



## Village of Hobart

Village Office 2990 S. Pine Tree Rd, Hobart, WI  
[www.hobart-wi.org](http://www.hobart-wi.org) - [www.buildinhobart.com](http://www.buildinhobart.com)

Notice is hereby given according to State Statutes that the VILLAGE BOARD of the Village of Hobart will meet on Tuesday October 20<sup>th</sup> 2020 at 6:00 P.M. at the Hobart Village Office. **NOTICE OF POSTING:** Posted this 16<sup>th</sup> day of October, 2020 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village website.

### MEETING NOTICE – VILLAGE BOARD (Regular)

Date/Time: Tuesday October 20<sup>th</sup> 2020 (6:00 P.M.)  
 Location: Village Office, 2990 South Pine Tree Road

*NOTE: Based on Federal and State guidance during the COVID-19 crises, anyone attending the Board meeting is asked to practice social distancing, which means maintaining a distance of at least 6 feet (2 meters) from others. Due to the Governor's recent Executive Order, all those present must wear a face mask at the meeting. Thank you for your cooperation.*

#### ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call.
2. Certification of the open meeting law agenda requirements and approval of the agenda
3. Pledge of Allegiance

#### 4. PUBLIC HEARINGS

**5. CONSENT AGENDA (These items may be approved on a single motion and vote due to their routine nature or previous discussion. Please indicate to the Board President if you would prefer separate discussion and action.)**

- A. Payment of Invoices (Page 12) (Page 4)
- B. VILLAGE BOARD: Minutes of September 22<sup>nd</sup> (Special) and October 6<sup>th</sup> (Regular) 2020 (Page 20)
- C. PLANNING AND ZONING COMMISSION: Minutes of September 15<sup>th</sup> 2020 (Page 26)

#### 6. ITEMS REMOVED FROM CONSENT AGENDA

**7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS (NOTE: Please limit citizens' comments to no more than three minutes)**

#### 8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS

#### 9. COMMITTEE REPORTS AND ACTIONS

**A. DISCUSSION AND ACTION - Consider 2 Lot CSM dividing 10.729 acre parcel into two separate parcels of 5 acres and 5.013 acres (501 S. Overland Road, Portion of HB-17) (Planning and Zoning Commission)**

The property owner currently has one larger lot and is proposing a two lot CSM that would split off the home and buildings and some additional acreage from the remaining farmland. There is a smaller 0.716 acres of land that is located across S. Overland Rd. which will need to be verified as to which parcel it will be attached to. With this property being zoned A-2: Exclusive Agricultural District, the minimum parcel size would be 5 acres which both of these lots would be compliant. Both lots are proposed to remain as the A-2 zoning at this time. (Page 28)

**B. DISCUSSION AND ACTION – Consider 3 Lot CSM dividing one parcel into three separate parcels of 2.983 acres, 2.233 acres, and 1.528 acres (201 Fernando Drive, HB-287-1) (Planning and Zoning Comm.)**

The property owner currently has one 6.745 acre lot and is proposing a three lot CSM that would create two new lots. parcels. This proposed CSM will create three separate parcels of 2.983 acres, 2.233 acres, and 1.528 acres. Lot 3 is currently developed with a single-family dwelling and an accessory building while Lots 2 and 3 are currently undeveloped except for the transmission lines that run through the proposed lot 2. With all three

proposed lots being less than 5 acres, all three lots will need to be re-zoned to a zoning that is compatible with these size lots. Both Lots 1 and 2 will remain under the same ownership while Lot 3 could potentially be sold to the family that is currently residing in the existing single-family residential dwelling. With the acreage all three proposed lots being reduced to under 5 acres, all three lots will need to be rezoned to a residential district and any approval of this CSM will need to be conditioned with the rezoning being approved. (Page 36)

**C. DISCUSSION AND ACTION - Consider Final Plat for Blackberry Ridge Subdivision, HB-689, HB-683, & HB-688 (Planning and Zoning Commission)**

Gigot Properties, LLC is proposing a 32 lot single-family plat with one thru roadway from Melanie Dr. on the north to Trout Creek Rd. on the south and one small cul-de-sac near the middle of the subdivision. This review is for the final plat and has remained almost identical to the preliminary plat that was reviewed back on March 11, 2020. (Page 47)

**10. OLD BUSINESS**

**A. DISCUSSION AND ACTION – Ordinance 2020-09 (AN ORDINANCE TO CREATE A SECTION OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN , SPECIFICALLY SECTION 38 (VILLAGE PARTICIPATION IN IMPROVEMENTS ON PRIVATE PROPERTY) OF ARTICLE III (STORMWATER MANAGEMENT UTILITY) OF CHAPTER 150 (EROSION CONTROL AND STORMWATER MANAGEMENT)**

The purpose of this Ordinance is to create a procedure to govern the possible participation of the Village's Stormwater Fund in stormwater improvements on private property within the Village. One new component to the proposed ordinance has been added since the last meeting – a special assessment process to apply improvement costs to individual properties. (Page 52)

**11. NEW BUSINESS (Including items for future agenda consideration or Committee assignment)**

**A. DISCUSSION AND ACTION – Allocation of Unused CARES Act funding to local school districts (Pulaski)**

A proposal from the Pulaski School District will be presented at the meeting. The village allocated up to \$40,000 to the West De Pere School District at its October 6<sup>th</sup> meeting.

**B. DISCUSSION AND ACTION – Establish a Public Hearing to Consider the Rezoning of Parcel HB-287-1, 201 Fernando Drive, from A-1: Agricultural District to R-2-R: Rural Residential District**

The property owner has recently submitted a three lot CSM which creates all three lots to be less than the 5 acre minimum to remain in the A-1: Agricultural zoning district. Therefore, the property owner is requesting to rezone the entire parcel from A-1: Agricultural District to R-2-R: Rural Residential District. All three proposed lots meet the Village requirements for both lot width and lot square footage to be rezoned to R-2-R. Staff recommends this item be placed on the November 17<sup>th</sup> Village Board agenda for a public hearing.

**C. DISCUSSION AND ACTION – Establish a Public Hearing to Consider a Conditional Use Permit, Pond, HB-1694-25, 3792 Rolling Meadows Road**

The current property owners, Casey & Rana Chrudimsky, are proposing to construct a pond of approximately 2/5 acre towards the rear of their property. In the R-2 zoning district, a pond is listed as a Conditional Use. The owners have submitted information as required in Zoning Ordinance Article XXIX Man-Made Bodies of Water. Staff has reviewed the information submitted and has identified the information demonstrates compliance with the ordinance requirements. Staff recommends this item be placed on the November 17<sup>th</sup> Village Board agenda for a public hearing.

**D. DISCUSSION AND ACTION – Establish a Public Hearing on the proposed 2021 Budget**

Staff would recommend the Public Hearing be held at the November 17<sup>th</sup> Board meeting.

**E. DISCUSSION - Items for future agenda consideration or Committee assignment**

**F. ADJOURN to CLOSED SESSION:**

1) Under Wisconsin State Statute 19.85 (1) (g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which

it is or is likely to become involved. RE: Fee-to-trust issues, Abandoned railroad R-O-W, Tribal Affairs and Oneida Nation v. Village of Hobart litigation; Highway 29-County VV Interchange

2) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: TID Projects/Development Agreements

3) Under Wisconsin Statute 19.85 (1) (c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Re: Personnel

**G. CONVENE into open session**

**H. ACTION from closed session**

**12. ADJOURN**

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Aaron Kramer, Village Administrator

Village Board of Trustees: Richard Heidel (President), Tim Carpenter, David Dillenburg, Ed Kazik, Debbie Schumacher

**UPCOMING BOARD MEETINGS**

\* Wednesday November 4<sup>th</sup> (6:00 PM) – Regular Board Meeting at Village Office

Tuesday November 17<sup>th</sup> (6:00 PM) – Regular Board Meeting at Village Office

Tuesday December 1<sup>st</sup> (6:00 PM) – Regular Board Meeting at Village Office

\* - Moved due to the November General Election

NOTE: Page numbers refer to the meeting packet. All agendas and minutes of Village meetings are online: [www.hobart-wi.org](http://www.hobart-wi.org). Any person wishing to attend, who, because of disability requires special accommodations, should contact the Village Clerk-Treasurer's office at 920-869-1011 with as much advanced notice as possible. Notice is hereby given that action by the Board may be considered and taken on any of the items described or listed in this agenda. There may be Board members attending this meeting by telephone if necessary.

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From Account:

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Check Nbr	Check Date	Payee	Amount
54611	10/20/2020	A. G. EXCAVATING, INC LEWIS FIRE	1,162.50
54612	10/20/2020	ADVANCED DISPOSAL REFUSE & RECYCLING COLLECTIONS	24,987.78
54613	10/20/2020	ASHWAUBENON - HOBART- PRESS LEGAL ADS SEPTEMBER	115.14
54614	10/20/2020	BADGER METER, INC. BEACON MBL HOSTING UNIT/ORION SEPT	105.04
54615	10/20/2020	BAYCOM BROTHER PJ7 PRINTER	292.00
54616	10/20/2020	BROADWAY AUTOMOTIVE POLICE PARTS AND OIL CHANGE	40.29
54617	10/20/2020	BROWN COUNTY JAIL WEBER, AUSTYN 1 DAY	40.00
54618	10/20/2020	BROWN COUNTY PORT & RESOURCE RECOVERY REFUSE & RECYCLING COLLECTION SEPTEMBER	7,640.57
54619	10/20/2020	BROWN COUNTY TREASURER - COURT PAYMENTS SEPTEMBER FINES & SURCHARGES	1,465.60
54620	10/20/2020	CHRIS TREMEL REIMBURSEMENT UNIFORM	145.35
54621	10/20/2020	CONWAY SHIELD, INC. 3-SETS TURNOUT GEAR - REPLACEMENT CHECK	6,710.70
54622	10/20/2020	COUNTRY VISIONS COOPERATIVE FUEL, FERTILIZER	986.57
54623	10/20/2020	CULLIGAN GREEN BAY SOFTENER FEE 09012020	47.95
54624	10/20/2020	DAANEN & JANSSEN INC. 914 THORNBERRY WATER LATERAL REPAIR	67.97
54625	10/20/2020	FAIR MARKET ASSESSMENTS 1ST OF FOUR PAYMENTS FOR 2021 REVALUATIO	15,000.00
54626	10/20/2020	FAIR MARKET ASSESSMENTS NOVEMBER ASSESSOR FEE	2,660.00
54627	10/20/2020	FERGUSON WATERWORKS METER TESTING FEE	260.00
54628	10/20/2020	GAT SUPPLY, INC. MULTIPLE INVOICES	389.46
54629	10/20/2020	GEORGE & HOLDT - SOIL CONSULTANTS, LLC SOIL EVALS BLACKBERRY RIDGE 2320-20-07	16,480.00

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54630	10/20/2020	GREEN BAY METROPOLITAN SEWERAGE DISTRICT SEPT TREATMENT	59,327.47
54631	10/20/2020	GREEN BAY WATER UTILITY PURCHASED WATER SEPTEMBER	33,990.36
54632	10/20/2020	HANAWAY ROSS LAW FIRM SEPT PROSECUTION	2,028.20
54633	10/20/2020	HAWKINS, INC. MULTIPLE INVOICES	25.00
54634	10/20/2020	HSHS EWD EVIDENCE DRAWS	139.50
54635	10/20/2020	IMPACT SPORTS ACADEMY REFUND PARK DEPOSIT 10702020	175.00
54636	10/20/2020	IRON MOUNTAIN SHREDDING ALL OFFICES	44.09
54637	10/20/2020	JIM HENN REIMBURSEMENT FOX RIVER MEETING 9/11/20	67.52
54638	10/20/2020	KALUYATATSYE RICE JOHN REFUND FOR 2-OVERPAID CITATIONS	5.80
54639	10/20/2020	MARCO TECHNOLOGIES, LLC CONTRACT MAINT & USAGE	185.91
54640	10/20/2020	NORSEC COMPUTER RECYCLERS LLC ELECTRONIC RECYCLING EVENT	1,490.00
54641	10/20/2020	NORTHEAST ASPHALT INC. PAY REQ#1 2020 STREET & DRAIN 2320-20-04	480,316.72
54642	10/20/2020	NORTHERN LIGHTS DISPLAY, LLC REPLACEMENT BANNERS FOR TID#1	5,328.00
54643	10/20/2020	NSIGHT TELS SERVICES PHONE LINES ALL BUILDINGS	1,053.23
54644	10/20/2020	PRIMADATA UTILITY BILLING 3RD QUARTER	673.39
54645	10/20/2020	RANDY BANI REIMBURSEMENT UNIFORM EXPENSE	165.24
54646	10/20/2020	RAY O'HERRON CO. INC. COVID RELATED EQUIPMENT - POLICE	2,639.40
54647	10/20/2020	RIESTERER & SCHNELL INC TRACTOR CLUTCH SPRING	47.35
54648	10/20/2020	ROBERT E. LEE & ASSOCIATES, INC. MULTIPLE INVOICES	79,152.76

