

**TOWN OF NEW GLARUS
PLAN COMMISSION MEETING
THURSDAY, MARCH 21, 2024, 6:00 PM
AGENDA**

Join by Zoom: <https://us06web.zoom.us/j/84746606139?pwd=b9imblO1a6iZ4phs3TpqbyTyp3xIVx.1>

Meeting ID: 847 4660 6139

Passcode: 200876

Dial by your location: 312 626 6799

New Glarus Town Hall
26 5th Avenue
New Glarus, WI 53574

DATE: Thursday, March 21, 2024
TIME: 6:00 PM

NOTICE IS HEREBY GIVEN that Town of New Glarus Plan Commission, County of Green, may act on the following matters if any required public hearing has been held:

1. Call to Order/Confirm Proper Proof of Posting
2. Approve Minutes from February 15, 2024
3. Discuss and Possibly Recommend to the Town Board the Approval of the 3-Lot Cluster Division of the Klein Property, by Certified Survey Map, as Referred by the Board to the Plan Commission Following the March 13, 2024 Public Hearing for Plan Commission Review for Compliance with the Definition of Cluster Development per §110-5
4. Consider and Possibly Recommend to the Town Board the Approval of Three Separate Driveway Access Points to Serve the Three Proposed Residential Cluster Lots for Klein
5. Discuss and Possibly Recommend to the Town Board a Correction to §110-5 Definitions that was Approved on December 9, 2020 which Erroneously Stated that a Cluster Envelope can be no Larger than 2 Acres in Size which Instead Should State that a Cluster Envelope can be no Smaller than 2 Acres in Size
6. Update on Public Facilities Planning from Vierbicher
7. Continue Discussion of a Portal to be Hosted on the Green County GIS Database
8. Continue Review of Sample Driveway Ordinances that Have Provisions for Field Drive Access and Farm Drive/Commercial Access
9. Discussion of Comprehensive Plan implementation Actions
10. Inquiries
 - a) Vike-Steinich about Zentner Road development process
 - b) Inquiry from Exit Real Estate about Shotliff property
11. Update on Plan Commission Terms
12. Continue to Discuss Town Process for Development Potential Questions
13. Adjourn

Pursuant to applicable law, notice is hereby given that a quorum or a majority of the New Glarus Town Board Members may attend this meeting. Information presented at this meeting may help form the rationale behind future actions that may be taken by the Town of New Glarus Board. Persons requiring additional services to participate in a public meeting may contact the Town Clerk for assistance: 608-527-2390.

Posted: 03/15/2024

New Glarus Town Hall
New Glarus Maintenance
New Glarus Post Office
<https://townofnewglarus.com/>

Chris Narveson, Chair
Town of New Glarus Plan Commission
Tim Schleeper, Plan Administration
John Wright, Clerk-Treasurer

TOWN OF NEW GLARUS
PLAN COMMISSION MEETING
THURSDAY, FEBRUARY 15, 2024
MINUTES

Members Attending: Chris Narveson: Chair; John Freitag, Craig Galhouse, and Robert Elkins

Absent: Reg Reis, John Ott, and Mark Pernitz

Also Attending: John Wright: Clerk-Treasurer; Jennifer and Matthew Klein (departed at 7:24 PM): applicants for land division; Sara Beth Hahner: Deputy Clerk-Treasurer; and Tim Schleeper: contract planner from Vierbicher

1. **Call to Order and Proof of Posting:** Chair Narveson called the meeting to order at 6:16 PM. Clerk-Treasurer Wright attested to proper proof of posting.
2. **Approve Minutes from December 21, 2023:** Motion to approve the meeting minutes from December 21, 2023, as presented, was made by Commissioner Galhouse; seconded by Commissioner Freitag. Motion carried 4-0.
3. **Review Certified Survey Map for Proposed 3-Lot Cluster Division of Approximately 42 acres of Land Located at N8250 Marty Road with Possible Recommendation to the Town Board** – Applicant Matthew Klein, N8250 Marty Road, stated that he and his wife Jennifer are seeking to subdivide their property by Certified Survey map (CSM) using the cluster division option. Contract planner Tim Schleeper stated that he reviewed the draft CSM that had been prepared by surveyor Kevin Pape; his letter to the Town includes a proposed draft motion to recommend to the Town Board for approval. Schleeper noted that the historical review of the property has been completed and did not reveal any restrictions. Schleeper noted that the draft CSM identifies areas of slopes greater than 20%. He recommends that the final CSM include notes about septic systems for each cluster envelope that has yet to be developed (proposed Lot 2 contains the existing home). A deed restriction should be prepared for the open space outside of the three proposed cluster envelopes and recorded at the same time as the CSM, if approved.

There followed a brief discussion regarding the initial review by the Wisconsin Department of Natural Resources of endangered species that may merit their further review or an incidental take permit. There can be no tree removal between April and May. It was noted that the elongation of the cluster envelope proposed for Lot 3 had the appearance of opposing the concept of clustering and the conservation of open space unless this was required to accommodate the existing topography of the property. Mr. Klein stated that he originally had configured the proposed lots to share a single access. He stated that he met with the Town Patrolperson, Ronald Roesslein to consider a separate access for Lot 3 (the proposed location for a new home for the Klein family). Klein's preference is for separate access points from Marty Road for each Lot; if granted, he would place all three mailboxes on a single post to reduce the stops for postal delivery.

It was noted that this proposed land division would not qualify for a detached cluster lot. There followed a brief discussion regarding the maximum slopes for a residential driveway. Long driveways may require an engineered plan. The distance between the proposed northern boundary of Lot 2 and the northern boundary for proposed Lot 3 is approximately 75' at the narrowest point. A preference was expressed by a member of the Plan Commission for the fewest number of access points which would require a shared driveway agreement be recorded for those with joint access. Because Marty Road is designated as a rustic road, the posted speed is 45 MPH.

A motion to recommend the to the Town Board the conditional approval of the land division by Certified Survey Map per the conditions identified by Tim Schleeper in his correspondence dated February 13, 2024 with clarification of shared or individual access and the enlargement of Lot 3 by the amount allowed by the open space available was made by Commissioner Galhouse; seconded by Commissioner Elkins. Motion carried 4-0. Without objection, a public hearing will be scheduled for Wednesday, March 13, 2024. The notice will be published and letters mailed to property owners within 600' of the entire property bounds.

TOWN OF NEW GLARUS

4. **Update on Public Facilities Planning from Vierbicher** – Tim Schleeper reported that the Park Master Plan, when completed this summer, will be used as the basis for planning future public facilities, the location of cluster lots for sale, parking, etc. There was brief review of some visualizations for improving Hayes Lane, including relocating a cul-de-sac bulb to the north or east. Another option, not among the visualizations, would be to move the bulb to the west. The public input session for the Master Park Plan will be held at the New Glarus Town Hall on February 27, 2024. Information has been published in the Post Messenger Recorder and distributed via an insert in the Buyer's Guide.
5. **Continue Discussion of a Portal to be Hosted on the Green County GIS Database** – Commissioner Galhouse noted he shared an online resource with Tim Schleeper that is hosted on the Town of Springfield website of their development rights by color-coded map. Chair Narveson reported that he recently met with Rob Sommers, the Green County GIS Specialist. Galhouse recommended that the Town of New Glarus post a similar map with normal density calculations. If anyone wanted to know the potential by the cluster option, they could pay for a review by the Town of New Glarus Technical Review Committee. The packet materials included a custom GIS map that Clerk-Treasurer Wright created to illustrate contiguous acreage within the Town, by property owner, at date of ordinance. A key was included to identify the owners of property at the date of ordinance.
6. **Review Accessory Dwelling Units Presentation from UW Extension** – The materials from UWEX were those shared by Green County Board Supervisor Jody Hoesly with the Green County Board. The presentation offers solutions to current shortages in available housing in the form of Accessory Dwelling Units (ADUs) that could be within, attached or detached from the main residence on a single parcel. Green County Planning and Zoning would need to decide to add this as an option to their code before other member municipalities within their authority could consider locally. There followed a brief discussion of how this option could affect development density and open space restrictions within the Town of New Glarus.
7. **Continued Review of Sample Driveway Ordinances that Have Provisions for Field Drive Access and Farm Drive/Commercial Access** – Without objection, further discussion will be deferred until the March meeting when more members will be in attendance.
8. **Inquiries – Development Potential of Randall Shotliff Property with Duplexes or Single-Family Dwellings** – Clerk-Treasurer Wright presented an inquiry and his response regarding land division options for property owned by Randall Shotliff that he received from Lexie Harris with Exit Professional Real Estate.
9. **Continue to Discuss Town Process for Development Potential Questions** – Without objection, this item will be deferred until the March meeting.
10. **Adjourn**
Motion to adjourn by Commissioner Freitag; seconded by Commissioner Galhouse. Motion carried 6-0 at 8:07 PM. The next meeting will be held on March 21, 2024 at 6:00 PM.

Approved:

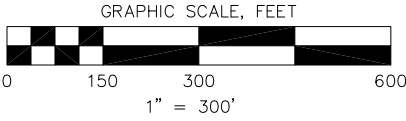
John Wright, Clerk-Treasurer

CERTIFIED SURVEY MAP No. _____

LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.

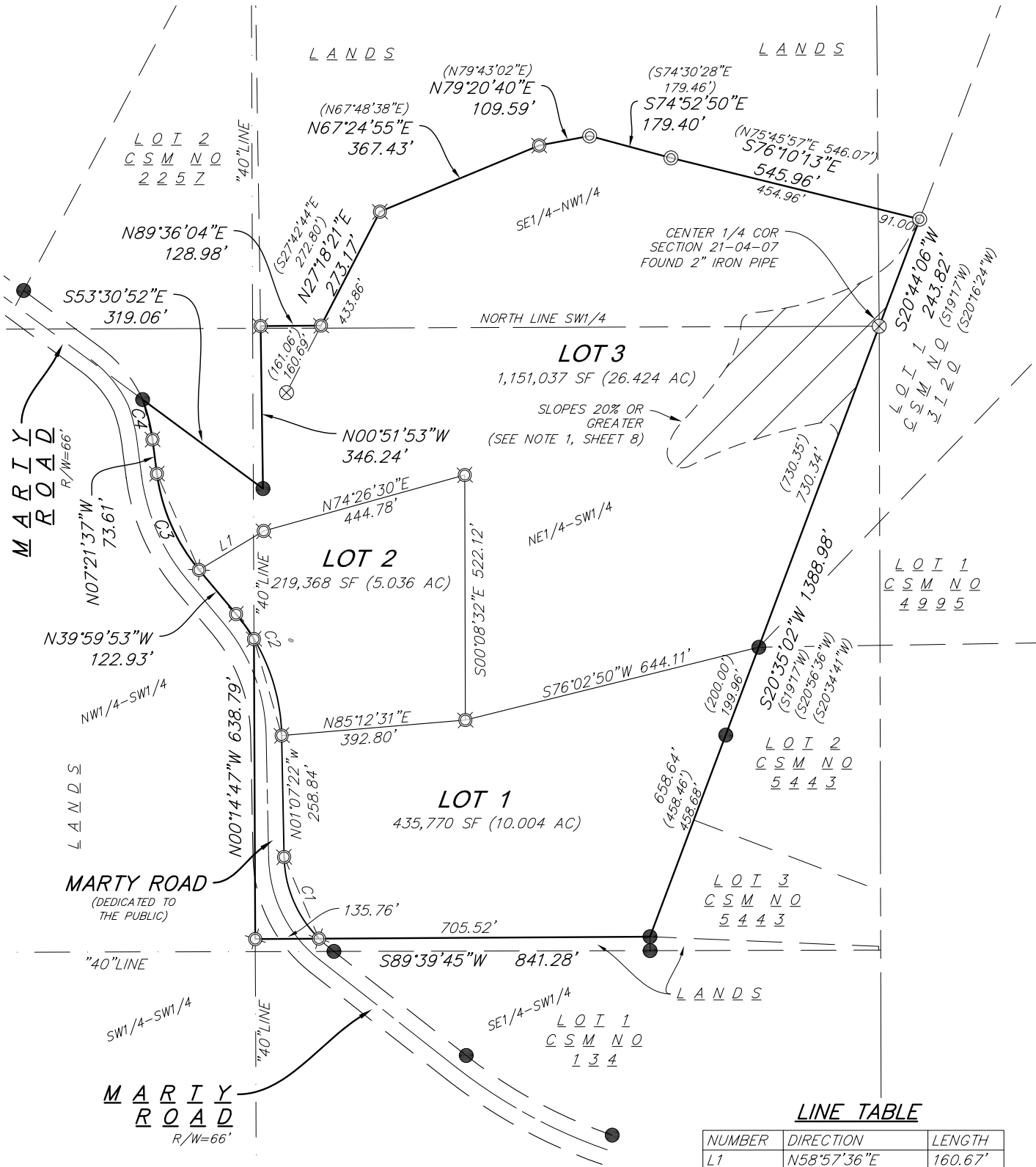


BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, GREEN COUNTY, THE EAST LINE OF THE NW 1/4 OF SECTION 21-04-07 MEASURED AS BEARING N00°27'57"W



SURVEY LEGEND

- FOUND 3/4" ϕ IRON ROD
- ⊗ FOUND 2" ϕ IRON PIPE
- ⊙ FOUND 1" ϕ IRON PIPE
- ⊗ SET 3/4" X 18" ϕ SOLID IRON RE-ROD, MIN. WT. 1.50 lbs./ft.
- () RECORDED AS INFORMATION



LINE TABLE

NUMBER	DIRECTION	LENGTH
L1	N58°57'36"E	160.67'

14 Mar 2024 - 10:16a M:\Klein, Matt\230385_Marty Road, Town of New Glarus\CADD\230385 - CSM.dwg by: kpap

vierbicher
planners | engineers | advisors



Job #: 230385
Date: 01/19/2024
Rev: 03/14/2024
Drafted By: KPAP
Checked By: KPAP

SURVEYED FOR:
MATT AND JENNIFER
KLEIN
1991 SPRING ROSE RD
VERONA, WI 53593

SURVEYED BY:
Vierbicher Associates, Inc.
999 Fourier Drive
Suite 201
Madison, WI 53717
(608) 826-0532

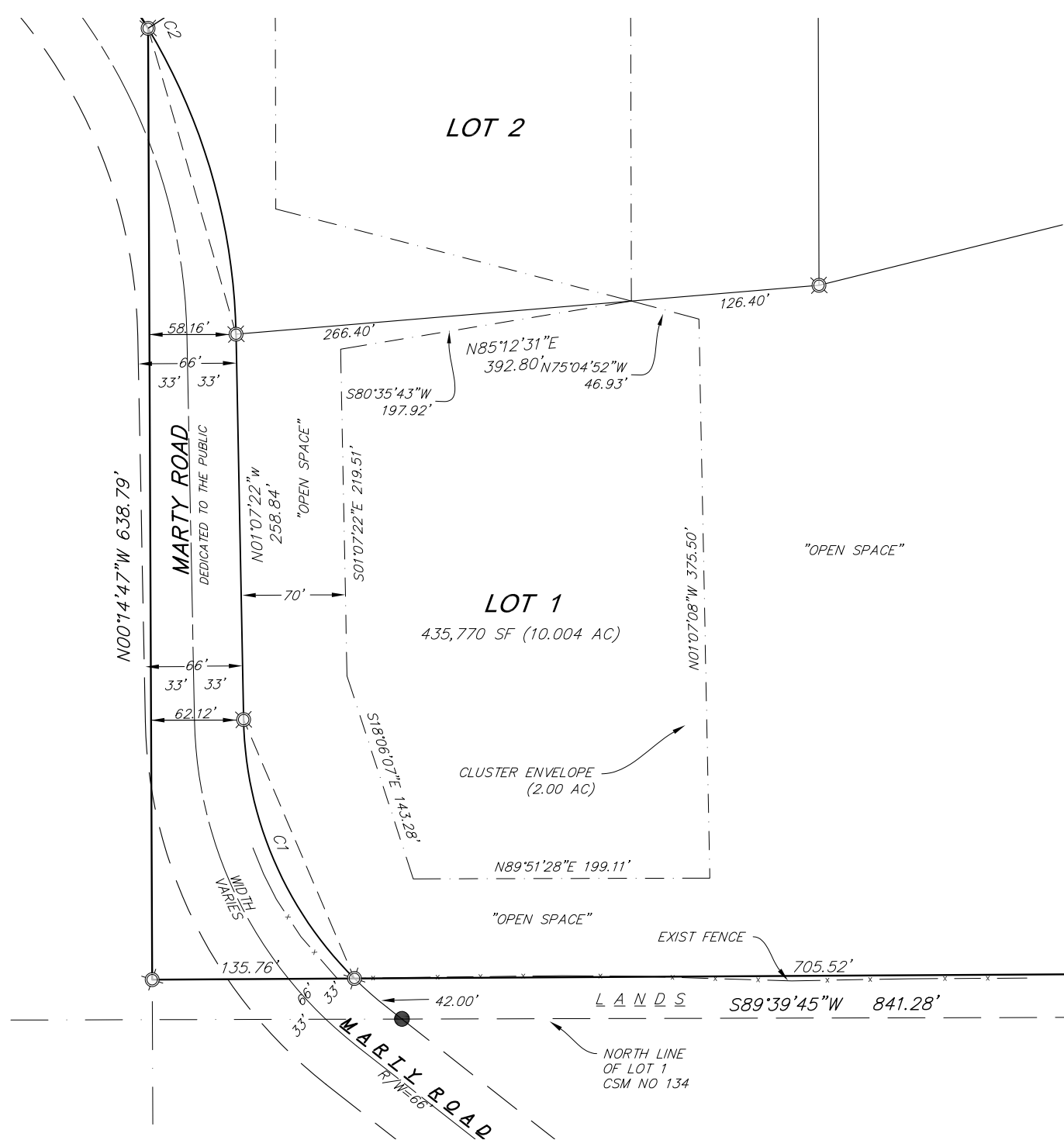
SHEET
1 OF 9

CERTIFIED SURVEY MAP No. _____

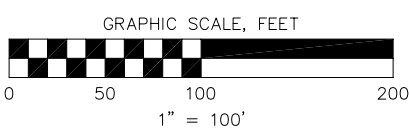
LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.

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M:\Klein, Matt\230385_8250 Marty Road, Town of New Glarus\CADD\230385 - CSM.dwg by: kpap 14 Mar 2024 - 5:20p



BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, GREEN COUNTY, THE EAST LINE OF THE NW 1/4 OF SECTION 21-04-07 MEASURED AS BEARING N00°27'57\"/>



- SURVEY LEGEND**
- FOUND 3/4" Ø IRON ROD
 - ⊗ FOUND 2" Ø IRON PIPE
 - ⊙ FOUND 1" Ø IRON PIPE
 - ⊗ SET 3/4" X 18" Ø SOLID IRON RE-ROD, MIN. WT. 1.50 lbs./ft.
 - () RECORDED AS INFORMATION

vierbicher
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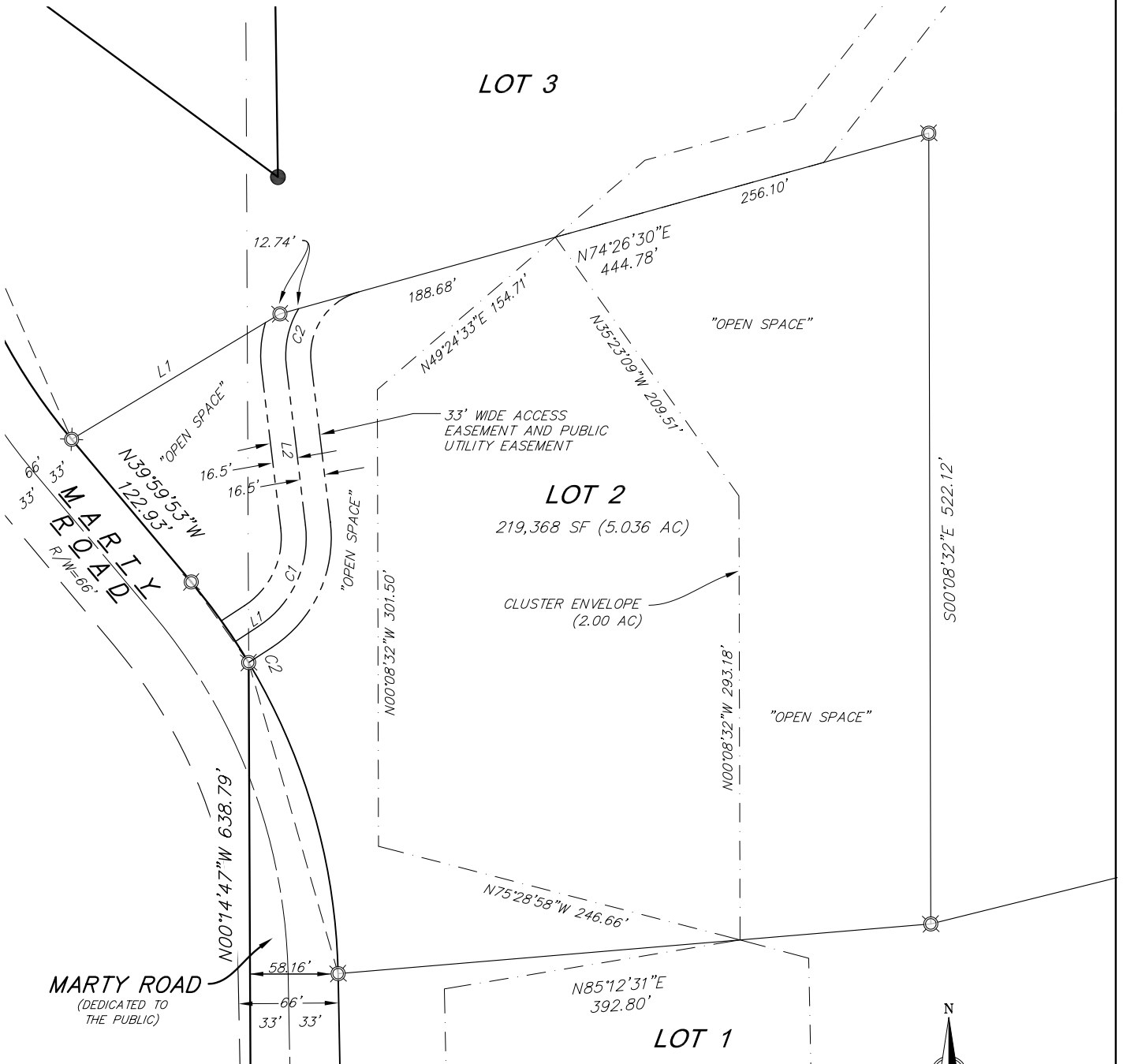
SHEET
2 OF 9

CERTIFIED SURVEY MAP No. _____

LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.

