



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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****BY E-MAIL ONLY****

May 10, 2017

Re-Approved: April 3, 2018

Michael S. Marty
Vierbicher Associates, Inc.
999 Fourier Drive, Suite 201
Madison, Wisconsin 53717

RE: LNDSCM-2017-00006; ID 46113 – Certified Survey Map – 205-221 N. Gammon Road (Novak/ Grams)

Dear Mr. Marty;

On April 24, 2017, the City of Madison Plan Commission **conditionally approved** your four-lot Certified Survey Map of property located at 205-221 N. Gammon Road, Section 24, Township 7N, Range 8E, City of Madison, Dane County, Wisconsin. The property is zoned SR-C1 (Suburban Residential–Consistent 1 District). A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division was approved by the Common Council on May 2, 2017; a resolution re-approving the CSM is scheduled for review on May 15, 2018. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following thirteen (13) items:

1. The new development created by Lots 1 and 2 of this CSM appear to discharge to an enclosed depression (pond) on property that is not included with or under the control of the lots being created by this CSM. The lots shall not be allowed to discharge any additional runoff water to this enclosed depression without a cross lot drainage agreement being recorded. In the absence of this agreement, all lots shall detain the 100-year event and match volumetric flows in the 10-year event.
2. According to City records, it is unclear how the existing homes located on Lots 3 and 4 are being provided sanitary sewer service. The applicant shall show how the existing homes are currently being provided sanitary sewer service and how these homes will be provided sanitary sewer after the CSM is recorded.
3. It appears that a private sanitary sewer main is located on the eastern portion of these lots. If it is the intention to maintain the use of this sewer main, the applicant shall dedicate a private sanitary sewer easement.
4. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the CSM.

5. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering sign-off.
6. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. This property is subject to Sanitary Connection charges for the Gettle Avenue Pumping Station District (\$17.80/1000 sq. ft. of lot area).
7. The lots within this Certified Survey Map are interdependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the Certified Survey Map, and recorded at the Dane County Register of Deeds.
8. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
9. Two weeks prior to recording the CSM, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the CSM, as determined necessary by the City Engineer.
10. The developer shall construct Madison Standard street improvements for all streets within the CSM. The cul-de-sac will include work outside of this plat to the south. Due to existing topographical constraints, the City Engineer is not recommending the installation of sidewalk.
11. The approval of this land division does not include the approval of changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way, including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.
12. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
13. It is unclear if 205 N. Gammon Road is currently connected to public sewer or if it has a septic system. If there is a septic system, the applicant shall provide proof of septic system abandonment from Public Health- Madison and Dane County as a condition of plan approval.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following twelve (12) items:

14. The developer shall construct off-site public street improvements and obtain the required public right of way lands and easements for the construction that is required to serve this development. Prior to installation of the off-site improvements, the developer shall acquire the necessary lands and dedicate the required public right of way and any temporary construction easements, as required by the City, at the developer's expense. In the event that the developer is unable to acquire the lands for dedication for public right of way and temporary construction easements, the City shall proceed to acquire the public right of way and temporary easements. The developer shall reimburse the City for all costs associated with the acquisition, including attorney's fees and any and all costs associated with any court-ordered awards. The developer shall provide a deposit at the time of contract execution to cover the estimated City staff expenses along with the land acquisition and easement acquisition costs. The developer shall note that separate, additional surety in an amount estimated to cover any potential court-ordered awards shall be retained by the City until such time as appeal rights have expired. The additional surety shall be provided prior to the City making an offer for the lands for public right of way and any temporary easements.
15. The portion of Acadia Court that will not be required for public right of way due to the proposed reconfiguration of the right of way shown on this Certified Survey Map shall be discontinued and vacated. The applicant shall Contact Jeff Quamme at jrquamme@cityofmadison.com or 266-4097 to coordinate the required process for the vacation and discontinuance of a portion of Acadia Court.
16. Add a sentence to the end of Note 3 on Sheet 4: "Notwithstanding the foregoing, all vehicular access points to N Gammon Road from any lands within this Certified Survey Map shall be removed within 18 months of the recording of this Certified Survey Map at the Dane County Register of Deeds." The CSM shall show and note the access to be removed.
17. The 30-foot cross access easement set forth on this CSM shall state the beneficiaries of the easement. The conditions of construction, maintenance, replacement and use shall be set forth for the new and existing easements either on the face of the CSM or by separate instrument recorded immediately after the recording of this CSM.
18. Any necessary private sanitary sewer, water service or stormwater drainage easements needed to serve the lots within this CSM shall be shown, dimensioned, labeled and the conditions stated on the document. If preferred, the easement conditions and restrictions may be set forth in a separate document recorded immediately after the CSM. All documents shall be provided prior to final sign off for review and comment.
19. Extend the existing 15-foot wide TLE for Grading and Sloping over Lot 4 as granted on the original CSM 10381.
20. Provide dimensions for the existing 6-foot utility easement shown per Document No. 3482383.