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54649	10/20/2020	SPECTRUM BUSINESS / TIME WARNER CABLE INTERNET & DATA LINES	615.00
54650	10/20/2020	STATE OF WI - ENVIRONMENTAL IMPROVEMENT FUND PROJ 5461-01	7,256.38
54651	10/20/2020	STATE OF WISCONSIN COURT FINES & SURCHARGES SEPTEMBER FINES & SURCHARGES	4,195.68
54652	10/20/2020	STREICHER'S MULTIPLE INVOICES - EQUIPMENT	633.00
54653	10/20/2020	TECHNOLOGY ARCHITECTS, INC. GO DADDY SSL CERTIFICATE 1-YEAR	95.99
54654	10/20/2020	THE DETAIL SHOP, LLC STORAGE 200 JEEP SUV AHV4774	100.00
54655	10/20/2020	TRUCK EQUIPMENT, INC Truck #305 Muffler Clamps	36.37
54656	10/20/2020	VILLAGE OF ASHWAUBENON PURCHASED WATER	30,693.02
54657	10/20/2020	VILLAGE OF HOBART - WATER UTILITY 3RD QTR UTILITY BILLINGS	563.50
54658	10/20/2020	WI DEPT OF JUSTICE - CRIME INFORMATION BUREAU BACKGROUND CHECKS	70.00
54659	10/20/2020	WISCONSIN DEPT. OF REVENUE MANUFACTURING PROP ASSESSMENT FEE 2020	2,316.60
54660	10/20/2020	WPS UTILITIES ALL BUILDINGS	9,852.84
Grand Total			801,880.24

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Total Expenditure from Fund # 001 - General Fund	68,675.00
Total Expenditure from Fund # 002 - Water Fund	74,640.23
Total Expenditure from Fund # 003 - Sanitary Sewer Fund	60,224.82
Total Expenditure from Fund # 004 - Capital Projects Fund	359,475.35
Total Expenditure from Fund # 007 - Storm Water Fund	195,267.94
Total Expenditure from Fund # 008 - TID #1 Fund	27,440.05
Total Expenditure from Fund # 009 - TID #2 Fund	16,156.85
Total Expenditure from all Funds	801,880.24

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54611	10/20/2020	A. G. EXCAVATING, INC LEWIS FIRE	
001-00-52200-006-000		Fire - Supplies LEWIS FIRE	1,162.50
		1-2507	
		Total	1,162.50
54612	10/20/2020	ADVANCED DISPOSAL REFUSE & RECYCLING COLLECTIONS	
001-00-53100-095-000		DPW - Garbage & Recycg Collect ACCTB8014757 REFUSE SEPTEMBER 2020	11,869.02
		B80000722320	
001-00-53100-095-000		DPW - Garbage & Recycg Collect ACCTB8014757 RECYCLE COLLECT SEPT 2020	11,295.36
		B80000722320	
001-00-53100-095-000		DPW - Garbage & Recycg Collect ACCTB8014757 REFUSE COLLECT SEPT 2020	28.00
		B80000722320	
001-00-53100-095-000		DPW - Garbage & Recycg Collect ACCTB8014757 REFUSE COLLECT SEPT 2020	1,795.40
		B80000722320	
		Total	24,987.78
54613	10/20/2020	ASHWAUBENON - HOBART- PRESS LEGAL ADS SEPTEMBER	
001-00-51420-008-000		Village Clerk - Legal Ads AFB 2020 BLACKBARRY ESTATES 9/4/20	78.73
		0024894-09-20	
001-00-51420-008-000		Village Clerk - Legal Ads HEARING 10-6-220	19.71
		0024894-08920	
001-00-51420-008-000		Village Clerk - Legal Ads HEARING 10-6-220	16.70
		0024894-08920	
		Total	115.14
54614	10/20/2020	BADGER METER, INC. BEACON MBL HOSTING UNIT/ORION SEPT	
002-00-60000-015-000		Water - New Meters & Equipment BEACON MBL HOSTING UNIT / ORION UNIT/SEP	105.04
		80061268	
		Total	105.04
54615	10/20/2020	BAYCOM BROTHER PJ7 PRINTER	
004-00-52100-015-000		Police - New Equipment BROTHER PJ7 PRINTER	292.00
		208971	
		Total	292.00

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54616	10/20/2020	BROADWAY AUTOMOTIVE POLICE PARTS AND OIL CHANGE	
001-00-52100-021-000		Police - Vehicle Maint OIL CHANGE 2020 EXPLORER	40.29
		662318	
		Total	40.29
54617	10/20/2020	BROWN COUNTY JAIL WEBER, AUSTYN 1 DAY	
001-00-51200-018-000		Municipal Ct - Detention Fees HLPD 20-7495 WEBER, AUSTYN	40.00
		10/01/2020	
		Total	40.00
54618	10/20/2020	BROWN COUNTY PORT & RESOURCE RECOVERY REFUSE & RECYCLING COLLECTION SEPTEMBER	
001-00-53100-103-000		DPW - Landfill Tipping Fees TRANSFER STATION GARBAGE - SEPTEMBE 2020	6,623.03
		44981	
001-00-53100-103-000		DPW - Landfill Tipping Fees RECYCLING CHARGES -SEPTEMBER 2020	1,009.76
		44981	
001-00-53100-103-000		DPW - Landfill Tipping Fees SHARPS DISPOSAL - SEPTEMBER 2020	7.78
		44981	
		Total	7,640.57
54619	10/20/2020	BROWN COUNTY TREASURER - COURT PAYMENTS SEPTEMBER FINES & SURCHARGES	
001-00-23300-000-000		Municipal Court Deposits SEPTEMBER 2020 Court Fines & Surcharges	1,465.60
		09302020	
		Total	1,465.60
54620	10/20/2020	CHRIS TREMEL REIMBURSEMENT UNIFORM	
001-00-52100-028-000		Police - Uniform Expense Uniform Reimbursement 10/13/2020	145.35
		10132020	
		Total	145.35
54621	10/20/2020	CONWAY SHIELD, INC. 3-SETS TURNOUT GEAR - REPLACEMENT CHECK	
001-00-52200-067-000		Fire - 2% Fire Expenses 3 Sets Turnout Gear REPLACES #54298 LOST	6,710.70
		0460097-IN REPLACEMENT CK	
		Total	6,710.70

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54622	10/20/2020	COUNTRY VISIONS COOPERATIVE FUEL, FERTILIZER	
001-00-53100-016-000		DPW - Fuel	833.57
		FUEL 2136701	
001-00-55200-039-000		Park & Rec -Site Maintenance	153.00
		FERTILIZER - PARKS 9329	
Total			986.57
54623	10/20/2020	CULLIGAN GREEN BAY SOFTENER FEE 09012020	
001-00-52200-039-000		Fire - Station Maintenance	47.95
		FIRE STATION SOFTENER 546X02369501	
Total			47.95
54624	10/20/2020	DAANEN & JANSSEN INC. 914 THORNBERRY WATER LATERAL REPAIR	
002-00-60000-051-000		Water - Repairs & Hydrants	67.97
		WATER LATERAL REPAIR 914 THORNBERRY 193170	
Total			67.97
54625	10/20/2020	FAIR MARKET ASSESSMENTS 1ST OF FOUR PAYMENTS FOR 2021 REVALUATIO	
004-00-34009-000-000		Reserve for Village Reval	15,000.00
		1ST OF FOUR PAYMENTS FOR 2021 REVALUATI 1429	
Total			15,000.00
54626	10/20/2020	FAIR MARKET ASSESSMENTS NOVEMBER ASSESSOR FEE	
001-00-51530-014-000		Assessor - Outside Services	2,660.00
		NOVEMBER 2020 ASSESSOR FEE 11-2020	
Total			2,660.00
54627	10/20/2020	FERGUSON WATERWORKS METER TESTING FEE	
002-00-60000-015-000		Water - New Meters & Equipment	260.00
		METER TESTING FEE 0314905	
Total			260.00
54628	10/20/2020	GAT SUPPLY, INC. MULTIPLE INVOICES	

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001-00-53100-006-000		DPW - Supplies	130.23
		BATTERIES AND MARKING RIBBON	369942-1
001-00-53100-015-000		DPW - New Equipment	199.00
		BATTERIES AND MARKING RIBBON	369942-1
007-00-64000-015-000		Storm Wat - New Equipment	128.31
		DEWALT BATTERY	362844-1
001-00-53100-006-000		DPW - Supplies	-68.08
		BATTERY RETURN	343607-1
<b>Total</b>			<b>389.46</b>
<hr/>			
54629	10/20/2020	GEORGE & HOLDT - SOIL CONSULTANTS, LLC	
		SOIL EVALS BLACKBERRY RIDGE 2320-20-07	
004-00-53100-047-207		MARTINSON/BLACKBER 2320-20-07	16,480.00
		SOIL EVALUATIONS -32 B BLACKBERRY RIDGE	2020-409
<b>Total</b>			<b>16,480.00</b>
<hr/>			
54630	10/20/2020	GREEN BAY METROPOLITAN SEWERAGE DISTRICT	
		SEPT TREATMENT	
003-00-62000-080-000		San Sew - GBMSD Treatment	59,327.47
		SEPTEMBER 2020 TREATMENT COSTS	116094
<b>Total</b>			<b>59,327.47</b>
<hr/>			
54631	10/20/2020	GREEN BAY WATER UTILITY	
		PURCHASED WATER SEPTEMBER	
002-00-60000-061-006		Purchased Water - GBWU	33,990.36
		ACCT#00039348-00 WATER USAGE SEPTEMBER 2020	10/29/2020
<b>Total</b>			<b>33,990.36</b>
<hr/>			
54632	10/20/2020	HANAWAY ROSS LAW FIRM	
		SEPT PROSECUTION	
001-00-51200-059-000		Municipal Court Atty	2,028.20
		SEPTEMBER PROSECUTION	62
<b>Total</b>			<b>2,028.20</b>
<hr/>			
54633	10/20/2020	HAWKINS, INC.	
		MULTIPLE INVOICES	
002-00-60000-062-000		Water - Chemicals	5.00
		150 LB CHLORINE CYLINDER	4800742
002-00-60000-062-000		Water - Chemicals	20.00
		CHLORINE CYLINDERS - 4	4800826

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<b>Total</b>			25.00
54634	10/20/2020	HSHS EWD EVIDENCE DRAWS	
001-00-52100-008-000		Police - Blood Draws ANDREWS, DAID 09/19/2020	46.50
		10022020	
001-00-52100-008-000		Police - Blood Draws PECORE, CALI 09/18/2020	46.50
		10022020	
001-00-52100-008-000		Police - Blood Draws WEBER, AUSTYN 09/02/2020	46.50
		10022020	
<b>Total</b>			139.50
54635	10/20/2020	IMPACT SPORTS ACADEMY REFUND PARK DEPOSIT 10702020	
001-00-44930-000-000		Rentals Park / Shelter / Hall REFUND PARK DEPOSIT	175.00
		1072020	
<b>Total</b>			175.00
54636	10/20/2020	IRON MOUNTAIN SHREDDING ALL OFFICES	
001-00-51422-006-000		Gen Office Supply SHREDDING GEN OFFICES SEPTEMBER 2020	22.05
		CYWR024	
001-00-52100-006-000		Police - Supplies SHREDDING POLICE SEPTEMBER 2020	11.02
		CYWR024	
001-00-51200-006-000		Municipal Court - Supplies COURT SHREDDING DOCS SEPTEMBER 2020	11.02
		CYWR024	
<b>Total</b>			44.09
54637	10/20/2020	JIM HENN REIMBURSEMENT FOX RIVER MEETING 9/11/20	
001-00-52200-013-000		Fire - Lunch FOX RIVER FIRE MEETING 9/11/2020	67.52
		10132020	
<b>Total</b>			67.52
54638	10/20/2020	KALUYATATSYE RICE JOHN REFUND FOR 2-OVERPAID CITATIONS	
001-00-23300-000-000		Municipal Court Deposits REFUND FOR 2-OVERPAID CITATIONS	5.80
		10072020	
<b>Total</b>			5.80

