

PLAN COMMISSION AGENDA

Tuesday, September 29, 2020
6:00 PM

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Roll Call
- 4) Public Participation (Non-Agenda Harrison Related Items)
Please be advised per State Statute Section 19.84(2), information will be received from the public; be further advised that there may be limited discussion on the information received; however, no action will be taken under public comments.
- 5) Approve Minutes
 - August 25, 2020
- 6) Convene Meeting and Enter Public Hearing
 - a. Comprehensive Plan Amendment – Lexington Homes (Mirrago) – Midway Road
 - b. Zoning Map Amendment – Lexington Homes (Mirrago) – Midway Road
 - c. Conditional Use Permit – Lexington Homes (Mirrago) – Midway Road
- 7) Close Public Hearing and Reconvene Regular Meeting
- 8) Items for Discussion and Possible Action
 - a. PC Resolution 2020-02 Comprehensive Plan Amendment – Lexington Homes (Mirrago) – Midway Road
 - b. Zoning Map Amendment – Lexington Homes (Mirrago) – Midway Road
 - c. Conditional Use Permit – Lexington Homes (Mirrago) – Midway Road
 - d. Design Standard Waiver – Lexington Homes (Mirrago) – Midway Road
 - e. Certified Survey Map – Lexington Homes (Mirrago) – Midway Road
 - f. Certified Survey Map – Keuer – N7437 Hwy 55
 - g. Certified Survey Map - Andrew – N9403 Noe Road
 - h. Zero Lot Line Certified Survey Map –Roberts – N9021 & N9023 Spring Valley Rd
 - i. Affidavit of Correction – Lot 57 Oakwood Estates
 - j. Affidavit of Correction – Lot 58 Oakwood Estates
- 9) Items for Discussion
 - a. Concept Plan Review – Mini Warehousing Development – Atlas Development
 - b. Report: Zoning Permits
- 10) Set Next Meeting Date
 - October 27, 2020 at 6:00pm
- 11) Adjourn

Any person with hearing disabilities or requiring special accommodations to participate in the meeting should contact the Clerk's Office (920-989-1062) at least 24-hours prior to the meeting. This is a public meeting. As such, a quorum of the Village Board, Zoning Board of Appeals, or Committees may be in attendance. However, the only business to be conducted is for the Plan Commission.

Posted: September 22, 2020

**VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
AUGUST 25, 2020**

1. The meeting was called to order in the Harrison Municipal Building by Chairman Hietpas at 6pm. The Pledge of Allegiance was recited.
2. Roll Call: Members present: Kevin Hietpas, Darlene Bartlein, Pat Hennessey, Dennis Reed, Kent Gross, Mark Van Hefty and Jim Lincoln.
Staff Present: Mark Mommaerts, Planner; Carie Krause, Deputy Clerk-Treasurer
3. Public Participation: None
4. Motion (Bartlein/Reid) to approve the minutes of July 28, 2020
Motion carried 7-0.
5. Enter Public Hearing for a) Zoning Text Amendment – Zoning Ordinance Update and b) Tax Incremental Financing District #4 (TID #4). at 6:02pm. Planner Mommaerts introduced the item stating that the Village of Harrison intends to create Tax Incremental Financing District #4 (TID #4) for the properties west of Lake Park Road bisected by Midway Road/County Road AP. State Statutes Section 66.1105 requires that the Plan Commission hold public hearing at which interested parties are afforded a reasonable opportunity to express their views on the proposed creation of a TID and the proposed boundaries. Also under statutes, the Plan Commission must designate boundaries of the TID and make a recommendation of the boundaries to the Village Board. The final step needed from the Plan Commission relates to the Project Plan, which must be approved and sent on to the Village Board. Residents Matt Barnes (Austin Dr.), Ann Deeg (Ethan Dr.), Mark Strassburg (Ethan Dr.), Doug & Melissa Kohler (Tahoe Ln), Randy Reed (Tahoe Ln.) and Karla Burroughs (Ethan Dr.) raised concerns about traffic/population increase and possible property value decrease that could come with the proposed development.
6. Close Public Hearing at 6:43pm.
7. Items for Discussion and Possible Action
 - a. Certified Survey Map – Lamers Realty – N8912 Harrisville Ct. – Planner Mommaerts introduced the item stating that the applicant is proposing a 2-lot Certified Survey Map (CSM) for the property that is currently a stormwater pond serving the Harrisville Place subdivision. When Harrisville Place was being platted and developed, the Village was in the process of constructing the Lake View Regional Stormwater Pond, located behind Harrison Utilities. The Lake View Pond was designed to treat stormwater from the Harrisville Place property. At the time, a storm sewer pipe up to Woodland Road was not planned for the initial construction of the regional pond. In order to construct Harrisville Place, a temporary pond was constructed.

Harrison and the developer agreed that after storm sewer becomes available in Woodland Road, the developer could connect the subdivision to the storm sewer pipe, eliminate the stormwater pond for the subdivision, and further divide the property into 2 lots. The storm sewer pipe in Woodland Road was installed this fall and the subdivision was connected to the Lake View Pond.

This CSM was approved in October 2018 but was not recorded. The time period for recording the CSM has expired so the CSM must be approved again.
Motion (Lincoln/Bartlein) to approve the CSM.
Motion carried 7-0.

b. Certified Survey Map – Frank Theil – Harrison Road – Planner Mommaerts introduced the item stating that the applicant is proposing to combine 2-lots into 1-lot by Certified Survey Map (CSM). The purpose of the CSM is to combine the properties in order to remove a lot line for building a new home. The property is currently zoned General Agricultural (AG). The proposed lot will combine Tax IDs 38646 & 44832. The proposed lot will be 39.959- acres in area. The properties are currently undeveloped.
Motion (Lincoln/Bartlein) to approve the CSM.
Motion carried 7-0.

c. Design Standards Waiver – Rucon Construction – Highline Road – At this time, Planner Mommaerts requested to postpone action on this item.

d. Zoning Text Amendment – Zoning Ordinance Update – Planner Mommaerts introduced the item stating that since the Village incorporated from the Town of Harrison, the zoning ordinance has not been updated with references to Wis. Stats. for Villages. The ordinance also has provisions that reference the Calumet County zoning ordinance which no longer applies to the Village. Many of the amendments are updates to these changes. However, there are some other amendments that staff is proposing. The major changes include the following:

1. Page 15 – only allowing flag lots in AG & RR zoning districts.
2. Page 23 – Filling and Grading requirements.
3. Page 24 – Methods of Construction.
4. Page 37 – AG Zoning District - dwellings in AG district only as part of an operating farm, removing additional non-agricultural uses. The purpose is to create a rural residential zoning district and to limit AG zoning district to more agricultural uses and some commercial uses.
5. Page 43 – Creation of Rural Residential District [RR] – the purpose is to allow for rural residential dwellings on non-public sewer and water. Creation of this district will allow the Village to better control where new housing is built near the developed portions of the Village while allowing spot housing in areas not immediately adjacent to subdivisions. This district has larger accessory building sizes as demanded by the rural property owners.
6. Page 48 – allowing accessory buildings on lots across the street from homes on Winnebago.
7. Page 109 – providing provisions for stairways/walkways for access to shoreline areas.
8. Page 118 – provide provisions for development of the Village Center site to ensure development meets the visions of the Village.

9. Page 201 – add language from Wis. Stats. that conditions as part of a Conditional Use Permit must be reasonable, practicable and measurable. Also include language that the CUP applicant must sign off on the CUP conditions so that they are aware of the requirements. Motion (Hennessey/VanHefty) to approve the Zoning Text Amendments.
Motion carried 7-0.
- e. PC Resolution 2020-03 – Recommendation Designating Tax Incremental Financing District #4 Boundary and Adopting Project Plan – Planner Mommaerts shared details during the Public Hearing portion of the meeting and had nothing more to add.
Motion (Bartlein/Hietpas) to approve Plan Commission Resolution 2020-03 approving the TID #4 Boundary and Project Plan.
Motion Carried 5-2 with Commissioners Reed and Gross voting against.
8. Items for Discussion
- a. Report: Zoning Permits: Planner Mommaerts stated that the month of July had 10 single family permits with a total of 50 for the year. Current YTD value is over 36 million compared to 15.5 million last year.
9. Next Meeting Date: Tentatively September 29, 2020 at 6:00pm
10. Adjourn: Motion (Reed/Hennessey) to adjourn at 6:53pm
Motion carried 7-0.
- Prepared by: Carie Krause, Deputy Clerk-Treasurer
Dated: August 26, 2020

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Comprehensive Plan Amendment – Lexington Homes
Zoning Map Amendment – Lexington Homes
Conditional Use Permit – Lexington Homes

Issue:

Should the Plan Commission recommend approval of a Comprehensive Plan Amendment from Single Family & Park to Single Family, Park & Multiple Family, a Zoning Map Amendment from AG to RS-2 & MF, and Conditional Use Permit to the Village Board?

Background and Additional Information:

The applicant is proposing a mix of single-family and multi-family residential development on property located along Midway Road, Tax IDs 43286 & 43288. Parkland is proposed to be reserved and dedicated to Harrison for future development of a park. The development consists of six (6) 10-unit buildings and six (6) 14-unit buildings, all two-bedroom units with attached garages and outside parking area. Total development will be 44 single-family lots and 144 multi-family units. The SF lots are proposed adjacent to the existing SF lots to the south with street connections to Woodendale Way, McKayla Drive, Ethan Drive, and Midway Road.

The MF development is proposed to have access only from Midway Road. The Village of Harrison is in discussions with the Calumet County Highway Commissioner regarding this access point. The City of Appleton is suggesting that the MF development no access Midway Road, but rather access the new north/south street from Midway Road. The applicant is requesting a Comprehensive Plan Amendment, Zoning Map Amendment, and a Conditional Use Permit.

Staff has received correspondence in regard to opposition to the land use change and rezoning. There was a petition opposing the rezoning signed by a majority of property owners within 100-foot of the development property. This petition in opposition will cause the rezoning approval by the Village Board to be by $\frac{3}{4}$ majority rather than a simple majority. The petition and other correspondence is included towards the back of this memo.

Comprehensive Plan Amendment:

The applicant is proposing to amend the future land use map in the Comprehensive Plan to reconfigure some of the parkland and single-family areas as well as allow for multiple-family residential. Currently, the future land use map identifies this area as Parkland and Single-Family Residential. There are single-family uses on the south and west sides of the property. The area

to the east is currently zoned for Multi-Family. The petition maintains single-family use and parkland on the boundaries of the property. The multi-family is proposed in the middle of the property.

Zoning Map Amendment:

The applicant is proposing to rezone from General Agricultural [AG] to Single-Family Residential (Traditional) [RS-2] and Multiple-Family Residential [RM] the area for the development.

Conditional Use Permit:

The zoning ordinance requires a Conditional Use Permit for any multiple-family developer greater than 3-buildings or greater than 24-units. The applicant is proposing a 12-building development with 144-units total. Landscaping and buffering should be provided along the single-family residential uses and Midway Road.

Basis for Approval: *(from the Zoning Ordinance Section 117-319)*

1. *Zoning. The proposed use conforms to the underlying zoning district intent and design standards and is in harmony with the general purpose and intent of this chapter. Where there is an existing nonconforming structure, the design standards of the underlying zoning district may be waived by the plan commission and town board.* If the Comprehensive Plan and Zoning Map amendments are approved, then the proposed single-family subdivision is an allowable use in the RS-2 zoning district and the multi-family development is an allowable use in the MF zoning district.
2. *Plans. The proposed use conforms to the comprehensive plan and any other officially adopted plan.* If the Comprehensive Plan and Zoning Map amendments are approved, then the proposed single-family subdivision, multi-family development, and park conform to the Comprehensive Plan.
3. *Traffic. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.* The main entrance is anticipated to connect with Midway Road/County Road AP for the multi-family development. The single-family subdivision proposes to extend Woodendale Way, McKayla Drive, and Ethan Drive to Midway Road/County Road AP. Under the proposal, the MF traffic will not share roads with the SF lots.
4. *Landscaping and screening. Appropriate landscaping and screening has been or will be provided to protect adjacent uses or properties from light, noise and other visual impacts that are associated with the proposed use as established in article VI, Access, Parking, and Loading and article IX, Landscaping and Screening Standards.* Landscaping may be required to meet buffering requirements. Landscape buffer berms around the property may be warranted.
5. *Neighborhood compatibility. The proposed use is compatible with the predominant or prevailing land use of the neighborhood surrounding the proposed development and whether the proposed use creates a nuisance due to noise, odor, or dust.* The multi-family residential proposed will be in the middle of the development with the single-family homes and parklands adjacent to the existing subdivisions. Landscape screening and buffering should be utilized to further reduce potential light nuisance.

6. *Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided.* Sanitary sewer and water can be provided to the site. Stormwater management is proposed to service the development.

Findings of Fact:

- Staff finds that the Rezoning request complies with the Future Land Use Map as part of the Comprehensive Plan if the Comprehensive Plan Amendment is approved.
- Property owners within 300-feet of the subject property have been notified via first-class mail.

Recommended Action:

Staff recommends approval of Plan Commission Resolution PC2020-02, recommending the Village Board amend the comprehensive plan.

Staff recommends approval of the Zoning Map Amendment from General Agricultural [AG] to Single-Family Residential (Traditional) [RS-2] and Multiple-Family Residential [RM].

Staff recommends approval the Conditional Use Permit with the following conditions:

1. The applicant works with Harrison Utilities and Village of Harrison on sanitary sewer and water main connections.
2. Berms and landscape areas be provided along the north side of the development and areas adjacent to the single-family development. The berm should be approximately 5-feet in height with evergreen and other plantings that are 4-5-feet in height at the time of planting. Care should be taken to design the berm and plantings to shield vehicle headlights shining into adjacent properties.
3. The stormwater management plan approval shall be in accordance with the Intergovernmental Cooperative Agreement between Appleton and Harrison.
4. All exterior building materials shall adhere to the Village Zoning requirements unless a special exception is granted by the Plan Commission.
5. All exterior parking area lighting shall be direct cut-off fixtures to reduce/eliminate any glare.
6. All provisions of the zoning ordinance and all other Village ordinances shall be met.
7. Any comments or revisions from Village staff during the site plan review process shall be incorporated as conditions of approval.
8. All necessary permits shall be obtained prior to construction.

Attachments:

- Aerial Map
- Future Land Use Map
- Zoning Map
- Concept Plan
- Email from Joe Hurley
- Letter from Melissa Koehler
- Petition in opposition
- Plan Commission Resolution PC2020-02

Calumet County, WI

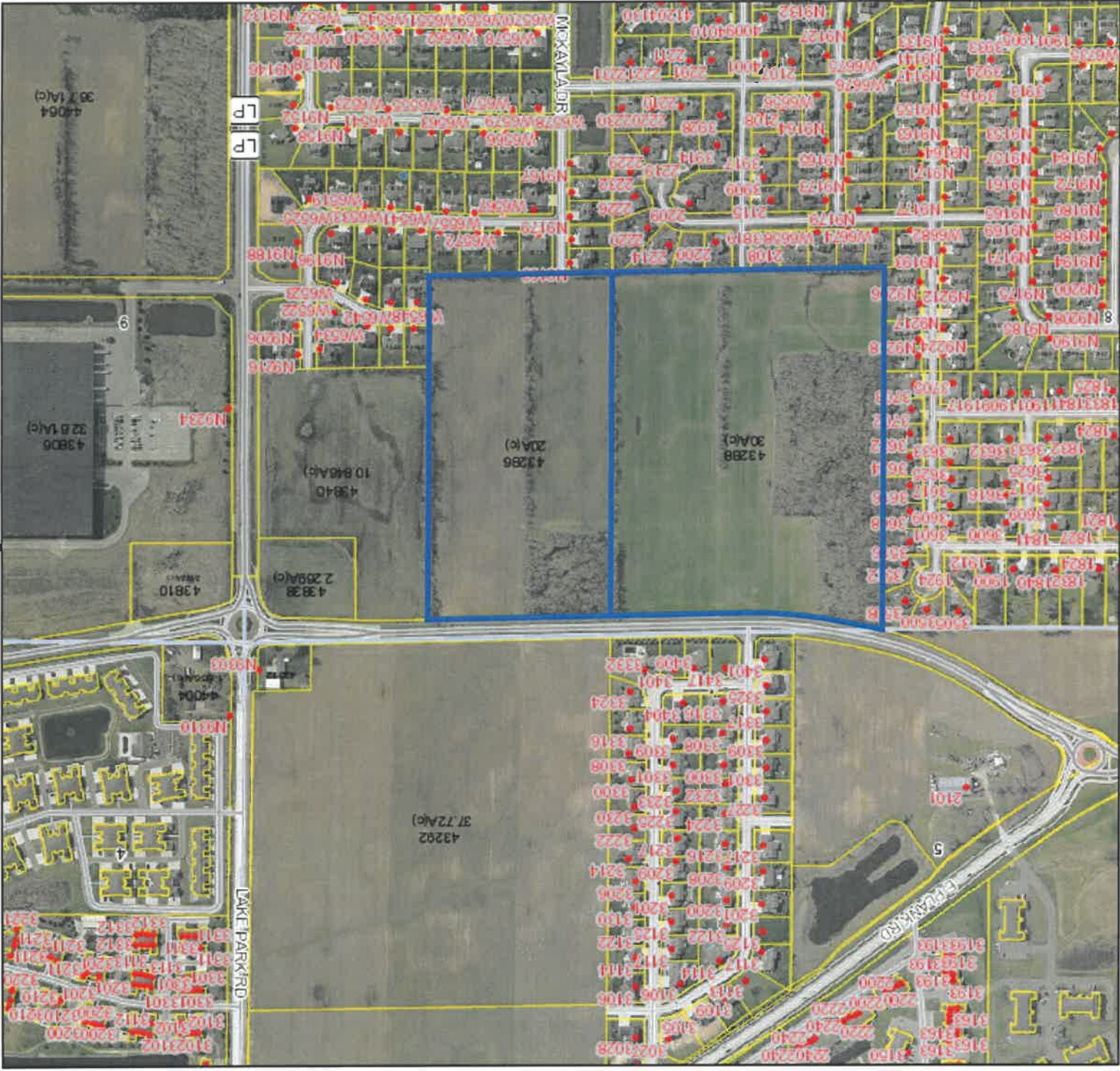
Legend

- Address Point
- County Boundary
- Wisconsin Water
- Unincorporated Community
- Town Boundary
- Point of Interest
- Parcel Boundary
- Property Hook
- PLSS Section
- State Parks
- County Parks
- Lake
- River and Stream
- Major Roads
- Local Roads
- Local Roads
- Municipal Streets
- Trail
- Railroad
- Color 2018
 - Red: Band 1
 - Green: Band 2
 - Blue: Band 3



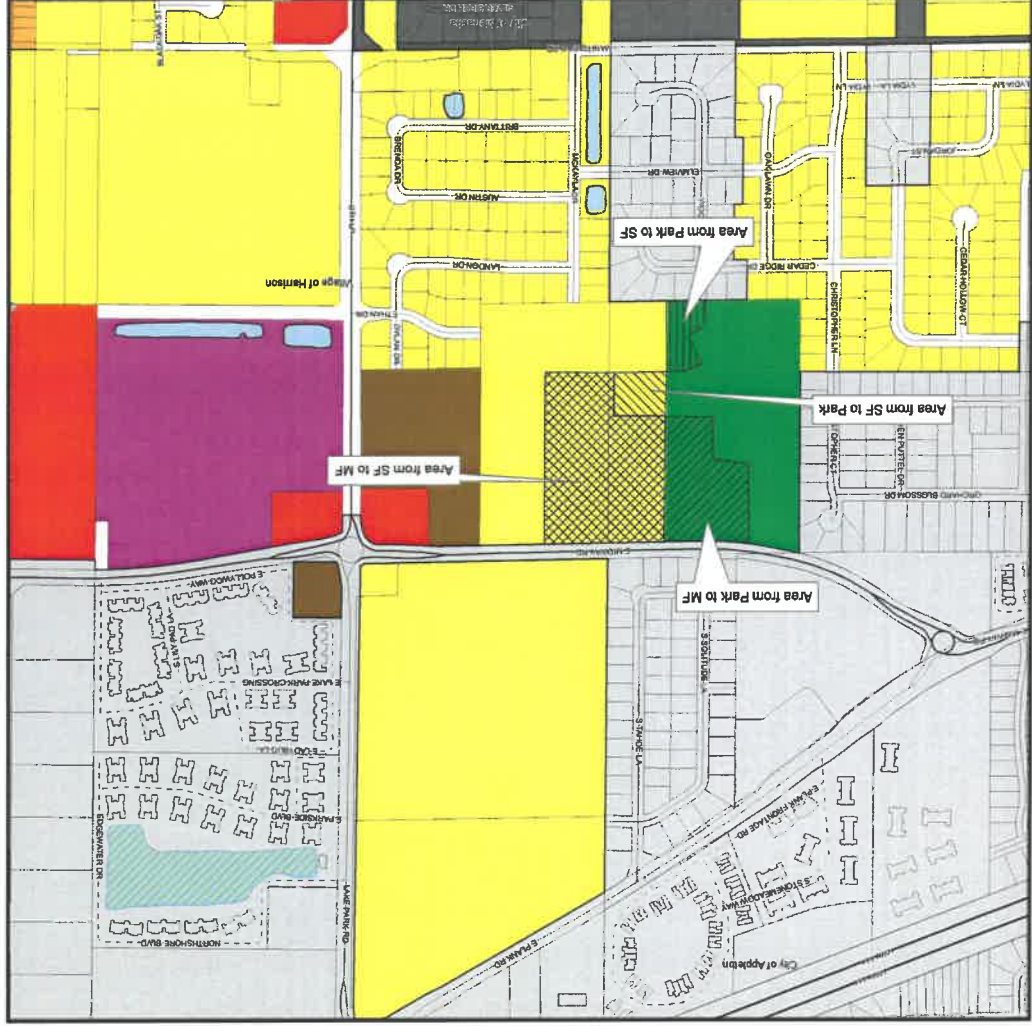
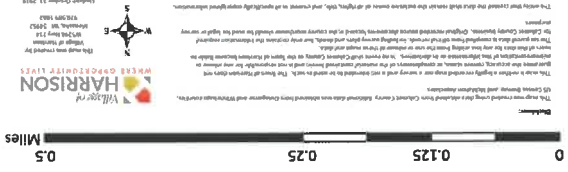
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Date Printed: 09/18/20 2:24 PM
Sources:



Future Land Use Map

Harrison Future Land Use Map 2004-2023



Zoning Map

Zoning Map Village of Harrison Calumet & Outagamie Counties, WI

Legend

- | | | | |
|--|------------------|--|--|
| | Local Roads | | AG General Agriculture |
| | County Highway | | RRP Rural Residential |
| | State Highway | | RS-1 Single-Family Residential (Suburban) |
| | US Highway | | RS-2 Single-Family Residential (Traditional) |
| | Railroads | | RT Two-Family Residential |
| | Streams | | RM Multiple-Family Residential |
| | Town of Harrison | | CN Neighborhood Commercial |
| | Parcels | | COR Office & Retail Commercial |

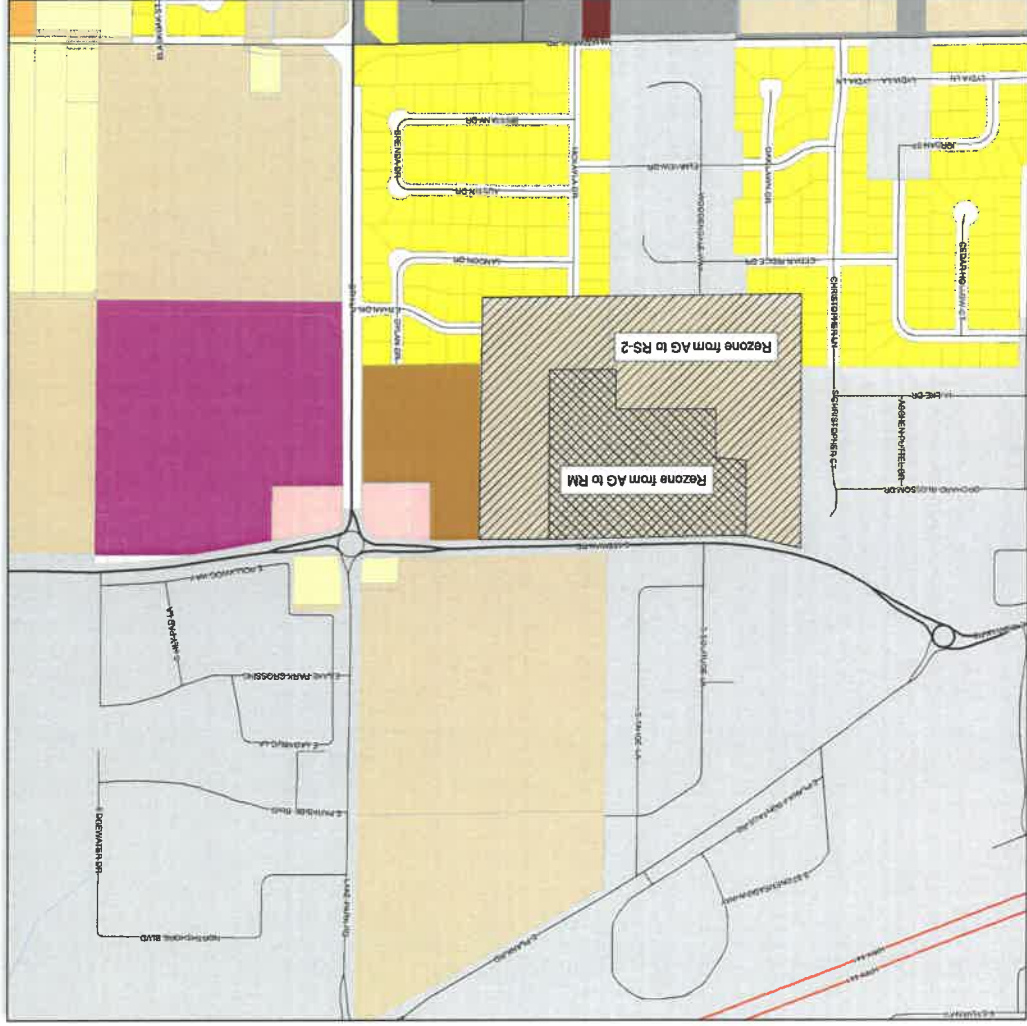
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|--|---------------------------------|--|-----------------------------------|
| | CC Community Commercial | | BP Business Park |
| | IM Industrial & Manufacturing | | NC Natural & Conservancy |
| | MHO Mobile Home Overlay | | PDD Planned Development Overlay |
| | SHO Shoreland Overlay | | SWM Shoreland-Wetland Overlay |
- * Please note that the SHO & SWO boundaries are subject to changes based on determinations of navigable waterways.



This map was created by:
 Village of Harrison
 W258 Hwy 114
 Harrison, WI 54952
 920-888-1052
 Adopted: July 27, 2010
 Effective: November 1, 2010
 Current as of August 26, 2020



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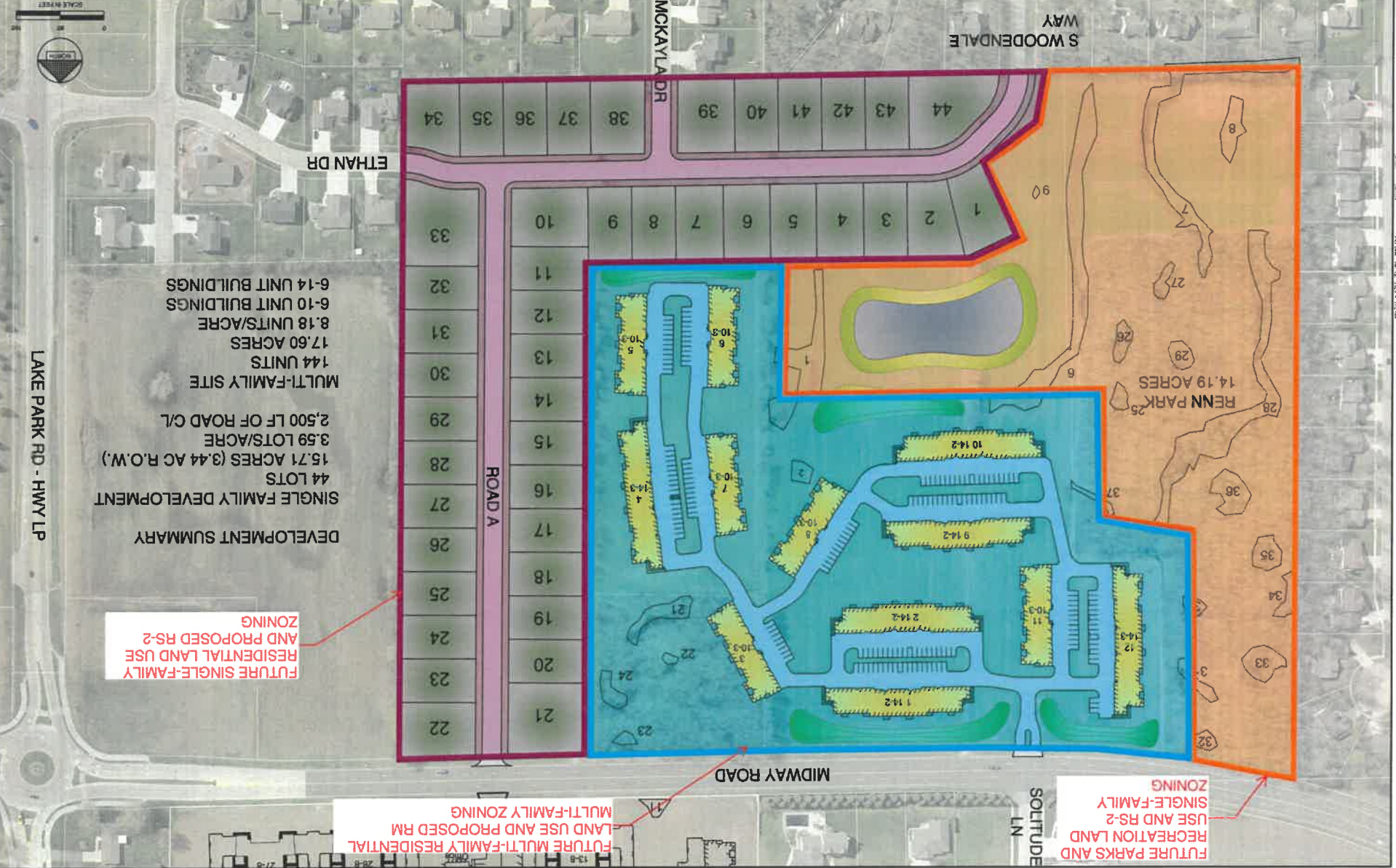
NO.	DATE	APPROV.	REVISION

MIXED USE RESIDENTIAL DEVELOPMENT
 LEXINGTON HOMES, INC.
 VILLAGE OF HARRISON

MIRRAGO - DEVELOPMENT PLAN

DATE: _____
 FILE NO.: _____
 JOB NO.: _____

Robert K. Lee & Associates, Inc.
 1250 CENTRAL EXPRESS BOULEVARD, SUITE 200, HOUSTON, TX 77058
 281-466-9941
 WWW.RKLEA.COM
 SHEET NO. 1



2024-08-01 10:00:00 AM (GMT-05:00) 100% 100% 100% 100% 100% 100% 100% 100% 100% 100%

PLAN COMMISSION RESOLUTION 2020-02

**TO RECOMMEND TO THE VILLAGE BOARD AN AMENDMENT TO THE
HARRISON COMPREHENSIVE PLAN (Lexington Homes - Mirrago)**

WHEREAS, the Harrison Plan Commission received an application from Lexington Homes to amend the Comprehensive Plan Future Land Use Map from Single Family Residential and Parks & Recreation to Single Family Residential, Parks & Recreation, and Multi-Family Residential; and

WHEREAS, the proposed amendment is attached to the Resolution as “Exhibit A”; and

WHEREAS, the amendments have resulted in a Plan that is compliant with the requirements of Section 66.1001(2) Wis. Stats; and

WHEREAS, the Plan Commission has held a least one public hearing on these amendments on September 29, 2020, in compliance with the requirements of Section 66.1001(4)(d) Wis. Stats.

