

Sec. 14-1-21 Land Suitability.

- (a) **Suitability.** No land shall be subdivided for residential, commercial or industrial use which is held unsuitable for such use by the Village Board, upon the recommendation of the Village Engineer or any other agency or consulting professional designated by the Village, for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or of the community. The Village 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 use and afford the subdivider an opportunity to present evidence regarding such unsuitability if he so desires.
- (b) **Existing Flora.** The subdivider shall make every 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. Such trees are to be protected and preserved during construction in accordance with sound conservation practices, possibly including the preservation of trees by well islands or retaining walls whenever abutting grades are altered, pursuant to a landscaping plan filed by the subdivider.
- (c) **Miscellaneous Provisions.** Village officials shall also consider, but not be limited to, the following items in determining land suitability:
- (1) **Floodlands.** No lot served by public sanitary sewer facilities shall have less than fifty percent (50%) of its required lot area below an elevation at least two (2) feet above the elevation of the one hundred (100) year recurrence interval flood, or where such data is not available, five (5) feet above the maximum flood of record. No lot one (1) acre or less in area served by an onsite sanitary sewage disposal (septic tank) system shall include floodlands. All lots more than one (1) acre in area served by a septic tank system shall contain not less than forty thousand (40,000) square feet of land which is above flood protection elevation at least two (2) feet above the elevation of the one hundred (100) year recurrence interval flood, or where such data is not available, five (5) feet above the maximum flood of record.
 - (2) **Lands Having a Slope** of twenty percent (20%) or more shall be maintained in permanent open space use. No lot shall have more than fifty percent (50%) of its minimum required area in slopes of ten percent (10%) or greater.
- (d) **Application of Standards By Plan Commission.** The Village 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 unsuitable for residential use and afford the subdivider an opportunity to present evidence in rebuttal to such finding of unsuitability if he/she so desires. Thereafter the Village Board may affirm, modify, or withdraw its determination of unsuitability.

Sec. 14-1-22 Preliminary Consultation.

Before filing a Preliminary Plat or certified survey map (minor land division), the subdivider is encouraged to consult with the Village Board and/or Village staff for advice regarding general subdivision requirements. Information on meeting dates, agenda deadlines and filing requirements may be obtained from the Village Clerk-Treasurer. The subdivider shall also submit a location map showing the relationship of the proposed subdivision to traffic arteries and existing community facilities. This consultation is neither formal nor mandatory but is intended to inform the subdivider of the purpose and objectives of these regulations, the comprehensive plan, comprehensive plan components and duly adopted plan implementation devices of the Village and to otherwise assist the subdivider in planning his/her development. In so doing, both the subdivider and planning agency may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and community. The subdivider will gain a better understanding of the subsequent required procedures.

Cross-Reference: Section 14-1-90, Administrative Fees; Cost Recovery Agreement

Sec. 14-1-23 Site Assessment Checklist and Concept Plan Submittal.

In planning and developing a subdivision or minor subdivision, the subdivider or agent shall, in every case, pursue the following course, in addition to other steps required by this Chapter:

- (a) **Site Assessment and Concept Plan Procedure.** Before filing an application for approval of a preliminary plat or certified survey map, the subdivider shall consult with the Village's staff and shall prepare the following:
- (1) A Site Assessment Checklist per the requirements of Subsection (b) below.
 - (2) A Concept Plan per the requirements of Subsection (d) below.
 - (3) Written requests for any water main and sanitary sewer extensions necessary to serve the proposed plat.
 - (4) A signed statement listing development projects for which the applicant has received Village approval in the last five (5) years and indicating any outstanding performance or financial obligations on such projects which derive from application of Village land use regulations. If this statement is found to contain information which is contrary to fact or to omit the listing of such projects or obligations or to describe obligations on which performance or payment is delinquent, the application may be dismissed without prejudice until the application is corrected and/or the delinquency is cured.
 - (5) On completion of the above documents {Subsections (a)(1)-(4)}, a preapplication meeting may be held with the Village Board and/or Village staff to assist the subdivider in appraising the objectives of these regulations, the Master Plan, the Official Map and any pertinent ordinances and to reach conclusions regarding the objectives and general program for the development.

