

AGENDA - FINAL
WAUKESHA COUNTY PARK AND PLANNING COMMISSION - Regular Meeting
Thursday, May 16, 2024 1:00 P.M. Room AC 255/259
Administration Center, 515 W. Moreland Blvd., Waukesha, WI 53188

CALL TO ORDER
CORRESPONDENCE
MEETING APPROVAL
MINUTES
PUBLIC COMMENT

Approval of the April 18, 2024, Minutes

SCHEDULED MATTER

- 1:00 p.m. **Consideration of a Year 2024 Request for Amendment to the Comprehensive Development Plan for Waukesha County**
 - 1A Tobolt, Town of Merton

CONDITIONAL USE AND PLAN OF OPERATIONS

- **CU103 (Matt and Anne Krug) Town of Eagle, Section 35**

The NW ¼ and the NE ¼ of Section 35, T5N, R17E, Town of Eagle. More specifically, the Eagle Spring Golf Resort is located at W352 S10355 Tuohy Road.
Request: Conditional Use approval to expand the resort to include an adjacent single-family residence and island for short term rental and outdoor special events. Other operational changes are proposed.
- **SP223 (Matt and Anne Krug) Town of Eagle, Section 35**

The NW ¼ and the NE ¼ of Section 35, T5N, R17E, Town of Eagle. More specifically, the Eagle Spring Golf Resort is located at W352 S10355 Tuohy Road.
Request: Site Plan/Plan of Operation approval to expand the resort to include an adjacent single-family residence and island for short term rental and outdoor special events. Other operational changes are proposed.
- **CU92 (Pewaukee Yacht Club) Town of Delafield, Sections 13 and 24**

Part of the SE ¼ of Section 13 and the NE ¼ of Section 24, T7N, R18E, Town of Delafield. More specifically, the property is located at N22 W28024 Edgewater Drive.
Request: Amend the pier conditions of the existing Conditional Use permit.
- **SP198 (Pewaukee Yacht Club) Town of Delafield, Sections 13 and 24**

Part of the SE ¼ of Section 13 and the NE ¼ of Section 24, T7N, R18E, Town of Delafield. More specifically, the property is located at N22 W28024 Edgewater Drive.
Request: Amend the pier conditions of the existing Site Plan/Plan of Operation permit.

MISCELLANEOUS

- **PPC24 003 (Cypress Tree LLC) Town of Oconomowoc, Sections 14 and 23**

A redivision of Lot 3 CSM No. 11032 and Lot 1 CSM No. 11033, part of the SW ¼ and SE ¼ of Section 14, and part of the NE ¼ of Section 23, T8N, R17E, Town of Oconomowoc.
Request: Lot not abutting a public road, more than 2 lots on a private road and the creation of lots less than 3 acres for lots not abutting a public road.
- **Appointment of Nominating Committee for Officers**

ADJOURNMENT

James Siepmann

James Siepmann, Chairperson

Park and Planning Commission

Thursday, May 16, 2024

(The Staff Reports and Recommendations for the issues listed above are available upon request. For questions regarding this agenda, please call (262) 548-7790).

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2024 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
1(A) TOBOLT, TOWN OF MERTON

DATE: May 16, 2024

PUBLIC HEARING DATE:
Wednesday, February 28, 2024, 1:00 p.m.

REQUEST:
1(A) In the Town of Merton, the following request is being made:

Liz Tobolt, 2750A Golf Road, Delafield, WI 53018, requests property owned by Kettle Moraine United Presbyterian Church, N66 W32690 County Road K, Hartland, WI 53029, located in part of the NW ¼ and SW ¼ of Section 20, T8N, R18E, Town of Merton (Tax Key No. MRTT 0366.978), be amended from the Governmental and Institutional category to the Suburban II Density Residential category (3.0 to 4.9 acres per dwelling unit), no changes are proposed to the areas within the PEC, to allow a 4 acre parcel to be divided off for residential use.

EXISTING LAND USE CATEGORY:
Governmental and Institutional and Primary Environmental Corridor (PEC) category.

PROPOSED LAND USE CATEGORY:
Suburban II Density Residential category, no changes are proposed to the areas within the PEC

PUBLIC REACTION:
One neighbor expressed that he did not especially like the flag lot configuration and was surprised that the church did not approach him to see if he was interested in purchasing the land. Another neighbor indicated that he would also be willing to buy a portion of the property. The Park & Planning Commission recommended that the two neighbors speak with the listing agent outside of the meeting about their interest in purchasing land.

TOWN ACTION:
On February 7, 2023, the Town of Merton Plan Commission recommended approval of the request to amend the Town of Merton Land Use Plan for the subject property from the Governmental and Institutional category to the Suburban II Density Residential category.

On April 8, 2023, the Town of Merton Board approved the request to amend the Governmental and Institutional designation to the Suburban II Density Residential category.

STAFF ANALYSIS:
The subject 16.6 acre property has frontage on both CTH K and West Shore Dr. The property is fairly unorthodox in configuration with a narrow strip of land extending to West Shore Drive and a jog in the property boundary between the frontage near CTH K and the church site. The property houses the Kettle Moraine United Presbyterian Church. The access to the church is located on Highway K and the church is located in the central wooded portion of the site.

The lands to the north and west are in the SDRII category, lands to the south and east are in the Primary Environmental Corridor category and lands to the west are in the Governmental & Institutional and Rural Density and Other Agricultural Land categories.

The church would like to be able to divide the property (see Exhibit A) to be able to generate funds for its operations. The north part of the property is proposed to be split off with the existing narrow portion of the property providing a future driveway location extending to a building site in the east part of proposed Lot 2. Lot 2 would be four acres in area. The church, garage, and the existing home would remain on the 12.6 acres that would comprise Lot 1. Those improvements would continue to obtain access from CTH K.

The property is zoned A-1 Agricultural District which allows for a minimum lot size of three acres. Therefore, if this request is approved, the land could be divided with the approval of the concept Certified Survey Map that has been transmitted.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The proposed category matches the nearby private property designations and will create an opportunity for the church to capitalize on the unused part of its holdings.

Respectfully submitted,



Jason Fruth

Planning Manager

Attachments: Exhibit A (CSM)
Map

EXHIBIT A

CERTIFIED SURVEY MAP NO. _____

BEING A SUBDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 10455, LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 18 EAST, TOWN OF MERTON, WAUKESHA COUNTY, WISCONSIN

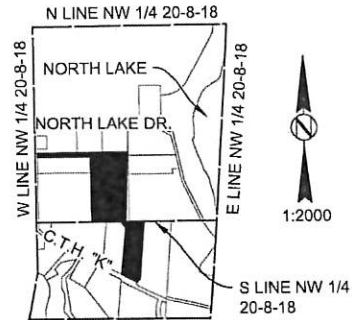
SURVEY FOR:
KETTLE MORaine UNITED
PRESBYTERIAN CHURCH
ATTN: JOHN MCBROOM
N66W32690 COUNTY ROAD K
HARTLAND, WI 53029

SURVEYOR:
KEITH A. KINDRED, PLS S-2082
SEH
501 MAPLE AVE
DELAFIELD, WI 53018
(414) 949-8919
KKINDRED@SEHINC.COM

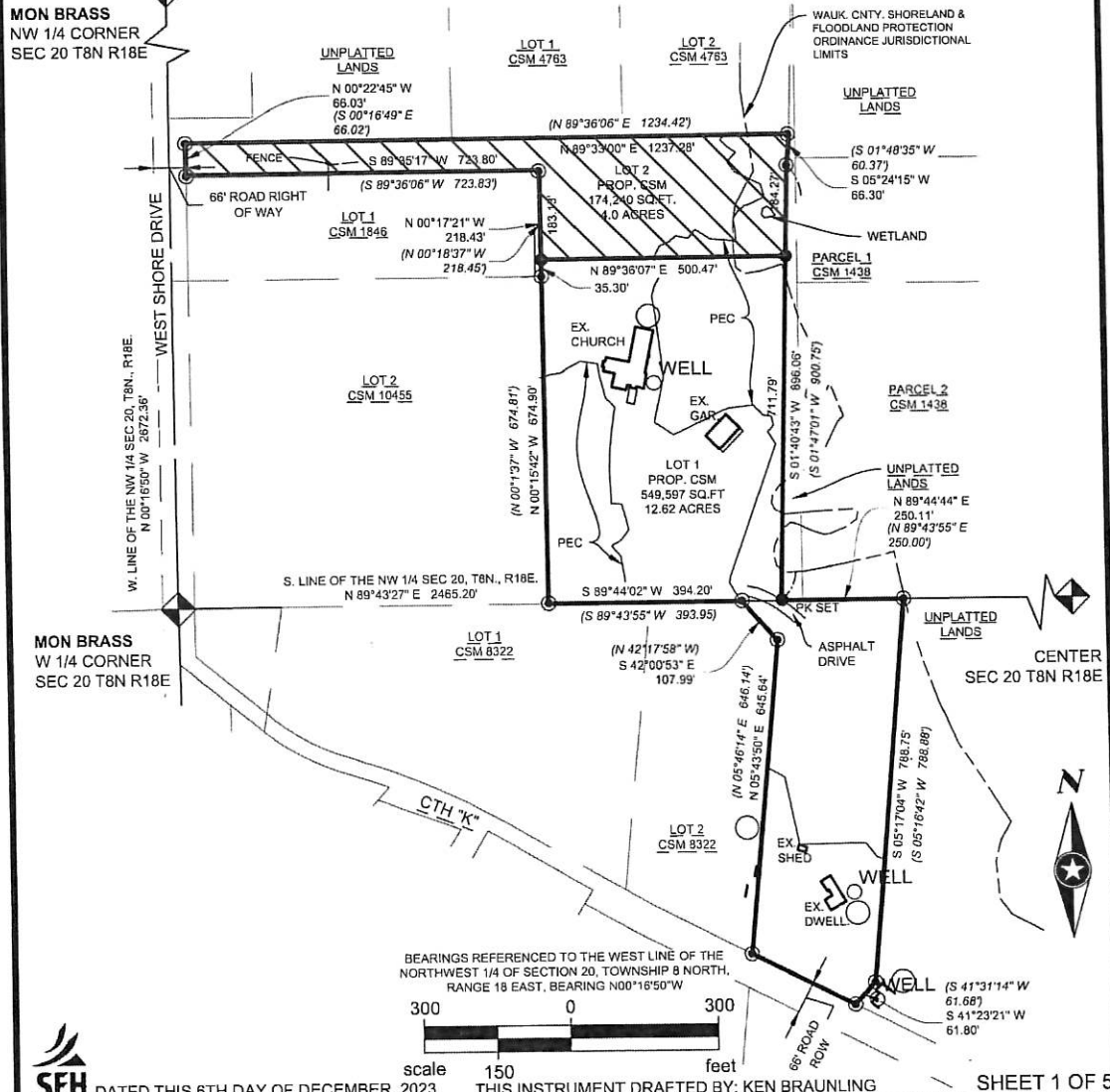
LEGEND

- -11/16" O.D. REBAR, 18" LNGLTH, WT. = 1.13 LBS./LIN. FT. SET (UNLESS OTHERWISE STATED)
- ⊙ - 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)
- ◆ - SECTION MONUMENT FOUND AS DESCRIBED
- (XXXXXX) - RECORDED AS / DEEDED AS
- - WELL -WELL
- - SEPTIC TANK