NOW, THEREFORE BE IT RESOLVED, the Harrison Plan Commission recommends to the Village Board the adoption of the amendment from Single Family Residential and Parks & Recreation to Single Family Residential, Parks & Recreation, and Multi-Family Residential for the property described as:

Park and Recreation Legal Description:

Part of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin more fully described as follows:
Commencing at the North 1/4 corner of said Section 8; thence N88°57'36"E, 333.77 feet on the north line of said Northeast 1/4 to the Point Of Beginning; thence continuing N88°57'36"E, 3.51 feet on said north line to the southerly right of way of Midway Road; thence 55.34 feet on the arc of a 1250.00 foot radius curve to the left, having a long chord which bears S77°46'18"E, 55.34 feet on said southerly right of way; thence S79°02'24"E, 100.00 feet on said southerly right of way; thence 37.39 feet on the arc of a 1671.38 foot radius curve to the left, having a long chord which bears S79°40'52"E, 37.39 feet on said southerly right of way; thence S00°48'24"E, 407.24 feet; thence N89°11'36"E, 161.80 feet; thence S00°48'24"E, 264.86 feet; thence N89°11'36"E, 586.21 feet; thence S00°48'24"E, 254.00 feet; thence S89°11'36"W, 294.82 feet; thence S81°01'58"W, 117.48 feet; thence S58°11'29"W, 127.23 feet; thence S43°48'27"E, 140.00 feet; thence 132.98 feet on the arc of a 166.00 foot radius curve to the left, having a long chord which bears S23°14'36"W, 129.45 feet; thence S00°17'39"W, 37.20 feet to the north line of the First Addition to Cedar Ridge Estates; thence S89°11'36"W, 486.62 feet on said north line and the north line of Cedar Ridge Estates to the southeast corner of Lot 41, 1st Addition to Ashland Hollows; thence N00°16'44"E, 1306.41 feet on the east lines of 1st Addition to Ashland Hollows, Ashland Hollows and Certified Survey Map Number 1665 to the Point of Beginning. Said parcel contains 593,225 Square Feet (13.619 Acres) of land more or less.

Single Family Legal Description:

Part of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of said Section 8; thence N88°57'36"E, 337.28 feet on the north line of said Northeast 1/4 to the

southerly right of way of Midway Road; thence 55.34 feet on the arc of a 1250.00 foot radius curve to the left, having a long chord which bears S77°46'18"E, 55.34 feet on said southerly right of way; thence S79°02'24"E, 100.00 feet on said southerly right of way; thence 350.05 feet on the arc of a 1671.38 foot radius curve to the left, having a long chord which bears S85°02'24"E, 349.41 feet on said southerly right of way; thence N88°57'36"E, 801.26 feet on said southerly right of way to the Point Of Beginning; thence continuing N88°57'36"E, 340.08 feet on said southerly right of way; thence S00°14'21"W, 1243.06 on the west line of Lot 2, Certified Survey Map Number 2524 to the northeast corner of Lot 92, Second Addition to Cedar Ridge Estates; thence S89°11'36"W, 1159.74 feet on the north lines of Second Addition to Cedar Ridge Estates and First Addition to Cedar Ridge Estates to the westerly right of way of Woodendale Way; thence N00°17'39"E, 37.20 feet; thence 132.98 feet on the arc of a 166.00 foot radius curve to the right, having a long chord which bears N23°14'36"E, 129.45 feet; thence N43°48'27"W, 140.00 feet; thence N58°11'29"E, 127.23 feet; thence N81°01'58"E, 117.48 feet; thence N89°11'36"E, 642.56 feet; thence N00°14'21"E, 901.62 feet to the southerly right of way of Midway Road, the Point of Beginning. Said parcel contains 696,587 Square Feet (15.991 Acres) of land more or less.

Multi-Family Legal Description:

Part of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 8, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of said Section 8; thence N88°57'36"E, 337.28 feet on the north line of said Northeast 1/4 to the southerly right of way of Midway Road; thence 55.34 feet on the arc of a 1250.00 foot radius curve to the left, having a long chord which bears S77°46'18"E, 55.34 feet on said southerly right of way; thence S79°02'24"E, 100.00 feet on said southerly right of way; thence 37.39 feet on the arc of a 1671.38 foot radius curve to the left, having a long chord which bears S79°40'52"E, 37.39 feet on said southerly right of way to the Point Of Beginning; thence 312.66 feet on the arc of a 1671.38 foot radius curve to the left, having a long chord which bears S85°40'51"E, 312.20 feet on said southerly right of way; thence N88°57'36"E, 801.26 feet on said southerly right of way; thence S00°14'21"W, 901.62 feet; thence S89°11'36"W, 347.74 feet; thence N00°48'24"W, 254.00 feet; thence S89°11'36"W, 586.21 feet; thence N00°48'24"W, 264.86 feet; thence S89°11'36"W, 161.80 feet; thence N00°48'24"W, 407.24 feet to the said southerly right of way, the Point of Beginning. Said parcel contains 762,847 Square Feet (17.513 Acres) of land more or less.

Approved this 29th day of September, 2020.

Motion for adoption by: _____

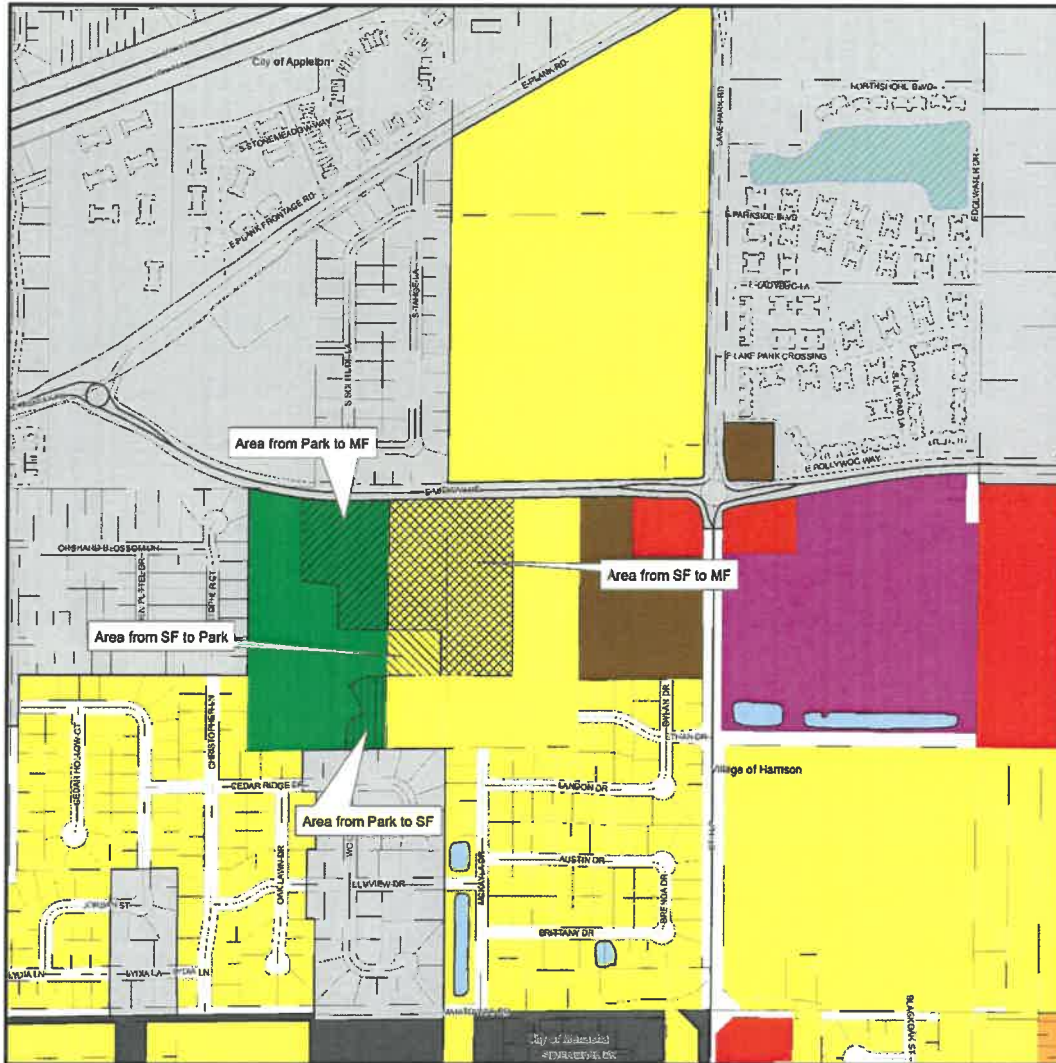
Seconded by: _____

Vote Aye: ____ Nay: ____

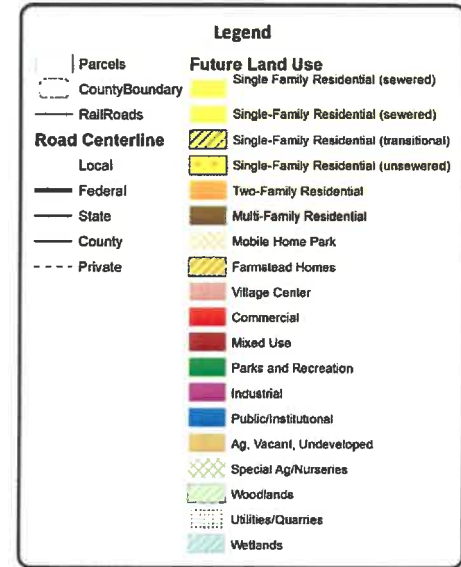
Kevin Hietpas, Plan Commission Chair

Attest: Mark J. Mommaerts, AICP, Harrison Planner

Exhibit A



Harrison Future Land Use Map 2004-2023







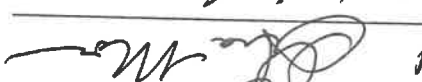
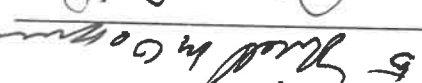
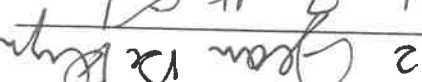

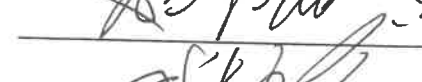
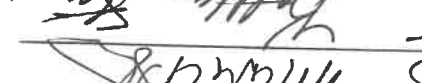


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I, home owner/resident am opposed to the rezoning as proposed on the following map of the


property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

RECEIVED
SEP 09 2021
HARRISON PLANNING

Name (printed)	Address	Phone	Signature
Lindsay Juedes / Mich Juedes	W6548 Ethan Dr	715-302-8838	
Gayla Wessley / Chad Wessley	W6549 Ethan Dr.	920-460-2838	
Sam Kemps	W6512 Ethan Dr.	920-740-8710	
Chad Jank	3819 S Woodhurst Way	608-576-1703	
Sarah Jank	3819 S Woodhurst Way	920-203-3919	
Gina Moon	8200 E Cedar Ridge Dr	920-716-2694	
Richard DeKlyen	2214 E. Cedar Ridge Dr.	920-915-5435	
Jean DeKlyen	2214 E. Cedar Ridge Dr.	920-915-5442	
Brianne Cte	" " " " "	920-850-4692	
Paul St. Jean / L. Cte	" " " " "	920-993-1485	
Maik A Steine	2108 E Cedar Ridge	920-993-1485	
Matthew Steine	2108 E Cedar Ridge Dr	920-1485	



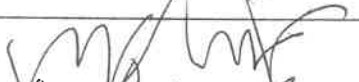

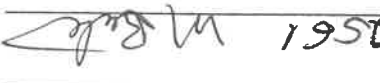
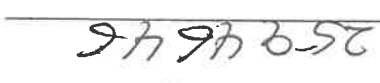
I, home owner/resident am **opposed** to the rezoning as proposed on the following map of the

property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
Whitney Dehart	W1008 Cedar Ridge Dr	920 630 3945	Whitney Dehart
Trevor Dehart	W1058 Cedar Ridge Dr.	920-585-4592	
Tom Neumann	W1666 Cedar Ridge Dr.	920-734-5033	Tom Neumann
Londa Neumann	W1666 Cedar Ridge Dr	920-734-5033	Londa Neumann
Robert Sokel	W1578 London Dr.	920-734-1033	Robert J. Sokel
Debra Sokel	W1578 London Dr.	920-734-1033	Debra A. Sokel
MARY GARDNER Theresa Gardner	W1572 Landon Dr	920.993.9885	Mary Gardner
CAZ GARDNER	W1572 Landon Dr	920.993.9885	Caz Gardner
Rosie Thorson	W1566 Landon Dr.	920 - 420 - 9737	Rosie K. Thorson
TRACY THORSON	W1566 Landon Dr.	920-268-8632	Tracy Thorson

I, home owner/resident am **opposed** to the rezoning as proposed on the following map of the

property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
Paula Ponce	3512 S. Christopher Ct Appleton	920-475-6595	
John Datt	3500 S. Christopher Ct Appleton	920-954-1405	
Ashley Abrahamson	3504 S. Christopher Ct Appleton	920 920-991-8870	
Eric Abrahamson	3516 S. Christopher Ct Appleton	262-497-5091	
Maria Butler	3615 S. Christopher Ct Appleton	920-277-3561	
David Butler	3615 S. Christopher Ct Appleton	302-259-4646	

I, home owner/resident am opposed to the rezoning as proposed on the following map of the

property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
Daniel Zak	N9406 Christopher Ln Appleton WI 54915 (715-938-5105)		<i>Daniel Zak</i>
Erika Zak	N9406 Christopher Ln Appleton, WI 54915 (608) 671-2979		<i>Erika Zak</i>
Kristin Goz	N9224 Christopher Ln Appleton		<i>Kristin Goz</i>
Doug Smestad	3702 S. CHRISTOPHER LN APPLETON, WI 54911		<i>Doug Smestad</i>
Lori Smestad	3702 S. CHRISTOPHER LN APPLETON WI 54911		<i>Lori Smestad</i>
Jeff Brownell	3632 S. CHRYSTOPHER CT APPLETON, WI 54915		<i>Jeff Brownell</i>
Don Roberts	3624 S. CHRISTOPHER CT. APPLETON, WI 54915		<i>Don Roberts</i>
Kris Roberts	3624 S. CHRISTOPHER CT. APPLETON WI 54915		<i>Kris Roberts</i>
Gregory Barker	3608 S. CHRYSTOPHER CT, APPLETON, WI		<i>Gregory Barker</i>
Dennis Blaszyk	N9418 CHRISTOPHER LN APPLETON WI 54915		<i>Dennis Blaszyk</i>
Wendy Blaszyk	N9418 CHRISTOPHER LN APPLETON WI 54915		<i>Wendy Blaszyk</i>

I, home owner/resident am **opposed** to the rezoning as proposed on the following map of the

property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed) Address Phone Signature

Joe Hurley

W6776 London Dr.

920-993-7903

Joe D. Hurley

Jodi Hurley

W6556 London Dr.

920-993-7903

Jodi Hurley

Wendi Dostak

W6548 London Dr.

920 470 4135

Wendi Dostak

Keith Dostal

W6548 London Dr.

662-389-4284

Keith Dostal

Julie Schmitz

W6540 London Dr.

920 585-1312

Julie Schmitz

Dash Sherman

W6187 McKayla Dr.

920-843-1953

Dash Sherman

Marydy Shuman

W6187 McKayla Dr.

920 475968

Marydy Shuman

Kathyn Seeiger

W6674 Cedar Ridge Dr

920-214-4368

Kathyn Seeiger

James Seeiger

W6674 Cedar Ridge Dr.

920 214 4370

James Seeiger

Chmy Carpenter

W61082 Cedar Ridge Dr.

920-524-1220

Chmy Carpenter

Timothy Carpenter

W6682 Cedar Ridge Dr.

920-574-0055

Timothy Carpenter

I, home owner/resident am **opposed** to the rezoning as proposed on the following map of the

property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
Kenneth Londo	W6541 Ethan Dr	920 841 1766	<i>Kenneth Londo</i>
Michael Londo	W6541 Ethan Dr	920 498 4923	<i>Michael Londo</i>
Mark Strassburg	W6534 Ethan Dr	920-915-6488	<i>Mark Strassburg</i>
Garrett Mason	W6522 Ethan Dr.	920-851-0868	<i>Garrett Mason</i>
Karla Burroughs	W6523 Ethan Dr	608.290.6920	<i>Karla Burroughs</i>
Amzel Deeg	W6533 Ethan Dr. App.	920 475 6750	<i>Amzel Deeg</i>
Shane Deeg	W6553 Ethan Dr	720-732-6306	<i>Shane Deeg</i>
Leah Mineau	N9193 McKayla Dr	920-475-3231	<i>Leah Mineau</i>
Mark Mineau	N9193 McKayla Dr	920-475-3231	<i>Mark Mineau</i>

Mark Mommaerts

From: Hurley, Joe <Joe.Hurley@kcc.com>
Sent: Friday, September 4, 2020 10:26 PM
To: Mark Mommaerts
Subject: amendment of the zoning for location IDs 43286 & 43288

Mark,

My name is Joe Hurley and I recently received the notice to amend the zoning of the property located on the southeast side of the Midway Road/Lake Park Road intersection. My wife, our three boys, and I have lived here for nearly 10 years, and have come to love the location, the neighbors, the safety, and the natural setting the area offers. Our backyard has a tree line, and beyond that, is the land where the development has been proposed. To say we have enjoyed *not* having neighbors is an understatement, but we are also aware that although change is difficult, it is inevitable. Needless to say, we were disappointed to see the proposal to re-zone to allow a multi-family structure—for reasons I will outline below. I write to you in hopes that (i) you can offer some clarity on the process, but also (ii) to ensure my concerns are documented. We appreciate the Village of Harrison's (VoH) solicitation for feedback meant to be reviewed on the September 29 meeting. I would welcome the opportunity to participate in the dialogue, but with COVID still a risk, I will not be attending in-person. Here are the comments and questions I would like to bring forward.

Comments and/or Question

- **Timeline.** Is there a timeline associated with Lexington Homes' start of construction if the amendment is passed? Has the land in question even been procured? What is the specific status of the land in question as of today (i.e. who owns it currently)?
- **Process.** I am admittedly ignorant to how this process works. Does the VoH take offers for development? Have there been other offers, or is Lexington Homes' the first such offer? A reoccurring theme throughout my email is that this real estate is exceptionally attractive--especially for single-family homes. I feel that VoH would benefit from *not* taking the first offer, evaluating all options, and *not* immediately re-zoning this plot of land. Given time, I am confident other developers will propose plans that would provide a diverse set of options such that an analysis can be done that would result in a decision that benefits all stakeholders: the VoH, the area residents, as well as the prospective "new-comers."
- **Prime Location.** I am biased, but the area is an ideal location: close to commerce (Walmart, Target, Home Depot, 441 access), maintains a rural feel, and close proximity to any of the school districts in the area (Appleton, Kimberly, or Menasha). What specific benefits does VoH see to entertain the idea of a multi-family area? I assume it is tax revenue, but are multi-family complexes more lucrative from a tax basis? If these benefits of multi-family homes can be articulated, that would help educate the community.
- **Saturation of Multi-Family Housing in the Area.** The supply for multi-family housing seems to be expansive in the area. With Lake Park apartments northeast of this location, North Shore apartments to the southeast, and another vast complex being developed by Lake Park Pub, it is hard to imagine the area needing much more than these existing units. With an abundance of availability, that will drive pricing down, and attract an even more transient population than the typical multi-family complex. It is my hope that a thorough market analysis has been completed that supports another multi-family

complex. If so, is that available to the public? In the least, I hope the VoH has visibility to this fact to justify such an amendment?

- **Corollary to Above Point → Existing Home Values Will Drop.** There are several anecdotal, and researched, consequences on values of homes when multi-family housing complexes are erected. The consensus is that people do not want to live too closely to them. If multi-family housing is developed, home values would likely drop and families would vacate, likely at a discount to their current home price. Is this something the VoH is prepared to support? The alternative is to mimic what the City of Appleton has done with homes north of Midway on Tahoe and Solitude Lanes: middle-to-upper echelon homes, and thus, an extremely high tax-generating area. Does the City of Appleton have to give any “approval” for this amendment? It seems like a partnership would go a long way in this space as I am assuming the neighborhoods in that area would not be supportive of multi-family housing either.
- **Preservation of Natural Areas.** We have been spoiled for 10 years with deer, an abundance of birds, and many other animals frequenting the area. To the extent tree lines and wooded areas can be maintained, it makes the area even more attractive for prospective homebuyers (perhaps not so much for apartment renters). There is a patch of woods that appears to be within the multi-family zone, per the proposal. Would this area be preserved, or taken down? Currently, the tree line in our neighboring lot is not ours—it is on the farmland. Is there any guarantee that it would be spared in the development process?
- **Follow-Up.** Will notes of the meeting be found online after the meeting? Will all these questions/comments be addressed (i.e. how can we find out these answers)?

In summary, I want to first thank you in advance for reading this email and responding to some of my questions. I am sure you understand that this is new for many of us in the sub-division in a relatively short amount of time, so the more information we can get, the better. Secondly, as a family, we strongly feel that the Village of Harrison has an opportunity to do something remarkable with the undeveloped land, yet we do not feel like that vision includes a multi-family housing complex. The location has a litany of attractive features from schools, to highway access, to recreational proximity (Lake Winnebago, High Cliff State Park, etc.), to major retailers that are at most five minutes away. Putting single-family homes could create a high tax base with large, partially (to fully) wooded lots with a recreational park area close by. Thank you for your time and your willingness to collect the feedback.

Joe Hurley | Kimberly-Clark Corporation | 920.721.5330 | joe.hurley@kcc.com

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September 14, 2020

Melissa Koehler, DO, MBA
3214 S Tahoe Lane
Appleton, WI 54915

Mark Mommaerts, AICP, Village Planner
Township of Harrison, Planning Commission

RE: Zoning Change Vote, Property along Midway Road and Lake Park Road

Dear Mr. Mommaerts;

Thank you for accepting comments regarding the planned vote to rezone from single family to a combination of single-family, multiple family, and commercial use along Midway Rd. and Lake Park Rd.

My neighbors in the Aspen Ridge subdivision have had a strong opposition to the change from single-family to multiple use functions. While the neighborhood understands that the Phase 1 process will not directly affect a majority of our population, there are households along Midway that fall within 100 feet of this change, and they are strongly opposed to changing from single-family. Likewise, the families living on S. Tahoe Ln. and to border the Phase 2 land similarly strongly objected to the change. In conversations with my neighbors, not a single family approved of the change, but rather were more unnerved at the prospect of multiple family and lower quality housing. They were additionally multiple other comments, and to facilitate your next meeting, these are enumerated below.

Comments include:

1. There is concern that increasing the population from single-family to multifamily will put additional strain on the public school systems as well as infrastructure including roads and water supply.
2. The only entrance to the Phase 1 multifamily section is directly across from the Solitude Ln entrance. This creates concern that people will use the Aspen Ridge subdivision as a cut-through to get to Plank Road. This was actually experienced in 2018-19 during the construction of the roundabouts in the area. Regarding this topic, please consider accepting the objections of the Solitude Lane residents.
3. The current single-family houses in most surrounding neighborhoods are 1/3 acre. The proposed single-family houses are 1/4 acre. This increases density in population, and there is concern regarding decreasing property value.

4. There is additional concern regarding a future inability to make comments or objections. Should the Phase 1 re-zone proposition pass, then the TID becomes fully effective. When the TID comes into effect, there is lesser of a reason to have discussions regarding Phase 2. For this reason, the Aspen Ridge Subdivision as a whole has a vested interest to assure that Phase 1 is not approved.
5. With increasing population density from multiple housing units, the overall population increases which has a direct effect on decreasing safety and increased crime.
6. People are concerned this will decrease their property value. There is a belief that Lexington Homes typically produces homes that would not be built to the caliber of surrounding properties.
7. There is a common understanding that this farmland was intended to be single-family, and many households are more amenable to single-family dwelling.

This topic is significant enough of a concern, that after the original petition was passed through the neighborhood, that several families who had not been in town and who were unable to originally sign, requested the opportunity. These additional names are included with this letter.

Thank you, again, for receiving this letter. The neighborhood has been pleased to about the Township of Harrison, and we look forward to seeing the Township grow. Should you have any questions or concerns regarding this letter, please always feel free to contact me at (920) 809-1224.

Kind regards,

A handwritten signature in black ink, appearing to read "Melissa Koehler". The signature is written in a cursive, flowing style.

Melissa Koehler, DO, MBA

I, home owner/resident am opposed to the rezoning as proposed on the following map of the

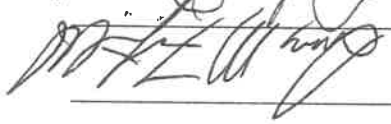


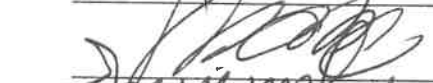

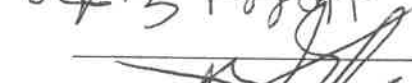



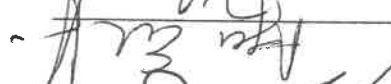
property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

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HARRISON PLANNING

Name (printed)	Address	Phone	Signature
Melissa Koehler	3214 S. Lake Lane Appleton	920-809-1221	
Benjamin Gumpert	3230 S. Lake Lane Appleton WI	920-750-3960	
Lisa Manke	3300 S. Tahoe Ln Appleton WI	700-451-9001	
John Manke	3300 S. Tahoe Ln Appleton, WI	920-850-8443	
Timothy Little	3316 S. Tahoe Ln Appleton, WI	920-277-3623	
Heidi Little	3316 S. Tahoe Ln Appleton WI	920-277-3619	
MICHAEL BOES	3308 S. TRHOE LN APPLETON WI	920-884-0376	
Wendy Born	3308 S. Tahoe Ln. Appleton WI	920-284-0976	
Thane Jones	3332 S. Tahoe Ln Appleton WI	314-226-3051	
Jae Jones	3332 S. Tahoe Ln Appleton WI	920 420 4022	

I, home owner/resident am **opposed** to the rezoning as proposed on the following map of the

property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
Dawn Fritzel	3409 S. Tahoe Ln.	920-954-8136	
John Fritzel	3409 S. Tahoe Ln.	920-940-4464	
Megan Wolf	3400 S. Solitude Ln	920.703.3534	
Daniel Wolf	3400 S. Solitude Ln	920.419.7397	
BS Ermer	3130 S. Tahoe Ln	920-203-6437	
Holly Ermer	3130 S. Tahoe Ln.	920.268.5808	
Amy Loritz	3122 S. Tahoe Ln	920-940-2982	
Jeff Loritz	3114 S. Tahoe Lane	920-475-5614	
Aja Enon	3114 S. Tahoe Lane	312-480-5221	
Khadijah Enon	3114 S. Tahoe Lane	347-922-4721	

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Name (printed)	Address	Phone	Signature
DOUGLAS A. KOEHLER	3219 S. TAHOE LN APPLTON 54915	920-809-1222	<i>Douglas Koehler</i>
DOUGLAS A. KOEHLER	3222 S. TAHOE LN APPLTON 54915	920-809-1222	<i>Douglas Koehler</i>
Melissa Koehler	3222 S. Tahoe Ln (lot) Applton	920-809-1222	<i>Melissa Koehler</i>
Ambera Reed	3206 S. Tahoe Ln	920 915 0421	<i>Ambera Reed</i>
Randy Reed	3206 S. Tahoe Ln	920-915-0985	<i>Randy Reed</i>
Lauryn Wecker	3028 S. Tahoe Ln.	920-209-5855	<i>Lauryn Wecker</i>
Holly Schroeder	3401 S. Solitude Lane	414-378-4411	<i>Holly Schroeder</i>
Mike Schroeder	3401 S. Solitude Lane	914-526-0621	<i>Mike Schroeder</i>

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Name (printed) Address Phone Signature

Jara Birn

3109 S Tahoe Ln, Appleton, WI 54915 920 460 2301

Jara Birn

Chris Birn

3109 S Tahoe Ln, Appleton, WI 54915 920 540 2191

Chris Birn

Yang Schmidt

3117 S Tahoe Ln Appleton, WI 54915 651-380-5719

Yang Schmidt

Amy Schmitt

3117 S. Tahoe Ln Appleton, WI 54915 651-380-5003

Amy Schmitt

Tiff Nielsen

3201 S. Tahoe Lane Appleton WI 54915 920 573 2891

Tiff Nielsen

John Nielsen

3201 S. Tahoe Lane Appleton WI 54915 414 899-9333

John Nielsen

Jim Slop

3209 S. Tahoe Lane Appleton WI 54915 920-202-1975

Jim Slop

Diana Beck

3217 S. Tahoe Ln Appleton WI 54915 527-254-4955

Diana Beck

Tim Beck

3217 S Tahoe Ln Appleton WI 54915 920-410-1893

Tim Beck


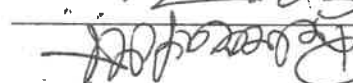
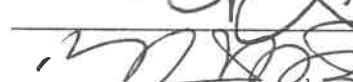

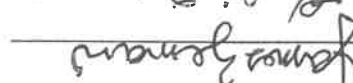
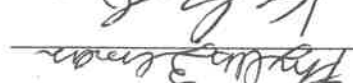

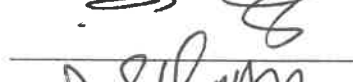
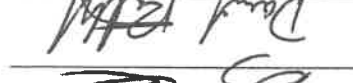
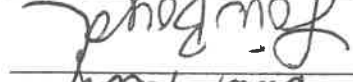
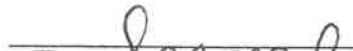
Mike Olyn

3101 S Solitudo Ln Appleton WI 54915 920-375385

Mike Olyn

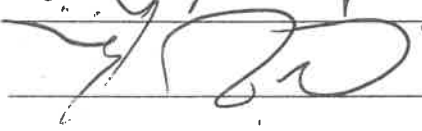
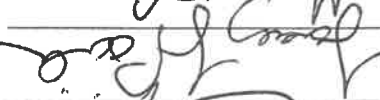
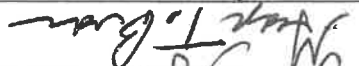

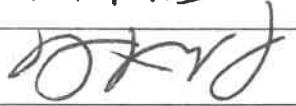
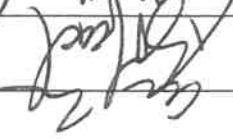
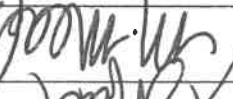

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property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
Christine Olm	3101 S Solitude Ln	920 378 5389	
Rebecca, OH	3105 S. Solitude Ln	920 205-2712	
Edin Kour	3109 S. Solitude Ln	920-573-1380	
Dr Kadir	3109 S. Solitude Ln	920-573-1598	
James Zeman	3113 S. Solitude Ln	920-731-1026	
Phyllis Zeman Phyllis Zeman	3113 S. Solitude Ln	920-731-1026	
Karin Charles	3122 S. Solitude Ln	920 944-7413	
Thay Dion	3201 S. Solitude Ln.	920-450-1020	
Gregory Dion Gregory Dion	3201 S. Solitude Lane	920-471-2325	
Dani Kottitt	3200 S. Solitude Lane	920-585-9224	
Lori & Jason Boyd	3209 S. Solitude Lane	920-574-7310	

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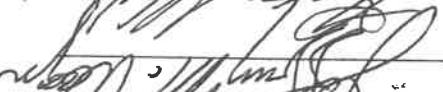


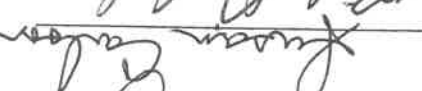



Name (printed)	Address	Phone	Signature
Colle Poble	3208 S Solitude Ln	920 470 6996	
Lacey Poole	3208 S Solitude Ln	920 205 5746	
George T. Brown	3217 S. Solitude Ln	900 202 3214	
YARA BROWN	3217 S. Solitude Ln.	920-702-3214	
Fawn Littell	3300 S Solitude Ln	413-212-9284	
Gail Littell	3300 S. Solitude Lane	920-540-4662	Jill Littell
Adam Walker	3232 S. Solitude Ln	920-209-1983	
BOJAN KRAO	3309 S. Solitude Ln	920 574-0486	
Melissa Mead	3309 S. Solitude Ln	920 855 2673	Ch. Mead
Dore Guler	3308 S. Solitude Ln	312-258-4696	

I, home owner/resident am opposed to the rezoning as proposed on the following map of the property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
William Schmudinski	3316 South Solitude	920-209-9713	<i>William Schmudinski</i>
Mandy Dix	3325 S Solitude Ln	920-636-8210	<i>Mandy Dix</i>
Dylan Dix	3325 S Solitude Ln	920 858 0883	<i>Dylan Dix</i>
Jason Lauer	3227 S Solitude Ln	920-216-2726	<i>Jason Lauer</i>
Sara Lauer	3227 S. Solitude Ln	920-216-2726	<i>Sara Lauer</i>
Gianna Lopez	3114 S. Solitude Ln	920-750-1255	<i>Gianna Lopez</i>
Mike Schreiber	3117 S Solitude Ln	920-749-9158	<i>Mike Schreiber</i>
Lisa Schreiber	3117 S Solitude Ln	920-749-9158	<i>Lisa Schreiber</i>

I, home owner/resident am **opposed** to the rezoning as proposed on the following map of the

property on the South side of Midway Road/County Road AP, West of Lake Park Road IDs 43286 & 43288

Name (printed)	Address	Phone	Signature
Cheri Borowski	3309 S. Tahoe Lane	920-851-0513	
Kathy Davis	3216 S SOLITUDE LADE	414-350-4827	
Shawn Davis	3216 S Solitude LADE	920-428-0154	
Jeffrey M. Wagner	3224 S SOLITUDE LADE	920-419-5330	
Roxanne Milagres	3224 S. Solitude La	920 419 1202	
Jim Stip	3207 S. Tahoe Lane	920-202-1993	
Sue Carlson	3401 S. Tahoe Lane	920-915-5491	
Richard Carlson	3401 S. Tahoe Ln	920-915-5491	
Manda Kapila	3301 S. Solitude Ln.	920-915-5096	
Eric Kapila	3301 S. Solitude Lane.	920 970 1013	
Dr. H. De	3324 S. Tahoe Lane	414 - 687-0574	

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Special Exception to Design Standards

Issue:

Should the Plan Commission grant a special exception to the zoning design standards for the development?

