 17, 2016.
2. Subject Property. This conditional use permit issued to the Petitioner, shall be limited to the property described in **Exhibit "A"** attached hereto and incorporated herein and to the site plan presented at public hearing.
3. Plans. The Petitioner is required and must have all plans current, approved by the Plan Commission for the Village of Sussex, and on file with the Village Clerk for the Village of Sussex in order for this CU to be in effect. The Petitioner shall be entitled to amend or change any plan contemplated herein subject to the specific language of the Conditional use and subject to the Plan Commission for the Village of Sussex approval and without a public hearing, if such amendments and/or change is not a substantial amendment or change in any plan contemplated herein as solely determined by the Plan Commission. If the Plan Commission for the Village of Sussex feels, in its sole discretion, that the amendment or change to any plan contemplated herein is substantial, the amendment or change will require a new permit and all Village procedures in place at the time must be followed.

A. Site Plan. The Petitioner shall submit and receive approval from the Village Plan Commission, pursuant to Section 17.1000, a specific site plan for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentation at the meetings. The plan shall be attached hereto and incorporated herein as **Exhibit A-1, and A-2** Any such plan must meet the following minimum requirements or conditions, in that the Plan Commission approves pursuant to Section 17.0211 B more than one structure, Section 17.0419 (E)(3) and Section 17.0419 (F)(10) the following reduced setbacks:

1. The lot will consist of the additional seven residential buildings with a total of 107 units with surface garages and surface parking and the existing five (5) residential and two (2) commercial buildings.

2. The setback of the buildings for the existing five (5) residential and two (2) commercial buildings from the street right of way shall not be less than five (5) feet.

3. The setback of the buildings from the bugline trail shall not be less than two (2) feet.

4. The setback of the buildings from the shore yard shall not be less than thirty (30) feet and all drainage from said buildings shall be managed through the sites adopted stormwater plan.

B. Plan of Operation. The Petitioner shall submit to and receive approval from the Village Plan Commission a specific plan of operation for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentations at the meetings. The plan shall be attached hereto and incorporated herein as **Exhibit B**.

C. Traffic, Access, Loading, and Parking Plans. The Petitioner shall submit to and receive approval from the Village Plan Commission a specific traffic, access, loading, parking and egress plan for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentation at the meetings. The plan shall be attached hereto and incorporated herein as **Exhibit C and Exhibit C.1**.

D. Lighting Plan. The Petitioner shall submit to and receive approval from the Village Plan Commission a specific lighting plan for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentation at the meetings. The plan shall be attached hereto and incorporated herein as **Exhibit D and Exhibit D-1**.

E. Signage Plan. The Petitioner shall submit to and receive approval from the Architectural Review Board a specific signage plan for the Subject Property. When approved said signage plan shall be attached hereto and incorporated herein as **Exhibit E and Exhibit E-1**.

F. Public Improvements. In conjunction with the development of the site there are requirements to install certain public improvements (public street, water, sewer, stormwater, and bugline trail) and those improvements shall be installed and reviewed by the Village Engineer with accepted by the Village Board. When approved said public improvement plans shall be attached hereto and incorporated herein as **Exhibit F and Exhibit F-1**.

1. Plans for the expanded development of seven (7) residential buildings shall comply and install all necessary improvements required by the County, and herein incorporated as Exhibit F-2.

- G. Sewer, Water, Stormwater and Erosion Control Plans. The Petitioner shall submit to and receive approval from the Village Engineer a specific sewer, water, stormwater, and erosion control plan(s) for the Subject Property. When approved said plans shall be attached hereto and incorporated herein as **Exhibit G and G-1.**
- H. Fence, Landscaping, Berm, and Open Space Utilization Plan. The Petitioner shall submit to and receive approval from the Village Plan Commission a specific fence, landscaping, berm and open space utilization plan for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentation at the meetings. The plan shall be attached hereto and incorporated herein as **Exhibit H, and Exhibit H-1.**
- I. Architectural and Building Plan. The Petitioner shall submit to and receive approval from the Village Plan Commission a specific architectural and building plan for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentations at the meetings. The plans shall be attached hereto and incorporated herein as **Exhibit I, and I-1.**
- J. Outdoor Storage and Uses Plan. No outdoor storage or use shall be permitted on the Subject Property with the following specific exceptions and any such plan must meet the following minimum requirements or conditions:
1. Trash dumpsters limited to the minimum number needed to meet the recycling law requirements. The trash dumpsters shall be screened from view and shall be maintained in a safe and sanitary condition at all times
 2. Outdoor Establishment Permit under Code 12.10 and Auxiliary Uses under Section 17.0710 may be allowed, but these are meant as limited activities and all said restrictions from those code provisions or additional ones from the Plan Commission as the Plan Commission deems appropriate must be adhered to at all times.
4. Adult-Oriented Materials. No adult-oriented materials or pornographic videotapes, magazines, or gift items will be sold or rented from the subject facility.
5. Licenses. The Petitioner shall be required to obtain any and all required licenses and permits from the Village, County, State, and Federal Government. If any license or permit is issued, any and all conditions of the same are incorporated herein and made a part of this conditional use permit.

6. Laws. The Petitioner shall comply with all Federal, State, County, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the Subject Property.
7. Building and Fire Inspection. The Petitioner is required to keep the Subject Property in compliance with all federal, State, and local laws, statutes, codes, ordinances, policies, and guidelines as determined by the Building and Fire Inspectors of the Village of Sussex.
8. Aesthetics. The Petitioner is required to properly maintain the Subject Property at all times and in full compliance with the Village Property Maintenance Code, Section 11.07 of the Village of Sussex Code all to the satisfaction of the Plan Commission for the Village of Sussex.
9. Junk. No junk shall be accumulated or stored on the Subject Property. No burying or burning of junk is permitted on the Subject Property.
10. Temporary Use or Activity. No temporary use or special activity or event shall be permitted without prior approval of the Plan Commission of the Village of Sussex and the same must be in compliance with all ordinance, rules, and regulations of the Village of Sussex and all necessary permits must be obtained except for as allowed by Outdoor Establishment Permit under Chapter 12.10 or Auxiliary Use under section 17.0710.
11. Fees and Expenses. The Petitioner, upon issuance of this conditional use permit, shall reimburse the Village of Sussex for all expenses incurred by the Village, including, but not limited to, expenses for the Village Administrator, Village Engineer, Village Attorney, and all other professionals and technical assistance realized by the Village in approving and granting this conditional use permit. The Village Clerk shall provide the Petitioner with copies of all itemized invoices.
12. Enforcement. Any attorney fees incurred by the Village of Sussex to enforce any of the conditions or requirements of this conditional use permit must be paid by the Petitioner.
13. Complaints. In the event the Petitioner receives any complaints with regard to the operation authorized by this conditional use, the Petitioner shall respond to such complaints in writing within a reasonable time not to exceed two weeks from the date of the complaint and shall provide a copy of the written response to the Sussex Village Administrator within the same period of time. If the complaint was made in writing, the copy provided to the Village Administrator shall include a copy of the complaint.
14. No Nuisance. The Village reserves the right to rescind its approval of this conditional use permit based upon the finding that the use is incompatible and a nuisance to surrounding uses, that the use is not in the public interest, or that the use adversely affects the use of adjacent lands, provided the Petitioner is given an opportunity to be heard on the matter and, if so rescinded the Petitioner and

Subject Property shall thereupon be immediately subject to the Village of Sussex Zoning Ordinances , as applicable, regarding the use of the Subject Property as though no conditional use permit was granted.

15. Subject to Acceptance. Subject to the Owner approving in writing the issuance of the same and Petitioner acknowledging in writing that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Petitioner will therefore need to re-commence the application process.
 16. Review. The Plan Commission for the Village of Sussex reserves its right to review the operation and amend the conditional use permit as the Plan Commission for the Village of Sussex deems appropriate
- B. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use, the question shall be submitted to the Plan Commission for the Village of Sussex for determination.
 - C. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the Village of Sussex, the County of Waukesha, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
 - D. This conditional use hereby authorized shall be confined to the Subject Property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission for the Village of Sussex as being in compliance with all pertinent ordinances.
 - E. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the Petitioner be delinquent in payment of any monies due and owing to the municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission for the Village of Sussex.
 - F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to a change in the use, premises, lands or

owners, other than as specifically authorized herein, shall require a new permit and all Village procedures in place at the time must be followed.

- G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Village Plan Commission if the Village Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Village Plan Commission, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- H. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
- I. This conditional use permit shall be effective for an initial term that ends five years from the date of January 1 of the year the conditional use is approved. During the final year of the 5 year term of the CU the Village Administrator or designee shall examine the record to determine if concerns about the operation have been raised in writing by the public, a governmental body or official, or anyone else, and shall also review the site and the adjoining area for compliance with the conditions of the CU. If based upon that review the use of the property is compatible with the surrounding areas and the Petitioner is in substantial compliance with all terms of this conditional use agreement, then, in that event, the Conditional Use can be automatically renewed for another 5 year term. If based upon that review the Village Administrator finds concerns about compliance with the conditions of the Conditional Use, the Petitioner shall be brought back before the Plan Commission for consideration of the renewal. The Petitioner shall have the responsibility to apply for the renewal by January 30th of the final year of the term of the CU. Failure of Petitioner to apply for the renewal as provided herein shall be deemed a violation of the conditions of the conditional use and may serve as a basis for termination of the conditional use permit. The Plan Commission for the Village of Sussex may add additional conditions at any time.
 - 1. Where the changing character of the surrounding area causes the original conditional use or subsequent approved amendments thereto to no longer be compatible with the surrounding area, or for similar cause, based upon consideration for the public welfare, the conditional use order and any subsequent approved amendments or changes may be terminated by action of the Plan Commission of the Village of Sussex. Such use shall thereafter be classified as a legal nonconforming use as it was permitted to exist on the day it was terminated.
 - 2. Where this permitted conditional use does not continue in conformity with the conditions of the original approval or subsequent approved amendments or changes, the conditional use grant and any subsequent approved amendments thereto may be amended or terminated by action of the Plan Commission for the Village of Sussex. The Plan Commission for the Village of Sussex may require complete termination of such use.

3. This conditional use may be reviewed annually. Additionally, this conditional use may be reviewed by the Plan Commission for the Village of Sussex at any time upon complaint or upon Plan Commission initiative.
- J. Upon acceptance by Petitioner of this conditional use permit, all prior conditional use permits granted to the Subject Property are hereby revoked and terminated.
- K. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission for the Village of Sussex.
- L. If any paragraph or phrase of this conditional use order is declared by a Court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific paragraph or phrase thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of this order. The remainder of the order shall remain in full force and effect.

Let copies of this order be filed in the permanent records of the Plan Commission for the Village of Sussex, and let copies be sent to the proper Village authorities and the Petitioner.

Approved this _____ day of _____, 2016 BY THE PLAN COMMISSION FOR THE VILLAGE OF SUSSEX

Gregory L. Goetz
Village President

Susan M. Freiheit
Village Clerk

PETITIONER/OWNER ACCEPTANCE

I hereby accept the terms of this Conditional Use in its entirety.

Dated this _____ day of _____, 2016

By: _____
_____, Owner

STATE OF WISCONSIN)
)ss.
COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, 2016 the above-named
_____, Authorized Signatories of
_____, to me known to be the person who executed the foregoing
instrument and acknowledged the same.

NOTARY PUBLIC, STATE OF WI
My commission expires: _____

This conditional use was drafted by Jeremy Smith, Village Administrator off of a model by
Attorney John P. Macy ARENZ, MOLTER, MACY & RIFFLE, S.C., Village Attorneys for the
Village of Sussex.

CONCEPT SITE PLAN

MAMMOTH SPRINGS SOUTH
VILLAGE OF SUSSEX, WI

SITE DATA TABLE

TOTAL AREA = 4.768 acres

TOTAL UNITS = 107 units
 - 22 Townhome residences
 - 85 Market Rate residences
 DENSITY = 18.55 units/acre

SURFACE GARAGES = 17 stalls
 SURFACE PARKING = 27 spaces
 (excludes parking in front of units)

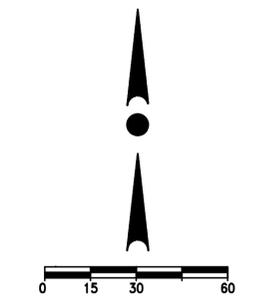
BUILDING SETBACKS
 - 6' minimum (Garage)
 - 15' typical



WAUKESHA AVENUE (C.T.H. "F")



12660 W. NORTH AVE., BLDG D
 BROOKFIELD, WI 53005
 PHONE: (262) 790-1480
 FAX: (262) 790-1481
 EMAIL: jpuelko@trioeng.com



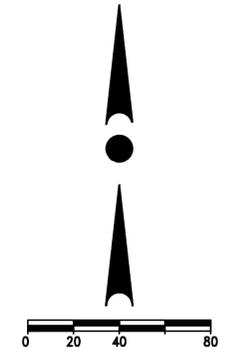
Scale: 1" = 30' (22"x34")
 Scale: 1" = 60' (11"x17")

DATE: 02/12/2016



WAUKESHA AVE. (CTH F)

SILVER SPRING DR. (CTHV)



LEGEND:

- - - - - EXISTING CONTOUR
- - - - - EXISTING SANITARY SEWER
- - - - - EXISTING SANITARY MANHOLE
- - - - - EXISTING WATER MAIN
- - - - - EXISTING HYDRANT
- - - - - EXISTING STORM SEWER
- - - - - EXISTING STORM MANHOLE
- - - - - EXISTING STORM INLET
- - - - - EXISTING TRANSFORMER
- - - - - EXISTING ELECTRIC PEDESTAL
- - - - - EXISTING TELEPHONE PEDESTAL
- - - - - EXISTING CATV PEDESTAL
- - - - - EXISTING POWER POLE
- - - - - PROPOSED SANITARY SEWER
- - - - - PROPOSED SANITARY MANHOLE
- - - - - PROPOSED WATER MAIN
- - - - - PROPOSED HYDRANT
- - - - - PROPOSED WATER VALVE
- - - - - PROPOSED STORM SEWER
- - - - - PROPOSED STORM MANHOLE
- - - - - PROPOSED STORM INLET
- - - - - PROPOSED STORM END SECTION

SITE DATA

LOT AREA DATA:	
TOTAL LOT AREA:	251,262 S.F. (5.768 Acres)
TOTAL IMPERVIOUS AREA:	184,694 S.F. (4.240 Acres) 73.51% of Lot
TOTAL OPEN SPACE AREA:	66,568 S.F. (1.528 Acres) 26.49% of Lot
ZONING:	
TOTAL UNITS:	B-4 (CU)
DENSITY:	107 UNITS 18.55 UNITS/AC.
PROPOSED PARKING:	
ATTACHED GARAGE SPACES:	86 SPACES
SPACES IN-FRONT OF GARAGES:	86 SPACES
STAND ALONE GARAGE SPACES:	19 SPACES
REGULAR SPACES:	27 SPACES
ADA SPACES:	2 SPACES
TOTAL AVAILABLE PARKING:	220 SPACES
PARKING DENSITY:	2.056 SPACES/UNIT



17700 W. CAPITOL DRIVE
BROOKFIELD, WI 53045
PHONE: (262) 790-1480
FAX: (262) 790-1481
EMAIL: jpuudelko@trioeng.com

PROJECT: MAMMOTH SPRINGS SOUTH
MULT-FAMILY DEVELOPMENT
VILLAGE OF SUSSEX, WI
PREPARED FOR:
SAWALL DEVELOPMENT
4375 PILGRIM HOLLOW COURT
BROOKFIELD, WI 53005

REVISION HISTORY

DATE	DESCRIPTION

DATE:
MARCH 29, 2016

JOB NUMBER:
15016

DESCRIPTION:
PROPOSED SITE PLAN

SHEET

C1.1

NOTE:
EXISTING UNDERGROUND UTILITY INFORMATION WAS OBTAINED FROM AVAILABLE RECORDS. THE ENGINEER MAKES NO GUARANTEE AS TO THE ACCURACY OF THIS INFORMATION. VERIFICATION TO THE SATISFACTION OF THE CONTRACTOR OF ALL UNDERGROUND UTILITIES, WHETHER OR NOT SHOWN ON THE PLANS, SHALL BE ASSUMED AS A CONDITION OF THE CONTRACT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN LOCATION OF UTILITIES IN THE FIELD AND LOCATIONS SHOWN ON THE PLANS.

