



N64W23760 Main Street  
Sussex, Wisconsin 53089  
Phone (262) 246-5200  
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**AGENDA**  
**VILLAGE OF SUSSEX**  
**PLAN COMMISSION MEETING**  
**6:30 PM TUESDAY, FEBRUARY 15, 2022**  
**SUSSEX CIVIC CENTER – BOARD ROOM 2<sup>nd</sup> FLOOR**  
**N64W23760 MAIN STREET**

Pursuant to the requirements of Section 19.84, Wis. Stats., notice is hereby given of a meeting of the Village of Sussex Plan Commission, at which a quorum of the Village Board may attend virtually. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments during any portion where the public is allowed to comment or if the rules are suspended to allow them to do so.)

1. Roll call.
2. Consideration and possible action on the minutes of the Plan Commission meeting of January 18, 2022.
3. Consideration and possible action on Permitted Uses and Plans:
  - A. Consideration and possible action on plan of operation for Dave La Due Products, LLC. (N63W22619 Main Street).
4. Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:
5. Consideration and possible action on CSM's, Plats, Zoning and Planning Items:
  - A. Consideration and possible action on Final Plat for Sussex Preserve Addition No. 5 (Peppertree Drive).
6. Other items for future discussion.
7. Adjournment.

Anthony LeDonne  
Chairperson

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Jeremy J. Smith  
Village Administrator

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Additionally, due to the current Covid-19 pandemic, upon reasonable requests, this meeting may be attended virtually. For additional information or to request this service, contact the Village Clerk at 246-5200.

DISCLAIMER- THE FOLLOWING ARE DRAFT MINUTES FROM THE PLAN  
COMMISSION AND ARE  
SUBJECT TO CHANGE UPON APPROVAL OF THE PLAN COMMISSION  
**VILLAGE OF SUSSEX  
SUSSEX, WISCONSIN**

Minutes of the Plan Commission meeting held on January 18, 2022

President LeDonne called the meeting to order at 6:32 p.m.

Members present: Commissioners Roger Johnson, Deb Anderson, Mike Knapp, Jim Muckerheide, President Anthony LeDonne and Trustee Greg Zoellick.

Members excused: Mike Schulist.

Others present: Attorney John Macy, Administrator Jeremy Smith, IT Coordinator Diane Bruns, Village Clerk Sam Liebert, Trustee Stacy Riedel, Trustee Scott Adkins and applicants.

A quorum of the Village Board was present at the meeting.

**Consideration and possible action on the minutes on the Plan Commission meeting of December 14, 2021.**

A motion by Anderson, seconded by Johnson to approve the minutes of the Plan Commission meeting of December 14, 2021 as presented. Motion carried 6-0

**Consideration and possible action on plan of operation for Outset Inc. dba Free Covid Check (N63W23583 Main Street Suite D).**

The petitioners for Free Covid Check were present and spoke.

Fahad Zuberi, 282 Sype Drive, Carol Stream, IL and Hamad Hussain, 1498 Harmony Drive, Bartlett, IL: They stated that they had reached out to the county health department and assured them that the business would follow CDC guidelines and county health department guidelines. For the process of collecting samples for COVID testing, it would all be done in the parking lot at the customer's vehicle. There would be no charge for the quick-test. PCR tests take 2-3 days for results to return.

Mr. Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned B-4. General Medical Services are a permitted use in the District as this is a walk-in Covid Testing Clinic. Customer service hours are 7 days per week from 8 am to 5 pm. There are two employees per shift. Lab work is done remotely. Suite D is over 2,200 square feet, but in order to effectuate safe practices a technician will meet clients at the rear door (stairwell to 3rd floor office) give them the testing items to take back to their car to test and collect samples from a receptacle to take back upstairs to the suite to be processed. This will keep most patrons outside of the building.

There have been concerns raised by tenants in the building. In talking with Waukesha County Health Department, they will review the plan of operations for commentary and adjustment as necessary. It would be appropriate to condition approval on following the outlined plan of operation and any adjustments as necessary to comply with CDC guidelines and any recommendations from the County Health Department. At no time should folks be waiting in line in the building outside of the office suite D or staging in hallways or stairwells according to the Fire Department.

The site has 37 onsite parking spaces, and 3 street parking spaces for 40 total spaces. 18 spaces are allocated, leaving 22 spaces. This use requires 12 spaces, leaving 10 spaces open.

Plan Commission Comments: Commissioner Johnson stated he thought this plan of operation is better than when they planned to have customers que up in the hall way.

Trustee Zoellick asked what would prevent customers from using the front entrance.

The petitioners stated that there will be signage on the front door to notify them to use the rear entrance.

Trustee Zoellick asked if there were any penalties if the petitioner did not follow the plan of operation.

Mr. Smith stated that it could fall under zoning code violation or municipal ordinance.

Conversation was had about choosing a different location for the Free Covid Clinic.

Attorney Macy stated that the village does not dictate where businesses can rent. Before the Plan Commission this evening was this specific plan of operation to try and best accommodate all parties involved.

A motion by LeDonne, seconded by Knapp to suspend the rules to allow for public comment.

Sheryl Felsing, 619 Glen Erin Drive, Hartford, stated that she has had her business in the building for the past 12 years. I have concerns with the building HVAC and that employees have PPE when working with potential covid patients. She asked that the board deny occupancy.

Jenny Hagen, W239N7630 Sun Valley Court, Sussex, stated that she has had her business in the building for 10 years. I did not see any proper signage, no proper precautions being taken, people coming into my salon sick and asking where the location was. There are issues with parking. I have lost a couple of clients already and my business will continue to be affected. There were a lot of people coming in the front and back door.

Sandra Reichard, N91W16933 Laurel Lane, Menomonee Falls, stated that she has had a business in the Sussex Professional Building for 5 years. My clients have expressed displeasure and that they will not return as long as the covid clinic is in the building. I have issues with the heating system and combined air. I don't think this building is suited for their needs.

Without objection, the Plan Commission went back into regular session.

Commissioner Johnson asked if the applicant planned to install any portable air filtration devices.

The applicants said yes, they planned to do that.

Discussion was had about the plan of operation.

Commissioner Muckerheide and Commissioner Knapp both stated they have concerns with the applicant's current location and opening without permission.

