

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39<sup>th</sup> AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
6:00 P.M.  
OCTOBER 8, 2012**

**AGENDA**

1. Call to Order.
2. Roll Call.
3. Consider the Minutes of the August 20, September 10 and September 17, 2012 Plan Commission meetings.
4. Correspondence.
5. Citizen Comments.
6. Old Business.
  - A. **TABLED PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-11 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88<sup>th</sup> Avenue and south of Bain Station Road for the development of a proposed warehouse distribution building: 1) to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to change the low-medium density residential land use designation and the Park, Recreation and Other Open Space Lands (not within any wetlands or 100 year floodplain designation) to the Industrial Land Use designation with a General Industrial category and removal of the Urban Reserve Area; and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment and 2) to amend a portion of the Pleasant Farms Neighborhood Plan to remove the residential single family lots adjacent to the cemetery, to allow the entire property to develop as Industrial (except for field delineated wetlands and the 100-year floodplain) and to amend the proposed layout of proposed roadways within and adjacent to the property.
  - B. **TABLED PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88<sup>th</sup> Avenue and south of Bain Station Road for the development of a proposed 1.2 million square foot warehouse/distribution facility building to be known as Majestic Center.
  - C. **TABLED PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88<sup>th</sup> Avenue and south of Bain Station Road to rezone a portion of the property that is zoned A-2, General Agricultural District into the M-2, General Manufacturing District.

7. New Business.

- A. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-11 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co to amend a portion of the Pleasant Farms Neighborhood Plan to relocate the proposed future high school site to the west; to amend a portion of the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to reflect the proposed location change of the future high school site; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment.
- B. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-13 FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN** for the request of Martin Hanley, President of Land & Lakes Development Company to amend the Village Green Neighborhood Plan and to approve the Village Green Center Sub-Neighborhood Plan.
- C. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-14 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN** for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Specifically, Map 9.9 is proposed to be amended to remove the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation from the property located at 11934 28<sup>th</sup> Avenue.
- D. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue to rezone the portions of the property that are zoned PR-1, Park-Recreational District and R-3, Urban Single Family Residential District to the R-4, Urban Single Family Residential District. The portion of the property zoned C-1, Lowland Resource Conservancy District will remain unchanged.
- E. Consider the request of Mark Bourque of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue for approval of a **Certified Survey Map** to subdivide the property into two parcels and to withdraw the Final Plat for The Orchard Subdivision.
- F. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS** for the request of William Tucknott agent for Rust-Oleum Corporation to install a new aerosol spray-paint filling equipment that includes the installation of a 192 square foot pre-fabricated structure that will be located on a concrete pad outside rear of the facility located at 8105 95<sup>th</sup> Street that will house the required equipment that adds propellant to the cans.

- G. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS** for the request of Jeffrey Risby, agent, for Verizon Wireless to install six (6) antenna on the existing tower in Prairie Springs Park at a height of 140 feet; to install related telecommunication equipment within the existing multi-tenant equipment shelter at the base of the tower and to install an emergency stand-by generator north of the existing building within a masonry wall to match the existing building.
  - H. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE** for the request of Cory Harpe, agent for Harpe Development to use the house located at 9985 Cooper Road in the Village Green Heights Addition #1 Subdivision as a model home.
  - I. **PUBLIC HEARING AND CONSIDERATION OF ZONING TEXT AMENDMENTS** to amend Section 420-124 J (4) (b) related to height requirements in the M-2, General Manufacturing District; and to amend Section 420-57 H (2) related to construction design standards.
  - J. Consider the request of Jack Williams, VP Operations of Central Storage & Warehouse Company for approval of **Site and Operational Plans** for a 36,800 square foot addition to their existing facility located at 7800 95<sup>th</sup> Street in LakeView Corporate Park.
  - K. Consider the **discontinuance of a portion of 115<sup>th</sup> Street** within the Kings Cove Subdivision.
8. Adjourn.

It is possible that members and possibly a quorum of members of other governmental bodies of the municipality may be in attendance in the above stated meeting to gather information; no action will be taken by any other governmental body except the governing body noticed above.

**The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk, 9915 39<sup>th</sup> Avenue, Pleasant Prairie, WI (262) 694-1400.**

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39TH AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
3:00 P.M.  
August 20, 2012**

A special meeting for the Pleasant Prairie Plan Commission convened at 3:00 p.m. on August 20, 2012. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Jim Bandura; John Braig; Andrea Rode (Alternate #2) ; Larry Zarletti; and Judy Juliana (Alternate #1) . Also in attendance were Mike Pollocoff, Village Administrator; Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; and Peggy Herrick, Assistant Zoning Administrator.

**1. CALL TO ORDER.**

**2. ROLL CALL.**

Tom Terwall:

Let the record show we have a quorum.

**3. CITIZEN COMMENTS.**

Tom Terwall:

If you're here for the item that's the only issue on the agenda tonight which is the public hearing, we would ask that you hold your comments until the hearing is held so that your comments can be included as an official part of the record. However, if you're here for an item not on the agenda, want to raise an issue or ask a question, now would be your opportunity to do so. We would ask that you step to the microphone and begin by giving us your name and address. Is there anyone wishing to speak under citizens' comments?

**4. OLD BUSINESS**

**A. CONTINUED PUBLIC HEARING AND CONSIDERATION OF A REVOCATION OR SUSPENSION OF CONDITIONAL USE PERMIT #01-11 that was approved by the Village Plan Commission on June 25, 2001 that allows BP Amoco to operate the gasoline station and convenience store located at 10477 120<sup>th</sup> Avenue. This hearing specifically relates to the written complaint filed by the Village Zoning Administrator regarding BP Amoco's noncompliance with the terms of said Conditional Use Permit and their violation of Village Ordinance Section 420-145 G., as it relates to "standards for conditional uses" and specifically Section 420-38 D., Water Quality Protection performance standards.**

- i. Petition shall be read into the record by the Plan Commission Chairman.**
- ii. Plan Commission Chairman shall hear and receive evidence and sworn testimony.**
- iii. Public comments.**

- iv. Recommendation shall be given by the Zoning Administrator.**
- v. Plan Commission shall vote on an action.**

Tom Terwall:

With that I'll read the complaint into the record to begin the hearing. Dated June 12, 2012 regarding the Zoning Administrator complaint and notice of conditional use permit violation and order to correct violation for the BP Amoco Station #3789, 10477 120<sup>th</sup> Avenue in the Village of Pleasant Prairie.

According to the Village of Pleasant Prairie/Kenosha County public access records, VIDHYA Corp VIII, Inc. is the legal owner of the property located at 10477 120<sup>th</sup> Avenue, which is further identified as Tax Parcel Number 92-4-122-302-0130 in the Village of Pleasant Prairie. Currently, the BP Amoco gasoline station operates at the referenced location but only with the expressed written approval and authority of Conditional User Permit #01-11 approved by the Village Plan Commission on June 25, 2001. The purpose of this letter is to document a written complaint filed by the Village Zoning Administrator regarding BP Amoco's noncompliance with the terms of the conditional use permit and the violation of Village Ordinance Section 420-145 G., as it relates to standards for conditional uses and specifically Section 420-38 D., water quality protection performance standards.

BP Amoco has been found to be in violation of the following Zoning Ordinance Section 420-38 D. water quality protection performance standards to be enforced: (11) Water quality protection. (a) No activity shall locate, store, discharge or permit the discharge of any treated, untreated or inadequately treated liquid, gaseous or solid materials of such nature, quantity, obnoxiousness, toxicity or temperature that would be likely to run off, seep, percolate or wash into surface or subsurface waters so as to contaminate, pollute or harm such waters or cause nuisances such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste or unsightliness or be harmful to human, animal, plant or aquatic life.

Recent inspections and photographic documentation over the past year revealed that the BP Amoco property has illicit discharges or petroleum releases into the drainage ditch adjacent to the property that have occurred and continue to occur from the property which also drain out to the adjacent property impacting the water quality and resulting in potentially both soil and water contamination.

This complaint, having been filed on June 12, 2012, alleges ongoing noncompliance with the terms of the conditional user permit for this property. You are hereby ordered to correct the outstanding zoning violations as noted in this letter within 30 days which would be July 13, 2012. If the ongoing contamination is not stopped and the soil and water cleaned up within the prescribed 30 day time period, the Village will initiate the revocation or suspension of the conditional use permit. As such, the Village Plan Commission will schedule an open hearing within 45 days of the date of the complaint and will be conducting a hearing regarding this matter pursuant to the general outline set forth in Zoning Ordinance Sections 420-145 and 420-147.

The date for the public hearing is being set for Monday, July 16, 2012 at 5 p.m. at the Village Hall Auditorium at 9915 39<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin. You or your representative should attend this hearing. Upon a find that the standards, regulations and conditions set forth in the granting of the conditional use permit has been violated, the Plan Commission may suspend

the conditional use permit and the use of the premises as a gas station until such time as there is compliance with the standards, regulations and conditions imposed with said permit, or the Plan Commission may revoke the conditional use permit. If you have any questions please contact me directly at 262-925-6717. Sincerely, Jean M. Werbie, Village Zoning Administrator, Village Planner and Community Development Director.

As you'll recall, that's when the hearing was initiated, and at that time upon the request of the attorney for BP Amoco we granted a 30 day delay to give him an opportunity to get up to speed on what the charges were which brings us to this meeting today. So at this point I'm going to call on the Mrs. Werbie to bring her testimony. Jean, with that, I want to ask you to please swear that you'll tell the truth, the whole truth and nothing but the truth so help you God.

Jean Werbie-Harris:

Yes, I do.

Tom Terwall:

Please state your name, address and title please.

Jean Werbie-Harris:

My name is Jean M. Werbie-Harris. I'm the Village Zoning Administrator, Village Planner and Community Development Director for the Village of Pleasant Prairie, 9915 39<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin.

With that, as part of the public hearing record this evening I have compiled a listing of comments, overview, exhibits and information that I'd like be placed in part of the record. And while I am just presenting my brief overview just to set the stage or set the aspects of what we're talking about for the Plan Commission, I'm going to have my assistant Peggy just run through some of the photos of just the site itself over the last year and a half or so while I present the overview. And then we'll start presenting all the exhibits for the record.

As part of the overview, on Monday, July 16, 2012 at 5:00 p.m. at the Village of Pleasant Prairie Village Hall, a hearing was scheduled before the Plan Commission. That hearing, as you indicated, was continued until tonight, August 20, 2012. And this is to consider a possible suspension or revocation of the VIDHYA Corp. VIII, Inc. also known as BP Amoco, 10477 120<sup>th</sup> Avenue, conditional use permit, which is their operation permit in Pleasant Prairie. The Village was made aware of illicit discharges of petroleum products into the drainage ditch adjacent to the BP Amoco and Culver's property east of Corporate Drive along the south side of Highway 165.

The complaint was filed by the Village's Fire and Rescue Chief Paul Guilbert on April 26, 2011. As noted in the complaint, the discharges are creating soil and ground water contamination. The BP Amoco owners received a State order dated April 27, 2011, and a letter dated May 18, 2011 from the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce requiring BP to develop and implement a plan to remove and clean up the contamination caused by the discharge. Since that time several contacts including letters and meetings have been made notifying the BP station owners of the steps that need to be taken to

both stop the discharge and to remediate the contamination. To date the discharge continues to take place.

On March 22, 2012, the Village engineering department started issuing daily citations for the illicit discharges. As of August 15, 2012, a total of 125 citations have been issued to date totaling over \$84,000. Each day that the violation deadline was not complied with the BP station owners were issued a \$676 citation by the Village Engineer. The Village has repeatedly outlined specific actions that the owners of the BP station needed to take along with respective deadline for communicating any progress that they had made.

After many discussions with the Village Engineer, Mike Spence, this spring on June 12, 2012 I made the determination to file and to document a formal written performance standards zoning complaint based upon the situation. As the Zoning Administrator, the seriousness of this violation and the owner's noncompliance has resulted in a hearing being set before the Plan Commission to consider the revocation or suspension of the BP Amoco conditional use permit. The conditional use permit grants conditional approval and permission to operate the gas station.

What I'd like to do now is go through each of the exhibits. On your thumb drives and your computer these exhibits are also shown there, and so I'm not going to read through every single detail of all the exhibits. I'm just going to briefly put forth a summary. If you're looking for more of the detailed information, you can certainly click on that particular exhibit. Please note that most of these exhibits with the exception of the last exhibits of the last few weeks have already been provided to the petitioner's attorney as part of an open records request.

So I'll read forth the exhibit numbers and the exhibit, and then just provide, again, a few sentence summaries for each of the exhibits. The first exhibit, Exhibit 1, in April of 1989 Lakeview corporate Park Declaration of Development Standards and Protective Covenants dated 4-17-89. The declaration set forth the standards and protective covenants of the park which includes land owned and occupied by the gas station. The following sections of the declarations specifically address compliance with zoning, nuisances and illegal discharges. Article II, Section 2.1 compliance with zoning, Section 2.2 nuisances, and Section 2.3 hazardous waste. Article VI, Section 6.3 deals with stormwater drainage. And Article X, Section 10.2 maintenance and repair. The BP Amoco site is in violation of these previous sections.

Exhibit 1a, January of 2007, the updated Lakeview Protective Covenants were recorded at the Register of Deeds office.

Exhibit 2, April 5, 1989, the Village Zoning Ordinance Article XVIII, conditional uses, Sections 420-141 through 147. Section 420-147 suspension or revocation of the permits states: Upon a complaint filed with the Zoning Administrator alleging noncompliance with the terms of the conditional use permit by any interested party, or upon the motion of the Zoning Administrator, the Plan Commission shall schedule an open hearing within 45 days of the filing of the complaint and shall conduct a hearing pursuant to the general outline set forth in 420-145. Upon a finding that the standards, regulations and conditions set forth in granting the conditional use permit have been violated, the Plan Commission may suspend the conditional user permit until such time as there is compliance with the standards, regulations and conditions imposed with said permit, or the Plan Commission may revoke the conditional use permit.

Any continued operation after a suspension or revocation of such permit shall be deemed a violation of this chapter and subject to the fines set forth in 420-150 of this chapter. This action of the Commission may be appealed pursuant to Chapter XVIII, Article X of the Village Code. Such appeal shall be filed with the Zoning Administrator within 30 days after final action taken by the Plan Commission. Any failure to revoke a conditional use permit for past violations shall not operate as a waiver of the right to suppress future violations.

Exhibit 3, August 5, 1991, the Village conditional use permit grant #91-001. The Village Board of Trustees adopted conditional use permit grant 91-001 which permitted the construction and operation of a BP Amoco gas station and convenience store on the site located at 10477 120<sup>th</sup> Avenue in the Village of Pleasant Prairie subject to compliance with certain specific conditions and compliance with all Village ordinances.

Exhibit 4, June 25, 2001, Village conditional use grant #01-11. The Village Plan Commission adopted conditional use permit grant 01-11 which permitted the reconstruction and operation of the Amoco Oil Company gas station convenience store on the site located at 10477 120<sup>th</sup> Avenue in the Village of Pleasant Prairie subject to compliance with certain specific conditions and compliance with all of the Village ordinances.

Exhibit 5, July 2, 2001, BP Amoco planned unit development Ordinance #01-32 adopted July 2, 2001. The Village Board of Trustees adopted the BP Amoco planned unit development Ordinance 01-32 on July 2, 2001. This PUD sets forth specific conditions and provided modifications to the zoning ordinance for BP to construct and operate the gas station and convenience store subject to the Village approved site and operational plans and subject to compliance with certain specific conditions and all of the Village ordinances.

Exhibit 5a, in September of 2008 Kenosha County land records information documentation. The land records information indicates the purchase of the gas station by VIDHYA Corp, VIII, Inc., also known as BP Amoco, 10477 120<sup>th</sup> Avenue from Amoco. A deed was recorded in September of 2008 with the Kenosha County Register of Deeds office.

Exhibit 6, June 9, 2009, email correspondence between the Village Engineer and Village Fire and Rescue Chief. The email was from Michael Spence, PE, Village Engineer, to Fire Chief Paul Guilbert regarding a telephone call that Mike has received from the owner of the Culver's Restaurant Ed Rich. It was regarding a strong gassy smell and possible spill from the BP gas station in the ditch line area along the south side of Highway 165. The same complaint had been reported a day earlier by We Energies. This email was then forwarded to Frank Bennett, Wisconsin Department of Commerce Retail Petroleum Inspector.

Exhibit 7, June 11, 2009, email correspondence between Linda Michalets and Frank Bennett. Email from Linda Michalets, Senior Hydrologist, Site Review Section of the Wisconsin Department of Commerce to Frank Bennett and copy to the Village Fire and Rescue Department regarding possible leakages and problems at the BP Amoco site. The conclusion was that We Energies had been recently digging in the area of residual soil contamination from previous hot spots on the gas station site area which was identified as a closed site. No digging by restrictive covenant was allowed to occur at the gas station site in the identified areas. The hot spot area holes were filled in by We Energies.

Exhibit 8, March 22, 2011, State Order letter from Frank Bennett. State Order sent to Dixit Patel from an inspection completed on 3-17-11 by the State Inspector Frank Bennett. The order



identified that four tanks being used or out of service tanks were not properly permitted, and the certificate of insurance had not been provided to the State.

Exhibit 9, April 21, 2011, Village staff email correspondence. A summary of this email was sent by Assistant Zoning Administrator Peggy Herrick to Fire Chief Paul Guilbert and Village Engineer Michael Spence regarding a telephone complaint received by Culver's owner Ed Rich. He indicated that the grass in the ditch line adjacent to the restaurant was dead. He wanted to know if BP had a spill or a leak and what would cause the grass to die in this area of the ditch line drainageway.

Exhibit 10, April 25, 2011, Village staff email correspondence. This was an email from Fire and Rescue Chief Paul Guilbert to Peggy Herrick, Assistant Zoning Administrator, regarding the complaint filed by Ed Rich of Culver's. As indicated in the email, and this is in quote, Mr. Rich in showing us the ditch line within the State Trunk Highway 165 right of way, identified an area of dead grass along with a shiny stream of water running and pooled. The dead grass and the shiny water began at the storm water discharge pipe in the northeast corner of the BP property, a gas station adjoining to Culver's property, and continued east to the culvert that runs under Corporate Drive. Photographs were taken by Village Engineering Technician Eric Cunado.

Also on April 25, 2011 as part of Exhibit 10, the Pleasant Prairie Fire Chief Paul Guilbert notified the Wisconsin Department of Natural Resources, going to be referred to now as Wisconsin DNR, that soil and potential ground water contamination had been detected at and adjacent to the BP Amoco site as noted in the email.

Exhibit 11, April 27, 2011, email correspondence between Frank Bennett and Fire and Rescue Chief. The email from Frank Bennett, State Certified Inspector with the Department of Commerce to Chief Guilbert confirming the message sent to the Chief. We need to refer to Exhibit 12 which is the next as part of the discussion and the attachment.

Exhibit 12, April 27, 2011, State Order letter from Frank Bennett. This was a State Order sent from Frank Bennett, State Certified Inspector with the Wisconsin Department of Commerce, to summarize the site violations included the diesel dispenser had a leak, and the dispenser needs to be cleaned and functionality tests need to be performed. Dispenser pumps needed to be fitted with penetration fittings. The dispenser nozzle were leaking from the tank. There was a slow leak from another tank. There were loose fittings, bolts and connectors on another tank. Sumps needed to be tested for leaks. The diesel probe did not alarm when tested, and the probe needed to be repaired or replaced.

The letter further stated that the following have not been verified for complains. One, equipment for measuring product levels; two, automatic tank gauging equipment and precision tightness testing; three, interstitial monitoring equipment; and four, sensors to detect leaks, lines and pumps. Also secondary containment sumps installations were needed to prevent the release of liquids.

Exhibit 13, May 4, 2011. This is email correspondence and memorandum from Linda Michalets to Scott Ferguson. Linda Michalets, Department of Commerce, sent an email to Scott Ferguson of the Wisconsin DNR with copies to the Village Fire and Rescue Chief and the Village Engineering Technician Eric Cunado. The email discusses a brief site history for the closed Department of Commerce case and information concerning petroleum issues at the station since

2006. The memorandum documents that the Department of Commerce was called to the BP site on April 26, 2011 because petroleum product from the station was observed in the drainage ditch on the northeast corner of the property. Evidence indicates that the petroleum observed is not likely from the release or the same mechanism as the closed Commerce case.

While at the site on April 26, 2011, petroleum odor and a slight sheen was noticed in the storm sewer catch basin on the north side of the property. This catch basin is directly upgrading of the outfall pipe to the drainage ditch. The retail petroleum inspector is requiring a tightness testing of the dispenser sumps in addition to fixing the leaking union under the diesel dispenser and pumping out the one inch layer of product from the diesel sump.

The site history of the closed Commerce case is as follows. A, a petroleum release was reported on September 9, 1999. The source of the release was a leaking flex connector that was discovered at an unleaded gas underground storage tank, USED, basin sump. B, inventory records indicated a loss of 623 gallons of gasoline. Most of the product was siphoned from the tank basin sump back into the USED. C, Delta pumped 12,000 gallons of gasoline contaminated water from an excavation at the northwest corner of the USED basin during the flex connector repair. D, Delta started site soil and ground water investigation in June of 2000. A total of nine ground water monitoring wells were installed with a total of 15 soil borings advanced on the site. E, a second release was reported in February 2001 when Delta reported that an undetermined quantity of premium unleaded gas was released from the piping run between the southernmost former pump island dispenser.

F, the station building and pump island canopy was replaced in 2001. The pump islands and the pumping runs were replaced. The diesel USED was removed and reinstalled in a tank basin separate from the gasoline UMTS. And the new storm sewer was installed and the site graded. G, Commerce approved the case closure on December 20, 2006. H, a deed restriction regarding the case closure was recorded, and a two foot soil barrier along with landscaping were installed to prevent erosion and/or deterioration of the site and in order to prevent direct contact with residual soil contamination.

Exhibit 14, May 17, 2011, email from Michael Madison of Interstate Pump and Tank to Sam Shitansh. Email is regarding the State Order from the Wisconsin Department of Commerce and Wisconsin DNR regarding the grass kill in the highway ditch. The consultant indicated that a tentative schedule of June 6<sup>th</sup> was set in order to begin hydrostatic testing on all pumps. The process will include inspection of all sumps, removal and disposal of any residual product in any sump and hydrostatic testing of all sumps. Notification of Frank Bennett to be on the site. Pump out the soap and water into the existing driveway. The email also indicated that the tank and the line testing would be coordinated with Tanknology. Repairs to the sensors and diesel pumps was accomplished, and that there would be complete notification to all parties.

Exhibit 15, May 18, 2011. This is the Wisconsin DNR letter to VIDHYA Corp VIII, Inc. The letter from Victoria Stovall, Environmental Program Association of the Remediation and Redevelopment Program of the Wisconsin DNR to Dixit Patel informing BP Amoco that they are responsible for investigating and restoring the environment under 292.11 of the Wisconsin Statutes known as the Hazardous Substances Spills Law. The letter to BP Amoco was regarding the reported contamination and their legal responsibilities and steps to investigate and clean up the contamination. The Wisconsin DNR gave the BP owners the following schedule. A, within 30 days by June 20, 2011 to submit written verification that an environmental consultant is hired;

B, within 60 days by July 21, 2011 to have the consultant submit a work plan schedule for the investigation; C, within 30 days of completing the site investigation submit the site investigation report to the State and other administrative authorities; and D, complete the corrective actions in accordance with Section 292.11 (3) of the Wisconsin Statutes.

On May 23<sup>rd</sup> an email from Frank Bennett, Department of Commerce Petroleum Inspections to Michael Madison thanking him for the update which detailed specifics about inspections of all pumps, removal and disposal of any residual product in any sump and hydrostatic testing of all sumps. And I'm referring back to Exhibit 13 for that email follow-up.

Exhibit 16, June 6<sup>th</sup> and June 7<sup>th</sup>. This involves an email trail correspondence between parties. The email from Eric Cunado, Engineering Technician of the Village to Frank Bennett, Department of Commerce Petroleum Inspections and others which was a reminder notification to Mr. Patel of the need to hire a private environmental consultant and to complete the soil testing because of the reported sheen still coming from the water drain in the ditch line along Highway 165.

The initial email as discussed by Frank Bennett and Eric Cunado included the following actions to be taken initially. A, empty or pump out oily water waste out of the sump into barrels for owner to properly dispose of; B, inspect the piping and the sump, adjustments/corrections to be made if necessary; C, clean up the sump area, empty oil sump water again into barrels; and D, fill sump with fresh water and perform hydrostatic test for at least one hour.

Shanna Laube-Anderson of the Wisconsin DNR indicated in the email trail that, in quotes, I would highly suggest that if you are concerned with the sheen in the culvert that no water be used for testing or pumped prior to testing being discharged to the surface. All if it should be contained. If there is an ongoing sheen on the water in the drainage ditch then there as likely been a release to the environment that will need to be addressed with more than this tightness testing. The owner has been sent a responsible party letter which informs them that they need to hire a consultant to collect soil and/or ground water samples to define the extent and degree of contamination at the property, end quote.

Exhibit 17, June 13, 2011, Moraine Environmental, Inc. letter to Dixit Sultana. Letter proposal from Moraine Environmental, Inc. addressed to Dixit Sultana, VIDHYA Corp VIII, Inc. recommending a scope of work to eliminate the contamination and clean up the BP Amoco site. The proposal for the subsurface soil and ground water investigation for BP station included drilling eight Geoprobe and convert them to temporary ground water monitoring wells, collect two soil samples per boring or a total of 16 soil samples based upon organic vapor meter screening device. Prepare site map, boring logs, bore hole abandonment and other documentation as required by the Wisconsin DNR. Other details are set forth in the proposal.

Exhibit 18, June 13, 2011. This is actually the exact same letter from Moraine Environmental, Inc., but this was addressed to Sophia Patel.

Exhibit 19, June 17, 2011. Email from Frank Bennett, Department of Commerce to Priti Patel. The email questioned the latest issue of cleaning the water from the spill buckets and the tank top sumps.

Exhibit 20, June 21, 2011, Moraine Environmental, Inc. invoice and report to Dixit Sultana. The invoice and report were prepared by Moraine Environmental, Inc. soil along with samples and analysis. The invoice description described the site visit and the collection of one soil sample and one surface water sample from the north storm water ditch adjacent to Highway 165. The company analyzed the gasoline range organics, diesel range organics, petroleum volatile organic compounds and lead in soil and the PVOCs in the surface water. Results yielded a mix of gasoline with six times higher concentration of diesel fuel. The proposal recommended obtaining a bio pile permit when the ditch is excavated with the disposal at the Waste Management Pheasant Landfill in Wilmot, Wisconsin.

Exhibit 21, June 22, 2011, letter proposal from Interstate Pump & Tank to Dixit Sultana, VIDHYA Corp VIII, Inc. The letter proposal addresses petroleum products escaping in the storm sewer and existing the property. The proposal addresses the installation of booms in order to ensure that the sheen is absorbed and to eliminate further downstream contamination directly down gradient of the BP property.

Exhibit 22, August 10, 2011, past copies of past due invoices from Moraine Environmental, Inc. As noted on the past due invoices one soil and one water sample was taken in the north ditch line which revealed that there was six times higher concentration of diesel fuel at the sample location.

Exhibit 23, August 10, 2011, investigation report of the petroleum released to the north drainage ditch area adjacent to the BP gas station from Moraine Environmental, Inc. The report outlines the three potential sources of the petroleum contamination in the north drainage ditch area. One, a release from the previous underground storage tank system; two, a release from the existing underground storage tank system; and/or three, a release from the incidental petroleum spills. The report of the laboratory analysis was also included with the exhibits.

And I'd just like to highlight that there are six different sub-exhibits that I'll go through right now. The first is Exhibit 23a which is basically the site location map in relation to I-94 and proximity to Highway 165 in the Village. The next is Exhibit 23b, and this is a site aerial map showing petroleum release locations. Exhibit 23c, Figure 2, is the site map and the boring locations. As you can see they're on the north side adjacent to Highway 165. Exhibit 23d, Figure 3, is the estimated extent of the contamination to soil that exceeds the RCLs. Exhibit 23e is the aerial photo showing boring locations and the temporary well. Exhibit 23f, Figure 4, the extent of ground water contamination.

As part of that Exhibit 23 Moraine recommended the following. A, with a mobile camera inspect and photograph the interior lining of the catch basins and the storm services. Repair any breaks and caulk any of the openings where petroleum surface water runoff could enter the system. B, install an oil/water separator device within the eight inch storm water discharge line down gradient from all catch basins on the property. C, following installation and startup of the oil/water separator, excavate the contaminated soils from the north drainage ditch area, load and transport the contaminated soil to the Pheasant Run bio pile facility located in Wilmot, Wisconsin, collect confirmation soil samples after the excavation is complete to ensure that all of the contaminated soil was removed, place clean soil in the excavated area as backfill, and place topsoil and seed and mulch. Prepare a final report for the Wisconsin DNR. And, D, as a precaution continue to maintain a set of petroleum booms across the ditch near the outfall to further protect the ditch from further releases.

Exhibit 24, September 9, 2011, letter from the Wisconsin DNR to the owner of the BP Amoco. The letter reminds BP to evaluate and document the vapor intrusions pathways for the BP gas station.

Exhibit 25, October 19, 2011. These are invoices from Interstate Pump & Tank, Inc.

Exhibit 26, November 17, 2011. These are Village staff meeting notes from the November 17, 2011 meeting. Village staff meeting with BP Amoco representatives was held regarding the many problems on the site, specifically illicit discharges, soil and ground water contamination. The staff discussed the Wisconsin DNR enforcement orders and the BP Amoco's lack of follow through on the matters. The consensus was that Quality Environmental Services Jack Yan would review the site, complete a report, prepare a plan and then make recommendations with the work to be completed within 45 days. Jack Yan indicated that the corrective actions part of the plan would include that booms would be installed to contain the oily petroleum mixture, contaminated soils would be removed from the Wisconsin DOT as this work is being done in the Wisconsin DOT right of way and from the Village, and that an oil/water separator would be installed.

Exhibit 27, November 29, 2011, a letter to Dixit Patel identifying the corrective action plan from Quality Environmental Solutions. The plan discussed the sources of release and the corrective actions to be taken. One, to install an orange fence and/or caution tape around the impacted area at the north drainage ditch. This will limit the access to the areas. Two, remove the impacted materials and dispose of the excavated materials to an approved landfill. Confirming soil samples will be collected to verify the remediation status. The excavated areas will be properly restored by a skilled landscape worker. Three, install a new set of booms across the ditch near the outfall to prevent future petroleum releases. Inspect the condition of the booms and replace them when it becomes necessary.

Number four, install an oil/water separator device. The oil/water separator is a proven device which can effectively separate and remove oil mass from water. By installing this device future petroleum release to the drainage ditch can be eliminated. The oil/water separator consists of a separator, sludge trap, probe and control devices. Five, to ensure proper installation, a civil, electric and mechanic drawing should be prepared and approved. The oil/water separator can be installed by a licensed plumber. Number six, once the oil/water separator is properly installed, an operations and maintenance plan, and O&M plan, will be developed for BP gas station employees. And, number seven, prepare a final report to the Wisconsin DNR.

Exhibit 28, December 1, 2011, Village staff meeting notes with BP Amoco representatives regarding the meeting to discuss the many ongoing problems on the site including illicit discharges, soil and ground water contamination on the site, and the store operations issues. The BP consultant discussed a follow-up to the action plan, and this is provided in the staff notes. The BP consultant noted that BP Amoco needs to comply with the Wisconsin DNR defined owner responsibilities regarding the soil and water contamination in the ditch line. The BP Amoco consultant, Jack Yan, discussed plans and a strategy to address cleanup, take additional samples, remove contaminated soil, replace soak booms, install an oil and water separator and obtain permits. The goal now was to have all the work completed by April 2012.

Exhibit 29, December 29, 2011. A notice of zoning violation was sent by the Community Development Director to Dixit Patel. The notice addresses the violations of unsightly debris, outside storage, obstructing public safety views from the windows into the store and a lack of

maintenance on the site, building conditions, maintenance of facility operations concerns. The oil petroleum residue and the sheen was still present in the ditch line at the time that the photographs were taken by the Zoning Administrator on December 8, 2011.

Exhibit 30, January 11, 2012, BP Amoco site photographs were taken by Village staff on January 11, 2012. These photographs depict the soaked oil booms and continuing illicit discharge at the BP Amoco site. These photographs were taken by Eric Cunado, the Engineering Tech for the Village on January 11, 2012.

Exhibit 31, January 31, 2012. A letter was sent to the Village from Pete Wood, Wisconsin DNR, to the Village Engineer. The letter confirmed that the discharge of the petroleum contaminated water from BP gas station is not authorized under a waste water discharge permit. Thus, this discharge is considered an illicit discharge. The Wisconsin DNR encourages the Village's enforcement under Chapter 299 of the Village Municipal Code.

Exhibit 32, February 23, 2012. This is a compliance order issued by Michael Spence the Village Engineer to Dixit Patel. The letter addresses the illicit discharges pursuant to the Wisconsin DNR order and the order by the Village to eliminate the illicit discharge and abate or remediate the storm water pollution and the contamination hazard and to restore the property. The letter also requires that an action plan be put together and that penalties would follow if immediate action is not taken.

Exhibit 33, March 2, 2012, Fire and Rescue Department inspection violation report notes. The violation notes indicate that there is still an illicit discharge and leakage and contamination that needs to be cleaned up. It's a violation on the site.

Exhibit 34, this is an email trail correspondence covering the dates of March 1<sup>st</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 12<sup>th</sup> of 2012. The email is from the BP insurance company to Ms. Sophia Patel forwarded to Michael Spence, Village Engineer. The initial email discussed a claim for the detailed items to deal with respect to the contamination problem including the re-piping and filtration wall inside the tanks to solve the contamination problem. Mike responded that a clear path needed to be presented that outlined the actions that would be taken to solve the problem of the illicit discharges as soon as possible. Specifically, they needed to have a corrective action plan outlining the detailed plan, the narrative and the specific schedule to correct the violations needed to be provided to the Village. Also, this matter would be a continued violation in the engineer's mind.

Exhibit 35, March 5, 2012, email and copy of the International Products Specialists estimate. The estimate was provided to the Village Engineer for an oil and water separator.

Exhibit 36, March 22, 2012, a copy of citation 1160012. The Village Engineer began issuing citations to BP Amoco. A total of 66 citations were issued between March 22<sup>nd</sup> and May 24, 2012.

Exhibit 37, March 30, 2012, letter to the Village Engineer outlining recommendations for a corrective action plan. The Village Engineer received a letter from Jack Yan, Quality Environmental Solutions, outlining a corrective action plan and schedule. The cleanup actions to be implemented include: A, pump out any residual petroleum products from the tank field and containment pans near pump islands using a vacuum pump truck; B, QES will frequently inspect the site; C, replace a new set of booms in the ditch area to absorb the petroleum products; D, to

install a free product recovery trench sump pit near the storm water discharge pit; E, install a sump or four six-inch monitoring wells inside the trench; F, place absorb pads or booms inside the sump or monitoring well; G, inspect the sump and the monitoring well; H, obtain access permit from the Wisconsin DOT and then remove the impacted materials from the drainage ditch and properly dispose of them; and I, conduct preventative actions.

Exhibit 38, April 5, 2012, the liquor license inspection report. The liquor license inspection report was completed by Jean Werbie-Harris, Zoning Administrator, Community Development Director. Three issues remained on the site for the license, debris on the site, the illicit discharge site cleanup, and why the pumps were still being bagged on the site.

Exhibit 39, April 5, 2012, letter from Michael Spence to Jack Yan. The letter to the BP consultant reiterated the corrective actions plan and the schedules that BP Amoco was supposed to be following with the monthly reporting requirements.

Exhibit 40, May 1, 2012, email sent by Michael Spence to owner and to Jack Yan, QES and BP owners. The emails reminded them that a progress report is due.

Exhibit 41, May 4, 2012, email sent by Michael Spence to the owner and Jack Yan, QES and BP owners. Emails send refer to Exhibit 40.

Exhibit 42, May 7, 2012, a State conditional approval letter regarding the upgrade of the four existing underground storage tanks. A conditional approval from the Wisconsin Department of Safety and Professional Services Plan was sent to VIDHYA Corp VIII, Inc. for the replacement of existing underground piping and sump sensors.

Exhibit 43, May 15, 2012, memorandum from Michael Spence to the Village Administrator and the Village Clerk. The memo outlined the compliance order and the reasons for issuing citations to BP Amoco.

Exhibit 44, May 22, 2012, email from Frank Bennett, Department of Commerce, to Bill Danforth, Uni-Pump. The email was sent to verify that the soil samples were being correctly done. Also, Exhibit 44, May 22, 2012 an email from Shanna Laube-Anderson, Wisconsin DNR, to Frank Bennett and Bill Danforth. The email discussed the sampling procedures.

Exhibit 45, May 31, 2012, email from and response to Jack Yan outlining the corrective action plan items that have not yet been addressed by BP Amoco. The items in the email included: A, install a new set of booms in the ditch area to absorb the petroleum products by April 13, 2012; B, install a free product recovery trench sump near the storm water discharge point and a monitoring well inside the trench; C, QES personnel will inspect the sump and the monitoring well once per month for residual products; D, obtain work in the right of way permit from the Wisconsin DOT; and E, provide evidence of regular tests of tank tightness and line leaking. Also, the issue of potential contamination within the drainageway needs to be addressed.

Exhibit 46, June 12, 2012, memorandum from Michael Spence to the Village Administrator, Village Clerk and the CD Director providing an update to the compliance order. The memo outlined an update to the compliance order and the reasons for issuing the citations to BP Amoco, and that the actions taken in those matters were not being addressed between April 13<sup>th</sup> and June 11, 2012.

Exhibit 47, June 12, 2012, complaint and notice of conditional use permit violation letter to Dixit Patel sent by regular and certified mail. This complaint documents the filing of the written complaint by the Zoning Administrator regarding BP Amoco's noncompliance with the terms of the conditional use permit and the violation of Ordinance Section 420-145 G. as it relates to the standards for conditional uses and specifically Section 420-38 D. water quality protection and performance standards.

The notice of complaint that was filed was sent by myself, Jean Werbie-Harris, to the owners on June 12, 2012. The complaint that follows in my staff memo right now is the same complaint that the Village Plan Commission read into the record to start this hearing this evening. So I'm not going to re-read that complaint, but I just offer it as part of the record this evening, and it's already included.

The one thing I'd like to highlight that I bolded in the letter to the owners is that upon a finding that the standards, regulations and conditions set forth in the granting of the conditional use permit have been violated, the Plan Commission may suspend the conditional use permit and the use of the premises as a gas station until such time as there is compliance with the standards, regulations and conditions imposed with said permit. Or, the Plan Commission may revoke the conditional use permit.

Now I'd like to continue with Exhibit 48, June 15, 2012, Fire and Rescue Inspection Report. Fire Inspector Dave Cooper witnesses pressure on piping testing, and this is included in his Fire Inspection Report.

Exhibit 49, June 19, 2012, email from Michael Spence to Jack Yan. This email indicated that the illicit discharge matter is a continuing event and that responses to May progress reports were not received. I'm also going to reference you back to Exhibits 40 and 41. Also on June 19, 2012 an email from Jack Yan to Mike Spence that he is out of town and he'll be back June 20, 2012. And then next on June 22, 2012 a telephone conversation between Jack Yan and Mike Spence, an email discussed the progress or lack thereof.

Exhibit 50, June 27, 2012, a notice was sent out to all interested parties regarding a public hearing before the Plan Commission to consider the suspension or revocation of the conditional use permit for BP Amoco.

Exhibit 51, June, 2012, Village newsletter article regarding BP Amoco illicit discharges and citations.

Exhibit 52, July 2, 2012, monthly progress report to Mike Spence received from Jack Yan. This is a report that summarized activities performed for the month.

Exhibit 53, July 5<sup>th</sup> through the 9<sup>th</sup> of 2012. These are email correspondence reports to Mike Spence received from Jack Yan and the owner on the monthly report. The email indicated that the cleanup actions are still deficient. Detailed schedule of specific tasks have not been provided, and there is no information on soil testing results. Again, the email trails between July 5<sup>th</sup> through the 9<sup>th</sup> are included in that exhibit.

Exhibit 54, July 9, 2012, field notes, manifests and soil sampling testing results were faxed to Michael Spence from Jack Yan, and there are 23 pages of these results.



Exhibit 55, July 9, 2012, a documented daily inspection log and photos taken by the engineering staff were provided to the Village Zoning Administrator.

Exhibit 56, July 9, 2012, obtained a copy of the Village Municipal Court log regarding citations issued to Dixit Patel. The first citation was issued back on March 22, 2012.

Exhibit 57, July 11, 2012. The staff reviewed Municipal Court transcript tape from the initial appearance by Dixit Patel, and then we listed, or excuse me, we attached a copy of the citations log as provided to us by the Village's Municipal Court Clerk.

Exhibit 58, April 25 through July 12, 2012. And I'd like to direct your attention to these photos. The Village's engineering staff took these photos over an extended time period. And Peggy is just going to continue to scroll through these photos. Each of them have been dated and documented. As you can see, over the time frame we still were having some significant problems with respect to the oil slick, the contamination, the dead grass and the other things that were initially found on the site in the previous year which are now – I think these initial photos are from 2011. But, again, these photos run from April 25, 2011 through July 12, 2012.

The Village staff was out there numerous times in order to document the situation. I think what you will find or what you'll see in the photographs is if there's a little bit more precipitation you're going to see that there's more drainage, water running in the ditch line, and you're going to see that there is more of that slick look from the oily residue in the ditch line. Peggy is going to continue going through the photos, and I'm just going to go through the next four or five exhibits while you're still going through those photos, because these are basically pdfs and other exhibits or the record.

Exhibit 59, July 12, 2012, these are at the end of this listing of photographs. They were actually photographs that were taken by the Village staff of work being conducted in the State DOT's right of way without obtaining first any permits from the DOT. BP Amoco began excavation of the discharge area within the State highway right of way. They began soil sampling and replaced sod in the excavated area. Again, this is July 12, 2012. The work was done without submitting an approved plan to the Village, without first obtaining Wisconsin DOT work in the right of way permits, and without Wisconsin DNR approvals. As referenced in the site closure, restrictive covenants requirements from the previous site contamination, the Wisconsin DNR was to be provided notification prior to doing any digging in accordance with the barrier maintenance plan on file for the site.

Also, on July 12, 2012 the Village staff met with BP Amoco, owners, and their attorney Michael McTernan. The attorney indicated that he would request a continuance at the July 16, 2012 Plan Commission hearing in order to afford him the opportunity to meet with his clients and to start going through some of this information.

Exhibit 60, July 12, 2012, the Village received a letter from attorney Joseph Puchner from Quarles & Brady which outlines that the BP Amoco property is in violation of the Lakeview Corporate Park declarations. The following sections of the Lakeview Corporate Park declarations, Article II, Section 2.2 nuisances and 2.3 hazardous waste; Article VI, Section 6.3 storm drainage, and Article X, Section 10.2 maintenance and repair. The letter also outlines

WisPark LLC's authority to enforce the covenants and that BP Amoco has 30 days to remedy the violations and to bring the property into compliance with the declarations.

July 16, 2012 as part of Exhibit 61, the Village Plan Commission hearing notice agenda for the suspension or revocation of the BP Amoco conditional use permit. The hearing was adjourned to today, Monday, August 20, 2012 at 3:00 p.m.

Exhibit number 62, July 17, 2012. An email was received from Ed Rich, the owner of Culver's. The email is regarding his concerns about the contamination due to the discharges and the operations of the BP Amoco store. He had requested that his email be read into the record. In quote, we as business owners in this community are responsible to comply with City, State and federal law. I would only hope that my neighbor, BP Amoco, as anyone else as a business owner would not only want to comply with the law, but to do what is right for the safety and security of our guests, employees and the community we serve. It has been my experience for the 11 years in the business that Jean Werbie, as have other officials in this community, has always been fair and yet consistent when situations arise in addressing or resolving any matters that have come up.

As anyone is aware my neighbor BP Amoco was discharge gasoline through their storm sewer earlier this year which destroyed and contaminated the ground in the ditch line along Highway 165. I'm happy to see that BP Amoco seems like they are addressing this issue but would ask the engineering department in conjunction with the Wisconsin Department of Natural Resources to delineate what steps are required to properly clean, remove, remediate and test the affected areas to ensure that all soil contamination is removed and replace. Since the contaminated discharge ran down the entire ditch line would all soil along this area need to be tested and removed and replaced if contaminated? We at Culver's take much pride in our facility, landscape and the guests and the community we serve and can only ask that BP Amoco would consider the same. We have won many awards over the years in our landscape and take much pride to make our entire place feel inviting to our guests. It is my feeling that BP Amoco, McDonald's and Culver's are the first, yet sometimes a last impression we leave guests that visit our community, and it's our responsibility to ensure that it's appealing to where they want to come back, visit, do business and possibly reside.

My management team and I have heard numerous concerns from guests regarding their operational matters with BP Amoco. As a business owner I am always willing to work and to try to help others. I can only hope that BP Amoco will comply and resolve all the matters with the City, the Village, and take the necessary steps to be in full compliance. I also hope that the Village will follow through in enforcing any noncompliance by BP Amoco to ensure and to protect our standards and property values. I want to thank everyone involved with allowing me this opportunity to share my viewpoint. End quotes.

Exhibit 63, July 18, 2012. The Village Engineer sent up a followup compliance order of the continuing illicit discharge to VIDHY Corp VIII, Inc., Dixit Patel. The order reiterated the requirements of the compliance order and the status of the actions taken by BP Amoco.

It looks like we probably have another 60 pictures, but we're going to jump ahead to Exhibit #64. Exhibit 64 dated July 18, 2012. The Village engineering staff documented an oily sheen which appeared to be in the ditch following an overnight rain with photographs. This photo verified that the excavation of the soil and the placement of sod over the illicit discharge area completed by

BP Amoco on July 12<sup>th</sup> and 13, 2012 was only a surficial repair to the illicit discharges in the ditch line and likely has not corrected the violation.

Exhibit 65, and this is dated July 19, 2012. The Village engineering staff documented again an oily sheen which remained in the ditch following a recent overnight rain with a photograph. This photo, again, now July 19, verified that the excavation of the soil and the placement of the sod over the illicit discharge area completed by BP Amoco on July 12<sup>th</sup> and 13, 2012 was only a surficial repair to the illicit discharges in the ditch line and likely has not corrected the violation.

Exhibit 66, July 24, 2012. The Village engineering staff again documented an oily sheen which remained in the ditch at the outfall pipe following overnight rain with additional photographs. This photo verified again that the excavation of the soil and placement of the sod over the illicit discharge area completed by BP Amoco was only a surficial repair to the illicit discharges and likely did not correct the problem or the violation.

Exhibit 67, July 24, 2012. An open records record email notifying the Village department heads that Attorney McTernan would be at the Village Hall on July 26<sup>th</sup> to review the Village documents regarding the BP Amoco property.

Exhibit 68, July 25, 2012. The Village Engineer sent a followup compliance order of the continuing illicit discharge to VIDHYA Corp VIII, Inc., Dixit Patel, along with several citations for the referenced violations. The citations are attached in the exhibit. As of July 25<sup>th</sup> there have been 125 citations issued to date totaling \$84,500. August 6, 2012 the Village formally hired D.J. Burns from Drake Environmental to serve as an environmental consultant to the Village regarding this matter.

Exhibit 69, August 15, 2012. Photographs were taken by the Village Engineer of the soil water sampling at the BP Amoco ditch line. As witness by the Village Engineer, Mike Spence, D.J. Burns with Drake Environmental conducted soil and water sampling at the discharge pipe in the ditch line along Highway 165 and photographs were taken. A soil and water analysis is being conducted on the samples by the Village's consultant.

Exhibit 70, August 15, 2012. Email and documents that were provided by BP Amoco Attorney in connection with his client's request to install a groundwater remedial treatment system at its BP station.

Those are the exhibits that I have compiled to date, Mr. Chairman and members of the Plan Commission. At this time I would like to introduce our Village Attorney, Tim Geraghty, and he would like to bring some additional testimony by some additional witnesses of the Village. And so I'll introduce Tim Geraghty.

Tim Geraghty:

Thank you. At this time I'd like to present a couple of witnesses and their testimony if that's acceptable, Mr. Chairman. First I'd like sworn in Doug McElmury.

Tom Terwall:

Mr. McElmury, do you swear that the testimony you're about to give to be the truth, the whole truth and nothing but the truth so help you God?

Doug McElmury:

I do.

Tom Terwall:

Give us your name and address and position please.

Doug McElmury:

My name is Doug McElmury. I'm the Fire and Rescue Chief for the Village of Pleasant Prairie, 8044 88<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin. I'd like to highlight just specifically a comment on four of the exhibits here that were shown to you and how they relate specifically to this situation. Going back to Exhibit #6, that would have been the email dated June 9, 2009. And that would have been where Mike Spence emailed Chief Guilbert that he had received a call from Ed Rich, the owner of Culver's, talking about the gassy odors from the excavations in the We Energies' ditch. And when they checked with them We Energies crew thought that it appeared to be petroleum in the soil. And they had contacted the DNR as had the We Energies employees the day before.

Going on to Exhibit 7 on June 11, 2009, that details the – it shows the email from Linda Michalets who is the senior hydrogeologist for at that time the Department of Commerce. And she specifically states in there that the site where the gassy excavations were previously identified as contaminated, and the gas closure in 2006 stipulated that no digging was allowed without first notifying Commerce. And then she also stated that she was planning to mail the specific, this barrier maintenance plan to the current BP owner which would have been the current owners. And this previous contamination is further referenced in Exhibit 27 as we get further on.

If we jump ahead then to Exhibit #9, and that would be the current complaint, and that is where Ed Rich from Culver's next door to the east of BP Amoco again had talked to Peggy Herrick, the Assistant Zoning Administrator and Planner, and he stated that he saw that there was dead grass in a ditch. Specifically, all the grass from the ditch line is alive and well except for the area adjacent to the drain and the ditch going down towards Culver's. He thought it was quite strange that the grass be dead only in this one location.

And then on Exhibit 10 dated four days later on April 25, 2011, when the Chief and Engineering Technician Eric Cunado went out to the site they found that Ed Rich had showed them in the ditch line on the right of way the area identified of very dead grass along with a shiny stream of water both running and pooled. And the dead grass and shiny water began at the storm water discharge pipe at the northeast corner of the BP station and it continued east. However, the grass to the west of the discharge pipe was specifically bright green and lush, quite dissimilar to the other grass. That's all I have.

Tim Geraghty:

No questions, Mr. Chairman. Next I'd like to ask Michael Spence, the Village Engineer, to testify.

Tom Terwall:

Mr. Spence, do you swear that the information you will give will be the truth, the whole truth and nothing but the truth so help you god?

Mike Spence:

I do.

Tom Terwall:

Give us your name and address and title please.

Mike Spence:

My name is Michael Spence. I'm the Village Engineer for the Village of Pleasant Prairie. The address is 9915 39<sup>th</sup> Avenue, Pleasant Prairie. I'd like to expand on a little more information on the exhibits that Jean Werbie-Harris referred to in your testimony, specifically, Exhibit 27, which was a corrective action plan that was provided to the owner by Quality Environment Solutions. In that plan, the engineer had indicated that it was his opinion that the source of the release was weathered petroleum products in the tank field most likely attributed to historic overfills in the 1990s. He also noted that the tank field piping conduits were all surrounded by granular materials which basically act as a migration pathway for water. And during high precipitation or a high water table the weathered petroleum products leached into the water and then are discharged through to the drainage ditch. It's basically a manmade migration pathway.

He also recommended at that time to restrict access to the area, remove all the materials and install controls to prevent the release of future contaminants. He also recommended that an operation and maintenance plan for addressing these controls be implemented and a number of other implementations.

On Exhibit 31 I received a letter from Pete Wood from the Wisconsin DNR indicating that he was made aware of complaints of illicit discharges. He noted in his letter to me that any discharge to a municipal storm sewer system that is not composed entirely of storm water is considered an illicit discharge unless that discharge would be authorized by a waste water discharge permit. The discharge of petroleum contaminated water from BP station is not authorized under our waste water discharge permit, thus this is considered illicit discharge. This also mirrors the Village's ordinance where anything that's not strictly made up of storm water is not to be allowed to be discharged into any ditch.

On Exhibit 32 I sent a compliance order to the owner. The purpose of that was to, again, make the owner aware of the provisions of our ordinance. And I also by that order ordered the owner to eliminate the discharge and cease and desist violating the discharge practices and operations and also ordered him to abate or remediate the storm water pollution or contamination hazards and restore the affected property. In that order I asked them to provide us a plan and a schedule for these actions by March 6, 2012 and also indicated that if that was not done they would be subject to violations in accordance with our municipal ordinance.

Exhibit 34 actually I gave the owner several extensions up until March 19<sup>th</sup> to provide the information to me. The owner did provide some quotes for facilities to me, however they are very hard to read and understand. I had suggested that they give me information through an environmental engineer but that did not happen. It should be noted that one of the quotes that they gave me, now again this is in March of this year, was for an oil/water separator which was a treatment device that was recommended by both of the owners' environmental engineers over the past year. That quotation was dated February 29<sup>th</sup> I believe of this year. Again, I'm trying to establish that we had given them a number of chances to provide solutions and a plan. And, again, I had specifically asked for a specific schedule with start and end dates and indicating the urgency to comply.

Exhibit 37, I received another letter from Jack Yan from Quality Environmental Solutions which reaffirmed a corrective action plan and schedule. Again, he reiterated that the drainage ditch was his belief was impacted by weathered petroleum products in the tank field. The corrective action plan had two goals, to clean up the impacted area and to prevent any future illicit discharges. So in this letter he indicated some cleanup actions as well as preventative actions. The cleanup actions were to install a treatment system, it could be an oil/water separator, it could be something else to be installed and also some monitoring wells. Also realized that they needed to obtain a permit from the Wisconsin Department of Transportation. Preventative actions recommended were to install new pipeline and pumps. As you recall in previous testimony the supply piping was, indeed, replaced, however that was a preventative action item and was not necessarily taken to address the actual cause of the discharge.

On Exhibit 39, on April 5<sup>th</sup> I responded to the corrective action plan by the owner's environmental engineer specifically verifying the steps that he was to take so there was a clear understanding of what he was supposed to do. In addition, I asked for a monthly report to be provided on the first of every month. The report was to detail the activities performed in the last month and the findings and then the plan for the following month. And, again, I reiterated failure to abide by this schedule and reporting procedure would result in the resumption of citations for illicit discharges.

Then there's a series of emails, Exhibits 40 and 41, where May 1<sup>st</sup> came and went which was the date for the first monthly report. Nothing was submitted. I indicated – I actually sent an email I think on May 1<sup>st</sup> indicating that a report was due. I did not get anything.

And then finally I did receive a report on June 1<sup>st</sup>. Again, there were a number of deficiencies in the report. All along I had asked for definitive proof of what was being done. I wanted to see sample results, I wanted to see a plan. And the minimum amount of information was being provided.

Exhibit 43, in my memo to the Village Administrator, again, I summarized what was supposed to have occurred and the fact that I hadn't received a timely or monthly progress report.

Exhibit 45, again, it was an email to environmental engineer for the owner, again, indicating that a corrective action plan there was a number of things that still had not been addressed. He had originally – now this email that I'm referring to now as dated May 31<sup>st</sup>. He had indicated previously that a new set of booms, these are the treatment devices that absorb the petroleum in the ditch, those were supposed to be installed April 13<sup>th</sup>. Again, as of May 31<sup>st</sup> that was not

accomplished. Again, we talked about a free product recovery treatment system was supposed to be implemented by May, on or before May, that was not done.

Evidence and inspection and monitoring for residual products was not provided at that point. Also, a permit for work in the right of way from the Wisconsin Department of Transportation was not provided. And also I had asked for regular evidence or evidence of testing and of tank tightness. That was not provided. In addition, I indicated that the potential contamination within the drainageway needs to be addressed. This particular drainage ditch continues onto the east to a protected environmental conservation area. And, again, as a continuing I keep reinforcing that the discharge was continuing.

Exhibit 49, again, in my correspondence with the environmental engineer he submitted a report on June 1<sup>st</sup>. Again, I asked for substantiation that the residual petroleum products had been pumped out. I had not received that. I had not received any inspection reports from him. I had asked for copies of soil sampling results. And then he had indicated that the owner will initiate the remaining tasks. I had indicated that that wasn't sufficient. I needed to know what the tasks are and when they were going to occur. I had indicated that past experience is that the owner has disregarded all previous schedules. Again, I referred to the treatment system, tank testing, tightness testing and the fact that there was still a sheen in the ditch. And, again, I reiterated at that time that the contamination in the drainageway that leads to the conservation area still needed to be addressed.

On July 2<sup>nd</sup> I received another letter from Jack Yan of Quality Environmental Solutions. Again, it was a monthly report. I did receive some sampling results that were not – they were just raw data that were compared to any particular limits. On July 5<sup>th</sup> I responded to the monthly report, again, asking for additional documentation. I asked for inspection reports, I asked what – they did replace booms at that point. I asked what was the disposition of the replaced booms. I wanted to make sure they were disposed of properly.

Tim Geraghty:

Mr. Spence, if I could, can you refer to the exhibit numbers just so we're clear?

Mike Spence:

I'm sorry, Exhibit 53.

Tim Geraghty:

Okay, and the letter dated July 2, 2012 you talked about was Exhibit 52?

Mike Spence:

Exhibit 52, I'm sorry.

Tim Geraghty:

Thank you. So now you're reading from Exhibit 53?

Mike Spence:

Right.

Tim Geraghty:

Thank you.

Mike Spence:

Again, based on the July 1<sup>st</sup> monthly report, again, there were a number of issues that, again, hadn't been addressed. Again, I talked about a treatment system. That was my point all along that the discharge was continuing. Even though we were provided bits and pieces of information that work was being done, the key item there is the fact that the discharge was continuing and there was nothing being done to stop the discharge. Again, I indicated the fact that they needed to get a permit from the DOT to do work. Again, I reiterated the fact that contamination within the drainageway needs to be addressed, and the extent of the contamination needed to be determined. In other words, testing had to be done so we know the overall extent of the contamination. That was Exhibit 53.

I did receive some information, Exhibit 54, as I said. These were sampling results. These sampling results do indicate gasoline range organics which typically should not be found in a ditch. Those were provided to me.

Exhibit 63 I sent another letter. This was after the work that was done without permit on July 12<sup>th</sup> indicating, again, that the illicit discharge was supposed to be eliminated. We inspected the property. This was I believe six days after the dirt was taken out and it was re-sodded we still saw a sheen on the site. At that point I indicated to the owner that I had repeatedly asked for sampling and testing and for a remediation plan. At that point I also said in the absence of a written plan it cannot be concluded with any certainty that all the contaminated material was removed. In other words when the contractor was out there on July 12<sup>th</sup> I had no idea as to the extent of the material that was removed. Matter of fact, I have not seen any sampling results. I know their environmental engineer was taking samples at that time, but there's been no results provided at that point.

So I continue to issue citations, and I also would like to introduce an Exhibit 71. Could you go to that table, Peggy, please? This is a table of analytical results supplied by the owner's environmental engineer in information that was submitted to me by the owner's counsel last Wednesday. I just want to draw your attention the GRO is gasoline range organics. The DRO is diesel range organics. Again, these numbers should not be present in a ditch. And just to point out these are samples from the owners, a sample result from the owner's environmental engineer. This sample was taken August 7<sup>th</sup>, and this was after they've told us that they have cleaned up the site. Also, you can see the VOCs, that stands for volatile organic compounds, those are elements that are present in petroleum products. That sample location and date, those are the sample results, that column. And then the NR140 is the preventative action limit. In other words, that's a limit that when you have an organic that exceeds that, that starts raising a flag that you have a problem.



And then finally the last column is the environmental standard. That is what's not supposed to be exceeded. As you can see in this sampling result, benzene is probably 16 times the limit of the environmental standard of 5, it's 74.4. Naphthalene is at 155 which is, again, over the limit of 100. So I just wanted to point out that these are samples from a couple weeks ago that still indicate in my opinion and that of our environmental engineer that the discharge is continuing. I think that's about all I have for now.

Wait, I guess one other thing. Peggy, do you want to go to the other sample, the other slides? They were number tables. I think they're right next to that one. Yeah, okay. This is also sampling results from Moraine Environmental. That was the environmental engineer that did testing back in June of last year. And, again, I refer to this DRO and GRO. As you can see those numbers are very high. The diesel fuel is actually six times more prevalent than gasoline in the north drainage ditch. Benzene is, again, is at 1,250 micrograms per liter which is well above the standard of 5. Can you go to the next slide please? Toluene, again, is nearly twice the standard. And trimethylbenzene is probably almost four times the standards. So I just wanted to share those results with you.

Tim Geraghty:

Mr. Spence, part of the exhibits that you referred to were pictures. Were those pictures taken by you and your staff?

Mike Spence:

Yes, they were.

Tim Geraghty:

And they're part of the regular record of your engineering department?

Mike Spence:

Yes.

Tim Geraghty:

And out of the information you've provided to us, does it show that there's a discharge from the property at 10477 120<sup>th</sup> Avenue of petroleum products?

Mike Spence:

Yes.

Tim Geraghty:

And are they above the accepted limits allowed under Village ordinances?

Mike Spence:

Yes.

Tim Geraghty:

And what are the accepted limits under Village ordinances?

Mike Spence:

The accepted – well, under Village ordinance there should be no discharge of any non-storm water material into a ditch. So any concentrations of diesel, gasoline fuel or volatile organic compounds that comprise petroleum products would not be allowed per our ordinance.

Tim Geraghty:

I have no further questions.

Tom Terwall:

I have a question here. At what point if the Plan Commission has questions? Should we wait until the end or should we raise them?

Tim Geraghty:

I would prefer, Mr. Chairman, that you wait until the end, then if you want to recall witnesses to testify you may do so to ask questions.

Tom Terwall:

Thank you.

Tim Geraghty:

Thank you. Next the Village would like to call D.J. Burns.

Tom Terwall:

Raise your right hand, sir. Do you swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth so help you God?

D.J. Burns:

I do.

Tom Terwall:

Need your name and address and position.

D.J. Burns:

Daniel J., D.J., Burns. I reside at N105W7585 Chatham Street in Cedarburg, Wisconsin. And I am the President and Project Director of Drake Consulting Group.

Tom Terwall:

Thank you.

Tim Geraghty:

Mr. Burns, do you have any degrees or experience in environmental matters?

D.J. Burns:

I've been an environmental consultant for approximately 22 years. Again, I was educated at St. Norbert College in De Pere, Wisconsin. Got a bachelor's degree there. I attended University of Wisconsin-Madison for graduate level courses as well as the Western Michigan University in Kalamazoo, Michigan.

Tim Geraghty:

And is it correct that you were hired by the Village on August 6, 2012?

D.J. Burns:

My firm was retained by the Village on that date.

Tim Geraghty:

I'm going to refer to Exhibit 31 which is a letter from the State Department of Natural Resources Peter Woods to Mike Spence. Could you explain what that letter means as far as an illicit discharge?

D.J. Burns:

Peter Woods is the Water Resources Engineer for the Wisconsin Department of Natural Resources. I believe in this correspondence he was pointing out to Engineer Spence of the Village that it was his opinion and by definition that an illicit discharge basically was defined as a discharge that contained anything other than straight storm water from a site to a discharge point or a conveyance point. In the second paragraph of the letter it basically states that per federal, State and local storm water regulations any discharge to a municipal storm sewer system that is not I presume is what he meant to say that is not composed entirely of storm water is considered a prohibited illicit discharge unless the discharge is authorized under a waste water discharge permit. Earlier I think Engineer Spence indicated that there was no such waste water discharge exemption offered in this particular case.

Tim Geraghty:

Next, Mr. Burns, I'd like to draw your attention to Exhibit 71. That's a water sample analytical results which was provided to the Village Engineer by the attorney for the property owner. Can you go through that for us please and what that says?

D.J. Burns:

Basically table one was prepared to identify the results of the owner's environmental consultant's analytical testing. What I understood that they did was on approximately August 7, 2012 the service station owner's environmental consultant went out to the ditch line and obtained a water sample presumably from the outfall or the discharge point located right near the ditch. I presume then that they took that sample and submitted to an analytical laboratory to determine whether or not there was any petroleum constituents present within that discharge water.

Based on our firm's review of the analytical test report that came back it appeared that they had requested testing for GRO or gasoline range organics to see if those were present in the water. Also tested for DRO which is diesel range organics. That comes from diesel fuel or fuel oil. And then they also performed tests I believe for petroleum volatile organic compounds, again, benzene, ethylbenzene, toluene, xylenes, those types of compounds that are typically found within petroleum products.

As we reviewed the data, and again we have to look at it subject to when the analytical laboratory took these samples in there was what I consider a data problem or a quality control problem. When you take a sample as an environmental consultant it's imperative that you put that sample on ice so that it doesn't volatilize or lose its potency. In this particular event the laboratory that was conducting the test marked on their chain of custody that the sample was received at approximately 14 degrees Celsius, that's about 54 degrees. That's far in exceedance of the laboratories typical allowance which is 0 to 6 degrees Celsius. Even with that problem that the sample wasn't placed on ice to prevent volatilization, the data up here in this table shows to me that there is petroleum, there are petroleum compounds present in the discharge to that ditch. That shouldn't be there if you go back to Engineer Woods representation of storm water coming out of an outfall like that. It should just be storm water. So to our firm this represents some kind of evidence, empirical evidence based on the owner's own environmental consultant's report or analytical testing report that there's something beyond just storm water flowing out into that northern ditch.

Tim Geraghty:

I have no further questions, Mr. Chairman. Mr. Chairman, the Village has no further witnesses. At this time we'd ask that all of the testimony and the exhibits provided be admitted into the record as evidence in support of the petition.

Tom Terwall:

So ordered.

Don Hackbarth:

Second.

Tom Terwall:

Is there anybody in the audience wishing to testify in this matter? Yes, sir. Mr. McTernan. Give us your name and address for the record and your position.

Michael McTernan:

Attorney John Michael McTernan, attorney with the law firm of Alia, DuMez, Dunn & McTernan, S.C., 6633 Green Bay Road, Kenosha, Wisconsin. I'm the attorney hired by the property owner at this location and was so on or about July 12, 2012. What I think is imperative, and do you need to swear me in?

Jean Werbie-Harris:

Could you swear him in?

Tom Terwall:

Attorneys need to be sworn, too?

Tim Geraghty:

If they're providing testimony. If they're just asking questions they don't have to, Mr. Chairman.

Tom Terwall:

Do you swear the testimony you will give will be the truth, the whole truth and nothing but the truth so help you God?

Michael McTernan:

I do. As was noted in the evidence that was presented, my client purchased this property in September of 2008 from BP Amoco. What I think is important to understand and to take a step back in time and to understand how BP Amoco was built at this location, as was presented as testimony in 1991 BP Amoco built a gas station here. It was on this site for ten years. And as was glossed over in the testimony, and I do have with me Don Gallo, an attorney with Reinhart who is going to testify on behalf of my client, my client Dixit Patel and Sophia Patel, the owners of the property, our consultants that are here that have done analysis of this site along with Uni-Pump, the representative who installed improvements that were done at the site.

And also to give you some historical background of what is going on at this location, and while it may seem at first blush that people may say the easy solution here is just to close down BP Amoco's gas station at this corner because this will resolve the problem. I'm going to present evidence and testimony today and present documentation that since it was first brought to the attention of my client he has spent upwards of \$200,000 to \$300,000 of his own personal money

trying to address and resolve every single possible issue there is with this site, and he's not stopping, and he committed to fixing the issue that is presented at his site.

But what I think is so important and what everyone is losing track of is two important things that occurred in the history of this site. And while it was included in reference to a memo that was presented as one of the items in the presentation of information, I present you an exhibit dated May 4, 2011, and it's a memorandum from the Department of Commerce from Linda Michalets, and I've probably butchered her name, site review section dealing with the closed Commerce petroleum cases at the current site located at 10477 120<sup>th</sup> Avenue. And I provide this as evidence, I don't know where you want me to present this first document. Tim do you want it?

Tim Geraghty:

You can just leave it up there. I believe it's the same as what is Exhibit 13 that's already been presented.

Michael McTernan:

Correct, Exhibit 13 is in evidence, but what is starkly missing from Exhibit 13 is the historical information where this site had two discharge issues, and I don't believe it's complete because the copy I had only had the two pages that detail the report. And the things that I need to highlight to the Plan Commission is that 1999 a contaminated gas spill occurred on the site. DNR and Department of Commerce were aware of it. Gasoline spilt on the site, contamination occurred on the site. And then in February of 2001, two years later, another gasoline spilled on the site. The property was contaminated. Those didn't happen during my client's ownership. Those happened over ten years ago on the second one and over 13 years ago on the first one.

What's important about that site and the issues that occurred at that time that are referenced in the back half of the Commerce's memorandum is that the site is contaminated. The site as was presented to this Plan Commission I'm certain it was addressed. As was offered into testimony in the summer of 2001 when BP Amoco came to this Plan Commission and said I want to tear down my site, and I want to build another site. I want to take all the pump islands out, I want to take the pipes out, I want to take the dispensers out, I want to take the canopy down and I want to tear the building down. I remember when it was torn down. It was torn down, and it had been contaminated on two separate occasions.

In that contamination if you read the report and if you read the documentation that's supplied with it, the Department of Commerce and the DNR examined this site and made the owner, BP Amoco at the time, remove portions of the soil that were contaminated. However, there were significant portions of this property that the DNR and the Department of Commerce mandated they remain on site and they can't be moved. Specifically, and if you look at the Department of Commerce's comments that were made in exhibits that are presented to this body, in June of 2009 and in April of 2011 when We Energies was excavating in this area they were excavating in areas that the DNR and the Department of Commerce had said they can't be disturbed. What happened? We had a site that was capped. It was contaminated and capped. And as the exhibit that you can read through there was a detailed deed restriction that the owners at BP Amoco entered into in connection with the Department of Commerce that forever restricted the site because there's known contaminants on the site and there's known contaminants in the ditch.

Commerce knew about it. DNR knows about it. The DOT knows about it, and it happened right in this drainage ditch.

You look at the details of it and right at the discharge point where this storm sewer was discharging We Energies was there digging, and they smelled a gassy substance. It's not surprising because there is known contaminants in the soil there. As the experts are going to come up and testify, they're going to identify the reports and all the sampling that is done including the experts who sampled on August 7<sup>th</sup> in order to figure out where in question that the property has shown this sheen coming from and what is the best possible solution given the fact that we are dealing with a site that has been previously contaminated 13 and 11 years ago, and that is known right to this date as contaminated. Now, what's most important about it is the fact that the DNR and Commerce have asked the property owners to leave it intact and leave it on site. And if you look at the deed restrictions that are noted on the record, part of the action plan that was discussed was – a barrier maintenance plan had to be in effect by leaving dirt and grass covered on the site in order to keep the gassy smell and the contamination where it's at.

Now, that's the history of this site. It's something that everyone knows about exists. And as the clients will testify they have found the locations on site including at the location where this drainage ditch discharged is contaminated. If you go back even in the Department of Commerce's reports it says, and I quote on page two, that Delta Environmental, the environmental company that was engaged to investigate this issue, stated that they determined that the underground storage sump was connected directly to a storm water sewer, presumably with plans submitted by the Village of Pleasant Prairie before 2001, and that at times there was a discharge from the diesel sump directly into the ditch in 1999. Of course, this site is contaminated. Of course you're going to dig and the soils in this location you're going to find contaminated soil.

In 2006 the site was closed and there was known contaminants left intact. And I provide the reports to you to show you this is exactly known to everybody and I assume the Village of Pleasant Prairie when the Village approved in 2001 a complete rebuild of this site. As the Department of Commerce highlighted they discussed the fact that during the razing of the building they uncovered contaminated soil, and following DNR and Department of Commerce processes removed the impacted contaminated soil that they dug up, transported it to waste systems, withdrew as Ms. Werbie testified, they extracted contaminated soil ground water that had gasoline contaminants in it, and that was treated and removed from the site.

So then they rebuilt in 2001. There hasn't been any reported leaks at all to this day on that site that has entered the environment from the gasoline operations, period, none. I present as evidence all the environmental reports that have been presented to this case. From Moraine, August 10, 2011, from Quality Environmental on November 29, 2011, from Quality Environmental on March 30, 2012, from Quality Environmental on May 31, 2012, from Quality Environmental on July 2, 2012, reports submitted to Mr. Michael Spence on July 9, 2012, additional reports that were submitted to me identifying the ditch area where it's contaminated and they know it's contaminated where soils samples were taken that we know are contaminated, reports drafted from Quality Environmental to the Wisconsin Department of Transportation identifying the soil that was removed from the DOT.

Tim Geraghty:

Excuse me, Mr. Chairman, can we have those numbered or marked in some way just so if it's going to be referred to –

Michael McTernan:

If you want I'll mark them alphabetically, and I'll just start marking them A through and I'll continue.

Tim Geraghty:

That would be fine, just so we refer to an alphabet so in the record we'll be able to see which exhibit.

Tom Terwall:

So ordered.

Michael McTernan:

First one, A, is the Department of Commerce complete report; second one, B, is Moraine Environmental August 10<sup>th</sup>; C is Quality Environmental on November 29<sup>th</sup>; D is Quality Environmental on March 30<sup>th</sup>; E is Quality Environmental on May 31<sup>st</sup>; F is Quality Environmental on July 2<sup>nd</sup>; G is Mr. Spence's facsimile from Quality Environmental with field notes, manifest and soil sampling test results; H reports provided to me from the north ditch area that was excavated with soil samples; I is a July 26<sup>th</sup> Quality Environmental Solutions report to the Wisconsin Department of Transportation; J is the July 26, 2012 report to the Wisconsin Department of Natural Resources; K is the August 1<sup>st</sup> report summarizing the work that has been done by the site by Quality Environmental to Mr. Spence; L is Midwest Engineering Services that has overseen all of Mr. Yan's work that has done the investigation to come up with the system that he proposes will resolve this issue of the sheen coming out of the ditch, and we'll get to that in a minute; M is a design that has been submitted to the Village for review and comment on a carbon filtration system to install in the drainage ditch to address this sheeny substance.

Tim Geraghty:

Mr. McTernan, was there an earlier exhibit you referred to as well.

Michael McTernan:

I did A. That was a full complete report from the Department of Commerce.

Tim Geraghty:

Okay, thank you.

Michael McTernan:

But what all of these reports indicate, and I understand and I agree, we can agree, and I feel for Mr. Spence, someone trying to do his job and asking and begging the consultant to provide him



information. That's all he did. All he asked was can you provide me the information on a timely basis. And he did what any one of us would have done. We would have contacted the consultant and said you need to get me this information. I agree it was not timely. But what I don't agree with is any of these reports indicate that at any time did my client have a discharge of gasoline of any type from his system to the environment. Period. None. All these reports from Moraine who says not a single leak has been detected from the site that has entered the environment. From all of Mr. Jack Yan's reports from Quality Environmental Solutions not a single leak has occurred from the gasoline operations that has entered the environment.

What they all say is that you have a site that had contamination, and there's something going on that is causing contamination, or there's something going on that is causing this sheen to hit the ditch. It was first noted, as you noted, on June of 2009 when We Energies dug up this contaminated deed restricted land they shouldn't have been touching without contacting the DNR. But they did. What did they do? The DNR came in as you were told and they said you need to cover the ditch pursuant to the State ordered investigation as per your notes. And if you look at the exhibits it clearly indicates cover the site.

On April 2001 the We Energies was back as noted. Again, Chief Guilbert was there and he stated We Energies was digging in the soil and they unearthed contaminated soil. Of course they did. This site is deed restricted. You're not allowed to be digging in this area. And, of course, you are going to see and smell. What is odd and what has occurred and what the consultants will testify to is simultaneous to this occurrence you're seeing this sheen come across the ground water out of these pipes, and no one knows why. Operated from 2001 until 2011 and you start to notice there's a sheen coming out of the discharge pipe. No one knows why. What I think is imperative and what we need to understand and what I'll present as evidence to the body is all of the work that has been done since this was first reported. And we'll bring up the experts, we'll bring up the consultants and the parties that did the work so they can explain everything that has been done to the site.

But when this was first reported it was April of 2011. Commerce was involved because of the ditch digging by We Energies. And at the same parallel time there was a leaking union observed in the diesel dispenser on my client's property. No one testified and there's no evidence that the leaking ever entered the environment. To the contrary in 2001 BP Amoco spared no expense and installed a double walled dispenser system that completely contained any leaks from any pipes on site in basins. None of it ever left the site. So as was reported and as the evidence we'll present to you the leaking union that was observed in the diesel dispenser was contained in a sump as the exhibits will show, and we can walk through every one of the exhibits.

Starting with Exhibit 7 that has been presented, and you read Exhibit 7 in June 11, 2009 it turns out We Energies dug in the exact spots that have residual soil contamination. I turn your attention to Exhibit 7 fourth line down that starts Hi Again, Frank, fourth line down. It turns out We Energies dug in the exact spots that have residual soil contamination. This is from the Department of Commerce. This isn't something that my client has done. He hasn't discharged illicit gasolines into the environment.

I turn to what is marked as Exhibit 8. Exhibit 8 solely is an exhibit dated March 22<sup>nd</sup> that states my client has provided proof of insurance to his tanks. He complied with this request as a operator had failed to provide with his insurance, which he has because he tried to make a claim

with his insurance company that these tanks have issues, and he sought insurance coverage for this issue, but he has insurance, and the State was satisfied with this report.

And now you turn to Exhibit 9, and it brings up the 2011 issue. Again, we have an area where there now is, while it was unearthed and we have an issue, if you go to Exhibit 14, Mike at Interstate Pump and Tank who was hired by client states, and you can read the memo, and it's to Frank Bennett at the Department of Commerce. As requested by Frank Bennett at the Department of Commerce and the DNR at our meeting at the site regarding grass kill in the ditch way, we have set a tentative schedule of June 6, 2011 to begin hydrostatic testing of all sumps. The process will include inspection of all sumps, removal and disposal of any residual product in a sump. Hydrostatic testing of all sumps, DISP and STP, notification of Frank Bennett to be on site if he chooses, pump out all the soil, water onto the existing driveway.

As it further states, the tentative schedule and move slightly weather dependent, Sam I understand during our telephone conversation last week with Frank that you indicated you were handling the requested tank and line testing with Tanknology. Tanknology was hired subsequent to this email, and I have the records to support that all the tank testing and all the hydrostatic testing and all the work that was requested by the Department of Commerce was done and not one incident did it show that there was any environment – the environment was every impacted by contamination from the operations of the gasoline station. Not one.

It further goes on the repairs to the sensors and the diesel pump had been accomplished. And if you read the State order, which is Exhibit 12, it has five items. The diesel dispenser had a one inch product and a one inch water in the pan. Have the leak repaired and the dispenser cleaned. That is how this state of the art system is designed to work, to trap the product, keep it in a dispenser pan and not allow it into the environment. It never left the site. The diesel probe did not alarm when tested, have the probe repaired, replaced. As you'll note when the reports are provided the probes were fixed and they were replaced. Item 3, after the diesel test, repair test all lines and leak detectors including gasoline. Pursuant to Tanknology's reports that I'll provide as evidence they were all tested, all verified they were either operational, and the items that were needed to be addressed were repaired. Must schedule and complete an annual equipment calibration verification. Again, that was conducted. And the final thing is the ground is too wet. Before June 15, 2011 have all the gas and diesel dispenser sumps hydrostatically tested for a minimum of one hour to verify the product doesn't leak into the ground. Again, I will provide you that evidence that it never leaked into the ground. Never.

And the experts will be here to testify that what occurred next is my client hired the consultants. They hired Moraine to investigate, what is the issue. As Moraine identified, he stated the petroleum released into the environment appears to be from an existing compliant USED system. It has never indicated that the release ever occurred from operations of the gasoline station. What ensured from there is my client taking the time and sitting down with Moraine Environmental, spending close to \$10,000 for him to test the site and say, huh, looks like this is a dirty site you inherited that is having some contamination through a ditch.

One of the suggestions is to put an oil/water separator. Now, I'll provide you that the idea of an oil/water separator is a very rudimentary old technology on how you deal with contaminations flowing from a site. As the environmental experts will testify, it is something to address when you have free product gasoline spills in the environment. It works like a grease pit like you have

in a restaurant. Grease will sit on top, gasoline will sit on top, water will flow on the bottom, and it separates out the product that is contaminant and let the water pass through.

My client wasn't content to simply say let's go throw in something to resolve this problem. I wanted to have this thing fixed permanently. And with the leaks that were happening on some of the sensors he contacted the tanking experts and the gentleman from Uni-Pump and asked him in connection with this why don't we accelerate the replacement of all of our line sets in the property. They're uncertain what the issue is. They're saying it's coming from past environmental issues potentially. And in connection with this as they're looking at options on how to address it, they get a letter which is marked as Exhibit 24 from the DNR on September 9, 2011 that if you look at Exhibit 24 that tells them they must also assess the vapor intrusion pathway. What is that? Well, that's as was reported is the granular area around the pipes and to see if there's any indication that you're having an intrusion of ground water contaminating the site from these areas.

What does my client do? Do you simply go spend \$30,000 or \$40,000 that was proposed on a report to throw an oil/water separator and walk away from the site? No. He hires an environmental consultant, and he hires Uni-Pump, and he spends \$155,000 replacing all of his lines to 21<sup>st</sup> century technology that exceeds the standards required for his site? Why? Two things. One, he can address the occasional failures that are seen that are being replaced with the inspections that are being done by the Department of Commerce. And, two, he can inspect the system to find out what is causing this out of the blue little shine, sheen coming through the water in the discharge ditch.

He provides that information and, again, I don't fault Mr. Spence for throwing his arms up in the air and saying what do we do. But as is presented to the Village and as noted on Exhibit 25 Interstate Pump and Tank go through all of the possibilities if you look at Exhibit 25 to identify all the work that was done on the site. Investigated isolation sump pump clean up and repair of RUL and PUL line leaks. There were a total of three new leaks found at the time within dispensers at items number 34 and number 78. There were two leaks on RUL piping and one leak on PUL piping. All leaks were observed and were within dispenser containment sumps. The system was operating exactly how it's designed so no contaminant petroleum leaves the site. It doesn't even leave the system.

So what goes on as he expends in his October 19, 2011 he pays several thousand dollars to make these adjustments and repairs to the site, and at the same time the consultants are telling him as noted on Exhibit 25, if you turn to – you go back and Interstate Pump and Tank has a report of June 22<sup>nd</sup> to furnish and install booms in the area of the property in order to trap this environmental – this sheen that is coming on because they cannot figure out what is going on. There is no indication that any tanks are losing petroleum. Matter of fact, when they look at the petroleum, and the consultants will tell you, it's not free product. They test it and they test it and they test the lines and they test the site. There is no free product, what is known as free – there's no gasoline leaching into the soil. This is, as all indications, 10, 12, 15 year old contaminated dirty soil that is somehow getting to the ditch and we don't know how because it hasn't gone in 10 years.

So what does my client do? He's not satisfied with simply putting an oil/water separator, so he meets with the consultants and he informs the Village, as noted, on November 17, 2011 if you look at the notes it clearly says this will take months to resolve. And it is noted that they are

looking at putting an oil/water separator. That was the idea that if this is truly some sort of dispensable dirty soil that is entering in we'll grab it with an oil/water separator. The problem is the more testing they do and the more work they do they realize that the owner wants to resolve permanently any problems happening on the site. So he instructs the consultant to engage the Uni-Pump to completely bid out and get ready to replace all the lines.

And what does he do in November of 2011? As you noted when you were on there he shut all his pumps down that had any indication of internal leaks inside the system. They were closed. He shut his diesel tanks down, he shut his premium tank down, he shut his unleaded tank. He left the only tank open was the one unleaded tank on the far west side of the property that service those front islands. That was it. He fenced them off. The consultant he hired said we need to fence off the area by the ditch, and until we can determine and rip the ground up and examine what is causing this issue, let's quarter off, and as the consultants were recommending to him, boom them and wrap the site in yellow fencing as you saw the photos. My client's not an environmental consultant. That's what Moraine and that's what Quality Environmental Solutions is telling him to do so he does.

And he shuts his gasoline station in essence down but to one product, unleaded gasoline? Why? Because he's a responsible citizen looking at this trying to figure out how to address this problem. He's not burying his head in the sand. He's not ignoring it. He continues to go on during the winter filing as was noted in the exhibits that were provided to you he files a request with BP Amoco where he bought the site and asks for investigation of what happened here. What happened in 1999 and 2001 that must be the cause of this because the owner has never discharged gasoline in the site. There's no reports it's ever happened. And all the consultants that keep looking at the site they don't find any discharged gasoline into the environment from his operations at all. But he still has the sheen and the gook that is coming there down the ditch that he knows is an issue.

So what does he do? He goes and he provides the Village, as the Village has notes, and if you look at the exhibits he reports to them pursuant to a meeting in December of 2011 he meets with the Village and they indicate on December 1<sup>st</sup> Exhibit 28 the drawings are for review constructing, inspecting and it will be at least three months by April that a plan will be in place to try to address this issue. This is not a simple fix where you just literally go to Menard's, buy a device and throw it in the ground and there the problem is solve. This is something the consultants is going to take time.

He then spends, and he reports as was in the meeting on December 1<sup>st</sup> the meeting notes indicate he plans on paving the parking lot, which he does. He plans on maintaining the booms and drums on site. As they get soaked he will replace them, and the consultant is assisting him during these winter months. And it reports, if you look on page three of the notes from the Village meeting, it states the issues resod, restore cannot be done until spring May. Not going to do this in December. Not going to be able to do this in January. And I understand Mr. Spence is looking for monthly reports. But if you go all the way back in December when the consultants are meeting with the Village they're telling them we're working on this. This is going to be a very long process. We want to fix it, we don't want to just mask it. As the consultants are going to tell you an oil/water separator could have been put in, yes. Could have been done by April/May.

As the consultants are going to tell you all it would have done was taken away probably the sheen from the water. Instead they look at this as saying how do we dispense and be able to be

comfortable knowing that what you're going to do when you put in a carbon filtration system is going to discharge clean water. And that's what the plan that they've been working on after they completed a complete rebuild of the entire petroleum system, putting in brand new lines all the way to the dispensers, state of the art technology with new sensors throughout the whole site that Uni-Pump installed, and all along as the DNR had requested and the Department of Commerce had requested test the site. Let us know if you find anything that is providing you evidence on how we're seeing the sheen into the ditch.

And he continues to spend this money and continues to do the work as noted in the exhibits that are provided to the Village. And if you look at Exhibit 42 it takes time working with the State of Wisconsin. I understand that. Client had moved forward fast to get this work done so the minute spring hit, the frost got out of the ground, he could install the new system. Finally on May 7<sup>th</sup> as Exhibit 42 notes the Department of Commerce approved, and if you look at the bullet points, replacement of the existing underground product piping with double wall fiberglass piping with tank and dispenser sumps for attended retail fueling. Stage II vapor recovery remain operational.

The client is doing something that isn't even required. None of the consultants are saying this needs to be done. None of the consultants are saying your petroleum system is causing this leak. But my client says I don't care. I have an issue that is parallel. I'm having a couple failures and some parts that are starting to fail on me. Updated maintenance is forthcoming on these products. Let's eliminate and let's investigate as the DNR has requested the entire operation of the gas station, and let's dig the entire site up that these pipes are located. So he does. No one is telling him he needs to do it. The consultants aren't saying this is mandated. None of the consultants indicate or even remotely identify that the delivery system is leaking any gasoline into the site. None. To the contrary. There's no indication anywhere that any petroleum ever entered the property. It was all contained in the system.

So, yes, May 2007 he begins completely rebuilding the site. The petroleum system takes until, and I could be wrong on the exact date, but probably July 12<sup>th</sup>. The complete site is rebuilt. At that time the client isn't represented by counsel. I wasn't involved. I'm sure my client wished he would have hired me a while earlier, but he gets a notice from the Village. And the client does what probably any property owner would do when he gets a notice from the Village that indicates specifically dated on June 12<sup>th</sup> he has 30 days in order to remediate the soil and remove the contamination. So he tells his consultant now they're telling me I've got to get rid of the dirty soil. I have completely inspected, I have completely replaced all the piping in the site.

He has conducted reports, and if you look at the gas station logs, Exhibit 55 of the Village logs, in June 21, 2012 there's still a slight residue seen in the discharge. On June 22, 2012, again, no rain, slight residue. On June 25, 2012 faint [inaudible] no rain, slight residue. On June 26, 2012 surface scum on top, no evidence of any residue. On June 27<sup>th</sup>, again, surface scum on top, no reference of residue. On June 28<sup>th</sup> scum on surface, no oily sheen. June 29<sup>th</sup>, dry weather. June 30<sup>th</sup> surface scum on top. July 5<sup>th</sup> small puddle water at the end of the pipe. July 6<sup>th</sup> dry weather, small puddles in area. July 7<sup>th</sup> dry weather, small puddles in area. My client is nearing completion of the complete rebuild of his system. So what does he do? He has this notice that is served on him by the Village, clean your site. It mandates you have 30 days.

Accordingly, he goes ahead and he hires these consultants and he tells them we need to remediate the site, we have until, to do the math, I think it's July 15<sup>th</sup> he has to remove the contaminated soil. His consultants, they hire Willkomm excavation, he goes to the manifest logs which I have

here that he hires and delivers to the waste fill with proper tracking, testing the soil, and he completely removes the contaminated soil in the ditch. He follows the processes, prepares his reports for the DNR for submission, and completely represents as you see the site today completely handles removing the soil from the site.

And he believes are we done? No. We have to address this potential sheen that may be coming back. Well, the consultants look at it and saying that given the facts and all the tests they been doing over the last three months in order to identify the issues of this problem, they don't see any free product flowing from the site, some natural gasoline or diesel fuels. Never. An oil/water separator consultants are going to tell you that's what it addresses if you have what's known as free product coming from the site. You don't. The report that was submitted to the property that shows that there's contamination on the site, yeah, those were I believe borings done on the property that show that there's benzene and other chemicals. But the consultants are going to tell you those are very weathered, old, decomposing compounds. It's not fresh gasoline.

As a result, the consultants say we shouldn't put in an oil/water separator. The solution to this problem is to put in a carbon filtration system. And as the consultants will explain to you, it's a system where you install a product in the storm water ditch in the drain tile just before it hits the ditch, and you literally stop all flow of water. You pump it into a basin. You pump the water in through a carbon filtration system, and then you discharge clean water into the ditch. Again, that's the proposal that they are working towards. They are committed to having that done. They are spending the money to have that designed. An initial draft has been provided to the Village for comment, and I know it was only last week we submitted it to the Village. But we're expediting materials and have already contacted the DNR and the Department of Commerce I believe to get permits in place so we can install this as soon as possible. It takes time, though. The Department of Commerce and the DNR are not going to respond in two days. Just as it took the Department of Commerce some extended period of time to even get a permit on May 7, 2012 to replace the piping in the ground.

All in all my client has spent upwards between \$200,000 and \$300,000 trying to address the sheen that is coming from this discharge pipe, and not a single expert is telling him it's because your operation of a gas station. And I think that's the key piece here. The consultants are going to tell you shut down his gas station, close him, that isn't going to solve this issue. The problem we have is we have a site from 1999 to 2001 when Plan Commission approve a new station here, and the DNR and Department of Commerce told him to leave the contamination in the property on site. The solution as the experts are saying is to treat the water before it leaves by adding this last piece of equipment now that everything else has been upgraded.

Shutting him down doesn't give him the operational dollars to continue to do this. This is no small task. I don't have the final cost numbers, but I'm sure it's going to cost tens of thousands of dollars to add this last piece. I mean this is a client that is committed to this property and committed to make these changes. As anyone who has visited the site lately he's already gone head and re-asphalted or sealed his entire parking lot. He's added new concrete pads around the islands. He's in the process and submitted to the Village a new landscaping plan now that he has addressed the issues of rebuilding this site. He is making improvements and modifications to his site to be a great neighbor in the Village of Pleasant Prairie.

Not that it has any relevance, but it is important in the greater scheme of our business is that he generates over a million dollars in tax revenue to the State of Wisconsin. His gasoline sales are

90 percent to citizens of the State of Illinois because it's cheaper to buy gas in Wisconsin than it is in Illinois. Illinois has a State gas tax. Wisconsin doesn't. I believe it's approximately 20 cents a gallon. So by then you have property owners that are visiting this site and shopping at this site and filling up. He wants to continue to comply with the requirements of the Village. He will continue to take whatever it takes to address this issue. And he has consultants that are continuing to work for him to address this and conclude this and have it done right. Not just eliminate the apparent sheen from the site but eliminate the problem completely. Something he bought, granted, he bought an as is site back in '08 and he's committed to resolving it. But there's no active illicit discharge from this property owner that is discharging petroleum into the drainage ditch. It's not happening.

And with that I'd like to turn over to the consultants who can give you a background of what is exactly going on. The first person I want to bring is from Uni-Pump and give you some photos of what he's done to the site in the past several months addressing the delivery system.

Tom Terwall:

Sir, would you raise your right hand? Do you swear that the testimony you give will be the truth, the whole truth and nothing but the truth so help you God?

Bill Danforth:

I do.

Tom Terwall:

I need your name, address and title please.

Bill Danforth:

My name is Bill Danforth, sales consultant with Uni-Pump, Inc. The address is N59W14508 Bobolink Avenue in Menomonee Falls, Wisconsin. Approximately back in March of this year when I was approached by Mr. Patel to come up with a plan and numbers for replacing the piping. He had half the station closed down, so obviously we could see it was urgent that he needed to get the station operational again. So then upon inspecting the site and putting together numbers, speaking with Frank Bennett with the Department of Commerce, he also told me at that time to make sure that we touch base with Mr. Spence to let him know what we would be doing.

Not being aware of the magnitude of the problems that had been going on here prior to coming on Board back in March, we put together proposals and tweaked those proposals a little bit, and then it was late in April that we actually had the contracts and submitted our permits to the Department of Commerce, or now it's called the Department of Professional Services and Safety. So what we ended up doing here was replacing the product lines and the containment sumps underneath the dispensers. In fact you can kind of see here in the photo that's up there the containment sump is right next to the dispenser there, and that's where the piping goes into that sump, and then from there it goes up and into the dispenser so that any leaks within that piping or connection going to the dispenser would be contained.

Now, the old system that we took out also was a double walled contained system, but it was of a flexible piping material, and there were no joints in the pipe underground. All the joints were in a contained area. And the old system did have issues with leaks occurring within that containment system which is one of the reasons that he had half of his station shut down was because those product lines failed. There's also an electric leak detection and monitoring system inside the store which monitors all these lines, and that's actually what shut down the lines and wouldn't allow him to operate those once they detected those leaks. Again, all of that stuff was contained.

Anyways, as we broke concrete and uncovered the existing piping, one of the first things that we're always taught to observe is using your senses, mainly your nose, what do you smell. And I must say that these product line trenches the whole length of the canopy we did not smell anything, no gasoline smell, no petroleum smell whatsoever when we excavated this. We did notice when we got back to the tank area that there was some slight smell. Again, the tank area is the existing tank area from the '90s when the original stuff was involved.

That said I guess that's kind of what we found. The new system we put in, again, is double wall. It's rigid pipe. It's a lot more heartier, and it's more tolerant to the new compounds and the new chemicals within the petroleums, so it should last him well, well into the future.

Michael McTernan:

I'm going to show you some of the work on this photo that explains the work that you did –

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Attorney McTernan you need to grab the microphone [inaudible].

Bill Danforth:

Basically the lines run from the tanks. On top of each tank is a containment sump. Inside that containment sump is the submersible pump, it goes down into the tank. Through the side of the containment sump the product line exits the side of the containment sump. And there's a seal that goes in place that's bolted into the wall of the containment sump, and then where the piping goes through the seal then there's hose clamps that go on to clamp that so that anything that gets into the containment – it's to prevent water from getting into the containment sump, and it's also to prevent if gasoline should leak inside the sump to prevent it from getting out into the environment.

Michael McTernan:

At any time did you notice that there was any contamination that leaked out of the containment site when you were replacing and upgrading all the lines?

Bill Danforth:

No, none whatsoever. Like I said, the only smell that we could even smell or notice was in the tank hole excavation around the tanks and not from the sumps. In fact, one of the problems that they have with sumps if it wasn't installed properly the concrete on top in the driveway needs to



be sloped up where those openings are so that rainwater runs away from them. If it's left flat rainwater gets in through the manhole and then can enter the sump through the top. Even though there's a seal on there sometimes those wear out. So a lot of times when you get rain you get rainwater in the top. That's why we do the hydrostatic testing also is to test those seals to make sure that if anything is in there that it can't get out and, likewise, nothing can get in. They were tight.

Michael McTernan:

And I know you weren't involved in the original material, but in June of 2011 until you came on site there were an enormous amount of work and testing that was done with Quality Environmental, Willkomm Excavation. You had done work on the site, and these included reports of all the work you did on the site that are included in these quotations. [Inaudible] that was there pumping out any soil?

Bill Danforth:

The tanks are buried. They're eight foot diameter tanks, and they're buried six foot deep. In other words there's six feet of soil on top of the tanks, so that means the bottom of the tank excavation or the bottom of the tank hole is approximately 14 feet down. Actually it's just a tad over 14 feet. The water table when we arrived on the site in early June, beginning of June to start – end of May, beginning of June the existing water table in that tank area excavation was 4 foot below the top of the concrete. Which means that the water table was two feet above the top of the tanks and two feet up on that sump, okay, on the containment sump where the submersible pump is. And, therefore, if those seals had been in question there water would be coming in when those get pumped out or cleaned out – the rain water had gotten in there, when that got pumped out if those seals had been in question you'd actually see water coming in from around there or it would come back.

Michael McTernan:

At any point in time and during those issues where you had water that was actually above the top of these submersible sumps was there any indication that any of this product that was contained in the site leaked into the property?

Bill Danforth:

No, there was none, no.

Michael McTernan:

Also in this packet is all the invoices of Futura and Republic Services when they came to remove any contaminated soil that was on site as required by the DNR and Commerce as well.

Bill Danforth:

Correct. Our excavating a lot of the pea gravel that was removed was stored a lot of it we re-used. Anyplace where there was soil that we actually excavated, like when we got closer to the tanks because our new piping run was going to be a little bit different than the existing piping run,

so we had to actually take soil out which is near the tank hole. And that soil that we did take out was impacted but that's old because the new piping was nowhere near that. So that soil had been impacted from years ago.

Michael McTernan:

But you properly had that hauled away?

Bill Danforth:

Yes, that was all sampled and tested and hauled away to a licensed landfill.

Tim Geraghty:

Mr. Chairman, I just ask they're referring to documents again that they be marked as exhibits.

Michael McTernan:

I'm going to mark this entire packet, Tim. It has all the invoices and expenses obtained and all the work that was done on the site as one large exhibit, and I am on Exhibit N as in Nancy. And it's a copy of all the invoices and all the testing of all the companies that have done work on the site dating back to June of 2011 to the present addressing this site.

Bill Danforth:

So that was really about it. The soils that we took out we have to do it by the book. You set down a sheet of plastic, and you stockpile the contaminated or impacted soils on that plastic. And then once you're done with your excavating then you have that hauled away to a licensed landfill. So that was all done. And then pea gravel stone was reused, was clean. I mean it was stone. Stone doesn't hold contamination.

Michael McTernan:

And this is just a photograph of the work that you did by the new sensor and the connections inside the submersible pump?

Bill Danforth:

That's correct, yes.

Michael McTernan:

Next I present Attorney Don Gallo from Reinhart who was also hired by the property owner to address this issue.

Tom Terwall:

Did you say attorney?

Michael McTernan:

Yes.

Tom Terwall:

I need you to raise your right hand. Do you swear that the testimony you're about to give will be the truth, the whole truth and nothing but the truth so help you God?

Don Gallo:

I do.

Tom Terwall:

Need your name and address and your position, sir.

Don Gallo:

Thank you. My name is Don Gallo. My address is 1386 South Highway 83, Hartford, Wisconsin. And my position is an attorney and an engineer. I'm just going to tell you a little bit about my background.

Tom Terwall:

Please do.

Don Gallo:

I've been involved in this case about 30 days, and I'm really just going to give you an opinion of where I think the case is at and where I think we need to head. I've been an engineer since 1975. I graduated with a BS in civil and a masters in chemical and environmental. I practiced as an engineer for CH2M Hill, the people that did the deep tunnel project. I worked on milorganite design and Jones Island Plant. I went to law school at Marquette, graduated in 1990 and have practiced environmental law since 1990.

I represented the Petroleum Marketers and Convenience Store Association throughout the State of Wisconsin since 1990 so about 22 years. And I sat on the original NR 700 which is the cleanup regulations. I was the represented for the advisory committee for the original cleanup rules. That's soil and ground water. I also was an advisor to the PECFA program, Department of Commerce since day one, 1990 through current through COMM 47. And I was the Chair of the Petroleum Storage Committee for COMM 8, originally it was COMM 8 in 1990, and throughout this past year for the petroleum storage regulations. So COMM 8, COMM 10, those all developed as the double wall piping and implementation of the new upgraded storage system regulations.

I currently represent Petroleum Marketers, too, and one of the issues that we're working on is incompatibility problems with ethanol and how that's affecting materials that were installed in the late '80s and early '90s. It's I suspect a sensor problem as a result of incompatibility. We have certain types of dual wall piping that are disintegrating because of incompatibility, dissolving with ethanol. And we're working with US EPA. So predominantly that's what I do. I work on petroleum storage systems.

I'm going to shift now to my analysis of where we are in this case and some of the facts that I've observed. First of all, this is a BP station. I've had 50 to 100 BP stations where I've had litigation with BP on the extent of cleanup. It doesn't surprise me that it's dirty and I think it's historic. It's probably older than what has been documented. There was a Department of Commerce exhibit that was referred to earlier where there were two reported spills. But I can tell you there were an infinite number of spills due to leaking of the piping systems, and the old systems always leaked. So this site is fairly dirty I'm convinced of that based on the data.

The site is also a clay site which is a big red flag to me because clay absorbed the contamination and it's slow to release. The piping trenches throughout the site are fringe drains, because the piping has to be bedded in pea gravel so it's draining the site. And as I pointed out to Michael when I first started this case I said, well, this site is going to be dirty for a long time because it's like trying to get soap out of a sponge. It just keeps coming. Now, we could dig up the entire site and that wouldn't be cost effective. So the real issue – and I want to clarify something. This is not technically storm water. It's ground water. If it's water and it's below the surface by definition in Wisconsin it's ground water. It's coming through the storm water system, and it's not necessarily coming through the piping system. It's probably from what I can observe it's traveling along the bedding around the pipe, and that's the conveyance system. I've worked with D.J. and D.J. can agree with that.

So the real issue in this case – and, first of all, I'm not being critical of anything the Village did because there's a known problem in this ditch. No question about it. It's how do you deal with it. And do a degree we've been in panic mode, the Village as well as the station owner and the DNR. We've been in panic mode because of the significant discharge to the ditches. And this is not to be underestimated or trivialized. There is significant discharges to the ditches. And one of the things that really bothers me is we have quite a variance in the documentation and the photos of the kinds of discharges that we're seeing. I can understand why somebody would recommend the oil/water separator early on because there was significant degraded oil and gas a diesel fuel that was being discharged to that ditch. It was heavy end oils, and that would be perfect for an oil/water separator. But as Michael points out that's a fairly rudimentary type of treatment. It's a separator.

What we are most recently experiencing is dissolved fraction in the ground water. And so when I say dissolved we really need a treatment system like carbon that is an absorber and that sucks the petroleum out of the dissolution of the water. It's really a polishing system much like you would have on your faucet and you replace the carbon vessels. The problem that we're really having now is how to size that vessel because as Pat – there was an analysis that as put up and you referred to it, that was a grab sample from the ditch just for us to get a feel for how do you size this system and what are the concentrations that we're seeing.

The loading on the carbon is a function of concentration and flow, so it's a mass unit loading to the carbon. And what we thought we would do is oversize the vault so that we had flexibility to either enlarge or reduce the size of the carbon vessels and the pre-treatment units as well. There's a seal-like resin that separates the gross contamination as a pre-treatment step to the carbon unit. And so when I said we were in a panic mode we're not in a panic mode anymore. What we really should be doing is thinking. And we have to slow this down and figure out how to solve this problem. Because we all agree we have a problem, and like it or not we're in it together.

So I would encourage you to slow it down a little bit and make sure we put in the right treatment system and the right design. As we see it, as Pat and I see it, and Pat is going to speak next, we have this drainage system, the piping system, that's coming in and collecting in the storm water system into the ditch. So we're going to try to capture it at that point with some clay cutoff walls and a sump. And then a duplex pump system or maybe even a triplex system so that when you have dry weather flows you just have a small pump like a ten gallon per minute pump running through your carbon. And when you have wet weather flows where there's significant rain water and high ground water table you could have the first, second and maybe even the third pump operating so it's a flow system, and it regulates the flow through the carbon system.

But we really have to design this right because if we undersize the carbon will be spent too quickly and have to be replaced too often. If we oversize it the carbon will plug and foul with biological material. So we're at a stage now where I think we're looking at a polishing step. But we have a dirty site, there's no question about it. And as Michael pointed out it's not due to the current owner's operation. That's all been tested and upgraded and replaced. So that's my view on how this system is currently operating and how we need to move forward on this. But we need cooperation from – and I think we do have cooperation from the DNR. I've talked to the DNR, they're very interested in solving this problem. And I know the Village is as well. And so we just need to work together and pull this together.

Closing down the station really doesn't help, it probably hurts because we need the cash flow of the business to continue to fund the cleanup system. Closing it down won't stop the contamination. It's just going to be leaching essentially out the storm sewer. I'd be happy to answer any questions now or later.

Tom Terwall:

Perhaps later. Thank you.

Don Gallo:

Thank you.

Michael McTernan:

Pat Patterson has been also retained by the client in order to oversee all the work that has been done and provide a recommendation on how to address this. So, Pat?

Tom Terwall:

Raise your right hand, sir. Do you swear the testimony you'll give will be the truth, the whole truth and nothing but the truth so help you God?

Pat Patterson:

Yes.

Tom Terwall:

Give me your name and address and your position please.

Pat Patterson:

Pat Patterson with Midwest Engineering Services, address 821 Corporate Court, Waukesha, Wisconsin. I came on board about the same time Don did, about a month ago hire as an additional consultant to review the work that was performed by Delta, Moraine and QES, Quality Environmental Solutions, and then basically get together and basically come up with a solution like Attorney Gallo indicated. Based upon my review it looks like old gasoline associated with former releases from the property, a heavier type of material, diesel waste oil.

And what we did we came up with an in situ activated carbon vessel system. Attorney Gallo actually went over most of it so I don't want to dwell on it too much. We basically contacted Carbon Air, and the sample that I used or actually submitted to Carbon Air was one that Moraine Environmental collected I believe in the north ditch line back I think in June, 2011 when they initially came onto the site. And I believe that actually had the highest concentrations of petroleum contamination in regards to ground water on the property.

I actually don't know what else to talk about. What we came up with is basically a schedule in regards to what to do out in the property. First off we'd like to try to clean the existing storm water system. Just if there's any petroleum contaminants in that system we clean that out, and then following that we'd like to have a licensed plumber come in and actually use a bore scope camera to look through the system to see if there is any damaged areas and if there are repair then, because that could be contributing to the contaminants that are coming off the property from the weathered gasoline.

Following that, and we're actually in the process of discussing this with the DNR, we need to prepare documentation to obtain a Wisconsin pollution discharge elimination system permit, which is a WPDS permit in regards to being able to treat the shallow ground water that's associated with the granular material around that storm water system. And then once it's treated it will be treated below DNR – actually the preventive action limits that were discussed and the enforcement standard limits that were discussed in regards to ground water, the system will be designed to bring the water that comes out of the system back into the – we're going to reconnect it into the storm system, and it will be treated water so it will be clean water.

And we also are going to have a monitoring schedule. Typically the DNR requires, and of course this will potentially change with the DNR review, typically they have used sample weekly for six weeks, and then after that if everything is okay then it's monthly sampling event. And if it's ongoing, which I'm assuming this is going to be ongoing because of the residual contamination that's on the property, and if the test results come back from the monitoring are still below

standards, they may actually extend it out so it could be every three months, six months or whatever on that. So that's basically what we're going to be doing, an ongoing sampling protocol once the system is installed.

And I've also actually discussed getting bids from Willkomm Excavating who is actually going to be arranging for the plumber for the plumbing of the system and all that. I think that's about it.

Michael McTernan:

What kind of time line [inaudible].

Pat Patterson:

I'm just shooting from the hip here in regards to the cleaning of the system itself, two or three weeks, and then probably at the same time go in and do the camera in regards to scoping this system. And that would be within that would be within that two to three weeks. The repair if there are any damaged pipes in that area I kind of allotted maybe like a, because I'm assuming they'll have to have permits through the Village in regards to doing the repair, I was going like with probably a four week time, probably less, I'm not sure.

In regards to preparing the documentation for the discharge permit I'll look at that a week. We're going to be then subsequently submitting that documentation to the DNR, and I'm allotting probably six weeks for the DNR to respond to my submittal, and hopefully they approve it right away. There's a potential that we can actually get that expedited, but sometimes the DNR is difficult to work with and may not allow that.

In regards to once it's approved by the DNR we'd be contacting the City in regard to obtaining the correct permits to do the installation of the system on the property. This system is going to be on the property so it's not really associated with the DOT right of way. So we don't have to go to the DOT in regards to getting a permit from them. And then following approval from the City or the Village, excuse me, we're probably looking at a five week time frame for the installation of the system if everything goes as planned. I didn't total that up. There is some time in there that it will take to do the work.

And then, of course, the sampling is going to be ongoing. Based upon my review of all the environmental services or the investigations performed out there, there's a lot of residual contamination on the property in the soils, and the water is going to pull that out of the soils and it's always going to be in the ground water so it's going to be ongoing. I think that's about it.

Michael McTernan:

And my last question. Have you reviewed all these reports from the environmental consultants and have any of the indicated that the property owner has been discharging petroleum products from his site into the environment?

Pat Patterson:

No, no.

Michael McTernan:

In closing, we just continue to look for the Village to work with the consultants and the engineers and the attorneys that we have hired in order to resolve, and we're committed to resolve this issue. My client is here, understands the severity of it and has all along, and has relied on some consultants that have been very slow to act. I can assure you I have been retained to see this through to its completion and I will. Mr. Gallo has been retained and so has Mr. Patterson, and if there's any assistance we need from Uni-Pump we will be utilizing their services to get this done.

In that same breath my client is very well aware of the Village's consultant and is more than willing to continue to work with the Village and share all of the information we have as we submit simultaneously with the government bodies and with the Village of Pleasant Prairie as well. We just need time as outlined by the consultants to finish this project that has taken much longer than anybody anticipated or desired. So in that context I ask the Plan Commission to grant this additional time to have this resolved and under conditions that you see fit that need to be done we're willing to comply with it. If there's something more you need from us or commitments from my client he is here as well, and he is willing to do whatever it takes in order to get this issue resolved.

Tom Terwall:

Thank you. Two questions, Jean. First of all, are we facing a 6 p.m. deadline for a Village Board meeting? I mean if this is going to go on a while are we going to have to reconvene?

Mike Pollocoff:

There is a six o'clock Board meeting that would occur as soon as that the Board is able to meet and this meeting is done. I guess it would be a matter if you wanted to reconvene to another date, ask more questions, or to look at any exhibits that have been provided to you in order to make a judgment.

Tim Geraghty:

If I could suggest, Mr. Chairman, just to make sure that whatever testimony you need from the witnesses today is finished today so they don't have to come back on another evening.

Tom Terwall:

I agree.

Michael McTernan:

The only suggestion I had is if we did continue that we'd be more than willing to enter into a consent order to have this resolved that the Plan Commission would have to approve, and in the meantime the Village, their engineer, staff and our engineers could work with them on a consent order that mandates what would be acceptable to the Village and hopefully the Plan Commission. And we'd love to take the time to do that.

Tom Terwall:



And before we let your extra witnesses go I'm going to open it up to questions from the Commissioners. I would ask that we begin with questions only to the defense since the witnesses for the prosecution for the Village – excuse my mispeak. Go ahead, John.

John Braig:

Just a comment regarding rescheduling. How much of an agenda does the Village Board have tonight? I see that all but one of them are here. If this meeting continues for another half hour or so I think it would be easier to resolve the matter now. If it looks like it's going to involve more than that then maybe we should reschedule.

Mike Pollocoff:

I would just as soon give the witnesses here and the Commission while this is fresh in your mind the opportunity to ask the questions of them irrespective of the time. I can't say that would take too long.

Tom Terwall:

Then I'll begin the questions. I have no questions for the owner's people, but I do have a question for Mr. Spence. Do we think that the only source or that the only outflow of this contamination is that ditch that runs along the side of 165? Or, are we seeing evidence of contamination in other places? The reason I ask that is I think it makes a whole lot of sense to try to get all the contaminants out of that storm water ditch, but if it's leaching other places as well is that going to solve those problems?

Mike Spence:

Mr. Chairman, one of the things that I've asked for over the past six months is sampling results that have been taken in that area. So it's difficult to answer with any certainty the extent of the contamination. I believe that the results from Moraine, for example, do indicate contamination right by the discharge point, but I haven't seen any testing results further down the ditch to see if there's contamination there as well.

Tom Terwall:

Thank you. I have one comment. I'm inclined to agree with Attorney McTernan that you probably should have been hired a long time ago. And not only you but some of the consultants as well. I think what we have here is a failure to communicate. I think there's been a fair amount of work that's gone on that the Village was never made a party to. And I think that's a good portion of the frustration is that from the Village's perspective we didn't think anything was being done. Fines were being run up and run up and run up and nothing was being done to show that there was any work going on. So I think that's a concern. Jerry, you had a comment? Raise your right hand, sir. Do you swear to tell the truth?

Jerry Franke:

To tell the truth if I'm going to ask a question?

Tom Terwall:

Yes, so help you God?

Jerry Franke:

Jerry Franke, 5824 Pilgrim Way, Racine. Just one question. Was the Village aware that BP Amoco prior to its sale had had environmental issues here?

Mike Pollocoff:

Not to my knowledge.

Jerry Franke:

And my second part of that question is aren't they culpable for some of this condition if it's been demonstrated that they were the original creators of the pollution?

Mike Pollocoff:

The Village can deal with the property owner, that's our relationship with the property owner. To whatever extent there's a relationship between BP and the current owners that's going to be a civil matter. But in looking at the deed restriction that was placed on there the Village was not a party to that.

Jerry Franke:

It's a shame that a property can get this contaminated and there's no public knowledge to adjacent property owners. Thank you.

Tom Terwall:

You're right there, Jerry. I want to do some more research, but if it's true that the DNR and the State said this is a contaminated site, the only way you're going to fix it is you better cap it and sell it I have a real problem with that. There's got to be some documentation. Go ahead, John.

John Braig:

Somewhere in these exhibits, and I've been looking for it, when BP went and rebuilt that station they trucked out how many tons of contaminated dirt from that site, and how many thousand gallons of contaminated water did they take out of there? I think it was in – I've been looking in the exhibits and I forget which one it's in. Do you remember those figures, Jeans, I'm sorry.

Jean Werbie-Harris:

It's Exhibit 13. It's the Department of Commerce letter. We do have it. All of the details are in that letter and in that exhibit, and it does go on to talk about the site history and the restrictive covenant and the responsible party and the no dig area. So it does go into all those details when the property was purchased by the Patels.

John Braig:

My point is at that time that site had to be fairly clean or the DNR would not let them –

–:

No.

Wayne Koessler:

Don't say no. If they hauled tons of contaminated soil out and pumped a lot of water out. And I have a question of you, too, attorney. When did the State of Wisconsin not have a gas tax anymore?

Michael McTernan:

I mentioned it's higher, there's a higher gas tax in Illinois.

Wayne Koessler:

No, you said there was no gas tax.

John Braig:

You said no gas tax, that's correct.

Michael McTernan:

That was a misspeak on my part. I meant that the State of Wisconsin gas tax was lower than the State of Illinois gas tax. I apologize. And Exhibit A does give the details that you were reciting, and it's 2,800 tons of contaminated soil, but there was deed restrictions. That's the part of Exhibit A that I presented.

Jean Werbie-Harris:

It's my Exhibit 13 and your Exhibit A.

Michael McTernan:

My Exhibit A, because Exhibit A that I had showed that significant contamination remained on site and was part of a deed restriction that was entered in by Delta Environmental Consultants and restricted on the property and recorded. And that deed restriction was placed on October 13, 2006 before my client purchased the property.

Larry Zarletti:

Does the Village have proof that the contamination is coming from the site and not from a previous contamination? I don't know who can answer that.

Mike Spence:

The results that we've seen have indicated that – let me back up. Moraine Environmental put in monitoring wells on the site, not in the ditch but on the site. There's a monitoring well that's just very near the outfall. There's monitoring results from that monitoring well that indicate that there is petroleum related products that were in the ground water on that site.

Larry Zarletti:

Okay, I understand that. I think everyone has agreed that the site is contaminated. The question that I have is does the Village have any evidence to indicate that that contamination is something since the current owner took over or something that could have been in the ground since the first time the recognized there was contamination?

Mike Spence:

I would have to refer back to the environmental engineers. That particular question has never been – I haven't seen results that indicate whether it's from a previous –

Larry Zarletti:

Pre-existing or not?

Mike Spence:

Right.

Larry Zarletti:

I guess to me that makes a huge difference. I mean on the face of this early on in the testimony I was a little agitated that how could a person sit still while this contamination ran free all over the property. And as I heard the defense of that is that it was capped, it was contaminated, it's no surprise, it was disturbed at some point, and now we have this contamination issue and there are things in progress to get to the bottom of whatever it is that's causing the problem. So my thought process would be if, in fact, we had evidence to believe that it was caused since it was capped and has nothing to do with pre-existing condition, I would concur that we need to be a little more aggressive. Well, we should be aggressive anyway.

However, what I'm saying in this case is if, in fact, the owner is now working to get the problem solved that is a problem that was pre-existing that he inherited, then I think I take a little different look and a different approach to how much time we're going to give to get this done. And it does

appear to me that things are being done, and I agree with the Chair that this should have probably started long before. And I think the time lapse here is what has really aggravated everyone and caused the Village a substantial amount of extra work. And for that I'm not happy. However, moving forward and so we can get to a place of some resolve here, I would absolutely support giving some more time to get this thing taken care of rather than shutting down a station unless we have absolutely proof that the station is causing the problem and wasn't willing to fix it.

Wayne Koessl:

If we can go to Exhibit 13 and scroll down to soil and ground water removal during the razing and rebuilding. They hauled 2,807 of gasoline contaminated soil and approximately 30,160 thousand gallons of gasoline contaminated water. I can't believe there's much contamination left in that site after that.

John Braig:

I'm looking for a little more information. The Commerce Department closed this case in December of 2006 and capped it. The suggestion that I got out of this is they acknowledge that there's still some contamination on the site and they don't want it disturbed anymore, but it was sufficiently cleaned. If you leave it capped and don't disturb it things should be alright. But we've got an awful lot of evidence that indicates there's a pretty good oil slick that's flowing through this system.

I'm going to direct my question to Mr. Gallo. I can appreciate that as you excavate in an area which has natural soils and clays and formed something of a seal, after excavation especially with the addition of pea gravel to protect pipe and so on, you in effect are putting in a drainage system which as I understand it must be leading to this outfall pipe. So I'm going to ask you with what appears to be literally hundreds of fuel spill prior to change of ownership, and a lot of this is flushed out, are you suggesting that there's still an awful lot of contamination?

Don Gallo:

Oh, yeah.

John Braig:

In which case what's wrong with our boys in Madison if they permitted this thing not to be cleaned up in the first place.

Don Gallo:

You have to understand the politics.

Tom Terwall:

We don't have time for that, sir.

Don Gallo:

Yeah, exactly. Let me try to clear up a couple points. Mr. Zarletti he asked a really good question, and there's a way to prove that it's old. There are certain compounds, toluene, ethylbenzene, benzene that comprise gas. And they degrade at different rates. So when you take a sample you can look at the concentrations and you can age the gas because of different rates of degradation. D.J. definitely knows this. That weathered gas may be PECFA eligible. I've opened up a number of PECFA cases where Commerce has closed the site. And this is a matter of economy. They close a lot of sites, and some of them they didn't get it right on. This may be one of them. They left too much in place, it's continuing to be a problem, but we can probably prove that it's old gas. And it's highly weathered, that's why it's looking like diesel as well. Gas weathers to a fingerprint that's similar to diesel. So I think that's the question.

Now, with regard to it must be clean because they've hauled so much away, it's actually a small amount that they actually hauled away compared to a lot of sites, and particularly clay sites. Sand and gravel sites get dirty fast but they clean up fast. Clay sites take forever. This example of getting soap out of a sponge is exactly what we've got here. It's going to continue to leach for a long time. This carbon system or any treatment system is going to be permanent, permanent with regard to 20 or 30 years of operation.

Michael Serpe:

I don't disbelieve any one of the witnesses' testimony, whether it be on the Village's side or on the gas station's side. I guess what concerns me, and a lot of good testimony was heard tonight, was what mainly concerned me is the lack of cooperation that the Village received from the gas station owner as all of this is going on. The total ignorance to \$84,000 worth of citations to me that's pretty significant. I don't know, maybe it isn't to a lot of people, but it is to me. And if we were to grant some time for this site to be cleaned up or to be monitored, how much more is the Village going to be ignored by the gas station owners for the future that we're going to have to come back here and maybe reconvene for another hearing for a revocation on the conditional use?

I'd like to think that they're going to be cooperative. I'd like to think that this site could be cleaned up. I think Mr. Gallo made to me a lot of sense in what he told us tonight. To be honest with you when I was looking and heard the amount of fines that were levied on BP I figured this company doesn't care. They just don't care. Maybe I've been convinced to look at this thing a different way. But if everything that was said tonight is true about never any leaks since this ownership has been there since it's been rebuilt and this is all old contamination, then I have to agree again with Mr. Gallo is the best way to do this is clean up the site because that's not going to change.

Jim Bandura:

I kind of agree with Mike here. Mr. Gallo, you brought up a good point. Where would a chain of custody come in on this? Because you said you could possibly reopen a site.

Don Gallo:

Oh, yeah, we've done that. With Department of Commerce you can reopen the site. And the standard closure letter does have a reopener paragraph in it for the DNR to reopen the site. Mike and I were just talking. This is a suggestion. The way to proceed is we could work with the Village staff to craft a consent decree that has a schedule, milestones and some penalties in it, and that's the way to get it done. That will put a gun to our head, but we'll have a negotiated schedule that we can track.

Jim Bandura:

And I'm leaning towards that because, like Mike says, to just ignore the Village I have a problem with that. And this started back a year plus ago, and as an owner I would want to make sure that I wouldn't be put in a position that I am in now because not answering any concerns with the Village, if the Village is knocking on your door there must be something wrong. Or maybe not necessarily wrong but they're trying to notify you of some issues. So I believe that more cooperation with the Village here and your clients is greatly needed.

Don Gallo:

There's no question about that.

Jim Bandura:

I've got another question of Mr. McTernan. You gave us a number of exhibits. Are there manifests for the hauling away of all the contaminated soil?

Michael McTernan:

There are. And in the packet of materials provided to the Village are all the manifest bills of all the tracking of all the contaminants of anything that was removed from the site. And I've got to stress to you that Mr. Dixit Patel takes this extremely seriously. He had hired several different consultants and had come to me saying obviously my consultants are failing me. I am faced with tens of thousands of dollars of fines. I need help because my consultant is obviously not answering Mr. Spence and providing him the information he needs. He's not an engineer. He is panicked about this. He calls me day and night. He meets at my office on Fridays at eight o'clock at night to sit down to find a solution.

And what I have done is immediately hired Mr. Gallo, immediately hired our own team of consultants that I know will be responsive and provide Mr. Spence and everyone in the Village every single thing they want, and it will be a resolution that we will get to that everyone will be satisfied with. And that is why when Mr. Dixit Patel hired me he said, Mike, do whatever you need to be done I will do. Get it done. And that's why I'm here before you asking you to allow us that opportunity to fix this permanently.

Jim Bandura:

And as Tom said it's unfortunately that you weren't in on it early on.

John Braig:

A question of Mr. Gallo. You indicated that there might have been some error in the process of the Commerce Department approving capping and closing out the case. Could you give us a little insight as to who and what their qualifications are and what criteria goes into that type of evaluation and judgment?

Don Gallo:

I'm happy to do that. They, being DNR and Commerce, have closed more than 5,000 sites, maybe closer to 7,000 petroleum storage sites over the last 10 or 15 years. Out of that group they have to make decisions on how clean is clean, whether it's clean enough that it will naturally attenuate over time. And those are the kinds of decisions they're making, and they're hydrogeologists just like D.J. and Pat, and they're just making a professional decision.

The problem that I see with BP sites, BP has a lot of horsepower and they have a lot of sites, and they put a lot of pressure on the regulatory agencies to close their sites out. I see it all the time with major oil, because major oil moved out of the retail business about ten years ago. They sold all of these stations to the jobbers, people like us that are working those stations. And so they were getting out of Dodge. And with regard to Jerry Franke's question why can't we go after BP? They had documents that were very well written, so you bought as is and you indemnify them if this becomes a future problem. So it's going to be tough to back after BP. We got a problem, we got to fix it.

Tom Terwall:

Is there still PECFA money available?

Don Gallo:

Yes.

Tom Terwall:

Are you still collecting money for that?

Don Gallo:

Yeah, two cents for every gallon. That generates \$90 million a year. The legislature has taken all but \$4 million a year for other purposes.

Tom Terwall:

I hear you. Larry?

Larry Zarletti:



Mr. Chairman, I think no matter what has taken place to this point it has become incredibly clear to me that Mr. Patel the Village has his attention clearly. And I believe that he is paying and going to pay for his lack of attention to the Village's request to get moving on this. So with that said I don't know if a motion is in order for us to give some more time to get this squared away now that we can see the wheels are fully in motion or what the next thing would be.

Tim Geraghty:

Mr. Chairman, I think before any action is taken we need to close the hearing part of it and the evidence. Before you do that I would like an opportunity to have Mike Spence give some more testimony.

Tom Terwall:

Thank you. You're still under oath.

Mike Spence:

Yes. I just wanted to make a couple comments regarding the picture that the owner's attorney has painted as far as his willingness to cooperate. My request for information were repeatedly denied, and at no instance was I ever contacted by the owner as far as was I being served well by his consultants. I also wanted to indicate that his most recent consultant, Quality Environmental Solutions, indicated all the work he was doing was just pro grata that he wasn't being paid by the owner but he felt compelled to try to respond to my request. So I'm a little frustrated at the picture that's been presented as far as an owner that's willing to cooperate. When I was asking for reports on what was going to happen or what had happened and what was going to happen, the owner balked at having to spend money on reports. I just wanted to clear up that picture there.

Tim Geraghty:

Mr. Spence, just a couple of questions. One of the issues that came up was downstream testing. Has there been any soil samples or anything on, for example, the ditch alongside Culver's and farther downstream? Have you ever been provided with those results.

Mike Spence:

I have not been provided with any results.

Tim Geraghty:

And have you requested those results?

Mike Spence:

I have requested results repeatedly.

Tim Geraghty:

Is it fair to say that you've been requesting that testing since May or June of 2011?

Mike Spence:

That would be a little bit extreme. But I would say at least since the beginning of this year I've been requesting that. And just another point, again, the attorney has indicated that this process is timely, and I'm not going to dispute that. But my very first letter asked them for a plan and a schedule. I never said that the schedule had to be short. I never dictate any timing, nor did I dictate any form of treatment. I wanted to see a plan. Nothing was ever provided. Well, I should say that. Nothing was provided in a timely manner.

Tim Geraghty:

Did Quality Environmental Solutions at one time recommend an oil/water separator and indicate to you that they would be installing that?

Mike Spence:

They recommended an oil/water separator as did Moraine. They both recommended some form of capture of the product onsite prior to discharge.

Tim Geraghty:

No further questions.

John Braig:

Again, a question of Mr. Gallo. You made the suggestion that hopefully we would reach a decision not to revoke the conditional use permit but rather develop a workable plan with some dates and some penalties and stuff together. I sense, myself and maybe some of my Commission members, a bit of aggravation that the rules and regulations and requirements of the Village were pretty much ignored for some time. I also sense that there could possibly be a turn. So if this group decides to grant an extension, could you put an idea of how much time we'd be talking about and what would be accomplished at the end? Are we talking days, weeks, months?

Don Gallo:

Well, when you say an extension there's two steps. First we have to work out a consent order and that's going to take two to three weeks probably. Is that reasonable?

Michael McTernan:

I would think so.

Don Gallo:

And then frankly we could do this in pretty short order if we didn't have to get so many permits, and that's the only thing I can't control. Now, we have a good relationship with the DNR, and this is a high profile situation. I talk to Pete Woods the other day, he said he would push the permit. He actually told me a lady in Milwaukee at the DNR to work with and he said he would call her. So that's the biggest issue. How long is it going to take to do permits? We already have sizing on the system, the design. We'll have to put it together but we have a conceptual design. So it's just review time. But I have a feeling most of the – even the Village, the State agencies are focusing on this project and they'll try to accelerate it. But I'm worried about getting this done before the ground freezes. We've got to get going, and we already are going.

Wayne Koessl:

Mr. Chairman, I'm going back to Exhibit 13. That is not a very big site out there. I don't know what the acreage is, but it's got to be probably less than an acre, and they pumped 5,000 gallons of ground water and 38,000 gallons of contaminated gasoline water and 28 tons of contaminated soil. I think we're doing an injustice to our staff and to the Plan Commission and the Village ordinances that we have here. I'm going to vote for revocation tonight when it comes up.

Michael Serpe:

Just a question. Monitoring of the site can that be done in the dead of winter?

Voices:

Yes.

Michael Serpe:

Weather has no effect on it?

Jean Werbie-Harris:

Can you come up to the microphone please?

Tom Terwall:

Give us your name again please.

Pat Patterson:

Pat Patterson, Midwest Engineering Services. We actually have in the preliminary designs we have heaters that we're going to install so the system does not freeze. And we're actually going to have sample ports for sampling the effluent of that.

Michael Serpe:

Thanks. I have one other question. If a revocation were to take place and they were closed down, what happens to the site?

John Braig:

It continues to bleed.

—:

Yeah, it would continue to bleed.

Mike Pollocoff:

The Village still would have to pursue action against the property owner and whoever would assume ownership of that lot. If it went back to the bank or it reverted to somebody the problem doesn't go away. We have no substantive information that's been provided to us up until two days ago as to what we're dealing with. We'd be looking to get that squared away.

Tim Geraghty:

Mr. Chairman, just a point of order. I'm not sure if Mr. Pollocoff was sworn in.

Mike Pollocoff:

I wasn't sworn in.

Tom Terwall:

Do you swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth so help you God?

Mike Pollocoff:

I do.

Tim Geraghty:

And do you certify that the testimony you've previously given is all true and correct to the best of your knowledge?

Mike Pollocoff:

Yes, I do.

Michael Serpe:

Let's say the revocation were to take place and it was turned over to a new owner, and lo and behold the sheen is still there. Would that lead to evidence that there hasn't been a petroleum leak while these people have owned it and the petroleum leak took place at the original BP station before it was reconstructed. If there was that much gas and diesel fuel leaking into the ground for a long period of time, I don't know that the amount of ground that they took out of there was enough and how deep did that go and how far did it travel? Ask the people in Jackson, Wisconsin, they might be able to help you on that, I don't know.

Jim Bandura:

Question to Mr. Gallo regarding the taking out of all of the spoils why wouldn't they have set up monitoring wells on the site at that time to monitor the ground water and the contamination if they wanted it just left there? Why wouldn't there be monitors on that site?

Don Gallo:

Keep in mind this is a clay site. You can have a monitor right next to a tank, if it's six feet away it may not sense any contamination. If you move it two or three feet it could pick it up. Clay sites are hard to monitor. And so not only is this storm sewer a conduit but every trench on that site is a conduit. So you really have to –

Jim Bandura:

And that's understandable. However, I still feel that it could be monitored in some respect.

Don Gallo:

Oh, yeah.

Jim Bandura:

And to our counsel here for the Village monitoring, having some monitoring done down site is in my mind would be helpful for me.

Don Gallo:

Oh, definitely. That would be what should be done, down gradient monitoring points. That's very common.

Jim Bandura:

Before I do anything on this I'd like an outline of what the next steps are, what we can do to resolve this because I'm not comfortable with anybody's testimony here that makes me feel like I can make a decision right now.

Don Gallo:

The devil's in the detail. You need to really pound out a thorough consent decree. I've got a ton of examples.

Tom Terwall:

Jim, I'm inclined to agree with you. I guess I'm not ready to shut him down because if we do shut him down I want to make sure that the site is going to get cleaned up. But I guess I'm in favor of providing an opportunity for both the Village and their attorney and Mr. McTernan and his staff to see if they can come back with a recommendation to the Plan Commission on whether or not the proposal that Mr. McTernan is making is viable or not. And if they can convince us then that's what I'm in favor of doing.

Jim Bandura:

And I agree. I think we really need to set a quick time line for both sides to get this done. It just needs to – not two months, three months, four months down the road. I mean less than 30 days. Something has to be done because our environment down there we've got wetlands down there and that ditch leads right to it so something really has to be done here.

Wayne Koessl:

I have one comment, Mr. Chairman. I'm sure when they hauled out 2800 tons of contaminated soil they did not replace it with clay.

Larry Zarletti:

Mr. Chairman, the Village has tools in place to deal with non-responsive people. So we've given this owner 125 tickets, \$84,000 in fines, and I'm not saying you should remove any of them. All I'm saying is for 30 years I was a cop, and anytime I made a traffic stop the thought I had in my head was I'm either going to give them a ticket or I'm going to chew them out. I'm really not going to do both. Either the ticket's going to do the talking or I'm going to do the talking and get a message across to the person. We've ticketed the man 125 tickets. Guess what? He had them coming. He didn't respond. That's what's in place for the Village. I have no problem with that. I do have a problem doing that and then shutting him down, then there's no money coming in for him to keep the people who are going to attempt to fix the problem. So I say we gave him the ticket, let's hold his foot to the fire, and let's get this project done.

Tim Geraghty:

Mr. Chairman, before you close the public comments I do want to have one more witness that I do want to recall if that's possible, D.J. Burns.

Tom Terwall:

Sure.

Mike Pollocoff:

I think you've got another one who wants to speak, too.

Tom Terwall:

Did we close the public hearing?

—:

No, you didn't close it yet.

Tim Geraghty:

So before you do I just want to make sure that Mr. Burns can testify at this point.

Tom Terwall:

Do you swear that the testimony you're about to give will be the truth, the whole truth and nothing but the truth so help you God?

Edward Rich:

I do.

Tom Terwall:

Give us your name, address and position.

Edward Rich:

Good afternoon. My name is Edward Rich. I'm the owner and operator of the Culver's in Pleasant Prairie and, wow, a lot of information today. I just want to thank the City and everybody involved for their thoroughness and assuring me as a property owner and a business owner that you're protecting my interest in trying to maintain the level of professionalism in our community.

I feel for the owner of BP Amoco. I'm sure you wake up in the morning where we're here to service our community and service our guests, and the last thing you want is an incident or accident that can cause problems for other people. But I think really the reality is how we handle the situation. It's our character and how we resolve the matter and that's what's important. I look if there's a situation that takes place in the beginning and it was challenging when I decided to build in Pleasant Prairie. Your sign ordinance, corporate says, wow, my gosh, how are you ever going to do this? Are you sure you're in the right community, and I was in question.

But when I learned more and more about the professionalism and maintaining the integrity of what this community is all about I'm just proud to be here. And I learned, and I'll just share with the owner at BP, when issues come up and you don't know, you don't have to get lawyers but just

go to the City and talk to the engineers, talk to Mike Pollocoff or get ahold of people. They're very welcome and they're very willing to help you because there's a lot of things I don't know either. It's an unfortunate situation that took place. But questions come up and there's a lot of issues as we're trying to address and make the right resolution for the site.

But my question for you is I kind of feel like a victim. I didn't do anything, but I have this effluent, and my question is how is that going to be dealt with? Who is going to pay that cost? How is that going to be regulated? That's where I need your help. What are we going to do? Sir, with all due respect, the attorney made a comment that for all these years there's been a sheen. I'll tell you if you look at the picture that happened I've been there, we watch our property, we walk it, there's never been a situation where there's been dirt and you look further down on BP Amoco and it's grass. It's obvious that something took place.

I just hope that the City and BP Amoco – I'm impressed that you've got some people that can help you deal with this situation and get it resolved. I'm a business owner, I'll help you out any way I can. But the concern I have is if this site was contaminated before I never knew about it. And now what value does that do to my property if I ever elect to sell the business? And maybe a question you can help is do I really own that? Is that a right of way? Is that owned by the State, that ditch line, or is that on my – or am I responsible for that?

Tom Terwall:

That's in the State right of way, isn't it, Mike?

Mike Pollocoff:

Well, you know, yeah, that right of way is in there. It doesn't go to the curb that you own, but you have to locate the corner. Really one of the questions that's going around in my mind is digging that occurred in the right of way versus digging that occurred on the property. We don't have any survey information or anything.

Edward Rich:

But that ditch line that supposedly one of the maps I saw –

Mike Pollocoff:

That's the State –

Edward Rich:

– that's potentially contaminated.

Mike Pollocoff:

That's a State drainageway.



Tom Terwall:

Thank you very much. Jean, you had another witness?

Jean Werbie-Harris:

Yes, we'd like to recall D.J. Burns.

Tom Terwall:

You're still under oath, Mr. Burns.

Tim Geraghty:

Mr. Burns, you've heard all the testimony today, and obviously this discharge has been going on for quite some time. Are there any interim treatments that were possible without permits? Is there anything that could have been done to limit that without an extensive permitting process?

D.J. Burns:

Are you saying going forward from this point on?

Tim Geraghty:

Or could have been done in the past or going forward from this point on?

D.J. Burns:

I think as Attorney Gallo and Engineer Patterson pointed out is that originally some consultants working for the owner had talked about this oil and water separator, and I generally agree that that's maybe not the best technology for that. They appear to have been proposing to Engineer Spence a mechanism by which they would treat this discharge and bring it to a no pollution at the end of the pipe level by utilizing carbon. What carbon would do as Attorney Gallo had done is it basically polishes this water and mix or petroleum and water that's going through the pipe or in the granular material under the pipe. It polishes up or cleans out the benzene, the ethylbenzene, the toluene, the xylenes, that type of thing.

I recognize that the type of system that Attorney Gallo is talking about on a permanent basis would take quite a bit to permit, work through with Engineer Spence, get all of the Village approvals, but there exists treatment technologies, they're basically called modular treatment technologies or modular units, that would be packed full of carbon that this discharge water could be run through prior to the actual installation and operation of a long-term treatment system.

Now, I think both Attorney Gallo and Engineer Patterson, if you nod you head, say that there is a technology that exists in that format that could be implemented immediately so as to allow them to meet the discharge limits that are inherent in the Village's own ordinances saying don't let any of this contaminant reach the ditch. So, again, they could bypass or route through the existing

pipng system, shoot this into the modular treatment system and then discharge back into the ditch with some monitoring in place. It would be up to the Village to impose what conditions that might be. But I think then they could discharge clean water prior to the installation of a permanent system. That's an option that I think the Village could consider.

Jim Bandura:

If I may. I like that option. I think that to get it in place quickly is a good option to try and resolve some of the downstream stuff. But one of the things is I really would like to find out how far this has gone downstream and how close it is past the Culver's and into the wetlands. I'd like to know what's happening at the wetlands right now. Because this makes no sense to have this kind of problem. So to that I would recommend us with your side and our side putting a time line together and bringing this back to the Plan Commission for further discussion on this with the caveat that something is put in place right away as you mentioned. So I'm leaving it up to the other Commissioners for their input.

Tom Terwall:

Are we done with the testimony? I'm going to close the public hearing.

Michael McTernan:

I have one thing before we do. Just a note, and it's already in the exhibits. Exhibit 23, the Moraine consultant report on August 10, 2011 emphatically states underlined, highlighted, bold, no petroleum releases from the tanks or from the double walled piping system have ever directly – let me repeat. No petroleum releases from the tanks or from the double walled piping systems directly to the environment have been identified.

And moreover to answer your question in connection, and I know Mike Spence is probably looking for this report that has been provided to us, Exhibit K provides an identification and exhibit that identifies, and also to address issues by the property owner of the Culver's, that sampling has been done along the ditch, and you can't see the map, but on the exhibit it provides the testing and the soil sampling that was done every three to four feet along the ditch all the way to the Culver's site. And the only contamination that exceeded levels was found was in this contaminated zone. As you went past sampling three, four and five, the reports, you look at and I'm not an engineer, I can't look at it – I believe the samples will identify that the problem was very highly isolated along the ditch line in front of the discharge pipe. Mr. Gallo?

Don Gallo:

This is reported as a spill. So to close it out with DNR you have to evaluate all the offsite impacts including not only the ditch in front of Culver's but the impacts to the wetlands.

Tom Terwall:

So are you saying that has been done –

Don Gallo:

No.

Tom Terwall:

– or that it should have been done?

Don Gallo:

Some of it has been done, but it has to be done before DNR will issue a case closure on this new release. So there's a new release open on this site, and to address the concerns of offsite impacts that will have to be resolved with the DNR for closure.

Tom Terwall:

Good.

Michael McTernan:

And the final piece, and I apologize Mr. Koessl for misspeaking when I was identifying Wisconsin taxes collected, and I should have looked directly at my notes. Just so you understand where my numbers are coming from, the site generated approximately \$1.1 million in tax revenue to the State of Wisconsin last year, \$100,000 in C store, convenience store, retail tax, \$60,000 approximately in inspection fees to the State of Wisconsin, and a Wisconsin fuel tax of \$915,300 last year. So my numbers that I was listing when I was telling you that \$1.1 million in tax revenues are collected on the sale of gasoline and store merchandise is payable to the State of Wisconsin, the reason I was mentioning those dollar amounts and why 90 percent of the customers are from Illinois is because our taxes are lower on gas than in Illinois. That was my misstep. If I said it wrong I apologize. That was my mistake.

Wayne Koessl:

Thank you, but in due respect don't mean a thing to me. I'm only concerned about the contamination on that site and what it's doing to the business park, the tenants in there and everything else.

Michael McTernan:

And I agree, and my client is committed to having that resolved. Thank you.

Wayne Koessl:

I don't think he really has been.

Tom Terwall:

Anything further?

Tim Geraghty:

We have no further evidence to present.

Tom Terwall:

Then I'm going to close the public hearing. The only thing left now is there's an issue before the Plan Commission. We can either vote to suspend the conditional use permit, or we can vote to revoke the conditional use permit –

Tim Geraghty:

Mr. Chairman, I hate to interrupt, but the ordinances do say that the next step is really a recommendation by the Zoning Administrator before there's a decision.

Tom Terwall:

Excuse me. Thank you.

Tim Geraghty:

I'm just following the requirements of the ordinance.

Tom Terwall:

Thank you.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, as the Zoning Administrator and after listening to all the testimony and the evidence and everything that's been presented this evening, I am recommending that the public hearing be continued in order to give the Village staff and attorneys our time to be able to review the information that just came to us late last week, as well as to sit down and to have BP Amoco's attorney draft a consent order which can be reviewed and commented on by the Village staff prior to the next Plan Commission meeting. What I'd like to do is I'd like to set a special Plan Commission meeting on September 17<sup>th</sup> at 1:00. That is the third Monday of September where we can consider this consent order.