CONTRACTOR IS REQUIRED TO CONTACT DIGGERS HOTLINE TOLL FREE TO OBTAIN LOCATION OF UNDERGROUND UTILITIES PRIOR TO COMMENCING THE WORK. WISCONSIN STATUTE 182.0715 REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE. CALL DIGGERS HOTLINE 1-800-242-8511

H:\C9000\974\15013-02\CONSTRUCTION PLANS\CIVIL\SPRINGS SOUTH-22X34.DWG





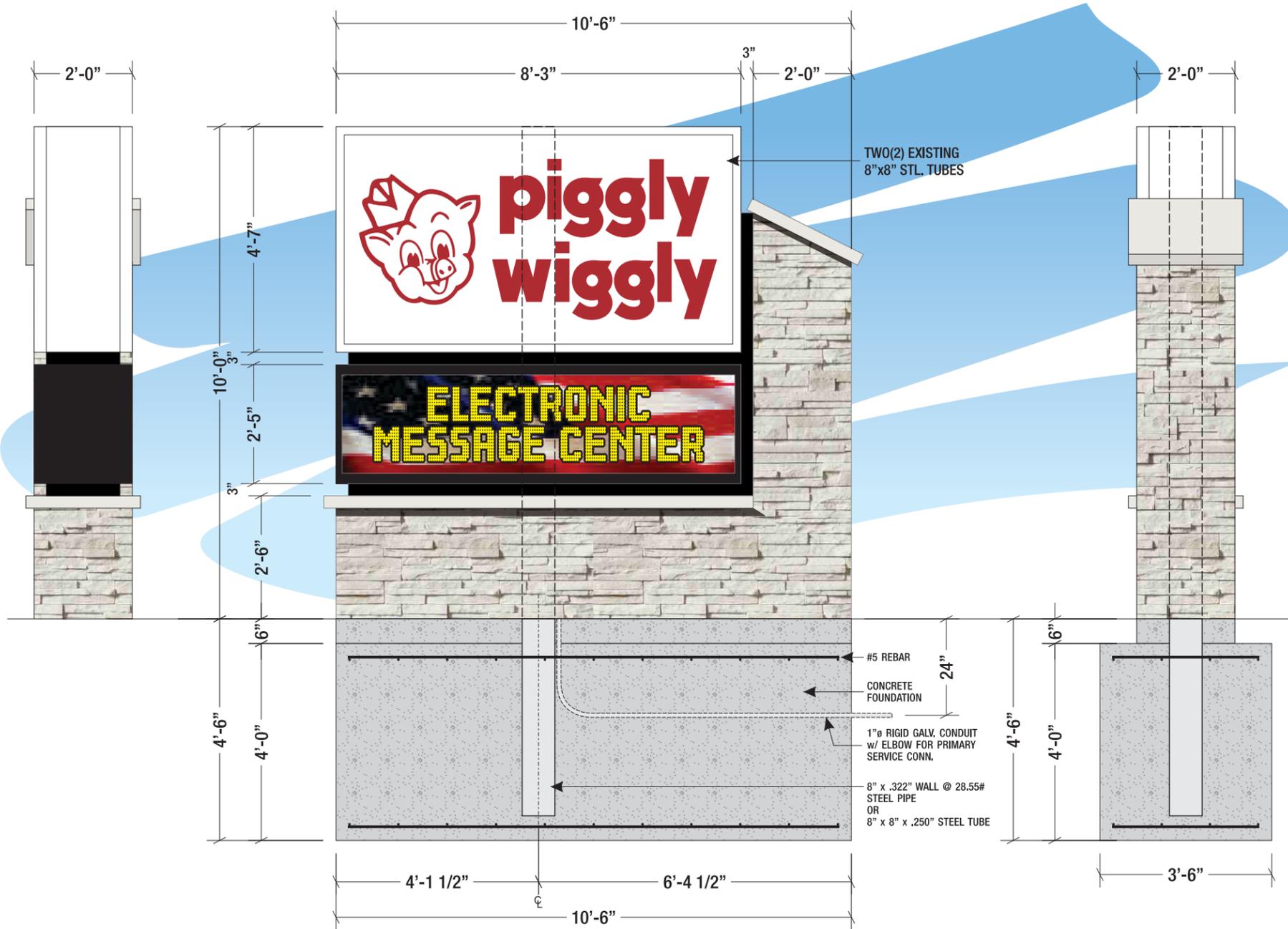




Mammoth Springs South

Sussex, WI

2-Story Apartment Concept
March 11, 2016



A DOUBLE SIDED INTERNALLY ILLUMINATED MONUMENT SIGN w/ L.E.D. MESSAGE CENTER

SCALE: 3/8"=1'

- ALUM. CABINET & RETAINERS PAINTED WHITE
- FLAT WHITE LEXAN FACES w/ FIRST SURFACE #53 CARDINAL RED VINYL GRAPHICS
- WHITE L.E.D. ILLUMINATION
- TWO(2) 2" REVEALS PAINTED BLACK
- 2'5" x 8'3", 19mm FULL COLOR (RGB LED) MESSAGE CENTER



GENERAL SIGN CONTRACTORS

232 INTERSTATE RD. P.O. BOX 1068 ADDISON, IL 60101 630-543-9490 FAX 630-543-9493

DATE	REVISION
12.29.15	REVISED PER SURVEY / ADDED SITE PLAN
1.13.16	REVISED SIGN PER VILLAGE REQUIREMENTS
3.17.16	REVISED FOUNDATION & SUPPORT DETS. PER TD
3.28.16	REVISED TYPE OF STONE & SIGN LOCATION
4.11.16	REVISED SITE PLAN

CUSTOMER APPROVAL _____ DATE _____

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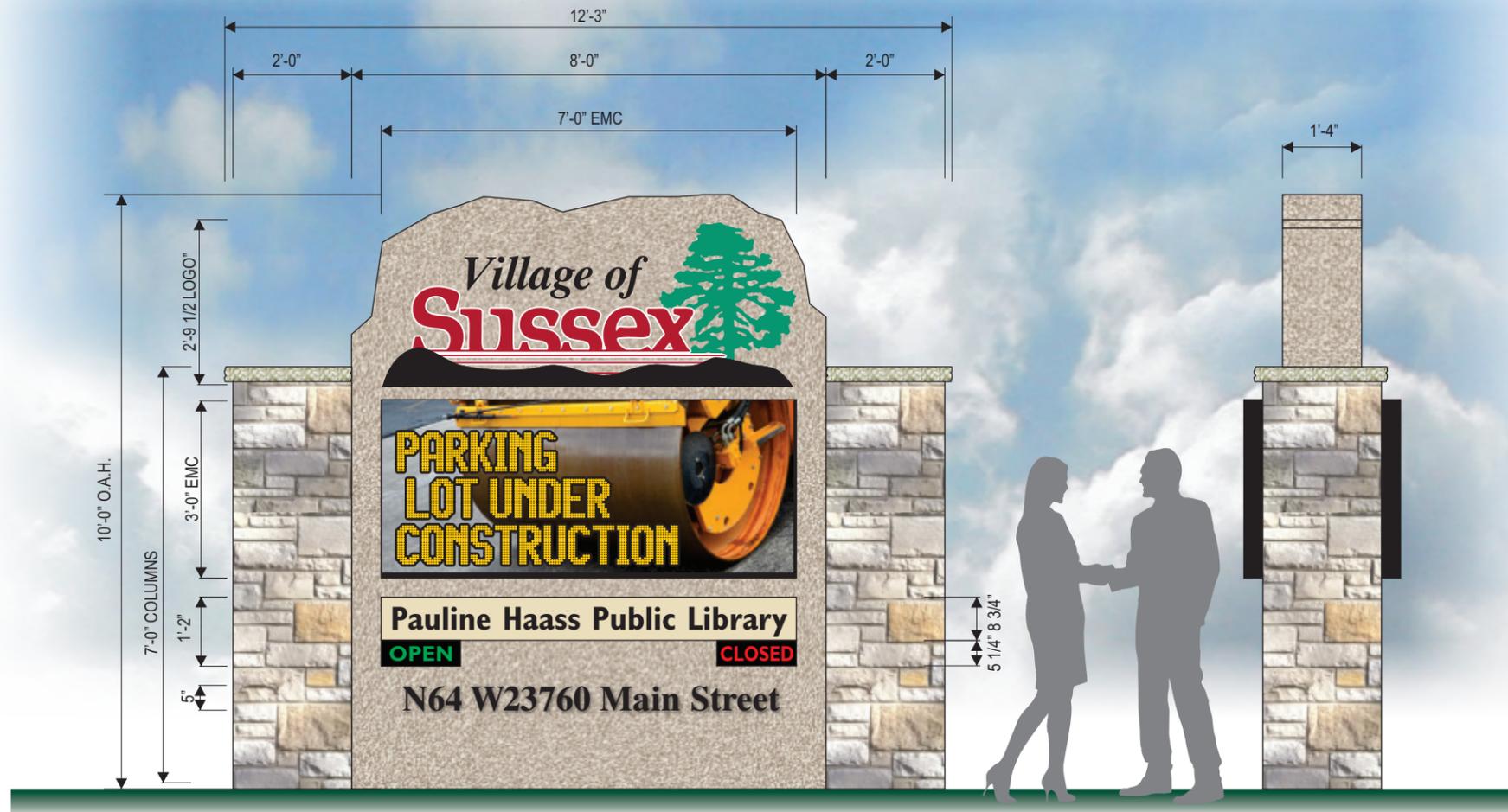
CLIENT	PIGGLY WIGGLY				
ADDRESS	N63 W23735 MAIN ST.				
CITY	SUSSEX	STATE	WI	DESIGNER	KM SALESPERSON TD
DRWG. NO.	14968	SCALE:	NOTED	DATE:	12.04.2015 SHEET NO. 1

Z:\Design\PIGGLY WIGGLY\SUSSEX WI\PIGGLY WIGGLY - SUSSEX WI.cdr

M.1 D/F INTERNALLY LIT MONUMENT WITH FULL COLOR EMC - QTY: (1)

SQUARE FOOTAGE: 80 PER SIDE

FIELD SURVEY REQUIRED
 PAINT CALL-OUTS TBD
 VECTOR ARTWORK FOR LIBRARY REQUIRED (PLACEHOLDER)



FRONT VIEW
SCALE: 1/2"=1'-0"

SIDE VIEW
SCALE: 1/2"=1'-0"

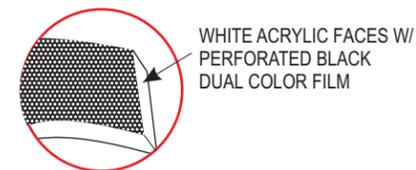
SPECIFICATIONS

1. FRAMED CABINET ALUMINUM SKIN PAINTED P-1
2. ROUTED ALUMINUM FACES P-1 BACK WITH
3. WHITE POLYCARBONATE FACES
4. VINYL APPLIED 1ST SURFACE TO POLYCARBONATE FACES V-1, V-2, V-3, V-4
5. INTERNALLY LIT W/ WHITE OSRAM BACK PLUS DS LEDs (D/F)
6. INTEGRATED LANNON STONE COLUMNS WITH PRE-CAST CAPS
7. ROUTED/BACK LIBRARY FACE WITH OPEN AND CLOSED SIGNS ON SEPARATE CIRCUITS DIGITAL PRINT APPLIED 1ST SURFACE TO POLYCARBONATE DP-1
8. 16 MM LED FULL COLOR RGB DISPLAY RFD COMMUNICATION
9. 1/4" THK. FLAT CUT ALUM. ADDRESS LETTERS PAINTED P-2

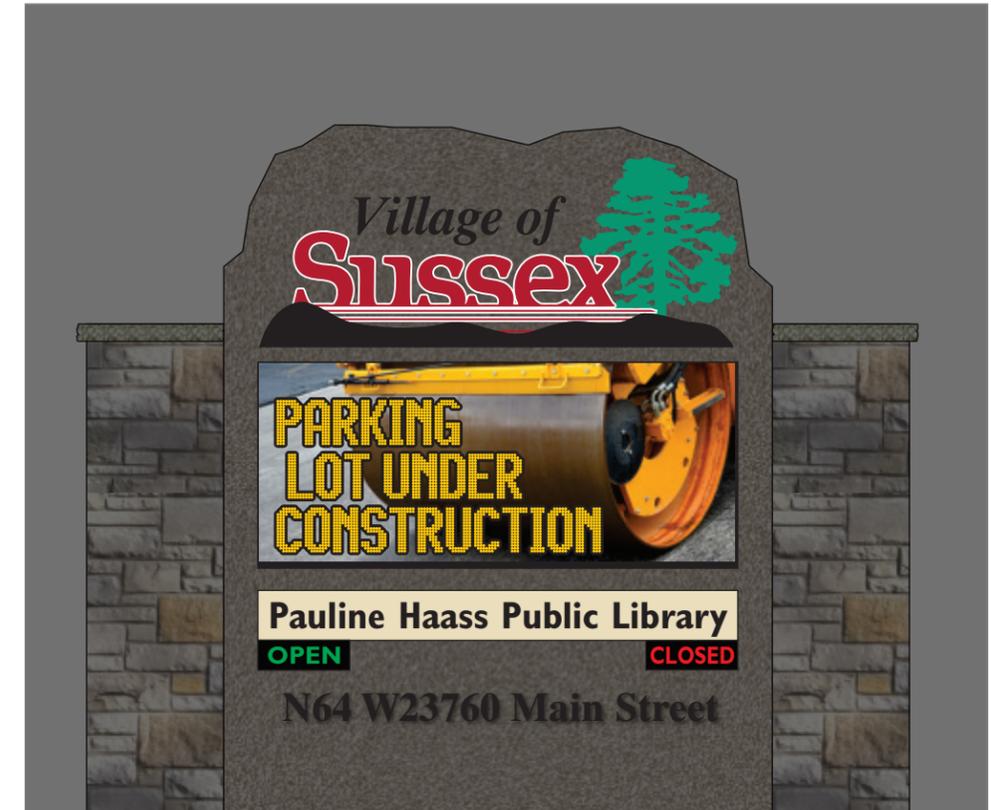
COLORS/FINISHES

- P-1 MP TO BE DETERMINED -TEXTURE-COATED
- P-2 MP DARK BRONZE (ADDRESS)
- V-1 3M 3630-146 LIGHT KELLY GREEN
- V-2 3M 3630-53 CARDINAL RED
- V-3 3M 3630-22 BLACK
- V-3 3M 3630-126 DARK EMERALD GREEN
- V-5 ARLON 55903-122 BLACK DUAL COLOR FILM *Village of*

SECTION DETAIL (N.T.S.)



16mm
EMC PIXEL PITCH



NIGHT VIEW -OPPOSITE SIDE
SCALE: 1/2"=1'-0"



EXISTING MONUMENT

JONES SIGN
 Your Vision Accomplished
 GREEN BAY • PHILADELPHIA
 SAN DIEGO • LAS VEGAS
 www.jonessign.com

JOB #: 216013_R1
 DATE: 4/12/16
 DESIGNER: Jim Pogo
 SALES REP: Scott Bertrand
 PROJ MGR: —

REV.	DATE	BY	DESCRIPTION
1	4/15/16	JP	ADJUSTED COLUMNS CHANGE COLORS-LIBRARY PANELS
2	00.00.00	XX	XXXX
3	00.00.00	XX	XXXX
4	00.00.00	XX	XXXX
5	00.00.00	XX	XXXX
6	00.00.00	XX	XXXX
7	00.00.00	XX	XXXX
8	00.00.00	XX	XXXX
9	00.00.00	XX	XXXX
10	00.00.00	XX	XXXX