A motion by Johnson, seconded by Anderson to approve of the plan of operation conditioned upon strict adherence to the operational procedures as submitted or as modified by recommendation of the Waukesha County Health Department, and no staging of customers within the building except within the Suite D itself,

with the intent of keeping potential Covid patients at the rear of the building and outside and subject to the standard conditions of Exhibit A, along with the agreed upon condition that Free Covid Check agrees to immediately correct any violations found by the County Health Department and to shutdown if so ordered by the Waukesha County Health Department for being in violation of county guidelines or in violation of this plan of operation, and that the Village Administrator must approve the signage on the doors before the business can reopen.

Motion carried 4-0  
Knapp and Muckerheide abstained

**Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:**

None

**Consideration and possible action on Final Plat for Woodland Trails Addition No. 2. (Woodland Court)**

The petitioner from was present, Ryan Fritsch of Neumann Companies gave a presentation and was made available for questions.

Mr. Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned RS-3 with a PDO. The Final Plat is in substantial conformity to the preliminary plat. This plat would establish the final 31 single family lots of the subdivision.

There are technical corrections from the Village Engineer to fix on the Plat that the Developer has acknowledged and is in the process of updating prior to execution of the Plat itself.

The utilities (public and private) and curb have been installed, but the asphalt, sidewalk/path, and trees are not yet. They are waiting for the weather to be appropriate for installation of those items.

Plan Commission Comments: None

A motion by Anderson, seconded by Johnson to recommend approval to the Village Board of the Final Plat for Woodland Trails Addition No. 2 (Woodland Court) subject to the standard conditions of Plat approval, meeting all comments and conditions of the Village Engineer including completion of the asphalt roadway, compliance with the Developer's Agreement, payment of all fees and subject to the standard conditions of Exhibit A.

Motion carried 6-0

**Consideration and possible action on Final Plat for Vista Run II (Aspen Court).**

The petitioner from was present, Ryan Fritsch of Neumann Companies gave a presentation and was made available for questions.

Mr. Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned RS-2 and SFRD-3 with a PDO. The Final Plat is in substantial conformity to the preliminary plat. This plat would establish 12 single family lots.

There are technical corrections from the Village Engineer to fix on the Plat that the Developer has acknowledged and is in the process of updating prior to execution of the Plat itself.

Sidewalk/path and street trees are not yet installed and will be when weather is appropriate for the same.

Plan Commission Comments: None

A motion by Johnson, seconded by Anderson to recommend approval to the Village Board of the Final Plat for Vista Run II (Aspen Court) subject to the standard conditions of Plat approval, meeting all comments and conditions of the Village Engineer, compliance with the Developer's Agreement, payment of all fees and subject to the standard conditions of Exhibit A. Motion carried 6-0

**Consideration and possible action Richmond Highlands**

The petitioner from was present, George Erwin of 17320 Windemere Rd, Brookfield, gave a presentation and was made available for questions.

Discussion was had by the plan commission with the petitioner.

**Other items for future discussion**

Commissioner Johnson asked if there are any updates from CDA in regards to economic development.

President LeDonne state that the CDA has started to a new section on the village website and will be working with existing resources before deciding to add anything else. I also have begun to attend Chamber of Commerce meetings.

**Adjournment**

A motion by Johnson, seconded by Zoellick to adjourn the meeting at 7:29pm.

Motion carried 6-0

Respectfully submitted,

Samuel Liebert  
Village Clerk

## **Exhibit “A”**

### **Village of Sussex Plan Commission**

#### **Standard Conditions of Approval Plan of Operation and Site Plan**

The Plan Commission for the Village of Sussex authorizes the Building Inspector to issue a building permit to the Petitioner and approves the general layout, architectural plans, ingress and egress, parking, loading and unloading, landscaping, open space utilization, site plan and plan of operation subject to the following conditions:

1. Presentation compliance. Subject to Petitioner operating the premises at all times in substantial conformity with the presentation made to the Village Plan Commission, as modified or further restricted by the comments or concerns of the Village Plan Commission.
2. Inspection compliance. Subject to the Petitioner submitting to and receiving the approval from the Village Administrator, written proof that the Village Building Inspector and Fire Chief have inspected the subject property and have found that the subject property is in substantial compliance with applicable federal, State, and local laws, statutes, codes, ordinances, policies, guidelines and best management practices, prior to this approval being effective.
3. Regulatory compliance. Subject to the Petitioner and Owner fully complying with all Village, County of Waukesha, State of Wisconsin and federal government codes, ordinances, statutes, rules, regulations and orders regarding the premises, including but not limited to compliance with Section 17.1000 of the Village of Sussex Zoning Code entitled “Site Plan Review and Architectural Control,” as determined by Village Staff.
4. Satisfaction of Engineer. Subject to the Developer satisfying all comments, conditions, and concerns of the Village Engineer regarding the Petitioner’s application prior to this approval being effective.
5. Required plans. Subject to the Developer submitting to and receiving written approval from the Village Administrator of all of the following plans as deemed necessary by the Village Administrator:
  - A. Landscaping plan
  - B. Parking plan
  - C. Lighting plan
  - D. Signage plan
  - E. Traffic plan
  - F. Grading plan

**Amendment approved at the Plan Commission meeting on July 17, 2014**

- G. Tree preservation plan

- H. Open space plan
  - I. Water plan
  - J. Surface and stormwater management plan
  - K. Sewer plan
  - L. Erosion control plan
  - M. \_\_\_\_\_
  - N. \_\_\_\_\_
  - O. \_\_\_\_\_
- P.

6. Screening of All Dumpsters. Subject to the Petitioner and Owner screening all dumpsters as required by the ordinance to the satisfaction of the Village Administrator.

7. Payment and reimbursement of fees and expenses. Subject to the Petitioner and Owner paying all costs, assessments and charges due and owing to the Village of Sussex either by the Petitioner or imposed on the subject property, including, but not limited to, real estate taxes, personal property taxes, utility bills, special assessments, permit fees, license fees and professional fees which shall include all costs and expenses of any type that the Village incurs in connection with Petitioner’s application, including the cost of professional services incurred by the Village (including engineering, legal and other consulting fees) for the review of and preparation of the conditions of approval, attendance at meetings or other related professional services for this application, as well as for any actions the Village is required to take to enforce any of the conditions of this approval due to a violation of these conditions by the Petitioner or the Owner, as authorized by law.

8. Condition if the Property is in the B-4 Central Business District. If the property is in the B-4 Central Business District, the Petitioner shall comply with the standards and conditions found within the Village of Sussex Downtown Design and Development Plan and other plans as may be approved from time to time by the Community Development Authority in its role as a Redevelopment Authority to guide development within the Village’s Downtown.

9. Subject to acceptance. The Owner by requesting a permit either directly or through an agent, and accepting the same is acknowledging that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Petitioner will therefore need to re-commence the application process.