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- (6) The subdivider shall revise the submitted documents per the direction of the Village Board. Five (5) copies of said revised documents shall be submitted to Village Clerk-Treasurer, which shall distribute the copies for review and comment by the Village Board.
- (b) **Site Assessment Checklist.** A Site Assessment Checklist shall be prepared by the subdivider for review and approval by the Village Board.
- (1) **Purpose.** The purpose of this Site Assessment Checklist is to provide the basis for an orderly, systematic review of the effects of all new subdivisions upon the community environment in accordance with the principles and procedures of Sec. 236.45(1), Wis. Stats. The Village Board will use these procedures in determining land suitability. The goals of the community in requiring this checklist are to eliminate or reduce pollution and siltation to an acceptable standard, assume ample living space per capita, preserve open space and parks for recreation, provide adequately for storm water 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.
- (2) **Coverage.** The Site Assessment Checklist requirement shall apply to all land divisions, including minor subdivisions.
- (3) **Site Assessment Checklist for All Land Divisions and Community Development Plans.** NOTE: All "yes" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.

(c) Site Assessment Report.

- (1) *Determination of Need for Site Assessment Report.*** The Site Assessment Checklist, Concept Plan, Utility Extension Request and Financial Obligation Report required in Subsection (a), above, shall be reviewed by the Village Board upon receipt of reports from the Applicant. The Village Board may, at that time, for reasons stated in a written resolution setting forth specific questions on which it requires research, data and input from the developer and other affected persons, decide that the Site Assessment Checklist raises unusually significant questions on the effects on the environment and/or that an unusually high level of citizen interest has resulted from questions raised in the Site Assessment Checklist and that review by other Village committees and commissions is required. The listing of questions can include items which this Chapter already enables the Village Board to obtain, or it may include additional information which is relevant to the questions specified in the resolution. The resolution may also request data on the specific impact questions from other governmental agencies or from the developer or applicant. The resolution shall set a reasonable date for the return of the requested data and information, and it may specify the format in which the data is to be presented.
 - (2) *Optional Hearing on Site Assessment Report.*** Following the return to the Village Board of the data required in the resolution adopted under the Section above, the Village Board shall make such report available for scrutiny by the applicant or petitioner, by Village departments, commissions and committees and by other interested persons or agencies. The Village Board may schedule and hold a public hearing on the findings of the report. The hearing shall be preceded by a Class I notice under Chapter 985, Wis. Stats. Persons attending such hearing shall be afforded an opportunity to comment on the report.
 - (3) *Review of Site Assessment Report.*** The Village Board shall review the Site Assessment Report, with supporting data, department and committee reviews and any other data required for determining the suitability of the land for the proposed development. Within forty-five (45) days after submission to the Village Board of the final expanded Site Assessment Report, the Village Board shall decide whether said land is suitable for development and proceed as required by Subsection (d) below.
- (d) Concept Plan Requirements.** A Concept Plan shall be prepared by the subdivider for review and approval by the Village Board, unless excepted under Subsection (d)(2).
- (1) *Purpose.*** The purpose of this Concept Plan is to depict the general intent of the subdivider in terms of general layout of the land division, and its relationship to nearby properties, utilities and other public facilities. In conjunction with the Site Assessment Checklist, the Concept Plan provides an opportunity to review the general intent and impact of the proposed land division, without the need for detailed engineering, surveying and other time-consuming and costly processes associated with the Preliminary Plat.