I have to that as a Zoning Administrator I understand the concerns. The staff has been very frustrated due to the lack of compliance as well as the lack of communication. Specifically some of the things that I'm going to be looking for on behalf of the Village are the assurances that this work is going to be completed in a timely manner, that the work is going to be completed per their schedule, that there will be weekly or bi-monthly meetings with the Village staff to let us

know exactly where they are with respect to the process of complying with the regulations, the timing of the permitting and just keeping the Village informed of exactly what steps that they are going to be taking. So those are some of the things that we're going to want to see in this consent order that is being drafted.

Also before BP Amoco's attorneys and representatives leave I would like to get copies of Exhibits A through N from them this evening before they leave so that we can make it as part of our record. I added up the weeks, and it looks like the original consultant identified 20 weeks to do the work from the submittal of the schedule all the way to getting the work done. And I would like to see as we're working through this, the staff and their staff and their attorneys, that maybe we could refine that a little bit since we will be coming into the winter months within a 20 week time period.

Tom Terwall:

Thank you.

Mike Pollocoff:

I have just a couple minor modifications to Jean's recommendations. One is I recommend we continue the meeting, not the public hearing.

Jean Werbie-Harris:

Okay.

Mike Pollocoff:

As I see this coming about the staff is going to need to look over their documents, evaluate the engineering that's going on with this, but I'd really like to given our history with the property owner I'd like to see letters of engagement of contracts so that we know the people we're dealing with are, in fact, retained and have an agreement to do the work and complete it. So as we work on this document we know we're dealing with somebody who is going to be able to finish this project or get it through to completion so that we don't have a stop. Because if we look at the 17<sup>th</sup> we're basically looking at a five month process going into six months. I think the goal would be not to be at a point where everybody has to throw their hands up and say we can't dig until next May or something like that. That would be my additions to Jean's recommendation for us to proceed to move this onto another step.

Don Hackbarth:

Could we also insist that they put booms down there that no more contamination gets on Mr. Rich's property, that it's replaced regularly.

Jim Bandura:

Right, with the charcoal filter system that was mentioned earlier.

Mike Pollocoff:

I guess I'd defer to their counsel and see if they're willing to do that.

Michael McTernan:

My consultants are more than willing to work with your consultant immediately in the interim to immediately start working on a solution. And in that packet are the contracts with our environmental consultant. I've included that as well because I knew that was an issue that you wanted. But my consultant will work with them immediately and agree to a plan to take care of doing it immediately before we even start working on the final agreement.

Don Hackbarth:

I don't care about consultants. I'm just saying we don't want more stuff going on Ed's property.

Michael McTernan:

I understand.

John Braig:

The hearing is still open?

Tom Terwall:

I closed the hearing.

John Braig:

No, you didn't, you let Jean.

Jean Werbie-Harris:

The hearing is closed.

John Braig:

Okay, comment. This has been trying in many ways. I'm terribly frustrated with what information the staff has presented. I see the position of this group is one of trying to resolve a problem, not being punitive, which means we really can't look at what's happened, we've got to look at where we're going from here. I'd like some assurance, more than what we've heard, I don't know if we can ask for it, but I'd be willing to go for a continuance, but would it be possible to ask for a bond that if when this has not reached the kind of conclusion we want we can collect some money and pay to clean up the job ourselves?

Tom Terwall:

I think you just shut him down.

John Braig:

Well, but then we still have a site with a big expense hanging over it. If we ask for a bond we could get some money to cover the cost of remediation.

Michael Serpe:

I don't think he's paid for any of the \$84,000.

John Braig:

He hasn't paid anything yet. We're hurting like mad. We're going into a bigger hole.

Wayne Koessl:

What size bond would you want?

—:

A couple million.

Michael McTernan:

Your Honor, just so you know, in the consent decree we will stipulate the dollars if we're not performing. We will work that into the agreement. We'll work something to satisfy the Village concerns. We know that is a concern so we will work that in.

Tom Terwall:

If we haven't done so I'm going to close the public hearing. I thought I had done that before.

Wayne Koessl:

The second time.

Tom Terwall:

It's close now. Go ahead, Jim.

Jim Bandura:

With that I would make a recommendation as so stated by Ms. Werbie and staff with the attorneys working together to get something in place quickly. I would recommend to hold off on this for another meeting.

John Braig:

Continue the meeting. What date did you suggest, Jean, for continuing the meeting?

Jean Werbie-Harris:

Monday, September 17<sup>th</sup> at 1:00.

Michael Serpe:

I'll second Jim's motion but I won't be here for that, I'll be in Atlanta.

Tom Terwall:

There's a motion and a second to continue this hearing until September 17<sup>th</sup> at 1 p.m. to reconvene.

Tim Geraghty:

Point of clarification, Mr. Chairman, I think just the hearing has been closed, it would just be the meeting that would be continued?

Tom Terwall:

Right, that's correct. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed?

Wayne Koessl:

Aye, I'm opposed?

Tom Terwall:

Let the record show one opposed.



**5. ADJOURN.**

Tom Terwall:

A motion to adjourn is in order.

John Braig:

So moved.

Larry Zarletti:

Second.

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39TH AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
6:00 P.M.  
September 10, 2012**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on September 10, 2012. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Andrea Rode (Alternate #2) ; Jim Bandura; John Braig; Larry Zarletti; and Judy Juliana (Alternate #1) . Also in attendance were Mike Pollocoff, Village Administrator; Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE AUGUST 13, 2012 PLAN COMMISSION MEETING.**

John Braig:

Move approval as presented in written form.

Don Hackbarth:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY JOHN BRAIG AND SECONDED BY DON HACKBARTH TO APPROVE THE MINUTES OF THE AUGUST 13, 2012 PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? Motion carries.

- 4. CORRESPONDENCE.**
- 5. CITIZEN COMMENTS.**

Tom Terwall:

If any of you folks in the audience wish to speak, now would be your opportunity to do so. We would ask that you step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak?

**6. NEW BUSINESS.**

Tom Terwall:

Jean, you have a comment to make on Items A, B and C as I understand?

Jean Werbie-Harris:

Yes, Mr. Chairman and members of the Plan Commission, Items A, B and C have been recommended to be tabled. Both the property owner and the company petitioner are requesting that these items be tabled and the public hearings be held on October 8, 2012. We have a little bit of information we're trying to put together yet for those hearings. And so everybody will be ready for October 8<sup>th</sup>, and new notices have been sent for the updated info.

Wayne Koessler:

Mr. Chairman, I move we table A, B and C until October 8<sup>th</sup>.

Michael Serpe:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE TO TABLE ITEMS A, B AND C UNTIL THE OCTOBER 8<sup>TH</sup> MEETING OF THE PLEASANT PRAIRIE PLAN COMMISSION. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

John Braig:

Question. Jean, how far south of Bain Station Road is this parcel?

Jean Werbie-Harris:

As shown on the screen it's the property that's currently owned by WisPark, LLC. It's adjacent to the cemetery, and then it runs all the way to the south as you can see just north of the waterway, just west of the power plant.

Don Hackbarth:

Is this the place where they're razing or leveling the dirt?

Tom Terwall:

No.

Jean Werbie-Harris:

They're actually just stockpiling some fill there. They are not doing any grading work or anything, just stockpiling at this point.

John Braig:

But is that the site?

Jean Werbie-Harris:

Yes.

John Braig:

Okay, I got it, thank you.

**D. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-12 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN: to consider the adoption of the Amendment to the Regional Water Quality Management Plan Greater Kenosha Area adopted by the Southeastern Wisconsin Regional Planning Commission in June 2012 as a component of the Village's Comprehensive Plan and to create Section 390-6 F to specifically list this Plan as a component of the Village's Comprehensive Plan. In addition, to add a notation to the following Maps within the Comprehensive Plan to reference the adoption of said amendment: 1) Map 5.1 entitled "2010 Pleasant Prairie Sewer Utility District and Lake Michigan Sewer Utility District Boundaries"; 2) Map 5.2 entitled "Detailed Adopted Sanitary Sewer Service Areas within the Pleasant Prairie Sewer Utility District"; and 3) Map 5.3 entitled "Generalized Adopted Sanitary Sewer Service Areas and Existing Areas Served by Sewer".**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a presentation for a public hearing to amend the Village's Comprehensive Plan in order to consider the adoption of the amendment to

the Regional Water Quality Management Plan Greater Kenosha Area adopted by SEWRPC in June of 2012 as a component of the Village's Comprehensive Plan as well as to specifically list this plan as a component of our Comprehensive Plan. In addition, there will be notations on the following maps that we'll be showing to you that reference the adoption of the amendment including 5.1 entitled 2010 Pleasant Prairie Sewer Utility District and Lake Michigan Sewer Utility District Boundaries; Map 5.2 entitled Detailed Adopted Sanitary Sewer Service Areas within the Pleasant Prairie Sewer Utility District; and Map 5.3 entitled Generalized Adopted Sanitary Sewer Service Areas and Existing Areas Served by Sewer.

You have also before you a copy of a resolution which is 12-12 which actually describes these amendments. Specifically pursuant to the statutes SEWRPC at a meeting originally adopted a Regional Water Quality Management Plan for Southeast Wisconsin 2000. They have since adopted an amendment to the Regional Water Quality Service Plan, and that was entitled 106, Sanitary Sewer Service Area for the City of Kenosha and the Environs, Kenosha County, Wisconsin, and that was done in 1985. And then by letter dated in February of 2012 the Kenosha Water Utility requested that SEWRPC again amend the plan and amend the sanitary sewer service area to include some lands located outside of the currently adopted sewer service area.

The proposed amendment is included this evening as part of our amendment as well. In response to that SEWRPC has, in fact, adopted the amendments. The slides and your packets identify the areas in Pleasant Prairie that have been added to the greater Kenosha sanitary sewer service area. As you can see, these are the areas that are west of the interstate for the Uline property. Again, it adds kind of that additional area west of the Uline main building. So it's area A and area B. It's hard to see a little bit, because one area is actually in the City of Kenosha north of Highway 50 adjacent to I-94. And the other area is that area west of where the current Uline facility is located.

Again, as part of our Comprehensive Plan update we have to amend and include these plans as part of our comprehensive plan, and that is the whole purpose of our public hearing this evening is to include these updated maps and plans as part of our Comprehensive Plan. This is a matter for public hearing. And attached also in the information is actually the written narrative and the approval documentation from SEWRPC for these amendments.

As I mentioned, generally the amendments that are shown for specifically us, the Map 5.1 and 5.2 what we're doing is we're adding basically a paragraph that says refer to the amendment to the Regional Water Quality Management Plan for the greater Kenosha area as adopted on such and such a date to show the amended boundary of the Pleasant Prairie District. We decided not to go through the plan and put in a lot of extra narrative but basically just to amend the referenced three maps, and then these will be exhibits or additional attachments that we will have for the resolution and for the Village files.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Hearing none I'll close the public hearing and open it to comments and questions from Commissioners and staff.

Michael Serpe:

I'd move approval of Resolution 12-12.

Wayne Koessl:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY WAYNE KOESSL TO APPROVE RESOLUTION 12-12 SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**E. PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #12-05 (including Site and Operational plans) for the request of William Faber, agent for Skyfield Partners, LLC, agent, representing AT&T Mobility for the approval of an amendment to Conditional Use Permit #12-05 including Site and Operational Plans to include the installation of an additional microwave dish antenna to be mounted on the existing tower at 140 feet as part of the antennas upgrade of the existing cell tower located at 8851 Green Bay Road on property owned by Uttech Tower Land LLC, as approved by the Plan Commission on June 11, 2012.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a public hearing in consideration of an amendment to a conditional use permit 12-05 which includes site and operational plans at the request of William Faber, agent for Skyfield Partners, LLC, agent, representing AT&T Mobility for the approval of an amendment to conditional use permit #12-05 including site and operational plans to include the installation of an additional microwave dish antenna to be mounted on the existing tower at 140 feet as part of the antenna's upgrade of the existing cell tower located at 8851 Green Bay Road on property owned by Uttech Tower Land LLC, and as originally approved by the Plan Commission on June 11, 2012.

As this is a public hearing and it's a conditional use, as part of the public hearing comments and as part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and they're presented and described below. And I'll read them as part of the public record.

## Findings of Fact

1. AT&T Mobility is requesting to amend conditional use permit #12-05 including site and operational Plans as approved by the Plan Commission on June 11, 2012 to include the installation of an additional microwave dish antenna to be mounted on the existing tower at 140 feet as part of the antennas upgrade of the existing cell tower which is located at 8851 Green Bay Road on property owned by Uttech Tower Land LLC as provided in Exhibit 1.
2. On June 11, 2012, the Plan Commission approved conditional use permit #12-05 including site and operational plans for AT&T Mobility to remove six existing older model panel antennas and add three new LTE/4G panel antennas; to add three new remote radio units on the same bracket as the new antennas; and to install new fiber optic cable into the existing equipment shelter for streaming large amounts of data that will require a new fiber slack box to be placed on the existing ice bridge to store the extra fiber cable; and to install a new GPS antenna for the new LTE system on the existing ice bridge. This is provided as Exhibits 2 and 3.
3. The subject property is located in a part of the Southwest One-Quarter of U.S. Public Land Survey Section 15, Township 1 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County, Wisconsin and further identified as Tax Parcel Number 92-4-122-153-0020.
4. The area of the subject property where the commercial communication structure is located is zoned I-1, Institutional District, and a portion of the property near the structure site is located within the 100-year floodplain. A commercial communication structure and associated equipment and any modifications are allowed with approval of a conditional use permit in the I-1 District.
5. The Communication Act of 1934 is the federal regulation, which governs the telecommunications industry. There are guidelines that govern what information may be considered as part of the zoning approval process. That is, as long as the antenna facility complies with emissions standards established by the FCC it's considered that there are no health or safety risks posed by the equipment. Therefore, local zoning authorities may not directly or indirectly consider health and safety issues during the zoning process when considering a telecommunications facility when it falls under this section.
6. The petitioner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on August 23, 2012 regarding this public hearing for the proposed amendment. Notices were published in the *Kenosha News* on August 27, and September 3, 2012.
7. The Village emailed the petitioner a copy of this staff report on September 7, 2012.
8. According to the Village zoning ordinance, the Plan Commission shall not approve a conditional use permit unless they find after viewing the findings of fact, the application and related materials, as well as the information presented at the hearing tonight, that the project as planned, will not violate the intent and purpose of all Village ordinance and meets the minimum standards for granting of a conditional use permit. In addition, the

Plan Commission shall not approve any site and operational plan application without finding in the decision that the application, coupled with the satisfactions of any conditions of approval, that they will comply with all applicable Village ordinance requirements and all other applicable federal, state or local requirements regarding this project for the land.

With that I'd like to continue the public hearing. Again, the Village staff findings, conclusions and recommendations would be all included as part of this public record.

Tom Terwall:

Is there anybody wishing to speak on this matter? Yes, sir? We need your name and address to begin.

William Faber:

My name is William Faber. I'm the site acquisition consultant for AT&T. My address is 738 West Randall in Chicago, Illinois. I guess I would just simply like to confirm that all the information provided adequately and accurately represents the proposed project. And if there are any other questions from the Board I would be happy to answer them.

Tom Terwall:

Thank you. Anybody else wishing to speak? Anybody else? Hearing none, I'll close the public hearing and open it up to comments and questions from Commissioners and staff.

John Braig:

I'm looking at the Village staff findings, Item E. There is no existing identified hazard. When we put something that high in the air there is something of a hazard. What does the Village do to satisfy that this tower is capable of accepting additional load?

Jean Werbie-Harris:

The petitioner needs to provide a copy of the structural analysis to verify that any additional antennas that are added to the tower can support the additional load. In fact, condition number 4 of the conditions of approval it talks – I'm sorry? Number 2? A revised structural analysis shall be provided to the Village for review. Any improvements to the tower shall be required to ensure that the new equipment can be supported on the existing tower. Actually, there are a couple of comments that all address those concerns, and they will need to address those before –

John Braig:

Before actual construction.

Jean Werbie-Harris:

– they can add additional antennas on the tower.



John Braig:

And is that reviewed by the Village Engineer?

Jean Werbie-Harris:

Yes, it is.

John Braig:

I guess that's okay. That should almost be included then as a comment under the Village staff findings.

Jean Werbie-Harris:

It will be as part of our discussion this evening, and we'll make sure it is in the future.

John Braig:

Okay, I'm happy.

Tom Terwall:

Anybody else?

Don Hackbarth:

You may have done this before, but comment number 5, findings of fact, what is the reasoning behind we can't consider any health or safety risks by the equipment? I would like that explained again.

Jean Werbie-Harris:

It's a federal law. This was a paragraph that was prepared by the Village's attorney and has been updated by our other Village attorney. And basically when federal laws – our local ordinances cannot supersede federal law, cases or case law. So I put this in here so that it's very clear that local zoning authorities for health related reasons can't disapprove of a cell tower. There might be other environmental or locational reasons that are within the authority of the Village Plan Commission that we consider –

Don Hackbarth:

Doesn't that kind of handcuff us?

Jean Werbie-Harris:

Well, it's out of our jurisdiction and authority.

Tom Terwall:

The FCC regulations address that. I recall we went through this when WLIP built the new station. There were people that lived on the east side of Green Bay Road that they didn't want that tower there because it was going to cause them cancer. It hasn't happened yet.

John Braig:

It's my guess that the feds wanted to keep it out of the hands of amateurs.

Tom Terwall:

Anybody else? If not, I'll entertain a motion.

Don Hackbarth:

So moved.

John Braig:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JOHN BRAIG TO APPROVE THE AMENDMENT TO CONDITIONAL USE PERMIT 12-05 INCLUDING A SITE AND OPERATIONAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM INCLUDING THE COMMENTS MADE TONIGHT. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

**F. Consider the discontinuance of a portion of 120th Avenue (West Frontage Road) north of 104th Street which has been relocated as a part of the IH-94 reconstruction.**

Jean Werbie-Harris:

Mr. Chairman, I would ask that Items F and G be considered at the same time. I'm going to be referring to both of them as part of my presentation.

John Braig:

So moved.

Larry Zarletti:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY JOHN BRAIG AND SECONDED BY LARRY ZARLETTI TO COMBINE ITEMS F AND G FOR DISCUSSION PURPOSES, BUT TWO SEPARATE MOTIONS WILL BE REQUIRED. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**G. Consider approval of the Certified Survey Map for KABA Development LLC, owner, to dedicate a portion of 120th Avenue (West Frontage Road) north of 104th Street which was relocated as a part of the IH-94 reconstruction.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, the next two items are interrelated. The first item is to consider the discontinuance of a portion of 120<sup>th</sup> Avenue, the West Frontage Road, north of 104th Street which has been relocated as a part of the I-94 reconstruction project.

And the second item is to consider approval of the certified survey map for KABA Development LLC, owner, to dedicate a portion of 120<sup>th</sup> Avenue for the West Frontage Road north of 104<sup>th</sup> Street which was relocated as a part of the I-94 reconstruction.

On August 6, 2012 the Village Board approved Resolution #12-24 to initiate the discontinuance of a portion of 120<sup>th</sup> Avenue, the West Frontage Road right-of-way, north of 104<sup>th</sup> Street which has been designated as a public right-of-way. This portion of 120<sup>th</sup> Avenue West Frontage Road has been reconstructed as part of the I-94 reconstruction project, and the existing right-of-way is no longer required for roadway purposes. Municipal sanitary sewer and water infrastructure that was constructed in the right-of-way would remain in an easement that is granted to the Village upon the discontinuance.

On August 24, 2012, all required property owners were notified via regular mail; and the required class 3 notice was published in the *Kenosha News* on August 27, September 3 and September 10, 2012 to notify the public of the public hearing being held by the Village Board on September 17, 2012. Again, the public hearings for discontinuance or vacations of public streets are held by the Village Board. The land on both sides of the proposed street discontinuance is owned by KABA Development LLC. Therefore, upon vacation of this portion of 120<sup>th</sup> Avenue the land will be transferred to KABA Development LLC.

In addition to the proposed discontinuance of this portion of the street the Village and KABA are requesting approval of a certified survey map that will dedicate the reconstructed 120<sup>th</sup> Avenue. The area to the north and west of the reconstructed 120<sup>th</sup> Avenue is identified as Lot 1, and the land to the south and east of the reconstructed 120<sup>th</sup> Avenue is identified as Lot 2.

Lot 1 is proposed to be 10.69 acres and Lot 2 is proposed to be 29.48 acres. The required easements for the existing sewer and water infrastructure will need to be clearly shown on Lot 2. Prior to the development of Lots 1 and 2, a revised conceptual plan will need to be submitted and amendments to the Planned Development District No. 1 (PDD-1) may be required. Upon review of the conceptual plan amendments to the 2035 Comprehensive Land Use Plan and the Village zoning map also may be required prior to the development of the lots.

And then two other things that I do need to add to the CSM covers the wetland preservation language and floodplain reference language as well, and I will make sure that those two things get on the certified survey map before it goes to the Village Board. With that, the staff recommends approval.

The fact with respect to 120<sup>th</sup> Avenue that there's been a jurisdictional transfer that has occurred to the Wisconsin Department of Transportation, so one of the other conditions of approval will be that the Secretary of the Department of Transportation for the State of Wisconsin also must approve of this transfer. Since the construction of the roadway is complete, I would think that it's just a formality for the secretary to approve the transfer.

Tom Terwall:

Any comments or questions? Hearing none, I need a motion to recommend approval to the Village Board to consider the discontinuance of a portion of 120<sup>th</sup> Avenue.

Michael Serpe:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

**MOVED BY MIKE SERPE AND SECONDED BY WAYNE KOESSL TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE DISCONTINUANCE OF A PORTION OF THE WEST FRONTAGE ROAD. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. And then we need a motion to send a favorable recommendation to the Village Board to approve the CSM.

Larry Zarletti:

Mr. Chairman, move to approve Item G.

John Braig:

Second.

Tom Terwall:

**MOVED BY LARRY ZARLETTI AND SECONDED BY JOHN BRAIG TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**7. ADJOURN.**

John Braig:

Move adjournment.

Michael Serpe:

Second.

Tom Terwall:

All in favor?

Voices:

Aye.

Tom Terwall:

We stand adjourned.

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39TH AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
6:00 P.M.  
September 17, 2012**

A special meeting for the Pleasant Prairie Plan Commission convened at 1:00 p.m. on September 17, 2012. Those in attendance were Thomas Terwall; Wayne Koessl; Jim Bandura; John Braig and Larry Zarletti. Michael Serpe, Donald Hackbarth, Andrea Rode (Alternate #2) and Judy Juliana (Alternate #1) were excused. Also in attendance were Mike Pollocoff, Village Administrator; Tom Shircel, Assistant Village Administrator, Jean Werbie-Harris, Community Development Director and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CITIZEN COMMENTS.**
- 4. OLD BUSINESS.**
  - A. CONTINUED CONSIDERATION OF A REVOCATION OR SUSPENSION OF CONDITIONAL USE PERMIT #01-11 that was approved by the Village Plan Commission on June 25, 2001 that allows BP Amoco to operate the gasoline station and convenience store located at 10477 120th Avenue. This hearing specifically relates to the written complaint filed by the Village Zoning Administrator regarding BP Amoco's noncompliance with the terms of said Conditional Use Permit and their violation of Village Ordinance Section 420-145 G., as it relates to "standards for conditional uses" and specifically Section 420-38 D., Water Quality Protection performance standards.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, this is a meeting today as a continued consideration of a revocation or suspension of conditional use permit. As you know, at our last Plan Commission meeting we did close the public hearing, and we thought we'd be ready for further deliberations today. However, we have been meeting with counsel and representatives from BP, and we are almost there. We have put together a stipulation and settlement agreement, and we are finalizing some of those details. We just have not got it completed.

At this point one of the stipulations is going to be that the petitioner needs to file for a new conditional use permit and a new planned unit development for this particular site and location. And because of the requirements for the publication and the hearing notice we weren't able to put that together for the meeting today. So we are requesting that this matter be continued or tabled until October 15<sup>th</sup> at three o'clock. And at that time the Plan Commission would take up the

settlement agreement, the conditional use permit as well as the planned unit development. And the last two items would require a public hearing. But we are working with them diligently. They have come up with some temporary solutions to implement, and they're going to be implementing some of those this week. Mike Spence and Mike Pollocoff have been meeting with the attorneys on a regular basis, and it looks like we hope to wrap things up in the next week or so and be ready for that meeting on the 15<sup>th</sup>. Again, they are going to be implementing some temporary measures starting this week.

One of the things that you'll see out there, and I'm going to just give you some brief information, Mike Spence is more knowledgeable about this, but basically they're going to be installing a frac tank which is a steel vessel on wheels designed to hold up to 21,000 gallons of water. The water is going to be pumped out of the tank basins and stored in the frac tank for the next couple of weeks. And eventually the water from the frac tank will be pumped out through a carbon filtration system to be cleaned. The goal is to lower the groundwater levels in the tank field so that they can replace the catch basin and install the clay collar in front of the discharge pipes and lower the risk of having this water flowing into the ditch during these repairs. So it's kind of a brief summary. And, again, Mike can probably go into a little bit more detail. But those are some of the things that our experts, their experts, we've been sitting down talking, working through all of those details.

John Braig:

You refer to experts. Are these consultants specialized in the field?

Jean Werbie-Harris:

Yes.

Tom Terwall:

Mike, either one, are you convinced that when we're done that we're not going to have slim flowing past Culver's anymore?

Mike Spence:

Mike Spence, 9915 39<sup>th</sup> Avenue. We're dealing with two professional consultants, environmental consultants on this project. One has been hired by BP, and as you know the Village has hired another one. So those two consultants as well as myself have been talking on a regular basis. The approaches that they are taking I think are reasonable approaches and approaches that ultimately should eliminate any discharge to the ditch.

It's been a little bit more involved because as you know from the hearing the site is contaminated so there's a lot of issues at play here. As Jean mentioned, the installation of the frac tank which I'm planning on going out there today, they were supposed to deliver that today, and what they're doing is they're going to be pumping out the sump field around the existing piping and the tanks. Because that water is contaminated, and it's basically pushing – it's got a head on the groundwater and it's pushing it toward the ditch. So that's the initial step to try to get that water

out of there and reduce the head. And then they're going to be putting in the carbon systems for actually treating the water that they take out, the clay dam that Jean mentioned.

The other thing that's at play here on this site is that when you have a pipe that's discharging to the ditch there's also the sanitary sewer. When it was backfilled it's backfilled with granular material, and when there's water in the groundwater that acts as a conveyance. So part of the plan is actually to put like a concrete collar around these pipes to prevent the lateral movement of water. So I guess that's a long answer, but I feel confident that the steps being taken if implemented properly will address this situation.

Tom Terwall:

Has the Village or anybody taken soil samples east of Culver's to determine how far east this contamination has gone? Do we know that?

Mike Spence:

There were samples that were taken a while back, but part of the plan right now that we're working on in the settlement agreement is to actually do a comprehensive investigation program. So the environmental consultant for the owner as well as our consultant will agree to a plan to go out and monitor the soil. It may be like an iterative process because what they'll do is they'll go out and take certain samples. And if the perimeter samples still have evidence of contamination then we keep expanding the area that we look at. That plan hasn't been developed yet. That's one of the things we're working on.

Larry Zarletti:

It was my understanding at the last meeting that it could be determined if it was an old contamination or new contamination. Has there been any testing or will there be any testing to determine the contaminant that's in the ground is it caused by the station that's there because they sprung a leak somewhere? Or, is this contamination from a previous time that had been capped and now is resurfacing?

Mike Spence:

There have been sampling events over the past year, and I know that's been an item that's been disputed by the owner. And I know at the last hearing the owner or the owner's counsel was saying that it was an old release. That's still up for debate. Because some of the concentrations that we've seen out there are relatively high. And the contaminants that we're dealing with are called volatile contaminants, and that means with time they volatilize and the concentrations would actually go down. So when you have a high concentration that's more indicative of what you'd say a recent spill.

Larry Zarletti:

And the reason I ask the question is if, in fact, it is a new situation then what has been done to figure out where it's coming from? Because from what I'm hearing is we're remediating a problem that's in the ground now, we're trying to get rid of what's there. But if we don't



determine that it was already there and we're just fixing it versus it's still coming from something that's broken or not functioning properly on the property.

Mike Spence:

We're actually addressing both items of that concern. The pumping of the groundwater now is dealing really with a potential or with the overall site being contaminated. But there's other items that are going to be taken such as replacing the manhole at the northern end because there's water getting in there. So that's going to be replaced. So whether it's old or new the steps being taken are basically going to button up the whole site. We've had some conversations with the DOT, and they're convinced that the previous work done on the site basically isolated the contaminants. And I believe it's their feeling that any high readings right now are evidence of a new leak.

Larry Zarletti:

But I'm back to the question of where's the leak coming from? I'll be more clear. If the tanks that are in the ground for the existing station had a crack in them or something that was causing fuel to leak out of there, we're fixing what's in the ground but we're not identifying where it actually came from. That's my question.

Mike Spence:

It's coming from contaminants that are in the soil. It's not that the current tanks are leaking. The owner replaced all the supply piping, and they did checks of the tightness of the tanks. That work has all been done. So the infrastructure on the site is being buttoned up. I don't know how else to answer that at this point.

Mike Pollocoff:

I think what Mike is saying is they have to do a complete systemic evaluation of the entire site. And what might be defined as a new leak could still be in the soil. It may be new relative to what was described as a much older leak. But given the fact that this site has sat as long as it did without anybody, without the owner taking steps to get after it, he's bearing the burden now of having to go after everything. Just kind of like the buckshot approach to catch whatever might be out there because it's, in fact, happening on an ongoing basis and they've got to be able to deal with it. So even though he's replaced all the piping and the current tanks have been verified to be leaking, that leakage that would have occurred at some point within the last year and a half would still qualify as a new leak.

Larry Zarletti:

So we feel the event is over? The event that caused the contaminant to be put in the ground is over, now it's just dealing with what's in the ground?

Mike Pollocoff:

Well, I don't think we'll know if it's over until we can go through a period of time and do the frac testing and see what comes off that tank to see what we have.

Mike Spence:

Right. I mean as part of this plan, too, to be sure that what we're doing is ultimately going to address the problem, the ultimate plan is going to include continued monitoring so that we know that if there's any increases in contaminants then they're going to have to address that as continued compliance monitoring is part of the program.

Tom Terwall:

Mike, do you and the experts feel that any contamination leaving the site is leaving it to the east, or can it be going in other directions as well? I mean the groundwater would flow east from there would it not?

Mike Spence:

The groundwater does flow in a east/northeast pattern. That's a good question. Another thing that we're probably going to recommend is some isolated monitoring wells on the east side of the BP property to ascertain if there's any contamination going due east. But we know for a fact that the groundwater does go to the northeast, and that's what's caused the problem in the ditch.

Mike Pollocoff:

And we've been in a relatively dry year so the groundwater is not what it normally is.

John Braig:

I've got three concerns on this, and I think it probably represents what we all feel here. I've got full confidence that the staff is working on it and will achieve it eventually. But obviously one is to clean this place up, solve the problem. Two is the Village has got to come out of this thing financially whole. It shouldn't cost the Village anything for this problem. And the third one if it is one is we hope we got these peoples' attention, and the next time there's a problem we get good response from them promptly. And I'm sure staff is working on this, there's no question.

Tom Terwall:

I had somebody question me about are you guys going to relieve him of the \$80,000 in fine. I said, first of all, that's not a Plan Commission decision. If you want my recommendation I'd be more than happy to make one. But that's between him and the judge is it not?

Mike Pollocoff:

As part of the consent order we could make a recommendation. Again, like you said, it's up to the judge of what we think it should be reduced to. But any reduction has to be tempered by the expenses that the Village has incurred to handle this. That would probably I'm assuming be the most contentious negotiation of the consent.

Mike Spence:

And I can also add to that in our meetings the owner's attorney has acknowledged the fact that we are incurring expenses and that he has indicated that that would be a reasonable expense that would have to be [inaudible].

Wayne Koessl:

Through the Chair to Jean. If we table this until October 15<sup>th</sup> is that going to be a continuation of the revocation or suspension or a new conditional use permit?

Jean Werbie-Harris:

We actually have to take some action specifically on this item. We've started the item, we've held the public hearing, you have not had your final deliberations, and typically that will come after a presentation by the staff and by the petitioner. So we will continue this item, and then we'll also put those other specific three items on the agenda. So those will be the only four items that will be on that agenda for the Plan Commission on October 15<sup>th</sup> at three o'clock.

Wayne Koessl:

Do you think everything will be in place by the 15<sup>th</sup> of October?

Jean Werbie-Harris:

Yes.

Wayne Koessl:

Okay, thank you.

Tom Terwall:

Anybody else? What's your pleasure?

Larry Zarletti:

Mr. Chairman, I would move we table this until the 15<sup>th</sup> of October.

John Braig:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? My compliments to the staff for your diligence in this project. It seems like we couldn't get this guy's attention until the word revocation came up. And now all of a sudden he hired an attorney. I appreciate your patience, but I think it's gone far enough.

Mike Pollocoff:

We have some more productive things we could be doing.

Tom Terwall:

I'm sure Mike's got other things he'd rather do, too.

**5. ADJOURN.**

John Braig:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

All in favor say aye.

Voices:

Aye.

Tom Terwall:

Opposed? We stand adjourned.

**VILLAGE STAFF REPORT OF OCTOBER 8, 2012**

**THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME  
HOWEVER SEPARATE ACTION IS REQUIRED.**

- A. **(Old Business) TABLED PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-11 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88<sup>th</sup> Avenue and south of Bain Station Road for the development of a proposed warehouse distribution building 1) to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to change the low-medium density residential land use designation and the Park, Recreation and Other Open Space Lands (not within any wetlands or 100 year floodplain designation) to the Industrial Land Use designation with a General Industrial category and removal of the Urban Reserve Area; and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment and 2) to amend a portion of the Pleasant Farms Neighborhood Plan to remove the residential single family lots adjacent to the cemetery, to allow the entire property to develop as Industrial (except for field delineated wetlands and the 100-year floodplain) and to amend the proposed layout of proposed roadways within and adjacent to the property.
- A. **(New Business) PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-11 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co to amend a portion of the Pleasant Farms Neighborhood Plan to relocate the proposed future high school site to the west; to amend a portion of the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to reflect the proposed location change of the future high school site; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment.

**Recommendation:** Village staff recommends approval of **Plan Commission Resolution #12-11** to approve amendments to the Comprehensive Plan as outlined in said Resolution.

- B. **(Old Business) TABLED PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88<sup>th</sup> Avenue and south of Bain Station Road for the development of a proposed 1.2 million square foot warehouse/distribution facility building to be known as Majestic Center.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Conceptual Plan** subject to the comments and conditions of the Village Staff Report of October 8, 2012.

- C. **(Old Business) TABLED PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AND TEXT AMENDMENT** for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88<sup>th</sup> Avenue and south of Bain Station Road to rezone a portion of the property that is zoned A-2, General Agricultural District into the M-2, General Manufacturing District.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Map Amendment** as presented in the Village Staff Report of October 8, 2012.

*The petitioner is requesting several approvals for the development of approximately 88 acres of land located within the Pleasant Farms Neighborhood for a 1.2 million square foot warehouse/distribution facility to be known as Majestic Center, which would be generally located on the east side of 88<sup>th</sup> Avenue and south of Bain Station Road.*

### **Conceptual Plan**

At this time, there is no defined user for the building. The Conceptual Plan indicates that a 1.18 million square foot warehouse/distribution center is proposed but the building could be built in phases--initially as a 750,400 square foot building with a 430,080 square foot expansion. Startup is anticipated for 2013 with approximately 100 employees. It is likely that the facility could house two (2) shifts with approximately 25-50 employees per shift. When a defined user is identified, the exact hours and employment information will be provided to the Village.

### **Site and Operational Plans**

Prior to issuance of permits, Site and Operational Plan approval is required for the building and site work proposed to be constructed. Site and Operational Plans must be prepared pursuant to Article IX of the Village Zoning Ordinance. Along with these plans, the Traffic Impact Analysis (TIA) must be completed per the identified scope of work provided by Kenosha County and the Village. [NOTE: any tenant that proposes to use/occupy 50% or more of a speculative building will also require Site and Operation Plan approval from the Plan Commission. Also, depending on the use proposed, the tenants may also require a Conditional Use Permit/Site and Operational Plan approval from the Plan Commission].

The Village Zoning Ordinance provides a process for a Preliminary Site and Operational Plan approval by the Plan Commission which would allow mass grading of the site. This option may be utilized if a floodplain boundary amendment is proposed to be completed prior to the building development on the site. More detailed grading, drainage, stormwater management plans and floodplain boundary adjustment plans and calculations will need to be submitted for the Village staff's review in order to complete the mass grading and floodplain boundary adjustment work on the site.

### **Certified Survey Map**

A Certified Survey Map (CSM) will be required for the site development. The CSM must identify the dedication of additional right-of-way (dedicated public street area) along County Trunk Highway (CTH) H Avenue per Kenosha County's requirements of 60 feet from the centerline and the dedication of the following easements: 1) storm water management facilities/retention ponds easement; 2) relocation or expansion of the existing public sanitary sewer, access and maintenance easement; 3) landscape, berm and plantings, access and maintenance easement along CTH H; 4) wetland preservation and protection, access and maintenance easements; 5) floodplain preservation and protection, access and maintenance easements; and 6) woodland preservation and protection, access and maintenance easements.

### **2035 Comprehensive Plan**

On December 19, 2009 the Village Board adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan*. The 2035 Comprehensive Land Use Plan Map 9.9 sets forth the generalized land use designations of the Village and shall be consistent with other components of the Comprehensive Plan including Neighborhood Plans and the Village Zoning Map. Neighborhood Plans serve as a refinement to the 2035 Comprehensive Land Use Map and identify the location of future lot and roadway configurations, proposed floodplain boundary adjustments, future stormwater facilities and access to roadways pursuant to the land uses identified on the 2035 Comprehensive Land Use Plan Map 9.9.

The Village's 2035 Comprehensive Land Use Plan Map 9.9 is consistent with the current multiple zoning designations on the property. The majority of the property is currently zoned M-2, General Manufacturing District, a portion of the property to the north is zoned A-2, General Agricultural District, and portions of the property in the south and north areas are zoned C-1, Lowland Resource Conservancy District and FPO, Floodplain Overlay District.

However, the petitioner is requesting to amend the Village's Comprehensive Land Use Plan Map 9.9 and a portion of the Pleasant Farms Neighborhood Plan to be able to develop the entire site within the General Manufacturing District while preserving the wetlands and some floodplains and woodlands on the site. The 100-year floodplain is proposed to be modified as further discussed below. Separate amendments to the Village Zoning Map and the Comprehensive Land Use Plan will be required if and when the 100-year floodplain is proposed to be amended.

### **Pleasant Farms Neighborhood**

The Pleasant Farms Neighborhood is generally bounded by Bain Station Road and Wilmot Road (CTH C) on the north, IH-94 on the west, the CP Railroad on the east and approximately 93<sup>rd</sup> Street on the south. The Neighborhood is located in a part of U.S. Public Land Survey Sections 16, 17 and 18 in Township 1 North, Range 22 East in the Village.

The petitioner submitted their first amendment to the Prairie Farms Neighborhood in July, 2012. On August 10, 2012 the required 30-day notice was published in the Kenosha News for the September 10, 2012 public hearing to be held by the Village Plan Commission. On August 10, 2012 notices were sent to the property owners within 300 feet of the proposed Neighborhood Plan area. This matter was then tabled by the Plan Commission at their meeting because a second amendment was submitted for the same neighborhood by the petitioners. On September 8, 2012 another 30-day notice was published in the Kenosha News for the October 8, 2012 public hearing to be held by the Village Plan Commission and on September 8, 2012 notices were sent again to property owners within 300 feet of the proposed Neighborhood Plan area. Both requests are being considered at the October 8<sup>th</sup> Plan Commission meeting.

Request 1: The first request from the petitioner is to amend the Neighborhood Plan and 2035 Comprehensive Plan to allow for the development of manufacturing land uses east of 88<sup>th</sup> Avenue for the entire property identified as Tax Parcel Number 92-4-122-162-0301. This amendment requires the re-configuration of proposed public streets and lots on the property and to areas to the north and west of the development site.

Request 2: The second request from the petitioner is to amend the Neighborhood Plan and the 2035 Comprehensive Plan to identify the relocation of the proposed high school site from the west side of 88<sup>th</sup> Avenue to a more south-central location in the neighborhood in order to minimize the potential for conflicts between semi-truck traffic and school buses/automobile traffic on 88<sup>th</sup> Avenue.

The Village staff has discussed the school site location with the Kenosha Unified School District staff and they support the relocation of the future high school site further west in the south central portion of the Neighborhood. With the relocation of the school site, the Village staff is recommending that a multi-family area be shown adjacent to 88<sup>th</sup> Avenue where the proposed high school site was originally located. As a result of this relocation of the school, the roadways and single family lot layouts have been modified slightly and additional intersections, including roundabouts in the Neighborhood have been identified. Further study and traffic impact analysis work are required when and if future roadway improvements or roundabouts are constructed.

In addition, the amendment to the Neighborhood Plan also shows the as-built location of the Village sanitary sewer that was constructed as a part of the abandonment of Sewer D

Sewerage Treatment Plant work. See **Exhibit 1** of Plan Commission Resolution #12-11 for specific details of the Neighborhood Plan Amendment.

In addition to these changes in the Neighborhood Plan, the 2035 Comprehensive Land Use Plan Map 9.9 is being amended to ensure that the Land Use Plan is consistent with the Pleasant Farm Neighborhood Plan Amendment. Plan Commission Resolution #12-11 **Exhibit 2** shows the amendments to the 2035 Comprehensive Land Use Plan Map 9.9.

### **Zoning Map Amendment**

As required by the Village Comprehensive Plan, the Zoning Map and the Comprehensive Land Use Plan Map 9.9 shall also be consistent. Therefore, in addition to the above noted amendments to the Comprehensive Plan, the following Zoning Map Amendments are being proposed on the property by Majestic Realty Co. (Tax Parcel Number 92-4-122-162-0301). The portions of the property that are zoned A-2, General Agricultural District are proposed to be rezoned into the M-2, General Manufacturing District. Portions of the property within the 100-year floodplain that are zoned FPO, Floodplain Overlay District and C-1, Lowland Resource Conservancy District will remain unchanged at this time. [Note: Upon the completion of detailed wetland field delineation and the 100-year floodplain field survey (including floodplain boundary adjustments) additional amendments to the 2035 Comprehensive Land Use Plan and Zoning Map will be required. See comments below].

### **Wetland, Shoreland, Floodplain and Woodland Delineations**

**Wetlands:** The wetlands were evaluated on the site in 1999 but need to be re-evaluated by a certified biologist since wetland delineations per the WI Department of Natural Resources (WI DNR), are only valid for five (5) years. If the locations of the wetlands have changed, then the Village Zoning Map and the Land Use Plan Map will need to be amended. The wetland areas not to be disturbed will be required to be shown in a Wetland Preservation and Protection, Access and Maintenance Easement on the CSM. Legal descriptions of the WI DNR approved wetland delineations will also be required to be shown on the CSM.

**Shorelands:** Jerome Creek is located adjacent to the property. This Creek has been determined to be a navigable waterway. The location of the Ordinary High Water Mark (OHWM) shall be field identified by the WI DNR and shown on the plans with a legal description. The Plans shall also show the location of the 75 foot OHWM setback and the 300 foot shoreland jurisdictional area. Any work within 75 feet of the OHWM will require approval of a Stipulated Shoreland Permit and any work within 300 feet may require additional permits from the WI DNR.

**Floodplains:** The location of the 100-year floodplain associated with Jerome Creek shall be field delineated pursuant to the *attached* DFIRM Map panel 191D dated June 19, 2012 and the associated table for the Jerome Creek which identifies the 100-year floodplain elevations. The plans shall only show the location of the 100-year floodplain based on actual field survey elevations as depicted on the DFIRM Maps. According to the DFIRM Maps a portion of the 100-year floodplain is located within a Zone A where "No base flood elevation has been determined". A base flood elevation shall be determined for this area prior to filing for a floodplain boundary adjustment to ensure compliance with the Floodplain Ordinance requirements. The plans indicate that a floodplain boundary adjustment is proposed. Detailed drawings, calculations and documentation must be submitted to ensure that the required compensation is being provided for areas being filled. In addition, it is required that any area proposed to be removed from the 100-year floodplain shall be filled by two (2) feet.

After the required floodplain information is received the Village will request the WI DNR to review the documentation on behalf of the Village. After the WI DNR has completed its technical review and determines that the project meets the minimum requirements of the



Village and the WI DNR, the Village will set the required public hearing for the proposed amendment to the floodplain and consideration of Preliminary Site and Operational Plans to allow for the mass grading of the site. The Plan Commission will hold the required public hearing and make recommendations to the Village Board. The Village Board will then consider a resolution of approval for the owner to obtain the required Conditional Letter of Map Revision-Based on Fill. (CLOMR) After the CLOMR is obtained from FEMA, the Erosion Control Permit/NOI can be submitted to the Village so that the required permits can be issued by the Village for work to begin.

After the work is completed an as-built field survey/plan shall be submitted to the Village and the WI DNR to ensure compliance with the CLOMR and the Village's conditional approval. Upon review and approval by the WI DNR and the Village, the petitioner shall submit the as-built survey/plan and related documentation to FEMA for final approval and issuance of a Letter of Map Revision (LOMR) based on fill. Once the LOMR is obtained the petitioner shall submit the required application and fee to the Village to amend the Village Comprehensive Land Use Plan, and the Village Floodplain Zoning Map and Text. All of the work within the 100-year floodplain shall be completed before any permits are issued for any building construction within this (former floodplain) area of the site. The floodplain area not to be disturbed and will be required to be shown in a Floodplain Preservation and Protection, Access and Maintenance Easement on the CSM.

Woodlands: The location, size (trunk diameter and canopy area) and type of all the existing trees and large bush-like trees along the north property line adjacent to the cemetery and east of the cemetery along the north property line shall be surveyed and shown on the detailed tree survey. This plan shall be submitted to be determined which trees can be preserved and the location of the tree drip line area that shall not be disturbed. The woodland area not to be disturbed will be required to be shown in a Woodland Preservation and Protection, Access and Maintenance Easement on the CSM. The area to be included in this easement will be determined by the Village based on the extent of the canopy of the trees to be preserved. At a minimum, a 30-foot wide Woodland Preservation and Protection, Access and Maintenance Easement area shall be located along the north property line east of the cemetery and shall be shown on the CSM and engineering plans. The grading and berming along the north property line east of the cemetery will need to be adjusted to protect the drip line of the black walnut trees.

### **Site Design and Layout**

The M-2 District requires that the building meet the following minimum setback requirements:

- Street setback: minimum of 65 feet from CTH H;
- Side and rear setback: 45 feet minimum;
- Shore setback: 75 feet minimum from the OHWM of Jerome Creek; and
- Wetland setback: 25 feet from the wetlands on the property.
- Separation setback distance between all buildings: 45 feet minimum.
- Industrial area parking setback: 50 feet minimum to the future residential lot area in the northeast corner of the site.
- There is no setback to the 100-year floodplain; however no structures shall be located within the 100-year floodplain.

Setback for parking areas (which includes parking spaces, maneuvering lanes and fire lanes) as measured from the back of curb shall meet the following minimum requirements:

- A minimum of 20 feet from the front CTH H right-of-way.
- A minimum of 20 feet from other private roadways and drives to the side and rear lot lines, except to the property line to the north wherein a minimum setback of 30 feet or the distance of the tree drip line adjacent to the cemetery, whichever is greater, for woodland protection and preservation.
- A minimum of 50 feet from the north property line at the northeast end abutting future residential development.
- A minimum of 50 feet from any railroad right-of-way, excluding railroad spurs.
- In addition, parking areas shall not be located within any easements unless express written approval is allowed by the easement holder.

Site Access and Parking: A Traffic Impact Analysis (TIA) will be required to be prepared, reviewed and approved by the Village and Kenosha County. The detailed scope of the traffic study is set forth as an attachment to this memorandum. Improvements as referenced in the Study shall be constructed as required in the Study. Also, an examination of a speed limit reduction (from 45 mph to 35 mph) in this road section of CTH H shall be discussed in the TIA. Some of the TIA general requirements include:

- Operational analysis and recommended design of the two (2) access points to the Majestic property. This includes the need for turn lanes, passing lanes, and truck turning radii.
- Plans for the recommended ultimate future road improvements and right-of-way requirements associated with the proposed development, Pleasant Farms Neighborhood Plan, and bike or pedestrian path needs/plans.
- Development impacts, operational analysis and recommended improvements of the intersections of CTH H and Bain Station Road, CTH H and 95<sup>th</sup> Street, and CTH H and CTH C resulting from the Majestic development.
- A dedication of about 60 feet for a total of a 120 foot-wide CTH H right-of-way.
- Address the five (5) foot wide bicycle lanes to be constructed on both sides of CTH H by Kenosha County in 2013.

Employee, client, visitor vehicular and secondary truck access to the site will be from two (2) driveways on 88<sup>th</sup> Avenue. The northern entrance will be directly south of the cemetery. As noted above, a detailed tree survey shall be submitted to verify the exact setback from the north property line (20 feet minimum; however depending on the tree survey a greater setback may be required to protect the tree line). The southern driveway will be located north of the proposed retention facility approximately 900 feet north of the south property line.

All parking areas and maneuvering lanes, fire lanes including the truck court, shall be improved with concrete vertical curb and gutter. The plan includes 314 automobile parking spaces plus 416 trailer spaces. The truck court faces west 88<sup>th</sup> Avenue and east.

Pursuant to the Village Zoning Ordinance the minimum on-site parking spaces for a manufacturing use would require five (5) spaces, plus one (1) space per employee on the largest shift and the required number of handicapped accessible parking spaces pursuant to the State Code. The minimum on-site parking spaces for a warehouse/distribution center is based on one (1) space for every two (2) employees during any 12-hour period and the required number of handicapped accessible parking spaces pursuant to the State Code. At

the time that the proposed building size, use and number of employees are known, adequate on-site parking shall be identified and provided.

### **Public Sewer and Water**

The development shall be served by public sanitary sewer and water. Municipal water is located in 88<sup>th</sup> Avenue and public sanitary sewer is located within an easement on the site.

The location of the parking areas, fire lanes and maneuvering lanes may be allowed over the existing sanitary sewer easement subject to certain conditions. Easement language will be provided by the Village for the CSM. It is important to note that the Village must be able to obtain easy access to and over the sewer main for maintenance purposes. The location of the proposed building, the guard station, the retaining walls and their proximity to the sewer line shall be further evaluated along with the amount of fill proposed to be placed over the sewer easement area. Extensive fill over the sewer easement area will not be allowed. Further discussion related to the need for additional easement area or relocation of the sewer main outside the development area (at the owner's expense) will need to be further discussed. If additional easements are needed or the public sewer is required to be relocated, then modified easements shall be shown on the CSM.

### **Grading**

The proposed site grading was not reviewed in any detail due to the large drawing scale. Grading plans for the development shall be provided at a larger scale. The grading and elevations of the building compared to the CTH H road elevation(s) is unclear but appears to be quite a bit lower than the road. The grading shall be clarified and a street view rendering of the development shall be provided.

Driveway entrance details will also need to be examined as it appears that the entrance is wider than what is allowed by ordinance. The entrance driveways/roadways shall be located on the site to allow for entrances that are not steeply sloped in order to allow for the transition of trucks to enter and exit the site. The owners engineer shall use the proposed refined grading plan as a reference when preparing the traffic study.

Driveway designs shall allow an entering vehicle maximum turning speed of 15 mph to help reduce interference with the CTH H through-traffic.

### **Open Space, Stormwater Retention and Landscaping**

The M-2 District requires that at a minimum, 25% of the site must be open space. The Site and Operational Plans shall provide the verified amount (area and percentage) of open space on the site to ensure that this minimum is being met.

The retention basin edge shall be a minimum of 20 feet setback to the CTH H right-of-way (after dedication).

The truck dock areas adjacent to 88<sup>th</sup> Avenue shall be extensively screened with a combination of berms and evergreens and other more dense-like landscaping. If adequate screening cannot be accomplished by berming (minimum of 4 feet) and landscaping (plantings at a minimum of 6 feet at planting) alone, retaining walls and fencing (not chain link or wood) shall be installed to screen the site from the adjacent highway/bike trail and existing residential and future residential development proposed to the west of 88<sup>th</sup> Avenue. All berms, fencing and landscape screening shall be installed within the adjusted property boundaries (after the dedication of the additional right-of-way on 88<sup>th</sup> Avenue). In addition, the owner will be required to install street trees adjacent to the roadway within the CTH H right-of-way per the Village requirements.

## **RECOMMENDATIONS:**

Village staff recommends approval of **Plan Commission Resolution #12-11** to approve amendments to the Comprehensive Plan as presented.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Map Amendment** as presented.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Conceptual Plan** subject to the above comments and the following conditions:

1. Approval of the Comprehensive Plan Amendment (includes the Neighborhood Plan Amendment) by the Village Board on October 15, 2012.
2. Approval of the Conceptual Plan by the Village Board on October 15, 2012.
3. Approval of the Zoning Map Amendment by the Village Board on October 15, 2012.
4. The Conceptual Plan approval will be valid for a period of one (1) year from the Village Board approval. Prior to the expiration of the Conceptual Plan, Site and Operational Plans shall be approved by the Village Plan Commission.
5. The Conceptual Plan has been reviewed for conformance with generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all State and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should errors or changed conditions be found at a future date and detailed engineering plans are prepared and reviewed. **The following changes shall be made to the plans and incorporated into the required Site and Operational Plans.**
  - a. The location of all field delineated environmental features shall be shown on the revised Conceptual Plan:
    - i. The location of the existing 100-year floodplain based on actual field delineations, not the illustrative line shown on the Village's Zoning Map or the DFIRM Maps. The base flood elevation shall be determined and shown on the plans.
    - ii. The location of the existing 100-year floodplain area proposed to be filled and the location of the existing floodplain proposed to be created.
    - iii. The location of the field delineated wetlands including a note related to who staked the wetlands, the date they were staked, the date the staking was approved by the WI DNR, and the legal description of the wetlands. A copy of the delineation report and written approval letter from WI DNR shall also be provided to the Village.
    - iv. The location of the OHWM of Jerome Creek, the date staked by the WIDNR, the required 75 foot setback line, the required 300 foot shoreland jurisdictional boundary, and a legal description of the OHWM.
    - v. A field delineated tree survey for the area along the north property line. The tree survey shall include at a minimum the location, size (truck diameter and canopy area) and type of all the existing trees along the north property boundary. Upon completion of this survey the Village will determine which trees shall be preserved and the location of the area that shall not be disturbed.

- b. If consideration is being given to decreasing the required minimum 20 foot parking setback for a portion of the truck court along 88<sup>th</sup> Avenue (where the 88<sup>th</sup> Avenue R-O-W expands to 65 feet), a zoning variance will need to be applied for and granted by the Zoning Board of Appeals.
- c. Is the 62-vehicle parking lot at the northeast corner of the site needed?
- d. The "8 Foot High Future Chain Link Fence" shall be black, vinyl-coated chain link.
- e. On Plan Sheets A1, A2 & A3, change the notation in the title block from "Kenosha" to "Pleasant Prairie", Wisconsin.
- f. On Plan Sheet T1, include the Tax Parcel Number 91-4-122-162-0301.
- g. On Plan Sheet T1, change the "811" to "Diggers Hotline".
- h. On Plan Sheet A1, label the "CP Railroad".
- i. Label all property line dimensions.
- j. Label width of Wisconsin Electric Power Co. Easement.
- k. A 30 foot wide Woodland Preservation and Protection, Access and Maintenance Easement area located along the north property line east of the cemetery shall be shown on the plans. Other woodland areas may also need to be identified.
- l. On Plan Sheets A1, C-1.0 and Landscape Plan, remove the "property line" that dissects the property from east to west. This is ONE parcel of land, not two. In 2003, Tax Parcel Numbers 92-4-122-163-0100 and 92-4-122-162-0300 were combined into the current Tax Parcel Number 92-4-122-162-0301.
- m. Further discussion on the entrance width of the driveways is warranted. The maximum width is typically 35 feet unless there is a boulevard entrance and written approval by Kenosha County.
- n. The existing public water main(s) along CTH H shall be shown and labeled on the plan. The required street trees shall not conflict with the water main location within the right-of-way of 88<sup>th</sup> Avenue.
- o. Proposed grading for the site was not reviewed in detail due to the drawing scale. Grading plans for the development shall be provided at a larger scale. The grading and elevations of the building compared to the CTH H road elevation(s) is unclear but appears quite a bit lower than the road. The grading shall be clarified and a street view rendering of the development provided.
- p. A preliminary storm water management report shall be submitted. In addition, the following items shall be clarified or addressed:
  - i. It appears that the south pond storm sewer outlet goes off site, presumably to the Jerome Creek. The plan shall show the entire storm sewer route, existing wetland areas, and identify required off-site easements.
  - ii. The proposed retention pond flood storage volume shall be outside the floodplain and above the 100-year floodplain elevation. The design engineer shall verify the design concept.

- iii. Verify that the preliminary ponds were sized to meet the Village required peak flow reduction and water quality requirements.
- iv. The storm water report shall identify the offsite drainage area(s) contributory to the site and existing / proposed drainage paths to Jerome Creek.
- v. It appears that there may be some un-detained areas of the development in which drainage is not conveyed to the retention pond. This issue will need to be addressed in the report and further evaluated during the detailed design submittals.
- vi. It appears that the back truck dock pavement area sheet flows to the pond. Pond side slope erosion protection provisions will need to be incorporated into the plans.
- vii. A cross-section of the pond(s) shall be provided in the detailed engineering plans. Also, existing soil types and ground water elevation(s) shall be determined at the pond locations.
- viii. A Chapter #30 permit from the WI DNR may likely be required for the grading work in proximity to a navigable waterway. The site engineer should confirm this matter with the WI DNR.
- q. The following items pertaining to the sanitary sewer shall be address:
  - i. Clearly label the "Public Sanitary Sewer, Access and Maintenance Easement" that traverses the property.
  - ii. Creation of an accessible maintenance path for the existing public sanitary sewer shall be discussed with Public Works Department and incorporated into the plans.
  - iii. The development impacts to the sanitary sewer located at the south-east corner of the building site needs to be discussed with the Village and addressed. The sanitary sewer at this location is estimated to be approximately 15-17 feet deep based on our record drawings. The development appears to be filling this area approximately 10-feet making the sewer 25-27 feet deep, in proximity to a 10-foot wall and other structures / utilities making rehabilitation or emergency trench operations very difficult. The design engineer shall evaluate the ability to re-route the sewer segment to the east and south outside the development impact area. This may include obtaining off-site easements.
  - iv. Public Sanitary Sewer, Access and Maintenance Easement widths will need to be further evaluated and potentially increased based on the review of detailed engineering plans.
- r. The southeast corner of the building site is located within the "floodplain based on elevation". The Concept Plan shall identify the proposed adjustment and floodplain volume compensatory area.
- s. Curb and gutter shall be provided for all parking areas and drives except for the back truck dock area from gate to gate.
- t. Further information should be provided regarding the berm and landscaping along CTH H. The undulating berms shown on the plan are in the CTH H right-of-way. This is unacceptable. The landscaping, berms, retaining walls

and/or fencing shall not be located within the existing right-of-way and the right-of-way being dedicated. The exact width of the right-of-way required to be dedicated will be determined upon approval of the TIA.

- u. The design engineer shall contact the WIDNR regarding permit requirements pertaining to grading in proximity to Jerome Creek.
  - v. The detailed TIA in response to the Scope of Work shall be provided for the Village and Kenosha County's review and approval. The TIA shall identify the timing and construction schedule for the improvements as referenced in the TIA.
6. Compliance with the **attached** memo dated August 21, 2012 from the Village Fire & Rescue Department.
  7. Traffic Impact Analysis (TIA) shall be prepared, reviewed and approved by the Village and Kenosha County. (See above comments).
  8. Floodplain determination and Floodplain Boundary Adjustment shall be completed. (See above comments).
  9. The petitioner may apply for Preliminary Site and Operational Plan approval in connection with an erosion control permit application for early mass grading (including the floodplain boundary adjustment), or in connection with an early foundation permit. Preliminary Site and Operational Plan application shall include a survey, a site plan, a grading and drainage plan, an operational plan (and if an early foundation permit is sought, a preliminary building plan, plus any additional requirements imposed by the Village Zoning Administrator in light of the particular facts and circumstances of the situation). [*Note: Preliminary Site and Operational Plan approval shall vest no rights in the applicant against changes in any ordinance requirements that occur prior to final Site and Operational Plan approval*].
  10. A Certified Survey Map is required for the development of this property. At a minimum the following dedications and easements shall be shown on the CSM. Upon review of a draft CSM, the Village will prepare the Dedications and Easement Provisions and Restrictive Covenant language for inclusion on the CSM. The language will include the following:
    - a. Dedication of additional right-of-way (Dedicated Public Street) based on approval of the Traffic Impact Analysis (TIA) being completed. The right-of-way shall be wide enough to accommodate future widening of 88<sup>th</sup> Avenue including any required acceleration/deceleration lanes and the proposed pedestrian trail. The final width of the right-of-way required to be dedicated will be determined upon approval of the TIA.
    - b. Provisions for additional Sanitary Sewer, Access and Maintenance Easement language which addresses the requirements of filling over the existing sanitary sewer main and the Village's need to obtain access to the sewer main for maintenance and repairs. The area at the southeast corner of the building/parking area needs to be further evaluated to determine if the sanitary sewer needs to be relocated further to the south or if the location is acceptable.
    - c. Provisions for Stormwater Drainage, Access and Maintenance Easements over the stormwater retention facilities, to allow the Village access to the ponds for monitoring and providing the Village the right to maintain the pond, and assess and associated costs to the owner if the owner fails to maintain the facilities.

- d. Provisions for Wetland Preservation and Protection, Access and Maintenance Easements over any field delineated wetlands. The CSM shall include the location of the field delineated wetlands and their legal descriptions.
  - e. Provisions for Floodplain Preservation and Protection, Access and Maintenance Easements over all 100-year floodplain that will remain on the property after any floodplain boundary adjustments are completed.
  - f. Provisions for Landscaping, Berm, Access and Maintenance Easement over the landscape screen area adjacent to CTH H.
  - g. Provisions for Woodland Preservation and Protection, Access and Maintenance Easements over the protected woodland areas along the northern perimeter of the site.
11. Prior to the development of this property, detailed Site and Operational Plans are required to be submitted and approved by the Plan Commission pursuant to Article IX of the Village Zoning Ordinance (Chapter 420). Also, depending on the use proposed, the occupant use may require a Conditional Use Permit along with Site and Operational Plan approval from the Plan Commission. The Site and Operational Plans shall include all components specified in Article IX (See Section 420-57 for contents of plan components and related documents that are part of the submittal). The following are general comments related to the Site and Operational Plans.
- a. All easements shall be shown on the required Site and Operational Plans submitted for review and approval as each lot is proposed to be developed.
  - b. All downspouts for all proposed buildings within the development shall be interconnected to the private storm sewer system and shown on the Plans.
  - c. All commercial buildings will be required to install a sanitary sewer sampling manhole. The location and details shall be shown on the Site and Operational Plans required for each site. Contact the Village Engineer to confirm an approved location and the current details to include on the plans.
  - d. Details of the required garbage dumpster enclosures shall be provided on the required Site and Operational Plans for the development of each lot. The dumpster enclosures shall be constructed of similar brick, block or stone materials as the building and be part of the building. Detached garbage enclosures are not allowed. A wooden fence enclosure is not allowed. Sample materials, doors and paint colors of the dumpster enclosures shall be submitted for review and approval.
  - e. Details (cut sheet details) of the proposed exterior lighting on the building, in the parking areas shall be provided on the required Site and Operational Plan. In addition, provide a photometric plan to ensure proper lighting levels at the property boundaries as required by Article IX of the Village Zoning Ordinance. Concrete bases shall not exceed 18 inches above grade and shall be located in landscape island areas.
  - f. All landscaped areas will be required to be irrigated with a sprinkler system. The base map for the landscape and irrigation plans shall include the approved grading plan. In addition, the location of all pedestals and transformers and proposed screening shall be shown on the Site and Operational Plans.
  - g. A primary monument sign is required to be installed for this building that includes the building address. Due to the size of the site two (2) primary



monument signs may be allowed near each entrance. All signs shall comply with Chapter 420 Article X of the Village Municipal Code. Sign details and locations shall be shown on the required Site and Operational Plans.

- h. The Site and Operational Plans shall be identical to the State approved plans submitted for building permits.
12. The following comments are from the Village Building Inspection Department:
- a. All building, plumbing, and HVAC plans will need to be designed to the IBC Codes, Wisconsin Plumbing Code and be State Approved prior to submitting (2 sets) for building permits from the Village of Pleasant Prairie.
  - b. As of September 1, 2000 Lighting plans are no longer reviewed at the State level but are reviewed by the Village. The details on Lighting Worksheets L-1 through L-5 are required for the Village's review and approval.
  - c. Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, Comm 16.46, 51.15(5), 54.06(2), and 54.11. The Village Fire & Rescue Department should be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.
  - d. If the water main is to serve both domestic and fire protection combined, the plans will need Department of Commerce approval and Village Fire & Rescue Department approval prior to obtaining permits and commencing work.
  - e. Complete erosion control measures, silt fence and gravel access drives must be installed per Wisconsin Construction Site Best Management Practice Handbook and be inspected within 24 hours of any land disturbing activity.
  - f. A \$2,000 Street Sweeping Cash Deposit is required to be paid with the issuance of the erosion control permit (see below).
  - g. This parcel and building must comply with all requirements of Barrier-Free Design.
  - h. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, **prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.**
  - i. The electrical contractor will be required to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work.
  - j. All mechanical contractors shall obtain a permit from the Village prior to beginning work.
  - k. Building plans shall show details on fire stopping of all penetrations through fire rated walls and fire separation walls as required by emergency rule that took effect on January 28, 1998.
  - l. Sprinkler plans and all fire alarm installations are required to be submitted to, and reviewed by the Village Fire & Rescue Department.

### **General Comments**

13. Upon approval of the Site and Operational Plans, and prior to the issuance of the required permits an electronic pdf of all plan sheets shall be provided to the Village.

14. The Commercial Building Permit applications and required State approved plans; a Village Work in the right-of-way permit application and plan; and an Erosion Control Permit Application and plans with a copy of the Wisconsin Department of Natural Resources N.O.I. shall be submitted for the Village's review and approval. *[Note: The required \$2,000 street sweeping cash deposit shall be deposited with the Village. The street sweeping cash deposit is refundable, less 6% for administrative processing, if the amount is not drawn upon by the Village for maintaining the adjacent roadways by keeping them free from dirt, mud clumps and mud tracking during the construction process. Silt fence shall be installed and inspected prior to any work starting.]* As stated above Preliminary Site and Operational Plan approved may allow for permits to be submitted in phases.
15. Municipal connection fees shall be paid prior to the connections to the sanitary sewer system.
16. Impact fees shall be paid prior to issuance of the building permit pursuant to Chapter 181 of the Village Code (Based upon \$1.94 per \$1,000 of valuation as determined by the Market & Swift software analysis prepared by the Village Assessing Department).
17. Prior to work commencing on the site, all required permits shall be issued by the Village, all required erosion control measures are in place on the site and a pre-construction conference shall be held at the Village Offices. The preconstruction conference shall be scheduled and moderated by the designing Engineer of record.
18. After the installation of the footing and foundations and prior to the setting the wall an as-built survey as stamped by a Wisconsin Registered Land Surveyor shall be submitted to verify that the building meets all of the required setbacks.
19. All required landscaping or screening shall be installed prior to occupancy of the building. Written verification and/or certification shall be provided to the Village by the landscape designer that the landscaping has been installed in accordance with the approved landscape plan prior to the issuance of a certificate of compliance/occupancy. However, if weather conditions prevent installation of all or portions of the landscape materials, the developer, owner or occupant shall enter into a written agreement with the Village that specifies the date by which all approved landscaping shall be completed and they shall grant the Village a temporary easement to complete the landscaping (if not completed in the agreed upon time frame), and shall deposit with the Village Clerk a cash deposit, an irrevocable letter of credit, or other financial assurance approved by the Zoning Administrator to ensure timely completion of all required landscaping. The amount of the financial assurance shall be equal to 110% of the contracted amount to complete the landscaping improvements in order to guarantee the future completion of any landscaping improvements.
20. Prior to written occupancy of the building and associated site improvements three (3) copies of an as-built plan stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village to verify that required building, above ground structures and all impervious surfaces meet the minimum setbacks and that all pavement markings were marked per the approved site plans and the grading of the site was completed pursuant to the approved Site and Operational Plans. In addition, written certification from the landscaping and signage companies that the landscaping and signage was installed pursuant to the approved Site and Operational Plans shall be submitted.
21. Prior to written occupancy, an as-built record drawing of graphical data of all private sewer, water, and storm sewer facilities and underground irrigation system installed

shall be provided to the Village for the Village to update the Village's Geographic Informational System. Information shall conform to the Village's electronic format requirements. In addition, a paper copy prepared and stamped by the Engineer of Record for the project shall be submitted.

22. For security reasons, the construction site shall be surrounded with a six (6) foot high chain link fence. A fence permit is required for the temporary fencing.
23. The hours of construction activity, operating heavy machinery or equipment associated with the grading, erosion control device installation, and overall site development shall be limited to Monday through Friday from 7:00 a.m. to 10:00 p.m. and Saturday and Sunday from 7:00 a.m. to 6:00 p.m.
24. There shall be no construction parking permitted on 88<sup>th</sup> Avenue (CTH H). On-site (off-street) parking shall be designed to accommodate all construction related workers and site visitors.
25. The Village shall approve of the location of all construction trailers parked on the site during construction activities. No construction trailers shall be parked in Village rights-of-way. All construction related signage shall be approved and permitted by the Village.
26. The site shall not be used for any parking (neither overnight nor during the day) of junked/inoperable/dismantled/unlicensed vehicles. All junked/inoperable/dismantled/unlicensed vehicles that are parked overnight will be issued citations.
27. Real Estate Marketing Signs and/or Temporary Development Signs are permitted only by permit. The size is restricted per the Zoning Ordinance.
28. The owner shall comply with all provisions of the Site & Operational Plan approvals, including compliance with the Village Performance Standards.
29. At no time shall the site be used to sell or advertise any vehicles that are "for sale".
30. No vehicular parking will be permitted in driveways, maneuvering lanes, fire lanes or on landscaped areas.
31. There shall be no outside banners, strings of pennants, flags, inflatable devices or streamers affixed or attached to the building(s), light poles, ground or landscaping, etc.
32. There shall be no long-term semi-truck/trailer or box truck parking permitted on the site that is not used in the daily operations of the facility.
33. There shall be no outdoor storage or display of materials, goods or equipment on this site, unless as approved by the Village.
34. The use of semi-trailers, storage units, storage bins, roll-off storage devices (e.g. P.O.D.S., S.A.M.S.) or other trucks, for storage purposes is prohibited. Outdoor storage of any materials, including but not limited to: raw materials, business supplies, pallets, crates, etc., is prohibited.
35. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
36. Each handicapped accessible parking space shall be appropriately signed and painted on the pavement pursuant to ADA requirements.
37. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.

38. This development shall be in compliance with the Village Land Division and Development Control Ordinance, Village Municipal and Zoning Codes, Village Construction Site Maintenance and Erosion Control Ordinance and the State of Wisconsin Statutes.
39. All Village fees incurred by the Village Engineer, Village Inspectors and/or expert Assistants required by the Village throughout the development process will be billed directly to the Developer. Such fees shall be paid in a timely manner.
40. All Village fees incurred by the Village Community Development Department and/or expert Assistants required by the Village throughout the development process will be billed directly to the Developer. Such fees shall be paid in a timely manner.



Office of the Village  
Fire & Rescue Chief  
**Doug McElmury**

## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director  
FROM: Doug McElmury, Chief Fire & Rescue Department  
CC: Lt. Thomas Clark, Fire & Rescue Department  
Peggy Herrick, Assistant Planner, Community Development  
SUBJECT: Review of the Concept Plan for Majestic Center  
DATE: 21 August, 2012

This is a review of the Concept Plan for the proposed building currently known as Majestic Center. The facility is an industrial speculative building, with a proposed square footage of 750,000 S.F. with a possible 430,080 S.F. expansion. The building is located on east side of 88<sup>th</sup> Avenue.

The Facility is classified under Wisconsin Administrative Code, and the International Building Code, specifically: Factory – Industrial: F-1 (Moderate Hazard); Storage: S-1 (Moderate Hazard) not separated; Construction Class Type 2B, unprotected with automatic fire sprinkler system.

The Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire & Rescue Department are as follows:

1. **Distribution of Comments:** *the person who obtains the building permit to all Contractors and Subcontractors affected by this document shall distribute Copies of these comments. This document outlines critical times and deadlines. All recipients of this document need to become familiar with the contents.*
2. **Compliance:** A letter shall be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within this document.
3. In the event a conflict in code(s) is identified, or a conflict with the insurance carrier criteria occurs, the more stringent shall apply. In the event this conflicts with any codes adopted by the State of Wisconsin, the owner must petition the State directly for a variance. The Owner must demonstrate that they will provide materials or design equivalent to the code or that they will exceed the code when petitioning the State and or Village when applicable.

Upon review of the plans submitted, we have the following concerns:

- This is a review of the Concept Plan, however, it is understood, that typical and customary fire protection features have not been shown of the plans, dated: 7/5/12.
- AED. Because of the overall building size the owner shall install one or more public access Automatic External Defibrillator (AED) onsite for employee use in the event of a sudden cardiac arrest. The Fire & Rescue Department can provide the training necessary to perform CPR and to operate the AED.
- Fire Alarm Control Panel: The main FACP will be placed in the fire sprinkler riser/fire pump room. Remote annunciator panel location(s) will need to be determined.
- Gates are shown on the submitted drawing. Gates will need to open automatically on receipt of a fire alarm or be manually controlled by a fire department authorized locking system, independent of the fire alarm system.
- Fire safety system plans, such as fire sprinkler and fire alarm plans, will need to be submitted to the State of Wisconsin Department of Safety and Professional Services and also to this fire department for review. No installation of any fire protection system is allowed until a satisfactory review is obtained from both departments.
- Fire hydrants: Must meet the Village Ordinance of a maximum distance of 350 feet apart around the building. Hydrants shall always be visible and accessible, in particular in any area where trailer trucks will be parked or staged.
- Truck staging shall not decrease the width of the fire lanes to less than 30 feet.
- Rack storage: If it is the intent to use rack storage, that rack storage configuration must be reviewed by the fire protection contractor to assure adequate fire sprinkler protection. Rack storage shall not adversely affect the maximum exit distance requirements. This process needs to begin immediately to assure no interruption in the construction timeline and to assure the opening date will be met.
- Severe Weather Shelter: The architect shall identify the area within the building that can be used as a "severe weather shelter" or "safe haven" during severe weather such as a tornado. That area will be identified with signage.
- The building shall be re-evaluated at such time a tenant(s) is secured.

#### 4. Fire and Rescue Department Review and Comments:

##### A. Site and Operational Permits

- Site accessibility
- Fire Pump Location
- Pumper Pad
- Fire hydrant spacing

##### B. Conditional Use and Operational

- |                                |                                |
|--------------------------------|--------------------------------|
| 1. Standpipe outlet locations  | <b>Not shown at this time.</b> |
| 2. Fire alarm pull stations    | <b>Not shown at this time.</b> |
| 3. Emergency and Exit Lighting | <b>Not shown at this time.</b> |
| 4. Fire extinguishers          | <b>Not shown at this time.</b> |

5. **Plan Review, Permits and Fees:** The plans for the fire protection underground, aboveground and fire alarm system shall be submitted for review a minimum of four (4) weeks before installation is scheduled to begin. The Village will use an independent fire safety consultant for review of all fire protection plans submitted. A satisfactory review must be completed before any permits will be issued and before construction can begin.
6. **Insurance Carrier:** The Owner of this project shall submit to the insurance carrier for review the plans for both underground water distribution and fire protection prior to construction. The Fire & Rescue Department shall receive a copy of the comments when plans are submitted for review.
7. **Hazardous Occupancies:** The Fire & Rescue Department will need more than the typical four week time period to review proposed Hazardous Occupancies. The owner must contact the Fire & Rescue Department as soon as possible to begin the review process.
8. **The following information must be submitted with the sprinkler plans for review:**  
Building height:  
Number of stories/floors:  
Mezzanines:  
Clear space:  
Elevators:  
Hazard class:  
Commodity:  
Maximum storage height:  
Square footage, office space:  
Square footage, Manufacturing including maintenance and equipment:  
Square footage, receiving space:  
Square footage, shipping space:  
Square footage, warehouse space:  
Exterior storage:  
Fire protection:

9. **The following Fees and Permits are generated directly from the Fire & Rescue Department.**

**NOTE: Permits are required from the Fire & Rescue Department for the installation of water main in addition to any permits required by other Village of Pleasant Prairie Departments.**

Bulk Water

- Water Usage
- Fire Protection Plans for Underground and Aboveground
- Fire Alarm System Plans
- Kitchen Hood Systems Plans
- Occupancy Permit & Re-Inspection fees

An invoice for permit fees will be issued upon achieving a satisfactory review. Work cannot begin until all permits have been issued. A typical review turnaround is four weeks.

10. **Required Licenses:** A Wisconsin licensed fire protection contractor and Wisconsin licensed sprinkler fitters must install underground fire mains and aboveground fire protection. Periodic inspections of the job site will be made by fire inspectors to assure compliance.
11. **Pre-Construction Meeting:** A pre-construction meeting shall take place with the general contractor, the fire protection contractor, the Fire & Rescue Department and any other sub-contractor prior to the installation of any underground fire protection. The purpose of this meeting is to assure that the requirements of the State of Wisconsin that only a Wisconsin licensed sprinkler fitter shall perform the installation of all devices, etc. All parties will be asked to initial this document and or permit. Any violation of the installing requirements will be reported in writing to the State of Wisconsin Department of Safety and Professional Services.
12. **Site Access:** Access shall be provided around the perimeter of the site for all Fire Department apparatus, and must comply with the State of Wisconsin and the International Building Code, 2009 edition. A minimum wall-to-wall turning radius of 45'-0" shall be allowed for apparatus movement.
- a. All entrances from public streets, as well as road and driveways around the proposed building must be a minimum of 30 feet wide.
  - b. All exterior exit pathways as well as access to the Fire Pump Room shall have a hard surface, leading to a hard surface.
  - c. An exterior personnel door shall be located in close proximity to each fire sprinkler riser.
13. **Sprinkler System:** The building shall be equipped with an "automatic fire sprinkler system". The systems shall be designed and constructed to the current edition of NFPA 13, Automatic Fire Sprinklers and the Village of Pleasant Prairie Ordinance 180-16, Automatic Fire Sprinklers.



14. **Fire Pump:** At such time a Fire Pump becomes part of a fire sprinkler system, there shall be sufficient room to maneuver within the fire pump room. There shall be direct ingress/egress from the fire pump room directly to the exterior of the building; a paved surface shall lead to the fire pump room. There shall be Emergency Lighting installed within the Fire Pump Room. The pump test header location shall comply with 180-16.
- **Storage:** The Owner and Tenant both need to be aware of the restrictions that apply to the storage of pallets, cardboard, finished products, etc. Maximum height, width and aisle ways must be maintained and will be enforced. The same concerns apply to the storage of large quantities of combustibles (plastics, plastic wrap and cardboard) such as those used in packaging and storage.
- NOTE:** Dependent upon storage configurations and the possible use of in rack storage; in rack sprinkler protection may be required.
15. **Water Service:** If it is determined that the building will be serviced by a combination municipal water and fire protection main, that main must be sized by the fire protection (sprinkler) contractor. No main is allowed to travel underground, under the building.
16. **Plan Review (Underground):** A review of the underground drawings is required along with the fire protection drawings before a permit will be issued by the Fire & Rescue Department. Underground plans shall be submitted a minimum of four (4) weeks before installation begins. This building has been planned for future expansion. Provisions must be made now to limit the interruption of the fire protection systems and the future expansion of the underground.
17. **Standpipes:** In lieu of 1.5 inch hose stations, the building shall be equipped with standpipes that shall consist of 2-1/2 inch NST valve, capable of delivering 250 GPM, at 75 PSI measured at the standpipe valve, when supplied by the fire department pumper, in the event no fire pump is needed. The standpipes shall be wet and placed adjacent to all exterior exit doors, same side as the door handle/knob. Village Ordinance 180.16 G.
18. **Fire Hydrants:** Fire hydrants shall be spaced no more than 350 feet apart around the perimeter of the building, per Village Ordinance 180-16. The insurance carrier must agree in writing to the hydrant spacing. As many hydrants as possible shall be supplied directly by municipal water. The distance from the finished grade line to the lowest discharge shall be no less than 18 inches and no more than 23 inches. The Fire Department connections shall be located, and of sufficient height where typical snow fall or snow removal operations will not obstruct access.
19. **Fire Hydrant Acceptance:** This project will include the installation of water mains for domestic and fire protection use. Prior to the fire sprinkler system connection to any new water mains (including water mains, fire hydrants, laterals leading to the building and risers) must be hydrostatically tested flushed according to National Fire Protection Association (NFPA–National Fire Code) Standard 24 and witnessed by the Fire Chief and or the Chief’s representative, the installing contractor and the fire sprinkler contractor at a minimum.

20. Fire hydrant and water main flushing can be disruptive to the job site and requires significant coordination of all sub-contractors by the General Contractor. Nonetheless flushing is an essential part of assuring public safety.
21. The General Contractor is highly encouraged to coordinate the flushing of all new water mains, fire hydrants, laterals leading to the building and risers with both the sub-contractors responsible, the Village of Pleasant Prairie Engineering Department, Fire & Rescue Department and the Water Utility Department, prior to seeking a 'clean water sample' on this site.

**NOTE:** The Fire Protection Designer must meet with the Fire & Rescue Department before the underground drawings are submitted for review to finalize the placement of the hydrants.

22. **Pumper Pad:** There shall be dedicated space for a fire engine to have unobstructed access to the Pumper Pad. Both the Fire Department Sprinkler connection and the fire hydrant shall be installed remote from the building and located a minimum distance from the building equal to the highest wall. The fire hydrant shall be located no more than five (5) feet from the roadway and the Fire Department sprinkler connection shall be placed no more than five (5) feet from the fire hydrant. The Fire Department connection shall be constructed along with an underground drain with access for inspection. A guideline detail is attached and is meant to illustrate the requirements needed to meet the requirements stated in Village Ordinance 180-16.

*NOTE: The Fire Department Connection riser shall include a single five (5) inch Storz fitting.*

23. **Bollards:** Shall be placed near fire hydrants, remote post indicator valves (PIV) and Fire Department connection(s) to prevent damage. Bollards shall be 6 inches in diameter. Bollards shall not obstruct charged fire hoses. It is recommended that the Fire Department approve the location of the bollard(s) before final placement is made.
24. **Strobe Light:** A strobe light shall be provided for each riser and installed vertically above each sprinkler water flow bell. The strobe light shall operate for a sprinkler water flow. The lens color shall be RED. The strobe light shall meet Village specifications as found in section 180-16 K of the Sprinkler Ordinance.
25. **Fire Alarm System:** **The system shall be fully addressable so that detailed information will be received about the device in alarm.** Utilizing a fire pull station, sprinkler water flow, or any other fire detection device that maybe installed in this building shall activate the internal fire alarm system.

- a. **Manual Fire Alarm Pull Stations:** Shall be located at a minimum, immediately adjacent to each exterior door. Any additional exterior doors will be required to meet

this requirement. The pull station shall not be placed in the area of the door, but immediately adjacent to the door jamb.

- b. **Pull Stations and Audiovisual Alarms:** Shall be installed per ADA requirements.
- c. **Smoke and Heat Detection:** Shall be installed as required.
- d. **Tamper Switches:** Tamper switches shall be placed on all sprinkler valves and be identified on the annunciator panel.
- e. **Fire Alarm Control Panel: Shall be addressable.** The annunciator panel type shall be approved by the Fire & Rescue Department. The Fire Alarm Control Panel shall be located within the Fire Pump Room. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.
- f. **Annunciator Panel: Shall be addressable.** The annunciator panel type shall be approved by the Fire and Rescue Department. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.
- g. **Central Station:** The Fire Alarm Control Panel shall transmit all fire alarm, tamper, trouble and supervisory signals to a central station that is certified by Underwriters Laboratories (UL) and/or Factory Mutual (FM) and approved by the Fire & Rescue Department. The owner shall provide such documentation for approval. It is recommended that the owner consult with the Fire & Rescue Department prior to signing any contracts with the Central station.
  - 1) The central station shall be provided with this information regarding the geographical location of this alarm:

Village of Pleasant Prairie, County of Kenosha, State of Wisconsin

Fire: Pleasant Prairie Fire & Rescue  
Medical: Pleasant Prairie Fire & Rescue

Phone numbers:  
**Emergency:** (262) 694-1402  
Non-emergency: (262) 694-7105  
Business: (262) 694-8027

- 26. **Knox Box:** Knox Boxes shall be provided for the building, a determination of the exact number required will need to be made during the pre-construction meeting. One by each riser door, fire pump room and other needed access routes. The Knox Boxes shall be Model 4400. Two sets of all keys (Master, fire alarm pull station, annunciator, elevator, etc.) shall be placed within the box, as well as a copy of the pre-fire plan.
- 27. **MSDS Knox Box:** A minimum of One (1) Knox Box(s) designed for Material Safety Data Sheet storage shall be provided for each tenant to contain the data sheets on all products that are considered hazardous within the facility. The MSDS Box(s) shall be installed within the Fire Pump Room.

28. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken, to see how a tenant furnishes the space. The company providing the fire extinguishers shall submit a letter to the Fire & Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
29. **Emergency and Exit Lighting:** Exit and Emergency Lighting shall be provided and shall have battery backup. Combination units are acceptable and recommended. An Emergency Generator eliminates the need for battery backup. Exit and Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled. The Fire & Rescue Department will evaluate this lighting prior to occupancy during the evening hours after sunset. An Emergency light shall be placed within the fire pump room. Emergency and Exit lighting will be inspected after sunset to assure it is adequate and meets the Code.
30. **Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
- a. The fire protection contractor shall provide the owner with a letter (upon completion of the sprinkler work) stating the sprinkler system, or portion thereof, is "100% operational and built according to the design", Village Ordinance, 180-16 N.
  - b. Copy of contract with fire alarm central monitoring station.
  - c. Copy of UL and/or FM certificate(s) for the fire alarm central monitoring station.
  - d. Copies of the fire protection underground flushing documents.
  - e. Copies of the underground and fire sprinkler hydrostatic test certificates.
  - f. Copies of the fire sprinkler operational test certificates.
  - g. Copies of the fire alarm test documents.
  - h. Copies of other test documents such as, hood/duct, smoke, etc...
  - i. The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
  - j. Provide two- (2) CD's, one for the property owner and one for the Fire & Rescue Department. The disks shall include all Floor plans and fire protection plans for the building in an as-built condition.
  - k. Severe Weather Shelter: The architect shall provide for both the Owner and the Fire & Rescue Department the area within the building that can be used as a "severe weather shelter" or "safe haven" during severe weather such as a tornado.
  - l. Maps of the fire alarm and fire sprinkler system shall be placed in the fire pump room, near the fire alarm control panel; the maps shall be hung on the wall, with a waterproof covering and accessible to firefighters wearing bulky clothes and equipment.
  - m. AED, in place at such time a tenant takes occupancy.
  - n. A copy of the tenants Emergency Plan must be submitted to the Fire & Rescue Department before occupancy.
  - o. Occupancy inspection fee and re-inspection fee will be assessed at the final inspection in accordance with ordinance 180-17.

31. **Occupancy:** All fire and life safety requirements must be in place prior to any building being occupied.

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION  
RESOLUTION #12-11  
TO AMEND THE VILLAGE OF PLEASANT PRAIRIE, WISCONSIN  
2035 COMPREHENSIVE PLAN**

**WHEREAS**, on December 19, 2009 the Village Board adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan* (Comprehensive Plan); and

**WHEREAS**, the 2035 Comprehensive Land Use Plan Map 9.9 sets forth the generalized land use designations of the Village and shall be consistent with other components of the Comprehensive Plan including Neighborhood Plans and the Village Zoning Map; and

**WHEREAS**, Neighborhood Plans serve as a refinement to the 2035 Comprehensive Land Use Map and identify the location of future lot and roadway configurations, proposed floodplain boundary adjustments, future stormwater facilities and access to roadways pursuant to the land uses identified on the 2035 Comprehensive Land Use Plan Map; and

**WHEREAS**, the Village has received a request to amend the Pleasant Farms Neighborhood Plan and the Comprehensive Land Use Plan for this area of the Village; and

**WHEREAS**, the Pleasant Farms Neighborhood is generally located south of Bain Station Road and Wilmot Road (CTH C), IH-94 on the west, the CP Railroad to the east (just east of 88<sup>th</sup> Avenue) and approximated 93<sup>rd</sup> Street on the south in a part of U.S. Public Land Survey Sections 16, 17 and 18, Township 1 North, Range 22 East; and

**WHEREAS**, the first request was to allow for the development of manufacturing land uses east of 88<sup>th</sup> Avenue for the entire property identified as Tax Parcel Number 92-4-122-162-0301, and this amendment required the re-configuration of proposed public streets and lots on the property and to area to the north and west of the development site; and

**WHEREAS**, the second request to amend the Pleasant Farms Neighborhood Plan and the 2015 Comprehensive Land Use Plans is to relocate the proposed high school site from being adjacent to the west side of 88<sup>th</sup> Avenue to a more south-central location in the neighborhood in order to minimize the potential for conflict between semi-truck traffic and school busses on 88<sup>th</sup> Avenue; and

**WHEREAS**, on August 10, 2012 the required 30-day notice was published in the Kenosha News for the September 10, 2012 public hearing to be held by the Village Plan Commission and on August 10, 2012, notices were sent to property owners within 300 feet of the proposed Neighborhood Plan area; and

**WHEREAS**, on September 8, 2012 the required 30-day notice was published in the Kenosha News for the October 8, 2012 public hearing to be held by the Village Plan Commission and on September 8, 2012, notices were sent to property owners within 300 feet of the proposed Neighborhood Plan area; and

**WHEREAS**, at the September 10, 2012 the Plan Commission at the request of the petitioner, tabled the public hearing until October 8, 2012 so that all amendments to the Comprehensive Plan could be considered at the same meeting; and

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Village of Pleasant Prairie Plan Commission hereby recommends approval of the following amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan:

1. To amend the Pleasant Farms Neighborhood Plan as presented at the October 8, 2012 public hearing and shown and described in **Exhibit 1**; and
2. To amend the 2035 Comprehensive Land Use Plan Map 9.9 as shown on **Exhibit 2**, so that the Neighborhood Plan and the 2035 Land Use Plan Map 9.9 are consistent; and

3. To update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment to the 2035 Land Use Plan Map 9.9.

**BE IT FURTHER RESOLVED** that the Plan Commission does hereby recommend that the Village Board enact an Ordinance adopting said amendments, as referenced above, to the *Village of Pleasant Prairie 2035 Comprehensive Plan*.

**Adopted this 8<sup>th</sup> day of October 2012.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

\_\_\_\_\_  
Thomas W. Terwall  
Plan Commission Chairman

\_\_\_\_\_  
Donald Hackbarth  
Secretary

Date Posted: \_\_\_\_\_

**Neighborhood Plan 17 of Appendix 9-3**  
**Pleasant Farms Neighborhood**

Pleasant Farms Neighborhood Plan has been prepared and was adopted by the Plan Commission on February 25, 2008 by Resolution #08-07 and the Village Board adopted a resolution of support on April 7, 2008 by Resolution #08-12. **The Plan was further amended by Plan Commission Resolution #12-11 and Ordinance #12-\_\_\_\_\_ as approved by the Village Board on \_\_\_\_\_, 2012.**

The Pleasant Farms Neighborhood is bounded by the CP Railway east of 88<sup>th</sup> Avenue on the east, IH-94 on the west, Bain Station Road on the north and at approximately 93<sup>rd</sup> Place on the south in the Village. In ~~2008~~**2012**, this Neighborhood ~~is~~ **was** primarily farmland with a number of home sites adjacent to the arterial roadways, with the exception of residential development in the vicinity of CTH C and 104<sup>th</sup> Avenue and along 114<sup>th</sup> Avenue (River Road) south of CTH C.

The Pleasant Farms Neighborhood Plan includes:

- **FREEWAY COMMERCIAL AREAS:** Approximately 14 acres of land within the Neighborhood is identified as Freeway Commercial. The Freeway Commercial area includes the area south of CTH C east and west of the reconstructed East Frontage Road of IH-94.
- **INDUSTRIAL AREA:** Approximately ~~54~~**65** acres of land within the Neighborhood is identified as Industrial. The Industrial area includes ~~area-the~~ land on the east side of 88<sup>th</sup> Avenue adjacent to the Pleasant Prairie Power Plant.
- **GOVERNMENT/INSTITUTIONAL AREA (INCLUDING UTILITY/TRANSPORTATION AREA):** Approximately ~~102~~**105** acres of land within the Neighborhood is identified as Governmental/Institutional **and Utility/Transportation land** uses, including: **the existing utility easement adjacent to the CP Railroad**, the existing ~~sewerage treatment plant~~ **Village owned land** at 10201 Wilmot Road, the Kenosha County Cemetery on the east side of 88<sup>th</sup> Avenue, and the **approximately 88 90** acre future high school site in the ~~southeast~~ **south central** portion of the Neighborhood **adjacent to Prairie Springs Park**. [The Village staff continues to work with the Kenosha Unified School District on proposed developments and the locating of future schools. This site is intended for development in approximately 15 years depending on the development status of the surrounding neighborhood and the need for another high school. In addition, the high school site could share athletic facilities and stormwater management facilities with the ~~major~~ **Regional** Park adjacent to and south of the future school site.]
- **OPEN SPACE:** This Neighborhood Plan identifies approximately ~~480~~**475** acres or 40% of the lands within the Neighborhood would remain as open space.
  - **FLOODPLAIN AREAS:** The 100-year floodplain (approximately 336 acres) is currently located adjacent to the Des Plaines River in the west and central portion of the Neighborhood and adjacent to the Jerome Creek located south of the Neighborhood Plan and along the CP Railway on the eastern portion of the Neighborhood. Prior to consideration of any Conceptual Plans on these properties, the 100-year floodplain shall be field verified in accordance with the Village floodplain maps and ordinance regulations. Development in the floodplain is restricted to open spaces that do not interrupt the natural flow of the water. Any development that constricts the flow of water or significantly reduces floodplain storage volumes and may create upstream and/or downstream flooding problems or reduce the capacity of the floodplain to store water. In some instances, property can be removed from the floodplain provided proper approvals are obtained from the Village and several other agencies including the Wisconsin Department of Natural Resources (WI DNR)



and the Federal Emergency Management Agency (FEMA). Any area removed from the floodplain through the placement of fill must be contiguous to land lying outside the floodplain. In addition, the volume of floodplain removal must be created in the vicinity of the filled area on a one-to-one basis. The land that is removed from the floodplain must be filled to an elevation of at least two (2) feet above the elevation of the 100-year regional flood elevation.

- **WETLAND AREAS:** The Neighborhood Plan identifies approximately 210 acres of land as wetlands. Prior to consideration of any Conceptual Plans, the wetlands shall be field verified by a certified biologist in accordance with the Village wetland regulations and approved by the WI DNR. Some of the wetlands within the undeveloped area have been field verified. Upon field verification of wetlands the Neighborhood Plan may need to be altered to reflect actual conditions. The wetland areas are intended to be preserved and protected from Development.
- **NEIGHBORHOOD PARK:** The Neighborhood Plan identifies approximately 14 acres of land for a Neighborhood Park to be located south of Bain Station Road, west of 88<sup>th</sup> Avenue and along 94<sup>th</sup> Avenue. The Plan also indicates ~~the location for interconnection of~~ **that the Park is interconnected to** a pedestrian trail system. The Park location and trail system is consistent with the Village's Park and Open Space Plan component of the Village Comprehensive Plan.
- **OTHER OPEN SPACE:** The Neighborhood Plan indicates locations of existing retention facilities within the developed areas and proposed areas for future storm water management facilities. At the time that any Conceptual Plans are to be considered for any portion of the Neighborhood, the developer's engineer will be required to evaluate the development site, based on actual field conditions and shall present a storm water management facility plan which meets the Village requirements. In addition, approximately ~~six-(6)~~ **11** acres of woodlands are proposed to be preserved in the neighborhood. At the time that any Conceptual Plans are to be considered for any portion of the Neighborhood, the developer will need to have a detailed tree survey prepared and any trees greater than 8" in diameter may be required to be preserved.
- **RESIDENTIAL AREA:** The Neighborhood is primarily farm land with a number of home sites adjacent to the arterial roadways with the exception of residential development in the vicinity of CTH C and 104<sup>th</sup> Avenue including the Heritage Valley Subdivision, Crosby's Addition to Pleasant Prairie Subdivision and other residential development along CTH C and 104<sup>th</sup> Avenue and along 114<sup>th</sup> Avenue south of CTH C.

There are ~~80~~ **81** existing single family lots/homes within the Neighborhood and ~~779~~ **743** new single family lots **and 114 multi-family units (21-2 unit building and 18-4 unit building)** proposed to be developed within the Neighborhood. Therefore, full development of this Neighborhood could provide for ~~859~~ **938** dwelling units to be developed on approximately ~~430~~ **431** acres of land.

In accordance with the Village Comprehensive Plan, the overall net density for the Neighborhood is recommended to be within the Lower-Medium Density Residential land use category with the average lot area being between 12,000 square feet 18,999 square feet per dwelling unit. This allows for some areas of the Neighborhood to have larger lots while some areas have smaller lots. The net density of the Neighborhood as shown on the proposed Neighborhood Plan is ~~21,805~~ **18,424** square feet per dwelling unit (approximately 430 net residential acres--excluding existing and future rights-of-way, Commercial, Government/Institutional, Industrial, Public Park, 100-year floodplain and wetlands multiplied by 43,560 square feet in an area divided by ~~859~~ **938** dwelling units). The lot size per dwelling is ~~higher than~~ **within** the range provided in the Village's Comprehensive Plan.

- **POPULATION PROJECTIONS FOR THE NEIGHBORHOOD:** The vacant portions of this Neighborhood will not develop until the property owners wish to develop their land; which makes Neighborhood planning essential for the orderly growth of the community and establishes a framework as to how development should occur and, if and when it occurs. The Neighborhood Plan is a guide for property owners and developers—therefore the population will increase on an incremental basis as the Neighborhood develops over time.

**Current population within the Neighborhood:**

- ~~80~~ **81** dwelling units
- ~~218~~ **220** persons (which includes an estimated 50 school age children)

**Projected population** within the neighborhood is based on the total number of households proposed for this neighborhood when fully developed:

- ~~859~~ **938** dwelling units
- ~~2,345~~ **2,542** persons (which includes an estimated ~~539~~ **575** school age children)

The Village provides copies of proposed developments to the Kenosha Unified School District to assist in their long range planning. Pursuant to the information provided by the Kenosha Unified School District a total of 361 new public school age children are likely to come from this neighborhood at full build-out.

*[Note: Based on the ~~2000~~ **2010** Census information for the Village of Pleasant Prairie the average number of persons per household is ~~2.73~~ **2.71** and school age children between the ages of 5 and 19 make up ~~23%~~ **22.6%** of the population. Pursuant to the information provided by the Kenosha Unified School District for Pleasant Prairie the number of new students that will attend public school is 42% of the number of dwelling units.]*

- **ACCESS TO ARTERIAL ROADS:** 94<sup>th</sup> Avenue is intended to be a collector street extending through the Neighborhood ~~that connects STH 50 to~~ **from** the future high school site **to STH 50**. Access to CTH H and to CTH C will be limited with no direct driveway or private roadway access. ~~A proposed roundabout is shown at CTH C and Bain Station Road.~~ This roundabout location **s within the neighborhood** will be further evaluated at the time that the proposed development is considered.

**Neighborhood Plan Map 17  
Pleasant Farms Neighborhood**

**Adopted by Plan Commission Resolution #08-07 and Village Board Resolution #08-12  
and amendments adopted by Plan Commission Resolution #12-11 and Ord. #12-\_\_\_\_\_**



Amendments to the 2035 Comprehensive Land Use Plan Map 9.9



**Legend**

**RESIDENTIAL LANDS**

- LOW DENSITY RESIDENTIAL**  
(19,200 Square Feet or More Per Dwelling Unit)
- LOW-MEDIUM DENSITY RESIDENTIAL**  
(12,000 To 16,999 Square Feet Per Dwelling Unit)
- UPPER-MEDIUM DENSITY RESIDENTIAL**  
(6,200 To 11,999 Square Feet Per Dwelling Unit)
- HIGH DENSITY RESIDENTIAL**  
(Less Than 6,200 Square Feet Per Dwelling Unit)



**MIXED USE LANDS**

- VG Village Green Center
- CTCHWaukee Transit Center



**COMMERCIAL LANDS**

- N Neighborhood Retail and Service Centers
- C Community Retail and Service Centers
- F Freeway-Oriented Service Centers
- O Freeway Office Centers
- R Freeway-Oriented Regional Retail Centers
- BA-1 P D0-1 Business Area 1 Sub-District
- BA-2 P D0-1 Business Area 2 Sub-District
- BA-3 P D0-1 Business Area 3 Sub-District



**OTHER TRANSPORTATION, COMMUNICATIONS AND UTILITIES**

- P Research Facility, Power Plant
- L Active Landfill
- RR Railroads
- W Water Station
- T Overhead High Tension Wires



**GOVERNMENTAL AND INSTITUTIONAL LANDS**

- M Municipal Administrative Offices
- F Fire Station
- P Police Station
- H Hospital
- E Public Elementary School
- MS Public Middle School
- S Public Senior High School



**PARK, RECREATION AND OTHER OPEN SPACE LANDS**

- R Regional Park
- C Community Park
- N Neighborhood Park



**INDUSTRIAL LANDS**

- L Limited Industrial
- G General Industrial
- CA P D0-1 Core Area Sub-District



**Agricultural Lands**



**Primary Environmental Corridors**



**Secondary Environmental Corridors**



**Isolated Natural Resource Areas**



**Surface Water**



**Field Verified Wetlands**



**Interpolated Wetlands (2005 WDNWR Final Inventory Maps)**



**100-Year Floodplain**



**EXISTING RIGHT-OF-WAY (SEPTEMBER 2005)**



**DEDICATED BUT NOT CONSTRUCTED RIGHT-OF-WAYS (SEPTEMBER 2005)**



**URBAN RESERVE AREAS (OVERLAY)**



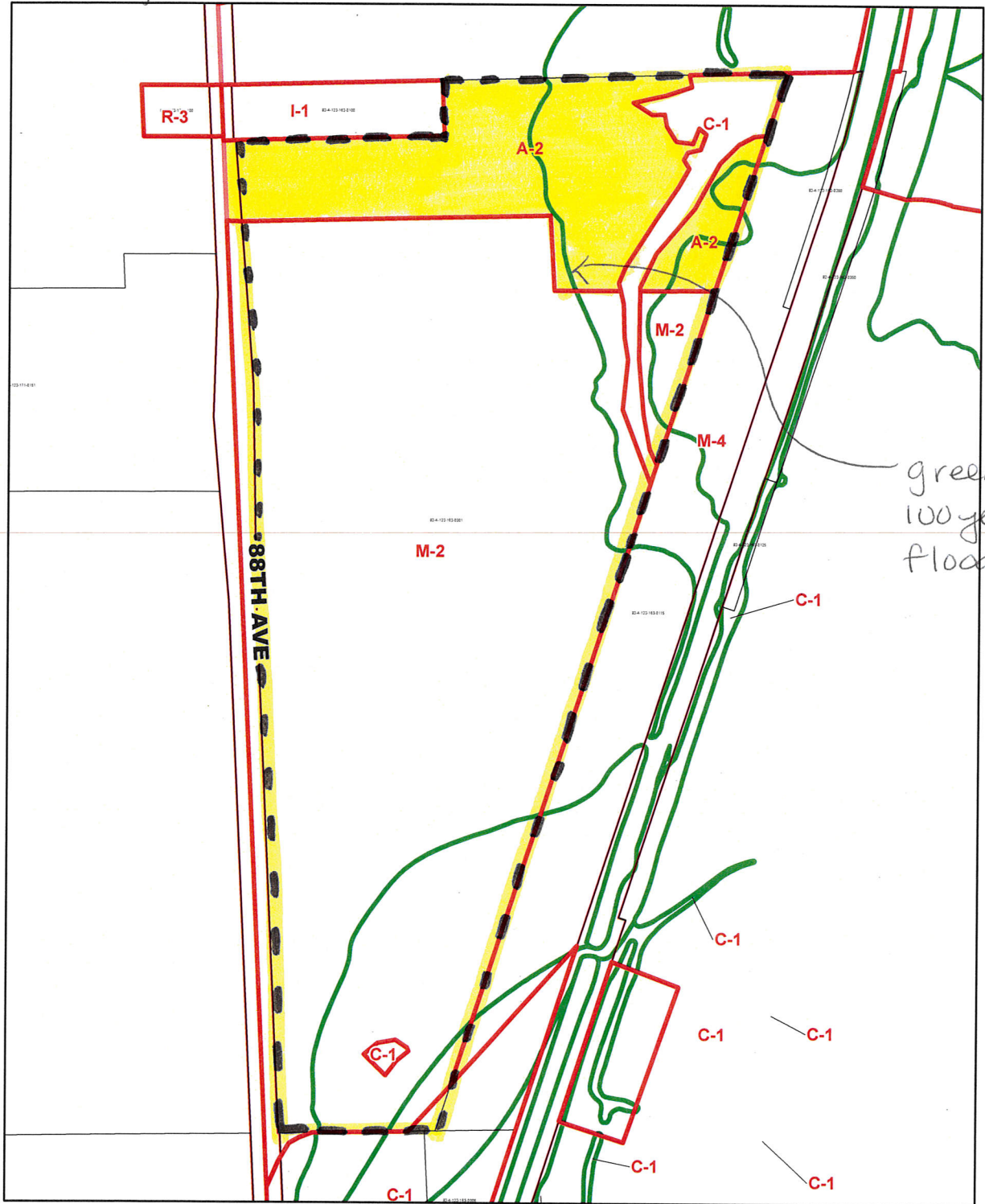
**PROPERTY LINES**



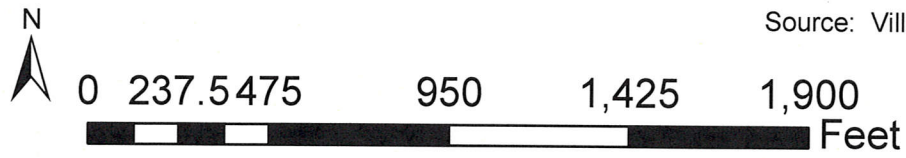
# Village of Pleasant Prairie Zoning Map

--- property boundary (portion of)

■ area being rezoned from A-2 to M-2



green line  
100 year  
floodplain



Source: Village of Pleasant Prairie Zoning: August 2012

Note: No change to 100 year floodplain or areas zoned C-1

## Jean Werbie-Harris

---

**From:** Jean Werbie-Harris  
**Sent:** Monday, August 27, 2012 5:03 PM  
**To:** 'Burroughs, John'  
**Cc:** Semcken III, John; Wheeler, Josh; Talt, Taylor; John Bieberitz (jbieberitz@traffic-ad.com); gsipsma@co.kenosha.wi.us; Mike Spence; Mike Pollocoff; Tom Shircel  
**Subject:** RE: Traffic Study Scope of Work  
**Attachments:** Additional Traffic Study Scope Requirements.pdf

John – Attached is the revised “Attachment A” Scope of Services for the CTH H traffic study per the Village. The data collection and traffic analysis/operational analysis scope must be expanded to include the areas as noted in red on Attachment A. Also- the Report (Task 3) shall be provided to the Client, Kenosha County (Gary Sipsma) and the Village (Mike Spence) and (Jean Werbie-Harris).

Call either Mike Spence, Village Engineer (262-948-8931) or me if you have any questions,  
Thanks--  
Jean

---

**From:** Burroughs, John [mailto:jburroughs@commercelp.com]  
**Sent:** Thursday, August 23, 2012 12:03 PM  
**To:** Jean Werbie-Harris  
**Cc:** Semcken III, John; Wheeler, Josh; Talt, Taylor; John Bieberitz (jbieberitz@traffic-ad.com)  
**Subject:** Traffic Study Scope of Work

Jean, attached is the Scope of Work document prepared by John Bieberitz. I understand that this is based on John’s discussion with Gary Sipsma. Please confirm back to us that the Village of Pleasant Prairie has “approved” the scope of work as described in the attached. Thanks much!

### John R Burroughs, LEED AP

President  
Direct: 562-948-4380 | Fax: 562-699-4796  
Email: [jburroughs@commercelp.com](mailto:jburroughs@commercelp.com)



**Commerce Construction Co., L.P.**  
13191 Crossroads Parkway North, 6th Floor, City of Industry, CA 91746  
<http://www.commercelp.com>

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ATLANTA • BETHLEHEM • DALLAS • DENVER • LAS VEGAS • LOS ANGELES

---

# ATTACHMENT A

Include intersections:  
• CTH H & STH 165  
• CTH H & CTH C  
• CTH H & STH 50

## SCOPE OF SERVICES

Engineer shall provide the Services described below. As indicated, Tasks 1-4 include activities involved with preparation of a Kenosha County Traffic Impact Analysis (TIA) for the proposed industrial building on the east side of CTH H for Kenosha County and Village of Pleasant Prairie approval.

### Task 1 - Data Collection

Engineer will obtain and review available traffic count information from the Wisconsin Department of Transportation (WisDOT) consisting of daily and hourly traffic counts on CTH H. As required by Kenosha County, Engineer will supplement this data with additional traffic turning movement counts, at the following intersections during the following time periods:

- CTH H with Bain Station Road – 6:00 AM to 9:00 AM and 3:00 PM to 6:00 PM
- CTH H with 95<sup>th</sup> Street – 6:00 AM to 9:00 AM and 3:00 PM to 6:00 PM

Engineer will collect intersection geometric data and other geometric information on CTH H at the proposed site as well as the CTH H intersections with Bain Station Road and 95<sup>th</sup> Street. Engineer will compile the traffic count data and geometric data for a base map for the traffic analysis.

Engineer will also conduct a traffic gap study on CTH H at the proposed development's southern access driveway during the weekday morning and evening peak hours to determine the number of gaps in the existing CTH H traffic stream, which would be acceptable for trucks to enter and exit the driveway.

Engineer will compile the historical WisDOT 24-hour traffic count data on CTH H from 1976 to present to develop a traffic projection to year 2023. Engineer will utilize the historical data to develop a growth rate from 2012 to Year 2023 based on a statistical regression analysis. Engineer will utilize the growth rate to develop the Year 2023 weekday AM and PM peak hour turning movement volumes at the study area intersections.

### Task 2 - Traffic Analysis

#### Trip Generation and Distribution – Year 2013

Engineer will estimate the volume of traffic expected to be generated by the full buildout/occupancy of the proposed industrial building based on the trip generation rate data documented in the *ITE Trip Generation Manual* for Land Use Code 152. Traffic will be generated for the weekday 24-hour, weekday AM and PM peak hours. The weekday AM and PM peak hour traffic generated will be distributed to the study area intersections based on the existing traffic patterns. The distributed traffic will be added to the existing traffic and will be used as the basis for the traffic analysis.

#### Traffic Operational Analysis – Year 2013

Engineer will develop the existing and future build volumes (with the industrial development) for the following study area intersections:

- CTH H with CTH C
- CTH H with Bain Station Road
- CTH H with the two proposed development driveways
- CTH H with 95<sup>th</sup> Street

CTH H & STH 165  
CTH H & STH 50

Engineer will analyze the study area intersections for the typical weekday AM and PM peak hours for the following scenarios:

1. Existing conditions
2. Build conditions (with the full buildout/occupancy of the industrial development)

all intersections  
STM 165 to  
STM 50

Engineer will make recommendations on intersection geometrics and other improvements required to provide LOS 'D' or better for all traffic movements at the study area intersections. Engineer will conduct a peak hour traffic signal warrant analysis at the CTH H intersections with Bain Station Road and 95<sup>th</sup> Street. It is noted that Engineer will NOT analyze the CTH H intersection with CTH C, but will provide only the projected development traffic volumes at this intersection for the County's future use in the intersection design at this location. Engineer will recommend intersection/driveway geometrics at the CTH H intersections with the proposed development driveways.

#### **Trip Generation and Distribution – Year 2023**

Engineer will estimate the volume of traffic expected to be generated by the proposed full buildout of the Pleasant Farms Neighborhood and new high school, to be located on the west side of CTH H, south of Bain Station Road. Traffic will be generated based on the proposed land uses in the neighborhood plan and the applicable trip generation rates documented in the *ITE Trip Generation Manual*. Traffic will be generated for the weekday 24-hour and the weekday AM and PM peak hours. The weekday AM and PM peak hour traffic generated will be distributed to the study area intersections. The distributed traffic will be added to the future Year 2023 traffic and will be used as the basis for the Year 2023 traffic analysis.

#### **Traffic Operational Analysis – Year 2023**

Engineer will develop the Year 2023 Base (no development) and future build volumes (with the Pleasant Farms Neighborhood, with and without the industrial development) for the following study area intersections:

- CTH H with CTH C
- CTH H with Bain Station Road
- CTH H with the two proposed development driveways
- CTH H with 95<sup>th</sup> Street

all intersections  
STM 165 to  
STM 50

Engineer will analyze the study area intersections for the typical weekday AM and PM peak hours for the following scenarios:

1. Year 2023 Base Conditions (no development)
2. Year 2023 Build Conditions (with only the Pleasant Farms Neighborhood, but without the proposed industrial development)
3. Year 2023 Total Build Conditions (with the Pleasant Farms Neighborhood, with the proposed industrial development)

Engineer will make recommendations on intersection geometrics and other improvements required to provide LOS 'D' or better for all traffic movements at the study area intersections. Engineer will conduct a peak hour traffic signal warrant analysis at the CTH H intersections with Bain Station Road and 95<sup>th</sup> Street. It is noted that Engineer will NOT analyze the CTH H intersection with CTH C, but will provide only the projected development traffic volumes at this intersection for the County's future use in the intersection design at this location. Engineer will recommend intersection/driveway geometrics at the CTH H intersections with the proposed development driveways.



**Task 3 – Report**

A "draft" Traffic Impact Analysis report documenting the findings of the analysis will be prepared by the Engineer and submitted to the Client for review and comments. The report will include text, tables and exhibits. The Client shall provide comments to the Engineer so the Engineer can finalize the report and submit final copies to the Client and WisDOT.

*the Village of Pleasant Prairie*

**Task 4 - Meetings**

No meetings are included in this scope of services. It is assumed that all correspondence can be conducted via phone or e-mail. If meeting(s) are required with attendance by the Engineer, it will be considered as additional services and will be billed as time and materials.

8/6/2012

Jean Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39th Avenue  
Pleasant Prairie, WI 53158

**Re: REQUEST FOR COMPREHENSIVE PLAN AMENDMENT,  
ZONING MAP AND TEXT AMENDMENT, AND CONCEPT PLAN REVIEW**  
MAJESTIC CENTER, PLEASANT PRAIRIE, WI  
PEG Job No. 117.00

Mr. Werbie-Harris,

On the behalf of our client Majestic Realty Co., Pinnacle Engineering Group (PEG) would like to formally request an amendment to the Village 2035 Comprehensive Land Use Plan and the Pleasant Farms Neighborhood Plan to allow for the proposed Majestic Center development. We also request review of a concept plan submittal of a probable development scenario.

The site of the proposed Majestic Center is approximately 87.5 acres of undeveloped land situated on the east side of County Trunk Highway H just south of Bain Station Road. The Parcel is bounded on the south by undeveloped wetlands along the Jerome Creek, on the east by an American Transmission Company distribution line parcel, and to the north by undeveloped farmland and a cemetery.

The site can alternatively be defined as Village Parcel 92-4-122-162-0301.

The Majestic Center Development will consist of Flexible Industrial Building(s) with an approximate Floor Area to Site Area Ratio of 0.31, totaling approximately 1.2 million square feet of building area coverage with additional impervious surfaces for driveways, vehicle maneuvering, and parking stalls (commercial and non-commercial).

To support our request, please find the following information:

**Comprehensive Plan Amendment:**

The 2035 Comprehensive Plan forecasts multiple usage classifications on the subject site including a majority designated as Industrial Lands along with a minor area designated as Open Space and Low-Medium Density Residential with Urban Reserve Overlay.

The amendment request is intended to allow for full utilization of site areas outside of wetlands and floodway to be developed into industrial type classifications. We do not anticipate negative impacts to the overall Comprehensive plan.

Zoning Map and Text Amendment:

The amendment request is intended to rezone the existing A-2 area to M-2 to form an expanded M-2 area.

Neighborhood Plan Amendment:

The Pleasant Farms Neighborhood Plan illustrates a concept industrial parcel layout within the Industrial Lands portion of the subject property and a parcel layout for Low-Medium Residential Subdivision within the open space and residential portions of the parcel as defined within the 2035 Comprehensive Plan.

The amendment request is intended to redefine these areas as a single industrial use. To support the reclassification intent, we have included two exhibits. Exhibit 1 depicts a single industrial parcel. Exhibit 2 depicts a potential single building layout overlaid on the neighborhood plan.

Concept Plan Submittal:

The Concept plan illustrates a single building structure at full build out. This parcel allows for the construction of an approximately 1.2 million square foot cross dock building with supporting parking and maneuvering areas.

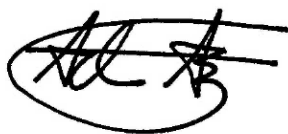
On Behalf of Majestic Realty, we would like to reaffirm our request for amendments to the 2035 Comprehensive Plan, Zoning Map and Zoning Text, and Pleasant Farms Neighborhood Plan along with approval of the provided concept plan.

With successful amendments and approvals, the development team will be able to further pursue the ultimate development of the parcel.

If you have any questions about the information presented within, please do not hesitate to contact us.

Sincerely,

PINNACLE ENGINEERING GROUP

A handwritten signature in black ink, appearing to read 'A. Artz', enclosed within a hand-drawn oval.

Adam R. Artz, P.E.  
Senior Project Manager | Principal



Filed 8/7 2012 Published 8/27 2012  
 Public Hearing 9/10 2012 9/3 2012  
 Fee Paid 8/7 2012 Approved 20  
 Notices Mailed 8/10 2012 Denied 20

**R E C E I V E D**  
 AUG 7 2012

**VILLAGE OF PLEASANT PRAIRIE  
 CONCEPTUAL PLAN APPLICATION**

1. Development Name: Majestic Center
2. General Location of Development: 88 Acres South of Bain Station Rd East Village of Pleasant Prairie
3. Tax Parcel Number(s): 92-4-122-162-030.1
4. Number of Lots: 1 Number of Outlots: 0
5. Size of Development: 88 acres.
6. The Development is proposed to be constructed in Phases:  Yes  No
7. The Development abuts or adjoins a State Trunk Highway:  Yes  No
8. The Development abuts or adjoins a County Trunk Highway or a Kenosha County Park or the Kenosha County Bike Trail:  Yes  No
9. The following number and types of plans shall be submitted with this application:
  - 10 full size sets of Conceptual Plan
  - 1 copy of the Conceptual Plan reduced to 11" by 17"
  - Conceptual Plan application fee
  - 10 sets of Conceptual Engineering Plan
  - Phasing Plan, if applicable
  - Draft of Declarations, Covenant, Restrictions and any Easement Documents
  - Any other information as specified by the Village

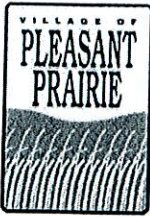
I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

**PROPERTY OWNER:**

Print Name: Todd Rizzo  
 Signature: [Signature]  
 Address: 301 W. Wisconsin Ave / Ste 400  
Milwaukee WI 53203  
 (City) (State) (Zip)  
 Phone: (414) 274-4606  
 Fax: (414) 274-4640  
 Date: 08/07/2012

**OWNER'S AGENT:**

Print Name: Adam Artz  
 Signature: [Signature]  
 Address: 15850 W. Bluemound Rd / Ste 310  
Brookfield WI 53005  
 (City) (State) (Zip)  
 Phone: (262) 754-8888  
 Fax: (262) 754-8880  
 Date: 08/07/2012



Filed 8/7 2012 Published 8/27 2012  
 Public Hearing 9/10 2012 9/3 2012  
 Fee Paid 8/7 2012 Approved \_\_\_\_\_ 20\_\_\_\_  
 Notices Mailed 8/10 20\_\_\_\_ Denied \_\_\_\_\_ 20\_\_\_\_

**R E C E I V E D**  
 AUG 7 2012

**VILLAGE OF PLEASANT PRAIRIE, WISCONSIN  
 ZONING MAP AND TEXT AMENDMENT APPLICATION**

To: Village Plan Commission & Village Board of Trustees of the Village of Pleasant Prairie:  
 I, (We), the undersigned owner(s)/agent do hereby petition the Village Board to amend the Village of Pleasant Prairie Zoning Map as hereinafter requested.

It is petitioned that the following described property be rezoned from the present A-2/M-2 District(s) to M-2 District(s). The property petitioned to be rezoned is located at: 88<sup>th</sup> Ave and is legally described as follows: SEE Attached

Tax Parcel Number(s): 92-4-122-162-0302

The proposed use for this property is: Industrial/Manufacturing/Distribution Center Flexible Building for single or multiple tenants

Petitioner's interest in the requested rezoning: \_\_\_\_\_

Compatibility with adjacent land uses: Property to East is zoned M-4 / Adjacent to L.V. Corporate Park

I (We) are also requesting a Zoning Text Amendment to amend Section \_\_\_\_\_ of the Village Zoning Ordinance.

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request to determine additional information that may be needed for this request.

I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

**PROPERTY OWNER:**

Print Name: Todd Rizzo

Signature: [Signature]

Address: 301 W. Wisconsin Ave | Ste 400

Milwaukee W.I. 53203  
 (City) (State) (Zip)

Phone: (414) 274-4606

Fax: (414) 274-4640

Email: trizzo@wispsck.com

Date: 08/07/2012

**OWNER'S AGENT:**

Print Name: Adam Artz

Signature: [Signature]

Address: 15850 W. Bluemound Rd | Ste 310

Brookfield W.I. 53005  
 (City) (State) (Zip)

Phone: (262) 754-8888

Fax: (262) 754-8850

Email: adam.artz@pinnsck-engr.com

Date: 08/07/2012

## Parcel Legal Description

---

### Majestic Center – Pleasant Prairie, WI

A parcel of land being that part of the Southwest Quarter and Northwest Quarter of Section 16, Township 1 North, Range 22 East, all located in the Town of Pleasant Prairie, Kenosha County, State of Wisconsin bounded and described as follows:

Commencing at the Southwest Corner of the SW1/4 of Section 16, Township 1 North, Range 22 East;

THENCE North 02 degrees 46 minutes 43 seconds West for a distance of 550.24 feet along the west line of said SW1/4;

THENCE North 88 degrees 56 minutes 32 seconds East for a distance of 45.02 feet to a point on the west right-of-way line of C.T.H. 'H' also being the point of beginning of this description;

THENCE along said west right-of-way line North 02 degrees 46 minutes 36 seconds West for a distance of 1741.81 feet to the north line of said SW1/4;

THENCE continuing along said west right-of-way line North 01 degrees 08 minutes 25 seconds West for a distance of 700.38 feet;

THENCE along said west right-of-way line North 04 degrees 33 minutes 50 seconds West for a distance of 800.67 feet;

THENCE North 88 degrees 32 minutes 16 seconds East for a distance of 685.91 feet;

THENCE North 02 degrees 46 minutes 28 seconds West for a distance of 180.00 feet;

THENCE North 88 degrees 32 minutes 16 seconds East for a distance of 1132.29 feet;

THENCE South 18 degrees 09 minutes 30 seconds West for a distance of 3635.90 feet;

THENCE South 88 degrees 56 minutes 32 seconds West for a distance of 513.85 feet to the point of beginning of this description;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 88.34 acres more or less.

The Property is also described as follows:

The South 1/2 of the Northwest 1/4; the North 1/2 of the Southwest 1/4; and the North 23-1/3 acres of the Southwest 1/4 of the Southwest 1/4 Section 16, EXCEPTING THEREFROM THE FOLLOWING:

A) That part lying east of the westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company;

B) Beginning at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 16; thence east along and upon the north line of said 1/4 1/4 Section, 726 feet; thence South parallel with the west line of said 1/4 1/4 Section, 180 feet; thence West parallel with the north line of said 1/4 1/4 Section, 726 feet to the west line of said 1/4 1/4 Section; thence North along and upon the west line of said 1/4 1/4 Section, 180 feet to the point of beginning.

C) Beginning at the intersection of the westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the north line of the Southeast 1/4 of the Northwest 1/4 of said Section 16, which point is 50 feet, more or less, westerly of the original center line of the westerly main track of said railroad measured at right angles to the track; thence Southerly along said right-of-way line, 800 feet; thence Westerly at right angles to said right-of-way line, 25 feet; thence Northerly on a line parallel to and 25 feet from said right-of-way line to an intersection with the north line of said 1/4 1/4 Section; thence Easterly along said 1/4 1/4 Section line to the point of beginning;

D) Beginning at a point on the east-west 1/4 line of said Section 16 which is South 88 degrees 18 minutes 53 seconds West, 994.52 feet from the Center of said Section; thence South 18 degrees 09 minutes 30 seconds West on the westerly line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company right-of-way, 2235.15 feet; thence South 88 degrees 56 minutes 11 seconds West on a line parallel with and 33.333 rods north on the south line of said Section 16, 264.76 feet; thence North 18 degrees 09 minutes 30 seconds East, 2232.10 feet to a point on the east-west 1/4 line of said Section 16; continuing thence North 18 degrees 09 minutes 30 seconds East, 1404.00 feet to a point on the north line of the Southeast 1/4 of the Northwest 1/4 of said Section 16; thence North 88 degrees 32 minutes 00 seconds East on the north line of the Southeast 1/4 of the Northwest 1/4 of said Section 16, 215.72 feet to a point of curvature on the westerly line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company right-of-way; thence Southwesterly on the arc of a curve of southeasterly convexity, a distance of 496.80 feet, said curve having a radius of 5654.65 feet and a chord which bears Out 15 degrees 38 minutes 29 seconds West, 496.64 feet to a point of tangency; thence South 18 degrees 09 minutes 30 seconds West, 303.19 feet; thence South 71 degrees 50 minutes 30 seconds East, 25.00 feet; thence South 18 degrees 09 minutes 30 seconds West on the westerly line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company right-of-way 586.87 feet to the point of beginning;

E) That part described in Award of Damages recorded February 20, 1964 in Volume "661" Records, pages 588-589, document number 459501;

all in Town 1 North, Range 22 East, of the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin.

Source: ALTA/ACSM LAND TITLE SURVEY, Prepared By Earth Tech, Dated 01/08/2003

# CONCEPT PLAN SUBMITTAL FOR MAJESTIC CENTER

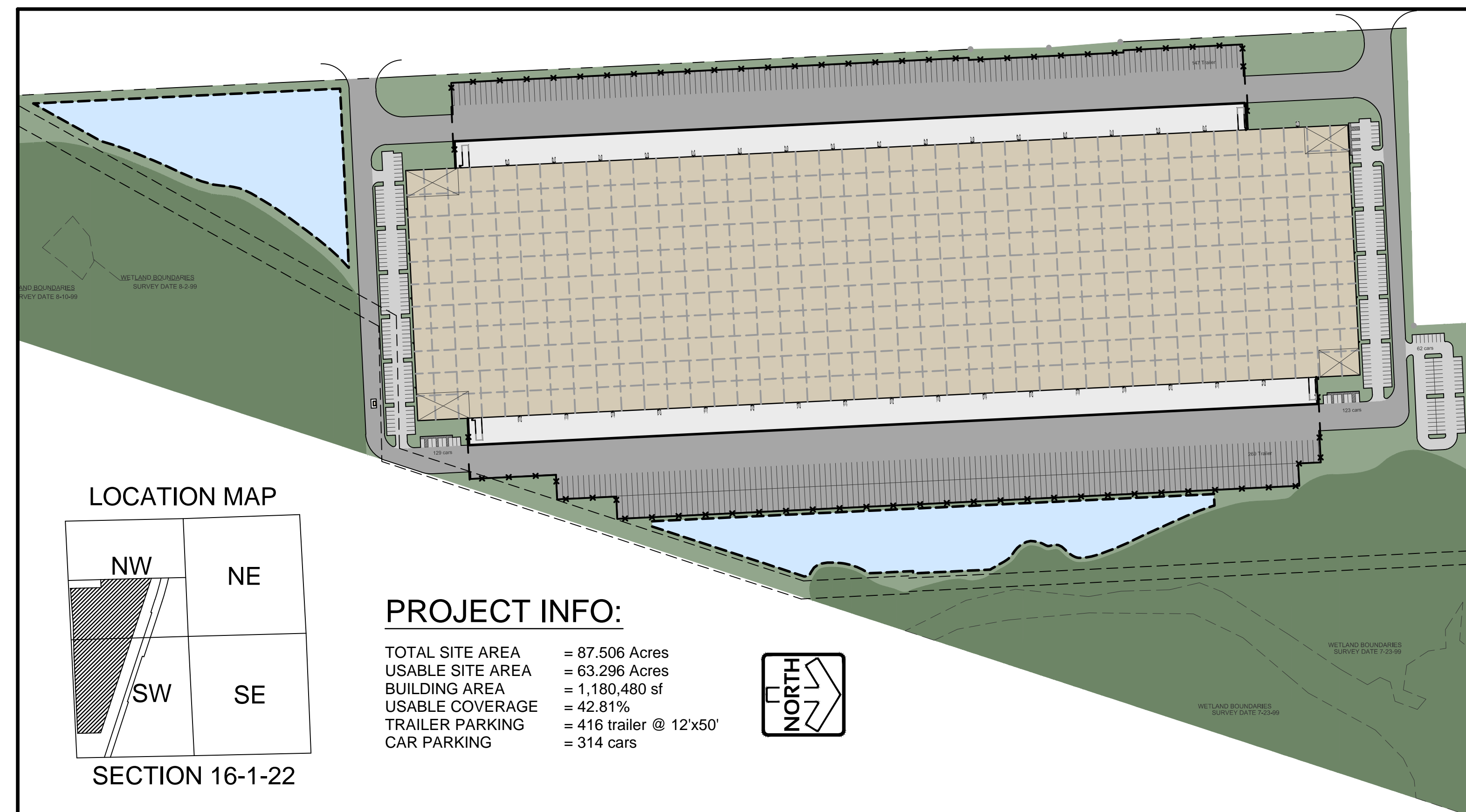
PLEASANT PRAIRIE, WI

PLANS PREPARED  
FOR

**MAJESTIC REALTY COMPANY**  
13191 CROSSROAD PARKWAY | SIXTH FLOOR  
CITY OF INDUSTRY, CA 91746

## INDEX OF SHEETS

- T1: COVER SHEET
- A1: SITE PLAN
- A2: ELEVATIONS
- A3: ELEVATIONS
- C1: CONCEPT ENGINEERING PLAN
- L1: LANDSCAPE PLAN OVERALL



PROJECT MAP

## SUBJECT PARCEL LEGAL DESCRIPTION

A parcel of land being that part of the Southwest Quarter and Northwest Quarter of Section 16, Township 1 North, Range 22 East, all located in the Town of Pleasant Prairie, Kenosha County, State of Wisconsin bounded and described as follows:

Commencing at the Southwest Corner of the SW1/4 of Section 16, Township 1 North, Range 22 East;

THENCE North 02 degrees 46 minutes 43 seconds West for a distance of 550.24 feet along the west line of said SW1/4;

THENCE North 88 degrees 56 minutes 32 seconds East for a distance of 45.02 feet to a point on the west right-of-way line of C.T.H. 'H' also being the point of beginning of this description;

THENCE along said west right-of-way line North 02 degrees 46 minutes 36 seconds West for a distance of 1741.81 feet to the north line of said SW1/4;

THENCE continuing along said west right-of-way line North 01 degrees 08 minutes 25 seconds West for a distance of 700.38 feet;

THENCE along said west right-of-way line North 04 degrees 33 minutes 50 seconds West for a distance of 800.67 feet;

THENCE North 88 degrees 32 minutes 16 seconds East for a distance of 685.91 feet;

THENCE North 02 degrees 46 minutes 28 seconds West for a distance of 180.00 feet;

THENCE North 88 degrees 32 minutes 16 seconds East for a distance of 1132.29 feet;

THENCE South 18 degrees 09 minutes 30 seconds West for a distance of 3635.90 feet;

THENCE South 88 degrees 56 minutes 32 seconds West for a distance of 513.85 feet to the point of beginning of this description;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 88.34 acres more or less.

## CONTACTS

**LAND OWNER:**  
WISPARK, LLC  
ATTN: TODD RIZZO - VICE PRESIDENT  
301 W. WISCONSIN AVE | SUITE 400  
MILWAUKEE, WI 53203  
(414) 274-4606

**APPLICANT:**  
MAJESTIC REALTY COMPANY  
ATTN: JOHN SEMCKEN, III - VICE PRESIDENT  
13191 CROSSROADS PKWY NORTH | 6TH FLOOR  
CITY OF INDUSTRY, CA 91746-3497  
(562) 692-9581

**APPLICANT'S AGENT/CIVIL ENGINEER:**  
PINNACLE ENGINEERING GROUP, LLC  
ATTN: ADAM ARTZ, P.E. - SR. PROJ. MANAGER  
15850 W. BLUEMOUND ROAD | SUITE 310  
BROOKFIELD, WI 53005  
(262) 754-8888

**ARCHITECT:**  
COMMERCE CONSTRUCTION COMPANY, L.P.  
JOE ROBERTSON - VICE PRESIDENT  
13191 CROSSROADS PKWY NORTH | 6TH FLOOR  
CITY OF INDUSTRY, CA 91746-3497  
(562) 948-4323

## GENERAL NOTES

- BEARINGS ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
- ELEVATIONS ARE BASED ON THE CONTROL SURVEY SUMMARY DIAGRAM FOR SECTION SURVEYS IN THE TOWN OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN. SOUTHEAST CORNER OF SECTION 16-1-22, ELEV: 680.50 (DATUM: 1929 ADJUSTMENT. ELEVATIONS SHOWN ON THIS MAP ARE BASED ON MEAN SEA LEVEL)
- FLOODPLAIN LIMITS CONTAINED IN THE SITE PLAN WERE TAKEN FROM AN ALTA/ASCM SURVEY UNDERTAKEN BY EARTH TECH (DATED 08-06-2003). FLOODPLAIN CONTAINED WITHIN SURVEY WAS AN OVERLAY OF KENOSHA COUNTY ZONING MAPS, NOT BASED ON ELEVATION. THE CONCEPT ENGINEERING PLAN SHOWS A DASHED LINE WHICH REPRESENTS THE LIMITS OF FLOODPLAIN BASED ON ELEVATION CONTAINED WITHIN THE FLOOD INSURANCE RATE STUDY AS PUBLISHED BY FEMA CONVERTED TO THE SITE SURVEY DATUM.

**FOR REVIEW ONLY**  
NOT FOR CONSTRUCTION

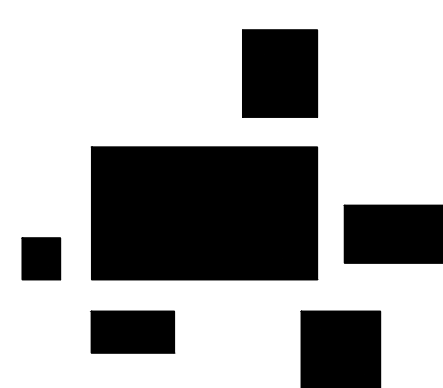


EXPIRATION DATE: NOVEMBER 30, 2013 Formerly JULIE 1-800-892-0123

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FURTHERMORE, PINNACLE ENGINEERING GROUP, LLC IS NOT RESPONSIBLE FOR CONSTRUCTION SAFETY OR THE MEANS AND METHODS OF CONSTRUCTION.



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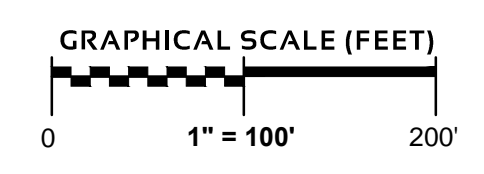
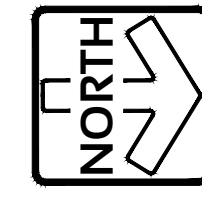
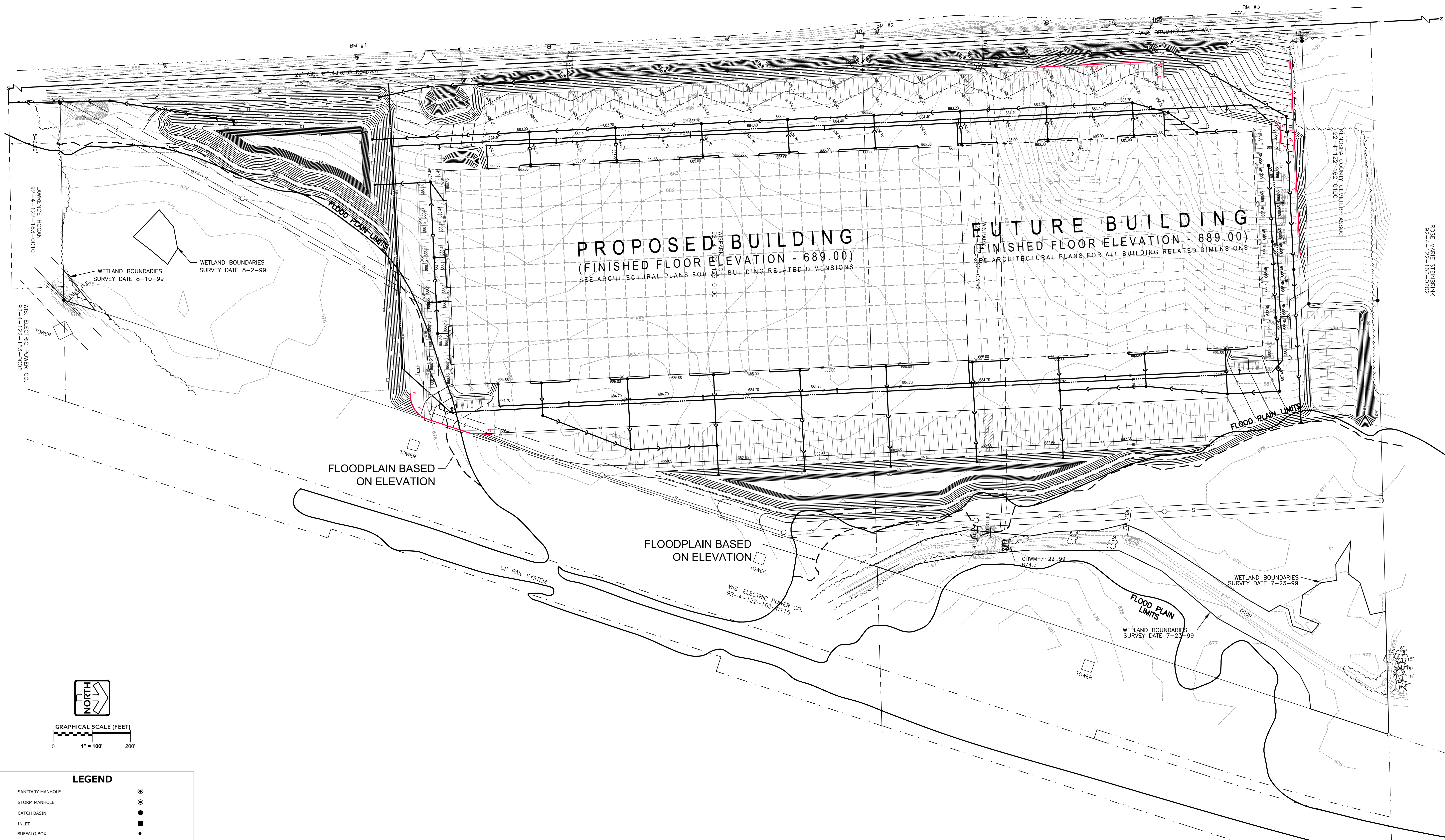
15850 W. BLUEMOUND ROAD | SUITE 310 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADMIN@PINNACLE-ENGR.COM | P: (262) 754-8888 | F: (262) 754-8850

**PLAN | DESIGN | DELIVER**

PEG PROJ. NO.: 117.00-WI	ISSUED FOR REVIEW	SHEET NO.: T1
APPROVED BY: ARA		
DATE ISSUED: 8/07/2012		
PLAN MODIFICATIONS:		

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**LEGEND**

- SANITARY MANHOLE
- STORM MANHOLE
- CATCH BASIN
- INLET
- BUFFALO BOX
- CLEANOUT
- CONTOUR
- SPOT ELEVATION

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**CONCEPT ENGINEERING PLAN**  
**PLAN I DESIGN I DELIVER**

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 15850 W. BLUEMOUND ROAD | SUITE 310 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADMIN@PINNACLE-ENGR.COM | P: (262) 754-8888 | F: (262) 754-8850

PEG PROJ. NO.: 2011-109  
 APPROVED BY: ARA  
 DATE ISSUED: 08/07/2012  
 PLAN MODIFICATIONS:

ISSUED FOR REVIEW

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS, IT IS THE RESPONSIBILITY OF ALL CONTRACTORS TO REVIEW PLANS FOR CONSTRUCTIBILITY & DISCREPANCIES. ALL QUESTIONS AND NOTIFICATIONS OF ERRORS AND/OR AMBIGUITIES SHALL BE SUBMITTED TO ENGINEER PRIOR TO SUBMISSION OF A BID.