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- () RECORDED AS INFORMATION



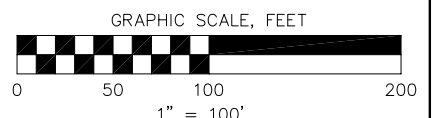
EASEMENT CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC	CHORD BEARING	CHORD
C1	63°46'52"	70.00'	77.92'	N 25°00'42" E	73.96'
C2	37°47'22"	60.00'	39.57'	N 12°00'57" E	38.86'



EASEMENT LINE TABLE

NUMBER	DIRECTION	LENGTH
L1	N56°54'07"E	17.94'
L2	N06°52'44"W	105.64'

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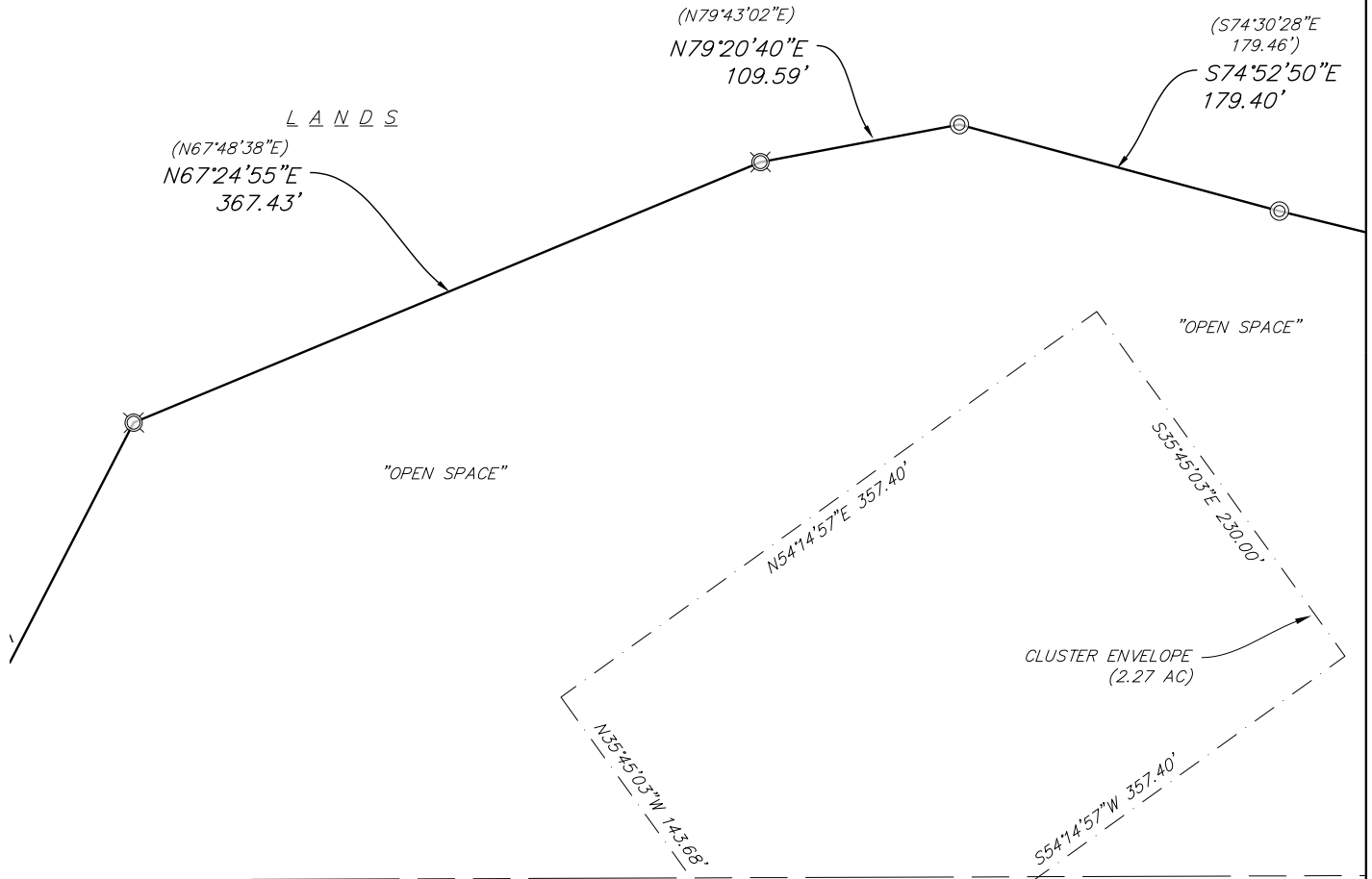
© Vierbicher Associates, Inc. N:\Klein, Matt\230385_8250 Marty Road, Town of New Glarus\CADD\230385 - CS.M.dwg by: kpap 14 Mar 2024 - 5:20p

 planners engineers advisors		Job #: 230385	SURVEYED FOR:	SURVEYED BY:	SHEET 3 OF 9
		Date: 01/19/2024	MATT AND JENNIFER KLEIN	Vierbicher Associates, Inc.	
		Rev: 03/14/2024	1991 SPRING ROSE RD	999 Fourier Drive	
		Drafted By: KPAP	VERONA, WI 53593	Suite 201	
Checked By: KPAP				Madison, WI 53717	
				(608) 826-0532	

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NORTH LINE SW1/4

SURVEY LEGEND

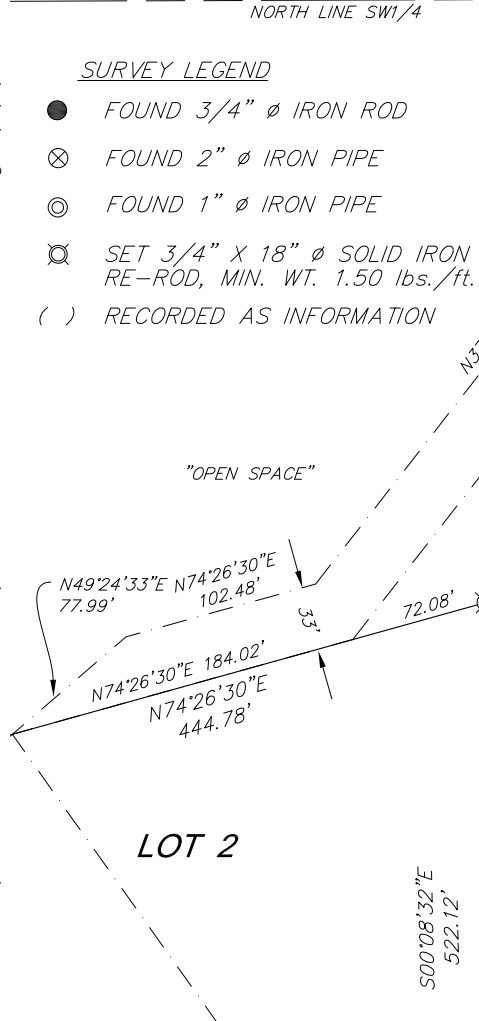
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- ⊙ FOUND 1" ϕ IRON PIPE
- ⊙ SET 3/4" X 18" ϕ SOLID IRON RE-ROD, MIN. WT. 1.50 lbs./ft.
- () RECORDED AS INFORMATION

LOT 3

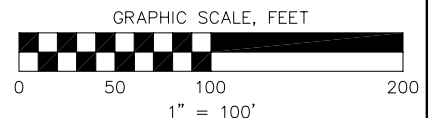
1,151,037 SF (26.424 AC)

SLOPES 20% OR GREATER

14 Mar 2024 - 5:21p M:\Klein, Matt\230385_8250 Marfy Road, Town of New Glarus\CADD\230385 - CS.M.dwg By: kpap



BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, GREEN COUNTY, THE EAST LINE OF THE NW 1/4 OF SECTION 21-04-07 MEASURED AS BEARING N00°27'57"W



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Job #: 230385
 Date: 01/19/2024
 Rev: 03/14/2024
 Drafted By: KPAP
 Checked By: KPAP

SURVEYED FOR:
 MATT AND JENNIFER
 KLEIN
 1991 SPRING ROSE RD
 VERONA, WI 53593

SURVEYED BY:
 Vierbicher Associates, Inc.
 999 Fourier Drive
 Suite 201
 Madison, WI 53717
 (608) 826-0532

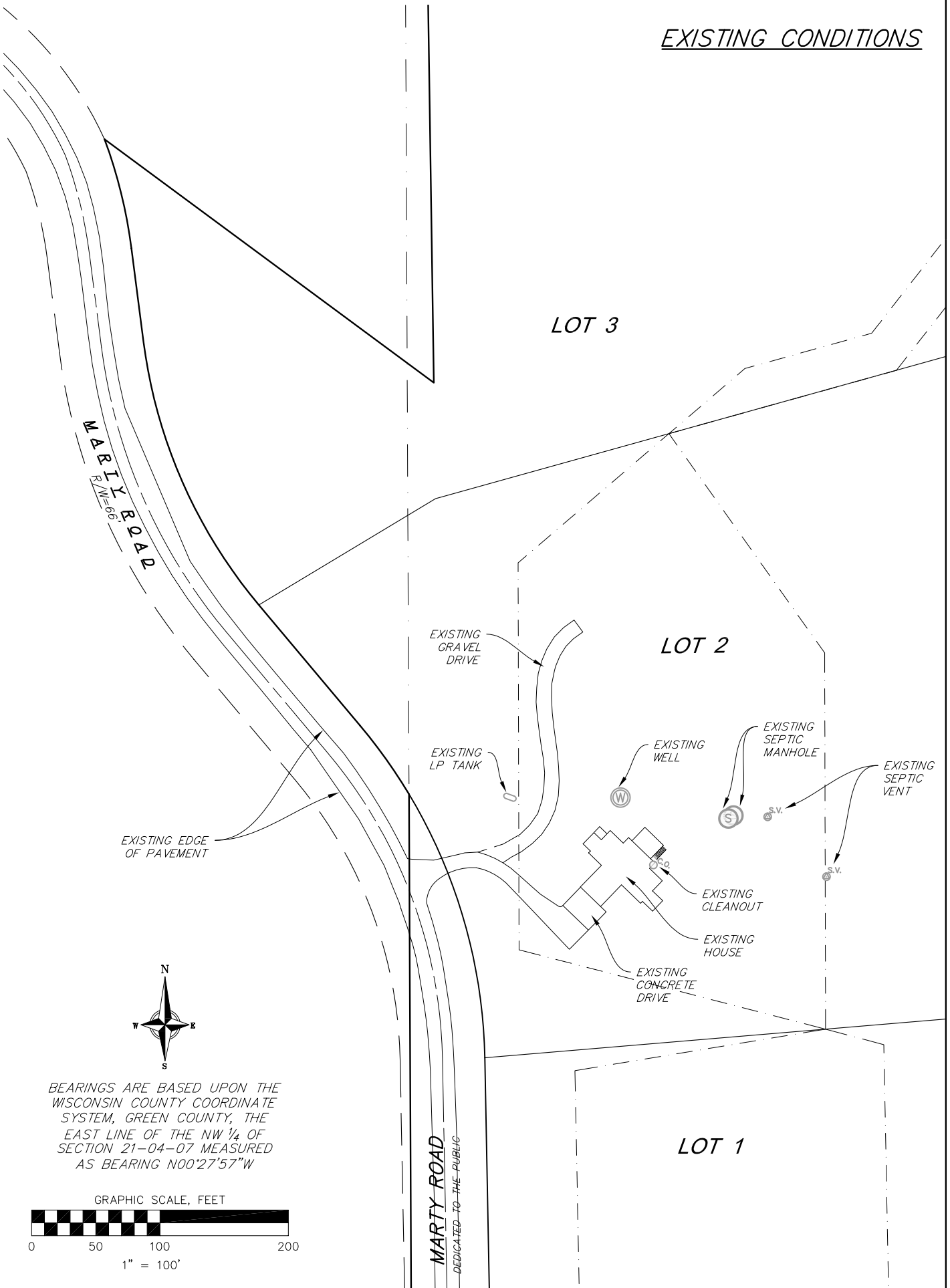
**SHEET
4 OF 9**

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EXISTING CONDITIONS

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SECTION TIE DETAIL

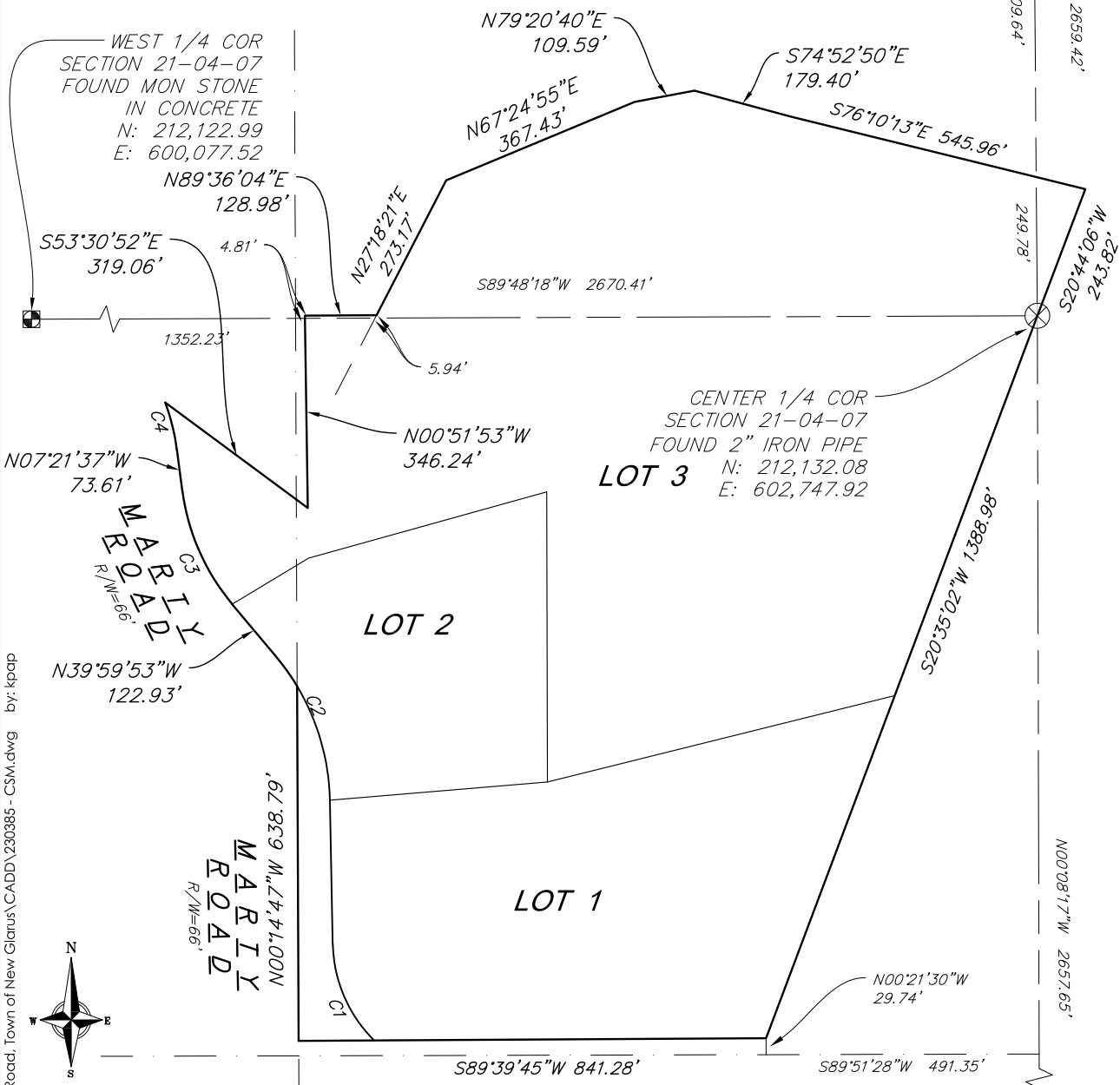
(NOT TO SCALE)

NORTH 1/4 COR
SECTION 21-04-07
FOUND ALUM MON
N: 214,791.42
E: 602,726.29

WEST 1/4 COR
SECTION 21-04-07
FOUND MON STONE
IN CONCRETE
N: 212,122.99
E: 600,077.52

CENTER 1/4 COR
SECTION 21-04-07
FOUND 2" IRON PIPE
LOT 3
N: 212,132.08
E: 602,747.92

SOUTH 1/4 COR
SECTION 21-04-07
FOUND ALUM MON
N: 209,474.44
E: 602,754.32



BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, GREEN COUNTY, THE EAST LINE OF THE NW 1/4 OF SECTION 21-04-07 MEASURED AS BEARING N00°27'57"W

CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC	CHORD BEARING	CHORD	TANGENT BEARING
C1	44°05'02"	251.89'	193.83'	N 23°10'03" W	189.08'	IN - N 45°12'44" W
C2	38°52'31"	415.00'	281.58'	N 20°33'37" W	276.21'	
LOT 2 R/W	29°50'12"	415.00'	216.11'	N 16°02'28" W	213.68'	OUT - N 30°57'34" W
EXT BNDY	09°02'19"	415.00'	65.47'	N 35°28'43" W	65.40'	
C3	32°38'15"	398.00'	226.71'	N 23°40'45" W	223.66'	
C4	13°03'55"	385.00'	87.79'	N 13°50'55" W	87.60'	OUT - N 20°22'53" W

14 Mar 2024 - 10:58a M:\Klein, Matt\230385_Mary Road, Town of New Glarus\CADD\230385 - CSM.dwg by: kpap



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CERTIFIED SURVEY MAP No. _____

LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Kevin J. Pape, Professional Land Surveyor No., S-2568, do hereby certify that this Certified Survey Map is in full compliance with Chapter 236.34 of the Wisconsin State Statutes, Chapter A-E7 of the Wisconsin Administrative Code, Chapter 110 of the Town of New Glarus Code, and the Village of New Glarus subdivision regulations – to the extent required by law; and under the direction of the Owner listed heron, I have surveyed, divided and mapped the lands described herein and that said map is a correct representation of the exterior boundaries and division of the land surveyed.