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Check Nbr	Check Date	Payee	Amount
54639	10/20/2020	MARCO TECHNOLOGIES, LLC CONTRACT MAINT & USAGE	
001-00-51422-006-000		Gen Office Supply	61.97
		SHARP MAINT FEE	INV8017904
001-00-51200-006-000		Municipal Court - Supplies	61.97
		SHARP MAINT FEE	INV8017904
001-00-52100-006-000		Police - Supplies	61.97
		SHARP MAINT FEE	INV8017904
<b>Total</b>			<b>185.91</b>
54640	10/20/2020	NORSEC COMPUTER RECYCLERS LLC ELECTRONIC RECYCLING EVENT	
001-00-53100-104-000		DPW - Recycling/ Events/Pgms	1,490.00
		RECYCLING EVENT	5373
<b>Total</b>			<b>1,490.00</b>
54641	10/20/2020	NORTHEAST ASPHALT INC. PAY REQ#1 2020 STREET & DRAIN 2320-20-04	
004-00-53100-078-204		2020 ST & DRAIN 2320-20-04	251,960.73
		2020 ST & DRAIN 2320-20-04	PAY REQ 1
004-00-55200-015-000		Park & Rec - New Equip	58,496.19
		2020 ST & DRAIN 2320-20-04	PAY REQ 1
007-00-64000-047-204		Storm Water 2320-20-04	107,216.62
		2020 ST & DRAIN 2320-20-04	PAY REQ 1
007-00-64000-083-000		Storm Wat - Culvert Replace	17,016.50
		2020 ST & DRAIN 2320-20-04	PAY REQ 1
007-00-64000-088-000		Storm Wat - Repair & Maint	70,906.51
		2020 ST & DRAIN 2320-20-04	PAY REQ 1
004-00-53100-078-204		2020 ST & DRAIN 2320-20-04	-25,279.83
		RETAINAGE	PAY REQ 1
<b>Total</b>			<b>480,316.72</b>
54642	10/20/2020	NORTHERN LIGHTS DISPLAY, LLC REPLACEMENT BANNERS FOR TID#1	
008-00-68000-006-000		TID #1ED Marketing/Supply	5,328.00
		REPLACEMENT BANNERS FOR CC TID 1	20-1156
<b>Total</b>			<b>5,328.00</b>
54643	10/20/2020	NSIGHT TELS SERVICES PHONE LINES ALL BUILDINGS	

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001-00-51422-007-000		All Phones	951.92
		PHONE LINES ALL BLDGS	102020
001-00-52100-007-000		Police - Phone & Tech Support	101.31
		POLICE / COURT PORTION OF LINES	102020
		Total	1,053.23
54644 10/20/2020 PRIMADATA UTILITY BILLNG 3RD QUARTER			
002-00-60000-006-000		Water - Supplies	336.70
		MAILING 3RD QUARTER 2020 UTILITY BILLS	52053
003-00-62000-006-000		Sanitary Sewer - Supplies	336.69
		MAILING 3RD QUARTER 2020 UTILITY BILLS	52053
		Total	673.39
54645 10/20/2020 RANDY BANI REIMBURSEMENT UNIFORM EXPENSE			
001-00-52100-028-000		Police - Uniform Expense	165.24
		TACTICAL GEAR SYSTEM	1052020
		Total	165.24
54646 10/20/2020 RAY O'HERRON CO. INC. COVID RELATED EQUIPMENT - POLICE			
004-00-52100-015-000		Police - New Equipment	1,634.80
		COVID RELATED NEW EQUIPMENT	3043833
004-00-52100-015-000		Police - New Equipment	1,004.60
		COVID RELATED EQUIPMENT	3043834
		Total	2,639.40
54647 10/20/2020 RIESTERER & SCHNELL INC TRACTOR CLUTCH SPRING			
001-00-53100-050-000		DPW - Equipment Repair	47.35
		TRACTOR CLUTCH SPRIG	1858647
		Total	47.35
54648 10/20/2020 ROBERT E. LEE & ASSOCIATES, INC. MULTIPLE INVOICES			
001-00-51415-082-000		Economic Dev - Plan & Engineer	1,291.00
		GENERAL CONSULTATION	78326
004-00-53100-047-000		DPW - Capital Outlay	2,409.00
		GIS SYSTEM UPGRADE & INTEGRATIO FIELD DA	78327

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Check Nbr	Check Date	Payee	Amount
008-00-68000-078-181		Water Tower Proj 2320-18-01	4,226.75
		WATER TOWER CENTERLINE DR 78328	
008-00-68000-078-201		CENTERLINE EXTENS 2320-20-01	1,497.50
		CSM CENTERLINE DRIVE EXTENSION 78329	
004-00-53100-078-204		2020 ST & DRAIN 2320-20-04	5,337.41
		HILLCREST PEDESTRIAN CROSSING 78330	
008-00-68000-078-203		CC BLVD WTR LINE 2320-20-03	15,016.59
		2320-20-03 WATERLINE CCB FRONTAGE 78331	
004-00-53100-078-207		MARTINSON/BLACKBER 2320-20-07	31,900.45
		2320-20-07 MARTINSON PROP DEVELOPMENT 78332	
009-00-69000-078-205		DER-LEXINGTON DEV 2320-20-05	16,156.85
		2320-20-06 DEROUIN LEX DESIGN 78333	
008-00-68000-078-201		CENTERLINE EXTENS 2320-20-01	1,317.21
		CSM CENTERLINE DRIVE CREATION EASEMENT/W 78334	
Total			79,152.76
<hr/>			
54649	10/20/2020	SPECTRUM BUSINESS / TIME WARNER CABLE	
INTERNET & DATA LINES			
001-00-51422-041-000		Info / Tech Internet Charges	615.00
		SERVICE PERIOD 9/30/20 TO 10/29/20 724004601100220	
Total			615.00
<hr/>			
54650	10/20/2020	STATE OF WI - ENVIRONMENTAL IMPROVEMENT FUND	
PROJ 5461-01			
002-00-58222-012-000		DEBT PAY-SAFE DRINK WTR INT	7,256.38
		INTEREST DUE PROJ 5461-01 17639	
002-00-23200-000-000		Note Anticipation Note Payable	0.00
		PRINCIPAL DUE PROJECT 5461-01 17639	
Total			7,256.38
<hr/>			
54651	10/20/2020	STATE OF WISCONSIN COURT FINES & SURCHARGES	
SEPTEMBER FINES & SURCHARGES			
001-00-23300-000-000		Municipal Court Deposits	4,195.68
		SEPTEMBER 2020 Court Fines & Surcharges 09302020	
Total			4,195.68
<hr/>			
54652	10/20/2020	STREICHER'S	
MULTIPLE INVOICES - EQUIPMENT			
004-00-52100-015-000		Police - New Equipment	240.00
		HOLSTER T-SERIES SIG P320 11455082	

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001-00-52100-028-000		Police - Uniform Expense	393.00
		SL-TLR1HL WEAPON LIGHT -3	
		I1456605	
		Total	633.00
54653	10/20/2020	TECHNOLOGY ARCHITECTS, INC.	
		GO DADDY SSL CERTIFICATE 1-YEAR	
001-00-51422-042-000		Info / Tech - Computer Support	95.99
		GO DADDY SSL CERTIFICATE 1-YEAR	
		D20200564	
		Total	95.99
54654	10/20/2020	THE DETAIL SHOP, LLC	
		STORAGE 200 JEEP SUV AHV4774	
001-00-52100-006-000		Police - Supplies	100.00
		SEPTEMBER STORAGE CASE#20-2993	
		1012020	
		Total	100.00
54655	10/20/2020	TRUCK EQUIPMENT, INC	
		Truck #305 Muffler Clamps	
001-00-53100-021-000		DPW - Vehicle Maint.	36.37
		Truck #305 Muffler Clamps	
		919520-00	
		Total	36.37
54656	10/20/2020	VILLAGE OF ASHWAUBENON	
		PURCHASED WATER	
002-00-60000-061-005		Purchased Water - Ashwaubenon	30,693.02
		3RD Quarter 2020 Water Usage	
		SI0170120	
		Total	30,693.02
54657	10/20/2020	VILLAGE OF HOBART - WATER UTILITY	
		3RD QTR UTILITY BILLINGS	
001-00-51600-040-000		Building / Plant - Utilities	411.31
		1229 PLEASANT VALLEY DR.	
		09/30/2020	
008-00-68000-014-000		TID #1 Outside Services	54.00
		WEST IRRIGATION CC BLVD	
		09/30/2020	
001-00-51600-040-000		Building / Plant - Utilities	98.19
		1285 RIVERDALE DRIVE	
		09302020	
		Total	563.50
54658	10/20/2020	WI DEPT OF JUSTICE - CRIME INFORMATION BUREAU	
		BACKGROUND CHECKS	

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001-00-44130-000-000		Operators & Background Checks	70.00
		ACCT G1992 BACKGROUND CKS SEPTEMBER 2020 202010-30	
Total			70.00
<hr/>			
54659	10/20/2020	WISCONSIN DEPT. OF REVENUE	
		MANUFACTURING PROP ASSESSMENT FEE 2020	
001-00-51530-014-000		Assessor - Outside Services	2,316.60
		2020 MANUFACTURING PROPERTY ASSMNT FEE 10072020	
Total			2,316.60
<hr/>			
54660	10/20/2020	WPS	
		UTILITIES ALL BUILDINGS	
003-00-62000-043-000		San Sewer - Power for Pumping	91.34
		00001 - LIFT STATION RIVERDALE 3056675381	
003-00-62000-043-000		San Sewer - Power for Pumping	45.35
		00004 - LIFT STATION RIVERDALE & HILLCRE 3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	29.00
		00007 - FF & PLEASANT VALLEY 3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	74.30
		00009 - N. PINE TREE - WATER TOWER 3056675381	
001-00-51600-040-000		Building / Plant - Utilities	86.23
		00010 - 471 FOUR SEASONS DRIVE SHELTER 3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	144.12
		00011 - 1229 PLEASANT VALLEY PUMP STN 3056675381	
003-00-62000-043-000		San Sewer - Power for Pumping	109.41
		00012 - CONRAD DRIVE LIFT STATION 3056675381	
001-00-53100-094-000		DPW - Street Lights	5,736.66
		00013 - STREET LIGHTING 3056675381	
001-00-51600-040-000		Building / Plant - Utilities	180.64
		00014 - 482 COUNTRY COURT FIRE #2 3056675381	
001-00-51600-040-000		Building / Plant - Utilities	389.23
		00015 - 2990 S. PINE TREE / OFFICE 3056675381	
001-00-51600-040-000		Building / Plant - Utilities	56.13
		00016 - 2703 S. PINE TREE / SHELTER 3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	51.28
		00018 - 1680 ADAM DR / METER STATION 3056675381	
003-00-62000-043-000		San Sewer - Power for Pumping	199.76
		00019 - MAGELLEN WAY LIFT STATION 3056675381	