PROJECT: MAJESTIC CENTER  
 PROJECT SITE LOCATION: PLEASANT PRAIRIE, WI

SHEET NO.: C-1.0  
 CONCEPT ENGINEERING PLAN

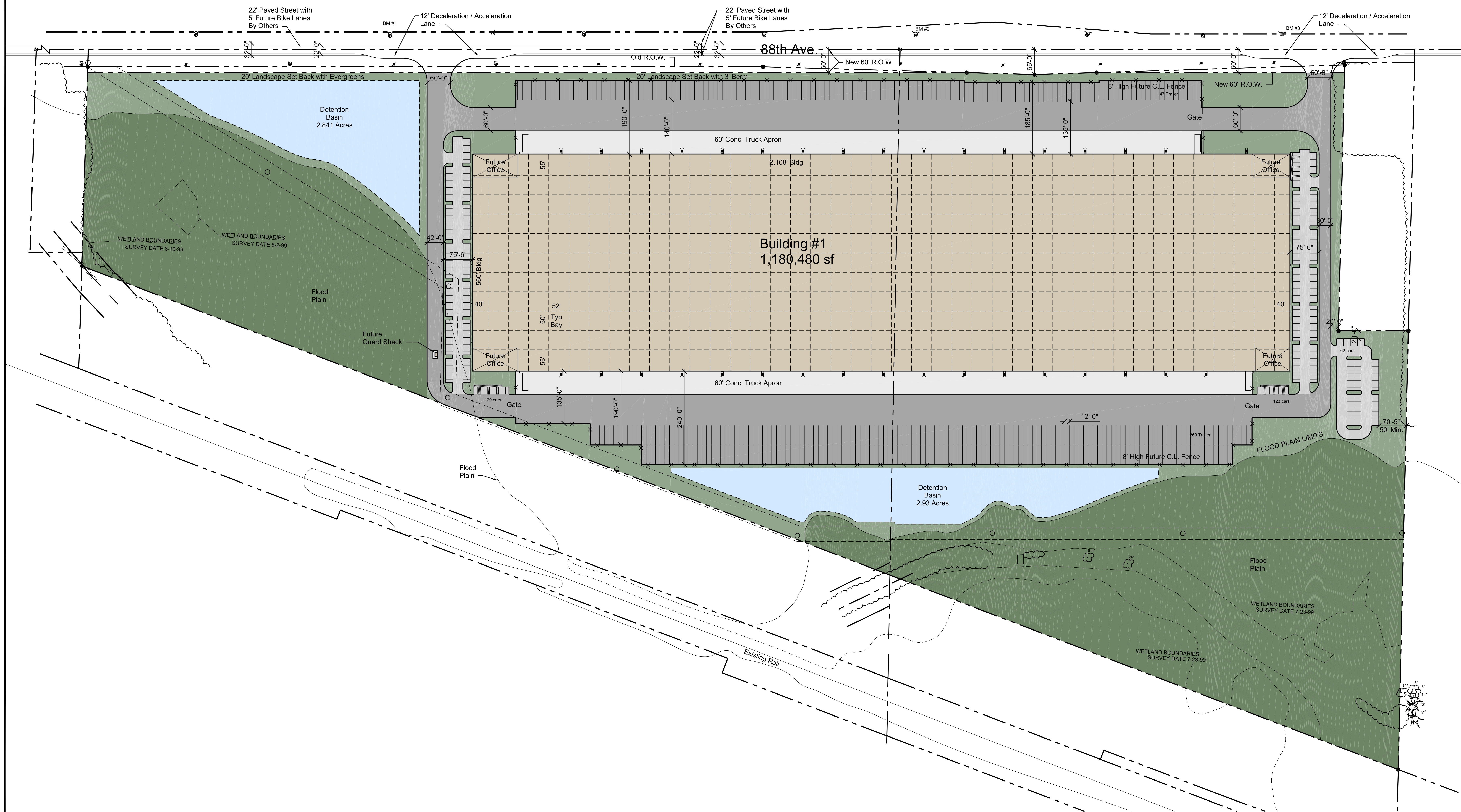
EXISTING CONDITIONS SURVEY: EXISTING CONDITIONS SURVEY UNDERTAKEN BY EARTH TECH. ALTHOUGH PEG HAS NO REASON TO BELIEVE THE SURVEY IS INACCURATE, PEG MAKES NO WARRANTIES THAT EXISTING INFORMATION CONTAINED WITHIN THESE PLANS IS ALL-INCLUSIVE OR ACCURATE. CONTRACTOR SHALL UNDERTAKE NECESSARY EFFORTS TO VERIFY THE EXISTING CONDITIONS PRIOR TO THE START OF MATERIAL PROCUREMENT AND CONSTRUCTION EFFORTS/ACTIVITIES.

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ROSE MARIE STEINBRINK  
92-4-122-163-0202

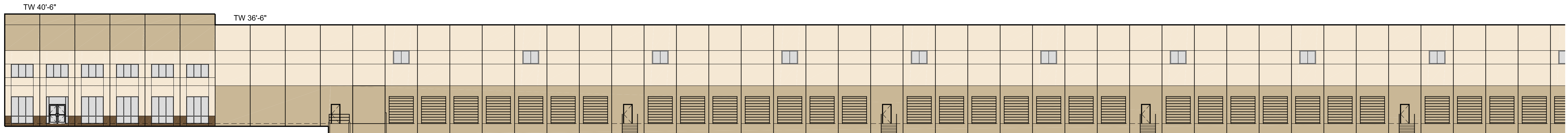
**PROJECT INFO:**

TOTAL SITE AREA = 87,506 Acres  
 USABLE SITE AREA = 63,296 Acres  
 BUILDING AREA = 1,180,480 sf  
 USABLE COVERAGE = 42.81%  
 TRAILER PARKING = 416 trailer @ 12'x50'  
 CAR PARKING = 314 cars

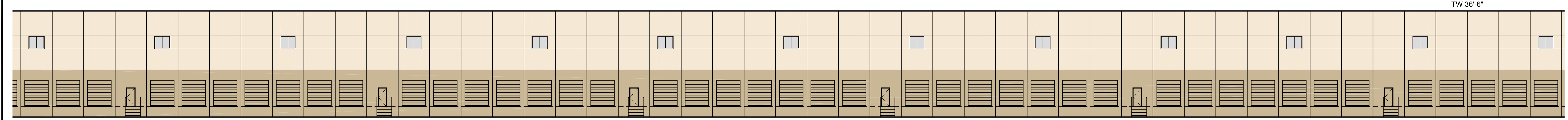


<p>COMMERCE CONSTRUCTION CO., L.P.                  13191 Crossroads Parkway North                  Sixth Floor                  City of Industry, California 91746-3497                  Telephone: (302) 689-0453                  License No. 723302</p>	
<p><b>SITE PLAN</b>  <b>PROPOSED BUILDINGS</b>                  KENOSHA, WISCONSIN</p>	
<p>Drawing Plot Bar                  Use this plot bar to confirm drawing has not been reduced or enlarged from original. If this plot bar is not exactly 1 inch long the physical size of drawing has changed.</p>	
<p>DRAWN BY                  JN</p>	<p>DATE                  7-5-12</p>
<p>CCC JOB NO.  <b>6568</b></p>	
<p>SHEET NO.  <b>A1</b></p>	
<p>REVISIONS</p>	<p>REVISIONS</p>
<p>BY</p>	<p>DATE</p>
<p>BY</p>	<p>DATE</p>

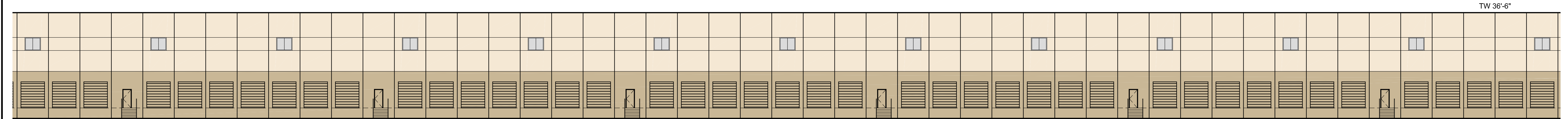
EXHIBIT 13  
 SITE PLAN A  
 SCALE:  
 1" = 100'-0"



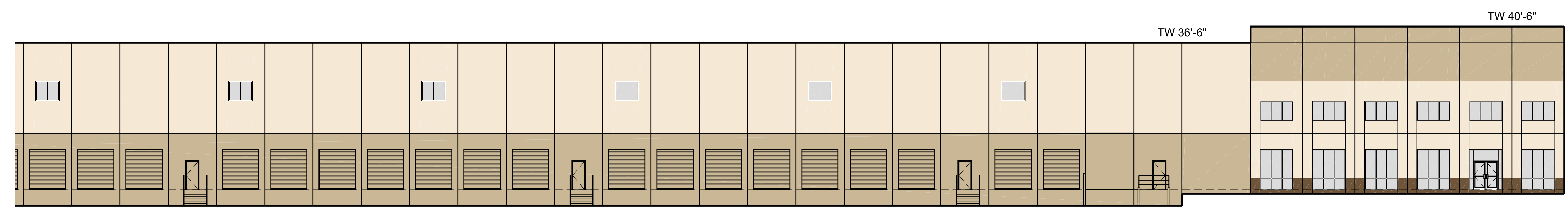
EAST ELEVATION A SCALE: 1/16" = 1'-0"



EAST ELEVATION B SCALE: 1/16" = 1'-0"



EAST ELEVATION C SCALE: 1/16" = 1'-0"



EAST ELEVATION D SCALE: 1/16" = 1'-0"

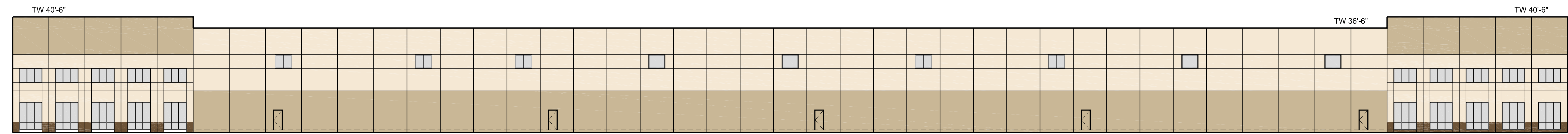


EXHIBIT 10 SOUTH ELEVATION E SCALE: 1/16" = 1'-0"

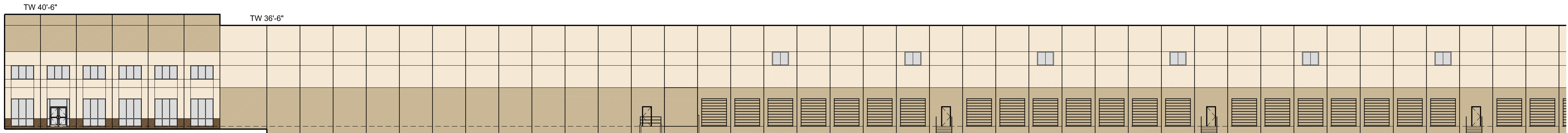
COMMERCE CONSTRUCTION CO., L.P. 13191 Crossroads Parkway North Sixth Floor City of Industry, California 91746-3497 Telephone: (909) 689-0453 License No. 723302
REVISIONS
BY
DATE
REVISIONS
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REVISIONS
BY
DATE

PROPOSED BUILDINGS  
KENOSHA, WISCONSIN

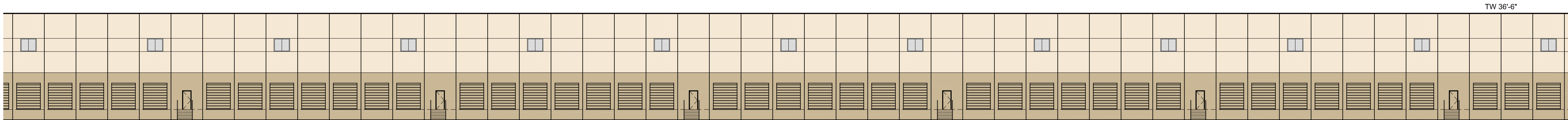
DRAWING PLOT BAR  
Use this plot bar to confirm drawing has not been reduced or enlarged from original. If this plot bar is not exactly 11x17 inch long the physical size of drawing has changed.

DRAWN BY	DATE
JN	7-5-12

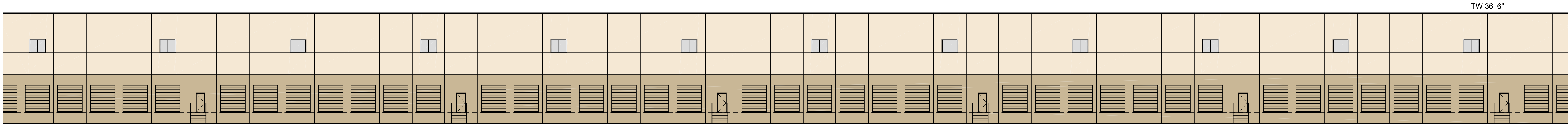
CCC JOB NO.	6568
SHEET NO.	A2



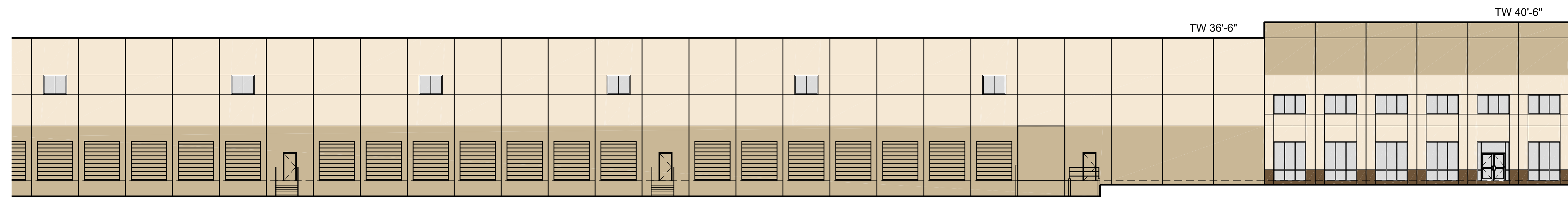
WEST ELEVATION A      SCALE:  
1/16" = 1'-0"



WEST ELEVATION B      SCALE:  
1/16" = 1'-0"



WEST ELEVATION C      SCALE:  
1/16" = 1'-0"



WEST ELEVATION D      SCALE:  
1/16" = 1'-0"

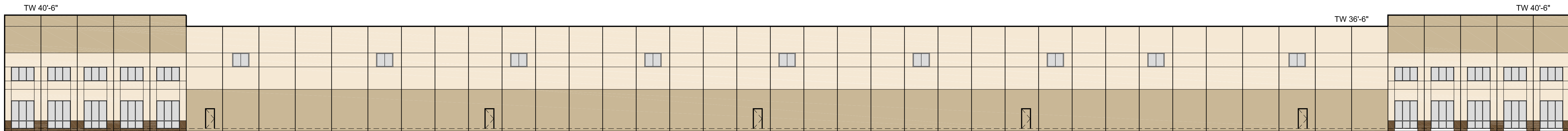


EXHIBIT 10  
NORTH ELEVATION E      SCALE:  
1/16" = 1'-0"

**COMMERCIAL CONSTRUCTION CO., L.P.**  
13191 Crossroads Parkway North  
Sixth Floor  
City of Industry, California 91746-3497  
Telephone: (562) 689-0453  
License No. 723302

**REVISIONS**

NO.	DATE	BY

REVISIONS

**ELEVATIONS**  
**PROPOSED BUILDINGS**  
KENOSHA, WISCONSIN

Drawing Plot Bar

Use this plot bar to confirm drawing has not been reduced or enlarged from original. If this plot bar is not exactly 11 inches long the physical size of drawing has changed.

**DRAWN BY:** JN      **DATE:** 7-5-12

**CCC JOB NO.**  
**6568**

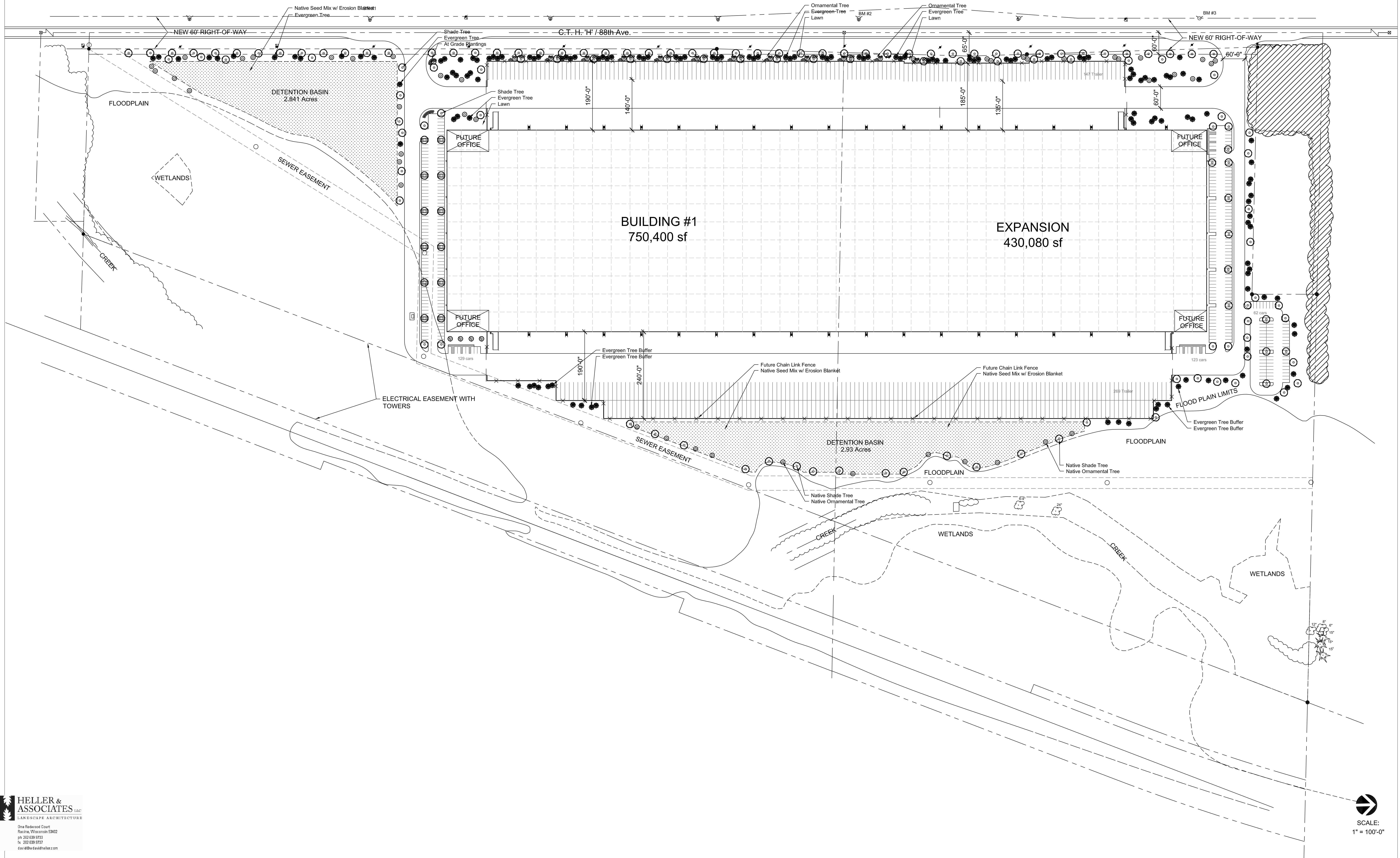
**SHEET NO.**  
**A3**



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 Milwaukee Area (414) 259-1181  
 Heating/Insulation (708) 800-5432/2288  
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**PROJECT INFO:**

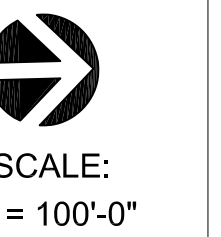
TOTAL SITE AREA = 52.152 Acres  
 USABLE SITE AREA = 41.115 Acres  
 BUILDING AREA = 750,400 sf  
 USABLE COVERAGE = 41.89%  
 TRAILER PARKING = 271 trailer @ 12'x50'  
 CAR PARKING = 176 cars



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DESIGNED: DESIGNER REVIEWED: REVIEWER DRAFTED: DRAFTER

**HELLER & ASSOCIATES, LLC**  
 LANDSCAPE ARCHITECTURE  
 One Redwood Court  
 Racine, Wisconsin 53402  
 PH 262 639 9733  
 FX 262 639 9737  
 david@heller.com



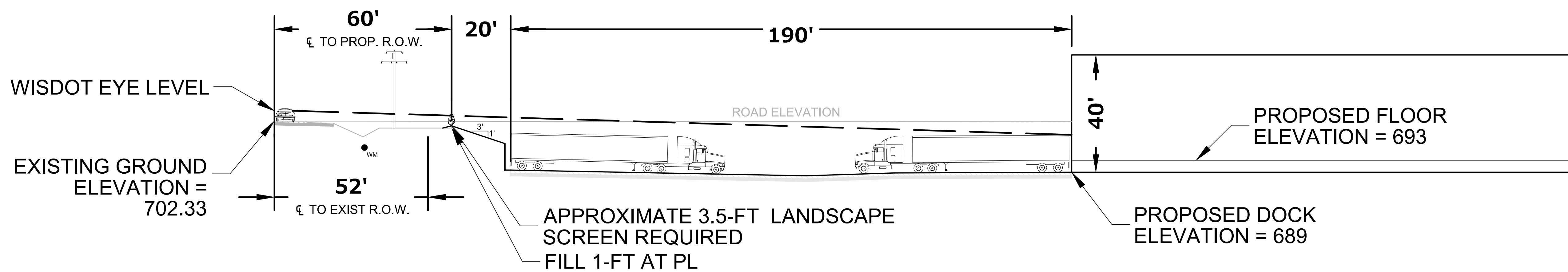
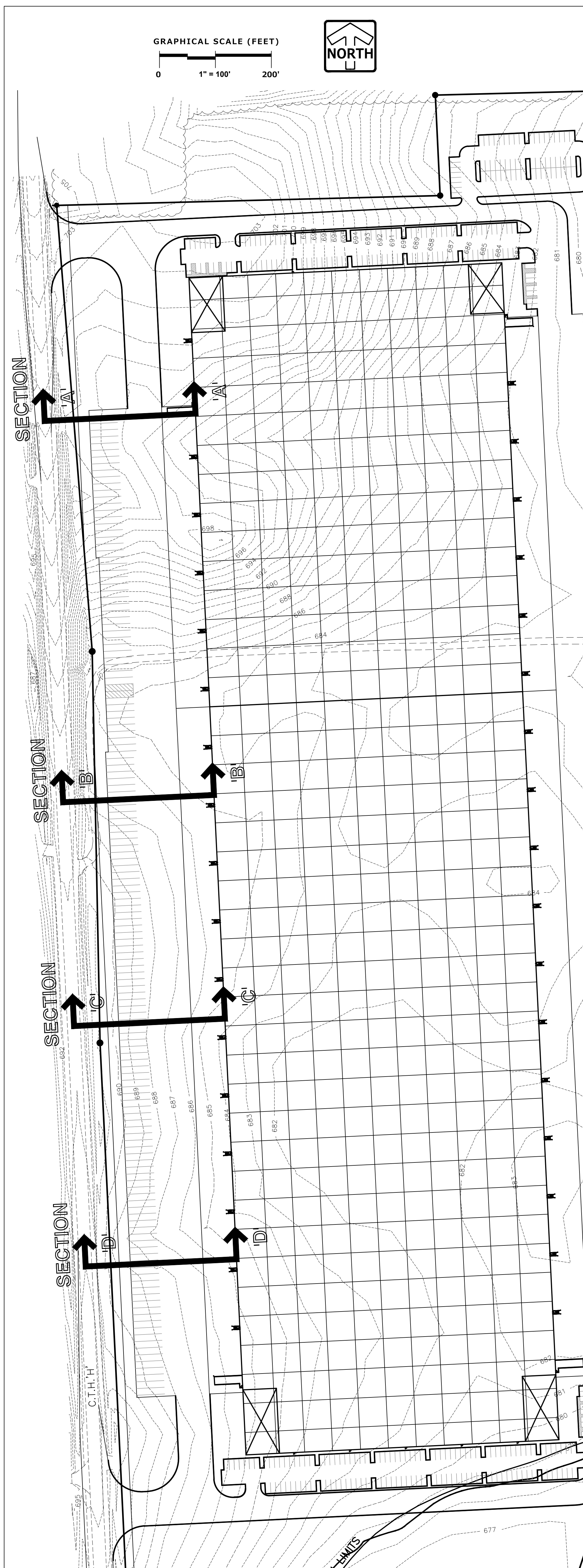
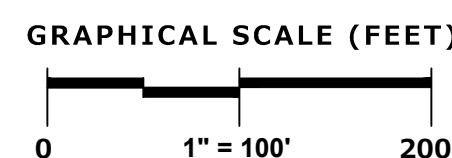
SCALE:  
1" = 100'-0"

NO.	TEXT	DATE
1	TEXT	00/00/00

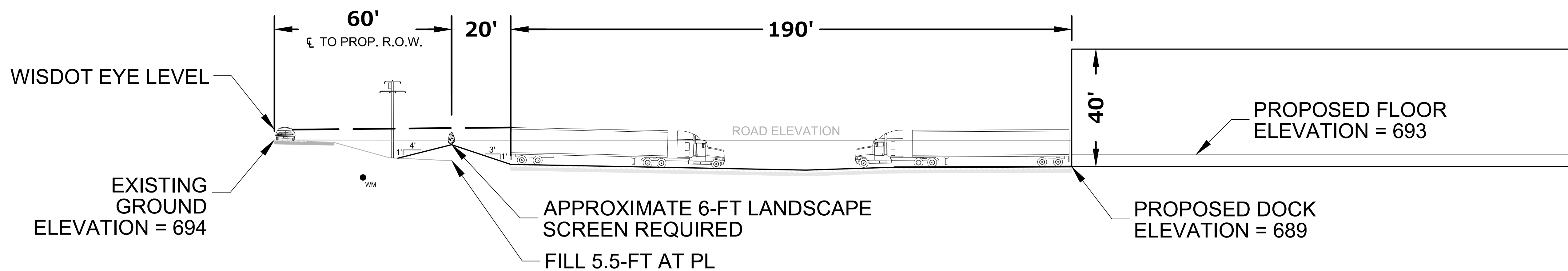
REVISIONS	

REG. NO. 12-083	REG. NO. AA
START DATE 8/09/12	SCALE 1"=100'
SHEET 1 of 3	

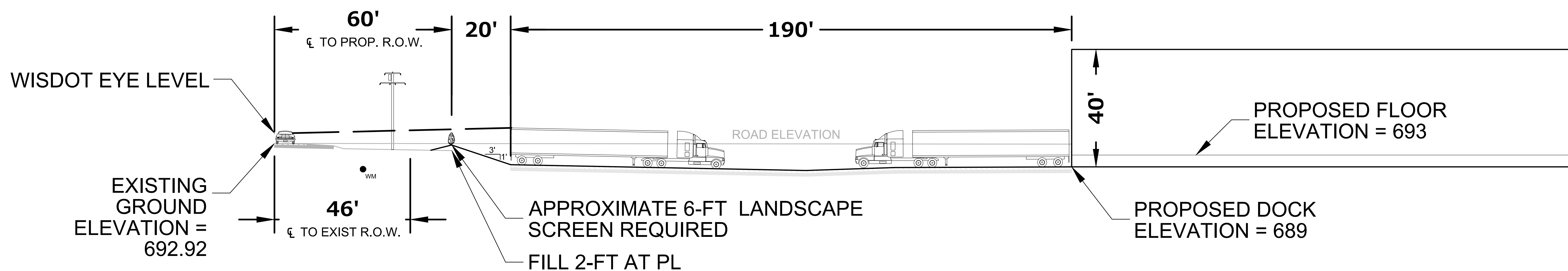
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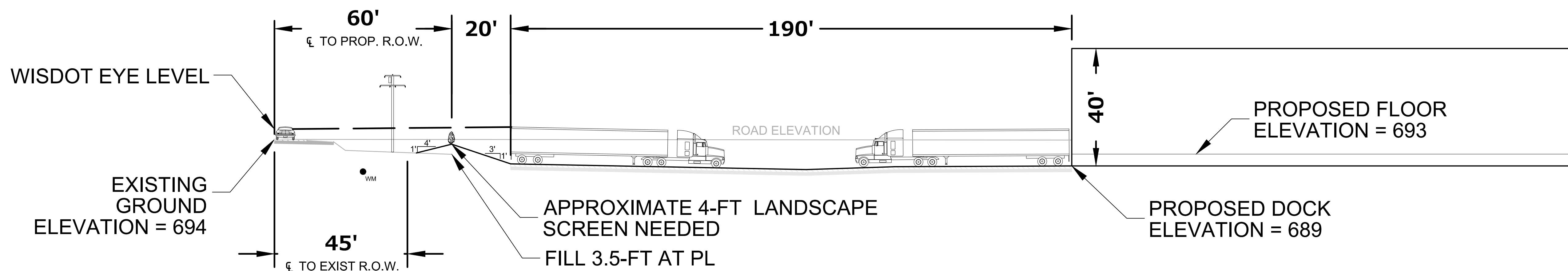
CROSS SECTION A-A



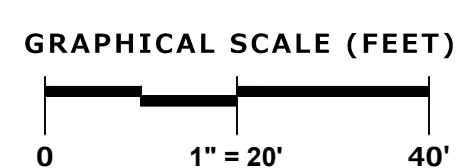
CROSS SECTION B-B



CROSS SECTION C-C



CROSS SECTION D-D

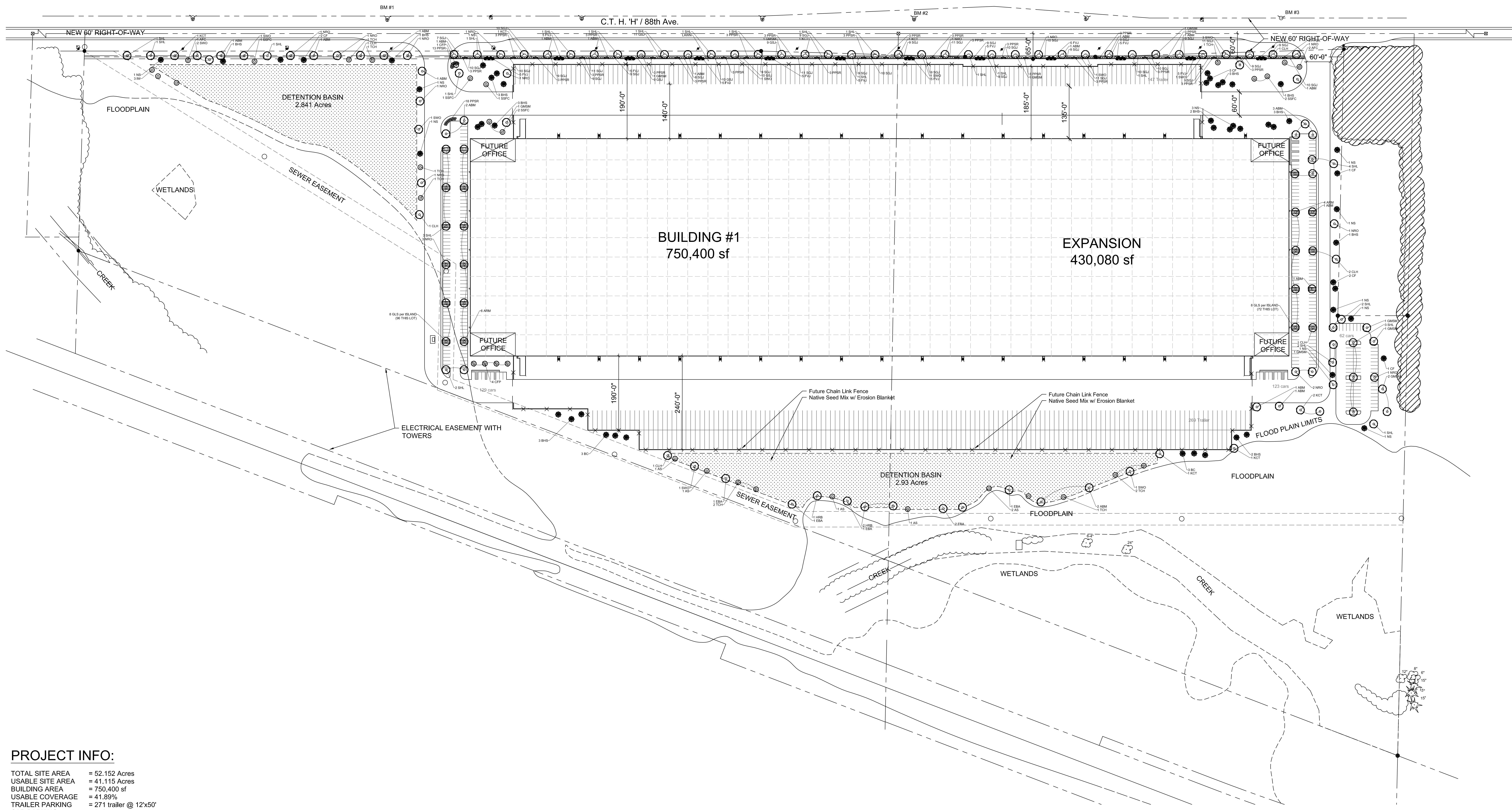


LANDSCAPE SCREENING TO BE OBTAINED VIA THE USAGE OF SEA GREEN JUNIPERS OR SIMILAR MATERIAL. INITIAL PLANTING TO BE 5 GALLON MATERIAL AT 5' O.C. (SEE PRELIMINARY LANDSCAPE PLANS)

<small>The Designer, Engineer or Drafter of this Drawing is an Authorized Professional Engineer or Professional Land Surveyor in the State of Wisconsin. The Designer, Engineer or Drafter is not responsible for any errors or omissions in this drawing or any other drawings or specifications prepared by or for the Designer, Engineer or Drafter. The Designer, Engineer or Drafter is not responsible for any conditions or circumstances that may exist at the time of construction of the project or any other conditions or circumstances that may exist at the time of construction of the project.</small>	
REVISIONS	DATE
BY	DATE
REVISIONS	DATE
BY	DATE
REVISIONS	DATE
BY	DATE
COMMERCE CONSTRUCTION CO., L.P. 13191 Crossroads Parkway North Sixth Floor City of Industry, California 91746-3497 Telephone: (626) 689-0453 License No. 723302	
SIGHT LINE PERSPECTIVES <b>MAJESTIC CENTER</b> PLEASANT PRAIRIE, WI	
Drawing Plot Bar <small>Use this plot bar to confirm drawing has not been reduced or enlarged from original. If this plot bar is not exactly 3" high long the physical size of drawing has changed.</small>	
DRAWN BY DATE PEG 10/03/2012	
CCC JOB NO.	
SHEET NO.	
<b>EX-1.0</b>	



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 National Inquiries (800) 450-2225  
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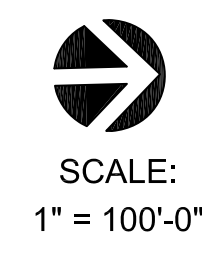


**PROJECT INFO:**

TOTAL SITE AREA = 52.152 Acres  
 USABLE SITE AREA = 41.115 Acres  
 BUILDING AREA = 750,400 sf  
 USABLE COVERAGE = 41.89%  
 TRAILER PARKING = 271 trailer @ 12'x50'  
 CAR PARKING = 176 cars



One Redwood Court  
 Racine, Wisconsin 53402  
 ph 262.639.9722  
 fx 262.639.9727  
 email dh@heller.com



SCALE:  
 1" = 100'-0"

DESIGNED: REVIEWER  
 DRAFTER: DESIGNER

PLAN | DESIGN | DELIVER  
 www.pinnacle-engr.com

**DISTRIBUTION CENTER  
 PLEASANT PRAIRIE, WISCONSIN**

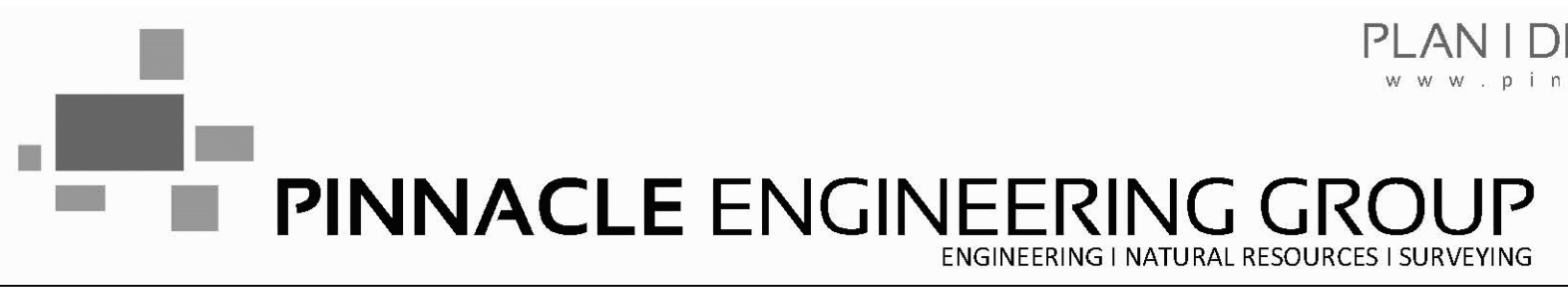
**OVERALL LANDSCAPE CONCEPT**

**REVISIONS**

NO.	TEXT	DATE

REG. NO. 12-083  
 REG. PH. AA  
 START DATE 10.03.12  
 SCALE 1"=100'

**SHEET  
 1  
 OF  
 4**



WISCONSIN OFFICE:  
 13850 W. BLUEMOUND ROAD  
 BROOKFIELD, WI 53005  
 (262) 754-8888  
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 LANDSCAPE PLAN SOUTH



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BM #1

BM #2

NEW 60' RIGHT-OF-WAY

C.T.H. 'H' / 88th Ave.

DETENTION BASIN  
2.841 Acres

WETLANDS

CREEK

BUILDING #1  
750,400 sf

FUTURE OFFICE

FUTURE OFFICE

ELECTRICAL EASEMENT WITH TOWERS

Future Chain Link Fence  
Native Seed Mix w/ Erosion Blanket

DETENTION BASIN  
2.93 Acres

SEWER EASEMENT

SCALE:  
1" = 60'-0"

**PROJECT INFO:**

TOTAL SITE AREA = 52.152 Acres  
 USABLE SITE AREA = 41.115 Acres  
 BUILDING AREA = 750,400 sf  
 USABLE COVERAGE = 41.89%  
 TRAILER PARKING = 271 trailer @ 12'x50'  
 CAR PARKING = 176 cars

**HELLER & ASSOCIATES, LLC**  
 LANDSCAPE ARCHITECTURE  
 One Redwood Court  
 Racine, Wisconsin 53402  
 ph 262 639 9733  
 fx 262 639 9737  
 david@weaivheller.com

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**DISTRIBUTION CENTER**  
PLEASANT PRAIRIE, WISCONSIN

**LANDSCAPE CONCEPT**

**REVISIONS**

NO.	TEXT	DATE
1	TEXT	00/00/00

REG. NO. 12-083  
 REG. PA. AA  
 START DATE 10.09.12  
 SCALE 1"=60'

**SHEET**  
2  
of  
4

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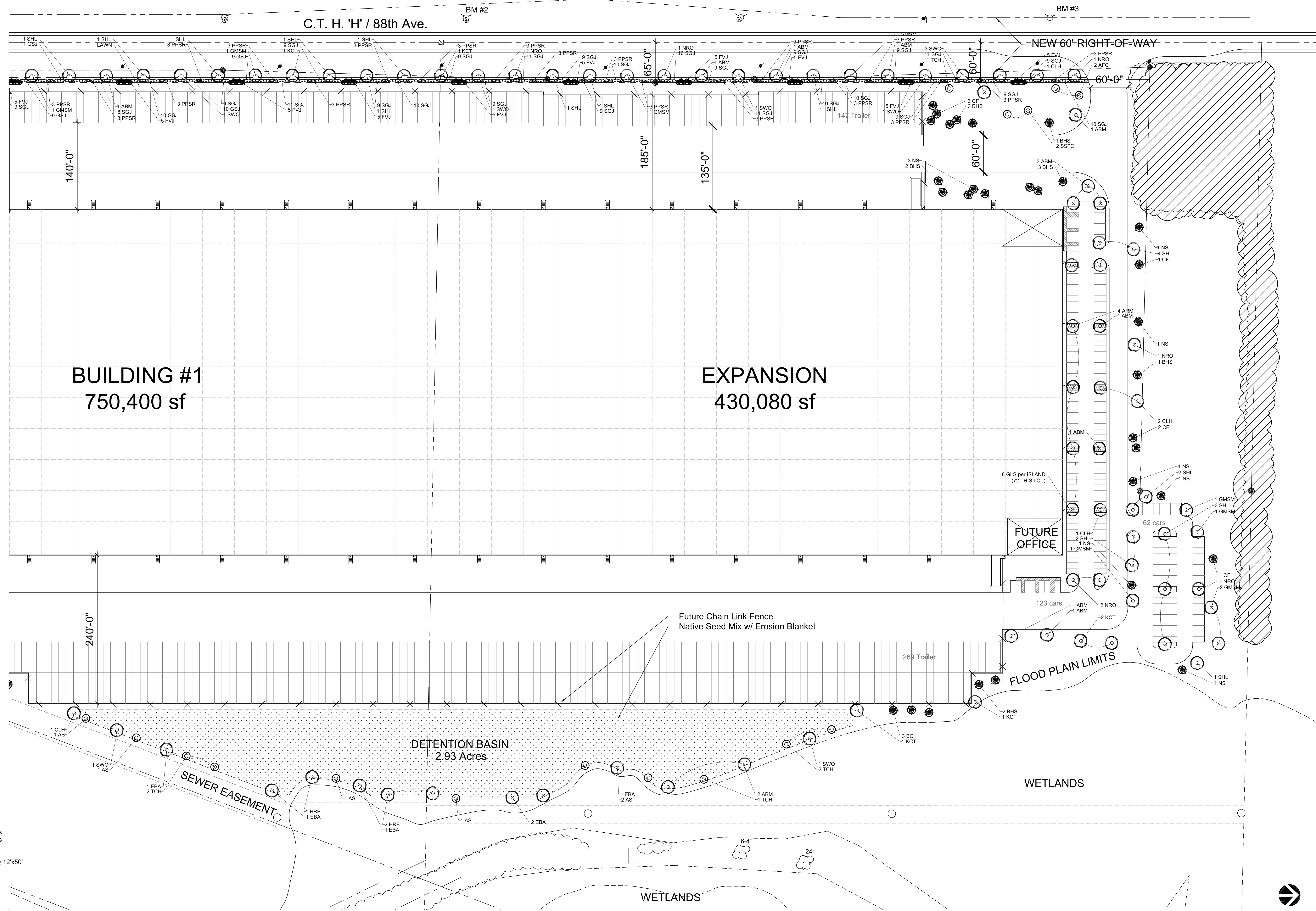




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**PROJECT INFO:**

TOTAL SITE AREA = 52.152 Acres  
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 TRAILER PARKING = 271 trailer @ 12'x50'  
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**HELLER & ASSOCIATES, LLC**  
 LANDSCAPE ARCHITECTURE  
 One Redwood Court  
 Racine, Wisconsin 53402  
 ph 262 839 9733  
 fx 262 839 9737  
 david@heller.com

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**DISTRIBUTION CENTER**  
 PLEASANT PRAIRIE, WISCONSIN

**LANDSCAPE CONCEPT NORTH**

**REVISIONS**

NO.	TEXT	DATE
1	TEXT	00/00/00

REG. NO. 12-083  
 REG. ST. WA  
 START DATE 10.03.12  
 SCALE 1"=60'

SHEET  
**3**  
 of  
**4**

- B. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-13 FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN** for the request of Martin Hanley, President of Land & Lakes Development Company to amend the Village Green Neighborhood Plan and to approve the Village Green Center Sub-Neighborhood Plan.

**Recommendation:**

Village staff recommends approval of **Plan Commission Resolution #12-13** to approve amendments to the Comprehensive Plan as outlined in said Resolution.

## **VILLAGE STAFF REPORT OF OCTOBER 8, 2012**

**CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-13 FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN** for the request of Martin Hanley, President of Land & Lakes Development Company to amend the Village Green Neighborhood Plan and to approve the Village Green Center Sub-Neighborhood Plan.

### **History of the Village Planning Efforts**

*In the winter of 2004, nearly 15 years since the Village's first discussions emerged regarding the creation of a Village center, Pleasant Prairie LLC, the Owner and Developer of a large portion of the area contracted with Schreiber/Anderson Associates, Inc., a planning and architectural firm from Madison, WI to jumpstart the visioning process with the community to prepare a Plan for the "Village Green Center".*

As a part of this Village Green Center planning effort, the Village Board re-appointed a Village Green Technical Advisory Committee comprised of Village residents, Village Board, Plan Commission, Park Commission members, and Kenosha County Highway officials together with the assistance of the Village staff to provide input and to develop a "Village Green Neighborhood Plan" and a mixed-use commercial center to be known as the "Village Green Center". In 2006, a new developer purchased the property and is organizing a marketing and design team to continue the planning and the development of the property.

In 2007, the Village held the first Village Green Café to assist in the conceptual planning of the Villages downtown. The first Café that was held on November 15, 2007 to provide information about the Village Green planning process, to form a vision of the Village Green Center, to provide information about what makes village centers successful, to discuss places that people liked and that they did not like and what issues and opportunities need to be further explored.

A second Café was scheduled for January 17, 2008 to discuss concepts for future development of the Village Green Center, including proposed land uses, open spaces, streets, infrastructure, and development character for the Village Green Center.

During 2009 and 2010, the Developer and its consultants worked with the Village staff to prepare a Master Plan for the Development of the Village Center, a series of Workshops were held between June and September to gather input related to transportation, architectural and landscape features, and elements of the plan. The planning work continued into 2011 and 2012.

### **Current planning Efforts**

At this time, Martin Hanley, President of Land & Lakes Development Company and agent for land owned by Pleasant Prairie LLC within the Village Green Center, is requesting approval of an amendment to the Village Green Neighborhood Plan and approval of the Village Green Center Sub-Neighborhood.

On December 19, 2009 the Village Board adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan*. The 2035 Comprehensive Land Use Plan Map 9.9 sets forth the generalized land use designations of the Village and shall be consistent with other components of the Comprehensive Plan including Neighborhood Plans and the Village Zoning Map.

Neighborhood Plans serve as a refinement to the 2035 Comprehensive Land Use Map and identify the location of future lot and roadway configurations, future stormwater facilities and access to roadways pursuant to the land uses identified on the 2035 Comprehensive Land Use Plan Map 9.9.

The Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan defines the Village Green Center Sub-Neighborhood as a sub-neighborhood within the Village Green Neighborhood.

The Village Green Neighborhood is generally located south of 93<sup>rd</sup> Street, west of the Kenosha County Bike Trail (approximately 30<sup>th</sup> Avenue), north of STH 165 (104<sup>th</sup> Street and east of approximately 55<sup>th</sup> Avenue) in a part of U.S. Public Land Survey Sections 23 and 24, Township 1 North, Range 22 East in the Village.

The Village Green Center (VGC) is generally located south of approximately 97<sup>th</sup> Street, west of approximately 37<sup>th</sup> Avenue, north of STH 165 (104<sup>th</sup> Street), and east of approximately 47<sup>th</sup> Avenue. The Village Green Center is located within the demographic center of the Village at Springbrook Road and 39<sup>th</sup> Avenue (CTH EZ) and is a proposed mixed use commercial/residential development encompassing approximately 183.5 acres.

The VGC is also a Smart Growth Area as discussed in the Land Use Element (Chapter 9) and within the Economic Development Element (Chapter 7) of said Comprehensive Plan. A Smart Growth Area is defined as *"an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, State, and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental, and utility costs."*

The VGC is intended to be the center of the community both functionally and symbolically. The VGC is located northeast of the STH 165 (104<sup>th</sup> Street) and Springbrook Road intersection and northeast and northwest of the Springbrook Road and CTH EZ (39<sup>th</sup> Avenue) intersection. Away from busy regional highways like STH 31 and STH 50, the VGC will feature more neighborhood-oriented commercial and residential land uses. While the VGC is located away from existing commercial corridors, it will feature a transit stop that will link it to future transit services to Kenosha and to other Village recreational, retail, and employment areas.

The integrated mix of commercial, residential, open space uses and the variety of housing types within the VGC will become a unique way to create a high quality, walkable center of Village life. While the street and open space network is established by this sub-neighborhood plan, the sub-neighborhood plan and the future development regulations will allow flexibility in the form and density/intensity of development. It is anticipated that the VGC will develop incrementally over the long-term. Therefore, the plan is intended to permit flexibility within a predefined range of acceptable outcomes. To accomplish this, a specific and detailed regulatory framework will be developed to guide development and ensure high-quality development and a desirable neighborhood form is achieved. To best respond to the site's location and topography and the evolving market forces for neighborhood commercial, mixed use, and residential units, the VGC plan enables a limited range of permissible building types and uses on each block. While the new regulations for the VGC will provide some flexibility, the scale and character of development will be tightly controlled through design standards. Due to this flexibility, this VGC plan provides a range of minimum and maximum acreage for commercial, mixed use, and residential uses.

**Neighborhood Plan Map 29a-1 in Exhibit 2 of Plan Commission Resolution #12-13** shows the proposed land use designations within the VGC. **Neighborhood Plan Maps 29a-2 and 29a-3 in Exhibit 2 of Plan Commission Resolution #12-13** are illustrative master plan indicating how each block could be developed (Option 2 indicates that the intersection of Main Street and the existing Springbrook Road could be a roundabout as well as the intersection of Main Street and the north-south road between Springbrook Road and 39<sup>th</sup> Avenue).

The VGC Plan as shown on **Exhibit 2** includes:

**COMMERCIAL AND MIXED USE AREAS:** Centered on 39th Avenue, the commercial heart of VGC will be a concentrated collection of neighborhood-serving businesses. The VGC commercial areas are intended to provide for a unique community center and gathering place for the Village. Residents and visitors will comfortably and safely stroll on wide sidewalks in front of downtown-style retail and offices. Mixed use buildings and live-work townhouses will feature first-floor retail and upper floor housing. Approximately 24.1 acres of land within the VGC can be developed as

commercial, mixed use, or live-work, providing opportunities to develop between approximately 135,000 and 276,000 square feet of commercial uses.

**RESIDENTIAL AREAS:** Residential units in the VGC will be unlike any other Pleasant Prairie neighborhood. A wide range of housing, including live-work units, small-lot detached single family homes, two-family homes, attached and detached townhomes, multi-unit homes, upper-floor flats and age-restricted (senior or active adult) housing will be allowed in the VGC. Through the mix of housing types, it is anticipated that the VGC will welcome residents of mixed incomes, ages and family sizes. Implementing regulations will define the permitted housing types; the anticipated housing forms include:

- Twin Homes – duplexes, private exterior entries, deep front setback, maximum 2.5 stories.
- Detached Cottage Homes - private exterior entries, deep front setback, maximum 2.5 stories.
- Detached Townhomes - private exterior entries, 10' side setback, minimum 2 stories, maximum 3 stories.
- Row houses – private exterior entries, no side and minimum front setbacks, minimum 2 stories, maximum 3 stories.
- Courtside Homes – common and private exterior entries, adjacent to public or private open space, minimum 2 stories, maximum 2.5 stories.
- Multi-Unit Homes – common and private exterior entries, minimum 2 stories, maximum 2.5 stories.
- Apartment Homes – interior corridor with common entry, minimum 2 stories, maximum 3 stories.
- Senior Housing.

There are 17 existing single family lots within the VGC along STH 165, Springbrook Road, and 39th Avenue that are anticipated to be incrementally redeveloped into different housing types when those owners choose to sell their land to a developer. This transformation is not required, however, the plan considers these alternative future uses when, and if, these properties transition.

Approximately 51.3 acres of land within the VGC are proposed to be developed as residential, which could include between 950 and 1,850 residential units.

**INSTITUTIONAL AREAS:** The existing institutional centers of the Village Hall, Fire Station, Post Office, and Village Green Center will provide places for community gatherings and celebrations. Approximately 12.1 acres of land within the sub-neighborhood are identified as institutional use.

**OPEN SPACE AREAS:** The amount and diversity of open space will differentiate the VGC from all other neighborhoods in the Village. Parks and open spaces will be nearby all residential areas, sufficient spaces are reserved for aesthetically pleasing stormwater management areas, and a large natural conservation area will be within easy walking distance of VGC and the adjacent Village Green Heights Subdivision. Community parks will be the site of farmers markets, parades, and informal recreation opportunities. A bike trail and path will connect the VGC open spaces with the Kenosha County Bike Trail to the east and the emerging Village Green Neighborhood Park to the northwest.

The VGC's open spaces will help maintain and create value for developers and homeowners and improve the quality of life of neighborhood residents and Village residents. The open spaces will be a mixture of publicly and privately owned spaces. The larger parks, conservation areas, and

open spaces will be publicly owned and open to all community residents. Smaller internal courtyards and greens will be privately owned and maintained by adjacent residential owners.

The anticipated amount of public open space is clearly defined. Approximately 22.6 acres of land within the VGC are identified as open space. This open space is comprised of many different types of open space: active and passive recreational areas, preserved wooded areas, wetlands, and retention areas.

**Recreational Open Spaces:** Recreational open spaces, totaling approximately 11.2 acres, are comprised of five (5) types:

- **Village Square:** Approximately 3.3 acres, located on the west side of 39<sup>th</sup> Avenue, near the intersection of 39<sup>th</sup> Avenue and 100<sup>th</sup> Street is identified as the Village Square. The publicly-owned and maintained Village Square is prominently located at the eastern terminus of Main Street along 39<sup>th</sup> Avenue. The Square is designed to serve both neighborhood residents and the larger Pleasant Prairie community. The edges of the open space will be defined by first floor commercial uses and/or higher density housing, with a commercial use overlooking the southeast area of the park. It is intended to be the Village's preferred location for formal gatherings such as local farmers markets, celebrations, and festivals. It should also be designed to support informal activities such as an evening stroll after dining at a nearby restaurant. The Village Square consists of an open lawn, edge landscaping, walking paths, and a pond. This pond serves not only as an aesthetic amenity and gateway feature, but also provides treatment of stormwater from the adjacent uses and the anticipated 39<sup>th</sup> Avenue reconstruction. The Neighborhood Plan identifies a potential location for a future community building near the northwest corner of the square. The community building may be developed as an open-air structure or enclosed building and has the potential to support future programs and events that the Village may choose to offer.
- **Neighborhood Commons:** Approximately 4.2 acres, located in the northwest corner of Springbrook Road and Main Street is identified as the Neighborhood Commons. The publicly-owned and maintained Neighborhood Commons is centrally located in the residential heart of the Village Green Center and is primarily designed to meet the needs of local residents. A wide variety of spaces that support a diverse range of uses and activities are envisioned. On the western edge, a large open area of lawn allows for informal recreational activities. As this area of open lawn transitions to the center of the Commons, the area becomes more defined and is highlighted by a central shelter. Adjacent to and cradling the shelter, a series of terraced lawn areas creates an informal amphitheater. The small pond and meadow plantings create the perfect backdrop for neighborhood concerts and recitals while also serving the functional purpose of cleansing local stormwater from nearby residential areas. The park will be a focal point for those traveling on Springbrook Road and serves as an amenity that supports the development of housing while effectively transitioning from the quasi-industrial uses at the post office building.
- **Neighborhood Parks:** Neighborhood Parks are located throughout the neighborhood in close proximity and within a short walk of all residents. These privately-owned and maintained spaces are typically located within smaller sub-neighborhoods and provide opportunities for smaller groups of local residents to gather and socialize. While the size and design for each will vary, Neighborhood Parks typically should include benches, walking paths, and small open lawn areas suitable for informal play. Play equipment may be considered in some Neighborhood Parks.
- **Urban Plazas:** Urban Plazas are located throughout the commercial and mixed-use areas of the neighborhood. These small privately-owned and maintained spaces are typically found adjacent the public street and sidewalk, offering people a comfortable place to sit

and relax while watching the activities of urban life. Nearby cafes may find these areas particularly appealing as suitable locations for setting up tables and chairs for outdoor dining or drinking a cup of coffee. As Urban Plazas serve as extensions of the adjacent public sidewalks, it is common for these areas to be paved with specialty treatments and landscaped with canopy trees to provide a comfortable and shady respite.

- **Greens:** Greens are privately-owned and maintained exterior spaces partially surrounded by adjacent residences. Greens serve as linkages to other open space areas and the adjacent public street. Homes that front these areas are likely to have small private yards while sharing this larger open space as a common yard available for the use of all residents.

**Preserved Wooded/Conservation Areas:** The VGC plan preserves approximately 9.9 acres of wooded areas located in the west central portion of the Center. Approximately 0.58 acres are preserved by an existing conservation easement. The residential development pattern protects and features these wooded areas. Homes will be permitted outside wide buffers. Walking paths through the natural areas should be constructed where permitted.

**Wetland Areas:** The VGC plan identifies approximately 4.5 acres of land within wetlands, mostly located on the west central edge of the sub-neighborhood. Prior to consideration of any Conceptual Plan for this area, the wetlands shall be field verified by a certified biologist and approved by regulatory agencies in accordance with federal, State, and local criteria and procedures. Some of the wetlands within the undeveloped area have been field verified. However, the wetland delineations are only valid for up to five (5) years. Since the last wetland delineation in this area was completed more than five years ago (August 2005), the delineations will need to be updated.

On July 10, 2009, DNR and the U.S. Army Corps of Engineers issued a permit allowing approximately 0.46 acres of wetlands in the existing waterway draining easterly from approximately Springbrook Road to 39<sup>th</sup> Avenue to be filled to accommodate new development. This was allowed in exchange for purchase of 0.69 acres of wetland credits at the nearby Legacy Bogs wetland bank. The time limit for completing the permitted work was three (3) years from the date of authorization (July 10, 2009), which has been since been extended to July 10, 2015.

**Floodplain:** There is no mapped floodplain area located in the VGC.

**Stormwater Management Areas:** A conceptual stormwater management plan has been prepared in support of this VGC plan. The stormwater management plan identifies three (3) primary stormwater management ponds in the neighborhood located near natural stormwater outfalls from the project site. These areas are intended to provide peak discharge control and sediment treatment from proposed development area in accordance with Village and State requirements. While the design of these facilities will allow individual properties to be constructed without individual large-scale stormwater treatment practices, smaller scale best management practices such as rain gardens, permeable pavement, and biofiltration basins will be encouraged. Another option was submitted by the Developer wherein they converted the south central stormwater pond and open space area to the development area Option 2 Illustrative Plan.

The proposed stormwater management ponds are not intended to provide stormwater infiltration since native soils do not meet permeability requirements. Also, proposed ponds are not intended to trap oil and grease. Therefore, uses that may become sources of oil and grease runoff (such as large parking lots) may require supplemental practices such as inlet inserts or oil-water separators incorporated into the drainage systems.

**Roadway Jurisdiction:** STH 165 will remain under Wisconsin Department of Transportation (WIDOT) Jurisdiction. The jurisdiction for Springbrook Road through the VGC was transferred from Kenosha County to the Village in January 2009.

**39<sup>th</sup> Avenue Street Improvements:** The Village has received a grant from the WIDOT to make improvements to 39<sup>th</sup> Avenue between STH 165 to 97<sup>th</sup> Street through the VGC. The improvements will include a boulevard street with two travel lanes, parking lanes, bicycle lane and sidewalks. The Village will be sending out a request of proposal to design the roadway improvements by the end of this year. Roadway improvements are anticipated to begin in 2015.

**NEXT STEPS:**

As the developer continues to market his property and other property owners within the neighborhood develop their vacant land or convert their existing single family land use to a new land use, this Neighborhood Plan will be used as a guide for how and where the future land uses could develop.

A Planned Development (PD) Zoning Ordinance will be written for the VGC development that addresses the specific details related to building uses, types, forms, materials and setbacks, street designs, open spaces, parking lots and landscaping requirements etc. The PD Zoning Ordinance will also include specifications set forth in a Regulating Plans (see attached draft). The PD Zoning Ordinance will be presented to the Village Plan Commission and Village Board prior to the development of the VGC properties.

After the PD Ordinance is adopted and prior to submittal of Site and Operational Plans, Conceptual Plans (includes preliminary engineering, building and landscaping) will be required for the area(s) proposed to be developed. Conceptual Plans will also require detailed environmental investigations to be completed or updated, traffic studies to be completed or updated and stormwater management analysis to be completed to ensure that as land develops on an incremental basis it is done in an orderly fashion that does not detrimentally affect adjacent properties. As detailed Conceptual Plans area submitted for consideration, the VGC Plan may also need to be modified. Upon approval of Conceptual Plans, then Site and Operational Plans will be required to be submitted and approved by the Village for each new development.

Recommendations: Village Staff recommends approval of Plan Commission Resolution #12-13 as presented.



## Peggy Herrick

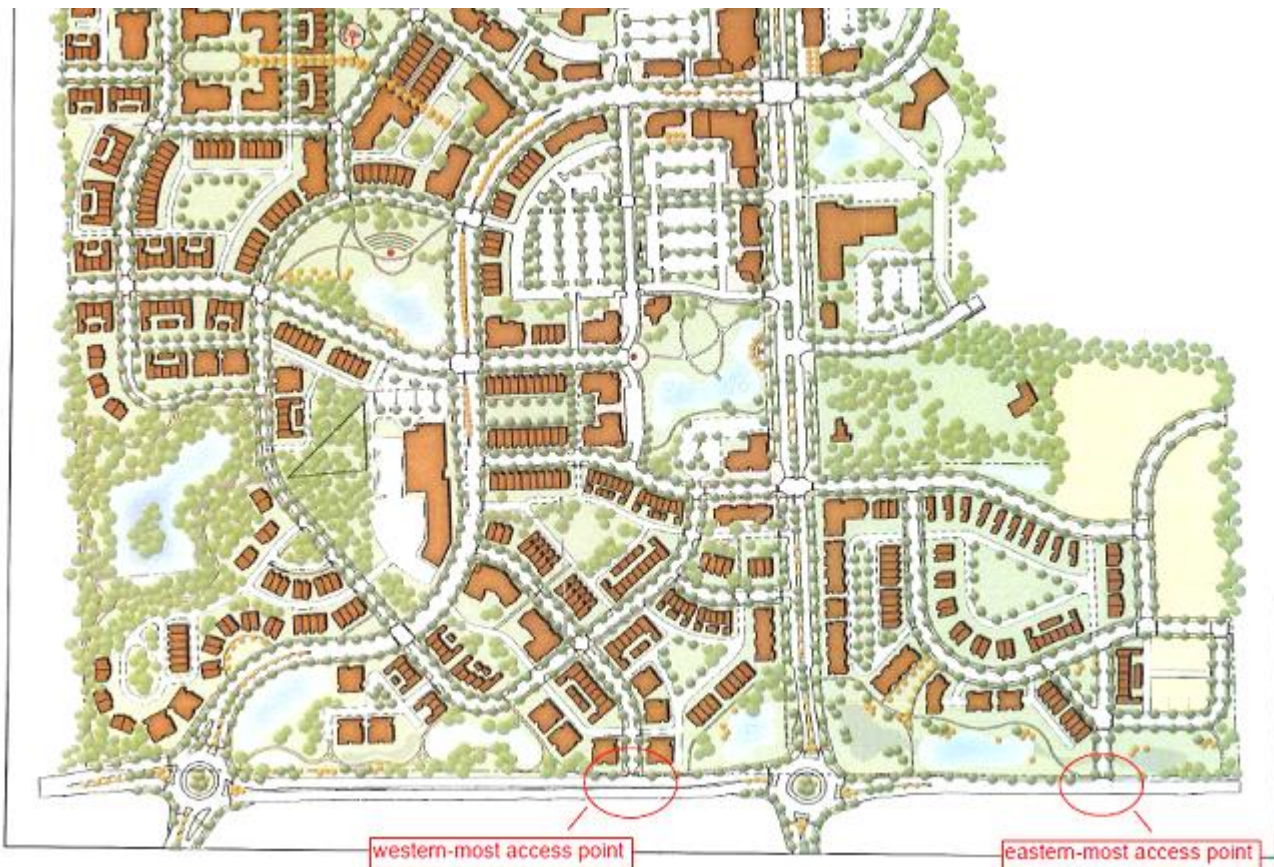
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**From:** McElmeel, Timothy J - DOT <Timothy.McElmeel@dot.wi.gov>  
**Sent:** Friday, October 05, 2012 8:53 AM  
**To:** Peggy Herrick; CommunityDevelopment  
**Cc:** Voight, Susan - DOT; Baumann, Art - DOT  
**Subject:** Response to Notice of Public Hearing - Village Green Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Jean and Peggy,

I am writing in response to the notice of a public hearing to consider an amendment to your comprehensive plan to include conceptual changes and proposed land uses to the Village Green Center sub-neighborhood. After a review of the conceptual design we would like to request that if you decide to pursue with this layout further, both proposed access points connecting to STH 165 (circled below) should be reviewed by our development review team and access management coordinator regarding the potential effect to traffic operations on STH 165. The eastern-most access point labeled below is included as a future road in the functional plans for the STH 165 corridor study, which was completed in 2007. However, there is no scheduled construction for this project within the next 6 years. Therefore, DOT would like to be able to re-evaluate this proposed access point along with the western-most access point closer to the time of construction or during a subdivision review for this development.



Please keep us informed if you decide to move forward with this conceptual design.

**Tim McElmeel**

Urban and Regional Planner  
WisDOT Systems Development SE Region

141 NW Barstow Street  
Waukesha WI 53187  
[timothy.mcelmeel@dot.wi.gov](mailto:timothy.mcelmeel@dot.wi.gov)  
262-548-5940

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION**  
**RESOLUTION #12-13**  
**TO AMEND THE VILLAGE OF PLEASANT PRAIRIE, WISCONSIN**  
**2035 COMPREHENSIVE PLAN**

**WHEREAS**, on December 19, 2009 the Village Board adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan* (Comprehensive Plan); and

**WHEREAS**, the 2035 Comprehensive Land Use Plan Map 9.9 sets forth the generalized land use designations of the Village and shall be consistent with other components of the Comprehensive Plan including Neighborhood Plans and the Village Zoning Map; and

**WHEREAS**, Neighborhood Plans serve as a refinement to the 2035 Comprehensive Land Use Map and identify the location of future lot and roadway configurations, future stormwater facilities and access to roadways pursuant to the land uses identified on the 2035 Comprehensive Land Use Plan Map 9.9; and

**WHEREAS**, the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan defines the Village Green Center Sub-Neighborhood as a sub-neighborhood within the Village Green Neighborhood; and

**WHEREAS**, the Village Green Neighborhood is generally located south of 93<sup>rd</sup> Street, west of the Kenosha County Bike Trail (approximately 30<sup>th</sup> Avenue), north of STH 165 (104<sup>th</sup> Street and east of approximately 55<sup>th</sup> Avenue) in a part of U.S. Public Land Survey Sections 23 and 24, Township 1 North, Range 22 East in the Village; and

**WHEREAS**, The Village Green Neighborhood Plan as adopted in 2006 is shown in Exhibit 1; and

**WHEREAS**, the Village Green Center (VGC) is generally located south of approximately 97<sup>th</sup> Street, west of approximately 37<sup>th</sup> Avenue, north of STH 165 (104<sup>th</sup> Street), and east of approximately 47<sup>th</sup> Avenue. The Village Green Center is located within the demographic center of the Village at Springbrook Road and 39<sup>th</sup> Avenue (CTH EZ) and is a proposed mixed use commercial/residential development encompassing approximately 183.5 acres; and.

**WHEREAS**, the VGC is also a Smart Growth Area as discussed in the Land Use Element (Chapter 9) and within the Economic Development Element (Chapter 7) of said Comprehensive Plan. A Smart Growth Area is defined as *"an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, State, and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental, and utility costs."*; and

**WHEREAS**, the VGC is intended to be the center of the community both functionally and symbolically. The VGC is located northeast of the STH 165 (104<sup>th</sup> Street) and Springbrook Road intersection and northeast and northwest of the Springbrook Road and CTH EZ (39<sup>th</sup> Avenue) intersection. Away from busy regional highways like STH 31 and STH 50, the VGC will feature more neighborhood-oriented commercial and residential land uses. While the VGC is located away from existing commercial corridors, it will feature a transit stop that will link it to future transit services to Kenosha and to other Village recreational, retail, and employment areas; and

**WHEREAS**, the integrated mix of commercial, residential, open space uses and the variety of housing types within the VGC will become a unique way to create a high quality, walkable center of Village life. While the street and open space network is established by this sub-neighborhood plan, the sub-neighborhood plan and the future development regulations will allow flexibility in the form and density/intensity of development. It is anticipated that the VGC will develop incrementally over the long-term. Therefore, the plan is intended to permit flexibility within a predefined range of acceptable outcomes. To accomplish this, a specific and detailed regulatory framework will be developed to guide development and ensure high-quality development and a desirable neighborhood form is achieved. To best respond to the site's location and topography and the evolving market forces for neighborhood commercial, mixed use,

and residential units, the VGC plan enables a limited range of permissible building types and uses on each block. While the new regulations for the VCG will provide some flexibility, the scale and character of development will be tightly controlled through design standards. Due to this flexibility, this VGC plan provides a range of minimum and maximum acreage for commercial, mixed use, and residential uses; and

**WHEREAS**, Neighborhood Plan Map 29a-1 in Exhibit 2 shows the proposed land use designations within the VGC. Neighborhood Plan Map 29a-2 and Neighborhood Plan Map 29a-3 in Exhibit 2 are illustrative master plan indicating how each block could be developed (Option 2-Map 20a-3) indicates that the intersection of Main Street and the existing Springbrook Road could be a roundabout as well as the intersection of Main Street and the north-south road between Springbrook Road and 39<sup>th</sup> Avenue).

**WHEREAS**, on September 8, 2012 the required 30-day notice was published in the Kenosha News for the October 8, 2012 public hearing to be held by the Village Plan Commission and on September 7, 2012, notices were sent to property owners within 300 feet of the proposed Neighborhood Plan area.

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Village of Pleasant Prairie Plan Commission hereby recommends approval of the Village Green Center Sub-Neighborhood Plan as presented at the October 8, 2012 public hearing as shown and described in **Exhibit 2**.

**BE IT FURTHER RESOLVED** that the Plan Commission does hereby recommend that the Village Board enact an Ordinance adopting said amendments, as referenced above, to the *Village of Pleasant Prairie 2035 Comprehensive Plan*.

**Adopted this 8<sup>th</sup> day of October 2012.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

\_\_\_\_\_  
Thomas W. Terwall  
Plan Commission Chairman

\_\_\_\_\_  
Donald Hackbarth  
Secretary

Date Posted: \_\_\_\_\_

**Neighborhood Plan 29 ~~and 29a~~ of Appendix 9-3**  
**Village Green Neighborhood ~~and Village Green Center Sub-Neighborhood~~**

A Neighborhood Plan for the Village Green Neighborhood was revised in 2006 and adopted by the Plan Commission on February 13, 2006 by Resolution #06-02 and the Village Board adopted a resolution of support on February 20, 2006 by Resolution #06-12. **An amendment to the Village Green Neighborhood Plan for the Village Green Center Sub-Neighborhood was adopted by Plan Commission Resolution #12-13 on October 8, 2012 and by the Village Board on \_\_\_\_\_, 2012 by Ord. #12-\_\_\_\_\_.**

The 2035 Comprehensive Plan defines a sub-neighborhood within the Village Green Neighborhood to be known as the Village Green Center Sub-Neighborhood. This sub neighborhood is being further defined and a detailed Plan is being prepared. The Village Green Center Sub-neighborhood Area is a Smart Growth Area as discussed in the Land Use Element (Chapter 9) and within the Economic Development Element (Chapter 7).

The Village Green Neighborhood is bounded by 93<sup>rd</sup> Street on the north, the Kenosha County Bike Trail on the East, STH 165 on the south and approximately 57<sup>th</sup> Avenue (tower lines) on the west in the Village.

Over the years several neighborhood plans and amendments for the Village Green Neighborhood have been presented to the residents, the Plan Commission and the Village Board prior to the adoption of the 2006 Neighborhood Plan including:

- Plan Commission Resolution #96-04 and #96-05, adopted on April 22, 1996 related to the Village Green Neighborhood Plan and the Village Green Center Plan as reviewed and recommended by the Village Green Technical Advisory Committee.
- Plan Commission Resolution #99-12, adopted on June 14, 1999 related to amendments to the 1996 Neighborhood Plan at the northeast corner of the STH 165 and CTH EZ and at the southeast corner of the Springbrook Road and CTH EZ.
- Plan Commission Resolution #99-20, adopted on November 22, 1999 related to amendments to the 1996 Neighborhood Plan at the southwest corner of 93<sup>rd</sup> Street and CTH EZ.
- Plan Commission Resolution #00-21, adopted on November 27, 2000 related to amendments in the southwestern portion of the Neighborhood and this Plan incorporated all the changes adopted since 1996 within the entire neighborhood.
- Plan Commission Resolution #04-01, adopted on January 4, 2004 related to amendment to the 2000 Neighborhood Plan generally located north and west of Springbrook Road and CTH EZ; and

The 2006 Neighborhood Plan included changes to the road and lot configurations as a result of detailed wetland stakings conducted on property west of Meadowdale Estates on the south side of 93<sup>rd</sup> Street and revisions to the location of the Neighborhood Park.

The Village Green Neighborhood Plan includes:

**COMMERCIAL AREAS:** Approximately 43 acres of land within the neighborhood is identified as commercial. The Commercial area includes the Village Center commercial area generally located east of CTH EZ and Springbrook Road and a Community Commercial Area at the corner of Springbrook Road and CTH EZ. The Village Center commercial area is intended to provide for a unique community center and gathering place for the Village. The layout was slightly modified in 2000 from the 1996 Neighborhood Plan and provides for areas for commercial shops and offices a center boulevard area as shown is large enough for Village events such as a farmer' market, a winter festival or other such community wide activities in the Village Center. [Note: The Village Green Technical Advisory Committee has been reconvened and is evaluating the Village Center

*Plan and an amendment to this portion of the neighborhood will be forthcoming by the end of the year.]* Main Street is intended to be a collector through the neighborhood that connects the Village Center west through the Neighborhood into the Highpoint Neighborhood to a future school site. See additional comments below in the section entitled, "Access to Arterial Roads".

**INSTITUTIONAL AREA:** Approximately 114 acres of land within the neighborhood is identified as Institutional use, including: All Saints Cemetery, Victory Baptist Church, We Energies Substation, Village Hall and Fire Station #1 and the Pleasant Prairie Post Office.

**RESIDENTIAL AREA:** Approximately 519 acres of land (excluding existing and future rights-of-way, commercial, institutional, wetland and floodplain) within the neighborhood are proposed to be developed as Residential.

There are 395 existing single family lots within the Neighborhood and these existing residential developments include: Meadowdale Estates, Village Green Heights, Rolling Meadows, Rolling Meadow Woods, Hill N Dale; residential development along STH 165, Springbrook Road, 94<sup>th</sup> Place, 39<sup>th</sup> Avenue, and 93<sup>rd</sup> Street. 402 new single family units are proposed to be constructed within the neighborhood.

The proposed 396 multi-family units in the neighborhood include: 9-4 unit condominium buildings known as Sagewood Condominiums at Village Green located north of STH 165 at 47<sup>th</sup> Avenue; 7-4 unit condo buildings for the second stage of Sagewood Condominiums, 100 condominium units north of Main Street known as Village Green Townhomes North; 232 condominium units located in a combination of 2 to 12 unit condominium buildings are shown in the Village Center located at Main Street and Springbrook Road. *[Note: The Village Green Technical Advisory Committee has been reconvened and is evaluating the Village Center Plan and an amendment to this portion of the neighborhood will be forthcoming by the end of the year.]*

The Neighborhood Plan proposes a total of 797 single family units and 396 multi-family units for a total of 1193 dwelling units.

In accordance with the Village Comprehensive Plan, the overall net density for the Neighborhood recommends that the Neighborhood be developed within the Low Density Residential land use category with the average lot area per dwelling unit shall be 19,000 square feet or more. This allows for areas of the neighborhood to have larger lots while some areas have smaller lots. The net density of the neighborhood as shown on the Neighborhood Plan is 20,477 square feet per dwelling unit (560 net residential acres multiplied by 43,560 square feet in an area divided by 1193 dwelling units). This density is in compliance with the Village Comprehensive Plan.

**OPEN SPACE:** This Neighborhood Plan identifies approximately 107 acres or 11% of the lands within the neighborhood to remain as open space. This open space includes approximately 3 acres of floodplain, 32 acres of wetlands, and 53 acres for Neighborhood Parks including the Kenosha County Bike Trail that abuts this Neighborhood on the east and 19 acres of other open space. (These open space numbers do not include additional wooded areas proposed to be preserved.)

- **FLOODPLAIN AREAS:** The Neighborhood Plan identifies approximately 2 acres of land within the 100-year floodplain generally located south of 93<sup>rd</sup> Street at approximately 57<sup>th</sup> Avenue. Prior to consideration of any Conceptual Plans on this property, the floodplains location shall be field verified in accordance with the Village floodplain maps and ordinance regulations. Development in the floodplain is restricted to open spaces that do not interrupt the natural flow of the water. Any development that constricts the flow of water or significantly reduces floodplain storage volumes may create upstream and/or downstream flooding problems or reduce the capacity of the floodplain to store water. In some instances property can be removed from the floodplain provided proper approval is obtained from the Village and several other agencies including the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA). Any area removed from the floodplain through the placement of fill must be contiguous to (next to) land lying outside the floodplain. In addition, the volume of floodplain removal must be created in the vicinity of the filled area on a one-to-one basis. The land that is

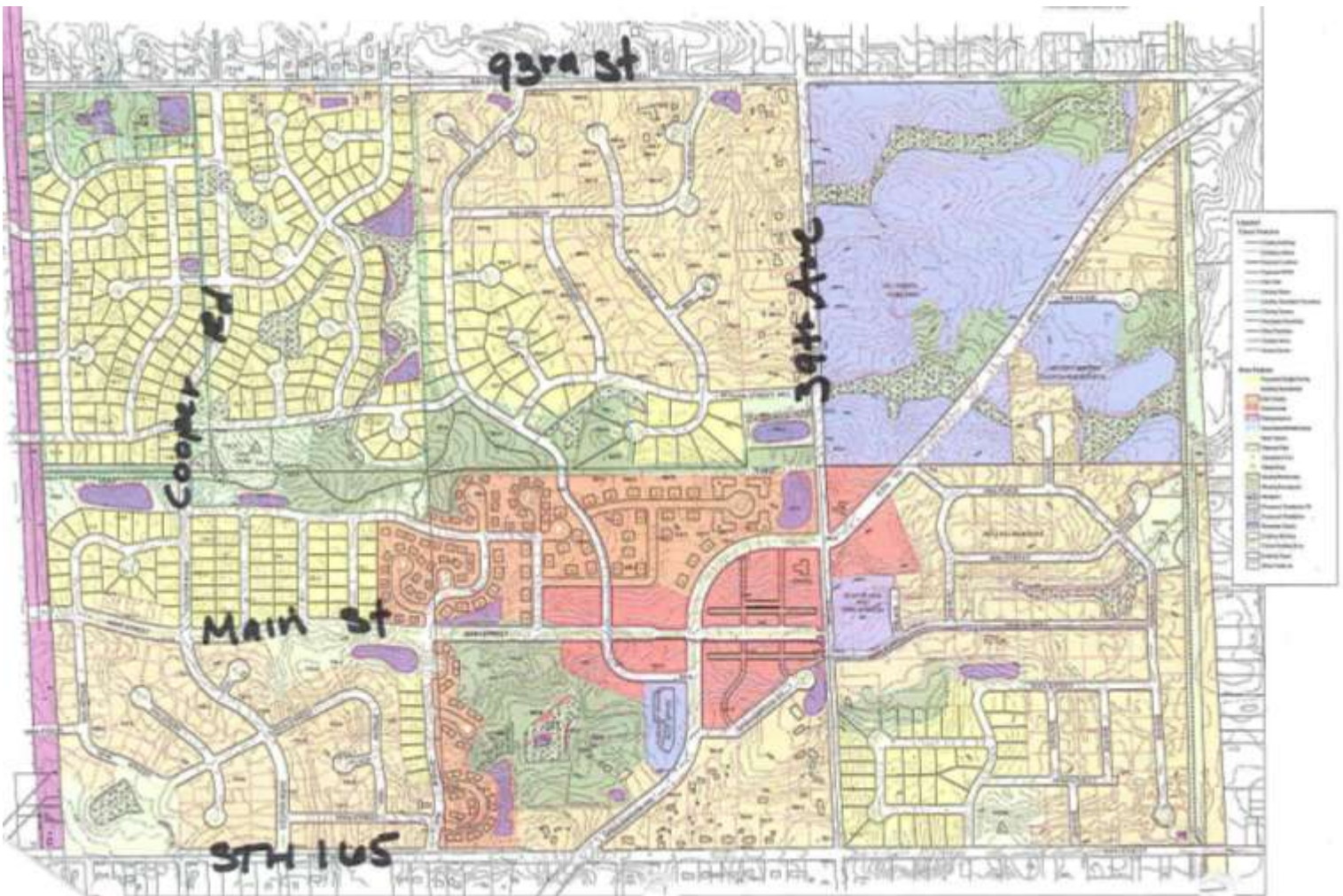
removed from the floodplain must be filled to an elevation at least two (2) feet above the elevation of the 100-year regional flood elevation. The neighborhood Plan indicates that a floodplain adjustment in this area will be required.

- **WETLAND AREAS:** The Neighborhood Plan identifies approximately 32 acres of land within wetlands. Prior to consideration of any Conceptual Plans, the wetlands shall be field verified by a certified biologist in accordance with the Village wetland regulations and approved by the DNR. Some of the wetlands within the undeveloped area have been field verified. Upon field verification of wetlands the Neighborhood Plan may need to be altered in order to preserve the wetlands. The Plan indicates that a number of small wetland pockets will need to be filled in order for Cooper Road to connect from 93<sup>rd</sup> Street to STH 165 and a future connection at 97<sup>th</sup> Street west of Meadowdale Estates Development. The owners of this property have been working with the DNR to mitigate these wetland areas as noted on the Plan.

### ***Neighborhood Plan Map 29***

#### ***Village Green Neighborhood***

**Adopted by Plan Commission Resolution #06-02 and Village Board Resolution #06-12**



- **NEIGHBORHOOD PARKS:** The Neighborhood Plan identifies approximately 53 acres of land for three Neighborhood Parks including 13 acres of land encompassing the Kenosha County Bike Trail that abuts this neighborhood on the east.
  - The existing 3 acres (approx.) neighborhood park is located adjacent to the Bike Trail at 99<sup>th</sup> Street in the Rolling Meadows Subdivision.
  - A proposed 4 acre (approx.) neighborhood park is located north of STH 165 and west of the Hill N Dale Subdivision at 36<sup>th</sup> Avenue.
  - A proposed 33 acre (approx.) neighborhood park is proposed to be located at in the west central portion of the neighborhood. The wooded eastern portion of this park will be dedicated to the Village as part of Meadowdale Estates Addition # 1 Final Plat, the southern portion of the park will be dedicated to the Village as part of the Village Green Heights Addition #1 Final Plat, the northern portion of the park east of Cooper Road is proposed to be dedicated to the Village as part of the Devonshire Subdivision and the northern portion of the park is proposed to be dedicated to the Village as part of the Stonebridge Subdivision. It is proposed that several park amenities be constructed in this park including: softball fields, soccer fields, tennis courts, play equipment, shelter, and parking. The Village is in negotiations with the Developer of Devonshire Development to pay for the installation of these improvements. The park corridor that is being created in this neighborhood is proposed to continue into the Highpoint Neighborhood to the west to provide a pedestrian connection to a future school site and nature preserve. In addition, a trail system is linked east through the Village Center to 100 Street that will connect to the Kenosha County Bike Trail through the Rolling Meadows Neighborhood Park.

**RETENTION AREAS:** The Neighborhood Plan indicates areas within existing retention facilities and proposed areas for future storm water management facilities. At the time that any Conceptual Plans are to be considered for any portion of the neighborhood, the developer's engineer will be required to evaluate the development site, based on actual field conditions and shall present a storm water management facility plan which meets the Village requirements.

**ACCESS TO ARTERIAL ROADS:** The Department of Transportation (WisDOT) is preparing a Corridor Study of STH 165 from STH 31 to STH 32. This study upon its completion will indicate the amount of right-of-way needed for future expansion and the restricted roadway access to STH 165. The access shown to STH 165 is based on the best available information known at this time. Prior to any development adjacent to STH 165, the WisDOT may require a Traffic Impact Analysis (TIA) to be completed and the Village may require the developer to provide funds to the Village for the future improvements to STH 165. At the time that any portion of the neighborhood is proposed to be developed, proper access will be required to adequately service the proposed development. In addition, the long-range transportation plan indicates that CTH EZ, 93<sup>rd</sup> Street and Springbrook Road should be improved or widened when traffic counts/new developments warrant such improvements.

**POPULATION PROJECTIONS FOR THE NEIGHBORHOOD:** The vacant portions of this neighborhood will not develop until the property owners wish to develop their land; which makes neighborhood planning essential for the orderly growth of the community and establishes a framework as to how development should occur and, if and when it occurs. The neighborhood plan is a guide for property owners and developers—therefore the population will increase on an incremental basis as the neighborhood develops over time. Based on the 2000 Census information for the Village of Pleasant Prairie, the average number of persons per household is 2.73 and school age children between the ages of 5 and 19 make up 23% of the population.

**Current population** within the neighborhood:

- 395 dwelling units--assumes that each existing lot has an occupied dwelling unit
- 1078 persons (which includes 275 school age children)



**Projected populations** within the neighborhood based on the total number of households proposed for this neighborhood when fully developed:

- 1193 dwelling units
- 3257 persons (which includes 749 school age children)

The Village provides copies of proposed developments to the Kenosha Unified School District to assist in their planning. Pursuant to the information provided by the Kenosha Unified School District for Pleasant Prairie (.42 x number of dwelling units), therefore; a total of 501 public school age children are likely to come from this neighborhood.

**The above relates to the Village Green Neighborhood Plan Map 29 and the following relates to the Village Green Center Sub-Neighborhood Plan Map 29a adopted by Plan Commission Resolution #12-13 on October 8, 2012 and by the Village Board on \_\_\_\_\_, 2012 by Ord. #12-\_\_\_\_\_.**

***Neighborhood Plan 29a of Appendix 9-3  
Village Green Center Sub-Neighborhood***

An amendment to the Village Green Neighborhood Plan for the Village Green Center Sub-Neighborhood was adopted by Plan Commission Resolution #12-13 on October 8, 2012 and by the Village Board on \_\_\_\_\_, 2012 by Ord. #12-\_\_\_\_.

The Village Green Center Sub-Neighborhood Plan includes:

**COMMERCIAL AND MIXED USE AREAS:** Centered on 39th Avenue, the commercial heart of VGC will be a concentrated collection of neighborhood-serving businesses. The VGC commercial areas are intended to provide for a unique community center and gathering place for the Village. Residents and visitors will comfortably and safely stroll on wide sidewalks in front of downtown-style retail and offices. Mixed use buildings and live-work townhouses will feature first-floor retail and upper floor housing. Approximately 24.1 acres of land within the VGC can be developed as commercial, mixed use, or live-work, providing opportunities to develop between approximately 135,000 and 276,000 square feet of commercial uses.

**RESIDENTIAL AREAS:** Residential units in the VGC will be unlike any other Pleasant Prairie neighborhood. A wide range of housing, including live-work units, small-lot detached single family homes, two-family homes, attached and detached townhomes, multi-unit homes, upper-floor flats and age-restricted (senior or active adult) housing will be allowed in the VGC. Through the mix of housing types, it is anticipated that the VGC will welcome residents of mixed incomes, ages and family sizes. Implementing regulations will define the permitted housing types; the anticipated housing forms include:

- Twin Homes – duplexes, private exterior entries, deep front setback, maximum 2.5 stories.
- Detached Cottage Homes - private exterior entries, deep front setback, maximum 2.5 stories.
- Detached Townhomes - private exterior entries, 10' side setback, minimum 2 stories, maximum 3 stories.
- Row houses – private exterior entries, no side and minimum front setbacks, minimum 2 stories, maximum 3 stories.
- Courtside Homes – common and private exterior entries, adjacent to public or private open space, minimum 2 stories, maximum 2.5 stories.
- Multi-Unit Homes – common and private exterior entries, minimum 2 stories, maximum 2.5 stories.
- Apartment Homes – interior corridor with common entry, minimum 2 stories, maximum 3 stories.
- Senior Housing.

There are 17 existing single family lots within the VGC along STH 165, Springbrook Road, and 39th Avenue that are anticipated to be incrementally redeveloped into different housing types when those owners choose to sell their land to a developer. This transformation is not required, however, the plan considers these alternative future uses when, and if, these properties transition.

Approximately 51.3 acres of land within the VGC are proposed to be developed as residential, which could include between 950 and 1,850 residential units.

**INSTITUTIONAL AREAS:** The existing institutional centers of the Village Hall, Fire Station, Post Office, and Village Green Center will provide places for community gatherings and celebrations. Approximately 12.1 acres of land within the sub-neighborhood are identified as institutional use.

**OPEN SPACE AREAS:** The amount and diversity of open space will differentiate the VGC from all other neighborhoods in the Village. Parks and open spaces will be nearby all residential areas, sufficient spaces are reserved for aesthetically pleasing stormwater management areas, and a large natural conservation area will be within easy walking distance of VGC and the adjacent Village Green Heights Subdivision. Community parks will be the site of farmers markets, parades, and informal recreation opportunities. A bike trail and path will connect the VGC open spaces with the Kenosha County Bike Trail to the east and the emerging Village Green Neighborhood Park to the northwest.

The VGC's open spaces will help maintain and create value for developers and homeowners and improve the quality of life of neighborhood residents and Village residents. The open spaces will be a mixture of publicly and privately owned spaces. The larger parks, conservation areas, and open spaces will be publicly owned and open to all community residents. Smaller internal courtyards and greens will be privately owned and maintained by adjacent residential owners.

The anticipated amount of public open space is clearly defined. Approximately 22.6 acres of land within the VGC are identified as open space. This open space is comprised of many different types of open space: active and passive recreational areas, preserved wooded areas, wetlands, and retention areas.

**Recreational Open Spaces:** Recreational open spaces, totaling approximately 11.2 acres, are comprised of five (5) types:

- **Village Square:** Approximately 3.3 acres, located on the west side of 39<sup>th</sup> Avenue, near the intersection of 39<sup>th</sup> Avenue and 100<sup>th</sup> Street is identified as the Village Square. The publicly-owned and maintained Village Square is prominently located at the eastern terminus of Main Street along 39<sup>th</sup> Avenue. The Square is designed to serve both neighborhood residents and the larger Pleasant Prairie community. The edges of the open space will be defined by first floor commercial uses and/or higher density housing, with a commercial use overlooking the southeast area of the park. It is intended to be the Village's preferred location for formal gatherings such as local farmers markets, celebrations, and festivals. It should also be designed to support informal activities such as an evening stroll after dining at a nearby restaurant. The Village Square consists of an open lawn, edge landscaping, walking paths, and a pond. This pond serves not only as an aesthetic amenity and gateway feature, but also provides treatment of stormwater from the adjacent uses and the anticipated 39<sup>th</sup> Avenue reconstruction. The Neighborhood Plan identifies a potential location for a future community building near the northwest corner of the square. The community building may be developed as an open-air structure or enclosed building and has the potential to support future programs and events that the Village may choose to offer.
- **Neighborhood Commons:** Approximately 4.2 acres, located in the northwest corner of Springbrook Road and Main Street is identified as the Neighborhood Commons. The publicly-owned and maintained Neighborhood Commons is centrally located in the residential heart of the Village Green Center and is primarily designed to meet the needs of local residents. A wide variety of spaces that support a diverse range of uses and activities are envisioned. On the western edge, a large open area of lawn allows for informal recreational activities. As this area of open lawn transitions to the center of the Commons, the area becomes more defined and is highlighted by a central shelter. Adjacent to and cradling the shelter, a series of terraced lawn areas creates an informal amphitheater. The small pond and meadow plantings create the perfect backdrop for neighborhood concerts and recitals while also serving the functional purpose of cleansing local stormwater from nearby residential areas. The park will be a focal point for those traveling on Springbrook Road and serves as an amenity that supports the development of housing while effectively transitioning from the quasi-industrial uses at the post office building.
- **Neighborhood Parks:** Neighborhood Parks are located throughout the neighborhood in close proximity and within a short walk of all residents. These privately-owned and maintained spaces are typically located within smaller sub-neighborhoods and provide

opportunities for smaller groups of local residents to gather and socialize. While the size and design for each will vary, Neighborhood Parks typically should include benches, walking paths, and small open lawn areas suitable for informal play. Play equipment may be considered in some Neighborhood Parks.

- **Urban Plazas:** Urban Plazas are located throughout the commercial and mixed-use areas of the neighborhood. These small privately-owned and maintained spaces are typically found adjacent the public street and sidewalk, offering people a comfortable place to sit and relax while watching the activities of urban life. Nearby cafes may find these areas particularly appealing as suitable locations for setting up tables and chairs for outdoor dining or drinking a cup of coffee. As Urban Plazas serve as extensions of the adjacent public sidewalks, it is common for these areas to be paved with specialty treatments and landscaped with canopy trees to provide a comfortable and shady respite.
- **Greens:** Greens are privately-owned and maintained exterior spaces partially surrounded by adjacent residences. Greens serve as linkages to other open space areas and the adjacent public street. Homes that front these areas are likely to have small private yards while sharing this larger open space as a common yard available for the use of all residents.

**Preserved Wooded/Conservation Areas:** The VGC plan preserves approximately 9.9 acres of wooded areas located in the west central portion of the Center. Approximately 0.58 acres are preserved by an existing conservation easement. The residential development pattern protects and features these wooded areas. Homes will be permitted outside wide buffers. Walking paths through the natural areas should be constructed where permitted.

**Wetland Areas:** The VGC plan identifies approximately 4.5 acres of land within wetlands, mostly located on the west central edge of the sub-neighborhood. Prior to consideration of any Conceptual Plan for this area, the wetlands shall be field verified by a certified biologist and approved by regulatory agencies in accordance with federal, State, and local criteria and procedures. Some of the wetlands within the undeveloped area have been field verified. However, the wetland delineations are only valid for up to five (5) years. Since the last wetland delineation in this area was completed more than five years ago (August 2005), the delineations will need to be updated.

On July 10, 2009, DNR and the U.S. Army Corps of Engineers issued a permit allowing approximately 0.46 acres of wetlands in the existing waterway draining easterly from approximately Springbrook Road to 39<sup>th</sup> Avenue to be filled to accommodate new development. This was allowed in exchange for purchase of 0.69 acres of wetland credits at the nearby Legacy Bogs wetland bank. The time limit for completing the permitted work was three (3) years from the date of authorization (July 10, 2009), which has been since been extended to July 10, 2015.

**Floodplain:** There is no mapped floodplain area located in the VGC.

**Stormwater Management Areas:** A conceptual stormwater management plan has been prepared in support of this VGC plan. The stormwater management plan identifies three (3) primary stormwater management ponds in the neighborhood located near natural stormwater outfalls from the project site. These areas are intended to provide peak discharge control and sediment treatment from proposed development area in accordance with Village and State requirements. While the design of these facilities will allow individual properties to be constructed without individual large-scale stormwater treatment practices, smaller scale best management practices such as rain gardens, permeable pavement, and biofiltration basins will be encouraged. Another option was submitted by the Developer wherein they converted the south central stormwater pond and open space area to the development area Option 2 Illustrative Plan.

The proposed stormwater management ponds are not intended to provide stormwater infiltration since native soils do not meet permeability requirements. Also, proposed ponds are not intended to trap oil and grease. Therefore, uses that may become sources of oil and grease runoff (such as large parking lots) may require supplemental practices such as inlet inserts or oil-water separators incorporated into the drainage systems.

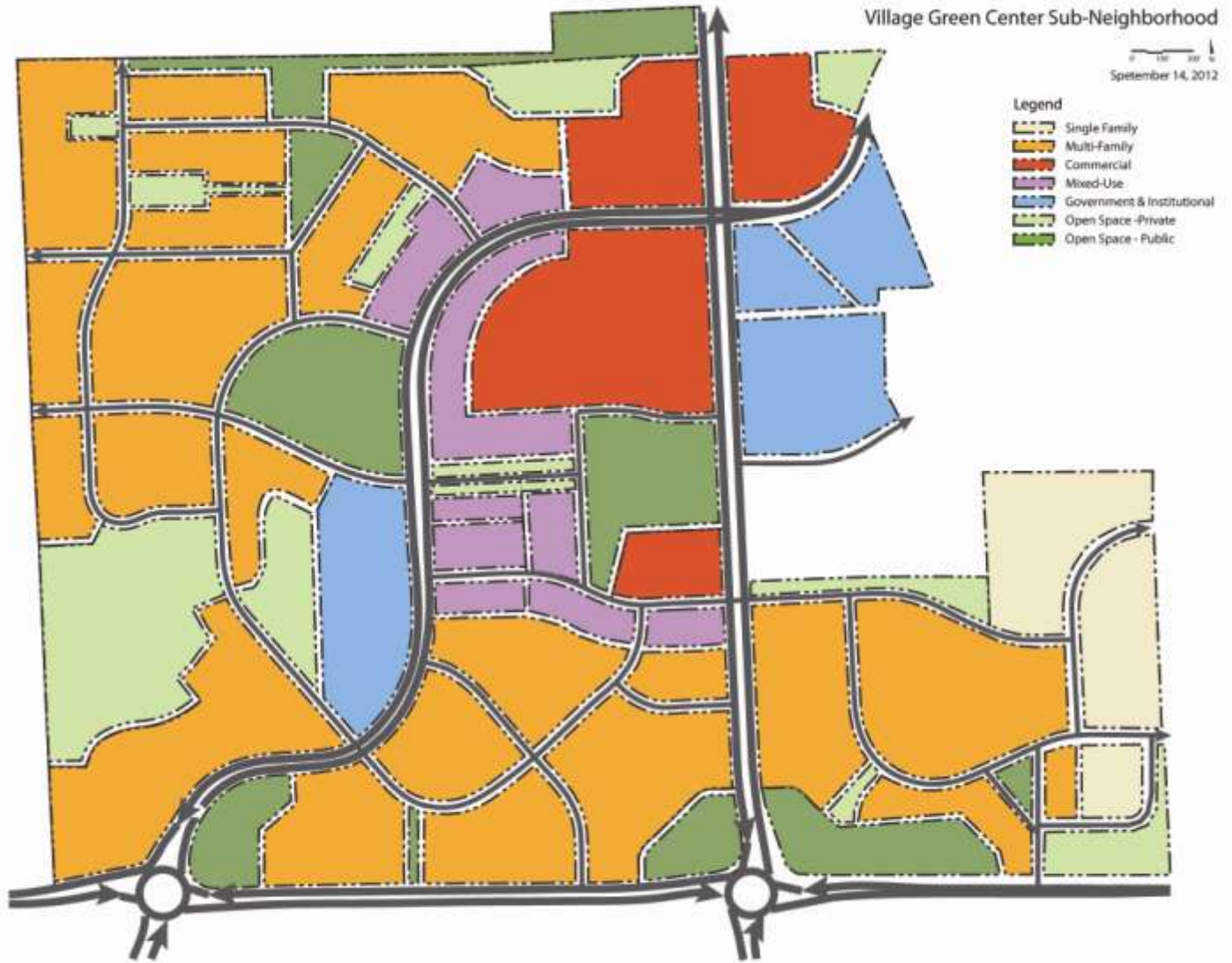
**Roadway Jurisdiction:** STH 165 will remain under Wisconsin Department of Transportation (WIDOT) Jurisdiction. The jurisdiction for Springbrook Road through the VGC was transferred from Kenosha County to the Village in January 2009.

**39<sup>th</sup> Avenue Street Improvements:** The Village has received a grant from the WIDOT to make improvements to 39<sup>th</sup> Avenue between STH 165 to 97<sup>th</sup> Street through the VGC. The improvements will include a boulevard street with two travel lanes, parking lanes, bicycle lane and sidewalks. The Village will be sending out a request of proposal to design the roadway improvements by the end of this year. Roadway improvements are anticipated to begin in 2015.

# Neighborhood Plan Map 29a-1

## Village Green Center Sub-Neighborhood

Adopted by Plan Commission Resolution #12-13 and Ord. #12-\_\_\_\_ adopted by the Village Board on \_\_\_\_\_, 2012



**Neighborhood Plan Map 29a-2**

**Village Green Center Sub-Neighborhood  
Illustrative Plan (Option 1)**

Adopted by Plan Commission Resolution #12-13 and Ord. #12-\_\_\_\_\_ adopted by the  
Village Board on \_\_\_\_\_, 2012



**Neighborhood Plan Map 29a-3**

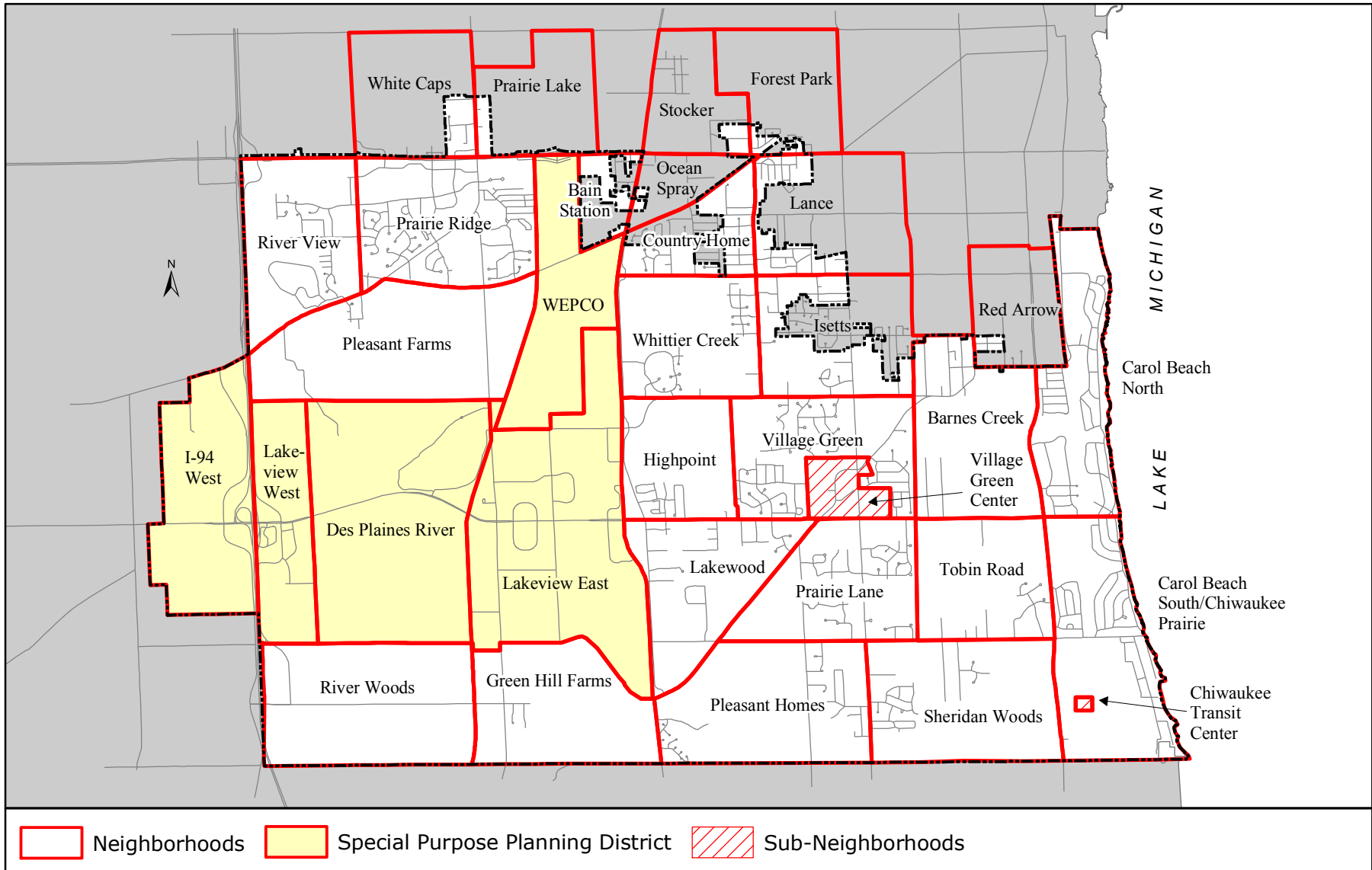
**Village Green Center Sub-Neighborhood  
Illustrative Plan (Option 2)**

Adopted by Plan Commission Resolution #12-13 and Ord. #12-\_\_\_\_ adopted by the  
Village Board on \_\_\_\_\_, 2012





### Village Neighborhoods, Sub-Neighborhoods and Special Planning Districts Map (revised December 2009)





# Development Summary Chart

Village Green Center Sub-Neighborhood

		Scenario A Lowest DU, Least Comm SF		Scenario B Highest DU, Most Comm SF		Scenario C Lowest DU, Most Comm SF		Scenario D Highest DU, Least Comm SF	
		Total Dwelling Units	Commercial SF	Total Dwelling Units	Commercial SF	Total Dwelling Units	Commercial SF	Total Dwelling Units	Commercial SF
Land and Lakes Ownership	Institutional	0	0	0	0	0	0	0	0
	Twin homes	49	0	12	0	49	0	12	0
	Detached Cottage Homes	6	0	0	0	6	0	0	0
	Detached Townhomes	20	0	0	0	20	0	0	0
	Rowhouses	255	0	0	0	249	0	0	0
	Courtside Homes	0	0	124	0	0	2	124	0
	Multi-unit homes	48	0	261	0	48	0	261	0
	Live-Work	124	0	29	11,600	65	26,000	0	0
	Apartment Homes	0	0	33	0	0	2	133	0
	Mixed-Use	199	106,618	80	33,991	59	31,433	199	106,618
	Senior Housing	0	0	283	4,566	0	2	496	0
	Commercial	0	0	0	166,783	0	170,853	0	0
	<b>Land and Lakes Ownership</b>	<b>701</b>	<b>106,618</b>	<b>822</b>	<b>216,940</b>	<b>496</b>	<b>228,293</b>	<b>1,225</b>	<b>106,618</b>
Miscellaneous Ownership	Institutional	0	0	0	0	0	0	0	0
	Twin homes	53	0	52	0	53	0	52	0
	Detached Cottage Homes	105	0	55	0	105	0	55	0
	Detached Townhomes	0	0	0	0	0	0	0	0
	Rowhouses	313	0	0	0	307	0	0	0
	Courtside Homes	0	0	0	0	0	0	0	0
	Multi-unit homes	0	0	412	0	0	0	282	0
	Live-Work	0	0	0	0	0	0	0	0
	Apartment Homes	0	0	35	0	0	0	35	0
	Mixed-Use	53	28,048	5	2,558	0	0	53	28,048
	Senior Housing	0	0	146	0	0	0	161	0
	Commercial	0	0	0	44,075	0	48,146	0	0
	<b>Miscellaneous Ownership</b>	<b>524</b>	<b>28,048</b>	<b>705</b>	<b>46,633</b>	<b>465</b>	<b>48,146</b>	<b>638</b>	<b>28,048</b>
<b>Total (all ownership)</b>	<b>1,225</b>	<b>134,666</b>	<b>1,527</b>	<b>263,573</b>	<b>961</b>	<b>276,438</b>	<b>1,863</b>	<b>134,666</b>	

**Assumptions:**

- (1) Efficient layout assumes joint development where portions of blocks are owned by LAL and others.
- (2) Assumes redevelopment of all sites except Post Office.
- (3) Assumes southeast corner of Springbrook and 39th Street will be used for Village fire station.
- (4) Assumes all commercial uses are one story, with buildings constructed to appear as if two stories.
- (5) In low commercial square footage scenarios, Live/Work optional ground floor commercial space is used for residential.

**THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME HOWEVER SEPARATE ACTION IS REQUIRED.**

- C. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-14 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN** for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Specifically, Map 9.9 is proposed to be amended to remove the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation from the property located at 11934 28<sup>th</sup> Avenue.

**Recommendation:** Village staff recommends approval of **Plan Commission Resolution #12-14** to approve amendments to the Comprehensive Plan as outlined in said Resolution.

- D. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue to rezone the portions of the property that are zoned PR-1, Park-Recreational District and R-3, Urban Single Family Residential District to the R-4, Urban Single Family Residential District. The portion of the property zoned C-1, Lowland Resource Conservancy District will remain unchanged.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Map Amendment** as presented in the Village Staff Report of January 9, 2012.

- E. Consider the request of Mark Bourque of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue for approval of a **Certified Survey Map** to subdivide the property into two parcels and to withdraw the Final Plat for The Orchard Subdivision.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Certified Survey Map** subject to the comments and conditions of the Village Staff Report of January 9, 2012.

## VILLAGE STAFF REPORT OF OCTOBER 8, 2012

**CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-14 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN** for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Specifically, Map 9.9 is proposed to be amended to remove the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation from the property located at 11934 28<sup>th</sup> Avenue.

**CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue to rezone the portions of the property that are zoned PR-1, Park-Recreational District and R-3, Urban Single Family Residential District to the R-4, Urban Single Family Residential District. The portion of the property zoned C-1, Lowland Resource Conservancy District will remain unchanged.

Consider the request of Mark Bourque of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28<sup>th</sup> Avenue for approval of a **Certified Survey Map** to subdivide the property into two parcels and to withdraw the Final Plat for The Orchard Subdivision.

**THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME, HOWEVER SEPARATE ACTION IS REQUIRED.**

*The petitioner is requesting to subdivide the 15.3 acre property located at 11934 28<sup>th</sup> Avenue into two (2) lots. As a result of the proposed land division, the petitioner is requesting to withdraw the request for approval of the Final Plat for The Orchard Subdivision. In addition, the petitioner is requesting to rezone the property and amend the Village's Comprehensive Land Use Plan.*

**Background information related to The Orchard:** The previous property owners were proposing to develop this property into a single family subdivision with 19 single family lots to be known as The Orchard. On November 19, 2007 the Village Board conditionally approved the Preliminary Plat for The Orchard Subdivision pursuant to Resolution #07-77. The Preliminary Plat approval is valid for two (2) years; however prior to the expiration of the Preliminary Plat the Final Plat needed to be approved unless an extension was granted. On November 10, 2008 the Plan Commission held a public hearing related to the Final Plat, Development Agreement and related documents and recommended that the Village Board approve the Final Plat and related documents provided that all conditions were satisfied prior to April 10, 2009.

On March 2, 2009, the Village Board approved an extension of The Orchard Final Plat (until April 10, 2010) to comply with the conditions set forth at the November 10, 2008 Plan Commission public hearing and for the Village Board to consider the Final Plat and related documents. In addition, the Village Board approved an extension of The Orchard Preliminary Plat approval (until April 10, 2010) pursuant Village Board Resolution #07-77. In addition to compliance with the conditions stated above, any additions, modifications or changes in Village, County, State or federal ordinances, polices or regulations that are in effect prior to the Final Plat being considered by the Village Board shall also apply.

Another two (2) year extension to comply with the aforementioned conditions of the Final Plat and the Preliminary Plat was approved on February 1, 2010, and again on April 2, 2012 (to expire on April 10, 2014).

**Certified Survey Map:** Lot 1 is proposed to 5.3 acres within 250 feet of frontage on 28<sup>th</sup> Avenue. There is an existing home and detached building on this property. This property has an accepted offer to purchase from William and Kathy Wamboldt, who intend to raze the house, rebuild a new single family home and keep the existing detached garage on the site. The detached garage is allowed to remain on the property subject to compliance with the variance granted by the Village Zoning Board of Appeals on September 25, 2012. (See **attached** approval letter and Variance Grant Document #12-02).

Lot 2 is proposed to be 10.1 acres with 153.88 feet of frontage on 28<sup>th</sup> Avenue. There are wetlands on a portion of this property that were delineated in 2006. If any future development is proposed within this area a new wetland delineation will need to be completed to ensure that the structures are constructed within 25 feet of the wetlands. [Note: wetland delineations are valid for five years.]

Both lots are serviced by municipal sanitary sewer. New homes constructed on these lots will be required to be connected with basement gravity service. The location of a new home on Lot 2 will be limited to its location unless a variance is obtained by the Village Board to allow for hung plumbing or a grinder pump system.

There is no municipal water within 28<sup>th</sup> Avenue; therefore both lots will be serviced by an on-site well. The **attached** Waiver of Notice Special Assessment and Hearing shall be executed and recorded at the Kenosha County Register of Deeds Office at the same time the CSM is recorded. At such time that municipal water is available in 28<sup>th</sup> Avenue the homes will be required to connect to the municipal water system.

Additional right-of-way is being dedicated for the future public improvements within 28<sup>th</sup> Avenue. A total of 33 feet from the roadway center line is being dedicated to the Village.

**Comprehensive Plan and Zoning Map Amendments:** When the preliminary plat was approved in 2008, the property was rezoned into the R-3, Urban Single Family Residential District for the proposed 20,000 square foot minimum lots, the wetlands were rezoned into the C-1, Lowland Resource Conservancy District and the non-wetland areas within the two proposed outlots in the development were rezoned into the PR-1, Neighborhood Park –Recreational District. As a result of withdrawing the subdivision plat and proposing to subdivide the property into two (2) lots, the property is proposed to be rezoned.

The portions of the property that are zoned PR-1, Park-Recreational District and R-3, Urban Single Family Residential District are proposed to be rezoned into the R-4, Urban Single Family Residential District. The portion of the property that is zoned C-1, Lowland Resource Conservancy District will remain unchanged. The rezoning of the properties to the R-4, Urban Single Family District is consistent with the adjacent properties that are also zoned R-4, Urban Single Family Residential District.

In addition to the Zoning Map Amendment, the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 is proposed to be amended so that the zoning map and the land use plan map are consistent. Specifically, Map 9.9 is proposed to be amended to remove the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation for the property located at 11934 28<sup>th</sup> Avenue. Appendix 10-3 of the Village’s 2035 Comprehensive Plan is proposed to be updated to include the aforementioned amendments.

#### **RECOMMENDATIONS:**

- Village staff recommends approval of **Plan Commission Resolution #12-14** to approve amendments to the Comprehensive Plan.
- Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Map Amendment** as presented.

- Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Certified Survey Map** subject to the above comments and the following conditions:
  1. See **attached** changes pages 1 and 4 of the CSM.
  2. The following Dedication and Easement provisions shall be added to the CSM:
    1. Nonexclusive easements coextensive within the areas shown on this CSM as Dedicated Wetland Preservation and Protection, Access and Maintenance Easement areas are hereby dedicated, given, granted and conveyed by the Owner to the Village for wetland conservancy preservation, protection, and maintenance purposes and uses and for related ingress and egress. Notwithstanding such easements, the Village shall have no obligation to exercise its rights under these easements.
  3. The following Restrictive Covenant shall be added to the CSM:
    1. The Owner hereby covenants that the Owner(s) of Lot 2 of this CSM shall have the obligation of protecting and preserving the Wetland Preservation and Protection, Access and Maintenance Easement area shown on this CSM. Such maintenance shall include without limitation and as needed removing of dead, dying or decayed trees, plant material or evasive species, planting wetland plant life as approved by the Village and the Wisconsin Department of Natural Resources, and removing of trash or debris in order to prevent a nuisance condition. No mowing or cutting of the wetlands shall be allowed. No signage or fences shall be erected within the wetlands, which might damage the wetland areas. This covenant shall run with the land, shall be binding upon the Owners of Lot 2, its successors and assigns and successors-in-title of the land, in their capacity as Owners of any such land, and shall benefit and be enforceable by the Village. The Owners shall perform such maintenance as may be needed, without compensation, and to the satisfaction of the Village. This covenant will not restrict or prohibit the Owner(s) from seeking and obtaining the required permit and authorization from the appropriate federal or State agencies having jurisdiction to fill or adjust the wetland areas on these lots insofar as the appropriate permits and approvals are obtained from the federal, State or and Village agencies prior to the disturbing any wetlands.

To the extent that the Village performs any such wetland related maintenance activities on behalf of the Owner(s), the Owner(s) of Lot 2 shall be liable for any costs which may be incurred by the Village, which the Village may recover from such Owner(s) as special assessments or special charges under Section 66.0627 (or successors and assigns or similar provisions) of the Wisconsin Statutes or otherwise according to law. Unless the Village exercises the rights granted to it in the Dedication and Easement Provisions on this CSM, the Village shall have no obligation to do anything pursuant to its rights under these easement dedications.
  4. The Village requires gravity basement sanitary sewer service for all new homes which are connected to the public sewer system. The following note shall be added to the CSM: "The future housing development on Lot 2 shall have gravity basement sanitary sewer service, unless a variance is approved by the Village Board."
  5. A note shall be placed on the CSM that states:

"A site grading and drainage plan shall be submitted to and approved by the Village, prior to development of Lots 1 and 2."
  6. The **attached** Waiver of Notice Special Assessment and Hearing shall be executed and recorded at the Kenosha County Register of Deeds Office at the same time the CSM is recorded.

7. All outstanding taxes and special assessments shall be paid prior to recording the CSM.
8. The CSM shall be recorded at the Kenosha County Register of Deeds Office and a copy of the recorded CSM shall be provided to the Village within 30 days of Village Board approval.



**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION  
RESOLUTION #12-14**

**TO AMEND THE VILLAGE OF PLEASANT PRAIRIE, WISCONSIN  
2035 COMPREHENSIVE PLAN**

**WHEREAS**, on December 19, 2009 the Village Board adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan* (Comprehensive Plan); and

**WHEREAS**, the Village has received a request to amend the Comprehensive Plan related to the land use designation on the property located at 11934 28<sup>th</sup> Avenue in a part of U.S. Public Land Survey Section 36, Township 1 North, Range 22 East and further identified as Tax Parcel Number 92-4-122-361-0305; and

**WHEREAS**, said property was proposed to be developed into a 19 lot single family subdivision with two (2) outlots to be known as The Orchard; and

**WHEREAS**, the Village 2035 Comprehensive Land Use Plan shows that the proposed outlot areas of The Orchard Subdivision development, including the wetlands on the property, are located within the Park, Recreational and Other Opens Space Lands and the area for the proposed 19 single family lots are located with a Low-Medium Density Residential land use designation; and

**WHEREAS**, the current property owners have withdrawn their application for the Final Plat for The Orchard subdivision and are proposing to subdivide the property into two (2) single family lots and to rezone the property from PR-1, Park-Recreational District and R-3, Urban Single Family Residential District to R-4, Urban Single Family Residential District (the wetland areas zoned C-1, Lowland Resource Conservancy District will remain unchanged); and

**WHEREAS**, in order for the Zoning Map and the Comprehensive Plan to be consistent the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan, Map 9.9 is proposed to be amended by removing the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment.

**WHEREAS**, on September 8, 2012 the required 30-day notice was published in the Kenosha News for the October 8, 2012 public hearing held by the Village Plan Commission and on September 7, 2012 notices were sent to property owners within 300 feet of the proposed amendments; and

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Village of Pleasant Prairie Plan Commission hereby approves the following amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan:

1. To modify the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation from the property located at 11934 28<sup>th</sup> Avenue (Tax Parcel Number 92-4-122-361-0305) as shown on **Exhibit 1**.
2. To update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment to Map 9.9.

**BE IT FURTHER RESOLVED** that the Plan Commission does hereby recommend that the Village Board enact the Ordinance by adopting the amendment, as referenced above, to the *Village of Pleasant Prairie 2035 Comprehensive Plan*.

**Adopted this 8<sup>th</sup> day of October 2012.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

\_\_\_\_\_  
Thomas W. Terwall  
Plan Commission Chairman

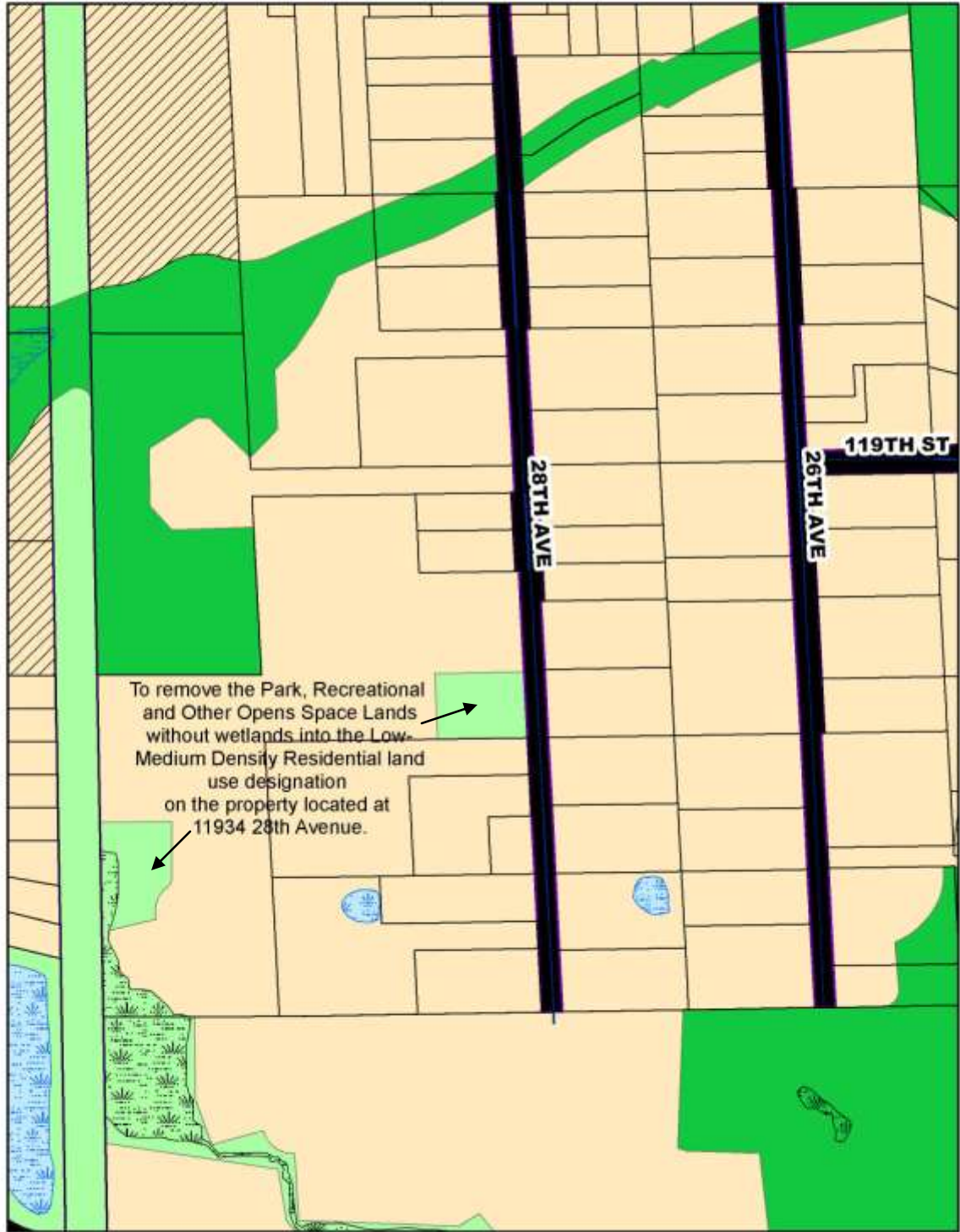
\_\_\_\_\_  
Donald Hackbarth  
Secretary

Date Posted: \_\_\_\_\_

14-Comp Plan Amendments--11934 28th Ave amendments.doc

**EXHIBIT 1**

**Village of Pleasant Prairie  
2035 Land Use Plan  
(portion of)**



To remove the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation on the property located at 11934 28th Avenue.

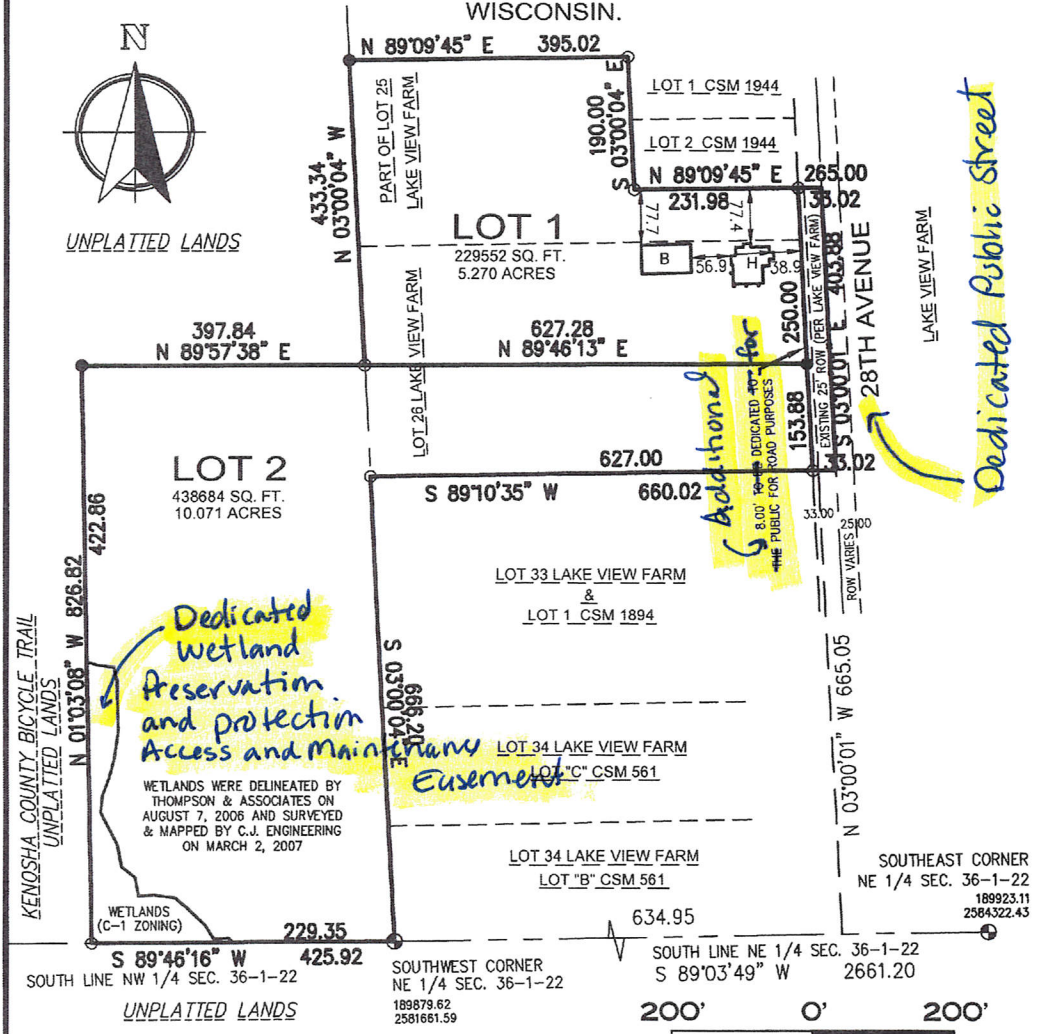


Source: Village of Pleasant Prairie  
August 2012

Village of Pleasant Prairie

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

THE REDIVISION OF LOTS 25 AND 26 OF LAKE VIEW FARM, A RECORDED SUBDIVISION IN THE SW 1/4 OF THE NE 1/4 OF SECTION 36 TOGETHER WITH A PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 36, ALL IN TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.



*Dedicated Wetland Preservation and protection Access and Maintenance Easement*

*Dedicated Public Street*

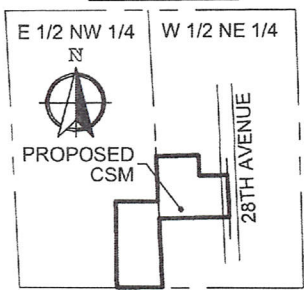
*Additional 8.00' ROW for Road Purposes*

WETLANDS WERE DELINEATED BY THOMPSON & ASSOCIATES ON AUGUST 7, 2006 AND SURVEYED & MAPPED BY C.J. ENGINEERING ON MARCH 2, 2007

WETLANDS (C-1 ZONING)

UNPLATTED LANDS

LOCATION MAP



N 1/2 SEC. 36-1-22



*James E. Robinson*

NOTES:

- ZONING OF PARCELS IS R-4 & C-1
- OWNER: BANKS OF WISCONSIN  
5117 GREEN BAY RD, KENOSHA, WI. 53144
- SURVEYOR: NIELSEN MADSEN & BARBER, S.C.  
1458 HORIZON BLVD. SUITE 200, RACINE, WI 53406
- ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.
- BEARINGS BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE. BASED UPON NAD 1927. THE SOUTH LINE OF THE NE 1/4 OF SECTION 36-1-22 IS ASSUMED TO BEAR N 89°03'49" E.

LEGEND:

- 1" O.D. IRON PIPE FOUND
- 1.315" O.D.x18" IP - 1.68LBS/LIN FT. SET
- ⊕ 6" CONC. MON. W / BRASS CAP FOUND

Date: August 16, 2012  
This Instrument was drafted by James E. Robinson  
2012.0071.01.DWG

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

THE REDIVISION OF LOTS 25 AND 26 OF LAKE VIEW FARM, A RECORDED SUBDIVISION IN THE SW 1/4 OF THE NE 1/4 OF SECTION 36 TOGETHER WITH A PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 36, ALL IN TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

**CORPORATE OWNERS' CERTIFICATE OF DEDICATION**

Banks of Wisconsin, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, does hereby certify that said corporation caused the land described on the this plat to be surveyed, divided, mapped and dedicated as represented on this plat. Banks of Wisconsin does further certify that this Certified Survey Map is required by Section 236.10 or Section 236.12 to be submitted to the following for approval or objection: Village of Pleasant Prairie.

IN WITNESS WHEREOF the said Banks of Wisconsin has caused these presents to be signed by Doug Buchholz, Bank Officer, and its seal affixed hereunto this \_\_\_\_\_ day of \_\_\_\_\_, 2012. In the presence of:

**BANKS OF WISCONSIN**

\_\_\_\_\_  
WITNESS: Doug Buchholz, Bank Officer

STATE OF WISCONSIN )  
                                  ) ss  
COUNTY OF RACINE )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, Doug Buchholz, of the above-named corporation to me known to be the person who executed the foregoing as said Officer and acknowledged the same.

Signed: \_\_\_\_\_  
\_\_\_\_\_

Notary Public, State of Wisconsin  
My commission expires/is permanent: \_\_\_\_\_

**VILLAGE OF PLEASANT PRAIRIE APPROVAL**

The Village of Pleasant Prairie does hereby approve the land division shown in the Certified Survey Map herein and consents to its recording this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**Attest:**

\_\_\_\_\_  
Jane M. Romanowski, CMC  
Village Clerk

\_\_\_\_\_  
John P. Steinbrink  
Village President

\_\_\_\_\_  
Thomas W. Terwall, Chairman  
Village Plan Commission



Date: August 16, 2012  
This Instrument was drafted by *James E. Robinson*  
2012.0071.01.DWG



**WAIVER OF SPECIAL ASSESSMENT  
NOTICE AND HEARING UNDER  
Section 66.0703, Wisconsin Statutes**

I, the undersigned, being the authorized representative for the Banks of Wisconsin, owner of lands commonly known and designated as:

**Return to:**

Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**Tax Parcel Number:**

92-4-122-361-0305

**LEGAL DESCRIPTION:**

Lots 1 and 2 of Certified Survey Map # \_\_\_\_\_ (Recorded on \_\_\_\_\_, 2012 as Document # \_\_\_\_\_ at the Kenosha County Register of Deeds Office) a located in a part of the Northwest One Quarter of U.S. Public Land Survey Section 36, Township 1 North, Range 22 East of the Fourth Principal Meridian, in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin.

In consideration of the construction by the Village of Pleasant Prairie, Wisconsin, of the following proposed public water improvements I, the undersigned, hereby admit that this improvement will specifically benefit said properties located in the Village of Pleasant Prairie and consent to the levying of special assessments for the cost of this improvement against my premise under Section 66.0703 of the Wisconsin Statutes.

A fair share cost of the total cost of acquisition water system and all incidental expenses incurred in connection therewith, including future maintenance and operational charges, interest and such other assessments or charges as may be levied by the Village to complete the financing, maintenance and debt retirement of this system, including, but in no way limited thereto, the necessary prorated cost incurred in bringing water service to the land herein described.

In accordance with Section 66.0703(7)(b) of the Wisconsin Statutes, on behalf of the Banks of Wisconsin, I hereby waive all special assessment notices and hearings required by Section 66.0773(7)(b) of the Wisconsin Statutes, and I further agree and admit that the benefit to said properties from the construction of this public water improvement is in proportion to the linear footage thereof.

**LOT I:**

**ASSESSABLE FRONTAGE:** 250 feet at \$52.00/foot = \$13,000.00  
**WATER LATERAL FEE:** 2,000.00 \*  
**TOTAL ASSESSMENT FOR LOT I: \$15,000 \***

**LOT II:**

**ASSESSABLE FRONTAGE:** 153.88 feet at \$52.00/foot = \$8,001.76  
**WATER LATERAL FEE:** 2,000.00 \*  
**TOTAL ASSESSMENT FOR LOT II: \$10,001.76 \***

\*The figures above are based on current charges for 2012. The Village reserves the right to reopen and adjust the special assessment allocation either by increasing or decreasing the amounts to reflect actual project costs pursuant to Section 66.0703(7)(b) of the Wisconsin State Statutes.

**This waiver shall be construed as a covenant running with the lands embraced herein and shall be binding upon the owners, their successors and assigns, and successors in-title.**

I FURTHER certify that the undersigned constitutes the record owner of the lands commonly known as the above-mentioned tax parcel number.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2012.

**OWNER(S): BANKS OF WISCONSIN**

\_\_\_\_\_  
Doug Buchholz  
Bank Officer

STATE OF WISCONSIN)  
COUNTY OF KENOSHA)

This instrument was acknowledged and signed before me in \_\_\_\_\_, WI on \_\_\_\_\_, 2012, by Doug Buchholz, Bank Officer of the Banks of Wisconsin.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_, Wisconsin  
My Commission Expires: \_\_\_\_\_

**This instrument was drafted by:**

Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**RECEIVED**  
AUG 23 2012  
Village of Pleasant Prairie

August 21, 2012

Ms. Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**RECEIVED**  
AUG 24 2012  
Village of Pleasant Prairie

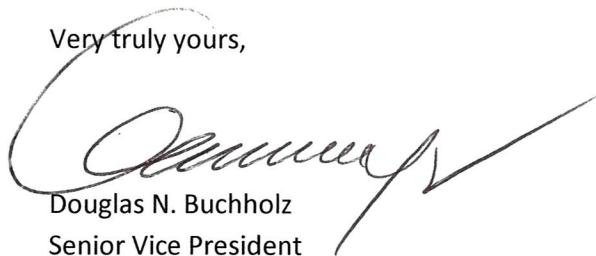
Re: 11934 28<sup>th</sup> Avenue

Dear Ms. Werbie-Harris:

Please be advised the owner, Banks of Wisconsin, request to amend the 2035 Comprehensive Land Use Plan for The Orchard Subdivision, parcel 92-4-122-361-0305, to reflect Lot 1 and Lot 2 of the proposed Certified Survey Map as single family residential zoned R-3 and C-1.

Should you have any questions please contact our agent, Mark S. Bourque, Prudential Premier Properties 262/605-1505 or you can reach me at 262/842-1068.

Very truly yours,



Douglas N. Buchholz  
Senior Vice President  
Chief Lending Officer

~~RECEIVED  
AUG 28 2012  
Village of Pleasant Prairie~~

August 21, 2012

Ms. Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

RECEIVED  
AUG 24 2012  
Village of Pleasant Prairie

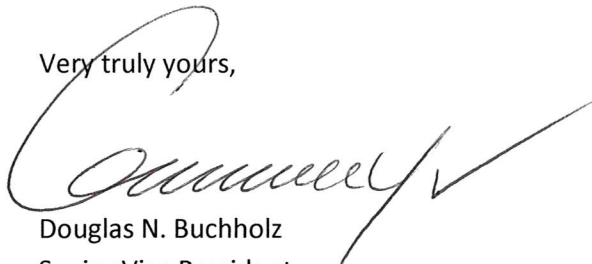
Re: 11934 28<sup>th</sup> Avenue

Dear Ms. Werbie-Harris:

Please be advised the owner, Banks of Wisconsin, request the Preliminary Plat and related approvals for The Orchard Subdivision, parcel 92-4-122-361-0305, be withdrawn subject to the approval a Certified Survey Map (CSM) to divide the property into 2 single family residential lots as further described on the attached CSM.

Should you have any questions please contact our agent, Mark S. Bourque, Prudential Premier Properties 262/605-1505 or you can reach me at 262/842-1068.

Very truly yours,



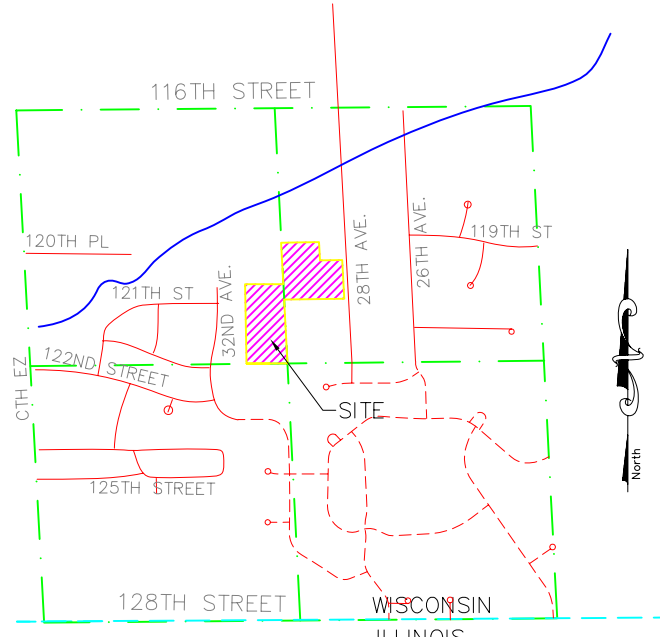
Douglas N. Buchholz  
Senior Vice President  
Chief Lending Officer



# THE ORCHARD SUBDIVISION FINAL PLAT

PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWN 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

**CJ engineering**  
civil design and consulting  
13005 W. Bluemound Rd.  
Suite 250  
Brookfield, WI 53005  
PH. (262) 641-2848  
FAX (262) 641-2871  
www.cj-engineering.com



VICINITY MAP  
SECTION 36-22-1  
SCALE 1"=2000'

**DEVELOPER/OWNER:**

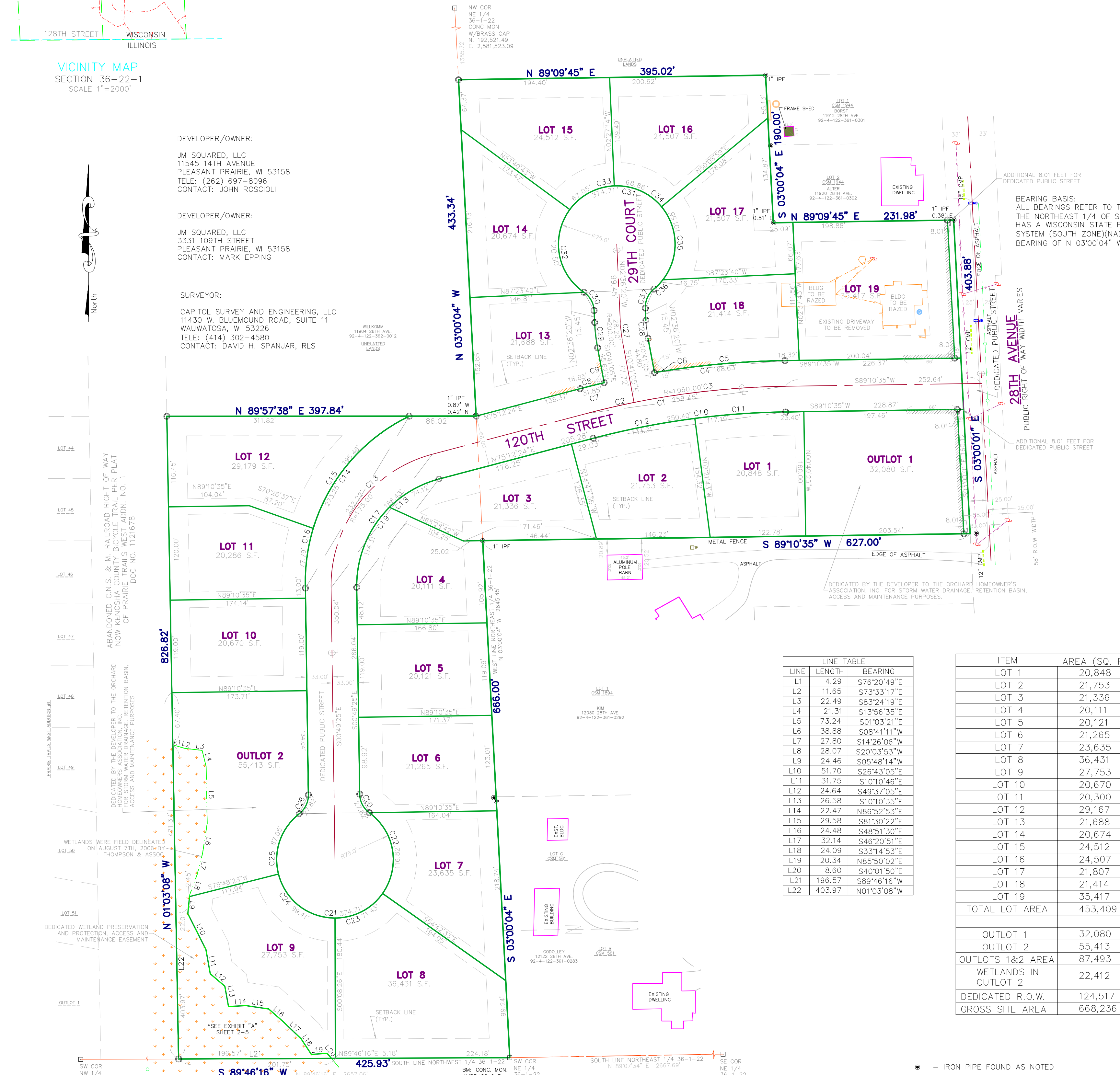
JM SQUARED, LLC  
11545 14TH AVENUE  
PLEASANT PRAIRIE, WI 53158  
TELE: (262) 697-8096  
CONTACT: JOHN ROSCIOLI

**DEVELOPER/OWNER:**

JM SQUARED, LLC  
3331 109TH STREET  
PLEASANT PRAIRIE, WI 53158  
CONTACT: MARK EPPING

**SURVEYOR:**

CAPITOL SURVEY AND ENGINEERING, LLC  
11430 W. BLUEMOUND ROAD, SUITE 11  
WAUKATOSKA, WI 53226  
TELE: (414) 302-4580  
CONTACT: DAVID H. SPANJAR, RLS



LINE	LENGTH	BEARING
L1	4.29	S76°20'49"E
L2	11.65	S73°33'17"E
L3	22.49	S83°24'19"E
L4	21.31	S13°56'35"E
L5	73.24	S01°03'21"E
L6	38.88	S08°41'11"W
L7	27.80	S14°26'06"W
L8	28.07	S20°03'53"W
L9	24.46	S05°48'14"W
L10	51.70	S26°43'05"E
L11	31.75	S10°10'46"E
L12	24.64	S49°37'05"E
L13	26.58	S10°10'35"E
L14	22.47	N86°52'53"E
L15	29.58	S81°30'22"E
L16	24.48	S48°51'30"E
L17	32.14	S46°20'51"E
L18	24.09	S33°14'53"E
L19	20.34	N85°50'02"E
L20	8.60	S40°01'50"E
L21	196.57	S89°46'16"W
L22	403.97	N01°03'08"W

ITEM	AREA (SQ. FT.)
LOT 1	20,848
LOT 2	21,753
LOT 3	21,336
LOT 4	20,111
LOT 5	20,121
LOT 6	21,265
LOT 7	23,635
LOT 8	36,431
LOT 9	27,753
LOT 10	20,670
LOT 11	20,300
LOT 12	29,167
LOT 13	21,688
LOT 14	20,674
LOT 15	24,512
LOT 16	24,507
LOT 17	21,807
LOT 18	21,414
LOT 19	35,417
TOTAL LOT AREA	453,409
OUTLOT 1	32,080
OUTLOT 2	55,413
OUTLOTS 1&2 AREA	87,493
WETLANDS IN OUTLOT 2	22,412
DEDICATED R.O.W.	124,517
GROSS SITE AREA	668,236

CURVE	LENGTH	RADIUS	CHORD	1	1/2	TANGENT BEARING IN	CHORD BEARING	TANGENT BEARING OUT
C1	258.45	1060.00	257.81	13°58'11"	6°59'05.5"	S89°10'35"W	S82°11'29.5"W	S75°12'24"W
C2	62.50	1060.00	62.49	3°27'41"	1°41'20.5"	S76°03'44.5"W	S72°05'34.5"W	S63°52'49.5"W
C3	195.94	1088.85	195.67	10°18'37"	5°09'18.5"	S83°52'49.5"W	S84°45'23.5"W	S85°08'58.5"W
C4	168.63	1093.00	168.46	8°50'23"	4°25'11.5"	S85°08'58.5"W	S80°43'47.5"W	S76°02'29"W
C5	153.63	1093.00	153.50	7°49'57"	3°54'58.5"	S80°43'47.5"W	S75°38'53"W	S72°28'58.5"W
C6	15.00	1093.00	15.00	0°47'11"	0°23'35.5"	S75°38'53"W	S72°28'58.5"W	S69°15'13"W
C7	31.85	1093.00	31.85	1°40'10"	0°50'05"	S72°28'58.5"W	S69°15'13"W	S66°01'51"W
C8	16.85	1093.00	16.85	1°23'04"	0°41'32"	S69°15'13"W	S66°01'51"W	S62°54'19"E
C9	15.00	1093.00	15.00	0°47'11"	0°23'35.5"	S66°01'51"W	S62°54'19"E	S60°01'50"E
C10	250.40	1027.00	249.78	13°58'11"	6°59'05.5"	S60°01'50"E	S52°14'19.5"W	S43°57'14"E
C11	117.19	1027.00	117.13	6°04'24"	3°02'12"	S52°14'19.5"W	S43°57'14"E	S40°49'25"E
C12	133.21	1027.00	133.11	7°25'54"	3°42'57"	S43°57'14"E	S40°49'25"E	S37°57'13"W
C13	232.22	175.00	215.55	76°01'49"	38°00'54.5"	S37°57'13"W	S34°57'13"W	S32°18'23"W
C14	273.25	236.62	258.32	66°09'56"	33°04'58"	S34°57'13"W	S32°18'23"W	S30°17'14"E
C15	195.46	236.62	189.95	47°19'44"	23°39'52"	S32°18'23"W	S30°17'14"E	S28°18'23"W
C16	77.79	236.62	77.44	18°50'11"	9°25'05.5"	S30°17'14"E	S28°18'23"W	S26°33'54"W
C17	188.43	142.00	174.91	76°01'49"	38°00'54.5"	S26°33'54"W	S23°33'54"W	S21°12'24"W
C18	74.12	142.00	73.28	29°54'19"	14°57'09.5"	S23°33'54"W	S21°12'24"W	S19°03'23"W
C19	114.31	142.00	111.25	46°07'29"	23°03'44.5"	S21°12'24"W	S19°03'23"W	S17°03'51"W
C20	27.82	30.00	26.83	53°07'48"	26°33'54"	S19°03'23"W	S17°03'51"W	S15°44'08"W
C21	374.71	75.00	360.00	286°15'36"	143°07'48"	S15°44'08"W	S14°07'48"	S13°07'48"
C22	116.82	75.00	105.36	89°14'41"	44°37'20.5"	S13°07'48"	S12°07'48"	S11°07'48"
C23	71.43	75.00	68.76	54°34'07"	27°17'03.5"	S11°07'48"	S10°07'48"	S9°07'48"
C24	99.41	75.00	92.29	75°56'49"	37°58'24.5"	S9°07'48"	S8°07'48"	S7°07'48"
C25	87.05	75.00	82.24	66°30'00"	33°15'00"	S7°07'48"	S6°07'48"	S5°07'48"
C26	27.82	30.00	26.83	53°07'48"	26°33'54"	S5°07'48"	S4°07'48"	S3°07'48"
C27	28.20	200.00	28.18	8°04'45"	4°02'22.5"	S4°07'48"	S3°07'48"	S2°07'48"
C28	23.55	167.00	23.53	8°04'45"	4°02'22.5"	S3°07'48"	S2°07'48"	S1°07'48"
C29	32.86	233.00	32.83	8°04'45"	4°02'22.5"	S2°07'48"	S1°07'48"	S0°07'48"
C30	27.82	30.00	26.83	53°07'48"	26°33'54"	N02°36'20"W	N29°10'14"W	N55°44'08"W
C31	374.71	75.00	360.00	286°15'36"	143°07'48"	N55°44'08"W	N52°44'08"W	N50°31'28"W
C32	120.50	75.00	107.95	92°03'25"	46°01'42.5"	N52°44'08"W	N50°31'28"W	N48°18'23"W
C33	67.05	75.00	64.84	51°13'29"	25°36'44.5"	N48°18'23"W	N46°07'48"	N44°07'48"
C34	68.86	75.00	66.46	52°36'13"	26°18'06.5"	N46°07'48"	N44°07'48"	N42°07'48"
C35	101.95	75.00	93.97	73°34'42"	38°47'21"	N44°07'48"	N42°07'48"	N40°07'48"
C36	16.75	75.00	16.72	12°47'48"	6°23'54"	N40°07'48"	N38°07'48"	N36°07'48"
C37	27.82	30.00	26.83	53°07'48"	26°33'54"	N38°07'48"	N36°07'48"	N34°07'48"

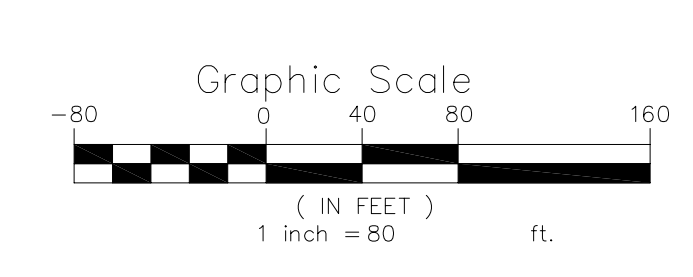
WETLANDS DELINEATED BY THOMPSON AND ASSOC. AND FIELD LOCATED AUGUST 6, 2006 BY CAPITOL SURVEY AND ENGINEERING, LLC. AND APPROVED BY HEIDI HOPKINS ON SEPTEMBER 20, 2006.

