

Enrolled 158-121  
PROPOSED ORDINANCE 158-126

1  
2  
3 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF EAGLE ZONING  
4 ORDINANCE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED  
5 IN PART OF THE SW ¼ OF SECTION 26, T5N, R17E, TOWN OF EAGLE,  
6 DESIGNATED PRESENTLY WITH THE RRE-1 RESIDENTIAL RURAL  
7 ESTATE AND UC UPLAND CONSERVANCY DISTRICTS TO ADD THE  
8 PD PLANNED DEVELOPMENT OVERLAY DISTRICT (SZT-1505)  
9

10  
11 WHEREAS the subject matter of this Ordinance having been approved by the Eagle Town Board  
12 on December 1, 2003, after Public Hearing, and the giving of requisite notice of said hearing,  
13 and duly referred to and considered by the Waukesha County Park and Planning Commission,  
14 and a recommendation for approval, thereon reported to the Land Use, Parks and Environment  
15 Committee and the Waukesha County Board of Supervisors, as required by Section 60.61 of the  
16 Wisconsin State Statutes.  
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES  
19 ORDAIN that the District Zoning Map for the Town of Eagle Zoning Ordinance, adopted by the  
20 Town of Eagle on December 1, 1990, is hereby amended to conditionally rezone the RRE-1  
21 Residential Rural Estate and UC Upland Conservancy Districts by adding the PD Planned  
22 Development Overlay District to certain lands located in part of the SW ¼ of Section 26, T5N,  
23 R17E, Town of Eagle, and more specifically described in the "Staff Report and  
24 Recommendation" and map on file in the office of the Waukesha County Department of Parks  
25 and Land Use, and made a part of this Ordinance by reference (SZT-1505), is hereby approved  
26 subject to the following conditions:  
27

- 28 1. Lot size: The minimum lot size shall be 1.5 acres.  
29 2. Lot width: The minimum lot width shall be 150 ft.  
30 3. Offsets: The minimum offset shall be 20 ft.  
31 4. Setback: The minimum setback shall be 50 ft.  
32 5. Open space: The minimum open space shall be one (1) acre.  
33 6. Floor area ratio: The maximum floor area ratio shall be 15%.  
34 7. General Development Plan: The development shall occur in substantial conformity with  
35 the general development plan titled "Eagle's Preserve" dated November 14, 2003 and  
36 prepared by RSV Engineering, Inc. (Attachment "B").  
37

38 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of  
39 this Ordinance with the Town Clerk of Eagle.  
40

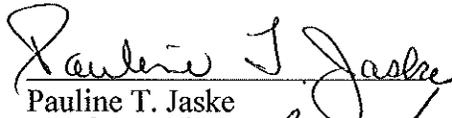
41 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
42 approval and publication.  
43

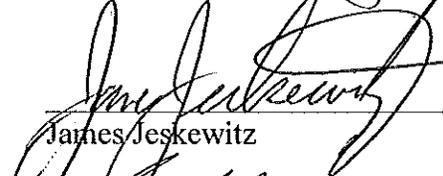
44 BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of  
45 provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF EAGLE ZONING ORDINANCE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 26, T5N, R17E, TOWN OF EAGLE, DESIGNATED PRESENTLY WITH THE RRE-1 RESIDENTIAL RURAL ESTATE AND UC UPLAND CONSERVANCY DISTRICTS TO ADD THE PD PLANNED DEVELOPMENT OVERLAY DISTRICT (SZT-1505)

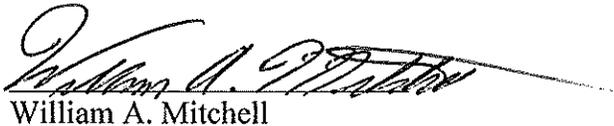
Presented by:  
Land Use, Parks, and Environment Committee

  
Walter L. Kolb, Chair

  
Pauline T. Jaske

  
James Jeskewitz

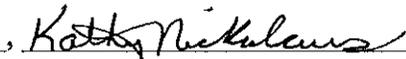
  
Scott J. Klein

  
William A. Mitchell

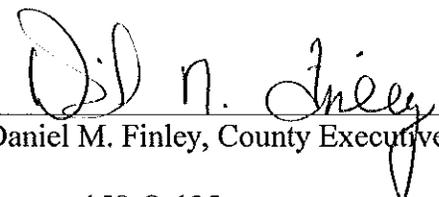
  
Daniel Pavelko

  
Vera Stroud

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 2-13-2004,   
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved:   
Vetoed:   
Date: 2-13-04,   
Daniel M. Finley, County Executive



**WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE**  
**STAFF REPORT AND RECOMMENDATION**  
**ZONING MAP AMENDMENT**  
**ADDENDUM**

**FILE NO:** SZT-1505  
**TAX KEY NUMBER:** EGLT 1831.992.002  
**DATE:** December 4, 2003  
**NAME OF PETITIONER:** Tom McAdams  
S94 W33665 Little Field Court  
Mukwonago, WI 53149

**LOCATION OF PROPERTY:**  
Part of the SW ¼ of Section 26, T5N, R17E, Town of Eagle.

**OTHER CONSIDERATIONS:**

At the previous meeting of the Waukesha County Park and Planning Commission held on November 20, 2003, the Planning and Zoning Division Staff presented a recommendation of that same date suggesting the application for rezoning be returned to the Town of Eagle in order to work out a design of the new subdivision which will better accommodate the preservation of the environmental qualities of the site. Unknown to the Staff and the Commission, a new design had been prepared but was never submitted to the County, which in essence accomplished that goal and was shown to the Commission at it's meeting. However, the Town's Ordinance did not incorporate a specific design as is required under the Town's PD Planned Development Overlay District. Accordingly, the Commission referred the matter back to the Town of Eagle so as to include as a condition of its rezone to the PD Planned Development Overlay District, a reference to a specific development plan.

On December 1, 2003, the Town Board did unanimously concur with the recommendation of the Staff and Commission and incorporated the plan for the site that essentially preserves all of the critical species habitat area in common open green space and makes reference to that design within the amended Ordinance from the Town of Eagle as an attachment. The Town and County will, if this rezoning is approved, be dealing with the very specific details of the design of the development as Conditional Uses so more detailed minimal design work may be incorporated, but the overall Development Plan which was submitted with the Town's amended Ordinance as an attachment, meets the goals of preservation of the high environmental qualities of the site in common open space.

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Division Staff that this request for rezoning including the RRE-1 Residential Rural Estate and Upland Conservancy categories to the PD Planned Development Overlay District in the Town of Eagle be **approved** as recommended by the Town. We feel the Development Plan as submitted and proposed by the Developer and incorporated as part of the amended Ordinance serves to protect the environmental quality of the subject site in common open green space and serves to implement the recommendations of the Waukesha County Development Plan.

Respectfully submitted,

*Richard L. Mace/kab*

Richard L. Mace  
Planning and Zoning Manager

RLM:kab

Attachments: Map  
November 20, 2003, Staff Report and Recommendation  
Town of Eagle Ordinance

158-0-125

Revised

STATE OF WISCONSIN

TOWN OF EAGLE

WAUKESHA COUNTY

---

ORDINANCE NO. 03-08

AN ORDINANCE TO REZONE CERTAIN LANDS  
IN THE TOWN OF EAGLE  
WAUKESHA COUNTY, WISCONSIN

---

WHEREAS, the land identified and described below is zoned Residential Rural Estates (RRE-1) and Upland Conservancy (UC) and the owner, Tom McAdams, has requested that the land be rezoned with the underlying districts remaining Residential Rural Estates (RRE-1) and Upland Conservancy (UC), with a Planned Development Overlay (PD); and

WHEREAS, the Town of Eagle held a public hearing on October 6, 2003, and continued on November 3, 2003, and the Planning Commission recommended permitting the rezone;

WHEREAS, the Town Board of Eagle finds that the proposed rezone is in the best interests of the Town of Eagle.

NOW THEREFORE, the Town of Eagle enacts this ordinance and rezones the following described land in the Town of Eagle, Waukesha County, Wisconsin to Residential Rural Estates (RRE-1) and Upland Conservancy (UC) with a Planned Development Overlay (PD) subject to the conditions noted in Attachment "A":

PT SW ¼ SEC 26 T5N R17E COM NW COR N89 43'E 792 FT THE BGN N89 43'E 1865.77 FT S01 E1244.98 FT W 500 FT S 200 FT N89 52'W 1943.78 FT N01 04'W 111.48 FT S89 44'W 208.74 FT N01 04'W 225 FT N88 55'E 359.70 FT N01 04'W 400 FT S88 55'W 359.70 FT N01 04'W 246.98 FT N86 10'E 792.84 FT N01 04'W 396.39 FT TO BGN 73.828 AC EX WLY 33 FT FOR RD DOC# 2545490 EX CERT SURV 9288

This ordinance is subject to enactment by the Waukesha County Board of Supervisors.