LOCATION MAP

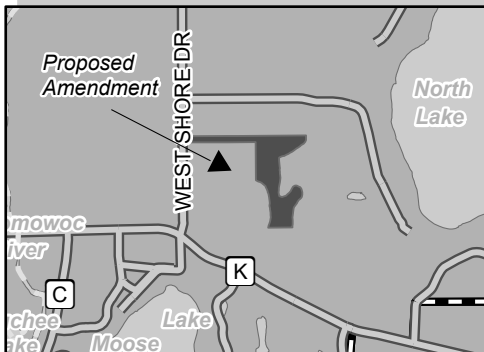
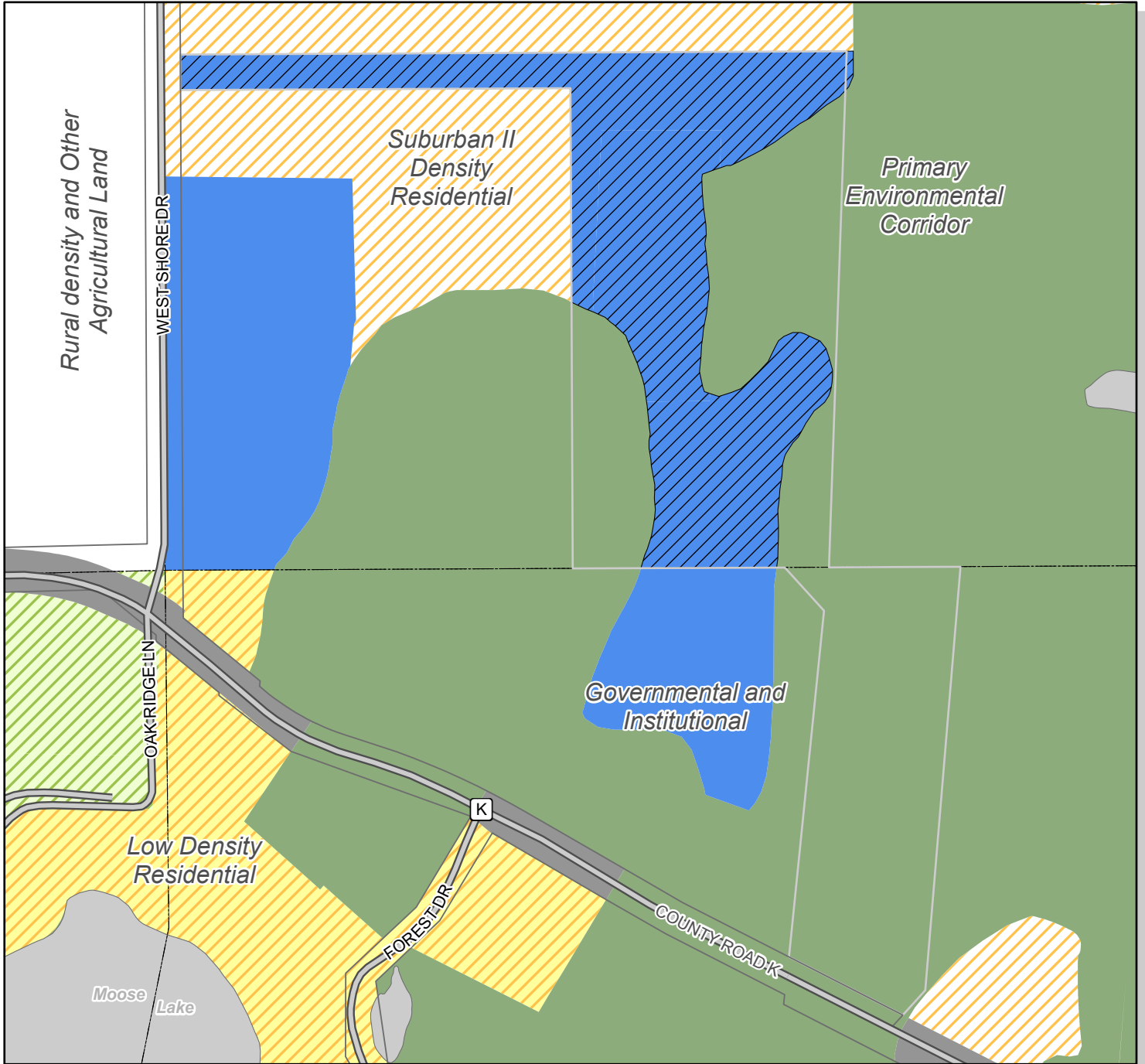



MON BRASS
NW 1/4 CORNER
SEC 20 T8N R18E



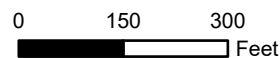
DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 20,
TOWN OF MERTON



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM GOVERNMENTAL AND INSTITUTIONAL TO SUBURBAN II DENSITY RESIDENTIAL

PETITIONER.....Kettle Moraine United Presbyterian Church
 PARK & PLANNING COMM MTG DATE.....5/16/24
 AREA OF CHANGE.....7.5 ACRES



WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
CONDITIONAL USE AND SITE PLAN/PLAN OF OPERATION

DATE: May 16, 2024

FILE NO: CU103 and SP223

OWNER: Country Krug, LLC.

APPLICANTS: Matt and Anne Krug
1930 N. Menomonee River Parkway
Wauwatosa, WI 53226

TAX KEY NO.: EGLT 1865.989, 1865.990, 1865.991, 1865.007, and 1865.020.

LOCATION:

The subject properties are located in the NW ¼ and the NE ¼ of Section 35, T5N, R17E, Town of Eagle. More specifically, the Eagle Spring Golf Resort is located at W352 S10355 Tuohy Road, containing approximately 131 acres.

ZONING CLASSIFICATION: A-2 Rural Home, R-3 Residential, C-1 Conservancy Overlay and EC Environmental Corridor Overlay Districts. A portion of the golf course is outside of shoreland zoning and subject to the Town Zoning Code.

EXISTING USE: Golf course and resort operating under an unspecified conditional use.

PROPOSED USE:

Expand the boundaries of the resort to include an adjacent single-family residence with private island. The residence is proposed to be used as a short-term rental and outdoor special events are proposed on the island. Other operational changes are proposed.

PUBLIC HEARING DATE(S): February 5, 2024, and March 4, 2024

PUBLIC REACTION:

Several residents spoke or provided written comments at the public hearing. Those comments are summarized below, and any comments submitted in writing are attached as Exhibit A. Nearly everyone, including those that expressed concerns, noted that the resort has been a good neighbor over the years and provides an important recreational and social space for the community through the services it provides and the “open to the public” events that are hosted throughout the summer. Several people complimented the current owner/operators for their willingness to work with the neighborhood on any issues or concerns.

Nadine Mims owner of the residence immediately adjacent (south) to the subject parcel expressed concerns that the proposed use would adversely impact her property and associated property values. She noted concerns over traffic on Touhy Rd. (private road), parking issues, the safety of the walking bridge to the island, safe site access from the road, noise, light glare from any night event lighting, impacts to her lake view and other visual aesthetic impacts that could occur if frequent, large special events are proposed, especially if they occur at night and with music.

TOWN PLAN COMMISSION & TOWN BOARD ACTION:

On March 6, 2024, a joint committee of the Town of Eagle Plan Commission and Town Board voted to

recommend unanimous approval of the request, subject to several conditions incorporated below.

COMPREHENSIVE DEVELOPMENT PLAN (CDP) AND TOWN LAND USE PLAN:

The subject property is designated in the Suburban Density Residential II, High Density Residential and Primary Environmental Corridor Categories on the Waukesha County Comprehensive Development plan (CDP) and is designated in the Rural Residential I, High Density Residential and Environmental Corridor Categories on Town of Eagle Land Use Plan. Both plans envision conditional uses that are deemed compatible with surrounding uses. This proposal conforms with both plans.

STAFF ANALYSIS:

Existing Operation: The original golf course was founded in the late 1800's by a member of the Tuohy family who had historically farmed the area. The course was 18-holes but reduced to 9-holes after the Great Depression, according to the resort's website. The resort operated as a legal non-conforming use until 1988, making it subject to a 50% (of equalized assessed value) lifetime limitation on any future improvements. Section 3(o)6 of the Waukesha County Shoreland Protection Ordinance ("Ordinance") provides for legal non-conforming uses to petition for conditional use status. This change in use status alleviates the property from the 50% limitation noted above and allows for the [Town] Plan Commission and Zoning Agency (PPC) to authorize expansions to the use, provided that all Ordinance standards are met. In addition, conditions can be placed on a conditional use.

In 1988, a prior owner sought and obtained conditional use status (CU-1560) to construct an irrigation pond and do substantial course improvements. The approved Site Plan / Plan of Operation ("SPPO") was amended in 2013 to allow the construction of a pavilion. When the current owner purchased the property in 2021, a subsequent SPPO amendment (SP129) occurred to approve the change in ownership. That approval, which is currently effective, included the following operational details. The current site plan is attached as **Exhibit B**:

- **Business description:** Nine (9) hole golf course with carts, snack bar and bar, resort with seasonal cottage rentals, maintenance building, office and storage shed.
- **Number of onsite parking spaces:** 55
- **On-site vehicles:** 2 work trucks, 44 golf carts, 6 mowers.
- **Special Events:** Fifty (50) per year, including private golf outings of up to 68 golfers and guests, weddings, and holiday parties. Up to 90 guests may attend the non-golf special events. All events to end by 11:00 p.m. Indoor music permitting during events. Town may approve outside music during events. No parking on the road during events.
- **Hours of Operation:** 6:00 a.m. to 11:00 p.m. Monday through Sunday.
- **Number of employees:** 1 full-time and 20 seasonal.

Current Request: The resort owners recently purchased a riparian lot adjacent to the resort on Tuohy Rd (see Exhibit A). The lot contains a single-family residence and includes a private island accessible by walking bridge. The island contains a small garage with electricity but no plumbing, there is also a patio/concrete slab near the garage. The owners are petitioning to amend the existing CUP to include that lot and island as part of the resort use.

With respect to the residence, the petitioner notes they will need to install a new septic system to utilize the home as a short-term rental; therefore, they intend to reside in and improve the residence in the near term but will ultimately offer it as a short-term rental once the necessary improvements are made. The residence has a garage as well as a small outdoor parking area. Chris Mommaerts (Town Board

Chairperson) contacted (acting) Fire Chief Steve Wilton to determine if his department had any concerns about parked cars impacting access on Touhy. He stated that he has no issues if parking only occurs on one side of the road. He further noted that his department has smaller equipment to serve the numerous, smaller lake roads.

The private island would be used separately from the rental unit. This island would be primarily used to host special events and private gatherings. Anne Krug, who owns the resort with her husband, provided additional detail about the island use at the public hearing. Ms. Krug said that they would like to host higher end functions such as corporate luncheons and dinners, in addition to milestone events (weddings, graduations, baby showers, etc.) that are currently hosted elsewhere at the resort. Events with food would be catered and the existing accessory building would be used as a staging area for food service during events, no food preparation is proposed on-site. A porta potty would be provided on the mainland next to the island. A site plan of the island showing the existing improvements and proposed use is attached as Exhibit C.

Existing access to the island is difficult due to the steep topography from road to lake and the limited side yard area between residences. Therefore, a natural pedestrian and cart path would be established to provide a safe access to the island for event goers. The path would also separate foot traffic from the adjacent residence. On April 22, 2024, Land Resources Division (LRD) staff conducted an onsite investigation to determine if the proposed path location would impact any wetlands. Staff did identify and stake out an area of wetlands near the lake that would be encroached based on the initial path location. The petitioner revised the plan accordingly. LRD has reviewed the revised path plan (Exhibit D) and do not believe there will be any wetland impact. The petitioner has also submitted a Vegetation Removal Permit application to clear dead and invasive trees for the walking path.

The petitioners engaged a structural engineer to review the condition of the bridge serving the island. The report, which is attached as Exhibit E, deems the bridge to be structurally sound for foot traffic only. In addition, that report provides recommendations to improve bridge safety, such as installing guard rails. Those recommendations have been substantially incorporated into the staff recommendation below.

The petitioners are also requesting an operational change to allow an increase in seasonal staff from twenty (20) to forty (40).