EXISTING ZONING = R-3, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT  
C-1, LOWLAND CONSERVANCY DISTRICT (WETLAND AREA OF OUTLOT 2)  
PR-1, PARK AND RECREATIONAL DISTRICT (NON-WETLAND AREA OF OUTLOT 1 AND OUTLOT 2)

EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDED FRACTIONAL OWNERSHIP IN OUTLOT 1 AND OUTLOT 2. NEITHER KENOSHA COUNTY OR THE VILLAGE OF PLEASANT PRAIRIE SHALL BE LIABLE FOR ANY FEES OR SPECIAL ASSESSMENTS IN THE EVENT THEY BECOME AN OWNER OF ANY LOTS IN THE SUBDIVISION FOR THE REASON OF TAX DEFICIENCY.

APPROXIMATELY 28,500 SQUARE FEET OF WOODLANDS ARE TO BE PRESERVED.

SEE SHEET 2 OF 5 FOR EASEMENT LOCATIONS



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.  
Certified \_\_\_\_\_, 20\_\_\_\_  
Department of Administration

JANUARY 15, 2008  
REVISED JUNE 11, 2008



RECEIVED  
AUG 24 2012  
Village of Pleasant Prairie

Filed 8/24 2012  
Fee Paid 8/24 2012  
PC Meeting Date 10/8 2012  
VB Meeting Date 10/15 2012  
Approved \_\_\_\_\_ 20\_\_\_\_  
Denied \_\_\_\_\_ 20\_\_\_\_

**VILLAGE OF PLEASANT PRAIRIE  
CERTIFIED SURVEY MAP APPLICATION**

To: Village Plan Commission & Village Board of Trustees of the Village of Pleasant Prairie:

I, (We), the undersigned owner(s)/agent do hereby petition the Village Board to amend the Village of Pleasant Prairie Zoning Map as hereinafter requested.

It is petitioned that the following described property be subdivided with a Certified Survey Map (CSM)

The property petitioned to be subdivided is located at: 11934 - 28th Avenue

and is legally described as follows: Part of Lots 25 & 26, Lake View Farms Subdivision

Tax Parcel Number(s): 92-4-122-361-0305

- The property abuts or adjoins a State Trunk Highway  Yes  No
- The property abuts or adjoins a County Trunk Highway  Yes  No
- Municipal Sanitary Sewer is available to service said properties  Yes  No
- Municipal Water is available to service said properties  Yes  No

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request with the Village staff to determine additional information that may be needed to consider the request.

I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

**PROPERTY OWNER:**

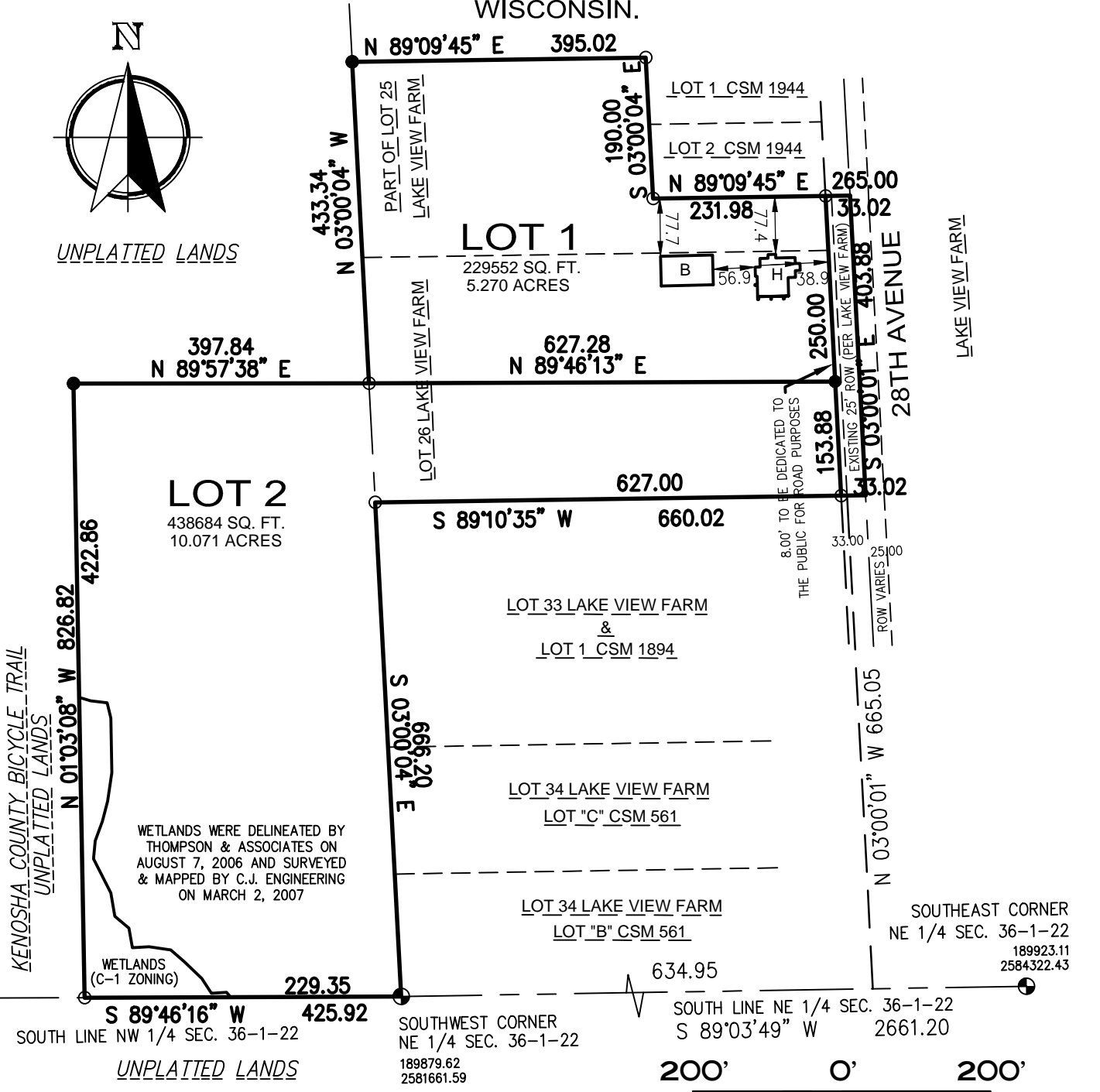
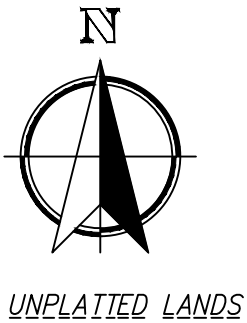
Print Name: Banks of Wisconsin  
Signature: [Signature]  
Address: 5117 Green Bay Road  
Kenosha, WI 53144  
(City) (State) (Zip)  
Phone: (262) 842-1068  
Fax: (262) 653-1018  
Date: 6/19/12

**OWNER'S AGENT:**

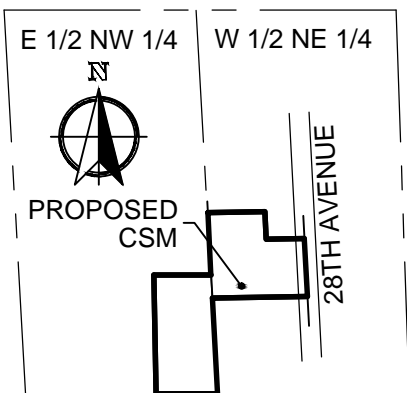
Print Name: Mark Bourque  
Signature: [Signature]  
Address: 6040 - 39th Avenue, Ste 4  
Kenosha, WI 53142  
(City) (State) (Zip)  
Phone: (262) 605-1500  
Fax: (262) 605-1519  
Date: 8-13-12

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

THE REDIVISION OF LOTS 25 AND 26 OF LAKE VIEW FARM, A RECORDED SUBDIVISION IN THE SW 1/4 OF THE NE 1/4 OF SECTION 36 TOGETHER WITH A PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 36, ALL IN TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.



### LOCATION MAP



N 1/2 SEC. 36-1-22

SCALE 1"=200'

### NOTES:

- ZONING OF PARCELS IS R-3 & C-1
- OWNER: BANKS OF WISCONSIN  
5117 GREEN BAY RD, KENOSHA, WI. 53144
- SURVEYOR: NIELSEN MADSEN & BARBER, S.C.  
1458 HORIZON BLVD. SUITE 200, RACINE, WI 53406
- ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.
- BEARINGS BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE.  
BASED UPON NAD 1927. THE SOUTH LINE OF THE NE 1/4 OF SECTION 36-1-22 IS ASSUMED TO BEAR N 89°03'49" E.

### LEGEND:

- 1" O.D. IRON PIPE FOUND
- 1.315" O.D.x18" IP - 1.68LBS/LIN FT. SET
- ⊕ 6" CONC. MON. W / BRASS CAP FOUND

Date: August 16, 2012  
This Instrument was drafted by James E. Robinson  
2012.0071.01.DWG

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

THE REDIVISION OF LOTS 25 AND 26 OF LAKE VIEW FARM, A RECORDED SUBDIVISION IN THE SW 1/4 OF THE NE 1/4 OF SECTION 36 TOGETHER WITH A PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 36, ALL IN TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

## SURVEYOR'S CERTIFICATE

I, James E. Robinson, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped the redivision of Lots 25 and 26 of Lake View Farm, a recorded Subdivision in the Southwest 1/4 of the Northeast 1/4 of Section 36 and part of the Southeast 1/4 of the Northwest 1/4 of Section 36, all in Township 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County, Wisconsin, described as follows: Begin at the Southwest corner of the Northeast 1/4 of said Section 36 located S89°03'49"W 2661.20 feet from the East 1/4 corner of said Section 36; run thence S89°46'16"W 425.92 feet along the South line of said Northwest 1/4 of said Section 36; thence N01°03'08"W 826.82 feet; thence N89°57'38"E 397.84 feet to the West line of the Northeast 1/4 of said Section 36 and a point on the West line of Lake View Farm Subdivision, a recorded plat thereof; thence N03°00'04"W 433.34 feet along said West line; thence N89°09'45"E 395.02 feet to the West line of Certified Survey Map No. (CSM) 1944, as recorded in Document # 1048258, in the office of the Register of Deeds for Kenosha County; thence S03°00'04"E 190.00 feet along said West line to the South line of said CSM; thence N89°09'45"E 265.00 feet along said South line to the East line of Lot 25 Lake View Farm; thence S03°00'01"E 403.88 feet along said East line to the South line of Lot 26 Lake View Farm and the North line of CSM 1894, as recorded in Document # 1028813, in the office of the Register of Deeds for Kenosha County; thence S89°10'35"W 660.02 feet along said North line to the West line of said Lot 26 and the West line of the Northeast 1/4 of said Section 36; thence S03°00'04"E 666.20 feet along said West line to the point of beginning. Containing 15.647 acres.

THAT I have made this survey, land division and map by the direction of the Owner.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Chapter 18 of the Village Municipal Code, Landdivision and Development Ordinance of the Village of Pleasant Prairie. August 20, 2012

---

James E. Robinson, R.L.S. #1283  
Nielsen Madsen & Barber, S.C.  
1458 Horizon Blvd Suite 200  
Racine WI 53406  
(262)634-5588

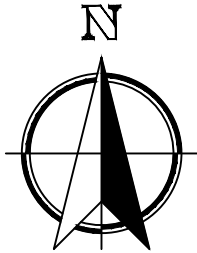
Prepared for:  
Banks of Wisconsin  
5117 Green Bay Rd.  
Kenosha, WI. 53144

### Description of 8' wide Right-of-Way dedication for 28th Avenue

That part of the Northeast 1/4 of Section 36, Township 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County, Wisconsin, described as follows: Commence at the Southwest corner of the Northeast 1/4 of said Section 36 ; thence N89°03'49"E 634.95 feet along the South line of said Northwest 1/4 of said Section 36 at a point on the West line of 28th Avenue as laid out by the Recorded Plat of Lake View Farm; thence N03°00'01"W 665.05 feet along said West line to the point of beginning of this description; run thence S89°10'35"W 8.00 feet; thence N03°00'01"W 403.88 feet; thence N89°09'45"E 8.00 feet; thence S03°00'01"E 403.88 feet to the point of beginning. Containing 3231 Square Feet.

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

THE REDIVISION OF LOTS 25 AND 26 OF LAKE VIEW FARM, A RECORDED SUBDIVISION IN THE SW 1/4 OF THE NE 1/4 OF SECTION 36 TOGETHER WITH A PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 36, ALL IN TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

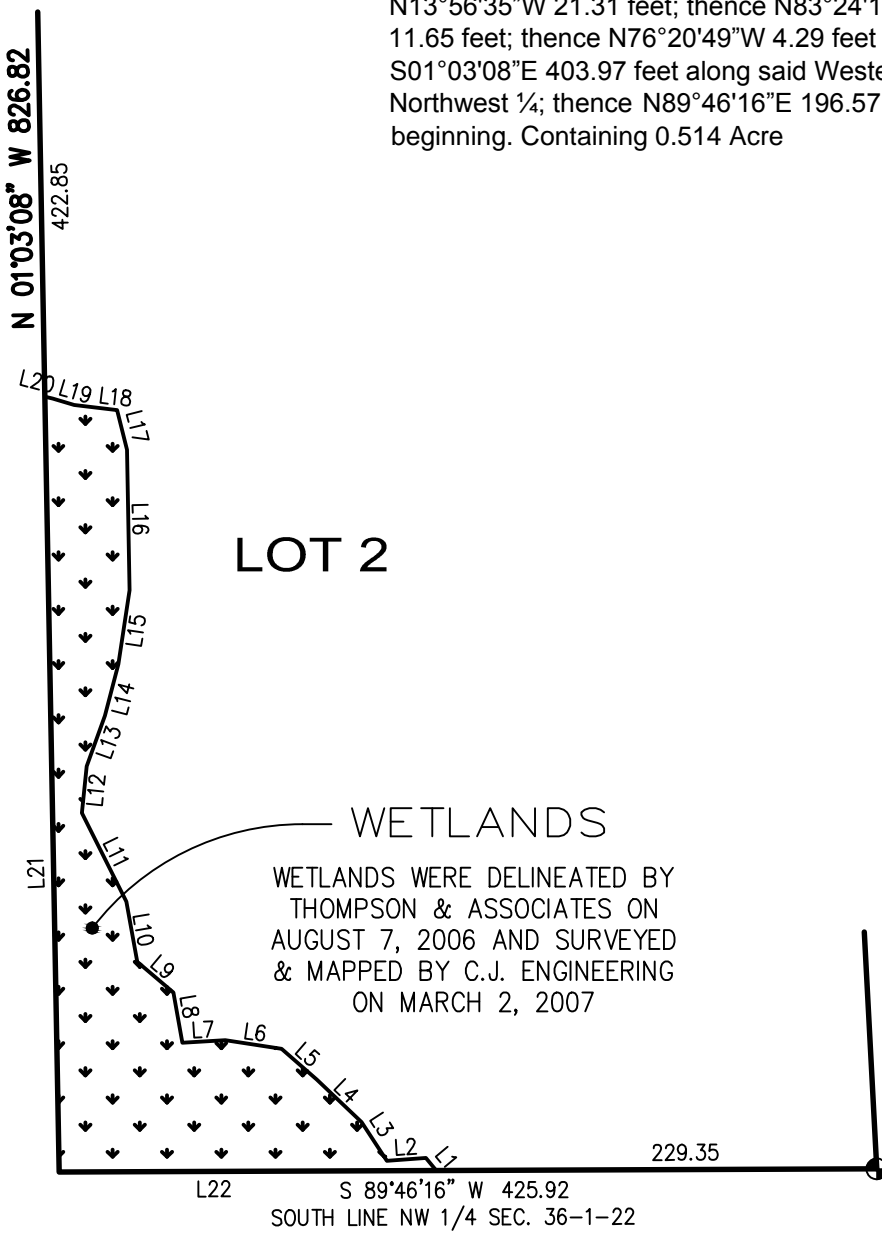


## WETLAND DETAIL

SCALE 1"=100'

### DESCRIPTION OF WETLANDS

Part of the Southeast 1/4 of the Northwest 1/4 of Section 36, Township 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County, Wisconsin, described as follows: Commencing at the Southeast corner of the Northwest 1/4 of Section 36, Township 1 North, Range 22 East; thence S89°46'16"W along the South line of the Northwest 1/4 of said Section, 229.35 feet to the point of beginning; thence N40°01'50"W 8.60 feet; thence S85°50'02"W 20.34 feet; thence N33°14'53"W 24.09 feet; thence N46°20'51"W 32.14 feet; thence N48°51'30"W 24.48 feet; thence N81°30'22"W 29.58 feet; thence S86°52'53"W 22.47 feet; thence N10°10'35"W 26.58 feet; thence N49°37'05"W 24.64 feet; thence N10°10'46"W 31.75 feet; thence N26°43'05"W 51.70 feet; thence N05°48'14"E 24.46 feet; thence N20°03'53"E 28.07 feet; thence N14°26'06"E 27.80 feet; thence N08°41'11"E 38.88 feet; thence N01°03'21"W 73.24 feet; thence N13°56'35"W 21.31 feet; thence N83°24'19"W 22.49 feet; thence N73°33'17"W 11.65 feet; thence N76°20'49"W 4.29 feet to the Westerly property line; thence S01°03'08"E 403.97 feet along said Westerly property line to the South line of said Northwest 1/4; thence N89°46'16"E 196.57 feet along said South line to the point of beginning. Containing 0.514 Acre



WETLAND LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N 40°01'50" W	8.60
L2	S 85°50'02" W	20.34
L3	N 33°14'53" W	24.09
L4	N 46°20'51" W	32.14
L5	N 48°51'30" W	24.48
L6	N 81°30'22" W	29.58
L7	S 86°52'53" W	22.47
L8	N 10°10'35" W	26.58
L9	N 49°37'05" W	24.64
L10	N 10°10'46" W	31.75
L11	N 26°43'05" W	51.70
L12	N 05°48'14" E	24.46
L13	N 20°03'53" E	28.07
L14	N 14°26'06" E	27.80
L15	N 08°41'11" E	38.88
L16	N 01°03'21" W	73.24
L17	N 13°56'35" W	21.31
L18	N 83°24'19" W	22.49
L19	N 73°33'17" W	11.65
L20	N 76°20'49" W	4.29
L21	S 01°03'08" E	403.97
L22	N 89°46'16" E	196.57





Filed 8/24 2012 Published \_\_\_\_\_ 20\_\_\_\_  
 Public Hearing 10/8 2012 \_\_\_\_\_ 20\_\_\_\_  
 Fee Paid 8/24 20\_\_\_\_ Approved \_\_\_\_\_ 20\_\_\_\_  
 Notices Mailed \_\_\_\_\_ 20\_\_\_\_ Denied \_\_\_\_\_ 20\_\_\_\_

RECEIVED  
 AUG 24 2012  
 Village of Pleasant Prairie

**VILLAGE OF PLEASANT PRAIRIE, WISCONSIN  
 ZONING MAP AND TEXT AMENDMENT APPLICATION**

To: Village Plan Commission & Village Board of Trustees of the Village of Pleasant Prairie:

I, (We), the undersigned owner(s)/agent do hereby petition the Village Board to amend the Village of Pleasant Prairie Zoning Map as hereinafter requested.

It is petitioned that the following described property be rezoned from the present PR-1 ~~R~~ R-4 District(s) to R-34 District(s). The property petitioned to be rezoned is located at: 11934 - 28th Avenue and is legally described as follows: Part of Lots 25 & 26, Lake View Farms Subdivision (See the attached drawing & description)

Tax Parcel Number(s): 91-4-122-361-0305

The proposed use for this property is: single-family home

Petitioner's interest in the requested rezoning: \_\_\_\_\_

Compatibility with adjacent land uses: Yes

I (We) are also requesting a Zoning Text Amendment to amend Section NA of the Village Zoning Ordinance.

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request to determine additional information that may be needed for this request.

I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

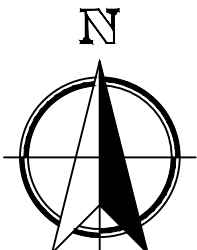
**PROPERTY OWNER:**

Print Name: Banks of Wisconsin  
 Signature: [Signature]  
 Address: 5117 Green Bay Road  
Kenosha, WI 53144  
 (City) (State) (Zip)  
 Phone: (262) 842-1068  
 Fax: (262) 653-1018  
 Email: dbuchholz@bankofkensoha.com  
 Date: 6/19/12

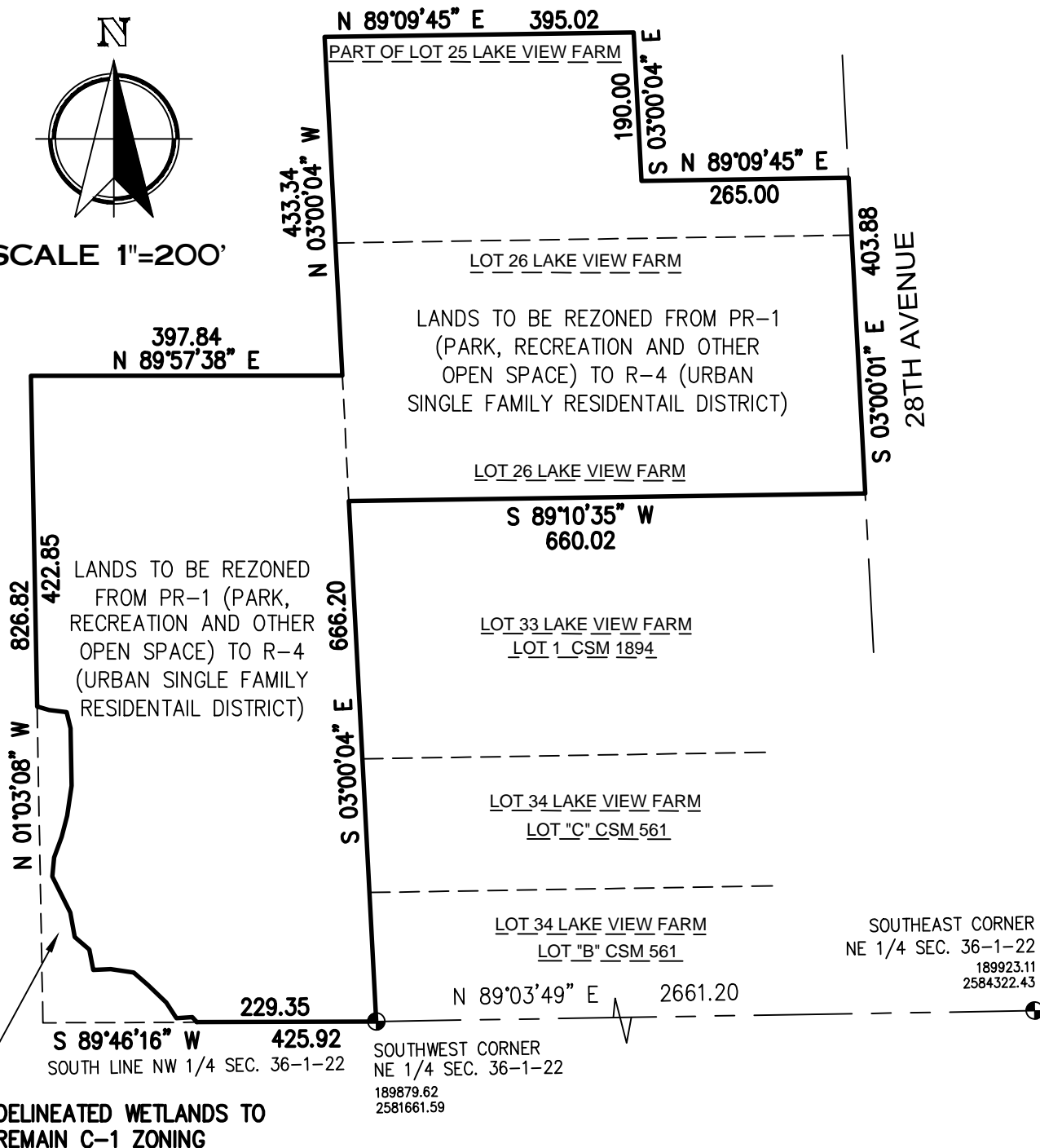
**OWNER'S AGENT:**

Print Name: Prudential Premier Properties  
 Signature: [Signature]  
 Address: 6040 - 39th Avenue  
Kenosha, WI 53142  
 (City) (State) (Zip)  
 Phone: (262) 605-1500  
 Fax: (262) 605-1519  
 Email: mbourque@prudentialkenosha.com  
 Date: 8-13-12

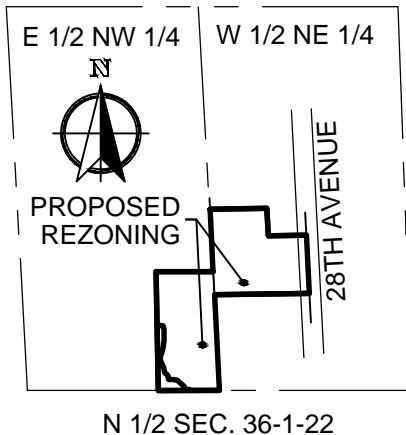
# REZONING PETITION



SCALE 1"=200'



## LOCATION MAP



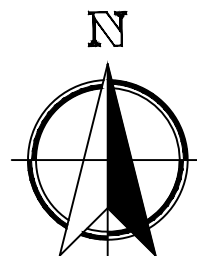
**Nielsen Madsen & Barber S.C.**  
 Civil Engineers and Land Surveyors  
 1458 Horizon Blvd. Suite 200, Racine, Wisconsin 53406  
 Phone (262) 634-5588 \* Facsimile (262) 634-5024

Drawn By: MDE  
 DATE: 8-24-2012  
 Project No. 2012.0071.01  
 REZONING EXHIBIT  
 Pleasant Prairie, Wisconsin  
 SHEET 1 OF 3 SHEETS



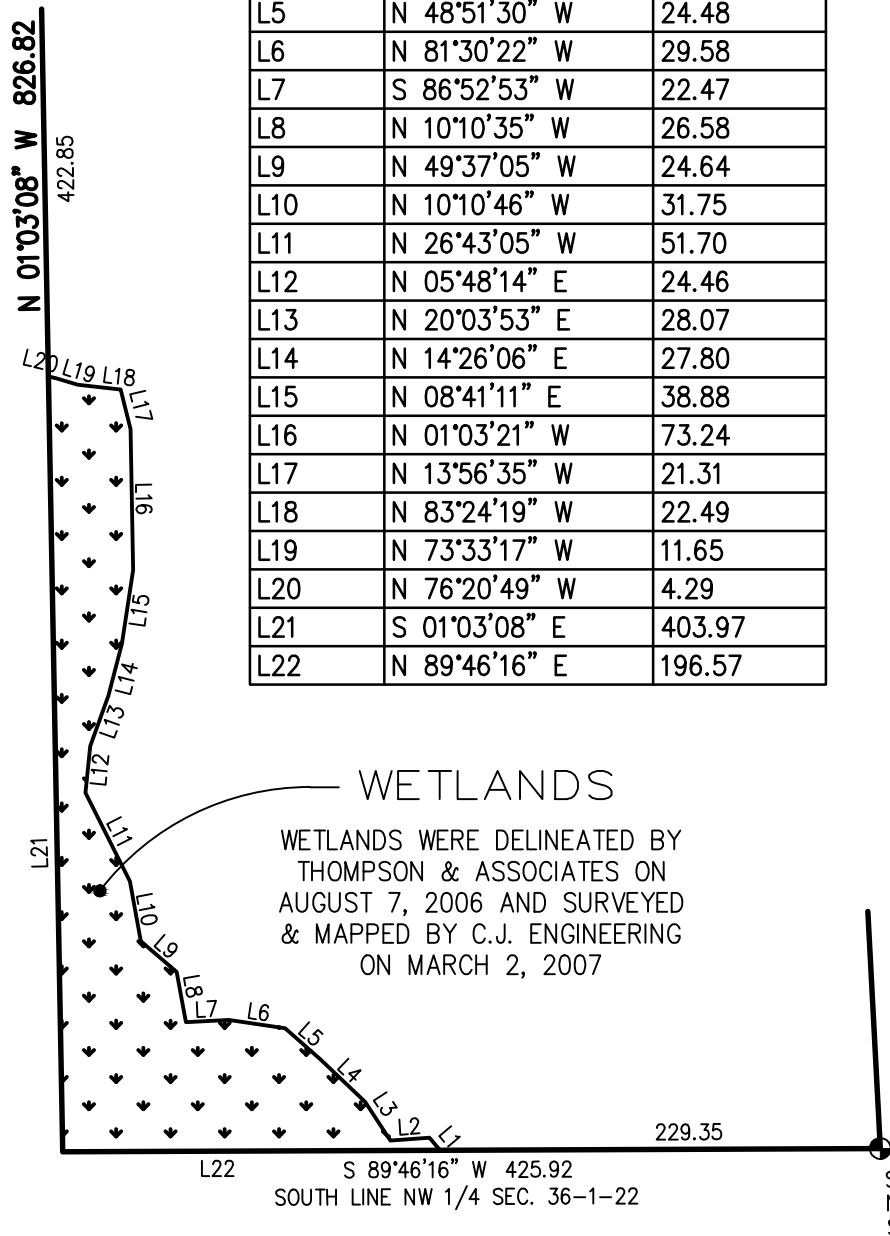
# REZONING PETITION

## WETLAND DETAIL



SCALE 1"=100'

WETLAND LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N 40°01'50" W	8.60
L2	S 85°50'02" W	20.34
L3	N 33°14'53" W	24.09
L4	N 46°20'51" W	32.14
L5	N 48°51'30" W	24.48
L6	N 81°30'22" W	29.58
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L11	N 26°43'05" W	51.70
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L13	N 20°03'53" E	28.07
L14	N 14°26'06" E	27.80
L15	N 08°41'11" E	38.88
L16	N 01°03'21" W	73.24
L17	N 13°56'35" W	21.31
L18	N 83°24'19" W	22.49
L19	N 73°33'17" W	11.65
L20	N 76°20'49" W	4.29
L21	S 01°03'08" E	403.97
L22	N 89°46'16" E	196.57



WETLANDS  
 WETLANDS WERE DELINEATED BY THOMPSON & ASSOCIATES ON AUGUST 7, 2006 AND SURVEYED & MAPPED BY C.J. ENGINEERING ON MARCH 2, 2007



**Nielsen Madsen & Barber S.C.**  
 Civil Engineers and Land Surveyors  
 1458 Horizon Blvd. Suite 200, Racine, Wisconsin 53406  
 Phone (262) 634-5588 \* Facsimile (262) 634-5024

Drawn By: MDE  
 DATE: 8-24-2012  
 Project No. 2012.0071.01  
 REZONING EXHIBIT  
 Pleasant Prairie, Wisconsin  
 SHEET 2 OF 3 SHEETS

# REZONING PETITION

## LANDS TO BE REZONED FROM PR-1 TO R-4

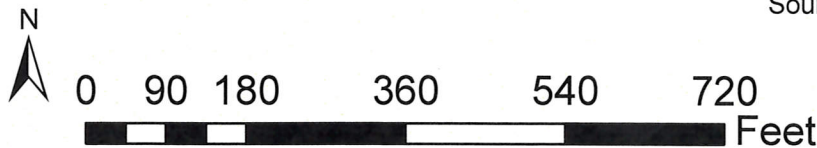
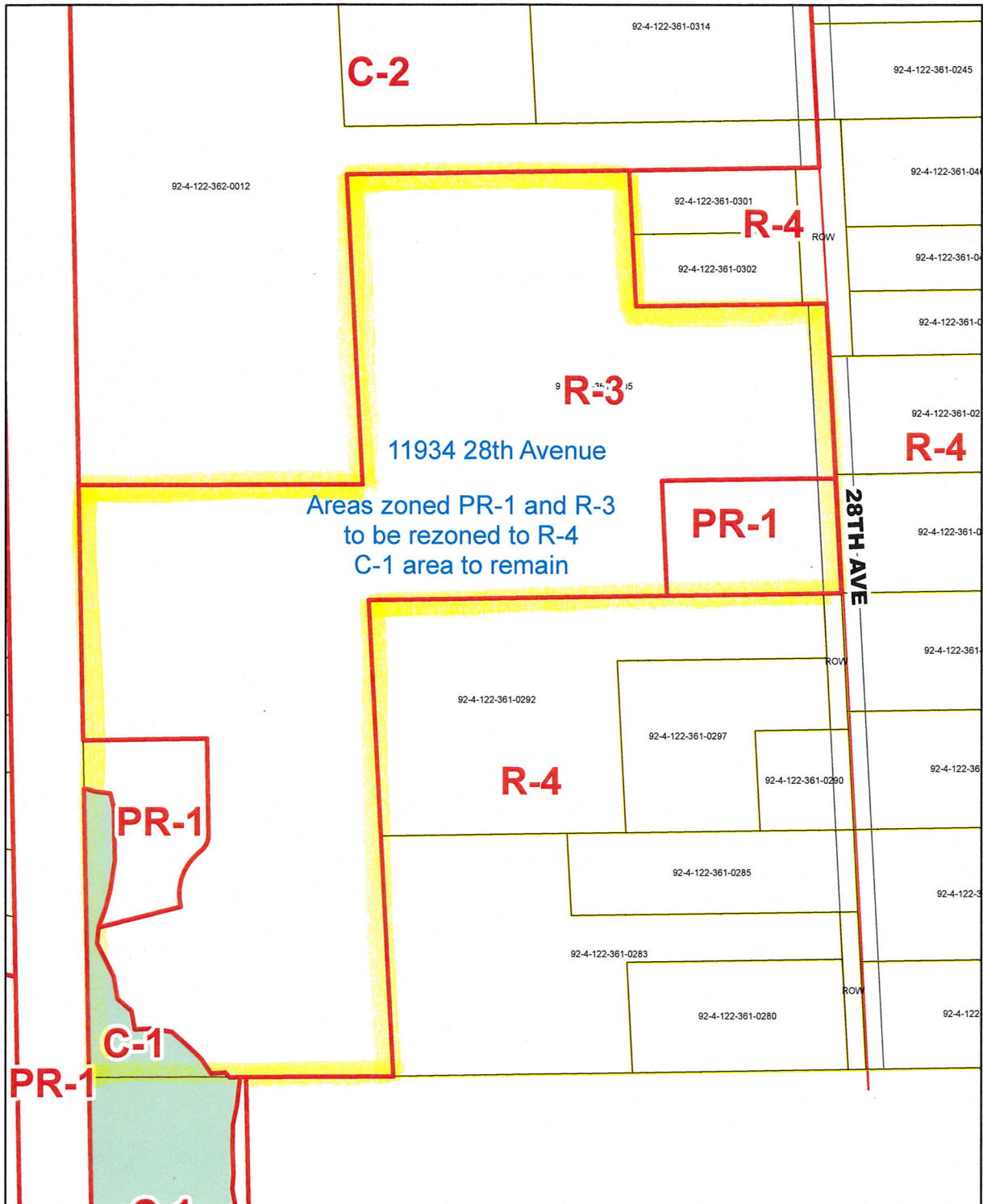
THAT part of Lots 25 and 26 of Lake View Farm, a recorded Subdivision in the Southwest 1/4 of the Northeast 1/4 of Section 36 and part of the Southeast 1/4 of the Northwest 1/4 of Section 36, all in Township 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County, Wisconsin, described as follows: Begin at the Southwest corner of the Northeast 1/4 of said Section 36 located S89°03'49"W 2661.20 feet from the East 1/4 corner of said Section 36; run thence S89°46'16"W 229.35 feet along the South line of said Northwest 1/4 of said Section 36; thence N40°01'50"W 8.60 feet; thence S85°50'02"W 20.34 feet; thence N33°14'53"W 24.09 feet; thence N46°20'51"W 32.14 feet; thence N48°51'30"W 24.48 feet; thence N81°30'22"W 29.58 feet; thence S86°52'53"W 22.47 feet; thence N10°10'35"W 26.58 feet; thence N49°37'05"W 24.64 feet; thence N10°10'46"W 31.75 feet; thence N26°43'05"W 51.70 feet; thence N05°48'14"E 24.46 feet; thence N20°03'53"E 28.07 feet; thence N14°26'06"E 27.80 feet; thence N08°41'11"E 38.88 feet; thence N01°03'21"W 73.24 feet; thence N13°56'35"W 21.31 feet; thence N83°24'19"W 22.49 feet; thence N73°33'17"W 11.65 feet; thence N76°20'49"W 4.29 feet; thence N01°03'08"W 422.85 feet; thence N89°57'38"E 397.84 feet to the West line of the Northeast 1/4 of said Section 36 and a point on the West line of Lake View Farm; thence N03°00'04"W 433.34 feet along said West line; thence N89°09'45"E 395.02 feet to the West line of CSM 1944, as recorded in Document # 1048258, in the office of the Register of Deeds for Kenosha County; thence S03°00'04"E 190.00 feet along said West line to the South line of said CSM; thence N89°09'45"E 265.00 feet along said South line to the East line of Lot 25 Lake View Farm and a point on the Centerline of 28th Avenue; thence S03°00'01"E 403.88 feet along the Centerline of 28th Avenue to the South line of Lot 26 Lake View Farm and the North line of CSM 1894, as recorded in Document # 1028813, in the office of the Register of Deeds for Kenosha County; thence S89°10'35"W 660.02 feet along said line to the West line of said Lot 26 and the West line of the Northeast 1/4 of said Section 36; thence S03°00'04"E 666.20 feet along said West line to the point of beginning. Containing 15.133 acres.



**Nielsen Madsen & Barber S.C.**  
Civil Engineers and Land Surveyors  
1458 Horizon Blvd. Suite 200, Racine, Wisconsin 53406  
Phone (262) 634-5588 \* Facsimile (262) 634-5024

Drawn By: MDE  
DATE: 8-24-2012  
Project No. 2012.0071.01  
REZONING EXHIBIT  
Pleasant Prairie, Wisconsin  
SHEET 3 OF 3 SHEETS

# Village of Pleasant Prairie Zoning Map (portion of)



Source: Village of Pleasant Prairie  
Zoning: August 2012  
Aerial Photograph: 2010

**ORD. # 12-**

**ORDINANCE TO AMEND THE OFFICIAL ZONING MAP  
OF THE VILLAGE OF PLEASANT PRAIRIE,  
KENOSHA COUNTY, WISCONSIN  
PURSUANT TO CHAPTER 420-13 OF THE VILLAGE ZONING ORDINANCE**

**BE IT ORDAINED by the Village of Pleasant Prairie Board of Trustees,  
Kenosha County, Wisconsin, that the Official Village Zoning Map is hereby amended  
as follows:**

The subject property located at 11934 28<sup>th</sup> Avenue located in U.S. Public Land Survey Section 36, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-361-0305 is hereby rezoned as follows: the portions of the property that are zoned PR-1, Park-Recreational District and R-3, Urban Single Family Residential District are rezoned into the R-4, Urban Single Family Residential District. The portion of the property that is zoned C-1, Lowland Resource Conservancy District will remain unchanged.

The Village Zoning Administrator is hereby directed to record these Zoning Map Amendments on the appropriate sheet of the Official Village Zoning Map and Appendix B in Chapter 420 of the Village Municipal Code shall be updated to include said amendments.

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 2012.**

**VILLAGE BOARD OF TRUSTEES**

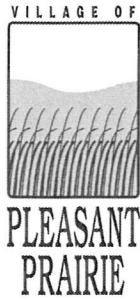
\_\_\_\_\_  
John P. Steinbrink  
Village President

ATTEST:

\_\_\_\_\_  
Jane M. Romanowski  
Village Clerk

Posted:\_\_\_\_\_

\_\_-11934 28th Ave .doc



Office of the Village Community  
Development Director  
**Jean M. Werbie-Harris**

September 27, 2012

Mr. and Mrs. William Wamboldt  
W220 Nippersink Road  
Genoa City, WI 53128

Dear Mr. & Mrs. Wamboldt:

The purpose of this letter is to inform you that on September 25, 2012, the Village of Pleasant Prairie Zoning Board of Appeals (BOA) unanimously **approved** your request for a Variance from Section 420-86 B (1) (e) of the Village Zoning Ordinance to allow the existing 2,836 square foot detached accessory structure to remain on the property located at 11934 28<sup>th</sup> Avenue (Tax Parcel Number 92-4-122-361-0305), wherein the size exceeds the allowable 2,000 limit for a detached accessory structure and will exceed the size of the first floor of the new single family house proposed to be constructed on said the property (existing home to be razed).

The Variance was approved subject to compliance with the conditions as set forth in the attached Variance Grant Document #12-02 provided the Village Board accepts the withdrawal of the Preliminary and Final Plat for The Orchard subdivision and approves the Certified Survey Map, the Comprehensive Plan Amendment and the Zoning Map Amendments that are being considered by the Plan Commission on October 8, 2012 and the Village Board on October 15, 2012 related to the property.

**The attached Variance Grant Document #12-02 shall be executed (in BLACK INK ONLY) by representatives from the Banks of Wisconsin and the original document returned to the Village. Once returned to the Village, the Document will be signed by Village officials and will be recorded at the Kenosha County Register of Deeds Office immediately following the recording of the aforementioned CSM.**

If you have any questions, please do not hesitate to contact me directly at the Village Hall at (262) 925-6717.

Sincerely,

Jean M. Werbie-Harris  
Community Development Department

Enc.

cc: Mark Bourque, Prudential Premier Properties  
Doug Buchholz, Banks of Wisconsin  
Community Development Department  
Building Inspection Department  
Property File

11934 28th Ave Variances.doc



**VARIANCE GRANT NO. 12-02**

Before the Village Board of Trustees of the Village of Pleasant Prairie, Kenosha County, Wisconsin, in regard to the property located at 11934 28<sup>th</sup> Avenue and further described below:

**Return to:**

Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**Tax Parcel Number:**

92-4-122-361-0305 (part of)

**Legal Description:** Lot 1 of Certified Survey Map # \_\_\_\_\_ (Recorded on \_\_\_\_\_, 2012 as Document # \_\_\_\_\_ at the Kenosha County Register of Deeds Office) a located in a part of the Northwest One Quarter of U.S. Public Land Survey Section 36, Township 1 North, Range 22 East of the Fourth Principal Meridian, in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin.

**WHEREAS,** the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, provides that the premises comply with certain area and dimensional requirements relating to the zoned use of the property but that upon petition, such area requirements may be varied by the Zoning Board of Appeals where such variance will not be contrary to the public interest, and where owing to special conditions, a literal enforcement of the provisions of the Zoning Ordinance will result in unnecessary hardship or practical difficulties and where granting such variance will uphold the spirit of the Ordinance and contribute to the justice of the particular case in question; and

**WHEREAS,** a petition therefore having been filed and public hearing held thereon, and the Zoning BOA of the Village of Pleasant Prairie having determined that due to special circumstances a literal enforcement of the provisions of the ordinance will result in unnecessary hardship or practical difficulties, that variances may properly be granted which would uphold the spirit of the ordinance and contribute to the justice of the particular case in question.

**NOW THEREFORE,** the following variance has been granted from Section 420-86 B (1) (e) of the Village Zoning Ordinance to allow the existing 2,836 square foot detached accessory structure to remain on the property wherein the size exceeds the allowable 2,000 limit for a detached accessory structure and will exceed the size of the first floor of the new single family house proposed to be constructed on said the property (existing home to be razed). **The Variance was approved subject to compliance with the following conditions:**

1. The lot shall be a minimum of two (2) acres.
2. The detached structure shall only be located in a side yard or rear yard; therefore the new home shall be constructed between the detached structure and the street.

3. The detached structure shall be a minimum of 15 feet from a principal structure;
4. The detached structure shall be a minimum of 15 feet from any side or rear lot line.
5. The detached structure shall not be used for human habitation or animal shelter.
6. The detached structure shall not exceed 20 feet in height and shall not exceed the height of the new house.
7. The living area of the new principal structure shall be shall be a minimum of 2,300 square feet.
8. The detached building shall be resided to match the new home prior to occupancy of the new home.
9. If and when the existing home is razed, then the detached structure is allowed to remain on the property without a principal building; however, permits for the construction of the new home shall be issued within two (2) years of the granting of this Variance (by September 25, 2014).
10. Proper permits shall be obtained from the Village for any demolition and construction of the new home. No work shall commence on the property prior to issuance of the required building and zoning permits.
11. The variance, granted by the Village Zoning Board of Appeals, does not waive any other requirements, which are imposed by the Village's Zoning or Land Division and Development Control Ordinances, Building or Municipal Codes.

Granted by action of the Zoning Board of Appeals of the Village of Pleasant Prairie this **25<sup>th</sup> day of September 2012.**

---

Christine Genthner  
Chairperson – Board of Appeals

ATTEST:

---

William Morris  
Secretary – Board of Appeals

*[Owners Signatures on following page]*

**OWNER(S): BANKS OF WISCONSIN**

\_\_\_\_\_  
Doug Buchholz  
Bank Officer

STATE OF WISCONSIN)  
COUNTY OF KENOSHA)

This instrument was acknowledged and signed before me in  
\_\_\_\_\_, WI on \_\_\_\_\_, 2012, by **Doug  
Buchholz, Bank Officer of the Banks of Wisconsin.**

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_, Wisconsin  
My Commission Expires: \_\_\_\_\_

**THIS INSTRUMENT WAS DRAFTED BY:**

Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, Wisconsin 53158

02-11934 28th Ave Variances.doc



- F. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS** for the request of William Tucknott agent for Rust-Oleum Corporation to install a new aerosol spray-paint filling equipment that includes the installation of a 192 square foot pre-fabricated structure that will be located on a concrete pad outside rear of the facility located at 8105 95<sup>th</sup> Street that will house the required equipment that adds propellant to the cans.

**Recommendation:**

Village staff recommends approval of Conditional Use Permit including Site and Operational Plans subject to the comments and conditions of the Village Staff Report of October 8, 2012.

## VILLAGE STAFF REPORT OF OCTOBER 8, 2012

**CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS** for the request of William Tucknott agent for Rust-Oleum Corporation to install a new aerosol spray-paint filling equipment that includes the installation of a 192 square foot pre-fabricated structure that will be located on a concrete pad outside rear of the facility located at 8105 95<sup>th</sup> Street that will house the required equipment that adds propellant to the cans.

### **PUBLIC HEARING COMMENTS:**

*As a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described below:*

### **Findings of Fact**

1. The petitioner is requesting a Conditional Use Permit including Site and Operational Plans to install a new aerosol spray-paint filling equipment that includes the installation of a 192 square foot pre-fabricated structure that will be located on a concrete pad outside rear of the facility located at 8105 95<sup>th</sup> Street that will house the required equipment that adds propellant to the cans. (See **Exhibits 1 and 2**).
2. The property is identified as CSM #1203 located in a part of U.S. Public Land Survey Section 21, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-212-0355.
3. Pursuant to the application (See **Exhibit 1**):
  - a. Rust-Oleum Corporation operates a paint manufacturing facility that produces a variety of both water-based and solvent-based coatings. The plant is made up of a few main areas. The bulk raw material storage tank farm is where liquid solvents and resins are stored. Powder raw materials such as color pigments are stored in the receiving warehouse portion of the plant. These raw materials are then mixed together in tanks of varying sizes to make the finished paint product. The finished product is then filled and packaged on the plant's filling lines. The product can be filled into half pint cans, quart cans, 1 gallon cans, 5 gallon pails or aerosol spray cans.
  - b. Recently the demand for aerosol spray-paint production has increased. This has led to the need for additional aerosol filling capacity. There is existing filling equipment currently not being used at another facility. This equipment is going to be shipped and installed at this plant in Pleasant Prairie. The equipment will be installed in the southwest corner of the facility. The majority of the filling and packaging equipment will be located inside the facility. There is a propellant charging room that will be located outside on a new concrete pad. This room is a prefabricated structure that is going to be shipped in one piece to the Pleasant Prairie facility. It contains the equipment responsible for adding propellant to aerosol cans.
  - c. The existing building is 253,000 sq. ft. and the new charging room is 192 square feet
  - d. Standard hours of operation will be 24 hours a day (broken into 3 shifts), 5 days a week.

- e. Start-up of the filling line will be as soon as possible. There are currently 230 full time employees for the entire facility. To staff the new aerosol can filling line requires an additional 16 full time employees. These employees would be split up among three (3) shifts (6 on 1<sup>st</sup> shift, 5 on 2<sup>nd</sup> shift, and 5 on 3<sup>rd</sup> shift).
  - f. The most employees in the entire plant at any given time would include all of the 1<sup>st</sup> shift R&D employees and all of the production staff at shift change between 1<sup>st</sup> and 2<sup>nd</sup> shift which leads to 155 employees.
  - g. No additional parking spaces will be required. As there will be no significant change in their operations, the vehicular traffic of any type to and from the facility will be unchanged.
  - h. This new equipment will fill aerosol spray paint cans identical to the cans currently filled. The new equipment to be installed includes a depalletizer, filler, crimper, gasser, checkweigher, waterbath, tipper, labeler, capper, sticker applicator, case packer, and palletizer. There will be no new waste streams from this new packaging equipment.
  - i. Security for the gashouse will be incorporated into our existing automated fire alarm system that protects the existing building. The maintenance of the new equipment will also be fully incorporated into the systems they use to maintain the existing building and landscaping. As such, Rust-Oleum is confident that there will be no adverse impacts to neighboring properties and public facilities. They have sound safety and environmental procedures in place to mitigate the impact of an unforeseen issue. Rust-Oleum is in full compliance with all Federal, State, and Local operating permits and approvals. The facility currently has a registration air permit with the DNR.
  - j. This equipment will not be operated as to be a public nuisance and will not violate Section 420-38 of the Village Zoning Ordinance related to performance standards.
  - k. The new gashouse structure will be painted to more closely match the color of the existing facility.
4. The current zoning of the property is M-2, General Manufacturing District and such High-Hazard Group H Uses pursuant to Chapter 3 of the 2006 International Commercial Code is allowed within the District and on this property with approval of a Conditional Use Permit.
5. Previous Conditional Use Permits approved for this property include:
- a. Kenosha County Resolution #94 was approved on July 27, 1988 for a Conditional Use Permit to operate a manufacturing, research and development facility for Rust-Oleum Corporation. (See **Exhibit 3**)
  - b. Conditional Use Grant Document #92-009 was approved by the Village on November 11, 1992 for the storage of product on site. (See **Exhibit 4**)
  - c. Conditional Use Grant Document #95-017 was approved by the Village on November 6, 1995 to construct a 480 sq ft building to be used in the recovery of paint and propellant from returned/rejected aerosol containers. (See **Exhibit 5**)
  - d. Conditional Use Grant Document #96-01 was approved by the Village on April 1, 1996 to construct housing for equipment used to inject propellant into aerosol cans. (See **Exhibit 6**)

- e. Conditional Use Grant Document #03-03 was approved by the Village on February 10, 2003 for the installation of thermal oxidizer and relocation of maintenance office (interior). (See **Exhibit 7**)
- f. Conditional Use Grant Document #07-01 was approved by the Village on April 9, 2007 to construct a 3,320 square foot addition for testing new products with proper temperature and humidity controls. In addition, the emergency access roadway was re-routed to accommodate the addition. (See **Exhibit 8**)
6. Notices were sent to adjacent property owners via regular mail on September 12, 2012 and notices were published in the Kenosha News on September 24 and October 1, 2012.
7. The petitioner was e-mailed a copy of this memo on October 5, 2012.
8. According to the Article XVIII of the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials that the project as planned, will not violate the intent and purpose of all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit. Furthermore, the Plan Commission shall not approve any site and operational plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and all other applicable Federal, State or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, noise, storm water management, streets and highways and fire protection.

**Village Staff Conclusions and Recommendation: (to be read out loud)**

***The Village staff has determined that based upon the foregoing information presented in the application, at the public hearing and the memorandum from the Fire & Rescue Department that the project meets the following standards for granting a Conditional Use Permit and Site and Operational Plan approval in that the project:***

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire --in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department provided the comments of the October 3, 2012 memo from the Village Fire & Rescue Department are satisfied.
- The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.
- There are no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use.
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the M-2, General Manufacturing District in which it is located or the adjoining zoning districts and land uses.

**Based on the foregoing information, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for granting of a Conditional Use Permit and Site and Operational Plan approval as specified above; then approval of the Conditional Use Permit and Site and Operational Plan shall be approved subject to the following conditions:**

1. Prior to issuance of permits, written approval from LakeView Corporate Park Business Owners Association shall be submitted to ensure compliance with the Protective Covenants and Development Standards of LakeView Corporate Park prior to issuance of building permits.
2. Compliance with the attached Village Fire & Rescue Department Chief's comments dated October 3, 2012. **Note that Condition #2 also requires that a letter be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within the June 4, 2012 Fire & Rescue memorandum. A copy of this letter shall also be provided to the Community Development Department.**
3. Subject to Village Board approval of the zoning text amendment to allow the Plan Commission to modify the building materials (being considered by the Plan Commission at tonight's meeting and at the October 15, 2012 Village Board meeting).
4. Written verification from the WIDNR that their existing Air Quality Permit includes this additional Aerosol Spray Paint Filling Equipment shall be provided to the Village prior to issuance of permits.
5. Continued compliance with all previously approved, valid Conditional Use Permits pertaining to this property recorded at the Kenosha County Register of Deeds Office. **(Refer to Exhibits 3-8).**
6. The following comments are from the Village Building Inspector:
  - a. All building, plumbing, lighting and HVAC plans will need to be designed to the IBC Codes, prior to submitting (4 sets) for building permits from the Village of Pleasant Prairie. Since the total cubic footage of the accessory structure is less than 100,000 cubic ft. this can be a Municipal review. All sub-contractors will be required to apply for permits.
  - b. Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, SPS 316.46. The Village Fire & Rescue Department should be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.
  - c. The electrical contractor will be required to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.
  - d. Any Sprinkler plans and any fire alarm installations are required to be submitted to, and reviewed by the Village Fire & Rescue Department.
  - e. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.

7. **Upon approval of the Village will prepare the required Conditional Use Grant Document to be executed by the property owner prior to issuance of the required permits. After the document is executed, it shall be recorded at the Kenosha County Register of Deeds office at the owners expense.**
8. **The petitioner shall provide the Village with the name and title of the authorized person(s) for Rust-Oleum Corporation to the Village so that the required Conditional Use Grant Document can be prepared.**
9. This Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
10. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.
11. All required permits shall be obtained from the Village prior to commencing work.
12. The property owner/lessee shall comply with all provisions of the Conditional Use Permit and Site & Operational Plan submittal, including compliance with the Village Performance Standards.
13. Operation of the use granted herein shall be in strict conformity to both plans and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
14. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
15. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
16. All plans and the proposed and applied for use shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
17. If building permits are not issued within said 180 days the Site and Operational Plan approval said approval shall be void.



Office of the Village  
Fire & Rescue Chief  
**Doug McElmury**

## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director  
FROM: Doug McElmury, Chief Fire & Rescue Department  
CC: Lt. Thomas Clark, Fire & Rescue Department  
Peggy Herrick, Assistant Planner, Community Development  
SUBJECT: Review of the Site and Operational Plan for the Rust-Oleum Spray Paint Filling Addition  
DATE: October 3, 2012

This is a review of the Site and Operational Plan to install an aerosol spray paint filling room. The proposed addition is 192 square feet. The building is located at 8105 95<sup>th</sup> Street.

The Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire & Rescue Department are as follows:

1. **Distribution of Comments:** *the person who obtains the building permit to all Contractors and Subcontractors affected by this document shall distribute Copies of these comments. This document outlines critical times and deadlines. All recipients of this document need to become familiar with the contents.*
2. **Compliance:** A letter shall be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within this document.
3. In the event a conflict in code(s) is identified, or a conflict with the insurance carrier criteria occurs, the more stringent shall apply. In the event this conflicts with any codes adopted by the State of Wisconsin, the owner must petition the State directly for a variance. The Owner must demonstrate that they will provide materials or design equivalent to the code or that they will exceed the code when petitioning the State and or Village when applicable.

Upon review of the plans submitted, we have the following concerns:

- This is a review of the Final Site and Operational plan, however, it is understood, that typical and customary fire protection features have not been shown on the plans, dated: September 6, 2012.
- Fire safety system plans, such as fire sprinkler and fire alarm plans, may need to be submitted to the State of Wisconsin Department of Safety and Professional Services and also to this fire department for review. No installation of any fire protection system is allowed until a satisfactory review is obtained from both departments.

The Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire & Rescue Department are as follows:

4. **Fire Suppression Systems:** Fire suppression systems applicable to the products being handled within this area, shall be installed.
5. **Plan Review, Permits and Fees:** The plans for the fire protection aboveground and fire alarm system shall be submitted for review a minimum of four (4) weeks before installation is scheduled to begin. The Village will use an independent fire safety consultant for the review of all fire protection plans submitted. A satisfactory review must be completed before any permits will be issued and before construction can begin.
6. **The following information must be submitted with the sprinkler plans for review:**
  - Building height:
  - Hazard class:
  - Commodity:
  - Fire protection:
7. **Sprinkler System:** The addition will be equipped with an “automatic fire sprinkler system”. The systems shall be designed and constructed to the current edition of NFPA 13, Automatic Fire Sprinklers and the Village of Pleasant Prairie Ordinance 180-16, Automatic Fire Sprinklers.
  - **Storage:** The Owner must be aware of the restrictions that apply to the storage of pallets, cardboard, finished products, etc. Maximum height, width and aisle ways must be maintained and will be enforced.
8. **Fire Alarm System:** The system shall be extended to the new addition and shall include as a minimum pull stations and audiovisual devices.
  - a. **Pull Stations and Audiovisual Alarms:** Shall be installed per ADA requirements.
  - b. **Smoke and Heat Detection:** Shall be installed as required.
  - c. **Tamper Switches:** Tamper switches shall be placed on all sprinkler valves and be identified on the annunciator panel.
9. **Fire Detection/Suppression:** Systems shall be applicable to the addition.



10. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken, to see how a tenant furnishes the space. The company providing the fire extinguishers shall submit a letter to the Fire & Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
11. **Emergency and Exit Lighting:** Exit and Emergency Lighting shall be provided and shall have battery backup. Combination units are acceptable and recommended. An Emergency Generator eliminates the need for battery backup. Exit and Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled. The Fire & Rescue Department will evaluate this lighting prior to occupancy during the evening hours after sunset.
12. **Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
- a. The fire protection contractor shall provide the owner with a letter (upon completion of the sprinkler work) stating the sprinkler system, or portion thereof, is "100% operational and built according to the design", Village Ordinance, 180-16 N.
  - b. Copies of the fire sprinkler hydrostatic test certificates.
  - c. Copies of the fire sprinkler operational test certificates.
  - d. Copies of the fire alarm test documents.
  - e. Copies of other test documents such as, hood/duct, smoke, etc...
  - f. The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
  - g. Provide two- (2) CD's, one for the property owner and one for the Fire & Rescue Department. The disks shall include all Floor plans and fire protection plans for the building in an as-built condition.
  - h. Occupancy inspection fee and re-inspection fee will be assessed at the final inspection in accordance with ordinance 180-17.
13. **Occupancy:** All fire and life safety requirements must be in place prior to any building being occupied.

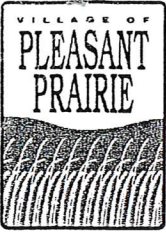


Exhibit 1

RECEIVED  
SEP - 7 2012

VILLAGE OF PLEASANT PRAIRIE  
SITE AND OPERATIONAL PLAN  
AND CONDITIONAL USE PERMIT ZONING APPLICATION

Village of Pleasant Prairie

USE THIS FORM FOR:  
Tenants/Use changes proposing to occupy 50% or more of an existing commercial/industrial building.  
To construct a new or addition to principal or accessory structure.  
Use requires a Conditional Use Permit.

FOR OFFICE USE ONLY	
Application Filed on	20
Preliminary Determination of Completeness on:	20
Revised Plans Submitted:	20
<input type="checkbox"/> Public Hearing Required: Hearing Date:	20
Published on: and	20 Notices sent on: 20
Approved by <input type="checkbox"/> Plan Commission on	20
<input type="checkbox"/> Zoning Administrator on	20
Denied by <input type="checkbox"/> Plan Commission on	20
<input type="checkbox"/> Zoning Administrator on	20

SECTION 1: GENERAL INFORMATION

NAME OF BUSINESS: Rust-Oleum Corporation

SITE ADDRESS: 8105 95th Street Pleasant Prairie, WI 53158

BRIEF PROJECT DESCRIPTION: Install aerosol spray paint filling equipment. This includes a 12'x16' prefabricated structure that will be located on a concrete pad outside the facility.

This structure contains the equipment that adds propellant to the cans.

PROPOSED NUMBER OF FULL TIME EMPLOYEES: Currently 230, will add 16 more

PROPOSED NUMBER OF PART-TIME EMPLOYEES: -

SITE SIZE: 253,000 sq. ft. \_\_\_\_\_ acres

PROPOSED BUILDING SIZE: 192 sq.ft. HEIGHT: 10 ft.

PROPOSED ADDITION SIZE: X sq.ft. HEIGHT: X ft.

LEGAL DESCRIPTION: CSM #1203 located in a part of the Northwest One Quarter of US Public Land Survey Section 21, Township 1 North, Range 22 East of the Fourth Principal Meridian, lying + being the Village of Pleasant Prairie

TAX PARCEL NUMBER(S): 92-4-122-212-0355

CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY: M2

- Is a zoning map amendment proposed with this project?  Yes  No
  - If yes, proposed Zoning Classification(s): \_\_\_\_\_
- Is a zoning text amendment proposed with this project?  Yes  No
  - If yes, provide a copy of the proposed text amendment with this application

3. If property is zoned M-1 or M-2, indicate the Occupancy Type pursuant to the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC). Include all that apply and associated square footage for each classification:

- Factory Group F-1 (Moderate-hazard) 253,000 sq ft
- Factory Group F-2 (Low-hazard) \_\_\_\_\_ sq ft
- Storage Group S-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Storage Group S-2 (Low-hazard) \_\_\_\_\_ sq ft
- Business Group B \_\_\_\_\_ sq ft
- High-Hazard Group H\* \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft

*\*If Use and Occupancy Classification is High-Hazard Group H please provide a detailed written narrative that explains the specific use, quantity of storage and handling of the high hazard materials along with appropriate MSSD sheets with this application.*

**PUBLIC SERVICES:**

1. Is the property serviced by Public Sanitary Sewer?  YES  NO
  - If no, the closest public sewer is located at \_\_\_\_\_
2. Is the property serviced by Public Water?  YES  NO
  - If no, the closest public water is located at \_\_\_\_\_
3. Maximum number of gallons/minute of water expected to be used per day is: No change

**THIS APPLICATION IS FOR A: (check one)**

- Preliminary Site and Operational Plan: An applicant may apply for preliminary site and operational plan approval in connection with an erosion control permit application for early mass grading, or in connection with an early foundation permit, or for other good cause shown
- New Site and Operational Plan
- Amendment to an existing Site and Operational Plan

- Date of initial site and operational plan approval: July 27th 1988
- Date of each approved amendment: Nov 11 1992, Nov 6 1995, April 1 1996, Feb 10 2003, May 11 2007

**SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE**

Are there any existing buildings on the site?  YES  NO

- If yes, provide an attachment that explains the current uses on the property and current uses in each building and if the use(s) is proposed to continue; and the gross floor area and height of each building.
- If no, what is the current use of the property? \_\_\_\_\_

### SECTION 3: PHOTOGRAPHS

**Standard-sized photographs** (not Polaroid) showing all aspects of the site (e.g. locations of proposed improvements, bodies of navigable water, wetlands, wooded areas, etc.) and of the exterior of structures or other site improvements, together with a statement regarding each photograph, which includes the date the photograph was taken, the location from which it was taken, the direction in which the camera was pointed, and a description of what is shown in the photograph. With respect to all existing signs, the applicant shall file photographs of all existing signs and shall specify in the written statement accompanying each such photograph and show the dimensions of such sign. Digital images are acceptable.

### SECTION 4: CONDITIONAL USE

1. Does the proposed project require a Conditional Use Permit?  YES  NO
  - If no then skip to Section 5.
  - If yes, then continue with this Section.
2. Are you amending an existing Conditional Use Permit?  YES  NO
  - If yes, provide a copy of the Conditional Use Grant Document you are proposing to amend.
  - If no, continue with this Section.
3. If you answered YES to either question 1 or 2 above then this application shall include information as to how the proposed project will not impair an adequate supply of light and air to adjacent properties; increase danger of fire; cause traffic congestion or traffic circulation problems; create storm water flooding or drainage; create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; will not hinder, harm or distract the provision of public services; and that the proposed project is not inherently inconsistent with either the district in which it is located or adjoining districts or neighborhoods as required pursuant to the Village Zoning Ordinance.

### SECTION 5: NON-CONFORMING USE

1. Is any use on the site a nonconforming use?  YES  NO
  - If no, then skip to Section 7.
  - If yes, then continue with this section.
2. If you answered YES to question 1 above, prima facie proof of each element of legal nonconforming use status shall be submitted to the Village with this application (i.e. that the nonconforming use was legal in its inception, that the use was active and actual and not merely casual, occasional, incidental or accessory when it became nonconforming, that the use has been continuous with no gap of 12 or more consecutive months since it became nonconforming, that no building or structure housing the nonconforming use has been structurally repaired or altered to the extent of fifty (50) percent or more of its assessed value since the use became nonconforming, and that the use has not been changed in nature or physically extended or expanded since becoming nonconforming).

**SECTION 6: PERFORMANCE STANDARDS**

Pursuant to the Village Zoning Ordinance, any application for a permit under this ordinance or any use subject to the regulations and standards set forth in the Village Zoning Ordinance shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the performance standards set forth in Section 420-38 of the Village Ordinance. Continued compliance with the regulations and standards is required. Violations of such standards shall be remedied as required by the Village Zoning Ordinance.

No land or building in any district shall be operated in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; water pollution; electrical, radioactive or other disturbances; glare; or other substance, condition or element (referred to herein as "dangerous or objectionable elements") in such amount as to adversely affect the surrounding area or premises; provided that any use permitted by this ordinance may be undertaken and maintained if it conforms to the regulations of this subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.

The Village may require additional information be submitted to ensure that the Village Performance Standards are being met.

**SECTION 7: PLAN COMPONENTS**

The application shall include a list of all documents, materials or information that are attached to and a part of the application form. Submit eight (8) full-sized and one (1) set reduced to 11" x 17" of all plans and other attachments shall be included as part of this application, except if a component has been waived or deferred in writing by the Village Zoning Administrator. **For specific details related to each of the required information and plans see the attachment entitled "Plan Components and Related Standards" in Section 420-57 of the Village Zoning Ordinance.**

- Application—Applicant, Site, Use, Project and Plan Information
- Application fee
- Operational plan
- Title sheet
- Survey
- Site plan
- Grading and drainage plan
- Building and fire protection plans
- Lighting plan
- Landscape and open space plan
- Signage plan *N/A*
- Industrial/commercial waste survey *N/A*
- Performance standards compliance
- Additional requirements, as determined by the Village Zoning Administrator, other appropriate Village staff members, or the Village Plan Commission, as appropriate.

Two or more plans may be combined, provided that all of the information submitted on the combined plan is clearly legible, but in no case shall the combined plans fail to show any of the information required for each individual plan as described below, unless such information is waived or deferred pursuant to the Zoning Ordinance.

**SECTION 8: SIGNATURES**

I,(We), hereby certify that all the above statements and all attachments submitted herewith are true and correct to the best of my knowledge. In addition I, (we) understand the requirements and procedures for Site and Operational Plan/Conditional Use Permit approval.

**PROPERTY OWNER:**

Name: William C. Whiting  
 (Please Print)  
 Signature: *William C. Whiting*  
 Address: Rust-Oregon Corp.  
11 Hawthorne Parkway  
Venice Hills FL 33561  
 (City) (State) (Zip)  
 Phone: 847 816 2920  
 Fax: 847 816 2330  
 E-mail: whiting@rust-oregon.com  
 Date: Oct 7, 2012

**APPLICANT:**

Name: \_\_\_\_\_  
 (Please Print)  
 Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 (City) (State) (Zip)  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Date: \_\_\_\_\_

Is the applicant the owner of the property?  YES  NO

If no, then either proof of the applicant's legal interest in the subject real property (e.g. accepted offer to purchase, lease, etc., which may be appropriately redacted to preserve confidential information) or written authorization signed by the owner for the applicant to act as the owner's agent in connection with the application shall be included with the application.

**DEVELOPER (if Applicable)**

Name: \_\_\_\_\_  
 (Please Print)  
 Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 (City) (State) (Zip)  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Date: \_\_\_\_\_

**USER OR OCCUPANT OF SITE:**

Name: \_\_\_\_\_  
 (Please Print)  
 Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 (City) (State) (Zip)  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Date: \_\_\_\_\_

**TO:** Village of Pleasant Prairie Planning Commission

**DATE:** 6 September 2012

**SUBJECT:** Rust-Oleum Responses to the Village of Pleasant Prairie Site and Operational Plan

**1 a, b**

Rust-Oleum Corporation operates a paint manufacturing facility located in the Lakeview Corporate Industrial Park at 8105 95<sup>th</sup> Street in Pleasant Prairie, Wisconsin. The facility produces a variety of both water-based and solvent-based coatings. The plant is made up of a few main areas. The bulk raw material storage tank farm is where liquid solvents and resins are stored. Powder raw materials such as color pigments are stored in the receiving warehouse portion of the plant. These raw materials are then mixed together in tanks of varying sizes to make the finished paint product. The finished product is then filled and packaged on the plant's filling lines. The product can be filled into half pint cans, quart cans, 1 gallon cans, 5 gallon pails or aerosol spray cans.

Recently the demand for aerosol spray-paint production has increased. This has led to the need for additional aerosol filling capacity. There is existing filling equipment currently not being used at another facility. This equipment is going to be shipped and installed at this plant in Pleasant Prairie. The equipment will be installed in the southwest corner of the facility. The majority of the filling and packaging equipment will be located inside the facility. However there is a propellant charging room that will be located outside on a new concrete pad. This room is a prefabricated structure that is going to be shipped in one piece to the Pleasant Prairie facility. It contains the equipment responsible for adding propellant to aerosol cans.

**1 c**

The square footage of the new charging room is 192 ft<sup>2</sup>, and our existing building is 253,000 ft<sup>2</sup>.

**1 d**

Standard hours of operation will be 24 hours a day (broken into 3 shifts), 5 days a week.

**1 e, f,**

Start up of the filling line will be as soon as possible. There are currently 230 full time employees for the entire facility. To staff the new aerosol can filling line requires an additional 16 full time employees. These employees would be split up among 3 shifts (6 on first shift, 5 on second shift, and 5 on third shift).

**1g,**

The most employees in the entire plant at any given time would include all of the 1<sup>st</sup> shift R&D employees and all of the production staff at shift change between 1<sup>st</sup> and 2<sup>nd</sup> shift which leads to 155 employees.

**1h,**

not applicable

**1 i, j, k, l**

No additional parking spaces will be required. As there will be no significant change in our operations, the vehicular traffic of any type to and from the facility will be unchanged.

**1 m, n, o, p**

This new equipment will fill aerosol spray paint cans identical to the cans currently filled. The new equipment to be installed includes a depalletizer, filler, crimper, gasser, checkweigher, waterbath, tipper, labeler, capper, sticker applicator, case packer, and palletizer. There will be no new waste streams from this new packaging equipment.

**1 q, r, s, t**

Security for the gashouse will be incorporated into our existing automated fire alarm system that protects the existing building. The maintenance of the new equipment will also be fully incorporated into the systems we use to maintain the existing building and landscaping. As such, we are confident that there will be no adverse impacts to neighboring properties and public facilities. We do have sound safety and environmental procedures in place to mitigate the impact of an unforeseen issue. We are in full compliance with all Federal, State, and Local operating permits and approvals. The facility currently has a registration air permit with the DNR. As long as we continue to meet the requirements of this permit we can make changes to the facility without notifying the DNR.

**2 a**

This equipment will not be operated as to be a public nuisance.

**2 b**

We will not violate 420-38 of this chapter.

**2 c**

N/A

**2 d, e, g**

We will be in full compliance with the standards set in these sub-paragraphs. The new gashouse structure will be painted to more closely match the color of the existing facility.



**2 f, h**

N/A

If you have any questions or need for further information on any of the responses provided herein, please feel free to contact me at any time.

Sincerely,



**William Tucknott**

**Rust-Oleum Corporation**

8105 95<sup>th</sup> ST

Pleasant Prairie, WI 53158

262-947-6741 (office)

262-620-1358 (cell)

262-947-8262 (fax)

[wtucknott@rustoleum.com](mailto:wtucknott@rustoleum.com)

September 6<sup>th</sup> 2012

Village of Pleasant Prairie Planning Commission  
9915 39<sup>th</sup> Ave  
Pleasant Prairie, WI 53158

**Subject:** Addendum to Site and Operational Plan and Conditional Use Permit Zoning Application

The following is submitted per Section 4, Paragraph 3:

We are confident that there will be no adverse impacts to neighboring properties or public facilities. There are no anticipated increases in risk of fire, impairment of light and air to adjacent properties, the creation of obnoxious odors, or other dangers to public health. We do have rigorous safety and environmental procedures in place to mitigate the impact of any unforeseen issue. We are in full compliance with all Federal, State and Local operating permits and approvals. This initiative does not require any revisions.

To the best of our knowledge, this project is consistent with the district in which it is located, adjoining districts, and neighborhoods, pursuant to the Village Zoning Ordinance.

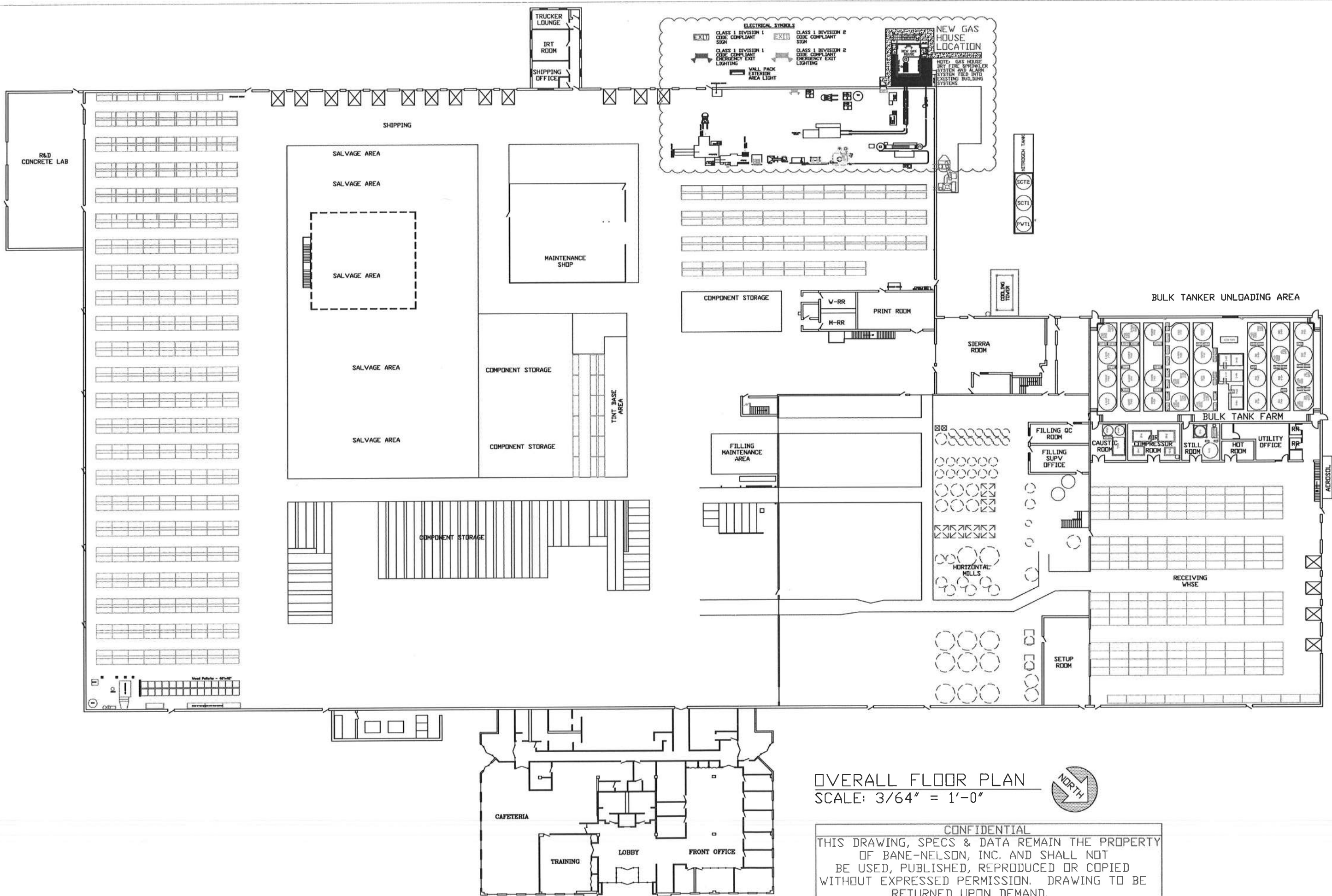
Please contact me if you require any additional information or clarifications to that which is presented herein.

Sincerely,



William Tucknott  
8105 95<sup>th</sup> Street  
Pleasant Prairie, WI 53158  
262-947-6741 (office)  
262-620-1358 (cell)  
262-947-8262 (fax)  
wtucknott@rustoleum.com





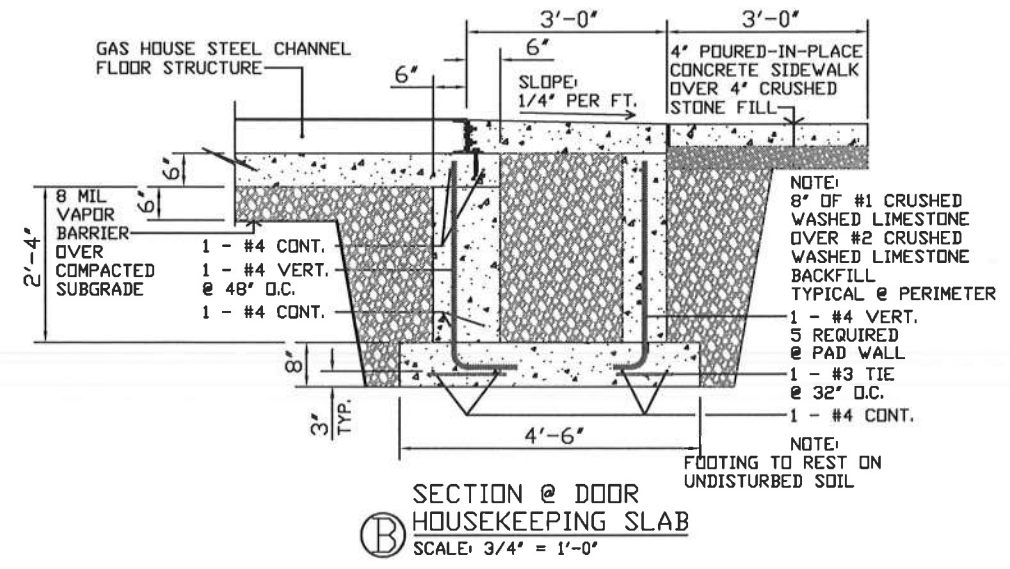
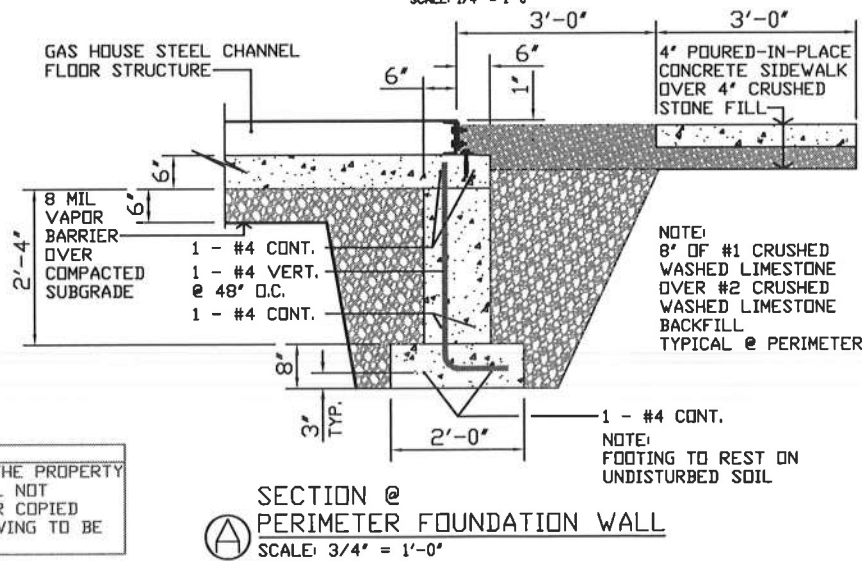
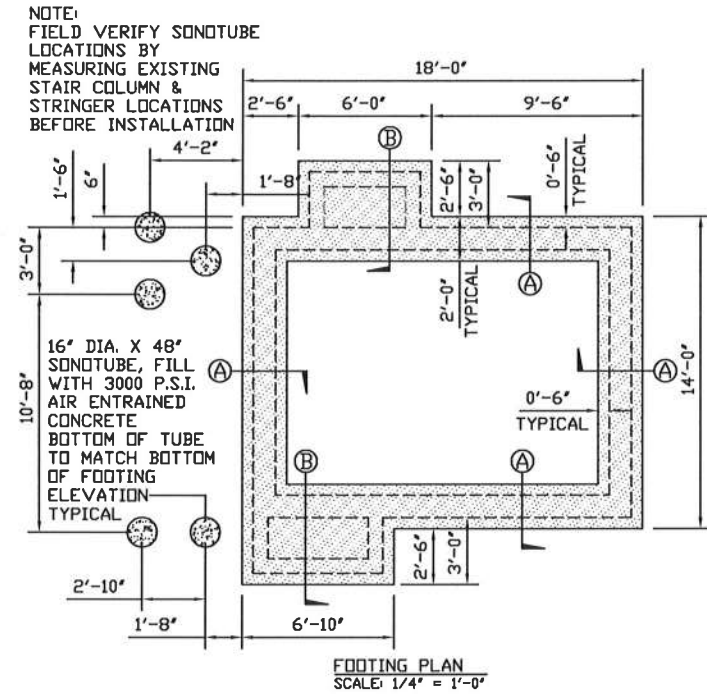
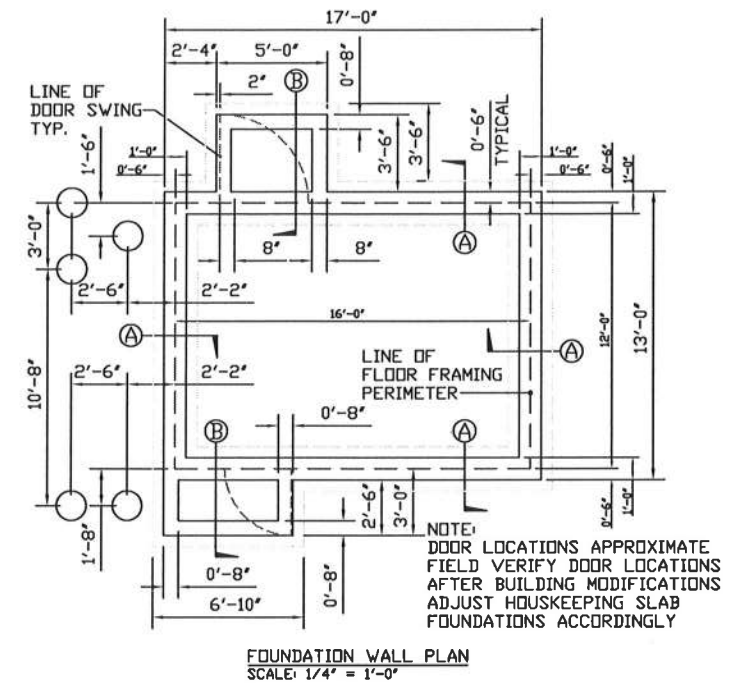
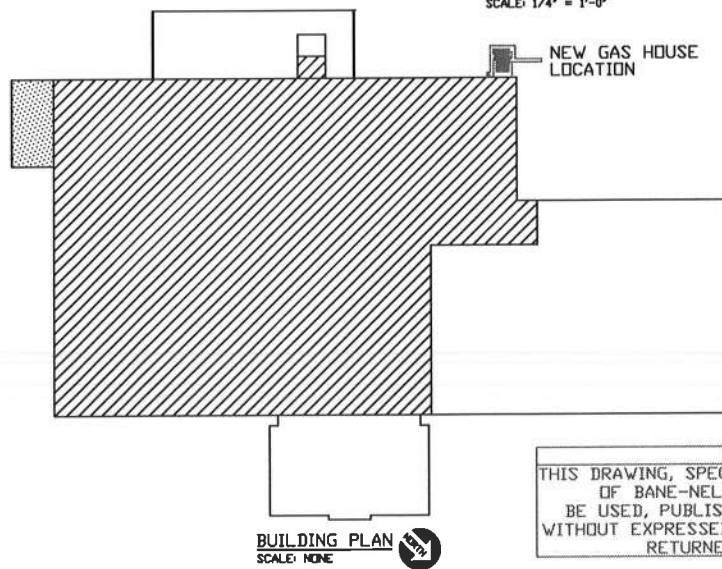
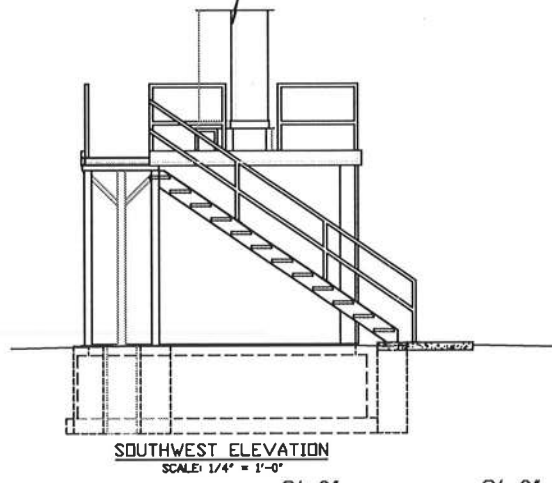
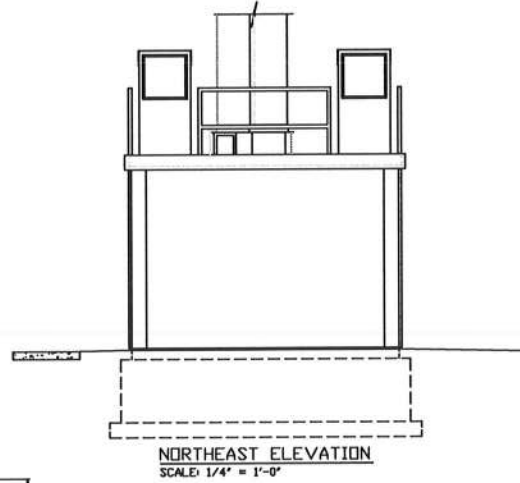
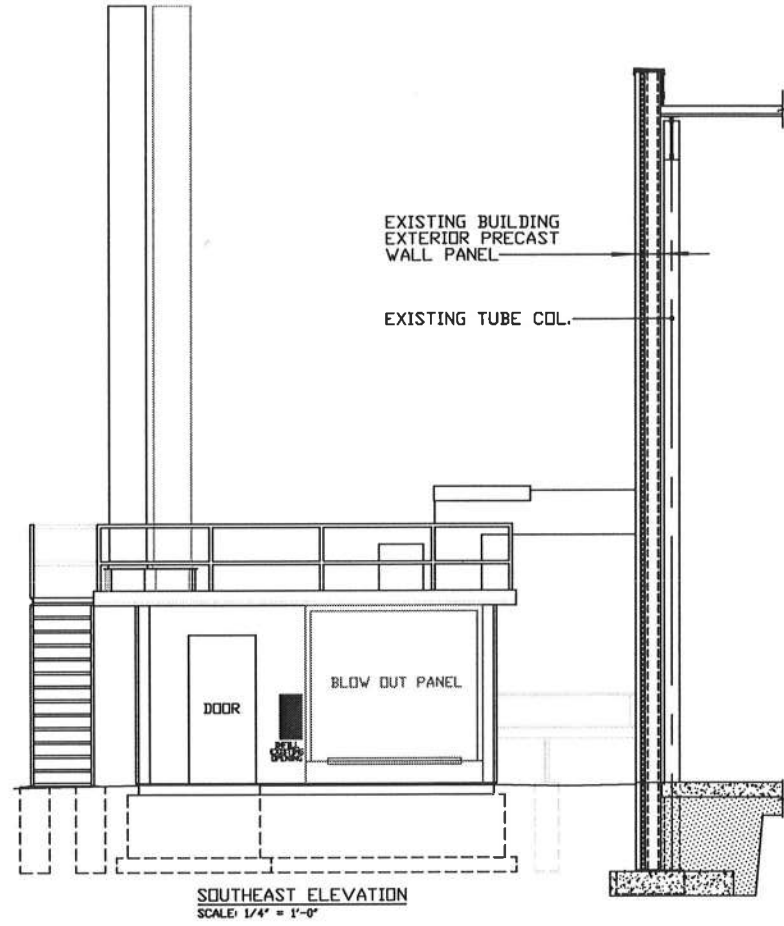
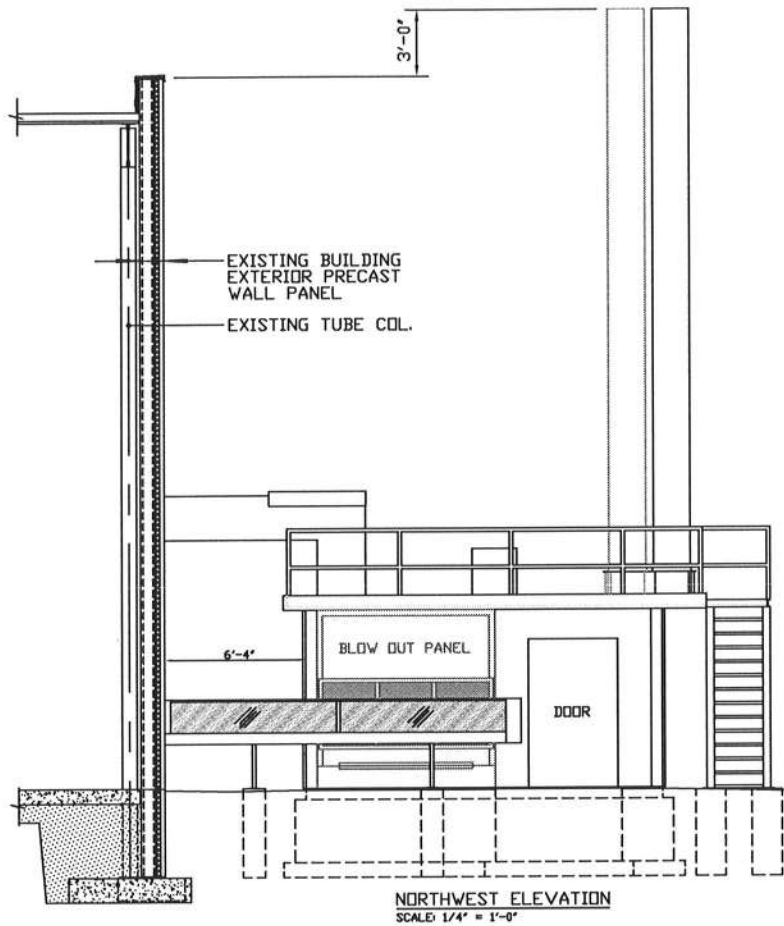
OVERALL FLOOR PLAN  
SCALE: 3/64" = 1'-0"



**CONFIDENTIAL**  
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JOB NO.	09/06/12
DATE	
BY	
REVISION	
DATE	
NO.	
<b>BANE NELSON INC.</b> Industrial & Commercial Contractor 409 480 STREET, MONROE, VT 05144 GRAB 585-8960	
PROJECT <b>NEW ADDITION FOR RUST-OLEUM</b> 8105 95TH STREET PLEASANT PRAIRIE, WISCONSIN 53158	
DRAWING DESCRIPTION <b>OVERALL FLOOR PLAN</b> DRAWN BY SBR	
<b>A2.0</b>	





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JOB NO.	DATE	BY
	09/06/12	
NO.	DATE	REVISION
BANE NELSON INC. Industrial & Commercial Contractor 4015 49RD STREET, MONROE, VT 05144 (802) 532-6960		
PROJECT: NEW ADDITION FOR RUST-OLEUM 8105 95TH STREET PLEASANT PRAIRIE, WISCONSIN 53158		
DRAWING DESCRIPTION: FOOTING/FOUNDATION PLAN FOUNDATION DETAILS DRAWN BY: SBR		
A4.0		

ZONING CHANGE OR Conditional Use Permit to operate a  
 CONDITIONAL USE manufacturing, research, and development facility  
 PETITIONER Rust-Oleum Corporation, Michael T. Murphy, Esq.

part of #92-4-122-212-0270-0 and  
 #92-4-122-212-0351-0 and all of  
 #92-4-122-212-0280-0, #92-4-122-212-0290-0, #92-4-122-212-0300-0  
 #92-4-122-212-0310-0

June 10, 1988	DATE FILED
\$125.00	FEE PAID
July 19, 1988	DATE SENT TO COUNTY BOARD
July 1, 1988 and July 6, 1988	DATES PUBLISHED
June 29, 1988	DATE NOTICES MAILED
July 13, 1988	DATE OF HEARING
M-2 Heavy Manufacturing District	ZONING DISTRICT
Pleasant Prairie	TOWNSHIP
Approved - July 13, 1988	PLANNING & ZONING COMMITTEE ACTION
Approved - July 19, 1988	COUNTY BOARD ACTION
Approved - July 27, 1988	COUNTY EXECUTIVE ACTION
July 29, 1988	DATE TOWN CLERK NOTIFIED
July 29, 1988	DATE PETITIONER NOTIFIED

# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. 94

<b>Subject:</b> RUST-OLEUM CORP. - Conditional Use Permit to operate a manufacturing research and development facility on part of CSM #482, part of Parcels #92-4-122-212-0270-0, 92-4-122-212-0351-0, and all of Parcels #92-4-122-212-0280-0, 92-4-122-212-0290-0, 92-4-122-212-0300-0, 92-4-122-212-0310-0, NW 1/4, Section 21, Town of Pleasant Prairie			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: July 19, 1988		Date Resubmitted:	
Submitted By: Land Use Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: George E. Melcher Dir., Planning & Development		Signature:	

The County Board of Supervisors of Kenosha County do ordain as follows:

WHEREAS, On June 10, 1988 Lawrence J. Jost of the law firm of Quarles and Brady, legal counsel for Rust-Oleum petitioned the Kenosha County Board of Supervisors for a Conditional Use Permit to operate a manufacturing research and development facility on part of Certified Survey Map #482 being part of Parcels #92-4-122-212-0270-0, #92-4-122-212-0351-0 and all of Parcels #92-4-122-212-0280-0, #92-4-122-212-0290-0, #92-4-122-212-0300-0, #92-4-122-212-0310-0 all located in the northwest quarter of Section 21, Township 1 North, Range 22 East, Town of Pleasant Prairie, and

WHEREAS, the Land Use Committee held a public hearing on the request on July 13, 1988 and Mr. Michael T. Murphy, Esq. general counsel and agent for the petitioner agreed to the following conditions:

1. Liquid waste materials shall be properly recovered and stored in barrels. Other waste materials shall be stored in dumpsters. All liquid and solid materials shall be disposed of in a licensed landfill facility.
2. A fire protection system shall be installed which complies with the laws of the State of



Wisconsin and is approved by the Town of Pleasant Prairie.

3. Pollution controls shall be in compliance with State Statutes 144.392 and any other federal, state, and local air and water quality standards.
4. A detailed site plan shall be submitted and approved by the Office of Planning and Development and the Town of Pleasant Prairie. Such site plan shall include a stormwater drainage plan, traffic flow plan, structures, parking lot design, lighting, employee and guest parking, loading dock facilities, dumpsters and disposal area, driveway and highway access, signage.
5. The performance bond requirement is to be waived as the proposed plans and specifications address air, water quality, and waste disposal regulations. In addition, the location is in a preplanned industrial park environment and it is believed that the proposed Rust-Oleum facility will not be detrimental to the health, safety, and welfare of the general public.
6. A statement was provided as to how potential health hazards are avoided. This statement should address safety and preventive maintenance measures.
7. All permits to be issued by the Office of Planning and Development for structures shall be based on a plat of survey and shall be subsequently verified with a foundation survey.

WHEREAS, the subject parcels have the appropriate zoning for the operation of a manufacturing research and development facility, and

WHEREAS, the Town of Pleasant Prairie recommended approval of the proposed manufacturing facility,

NOW, THEREFORE, BE IT RESOLVED that the request of Rust-Oleum Corporation for a Conditional Use Permit to operate a manufacturing research and development facility on the above described parcels be approved subject to the conditions presented above.

Approved by:

\_\_\_\_\_  
James L. Fonk

\_\_\_\_\_  
Stanley Kerkman

\_\_\_\_\_  
Fred C. Schmalfeldt

\_\_\_\_\_  
Richard Lindgren

\_\_\_\_\_  
Geoffrey Wheeler

LAND USE COMMITTEE

PROPOSED RUST-OLEUM CONDITIONAL USE PERMIT CONDITIONS

1. Liquid waste materials shall be properly recovered and stored in barrels. Other waste materials shall be stored in dumpsters. All liquid and solid materials shall be disposed of in a licensed landfill facility.
2. A fire protection system shall be installed which complies with the laws of the State of Wisconsin and is approved by the Town of Pleasant Prairie.
3. Pollution controls shall be in compliance with State Statutes 144.392 and any other federal, state, and local air and water quality standards.
4. A detailed site plan shall be submitted and approved by the Office of Planning and Development and the Town of Pleasant Prairie. Such site plan shall include a stormwater drainage plan, traffic flow plan, structures, parking lot design, lighting, employee and guest parking, loading dock facilities, dumpsters and disposal area, driveway and highway access, signage.
5. The performance bond requirement is to be waived as the proposed plans and specifications address air, water quality, and waste disposal regulations. In addition, the location is in a preplanned industrial park environment and it is believed that the proposed Rust-Oleum facility will not be detrimental to the health, safety, and welfare of the general public.
6. A statement shall be provided as to how potential health hazards are avoided. This statement should address safety and preventive maintenance measures.
7. All permits to be issued by the Office of Planning and Development for structures shall be based on a plat of survey and shall be subsequently verified with a foundation survey.



3 1 4 3 0 2  
Exhibit 4 VOL 1559 PAGE 537-556

REGISTER'S OFFICE  
KENOSHA COUNTY, WI.  
RECORDED AT

DEC 22 8 23 AM '92

48 / DONNA M. DITTMAR  
REGISTER OF DEEDS

VILLAGE OF PLEASANT PRAIRIE CONDITIONAL USE GRANT

NO. 92-009

Before the Village Board of the Village of Pleasant Prairie, Kenosha County, Wisconsin, in regard to premises located at 8105 Fergusson Drive, identified as Tax Parcel No. 92-4-122-212-0355-0, in Section 21, Township 1 North, Range 22 East, Kenosha County, State of Wisconsin, further described as follows:

Legal Description:

Parcel 1 of Certified Survey Map No. 1203 in LakeView Corporate Park, located in the Northwest One-Quarter of U.S. Public Land Survey Section 21, Township 1 North, Range 22 East in the Village of Pleasant Prairie, Kenosha County, Wisconsin.

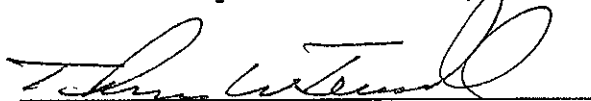
**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provide that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

Petition therefore having been made, and public hearing held thereon, and the Village Board of the Village of Pleasant Prairie having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance;

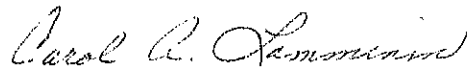
**NOW THEREFORE**, a conditional use is granted, subject to compliance with the terms and conditions hereinafter stated, that the Premises may be used for the purpose of the expansion and operation of an aerosol product storage area within the existing Rust-Oleum Corporation manufacturing facility.

9. Obtaining building (remodel) and zoning permits from the Village's Community Development Department.
10. Building and Zoning Permit fees shall be tripled because work was completed prior to obtaining Village permits.
11. Any other requirements as set forth by the Village staff or Plan Comm as a part of the Site and Operational Plan review and approval.

Granted by the action of the Village Board of the Village of Pleasant Prairie, the 11th day of November, 1992.

  
\_\_\_\_\_  
Thomas W. Terwall  
Village President

Attest:

  
\_\_\_\_\_  
Carol A. Lamminen  
Village Clerk

Original filed in the Community Development Department of the Village of Pleasant Prairie.



Conditional Use Grant 92-009  
Rust-Oleum Corporation

Page 5 of 20

Receipt of a True Copy of this instrument on behalf of the petitioner  
acknowledged this 20 day of November, 1992.

Jane M. Romanowski

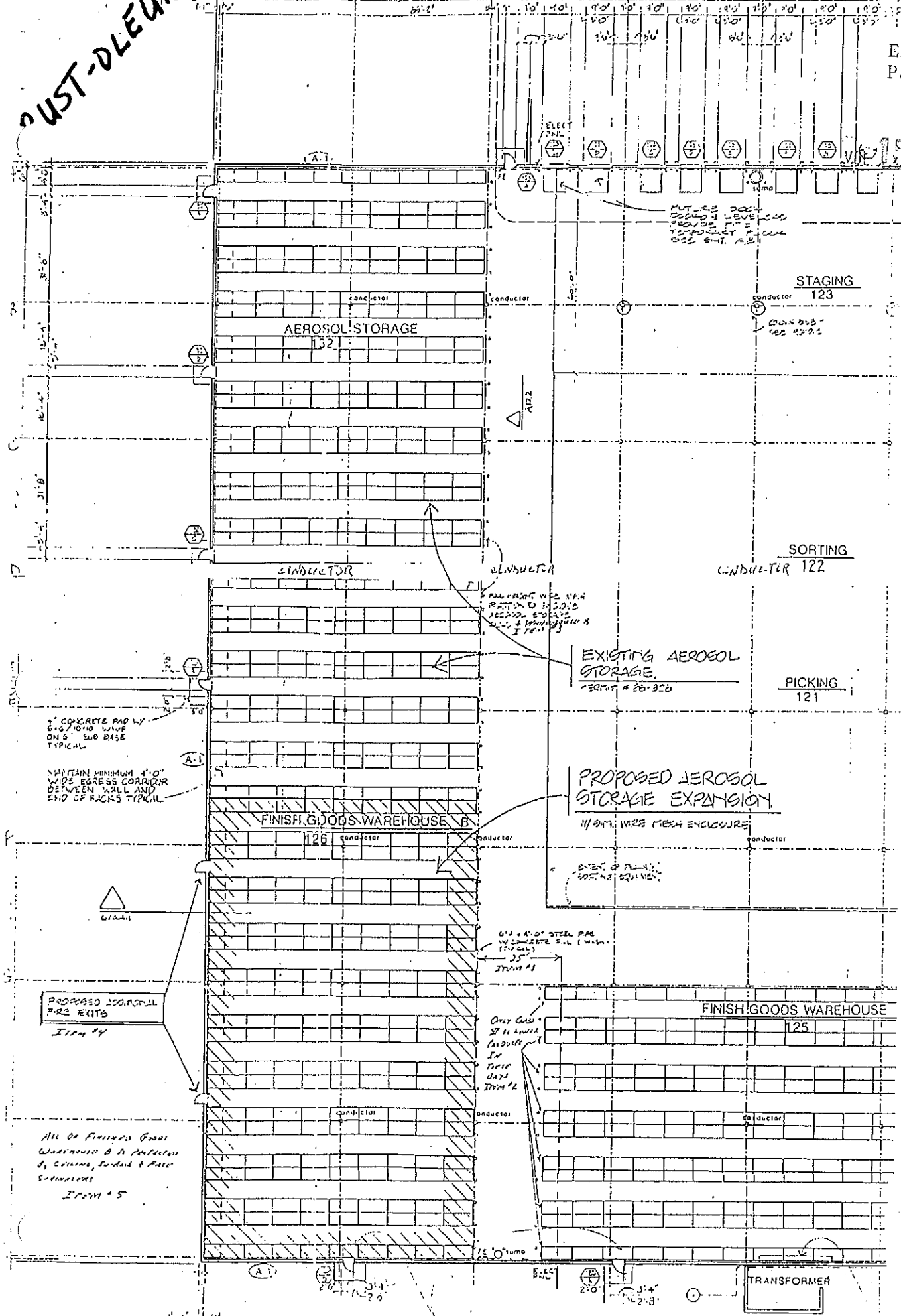
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This document is to be returned to:  
  
Village of Pleasant Prairie  
9915 39th Avenue  
P.O. Box 89  
Pleasant Prairie, Wisconsin 53158-0089  
  
CONDUSGR.116

JUST-DLEWH

1519 PAGE 512



1ST FLOOR PLAN - WAREHOUSE





# RUST-OLEUM CORPORATION

8105 Fergusson Drive • Pleasant Prairie, Wisconsin 53158-0769  
Tel.: (414) 947-7220

Attachment #1

February 6, 1992

Ms. Jean M. Werbie  
Village Planner & Zoning Administrator  
9915-39th. Avenue  
Pleasant Prairie, Wisconsin 53258-0089

RE: Expansion of aerosol product storage in the Rust-Oleum  
warehouse.

Dear Ms. Werbie:

As requested in your Operational Plan Approval Application and Checklist I am providing a written narrative of our operational plan. I will address each of the 19 questions in the order presented on your form.

- 1) Rust-Oleum warehouse aerosol product storage expansion.
- 2) Rust-Oleum Corporation 8105 Fergusson Drive Pleasant Prairie, WI
- 3) Louis C. Noto  
Engineering Manager  
Rust-Oleum Corporation
- 4) February 6, 1992
- 5) Not Applicable
- 6) In order of completion: Increase sprinkler protection in expansion area, install chain link wire mesh barriers at aisle end of existing racks, install 3 new fire exits on outside wall adjacent to this storage area, install fire pull boxes, exit lights and security system at these doors. Where possible, all equipment is to duplicate equivalent equipment already in place as to style, model and appearance.
- 7) Attached
- 8) None
- 9) The entire facility is used for Research and Development, storage of components, manufacture and storage of paint products. The specific area under consideration is

presently used for storage of non-aerosol paint products and we seek to improve fire protection in said area to allow storage of packaged aerosol products.

- 10) Normal operating hours would be 6:00AM to 10:30PM Monday thru Friday.
- 11) 125
- 12) Expansion of this storage area will reduce truck traffic to and from the facility by 3 to 5 trucks per day. At this time product must be trucked from this facility to an outside warehouse for storage and then returned to this facility at a later date for distribution to our customers resulting in additional truck traffic.
- 13) Packaged and palletized aerosol paint products.
- 14) Not Applicable
- 15) Electronic security as used throughout the facility.
- 16) In-rack sprinkler system as installed in adjacent aerosol storage area. Accessibility for fire fighters and their equipment will be identical to that for the adjacent aerosol storage area and with additional fire doors.
- 17) No change from original facility plan.
- 18) None
- 19) Attached copies of petition for variance submitted to and approved by Wisconsin Department of Industry, Labor and Human Relations for the original aerosol storage area, copies of estimates from all contractors involved in this project, drawings of proposed changes to sprinkler system and building interior and exterior modifications.

I believe I have answered all applicable points from your check list, if not please let me know. My telephone number is 947-6740

Very truly yours,

Rust-Oleum Corporation

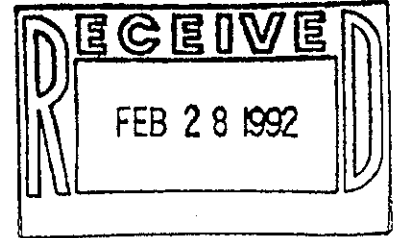


Louis C. Noto  
Engineering Manager

**RUST-OLEUM  
CORPORATION**8105 Fergusson Drive • Pleasant Prairie, Wisconsin 53158-0769  
Tel.: (414) 947-7220

February 28, 1992

COPY



Ms. Jean M. Werbie  
Village Planner & Zoning Administrator  
9915-39th. Avenue  
Pleasant Prairie, Wisconsin 53158-0089

Dear Ms. Werbie:

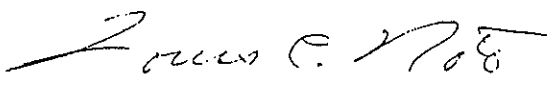
We are seeking a Conditional Use Permit as part of a plan to expand our aerosol storage capacity. It is our intention to reproduce the conditions described in our original petition for variance as well as address any new or additional requirements which may be applicable. The following information describes how we intend to meet said requirements to expand our finished goods warehouse aerosol storage area by 10,664 sq. ft.

- 1) Addition of face sprinklers at all levels and bays of the rack system in accordance with state, local, NFPA 13 and NFPA 30B regulations.
- 2) Provide three (3) additional fire exits direct to grade with spacing as agreed upon in the original petition.
- 3) Reduce the number of sides of aerosol storage exposure to the adjacent warehouse from two to one and eliminate the need for a variance to separate stored aerosols from the adjacent stock with a wire mesh fence rather than a masonry wall.
- 4) Provide wire mesh end partitions as well as any additional equipment determined necessary to protect adjacent areas of the warehouse from fire hazards in the expanded storage area.

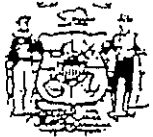
I have enclosed a copy of the original petition for variance as well as the checklist, responses and drawings submitted for the Operational Plan Approval Application to your office on 2/7/92.

Very truly yours,

Rust-Oleum Corporation



Louis C. Noto  
Engineering Manager



SAFETY &amp; BUILDINGS DIVISION

201 E. Washington Avenue  
P.O. Box 7969  
Madison, Wisconsin 53707

October 10, 1988

File Number E-10983

Attachment #3

Petition No. 1-88-00328

Mark Levine  
Rust-Oleum Corporation  
11 Hawthorne Parkway  
Vernon Hills, IL 60061Designer: Howard Needles Tammen  
Bergendoff  
11270 West Park Place  
Milwaukee, WI 53224

Dear Mr. Levine:

Re: Manufacturing/Warehouse/Office  
Highway "T" - Highway "H"  
Pleasant Prairie, Kenosha CountyYour petition for variance of section ILHR 54.14 (1)(a) and (2),  
1986 Wisconsin Building Code, has been reviewed.

The rule being petitioned requires the following:

Except as provided in par. (b), all fuel-fired heating boilers and furnaces, power boilers, fuel rooms and breeching, storage vaults for paints, oils, and similar combustibles and other similar hazards in a building shall be isolated from the rest of the building by at least a 2-hour fire-resistive enclosure as specified in ss. ILHR 51.04 to 51.049; except that in buildings not more than two stories in height and having a floor area of not more than 3,000 square feet per floor, a 1-hour fire-resistive enclosure as specified in ss. ILHR 51.04 to 51.049, or better, shall be provided.

All openings shall be protected with self-closing fire-resistive doors as specified in s. ILHR 51.047.

The variance requested was to allow the omission of the 2-hour enclosure for an aerosol can storage area and to allow the substitution of deluge water curtains in lieu of fire-resistive door assemblies for conveyor openings in 2-hour isolation enclosure.

Considered were your statements as follows:

1. The proposed building contains an area of 9,600 square feet within the finished goods warehouse which is designated for the storage of paint in aerosol cans. The cans are contained on pallets which will be stacked four high (total height of 22 feet 5 inches on racks).
2. This area is considered a hazardous area due to the nature of aerosol products, and therefore requires a 2-hour separation from the rest of the warehouse area.



Mark Levine  
October 10, 1988  
Page 2

201 E. Washington Avenue  
P.O. Box 7859  
Madison, Wisconsin 53707

3. Fork trucks must access these racks through the aisles from the warehouse floor. This would require nine 6 foot wide by 12 feet high openings in the fire wall, each which would require a separate fire door. These openings would interfere with fork truck operations and create a greater potential for accidents. The fire wall would also greatly reduce visibility into the area. The large number of openings would also tend to negate the purpose of the fire wall.
4. The paint manufacturing operation utilizes a conveyor system to transport packaged paint products in closed containers from the manufacturing/filling area to the finished goods warehouse. The proposed location of the 2-hour fire wall enclosing the manufacturing area was designed for two primary reasons:
  - a. To maximize the separation of packaged finished goods from the manufacturing area.
  - b. To increase fork truck access to the palletizers located at the end of the conveyors and minimize fork truck traffic within the manufacturing area.
5. It is, therefore, necessary for the conveyors to penetrate the 2-hour fire wall. Since this is a continuous machine and operation, it is not feasible to protect the opening with a fire door, which would be obstructed by the conveyor apparatus.
6. The aerosol storage area is located in an exterior corner of the building so that only two sides are exposed to the adjacent warehouse. Since one hazard associated with aerosol storage is the potential for rocketing or exploding cans in fires, this location will greatly reduce the potential for cans to effect adjacent rack areas.
7. The aerosol storage area will be enclosed with a full-height (floor to roof deck) wire mesh partition to separate it from the adjacent racks to the north. The partition will also fully cover the ends of the racks between aisles on the west side. This further reduces the area open to the warehouse.
8. The aerosol storage area will be completely protected by an automatic sprinkler system, including ceiling sprinklers and in-rack sprinklers at each level, in accordance with Factory Mutual 7-296 - Storage of Aerosol Products.
9. A letter (attached) from Verlan, Ltd., Rust-Oleum's insurance carrier, demonstrates that past experience in other paint manufacturing and warehouse facilities has shown that the proper sprinkler protection is much more effective in controlling aerosol fires than fire walls. This sprinkler system will be continuously monitored and tested.

*now only*



Mark Levine  
October 10, 1988  
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10. The aerosol storage area may be exited within a maximum travel distance of 50 feet. The aisles can be exited to the east through three exit doors and to the west through the main warehouse aisle leading to additional standard exits to grade. The fire department will be able to access the area through four exterior doors - three within aerosol storage and one immediately adjacent.
11. The wire mesh partition will allow the fire department to fight a fire from outside the aerosol storage area whereas a solid wall would require firefighters to enter the area.
12. The wire mesh partition will increase visibility into the area to monitor activities and help provide early detection of potential hazards.
13. All fork trucks operating in the warehouse will be EE rated. In addition, all fork trucks will be automatically guided by an in-floor wiring system.
14. The conveyor openings will be protected on both sides by a deluge water curtain sprinkler system designed in accordance with NFPA 13. The system will be activated by a smoke and heat detection system of both sides of the opening.
15. The size of the conveyor openings is relatively small (four openings 4 feet wide by 4 feet high, two future openings 4 feet wide by 4 feet high) and account for only 2% of the wall area. All other openings in the fire wall will be protected with approved 1-1/2-hour rated fire door assemblies.
16. Both sides of the fire wall are completely protected by an automatic sprinkler system.
17. The fire alarm system in the plant is designed to automatically shut down all filling, packaging and conveyor machinery when activated.
18. The manufacturing area enclosed by the 2-hour fire wall is provided with a ventilation system to maintain six air changes per hour. This will prevent any hazardous fumes associated with the manufacturing operation from building up to dangerous levels or entering the warehouse area.
19. It is Rust-Oleum's feeling, as well as Verlan, Ltd.'s, that the design proposed for the aerosol storage area will provide superior protection of the building and a safer condition for occupants than a 2-hour fire wall. The best protection for aerosol fires is early detection and suppression. The wire mesh partition will contain aerosol cans from entering other rack storage areas. In addition, a very short distance is required to exit or access the area.



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20. Addressing s. ILHR 54.14 (2) at Manufacturing:

A properly designed deluge water curtain has been shown to provide adequate protection of openings in fire walls. Along with the other design features discussed, we feel that the proposed design provides a superior degree of safety compared with the alternative of fire shutters in this situation. In addition, the projection of conveyors through the fire wall will provide a safer operating plant by maximizing the separation of the manufacturing area from the warehouse.

21. We would also like to reference the following petitions for variance previously reviewed and conditionally approved by the Department for similar building conditions:

File No. E-78163	Petition No. 87-172
File No. E-8694	Petition No. 85-207
File No. E-29580	Petition No. 87-089
File No. E-1422	Petition No. 87-060
File No. E-47637	Petition No. 87-077
File No. E-109294	Petition No. 87-119

The following comments were made in the petition analysis:

1. The intent of the rule being petitioned is limit the possible spread of fire from a potentially hazardous source to other portions of a building.
2. The Pleasant Prairie Fire Department recommends the approval of this petition request.
3. Relative to the conveyor openings, the Department has accepted the equivalency of deluge curtains for fire door assemblies to protect such openings, under petitions 87-77 and 87-89; therefore, this issue of the petition can be accepted by precedence.
4. From the plans it is not evident that the hazard posed by the aerosol can storage is significantly different than that posed by the adjacent spaces and functions.
5. The enclosure of the aerosol can storage area was called for during the preliminary design review as a means of recognizing different maximum exit distances.
6. Flammable aerosols are liquids in pressurized containers which are likely to rupture under fire exposure conditions spreading fire as the containers rocket.
7. The wire enclosure should help to prevent the rocketing and thereby spread fire to other parts of the building.



Mark Levine  
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201 E. Washington Avenue  
P.O. Box 7969  
Madison, Wisconsin 53707

8. The sprinkler system in accordance with Factory Mutual should limit the potential for a fire occurring in the aerosol can storage area.

Departmental Action: Approval.

This approval is granted with the understanding that all of the petitioner's statements and any conditions of approval cited above will be carried out.

Prepared by: James D. Junot/RLB  
James Quast, Architect  
Code and Variance Consultant  
(508) 265-9292

Reviewed by: Ronald Lewis Buchholz  
Ronald Lewis Buchholz, Architect  
Assistant Director, Office of Division Codes and Application

Departmental Signature: Richard L. Meyer Date: 10/12/88  
Richard L. Meyer, Architect  
Director, Office of Division Codes and Application

JG:2984e

Enc.

cc: R-2 Waldburger (414) 521-5065 Thursday  
Building Inspector, Pleasant Prairie  
Pleasant Prairie Fire Department



VOL 1559 PAGE 551

Name of Owner Mark Levine	Building Occupancy or Use Manuf/Warehouse/Office	Agent, Architect or Engineering Firm HNTB
Company Must-Oleum Corporation	Tenant Name, if any	Street & No. 11270 W. Park Place
Street & No. 11 Hawthorne Parkway	Building Location, Street & No. Hwy "T" - Hwy "H"	City Milwaukee, WI
City Vernon Hills, IL	State & Zip 60061	State & Zip 53224
City Vernon Hills, IL	State & Zip 60061	City Pleasant Prairie, Kenosha
Phone 312-367-7700	Plan Number(s) IF KNOWN 88-09-0109-C	Phone 414-359-2300
		Name of Contact Person Richard Toyne

21810 13-1

1. Rule ILHR 54.14 of the Wisconsin Administrative code cannot be entirely satisfied because:

-----  
See Exhibit A attached  
 -----  
*3410.00*  
*499081*  
*Public Petition*

2. In lieu of complying exactly with the rule, the following alternative is proposed as a means of providing an equivalent degree of safety:

-----  
See Exhibit B attached  
 -----

3. Supporting arguments are:

-----  
See Exhibit C attached  
 -----  
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 SEP 30 1988  
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 SEP 30 1988  
 OFFICE OF DIVISION  
 RULES AND APPLICATIONS

VERIFICATION BY OWNER - PETITION IS VALID ONLY IF NOTARIZED

For Fee Information See ILHR 69.15 or Contact The Department at 18081-267-7840

NOTE: Petitioner must be building owner. Tenants, agents, designers, contractors, attorneys, etc. may not sign petition unless a Power of Attorney is submitted with the Petition.

Richard Manning

being duly sworn, I state as petitioner; that I have read

(NAME of PETITIONER Please type/print)

the foregoing petition, that I believe it to be true and I have significant ownership rights in the subject building.

Richard Manning  
 Signature of Owner

Subscribed and sworn to me this date: 9-28-88

Lake County, Wisconsin

Adriana A. Kavours  
 Notary Public

My commission expires: Jan. 10, 1989

OFFICE USE ONLY		
Date Received 9-30-88	Amount Paid \$40.00	Receipt No. 40099031
Department Action <u>Approved</u>		
Office of the Secretary <u>Richard Manning</u>		Date 10/12/88

EXHIBIT A

Certain aspects of ILHR 54.14 cannot be entirely satisfied at two different areas of the proposed building as described below:

1. Addressing ILHR 54.14 at Aerosol Storage:

The proposed building contains an area of 9,600 square feet within the finished goods warehouse which is designated for the storage of paint in aerosol cans. The cans are contained on pallets which will be stacked four high (total height of 22'-6") on racks.

This area is considered a hazardous area due to the nature of aerosol products, and therefore requires a two-hour separation from the rest of the warehouse area.

Fork trucks must access these racks through the aisles from the warehouse floor. This would require nine 6 foot wide by 12 feet high openings in the fire wall, each which would require a separate fire door. These openings would interfere with fork truck operations and create a greater potential for accidents. The fire wall would also greatly reduce visibility into the area. The large number of openings would also tend to negate the purpose of the fire wall.

2. Addressing ILHR 54.14(2) at Manufacturing:

The paint manufacturing operation utilizes a conveyor system to transport packaged paint products in closed containers from the manufacturing/filling area to the finished goods warehouse. The proposed location of the two-hour fire wall enclosing the manufacturing area was designed for two primary reasons:

1. To maximize the separation of packaged finished goods from the manufacturing area.
2. To increase fork truck access to the palletizers located at the end of the conveyors and minimize fork truck traffic within the manufacturing area.

It is, therefore, necessary for the conveyors to penetrate the two hour fire wall. Since this is a continuous machine and operation, it is not feasible to protect the opening with a fire door, which would be obstructed by the conveyor apparatus.

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ORDS AND APPLICATIONS

EXHIBIT B

In lieu of complying exactly with the rule, the following alternatives are proposed as a means of providing an equivalent degree of safety:

1. Addressing ILHR 54.14 at Aerosol Storage:

- A. The aerosol storage area is located in an exterior corner of the building so that only two sides are exposed to the adjacent warehouse. Since one hazard associated with aerosol storage is the potential for rocketing or exploding cans in fires, this location will greatly reduce the potential for cans to effect adjacent rack areas.
- B. The aerosol storage area will be enclosed with a full-height (floor to roof deck) wire mesh partition to separate it from the adjacent racks to the north. The partition will also fully cover the ends of the racks between aisles on the west side. This further reduces the area open to the warehouse.
- C. The aerosol storage area will be completely protected by an automatic sprinkler system, including ceiling sprinklers and in-rack sprinklers at each level, in accordance with Factory Mutual 7-296 - Storage of Aerosol Products.

A letter (attached) from Verlan, Ltd., Rust-Oleum's insurance carrier, demonstrates that past experience in other paint manufacturing and warehouse facilities has shown that the proper sprinkler protection is much more effective in controlling aerosol fires than fire walls. This sprinkler system will be continuously monitored and tested.

- D. The aerosol storage area may be exited within a maximum travel distance of 50 feet. The aisles can be exited to the east through three exit doors and to the west through the main warehouse aisle leading to additional standard exits to grade. The fire department will be able to access the area through four exterior doors - three within aerosol storage and one immediately adjacent.
- E. The wire mesh partition will allow the fire department to fight a fire from outside the aerosol storage area whereas a solid wall would require firefighters to enter the area.
- F. The wire mesh partition will increase visibility into the area to monitor activities and help provide early detection of potential hazards.
- G. All fork trucks operating in the warehouse will be EE rated. In addition, all fork trucks will be automatically guided by an in-floor wiring system.

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## 2. Addressing ILHR 54.14(2) at Manufacturing:

- A. The conveyor openings will be protected on both sides by a deluge water curtain sprinkler system designed in accordance with NFPA 13. The system will be activated by a smoke and heat detection system on both sides of the opening.
- B. The size of the conveyor openings is relatively small (4 openings 4'-0" wide by 4'-0" high, 2 future openings 4'-0" wide by 4'-0" high) and account for only 2% of the wall area. All other openings in the fire wall will be protected with approved 1-1/2 hour rated fire door assemblies.
- C. Both sides of the fire wall are completely protected by an automatic sprinkler system.
- D. The fire alarm system in the plant is designed to automatically shut down all filling, packaging and conveyor machinery when activated.
- E. The manufacturing area enclosed by the two hour fire wall is provided with a ventilation system to maintain six air changes per hour. This will prevent any hazardous fumes associated with the manufacturing operation from building up to dangerous levels or entering the warehouse area.

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OFFICE OF DIVISION  
CODES AND APPLICATIONS

1. Addressing ILHR 54.14 at Aerosol Storage:

It is Rust-Oleum's feeling, as well as Verlan, Ltd.'s, that the design proposed for the aerosol storage area will provide superior protection of the building and a safer condition for occupants than a two-hour fire wall. The best protection for aerosol fires is early detection and suppression. The wire mesh partition will contain aerosol cans from entering other rack storage areas. In addition, a very short distance is required to exit or access the area.

2. Addressing ILHR 54.14(2) at Manufacturing:

A properly designed deluge water curtain has been shown to provide adequate protection of openings in fire walls. Along with the other design features discussed, we feel that the proposed design provides a superior degree of safety compared with the alternative of fire shutters in this situation. In addition, the projection of conveyors through the fire wall will provide a safer operating plant by maximizing the separation of the manufacturing area from the warehouse.

We would also like to reference the following petitions for variance previously reviewed and conditionally approved by the Department for similar building conditions:

- |                   |                     |
|-------------------|---------------------|
| File No. E-78163  | Petition No. 87-172 |
| File No. E-8694   | Petition No. 85-207 |
| File No. E-29580  | Petition No. 87-089 |
| File No. E-1422   | Petition No. 87-060 |
| File No. E-47637  | Petition No. 87-077 |
| File No. E-109294 | Petition No. 87-119 |

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OFFICE OF DIVISION  
CODES AND APPLICATIONS

Name of Owner Mr. Levine	Building Occupancy or Use Manuf/Warehouse/Office	Agent, Architect or Engineering Firm HNTB
Company Rust-Oleum Corporation	Tenant Name, if any	Street & No. 11270 W. Park Place
Street & No. 11 Hawthorne Parkway	Building Location, Street & No. Hwy "T" - Hwy "H"	City Milwaukee, WI
State & Zip IL 60061	City Pleasant Prairie,	State & Zip WI 53224
County Kenosha	County Kenosha	Phone 414-359-2300

1. I have read the petition for variance of rule: 54.14

2. I recommend (Check appropriate box)

Denial	Approval XXX	Conditional Approval	No Comment'
--------	-----------------	----------------------	-------------

3. Explanation for Recommendation:

In my judgement the variances that HNTB is requesting on behalf of the Rust-Oleum Corporation are workable as alternatives to the DILHR code.

If desired, Fire Departments may indicate "No Comment" on non-fire safety issues such as sanitary, energy conservation, structural, barrier free environments, etc.

4.  I find no conflict with local rules and regulations  
 I find that the petition is in conflict with local rules and regulations

Explanation

The Town of Pleasant Prairie has adopted the DILHR code as our minimum fire prevention code. Pleasant Prairie has not made any enhancements to the "basic" code, therefore there are no additional local regulations which address the variances requested by Rust-Oleum.

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OFFICE OF DIVISION  
CODES AND APPLICATIONS

Signature of Fire Chief: Paul G. Guilbert, Jr., Pleasant Prairie F & R Date: 09/28/93



**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT**

**NO. 95-017**

Before the Village Board of the Village of Pleasant Prairie, Kenosha County, Wisconsin, in regard to the property located at **8105 Fergusson Drive**, identified as Tax Parcel No. **92-4-122-212-0355-0**, in U.S. Public Land Survey Section 21, Township 1 North, Range 22 East, Kenosha County, State of Wisconsin.

**Legal Description:**

CSM 1203 in Lakeview Corporate Park and a part of the Northwest One-Quarter of U. S. Public Land Survey Section 21, Township 1 North, Range 22 East in the Village of Pleasant Prairie, Kenosha County, Wisconsin.

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provide that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made, and public hearing held thereon, and the Village Board of the Village of Pleasant Prairie having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance;

**NOW THEREFORE**, a conditional use is granted, subject to compliance with the terms and conditions hereinafter stated, that the property may be developed according to the approved plans for Rust-Oleum Corporation to construct a 480 square foot precast concrete building. The new structure is proposed to be used in the recovery of paint and propellant from returned/rejected aerosol containers of Rust-Oleum product.

The **CONDITIONS** of this Grant are:

1. Subject to the attached Fire Chief's Comments.
2. Two sets of Registered Architect or Engineer signed and sealed plans should be submitted to the Village Building Inspector for review and issuance of building/zoning permits.

3. Signed and sealed pre-cast plans should be submitted to the Village Building Inspector prior to their installation.
4. Emergency lighting per the State Code is required in the building.
5. Heat Loss and Ventilation Design for Building is needed per ILHR Chapter 64.
6. Any alterations, additions or changes to the project plans shall be approved by the Village and WisPark Corporation.
7. Any conditions of the Conditional Use Grant shall apply to the owners, agents or employees of the property.
8. Construction and operation of the use granted shall be in strict conformity to the approved site, building and operational plans filed in connection with the petition for this permit.
9. The Conditional Use Grant shall become effective upon the execution and recording by the Village for the Owners and Tenants of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
10. The Conditional Use Grant shall be void unless proper execution (signatures and recording) of the conditional use grant, pursuant to the Building Code and Zoning Ordinance of the Village, for appropriate Building, Zoning and Occupancy Permits in conformity to this Grant, is made within six (6) months of the date hereof.
11. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Zoning Ordinance of the Village.
12. Construction and operation of the use granted shall be in strict conformity to the approved site, building and operational plans filed in connection with the petition for this permit.

Granted by the action of the Village Board of the Village of Pleasant Prairie, the 6th day of November, 1995.

Attest:

\_\_\_\_\_  
John P. Steinbrink  
Village President

\_\_\_\_\_  
Jane M. Romanowski  
Village Clerk



Signed:  
Owner \_\_\_\_\_  
Mark Levine  
Rust-Oleum Corporation

ACKNOWLEDGMENT  
STATE OF \_\_\_\_\_ )  
SS  
\_\_\_\_\_ COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 1995, the above named \_\_\_\_\_, to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, \_\_\_\_\_.  
My Commission expires: \_\_\_\_\_.

THIS INSTRUMENT WAS DRAFTED BY:  
Peggy L. Keuler  
Assistant Village Planner and  
Assistant Zoning Administrator

This document is to be returned to:  
Village of Pleasant Prairie  
9915 39th Avenue  
Pleasant Prairie, Wisconsin 53158-0089

1995: conduse.gr\rehrig.012

TO: JEAN WERBIE  
FROM: PAUL GUILBERT JR., CHIEF  
RE: RUST OLEUM AEROSOL RECOVERY BUILDING

I HAVE REVIEWED THE SITE PLANS FOR RUST OLEUM THAT WERE RECEIVED BY YOU ON SEPTEMBER 21, 1995.

The proposed facility is to be used as an aerosol recovery building. The size of the structure is 480 square feet.

The design firm, Pierce Engineering, Inc., has indicated on the plans we reviewed that the building will be constructed in accordance with but not limited to: NFPA 30, 30b, 70-NEC, and DILHR 10, 54 and 69. They indicated that the building will be protected by a wet pipe fire sprinkler system. The sprinkler system will be installed in accordance with NFPA 13 and 30b.

The design firm has also indicated the following:

- a. Fire alarm pull stations will be provided.
- b. Automatic smoke detectors will be provided.
- c. Heat detectors will be provided.
- d. Fire extinguishers will be provided.

The following should be noted:

The fire sprinkler system will be reviewed in consideration of Village Ordinance, 5.16, automatic fire sprinklers. The fire protection contractor providing the sprinklers should review the ordinance prior to submitting the drawings.

A permit is required before work begins and will be issued only after a satisfactory review of the system is performed.

Annunciator Panel: All fire alarms originating from the aerosol recovery building shall be identified on the annunciator panel found at the main entrance to Rust Oleum. The alarms shall be identified in a manner that will provide the firefighters on scene with the most accurate information, or example:

Aerosol Recovery Building:

- Sprinkler water flow
- Heat/Smoke detector
- Pull station

All life safety and fire protection shall be in place prior to this new building being occupied.



18

Exhibit 6

DOCUMENT NUMBER  
1050202  
CONDITIONAL USE PERMIT  
RECORDED  
at Kenosha County, Kenosha, WI 53140  
Louise I Principe, Register of Deeds  
on 2/26/1997 at 2:41 PM  
970007154  
RECDEED  
18.00  
PATC

**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT NO. 96-01**

Before the Village Board of the Village of Pleasant Prairie, Kenosha County, Wisconsin, in regard to the property located at **8105 Fergusson Drive**, and located in U.S. Public Land Survey Section 21, Township 1 North, Range 22 East, Kenosha County, State of Wisconsin.

Return Document to:  
Village of Pleasant Prairie  
P.O. Box 905  
Pleasant Prairie, WI 53158

Parcel #:  
**92-4-122-212-0355-0**

**Legal Description:**

CSM 1203 in Lakeview Corporate Park and a part of the Northwest One-Quarter of U. S. Public Land Survey Section 21, Township 1 North, Range 22 East in the Village of Pleasant Prairie, Kenosha County, Wisconsin.

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provide that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made, and public hearing held thereon, and the Village Board of the Village of Pleasant Prairie having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance;

**NOW THEREFORE**, a conditional use is granted, subject to compliance with the terms and conditions hereinafter stated, that the property may be developed according to the approved plans for Rust-Oleum Corporation to construct a 564 square foot structure to house equipment used to inject propellant into aerosol cans of Rust-Oleum paint. The **CONDITIONS** of this Grant include:

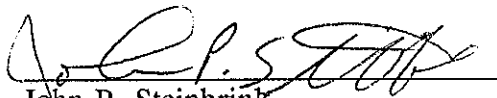
1. Subject to the attached Fire Chief's comments.
2. Subject to State approval for Building and HVAC Plans and providing two (2) copies of the State approved plans and the approval letter.

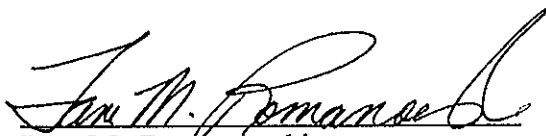
68

3. Building permits shall be obtained from the Community Development Department and Sprinkler permits should be obtained through the Fire & Rescue Department.
4. The Conditional Use Grant shall become effective upon the execution and recording by the Village for the Owners of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
5. The Conditional Use Grant shall be void unless proper execution (signatures and recording) of the conditional use grant, pursuant to the Building Code and Zoning Ordinance of the Village, for appropriate Building, Zoning and Occupancy Permits in conformity to this Grant, is made within six (6) months of the date hereof.
6. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Zoning Ordinance of the Village.
7. Construction and operation of the use granted shall be in strict conformity to the approved site, building and operational plans filed in connection with the petition for this permit.
8. Any alterations, additions or changes to the project plans shall be approved by the Village and WisPark Corporation.
9. Any conditions of the Conditional Use Grant shall apply to the owners, agents or employees of the property.

Granted by the action of the Village Board of the Village of Pleasant Prairie, the 1st day of April, 1996.

Attest:

  
John P. Steinbrink  
Village President

  
Jane M. Romanowski  
Village Clerk

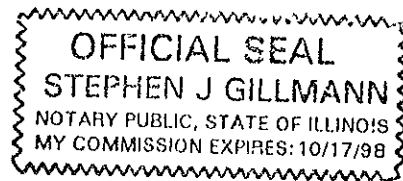
Signed: William C. Whiting  
Owner ~~Mark Levine~~ William C. Whiting *man*  
Rust-Oleum Corporation

ACKNOWLEDGMENT  
STATE OF Illinois )

SS  
Lake COUNTY)

Personally came before me this 11 day of April, 1996, the above named William C. Whiting, to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Stephen J. Gillmann  
Notary Public, LAKE County, IL.  
My Commission expires: 10/17/98.



THIS INSTRUMENT WAS DRAFTED BY:  
Peggy L. Keuler  
Assistant Village Planner and  
Assistant Zoning Administrator

This document is to be returned to:  
Village of Pleasant Prairie  
9915 39th Avenue  
Pleasant Prairie, Wisconsin 53158-0089

MEMORANDUM

TO: Jean Werbie, Director  
Community Development Department  
Village of Pleasant Prairie

FROM: Paul G. Guilbert Jr., Chief  
Pleasant Prairie Fire & Rescue

RE: Rust-Oleum Corp. New Aerosol Gas House  
8105 95th Street

DATE: February 22, 1996

The Rust-Oleum Corp., 8105 95th Street, has proposed to build an additional room to fill aerosol cans. This addition will be located immediately west of the current aerosol filling room and five feet (north) remote of the existing main building.

