

Village of Menomonee Falls, Wisconsin

**PLAN COMMISSION
MINUTES**

May 6, 2025

Chairperson Jeremy Walz called the meeting to order at 6:30 pm.

Present: Jeremy Walz, Village President; Paul Tadda, Trustee; Frank Habib, Commissioner; Chris Rolenc, Commissioner; Paul Curtiss, Commissioner; Steve Bruskiewicz, Commissioner

Staff Present: Planning Manager Amy Bennett

PLEDGE OF ALLEGIANCE

Approval of Minutes of the April 8, 2025 Plan Commission meeting.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss

Vote: 6 - 0 Motion Carried

APPEARANCES

Consideration of preliminary and final approval of a Certified Survey Map at the request of **FOX RIVER FALLS, LLC** to create a lot at N56W21318 Silver Spring Drive. The subject parcel is identified by Tax Key Number 120.099.

Kevin Anderson, Neumann Developments, Inc. (N27W24025 Paul Court, Suite 100 Pewaukee) addressed the Plan Commission and answered questions.
Brady Davis, Lawrence Event Center, addressed the Plan Commission.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to grant preliminary and final approval of the submitted Certified Survey Map, subject to four (4) conditions:

1. Waukesha County review of CSM may be required.
2. A note shall be added to the CSM that "any redevelopment of the property may require full dedication of right-of-way and access review along Silver Spring Drive (CTH "VV")", as required by Waukesha County.
3. The recordable document must be on legal sized paper conforming with Section 236.34 of the Wisconsin Statutes, including the surveyor's seal and signature.
4. If the Certified Survey Map is approved, the applicant will need to record the approved Certified Survey Map with Waukesha County.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to amend the motion to add a condition #5 that requires the existing silo on site to be added to the certified survey map.

Vote: 6 - 0 Motion Carried

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to grant preliminary and final approval of the submitted Certified Survey Map, subject to five (5) conditions:

1. Waukesha County review of CSM may be required.
2. A note shall be added to the CSM that "any redevelopment of the property may require full dedication of right-of-way and access review along Silver Spring Drive (CTH "VV")", as required by Waukesha County.
3. The recordable document must be on legal sized paper conforming with Section 236.34 of the Wisconsin Statutes, including the surveyor's seal and signature.
4. If the Certified Survey Map is approved, the applicant will need to record the approved Certified Survey Map with Waukesha County.
5. The existing silo structure should be located on the certified survey map.

Vote: 6 - 0 Motion Carried

Consideration of a recommendation to the Village Board of Trustees on the request of **SEAN KENNEDY** to allow for 24 hours of operation for the McDonald's drive-thru located at N83W15515 Appleton Avenue. The subject land is identified by Tax Key Number 43.994.

Sean Kennedy of McDonald's (N83W15515 Appleton Avenue) addressed the Plan Commission and answered questions.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to allow 24 hours of operation for the McDonald's at N83W15515 Appleton Avenue.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to amend the motion to specify 24 hours for the drive-thru, dine-in hours would remain 5am to 11pm seven days a week.

Vote: 6 - 0 Motion Carried

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to operate the drive-thru 24 hours a day, seven days a week at the McDonald's at N83W15515 Appleton Avenue. The dine-in hours would remain 5am to 11pm.

Vote: 6 - 0 Motion Carried

Consideration of a recommendation to the Village Board of Trustees regarding the Final Plat of the **EVERGREEN FIELDS PHASE 5** Subdivision, generally located 1/4 mile east of Lannon Road, and 1/4 mile south of Silver Spring Drive, on a portion of the parcel identified by Tax Key Number 126.177.

Ben Lang, Veridian Homes (W199N5539 Boxwood Blvd, Menomonee Falls) addressed the Plan Commission and answered questions.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to recommend the Village Board of Trustees approve the Final Plat of Evergreen Fields Phase 5, subject to the 14 staff conditions and the 2 conditions from Waukesha County (conditions 1-4 of Waukesha County were recommendations). No changes were requested by the Wisconsin Department of Administration.

1. All public utilities curb, sidewalks/paths, and roads must be installed prior to recording the final plat.
2. All easement documents and agreements must be signed and recorded with the final plat.
3. The final plat and easement documents must be resubmitted and reviewed before recording.
4. Metes and bounds legal descriptions and exhibits are needed for all public easements. Easement documents in Village format are to be recorded with the final plat.
5. A copy of the recorded final plat on mylar and digital (.pdf) format is to be provided to the Village prior to the issuance of building permits.
6. The Engineering Department has reviewed the proposed facilities layout from We Energies and found it to be in conformance with section 94-155 of the municipal code.
7. The following items in the development are required to be completed prior to the recording the final plat:
 - Complete installation of sanitary sewer, storm sewer, and water main; completion of punch list items; all tests for sanitary sewer, manholes, and water main passed and the safe water samples obtained.
 - Sanitary sewer, storm sewer and water main as-builts are to be completed by the developer's engineer and received by the Village.
 - Complete installation of concrete curb & gutter and binder course of asphalt pavement.
 - Certification and acceptance of grading for conformance with approved master grading plan:
 - As-built grades on lot lines and lot corners shall be within 0.25 ft. of the final grades shown on the approved master grading plan. The as-built grading plan shall show spot elevations along the side lot lines at the top of curb, front lot corners, front setback, back of building pad extended, any high points and grade breaks, and rear lot corners.
 - All drainage easements shall be fine graded to within 0.25 ft. of the final grades shown on the approved master grading plan and provide positive drainage. As-built grades of the swales shall be shown every 25 feet with the spot elevations taken at the flowline of the swale and 10 feet on either side of the flowline.
 - Building pad grades shall be between 0.0 ft. and 2.0 ft. lower than the final grades shown on the approved master grading plan. As-built grades are to be shown at the front and back of each building pad.
 - Stormwater detention ponds shall be certified and as-built. Elevations shall be taken at cross sections not exceeding 25 feet from top to bottom of the pond banks and embankments, top and bottom of safety shelf, inlet and outlet pipe inverts, outlet structure and emergency spillway.
 - All final grading must be within the above tolerance and provide positive drainage. Any areas not within tolerance or found to have insufficient drainage shall be regraded.

8. Final Plat recorded with the Waukesha County Register of Deeds.
9. All municipal easements recorded with the Waukesha County Register of Deeds.
10. All property lot corner pipes, perimeter pipes, and horizontal curve pipe shall be set by developer's surveyor.
11. All disturbed areas shall be restored with topsoil, seed, fertilizer and mulch in accordance to Village erosion control ordinance and specifications.
12. All swales in drainage easements are to fine-graded and stabilized with topsoil, seed, fertilizer and erosion control blanket per Village specifications. Drainage easements are to be maintained by the developer until stabilized with grass.
13. All erosion control measures as shown on the approved erosion control plan shall be in place and in properly functioning condition.
14. The applicant will need to submit the "Fee in Lieu of Dedication" in the amount of \$15,000 (\$1,000 per lot) prior to the recording of the Subdivision.

Vote: 6 - 0 Motion Carried

ADJOURNMENT

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to adjourn the meeting at 7:00 pm.

Vote: 6 - 0 Motion Carried

Submitted by Amy Bennett
Minutes transcribed by Amy Bennett
Minutes approved on June 3, 2025



Plan Commission - Regular

4.

Meeting Date: 05/06/2025

Topic: Approval of Minutes of the April 8, 2025 Plan Commission meeting

From: Amy Bennett, Planner/Zoning Administrator

Department: Community Development

Subject:

Approval of Minutes of the April 8, 2025 Plan Commission meeting.

Background Information:

Application Specifics:

Additional Information:

Requested Action by Commission/Committee/Board:

Approval of Minutes of the April 8, 2025 Plan Commission meeting.

Draft Minutes

DRAFT

Village of Menomonee Falls, Wisconsin

PLAN COMMISSION MINUTES

April 8, 2025

Chairperson Jeremy Walz called the meeting to order at 6:30 pm.

Present: Jeremy Walz, Village President; Paul Tadda, Trustee; Frank Habib, Commissioner; Chris Rolenc, Commissioner; Paul Curtiss, Commissioner; Steve Bruskiewicz, Commissioner

Staff Present: Planning Manager Amy Bennett

PLEDGE OF ALLEGIANCE

Approval of Minutes of the March 4, 2025 Plan Commission meeting.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to approve the minutes of the March 4, 2025 Plan Commission meeting.

Vote: 6 - 0 Motion Carried

APPEARANCES

Motion by Trustee Paul Tadda, second by Commissioner Chris Rolenc to move up item 5.e. on the agenda ahead of 5.a.

Vote: 6 - 0 Motion Carried

Conceptual review on the request of **BEN LANG OF VERIDIAN HOMES** for a proposed planned residential development (PRD) on lands owned by **JAMES AND CASSANDRA FOMOLO AND SCOTT AND MARY MERRIMAN** at W204N6793 Lannon Road and N64W20780 Mill Road on the parcels identified by Tax Key Numbers 76.993.001 and 76.995.

No action on this item, concept review only.

Ben Lang from Veridian and Brian Munson from Vandewalle & Associates, Inc. presented the concept subdivision to the Plan Commission. There was a discussion related to proposed lot sizes, layout, safety on Lannon and Mill Roads and preservation of wetland and wooded areas.

Consideration of preliminary and final approval of a land division and a recommendation to the Village Board of Trustees regarding a Certified Survey Map at the request of **ARIEL ANBAR OF ANDEV GROUP, LLC** for the Courtyard at Menomonee Falls to combine two parcels located adjacent to and at N72W13247 Good Hope Road. The subject parcels are identified by Tax Keys 94.999.004 & 94.999.003.

Motion by Commissioner Paul Curtiss, second by Commissioner Chris Rolenc to grant preliminary and final approval of the land division and recommend the Village Board approve the submitted Certified Survey Map, subject to six (6) conditions:

1. Waukesha County review of CSM may be required.
2. The "140' Residential Access" along Good Hope Road (CTH "W") is to be removed and changed to "No Access".
3. Road right-of-way needs to be dedicated to the Village at the end of Mary Dale Drive to accommodate the permanent turnaround.
4. Village Board approval certificate should be added to the signature page of the CSM.
5. The recordable document must be on legal sized paper conforming with Section 236.34 of the Wisconsin Statutes, including the surveyor's seal and signature.
6. If the Certified Survey Map is approved, the applicant will need to record the approved Certified Survey Map with Waukesha County.

Vote: 6 - 0 Motion Carried

Conceptual review on the request of **ANDREW NIEBLER OF DEWITT LLP** for proposed outdoor storage of plumbing materials in the I-1 Light Industrial District at W156N9305 Tipp Street on the parcel identified by Tax Key Number 99.850.012.

This item was withdrawn by the applicant.

Consideration of a recommendation to the Village Board of Trustees on the request of **CORBIN TERLIP OF MILBREW HOLDINGS** for 7 Brew Coffee Shop to rezone land located at N82W15449 Appleton Avenue, identified by Tax Keys 004.3996 and 004.3996.007, from the C-1 Neighborhood Business District to the C-1 Neighborhood Business District with the OC-5 Commercial Service Overlay District for a coffee shop.

Eric Drazkowski from Excel Engineering and Tom Pennington from 7 Brew addressed the Plan Commission and answered questions. Some of the Commissioners expressed concern about the proposed architecture.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to waive the 30-day waiting period and recommend the Village Board of Trustees rezone the subject lands from the C-1 Neighborhood Business District to the C-1 Neighborhood Business District with the OC-5 Commercial Service Overlay District for a drive-thru coffee shop. The public hearing will be scheduled for the May 5, 2025 Village Board meeting.

Vote: 5 - 1 Motion Carried

Nay: Trustee Paul Tadda

Consideration of a shared use parking agreement for 7 Brew located at N82W15449 Appleton Avenue on the parcels identified by Tax Key Numbers 004.3996 and 004.3996.007.