10. Any official named in this document can appoint a designee to perform his or her duties



MEMORANDUM

TO: Plan Commission  
FROM: Jeremy Smith, Village Administrator  
RE: Plan Commission meeting of December 14, 2021  
DATE: December 1 2021

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All Code Sections in this memo refer to the Sussex Municipal Code Chapter 17 version dated March 25, 2014 with subsequent amendments thereto.

01. **Roll call.**
02. **Consideration and possible action on the minutes of the Plan Commission meeting of November 16, 2021.**
03. **Consideration and possible action on Permitted Uses and Site Plans:**
  - A. **Consideration and possible action on a sign plan for Tekila (N63W23675 Main St.).**

This site is zoned B-4. The sign as presented does not match the Master Sign plan for the building, but has been recommended for approval by the Building Owner. Since the sign doesn't match the Master Sign Plan, the Village Plan Commission must approve of the sign. The wall sign overlooking the patio would have the small light bulb style sign. Please see the sign application for more information.

**Policy Question:**

1. Are there any concerns with the sign?

**Action Items:**

1. Act on the plan.

**Staff Recommendation:** Staff recommends the Plan Commission approve the sign plan for Tekila (N63W23675 Main Street) subject to the standard conditions of Exhibit A.

04. **Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:**

**None**
05. **Consideration and possible action on CSM's, Plats, Zoning, and Planning Items:**
  - A. **Consideration and possible action on a CSM for Lannon Stone Sussex Quarry (N52W23096 CTH K).**

This site is zoned Q-1 and M-1. This CSM splits off the Q-1 from the M-1 in order to comply with the Intermunicipal Agreement between the Town of Lisbon and Village of Sussex to ensure the Village stays contiguous. The quarry portion would go to the Town of Lisbon. The Village won't record this CSM until the 66.0307 Agreement requiring this change is approved by the State of Wisconsin and the parties. Please see the CSM for more information



**Policy Question:**

1. Are there any concerns with the CSM?

**Action Items:**

1. Act on the CSM.

**Staff Recommendation:** Staff recommends the Plan Commission approve the CSM for Lannon Stone Sussex Quarry (N52W23096 CTH K) subject to the 66.0307 Agreement going into effect, any final technical corrections of the Village Engineer, and subject to the standard conditions of Exhibit A.

**06. Other Items for future discussion.**

**07. Adjournment.**



MEMORANDUM

TO: Plan Commission  
FROM: Jeremy Smith, Village Administrator  
RE: Plan Commission meeting of February 15, 2022  
DATE: February 2, 2022

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All Code Sections in this memo refer to the Sussex Municipal Code Chapter 17 version dated March 25, 2014 with subsequent amendments thereto.

01. **Roll call.**
02. **Minutes of the Plan Commission meeting of January 18, 2022.**
03. **Consideration and possible action on Permitted Uses and Site Plans:**
  - A. **Consideration and possible action on plan of operation for Dave La Due Products, LLC. (N63W22619 Main Street).**

This site is zoned M-1. The fabrication and processing of fabrics and textile products are a permitted use in the District under 17.04224(b.) The business custom makes covers for industrial robots. They have 5 employees and could work 7 days per week between 6 am and 6 pm. The code requires 5 spaces for this use. The site has 97 total spaces. 62 spaces are already allocated for users of the building. This would leave 30 spaces on the site.

**Policy Question:**

1. Are there any concerns with the plan of operation

**Action Items:**

1. Act on the Plan of operation

**Staff Recommendation:** Staff recommends approval of the plan of operation for Dave La Due Products, LLC. (N6365W225 Main Street, Unit 103) subject to the standard conditions of Exhibit A.

04. **Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:**

None

05. **Consideration and possible action on CSM's, Plats, Zoning, and Planning Items:**
  - A. **Consideration and possible action on Final Plat for Sussex Preserve Addition No. 5 (Peppertree Drive)**

This site is zoned RS-3 with a PDO. The Final Plat is in substantial conformity to the preliminary plat. This plat would establish the final 41 single family lots of the subdivision.

There are technical corrections from the Village Engineer to fix on the Plat that the Developer has acknowledged and is in the process of updating prior to execution of the Plat itself.

The utilities (public and private) and curb have been installed, but the trees are not yet. They are waiting for the weather to be appropriate for installation of those items.

**Policy Question:**

1. Are there any concerns with the Final Plat.

**Action Items:**

1. Act on the Final Plat.

**Staff Recommendation:** Staff recommends the Plan Commission recommend approval to the Village Board of the Final Plat for Sussex Preserve Addition No. 5 (Peppertree Drive) subject to the standard conditions of Plat approval, meeting all comments and conditions of the Village Engineer, compliance with the Developer's Agreement, payment of all fees and subject to the standard conditions of Exhibit A.

**06. Other Items for future discussion.**

**07. Adjournment.**



PLAN OF OPERATION

To be used for a business with changes or new business in an existing building.

Is this request to be considered for a Conditional Use? \_\_\_\_\_ If yes, is this a new CU? \_\_\_\_\_

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? \_\_\_\_\_

Tax Key # \_\_\_\_\_

Zoning: \_\_\_\_\_

Address of Tenant Space: N63 W22619 Main St. Unit 103 Sussex WI 53089

1. Name of Business:

Dave La Due Products, LLC

Business

262-613-8324

Address City, State, Zip Phone #  
 N48 W37172 E. Wisconsin Ave. Oconomowoc, WI 53066

Fax # Email address

2. Business owner contact information:

Dave La Due

Contact

N792 Marvie Dr. Oconomowoc, WI 53066 262-613-8324

Address City, State, Zip Phone #  
 N/A db1072@yahoo.com

Fax # Email address

3. Building/Land owner contact information:

Mark Heinert

Contact

S40 W22690 Sommers Hills Dr. Waukesha, WI 53189 414-841-5378

Address City, State, Zip Phone #  
 N/A markheinert@yahoo.com

Fax # Email address

4. Number of Employees/Shifts: 3-5 Employees

1 Shifts

5. Days of Operation:

Put an X in box that applies:

Hours Open for business

Preparation/cleaning

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
X	X	X	X	X	X	X
6A-6P	6A-6P	6A-6P	6A-6P	6A-6P	6A-6P	6A-6P

6. Is this an extension of an existing operation? No
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? No Do you need an Outdoor Establishment Permit? No  
 If yes, explain: \_\_\_\_\_  
If yes, please obtain and complete permit application.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? N/A
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? No If yes, explain: \_\_\_\_\_
11. Dimension of area to be occupied 39'-6" x 75'-3" Total square footage 2970  
 If applicable list square footage according to 1<sup>st</sup> floor \_\_\_\_\_ 2<sup>nd</sup> floor N/A

Please provide a copy of the site plan showing parking and layout of the building and if a multi tenant building, label the space which will be occupied by your business.