CLIENT APPROVAL	DATE
LANDLORD APPROVAL	DATE
QC	

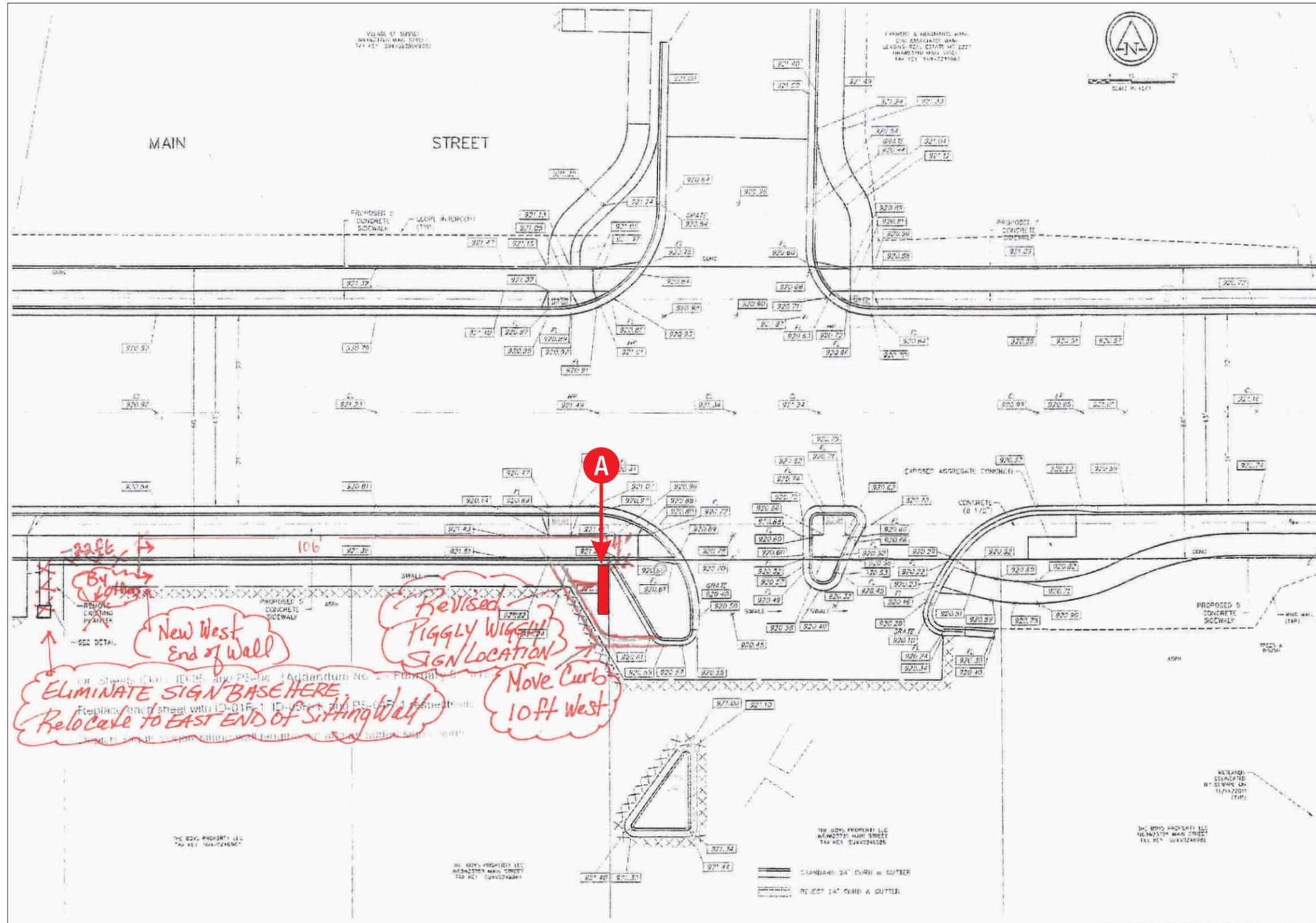


Village of Sussex
 Town Hall/Library
 N64 W 238020 Main St.
 Sussex, WI 53089

DESIGN PHASE: CONCEPTUAL

SHEET NUMBER

1.0



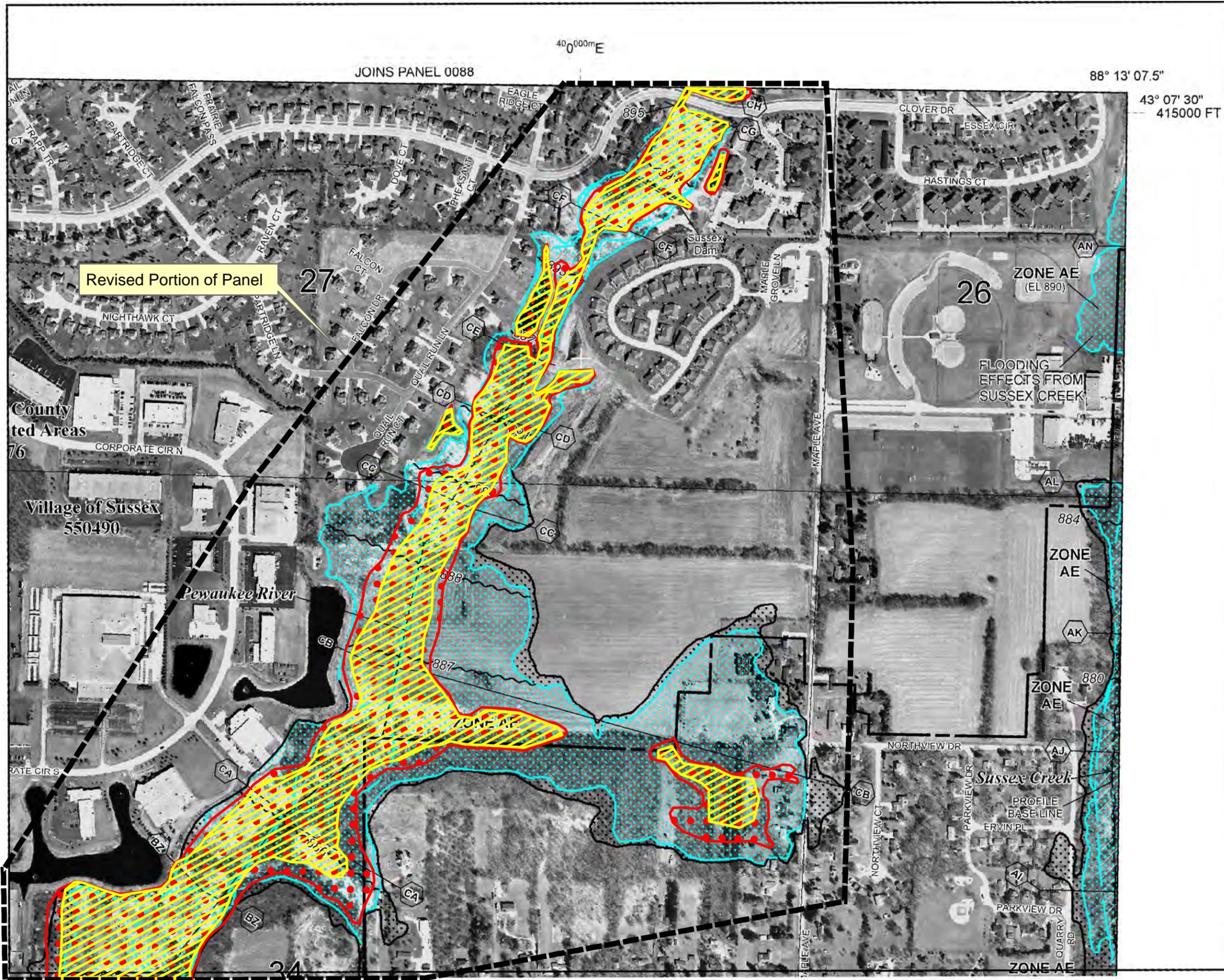
DATE	REVISION
12.29.15	REVISED PER SURVEY / ADDED SITE PLAN
1.13.16	REVISED SIGN PER VILLAGE REQUIREMENTS
3.17.16	REVISED FOUNDATION & SUPPORT DETS. PER TD
3.28.16	REVISED TYPE OF STONE & SIGN LOCATION
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CUSTOMER APPROVAL _____ DATE _____

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CLIENT	PIGGLY WIGGLY						
ADDRESS	N63 W23735 MAIN ST.						
CITY	SUSSEX	STATE	WI	DESIGNER	KM	SALESPERSON	TD
DRWG. NO.	14968	SCALE:	NOTED	DATE:	12.04.2015	SHEET NO.	2

Z:\Design\PIGGLY WIGGLY\SUSSEX WI\PIGGLY WIGGLY - SUSSEX WI.cdr



JOINS PANEL 0088

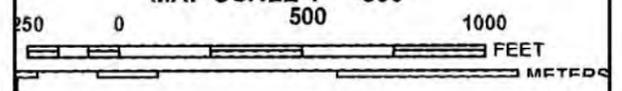
40000mE

88° 13' 07.5"

43° 07' 30"
415000 FT



MAP SCALE 1" = 500'



NFP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0201G

FIRM
FLOOD INSURANCE RATE MAP
WAUKESHA COUNTY,
WISCONSIN
AND INCORPORATED AREAS

PANEL 201 OF 500
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
PEWAUKEE, CITY OF	550152	0201	G
PEWAUKEE, VILLAGE OF	550489	0201	G
SUSSEX VILLAGE OF	550490	0201	G
WAUKESHA COUNTY	550478	0201	G

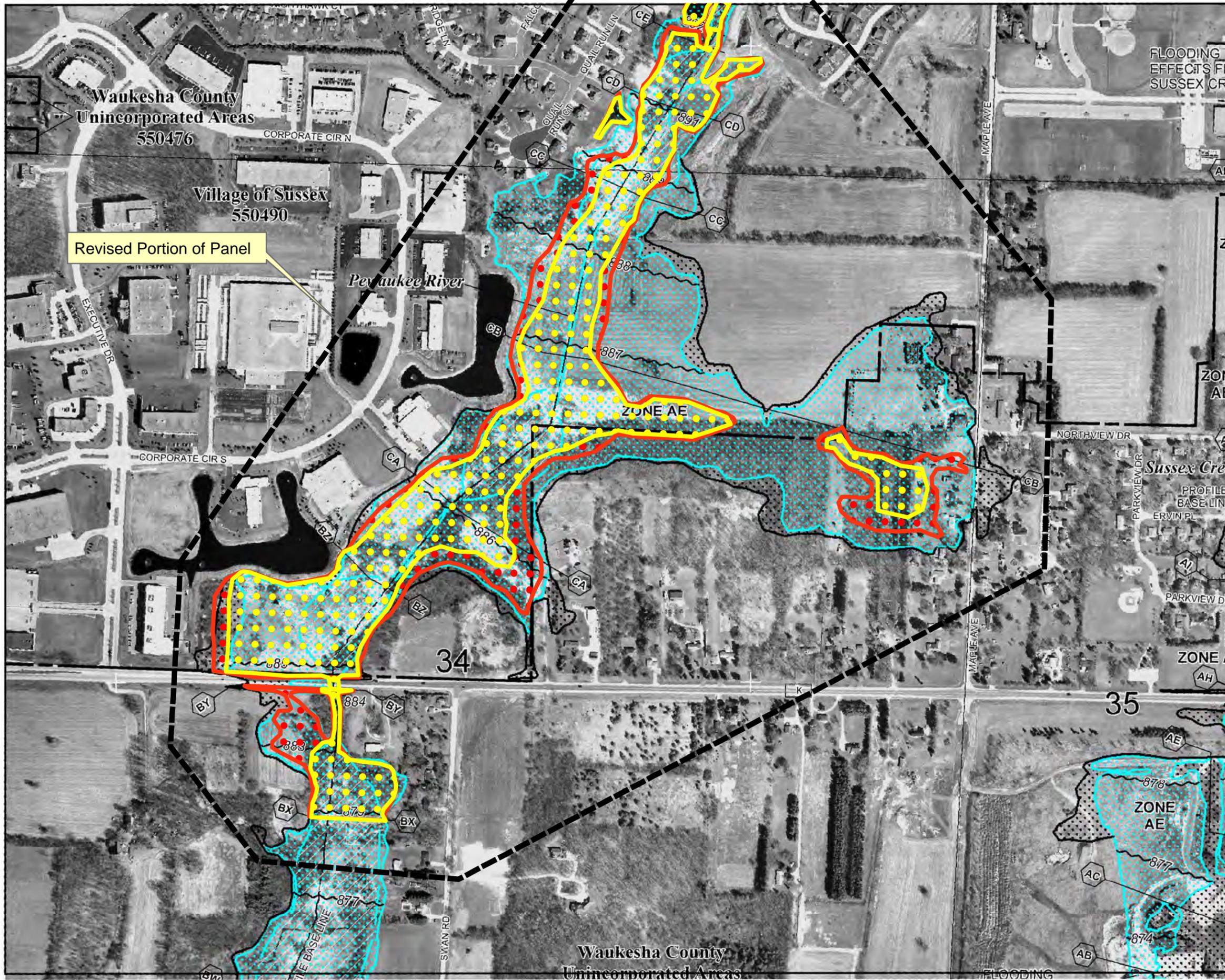
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
55133C0201G
MAP REVISED
NOVEMBER 5, 2014

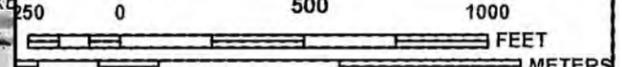
Federal Emergency Management Agency

- Prop 1% AC FHZ
- Prop 0.2% AC FHZ

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



MAP SCALE 1" = 500'



NFP

PANEL 0201G

FIRM

FLOOD INSURANCE RATE MAP
 WAUKESHA COUNTY,
 WISCONSIN
 AND INCORPORATED AREAS

PANEL 201 OF 500
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
PEWALUKE, CITY OF	550192	0201	G
PEWALUKE, VILLAGE OF	550489	0201	G
SUSSEX, VILLAGE OF	550490	0201	G
WAUKESHA COUNTY	550476	0201	G

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
 55133C0201G
 MAP REVISED
 NOVEMBER 5, 2014

Federal Emergency Management Agency



Prop 1% AC FHZ



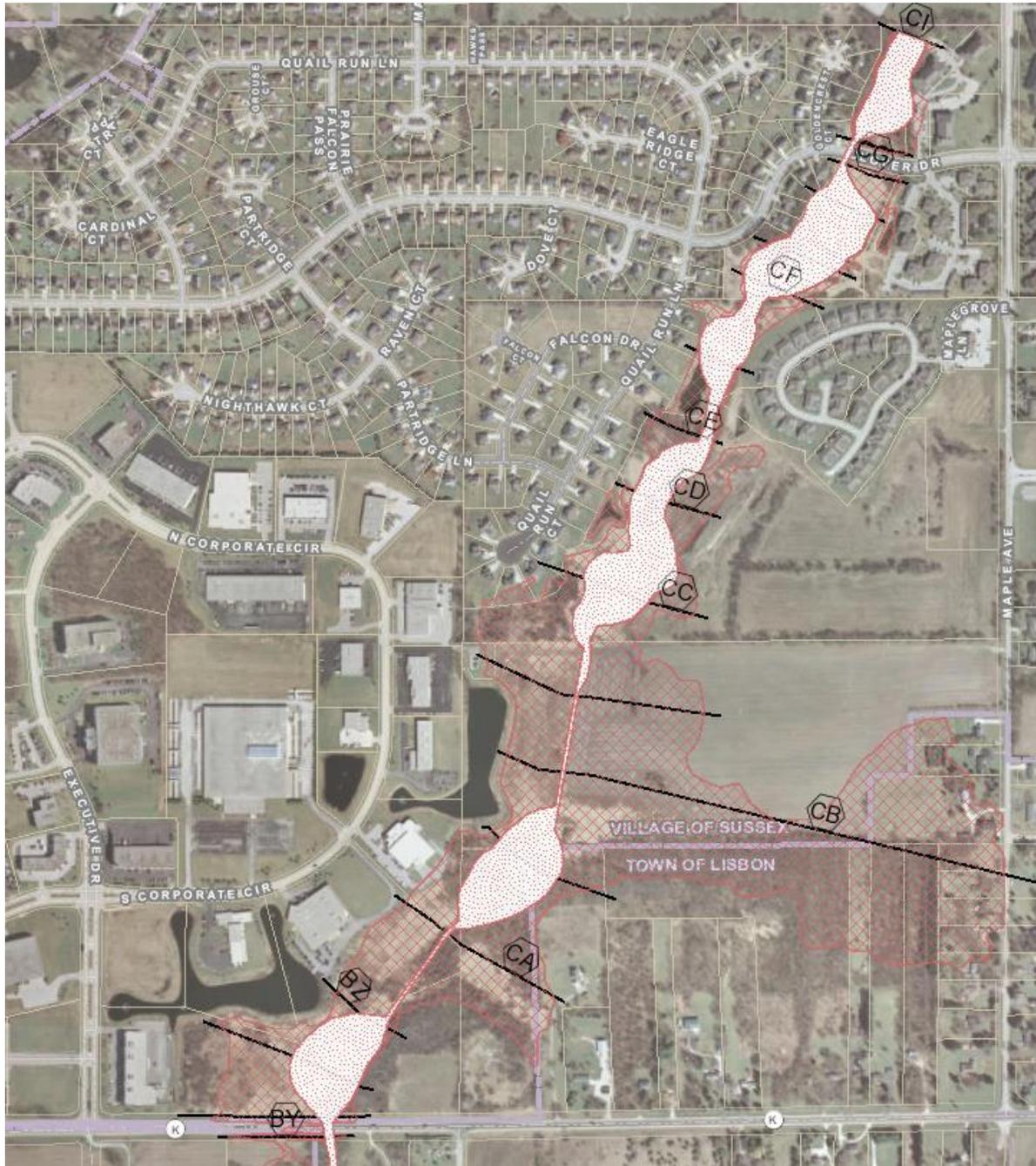
Prop 0.2% AC FHZ

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Flood Analysis Report

Pewaukee River

Village of Sussex, Wisconsin



Flood Analysis Report

Pewaukee River

Village of Sussex
Waukesha County, Wisconsin

Prepared for:

Federal Emergency Management Agency

November 18, 2015

Prepared by:

Stormwater Solutions Engineering, LLC.

247 W. Freshwater Way, Suite 410

Milwaukee, WI 53204

Office: (414)810-1245

www.stormwater-solutions-engineering.com

1. EXECUTIVE SUMMARY

The Village of Sussex contracted with Stormwater Solutions Engineering, LLC (SSE), to evaluate the Pewaukee River within the Village limits because they believe that the current floodplain maps do not accurately depict the extent of flooding. The Village states that the effective 100-year floodplain extents were not approached during storms that were far greater than the 100-year (1% chance) storm, namely the July 22, 2010, storm during which almost seven inches of rain fell in about six hours. The effective hydrologic model, completed by the Wisconsin Department of Natural Resources (WDNR) in 2005, uses the SEWRPC 48-hour, 100-year storm with a depth of 6.13 inches.

SSE reviewed many different components that could have impacted the resulting flows, water surface elevations, and floodplain limits. Updated stream survey data yielded the largest impact on the flood map. By updating the effective model to match the new stream data, more realistic stream conditions were modeled for large storm events.

The Village of Sussex would like FEMA to incorporate the findings of this modeling study into the flood map for the Pewaukee River via a Letter of Map Revision.

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3. BACKGROUND

According to the Flood Insurance Study (FIS) for Waukesha County, the hydrologic and hydraulic analyses for the Pewaukee River were studied by detailed methods by the Wisconsin Department of Natural Resources (WDNR) and Gannett Fleming, Inc., for FEMA in a study completed in June 2006 (referenced as the 2005 model). A summary of the hydrologic (HEC-HMS) modeling done in 2005 as well as the HEC-HMS model that is currently being created by WDNR (UpperFox15, UpperFox.hms) were obtained and used for comparison only, as described in Section 4. The current effective hydraulic HEC-RAS model (analysis_10536_input_file, Pewaukee_W_GF_01.prj) was obtained from WDNR and used for the basis of the hydraulic modeling for this project.

According to the effective FEMA Flood Insurance Rate Map (FIRM), the Pewaukee River in the Village of Sussex is mapped as a Zone AE floodplain, as shown below in the map showing part of the effective floodplain in the Village. This type of floodplain is modeled using a detailed hydraulic study (e.g. HEC-RAS modeling), which results in water surface elevations at each cross section.

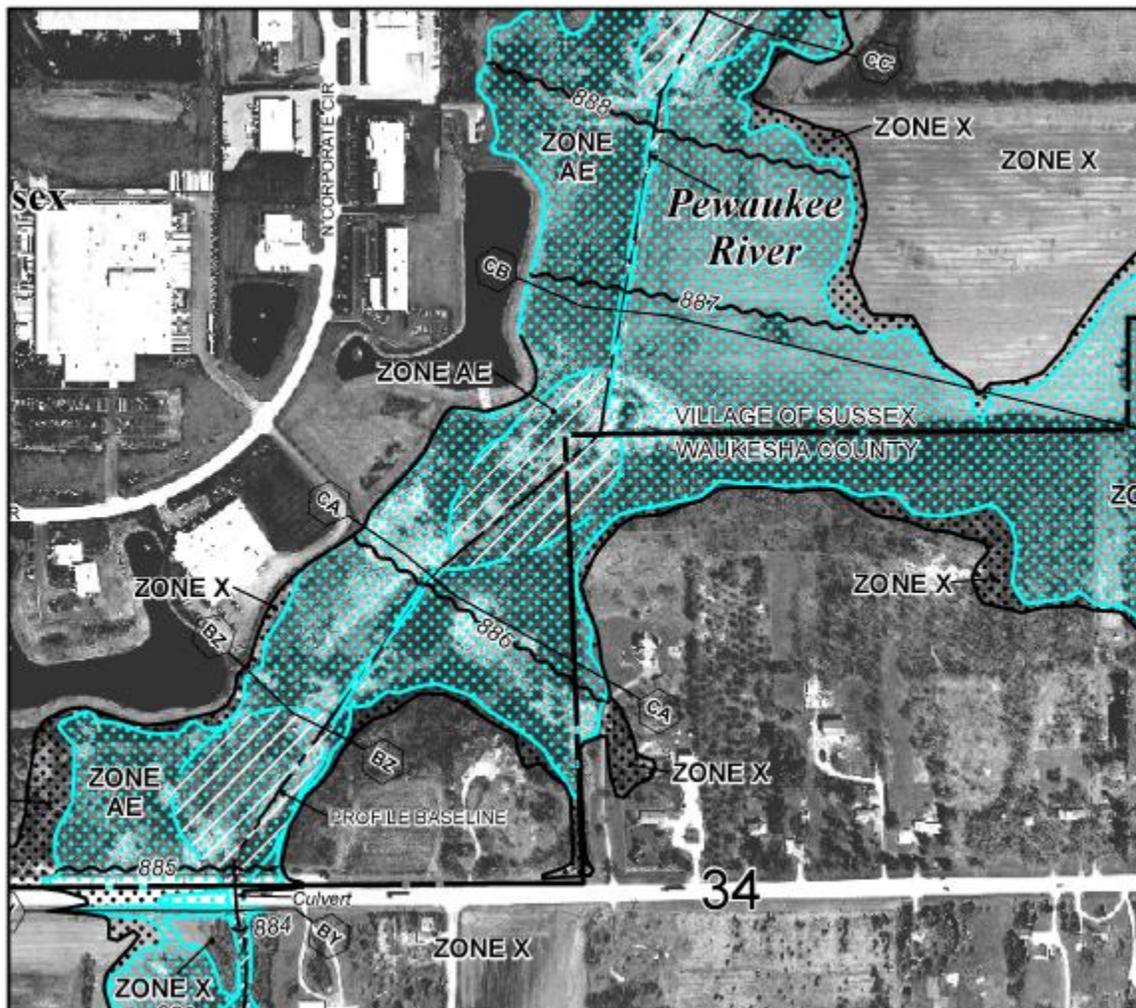


Figure 2: FEMA FIRMette

A review of the previous hydrologic and hydraulic modeling resulted in concern about the accuracy of the modeling. The main concern was the the majority of the cross sections were extracted from a triangulated irregular network (TIN) supplied by WDNR with no channel modifications. This is discussed further in Section 5 (Hydraulic Analysis).