Adopted by the Town Board of Eagle on the 3<sup>rd</sup> day of November, 2003, on motion of Supervisor Malek, seconded by Supervisor Kwiatkowski, and amended by the Town Board of Eagle on the 1<sup>st</sup> day of December, 2003, to include the attachment of the general development plan on motion of Supervisor Kwiatkowski, seconded by Supervisor Burton.

158-0-125

Approved:

Donald Wilton  
Donald Wilton, Town Chairman

Attest:

Sally McMillan  
Sally McMillan, Town Clerk

Ayes 4 Noes 1 Absent 0

## ATTACHMENT "A"

1. **Lot size:** The minimum lot size shall be 1.5 acres.
2. **Lot width:** The minimum lot width shall be 150 feet.
3. **Offsets:** The minimum offset shall be 20 feet.
4. **Setback:** The minimum setback shall be 50 feet.
5. **Open space:** The minimum open space shall be 1 acre.
6. **Floor area ratio:** The maximum FAR shall be 15%.
7. **General Development Plan:** The development shall occur in substantial conformity with the general development plan titled "Eagle's Preserve" dated 11/14/03 and prepared by RSV Engineering, Inc. (Attachment "B")

**WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE**  
**STAFF REPORT AND RECOMMENDATION**  
**SHORELAND ZONING AMENDMENT**

**FILE NO:** SZT-1505  
**TAX KEY NUMBER:** EGLT: 1831.992.002  
**DATE:** November 20, 2003  
**NAME OF PETITIONER:** Tom McAdams  
S94 W33665 Little Field Ct.  
Mukwonago, WI 53149

**LOCATION OF PROPERTY:**  
Part of the SW ¼ of Section 26, T5N, R17E, Town of Eagle.

**PRESENT TOWN ZONING:**  
RRE-1 Residential Rural Estate District, requiring a three-acre minimum parcel size, and UC Upland Conservancy District, requiring a five-acre minimum parcel size.

**PRESENT COUNTY ZONING:**  
A-2 Rural Residential, requiring three-acre minimum parcel size. (Note: The Waukesha County Shoreland and Floodland Protection Ordinance allows for a Plan Unit Development with Conditional Uses within this Zoning category.)

**PRESENT LAND USE:**  
Currently the parcel is 67.83 acres with approximately 28 acres in agricultural, 29 acres in wetlands and 10 acres in forest lands.

**PROPOSED LAND USE:**  
The petitioner is proposing a conservation subdivision with 18 lots.

**PROPOSED TOWN ZONING:**  
PD Planned Development Overlay District.

**PUBLIC HEARING DATE:**  
October 6, 2003 and November 3, 2003.

**PUBLIC REACTION:**  
The public comments were for both the Conditional Use to allow a conservation subdivision and the rezoning. The comments listed are only directly related to the rezoning. There was concern that smaller lots would not be desirable for the Town. Other comments were directed that the exceptional natural resources of the parcel should be preserved. There were also comments about the proposed subdivision in general, but the comments were not related to the rezoning of this parcel.

**COMPLIANCE WITH COUNTY DEVELOPMENT PLAN AND THE TOWN OF EAGLE LAND USE PLAN:**

The Waukesha County Land Development Plan (WCLDP) designates this parcel as Agricultural and Other Lands category (five acres) and the remainder in the Environmental Corridor (five acres). The Town of Eagle designates this area as Transitional Agricultural (Medium Density Residential and Conservancy), which recommends a three to five acre density for development

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7.

**TOWN OF EAGLE ACTION:**

The Town of Eagle on November 3, 2003, approved the petitioner's request to amend the zoning from the RRE-1 Residential Rural and UC Upland Conservancy to the PD Planned Development Overlay but did not approve any layout (See Exhibit "A"). Listed below are the conditions set forth by the Town:

1. Lot size: The minimum lot size shall be 1.5 acres.
2. Lot width: The minimum lot with shall be 150 ft.
3. Offsets: The minimum offset shall be 20 ft.
4. Setback: The minimum setback shall be 50 ft.
5. Open space: The minimum open space shall be one (1) acre.
6. Floor area ratio: The maximum floor area ratio shall be 15 percent.