- (2) **Coverage; Exceptions.** The Concept Plan requirement shall apply to all land divisions, including minor subdivisions. The Village Board may waive the requirement for the filing of a Concept Plan for minor subdivisions of less than five (5) acres total area, or if the Village Board determines that the applicant has already filed this information.
- (3) **Concept Plan Submission Requirements.** The Concept Plan shall be submitted in at a scale of not more than two hundred (200) feet to one (1) inch and shall show all lands under the control of the applicant which are contiguous or separated only by existing public roads, or railroad rights-of-way. The Concept Plan shall show the following information:
- a. Name of the proposed subdivision.
 - b. Name, address and telephone number of the owner, subdivider, engineer, land surveyor and land planner.
 - c. Date, graphic scale and north point.
 - d. Location of the proposed subdivision by government lot, quarter section, township, range and county, and a location map showing the relationship between the plan and its surrounding area.
 - e. The exterior boundaries of the proposed subdivision referenced to a corner established by the U.S. Public Land Survey, and the total acreage encompassed thereby.
 - f. The location of existing property lines, buildings, drives, streams and water courses, dry runs, lakes, marshes, rock outcrops, wooded areas, environmental corridors, and other similar significant features within the parcel being subdivided.
 - g. The location, right-of-way width and names of any adjacent existing streets, alleys or other public ways, easements, and railroad and utility rights-of-way within or adjacent to the proposed subdivision.
 - h. The name and width of any adjacent existing street pavements for streets located outside the Village limits.
 - i. The location and size of any existing sanitary and storm sewers, culverts, or drain pipes, and the location and size of any existing water and gas mains on or adjacent to the plat and proposed for use in the development. If sewers and water mains are not present on or adjacent to the preliminary plat, the distance and the size of those to be connected to by the development shall be indicated.
 - j. Location and names of adjacent subdivisions, parks and cemeteries.
 - k. Existing land use and zoning included within or adjacent to the proposed subdivision.
 - l. General location and right-of-way width of all proposed streets.
 - m. General layout and size of all lots.
 - n. General location and approximate area and dimensions of any sites proposed to be reserved or dedicated for parks, playgrounds, greenways or other public uses or which are to be used for group housing, shopping centers, church sites or other nonpublic uses.

- o. General location and area of stormwater drainage facilities.
- p. A preliminary listing of dwelling unit counts by single-family, two-family, three-family, four-family and multi-family types, and the approximate area devoted to non-residential uses.
- q. The preliminary development schedule indicating the approximate timing of the proposed development.

Sec. 14-1-24 Condominium Developments.

(a) Purpose.

- (1) The Village Board hereby finds that certain issues arise in condominium developments that require limited applicability of this Chapter to condominium developments. The State Legislature has recognized that subdivision ordinances may apply to condominiums but that subdivision ordinances shall not impose burdens upon condominiums that are different from those imposed on other property of a similar character not subject to a declaration of condominium.
- (2) The factor that makes this Chapter applicable to a condominium development is the creation of multiple, distinct property entities at or near the ground surface, subject to property taxation as separate "parcels," with each property entity having different ownership and management. The Village of Shiocton determines that this factor makes a condominium development dissimilar, both physically and in ownership, from developments in which the land and improvements are under unitary ownership, management, and control.
- (3) Thus, the Village Board hereby finds that new condominium developments can place impacts on community resources in the same manner as other new developments which are characterized by division of land into lots. These impacts include:
 - a. Additional population density.
 - b. Possibility of use of particular land in a manner unsuitable to the land's characteristics.
 - c. Additional demands upon Village area parks, recreation areas, utility facilities and schools.
 - d. Additional traffic and street use.

(b) Portions of Chapter Applicable to Condominium Developments. The following

Sections of this Chapter shall apply to.-condominium developments:

- (1) Section 14-1-21 relating to land suitability and construction practices.
- (2) Sections 14-1-30 through 14-1-32 relating to preliminary plat approval. This stage of approval shall be the only approval required for a condominium development. The technical requirements for preliminary plats set forth in Section 14-1-32 shall not apply, since condominiums have separate technical standards set forth in Chapter 703, Wis. Stats.

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- (3) Article H relating to fees for review.
 - (4) Article E relating to required improvements.
 - (5) Article F relating to design standards for improvements.
 - (6) Article G relating to dedication requirements.
- (c) **Exceptions.** This Section shall not apply to the following condominiums:
- (1) Any condominium plat recorded prior to the effective date of this Chapter.
 - (2) Any conversion of a structure or structures in existence on the effective date of this Chapter to a condominium after the effective date of this Chapter.

Sec. 14-1-25 through Sec. 14-1-29 Reserved for Future Use.

Article D: Plat Review and Approval

Sec. 14-1-30 Submission of Preliminary Plat.