The owner has committed to build this room in accordance with the following conditions:

1. All materials methods and means utilized to construct this facility shall conform to all applicable codes and standards suitable for the intended use of the facility, including but not limited to the following:  
NFPA 30, NFPA 30(B), NFPA 70-NEC, DILHR 10, DILHR 54, DILHR 69
2. Provide and install ten pound capacity UL rated dry chemical type cast steel tank fire extinguishers for Class A, B, and C fires at locations designated by local authority.
3. A wet pipe automatic sprinklers shall be installed in accordance with all applicable codes and guidelines suitable for the use of the facility, including NFPA 13 and NFPA 30B, Section 3-9. Tap existing fire sprinkler loop and locate riser where shown on plan. Complete all necessary testing upon completion of work.
4. Provide fire alarm pull stations, horns, strobes, automatic smoke detectors, heat detectors, etc., as required by code, extended from the existing buildings fire alarm system.

5. We have met with representatives of Rust-Oleum, Pleasant Prairie regarding this project. In addition to the protection identified above, an explosion detector, using ultraviolet flame detectors in combination with thermal detectors will be installed in the new 'gas house'. In the event an incipient explosion is sensed, the detectors send a signal causing the suppressant (fine water fog) to be charged.

Rust-Oleum believes this should prevent or minimize the damage from such an explosion. We feel that Rust-Oleum is providing an above adequate level of protection with this system.

Plan review, Permits and Fees:

The plans for both the fire protection underground and aboveground must be submitted for review. A satisfactory review must be completed before permits will be issued.

Permits must be obtained for all underground mains that are used as part of the fire protection system, in addition to the aboveground sprinkler system. Permits must be obtained from the Fire & Rescue Department, prior to installing the underground fire mains and aboveground sprinkler protection.

The fee for review of the fire protection systems is due after we have reviewed the plans and before we will issue a permit. Work on the fire protection underground or aboveground cannot begin until a permit has been issued.

Fees also apply to the review of the annunciator panel, pull stations as well as smoke and or heat detection.



**COPY**



DOCUMENT NUMBER

1328698

RECORDED  
At Kenosha County, Kenosha, WI 53140  
Louise I. Principe, Register of Deeds  
on 5/26/2003 at 7:59AM  
30628484 \$29.00

REGDEED3

KARP

**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT NO. 03-03**

Before the Village of Pleasant Prairie Plan Commission,  
Kenosha County, Wisconsin, in regard to the property  
located at 8105 95<sup>th</sup> Street

**Return to:**  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**Parcel Number:**  
92-4-122-212-0355-0

29

**Legal Description:**

See Attached for Legal Description

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provides that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made the installation of thermal oxidizer and the interior relocation of the maintenance shop at Rust-Oleum Corporation as described in **Exhibit 1** located at 8105 95<sup>th</sup> Street in LakeView Corporate Park, and public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing the project meets the following standards for granting a Conditional Use Permit including Site and Operational Plan for the specified project in that the project:

- does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- does not impair an adequate supply of light and air to the adjacent properties;
- does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire and Rescue Department as shown in the **Exhibit 2**—comments dated December 17, 2002 and January 7, 2003;





- does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- has no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use;
- the proposed and applied for use on this particular parcel is not inherently inconsistent with either the M-2, Heavy Manufacturing District in which it is located or the adjoining Zoning Districts or the industrial neighborhood; and
- the proposed and applied for use will comply with all applicable Village ordinance requirements and all other applicable Federal, State or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection.

**NOW THEREFORE**, a Conditional Use Permit and including Site and Operational Plan approval is granted, subject to compliance with the terms and conditions hereinafter stated for the installation of thermal oxidizer and the interior relocation of the maintenance shop at Rust-Oleum Corporation on said property:

1. Compliance with the attached Village Fire & Rescue Chief's comments dated December 17, 2002 and January 7, 2003 (See Exhibit 2).
2. Comm 61.31 may require the Building and HVAC plans to be reviewed by the Department of Commerce. Comm 82.20 requires that the Plumbing plans also be reviewed by the Department of Commerce. Verify with the architect whether the plans need Dept. of Commerce review. All Building plans shall be designed in compliance with the Wisconsin Enrolled Commercial Building Code, and may need to be State Approved prior to submitting for building permits from the Village of Pleasant Prairie.
3. Article 700 of the National Electric Code and the Pleasant Prairie Fire & Rescue Department require that the exit and emergency lighting be on easily identifiable local lighting circuit(s), separate circuit(s) or other pre-approved circuit(s), so that when tested will not cause disruption or inconvenience.
4. This building is proposed as being protected by an automatic fire sprinkler system, which shall be reviewed and approved by the Village of Pleasant Prairie Fire & Rescue Department. All work requires Fire & Rescue Department review, approval, inspection and permit. In addition, the selection, location, installation and maintenance, of fire extinguishers, fire suppression and/or detection devices, and/or fire alarms require Fire & Rescue approval. Contact the Chief of the Pleasant Prairie Fire & Rescue Department at 262-694-8027.
5. Although State submittal is unnecessary for Lighting plans, the Village of Pleasant Prairie requires complete Lighting Plans to be submitted with the Electrical Permit application to assure compliance with Comm 63 energy requirements.
6. The owner/contractor shall obtain permits for Building, Plumbing, HVAC and Electrical from the Village prior to beginning work.
7. If the water main is to serve both domestic and fire protection combined, the plans will need Comm approval and Village Fire & Rescue Department approval prior to obtaining permits or commencing work.

8. Per Comm 61.50 (4). The architect(s)/professional engineer(s) shall submit to the State the compliance statement(s) (SBD 9720), covering Building, HVAC and Lighting, prior to the final inspection. A copy of the compliance statement(s) shall be submitted the Village prior to the building being occupied.
9. A copy of the approved plans and letters must be on site during the construction process and to complete the final inspection for occupancy. **Occupancy will not be permitted in absence of these items.**
10. **The installation of a replacement thermal oxidizer shall be considered as a maintenance issue. A commercial electrical permit is required.**
11. **A Commercial application and related materials shall be submitted to the Village for review and issuance of required permits.**
12. For purposes of drawing a building permit, a site and operational plan approval shall be effective for a period of 180 days from the date of written notification of the decision to the applicant. If permits are not issued within said 180 days the Site and Operational Plan approval shall be void.
13. No building permit shall be issued by the Community Development Department until site and operational plan approval has been granted, and until all conditions precedent set forth in the approval have been satisfied, and until the final plans have been fully signed as required. (Note that the Chief of the Village Fire & Rescue Department has review and approval authority with respect to matters relating to fire protection, independent of the Community Development Department, pursuant to Chapter 5 of the Village Municipal Code. In a situation where review of a signage plan and/or landscaping plan has been deferred pursuant to Subsection 12.11-05(g) of the Village Zoning Ordinance no permit relating to signage and/or landscaping, respectively, shall be issued until approval of the deferred plan has been granted, and until all conditions precedent set forth in such approval have been satisfied, and until the final plan has been fully signed as required by Subsection 12.11-05(h), of the Village Zoning Ordinance.
14. No changes to the exterior site or building conditions shall be made without the Village's approval. In addition, any addition, alteration, extension, expansion, repair or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
15. The Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
16. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.
17. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.

## Legal Description

Parcel 1 of CSM 1203, a re-division of a part of CSM 482, located in a part of the Northwest One Quarter of U.S. Public Land Survey Section 21 Township 1 North Range 22 East of the Fourth Principal Meridian lying and being in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin.

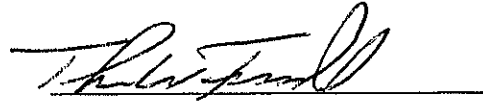
Commencing at the North  $\frac{1}{4}$  corner of said Section 21, running thence S  $2^{\circ} 49' 19''$  E and along the East line of said  $\frac{1}{4}$  section 1303.24 feet to a point in the centerline of 95<sup>th</sup> Street (C.T.H. "T"); thence S  $89^{\circ} 00' 44''$  W and along said centerline, 150.08 feet to the place of beginning of the following description;

Thence S  $2^{\circ} 49' 19''$  E and parallel to the East line of said  $\frac{1}{4}$  section, 1150.59 feet; thence S  $89^{\circ} 00' 44''$  W and parallel to the centerline of 95<sup>th</sup> Street (C.T.H. "T"), 1135.22 feet; thence N  $0^{\circ} 59' 16''$  West and at right angles to the aforesaid line, 1150.00 feet to a point in the centerline of said 95<sup>th</sup> Street; thence N  $89^{\circ} 00' 44''$  E and along the centerline of said 95<sup>th</sup> Street, 1098.40 feet to the place of beginning.

Granted by the action of the Village of Pleasant Prairie Plan Commission the 10<sup>th</sup> day of February 2003.

ATTEST:

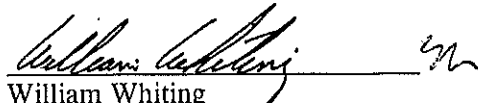
  
Donald Hackbart  
Secretary

  
Thomas W. Terwall  
Plan Commission Chairman

OWNER: Rust-Oleum Corporation

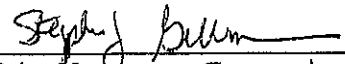




  
William Whiting  
Senior Vice President

ACKNOWLEDGMENT  
STATE OF ~~WISCONSIN~~ ILLINOIS  
LAKE SS  
~~KENOSHA~~ COUNTY)

Personally came before me this 27 day of February, 2003, the above named to me known to be the person (William Whiting, Senior Vice President) who executed the foregoing instrument and acknowledge the same.

  
Print Name: STEPHEN GILLMANN  
Notary Public, ~~Kenosha County, WI~~  
My Commission expires: 10-17-06

**THIS INSTRUMENT WAS DRAFTED BY:**  
Jean M. Werbie, Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, Wisconsin 53158

Item 1: Thermal Oxidizer

Installation of a Thermal Oxidizer on a concrete pad located outside and adjacent to our warehouse building. This new installation replaces our existing volatile organic compound (VOC) emissions control system. Currently, passing our process exhaust ventilation through a carbon adsorption system controls our VOC emissions. This system is in operation and performing its design function. However, it will require major work in the near future to continue performing this function. It is therefore being replaced.

The Wisconsin Department of Natural Resources (WDNR) has been contacted by letter concerning this replacement. Subsequent telephone conversations confirmed that a State Operating or Construction Permit is not required. This system does not reduce our control of VOC emissions. The WDNR requires a twenty business day advance notice prior to performing a VOC destruction efficiency performance test. The test will be performed following installation and functional testing of the oxidizer. The tests are completed in accordance with Environmental Protection Agency test criteria.

No changes to the grading and drainage, exterior plant lighting, signage, or Industrial/Commercial waste survey are involved with this work. The equipment is skid mounted and to be installed on new concrete pad located in the back section of our property. The area is currently asphalt paved. This installation will not be visually unpleasant from any roadway or neighboring industrial properties. The oxidizer creates no odors. The oxidizer converts VOC air pollutants into carbon dioxide and water that become part of the total exhaust air flow from the plant. The natural gas burner and fuel train assemblies incorporate a fully approved gas valve/safety train. No additional employees will be added for operation of the new equipment. No change to the basic operation of the facility is involved.

Item 2: Relocation of the existing maintenance shop.

The maintenance shop will be moved to a more centralized location inside the building. The maintenance office and clean work area is a 20 foot x 40 foot fully sprinkled building within our warehouse. The work shop area also in the warehouse and adjacent to this office will be walled and steel fenced without a roof. All of the changes are located inside of our existing facility and have no effect on site grading and drainage, exterior plant lighting, signage, or Industrial/Commercial waste survey. The functions performed by maintenance will not change. No additional employees will be added as a result of this shop relocation.

The existing maintenance shop area vacated will be used for the production of water based paint products containing no VOCs. Two to three people may be added to our work force to support this operation. No change to our State Operating Permit is required.



Exhibit 2

## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie, Community Development Director

FROM: Paul G. Guilbert, Jr., Chief, Fire and Rescue Department

CC: Lt. Thomas Clark, Fire and Rescue Department

SUBJECT: Review of Rust-Oleum Office Addition

DATE: 17 December 2002

The facility is located at NE corner of 116<sup>th</sup> Street and 88<sup>th</sup> Avenue. The total square footage will be 250,366 sq. ft.

The Facility is classified under Wisconsin Administrative Code, Wisconsin Enrolled Commercial Building Code

The Fire and Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually.

The concerns of the Fire and Rescue Department are as follows:

1. The owner states the building will be fully protected by fire sprinklers, in accordance with NFPA 13.
2. **Stairway:** The underside of the stairway shall be protected by fire sprinklers or sealed off to prevent using as a storage space.
3. **Exit Distance:** Exit distance shall be maintained in accordance with current code.





## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie, Community Development Director

FROM: Paul G. Guilbert, Jr., Chief, Fire and Rescue Department

CC: Lt. Thomas Clark, Fire and Rescue Department

SUBJECT: Review of Rust-Oleum Thermal Oxidizer Project

DATE: 7 January 2003

The concerns of the Fire and Rescue Department are as follows:

1. **Installation:** The unit must be installed per all applicable codes, and Factory Mutual recommendations.
2. **Safety Devices:** All appropriate safety devices must be in place and tested, i.e. Excess Temperature Limit Controller
3. **Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
  - Copies of the test certificates.
  - The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan.
4. **Occupancy:** All fire and life safety requirements must be in place prior start up of this equipment.

## **Fire and Rescue Department Review and Comments:**

4. **Plan Review, Permits and Fees:** The plans for the fire protection underground, aboveground and fire alarm system must be submitted for review. The Village will use an independent fire safety consultant for the review of all fire protection plans submitted. A satisfactory review must be completed before any permits will be issued.
5. **The following Fees and Permits are generated directly from the Fire & Rescue Department.**

**Bulk Water  
Water Usage  
Fire Protection Plans for Underground and Aboveground  
Fire Alarm System Plans  
Kitchen Hood System Plans**

6. An invoice for permit fees will be issued upon achieving a satisfactory review. Work cannot begin until all permits have been issued. A typical review turnaround is three weeks.
7. **Required Licenses:** A Wisconsin licensed fire protection contractor and Wisconsin licensed sprinkler fitters must install underground fire mains and aboveground fire protection. Periodic inspections of the job site will be made by fire inspectors to assure compliance.
8. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken, to see how a tenant furnishes the space. The company providing the fire extinguishers shall submit a letter to the Fire and Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
9. **Emergency and Exit Lighting:** In addition to required Exit lighting, Emergency Lighting shall be provided. Combination units are acceptable and recommended. Both the Exit and Emergency Lighting shall have battery back-up. Exit and Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled.



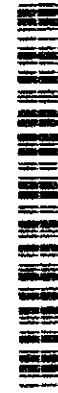
**10. Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.

- The fire protection contractor shall provide the owner with a letter (upon completion of the sprinkler work) stating the sprinkler system, or portion thereof, is "100% operational and built according to the design", Village Ordinance, 5.16(10).
- Copies of the fire sprinkler operational test certificates.
- The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.

**11. Occupancy:** All fire and life safety requirements must be in place prior to this building being occupied.



Exhibit 8



DOCUMENT

1520438

RECORDED  
At Kenosha County, Kenosha, WI 53140  
Louise J. Princiolo, Register of Deeds  
on 5/11/2007 at 2:15PM  
70019977 \$27.00

JOES

RECORDED

**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT NO. 07-01**

Before the Village of Pleasant Prairie Plan Commission,  
Kenosha County, Wisconsin, in regard to the property  
located at 8105 95<sup>th</sup> Street.

**Return to:**

Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**Tax Parcel Numbers:**

92-4-122-212-0355

27

**Legal Description:** CSM #1203 located in a part of the Northwest One Quarter of U.S. Public Land Survey Section 21, Township 1 North, Range 22 East of the Fourth Principal Meridian, lying and being the Village of Pleasant Prairie, Kenosha County, Wisconsin.

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provides that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made for the construction of an addition to the Rust-Oleum facility, and public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing the project meets the following standards for the granting a Conditional Use Permit for the specified project in that the project:

- does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- does not impair an adequate supply of light and air to the adjacent properties;
- does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department as shown in the attached comments dated March 16, 2007 from the Village Fire Chief;
- does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- has no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use;
- the proposed and applied for use on this particular parcel is not inherently inconsistent with either the M-2 - Heavy Manufacturing District in which it is located

- or the surrounding industrially zoned districts and surrounding neighborhood; and
- the proposed and applied for use will comply with all applicable Village ordinance requirements and all other applicable federal, state or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer, water, and storm water services, streets and highways and fire protection.

**NOW THEREFORE**, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated for the construction of a 3,320 square foot addition to be used for testing new products with proper temperature and humidity controls, and to re-route the emergency access roadway to accommodate the addition:

1. Continued compliance with all previously approved, valid Conditional Use Permits pertaining to this property as on file with the Village.
2. Compliance with the **attached** Village Fire & Rescue Department Chief's comments dated March 16, 2007.
3. **Subject to the following comments from the Village Building Inspector:**
  - a. All building, plumbing, and HVAC plans will need to be designed to the Wisconsin Enrolled Commercial Building Code and be State Approved prior to submitting (2 sets) for building permits from the Village of Pleasant Prairie.
  - b. As of September 1, 2000 Lighting plans are no longer reviewed at the state level. However, the Village will continue to review plans. The Lighting Worksheets L-1 through L-5 are required for municipal level review.
  - c. Comm 52.24 requires that this building be provided with a separate room or designated space within or adjacent to the building for the separation, temporary storage and collection of recyclable materials likely to be generated by the building occupants/ operations.
  - d. Halls, corridors, stairways, passageways, work aisles and other means of egress shall have emergency lighting and exit lighting per Article 700 of the NEC, Comm 16.46, 51.15(5), and 55.11. The Village Fire and Rescue Department should be contacted for further information and requirements. Contact Chief Paul Guilbert at 262-694-8027.
  - e. Complete erosion control measures shall be installed per Wisconsin Construction Site Best Management Practice Handbook and be inspected within 24 hours of any land disturbing activity.
  - f. This parcel and building must comply with all requirements of Comm 69 Barrier-Free Design.
  - g. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, **prior to the final inspection with the Village Buildings and Fire departments.**
  - h. Building plans will need to show detail on fire stopping of all penetrations through fire rated walls and fire separation walls as required by emergency rule that took effect on January 28, 1998.
  - i. Sprinkler plans are required to be submitted to, and reviewed by the Village Fire and Rescue Department.
  - j. Any and all fire alarm installations require plan review and permit from the Village of Pleasant Prairie Fire and Rescue Department.
  - k. This plan was approved by the Village Engineer to discharge the roof storm water to the adjacent surface.

4. No changes shall be made without the Village's approval. In addition, any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
5. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.
6. All plans shall conform to applicable Village ordinance requirements, and to all other applicable local, state and federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
7. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 12.12 of the Village Zoning Ordinance.
8. All buildings, structures, site improvements and sites shall be maintained in a safe, structurally sound, neat, well-cared-for and attractive condition.
9. The Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.
10. If building permits are not issued within said 180 days the Site and Operational Plan approval said approval shall be void.

**Granted by the action of the Village of Pleasant Prairie Plan Commission this 9<sup>th</sup> day of April 2007.**



Thomas W. Terwall  
Plan Commission Chairman

ATTEST:



Donald Hackbarth  
Secretary

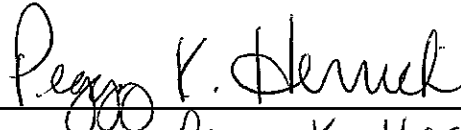
**OWNERS: Rust-Oleum Corporation**



Herman Bacchus  
Title: VICE PRESIDENT

ACKNOWLEDGMENT  
STATE OF WISCONSIN)  
SS  
KENOSHA COUNTY)

Personally came before me this 12<sup>th</sup> day of April, 2007, the above named signatory to me known to be the person (**Herman Bacchus**) who executed the foregoing instrument and acknowledge the same.

  
\_\_\_\_\_  
Print Name: Peggy K. Herrick  
Notary Public, Kenosha County, State of WI  
My Commission expires: 2-7-10

**THIS INSTRUMENT WAS DRAFTED BY:**

Jean M. Werbie, Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, Wisconsin 53158

**-VILLAGE STAFF MEMORANDUM**

TO: Jean Werbie, Community Development Director  
FROM: Paul G. Guilbert, Jr., Chief, Fire & Rescue Department  
CC: Lt. Thomas Clark, Fire & Rescue Department

SUBJECT: Review of the Site and Operational Plan for an addition to the Rust-Oleum Building, 8105 95<sup>th</sup> Street.

DATE: March 16, 2007

Rust-Oleum currently manufactures and warehouses paint at the facility identified above. This is a review of the Site and Operational Plan for the proposed addition of 3,320 square feet that be attached to the southeast corner of the existing building. The new area will be used for the further research and development of concrete type coatings. Rust-Oleum has indicated that the existing fire suppression system will be extended to include this addition.

The Facility is classified under Wisconsin Administrative Code, Wisconsin Enrolled Commercial Building Code.

The Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire & Rescue Department are as follows:

1. **Exit distance**, the addition will be to include an existing exterior exit door. **The addition shall not adversely effect the exit requirements of the existing building.**
2. **Fire Lane:** The existing fire lane will be moved slightly to the east, it is proposed that the width will remain as is, 30 feet.
3. **Fire Suppression Systems:** Fire suppression systems applicable to the products being handled within this area, shall be installed. It is proposed that both solid and water based products will be found within this area.
4. **Compliance:** A letter shall be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within this document.
5. The building shall be constructed in accordance with the State of Wisconsin, COMM. 61, The IBC as Modified by Chapter COMM 62, The IECC as Modified by Chapter COMM 63, The IMC as Modified by Chapter COMM 64, The IFC as Modified by Chapter COMM 65, and in particular those items that pertain to fire protection and life safety.

- 6. In the event a conflict in code(s) is identified, or a conflict with the insurance carrier criteria occurs, the more stringent shall apply. In the event this conflicts with any codes adopted by the State of Wisconsin, the owner must petition the State directly for a variance. The Owner must demonstrate that they will provide materials or design equivalent to the code or that they will exceed the code when petitioning the State.

Upon review of the plans submitted, we have the following concerns:

- Fire hydrants: Are currently in place and may be affected by the relocation of the fire lane, if this is the case the spacing shall remain as is. Fire hydrants shall always be visible and accessible, in particular in any area where trailer trucks will be parked or staged.
- Truck staging shall not decrease the width of the fire lanes.

**7. Fire and Rescue Department Review and Comments:**

**A. Site and Operational Permits**

- |                         |                  |
|-------------------------|------------------|
| 1. Site accessibility   | <b>Shown</b>     |
| 2. Fire hydrant spacing | <b>Not shown</b> |

**B. Conditional Use and Operational**

- |                                |                  |
|--------------------------------|------------------|
| 1. Fire alarm pull stations    | <b>Not shown</b> |
| 2. Emergency and Exit Lighting | <b>Not shown</b> |
| 3. Fire extinguishers          | <b>Not shown</b> |

- 8. **Plan Review, Permits and Fees:** The plans for the fire protection underground (when applicable), aboveground and fire alarm system shall be submitted for review a minimum of four (4) weeks before installation is scheduled to begin. The Village will use an independent fire safety consultant for the review of all fire protection plans submitted. A satisfactory review must be completed before any permits will be issued and before construction can begin.

**9. The following information must be submitted with the sprinkler plans for review:**

- Building height:
- Number of stories/floors:
- Mezzanines:
- Clear space:
- Elevators:
- Hazard class:
- Commodity:
- Maximum storage height:

Square footage, office space:  
Square footage, Manufacturing including maintenance and equipment:  
Square footage, receiving space:  
Square footage, shipping space:  
Square footage, warehouse space:  
Exterior storage:  
Fire protection:

**10. The following Fees and Permits are generated directly from the Fire & Rescue Department.**

- Bulk Water
- Water Usage
- Fire Protection Plans for Underground and Aboveground
- Fire Alarm System Plans
- Kitchen Hood Systems Plans

An invoice for permit fees will be issued upon achieving a satisfactory review. Work cannot begin until all permits have been issued. A typical review turnaround is four weeks.

**11. Required Licenses:** A Wisconsin licensed fire protection contractor and Wisconsin licensed sprinkler fitters must install underground fire mains and aboveground fire protection. Periodic inspections of the job site will be made by fire inspectors to assure compliance.

**12. Pre-Construction Meeting:** A pre-construction meeting shall take place with the general contractor, the fire protection contractor, the Fire & Rescue Department and any other sub-contractor prior to the installation of any underground fire protection. The purpose of this meeting is to assure that the requirements of the State of Wisconsin that only a Wisconsin licensed sprinkler fitter shall perform the installation of all devices, etc. All parties will be asked to initial this document and or permit. Any violation of the installing requirements will be reported in writing to the State of Wisconsin Department of Commerce.

**13. Site Access:** The current fire lane will remain.

- a. All exterior exit pathways as well as access to the Sprinkler Riser Room shall have a hard surface, leading to a hard surface.
- c. All exterior personnel doors shall be exit to a hard surface and continue that pathway to a larger paved surface.

**14. Sprinkler System:** The addition will be equipped with an "automatic fire



sprinkler system". The systems shall be designed and constructed to the current edition of NFPA 13, Automatic Fire Sprinklers and the Village of Pleasant Prairie Ordinance 180-16, Automatic Fire Sprinklers.

- **Storage:** The Owner must be aware of the restrictions that apply to the storage of pallets, cardboard, finished products, etc. Maximum height, width and aisle ways must be maintained and will be enforced. The same concerns apply to the storage of large quantities of combustibles (plastics, plastic wrap and cardboard) such as those used in packaging and storage.
15. **Plan Review (Underground):** A review of the underground drawings is required along with the fire protection drawings before a permit will be issued by the Fire & Rescue Department. Underground plans shall be submitted a minimum of four (4) weeks before installation begins.
16. **Fire Hydrants:** Are currently in place and shall remain at the current spacing. The distance from the finished grade line to the lowest discharge shall be no less than 18 inches and no more than 23 inches and of sufficient height where typical snow fall or snow removal operations will not obstruct access.
17. **Strobe Light:** In the event a new sprinkler riser is constructed, a strobe light shall be provided for that riser and installed vertically above the sprinkler water flow bell. The strobe light shall operate for a sprinkler water flow. The lens color shall be RED. The strobe light shall meet Village specifications as found in section 180-16 K of the Sprinkler Ordinance.
18. **Fire Alarm System:** The system shall be extended to the new addition and shall include as a minimum pull stations and audiovisual devices.
- a. **Pull Stations and Audiovisual Alarms:** Shall be installed per ADA requirements.
  - b. **Smoke and Heat Detection:** Shall be installed as required.
  - c. **Tamper Switches:** Tamper switches shall be placed on all sprinkler valves and be identified on the annunciator panel.
19. **Fire Detection/Suppression:** Systems shall be applicable to the addition.
20. **Knox Box:** One (1) Knox Box shall be provided for the building. The Knox Box shall be Model 4400. Two sets of all keys (Master, fire alarm pull station, annunciator, elevator, etc.) shall be placed within the box, as well as a copy of the pre-fire plan.
21. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers)

for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken, to see how a tenant furnishes the space. The company providing the fire extinguishers shall submit a letter to the Fire & Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.

- 22. Emergency and Exit Lighting:** Exit and Emergency Lighting shall be provided and shall have battery backup. Combination units are acceptable and recommended. An Emergency Generator eliminates the need for battery backup. Exit and Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled. The Fire & Rescue Department will evaluate this lighting prior to occupancy during the evening hours after sunset.
- 23. Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
- a. A Fire & Rescue Department final occupancy inspection fee will apply to this project.
  - b. The fire protection contractor shall provide the owner with a letter (upon completion of the sprinkler work) stating the sprinkler system, or portion thereof, is "100% operational and built according to the design", Village Ordinance, 180-16 N.
  - c. Copies of the fire protection underground flushing documents, if applicable.
  - d. Copies of the underground and fire sprinkler hydrostatic test certificates.
  - e. Copies of the fire sprinkler operational test certificates.
  - f. Copies of the fire alarm test documents.
  - g. Copies of other test documents such as, hood/duct, smoke, etc...
  - h. All information needed for our pre-fire plan prior to occupancy.
  - i. Provide two- (2) CD's, one for the property owner and one for the Fire & Rescue Department. The disks shall include all Floor plans and fire protection plans for the building in an as-built condition. The disks shall be in AutoCAD rev 14 format.
  - j. Maps of the fire alarm and fire sprinkler system shall be placed in the fire pump room, near the fire alarm control panel, the maps shall be hung on the wall, with a waterproof covering and accessible to firefighters wearing bulky clothes and equipment.
- 24. Occupancy:** All fire and life safety requirements must be in place prior to any building being occupied.

- G. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS** for the request of Jeffrey Risby, agent, for Verizon Wireless to install six (6) antennas on the existing tower in Prairie Springs Park at a height of 140 feet; to install related telecommunication equipment within the existing multi-tenant equipment shelter at the base of the tower and to install an emergency stand-by generator north of the existing building within a masonry wall to match the existing building.

**Recommendation:**

Village staff recommends that the Plan Commission approve the **Conditional Use Permit and Site and Operational Plans** subject to the attached comments and conditions of the Village Staff Report of October 8, 2012.

## VILLAGE STAFF REPORT OF OCTOBER 8, 2012

### **CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL**

**PLANS** for the request of Jeffrey Risby, agent, for Verizon Wireless to install six (6) antennas on the existing tower in Prairie Springs Park at a height of 140 feet; to install related telecommunication equipment within the existing multi-tenant equipment shelter at the base of the tower and to install an emergency stand-by generator north of the existing building within a masonry wall to match the existing building.

### **PUBLIC HEARING COMMENTS:**

*As a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described below:*

### **Findings of Fact**

1. Verizon Wireless is requesting approval of a Conditional Use Permit including Site and Operational Plans to install 6 antennas on the existing tower in Prairie Springs Park at a height of 140 feet; to install related telecommunication equipment within the existing multi-tenant equipment shelter at the base of the tower and to install an emergency stand-by generator north of the existing building within a masonry wall to match the existing building within Prairie Springs Park, just east of the south ball fields on Village-owned property on a portion of Tax Parcel Number 92-4-122-204-0201 (This building/tower will have an address of 9951 Terwall Terrace.) See **Exhibit 1** for a copy of the application materials.
2. The current zoning of the property where the existing tower and equipment shelter as associated improvements is PR-3, Regional Park-Recreational District and pursuant to Section 420-127.2 D (2) of the Village Zoning Ordinance, a commercial communication structure and associated equipment requires a Conditional Use Permit.
3. The facility and the proposed addition to equipment shelter are not located within the 100-year floodplain. According to Village floodplain mapping sources, the 100-year floodplain elevation associated with this area of Prairie Springs Park is 676.0 feet above sea level. According to the plans, the floor elevation of the equipment building is 680.5 feet above sea level. Therefore, the facility will be located outside the limits of the 100-year floodplain.
4. The wetlands in the vicinity were field delineated by Dave Meyer of Wetland and Waterway Consulting on June 10, 2010 and approved by the Wisconsin Department of Natural Resources on September 3, 2010.
5. On October 10, 2011 the Village Plan Commission conditionally approved a Conditional Use Permit #11-19 (**Exhibit 2**) and Site and Operational Plans for American Tower to construct a 150 foot tall multi-carrier monopole commercial communication tower with six (6) antennas attached to the tower for AT&T, an 800 square foot multi-carrier equipment shelter and miscellaneous site improvements. In January 2012 permits (#12-04-048) were issued for this work to commence. A Lease Agreement was approved by the Village Board on October 17, 2011 between the Village and American Towers LLC related to the leasing of the land for this tower and associated site improvements.
6. All building code related items for the construction of the tower, including the six (6) AT&T antennas and the multi-carrier building shell have been completed by American Tower. However, the Village staff needs to obtain clarification that the shelter and related AT & T appurtenances have been built dimensionally pursuant to the plans; the pedestrian path needs to be replaced due to an insufficient gravel stone base and inadequate drainage between the path and the front or west side; and the groundcover (grass) area needs to be reseeded and mowed in various areas. Revised grading and

drainage plans were submitted by American Tower and approved by the Village Engineering Department to correct the path and drainage issues. The other work will need to be addressed. The construction fencing shall remain on the site until this work is completed by American Tower and accepted by the Village. In addition, all outstanding Site and Operational Plan requirements will need to be addressed. The Village will provide a detailed list of outstanding items upon completion of a zoning inspection of the project.

7. Verizon Wireless and the Village will need to enter into a Land & Building Lease Agreement for the proposed facility. The Agreement is currently being reviewed by both entities. After the Agreement is in an acceptable form for both parties, it will be placed on an upcoming Village Board agenda for review and approval. Prior to the issuance of permits the Lease Agreement shall be approved by the Village Board and executed by all applicable parties.
8. When the multi-carrier building was designed, the location for emergency back-up generators to be located within the tenant spaces was not considered since AT&T does not require or install back-up generators. Verizon Wireless requires that an emergency stand-by natural gas generator be installed to power their equipment in the event of a power failure. The Land & Building Lease area for the tenant does not allow for generators to be located within the building, therefore, Verizon wireless was proposing to locate the generator north of the existing building within a masonry wall enclosure to match the existing building.
9. Upon staff review of the plans and an on-site visit with the applicant on October 1, 2012, the staff is recommending that the generator be located to the east of the building within the fenced-in area. The existing fence area is proposed to be enlarged and squared off to allow for proper clearance around the generator. Due to space constraints, one (1) air conditioning unit for Verizon will be located on the building's north elevation and one (1) air conditioning unit will be located on the building's east elevation. Ten feet of the existing split rail fence on the north side of the building will be removed to allow for the fence expansion and north side air conditioning unit. The existing plantings below the proposed north side air conditioning unit will be relocated. The relocation of the generator on the east side will not require a masonry wall to be constructed to the north of the building. In addition, due to the location of the tower and proximity to the building, the cables are proposed to be located within an ice bridge extending from the building to the tower. (See **Exhibit 3**) *Revised plans shall be submitted for final staff review and approval.*
10. The Communication Act of 1934 is the Federal regulation, which governs the telecommunications industry; Section 322 of said Act, as amended by subsection (6)(iv) of the Telecommunications Act of 1996, provides guidelines to state and local governments regarding the siting of antenna facilities. One such guideline governs what information may be considered during the zoning approval process. That is, as long as the antenna facility complies with emissions standards established by the Federal Communications Commission (FCC) in Section 704(b), it is considered that there are no health or safety risks posed by the equipment. Specifically, local Zoning Authorities (Plan Commissions) may not directly or indirectly consider health and safety issues during the zoning process when considering a telecommunications facility, which falls under this Section. According to the Village's attorney, Section 704 of the 1996 Telecommunications Act prohibits the state/local units of government from denying a wireless communication company's request for local zoning approval based upon environmental or health effects/concerns if the wireless communication company complies with the regulations on RF emissions set by the FCC.
11. The petitioner and all of the abutting and adjacent property owners within 300 feet of the site were notified via U.S. Mail on September 12, 2012 of this public hearing. Notices were published in the Kenosha News on September 29 and October 1, 2012.

12. The Village emailed the petitioner a copy of this staff report on October 5, 2012.
13. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials that the project as planned, will not violate the intent and purpose of all Village Ordinance, nor shall it violate any federal, state and county regulations, and it shall meet the minimum standards for granting of a Conditional Use Permit. Furthermore, according to the Village's Zoning Ordinance, the Plan Commission shall not approve a Site and Operational Plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and all other applicable federal, state, county or Village requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, noise, storm water management, streets and highways and fire protection.

**Village Staff Findings, Conclusions and Recommendations:**

***The Village staff has determined that based upon the foregoing information presented in the application that the project meets the following standards for granting a Conditional Use Permit in that:***

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire.
- The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.
- There are no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use.
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the PR-3, Regional Park-Recreation District in which it is located or the adjoining Zoning Districts.

**Based on the foregoing information, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for the granting of a conditional use as specified above--then approval of the Conditional Use Permit, including Site and Operational Plans, shall be approved subject to the following conditions:**

1. Verizon Wireless and the Village will need to enter into a Land & Building Lease Agreement for the proposed facility. The Agreement is currently being reviewed by both entities. After the Agreement is in an acceptable form for both parties, it will be placed on an upcoming Village Board agenda for review and approval. Prior to the issuance of permits the Lease Agreement shall be approved by the Village Board and executed by all applicable parties.
2. The plans have been reviewed for conformance with the Village Ordinances and generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all state and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should errors or changed conditions be found at a future date. **Three (3) sets of the revised plans, stamped by a Wisconsin Licensed Engineer, that address the following**

**shall be submitted for Village staff review and approval prior to issuance of required permits:**

- a. The "Vicinity Map" on Plan Sheet T-1 depicts the wrong location of the cellular facility. The Site Location shall be shown correctly, south of Terwall Terrace. *Revise the plans.*
- b. Remove the notation of "(88<sup>th</sup> Drive)" on Plan Sheet LP.
- c. Upon staff review of the plans and an on-site visit with the applicant on October 1, 2012, it was determined that the generator should be located to the east of the building within the fenced area. The existing fence area is proposed to be enlarged and squared off to allow for proper clearance around the generator. One (1) air conditioning unit for Verizon will be located on the building's north elevation and the other will be on the building's north elevation. Ten feet of the existing split rail fence adjacent to the proposed north building elevation air conditioning unit will be removed to allow for the fence expansion. The existing plantings will be relocated. The relocation of the generator will not require the masonry wall to be constructed to the north of the building. In addition, due to the location of the tower and proximity to the building, the cables are proposed to be located within an ice bridge from the building to the tower. (See **Exhibit 3**) *Revised plans shall be submitted for final staff review and approval.*
- d. Add a concrete pad, similar to the east side of the building at the new fence gate entrance. All areas within the fence shall be asphalt or concrete.
- e. The three (3) plants along the east side of the diagonal fence shall be relocated along the east side of the new fence.
- f. The three (3) plants along the east side of the building where the new gate and air conditioning unit is being installed shall be relocated at the direction of the Village staff.
- g. The revised Verizon land lease area shall be shown on the plans.
- h. It appears as though the Plans depict that the proposed Verizon space inside the equipment shelter is taking-up more than ¼ of the 20' x 40' equipment shelter (see Plan Sheets C-1, C-2 and ANT-1). The lease space is to encompass no more than ¼ of the building. Adjust plan sheets accordingly.
- i. Show the dimensions of the Verizon interior building lease area on Plan Sheets C-1 & C-2.
- j. Show the dimensions of the Verizon land lease area on Plan Sheets C-1 & C-2.
- k. Plan Sheets LP, C-1 & C-2 shall show the location and dimensions of the existing AT&T building lease area within the multi-carrier equipment shelter and the area shall be appropriately labeled as "AT&T".
- l. The note on Sheet C-1 regarding a temporary road and 50'x50' staging area shall be clarified. What is the temporary road and where is it located? Also, the planned staging area shall be shown on the plans. The access and staging area shall be in the same location used to construct the tower and the shelter. *Revise the Plans.*
- m. The complete fiber optic routing is not clear. On sheet E-1 there is a note to see LP sheet for full fiber run; however sheet LP does not show the fiber optic. Plans shall show the complete fiber optic run. Fiber optic shall be bored under pavement areas. An appropriate note shall be placed on the plans.
- n. Does the fiber optic need to loop in front of the entire building?

- o. Show the proposed relocated pedestrian path and driveway asphalt areas on the site plan and utility routing plan as proposed to be reconstructed by American Tower.
  - p. There is an existing irrigation meter pit located north side of the building. The irrigation pipe alignment may be within or near the proposed fence relocation area. The location of the irrigation line shall be verified and will be required to be re-routed outside the fence area at Verizon's cost. The realignment shall be completed by the Developer. The Developer's contractor shall contact the Village Engineering Department (262-948-8951) to schedule an inspection approve the new alignment and inspect the installation, prior to the realignment construction.
  - q. How is the electric being installed from the H-frame to the building unit? Plans shall verify if the existing underground conduit is being used? Clarify on the plans and provide appropriate provisions.
  - r. Show any proposed signage on the entry door. No other signage is allowed on the building. See **attached** for the area allowed for signage on the door.
  - s. Place a note on the plans stating that no vehicles or heavy equipment is allowed on the pedestrian path. The path shall be adequately protected for needed equipment crossing. Contractor shall repair any and all damages.
  - t. On Plan Sheet E-5, the word "Clearance" is spelled incorrectly. *Revise the plans.*
  - u. To ensure that no underground cables are severed, if any trenching activities are associated with this cellular tower facility then Verizon Wireless and/or the contractor MUST contact the Village Utility Department and the Village IT Department prior to commencing any trenching/excavation/digging, etc. It may be necessary to have the Village Utility Department staff locate the Village's underground utility line(s) (sewer, water, storm sewer, fiber optic, etc.) to ensure they are not severed. *Note on the Plans.*
  - v. No mechanicals or other equipment shall be mounted on the roof of the building. *Note on the Plans.*
  - w. All work performed on the monopole and attached hardware utilizing lifts, scaffolding, etc. shall require the use of load distributing mats under the load bearing points of the vehicle or equipment, unless the vehicle or equipment is parked on a paved surface. This includes all subsequent maintenance and any additions after the tower has been erected. *Note on the Plans.*
  - x. A pre-construction meeting is required for this project. A note shall be placed on the plans stating that a pre-construction meeting shall be held at the Village Offices, prior to construction. Contact Matt Fineour, Assistant Village Engineer, at 262-925-6778 to coordinate and schedule this meeting.
3. Compliance with the **attached** memorandum from the Village Fire & Rescue Department dated September 23, 2012.
  4. **Upon review and approval of the revised Site and Operational Plans, a pdf of the approved plans shall be submitted to the Village with three (3) copies of the stamped plans.**
  5. All trees in construction area shall continue to be protected with orange snow fence under drip line.
  6. The antennas and equipment shelter shall comply with all Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) requirements. Copies of the necessary FCC and FAA approvals shall be provided to the Village prior to the issuance of building permits.



7. The hours of construction activity, operating heavy machinery or equipment associated with the grading, erosion control device installation, and overall site development shall be limited to Monday through Friday from 7:00 a.m. to 10:00 p.m. and Saturday and Sunday from 7:00 a.m. to 6:00 p.m.
8. Any deviation from the approved plans must be reviewed and approved by the Village prior to construction. After plans are approved and permits are issued, no changes to the site and buildings shall be made without the Village's approval. In addition, any addition, alteration, extension, expansion or other proposed change (e.g. the addition of antennae) in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
9. Verizon's architect/contractor shall provide written verification to the Village that the tenant build-out, antennas, generator and all inside building activities and outside site work have been completed pursuant to the approved plans.
10. All plans shall conform to applicable Village ordinance requirements, and to all other applicable local, state and federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
11. All buildings, structures, site improvements and sites shall be maintained in a safe, structurally sound, neat, well-cared-for and attractive condition.
12. The use shall comply with all Village Ordinance requirements and all other applicable federal, state, county or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
13. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
14. Compliance with all provisions of the approved Conditional Use Permit and Site & Operational Plan submittal, including compliance with the Village Performance Standards is required.
15. The lessee (Verizon Wireless) shall comply with all provisions of the Site & Operational Plans, Conditional Use Permit including Compliance with the Village Performance Standards.
16. **Upon approval of the Conditional Use Permit and Site and Operational Plans, the Village as the property owner and an authorized legal representative of Verizon Wireless and American Tower, the tower owner, shall sign the Conditional Use Grant Document. Verizon Wireless shall provide the Village with the name and titles of the authorized persons who will sign the Conditional Use Grant Document. Verizon Wireless is responsible for paying the required recording fees, and the Document shall be recorded at the Kenosha County Register of Deeds office prior to issuance of the required construction permits.**
17. The Site and Operational Plans approval shall be effective for a period of 180 days from the date of written notification of the decision to the applicant. If permits are not issued within said 180 days the Site and Operational Plans approval shall be void.
18. The Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.

19. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.
20. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.
21. All required permits shall be obtained from the Village prior to commencing any work. In addition, prior to occupancy, a Certificate of Compliance shall be issued by the Village prior to the use/operation of this facility to ensure compliance with all permit requirements.
22. The Village of Pleasant Prairie has adopted The 2009 International Commercial Building Code. The Cell Tower antenna addition does not require state approval.
23. Compliance with the Wisconsin State Electrical Code, Volume 2, Chapter Comm 16 is required. A commercial electrical permit is required to be obtained by a Village licensed Electrical Contractor for the emergency generator and any additional electrical work in the existing equipment shelter. An electrical inspection for rough-in and final inspection shall be scheduled with the Village.
24. Prior to written occupancy of the building and associated site improvements three (3) copies of an as-built plan stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village to verify that the location of all above-ground structures and all impervious surfaces meet the minimum setbacks and that all improvements were made within the lease area per the approved Site and Operational Plans.
25. Verizon's architect/contractor shall provide written verification to the Village that the tenant build-out, antennas, generator and all inside building activities and outside site work have been constructed pursuant to the approved plans.
26. Written certification shall be provided from Verizon's landscaping company that the landscaping was installed pursuant to the approved Site and Operational Plans.



Office of the Village  
Fire & Rescue Chief  
**Doug McElmury**

## VILLAGE STAFF MEMORANDUM

**TO:** Jean Werbie-Harris, Community Development Director

**FROM:** Doug McElmury Chief, Fire & Rescue Department

**CC:** Lt. Thomas Clark, Fire & Rescue Department  
Peggy Herrick, Assistant Planner. Community Development

**SUBJECT:** Review of Site and Operational Plan to place a Verizon antenna and occupy part of the building, address of 9951 Terwall Terrace.

**DATE:** September 23, 2012

Verizon is proposing to place an antenna on an existing pole and install a generator. The site is located at Prairie Springs Park.

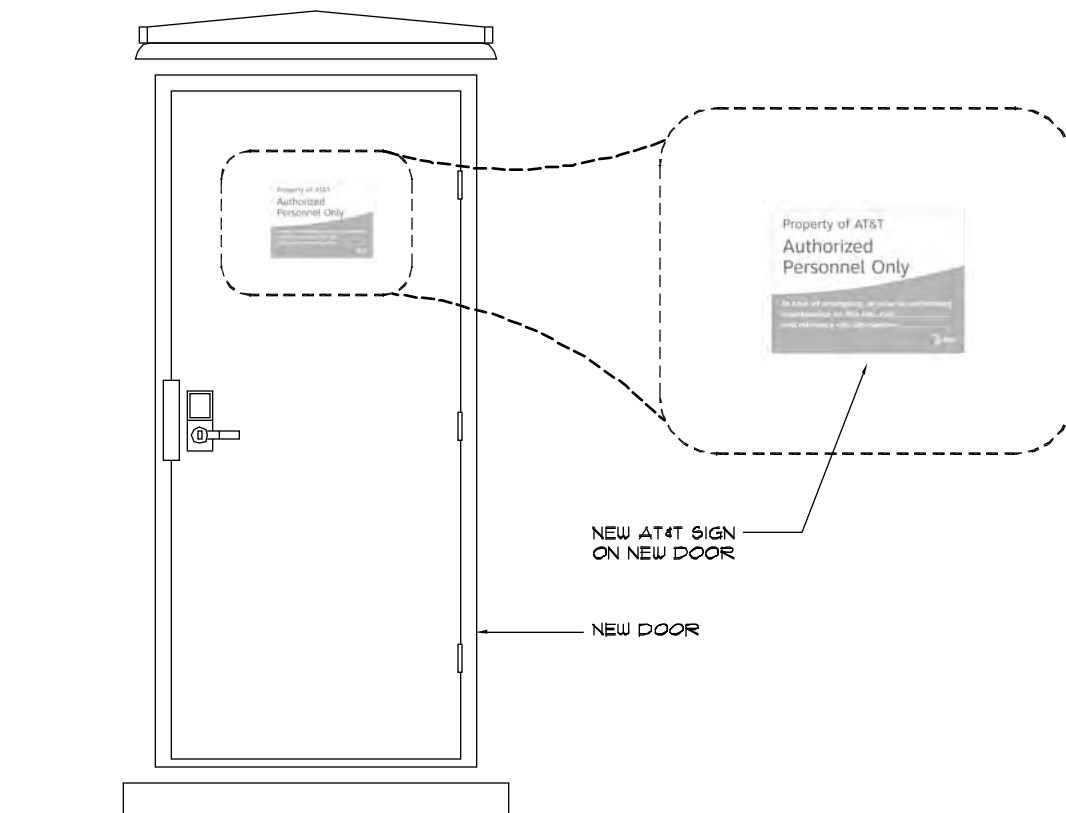
Unless determined by any governing code the Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually.

The concerns of the Fire & Rescue Department are as follows:

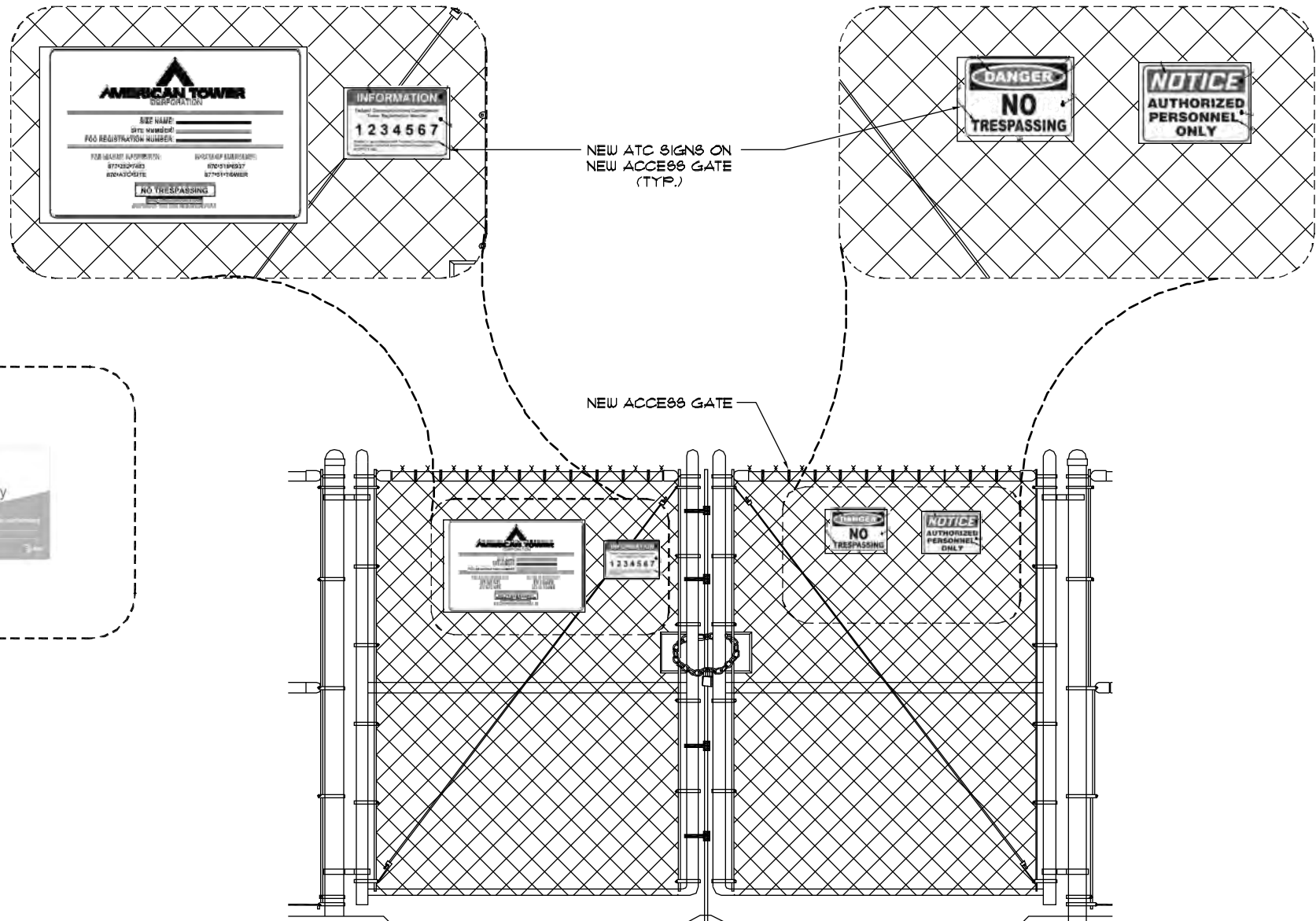
A letter shall be submitted to the Fire & Rescue Department with the plans; it shall state that the project will comply with all requirements addressed within this document.

- 1. Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. The individual space must be equipped with a fire extinguisher. The company providing the fire extinguishers shall submit a letter to the Fire and Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
- 2. Knox Box Keys:** A Knox Box is provided for the building. One set of keys, labeled for that space, shall be provided for the Knox box, as well as a copy of the pre-fire plan.
- 4. Emergency Lighting:** Emergency Lighting shall be provided. Emergency Lighting shall have battery back-up. Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled.
- 5. Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.

6. Provide a CD with site and building enclosure information. The Pleasant Prairie Fire & Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
7. **Inspection Fee:** Occupancy inspection fee and re-inspection fee, if needed, will be assessed at the final inspection in accordance with ordinance 180-17. This fee of \$50.00 is due at the Final Inspection
8. **Occupancy:** All fire and life safety requirements must be in place prior to this building being occupied.



DOOR DETAIL



GATE DETAIL

**FEI**  
Fullerton Engineering Consultants  
9600 W. BRYN MAWR AVE.  
SUITE 200  
ROSEMONT, ILLINOIS 60018  
TEL: 847-292-0200  
FAX: 847-292-0206  
www.FullertonEngineering.com

**SAC** SITE ACQUISITION CONSULTANTS  
635 REMINGTON RD.  
SUITE A  
SCHAUMBURG, IL 60113  
TEL: 847-991-2100

**nsoro**  
It's just good business.  
3100 TOLLVIEW DRIVE  
ROLLING MEADOWS, IL 60008  
TEL: (866) 501-8356

**PRAIRIE SPRINGS PARK**  
SITE NO: WI1930  
9951 TERUALL TERRACE  
PLEASANT PRAIRIE, WI 53158

**AT&T**  
930 NATIONAL PARKWAY  
4th FLOOR  
SCHAUMBURG, IL 60173

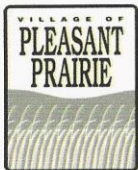
4	01/23/12	REV. FINAL	RO	AS
3	12/20/11	REV. FINAL	RO	AGU
2	10/31/11	REV. FINAL	PU	AGU
1	08/03/11	FINAL	RO	AGU
0	04/25/11	90% REVIEW	RA	AS
#	DATE	REVISION	BY	CHK

SCALE: AS SHOWN      APPD BY: MB



AT&T	
SIGN DETAILS	
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VILLAGE OF PLEASANT PRAIRIE
SITE AND OPERATIONAL PLAN
AND CONDITIONAL USE PERMIT ZONING APPLICATION

USE THIS FORM FOR:
Tenants/Use changes proposing to occupy
50% or more of an existing
commercial/industrial building.
To construct a new or addition to principal
or accessory structure.
Use requires a Conditional Use Permit.

Table with 2 columns: Description and Date. Rows include Application Filed on, Preliminary Determination of Completeness on, Revised Plans Submitted, Public Hearing Required: Hearing Date, Published on, Approved by Plan Commission and Zoning Administrator on, and Denied by Plan Commission and Zoning Administrator on.

SECTION 1: GENERAL INFORMATION

NAME OF BUSINESS: VERIZON WIRELESS
SITE ADDRESS: 4951 TERWAL TERRACE
BRIEF PROJECT DESCRIPTION: INSTALL ANTENNA ON AN EXISTING TOWER,
INSTALL TELECOMMUNICATIONS EQUIPMENT IN AN EXISTING BUILDING
& INSTALL A STAND-BY GENERATOR
PROPOSED NUMBER OF FULL TIME EMPLOYEES: 0
PROPOSED NUMBER OF PART-TIME EMPLOYEES: 0
SITE SIZE: 504 sq. ft.
PROPOSED BUILDING SIZE: 170 (EXISTING) sq.ft. HEIGHT: ft.
PROPOSED ADDITION SIZE: sq.ft. HEIGHT: ft.
LEGAL DESCRIPTION: ATTACHED

TAX PARCEL NUMBER(S): 92-4-122-204-0201

CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY:

- 1. Is a zoning map amendment proposed with this project? [X] Yes [ ] No
- If yes, proposed Zoning Classification(s): PL-3
2. Is a zoning text amendment proposed with this project? [ ] Yes [ ] No
- If yes, provide a copy of the proposed text amendment with this application

3. If property is zoned M-1 or M-2, indicate the Occupancy Type pursuant to the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC). Include all that apply and associated square footage for each classification:

- Factory Group F-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Factory Group F-2 (Low-hazard) \_\_\_\_\_ sq ft
- Storage Group S-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Storage Group S-2 (Low-hazard) \_\_\_\_\_ sq ft
- Business Group B \_\_\_\_\_ sq ft
- High-Hazard Group H\* \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft

*\*If Use and Occupancy Classification is High-Hazard Group H please provide a detailed written narrative that explains the specific use, quantity of storage and handling of the high hazard materials along with appropriate MSSD sheets with this application.*

**PUBLIC SERVICES:**

1. Is the property serviced by Public Sanitary Sewer?  YES  NO
  - If no, the closest public sewer is located at N/A
2. Is the property serviced by Public Water?  YES  NO
  - If no, the closest public water is located at N/A
3. Maximum number of gallons/minute of water expected to be used per day is: 0

**THIS APPLICATION IS FOR A: (check one)**

- Preliminary Site and Operational Plan:** An applicant may apply for preliminary site and operational plan approval in connection with an erosion control permit application for early mass grading, or in connection with an early foundation permit, or for other good cause shown
- New Site and Operational Plan**
- Amendment to an existing Site and Operational Plan**
  - Date of initial site and operational plan approval: \_\_\_\_\_
  - Date of each approved amendment: \_\_\_\_\_

**SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE**

- Are there any existing buildings on the site?  YES  NO
- If yes, provide an attachment that explains the current uses on the property and current uses in each building and if the use(s) is proposed to continue; and the gross floor area and height of each building.
  - If no, what is the current use of the property? \_\_\_\_\_

### SECTION 3: PHOTOGRAPHS

**Standard-sized photographs** (not Polaroid) showing all aspects of the site (e.g. locations of proposed improvements, bodies of navigable water, wetlands, wooded areas, etc.) and of the exterior of structures or other site improvements, together with a statement regarding each photograph, which includes the date the photograph was taken, the location from which it was taken, the direction in which the camera was pointed, and a description of what is shown in the photograph. With respect to all existing signs, the applicant shall file photographs of all existing signs and shall specify in the written statement accompanying each such photograph and show the dimensions of such sign. Digital images are acceptable.

### SECTION 4: CONDITIONAL USE

1. **Does the proposed project require a Conditional Use Permit?**  YES  NO
  - If no then skip to Section 5.
  - If yes, then continue with this Section.
2. **Are you amending an existing Conditional Use Permit?**  YES  NO
  - If yes, provide a copy of the Conditional Use Grant Document you are proposing to amend.
  - If no, continue with this Section.
3. If you answered YES to either question 1 or 2 above then this application shall include information as to how the proposed project will not impair an adequate supply of light and air to adjacent properties; increase danger of fire; cause traffic congestion or traffic circulation problems; create storm water flooding or drainage; create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; will not hinder, harm or distract the provision of public services; and that the proposed project is not inherently inconsistent with either the district in which it is located or adjoining districts or neighborhoods as required pursuant to the Village Zoning Ordinance.

### SECTION 5: NON-CONFORMING USE

1. **Is any use on the site a nonconforming use?**  YES  NO
  - If no, then skip to Section 7.
  - If yes, then continue with this section.
2. If you answered YES to question 1 above, prima facie proof of each element of legal nonconforming use status shall be submitted to the Village with this application (i.e. that the nonconforming use was legal in its inception, that the use was active and actual and not merely casual, occasional, incidental or accessory when it became nonconforming, that the use has been continuous with no gap of 12 or more consecutive months since it became nonconforming, that no building or structure housing the nonconforming use has been structurally repaired or altered to the extent of fifty (50) percent or more of its assessed value since the use became nonconforming, and that the use has not been changed in nature or physically extended or expanded since becoming nonconforming).



## SECTION 6: PERFORMANCE STANDARDS

Pursuant to the Village Zoning Ordinance, any application for a permit under this ordinance or any use subject to the regulations and standards set forth in the Village Zoning Ordinance shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the performance standards set forth in Section 420-38 of the Village Ordinance. Continued compliance with the regulations and standards is required. Violations of such standards shall be remedied as required by the Village Zoning Ordinance.

No land or building in any district shall be operated in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; water pollution; electrical, radioactive or other disturbances; glare; or other substance, condition or element (referred to herein as "dangerous or objectionable elements") in such amount as to adversely affect the surrounding area or premises; provided that any use permitted by this ordinance may be undertaken and maintained if it conforms to the regulations of this subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.

The Village may require additional information be submitted to ensure that the Village Performance Standards are being met.

## SECTION 7: PLAN COMPONENTS

The application shall include a list of all documents, materials or information that are attached to and a part of the application form. Submit eight (8) full-sized and one (1) set reduced to 11" x 17" of all plans and other attachments shall be included as part of this application, except if a component has been waived or deferred in writing by the Village Zoning Administrator. **For specific details related to each of the required information and plans see the attachment entitled "Plan Components and Related Standards" in Section 420-57 of the Village Zoning Ordinance.**

- Application—Applicant, Site, Use, Project and Plan Information
- Application fee
- Operational plan
- Title sheet
- Survey
- Site plan
- Grading and drainage plan
- Building and fire protection plans
- Lighting plan
- Landscape and open space plan
- Signage plan
- Industrial/commercial waste survey
- Performance standards compliance
- Additional requirements, as determined by the Village Zoning Administrator, other appropriate Village staff members, or the Village Plan Commission, as appropriate.

Two or more plans may be combined, provided that all of the information submitted on the combined plan is clearly legible, but in no case shall the combined plans fail to show any of the information required for each individual plan as described below, unless such information is waived or deferred pursuant to the Zoning Ordinance.

**SECTION 8: SIGNATURES**

I,(We), hereby certify that all the above statements and all attachments submitted herewith are true and correct to the best of my knowledge. In addition I, (we) understand the requirements and procedures for Site and Operational Plan/Conditional Use Permit approval.

**PROPERTY OWNER:**

Name: THE VILLAGE OF PLEASANT PRAIRIE  
(Please Print)

Signature: \_\_\_\_\_

Address: 9915 39TH AVENUE  
PLEASANT PRAIRIE, WI 53152  
(City) (State) (Zip)

Phone: (262) 694-9304

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date: \_\_\_\_\_

**APPLICANT:**

Name: VERIZON WIRELESS  
(Please Print)

Signature: Jeffrey Lisby (JEFFREY LISBY)

Address: 1515 WOODFIELD ROAD, SUITE 1400  
SCHAUMBURG, IL 60173  
(City) (State) (Zip)

Phone: (312) 339-5809

Fax: \_\_\_\_\_

E-mail: ACCURATE SITES @ HOTMAIL.COM

Date: \_\_\_\_\_

Is the applicant the owner of the property?  YES  NO

If no, then either proof of the applicant's legal interest in the subject real property (e.g. accepted offer to purchase, lease, etc., which may be appropriately redacted to preserve confidential information) or written authorization signed by the owner for the applicant to act as the owner's agent in connection with the application shall be included with the application.

**DEVELOPER (if Applicable)**

Name: \_\_\_\_\_  
(Please Print)

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
(City) (State) (Zip)

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date: \_\_\_\_\_

**USER OR OCCUPANT OF SITE:**

Name: \_\_\_\_\_  
(Please Print)

Signature: \_\_\_\_\_

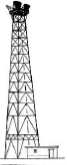
Address: \_\_\_\_\_  
(City) (State) (Zip)

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date: \_\_\_\_\_



**AccurateSites™**

*A Premiere Site Acquisition Firm Providing Wireless Telecom Real Estate Solutions*

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To Whom It May Concern

August 29, 2012

**RE: Verizon Wireless Proposed Wireless Telecommunications Facility Located at 9951 Terwall Terrace**

Verizon Wireless proposes to install 6 antenna, 3 measuring 6.24' x 6.54" and 3 measuring 6.06' X 11.9" on an existing tower at a height of 140' center. Related telecommunication equipment is proposed to be installed in an existing building located at the base of the tower. In addition to aforementioned proposed installation. Verizon Wireless proposes to install an emergency stand-by natural gas generator to power their equipment in the event of a power failure. The generator is proposed to the north of the existing building and will be enclosed by a masonry wall that will match the existing building. Arborvitae trees are additionally proposed to screen the masonry walls. The generator installation is proposed outside of the building due to the interior space being provided is insufficient in size to accommodate it.

Thank you,

A handwritten signature in cursive script, appearing to read "Jeffrey Risby".

Jeffrey J. Risby  
President-AccurateSites™  
7240 South King Drive  
Chicago, Illinois 60619  
(312) 343-1150  
[accuratesites@hotmail.com](mailto:accuratesites@hotmail.com)

**CONSULTANT TEAM**

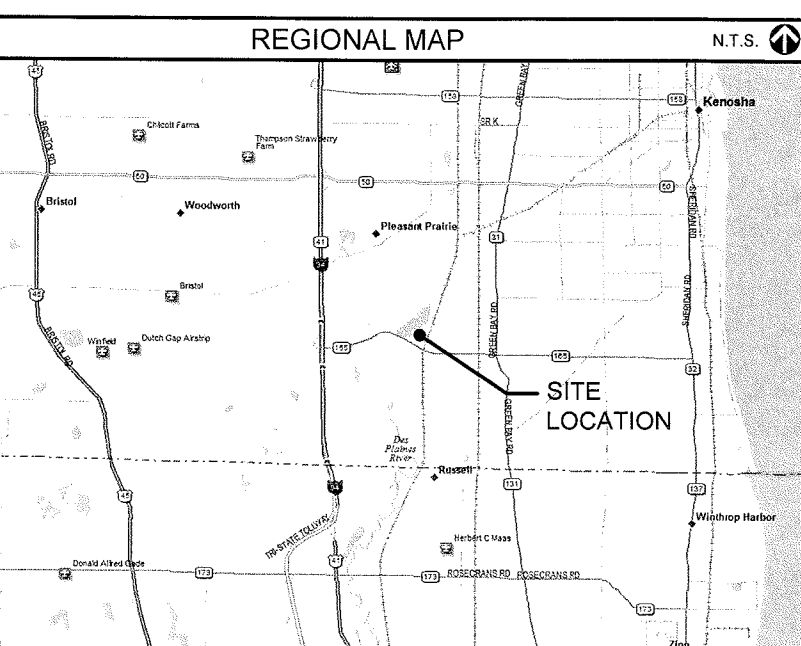
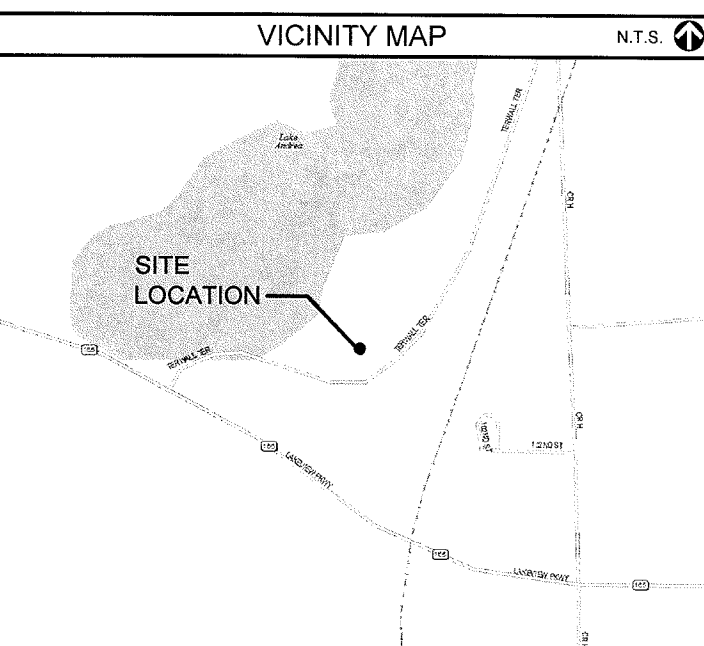
PROJECT CONSULTANT: TERRA CONSULTING GROUP, LTD.  
600 BUSSE HIGHWAY  
PARK RIDGE, IL 60068  
(847) 698-6400

SURVEYOR: AEROMETRIC  
4020 TECHNOLOGY PARKWAY  
SHEBOYGAN, WI 53083  
(920) 457-3631

**PROJECT TYPE:**  
PROPOSED LESSEE ANTENNAS TO BE MOUNTED ON EXISTING MONOPOLE TOWER WITH PROPOSED 11'-6" x 26'-0" EQUIPMENT ENCLOSURE AT BASE.

**SITE COORDINATES:**  
LATITUDE: 42° 31' 36.81" N (FROM 1-A LETTER)  
LONGITUDE: 87° 55' 4.83" W (FROM 1-A LETTER)  
ELEVATION: ±679' (FROM 1-A LETTER)

**DRIVING DIRECTIONS:**  
FROM LESSEE OFFICE: HEAD WEST ON W COLLEGE AVE/COUNTY RD CA TOWARD N CASALOMA DR. TAKE THE 1ST RIGHT ONTO N CASALOMA DR. TAKE THE 1ST RIGHT ONTO W GRANDE MARKET DR. TURN RIGHT ONTO N MALL DR. TAKE THE 3RD LEFT ONTO W COLLEGE AVE/COUNTY RD CA. SLIGHT RIGHT TO MERGE ONTO US-41 S TOWARD OSHKOSH. CONTINUE ONTO US-45 S. CONTINUE ONTO I-894 E. SLIGHT LEFT TO STAY ON I-894 E. KEEP LEFT AT THE FORK TO CONTINUE TOWARD INTERSTATE 94 E/US-41 S. KEEP RIGHT AT THE FORK TO CONTINUE TOWARD INTERSTATE 94 E/US-41 S. KEEP LEFT AT THE FORK TO CONTINUE TOWARD INTERSTATE 94 E/US-41 S. KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR INTERSTATE 94 E/US-41 S. KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR INTERSTATE 94 E/US-41 S. TAKE EXIT 347 TOWARD WI-165/LAKEVIEW PKWY/WISCONSIN Q. TURN LEFT ONTO 104TH ST. TURN LEFT ONTO 88TH DR/TERWALL TERRACE



**APPROVALS**

REAL ESTATE: \_\_\_\_\_

RF: \_\_\_\_\_

CONSTRUCTION: \_\_\_\_\_

OPERATIONS: \_\_\_\_\_

EQUIPMENT ENGINEERING: \_\_\_\_\_

**EQUIPMENT ENCLOSURE:**

**FIBRE BOND**  
1300 Davenport Drive, Minden, Louisiana 71055 318-377-1030

**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
d/b/a Verizon Wireless

**TERRA CONSULTING GROUP, LTD.**  
600 Busse Highway  
Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

# VERIZON WIRELESS PERSONAL COMMUNICATIONS LP

d/b/a Verizon Wireless

4600 COLLEGE AVE.  
APPLETON, WI 54913

1515 WOODFIELD ROAD, SUITE 1400  
SCHAUMBURG, ILLINOIS 60173

**LOCATION NUMBER: 259720**

**SITE NAME: PLEASANT PRAIRIE & 94**

**9951 TERWALL TERRACE**  
**PLEASANT PRAIRIE, WI 53158**



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED

**PROJECT INFORMATION**

P.I.N. #: 92-4-122-204-0201

ADDRESS: 9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

UTILITIES: POWER: WE ENERGIES PHONE: AT&T

JURISDICTION: VILLAGE OF PLEASANT PRAIRIE

OCCUPANCY: UNINHABITED

ZONING: COMMUNITY PARK AND RECREATIONAL DISTRICT

CONSTRUCTION TYPE: CO LO

TOWER OWNER: AMERICAN TOWER CORPORATION  
(847) 240-1508  
SITE #: 274644

CONTACT PERSON: BRIAN BAMFORD

APPLICANT: VERIZON WIRELESS PERSONAL COMMUNICATIONS LP d/b/a VERIZON WIRELESS  
1515 WOODFIELD ROAD, SUITE 1400  
SCHAUMBURG, IL 60173

CONSTRUCTION MANAGER: JASON EISELEIN (847) 619-5431

REAL ESTATE MANAGER: KEBREAB HENRY (847) 706-1789

SHEET		DRAWING INDEX		REVISION
T-1	TITLE SHEET			-
LP	LOCATION PLAN			-
C-1	ENGINEERING SITE PLAN			-
C-2	SITE GRADING PLAN			-
C-3	GENERATOR FOUNDATION DETAILS			-
C-4	BRICK WALL DETAIL			-
A-1	EQUIPMENT ROOM LAYOUT			-
A-2	EQUIPMENT ROOM LAYOUT			-
A-3	CABLE TRAY PLAN AND DETAILS			-
ANT-1	SITE ELEVATION			-
ANT-2	ANTENNA INFORMATION			-
ANT-3	ANTENNA MOUNTING DETAILS			-
ANT-4	ANTENNA MOUNTING DETAILS			-
E-0	ELECTRICAL NOTES AND LEGEND			-
E-1	UTILITY ROUTING PLAN			-
E-2	SITE GROUNDING PLAN			-
E-3	ELECTRICAL AND GROUNDING DETAILS			-
E-4	ELECTRICAL AND GROUNDING DETAILS			-
E-5	POWER AND LIGHTING PLANS			-
E-6	GROUNDING PLAN AND DETAILS			-
SP-1	SPECIFICATIONS			-
SP-2	SPECIFICATIONS			-
L-1	LANDSCAPE PLAN			-

1 OF 1

**ATTACHMENTS**

SITE SURVEY

REVISIONS

NO	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	7/26/12	JAS

LOC. #259720

PLEASANT PRAIRIE & 94

9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

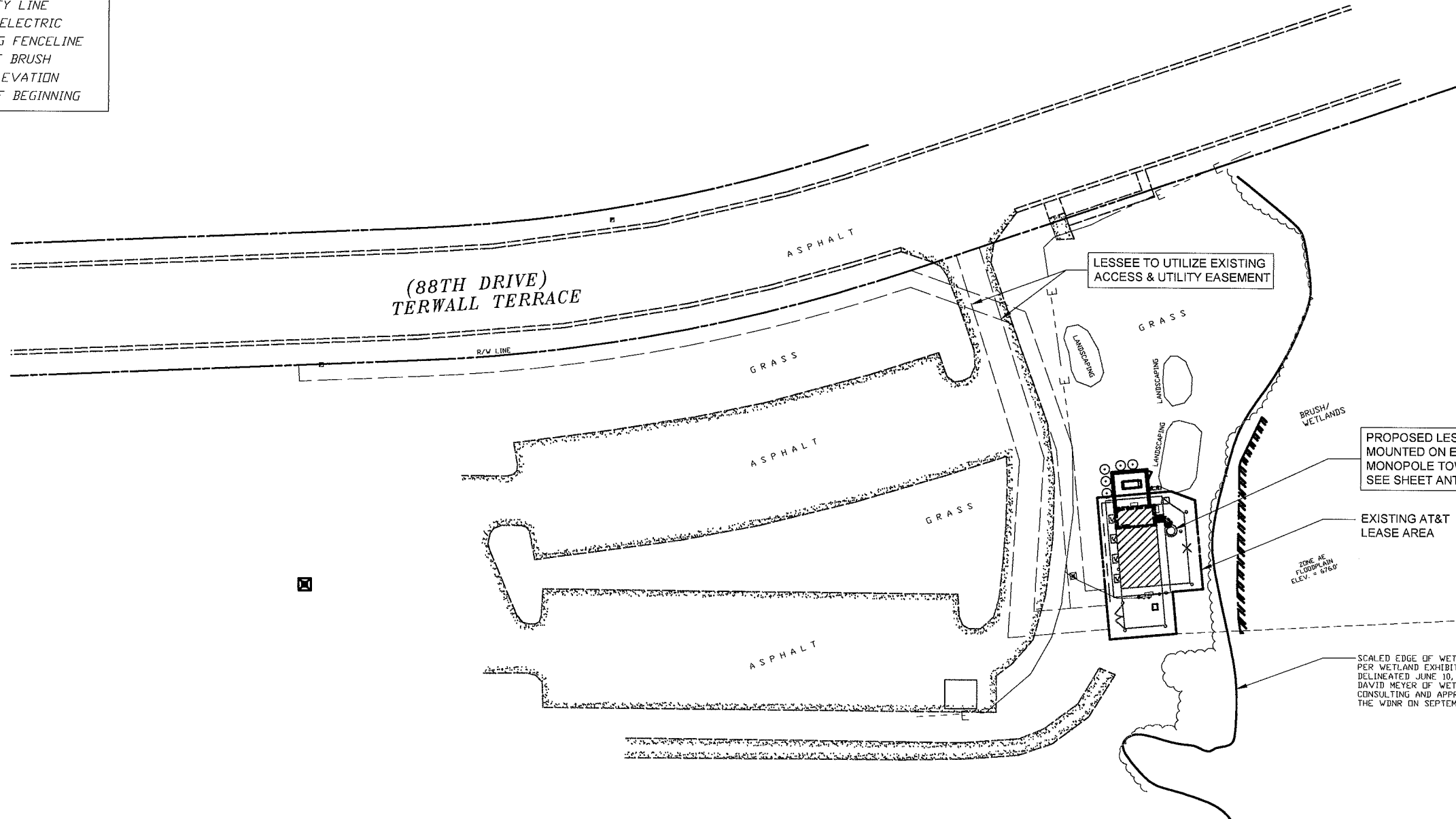
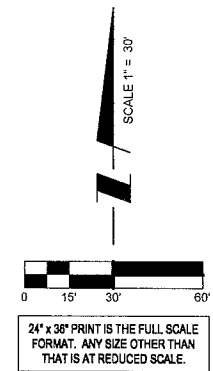
DRAWN BY	JAS
CHECKED BY	TAZ
DATE	7/26/12
PROJECT #	33-762

SHEET TITLE  
TITLE SHEET

SHEET NUMBER  
**T-1**

FULL SCALE PRINT IS ON 24"x36" MEDIA

- LEGEND -**
- = COUNTY PLSS CORNER
  - = TELEVISION PEDESTAL
  - = GROUNDING PORT
  - = EXISTING CONDUIT
  - = METAL POST
  - = ELECTRIC TRANSFORMER
  - = WATER VALVE
  - = EXISTING DOOR
  - = TELEPHONE PEDESTAL
  - = PROPERTY LINE
  - = BURIED ELECTRIC
  - = EXISTING FENCELINE
  - = EDGE OF BRUSH
  - 733.0' x = SPOT ELEVATION
  - P.O.B. = POINT OF BEGINNING



**LOT 2**  
**C.S.M. NO. 1806**  
**DOC. NO. 986607**  
**PARCEL NO. 92-4-122-204-0201**

**SURVEY PERFORMED BY:**

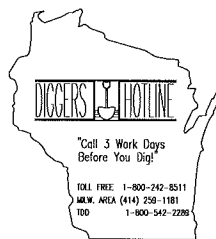
# aerometric

*Land Survey & Design*  
 920-457-3631 800-558-6707  
 4020 TECHNOLOGY PARKWAY  
 SHEBOYGAN, WISCONSIN 53083

**BENCHMARK INFORMATION:**

SITE BENCHMARK: (BM A) CHISELED "X"  
 SET ON SOUTH EDGE OF TOWER CONCRETE PAD

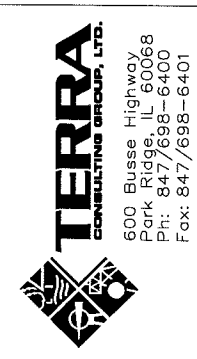
ELEVATION = 680.82'



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED

1 LOCATION PLAN  
 SCALE: 1" = 30'

**VERIZON WIRELESS COMMUNICATIONS LP**  
 db/a Verizon Wireless



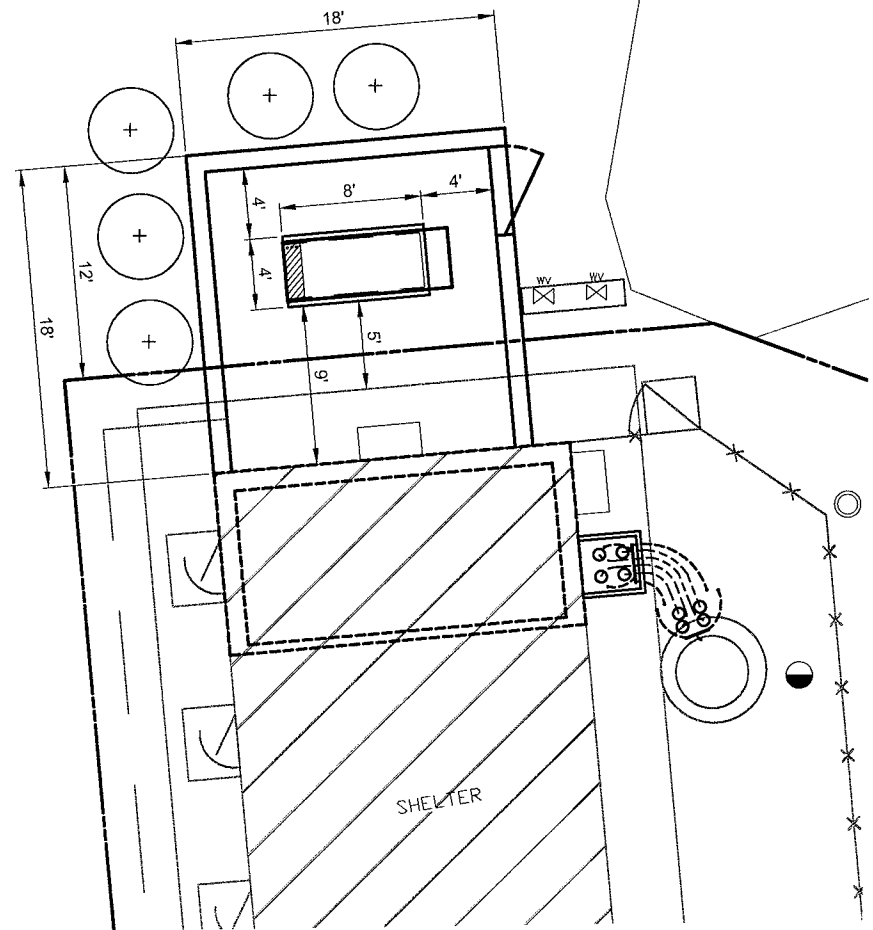
600 Busse Highway  
 Park Ridge, IL 60068  
 Ph: 847/698-6400  
 Fax: 847/698-6401

NO.	REVISIONS	BY	
		DATE	JAS
1	DESCRIPTION ISSUED FOR REVIEW	7/26/12	JAS

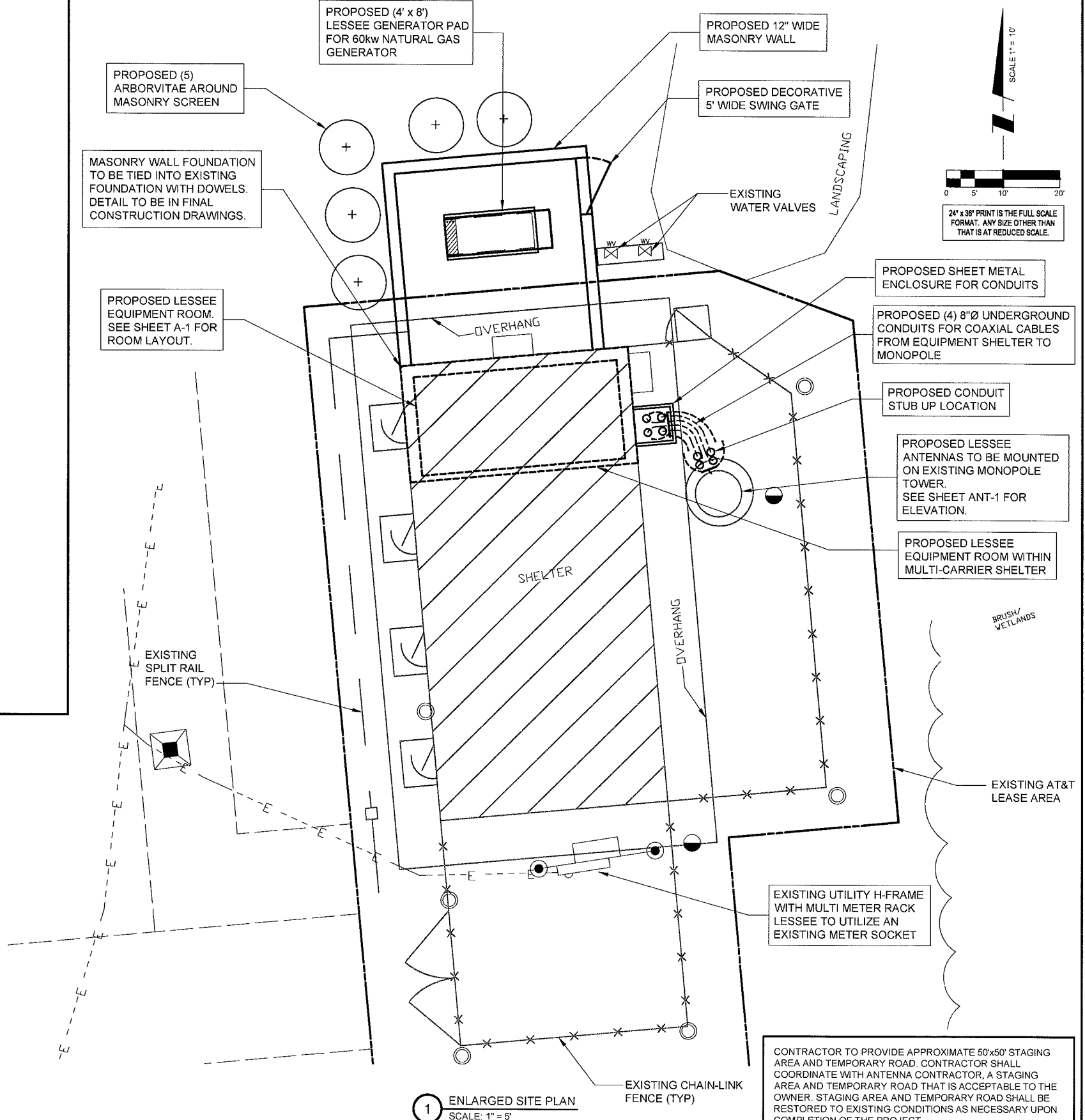
**LOC. #259720**  
**PLEASANT PRAIRIE & 94**  
 9951 TERWALL TERRACE  
 PLEASANT PRAIRIE, WI 53158

DRAWN BY	JAS
CHECKED BY	TAZ
DATE	7/26/12
PROJECT #	33-762

SHEET TITLE	LOCATION PLAN
SHEET NUMBER	<b>LP</b>



2 SITE DIMENSION PLAN  
SCALE: 1" = 5'



1 ENLARGED SITE PLAN  
SCALE: 1" = 5'

PROPOSED (5) ARBORVITAE AROUND MASONRY SCREEN

MASONRY WALL FOUNDATION TO BE TIED INTO EXISTING FOUNDATION WITH DOWELS. DETAIL TO BE IN FINAL CONSTRUCTION DRAWINGS.

PROPOSED LESSEE EQUIPMENT ROOM. SEE SHEET A-1 FOR ROOM LAYOUT.

PROPOSED (4' x 8') LESSEE GENERATOR PAD FOR 60kw NATURAL GAS GENERATOR

PROPOSED 12" WIDE MASONRY WALL

PROPOSED DECORATIVE 5' WIDE SWING GATE

EXISTING WATER VALVES

PROPOSED SHEET METAL ENCLOSURE FOR CONDUITS

PROPOSED (4) 8"Ø UNDERGROUND CONDUITS FOR COAXIAL CABLES FROM EQUIPMENT SHELTER TO MONOPOLE

PROPOSED CONDUIT STUB UP LOCATION

PROPOSED LESSEE ANTENNAS TO BE MOUNTED ON EXISTING MONOPOLE TOWER. SEE SHEET ANT-1 FOR ELEVATION.

PROPOSED LESSEE EQUIPMENT ROOM WITHIN MULTI-CARRIER SHELTER

EXISTING SPLIT RAIL FENCE (TYP)

SHELTER

OVERHANG

BRUSH/ WETLANDS

EXISTING AT&T LEASE AREA

EXISTING UTILITY H-FRAME WITH MULTI METER RACK LESSEE TO UTILIZE AN EXISTING METER SOCKET

EXISTING CHAIN-LINK FENCE (TYP)

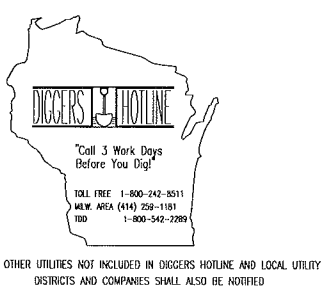
CONTRACTOR TO PROVIDE APPROXIMATE 50'x50' STAGING AREA AND TEMPORARY ROAD. CONTRACTOR SHALL COORDINATE WITH ANTENNA CONTRACTOR, A STAGING AREA AND TEMPORARY ROAD THAT IS ACCEPTABLE TO THE OWNER. STAGING AREA AND TEMPORARY ROAD SHALL BE RESTORED TO EXISTING CONDITIONS AS NECESSARY UPON COMPLETION OF THE PROJECT.

THE CONTRACTOR WILL, UPON BECOMING AWARE OF SUBSURFACE OR LATENT PHYSICAL CONDITIONS DIFFERING FROM THOSE DISCLOSED BY THE ORIGINAL SOIL INVESTIGATION WORK, PROMPTLY NOTIFY THE OWNER VERBALLY AND IN WRITING. AS TO THE NATURE OF THE DIFFERING CONDITIONS. NO CLAIM BY THE CONTRACTOR FOR ANY CONDITIONS DIFFERING FROM THOSE ANTICIPATED IN THE PLANS AND SPECIFICATIONS AND DISCLOSED BY THE SOIL STUDIES WILL BE ALLOWED UNLESS THE CONTRACTOR HAS SO NOTIFIED THE OWNER, VERBALLY AND IN WRITING, AS REQUIRED ABOVE, OF SUCH DIFFERING SUBSURFACE CONDITIONS.

BEFORE AND DURING CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE ADEQUATE EROSION CONTROL AS NECESSARY IN THE FORM OF SILT FENCES FOR THE SITE AND BALES AROUND ANY EXISTING MANHOLES, INLETS, OR CATCHBASINS SUSCEPTIBLE TO EROSION. EROSION CONTROL MEASURES SHALL BE PERIODICALLY INSPECTED TO ENSURE PROPER FUNCTION. EROSION CONTROL SHALL BE REMOVED UPON COMPLETION OF WORK.

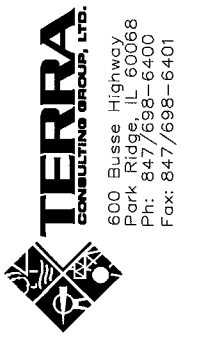
CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT. CONTRACTOR SHALL PHOTOGRAPH AND VIDEOTAPE EXISTING PAVEMENT PRIOR TO CONSTRUCTION. ANY DAMAGE CAUSED DURING CONSTRUCTION SHALL BE REPLACED TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST.

SURVEY PERFORMED BY:  
**aerometric**  
Land Survey & Design  
920-457-3631 800-558-6707  
4020 TECHNOLOGY PARKWAY  
SHEBOYGAN, WISCONSIN 53083  
BENCHMARK INFORMATION:  
SITE BENCHMARK: (BM A) CHISELED "X"  
SET ON SOUTH EDGE OF TOWER CONCRETE PAD  
ELEVATION = 680.82'



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED

VERIZON WIRELESS  
PERSONALS COMMUNICATIONS LP  
d/b/a Verizon Wireless



REVISIONS		BY	DATE
NO	DESCRIPTION	JAS	7/26/12
1	ISSUED FOR REVIEW	JAS	

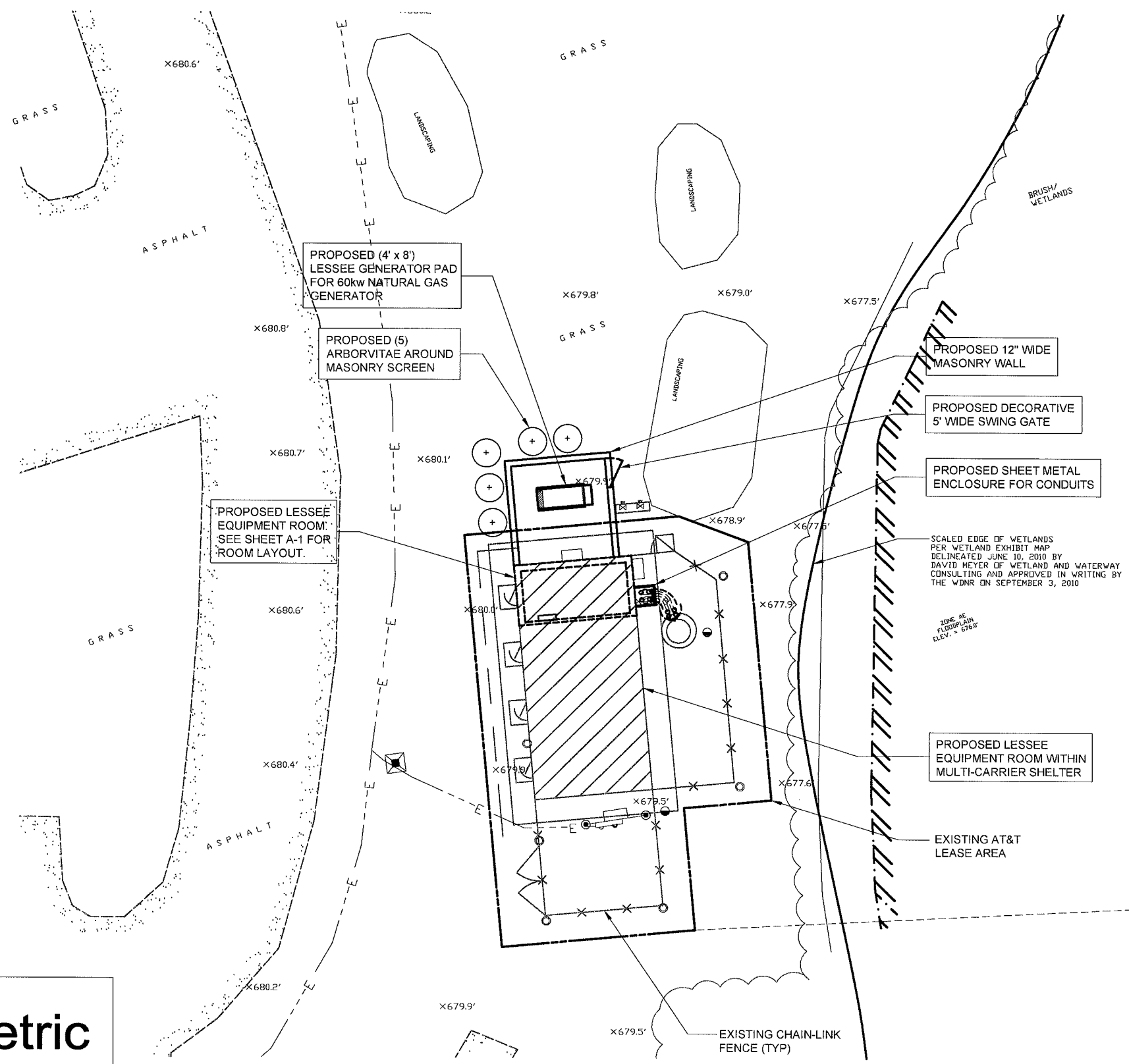
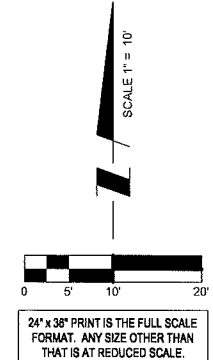
LOC. #259720  
PLEASANT PRAIRIE & 94

9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

DRAWN BY: JAS  
CHECKED BY: TAZ  
DATE: 7/26/12  
PROJECT #: 33-762

SHEET TITLE  
ENLARGED SITE PLAN

SHEET NUMBER  
**C-1**



SCALED EDGE OF WETLANDS PER WETLAND EXHIBIT MAP DELINEATED JUNE 10, 2010 BY DAVID MEYER OF WETLAND AND WATERWAY CONSULTING AND APPROVED IN WRITING BY THE WDNR ON SEPTEMBER 3, 2010

ZONE A  
FLOODPLAIN  
ELEV. = 676.0'

**SURVEY PERFORMED BY:**  
**aerometric**  
*Land Survey & Design*  
920-457-3631 800-358-6707  
4020 TECHNOLOGY PARKWAY  
SHEBOYGAN, WISCONSIN 53083

**BENCHMARK INFORMATION:**  
SITE BENCHMARK: (BM A) CHISELED "X"  
SET ON SOUTH EDGE OF TOWER CONCRETE PAD  
ELEVATION = 680.82'

**1 SITE GRADING PLAN**  
SCALE: 1" = 10'

REVISIONS		NO	DESCRIPTION	DATE	BY
	ISSUED FOR REVIEW			7/28/12	JAS

**LOC. #259720**  
**PLEASANT PRAIRIE & 94**  
9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

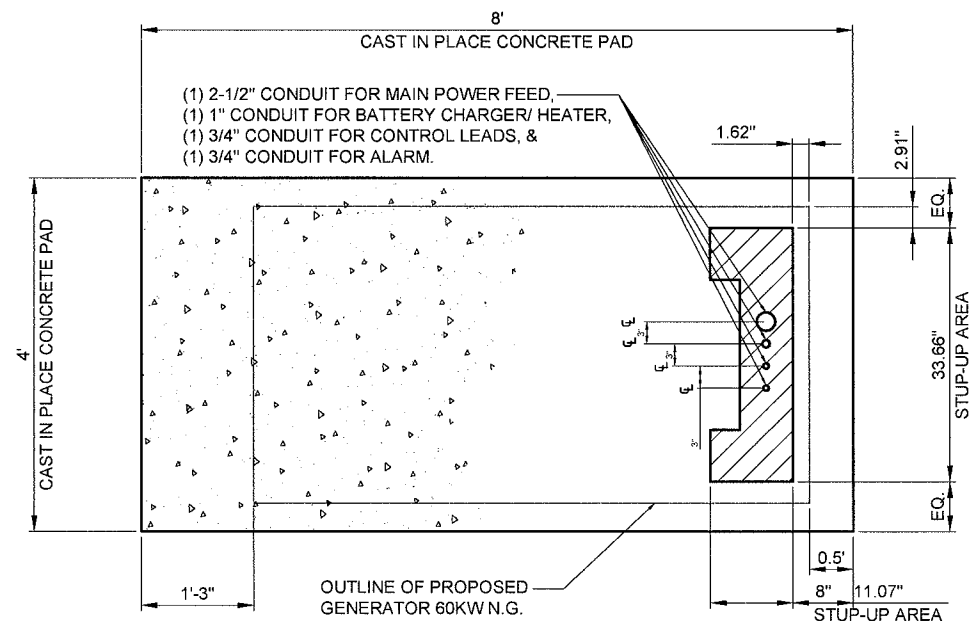
DRAWN BY	JAS
CHECKED BY	TAZ
DATE	7/28/12
PROJECT #	33-762

SHEET TITLE  
**SITE GRADING PLAN**

SHEET NUMBER  
**C-2**

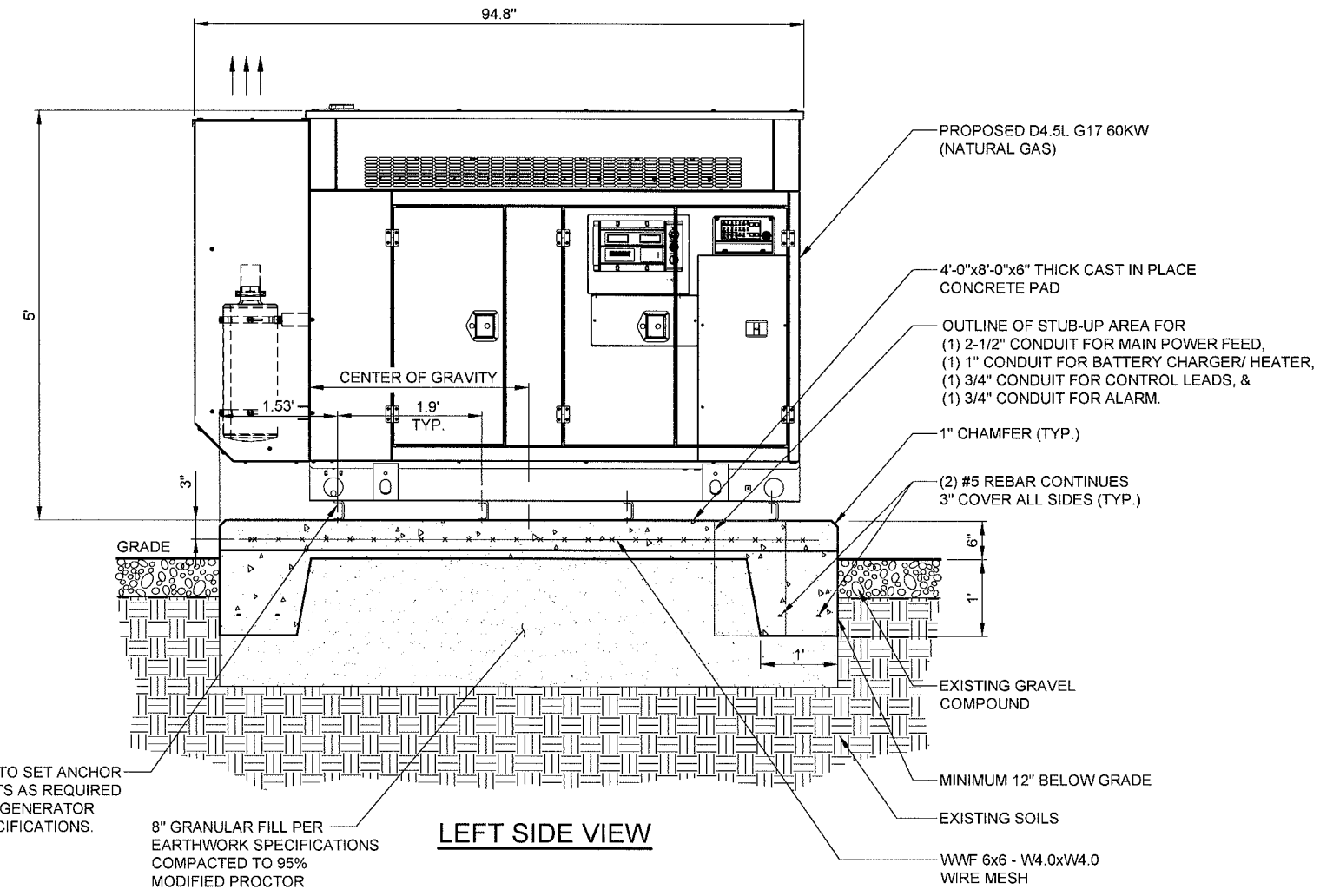


OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED



**PLAN VIEW**

1 TYPICAL GENERAC FOUNDATION DETAIL  
SCALE: 1" = 1'



**LEFT SIDE VIEW**

2 TYPICAL GENERAC FOUNDATION DETAIL  
SCALE: 1" = 1'

- NOTES:**
- SEE GENERATOR MANUFACTURE'S DRAWINGS FOR PHYSICAL LOCATION OF FUEL LINES, CONTROL AND POWER INTERCONNECTIONS AND OTHER INTERFACES THAT ARE TO CAST INTO THE CONCRETE. THE PREFERRED METHOD IS TO BRING THE CONDUIT THROUGH THE PAD TO THE UNDERSIDE OF THE GENERATOR (MINIMIZES RODENT DAMAGE). FINISH CONNECTIONS WITH FLEXIBLE CONDUIT PER GENERATOR MANUFACTURES SPECS. RIGID CONDUITS SHALL BE SECURED TO THE EXISTING SLAB, THEN BURIED BETWEEN SLAB AND SHELTER.
  - THE GENERATOR SHALL BE LOCATED A MIN 10' AWAY FROM A COMBUSTIBLE WALL.  
-THE GENERATOR SHALL BE LOCATED A MIN OF 5' AWAY FROM A NON-COMBUTIBLE WALL.  
-THE GENERATOR SHALL BE LOCATED A MIN OF 20' FROM AN OUTDOOR ELECTRICAL TRANSFORMER OR OR NORMAL POWER DISTRIBUTION EQUIPMENT.

REVISIONS		BY	DATE
NO	DESCRIPTION	JAS	7/26/12
1	ISSUED FOR REVIEW		

**LOC. #259720**  
**PLEASANT PRAIRIE & 94**

9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

DRAWN BY	JAS
CHECKED BY	TAZ
DATE	7/26/12
PROJECT #	33-762

SHEET TITLE  
**GENERATOR FOUNDATION DETAILS**

SHEET NUMBER  
**C-3**



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED



**STRUCTURAL MASONRY NOTES:**

- ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH "BUILDING CODE REQUIREMENTS FOR MASONRY STRUCTURES" ACI 530/ ASCE5/ TMS 402 AND "SPECIFICATIONS FOR MASONRY STRUCTURES" ACI 530.1/ASCE 6/TMS 602, LATEST EDITION.
- A. MASONRY UNITS:**  
HOLLOW LOAD BEARING CONCRETE MASONRY UNITS SHALL CONFORM TO ASTM C90, GRADE TYPE 1, WITH A MINIMUM ULTIMATE STRENGTH (f<sub>m</sub>) OF 1500 PSI ON THE NET SECTION.
- B. MORTAR:**  
MORTAR SHALL BE PORTLAND CEMENT / LIME TYPE N AND CONFORM TO ASTM C270.
- C. GROUT:**  
GROUT FOR REINFORCED LOAD BEARING MASONRY SHALL CONFORM TO ASTM C476 AND SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 2500 PSI.
- D. REINFORCING BARS:**  
REINFORCING BARS FOR REINFORCED MASONRY SHALL CONFORM TO ASTM A615, GRADE 60.
- VERTICAL CELLS TO BE FILLED WITH GROUT SHALL BE ALIGNED TO PROVIDE A CONTINUOUS UNOBSTRUCTED OPENING OF THE DIMENSIONS SHOWN ON THE PLANS. CELLS WHICH WILL CONTAIN VERTICAL REINFORCEMENT SHALL HAVE A MINIMUM OF TWO (2) INCH CLEAR OPENING.
- GROUT FOR FILLING REINFORCED OR NON-REINFORCED CELLS SHALL BE FLUID AND PLACED BY ACCEPTABLE PRESSURE GROUTING PROCEDURES.
- GROUT FOR FILLING REINFORCED OR NON-REINFORCED CELLS SHALL BE PLACED IN A MAXIMUM FOUR (4) FOOT LIFTS AND CONSOLIDATED IN PLACE BY VIBRATION OR OTHER METHODS WHICH INSURE COMPLETE FILLING OF THE CELLS. ALL CELLS CONTAINING REINFORCING BARS AND / OR STUDS SHALL BE FULLY GROUTED.
- HOLLOW UNITS SHALL BE LAID WITH FULL MORTAR COVERAGE ON HORIZONTAL AND VERTICAL FACE SHELLS EXCEPT THAT WEBS SHALL ALSO BE BEDDED WHERE THEY ARE ADJACENT TO CELLS TO BE REINFORCED AND OR FILLED WITH GROUT, IN THE STARTING COURSE ON FOOTINGS AND SOLID FOUNDATION WALLS.
- SOLID MASONRY UNITS SHALL BE LAID WITH FULL HEAD AND BED JOINTS.
- (1) #6 VERTICAL REINFORCING BAR SHALL BE PROVIDED FULL HEIGHT AT EACH END OF WALL AND EACH WALL INTERSECTION.
- ALL CUTTING AND FITTING OF MASONRY, INCLUDING THAT REQUIRED TO ACCOMMODATE THE WORK OF THE OTHER TRADES, SHALL BE DONE WITH MASONRY SAWS.
- CHASES SHALL BE BUILT INTO NEW WALLS, NOT CUT IN. CHASES SHALL BE PLUMB AND SHALL BE A MINIMUM OF ONE (1) MASONRY UNIT LENGTH FROM JAMBS OF WALL OPENINGS. NO CHASES OTHER THAN THOSE SHOWN ON THE DRAWINGS SHALL BE CONSTRUCTED WITHOUT PRIOR REVIEW OF THE ARCHITECT / ENGINEER.
- REINFORCED MASONRY:**
  - ALL WALLS SHALL HAVE HORIZONTAL JOINT REINFORCEMENTS AT 16" O.C. CONSISTING OF TWO (2) 9 GAGE RODS WITH 9 GAGE CROSS TIES AT 16" O.C., GALVANIZED WITH 0.8 OZ. ZINC COATING, ASTM A116, CLASS 3 (2 RODS IN C.M.U. AND ONE ROD IN FACE BRICK).
  - VERTICAL REINFORCEMENT SHALL BE LAP SPLICED A MINIMUM OF 48 BARS DIAMETERS (NOT LESS THAN 2'-0") WHERE REQUIRED.
  - ALL BARS SHALL BE COMPLETELY EMBEDDED IN MORTAR OR GROUT. ALL BARS SHALL HAVE A COVERAGE OF MASONRY NOT LESS THAN: 2" FOR BARS LARGER THAN #5.
- PROVIDE ADEQUATE, TEMPORARY BRACING AS REQUIRED DURING CONSTRUCTION TO WITHSTAND LATERAL LOADS AND THE PRESSURES OF FLUID GROUT.
- CONCRETE MASONRY SHALL BE PROTECTED FROM ABSORBING MOISTURE AND WATER WHILE AT THE PLANT, DURING SHIPMENT AND AT THE SITE DURING CONSTRUCTION.
- ANCHORS, WALL PLUGS, ACCESSORIES AND OTHER ITEMS TO BE BUILT IN SHALL BE INSTALLED AS MASONRY WORK PROCEEDS.
- ALL MASONRY SHALL BE LAID IN RUNNING BOND UNLESS NOTED OTHERWISE.

**CONCRETE NOTES:**

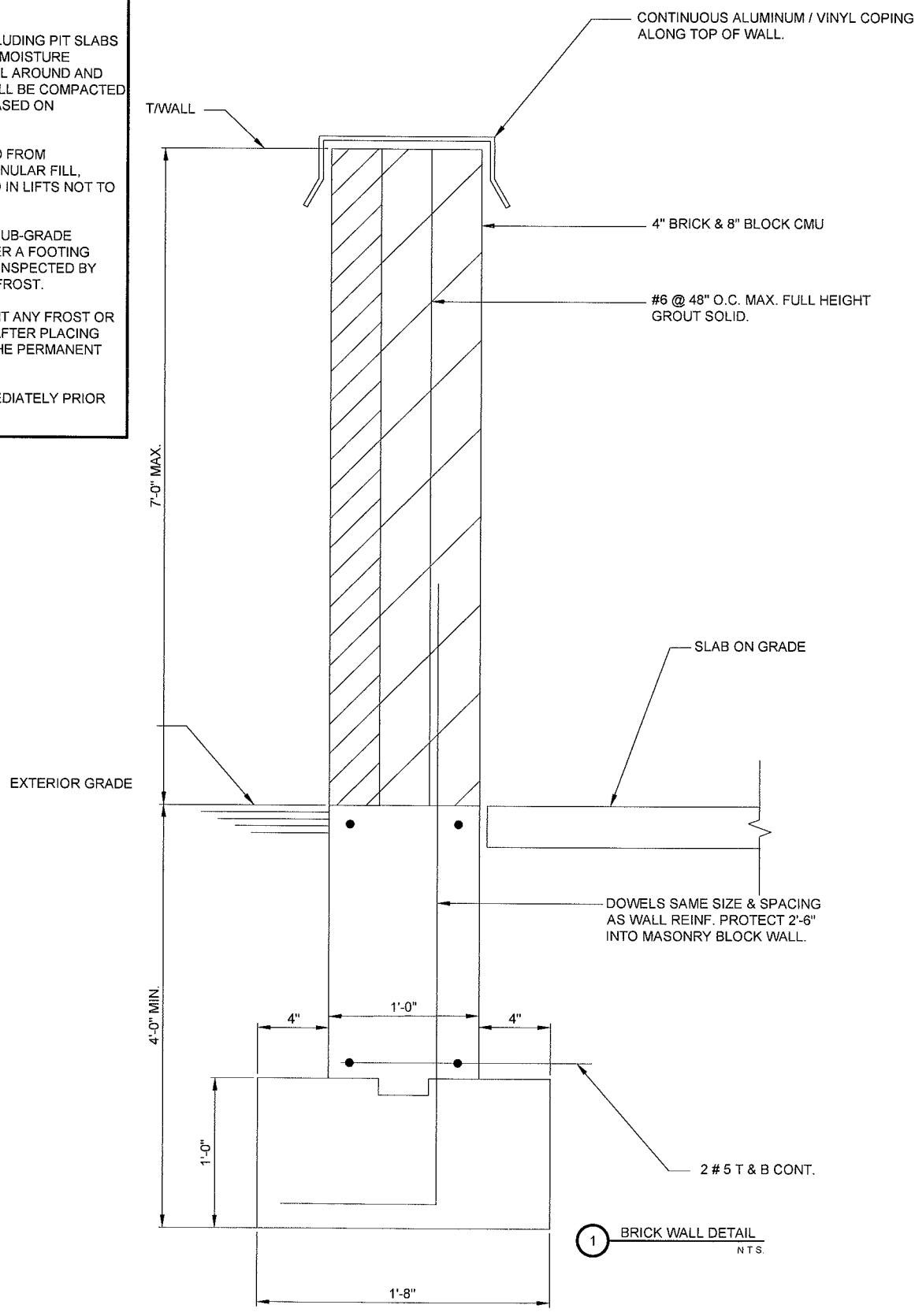
- ALL CONCRETE WORK SHALL CONFORM TO THE REQUIREMENTS OF ACI 318 AND ACI 301, LATEST EDITION. THESE DOCUMENTS SHALL BE AVAILABLE IN THE FIELD OFFICE.
- EXCEPT WHERE OTHERWISE INDICATED, CONCRETE SHALL BE NORMAL WEIGHT AND WITH MINIMUM 28-DAY COMPRESSIVE STRENGTHS OF F<sub>c</sub> = 3000 PSI. ALL EXTERIOR EXPOSED CONCRETE SHALL BE AIR ENTRAINED WITH 6% AIR CONTENT.
- REINFORCING BARS SHALL CONFORM TO ASTM A615, GRADE 60. ALL WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185.
- CONCRETE MIX DESIGN SHALL BE SUBMITTED TO ARCHITECT / ENGINEER FOR REVIEW.

**GENERAL FOUNDATION NOTES:**

- ALL SOIL SUPPORTED FOOTINGS SHALL BE FOUNDED UPON UNDISTURBED, NATURAL SUB-GRADE WITH A MINIMUM ALLOWABLE BEARING CAPACITY OF 2000 PSF AS FIELD VERIFIED AND APPROVED BY THE OWNER'S SOIL TESTING LABORATORY. THE BOTTOM OF THE FOOTING ELEVATIONS AND SOIL BEARING CAPACITIES AS SHOWN ON THE DRAWINGS ARE ESTIMATED FROM THE SOIL BORING DATA. FINAL, EXACT ELEVATIONS AND SOIL BEARING CAPACITIES SHALL BE FIELD DETERMINED AND VERIFIED BY THE OWNER'S SOIL TESTING LABORATORY AND REVIEWED BY THE ARCHITECT / ENGINEER DURING CONSTRUCTION.
- SOIL SUB-GRADE FOR ALL FOOTINGS AND SLABS SHALL BE INSPECTED AND APPROVED BY THE OWNER'S SOIL TESTING LABORATORY IMMEDIATELY PRIOR TO PLACING FOUNDATION CONCRETE OR CONCRETE MUD SLABS.
- ALL FOOTINGS SUB-GRADES AS REQUIRED AND ALL SLAB SUB-GRADES INCLUDING PIT SLABS SHALL BE COMPACTED TO 95 PERCENT OF MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT BASED ON LABORATORY DESIGNATION ASTM D1557. ALL BACKFILL AROUND AND ABOVE ALL FOUNDATION ELEMENTS, FOOTINGS, CAPS, MAPS AND PITS SHALL BE COMPACTED TO 90 PERCENT OF MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT BASED ON LABORATORY DESIGNATION ASTM D1557.
- ALL ORGANIC AND / OR OTHER UNSUITABLE MATERIALS SHALL BE REMOVED FROM SUB-GRADE AND BACKFILL AREAS AND BACKFILLED WITH ACCEPTABLE GRANULAR FILL, COMPACTED TO 95 PERCENT OF MAXIMUM DENSITY. FILL SHALL BE PLACED IN LIFTS NOT TO EXCEED 12 INCHES IN LOOSE THICKNESS.
- NO MUD SLABS, FOOTINGS OR SLABS SHALL BE PLACED INTO OR AGAINST SUB-GRADE CONTAINING FREE WATER, FROST OR ICE. SHOULD WATER OR FROST ENTER A FOOTING EXCAVATION AFTER SUB-GRADE APPROVAL, THE SUB-GRADE SHALL BE RE-INSPECTED BY THE OWNER'S SOIL TESTING LABORATORY AFTER REMOVAL OF WATER OR FROST.
- THE CONTRACTOR SHALL PROVIDE ALL NECESSARY MEASURES TO PREVENT ANY FROST OR ICE FROM PENETRATING ANY FOOTING OR SLAB SUB-GRADE BEFORE AND AFTER PLACING OF CONCRETE AND UNTIL SUCH SUB-GRADES ARE FULLY PROTECTED BY THE PERMANENT BUILDING STRUCTURE.
- ALL SLAB AND FOOTING MUD SLABS SHALL BE THOROUGHLY CLEANED IMMEDIATELY PRIOR TO THE FOUNDATION CONCRETE PLACEMENT.



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED



1 BRICK WALL DETAIL  
N.T.S.

**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
d/b/a Verizon Wireless

**TERRA CONSULTING GROUP, LTD.**  
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Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

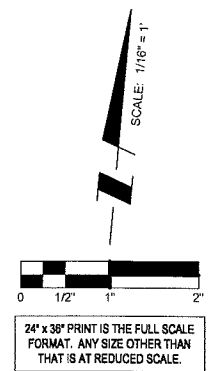
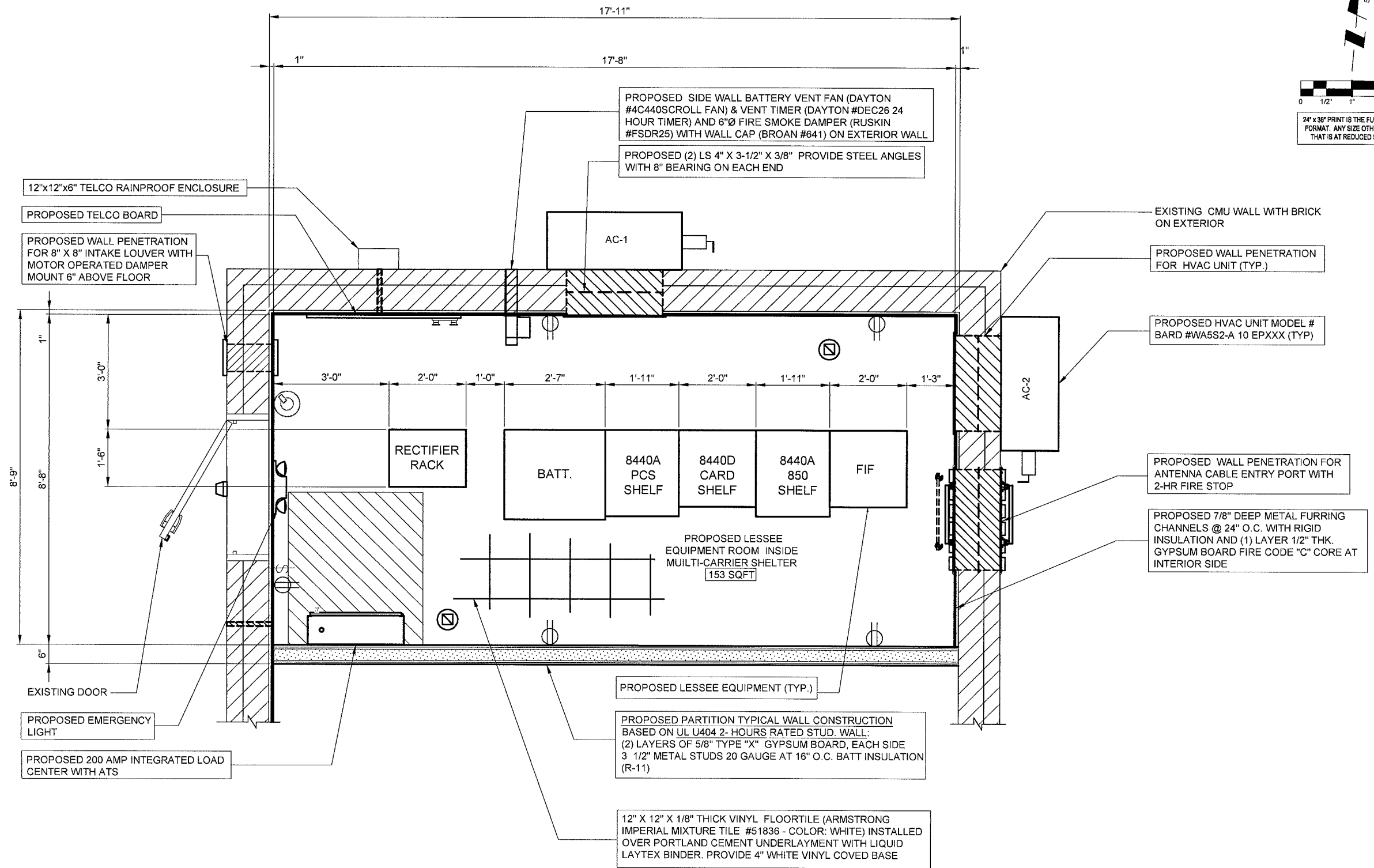
REVISIONS		BY	DATE
NO.	DESCRIPTION	JAS	7/26/12
	ISSUED FOR REVIEW		

**LOC. #259720**  
**PLEASANT PRAIRIE & 94**  
9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

DRAWN BY:	JAS
CHECKED BY:	TAZ
DATE:	7/26/12
PROJECT #:	33-762

SHEET TITLE  
**BRICK WALL DETAIL**

SHEET NUMBER  
**C-4**



**NOTE:**  
 \* CONTRACTOR TO X-RAY WALL AND FLOOR SLABS PRIOR TO PENETRATIONS. DO NOT CUT REINFORCEMENT.  
 \* FIRE STOP ALL PENETRATIONS.  
 \* CORE DRILL FLOOR, WALL & SEAL AFTER CONDUITS INSTALLATION.  
 \* INSTALL PULL/JUNCTION BOXES AS NECESSARY PER CODE.

**1** PROPOSED EQUIPMENT ROOM LAYOUT  
 SCALE: 1/16" = 1'-0"

**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
 db/a Verizon Wireless

**TERRA CONSULTING GROUP, LTD.**  
 600 Busse Highway  
 Park Ridge, IL 60068  
 Ph: 847/698-6400  
 Fax: 847/698-6401

NO.	DESCRIPTION	BY	DATE
		JAS	7/26/12

**LOC. #259720**  
**PLEASANT PRAIRIE & 94**

9951 TERWALL TERRACE  
 PLEASANT PRAIRIE, WI 53158

DRAWN BY:	JAS
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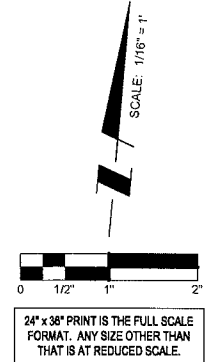
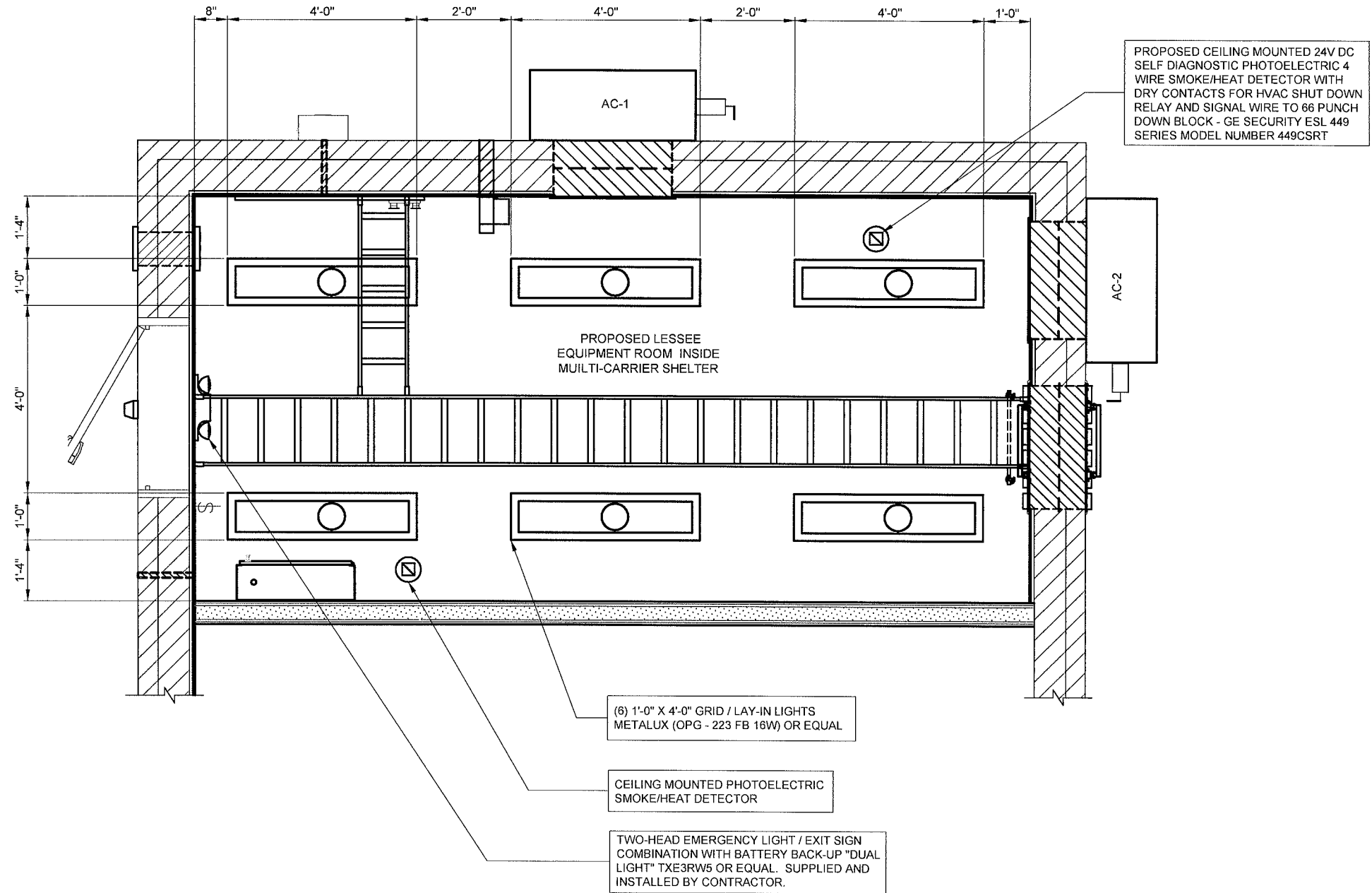
SHEET TITLE  
**EQUIPMENT ROOM LAYOUT**

SHEET NUMBER  
**A-1**

**COLD FORMED METAL FRAMING GENERAL NOTES**

1. PROVIDE PERIMETER LIGHT GAUGE METAL STUDS AS INDICATED ON DRAWINGS, MANUFACTURED BY DIETRICH OR EQUAL.
2. ALL STRUCTURAL MEMBERS SHALL BE FORMED FROM CORROSION-RESISTANT STEEL, CORRESPONDING TO THE REQUIREMENTS OF ASTM A653 OR EQUAL.
3. ALL STRUCTURAL MEMBERS SHALL BE ZINC COATED MEETING ASTM A924 OR EQUAL.
4. STUDS SHALL BE SECURED TO CONTINUOUS RUNNER TRACKS AS NOTED ON DRAWINGS.
5. FRAMING OF WALL OPENINGS SHALL INCLUDE HEADERS AND JAMBS DESIGNED FOR THE APPROPRIATE LOADINGS.
6. PRIOR TO FABRICATION, THE CONTRACTOR SHALL SUBMIT FABRICATION AND ERECTION DRAWINGS TO THE ARCHITECT FOR REVIEW.
7. FLANGES AND LIPS OF STEEL STUDS AND HEADERS SHALL NOT BE CUT OR NOTCHED.
8. FASTENING OF COMPONENTS SHALL BE WITH SELF-DRILLING SCREWS OR BY WELDING. SCREWS AND WELDS SHALL BE OF SUFFICIENT SIZE TO ENSURE THE STRENGTH OF THE CONNECTION. WIRE TYING OF COMPONENTS SHALL NOT BE PERMITTED. ALL WELDS SHALL BE TOUCHED-UP WITH ZINC-RICH PAINT.
9. THE CONTRACTOR SHALL PROVIDE ALL RELATED ACCESSORIES AS REQUIRED.
10. LOAD-BEARING STEEL STUDS SHALL BE LOCATED DIRECTLY IN-LINE WITH JOISTS, WITH MAXIMUM TOLERANCE OF 3/4" BETWEEN CENTERLINES.
11. PROVIDE 1 1/2" 16 GAUGE HORIZONTAL STEEL STRAPPING AT 1/3 POINTS OF WALL HEIGHT. STRAPPING SHALL BE ATTACHED TO STUD FLANGE WITH A MINIMUM OF (1) #8 SCREW. IN-LINE BLOCKING SHALL BE INSTALLED BETWEEN STUDS AT THE TERMINATION OF ALL STRAPS. BLOCKING SHALL BE FASTENED WITH (2) #8 SCREWS.

**NOTE:**  
 \* CONTRACTOR TO X-RAY WALL AND FLOOR SLABS PRIOR TO PENETRATIONS. DO NOT CUT REINFORCEMENT.  
 \* FIRE STOP ALL PENETRATIONS.  
 \* CORE DRILL FLOOR, WALL & SEAL AFTER CONDUITS INSTALLATION.  
 \* INSTALL PULL/JUNCTION BOXES AS NECESSARY PER CODE.



**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
 db/a Verizon Wireless

**TERRA CONSULTING GROUP, LTD.**  
 600 Busse Highway  
 Park Ridge, IL 60068  
 P: 847/698-6400  
 F: 847/698-6401

NO	DESCRIPTION	DATE	BY	
			DATE	ISSUED FOR REVIEW
		7/26/12	JAS	

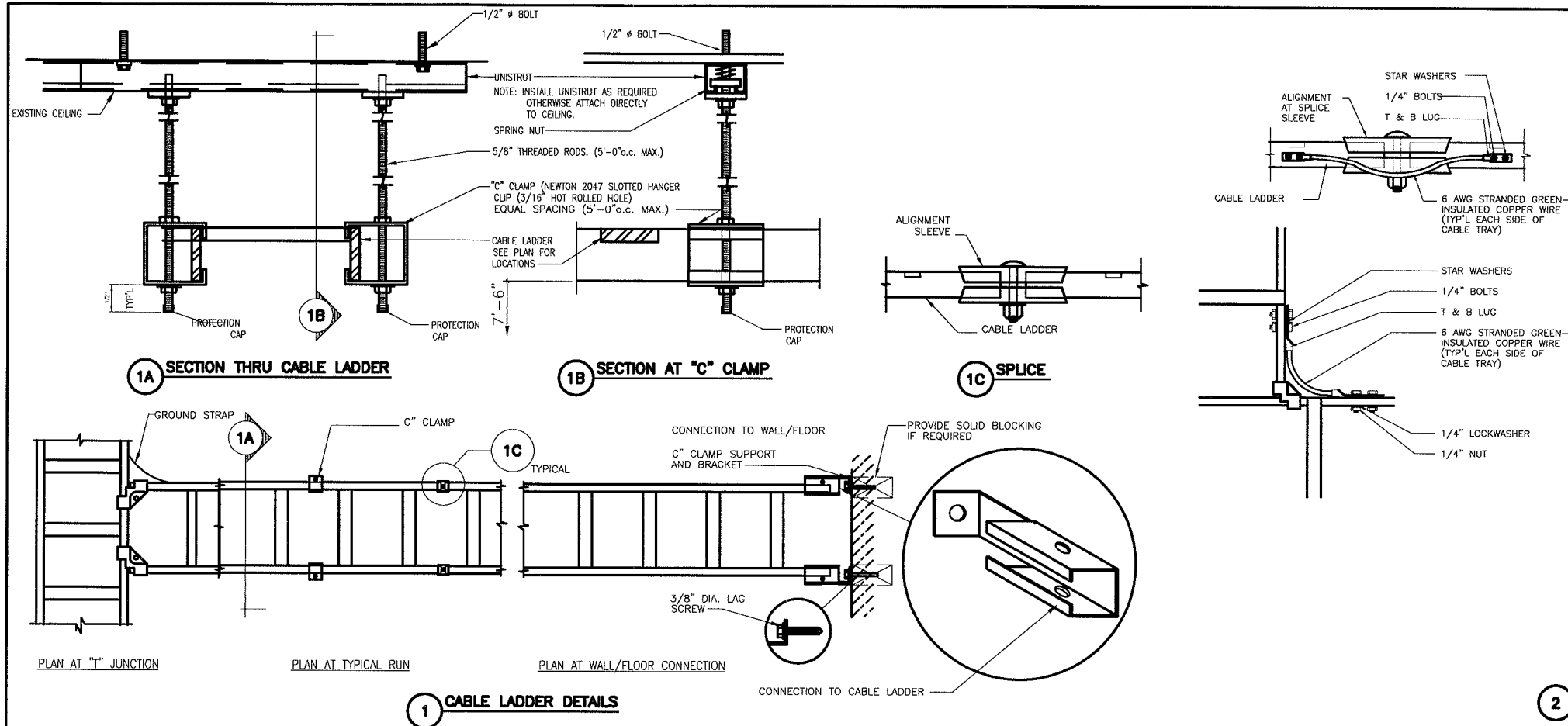
LOC. #259720  
 PLEASANT PRAIRIE & 94

9951 TERWALL TERRACE  
 PLEASANT PRAIRIE, WI 53158

DRAWN BY	JAS
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DATE	7/26/12
PROJECT #	33-762

SHEET TITLE  
 EQUIPMENT ROOM LAYOUT

SHEET NUMBER  
**A-2**

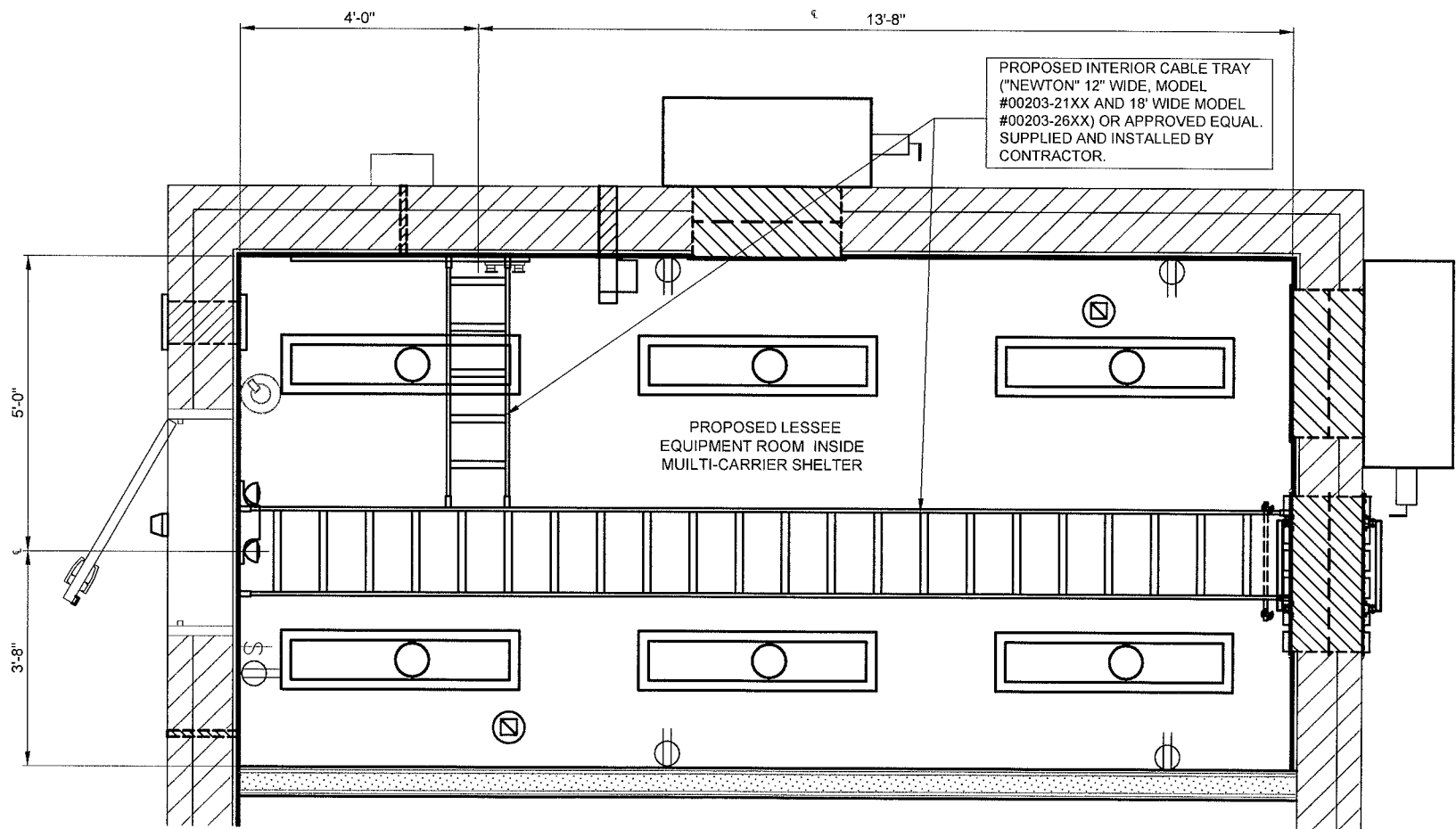


- ### CABLE LADDER GENERAL NOTES
1. ALL CUT ENDS OF CABLE LADDER TO BE FILED SMOOTH AND PAINTED WITH MATCHING COLOR.
  2. BOTTOM OF CABLE LADDER TO BE 7"-6" ABOVE FINISH FLOOR, UNLESS NOTED OTHERWISE.
  3. CORNER BRACKETS TO BE ON THE INSIDE, UNLESS LADDER RUNGS INTERFERER THEN CORNER BRACKETS MAY BE ON THE OUTSIDE.
  4. CABLE LADDER RUNGS TO BE ON TOP OF HORIZONTAL LADDER AND AWAY FROM WALL ON VERTICAL LADDERS.
  5. NUTS TO BE ON BOTTOM OF ASSEMBLY, OR TOWARDS WALL.
  6. 5/8" THREADED RODS, SUPPORTING CABLE LADDER, SPACED 5'-0" APART.
  7. AFTER FINAL LEVELING OF CABLE LADDER CUT ROD SO THAT 1/2" OF THE THREADS ARE EXPOSED BELOW THE NUT. CAP WITH SAUNDERS BROS. PN SB 300-0.

- ### CABLE LADDER MATERIAL LIST
- 12" WIDE CABLE TRAY - NEWTON # 2003-21
  - WALL BRACKET - NEWTON # 3033-4
  - CEILING HANGER BRACKET - NEWTON # 1044
  - SUPPORTING CABLE RACK - NEWTON # 2047
  - NEWTON 2012 CABLE RACK JUNCTIONS
  - NEWTON 2014 T-JUNCTIONS

2 INTERIOR CABLE TRAY GROUNDING DETAILS

1 CABLE LADDER DETAILS



3 CABLE TRAY PLAN  
1/16" = 1'-0"

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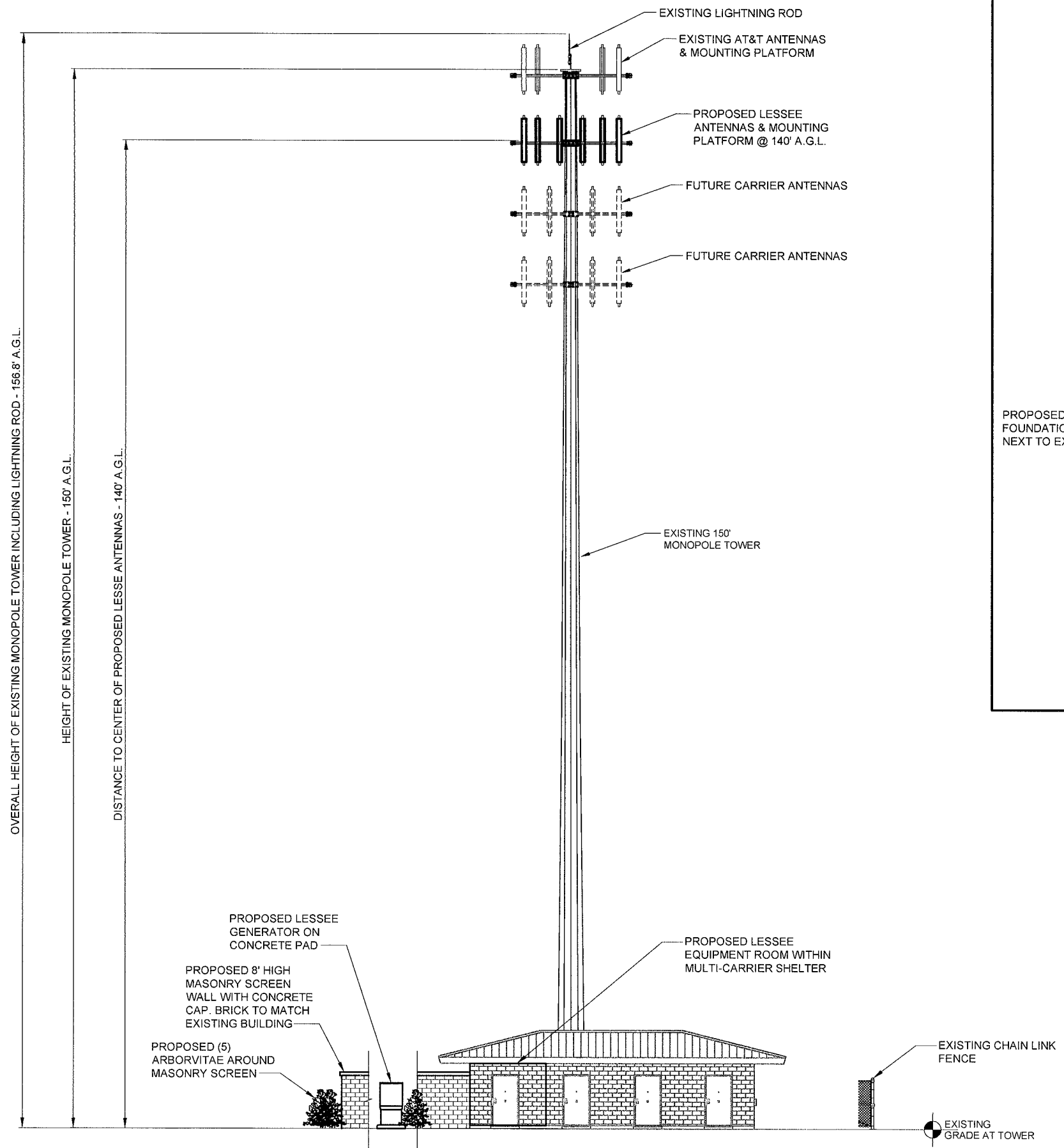
NO	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	7/26/12	JAS

LOC. #259720  
**PLEASANT PRAIRIE & 94**  
9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

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SHEET TITLE  
**CABLE TRAY PLAN AND DETAILS**

SHEET NUMBER  
**A-3**



OVERALL HEIGHT OF EXISTING MONOPOLE TOWER INCLUDING LIGHTNING ROD - 156.8' A.G.L.