**OTHER CONSIDERATIONS:**

The property being rezoned is one continuous 67.83-acre parcel with exceptional natural resources on the east and south sides of the property. The applicants are proposing to rezone the parcel to allow for a Plan Unit Development (Conservation Subdivision) on the property. The Town of Eagle requires a rezoning to a PD Planned Development Overlay, while the County only requires a Conditional Use with no rezoning. The property contains a critical species habitat area, which is identified in the SEWRPC Planning Report No. 42, a regional Natural Areas and critical Species Habitat Protection and Management Plan for Southeastern Wisconsin. In addition, the property contains glacial features such as kettles and moraines, significant topographical features with very steep slopes. The secondary environmental corridor and the critical species habitat boundaries were identified and staked in the field by the Southeastern Wisconsin Regional Planning Commission. The property does have a large area, currently being farmed at this time (Exhibit "B") on which much of the development is proposed. This property is ideal for a Planned Unit Development if properly designed.

The proposed 18-lot layout of the development may be reconfigured as a result of the Town of Eagle approval, however, a new layout has not been presented. Because of the critical nature of the resources on this site, we feel that such a plan is mandatory with respect to protection of these amenities. The Town's Ordinance does nothing to address those concerns although the Town did allow somewhat smaller lots, which will allow more design flexibility and allow for preservation of these natural and environmental amenities.

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Division Staff that this request be returned to the Town of Eagle so the Town, the Developer and the Staff can work out a design which will accommodate the preservation of the highly desirable and environmental qualities of this site in a manner which will place the highest quality areas in common open green space while providing the maximum number of lots eligible to be placed on this parcel for development purposes. The Staff has discussed this issue on a number of occasions with the Developer regarding our concern for the preservation of the qualities of this site and to this date, has seen no results, which the Staff can support. The Staff feels strongly that such a design can be accommodated which will protect the property

158-0-125

8.

owner's rights to a certain number of development lots, while also protecting the superior environmental qualities of this site from degradation through unwarranted, uncontrolled and damaging construction activities. We feel strongly that this type of a development is ideal and will significantly enhance the quality of the lots in this project, especially if careful attention is paid to the protection of the site's superior amenities.

Respectfully submitted,



Michelle J. Staff  
Senior Land Use Specialist

MJS:smv

Attachments: Exhibits "A" and "B"

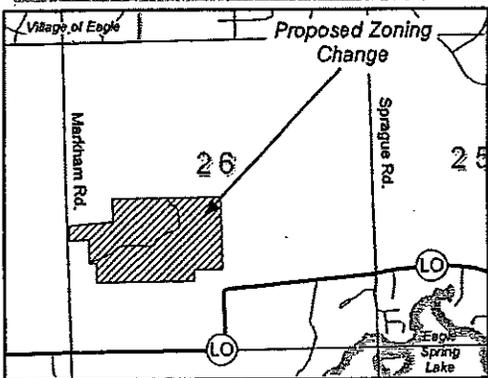
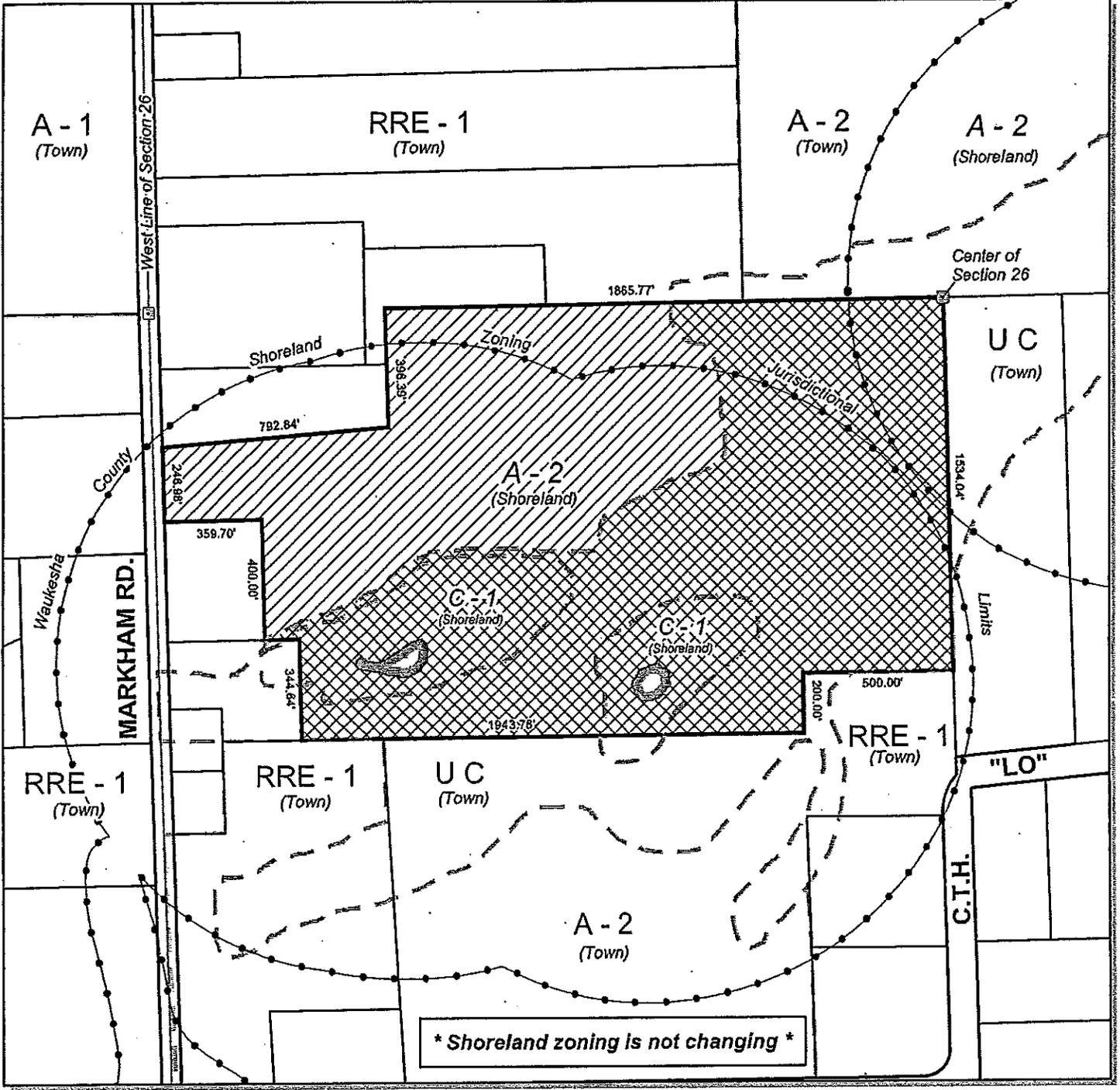
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158-0-125