STAFF RECOMMENDATION:

The Planning and Zoning Division staff recommends approval of this request in accordance with the Town of Eagle's recommendations as modified below (modifications or additions to the Town's conditions are in **bold** and deletions are identified in a strikethrough format):

1. **All previous conditions of approval established by the Town of Eagle and Waukesha County for the Eagle Spring Golf Resort shall be strictly adhered to unless specifically modified herein.**
2. Site plan required. The operator must submit a **final** site plan to Waukesha County Department of Parks and Land Use, **Planning and Zoning Division** for review and approval. The approved plan must depict the existing building, no-mow area, riparian restoration area, outdoor seating area, placement of the portable toilets, off-site parking and access, **pedestrian path** and any other improvements related to and authorized by the county's approval. **Due to size of the**

resort, a separate detailed island site plan can be submitted in conjunction with the overall site plan for the resort.

3. Number of events per year: The operator may hold no more than six (6) events on the island in 2024. Upon petition, the Town Plan Commission **and Waukesha County** may allow up to fifteen (15) events per year starting in 2025 provided the Town Plan Commission and **Waukesha County** determines that the larger number is appropriate based on current and planned operating conditions. **Notice of intent to increase the number of events must be provided via mail to those neighbors that received the initial public hearing notice.** The number of events on the island is part of the overall number of events allowed for the conditional use approval. For the purpose of this approval, an event is one day (**a two-day event would be considered two separate events**).
4. Maximum number of guests per event. The maximum number of guests for an authorized event is limited to 100 at any one time. Upon petition, the Town Plan Commission **and Waukesha County** may allow up to 150 guests starting in 2025 provided the commission determines that the larger number is appropriate based on current and planned operating conditions. **Notice of intent to increase the number of events must be provided via mail to those neighbors that received the initial public hearing notice.**
5. Maximum size of service area. The existing hard-surfaced patio, consisting of 770 square feet, may be maintained, and reconstructed provided the area is not enlarged, **and any required permits are obtained from Waukesha County.**
6. **Preliminary Site Plan approval shall be applied for and obtained from the Waukesha County Environmental Health Division.**
7. Riparian vegetation management. The operator may not mow vegetation within 3 feet of the ordinary high-water mark, except in those area depicted on the approved site plan. **Prior to CU permit issuance, a buffer plan shall be submitted to Waukesha County for review and approval. The A buffer strip consisting shall consist** of native vegetation, must be established around 30 percent of the waterfront frontage, **and shall be as depicted on the approved site plan. The buffer strip must be installed no later than October 1, 2024.**
8. Consistency with alcohol license. Alcohol may not be served or consumed unless the alcohol license issued by the Town explicitly states that consumption is permitted.
9. Alcohol service. If alcohol is served, such service must stop by 9:00 pm. Upon petition, the Town Plan Commission may allow service up to 10:00 pm starting in 2025 provided the commission determines that the later time is appropriate based on current and planned operating conditions.
10. Hours of operation. The events **on the island** must conclude by 10:00 pm.
11. **Parking. Off street parking areas shall be utilized to the greatest degree practical. Prior to CU Permit issuance, "No Parking – Fire Lane" signage shall be installed or staked along one side of Touhy Road and documentation of said installed signage shall be submitted to Waukesha County.**

12. Outdoor lighting. Festoon lighting (i.e., lamps wired to a flexible cable) may be placed above the approved outdoor service area, provided (1) the lighting is only used when the outdoor service area can be used and (2) each bulb does not produce more than 200 lumens. The footbridge may be lighted for safety purposes. Any lighting placed above the approved outdoor service area must be removed within 24 hours following the conclusion of the event.
13. Structures. A tent **or temporary structure** may not be erected for any purpose. The existing **accessory** building with a floor area of 600 square feet is allowed to remain and be maintained and may be used for event purposes.
14. **No outdoor storage on the island is allowed.**
15. Camping. Overnight camping is not allowed.
16. Footbridge. The existing foot bridge providing access to the island may be maintained and reconstructed, if necessary, provided all necessary approvals and permits are obtained by the property owner. **In accordance with the submitted engineering report, the** The bridge may not be used for vehicular access of any kind., ~~except that golf carts and similar sized vehicles may be used for event purposes.~~ Prior to the first event, an engineer or other qualified individual acceptable to Waukesha County must determine the footbridge is structurally sound and safe for the intended purpose. **Prior to CU Permit issuance, documentation shall be submitted to Waukesha County indicating that guard rails on new posts have been installed on the bridge, which meet the following standards:**
 - **Posts are capable of supporting a horizontal force of 200 lbs. applied at the top of the post.**
 - **Horizontal rails must be designed to span between posts with a uniform loading of 50 plf (pounds per linear foot).**
 - **Guard rail height shall be 42" above the walking surface.**
17. Pier. The two existing piers are allowed to remain and may be maintained consistent with any requirements established by the Wisconsin DNR and/or Waukesha County. The property owner may not rent or lease any part of a pier to another person.
18. Notification. The operator must provide advance notification of upcoming events via email to all property owners within 300 feet of the island who provide their contact information to the operator. The notice must be sent at least 30 days in advance of a scheduled event and provide basic details about the nature of the event. If notice has been sent out for a planned event which is then cancelled due to unforeseen circumstances, a second notice is not required unless the new date allows for the 30-day notice. This notification requirement is a courtesy to those that may own property in the area. Failure to send/receive notice is not considered a violation of this approval.
19. Music. Outdoor music for an event is allowed up to 9:00 pm provided the music complies with any noise ordinance or other regulation adopted by the Town of Eagle. **This includes amplified music from boats parked at resort owned piers.**
20. Restroom facilities. Portable toilets ~~may be used but~~ must be placed in the location depicted in the approved site plan, **prior to the first event. The portable toilet(s) shall be screened**

(with vegetation) from views of lake goers and nearby residents. Waukesha County reserves the right to require additional screening measures if necessary.

21. **Only the owners or renters of the rental unit and their guests may utilize the sanitary facilities within the rental unit.**
22. **Any required approvals from the Waukesha County Environmental Health Division, the Wisconsin Department of Safety and Professional Services, and/or Town of Eagle shall be obtained, prior to using the residence as a short term rental unit.**
23. Beach. The operator may not establish a beach or other such swimming area.
24. Access path required. Access to the island will be via a walking path as approved by Waukesha County as depicted on the **final** site plan. The approved access path must be established prior to the first event. **Only the owners or renters of the rental unit and their guests may access the island from the concrete walkway south of the rental unit.**
25. Periodic review. Starting in 2026 and every two years after that, **Waukesha County reserves the right to require** the operator ~~must to~~ meet with county staff ~~prior to February 28 of that year~~ to review the operation to determine compliance with the approval.
26. Review upon transfer. If the current owner wants to transfer the subject property and the golf course to another person, the new owner must meet with the Town of Eagle prior to such transfer **and must obtain Site Plan / Plan of Operation approval from Waukesha County to authorize a change in operator.**
27. **All activities on the subject property herein shall not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor, taking into consideration with the understanding that certain uses are allowed with the approval of the Conditional Use Permit.**
28. **Subject to the applicant allowing the premises to be available for inspection by the Town of Eagle and Waukesha County officials at any reasonable time and upon reasonable notice.**
29. **Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.**

The approval of this request will allow the petitioners to provide additional event offerings at the resort and add a future rental unit. The resort not only provides outdoor recreation for golfers, but also serves as an important community gathering place for “open to the public” social events which are attended by residents of all ages. As conditioned, this approval will ensure that nearby residents and natural resources are not adversely impacted by the proposed island use. The use is consistent with CDP recommendations and meets the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance

Respectfully submitted,

Ben Greenberg

Ben Greenberg
Contract Planner

Attachments: Exhibit A - E

\\wgc.waukeshacounty.gov\files\Depts\PRKANDLU\Planning and Zoning\Conditional Uses\PROJECT FILES\Eagle\CU103 Eagle Springs Golf Resort\Staff Report_Exhibits_Decision Letter\CU103 Krug Staff Report elt.docx

Exhibit A

Benjamin Greenberg

From: barb kumprey <bbkgolf@aol.com>
Sent: Monday, January 29, 2024 2:13 AM
To: Benjamin Greenberg
Subject: Re: Eagle Springs Resort

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from bbkgolf@aol.com. [Learn why this is important](#)

CAUTION: This email originated from an unverified external source. Verify the legitimacy of the email before clicking links or opening attachments. If you believe this email is malicious in nature, please report it by using the Phish Alert button in Outlook.

There are some very valid problems with the proposed use of the property on Tuohy road. We are in strong agreement with the attached items pointed out by our

1- change the essential character of the neighborhood (the events will impact our privacy, will increase traffic, will increase noise and since there is not plumbing in the island, the portable toilets will definitely impact the aesthetic)

2- negatively impact property values... making the island an event location for large parties which many of their events are more than 40 will definitely influence future buyers

3- affects health and safety... increased traffic will impact the safety of our roads and our ability to navigate our own use of the road getting in and out of our driveways as this is a dead end road

4- the project is too extensive.. Air BNB AND Conditional use... can't be both... increase boat traffic will also disrupt the Springs.

Benjamin Greenberg

From: barb kumprey <bbkgolf@aol.com>
Sent: Friday, January 26, 2024 10:27 AM
To: Benjamin Greenberg
Subject: Re: Eagle Springs Resort

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from bbkgolf@aol.com. [Learn why this is important](#)

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As mentioned in our conversation, my main concern with the property on Tuohy road would be the extra teaffic, the parking problem(which allready exists)
And possibly a noise situation. I think the Krugs have done a great job with the golf course and I am sure they will improve the condition of the attatched island.
Another queation is the septic system. Hopefully the above possible problems will be taken into consiseration.
Barbara and Frank Kumprey
W352 S10482 Tuohy Road
352-203-0574
Bbkgolf@aol.com

[Sent from the all new AOL app for iOS](#)

On Friday, January 19, 2024, 11:10 AM, Benjamin Greenberg <bgreenberg@waukeshacounty.gov> wrote:

Please email any comments prior to Jan 29 if possible.

Thanks



Ben Greenberg

Senior Planner

Department of Parks and Land Use

Planning and Zoning Division

Phone: 262.548-7790

We value your feedback. Please visit the [Customer Satisfaction Survey](#) to tell us how we did.

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Notice: Waukesha County is subject to Wisconsin's Public records law.

Benjamin Greenberg

From: Nadine Mims <nmims1965@gmail.com>
Sent: Sunday, January 28, 2024 4:13 PM
To: Benjamin Greenberg
Cc: Norm Mims; Ali Mims; Sammy
Subject: Conditional Use Permit application for Tuohy Rd

Follow Up Flag: Follow up
Flag Status: Flagged

[You don't often get email from nmims1965@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Ben,
I am emailing you my rebuttal to this application. However, the more I mulled this over and determined the overall negative impact this could have on my homes property value, I will be at the hearing as well.