Date: _____

DRAFT

Kevin J. Pape, WI PLS No. S-2568
Vierbicher Associates, Inc

DESCRIPTION

Being located in the SE1/4 of the NW1/4, the SW1/4 of the NE1/4, and the NE1/4 and NW1/4 of the SW1/4 of Section 21, T4N, R7E, Town of New Glarus, Green County, Wisconsin, described as follows: Commencing at the south quarter corner of said Section 21; thence N00°08'17"W, 1328.82 feet along the east line of the southwest quarter of said Section 21; thence S89°51'28"W, 491.35 feet; thence N00°21'30"W, 29.74 feet to the southwest corner of Lot 3, Certified Survey Map No. 5443 and the point of beginning; thence S89°39'45"W, 841.28 feet; thence N00°14'47"W, 638.79 feet along the west line of the NE1/4 of the SW1/4 of said Section 21 to a point on the northeasterly right-of-way line of Marty Road and point of curve; thence northwesterly on a curve to the left which has a radius of 415.00 feet and a chord which bears N35°28'43"W, 65.40 feet; thence N39°59'53"W, 122.93 feet along said northeasterly right-of-way line to a point of curve; thence northwesterly along said northeasterly right-of-way line on a curve to the right which has a radius of 398.00 feet and a chord which bears N23°40'45"W, 223.66 feet; thence N07°21'37"W, 73.61 feet along said northeasterly right-of-way line to a point of curve; thence northwesterly along said northeasterly right-of-way line on a curve to the left which has a radius of 385.00 feet and a chord which bears N13°50'55"W, 87.60 feet; thence S53°30'52"E, 319.06 feet; thence N00°51'53"W, 346.24 feet; thence N89°36'04"E, 128.98 feet; thence N27°18'21"E, 273.17 feet; thence N67°24'55"E, 367.43 feet; thence N79°20'40"E, 109.59 feet; thence S74°52'50"E, 179.40 feet; thence S76°10'13"E, 545.96 feet to a point on the northwesterly line of Certified Survey Map No. 3120; thence S20°44'06"W, 243.82 feet along said northwesterly line to the center quarter corner of said Section 21; thence S20°35'02"W, 1388.98 feet along said northwesterly line Lot 1 and the northwesterly line of Lots 2 and 3, Certified Survey Map No. 5443 to the southwest corner of said Lot 3 and the point of beginning. Contains 1,844,627 SF (42.347 AC).

NOTES:

1. Aside from the removal of dead or dying trees, there shall be no disturbance within slopes of 20% or greater marked on this CSM.
2. Through Section 823.08 of Wisconsin Statutes, the Wisconsin Legislature has adopted a right-to-farm law. This statute limits the remedies of owners of later established residential property to seek changes to preexisting agricultural practices in the vicinity of the residential property. Active agricultural operations are now taking place and may continue in the vicinity of this CSM. These active agricultural operations may produce noises, odors, dust, machinery traffic, or other conditions during all hours of the day or night.

M:\Klein, Matt\230385_8250 Marty Road, Town of New Glarus\CADD\230385 - CSM.dwg by: kpap 14 Mar 2024 - 10:58a

vierbicher
planners | engineers | advisors



Job #: 230385
Date: 01/19/2024
Rev: 03/14/2024
Drafted By: KPAP
Checked By: KPAP

SURVEYED FOR:
MATT AND JENNIFER
KLEIN
1991 SPRING ROSE RD
VERONA, WI 53593

SURVEYED BY:
Vierbicher Associates, Inc.
999 Fourier Drive
Suite 201
Madison, WI 53717
(608) 826-0532

SHEET
8 OF 9

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LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.

TOWN OF NEW GLARUS APPROVAL

Approved for recording this _____ day of _____, 20_____.
per the Town of New Glarus.

Chris Narveson, Town Chair

VILLAGE OF NEW GLARUS EXTRATERRITORIAL APPROVAL

Approved for recording this _____ day of _____, 20_____.
per the Village of New Glarus.

Kelsey Jensen, Clerk/Treasurer

GREEN COUNTY APPROVAL

Approved for recording this _____ day of _____, 20_____.
per the Green County Zoning Committee.

Adam Wiegel, Zoning Administrator

REGISTER OF DEEDS CERTIFICATE

Received for recording this _____ day of _____, 20_____.

at _____ o'clock _____m. and recorded in Volume _____ of Certified

Survey Maps on pages _____, as Doc. No. _____.

Cynthia Meudt, Green County Register of Deeds

M:\Klein, Matt\230385_Matt\230385 - CSM.dwg by: kpap 14 Mar 2024 - 10:59a

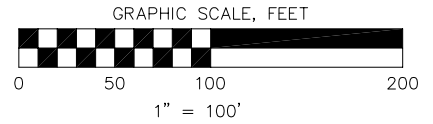


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DRIVEWAY LOCATION EXHIBIT

LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.

LOT 2
CSM NO
225Z



NOTE:
DRIVEWAY LOCATIONS WERE DETERMINED BY TOWN PATROLMAN ON 2/20/24 AND MEET THE TOWN OF NEW GLARUS MINIMUM SIGHT DISTANCE REQUIREMENT.

LOT 3

MARTY ROAD
R/W=66'
LANDS

EXISTING EDGE OF PAVEMENT

ACCEPTABLE LOT 3 DRIVEWAY LOCATION

EXISTING ASPHALT DRIVE - TO REMAIN IN PLACE

LOT 1 DRIVEWAY CAN BE LOCATED IN THIS 67' WIDE AREA

EXISTING GRAVEL DRIVE

EXISTING LP TANK

MARTY ROAD
DEDICATED TO THE PUBLIC

LOT 2

EXISTING WELL

EXISTING SEPTIC MANHOLE

EXISTING SEPTIC VENT

EXISTING CLEANOUT

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EXISTING CONCRETE DRIVE

LOT 1

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planners | engineers | advisors



Job #: 230385
Date: 02/20/2024
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1 OF 1

Chapter 110

Land Division and Subdivision

[HISTORY: Adopted by the Town Board of the Town of New Glarus 8-16-2000, as amended through 12-7-2015. Subsequent amendments noted where applicable.]

Article I Introduction

§ 110-1 Authority and purpose.

- A. In accordance with the authority granted by § 236.45, Wis. Stats., and for the purposes listed in §§ 236.01 and 236.45, Wis. Stats., the Town Board of the Town of New Glarus, Green County, Wisconsin, does hereby ordain as follows:
- (1) The provisions of this chapter shall be held to be minimum requirements adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the Town of New Glarus.
 - (2) This chapter shall not repeal, impair or modify private covenants or public ordinances, except that it may apply whenever it imposes stricter restrictions on land use.
- B. The purpose of this chapter is to promote the public health, safety, convenience and general welfare of the Town of New Glarus. The regulations are designed to foster the orderly layout and use of land; to facilitate adequate provision for transportation, water and sewerage systems, parks, playgrounds, schools and educational facilities, and other public necessities; to discourage overcrowding of the land; to protect the Town's agriculture base; to provide for a system of transportation which meets or exceeds minimum standards for public safety; to lessen congestion on Town roads, highways and streets; to secure safety from fire, panic, and other dangers; and to facilitate the further division of large tracts of land into smaller parcels.
- C. The regulations are made with reasonable consideration of, but not limited to, the present character of the Town and its environs, with the objectives of conserving the value of the land and improvements placed thereon, providing for the most appropriate environment for human habitation, protecting farming, agriculture industries and open space, encouraging commerce and industry, providing for the most appropriate use of land in the Town of New Glarus, and providing a fair and equitable opportunity for landowners to develop housing sites consistent with public expectations as put forth in the Survey of 1998.

§ 110-2 Abrogation and greater restrictions.

It is not intended by this chapter to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, where this chapter imposes greater restrictions, the provisions of this chapter shall govern. However, when the chapter imposes greater restrictions and those restrictions are subsequently invalidated by Wisconsin State Statutes, Wisconsin State Statutes shall prevail as to those limited restrictions without invalidating the remainder of the provisions of this chapter.

§ 110-3 Interpretation.

In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements and shall be liberally construed in favor of the Town of New Glarus and shall not be deemed to be a limitation or repeal of any other power granted by the Wisconsin Statutes.

§ 110-4 **Title.**

This chapter shall be known as, referred to, or cited as the "Town of New Glarus Subdivision Ordinance" or "Town of New Glarus Land Division and Subdivision Ordinance."

Article II
Definitions

§ 110-5 **Definitions.**

The following definitions shall be applicable to this chapter:

AGRICULTURAL USE

General farming, including dairying, livestock and poultry raising, nurseries, greenhouses, vegetable warehouses or other similar enterprises or uses, except fur farms and farms primarily operated for the disposal or reduction of garbage, sewage, rubbish or offal, provided that no greenhouse or building for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential lot other than that of the owner or lessee of such greenhouse or building containing such livestock or poultry.

ALLEY

A public right-of-way which normally affords a secondary means of vehicular access to abutting property.

ARTERIAL STREET

A street which provides for the movement of relatively heavy traffic to, from, and within the Town. It has a secondary function of providing access to abutting land.

BLOCK

An area of land within a subdivision that is entirely bounded by a combination or combinations of streets, exterior boundary lines of the subdivision and streams or bodies of water.

BUILDABLE PARCEL

A parcel of land which meets the requirements of Chapter 110, Articles VII and VIII, Design Standards, § 110-32, and permits construction of residential, commercial or industrial structures. (Also see "lot, legal nonconforming.")

BUILDING ENVELOPE

The area within which structures are permitted to be built on a lot, as defined by the existing ground level, all applicable setback, side yard and rear yard requirements (notwithstanding any variances, special exceptions, or special or conditional uses in effect) and any Land Use Plan and Town ordinances adopted by the Town.

BUILDING INSPECTOR

Person or persons holding the required state certifications and employed by (or agent for) the Town of New Glarus for the purpose of inspecting and determining compliance with Town, county, state, extra territorial zoning, and federal rules and regulation pertaining to construction and placement of new, remodeled, relocated, revised or demolished structures within the Town of New Glarus.

CASE NUMBER

A chronological number assigned by the Plan Administrator for any land division proposal scheduled for a regular or special meeting of the Plan Commission.

CERTIFIED SURVEY

A map or plan of record of a minor subdivision meeting all the requirements of § 236.34, Wis. Stats.,

the Green County Land Division Ordinance and this chapter.

CLUSTER DEVELOPMENT

A form of residential development that concentrates building sites on parts of the parcel and allows 85% of the parcel to be used for open space. A cluster development shall consist of one or more cluster groups. Each cluster group shall contain a minimum of three lots.

CLUSTER ENVELOPE

A shape used to confirm a proposed lot within a development complies with the principles of a Cluster Development. A Cluster Envelope shall conform to the following:

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A. The cluster envelope for a lot shall encompass the entire building envelope for that lot.

B. The cluster envelope can be no larger than 2 acres in size.

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CLUSTER GROUP

A group of single-family detached dwellings within a cluster development where ~~building sites have at least one common lot boundary~~ each cluster envelope has at least one contiguous point with an adjoining envelope within the cluster group.

COLLECTOR STREET

A street which collects and distributes internal traffic within an urban area, such as a residential neighborhood, between arterial and local streets.

COMMERCIAL STRUCTURES

Buildings that are suitable for trade or commerce; the interchange of goods or commodities.

CUL-DE-SAC

A short street having but one end open to traffic and the other end being permanently terminated in a vehicular turnaround. Note: Cul-de-sac design standards are provided in §75-3 of the Town Code. Lot layout and use requirements for Culs-de-sac are provided in this Chapter.

DIVISION OF LAND/LAND DIVISION

Any action which creates a subdivision by plat, certified survey, metes and bounds description or which makes substandard an original parcel.

EASEMENT

The area of land set aside or over or through which a liberty, privilege or advantage in land, distinct from ownership of the land, is granted to the public or some particular person or part of the public.

EXISTING PARCEL

The total contiguous acreage which exists under single ownership at the time of approval of the Land Use Plan. (October 13, 1997). Certified survey maps recorded prior to October 13, 1997, are excluded from existing parcel.

FILING DATE

The date the land developer first completes formal filing with the Plan Commission; the date of the meeting where the case number is published on an agenda. This application date is not less than 60 days after the preliminary plat is submitted to the Town Clerk.

FRONTAGE STREET

A local street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.

GREENWAY

An open area of land, the primary purpose of which is to carry stormwater on the surface of the ground in lieu of an enclosed storm sewer. Greenways may serve the following multiple public purposes in addition to their principal use: including but not limited to vehicular and/or pedestrian traffic, sanitary sewers, water mains, storm sewers, stormwater retention basins, and park development.

IMPROVEMENT, PUBLIC

Any sanitary sewer, storm sewer, open channel, water main, roadway, park, parkway, public access, sidewalk, pedestrianway, planting strip or other facility for which the Town may ultimately assume the responsibility for maintenance and operation.

INDUSTRIAL STRUCTURES

Buildings suitable for housing or accommodating industry with productive labor.

LAND DIVISION

See definition for "division of land/land division."

LAND USE PLAN

Also known or referred to as "Master Plan," as defined below.

LARGE LOT DEVELOPMENTS

Allow residential, commercial or industrial developments on lots that are 2.0 acres or greater and comply with Green County Zoning or Extra Territorial Zoning.

LOCAL STREET

A street of little or no continuity designed to provide access to abutting property and leading into collector streets.

LOT

A parcel of land defined by survey, certified survey map, metes and bounds or plat having access on a public street or other officially approved means of access, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, location guides and other open space provisions of this chapter and any applicable zoning ordinance.

LOT AREA

The area contained within the exterior boundaries of a lot, excluding streets and land under navigable bodies of water.

LOT LINES

The peripheral boundaries of a lot as defined herein.

LOT WIDTH

The width of a parcel of land measured along the front boundary line.

LOT, CORNER

A lot abutting intersecting streets at their intersection.

LOT, LEGAL NONCONFORMING

Lots as defined pre-ordinance and meeting county, state and Town ordinances [except § 110-32A(1)(b)].

LOT, NONBUILDABLE

Due to size, location in open space, or defined as substandard.

LOT, THROUGH

A lot having a pair of opposite lot lines along two more or less parallel public streets and which is not a corner lot. On a through lot both street lines shall be deemed front lot lines.

MAJOR THOROUGHFARE

A street used or intended to be used primarily for fast or heavy through traffic. Major thoroughfares shall include freeways, expressways and other highways and parkways, as well as arterial streets.

MASTER PLAN

A plan for guiding and shaping the growth and development of the Town of New Glarus which has been adopted by the Town Board. Also known as or referred to as "Land Use Plan" and the "Amended Town of New Glarus Land Use Plan dated August 20, 1999."

NORMAL DENSITY

One building site per 35 acres of existing parcel.

OPEN SPACE

The 85% or more of the existing parcel (or 91% of the original parcel in a large lot division) that remains undeveloped or free of residential, industrial or commercial structures. Permitted uses of open space are agriculture, recreation, passive recreation use, and preservation of environmentally sensitive features.

OWNER

Includes the plural as well as the singular and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or a combination of these.

PASSIVE RECREATION USE

Uses of open space to include but not limited to wildlife sanctuary, forest preserve, nature centers, trails, prairie areas and similar uses (hunting, birding, etc.).

PLAN ADMINISTRATOR

Person appointed by the Town Board to assist developer during consultations prior to developer meeting with the Plan Commission.

PLAN COMMISSION

The Town of New Glarus Plan Commission as appointed by the Supervisors of the Town of New Glarus. The Plan Commission shall consist of seven members. Initially three members shall be appointed to three-year terms, two to two-year terms and two to one-year terms. Thereafter the members shall be appointed to three-year terms. The Plan Commission shall review subdivisions as outlined in this chapter and make recommendations to the Town Board. (See "Technical Review Committee.")

PLAT

The map or drawing on which the land divider's plat of subdivision is presented to the Town for approval.

PLAT, FINAL

The final map or drawing on which the land divider's plan of subdivision is presented for approval and which, if approved, will be submitted to the County Register of Deeds for recordation.

PLAT, PRELIMINARY

The preliminary plat map or drawing indicating the proposed layout of the subdivision to be submitted to the Plan Commission and Town Board for their consideration as to compliance with the regulations contained in this chapter along with required supporting data.

PROTECTIVE COVENANTS

Contracts entered into between private parties or between private parties and public bodies pursuant to § 236.293, Wis. Stats., which constitute a restriction on the use of all private or platted property within a certified survey or subdivision for the benefit of the public or property owners and to provide mutual protection against the undesirable aspects of development which would tend to impair the stability of property values.

REMNANT PROPERTY

Property remaining after lots and open space are defined. Uses shall be the same as open space uses.

REPLAT

The process of changing, or a map or plat which changes, the boundaries of a recorded plat or a part thereof. The legal dividing of a block, lot or outlot within a recorded subdivision plat without changing the exterior boundaries of such block, lot or outlot is not a replat.

RESIDENTIAL STRUCTURES

Buildings suitable for residence; a place of abode meeting all current codes.

SANTARY DISTRICT COMMISSION

A board established under § 60.74, Wis. Stats.

SHORELANDS

Those lands within the following distances: 1,000 feet from the high-water elevation of navigable lakes, ponds and flowages or 300 feet from the high-water elevation of navigable streams or to the landward side of the floodplain, whichever is greater.

SUBDIVIDER/LAND DIVIDER

Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land in accordance with "land division" definition above.

SUBDIVISION, MAJOR

Any land division that has a potential for ~~nine~~ five (5) or more building sites. ~~Note: any existing parcel of 120 acres or more.~~

SUBDIVISION, MINOR

The division of land by the owner or land divider resulting in the creation of not more than four (4) parcels or building sites. ~~Note: any existing parcel division of less than 120 acres.~~

TECHNICAL REVIEW (FEASIBILITY) COMMITTEE

A committee appointed by the Town Board to assist in preliminary site suitability review for land divisions. The Committee may include, but is not limited to, the Town Engineer, the Town Building Inspector, members of the Planning Commission, the Plan Administrator, and other technical experts or residents of the Town. The Technical Review Committee reviews land divisions for conformance with §110-7; confirms the proposed land splits are available and in conformance with the Town Land Use Plan; and provides initial recommendations regarding the type of land division (CSM, Major, Minor, Cluster) and layout of lots, roads, and outlots.

TOWN

The Town of New Glarus, Green County, Wisconsin.

WETLANDS

An area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. [See § 23.32(1), Wis. Stats.]

WISCONSIN ADMINISTRATIVE CODE AND REGISTER

The rules of the administrative agencies having rule-making authority in Wisconsin, published in a loose-leaf, continual revision system, as directed by § 35.93 and Ch. 227, Wis. Stats., including subsequent amendments to those rules.

Article III General Provisions

§ 110-6 Compliance required; jurisdiction; minor subdivisions; building permits.

- A. Compliance. No person shall divide any land located within the jurisdictional limits of these regulations which results in a land division or a replat as defined herein; no such land division or replat shall be entitled to record; and no street shall be laid out or improvements made to land without compliance with all requirements of this chapter and the following:
- (1) The provisions of Chs. 82 and 236, Wis. Stats.
 - (2) The rules of the Wisconsin Economic Development Corporation, WEDS, contained in the Wisconsin Administrative Code and Register for land divisions not served by public sewer.
 - (3) The rules of the Safety and Professional Services, SPS-383, contained in the Wisconsin Administrative Code and Register for land divisions not served by public sewer.
 - (4) The rules of the Department of Transportation contained in the Wisconsin Administrative Code and Register for subdivisions which abut a state trunk highway or connecting highway.
 - (5) The rules of the Department of Natural Resources, NRI 116, contained in the Wisconsin Administrative Code and Register for the floodplain management program.
 - (6) Comprehensive plans or components of such plans prepared by state, regional, county or municipal agencies duly adopted by the Town Board.
 - (7) All applicable local and county regulations, including zoning, sanitary, building and official mapping ordinances.
 - (8) The Town of New Glarus Land Use Plan and the Amended Town of New Glarus Land Use Plan and subsequent revisions.
 - (9) Applicable provisions of the Green County Code of Ordinances.
 - (10) All applicable rules contained in the Wisconsin Administrative Code not listed in this Subsection A.
 - (11) Must notify drainage district; see Appendix E.
- B. Jurisdiction. Jurisdiction of these regulations shall include all lands within the corporate limits of the Town of New Glarus. The provisions of this chapter, as they apply to minor subdivisions, shall not apply to:

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- (1) Transfers of interest in land by will or pursuant to court order.
 - (2) Leases for a term not to exceed 10 years, mortgages or easements.
 - (3) The sale or exchange of parcels of land between owners of adjoining property if additional buildable lots are not thereby created and meet other applicable laws or ordinances. A public hearing is not required for a neighbor exchange.
- C. Minor subdivisions. Any minor subdivision of land other than a subdivision as defined in § 236.02(12), Wis. Stats., shall be surveyed and a certified survey map prepared as provided in § 236.34, Wis. Stats.
- D. Building permits. The Town of New Glarus shall not issue any building permit relating to any parcel of land forming all or any part of lands included in a major subdivision, minor subdivision, metes and bounds legal description or replat originally submitted to the Town of New Glarus on or after the effective date of this chapter until the applicant has complied with all of the provisions and requirements of this chapter.

§ 110-7 Land suitability; protection of existing flora and areas of special interest; role of Technical Review (Feasibility) Committee.