19.

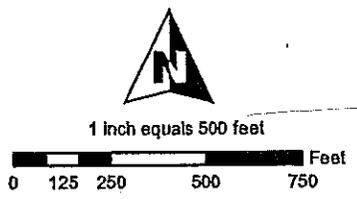
# ZONING MAP AMENDMENT

## PART OF THE SOUTHWEST 1/4 OF SECTION 26 TOWN OF EAGLE



	CONDITIONAL ZONING CHANGE FROM RRE-1 TO PD (25.12 AC.)
	CONDITIONAL ZONING CHANGE FROM UC TO PD (42.71 AC.)
FILE.....	ZT-1505
DATE.....	11-20-03
AREA OF CHANGE.....	67.83 ACRES
TAX KEY NUMBER.....	EGLT 1831.992.002

Prepared by the Waukesha County Department of Parks and Land Use



**158-0-125**

**EXHIBIT "A"**

STATE OF WISCONSIN                      TOWN OF EAGLE                      WAUKESHA COUNTY

ORDINANCE NO. 03-08

AN ORDINANCE TO REZONE CERTAIN LANDS  
IN THE TOWN OF EAGLE  
WAUKESHA COUNTY, WISCONSIN

WHEREAS, the land identified and described below is zoned Residential Rural Estates (RRE-1) and Upland Conservancy (UC) and the owner, Tom McAdams, has requested that the land be rezoned with the underlying districts remaining Residential Rural Estates (RRE-1) and Upland Conservancy (UC), with a Planned Development Overlay (PD); and

WHEREAS, the Town of Eagle held a public hearing on October 6, 2003, and continued on November 3, 2003, and the Planning Commission recommended permitting the rezone;

WHEREAS, the Town Board of Eagle finds that the proposed rezone is in the best interests of the Town of Eagle.

NOW THEREFORE, the Town of Eagle enacts this ordinance and rezones the following described land in the Town of Eagle, Waukesha County, Wisconsin to Residential Rural Estates (RRE-1) and Upland Conservancy (UC) with a Planned Development Overlay (PD) subject to the conditions noted in Attachment "A":

PT SW ¼ SEC 26 T5N R17E COM NW COR N89 43'E 792 FT THE BGN N89 43'E 1865.77 FT S01 E1244.98 FT W 500 FT S 200 FT N89 52'W 1943.78 FT N01 04'W 111.48 FT S89 44'W 208.74 FT N01 04'W 225 FT N88 55'E 359.70 FT N01 04'W 400 FT S68 55'W 359.70 FT N01 04'W 246.98 FT N86 10'E 792.84 FT N01 04'W 398.39 FT TO BGN 73.828 AC EX WLY 33 FT FOR RD DOC# 2545490 EX CERT SURV 9288

This ordinance is subject to enactment by the Waukesha County Board of Supervisors.

