

To: Town of Eagle Plan Commission and Town Board

From: Rebekah Leto, AICP, Town Planner

Subject: One-lot Certified Survey Map (CSM) and any necessary waivers on property located at W381S9167 County Road S, Tax Key No. EGLT 1808.999, to create 23.53-acre parcel from a 79.38-acre parent parcel.

Application: 2024-17 <https://s.zoninghub.com/0UFABEFM4D>

Owner: William C. Grotjan and Jessica R. Chamberlain

Applicant: Michael A. Greeson, PLS, V2G Surveying, LLC

Date of CSM: October 25, 2024

The subject property is located south of S.T.H 59, in the west portion of the town. The total acreage is approximately 79-acres. Portions of Lot 1 are also located within Waukesha County Shoreland and Floodland Subdivision Control Ordinance jurisdiction. The petitioners have proposed a one-lot Certified Survey Map to divide 23.53 acres from the parent parcel to facilitate the sale of the remnant 55-acres to the Department of Natural Resources (DNR). The remnant lands will be a part of the Kettle Moraine State Forest-Southern Unit and the Ice Age Trail corridor, moving the route off C.T.H. S. The remnant lands contains designated Natural Areas including an oak savanna species and a high quality calcareous fen and spring that will be managed by the DNR.

The property is zoned RR Rural Residential, Hydric Soil Overlay District and UC Upland Conservancy District (UC) under the Town of Eagle and A-2 Rural Home District, HG High Groundwater District, Primary Environmental Corridor Overlay District and C-1 Conservancy Overlay District under Waukesha County. Existing structures include a residence and multiple agricultural outbuildings and are located within the county's jurisdiction. The west half of the parcel contains wetland and Primary Environmental Corridor. There is also an intermittent stream that connects to the wetland pond. The CSM falls within the Village of Eagle's extra-territorial land division review jurisdiction.



Potential Motion for the Plan Commission to the Town Board:

Conditional Approval of the one-lot Certified Survey Map and any necessary waivers, identified in *italics* below, subject to the following conditions:

Specific Conditions:

1. The petitioner must obtain approval of the Town Engineer. All conditions of the Town Engineer shall be complied with.
2. All comments provided by the Wisconsin Department of Transportation, as shown on the enclosed CSM and Right of Way Plat, shall be addressed on a revised CSM.
3. *Waiver recommended.* The requirement that a Conceptual CSM be waived, given that there are no new residential parcels being created and the remnant lands are undevelopable.
4. *Waiver recommended.* A note shall be added that states, "On December 2, 2024, The Town of Eagle Town Board waived the requirement that the remnant acreage be shown on the Certified Survey Map."
5. All private on-site wastewater treatment systems (POWTS) and wells on proposed Lot 1 shall be shown on the CSM.
6. If there is drain tile present, its location and function shall be disclosed on future CSM submittals.
7. The owners of the adjacent unplatted lands shall be identified on the Final CSM.
8. The Town of Eagle zoning districts shall be identified on the CSM (RR Rural Residential, Hydric Soil Overlay District, Upland Conservancy District). If the County requires zoning districts on the CSM, please update Sheet 3 to include all zoning districts as only A-2 is identified in south portion of the CSM.
9. Add a note that states, "The Wetland and PEC boundaries shown on this Certified Survey Map are an approximate boundary taken from the Waukesha County GIS Mapping Site. If a future buildings/structures are proposed to be constructed in close proximity to the PEC or wetland, it may be necessary for the PEC or wetland to be field delineated."
10. Identify the intermittent stream on the CSM with a note that states, "Intermittent stream per Waukesha County GIS." This stream can be found under the "Water Features" layer on the GIS. A note shall be added that states, "There is an intermittent stream within the wetland complex on the northwest portion of the property from S.T.H 59 to the pond. Neither the stream nor the pond have been investigated to determine navigability in accordance with State requirements. Future improvements proposed in the vicinity of the pond and/or intermittent stream may require a navigability determination of both water

features prior to permits being obtained from the town and/or county. In addition, an Ordinary High Water Mark must be determined at that time, if applicable.”

11. In the legal description of the Surveyor’s Certificate, there is a typo on the distance associated with L3 on the map. The map is correct at 83.25’ but the legal description notes 893.25’. Please correct.
12. There is an “Ex Bldg” label with a dot and partial outline of a building. Please review this linework as it appears incomplete. The barn and the silo that are present on the 2022 aerial photograph on the County GIS System is not being shown on the CSM. If these structures still reside on the property, they must be shown on the CSM.
13. On Sheets 3 and 4, labels overlap in the NW corner of the property, making it difficult to read. Please correct.
14. There is a rectangular box below the south lot line on Sheet 2. If this is a building, please label it as such and its use. If it is a typo, please remove.
15. In the Town of Eagle Board Certificate, please replace Town of East Troy with the Town of Eagle and provide the correct spelling of both the word “Clerk” and the word “Treasurer”.
16. Please provide the correct spelling of the word “Treasurer” in the Village of Eagle Extraterritorial Certificate.
17. If there is an outstanding mortgage on the property, a Signature Certificate for the mortgage holder must be added to the Certified Survey Map.
18. In the Owner’s Certificate, the word “and” is missing in between the owners’ names. Please correct. In addition, the name of the owner shall include “etal” after “Chamberlain” on Sheet 2 and also in the Surveyor’s Certificate.
19. The Town of Eagle’s Plan Commission signature block can be removed from Sheet 5 as the Town does not require this signature block on their CSMs.
20. The residence located on the property is listed on the Wisconsin Architecture and History Inventory Collection. If you are interested in determining if your property is eligible for the National or State Register of Historic Places, please contact the Wisconsin Historical Society at (608) 264-6493. If the house were to ever be removed and/or razed, please contact the Historical Society so they can update their inventory.
21. The surveyor’s seal, signature, and date must appear on all sheets of the Final Certified Survey Map. The same revision date must be noted on all sheets of the Final Certified Survey Map.
22. Approval of the final CSM from Waukesha County and the Village of Eagle shall be obtained.

General Conditions

23. Staff and Governmental Approval. Prior to the Town signing the final CSM, the commencement of any construction or any improvement, whether public or private, or any site development, the Developer shall satisfy all comments, conditions and concerns of the Town Planner, the Town Engineer, and all reviewing, objecting and approving bodies, including, but not limited to, the State of Wisconsin Department of Commerce per Chapter 236, Wisconsin Statutes and Chapter COMM 85, Wisconsin Administrative Code; State of Wisconsin Department of Administration per Chapter 236, Wisconsin Statutes; the Waukesha County Department of Parks and Land Use (including the Planning and Zoning Division, Parks System Division, Land Resources Division, and Environmental Health Division) and the Waukesha County Department of Public Works; as applicable, in regard to the Conveyance, and obtaining all necessary permits and approvals, prior to commencing construction of any improvement, whether public or private, or site development or recordation of the conveyance, whichever is earlier.
24. Professional Fees. The Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning, and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions of this review due to a violation of these conditions.
25. Payment of Charges. Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators, or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this review that is subject to all remedies available to the Town, including possible cause for termination of the conveyance.
26. Surveyor's responsibility. Although the Town of Eagle has reviewed the subdivision plat/certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matter and compliance with all state and local codes, ordinances, and procedures. Modifications to the survey may be required should errors or changed conditions be found at a future date.

Attachment: CSM dated October 25, 2024

cc: Town Engineer