Background and Additional Information:

The Developer of Mirrago Apartments development on Midway Road is requesting a waiver from the design standards found in the Multiple-Family Residential (RM) zoning district. The applicant is proposing to deviate from the required amount of materials facing a public street. The reason for the request is that the site will be surrounded by berms and plantings and the buildings will have reduced visual impact from the street. The applicant is proposing to use premium shake siding on the upper portions of the buildings.

The request also is for wall and window composition. Some of the buildings do not meet the 50-foot wall composition break, but there are several deviations to break up the blank wall appearance, which is the intent of the ordinance. The intent of the ordinance to have windows on sides facing a roadway is to break up flat, blank walls. The applicant provided an alternate side elevation of buildings that have sides facing a public street for Buildings 11 & 12.

Zoning Ordinance:

Sec. 117-85. Multiple-Family Residential District [RM].

(n) *Design standards. Requirements for new buildings and structures, or additions, built after the effective date of this chapter. Special exceptions to this section shall be granted by the plan commission.*

1. *Materials. At least 75 percent of all exterior walls facing a public street shall be faced with brick, block, fieldstone or other architectural masonry material. Roofs which exceed a pitch of more than three inches in 12 inches shall either be shingled or have an architectural metal roofing system.*
2. *Garage door placement. The garage wall(s) containing a garage door opening facing a public street shall not comprise more than 50 percent of the façade of the principal structure width containing the primary entrance, measured along the ground level.*

3. *Roof. The total height of the roof(s) from the lowest portion of the roof(s) to the ridge line shall be no greater than the height of the façade(s) of the building, measured vertically from the ground level of the façade(s) to the lowest portion of the roof(s), unless dormers are present.*
4. *Off-street parking requirements. Ground level, surface parking shall be located at or behind the front façade of the principal building. Any surface parking located at the side of the building shall be screened through the use of approved integrated architectural walls and/or landscape treatments.*
5. *Building composition.*
 - a. *Site. All principal buildings shall have a well-defined front façade and entrance with the primary entrance facing a public or private street if possible. The buildings shall be aligned so the dominant lines of their façades parallel the line of the street to help create a street wall.*
 - b. *Walls. No flat walls exceeding 50 feet in length shall be permitted for any structure; wall offsets, architectural details and wall facing shall be used to meet this requirement.*
 - c. *Windows. There shall be a minimum of one window, per story, per side of the principal building. Accessory garages or parking buildings shall have windows, or other architectural features, to break long expanses of the building façade when facing a public street.*

Recommended Action:

The proposed design is consistent with other exterior building waivers granted for Lexington Homes' Asterion Development and is similar to building construction of the North Shore Apartments on the south side of Sonny Drive. Condition that the berms along the roadways be 5-feet in height and trees/plants be at least 4-5 feet at planting. Staff also recommends the alternate elevations with windows on the sides be approved.

Attachments:

- Request letter
- Layout
- 10 -unit Building Elevations
- 14 -unit Building Elevations
- 10 -unit Building Elevation Alternate
- 14 -unit Building Elevation Alternate



Robert E. Lee & Associates, Inc.
Engineering • Surveying • Environmental Services

1250 Centennial Centre Boulevard • Hobart, WI 54155 • 920-862-9641 • www.releeinc.com

September 4, 2020

Mr. Mark Mommaerts, AICP, Planner
VILLAGE OF HARRISON
W5298 State Road 114
Harrison, WI 54952

RE: Lexington Homes – Mirrigo Multi-Family Development
Request for Municipal Code Condition Modifications
Village of Harrison, WI

Dear Mr. Mommaerts:

On behalf of Lexington Homes, Inc. (Lexington), Robert E. Lee & Associates, Inc. (REL) is summarizing the desired municipal code deviations for the Multi-Family development known as Mirrigo. The requested deviations relate to the building elevations, and reference Section 117-85 Multiple-Family Residential District (RM). The following details the requests from the developer:

1. Section 117-85 (n) (1) *Materials*. Lexington's 10-unit and 14-unit buildings do not meet the minimum required percent masonry on the build elevations facing public streets. As a result of the design development of the building and the site, the perimeter of the site is bordered with 4'-5' tall berms, capped with evergreen trees that provide screening of the buildings year-round. The upper floor of the buildings are clad with a premium shake siding, giving the building architectural interest. With the limited visibility of the rear facing elevations, the code required masonry would be minimally visible from adjacent public streets. Building elevations for the 10-unit and 14-unit buildings have been provided with percentages of wall coverings by type. Based on Village requirements, the landscaping has been enhanced from code minimum to ensure the site is attractive when viewed from adjacent roadways.
 2. Section 117-85 (n) (5) *Building Composition* (b) and (c) *Walls, Windows*. The building composition deviates from the sections noted in the code. Though the primary walls, specifically of the 14-unit buildings, may not have full horizontal movement every 50 feet, the build faces are broken into multiple sections with added architectural variation created by a change of build facade materials, deviation in roof lines, horizontal movement, and bump outs for decks and patios.
- As a result of the site design and relative position of the buildings, the ends of the buildings do not generally have windows on the respective elevations. This design features enhances privacy of the end living units. A detail has been provided, illustrating how windows will be placed on the ends of the buildings that face public streets. Windows will be placed on the ends of Buildings 11 and 12.

September 4, 2020
Mr. Mark Mommaerts, AICP, Planner
VILLAGE OF HARRISON
Page 2

This letter identifies the deviations that are being requested by the developer from the Village's Municipal Code, and we are requesting that the Village approve the building plans as presented, including the office building. If you have any questions or need any additional information, please feel free to contact our office.

Sincerely,

ROBERT E. LEE & ASSOCIATES, INC.



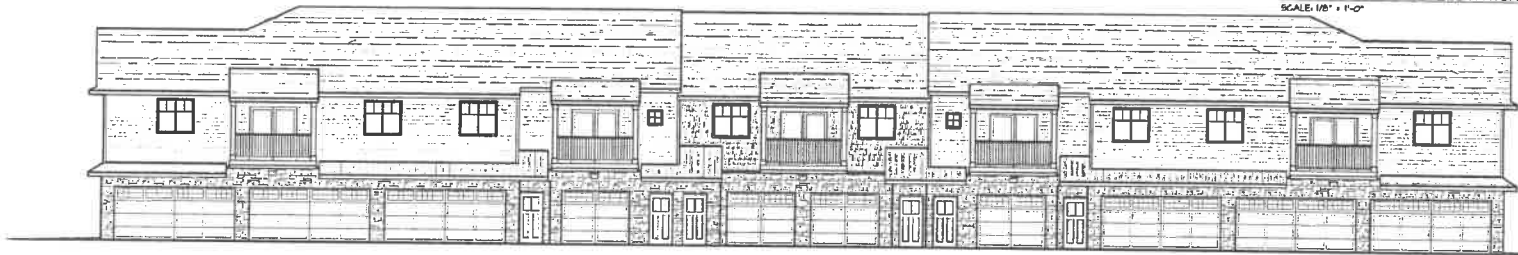
Aaron J. Breitenfeldt, P.E.
Civil/Municipal Engineer

AJB/NJM

CC: Jeff Marlow, President, Lexington Homes, Inc.

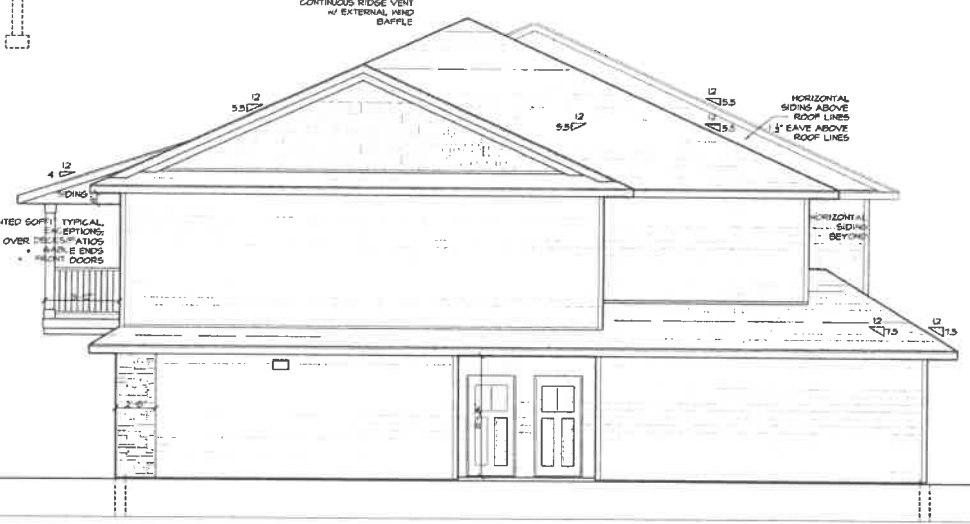
COMPOSITE DRIVE ELEVATION

SCALE: 1/8" = 1'-0"



DETAILED DRIVE ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

10-3

LaPlant Architecture, LLC

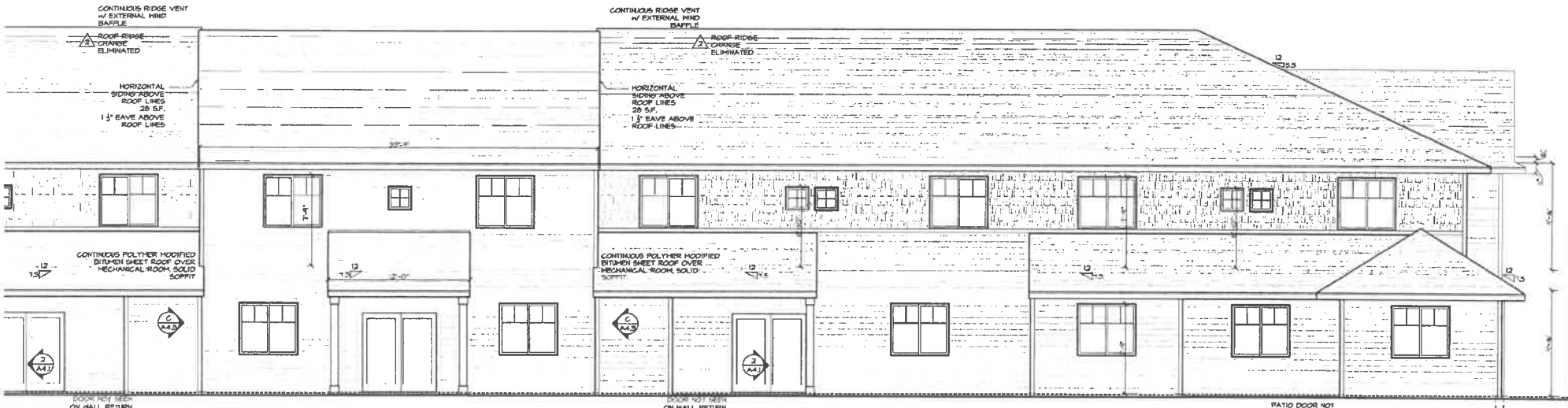
OFFICE: 414 WILLARD DRIVE
GREEN BAY, WISCONSIN
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GREEN BAY, WISCONSIN 54301
Telephone: (920) 733-9766

EMAIL: la@lplantarchitecture.com

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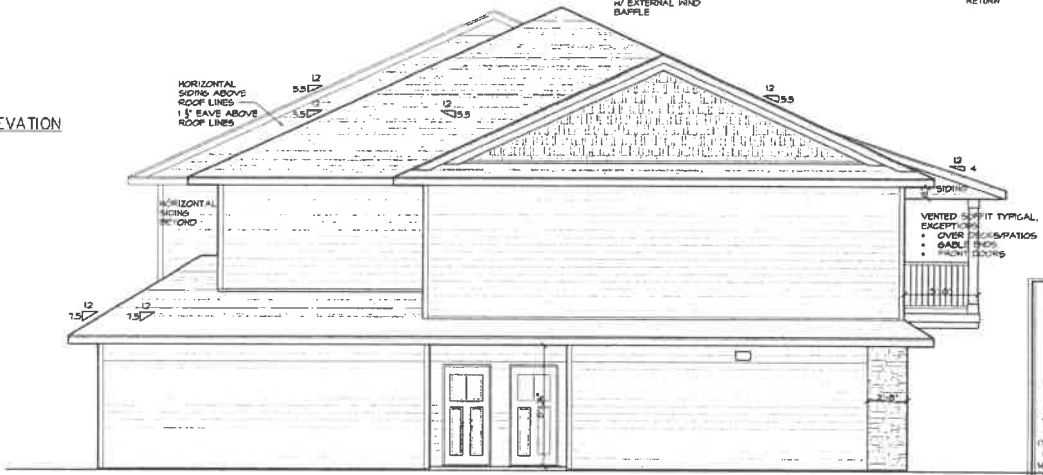
REVISION	DATE
REV. 1	8/17/2020
REV. 2	9/17/2020
DATE	8/9/2020
PROJECT NO.	42148
SHEET	A
	1.1

PORCH ELEVATION
SCALE: 1/8" = 1'-0"



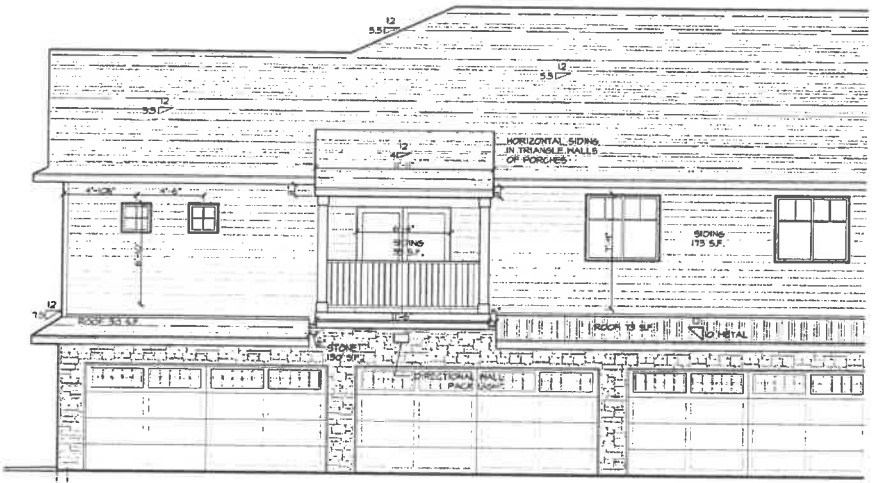
DETAILED
PORCH ELEVATION
SCALE: 1/4" = 1'-0"

LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



10-3

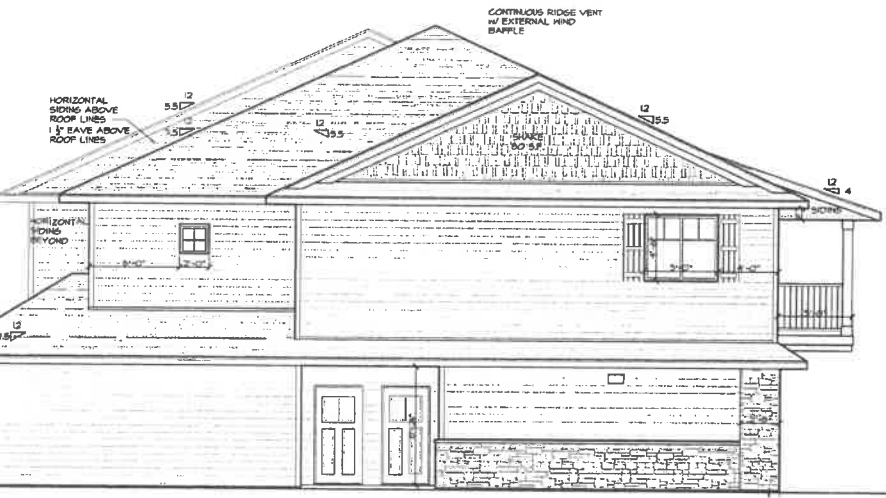
LaPlant Architecture, LLC	
OFFICE: 514 WILLARD DRIVE GREEN BAY, WISCONSIN MAILING: 1500 BLOTTIC WAY GREEN BAY, WISCONSIN 54301 Telephone: 920.933.0364	
EMAIL: laplantarchitecture@yahoo.com	
REVISION	DATE
REV. 1	8/2/2010
REV. 2	9/2/2010
DATE	6/9/2010
PROJECT NO.	48146
SHEET	A
1.2	
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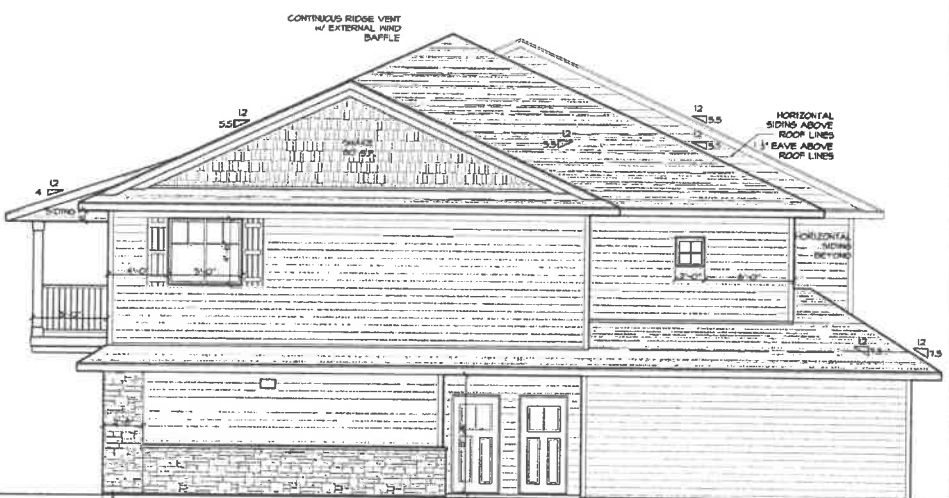
LEFT SIDE GARAGE
ALTERNATE FOR BUILDING 1



RIGHT SIDE GARAGE
ALTERNATE FOR BUILDINGS
6 & 7



LEFT SIDE
ALTERNATE SIDE FOR
BUILDING 1



RIGHT SIDE
ALTERNATE SIDE FOR
BUILDINGS 6 & 7

Alternate



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LEXINGTON-
HOMES
Building Neighborhoods
One Home at a Time

OFFICE: 1500 North Kings Ct.
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Fax: (920) 662-6104

EMAIL: info@lexingtonhomes.com
WEB: lexingtonhomes.com

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Date: 3/20

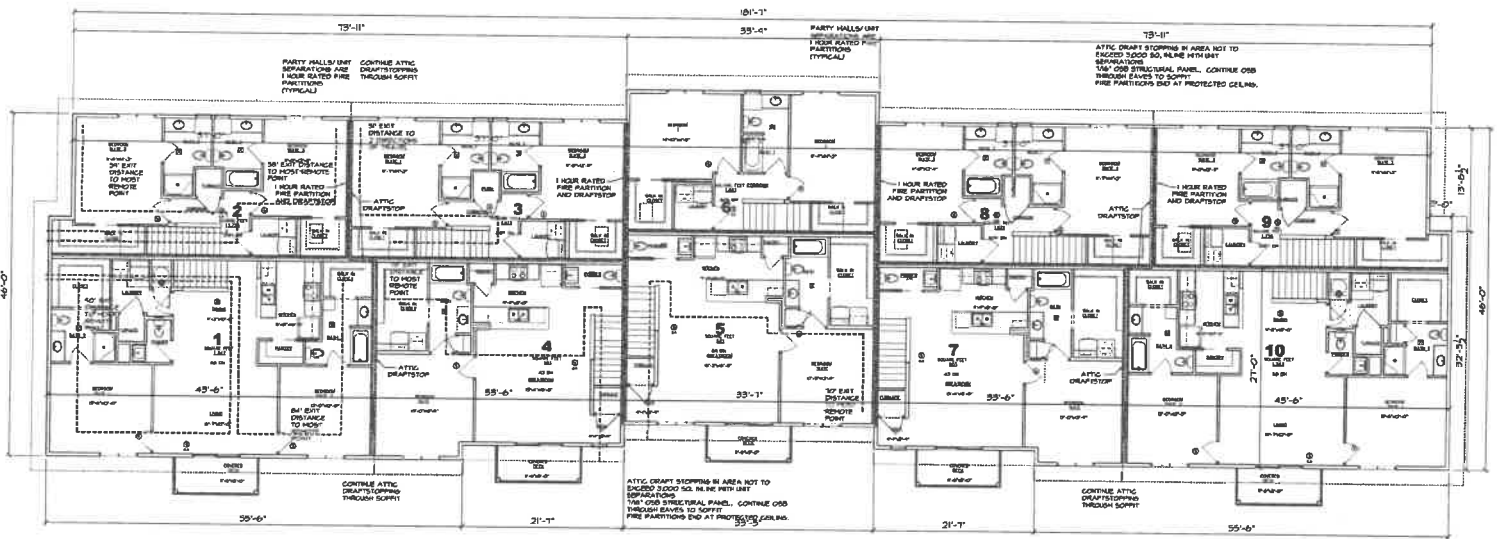
10-3 Asterion
LEXINGTON HOMES INC
Village of Harrison, WISCONSIN

REVISION	DATE
REV. 1	8/7/2020
REV. 2	8/7/2020

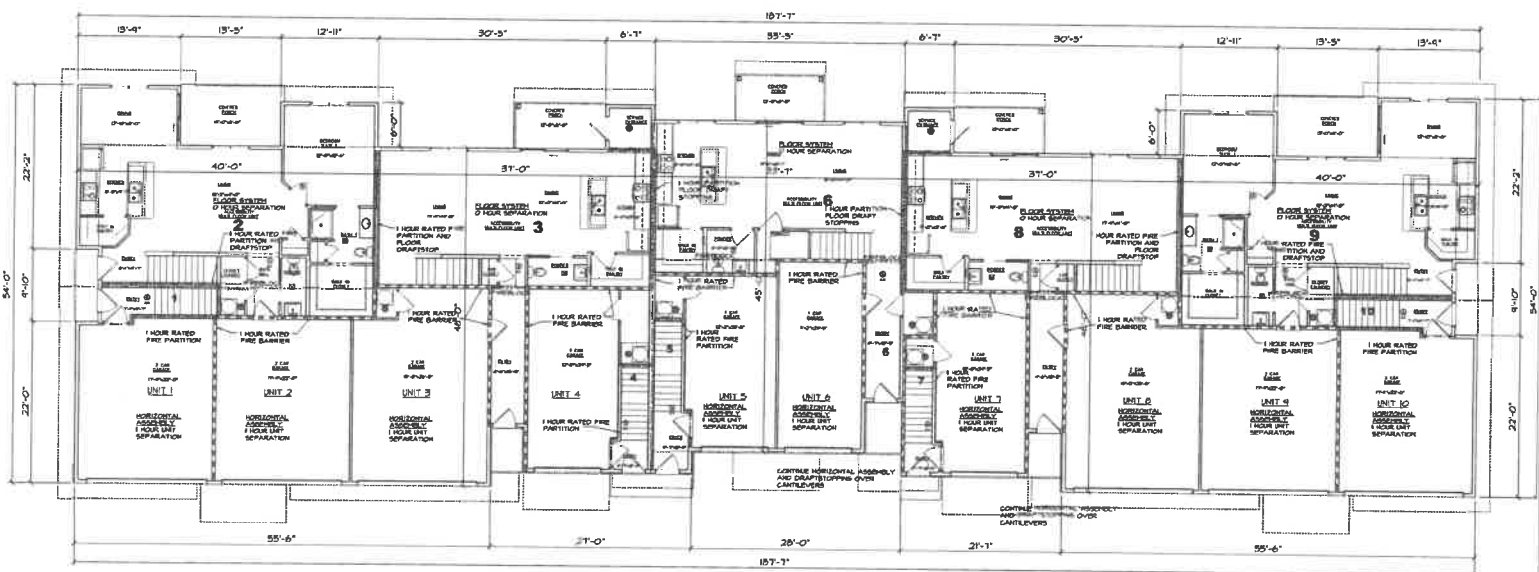
DATE
8/7/2020
PROJECT NO.
464461
SHEET
A
1.3

FY PLAN LEGEND

ITEM
→ DRAFT STOPPING
1 HOUR RATED FIRE PARTITION
1 HOUR RATED FIRE BARRIER
EXIT DISTANCE AND ROUTE



FLOOR PLANS
SCALE: 1/8" = 1'-0"



10-3

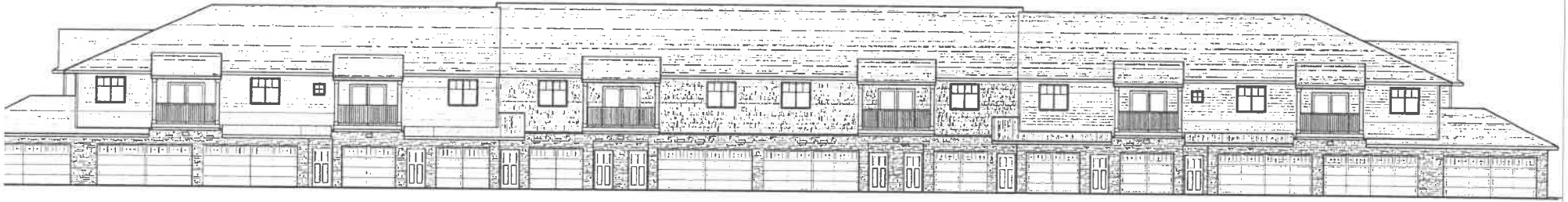
LaPlant Architecture, LLC

1707 E. WILLARD DRIVE
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REVISION	DATE
REV. 1	8/7/2012
REV. 2	9/3/2012

DATE: 8/7/2012
PROJECT NO. 48481
SHEET
A
2.1

COMPOSITE DRIVE ELEVATION
SCALE: 1/8" = 1'-0"



CONTINUOUS RIDGE VENT
W/ EXTERNAL RAMP



TOTAL MATERIALS AREA DATA

MATERIAL	SURFACE AREA	PERCENTAGE OF SURFACE AREA
STONE	1320	15.8
SHAKE	1204	14.5
SIDING	5786	69.7
TOTAL	8315	100

DETAILED DRIVE ELEVATION
SCALE: 1/4" = 1'-0"

ENTIRE FRONT SURFACE UNDER EAVES INCLUDING DOORS & WINDOWS

BUILDING MATERIAL AREA DATA

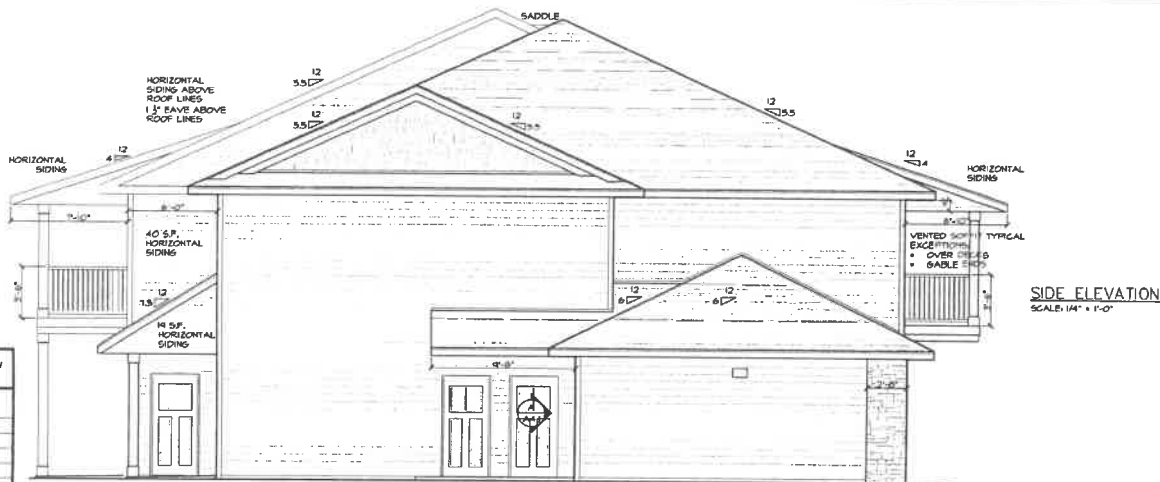
MATERIAL	SURFACE AREA	PERCENTAGE OF SURFACE AREA
STONE	1276	29.5
SHAKE	945	12
SIDING	423	10.3
WINDOW & DOORS	685	19.8
GARAGE DOORS	1214	29.6
ROOF	228	4.6
TOTAL	4981	100