Adopted by the Town Board of Eagle on the 3 day of NOVEMBER, 2003 on

motion of Supervisor MALEK, seconded by

Supervisor KWIATKOWSKI.

Approved:

Donald Wilton  
Donald Wilton, Town Chairman

Attest:

Sally McMillan  
Sally McMillan, Town Clerk

Ayes 4 Noes 1 Absent 0

**ATTACHMENT "A"**

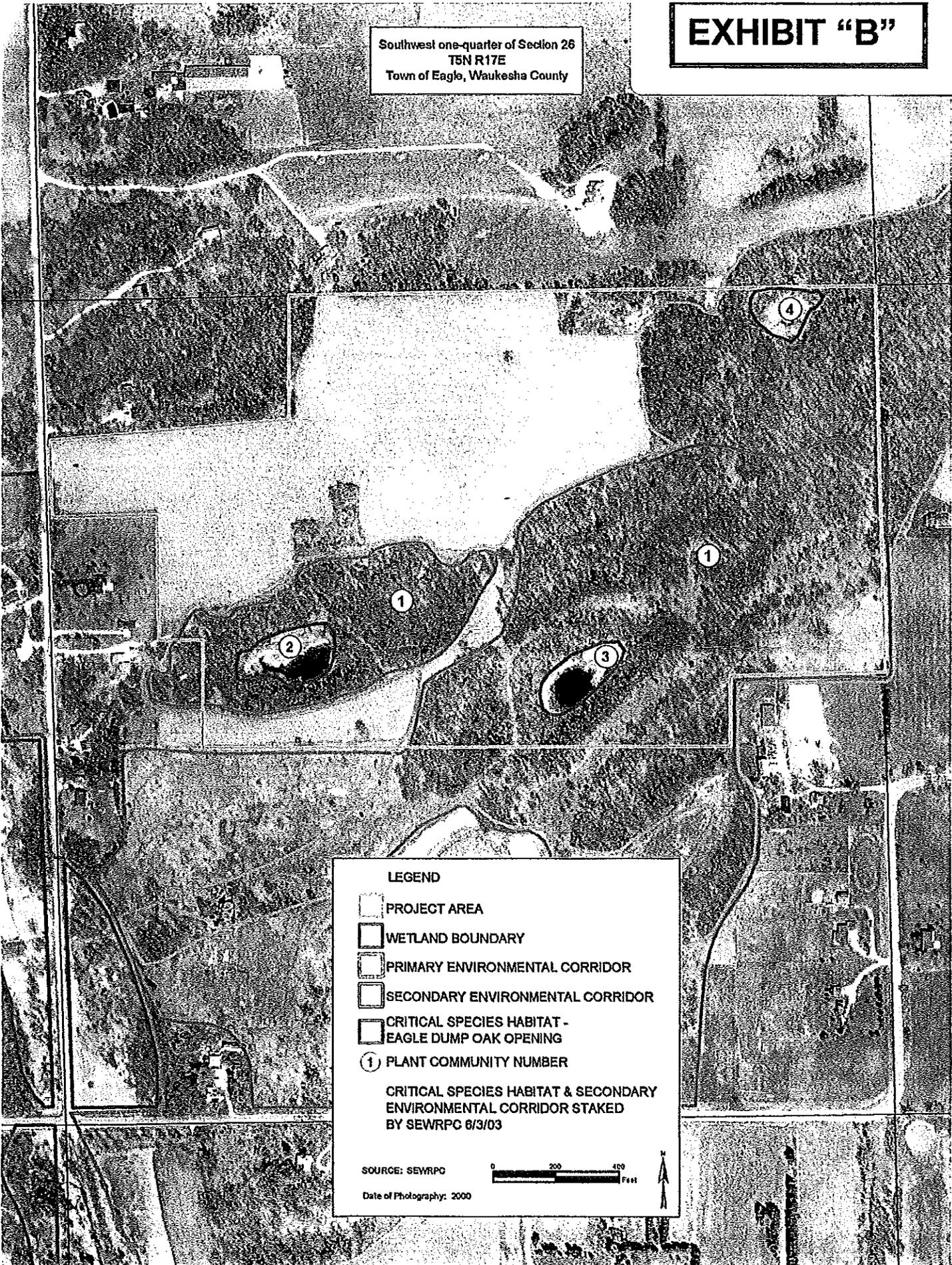
1. **Lot size:** The minimum lot size shall be 1.5 acres.
2. **Lot width:** The minimum lot width shall be 150 feet.
3. **Offsets:** The minimum offset shall be 20 feet.
4. **Setback:** The minimum setback shall be 50 feet.
5. **Open space:** The minimum open space shall be 1 acre.
6. **Floor area ratio:** The maximum FAR shall be 15%.