12. Parking:  
 Total Number of Parking Spaces 94 Number of spaces needed per code \_\_\_\_\_  
 Number of spaces allocated for employee parking 9  
 Dimensions of parking lot \_\_\_\_\_ Is parking lot paved? Yes

13. Signage: What type of signage are you proposing for your business?  
None at this time.  
If applicable, complete a Sign Permit application and submit to the Building Inspection Dept. Please refer to Chapter 17.0800.

I have reviewed a copy of the Zoning Ordinance in the Village of Sussex and hereby agree to abide by the same, as well as any and all terms and conditions of any permit issued pursuant to this application.

I do swear to or affirm that all statements contained herein are true and correct to the best of our knowledge.

\_\_\_\_\_  
 Name 1/24/22  
 Dave La Due, Owner Date  
 \_\_\_\_\_  
 Title or Position

I am aware and approve of the business to be operating in the building owned by \_\_\_\_\_.

\_\_\_\_\_  
 Name \_\_\_\_\_  
 \_\_\_\_\_  
 Title or Position

[Print Form](#)

[Clear Form](#)

4-13-17

Dave La Due Products, LLC

N48 W37172 E. Wisconsin Ave.

Oconomowoc, WI 53066

Cell 262-613-8324 Email: dbl072@yahoo.com

RE:

Description of business process.

DLP, LLC designs and fabricates fabric covers for industrial robots. We use Solidworks 3D software and Auto-Cad 2D software to obtain the dimensional data to produce full size paper patterns. The paper patterns are then laid on the appropriate fabric, traced with a marker then cut out with a scissor, razor or electric knife. Those parts are then sewn together on industrial sewing machines using appropriate threads, Velcro, zippers and snaps. The finished items are then boxed and shipped to the customer.

Occasionally, we will travel to the customers site to obtain additional data if the job is very customized or complex or we need to test a finished product for proper fit and function. Additionally, the customer may send a robot to us to perform the patterning and testing process.

The picture is a very typical product we make for a high temperature application.

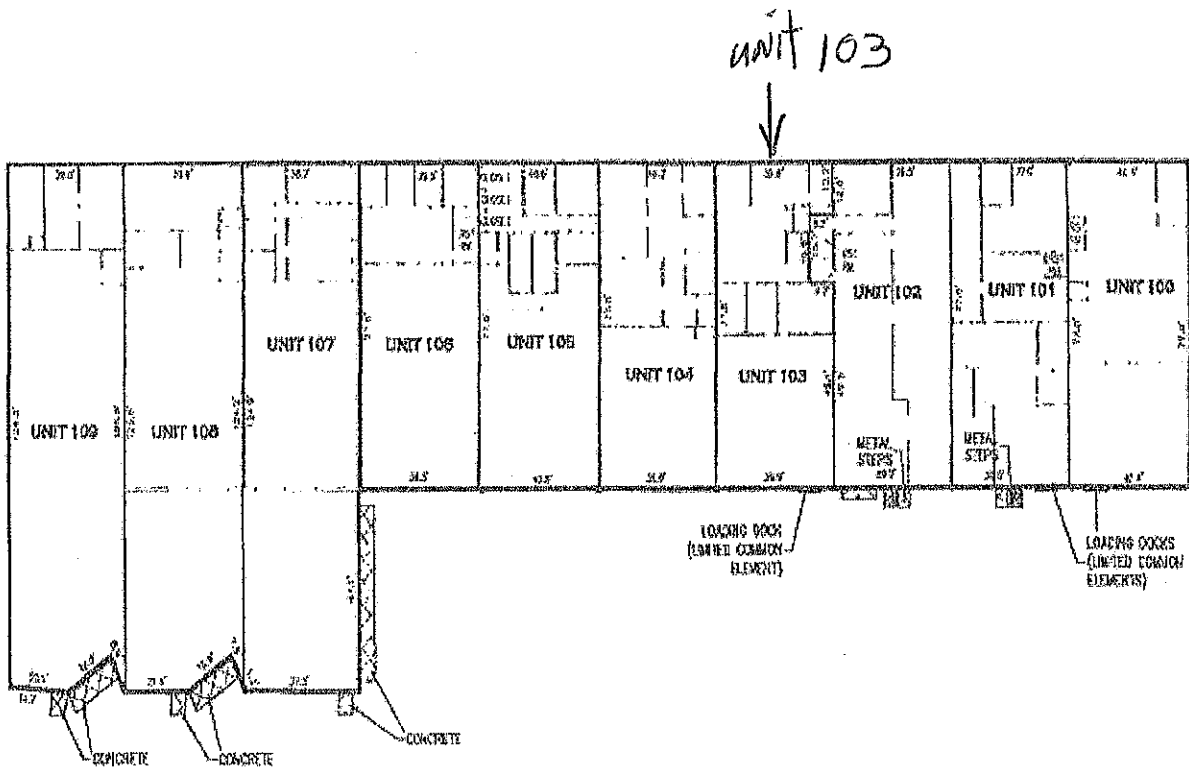
Dave La Due

Owner



EXHIBIT A

FLOOR PLAN





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

EXISTING ZONING:  
RS-3 (PDO)

DESIGN CRITERIA:  
MIN. FRONT SETBACK: 30 FT.  
MIN. REAR SETBACK: 25 FT.  
MIN. SIDE SETBACK: 10 FT.

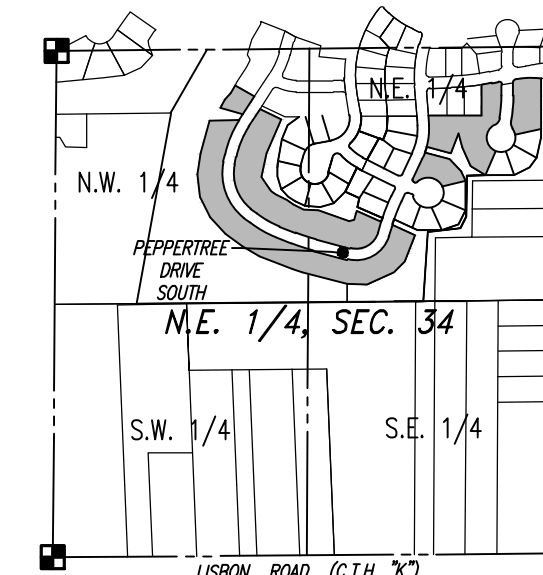
# SUSSEX PRESERVE ADDITION NO. 5

BEING A SUBDIVISION OF OUTLOTS 10, 11, 12, 13, 14, AND 16 OF SUSSEX PRESERVE ADDITION NO. 4 IN A PART OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, IN TOWN 8 NORTH, RANGE 19 EAST, IN THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.