A. Suitability.

- (1) No land division shall be allowed for residential, commercial or industrial use which is held unsuitable for such use by the Town Board for reason of flooding, inadequate drainage, unsuitable soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety, or welfare of future residents of the community. The Town Board, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for residential, commercial or industrial use and afford the land divider an opportunity to present evidence regarding such unsuitability if the land divider so desires. Thereafter, the Town Board may affirm, modify or withdraw its determination of unsuitability.
- (2) Except as provided herein, the Town Board shall preferably determine land suitability at the time of the preliminary consultation, following review and recommendation by the Technical Review (Feasibility) Committee. A written report by the Technical Review (Feasibility) Committee Chair (or designee) shall be submitted to the Town Plan Commission. The report shall include recommendations on how the proposed land division complies with §110-7; how the lands are eligible for subdivision as proposed by the applicant; how the subdivision will be in conformance with the current Town Lan Use Plan; and how the general program and objectives of the development may impact the neighborhood and community. The Technical Review Committee may include, but is not limited to, the Building Inspector, Plan Administrator and other technical experts. The land divider shall furnish such maps, data and information as may be requested by the Town or necessary to make a determination of land suitability. In addition to the data required to be submitted with the preliminary plat or certified survey, the land divider may be required to submit some or all of the following additional information for development located in an area where flooding or potential flooding may be a hazard:
 - (a) ~~Two copies of an a~~Aerial photographs or ~~two~~ maps prepared by a registered land surveyor or engineer which accurately locate the proposed development with respect to the floodplain zoning limits, if present; channel or stream fill limits and elevations; and floodproofing measures taken or proposed to be taken.
 - (b) ~~Two copies of a t~~lTypical valley cross section showing the channels or streams, the floodplain adjoining each side of the channel or stream, cross-sectional area to be occupied by the proposed development and high-water information.

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- (c) Two copies of a A profile showing the slope of the bottom of the channel or the flow line of the streams within the property being developed.
- (d) A scaled, topographic relieve map of the proposed development depicting areas with slopes greater than 20 percent, the location of anticipated lots, and proposed right-of-way or access points of all lots.
- (e) Maps which accurately locate the proposed development with respect to wetlands, areas with hydric soils, and environmental corridors.
- (f) Locations, sizes, and anticipated provisions for access and maintenance of stormwater management practices that may be required as part of the development.
- (g) Such other data as may be requested or required.

- (3) When a proposed land division is located in an area where flooding or potential flooding may be a hazard, the Town Board may transmit to the Department of Natural Resources information provided by the land divider and may request that the Department provide technical assistance in determining whether the land is suitable or unsuitable for the use proposed.
- (4) Where a proposed land division is located wholly or partly in an area where flooding or potential flooding may be a hazard, the applicable county ordinances shall apply.

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B. Existing flora. The land divider shall make every reasonable effort to protect and retain all existing trees, shrubbery, vines, and grasses not actually lying in public roadways, drainageways, building foundation sites, private driveways, soil absorption waste disposal areas, paths and trails.

C. Availability of lands for development.

- (1) Subject to Subsection C.(2) below, at the time of preliminary consultation the Developer shall provide evidence that all lands within the development are available for development and have not been part of a prior land division.
- (2) Developer shall show title and deed evidence that all lands proposed for development have retained their availability for "splits" or further land division.

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D. Provision for Access.

- (1) At the time of preliminary consultation, the Developer shall provide plans that demonstrate how each lot within the development will access the public roadway. This includes likely locations for driveways on each lot, locations for joint driveways and elements, and a narrative description of how the access provided meets the requirements of this Chapter and Chapter 36 (Driveways).

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E. Additional considerations.

- (1) The land divider shall make every effort to preserve and protect:
 - (a) Areas of archaeological and/or historical interest, including but not limited to those areas designated by the State Historical Society. See Appendix A.
 - (b) Areas of geological interest, including but not limited to those areas designated by the State Geological and Natural History Survey. See Appendix B
- (2) In addition, the suitability of land for private sewage systems shall be determined in accordance with the appropriate provisions of the Wisconsin Statutes and Wisconsin Administrative Code and

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Register.

F. Role of the Technical Review (Feasibility) Committee.

(1) The Technical Review (Feasibility) Committee shall provide initial review of all items within this Section and any other such items as requested by the Plan Commission or Town Board.

(2) A summary or report of Land Suitability and other items requested for review by the Technical Review (Feasibility) Committee shall be prepared by the Committee Chair or Town Engineer and presented to the Plan Commission for consideration or action during review of the development.

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§ 110-8 Guidelines for reviewing land divisions.

The following criteria shall be applied by the Plan Commission and Town Board when reviewing land divisions. Nothing in this chapter shall prevent the Town Board from developing and applying such additional guidelines and review criteria that the Town Board, in its sole discretion, determines appropriate.

- A. Land divisions should be consistent with the goals, objectives and development standards set forth in the Town of New Glarus Land Use Plan and the Amended Town of New Glarus Land Use Plan and subsequent revisions.
- B. Land divisions should be compatible with the character, size, and quality of development on nearby and adjoining properties.
- C. Land divisions should be planned and designed to maintain the rural character of the Town of New Glarus.
- D. Land divisions should be planned and designed to protect environmentally sensitive sites.
- E. Land divisions should be planned and designed to minimize the disruption of groves of existing mature vegetation, particularly native canopy trees.
- F. Land divisions should be planned and designed to be sensitive to historic and archaeological sites on both the parcel being divided and on adjoining and nearby properties.
- G. Land divisions should be planned and designed to minimize the disruption of its vistas. ~~(See Building and Location Guides.)~~
- H. The preferred locations for building envelopes are woodland fringes, at the edges of open fields and within new tree plantations where the aesthetic and visual impact of new structures will be minimized.
- I. Building envelopes shall be located in such a manner as to make such structures as inconspicuous as possible. Such building envelopes shall be located to minimize the aesthetic and visual impact of new structures. ~~(See Building and Location Guides.)~~
- J. Building envelopes shall consider setback requirements, if any, including but not limited to public road rights-of-way, recreational trail easements and dedicated recreational trails.
- K. Where feasible in the judgment of the Town Board and Town Engineer, utility lines serving land divisions shall be placed underground in order to maintain the rural character of the area and preserve views and vistas. Where placement of underground utility lines is not feasible, easements for overhead utilities shall be located within land divisions in such a manner as to minimize their visual impact.

§ 110-9 Hillside protection.

No land division for residential, commercial or industrial purposes shall be approved which would result in, or authorize a use or disturbance of land, including construction of private roads and driveways, on hillsides

with a slope of 20% or more, unless the land divider has submitted and the Town Engineer and the Town Board have approved construction plans and specifications, including an erosion control plan. For purposes of this section, 20% means a vertical elevation differential of 10 feet in 50 horizontal feet, the horizontal distance being measured perpendicular to the slope.

§ 110-10 Fees.

- A. General. The land divider shall pay the Town all fees as hereinafter required and at the times specified before being entitled to recording of a plat or certified survey map.
- B. Engineering fees. The land divider shall pay a fee equal to the actual cost to the Town for all engineering and technical assistance work incurred by the Town in connection with the Technical Review Committee, preliminary plat, final plat or certified survey map, including inspections required by the Town. The land divider shall pay a fee equal to the actual cost to the Town for such inspection as the Town Board deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Town and any other governmental agency.
- C. Legal fees. The land divider shall pay a fee equal to the actual cost to the Town for all legal fees and costs incurred by the Town in connection with the preliminary plat, final plat or certified survey map, including conferences, review and preparation of documents, and consultations with the land divider or the Town.
- D. Administrative fees. The land divider shall pay a fee equal to the cost of any administrative or fiscal work, publication and special meeting costs which may be incurred or undertaken by the Town in connection with the preliminary plat, final plat or certified survey map.
- E. Preliminary plat, certified survey, metes and bounds and final plat review fees. Fees for Town review of preliminary plats, final plats, replats, special meetings, certified survey maps and metes and bounds descriptions shall be established by resolution of the Town Board.
- F. Escrow account for Town review. At the time of filing with the Town Clerk a preliminary plat or certified survey map, the land divider shall deposit with the Town Clerk an escrow fund amount as established by the Town Board. As required at the sole discretion of the Town Board, funds may be drawn against such escrow accounts for the payment of engineering, legal, administrative and other costs incurred by the Town in reviewing the proposed land division. Moneys not required for such engineering, legal, administrative and other costs shall be returned to the land divider within 180 days of final acceptance of all improvements required by the Town. If Town costs exceed the initial amount deposited in the escrow account, the Town shall require the land divider to deposit an additional amount in the escrow account. Such additional deposit in the escrow account shall be determined by the Town Board.

Article IV
Plat Review and Approval

§ 110-11 Preliminary consultation.

- A. Before filing a preliminary plat, the land divider shall consult with the Plan Commission. Before consulting with the Plan Commission, the land divider shall consult with the Plan Administrator who may refer the land divider to consult with the Building Inspector and/or the Technical Review Committee. The land divider shall inform the Town Clerk in a letter of submission of the impending land division and shall request information on meeting dates, agenda deadlines and filing requirements. Such information shall be obtained from the Town Clerk. See Appendix C for forms.
- B. The land divider shall, at the time of preliminary consultation, submit a location map showing the relationship of the proposed subdivision to traffic arteries and existing community facilities. In addition,

the land divider shall submit a preliminary community impact statement.

- C. The preliminary consultation is intended to inform the land divider of the purpose and objectives of these regulations, the Town Land Use Plan and duly adopted plan implementation devices of the Town and otherwise to assist the land divider in planning the proposed development. The preliminary consultation is also designed to provide the Plan Commission with information regarding the potential impact of the contemplated land division. No direction or assertion provided by the Plan Commission during Preliminary Consultation may be construed by the Applicant as an "approval" or assurance of future approval by the Town at a subsequent meeting.
- D. During the preliminary consultation, the Plan Commission and the land divider may reach mutual conclusions regarding the general program and objectives of the proposed development and its potential impact and effects on the neighborhood and community.
- E. The Plan Commission may, at this preliminary consultation, require a second meeting with the land divider at which the land divider will provide any additional information the Plan Commission requests prior to the preliminary plat submission by the land divider.
- F. If the land divider ~~owns 120 acres or more~~ has the potential of 5 or more lots on an existing parcel, then the Plan Commission and the land divider shall discuss potential for a major subdivision.

§ 110-12 Submission of preliminary plat for major subdivisions.

- A. Submission. Before submitting a final plat for approval, the land divider shall prepare a preliminary plat and a letter of submission. The land divider shall submit five copies of the preliminary plat and letter of submission. The letter of submission shall include a written description of the proposed land division. The preliminary plat shall be prepared in accordance with the provisions and requirements of this chapter, and the land divider shall submit the copies of the preliminary plat and letter of submission with the Town Clerk. The Town Clerk shall distribute the submitted information to the Plan Commission members and schedule the initial review of the preliminary plat by the Plan Commission within a minimum of 60 days of receipt of the submission and preliminary plat. Refer to Article V for technical requirements.

(1) All items and documents required by this section must be submitted to the Town Clerk before the time requirements for review of land divisions will legally commence. The land divider shall, following technical review and preliminary consultation with the Plan Commission, submit five copies of the preliminary plat and an accompanying letter of submission. These shall be submitted after other state and local agencies as required by state statutes, Wisconsin Administrative Code and Register, Green County ordinances or Town of New Glarus ordinances, have reviewed and approved or denied the preliminary plat.

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(2) The Town Clerk shall submit a copy of the preliminary plat to the Town Engineer and Attorney for review and comment. The Town Engineer and Attorney shall prepare and submit to the Plan Commission a written report regarding the review of the preliminary plat. The report shall include observations and recommendations regarding the preliminary plat.

- B. Affidavit. The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that the surveyor has fully complied with all provisions of this chapter.

- C. Supplementary data to be filed with preliminary plat. The following shall also be filed with the preliminary plat:

(1) Use statement. A statement of the proposed use of the lots, stating the type of residential buildings, with the number of proposed dwelling units, and types of business or industry so as to reveal the

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effect of the development on traffic, fire hazards, police services and congestion of population;

- (2) Zoning changes. If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions;
 - (3) Area plan. Where the land divider owns property adjacent to the property which is being proposed for the land division, the land divider shall submit a concept plan for the remainder of the property so as to show the possible relationships between the proposed land division and future land divisions; all land divisions must be shown to be compatible with and to be consistent with existing or potential adjacent land divisions;
 - (4) Adjacent land divisions. A record of any adjacent land divisions made within the last five years; and
 - (5) Aerial view of property, topographic map of site(s), drawing of property showing the location of proposed driveways, building envelopes, open space, septic fields and underground utilities.
 - (6) If land division is within the Village of New Glarus ETZ the following plans need to be identified: municipal sewer and water which could be included in a municipal sanitary district; electrical, telephone, natural gas (as available) and wi-fi which could be included in a municipal utility district. See Appendix D, CDA Planning Area Map.
- D. Soil testing. The land divider shall provide a preliminary soils report, listing the types of soils in the proposed land division, their effect on the land division and a proposed soil testing and investigation program. A Soil Conservation Service map would meet the requirements of this subsection. Pursuant to the public policy concerns prescribed in § 110-7, the Town Board may require that borings and soundings be made in specific areas to ascertain subsurface soil, rock and water conditions, including depth of bedrock and depth to the groundwater.
- E. Environmental assessment and evaluation. The purpose of the environmental assessment and evaluation is to provide the basis for an orderly, systematic review of the effects of the proposed land division upon the community environment in accordance with the principles and procedures of § 236.45(1), Wis. Stats. The goals of the community are to eliminate pollution and siltation or reduce them to acceptable standards; preserve open space and parks for recreation; provide adequately for stormwater control; maintain scenic beauty and aesthetic surroundings; administer to the economic and cultural needs of the citizens; and provide for the effective and efficient flow of goods and services. The Town Board shall review, as part of the analysis and evaluation of the preliminary plat, any environmental assessment reports, together with such supporting data and information as the Town Board may require for determining the suitability of the proposed land division and subsequent development.
- F. Referral to other agencies.
- (1) The land divider shall, following technical review and preliminary consultation with the Plan Commission, submit copies of the preliminary plat and a letter of submission to other state and local agencies as required by state statutes, Wisconsin Administrative Code and Register, Green County ordinances or Town of New Glarus ordinances.
 - (2) Within 10 days of the date of receiving the copies of the plat, any state or county agency having authority to object under Subsection F(1) above shall notify the land divider and all approving or objecting authorities of any objection based upon the failure of the plat to comply with statutes or rules which its examination is authorized to cover, or, if all objections have been satisfied, it shall so certify on the face of a copy of the plat and return that copy to the approving authority from which it was received. The land division shall not be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act within the ten-day limit, it shall

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be deemed to have no objection to the plat. Sanitary districts within the Town may file objections with the Town Board at any time prior to, and including, the Town Board's public hearing on the land division.

- G. Drafting standards. The land divider shall submit to the Town Clerk and to those agencies having the authority to object to plats under provisions in Ch. 236, Wis. Stats., copies of a preliminary plat based upon an accurate exterior boundary survey by a registered land surveyor which shall show clearly the proposed subdivision at a scale of no less detail than one inch per 100 feet having two-foot contour intervals, shall identify the improvements (grading, tree planting, paving, installation of facilities and dedications of land) and easements which the land divider proposes to make and shall indicate by accompanying letter when the improvements will be provided.

§ 110-13 Preliminary plat review and approval.

A. Town Board review; public hearing.

- (1) After the preliminary consultation and following an initial review of the preliminary plat by the Plan Commission, the Plan Commission shall submit its written recommendations to the Town Board within 20 days of its review of the preliminary plat. The Town Board shall schedule a public hearing on the preliminary plat. Such public hearing shall be held within 60 days of the initial review of the preliminary plat by the Plan Commission. (Note: An extension of time or a decision to hold the matter in abeyance may only be made by written agreement of the landowner and the Town Board.)
- (2) The Town Clerk shall schedule a public hearing on the preliminary plat before the Town Board. The Town Clerk shall give notice of the Town Board's review and public hearing on the preliminary plat by listing it as an agenda item in the Board's posted meeting notice. The applicant shall also be notified in writing. The meeting notice shall include the name of the applicant, the address of the property in question and the requested action. Abutting property owners and property owners within 600 feet of the applicant's total parcel shall receive written notice of the public hearing.

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- B. Town Board action. The Town Board shall, within 90 days of the date the plat was filed with the Town Clerk, approve, approve conditionally or reject such plat or survey map and shall state, in writing, any conditions of approval or reasons for rejection, unless the time is extended by agreement with the land divider. Failure of the Town Board to act within 90 days or extension thereof shall constitute an approval of the preliminary plat, unless other authorized agencies object to the plat. The Town Clerk shall communicate to the land divider the action of the Town Board. If the plat or map is approved, the Town Clerk shall endorse it for the Town Board.

C. Determination of adequacy of public facilities and services.

- (1) A preliminary plat or final plat shall not be approved unless the Sanitary District Commission (if appropriate) and the Town Board determine that adequate public facilities and public services are available to meet the needs of the proposed land division and that no public funds, other than those already provided in an adopted capital budget or operating budget, are required.
- (2) The applicant shall furnish any data requested by the Town Board or its designee to the Town Clerk, who shall transmit this information to the appropriate Town commission(s) and committee(s) for review and shall act as coordinator for their reports to the Sanitary District Commission and the Town Board on the adequacy of water, sanitary and storm sewers, fire service, police, parks and open space and recreational facilities, transportation facilities and schools.
- (3) Public facilities and public services for a proposed land division may be found to be adequate when the following conditions exist:

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(a) The Town Board or its designee and the appropriate committee(s) certify that adequate funds, either public or private, are available to ensure the installation of all necessary stormwater management facilities.

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(b) The future residents of the proposed subdivision can be assured park, recreation and open space facilities and services.

(c) The appropriate Sheriff's Department, Emergency Medical Service and Fire District verify that timely and adequate service can be provided to the residents of the proposed subdivision.

(d) The proposed land division is accessible by existing all-weather roads, whether publicly or privately maintained, adequate to accommodate both existing traffic and that traffic to be generated by the proposed land division or necessary additional roads and road improvements are budgeted in the current adopted budget for construction with public or private financing.

(4) The appropriate school district should be provided an opportunity to review and comment regarding the impact of the proposed subdivision on school facilities and programs.

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(5) Where the Town Board determines that one or more public facilities or services are not adequate for the proposed development but that a portion of the area could be served adequately or that careful phasing of the development could result in all public facilities and public services being adequate, conditional approval may include only such portions or may specify phasing of the development.

D. Effect of preliminary plat approval. Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat, except that if the final plat is submitted within 36 months of preliminary plat approval and conforms substantially to the preliminary plat layout, the final plat shall be entitled to approval with respect to such layout. The preliminary plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the final plat, which will be subject to further consideration by the Town Board at the time of its submission.

E. The Town's engineering firm or designee shall review all final plats and provide their conclusion, either written or verbal, to the Town Board as to whether the final plat conforms substantially to the preliminary plat and give their recommendation as to whether or not the final plat should be approved. Their conclusions and recommendation shall be made a part of the record of the proceeding at which the final plat is being considered.

F. Should the land divider desire to amend the preliminary plat as approved, the land divider may resubmit the amended plat, which shall follow the same procedure, except for the fee, unless the amendment is, in the opinion of the Plan Commission, of such scope as to constitute a new plat, in which case it shall be refiled.

§ 110-14 Final plat review and approval.

A. Filing requirements.

(1) The land divider shall prepare a final plat and letter of application in accordance with this chapter and shall file five copies of the final plat and the application with the Town Clerk. The land divider shall file the final plat with the Town Clerk not later than 36 months after the date of approval of the preliminary plat; otherwise, the preliminary plat and the final plat will be considered void, unless an extension is granted in writing to the land divider and for good cause as determined in the sole judgment of the Town Board. The land divider shall also submit with the final plat a certificate of ownership as required by § 236.21(2), Wis. Stats., or registered property report and such other evidence as the Town Board or Town Attorney may require showing title or control in the applicant.