Motion by Commissioner Chris Rolenc, second by Commissioner Paul Curtiss to approve the parking agreement subject to:

1. Recording the agreement at Waukesha County Register of Deeds.

Vote: 6 - 0 Motion Carried

Presentation by Brian Wiedenfeld of MSA Professional Services, Inc. regarding the Village Comprehensive Plan update and review of draft chapters including: Housing, Economic Development, Intergovernmental Cooperation and Transportation.

Brian Wiedenfeld of MSA Professional Services, Inc. presented the draft chapters to the Plan Commission and answered questions. No action was taken on this item, discussion only.

Presentation of the 2025-2030 Comprehensive Outdoor Recreation Plan (CORP)

Amy Bennett presented this item. No action was taken, informational only.

Presentation of the 2024 Development & Community Status Report

Amy Bennett presented this item. No action was taken, informational only.

ADJOURNMENT

Motion by Commissioner Paul Curtiss, second by Commissioner Chris Rolenc to adjourn the meeting at 9:34 PM.

Vote: 6 - 0 Motion Carried

Submitted by Amy Bennett
Minutes transcribed by Amy Bennett
Minutes approved on



Plan Commission - Regular

5. a.

Meeting Date: 05/06/2025

Topic: Preserve at Silver Spring Certified Survey Map (CSM)

From: Amy Bennett, Planner/Zoning Administrator

Department: Community Development

Subject:

Consideration of preliminary and final approval of a Certified Survey Map at the request of **FOX RIVER FALLS, LLC** to create a lot at N56W21318 Silver Spring Drive. The subject parcel is identified by Tax Key Number 120.099.

Background Information:

The proposed CSM is to create a 10.7013-acre lot to separate the restaurant/banquet facility from the Fox River Falls Subdivision.

The Village Board of Trustees adopted Ordinance No. 833-O-21 approving the Fox River Falls Planned Residential Development on October 4, 2021. This Ordinance allowed 385 dwelling units on 227.8 developable acres, creating a density of 1.69 dwelling units per acre.

On October 17, 2022, the Village Board amended the Fox River Falls Planned Residential Development allowing Phase I of the Development to contain 16 duplex condominiums (32 dwelling units), 54 "Residence" lots containing a minimum width of 90 feet and a minimum area of 12,000 square feet, and 41 "Estate" lots containing a minimum width of 90 feet and a minimum area of 15,000 square feet. Total units at 367. Ordinance 863-O-22 is attached.

The Plan Commission conditionally approved the Preliminary Plat for the Fox River Falls Subdivision on November 15, 2022, subject to 30 conditions. This preliminary plat proposed 98 single family lots, and 16 duplex buildings (32 dwelling units). The single family lots ranged from 12,011 square feet to 20,706 square feet, with the average lot containing 14,644 square feet and the median lot containing 15,005 square feet. The Fox River Falls Phase 5 Preliminary Plat was approved by the Plan Commission on November 12, 2024, subject to 32 conditions.

Application Specifics:

Proposed Lot 1: 466,149 sq. ft. or 10.7013 acres
Current Zoning: Planned Residential Development (PRD)
Floodway (FW)
Floodfringe (FF)
Land Use: Low Density Residential

Under Sec. 94-73(a), the final certified survey map shall be submitted according to the procedure designated for a subdivision under section 94-52, except that no state or county agency actions are required. If the certified survey map does not involve dedications, reservations or public easements, only the approval of the plan commission shall be required.

Additional Information:

The Certified Survey Map was reviewed by the Engineering and Development, Utilities, Police, and Fire Departments. The Staff comments are as follows:

1. Waukesha County review of CSM may be required.
2. A note shall be added to the CSM that "any redevelopment of the property may require full dedication of right-of-way and access review along Silver Spring Drive (CTH "VV")", as required by Waukesha County.
3. The recordable document must be on legal sized paper conforming with Section 236.34 of the Wisconsin Statutes, including the surveyor's seal and signature.
4. If the Certified Survey Map is approved, the applicant will need to record the approved Certified Survey Map with Waukesha County.

Requested Action by Commission/Committee/Board:

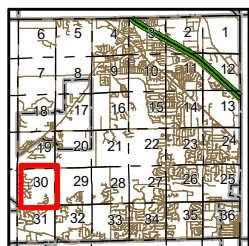
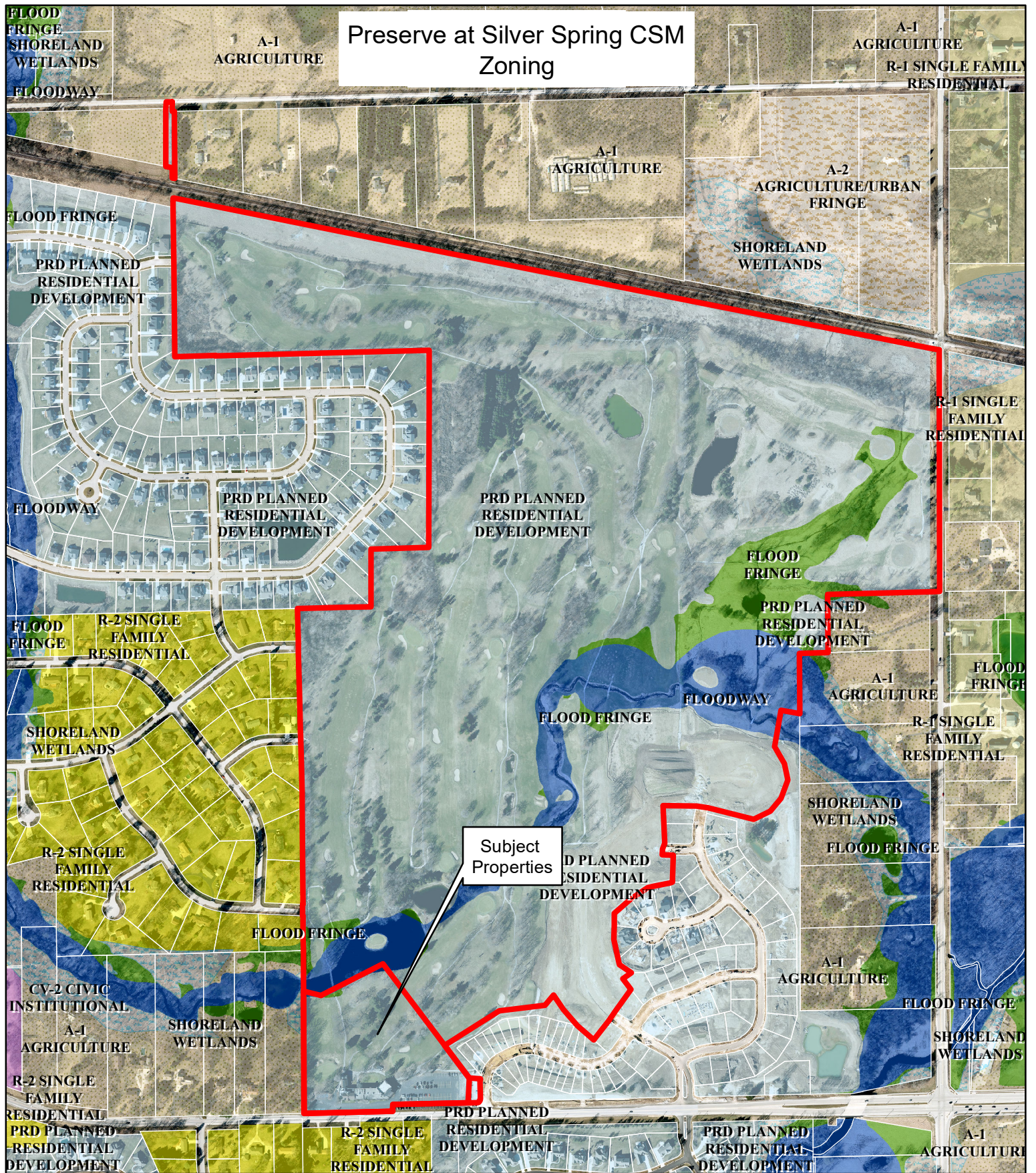
Since the proposed Certified Survey Map is consistent with the Village Comprehensive Plan and conforms with the Zoning Code, Staff recommends the Plan Commission grant preliminary and final approval of the submitted Certified Survey Map, subject to four (4) conditions:

1. Waukesha County review of CSM may be required.
2. A note shall be added to the CSM that "any redevelopment of the property may require full dedication of right-of-way and access review along Silver Spring Drive (CTH "VV")", as required by Waukesha County.
3. The recordable document must be on legal sized paper conforming with Section 236.34 of the Wisconsin Statutes, including the surveyor's seal and signature.
4. If the Certified Survey Map is approved, the applicant will need to record the approved Certified Survey Map with Waukesha County.

Location and Zoning Map

Land Use Map

Proposed CSM



Preserve at Silver Spring CSM

N56W21318 Silver Spring Dr, Menomonee Falls, WI 53051

1 inch = 667 feet

0 200 400 Feet



This map is intended for informational purposes only and does not replace the need for land or field survey. The Village of Menomonee Falls makes no representations regarding map accuracy or fitness for any use. This map does not represent an expressed or implied contract with the Village of Menomonee Falls. All parties must obtain the permission of the Village of Menomonee Falls before re-releasing this map or copies of the information displayed on or derived from it.

Map Accuracy: National Map Accuracy Standards

Coordinate System: State Plane Coordinate System

Date: North American Datum, 1983

VILLAGE OF
Menomonee Falls

PARK /
OPEN SPACE

Preserve at Silver Spring CSM Land Use Plan

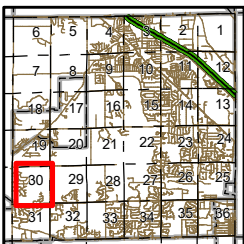
ENVIRONMENTAL
CORRIDOR

LOW DENSITY
RESIDENTIAL

FLOODWAY

Subject
Properties

MEDIUM DENSITY
RESIDENTIAL



Preserve at Silver Spring CSM

N56W21318 Silver Spring Dr, Menomonee Falls, WI 53051

1 inch = 667 feet

0 200 400 Feet



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Map Accuracy: National Map Accuracy Standards

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VILLAGE OF
**Menomonee
Falls**

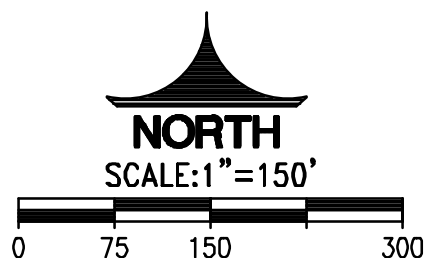
BEING LANDS LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 30, TOWN 8 NORTH, RANGE 20 EAST, IN THE VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.