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Check Nbr	Check Date	Payee	Amount
001-00-51600-040-000		Building / Plant - Utilities	106.22
00021 - 2703 PINE TREE / HALL/FIRE ST #1		3056675381	
001-00-51600-040-000		Building / Plant - Utilities	114.95
00025 - 3769 N. OVERLAND / DPW / SHOP		3056675381	
001-00-51600-040-000		Building / Plant - Utilities	98.84
00026 - 3769 N. OVERLAND RD / DPW OFFICE		3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	29.94
00027 - HILLCREST EMERGENCY PUMP		3056675381	
001-00-53100-094-000		DPW - Street Lights	32.65
00040 - STREET LIGHT PLEASANT VALLEY		3056675381	
001-00-53100-094-000		DPW - Street Lights	33.97
00043 - STREET LIGHT N. PINE TREE		3056675381	
001-00-53100-094-000		DPW - Street Lights	116.35
00052 - STREET LIGHTS CENTENNIAL		3056675381	
001-00-53100-094-000		DPW - Street Lights	30.87
00055 - ST LIGHT WINDEMER & TROUT CREEK		3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	530.71
00058 - 1285 RIVERDALE DR - WTR BOOSTER		3056675381	
001-00-53100-094-000		DPW - Street Lights	244.63
00067 - CENT CENTRE & OVRLND ST LIGTS		3056675381	
001-00-53100-094-000		DPW - Street Lights	36.78
00081 - 1900 RIVERDALE DR SIGN		3056675381	
001-00-53100-094-000		DPW - Street Lights	40.35
00082 - 4600 HILLCREST SIGN		3056675381	
003-00-62000-043-000		San Sewer - Power for Pumping	114.80
00090 - PACKERLAND DRIVE LFT STN		3056675381	
001-00-53100-094-000		DPW - Street Lights	81.92
00095 - CENTEN BLVD & LARSON ORCH PKWY		3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	230.57
00099 - 750 CENTERLINE DR		3056675381	
002-00-60000-043-000		Water-Power / Utilities/ Phone	815.84
00100 - 4685 N. PINE TREE WATER PUMP		3056675381	
		Total	9,852.84
		Grand Total	801,880.24

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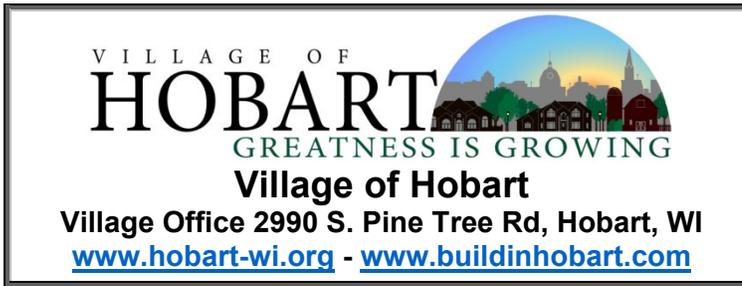
From Account:

Thru: 10/20/2020

Thru Account:

Amount

Total Expenditure from Fund # 001 - General Fund	68,675.00
Total Expenditure from Fund # 002 - Water Fund	74,640.23
Total Expenditure from Fund # 003 - Sanitary Sewer Fund	60,224.82
Total Expenditure from Fund # 004 - Capital Projects Fund	359,475.35
Total Expenditure from Fund # 007 - Storm Water Fund	195,267.94
Total Expenditure from Fund # 008 - TID #1 Fund	27,440.05
Total Expenditure from Fund # 009 - TID #2 Fund	16,156.85
Total Expenditure from all Funds	801,880.24



Notice is hereby given according to State Statutes that the VILLAGE BOARD of the Village of Hobart will meet on Tuesday September 22<sup>nd</sup> 2020 at 11:00 A.M. at the Hobart Village Office. **NOTICE OF POSTING:** Posted this 21<sup>st</sup> of September, 2020 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village website.

### MINUTES – VILLAGE BOARD (Special)

**Date/Time:** Tuesday September 22nd 2020 (12:00 P.M.)

**Location:** Village Office, 2990 South Pine Tree Road

#### ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call – All present, except Tim Carpenter, who was excused
2. Certification of the open meeting law agenda requirements and approval of the agenda – MOTION: Heidel SECOND: Kazik VOTE: 4-0
3. Pledge of Allegiance – All participate in the Pledge.

#### 4. NEW BUSINESS (Including items for future agenda consideration or Committee assignment)

**A. ADJOURN to CLOSED SESSION (12:01 PM):** ACTION: To go into closed session (1) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: TID Development Agreement MOTION: Heidel SECOND: Dillenberg

**B. CONVENE into open session (12:30 PM) –** MOTION: Heidel SECOND: Kazik VOTE: 4-0

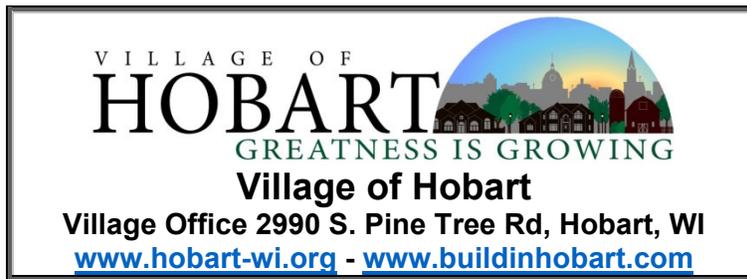
**C. ACTION from closed session -** None

**5. ADJOURN (12:31 PM) –** MOTION: Kazik SECOND: Dillenberg VOTE: 4-0

\_\_\_\_\_  
Aaron Kramer, Village Administrator

Village Board of Trustees: Richard Heidel (President), Tim Carpenter, David Dillenburg, Ed Kazik, Debbie Schumacher

NOTE: All agenda and minutes of Village meetings are online: [www.hobart-wi.org](http://www.hobart-wi.org). Any person wishing to attend, who, because of disability requires special accommodations, should contact Village Clerk-Treasurer, Mary Smith, at 920-869-1011 with as much advanced notice as possible. Notice is hereby given that action by the Board may be considered and taken on any of the items described or listed in this agenda. There may be Board members attending this meeting by telephone if necessary.



## **MEETING MINUTES – VILLAGE BOARD (Regular)**

**Date/Time: Tuesday October 6, 2020 (6:00 P.M.)**

**Location: Village Office, 2990 South Pine Tree Road**

### **ROUTINE ITEMS TO BE ACTED UPON:**

1. **Call to order/Roll Call:**

The meeting was called to order by Rich Heidel at 6:02pm. Roll call: Rich Heidel, David Dillenburg, Ed Kazik, and Debbie Schumacher were present. Tim Carpenter was excused.

2. **Certification of the open meeting law agenda requirements and approval of the agenda:**

Motion made by Rich Heidel, second by Ed Kazik, to approve the agenda as presented with the modification that item 11-G be heard immediately after 11-A. The motion passed unanimously.

3. **Pledge of Allegiance:**

Those present recited the Pledge of Allegiance.

### **4. PUBLIC HEARINGS**

**A. Consider a request to have a portion of parcel HB-640-11 (noted as ‘Lot 1’ on the approved CSM) rezoned from A-1: Agricultural District to ER: Estate Residential District**

Public hearing opened at 6:04.

Michael Hennig – 423 Oakridge Drive – Michael was looking to gain a little more background on what ER zoning means in terms of how many possible homes could be built. Todd Gerbers, Director of Planning and Code Compliance, informed Michael that there is only one additional parcel being created with a minimum lot size of 2.5 acres.

Diane Tappa – 430 Oakridge Drive – Diane is concerned that a large amount of foliage would be removed on the lot. Rich Heidel, Village President, informed Diane that the village cannot speak on behalf of the plans of the landowner.

Public hearing closed at 6:11.

**B. ACTION on aforesaid agenda item – Ordinance 2020-07 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN)**

Motion by Ed Kazik, second by Rich Heidel, to approve Ordinance 2020-07 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN). The motion passed unanimously.

**5. CONSENT AGENDA (These items may be approved on a single motion and vote due to their routine nature or previous discussion. Please indicate to the Board President if you would prefer separate discussion and action.)**

**A. Payment of Invoices**

**B. VILLAGE BOARD: Minutes of September 15, 2020**

**C. SITE REVIEW COMMITTEE: Minutes of July 7, 2020**

**D. APPOINTMENT: Kevin Gannon to serve on the Public Works & Utilities Advisory Committee (alternate), replacing Kyle Schmitz to complete a three-year term, expiring April 30, 2022.**

Motion by Dave Dillenburg, second by Debbie Schumacher, to approve the items listed on the consent agenda as presented. The motion passed unanimously.

**6. ITEMS REMOVED FROM CONSENT AGENDA**

No items were removed.

**7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS (NOTE: Please limit citizens' comments to no more than three minutes)**

None.

**8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS**

**A. UPDATE – Capital Projects Update**

The road work for the year is nearly completed. While a few projects went slightly over budget due to road conditions, these will be addressed when the capital budget is amended later this year.

**B. Plan Commission –** There will be a planning and zoning commission meeting next week.

**C. Broadband Update –** Rich, Aaron, and Erica met with a private company that is looking to obtain a grant to provide high-speed internet service to rural areas of Hobart. They are requesting that Hobart partner with the grant application to allow our community a better chance of receiving funds.

**9. COMMITTEE REPORTS AND ACTIONS**

**A. UPDATE – Proposed 32 Square Foot Freestanding Monument Sign (Rivers of Life Ministries, 522 Orlando Drive, HB-314)**

Rivers of Life Ministries is proposing to remove their existing non-illuminated freestanding sign along Orlando Dr. and replace it with an internally illuminated monument sign to be constructed in the same location as the existing sign. The proposed sign will be an internally illuminated cabinet mounted within a new brick structure to provide a much greater appearance than the existing post and panel style sign. The proposed sign with structure will have an overall height of 8' with an overall width of 10' and a sign area of 32 square feet per side. These measurements comply with the Village code for religious establishments which permits a maximum of 50 square feet per side of sign and a maximum of 10' in overall height. (Site Review Committee)

**B. UPDATE – Proposed Wall and Freestanding Monument Sign (LaserForm LLC, 3750 Packerland Drive, HB-950-6)**

Laser Forms, LLC is currently in the process of having a new 72,800 square foot manufacturing facility constructed at 3750 Packerland Dr. (northwest corner of Packerland Dr. and Camber Ct.). During the site plan approval for the overall site back on August 21, 2019, signage was not included in that review at that time and was required to come back to the committee at a later date. The owner and sign company have now finalized the plans for both a freestanding monument sign to be located along Packerland Dr. along with a wall sign to be mounted on the front (east) elevation of the building. (Site Review Committee)

**C. UPDATE – Proposed Wall and Freestanding Directional Signs (Exclusive Use Express, 3794 Packerland Drive, HB-950)**

Exclusive Use Express is currently in the process of having a new 125,000 square foot warehouse facility constructed at 3794 Packerland Dr. (southwest corner of Packerland Dr. and Camber Ct.). During the site plan approval for the overall site back on December 18, 2019, signage was not included in that review at that time and was required to come back to the committee at a later date. The owner and sign company have now finalized the plans for both three freestanding directional signs to be located along Packerland Dr. and Camber Ct. (1 adjacent to each driveway and 1 near the intersection) along with a wall sign to be mounted on the front (east) elevation of the building. (Site Review Committee)

**D. UPDATE – Proposed new 14,965 sf Sports Training Facility and associated site improvements (Team 1848 Development)**

This proposed development is for a new 14,965 square foot building to function as an indoor sports training facility to be constructed along Centerline Dr. on a newly created parcel adjacent to the Village Water Tower. This project came before the committee back in July 2020 for review of the site layout as a conceptual only along with the building architecture so the building could be ordered as there was a several week delay on receiving the building once it was ordered. During that several week timeframe, the developer and their agents were able to complete the final details for the full development and submit for final review. (Site Review Committee)

## **10. OLD BUSINESS**

None.

## **11. NEW BUSINESS (Including items for future agenda consideration or Committee assignment)**

### **A. DISCUSSION AND ACTION – Allocation of Unused CARES Act funding to local school districts**

School districts and municipalities have each been allotted CARES funds. There are a number of municipalities around the state who have funds they cannot use and have the ability to direct that to the school districts. Dennis Krueger, the superintendent of the West De Pere School District, was present to discuss their interest in receiving a portion of Hobart's unexpended CARES Act allocation. The school is looking for assistance in purchasing computers and cameras for students to help facilitate virtual learning. Motion by Debbie Schumacher, second by Ed Kazik, to approve the allocation of up to \$40,000 of unallocated CARES Act funds towards the purchase of document cameras and chromebooks for the West De Pere School District. The motion passed unanimously.

### **G. DISCUSSION – Ordinance 2020-09 (AN ORDINANCE TO CREATE A SECTION OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN , SPECIFICALLY SECTION 38 (VILLAGE PARTICIPATION IN IMPROVEMENTS ON PRIVATE PROPERTY) OF ARTICLE III (STORMWATER MANAGEMENT UTILITY) OF CHAPTER 150 (EROSION CONTROL AND STORMWATER MANAGEMENT))**

The purpose of this Ordinance is to create a procedure to govern the possible participation of the Village's Stormwater Fund in stormwater improvements on private property within the Village. This is a first reading of the ordinance. A second reading of the ordinance will be done at a future meeting.