21. The CSM shall note that the lands included in the land division are subject to Deed Restrictions and Covenants per Document No. 3482547, or provide documentation stating otherwise.
22. The gas main for the easement per Document No. 3605274 shall be located and the approximate location shown and labeled on the CSM.
23. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
24. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme (jrquamme@cityofmadison.com), City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.
25. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject CSM, one (1) digital CADD drawing and one (1) signed copy of the final CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).
 - This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.
 - The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:

26. A separate water service lateral and water meter is required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-

of-way (per PSC 185.52 (2)). Depict how each proposed parcel is anticipated to be provided water service.

Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following three (3) items:

27. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(6) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 17108 when contacting Parks Division staff about this project.
28. The developer shall put the following note on the face of the CSM: "The lots/ buildings within this subdivision/ development are subject to impact fees that are due and payable at the time building permit(s) are issued."
29. Prior to sign off on the CSM, the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.

Please contact my office at 261-9632 if you have questions about the following four (4) items:

30. Building envelopes approved by the Planning Division shall be shown on the final Certified Survey Map for Lots 1 and 2 prior to final approval and recording. In establishing these envelopes, care shall be given to limit impacts on the mature trees present on Lots 1 and 2.
31. Plans for the private drive serving Lots 1-4 shall be approved by the Planning Division and City Engineering Division prior to final approval and recording of the CSM. Prior to the issuance of building permits for Lots 1 or 2, the shared private drive shall be constructed, the driveways for Lots 3 and 4 connected to the private drive, and the existing driveways to N. Gammon Road removed and the terrace restored.
32. Access to any garages on Lots 1 and 2 shall be provided from the shared private drive extending from Acadia Court.
33. An easement/agreement for the construction, maintenance, and perpetual right of use for the shared private drive shall be submitted for review by the Planning Division prior to final approval and recording of the CSM. The final executed easement/ agreement shall be recorded concurrently with the recording of the final CSM. This document shall not preclude use of the shared access by the public for pedestrians and bicycles in the event that a connection from Acadia Drive/ Acadia Court and Parkwood Hills to a public sidewalk or off-street multi-purpose path is established along N. Gammon Road in the future.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following eight (8) items:

34. Signature block certifications shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary at the time of execution. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.
35. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.
36. An Environmental Site Assessment is required for the dedication areas.
37. As of April 14, 2017, the 2016 real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
38. A deferred special assessment is reported for one of the parcels within the CSM boundary; however the City Finance Department verified that it has been paid in full. If additional special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to MGO Section 16.23(5)(g)1.
39. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to the City's Office of Real Estate Services (jfrese@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The surveyor shall update the CSM with the most recent information reported in the title update.
40. The owner shall email the document number of the recorded CSM to Jenny Frese at the City's Office of Real Estate Services as soon as the recording information is available.
41. The CSM shall be revised as follows prior to final approval and recording:
 - a) The title work provided with the application re-submittal is incomplete. Please note that the Office of Real Estate Services may have additional comments and conditions based upon the contents of the revised title report, once received.
 - b) Replace R/W with Right-of-Way throughout the CSM.
 - c) Depict the easement referred to in Note 8 on Sheet 4.
 - d) Dimension the 15' and 40' easement areas on Sheet 3.
 - e) Add the description for Document No. 3482547 to the label for the Cross Access Easement per the prior CSM, or include said document description in the Notes on Sheet 3.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (attached), the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

TIMOTHY M. PARKS
Planner

cc: Tim Troester, City Engineering Division
John Sapp, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sarah Lerner, Parks Division
Jenny Kirchgatter, Assistant Zoning Administrator
Adam Wiederhoeft, Madison Water Utility
Bill Sullivan, Madison Fire Department
Jenny Frese, Office of Real Estate Services