FOX RIVER FALLS, LLC
N27W24025 PAUL COURT, STE. 100
PEWAUKEE, WI 53072
PHONE: (262) 542-9200

PREPARED BY:

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

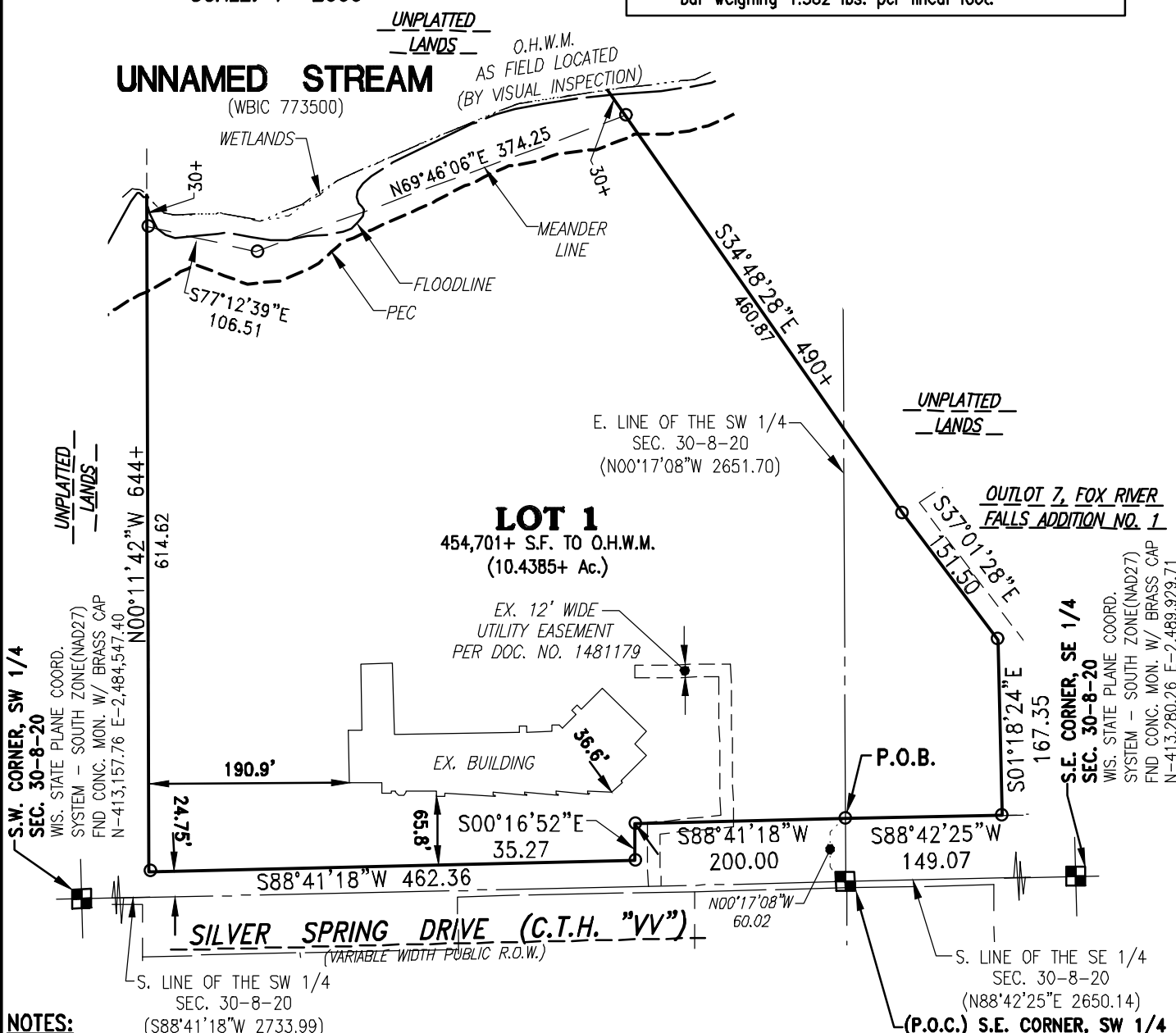


S 1/2, SEC. 30, T. 8 N., R. 20 E.

SCALE: 1"=2000'

LEGEND:

- - INDICATES Section Corner (See Plan for Details)
- - INDICATES "Set" 0.750" O.D. X 18" long reinforcing bar weighing 1.502 lbs. per lineal foot.



NOTES:

- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-27), IN WHICH THE SOUTH LINE OF THE S.W. 1/4 OF SECTION 30, TOWN 8 NORTH, RANGE 20 EAST, BEARS S88°41'18"W.
- ALL TELEPHONE LINES, ELECTRIC LINES, CABLE TELEVISION LINES, TELECOMMUNICATION LINES AND OTHER SIMILAR UTILITY SERVICES SHALL BE PLACED UNDERGROUND UNLESS THE APPLICANT OR UTILITY CAN DEMONSTRATE THAT UNDERGROUNDING IS NOT FEASIBLE.
- WETLANDS SHOWN HEREON WAS DELINEATED ON JANUARY 31, 2022 BY HEY AND ASSOCIATES AND PROVIDED TO TRIO ENGINEERING, LLC.
- PRIMARY ENVIRONMENTAL CORRIDOR LINES ARE FROM SEWRPC.
- ANY LAND BELOW THE ORDINARY HIGH WATER MARK IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.
- FLOODPLAIN BOUNDARIES SHOWN HEREON IS BASED ON FEMA FLOOD MAP PANEL NUMBER 55133C0206H DATED NOVEMBER 19, 2023.
- ANY REDEVELOPMENT OF THIS PROPERTY MAY REQUIRE FULL DEDICATION OF RIGHT-OF-WAY AND ACCESS REVIEW FROM THE COUNTY HIGHWAY DEPARTMENT.

DRAFTED THIS 13TH DAY OF MARCH, 2025. REVISED 4-30-2025.

THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119

JOB NO. 19-016-953-01

SHEET 1 OF 4

CERTIFIED SURVEY MAP NO.

BEING LANDS LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 30, TOWN 8 NORTH, RANGE 20 EAST, IN THE VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN)
)ss
COUNTY OF WAUKESHA)

I, Ted R. Indermuehle, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a part of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 30, in Town 8 North, Range 20 East, Village of Menomonee Falls, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Southeast corner of said Southwest 1/4, thence North 00°17'08 West along the East line of said Southwest 1/4, 60.02 feet to the North Right-of-Way of "Silver Spring Drive (County Highway "VV")" and the place of beginning of the lands hereinafter described.

Thence South 88°41'18" West along said North line, 200.00 feet to a point; Thence South 00°16'52" East 35.27 feet to a point; Thence South 88°41'18" West along said South line, 462.36 feet to a point; Thence North 00°11'42" West 614.62 feet to a Meander Line of a Navigable "Unnamed Stream", said point is 30'+ from the Ordinary High Water Mark of said Stream; Thence South 77°12'39" East along said Meander Line, 106.51 feet to a point; Thence North 69°46'06" East along said Meander Line, 374.25 feet to a point, said point being 30'+ from the Ordinary High Water Mark of said Stream; Thence South 34°48'28" East 460.87 feet to a point; Thence South 37°01'28" East 151.50 feet to a point; Thence South 01°18'24" East 167.35 feet to a point on the North Right-of-Way of "Silver Spring Drive (County Highway "VV")"; Thence South 88°42'25" West along said North line, 149.07 feet to the point of beginning.

Said Parcel contains 454,701+ Square Feet to the Ordinary High Water Mark (or 10.4385+ Acres) of land more or less.

That I have made such survey, land division and map by the direction of **FOX RIVER FALLS LLC**, owners of said lands.

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 of the Wisconsin Statutes and the Subdivision Regulations of the Village of Menomonee Falls in surveying, dividing and mapping the same.

Dated this _____ day of _____, 20____.

Ted R. Indermuehle, P.L.S.
Professional Land Surveyor, S-3119
TRIO ENGINEERING, LLC
4100 N. Calhoun Road, Suite 300
Brookfield, WI 53005
Phone: (262)790-1480

Drafted this 13th day of MARCH, 2025. REVISED 4-30-2025.

Job. No. 19-016-953-01

THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119

SHEET 2 OF 4

CERTIFIED SURVEY MAP NO._____

BEING LANDS LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4, SECTION 30, TOWN 8 NORTH, RANGE 20 EAST, IN THE VILLAGE OF MENOMONEE FALLS,
WAUKESHA COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

Fox River Falls, LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said Limited Liability Company has caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the Village of Menomonee Falls, this _____ day of _____, 20 ____.

Fox River Falls, LLC.

Bryan Lindgren, President
Neumann Developments Inc., sole member

STATE OF WISCONSIN)
) ss
COUNTY OF)

Personally came before me this _____ day of _____, 20____, Bryan Lindgren, President of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said limited liability company, and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Print Name: _____
Notary Public, _____ County, WI
My commission expires: _____

MENOMONEE FALLS PLAN COMMISSION APPROVAL:

Preliminary Approval: _____
Date Secretary

Final Approval: _____
Date Secretary

Certified Survey Map No. _____, Document No. _____,
Recorded on _____, Book _____, Pages _____.

CERTIFIED SURVEY MAP NO.

BEING LANDS LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 30, TOWN 8 NORTH, RANGE 20 EAST, IN THE VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.

WETLANDS PRESERVATION RESTRICTIONS:

Those areas identified as Wetlands on this Map are subject to the following restrictions:

1. Grading, filling and removal of topsoil or other earthen materials are prohibited except in connection with the construction of a proposed gravel path, unless specifically authorized by the Municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that dead, diseased, or dying vegetation may be removed, at the discretion of the landowner and with approval from the Municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use-Planning and Zoning Division. Silvicultural thinning upon the recommendation of a forester or naturalist and with approval from the Municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use-Planning and Zoning Division shall also be permitted.
3. Grazing by domesticated animals, i.e., horses, cows, etc, is prohibited.
4. The introduction of plant material not indigenous to the existing environment is prohibited.
5. Ponds may be permitted subject to the approval of the Municipality in which they are located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
6. The construction of buildings is prohibited.

Disturbance of any wetlands, if required for future development purposes, shall only be as permitted by the Wisconsin Department of Natural Resources and/or the U.S. Army Corps of Engineers. Unless otherwise permitted...

CONSENT OF CORPORATE MORTGAGEE:

MIDLAND STATES BANK, a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Certified Survey Map, and does hereby consent to the above certificate of **FOX RIVER FALLS, LLC**, owner, this _____ day of _____, 20 ____.

MIDLAND STATES BANK

David Sobojinski, Senior Commercial Relationship Manager

[illegible]

Personally came before me this _____ day of _____, 20____, David Sobjinski, of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Midland States Bank of said corporation, and acknowledged that they executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Print Name: _____
 Notary Public, _____ County, IL
 My commission expires: _____



Plan Commission - Regular

5. b.

Meeting Date: 05/06/2025

Topic: McDonald's Pilgrim Hours of Operation

From: Amy Bennett, Planner/Zoning Administrator

Department: Community Development

Subject:

Consideration of a recommendation to the Village Board of Trustees on the request of **SEAN KENNEDY** to allow for 24 hours of operation for the McDonald's drive-thru located at N83W15515 Appleton Avenue. The subject land is identified by Tax Key Number 43.994.

Background Information:

The parcel is currently in the Neighborhood Business (C-1) District with Commercial Service Overlay (OC-5), which allows neighborhood service uses to operate between 5 a.m. and 11 p.m and requires a Plan Commission approval for neighborhood services uses to operate overnight between 11 p.m. and 5 a.m. This McDonald's location operated 24-hours previously, approximately 10 years ago.

Section 122-437(c) When noted as permitted with conditions (PwC) in figure 122-420.1, table of principal uses, the service use shall not be open for business between the hours of 11:00 p.m. and 5:00 a.m., except for the day of, and day after, Thanksgiving, unless otherwise noted in this section or specifically approved by the plan commission after determining the extended hours will not cause an adverse impact to the neighborhood.

Application Specifics:

The applicant is requesting to operate the McDonald's drive-thru 24 hours a day, seven days of the week. The dine-in hours would remain 5am to 11pm.

The McDonald's drive-thru operating 24-hours would enhance convenience for residents and visitors by providing accessible meal options during off-peak hours. The extended hours would also create additional employment opportunities. See applicant letter attached.

The nearby Walgreens and Dunkin' Donuts operate 24 hours a day.

Additional Information:

The proposed request was forwarded to the Engineering, Police, Fire, and Utilities for review. No comments were received.