Motion by Rich Heidel, second by Dave Dillenburg, to suspend the rules to allow the public to speak during the meeting. The motion passed unanimously.

Mark Vandenhouten – 1031 Heyerdahl Heights – Mark believes the ordinance is well written, however, he is concerned as they are the lowest lot on Heyerdahl Heights and is concerned with only one homeowner paying for reparations that are caused by newer, surrounding development. He is hoping there could be a modification that would allow greater accountability for those developments that create the issues. Rich Heidel is concerned with who would be making the determination as to what properties would be contributing to the issue, and who would be financially responsible for improvements.

Rich Heidel would like the Village staff to explore the avenue for Special Assessments to be assessed to cover costs for necessary improvements. Specifically, what would the requirements be, and what possible repercussions would follow.

Motion by Rich Heidel, second by Ed Kazik, to return the meeting to normal order. The motion passed unanimously.

### **B. DISCUSSION AND ACTION – Brown County Electronics Record Program Software Sub-License and Service Agreement**

This agreement is between Brown County and several area municipalities for the shared-use of the records program for the Police Department. The annual cost to the Hobart-Lawrence Police Department is \$11,638.00. Motion by Rich Heidel, second by Ed Kazik, to approve the Brown County Electronics Record Program Software Sub-License and Service Agreement for the annual amount of \$11,638.00. The motion passed unanimously.

**C. DISCUSSION – FY 2021 Budget Discussions**

Staff presented a small business and general tax relief proposal to be implemented by lowering the stormwater fees and alcohol and operators' fees for the 2021 fiscal year. The proposal also allows for allocation of annual surplus money to allow for future expenses. Lastly, the proposal outlines a salary increase of 2% for those employees not already in an approved contract, which is the average increase amongst our surrounding communities. The village board advised staff to proceed with including these items in the 2021 budget.

**D. DISCUSSION AND ACTION – Amended 2020 General Fund Budget**

Staff presented an amended 2020 General Fund Budget. The village has not been greatly affected by the pandemic and the overall budget outcome is within 1% percent of the original 2020 Budget. Motion by Ed Kazik, second by Dave Dillenburg, to approve the Amended 2020 General Fund Budget as presented. The motion passed unanimously.

**E. DISCUSSION AND ACTION – Review and discuss proposed reorganization of police department to include supervision with a Captain's position (second in charge) and a Sergeant's (road) position**

The Police Chief recommends approval of this Captain position to fulfill a necessary police structure (2nd in charge) management position and a work /probationary period that could form the natural progression to chief of police in the future. The Sergeant position would be a position as a first line supervisor and promoted from within the department. This position would alleviate the huge strain on the officers, having their own supervisor, go to person for the day to day calls and questions associated with the patrol officers' duties. Motion by Rich Heidel, second by Dave Dillenburg, to approve a Sergeant position with a base pay of \$34.00/hour to be promoted from within the department and appointed by the police commission with a 6 month probationary period. The motion passed unanimously.

**F. DISCUSSION AND ACTION – Continuity of Election Operations Plan (Brown County), Memorandum of Understanding**

The Clerks from several Brown County municipalities have agreed to assist each other in preparation for the Election and on Election Day in the event that one or more of these Clerks is unable to perform the statutory duties of his or her office due to exposure or infection of COVID-19 or mandated quarantine. Motion by Rich Heidel, second by Ed Kazik, to approve Hobart's participation in the Continuity of Elections Operations Plan for Brown County. The motion passed unanimously.

**H. DISCUSSION AND ACTION – Amending Previous Motion to Bury Overhead Power Lines on North Overland Road**

On August 4th, the Board approved the following motion: To approve the Village's payment of \$81,000 to Wisconsin Public Service for the burial of the 3-phase overhead line along North Overland Road, with the funds to come from the TID # 29-VV Interchange escrow account. The actual cost for the project is \$102,855.49. This is \$21,855.49 above the approved amount of the August 4th Board action. Motion by Debbie Schumacher, second by Ed Kazik, to amend the August 4<sup>th</sup> motion to approve the Village's payment of \$81,00 to Wisconsin Public Service for the burial of the 3-phase overhead line along North Overland Road, with the funds to come from the TID #1 20-VV Interchange escrow account, to \$102,855.49. The motion passed unanimously.

**I. DISCUSSION AND ACTION – Establish a Public Hearing to Consider Conditional Use Permit allowing excavation of a rear yard pond (HB-291-2, 422 Orlando Drive)**

Motion by Dave Dillenburg, second by Debbie Schumacher, to schedule a public hearing to consider a conditional use permit allowing excavation of a rear yard pond at HB-290-2, 422 Orlando Drive, for the November 4<sup>th</sup> board meeting. The motion passed unanimously.

**J. DISCUSSION AND ACTION – Establish a Public Hearing to Consider Conditional Use Permit for a second accessory building of additional 240 square feet (HB-556-4, 4625 Crooked Creek Lane)**

Motion by Rich Heidel, second by Ed Kazik, to schedule a public hearing to consider a conditional use permit for a second accessory building of an additional 240 square feet at HB-556-4, 4525 Crooked Creek Lane, for the November 4<sup>th</sup> board meeting. The motion passed unanimously.

**K. DISCUSSION - Items for future agenda consideration or Committee assignment**

None.

**L. ADJOURN to CLOSED SESSION:**

- 1) Under Wisconsin State Statute 19.85 (1) (g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Fee-to-trust issues, Abandoned railroad R-O-W, Tribal Affairs and Oneida Nation v. Village of Hobart litigation; Highway 29-County VV Interchange
- 2) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: TID Projects/Development Agreements
- 3) Under Wisconsin Statute 19.85 (1) (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Re: Personnel

Motion by Rich Heidel, second by Ed Kazik, to go into closed session at 8:40pm. Motion approved unanimously.

**M. CONVENE into open session**

Motion by Rich Heidel, second by Ed Kazik, to convene into open session at 9:15pm. Motion approved unanimously.

**N. ACTION from closed session**

MOTION 1: Motion by Ed Kazik, second by Debbie Schumacher, to approve the hiring of Susan Davis as Utility Clerk. The motion passed unanimously

MOTION 2: Motion by Rich Heidel, second by Ed Kazik, to approve the resignation of Paul Gehrke as Public Works & Utility Crew Member, effective October 16<sup>th</sup>, and approve the posting of the position to accept applications for employment to fill the vacated position. The motion passed unanimously.

MOTION 3: Motion by Rich Heidel, second by Ed Kazik, to approve the Development Agreement with Bayland Buildings, Inc., for the development of 65.7 acres of property in Centennial Centre, recently acquired by the Village of Hobart, and the development of said property over the next ten (10) years in partnership with the Village.

**12. ADJOURN**

Motion by Dave Dillenburg, second by Ed Kazik, to adjourn at 9:18pm. Motion approved unanimously.



**Village of Hobart Planning & Zoning Commission Minutes  
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI  
Wednesday, September 15, 2020 – 5:30 pm**

---

**1. Call to Order, Roll Call:**

The meeting was called to order by Rich Heidel at 5:31 pm. Roll call: Bob Ross, excused; John Rather, aye; Rich Heidel, aye; Dave Dillenburg, aye; Jeff Ambrosius, aye; Tom Dennee, excused; David Johnson, excused.

**2. Verify/Modify/Approve Agenda:**

Motion by Rich Heidel, second by Jeff Ambrosius, to approve the agenda as presented. All in favor. Motion carried.

**3. Approval of Planning & Zoning Minutes:**

Motion by John Rather, second by Jeff Ambrosius, to approve the June 10, 2020 minutes as presented. All in favor. Motion carried.

**4. Public Comment on Non-Agenda Items:**

None.

**5. Consider Final Plat for Southwind Estates First Addition Planned Unit Development, HB-2892, HB-359-1, & HB-359:**

Lexington Homes, Inc. is proposing plat for an addition to the recently approved Southwind Estates Subdivision plat that will consist of 14 new single-family lots and 1 smaller outlot along the south boundary of the plat. This plat addition is very similar to what was originally submitted as part of the preliminary plat for the entire subdivision prior to the developer removing these 14 lots from the original subdivision plat while they worked out a few details. During the final plat approval back in June 2020, this area was labeled as an outlot with the anticipation that this plat addition would be submitted at a later date. That time has arrived and the developer is requesting review of this 14 lot (1 outlot) plat addition with the one modification that now includes the right-of-way being extended to the south to allow for future expansion of any such residential development. Motion by Rich Heidel, second by , to approve the final plat for Southwind Estates First Addition Planned Unit Development (HB-2892, HB-359-1, & HB-359) as presented contingent upon no subsequent changes being made. All in favor. Motion carried.

**6. Certified Survey Map, N. Overland Road & Oak Ridge Drive, HB-640-1 & HB-640-11**

The property owner currently has two lots and is proposing a three lot CSM that would create a third lot along with slightly altering the existing property lines between the two current parcels. This proposed CSM will create three separate parcels of 2.69 acres, 5.66 acres, and 3.42 acres. Lot 3 is currently developed with a single-family dwelling and an accessory building while Lots 2 and 3 are largely undeveloped except for the existing accessory building located in the corner of Lot 2. Both Lots 2 and 3 will remain under the same ownership so the use and operation of these three buildings will remain the same. Lot 1 is proposed to be sold and for the future development of a single-family residential dwelling. With the acreage for Lot 1 being reduced to under 5 acres, this particular lot will need to be rezoned to a residential district and any approval of this CSM will need to be conditioned with the rezoning being approved. Motion by Dave Dillenburg, second by John Rather, to approve the certified survey map for HB-640-1 and HB-640-11 as presented with

the condition that the rezoning of a portion of HB-640-11 be approved to ER: Estate Residential and that property owner pay the park fee of \$300.00. All in favor. Motion carried.

**7. Rezone a portion of parcel HB-640-11 from A1: Agricultural District to ER: Estate Residential District**

The property owner has recently submitted a three lot CSM which created a new parcel that is less than the 5-acre minimum to remain in the A-1: Agricultural zoning district. Therefore, the property owner is requesting to have a portion of parcel HB-640-11 (noted as "Lot 1" on the proposed CSM) rezoned from A-1: Agricultural District to ER: Estate Residential District to allow for the future development of a single-family residential dwelling. The proposed Lot 1 meets the Village requirements for both lot with and lot square footage to be zoned ER. Motion by Dave Dillenburg, second by Jeff Ambrosius, to approve the rezoning of a portion of HB-640-11 from A1: Agricultural District to ER: Estate Residential District. All in favor. Motion carried.

**8. Adjourn:**

Motion by Jeff Ambrosius, second by Rich Heidel, to adjourn. All in favor. Motion carried. Meeting adjourned at 5:52 pm.



**TO: Planning & Zoning Commission**

**RE: CSM, 501 S. Overland Rd., Portion of HB-17**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**      **DATE: October 14, 2020**

**ISSUE:** Consider 2 Lot CSM dividing 10.729 acre parcel into two separate parcels of 5 acres and 5.013 acres

**RECOMMENDATION:** Staff recommends approval.

### **GENERAL INFORMATION**

1. Applicants/Owner: Clarence Gossen Rev. Trust
2. Agent: Troy Collins (Point of Beginning)
3. Parcel: HB-17 / 10.729 acres
4. Zoning: A-2: Exclusive Agricultural District

### **ZONING REQUIREMENTS**

The property owner currently has one larger lot and is proposing a two lot CSM that would split off the home and buildings and some additional acreage from the remaining farmland. There is a smaller 0.716 acres of land that is located across S. Overland Rd. which will need to be verified as to which parcel it will be attached to. With this property being zoned A-2: Exclusive Agricultural District, the minimum parcel size would be 5 acres which both of these lots would be compliant. Both lots are proposed to remain as the A-2 zoning at this time.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval subject to:

1. Verification on which parcel of land the 0.716 acres on the south side of S. Overland Rd. will be attached to
2. Payment of the \$300 Parkland Dedication Fee



- Rezoning Review
- Conditional Use Permit Review
- Planned Development Review
- CSM/Plat Review

Village of Hobart  
 Dept of Neighborhood Services  
 2990 S Pine Tree Rd  
 Hobart WI 54155  
 Phone: (920) 869-3809  
 Fax (920) 869-2048

**APPLICANT INFORMATION**

Petitioner: TROY COLLINS (SURVEYOR) Date: 9/24/20  
 Petitioner's Address: 1497 6TH ST. STE C City: GREEN BAY State: WI Zip: 54304  
 Telephone #: (920) 619-6689 Fax: ( ) Other Contact # or Email: TROYC@POBJNC.COM  
 Status of Petitioner (Please Check):  Owner  Representative  Tenant  Prospective Buyer  
 Petitioner's Signature (required): Troy Collins Date: 9/24/20

**OWNER INFORMATION**

Owner(s): CLARENCE GOSSEN REV. TRUST Date: 9/24/20  
 Owner(s) Address: 501 S. OVERLAND City: HOBART State: WI Zip: 54115  
 Telephone #: (920) 609-9566 Fax: ( ) Other Contact # or Email: \_\_\_\_\_  
DON GOSSEN  
 Ownership Status (Please Check):  Individual  Trust  Partnership  Corporation

**Property Owner Consent: (required)**

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Neighborhood Services Department for incomplete submissions or other administrative reasons.