158-0-125

13.

# EXHIBIT "B"

Southwest one-quarter of Section 26  
T5N R17E  
Town of Eagle, Waukesha County



**LEGEND**

-  PROJECT AREA
-  WETLAND BOUNDARY
-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  CRITICAL SPECIES HABITAT -  
EAGLE DUMP OAK OPENING
-  ① PLANT COMMUNITY NUMBER

CRITICAL SPECIES HABITAT & SECONDARY ENVIRONMENTAL CORRIDOR STAKED BY SEWRPC 6/3/03

SOURCE: SEWRPC      0      200      400  
Date of Photography: 2000      Feet

158-0-125

14.

**COMMISSION ACTION**

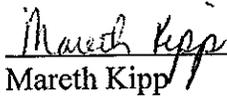
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Eagle Zoning Code hereby recommends approval of (SZT-1505 Tom McAdams) in accordance with the attached "Staff Report and Recommendation Addendum".

**PARK AND PLANNING COMMISSION**

**December 4, 2003**

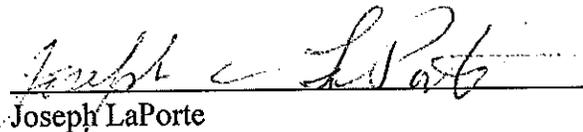
  
\_\_\_\_\_  
Betty Willert, Chairperson

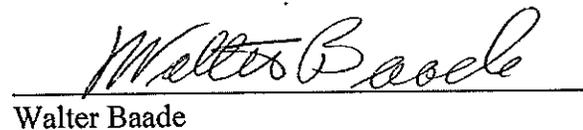
  
\_\_\_\_\_  
Vyvanusonis

  
\_\_\_\_\_  
Mareth Kipp

Absent  
\_\_\_\_\_  
Ellen Gennrich

  
\_\_\_\_\_  
Walter Kolb

  
\_\_\_\_\_  
Joseph LaPorte

  
\_\_\_\_\_  
Walter Baade

NOTE: This is additional  
information pertaining to  
Ordinance 158-0-125.



## MEMORANDUM

To: Waukesha County Board of Supervisors

From: Richard L. Mace

Date: February 4, 2004

Re: Zoning Amendment SZT-1505

At the Land Use, Parks and Environment Committee meeting of January 20, 2004, this request was discussed at some length. Because the site is being rezoned as well as a Conditional Use Permit issued for the project development, it was somewhat confusing to the Committee members as to the standards for the development which have been imposed by the Town and the County. In an effort to clarify the matter, I would advise that the original "Staff Report and Recommendation" dated November 20, 2003, recommending that the matter be returned to the Town for additional clarification contains much of the detailed information about the site and continues to be valid. What was lacking at that meeting was a "General Development Plan", which is required under the Town's Ordinance and for that reason was returned to the Town. Subsequently, an amended Town Ordinance was approved, which incorporated the "General Development Plan" as required. The general Development Plan was attached to the copies submitted to the Land Use, Parks and Environment Committee and showed much detail. However, one detail which was not included on that Plan was an additional 50 ft. offset from the Environmental Corridor and critical species habitat area for Lots 10, 11, 12, 15, 16, 17 and 18. This required an additional 50 ft. offset or setback from said critical species area and was a condition of approval of the County Conditional Use, which has been approved by the Waukesha County Park and Planning Commission at their meeting of December 18, 2003.

For clarification reasons, included is a copy of the Conditional Use approval letter sent to the Developer, the Town and others outlining the specific additional requirements above and beyond that which are imposed in the rezoning amendment. Item No. 3 of that letter states, the additional requirement to have a 50 ft. setback from the Critical Species boundary. This standard will be required as part of the plat review process and will appear once the formal submittal of the subdivision plat for the property is made to the Town, the State and the County. It is at that time we will enforce all of the conditions of both the rezone and the Conditional Use Permit.