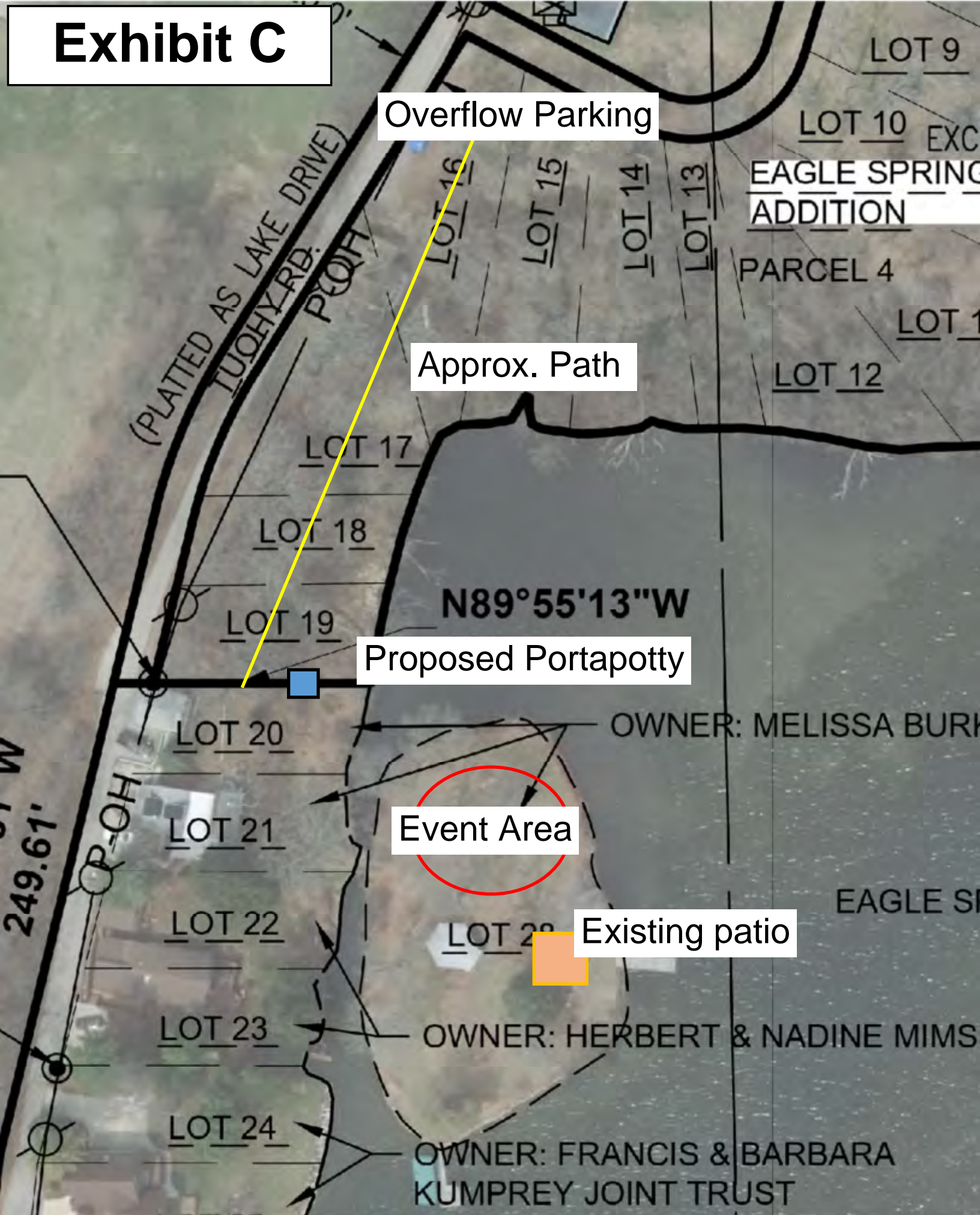
I did a bit of research and have gathered that the scope of this project will impact all of the following...

- 1- It will change the essential character of the neighborhood (the events will impact our privacy, will increase traffic, will increase noise and since there is not plumbing in the island, the portable toilets will definitely impact the aesthetic) 2-It will negatively impact property values... making the island an event location for large parties which many of their events are more than 40 will definitely influence future buyers especially our family's home since the island is in our direct line of sight to those events!
- 3- It will affect health and safety... increased traffic will impact the safety of our roads and our ability to navigate our own use of the road getting in and out of our driveways as this is a dead end road
- 4- The project is too extensive.. Air BNB AND Conditional use As per my conversation with the golf course, my biggest concern is how are they going to transport event attendees as parking is very limited? A golf cart path was mentioned but that is a massive undertaking that will not happen quickly. Also, the increase boat traffic will disrupt the natural Springs.
- 5- Finally, I don't see that there are any positives to our neighborhood that this will bring... only a clean up of the current island from a landscaping perspective

I don't want to squash Ann's dreams but I have to protect our property values!!

Thank you,
Nadine Mims
Sales Director, Cottage Door Press
414-364-6129

Exhibit C



See Page 2 for details.

Details of Proposed Site Plan:

Note that the Survey used for this drawing was done prior to ownership of Lot 20, 21, and 28. It was previously owned by Mellissa Burkett.

Walking Path—Designated by Yellow Line

- Starts by overflow parking and continues past current cottage owned by Golf Course, past former cottage foundation and to Lot 20.
- Walking path will be 4-5ft wide, made of natural base.

Temporary Sanitary Placement—Blue Square

- Positioned within natural tree/bushes for coverage.
- They will sit a minimum of 12' away from waterfront

Existing Shed/Garage

- Shed/garage is octogen with a small bump out on lake side.
- Dimensions are 10.5' per side with the one side bumped out 4'. Total square feet is about 580 ft.

Existing concrete patio—orange square

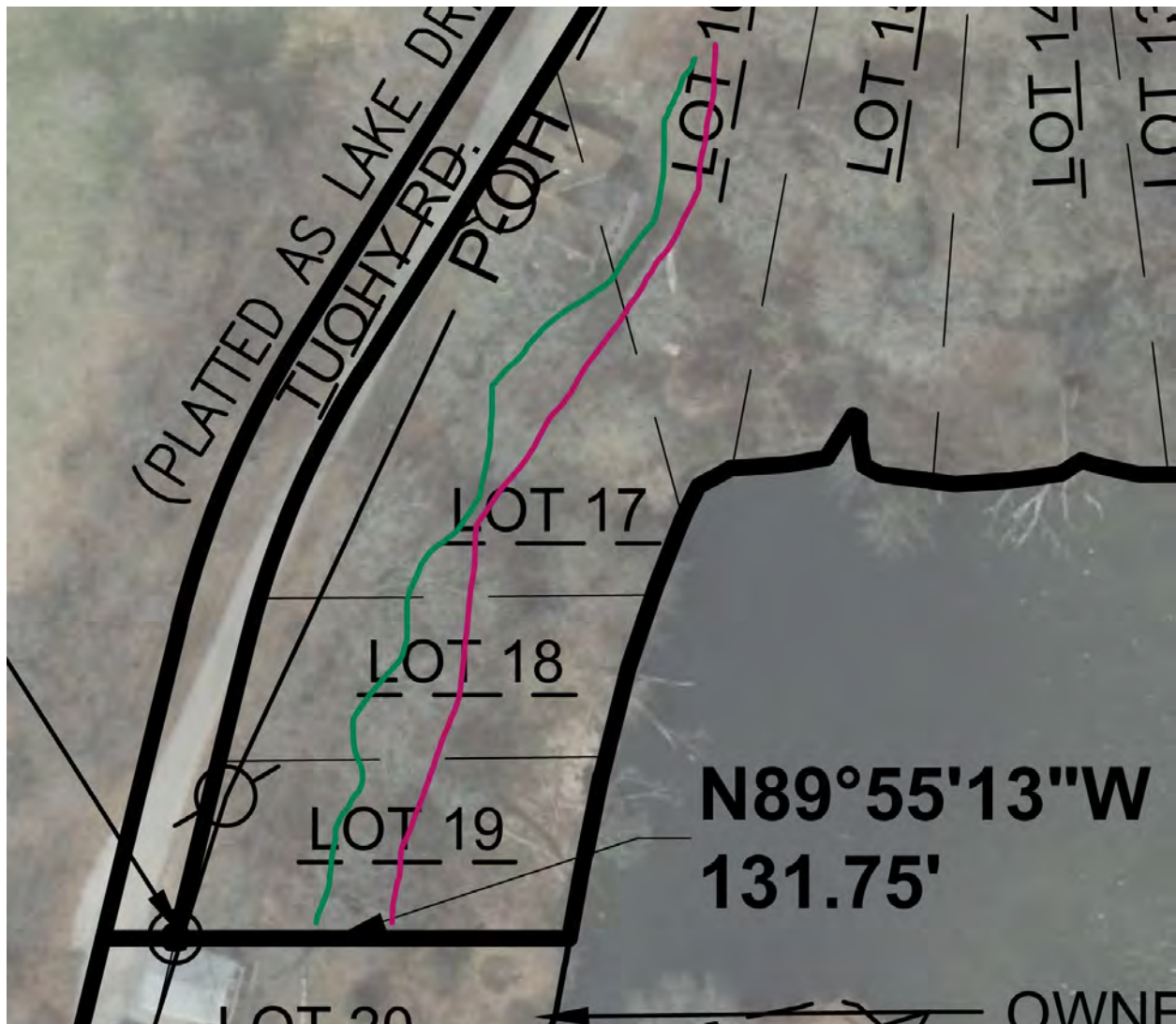
- Concrete patio is 24' by 32' for roughly 768 square ft. (note some edges are crumbling so this is an approximation of what it was suppose to be).
- Patio is 15' from water on East side.

Proposed Area for picnic tables for entertaining—Red Circle

- Potential area for seating on the natural ground

Exhibit D

Map Legend: Green = Path; Red = Wetland boundary (per LRD)



Utility Cart and Walking Path Plan for Eagle Spring Golf Resort

As of 4/26/2024

Background:

Eagle Springs Golf Resort encompasses 4 tax parcels within Waukesha County and the Town of Eagle. This property includes the 9-hole golf course, 9 seasonal cottages, and 1 four-season house. Tax parcel EGLT 1865007 encompasses 13 lots at Eagle Springs Park Addition, lot 7-19. These lots were combined to 1 tax parcel years ago to simplify for tax purposes. The entire tax parcel is 2.89 acres. This proposal is to create a 5-foot wide natural bottom, utility cart, and walking path from lot 16 to the end of lot 19 and open up on lot 20, which Matt and Anne Krug also own. The purpose of this path is to be able to access the new property that includes lots 21, 22, and 28 with a less steep elevation change.



607 Davis St.
Elkhorn, WI 53121
(262) 215-9295
map@focusengineeringllc.com

Anne Krug
Eagle Springs Golf Resort
W352 S10355 Tuohy Rd.
Eagle, WI 53119

April 8, 2024

Subject: Foot Bridge at

Dear Mrs. Krug:

This letter is a written review of the foot bridge located at W352S10452 Touhy Rd in Eagle, WI. The bridge connects an island off the main shore on the west side of Eagle Spring Lake. The purpose of my review is to determine the strength of the bridge for foot travel, general safety and need for any repairs.

Construction Observations:

- A. The Bridge is built between two embankments 5'-4" apart. The embankments are built of CMU block and are 10'-9 wide on the West shore and 11'-6 on the East (island side).
 - a. The depth of the embankment was not excavated or determined.
 - b. The south end of the west embankment is separated and differentially settling. It appears as if it was built separate from the original.
- B. The top of each embankment has a P.T. 4x4 sill beam set for mounting the bridge
- C. The bridge consists of P.T. 2x10 lumber laid flatwise (planks) from sill beam to sill beam. The underside of the planks are visible and show some decay is taking place.
- D. An overlayer deck framed with 2x4 sleeper joists cross-ways to the planks with 5/4x6 decking boards make up the walking surface. The overlayer is not performing structurally.
- E. There is a poorly constructed rail supported on embedded pipe columns at each corner of the bridge on the south side and wood posts are used on the north side.

Review and analysis:

I have determined the bridge planks are capable of supporting 100 lbs/ sf (psf) of occupant weight. The normal occupancy loading used in structural design is 40 psf in residential construction and 100 psf in commercial assembly areas. Wisconsin DNR requires a pedestrian bridge to support at 60 psf design load. The strength of the 2x10 planks is sufficient for general foot traffic in this situation and I do not recommend any strengthening of the bridge framing to be required for that purpose. The bridge is determined to not be capable of supporting vehicular or concentrated wheel loads of any magnitude over 200 lbs. **It should not be used for vehicular crossings.**

The observed decay in the planks is not advanced and not an immediate concern. The decay is likely due to moisture entrapment from the overlay decking boards preventing adequate drying of the wood. It is recommended to remove the overlay deck structure and perform individual replacement on any overly rotted 2x0 planks. The deck overlay should not be replaced.

The required support loads for the embankment is 300 lb/lineal foot (plf). Due to the extremely low loading, the condition of the embankment is sufficient but it is showing signs of deterioration. It is recommended no immediate repair work is required but future structural repairs or reconstruction of the embankments should be planned within a ten year cycle in order to ensure maintained functionality of the bridge and to prevent erosion and accelerated deterioration.