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SITE INFORMATION**

Address/Location of Proposed Project: 501 S. OVERLAND Parcel No. HB-17  
 Proposed Project Type: 2-LOT CSM  
 Current Use of Property: AG/RESIDENTIAL Zoning: G4-AG  
 Land Uses Surrounding Site: North: AG  
 South: RIGHT-OF-WAY  
 East: RIGHT-OF-WAY  
 West: AG

**RECEIVED**

SEP 24 2020

Village of Hobart

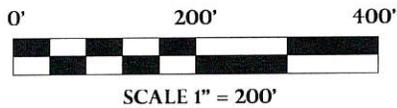
**\*\*Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

- Application fees are due at time of submittal. Make check payable to Village of Hobart.
- Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE

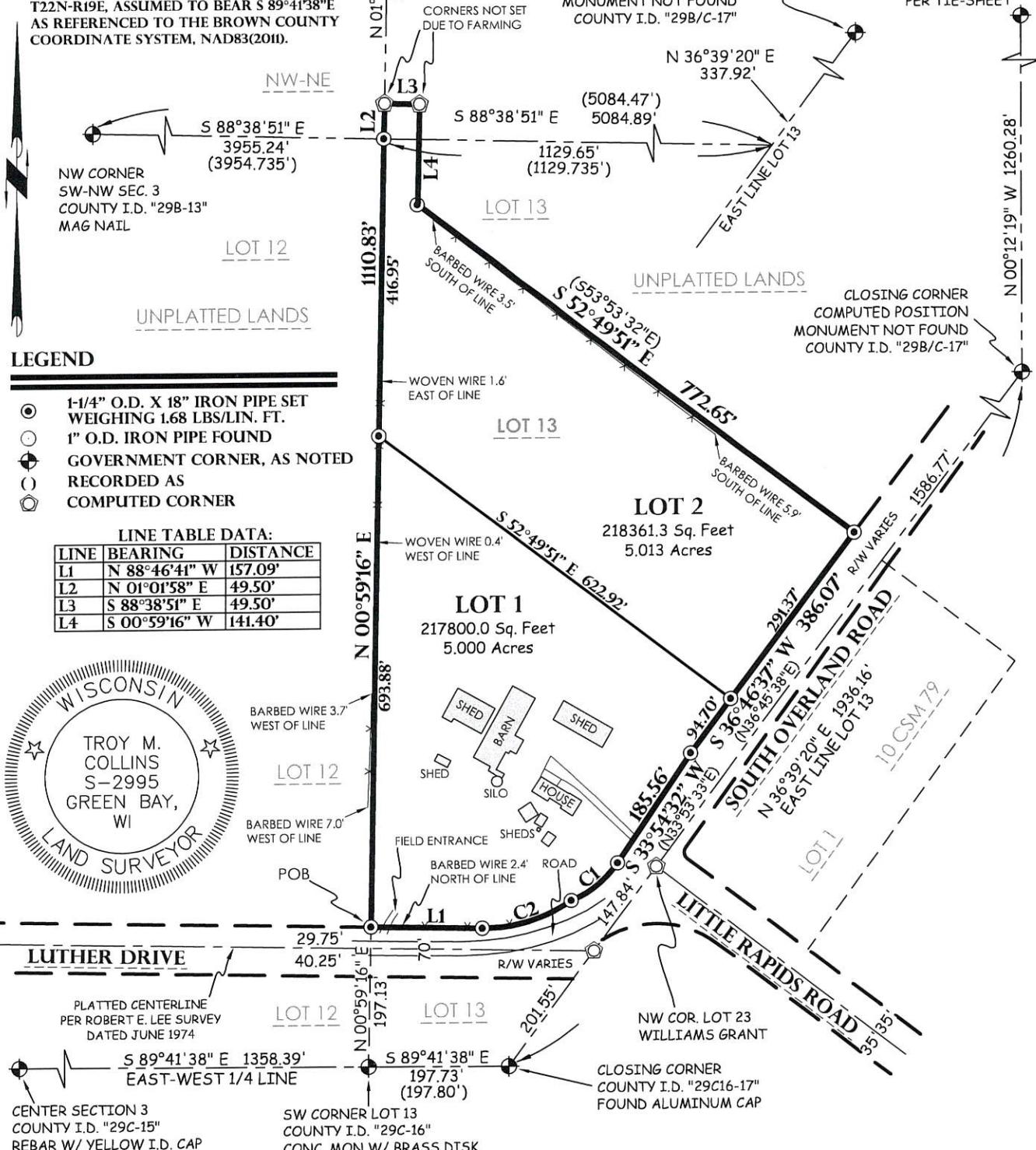
# CERTIFIED SURVEY MAP

BEING A PART OF GOVERNMENT LOT 3 AND GOVERNMENT LOT 13 OF SECTION 3, TOWNSHIP 22 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN.

**PRELIMINARY**



BEARINGS ARE REFERENCED TO THE EAST-WEST 1/4 LINE OF SECTION 3, T22N-R19E, ASSUMED TO BEAR S 89°41'38" E AS REFERENCED TO THE BROWN COUNTY COORDINATE SYSTEM, NAD83(2011).

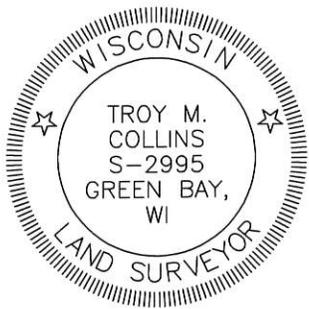


### LEGEND

- 1-1/4" O.D. X 18" IRON PIPE SET WEIGHING 1.68 LBS/LIN. FT.
- 1" O.D. IRON PIPE FOUND
- ⊕ GOVERNMENT CORNER, AS NOTED
- RECORDED AS
- ⊙ COMPUTED CORNER

### LINE TABLE DATA:

LINE	BEARING	DISTANCE
L1	N 88°46'41" W	157.09'
L2	N 01°01'58" E	49.50'
L3	S 88°38'51" E	49.50'
L4	S 00°59'16" W	141.40'



### CURVE DATA:

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	142.00'	85.31'	84.03'	S 51°07'11" W	34°25'14"
C2	211.10'	133.54'	131.32'	S 73°05'58" W	36°14'43"

FIELDWORK COMPLETED ON AUGUST 26, 2020.



Land Surveying  
Civil Engineering  
Landscape Architecture  
**Troy M. Collins, PLS #2995**  
1497 6th Street, Suite C  
Green Bay, WI 54304  
715.344.9999 (office)

THIS INSTRUMENT WAS DRAFTED BY TROY COLLINS AND DRAWN BY TROY COLLINS

FIELD BOOK GB5 PAGE --  
JOB # 20.798

SHEET 1 OF 4 SHEETS

# CERTIFIED SURVEY MAP

BEING A PART OF GOVERNMENT LOT 3 AND GOVERNMENT LOT 13 OF SECTION 3, TOWNSHIP 22 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN.

**PRELIMINARY**

### SURVEYOR'S CERTIFICATE:

I, Troy M. Collins, Professional Land Surveyor, do hereby certify that I have surveyed, divided, and mapped part of Government Lot 3 and Government Lot 13 of Section 3, Township 22 North, Range 19 East, Village of Hobart, Brown County, Wisconsin, described as follows:

Commencing at the Southwest corner of Lot 13 of Section 3, Township 22 North, Range 19 East; Thence N 00°59'16" E along the West line of said Lot 13, 197.13 feet to the North right-of-way line of Luther Drive and the point of beginning of the parcel to be described; Thence continuing N 00°59'16" E along said West line, 1110.83 feet to the Northwest corner of said Lot 13 and the Southwest corner of Lot 3 of said Section 3; Thence N 01°01'58" E along the West line of said Lot 3, 49.50 feet; Thence S 88°38'51" E, 49.50 feet; Thence S 00°59'16" W, 141.40 feet; Thence S 52°49'51" E, 772.65 feet to the Westerly right-of-way of South Overland Road; Thence S 36°46'37" W along said Westerly right-of-way, 386.07 feet; Thence S 33°54'32" W along said Westerly right-of-way, 185.56 feet; Thence 85.31 feet along said Westerly right-of-way, being the arc of a 142.00 foot radius curve to the right whose long chord bears S 51°07'11" W, 84.03 feet to the North right-of-way line of Luther Drive; Thence 133.54 feet along said North right-of-way, being the arc of a 211.10 foot radius curve to the right whose long chord bears S 73°05'58" W, 131.32 feet; Thence N 88°46'41" W along said North right-of-way, 157.09 feet to the point of beginning.

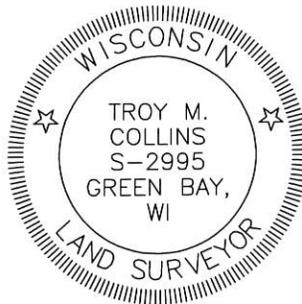
The described parcel contains 436161.3 Sq. feet (10.013 acres).

Subject to (if any) covenants, conditions, restrictions, right-of-ways, and easements of record.

That I have made such survey, land division, and plat by the direction of Donald Gossen.  
That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made.  
That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the Subdivision Ordinances of Brown County and the Village of Hobart in surveying, dividing, and mapping, the same.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Troy M. Collins  
PLS #2995



### SURVEYOR'S NOTES:

This Certified Survey Map is wholly contained within Document No. 2533277 and Parcel Number HB-17.

Erosion Control: The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction, the Village has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

Lot Drainage Restrictive Covenant: The land on all side and rear lot lines shall be graded by the lot owner and maintained by the abutting property owners to provide for adequate drainage of surface water.



Point of Beginning

Land Surveying  
Civil Engineering  
Landscape Architecture  
**Troy M. Collins, PLS #2995**  
1497 6th Street, Suite C  
Green Bay, WI 54304  
715.344.9999 (office)

THIS INSTRUMENT WAS DRAFTED BY TROY COLLINS  
AND DRAWN BY TROY COLLINS

FIELD BOOK GB5 PAGE --  
JOB # 20.798

SHEET 2 OF 4 SHEETS

# CERTIFIED SURVEY MAP

BEING A PART OF GOVERNMENT LOT 3 AND GOVERNMENT LOT 13 OF SECTION 3, TOWNSHIP 22 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN.

**PRELIMINARY**

**OWNER'S CERTIFICATE:**

As owner, I hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided, and mapped as represented on the map. I also certify that this Certified Survey Map is required by s.236.34 to be submitted to the following for objections or approval: Brown County Planning Commission and the Village of Hobart.

Witness the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

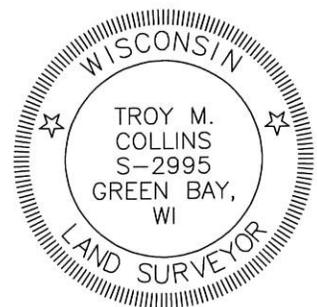
\_\_\_\_\_  
Donald Gossen, Trustee  
Clarence Gossen Revocable Trust

STATE OF WISCONSIN)  
COUNTY OF BROWN)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above named Donald Gossen, to me known to be the person who executed the foregoing instrument and hereby acknowledge the same.

