

Date: April 1, 2025

To: Town of Eagle Planning and Zoning Commission

From: Rebekah Leto, AICP, Town Planner

Subject: Preliminary Plat review for 19-lot residential subdivision, located in the N ½ of the SW ¼ of Section 13, Town of Eagle. Tax Key No. EGLT 1779.999.001

Meeting Date: April 7, 2025

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Bielinski Homes has submitted a 19-lot preliminary plat for review and approval (Exhibit A). The property is located east of Sprague Road and north of Hidden Knoll subdivision. Residential subdivisions exist to the south (Hidden Knoll) and north (Eagles Aire North). Wetland, Primary Environmental Corridor and floodplain east of the site are preserved as open space through Eagles Aire subdivision. Jericho Creek is slightly further east.



The approximately 78-acre farmland parcel has rolling topography and soils with hydric inclusions, which is an indicator that groundwater may be within 3 ft. of the surface. A wetland and Isolated Natural Resources Area (INRA) exist in the east-central portion of the site that connects to a larger wetland complex in the southeast corner.

The subdivision entrance is from Sprague Road with a road extension to Hidden Knoll Drive to the south. The proposal requires crossing the wetland and INRA to an area of upland located in the east portion of the site that allows for five lots and contains a cul-de sac. The cul-de sac length and radius comply with the ordinance requirements.

#### **Town and County Land Use Plan**

The Town of Eagle Land Use Plan designates the parcel as Rural Residential I (minimum 3 acres per dwelling unit), Other Open Areas to be Preserved and Primary Environmental Corridor. The Waukesha County Comprehensive Development Plan designates the parcel as Suburban Density Residential II (minimum 3 acres per dwelling unit). The overall density is being complied with. The County Development Plan and Southeastern Wisconsin Regional Plan also notes that areas of INRA and wetland be protected. However, three of the proposed lots have areas of wetland and INRA (lots 12-14). If restricting language is placed on the plat prohibiting filling, disturbance or development of the wetland and INRA areas, the proposal complies with both plans.

#### **Zoning Requirements**

The property is zoned Rural Residential District, requiring a minimum of 3-acre lot sizes and 200 ft. in average width. Each lot complies with the zoning requirements for the RR District.

#### **Residential Development Permits**

The Town approved 19 Residential Development permits for this development at their December 3, 2024, joint meeting.

#### **Department of Natural Resources (DNR)**

A DNR permit will be required for the wetland crossing. The developer will need to avoid and minimize impacts to the wetland to meet state standards. Documentation will need to be provided to the DNR that shows how the wetlands impacts are the smallest amount possible, in addition to providing an alternatives analysis.

### **Town Engineer**

See enclosed memo dated March 4, 2025. Preliminary Stormwater approval has not been obtained.

### **Waukesha County Environmental Health Division**

On February 21, 2025, the Environmental Health Division (EHD) certified that there are suitable soils on each individual parcel to support a residential use after a review of soil boring data. Lots 1-6 and 12-19 have conventional type soils. Mound-type soils are present on lots 7-11. The mound sites shall be protected from land alteration. EHD recommends septic areas and 15 ft. of downslope to be staked off to protect the sites from disturbance. Note that the septic boxes on the preliminary plat do not accurately represent the size, layout or location of the eventual septic system.

### **Fire Department comments**

No issues or concerns with this development.

### **Wisconsin Department of Administration – Plat Review**

The State DOA approved the Preliminary Plat on March 12, 2025.

### **Extra-territorial Land Division Review**

The Eagle Village Board approved the Preliminary Plat on March 13, 2025.

### **Waukesha County Department of Parks and Land Use Approval Authority**

Waukesha County is an approving entity for all town plats. The overall department comments have not been received as of the date of this report. An update may be given at the April 7, 2025 meeting.

### **Wetland Delineation**

A wetland delineation was completed in May of 2024. As discussed with the petitioner in October at the concept meeting, Planner Leto submitted the wetland delineation report to SEWRPC for review given that there are known critical species habitats near the development. The wetland delineation report provides strong indicators that it is a groundwater-fed wetland complex with high-quality species and likely contains a good quality sedge/seepage meadow that is relatively intact. The wetland report provides a basic species list to determine a wetland boundary but is not a plant community inventory, which could be evaluated to see if it meets the criteria for a natural area or critical species habitat. It is recommended that the Town require that SEWRPC be permitted to conduct a botanical inventory of the wetland and INRA, in addition to providing recommendations for mitigation to alter the wetland, prior to the submittal of a revised preliminary plat or final plat.