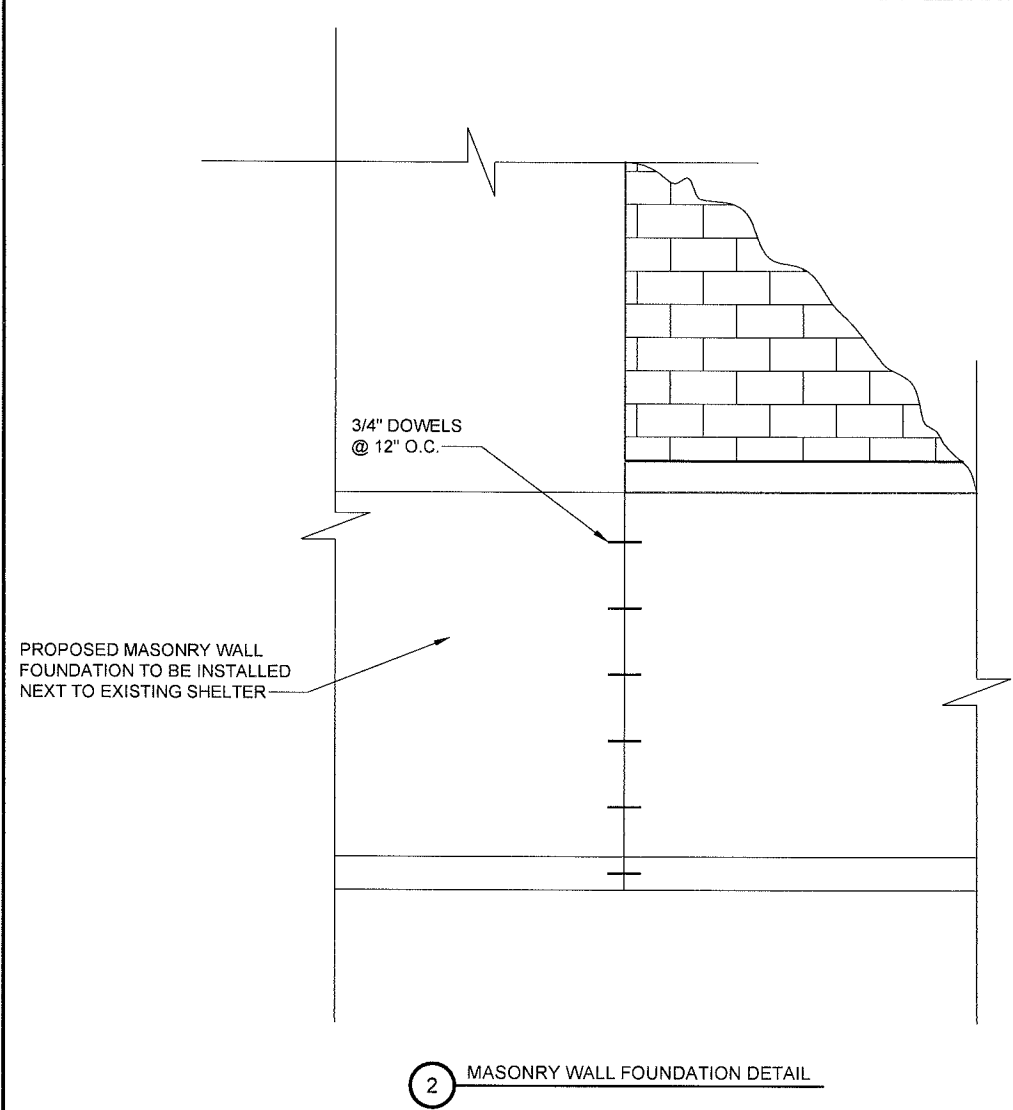
HEIGHT OF EXISTING MONOPOLE TOWER - 150' A.G.L.

DISTANCE TO CENTER OF PROPOSED LESSEE ANTENNAS - 140' A.G.L.

**1 WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

0 1/2" 1" 2"  
SCALE: 1/8" = 1'

24" x 36" PRINT IS THE FULL SCALE FORMAT. ANY SIZE OTHER THAN THAT IS AT REDUCED SCALE.



**2 MASONRY WALL FOUNDATION DETAIL**

**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
d/b/a Verizon Wireless

**TERRA CONSULTING GROUP, LTD.**  
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Park Ridge, IL 60068  
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REVISIONS		DATE	BY
NO.	DESCRIPTION	7/26/12	JAS
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LOC. #259720

PLEASANT PRAIRIE & 94

9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

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SHEET TITLE  
SITE ELEVATION

SHEET NUMBER  
**ANT-1**

**EQUIPMENT CHANGE REQUEST FORM- ECR**

Cell Name	Pleasant Prairie & 94	Cell ID	260
Location Number	259720	Address	9951 Terwall Terrace
Date of Request	4/9/2012	City/State/Zip	Pleasant Prairie, WI
RF Engineer	Mike Fischer		
Market	Milwaukee		

**PROPOSED CONFIGURATION**

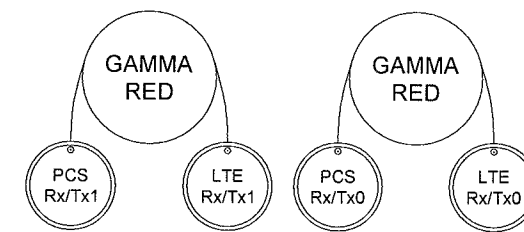
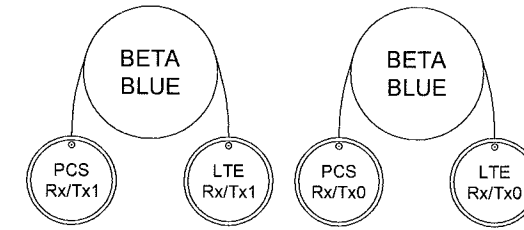
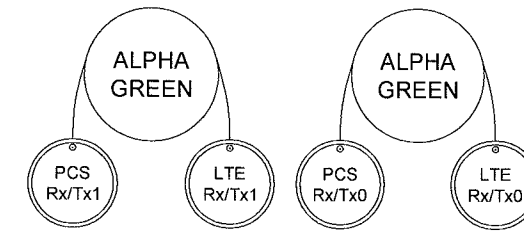
**Configuration**

Sector	Pos	Antenna		Antenna Manufacturer	Antenna Model	Antenna Serial Number	Centerline	Azimuth	Variable Tilt	Mechanical Tilt	Action	
		Port	RF Path									
Alpha	A1	L1 (-45)	LTE C - Rxtx0/Rxtx1	Andrew	DBXNH-6565B-VTM		140	80	8	0	Add- Install	
		L2 (+45)	LTE C - Rxtx2/Rxtx3						N/A			
		H1 (-45)	Unused at this time						N/A			
	A2	L1 (-45)	Unused at this time						N/A			
		L2 (+45)	Unused at this time						N/A			
		H1 (-45)	Unused at this time						N/A			
	A3	L1 (-45)	Unused at this time							N/A		
		L2 (+45)	Unused at this time							N/A		
		H1 (-45)	Unused at this time							N/A		
	A4	L1 (-45)	Unused at this time		Andrew	HBX-6517DS-VTM		140	80	6	0	Add- Install
		L2 (+45)	Unused at this time	N/A								
		H1 (-45)	PCS - Rxtx0/Rxtx1	N/A								
Beta	B1	L1 (-45)	LTE C - Rxtx0/Rxtx1	Andrew	DBXNH-6565B-VTM		140	200	6	0	Add- Install	
		L2 (+45)	LTE C - Rxtx2/Rxtx3						N/A			
		H1 (-45)	Unused at this time						N/A			
	B2	L1 (-45)	Unused at this time							N/A		
		L2 (+45)	Unused at this time							N/A		
		H1 (-45)	Unused at this time							N/A		
	B3	L1 (-45)	Unused at this time							N/A		
		L2 (+45)	Unused at this time							N/A		
		H1 (-45)	Unused at this time							N/A		
	B4	L1 (-45)	Unused at this time		Andrew	HBX-6517DS-VTM		140	200	3	0	Add- Install
		L2 (+45)	Unused at this time	N/A								
		H1 (-45)	PCS - Rxtx0/Rxtx1	N/A								
Gamma	G1	L1 (-45)	LTE C - Rxtx0/Rxtx1	Andrew	DBXNH-6565B-VTM		140	320	5	0	Add- Install	
		L2 (+45)	LTE C - Rxtx2/Rxtx3						N/A			
		H1 (-45)	Unused at this time						N/A			
	G2	L1 (-45)	Unused at this time							N/A		
		L2 (+45)	Unused at this time							N/A		
		H1 (-45)	Unused at this time							N/A		
	G3	L1 (-45)	Unused at this time							N/A		
		L2 (+45)	Unused at this time							N/A		
		H1 (-45)	Unused at this time							N/A		
	G4	L1 (-45)	Unused at this time		Andrew	HBX-6517DS-VTM		140	320	3	0	Add- Install
		L2 (+45)	Unused at this time	N/A								
		H1 (-45)	PCS - Rxtx0/Rxtx1	N/A								

**Comments**

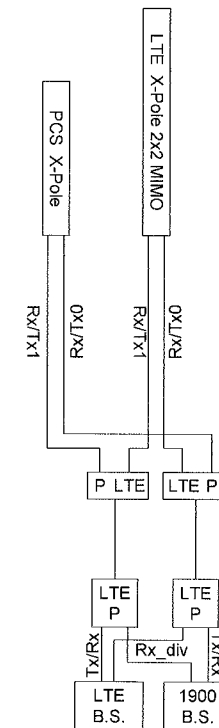
PPC CONNECTORS ONLY

1 ANTENNA SCHEDULE  
N.T.S.



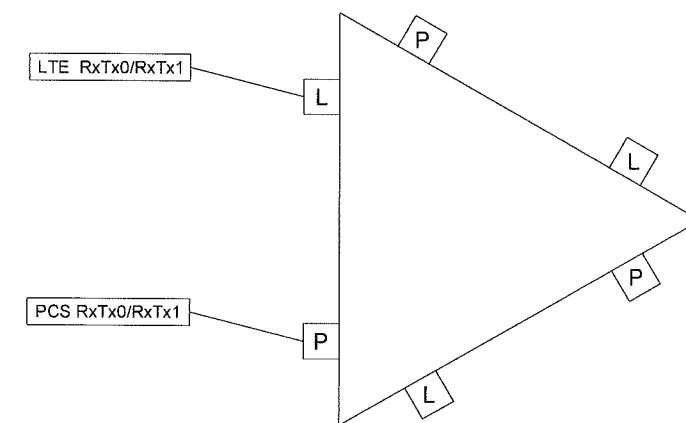
VIEW LOOKING AT ENTRY PORT FROM INSIDE SHELTER

2 PREFERRED COAX & COAX TAG ORIENTATION  
N.T.S.



PPC CONNECTORS ONLY

3 ANTENNA LINE / PLATFORM SCHEMATIC  
N.T.S.



**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
d/b/a Verizon Wireless

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Ph: 847/698-6400  
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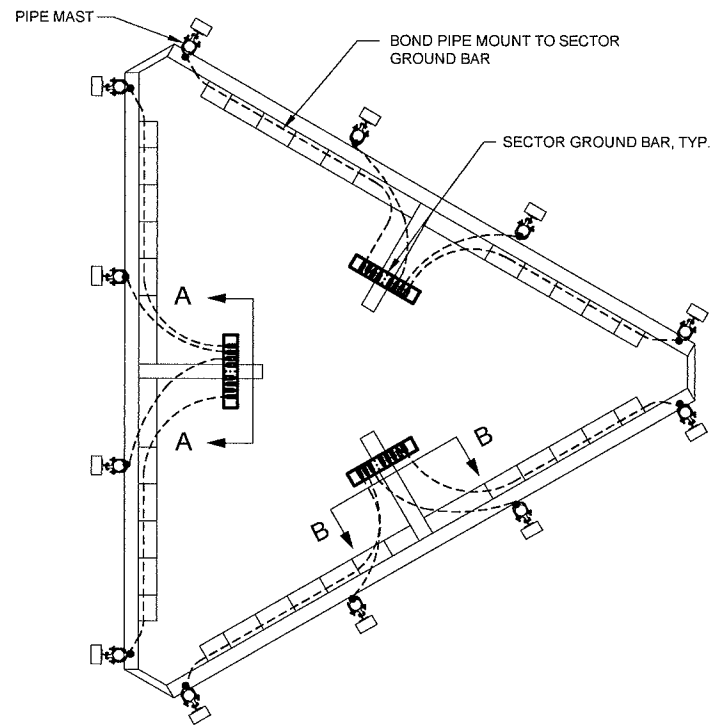
NO.	DESCRIPTION	DATE	BY
	ISSUED FOR REVIEW	7/26/12	JAS

LOC. #259720  
**PLEASANT PRAIRIE & 94**  
9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

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DATE	7/26/12
PROJECT #	33-762

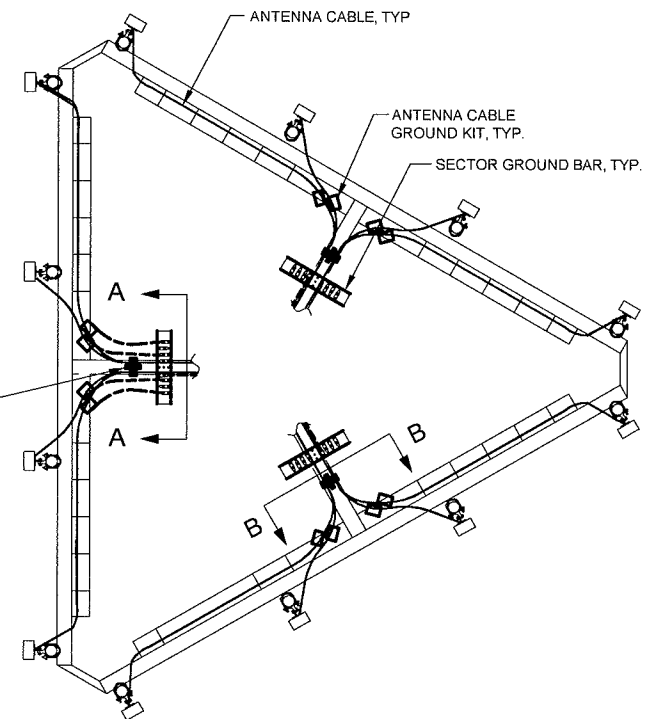
SHEET TITLE  
**ANTENNA INFORMATION**

SHEET NUMBER  
**ANT-2**

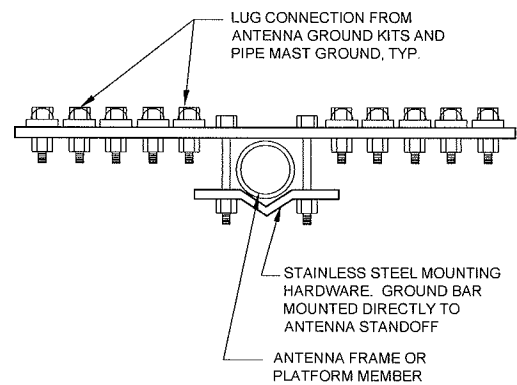


1 PIPE MAST GROUNDING AT ANTENNA ELEVATION  
N.T.S.

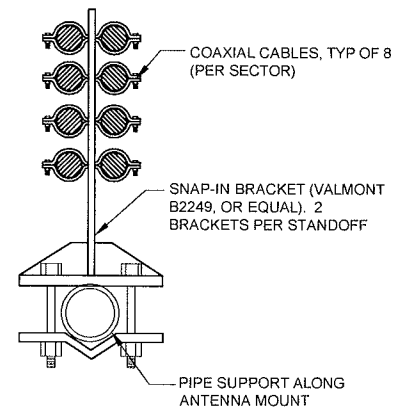
NOTE:  
THIS DETAIL IS CONCEPTUAL TO DEMONSTRATE GROUNDING  
AT THE ANTENNAS. VERIFY NUMBER OF ANTENNAS, MOUNTING  
FRAME, ANTENNA TYPE AND AZIMUTH WITH ANT-1 SHEET.



2 ANTENNA CABLE GROUNDING AT ANTENNA ELEVATION  
N.T.S.



3 GROUND BAR AT SECTOR  
N.T.S.



4 SNAP-IN BRACKET AT ANTENNA MOUNT  
N.T.S.

**VERIZON WIRELESS**  
**PERSONALS COMMUNICATIONS LP**  
dba Verizon Wireless

**TERRA**  
CONSULTING GROUP, LTD.  
600 Busse Highway  
Park Ridge, IL 60068  
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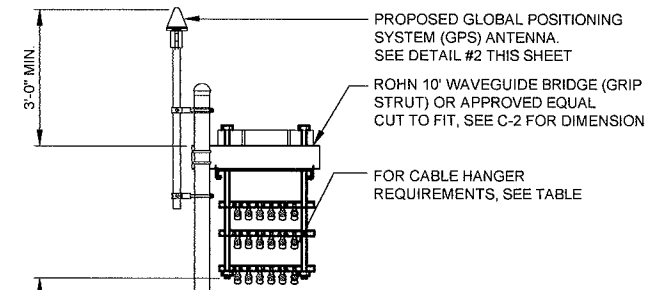
PLEASANT PRAIRIE & 94

9951 TERWALL TERRACE  
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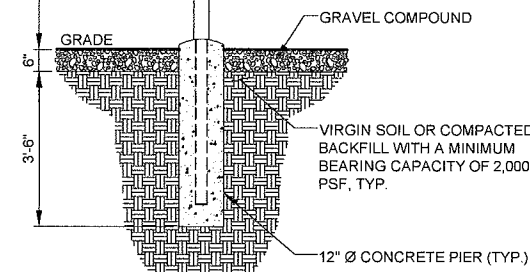
SHEET TITLE  
**ANTENNA MOUNTING DETAILS**

SHEET NUMBER  
**ANT-3**

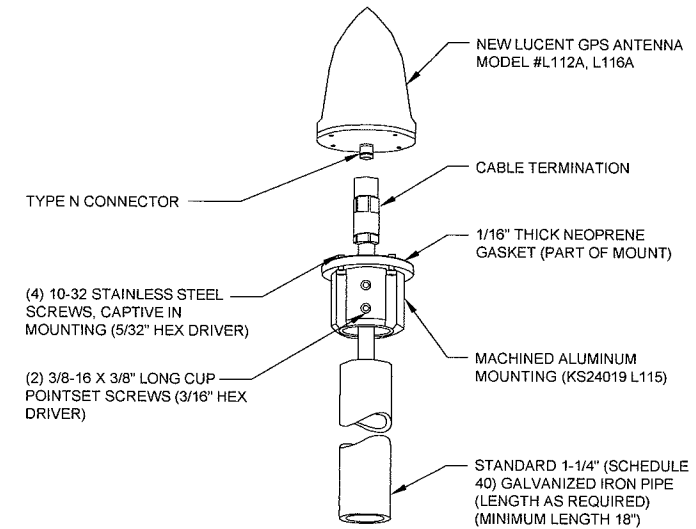


NOTES:  
 1. ICE BRIDGE POST SHOULD BE STAGGERED ON EITHER SIDE OF ICE BRIDGE FOR EXTRA STABILITY  
 2. ANY SPLICES OR CANTILEVERED SECTIONS OF THE ICE BRIDGE SHALL BE LOCATED WITH IN 2'-0" OF A SUPPORT POST.

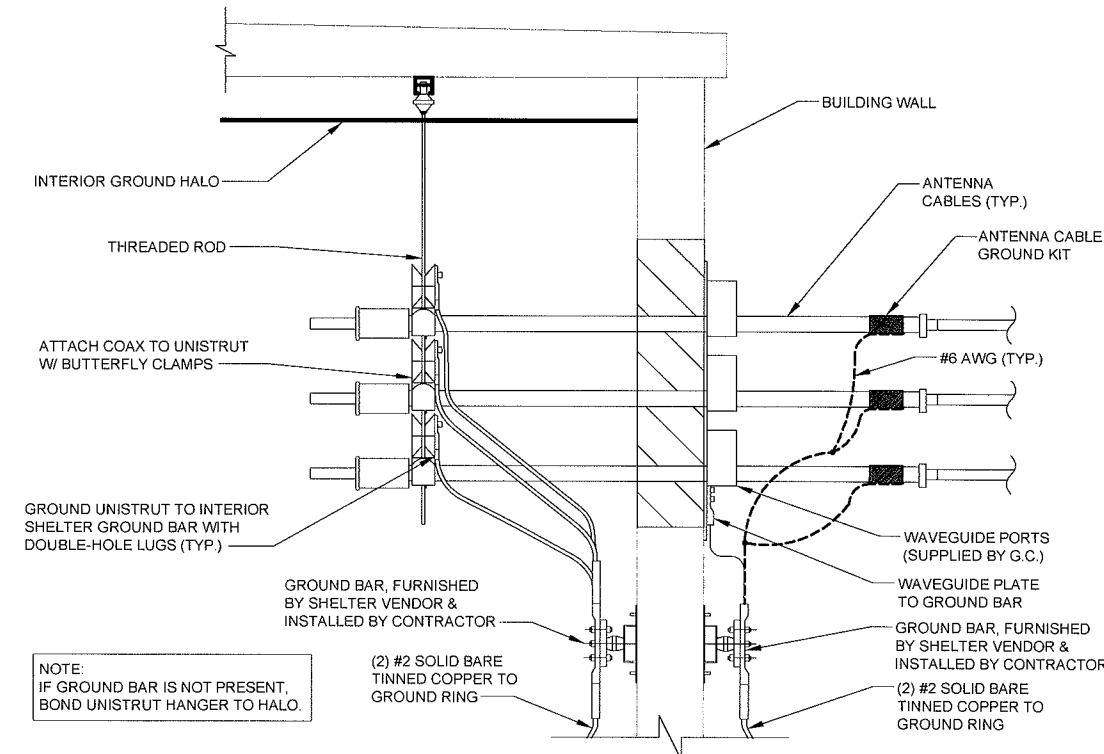
NOMINAL CABLE SIZE	CABLE TYPE NUMBER	CABLE WAVE CABLE HANGER TYPE NUMBER
1 - 5/8"	810920-001	915594
1 - 1/4"	810916-001	915594 920989-004-BOLT-IN
7/8"	810921-001	915660



1 ICE BRIDGE DETAIL  
N.T.S.



2 TYPICAL GPS DETAIL  
N.T.S.



NOTE:  
 IF GROUND BAR IS NOT PRESENT,  
 BOND UNISTRUT HANGER TO HALO.

3 ENCLOSURE ENTRY PANEL GROUNDING DETAIL  
N.T.S.

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 PLEASANT PRAIRIE & 94

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SHEET TITLE  
 ANTENNA MOUNTING DETAILS

SHEET NUMBER  
**ANT-4**



**ELECTRICAL NOTES**

1. CONTRACTOR SHALL PERFORM ALL VERIFICATION OBSERVATION TEST AND EXAMINATION WORK PRIOR TO THE ORDERING OF THE ELECTRICAL EQUIPMENT AND THE ACTUAL ARCHITECT LISTING ALL MALFUNCTIONS, FAULTY EQUIPMENT AND DISCREPANCIES.

2. THESE PLANS ARE DIAGRAMMATIC ONLY. FOLLOW AS POSSIBLE.

3. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANELBOARD, PULLBOX, J-BOX, SWITCH BOX, ETC., IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ACT (O.S.H.A.).

4. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, INSURANCE, EQUIPMENT, INSTALLATION, CONSTRUCTION TOOLS TRANSPORTATION, ETC., FOR A COMPLETE AND PROPERLY OPERATIVE SYSTEM ENERGISED THROUGHOUT AND AS INDICATED ON DRAWINGS, AS SPECIFIED HEREIN AND/OR OTHERWISE REQUIRED.

5. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN PERFECT CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED AND APPROVED BY UNDERWRITER'S LABORATORY AND SHALL BEAR THE INSPECTION LABEL "J" WHERE SUBJECT TO SUCH APPROVAL. MATERIALS SHALL MEET WITH APPROVAL OF THE DIVISION OF INDUSTRIAL SAFETY AND ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA AND NBFU.

6. CONTRACTOR SHALL CARRY OUT HIS WORK IN ACCORDANCE WITH ALL GOVERNING STATE, COUNTY AND LOCAL CODES AND O.S.H.A.

7. CONTRACTOR SHALL SECURE ALL NECESSARY BUILDING PERMITS AND PAY ALL REQUIRED FEES.

8. COMPLETE JOB SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF JOB ACCEPTANCE BY OWNER. ANY WORK, MATERIAL OR EQUIPMENT FOUND TO BE FAULTY DURING THAT PERIOD SHALL BE CORRECTED AT ONCE, UPON WRITTEN NOTIFICATION, AT THE EXPENSE OF THE CONTRACTOR.

9. ALL CONDUIT ON (C.O.) SHALL HAVE A PULL WIRE OR A ROPE.

10. PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE ELECTRICAL "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS AND CIRCUITS.

11. ALL BROCHURES, OPERATING MANUALS, CATALOGS, SHOP DRAWINGS, ETC., SHALL BE TURNED OVER TO OWNER AT JOB COMPLETION.

12. EACH CIRCUIT TO HAVE DEDICATED NEUTRAL. EACH CIRCUIT TO HAVE EQUIPMENT GROUND

13. ALL CONDUCTORS SHALL BE COPPER.

14. ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING RATING NOT LESS THAN THE MAXIMUM SHORT CIRCUIT TO WHICH THEY MAY BE SUBJECTED, AND A MINIMUM OF 10,000 A.L.C.

15. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY ALL APPLICABLE CODES.

16. PATCH, REPAIR AND PAINT ANY AREA THAT HAS BEEN DAMAGED IN THE COURSE OF THE ELECTRICAL WORK.

17. IN DRILLING HOLES INTO CONCRETE, WHETHER FOR FASTENING OF ANCHORING PURPOSES, OR PENETRATIONS THROUGH THE FLOOR FOR CONDUIT RUNS, PIPE RUNS, ETC., IT MUST BE CLEARLY UNDERSTOOD THAT TENDONS AND/OR REINFORCING STEEL WILL NOT BE DRILLED INTO, CUT OR DAMAGED UNDER ANY CIRCUMSTANCES.

18. LOCATION OF TENDONS AND/OR REINFORCING ARE NOT DEFINITELY KNOWN AND MUST BE SEARCHED FOR BY APPROPRIATE METHODS, EQUIPMENT VIA X-RAY OR OTHER DEVICES FOR LOCATING REINFORCING BARS.

19. RECEPTACLES SHALL BE 20 AMP, 125V, AC HUBBELL #5326, WHITE, AS REQUIRED BY THE ARCHITECT.

20. PLASTIC PLATES FOR ALL SWITCHES, RECEPTACLES, TELEPHONE AND BLANKED OUTLET SHALL HAVE ENGRAVED LETTERING WHERE INDICATED ON THE DRAWINGS. WEATHERPROOF RECEPTACLES SHALL HAVE RACO #800, RAISED COVERS.

21. WIRE AND CABLE CONDUCTORS SHALL BE COPPER #12 AWG MIN., NO BX OR ROMEX CABLE IS PERMITTED.

22. GROUNDING CONDUCTS SHALL BE SOLID TINNED COPPER AND ANNEALED #2.

23. METER SOCKET AMPS, VOLTAGE, PHASES, SHALL BE NOTED ON THE DRAWINGS MANUFACTURED BY SQUARE D OR EQUAL.

24. ALL MATERIALS SHALL BE UL LISTED.

**25. CONDUIT**

A. RIGID CONDUIT SHALL BE UL LABEL GALVANIZED ZINC COATED WITH ZINC INTERIOR AND SHALL BE USED WHEN INSTALLED IN OR UNDER CONCRETE SLABS, IN CONTACT WITH EARTH, IN MASONARY WALLS OR EXPOSED ON BUILDING EXTERIOR.

B. ELECTRIC METALLIC TUBING SHALL HAVE UL LABEL, FITTINGS SHALL BE GLAND RING COMPRESSION TYPE, EMT FOR INTERIOR RUNS ONLY.

C. FLEXIBLE METALLIC CONDUIT SHALL BE UL LISTED, USED ONLY AS PERMITTED BY CODES.

D. ALL CONDUITS SHALL BE SURFACE MOUNTED, NO HORIZONTAL CONDUITS SHALL BE BELOW 7'-6" AFF. CONDUIT INDICATED SHALL RUN PARALLEL OR AT RIGHT ANGLES TO CEILING, FLOOR OR BEAMS. VERIFY EXACT ROUTING OF ALL EXPOSED CONDUIT WITH ARCHITECT PRIOR TO INSTALLING.

26. ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS.

27. GROUNDING SYSTEM RESISTANCE SHALL NOT EXCEED 5 OHMS. IF THE RESISTANCE VALUE IS EXCEEDING, NOTIFY THE OWNER FOR FURTHER INSTRUCTIONS ON METHODS FOR REDUCING THE RESISTANCE VALUE. SUBMIT TEST REPORTS AND FURNISH TO VERIZON WIRELESS ONE COMPLETE SET OF PRINTS SHOWING INSTALLED WORK.

28. UPON COMPLETION OF WORK, CONDUCT CONTINUITY, SHORT CIRCUIT AND FALL POTENTIAL GROUNDING TESTS FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. CLEAN PREMISES OF ALL DEBRIS RESULTING FROM WORK.

29. CONTRACTOR TO COORDINATE WITH UTILITY COMPANY FOR CONNECTION OF TEMPORARY AND PERMANENT POWER TO THE SITE. THE TEMPORARY POWER AND ALL HOOKUP COST TO BE PAID BY CONTRACTOR.

**ELECTRICAL SYMBOL LEGEND**

ELECTRICAL SYMBOL GENERAL NOTES		SYMBOL	DESCRIPTION
1. THESE SYMBOLS COMPRISE A STANDARD LIST. NOT ALL SYMBOLS MAY APPEAR ON THIS PROJECT.	SYMBOL	DESCRIPTION	
2. ALL MOUNTING HEIGHTS ARE TO CENTER OF DEVICE ABOVE FINISHED FLOOR. MOUNTING HEIGHTS INDICATED ON ARCHITECTURAL WALL ELEVATIONS OR AS NOTED SPECIFICALLY ON THE DRAWINGS SHALL TAKE PRECEDENCE OVER MOUNTING HEIGHTS LISTED BELOW.	<p>A 2</p> <p>switch identification (lower case letter) Letters indicate double switching. Switch nearest door to control outboard lamp(s), other switch to control inboard lamp(s).</p>	<p>CEILING OR COUNTERTOP RECEPTACLE</p> <p>1,3 SPLIT WIRED RECEPTACLE (numbers indicate circuits)</p> <p>F FLOOR OUTLET (P=pokethru, F=flush, S=surface pedestal, additional symbol indicates type)</p> <p>R 250 VOLT RECEPTACLE (R=range, DR=dryer, W=welder)</p> <p>PARTITION WHIP or EQUIPMENT CONNECTION</p> <p>CABLE TRAY</p> <p>HOMERUN TO PANEL #L2.CCT.#1,3,5 (Cross marks indicate number of wires. Number at cross marks indicates wire size if different than specified minimum. Mark with dot indicates grounding conductor. Wire counts shown on homerun only. Contractor to provide proper amount of wires for circuiting and control intent.)</p> <p>CONDUIT EXPLOSION PROOF SEAL</p> <p>CONDUIT CONCEALED IN WALL OR CEILING</p> <p>CONDUIT CONCEALED IN/UNDER FLOOR</p> <p>CONDUIT RUN EXPOSED</p> <p>CONDUIT TURNED UP</p> <p>CONDUIT TURNED DOWN</p> <p>CONDUIT STUBBED OUT &amp; BUSHED</p> <p>FLEXIBLE CONDUIT</p> <p>EXISTING CONDUIT</p> <p>—UE— UNDERGROUND ELECTRIC (OE = overhead elec.)</p> <p>—UT— UNDERGROUND TELEPHONE (OT = overhead tel.)</p> <p>—LV— LOW VOLTAGE RACEWAY AND CABLE</p> <p>MAINTENANCE HOLE</p> <p>HAND HOLE</p> <p>TRANSMISSION POLE</p> <p>ELECTRIC DUCT HEATER</p> <p>ELECTRIC HEATER</p> <p>UNDERFLOOR DUCT &amp; JUNCTION BOX (number of lines indicate number of ducts)</p> <p>SURFACE RACEWAY (see spec. for type)</p> <p>TELE/POWER POLE</p> <p>CLOCK OUTLET (M=master, D=digital, A=analog)</p> <p>PANELBOARD, SURFACE</p> <p>PANELBOARD, FLUSH</p> <p>SWITCHBOARD (shown to scale)</p> <p>TELEPHONE TERMINAL CABINET</p> <p>CONTROL/SPECIAL CABINET</p> <p>DISCONNECT SWITCH (NF=non-fused)</p> <p>MAGNETIC STARTER</p> <p>COMBINATION STARTER/DISCONNECT</p> <p>START/STOP STATION</p> <p>MOTOR CONNECTION (letters indicates motor name, see schedules on me sheet)</p> <p>SWITCH (small letter indicates light fixtures controlled, 2=2-pole, 3=3-way, 4=4-way, K=keyed, MC=momentary contact, L=low voltage, P=pilot lighted toggle, D=door)</p> <p>MANUAL STARTER</p> <p>INDICATES ALL DEVICES UNDER ONE COVER PLATE</p>	
3. DASHED SYMBOL INDICATES EXISTING.			
4. SLASHED SYMBOL INDICATES TO BE REMOVED.			
5. SHADED LIGHT FIXTURE INDICATES CONNECTION TO THE EMERGENCY SYSTEM CIRCUITS.			
	<p>○ ELECTRICAL NOTE (see electrical notes on some sheet) unless otherwise noted.</p> <p>○ fixture type (capitol letter—see fixture schedule) circuit number</p> <p>○ surface point source light fixture (stem indicates wall mounted)</p> <p>○ RECESSED POINT SOURCE LIGHT FIXTURE</p> <p>○ POLE LIGHT, ARM MOUNTED (open circle indicates number &amp; orientation of luminaire)</p> <p>○ POLE LIGHT, POLE TOP MOUNTED</p> <p>△ BATTERY EMERGENCY LIGHTING UNIT (triangles indicate lighting heads)</p> <p>△ REMOTE EMERGENCY LIGHTING UNIT (triangles indicate lighting heads)</p> <p>△ RECESSED BATTERY EMERGENCY LIGHTING UNIT (triangles indicate exposed lighting heads)</p> <p>○ SURFACE OR PENDANT FLUORESCENT FIXTURE (shown to scale, stem indicates wall mounted)</p> <p>△ RECESSED FLUORESCENT FIXTURE (shown to scale)</p> <p>—V— TRACK LIGHTS &amp; TRACK</p> <p>○ BARE LAMP FLUORESCENT STRIP (length shown to scale)</p> <p>△ EXIT SIGN (stem = wall mtd, shaded quadrants = faces, provide arrows where shown)</p> <p>△ COMBINATION EXIT &amp; EMERGENCY LIGHTING HEADS (stem = wall mtd, shaded quadrants = faces, provide arrows where shown)</p> <p>○ WALL WASH LIGHT FIXTURE (shaded portion indicates orientation away from wall)</p> <p>△ RECESSED ACCENT LIGHT FIXTURE (arrow indicates orientation)</p> <p>○ CEILING JUNCTION BOX (stem = wall mtd.)</p> <p>○ SINGLE RECEPTACLE</p> <p>○ DUPLEX RECEPTACLE</p> <p>○ DUPLEX RECEPTACLE, EMERGENCY POWER</p> <p>○ FOUR-PLEX RECEPTACLE</p> <p>○ FOUR-PLEX RECEPTACLE, EMERGENCY POWER</p> <p>○ GFI DUPLEX RECEPTACLE</p> <p>○ GFI DUPLEX RECEPTACLE, EMERGENCY POWER</p>		

**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
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**LOC. #259720**  
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PLEASANT PRAIRIE, WI 53158

DRAWN BY:	JAS
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PROJECT #:	33-762

SHEET TITLE  
**ELECTRICAL NOTES AND LEGEND**

SHEET NUMBER  
**E-0**

**UTILITY NOTES:**

**WORK INCLUDES:**

THESE NOTES AND ACCOMPANYING DRAWINGS COMPLEMENT THE PROVISIONS AND INSTALLATIONS BY THE ELECTRICAL CONTRACTOR, OF ALL LABOR, MATERIALS AND EQUIPMENT REQUIRED TO INSTALL THE ELECTRICAL WORK COMPLETE IN CONNECTION WITH THIS VERIZON WIRELESS SITE AND SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:

1. THE PROVISIONS, INSTALLATION, AND CONNECTION OF A GROUNDING ELECTRODE SYSTEM COMPLETE WITH A BUILDING AND SECONDARY GROUNDING, CELLULAR TELEPHONE COMMUNICATIONS TOWER AND CONNECTIONS TO THE INCOMING ELECTRICAL DISTRIBUTION EQUIPMENT.
2. THE PROVISION AND INSTALLATION OF AN OVERHEAD ELECTRICAL SERVICE OR UNDERGROUND ELECTRICAL SERVICE AND ALL ASSOCIATED WIRE AND CONDUIT AS REQUIRED AND/OR INDICATED ON PLANS.
3. THE PROVISION, INSTALLATION OF CONDUIT AND CONNECTIONS FOR LOCAL TELEPHONE SERVICE.
4. THE FURNISHING AND INSTALLATION OF THE ELECTRICAL SERVICE ENTRANCE CONDUCTORS, CONDUITS, METER SOCKET, AND CONNECTIONS TO THE SERVICE EQUIPMENT WITHIN THE ENCLOSURE.
5. TWO INCH (2") AND THREE INCH (3") DIAMETER PVC CONDUITS SCHEDULE 40.
6. ALL PVC CONDUITS SHOULD BE LEFT WITH NYLON PULL CORD FOR FUTURE USE.
7. EXCAVATION, TRENCHING, AND BACKFILLING FOR CONDUIT(S), CABLE(S), AND EXTERNAL GROUNDING SYSTEM.

**CODES, PERMITS, AND FEES:**

1. ALL REQUIRED PERMITS, LICENSES, INSPECTIONS AND APPROVALS SHALL BE SECURED AND ALL FEES FOR SAME PAID BY CONTRACTOR.
2. THE INSTALLATION SHALL COMPLY WITH ALL APPLICABLE CODES: STATE, LOCAL AND NATIONAL, AND THE DESIGN, PERFORMANCE CHARACTERISTICS AND METHODS OF CONSTRUCTION OF ALL ITEMS AND EQUIPMENT SHALL BE IN ACCORDANCE WITH THE LATEST ISSUE OF THE VARIOUS APPLICABLE STANDARD SPECIFICATIONS OF THE FOLLOWING AUTHORITIES:

N.E.C.	NATIONAL ELECTRIC CODE
A.N.S.I.	AMERICAN NATIONAL STANDARDS INSTITUTE
I.E.E.E.	INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS
A.S.T.M.	AMERICAN SOCIETY FOR TESTING MATERIALS
N.E.M.A.	NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION
U.L.	UNDERWRITERS LABORATORIES, INC.
N.F.P.A.	NATIONAL FIRE PROTECTION ASSOCIATION

**RACEWAYS AND WIRING:**

1. WIRING OF EVERY KIND MUST BE INSTALLED IN CONDUIT, UNLESS NOTED OTHERWISE, OR AS APPROVED BY THE ENGINEER.
2. UNLESS OTHERWISE SPECIFIED, ALL WIRING SHALL BE COPPER (CU) TYPE THWN, SIZED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE.
3. RACEWAYS SHALL BE GALVANIZED STEEL, SIZED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, UNLESS OTHERWISE NOTED. ALL RACEWAYS SHALL BE APPROVED FOR THE INSTALLATION.
4. PULL OR JUNCTION BOXES SHALL BE PROVIDED AS REQUIRED TO FACILITATE INSTALLATION OF RACEWAYS AND WIRING. PROVIDE JUNCTION AND PULLBOXES FOR CONDUIT RUNS WITH MORE THAN (360) DEGREES OF BENDS.
5. PROVIDE A COMPLETE RACEWAY AND WIRING INSTALLATION, PERMANENTLY AND EFFECTIVELY GROUNDED IN ACCORDANCE WITH ARTICLE 250 OF THE NATIONAL ELECTRICAL CODE AND LOCAL CODES.
6. ELECTRICAL PANELBOARD SHALL BE FURNISHED AND INSTALLED BY OTHERS. ELECTRICAL CONTRACTOR SHALL FIELD VERIFY EXACT LOCATION.
7. ALL STEEL CONDUIT SHALL BE BONDED AT BOTH ENDS WITH GROUNDING BUSHING.

**GENERAL NOTES:**

SEE DETAILS AND SCHEDULES ON DRAWINGS AND SPECIFICATIONS FOR MEANING OF ABBREVIATIONS AND ADDITIONAL REQUIREMENTS AND INFORMATION. CHECK ARCHITECTURAL, STRUCTURAL AND OTHER MECHANICAL AND ELECTRICAL DRAWINGS FOR SCALE, SPACE LIMITATIONS, COORDINATION, AND ADDITIONAL INFORMATION, ETC. REPORT ANY DISCREPANCIES, CONFLICTS, ETC. TO ENGINEER BEFORE SUBMITTING BID. ALL EQUIPMENT FURNISHED BY OTHERS (FBO) SHALL BE PROVIDED WITH PROPER MOTOR STARTERS, DISCONNECTS, CONTROLS, ETC. BY THE ELECTRICAL CONTRACTOR UNLESS SPECIFICALLY NOTED OTHERWISE. THE ELECTRICAL CONTRACTOR SHALL INSTALL AND COMPLETELY WIRE ALL ASSOCIATED EQUIPMENT IN ACCORDANCE WITH MANUFACTURER'S WIRE DIAGRAMS AND AS REQUIRED FOR A COMPLETE OPERATING INSTALLATION. ELECTRICAL CONTRACTOR SHALL VERIFY AND COORDINATE ELECTRICAL CHARACTERISTICS AND REQUIREMENTS OF (FBO) EQUIPMENT PRIOR TO ROUGH-IN OF CONDUIT AND WIRING TO AVOID CONFLICTS.

**COORDINATION WITH UTILITY COMPANY:**

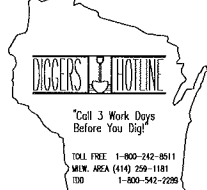
THE ELECTRICAL CONTRACTOR SHALL COORDINATE COMPLETE ELECTRICAL SERVICE WITH LOCAL UTILITY COMPANY FOR A COMPLETE OPERATIONS SYSTEM, INCLUDING TRANSFORMER CONNECTIONS, CONCRETE TRANSFORMER PADS, IF REQUIRED, METER SOCKETS, PRIMARY CABLE RACEWAY REQUIREMENTS, SECONDARY SERVICE, ETC. PRIOR TO SUBMITTING BID TO INCLUDE ALL LABOR AND MATERIALS. THE ELECTRICAL CONTRACTOR SHALL INCLUDE IN THE BID ANY OPTIONAL OR EXCESS FACILITY CHARGES ASSOCIATED WITH PROVIDING ELECTRICAL SERVICE FROM LOCAL UTILITY COMPANY. VERIFY BEFORE BIDDING TO INCLUDE ALL COSTS. THE ELECTRICAL CONTRACTOR SHALL VERIFY THE AVAILABLE FAULT CURRENT WITH THE LOCAL UTILITY COMPANY PRIOR TO SUBMITTING BID. ADJUST A.I.C. RATINGS OF ALL OVER CURRENT PROTECTION DEVICES IN DISTRIBUTION EQUIPMENT AS REQUIRED TO COORDINATE WITH AVAILABLE FAULT CURRENT FROM LOCAL UTILITY COMPANY. ALL GROUNDING RODS PROVIDED BY THE POWER OR TELEPHONE UTILITY COMPANIES MUST BE TIED INTO THE MAIN EXTERNAL GROUND RING.

**UTILITY CONTACTS:**

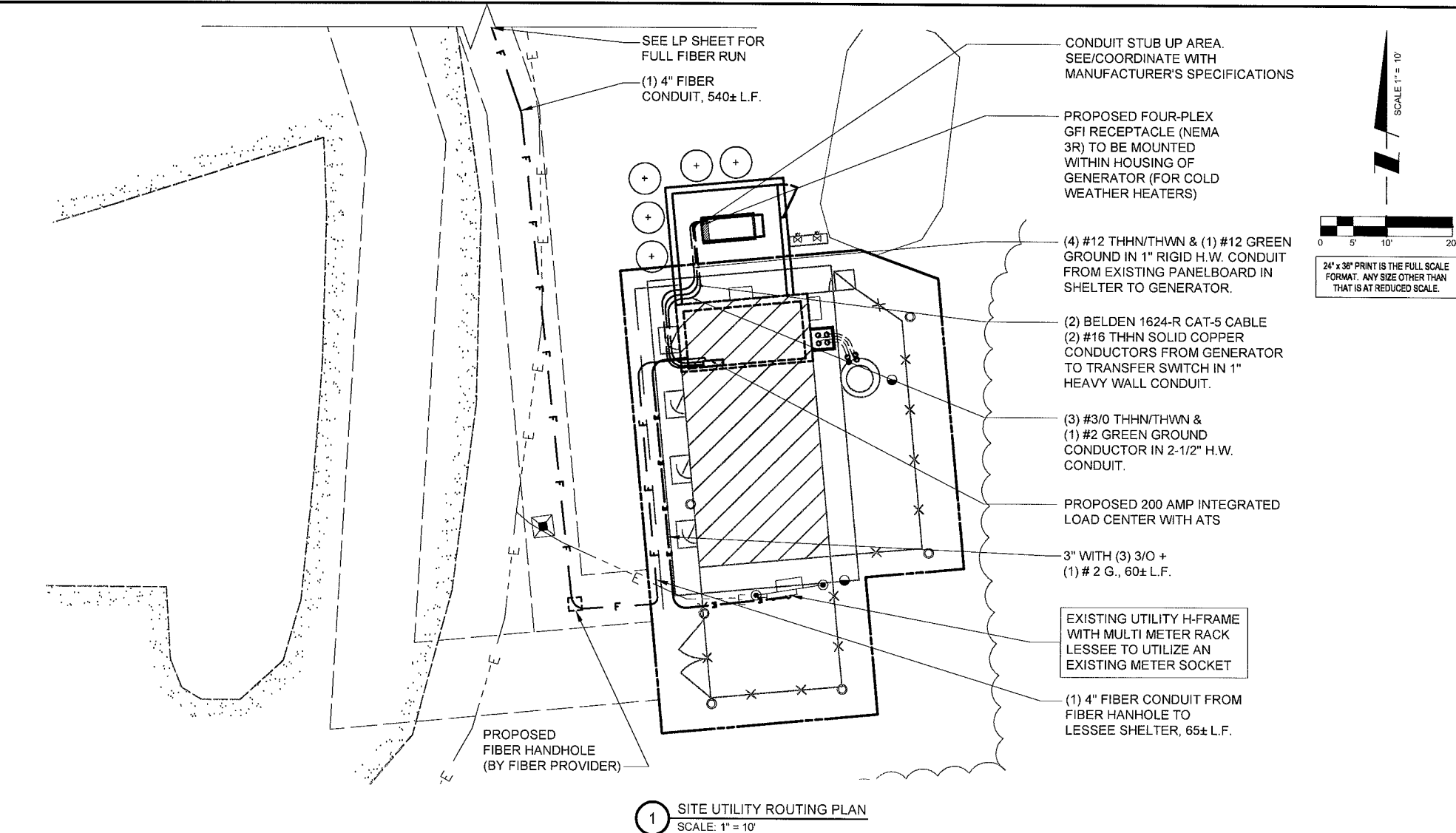
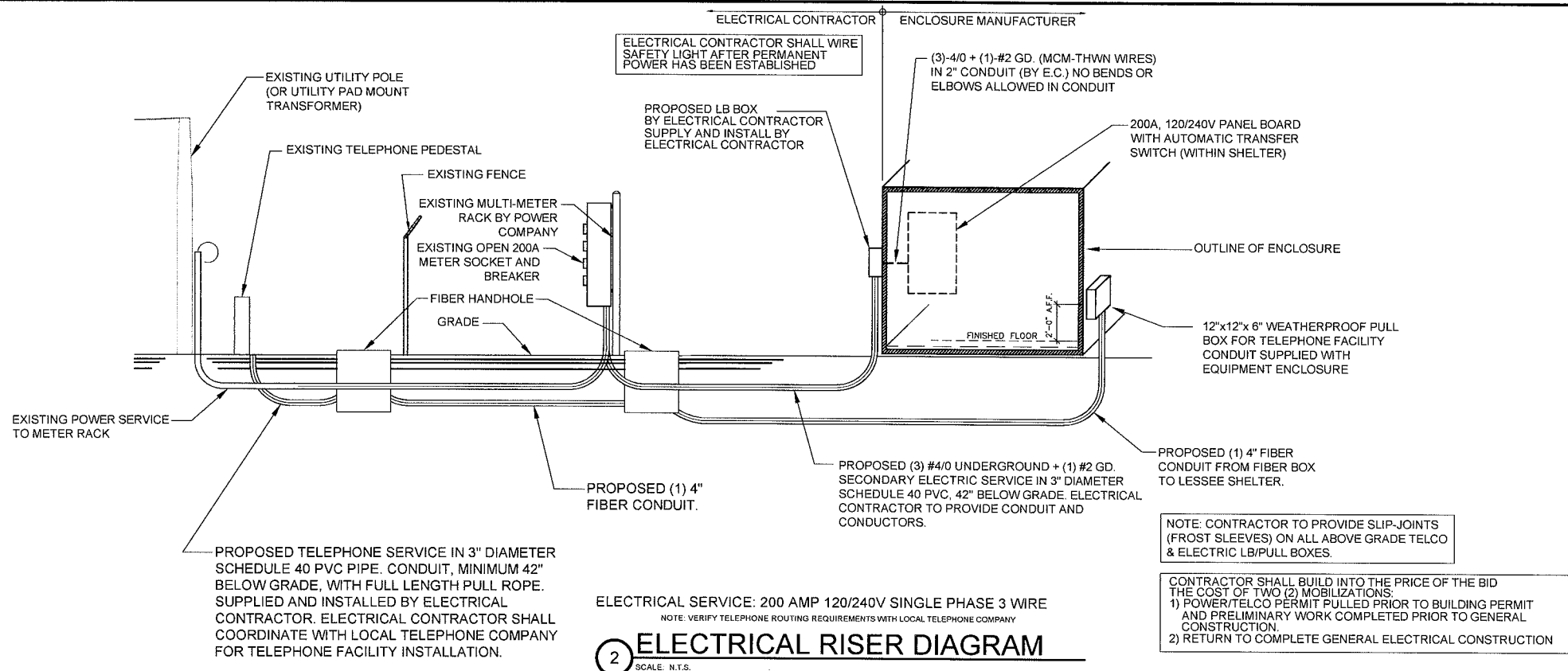
POWER: ALLIANT ENERGY	TELEPHONE: T.B.D.
POWER CO	PHONE CO
T.B.D.	T.B.D.
T.B.D.	T.B.D.
T.B.D.	T.B.D.

ELECTRICAL CONTRACTOR SHALL COORDINATE WITH POWER COMPANY FOR ENTRY INTO FENCED AREA BY EITHER MAILING A KEY TO A SLAVE LOCKED CHAIN AT THE FENCE GATE OR CALLING AND LEAVING A COMBINATION.

FOR CONTINUATION AND CONNECTION OF ELECTRIC AND TELEPHONE SERVICE. COORDINATE WITH ELECTRIC AND PHONE COMPANY



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED



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REVISIONS	
NO.	DESCRIPTION
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**LOC. #259720**

**PLEASANT PRAIRIE & 94**

9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

DRAWN BY	JAS
CHECKED BY	TAZ
DATE	7/26/12
PROJECT #	33-782

SHEET TITLE  
**UTILITY ROUTING PLAN**

SHEET NUMBER  
**E-1**

**GROUNDING ELECTRODE SYSTEM NOTES:**

- ALL GROUNDING CONNECTIONS SHALL BE MADE BY THE EXOTHERMIC PROCESS CONNECTIONS SHALL INCLUDE ALL CABLE TO CABLE, SPLICES, ETC. ALL CABLE TO GROUND RODS, GROUND RODS SPLICES AND LIGHTNING PROTECTION SYSTEM AS INDICATED. GROUND FOUNDATION ONLY AS INDICATED BY PM. ALL MATERIALS USED (MOLDS, WELDING, METAL, TOOLS, ETC.) SHALL BE BY EXOTHERMIC PROCESS AND INSTALLED PER MANUFACTURERS RECOMMENDATIONS AND PROCEDURES. GROUND CONDUCTOR SHALL HAVE A MINIMUM 24" BENDING RADIUS.
- ALL EXOTHERMIC CONNECTIONS ON GALVANIZED SURFACES SHALL BE CLEANED THOROUGHLY AND COLORED TO MATCH SURFACE WITH (2) TWO COATS OF SHERWIN-WILLIAMS GALVITE (WHITE) PAINT B50W3 (OR EQUAL) OR SHERWIN-WILLIAMS SILVERBRITE (ALUMINUM) B59S11 (OR EQUAL).
- ALL ELECTRICAL & MECHANICAL GROUND CONNECTIONS SHALL HAVE ANTI-OXIDANT COMPOUND APPLIED TO CONNECTION

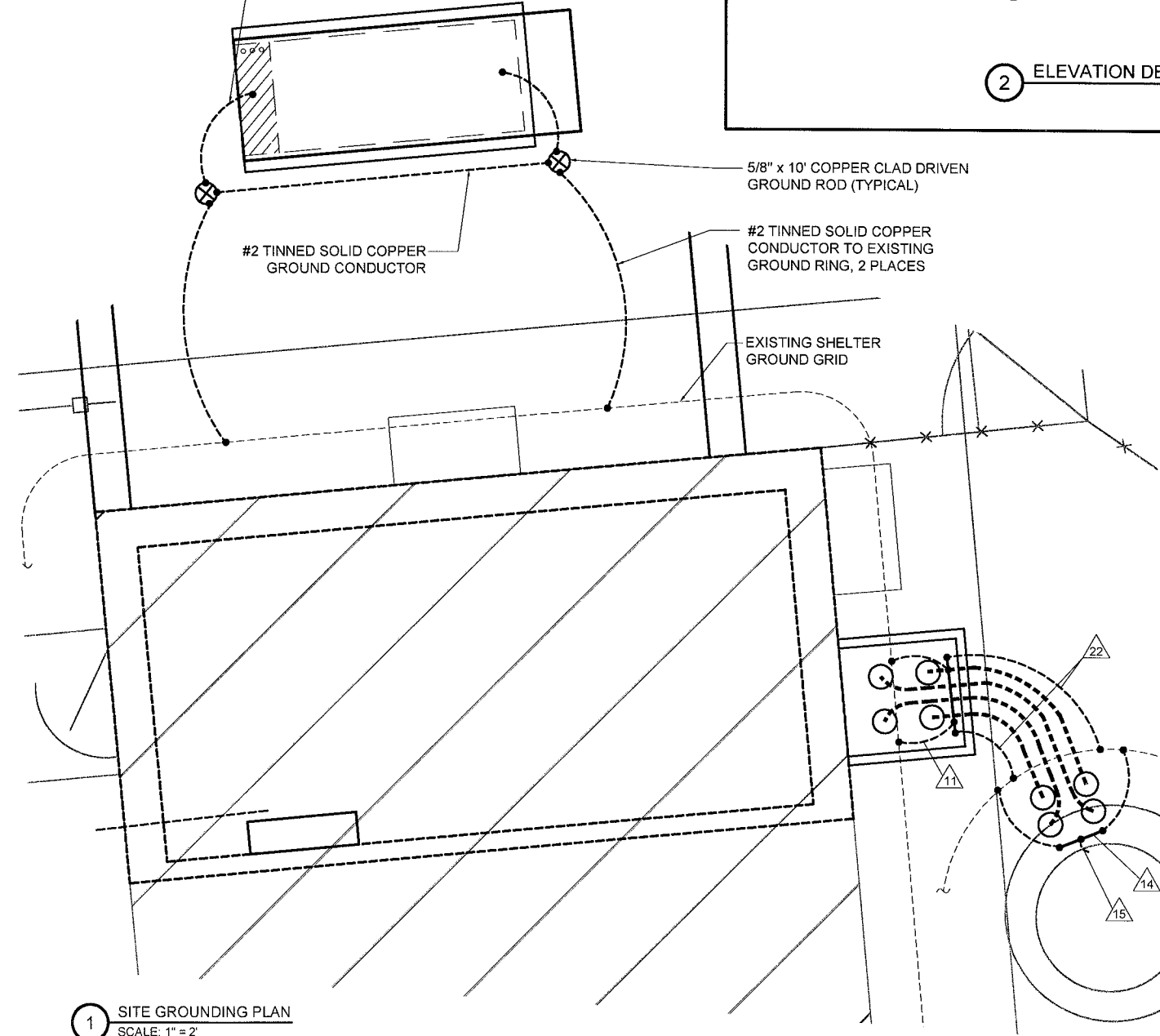
LEGEND	
SYMBOL	DESCRIPTION
⊗	5/8" DIAMETER x 10'-0" LONG COPPER CLAD GROUND ROD (HARGER-5810)
○	5/8" DIAMETER x 10'-0" LONG COPPER CLAD GROUND ROD WITH INSPECTION WELL
---	#2 AWG TINNED SOLID BARE COPPER WIRE MINIMUM 42" BELOW GRADE (HARGER-L2)
---	UNDERGROUND ELECTRICAL
---	UNDERGROUND TELEPHONE
---	UNDERGROUND FIBER
---	EXOTHERMIC WELD
---	OVERHEAD ELECTRICAL SERVICE
---	OVERHEAD TELEPHONE SERVICE

- FENCE/GATE: GROUND FENCE POSTS WITHIN 6 FEET OF ENCLOSURE AND 25 FEET OF TOWER AS INDICATED ON DRAWINGS. GROUND EACH GATE POST AND CORNER POST GROUND CONNECTIONS TO FENCE POSTS SHALL BE MADE BY THE EXOTHERMIC PROCESS AND INSTALLED PER MANUFACTURERS RECOMMENDATIONS AND PROCEDURES. ALL OTHER CONNECTIONS FOR THE GROUND GRID SYSTEM SHALL BE MADE BY THE EXOTHERMIC PROCESS, AND INSTALLED PER MANUFACTURERS RECOMMENDATIONS AND PROCEDURES.
- AFTER INSTALLATION OF THE CANOPY AT THE DOOR, GC/EC IS TO BOND THE CANOPY TO THE DOOR FRAME WITH A #2 CONDUCTOR. USE DOUBLE-LUG CONNECTION. PREP AND PAINT SURFACE TO MATCH AFTER INSTALLATION.
- UTILITY COMPANY COORDINATION: ELECTRICAL CONTRACTOR SHALL CONFIRM THAT ALL WORK IS IN ACCORDANCE WITH THE RULES OF THE LOCAL UTILITY COMPANY BEFORE SUBMITTING THE BID, THE CONTRACTOR SHALL CHECK WITH THE UTILITY COMPANIES SUPPLYING SERVICE TO THIS PROJECT AND SHALL DETERMINE FROM THEM ALL EQUIPMENT AND CHARGES WHICH THEY WILL REQUIRE AND SHALL INCLUDE THE COST IN THE BID.
- GROUND TEST: GROUND TESTS SHALL BE PERFORMED AS REQUIRED BY LESSEE STANDARD PROCEDURES. GROUND GRID RESISTANCE SHALL NOT EXCEED 5 OHMS.
- CONTRACTOR SHALL SUBMIT THE GROUND RESISTANCE TEST REPORT AS FOLLOWS:
  - ONE (1) COPY TO OWNER REPRESENTATIVE
  - ONE (1) COPY TO ENGINEER
  - ONE (1) COPY TO KEEP INSIDE EQUIPMENT ENCLOSURE

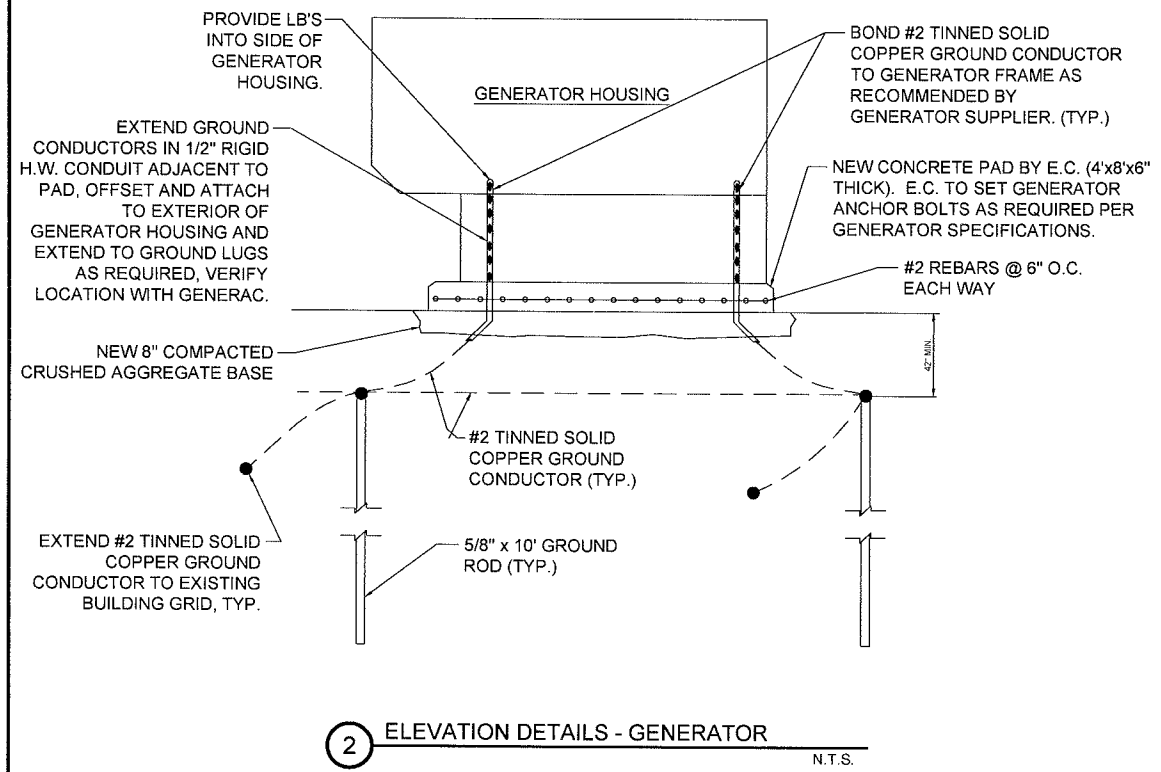
**TYPICAL KEYED GROUNDING NOTES:**

- #2 AWG TINNED SOLID BARE COPPER CONDUCTOR 42" BELOW GRADE (TYPICAL) MINIMUM 24" BENDING RADIUS
- ENCLOSURE GROUND (TYP.) IN 1/2" DIAMETER SCHEDULE 40 PVC CONDUIT
- GROUND EQUIPMENT ENCLOSURE HVAC WITH MECHANICAL CLAMP (SEE DETAIL, SHEET E-3)
- #2 AWG TINNED SOLID COPPER CONDUCTOR WITH MECHANICAL CLAMP TO HOOD (SEE DETAIL, SHEET E-3)
- #2 AWG TINNED SOLID COPPER CONDUCTOR RUN FROM HOOD TO MUFFLER WITH PIPE CLAMP GROUND (SEE DETAIL, SHEET E-3)
- #2 AWG TINNED SOLID COPPER CONDUCTOR RUN TO FILLER WITH GROUND JUMPER TO VENT WITH PIPE CLAMP GROUND (SEE DETAIL, SHEET E-3)
- MAINTAIN TWO FOOT DISTANCE OFF OF STRUCTURES.
- GROUND TELEPHONE SERVICE ENTRANCE (SEE DETAIL, SHEET E-3)
- ELECTRIC METER AND ELECTRIC SERVICE GROUNDING (SEE DETAIL SHEET E-4), COORDINATE ALTERNATE WITH PM
- GROUND COAXIAL ANTENNA CABLES TO GROUND BAR BY ANTENNA CONTRACTOR TERMINATE CABLES 1'-0" FROM ENCLOSURE AND INSTALL LIGHTNING SURGE ARRESTORS ON EACH CABLE GROUND.
- EXOTHERMICALLY WELD COPPER GROUND BAR TAIL TO EXTERIOR HALO GROUND RING (EXOTHERMIC CONNECTION TYPE TA) BY ANTENNA CONTRACTOR. FINAL CONNECTION BY ELECTRICAL CONTRACTOR.
- 4"x20"x1/4" TINNED INSULATED COPPER GROUND BAR, NON ISOLATED WITH 10.0' LONG #2 AWG TINNED SOLID COPPER WIRE WELDED TAILS (HARGER GBIT 14420VW)
- GROUND CABLE WAVEGUIDE BRIDGE (TYP.) BY ELECTRICAL CONTRACTOR.
- 4"x20"x1/4" TINNED INSULATED COPPER GROUND BAR, NON-ISOLATED, WITH 10.0' LONG #2 AWG TINNED SOLID COPPER WIRE WELDED TAILS (HARGER GBIT 14420VW)
- GROUND ANTENNA CABLES TO GROUND BAR AT ANTENNA ELEVATION OF TOWER. GROUND BASE GROUND BAR TO GROUND HALO.
- ASSUMED LOCATION OF EXISTING TOWER GROUND RING
- 5/8" DIAMETER x 10'-0" LONG COPPER CLAD GROUND ROD (HARGER-5810) (SEE DETAIL, SHEET E-3) WITH EXOTHERMIC CONNECTION
- GROUND CHAIN LINK FENCE (TYPICAL) EXOTHERMIC CONNECTION (TYPE VS) GROUND FENCE POSTS WITHIN 6 FEET OF ENCLOSURE AND 25 FEET OF TOWER. (SEE DETAIL, SHEET E-3)
- GATE JUMPERS (SEE DETAIL, SHEET E-3)
- BOND EXISTING TOWER GROUND RING TO PROPOSED GROUND RING WITH #2 AWG TINNED SOLID COPPER CONDUCTOR IN 2 LOCATIONS.
- VERIFY SERVICE DISCONNECT GROUND IS IN PLACE AT EXISTING MULTI METER RACK.
- TWO #2 LEADS FROM THE EGR TO THE MGB LOCATED IN THE SHELTER. CADWELD AT EGR AND DOUBLE HOLE LUGS IN SHELTER.
- ELECTRIC SERVICE ENTRY GROUND

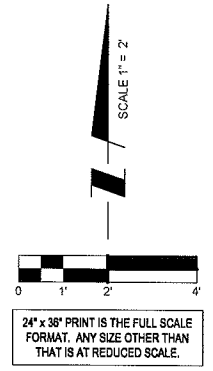
EXTEND GROUND CONDUCTORS IN 1/2" RIGID H.W. CONDUIT ADJACENT TO PAD, OFFSET AND ATTACH TO EXTERIOR OF GENERATOR HOUSING AND EXTEND TO GROUND LUGS AS REQUIRED, VERIFY LOCATION WITH GENERAC.



**1 SITE GROUNDING PLAN**  
SCALE: 1" = 2'



**2 ELEVATION DETAILS - GENERATOR**  
N.T.S.



NOTE:  
SEE GROUNDING DETAILS  
ON SHEETS E-3 & E-4

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Ph: 847/598-6400  
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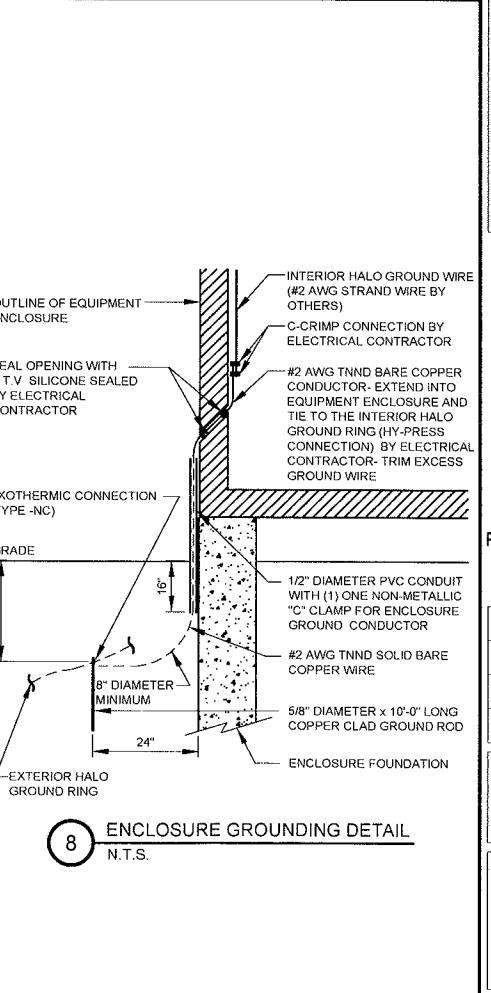
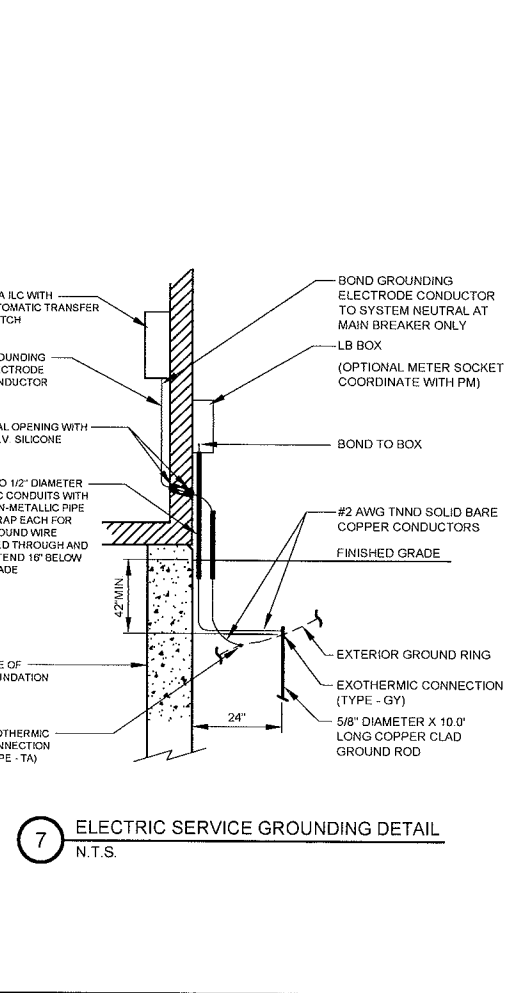
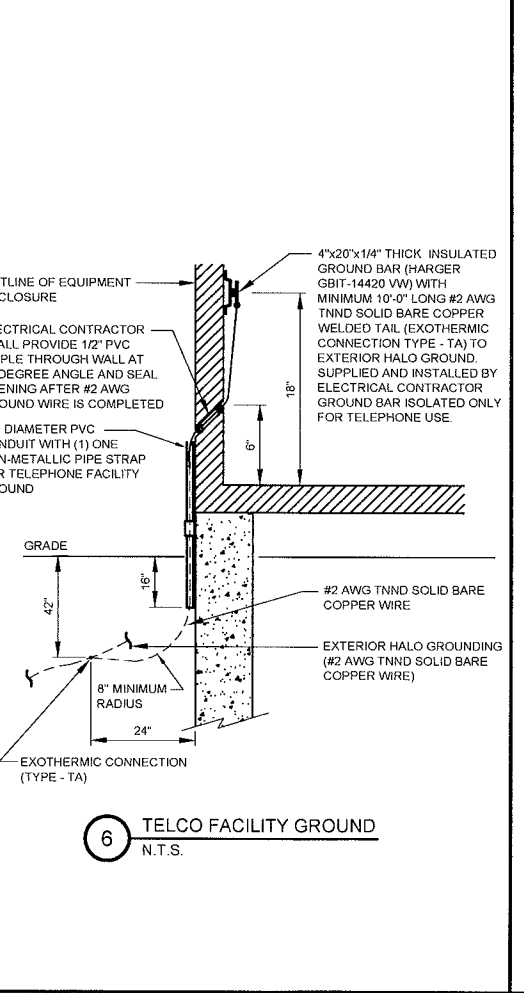
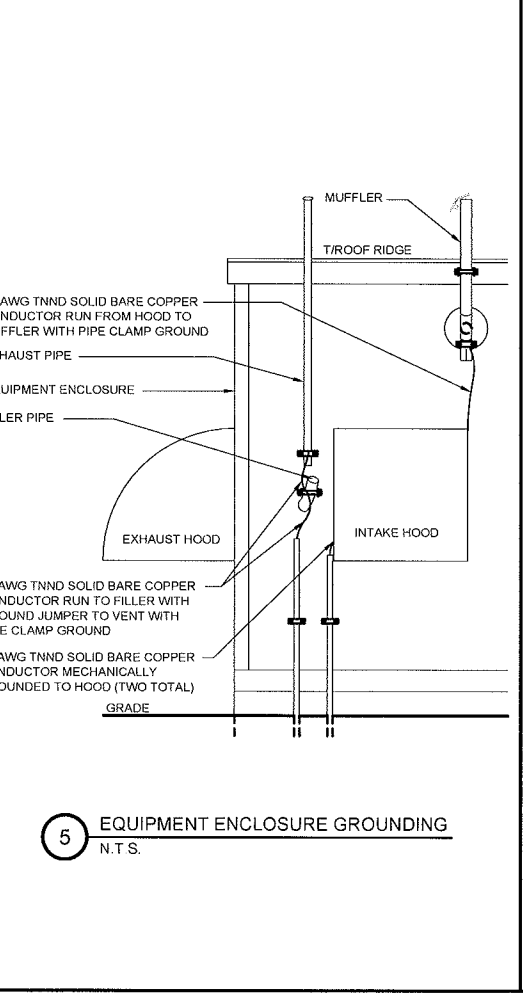
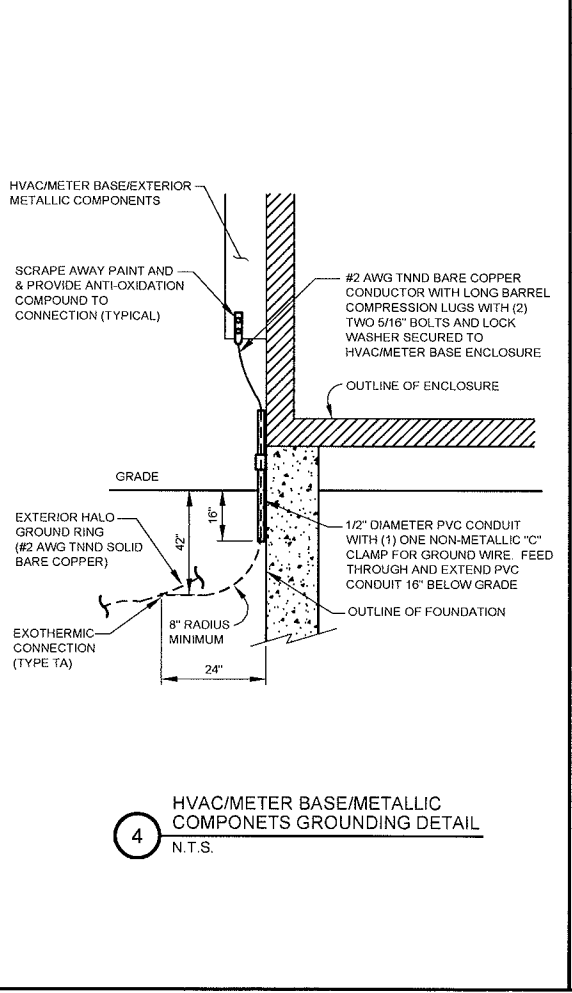
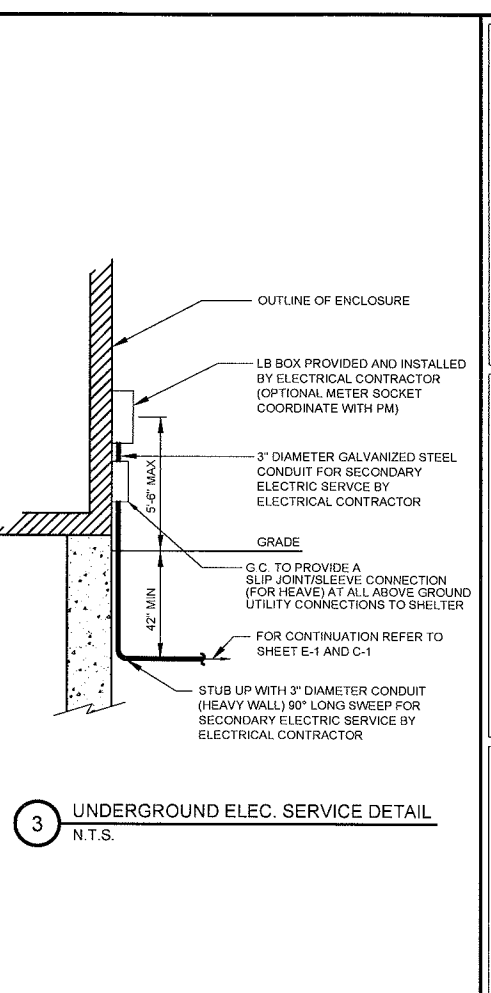
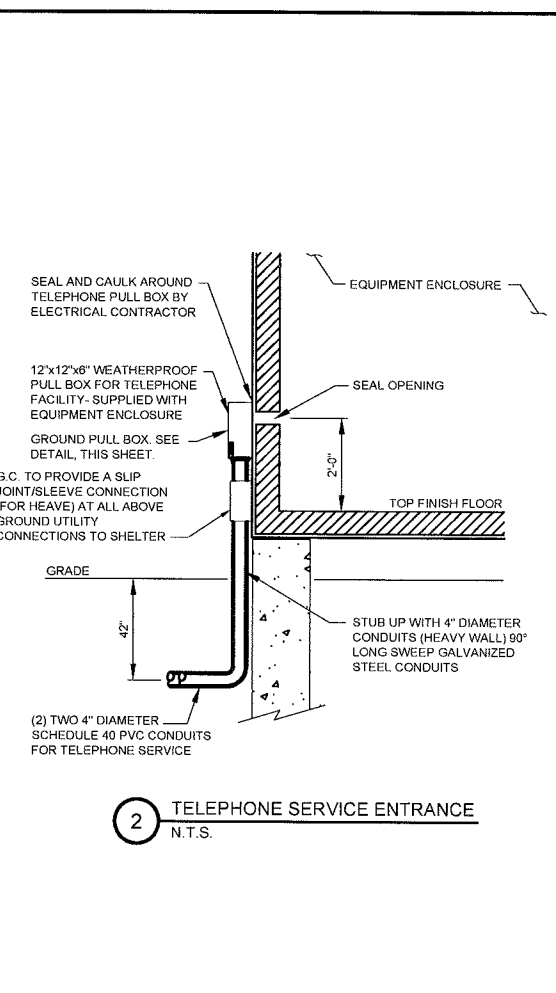
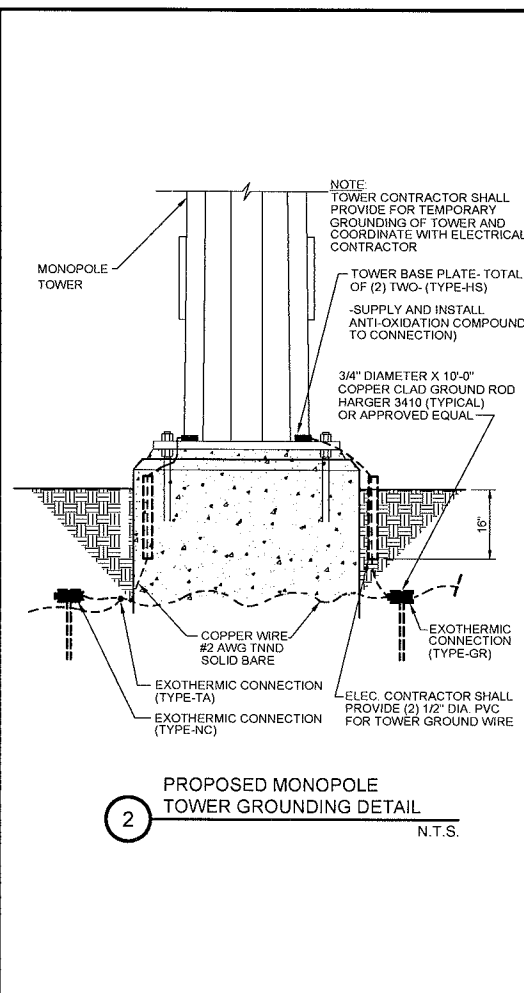
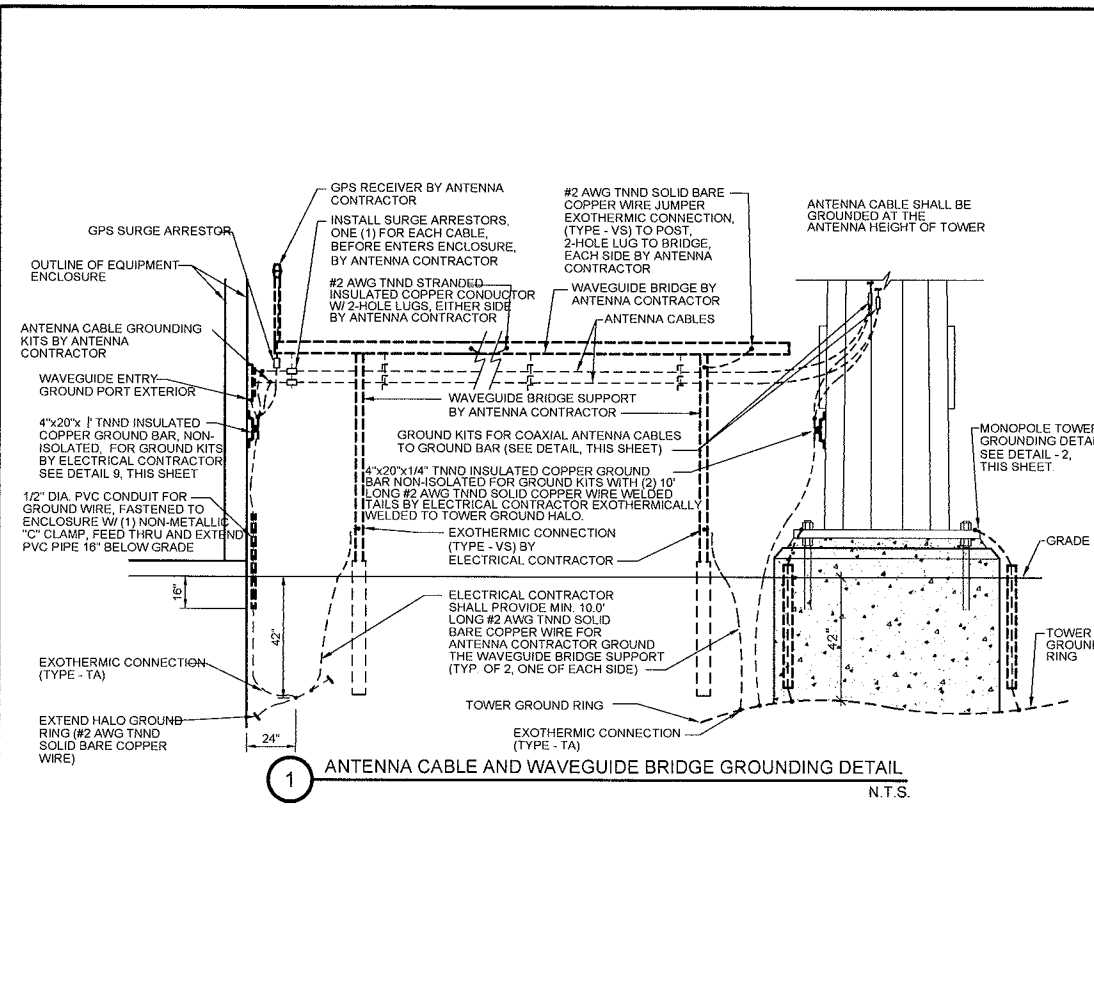
NO.	DESCRIPTION	BY	DATE
		JAS	7/26/12
	ISSUED FOR REVIEW		

LOC. #259720  
**PLEASANT PRAIRIE & 94**  
9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

DRAWN BY:	JAS
CHECKED BY:	TAZ
DATE:	7/26/12
PROJECT #:	33-762

SHEET TITLE  
**SITE GROUNDING PLAN**

SHEET NUMBER  
**E-2**



**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
d/b/a Verizon Wireless

**TERRA CONSULTING GROUP, LTD.**  
600 Busse Highway, #60068  
Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

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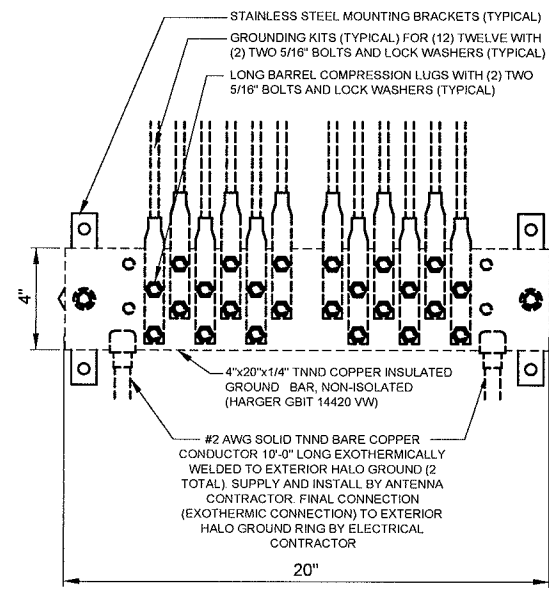
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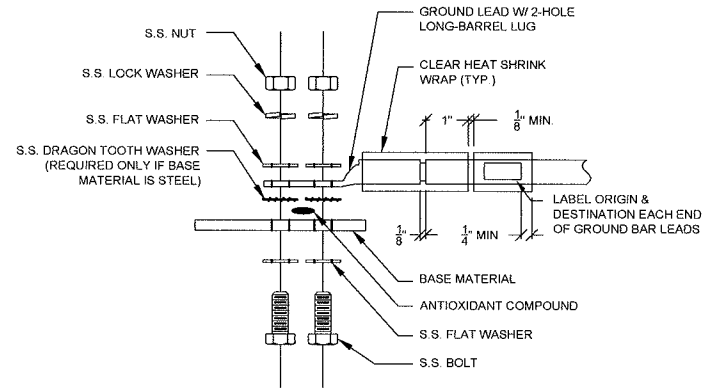
SHEET TITLE  
**ELECTRICAL AND GROUNDING DETAILS**

SHEET NUMBER  
**E-3**

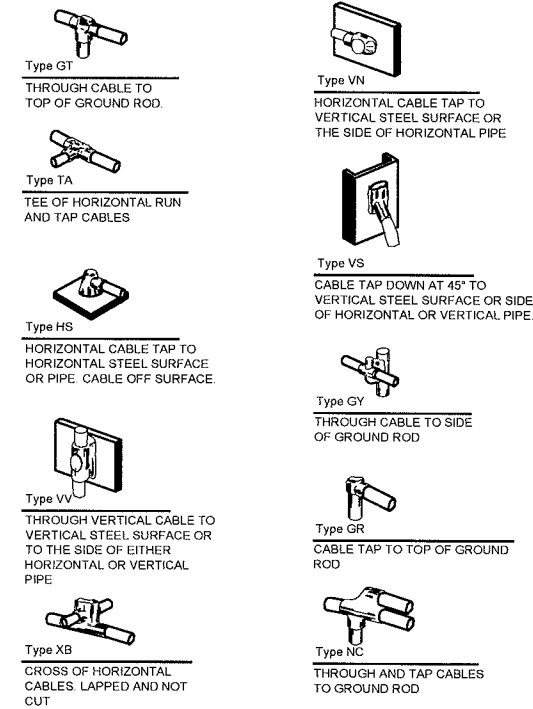


1 EXTERIOR GROUND BAR DETAIL  
N.T.S.

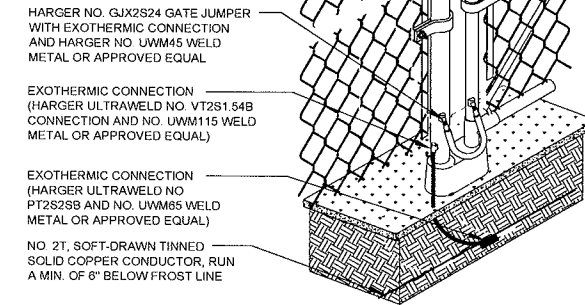
- NOTES:
1. ALL HARDWARE 18-8 STAINLESS STEEL INCLUDING BELLEVILLES. COAT ALL SURFACES WITH KOPR-SHIELD BEFORE MATING.
  2. FOR GROUND BOND TO STEEL ONLY: INSERT A DRAGON TOOTH WASHER BETWEEN LUG AND STEEL, COAT ALL SURFACES WITH KOPR-SHIELD.
  3. GROUND BARS, INSTALL BOLT HEAD TOWARD WALL
  4. ENCLOSURES, INSTALL BOLT HEAD ON OUTSIDE OF ENCLOSURE



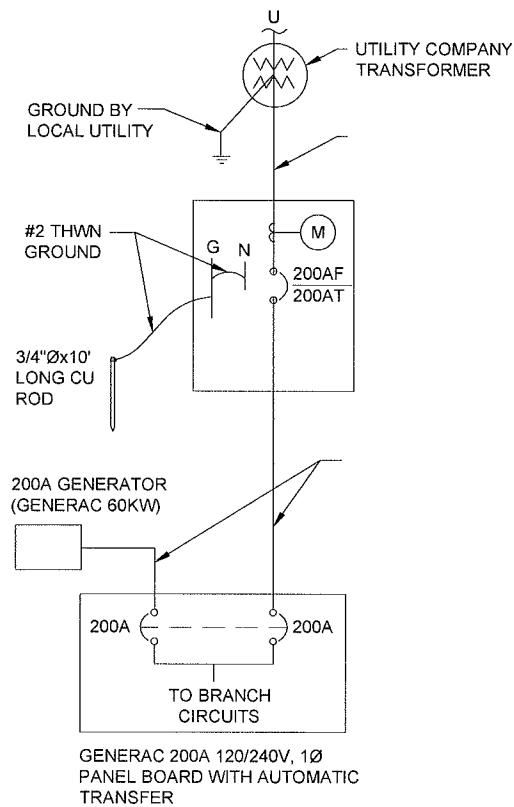
2 GROUND LIG INSTALLATION DETAIL  
N.T.S.



3 EXOTHERMIC WELD DETAILS  
EXOTHERMIC AND HARGER ULTRAWELD OR APPROVED EQUAL



4 FENCE GROUNDING DETAIL  
N.T.S.



5 SINGLE LINE DIAGRAM  
N.T.S.

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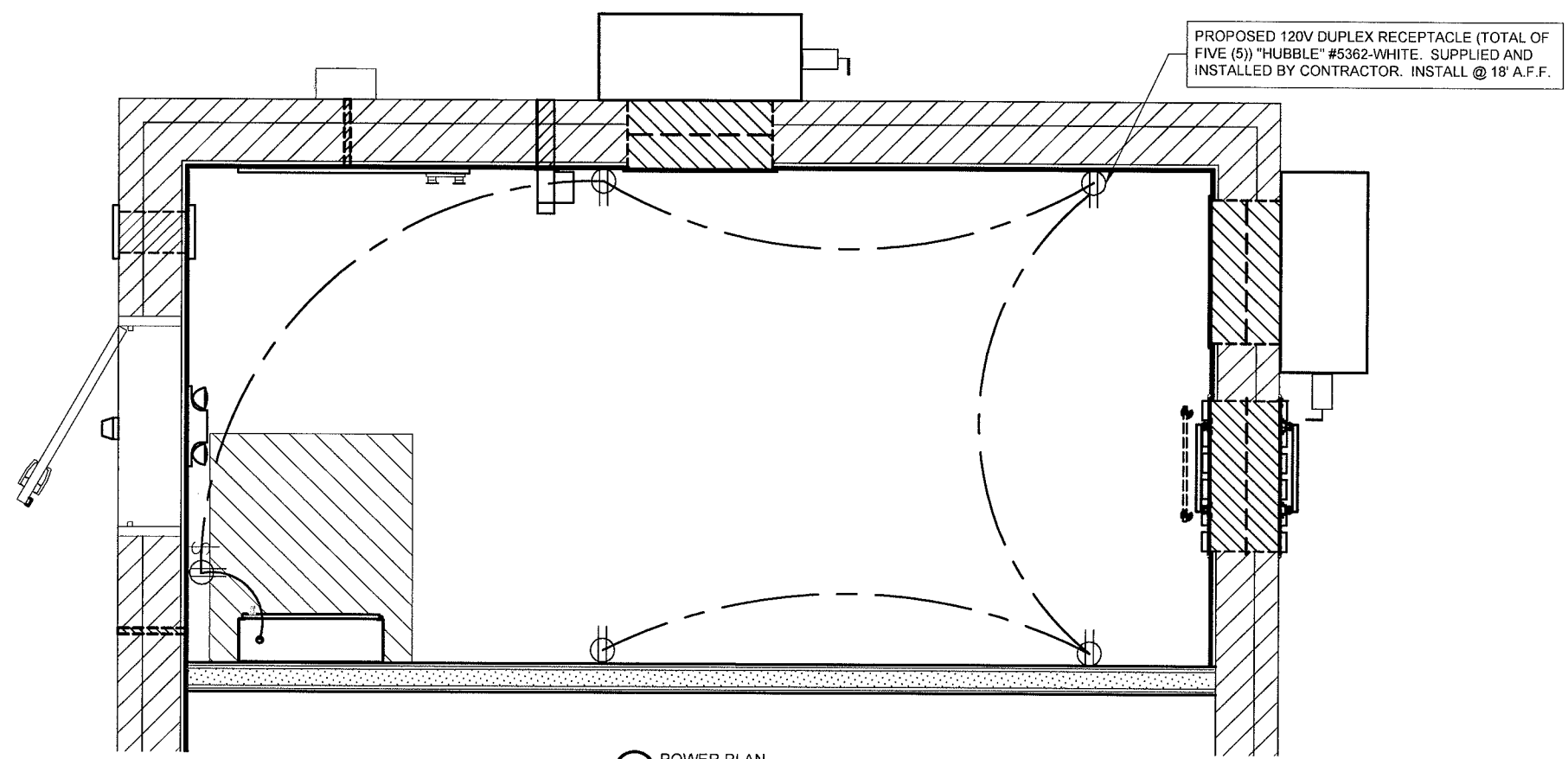
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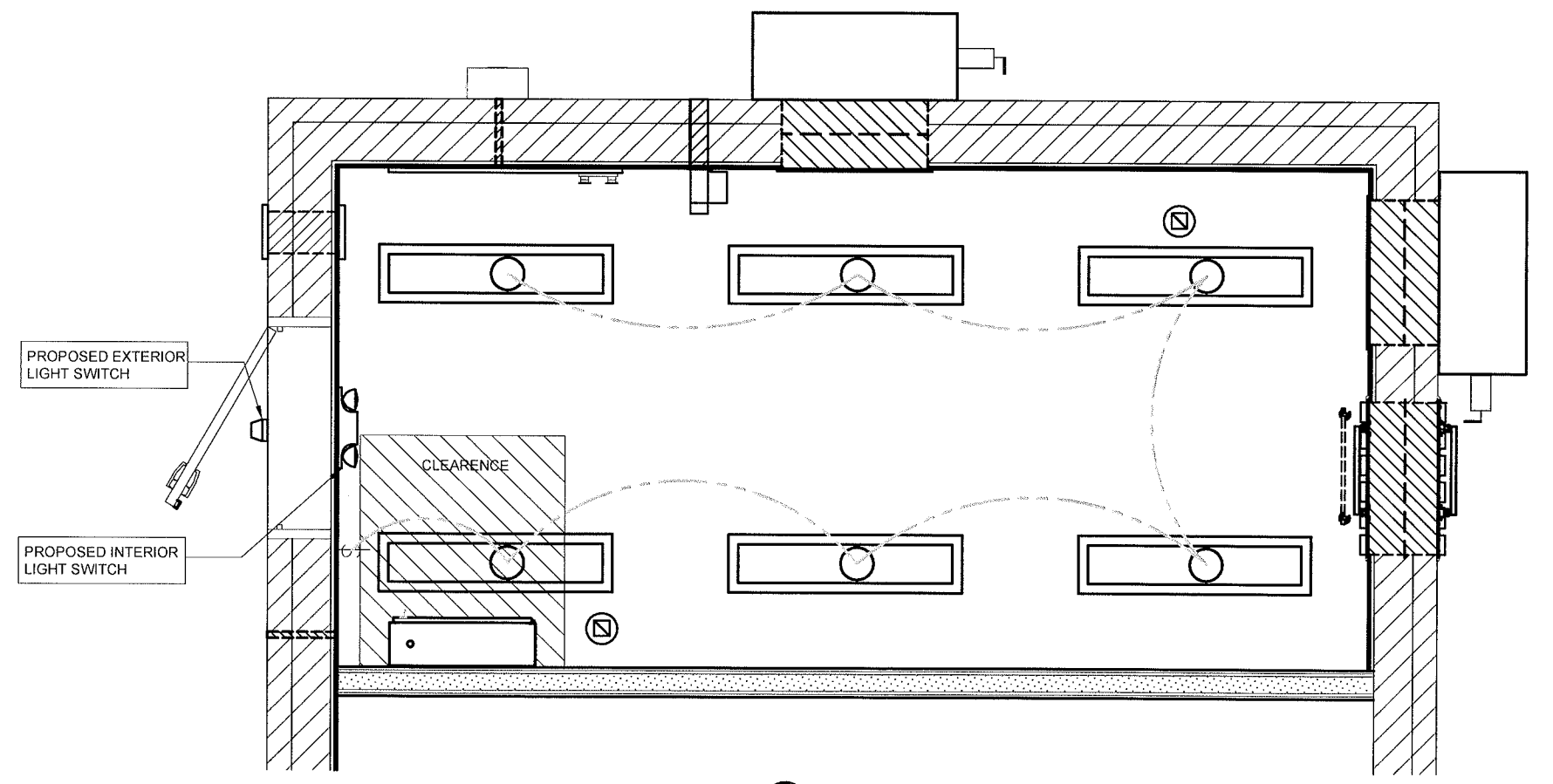
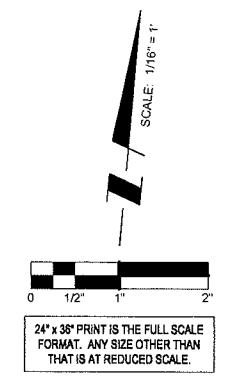
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PROJECT #	33-762

SHEET TITLE  
ELECTRICAL AND  
GROUNDING DETAILS

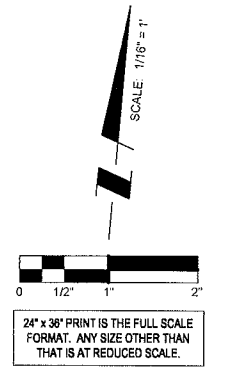
SHEET NUMBER  
**E-4**



1 POWER PLAN  
1/16" = 1'-0"



2 LIGHTING PLAN  
1/16" = 1'-0"



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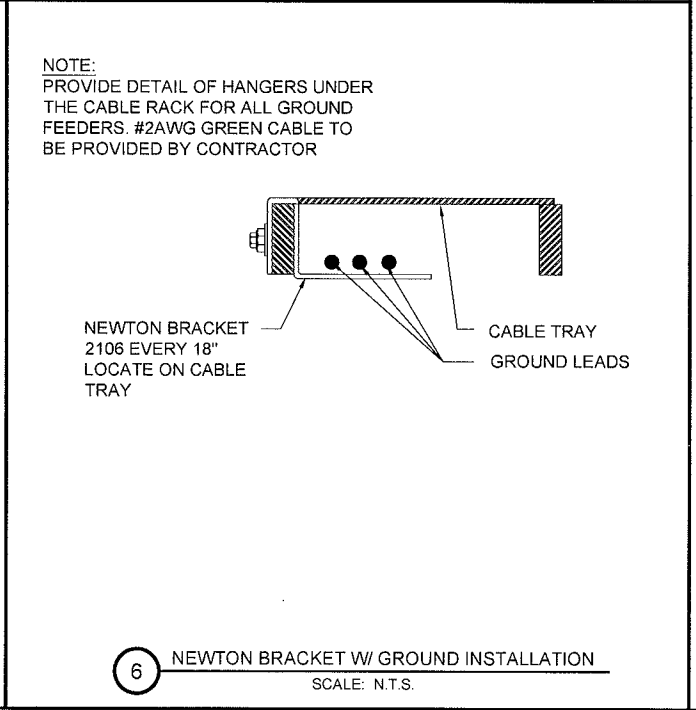
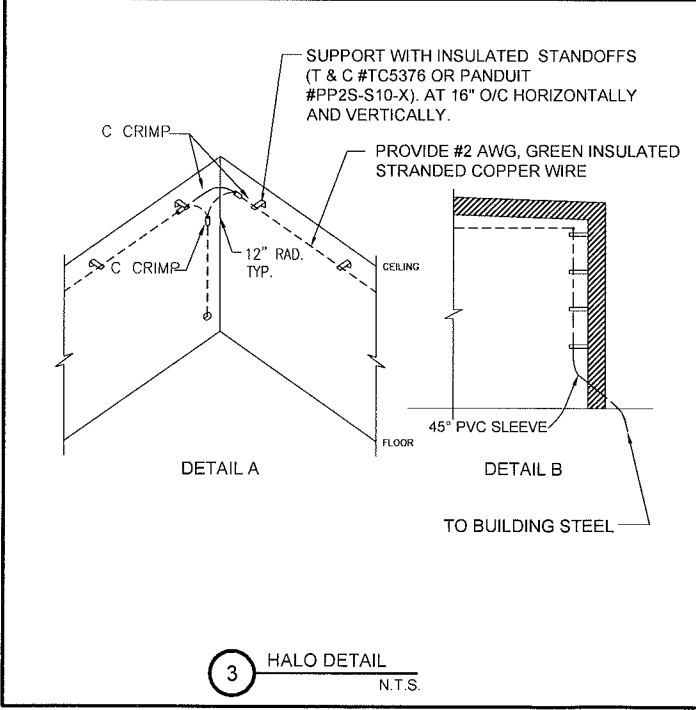
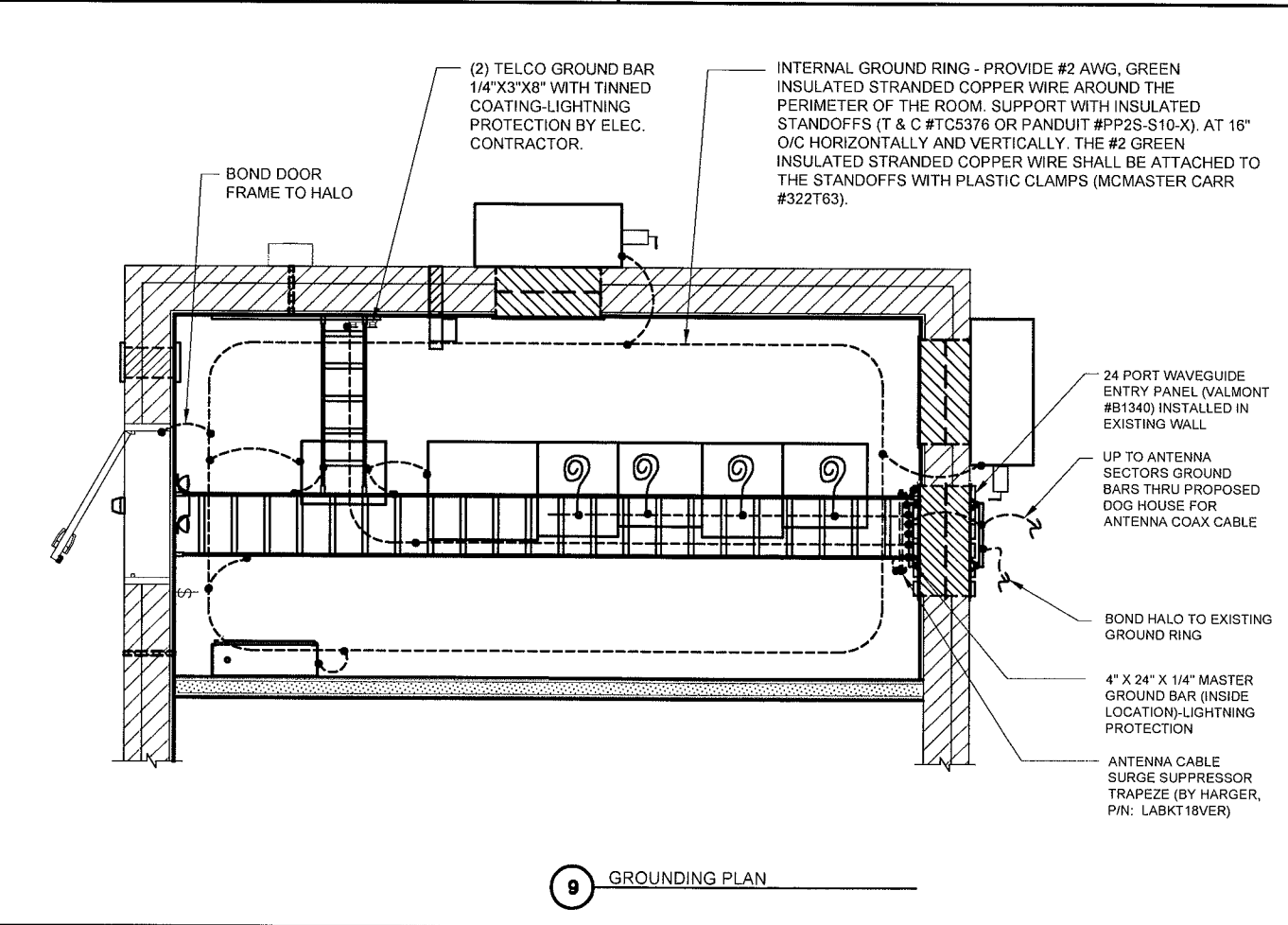
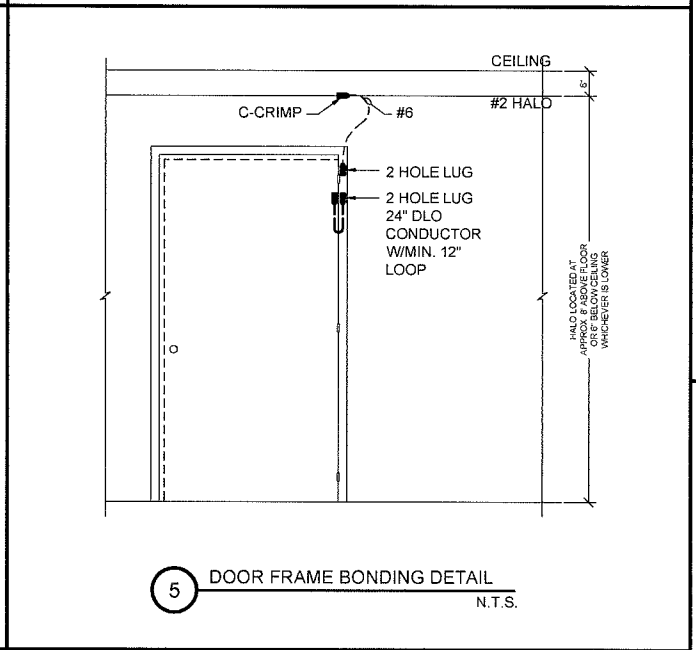
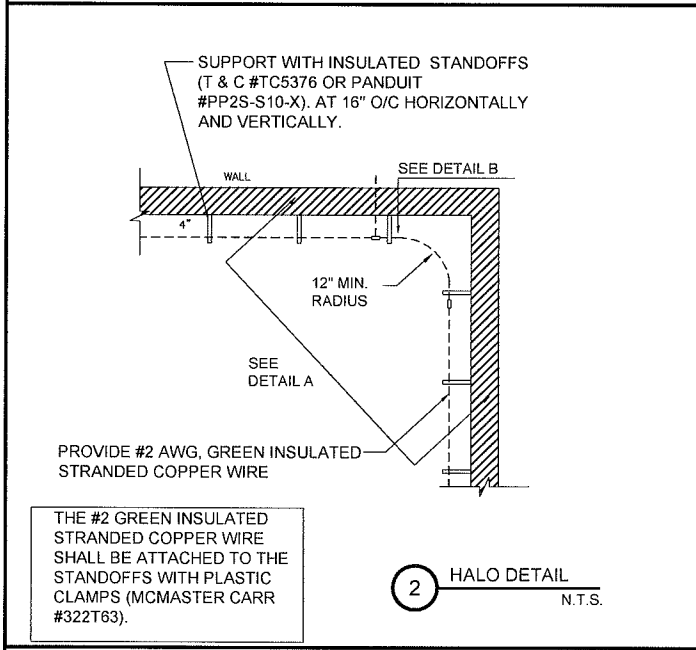
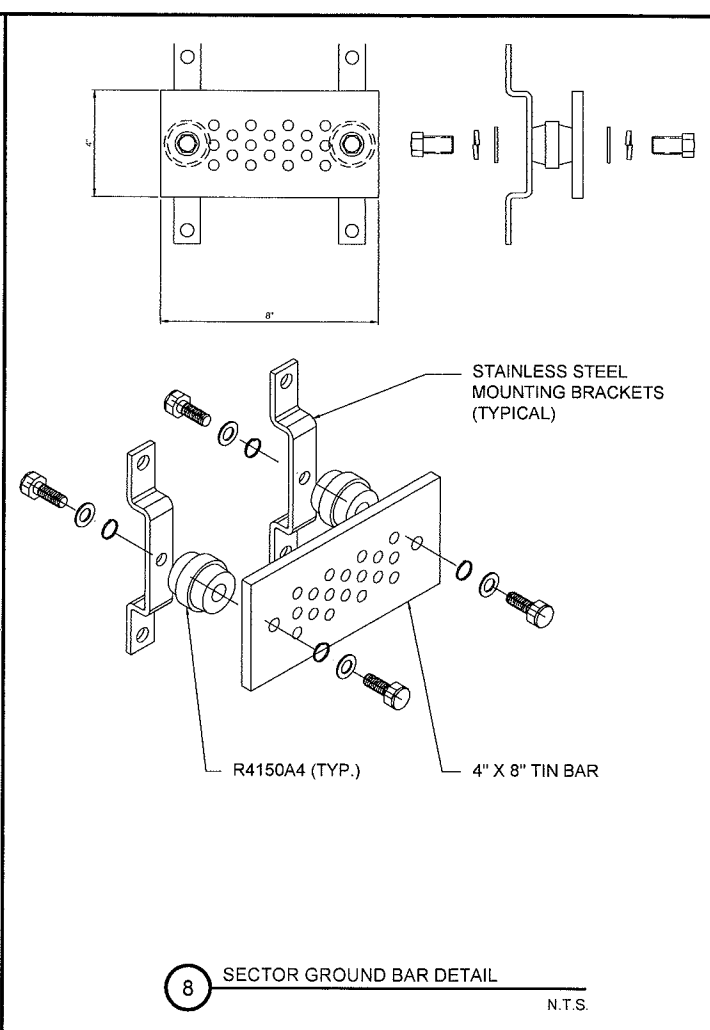
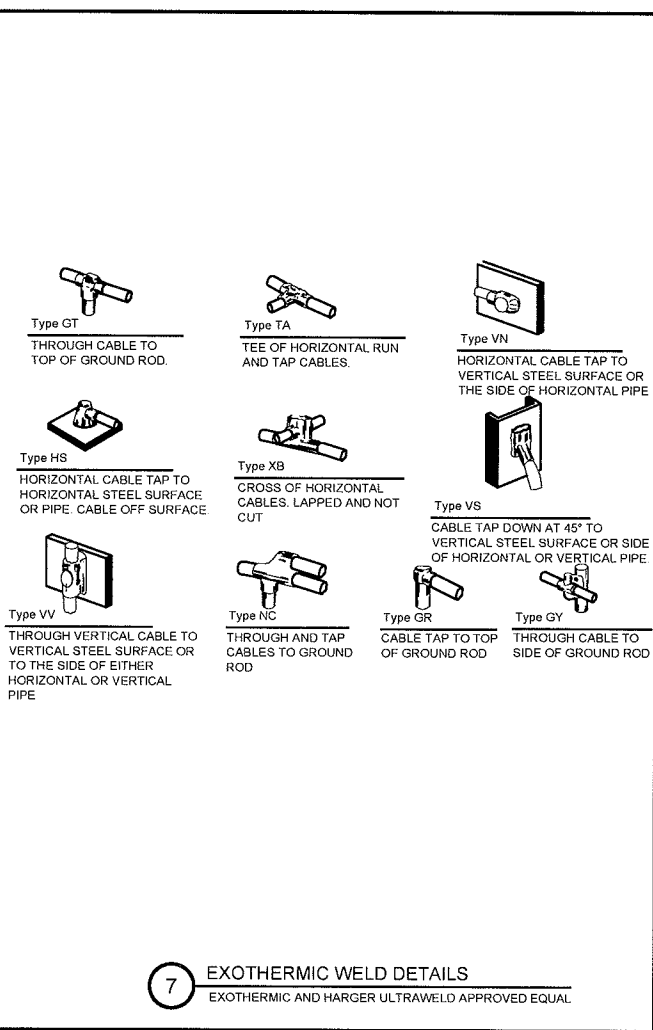
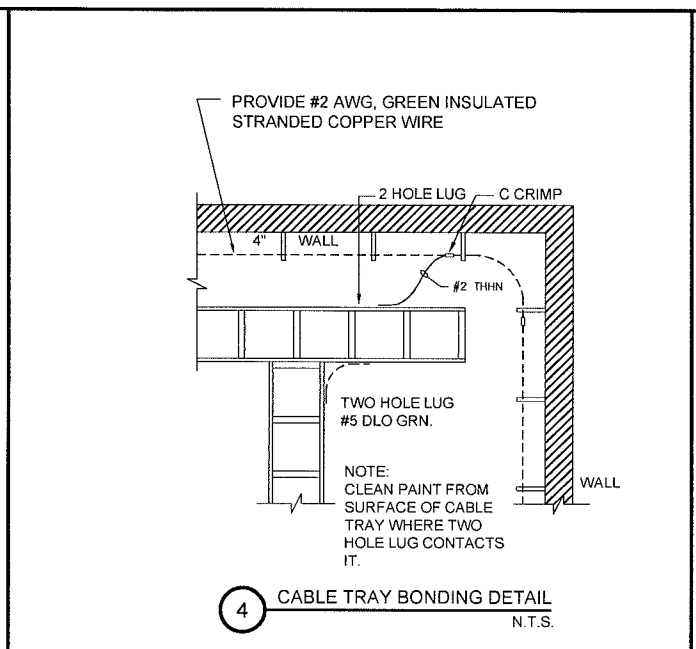
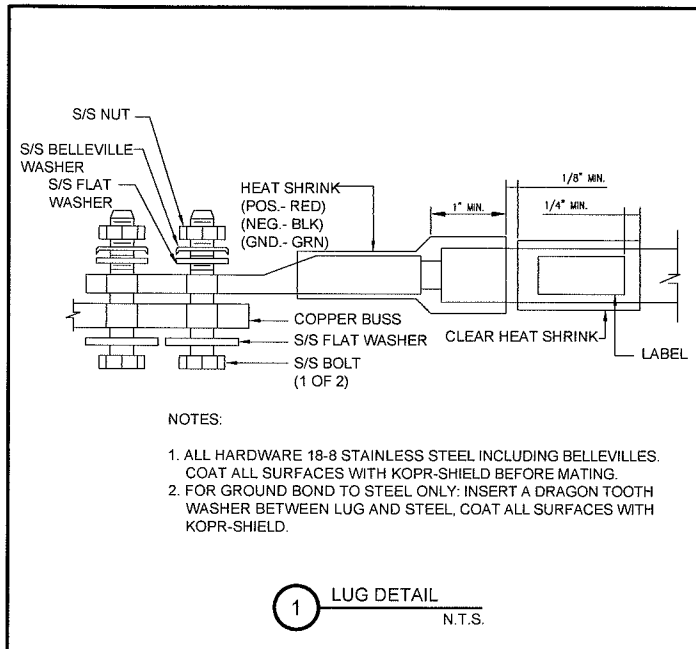
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PROJECT #:	33-762

SHEET TITLE  
**POWER AND LIGHTING PLANS**

SHEET NUMBER  
**E-5**



**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
d/b/a Verizon Wireless

**TERRA CONSULTING GROUP, LTD.**  
600 Busse Highway  
Park Ridge, IL 60068  
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SHEET TITLE  
**GROUNDING PLAN AND DETAILS**

SHEET NUMBER  
**E-6**

GENERAL

THE CONSTRUCTION DOCUMENT DRAWINGS ARE INTERRELATED. WHEN PERFORMING THE WORK, EACH CONTRACTOR MUST REFER TO ALL DRAWINGS. COORDINATION IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

DIVISION 1: GENERAL REQUIREMENTS

SECTION 01700 -- PROJECT CLOSEOUT

PART 1 -- GENERAL

- A. OBTAIN AND SUBMIT RELEASES ENABLING THE OWNER UNRESTRICTED USE OF THE WORK AND ACCESS TO SERVICES AND UTILITIES; INCLUDE OCCUPANCY PERMITS, OPERATING CERTIFICATES AND SIMILAR RELEASES.
B. SUBMIT RECORD DRAWINGS, DAMAGE OR SETTLEMENT SURVEY, PROPERTY SURVEY, AND SIMILAR FINAL RECORD INFORMATION.
C. COMPLETE FINAL CLEAN UP REQUIREMENTS, INCLUDING TOUCH-UP PAINTING. TOUCH UP AND OTHERWISE REPAIR AND RESTORE MARKED EXPOSED FINISHES.

PART 2 -- FINAL CLEANING

- 1. COMPLETE THE FOLLOWING CLEANING OPERATIONS BEFORE REQUESTING INSPECTION FOR CERTIFICATION OF COMPLETION.
A. CLEAN THE PROJECT SITE, YARD AND GROUNDS, IN AREAS DISTURBED BY CONSTRUCTION ACTIVITIES, INCLUDING LANDSCAPE DEVELOPMENT AREAS, OF RUBBISH, WASTE MATERIALS, LITTER AND FOREIGN SUBSTANCES. SWEEP PAVED AREAS BROOM CLEAN. REMOVE PETRO-CHEMICAL SPILLS, STAINS AND OTHER FOREIGN DEPOSITS. RAKE GROUNDS THAT ARE NEITHER PLANTED NOR PAVED, TO A SMOOTH EVEN-TEXTURED SURFACE.
B. REMOVE TOOLS, CONSTRUCTION EQUIPMENT, MACHINERY AND SURPLUS MATERIAL FROM THE SITE.
C. REMOVE SNOW AND ICE TO PROVIDE SAFE ACCESS TO THE SITE AND EQUIPMENT ENCLOSURE.
D. CLEAN EXPOSED EXTERIOR AND INTERIOR HARD-SURFACED FINISHES TO A DIRT-FREE CONDITION. FREE OF STAINS, FILMS AND SIMILAR FOREIGN SUBSTANCES. AVOID DISTURBING NATURAL WEATHERING OF EXTERIOR SURFACES.
E. REMOVE DEBRIS FROM LIMITED ACCESS SPACES, INCLUDING ROOFS, EQUIPMENT ENCLOSURE, MANHOLES, AND SIMILAR SPACES.
F. REMOVE LABELS THAT ARE NOT PERMANENT LABELS.
G. TOUCH-UP AND OTHERWISE REPAIR AND RESTORE MARKED EXPOSED FINISHES AND SURFACES. REPLACE FINISHES AND SURFACES THAT CAN NOT BE SATISFACTORILY REPAIRED OR RESTORED, OR THAT SHOW EVIDENCE OF REPAIR OR RESTORATION. DO NOT PAINT OVER "UL" AND SIMILAR LABELS, INCLUDING ELECTRICAL NAME PLATES.
H. LEAVE THE PROJECT CLEAN AND READY FOR OCCUPANCY.
I. DUST-OFF ALL EQUIPMENT, INCLUDING BATTERY PACKS, WITHIN EQUIPMENT ENCLOSURE.
J. WASH AND WAX FLOOR WITHIN EQUIPMENT ENCLOSURE.
2. REMOVAL OF PROTECTION: REMOVE TEMPORARY PROTECTION AND FACILITIES INSTALLED DURING CONSTRUCTION TO PROTECT PREVIOUSLY COMPLETED INSTALLATIONS DURING THE REMAINDER OF THE CONSTRUCTION PERIOD.

DIVISION 2: SITE WORK

SECTION 02200 -- EARTHWORK AND DRAINAGE

PART 1 -- GENERAL

- 1. WORK INCLUDED: SEE SITE PLAN.
2. DESCRIPTIONS ACCESS DRIVE W/ TURNAROUND AREA, LEASE AREA, AND IF APPLICABLE UNDERGROUND UTILITY EASEMENTS ARE TO BE CONSTRUCTED TO PROVIDE A WELL DRAINED, EASILY MAINTAINED, EVEN SURFACE FOR MATERIAL AND EQUIPMENT DELIVERIES AND MAINTENANCE PERSONNEL ACCESS.
3. QUALITY ASSURANCE
A. APPLY SOIL STERILIZER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS (AS NEEDED).
B. APPLY AND MAINTAIN GRASS SEED AS RECOMMENDED BY THE SEED PRODUCER (IF REQUIRED).
C. PLACE AND MAINTAIN VEGETATION LANDSCAPING, IF INCLUDED WITHIN THE CONTRACT, AS RECOMMENDED BY NURSERY INDUSTRY STANDARDS.
4. SEQUENCING
A. CONFIRM SURVEY STAKES AND SET ELEVATION STAKES PRIOR TO ANY CONSTRUCTION.
B. COMPLETELY GRUB THE ACCESS DRIVE W/ TURNAROUND, UNDERGROUND UTILITY EASEMENTS, (IF APPLICABLE) AND LEASE AREA PRIOR TO FOUNDATION CONSTRUCTION, PLACEMENT OF BACKFILL AND SUB-BASE MATERIAL.
C. CONSTRUCT TEMPORARY CONSTRUCTION AREA ALONG ACCESS DRIVE.
D. BRING THE LEASE AREA AND ACCESS DRIVE W/ TURNAROUND TO BASE COURSE ELEVATION PRIOR TO INSTALLING FOUNDATION.
E. APPLY SOIL STERILIZER PRIOR TO PLACING BASE MATERIALS.
F. GRADE, SEED, FERTILIZE, AND MULCH ALL AREAS DISTURBED BY CONSTRUCTION (INCLUDING UNDERGROUND UTILITY EASEMENTS) IMMEDIATELY AFTER BRINGING LEASE AREA AND ACCESS DRIVE W/ TURNAROUND TO BASE COURSE ELEVATION, WATER TO ENSURE GROWTH.
G. REMOVE GRAVEL FROM TEMPORARY CONSTRUCTION ZONE TO AN AUTHORIZED AREA OR AS DIRECTED BY PROJECT MANAGER.
H. AFTER APPLICATIONS OF FINAL SURFACES, APPLY SOIL STERILIZER TO STONE SURFACES.
5. SUBMITTALS
A. BEFORE CONSTRUCTION
IF LANDSCAPING IS APPLICABLE TO THE CONTRACT, SUBMIT TWO COPIES OF THE LANDSCAPE PLAN UNDER NURSERY LETTERHEAD. IF A LANDSCAPE ALLOWANCE WAS INCLUDED IN THE CONTRACT, PROVIDE AN ITEMIZED LISTING OF PROPOSED COSTS ON NURSERY LETTERHEAD (REFER TO PLANS FOR LANDSCAPING REQUIREMENTS).
B. AFTER CONSTRUCTION
1. MANUFACTURER'S DESCRIPTION OF PRODUCT AND WARRANTY STATEMENT ON SOIL STERILIZED.
2. MANUFACTURER'S DESCRIPTION OF PRODUCT ON GRASS SEED AND FERTILIZER LANDSCAPING WARRANTY STATEMENT.
6. WARRANTY
A. IN ADDITION TO THE WARRANTY ON ALL CONSTRUCTION COVERED IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REPAIR ALL DAMAGE AND RESTORE AREA AS CLOSE TO ORIGINAL CONDITION AS POSSIBLE AT SITE AND SURROUNDINGS.
B. SOIL STERILIZATION APPLICATION TO GUARANTEE VEGETATION FREE ROAD AND SITE AREAS FOR ONE YEAR FROM DATE OF FINAL INSPECTION.
C. DISTURBED AREAS WILL REFLECT GROWTH OF NEW GRASS COVER PRIOR TO FINAL INSPECTION.
D. LANDSCAPING, IF INCLUDED WITHIN THE SCOPE OF THE CONTRACT, WILL BE GUARANTEED FOR ONE YEAR FROM DATE OF FINAL INSPECTION.

PART 2 -- PRODUCTS

- 1. MATERIALS
A. SOIL STERILIZER SHALL BE EPA-REGISTERED, PRE-EMERGENCE LIQUID:

TOTAL KILL PRODUCT 910 EPA 10292-7 PHASAR CORPORATION P.O. BOX 5123 DEARBORN, MI 48128 (313) 563-8000

AMBUSH HERBICIDE EPA REGISTERED FRAMAR INDUSTRIAL PRODUCTS 1435 MORRIS AVE. UNION, NJ 07083 (800) 526-4924

4. SUBMITTALS

- A. MANUFACTURER'S DESCRIPTIVE LITERATURE.
B. CERTIFICATE OR STATEMENT OF COMPLIANCE WITH THE SPECIFICATIONS.

PART 2 -- PRODUCTS

- 1. FENCE MATERIAL
A. ALL FABRIC WIRE, RAILS, HARDWARE, AND OTHER STEEL MATERIALS SHALL BE HOT-DIPPED GALVANIZED.
B. FABRIC SHALL BE SEVEN-FOOT (7') HIGH OR TO MATCH EXISTING FENCE TWO-INCH CHAIN LINK MESH OF NO. 9 GAUGE (0.148") WIRE. THE FABRIC SHALL HAVE A KNUCKLED FINISH FOR THE TOP SELVAGES. FABRIC SHALL CONFORM TO THE SPECIFICATIONS OF ASTM A-392 CLASS 1.
C. BARBED WIRE SHALL BE DOUBLE-STRAND, 12-1/2 GAUGE TWISTED WIRE, WITH 14-GAUGE, 4-POINT ROUND BARBS SPACED ON FIVE-INCH CENTERS.
D. ALL POSTS SHALL BE SCHEDULE -- 40 MECHANICAL SERVICE PIPE AND SHALL BE TYPE I ASTM A-128 AND OF THE FOLLOWING DIAMETER:
LINE CORNER GATE
2" SCHEDULE 40 (2 3/8" O.D.)
3" SCHEDULE 40 (3 1/2" O.D.)
3" SCHEDULE 40 (3 1/2" O.D.)
E. GATE POSTS SHALL BE EXTENDED 12 INCHES, INCLUDING DOME CAP, TO PROVIDE FOR ATTACHMENT OF BARBED WIRE.
F. ALL TOP AND BRACE RAILS SHALL BE 1/2" DIAMETER SCHEDULE -- 40 MECHANICAL-SERVICE PIPE.
G. GATE FRAMES AND BRACES SHALL BE 1.90 INCH DIAMETER SCHEDULE 40 MECHANICAL-SERVICE PIPE. FRAMES SHALL HAVE WELDED CORNERS.
H. GATE FRAMES SHALL HAVE A FULL-HEIGHT VERTICAL BRACE, AND A FULL-WIDTH HORIZONTAL BRACE, SECURED IN PLACE BY USE OF GATE BRACE CLAMPS.
I. GATE HINGES SHALL BE MERCHANTS METAL MODEL 64386 HINGE ADAPTER WITH MODEL 6409, 188-DEGREE ATTACHMENT.
J. THE GUIDE (LATCH ASSEMBLY) SHALL BE HEAVY INDUSTRIAL DOUBLE GATE LATCH. SEE DETAIL.
K. LATCHES AND STOPS SHALL BE PROVIDED FOR ALL GATES.
L. PLUNGER ROD COMPLETE WITH RECEPTOR TO BE PROVIDED AT THE INACTIVE LEAF OF ALL DOUBLE GATE INSTALLATIONS.
M. ALL STOPS SHALL HAVE KEEPERS CAPABLE OF HOLDING THE GATE LEAF IN THE OPEN POSITION
N. A NO. 7 GAUGE ZINC COATED TENSION WIRE SHALL BE USED AT THE BOTTOM OF THE FABRIC, TERMINATED WITH BAND CLIPS AT CORNER AND GATE POSTS.
O. A SIX-INCH BY 1/2-INCH DIAMETER EYEBOLT TO HOLD TENSION WIRE SHALL BE PLACED AT LINE POSTS.
P. STRETCHER BARS SHALL BE 3/16-INCH BY 3/4-INCH OR HAVE EQUIVALENT CROSS-SECTIONAL AREA.
Q. ALL CORNER GATE AND PANELS SHALL HAVE A 3/8-INCH TRUSS ROD WITH TURNBUCKLES.
R. ALL POSTS EXCEPT GATE POSTS SHALL HAVE A COMBINATION CAP AND BARBED WIRE SUPPORTING ARM. GATE POSTS SHALL HAVE A DOME CAP.
S. OTHER HARDWARE INCLUDES BUT MAY NOT BE LIMITED TO TIE CLIPS, BAND CLIPS AND TENSION BAND CLIPS.
T. BARBED WIRE GATE GUARDS SHALL BE FITTED WITH DOME CAPS.
U. BARBED WIRE SUPPORT ARMS SHALL BE PRESSED STEEL COMPLETE WITH SET BOLT AND LOCK WIRE IN THE ARM.
V. ALL CAPS SHALL BE MALLEABLE IRON, DOME OR ACORN SHAPED AS REQUIRED BY PIPE SIZE.
W. WHERE THE USE OF CONCERTINA HAS BEEN SPECIFIED, 24-INCH DIAMETERS COIL, BARBED TAPE, STAINLESS STEEL, CYCLONE FENCE MODEL GBP TO TYPE III SHALL BE FURNISHED. IT SHALL BE SUPPORTED ABOVE THE TOP RAIL BY USE OF SIX(6) WIRE BARBED WIRE ARMS POSITIONED ATOP EACH LINE/CORNER POST.

PART 3 -- EXECUTION

- 1. INSPECTION
TO CONFIRM PROPER DEPTH AND DIAMETER OF POST HOLE EXCAVATIONS. ALL POST HOLES WILL BE EXCAVATED AS PER CONSTRUCTION DOCUMENTS.
2. INSTALLATION
A. FOUNDATIONS SHALL HAVE A MINIMUM SIX INCH (6") CONCRETE COVER UNDER POST.
B. ALL FENCE POSTS SHALL BE VERTICALLY PLUMB ; ONE QUARTER INCH (1/4")
C. AT CORNER POSTS, GATE POSTS, AND SIDES OF GATE FRAME, FABRIC SHALL BE ATTACHED WITH STRETCHER AND TENSION BAND-CLIPS AT FIFTEEN(15) INCH INTERVALS.
D. AT LINE POSTS, FABRIC SHALL BE ATTACHED WITH BAND-CLIPS AT FIFTEEN INCH (15") INTERVALS.
E. FABRIC SHALL BE ATTACHED TO BRACE RAILS, TENSION WIRE AND TRUSS RODS WITH TIE-CLIPS AT TWO FOOT (2') INTERVALS.
F. A MAXIMUM GAP OF ONE INCH WILL BE PERMITTED BETWEEN TIE CHAIN LINE FABRIC AND THE FINAL GRADE.
G. GATE SHALL BE INSTALLED SO LOCKS ARE ACCESSIBLE FROM BOTH SIDES.
H. GATE HINGE BOLTS SHALL HAVE THEIR THREADS PEENED OR WELDED TO PREVENT UNAUTHORIZED REMOVAL.
I. CONCRETE TO BE A MINIMUM OF 4,000 PSI AT 7 DAYS. CEMENT SHALL EXCEED ASTM C150, TYPE IIIA.
3. PROTECTION
UPON COMPLETION OF ERECTION, INSPECT FENCE MATERIAL AND PAINT FIELD CUTS OR GALVANIZING BREAKS WITH ZINC-BASED PAINT, COLOR TO MATCH THE GALVANIZED METAL. APPLICABLE STANDARDS
ASTM-A120 SPECIFICATION FOR PIPE, STEEL BLACK AND HOT-DIPPED ZINC COATED (GALVANIZED) WELDED AND SEAMLESS, FOR ORDINARY USES.
ASTM-A123 ZINC (HOT-DIP GALVANIZED) COATING ON IRON AND STEEL PRODUCTS.
ASTM-A153 STANDARD SPECIFICATION FOR ZINC COATING (HOT-DIP) ON IRON AND STEEL HARDWARE.
ASTM-A392 SPECIFICATION FOR ZINC-COATED STEEL CHAIN LINK FENCE FABRIC.
ASTM-A491 SPECIFICATION FOR ALUMINUM-COATED STEEL CHAIN LINK FENCE FABRIC
ASTM-A525 STANDARD SPECIFICATION FOR STEEL SHEET ZINC COATED (GALVANIZED) BY THE HOT-DIPPED PROCESS.

ASTM-A570 SPECIFICATION FOR HOT-ROLLED CARBON STEEL SHEET AND STRIP. STRUCTURAL QUALITY.

ASTM-A535 SPECIFICATION FOR ALUMINUM COATED STEEL BARBED WIRE.

FEDERAL SPECIFICATION RR-F-191-- FENCING, WIRE AND POST METAL (AND GATES, CHAIN LINK FENCE FABRIC, AND ACCESSORIES)

DIVISION 3: CONCRETE

SECTION 03000 -- BASIC CONCRETE MATERIALS AND METHODS

PART 1 -- GENERAL

- 1. WORK INCLUDED FORMWORK, REINFORCEMENT, ACCESSORIES, CAST-IN-PLACE CONCRETE, FINISHING, AND CURING.
2. INSPECTIONS
A. CONTRACTOR IS RESPONSIBLE FOR SCHEDULING BUILDING DEPARTMENT INSPECTIONS REQUIRED FOR HIS SCOPE OF WORK.
B. ALL REINFORCING STEEL SHALL BE INSPECTED AND APPROVED BY THE LESSEE'S CONSTRUCTION MANAGER PRIOR TO PLACEMENT OF CONCRETE.
C. THE LESSEE'S CONSTRUCTION MANAGER SHALL BE NOTIFIED NO LESS THAN 48 HOURS IN ADVANCE OF CONCRETE POURS.
QUALITY ASSURANCE
3. A. CONSTRUCT AND ERECT CONCRETE FORMWORK IN ACCORDANCE WITH ACI 301 AND ACI 318.
B. PERFORM CONCRETE REINFORCING WORK IN ACCORDANCE WITH ACI 301, ACI 318, AND ASTM A184.
C. PERFORM CAST-IN-PLACE CONCRETE WORK IN ACCORDANCE WITH ACI 301, ACI 318, AND ACI 117-90.
D. OPEN FOUNDATION TRENCHES SHALL BE INSPECTED BY MES PRIOR TO CONCRETE INSTALLATION.
4. SUBMITTALS
SUBMIT CONCRETE MIX AND REINFORCING STEEL SHOP DRAWINGS FOR APPROVAL BY LESSEE CONSTRUCTION MANAGER/ENGINEER. THE SHOP DRAWINGS SHALL BE SUBMITTED IN THE FORM OF TWO (2) CONCRETE MIX DESIGN INFORMATION SHEETS AND TWO (2) BLUELINE DRAWINGS FOR REINFORCING STEEL.

PART 2 -- PRODUCTS

- 1. REINFORCEMENT MATERIALS
A. REINFORCEMENT STEEL, ASTM A615, 60 KSI YIELD GRADE, DEFORMED BILLET STEEL BARS, PLAIN FINISH.
B. WELDED STEEL WIRE FABRIC ASTM A185 PLAIN TYPE, IN FLAT SHEETS, PLAIN FINISH.
C. CHAIRS, BOLSTERS, BAR SUPPORTS, SPACERS. SIZED AND SHAPED FOR SUPPORTS OF REINFORCING.
D. FABRICATE CONCRETE REINFORCING IN ACCORDANCE WITH ACI 315, ACI 318, ASTM A184
2. CONCRETE MATERIALS
A. CEMENT: ASTM C150, PORTLAND TYPE
B. FINE AND COURSE AGGREGATES: ASTM C33 -- MAXIMUM SIZE OF CONCRETE AGGREGATE SHALL NOT EXCEED 1/2 ONE INCH (1") SIZE SUITABLE FOR INSTALLATION METHOD UTILIZED OR ONE-THIRD (1/3) CLEAR DISTANCE BEHIND OR BETWEEN REINFORCING.
C. WATER: CLEAN AND NOT DETRIMENTAL TO CONCRETE
D. AIR ENTRAINING ADMIXTURE: ASTM C260
E. BONDING AGENT: LATEX EMULSION FOR BONDING NEW TO OLD CONCRETE AS MANUFACTURED BY DAYTON SUPERIOR
F. NON-SHRINK GROUT: PREMIXED COMPOUND CONSISTING OF NONMETALLIC AGGREGATE, CEMENT, WATER REDUCING AND PLASTICISING AGENTS.
3. CONCRETE MIX
A. CONCRETE MATERIALS SHALL CONFORM TO THE APPROPRIATE A.C.I. REQUIREMENTS FOR EXPOSED STRUCTURAL CONCRETE.
B. MIX AND DELIVER CONCRETE IN ACCORDANCE WITH ASTM C94, ALT. 3.
C. PROPORTIONS OF CONCRETE MATERIALS SHALL BE SUITABLE FOR THE INSTALLATION METHOD UTILIZED AND SHALL RESULT IN DURABLE CONCRETE FOR LOCAL ANTICIPATED AGGRESSIVE ACTIONS. THE DURABILITY REQUIREMENTS OF ACI 318 CHAPTER 4 SHALL BE SATISFIED BASED ON THE CONDITIONS EXPECTED AT THE SITE. PROVIDE CONCRETE AS FOLLOWS:
1. COMPRESSIVE STRENGTH: 4000 psi AT 7 DAYS. SEE SHEET 5-1 FOR CAISSON CONCRETE COMPRESSIVE STRENGTH
2. SLUMP: 3 INCHES

PART 3 -- EXECUTION

- 1. INSERTS, EMBEDDED COMPONENTS AND OPENINGS
A. THE CONTRACTOR SHALL COORDINATE AND CROSS-CHECK ARCHITECTURAL, BUILDING & ELECTRICAL DRAWINGS FOR OPENINGS, SLEEVES, ANCHORS, HANGERS, AND OTHER ITEMS RELATED TO CONCRETE WORK AND SHALL ASSUME FULL RESPONSIBILITY FOR THE PROPER LOCATION BEFORE PLACING CONCRETE.
B. PROVIDE FORMED OPENINGS WHERE REQUIRED FOR WORK TO BE EMBEDDED IN AND PASSING THROUGH CONCRETE MEMBERS.
C. COORDINATE WORK OF OTHER SECTIONS IN FORMING AND SETTING OPENING, SLOTS, RECESSES, CHASES, SLEEVES, BOLTS, ANCHORS, AND OTHER INSERTS.
D. INSTALL CONCRETE ACCESSORIES STRAIGHT, LEVEL AND PLUMB.
2. REINFORCEMENT PLACEMENT
A. PLACE REINFORCEMENT, SUPPORTED AND SECURED AGAINST DISPLACEMENT.
B. ENSURE REINFORCING IS CLEAN, FREE OF LOOSE SCALE, DIRT, OR OTHER FOREIGN COATINGS.
C. WELDING IS PROHIBITED ON REINFORCING STEEL AND EMBEDMENTS.
D. MINIMUM CONCRETE COVER FOR REINFORCING SHALL BE THREE INCHES (3") UNLESS OTHERWISE NOTED.
E. CONCRETE COVER FROM TOP OF FOUNDATION TO ENDS OF VERTICAL REINFORCEMENT SHALL NOT EXCEED THREE INCHES (3") NOR BE LESS THAN TWO INCHES (2").
3. PLACING CONCRETE
A. VIBRATE ALL CONCRETE.
B. ALL CONCRETE WORK SHALL ADHERE TO THE LATEST A.C.I. STANDARDS FOR WINTER POURING AND CURING PROCEDURES IF SEASONAL CONDITIONS APPLY
4. CURING
A. AFTER PLACEMENT, PROTECT CONCRETE FROM PREMATURE DRYING.
B. MAINTAIN CONCRETE WITH MINIMAL MOISTURE LOSS AT RELATIVELY CONSTANT TEMPERATURE FOR A PERIOD NECESSARY FOR HYDRATION OF CEMENT AND HARDENING OF CONCRETE.
5. PROVIDE HAND RUBBED SMOOTH FINISH TO ALL EXPOSED VERTICAL FORMED CONCRETE SURFACES.
6. FIELD QUALITY CONTROL
A. SUBMIT THREE (3) CONCRETE TEST CYLINDERS -- TAKEN FOR EVERY 15 CUBIC YARD OR LESS. SUBMIT CONCRETE TESTS TO THE PROJECT MANAGER IN ACCORDANCE WITH ASTM , C-31 AND C-39.
B. SUBMIT ONE (1) ADDITIONAL TEST CYLINDER -- TAKEN DURING COLD WEATHER POURS, AND CURED ON JOB SITE UNDER SAME CONDITIONS AS CONCRETE IT REPRESENTS.
C. SUBMIT ONE (1) SLUMP TEST -- TAKEN FOR EACH SET OF TEST CYLINDERS TAKEN.
7. DEFECTIVE CONCRETE
MODIFY OR REPLACE CONCRETE NOT CONFORMING TO REQUIRED LINES, DETAILS OR ELEVATIONS AT COST OF GC, AS DIRECTED BY ARCHITECT/ENGINEER.