BUILDING MATERIAL AREA DATA

MATERIAL	SURFACE AREA	PERCENTAGE OF SURFACE AREA
STONE	1276	42.7
SHAKE	545	20
SIDING	1116	37.3
TOTAL	2937	100

BUILDING MATERIAL AREA DATA

SERIAL	SURFACE AREA	PERCENTAGE OF SURFACE AREA
2NE	22	2.4
4NE	50	5.5
1NS	830	42.1
TOTAL	902	100



SIDE ELEVATION
SCALE: 1/4" = 1'-0"

14-2

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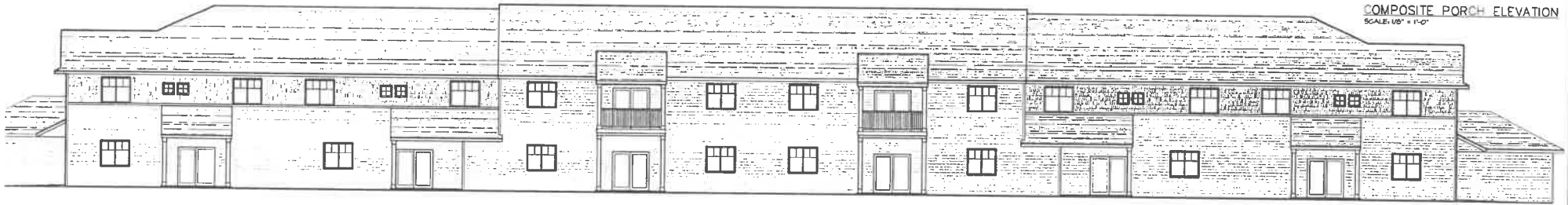
OFFICE: 111 MILLS DRIVE
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E-MAIL: la@plantarchitecture.com

REVISION	DATE
0	XXX

DATE: 8/19/2020
PROJECT NO: 481481
SHEET
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1.1

PRELIMINARY
NOT FOR CONSTRUCTION

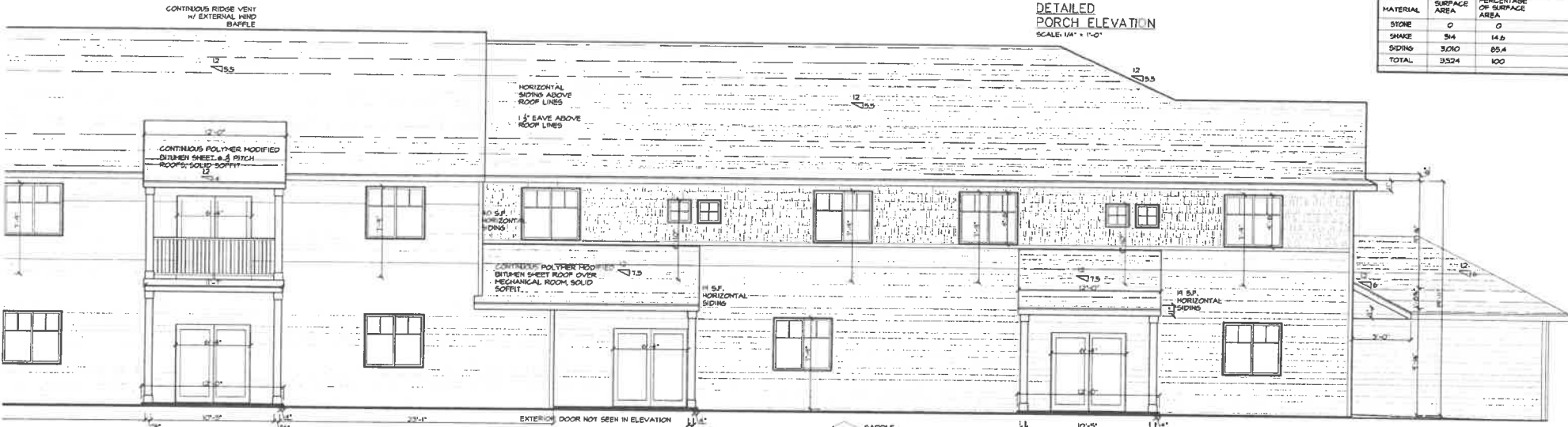
COMPOSITE PORCH ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING MATERIAL AREA DATA

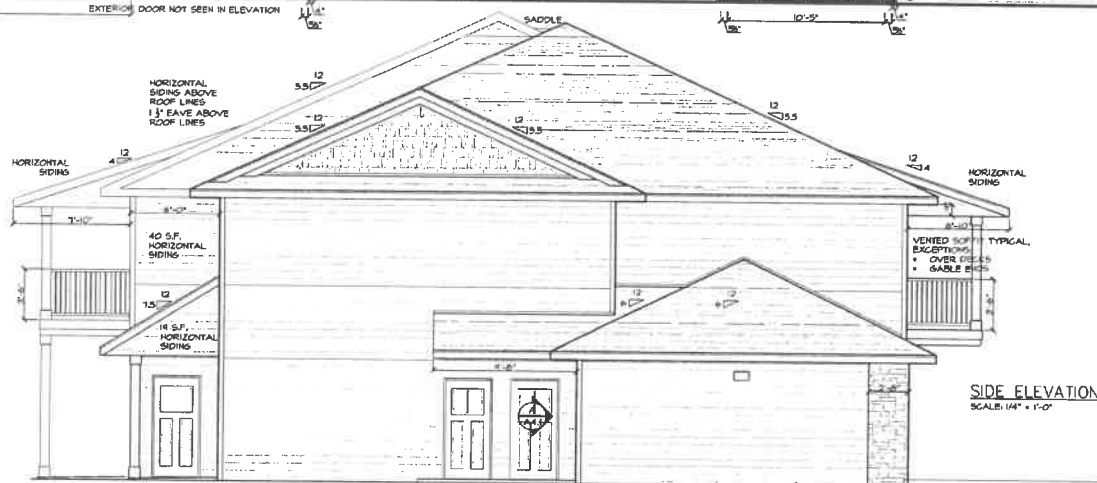
MATERIAL	SURFACE AREA	PERCENTAGE OF SURFACE AREA
STONE	0	0
SHAKE	314	14.5
SIDING	3,010	65.4
TOTAL	3,324	100

DETAILED PORCH ELEVATION
SCALE: 1/4" = 1'-0"



BUILDING MATERIAL AREA DATA


MATERIAL	SURFACE AREA	PERCENTAGE OF SURFACE AREA
STONE	22	2.4
SHAKE	50	3.9
SIDING	850	42.1
TOTAL	922	100



SIDE ELEVATION
SCALE: 1/4" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

14-2



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Architecture, LLC

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Fax: 920.333.4100
www.laplantarchitecture.com

REVISION	DATE
0	XXX


DATE: 6/19/2020
PROJECT NO.: 5016L
SHEET
A
1.2



SIDE ELEVATION
SCALE: 1/4" = 1'-0"

ALTERNATE

PRELIMINARY
NOT FOR CONSTRUCTION

 LaPlant Architecture, LLC		14-2																		
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<small>OFFICE: 224 WILLARD DRIVE GREEN BAY, WISCONSIN MAILING: 1702 BUXTIC WAY GREEN BAY, WISCONSIN 54311 Telephone: 920.337.4766 EMAIL: la@plantarchitecture.com ©LaPlant Architecture, LLC 2020</small>																				

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Certified Survey Map – Lexington Homes

Issue:

Should the Plan Commission recommend approval of a 2-lot Certified Survey Map?

Background and Additional Information:

The applicant is proposing a 2-lot and 1-outlot Certified Survey Map (CSM). The purpose of the CSM is to create building sites for a new single-family residential subdivision and a multi-family residential development. Outlot 1 is proposed to be deeded to the Village as a future park site. Outlot 1 will also include the stormwater management pond for the development. The property is currently zoned General Agricultural (AG). There is a request to rezone the property for development purposes.

Recommended Action:

Staff recommends approval of the Certified Survey Map.

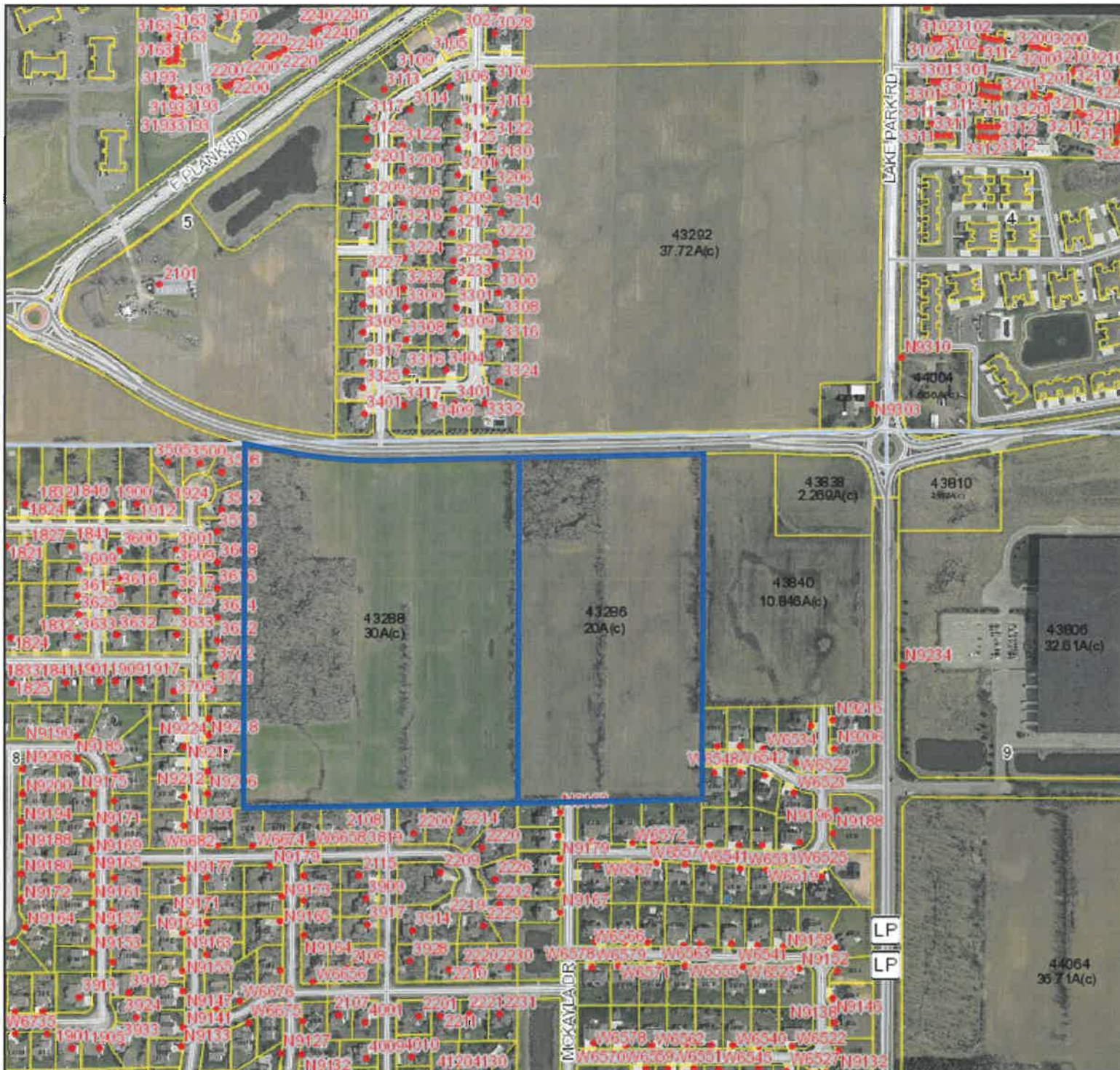
Attachments:

- Aerial Map
 - CSM
-

Calumet County, WI

Legend

- Address Point
- County Boundary
- Wisconsin Water
- Unincorporated Community
- Town Boundary
- Point of Interest
- Parcel Boundary
- Property Hook
- PLSS Section
- State Parks
- County Parks
- Lake
- River and Stream
- Major Roads
- Local Roads
- Local Roads
- Municipal Streets
- Trail
- Railroad
- Color 2018
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

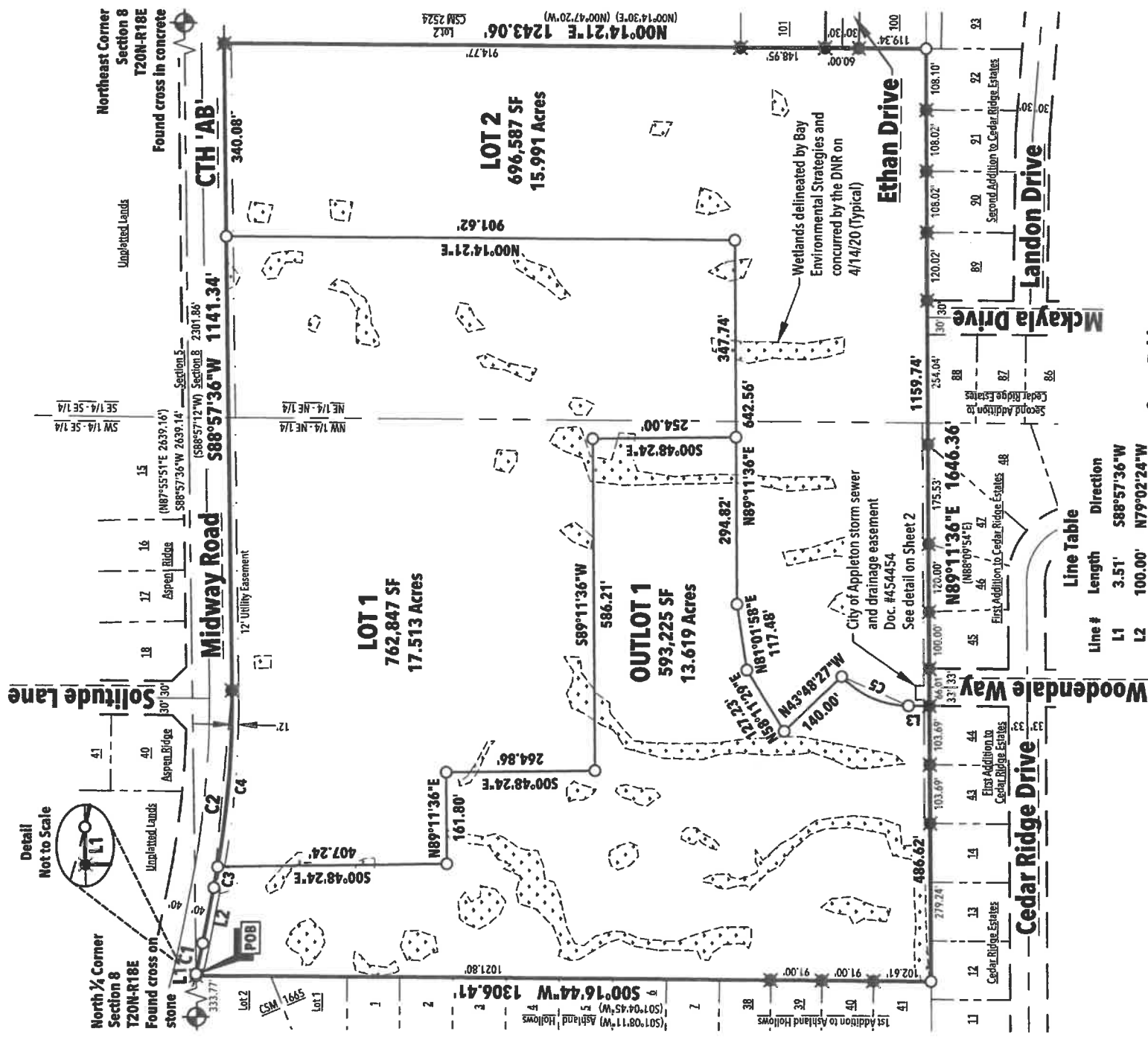


DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:	
Date Printed: 09/16/20 2:24 PM	
Sources:	

CERTIFIED SURVEY MAP

PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ AND PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼, ALL PART OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 18 EAST, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN



Line Table

Line #	Length	Direction
L1	3.51'	S88°57'36"W
L2	100.00'	N79°02'24"W
L3	37.20'	N00°17'39"E

Curve Table

Curve #	Delta	Radius	Length	Chord Length	Chord Direction	Tangent Bearing	Second Tangent Bearing
C1	2°32'12"	1250.00'	55.34'	55.34'	N77°46'18"W	N76°30'12"W	N79°02'24"W
C2	12°00'00"	1671.38'	350.05'	349.41'	N85°02'24"W	N79°02'24"W	S88°57'36"W
C3	1°16'55"	1671.38'	37.39'	37.39'	S79°40'51.5"E	S79°02'24"E	S80°19'19"E
C4	10°43'05"	1671.38'	312.66'	312.20'	S85°40'51.5"E	S60°19'19"E	N88°57'36"E
C5	45°53'54"	166.00'	132.98'	129.45'	N23°14'36"E	S46°11'33"W	S00°17'39"W

SCALE: 1" = 240'



Bearings are referenced to the Calumet County Coordinate System. The north line of the Northeast ¼ of Section 8, T20N-R18E bears S88°57'36"W.

LEGEND

- Existing ¾" Iron Rod
- Existing 1" Iron Pipe
- Set 1" x 18" Iron Pipe with cap weighing 1.38 lbs./lin. ft.
- Recorded County Monument
- Point of Beginning
- Record bearing or distance

Robert E. Lee & Associates, Inc.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTENNIAL CENTRE BOULEVARD
HOBART, WI 54155
PHONE: (920) 662-9641
FAX: (920) 662-9141
INTERNET: www.releehinc.com

CERTIFIED SURVEY MAP

PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ AND PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼, ALL PART OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 18 EAST, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, Troy E. Hewitt, Professional Land Surveyor, do hereby certify that by the order and under the direction of the owners listed hereon, I have surveyed, mapped and divided part of the Northwest ¼ of the Northeast ¼ and part of the Northeast ¼ of Section 8, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin more fully described below:

Commencing at the Northeast Corner of said Section 8; thence S88°57'36"W, 2301.86 feet on the north line of said Northeast ¼ to the southerly right of way of Midway Road (aka CTH 'AB'), the POINT OF BEGINNING; thence continuing S88°57'36"W, 3.51 feet on said north line to the northeast corner of Lot 2, Certified Survey Map Number 1665, Volume 11, Page 283, Document Number 233618, Calumet County Records; thence S00°16'44"W, 1306.41 feet on the east line of said Lot 2 extended southerly to the southeast corner of Lot 41, 1st Addition to Ashland Hollows, Document Number 316626, Calumet County Records; thence N89°11'36"E, 1646.36 feet on the north line of Cedar Ridge Estates, Document Number 249864, First Addition to Cedar Ridge Estates, Document Number 296437 and Second Addition to Cedar Ridge Estates, Document Number 397531 all in Calumet County Records to the Northeast corner of Lot 92, Second Addition to Cedar Ridge Estates; thence N00°14'21"E, 1243.06 feet on the west line of said Second Addition to Cedar Ridge Estates and the west line of Lot 2, Certified Survey Map Number 2524, Volume 19, Page 305, Document Number 344340, Calumet County Records to said southerly right of way of Midway Road; thence S88°57'36"W, 1141.34 feet on said southerly right of way; thence N79°02'24"W, 100.00 feet on the arc of a 1671.38 foot radius curve to the right, having a long chord which bears N85°02'24"W, 349.41 feet on said southerly right of way; thence N77°46'18"W, 55.34 feet on said southerly right of way; thence 55.34 feet on the arc of a 1250.00 foot radius curve to the right, having a long chord which bears N77°46'18"W, 55.34 feet to the Point of Beginning.

Said parcel contains 2,052.659 square feet or 47.123 acres of land more or less subject to easements and restrictions of record.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and the division of that land and that I have fully compiled with the provisions of Chapter 236.34 of the Wisconsin Statutes in the surveying, mapping and dividing of the same.

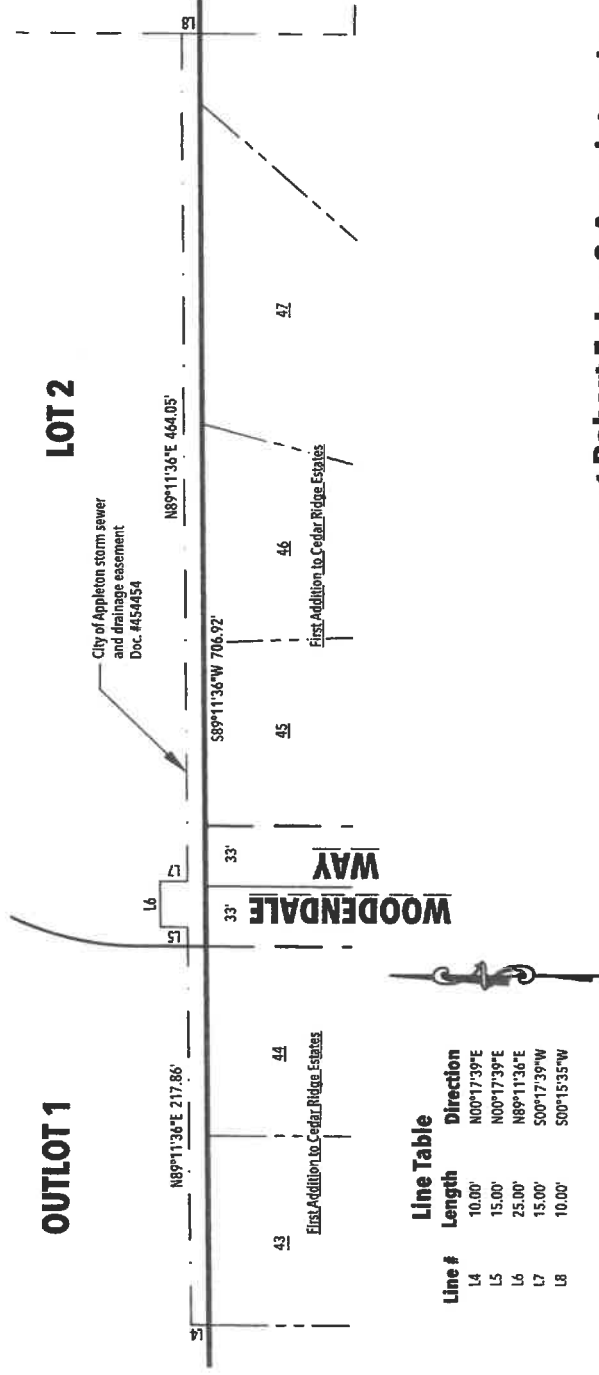
Dated this _____ day of _____, 2020.

Troy E. Hewitt
ROBERT E. LEE & ASSOCIATES, INC.

PLS #2831

Existing Easement Detail

Scale: 1"=100'



Line #	Length	Direction
L4	10.00'	N00°17'39"E
L5	15.00'	N00°17'39"E
L6	25.00'	N89°11'36"E
L7	15.00'	S00°17'39"W
L8	10.00'	S00°15'35"W



Robert E. Lee & Associates, Inc.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTENNIAL CENTRE BOULEVARD
HOBART, WI 54155
PHONE: (920) 662-9641
FAX: (920) 662-9141

CERTIFIED SURVEY MAP _____

PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ AND PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼, ALL PART OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 18 EAST, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN

OWNER'S CERTIFICATE:

As owner, I do hereby certify that I caused the land described on this Certified Survey Map to be surveyed, mapped and divided as represented on this map. I also do further certify that this Certified Survey Map is required by s-236.34 to be submitted to the following for approval or objection:

VILLAGE OF HARRISON

Matthew H. Renn and Frances C. Renn-Malcheski, Co-Trustees of the Renn Family Trust Date _____

Print Name and Title Above

Matthew H. Renn and Frances C. Renn-Malcheski, Co-Trustees of the Renn Family Trust Date _____

Print Name and Title Above

STATE OF WISCONSIN) COUNTY) SS

Personally came before me this _____ day of _____, 2020, the above named to me known to be the same persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
(print name)

My commission expires: _____

VILLAGE BOARD APPROVAL CERTIFICATE:

Approved by the Village of Harrison this _____ day of _____, 2020.

Kevin Hietpas, Village President Date _____

Jennifer Weyenberg, Village Clerk Date _____

TREASURER'S CERTIFICATE:

As duly elected Calumet County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the date listed below.

Mike Schlaak Date _____
Calumet County Treasurer



Robert E. Lee & Associates, Inc.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTENNIAL CENTRE BOULEVARD
HOBART, WI 54155
INTERNET: www.releinc.com
PHONE: (920) 662-9641
FAX: (920) 662-9141

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Certified Survey Map – Keuer

Issue:

Should the Plan Commission recommend approval of a 2-lot Certified Survey Map?

Background and Additional Information:

The applicant is proposing to adjust a lot line between 2 properties via Certified Survey Map (CSM). The purpose of the CSM is to move the lot line to swap lands between the two parcels. Parcel ID 40926 will add property along High Cliff Road from Parcel ID 40924. The properties are currently zoned General Agricultural (AG). Lot 1 is proposed to be 9.718-acres and contains an existing house. Lot 2 is proposed to be 12.560-acres and contains an existing garage with a new house just starting construction. The right-of-way (ROW) for High Cliff Road is proposed to be dedicated to the public for roadway purposes.

Recommended Action:

Staff recommends approval of the Certified Survey Map.

Attachments:

- Aerial Map
 - CSM
-

Calumet County, WI

Legend

- Address Point
- County Boundary
- Wisconsin Water
- Unincorporated Community
- Town Boundary
- Point of Interest
- Parcel Boundary
- Property Hook
- PLSS Section
- State Parks
- County Parks
- Lake
- River and Stream
- Major Roads
- Local Roads
- Municipal Streets
- Trail
- Railroad
- Color 2018**
- Red: Band_1
- Green: Band_2
- Blue: Band_3



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:	
Date Printed: 09/16/20 1:40 PM	
Sources:	

CERTIFIED SURVEY MAP NO. _____

ALL LOT 2 OF CERTIFIED SURVEY MAP NO. 3039 AND ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2261, BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 31, TOWNSHIP 20 NORTH, RANGE 19 EAST, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN.

7,204 SQ.FT. (0.165 ACRES) DEDICATED TO THE PUBLIC

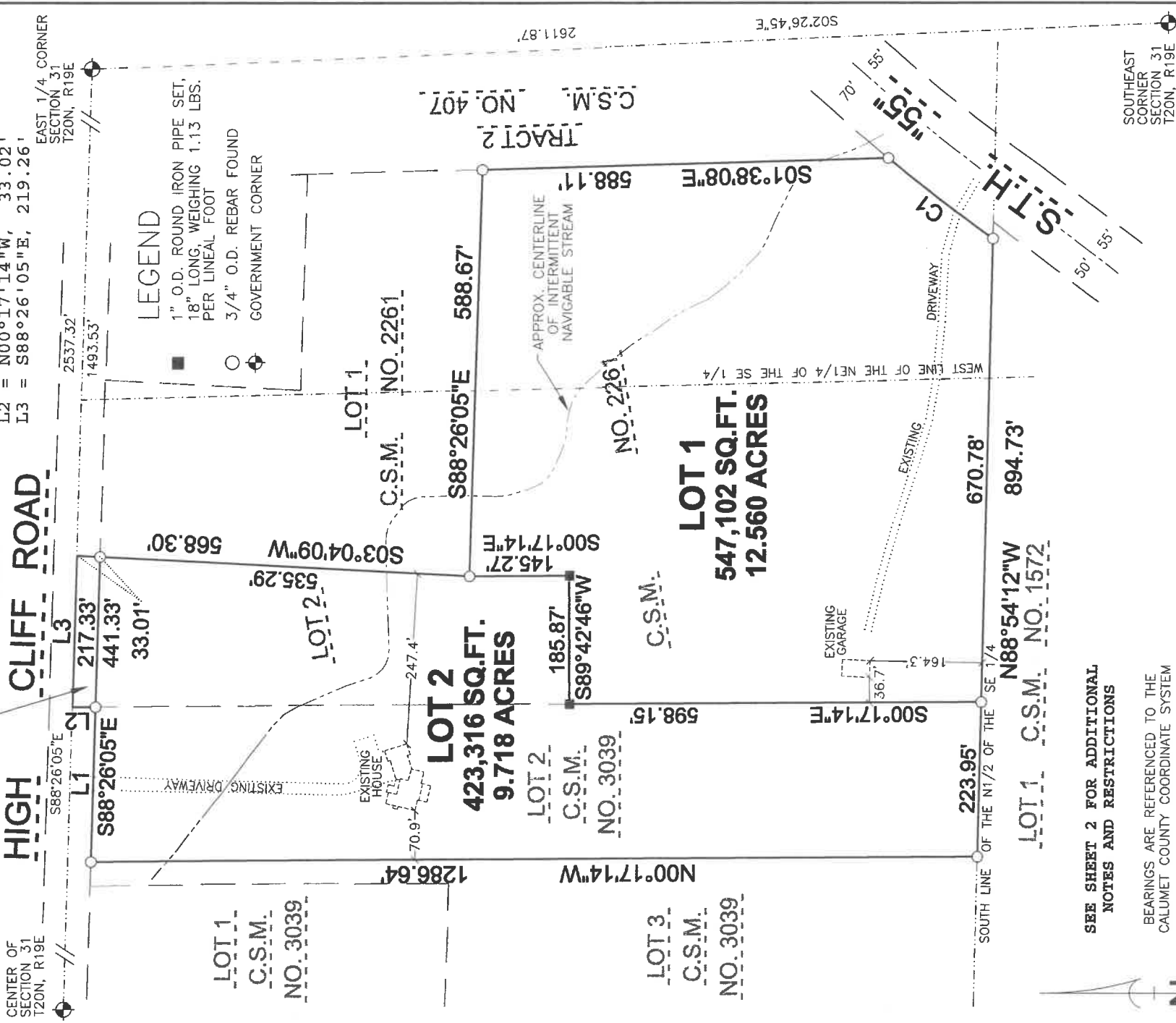
HIGH CLIFF ROAD

LINE TABLE

L1 = S88°26'05"E, 224.00'
 L2 = N00°17'14"W, 33.02'
 L3 = S88°26'05"E, 219.26'

CENTER OF SECTION 31 T20N, R19E

EAST 1/4 CORNER SECTION 31 T20N, R19E



SEE SHEET 2 FOR ADDITIONAL NOTES AND RESTRICTIONS

BEARINGS ARE REFERENCED TO THE CALUMET COUNTY COORDINATE SYSTEM



Martenson & Eisele, Inc.

1377 Midway Road
 Menasha, WI 54952
 www.martenson-eisele.com
 info@martenson-eisele.com
 920.731.0381 1.800.236.0381



SURVEY FOR:
 DWIGHT KEUER
 N251 KINGS COURT
 SHERWOOD, WI 54169

PROJECT NO. 1-1198-001
 FILE 1-1198-001csm.dwg SHEET 1 OF 3
 THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar

CERTIFIED SURVEY MAP NO. _____

ALL LOT 2 OF CERTIFIED SURVEY MAP NO. 3039 AND ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2261, BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 31, TOWNSHIP 20 NORTH, RANGE 19 EAST, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN.