I hope this clarifies any confusion that, may have existed and if there continues to be confusion, please do not hesitate to contact me.

RLM:kab

158-0-125



January 8, 2004

Mr. Tom McAdams  
Eagle's Preserve  
S94 W33665 Littlefield Court  
Mukwonago, WI 53149

Re: SCU-1353 Town of Eagle Section 26

Dear Mr. McAdams:

At its meeting of December 18, 2003, the Waukesha County Park and Planning Commission reviewed your request for a Conditional Use Permit for a "Planned Unit Development (PUD) with 18 residential units" on your property located in Section 26 of the Town of Eagle. After discussion, the Commission voted for approval in accordance with the enclosed "Staff Report and Recommendation" subject to the following conditions:

1. The development shall occur in substantial conformity with the General Development Plan referenced in the rezoning amendment (SZT-1505) and shall be prepared as a Subdivision Plat in accordance with the provisions of Section 236 of the Wisconsin Statutes. The project may not commence with construction until the rezone is approved, and any precedent conditions herein noted are complied with.
2. It is unknown as of this writing, the future ownership status of the common open spaces and outlots on the proposed development. Once that has been finally resolved, if owned by the subdivision dwellers, the ownership shall be on a fractional basis between all lot owners and a Declaration of Restrictions and covenants shall be prepared for review and approval by the Waukesha County Department of Parks and Land Use Staff and the Town of Eagle, prior to final Plat approval. Said Declaration shall deal with the maintenance of the open space areas, as well as any other requirements which the subdivider wishes to impose on the building lots within the development, as well as the organization of the association in charge of maintenance and other germane issues attendant to a homeowners association.
3. The building envelopes shall be revised on proposed Lots 10, 11, 12, 15, 16, 17 and 18 to reflect a 50' setback standard from the critical species habitat boundary as noted on the General Development Plan to provide a undisturbed buffer between the construction activities and the critical species area.

158-0-125

4. A conservation easement shall be applied to the secondary environmental corridor on the subject site, including Outlot No. 2, which will protect the natural qualities of the area from any kind of development other than provisions for walking trails and removal of dead and diseased vegetation. (a sample easement is enclosed). A Landscape Plan shall be provided for the landscaped island in the cul-de-sac which may be identified as an outlot to be owned by the subdivision dwellers. A Landscape Plan shall also be provided for the two access ways into the outlot (between Lots 7 and 8 and west of Lot 18). Landscaping shall include plant material, planted in such a way as to identify the location of the access ways and screen adjacent residential lots. In addition, berming and/or landscaping shall be provided along the east side of Markham Road on proposed Outlot 1 and outside of the vision corner at the intersection. A Landscape Plan shall also be provided for the landscape island at the entrance. Said Landscaping Plan shall be submitted for review and approval by Staff. If it is the desire of the Town to not maintain that landscape island as well as the island in the cul-de-sac in separate ownership by the homeowners they will not have to be identified as separate outlots, but the Declaration of Restrictions and Maintenance Agreements shall provide for the maintenance of said areas.
5. The conservation easement as applied to the outlot shall not allow any motorized vehicles.
6. Prior to any construction activities occurring on the site, a Stormwater and Erosion Control Permit shall be applied for and issued by the Waukesha County Land Resources Division, which shall also recognize the minimum required standards outlined above.
7. The Waukesha County Park and Planning Commission recommends that a conservation-type group or land conservancy own and maintain the critical species area on the property.

Upon compliance with Conditions No. 2, 3, 4 and 6 listed above, your Conditional Use Permit will be issued.

In the event you have any questions, please contact me.

Very truly yours,

*Richard L. Mace/SM*

Richard L. Mace  
Planning and Zoning Manager

RLM/smv

Enclosures

cc: Town of Eagle Clerk  
Town of Eagle Plan Commission  
Town of Eagle Building Inspector  
Carl Seitz, Waukesha County Board Supervisor  
Pam Schense, DNR  
File (3)

158-0-125

4

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/10/04

(ORD) NUMBER-1580125

- 1 K. HERRO.....
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 M. THOMAS.....AYE
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....AYE

- 2 R. THELEN.....AYE
- 4 H. CARLSON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 J. GRIFFIN.....
- 14 J. LA PORTE.....AYE
- 16 R. MANKE.....AYE
- 18 B. MORRIS.....AYE
- 20 M. KIPP.....
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-29

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-29