The bridge is an unregulated structure by the building codes of Wisconsin and a guard rail is not a required design element per se. The vertical drop off the edge of the bridge and the surface of the water is approximately 3' - 3'-6". Generally accepted guidelines and practice suggest a guard rail must be used if the vertical drop off the edge of an elevated surface is over 30". It is determined, the existing guard rails are not suitable for intended loading and are only suitable as a "Visual" barrier. It is recommended to replace the guard rails with new posts which are capable of supporting a horizontal force of 200 lbs applied at the top of the post. Horizontal rails must be designed to span between posts with a uniform loading of 50 plf. The guard rails height should be 42" above the walking surface.

If you have any questions or need further review please contact me at 262-215-9295.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Pulokas". The signature is fluid and cursive, with a large, sweeping initial "M".

Mark Pulokas, PE
WI License # 37667-006



Waukesha County

Department of Parks and Land Use

MEMORANDUM

To: Waukesha County Park and Planning Commission

From: Jason Fruth, Planning & Zoning Manager

Date: May 16, 2024

Subject: Conditional Use and Site Plan/Plan of Operation request CU92 and SP198 – Amend the conditions of the existing Conditional Use permit to allow for a number of operational changes on the property.

Owner: Pewaukee Yacht Club
Cody Ziegler, representative
DELT0772.027, DELT0813.998.001, DELT0813.007

At its meeting of August 17, 2023, the Waukesha County Park and Planning Commission (PPC) reviewed a Conditional Use and Site Plan/Plan of Operation request to amend the existing Pewaukee Yacht Club (PYC) Conditional Use permit to allow for a number of operational changes. The PPC approved the request but withheld action on Conditions No. 3(B)a, and 7 relating to pier details (See decision sheet attached as Exhibit A). The PPC decision required the petitioner to come back with more pier details at a future meeting. The petitioner is now seeking final consideration of those conditions. The existing sub-sections of the conditions to be further considered are as follows:

3.(B) The facilities consist of:

- a. Three piers. One dock for hand launched boats. One launch ramp for lifting boats.

7. Piers (third and fourth bullets)

- No pier shall be closer than 25 feet from an adjacent lot line except for the easternmost pier which has been “grandfathered” in since it was existing before adoption of Section 17.10(5)(s) of the Town Code and is shown on a site plan dated April 16, 1996.
- No pier erected closer than 50 feet from an adjacent lot line extension shall be more than 50 feet in length.

The petitioner is proposing the following changes (changes are noted in underline and cross through as follows):

3.(B)a.

Five piers. East launch pier. West launch pier. Main pier. East Sailing School support pier, West Sailing School support pier. The attached “EXHIBIT B” depicts the property and location of piers. The attached “EXHIBIT C” depicts the parking lot designations.

7 (bullets three and four)

- No pier shall be closer than 25 feet from an adjacent lot line not owned by the PYC or PLSS, except for the easternmost pier, which has been “grandfathered” in since it was existing before the adoption of Section 17.10(5)(s) (pre-1998 numbering system) of the Town Code and is shown on a site plan dated April 16, 1966.
- No pier erected closer than 50 feet from an adjacent lot line not owned by the PYC or PLSS shall be more than 50 feet in length.

The westerly most pier was installed last year in a location that extended across the lot line between the PYC lands and the adjacent lot to the west which is owned by the sailing school. The PYC has since provided a revised plan and re-installed the pier in a location further to the east that is now physically on the PYC property (see Exhibit B). However, the pier is still much closer than 25’ from the property line. The end of the pier also extends beyond the riparian zone of the PYC property; the Pewaukee Lake Sailing School is agreeable to that encroachment.

Staff recommends that the proposed amendments to the subject conditions be **approved** with one exception. Staff recommends that the word “extension” be retained in the first line of bullet 4 of condition 7. This would require the westerly pier to stay within the riparian zone of the PYC property. The recently installed pier extends across the PYC and Sailing School lot line extended. Because the residential property owned by the Sailing School is not part of the existing Conditional Use Permit, Staff feels the pier and related activities should not extend into the riparian zone of that parcel without a Conditional Use being granted for that property. If this condition is approved in this manner, the PYC has indicated that maneuverability would become more difficult with the two westerly piers getting closer together. If approved as recommended, at minimum, modifications to the west pier would be needed. Exhibits B and C would need to be amended to reflect pier modifications.

Staff feels that the clarification to the number and description of piers and the relief from the 25’ separation requirement for the west pier and the relief from the length requirement of the west pier is reasonable and allows for the PYC and Sailing School to operate more efficiently given their space constraints.

Attachments: Exhibit A, Decision Sheet
Exhibit B, Pier As-Built
Exhibit C, Pier descriptions



EXHIBIT A

Waukesha County

Department of Parks and Land Use

THIS IS NOT A PERMIT: YOU MUST COMPLY WITH THE HIGHLIGHTED CONDITIONS LISTED BELOW **BEFORE** YOUR CONDITIONAL USE AND PLAN OF OPERATION PERMITS WILL BE ISSUED. *FAILURE TO OBTAIN PERMIT(S) MAY RESULT IN THE ISSUANCE OF CITATIONS.*

NOTE: The Park & Planning Commission tabled the requested amendments to conditions regarding the number and location of piers to allow for additional study of piers prior to action on those matters. The affected conditions are shown in ***bold and italics***. Any further amendments to those conditions will prompt the issuance of a new decision letter.

August 23, 2023

Pewaukee Yacht Club
P.O. Box 101
N22 W28204 Edgewater Drive
Pewaukee, WI 53072

Re: CU92 and SP198 Town of Delafield Sections 13 and 24

Dear Mr. Sirs:

At its meeting of August 17, 2023, the Waukesha County Park and Planning Commission reviewed your Conditional Use and Plan of Operation requests to “*amend the existing Conditional Use and Plan of Operation permit to allow for a number of operational changes on the property*”. More specifically, the property is located at the Edgewater Drive address cited above in the Town of Delafield. After discussion, the Commission **approved** your request, subject to the following conditions, however, Conditions No. 3(B)a, and 7, relating to piers will not be included in the approval and will be addressed at a future meeting.

1. The property consists of approximately 3 acres of land, including the parcels south of Edgewater Drive.
2. **Site Plan.**

An up-to-date site plan shall be submitted to the Waukesha County Planning and Zoning Division prior to the issuance of the Conditional Use Permit. The plan shall include the location of all improvements including buildings, piers, parking areas, drives, landscaping features, signs, lighting and drainage facilities on either a single plan or separate plans.

Planning and Zoning

515 W. Moreland Blvd., Room AC 230 • Waukesha, Wisconsin 53188-3878

Phone: (262) 548-7790 • Fax: (262) 896-8071 • www.waukeshacounty.gov/planningandzoning

Specific references to the pier designations, parking lot designations and use of all buildings shall be added to the site plan.

3. Plan of Operation.

- (A) The property and building will be used by members and guests of PYC, the Pewaukee Lake Sailing School (PLSS), regattas, and occasional private functions such as weddings.
- (B) The facilities consist of:
 - a. ***Three piers. One dock for hand launched boats. One launch ramp for lifting boats.***
 - b. Dry sail adjacent to water with storage rack for junior sailing program boats.
 - c. Paved parking lots on south side of Edgewater Drive for parking of racing sailboats and trailers, no more than four transient support/safety boats and trailers, and automobiles.
 - d. Storage building.
 - e. Restrooms and storage room in building connected to sanitary district building lying immediately east of the PYC property.
 - f. Outdoor grill with roof.
 - g. Main building (club house) with bar facility, main meeting room, serving kitchen and restrooms.
- (C) The functions of the club are:
 - a. Sponsor and manage sailing events.
 - b. Sponsor social functions for members.
 - c. Sponsor inter-club sailing events.
 - d. Provide facility for junior and adult sailing instructions.
 - e. Provide bar and meeting facilities for members.
 - f. Provide launching and docking facilities for members.
 - g. Provide gas for members' powerboats.
- (D) PYC is run by an elected board of directors and managed in part by the board and a paid club manager. Bar, gas (to members only) and building functions are supervised by a paid manager. The sailing and social events are run by volunteers.
- (E) Food service is either catered or provided by volunteer members. All food service is available only in conjunction with special events.
- (F) Bar hours are limited and stated by club by-laws. Operation of the bar shall conform to all local, county, and state licenses and regulations.
- (G) The Pewaukee Lake Sailing School, a leasing tenant of the PYC, may begin operations no earlier than March 15 of each calendar year. Normal operations begin April 1 and end the second weekend of November. Boat storage is not allowed from

November 1 to March 31. Special events may be held on days outside of the normal dates of operation.

- (H) Pewaukee Yacht Club normal operations begin April 1 and end on October 31. Activities are primarily on the weekends. Two club owned safety/support boats may be stored in Lot 1 from November 1 to March 31. The boats to be stored over the winter must be located on the east side of Lot 1, in a location to be shown on the final site plan required in Condition No. 2.
 - (I) Special events including social events and maintenance events, may be held on days outside of the normal (seasonal) dates of operation. The Town shall be notified at least seven (7) days prior to any special events held during the offseason for events that exceed 150 persons. Smaller offseason events and all in-season events do not require prior Town notification unless specifically noted herein.
 - (J) Hours of operation are limited to Sunday through Thursday, 6 a.m. to 11 p.m. and Friday and Saturday, 6 a.m. to 1 a.m. Additional hours of operation for special events only may be given after Town Plan Commission review of a special events calendar which shall be submitted for review and approval by the Town Plan Commission at
 - (K) Non-member use of launching, parking, or building is prohibited except for guests during inter-club events and occasional rental for weddings, and special occasions.
 - (L) Support and safety watercraft may be moored overnight during normal operations. Additionally, the Club is allowed to have six (6) small boats (less than 16 feet in length) on lifts and four (4) small boats (less than 16 feet in length) on the sailing school support pier, and two (2) small boats (less than 16 feet in length) on trailers and stored in the west parking lot (Lot 1).
4. Boat and automobile parking on site shall be limited to the following:
- For purposes of this Conditional Use, the following numbers are hereby assigned to the parking lots as part of the PYC lands. Exhibit A depicts the property and location of lots:
- Lot 1: Located west of the clubhouse, north of Edgewater and adjacent to the lake.
 - Lot 2: Located south of Edgewater Drive and to the westernmost lot.
 - Lot 3: Located south of Edgewater, directly east of Lot 2.
 - Lot 4: Located south of Edgewater and is the easternmost parking lot.
- (A) Automobile parking: Automobile and temporary boat/trailer parking for special events: Lots 2 and 4 (Approximately 65 stalls).
 - (B) Dry sail parking and temporary automobile parking for special events: Lots 1 and 3 (44 stalls)
 - (C) Dinghy storage in Lot 1 (Two racks with an overall dimension of 25 feet by 40 feet, to hold 60 prams, pram six is no more than 4 feet by 8 feet; storage rack to be no greater than 6 feet in height).
 - (D) Dry sail parking in Lot 1 shall be placed on a pervious surface (grass, pea gravel, geo-grid, etc.). Access between Edgewater Drive and the lake may be an impervious surface such as asphalt.

5. Retail and wholesale sales of equipment is not permitted, except for beverages and snack food, and one (1) vending machine on site.
6. Gasoline may be dispensed to members only from the westernmost pier out of two existing on-site storage tanks, which holds not more than 500 and 550 gallons of gasoline, respectively. The fuel pumps shall be in accordance with Section 4.(g)17.E of the Waukesha County Shoreland and Floodland Protection Ordinance and all other applicable DATCP or other state codes.
7. Piers.
 - No additional piers shall be constructed or erected to serve this facility.
 - The maximum pier length shall be 140 feet from the shoreline as measured perpendicular to the shoreline. This pier length has been “grandfathered” in since it was existing before adoption of Section 17.10(5)(s) (pre-1998 numbering system) of the Town Code and is shown on a site plan dated April 16, 1966.
 - *No pier shall be closer than 25 feet from an adjacent lot line except for the easternmost pier, which has been “grandfathered” in since it was existing before the adoption of Section 17.10(5)(s) (pre-1998 numbering system) of the Town Code and is shown on a site plan dated April 16, 1966.*
 - *No pier erected closer than 50 feet from an adjacent lot line extension shall be more than 50 feet in length.*
 - The composite length of the piers as measured perpendicular to the shoreline shall not be greater than the lake frontage of the property on which the facility is located.
8. All boat launch facilities shall not be located closer than 20 feet from the adjacent lot lines extended into the water, except that the launch on the east side of the parcel shall be allowed as reflected on the drawing titled “Boat Ramp Topo” prepared by RSV Engineering and dated 3/31/08 and attached to recorded Document No. 3646981.