\_\_\_\_\_, Notary Public, \_\_\_\_\_, Wisconsin

My commission expires \_\_\_\_\_.



Point of Beginning

Land Surveying  
Civil Engineering  
Landscape Architecture  
**Troy M. Collins, PLS #2995**  
1497 6th Street, Suite C  
Green Bay, WI 54304  
715.344.9999 (office)

**THIS INSTRUMENT WAS DRAFTED BY TROY COLLINS  
AND DRAWN BY TROY COLLINS**

FIELD BOOK GB5 PAGE --  
JOB # 20.798

SHEET 3 OF 4 SHEETS

# CERTIFIED SURVEY MAP

**PRELIMINARY**

BEING A PART OF GOVERNMENT LOT 3 AND GOVERNMENT LOT 13 OF SECTION 3, TOWNSHIP 22 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN.

**VILLAGE OF HOBART APPROVAL:**

This Certified Survey Map has been reviewed and approved by the Village Board of the Village of Hobart on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Dated

**BROWN COUNTY TREASURER'S CERTIFICATE:**

As duly elected Brown County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the date listed below.

\_\_\_\_\_  
Paul D. Zeller

\_\_\_\_\_  
Dated

Brown County Treasurer

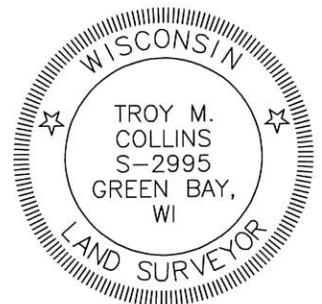
**BROWN COUNTY PLANNING COMMISSION CERTIFICATE:**

This Certified Survey Map is hereby approved by the Brown County Planning Commission.

\_\_\_\_\_  
Dan Teaters

\_\_\_\_\_  
Dated

Senior Planner



Point of Beginning

Land Surveying  
Civil Engineering  
Landscape Architecture  
**Troy M. Collins, PLS #2995**  
1497 6th Street, Suite C  
Green Bay, WI 54304  
715.344.9999 (office)

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AND DRAWN BY TROY COLLINS

FIELD BOOK GB5 PAGE --

JOB # 20.798

SHEET 4 OF 4 SHEETS

Part of Brown County WI

LEGEND / KEY

-  Parcel Boundary
-  Condominium
-  Gap or Overlap
-  "hooks" indicate parcel ownership crosses a line
-  Parcel line
-  Right of Way line
-  Meander line
-  Lines between deeds or lots
-  Historic Parcel Line
-  Vacated Right of Way

SC-190-2 Parcel ID Number  
 2880257 Document Number  
 0.814 AC Area of parcel  
 279.8' Line Distance  
 3547 Address

A complete map legend (map key) is available at:

<https://tinyurl.com/BrownDogKey>

Map printed  
10/8/2020



1:2,400

1 inch = 200 feet\*

1 inch = 0.0379 miles\*

\*original page size is 8.5" x 11"

Appropriate format depends on zoom level

This is a custom web map created by an online user of the GIS map services provided by the

**Brown County Wisconsin  
Planning & Land Services  
Department**



(920) 448-6480

[maps.gis.co.brown.wi.us](http://maps.gis.co.brown.wi.us)



501. S. OVERLAND RD



Recommendation of Planning & Zoning Commission

The Hobart Planning & Zoning Commission does hereby recommend to the Village Board to:

Grant: X Deny: \_\_\_\_\_

The request made by: CLARENCE GOSSEN REV. TRUST

Date: OCTOBER 14, 2020

CSM: X Plat: \_\_\_\_\_ Zoning: \_\_\_\_\_ CUP: \_\_\_\_\_ Ordinance: \_\_\_\_\_

Motion by DAVID DILLENBURG second by BOB ROSS

to GRANT THE TWO (2) LOT CSM DIVIDING HB-17 INTO TWO SEPARATE PARCELS OF 5 ACRES AND 5.013 ACRES AS PRESENTED WITH THE FOLLOWING CONDITIONS:

① VERIFICATION ON WHICH PARCEL OF ~~THE~~ LAND THE 0.716 ACRES ON THE SOUTH SIDE OF S. OVERLAND RD. WILL BE ATTACHED TO

② PAYMENT OF THE \$300.00 PARKLAND DEDICATION FEE  
ALL IN FAVOR. MOTION CARRIED

Record of Vote

Commissioner	Grant	Deny	Abstain
Bob Ross	<u>[Signature]</u>	_____	_____
John Rather	<del>_____</del>	_____	_____
Rich Heidel	_____	_____	_____
Dave Dillenburg	<u>[Signature]</u>	_____	_____
Jeff Ambrosius	<u>[Signature]</u>	_____	_____
Tom Dennee	_____	_____	_____
David Johnson	<u>[Signature]</u>	_____	_____



**TO: Planning & Zoning Commission**

**RE: CSM, 201 Fernando Dr., HB-287-1**

**FROM: Todd Gerbers, Director of Planning & Code Compliance**

**DATE: October 14, 2020**

**ISSUE:** Consider 3 Lot CSM dividing one parcel into three separate parcels of 2.983 acres, 2.233 acres, and 1.528 acres

**RECOMMENDATION:** Staff recommends conditional approval.

### **GENERAL INFORMATION**

1. Applicants/Agent: Aaron Ballast (TNT Professional Land Surveyors, Inc.)
2. Owner: Gary & Judith Smits
3. Parcel: HB-287-1
4. Zoning: A-1: Agricultural District

### **ZONING REQUIREMENTS**

The property owner currently has one 6.745 acre lot and is proposing a three lot CSM that would create two new lots. This proposed CSM will create three separate parcels of 2.983 acres, 2.233 acres, and 1.528 acres. Lot 3 is currently developed with a single-family dwelling and an accessory building while Lots 2 and 3 are currently undeveloped except for the transmission lines that run through the proposed lot 2. With all three proposed lots being less than 5 acres, all three lots will need to be re-zoned to a zoning that is compatible with these size lots. Both Lots 1 and 2 will remain under the same ownership while Lot 3 could potentially be sold to the family that is currently residing in the existing single-family residential dwelling.

With the acreage all three proposed lots being reduced to under 5 acres, all three lots will need to be rezoned to a residential district and any approval of this CSM will need to be conditioned with the rezoning being approved.

### **RECOMMENDATION/CONDITIONS**

Staff recommends conditional approval as submitted noting that this would be approval for both the preliminary and final CSM should there be no adjustments to the final CSM subject to the following conditions:

1. All three proposed lots be rezoned to an appropriate residential district
2. Payment of the required Park Fee of \$600.00 (2 new lot created, \$300.00 per lot)



<input checked="" type="checkbox"/> Rezoning Review
<input type="checkbox"/> Conditional Use Permit Review
<input type="checkbox"/> Planned Development Review
<input checked="" type="checkbox"/> CSM/Plat Review

Village of Hobart  
 Dept of Neighborhood Services  
 2990 S Pine Tree Rd  
 Hobart WI 54155  
 Phone: (920) 869-3809  
 Fax (920) 869-2048

**APPLICANT INFORMATION**

Petitioner: Aaron Ballast of TNT Professional Land Surveyors, Inc. Date: 9/24/2020  
 Petitioner's Address: 2154 Early St City: Green Bay State: WI Zip: 54304  
 Telephone #: (920 ) 406-1477 Fax: (920 ) 569-2605 Other Contact # or Email: tnt-pls@tntsurveyors.com  
 Status of Petitioner (Please Check):  Owner  Representative  Tenant  Prospective Buyer  
 Petitioner's Signature (required):  Date: 9/24/2020

**OWNER INFORMATION**

Owner(s): Gary & Judith Smits Date: 9/24/2020  
 Owner(s) Address: 932 Golden Lane City: Oneida State: WI Zip: 54155  
 Telephone #: (920 ) 869-2801 Fax: ( ) \_\_\_\_\_ Other Contact # or Email: \_\_\_\_\_  
 Ownership Status (Please Check):  Individual  Trust  Partnership  Corporation

**Property Owner Consent: (required)**

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Neighborhood Services Department for incomplete submissions or other administrative reasons.

Property Owner's Signature:  Date: 9/24/2020

**SITE INFORMATION**

Address/Location of Proposed Project: 201 Fernando Drive Parcel No. HB-287-1  
 Proposed Project Type: Rezone Parcel to R-2-R, Rural Residential District, Split parcel into 3 Lots  
 Current Use of Property: Agricultural, Residential Zoning: A-1, Agricultural  
 Land Uses Surrounding Site: North: A-1, Agricultural, A-2 Exclusive Agricultural  
 South: A-1, Agricultural  
 East: A-2 Exclusive Agricultural  
 West: ER, Estate Residential

**\*\*Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

- Application fees are due at time of submittal. Make check payable to Village of Hobart.
- Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE



September 24, 2020

Village of Hobart  
Dept. of Neighborhood Services  
2990 S. Pint Tree Road  
Hobart, WI 54155

2154 Early Street • Green Bay, WI 54304  
Ph. 920.406.1477  
Fax 920.569.2605  
tnt-pls@tntsurveyors.com

To Whom It May Concern:

I am representing my client Gary Smits. Gary would like to subdivide parcel HB-287-1, Located at 201 Fernando Drive, into to 3 lots. To do this we need to rezone said parcel from A-1 (Agricultural) to R-2-R (Rural Residential District), which best fits the proposed future use. For this rezone request we submitted a copy of the preliminary CSM along with the application. The CSM shows not only the lot dimensions but that we established Environmentally Sensitive Areas and associated setbacks per Brown County's subdivision ordinance. This parcel is not currently in a sewer district and will be serviced by POWTS and wells. Lot 3 already has an established POWTS and well onsite.

We are also simultaneously submitting said CSM for review by the village, in effort to show that we mean to follow through with the proposed use. We thank you for your time and consideration in this matter.

Sincerely,

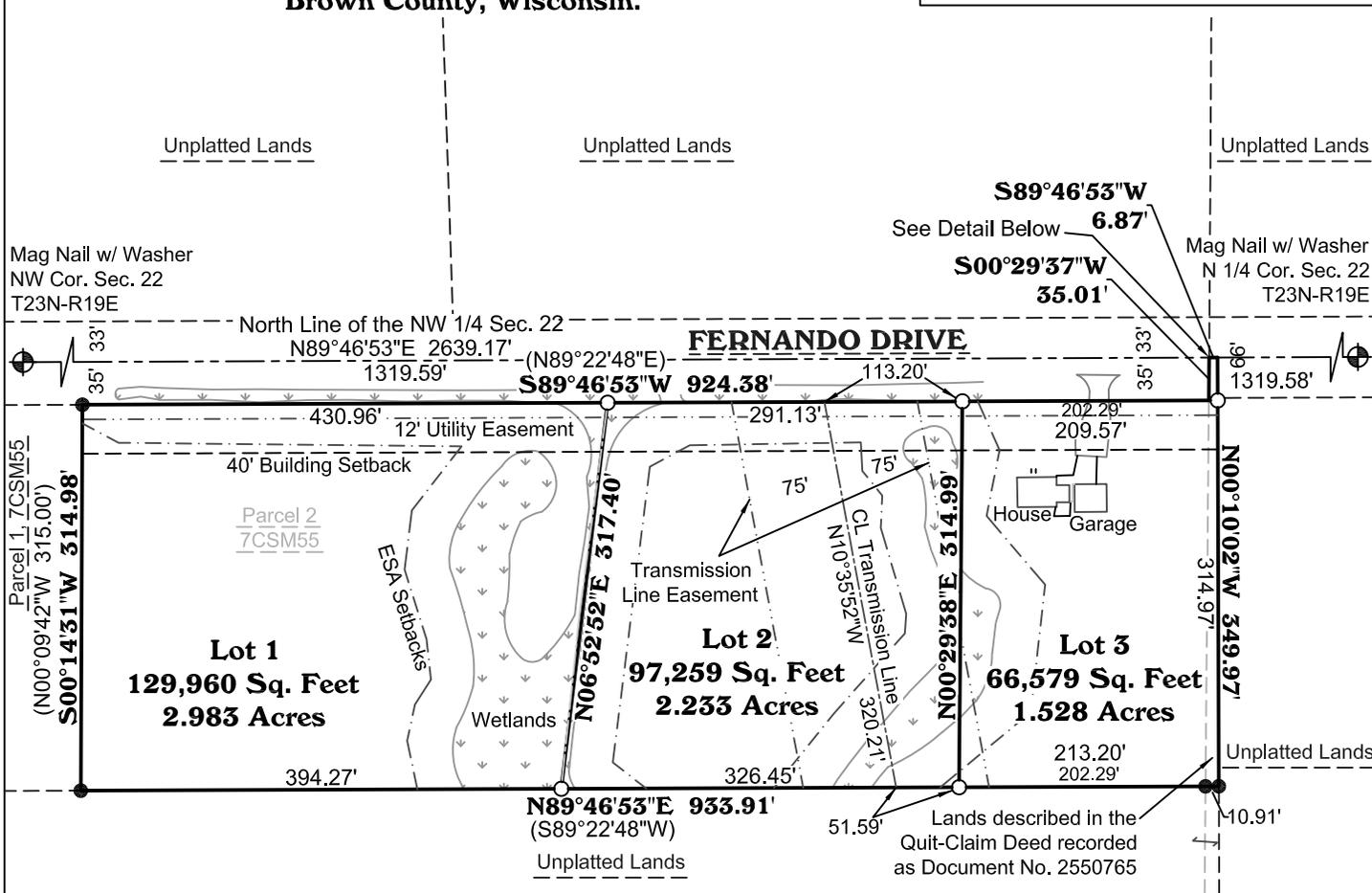
A handwritten signature in black ink, appearing to read 'AB 2', with a long, horizontal flourish extending to the right.