- (a) **Submission.** Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat and a letter of application. The subdivider shall submit fifteen (15) copies of the Preliminary Plat. The Preliminary Plat shall be prepared in accordance with this Chapter, and the subdivider shall file copies of the Plat and the application as required by this Section with the Village Clerk-Treasurer at least ten (10) days prior to the meeting of the Village Board at which consideration is desired. The Village Clerk-Treasurer shall submit copies of the Preliminary Plat to the Village Board and to the Village Engineer and Village Attorney for review and written report, of their recommendations and reactions to the proposed plat. An abstract of title or registered property report may be requested at this time by the Village Attorney at this time for his/her examination and report.
- (b) **Public Improvements; Plans and Specifications.** Simultaneously with the filing of the Preliminary Plat, the owner shall file with the Village Clerk-Treasurer a report addressing sewer and water service feasibility, drainage facilities and centerline profiles showing streets in the subdivision.
- (c) **Property Owners Association; Restrictive Covenants.** A draft of the legal instruments and rules for proposed property owners associations, when the subdivider proposes that common property within a subdivision would be either owned or maintained by such an organization of property owners or a subunit of the Village pursuant to Sec. 236.293, Wis. Stats., and proposed deed restrictions or restrictive covenants, shall be submitted at the time of filing the Preliminary Plat with the Village Clerk-Treasurer.
- (d) **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 he/she has fully complied with the provisions of this Chapter.
- (e) **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 lots stating type of residential buildings with number of proposed dwelling units; types of business or industry so as to reveal the effect of the development on traffic, fire hazards and congestion of population; and
 - (2) **Zoning Changes.** If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions; and
- (1) **Street Plans and Profiles.** The subdivider shall provide general 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 subdivision when requested.
- (g) **Soil Testing.** If requested by the Village Engineer, the subdivider shall be required to provide a preliminary soils report, listing the types of soil in the proposed subdivision, their

effect on the subdivision and a proposed soil testing and investigation program. Pursuant to the public policy concerns prescribed in Section 14-1-21, the Village Board may 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 ground water table, pursuant to Section 14-1-32(c).

- (h) **Drafting Standards.** The subdivider shall submit to the Village Clerk-Treasurer and to those agencies having the authority to object to plats under provisions in Chapter 236 of the Wisconsin Statutes copies of a Preliminary Plat (or certified survey) based upon an accurate exterior boundary survey by a registered land surveyor which shall show clearly the proposed subdivision at a scale of not more than one (1) inch per one hundred (100) feet having two (2) foot contour intervals, shall identify the improvements (grading, tree planting, paving, installation of facilities and dedications of land), easements which the subdivider proposes to make and shall indicate by accompanying letter when the improvements will be provided. Any proposed restrictive covenants for the land involved shall be submitted.

Cross-Reference: Section 14-1-90, Administrative Fees; Cost Recovery Agreement

Sec. 14-1-31 Preliminary Plat Review and Approval.

(a) **Referral to Other Agencies.**

- (1) The subdivider shall, within two (2) days after filing with the Village, transmit four (4) copies to the County Planning Agency, two (2) copies to the Director of the Planning Function in the Wisconsin Department of Agriculture, Trade and Consumer Protection, additional copies to the Director of the Planning Function for retransmission of two (2) copies each to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street and the Wisconsin Department of Commerce if the subdivision is not served by the public sewer and provision for such service has not been made. The County Planning Agency, the Wisconsin Department of Agriculture, Trade and Consumer Protection, the Wisconsin Department of Transportation and the Wisconsin Department of Commerce shall be hereinafter referred to as objecting agencies. The subdivider shall provide written verification to the Village that these submittals have been made.
- (2) The Village Clerk-Treasurer shall also transmit copies of the Preliminary Plat to the Village Board and additional copies to utilities and all affected Village committees, commissions or departments for their review and recommendations concerning matters within their jurisdiction. The recommendations of Village boards, commissions, and departments shall be transmitted to the Village Board within thirty (30) days from the date the Preliminary Plat is filed. The Preliminary Plat shall then be reviewed by the Village Board for conformance with this Chapter and all ordinances, rules, regulations, comprehensive plans and comprehensive plan components, and neighborhood plans.