4. HYDROLOGIC ANALYSIS

The hydrologic analysis delineates watersheds and assigns values to them based on their characteristics. Applying the 1%-annual-chance storm (also known as the 100-year storm) to the watershed results in a flow/discharge in the stream.

4.1. Flows from Previous Hydrologic Modeling

As discussed in the Background section, the hydrologic analysis of the current effective model was done in 2005 using HEC-HMS. An analysis of possible storm durations was done and a 48-hour storm was chosen because it resulted in the highest flows on the downstream end of the Pewaukee River. Generally for floodplain analysis a 24-hour, 100-year storm is used. A longer duration has a greater rainfall depth but a more gradual distribution. For the Pewaukee River, this results in a higher flow downstream but lower flows upstream where the drainage areas are smaller. This can be seen in Table 1 below, taken from the hydrologic report for the 2005 study. It should be noted that they chose to use the flows that included wetland storage in the watershed. These storage areas were derived from the WDNR Wisconsin Wetland Inventory. According to the 2005 report, “The storage-discharge curves were developed by extracting cross sections from the TIN using HEC-GeoRAS, and running a series of discharges through the HEC-RAS models.”

Table 1: Comparison of Discharges for Different Rainfall Durations – Wetland Storage Basin Model (cfs) (Table 2 from Pewaukee River Hydrologic Model 2005 Report)

HEC-HMS Model Component	DA (sq mi)	SCS Type II	SEWRPC Distribution			
			48-Hr	24-Hr	12-Hr	6-Hr
Clover Drive	0.549	416	94	171	262	347
CTH K	1.816	765	290	497	661	704
JR140	3.988	585	417	558	574	549
Capitol Drive	5.535	409	401	418	403	298
Pewaukee Lake	25.235	342	488	441	253	89
JR420	30.77	625	726	795	490	376
E Wisconsin Ave	32.065	971	739	748	655	851
JR570	36.211	414	554	510	341	212
I-94 / CTH J	37.089	384	534	485	306	175
Outlet	37.999	381	532	483	302	173

Red values indicate greatest discharge of the SEWRPC distribution runs.

The flows highlighted in yellow were the ones used in the 2005 HEC-RAS modeling. It is thought that there was a mistake made when entering the flow for “JR140” because the flow for SCS Type II storm (585 cfs) was used instead of the 48-hour SEWRPC number (417 cfs). Revising this number in HEC-RAS will impact water surface elevations only within the Village of Pewaukee, which is outside the boundary of this project. Therefore, the numbers were not adjusted in the updated model provided.

4.2. Previous Watershed Delineations

The WDNR HEC-HMS model only uses two basins for the Pewaukee River in the Village of Sussex, draining to Clover Drive and Lisbon Road as shown in Figure 3.

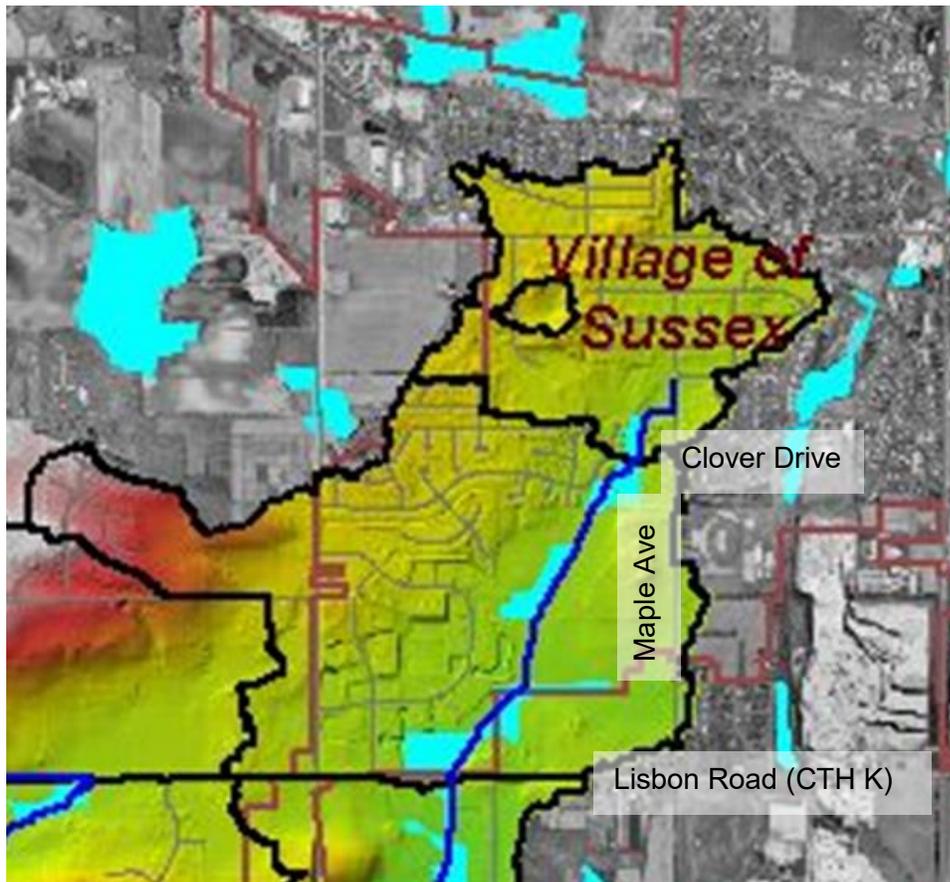


Figure 3: WDNR Delineations for HEC-HMS Model (Two Watersheds)

According to the written documentation about the effective HEC-HMS created by WDNR, “The project area contained a few small sinks [drainage areas not contributing flows to the waterway] in the landscape that were determined to be non-contributing. For each sink, the available volume of storage was computed and compared to the volume of direct runoff during a 500-year event for the area draining to the sink. Where the sink contained ample storage to contain the runoff, the area was removed from the model.” This occurred at four locations within the entire Upper Fox River Watershed, which includes the Pewaukee River, including R410W410 and R400W400, the basins draining to Clover Drive and Lisbon Road (CTH K), respectively.

5. HYDRAULIC ANALYSIS

The hydraulic analysis establishes water surface elevations by applying the calculated discharge (described in the Hydrologic Analysis in Section 4) to individual stream cross sections.

5.1. Cross Section Lettering in the Effective (Previous) Modeling

The current effective hydraulic (HEC-RAS) model obtained from WDNR was examined. Although the stationing used in the model lined up with those shown in the Flood Insurance Study (FIS), the cross section lettering did not. For example, the most upstream cross section in the model, located at River Station 57926 (about 670 feet upstream of Clover Drive) should be Cross Section CI, but in the model it is labeled “CM.” This has led to some confusion when comparing elevations from the model to those shown on the flood maps on the Waukesha County GIS and WDNR Surface Water Data Viewer websites and in the FIS. The cross section lettering has been corrected in the SSE version of the HEC-RAS model.

5.2. Previous Modeling Cross Section Geometry

Many of the cross sections collected for the 2005/2006 WDNR HEC-RAS model were generated from a triangulated irregular network (TIN) supplied by WDNR; however, no channel modifications were considered. A TIN is a digital representation of the land surface that often does not contain accurate thalweg (channel low point) data because the water surface obscures the bottom of the channel. While using the cross sections derived from the TIN is a conservative approach, the channel has more capacity if the bottom of the channel is lower than the model is showing. This is especially true in headwater areas such as the Village of Sussex. To assess the situation, “spot check” survey points were taken at three model cross section locations: upstream and downstream of CTH K and downstream of Clover Drive. Elevations were shot on one bank into the channel including the thalweg. These points of data were inserted into the model cross sections and compared to upstream and downstream cross sections. While the elevation in the channel closely matched the cross section near Clover Drive (River Station 56528, XS CF), the thalweg elevations at the other two cross sections (River Stations 52931 (CA) and 51505) were about two feet lower. The channel near Clover Drive runs dry much of the year, so this makes sense. Channel and structural element elevations were also obtained at structures such as the culverts at Clover Drive, Lisbon Road (CTH K), and STH 164, and this information was also added to the model. The model channel bottom was “smoothed out” between cross sections with surveyed thalweg data.

5.3. SSE HEC-RAS Modeling of the Pewaukee River

The HEC-RAS model described above was used to perform the new hydraulic analysis. A “corrected effective” model was created using survey data. An initial survey was done of the structures from STH 164 upstream to Clover Drive. Then, a spot check of some overbank areas was performed, and it was found that the elevations were different enough to warrant more survey. Cross sections at the locations of the current FEMA cross sections, such as those in Figure 4, were surveyed from upstream of CTH K (Lisbon Road) to downstream of Clover Drive. The most notable finding of this complete survey was that the shape of the channel is different than the one shown in the effective HEC-RAS model. Overall, the floodplain area is lower and has more capacity for flow than the current modeled cross section, as can be seen from the example cross section in Figure 5 below.

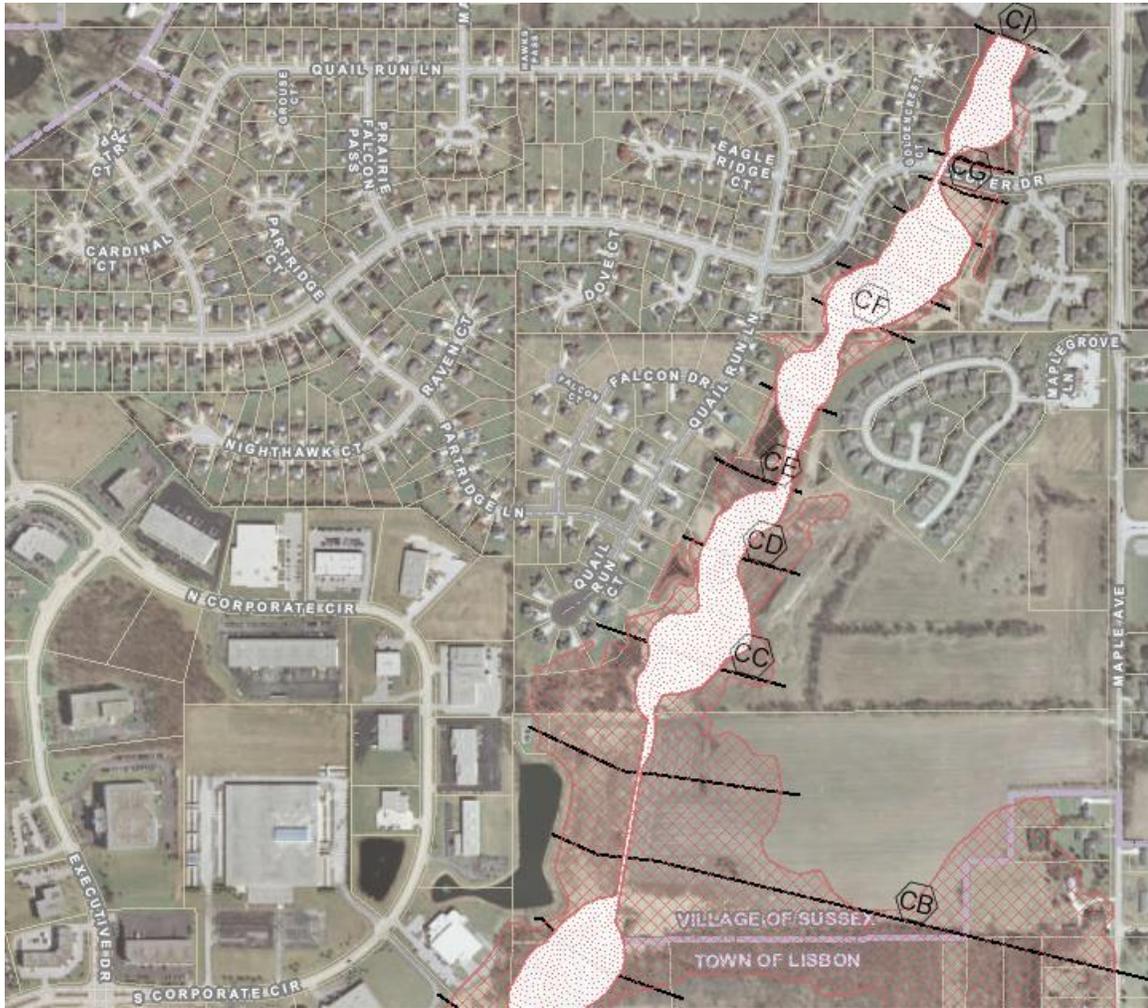


Figure 4: Cross Section Locations

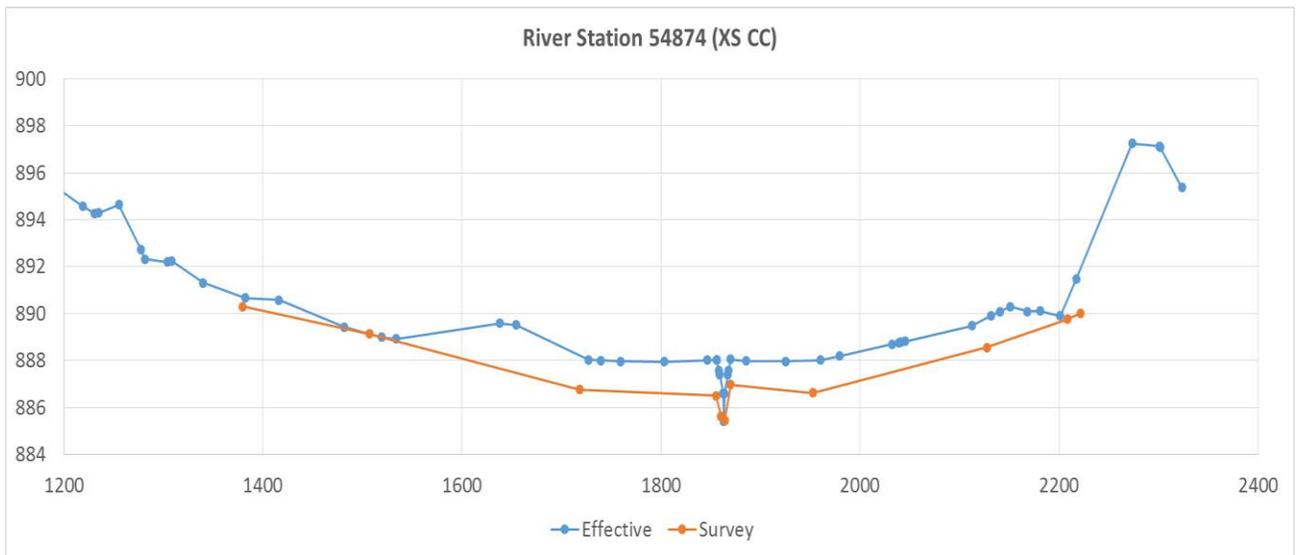


Figure 5: Example Cross Section Comparison

Using topographic data from a separate site survey, an additional cross section was inserted at River Station 53574 between cross section CB (River Station 53946) and the unlettered cross section at River Station 53452 to accurately depict the widening of the channel at the Village of Sussex border (Figure 6). The model was adjusted to NAVD88, matching the survey datum. After all new cross section information was entered, the interpolated cross sections were reinterpolated. Existing HEC-HMS flows (described in Section 3) were modeled and water surface elevations were calculated.

6. FINAL RESULTS

The revised model was used to determine the 100-year flows and water surface elevations. Table 2 compares the water surface elevations in the corrected effective model to those in the effective model.

Table 2: Results from Effective and Corrected Effective Models

River Station	FEMA Letter	Duplicate Effective			SSE Survey			Change in Ch Elev	Change in W.S. Elev
		Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)		
57926	CI	94	893.51	896.25	94	893.51	895.84	0.00	-0.41
57350	CH	94	891.19	895.40	94	890.75	894.67	-0.44	-0.73
57278	CLOVER DR								
57222	CG	94	890.18	894.30	94	889.51	893.19	-0.67	-1.11
56528	CF	94	891.33	893.43	94	891.05	892	-0.28	-1.43
55726	CE	94	887.40	891.68	94	889.14	890.45	1.74	-1.23
55365	CD	94	888.21	890.78	94	886.33	888.93	-1.88	-1.85
54874	CC	94	886.22	888.45	94	885.22	887.1	-1.00	-1.35
53946	CB	94	883.67	886.65	94	883	884.87	-0.67	-1.78
SUSSEX BORDER									
52931	CA	94	883.36	885.88	94	881.22	884.32	-2.14	-1.56
52382	BZ	94	882.08	884.96	94	879.67	884.25	-2.41	-0.71
51804	CTH K (LISBON ROAD)								
51759	BY	290	877.27	883.78	290	877.54	882.64	0.27	-1.14
51090	BX	290	877.11	878.74	290	874.57	878.71	-2.54	-0.03
50062	BW	290	873.15	875.02	290	870.67	875.02	-2.48	0.00
48986	BV	290	868.10	869.60	290	866.57	869.59	-1.53	-0.01
48054	BU	290	863.96	866.01	290	862.87	865.96	-1.09	-0.05
47119	BT	290	859.37	863.14	290	858.94	862.89	-0.43	-0.25
47054	STH 164								

Note: The SSE HEC-RAS model was used to determine these water surface elevations

Blue highlighted stations indicate upstream and downstream "Tie-in" cross sections for the flood map revision

7. CONCLUSION

This report shows that the detailed Village of Sussex modeling described in this document is more refined than the 2005/2006 WDNR effective model. This improved model is preferable because it includes actual survey data in the hydraulic model. This model should serve as the basis for a letter of map revision for the Pewaukee River between FIRM cross sections BX and CI.