NOTES AND RESTRICTIONS:

CENTERLINE OF INTERMITTENT NAVIGABLE STREAM IS SHOWN PER CALUMET COUNTY GIS AND IS NOT BASED ON AN OFFICIAL DETERMINATION AND SUBJECT TO A BUILDING SETBACK FROM THE ORDINARY HIGH WATER MARK. PRIOR TO ANY BUILDING, AN OFFICIAL DETERMINATION OF THE ORDINARY HIGH WATER MARK MUST BE MADE BY AN AUTHORIZED PERSON.

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

SURVEYOR'S CERTIFICATE:

I, GARY A. ZHRINGER, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY: THAT I HAVE SURVEYED, MAPPED AND DIVIDED AT THE DIRECTION OF DWIGHT KEUER, ALL LOT 2 OF CERTIFIED SURVEY MAP NO. 3039, RECORDED IN VOLUME 25 ON PAGE 152, AS DOCUMENT NO. 423019 AND ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2261, RECORDED IN VOLUME 17 ON PAGE 1, AS DOCUMENT NO. 330305, BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 31, TOWNSHIP 20 NORTH, RANGE 19 EAST, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN. CONTAINING 977,622 SQUARE FEET [22.443 ACRES].

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND WITH THE VILLAGE OF HARRISON AND CALUMET COUNTY SUBDIVISION ORDINANCE IN SURVEYING, DIVIDING AND MAPPING THE SAME.

THAT THIS MAP IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF.

GIVEN UNDER MY HAND THIS 4TH DAY OF SEPTEMBER, 2020.

GARY A. ZHRINGER,
PROFESSIONAL WI LAND SURVEYOR S-2098

THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS

OWNER OF RECORD:	RECORDING INFORMATION:	PARCEL NUMBER:
DWIGHT D. AND JAN M. KEUER	J.4982 I.65	131-0000-0000000-000-0-201931-00-420C
BRADLEY A. ZHRINGER	DOCUMENT NO. 535376	131-0000-00000000-000-0-201931-00-420D

CERTIFICATE OF THE VILLAGE OF HARRISON:

BE IT RESOLVED THAT THIS CERTIFIED SURVEY MAP, IN THE VILLAGE OF HARRISON HAS BEEN APPROVED AND ACCEPTED AS SURVEYED, MAPPED, DEDICATED AND DIVIDED BY THE OWNERS SHOWN HEREON,

THIS _____ DAY OF _____, 2020.

VILLAGE PRESIDENT _____

VILLAGE CLERK _____

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.

VILLAGE TREASURER _____

DATE _____

COUNTY TREASURER _____

DATE _____

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Certified Survey Map – Andrew

Issue:

Should the Plan Commission recommend approval of a 2-lot Certified Survey Map?

Background and Additional Information:

The applicant is proposing to adjust a lot line between 2 properties via Certified Survey Map (CSM). The purpose of the CSM is to move the lot line to include all improvements on Lot 1 for N9403 Noe Road. Lot 2 is intended to be used as a new home site. The properties are currently zoned Single-Family Residential (RS-1). Each lot will meet the minimum lot requirements in the RS-1 zoning district.

Recommended Action:

Staff recommends approval of the Certified Survey Map.

Attachments:

- Aerial Map
- CSM

Calumet County, WI

Legend

- Address Point
- County Boundary
- Wisconsin Water
- Unincorporated Community
- Town Boundary
- Point of Interest
- ▭ Parcel Boundary
- Property Hook
- ▭ PLSS Section
- State Parks
- County Parks
- Lake
- River and Stream
- Major Roads
- Local Roads
- Municipal Streets
- Trail
- Railroad
- Color 2018
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

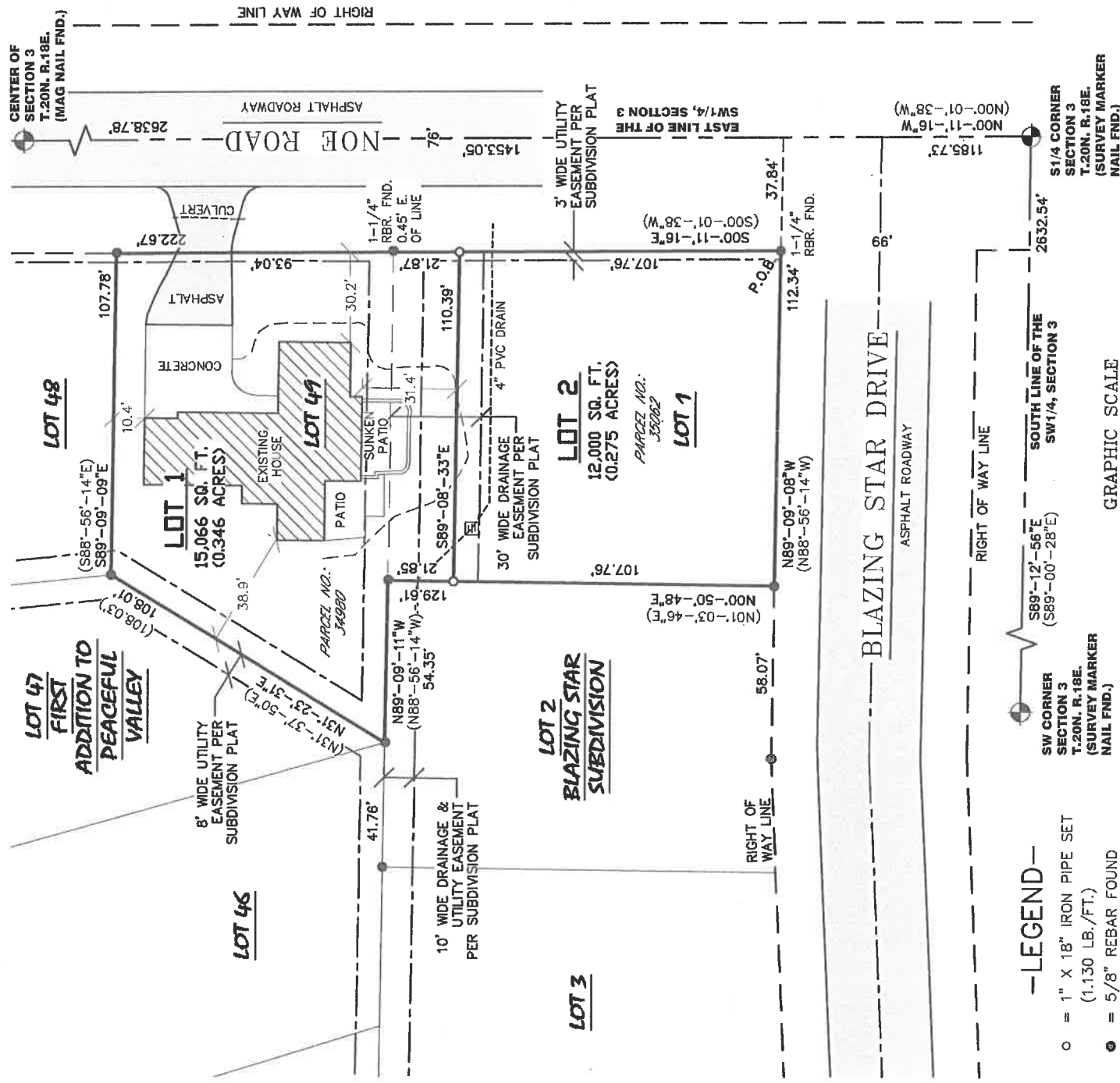
Author:	
Date Printed: 09/16/20 1:18 PM	
Sources:	

CERTIFIED SURVEY MAP NO. _____

LOT 2 OF BLAZING STAR SUBDIVISION AND LOT 49 OF FIRST ADDITION TO PEACEFUL VALLEY, LOCATED IN THE SE1/4 OF THE SW1/4 AND THE NE1/4 OF THE SW1/4 OF SECTION 3, T.20N., R.18E., VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN



BEARINGS REFERENCED TO THE CALUMET COUNTY COORDINATE SYSTEM AND THE EAST LINE OF THE SW1/4 OF SECTION 3, T.20N., R.18E., WHICH BEARS N00°-11'-16"W



MERIDIAN SURVEYING, LLC
 N9637 Friendship Drive
 Kaukauna, WI 54130
 Office: 920-993-0881
 Fax: 920-273-6037

DRAWN BY:	J.B.	FIELD WORK DATE:	8-17-20
CHECKED BY:	S.C.D.	FIELD BOOK:	M-58, PG.14
JOB NO.:	12250	SHEET	1 OF 4

SURVEYED FOR:
 KEN BUCHINGER
 W3007 EMONS RD.
 APPLETON, WI 54915

STATE OF WISCONSIN)
CALUMET COUNTY) SS

CERTIFIED SURVEY MAP NO.

LOT 1, BLAZING STAR SUBDIVISION, AND LOT 49, FIRST ADDITION TO PEACEFUL VALLEY,
LOCATED IN THE SE1/4 OF THE SW1/4 AND THE NE1/4 OF THE SW1/4 OF SECTION 3, T.20N., R.18E.,
VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN

(Sheet 2 of 4)

SURVEYOR'S CERTIFICATE

I, Steven C. De Jong, Wisconsin Professional Land Surveyor of Meridian Surveying, LLC, certify that I have surveyed, divided, monumented and mapped under the direction of Ken Buchinger, all of Lot One (1) of Blazing Star Subdivision, and also all of Lot Forty-Nine (49) of the First Addition to Peaceful Valley, located in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) and the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4), Section Three (3), Township Twenty (20) North, Range Eighteen (18) East, Village of Harrison, Calumet County, Wisconsin containing 27,066 square feet (0.621 acres) of land and being described by:

Commencing at the Southwest Corner of said Section 3; thence S89°-12'-56"E 2632.54 feet along the south line of the SW1/4 of said Section 3 to the Southeast Corner thereof; thence N00°-11'-16"W 1185.73 feet along the east line of the SW1/4 of said Section 3; thence N89°-09'-08"W 37.84 feet to the southeast corner of Lot 1 of Blazing Star Subdivision and the point of beginning; thence N89°-09'-08"W 112.34 feet along the south line of said Lot 1 to the southwest corner thereof; thence N00°-50'-48"E 129.61 feet along the west line of said Lot 1 to a point on the south line of Lot 49 of the First Addition to Peaceful Valley; thence N89°-09'-11"W 54.35 feet along the south line of said Lot 49 to the southwest corner thereof; thence N31°-23'-31"E 108.01 feet along the west line of said Lot 49 to the northwest corner thereof; thence S89°-09'-09"E 107.78 feet along the north line of said Lot 49 to the northeast corner thereof; said point being on the west line of Noe Road; thence S00°-11'-16"E 222.67 feet along the west line of said Noe Road to the point of beginning. Being subject to any and all easements and restrictions of record.

That such is a correct representation of all exterior boundaries of the land surveyed. That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Land Subdivision Ordinance of the Village of Harrison in surveying, dividing, monumenting, dedicating and mapping the same.

Dated this 25th day of August, 2020.



Wisconsin Professional Land Surveyor
Steven C. De Jong, S-2791



Survey Notes:

- Owner of Record: Stanley D. Andrew & Robin M. Andrew
- Parcel Number: 131-35062 & 131-34980
- Deed of Record: Document No. 1528019
- Site Address: N9403 Noe Road, Appleton, WI 54915

STATE OF WISCONSIN)
CALUMET COUNTY) SS

CERTIFIED SURVEY MAP NO. _____

LOT 1, BLAZING STAR SUBDIVISION, AND LOT 49, FIRST ADDITION TO PEACEFUL VALLEY,
LOCATED IN THE SE1/4 OF THE SW1/4 AND THE NE1/4 OF THE SW1/4 OF SECTION 3, T.20N., R.18E.,
VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN
(Sheet 3 of 4)

VILLAGE OF HARRISON CERTIFICATE

This Certified Survey Map in Section 6, Township 20 North, Range 18 East, Village of Harrison,
Calumet County, Wisconsin, is hereby approved.

Village of Harrison - President

Date

Village of Harrison - Clerk

Date

VILLAGE TREASURER'S CERTIFICATE

I being the duly elected qualified and acting treasurer of the Village of Harrison, do hereby certify that
in accordance with the records in my office, there are no unpaid taxes or unpaid assessments as of this
_____ day of _____, 2020 on any lands included in this Certified Survey Map.

Village of Harrison – Treasurer

Date

COUNTY TREASURER'S CERTIFICATE:

I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands included
in this minor subdivision as of this _____ day of _____, 2020.

County Treasurer: Calumet County

Date



STATE OF WISCONSIN)
CALUMET COUNTY) SS

CERTIFIED SURVEY MAP NO. _____

LOT 1, BLAZING STAR SUBDIVISION, AND LOT 49, FIRST ADDITION TO PEACEFUL VALLEY,
LOCATED IN THE SE1/4 OF THE SW1/4 AND THE NE1/4 OF THE SW1/4 OF SECTION 3, T.20N., R.18E.,
VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN
(Sheet 4 of 4)

OWNER'S CERTIFICATE

As owner, I hereby certify that I caused the land on this Certified Survey Map to be surveyed, divided, monumented, dedicated & mapped as represented on this map. I also certify that this map is required by S. 236.34 to be submitted to the following for approval or rejection: Village of Harrison

Stanley D. Andrew _____ Date

NOTARY CERTIFICATE

Personally came before me this _____ day of _____ 2020.

The above owner's to me known to be the person's who executed the foregoing instrument and acknowledge the same.

Notary Public _____ County, Wisconsin.

My Commission Expires _____

OWNER'S CERTIFICATE

As owner, I hereby certify that I caused the land on this Certified Survey Map to be surveyed, divided, monumented, dedicated & mapped as represented on this map. I also certify that this map is required by S. 236.34 to be submitted to the following for approval or rejection: Village of Harrison

Robin M. Andrew _____ Date

NOTARY CERTIFICATE

Personally came before me this _____ day of _____ 2020.

The above owner's to me known to be the person's who executed the foregoing instrument and acknowledge the same.

Notary Public _____ County, Wisconsin.

My Commission Expires _____



PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Zero Lot Line Certified Survey Map – Roberts

Issue:

Should the Plan Commission recommend approval of a 2-lot Zero Lot Line Certified Survey Map?

Background and Additional Information:

The applicant is proposing to split a parcel into 2-lots by Certified Survey Map (CSM). The purpose of the CSM is to create a zero lot line unit. The property is located at N9021 & N9023 Spring Valley Road. The property is zoned Two-Family Residential (RT) which is appropriate for zero lot line developments. Setback and lot area requirements have been met. The Building Inspector has verified the wall construction between the units is per code.

Recommended Action:

Staff recommends approval of the Certified Survey Map request with the following conditions:

1. Private/restrictive covenants shall be recorded at the Calumet County Register of Deeds in accordance with the zero lot line provisions in the zoning ordinance. A copy of such recorded document shall be provided to the Village Planner.

Attachments:

- Aerial Map
- CSM

Calumet County, WI

Legend

- Address Point
- County Boundary
- Wisconsin Water
- Unincorporated Community
- Town Boundary
- Point of Interest
- Parcel Boundary
- Property Hook
- PLSS Section
- State Parks
- County Parks
- Lake
- River and Stream
- Major Roads
- Local Roads
- Local Roads
- Municipal Streets
- Trail
- Railroad
- Color 2018
- Red: Band_1
- Green: Band_2
- Blue: Band_3

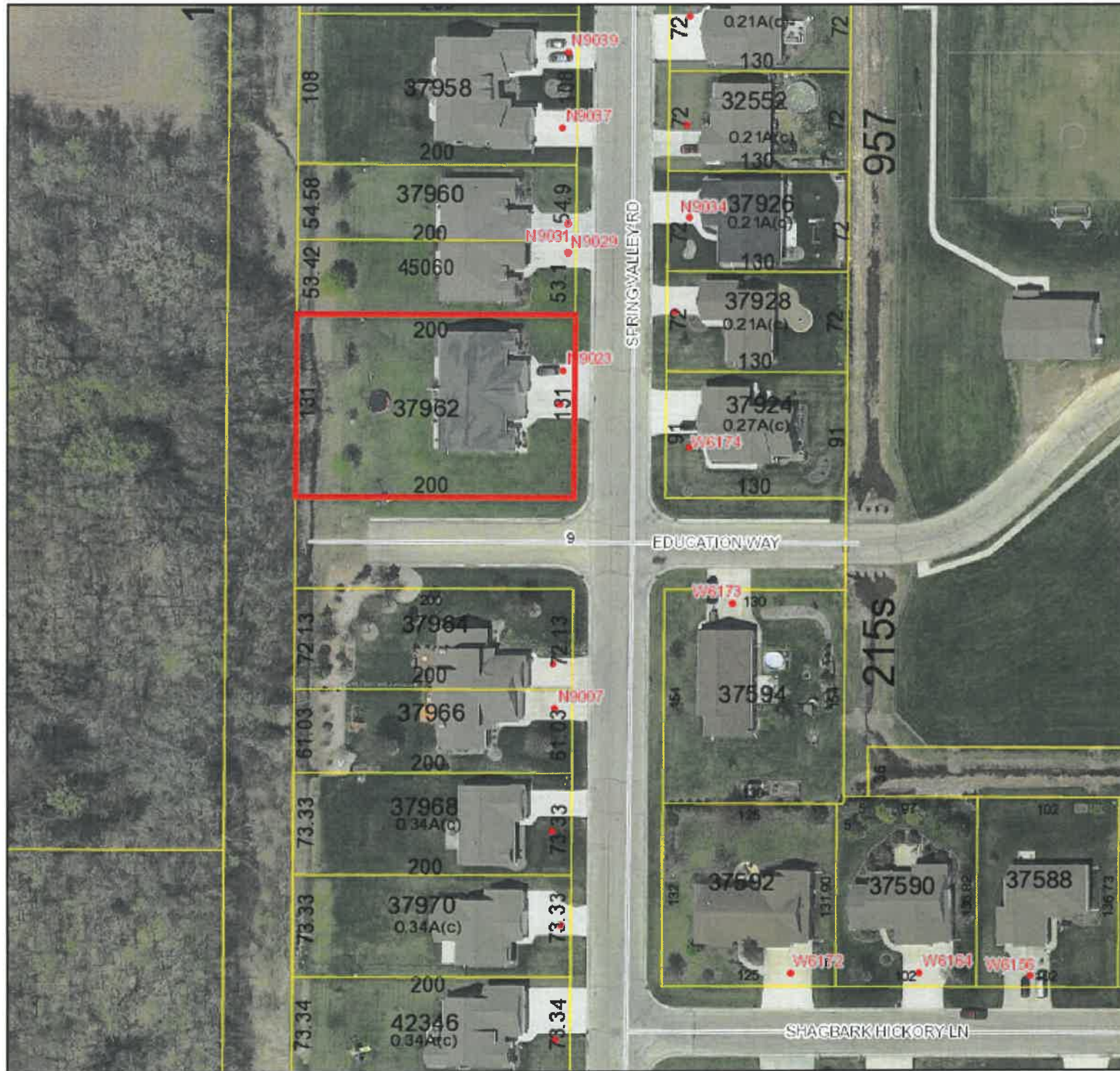


DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:

Date Printed:
09/18/20 1:17 PM

Sources:



Certified Survey Map No. _____

All of Lot 83 of Woodland Trails II, located in part of the Northeast 1/4 of the Southeast 1/4 of Section 09, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin.

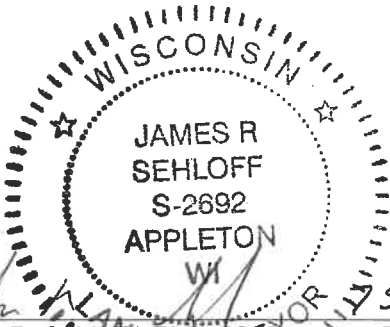
When attached single-family dwelling units are created, matters of mutual concern to the adjacent property owners due to construction, catastrophe, use, and maintenance shall be guarded against by private/restrictive covenants and deed restrictions, and no approving authority shall be held responsible for the enforcement of same.

Center 1/4 Corner
Section 09, T20N R18E
Masonry Nail Found

N/L of the SE 1/4
S89°33'27"E 2626.36'
1263.19'

LEGEND

- 3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
- ☒ Cut Cross Set
- △ 1 1/4" Rebar Found
- 1.3" O.D. Iron Pipe Found
- ⊙ Government Corner
- () Recorded As

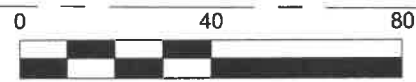
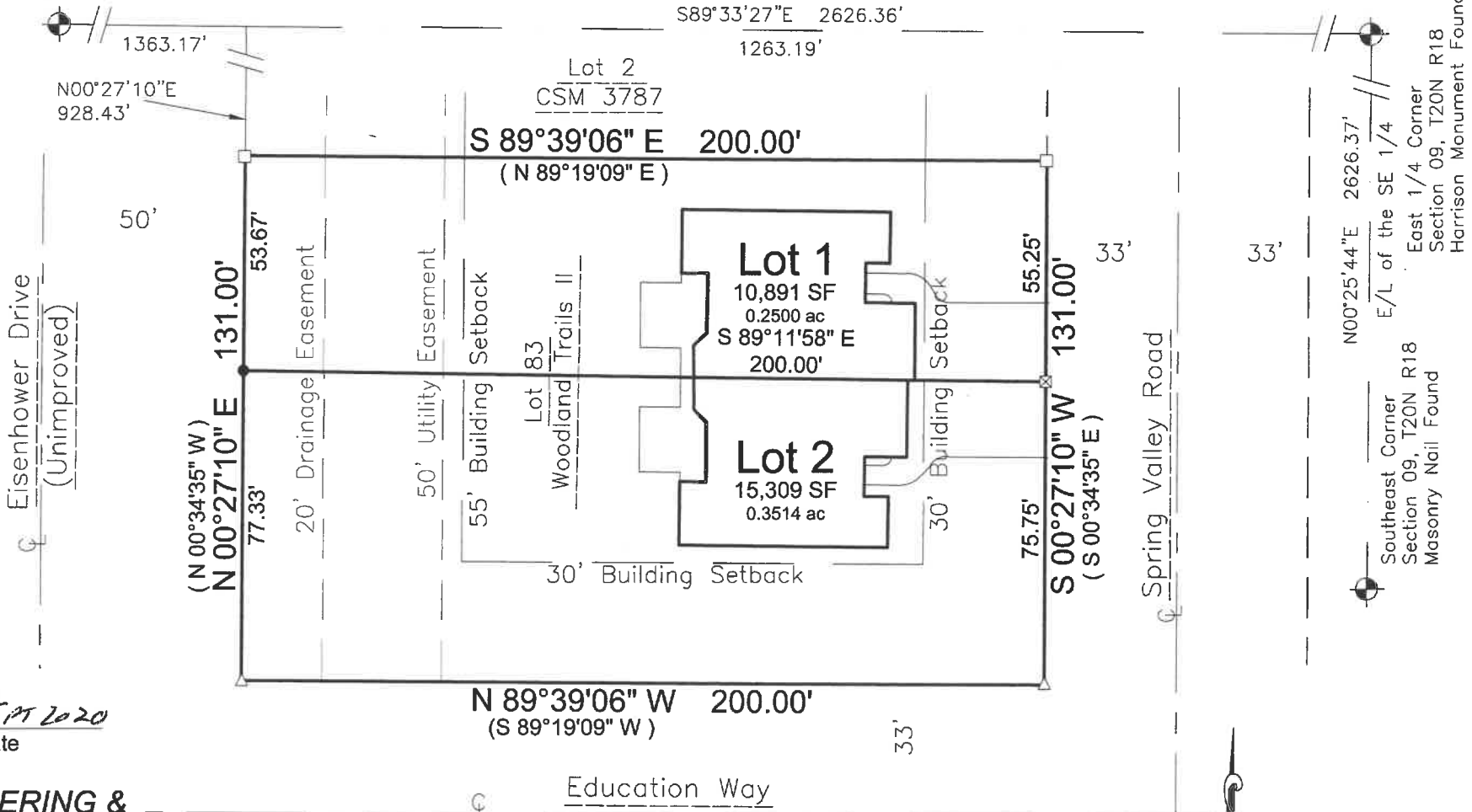


James R. Sehloff, D.P.S. 2692 Date



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro



Bearings are referenced to the N/L of the SE 1/4 of Section 09, T20N, R18E assumed to bear S89°33'27"E based on the Calumet County coordinate system

Survey for:
Mike Roberts
1110 Pats Drive
Appleton WI 54915

Certified Survey Map No. _____

All of Lot 83 of Woodland Trails II, located in part of the Northeast 1/4 of the Southeast 1/4 of Section 09,
Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin.

Village Board Approval Certificate

Resolved, that this certified survey map in the Village of Harrison, Calumet County, Michael D. Roberts, the property owner, is hereby approved by the Village Board of the Village of Harrison.

President _____ Date _____

I hereby certify that the foregoing is a copy of a resolution adopted by the Village Board of the Village of Harrison.

Village Clerk _____ Date _____

Treasurers' Certificate


We, being the duly elected, qualified and acting Treasurers of the Village of Harrison and Calumet County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this certified survey map.

Village Treasurer _____ Date _____

County Treasurer _____ Date _____

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

The property owner of record: Michael D. Roberts Recording Information: Doc No. 430576 Parcel Number(s): 37962


James R. Sehloff Professional Land Surveyor, No. S-2692 Date _____

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Affidavit of Correction – Lot 57 Oakwood Estates

Issue:

Should the Plan Commission recommend approval of an Affidavit of Correction for Lot 57 of Oakwood Estates subdivision to release the wetlands as show on the face of the Final Plat?

Background and Additional Information:

When Oakwood Estates was platted, there was a small area of wetlands located on Lots 57 & 58. Overtime, these wetland areas expanded causing the lots to be undesirable for home sites. The developer petitioned the Army Corps of Engineers and WI DNR to release the wetlands under the artificial wetlands exemption determination. Both the Army Corps and DNR agreed that the wetlands are nonfederal and exempt form wetland permitting.

The Affidavit of Correction document will remove the wetlands from the Final Plat of Oakwood Estates making the lots more desirable for new home sites.

Recommended Action:

Staff recommends approval of the Affidavit of Correction for Lot 57 Oakwood Estates.

Attachments:

- Affidavit of Correction
- Correspondence from Army Corps of Engineers and WI DNR

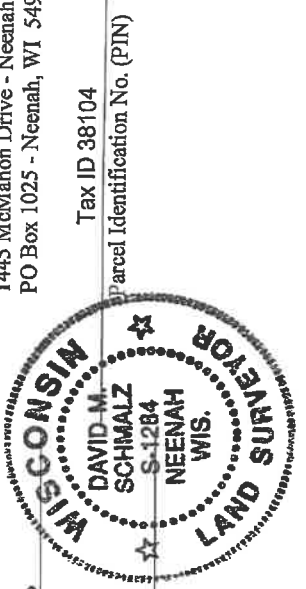
Document No.

AFFIDAVIT OF CORRECTION

State Of Wisconsin)
)ss
County Of Calumet)

I, DAVID M. SCHMALZ, Wisconsin Registered Land Surveyor No. S-01284, employed by McMahon Associates, Inc., hereby certify that Lot 57 of the Final Plat of Oakwood Estates, as recorded in the office of the Register Of Deeds for Calumet County, Wisconsin, on February 12, 2007, at 3:15 p.m., in Plat Cabinet "D", as Document #414131, shows wetlands on the face of the Final Plat. The wetlands have been released by the U.S. Army Corps of Engineers attached Regulatory File MVP-2014-03270-RJH and the Wisconsin Department of Natural Resources attached Regulatory File EXE-NE-2020-8-02551. See the attachments. The wetlands are hereby removed from the Final Plat for Lot 57.

Return To: McMahon Associates, Inc.
c/o David M. Schmalz, R.L.S.
1445 McMahon Drive - Neenah, WI 54956
PO Box 1025 - Neenah, WI 54957-1025



08-27-20
Date

08-27-20
Date

Witness

David M. Schmalz
David M. Schmalz
R.L.S. #S-01284

State Of Wisconsin)
)ss
County Of Calumet)

Personally came before me this _____ day of _____, 2020, the above named David M. Schmalz to me know to be the person who executed the aforesaid affidavit and acknowledged the same.

Notary Public

_____ County, Wisconsin

My Commission Expires: _____

VILLAGE OF HARRISON APPROVAL:

We hereby certify that this Affidavit Of Correction for Oakwood Estates, Village of Harrison, Calumet County, Wisconsin, was approved and accepted by the Village of Harrison on this _____ day of _____, 2020.

[Stamp / Seal]

Kevin M. Hietpas

Date

State Of Wisconsin)
)ss
County Of Calumet)

I, Jennifer Wevenberg, being the acting Clerk of the Village of Harrison, Calumet County, Wisconsin, do hereby certify that the Village Board of the Village of Harrison, passed by voice vote, authorizing me to issue a Certificate Of Approval of this Affidavit Of Correction for Oakwood Estates. I do also hereby certify that this APPROVAL WAS GRANTED and EFFECTIVE on the _____ day of _____, 2020.

Jennifer Wevenberg, Village Clerk

Date

Project No. P0584-9-20-00139.00

This Instrument was drafted by: David M. Schmalz, PLS



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

REPLY TO ATTENTION OF
REGULATORY BRANCH

June 22, 2020

Regulatory File No. MVP-2014-03270-RJH

Joe Mauthé
605 E Hancock Street
Appleton, Wisconsin 54911

Dear Mr. Mauthé:

This letter is in response to your request for an approved jurisdictional determination for a 0.32 acre parcel located along N8952 Blackoak Street in the City of Menasha. The project site is in Section 09, Township 20 North, Range 18 East, Calumet County, Wisconsin. The review area for our jurisdictional determination is identified on the enclosed figure, labeled MVP-2014-3270-RJH Page 2 of 2.

The review area contains no waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. This determination is only valid for the review area shown on the enclosed figure.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal these determinations, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination is still accurate.