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- (2) Three copies of a draft of the legal instruments and rules for the proposed property owners' association, when the land divider proposes that common property within a land division be either owned or maintained by such an organization of property owners or a subunit of the Town pursuant to § 236.293, Wis. Stats., and proposed deed restrictions and/or restrictive covenants shall be submitted at the time of filing of the final plat with the Town Clerk. (Note: Deed restrictions and restrictive covenants in subdivisions may be private contractual agreements not enforceable by the Town.)
- (3) The land divider shall, within five days after filing of the preliminary plat and letter of application, transmit copies of the preliminary plat to other state and local agencies as required by state statutes, Wisconsin Administrative Code, Green County ordinances or Town of New Glarus ordinances and such other copies as may be required to be transmitted.
- (4) The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances and state laws and shall be submitted for certification of those agencies having the authority to object as provided by § 236.12(2), Wis. Stats.
- (5) Public improvements, plans and specifications. Simultaneously with the filing of the preliminary plat, the land divider shall file with the Town Clerk three complete sets of engineering reports, plans and specifications for the construction of any public improvements required by this chapter, specifically addressing drainage facilities, traffic patterns, typical street cross sections, erosion control plans, pavement design and other improvements necessary in the land division.
- (6) The Town Clerk shall refer two copies to the Town Engineer. The abstract of title or registered property report shall be referred to the Town Attorney for examination and report. The Town Clerk shall also refer the final plans and specifications of public improvements to the Town Engineer for review. The Town Engineer shall examine the final plat or map and final plans and specifications of public improvements for technical details and, if the Town Engineer finds them satisfactory, shall so certify in writing to the Town Board. If the final plat or map or plans and specifications of public improvements are not satisfactory, the Town Engineer shall return them to the land divider and advise the Town Board, in writing, as to the items which are not satisfactory.
- (7) Street plans and profiles. The land divider shall provide plans showing existing ground surface, and proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed land division when requested by the Town Board or the Town Engineer.

B. Town Board review and approval.

- (1) Within 20 days of the date of receiving the copies of the final plat, any state or county agency having authority to object above shall notify the land divider and all approving or objecting authorities of any objection based upon the failure of the final plat to comply with statutes or rules which its examination is authorized to cover, or, if all objections have been satisfied, it shall so certify on the face of a copy of the final plat and return that copy to the approving authority from which it was received. The land division shall not be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act within the twenty-day limit, it shall be deemed to have no objection to the final plat.
- (2) If the final plat is not submitted within 36 months of the last required approval of the preliminary plat, the Town Board may refuse to approve the final plat.
- (3) The Town Board shall, within 60 days of the date of filing the original final plat with the Town Clerk, approve or reject such final plat unless the time is extended by written agreement with the land divider. If the final plat is rejected, the reasons shall be stated in the minutes of the Town Board meeting and a written statement of the reasons shall be forwarded to the land divider. The

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Town Board may not inscribe its approval on the final plat unless the Town Clerk certifies on the face of the final plat that the copies were forwarded to the objecting agencies as required herein, the date thereof and that no objections have been filed within 20 days or, if filed, such objections have been corrected and all conditions have been met.

- (4) Failure of the Town Board to act within 60 days, the time having not been extended and no unsatisfied objections having been filed, the final plat shall be deemed approved.
 - (5) After the final plat has been approved by the Town Board and required improvements either installed or a contract and sureties ~~insuring~~ ~~ensuring~~ their installation filed, the Town Clerk shall cause the certificate inscribed upon the final plat attesting to such approval to be duly executed, and the final plat shall be returned to the land divider for recording with the County Register of Deeds. The County Register of Deeds cannot record the final plat unless it is offered within 12 months after the date of the last approval of the final plat and within 36 months of the first approval.
 - (6) The land divider shall file eight copies of the final plat with the Town Clerk for distribution to the approving agencies, affected sanitary districts, and other affected agencies for their files.
- C. Partial platting. The final plat may, if permitted by the Town Board in its sole discretion, constitute only a portion of the approved preliminary plat which the land divider proposes to record at that time.

§ 110-15 **Replat.**

- A. When it is proposed to replat a recorded subdivision, or part thereof, so as to change the boundaries of a recorded subdivision, or part thereof, the land divider or person wishing to replat shall simultaneously vacate or alter the recorded plat as provided in §§ 236.40 through 236.44, Wis. Stats. The land divider or person wishing to replat shall then proceed using the procedures for preliminary and final plats contained in this chapter.
- B. The Town Clerk shall schedule a public hearing before the Town Board when a preliminary plat of a replat of lands within the Town is filed and shall cause notices of the proposed replat and public hearing to be mailed to the applicant and to the owners of all properties within the limits of the exterior boundaries of the proposed replat, to all abutting property owners, and to the owners of all properties within 600 feet of the exterior boundaries of the proposed replat.
- C. Where lots are more than double the minimum size required for the applicable zoning district, the Town Board may require that such lots be arranged so as to allow the resubdivision of such parcels into normal lots in accordance with the provisions of this chapter.

Article V

Technical Requirements for Plats and Certified Surveys

§ 110-16 **Technical requirements for preliminary plats.**

- A. General. When a land divider proposes to create a major subdivision, the land divider shall provide a preliminary plat prior to submitting a final plat. It shall be clearly marked "preliminary plat" and shall be in sufficient detail to determine whether the final plat will meet layout requirements. The preliminary plat shall be based upon a survey by a registered land surveyor, prepared on Mylar or paper of good quality at a scale of no less detail than 100 feet to the inch and shall comply in all respects with the requirements of Ch. 236, Wis. Stats., and this chapter.
- B. Plat data. A preliminary plat shall show correctly on its face the following information:
 - (1) Title under which the proposed subdivision is to be recorded.
 - (2) Location of the proposed subdivision by government lot, quarter section, township, range, county,

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and state.

- (3) Date, scale, and North point.
- (4) Names and addresses of the owner, land divider, and land surveyor preparing the plat.
- (5) Entire area contiguous to the proposed plat owned or controlled by the land divider, even though only a portion of such area is proposed for immediate development. The Town Board may waive this requirement where it is unnecessary to fulfill the purposes and intent of this chapter and undue hardship would result from strict application thereof.
- (6) Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks, and other significant features within the tract being subdivided or immediately adjacent thereto.
- (7) Location, right-of-way width, and names of all existing streets, alleys or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (8) Location and names of any adjacent subdivisions, parks and cemeteries and owners of record of abutting unplatted lands.
- (9) Type and width of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto, together with any legally established center-line elevations.
- (10) If applicable, location, size, and invert elevation of any existing sanitary or storm sewers, culverts and drainpipes, the location of manholes, catch basins, hydrants, and electric and communication facilities, whether overhead or underground, and the location and size of any existing utility mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by the direction and distance from the tract, size, and invert elevations, assuming the availability of such sewer and water mains is consistent with the Master Plan of the Village of New Glarus.
- (11) Corporate limit lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (12) Existing zoning on and adjacent to the proposed subdivision.
- (13) Contours within the exterior boundaries of the plat and extending to the center line of adjacent public streets to national map accuracy standards based upon mean sea level datum at vertical intervals of not more than two feet. At least two permanent bench marks shall be located in the immediate vicinity of the plat; the location of the bench marks shall be indicated on the plat, together with their elevations referenced to mean sea level datum and the monumentation of the bench marks clearly and completely described. Where, in the judgment of the Town Engineer, undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used.
- (14) High-water elevation of all ponds, streams, lakes, flowages, and wetlands within the exterior boundaries of the plat or located within 100 feet therefrom.
- (15) Water elevation of all ponds, streams, lakes, flowages, and wetlands within the exterior boundaries of the plat or located within 100 feet therefrom at the date of the survey.
- (16) Floodland and shoreland boundaries and the contour line lying a vertical distance of two feet above the elevation of the one-hundred-year recurrence interval flood or, where such data is not available,

two feet above the elevation of the maximum flood of record within the exterior boundaries of the plat or within 100 feet therefrom.

- (17) Soil types and their boundaries, as shown on the operational soil survey maps prepared by the United States Department of Agriculture, Soil Conservation Service.
 - (18) Location, width, and names of all proposed streets and public rights-of-way, such as alleys and easements.
 - (19) Approximate dimensions of all lots together with proposed lot and block numbers. The area in acreage or square feet of each lot shall be provided.
 - (20) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, conservancy areas, recreational trails, drainageways, or other public uses or which are to be used for group housing, shopping centers, church sites, or other nonpublic uses not requiring lotting.
 - (21) Location of building envelopes within each lot.
 - (22) Identification of the land area that is to be deed restricted, dedicated, or otherwise protected from future development in order to meet the definition of a cluster subdivision.
 - (23) Approximate radii of all curves.
 - (24) Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to access.
 - (25) Any proposed lake and stream improvement or relocation, and notice of application for approval by the Department of Natural Resources, when applicable.
 - (26) Identification of land that has a slope of 20% or more.
 - (27) Location of any proposed overhead utility poles and service or transmission lines.
 - (28) Define open space for Normal Density Development.
- C. Additional information. Where the Town Board or Town Engineer finds that it requires additional information relative to a particular problem presented by a proposed development in order to review the preliminary plat, it shall have the authority to request in writing such information from the land divider.

§ 110-17 **Technical requirements for final plats.**

- A. General. A final plat prepared by a registered land surveyor shall be required for all major subdivisions. It shall comply in all respects with the requirements of § 236.20, Wis. Stats., and this chapter.
- B. Additional information. The final plat shall show correctly on its face, in addition to the information required by § 236.20, Wis. Stats., the following:
 - (1) All lands reserved for future public acquisition or reserved for the common use of property owners within the plat.
 - (2) Special restrictions required by the Town Board relating to access control along public ways or to the provision of planting strips.
 - (3) Identification of land that is to be deed restricted, dedicated, or otherwise protected from future development.

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- C. Deed restrictions. Restrictive covenants, affidavits for open space and deed restrictions for the proposed subdivision shall be filed with the final plat.
- D. Property owners' association. The legal instruments creating a property owners' association for the ownership and/or maintenance of common lands in the subdivision shall be filed with the final plat.
- E. Surveying and monumenting. All final plats shall meet all the surveying and monumenting requirements of § 236.15, Wis. Stats.
- F. State plane coordinate system. Where the plat is located within a quarter section, the corners of which have been relocated, monumented and coordinated by the Town, the plat shall be tied directly to one of the section or quarter corners so relocated, monumented, and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the plat is tied shall be indicated on the plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone, and adjusted to the Town's control survey.
- G. Certificates. All final plats shall provide all the certificates required by § 236.21, Wis. Stats., and in addition the surveyor shall certify that he has fully complied with all the provisions of this chapter.

§ 110-18 **Certified survey map procedure and requirements.**

- A. Certified survey requirements. When a land divider proposes to create a minor subdivision or to create lot(s) restricted to no residential development, the land divider shall subdivide by use of a certified survey map prepared in accordance with § 236.34, Wis. Stats., and this chapter.
- B. Preliminary consultation. Before filing a certified survey map, the land divider shall consult with the Plan Commission for advice regarding the requirements for certified surveys. Information on meeting dates, agenda deadlines and filing requirements may be obtained from the Plan Administrator. This consultation is intended to inform the land divider of the purpose and objectives of these regulations, the Town Land Use Plan, and duly adopted plan implementation devices of the Town and otherwise to assist the land divider in planning his development. In so doing, both the land divider and the Town may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and community, and the land divider may gain a better understanding of the subsequent required procedures. Following this consultation, the Plan Commission shall submit its written recommendations to the Town Board. Such written recommendations shall be submitted within 20 days of the consultation.
- C. Submission and review.
 - (1) Following consultation, five copies of the final map in the form of a certified survey map shall be submitted to the Town Clerk. The certified survey shall be reviewed, approved or disapproved by the Town Board pursuant to the procedures in this section. Town review and action shall be completed within 90 days of proper filing with the Town Clerk.
 - (2) The Town Clerk shall give notice of the Town Board's review of the certified survey by listing it as an agenda item in the Board's posted meeting notice. The notice shall include the name of the applicant, the address of the property in question and the requested action.
 - (3) The Town Clerk shall schedule a public hearing on the certified survey before the Town Board. The Town Clerk shall give notice of the Town Board's review and public hearing on the certified survey by listing it as an agenda item in the Board's posted meeting notice. The applicant shall also be notified. The notice shall include the name of the applicant, the address of the property in question and the requested action. Abutting property owners and property owners within 600 feet of the applicant's total parcel shall receive written notice of the public hearing.

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D. Additional map information. The certified survey map shall show correctly on its face, in addition to the information required by § 236.34, Wis. Stats., the following:

- (1) All existing buildings, watercourses, drainage ditches and other features pertinent to proper division.
- (2) All lands reserved for future public acquisition.
- (3) Date of the map.
- (4) Graphic scale.
- (5) Name and address of the owner, land divider, and surveyor.
- (6) Square footage of each parcel.
- (7) Present zoning for parcels.
- (8) Identification of land that has a slope of 20% or more that is within 100 feet of building envelopes and/or road construction sites.

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E. Supplemental data. In addition to information on the face of the certified survey, land dividers shall provide the Town with the following information to assist the Town in its review of a proposed certified survey:

- (1) Property owners' association; restrictive covenants. Three copies of a draft of the legal instruments and rules for proposed property owners' associations, when the land divider proposes that common property within a certified survey land division would be either owned or maintained by such an organization of property owners or a subunit of the Town pursuant to § 236.293, Wis. Stats., and proposed deed restrictions or restrictive covenants shall be submitted at the time of filing the certified survey with the Town Clerk which shall identify dedications of land and easements which the land divider proposes to make and shall indicate by accompanying letter when the improvements will be provided.
- (2) Use statement. A statement of the proposed use of the lots, stating type of residential buildings, with number of proposed dwelling units, and types of business or industry so as to reveal the effect of the development on traffic, fire hazards and congestion of population.
- (3) Zoning changes. If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions.
- (4) Area plan. Where the land divider owns property adjacent to that which is being proposed for the land division, the Town Board may require that the land divider submit a concept plan of the remainder of the property so as to show the possible relationships between the proposed land division and future land divisions. In any event, all land divisions must be shown to relate well with existing or potential adjacent land divisions.
- (5) Adjacent land divisions. A record of any adjacent land divisions made within the last five years.
- (6) Street plans and profiles. When made necessary by the certified survey land division, the land divider shall provide street plans and profiles showing existing ground surface, and proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed land division when requested.
- (7) Soil testing. Pursuant to the public policy concerns prescribed in this chapter, the Town Board may

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require that borings and soundings be made in specified areas to ascertain subsurface soil, rock, and water conditions, including depth to bedrock and depth to groundwater table.

- (8) Define 91% open spaces for normal density development or 85% open spaces required for cluster development.
- F. Drafting standards. The land divider shall submit to the Town Clerk copies of a certified survey which shall identify dedications of land and easements which the land divider proposes to make and shall indicate by accompanying letter when the improvements will be provided.
- G. State plane coordinate system. Where the map is located within a quarter section, the corners of which have been relocated, monumented and coordinated by the Town, the map shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinate of the monument marking the relocated section or quarter corner to which the map is tied shall be indicated on the map. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone, and adjusted to the Town's control survey.
- H. Certificates. All certified survey maps shall provide all the certificates required by § 236.34, Wis. Stats., and in addition the surveyor shall certify on the face of the certified survey map that he has fully complied with all the provisions of this chapter. The Town Board, after a recommendation by the reviewing agencies, shall certify its approval on the face of the map.
- I. Street dedication. Dedication of streets and other public areas shall require, in addition, the owner's certificate and the mortgagee's certificate in substantially the same form as required by § 236.21(2)(a), Wis. Stats.
- J. General requirements, design standards and improvements. To the extent reasonably practicable, the land divider with a certified survey shall comply with the provisions of this chapter relating to general requirements and design standards and required improvements prescribed in Articles VI, VII and VIII.

Article VI Required Improvements

§ 110-19 Liability for costs; general standards.

- A. Payment for improvements. The improvements prescribed in this chapter are required as a condition of approval of a land division. The required improvements described in this chapter shall be installed, furnished and financed at the sole expense of the land divider. However, in the case of required improvements in a commercial or industrial area, the cost of such improvements may, at the sole discretion of the Town Board, be financed through special assessments.
- B. General standards. The following required improvements in this chapter shall be designed and installed in accordance with the engineering standards and specifications which have been adopted or approved by the Town Board. Where standards and specifications have not been adopted, the improvements shall be made in accordance with good and accepted engineering practices. All engineering designs, standards and specifications must be approved by the Town Engineer prior to the start of any construction.

§ 110-20 Developer's agreement.

- A. Contract. Prior to installation of any required improvements and prior to the meeting at which the final plat or certified survey map is approved, the land divider shall enter into a written contract, termed a "developer's agreement," with the Town requiring the land divider to furnish and construct said improvements at his sole cost and in accordance with plans and specifications and usual contract conditions, which shall include provision for inspection and approval of construction details by the Town Engineer. Note: There are County and Town provisions that limit the number of residences served

by a private road.

B. Financial guarantees.

- (1) The developer's agreement shall require the land divider to make an escrow deposit or a performance bond or irrevocable letter of credit. The amount shall be equal to 110 % of the Town Engineer's estimate of the total cost of the improvements to be furnished under the contract, including the cost of inspections and approvals by the Town Engineer.
- (2) The land divider may construct the project in phases as the Town Board approves, said approval not being unreasonably withheld. If the project is to be constructed in phases, the amount of the required financial guarantees shall be applied and complied with on a phase by phase basis.
- (3) The land divider shall, upon substantial completion of improvements, maintain a performance bond or letter of credit in the amount of the total cost to complete any public improvements plus 10%. Substantial completion of improvements shall mean when the binder coat is installed on roads to be dedicated to the Town or when there is no road dedication, when 90% of public improvements are accepted. The land divider will be required to maintain this security up to 12 months from the substantial completion or until the improvements are accepted by the Town.
- (4) If the required improvements are not completed within the specified period, all amounts held under performance bond, deposit or letters of credit shall be turned over to the Town of New Glarus and applied to the cost of the required improvements. Any balance remaining after such improvements have been made shall be returned to the owner or land divider.
- (5) The Town Board, at its option, may require extension of the bond, deposit or letter of credit period for additional periods not to exceed two years for each additional period.
- (6) The time for completion of the required improvements, and the several parts thereof, shall be determined by the Town Board upon recommendation of the Town Engineer. The Town Engineer shall consult with the land divider regarding the establishment of the time for completion of the required improvements. The completion date shall be a component of the developer's agreement. The Town Board may, in its sole discretion, provide such penalties as it deems appropriate to ensure the timely completion of the required improvements.
- (7) The land divider shall pay the Town of New Glarus for all costs incurred by the Town for review, approval and inspection of the subdivision. Such costs shall include, but not be limited to, the review, and preparation at the Town Board's sole discretion, of plans and specifications by the Town Engineer; the review, and preparation at the Town Board's sole discretion, of legal documents, plans and specifications by the Town Attorney; as well as all other costs of a similar nature which are related to the review, approval and inspection of the subdivision.

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§ 110-21 **Required construction plans; Town review; inspections.**

A. Engineering reports, construction plans, and specifications.

- (1) At the time of submission of the final plat, engineering reports, plans and proposed specifications shall be submitted, or, when necessary for a minor subdivision, upon the filing of a certified survey map, construction plans for the required improvements conforming in all respects to the standards established by the Town Engineer and the ordinances of the Town shall be prepared at the land divider's expense by a professional engineer who is registered in the State of Wisconsin, and such plans shall contain the professional engineer's seal. Such plans, together with the quantities of construction items, shall be submitted to the Town Engineer for his approval prior to signing the final plat and for his estimate of the total costs of the required improvements; upon approval the construction plans shall become part of the contract required.

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(2) Simultaneously with the filing of the final plat with the Town Clerk, or, when necessary, upon the filing of a certified survey map, or as soon thereafter as practicable, copies of the construction plans and specifications, where applicable, shall be furnished for the following public improvements, with a copy sent to the appropriate sanitary district:

- (a) Street plans and profiles showing existing and proposed grades, elevations and cross sections of required improvements.
- (b) Storm sewer and open channel plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.
- (c) Erosion and sedimentation control plans showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion and sedimentation. Such plans shall comply with the Town's Erosion and Stormwater Runoff Control Ordinance (Building Code).
- (d) Additional special plans or information required by the Town Board, Town Engineer or other parties designated by the Town Board.

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B. Action by the Town Engineer. The Town Engineer shall review or cause to be reviewed the plans and specifications for conformance with the requirements of this chapter and other pertinent Town ordinances and design standards recommended by the Town Engineer and approved by the Town Board. If the Town Engineer rejects the plans and specifications, the Town Engineer shall notify the land divider, who shall modify the plans or specifications or both accordingly. When the plans and specifications are corrected, the Town Engineer shall approve the plans and specifications for transmittal to the Town Board. The Town Board shall approve the plans and specifications before the improvements are installed and construction commenced.