- (b) **Objecting Agency Response.** Within twenty (20) days of the date of receiving the copies of the plat, any state or county agency having authority to object under Subsection (a)(1) above shall notify the subdivider and all approving or objecting authorities of any objection based upon failure of the plat to comply with the 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 plat shall not be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act within the twenty (20) day limit it shall be deemed to have no objection to the plat.
- (c) **Board Action.**
- (1) The Village Board shall, within ninety (90) days of the date the plat was filed with the Village Clerk-Treasurer, approve, approve conditionally or reject such plat and shall state, in writing, any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the Village Board to act within ninety (90) days or extension thereof shall constitute an approval of the Preliminary Plat, unless other authorized agencies object to the plat. The Village Clerk-Treasurer shall communicate to the subdivider the action of the Village Board. If the Preliminary Plat is approved, the Village Clerk-Treasurer shall endorse it for the Village Board.
 - (2) The Village Board may obtain a written extension of time from the subdivider by which the Village Board must act on said Plat from the developer (this procedure is recommended in those cases where objections are made to the layout, design or similar aspects of said Preliminary Plat and there is insufficient time in which said corrections may be made by the subdivider and resubmitted to the Village Board for action). The subdivider shall be notified in writing of any conditions for approval or the reasons for rejection.
- (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 six (6) months of Preliminary Plat approval and conforms substantially to the Preliminary Plat layout, the Final Plat shall be entitled to approval. Conditional approval may be granted subject to satisfactory compliance with pertinent provisions of this Chapter and Ch. 236, Wis. Stats. 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 Village Board at the time of its submission.
- (e) **Preliminary Plat Amendment.** Should the subdivider desire to amend the Preliminary Plat as approved, he/she may resubmit the amended plat which shall follow the same procedure, except for the fee, unless the amendment is, in the opinion of the Village Board, of such scope as to constitute a new plat, in which such case it shall be reified.

Sec. 14-1-32 Technical Requirements for Preliminary Plats.

- (a) **General.** A Preliminary Plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the plat prepared on mylar or paper of good quality at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face the following information:
- (1) **Title** under which the proposed subdivision is to be recorded, which name shall not duplicate or be alike in pronunciation of the name of any plat heretofore recorded in the Village unless considered an addition to the subdivision.
 - (2) **Legal Description/Location** of the proposed subdivision by government lot, quarter section, township, range, county and state. •
 - (3) **Date, Scale and North Point.**
 - (4) **Names, Telephone Numbers, and Addresses** of the owner, and any agent having control of the land, engineer, subdivider, land surveyor preparing the plat.
 - (5) **Entire Area** contiguous to the proposed plat owned or controlled by the subdivider may be required by the Village Board to be included on the Preliminary Plat even though only a portion of said area is proposed for immediate development. Where a subdivider owns or controls adjacent lands in addition to those proposed for development at that time, he/she shall submit a concept plan for the development of the adjacent lands showing streets, utilities, zoning districts, and other information as may affect the review of the Preliminary Plat in question. The Village Board, upon the recommendation of the Village Engineer, may waive these requirements where adjacent development patterns have already been established or where severe hardship would result from strict application thereof.
- (b) **Plat Data.** All Preliminary Plats shall show the following:
- (1) **Exact Length and Bearing** of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.
 - (2) **Locations of all Existing Property Boundary Lines**, structures, drives, streams and water courses, marshes, rock outcrops, wooded areas, railroad tracks and other significant features within the tract being subdivided or immediately adjacent thereto.
 - (3) **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.
 - (4) **Location and Names of any Adjacent Subdivisions**, parks and cemeteries and owners of record of abutting unplatted lands.
 - (5) **Type, Width and Elevation** of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto, together with any legally established centerline elevations.
 - (6) **Location, Size and invert Elevation** of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catchbasins, hydrants, electric and

communication facilities, whether overhead or underground and the location and size of any existing water and gas 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.

- (7) **Corporate Limit Lines** within the exterior boundaries of the plat or immediately adjacent thereto.
- (8) **Existing Zoning** on and adjacent to the proposed subdivision.
- (9) **Contours** within the exterior boundaries of the plat and extending to the centerline of adjacent public streets to National Map Accuracy Standards based upon Mean Sea Level Datum at vertical intervals of not more than two (2) feet. At least two (2) 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 Village Engineer, undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used.
- (10) **High-Water Elevation** of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom.
- (11) **Water Elevation** of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom at the date of the survey.
- (12) **Floodland and Shoreland Boundaries** and 'the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred (100) year recurrence interval flood or, where such data is not available, two (2) feet above the elevation of the maximum flood of record within the exterior boundaries of the plat or within one hundred (100) feet therefrom.
- (13) **Location and Results of Percolation Tests** within the exterior boundaries of the plat conducted in accordance with Sec. H 85.06 of the Wisconsin Administrative Code where the subdivision will not be served by public sanitary sewer service.
- (14) **Location, Width and Suggested Names** of all proposed streets and public rights-of-way such as alleys and easements; the Village Board shall have final approval authority over street names.
- (15) **Approximate Dimensions of All Lots** together with proposed lot and block numbers. The area in square feet of each lot shall be provided.
- (16) **Location and Approximate Dimensions** of any sites to be reserved or dedicated for parks, playgrounds, drainageways or other public use or which are to be used for group housing, shopping centers, church sites or other nonpublic uses not requiring lotting.