Regulatory Branch (File No. MVP-2014-3270-RJH)

If you have any questions, please contact me in our Green Bay office at (651) 290-5859 or ryan.j.huber@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,



Ryan Huber
Project Manager

Enclosures

Cc:
Ryan Pappas, WDNR
Matt Greely, McMahon

Soil Survey and Wetland Inventory



DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wis.gov/legal/>

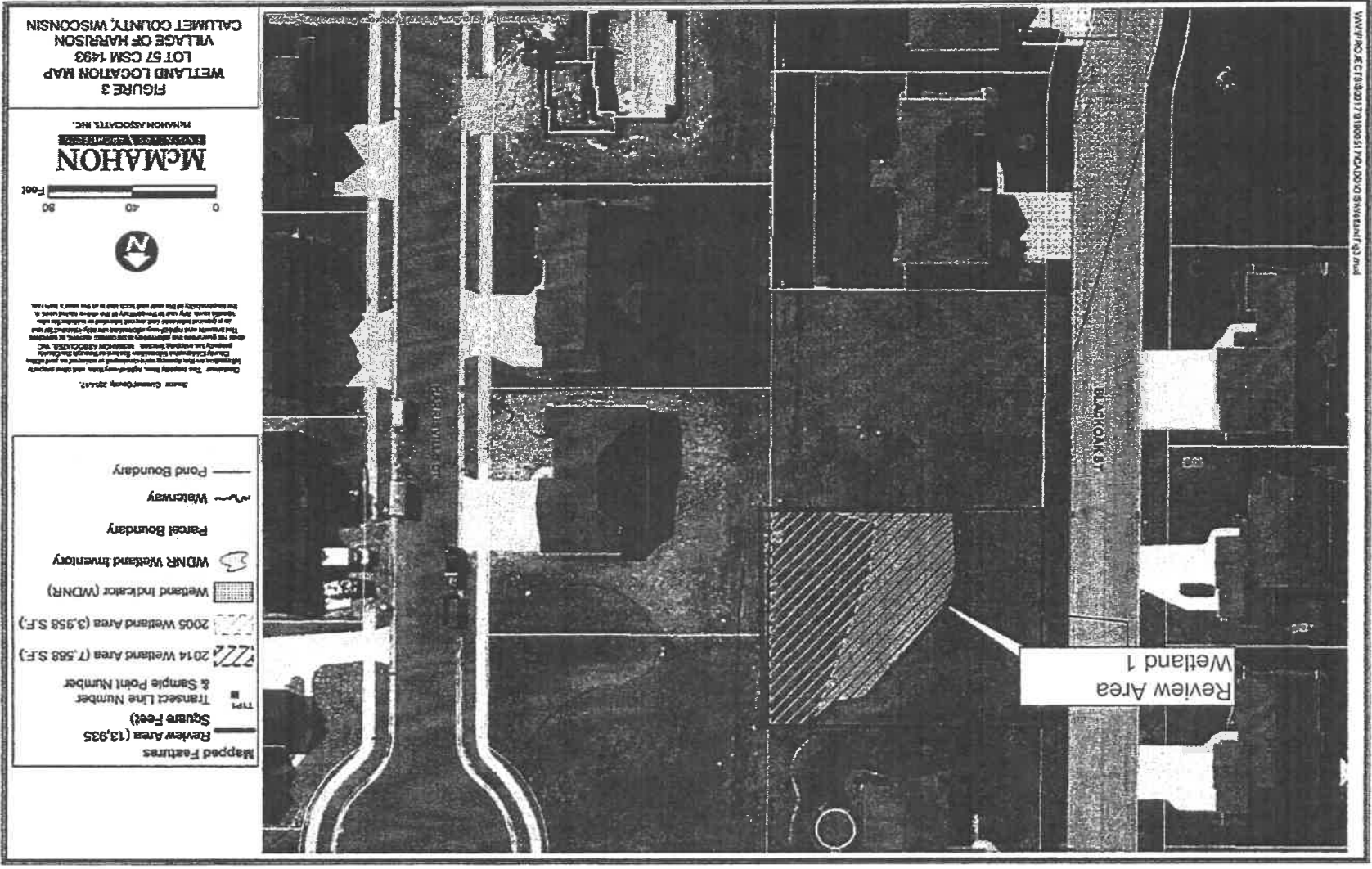
NAD_1983_HARN_Wisconsin_TM
 © Latitude Geographics Group Ltd.

Figure 3 - Calumet County Soil Survey
 and WDNR Wetland Inventory Map,
 Oakwood Estates Lots 57 & 58, Village
 of Hamson, Calumet County, WI

Notes

- Legend**
- Wetland Class Points
 - Dammed pond
 - Excavated pond
 - Filled excavated pond
 - Filled/draind wetland
 - Wetland too small to delineate
 - Filled Points
 - Wetland Class Areas
 - Wetland
 - Upland
 - Filled Areas
 - NRCS Wetspots
 - Wetland Indicators
 - NRCS Wisconsin Soils
 - Soil Mapping Unit
 - Water
 - Section
 - Township
 - Cities, Towns & Villages
 - City
 - Village
 - Civil Town
 - 2010 Air Photos (WROC)







**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 6/22/2020

ORM Number: MVP-2014-03270-RJH

Associated JDs: N/A

Review Area Location¹: State/Territory: WI City: Menasha County/Parish/Borough: Calumet

Center Coordinates of Review Area: Latitude 44.2162 Longitude -88.3586

II. FINDINGS

- A. Summary:** Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.
- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
 - There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
 - There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
 - There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters):³

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

¹ Map(s)/figure(s) are attached to the AJD provided to the requester.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

D. Excluded Waters or Features

Excluded waters (b)(1) – (b)(12): ⁴		
Exclusion Name	Exclusion Size	Rationale for Exclusion Determination
Wetland 1	0.17 acre(s)	Wetland 1 does not abut and is not inundated by flooding from a paragraph (a)(1)-(3) water, is not separated from one by a natural or manmade feature. Wetland 1 extends off-site but is surrounded by uplands and has no hydrologic connections.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: AJD Request submitted by McMahon Associates, Inc. on May 27, 2020.

This information is sufficient for purposes of this AJD.

Rationale: N/A or describe rationale for insufficiency (including partial insufficiency).

- Data sheets prepared by the Corps: Title(s) and/or date(s).
- Photographs: Select. Title(s) and/or date(s).
- Corps site visit(s) conducted on: Date(s).
- Previous Jurisdictional Determinations (AJDs or PJDs): ORM Number(s) and date(s).
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: Title(s) and/or date(s).
- USFWS NWI maps: Title(s) and/or date(s).
- USGS topographic maps: 1:24K WI- Sherwood

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): N/A or provide typical year assessment for each relevant data source used to support the conclusions in the AJD.

C. Additional comments to support AJD: N/A or provide additional discussion as appropriate.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Joe Manthe	File No.: MVP-2014-03270-RJH	Date: 6/22/2020
Attached is:		
INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	See Section below	
PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
PERMIT DENIAL	B	
<input checked="" type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION	C	
PRELIMINARY JURISDICTIONAL DETERMINATION	D	
	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecw/reg> or Corps regulations at 33 CFR Part 33.

- A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.
- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
 - **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.
- B: PROFFERED PERMIT:** You may accept or appeal the permit
- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
 - **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.
- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
 - **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

U.S Army Corps of Engineers
Attn: Ryan Huber
211 North Broadway Street Ste. 221
Green Bay, Wisconsin 54303-2757

If you only have questions regarding the appeal process you may also contact the Division Engineer through:

Administrative Appeals Review Officer
Mississippi Valley Division
P.O. Box 80 (1400 Walnut Street)
Vicksburg, MS 39181-0080
601-634-5820 FAX: 601-634-5816

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Date:

Telephone number:

Signature of appellant or agent.



August 12, 2020

EXE-NE-2020-8-02551

Pillars Inc.
Joe Mauthe
605 E Hancock Street
Appleton, WI 54911

RE: Nonfederal Wetland Exemption Determination for an area described as Wetland 1, located in the SW1/4 of the SW1/4 of Section 09, Township 20 North, Range 18 East, Village of HARRISON, Calumet County

Dear Mr. Mauthe:

This letter is in response to your request for a nonfederal wetland exemption determination for the above mentioned wetlands.

According to 281.36 (4n), State Stat., a nonfederal wetland is a wetland that is not federally jurisdictional. Projects impacting nonfederal wetlands in urban areas must be less than 1 acre of total impact, and must be done in compliance with applicable stormwater management zoning ordinances or stormwater Wisconsin Pollution Discharge Elimination System (WPDES) permits to qualify for this exemption (s. 281.36(4n)(b)3, Wis. Stat.). In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n)(a)3, Wis. Stat.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative
- Site location map and photographs that show different angles and views of the wetland
- Botanical survey results
- Wetland delineation information
- Stormwater compliance information
- U.S. Army Corps of Engineers AJD Letter

Below is a summary of our findings:

Request Narrative

According to the request narrative part of wetland 1 (3958 square feet) is the focus of this non-federal wetland exemption request. The total non-federal wetland impact area on the site is 3958 square feet. The purpose of this project is to create a residential lot. The wetland impact is less than 10,000 square feet in the Village of Harrison on Lot 57-CSM 1493, Tax Parcel ID: 38104 owned by Pillars Inc. An additional portion of wetland 1 feature on the property will also be impacted and was determined to be an artificial exempt wetland in DNR wetland exemption request docket: EXE-NE-2020-8-00311 dated February 10th, 2020.

Site Location and Photographs

The site is located in the Village of Harrison, and confirms that the wetland is located in an urban area as defined by s. 281.36(4n)(a)5 Wis. Stats. Wetland photographs also show the area is an emergent marsh in a residential neighborhood with low quality and rudimentary plant species.

Wetland Delineation Information

The wetland delineation shows the wetland is a rudimentary emergent marsh. These wetlands are not rare/high quality wetland types as defined by s. 281.36(4n)(a)3 Wis. Stats.

Stormwater Compliance Information

The applicant is responsible for obtaining all other state and/or local stormwater and erosion control approvals as deemed necessary by the applicable officials. The applicant provided general knowledge of these requirements and stated that they will comply with state and local requirements. The documentation demonstrated that the project will be completed in compliance with applicable WPDES stormwater permits and stormwater ordinances adopted under s. 59.693, 60.627, 61.354, or 62.234, Wis. Stats.

U.S. Army Corps of Engineers AJD letter

The AJD letter dated June 22nd, 2020 from the U.S. Army Corps of Engineers indicated that wetland 1 located in the AJD review area is not a water of the United States. Therefore, the area described as wetland 1 is not federally jurisdictional.

Conclusion:

Based upon the documentation provided above, the proposed project impacting part of wetland 1 (3958 square feet) meets the eligibility criteria pursuant to s. 281.36 (4n), State Stats. **You are able to proceed with this project impacting part of wetland 1 (3958 square feet).** Please see the attached figure for reference. If you have any questions or would like to schedule a meeting to discuss this approval, please call me at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov.

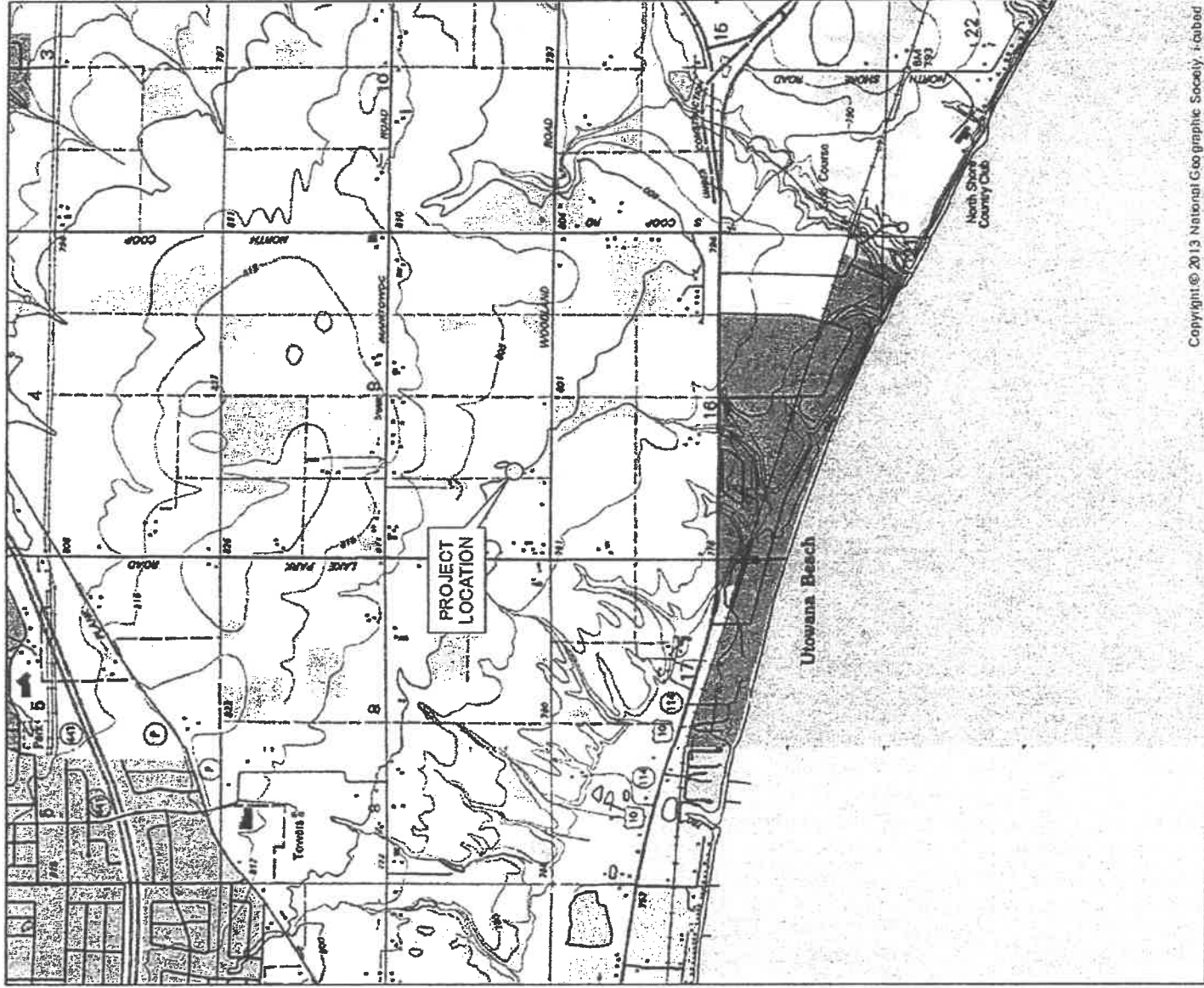
Sincerely,



Ryan Pappas
Wetland Exemption Specialist

Enc. Determination Sketch

cc: U.S. Army Corps of Engineers
V. of Harrison Zoning Department
Justin Schuenemann, McMahon & Associates, Inc., Consultant



Copyright © 2013 National Geographic Society. i-cubed



1 inch = 2,000 feet

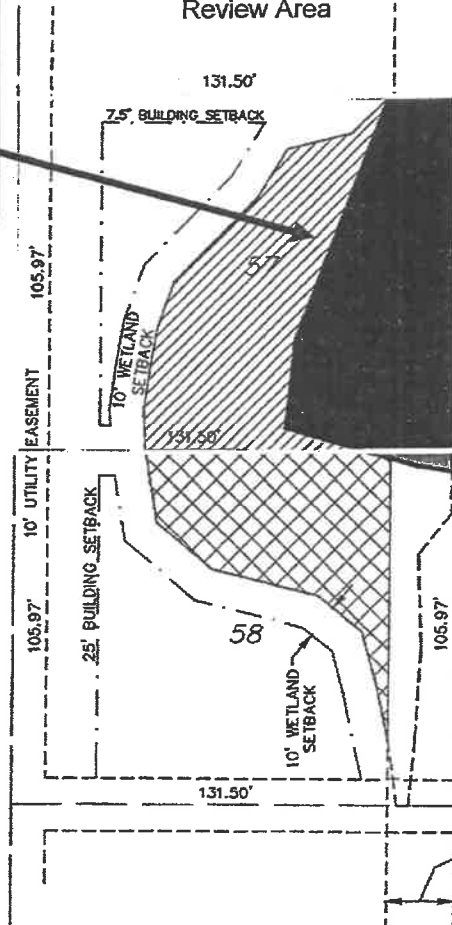
FIGURE 1
SITE LOCATION & TOPOGRAPHIC MAP
VILLAGE OF HARRISON, CALUMET COUNTY, WI
OAKWOOD ESTATES LOTS 57 & 58

MCMMAHON
ENGINEERS ARCHITECTS

60987-840571.00
 August, 2014

Part of wetland 1 (3,958 square feet) was determined to be exempt from state wetland regulations. (non-federal exemption area)

Review Area



NEW WETLANDS LOT 57 3610.2 Sq. Feet

NEW WETLANDS LOT 58 3992.1 Sq. Feet

LOT 57 & LOT 58 TOTAL NEW WETLANDS 7602.3 Sq. Feet



ORIGINAL WETLANDS LOT 57 3957.5 Sq. Feet

ORIGINAL WETLANDS LOT 58 89.0 Sq. Feet

LOT 57 & LOT 58 TOTAL ORIGINAL WETLANDS 4046.5 Sq. Feet

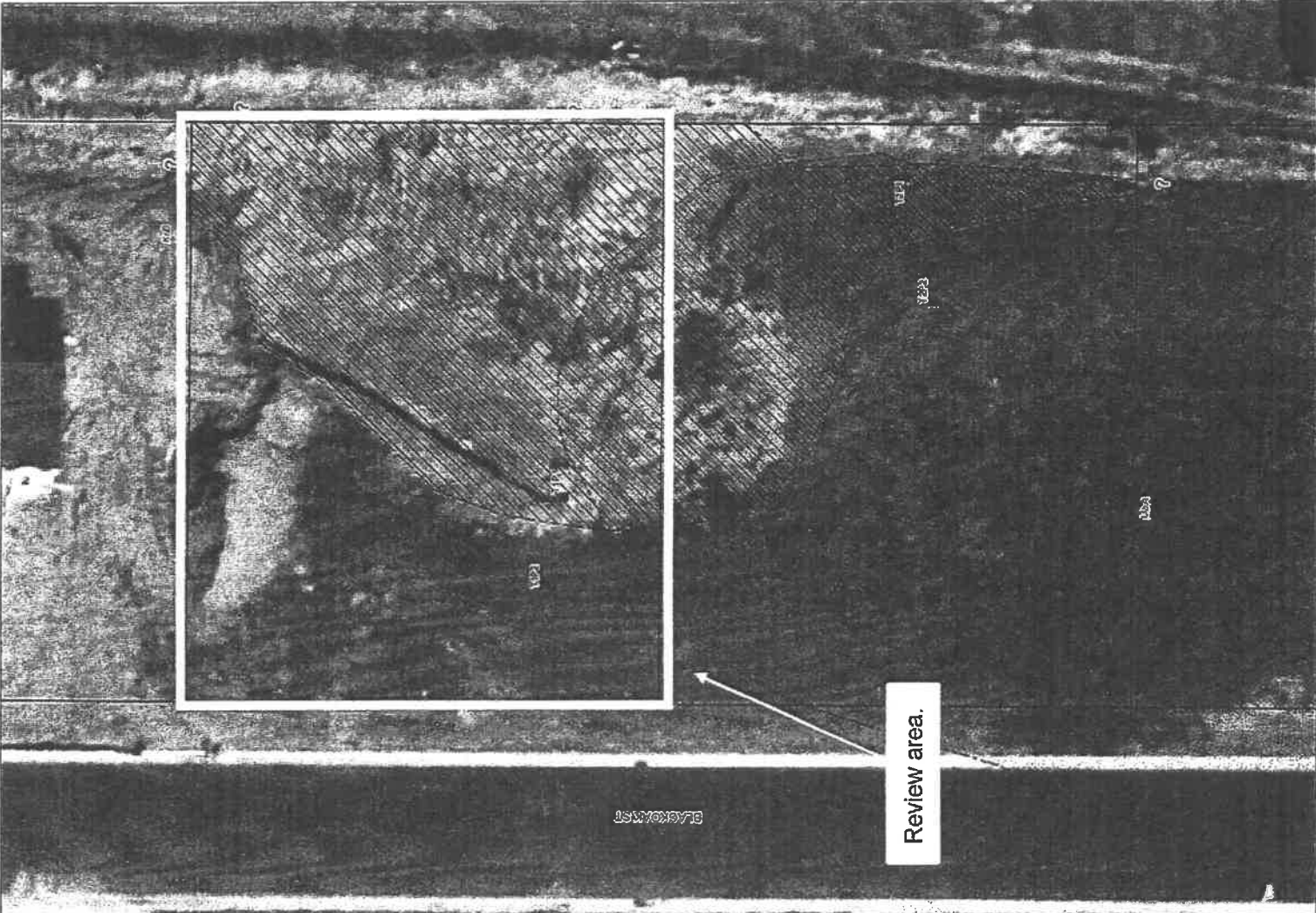
Area determined to be artificial exempt wetlands in docket: EXE-NE-2020-8-00311.



LOT 57 3610 Sq. Feet

WETLANDS PROVIDED. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE WETLANDS AND HAS DETERMINED THAT THE WETLANDS ARE NATURAL AND UNALTERED. THE DESIGNER HAS NOT CONDUCTED A FIELD SURVEY OF THE WETLANDS. THE DESIGNER HAS NOT CONDUCTED A FIELD SURVEY OF THE WETLANDS. THE DESIGNER HAS NOT CONDUCTED A FIELD SURVEY OF THE WETLANDS. THE DESIGNER HAS NOT CONDUCTED A FIELD SURVEY OF THE WETLANDS.

DESIGNED	CRASH
PROJECT NO.	
DATE SEP 7, 2014	
SHEET NO.	



Review area.

LEGEND

- TRANSECT LINE NUMBER & SAMPLE POINT NUMBER
- ▨ WETLAND AREA (0.27 ACRES WITHIN PROJECT AREA)
- ▤ WETLANDS EXTENDING BEYOND THE PROJECT BOUNDARY
- ▧ HYDRIC SOIL UNIT/RYFIC INCLUSIONS
- ▩ PROJECT BOUNDARY

McMAHON
ENGINEERS & ARCHITECTS

00987-414571.00
 August, 2014

FIGURE 2
 WETLAND DELINEATION MAP
 VILLAGE OF HARRISON, CALUMET COUNTY, WI
 OAKWOOD ESTATES LOTS 57 & 58

Wetland Delineation Report
 for
 Oakwood Estates Lots 57 & 58
 Village of Harrison, Calumet County, WI
 Prepared by
 McMahon Engineers & Architects
 1000 North Lincoln Avenue
 Chicago, IL 60610
 Phone: (773) 344-1100
 Fax: (773) 344-1101
 Email: info@mcma-hon.com

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1155 Pilgrim Road
Plymouth, WI 53073



Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-938-7463
TTY Access via relay - 711

February 10, 2020

EXE-NE-2020-8-00311

Pillars, Inc
Joe Mauthe
605 E Hancock Street
Appleton, WI 54911

RE: Artificial Wetland Exemption Determination for an area described as Wetland 1, located in the SW1/4 of the SW1/4 of Section 09, Township 20 North, Range 18 East, Village of Harrison, Calumet County

Dear Mr. Mauthe:

This letter is in response to your request for an artificial wetland exemption determination for the above mentioned wetlands.

According to 281.36 (4n), State Statutes, a landscape feature where hydrophytic vegetation may be present as a result of human modification to the landscape or hydrology and for which no definitive evidence exists showing a prior wetland or stream history before August 1, 1991, may be exempt from state wetland regulations. The following types of artificial wetlands cannot be exempted from state wetland regulation:

- 1) a wetland that serves as a fish spawning area or that is passage to a fish spawning area
- 2) a wetland created as a result of a wetland mitigation requirement.

In addition, DNR must also consider whether the artificial wetland is providing significant flood protection to adjacent or downstream properties and infrastructure, and/or significant water quality functions to adjacent or downstream water bodies.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative
- Historic Maps, including the Original Land Survey Plat, Bordner Survey, the USGS topographic Quad map, and soil mapping.
- Aerial photographs, including the 1937/8 era photograph, a pre-construction photograph, and a post-construction photograph.
- Site photographs that show different angles and views of the wetland
- 2005 and 2014 wetland delineation report
- 2005 site development plans

Below is a summary of our findings:

Request Narrative

According to the request narrative, a portion of wetland 1 (3,610 square feet) is the focus of this artificial wetland exemption request. Wetland 1 was delineated in 2005 and showed that there was 3,958 square feet of wetlands on the parcel. The parcel was left vacant while surrounding lots were developed. In 2014, the site was delineated once again, and wetland 1 has expanded to 7,568 square feet. The wetland exemption request is focused on the area that wetland 1 expanded into between 2005 and 2014 as a result of changing hydrology due to development of surrounding areas.

Historic Map Review

- Original Land Survey Plat. The original land survey indicates no wetland or stream history.
- Bordner Survey. The Bordner survey indicates the area is cropped, with an area of upland hardwoods nearby.
- USGS Topographic Quad map: The USGS Quad map indicates no wetland or stream history.
- Soil Maps: The soil maps indicate the area is in mapped Kewaunee Loam 2-6% slopes (entirely non-hydric, well drained soil) and mapped Manawa silt loam 0-3% slopes (predominantly non-hydric with hydric soil inclusions, somewhat poorly drained).

Aerial Photograph Review

- 1937/38 era aerial photograph. The 1937/38 aerial photograph shows wetland 1 is a cropped area, some wetland signatures exist.
- Pre-construction aerial photograph: The 1980s-2005 aerial photographs shows the site is cropland, with a consistent wetland signature in the area of wetland 1.
- Post-construction aerial photograph: The 2005-2018 aerial photographs shows that the surrounding areas are developed into residential areas, these surrounding areas are filled and graded, and wetland 1 is left fallow during this time.

Site Photographs

The site photographs shows the area is a wetland pocket depression surrounded by residential development.

Conclusion:

- Based upon the information provided above, the wetland identified as part of wetland 1 (3,610 square feet) lacked a wetland history prior to August 1, 1991, and fulfills all artificial wetland exemption standards. **Therefore, part of wetland 1 (3,610 square feet) exempt from state wetland regulations.** The remaining portion of wetland 1 (3,958 square feet) is *not exempt*. Please see attached figure for reference.

This letter describes DNR's decision regarding the jurisdictional status of Wetland 1 and is only valid for state jurisdictional purposes. For decisions regarding the federal jurisdictional status of Wetland 1, you will need to contact the U.S. Army Corps of Engineers.

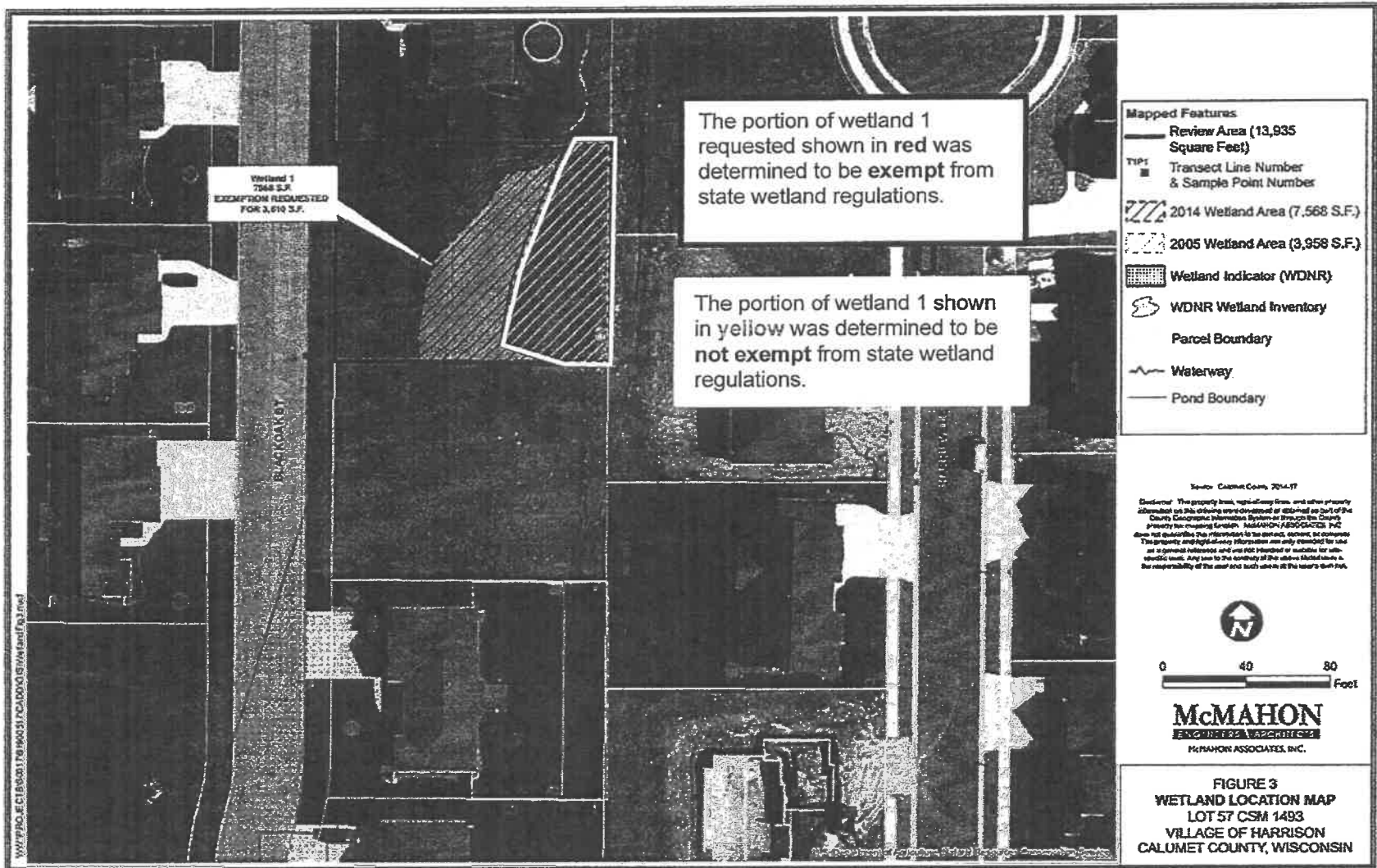
If you have any questions about this determination, please contact me at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov.