Requested Action by Commission/Committee/Board:

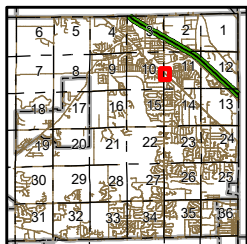
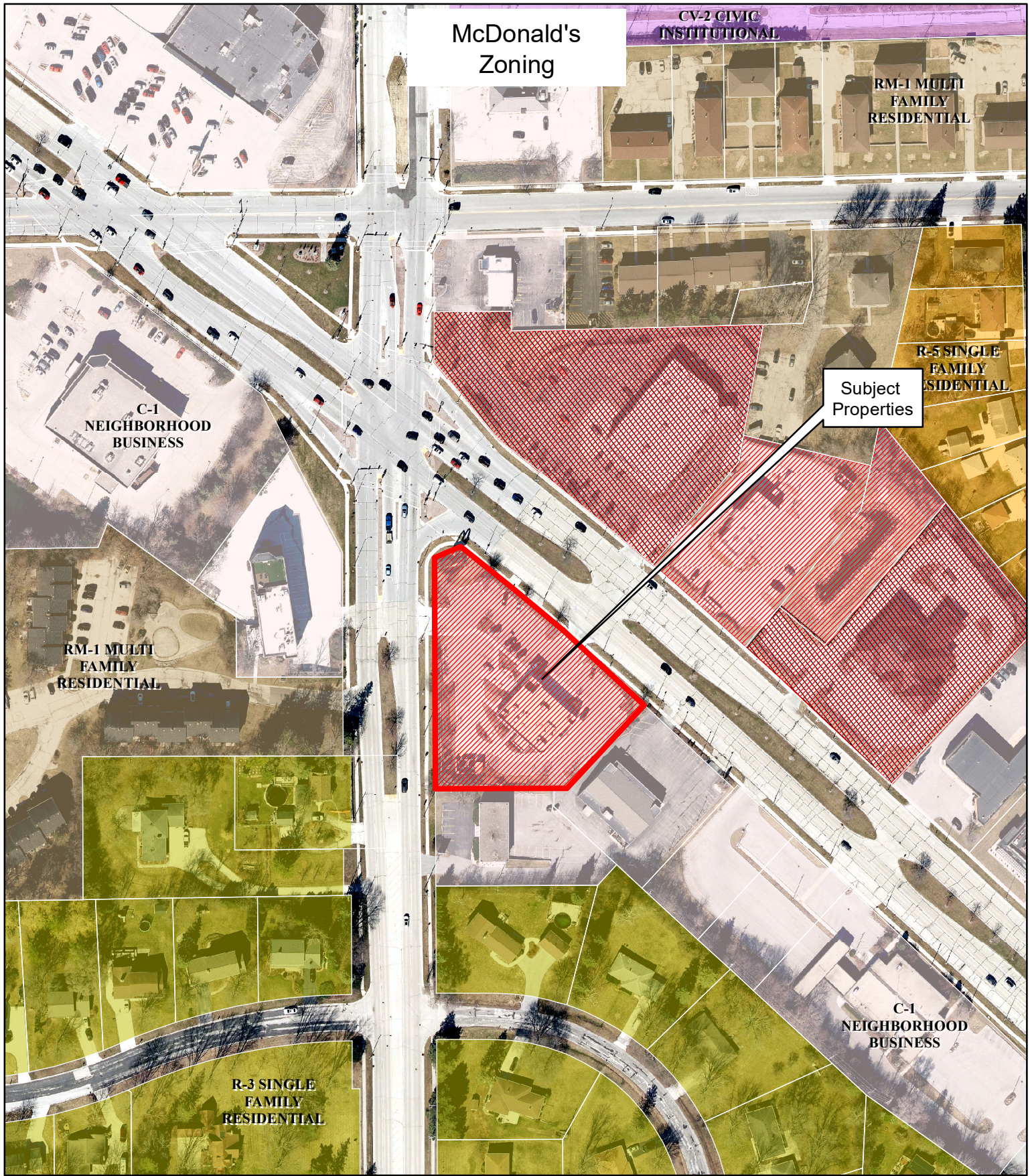
Staff recommends the Plan Commission allow 24 hours of operation for the McDonald's at N83W15515 Appleton Avenue.

Location and Zoning Map

Land Use Map

Applicant Narrative

Plan of Operation



McDonald's 24hr Application

N83 W15515 Appleton Ave Menomonee Falls, WI 53051

1 inch = 167 feet

0 200 400 Feet

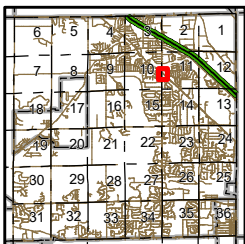
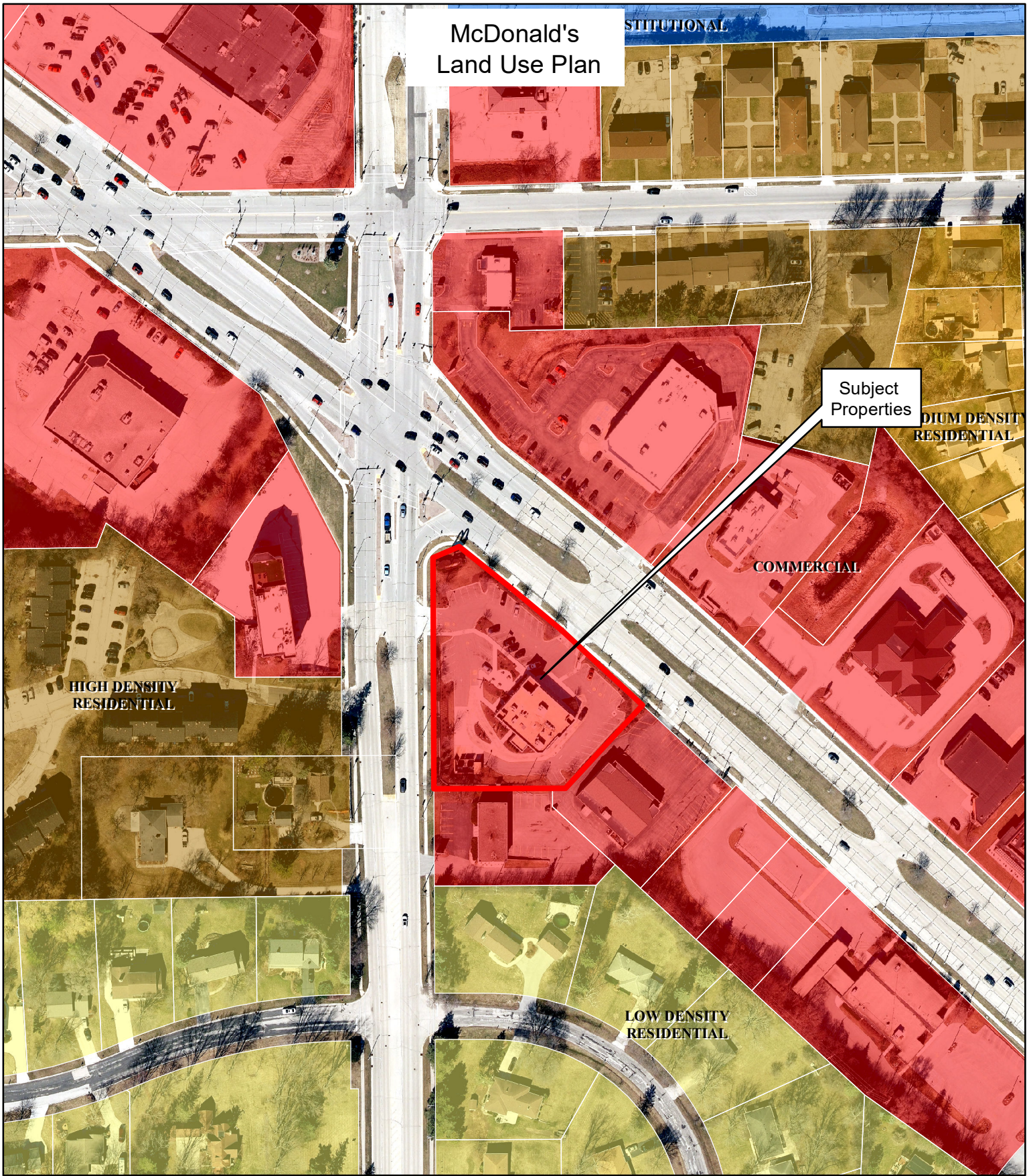
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Map Accuracy: National Map Accuracy Standards

Coordinate System: State Plane Coordinate System

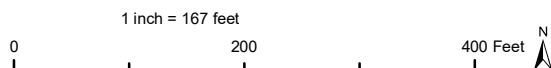
Datum: North American Datum, 1983

VILLAGE OF
Menomonee Falls



McDonald's 24hr Application

N83 W15515 Appleton Ave Menomonee Falls, WI 53051



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 Coordinate System: State Plane Coordinate System
 Datum: North American Datum, 1983



Sean Kennedy
W150N7365 Woodview Dr
Menomonee Falls Wi
Sean.kennedy@partners.mcd.com
8156857015
March 18, 2025

Planning Commission
Menomonee Falls

Subject: 24-Hour Drive Thru Operation of McDonald's Restaurant

Dear Planning Commission Members,

I am writing to formally request that the McDonald's restaurant located at N83W15515 Appleton Ave. be granted permission to operate the drive thru 24 hours a day and operate dine in business hours of 5 AM - 11 PM. This request is based on multiple factors, including precedent set by other businesses in the area, historical operation hours, and the benefits to the community.

Firstly, several businesses on the same street, such as Dunkin' and Walgreens, already operate 24 hours a day. These establishments provide essential services to the public at all hours, demonstrating that there is a demand for late-night and early-morning availability. The presence of these businesses reinforces the suitability of the area for extended operations and ensures that a 24-hour McDonald's would not be disruptive but rather complementary to the existing business landscape.

Additionally, this McDonald's location had previously operated 24 hours a day approximately ten years ago without issue. During that time, it served as a reliable option for workers on late shifts, emergency responders, and travelers who required food service outside of traditional hours. Reinstating 24-hour operations would not introduce a new or untested dynamic but rather restore a service that had proven beneficial to the community in the past.

Furthermore, a 24-hour McDonald's would enhance convenience for residents and visitors, providing accessible meal options during off-peak hours. The extended hours would also create additional employment opportunities, boosting the local economy by increasing available shifts for workers.

We understand that zoning and community concerns must be taken into account, but with Dunkin' and Walgreens successfully operating around the clock nearby, it is evident that the neighborhood can support 24-hour businesses. We are also open to implementing any reasonable measures the commission may suggest to address potential concerns related to security, traffic, or noise.

For these reasons, we respectfully request that the planning commission approve the application for 24-hour operation at McDonald's. Thank you for your time and consideration. We look forward to your favorable response.

Sincerely,

Sean Kennedy

Owner/Operator



N83W15515 Appleton Ave
Menomonee Falls WI

Plan of Operation

Hours of Operation:

This location is currently operating from 5am -11am. Proposed to operate Drive Thru 24hrs.

Operations:

McDonalds serves the Menomonee Falls Community in many different ways. All of our operating requirements are up to date with the McDonalds operational and safety standards. We strive to make sure that we are examples of hospitality and cleanliness every day and every shift.

Operations at MCD: Drive thru, Take out, Dine In, Mobile Order and Pay (thru app), Delivery (3rd party ie UBER or DOORDASH)

24hr Operations: Drive Thru, Delivery thru 3rd party apps

Food Safety:

Food safety is a cornerstone of our operations. All routines and guidelines are done in accordance to both Village/County Health Department and McDonalds requirements. Daily food safety is done using Squaddle. Squaddle is a digital food safety vendor with McDonalds. The benefit of Squaddle is that the thermometer is blue tooth and is paired with our "Squaddle " ipad. All temps and controls are recorded digitally, which means they cannot be falsified. Food Safety is done at both Open procedures for breakfast goods, and then again

before we serve anything for lunch. Everything is temped only being served if we are in the specific range, temp ranges depending on which product is being checked. If any problems with making temperature of product, product is discarded, then troubleshooting occurs until we meet the safer requirements. All that being done before we serve any customer any product.

Our coolers and freezers are monitored throughout each and every day. FIFO routines are a foundation of our operations. Twice a week for food delivery everything is rotated ensuring the FIFO process. During daily food safety at open taking the temps of each cooler/freezer in use is required. Those are also done digitally using Squaddle.

Safety and Security:

The safety of the team and customers is top of priority for us. We follow McDonalds stringent safer and security routines. Including a yearly visit based on these requirements. Everything from Ansul systems to concrete is inspected. We have monthly cleaning of the exhaust stacks done by a third party company. All inspections are done in timely matter according to the different deadlines.



Plan Commission - Regular

5. c.

Meeting Date: 05/06/2025

Topic: Evergreen Fields Phase 5 Final Plat

From: Amy Bennett, Planner/Zoning Administrator

Department: Community Development

Subject:

Consideration of a recommendation to the Village Board of Trustees regarding the Final Plat of the **EVERGREEN FIELDS PHASE 5** Subdivision, generally located 1/4 mile east of Lannon Road, and 1/4 mile south of Silver Spring Drive, on a portion of the parcel identified by Tax Key Number 126.177.