### **Staff Recommendation**

Based upon the above information, staff recommends the Planning and Zoning Commission recommend to the Town Board **conditional approval** of the Preliminary Plat dated February 5, 2025, based on the following conditions being met, **prior to the submittal** of a revised Preliminary Plat or a Final Plat, unless otherwise noted:

1. All comments of the Town Engineer Memo dated 3/4/2025 shall be complied with. Preliminary Stormwater Approval shall be granted prior to land altering or the submittal of a Final Plat or revised Preliminary Plat. If Preliminary Stormwater Approval requires the substantial modification of the layout as shown on the 2/5/25 plat, a revised Preliminary Plat is required to be submitted to all entities.
2. Modify the zoning requirements to state the road setback is 35 ft. and modify the building envelopes shown on the plat to match.
3. Existing wells and septic systems within 50 ft. of the exterior plat boundary shall be shown on the plat.
4. Buildings within 50 ft. of the exterior plat boundary shall be shown on the final plat.
5. Any existing farm drain tiles shall be identified on the plat, including location, purpose and status.

6. Vision corner easements shall be placed on Lots 1, 12, 15 and 19 in accordance with Section 500.562 of the Municipal Code. Restrictive language of the easement area shall also be placed on the plat.
7. The Town Board must approve a waiver from the 2.5:1 maximum Depth to Width Ratio requirement for Lots 1-6, 13-14 and 17-19 as they do not meet this requirement by approximately 17-33 feet. If approved, a note shall be added that states, "The Town Board waived the 2.5:1 depth to width ratio requirement for Lots 1-6,13-14 and 17-19 on \_\_\_\_\_".
8. A Land Management Plan shall be prepared by the developer and submitted to the Town Board for review and approval. The plan must address long-term management and monitoring of the wetland and INRA within the Outlot(s) and on private Lots 6 and 12-14. The final approved plan shall be recorded in the Waukesha County Register of Deeds by the developer immediately after plat recordation. Depending on the outcome of the botanical survey completed by SEWRPC, the developer may wish to contact the Waukesha County Land Conservancy to gauge interest in maintaining the wetland and INRA areas in accordance with the approved Land Management Plan.
9. The wetland and INRA areas on Lots 6 and 12-14 shall be contained within an "Open Space Easement" to ensure the property is consistent with the purpose of preserving the area as open space in perpetuity. The easement language can be incorporated into the Land Management Plan noted above or noted directly on the plat.
10. The developer shall allow SEWRPC, at the request of the Town Planner, on the property to conduct a botanical survey to investigate the potential for critical species or rare habitat or high-quality natural communities within the wetland and INRA areas on site. There is no charge for this investigation. The outcome of the survey shall be incorporated into the Land Management Plan for the development.
11. A Master Grading Plan shall be submitted for review and approval by the Town Engineer. A copy of the final Master Grading Plan shall be provided to the Town Planner to ensure future residential development on individual lots is in compliance with the approved Master Grading Plan.
12. According to the soil survey of Milwaukee and Waukesha Counties, lots in this subdivision may contain soils with seasonal high groundwater located less than 3' below ground surface. Therefore, a soil analysis for all lots within the development shall be completed to ensure that basement floor elevations will be at least one (1) ft. above the estimated seasonal high groundwater conditions. Minimum basement floor elevations must be identified on a Master Grading Plan or Final Plat for any lots with limiting factors.
13. The maintenance responsibilities of the Outlots shall be identified on the final plat.
14. A curve table shall be provided on the final plat.
15. All monuments required by Chapter 236 shall be shown on the final plat.
16. Prior to land altering activities taking place, a Developer's Agreement shall be approved by the Town Attorney and Town Planning and Zoning Commission and Town Board.
17. Proposed developer restrictions/subdivision covenants shall be reviewed by the Town Plan Commission and Town Board, prior to Final Plat approval.
18. Street signs and traffic control signs are subject to approval by the Town Engineer.
19. A subdivision entrance sign requires a permit from the Town Building Inspector. The sign must be a monument sign that does not exceed 32 square feet and may be up to 6 feet in height with external

illumination.