**OWNER:**  
MAPLE GROVE PRESERVE, LLC  
c/o ARTHUR SAWALL  
4375 PILGRIM HOLLOW COURT  
BROOKFIELD, WI 53005  
262-893-4848

### GENERAL NOTES:

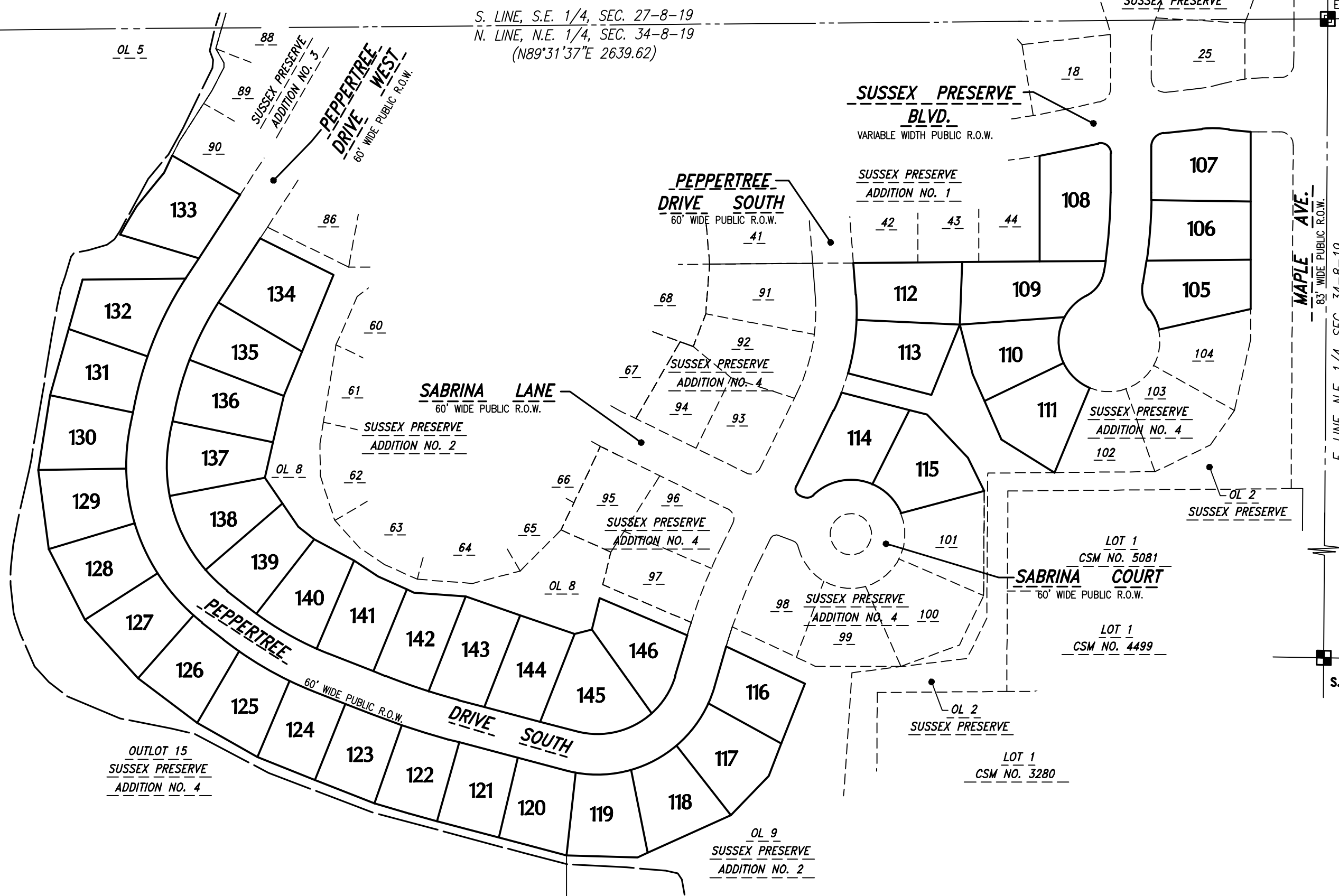
- Indicates Set 1.270" outside diameter x 18" long Reinforcing Bar weighing 4.303 lbs. per lineal foot. All other Lot and Outlot corners are staked with 0.750" outside diameter x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.
- Indicates Found 0.75" Reinforcing Bar, (Unless stated otherwise).
- All linear measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to nearest second and computed to the nearest half-second.
- All bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the East line of the N.E. 1/4 of Section 34, Town 8 North, Range 19 East, bears North 00°20'45" East.
- The Landscape Island Easement as shown on the "Sussex Preserve" Subdivision with Landscaping herein granted to each individual Lot Owner within this Subdivision and each individual Lot Owner within any future addition to this Subdivision. The Owners of the residential Lots within this Subdivision and the Owners of any Lots within any future addition to this Subdivision shall each be liable for an equal undivided fractional share of the cost to repair, maintain or restore the Entrance Monument Signage and Landscaping within Outlot 3 of "Sussex Preserve" and said Landscape Island Easement. Said repairs, maintenance and restoration shall be performed by the Owners of all Lots within this Subdivision and the Owners of any Lots within any future addition to this Subdivision.
- The Landscape Island Easement as shown on "Sabrina Court" with Landscaping has been granted to each individual Lot Owner within this Subdivision, each individual Lot Owner of any previous additions, and each individual Lot Owners within any future addition to this Subdivision. The Owners of the residential Lots within this Subdivision, the Owners of any Lots within any previous additions, and the Owners of any Lots within any future addition to this Subdivision shall each be liable for an equal undivided fractional share of the cost to repair, maintain or restore. Said repairs, maintenance and restoration shall be performed by the Owners of all Lots within this Subdivision, the Lot Owners of any previous additions and the Owners of any Lots within any future addition to this Subdivision.
- The 100 year Floodplain line, as shown on FEMA flood Map Number 55133C0201G, dated November 4th, 2014, and revised on June 23, 2017, shown hereon, encroaches into Outlots 14 and 15. The 100 year Floodplain line as shown on this plat has been updated and approved by CLOMR Case Number 19-05-3007R on this plat. Per CLOMR Case Number 19-05-3007R all lots are now located within Zone "X".
- The Village will only mow Village owned Outlots once per year, including those parts that touch Public Roads. Adjacent property owners are allowed to mow those areas more frequently.