SECTION 02830 -- FENCING AND GATE(S)

PART 1 -- GENERAL

- 1. WORK INCLUDED
SEE PLAN FOR SITE AND LOCATION OF FENCE AND GATE(S).
2. QUALITY ASSURANCE
ALL STEEL MATERIALS UTILIZED IN CONJUNCTION WITH THIS SPECIFICATION WILL BE GALVANIZED OR STAINLESS STEEL. WEIGHT OF ZINC COATING ON THE FABRIC SHALL NOT BE LESS THAN 12 OUNCES PER SQUARE FOOT OF MATERIAL COVERED. POSTS SHALL BE HOT-DIPPED IN GRADE 'E' ZINC, 18 OUNCES PER SQUARE FOOT.
3. SEQUENCING
IF THE SITE AREA HAS BEEN BROUGHT UP TO SURFACE COURSE ELEVATION (PRIOR TO THE FENCE CONSTRUCTION), FENCE POST EXCAVATION SPOILS MUST BE CONTROLLED TO PRECLUDE CONTAMINATION OF SAID SURFACE COURSE.

VERIZON WIRELESS PERSONAL COMMUNICATIONS LP db/a Verizon Wireless



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Table with 5 columns: NO, DESCRIPTION, DATE, BY, JAS. Row 1: 7/26/12, JAS

LOC. #259720

PLEASANT PRAIRIE & 94

9951 TERWALL TERRACE
PLEASANT PRAIRIE, WI 53158

Table with 2 columns: DRAWN BY, JAS; CHECKED BY, TAZ; DATE, 7/26/12; PROJECT #, 33-762

SHEET TITLE
SPECIFICATIONS

SHEET NUMBER

SP-1



DIVISION 5: METALS

SECTION 05000 - METALS

PART 1 - GENERAL

- SECTION INCLUDES: STRUCTURAL STEEL FRAMING MEMBERS, BASE PLATES, PLATES, BARS AND GROUTING UNDER BASE PLATES.
- SUBMITTALS: SHOP DRAWINGS: INDICATE SIZES, SPACING, AND LOCATIONS OF STRUCTURAL MEMBERS, OPENINGS, CONNECTIONS, CAMBERS, LOADS, AND WELDED SECTIONS.
- QUALITY ASSURANCE
  - FABRICATE STRUCTURAL STEEL MEMBERS IN ACCORDANCE WITH AISC SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS.
  - PERFORM DESIGN UNDER DIRECT SUPERVISION OF A PROFESSIONAL STRUCTURAL ENGINEER LICENSED IN THE STATE.

PART 2 - PRODUCTS

- MATERIALS:
    - STRUCTURAL STEEL MEMBERS: ASTM A572, GRADE 50
    - STRUCTURAL TUBING: ASTM A500, GRADE B
    - PIPE: ASTM A53, TYPE E OR S, GRADE B
    - BOLTS, NUTS, AND WASHERS: ASTM A325
    - ANCHOR BOLTS: ASTM A307
    - WELDING MATERIALS: AWS D1.1, TYPE REQUIRED FOR MATERIALS BEING WELDED
  - GROUT: NON-SHRINK TYPE, PREMIXED COMPOUND CONSISTING OF NONMETALLIC AGGREGATE, CEMENT, WATER REDUCING AND PLASTICIZING ADDITIVES, CAPABLE OF DEVELOPING A MINIMUM COMPRESSIVE STRENGTH OF 7000 psi AT 28 DAYS.
  - SHOP AND TOUCH-UP PRIMER: SSPC 15, TYPE 1, RED OXIDE
  - TOUCH-UP PRIMER FOR GALV. SURFACES: ZINC RICH TYPE
- FABRICATION: CONTINUOUSLY SEAL JOINTED MEMBERS BY CONTINUOUS WELDS. GRIND EXPOSED WELDS SMOOTH.
  - FINISH:
    - PREPARE STRUCTURAL COMPONENT SURFACES IN ACCORDANCE WITH SSPC SP-1 TO SP-10 PROCEDURES.
    - STRUCTURAL STEEL MEMBERS SHALL BE HOT DIPPED GALVANIZED.

PART 3 - EXECUTION

- EXAMINATION AND PREPARATION: VERIFY THAT THE FIELD CONDITIONS ARE ACCEPTABLE.
- ERECTION:
  - ALLOW FOR ERECTION LOADS. PROVIDE TEMPORARY BRACING TO MAINTAIN FRAMING IN ALIGNMENT UNTIL COMPLETION OF ERECTION AND INSTALLATION OF PERMANENT BRIDGING AND BRACING.
  - FIELD WELD COMPONENTS INDICATED ON SHOP DRAWINGS.
  - DO NOT FIELD CUT OR ALTER STRUCTURAL MEMBERS WITHOUT APPROVAL OF THE ARCHITECT/ENGINEER.
  - AFTER ERECTION, TOUCH-UP WELDS, ABRASIONS, AND SURFACES NOT SHOP PRIMED OR GALVANIZED WITH TOUCH-UP PRIMERS AS SPECIFIED UNDER SECTION 05000 - METALS, PART 2 - PRODUCTS, H & I. SURFACES TO BE IN CONTACT WITH CONCRETE NOT INCLUDED.
- FIELD QUALITY CONTROL: FIELD INSPECTION OF MEMBERS, CONNECTIONS, WELDS AND TORQUING.

DIVISION 16: ELECTRICAL

SECTION 16050 - BASIC ELECTRICAL MATERIALS AND METHODS

- CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS PRIOR TO ORDERING THE ELECTRICAL EQUIPMENT AND STARTING THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ARCHITECT LISTING ANY DISCREPANCIES OR CONFLICTING INFORMATION.
- ELECTRICAL PLANS, DETAILS AND DIAGRAMS ARE DIAGRAMMATIC ONLY. VERIFY EXACT LOCATIONS AND MOUNTING HEIGHTS OF ELECTRICAL EQUIPMENT WITH OWNER PRIOR TO INSTALLATION.
- EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANELBOARD, PULLBOX, JUNCTION BOX, SWITCH BOX, ETC. THE TYPE OF TAGGING METHODS SHALL BE IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (O.S.H.A.).
- ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED "J" WHERE APPLICABLE. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA, NBFU AND "UL" LISTED.
- ALL CONDUIT SHALL HAVE A PULL CORD.
- PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE ELECTRICAL "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS, AND CIRCUITS.
- ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED, AND A MINIMUM OF 10,000 A.I.C.
- THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY UBC, NEC AND ALL APPLICABLE CODES.
- PATCH, REPAIR AND PAINT ANY AREA THAT HAS BEEN DAMAGED IN THE COURSE OF THE ELECTRICAL WORK.
- PLASTIC PLATES FOR ALL SWITCHES, RECEPTACLES, TELEPHONE AND BLANKED OUTLETS SHALL HAVE ENGRAVED LETTERING WHERE INDICATED ON THE DRAWINGS. WEATHERPROOF RECEPTACLES SHALL HAVE SIERRA #WPD-8 LIFT COVERPLATES.

SECTION 16400 - SERVICE AND DISTRIBUTION

- WIRE AND CABLE CONDUCTORS SHALL BE COPPER, 600V, TYPE THHN OR THWN, WITH A MIN. SIZE OF #12 AWG, COLOR CODED. ALL RECTIFIER DROPS SHALL BE STRANDED TO ACCEPT CRIMP CONNECTORS.
- ALL CHEMICAL GROUND RODS SHALL BE "UL" APPROVED.
- METER SOCKET AMPERES, VOLTAGE, NUMBER OF PHASES SHALL BE AS NOTED ON THE DRAWINGS. MANUFACTURED BY MILBANK OR APPROVED EQUAL, AND SHALL BE UTILITY COMPANY APPROVED.
- CONDUIT:
  - RIGID CONDUIT SHALL BE U.L. LABEL GALVANIZED ZINC COATED WITH GALVANIZED ZINC INTERIOR AND SHALL BE USED WHEN INSTALLED IN OR UNDER CONCRETE SLABS, IN CONTACT WITH THE EARTH, UNDER PUBLIC ROADWAYS, IN MASONRY WALLS OR EXPOSED ON BUILDING EXTERIOR. RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAPPED WRAPPED WITH HUNTS WRAP PROCESS NO. 3.
  - ELECTRICAL METALLIC TUBING SHALL HAVE U.L. LABEL. FITTING SHALL BE GLAND RING COMPRESSION TYPE.
  - FLEXIBLE METALLIC CONDUIT SHALL HAVE U.L. LISTED LABEL AND MAY BE USED WHERE PERMITTED BY CODE. FITTINGS SHALL BE "JAKE" OR "SQUEEZE" TYPE. ALL FLEXIBLE CONDUITS SHALL HAVE FULL LENGTH GROUND WIRE.
  - ALL UNDERGROUND CONDUIT SHALL BE AS NOTED ON THE DRAWINGS AT A MINIMUM DEPTH OF 42" BELOW GRADE. IT IS REQUIRED AND WILL BE THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR TO NOTIFY DIGGERS HOTLINE AT 1-800-242-8511 OR OTHER SUCH NOTIFYING AGENCY THIRTY-SIX (36) HOURS PRIOR TO DIGGING.
- CONTRACTOR TO COORDINATE WITH UTILITY COMPANY FOR CONNECTION OF TEMPORARY AND PERMANENT POWER TO THE SITE. THE TEMPORARY POWER AND ALL HOOKUP COSTS ARE TO BE PAID BY THE CONTRACTOR.
- ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS WITH WHITE ON BLUE BACKGROUND LETTERING (MINIMUM LETTER HEIGHT SHALL BE ONE FORTH INCH (1/4"). NAMEPLATES SHALL BE FASTENED WITH STAINLESS STEEL SCREWS, NOT ADHESIVE.
- UPON COMPLETION OF WORK, CONDUCT CONTINUITY, SHORT CIRCUIT, AND FALL POTENTIAL GROUNDING TESTS BY AN INDEPENDENT TESTING SERVICE ENGAGED BY THE CONTRACTOR SHALL BE SUBMITTED FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. CLEAN PREMISES OF ALL DEBRIS RESULTING FROM WORK AND LEAVE WORK IN A COMPLETE AND UNDAMAGED CONDITION.
- GROUNDING ELECTRODE SYSTEM
  - PREPARATION
    - SURFACE PREPARATION: ALL CONNECTIONS SHALL BE MADE TO BARE METAL. ALL PAINTED SURFACES SHALL BE FIELD INSPECTED AND MODIFIED TO ENSURE PROPER CONTACT. NO WASHERS ARE ALLOWED BETWEEN THE ITEMS BEING GROUNDED. ALL CONNECTIONS ARE TO HAVE A NON-OXIDIZING AGENT APPLIED PRIOR TO INSTALLATION.
    - GROUND BAR PREPARATION: ALL COPPER GROUND BARS SHALL BE CLEANED, POLISHED AND A NON-OXIDIZING AGENT APPLIED. NO FINGERPRINTS OR DISCOLORED COPPER WILL BE PERMITTED.
    - SLEEVES: ALL GROUNDING CONDUCTORS SHALL RUN THROUGH PVC SLEEVES WHEREVER CONDUCTORS RUN THROUGH WALLS, FLOORS OR CEILINGS. IF CONDUCTORS MUST RUN THROUGH EMT, BOTH ENDS OF CONDUIT SHALL BE GROUNDED. SEAL BOTH ENDS OF CONDUIT WITH SILICONE CAULK.
  - GROUND BARS
    - ALL GROUND BARS SHALL BE ONE FORTH INCH (1/4") THICK TINNED COPPER PLATE AND OF SIZE INDICATED ON DRAWINGS.
    - ALL CONNECTIONS TO THE GROUND BAR SHALL OBSERVE THE FOLLOWING SEQUENCE:
      - BOLT-HEAD
      - 2-HOLE LUG
      - TINNED COPPER BUSS BAR
      - STAR WASHER
      - NUT
  - EXTERNAL CONNECTIONS
    - ALL BURIED GROUNDING CONNECTIONS SHALL BE MADE BY THE EXOTHERMIC WELD PROCESS. CONNECTIONS SHALL INCLUDE ALL CABLE TO CABLE, SPLICES, TEES, CROSSES, ETC. ALL CABLE TO GROUND RODS, GROUND ROD SPLICES AND LIGHTNING PROTECTION SYSTEMS ARE TO BE AS INDICATED. ALL MATERIALS USED (MOLDS, WELDING METAL, TOOLS, ETC.) SHALL BE BY "CADWELD" AND INSTALLED PER MANUFACTURER'S RECOMMENDED PROCEDURES.
    - ALL ABOVE GRADE GROUNDING AND BONDING CONDUCTORS SHALL BE CONNECTED BY TWO HOLE CRIMP TYPE (COMPRESSION) CONNECTIONS (EXCEPT FOR THE ACEG AND GROUND ROD) MECHANICAL CONNECTIONS, FITTINGS OR CONNECTIONS THAT DEPEND SOLELY ON SOLDER SHALL NOT BE USED. ALL CABLE TO CABLE CONNECTIONS SHALL BE HIGH PRESSURE DOUBLE CRIMP TYPE CONNECTIONS. CONNECTIONS TO STRUCTURAL STEEL SHALL BE EXOTHERMIC WELDS.
  - GROUND RODS
    - ALL GROUND RODS SHALL BE 5/8-INCH DIAMETER X 10'-0" LONG "COPPERWELD" OR APPROVED EQUAL, OF THE NUMBER AND LOCATIONS INDICATED. GROUND RODS SHALL BE DRIVEN FULL LENGTH VERTICAL IN UNDISTURBED EARTH.
  - GROUND CONDUCTORS
    - ALL GROUND CONDUCTORS SHALL BE STANDARD TINNED SOLID BARE COPPER ANNEALED, AND OF SIZE INDICATED ON DRAWINGS UNLESS NOTED OTHERWISE.
  - LUGS
    - LUGS SHALL BE 2-HOLE, LONG BARREL, STRAND COPPER UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS. LUGS SHALL BE THOMAS AND BETTS SERIES #548, \_BE OR EQUIVALENT
 

A.	535 MCM DLO	548809E
B.	282 MCM DLO	548729E
C.	#1/0 DLO	548628E
D.	#4/0 THWN AND BARE	548668E
E.	#2/0 THWN	548628E
F.	#2 THHN	542078E
G.	#6 DLO	542058E
    - WHEN THE DIRECTION OF THE CONDUCTOR MUST CHANGE, IT SHALL BE DONE GRADUALLY. THE CURVATURE OF THE TURN SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CHART:
 

GROUNDING CONDUCTOR SIZE	MINIMUM BENDING RADIUS TO INSIDE EDGE
NO. 6 AWG TO NO. 4 AWG	6 INCHES
NO. 2 AWG TO NO. 1/0 AWG	8 INCHES
NO. 2/0 AWG TO 4/0 MCM	12 INCHES
250 MCM TO 750 MCM	24 INCHES

G. GROUND RING

- THE EXTERNAL GROUND RING ENCIrcLING THE TOWER (IF APPLICABLE) AND BETWEEN THE EQUIPMENT SHELTER PLATFORM ANCHORS SHALL BE MINIMUM NO. 2 A.W.G. SOLID TINNED BARE COPPER CONDUCTOR IN DIRECT CONTACT WITH THE EARTH AT THE DEPTH INDICATED ON THE DRAWINGS. CONDUCTOR BENDS SHALL HAVE A MINIMUM BENDING RADIUS OF EIGHT INCHES (8").
- ALL EXTERNAL GROUND RINGS ARE TO BE JOINED TOGETHER AND ALL CONNECTIONS MUST BE CADWELDED. NO LUGS OR CLAMPS WILL BE ACCEPTED.

H. FENCE/GATE

GROUND EACH GATE POST, CORNER POST AND GATE AS INDICATED ON DRAWING GROUND CONNECTIONS TO FENCE POSTS AND ALL OTHER CONNECTIONS FOR THE GROUND GRID SYSTEM SHALL BE MADE BY EXOTHERMIC WELD PROCESS, AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND PROCEDURES, AND SPRAYED WITH COLD-GALVANIZED PAINT.

I.E.E.E. FALL POTENTIAL TESTS

A. FOR RAW LAND SITE

- GROUND TESTS SHALL BE PERFORMED AS INDICATED ON DRAWINGS. A BIDDLE GROUND OHMER OR THE METHOD OF USING TWO AUXILIARY GROUND RODS (AS DESCRIBED IN I.E.E.E. STANDARDS NO. 81-1983, PART 1) MAY BE USED. THE I.E.E.E. METHOD REQUIRES THE USE OF AN A.C. TEST CURRENT. THE AUXILIARY TEST RODS MUST BE SUFFICIENTLY FAR AWAY FROM THE ROD UNDER TEST SO THAT THE REGIONS IN WHICH THEIR RESISTANCE IS LOCALIZED DO NOT OVERLAP. THE TEST POINT WILL BE THE GROUND ROD AND WILL CONSIST OF THE THREE POINT FALL OF POTENTIAL MEGGER TEST METHOD, USING THE BIDDLE NULL-BALANCE EARTH TESTER (MEGGER #250220-2 OR EQUIVALENT)
- CONTRACTOR TO CONDUCT GROUND RESISTANCE TEST IN THE FORMAT AS FOLLOWS:
  - EQUIPMENT PAD
    - FIRST TEST - SHALL BE WITH FOUR GROUND RODS INSTALLED, ONE AT EACH CORNER OF THE PAD BUT NOT CONNECTED TO THE MAIN GROUNDING BUS. FURNISH WIRE TO CONNECT (TEMPORARY CLAMP) ALL FOUR GROUND RODS TOGETHER TO MAKE A SYSTEM TEST AFTER EACH ROD IS INDIVIDUALLY TESTED. IF ANY INDIVIDUAL ROD TESTS 25 OHMS OR MORE, THE ELECTRICAL CONTRACTOR AND OWNER'S REPRESENTATIVE SHOULD BE NOTIFIED SO THAT THE ROD CAN BE DRIVEN DEEPER UNTIL ALL FOUR RODS HAVE A RESISTANCE OF 10 OHMS OR LESS ON A DRY DAY.
    - SECOND TEST - SHALL BE WITH THE GROUND RODS CONNECTED, WITH DRY SOIL AND WHEN NO STANDING WATER HAS BEEN PRESENT FOR THE PAST TEN (10) DAYS. THE MAXIMUM ALLOWABLE READING IS 5 OHMS TO GROUND. IF THE RESISTANCE OF THE ENTIRE SYSTEM EXCEEDS 5 OHMS, NOTIFY THE CONTRACTOR AND OWNER'S REPRESENTATIVE SO THAT ADDITIONAL AND/OR DEEPER RODS CAN BE INSTALLED.
  - TOWER
    - FIRST TEST - SHALL BE WITH THREE GROUND RODS INSTALLED (MINIMUM), EQUALLY SPACED AROUND THE TOWER FOUNDATION, BUT NOT CONNECTED TO THE SHELTER PAD EXTERNAL GROUND RING. FURNISH WIRE TO CONNECT (TEMPORARY CLAMP) ALL THREE GROUND RODS TOGETHER TO MAKE A SYSTEM TEST AFTER EACH ROD IS INDIVIDUALLY TESTED. IF ANY INDIVIDUAL ROD TESTS 25 OHMS OR MORE, NOTIFY THE CONTRACTOR AND OWNER'S REPRESENTATIVE SO THAT THE ROD CAN BE DRIVEN DEEPER UNTIL ALL THREE (3) RODS HAVE A RESISTANCE OF 10 OHMS OR LESS ON A DRY DAY.
    - SECOND TEST - SHALL BE WITH THE GROUND RODS CONNECTED, WITH DRY SOIL AND WHEN NO STANDING WATER HAS BEEN PRESENT FOR THE PAST TEN (10) DAYS, THE MAXIMUM ALLOWABLE READING IS 5 OHMS TO GROUND. IF THE RESISTANCE OF THE ENTIRE SYSTEM EXCEEDS 5 OHMS THE ELECTRICAL CONTRACTOR AND OWNER'S REPRESENTATIVE SHOULD BE NOTIFIED SO THAT EITHER ADDITIONAL AND/OR DEEPER RODS CAN BE INSTALLED.

C. TOWER

- FIRST TEST - SHALL BE WITH THREE GROUND RODS INSTALLED (MINIMUM), EQUALLY SPACED AROUND THE TOWER FOUNDATION, BUT NOT CONNECTED TO THE SHELTER PAD EXTERNAL GROUND RING. FURNISH WIRE TO CONNECT (TEMPORARY CLAMP) ALL THREE GROUND RODS TOGETHER TO MAKE A SYSTEM TEST AFTER EACH ROD IS INDIVIDUALLY TESTED. IF ANY INDIVIDUAL ROD TESTS 25 OHMS OR MORE, NOTIFY THE CONTRACTOR AND OWNER'S REPRESENTATIVE SO THAT THE ROD CAN BE DRIVEN DEEPER UNTIL ALL THREE (3) RODS HAVE A RESISTANCE OF 10 OHMS OR LESS ON A DRY DAY.
- SECOND TEST - SHALL BE WITH THE GROUND RODS CONNECTED, WITH DRY SOIL AND WHEN NO STANDING WATER HAS BEEN PRESENT FOR THE PAST TEN (10) DAYS, THE MAXIMUM ALLOWABLE READING IS 5 OHMS TO GROUND. IF THE RESISTANCE OF THE ENTIRE SYSTEM EXCEEDS 5 OHMS THE ELECTRICAL CONTRACTOR AND OWNER'S REPRESENTATIVE SHOULD BE NOTIFIED SO THAT EITHER ADDITIONAL AND/OR DEEPER RODS CAN BE INSTALLED.

10. GROUNDING RESISTANCE TEST REPORT

UPON COMPLETION OF THE TESTING FOR EACH SITE, A TEST REPORT SHOWING RESISTANCE IN OHMS WITH AUXILIARY POTENTIAL ELECTRODES AT 5 FEET AND 10 FEET INTERVALS UNTIL THE AVERAGE RESISTANCE STARTS INCREASING AND ALSO NOTE THAT 10-15 PHOTOS MUST BE TAKEN TO PROOF ENTIRE EXTERNAL GROUND RING SYSTEM BEFORE BACKFILL. TWO (2) SETS OF TEST DOCUMENTS ARE OF THE INDEPENDENT TESTING SERVICE TO BE BOUND AND SUBMITTED WITHIN ONE (1) WEEK OF WORK COMPLETION.

SECTION 16503 - POLES, POSTS, AND STANDARDS (SINGLE MAST AND SELF SUPPORTING TOWERS)

1. GENERAL

- LIGHTNING ROD AND EXTENSION PIPE INCLUDING ALL APPURTENANCES, TO BE FURNISHED BY OWNER, IF REQUIRED.
- PROVIDE TEMPORARY LIGHTING FOR TOWER AS PER FAA REGULATIONS DURING CONSTRUCTION, IF REQUIRED.
- GROUNDING: GROUND TOWER WITH A MINIMUM OF #2 AWG TINNED SOLID BARE COPPER CONDUCTOR CADWELDED TO TOWER BASE PLATE. TWO (2) GROUNDING LEADS PER TOWER BASE PLATE. NO EXOTHERMIC WELDS SHALL BE ATTACHED DIRECTLY TO THE MONOPOLE TOWER SHAFT.

SECTION 16745 - TELECOMMUNICATIONS WIRING COMPONENTS (COAXIAL ANTENNA CABLE)

1. GENERAL

- ALL MATERIALS, PRODUCTS OR PROCEDURES INCORPORATED INTO WORK SHALL BE NEW AND OF STANDARD COMMERCIAL QUALITY.
- CERTAIN MATERIALS AND PRODUCTS WILL BE SUPPLIED BY THE OWNER (REFER TO GENERAL CONDITIONS FOR THE LIST OF OWNER FURNISHED EQUIPMENT, MATERIALS AND SUPPLIES FOR THESE ITEMS). THE CONTRACTOR IS RESPONSIBLE FOR PICKUP AND DELIVERY OF ALL SUCH MATERIALS
- ALL OTHER MATERIALS AND PRODUCTS SPECIFIED IN THE CONTRACT DOCUMENTS SHALL BE SUPPLIED BY THE CONTRACTOR.

2. MATERIALS:

A. COAXIAL CABLE:

- INSTALL COAXIAL CABLE AND TERMINATIONS BETWEEN ANTENNAS AND EQUIPMENT PER MANUFACTURER'S RECOMMENDATIONS WITH COAXIAL CABLES SUPPORTED AT NO MORE THAN 3'-0" O.C. WEATHERPROOF ALL CONNECTORS BETWEEN THE ANTENNA AND EQUIPMENT PER MANUFACTURER'S REQUIREMENTS. TERMINATE ALL COAXIAL CABLE THREE FEET (3') IN EXCESS OF EQUIPMENT LOCATION UNLESS OTHERWISE STATED.
  - ALL COAX RUN LENGTHS GREATER THAN 175 FEET SHALL BE 1-5/8", ALL COAX. RUN LENGTH BETWEEN 101 FEET AND 174 FEET SHALL BE 1-1/4", AND IN LENGTH LESS THAN OR EQUAL TO 100 FEET SHALL BE 7/8".
- ANTENNA AND COAXIAL CABLE GROUNDING
    - ALL COAXIAL CABLE GROUNDING KITS ARE TO BE INSTALLED ON STRAIGHT RUNS OF COAXIAL CABLE (NOT WITHIN BENDS)
  - COAXIAL CABLE IDENTIFICATION
    - TO PROVIDE EASY IDENTIFICATION AND UNIFORM MARKING OF ANTENNA CABLING, PLASTIC TAGS SHALL BE USED AT THE FOLLOWING LOCATIONS:
      - FIRST LOCATION IS AT THE END OF THE COAX NEAREST THE ANTENNA (WHERE THE COAXIAL CABLE AND JUMPER ARE CONNECTED).
      - SECOND LOCATION IS INSIDE THE EQUIPMENT SHELTER NEAR THE WAVEGUIDE ENTRY PORT.
    - USE ANDREW CABLE TIES (PT.# 27290) TO SECURE IDENTIFICATION TAGS.

5. TESTING

LESSEE SHALL PROVIDE AN INDEPENDENT TESTING AGENCY TO PERFORM THE COAXIAL SWEEP TEST & REPORT. THE CONTRACTOR IS TO PROVIDE ONE CLIMBER / QUALIFIED PERSONNEL TO ASSIST IN ANY REPAIRS AND WEATHERPROOFING ONCE THE TEST IS COMPLETE. THE CONTRACTOR IS TO PROVIDE LESSEE WITH A MINIMUM OF 48 HOURS NOTICE PRIOR TO THE TIME OF THE SWEEP TEST.

VERIZON WIRELESS PERSONAL COMMUNICATIONS LP  
d/b/a Verizon Wireless



600 Busse Highway  
Park Ridge, IL 60068  
P. n.: 847/688-6400  
F. ax.: 847/688-6401

NO.	DESCRIPTION	REVISIONS	
		DATE	BY
1	ISSUED FOR REVIEW	7/26/12	JAS

LOC. #259720  
PLEASANT PRAIRIE & 94  
9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

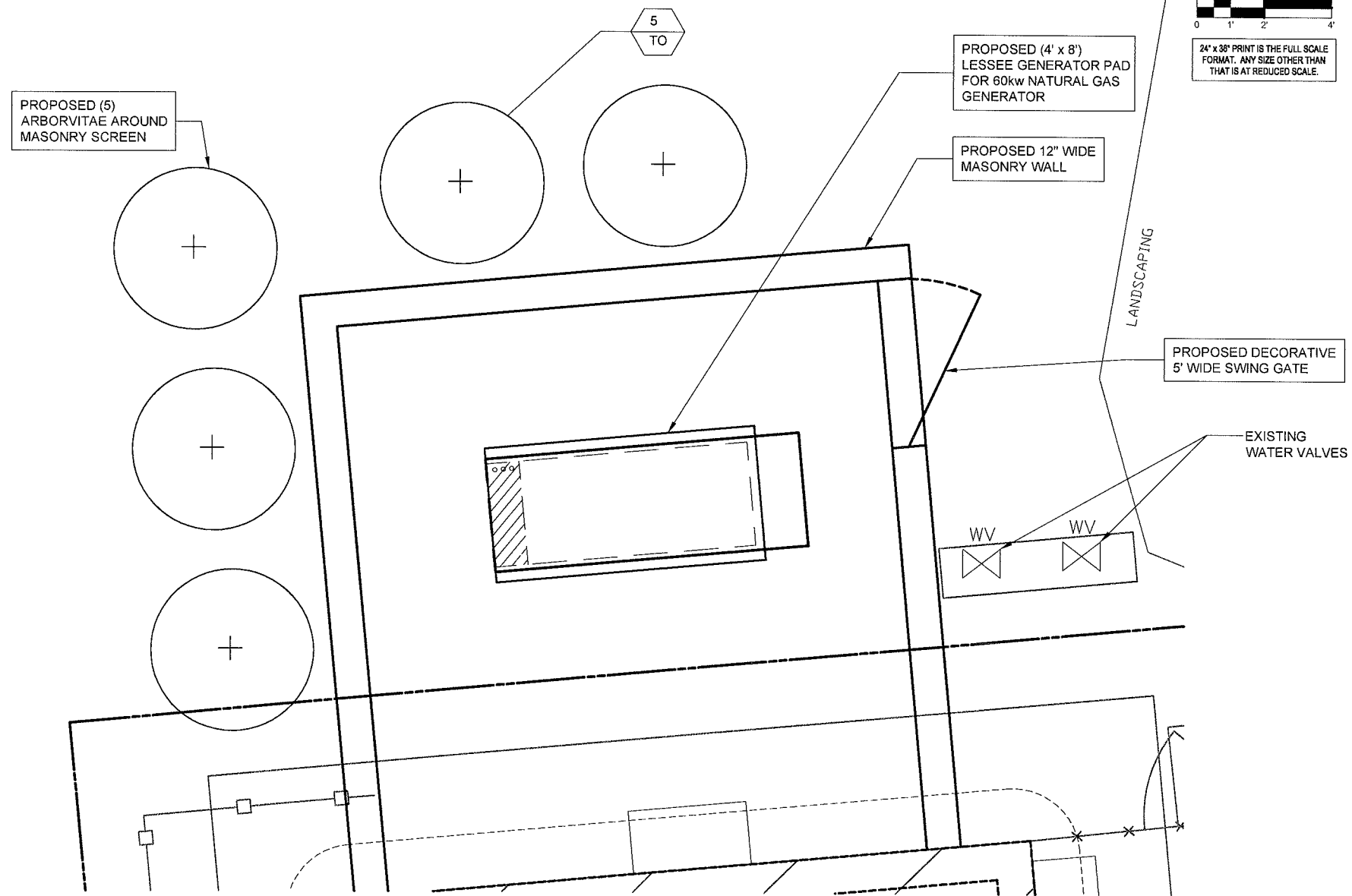
DRAWN BY:	JAS
CHECKED BY:	TAZ
DATE:	7/26/12
PROJECT #:	33-762

SHEET TITLE  
SPECIFICATIONS

SHEET NUMBER  
SP-2

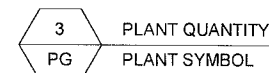
# GENERAL LANDSCAPE NOTES

- PRUNE NEWLY INSTALLED SHRUBS. WORK SHALL BE DONE BY EXPERIENCED PERSONNEL TO THE ACCEPTED HORTICULTURAL AND ARBORICULTURAL STANDARDS. PRUNING SHALL RESULT IN A LOOSE OUTLINE CONFORMING TO THE GENERAL SHAPE OF THE SHRUB TYPE. DO NOT USE HEDGE SHEARS.
- ALL PLANTING STOCK SHALL BE NURSERY-GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICE. PLANTS SHALL BE FREE OF DISEASE, INSECTS EGGS, LARVAE AND DEFECTS SUCH AS KNOTS, SUN-SCALD, INJURIES, ABRASIONS OR DISFIGUREMENT. THEY SHALL HAVE SOUND, HEALTHY VIGOROUS AND UNIFORM GROWTH TYPICAL OF THE SPECIES AND VARIETY, WELL-FORMED, FREE FROM IRREGULARITIES, WITH THE MINIMUM QUALITY AND SIZE CONFORMING TO AMERICAN STANDARD FOR NURSERY STOCK.
- GUARENTEE: WARRANT ALL PLANT MATERIAL TO BE TRUE TO BOTANICAL NAME AND SPECIFIED SIZE. AFTER COMPLETION OF PLANTING, ALL PLANT MATERIALS SHALL BE WARRANTED AGAINST DEFECTS, INCLUDING DEATH AND UNSATISFACTORY GROWTH FOR A WARRANTY PERIOD OF ONE YEAR. THE CONTRACTOR WILL NOT BE RESPONSIBLE FOR DEFECTS RESULTING FROM NEGLIGENCE, DAMAGE BY OTHERS, OR UNUSUAL PHENOMENA OR INCIDENTS BEYOND THE CONTRACTORS CONTROL WHICH RESULT FROM NATURAL CAUSES SUCH AS FLOODS STORMS, FIRES OR VANDALISM.  
REPLACEMENTS: DURING THE WARANTY PERIOD, REPLACE ONE TIME, AT NO ADDITIONAL COST TO THE OWNER, PLANT MATERIALS THAT ARE DEAD, OR IN THE OPINION OF THE LANDSCAPE ARCHITECT, IN AN UNHEALTHY OR UNSIGHTLY CONDITION. REJECTED PLANT MATERIALS SHALL BE REMOVED FROM THE SITE AT CONTRACTOR'S EXPENSE. REPLACEMENTS ARE TO BE MADE NO LATER THAN THE SUBSEQUENT PLANTING SEASON. RESTORE AREAS DISTURBED BY REPLACEMENT OPERATIONS.
- MULCHING SHALL BE DONE WITHIN 48 HOURS AFTER PLANTING. MULCH SHRUB BEDS TO A UNIFORM DEPTH OF THREE INCHES. MULCH SHALL BE CLEAN COMPOSTED PINE BARK MULCH FREE OF FOREIGN MATERIAL AND LARGE PIECES OVER THREE INCHES LONG. DO NOT MULCH TREE AND SHRUB PLANTING PITS.
- TOPSOIL SHALL CONSIST OF FERTILE FRIABLE NATURAL LOAM, CONTAINING A LIBERAL AMOUNT OF HUMUS AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL. IT SHALL BE FREE OF ADMIXTURES OF SUBSOIL AND FREE OF CRAB GRASS, ROOTS, STICKS AND OTHER EXTRANEIOUS MATTER, AND SHALL NOT BE USED FOR PLANTING OPERATIONS WHILE IN A FROZEN OR MUDDY CONDITIONS.
- REPAIR ALL TURF AREAS BY SEEDING. SEEDING INSTALLATION SHALL BE EXECUTED ONLY AFTER ALL FINISH GRADING HAS BEEN COMPLETED. NO SEEDING WORK SHALL BE DONE PAST SEPTEMBER 15, UNLESS APPROVED BY THE OWNER'S REPRESENTATIVE.  
SEED: SEDD MIX SHALL MATCH EXISTING TURF, OR BE A 50/50 MIX OF CERTIFIED IMPROVED BLEND OF BLUEGRASS AND CERTIFIED IMPROVED PERENNIAL RYE. MIX SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO PLANTING. SEEDING SHALL BE APPLIED AT A MINIMUM RATE OF 120 POUNDS PER ACRE. FUTERRA BLANKET, OR EQUAL, SHALL BE USED FOR EROSION CONTROL MULCH WHERE NECESSARY IN LIEU OF HYDRO MULCH.
- PLANT MATERIAL SHALL CONFORM WITH THE CURRENT AMERICAN STANDARDS FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN FOR THAT TYPE OF TREE OR SHRUB AT THE TIME OF INSTALLATION.
- ALL TREES SHALL BE GROWN IN A NURSERY LOCATED IN THE NORTHERN HALF OF THE STATE OF ILLINOIS AND LICENSED BY THE STATE OF ILLINOIS.
- THE PLANTING SEASON SHALL BE APPROXIMATELY OCTOBER 15 TO DECEMBER 1, AND MARCH 15 TO MAY 1.



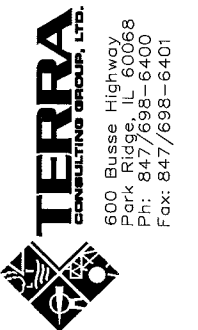
## PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	COMMENTS
TREES					
TO	THUJA OCCIDENTALIS	AMERICAN ARBORVITAE	5	5 FT. HT. MIN.	B & B (BALLED & BURLAPPED)



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED

**VERIZON WIRELESS PERSONAL COMMUNICATIONS LP**  
d/b/a Verizon Wireless



NO.	DESCRIPTION	DATE	BY
		7/26/12	JAS
ISSUED FOR REVIEW			

LOC. #259720

PLEASANT PRAIRIE & 94

9951 TERWALL TERRACE  
PLEASANT PRAIRIE, WI 53158

DRAWN BY:	JAS
CHECKED BY:	TAZ
DATE:	7/26/12
PROJECT #:	33-762

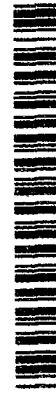
SHEET TITLE  
**LANDSCAPE PLAN**

SHEET NUMBER  
**L-1**



**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT NO. 11-19**

Before the Village of Pleasant Prairie Plan Commission,  
Kenosha County, Wisconsin, in regard to the property  
located at **9951 Terwall Terrace.**



DOCUMENT

1665259

RECORDED  
At Kenosha County, Kenosha, WI 53140  
Louise L. Principe, Register of Deeds  
on 2/15/2012 at 2:10PM  
120005303 \$30.00

RECEIVED  
BARD

**Return to:**

Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

1-13

**Tax Parcel Number:**

92-4-122-204-0201

**Legal Description:** Lot 2 of Certified Survey Map #1806, as recorded on March 20, 1995 as Document # 986607, excluding Outlot 1 of CSM 2681, as recorded on December 21, 2010 as Document #1635555 located in a part of the Southeast One-Quarter of Section 19 and in a part of the Northeast One-Quarter, Northwest One-Quarter, Southeast One-Quarter and Southwest One-Quarter of Section 20, Township 1 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin.

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provides that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made to construct a 150 foot tall multi-carrier monopole commercial communication tower with six (6) antennas attached to the tower for AT&T, an 800 square foot multi-carrier equipment shelter and miscellaneous site improvements and public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing, including the memorandum from the Fire & Rescue Department, the project meets the following standards for granting a Conditional Use Permit in that the project: does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services; does not impair an adequate supply of light and air to the adjacent properties; does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department; does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; there is no existing identified hazard, danger, harm, noxiousness,

offensiveness, noise, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use; and the proposed and applied for use on this particular parcel is not inherently inconsistent with either the PR-3, Regional Park-Recreation District in which it is located or the adjoining zoning districts or neighborhoods.

**NOW THEREFORE**, a conditional use is hereby granted, subject to compliance with the terms and conditions hereinafter stated for 150 foot tall multi-carrier monopole commercial communication tower with six (6) antennas attached to the tower for AT&T, an 800 square foot multi-carrier equipment shelter and miscellaneous site improvements within a leased area on the aforementioned property:

1. Compliance with the Site and Operational Plans conditionally approved by the Village Plan Commission on October 10, 2011 on file with the Village.
2. Compliance with the executed Lease Agreement as approved by the Village Board on October 17, 2011 between the Village and American Towers LLC.
3. All work performed on the monopole and attached hardware utilizing lifts, scaffolding, etc. shall require the use of load distributing mats under the load bearing points of the vehicle or equipment, unless the vehicle or equipment is parked on a paved surface. This includes all subsequent maintenance and any additions after the tower has been erected.
4. The coax cable that runs from the equipment shelter to the tower shall be underground as opposed to being an open, above-ground coax connection with an ice bridge as shown on the plans.
5. The multi-carrier equipment building shall be constructed with the same exterior building materials as the existing ball fields pavilion located approximately 350 feet to the west. The exterior walls of the shelter shall be constructed of same stone (split face block), the roof shall be a green standing seam metal roof with a 3:12 pitch and the doors, trim and any equipment attached to or protruding from the building shall be painted beige to match the paint colors on the ball fields pavilion. The 150 foot monopole will be painted white.
6. Compliance with the **attached** memorandum from the Village Fire & Rescue Department dated August 24, 2011.
7. Compliance with the **attached** memorandum from Ken Robers, Senior Building Inspector with the Village dated August 29, 2011.
8. There is an existing irrigation meter pit located south of the building. The irrigation pipe alignment may be within or near the proposed building. The irrigation line shall be re-routed around the building if it is found to be within the proposed building area. The realignment shall be completed by the Developer. The Developer's contractor shall contact the Village Engineering Department (262-948-8951) to approve the new alignment and inspect the installation, prior to the realignment construction.
9. All related lighting with this cellular facility and equipment shelter shall be directed downwards and shall not glare onto adjacent properties or public roadways.

10. To ensure that no underground cables are severed, if any trenching activities are associated with this cellular tower facility then AT&T and/or the contractor MUST contact the Village Utility Department and the Village IT Department prior to commencing any trenching/excavation/digging, etc. It may be necessary to have the Village Utility Department staff locate the Village's underground utility line(s) (sewer, water, storm sewer, fiber optic, etc.) to ensure they are not severed.
11. The Village IT Department shall be allowed future access to the tower at no cost to the Village, for the possible installation of a wireless access point for Village business use. This access point would operate on a 4.9 MHz frequency for Public Safety and a 2.8 MHz frequency for Public Works.
12. AT&T shall provide a port on the monopole and shall allow the Village the proper access to the facility for the potential future installation of a "receive only" radio antenna for the Village Police Department, at no cost to the Village. The port shall be installed at a height as determined appropriate by the Police Chief.
13. The antennas and equipment shelter shall comply with all Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) requirements. Copies of the necessary FCC and FAA approvals shall be provided to the Village prior to the issuance of building permits.
14. The hours of construction activity, operating heavy machinery or equipment associated with the grading, erosion control device installation, and overall site development shall be limited to Monday through Friday from 7:00 a.m. to 10:00 p.m. and Saturday and Sunday from 7:00 a.m. to 6:00 p.m.
15. Any deviation from the approved plans must be reviewed and approved prior to installation or construction.
16. Once plans are approved and permits are issued, no changes to the site and buildings shall be made without the Village's approval. In addition, any addition, alteration, extension, expansion or other proposed change (e.g. the addition of antennae) in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
17. All plans shall conform to applicable Village ordinance requirements, and to all other applicable local, state and federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
18. All buildings, structures, site improvements and sites shall be maintained in a safe, structurally sound, neat, well-cared-for and attractive condition.
19. The use shall comply with all Village Ordinance requirements and all other applicable federal, state, county or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
20. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.

21. Compliance with the Village Performance Standards is required.
22. This Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
23. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.
24. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.
25. **Prior to obtaining written occupancy of the building and associated site improvements three (3) copies of an as-built plan stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village to verify that above-ground structures and all impervious surfaces meet the minimum setbacks and all improvements were made within the lease area per the approved Site and Operational Plans. In addition, written certification from the landscaping company that the landscaping was installed pursuant to the approved Site and Operational Plans shall be submitted to the Village.**
26. Building, Zoning and Erosion Control Permits shall be obtained from the Village prior to commencing any work. In addition, prior to occupancy, a Certificate of Compliance shall be issued by the Village prior to the use/operation of this facility to ensure compliance with all permit requirements.

**Granted by the action of the Village of Pleasant Prairie Plan Commission the 10<sup>th</sup> day of October, 2011.**

  
Thomas W. Terwall  
Plan Commission Chairman

ATTEST:

  
Donald Hackbarth  
Secretary

*[Signatures on next page]*

PROPERTY OWNER: Village of Pleasant Prairie

Michael R. Pollocoff

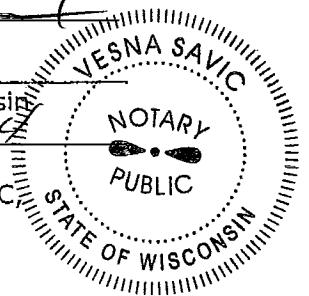
Michael R. Pollocoff  
Village Administrator

ACKNOWLEDGMENT  
STATE OF WISCONSIN)  
SS  
KENOSHA COUNTY)

Personally came before me this 30<sup>th</sup> day of January, 2012, the above named to me known to be the person (**Michael R. Pollocoff, Village Administrator**) who executed the foregoing instrument and acknowledged the same.

Vesna Savic

Print Name: Vesna Savic  
Notary Public, Kenosha County, Wisconsin  
My Commission Expires: 11-9-2014



**TOWER OWNER:** American Towers LLC,  
a Delaware Limited Liability Company  
(f/k/a America Towers, Inc.)

By: [Signature]  
Steve Vondran  
Its: Senior Vice President  
General Counsel

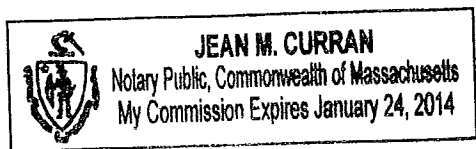
ACKNOWLEDGMENT

STATE OF Massachusetts  
SS  
Middlesex COUNTY)

Personally came before me this 15<sup>th</sup> day of November, 2011, the above named to me known to be the person (**Steve Vondran, Senior Vice President, General Counsel on behalf of American Towers LLC, a Delaware limited liability company (f/k/a American Towers, Inc.)**) who executed the foregoing instrument and acknowledged the same.

Jean M. Curran

Print Name: JEAN M. CURRAN  
Notary Public, Middlesex County, MA  
My Commission Expires: January 24, 2014



TENANT: New Singular Wireless PCS, LLC  
By: AT&T Mobility Corporation  
Its: Manager

*Scott A. Root*

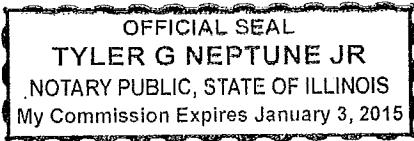
Scott A. Root *Dennis A. Klein SR*  
Manager of Network Implementations-IL/WI

ACKNOWLEDGMENT

STATE OF ILLINOIS)  
COOK SS  
COUNTY)

Personally came before me this 27th day of NOVEMBER 2011, the above named to me known to be the person (~~Scott A. Root~~, **Manager of Network Implementations-IL/WI**) who executed the foregoing instrument and acknowledged the same.  
*Dennis A. Klein*

*Tyler G. Neptune Jr.*



Print Name: TYLER G. NEPTUNE, JR.  
Notary Public, LAKE County, IL  
My Commission Expires: JANUARY 3, 2015

**THIS INSTRUMENT WAS DRAFTED BY:**

Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, Wisconsin 53158





# MEMO

Office of the Village  
Assistant Village Engineer  
Matthew J. Fineour, P.E.

TO: Peggy Herrick, Assistant Planner

FROM: Matt Fineour, P.E. - Assistant Village Engineer

CC: Mike Spence, P.E. - Village Engineer

SUBJ: AT&T, New Cell Tower - Prairie Springs Park  
Review #5

DATE: September 6, 2011

---

Peggy,

The Engineering Department has reviewed the revised plans for the above referenced project dated August 3, 2011 by AT&T. Based on our review we have the following comments listed below.

#### Grading and Erosion Control Plan

1. Provide proposed grading contours around the proposed building pad area and/or provide clarification as to the grading around the building.
2. Drainage in front of the building needs to be addressed. There is currently no positive drainage between the pedestrian path and building.
3. Provide proposed spot grades every 25-feet along the pedestrian path. Also indicate the cross slope direction of the path on the plans.
4. Provide a legend to clarify existing grade vs. proposed grade notations and graphics.

Note: Attached is the review mark-up of the grading and erosion control plan sheet for reference.

The engineering plans have been reviewed for conformance with generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all state and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should errors or changed conditions be found at a future date.

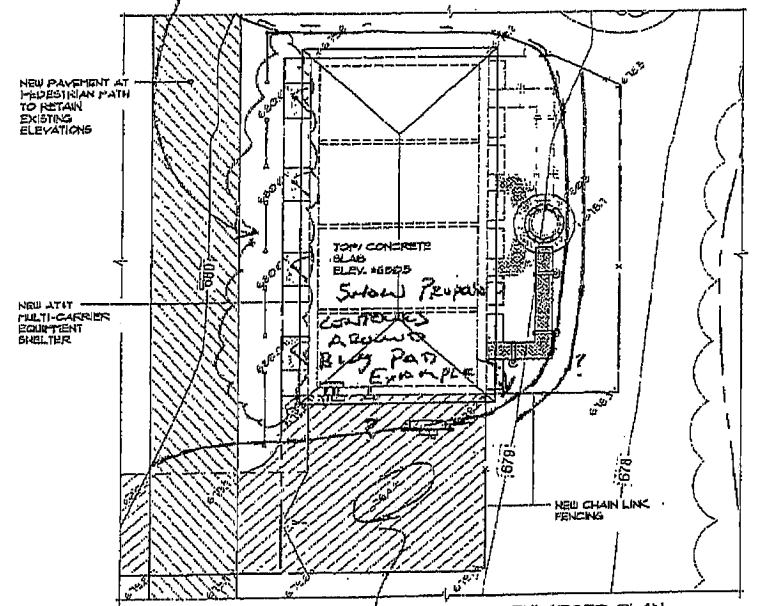
Sincerely,

A handwritten signature in cursive script that reads "Matthew J. Fineour".

**SOIL EROSION AND SEDIMENT CONTROL**

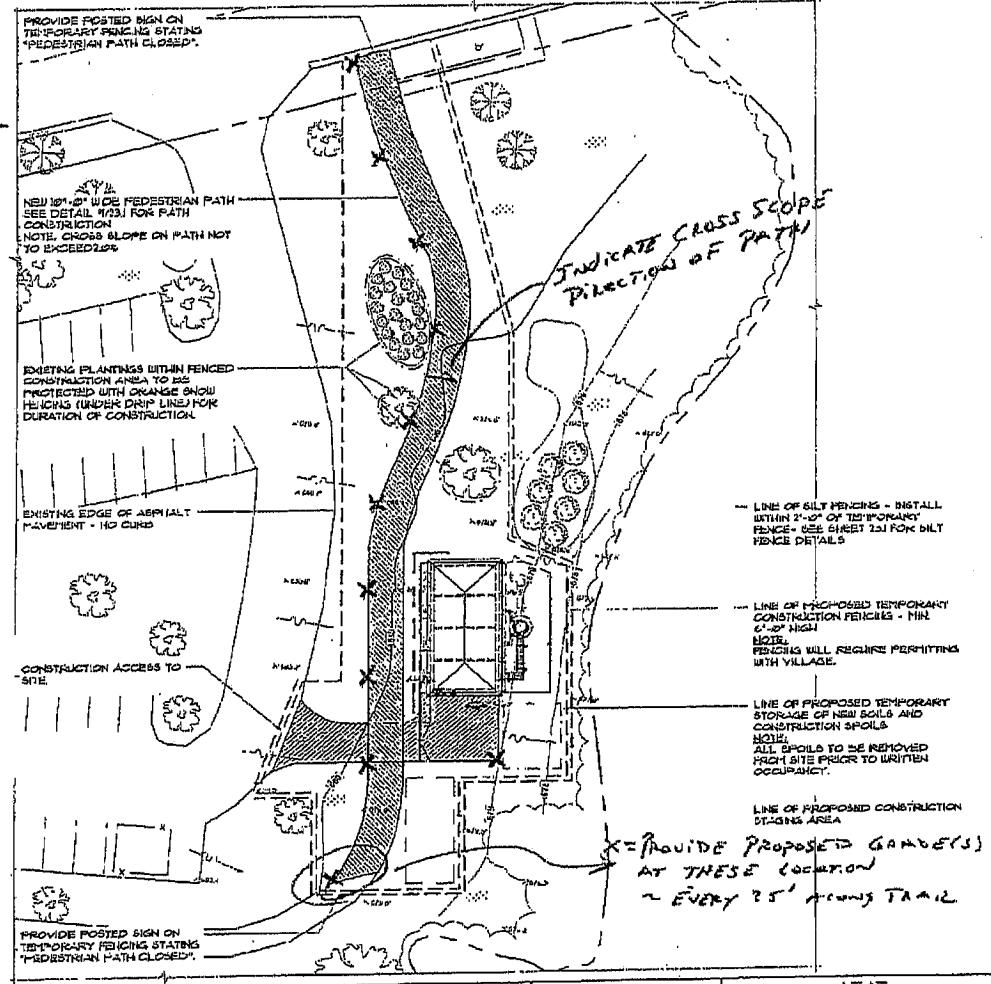
1. REASONABLE CARE MUST BE TAKEN TO MINIMIZE SOIL EROSION. REFER TO PROCEDURES AND STANDARDS FOR URBAN SOIL EROSION AND SEDIMENTATION CONTROL PREPARED BY THE U.S. SOIL AND CONSERVATION SERVICE
2. ALL INLETS, DRAINAGES, PIPES, SWALES, AND ROADS SHALL BE KEPT CLEAN AND FREE OF DIRT AND SILT.
3. BERM BALES FIRMLY ANCHORED SHALL BE PLACED AROUND ALL INLETS, CATCH BASINS, AND SWALES THAT RECEIVE SILTY RUNOFF DURING THE COURSE OF CONSTRUCTION.
4. SILT FENCE WILL BE CONSTRUCTED ALONG THE LEASE LINE ACROSS THE ENTIRE CONSTRUCTION AREA.
5. MAINTAIN SOIL EROSION CONTROL DEVICES THROUGH THE DURATION OF THIS PROJECT.
6. REPLACE SOIL EROSION CONTROL DEVICES WITH SOIL AND TOPSOIL AT THE COMPLETION OF THE PROJECT.
7. ALL ADJACENT ROADWAYS SHALL BE KEPT CLEAN AT ALL TIMES.
8. ADDITIONAL SOIL EROSION CONTROL MEASURES SHALL BE UNDERTAKEN IF DEEMED NECESSARY BY THE BUILDING INSPECTOR DURING THE COURSE OF CONSTRUCTION.

*ADDRESS DRAINAGE*



ENLARGED PLAN - GRADING AT NEW BUILDING

*EXISTING SPOT GRADES? PROVIDE LEGENDS OF EXISTING VS. PROPOSED*



GRADING AND EROSION CONTROL PLAN  
SCALE: N.T.S.

**Fuller Engineering Consultants**  
2805 W. BRYN MAER AVE.  
SUITE 300  
ROSEMONT, ILLINOIS 60018  
TEL: 817-797-8722  
FAX: 817-797-8084  
www.FullerEngineering.com

**SAC SITE ACQUISITION CONSULTANTS**  
1035 WASHINGTON RD  
SUITE A  
SCHLAUBURG, IL 60133  
TEL: 815-381-7133

**nsoro**  
It's just good business.  
3100 TOLLVIEW DRIVE  
ROLLING MEADOWS, IL 60008  
TEL: (708) 591-5336

**AT&T**  
930 NATIONAL PARKWAY  
4th FLOOR  
SCHLAUBURG, IL 60133

1	2003/11	FINAL	RC	AC
2	4/20/04	CON REVIEW	RA	AC
3	DATE	REVISION	BY	CHK
SCALE: AS SHOWN				

AT&T	
GRADING AND EROSION CONTROL PLAN	
DRAWING NUMBER	REV
W1930-22	0

THIS DRAWING IS THE PROPERTY OF FULLER ENGINEERING CONSULTANTS, INC. IN THE EVENT OF THE PROJECT, ANY REUSE OF THE PROJECT WITHOUT THE EXPRESSED WRITTEN CONSENT OF FULLER ENGINEERING CONSULTANTS, INC. IS PROHIBITED.



Office of the Village  
Fire & Rescue Chief  
Paul Guilbert, Jr.

## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director

FROM: Paul G. Guilbert, Jr., Chief, Fire & Rescue Department

CC: Lt. Thomas Clark, Fire & Rescue Department  
Peggy Herrick, Assistant Planner, Community Development

SUBJECT: Review of AT&T Cellular Tower, Antennas and Equipment Shelter located at Prairie Springs Park, just east of the South Ball Fields, a facility address of 9951 Terwall Terrace.

DATE: August 24, 2011

AT&T is proposing a new 150' high monopole antenna. An 800 square foot multi-carrier equipment shelter is also included in these comments. The site is located at Prairie Springs Park.

A fire alarm is not proposed for this project.

Unless determined by any governing code the Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually.

The concerns of the Fire & Rescue Department are as follows:

- A. The structure shall be constructed in accordance with the appropriate State of Wisconsin Codes. In the event a conflict in code(s) is identified the more stringent shall apply. In the event this conflicts with any codes adopted by the State of Wisconsin, the owner must petition the State directly for a variance. The Owner must demonstrate that they will provide materials or design equivalent to the code or that they will exceed the code when petitioning the State.
- B. A letter shall be submitted to the Fire & Rescue Department with the plans; it shall state that the project will comply with all requirements addressed within this document.
  1. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken. The company providing the fire extinguishers shall submit a letter to the Fire and Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
  2. **Knox Box and Knox Padlock:** A Knox Box shall be provided for the building and a Knox

Padlock for the security gate entrance. The padlock shall be interlocked with the padlock proposed by AT&T. The Knox Box shall be Model 4400. Two sets of all keys shall be placed within the box, as well as a copy of the pre-fire plan. All Knox equipment shall be purchased directly from the Fire & Rescue Department.

3. **Emergency Lighting:** Emergency Lighting shall be provided. Emergency Lighting shall have battery back-up. Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled.
4. **Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
  1. Provide a CD with site and building enclosure information. The disk shall be in the current AutoCAD format.
  2. The Pleasant Prairie Fire & Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
6. **Inspection Fee:** Occupancy inspection fee and re-inspection fee will be assessed at the final inspection in accordance with ordinance 180-17. This fee is due at the Final Inspection
7. **Occupancy:** All fire and life safety requirements must be in place prior to this building being occupied.

MEMORANDUM

TO: Peggy Herrick, Assistant Planner

FROM: Ken Robers, Senior Building Inspector

SUBJECT: Comments/Conditions for Installation of 6 antennas to monopole tower, and add new equipment shelter at 9900 Terwall Terrace for AT & T Mobility

DATE: August 29, 2011

The following are my comments/conditions:

1. The Village of Pleasant Prairie has adopted The 2009 International Commercial Building Code effective September 1, 2011.
2. The Cell Tower antenna addition does not require state approval.
3. Access shall be maintained for emergency service to the buildings, i.e. daisy chain the contractor's gate lock with the Village's Fire and Rescue gate lock.
4. A commercial building permit is required for the equipment shelter.
5. A commercial electrical permit is required to be obtained by a Village licensed Electrical Contractor for the emergency generator and any additional electrical work in the existing equipment shelter.
6. An electrical inspection for rough-in and final inspection shall be scheduled with the Village.
7. All requirements of the Wisconsin state electrical code, volume 2, chapter Comm 16 shall be complied with.
8. Any deviation from the approved plans must be reviewed and approved prior to installation or construction.

Should you have any questions, please contact me directly.

\* \* \* \*



Office of the Village  
Fire & Rescue Chief  
Paul Guilbert, Jr.

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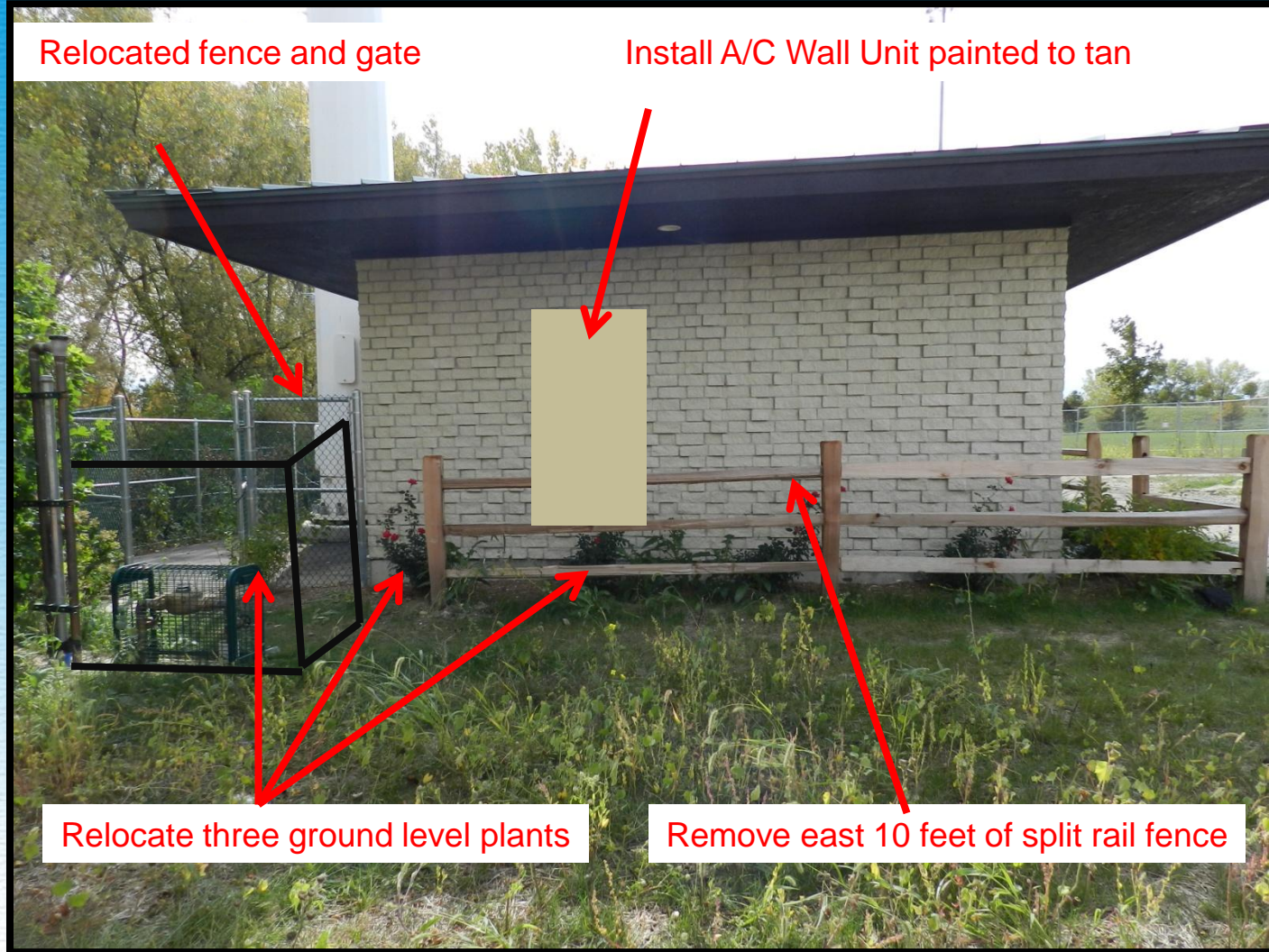
Should you have any questions, please contact me directly.

\* \* \* \*



# Revised Plans

(Generator to be located within fenced area)



# Revised Plans

(Generator to be located within fenced area)



- H. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE** for the request of Cory Harpe, agent for Harpe Development to use the house located at 9985 Cooper Road in the Village Green Heights Addition #1 Subdivision as a model home.

**Recommendation:**

Village staff recommends that the Plan Commission approve the **Conditional Use Permit** subject to the attached comments and conditions of the Village Staff Report of October 8, 2012.

## VILLAGE STAFF REPORT OF OCTOBER 8, 2012

**CONSIDERATION OF A CONDITIONAL USE** for the request of Cory Harpe, agent for Harpe Development to use the house located at 9985 Cooper Road in the Village Green Heights Addition #1 Subdivision as a model home.

### ***PUBLIC HEARING COMMENTS:***

*As a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described below:*

### **Findings of Fact**

1. The petitioner is requesting a **Conditional Use Permit** for Harpe Development LLC to use the house located at 9985 Cooper Road as a model home. (**Exhibit A**). The subject property is known as Lot 170 in the Village Green Heights Addition #1 Subdivision, located in a part of the Southwest One Quarter of U.S. Public Land Survey Section 23, Township 1 North, Range 22 East in the Village and further identified as Tax Parcel Number 92-4-122-233-0670.
2. The single-family lots within the Village Green Heights Addition #1 Subdivision are zoned R-4, Urban Single Family Residential District. Pursuant to Section 420-108 C (1) (b) of the Village Zoning Ordinance, model single-family homes and related temporary real estate sales offices or marketing centers are allowed in the R-4 District with the approval of a Conditional Use Permit issued by the Plan Commission.
3. On June 1, 2012 the Village issued the required zoning, building and erosion control permits (Permit No. 12-05-084) for the construction of a 2,645 square foot single-family dwelling. A verbal inspection approval to occupy this property was issued by the Village on September 11, 2012. The driveway has been paved and the lawn was hydro-seeded.
4. Pursuant to Section 420-148 (67) of the Village Zoning Ordinance, the Model Home and Sales Center may be located in a new development for a period not to exceed two (2) years from the date of occupancy and the Plan Commission may set specific time frames for which the model home and marketing center can be open.
5. The petitioner is proposing to have the model home open during the following hours: Monday through Friday during business hours as well as in the evenings and weekends. Specific times should be allowed and may be set by the Plan Commission. Village staff recommends Monday-Friday 10:00 a.m. to 4:00 p.m., Saturday and Sunday 12:00 p.m. to 3:00 p.m. or by appointment.
6. Parking shall be provided on the driveway and is allowed on Cooper Road and Main Street adjacent to the lot. Vehicular parking shall not block any driveways or fire hydrants and shall not be allowed on the street during a snow emergency or hinder traffic visibility.
7. The conditions for approval of a model home, including the Village Zoning Ordinance Conditional Use Permit standard conditions pursuant to Section 420-148 (67), are set forth in the staff recommended conditions of approval as identified in this Village Staff memorandum.
8. Notices were sent to adjacent property owners via regular mail on September 12, 2012 and the required notice was published in the Kenosha News on September 24 and October 1, 2012.
9. The petitioner was emailed a copy of this Memorandum on October 5, 2012.
10. According to Article XVIII of the Village's Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings

of fact, the application and related materials and information presented at the public hearing that the project as planned, will not violate the intent and purpose of all Village Ordinances and meets the minimum standards for granting of a Conditional Use Permit.

**Village Staff Conclusions and Recommendation:**

***The Village staff has determined that based upon the foregoing information presented in the application and at the public hearing that the project meets the following standards for granting of a Conditional Use Permit in that the project:***

- does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- does not impair an adequate supply of light and air to the adjacent properties;
- does not increase danger of fire;
- does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- has no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use;
- the proposed and applied for use on this particular parcel is not inherently inconsistent with either the R-4, Urban Single Family Residential District in which it is located or the adjoining residential neighborhood; and
- the proposed and applied for use will comply with all applicable Village ordinance requirements and all other applicable federal, state or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer and water services, storm water management, streets and highways and fire protection.

**Based on the foregoing information, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for granting of a Conditional Use Permit as specified above; then approval of the Conditional Use Permit to use the house located at 9985 Cooper Road (Lot 170 in the Village Green Heights Addition #1 Subdivision) as a model home shall be approved subject to the following conditions:**

1. The garage shall not be converted for use as a showroom or sales office.
2. The petitioner is responsible to ensure that any brochures or informational marketing materials used to market the model home that are distributed on-site do not blow onto adjacent properties. All litter or debris generated at the site shall be picked up at the end of every business day.
3. Proper exterior maintenance of the property shall be provided, such as but not limited to lawn and yard maintenance and snow removal.
4. Said model home shall be handicapped accessible and meet all ADA requirements.
5. Parking shall be provided on the driveway and is allowed on Cooper Road and Main Street adjacent to the lot. Vehicular parking shall not block any driveways or fire hydrants and shall not be allowed on the street during a snow emergency or hinder traffic visibility.

6. **The model home may operate from this location for a period not to exceed two (2) years from the date of verbal inspection approval occupancy of the home (September 11, 2014) or until the home is sold, whichever comes first.**
7. The petitioner is proposing to have the model home opened during the following hours: Monday through Friday during business hours as well as in the evenings and weekends. Specific times should be allowed and may be set by the Plan Commission. Village staff recommends Monday-Friday 10:00 a.m. to 4:00 p.m., Saturday and Sunday 12:00 p.m. to 3:00 p.m. or by appointment.
8. The model home shall **not** be used as living quarters pursuant to the Conditional Use Permit.
9. Prior to any model home sign being installed, the property owner shall obtain the required sign permit. *(A sign application has been submitted and will be issued upon approval of the Conditional Use Permit and execution of the required Conditional Use Grant Document.)*
10. **The model home site shall not display any streamers, banners, triangle flags, pennants, strings of pennants, pinwheels, etc., at any time on the property. No off-lot directional, marketing or off-premise advertizing signage is allowed during the week or on the weekends. Violation of this requirement may result in immediate revocation of this conditional use permit.**
11. All plans shall conform to applicable Village ordinance requirements, and to all other applicable local, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
12. No use on site shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
13. No changes to the exterior site or house conditions shall be made without the Village's approval. In addition, any addition, alteration, extension, expansion, repair or other proposed change in the approved model home operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
14. Upon approval of the Conditional Use Permit the property owner shall sign the Conditional Use Grant Document and the document shall be recorded at the Kenosha County Register of Deeds office.
15. The Conditional Use Grant shall become effective upon the execution and recording of the document and shall constitute an effective covenant running with the land. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the Conditional Use Permit(s) or zoning violation prosecution, or both.
16. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.



RECEIVED  
AUG 31 2012  
Village of Pleasant Prairie

Exhibit A

Rev. 1/98  
2/01  
1/04

Filed 8/31 2012 Published \_\_\_\_\_ 20\_\_\_\_  
Public Hearing 10/8 2012 \_\_\_\_\_ 20\_\_\_\_  
Fee Paid 8/31 2012 Approved \_\_\_\_\_ 20\_\_\_\_  
Notices Mailed \_\_\_\_\_ 20\_\_\_\_ Denied: \_\_\_\_\_ 20\_\_\_\_

**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE PERMIT**

**(Use this application only if a Site and Operational Plan approval is not required.)**

To: Village Plan Commission and Village Board of Trustees of the Village of Pleasant Prairie:

I, (We), the undersigned owner(s)/agent do hereby petition the Village Plan Commission for a Conditional Use Permit as hereinafter requested.

It is petitioned that the following Conditional Use Permit be approved: \_\_\_\_\_

Use of property for model home  
on the property located at: 9985 Cooper Rd. and is legally described as follows  
(address)

as follows: Village Green Heights #170

Tax Parcel Number(s): 92-4-122-233 - 0670

The proposed use for this property is: Model Home

Current zoning of the property: Residential

Proposed zoning of the property: Residential - model home

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request with the Village staff to determine additional information that may be needed to consider the request.

I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

**PROPERTY OWNER:**

Print Name: Harpe Development

Signature: [Signature]

Address: 7530 - 39th Avenue

Kenosha WI 53142  
(City) (State) (Zip)

Phone: 262-577-5417

Fax: 262-577-5437

Date: \_\_\_\_\_

**OWNER'S AGENT:**

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
(City) (State) (Zip)

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Date: \_\_\_\_\_

August 30, 2012

To whom it may concern:

Please note that Harpe Development LLC intends to use the property located at 9985 Cooper Road in Village Green Heights as their model home. The model will be used to have meetings with clients as well as to showcase the features Harpe offers in their houses. The model will be open Monday through Friday during business hours as well as in the evenings and weekends. This house will be used as a model from the date the conditional use permit is issued – until it is sold.

Thank you,

A handwritten signature in black ink that reads "Toni Howland". The signature is written in a cursive style with a long, sweeping underline that ends in a small loop.

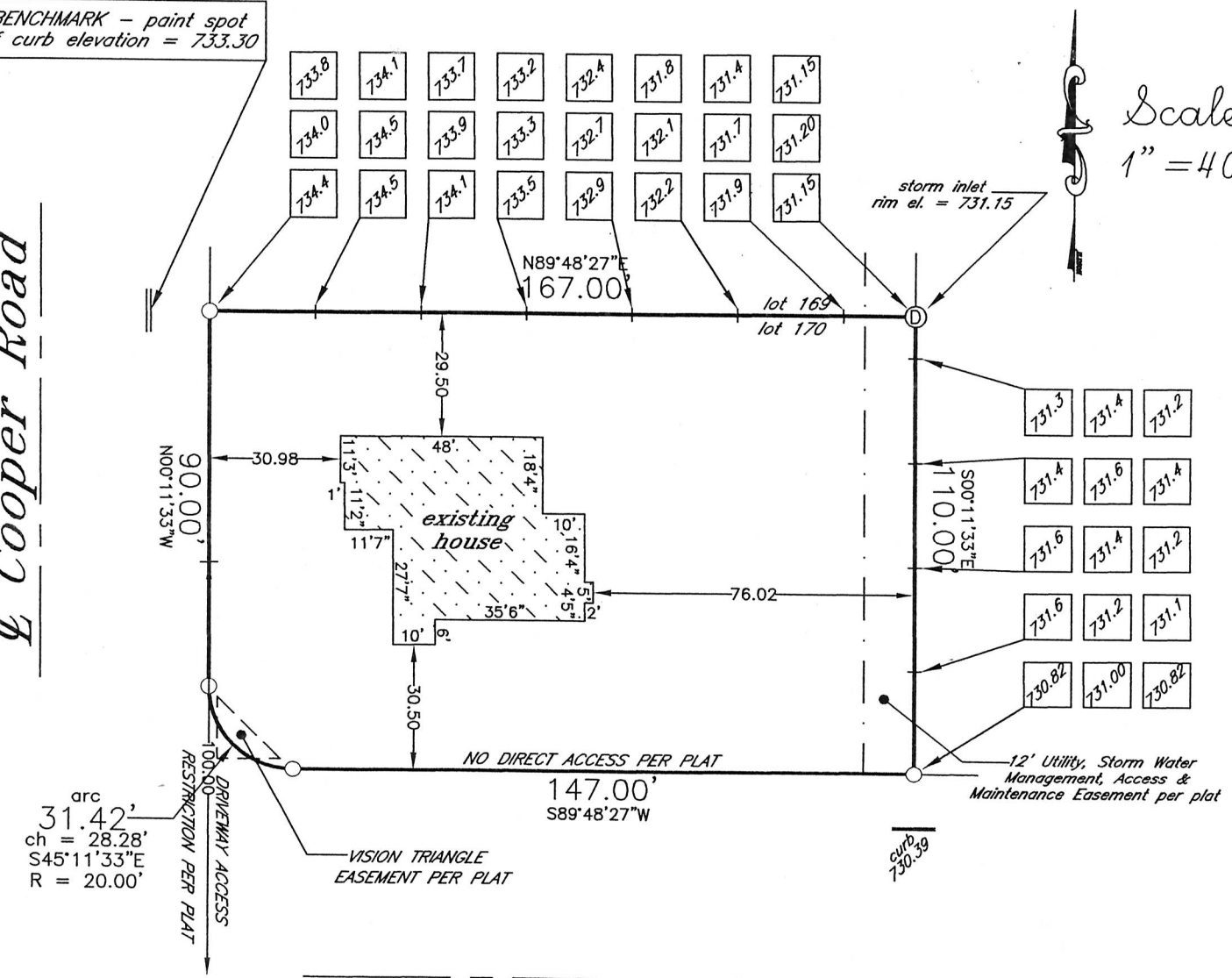
Toni Howland



project BENCHMARK - paint spot  
on top of curb elevation = 733.30

Scale  
1" = 40'

Cooper Road



Main Street

\* top of foundation elevation = 736.29  
\* outside finish grade = EL 735.60 (advisory only) - top of foundation = EL 736.27 (advisory only) unless otherwise determined in writing by Village Engineering Department

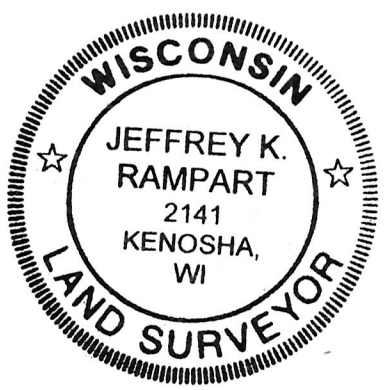
denotes iron pipe

\* existing  
proposed  
final

\* Verify exact number with Village Engineering Department

Proposed building field staked true size. Contractor to verify all dimensions before building by same and adhere to drainage plan in effect for this subdivision. Refer to a current title report for easements or restrictions which may affect the use of this site that are not shown on the recorded subdivision plat.

J.K.R. SURVEYING, INC.  
8121 22ND AVENUE  
KENOSHA, WI 53143



I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.

*[Signature]*

Reg. Land Surveyor  
May 17, 2012  
Revised 6/14/12  
Revised 8/24/12

Plat of Survey of  
LOT 170 IN  
VILLAGE GREEN HEIGHTS ADDITION 1  
in SW1/4 Section 23-1-22  
VILLAGE OF PLEASANT PRAIRIE  
KENOSHA COUNTY, WIS.

-for-  
Harpe Development

**FOCUS N ENERGY NOTES:**

- HOME MUST BE MINIMUM 10% MORE EFFICIENT THAN THE SAME HOME DESIGNED TO CURRENT UNIFORM BUILDING CODE STANDARDS
- AIR TIGHTNESS (2.0 TOTAL BUILDING SHELL AREA IN SQ. FT.)
- SEALED SUMP BATH/WOODEX
- SEALED PLUMBING PENETRATIONS THROUGH BASEMENT FLOOR (MUST BE AIR TIGHT)
- FULL COVERAGE FOUNDATION INSULATION (R5 (1" FDM BOARD MIN))
- WHOLE HOUSE VENTILATION (CASWARE 62-21/CA FAN IN CENTRAL BATH)  
110 CFM FOR 4 BEDS, W/ 6" METAL DUCT  
80 CFM FOR 3 BEDS OR SMALLER, 4" METAL DUCT  
WHOLE HOUSE FAN TO HAVE SWITCH IN BATHROOM AND OUTSIDE IN HALLWAY, TO BE WIRED IN PARALLEL.  
80 CFM IN ANY ADDITIONAL BATHROOMS, 4" METAL DUCT  
WATER HEATER MUST BE POWER VENTED OR CLOSED COMBUSTION WITH EFF EQUAL TO OR GREATER THAN, EA.  
FURNACE MUST BE CLOSED COMBUSTION, INTAKE AND EXHAUST VENT DIRECTLY TO EXTERIOR OF BUILDING.  
FIREPLACE DIRECT VENT? INTAKE CLOSED COMBUSTION AIR INTAKE CONNECTED DIRECTLY TO EXTERIOR OF BUILDING.  
INSULATED AND GASKETED ATTIC ACCESS HATCH IN BUILDING.  
MUST HAVE A MIN. OF R-20 INSULATION ATTACHED TO BACK OF HATCH AND A FDM GASKET TO FORM AIR SEAL, BETWEEN HATCH AND FRAMED OPENING TO HOUSE.

**SPECIAL NOTE:**

THE BUYER/S SHOULD ADOPT THAT IN THE COURSE OF BUILDING, BECAUSE OF JOB CONDITIONS AND DIFFERENT METHODS OF CONSTRUCTION, DEVIATIONS MAY OCCUR FROM THE PLAN.  
THEREFORE, THE BUILDER RESERVES THE RIGHT TO MAKE SLIGHT MODIFICATIONS TO ROOM SIZES AND PLACEMENT OF MECHANICAL FEATURES (I.E. HVAC, PLUMBING, ELEC, AND DEMONSTRATES).

X..... //  
X..... //

**LEGAL NOTE:**

THE ATTACHED BLUEPRINTS ARE STRICTLY A REPRESENTATION OF THE PROPOSED STRUCTURE TO BE BUILT. THE ACTUAL STRUCTURE MAY VARY IN APPEARANCE DUE TO THE CONSTRUCTION METHODS USED. THESE PLANS ARE GUARANTEED TO BE TRUE AND ACCURATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND UNDERSTANDING. THE DESIGNER OF THESE PLANS CAN NOT BE HELD RESPONSIBLE FOR ANY MONETARY LOSS INCURRED AS A RESULT OF ANY NEGLIGENCE PRACTICES BY OTHERS.

X..... //  
X..... //

**ROUGH CARPENTER NOTE:**

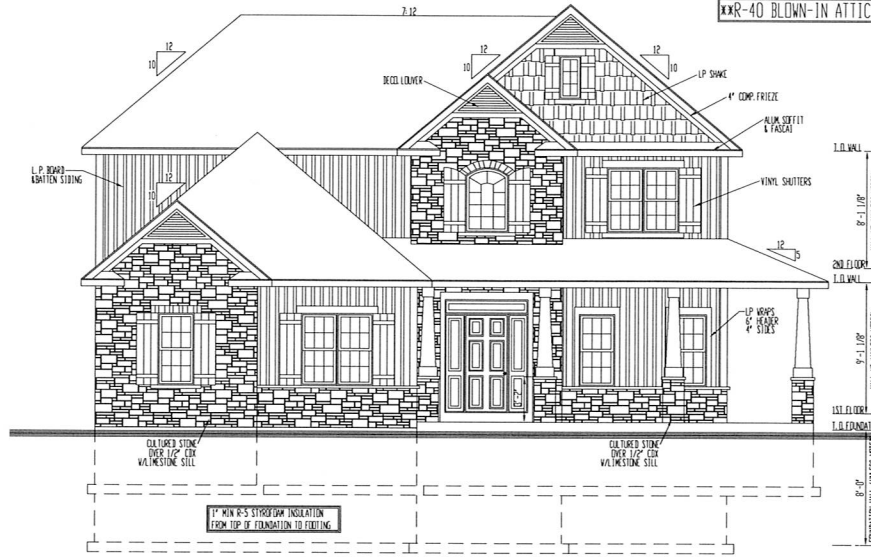
- NOTE LOCATION OF TOILET AND R.V. PIPE  
DO NOT PLACE FLOOR JOISTS DIRECTLY IN THIS AREA. ALLOW 6" TO THE CENTER ON BOTH SIDES AND 18" FROM THE WALL FOR THE TOILET AND 5" TO THE CENTER ON BOTH SIDES OF THE R.V. PIPE
- ALL EXTERIOR OPENINGS (WINDOWS, DOORS, ETC.) ON THE FIRST FLOOR ARE TO BE A MINIMUM OF (2) 2"x12" HEADERS, UNLESS IT IS OTHERWISE NOTED AS SUCH ON THE PLAN. ALL EXTERIOR OPENINGS ON THE SECOND FLOOR UP TO A 6'0" SPAN ARE TO BE A MINIMUM OF (2) 2"x12" HEADERS, ANY (BEARING) OPENING ON FIRST OR SECOND FLOOR OVER 6'0" SPAN ARE TO BE A MINIMUM OF 2-PLY MICROLAM HEADERS AS NOTED PER THE PLAN.
- 1ST FLOOR CANTILEVERS ARE TO BE INSULATED W/ R-30 BATT INSULATION IN THE CLCS. (WHERE APPLICABLE) R-19 BATT INSUL IN BOX SILL AND 3/4" PRESSURE TREATED PLYWOOD (NO R-BEARD IS TO BE USED ON 1ST FLOOR CANTILEVERS). 2ND FLOOR CANTILEVERS ARE TO BE INSULATED W/ R-19 BATT INSULATION, AND 1/2" R-BEARD PRIOR TO INSTALLATION OF FINISH FACING.
- ALL DIMENSIONS SHOWN ON THE PLAN ARE FOR ROUGH DIMENSIONS. THESE ARE FROM THE FACE OF THE STUD TO THE FACE OF THE STUD.
- ALL INTERIOR HEADERS ON NON-BEARING WALLS ARE TO BE LADDER HEADERS (SEE DETAIL). ALL BEARING WALLS WILL BE NOTED AS TO THE SIZE ON THE PLAN.
- METAL WINDBRACING IS TO BE USED AT ALL EXTERIOR CORNERS WHERE SUITABLE. EXCLUDING WHERE OSB IS SUBSTITUTED, R-BEARD IS TO BE INSTALLED ON REMAINING WALLS.
- 7/16" O.S.B. IS TO BE USED ONLY ON GARAGE EXTERIOR WALLS, ALL GABLE ENDS, PORCH/PAVING CHASES AND ALL HANGING WINDOW BOXES/NAILED W/ 8/CC 8" TO 10" O.C.
- ALL HEADERS (INTERIOR BEARING AND ALL EXTERIOR) ARE TO BE NAILED WITH 16D NAILS AT 16" O.C. STAGGERED ON EACH SIDE. (ALL MICROLAM HEADERS ARE TO BE NAILED W/ 16D NAILS @ 12" O.C. STAGGERED ON EACH SIDE AND GLUED).

ARCHITECTURAL ROOF W/ CLOSED VALLEYS

ALLIANCE SINGLE-HUNG WINDOWS  
\*DRYWALL RETURNS W/ WOOD SILL\*

HOUSEWRAP ENTIRE BUILDING

R-40 BLOW-IN ATTIC INSULATION



FRONT ELEVATION  
SCALE 1/4" = 1'-0"



REAR ELEVATION  
SCALE 1/4" = 1'-0"

RESIDENCE CUSTOM DESIGNED FOR:  
**HARPE PARADE HOME**  
VILLAGE GREEN LOT 170  
PLEASANT PRAIRIE, WI  
2645 SQ. FT. RANCH

**Harpe Development LLC**  
Quality Homes at a better price!

REVISIONS

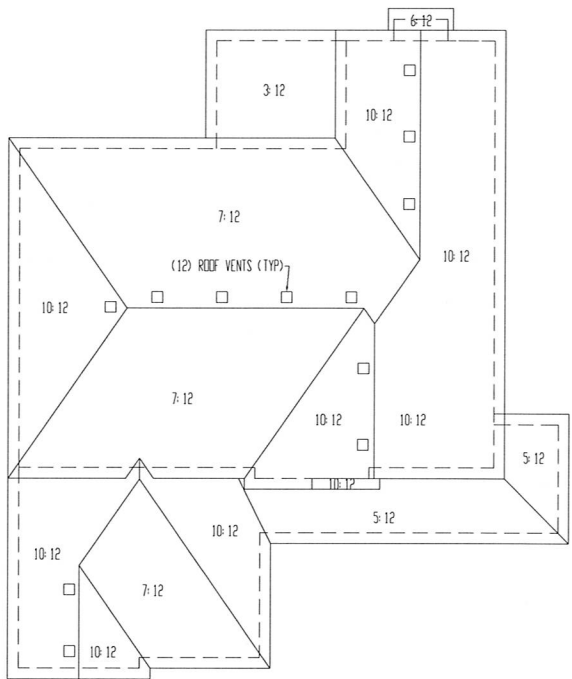

DRAWN BY:	P. A.	SHEET:	1
DATE:	5/17/12	OF:	6
SCALE:	1/4" = 1'-0"		

ARCHITECTURAL ROOF W/ CLOSED VALLEYS

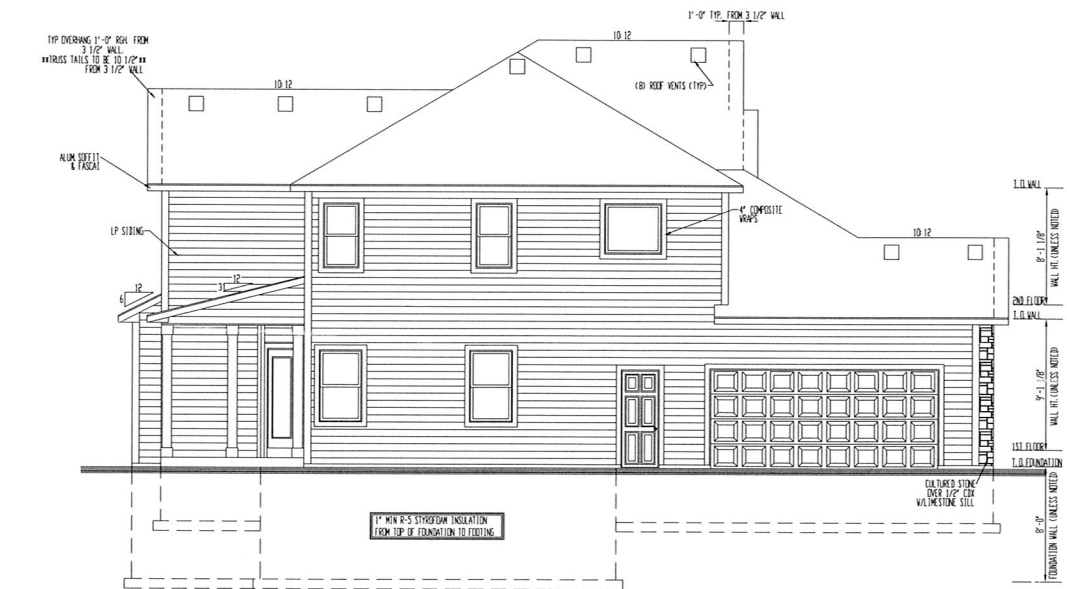
ALLIANCE SINGLE-HUNG WINDOWS  
DOOR/WALL RETURNS W/ WOOD SILL

HOUSEWRAP ENTIRE BUILDING

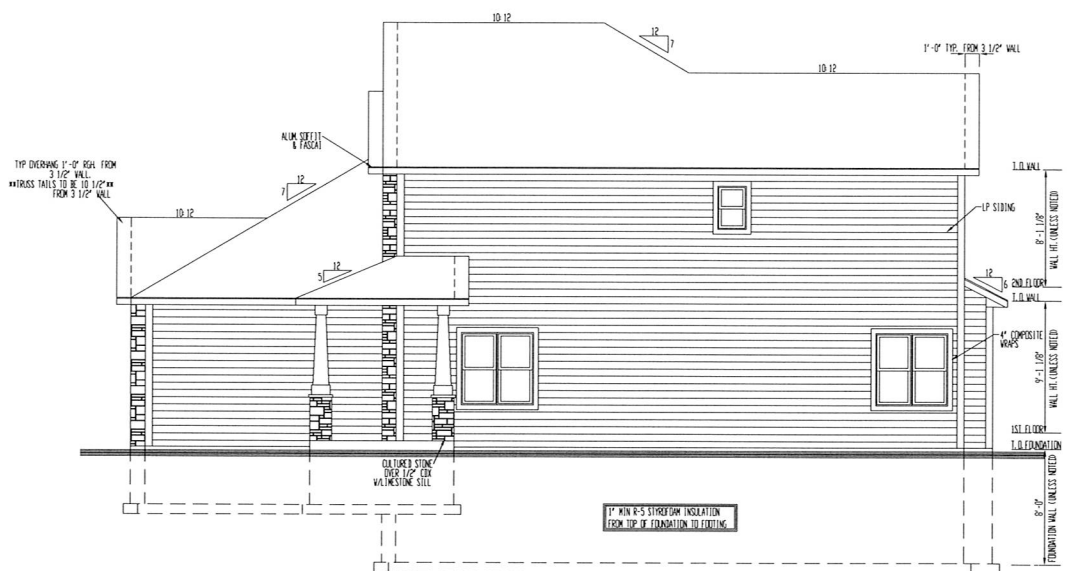
R-40 BLOW-IN ATTIC INSULATION



ROOF PLAN  
SCALE 3/16"=1'-0"



LEFT ELEVATION  
SCALE 1/4"=1'-0"



RIGHT ELEVATION  
SCALE 1/4"=1'-0"

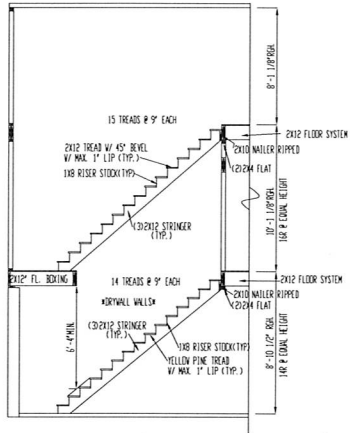
RESIDENCE CUSTOM DESIGNED FOR

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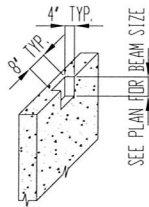
REVISIONS:

DRAWN BY: P. A.  
DATE:  
SCALE: 1/4"=1'-0"

SHEET  
02

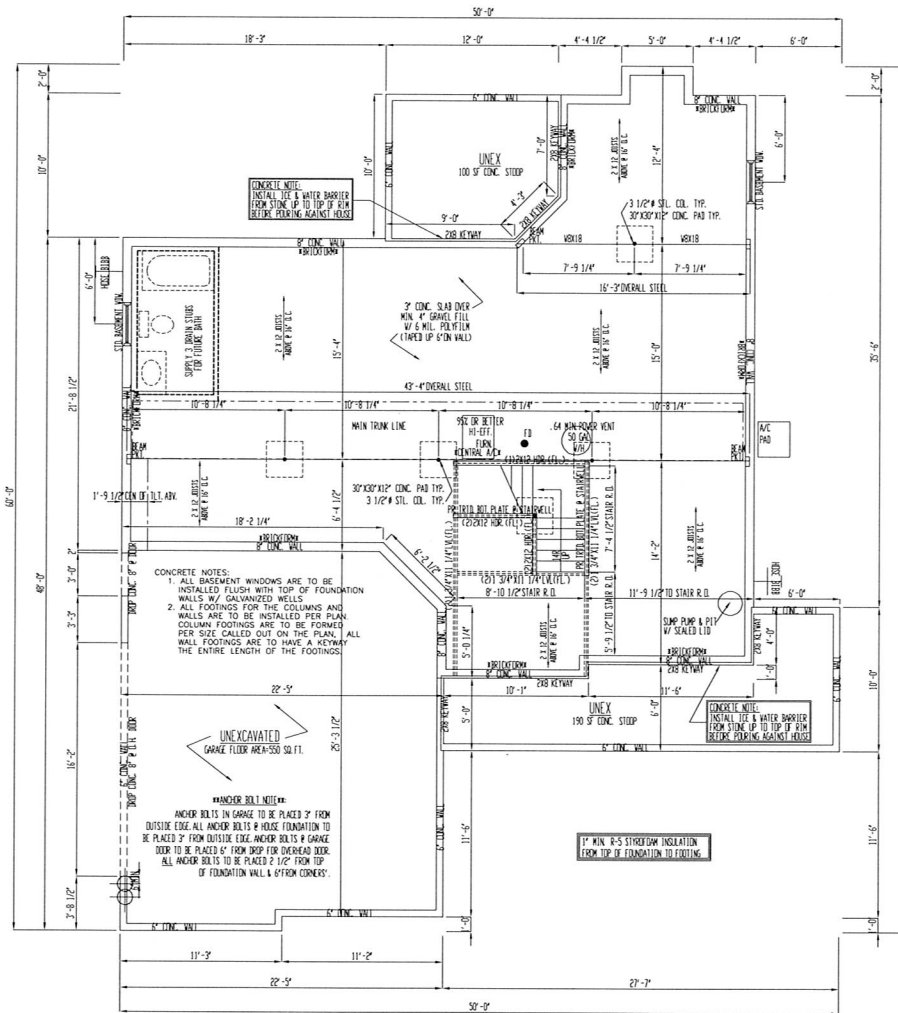


STAIR SECTION  
SCALE: 1/4" = 1'-0"



BEAM POCKET DETAIL  
SCALE: 1/2" = 1'-0"

\*8' HIGH WALLS- UNLESS NOTED\*



FOUNDATION PLAN

SCALE: 1/4" = 1'-0" BASEMENT FLOOR AREA=1220 SQ. FT.

\*CARPENTERS: PLEASE NOT LOCATIONS OF CENTERLINES FOR PLUMBING & ALLOW 3" MIN. OF SPACE\*

RESIDENCE CUSTOM DESIGNED FOR:

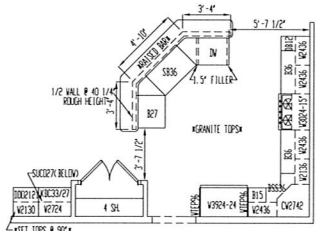
**Arpe**  
Development  
LLC  
www.arpedevelopment.com  
CHINA, MO. 63021-2800  
Quality Homes at a better price!

REVISIONS:

DRAWN BY	P. A.	SHEET
DATE:		OF
SCALE:	1/4" = 1'-0"	0

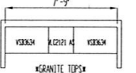
PRELIMINARY DRAWING ONLY!

CABINET LAYOUT MAY BE SUBJECT TO CHANGE PER SPECIFICATIONS OF CABINET SUPPLIER.



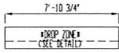
KITCHEN LAYOUT

SCALE: 1/4"=1'-0"



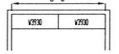
MASTER BATH LAYOUT

SCALE: 1/4"=1'-0"



MUD RM LAYOUT

SCALE: 1/4"=1'-0"



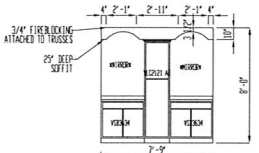
LAUNDRY LAYOUT

SCALE: 1/4"=1'-0"



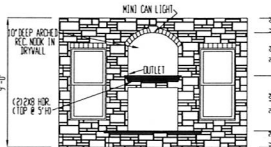
BATH #2 LAYOUT

SCALE: 1/4"=1'-0"



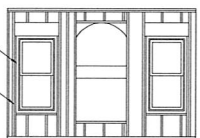
MASTER BATH ELEVATION

SCALE: 1/4"=1'-0"



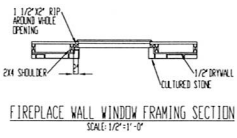
FIREPLACE WALL DETAIL

SCALE: 1/4"=1'-0"



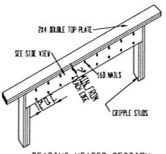
FIREPLACE WALL WINDOW FRAMING DETAIL

SCALE: 1/4"=1'-0"

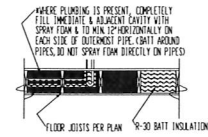


FIREPLACE WALL WINDOW FRAMING SECTION

SCALE: 1/2"=1'-0"



BEARING HEADER SECTION



PLUMBING INSULATION DETAIL

SCALE: NOT TO SCALE

NOTE: 1/2" MIN. TOP ACCORDING TO IBC. TOP OF JOIST TO TOP OF WALL. TOP OF JOIST TO TOP OF WALL. TOP OF JOIST TO TOP OF WALL. TOP OF JOIST TO TOP OF WALL.

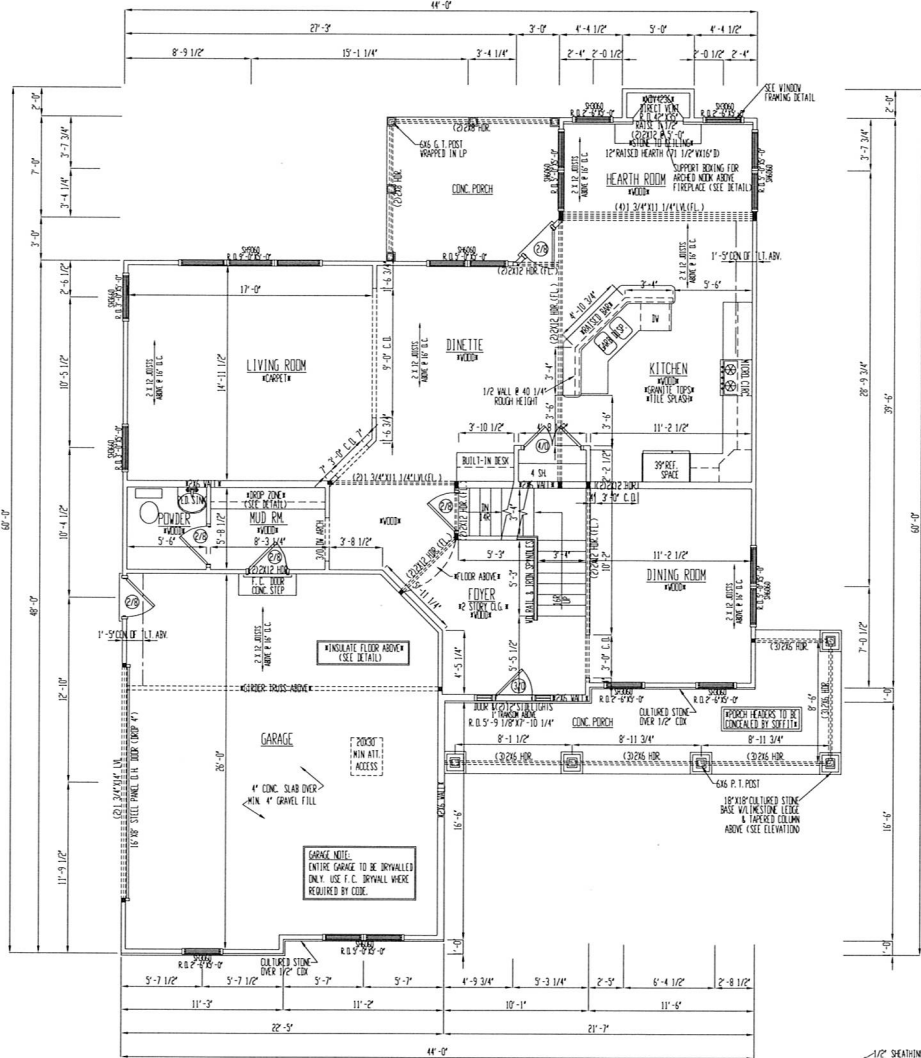


\*9' HIGH WALLS- UNLESS NOTED\*

\*\*HOUSEWRAP ENTIRE BUILDING\*\*

\*\*ALL LANCE SINGLE-HUNG WINDOWS\*\*

\*\*R-40 BLOW-IN ATTIC INSULATION\*\*



FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

1298 SQ. FT.

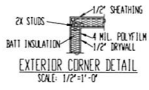
\*CARPENTERS: PLEASE NOT LOCATIONS OF CENTERLINES FOR PLUMBING & ALLOW 3" MIN. OF SPACE\*

RESIDENCE CUSTOM DESIGNED FOR

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Quality Homes at a better price!

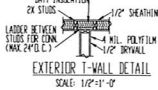
REVISIONS:	

DRAWN BY:	P. A.	SHEET	4
DATE:		OF	6
SCALE:	1/4"=1'-0"		



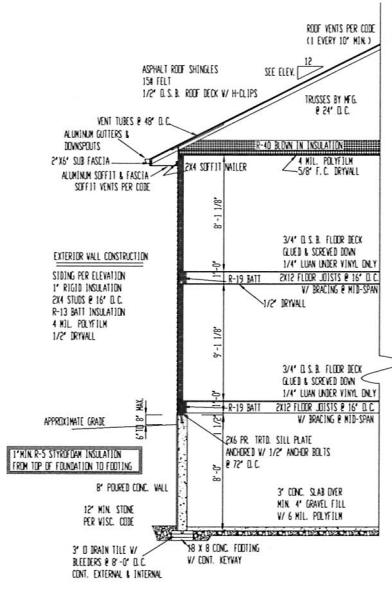
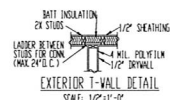
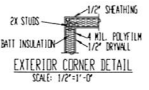
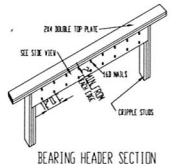
EXTERIOR CORNER DETAIL

SCALE: 1/2"=1'-0"



EXTERIOR T-WALL DETAIL

SCALE: 1/2"=1'-0"



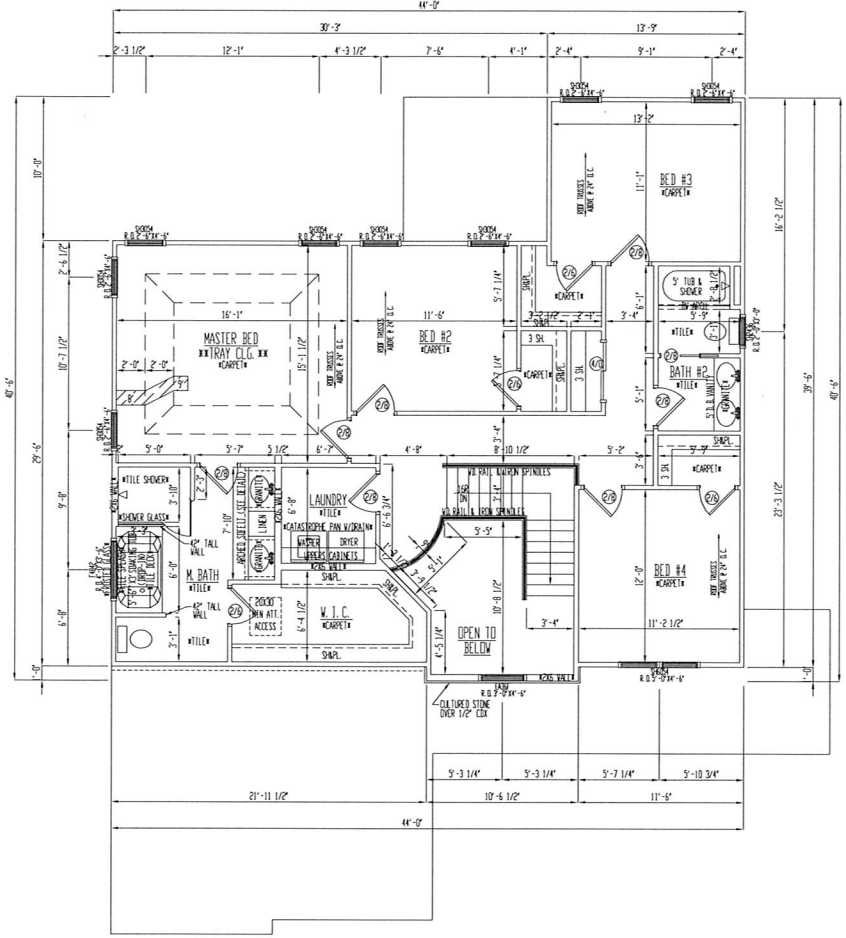
TYPICAL SECTION  
SCALE: 1/4"=1'-0"

※8' HIGH WALLS- UNLESS NOTED※

※HOUSEWRAP ENTIRE BUILDING※

※ALLIANCE SINGLE-HUNG WINDOWS※  
※DRYWALL RETURNS W/WOOD SILLS※

※R-40 BLOW-IN ATTIC INSULATION※



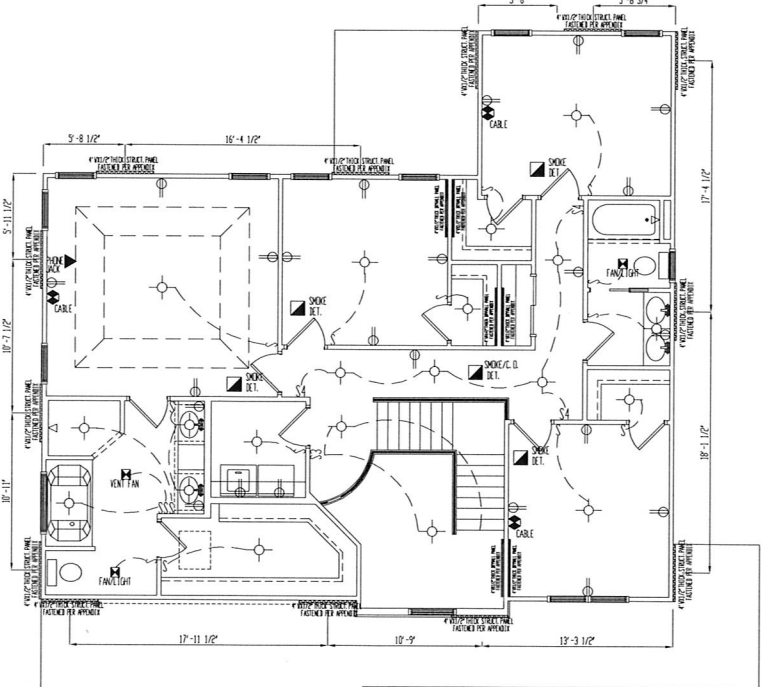
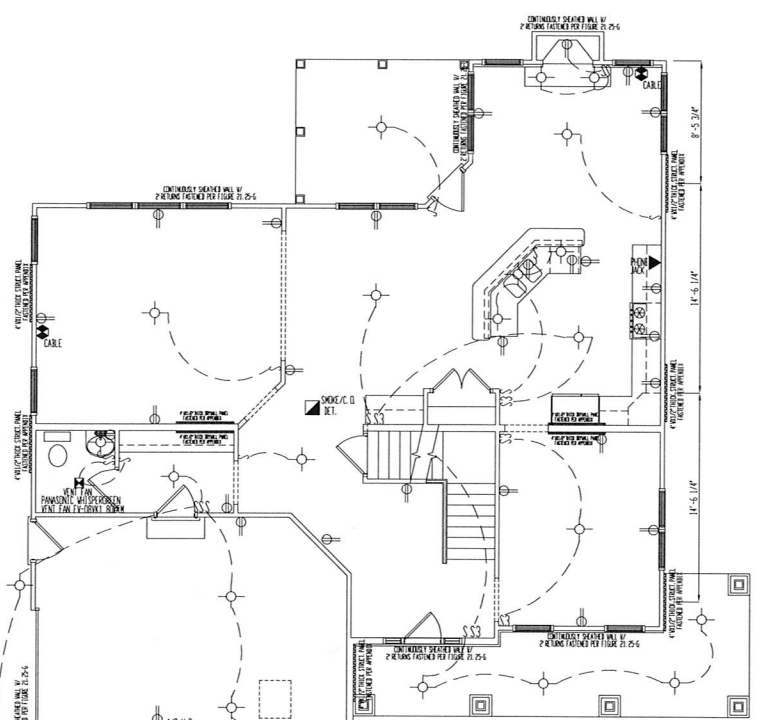
SECOND FLOOR PLAN  
1347 SQ. FT. SCALE: 1/4"=1'-0"

RESIDENCE CUSTOM DESIGNED FOR:

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REVISIONS:

DRAWN BY: P.A.  
DATE: 5/25/17  
SCALE: 1/4"=1'-0"  
SHEET: 5 OF 6

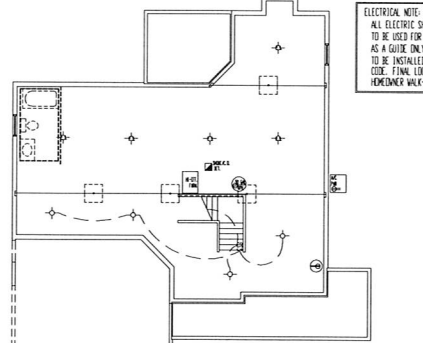
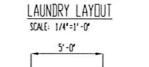
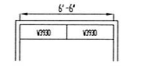
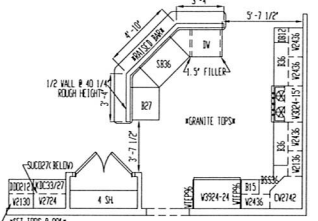


BRACING NOTE:  
1. LOCATIONS OF BRACE PANELS MAY VARY SLIGHTLY AS LONG AS THEY MAINTAIN ALL INTENT OF CODE.

**\*\*SUPPLY 200 AMP SERVICE\*\***

ELECTRICAL NOTE:  
ALL ELECTRIC SHOWN ON THE PLAN IS TO BE USED FOR HINTING PURPOSES AND AS A GUIDE ONLY. ALL ELECTRIC WORK IS TO BE INSTALLED PER STATE AND LOCAL CODE. FINAL LOCATIONS T.B.D. DURING REMODEL WALK-THRU.

PRELIMINARY DRAWING ONLY!  
CABINET LAYOUT MAY BE SUBJECT TO CHANGE PER SPECIFICATIONS OF CABINET SUPPLIER.



MINIMUM FACTORY SCHEDULE TABLE  
Other interior and exterior products and finishes available per manufacturer's requirements. For important contractors, use manufacturer's specified finishes.

Finish Description	Material	Quantity	Notes
Interior Wall Finishes			
1. Drywall	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
2. Joint Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
3. Primer	100 lb. cans	100 cans	1/2" thick in wet areas
4. Paint	100 lb. cans	100 cans	1/2" thick in wet areas
5. Ceiling	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
6. Ceiling Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
7. Ceiling Primer	100 lb. cans	100 cans	1/2" thick in wet areas
8. Ceiling Paint	100 lb. cans	100 cans	1/2" thick in wet areas
9. Floor	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
10. Floor Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
11. Floor Primer	100 lb. cans	100 cans	1/2" thick in wet areas
12. Floor Paint	100 lb. cans	100 cans	1/2" thick in wet areas
13. Staircase	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
14. Staircase Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
15. Staircase Primer	100 lb. cans	100 cans	1/2" thick in wet areas
16. Staircase Paint	100 lb. cans	100 cans	1/2" thick in wet areas
17. Wall	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
18. Wall Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
19. Wall Primer	100 lb. cans	100 cans	1/2" thick in wet areas
20. Wall Paint	100 lb. cans	100 cans	1/2" thick in wet areas
21. Ceiling	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
22. Ceiling Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
23. Ceiling Primer	100 lb. cans	100 cans	1/2" thick in wet areas
24. Ceiling Paint	100 lb. cans	100 cans	1/2" thick in wet areas
25. Floor	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
26. Floor Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
27. Floor Primer	100 lb. cans	100 cans	1/2" thick in wet areas
28. Floor Paint	100 lb. cans	100 cans	1/2" thick in wet areas
29. Staircase	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
30. Staircase Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
31. Staircase Primer	100 lb. cans	100 cans	1/2" thick in wet areas
32. Staircase Paint	100 lb. cans	100 cans	1/2" thick in wet areas
33. Wall	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
34. Wall Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
35. Wall Primer	100 lb. cans	100 cans	1/2" thick in wet areas
36. Wall Paint	100 lb. cans	100 cans	1/2" thick in wet areas
37. Ceiling	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
38. Ceiling Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
39. Ceiling Primer	100 lb. cans	100 cans	1/2" thick in wet areas
40. Ceiling Paint	100 lb. cans	100 cans	1/2" thick in wet areas
41. Floor	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
42. Floor Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
43. Floor Primer	100 lb. cans	100 cans	1/2" thick in wet areas
44. Floor Paint	100 lb. cans	100 cans	1/2" thick in wet areas
45. Staircase	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
46. Staircase Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
47. Staircase Primer	100 lb. cans	100 cans	1/2" thick in wet areas
48. Staircase Paint	100 lb. cans	100 cans	1/2" thick in wet areas
49. Wall	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
50. Wall Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
51. Wall Primer	100 lb. cans	100 cans	1/2" thick in wet areas
52. Wall Paint	100 lb. cans	100 cans	1/2" thick in wet areas
53. Ceiling	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
54. Ceiling Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
55. Ceiling Primer	100 lb. cans	100 cans	1/2" thick in wet areas
56. Ceiling Paint	100 lb. cans	100 cans	1/2" thick in wet areas
57. Floor	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
58. Floor Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
59. Floor Primer	100 lb. cans	100 cans	1/2" thick in wet areas
60. Floor Paint	100 lb. cans	100 cans	1/2" thick in wet areas
61. Staircase	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
62. Staircase Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
63. Staircase Primer	100 lb. cans	100 cans	1/2" thick in wet areas
64. Staircase Paint	100 lb. cans	100 cans	1/2" thick in wet areas
65. Wall	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
66. Wall Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
67. Wall Primer	100 lb. cans	100 cans	1/2" thick in wet areas
68. Wall Paint	100 lb. cans	100 cans	1/2" thick in wet areas
69. Ceiling	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
70. Ceiling Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
71. Ceiling Primer	100 lb. cans	100 cans	1/2" thick in wet areas
72. Ceiling Paint	100 lb. cans	100 cans	1/2" thick in wet areas
73. Floor	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
74. Floor Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
75. Floor Primer	100 lb. cans	100 cans	1/2" thick in wet areas
76. Floor Paint	100 lb. cans	100 cans	1/2" thick in wet areas
77. Staircase	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
78. Staircase Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
79. Staircase Primer	100 lb. cans	100 cans	1/2" thick in wet areas
80. Staircase Paint	100 lb. cans	100 cans	1/2" thick in wet areas
81. Wall	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
82. Wall Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
83. Wall Primer	100 lb. cans	100 cans	1/2" thick in wet areas
84. Wall Paint	100 lb. cans	100 cans	1/2" thick in wet areas
85. Ceiling	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
86. Ceiling Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
87. Ceiling Primer	100 lb. cans	100 cans	1/2" thick in wet areas
88. Ceiling Paint	100 lb. cans	100 cans	1/2" thick in wet areas
89. Floor	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
90. Floor Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
91. Floor Primer	100 lb. cans	100 cans	1/2" thick in wet areas
92. Floor Paint	100 lb. cans	100 cans	1/2" thick in wet areas
93. Staircase	1/2" Plywood	12,000 sq. ft.	1/2" thick in wet areas
94. Staircase Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
95. Staircase Primer	100 lb. cans	100 cans	1/2" thick in wet areas
96. Staircase Paint	100 lb. cans	100 cans	1/2" thick in wet areas
97. Wall	5/8" Type X	12,000 sq. ft.	1/2" thick in wet areas
98. Wall Compound	100 lb. bags	1,000 bags	1/2" thick in wet areas
99. Wall Primer	100 lb. cans	100 cans	1/2" thick in wet areas
100. Wall Paint	100 lb. cans	100 cans	1/2" thick in wet areas

Panel Scheduling

Panel	Quantity	Notes
1. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
2. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
3. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
4. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
5. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
6. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
7. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
8. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
9. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
10. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
11. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
12. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
13. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
14. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
15. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
16. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
17. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
18. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
19. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
20. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
21. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
22. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
23. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
24. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
25. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
26. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
27. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
28. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
29. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
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31. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
32. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
33. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
34. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
35. 1/2" x 1/2" x 1/2"	100	1/2" thick in wet areas
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RESIDENCE CUSTOM DESIGNED FOR

**Harpe Development**  
LLC  
Quality Homes at a better price!

REVISIONS:

DRAWN BY: A  
DATE: 6/1/2024  
SCALE: 1/4" = 1'-0"  
SHEET 6 OF 6

- I. **PUBLIC HEARING AND CONSIDERATION OF ZONING TEXT AMENDMENTS** to amend section 420-124 J (4) (b) related to height requirements in the M-2, General Manufacturing District; and to amend Section 420-57 H (2) related to construction design standards.

**Recommendation:**

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Ordinance Amendment** as presented in the October 8, 2012 Village Staff Report.



## VILLAGE STAFF REPORT OF OCTOBER 8, 2012

**CONSIDERATION OF ZONING TEXT AMENDMENTS** to amend section 420-124 J (4) (b) related to height requirements in the M-2, General Manufacturing District; and to amend Section 420-57 H (2) related to construction design standards.

*On September 17, 2012 the Village Board adopted Resolution #12-33 to initiate amendments to the Village Zoning Ordinance related to the height and building materials requirements allowed within the General Manufacturing Districts. The following amendments are proposed:*

1. **Section 420-124 J (4) (b) related to height requirements in the M-2, General Manufacturing District is hereby amended as follows:**

Principal building height: 60 feet maximum; however, the height of a principal building or part thereof may be increased ~~not to exceed 75~~ **to a maximum of 90** feet in height, provided that for every one foot above 60 feet, said principal structure shall be set back an additional ~~two~~ **1.5** feet from ~~the side and rear~~ **all** property lines.

2. **Section 420-57 H (2) related to construction design standards is hereby amended as follows (Section 420-57 H (2) (a) thru (k) to remain unchanged):**

Construction design standards. In addition to any other applicable requirements or standards specified in this chapter, the following requirements or standards shall apply to the construction plans **unless specifically modified by the Plan Commission.**

Village staff recommends approval of the zoning text amendment as presented.

ORD. NO. 12-\_\_

**ORDINANCE TO AMEND  
THE VILLAGE ZONING ORDINANCE (CHAPTER 420)  
RELATED BUILDING HEIGHT IN THE M-2 DISTRICT  
AND CONSTRUCTION DESIGN STANDARDS FOR COMMERCIAL BUILDINGS  
IN THE VILLAGE OF PLEASANT PRAIRIE,  
KENOSHA COUNTY, WISCONSIN**

**THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE,  
KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THE FOLLOWING  
AMENDMENTS TO CHAPTER 420 OF THE VILLAGE MUNICIPAL CODE:**

1. **Section 420-124 J (4) (b) related to height requirements in the M-2, General Manufacturing District is hereby amended as follows:**

Principal building height: 60 feet maximum; however, the height of a principal building or part thereof may be increased ~~not to exceed 75~~ **to a maximum of 90** feet in height, provided that for every one foot above 60 feet, said principal structure shall be set back an additional ~~two~~ **1.5** feet from ~~the side and rear~~ **all** property lines.

2. **Section 420-57 H (2) related to construction design standards is hereby amended as follows (Section 420-57 H (2) (a) thru (k) to remain unchanged):**

Construction design standards. In addition to any other applicable requirements or standards specified in this chapter, the following requirements or standards shall apply to the construction plans **unless specifically modified by the Plan Commission.**

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 2012.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

\_\_\_\_\_  
John P. Steinbrink  
Village President

\_\_\_\_\_  
Jane M. Romanowski  
Village Clerk

Posted: \_\_\_\_\_

\_\_ - M-2 Height and Material amendments.docx

**H. Construction plan.**

- (1) Construction plan requirements. Construction plans prepared, signed and sealed by a Wisconsin registered architect or Wisconsin registered professional engineer, as appropriate, shall be filed with the application for site and operational plan approval and shall include at least the following information:
- (a) The construction plans shall demonstrate compliance with Chapter [180](#), Fire and Rescue Protection, of the Village Code, and with Chapter [370](#), Building and Mechanical Code, of the Village Code.
  - (b) The construction plans shall be dimensioned, labeled and drawn to an architectural scale of not less than 1/8 inch equals one foot.
  - (c) The construction plans shall include detailed architectural plans, including, without limitation, elevations, perspective drawings and sketches illustrating the design and character of the proposed structures, floor plans, plumbing plans and details, HVAC plans and details, and building cross sections.
  - (d) The construction plans shall clearly show room sizes, wall openings, building projections, and locations of all HVAC and utility service equipment and connections (e.g., sewer sampling manhole, utility connections, water meters, etc.) and indicate the materials (and percent of coverage of such materials) and colors of all exterior surfaces (e.g., exterior walls, roofs, window and door trim, etc.).
  - (e) The location and details of all existing and proposed remote touch pad units, key boxes, annunciator panels, pull stations, fire detection devices, fire alarm devices and other safety devices and systems, including fire suppression, sprinkler, standpipe, and restaurant hood suppression systems to be retained or installed.
  - (f) Detailed plans and specifications for any proposed racking systems.
  - (g) Whether or not domestic water and fire protection will be serviced by the same waterline.
  - (h) A chart that includes the following information:
    - [1] Methods of fire prevention, including, without limitation, accessibility for the Fire & Rescue Department and its equipment.
    - [2] Building height.
    - [3] Number of stories/floors.
    - [4] Mezzanines.
    - [5] Clear space, the height of the finished floor to the ceiling or the underside of the roof structure.
    - [6] Elevator size(s).
    - [7] Hazard class.
    - [8] Commodity.
    - [9] Maximum storage height and type of racking system.
    - [10] Square footage of office space.
    - [11] Square footage of receiving space.

- [12] Square footage of shipping space.
  - [13] Square footage of warehousing space.
  - [14] Square footage of manufacturing space.
  - [15] Location and type of exterior storage.
  - [16] Fire protection method(s) proposed.
- (2) Construction design standards. In addition to any other applicable requirements or standards specified in this chapter, the following requirements or standards shall apply to the construction plans:
- (a) All buildings and structures shall be constructed of high quality materials using a high quality of craftsmanship.
  - (b) All sides, elevations or facades of all buildings or structures shall be architecturally and aesthetically pleasing, and buildings shall not be designed to be so unorthodox or abnormal as to be unsightly or offensive.
  - (c) All buildings shall provide for varying rooflines and architectural features that provide dimension and pitch.
  - (d) All roof-mounted mechanical or electrical equipment shall be architecturally screened.
  - (e) Any pedestal-mounted or ground-mounted mechanical or electrical equipment shall be screened on all sides using materials identical to or complementary to the materials used in the principal building.
  - (f) Colors used on buildings and structures shall be architecturally and aesthetically pleasing, and garish, unsightly or offensive colors shall not be used; provided, however, that signs for a particular company or business may utilize well known colors associated with that particular company or business.
  - (g) Exterior walls of all principal or accessory buildings shall be constructed of the following materials:
    - [1] Facing materials shall consist of any of the following materials; provided, however, that brick, decorative concrete block or any stone facing materials shall not be painted or stained, and further provided that the balance of the exterior walls shall be covered with either approved facing materials or approved decorative accent materials:
      - [a] Standard, queen, jumbo or utility bricks with a minimum thickness of two inches, covering a minimum of 70% (by area) of each exterior elevation.
      - [b] Decorative concrete block, covering a minimum of 70% (by area) of each exterior elevation.
      - [c] Lannon stone or other stone, covering a minimum of 70% (by area) of each exterior elevation.
      - [d] Architectural precast concrete on manufacturing or warehouse buildings in a manufacturing or agricultural zoning district, or on park and recreational buildings over 50,000 square feet in a park and recreational zoning district, covering a minimum of 70% (by area) of each exterior elevation.
      - [e] Spandrel glass on office buildings in the B-5 Zoning District, covering a minimum of 70% (by area) of each exterior elevation.

- (h)** Decorative accents (e.g., lintels, wall accent bands, cornice or base elements, parapet walls or other architectural features) may use only the following materials; provided, however, that parapet walls shall be constructed of materials that match the building exterior and that brick, decorative concrete block or stone decorative accents shall not be painted or stained:
- [1]** Standard, queen, jumbo or utility bricks with a minimum thickness of two inches, covering a maximum of 30% (by area) of each exterior elevation.
  - [2]** Decorative concrete block, covering a maximum of 30% (by area) of each exterior elevation.
  - [3]** Lannon stone or other stone, covering a maximum of 30% (by area) of each exterior elevation.
  - [4]** Architectural precast concrete, covering a maximum of 30% (by area) of each exterior elevation.
  - [5]** Spandrel glass, covering a maximum of 30% (by area) of each exterior elevation.
  - [6]** Stucco or exterior insulation finish systems (EIFS), covering a maximum of 30% (by area) on or above the second story of each exterior elevation.
- (i)** Roofing materials that are visible to the public shall be constructed of the following materials; provided, however, that all roof material colors shall be complementary to the exterior wall materials and that asphalt, slate, metal or copper roofs shall not be painted or stained (except that factory finishes on metal roofs shall be acceptable):
- [1]** Asphalt architectural grade shingles with high texture.
  - [2]** Slate.
  - [3]** Cedar shakes.
  - [4]** Standing seam metal roofing on buildings in a park and recreational zoning district and in all zoning districts on architectural features.
  - [5]** Copper or anodized aluminum on architectural features in all zoning districts.
- (j)** Window and door frames shall comply with the following requirements:
- [1]** Windows shall be architectural grade window systems with a metal or vinyl closed exterior and wood or aluminum interior.
  - [2]** Door frames shall match window frames in material, finish and color.
  - [3]** Building windows may be clear, tinted or mirrored.
- (k)** Garbage enclosures for storage of solid wastes and recyclables shall comply with the following requirements:
- [1]** All dumpsters and other trash receptacles shall be stored in an enclosed structure and screened from view from all street rights-of-way and adjacent residential uses.
  - [2]** Garbage enclosures shall be large enough to include all solid waste related to the uses in the principal building(s) located on the site.
  - [3]** Garbage enclosures shall be located on a paved surface.
  - [4]** Garbage enclosures are not required to be under a roof; provided, however, that if a garbage enclosure will be used for the storage of equipment or other materials, the structure shall include a roof.

- [5] Garbage enclosures shall be constructed of the same materials as the principal building or of materials that are complementary to the materials used in the principal building.
- [6] The opening to a garbage enclosure shall be gated using a nine-gauge chain link fence with slats that are complementary to the building color or cedar fence boards that are stained or painted a color complementary to the building color and attached to a heavy-duty metal frame.
- [7] The gated opening to garbage enclosures shall remain closed and secured when not in use.

- J. Consider the request of Jack Williams, VP Operations of Central Storage & Warehouse Company for approval of **Site and Operational Plans** for a 36,800 square foot addition to their existing facility located at 7800 95<sup>th</sup> Street in LakeView Corporate Park.

**Recommendation:**

Village staff recommends that the Plan Commission approve the **Site and Operational Plans** for the proposed addition to Central Storage & Warehouse Company subject to the comments and conditions of the Village Staff Report of October 8, 2012.

## VILLAGE STAFF REPORT OF OCTOBER 8, 2012

Consider the request of Jack Williams, VP Operations of Central Storage & Warehouse Company for approval of **Site and Operational Plans** for a 36,800 square foot addition to their existing facility located at 7800 95<sup>th</sup> Street in LakeView Corporate Park.

*The petitioner is requesting approval of Site and Operational Plans to construct a 36,800 square foot addition to the existing Central Storage & Warehouse Company (CSW) located at 7800 95<sup>th</sup> Street in LakeView Corporate Park.*

Central Storage and Warehouse Company is a public refrigerated warehousing company based in Madison, WI. The existing facility at 7800 95<sup>th</sup> Street in Pleasant Prairie is a food storage and distribution freezer warehouse of 74,184 sq. ft. with 58,000 sq. ft. of freezer, 7,600 sq. ft. of dock space and the balance split between office and machinery rooms. The building varies in height from 20' at the loading dock to 40' at the high point of the freezer. Currently CSW has 15 full time employees at this location. CSW is proposing to add 36,800 sq. ft. to the east side of the building consisting of 32,412 sq. ft. of freezer space and the remainder dock space, with six (6) loading dock doors facing the south. Shipping and receiving hours for CSW will not change from their current schedule, mainly 7:00 a.m. to 7:00 p.m. Monday through Friday with occasional weekends and evenings depending on customer demand.

CSW operates on an appointment basis for pickups and deliveries. This additional space will allow CSW to better serve their existing customers and provide the opportunity to offer their services to new customers as well. CSW anticipates hiring two (2) additional warehouse workers and one (1) clerical staff as a result of this expansion. CSW will operate two (2) shifts a day overlapping midday. The maximum number of employees on site at any given time will be 20. Currently CSW has 16 marked parking spaces with three (3) handicapped accessible spaces closest to the office entrance. Pursuant to the Village Zoning Ordinance the following minimum parking spaces are required:

*Warehouse/Distribution Facility requires 1 space for every 2 employees during any 12-hour period plus the required handicapped accessible parking spaces.*

Therefore a total of 10 parking spaces shall be provided on site plus the required handicapped accessible parking spaces. If parking becomes an issue, additional spaces shall be added to the site since no on-street parking is allowed on 95<sup>th</sup> Street.

It is anticipated that approximately 60 semi-trucks per day will be serviced from the 13 available (after expansion) loading dock doors. The only automobile traffic generated by the business is the arrival and departure of employees and the occasional salesperson or visitor. All of the loading and unloading equipment, forklifts and transporters etc., utilize the enclosed loading dock area and is not visible from outside the building.

The property is zoned M-2, General Manufacturing District and the use pursuant to the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code this use is classified as Storage Group S-2 (Low Hazard). Therefore the use is a permitted use in the M-2 District.

The M-2 District requires that the building addition be setback a minimum of 65 feet from the property line adjacent to 95<sup>th</sup> Street, an arterial street, and a minimum of 45 feet from side and rear property lines (provided the addition is not located within any easements).

The location of the parking lots, maneuvering lanes and the fire access lanes, including the curb and gutter shall not be located within any easements on the property and shall be setback a minimum 20 feet to property lines, except for the shared cross access fire lane



along the (future) east property line. CSW proposes to pave the existing fire lane along the west and the north sides of the building and continue the paved fire lane along the addition to the north and along the east side of the building. The paved fire lane shall be a minimum of 30 feet wide not 20 feet wide as shown on the plans. The paved fire land shall be constructed prior to occupancy of the addition as required by the Village Fire & Rescue Department.

CSW intends to sell 95 feet of land to the property owner to the east (Fair Oaks Farms) and the new fire lane around the east side of the CSW building is intended to be a shared fire lane for both CSW and Fair Oaks Farms. The fire lane is proposed to be centered on the future property line. Fair Oaks Farms will be required to connect their paved fire access lane on the north side of their building to the new fire lane on the CSW property. The exact timing for this fire lane connection will be discussed with Fair Oaks Farms who is also planning an expansion. A CSM is proposed to be prepared for the land transfer and proper easements will be provided related to the proposed shared access and maintenance responsibilities.

The M-2 District requires that at minimum of 25% of the site be open space. The CSW site, with vacant land to the west of the facility, exceeds this requirement. No additional landscaping is required at this time, unless required by LakeView Corporate Park Commercial Association. The mature landscaping along 95<sup>th</sup> Street is adequate screening for the addition of the truck docks.

CSW utilizes Waste Management for their waste disposal needs and they do not generate any liquid waste from any of our processes. CSW does have a small quantity of refrigeration oil on-site which when drained from compressors is returned to the manufacturer for recycling.

CSW's entry/exit doors and fire sprinkler system are monitored by a Central Station alarm system through ADT Security. CSW is also in the process of installing exterior and interior CCTV cameras as well.

CSW anticipates no adverse impacts on the any neighboring businesses or the Corporate Park. Conversely, the additional loading dock doors will make it easier for CSW to turn semi-trailers in a timely fashion leading to less congestion on the street outside of our facility.

**RECOMMENDATION:**

Village staff recommends conditional approval of the Site and Operational Plans for the proposed addition to CSW subject to the following conditions.

1. The plans have been reviewed for conformance with the Village Ordinances and generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all state and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should errors or changed conditions be found at a future date. **The following changes shall be made to the Site and Operational Plans and three (3) revised plans shall be submitted for final staff review and approval prior to issuance of any permits to commence construction.**
  - a. The existing site water utility information shall be shown on the plans. This includes water services and fire lines.
  - b. The existing site sanitary sewer utility information shall be shown on the plans. Also, verify that the site has an existing sampling manhole.

- c. Label the existing storm sewer diameter(s), inlet endwalls, and invert elevations on the plan.
- d. The outside concrete loading dock storm sewer catch basin(s) shall be routed to the on-site storm sewer system (not the internal sanitary system). The existing loading dock catch basin, if routed to the sanitary, shall be modified to drain to the storm system. A copy of the plumbing plans, as noted on the plans, was not included in the plan set. The design shall be clarified and plans provided.
- e. Roof drains shall directly discharge to the on-site storm sewer system. The plans shall show the roof drain connection point.
- f. Include existing contour and grade information in the parking lot area south of the proposed building expansion. Also, show the drainage divide or clearly delineate what area drains to the dock catch basins vs. the parking area catch basins.
- g. Clarify the drainage pattern(s) between the proposed swale and the existing property line to the east. Is there positive drainage to the swale or other storm system?
- h. The % of open space on the site after the proposed addition shall be indicated on the site plan.
- i. Compliance with the attached memorandum from the Village Fire & Rescue Department dated September 23, 2012. **Revise the plans as required. Note that Condition #2 also requires that a letter be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within the June 4, 2012 Fire & Rescue memorandum. A copy of this letter shall also be provided to the Community Development Department.**
- j. The width of the fire lane shall be 30 feet wide (See comment #12 in the **attached** memo dated September 23, 2012 from the Village Fire & Rescue Department. Revise the plans.
- k. The need for additional fire hydrants shall be reviewed and discussed with the Fire Department. See comment #17 in the **attached** memo dated September 23, 2012 from the Village Fire & Rescue Department.
- l. Since CSW plans to sell its eastern 95 feet of property to Fair Oaks Farms, Plan Sheet C101 should label "Fair Oaks Farms" as the facility to the east.
- m. The new eastern fire lane is proposed to be a "shared" fire lane with Fair Oaks Farms, the facility to the immediate east. The proposed fire lane is centered on the proposed future shared property line (once Fair Oaks Farms purchases CSW's easternmost 95 feet).
- n. Both CSW and their neighbors to the east, Fair Oaks Farms, shall provide for the vehicular cross-access at the front of the property and cross-access for the fire lane at the rear and east side of the CSW property. This cross access connections to the north fire lane and the south parking lot connection will be required when Fair Oaks Farms proposes an addition to their building.
- o. CSW shall repair or replace any damaged/missing rooftop HVAC screening devices.

- p. New rooftop HVAC units shall be screened as viewed from the 95<sup>th</sup> Street travel lanes. Revise the plans.
  - q. The exterior building materials of the addition shall match the existing exterior building materials.
  - r. The parking lot shall be re-stripped, as necessary.
2. For security reasons, the Village recommends surrounding the construction site with a six (6) foot high chain link fence. A fence permit is required for the temporary fencing.
  3. Compliance with the **attached** memorandum from the Village Building Inspection Department dated October 1, 2012.
  4. Written approval of the Site and Operational Plans from LakeView Corporation Commercial Association shall be submitted to the Village prior to obtaining building permits. Any modifications required by the Association shall be incorporated into the plans.
  5. **Upon approval of the revised Site and Operational Plans, and prior to the issuance of the required permits an electronic pdf of all plan sheets shall be provided to the Village.**
  6. The Commercial Building Permit applications and required State approved plans; a Village Work in the right-of-way permit application and plan; and an Erosion Control Permit Application and plans with a copy of the Wisconsin Department of Natural Resources N.O.I. [Note: The required \$2,000 street sweeping cash deposit shall be deposited with the Village. The street sweeping cash deposit is refundable, less 6% for administrative processing, if the amount is not drawn upon by the Village in maintaining the adjacent roadways free from dirt, mud clumps and mud tracking during the construction process. Silt fence shall be installed and inspected prior to any work starting.]
  7. Impact fees shall be paid prior to issuance of the building permit. (Based upon \$1.94 per \$1,000 of valuation as determined by the Village Assessing Department).
  8. **Prior to work commencing on the site, all required permits shall be issued by the Village, all required erosion control measures are in place on the site.**
  9. **After the installation of the footing and foundations and prior to the setting the walls an as-built survey as stamped by a Wisconsin Registered Land Surveyor shall be submitted to verify that the building meets all of the required setbacks.**
  10. The hours of construction activity, operating heavy machinery or equipment associated with the grading, erosion control device installation, and overall site development shall be limited to Monday through Friday from 7:00 a.m. to 10:00 p.m. and Saturday and Sunday from 7:00 a.m. to 6:00 p.m.
  11. There shall be no construction parking permitted on 95<sup>th</sup> Street. On-site (off-street) parking shall be designed to accommodate all construction related workers and site visitors.
  12. The Village shall approve of the location of all construction trailers parked on the site during construction activities. No construction trailers shall be parked in Village rights-of-way. All construction related signage shall be approved and permitted by the Village.

13. The site shall not be used for any parking (neither overnight nor during the day) of junked/inoperable/dismantled/unlicensed vehicles. All junked/inoperable/dismantled/unlicensed vehicles that are parked overnight will be issued citations.
14. The owner shall comply with all provisions of the Site & Operational Plan approvals, including compliance with the Village Performance Standards.
15. At no time shall the site be used to sell or advertise any vehicles that are "for sale".
16. No vehicular parking will be permitted in driveways, maneuvering lanes, fire lanes or on landscaped areas.
17. There shall be no outside banners, strings of pennants, flags, inflatable devices or streamers affixed or attached to the building(s), light poles, ground or landscaping, etc.
18. There shall be no long-term semi-truck/trailer or box truck storage parking permitted on the site that is not used in the operations of the facility.
19. There shall be no outdoor storage or display of materials, goods or equipment on this site, unless as approved by the Village.
20. The use of semi-trailers, storage units, storage bins, roll-off storage devices (e.g. P.O.D.S., S.A.M.S.) or other trucks, for storage purposes is prohibited. Outdoor storage of any materials, including but not limited to: raw materials, business supplies, pallets, crates, etc., is prohibited.
21. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
22. Each handicapped accessible parking space shall be appropriately signed and painted on the pavement pursuant to ADA requirements.
23. If additional landscaping is required by the LakeView Corporate Park Commercial Association, it shall be installed prior to occupancy of any building. A written letter verification and certification shall be provided to the Village by the landscape designer that all building and signage landscaping has been installed in accordance with the approved landscape plan prior to the issuance of a certificate of compliance/occupancy. However, if weather conditions prevent installation of all or portions of the landscape materials, the developer, owner or occupant shall enter into a written agreement with the Village that specifies the date by which all approved landscaping shall be completed and grants the Village a temporary easement to complete the landscaping if not timely completed and shall deposit with the Village Clerk a cash deposit, an irrevocable letter of credit, or other financial assurance approved by the Zoning Administrator to ensure timely completion of all required landscaping; the amount of the financial assurance shall be equal to 110% of the contracted amount to complete the landscaping improvements in order to reasonably compensate the Village for the cost of completion of any landscaping improvements not completed within the specified time.
24. **Prior to written occupancy of the building and associated site improvements three (3) copies of an as-built plan stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village to verify that required building, above ground structures and all impervious surfaces meet the minimum setbacks and that all pavement markings were marked per the approved site plans and the grading of the site was completed pursuant to the approved Site and Operational Plans.**

25. **Prior to written occupancy an as-built record drawing of graphical data of all private sewer, water, and storm sewer facilities and underground irrigation system installed shall be provided to the Village for the Village to update the Village's Geographic Informational System. Information shall conform to the Village's electronic format requirements. In addition, a paper copy prepared and stamped by the Engineer of Record for the project shall be submitted.**



Office of the Village  
Fire & Rescue Chief  
**Doug McElmury**

## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director  
FROM: Doug McElmury, Chief Fire & Rescue Department  
CC: Lt. Thomas Clark, Fire & Rescue Department  
Peggy Herrick, Assistant Planner, Community Development  
SUBJECT: Review of the Site and Operational Plan for the Central Storage Warehouse Addition  
DATE: 23 September 2012

This is a review of the Site and Operational Plan for the proposed addition to the central Storage Warehouse. The proposed addition is 36,796 square feet. The building is located at 7800 95<sup>th</sup> Street.

The Facility is classified under Wisconsin Administrative Code, and the International Building Code, specifically: Factory - Industrial: F-1 (Moderate Hazard); Storage: S-1 (Moderate Hazard) not separated; Construction Class Type 2B, unprotected with automatic fire sprinkler system.

The Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire & Rescue Department are as follows:

1. **Distribution of Comments:** *the person who obtains the building permit to all Contractors and Subcontractors affected by this document shall distribute Copies of these comments. This document outlines critical times and deadlines. All recipients of this document need to become familiar with the contents.*
2. **Compliance:** A letter shall be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within this document.
3. In the event a conflict in code(s) is identified, or a conflict with the insurance carrier criteria occurs, the more stringent shall apply. In the event this conflicts with any codes adopted by the State of Wisconsin, the owner must petition the State directly for a variance. The Owner must demonstrate that they will provide materials or design equivalent to the code or that they will exceed the code when petitioning the State and or Village when applicable.

Upon review of the plans submitted, we have the following concerns:

- This is a review of the Final Site and Operational plan, however, it is understood, that typical and customary fire protection features have not been shown of the plans, dated: September 13, 2012.
- AED. Because of the overall building size the owner shall install one or more public access Automatic External Defibrillator (AED) onsite for employee use in the event of a sudden cardiac arrest. The Fire & Rescue Department can provide the training necessary to perform CPR and to operate the AED.
- Fire safety system plans, such as fire sprinkler and fire alarm plans, will need to be submitted to the State of Wisconsin Department of Safety and Professional Services and also to this fire department for review. No installation of any fire protection system is allowed until a satisfactory review is obtained from both departments.
- Fire hydrants: Must be maintained and operational along with painted the correct colors according to the ordinance. The current hydrant spacing is acceptable. Hydrants shall always be visible and accessible, in particular in any area where trailer trucks will be parked or staged.
- Truck staging shall not decrease the width of the fire lanes.
- Rack storage: If it is the intent to use rack storage, that rack storage configuration must be reviewed by the fire protection contractor to assure adequate fire sprinkler protection. Rack storage shall not adversely affect the maximum exit distance requirements. This process needs to begin immediately to assure no interruption in the construction timeline and to assure the opening date will be met.
- Severe Weather Shelter: The architect shall identify the area within the building that can be used as a "severe weather shelter" or "safe haven" during severe weather such as a tornado. That area will be identified with signage.
- The building shall be re-evaluated at such time a tenant(s) is secured.