A dry sail launch has been constructed at the north end of Lot 1 and is allowed under a previous approval of the Conditional Use Permit.

9. Parking.

On-site parking and boat storage shall be provided for as shown on the site plan. Parking lots may be illuminated provided that any lights are shielded to eliminate glare on adjacent property owners and the lake and is subject to the review and approval by the Town Plan Commission and Waukesha County. All parking lots shall be hard surfaced, with the exception of a portion of Lot 1 as explained in Section 4(D). There shall be no parking within the street right-of-way.

10. Buildings and Appurtenances.

- (A) The building shall be maintained in the same or improved condition, as they now exist. There shall be no expansion of any existing building without prior approval of Waukesha County with a recommendation from the Town Plan Commission.
- (B) In accordance with Section 4(g)23.C, no building, other than one used only for residence purposes shall be closer than fifty (50) feet to the lot line of an adjoining lot in a District permitting residential use.

11. Outside Storage.

There shall be no outside storage except for the boats described herein. All boat storage and parking shall be screened as shown on the approved landscape plan or site plan. Storage of a tractor used to assist in launching the boats shall be inside an existing garage or shed.

12. Signage

No additional signage is proposed. Should additional signage be sought in the future, the petitioner will need to apply for and obtain a Zoning Permit as well as Site Plan/Plan of Operation approval from the Waukesha County Planning and Zoning Division, with a recommendation from the Town Plan Commission.

13. Existing landscaping shall be maintained in its present condition. If future changes to the landscaping are proposed, an updated landscape plan shall be submitted to the Town Plan Commission and Waukesha County for review and approval prior to any modifications to landscaping. All plants and trees shall be watered, fertilized, and maintained to assure growth. Any diseased or dead trees shall be replaced with a similar tree or plant of a size equal to the average size of adjacent trees but in no case less than that were part of the original planting.

14. Non-Permitted Uses.

Any use not specifically listed as permitted shall be considered to be prohibited. In case of question as to the classification of use, the question shall be submitted to the Town Plan Commission and Waukesha County for a determination.

15. By-laws.

The current by-laws of the PYC shall be complied with.

16. The building and grounds shall be maintained in a neat, attractive, and orderly way. The property shall comply with all applicable fire codes and all rules, regulations, and ordinances of the Town of Delafield, County of Waukesha, and State of Wisconsin.

17. In the management and operation of the facility, every attempt possible should be made to alleviate the potential for nuisances and disturbances to surrounding residential neighborhoods. Any complaints by adjacent property owners or any other person affected shall be reviewed by the Town Plan Commission and Waukesha County and will make findings as to whether or not such nuisance exist, and, if so, what provisions ought to be made to abate the nuisances. All complaints regarding nuisances shall be subject to the

- nuisance provisions of the Town and also any other appropriate state or County laws. The findings and recommendations of the Town Plan Commission shall be forwarded to the Town Board and Waukesha County for action.
18. No use is hereby authorized unless that use is conducted in a lawful, orderly, and peaceful manner. Nothing in this permit shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the Town of Delafield, the County of Waukesha, the State of Wisconsin, the United States of America or other duly constituted authority. This Conditional Use Permit shall not be deemed to constitute a Zoning or Building Permit, nor shall this permit constitute any other license or permit required by town or County ordinances or other law.
 19. The Conditional Use hereby authorized shall be confined to the premises described, without extension or expansion, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by Waukesha County as being in compliance with all pertinent ordinances, after review and recommendation by the Town Plan Commission.
 20. Should the permitted Conditional Use be abandoned in any manner, or discontinued in use for 12 months, or continued other than in strict conformity with the conditions of this approval, or should a change in the character of the surrounding area or of the use itself cause it to be no longer compatible with the surrounding areas, or considerations of public health, safety or welfare, said Conditional Use may be terminated by action of Waukesha County following referral from the Town Plan Commission for public hearing and recommendation thereof.
 21. Any subsequent change, alteration, or addition to the use approved herein shall be submitted to Waukesha County and the Town Plan Commission and, if in the opinion of the County and the Plan Commission, such change, alteration, or addition constitutes a substantial change, alteration, or addition based on the standards set forth herein, a joint public hearing before the Town Plan Commission and Waukesha County shall be required pursuant to Section 4(c) of the Waukesha County Shoreland and Floodland Protection Ordinance. Any change, addition, or alteration of the physical premises, lands, or ownership, shall be considered substantial and shall require a new Conditional Use Permit requiring full compliance with all town and County procedures and ordinances in place at the time.
 22. Should any paragraph or phrase of this Conditional Use Permit be determined by a court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the Conditional Use and the remainder shall continue in full force and effect.
 23. The Town and/or County reserves the right to review any condition imposed as part of this Conditional Use/Plan of Operation if said use becomes a problem in the area. The Town Plan Commission or Waukesha County may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area.

24. Prior to the issuance of the Conditional Use Permit, a release of deed restriction No. 4322653 shall be drafted by the Waukesha County Planning and Zoning Division, or its designee and shall be recorded with the Waukesha County Register of Deeds Office.

Upon compliance with the conditions highlighted above, your Conditional Use and Plan of Operation Permits will be issued. When you comply with the conditions, or in the event you have any questions, please contact Ben Greenberg, Senior Planner at (262) 548-7790. A copy of the “Staff Report and Recommendation” is for your reference.

Very truly yours,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

JF:kb

Enclosures

cc: Town of Delafield Clerk (Please distribute to the Town Plan Commission and Town Board at your discretion) (via email only)
Town of Delafield Building Inspector (via e-mail only)
Cody Ziegler, applicant, ziegler@boerke.com (via email only)
Peter Wolff, County Board Supervisor (via email only)
File (2)

EXHIBIT B

TOPOGRAPHIC SURVEY

BEING ALL OF LOT 7 OF BEACH BAY SUBDIVISION PLAT, AND ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 10853, AND BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 13, IN TOWNSHIP 7 NORTH, RANGE 18 EAST, IN THE TOWN OF DELAFIELD, ALSO BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 18, AND PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, IN THE CITY OF PEWAUKEE, ALL IN WAUKESHA COUNTY, WISCONSIN

CURVE TABLE						
CURVE #	RADIUS	DELTA	ARC DIST	CHORD DIST	CHORD BEARING	TAN BEARING 1 TAN BEARING 2
C1	76.93'	35°59'45"	48.33'	47.54'	S59°05'34"W	S77°05'26"W S41°05'41"W
C2	324.66'	13°13'54"	74.98'	74.81'	N47°43'30"E	N54°20'27"E N41°06'33"E
C3	324.66'	19°40'43"	111.51'	110.96'	N64°17'20"E	N74°07'42"E N54°26'58"E
C4	370.71'	22°35'50"	146.21'	145.26'	N52°17'32"E	N63°35'27"E N40°59'37"E
C5	16.93'	35°59'18"	10.64'	10.46'	N59°12'00"E	S77°11'39"W S41°12'21"W

SURVEYOR
KEITH A. KINDRED
PLS S-2082
SEH, INC.
501 MAPLE AVE.
DELAFIELD, WI 53018
(262) 370-1165
KKINDRED@SEHINC.COM

SURVEY FOR
PETE FEICHTMEIER
COLBY CONSTRUCTION
709 MILWAUKEE ST. STE A
DELAFIELD, WI 53018
(262) 646-4701
PETE@COLBYCONSTRUCTION.COM

PROPERTY ADDRESS'S
PEWAUKEE LAKE SAILING SCHOOL
N22W2800 EDgewater DR
PEWAUKEE, WI 53072
TAX KEY: DELT0813997
DOC # 3723029

PEWAUKEE YACHT CLUB
N22W28204 EDgewater DR
PEWAUKEE, WI 53072
TAX KEY: DELT0772027
DOC # 3827754

LAKE PEWAUKEE SANITARY
N22W28024 EDgewater DR
PEWAUKEE, WI 53072
TAX KEY: DELT0813015
DOC # 1045918

LAKE PEWAUKEE SANITARY
DISTRICT & PEWAUKEE LAKE
SANITARY DISTRICT
TAX KEY: PWC093899002
DOC # 3627250

PEWAUKEE LAKE SAILING SCHOOL
W278N2243 PROSPECT AVE
PEWAUKEE, WI 53072
TAX KEY: PWC0938998
DOC # 3485816

PEWAUKEE YACHT CLUB
N22W27971 EDgewater DR
PEWAUKEE, WI 53072
TAX KEY: PWC0938997
DOC # 2947928

JAMES MORRITZ
W22N27995 EDgewater DR
PEWAUKEE, WI 53072
TAX KEY: PWC0938996
DOC # 3611739

PEWAUKEE YACHT CLUB
TAX KEY: DELT0813998001
CSM 10853 PARCEL 1
DOC # 3823507

PEWAUKEE YACHT CLUB
TAX KEY: DELT0813007
LOT 7 BEACH BAY SUBDIVISION
DOC # 476334

PEWAUKEE LAKE
OHWM = 853.67
100 YEAR FLOOD = 854.60

E. 1/4 COR
SEC13-T7-R18E

N. 1/4 COR
BRASS CAP
SEC24-T7-R18E

N. 1/4 COR
SEC19-T7-R19E

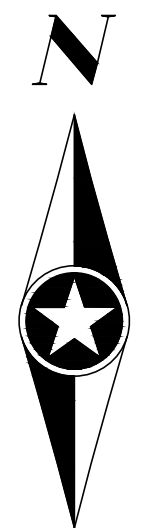
E. 1/4 COR
BRASS CAP
SEC24-T7-R18E

LEGEND

- CONCRETE SECTION CORNER MONUMENT W/ BRASS CAP FOUND
- 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)
- 1" REBAR SET (UNLESS OTHERWISE STATED)
- RECORDED AS / DEEDED AS
- SANITARY LID, SANITARY MAIN LINE
- STORM CULVERT
- STORM MANHOLE, CATCH BASIN, STORM MAINLINE
- WELL
- UTILITY POLE, OVERHEAD LINES, GUY ANCHOR
- LIGHT POLE
- BURIED GAS LINE & METER
- BURIED ELECTRIC, METER, & BOX
- BURIED COMMUNICATION LINE & PEDESTAL
- CHAIN LINK FENCE LINE
- WOODEN FENCE LINE
- CONIFEROUS TREE
- DECIDUOUS TREE
- RIP RAP
- GRAVEL SURFACE
- SAND SURFACE
- CONCRETE SURFACE
- SPOT ELEVATION
- TREE LINE

WISCONSIN
KEITH A. KINDRED
S-2082
OSHKOSH, WI
LAND SURVEYOR
DATED THIS 24TH DAY OF MAY, 2023

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS, ROADWAYS, AND VISIBLE ENCROACHMENTS, IF ANY. THIS SURVEY IS MADE FOR THE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.