N. 1/4 CORNER, SEC. 34-8-19  
WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE  
FOUND CONC. MON. W/ BRASS CAP  
N-412,952.66  
E-2,471,365.97

(P.O.C.) N.E. CORNER, SEC. 34-8-19  
WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE  
FOUND CONC. MON. WITH BRASS CAP  
N-412,974.45  
E-2,474,005.24

S.E. COR. OF THE N.E. CORNER, SEC. 34-8-19  
WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE  
FOUND CONC. MON. WITH BRASS CAP  
N-410,333.27  
E-2,473,989.30



### UTILITY EASEMENT PROVISIONS:

An easement for electric, natural gas, and communications service is hereby granted by MAPLE GROVE PRESERVE, LLC, Grantor, to WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, Grantee, WISCONSIN BELL, INC., d/b/a AT&T Wisconsin, a Wisconsin Corporation, Grantee, and Spectrum Mid-America LLC, 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.

In the areas with the 25' wide utility easement along with the 11' wide sidewalk easement, there shall be no above ground facilities in the 11' wide sidewalk easement.

### PUBLIC EASEMENT PROVISIONS:

Permanent non-exclusive easements granted to the Village of Sussex ("Village") upon, within, and beneath the land identified on this final plat as:

- (A) - Ex. "20' Wide Public Storm Sewer Easement"
- (B) - Ex. "11' Wide Public Sidewalk Easement"
- (C) - Ex. "15' Wide Public Access Easement"

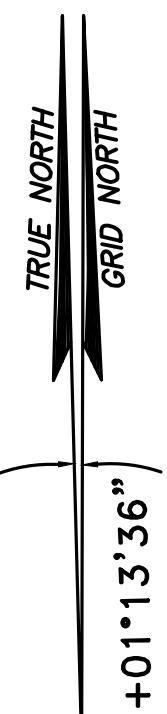
- Purpose:** The purpose of these Easements is to:
  - Public Storm Sewer Easement and Public Access Easements:**
    - Install, operate, maintain, and replace and gain access to above ground and underground storm sewer utility facilities, together with all necessary and appurtenant equipment under and above the ground as deemed necessary by the Village, all to transmit storm water.
    - Surface storm water conveyance.
  - 11' Wide Public Sidewalk Easement:**
    - Construct, maintain, repair, and replace pedestrian sidewalks in the sidewalk easements and path in the access easements depicted on the final plat.
    - The general public shall have the right to traverse the "11' Wide Public Sidewalk Easement" and the "15' Wide Access Easement" area for use as a public sidewalk and path.
- Buildings and Other Structures:** The land owner agrees that no structures will be erected in the easement area, or in such close proximity to the facilities, such as to prevent the Village from exercising its rights under this easement.
- Elevation:** The land owner agrees that the elevation of the existing ground surface within the easement area will not be altered by more than four (4) inches without the written consent of the Village.
- Restoration:** The Village agrees to restore or cause to have restored the land owner's land to grade and replace sod or grass disturbed. This restoration, however, does not apply to the initial installation or to any trees, bushes, branches, or roots which may interfere with the Village's use of the easement area.
- Exercise of Rights:** It is agreed that the complete exercise of rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
- These Easement shall run with the land and shall be binding upon and inure to the benefit of and be enforceable by the land owner and the Village and their respective heirs, personal representatives, successors and assigns.

### BASEMENT RESTRICTION - BEDROCK NOTE:

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 which, due to the possible presence of bedrock near the ground surface, may require additional soil engineering and foundation design with regard to basement construction. It is recommended that either a licensed professional engineer or other soils expert be consulted regarding the construction of basements in these areas where bedrock may be present near the ground surface. Soil conditions should be subject to each owner's special investigation prior to construction and no specific representation is made herein.

### BASEMENT RESTRICTION - GROUNDWATER NOTE:

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 each owner's special investigation prior to construction and no specific representation is made herein.

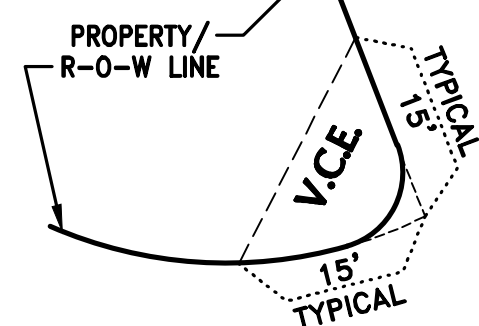


SCALE: 1" = 150'



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

### VISION CORNER EASEMENT DETAIL (V.C.E.)



### V.C.E. EASEMENT APPLIES TO:

Lots 107, 108, and 114 are herein subject to a Vision Corner Easement as shown on this plat. Vision corner easements are herein granted to the Village of Sussex. No structure of any kind shall be permitted within a vision corner which exceeds 3 feet above the intersection except for necessary highway and traffic signs, public utility lines and open fences, through which there is clear vision, nor shall any plant material be permitted which obscures safe vision of the approaches to the intersection.

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

# SUSSEX PRESERVE ADDITION NO. 5

BEING A SUBDIVISION OF OUTLOTS 10, 11, 12, 13, 14, AND 16 OF SUSSEX PRESERVE ADDITION NO. 4 IN A PART OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, IN TOWN 8 NORTH, RANGE 19 EAST, IN THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.

(P.O.C.) N.E. CORNER,  
SEC. 34-8-19  
WIS. STATE PLANE COORD.  
SYSTEM - SOUTH ZONE  
FOUND CONC. MON.  
WITH BRASS CAP  
N=412,974.45  
E=2,474,005.24

## CERTIFICATE OF COUNTY TREASURER:

STATE OF WISCONSIN )  
) SS  
COUNTY OF WAUKESHA

I, Pamela F. Reeves, being duly elected, qualified and acting Treasurer of the County of Waukesha, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ on any of the land included in the Plat of "SUSSEX PRESERVE ADDITION NO. 5".

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

Pamela F. Reeves, County Treasurer

## CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

MAPLE GROVE PRESERVE, LLC, a Wisconsin Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said Limited Liability Company has caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. I also certify that this plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection.