Background Information:

The Village Board of Trustees adopted Ordinance No. 802-O-20 approving the Evergreen Fields Planned Residential Development on November 16, 2020. This Ordinance allowed 109 single family lots and 58 condominium dwelling units within 29 duplex buildings, creating a total of 167 dwelling units on 68.16 developable acres, and a density of 2.45 dwelling units per developable acre.

The Plan Commission conditionally approved the Preliminary Plat for the Evergreen Fields Subdivision on December 8, 2020, subject to 52 conditions. This preliminary plat proposed 109 single family lots ranging in size from 9,160 square feet to 31,637 square feet, with the average lot containing 12,671 square feet and the median lot containing 11,511 square feet. The Preliminary Plat and the conditions of approval are attached for reference.

On March 15, 2021, the Village Board adopted Ordinance 811-O-21 amending the Evergreen Fields Planned Residential Development allowing 13 single family homes to replace 10 duplex buildings (20 dwelling units), reducing the density to 2.35 dwelling units per developable acre (122 single family lots and 38 duplex dwelling units within 19 duplex condominium buildings).

On March 20, 2023, the Village Board adopted Ordinance 880-O-23 amending the Evergreen Fields Planned Residential Development allowing 7 single family lots to replace 5 duplex buildings (10 units), reducing the density to 2.30 dwelling units per developable acre (157 dwelling units comprised by 129 single family lots and 28 dwelling units within 14 duplexes, on 68.16 developable acres).

Application Specifics:

The Village received the complete application for the Evergreen Fields Phase 5 Final plat on March 19, 2025. The Final Plat, attached, would extend Kingair Drive east and Lodgepole Court south from Kingair Drive.

The Final Plat is comprised of 15.550 acres, containing 15 single family lots ranging in size from 9,160 to 18,393 square feet. The average lot contains 11,561 square feet, with the median lot containing 10,875 square feet.

The lot sizes contained in the submitted Final Plat are also consistent with the lots within the first four phases of the Evergreen Fields development - as shown in the chart below:

	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
Average Lot	11,771	11,404	10,838	12,366	11,561
Median Lot	11,222	11,370	10,800	11,238	10,875
Largest Lot	21,648	15,340	12,636	26,366	18,393
Smallest Lot	9,007	9,250	9,600	9,360	9,160

The Comprehensive Plan classifies the developable portions of the Final Plat for Low Density Residential Development (development less than 2 dwelling units per acre). The density of the submitted final plat is 0.96 units per acre (15 lots on 15.550 acres), conforming with our Comprehensive Plan. The overall development (Phase 1-5) contains a density of 2.01 dwelling units per acre (133 dwelling units - 105 single family lots and 28 dwelling units in duplexes - on 66.02 acres).

Additional Information:

The proposed subdivision was forwarded to the Engineering and Development, Police, Fire and Public Works Departments. The Staff comments are as follows:

1. All public utilities curb, sidewalks/paths, and roads must be installed prior to recording the final plat.
2. All easement documents and agreements must be signed and recorded with the final plat.
3. The final plat and easement documents must be resubmitted and reviewed before recording.
4. Metes and bounds legal descriptions and exhibits are needed for all public easements. Easement documents in Village format are to be recorded with the final plat.
5. A copy of the recorded final plat on mylar and digital (.pdf) format is to be provided to the Village prior to the issuance of building permits.
6. The Engineering Department has reviewed the proposed facilities layout from We Energies and found it to be in conformance with section 94-155 of the municipal code.
7. The following items in the development are required to be completed prior to the recording the final plat:
 1. Complete installation of sanitary sewer, storm sewer, and water main; completion of punch list items; all tests for sanitary sewer, manholes, and water main passed and the safe water samples obtained.
 2. Sanitary sewer, storm sewer and water main as-builts are to be completed by the developer's engineer and received by the Village.
 3. Complete installation of concrete curb & gutter and binder course of asphalt

pavement.

4. Certification and acceptance of grading for conformance with approved master grading plan:

1. As-built grades on lot lines and lot corners shall be within 0.25 ft. of the final grades shown on the approved master grading plan. The as-built grading plan shall show spot elevations along the side lot lines at the top of curb, front lot corners, front setback, back of building pad extended, any high points and grade breaks, and rear lot corners.
2. All drainage easements shall be fine graded to within 0.25 ft. of the final grades shown on the approved master grading plan and provide positive drainage. As-built grades of the swales shall be shown every 25 feet with the spot elevations taken at the flowline of the swale and 10 feet on either side of the flowline.
3. Building pad grades shall be between 0.0 ft. and 2.0 ft. lower than the final grades shown on the approved master grading plan. As-built grades are to be shown at the front and back of each building pad.
4. Stormwater detention ponds shall be certified and as-built. Elevations shall be taken at cross sections not exceeding 25 feet from top to bottom of the pond banks and embankments, top and bottom of safety shelf, inlet and outlet pipe inverts, outlet structure and emergency spillway.
5. All final grading must be within the above tolerance and provide positive drainage. Any areas not within tolerance or found to have insufficient drainage shall be regraded.
8. Final Plat recorded with the Waukesha County Register of Deeds.
9. All municipal easements recorded with the Waukesha County Register of Deeds.
10. All property lot corner pipes, perimeter pipes, and horizontal curve pipe shall be set by developer's surveyor.
11. All disturbed areas shall be restored with topsoil, seed, fertilizer and mulch in accordance to Village erosion control ordinance and specifications.
12. All swales in drainage easements are to fine-graded and stabilized with topsoil, seed, fertilizer and erosion control blanket per Village specifications. Drainage easements are to be maintained by the developer until stabilized with grass.
13. All erosion control measures as shown on the approved erosion control plan shall be in place and in properly functioning condition.
14. The applicant will need to submit the "Fee in Lieu of Dedication" in the amount of \$15,000 (\$1,000 per lot) prior to the recording of the Subdivision.

Waukesha County reviewed the submitted plat, and have issued their "Conditional Certification of No Objection" subject to 2 conditions. These conditions are attached to this Staff Report. It should be noted conditions 1 through 4 from Waukesha County are recommendations. The letter is attached.

The Wisconsin Department of Administration is in the process of reviewing the submitted plat and may have changes. A copy of the letter will be provided at the meeting, if available.

Requested Action by Commission/Committee/Board:

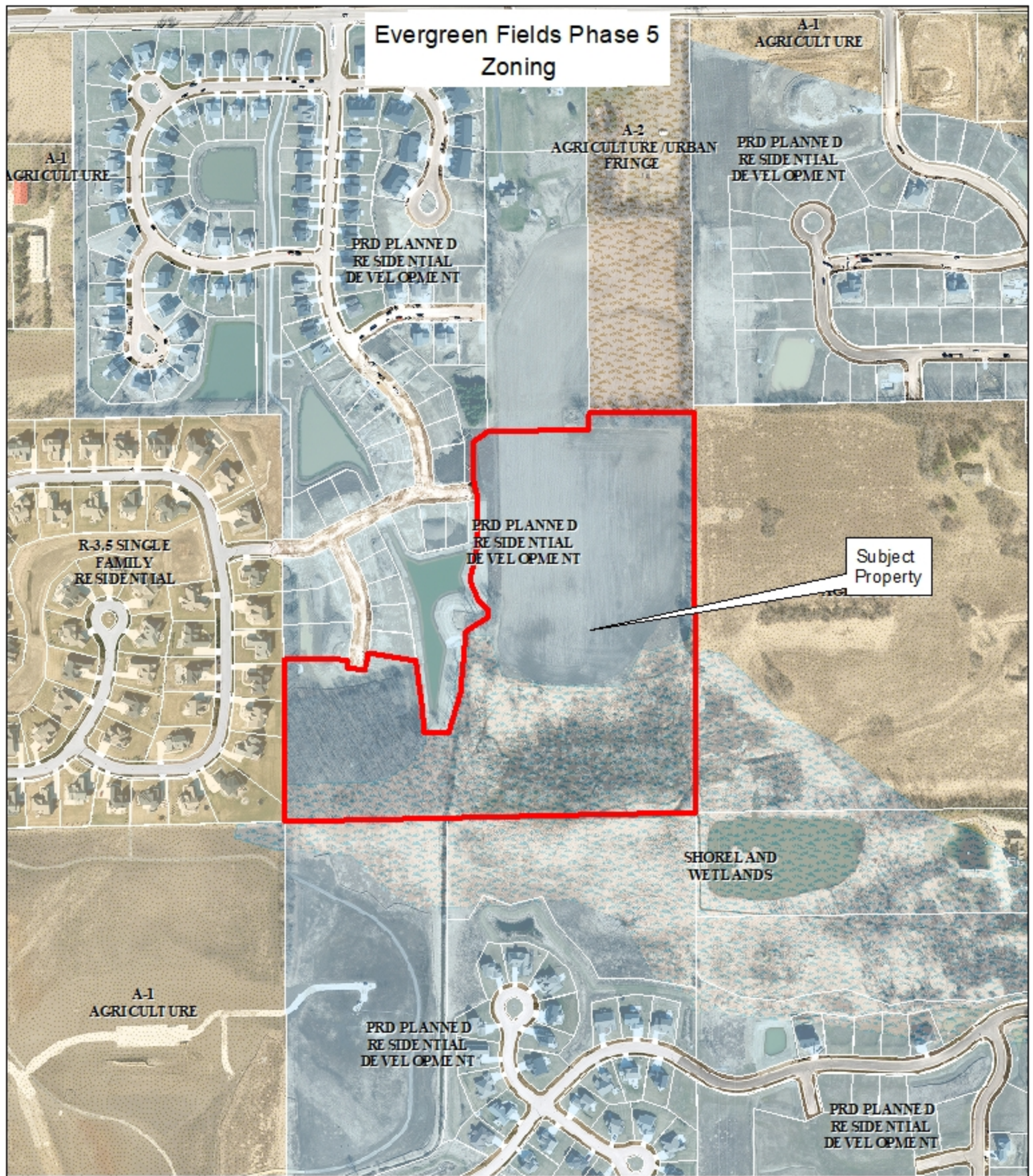
Since the proposed Subdivision is consistent with our Comprehensive Plan, and would be in conformance with the latest PRD Ordinance regulating the Evergreen Fields development, Staff recommends the Plan Commission recommend the Village Board of Trustees approve the Final Plat of Evergreen Fields Phase 5, subject to the 14 staff conditions listed earlier in this report, the 2 conditions of Waukesha County (conditions 1-4 of Waukesha County were recommendations) and no changes were requested by the Wisconsin Department of Administration.