C. Construction and inspection.

- (1) Prior to starting any work covered by the plans approved above, written authorization to start the work shall be obtained from the Town Engineer upon receipt of all necessary permits and in accordance with the construction methods of this chapter. Occupancy permits shall not be issued until all improvements required by this chapter are satisfactorily completed.
- (2) Construction of all improvements required by this chapter shall be completed within two years from the date of the approval of the preliminary plat or certified survey map by the Town Board, unless good cause can be shown for the Town Board to grant an extension. Any request for an extension of the construction completion date shall be made in writing to the Town Clerk and shall state the reasons for the requested extension. The Town Board may, in its sole discretion, grant such an extension.
- (3) During the course of construction, the Town Engineer shall make such inspections as the Town Board deems necessary to ensure compliance with the plans and specifications as approved. The owner shall pay the actual costs incurred by the Town for such inspections. This fee shall be the actual costs to the Town of inspectors, engineers and other parties necessary to ensure satisfactory work.

(4) Where requested by the Building Inspector, the owner shall cause to be marked the cluster envelope in a permanent manner.

§ 110-22 Street improvements.

The land divider shall construct streets, roads, and alleys as outlined on the approved plans based on the requirements of this chapter.

A. Street construction standards. The design and construction of all roads, streets and alleys in the Town

shall fully comply with the requirements and specifications established by the Town of New Glarus. After applicable utilities have been installed, where required by the Town, the land divider shall construct, as part of the subdivision, all required streets.

B. Completion of street and sidewalk construction.

- (1) Prior to any occupancy permits being issued on lands adjacent to streets, required street construction in conformance with the developer's agreement shall be completed by the land divider, inspected and approved by the Town Engineer, and accepted by the Town Board.
- (2) The Town Board may issue a waiver of these requirements in unusual or special circumstances such as excessively severe weather conditions, heavy construction temporarily in area, or construction material shortages (i.e., cement or asphalt). The issuance of a waiver shall be at the sole discretion of the Town Board.
- (3) The land divider requesting a waiver shall do so in writing, presenting such information and documentation as required by the Town Board. The waiver shall be in written form and shall detail which improvement requirements are temporarily waived and for what period of time.

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C. Mailbox placement on streets. In order to facilitate the economical delivery of mail and promote public safety, the Town establishes the following standards to govern the placement and construction of mailboxes on Town roads and streets. All mailboxes serving new parcels, and mailboxes constructed to replace existing mailboxes, shall comply with the standards of this section.

- (1) Location – Typical Town roads and streets: The United States Postal Service, USPS may elect to require that all mailboxes be placed on one side of a road, be clustered in one location, or otherwise placed to facilitate the delivery of mail. All new mailboxes shall be constructed at the locations and in the manner directed by the USPS, will determine which side of the street mailboxes will be located. The USPS has adopted guidelines for height of mailboxes and the distance the mailbox shall be from the edge of the paved surface of the road pavement. The USPS guidelines are incorporated by reference, including all future amendments. In the event of a conflict with the other provisions of this ordinance, the USPS guidelines shall control.
- (2) Location – Cul-de-sac streets: Where a driveway for a parcel is located on the bulb portion of a cul-de-sac, the mailbox for the property shall be clustered with mailboxes for other driveways at a location approved by the United States Postal Service and the Town Patrolman. The location of the mailbox cluster may be outside of entry to the cul-de-sac bulb at a location convenient for winter maintenance of the roadway.
- (3) NoAny part of the mailbox, including mounting pole, must may be less than 2.5' (two ½ feet) a minimum of 24 inches from the edge of the road pavement. Any part of the mailbox, including mounting pole, must be a minimum of 2.5' (two ½ feet) from road pavement. If location is less than 2.5' (two ½ feet) 24 inches, the Town will not repair or replace the mailbox if damaged by the snow plow.
- (4) The face of the mailbox shall be no closer than 2.5' (two ½ feet) from the edge of the pavement and the mailbox shall be positioned to the right side of the driveway as you face the property from the road. The Postmaster shall determine what side of the road the mailboxes are located. Mailboxes need to be located on the right side, as you exit, of a driveway. This applies if placement of mailboxes on the road is on property owner's driveway side.
- (5) The Town will only reimburse property owners for damage or destruction of mailboxes only if the mailbox is located at least 2-feet (two-feet) from the edge of the pavement, and then, only if the Town concludes, in its discretion, that the damage resulted from lack of due care by the Town. The

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Town will only reimburse for damage or destruction of mailboxes caused by the Town that comply with this ~~the~~ mailbox placement ordinance. This ~~subsection-ordinance~~ does not apply to county or state highways.

~~(6)~~ Mailboxes and their supports shall be constructed of wood, plastic, aluminum or metal pipes or other materials which will break on impact with a motor vehicle. Mailboxes may not be constructed on supports of brick, concrete, heavy wood or other materials which will cause significant damage in the event of a vehicle collision. All mailboxes being installed after the adoption of this subsection must comply with its requirements.

~~(7)~~ This ordinance does not apply to state or county highways, which are managed by the Green County Highway Department.

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§ 110-23 Sanitary sewerage system.

- A. Private sewage disposal systems shall comply with the appropriate provisions of the Wisconsin Statutes, the Wisconsin Administrative Code and Register and Green County ordinances.
- B. Public sewerage systems established with sanitary districts or connected to the Village of New Glarus collection and treatment systems shall comply with Town of New Glarus engineering requirements or Village of New Glarus ordinances.
- C. Public sanitary sewerage service shall be required at the time of initial development for land divisions meeting the following criteria:

- (1) Developments that are located within the Agricultural Transition District (A-T) and are zoned A-T in accordance with the Village of New Glarus Zoning Map as currently approved; and
- (2) The land division, or last in a series of land divisions, results in the creation of five or more lots or building sites from the existing parcel as it was configured on October 13, 1997, including lots created via separate land divisions and all residences on the parcel before October 13, 1997.

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§ 110-24 Stormwater drainage facilities.

- A. Pursuant to § 110-33, the land divider shall provide stormwater drainage facilities which may include curb and gutter, catch basins and inlets, storm sewers, road ditches, and open channels, as may be required. Storm sewers are to be of adequate size and grade to hydraulically accommodate the ten-year storm; culverts, stormwater swales and ditches shall be designed to accommodate the ten-year storm and shall be sized so that the twenty-five-year frequency storms do not cause flooding of adjacent arterial or collector streets.
- B. Storm drainage facilities shall be so designed as to minimize hazards to life or property, and the size, type and installation of all stormwater drains and sewers proposed to be constructed shall be in accordance with the plans and specifications approved by the Town Board, upon the recommendation of the Town Engineer. Storm sewers oversized to handle runoff from off-site properties will be installed by the land divider; however, the cost of oversizing above a twenty-four-inch-diameter storm sewer shall be paid by other users connecting to the system.

§ 110-25 Utility services for land divisions.

- A. The land divider of a subdivision shall cause electrical power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision.
- B. In all new utility services for major, minor cluster, or large lot developments, the electrical distribution and service voltage lines, cable lines, telephone lines which serve the subdivision shall be underground unless the Town Board specifically allows overhead poles for the following reasons:

(1) Topography, soil, water table, solid rock, boulders, or other physical conditions would make underground installation unreasonable or impractical; or

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(2) The lots to be served by said facilities can be served directly from existing overhead facilities.

C. For all new utility services for lots defined pre-ordinance (before October 13, 1997), the service voltage electrical lines shall be underground.

§ 110-26 Street signs and lighting.

A. The land divider shall furnish and install street signs in the subdivision in such locations as the Town Board may determine. Such signs include traffic control signs. The Town Board or its designee shall determine the design and construction standards for all such street signs.

B. The Town Board, in its sole discretion, may require the land divider to furnish and install streetlights in such locations as the Town Board may require. The Town Board or its designee shall determine the design and construction standards for all such streetlights.

§ 110-27 Erosion control.

The land divider shall cause all grading, excavations, open cuts, side slopes, and other land surface disturbances to be mulched, seeded, sodded or otherwise protected so that erosion, siltation, sedimentation, and washing are prevented. The land divider shall prepare and submit an erosion control plan that identifies measures that will be taken to assure compliance and the minimization of erosion problems within the land division.

**§ 110-28 Partition fences.
[Amended 8-11-2015]**

When ~~the~~ land that is developed abuts upon or is adjacent to land used for agriculture, farming or grazing purposes, the land divider shall, if requested by adjacent landowners, erect, keep, and maintain partition fences, satisfying the requirements of the Wisconsin Statutes for a legal and sufficient fence, between such land and the adjacent land. A covenant binding the developer, its grantees, heirs, successors, and assigns to erect and maintain such fences, without cost to the adjoining property owners, so long as the land is used for agriculture, farming or grazing purposes, shall be included upon the face of the final plat or certified survey map. Land included in a major subdivision that requires partition fences under Wisconsin State Statute 236.02 will be required to construct partition fencing as outlined in Wisconsin State Statute 60.23. Details and specifications of these improvements will be included in the developer's agreement (see §110.20) for the plat or certified survey.

§ 110-29 Easements.

A. Utility easements. The Town Board, on the recommendation of the appropriate agencies serving the Town, shall require utility easements for poles, wire, conduits, storm and sanitary sewers, gas, water and head mains, or other utility lines. It is the intent of this chapter to protect all established easements so as to assure proper grade, assure maintenance of the established grade, prohibit construction of permanent fences or retaining walls over underground installation and prevent the planting of trees and shrubbery in the easement area.

B. Drainage easements.

(1) Where a subdivision is traversed by a watercourse, drainageway, channel or stream:

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(a) There shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width or construction, or both; as will be adequate for the purpose and as may be necessary to comply with this section; or

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(b) The watercourse, drainageway, channel or stream may be relocated in such a manner that the maintenance of adequate drainage will be assured and the same provided with a stormwater easement or drainage right-of-way conforming to the lines of the relocated watercourse and such further width or construction, or both, as will be adequate for the purpose and may be necessary to comply with this section.

(2) Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume flow. In all cases, such watercourse shall be of a minimum width established at the high-water mark or, in the absence of such specification, not less than 30 feet. If, in the opinion of the Town Engineer, the easement will be for a major drainage swale, the easement shall be of sufficient width to contain one-hundred-year frequency storm. If the drainage easement is located in an established floodway or flood-fringe district, the entire floodplain area shall be included within the drainage easement.

C. Trail easements. Developers will work with the Town Board to establish a multi-use (non-motor) trail easements 15' from the Town right-of-way as identified in the Town of New Glarus Comprehensive Outdoor Recreational Plan on all new land divisions.

D. Easement locations. Evidence shall be furnished to the Town Board that easements and any easement provisions to be incorporated in the plat or in deeds have been reviewed by the individual utility companies or the organization responsible for furnishing the services involved.

Article VII Design Standards

§ 110-30 General street design standards.

Street design standards to be followed shall be those prescribed by the Town Board.

§ 110-31 Pedestrian pathways.

Pedestrian pathways, preferably acquired by easement, may be required by the Town Board where deemed essential to provide circulation or access to schools, playgrounds, public recreation areas, shopping centers, transportation, and other community facilities.

§ 110-32 Lot design standards.

A. Size.

- (1) Lot sizes shall be appropriate for the location, zoning, type of sewerage or septic system to be utilized, and for the type of land division contemplated. The following lot size requirements shall be met:
 - (a) For land divisions to be immediately provided with public sanitary sewerage service at the time of initial land development, the minimum lot size shall be 20,000 square feet.
 - (b) In all other areas within the Town which are served by private sewer systems, the minimum lot size shall be two acres.
- (2) Residential lots within each block shall have a minimum average depth of 100 feet. Excessive depth in relation to width shall be avoided and a proportion of 2:1 shall be considered a desirable ratio under normal conditions.
- (3) Every lot on a public or private street shall front or abut for a distance of at least 66 feet ~~on a public street and 30 feet for a cul-de-sac.~~
- (4) Every lot on a cul-de-sac shall front or abut for a distance of at least 30 feet. No more than 4 lots may abut the "bulb" portion of a cul-de-sac without enlarging the diameter of the bulb.

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- (5) Width of lots shall conform to the requirements of the Green County Zoning Code.
- B. Commercial lots. Depth and width of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated, as required by the Green County Zoning Code.
- C. Lots where abutting major thoroughfare. Residential lots fronting on a major thoroughfare shall be platted with extra depth or designed to alleviate the effect of major street traffic on residential occupancy.
- D. Corner lots. Corner lots for residential use shall have extra width of 10 feet to permit building setback from both streets, or as required by the Green County Zoning Code.
- E. Side lots. Where practical, side lot lines shall be substantially at right angles to or radial to abutting street lines. Lot lines shall follow Town boundary lines.
- F. Through lots and reversed frontage lots. Through lots and reversed frontage lots shall be avoided for residential lots, except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- G. Natural features. In the subdividing of any land, regard shall be shown for all natural features, such as tree growth, watercourses, historic spots or similar conditions, which, if preserved, will add attractiveness and stability to the proposed development.
- H. Land remnants. All remnants of lots below minimum lot and/or dimension size left over after land division of a larger tract must be added to adjacent lots or a plan shown as to future use rather than allowed to remain as unusable parcels. (See definition)
- I. Building-Cluster envelope placement. The land divider shall meet the following standards with respect to location of the building envelopes:
- (1) All building-cluster envelopes shall be located within a lot such that all minimum setback, side yard, or rear yard requirements of the Green County Zoning Code and any applicable restrictions or requirements of the Land Use Plan or ordinances adopted by the Town Board are met.
 - (2) No building-cluster envelope may be located on a hillside with a slope of 20% or more unless the land divider has submitted, and the Town Engineer and Town Board have approved, construction plans and specifications, including an erosion control plan.
- J. Cluster development lot layout. When the land divider proposes to subdivide land using the provisions of a cluster development, the land divider shall provide an exhibit of the development depicting proposed cluster envelopes for each lot and how the arrangements of the lots meet the principles of a cluster development in this Chapter. The exhibit shall be to a standard scale and shall include the location, dimension, and area of the building envelopes proposed for each lot. A written report by the Technical Review (Feasibility) Committee Chair (or designee) shall be submitted to the Town Board.

§ 110-33 **Drainage system.**

- A. Drainage system required. As required by this chapter and/or where recommended by the Town Engineer, a drainage system shall be designed and constructed by the land divider to provide for the proper drainage of the surface water of the major subdivision and the drainage area of which it is a part. A final plat shall not be approved until the land divider shall submit plans, profiles and specifications as specified in this section which have been prepared by a registered professional engineer and approved by the Town Board and Town Engineer.

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B. Drainage system plans.

(1) The land divider shall submit to the Town at the time of filing a final plat a final drainage plan or engineering report on the ability of existing watercourse channels, storm sewers, culverts and other improvements pertaining to drainage or flood control within the land division to handle the additional runoff which would be generated by the development of the land within the land division. Additional information shall be submitted to adequately indicate that provision has been made for disposal of surface water without any damage to the developed or undeveloped land downstream or below the proposed land division. The report shall also include:

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(a) Estimates of the quantity of stormwater entering the land division naturally from areas outside the subdivision.

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(b) Quantities of flow at each inlet or culvert.

(c) Location, sizes and grades of required culverts, storm drainage sewers and other required appurtenances.

(2) A grading plan for the streets, blocks and lots shall be submitted by the land divider for the area within the land division.

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(3) The design criteria for storm drainage systems shall be based upon standard engineering information and accepted engineering techniques and models.

(4) Material and construction specifications for all drainage projects (i.e., pipe, culverts, seed, sod, etc.) shall be in compliance with specifications provided by the Town Board, upon the recommendation of the Town Engineer.

C. Grading. The land divider shall grade each subdivision in order to establish street, block, and lot grades in proper relation to each other and to topography. The land divider shall grade the full width of the right-of-way of all proposed streets in accordance with the approved plans.

D. Drainage system requirements. The land divider shall install all the storm drainage facilities indicated on the plans required in Subsection A of this section.

(1) Street drainage. All streets shall be provided with an adequate storm drainage system. The street storm system shall serve as the primary drainage system and shall be designed to carry street, adjacent land and building stormwater drainage.

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(2) Off-street drainage. The design of the off-street drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage. When the drainage system is outside of the street right-of-way, the land divider shall make provisions for dedicating an easement to the Town to provide for the future maintenance of said system. Easements shall be a minimum of 20 feet, but the Town may require larger easements if more area is needed due to topography, size of watercourse, etc.

E. Protection of drainage systems. The land divider shall adequately protect all ditches to the satisfaction of the Town Board and Town Engineer. Ditches and open channels shall be seeded, sodded, rip-rapped or paved depending upon grades and soil types.

§ 110-34 **Nonresidential land divisions.**

A. General.

(1) If a proposed land division includes land that is zoned for commercial or industrial purposes, the

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layout of the land division with respect to such land shall make such provisions as the Town may require.

- (2) A nonresidential land division shall also be subject to all the requirements of site plan approval set forth in the Town Building Code. A nonresidential land division shall be subject to all the requirements of this chapter as well as such additional standards required by the Town and shall conform to the proposed land use standards established by any Town Master, Land Use Plan, the Green County Zoning Code, or ETZ Ordinance as applicable.
- B. Standards. In addition to the principles and standards in this chapter, which are appropriate to the planning of all land divisions, the applicant shall demonstrate to the satisfaction of the Town Board that the street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:
- (1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
 - (2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
 - (3) Special requirements may be imposed by the Town Board with respect to street design and construction.
 - (4) Special requirements may be imposed by the Town Board with respect to the installation of public utilities, including water, sewer, and stormwater drainage.
 - (5) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial land division, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for permanently landscaped buffer strips when necessary.
 - (6) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

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Article VIII Development Density

§ 110-35 Normal and cluster density.

A. Normal density, 91% open space.

- (1) All existing parcels less than 70 acres as of October 13, 1997, shall have no more than one residential building site. If such existing parcels already possess a residence, no additional residential building sites shall be granted.
 - (2) All parcels 70 acres or more shall have the number of building sites determined as follows: the number of acres is divided by 35 and the resulting number is rounded down to the next whole number. That resulting whole number is the number of permitted building sites. (Examples: 69.9 acres divided by 35 equals 1.997, rounded down gives one building site; 70 acres divided by 35 equals 2.00, rounded down gives two building sites; 104 acres divided by 35 equals 2.97, rounded down gives two building sites.)
- B. All parcels within the Village of New Glarus ETZ Map, Zone A-T, may not be subject to the density requirements of Subsection A above or Subsection C below but must meet the Town plat requirements for public sanitary and public services and must meet the requirements of § 110-32.

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- C. Commercial or industrial development as allowed in areas of normal density does consume a building site and may not occur in open space.
- D. Cluster density, 85% open space. Notwithstanding Subsection **A** above, if cluster development is used under the guidelines of the Amended Town of New Glarus Land Use Plan, dated August 20, 1999, then the number of building sites is determined using the following criteria:
- (1) The minimum number of lots required to qualify as a cluster is three.
 - (2) The cluster development design and layout shall meet the definition of "cluster."
 - (3) Eighty-five percent or greater of the existing parcel shall remain open space.
 - (4) Open space shall be protected from development until at least December 31, 2025, through deed restrictions or affidavits.
 - (5) Open space that is commonly owned by the cluster development shall be managed in a stewardship-like manner to permit active and passive recreational use of the commonly owned open space by residents of the development and be compatible with adjoining land.
 - (6) Open space that continues to be utilized for agricultural purposes shall be utilized in a manner compatible with adjoining restrictions.
 - (7) Fifteen percent or less of the existing parcel may be classified residential and eligible for building permits, if all other code requirements are met.
 - (8) Minimum lot size shall be two acres.
 - (9) Examples.
 - (a) Example No. 1. A forty-acre existing parcel under cluster development would be permitted three building sites (40 acres times 15% divided by two acres equals three). If there is an existing residence, the other two building sites would have to be clustered around the existing residence. If there is no existing residence, the three building sites could be located elsewhere. Any existing parcel less than 40 acres would not be able to take advantage of cluster development.
 - (b) Example No. 2. An existing parcel of 53.34 acres under cluster development would be permitted four building sites (53.34 acres times 15% divided by two acres equals four). If there is an existing residence, the other three building sites could either be clustered around the existing residence or clustered elsewhere.
 - (c) Example No. 3. An eighty-acre existing parcel under cluster development would be permitted six building sites (80 acres times 15% divided by two acres equals six). The developer could have up to two clusters with at least three building sites in each cluster. If there is an existing building site, that site could be unclustered and the other five would then have to be clustered in one location.
 - (10) Only single-family detached dwellings can be included in a cluster development.

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Article IX Variances; Enforcement

§ 110-36 Variations and exceptions.

- A. Where, in the sole judgment of the Town Board, it would be inappropriate to apply literally the

provisions of this chapter because exceptional or undue hardship would result, the Town Board may waive or modify any requirements to the extent deemed just and proper by the Town Board.