### APPROVING AGENCIES:

1. Village of Sussex

### AGENCIES WHO MAY OBJECT:

1. State of Wisconsin, Department of Administration  
2. Waukesha County, Department of Parks and Land Use

Witness the hand and seal of said Owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

MAPLE GROVE PRESERVE, LLC

Arthur Sawall, Member

STATE OF WISCONSIN )  
) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named Arthur Sawall, Member 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 Member 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: \_\_\_\_\_  
Public, \_\_\_\_\_ County, WI  
My Commission Expires: \_\_\_\_\_



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

TRUE NORTH  
GRID NORTH  
+01°13'36"

SCALE: 1" = 50'

0 50 100

SUSSEX PRESERVE  
ADDITION NO. 4

SUSSEX PRESERVE  
ADDITION NO. 2

SUSSEX PRESERVE  
ADDITION NO. 4

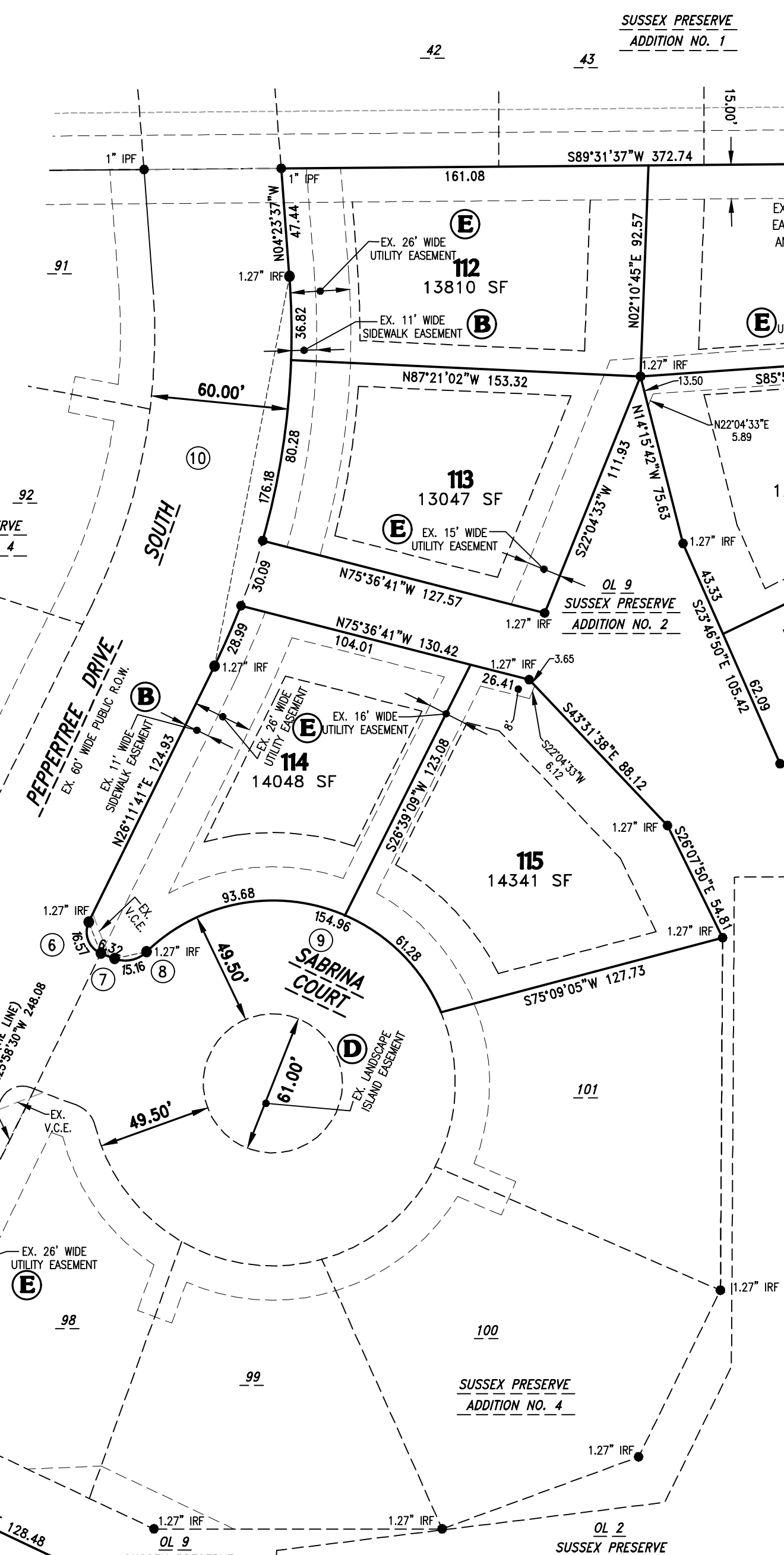
SUSSEX PRESERVE  
ADDITION NO. 4

SUSSEX PRESERVE  
ADDITION NO. 2

SUSSEX PRESERVE  
ADDITION NO. 4

SUSSEX PRESERVE  
ADDITION NO. 2

SUSSEX PRESERVE  
ADDITION NO. 4



## CERTIFICATE OF VILLAGE TREASURER:

STATE OF WISCONSIN )  
) SS  
COUNTY OF WAUKESHA

I, Sam Liebert, being duly appointed, qualified and acting Treasurer of the Village of Sussex, 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\_\_\_\_ on any of the land included in the Plat of "SUSSEX PRESERVE ADDITION NO. 5".

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

Sam Liebert, Village Treasurer

## VILLAGE BOARD APPROVAL CERTIFICATE:

Resolved that the Plat of "SUSSEX PRESERVE ADDITION NO. 5", in the Village of Sussex, MAPLE GROVE PRESERVE, LLC, owner, is hereby approved by the Village Board.

All conditions have been met as of this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

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

Anthony LeDonne, Village President

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Village Board of the Village of Sussex.

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

Sam Liebert, Village Clerk

S.E. COR. OF THE N.E. CORNER,  
SEC. 34-8-19  
WIS. STATE PLANE COORD.  
SYSTEM - SOUTH ZONE  
FOUND CONC. MON.  
WITH BRASS CAP  
N=410,333.27  
E=2,473,989.30

THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, P.L.S. (S-3119)

DATED THIS 17TH DAY OF JUNE, 2021

SHEET 2 OF 3

H:\CG\974\07011-01\SURVEY\PLATS\166P\106.DWG

CURVE TABLE:

Table with columns: NO., LOT(S), RADIUS, CENTRAL ANGLE, ARC, CHORD, CHORD BEARING, TANGENT IN, TANGENT OUT. Rows 1-19 contain curve data for lots 1-19.