Location and Zoning Map

Land Use Map

Proposed Final Plat

Waukesha County Letter



Evergreen Fields Phase 5

Ponderosa Ct/ Kingair Dr & Lodgepole Ct

1 inch = 417 feet

0 200 400 Feet



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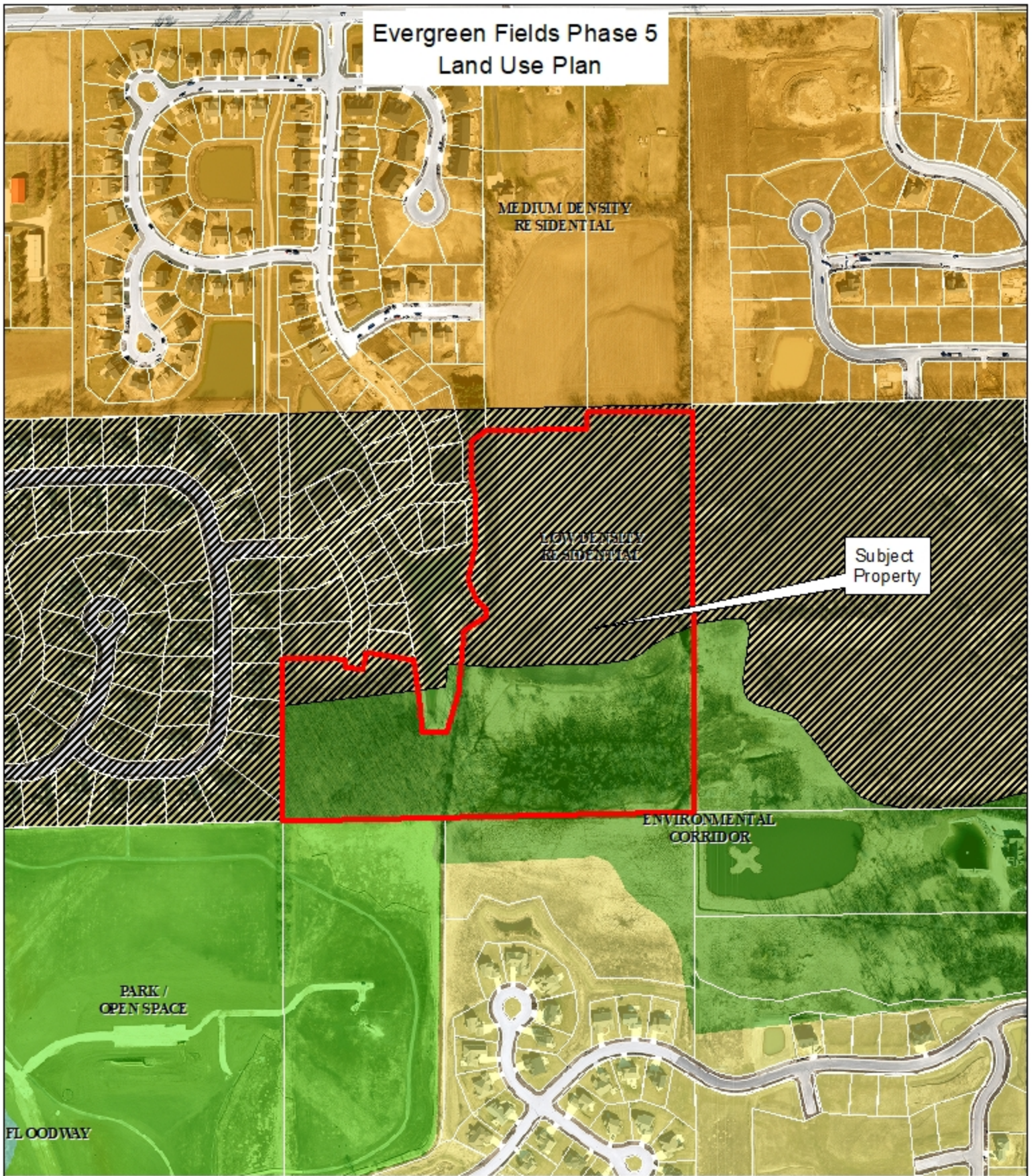
Map Accuracy: National Map Accuracy Standards

Coordinate System: State Plane Coordinate System

Datum: North American Datum, 1983

VILLAGE OF
**Menomonee
Falls**

Evergreen Fields Phase 5 Land Use Plan



Evergreen Fields Phase 5

Ponderosa Ct/ Kingair Dr & Lodgepole Ct

1 inch = 417 feet

0 200 400 Feet



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Coordinate System: State Plane Coordinate System
Datum: North American Datum, 1983

VILLAGE OF
**Menomonee
Falls**

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.

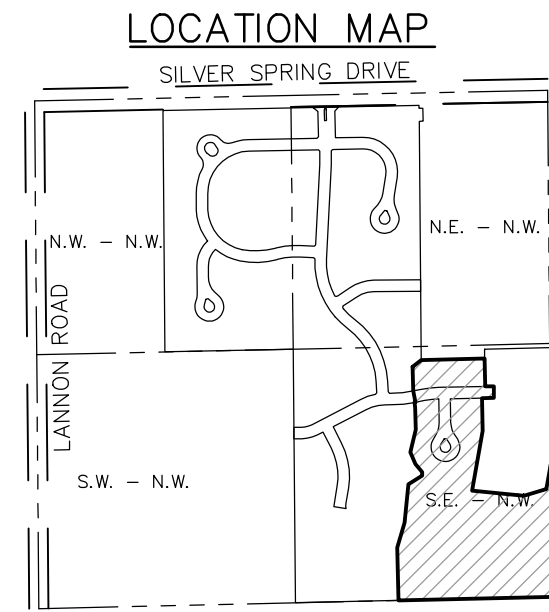
Certified _____, 20____

Department of Administration

ISSUED DATE: MARCH 19, 2025

EVERGREEN FIELDS PHASE 5

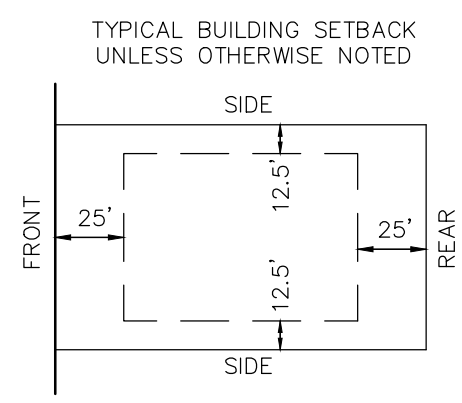
PART OF OUTLOT 2 OF CERTIFIED SURVEY MAP NO. 12178, RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE ON MAY 17, 2021 AS DOCUMENT NO. 4584652, BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 20 EAST, VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.



NW 1/4 OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 20 EAST, VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN

SCALE: 1" = 1000'

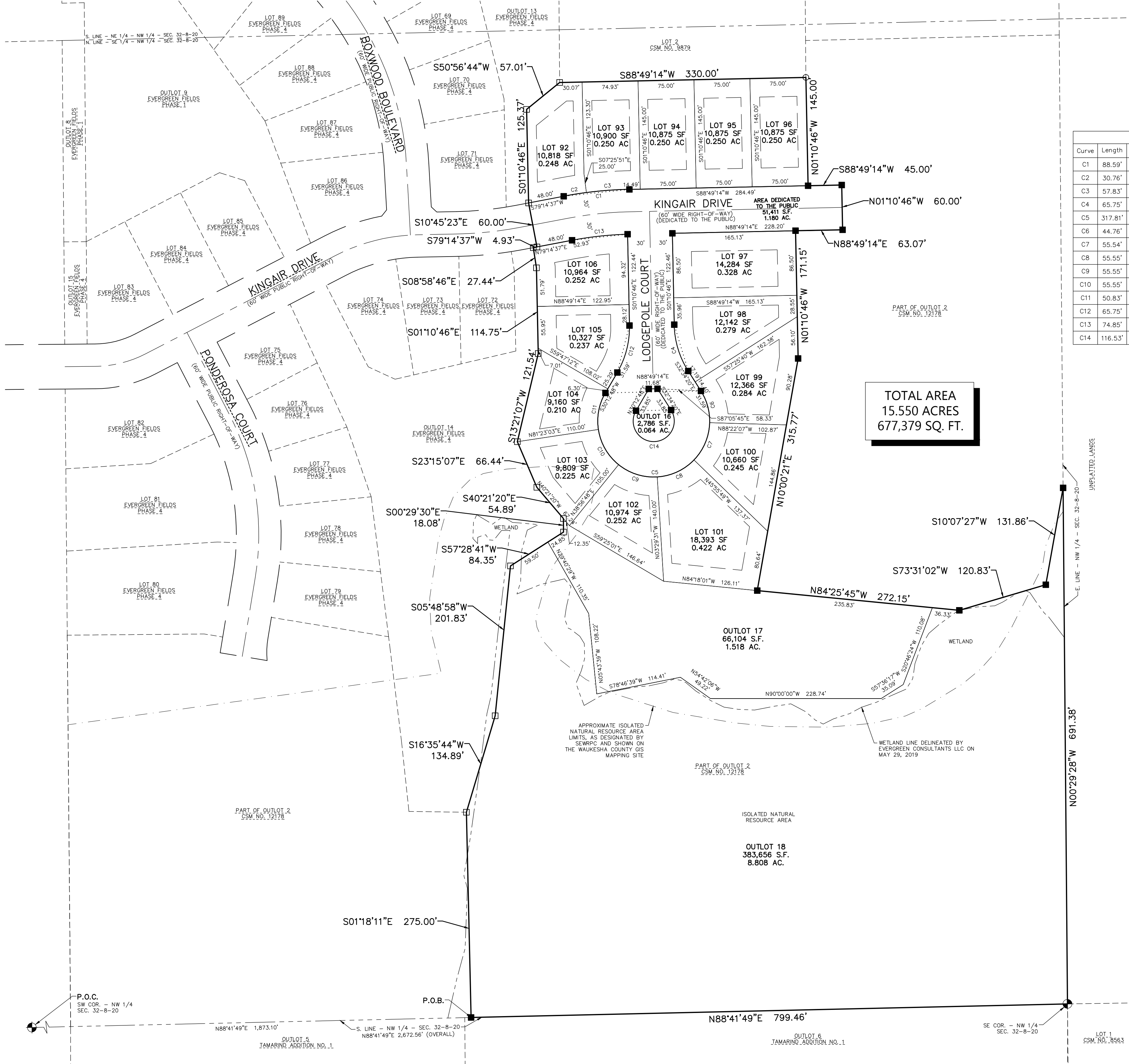
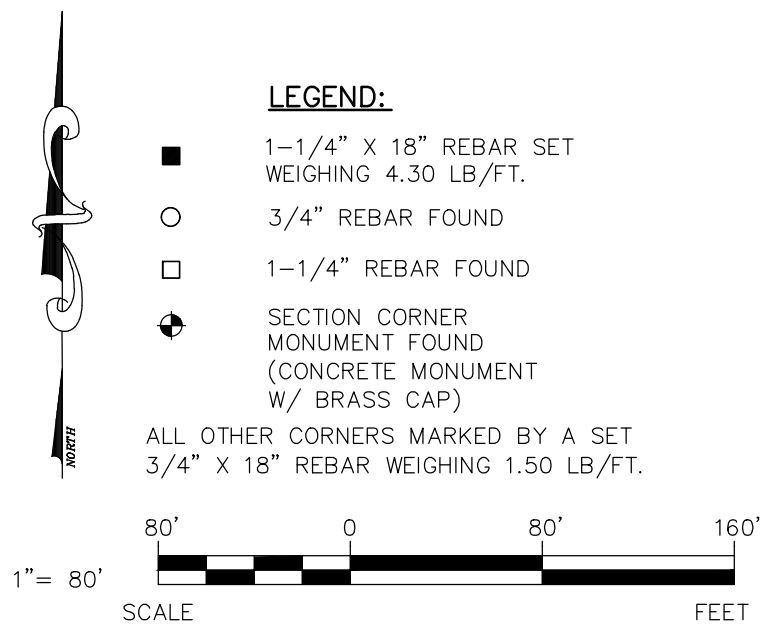
EVERGREEN FIELDS PHASE 5 SUBDIVISION



Zoning: PRD-PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

Building Setbacks:

- Front: 25 feet
- Side: 12.5 feet
- Rear: 25 feet



Curve Table						
Curve	Length	Radius	Chord Bearing	Chord Length	Delta	Tangent
C1	88.59'	530.00'	S84°01'56"W	88.49'	009°34'37"	S88°49'14"W
C2	30.76'	530.00'	S80°54'23"W	30.76'	003°19'32"	S82°34'09"W
C3	57.83'	530.00'	S85°41'42"W	57.80'	006°15'05"	S88°49'14"W
C4	65.75'	120.00'	N16°52'33"W	64.93'	031°23'33"	N32°34'20"W
C5	317.81'	75.00'	N88°49'14"E	128.04'	242°47'10"	S30°12'49"W
C6	44.76'	75.00'	N15°25'46"W	44.10'	034°11'45"	N01°40'07"E
C7	55.54'	75.00'	N22°48'43"E	54.28'	042°25'49"	N44°01'37"E
C8	55.55'	75.00'	N65°17'41"E	54.29'	042°26'25"	N86°30'54"E
C9	55.55'	75.00'	S72°16'21"E	54.29'	042°26'19"	S51°03'12"E
C10	55.55'	75.00'	S29°50'04"E	54.29'	042°26'16"	S08°36'57"E
C11	50.83'	75.00'	S10°47'56"W	49.86'	038°49'45"	S30°12'48"W
C12	65.75'	120.00'	S14°31'01"W	64.93'	031°23'34"	S01°10'46"E
C13	74.85'	470.00'	N83°48'21"E	74.77'	009°07'28"	N79°14'37"E
C14	116.53'	27.50'	S88°49'14"W	46.95'	242°47'08"	N30°12'48"E

ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDREDTH OF A FOOT. ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST SECOND AND COMPUTED TO HALF-SECONDS.

NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD27). THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 32 HAS A BEARING OF NORTH 88°-41'-49" EAST.

DRAFTED BY: JACOB MACH

EXCEL

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100 Camelot Drive
Fond Du Lac, WI 54935
Phone: (920) 926-9800
www.EXCELENGINEER.com
JOB NO. 240014400

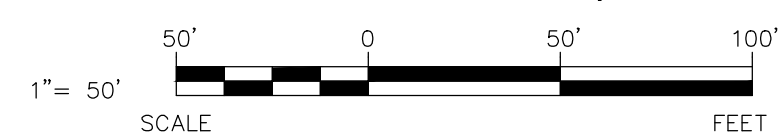
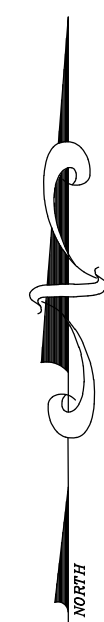
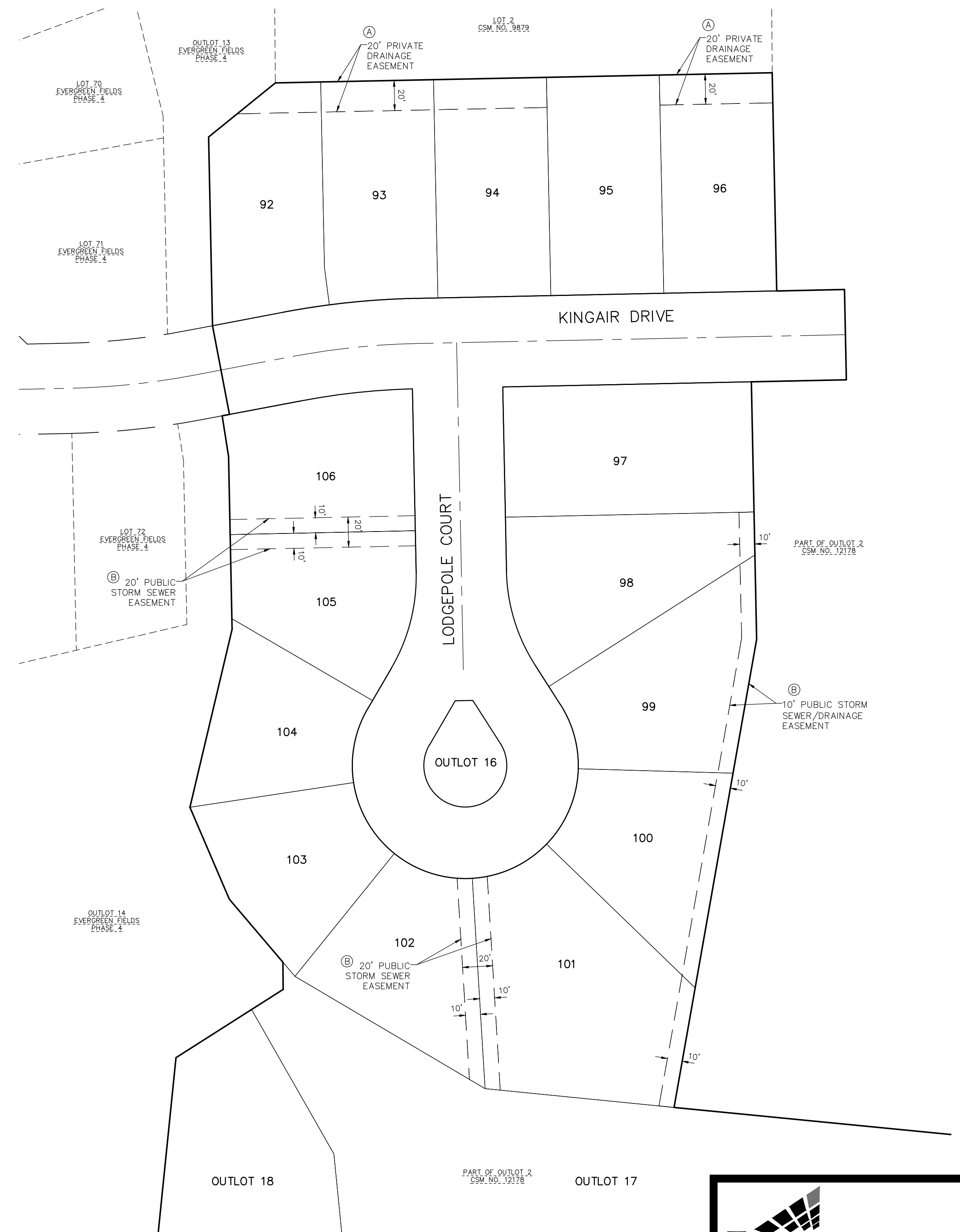
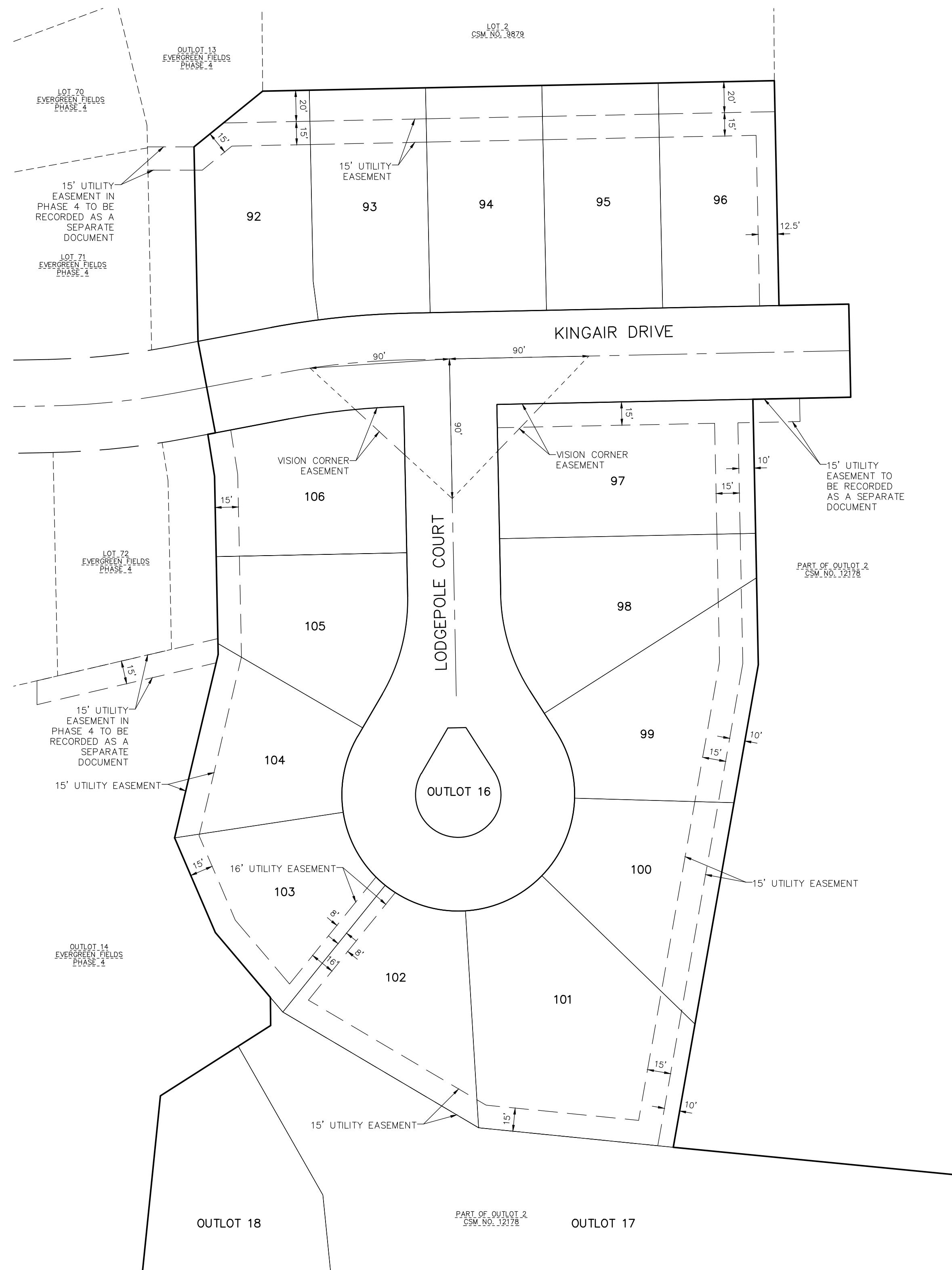
There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____



EVERGREEN FIELDS PHASE 5

PART OF OUTLOT 2 OF CERTIFIED SURVEY MAP NO. 12178, RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE ON MAY 17, 2021 AS DOCUMENT NO. 4584652, BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 20 EAST, VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.



EVERGREEN FIELDS PHASE 5

PART OF OUTLOT 2 OF CERTIFIED SURVEY MAP NO. 12178, RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE ON MAY 17, 2021 AS DOCUMENT NO. 4584652, BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 20 EAST, VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Ryan Wilgreen, Professional Land Surveyor, hereby certify that under the direction of the owners listed below, I have surveyed, divided and mapped a parcel of land described hereon:

Part of Outlot 2 of Certified Survey Map No. 12178, recorded in the Waukesha County Register of Deeds Office on May 17, 2021 as Document No. 4584652, being part of the Southeast 1/4 of the Northwest 1/4 of Section 32, Township 8 North, Range 20 East, Village of Menomonee Falls, Waukesha County, Wisconsin being more particularly described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 32; thence North 88°-41'-49" East along the South line of said Northwest 1/4, a distance of 1,873.10 feet to the point of beginning; thence continuing North 88°-41'-49" East along said South line, a distance of 799.46 feet to the Southeast corner of said Outlot 2; thence North 00°-29'-28" West along the East line of said Outlot 2, a distance of 691.38 feet; thence South 10°-07'-27" West, a distance of 131.86 feet; thence South 73°-31'-02" West, a distance of 120.83 feet; thence North 84°-25'-45" West, a distance of 272.15 feet; thence North 10°-00'-21" East, a distance of 315.77 feet; thence North 01°-10'-46" West, a distance of 171.15 feet; thence North 88°-49'-14" East, a distance of 63.07 feet; thence North 01°-10'-46" West, a distance of 60.00 feet; thence South 88°-49'-14" West, a distance of 45.00 feet; thence North 01°-10'-46" West, a distance of 145.00 feet to a Northerly line of said Outlot 2; thence South 88°-49'-14" West along said Northerly line, a distance of 330.00 feet to an Easterly line of Evergreen Fields Phase 4 (EFP4), recorded in the Waukesha County Register of Deeds Office as Document No. 4771286; thence South 50°-56'-44" West along an Easterly line of said EFP4, a distance of 57.01 feet; thence South 01°-10'-46" East along an Easterly line of said EFP4, a distance of 125.37 feet; thence South 10°-45'-23" East along an Easterly line of said EFP4, a distance of 60.00 feet; thence South 79°-14'-37" West along an Easterly line of said EFP4, a distance of 4.93 feet; thence South 08°-58'-46" East along an Easterly line of said EFP4, a distance of 27.44 feet; thence South 01°-10'-46" East along an Easterly line of said EFP4, a distance of 114.75 feet; thence South 13°-21'-07" West along an Easterly line of said EFP4, a distance of 121.54 feet; thence South 23°-15'-07" East along an Easterly line of said EFP4, a distance of 66.44 feet; thence South 40°-21'-20" East along an Easterly line of said EFP4, a distance of 54.89 feet; thence South 00°-29'-30" East along an Easterly line of said EFP4, a distance of 18.08 feet; thence South 57°-28'-41" West along an Easterly line of said EFP4, a distance of 84.35 feet; thence South 05°-48'-58" West along an Easterly line of said EFP4, a distance of 201.83 feet; thence South 16°-35'-44" West along an Easterly line of said EFP4, a distance of 134.89 feet; thence South 01°-18'-11" East, a distance of 275.00 feet to the point of beginning and containing 15.550 acres (677.379 sq. ft.) of land more or less.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Chapter 236, Wis. Stats. and the Subdivision Ordinance of Waukesha County and the Village of Menomonee Falls in surveying, dividing and mapping the same.