8. ATTACHMENTS

Attachment 1: Riverine Hydrology & Hydraulics Form 2

Attachment 2: Survey Notes and Data (electronic files)

Attachment 3: HEC-RAS Hydraulic Models (Effective and Corrected Effective) (electronic files)

Attachment 4: ESA Compliance Documentation

Attachment 5: Annotated FIRM

Attachment 6: Certified Topographic Workmap

Attachment 7: Community Official Signature Page

Attachment 8: Certification by Registered Professional Engineer

U.S. DEPARTMENT OF HOMELAND SECURITY
 FEDERAL EMERGENCY MANAGEMENT AGENCY
RIVERINE HYDROLOGY & HYDRAULICS FORM

*O.M.B No. 1660-0016
 Expires February 28, 2014*

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 3.5 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing, reviewing, and submitting the form. You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington VA 20958-3005, Paperwork Reduction Project (1660-0016). Submission of the form is required to obtain or retain benefits under the National Flood Insurance Program. **Please do not send your completed survey to the above address.**

PRIVACY ACT STATEMENT

AUTHORITY: The National Flood Insurance Act of 1968, Public Law 90-448, as amended by the Flood Disaster Protection Act of 1973, Public Law 93-234.

PRINCIPAL PURPOSE(S): This information is being collected for the purpose of determining an applicant's eligibility to request changes to National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM).

ROUTINE USE(S): The information on this form may be disclosed as generally permitted under 5 U.S.C § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/FEMA/NFIP/LOMA-1 National Flood Insurance Program (NFIP); Letter of Map Amendment (LOMA) February 15, 2006, 71 FR 7990.

DISCLOSURE: The disclosure of information on this form is voluntary; however, failure to provide the information requested may delay or prevent FEMA from processing a determination regarding a requested change to a NFIP Flood Insurance Rate Maps (FIRM).

Flooding Source: Pewaukee River

Note: Fill out one form for each flooding source studied

A. HYDROLOGY

1. Reason for New Hydrologic Analysis (check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Not revised (skip to section B) | <input type="checkbox"/> No existing analysis | <input type="checkbox"/> Improved data |
| <input type="checkbox"/> Alternative methodology | <input type="checkbox"/> Proposed Conditions (CLOMR) | <input type="checkbox"/> Changed physical condition of watershed |

2. Comparison of Representative 1%-Annual-Chance Discharges

Location	Drainage Area (Sq. Mi.)	Effective/FIS (cfs)	Revised (cfs)
----------	-------------------------	---------------------	---------------

3. Methodology for New Hydrologic Analysis (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Statistical Analysis of Gage Records | <input type="checkbox"/> Precipitation/Runoff Model → Specify Model: _____ |
| <input type="checkbox"/> Regional Regression Equations | <input type="checkbox"/> Other (please attach description) |

Please enclose all relevant models in digital format, maps, computations (including computation of parameters), and documentation to support the new analysis.

4. Review/Approval of Analysis

If your community requires a regional, state, or federal agency to review the hydrologic analysis, please attach evidence of approval/review.

5. Impacts of Sediment Transport on Hydrology

Is the hydrology for the revised flooding source(s) affected by sediment transport? Yes No

If yes, then fill out Section F (Sediment Transport) of Form 3. If No, then attach your explanation..

D. COMMON REGULATORY REQUIREMENTS*

1. For LOMR/CLOMR requests, do Base Flood Elevations (BFEs) increase? Yes No
- a. For CLOMR requests, if either of the following is true, please submit **evidence of compliance with Section 65.12 of the NFIP regulations**:
- The proposed project encroaches upon a regulatory floodway and would result in increases above 0.00 foot compared to pre-project conditions.
 - The proposed project encroaches upon a SFHA with or without BFEs established and would result in increases above 1.00 foot compared to pre-project conditions.
- b. Does this LOMR request cause increase in the BFE and/or SFHA compared with the effective BFEs and/or SFHA? Yes No
If Yes, please attach **proof of property owner notification and acceptance (if available)**. Elements of and examples of property owner notifications can be found in the MT-2 Form 2 Instructions.
2. Does the request involve the placement or proposed placement of fill? Yes No
- If Yes, the community must be able to certify that the area to be removed from the special flood hazard area, to include any structures or proposed structures, meets all of the standards of the local floodplain ordinances, and is reasonably safe from flooding in accordance with the NFIP regulations set forth at 44 CFR 60.3(A)(3), 65.5(a)(4), and 65.6(a)(14). Please see the MT-2 instructions for more information.
3. For LOMR requests, is the regulatory floodway being revised? Yes No
- If Yes, attach **evidence of regulatory floodway revision notification**. As per Paragraph 65.7(b)(1) of the NFIP Regulations, notification is required for requests involving revisions to the regulatory floodway. (Not required for revisions to approximate 1%-annual-chance floodplains [studied Zone A designation] unless a regulatory floodway is being established. Elements and examples of regulatory floodway revision notification can be found in the MT-2 Form 2 Instructions.)
4. For CLOMR requests, please submit documentation to FEMA and the community to show that you have complied with Sections 9 and 10 of the Endangered Species Act (ESA).

For actions authorized, funded, or being carried out by Federal or State agencies, please submit documentation from the agency showing its compliance with Section 7(a)(2) of the ESA. Please see the MT-2 instructions for more detail.

* Not inclusive of all applicable regulatory requirements. For details, see 44 CFR parts 60 and 65.



Attachment 4

Endangered Species

Midwest Re

S7 Consultation Technical Assistance

Decision Process for "No Effect" Determinations

FEMA: Conditional Letter of Map Revision (CLOMR) Projects - Step 5

Step 5. "No Effect" Determination and Documentation

Date: 9-30-15Title of Project: Trio Sawall CLOMR Pewaukee River, Sussex

Brief Description of Project: New cross-section data was taken between CTH K and Clover Dr along the Pewaukee River in Waukesha County, WI, resulting in lower modeled base flood elevation by 1.5 feet in some places. This CLOMR application is to revise FEMA flood map to reflect the new hydraulics.

In conclusion of the Region 3 Section 7 Step-by-Step guidance, you have determined that the action for which you are seeking a Conditional Letter of Map Revision (or CLOMR-F) will have no effect on listed species because it meets one of the following criteria.

- Is located entirely within a "developed area" (an area that is paved or supports structures and vegetation limited to grass or conventional landscaping),
- Suitable habitat is not present in the action area of your project, or
- Suitable habitat is present, but current data (e.g., surveys) indicate species and critical habitat are absent from the action area. (Documentation of survey or other evidence is attached to this form).

Based on these characteristics, a "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species, no habitat disturbance is anticipated, or listed species are **known** to not occur within the action area. Hence, no listed species or designated critical habitat is anticipated to be directly or indirectly affected by this action.

To document your section 7 review and "no effect" determination print this page (go to File<Print Preview), fill-in the project name and date, attach your species list, and include this form with your CLOMR/CLOMR-F application to FEMA.

[Step 3 of CLOMR "No Effect" Determination Process](#)

[Step 4 of CLOMR "No Effect" Determination Process](#)

[Home - "No Effect" Determination Process](#)



Endangered Species

Midwest

Wisconsin

County Distribution of Federally-listed Endangered, Threatened, Proposed and Candidate Species

[Download PDF](#)

For more information about threatened and endangered species in Wisconsin, please contact:
[U.S. Fish and Wildlife Service, 2661 Scott Tower Drive, New Franken, WI 54229, Phone: \(920\) 866-1717](#)

Bald Eagle

Bald eagles are no longer protected under the federal Endangered Species Act and Section 7 consultation with the U.S. Fish and Wildlife Service is no longer necessary. However, the bald eagle remains protected under the Bald and Golden Eagle Protection Act.

[Information about Bald Eagles](#)

[Information about Eagle Permits and the Bald and Golden Eagle Protection Act](#)

Gray Wolf

Due to a Federal court decision, wolves in the western Great Lakes area (including Michigan, Minnesota, and Wisconsin) were relisted under the Endangered Species Act, effective December 19, 2014.

List Revised April 2015

County	Species	Status	Habitat
Adams	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests and woods.
	Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Young jack pine stands (5 to 25 years old)
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores Whooping cranes have nested in this county
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Ashland	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Piping plover <i>Charadrius melodus</i>	Endangered	Sandy beaches; bare alluvial and dredge spoil islands
	Piping plover <i>Charadrius melodus</i>	Critical Habitat Designated	
	Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Lake Superior
Barron	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Bayfield	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Young jack pine stands (5 to 25 years old)
	Fassett's locoweed <i>Oxytropis campestris var. chartacea</i>	Threatened	Open sandy lakeshores

Brown	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Green Bay
	Dwarf lake iris <i>Iris lacustris</i>	Threatened	Partially shaded sandy-gravelly soils on lakeshores
Buffalo	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Higgins eye pearly mussel <i>(Lampsilis higginsii)</i>	Endangered	Mississippi River
	Sheepnose <i>(Plethobasus cyphus)</i>	Endangered	Mississippi River
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	Mississippi River
Burnett	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	St. Croix River
Calumet	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
Chippewa	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	St. Croix River
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Clark	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>(Grus americanus)</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Columbia	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>(Grus americanus)</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Higgins eye pearly mussel <i>(Lampsilis higginsii)</i>	Endangered	Wisconsin River
	Sheepnose <i>(Plethobasus cyphus)</i>	Endangered	Wisconsin River

	Mead's milkweed (<i>Asclepias meadii</i>)	Threatened	Upland tallgrass prairie or glade/barren habitat Note: all the Mead's milkweed sites in Wisconsin are reintroduction attempts and occur on protected conservation lands.
	Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened	Dry to mesic prairies with gravelly soil
Crawford	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane (<i>Grus americanus</i>)	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Higgins eye pearly mussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
	Sheepnose (<i>Plethobasus cyphus</i>)	Endangered	Shallow areas in larger rivers and streams
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	Mississippi River Note: EO for Crawford county is historic-last observation 1982
Dane	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane (<i>Grus americanus</i>)	**Non-essential experimental population	Open wetlands and lakeshores
	Higgins eye pearly mussel (<i>Lampsilis higginsii</i>)	Endangered	Lower Wisconsin River
	Sheepnose (<i>Plethobasus cyphus</i>)	Endangered	Shallow areas in larger rivers and streams
	Eastern prairie fringed orchid (<i>Platanthera leucophaea</i>)	Threatened	Wet grasslands
	Mead's milkweed (<i>Asclepias meadii</i>)	Threatened	Upland tallgrass prairie or glade/barren habitat Note: all the Mead's milkweed sites in Wisconsin are reintroduction attempts and occur on protected conservation lands.
	Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened	Dry to mesic prairies with gravelly soil
Dodge	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane (<i>Grus americanus</i>)	**Non-essential experimental population	Open wetlands and lakeshores
Door	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Hine's emerald dragonfly (<i>Somatochlora hineana</i>)	Endangered	Calcareous streams & associated wetlands overlying dolomite bedrock
	Hine's emerald dragonfly (<i>Somatochlora hineana</i>)	Critical Habitat	Critical Habitat Maps
	Pitcher's thistle <i>Cirsium pitcheri</i>	Threatened	Stabilized dunes, and blowout areas
	Dwarf lake iris <i>Iris lacustris</i>	Threatened	Partially shaded sandy-gravelly soils on lakeshores
Douglas	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Potential breeding in young jack pine stands (5 to 25 years old)
	Piping plover <i>Charadrius melodus</i>	Endangered	Sandy beaches; bare alluvial and dredge spoil islands

	Piping plover <i>Charadrius melodus</i>	Critical Habitat Designated	
	Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Lake Superior
	Fassett's locoweed <i>Oxytropis campestris var. chartacea</i>	Threatened	Open sandy lakeshores
Dunn	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Sheepnose <i>(Plethobasus cyphus)</i>	Endangered	Chippewa River
Eau Claire	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Sheepnose <i>(Plethobasus cyphus)</i>	Endangered	Chippewa River
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Florence	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Fond du Lac	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>(Grus americanus)</i>	**Non-essential experimental population	Open wetlands and lakeshores
Forest	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Grant	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Higgins eye pearly mussel <i>(Lampsilis higginsii)</i>	Endangered	Lower Wisconsin and Mississippi Rivers
	Sheepnose <i>(Plethobasus cyphus)</i>	Endangered	Shallow areas in larger rivers and streams
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	Mississippi River Note: EO for Grant county is historic-last observation 1982
	Hine's emerald dragonfly <i>(Somatochlora hineana)</i>	Endangered	Calcareous streams & associated wetlands overlying dolomite bedrock
	Mead's milkweed <i>(Asclepias meadii)</i>	Threatened	Upland tallgrass prairie or glade/barren habitat Note: all the Mead's milkweed sites in Wisconsin are reintroduction attempts and occur on protected conservation lands.
	Northern monkshood <i>(Aconitum noveboracense)</i>	Threatened	North facing slopes
	Prairie bush-clover <i>(Lespedeza leptostachya)</i>	Threatened	Dry to mesic prairies, with gravelly soil

Green	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane (<i>Grus americanus</i>)	**Non-essential experimental population	Open wetlands and lakeshores
	Mead's milkweed (<i>Asclepias meadii</i>)	Threatened	Upland tallgrass prairie or glade/barren habitat Note: all the Mead's milkweed sites in Wisconsin are reintroduction attempts and occur on protected conservation lands.
	Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened	Dry to mesic prairies, with gravelly soil
Green Lake	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
	Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Endangered and Proposed Critical Habitat Maps of Proposed Critical Habitat	Native prairie
	Eastern prairie fringed orchid (<i>Platanthera leucophaea</i>)	Threatened	Wet grasslands
Iowa	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane (<i>Grus americanus</i>)	**Non-essential experimental population	Open wetlands and lakeshores
	Higgins eye pearly mussel (<i>Lampsilis higginsii</i>)	Endangered	Lower Wisconsin Rivers
	Sheepnose Mussel (<i>Plethobasus cyphus</i>)	Endangered	Wisconsin River
	Hine's emerald dragonfly (<i>Somatochlora hineana</i>)	Endangered	Calcareous streams & associated wetlands overlying dolomite bedrock
	Mead's milkweed (<i>Asclepias meadii</i>)	Threatened	Upland tallgrass prairie or glade/barren habitat Note: all the Mead's milkweed sites in Wisconsin are reintroduction attempts and occur on protected conservation lands.
	Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened	Dry to mesic prairies with gravelly soil
Iron	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Jackson	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Potential breeding in young jack pine stands (5 to 25 years old)
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Jefferson	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.

	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern prairie fringed orchid <i>(Platanthera leucophaea)</i>	Threatened	Wet grasslands
Juneau	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores Whooping cranes have nested in this county
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Kenosha	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern prairie fringed orchid <i>(Platanthera leucophaea)</i>	Threatened	Wet grasslands
Kewaunee	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Hine's emerald dragonfly <i>(Somatochlora hineana)</i>	Endangered	Calcareous streams & associated wetlands overlying dolomite bedrock
LaCrosse	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Higgins eye pearly mussel <i>(Lampsilis higginsii)</i>	Endangered	Mississippi River
	Sheepnose <i>(Plethobasus cyphus)</i>	Endangered	Mississippi River
Lafayette	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Prairie bush-clover <i>(Lespedeza leptostachya)</i>	Threatened	Dry to mesic prairies with gravelly soil
Langlade	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Lincoln	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Manitowoc	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Lake Michigan
	Pitcher's <i>Cirsium pitcheri</i>	Threatened	Stabilized dunes, and blowout areas
	Piping plover <i>Charadrius melodus</i>	Endangered	Sandy beaches; bare alluvial and dredge spoil islands

	Piping plover <i>Charadrius melodus</i>	Critical Habitat Designated	
Marathon	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
Marinette	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Potential breeding in young jack pine stands (5 to 25 years old)
	Piping plover <i>Charadrius melodus</i>	Endangered	Sandy beaches; bare alluvial and dredge spoil islands
	Piping plover <i>Charadrius melodus</i>	Critical Habitat Designated	
Marquette	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Menominee	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Milwaukee	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Lake Michigan
Monroe	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores Whooping cranes have nested in this county
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
	Northern monkshood <i>Aconitum noveboracense</i>	Threatened	North facing slopes
Oconto	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Green Bay
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores

	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Oneida	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Outagamie	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Snuffbox <i>Epioblasma triquetra</i>	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
Ozaukee	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Lake Michigan
	Hine's emerald dragonfly <i>Somatochlora hineana</i>	Endangered	Calcareous streams & associated wetlands overlying dolomite bedrock
	Hine's emerald dragonfly <i>Somatochlora hineana</i>	Critical Habitat	Critical Habitat Maps
	Eastern prairie fringed orchid <i>Platanthera leucophaea</i>	Threatened	Wet grasslands
Pepin	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Sheepnose <i>Plethobasus cyphus</i>	Endangered	Mississippi River
	Prairie bush-clover <i>Lespedeza leptostachya</i>	Threatened	Dry to mesic prairies with gravelly soil
Pierce	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Higgins eye pearly mussel <i>Lampsilis Higginsii</i>	Endangered	Mississippi and St. Croix Rivers
	Snuffbox <i>Epioblasma triquetra</i>	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Spectaclecase <i>Cumberlandia monodonta</i>	Endangered	Large rivers
	Prairie bush-clover <i>Lespedeza leptostachya</i>	Threatened	Dry to mesic prairies with gravelly soil
Polk	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Higgins eye pearly mussel <i>Lampsilis higginsii</i>	Endangered	St. Croix Rivers
	Snuffbox <i>Epioblasma triquetra</i>	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Spectaclecase <i>Cumberlandia monodonta</i>	Endangered	St. Croix River
	Winged mapleleaf <i>Quadrula fragosa</i>	Endangered	St. Croix River
Portage	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas

	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
	Fassett's locoweed <i>Oxytropis campestris</i> var. <i>chartacea</i>	Threatened	Open sandy lakeshores
Price	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Racine	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Rufa red knot (<i>Calidris canutus rufa</i>)	Threatened	Along Lake Michigan
Richland	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Higgins eye pearly mussel <i>Lampsilis higginsii</i>	Endangered	Lower Wisconsin River
	Sheepnose <i>Plethobasus cyphus</i>	Endangered	Wisconsin River
	Hine's emerald dragonfly <i>Somatochlora hineana</i>	Endangered	Calcareous streams & associated wetlands overlying dolomite bedrock
	Northern monkshood <i>Aconitum noveboracense</i>	Threatened	North facing slopes
Rock	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Eastern prairie fringed orchid <i>Platanthera leucophaea</i>	Threatened	Wet grasslands
	Prairie bush-clover <i>Lespedeza leptostachya</i>	Threatened	Dry to mesic prairies with gravelly soil
Rusk	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Sheepnose <i>Plethobasus cyphus</i>	Endangered	Chippewa River
St. Croix	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Higgins eye pearly mussel <i>Lampsilis higginsii</i>	Endangered	St. Croix River
	Snuffbox <i>Epioblasma triquetra</i>	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Spectaclecase <i>Cumberlandia monodonta</i>	Endangered	St. Croix River
	Winged mapleleaf <i>Quadrula fragosa</i>	Endangered	St. Croix River

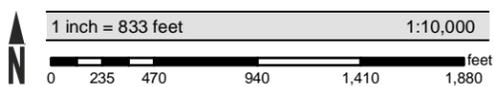
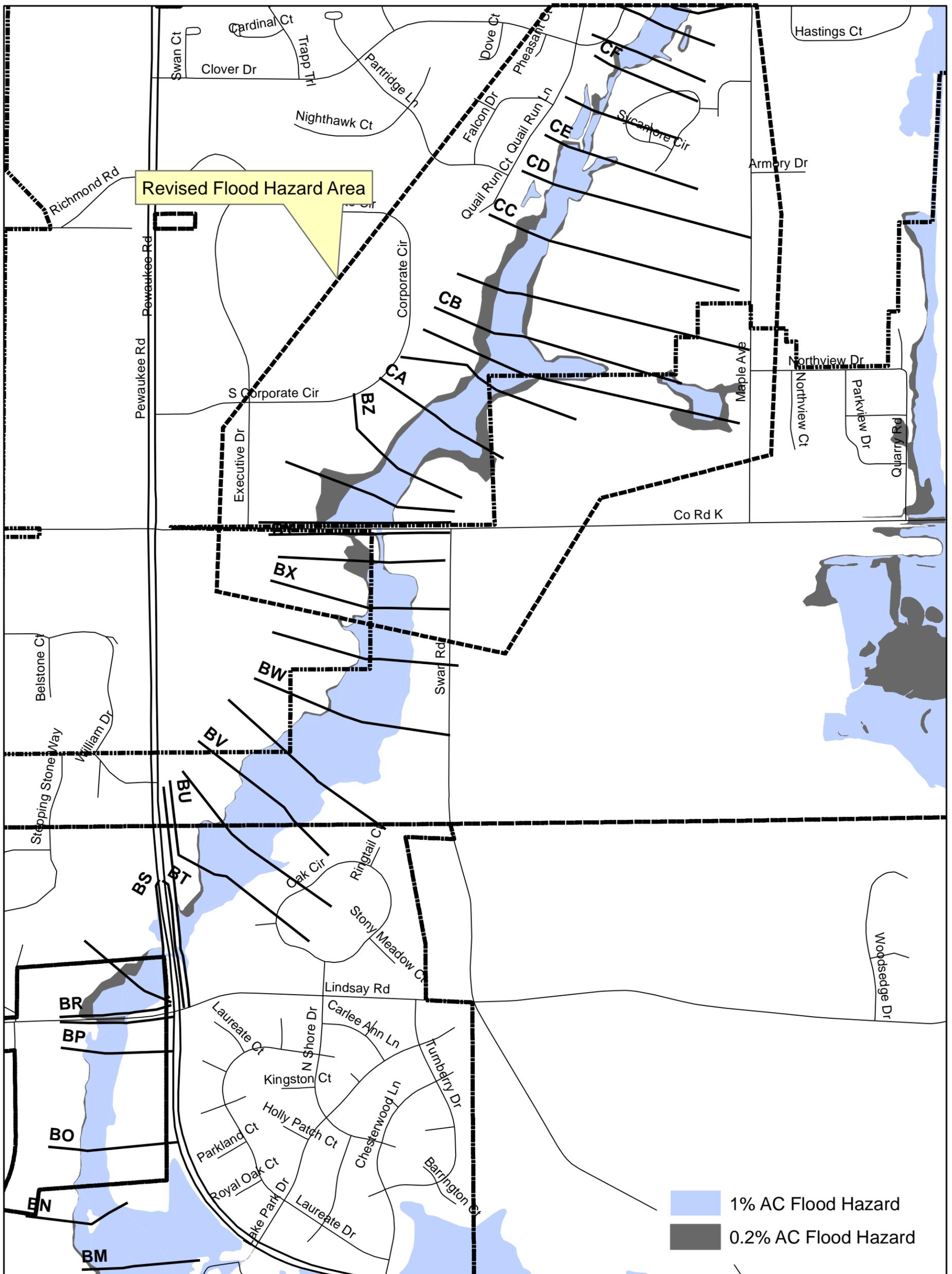
	Prairie bush-clover <i>Lespedeza leptostachya</i>	Threatened	Dry to mesic prairies with gravelly soil
Sauk	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Higgins eye pearly mussel <i>Lampsilis higginsii</i>	Endangered	Wisconsin River
	Sheepnose <i>Plethobasus cyphus</i>	Endangered	Wisconsin River
	Northern monkshood <i>Aconitum noveboracense</i>	Threatened	North facing slopes
	Prairie bush-clover <i>Lespedeza leptostachya</i>	Threatened	Dry to mesic prairies with gravelly soil
Sawyer	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Shawano	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Snuffbox <i>Epioblasma triquetra</i>	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Sheboygan	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Pitcher's <i>Cirsium pitcheri</i>	Threatened	Stabilized dunes, and blowout areas
Taylor	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
Trempealeau	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Higgins eye pearly mussel <i>Lampsilis higginsii</i>	Endangered	Mississippi River
Vernon	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Higgins eye pearly mussel <i>Lampsilis higginsii</i>	Endangered	Mississippi River
	Northern monkshood <i>Aconitum noveboracense</i>	Threatened	North facing slopes
Vilas	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas

	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Potential breeding in young jack pine stands (5 to 25 years old)
Walworth	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Eastern prairie fringed orchid <i>Platanthera leucophaea</i>	Threatened	Wet grasslands
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
Washburn	Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Potential breeding in young jack pine stands (5 to 25 years old)
Washington	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
Waukesha	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Poweshiek skipperling <i>Oarisma poweshiek</i>	Endangered and Proposed Critical Habitat Maps of Proposed Critical Habitat	Native prairie
	Eastern prairie fringed orchid <i>Platanthera leucophaea</i>	Threatened	Wet grasslands
Waupaca	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Snuffbox <i>Epioblasma triquetra</i>	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
Waushara	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores
	Snuffbox <i>Epioblasma triquetra</i>	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine
	Fassett's locoweed <i>Oxytropis campestris var. chartacea</i>	Threatened	Open sandy lakeshores
Winnebago	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	Open wetlands and lakeshores

	Eastern prairie fringed orchid <i>Platanthera leucophaea</i>	Threatened	Wet grasslands
Wood	Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
	Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.
	Whooping crane <i>Grus americanus</i>	**Non-essential experimental population	wetlands and lakeshores Whooping cranes have nested in this county
	Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	Open to forested wetlands and adjacent uplands
	Karner blue butterfly <i>Lycaeides melissa samuelis</i>	Endangered	Prairie, oak savanna, and jack pine areas with wild lupine

****Whooping Crane** - On June 26, 2001, a nonessential experimental population of the whooping crane was designated in a 20-state area of the eastern United States. The first release of birds occurred in Wisconsin in 2001, and the counties listed are those where the species has been observed to date. It is unknown at this time which counties the species will occupy in the future, as the birds mature and begin to exhibit territorial behavior. For purposes of section 7 consultation, this species is considered as a proposed species, except where it occurs within the National Wildlife Refuge System or the National Park System, where it is treated as a threatened species.

[Back to State and County Distributions](#)
[Midwest Endangered Species Home](#)



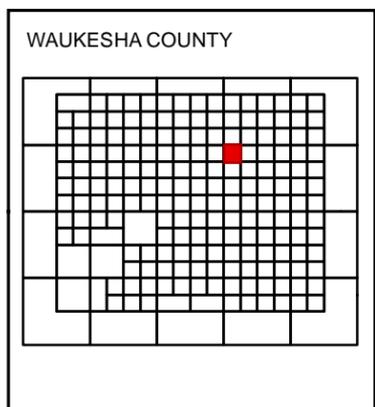
Map Projection:
 NAD1927_StatePlane Wisconsin South (FIPS 4803)
 WKID: 32054 Authority: EPSG

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT

[HTTP://MSC.FEMA.GOV](http://MSC.FEMA.GOV)

SEE FLOOD INSURANCE STUDY FOR ADDITIONAL INFORMATION

* PANEL NOT PRINTED - NO SPECIAL FLOOD HAZARD AREAS
 ** PANEL NOT PRINTED - AREA IN ZONE D
 *** PANEL NOT PRINTED - AREA IN ZONE X AND ZONE D



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP INDEX

WAUKESHA COUNTY, WI

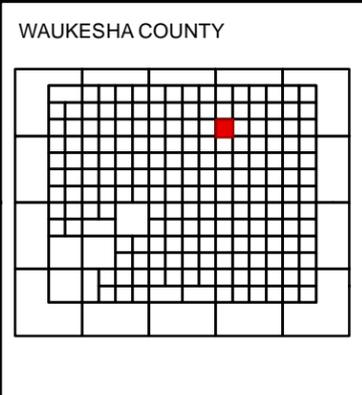
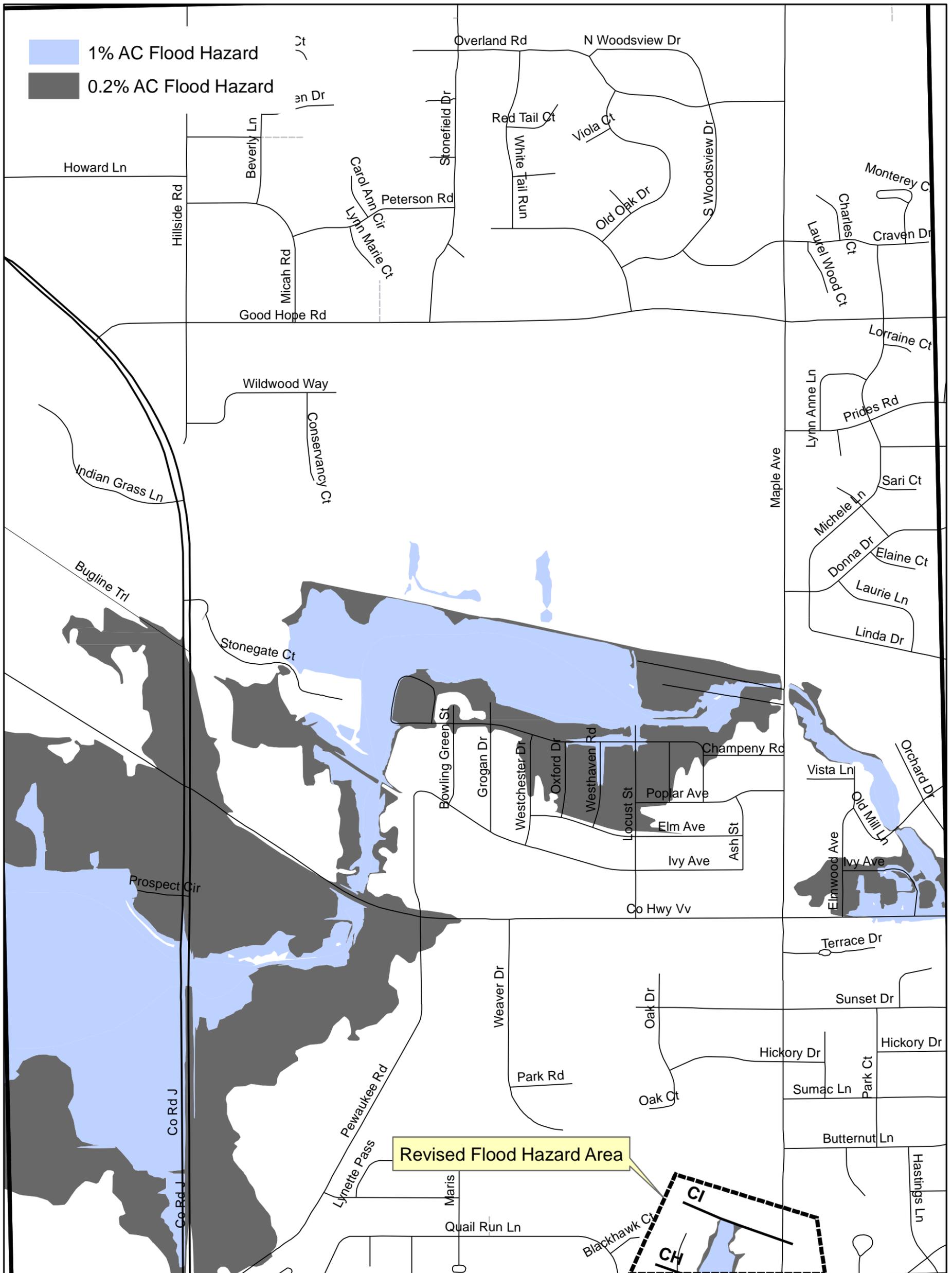
PANELS PRINTED: 0201



FEMA

MAP NUMBER
55133C0201G

MAP REVISED
OCTOBER 22, 2015



NATIONAL FLOOD INSURANCE PROGRAM
 FLOOD INSURANCE RATE MAP INDEX

WAUKESHA COUNTY, WI
 PANELS PRINTED: 0088

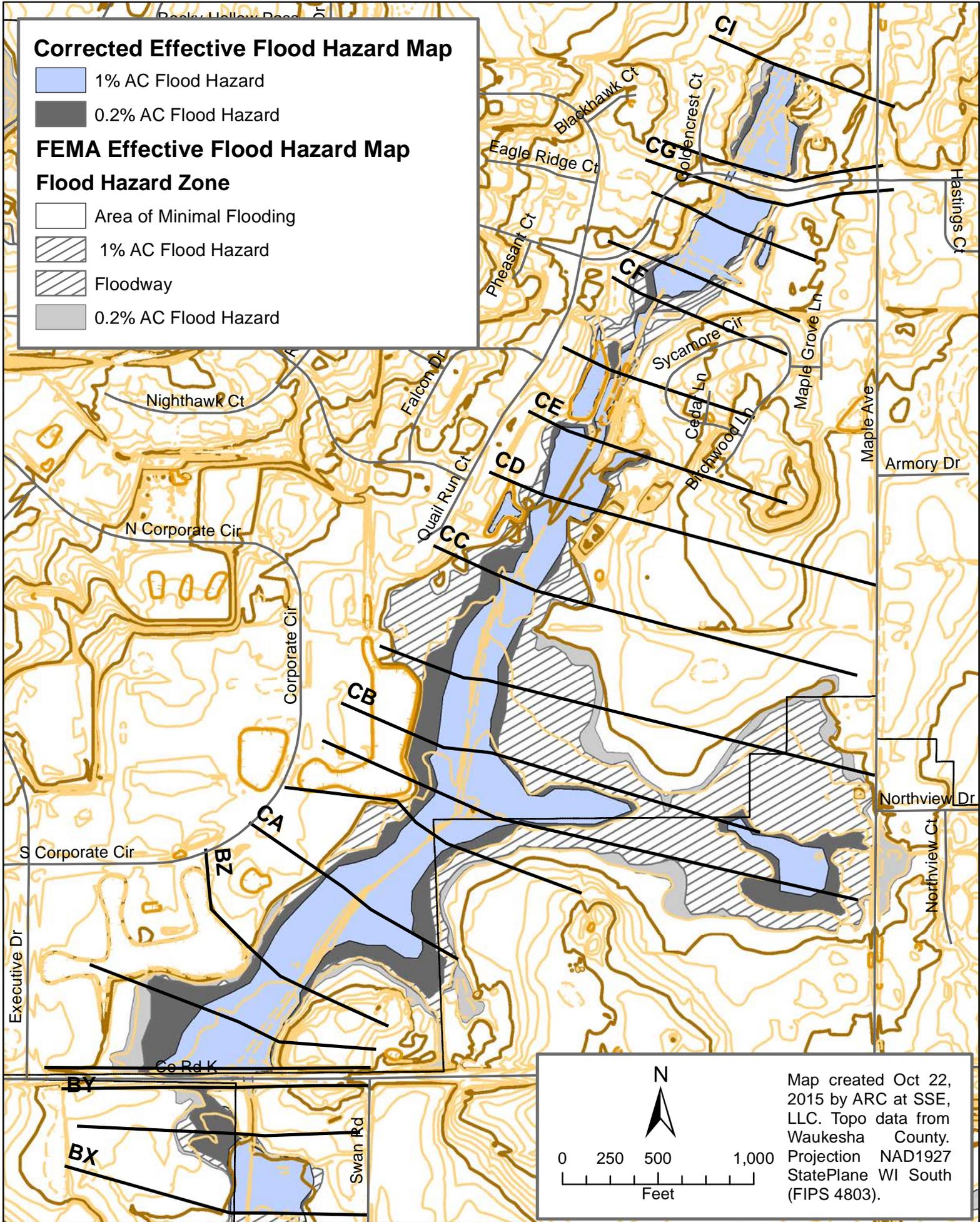


FEMA

MAP NUMBER
 55133C0088G

MAP REVISED
 OCTOBER 22, 2015

Pewaukee River in Sussex - Revised Flood Map



Community Official Information

Title: Ms.
 First Name: Judith
 Last Name: Neu
 Professional Title: Village Engineer
 Community Name: SUSSEX, VILLAGE OF
 Address 1: N64W23760 Main Street
 City: Sussex
 State, District or Territory: WI
 ZIP Code: 53089
 E-mail Address: jneu@villagesussex.org

As the CEO or designee responsible for the floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision (LOMR) or conditional LOMR request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet all of the community floodplain management requirements, including the requirement for when fill is placed in the regulatory floodway, and that all necessary Federal, State, and local permits have been, or in the case of a conditional LOMR, will be obtained. For conditional LOMR request, the applicant has documented Endangered Species Act (ESA) compliance to DHS/FEMA prior to DHS/FEMA's review of the Conditional LOMR application. For LOMR request, I acknowledge that compliance with sections 9 and 10 of the ESA has been achieved independently of DHS/FEMA's process. For actions authorized, funded, or being carried out by Federal or State agencies, existing or proposed structures to be removed from the SFHA are or will be reasonably safe from flooding as defined in 44 CFR 65.2(c), and that we have available upon request by DHS/FEMA, all analyses and documentation used to make this determination.