- B. Application for any such variance shall be made in writing by the land divider on a form prescribed by the Town. Such application for variance shall be made at the time when the final plat is filed with the Town Clerk for consideration, stating fully all facts relied upon by the petitioner, and shall be supplemented with maps, plans or other additional data which may aid the Town Board in the analysis and evaluation of the requested variance.
- C. The Town Board shall not grant variations or exceptions to the regulations and provisions of this chapter unless it shall make findings based upon the evidence presented to it in each specific case that:
 - (1) The granting of the variation will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located.
 - (2) The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property.
 - (3) Because of the particular surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, financial hardship or self-imposed hardship, if the regulations contained in this chapter were strictly enforced.
- D. The Town Board, if it approves of the request for variance, shall do so by resolution. The Town Clerk shall notify the land divider of the action of the Town Board.
- E. Such relief shall be granted without detriment to the public good and without impairing the intent and purpose of this chapter or the desirable general development of the Town in accordance with any Town Master or Land Use Plan or component thereof, this chapter, or Zoning Code of Green County.
- F. A majority vote of the entire membership of the Town Board shall be required to grant any modification of this chapter. Such vote shall be by roll call of all members, and the reasons for granting or denying the variation shall be entered in the minutes of the Board.
- G. The Town Board may waive the placing of monuments, required under § 236.15(1)(b),(c) and (d), Wis. Stats., for a reasonable time on condition that the land divider execute a surety bond to insure the placing of such monuments within the time required.

§ 110-37 Violations and penalties; appeals.

- A. Violations. It shall be unlawful to build upon, divide, convey, record, or monument any land in violation of this chapter or the Wisconsin Statutes, and no person shall be issued a building permit by the Town authorizing the building on, or improvement of, any land division or replat within the jurisdiction of this chapter not of record as of the effective date of this chapter until the provisions and requirements of this chapter have been met. The Town may institute appropriate action or proceedings to enjoin violations of this chapter or the applicable Wisconsin Statutes.
- B. Penalties.
 - (1) Any person, firm, or corporation who or which fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit no less than \$200 nor more than \$2,000 and the costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof, but not exceeding 90 days. Each day a violation exists or continues shall constitute a separate offense.

- (2) Recordation improperly made has penalties provided in § 236.30, Wis. Stats.
 - (3) Conveyance of lots in unrecorded plats has penalties provided in § 236.31, Wis. Stats.
 - (4) Monuments disturbed or not placed have penalties provided in § 236.32, Wis. Stats.
 - (5) Assessor's plat made under § 70.27, Wis. Stats., may be ordered by the Town at the expense of the land divider when a subdivision is created by successive divisions.
- C. Appeals. Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in §§ 236.13(5) and 62.23(7)(e)10, 14 and 15, Wis. Stats., within 30 days of notification of rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds the action of the approving or objecting agency is arbitrary, unreasonable or discriminatory.

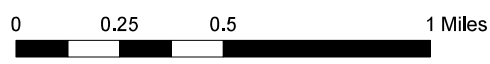
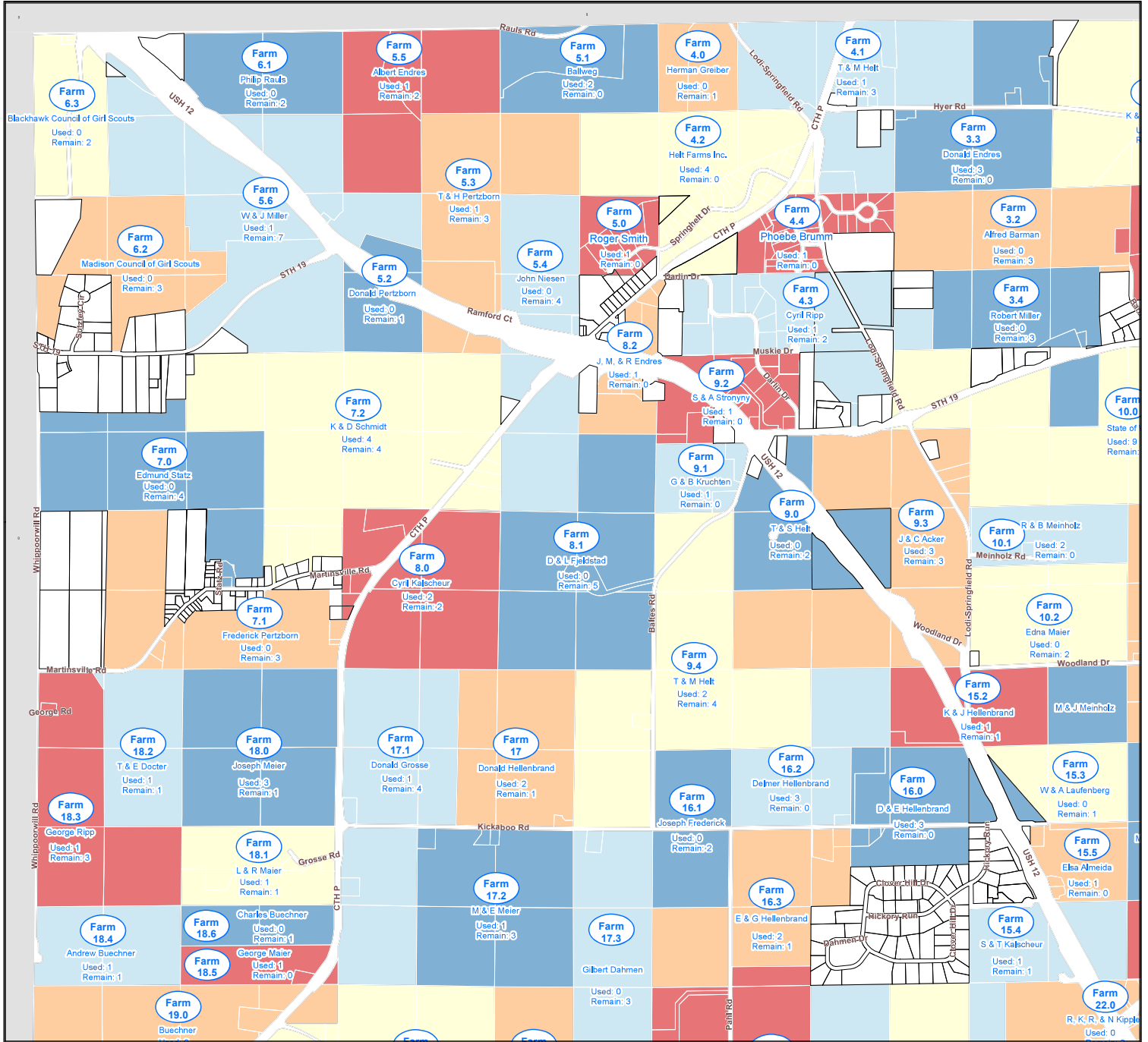
§ 110-38 Annexation and reverse annexation.

- A. Annexation. When part of a contiguous parcel of land under the ownership of one entity is annexed to the Village of New Glarus, the number of acres used to calculate the number of available residential building sites is the total number of acres of the contiguous parcel of land under the ownership of one entity after annexation.
- B. Reverse annexation. When a parcel of land under the ownership of one entity is un-annexed from the Village of New Glarus, the number of acres used to calculate the number of available residential building sites is the total number of acres in the un-annexed parcel.

§ 110-39 Private road standards.

- A. Access for one lot (a large lot development) is by private drive as defined by the existing Town of New Glarus Driveway Ordinance (Chapter 36).
- B. Access to two to four lots can be served by a private drive as defined by existing driveway standards; however, enough land must be designated on either side of the drive to accommodate the current width standard for a Town road right-of-way (ROW equals 66 feet) in the event of future residential development.
- C. Access to five or more lots, the private road must be built to current Town road standards (Chapter 75) but those private roads will not necessarily be accepted by the Town for public dedication.
- D. Commercial enterprises along a private road should be counted the same as a residence for the purposes outlined above.
- E. All private roads shall have a shared driveway agreement recorded with the Register of Deeds of Green County, Wisconsin and as approved by the Town of New Glarus Board.

Used and Remaining Development Rights by April 1979 35+ Acre Farm Northwest Quadrant



Date: 8/1/2023

- [color parcels] April 1979 35+ Acre Farm Per Rockford Maps
- [white parcels] Public rights-of-way or not part of a 35+ Acre Farm in April 1979
- ### Assigned Farm Number
- Name Last Name of 1979 Farm Owner
- Used: # # of Dwelling Units Built Since 1979
- Remain: # # of Remaining Dwelling Units in 1979 Farm Area per Town's "1 per 35" Density Policy
- 2022 Tax Parcel Lines in 1979 Farm Areas
- 2022 Tax Parcels in Sub-35 Acre 1979 Areas
- August 2023 City/Village Limits

Purpose and Density Policy: This map is intended to help guide property owner, planning, and development decisions. The Town per its Comprehensive Plan generally limits new development to a density of one dwelling unit per 35 acres held in single ownership as of April 16, 1979. A single-family residence built since April 1979 counts as one dwelling unit, a duplex as two dwelling units, and certain non-residential uses as dwelling unit equivalents using criteria in Figure 15 of the Town Plan. The Town's Transfer of Development Rights program may allow greater or fewer dwelling units.

Farm Parcel Changes Since 1979: This map does not attempt to allocate remaining dwelling units where there have been changes and reconfigurations in parcel ownership since April 16, 1979. Landowners are encouraged to make clear in recorded documentation, such as a sales contract or warranty deed, how many potential future dwelling units are being transferred or retained when selling parcels of land over 35 acres. When land sales of more than 35 acres occur after April 16, 1979 without clear documentation, the Town will generally allocate any remaining dwelling units among current owners of the April 16, 1979 farm proportionally to the amount of land owned.

Disclaimer: The Town prepared this map using a variety of data sources, careful technical analysis, and review of a Density Study Committee. Further information and more detailed analysis later may reveal that more or fewer dwelling units remain in each 1979 Farm Area than represented on this map. The Town is prepared to make amendments in response to new or better information. Please contact the Town Clerk for the procedure to request further analysis or amendments. The Town also intends to verify the accuracy of applicable information on this map in response to each rezoning or land division proposal that would result in new dwelling units or equivalent non-residential uses within a 1979 Farm Area.

TOWN OF NEW GLARUS
PLAN COMMISSION MEETING
THURSDAY, MARCH 18, 2021
AGENDA AND MINUTES

Meeting minutes presented in **bold type** for each agenda item

NOTICE IS HEREBY GIVEN that Town of New Glarus Plan Commission, County of Green, may take action on the following matters if any required public hearing has been held:

LOCATION: Plan Commission meetings will take place via Zoom until further notice due to risks associated with COVID-19.

Zoom Meeting
Meeting ID: 998 4822 3424
Password: 347806

New Glarus Town Hall
26 5th Avenue
New Glarus, WI 53574

DATE: Thursday, March 18, 2021
TIME: 7:00 p.m.

Attending in person: John Ott
Ron Roesslein
Craig Galhouse
Chris Narveson
Bob Talarczyk (zoom)
Mark Pernitz (zoom)
John Freitag (zoom)
Tim Schleeper (zoom)
Mike Wiegel (zoom)
Mark Hanson (zoom)
Jim Hoesly (zoom)
Reg Reis (zoom)

AGENDA

- 1) Call to Order: **Meeting called to order at 7:01 pm by C. Narveson**
- 2) Proof of Posting: **C. Narveson attested to proof of posting**
- 3) Approve Minutes
 - a) February 18, 2021: **J. Freitag motioned to approve minutes from February 18, 2021 meeting, second by Mark Motion carries.**
- 4) Public Comments:
 - a) **Committee should be able to fully meet in person in April.**
- 5) Discuss Hefty proposed land division
 - a) **Tim Schleeper presented the findings for land division of the Hefty parcel**
 - b) **Bob Talarczyk indicated the owner has been in touch with the DNR regarding the driveway and crossing the creek.**
 - c) **Bob will be back at the next plan commission meeting. Town will review the CSM for conformance with the Town Ordinance in the interim.**

- 6) Discuss Wiegel variance request
 - a) **Mike and his wife have owned for 20+years.**
 - b) **The property sits between Hoesly's and Gruter's**
 - c) **Schleeper explained the premise for the letter written to the Plan Commission.**
 - d) **Under the current land use plan, the site is not developable as a residential parcel and the Plan Commission determined there was no standing for a variance.**

7) Discuss draft field drive ordinance

- a) **Ron Roesslein discussed the issues the Town has seen recently**
 - b) **This is mainly an issue in areas where the ditch is shallow and there aren't fences along the R/W**
 - c) **T. Schleeper mentioned that the reasons for damage to the Town Roads are more numerous than manure and included damage due to unfettered access. Also, the Town may want to consider widening the limit on the field road access to 20' to accommodate modern farming equipment.**
 - d) **J. Ott didn't like the provisions limiting the frequency and location of field roads onto Town Roads.**
 - e) **J. Ott indicated the ordinance may be too limiting and that damage to the road should be charged back to the land owner when we see it. More enforcement of those who are damaging the roads should be done.**
 - f) **C. Narveson discussed how the County handles variances and how field roads are different from driveways used for residential access.**
 - g) **R. Roesslein to provide revised version for future consideration**
 - h) **J. Freitag recommended current producers be asked for their opinion. This may include discussion with adjacent Towns to see if some consensus can be reached.**
 - i) **J. Freitag motioned to table this item and J. Ott seconded. Motion carried.**
- 8) Schedule Next Meeting Date as needed, currently listed for April 15, 2021 @ 7 pm
- 9) Adjourn : **Meeting Adjourned at 8:34**

Pursuant to applicable law, notice is hereby given that a quorum or a majority of the New Glarus Town Board Members may attend this meeting. Information presented at this meeting may help form the rationale behind future actions that may be taken by the Town of New Glarus Board. Persons requiring additional services to participate in a public meeting may contact the Town Clerk for assistance at 527-2390.

AGENDA POSTED: New Glarus Town Hall: March 16th, 2021
 New Glarus Garage: March 16th, 2021
 New Glarus Post Office: March 16th, 2021
 townofnewglarus.com: March 16th, 2021

Minutes: Tim Schleeper
 Plan Administration

Posting: Jesse Wahl
 Clerk -Treasurer

TOWN OF NEW GLARUS

AN ORDINANCE RELATED TO FIELD ACCESS POINTS ON TOWN ROADS

WHEREAS, it is necessary to protect the ditches and town roads of the Town of New Glarus from damage and from deposits of debris or manure which may result from improper access to fields from Town roads;

WHEREAS, access to fields from Town roads traverses the right of way of the Town road, and is subject to the authority of the Town pursuant to sec. 86.07 of the Wisconsin Statutes.

NOW, THEREFORE, the Town Board of the Town of New Glarus does hereby Ordain as follows:

1. Section 36-3 is amended to insert the following definitions:

ACCESS

Crossing the right of way of a Town road, including the shoulder, ditch or area adjacent to the paved surface, to travel to and from a parcel of land to the Town road.

FIELD ROAD

A specified point at which a property owner may access a Town Road.

2. Section 36-7, Existing driveways and field roads, is amended to read as follows:
 - A. Field roads which are in use as of the date of enactment of this ordinance may continue to be used until November 30, 2022. As of an after December 1, 2022, all field roads shall conform to the requirements of this ordinance. Prior to June 30, 2022, all property owners with existing field roads shall notify the town in writing of the location of the access points they will use after December 1, 2022. On or before December 1, 2022, those access points which will no longer be used are to be abandoned, regraded if needed and any culverts shall be removed.
 - B. When washing or other conditions created by existing driveways or field roads become a potential hazard to a public road, the Town Board shall notify the owner(s) of the land through which the driveway passes of such condition(s). Any property owner failing to correct a hazardous situation immediately (within 24 hours or less) upon notification shall be subject to the penalties of this chapter and shall be liable for any costs incurred by the Town of New Glarus to eliminate such hazard as provided in §§ 66.0627 and 66.0703, Wis. Stats. Problems of a nonemergency nature shall be corrected in 30 days.

3. Section 36-11 is created to read as follows:

Section 36-11 Field road standards.

- A. Access points regulated. A property owner may install and use no more one access point per parcel, except that if the owner owns contiguous parcels, there may be no more than one access point per point 1320 feet of frontage on a Town road.
- B. Siting criteria. An access point shall be located at a place where the grade of the adjacent land minimizes wash of surface water into the Town road. The access point shall be located at a place where oncoming vehicle traffic traveling at the posted speed limit can see emerging farm vehicles.
- C. Culverts may be required. If the slope of the ditch, the erodibility of the shoulder or soils, or the need to prevent backwash so require, the property owner shall install a culvert meeting the standards in this section.
- D. Construction standards.
 - 1. Field road access points shall be constructed such that the portion of the field road adjacent to the town road paved surface slopes downward from the edge of the road with a slope sufficient to assure that rain or snowmelt does not wash into the town road.
 - 2. Culverts, where required, shall be made of metal, poly, concrete or other material approved by the Town, and shall have mitered ends. No concrete, rock or other hardscape ends may be installed at the ends of the culvert. The culvert shall have a diameter of at least 15 inches or such greater diameter as has the next culvert upstream.
 - 3. A field road access may be no more than 20 feet in width.

Section 36-12, Permit for Field Road required.

- A. No person shall construct, improve or rework a field road without first obtaining a field road access permit from the New Glarus Town Board. Regraveling of a previously constructed field road does not constitute a change in the existing topography of the land. Prior to consideration of the application by the Town Board, the applicant shall submit to the Town Clerk of New Glarus an application and a field road construction plan which shall accurately describe the location of the proposed field road and the specifications required by § 36-11 of this chapter for the field road's construction.
- B. If it appears that a proposed field road is located in a place susceptible to erosion, the Town may require that an erosion control plan be presented to the Town Board prior to the issuance of a field road permit. An erosion control plan shall include the owner's timetable to reseed, mulch, ditch, place culvert(s), and carry out other erosion control measures, all of which shall be completed within 90 days after beginning driveway construction or modification. If an engineer's plan of the driveway is prepared according to the requirements of § 36-6 of this chapter, an erosion control plan shall specify only those measures which are not mentioned or required in the plan.
- C. Field road permits authorize construction for one year from date of issue. Reapplication for a permit will be required for any improvements not completed during the permit period. Reapplication permits will not be denied without reasonable cause.
- D. A field road may be reinstalled in the same location and to the same design specifications if damaged or destroyed, without a new permit.

Implementation Actions: 2 Housing

2.1. Impose impact fees on new development to mitigate the capital costs of new public facilities/services necessitated by development.

3/16/23 Discussion on administration of fees from developers and review of Town Fee Schedule.

10/19/23 Discussion on proposed revisions to chapter 80 and amendments to Service Area Map.

11/16/23 Presentation by Town Planner on Needs Assessment Study and qualifying projects for impact fees.

2.2. Review new housing proposals and support those that meet the community housing needs and are consistent with the policies in the Comprehensive Plan.

1/19/23 Review of 4-lot Cluster Division for Klitzke Land on Legler Valley Rd.

1/19/23 Review of 3-lot Cluster Division for Myers/Legler Land on Hustad Valley Rd.

1/19/23 Discussion on Roger Arn deed notices reviewed by Village Contract Planner.

3/16/23 Review Private Road Maintenance Agreement for Holmes Airport R

4/20/23 Review of Development Potential of Contiguous Property of Dean & Alice Bertelrud.

4/20/23 Review of STH HWY 39 project, possible requirement to obtain Conditional Use Permit for uses not specified in sale of existing farmette.

4/20/23 Discussion on remaining Arn Residential Development Potential along Durst Rd.

4/20/23 Discussion on Nature's Gift Final Plat.

5/18/23 Review Corey Pope Concept Plan for 3-Lot Cluster along Hustad Valley Rd

6/15/23 Discussion on ETZ requirements on Arn Residential Development Concept.

9/21/23 Review of development potential of property owned by Kristine Vike-Steinich.

10/19/23 Review of Mary Hefty Property Potential 1997 to Present.

10/19/23 Review of Lary Disch Property, update on ETZ restrictions on cluster lots.

10/19/23 Review Margaret Howden remaining development potential.

12/21/23 Review Preliminary Plat for Talarczyk Subdivision by large lot density.

2.3. Continue to construct new homes according to building codes and ordinances.

1/19/23 Discussion on policies for rezoning of land with residential development potential and requiring CUP to build in deed-restricted open space.

3/16/23 Discussion on driveway permit request for O'Flanagan Property on Legler Valley Rd. Current field road contains slopes not in compliance with current standard for residential access.

6/15/23 Discussion on separate driveways for Corey Pope Concept Plan along Hustad Valley Rd.8/17/23 Discussion on ETZ zoning restrictions on cluster lot development.

2.4. Draft ordinances that address which soils, slopes, and topography are not suitable for development.

2/16/23 Discussion on possible sale of deed-restricted presentation by Town planner.

2/16/23 Update of strip utility easement, mapping of 20% slopes and other elements of Holmes final plat.