BEARINGS AND DISTANCES REFERENCED TO NAD27 WISCONSIN STATE PLANES, SOUTH ZONE ON THE EAST LINE OF THE NORTHEAST 1/4, SEC 24-T-18 ON ITS ASSUMED BEARING OF SOUTH 00°06'26" EAST

SEH PROJECT: COLBC 172693
DRAWN BY: KGB
CHECKED BY: KAK

PATH: X:\AE\C\COLBC\172693\9-SURVEY\92-CAD\10-C3D\COLBC_172693_POS.DWG

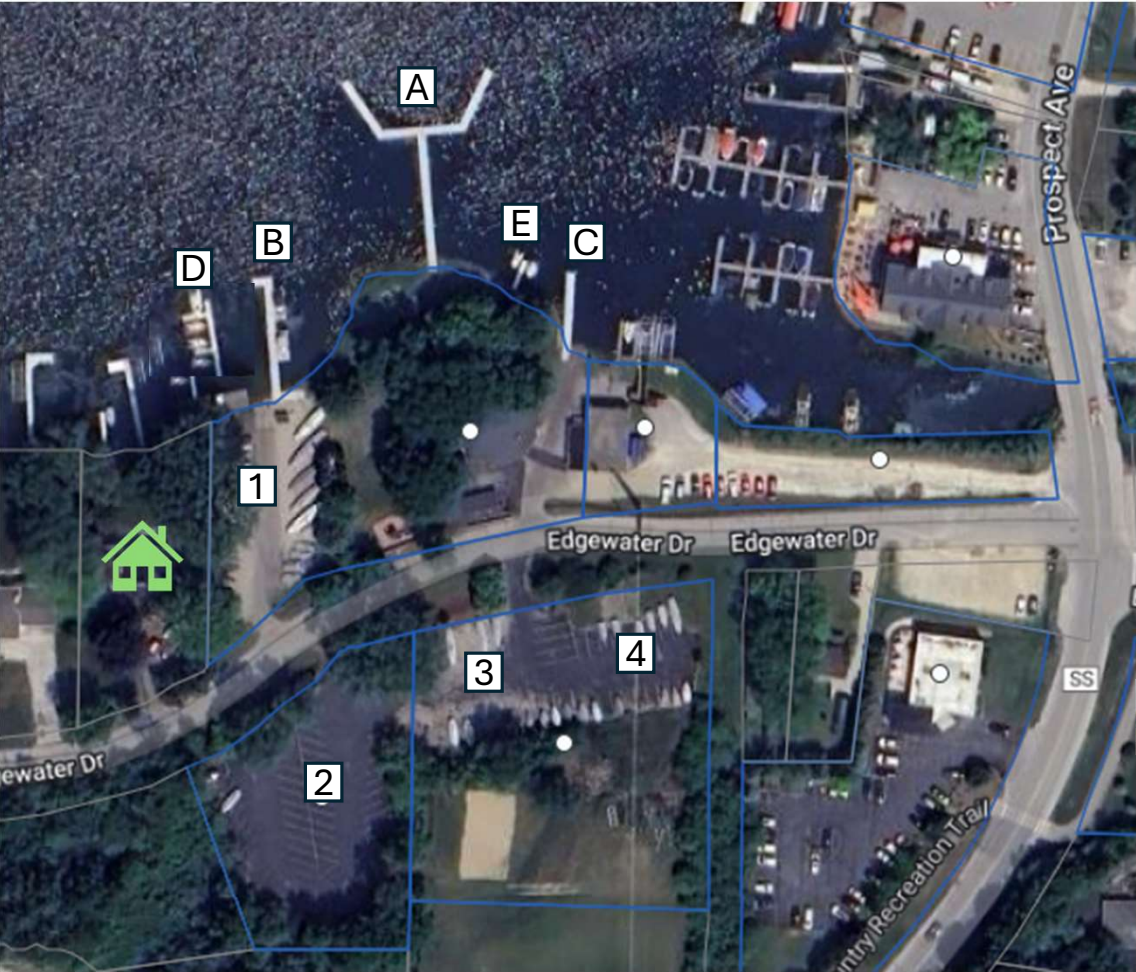


TOPOGRAPHIC SURVEY

BEING ALL OF LOT 7 OF BEACH BAY SUBDIVISION PLAT, AND ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 10853, AND BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 13, IN TOWNSHIP 7 NORTH, RANGE 18 EAST, IN THE TOWN OF DELAFIELD, ALSO BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 18, AND PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, IN THE CITY OF PEWAUKEE, ALL IN WAUKESHA COUNTY, WISCONSIN

EXHIBIT C

EXHIBIT C




Description of Piers

- A) Main Pier
- B) West Launch Pier
- C) East Launch Pier
- D) West Sailing School Support Pier
- E) East Sailing School Support Pier

Description of Lots

- 1) Lot 1
- 2) Lot 2
- 3) Lot 3
- 4) Lot 4

 Pewaukee Lake Sailing School Owned Property



Waukesha County
Department of Parks and Land Use

MEMORANDUM

To: Waukesha County Park and Planning Commission

From: Rebekah Leto, Senior Planner

Date: May 16, 2024

RE: PPC24_003 Cypress Tree, LLC (owner), Terry Bartowitz (petitioner).
Creation of a lot not abutting a public road, more than two lots on a private road, the creation of lots less than 3-acres on a private road

Tax Key No.'s:

OCOT 0488.994.003: Lot 3, Certified Survey Map No. 11032, a redivision of Lot 1, CSM No. 6947, part of the NE ¼, SW ¼, and SE ¼ of Section 14, and part of the NE ¼ of section 23, T8N, R17E, Town of Oconomowoc.

OCOT 0488.994.005: Lot 1, Certified Survey Map No. 11033, a redivision of Lot 4, CSM No. 11032, Section 14, T8N, R17E, Town of Oconomowoc.

The subject property consists of two vacant parcels located north of C.T.H. K and east of C.T.H. P in the Town of Oconomowoc and are a combined 85 acres. The property incorporates the entire north half of Mapleton Lake with wetlands and Isolated Natural Resource Area (INRA) near the shoreline. A private easement serving one property that is owned by the petitioner extends north through the subject property from Mapleton Lake Drive. The surrounding area is a mix of uses. To the north there is a non-profit organization, Zachariah's Acres, which is operated by the petitioner. To the south is Mapleton Lake Estates subdivision, with riparian and non-riparian parcels that are approximately ¾ of an acre. The remaining area is rural farmland.

The property is primarily zoned Farmland Preservation, with areas of Farmland Conservancy District and Environmental Corridor Overlay District around Mapleton Lake. Most of the property is within the Waukesha County Shoreland Protection Ordinance jurisdictional boundary, except the southeastern portion of the property is within the Zoning Code jurisdictional area. The property is planned for Farmland Preservation in the Waukesha County Comprehensive Development Plan and Agricultural Preservation on the Town of Oconomowoc Land Use Plan.

Planning and Zoning

The petitioner is proposing to create two (2) residential lots from the 85-acre parent parcel. A Site Plan showing the proposed parcels in relation to the 85-acre parent parcel(s) is attached as Exhibit A. Lot 1 is 2.24 acres with 255 ft. of average width and has frontage on Mapleton Lake. Lot 2 is 2.19 acres with 375 ft. of average width and is located in the northeast portion of the subject lands. Both lots are proposed to have a single family residence and a guest house serving volunteers of Zachariah's Acres and Angels Grace Hospice. The Farmland Preservation Plan states that new residences or new lots on less than 35 acres shall be prohibited on lands zoned FLP and shall only be permitted with the creation and rezoning of a new parcel. The petitioners are currently seeking approval with the Town and County for the creation and rezoning of the proposed parcels. A Certified Survey Map to create the two parcels has been prepared and submitted to the Town and County for review and approval (Exhibit B). The remnant lands will be combined into one outlot that will be kept in agricultural use as per the FLP District requirements, as no additional density rights remain.

Section 3(d)2 of the Waukesha County Shoreland Protection Ordinance requires approval from the Town and County Plan Commission for the creation of lots not abutting a public road. In addition, the petitioner is seeking waivers from Section 3(d)2 from the minimum lot size required for lots not abutting a public road and for more than two parcels utilizing a private drive. The SPO states where an easement serves more than one parcel or residence, it must be at least 66 ft. in width and incorporate a 16 ft. wide driveway. Not more than two (2) such lots shall be permitted unless necessitated by exceptional circumstances.

Access to both parcels is proposed from the existing private road that extends from Mapleton Lake Drive. The petitioner has noted that the gravel drive [road] varies in width from 17-19 feet. The private road currently provides access to the parent parcel and one other single-family residential lot that is owned by the petitioner. In 2011, a 66 ft. wide easement was created via a Certified Survey Map for the benefit of the parcel north of the subject property. A separate easement agreement was recorded in the Register of Deeds on April 5, 2012 (Doc. No. 4003626) describing the terms of the easement. The current proposal would result in three residential parcels and one outlot utilizing the existing private drive within the 66 ft. wide easement. There is an additional easement over a small area of N71W35500 Mapleton Lake Drive that incorporates a 284 sq. ft. area of the existing gravel drive for the benefit of the petitioner. The existing private drive is proposed to be slightly relocated with this proposal and the easement is therefore no longer necessary.

Lots not abutting a public road must be a minimum of three-acres and 200 ft. in average width. The lots meet the width requirement but do not meet the lot size requirement of three acres. The creation of a new residential parcel in the Farmland Preservation District has a minimum lot size of one acre and a maximum lot size of three acres. Many proposed lots within the FLP District use existing farm access drives. Requiring these lots to be the maximum lot size permitted by the District is in conflict with the purpose and intent of the FLP Plan, which aims to preserve cultivated lands.

The FLP District siting standards state that newly created parcels shall be located near existing roads, clustered together, and on uncultivated lands, all to the greatest extent practicable. The two proposed parcels do not interfere with the existing agricultural use of the property and are located adjacent to the existing private road. No expansion of the physical roadway is required and the existing easement meets the required width to serve the properties per the SPO. The proposed locations of the two parcels preserves the cultivated lands west of the private drive and does not interfere with the existing tree farm east of the private road.

The Town of Oconomowoc recommended approval of this request on May 6, 2024. The Planning and Zoning Division Staff recommends **approval** of this request, subject to the conditions listed below:

1. The related pending rezone (RZ139) must be authorized prior to this approval being effective.
2. A note must be placed on the Certified Survey Map that states “The Waukesha County Park and Planning Commission approved the creation of Lots 1 and 2 as lots not abutting a public road and more than two residences on a private street or way on May 16, 2024.”
3. The Access Easement Agreement with N71W35500 Mapleton Lake Drive over a 284 sq. ft. triangular area (Doc. No. 3974323) shall be released, as the easement is no longer necessary as that portion of the private drive will be relocated when Lot 1 is redeveloped. Documentation that the easement has been released shall be submitted to Waukesha County prior to a Zoning Permit being issued for construction on Lots 1 or 2.
4. Due to the additional number of parcels and change in ownership, the existing Joint Driveway Easement Agreement (Doc. No. 4003626) shall be released and a new driveway and maintenance agreement shall be prepared and reviewed by Waukesha County Planning and Zoning Division and the Town of Oconomowoc prior to being recorded in the Waukesha County Register of Deeds.

Approval of these requests, as conditioned, will allow the property owners to create two residential parcels in locations that do not affect the tillable acreage of the existing agricultural use and to utilize an existing private drive that meets the SPO requirements. The proposed lot size of less than three acres furthers the purpose and intent of the Farmland Preservation District by preserving additional lands for agricultural use. A further review of the Certified Survey Map for compliance with the Waukesha County Shoreland and Floodland Subdivision Control Ordinance has been done by the Planning and Zoning Division Staff.

Attachments: Exhibit A – Preliminary CSM Sheet 1
Exhibit B – Site Plan Overview

EXHIBIT A

RECEIVED
Waukesha County Dept Parks
and Land Use
04/17/2024

CERTIFIED SURVEY MAP NO.

A REDIVISION OF LOT 3 OF CERTIFIED SURVEY MAP NUMBER 11032 AND LOT 1 OF CERTIFIED SURVEY MAP NUMBER 11033, LOCATED IN A PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, AND THE NORTHWEST 1/4 OF THE NORTHEAST OF SECTION 23, ALL IN TOWN 8 NORTH, RANGE 17 EAST, IN TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN.