Community Official Signature: _____
 Date: _____

Attachment 8

Certification by Registered Professional Engineer and/or Land Surveyor

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information data, hydrologic and hydraulic analysis, and any other supporting information as per NFIP regulations paragraph 65.2(b) and as described in the MT-2 Forms instruction. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

First Name: _____

Last Name: _____

License Number: _____

Expiration Date: _____

Company Name: _____

E-mail Address: _____

Telephone Number: _____

Fax Number: _____

Certifier's Signature: _____

Date: _____

Exhibit C

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF SUSSEX TO VACATE AND DISCONTINUE DEYER DRIVE

RESOLUTION NO: 16-_____

WHEREAS, pursuant to Wis. Stat. § 66.1003, the Village Board has statutory authority to vacate and discontinue Village roads within its jurisdiction; and

WHEREAS, the public interest requires vacation of Deyer Drive as depicted and described in Exhibit 1, as this is a segment of road that has no utility and the right-of-way can be used by an abutting owner; and

WHEREAS, this Resolution was introduced in this form before the Village Board of the Village of Sussex on April 12, 2016; and

WHEREAS, following introduction of this Resolution, the Village Board set a date for a public hearing which was not less than forty (40) days after the date on which this Resolution was introduced, specifically on April 12, 2016; and

WHEREAS, notice of public hearing stating when and where this Resolution would be acted upon and stating what public way is proposed to be discontinued was published as a Class 3 Notice under Chapter 985, Wisconsin Statutes, and in addition was served on the owners of all of the frontage of the lots and lands abutting upon the public way sought to be discontinued (said properties described in Exhibit 2) in a manner provided for the service of Summons in Circuit Court at least 30 days before the hearing; and

WHEREAS, no written objections to the proposed discontinuance have been filed with the Village Clerk by any of the owners abutting on the public way sought to be discontinued, or by the owners of more than one-third of the frontage of the lots and lands abutting on the remainder of the public way which lies within 2,650 feet from the ends of the public way proposed to be discontinued or which lies within that portion of the 2,650 feet that is within the Village limits; or if such objection has been filed, two-thirds of the members of the Village Board voting on the proposed discontinuance have voted in favor of the discontinuance; and

WHEREAS, no landlocked parcel will be created by the proposed discontinuance, because the parcels will be combined prior to this road vacation taking effect; and

WHEREAS, the owners of all of the lands abutting Deyer Drive have submitted, or will submit prior to this Resolution taking effect, a certified survey map for approval under Chapter 236 of the Wisconsin Statutes, which will combine the properties along with the vacated road; and

WHEREAS, the Village board has conducted such public hearing on _____, pursuant to such notice; and

WHEREAS, following due consideration of all information received from Owners, the Village Engineer, and in the course of the public hearing of this matter and being duly advised, the Village Board, by this Resolution, does hereby declare the public interest requires the vacation and discontinuance of

Deyer Drive as specifically described and identified on Exhibit 1, and the Village Board further finds that the vacation and discontinuance of Deyer Drive will not land lock any property.

NOW THEREFORE, BE IT RESOLVED by the Village Board of the Village of Sussex, Waukesha County, Wisconsin, that Deyer Drive depicted in the attached Exhibit 1 is hereby discontinued pursuant to Wis. Stat. § 66.1003, subject to the approval and delivery to the Village Clerk for recording, and recording with the Waukesha County Register Deeds, Wisconsin of a certified survey map which combines the vacated road right-of-way with the abutting land currently known as parcel numbers SUXV0245-945-003, SUXV0245-940, SUXV0245-945-001, SUXV0245-941, SUXV0245-945 and SUXV0245-942;

BE IT FURTHER RESOLVED, that upon receipt by the Village of the original certified survey map bearing approval of all necessary governmental bodies and parties-in-interest, the Village Clerk shall record a certified copy of this Resolution together with said certified map with the Waukesha County Register of Deeds.

PASSED AND ADOPTED by the Village Board of the Village of Sussex, Waukesha County, Wisconsin, this ____ day of _____, 2016.

VILLAGE BOARD, VILLAGE OF SUSSEX

By: _____
Gregory L. Goetz, Village President

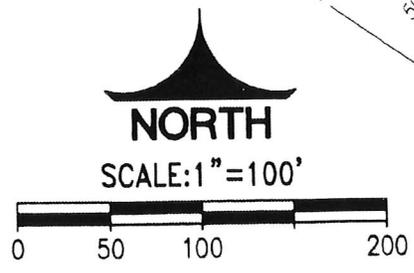
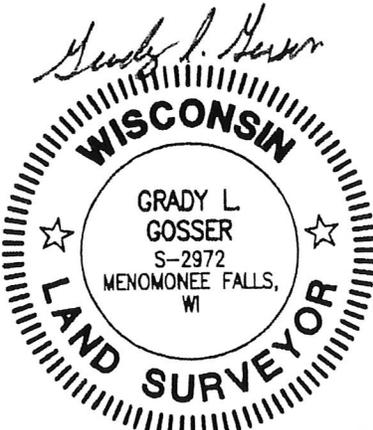
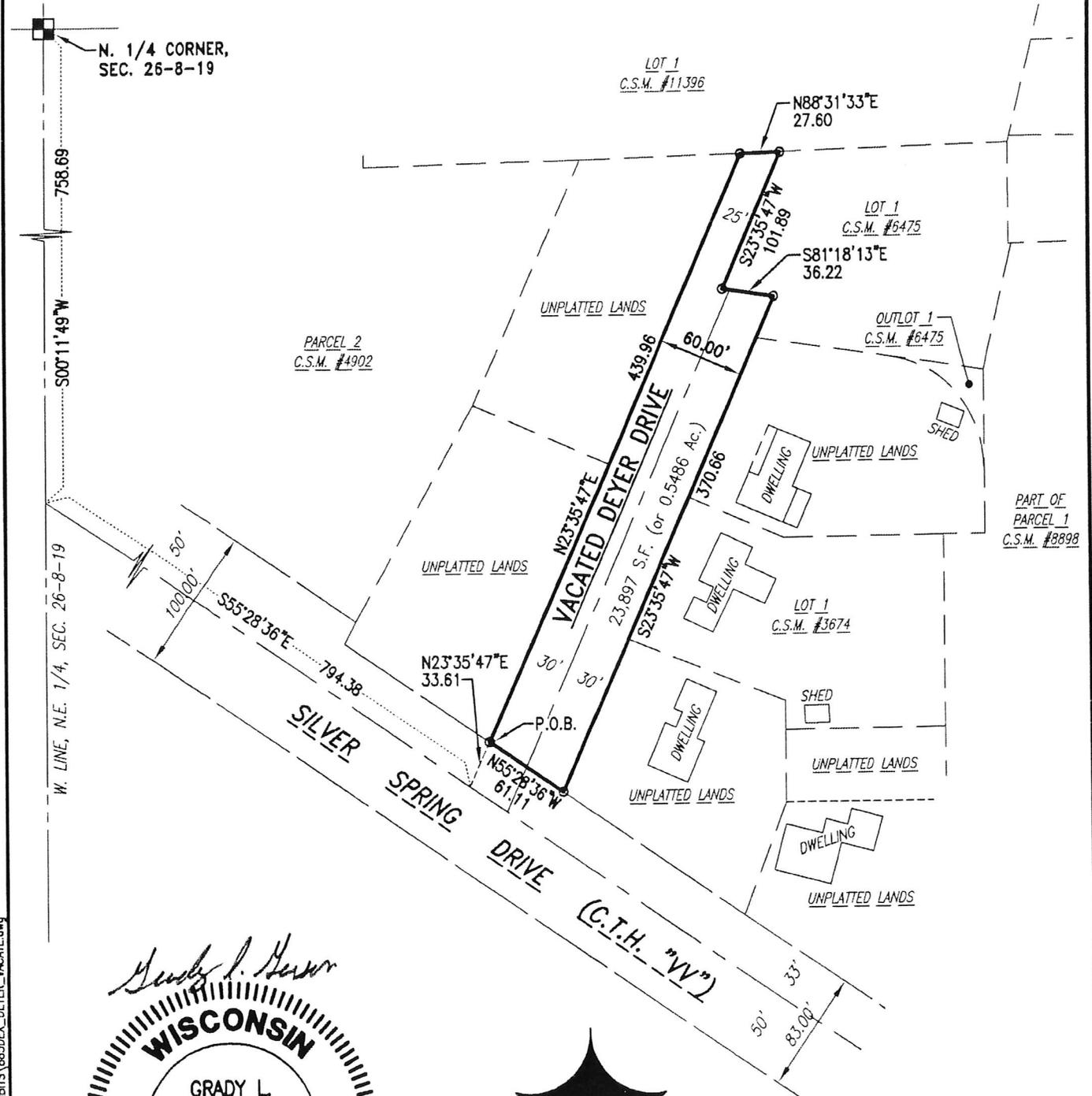
ATTEST:

Susan M. Freiheit, Village Clerk/Treasurer

B:\MyFiles\JPM Sussex\Mammoth Springs\Deyer Drive Vacation Resolution.VSX.03-17-16

EXHIBIT "1"

VACATED "DEYER DRIVE"



H:\C900\974\15013-02\Survey\ESMT-EXHIBITS\885DEX_DEYER_VACATE.dwg

EXHIBIT "1"

VACATED "DEYER DRIVE"

LEGAL DESCRIPTION:

All that part of the Northwest 1/4 of the Northeast 1/4 of Section 26, Town 8 North, Range 19 East, in the Village of Sussex, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

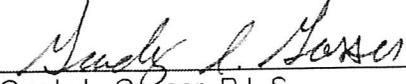
Commencing at the North 1/4 Corner of said Section 26; Thence South 00°11'49" West and along the West line of the said Northeast 1/4 Section, 758.69 feet to a point on the Centerline of "Silver Spring Drive" (C.T.H. "VV"); Thence South 55°28'36" East and along said Centerline, 794.38 feet to a point; Thence North 23°35'47" East, 33.61 feet to a point on the Northeasterly Right-of-Way line of said "Silver Spring Drive" (C.T.H. "VV") and the place of beginning of lands hereinafter described;

Continuing thence North 23°35'47" East and along the Easterly line of Unplatted Lands, 439.96 feet to a point on the South line of Lot 1 of Certified Survey Map No. 11396; Thence North 88°31'33" East and along the said South line of said Lot 1, 27.60 feet to a point; Thence South 23°35'47" West and along the Westerly line of Lot 1 of Certified Survey Map No. 6475, 101.89 feet to a point; Thence South 81°18'13" East and along the said Westerly line of said Lot 1, 36.22 feet to a point; Thence South 23°35'47" West and along the said Westerly line of said Lot 1 and the Westerly line of Lot 1 of Certified Survey Map No. 3674 and the Westerly line of Unplatted Lands, 370.66 feet to a point on the said Northeasterly Right-of-Way line of said "Silver Spring Drive" (C.T.H. "VV"); Thence North 55°28'36" West and along the said Northeasterly Right-of-Way line, 61.11 feet to the point of beginning of this description.

Said Parcel contains 23,897 Square Feet (or 0.5486 Acres) of land, more or less.

Date: 3-24-16




Grady L. Gosser, P.L.S.
Professional Land Surveyor, S-2972
TRIO ENGINEERING, LLC
12660 W. North Avenue, Building "D"
Brookfield, WI 53005
Phone: (262)790-1480 Fax: (262)790-1481

ORDINANCE NO. _____

AN ORDINANCE TO CREATE SECTION 4.035 ENTITLED “MOBILE FOOD VENDOR” OF CHAPTER 4 LICENSES & PERMITS IN THE MUNICIPAL CODE OF THE VILLAGE OF SUSSEX; and

WHEREAS, the Plan Commission appointed a workgroup to recommend code language to allow Mobile Food Vendors; and

WHEREAS, the workgroup has considered and is recommending language to allow Mobile Food Vendors; and

WHEREAS, the Ordinance will establish definitions, guidelines and procedures for approving a Mobile Food Vendor License; and

NOW, THEREFORE, be it ordained by the Village Board of the Village of Sussex, Waukesha County, Wisconsin, that:

SECTION 1. Chapter 4 Licenses and Permits, Section 4.035 entitled Mobile Food Vendor is hereby created to read as follows:

4.035 MOBILE FOOD VENDOR.

(1) DEFINITIONS

(a) “Mobile Food Vendor” means where food is served or sold from a movable vehicle, trailer or cart, and periodically or continuously changes location.

(b) “Food” means all articles used for food, drink or condiment including ice or water used by humans whether simple, mixed or compound and articles used or intended for use as ingredients in the composition or preparation thereof.

(c) “Person” means any individual, firm or corporation.

(2) LICENSE REQUIRED

(a) No mobile food vendor shall vend or sell any food whatsoever in the Village of Sussex without first obtaining an approved license from the Village Administrator or the Village Administrator’s designee. The Village Administrator or their designee shall forward license applications to the Village Board for consideration once the application is deemed complete by the Village Administrator or their designee.

(b) All mobile food vendors shall be licensed for such use by the Waukesha County Health Department and all other applicable agencies. Mobile vendors shall acquire the appropriate licenses and permits for any additional food items not required under this subchapter if deemed necessary by the Waukesha County Health Department.

(c) A license shall be applied for annually. A permit, when granted shall be displayed at all times. The license shall be valid from April 1 through November 30 unless the Village Board approves alternative dates. Applications for renewals shall be handled in the same manner as original applications but may be approved by the Village Administrator or their designee.

(d) Licensees are allowed on the streets of Miller Way, Village Drive, Sussex Road, North Corporate Circle, South Corporate Circle, Executive Drive only in the area between North Corporate Circle and South Corporate Circle, on private property with written permission and as allowed by the Park and Recreation Department for the Farmers Market and Special Events. The licensee may not be parked for more than 4 hours at one location.

(e) Operation. Mobile food vendors are allowed to operate in the Village Monday through Sunday between 6:00 a.m. and 7:00 p.m.

(f) A license shall not be transferable from person to person. A license is valid for one vehicle only and shall not be transferrable between vehicles.

(g) The Village Board may revoke or suspend any license issued under this subchapter for violation by any vendor or the vendor's employee or agent of any provision of State law or Village ordinance which renders future vending contrary to the public health, safety or welfare, or for fraud or misrepresentation in solicitation under this chapter.

(h) Any mobile food vendor shall fully and without haste comply with any order of a Sherriff's Officer of Fire Department officer to ensure the safety of the public. Failure to comply may result in forfeiture of the license and a fine or ticket as allowed by law.

(3) APPLICATION PROCESS.

(a) Any person desiring to operate a mobile food establishment shall apply for a license and pay the proper license and investigation fee. The application shall be sworn to by the applicant and filed with the Village and shall contain such information as the Village shall require for the effective enforcement of this section and the safeguarding of the residents of the Village from fraud, misconduct or abuse.

(b) The applicant shall submit at the time of application a copy of the vehicle inspection report from the Waukesha County Health Department.

(c) The applicant shall provide a plan addressing sanitation, pedestrian and traffic safety.

(d) No mobile food vendor shall be located on any private property without written permission from the property owner. A copy of the written permission shall be submitted at the time of application.

(e) All vehicles must pass inspection by the Sussex Fire Department. A copy of a passing inspection report must be submitted at the time of the application.

(f) At the time of filing application, an investigation fee in the amount of the Actual Cost shall be paid to the Village to cover the cost of investigation of the facts stated in the application. The application shall be sworn to by the applicant and filed with the Village and shall contain such information as the Village shall require for the effective enforcement of this section and the safeguarding of the residents of the Village from fraud, misconduct or abuse.

(g) Upon receipt of each such application, the Village Administrator or designee shall immediately institute such investigation of applicant's business and moral character as the Village Administrator or designee deems necessary for the protection of the public good, and shall endorse their approval or disapproval upon said application within 72 hours after it has been filed with the Village, and shall issue or deny the license in accordance with their findings after presentation by the applicant of a receipt of the Village Treasurer showing payment of the required fee.

(h) The number of permits allowed to be issued per year and the fee for a license as herein provided shall be as set forth and modified from time to time from the Village Board by Resolution.

(4) PLAN—STANDARD OF REVIEW. The Village Board shall approve a mobile food vendor license plan and application if it makes the following findings:

- (a) The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian- vehicle conflicts, or pedestrian safety hazards or impede building ingress/egress.
- (b) The proposed plan will not create any significantly adverse impacts on neighboring properties as a result of:
 - 1. The accumulation of garbage, trash or other waste.
 - 2. Noise created by operation of the equipment.
 - 3. Light and glare.
 - 4. Odors and noxious fumes.
- (c) The proposed plan will not be detrimental to the public health, safety, or general welfare.
- (d) The proposed plan is consistent with the Administrative Rules for Mobile Food Vending that are established by the Village Administrator or their designee. The Administrative Rules maybe amended from time to time by the Administrator or their designee. If there should be any dispute between compliance with the Administrative rules and the licensee the licensee shall have appeal rights per Village Ordinance for the same.
- (e) In approving a plan, the Village Board may impose such conditions, as it deems appropriate to protect the public health, safety and general welfare.

SECTION 2. The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of the court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and not affect the validity of all other provisions, sections, or portions thereof the ordinance which shall remain in full force and effect. Any other ordinances are hereby repealed as to those terms that conflict.

SECTION 3. This ordinance shall take effect immediately upon passage and posting or publication as provided by the law.

Passed and adopted this _____ day of _____, 2016.