#### 4. **Fire and Rescue Department Review and Comments:**

##### A. Site and Operational Permits

- Site accessibility           **Shown**
- Pumper Pad               **Already in place**
- Fire hydrant spacing   **Shown**

## B. Conditional Use and Operational

- |                                |                                |
|--------------------------------|--------------------------------|
| 1. Standpipe outlet locations  | <b>Not shown at this time.</b> |
| 2. Fire alarm pull stations    | <b>Not shown at this time.</b> |
| 3. Emergency and Exit Lighting | <b>Not shown at this time.</b> |
| 4. Fire extinguishers          | <b>Not shown at this time.</b> |
5. **Plan Review, Permits and Fees:** The plans for the fire protection underground, aboveground and fire alarm system shall be submitted for review a minimum of four (4) weeks before installation is scheduled to begin. The Village will use an independent fire safety consultant for review of all fire protection plans submitted. A satisfactory review must be completed before any permits will be issued and before construction can begin.
6. **Insurance Carrier:** The Owner of this project shall submit to the insurance carrier for review the plans for both underground water distribution and fire protection prior to construction. The Fire & Rescue Department shall receive a copy of the comments when plans are submitted for review.
7. **Hazardous Occupancies:** The Fire & Rescue Department will need more than the typical four week time period to review proposed Hazardous Occupancies. The owner must contact the Fire & Rescue Department as soon as possible to begin the review process.
8. **The following information must be submitted with the sprinkler plans for review:**  
Building height:  
Number of stories/floors:  
Mezzanines:  
Clear space:  
Elevators:  
Hazard class:  
Commodity:  
Maximum storage height:  
Square footage, office space:  
Square footage, Manufacturing including maintenance and equipment:  
Square footage, receiving space:  
Square footage, shipping space:  
Square footage, warehouse space:  
Exterior storage:  
Fire protection:



9. **The following Fees and Permits are generated directly from the Fire & Rescue Department.**

**NOTE: Permits are required from the Fire & Rescue Department for the installation of water main in addition to any permits required by other Village of Pleasant Prairie Departments.**

Bulk Water

- Water Usage
- Fire Protection Plans for Underground and Aboveground
- Fire Alarm System Plans
- Kitchen Hood Systems Plans
- Occupancy Permit & Re-Inspection fees

An invoice for permit fees will be issued upon achieving a satisfactory review. Work cannot begin until all permits have been issued. A typical review turnaround is four weeks.

10. **Required Licenses:** A Wisconsin licensed fire protection contractor and Wisconsin licensed sprinkler fitters must install underground fire mains and aboveground fire protection. Periodic inspections of the job site will be made by fire inspectors to assure compliance.
11. **Pre-Construction Meeting:** A pre-construction meeting shall take place with the general contractor, the fire protection contractor, the Fire & Rescue Department and any other sub-contractor prior to the installation of any underground fire protection. The purpose of this meeting is to assure that the requirements of the State of Wisconsin that only a Wisconsin licensed sprinkler fitter shall perform the installation of all devices, etc. All parties will be asked to initial this document and or permit. Any violation of the installing requirements will be reported in writing to the State of Wisconsin Department of Safety and Professional Services.
12. **Site Access:** Access shall be provided around the perimeter of the site for all Fire Department apparatus, and must comply with the State of Wisconsin and the International Building Code, 2009 edition. A minimum wall-to-wall turning radius of 45'-0" shall be allowed for apparatus movement.
- a. All entrances from public streets, as well as road and driveways around the proposed building must be a minimum of 30 feet wide. Roadway shown to be 20 feet wide.
  - b. All exterior exit pathways shall have a hard surface, leading to a hard surface.
  - c. An exterior personnel door shall be located in close proximity to each fire sprinkler riser.
  - d. Must pave the roadway to the existing gate located at the rear of Fair Oaks Farms.
13. **Sprinkler System:** The building shall be equipped with an "automatic fire sprinkler system". The systems shall be designed and constructed to the current edition of NFPA 13, Automatic Fire Sprinklers and the Village of Pleasant Prairie Ordinance 180-16, Automatic Fire Sprinklers.

- **Storage:** The Owner and Tenant both need to be aware of the restrictions that apply to the storage of pallets, cardboard, finished products, etc. Maximum height, width and aisle ways must be maintained and will be enforced. The same concerns apply to the storage of large quantities of combustibles (plastics, plastic wrap and cardboard) such as those used in packaging and storage.

**NOTE:** Dependent upon storage configurations and the possible use of in rack storage; in rack sprinkler protection may be required.

**NOTE:** Storage is not allowed between the racking systems. The fire protection system is not designed for this type of excessive storage.

14. **Water Service:** If it is determined that the building will be serviced by a combination municipal water and fire protection main, that main must be sized by the fire protection (sprinkler) contractor. No main is allowed to travel underground, under the building.
15. **Plan Review (Underground):** A review of the underground drawings is required along with the fire protection drawings before a permit will be issued by the Fire & Rescue Department. Underground plans shall be submitted a minimum of four (4) weeks before installation begins.
16. **Standpipes:** In lieu of 1.5 inch hose stations, the building shall be equipped with standpipes that shall consist of 2-1/2 inch NST valve, capable of delivering 250 GPM, at 75 PSI measured at the standpipe valve, when supplied by the fire department pumper, in the event no fire pump is needed. The standpipes shall be placed adjacent to all exterior exit doors, same side as the door handle/knob. Village Ordinance 180.16 G.
17. **Fire Hydrants:** The insurance carrier must agree in writing to the hydrant spacing. As many hydrants as possible shall be supplied directly by municipal water. The distance from the finished grade line to the lowest discharge shall be no less than 18 inches and no more than 23 inches. The Fire Department connections shall be located, and of sufficient height where typical snow fall or snow removal operations will not obstruct access.
18. The General Contractor is highly encouraged to coordinate the flushing of all new water mains, fire hydrants, laterals leading to the building and risers with both the sub-contractors responsible, the Village of Pleasant Prairie Engineering Department, Fire & Rescue Department and the Water Utility Department, prior to seeking a 'clean water sample' on this site.

**NOTE:** The Fire Protection Designer must meet with the Fire & Rescue Department before the underground drawings are submitted for review to finalize the placement of the hydrants.

19. **Pumper Pad:** Already in place. Must meet the current standard of the Fire and Rescue Department with the 5 inch Storz fitting. There shall be dedicated space for a fire engine to have unobstructed access to the Pumper Pad. Both the Fire Department Sprinkler connection and the fire hydrant shall be installed remote from the building and located a minimum distance from the building equal to the highest wall. The fire hydrant shall be located no more than five (5) feet from the roadway and the Fire Department sprinkler connection shall be placed no more than five (5) feet from the fire hydrant. The Fire Department connection shall be constructed along with an underground drain with access for inspection. A guideline detail is attached and is meant to illustrate the requirements needed to meet the requirements stated in Village Ordinance 180-16.

*NOTE: The Fire Department Connection riser shall include a single five (5) inch Storz fitting.*

20. **Bollards:** Shall be placed near fire hydrants, remote post indicator valves (PIV) and Fire Department connection(s) to prevent damage. Bollards shall be 6 inches in diameter. Bollards shall not obstruct charged fire hoses. It is recommended that the Fire Department approve the location of the bollard(s) before final placement is made.
21. **Strobe Light:** A strobe light shall be provided for each riser and installed vertically above each sprinkler water flow bell. The strobe light shall operate for a sprinkler water flow. The lens color shall be RED. The strobe light shall meet Village specifications as found in section 180-16 K of the Sprinkler Ordinance.
22. **Fire Alarm System:** The new points of the fire alarm system shall be fully addressable so that detailed information will be received about the device in alarm. Utilizing a fire pull station, sprinkler water flow, or any other fire detection device that maybe installed in this building shall activate the internal fire alarm system.
- a. **Manual Fire Alarm Pull Stations:** Shall be located at a minimum, immediately adjacent to each exterior door. Any additional exterior doors will be required to meet this requirement. The pull station shall not be placed in the area of the door, but immediately adjacent to the door jamb.
  - b. **Pull Stations and Audiovisual Alarms:** Shall be installed per ADA requirements.
  - c. **Smoke and Heat Detection:** Shall be installed as required.
  - d. **Tamper Switches:** Tamper switches shall be placed on all sprinkler valves and be identified on the annunciator panel.
  - e. **Fire Alarm Control Panel:** The annunciator panel type shall be approved by the Fire & Rescue Department. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.
  - f. **Annunciator Panel: All new alarm points shall be addressable.** The annunciator panel type shall be approved by the Fire and Rescue Department. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.

g. **Central Station:** The Fire Alarm Control Panel shall transmit all fire alarm, tamper, trouble and supervisory signals to a central station that is certified by Underwriters Laboratories (UL) and/or Factory Mutual (FM) and approved by the Fire & Rescue Department. The owner shall provide such documentation for approval. It is recommended that the owner consult with the Fire & Rescue Department prior to signing any contracts with the Central station.

1) The central station shall be provided with this information regarding the geographical location of this alarm:

Village of Pleasant Prairie, County of Kenosha, State of Wisconsin

Fire: Pleasant Prairie Fire & Rescue

Medical: Pleasant Prairie Fire & Rescue

Phone numbers:

**Emergency: (262) 694-1402**

Non-emergency: (262) 694-7105

Business: (262) 694-8027

23. **Knox Box:** Additional Knox Boxes shall be provided for the entire building, a determination of the exact number required will need to be made during the pre-construction meeting. The Knox Boxes shall be Model 4400. Two sets of all keys (Master, fire alarm pull station, annunciator, elevator, etc.) shall be placed within the box, as well as a copy of the pre-fire plan.
24. **MSDS Knox Box:** A minimum of One (1) Knox Box(s) designed for Material Safety Data Sheet storage shall be provided for each tenant to contain the data sheets on all products that are considered hazardous within the facility. The MSDS Box(s) shall be installed within the Fire Pump Room.
25. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken, to see how a tenant furnishes the space. The company providing the fire extinguishers shall submit a letter to the Fire & Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
26. **Emergency and Exit Lighting:** Exit and Emergency Lighting shall be provided and shall have battery backup. Combination units are acceptable and recommended. An Emergency Generator eliminates the need for battery backup. Exit and Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled. The Fire & Rescue Department will evaluate this lighting prior to occupancy during the evening hours after sunset. An Emergency light shall be placed within the fire pump room. Emergency and Exit lighting will be inspected after sunset to assure it is adequate and meets the Code.

27. **Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
- a. The fire protection contractor shall provide the owner with a letter (upon completion of the sprinkler work) stating the sprinkler system, or portion thereof, is “100% operational and built according to the design”, Village Ordinance, 180-16 N.
  - b. Copy of contract with fire alarm central monitoring station.
  - c. Copy of UL and/or FM certificate(s) for the fire alarm central monitoring station.
  - d. Copies of the fire protection underground flushing documents.
  - e. Copies of the underground and fire sprinkler hydrostatic test certificates.
  - f. Copies of the fire sprinkler operational test certificates.
  - g. Copies of the fire alarm test documents.
  - h. Copies of other test documents such as, hood/duct, smoke, etc...
  - i. The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
  - j. Provide two- (2) CD's, one for the property owner and one for the Fire & Rescue Department. The disks shall include all Floor plans and fire protection plans for the building in an as-built condition.
  - k. Severe Weather Shelter: The architect shall provide for both the Owner and the Fire & Rescue Department the area within the building that can be used as a “severe weather shelter” or “safe haven” during severe weather such as a tornado.
  - l. Maps of the fire alarm and fire sprinkler system shall be placed in the fire pump room, near the fire alarm control panel; the maps shall be hung on the wall, with a waterproof covering and accessible to firefighters wearing bulky clothes and equipment.
  - m. AED, in place at such time a tenant takes occupancy.
  - n. A copy of the tenants Emergency Plan must be submitted to the Fire & Rescue Department before occupancy.
  - o. Occupancy inspection fee and re-inspection fee will be assessed at the final inspection in accordance with ordinance 180-17.
28. **Occupancy:** All fire and life safety requirements must be in place prior to any building being occupied.

## MEMORANDUM

TO: Peggy Herrick, Assistant Zoning Administrator

FROM: Ken Robers, Senior Building Inspector

SUBJECT: Site & operational plans for CSW addition at 7800 95<sup>th</sup> Street.

DATE: October 1, 2012

The following are my comments/conditions:

- 1) All building, plumbing, lighting and HVAC plans will need to be designed to the IBC Codes, prior to submitting 2 sets for State Review for building permits from the Village of Pleasant Prairie. State of Wisconsin review is required for building and HVAC, Plumbing can be Municipal review if under 16 fixtures. All sub-contractors will be required to apply for permits.
- 2) Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, SPS 316.46. The Village Fire & Rescue Department should be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.
- 3) The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, **prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.**
- 4) **The electrical contractor will be required to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.**
- 5) Any Sprinkler plans are required to be submitted to, and reviewed by the Village Fire & Rescue Department.
- 6) Any and all fire alarm installations require plan review and permit from the Village of Pleasant Prairie Fire & Rescue Department.
- 7) Exterior storm sewer work will require Engineering approval and plumbing permits.

Should you have any questions, please contact me directly.



**RECEIVED**  
 SEP 14 2012  
 Village of Pleasant Prairie

\$825.00 application fee

**VILLAGE OF PLEASANT PRAIRIE  
 SITE AND OPERATIONAL PLAN  
 AND CONDITIONAL USE PERMIT ZONING APPLICATION**

**USE THIS FORM FOR:**  
 Tenants/Use changes proposing to occupy 50% or more of an existing commercial/industrial building.  
  
 To construct a new or addition to principal or accessory structure.  
  
 Use requires a Conditional Use Permit.

FOR OFFICE USE ONLY	
Application Filed on	9/14 2011
Preliminary Determination of Completeness on:	9/14 2011
Revised Plans Submitted:	20
<input type="checkbox"/> Public Hearing Required: Hearing Date:	_____, 20__
Published on: _____ and _____, 20__	Notices sent on: _____, 20__
Approved by <input type="checkbox"/> Plan Commission on _____, 20__	<input type="checkbox"/> Zoning Administrator on _____, 20__
Denied by <input type="checkbox"/> Plan Commission on _____, 20__	<input type="checkbox"/> Zoning Administrator on _____, 20__

**SECTION 1: GENERAL INFORMATION**

**NAME OF BUSINESS:** Central Storage & Warehouse Co.

**SITE ADDRESS:** 7800 95th St. Pleasant Prairie WI 53158

**BRIEF PROJECT DESCRIPTION:** A 36,800 sq ft addition to the existing 74,184 sq ft freezer warehouse, 32,412 will be freezer space and the remainder will be refrigerated loading dock.

**PROPOSED NUMBER OF FULL TIME EMPLOYEES:** 2 in addition to current staff

**PROPOSED NUMBER OF PART-TIME EMPLOYEES:** 1

**SITE SIZE:** 487,000 sq. ft. 11.18 acres

**PROPOSED BUILDING SIZE:** \_\_\_\_\_ sq.ft. **HEIGHT:** \_\_\_\_\_ ft.

**PROPOSED ADDITION SIZE:** 36,796.5 sq.ft. **HEIGHT:** 40 ft.

**LEGAL DESCRIPTION:** PT NE 1/4 SEC 21 T 1 R 22 LOT 47 CSM 1499 V 1461 P 187 FKN PT PARCEL 24 CSM # 1409 1992

**TAX PARCEL NUMBER(S) :** 92-4-122-211-0108

**CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY:** M2

1. Is a zoning map amendment proposed with this project?  Yes  No
  - If yes, proposed Zoning Classification(s): \_\_\_\_\_
2. Is a zoning text amendment proposed with this project?  Yes  No
  - If yes, provide a copy of the proposed text amendment with this application

3. If property is zoned M-1 or M-2, indicate the Occupancy Type pursuant to the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC). Include all that apply and associated square footage for each classification:

- Factory Group F-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Factory Group F-2 (Low-hazard) \_\_\_\_\_ sq ft
- Storage Group S-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Storage Group S-2 (Low-hazard) 36,796.5 sq ft
- Business Group B \_\_\_\_\_ sq ft
- High-Hazard Group H\* \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft

*\*If Use and Occupancy Classification is High-Hazard Group H please provide a detailed written narrative that explains the specific use, quantity of storage and handling of the high hazard materials along with appropriate MSSD sheets with this application.*

**PUBLIC SERVICES:**

1. Is the property serviced by Public Sanitary Sewer?  YES  NO
  - If no, the closest public sewer is located at \_\_\_\_\_
2. Is the property serviced by Public Water?  YES  NO
  - If no, the closest public water is located at \_\_\_\_\_

**THIS APPLICATION IS FOR A: (check one)**

- Preliminary Site and Operational Plan:** An applicant may apply for preliminary site and operational plan approval in connection with an erosion control permit application for early mass grading, or in connection with an early foundation permit, or for other good cause shown
- New Site and Operational Plan**
- Amendment to an existing Site and Operational Plan**
  - Date of initial site and operational plan approval: \_\_\_\_\_
  - Date of each approved amendment: \_\_\_\_\_

**SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE**

Are there any existing buildings on the site?  YES  NO

- If yes, provide an attachment that explains the current uses on the property and current uses in each building and if the use(s) is proposed to continue; and the gross floor area and height of each building.
- If no, what is the current use of the property? \_\_\_\_\_



### SECTION 3: PHOTOGRAPHS

**Standard-sized photographs** (not Polaroid) showing all aspects of the site (e.g. locations of proposed improvements, bodies of navigable water, wetlands, wooded areas, etc.) and of the exterior of structures or other site improvements, together with a statement regarding each photograph, which includes the date the photograph was taken, the location from which it was taken, the direction in which the camera was pointed, and a description of what is shown in the photograph. With respect to all existing signs, the applicant shall file photographs of all existing signs and shall specify in the written statement accompanying each such photograph and show the dimensions of such sign. Digital images are acceptable.

### SECTION 4: CONDITIONAL USE

1. **Does the proposed project require a Conditional Use Permit?**  YES  NO
  - If no then skip to Section 5.
  - If yes, then continue with this Section.
2. **Are you amending an existing Conditional Use Permit?**  YES  NO
  - If yes, provide a copy of the Conditional Use Grant Document you are proposing to amend.
  - If no, continue with this Section.
3. If you answered **YES** to either question 1 or 2 above then this application shall include information as to how the proposed project will not impair an adequate supply of light and air to adjacent properties; increase danger of fire; cause traffic congestion or traffic circulation problems; create storm water flooding or drainage; create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; will not hinder, harm or distract the provision of public services; and that the proposed project is not inherently inconsistent with either the district in which it is located or adjoining districts or neighborhoods as required pursuant to the Village Zoning Ordinance.

### SECTION 5: NON-CONFORMING USE

1. **Is any use on the site a nonconforming use?**  YES  NO
  - If no, then skip to Section 7.
  - If yes, then continue with this section.
2. If you answered **YES** to question 1 above, prima facie proof of each element of legal nonconforming use status shall be submitted to the Village with this application (i.e. that the nonconforming use was legal in its inception, that the use was active and actual and not merely casual, occasional, incidental or accessory when it became nonconforming, that the use has been continuous with no gap of 12 or more consecutive months since it became nonconforming, that no building or structure housing the nonconforming use has been structurally repaired or altered to the extent of fifty (50) percent or more of its assessed value since the use became nonconforming, and that the use has not been changed in nature or physically extended or expanded since becoming nonconforming).

## SECTION 6: PERFORMANCE STANDARDS

Pursuant to the Village Zoning Ordinance, any application for a permit under this ordinance or any use subject to the regulations and standards set forth in the Village Zoning Ordinance shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the performance standards set forth in Section 420-38 of the Village Ordinance. Continued compliance with the regulations and standards is required. Violations of such standards shall be remedied as required by the Village Zoning Ordinance.

No land or building in any district shall be operated in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; water pollution; electrical, radioactive or other disturbances; glare; or other substance, condition or element (referred to herein as "dangerous or objectionable elements") in such amount as to adversely affect the surrounding area or premises; provided that any use permitted by this ordinance may be undertaken and maintained if it conforms to the regulations of this subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.

The Village may require additional information be submitted to ensure that the Village Performance Standards are being met.

## SECTION 7: PLAN COMPONENTS

The application shall include a list of all documents, materials or information that are attached to and a part of the application form. Submit eight (8) full-sized and one (1) set reduced to 11" x 17" of all plans and other attachments shall be included as part of this application, except if a component has been waived or deferred in writing by the Village Zoning Administrator. **For specific details related to each of the required information and plans see the attachment entitled "Plan Components and Related Standards" in Section 420-57 of the Village Zoning Ordinance.**

- Application—Applicant, Site, Use, Project and Plan Information
- Application fee
- Operational plan
- Title sheet
- Survey
- Site plan
- Grading and drainage plan
- Building and fire protection plans
- Lighting plan
- Landscape and open space plan
- Signage plan
- Industrial/commercial waste survey
- Performance standards compliance
- Additional requirements, as determined by the Village Zoning Administrator, other appropriate Village staff members, or the Village Plan Commission, as appropriate.

Two or more plans may be combined, provided that all of the information submitted on the combined plan is clearly legible, but in no case shall the combined plans fail to show any of the information required for each individual plan as described below, unless such information is waived or deferred pursuant to the Zoning Ordinance.

**SECTION 8: SIGNATURES**

I,(We), hereby certify that all the above statements and all attachments submitted herewith are true and correct to the best of my knowledge. In addition I, (we) understand the requirements and procedures for Site and Operational Plan/Conditional Use Permit approval.

**PROPERTY OWNER:**

**APPLICANT:**

Name: Jack Williams VP Operations Central Storage  
(Please Print)

Name: Same as Owner

Signature: 

Signature: \_\_\_\_\_  
(Please Print)

Address: 4309 Cottage Grove Rd.

Address: \_\_\_\_\_

Madison WI 53716  
(City) (State) (Zip)

\_\_\_\_\_  
(City) (State) (Zip)

Phone: 608 221 7600

Phone: \_\_\_\_\_

Fax: 608 221 7613

Fax: \_\_\_\_\_

E-mail: jackw@csw-wi.com

E-mail: \_\_\_\_\_

Date 9/11/2012

Date: \_\_\_\_\_

**Is the applicant the owner of the property?  YES  NO**

If no, then either proof of the applicant's legal interest in the subject real property (e.g. accepted offer to purchase, lease, etc., which may be appropriately redacted to preserve confidential information) or written authorization signed by the owner for the applicant to act as the owner's agent in connection with the application shall be included with the application.

**DEVELOPER (if Applicable)**

**USER OR OCCUPANT OF SITE:**

Name: \_\_\_\_\_  
(Please Print)

Name: Same as Owner  
(Please Print)

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
(City) (State) (Zip)

\_\_\_\_\_  
(City) (State) (Zip)

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date \_\_\_\_\_

Date: \_\_\_\_\_



## Central Storage & Warehouse Co., Inc.

Corporate Executive Offices P.O. Box 7034, Madison, WI 53707  
Phone 608-221-7600 Fax 608-221-7603

Central Storage and Warehouse Company is a public refrigerated warehousing company based in Madison WI. Our existing facility at 7800 95<sup>th</sup> St. in Pleasant Prairie WI is a food storage and distribution freezer warehouse of 74,184 sq ft with 58,000 sq ft of freezer, 7600 sq ft of dock space and the balance split between office and machinery rooms. It varies in height from 20' at the loading dock to 40' at the high point of the freezer. We currently have 15 full time employees at this location.

We are proposing to add 36,800 sq ft to the east side of our building consisting of 32,412 sq ft of freezer and the remainder dock space with 6 loading dock doors facing to the south. Our shipping and receiving hours will not change from our current schedule, mainly 7:00am to 7:00 pm M-F with occasional weekends and evenings depending on customer demand. We operate on an appointment basis for pickups and deliveries. This additional space will allow us to better serve our existing customers and provide the opportunity to offer our services to new customers as well. We anticipate hiring 2 additional warehousemen and one clerical staff as a result of this expansion. We will be running 2 shifts a day overlapping midday. The maximum number of employees on site at any given time will be 20, leading to a requirement of 10 parking spaces per village ordinance. We currently have 17 lined spaces with two handicapped spaces closest to the office entrance.

As stated above we are a food warehousing and distribution business. We anticipate servicing approximately 60 semi trucks per day from our 13 available (after expansion) loading dock doors. The only automobile traffic generated by our business is the arrival and departure of employees and the occasional salesperson or visitor. We utilize Waste Management for our waste disposal needs. We don't generate any liquid waste from any of our processes. We do have a small quantity of refrigeration oil on site which when drained from compressors is returned to the the manufacturer for recycling. Our landscaping is cared for by an outside landscaping company. All of our loading and unloading equipment, forklifts and transporters etc., is utilized in the enclosed loading dock area and is not visible from outside the building. Our entry/exit doors and fire sprinkler system are monitored by a Central Station alarm system through ADT Security. We are in the process of installing exterior and interior

CCTV cameras as well. Given the nature of the site and the industrial park in which we are located we anticipate no adverse impacts on the any neighboring businesses or the park as a whole. Conversely, the additional loading dock doors will make it easier for us to turn semi trailers in a timely fashion leading to less congestion on the street outside of our facility.

The following pages contain copies of our required permits and photos of the site and existing signage.



WISCONSIN DEPARTMENT OF REVENUE  
 PO BOX 8902  
 MADISON, WI 53708-8902

**State of Wisconsin • DEPARTMENT OF REVENUE**

REGISTRATION UNIT  
 2135 RIMROCK RD PO BOX 8902 MADISON, WI 53708-8902  
 PHONE: 608-266-2776 FAX: 608-264-6884  
 EMAIL: sales10@revenue.wi.gov WEBSITE: www.revenue.wi.gov

Letter ID: L1517294528

CENTRAL STORAGE & WAREHOUSE COMPANY  
 PO BOX 7034 4309 COTTAGE GROVE RD  
 MADISON WI 53707-7034



**State of Wisconsin • DEPARTMENT OF REVENUE**

Wisconsin Seller's Permit - Personal Wallet  
 Copy  
 Sellers Permit Number: 456-0000147097-03  
 Expiration Date: 31-Jan-2014  
 Legal/Real Name: CENTRAL STORAGE & WAREHOUSE  
 COMPANY

Signature \_\_\_\_\_

**Registration Certificate**

Certificate Expiration Date: 31-Jan-2014

LEGAL/REAL NAME: CENTRAL STORAGE & WAREHOUSE COMPANY

This certificate confirms that you are registered with the Wisconsin Department of Revenue.  
 This certificate is not transferable.

If your business is not operated from a fixed location, such as craft shows, flea markets, etc., the  
 wallet copy should be displayed or carried with you to various events.

You are authorized to engage in the business activity(ies) indicated for the following tax(es).

<b>Tax Type</b>	<b>Account Type</b>	<b>Cease Date</b>	<b>Number</b>
Sales & Use Tax	Seller's Permit		456-0000147097-03
Withholding Tax	Withholding Tax		036-0000147097-04

Wisconsin Department of Agriculture, Trade and Consumer Protection  
2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Expires: June 30, 2013  
Statute: 99.02

License Number: 187063-PW

## Public Warehouse Keeper License

Legal Name:  
Central Storage & Warehouse Co.

Business Location: 4309 Cottage Grove Rd Madison WI 53716

Doing Business As:  
Central Storage & Warehouse Co

Warehouse Classification - 5

Other Locations:  
800 Wisconsin St Bldg 13 Eau Claire WI 54703  
1212 West St Wausau WI 54401  
7800 95th St Pleasant Prairie WI 53158  
1022 Lumbermans Trail Madison WI 53716  
2650 Fortune Dr Eau Claire WI 54703

This is your license certificate/registration document. Print or carry as required by law. Non-transferable - subject to revocation or suspension as provided by law. DMV-BIT-0-B (01/19/10)

Wisconsin Department of Agriculture, Trade and Consumer Protection  
2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Expires: June 30, 2013  
Statute: 97.27

License Number: 129851-F3

## Food Warehouse License

Legal Name:  
Central Storage & Warehouse Company

Business Location: 7800 95th St Pleasant Prairie WI 53158

Doing Business As:  
Central Storage & Warehouse Co

Large Potentially Hazardous Food Warehouse

Products Stored:  
Dairy, Frozen Foods, Refrigerated Foods

This is your license certificate/registration document. Print or carry as required by law. Non-transferable - subject to revocation or suspension as provided by law. DMV-BIT-0-B (01/19/10)

JACK WILLIAMS  
CENTRAL STORAGE & WAREHOUSE CO  
PO BOX 7034  
MADISON WI 53707

Wisconsin Department of Agriculture, Trade and Consumer Protection

Public Warehouse Keeper License  
Central Storage & Warehouse Co.  
License Number: 187063-PW      Expiration Date: June 30, 2013  
4309 Cottage Grove Rd Madison WI 53716

DATCP Contact : (608) 224-4933

JACK WILLIAMS  
CENTRAL STORAGE & WAREHOUSE CO  
PO BOX 7034  
MADISON WI 53707



DATCP Contact : (608) 224-4736

Wisconsin Department of Agriculture, Trade and Consumer Protection

Food Warehouse License

Central Storage & Warehouse Company  
7800 95th St Pleasant Prairie WI 53158  
Central Storage & Warehouse Co

Large Potentially Hazardous Food Warehouse  
Dairy, Frozen Foods, Refrigerated Foods

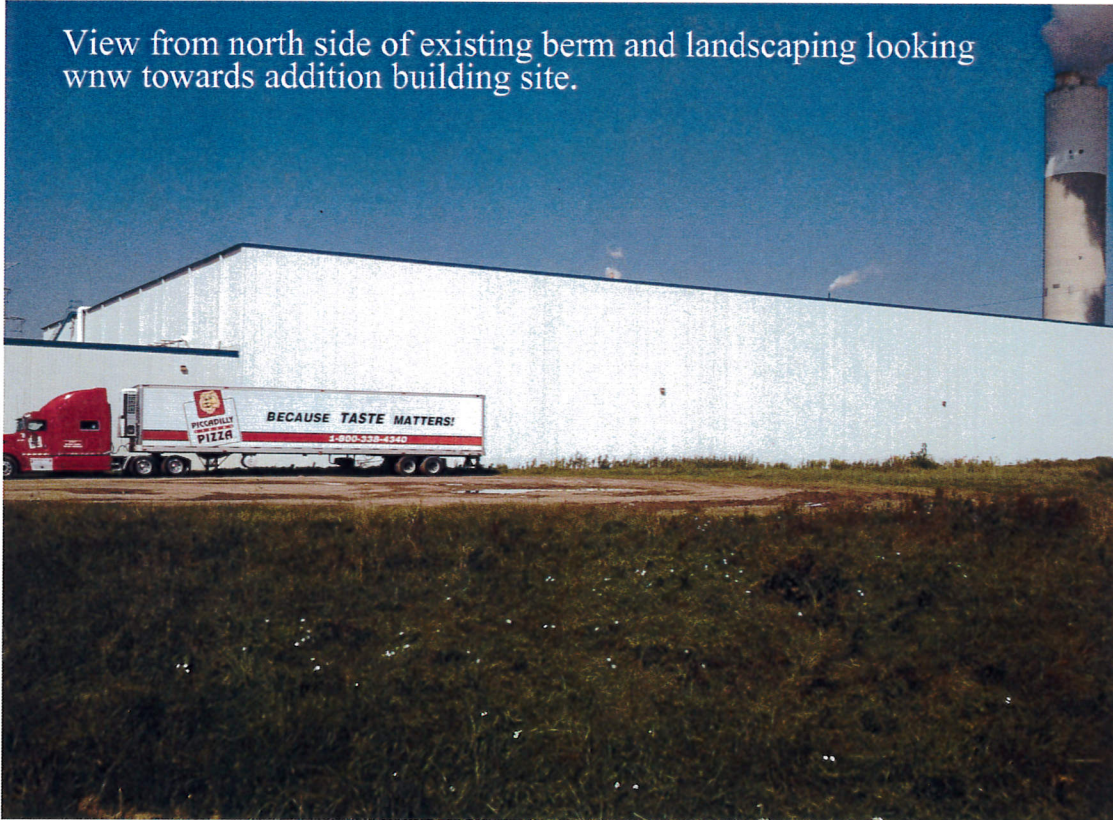


Looking northwest from south side of 95th St.

View looking north from south side of 95th St towards building addition site.

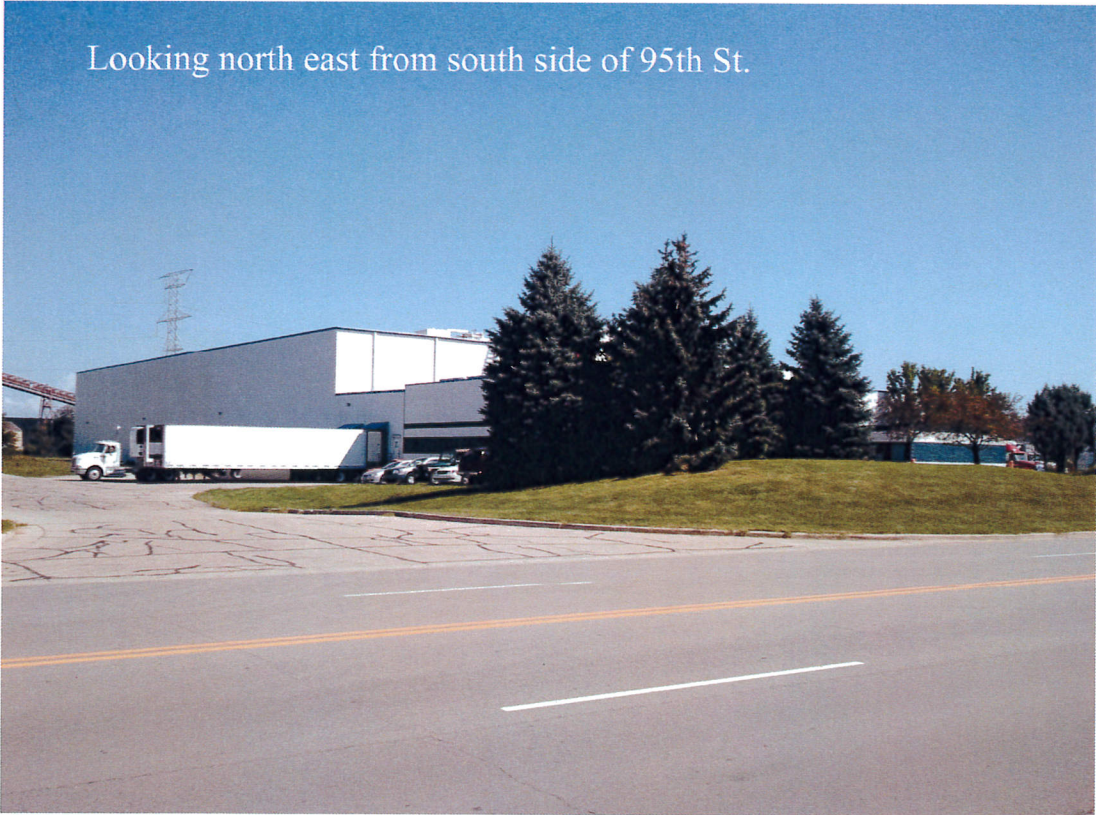


View from north side of existing berm and landscaping looking wnw towards addition building site.

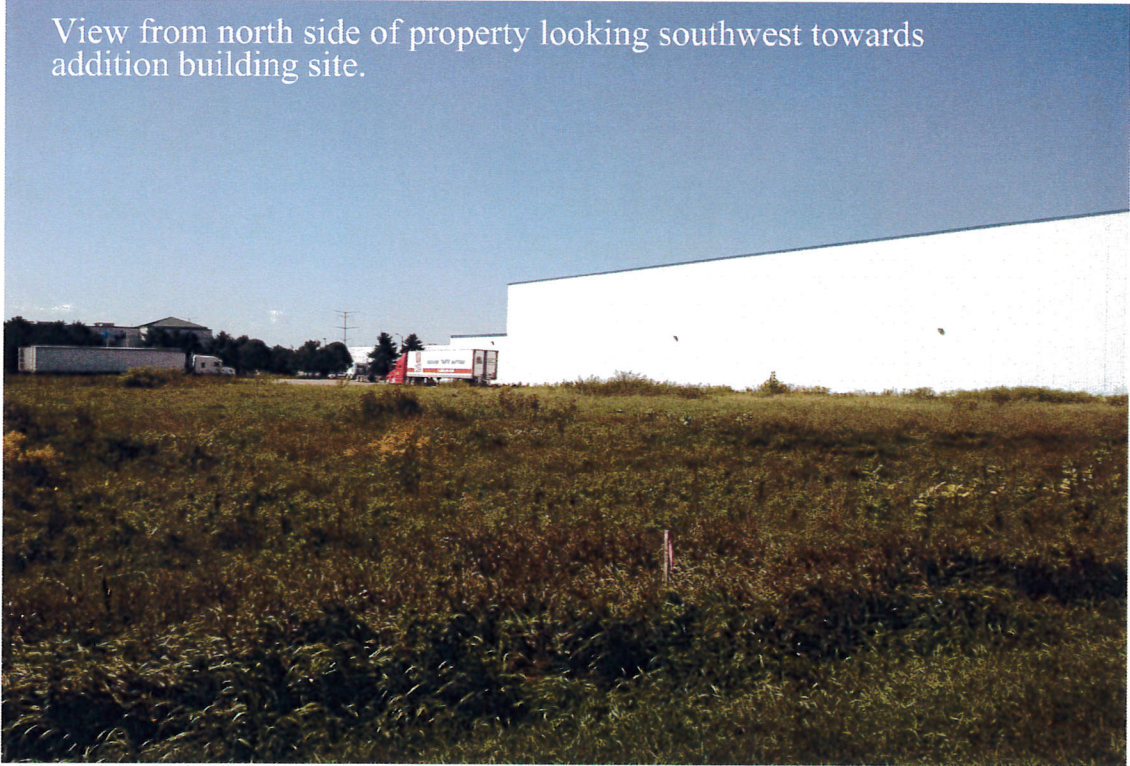




Looking north east from south side of 95th St.



View from north side of property looking southwest towards addition building site.



7800 95th St. Existing Signage  
No changes proposed  
Pedestal is 3' high from grade

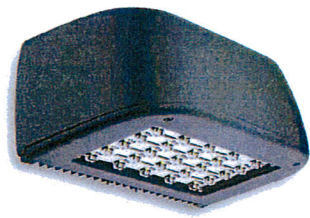


East Elevation



West Elevation

RECEIVED  
SEP 14 2011



# CSXW LED LED Wall Luminaire



CONTOUR

Catalog Number CSXW LED 1 30B350/40K SR2

Notes MVOLT DDBXD

Type J1

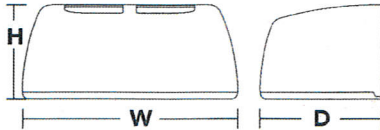
## Specifications

**Height:** 7-1/8"  
(29.2 cm)

**Width:** 16-3/8"  
(41.6 cm)

**Depth:** 9-5/16"  
(23.6 cm)

**Weight (max):** 30 lbs  
(13.6 kg)



## Introduction

The Contour® Series luminaires offer traditional square dayforms with softened edges for a versatile look that complements many applications.

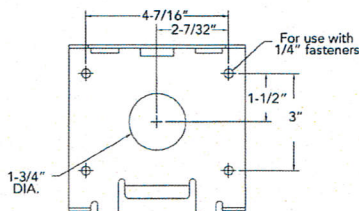
The CSXW LED combines the latest in LED technology with the familiar aesthetic of the Contour® Series for stylish, high-performance illumination that lasts. It is ideal for replacing 100-400W metal halide in wall-mounted applications with typical energy savings of 80% and expected service life of over 100,000 hours.

## Ordering Information

EXAMPLE: CSXW LED 1 30B700/40K SR3 MVOLT DDBTXD

Series	Light Engines	Performance Package <sup>1</sup>	Distribution	Voltage	Mounting	Options	Finish <sup>(required)</sup>
CSXW LED 1	One engine (30 LEDs)	<b>350 mA options:</b> 30B350/30K 3000K 30B350/40K 4000K 30B350/50K 5000K  <b>530 mA options:</b> 30B530/30K 3000K 30B530/40K 4000K 30B530/50K 5000K  <b>700 mA options:</b> 30B700/30K 3000K 30B700/40K 4000K 30B700/50K 5000K	SR2 Type II SR3 Type III SR4 Type IV FT Forward throw	MVOLT <sup>2</sup> 120 <sup>2</sup> 208 <sup>2</sup> 240 <sup>2</sup> 277 <sup>2</sup> 347 <sup>3</sup> 480 <sup>3</sup>	<b>Shipped included</b> (blank) Surface mount  <b>Shipped separately</b> BBW Surface-mounted back box (for conduit entry) <sup>4</sup>	<b>Shipped installed</b> PE Photoelectric cell, button type <sup>5,6</sup> DMG 0-10V dimming driver (no controls) <sup>7</sup> SF Single fuse (120, 277, 347V) <sup>8</sup> DF Double fuse (208, 240, 480V) <sup>8</sup>  <b>Shipped separately<sup>4</sup></b> VG Vandal guard WG Wire guard	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white

## Mounting Detail



## Accessories

Ordered and shipped separately.

CSXWBBW DDBXD U	Back box accessory (specify finish)
CSXWVG U	Wire guard accessory
CSXWVG U	Vandal guard accessory

## NOTES

- Configured with 4000K (/40K) provides the shortest lead times. Consult factory for 3000K (/30K) and 5000K (/50K) lead times.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options) or photocontrol (PE option).
- Available with 700 mA options only (30B700).
- Also available as a separate accessory; see Accessories information at left.
- Photocontrol (PE) requires 120, 208, 240, 277 or 347 voltage option.
- Must be ordered with fixture; cannot be field installed.
- Not available with 530 mA options (30B530) or 347 or 480V.
- Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.



## Performance Data

### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Contact factory for performance data on any configurations not shown here.

Light Engines	Drive Current (mA)	Performance Package	System Watts	Dist. Type	40K (4000K, 67 CRI)				
					Lumens	B	U	G	LPW
1 (30 LEDs)	350	30B350/-K	38W	SR2	3259	1	0	1	85
				SR3	3233	1	0	1	85
				SR4	3308	1	0	1	87
				FT	3311	1	0	1	87
	530	30B530/-K	57W	SR2	4522	1	0	1	79
				SR3	4475	1	0	1	79
				SR4	4583	1	0	2	80
				FT	4613	1	0	1	81
	700	30B700/-K	74W	SR2	5514	1	0	2	75
				SR3	5403	1	0	2	73
				SR4	5565	1	0	2	75
				FT	5601	1	0	2	76

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient	Lumen Multiplier
0°C	1.02
10°C	1.01
20°C	1.00
25°C	1.00
30°C	1.00
40°C	0.99

### Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the CSXW LED 1 30B700 platform in a 40°C ambient, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.0	0.95	0.92	0.87

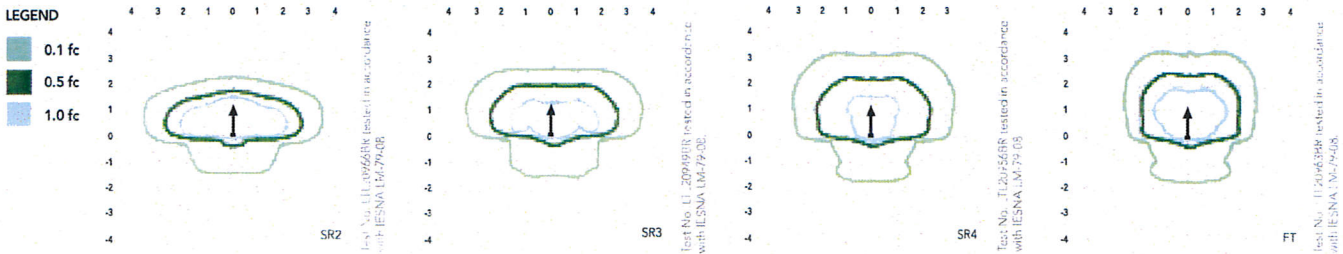
### Electrical Load

Light Engines	Drive Current (mA)	System Watts	Current (A)					
			120	208	240	277	347	480
1	350	38W	0.35	0.20	0.18	0.15	0.12	0.09
	530	57W	0.53	0.30	0.26	0.23	0.18	0.13
	700	74W	0.69	0.40	0.34	0.30	0.24	0.17

## Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's CSXW homepage.

Isofootcandle plots for the CSXW LED 1 30B700/40K. Distances are in units of mounting height (20').



## FEATURES & SPECIFICATIONS

### INTENDED USE

The Contour Series Wall LED luminaire is ideal for commercial building mounted applications from over-the-door to 20 ft mounting heights.

### CONSTRUCTION

Rugged, die-cast, single-piece aluminum housing. Unique flow-through design for optimized thermal management. Modularity allows for ease of maintenance and potential for future system upgrades. Metallic screen covers the top of the housing, preventing debris build-up while allowing for air flow. Housing is completely sealed against moisture and environmental contaminants.

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling.

### OPTICS

Precision-molded acrylic lenses provide optimal luminaire spacing and improved uniformity. Lenses are indexed to the circuit board to ensure consistent optical alignment and delivering repeatable photometric performance. Light engines are available in standard 4000K (67 CRI) or optional 3000K (80 CRI) or 5000K (67 CRI) configurations. The CSXW has zero uplight and qualifies as a Nighttime Friendly™ product, meaning it is consistent with the LEED® and Green Globes™ criteria for eliminating wasteful uplight.

### ELECTRICAL

Light engine consists of 30 high-efficacy LEDs mounted to a metal-core circuit board to maximize heat dissipation and promote long life (100,000 hrs at 40°C, L87). Class 1 electronic driver has a power factor >90%, THD <20%, and has an expected life of 100,000 hours with <1% failure rate. Easily-serviceable surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

### INSTALLATION

Universal mounting mechanism with integral mounting support allows fixture to hinge down. Bubble level provides correct alignment with every installation.

### LISTINGS

CSA Certified to U.S. and Canadian standards. Light engine is IP66 rated. Luminaire is IP65 rated.

### WARRANTY

Five year limited warranty. Full warranty terms located at [www.acuitybrands.com/CustomerResources/Terms\\_and\\_conditions.aspx](http://www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx).

**Note:** Specifications subject to change without notice.



## 12" x 12" Square LED Luminaire

# T752LED

### USE OF PRODUCT

The intended use of this product is parking areas, entrances, walkways, underpasses, loading docks, or recreation areas.

### FEATURES

#### HOUSING

Rugged die cast aluminum housing, 1/2" Coin Plugs with O-rings for Conduit and Photocell on two sides and back.

#### FINISH

Matt-finish, architectural bronze powdercoat over a precise chromate conversion coating. Available in standard dark polyester bronze or consult factory for custom architectural finishes.

#### OPTICS

Anodized aluminum with white powdercoat steel reflector. Polycarbonate lens for increased vandal resistance. Lens is sealed by a one-piece silicon gasket prohibits entrance of outside contamination.

#### LED

High output LEDs offer a minimum estimated operating life of 50,000 hours in varying light temperatures.

#### DRIVER

Durable and long lasting LED drivers operates at 120 thru 277 volts and boast a 90% power factor at 50 to 60 Hz. Driver operation is rated at -40° Celsius.

#### MOUNTING

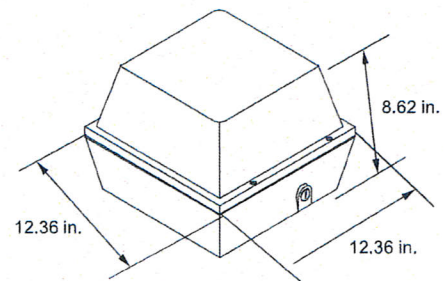
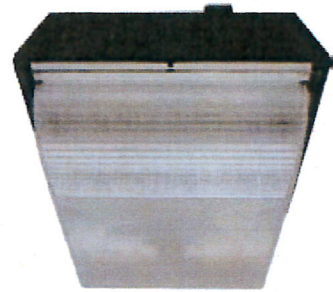
Mount directly over a 4" recessed outlet box or use 1/2" surface conduit or quick mount bracket.

#### LISTINGS/COMPLIANCE

- UL or ETL Listed-Suitable for wet locations.
- CSA listed; Suitable for wet locations.

#### ACCESSORIES

Wire guard available upon request.



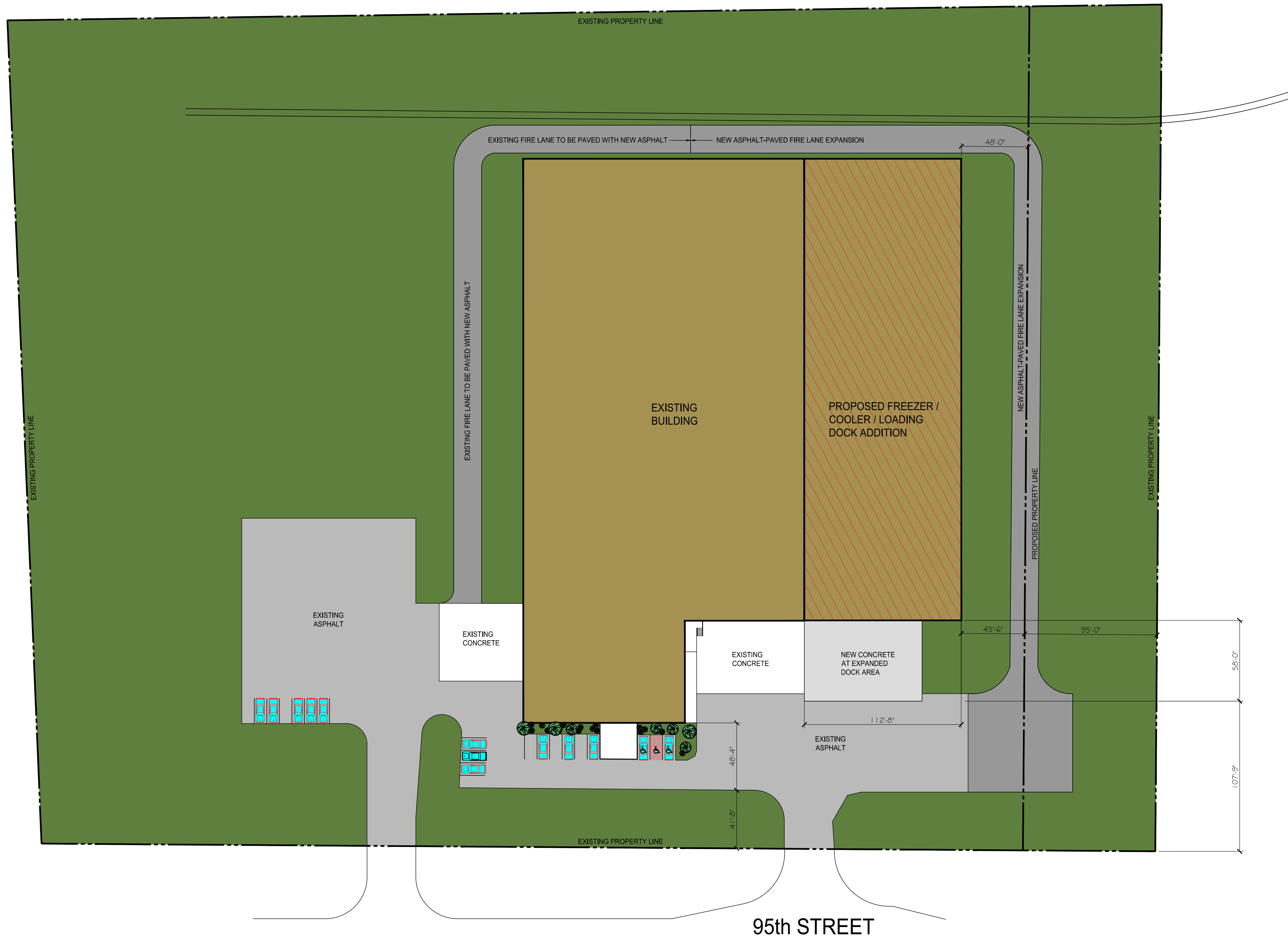
LED

12" x 12" Square LED Luminaire

### ORDERING INFO

T752LED 30 UNI12 4 BZ

Series	Watts/Lumens	Voltage	Color Temp.	Finish	Options
T-Series LED	15 - 15W/1125 30 - 30W/2250 OX - Other	UNI12	2 - 2700K 3 - 3000K 4 - 4000K 5 - 5100K	BZ - Bronze BL - Black WH - White CX - Custom	PC - Photocell WSF - Wire Single Fuse BI - Bi Level WG - Wire Guard



SITE LAND USE	
EXISTING FREEZER BUILDING .....	75,392 SF
PROPOSED FREEZER/COOLER/LOADING DOCK ADDITION .....	37,348 SF
TOTAL BUILDING FOOTPRINT (EXISTING + PROPOSED) .....	112,740 SF
TOTAL SITE ACREAGE (BASED ON PROPOSED PROPERTY LINES) .....	
9.88 ACRES	



**PROPOSED ARCHITECTURAL SITE PLAN**

SCALE: 1" = 40'-0"

**PRELIMINARY**  
NOT FOR CONSTRUCTION

4300 N. Richmond Street  
Appleton, WI. 54913-9704  
Phone: 920-739-3555  
Toll Free: 800-642-6774  
Fax: 920-739-3933  
www.consolidated-const.com  
cccmc@consolidated-const.com

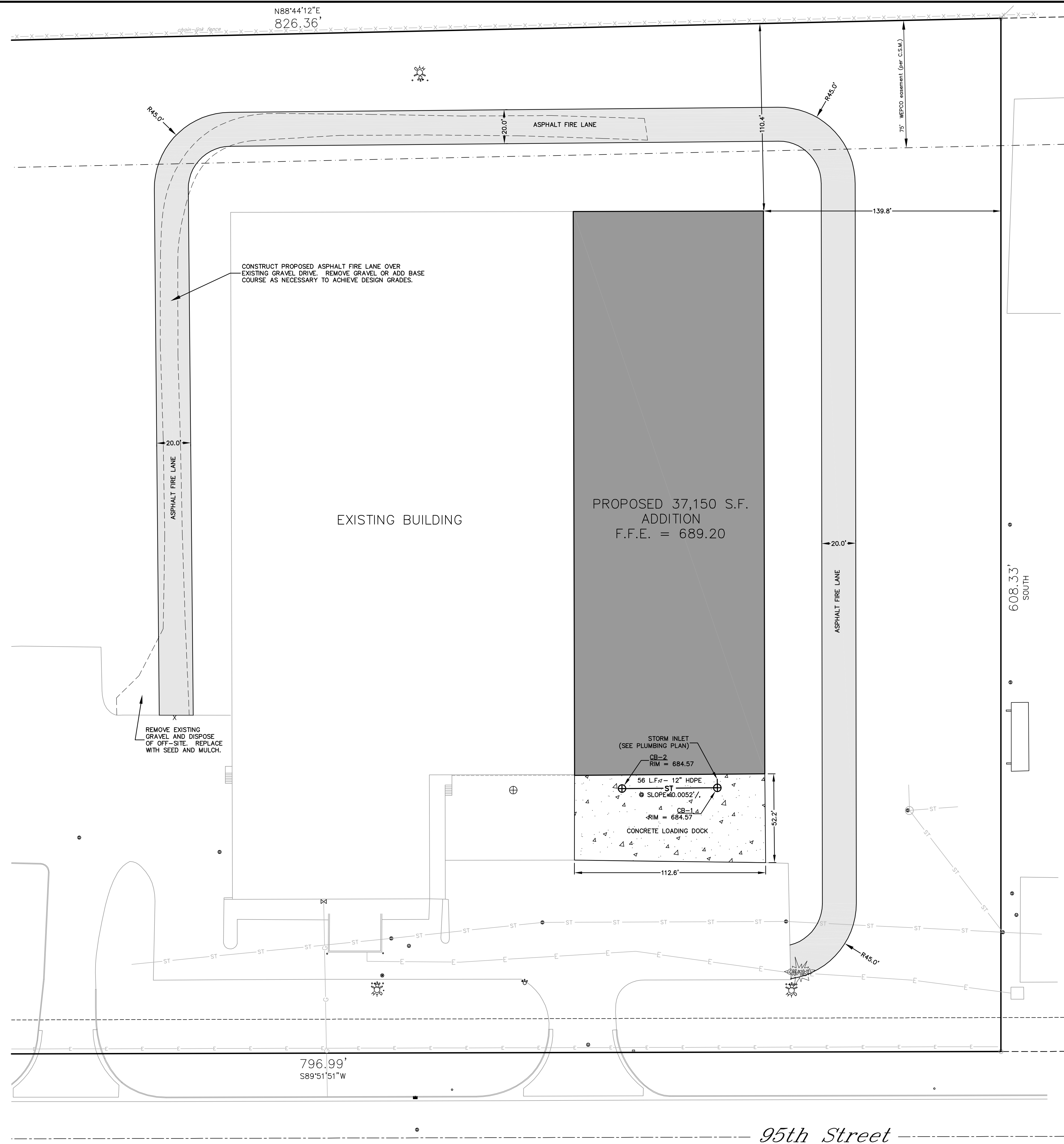


Proposed Addition for:  
**Central Storage & Warehouse Co.**  
PLEASANT PRAIRIE, WISCONSIN

Date:	
Description:	

Project #:	0166
Drawn By:	jet
Issue Date:	09-13-2012
Issue #	1

**C101**  
SITE PLAN



**PAVING NOTES**

- ALL PAVING SHALL BE PERFORMED IN ACCORDANCE WITH THE RECOMMENDATIONS AS SPECIFIED IN THE GEOTECHNICAL ENGINEERING EXPLORATION AND ANALYSIS PREPARED BY GILES ENGINEERING ASSOCIATES, INC.
  - ASPHALTIC PAVEMENT
    - 8" AGGREGATE BASE COURSE (3/4" CRUSHED STONE)
    - 2-1/2" ASPHALTIC BINDER COURSE
    - 1-1/2" ASPHALTIC SURFACE COURSE
  - CONCRETE (4000 PSI @ 28 DAYS) WITH 10 GA WELDED WIRE MESH
    - 4" AGGREGATE BASE COURSE
    - 6" CONCRETE
- ASPHALTIC CONCRETE PAVING SPECIFICATIONS-
  - CODES AND STANDARDS - THE PLACING, CONSTRUCTION AND COMPOSITION OF THE ASPHALTIC BASE COURSE AND ASPHALTIC CONCRETE SURFACING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 450, 455, 460 AND 465 OF THE STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, EDITION OF 2005. HEREAFTER, THIS PUBLICATION WILL BE REFERRED TO AS STATE HIGHWAY SPECIFICATIONS.
  - WEATHER LIMITATIONS - APPLY TACK COATS WHEN AMBIENT TEMPERATURE IS ABOVE 50° F (10° C) AND WHEN TEMPERATURE HAS NOT BEEN BELOW 35° F (1° C) FOR 12 HOURS IMMEDIATELY PRIOR TO APPLICATION. DO NOT APPLY WHEN BASE IS WET OR CONTAINS EXCESS OF MOISTURE. CONSTRUCT ASPHALTIC CONCRETE SURFACE COURSE WHEN ATMOSPHERIC TEMPERATURE IS ABOVE 40° F (4° C) AND BASE IS DRY AND WEATHER IS NOT RAINY. BASE COURSE MAY BE PLACED WHEN AIR TEMPERATURE IS ABOVE 30° F (-1° C).
  - GRADE CONTROL - ESTABLISH AND MAINTAIN REQUIRED LINES AND ELEVATIONS FOR EACH COURSE DURING CONSTRUCTION.
  - CRUSHED AGGREGATE BASE COURSE - THE TOP LAYER OF BASE COURSE SHALL CONFORM TO SECTIONS 301 AND 305, STATE HIGHWAY SPECIFICATIONS.
  - BINDER COURSE AGGREGATE - THE AGGREGATE FOR THE BINDER COURSE SHALL CONFORM TO SECTIONS 460.2.7 AND 315, STATE HIGHWAY SPECIFICATIONS.
  - SURFACE COURSE AGGREGATE - THE AGGREGATE FOR THE SURFACE COURSE SHALL CONFORM TO SECTIONS 460.2.7 AND 465, STATE HIGHWAY SPECIFICATIONS.
  - ASPHALTIC MATERIALS - THE ASPHALTIC MATERIALS SHALL CONFORM TO SECTION 455 AND 460, STATE HIGHWAY SPECIFICATIONS.
  - SURFACE PREPARATION - NOTIFY CONTRACTOR OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.

**UTILITY NOTES**

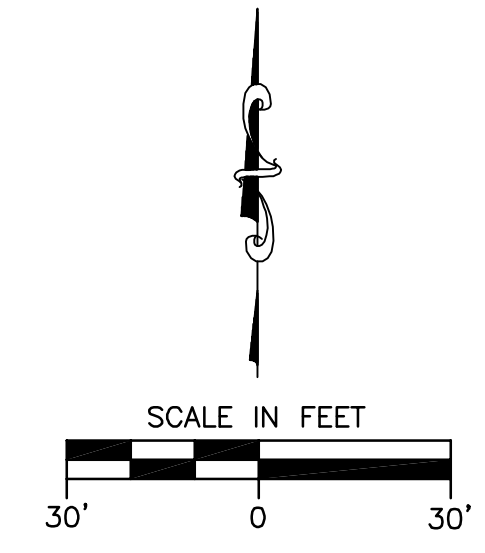
- EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. EXISTING CONDITIONS BASED ON SURVEY PERFORMED BY MARESCALCO COUNTYWIDE SURVEYING INC. DATED MAY 27, 2009. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE TYPE, LOCATION, SIZE AND ELEVATION OF UNDERGROUND UTILITIES AS THEY DEEM NECESSARY FOR PROPOSED UTILITY CONNECTIONS AND/OR TO AVOID DAMAGE THERETO. CONTRACTOR SHALL CALL "DIGGER'S HOTLINE" PRIOR TO ANY CONSTRUCTION.
- ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN (LATEST EDITION AND ADDENDUM) AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.
- UTILITY CONSTRUCTION AND SPECIFICATIONS SHALL COMPLY WITH THE VILLAGE OF PLEASANT PRAIRIE SPECIAL PROVISIONS AND WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES COMM 82.
- LENGTHS OF PROPOSED UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS ARE SHOWN FOR CONTRACTOR CONVENIENCE ONLY. CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPUTATIONS OF MATERIALS REQUIRED TO COMPLETE WORK. LENGTHS SHALL BE FIELD VERIFIED DURING CONSTRUCTION.
- CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT EXISTING UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH FINISHED GRADES OF THE AREAS DISTURBED DURING CONSTRUCTION.
- CONTRACTOR SHALL FIELD VERIFY LOCATIONS, ELEVATIONS, AND SIZES OF PROPOSED UTILITIES AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS PRIOR TO ATTEMPTING CONNECTIONS AND BEGINNING UTILITY CONSTRUCTION.
- STORM SEWER SPECIFICATIONS -
  - PIPE - HIGH DENSITY DUAL-WALL POLYETHYLENE N-12 CORRUGATED PIPE (HDPE) SHALL BE AS MANUFACTURED BY ADS OR EQUAL WITH WATER TIGHT JOINTS, AND SHALL MEET THE REQUIREMENTS OF ASHTO DESIGNATION M-294 TYPE "S".
  - INLETS/CATCH BASINS - INLETS/CATCH BASINS SHALL BE CONSTRUCTED IN ACCORDANCE WITH FILE NO. 25 OF THE "STANDARD SPECIFICATIONS" WITH A 1'-0" X 2'-0" MAXIMUM OPENING. FRAME & GRATE SHALL BE NEWMAN R-1580 WITH TYPE C GRATE, OR EQUAL. THE SLUMP DEPTH (VERTICAL DISTANCE FROM THE BASE OF THE STRUCTURE TO OUTFALL INVERT OF THE PIPE) SHALL BE 18" MINIMUM.
  - BACKFILL AND BEDDING - STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BACKFILL AND CLASS "B" BEDDING IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS".

**LEGEND**

- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- STORM SEWER

**SHEET INDEX**

C-1.0	PAVEMENT ID & DIMENSIONED SITE PLAN
C-2.0	GRADING & EROSION CONTROL PLAN
C-3.0	NOTES & DETAILS



"THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. IF ADDITIONAL UTILITIES ARE KNOWN TO EXIST IN THE PROPERTY, THE OWNER WILL PROVIDE EXISTING PLANS OF OTHER UTILITIES SERVING THE SITE AND THE BUILDING THAT OTHERWISE CANNOT BE LOCATED BY A VISUAL OBSERVATION OF THE PROPERTY OR OF WHICH THE SURVEYOR WOULD HAVE NO KNOWLEDGE."

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4300 N. RICHMOND ST.  
 APPLETON, WI 54913

PROJECT:  
**CSW PLEASANT PRAIRIE**

PROJECT LOCATION:  
 VILLAGE OF PLEASANT PRAIRIE  
 KENOSHA COUNTY, WI

JSD PROJECT NO.: 12C5328

SEAL/SIGNATURE:

DESIGN BY:	DATE:
JJS	09-14-12
JJS	09-14-12
TAG	09-14-12

PLAN MODIFICATIONS:	DATE:

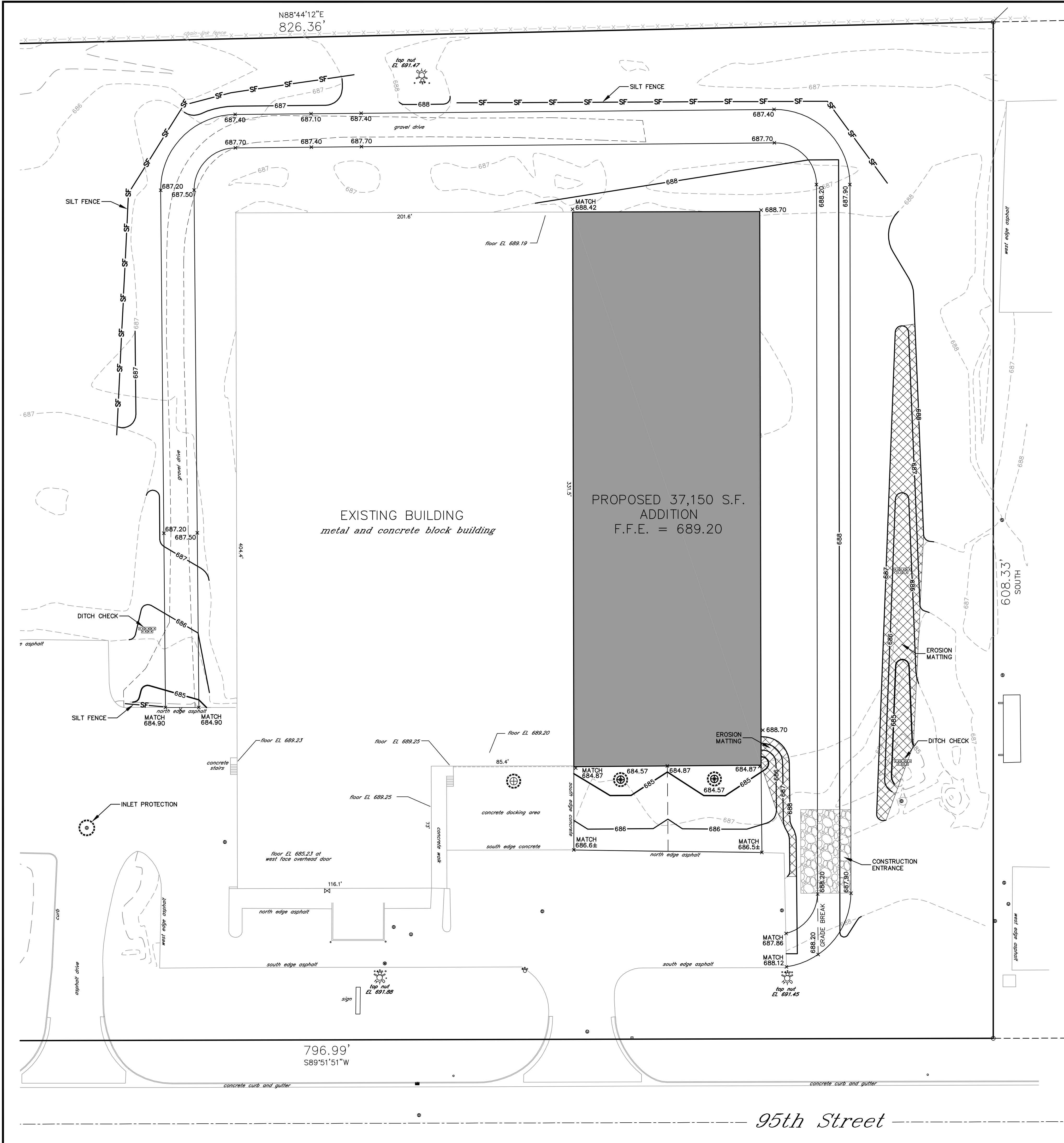
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SHEET TITLE:  
**PAVEMENT ID & DIMENSIONED SITE PLAN**

SHEET NUMBER:  
**C-1.0**

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**GENERAL GRADING NOTES:**

- CONTRACTOR SHALL VERIFY ALL GRADES, ENSURE ALL AREAS DRAIN PROPERLY, AND REPORT ANY DISCREPANCIES TO JSD PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.
- EXISTING CONDITIONS BASED ON SURVEY PERFORMED BY MARESCALCO COUNTYWIDE SURVEYING INC., DATED MAY 27, 2009. ALL EXISTING CONTOURS REPRESENT EXISTING SURFACE GRADES UNLESS OTHERWISE NOTED. ALL PROPOSED GRADES SHOWN ARE FINISH SURFACE GRADES UNLESS OTHERWISE NOTED.
- ALL EXCAVATIONS AND MATERIAL PLACEMENT SHALL BE COMPLETED TO DESIGN ELEVATIONS AS DEPICTED IN THE PLANS. CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPUTATION(S) OF ALL GRADING QUANTITIES. WHILE JSD ATTEMPTS TO PROVIDE A COST EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARD OF CARE, THEREFORE NO GUARANTEE CAN BE MADE FOR A BALANCED SITE. THE CONTRACTOR MAY SOLICIT APPROVAL FROM ENGINEER/OWNER TO ADJUST FINAL GRADES FROM DESIGN GRADES TO PROVIDE AN OVERALL SITE BALANCE AS A RESULT OF FIELD CONDITIONS.
- GRADING ACTIVITIES SHALL BE IN A MANNER TO ALLOW POSITIVE DRAINAGE ACROSS DISTURBED SOILS, WHICH MAY INCLUDE EXCAVATION OF TEMPORARY DITCHES TO PREVENT PONDING, AND IF NECESSARY PUMPING TO ALLEVIATE PONDING. CONTRACTOR SHALL PREVENT SURFACE WATER FROM ENTERING INTO EXCAVATIONS. IN NO WAY SHALL OWNER BE RESPONSIBLE FOR REMEDIATION OF UNSUITABLE SOILS CREATED/ORIGINATED AS A RESULT OF IMPROPER SITE GRADING OR SEQUENCING. CONTRACTOR SHALL SEQUENCE GRADING ACTIVITIES TO LIMIT EXPOSURE OF DISTURBED SOILS DUE TO WEATHER.
- THE SITE SHALL BE COMPLETED TO WITHIN 0.10-FT (+/-) OF THE PROPOSED GRADES AS INDICATED WITHIN THE PLANS PRIOR TO PLACEMENT OF TOPSOIL. CONTRACTOR IS ENCOURAGED TO SEQUENCE CONSTRUCTION SUCH THAT THE SITE IS DIVIDED INTO SMALLER AREAS TO ALLOW STABILIZATION OF DISTURBED SOILS IMMEDIATELY UPON COMPLETION OF INDIVIDUAL SMALLER AREAS.
- CONTRACTOR SHALL CONTACT "DIGGER'S HOTLINE" FOR LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES AND SHALL BE RESPONSIBLE FOR PROTECTING UTILITIES FROM ANY DAMAGE DURING CONSTRUCTION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO ANY EXISTING FACILITIES OR UTILITIES. ANY DAMAGE SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE EXPENSE OF THE CONTRACTOR.
- CONTRACTOR SHALL COMPLY WITH ALL VILLAGE AND/OR STATE CONSTRUCTION STANDARDS.

**CONSTRUCTION SITE SEQUENCING**

- INSTALL PERIMETER SILT FENCE, INLET PROTECTION IN EXISTING INLETS, AND TEMPORARY CONSTRUCTION ENTRANCE.
  - STRIP AND STOCKPILE TOPSOIL. INSTALL SILT FENCE AROUND PERIMETER OF STOCKPILE.
  - CONDUCT ROUGH GRADING EFFORTS AND INSTALL CHECK DAMS WITHIN DRAINAGE DITCHES AS NEEDED.
  - EXCAVATE FOR BUILDING FOOTINGS.
  - INSTALL UTILITY PIPING AND STRUCTURES, IMMEDIATELY INSTALL INLET PROTECTION.
  - COMPLETE FINAL GRADING, INSTALLATION OF GRAVEL BASE COURSES, AND PLACEMENT OF PAVEMENTS.
  - PLACE TOPSOIL AND IMMEDIATELY STABILIZE DISTURBED AREAS WITH EROSION CONTROLS.
  - EROSION CONTROLS SHALL NOT BE REMOVED UNTIL SITE IS FULLY STABILIZED OR 100% VEGETATIVE COVER IS ESTABLISHED.
- CONTRACTOR MAY MODIFY SEQUENCING AFTER ITEM 1 AS NEEDED TO COMPLETE CONSTRUCTION IF EROSION CONTROLS ARE MAINTAINED IN ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.

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SEAL/SIGNATURE:

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR AND SUBCONTRACTORS MUST CHECK ALL DETAIL AND DIMENSIONS OF THEIR TRADE AND BE RESPONSIBLE FOR THE SAME.

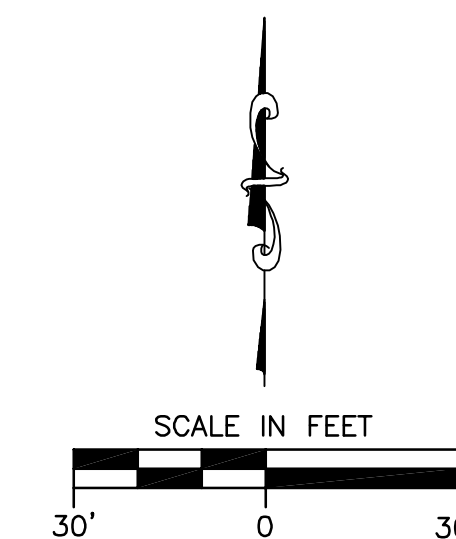
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SHEET TITLE:  
**GRADING & EROSION CONTROL PLAN**

SHEET NUMBER:  
**C-2.0**



- LEGEND**
- ⊕ PROPOSED CATCH BASIN
  - PROPOSED INLET PROTECTION
  - SF SILT FENCE (SEE DETAIL)
  - ST PROPOSED STORM SEWER
  - 686 PROPOSED 1' CONTOUR
  - 685 PROPOSED 5' CONTOUR
  - CONSTRUCTION ENTRANCE (SEE DETAIL)
  - EROSION MATTING
  - DITCH CHECK (STRAW BALES)

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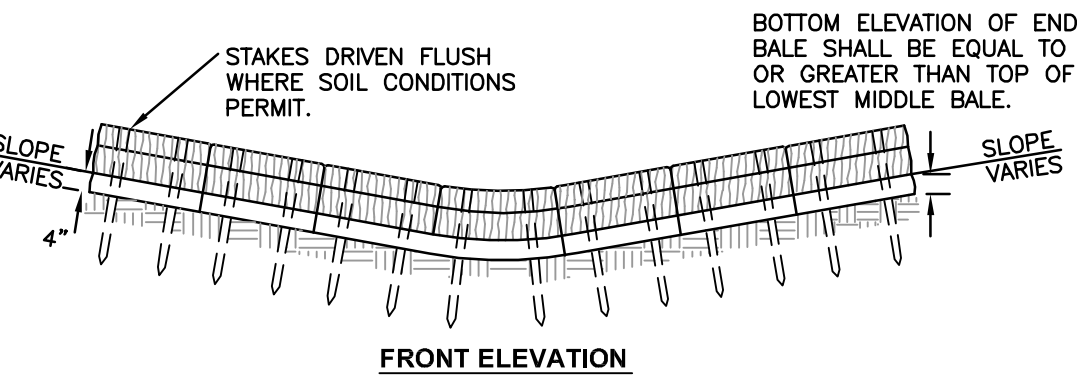
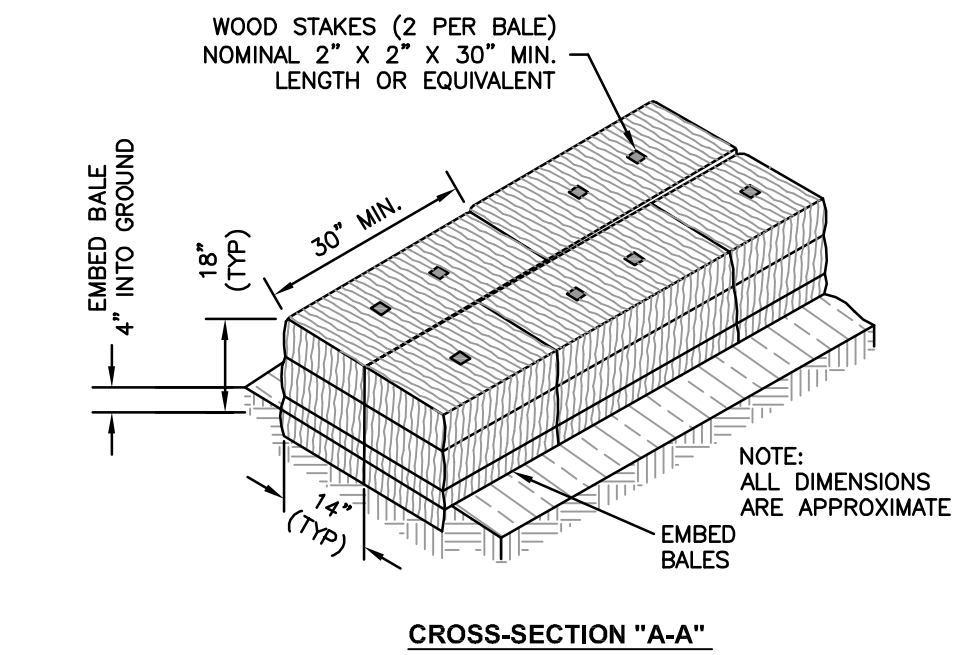
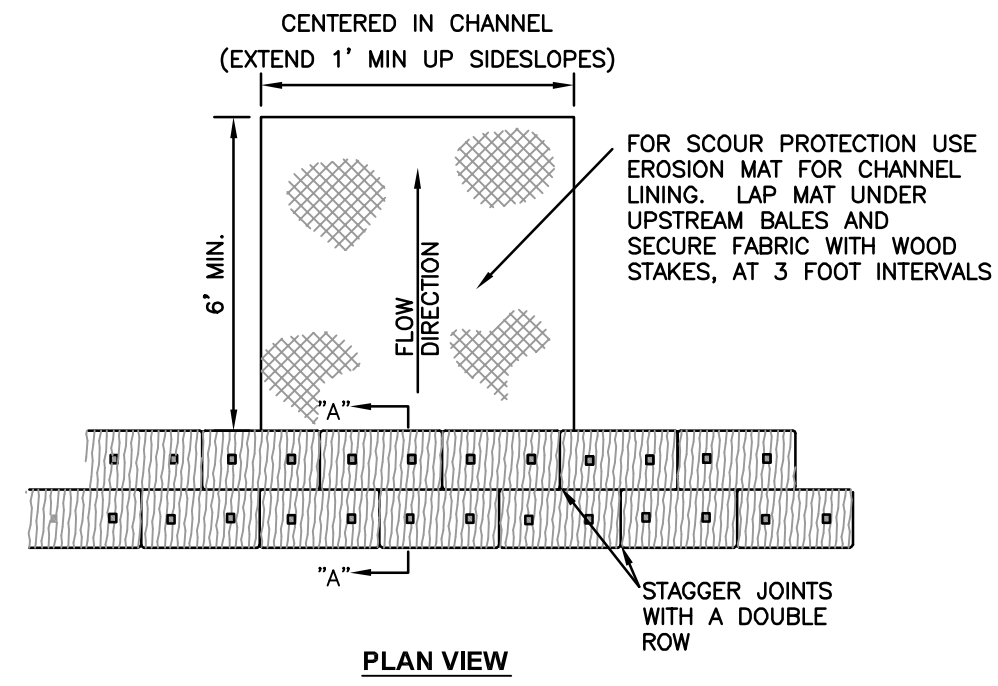


**GENERAL EROSION AND SEDIMENT CONTROL NOTES:**

- ALL CONSTRUCTION SHALL ADHERE TO THE REQUIREMENTS SET FORTH IN WISCONSIN'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER GENERAL PERMIT FOR CONSTRUCTION SITE LAND DISTURBANCE ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARDS (REFERRED TO AS BMP'S) AND VILLAGE OF PLEASANT PRAIRIE ORDINANCE. THESE PROCEDURES AND STANDARDS SHALL BE REFERRED TO AS BEST MANAGEMENT PRACTICES (BMP'S). IT IS THE RESPONSIBILITY OF ALL CONTRACTORS ASSOCIATED WITH THE PROJECT TO OBTAIN A COPY OF, AND UNDERSTAND, THE BMP'S PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
- THE EROSION CONTROL MEASURES INDICATED ON THE PLANS ARE THE MINIMUM REQUIREMENTS. ADDITIONAL CONTROL MEASURES AS DIRECTED BY JSD OR GOVERNING AGENCIES SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
- INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN IN ORDER TO PROTECT ADJACENT PROPERTIES/STORM SEWER SYSTEMS FROM SEDIMENT TRANSPORT.
- CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATION(S) WITH THE PROPER AUTHORITIES, PROVIDE NECESSARY FEES AND OBTAIN ALL REQUIRED APPROVALS OR PERMITS. ADDITIONAL CONSTRUCTION ENTRANCES OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE APPLICABLE GOVERNING AGENCIES PRIOR TO INSTALLATION.
- PAVED SURFACES ADJACENT TO CONSTRUCTION ENTRANCES SHALL BE SWEEP AND/OR SCRAPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST AFTER THE END OF EACH WORK DAY AND AS REQUESTED BY THE GOVERNING AGENCIES.
- ALL EXISTING STORM SEWER FACILITIES THAT WILL COLLECT RUNOFF FROM DISTURBED AREAS SHALL BE PROTECTED TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS. INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER AND SILT FENCE SHALL BE IMMEDIATELY FITTED AT ALL INSTALLED CULVERT INLETS. ALL INLETS, STRUCTURES, PIPES, AND SWALES SHALL BE KEPT CLEAN AND FREE OF SEDIMENTATION AND DEBRIS.
- EROSION CONTROL FOR UTILITY CONSTRUCTION OUTSIDE OF THE PERIMETER CONTROLS SHALL INCORPORATE THE FOLLOWING:
  - PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
  - BACKFILL, COMPACT AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
  - DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH BMP'S PRIOR TO RELEASE INTO STORM SEWER OR DITCHES.
- AT A MINIMUM, SEDIMENT TRAPS AND NECESSARY TEMPORARY DRAINAGE PROVISIONS SHALL BE CONSTRUCTED AND OPERATIONAL BEFORE BEGINNING OF SIGNIFICANT MASS GRADING OPERATIONS TO PREVENT OFFSITE DISCHARGE OF UNTREATED RUNOFF.
- ALL WATERCOURSES AND WETLANDS SHALL BE PROTECTED WITH SILT FENCE TO PREVENT ANY DIRECT DISCHARGE FROM DISTURBED SOILS.
- ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES MUST BE MAINTAINED AND REPAIRED AS NEEDED. THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR INSPECTION AND REPAIR DURING CONSTRUCTION. THE OWNER WILL BE RESPONSIBLE IF EROSION CONTROL IS REQUIRED AFTER THE CONTRACTOR HAS COMPLETED THE PROJECT.
- TOPSOIL STOCKPILES SHALL HAVE A BERM OR TRENCH AROUND THE CIRCUMFERENCE AND PERIMETER SILT FENCE TO CONTROL SILT. IF TOPSOIL STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IS REQUIRED.
- EROSION CONTROL MEASURES TEMPORARILY REMOVED FOR UNAVOIDABLE CONSTRUCTION ACTIVITIES SHALL BE IN WORKING ORDER PRIOR TO THE COMPLETION OF EACH WORK DAY.
- MAINTAIN SOIL EROSION CONTROL DEVICES THROUGH THE DURATION OF THIS PROJECT. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED. DISTURBANCES ASSOCIATED WITH EROSION CONTROL REMOVAL SHALL BE IMMEDIATELY STABILIZED.
- PUMPS MAY BE USED AS BYPASS DEVICES. IN NO CASE SHALL PUMPED WATER BE DIVERTED OUTSIDE THE PROJECT LIMITS.
- GRADING EFFORTS SHALL BE CONDUCTED IN SUCH A MANNER AS TO MINIMIZE EROSION. EROSION AND SEDIMENT CONTROL MEASURES SHALL CONSIDER THE TIME OF YEAR, SITE CONDITIONS, AND THE USE OF TEMPORARY OR PERMANENT MEASURES. ALL DISTURBED AREAS THAT WILL NOT BE WORKED FOR A PERIOD OF THIRTY (30) DAYS REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH TECHNICAL STANDARDS.
- ALL DISTURBED SLOPES EXCEEDING 4:1 YET LESS THAN 3:1, SHALL BE STABILIZED WITH NORTH AMERICAN GREEN S75BN EROSION MATTING (OR APPROVED EQUIV.). ALL CHANNELS SHALL BE STABILIZED WITH NORTH AMERICAN GREEN C125BN (OR APPROVED EQUIV.) OR APPLICATION OF AN APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED. EROSION MATTING AND/OR NETTING USED ONSITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
- DURING PERIODS OF EXTENDED DRY WEATHER, THE CONTRACTOR SHALL KEEP A WATER TRUCK ON SITE FOR THE PURPOSE OF WATERING DOWN SOILS WHICH MAY OTHERWISE BECOME AIRBORNE. THE CONTRACTOR IS RESPONSIBLE FOR CONTROLLING WIND EROSION (DUST) DURING CONSTRUCTION AT HIS/HER EXPENSE.
- DISTURBED AREAS AND AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION SHALL BE VISUALLY INSPECTED FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE DRAINAGE SYSTEM ON A DAILY BASIS.
- QUALIFIED PERSONNEL (PROVIDED BY THE GENERAL/PRIME CONTRACTOR) SHALL INSPECT DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED AND EROSION AND SEDIMENT CONTROLS WITHIN 24 HOURS OF ALL 0.5-INCH, OR MORE, PRECIPITATION EVENTS WITH A MINIMUM INSPECTION INTERVAL OF ONCE EVERY SEVEN (7) CALENDAR DAYS IN THE ABSENCE OF A QUALIFYING RAIN OR SNOWFALL EVENT. REPORTING SHALL BE IN ACCORDANCE WITH PART IV D.4. (a)-(1). OF THE NPDES GENERAL PERMIT. CONTRACTOR SHALL IMMEDIATELY ARRANGE TO HAVE ANY DEFICIENT ITEMS REVEALED DURING INSPECTIONS REPAIRED/REPLACED.
- THE FOLLOWING MAINTENANCE PRACTICES SHALL BE USED TO MAINTAIN, IN GOOD AND EFFECTIVE OPERATING CONDITIONS, VEGETATION, EROSION AND SEDIMENT CONTROL MEASURES, AND OTHER PROTECTIVE MEASURES IDENTIFIED IN THIS PLAN. UPON IDENTIFICATION, DEFICIENCIES IN STORMWATER CONTROLS SHALL BE ADDRESSED IMMEDIATELY. THE MAINTENANCE PROCEDURES FOR THIS DEVELOPMENT SHALL INCLUDE, BUT NOT BE LIMITED TO THE BELOW.
  - SILT FENCE** - REPAIR OR REPLACE ANY DAMAGED FILTER FABRIC AND/OR STAKES. REMOVE ACCUMULATED SEDIMENT WHEN IT HAS REACHED ONE-HALF THE ABOVE GROUND HEIGHT OF THE FENCE.
  - CONSTRUCTION ENTRANCE** - AS NEEDED, ADD STONE TO MAINTAIN CONSTRUCTION ENTRANCE DIMENSIONS AND EFFECTIVENESS.
  - DITCH CHECK (STRAW BALES)** - RE-SECURE STAKES; ADJUST OR REPOSITION BALES TO ADDRESS PROPER FLOW OF STORMWATER; AND REMOVE ACCUMULATED SEDIMENT WHEN IT HAS REACHED ONE-HALF THE HEIGHT OF THE BALE.
  - EROSION CONTROL MATTING** - REPAIR MATTING IMMEDIATELY IF INSPECTION REVEALS BREACHED OR FAILED CONDITIONS. REPAIR AND RE-GRADE SOIL WHERE CHANNELIZATION HAS OCCURRED.
  - DIVERSION BERM/SWALE** - REPLACE OR RE-COMPACT THE CONSTRUCTION MATERIALS AS NECESSARY.
  - SEDIMENT TRAP** - REMOVE AND DISPOSE OF THE ACCUMULATED SEDIMENT WHEN IT HAS REACHED THE SEDIMENT STORAGE ELEVATION.
  - INLET PROTECTION** - CLEAN, REPAIR OR REPLACE FILTER FABRIC AND/OR STONE WHEN CONTROL MEASURE IS CLOGGED. INLET FILTER BAGS SHALL BE REPLACED ONCE ONE-HALF FULL OF SEDIMENT.

ADDITIONAL POLLUTANT CONTROL MEASURES TO BE IMPLEMENTED DURING CONSTRUCTION ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING.

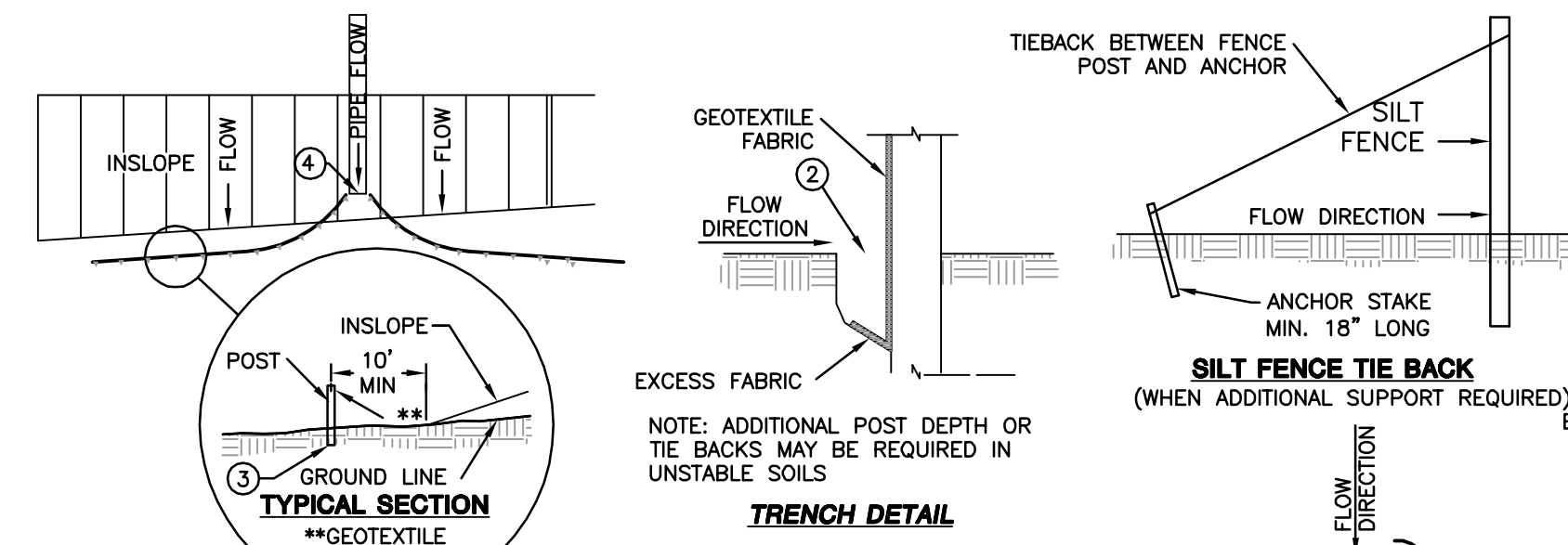
- CONSTRUCTION WASTE** SHALL BE PROPERLY DISPOSED OF. THIS INCLUDES ALL CONSTRUCTION SITE WASTE MATERIAL, SANITARY WASTE, AND WASTE FROM VEHICLE TRACKING OF SEDIMENTS. THE CONTRACTOR SHALL ENSURE THAT NO MATERIAL WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURIED, DUMPED, BURNED, OR DISCHARGED TO THE WATERS OF THE STATE. VEHICLES HAULING MATERIAL AWAY FROM THE SITE SHALL BE COVERED WITH A TARPULIN TO PREVENT BLOWING DEBRIS.
- DUST CONTROL** SHALL BE ACCOMPLISHED BY ONE OR MORE OF THE FOLLOWING METHODS:
  - COVERING SOIL OR MORE OF THE SOIL SURFACE WITH A NON-ERODIBLE MATERIAL.
  - ROUGHENING THE SOIL TO PRODUCE RIDGES PERPENDICULAR TO THE PREVAILING WIND. RIDGES SHALL BE AT LEAST SIX (6) INCHES IN HEIGHT.
  - FREQUENT WATERING OF EXCAVATION AND FILL AREAS.
  - PROVIDING GRAVEL OR PAVING AT ENTRANCE/EXIT DRIVES, PARKING AREAS AND TRANSIT PATHS.
- STREET SWEEPING** SHALL BE PERFORMED TO IMMEDIATELY REMOVE ANY SEDIMENT TRACKED ON PAVEMENTS.



- GENERAL NOTES:**
- INSTALLED, THE MINIMUM HEIGHT OF DITCH CHECKS SHALL BE 10-INCHES AND SHALL NOT EXCEED A MAXIMUM HEIGHT OF 16-INCHES FOR MANUFACTURED OR BIODEGRADABLE MATERIALS.
  - DITCH CHECKS MUST BE INSTALLED WITH THE CENTER LOWER THAN THE SIDES FORMING A WEIR.
  - AT A MINIMUM, INSTALL ONE DITCH CHECK FOR EVERY TWO-FOOT OF DROP IN THE CHANNEL.
  - DITCH CHECK SHALL, AT A MINIMUM, BE INSPECTED WEEKLY AND WITHIN 24-HOURS AFTER EVERY PRECIPITATION EVENT THAT PRODUCES 0.5-INCHES OF RAIN OR MORE DURING A 24-HOUR PERIOD.
  - SEDIMENT DEPOSITS SHALL BE REMOVED WHEN DEPOSITS REACH HALF OF THE HEIGHT OF THE LOWEST BALE.
  - DITCH CHECKS SHALL BE UTILIZED DURING ROUGH GRADING AND SHALL BE REMOVED ONCE FINAL GRADING AND CHANNEL STABILIZATION IS APPLIED.
  - DITCH CHECK CONSTRUCTION AND MAINTENANCE SHALL BE IN ACCORDANCE WITH WDNR TECHNICAL STANDARD (1062). EROSION MATTING SCOUR PROTECTION SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH WDNR TECHNICAL STANDARD (1053).

**DITCH CHECK (STRAW BALES)**

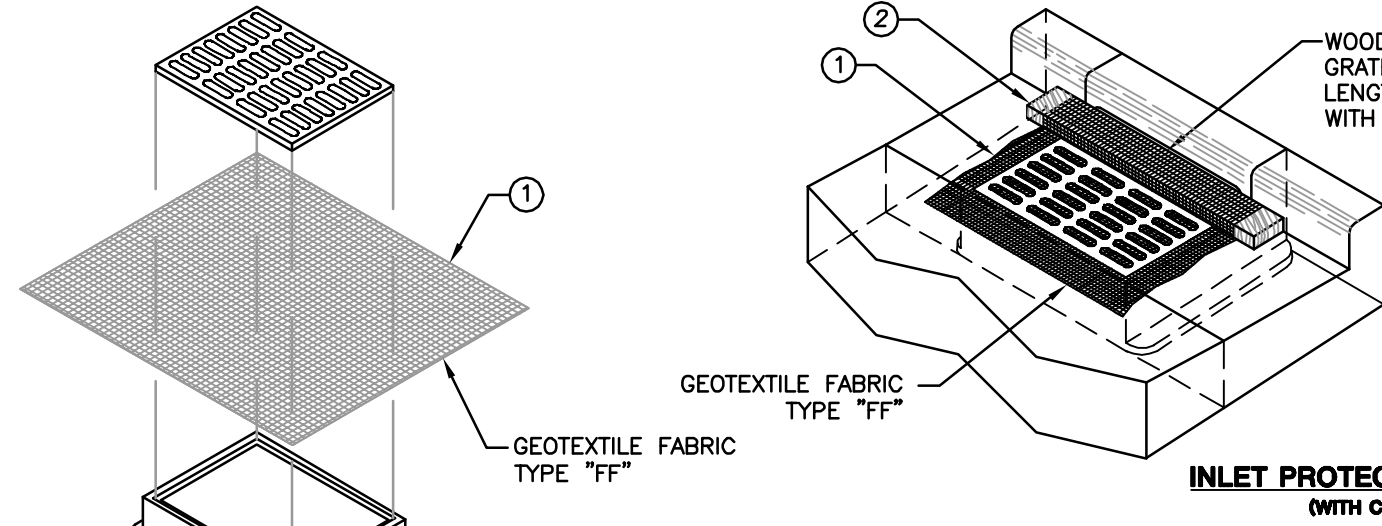
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**SILT FENCE ALONG SLOPES & OUTFALLS**

**GENERAL NOTES**

- SILT FENCE SHALL BE ANCHORED BY SPREADING AT LEAST 8-INCHES OF FABRIC IN A 4-INCH WIDE AND 6-INCH DEEP TRENCH OR 6-INCH DEEP V-TRENCH ON THE UPSLOPE SIDE OF THE FENCE. TRENCHES SHALL NOT BE EXCAVATED WIDER OR DEEPER THAN NECESSARY FOR PROPER INSTALLATION.
- FOLD MATERIAL TO FIT TRENCH AND BACKFILL AND COMPACT TRENCH WITH EXCAVATED SOIL.
- WOOD POSTS SHALL BE A MINIMUM SIZE OF 1.125-INCHES x 1.125-INCHES OF DRIED OAK OR HICKORY.
- SILT FENCE TO EXTEND ABOVE THE TOP OF PIPE.
- SILT FENCE CONSTRUCTION AND GEOTEXTILE FABRIC SHALL CONFORM TO WDNR TECHNICAL STANDARD 1056.
- POST SPACING SHALL BE SELECTED BASED ON GEOTEXTILE FABRIC (6- FEET FOR WOVEN & 3- FEET FOR NON-WOVEN)



**INLET PROTECTION - TYPE 'B'**

(WITHOUT CURB BOX)

**TYPE 'B' INSTALLATION NOTES**

TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3 INCHES OF THE GRATE.

THE CONTRACTOR SHALL DEMONSTRATE A METHOD OF MAINTENANCE, USING A SEWN FLAP, HAND HOLDS OR OTHER METHODS TO PREVENT ACCUMULATED SEDIMENT FROM ENTERING THE INLET.

**INLET PROTECTION**

N.T.S.

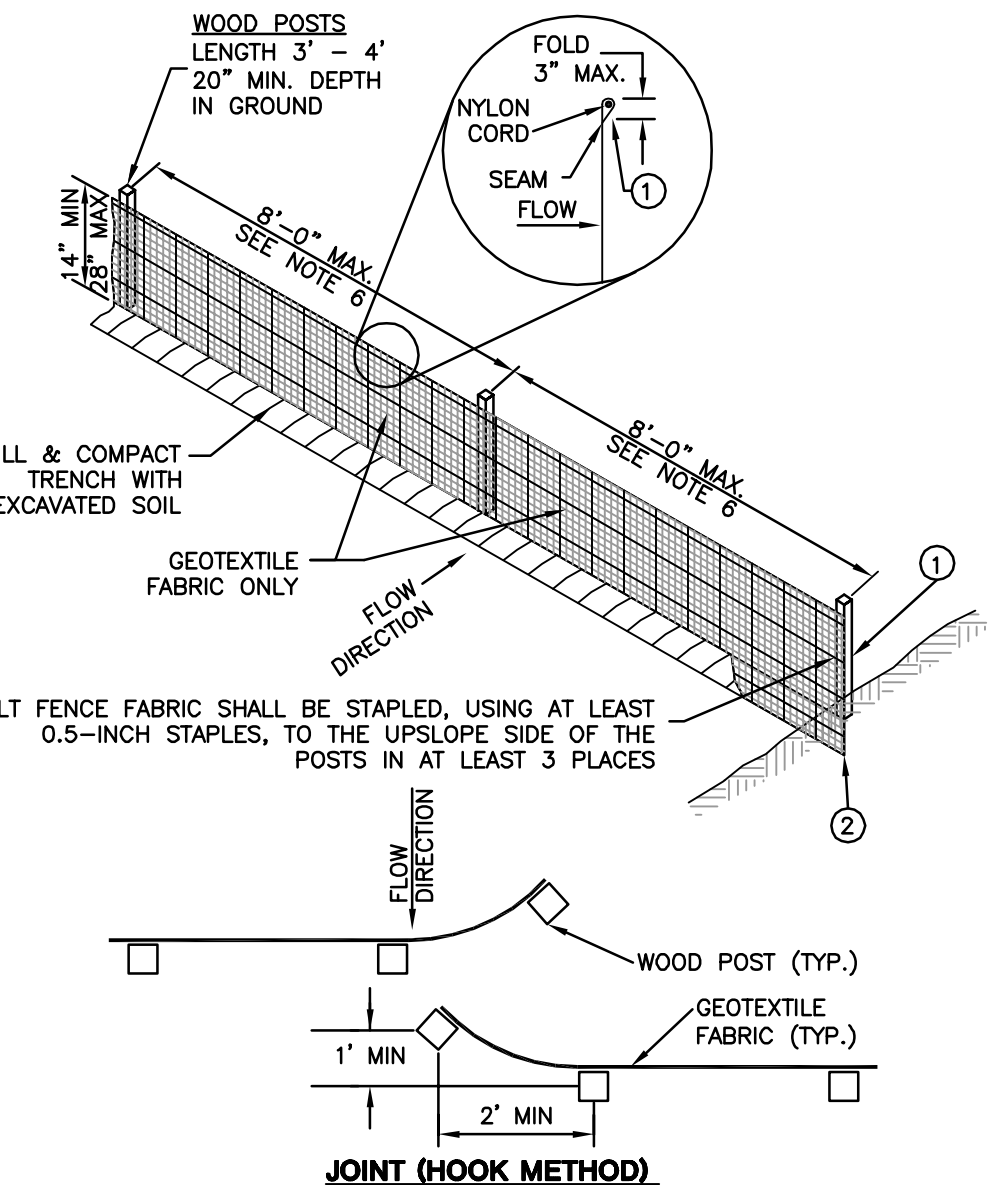
**GENERAL NOTES**

- TYPE 'FF' GEOTEXTILE FABRIC INLET PROTECTION SHALL BE SELECTED FROM THE WISCONSIN DEPARTMENT OF TRANSPORTATION'S PRODUCT ACCEPTABILITY (PAL) LIST. FABRIC INLET PROTECTION AND MANUFACTURED ALTERNATIVES SHALL BE IN COMPLIANCE WITH WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARD 1050.
- WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT THE SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

① FINISHED SIZE, INCLUDING FLAP POCKET WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10 INCHES AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.

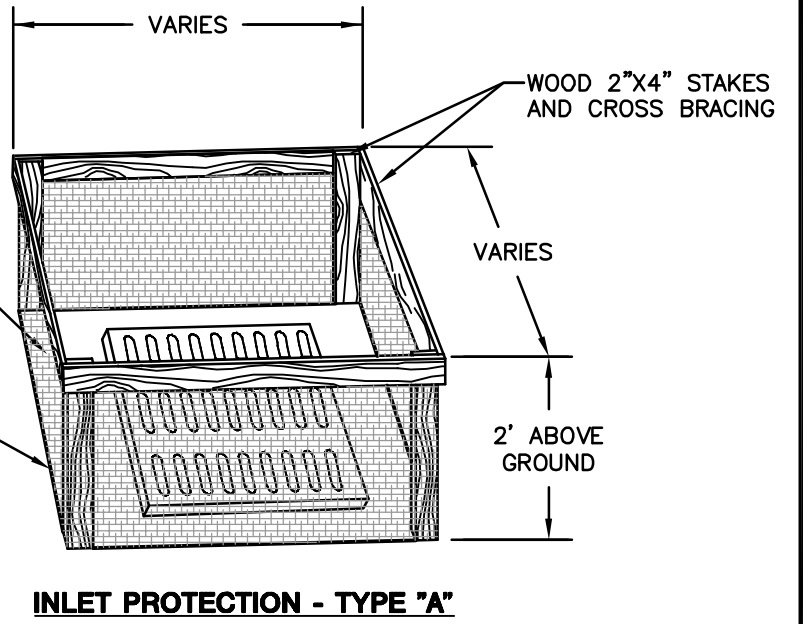
② FOR INLET PROTECTION, TYPE 'C' (WITH CURB BOX), AN ADDITIONAL 18 INCHES OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING.

③ FOLD MATERIAL TO FIT TRENCH AND BACKFILL AND COMPACT TRENCH WITH EXCAVATED SOIL.

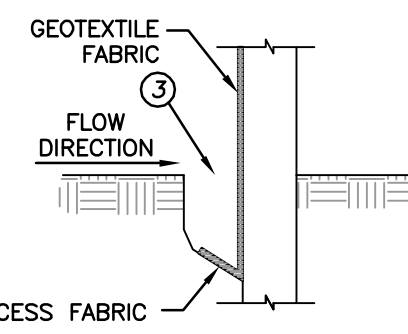


**SILT FENCE DETAIL**

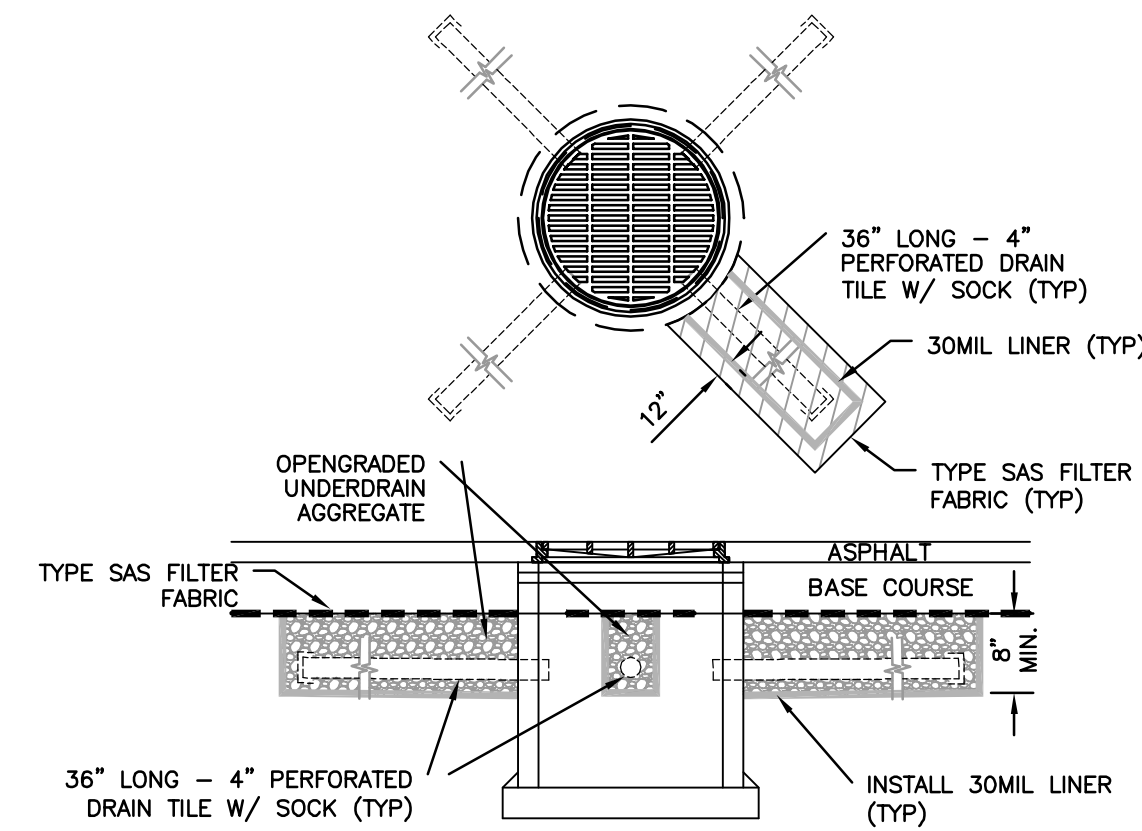
N.T.S.



**INLET PROTECTION - TYPE 'A'**



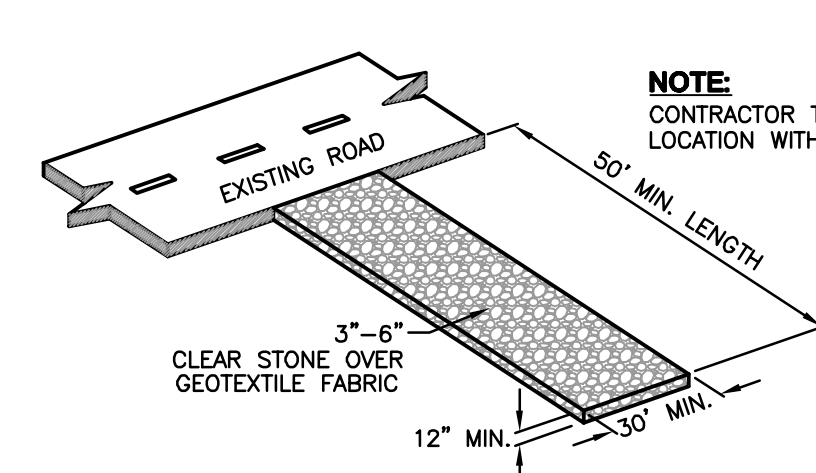
**TRENCH DETAIL**



**CATCH BASIN UNDERDRAIN DETAIL**

N.T.S.

- NOTES:**
- UNDERDRAINS SHALL BE INSTALLED ON ALL INLET/CATCH BASINS LOCATED WITHIN IMPERVIOUS PAVEMENTS.
  - UNDERDRAIN CONNECTIONS SHALL BE CORED ONSITE OR PRECAST.
  - UNDERDRAIN VERTICAL LOCATION MAY VARY DEPENDING ON STORM SEWER PIPE LOCATION.
  - ALTERNATIVE DESIGN MAY BE SUBSTITUTED IF SHOP DRAWINGS ARE SUBMITTED AND APPROVED BY JSD AND VILLAGE OF PLEASANT PRAIRIE.



**GENERAL NOTES**

- TRACKING PADS SHALL BE INSTALLED PRIOR TO ANY TRAFFIC LEAVING THE SITE.
- THE AGGREGATE FOR TRACKING PADS SHALL BE 3 TO 6-INCH CLEAR OR WASHED STONE. ALL MATERIAL TO BE RETAINED ON A 3-INCH SIEVE.
- THE AGGREGATE SHALL BE PLACED IN A LAYER AT LEAST 12-INCHES THICK. ON SITES WHERE SATURATED CONDITIONS ARE EXPECTED DURING THE LIFE OF THE PAD, THE PAD SHALL BE UNDERLAIN WITH WISDOT TYPE 'R' GEOTEXTILE FABRIC TO PREVENT MIGRATION OF UNDERLYING SOILS INTO THE STONE LAYER.
- THE TRACKING PAD SHALL BE THE FULL WIDTH OF THE EGRESS POINT. THE TRACKING PAD SHALL BE A MINIMUM 50- FEET LONG.
- ANY SEDIMENT TRACKED ONTO A PUBLIC OR PRIVATE ROAD SHOULD BE REMOVED BY STREET CLEANING, NOT FLUSHING, AT THE END OF EACH WORKING DAY.
- TRACKING PADS SHALL, AT A MINIMUM, BE INSPECTED WEEKLY AND WITHIN 24-HOURS AFTER EVERY PRECIPITATION EVENT THAT PRODUCES 0.5-INCHES OF RAIN OR MORE DURING A 24-HOUR PERIOD.
- THE TRACKING PAD PERFORMANCE SHALL BE MAINTAINED BY SCRAPING OR TOP-DRESSING WITH ADDITIONAL AGGREGATE.

**CONSTRUCTION ENTRANCE**

N.T.S.

"BUILDING RELATIONSHIPS WITH A COMMITMENT TO CLIENT SATISFACTION THROUGH TRUST, QUALITY AND EXPERIENCE"

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MILWAUKEE REGIONAL OFFICE  
N22 W22891 NANCY'S COURT SUITE 3  
WALKESHA, WISCONSIN 53186  
262.513.0666 PHONE | 262.513.1232 FAX

MADISON | MILWAUKEE  
KENOSHA | APPLETON

www.jsdinc.com

SERVICES PROVIDED TO:

**CONSOLIDATED CONSTRUCTION**

4300 N. RICHMOND ST.  
APPLETON, WI 54913

PROJECT:

CSW  
PLEASANT PRAIRIE

PROJECT LOCATION:

VILLAGE OF PLEASANT PRAIRIE  
KENOSHA COUNTY, WI

JSD PROJECT NO.:

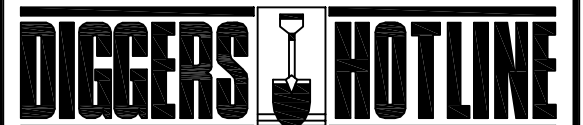
12C5328

SEAL/SIGNATURE:

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR AND SUBCONTRACTORS MUST CHECK ALL DETAIL AND DIMENSIONS OF THEIR TRADE AND BE RESPONSIBLE FOR THE SAME.

DESIGN BY: JJS 09-14-12  
DRAWN BY: JJS 09-14-12  
CHECKED BY: TAG 09-14-12

PLAN MODIFICATIONS:	DATE:



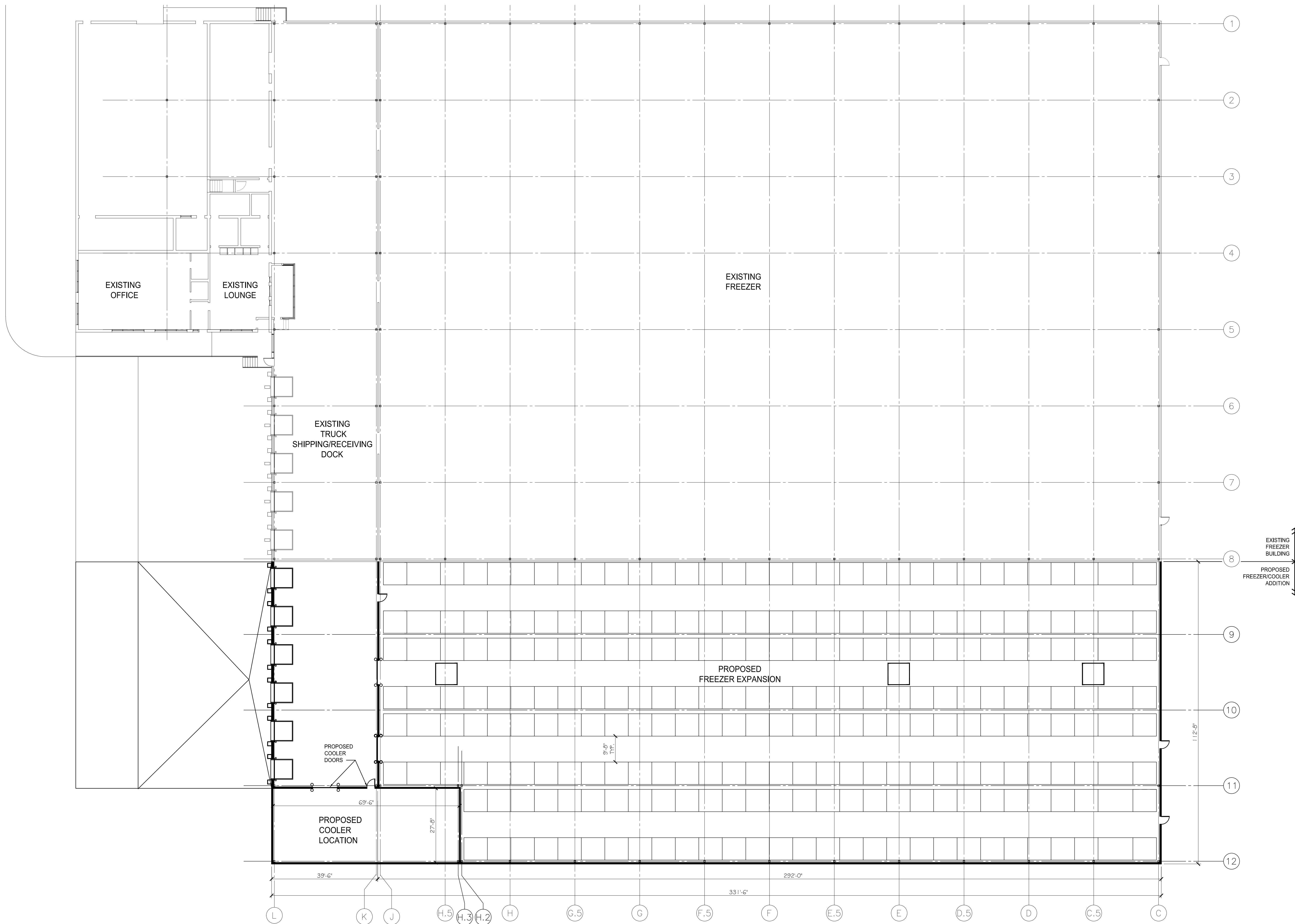
Call 811 or (800) 242-8511  
Milwaukee Area (262) 432-7910  
Hearing Impaired TDD (800) 542-2289  
www.DiggersHotline.com

SHEET TITLE:

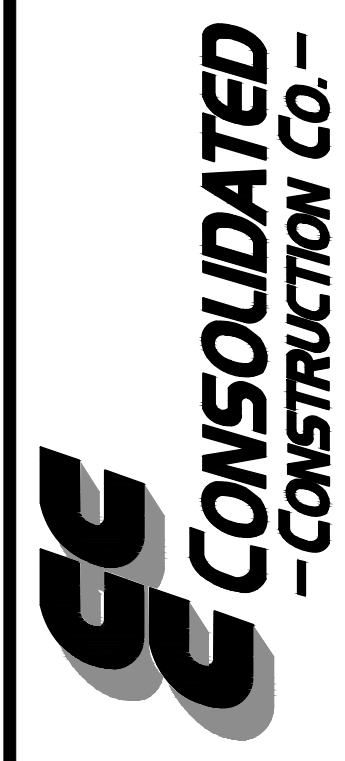
NOTES &  
DETAILS

SHEET NUMBER:

C-3.0



4300 N. Richmond Street  
 Appleton, WI 54913-9704  
 Phone: 920-739-3555  
 Toll Free: 800-642-6774  
 Fax: 920-739-3933  
 www.consolidated-const.com  
 cccmc@consolidated-const.com

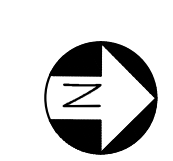


Proposed Addition for:  
**Central Storage & Warehouse Co.**  
 PLEASANT PRAIRIE, WISCONSIN

Description:	XXXXXXXXXXXX
Date:	X-X-XXXX

Project #:	0166
Drawn By:	jet
Issue Date:	9-13-2012
Issue #	1

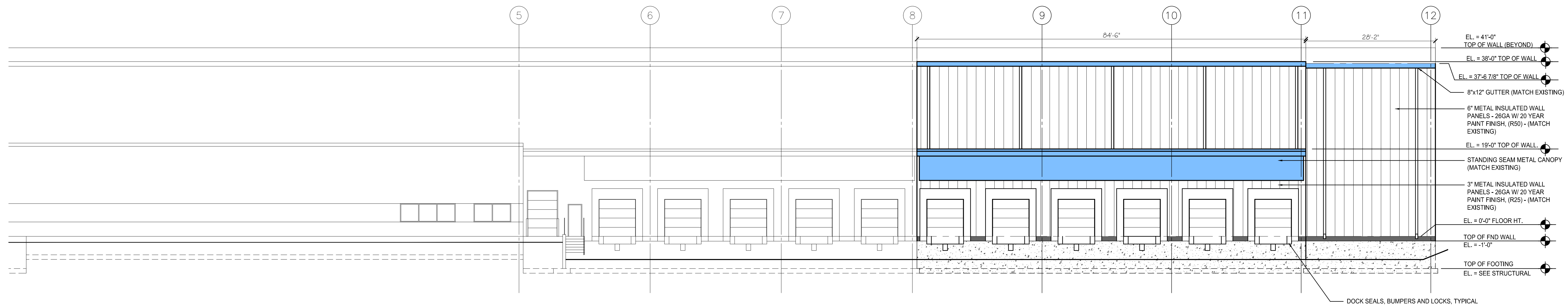
**A101**  
 FLOOR PLAN



**FLOOR PLAN**

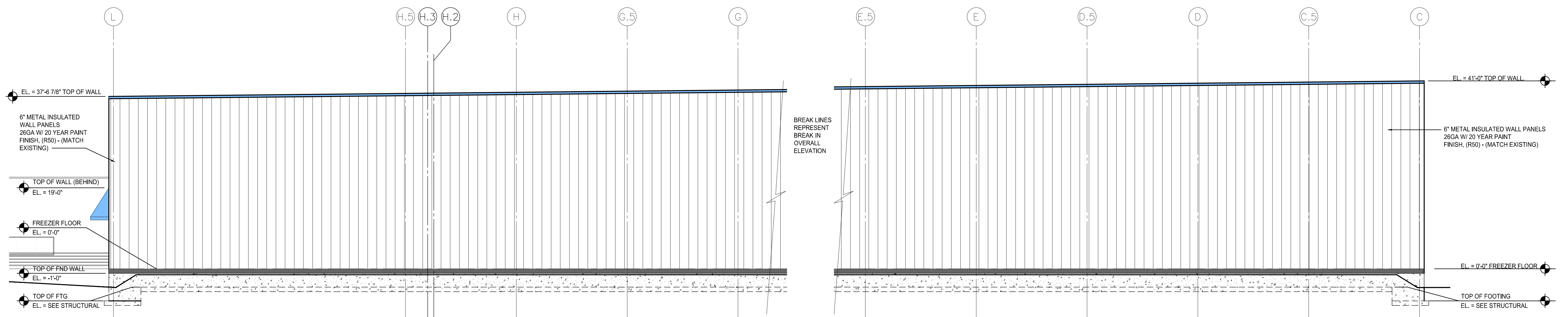
SCALE: 1/16" = 1'-0"

**PRELIMINARY**  
 NOT FOR CONSTRUCTION



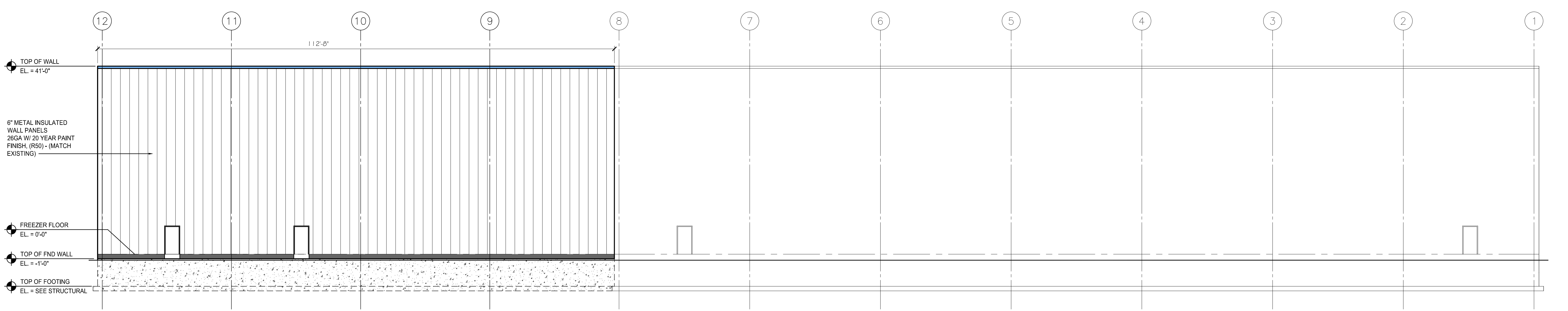
SOUTH (FRONT) ELEVATION

SCALE: 3/32" = 1'-0"



EAST (SIDE) ELEVATION

SCALE: 3/32" = 1'-0"

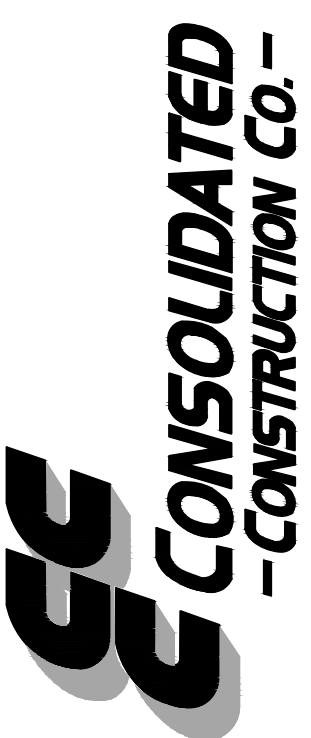


NORTH (BACK) ELEVATION

SCALE: 3/32" = 1'-0"

**PRELIMINARY**  
NOT FOR CONSTRUCTION

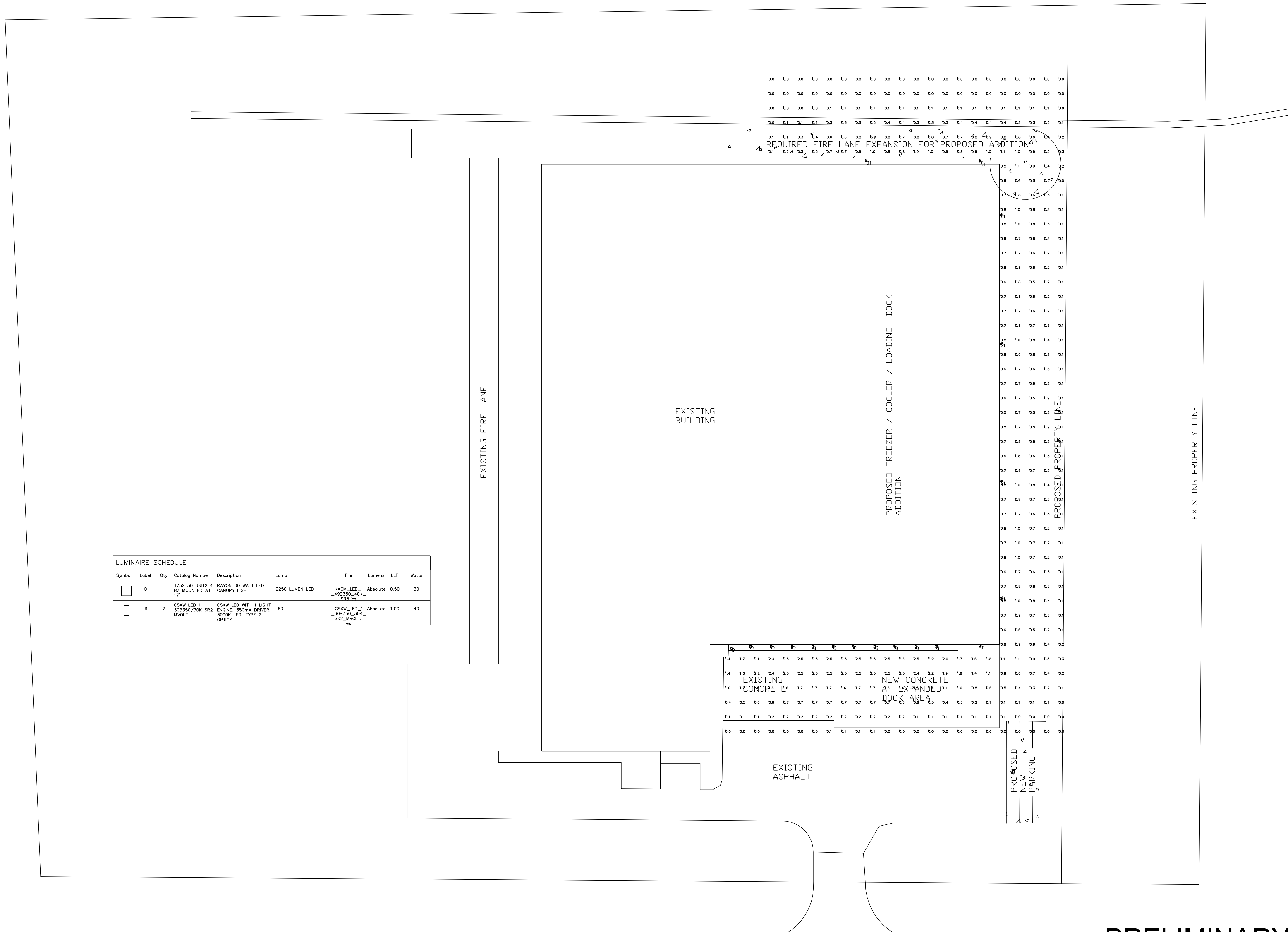
4300 N. Richmond Street  
Appleton, WI 54913-9704  
Phone: 920-739-3555  
Toll Free: 800-642-6774  
Fax: 920-739-3933  
www.consolidated-const.com  
ccmc@consolidated-const.com



Proposed Addition for:  
**Central Storage & Warehouse Co.**  
PLEASANT PRAIRIE, WISCONSIN

Description:	XXXXXXXXXXXX
Date:	X-X-XXXX
Project #:	0166
Drawn By:	jet
Issue Date:	9-13-2012
Issue #	1

**A201**  
ELEVATIONS



LUMINAIRE SCHEDULE							
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens LLF Watts
□	Q	11	1752_30 UN12 4 BZ MOUNTED AT 17'	RAYON 30 WATT LED CANOPY LIGHT	2250 LUMEN LED	KACM_LED_1_498350_40K_SR2.ies	Absolute 0.50 30
□	J1	7	CSXW LED 1 308350/30K SR2 MVOLT	CSXW LED WITH 1 LIGHT ENGINE, 350mA DRIVER, 3000K LED, TYPE 2 OPTICS	LED	CSXW_LED_1_308350_30K_SR2_MVOLT.1.es	Absolute 1.00 40

**PRELIMINARY**  
NOT FOR CONSTRUCTION

4300 N. Richmond Street  
Appleton, WI. 54913-9704  
Phone: 920-739-3555  
Toll Free: 800-642-6774  
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cccmc@consolidated-const.com



Proposed Addition for:  
**Central Storage & Warehouse Co.**  
PLEASANT PRAIRIE, WISCONSIN

Description:	XXXXXXXXXXXX
Date:	X-X-XXXX

Project #:	0166
Drawn By:	jet
Issue Date:	9-13-2012
Issue #	1

L101  
FLOOR PLAN

- K. Consider the **discontinuance of a portion of 115<sup>th</sup> Street** within the Kings Cove Subdivision.

**Recommendation:**

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **discontinuance** of a portion of 115<sup>th</sup> Street within the Kings Cove Subdivision subject to the comments and conditions of the Village Staff Report of October 8, 2012.

## VILLAGE STAFF REPORT OF OCTOBER 8, 2012

Consider the **discontinuance of a portion of 115<sup>th</sup> Street** within the Kings Cove Subdivision.

*On September 4, 2012 the Village Board approved Resolution #12-29 to initiate the discontinuance of a portion of 115<sup>th</sup> Street right-of-way west of 18<sup>th</sup> Avenue, which has been designated as a public right-of-way on the Final Plat of the Kings Cove Subdivision.*

This portion of 115<sup>th</sup> Street roadway was never constructed as a part of the development of the Kings Cove Subdivision and it has been determined through a recent floodplain study that the land within and adjacent to this 115<sup>th</sup> Street right-of-way is located within the 100-year floodplain. In addition, municipal sanitary sewer, water and storm sewer infrastructure were never constructed in said right-of-way.

Based on the environmental floodplain restrictions on the land within and adjacent to the platted 115<sup>th</sup> Street right-of-way, it is unlikely that further development would not occur west of the 115<sup>th</sup> Street right-of-way as originally anticipated.

On September 17, 2012 all required property owners were notified via regular mail; and the required Class 3 notice was published in the Kenosha News on September 24, October 1 and October 8, 2012 to notify the public of the Public Hearing being held by the Village Board on October 15, 2012.

The land on both sides of the proposed street discontinuance is owned by Banks of Wisconsin. Therefore, upon vacation of this portion of 115<sup>th</sup> Street the land will be transferred to the Banks of Wisconsin.

### **Recommendations:**

Village staff recommends that the Village Board approve the **discontinuance** of a portion of 115<sup>th</sup> Street west of 18<sup>th</sup> Avenue within the Kings Cove Subdivision as presented.



Nielsen Madsen & Barber S.C.  
Civil Engineers and Land Surveyors

September 5, 2012

Ms. Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 - 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

Re: 115<sup>th</sup> Street  
Right-of-way Vacation Request  
King's Cove Subdivision

Dear Jean:

Please be advised that Banks of Wisconsin, the owner of Lots 3, 4, and 5 of King's Cove Subdivision, is requesting to vacate that portion of 115<sup>th</sup> Street that lies West of 18<sup>th</sup> Avenue in order to expand the area of the lots and elevate them to a point at least 2 feet above the newly delineated Tobin Creek floodplain.

Should you have any questions pertaining to this right-of-way vacation, please contact our office.

Very truly yours,

Mark D. Eberle, P.E.

MDE/kmw  
Enclosure

File: 2011 Docs/2011.0079.01/Correspondence/King's Cove ROW Vacation Request

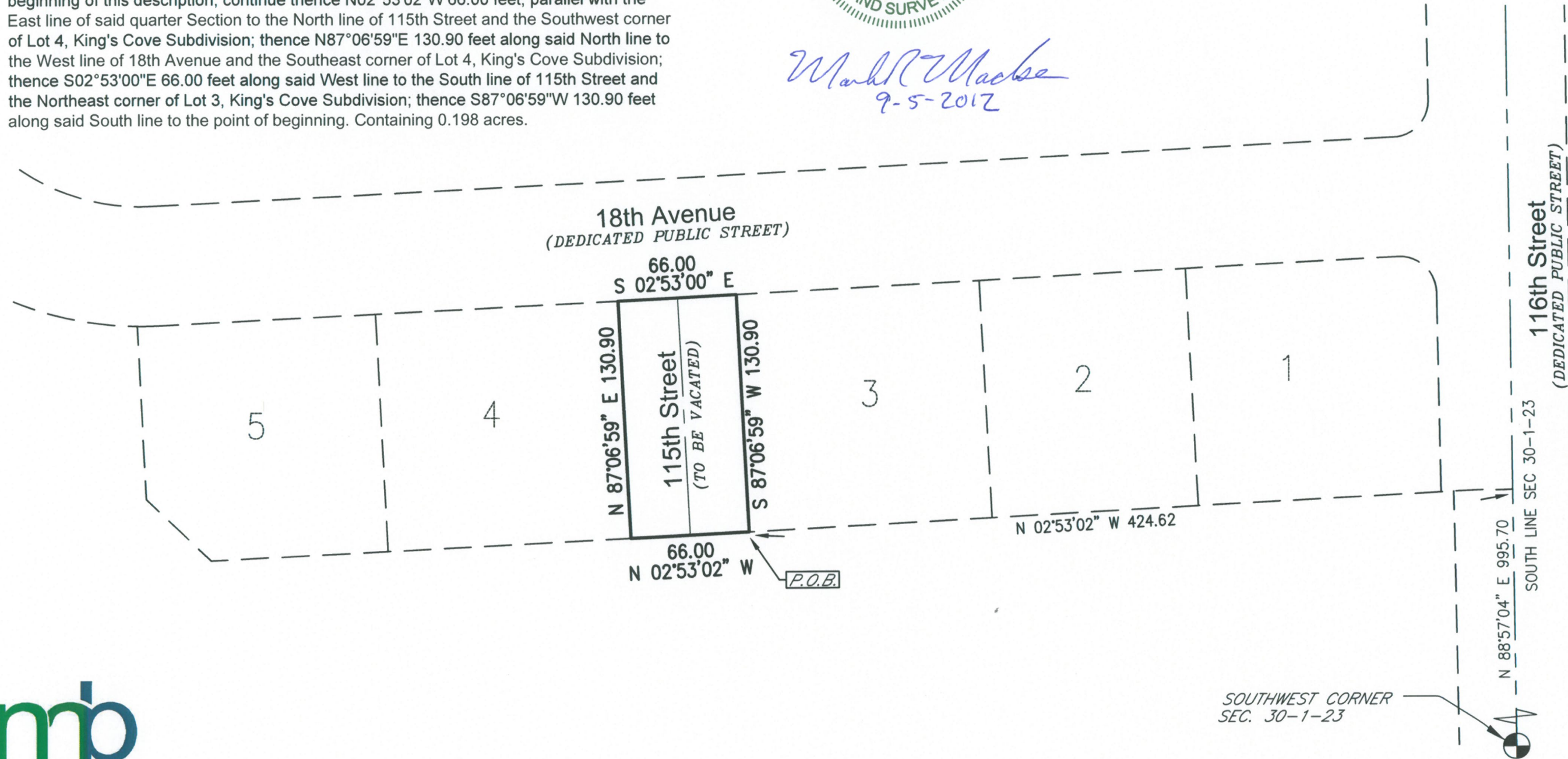


VACATION OF 115th STREET "KING'S COVE SUBDIVISION"

That part of the Southwest ¼ of the Southwest ¼ of Section 30, Township 1 North, Range 23 East in the Village of Pleasant Prairie, Kenosha County, Wisconsin, described as follows: Commence at a point on the South line of said Section 30 located N88°57'04"E 995.70 feet East of the Southwest corner of said ¼ Section; thence N02°53'02"W 424.62 feet, parallel with the East line of said quarter Section to the South line of 115th Street and the Northwest corner of Lot 3, King's Cove Subdivision, a recorded plat and the point of beginning of this description; continue thence N02°53'02"W 66.00 feet, parallel with the East line of said quarter Section to the North line of 115th Street and the Southwest corner of Lot 4, King's Cove Subdivision; thence N87°06'59"E 130.90 feet along said North line to the West line of 18th Avenue and the Southeast corner of Lot 4, King's Cove Subdivision; thence S02°53'00"E 66.00 feet along said West line to the South line of 115th Street and the Northeast corner of Lot 3, King's Cove Subdivision; thence S87°06'59"W 130.90 feet along said South line to the point of beginning. Containing 0.198 acres.



*Mark R. Madsen*  
9-5-2012



**Nielsen Madsen & Barber S.C.**  
Civil Engineers and Land Surveyors

1458 Horizon Blvd. Suite 200, Racine, Wisconsin 53406  
Phone (262) 634-5588 \* Facsimile (262) 634-5024 \* Website www.nmbc.net

SOUTHWEST CORNER  
SEC. 30-1-23

Scale: 1" = 60'  
Drawn By: SCB  
DATE: 4-6-2012  
2011.0079.01

115th Street Vacation Exhibit  
**KING'S COVE SUBDIVISION**  
Village of Pleasant Prairie, Wisconsin



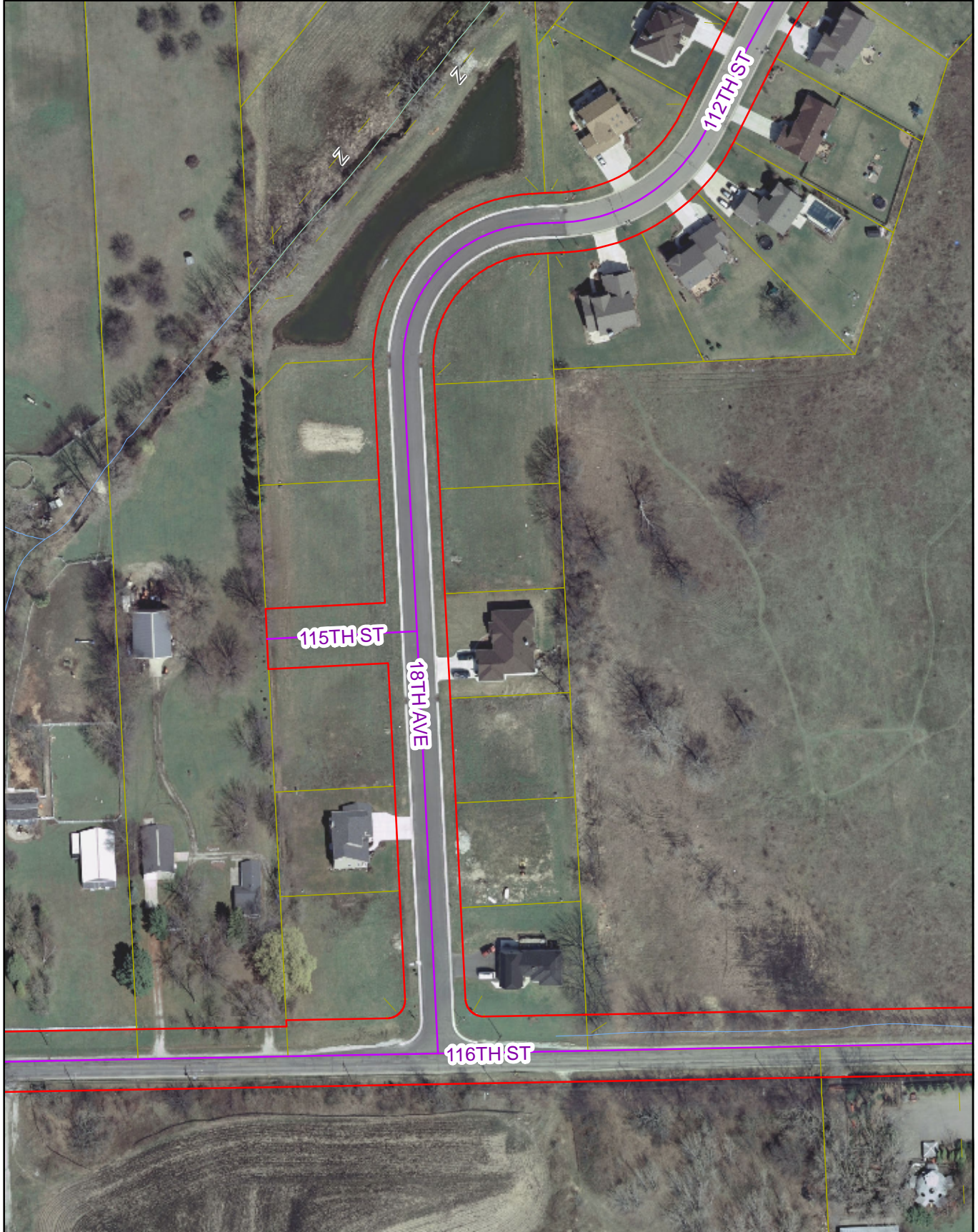
# General Location Map

1 inch = 150 feet

Map Printed: 9/6/2012

THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. KENOSHA COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED. IF DISCREPANCIES ARE FOUND, PLEASE CONTACT THE LAND INFORMATION DIVISION OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT.

Kenosha County Interactive Mapping Site



Source: Kenosha County Department of Planning and Development