EXISTING 10' WISCONSIN BELL, INC. EASEMENT (PER DOC. NO. 2054022 AND AS SHOWN ON C.S.M. #7984)

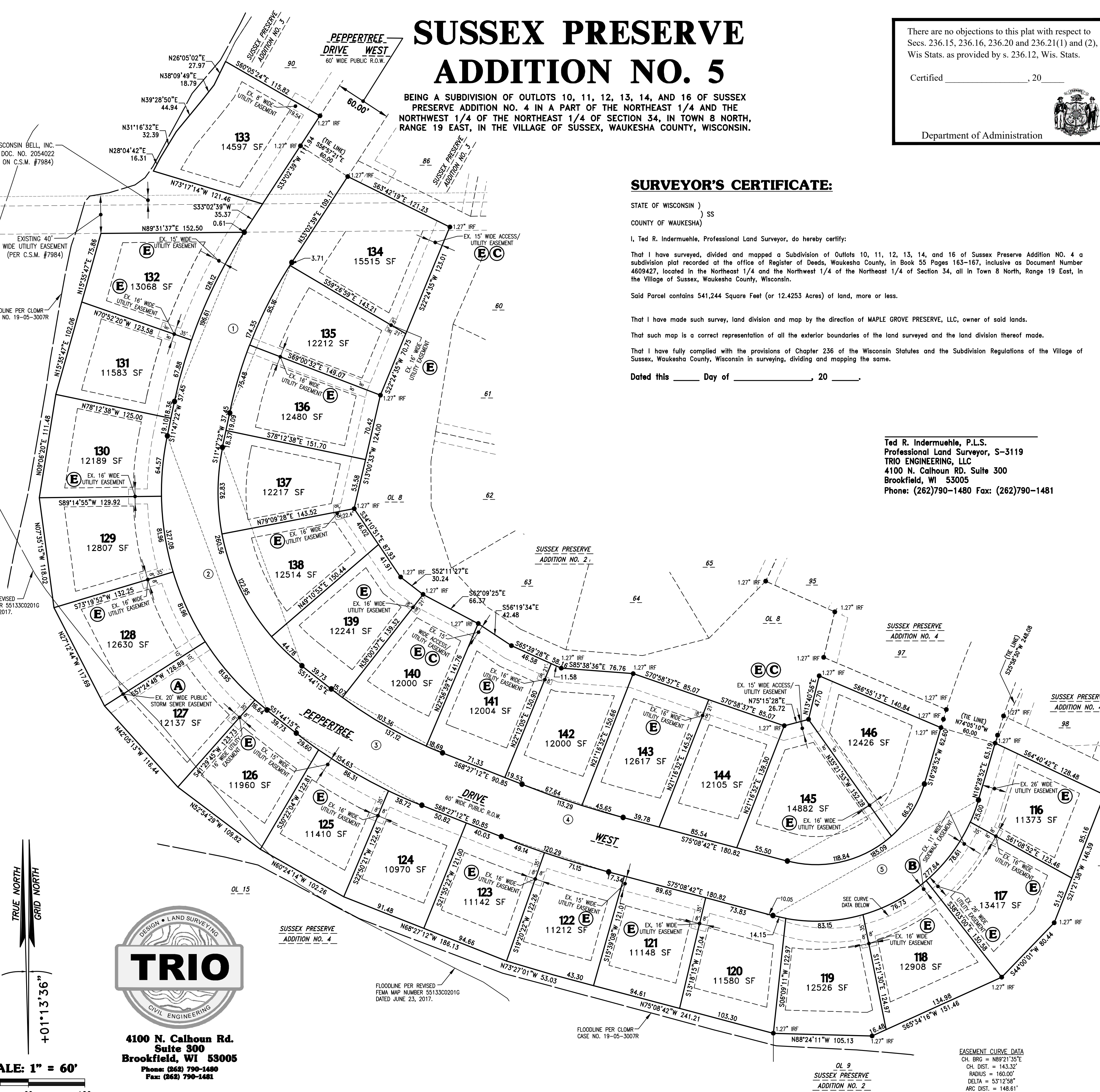
EXISTING 40' WIDE UTILITY EASEMENT (PER C.S.M. #7984)

FLOODLINE PER REVISION FEMA MAP NUMBER 55133C02016 DATED JUNE 23, 2017.

FLOODLINE PER CLMOR CASE NO. 19-05-3007R

FLOODLINE PER REVISION FEMA MAP NUMBER 55133C02016 DATED JUNE 23, 2017.

FLOODLINE PER CLMOR CASE NO. 19-05-3007R

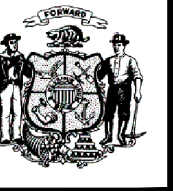


SUSSEX PRESERVE ADDITION NO. 5

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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\_\_\_

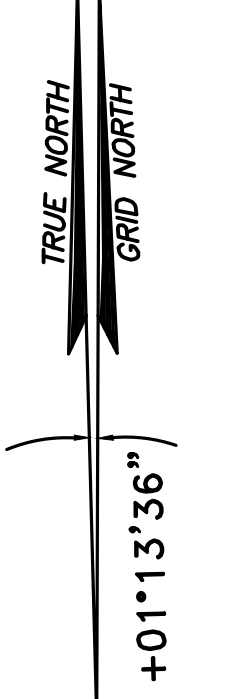


Department of Administration

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN )
COUNTY OF WAUKESHA )
I, Ted R. Indermuehle, Professional Land Surveyor, do hereby certify:
That I have surveyed, divided and mapped a Subdivision of Outlots 10, 11, 12, 13, 14, and 16 of Sussex Preserve Addition No. 4 a subdivision plat recorded at the office of Register of Deeds, Waukesha County, in Book 55 Pages 163-167, inclusive as Document Number 4609427, located in the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 34, all in Town 8 North, Range 19 East, in the Village of Sussex, Waukesha County, Wisconsin.
Said Parcel contains 541,244 Square Feet (or 12.4253 Acres) of land, more or less.
That I have made such survey, land division and map by the direction of MAPLE GROVE PRESERVE, LLC, owner 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 Sussex, Waukesha County, Wisconsin 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 Rd. Suite 300 Brookfield, WI 53005 Phone: (262)790-1480 Fax: (262)790-1481



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

EASEMENT CURVE DATA CH. BRG = N89°21'35"E CH. DIST = 143.32' RADIUS = 160.00' DELTA = 53°12'58" ARC DIST = 148.61'