Sincerely,



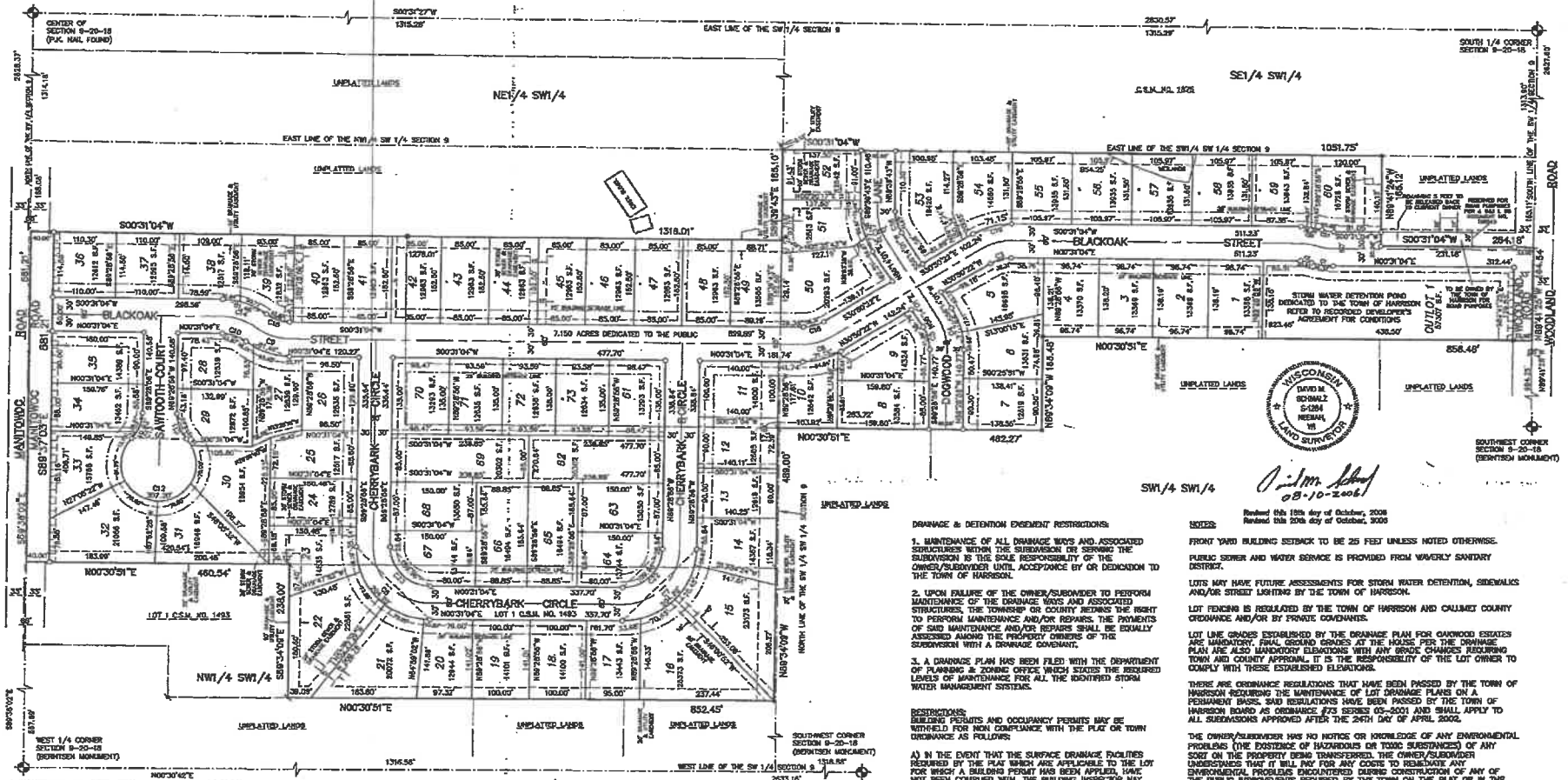
Ryan Pappas
Wetland Exemption Specialist

cc: U.S. Army Corps of Engineers
Justin Schuenemann, McMahon Group- Consultant



OAKWOOD ESTATES

A PART OF LOT 1 CERTIFIED SURVEY MAP NO. 1483, AS RECORDED IN VOLUME 10 OF MAPS ON PAGE 183, AND BEING A PART OF NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 18 EAST, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN



Recorded this 18th day of October, 2008
Revised this 20th day of October, 2008

- DRAINAGE & DETENTION EASEMENT RESTRICTIONS:**
1. MAINTENANCE OF ALL DRAINAGEWAYS AND ASSOCIATED STRUCTURES WITHIN THE SUBDIVISION OR SERVING THE SUBDIVISION IS THE SOLE RESPONSIBILITY OF THE OWNER/SUBDIVIDER UNTIL ACCEPTANCE BY THE TOWN OF HARRISON.
 2. UPON FAILURE OF THE OWNER/SUBDIVIDER TO PERFORM MAINTENANCE OF THE DRAINAGEWAYS AND ASSOCIATED STRUCTURES, THE TOWNSHIP OR COUNTY RESERVE THE RIGHT TO PERFORM MAINTENANCE AND/OR REPAIRS. THE PAYMENTS OF SAID MAINTENANCE AND/OR REPAIRS SHALL BE EQUALLY ASSESSED AMONG THE PROPERTY OWNERS OF THE SUBDIVISION WITH A DRAINAGE EASEMENT.
 3. A DRAINAGE PLAN HAS BEEN FILED WITH THE DEPARTMENT OF PLANNING & ZONING OFFICE WHICH STATES THE REQUIRED LEVELS OF MAINTENANCE FOR ALL THE IDENTIFIED STORM WATER MANAGEMENT SYSTEMS.

- RESTRICTIONS:**
- BUILDING PERMITS AND OCCUPANCY PERMITS MAY BE WITHHELD FOR NON COMPLIANCE WITH THE PLAT OR TOWN ORDINANCE AS FOLLOWS:
- A) IN THE EVENT THAT THE SURFACE DRAINAGE FACILITIES REQUIRED BY THE PLAT WHICH ARE APPLICABLE TO THE LOT FOR WHICH A BUILDING PERMIT HAS BEEN APPLIED, HAVE NOT BEEN COMPLIED WITH, THE BUILDING INSPECTOR MAY WITHHOLD BUILDING PERMITS REQUIRED BY THE BUILDING CODE.
 - B) IN THE EVENT THAT, AFTER CONSTRUCTION THERE IS A FAILURE TO ESTABLISH SURFACE GRADIES IN ACCORDANCE WITH THE SURVEY SURFACE WATER PLAN, THE BUILDING INSPECTOR MAY WITHHOLD THE OCCUPANCY PERMIT REQUIRED BY THE BUILDING CODE.

NOTES:

FRONT YARD BUILDING SETBACK TO BE 25 FEET UNLESS NOTED OTHERWISE.

PUBLIC SEWER AND WATER SERVICE IS PROVIDED FROM WARDLY'S SANITARY DISTRICT.

LOTS MAY HAVE FUTURE ASSESSMENTS FOR STORM WATER DETENTION, SIDEWALKS AND/OR STREET LIGHTING BY THE TOWN OF HARRISON.

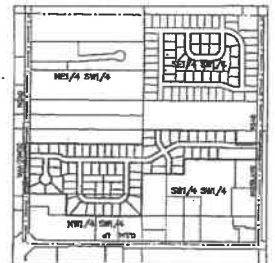
LOT FENCING IS REGULATED BY THE TOWN OF HARRISON AND CALUMET COUNTY ORDINANCE AND/OR BY PRIVATE COVENANTS.

LOT LINE GRADES ESTABLISHED BY THE DRAINAGE PLAN FOR OAKWOOD ESTATES ARE MANDATORY. FINAL GRADING GRADIES AT THE HOUSE PER THE DRAINAGE PLAN ARE ALSO MANDATORY ELEVATIONS WITH ANY GRADE CHANGES REQUIRING TOWN AND COUNTY APPROVAL. IT IS THE RESPONSIBILITY OF THE LOT OWNER TO COMPLY WITH THESE ESTABLISHED ELEVATIONS.

THERE ARE ORDINANCE REGULATIONS THAT HAVE BEEN PASSED BY THE TOWN OF HARRISON REQUIRING THE MAINTENANCE OF LOT DRAINAGE PLANS ON A PERMANENT BASIS. SAID REGULATIONS HAVE BEEN PASSED BY THE TOWN OF HARRISON BOARD AS ORDINANCE #75 SERIES 03-2001 AND SHALL APPLY TO ALL SUBDIVISIONS APPROVED AFTER THE 24TH DAY OF APRIL, 2002.

THE OWNER/SUBDIVIDER HAS NO NOTICE OR KNOWLEDGE OF ANY ENVIRONMENTAL PROBLEMS (THE EXISTENCE OF HAZARDOUS OR TOXIC SUBSTANCES) OF ANY SORT ON THE PROPERTY BEING TRANSFERRED. THE OWNER/SUBDIVIDER UNDERSTANDS THAT IT WILL PAY FOR ANY COSTS TO REMEDIATE ANY ENVIRONMENTAL PROBLEMS ENCOUNTERED DURING CONSTRUCTION OF ANY OF THE PUBLIC INFRASTRUCTURES REQUIRED BY THE TOWN ON THE PLAT OR IN THE DEVELOPER'S AGREEMENT. THE OWNER/SUBDIVIDER UNDERSTANDS THAT THEY SHALL BE INDIVIDUALLY RESPONSIBLE FOR ANY ENVIRONMENTAL PROBLEMS FOUND ON THE LANDS TRANSFERRED TO THE TOWN ON THE PLAT OF SURVEY OR CERTIFIED SURVEY MAP DURING CONSTRUCTION OF ROADS OR OTHER DONATIONS AND AGREE TO HOLD THE TOWN HARMLESS UNTIL CONSTRUCTION, INSTALLATION OR GRADING IS COMPLETE.

LOTS 58, 57 AND 56 HAVE A 10 FOOT PROTECTIVE AREA SURROUNDING THE WETLANDS. REFER TO THE APPROVED DRAINAGE AND EROSION CONTROL PLAN FOR ANY STORM WATER MANAGEMENT REQUIREMENTS FOR THE PROTECTIVE AREA.



ACCESS RESTRICTIONS:
AS OWNER, I HEREBY RESTRICT LOTS 32, 33, 34, 35, 36 AND OUTLOT 1 IN THAT NO OWNER, POSSESSOR, USER, OR OCCUPANT FOR OTHER PERSON SHALL TAKE ANY RIGHT OF DIRECT VEHICULAR INGRESS AND EGRESS WITH MANTIONED ROAD AND TO THE NEARBY ROAD AS SHOWN ON THIS PLAT. IT BEING EXPRESSLY INTENDED THAT THE RESTRICTIONS SHALL CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC ACCORDING TO SECTION 234.220 OF THE WISCONSIN STATUTES.

- LEGEND**
- - 1 1/4" x 30" ROUND STEEL REBAR
 - - 1 1/4" x 30" ROUND STEEL REBAR FOUND
 - - 3/4" ROUND STEEL REBAR FOUND
 - - 1/2" PIPE FOUND
 - - 1" PIPE FOUND
 - - CENTERED LAND CORNER
 - - OUTPLATE CORNER
 - () - UNRECORDED BOUNDARY AND/OR DISTANCE
 - S.F. - SQUARE FEET
 - - ACCESS RESTRICTED
 - - UTILITY EASEMENT (30' UNLESS NOTED)
 - - UTILITY EASEMENT (50' UNLESS NOTED)
 - - ALL OTHER LOT CORNERS SURVEYED WITH 3/4" x 30" ROUND STEEL REBAR, RECORDED 1.50 188, 181 PL.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stat., as provided by s. 236.12, Wis. Stat.

Certified October 27, 2008

David M. Schell
Department of Administration

APPROVALS:

CALUMET COUNTY PLANNING AND ZONING COMMITTEE

TOWN OF HARRISON

DEPARTMENT OF ADMINISTRATION

CALUMET COUNTY LAND CONSERVATION COMMITTEE

CITY OF MENASHA

NORTH IS REFERENCED TO THE NORTH LINE OF THE SECTION 1/4 OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 18 EAST, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN, WHICH IS ASSIGNED TO BEAR SURVEY.

OWNER & FIELD OFFICE:
- THE CENTRAL COMPANY
- 47 LITTLE CHUTE, ILL.
- C/O PAT HEDGECOCK
- 7144 LEE ST.
- LITTLE CHUTE, IL 61454
- (815) 288-1428

100 50 0 100
SCALE - FEET

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Affidavit of Correction – Lot 58 Oakwood Estates

Issue:

Should the Plan Commission recommend approval of an Affidavit of Correction for Lot 58 of Oakwood Estates subdivision to release the wetlands as show on the face of the Final Plat?

Background and Additional Information:

When Oakwood Estates was platted, there was a small area of wetlands located on Lots 57 & 58. Overtime, these wetland areas expanded causing the lots to be undesirable for home sites. The developer petitioned the Army Corps of Engineers and WI DNR to release the wetlands under the artificial wetlands exemption determination. Both the Army Corps and DNR agreed that the wetlands are nonfederal and exempt form wetland permitting.

The Affidavit of Correction document will remove the wetlands from the Final Plat of Oakwood Estates making the lots more desirable for new home sites.

Recommended Action:

Staff recommends approval of the Affidavit of Correction for Lot 58 Oakwood Estates.

Attachments:

- Affidavit of Correction
- Correspondence from Army Corps of Engineers and WI DNR

Document No.

AFFIDAVIT OF CORRECTION

State Of Wisconsin)
)ss
County Of Calumet)

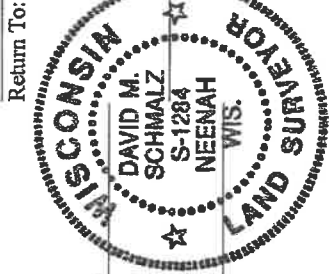
I, DAVID M. SCHMALZ, Wisconsin Registered Land Surveyor No. S-01284, employed by McMahon Associates, Inc., hereby certify that Lot 58 of the Final Plat of Oakwood Estates, as recorded in the office of the Register Of Deeds for Calumet County, Wisconsin, on February 12, 2007, at 3:15 p.m., in Plat Cabinet "D", as Document #414131, shows wetlands on the face of the Final Plat. The wetlands have been released by the U.S. Army Corps of Engineers attached Regulatory File MVP-2014-03270-RJH and the Wisconsin Department of Natural Resources attached Regulatory File EXE-NE-8-02550. See the attachments. The wetlands are hereby removed from the Final Plat for Lot 58.

David W. Johnson
Witness

David M. Schmalz
David M. Schmalz
R.L.S. #S-01284

08-27-20
Date

08-27-20
Date



Return To: McMahon Associates, Inc.
c/o David M. Schmalz, R.L.S.
1445 McMahon Drive - Neenah, WI 54956
PO Box 1025 - Neenah, WI 54957-1025

Tax ID 38016
Parcel Identification No. (PIN)

State Of Wisconsin)
)ss
County Of Calumet)

Personally came before me this 27th day of August, 2020, the above named David M. Schmalz to me know to be the person who executed the aforesaid affidavit and acknowledged the same.

Corey W. Kalkofen
Notary Public

Winnebago County, Wisconsin
My Commission Expires: November 30th 2022

COREY W. KALKOFEN
NOTARY PUBLIC
STATE OF WISCONSIN

[Stamp / Seal]

VILLAGE OF HARRISON APPROVAL:

We hereby certify that this Affidavit Of Correction for Oakwood Estates, Village of Harrison, Calumet County, Wisconsin, was approved and accepted by the Village of Harrison on this _____ day of _____, 2020.

Kevin M. Hietpas _____ Date

State Of Wisconsin)
)ss
County Of Calumet)

I, Jennifer Weyenberg, being the acting Clerk of the Village of Harrison, Calumet County, Wisconsin, do hereby certify that the Village Board of the Village of Harrison, passed by voice vote, authorizing me to issue a Certificate Of Approval of this Affidavit Of Correction for Oakwood Estates. I do also hereby certify that this APPROVAL WAS GRANTED and EFFECTIVE on the _____ day of _____, 2020.

Jennifer Weyenberg, Village Clerk _____ Date

Project No. L0618-9-20-00138

This Instrument was drafted by: David M. Schmalz, PLS



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

REPLY TO ATTENTION OF
REGULATORY BRANCH

July 22, 2020

Regulatory File No. MVP-2014-03270-RJH

Mary Parsons
LEAVEN
1475 Opportunity Way
Menasha, Wisconsin 54952

Dear Ms. Parsons:

This letter is in response to your request for an approved jurisdictional determination for a 0.32 acre parcel located along N8944 Blackoak Street in the City of Menasha. The project site is in Section 09, Township 20 North, Range 18 East, Calumet County, Wisconsin. The review area for our jurisdictional determination is identified on the enclosed figure, labeled MVP-2014-3270-RJH Page 2 of 2.

The review area contains no waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. This determination is only valid for the review area shown on the enclosed figure.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal these determinations, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.


In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination is still accurate.

Regulatory Branch (File No. MVP-2014-3270-RJH)

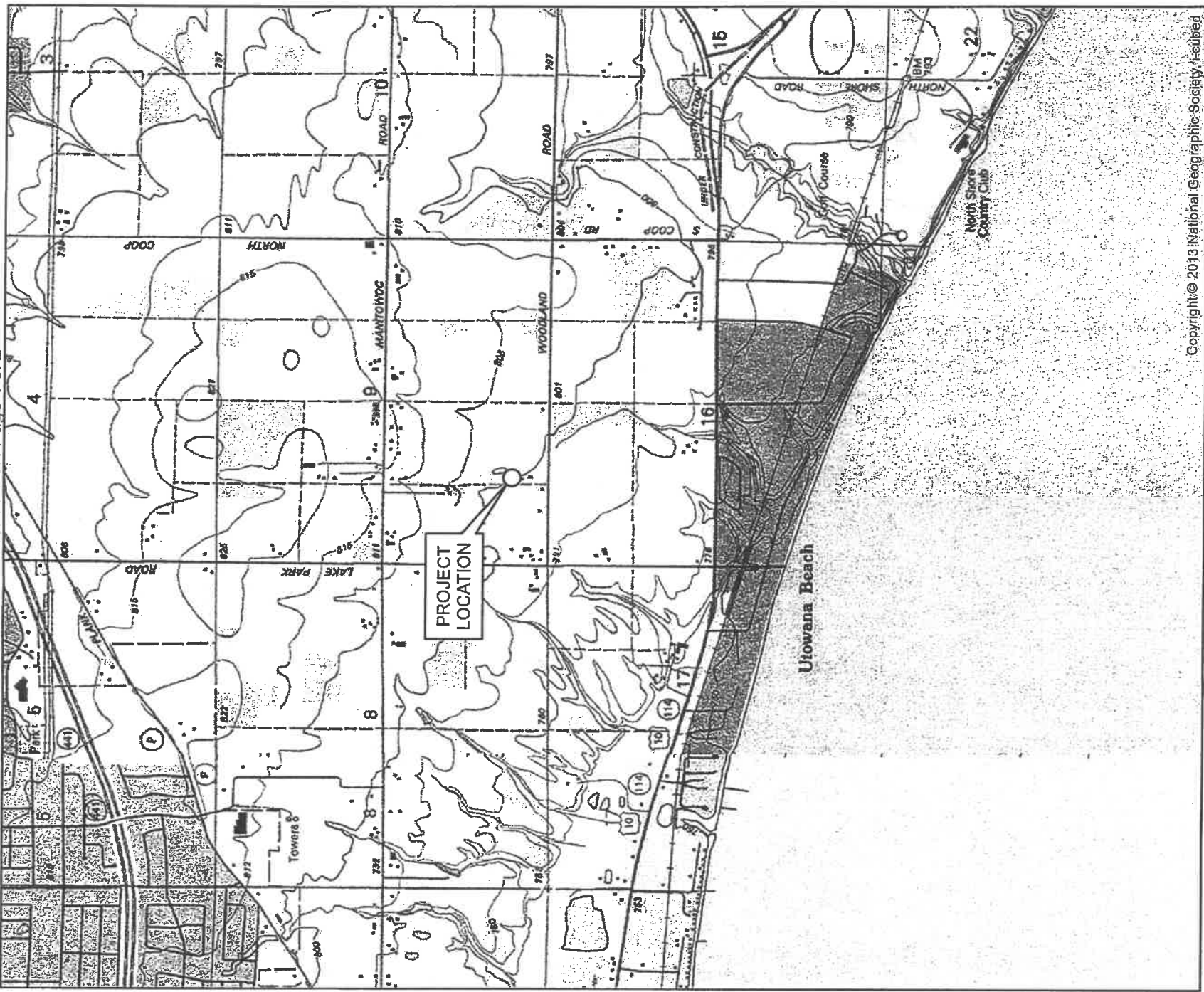
If you have any questions, please contact me in our Green Bay office at (651) 290-5859 or ryan.j.huber@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,


Ryan Huber
Project Manager

Enclosures

Cc:
Ryan Pappas, WDNR
Matt Greely, McMahon



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1 inch = 2,000 feet

FIGURE 1
 SITE LOCATION & TOPOGRAPHIC MAP
 VILLAGE OF HARRISON, CALUMET COUNTY, WI
 OAKWOOD ESTATES LOTS 57 & 58

McMAHON
 ENGINEERS ARCHITECTS

G0987-940571.00
 August, 2014



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 7/22/2020
 ORM Number: MVP-2014-03270-RJH
 Associated JDs: Yes, an AJD was issued for the other portion of this resources on June 22, 2020.
 Review Area Location¹: State/Territory: WI City: Menasha County/Parish/Borough: Calumet
 Center Coordinates of Review Area: Latitude 44.2162 Longitude -88.3586

II. FINDINGS

- A. Summary:** Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.
- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
 - There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
 - There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
 - There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

\$ 10 Name	\$ 10 Size	\$ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters (a)(1) waters: ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries (a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):			
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴		
Exclusion Name	Exclusion Size acre(s)	Exclusion ⁵ (b)(1) Non-adjacent wetland.
Wetland 1	0.09	
		Rationale for Exclusion Determination Wetland 1 does not abut and is not inundated by flooding from a paragraph (a)(1)-(3) water, is not separated from one by a natural or manmade feature. Wetland 1 extends off-site but is surrounded by uplands and has no hydrologic connections. An AJD was issued for that feature on June 23, 2020, and concluded the feature is a (b)(1) excluded water.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: AJD Request submitted by McMahon Associates, Inc. on May 27, 2020.

This information is sufficient for purposes of this AJD.

Rationale: N/A or describe rationale for insufficiency (including partial insufficiency).

- Data sheets prepared by the Corps: Title(s) and/or date(s).
- Photographs: Select. Title(s) and/or date(s).
- Corps site visit(s) conducted on: Date(s).
- Previous Jurisdictional Determinations (AJDs or PJDs): 2014-03270-RJH June 23, 2020
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: Title(s) and/or date(s).
- USFWS NWI maps: Title(s) and/or date(s).
- USGS topographic maps: 1:24K WI- Sherwood

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): N/A

C. Additional comments to support AJD: N/A

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Mary Parson-LEAVEN	File No.: MVP-2014-03270-RJH	Date: 7/22/2020
Attached is:		
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	See Section below
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PERMIT DENIAL	B
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	C
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/ow/cecw/req> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

U.S Army Corps of Engineers
Attn: Ryan Huber
211 North Broadway Street Ste. 221
Green Bay, Wisconsin 54303-2757

If you only have questions regarding the appeal process you may also contact the Division Engineer through:

Administrative Appeals Review Officer
Mississippi Valley Division
P.O. Box 80 (1400 Walnut Street)
Vicksburg, MS 39181-0080
601-634-5820 FAX: 601-634-5816

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Date:

Telephone number:

Signature of appellant or agent.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1155 Pilgrim Road
Plymouth, WI 53073



Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

August 12, 2020

EXE-NE-2020-8-025550

LEVEN Inc.
Mary Parsons
1475 Opportunity Way
Menasha, WI 54952

RE: Nonfederal Wetland Exemption Determination for an area described as Wetland 1, located in the SW1/4 of the SW1/4 of Section 09, Township 20 North, Range 18 East, Village of HARRISON, Calumet County

Dear Ms. Parsons:

This letter is in response to your request for a nonfederal wetland exemption determination for the above mentioned wetlands.

According to 281.36 (4n), State Stat., a nonfederal wetland is a wetland that is not federally jurisdictional. Projects impacting nonfederal wetlands in urban areas must be less than 1 acre of total impact, and must be done in compliance with applicable stormwater management zoning ordinances or stormwater Wisconsin Pollution Discharge Elimination System (WPDDES) permits to qualify for this exemption (s. 281.36(4n)(b)3, Wis. Stat.). In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n)(a)3, Wis. Stat.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative
- Site location map and photographs that show different angles and views of the wetland
- Botanical survey results
- Wetland delineation information
- Stormwater compliance information
- U.S. Army Corps of Engineers AJD Letter

Below is a summary of our findings:

Request Narrative

According to the request narrative part of wetland 1 (89 square feet) is the focus of this non-federal wetland exemption request. The total non-federal wetland impact area on the site is 89 square feet. The purpose of this project is to create a residential lot. The wetland impact is less than 10,000 square feet in the Village of Harrison on Lot 58-CSM 1493, Tax Parcel ID: 38106 owned by LEAVEN Inc. An additional portion of wetland 1 feature on the property will also be impacted and was determined to be an artificial exempt wetland in DNR wetland exemption request docket: EXE-NE-2020-8-00312 dated February 10th, 2020.

Site Location and Photographs

The site is located in the Village of Harrison, and confirms that the wetland is located in an **urban area** as defined by s. 281.36(4n)(a)5 Wis. Stats. Wetland photographs also show the area is an emergent marsh in a residential neighborhood with low quality and rudimentary plant species.

Wetland Delineation Information

The wetland delineation shows the wetland is a rudimentary emergent marsh. These wetlands are not rare/high quality wetland types as defined by s. 281.36(4n)(a)3 Wis. Stats.

Stormwater Compliance Information

The applicant is responsible for obtaining all other state and/or local stormwater and erosion control approvals as deemed necessary by the applicable officials. The applicant provided general knowledge of these requirements and stated that they will comply with state and local requirements. The documentation demonstrated that the project will be completed in compliance with applicable WPDES stormwater permits and stormwater ordinances adopted under s. 59.693, 60.627, 61.354, or 62.234, Wis. Stats.

U.S. Army Corps of Engineers AJD letter

The AJD letter dated July 22nd, 2020 from the U.S. Army Corps of Engineers indicated that wetland 1 located in the AJD review area is not a water of the United States. Therefore, the area described as wetland 1 is not federally jurisdictional.

Conclusion:

Based upon the documentation provided above, the proposed project impacting part of wetland 1 (89 square feet) meets the eligibility criteria pursuant to s. 281.36 (4n), State Stats. **You are able to proceed with this project impacting part of wetland 1 (89 square feet).** Please see the attached figure for reference. If you have any questions or would like to schedule a meeting to discuss this approval, please call me at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov.

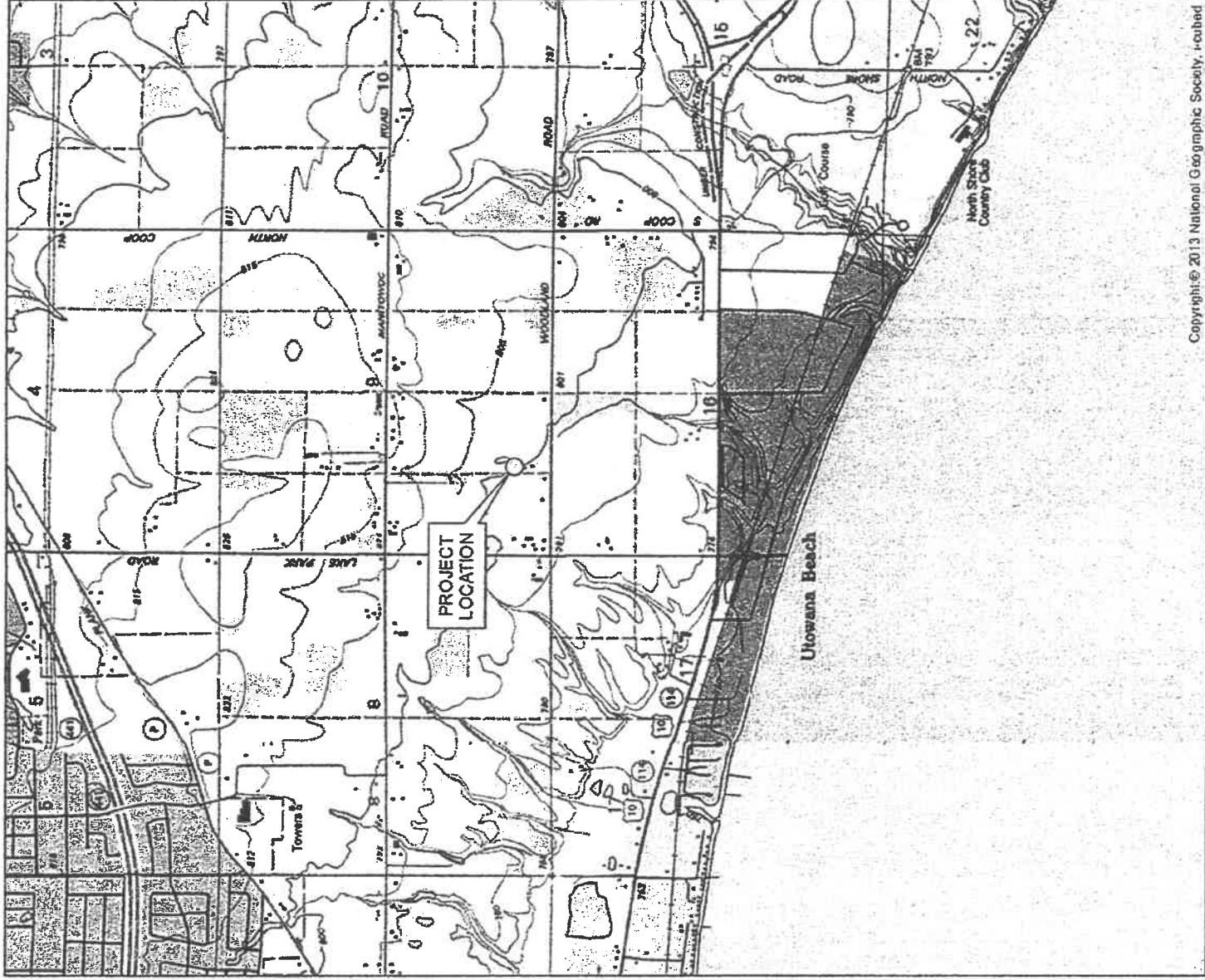
Sincerely,



Ryan Pappas
Wetland Exemption Specialist

Enc. Determination Sketch

cc: U.S. Army Corps of Engineers
V. of Harrison Zoning Department
Justin Schuenemann, McMahan & Associates Inc., Consultant



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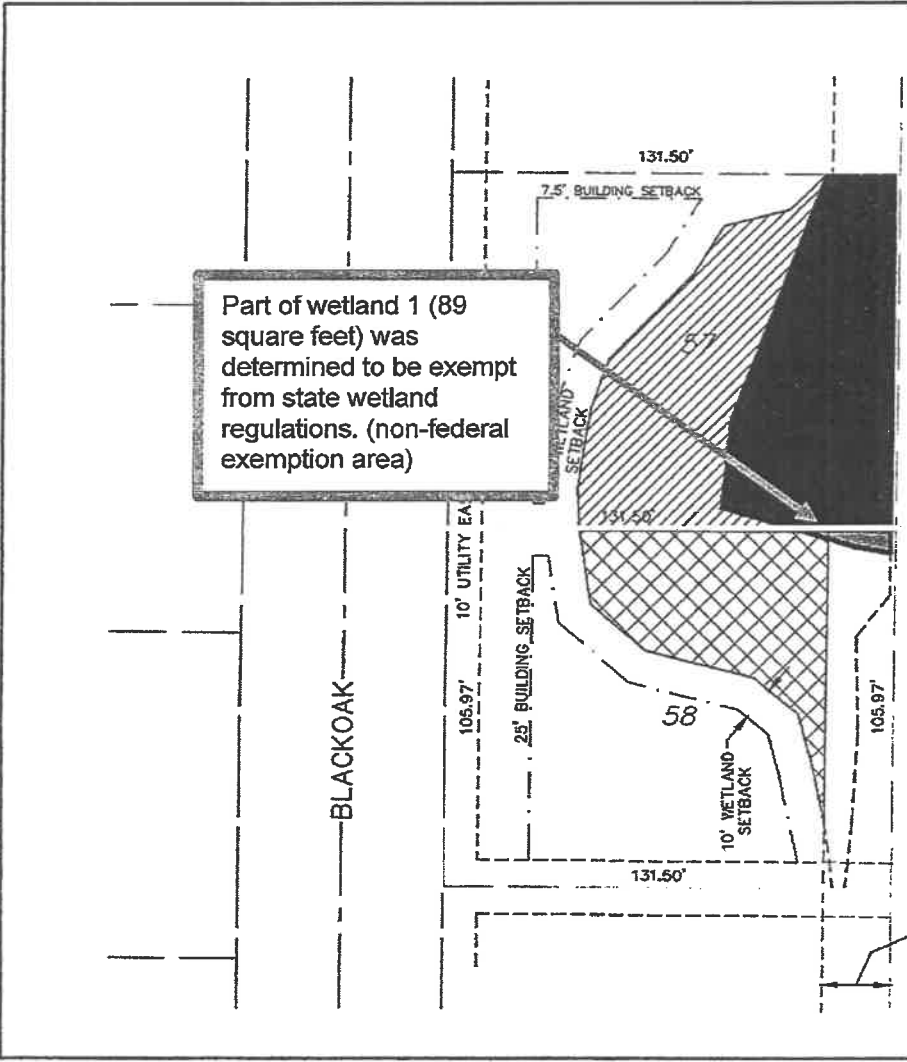


1 inch = 2,000 feet

FIGURE 1
SITE LOCATION & TOPOGRAPHIC MAP
VILLAGE OF HARRISON, CALUMET COUNTY, WI
OAKWOOD ESTATES LOTS 57 & 58

McMAHON
ENGINEERS ARCHITECTS

G0987-9/0571.00
 August, 2014



NEW WETLANDS LOT 57 3610.2 Sq. Feet

NEW WETLANDS LOT 58 3992.1 Sq. Feet

LOT 57 & LOT 58 TOTAL NEW WETLANDS 7602.3 Sq. Feet

ORIGINAL WETLANDS LOT 57 3957.5 Sq. Feet

ORIGINAL WETLANDS LOT 58 89.0 Sq. Feet

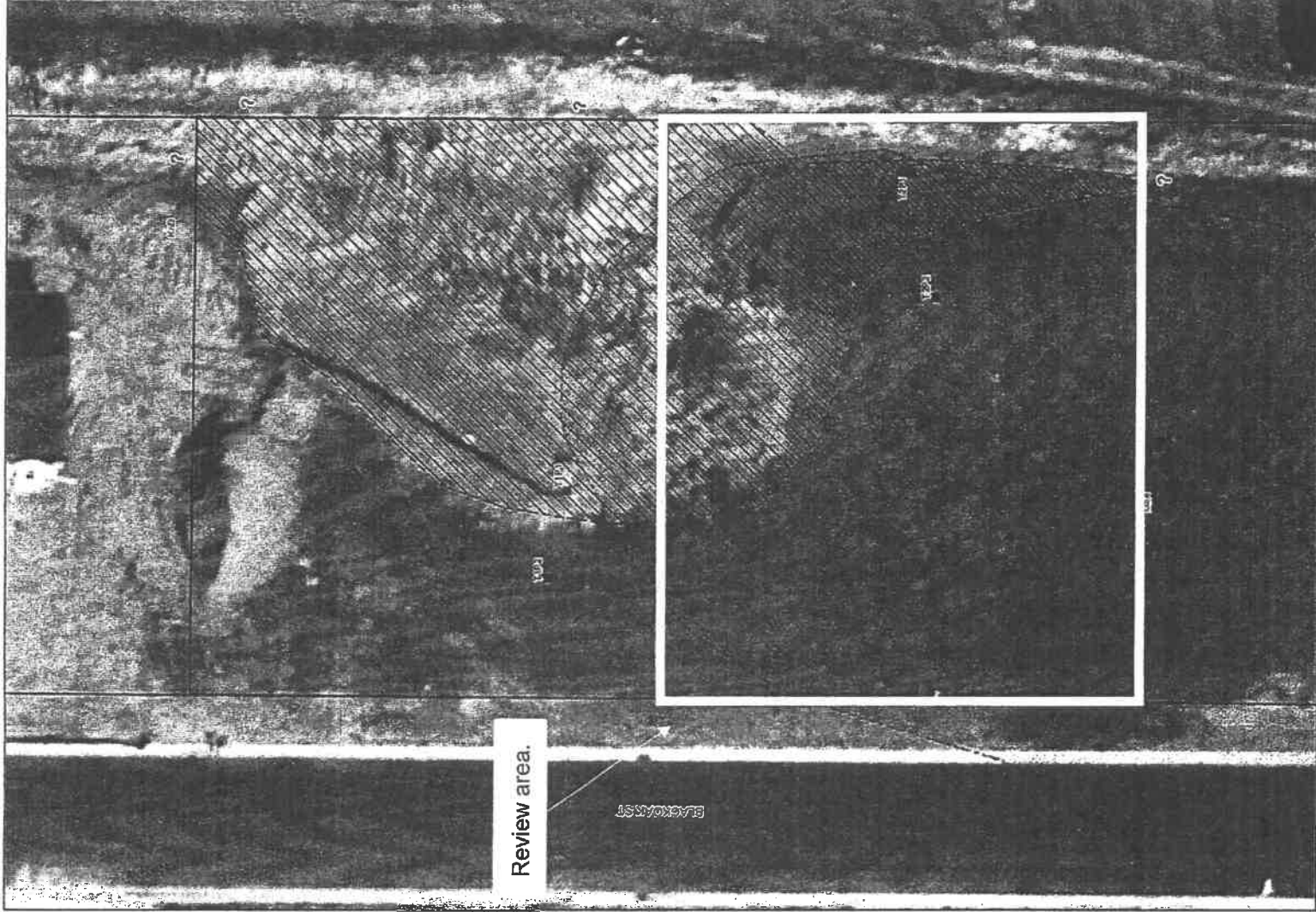
LOT 57 & LOT 58 TOTAL ORIGINAL WETLANDS 4046.5 Sq. Feet

Area determined to be artificial exempt wetlands in docket: EXE-NE-2020-8-00312.