- (17) **Approximate Radii of all Curves.**
 - (18) **Any Proposed Lake and Stream Access** with a small drawing clearly indicating the location of the proposed subdivision in relation to access.
 - (19) **Any Proposed Lake and Stream** improvement or relocation, and notice of application for approval by the Division of Environmental Protection, Department of Natural Resources, when applicable.
 - (20) **Soil Tests and Reports** as may be required by the Village Engineer for the design of roadways, storm drainage facilities, on-site sewage disposal systems, erosion control facilities, and/or other subdivision improvements and features.
 - (21) **Setbacks and Building Lines** for each lot consistent with the pertinent requirements of the Village Zoning Code.
 - (22) **Design Features.**
 - a. Locations and widths of proposed alleys, pedestrian ways and utility easements.
 - b. Layout numbers and preliminary acreages and dimensions of lots and blocks.
 - c. Minimum front, rear, side, and street yard building setback lines.
 - d. Location and size of proposed sanitary sewer lines and water mains.
 - e. Gradients of proposed streets, sewer lines (and water mains, if required).
 - f. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres.
 - g. Location and description of survey monuments.
 - h_ An identification system for the consecutive numbering of all blocks and lots within the subdivision.
 - i. Sites, if any, to be reserved for parks or other public uses.
 - j. Sites, if any, for multi-family dwellings, shopping centers, churches, industry or other non-public uses exclusive of single-family dwellings.
 - k. Provisions for surface water management including both minor and major system components, detention/retention facilities, including existing and post development one hundred (100) year flood elevations, etc.
 - l. Potential resubdivision and use of excessively deep [over two hundred (200) feet] or oversized lots must be indicated in a satisfactory manner.
 - m. Any wetlands, floodplains, or environmentally sensitive areas provided for by any local, state or federal law.
 - (23) **Where the Village Board, Plan Commission or Village 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 subdivider.
- (c) **Testing.** The Village Board, upon the recommendation of the Village Engineer, may 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 ground water table. The Village does not guarantee, warrant, or represent that only those soils tested and shown

to be unsuited for specific uses are the only unsuited soils within the Village and thereby asserts that there is no liability on the part of the Village Board, its agencies, or employees for sanitation problems or structural damages that may occur as a result of reliance upon, and conformance with, this Chapter. Where the subdivision will not be served by public sanitary sewer service, the provisions of Ch. 1185, Wis. Adm. Code, shall be complied with; and the appropriate data submitted with the preliminary plat.

- (d) **Soil and Water Conservation.** The Village Board, upon the recommendation of the Village Engineer, after determining from a review of the preliminary plat that the soil, slope, vegetation, and drainage characteristics of the site are such as to require substantial cutting, clearing, grading, and other earthmoving operations in the development of the subdivision or otherwise entail a severe erosion hazard, may require the subdivider to provide soil erosion and sedimentation control plans and specifications. Such plans shall generally follow the guidelines and standards set forth in the latest revision of publication WR-222, *Wisconsin Construction Site Best Management Practice Handbook*, as prepared by the Wisconsin Department of Natural Resources Bureau of Water Resources Management Nonpoint Source and Land Management Section.

Sec. 14-1-33 Technical Requirements for Final Plats.