20. The Fire Department must comment on whether the development requires a well, cisterns, tank or other device suitable to the needs of the fire department as determined by the town board, or if the town board may waive such a requirement and accept payment of a fee established in an impact fee ordinance adopted by the town.
21. A snow removal plan and a landscaping plan for Outlot 4 must be approved by the Town Road Superintendent and Town Board, if applicable.
22. Signature Certificates shall be shown on the final plat.
23. All required DNR permits shall be obtained for the wetland crossing, prior to land altering taking place or a Final Plat being signed, whichever is first. A copy of the DNR approved permit shall be provided to the Town for their records.
24. Staff and Governmental Approval. Prior to the Town signing the final plat, 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, Town Attorney 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 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.
25. 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.
26. 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.
27. Surveyor's responsibility. Although the Town of Eagle has reviewed the subdivision plat, 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.

Exhibit A – Preliminary Plat dated 2/5/25

Engineer Memo



RR SITE PLAN DATA

19 LOTS (3-acre Lot Size)  
Density = 77.97/19 = 4.1 ac/lot  
(19) RR Lots = 58.55 ac  
Right-of-way = 4.64 ac  
Sub-total = 63.19 ac

Outlot Open Space = 14.78 ac  
(19.0%)

Wetland Crossing = 9,780 sf  
(General Permit for public road  
crossing disturbing < 10,000 sf)

RR Zoning Summary (current land use)

- Lot Area = 3 acres
- Lot Density = 1 lot per 3 acres
- Lot Width = 200' (average)
- Lot Frontage = 33' (minimum)
- Minimum Setback = 50' (or 35' per code)
- Minimum Offset = 30'

LEGEND

- ST — EXISTING STORM SEWER
- - - - PROPOSED STORM SEWER
- - - - 870 EXISTING CONTOUR
- ⊕ SOIL BORING LOCATION

PRELIMINARY PLAT  
OF  
LONG MEADOW

LANDS LOCATED IN THE NORTHWEST 1/4, NORTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, IN TOWN 5 NORTH, RANGE 17 EAST, IN THE TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

HORIZONTAL DATUM PLANE:

All bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD-83/2011), in which the North line of the S.W. 1/4 of Section 13, Town 5 North, Range 17 East, bears N89°40'19"E.

VERTICAL DATUM PLANE:

All elevations are referenced to the National Geodetic Vertical Datum of 1988 per fieldwork done by Trio Engineering LLC.

ENGINEER / SURVEYOR:

TRIO ENGINEERING, LLC  
4100 N. CALHOUN RD. SUITE 300  
BROOKFIELD, WISCONSIN 53005  
PHONE: (262) 790-1480

AGENCIES HAVING THE

AUTHORITY TO OBJECT:

- State of Wisconsin, Dept. of Administration
- Waukesha County, Dept. of Parks and Land Use

APPROVING AUTHORITY:

- Town of Eagle

DEVELOPMENT SUMMARY:

1. Tax Key No. EGLT177999001
2. Development contains approximately 78.93 Acres.
3. Subdivision contains 19 Lots and 4 Outlots.
4. Public Roads to have Asphalt Pavement with Storm Sewer.
5. All lots to have Underground Telephone, Electric, and Gas Service.
6. Outlots 1, 2, 3, and 4 contain open space.
7. Outlots 1, 2, and 3 contain Stormwater Management Facilities which shall be owned and maintained as described in Notes 8 & 9 herein.
8. The Owners of all Lots within this Subdivision shall each own an equal undivided fractional interest in the outlots of this Subdivision. The Owners of the residential Lots within this Subdivision shall each be liable for an equal undivided fractional share of the cost to repair, maintain or restore said Stormwater Management Facilities within this Subdivision. Said repairs, maintenance and restoration shall be performed by the Owners of all Lots within this Subdivision.
9. Stormwater Management Facilities are located on Outlots 1, 2, and 3 of this Subdivision. The Owners of the residential Lots within this Subdivision shall each be liable for an equal undivided fractional share of the cost to repair, maintain or restore said Stormwater Management Facilities within this Subdivision. Said repairs, maintenance and restoration shall be performed by the Owners of all Lots within this Subdivision.