Implementation Actions: 3 Transportation

3.4. New roads should be designed and located in such a manner as to encourage the maintenance and preservation of natural topography, land cover, agriculture, environmental corridors, significant landmarks and views and vistas.

5/18/23 Discussion of road layout access and options for Concept Plan of Roger Arn Development.

6/15/23 Discussion of concept of private road built to town road standards on Green County Highway Department development of STH 39.

8/17/23 Discussion on need to create policy to regulate field road access.

10/19/23 Discussion on field road permit application enforcement for road damages.

11/16/23 Continued discussion of field road and driveway ordinance permits.

12/21/23 Discussion on field road permits town lane construction standards.

3.5. Developers shall be required to pay the cost of road improvements or construction, and all changes must meet local road or street standards.

5/18/23 Discussion of private road vs town road construction standards and cost to developers.

7/20/23 Discussion of DOT access requirements off of STH 39 for Green County Highway Department Concept and costs to developer.

7/20/23 Discussion of Concept Plan for 3-lot Cluster development on Kempfer Lane and potential costs to upgrade road to current ordinance standards.

8/17/23 Discuss need for policy to deal with single purpose roads (town roads) to allocate cost of upgrades to current town road or driveway standards.

9/21/23 Review sample driveway ordinances that have provision for field drive access and farm drive/commercial access.

Implementation Actions: 4 Agriculture, Natural, and Cultural

4.1. Facilitate opportunities for programs that educate local residents about the importance of agricultural policies and practices and explore ways to preserve agricultural land for farming.

4.2. Identify and put in place ordinances and programs that preserve quality of ground water resources.

4.3. Identify environmentally sensitive areas, using data from the Green County Hydrological Study and use that data as a guide for consideration of new development.

4.4. Facilitate opportunities for programs that educate local residents on best practices for preserving natural resources.

3/16/23 Town Planner presented how to utilize Natural Heritage Inventory to perform Endangered Resources Review as required by Town Ordinance for development proposals.

4.5. Support partnerships with local clubs and organizations that in order to protect important cultural areas held in the common interest.

4.6. Facilitate opportunities that educate local residents about importance of cultural resources.

4.7. Update historical, cultural and archaeological sites information.

2/16/23 Discussion regarding update of Natural Heritage Inventory (NHI) on Hustad Valley Rd. property of Collen Legler.

Implementation Actions: 5 Utilities and Community Facilities

5.2. Review new development proposals and carefully examine their impact on the community.

1/19/23 Update on Holmes Utility Easement from blanket easement to 75' strip easement.

2/16/23 Review concept plan of Green County Highway Department on STH 39

8/17/23 Update on Proposed Trail Along CTH NN, possible transfer of funds to other proposed trail.

12/21/23 Review Preliminary Public Facilities Plan from Vierbicher.

5.6. Continue storm-water management to protect ground and drinking water supplies

5.8. Consider creating a special purpose district to perform specific tasks and oversight essential to the community, if a need for a special district such as utility or sanitary is identified.

2/16/23 Review plans of Green County Highway Department for municipal improvement within open space. Redefine definitions of municipal use and/or public use to ordinance

Implementation Actions: 6 Economic Development

6.1. Direct large-scale economic development projects to urban areas that require full range of utilities, services, roads and other infrastructure is available. When possible, locate new development adjacent to existing commercial or industrial developments.

6.2. Encourage responsible agriculture and agriculture-related business as a major force in the community.

6.5. Designate land in the ETZ area for future commercial development.

Implementation Actions: 8 Additional Strategies

8.1. Where and when appropriate, utilize county, state and federal programs or grants to pursue the strategies in this Comprehensive Plan.

2/16/23 Review application for Knowles-Nelson Stewardship Grant and create concept map of project

3/16/23 Discussion on USPAP-compliant appraisal of land restricted to passive recreation use.

12/21/23 Review Master Park Plan with discussion on placement of public facilities and potential residential lots.

8.2. The Plan Commission is to define heavy and light industrial uses for future development by working with the County Land Use and Zoning.

Clerk Treasurer

From: Clerk Treasurer
Sent: Tuesday, February 20, 2024 6:29 AM
To: Kristin Vike-Steinich
Cc: Chris Narveson; Timothy Schleeper (tsch@vierbicher.com)
Subject: RE: reconfiguring land on Zentner Rd
Attachments: Vike Steinich correspondence re further splits.pdf

Kristin,

Thanks for your inquiry. Green County prohibits adding an additional house to the same tax parcel (there have historically been an exception for farmers that would not apply in this instance).

In order to build another residence, you would first be required to subdivide your property. The only option at this point is to exercise the cluster lot option within Chapter 110 of the Town of New Glarus Land Division and Subdivision Code. I have attached a link to that document here: <https://ecode360.com/9797779#9797779>. A zoning and building permit will not be issued until and unless the subdivision process is approved by the Town Board, following review by our Plan Commission and after a public hearing.

As we previously discussed, the sale of land to the Andersons by the Klossners resulted in an obligation on your portion of the property for deed-restricted open space. Please refer to the attached email to you dated August 31, 2023 with the details of this obligation, the need to relinquish the Conditional Use Permit in order to subdivide further (a commercial operation can only be split by large lot scenario and you do not have enough acres to exercise that option), and what options are available with the cluster scenario. Defining more than four lots on the original property previously owned by the Klossners is considered a major subdivision, so other standards may apply including the shared access to all five potential lots.

I understand that you may only want two building sites, but Chapter 110 does not allow for three large lots with the number of contiguous acres available at the date of ordinance under single ownership. It would be best to work with a surveyor to lay out a concept plan of the potential cluster lots and to then schedule an appearance before our Plan Commission. Once that body feels the concept is workable, then you could have a certified survey map created to define each cluster lot, the areas that will be deed restricted from residential or commercial use, slopes exceeding 20% (if any), and the nature of the shared access to Zentner Road.

Green County would need to answer your questions regarding a shared well or shared septic. The ability to share septic depends, in part, upon the total number of bedrooms.

Thanks,
John

John Wright
Town of New Glarus Clerk-Treasurer
(608) 527-2390

From: Kristin Vike-Steinich <drkristin@vikesteinichchiro.com>
Sent: Monday, February 19, 2024 6:01 PM
To: Clerk Treasurer <clerk@townofnewglaruswi.gov>
Cc: Bob Steinich <bsteinich@yahoo.com>
Subject: RE: reconfiguring land on Zentner Rd

Hello John,

We are planning to sell our house and possibly one building site.

Three questions:

1. Do we need to pick all 3 building site locations now or just that one? How do we do that with you?
2. We are going to build a house in our barn or put up a prefab house and use the existing septic at barn. Any rules with this?
3. We want to share the existing well. Is this possible? If so what do we need to do with you or county?

Thank you for your time,

Kristin and Bob Steinich

N8161 Zentner Rd

608-576-3093

From: Clerk Treasurer <clerk@townofnewglaruswi.gov>

Sent: Monday, August 14, 2023 10:55 AM

To: Kristin Vike-Steinich <drkristin@vikesteinichchiro.com>

Cc: Adam Wiegel / Sara Patterson (greenzone@greencountywi.org) <greenzone@greencountywi.org>

Subject: RE: reconfiguring land on Zentner Rd

Kristin,

If I understand the inquiry correctly, you are looking to record a change to the original certified survey map to adjust the two lot lines for Lot 1 and Lot 2 of CSM 3452. If this is the case, the process is commonly referred to as a neighbor exchange.

Green County Zoning and Land Use can advise you on the means for recording such an exchange. When properties receiving or contributing acreage fall below certain minimums, the exchange usually requires a new Certified Survey Map. The two lots in question may be exempt from a new survey.

I believe Section 4-5-2-1 B.3. addresses those minimums (page 45 of the attached code). I have included Green County Zoning Administrator, Adam Wiegel, in the Cc line above. That office can be contacted at (608) 328-9423.

Thanks,

John

John Wright

Town of New Glarus Clerk-Treasurer

(608) 527-2390

From: Kristin Vike-Steinich <drkristin@vikesteinichchiro.com>

Sent: Friday, August 11, 2023 9:31 AM

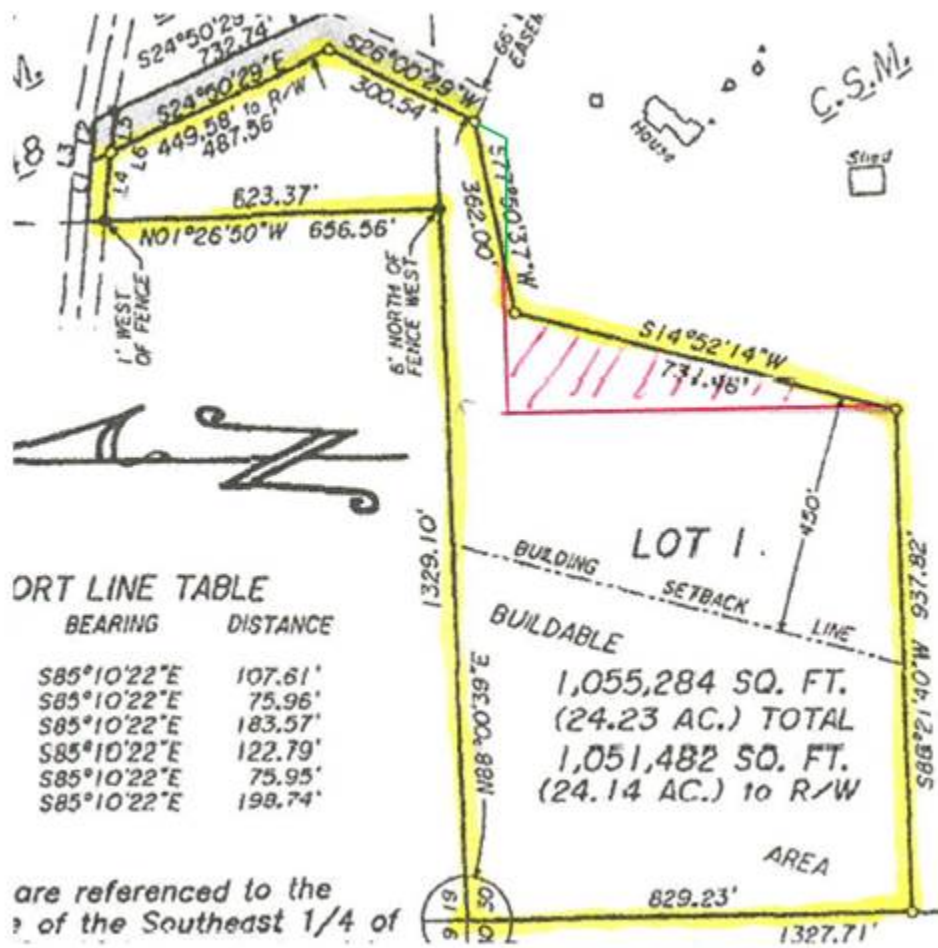
To: Clerk Treasurer <clerk@townofnewglaruswi.gov>

Subject: reconfiguring land on Zentner Rd

Hello,

Inquiring about reconfiguring some land with our neighbors. We would like to make it cleaner by following a fence line instead of going through the pasture. Not sure if this is done at a town level or if it needs to go county? The greed would be theirs and the red would become ours.

Our address is N8161, theirs is N8163



Thank you for your time,
Kristin Vike-Steinich



VIKE-STEINICH
CHIROPRACTIC

Kristin M. Vike-Steinich, D.C.
Vike-Steinich Chiropractic
320 W Main St
Mt. Horeb, WI 53572
608-437-2222 office
608-437-7463 fax
drkristin@vikesteinichchiro.com

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Clerk Treasurer

From: Clerk Treasurer
Sent: Tuesday, February 27, 2024 6:55 AM
To: Lexie D. Harris
Cc: Timothy Schleeper (tsch@vierbicher.com); Chris Narveson
Subject: RE: Meeting
Attachments: 1.5 Mile ET Land Division Review Jurisdiction.pdf; Extraterritorial_Zoning_Map 11.15.06.pdf; 2023-07-20 GCHD CSM.pdf; 2023-06-15 Shotliff-GCH Exhibit Review.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Lexie,

Randall Shotliff does not have a property of that size. As mentioned in a prior email, he currently owns parcel 23024 0122.3000 that is 42.81 acres in size, parcel 23024 0150.0000 that is 33.78 acres in size, and parcel 23024 0122.2000 that is 0.31 acre. My review of the Ascent Land Records Suite does not show that he owns any other parcels, currently, within the Town of New Glarus. He sold 11.88 acres of land to Green County, which did not consume a residential building site. However, he inherited a deed restriction from prior subdivisions of the contiguous parent parcels that equal 28.130 acres that must be accounted for within the 76.90 acres that he has retained, 11.88 of which could be satisfied with the land sold to Green County. If the latter condition is assumed, then there is the potential for one residential lot by normal density division or up to four lots if using the cluster density option. I have attached opinions based upon the research conducted on behalf of the Town by our contract planner Tim Schleeper of Vierbicher Associates.

Regarding zoning, the three parcels that I mentioned above are outside of the Village of New Glarus Extraterritorial Zoning jurisdiction, but within their plat review authority (maps attached).

The zoning for this property is regulated by Green County Zoning and Land Use according to their Title IV document: <https://www.greencountywi.org/DocumentCenter/View/264/Title-4-Zoning-Regulations-Sanitary-Code-and-Subdivision-Regulations-PDF>. The version posted to their website indicates that it was updated last on February 9, 2021. Green County typically does not zone properties from the current designation of Agricultural District that is detailed within Section 4-3-1-2 unless there is a petition to move it into the Conservancy District, Commercial District, Highway Interchange District, etc. The traditionally have not rezoned properties from the Agricultural District to the Residential District when the use moves from ag to residential.

The Town of New Glarus Plan Commission has requested that I respond to inquiries such as these with the information contained within the Access database regarding the original contiguous acreage of the parent parcel at date of Ordinance (October 13, 1997), affidavits, minutes, recorded Certified Survey Maps, etc. I shared these sorts of information with you when responding to your email inquiry on January 26, 2024. I have further been instructed to refer any parties interested in the development of properties to our Technical Review Committee or to the Plan Commission if you have a concept plan you would like to be reviewed. To be included on an agenda for the Plan Commission, I would need a written request and supportive materials two weeks prior to a regular meeting date. The Plan Commission meets the third Thursday of each month. Here is a link to the 2024 meeting calendar for the Town: <https://townofnewglarus.com/wp-content/uploads/2024/01/TNG-2024-Meeting-Calendar-corrected.pdf>.

Many thanks,
John

John Wright
Town of New Glarus Clerk-Treasurer
(608) 527-2390

From: Lexie D. Harris <realtorlexiedharris@gmail.com>
Sent: Monday, February 26, 2024 12:09 PM
To: Clerk Treasurer <clerk@townofnewglaruswi.gov>
Cc: Lori <loribstern@gmail.com>
Subject: Meeting

Hi John,

Lori and I were wondering if we could come in and learn more about the zoning for the Township.

There is some possible interest in the 31.5 Acre piece owned by Randy Schotlift.

Would you have any availability at any of the following:

2/28, Wednesday, 12:30pm on.

3/1, Friday, 1pm.

We look forward to hearing from you!

Thank You!

Lexie D. Harris
EXIT PROFESSIONAL REAL ESTATE
Real Estate Consultant/Owner
608.513.4577

SoWisconsinRealEstate.com

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[Board of Directors, Realtors Association of South Central Wisconsin](#)



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Clerk Treasurer

From: Clerk Treasurer
Sent: Monday, February 19, 2024 8:23 AM
To: Mark Pernitz (mpernitz@gmail.com); Chris Narveson; Robert Elkins; John Freitag (jfreitag8@gmail.com); John Ott ; Craig Galhouse (wasceg@hotmail.com); schu@tds.net
Cc: Robert Elkins; Chris Narveson ; Deputy Clerk
Subject: Terms expiring for Town Plan Commission
Attachments: 230316 Plan Commission minutes approved.pdf; 230412 RTB minutes approved corrected check sequence.pdf

All,

I mentioned to the group last year that the 3-year terms for the Plan Commission were not staggered. All but the term of the chair expire on April 9, 2024.

Here is an excerpt from the attached minutes (item 10):

Approval of Plan Commission Chair Appointment – Clerk-Treasurer Wright had emailed the Board on April 11, 2023 with guidance set by State Statute and within the local Code, Chapter 110. The local Code sets the number of members at seven with staggered terms of 3 years so that there is never turnover of the Commission at the same time. Currently, six terms expire at the same time. §66.0501(2) notes that elected officials may serve shorter terms, which the Plan Commission Chair currently does (2 years). However, now that Bob Elkins is an elected official as a Town Board Supervisor, his term should be reduced to a 2-year term if he is re-elected to the Board and reappointed to the Commission at this time next year.

Motion to approve the appointment of Chris Narveson as the Chair of the Plan Commission and to make commissioner terms consistent with elected office terms was made by Supervisor Streiff; second by Supervisor Pauli. Motion carried 5-0.

According to Section 110-5 of Chapter 110 Land Division and Subdivision:

The Town of New Glarus Plan Commission as appointed by the Supervisors of the Town of New Glarus. The Plan Commission shall consist of seven members. Initially three members shall be appointed to three-year terms, two to two-year terms and two to one-year terms. Thereafter the members shall be appointed to three-year terms. The Plan Commission shall review subdivisions as outlined in this chapter and make recommendations to the Town Board. (See "Technical Review Committee.")

The term for the Chair expires on April 14, 2025 (per his most recent oath). If Robert Elkins is elected to another term to the Board, then his term, if reappointed to the Plan Commission, will expire on April 20, 2026. It would be ideal, then, to have the Town Board appoint three of the remaining members to a 3-year term to expire in 2027, one member to a term to expire on April 14, 2025, and one member to a term to expire on April 20, 2026.

A further complication is that commissioner Pernitz is seeking to fill the 3rd Supervisor position on the Town Board. His term on the Town Park Commission is set to expire on June 30, 2024. If elected to the Board, he would be on that body as well as the Park and Plan Commission (only if reappointed by the Board). I don't know that we have had a Town Board member serve on two commissions and the Board.

Again, this is something the Plan Commission and the Town Board need to include on their March agendas for discussion, consideration, recommendations, and action.

Thanks,
John

John Wright
Town of New Glarus Clerk-Treasurer
(608) 527-2390

Clerk Treasurer

From: Clerk Treasurer
Sent: Wednesday, February 21, 2024 11:16 AM
To: Craig Galhouse
Cc: Chris Narveson; Chris Narveson
Subject: RE: Terms expiring for Town Plan Commission

Craig,

Thanks for that update. We should also discuss whether we can have a quorum of the Board serving on the Plan Commission if Robert Elkins and Mark Pernitz are elected in April.

John

John Wright
Town of New Glarus Clerk-Treasurer
(608) 527-2390

From: Craig Galhouse <wascg@hotmail.com>
Sent: Wednesday, February 21, 2024 11:12 AM
To: Clerk Treasurer <clerk@townofnewglaruswi.gov>
Subject: Re: Terms expiring for Town Plan Commission

Plan Commission Terms

In regard to adjusting the terms on the planning commission, if appointed I would open to a one year term expiring on 4/14/2025. I look forward to discussing this issue at the March Planning Commission meeting.

Craig Galhouse

From: Clerk Treasurer <clerk@townofnewglaruswi.gov>
Sent: Monday, February 19, 2024 2:23 PM
To: Mark Pernitz (mpernitz@gmail.com) <mpernitz@gmail.com>; Chris Narveson <cnarveson@townofnewglaruswi.gov>; Robert Elkins <relkins@townofnewglaruswi.gov>; John Freitag (jfreitag8@gmail.com) <jfreitag8@gmail.com>; johnburtonott@gmail.com <johnburtonott@gmail.com>; wascg@hotmail.com <wascg@hotmail.com>; schu@tds.net <schu@tds.net>
Cc: Robert Elkins <relkins@townofnewglaruswi.gov>; Chris Narveson <cnarveson@greencountywi.org>; Deputy Clerk <deputyclerk@townofnewglaruswi.gov>
Subject: Terms expiring for Town Plan Commission

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Thanks,
John

John Wright
Town of New Glarus Clerk-Treasurer
(608) 527-2390

Town of New Glarus

Plan Commission

	Term Expires	Proposed Term End
Chris Narveson, Chair	4/15/2025	NA
Robert Elkins, if re-elected April 2, 2024	4/16/2024	4/14/2026
John Ott	4/16/2024	4/20/2027
Reg Reis	4/16/2024	4/20/2027
John Freitag	4/16/2024	4/20/2027
Craig Galhouse	4/16/2024	4/15/2025
Mark Pernitz, if elected April 2, 2024	4/16/2024	4/14/2026

PLAN COMMISSION

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