- (a) **General.** A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Section 236.20, Wis. Stats., and this Chapter.
- (b) **Additional Information.** The Final Plat shall show correctly on its face, or on a supporting document, in addition to the information required by Section 236.20, Wis. Stats., the following:
- (1) **Exact Street Width** along the line of any obliquely intersecting street.
 - (2) **Exact Location and Description** of street lighting and lighting utility easements.
 - (3) **Railroad Rights-of-Way** within and abutting the plat.
 - (4) **All Lands Reserved** for future public acquisition or reserved for the common use of property owners within the Plat.
 - (5) **Special Restrictions** required by the Village Board, upon the recommendation of the Plan Commission, relating to access control along public ways or to the provision of planting strips.
 - (6) **Taxes.** Certifications by attached information showing that all taxes and special assessments currently due on the property to be subdivided have been paid in full.
 - (7) **Groundwater Presence.** Where the ground water table is equal to or less than nine (9) feet from the proposed street centerline elevation, the subdivider shall place the following note on the plat:

Subsoil information indicates the presence of high ground conditions on Lot(s) _____ . On these lots, either basement elevations must be elevated above the groundwater level or the basement exteriors must be fully water-proofed.

- (8) **Dimensions of Lot Lines** shall be shown in feet and hundredths; no ditto marks shall be permitted. When lot lines are not at right angles to the street right-of-way line, the width of the lot shall be indicated at the building setback line in addition to the width of the lot at the street right-of-way line.
- (9) **A Numbered Identification System** for all lots and blocks_
- (c) **Deed Restrictions.** Restrictive covenants and deed registrations 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) **Street Dedication.** Public rights-of-way for streets and other public areas shall be dedicated to the Village with Final Plat approval. Such dedications shall require the owner's certificate and the mortgagee's certificate in substantially the same form as required by Section 236.21(2)(a), Wis. Stats.
- (t) **Survey Accuracy.**
 - (1) **Examination.** The Village Engineer shall examine all Final Plats within the Village and may check for the accuracy and closure of the survey, the proper kind and location of monuments, and legibility and completeness of the drawing.
 - (2) **Maximum Error of Closure.** Maximum error of closure before adjustment of the survey of the exterior boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in five thousand (1:5,000), nor in azimuth, thirty (30) seconds of arc per interior angle. If field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure of the field measurements has been obtained; the survey of the exterior boundary shall be adjusted to form a closed geometric figure.
 - (3) **Street, Block and Lot Dimensions.** All street, block and lot dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If checks disclose an error for any interior line of the plat greater than the ratio of one part in three thousand (1:3,000), or an error in measured angle greater than one (1) minute of arc for any angle where the shorter side forming the angle is three hundred (300) feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than three hundred (300) feet in length, the error shall not exceed the value of one (1) minute multiplied by the quotient of three hundred (300) divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.

- (4) **Plat Location.** Where the plat is located within a quarter section, the corners of which have been relocated, monumented and coordinated by the Village, the tie required by Section 236.20(3)(b), Wis. Stats., may be expressed in terms of grid bearing and distance; 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. The grid bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision.
- (g) **Engineer's Report.** The Village Board shall receive the results of the Village Engineer's examination prior to approving the Final Plat.
- (h) **Surveying and Monumenting.** All Final Plats shall meet all the surveying and monumenting requirements of Section 236.15, Wis. Stats.
- (i) **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 Village, 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 Village's control survey.
- (j) **Certificates.** All Final Plats shall provide all the certificates required by Section 236.21, Wis. Stats.; and in addition, the surveyor shall certify that he has fully complied with all the provisions of this Chapter.

Sec. 14-1-34 Final Plat Review and Approval.

(a) Filing Requirements.

- (1) The subdivider shall prepare a Final Plat and a letter of application in accordance with this Chapter and shall file fifteen (15) copies of the Plat and the application with the Village Clerk-Treasurer at least ten (10) days prior to the meeting of the Village Board at which action is desired. The Village Clerk-Treasurer shall give notice of the Village Board's meeting in the manner prescribed in Section 14-1-31(a)(2). The owner or subdivider shall file copies of the Final Plat not later than six (6) months after the date of approval of the Preliminary Plat; otherwise, the Preliminary Plat and Final Plat will be considered void unless an extension is requested in writing by the subdivider and for good cause granted by the Village. The owner or subdivider shall also submit at this time a current certified abstract of title or registered property report and such other evidence as the Village Attorney may require showing title or control in the applicant. A written transmittal letter shall identify all substantial changes that have been made to the plat since the approval of the Preliminary Plat.