Lot 58-3,992 SF

REVISION: Please note this drawing was prepared by the applicant and is not a final drawing. It is subject to change without notice. The client and/or contractor shall be responsible for verifying the accuracy of the information provided. The client and/or contractor shall be responsible for obtaining all necessary permits and approvals. The client and/or contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities. The client and/or contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities.

DESIGNED	DRAWN
PROJECT NO.	
DATE	
SEPT., 2014	
SHEET NO.	



Review area.

BLACKWATER ST

LEGEND

- TRANSECT LINE NUMBER & SAMPLE POINT NUMBER
- ▨ WETLAND AREA (0.27 ACRES WITHIN PROJECT AREA)
- ▧ WETLANDS EXTEND BEYOND THE PROJECT BOUNDARY
- ⊙ HYDRIC SOIL UNIT / HYDRIC INCLUSIONS
- PROJECT BOUNDARY



FIGURE 2
 WETLAND DELINEATION MAP
 VILLAGE OF HARRISON, CALUMET COUNTY, WI
 OAKWOOD ESTATES LOTS 57 & 58

McMAHON
 ENGINEERS & ARCHITECTS

09837 44-0571.00
 August, 2014

UNLESS OTHERWISE SPECIFIED, THE INFORMATION CONTAINED HEREIN IS FOR GENERAL INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



February 10, 2020

EXE-NE-2020-8-00312

LEAVEN
Mary Parsons
1475 Opportunity Way
Menasha, WI 54952

RE: Artificial Wetland Exemption Determination for an area described as part of Wetland 1, located in the SW1/4 of the SW1/4 of Section 09, Township 20 North, Range 18 East, Village of Harrison, Calumet County

Dear Ms. Parsons:

This letter is in response to your request for an artificial wetland exemption determination for the above mentioned wetlands.

According to 281.36 (4n), State Statutes, a landscape feature where hydrophytic vegetation may be present as a result of human modification to the landscape or hydrology and for which no definitive evidence exists showing a prior wetland or stream history before August 1, 1991, may be exempt from state wetland regulations. The following types of artificial wetlands cannot be exempted from state wetland regulation:

- 1) a wetland that serves as a fish spawning area or that is passage to a fish spawning area
- 2) a wetland created as a result of a wetland mitigation requirement.

In addition, DNR must also consider whether the artificial wetland is providing significant flood protection to adjacent or downstream properties and infrastructure, and/or significant water quality functions to adjacent or downstream water bodies.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative
- Historic Maps, including the Original Land Survey Plat, Bordner Survey, the USGS topographic Quad map, and soil mapping.
- Aerial photographs, including the 1937/8 era photograph, a pre-construction photograph, and a post-construction photograph.
- Site photographs that show different angles and views of the wetland
- 2005 and 2014 wetland delineation report
- 2005 site development plans

Below is a summary of our findings:

Request Narrative

According to the request narrative, a portion of wetland 1 (3,992 square feet) is the focus of this artificial wetland exemption request. Wetland 1 was delineated in 2005 and showed that there was 89 square feet of wetlands on the parcel. The parcel was left vacant while surrounding lots were developed. In 2014, the site was delineated once again, and wetland 1 has expanded to 4,081 square feet. The wetland exemption request is focused on the area that wetland 1 expanded into between 2005 and 2014 as a result of changing hydrology due to development of surrounding areas.

Historic Map Review

- Original Land Survey Plat. The original land survey indicates no wetland or stream history.
- Bordner Survey. The Bordner survey indicates the area is cropped, with an area of upland hardwoods nearby.
- USGS Topographic Quad map: The USGS Quad map indicates no wetland or stream history.
- Soil Maps: The soil maps indicate the area is in mapped Kewaunee Loam 2-6% slopes (entirely non-hydric, well-drained soil) and mapped Manawa silt loam 0-3% slopes (predominantly non-hydric with hydric soil inclusions, somewhat poorly drained).

Aerial Photograph Review

- 1937/38 era aerial photograph. The 1937/38 aerial photograph shows wetland 1 is a cropped area, some wetland signatures exist.
- Pre-construction aerial photograph: The 1980s-2005 aerial photographs shows the site is cropland, with a consistent wetland signature in the area of wetland 1.
- Post-construction aerial photograph: The 2005-2018 aerial photographs shows that the surrounding areas are developed into residential areas, these surrounding areas are filled and graded, and wetland 1 is left fallow during this time.

Site Photographs

The site photographs show the area is a wetland pocket depression surrounded by residential development.

Conclusion:

- Based upon the information provided above, the wetland identified as part of wetland 1 (3,992 square feet) lacked a wetland history prior to August 1, 1991 and fulfills all artificial wetland exemption standards. **Therefore, part of wetland 1 (3,992 square feet) is exempt from state wetland regulations.** The remaining portion of wetland 1 (89 square feet) is *not exempt*. Please see attached figure for reference.

This letter describes DNR's decision regarding the jurisdictional status of Wetland 1 and is only valid for state jurisdictional purposes. For decisions regarding the federal jurisdictional status of Wetland 1, you will need to contact the U.S. Army Corps of Engineers.

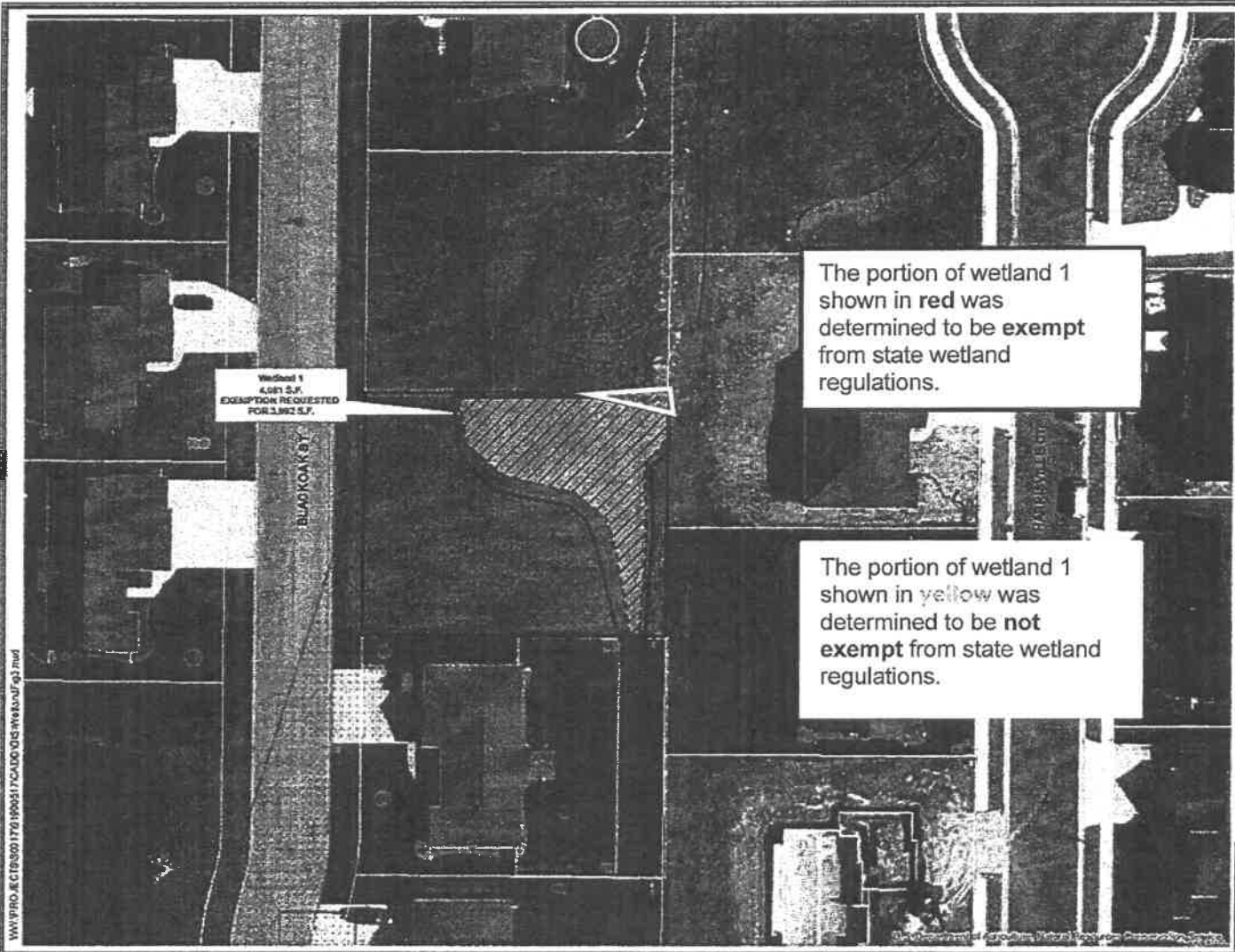
If you have any questions about this determination, please contact me at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov.

Sincerely,



Ryan Pappas
Wetland Exemption Specialist

cc: U.S. Army Corps of Engineers
Justin Schuenemann McMahon Group, Consultant



Wetland 1
4,081 S.F.
EXEMPTION REQUESTED
FOR 3,892 S.F.

The portion of wetland 1
shown in red was
determined to be exempt
from state wetland
regulations.

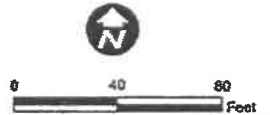
The portion of wetland 1
shown in yellow was
determined to be not
exempt from state wetland
regulations.

Mapped Features

- Review Area (13,935 Square Feet)
- TYP1
- Transect Line Number & Sample Point Number
- 2014 Wetland Area (4,081 S.F.)
- 2005 Wetland Area (89 S.F.)
- Wetland Indicator (WDNR)
- WDNR Wetland Inventory
- Parcel Boundary
- Waterway
- Pond Boundary

Source: Calumet County, 2014-17

Disclaimer: The property lines, right-of-way lines, and other property information are this drawing's underlying data or information for part of the County Geographic Information System or through the County property lot mapping function. McMAHON ASSOCIATES, INC. does not guarantee that information to be correct, current, or accurate. The property and right-of-way information are only intended for use as a general reference and are not intended to substitute for site-specific maps. Any use by the user of the above information is the responsibility of the user and shall not be used as a warranty of any kind.



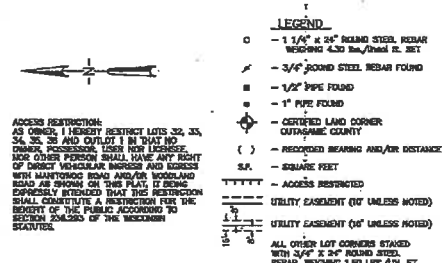
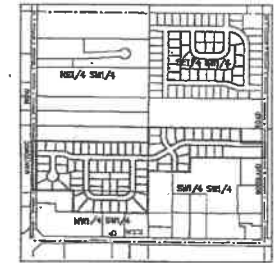
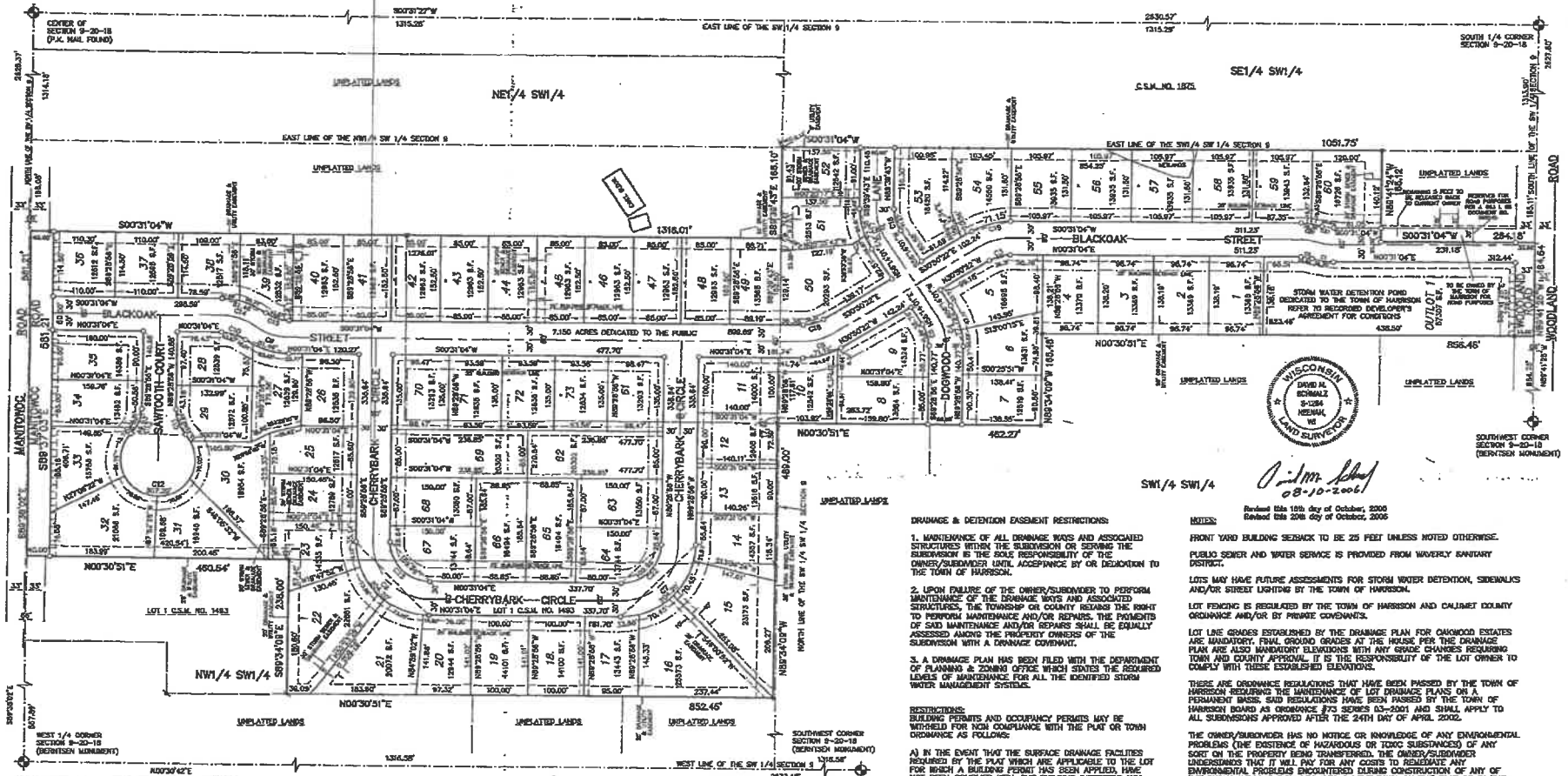
McMAHON
ENGINEERS & ARCHITECTS
McMAHON ASSOCIATES, INC.

FIGURE 3
WETLAND LOCATION MAP
LOT 58 CSM 1493
VILLAGE OF HARRISON
CALUMET COUNTY, WISCONSIN

\\WP016.CEN\001170\000517\CALUM\DC\Wetland\Fig3.mxd

OAKWOOD ESTATES

A PART OF LOT 1 CERTIFIED SURVEY MAP NO. 1493, AS RECORDED IN VOLUME 10 OF MAPS ON PAGE 193, AND BEING A PART OF NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 18 EAST, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified October 27, 2006

Rebecca Young
Department of Administration

DRAINAGE & DETENTION EASEMENT RESTRICTIONS:

1. MAINTENANCE OF ALL DRAINAGEWAYS AND ASSOCIATED STRUCTURES WITHIN THE SUBDIVISION OR SERVING THE SUBDIVISION IS THE SOLE RESPONSIBILITY OF THE OWNER/SUBDIVIDER UNTIL ACCEPTANCE BY OR DETACHMENT TO THE TOWN OF HARRISON.
2. UPON FAILURE OF THE OWNER/SUBDIVIDER TO PERFORM MAINTENANCE OF THE DRAINAGEWAYS AND ASSOCIATED STRUCTURES, THE TOWNSHIP OR COUNTY RESERVES THE RIGHT TO PERFORM MAINTENANCE AND/OR REPAIRS. THE COSTS OF SAID MAINTENANCE AND/OR REPAIRS SHALL BE EQUALLY ASSESSED AMONG THE PROPERTY OWNERS OF THE SUBDIVISION WITH A DRAINAGE COVENANT.
3. A DRAINAGE PLAN HAS BEEN FILED WITH THE DEPARTMENT OF PLANNING & ZONING OFFICE WHICH STATES THE REQUIRED LEVELS OF MAINTENANCE FOR ALL THE IDENTIFIED STORM WATER MANAGEMENT SYSTEMS.

RESTRICTIONS:

BUILDING PERMITS AND OCCUPANCY PERMITS MAY BE WITHHELD FOR NON COMPLIANCE WITH THE PLAT OR TOWN ORDINANCE AS FOLLOWS:

A) IN THE EVENT THAT THE SURFACE DRAINAGE FACILITIES REQUIRED BY THE PLAT WHICH ARE APPLICABLE TO THE LOT FOR WHICH A BUILDING PERMIT HAS BEEN APPLIED, HAVE NOT BEEN COMPLETED, THE BUILDING RESPECTOR MAY WITHHOLD BUILDING PERMITS REQUIRED BY THE BUILDING CODE.

B) IN THE EVENT THAT, AFTER CONSTRUCTION THERE IS A FAILURE TO ESTABLISH SURFACE GRADES IN ACCORDANCE WITH THE SURFACE DRAINAGE WATER PLAN, THE BUILDING RESPECTOR MAY WITHHOLD THE OCCUPANCY PERMIT REQUIRED BY THE BUILDING CODE.

NOTES:

FRONT YARD BUILDING SETBACK TO BE 25 FEET UNLESS NOTED OTHERWISE.

FIELD SEWER AND WATER SERVICE IS PROVIDED FROM WOODRIDGE SANITARY DISTRICT.

LOTS MAY HAVE FUTURE ASSESSMENTS FOR STORM WATER DETENTION, SEWERALIS AND/OR STREET LIGHTING BY THE TOWN OF HARRISON.

LOT FENCING IS REGULATED BY THE TOWN OF HARRISON AND CALUMET COUNTY ORDINANCE AND/OR BY PRIVATE COVENANTS.

LOT LINE GRADES ESTABLISHED BY THE DRAINAGE PLAN FOR OAKWOOD ESTATES ARE MANDATORY. FINAL GROUND GRADERS AT THE HOUSE PER THE DRAINAGE PLAN ARE ALSO MANDATORY. ELEVATIONS WITH ANY GRADE CHANGES REQUIRING TOWN AND COUNTY APPROVAL. IT IS THE RESPONSIBILITY OF THE LOT OWNER TO COMPLY WITH THESE ESTABLISHED ELEVATIONS.

THERE ARE ORDINANCE REGULATIONS THAT HAVE BEEN PASSED BY THE TOWN OF HARRISON REQUIRING THE MAINTENANCE OF LOT DRAINAGE PLANS ON A PERMANENT BASIS. SAID REGULATIONS HAVE BEEN PASSED BY THE TOWN OF HARRISON BOARD AS ORDINANCE #73 SERIES 83-2001 AND SHALL APPLY TO ALL SUBDIVISIONS APPROVED AFTER THE 24TH DAY OF APRIL, 2002.

THE OWNER/SUBDIVIDER HAS NO NOTICE OR KNOWLEDGE OF ANY ENVIRONMENTAL PROBLEMS (THE EXISTENCE OF HAZARDOUS OR TOXIC SUBSTANCES) OF ANY SORT ON THE PROPERTY BEING TRANSFERRED. THE OWNER/SUBDIVIDER UNDERSTANDS THAT IT MAY PAY FOR ANY COSTS TO REMEDIATE ANY ENVIRONMENTAL PROBLEMS ENCOUNTERED DURING CONSTRUCTION OF ANY OF THE PUBLIC IMPROVEMENTS REQUIRED BY THE TOWN ON THE PLAT OR IN THE DEVELOPER'S AGREEMENT. THE OWNER/SUBDIVIDER UNDERSTANDS THAT THEY SHALL BE INDIVIDUALLY RESPONSIBLE FOR ANY ENVIRONMENTAL PROBLEMS FOUND ON THE LAND, TRANSFERRED TO THE TOWN ON THE PLAT OF SURVEY OR CERTIFIED SURVEY MAP DURING CONSTRUCTION OF ROADS OR OTHER IMPROVEMENTS AND AGREES TO HOLD THE TOWN HARMLESS UNTIL CONSTRUCTION, INSTALLATION OR GRADING IS COMPLETE.

LOTS 56, 57 AND 58 HAVE A 10 FOOT PROTECTIVE AREA SURROUNDING THE WETLANDS. REFER TO THE APPROVED DRAINAGE AND EROSION CONTROL PLAN FOR ANY STORM WATER MANAGEMENT REQUIREMENTS FOR THE PROTECTIVE AREA.

APPROVAL AGENCIES:

CALUMET COUNTY PLANNING AND ZONING

TOWN OF HARRISON

CITY OF MEMPHIS

OWNER & DEVELOPER:

THE GREEN COMPANY
c/o TITLE CURVE, INC.
c/o PAT BOWMAN
174 LINE ST.
LITTLE CHUTE, WI 54140
(920) 798-1458

SCALE - FEET

100 50 0 100

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

September 29, 2020

Title:

Concept Plan Review – Mini Warehousing Development

Issue:

The Plan Commission is asked to provide feedback on a possible mini warehousing development.

Background and Additional Information:

The developer is interested in developing a mini warehousing development on the northeast corner of Hwy 10 & County N. The property is currently zoned General Agricultural [AG]. The future land use map in the Comprehensive Plan identified this area as future Industrial. A rezoning to the Industrial & Manufacturing [IM] zoning district is consistent with the Comprehensive Plan. Mini warehousing is a conditional use in the IM zoning district.

The developer is seeking input from the Plan Commission prior to property purchase and plan development. Staff appreciates that the area along County N is reserved for future. Staff would like to see this be held for future business development other than mini warehousing.

Items to consider:

1. Access to County N reviewed and approved by the Calumet County Highway Commissioner.
 2. Fencing along Roadways to be visually pleasing, wood or vinyl fencing.
 3. Landscaping and screening along Roadways and property lines.
 4. Lighting implications on surrounding neighborhoods.
-

Recommended Action:

No Action Required. Informal input to the developer is requested.

Attachments:

- Letter from Atlas Development
- Aerial Maps
- Concept Plan

ATLAS

Atlas Development
N8641 Winding Trail Drive
920-212-0106
Atlasdevelops@gmail.com

Village of Harrison Planning Commission

To whom it may concern,

The following is a proposal for storage units to be built North of Hwy 10 and East of City Road N. This specific location is currently zoned agricultural with a future plan to zone industrial.

We believe there will be several community benefits from these storage units. The Village is seeing exponential growth with several new subdivisions and over 1000 new apartments all coming available over the next three years. There is a growing need for additional storage for current households and the added home growth over the next year will only increase this. Current covenants within much of the Village are in place to protect aesthetics of the neighborhoods, but with the growth in our community there are no available options left within the Village.

Our plan to build these will include the following:

1. Perimeter fencing for aesthetics and security
2. Key code access, security lighting and video surveillance
3. Two-tone all metal exterior
4. Outside storage option for RV's, campers and boats

We are open to discussion around any of the building specific and look forward for the opportunity to partner on this community development project.

Sincerely,

Jerry Frazee and Jeff Rooyakkers



43050
(8.02A(1))

3510
37.08A(1)

30154
12.19A(1)

30150
21.6A(1)

30156
26.20A(1)

30178
12.8A(1)

30170
12.23A(1)

10

N
N

11

30100
35.405A(1)

33530
34A(1)

30160
23A(1)

30182
23.07A(1)

WOODLAND RD

30104

15

30102
20.50A(1)

13

30108
11.55A(1)

30306
20.67A(1)

30304
24.07A(1)



DISCLAIMER: This map is not guaranteed to be accurate. Errors, omissions, or other inaccuracies may appear here and are the responsibility of the user.

1" = 200'

← ± 1245' →

SITE AMENITIES

- PERIMETER FENCE w/ KEY PAD ACCESS
- FULLY LIT
- 24 HR SURVEILLANCE CAMERAS
- FORK LIFT AVAILABLE

SIZES

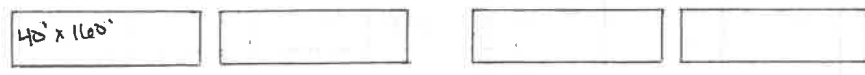
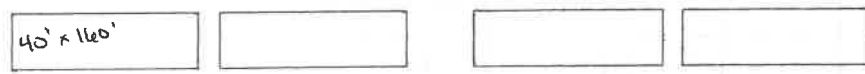
- 10 x 20
- 10 x 40
- 20 x 20
- 20 x 40
- 11 x 24
- 11 x 28
- 22 x 24
- 22 x 28
- 22 x 52
- 14 x 30
- 14 x 60
- 28 x 30
- 28 x 60

ALL UNITS STANDARD 10' WALLS
 10' ± 11' WIDE UNITS - 10' x 9' DOORS
 14' WIDE UNITS - 12' x 9' DOORS
 14' WIDE TALL UNITS - 12' x 13' DOORS

Park n Ride Lot

± 885'

FUTURE



± 1285'

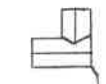
± 400'

± 750'



± 400'

EXISTING HOUSE & OUT BUILDINGS



#18992

PROPOSED NEW DRIVEWAY

± 400'

FUTURE

County Rd N

Village of Harrison
August-20 Zoning Permit Report

	Current Year				Previous Year			
	Permits	YTD Permits	Estimated Value	YTD Estimate Value	Permits	YTD Permits	Estimated Value	YTD Estimate Value
Residential								
Single Family	12	62	\$ 3,980,838	\$ 20,815,118	12	46	\$ 4,190,905	\$ 13,531,005
Two Family (units)	0 (0)	0	\$ 0	\$ 0	0 (0)	0	\$ 0	\$ 0
Multi Family (units)	0 (0)	2	\$ 0	\$ 17,500,000	0 (0)	0	\$ 0	\$ 0
Additions	1	9	\$ 18,000	\$ 333,500	2	10	\$ 122,000	\$ 498,077
Acc. Structures	2	29	\$ 15,000	\$ 311,800	1	19	\$ 20,000	\$ 251,550
Miscellaneous	20	89	\$ 270,258	\$ 770,876	8	44	\$ 52,505	\$ 277,470
Total Residential	35	191	\$ 4,284,096	\$ 39,731,294	23	119	\$ 4,385,410	\$ 14,558,102
Com./Ind.								
New	0	1	\$ 0	\$ 350,000	0	2	\$ 0	\$ 5,400,000
Additions	0	1	\$ 0	\$ 16,000	0	0	\$ 0	\$ 0
Acc. Structures	0	0	\$ 0	\$ 0	0	0	\$ 0	\$ 0
Miscellaneous	1	5	\$ 150,000	\$ 508,450	1	1	\$ 1,250	\$ 1,250
Total Com./Ind.	1	7	\$ 150,000	\$ 874,450	1	3	\$ 1,250	\$ 5,401,250
Combined Total	36	198	\$ 4,434,096	\$ 40,605,744	24	122	\$ 4,386,660	\$ 19,959,352

Number of Vacant
Lots Remaining 160