PREPARED BY:

TRIO ENGINEERING, LLC
4100 N. CALHOUN ROAD
SUITE 300
BROOKFIELD, WI 53005
PHONE: 262-790-1480

OWNERS:

CYPRESS TREE LLC
16575 PATRICIA LANE
BROOKFIELD, WI 53005

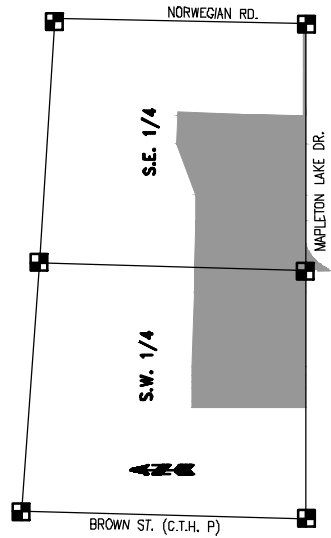
OVERALL DETAIL SHEET

**SE. CORNER OF THE SE 1/4
SEC. 14-8-17**
WIS. STATE PLANE COORD. SYSTEM
- SOUTH ZONE (NAD-83)
FND. CONC. MON. W/ BRASS CAP
N-422,897.74 E-2,384,464.90

PIPING LEGEND:

- - INDICATES "1" Iron Pipe Found
(Unless otherwise stated)
- - INDICATES "Set" 0.750" O.D. by
18" long Reinforcing Bar weighing
1.502 lbs. per lineal foot.

NORWEGIAN ROAD
(VARIABLE WIDTH PUBLIC R.O.W.)



LOCALITY MAP:

S. 1/2, SEC. 14, T. 8 N., R. 17 E.
SCALE: 1"=2000'

LOT 2
95,398 S.F.
2.1900 Ac.

OUTLOT 1

2,974,671+ S.F. (TO WATERS EDGE)
68.2890+ Ac.
2,895,956 S.F. (TO MEANDER LINE)
66.4820 Ac.

E. LINE OF SW 1/4
SECTION 14-8-17
(N01°48'16"E 2774.60)

**SW. CORNER OF THE SE 1/4
SEC. 14-8-17**
WIS. STATE PLANE COORD. SYSTEM
- SOUTH ZONE (NAD-83)
FND. CONC. MON. W/ BRASS CAP
N-422,903.97 E-2,381,892.11

MAPLETON LAKE DR.
(60' WIDE PUBLIC R.O.W.)

LOT 1
97,551+ S.F. (TO WATERS EDGE)
2.2395+ Ac.
89,716 S.F. (TO MEANDER LINE)
2.0596 Ac.

LOT 3
100,760+ S.F. (TO WATERS EDGE)
2.3131+ Ac.
66,700 S.F. (TO MEANDER LINE)
1.5312 Ac.

S. LINE OF SW 1/4
SECTION 14-8-17
(S89°53'42"W 2583.86)



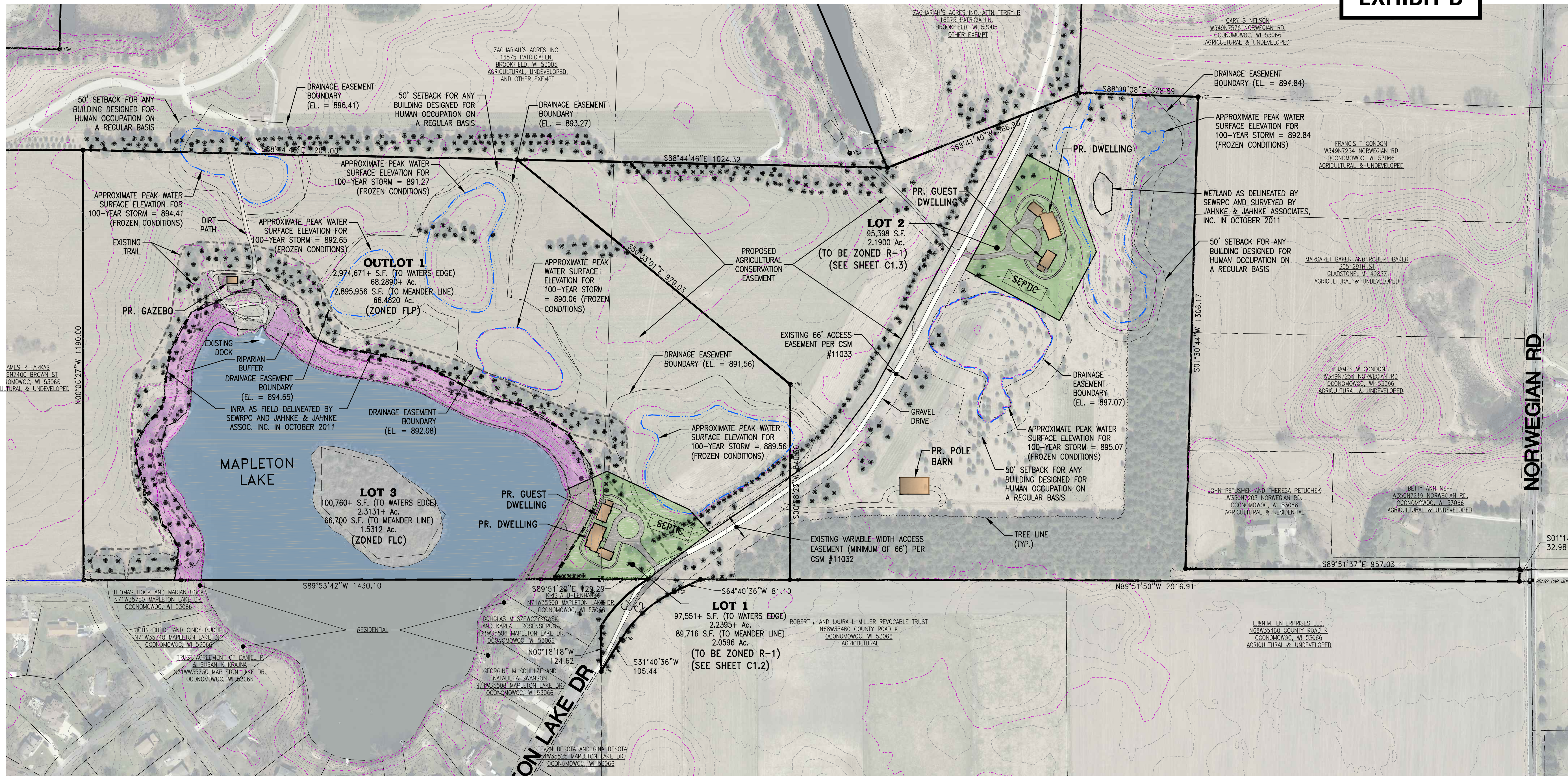
NOTES:

- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-83/2011), IN WHICH THE SOUTH LINE OF THE S.E. 1/4 OF SECTION 14, TOWN 8 NORTH, RANGE 17 EAST, BEARS S89°51'41"E.
- ALL TELEPHONE LINES, ELECTRIC LINES, CABLE TELEVISION LINES, TELECOMMUNICATIONS LINES, AND OTHER SIMILAR UTILITY SERVICES SHALL BE PLACED UNDERGROUND UNLESS THE APPLICANT OR UTILITY CAN DEMONSTRATE THAT UNDERGROUNDING IS NOT FEASIBLE.
- ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.

DRAFTED THIS 7TH DAY OF DECEMBER, 2023. REVISED 4-16-2024.
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119

JOB NO. 22-013-1147-01
SHEET 1 OF 10

EXHIBIT B



X:\2022\22-013-1147 ZACHARIAH'S ACRES\DRAWINGS\CONSTRUCTION PLANS\MAPLETON LAKE_CIVIL_PLAN_SET_22X34.DWG

TRIO
CIVIL ENGINEERING

4100 N. Calhoun Rd
Suite 300
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

PROJECT:
MAPLETON LAKE PHASE 1
ZACHARIAH'S ACRES
TOWN OF OCONOMOWOC, WISCONSIN
CVRESS TREE, LLC.
16575 PATRICIA LN
BROOKFIELD, WI 53005-5523

REVISION HISTORY

DATE	DESCRIPTION
01/08/24	PRELIMINARY DESIGN

DATE:
JANUARY 9, 2024

JOB NUMBER:
933-21009

DESCRIPTION:
OVERALL
PROPOSED
SITE PLAN

SHEET

C1.1

NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	409.43	25°49'45"	184.58	183.02	S44°37'43"W	S57°32'36"W	S31°42'51"W
C2	343.43	33°00'01"	197.80	195.08	S48°10'36"W	S64°40'36"W	S31°40'35"W

NOTE: DWELLINGS AND GUEST DWELLINGS TO BE OCCUPIED BY CARETAKERS/STAFF, PATIENTS OF ANGELSGRACE HOSPICE CARE, AND GUESTS OF ZACHARIAH'S ACRES.

SITE DATA

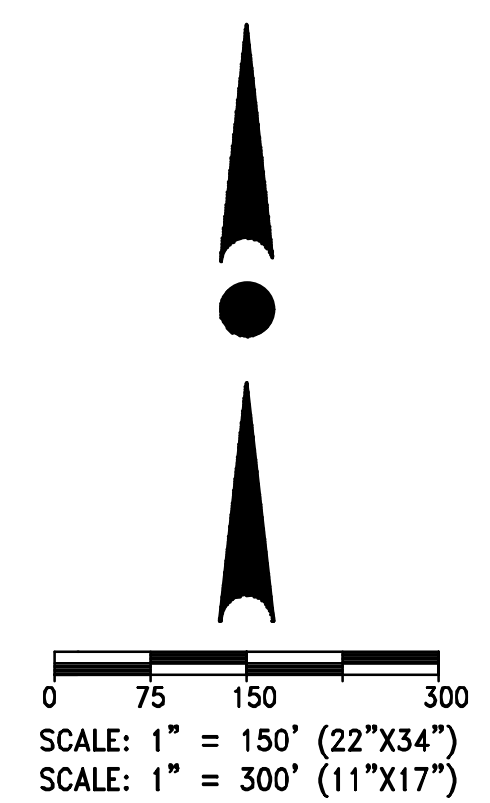
OUTLOT AREA DATA:
TOTAL OUTLOT AREA: 2,974,671+ S.F. (68.289+ Acres)
(TO WATER'S EDGE)

TOTAL IMPERVIOUS AREA: 48,530 S.F. (1.114 Acres)
1.63% of Lot
BUILDING AREA: 4,200 S.F.
GRAVEL AREA: 44,330 S.F.

TOTAL OPEN SPACE AREA: 2,926,141 S.F. (67.175 Acres)
98.37% of Lot

LEGEND:

- 850 - EXISTING CONTOUR
- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- PROPOSED SANITARY SEWER (PRIVATE)
- PROPOSED SANITARY SEWER (PUBLIC)
- PROPOSED SANITARY MANHOLE
- PROPOSED WATER MAIN (PRIVATE)
- PROPOSED WATER MAIN (PUBLIC)
- PROPOSED HYDRANT
- PROPOSED WATER VALVE
- PROPOSED STORM SEWER
- PROPOSED STORM MANHOLE
- PROPOSED STORM INLET
- PROPOSED STORM END SECTION



CONTRACTOR IS REQUIRED TO CONTACT DIGGERS HOTLINE TOLL FREE TO OBTAIN LOCATION OF UNDERGROUND UTILITIES PRIOR TO COMMENCING THE WORK. WISCONSIN STATUTE 182.0715 REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE. CALL DIGGERS HOTLINE 1-800-242-8511

NOTE:
EXISTING UNDERGROUND UTILITY INFORMATION WAS OBTAINED FROM AVAILABLE RECORDS. THE ENGINEER MAKES NO GUARANTEE AS TO THE ACCURACY OF THIS INFORMATION. VERIFICATION TO THE SATISFACTION OF THE CONTRACTOR OF ALL UNDERGROUND UTILITIES, WHETHER OR NOT SHOWN ON THE PLANS, SHALL BE ASSUMED AS A CONDITION OF THE CONTRACT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN LOCATION OF UTILITIES IN THE FIELD AND LOCATIONS SHOWN ON THE PLANS.