4100 N. Calhoun Rd. Suite 300  
Brookfield, WI 53005  
Phone: (262) 790-1480  
Email: tidermuehle@trioeng.com

PROJECT:  
**LONG MEADOW**  
SINGLE FAMILY RESIDENTIAL SUBDIVISION  
VILLAGE OF EAGLE, WISCONSIN  
BY: BIELINSKI HOMES  
1830 MEADOW LANE, SUITE A  
PEWAUKEE, WI 53072

REVISION HISTORY

DATE	DESCRIPTION

DATE:

FEBRUARY 5, 2025

JOB NUMBER:

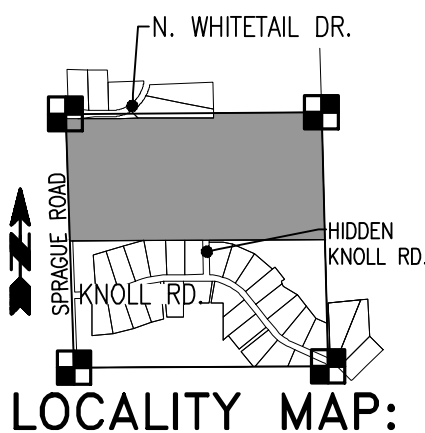
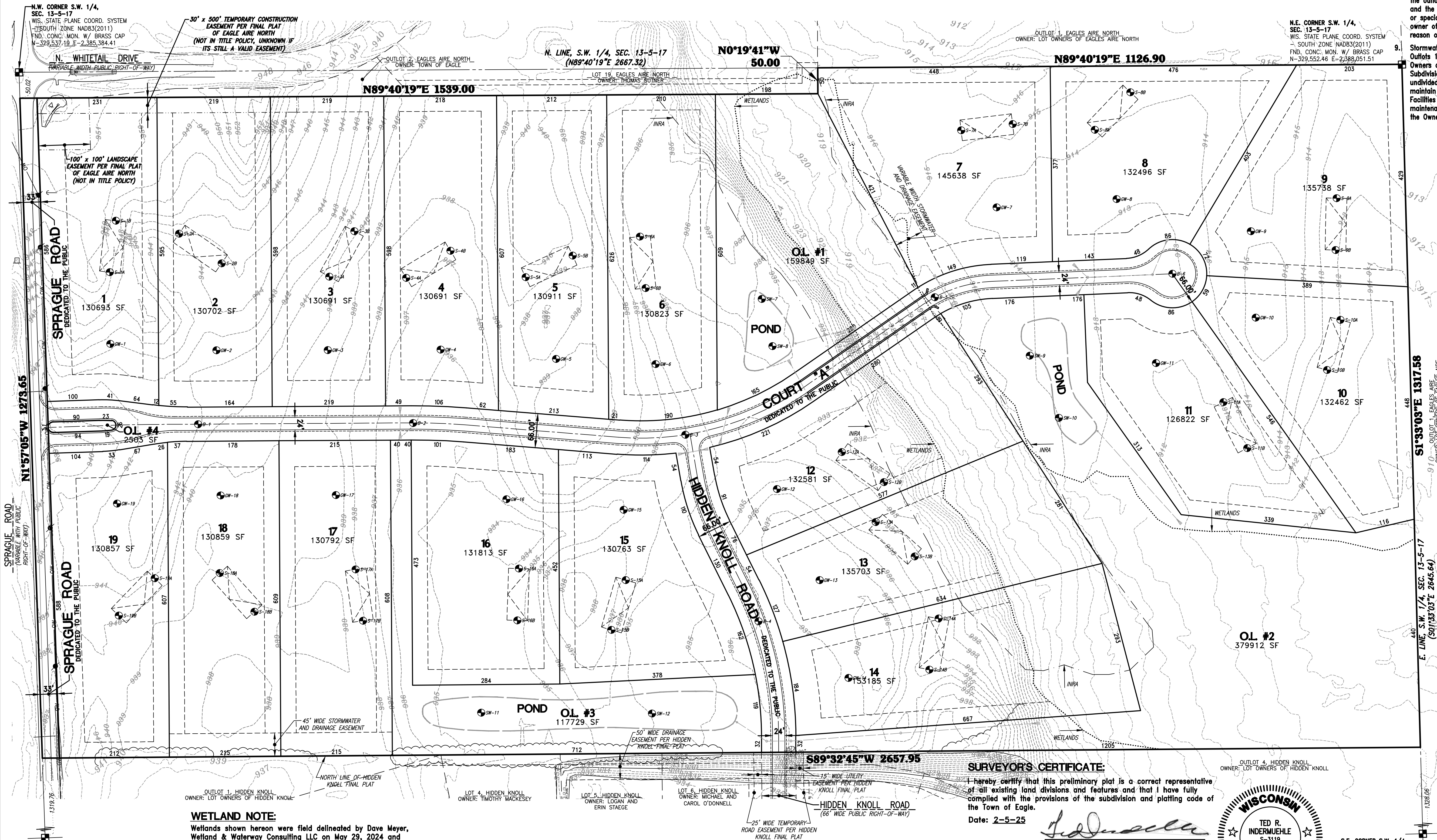
24-024-966-01