- (2) The Village Clerk-Treasurer shall, within two (2) days after filing with the Village, transmit four (4) copies to the County Planning Agency, two (2) copies to the Director of the Planning Function in the Wisconsin Department of Agriculture, Trade and Consumer Protection, additional copies to the Director of the Planning Function for retransmission of two (2) copies each to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street and the Wisconsin Department of Commerce if the subdivision is not served by a public sewer and provision for service has not been made, and the original Final Plat. The County Planning Agency, the Wisconsin Department of Agriculture, Trade and Consumer Protection, the Wisconsin Department of Transportation, and the Wisconsin Department of Commerce shall be hereinafter referred to as objecting agencies.
- (3) 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 to the plat as provided by Sec. 236.12(2).
- (4) Simultaneously with the filing of the Final Plat or map, the owner shall file with the Village Clerk-Treasurer six (6) copies of the final plans and specifications of public improvements required by this Chapter, and a signed copy of the developer's contract required by Section 14-1-51.
- (5) The Village Clerk-Treasurer shall refer copies of the Final Plat to the Village Board, one (1) copy to the Village Engineer, one (1) copy to the Village Attorney, and a copy each to the telephone and power and other utility companies. The abstract of title or registered property report and Final Plat shall be referred to the Village Attorney for his/her examination and report. The Village Clerk-Treasurer shall also refer final plans and specifications for public improvements required by this Chapter to the Village Engineer for review. The recommendations of the Village Attorney and Village Engineer shall be made within thirty (30) days of the filing of the Final Plat. The Village Engineer shall examine the plat or map and final plans and specifications of public improvements for technical details and, if he/she finds them satisfactory, shall so certify in writing to the Village Board. If the plat or map or the plans and specifications are not satisfactory, the Village Engineer shall return them to the owner and so advise the Plan Commission.
- (6) The objecting state and county agencies shall, within twenty (20) days of the date of receiving their copies of the Final Plat, notify the subdivider and all other approving and objecting agencies of any objections, except that the Wisconsin Department of Agriculture, Trade and Consumer Protection has thirty (30) days in which to make objections. If there are no objections, they shall so certify on the face of the copy of the Plat and shall return that copy to the Village. If an objecting agency fails to act within twenty (20) days, it shall be deemed to have no objection to the Plat.
- (7) If the Final Plat is not submitted within six (6) months of the last-required approval of the Preliminary Plat, the Village Board may refuse to approve the Final Plat.

(b) **Board Review and Approval.**

- (1) a. The Village Board shall, within sixty (60) days of the date of filing the original Final Plat with the Village Clerk-Treasurer.
 1. Approve the Final Plat.
 2. Approve the Final Plat with conditions.
 3. Reject the Final Plat with reasons:
 4. Obtain a written agreement from the developer extending the time in which the Village Board must act on the Final Plat (this method is recommended in those cases in which objections are made to the layout, design or similar aspects of said Final Plat and there is insufficient time for said corrections to be made and resubmitted to by the developer to the Board for action.
 - b. If the Plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons forwarded to the subdivider.
 - c. The Village Board may not inscribe its approval on the Final Plat unless the Village Clerk-Treasurer certifies on the face of the Nat that the copies were forwarded to objecting agencies as required herein, the date thereof and that no objections have been filed within twenty (20) days or, if filed, have been met.
- (2) The Village Board shall, when it determines to approve a Final Plat, give at least ten (10) days' prior written notice of its intention to the Municipal Clerk of any municipality within one thousand (1,000) feet of the Final Plat.
- (3) Failure of the Village Board to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved. In the case of time extensions, the Village Board and applicant must mutually agree upon such extension.
- (c) **Recordation.** After the Final Plat has been approved by the Village Board and required improvements either installed or a contract and sureties insuring their installation is filed, the Village Clerk-Treasurer shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the subdivider for recording with the county register of deeds. The register of deeds cannot record the Plat unless it is offered within six (6) months from the date of Preliminary Plat approval or thirty (30) days after the date of Final Plat approval.
- (d) **Copies.** The subdivider shall file ten (10) copies of the adopted Final Plat with the Village Clerk-Treasurer for distribution to the Village Engineer, approving agencies, and other affected agencies for their files.
- (e) **Partial Platting.** The Final Plat may, if permitted by the Village Board, constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record at the time.