Ryan Wilgreen, P.L.S. No. S-2647
ryan.w@excelengineer.com
Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935
ISSUED DATE: MARCH 19, 2025

UTILITY EASEMENT PROVISIONS (PUBLIC)

An easement for electric, natural gas, and communications service is hereby granted by VH Evergreen Fields, LLC, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, **Wisconsin corporations doing business as We Energies**, Grantee,

SPECTRUM MID-AMERICA, LLC, Grantee, and

WISCONSIN BELL, INC. doing business as AT&T Wisconsin, a Wisconsin corporation, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Buildings shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

NOTES

- All electric, telephone and communication distribution lines and laterals including CATV cables, constructed after the recording of this Subdivision shall be placed underground.
- Outlot 16 of Evergreen Fields Phase 5 Subdivision is to be used for landscape purposes. Outlot 17 of Evergreen Fields Phase 5 Subdivision is to be used for stormwater management purposes. Outlot 18 of Evergreen Fields Phase 5 Subdivision is to be used for open space.
- Outlots 16, 17 and 18 of Evergreen Fields Phase 5 Subdivision will be owned jointly by all the lot owners within all phases of the Evergreen Fields Development.
- All owners of the lots in the subdivision have an equal and undivided fractional ownership of all the stormwater facilities within all phases of the Evergreen Fields Development.
- Stormwater & Storm Sewer Notes:
 - Private easements are established to provide for the unobstructed flow of stormwater runoff from adjacent and upstream properties. Owners of lots on which these easements exist shall be responsible for keeping these areas free from any obstruction that may restrict or divert this flow.
 - Public easements granted to the Village of Menomonee Falls.
- Stormwater Management Maintenance Agreement
 - The lot owner(s) or their successors and/or assigns (herein after referred to as the responsible parties) shall be responsible for maintenance of the stormwater management measures.
 - The responsible parties shall maintain the stormwater management measures in accordance with the approved stormwater management plan on file in the offices of the Village as required by the Village construction, site erosion control and stormwater management ordinance.
 - The Village is authorized to access the property to conduct inspections of stormwater practices as necessary to ascertain that the practices are being maintained and operated in accordance with the approved stormwater management plan.
 - The responsible party, on an annual basis, shall provide maintenance of stormwater management measure, including but not limited to, removal of debris, maintenance of vegetative areas, maintenance of structural stormwater management measures and sediment removal.
 - Upon notification of the responsible parties by the Village of maintenance problems which require correction, the specified corrective actions shall be taken within a reasonable time frame as set by the Village.
 - The Village is authorized to perform the corrective actions identified in the inspection report if the responsible parties do not make the required corrections in the specified time period. The costs and expenses shall be entered on the tax roll as a special assessment against the property and collected with any other taxes levied thereon for the year in which the work is completed.
- Waukesha County shall not be liable for any fees or special charges in the event they become the owner of any lot or outlot in the subdivision by reason of tax delinquency.
- Public utility easements as herein set forth are for the use of public bodies and private public utilities having the right to serve the area.
- The height of all plantings, berms, fences, signs, or other structures within the vision corner easements of Lots 97 and 106 are limited to 24 inches above the elevation of the center of the intersection. No access to any roadway shall be permitted within the vision corner easement.
- Basement Restriction - Groundwater

Although all lots in the Subdivision have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, some lots contain soil conditions that, due to the possible presence of groundwater near the surface, may require additional soil engineering and foundation design with regard to basement construction. It is recommended that a licensed professional engineer design a basement and foundation that will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors or that other special measures be taken. Soil conditions should be subject to owner's special investigation prior to construction and no specific representation is made herein.
- Wetland/Isolated Natural Resource Area Preservation Restrictions

Those areas identified as Wetland or Isolated Natural Resource Area on Page 1 of this Subdivision Plat shall be subject to the following restrictions:

 - Grading, filling and removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
 - The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that dead, diseased, dying or invasive vegetation may be removed, at the discretion of the landowner and with approval of the municipality in which the property is located within. Silvicultural thinning, upon the recommendation of a forester or naturalist and with approval from the the Village of Menomonee Falls shall also be permitted. The removal of any vegetative cover that is necessitated to provide access or service to an approved residence or accessory building, shall be permitted only when the access or service cannot be located outside of the Wetland/ Isolated Natural Resource Area Preservation Area and with approval from the Village of Menomonee Falls and, if applicable, the Waukesha County Department of Parks and Land Use.
 - Grazing by domesticated animals, i.e., horses, cows, etc, is prohibited within the Wetland area and shall be discouraged to the greatest extent possible within the Isolated Natural Resource Area.
 - The introduction of plant material not indigenous to the existing environment is prohibited.
 - The construction of ponds is prohibited.
 - The construction of buildings is prohibited.

VILLAGE TREASURER'S CERTIFICATE

I, Valerie Emrich, being the duly appointed, qualified, and acting Treasurer of the Village of Menomonee Falls, Waukesha County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this _____ day of _____, 20____ on any of the lands included in the plat of EVERGREEN FIELDS PHASE 5 SUBDIVISION.

Valerie Emrich, Village Treasurer, Village of Menomonee Falls

COUNTY TREASURER'S CERTIFICATE

I, Jennifer Grant, being the duly elected, qualified, and acting treasurer of the County of Waukesha, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of this _____ day of _____, 20____ affecting the land included in EVERGREEN FIELDS PHASE 5 SUBDIVISION.

Jennifer Grant, Treasurer, Waukesha County, Wisconsin

VILLAGE BOARD RESOLUTION

Resolved, that the revised plat of "EVERGREEN FIELDS PHASE 5", in the Village of Menomonee Falls is hereby approved and the dedications herein accepted by the Village Board of Trustees of the Village of Menomonee Falls, on this _____ day of _____, 20____.

Jeremy Walz, Village President _____ Date _____

I certify that the foregoing is a copy of a resolution adopted by the Village Board of the Village of Menomonee Falls on this _____ day of _____, 20____.

Amy Dishinger, Village Clerk _____ Date _____

CONSENT OF CORPORATE MORTGAGEE

Capitol Bank, a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described on this plat, and does hereby consent to the above Owner's Certificate.

In witness whereof, the said Capitol Bank has caused these presents to be signed by Matt J. Roegner, its Senior Vice President/Commercial Lending, at _____, this _____ day of _____, 20____.

Capitol Bank

Matt J. Roegner, Senior Vice President/Commercial Lending

STATE OF _____)

COUNTY OF _____) S.S

Personally came before me this _____ day of _____, 20____, Matt J. Roegner of the above named banking association to me known to be the person who executed the foregoing instrument, and to me know to be such Senior Vice President/Commercial Lending of said banking association, and acknowledged that they executed the foregoing instrument as such officer as the deed of said banking association, by its authority.

Notary Public, _____ County, ____

My Commission Expires: _____

OWNER'S CERTIFICATE OF DEDICATION

VH Evergreen Fields, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

VH Evergreen Fields, LLC, does further certify that this plat is required by S236.10 or S236.12 Wisconsin Statutes to be submitted to the following agencies for approval or objection:

- Department of Administration
- Village of Menomonee Falls
- Waukesha County Parks and Land Use Department

In witness whereof, VH Evergreen Fields, LLC, has caused these presents to be signed by its official officer(s) of said limited liability company at Madison, Wisconsin this _____ day of _____, 20____.

VH Evergreen Fields, LLC
By: Forgewell Building Group, LLC, Its Sole Member

By: _____

STATE OF WISCONSIN)
COUNTY OF _____) S.S

Personally came before me this _____ day of _____, 20____, the above named officer(s) of the above named VH Evergreen Fields, LLC, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, WI

My Commission Expires: _____

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

OWNER / DEVELOPER:
VH EVERGREEN FIELDS, LLC
6801 S. TOWNE DR.
MADISON, WI 53713

SURVEYOR:
RYAN WILGREEN
EXCEL ENGINEERING, INC.
100 CAMELOT DR.
FOND DU LAC, WI 54935
920.926.9800



100 Camelot Drive
Fond Du Lac, WI 54935
Phone: (920) 926-9800
www.EXCELENGINEER.com
JOB NO. 240014400

ARCHITECTS • ENGINEERS • SURVEYORS

Always a Better Plan

Paul Farrow
County Executive



Dale R. Shaver
Director

Waukesha County
Department of Parks and Land Use

TO: Wisconsin Department of Administration – Plat Review

NOTICE OF: Conditional Certification of No Objection to Final Plat

DATE OF REVIEW: April 9, 2025

RE: Subdivision Plat known as: **Evergreen Fields Phase 5**
File No. 1932E

LOCATION: Part of the NW 1/4 of Section 32 T8N, R20E, Village of Menomonee Falls

SUBMITTED BY: Wisconsin Department of Administration – Plat Review

SURVEYOR: Ryan Wilgreen, PLS
Excel Engineering, Inc.
100 Camelot Dr.
Fond Du Lac, WI 54935

DATE RECEIVED: March 20, 2025

DATE OF PLAT: March 19, 2025

SUBDIVIDER: VH Evergreen Fields, LLC
6801 S. Towne Drive
Madison, WI 53713

Planning and Zoning

515 W. Moreland Blvd., Room AC 230 Waukesha, Wisconsin 53188-3878
Phone: (262) 548-7790 Fax: (262) 896-8071 www.waukeshacounty.gov/planningandzoning

REMARKS:

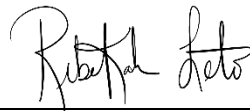
Conditional Certification of No Objection to this Final Plat is based on the following conditions being complied with prior to recordation:

1. The surveyor's seal, signature, and date must appear on all sheets of the Final Plat. The same revision date must be noted on all sheets of the Final Plat.
2. Multiple intermittent streams were identified on the Preliminary Plat. The intermittent streams appear to traverse through Outlot 18 shall be shown on the plat, with the top of bank or Ordinary High Water Mark elevation shown on the plat. In addition, per Ch. 236 WI State Statutes, the following note shall be added to the face of the plat, "Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution."

In addition, we recommend the following:

1. The Isolated Natural Resource Area likely matches the delineated Wetland boundary. We recommend consulting with SEWRPC on if it is appropriate to alter the approximate INRA boundary to match the wetland boundary.
2. We recommend that the developer consult with the property owner of the location and function of any drain tile that may be present on the property and how it may impact the development.
3. We recommend a temporary cul-de-sac be placed at the easternmost extent of Kingair Dr to provide turn-around accessibility until the roadways are extended.
4. We recommend that a Master Grading Plan be reviewed and approved by the Village if significant grading is required to accommodate basement separation to the seasonal high groundwater table.

SIGNED:



Rebekah Leto, Senior Planner

For information regarding this review, please contact Jacob Heermans at (262) 548-7790 or jheermans@waukeshacounty.gov.

cc: Village of Menomonee Falls Clerk (via email)
Village of Menomonee Falls Planner (via email)
VH Evergreen Fields, LLC, Developer (via email – mcudney@veridianhomes.com)
Ryan Wilgreen, Surveyor, Excel Engineering, Inc. (via email)
We Energies, Plat Review (via e-mail)
AT&T, Plat Review (via e-mail)
Waukesha County Register of Deeds (via email)
SEWRPC
DNR
File