DESCRIPTION:

PRELIMINARY  
PLAT

SHEET

1 OF 1



LOCALITY MAP:

S.W. 1/4, SEC. 13  
T. 5 N., R. 17 E.  
SCALE: 1"=2000'

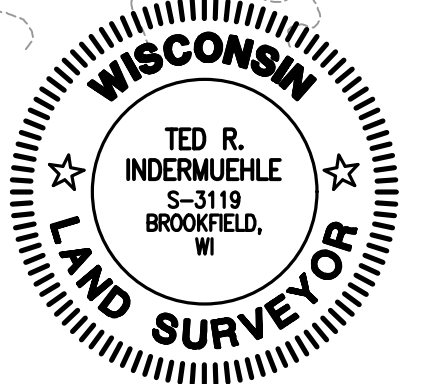
DEVELOPER:

BIELINSKI HOMES  
1830 MEADOW LN. SUITE A  
PEWAUKEE, WISCONSIN 53072  
PHONE: (262) 548-5570

SURVEYOR'S CERTIFICATE:

I hereby certify that this preliminary plat is a correct representative of all existing land divisions and features and that I have fully complied with the provisions of the subdivision and platting code of the Town of Eagle.

Date: 2-5-25



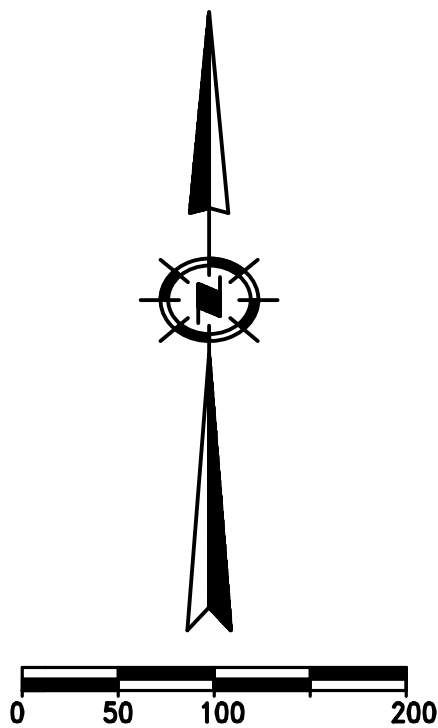
Ted R. Indermuehle, P.L.S.  
Surveyor Registration Number S-3119  
TRIO ENGINEERING, LLC  
4100 N. Calhoun Rd. Suite 300  
Brookfield, WI 53005  
Phone: (262) 790-1480

WETLAND NOTE:

Wetlands shown hereon were field delineated by Dave Meyer, Wetland & Waterway Consulting LLC on May 29, 2024 and were field located by Trio Engineering LLC.

ISOLATED NATURAL RESOURCE (INRA) NOTE:

The Isolated Natural Resource (INRA) area shown hereon was taken from SEWRPC Records.





## MEMORANDUM

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Date: January 30, 2025  
To: Rebekah Leto, Town Planner  
From: Tim Lynch, P.E., Mike Flesch P.E., Town Engineer  
Subject: Sprague Rd. Subdivision Concept Plan Review, Town of Eagle Parcel # EGLT1779.999.001

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### **Project Background:**

Belinski Homes, the owner of the parcel, has submitted a subdivision concept plan dated August 23, 2024 showing the proposed layout of a new 19 lot subdivision east of Sprague Road just north of the Hidden Knoll subdivision. The proposed subdivision was reviewed for conformance to the Town's ordinances and design standards. Although the material has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data for compliance with all applicable state statutes and local ordinances.

### **Staff Comments:**

1. The layout, right-of-way width and dead-end lengths follow the Town's ordinances.
2. Additional right-of-way may be required to cross the environmental corridor/wetlands.
3. The roadway connection to Hidden Knoll subdivision will require the construction of the roadway to tie into the exiting pavement in the Hidden Knoll subdivision.

### **Staff Recommendation:**

The staff recommend considering the above comments as they proceed to a preliminary plat of the subdivision.