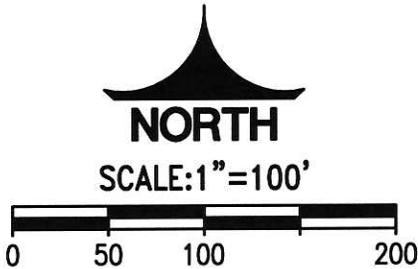
Gregory L. Goetz, Village President

ATTEST: _____
Susan M. Freiheit, Clerk-Treasurer

CERTIFIED SURVEY MAP NO. _____

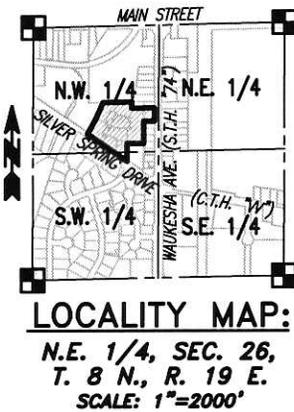
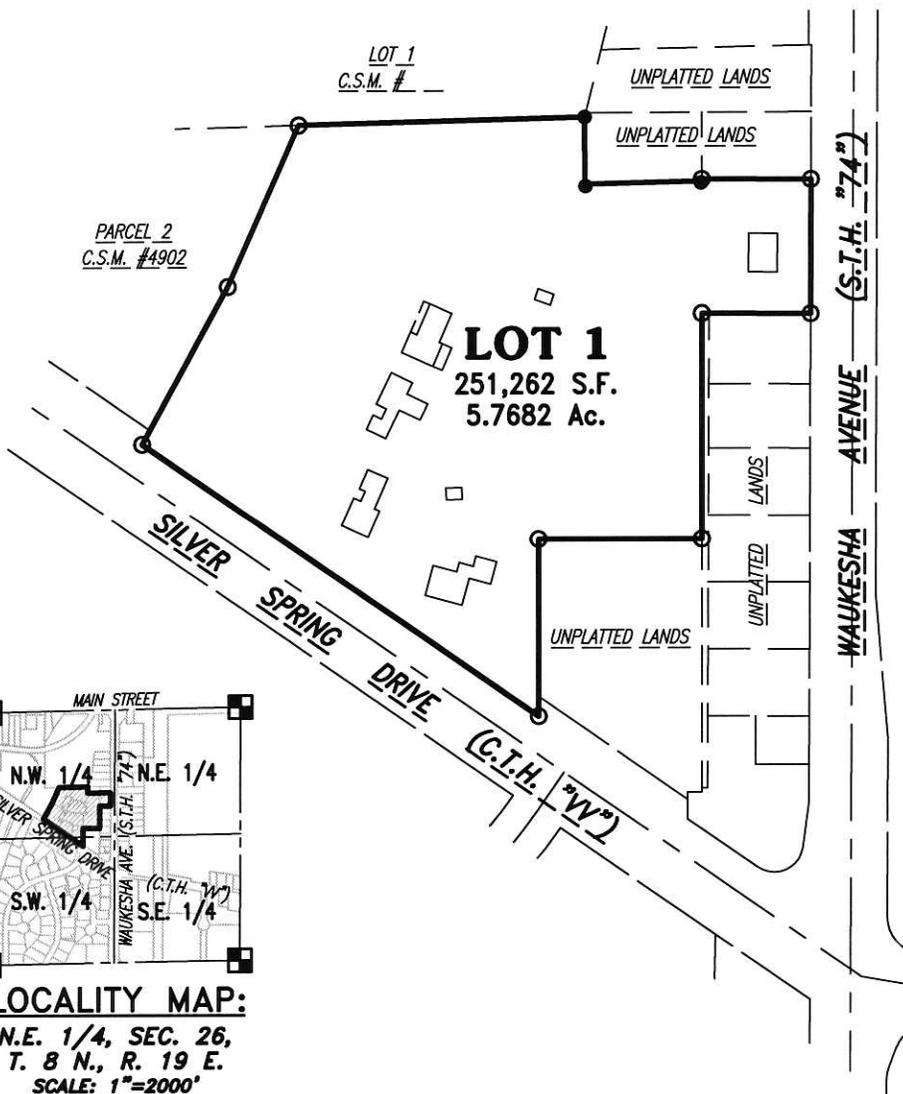
BEING A CONSOLIDATION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3674, LOT 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6475, PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 8898, VACATED "DEYER DRIVE" AND UNPLATTED LANDS BEING LOCATED IN A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 8 NORTH, RANGE 19 EAST, IN THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.

OVERALL DETAIL SHEET



OWNER:
 MAMMOTH SOUTH, LLC
 C/O ARTHUR SAWALL
 4375 PILGRIM HOLLOW COURT
 BROOKFIELD, WI 53005
 PHONE: 262-893-4848

PREPARED BY:
 TRIO ENGINEERING, LLC
 12660 W. NORTH AVENUE, BLDG. "D"
 BROOKFIELD, WI 53005
 PHONE: 262-790-1480
 FAX: 262-790-1481



PIPING LEGEND:

- - INDICATES "SET" 0.750" O.D. X 18" LONG REINFORCING BAR WEIGHING 1.502 LBS. PER LINEAL FOOT.
- - INDICATES "FOUND" MONUMENTATION (SEE PLAN)

NOTES:

- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-27), IN WHICH THE NORTH LINE OF THE N.E. 1/4 OF SECTION 26, TOWN 8 NORTH, RANGE 19 EAST, BEARS N88°52'03"E.
- ALL EXISTING STRUCTURES LOCATED ON THE SUBJECT PROPERTY TO BE RAZED.
- ALL ELECTRIC, TELEPHONE, AND COMMUNICATION DISTRIBUTION LINES AND LATERALS INCLUDING CATV CABLES, CONSTRUCTED AFTER THE RECORDING OF THIS CERTIFIED SURVEY MAP SHALL BE PLACED UNDERGROUND.

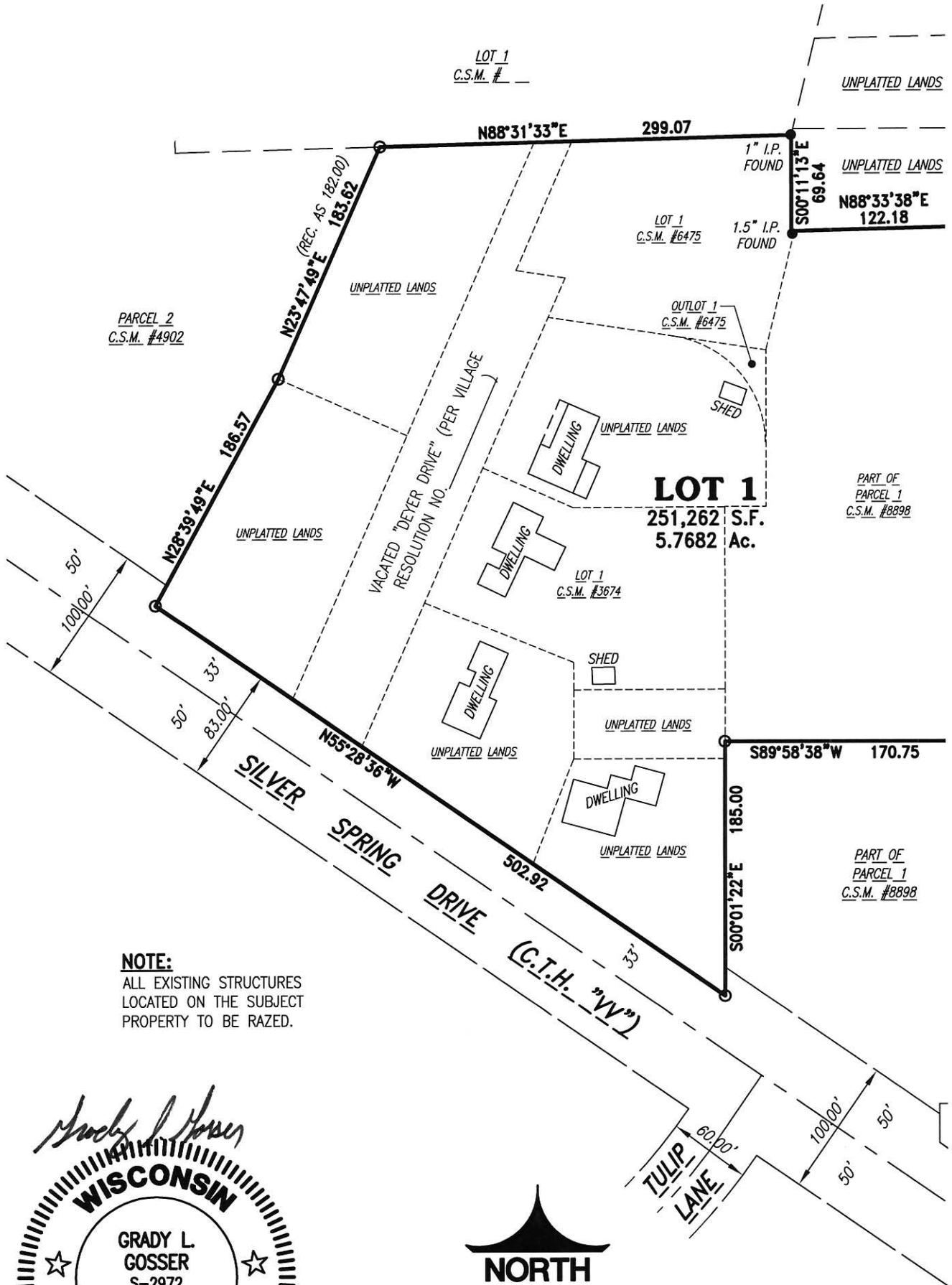
DRAFTED THIS 18th DAY OF MARCH, 2016
 THIS INSTRUMENT WAS DRAFTED BY GRADY L. GOSSER, S-2972



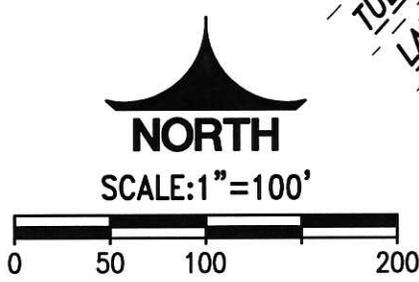
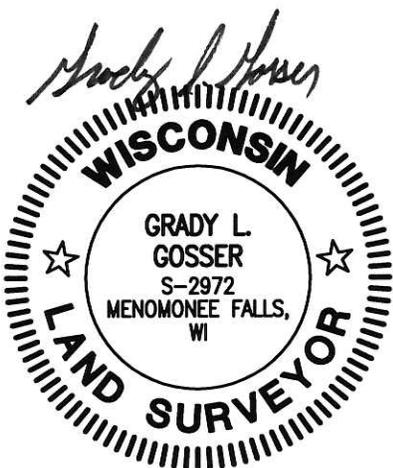
JOB NO. 15-013-974-02
 SHEET 1 OF 6

CERTIFIED SURVEY MAP NO. _____

BEING A CONSOLIDATION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3674, LOT 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6475, PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 8898, VACATED "DEYER DRIVE" AND UNPLATTED LANDS BEING LOCATED IN A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 8 NORTH, RANGE 19 EAST, IN THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.



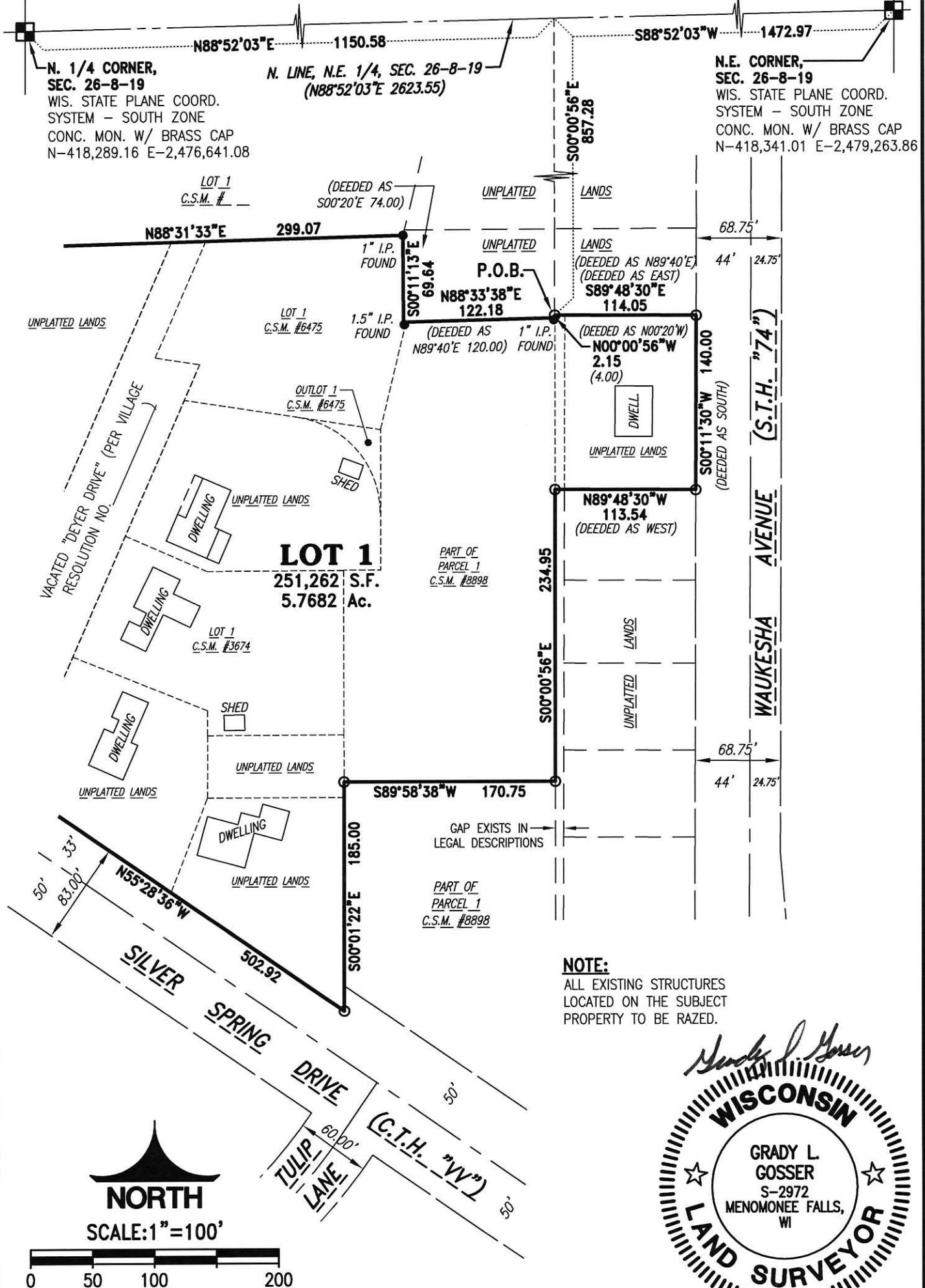
NOTE:
ALL EXISTING STRUCTURES
LOCATED ON THE SUBJECT
PROPERTY TO BE RAZED.



H:\C900\974\15013-02\Survey\CSM\530CSM02.dwg

CERTIFIED SURVEY MAP NO.

BEING A CONSOLIDATION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3674, LOT 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6475, PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 8898, VACATED "DEYER DRIVE" AND UNPLATTED LANDS BEING LOCATED IN A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 8 NORTH, RANGE 19 EAST, IN THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.

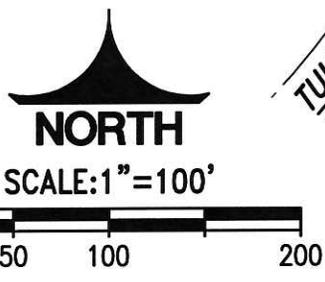


**N. 1/4 CORNER,
SEC. 26-8-19**
WIS. STATE PLANE COORD.
SYSTEM - SOUTH ZONE
CONC. MON. W/ BRASS CAP
N-418,289.16 E-2,476,641.08

**N.E. CORNER,
SEC. 26-8-19**
WIS. STATE PLANE COORD.
SYSTEM - SOUTH ZONE
CONC. MON. W/ BRASS CAP
N-418,341.01 E-2,479,263.86

LOT 1
251,262 S.F.
5.7682 Ac.

NOTE:
ALL EXISTING STRUCTURES
LOCATED ON THE SUBJECT
PROPERTY TO BE RAZED.



DRAFTED THIS 18th DAY OF MARCH, 2016
THIS INSTRUMENT WAS DRAFTED BY GRADY L. GOSSER, S-2972

JOB NO. 15-013-974-02
SHEET 3 OF 6

H:\C900\974\15013-02\Survey\CSDA\530CSM02.dwg

CERTIFIED SURVEY MAP NO.

BEING A CONSOLIDATION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3674, LOT 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6475, PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 8898, VACATED "DEYER DRIVE" AND UNPLATTED LANDS BEING LOCATED IN A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 8 NORTH, RANGE 19 EAST, IN THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE:

MAMMOTH SOUTH, LLC, a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said Corporation has caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the Village of Sussex, this _____ day of _____, 20 _____.

MAMMOTH SOUTH, LLC

Arthur Sawall, Member

STATE OF WISCONSIN)
) ss
COUNTY OF)

Personally came before me this _____ day of _____, 20_____, Arthur Sawall, Member of the above named Corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Member of said Corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said Corporation, by its authority.

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



CERTIFIED SURVEY MAP NO. _____

BEING A CONSOLIDATION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3674, LOT 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6475, PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 8898, VACATED "DEYER DRIVE" AND UNPLATTED LANDS BEING LOCATED IN A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 8 NORTH, RANGE 19 EAST, IN THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.

VILLAGE BOARD APPROVAL CERTIFICATE:

Resolved that the Certified Survey map, in the Village of Sussex, Mammoth South, LLC, owner, is hereby approved by the Village Board.

All conditions have been met as of this _____ day of _____, 20____.

Date: _____
Gregory Goetz, Village President

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Village Board of the Village of Sussex.

Date: _____
Susan Freiheit, Village Clerk

PLAN COMMISSION APPROVAL CERTIFICATE:

Approved, that the Certified Survey Map, in the Village of Sussex, Mammoth South, LLC, owner, is hereby approved by the Plan Commission.

Approved as of this _____ day of _____, 20____.

Date: _____
Gregory Goetz, Chairperson

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Plan Commission of the Village of Sussex.

Date: _____
Susan Freiheit, Village Clerk