Aaron D. Ballast PLS, CST  
President

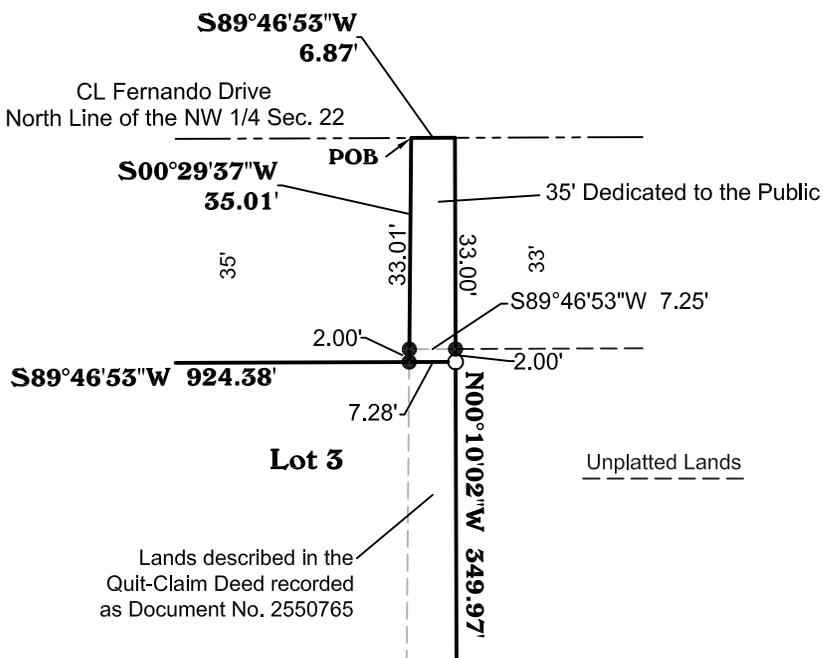
# Preliminary

## CERTIFIED SURVEY MAP

All of Parcel 2 of Certified Survey Map recorded as Document No. 879827, Volume 7, Certified Survey Maps, Page 55, and all of the lands described in the Quit-Claim Deed recorded as Document No. 2550765, all being Located in the North 1/2 of the Northwest 1/4, Section 22, Town 23 North, Range 19 East, Village of Hobart, Brown County, Wisconsin.



**Detail:**  
Not to scale



**TNT**  
Professional Land  
**SURVEYORS** Inc.  
2154 Early Street  
Green Bay, WI 54304  
(920)406-1477  
Job # 0620-110

Bearings referenced to the Brown County Coordinate System and the North Line of the Northwest 1/4, Section 22, T23N-R19E, published to bear S89°46'53"W.

Owners: Gary L. & Judith L Smits

Address: Fernando Drive



US Public Land Corner by Brown County as noted.  
1" iron pipe found and used to establish this survey unless noted.  
1" by 18" Iron pipe weighing 1.13# per linear foot set.  
Record Information.  
12' Utility Easement created on this map.

Scale: 1" = 150'

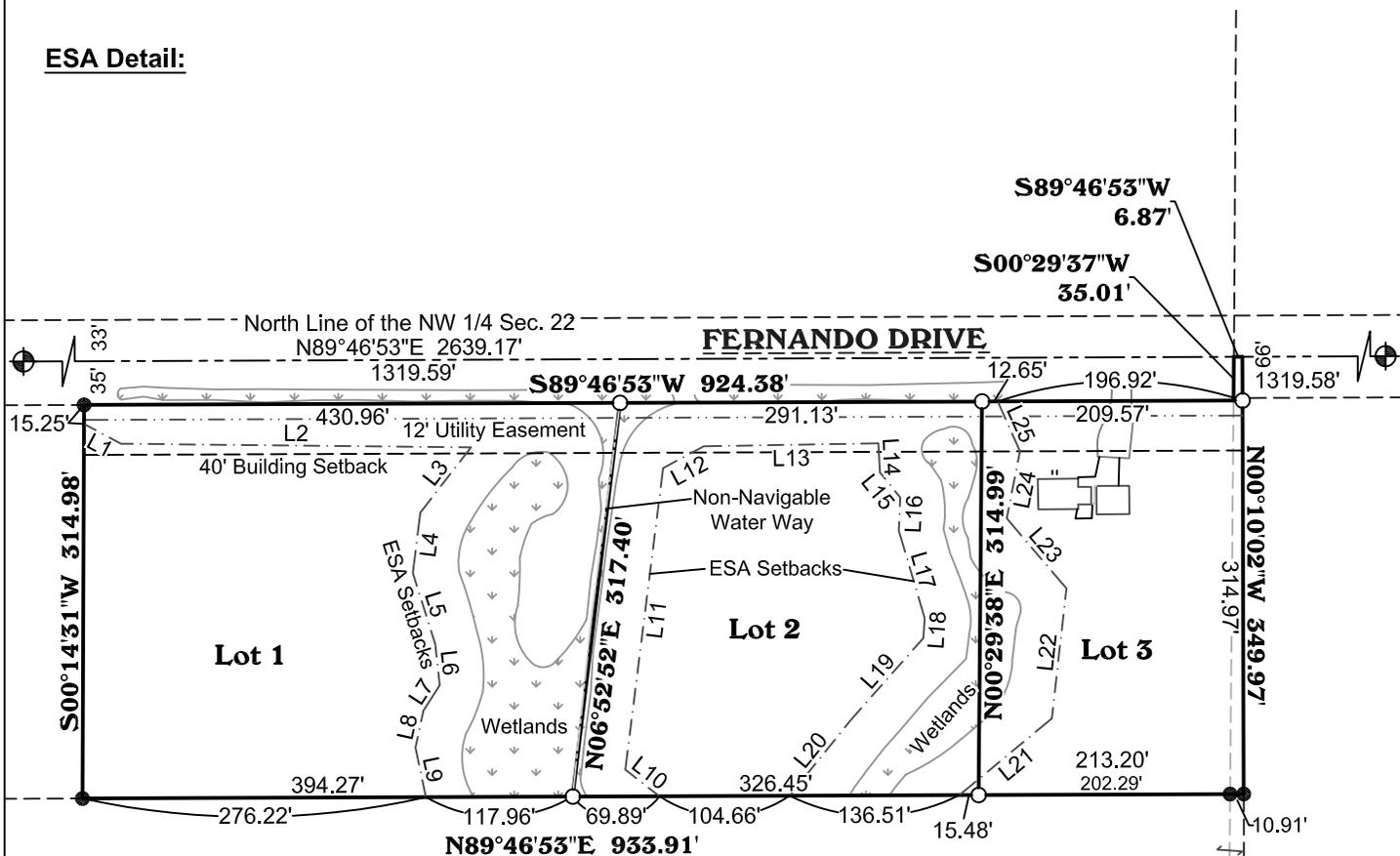


# Preliminary

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**ESA Detail:**



Lots 1-3 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 35 feet of wetlands 2 acres or greater, non-navigable waterways, all land within 35 feet of the top of bank of non-navigable waterways. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.

Lots 1-3 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corp of Engineers, Brown County Planning Commission, or the Brown County Zoning Administrator's Office prior to any development activity.

LINE	BEARING	DISTANCE
L1	S62°06'39"E	33.74'
L2	S89°24'31"E	281.33'
L3	S37°54'36"W	66.23'
L4	S07°09'36"W	48.67'
L5	S17°36'39"E	59.58'
L6	S06°20'34"E	33.28'
L7	S32°47'31"W	24.26'
L8	S12°12'44"W	30.13'
L9	S11°55'07"E	40.60'
L10	N52°19'38"W	34.79'
L11	N07°11'30"E	243.31'
L12	N61°56'49"E	37.11'
L13	N89°01'08"E	140.44'
L14	S02°58'43"E	23.35'
L15	S38°56'52"E	25.99'
L16	S02°38'24"W	26.29'
L17	S16°30'14"E	73.26'
L18	S04°04'24"W	16.03'
L19	S41°40'11"W	87.37'
L20	S39°03'35"W	78.33'
L21	N50°28'36"E	96.42'
L22	N06°25'19"E	104.70'
L23	N40°31'12"W	73.90'
L24	N11°14'06"E	54.62'
L25	N24°06'50"W	43.75'



**TNT**  
Professional Land SURVEYORS Inc.  
2154 Early Street  
Green Bay, WI 54304  
(920)406-1477  
Job # 0620-110

Bearings referenced to the Brown County Coordinate System and the North Line of the Northwest 1/4, Section 22, T23N-R19E, published to bear S89°46'53"W.

Owners: Gary L. & Judith L Smits

Address: Fernando Drive



US Public Land Corner by Brown County as noted.

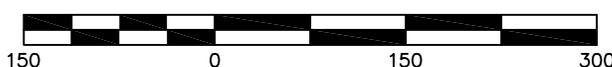


1" iron pipe found and used to establish this survey unless noted.



1" by 18" Iron pipe weighing 1.13# per linear foot set.

Scale: 1" = 150'



# Preliminary

## **CERTIFIED SURVEY MAP**

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SURVEYOR'S CERTIFICATE:

I, Aaron D. Ballast, Professional Land Surveyor S-2880-008, do hereby certify that I have surveyed, divided and mapped all of Parcel 2 of Certified Survey Map recorded as Document No. 879827, Volume 7, Certified Survey Maps, Page 55, and all of the lands described in the Quit-Claim Deed recorded as Document No. 2550765, all being Located in the North 1/2 of the Northwest 1/4, Section 22, Town 23 North, Range 19 East, Village of Hobart, Brown County, Wisconsin bounded and described as follows:

Commencing from the Northwest Corner of said Section 22; thence N89°46'53"E a distance of 1319.59 feet along the North Line of the Northwest 1/4 of said Section 22 to the East Line of the Northwest 1/4 of the Northwest 1/4 of said Section 22 also being the Point of Beginning; thence S00°29'37"W a distance of 35.01 feet along said East Line to the South Right of Way of Fernando Drive; thence S89°46'53"W a distance of 924.38 feet along said South Right of Way to the West Line of said Parcel 2 of Certified Survey Map recorded as Document No. 879827; thence S00°14'31"W a distance of 314.98 feet along said West Line to the South Line of said Parcel 2; thence N89°46'53"E a distance of 933.91 feet along said South Line and the South Line of lands described in Quit-Claim Deed recorded as Document No. 2550765 to the East Line of lands described in said Quit-Claim Deed; thence N00°10'02"W a distance of 349.97 feet along the East Line of lands described in said Quit-Claim Deed to said North Line of the Northwest 1/4; thence S89°46'53"W a distance of 6.87 feet along said North Line of the Northwest 1/4 to the Point of Beginning; having an area of 294,046 square feet 6.750 acres and being subject to easements and restrictions of record.

I do hereby further certify that I have made such survey under the direction of Gary L. Smits, Owner, and that this map is a correct representation of the exterior boundary of the lands surveyed and the division thereof, and that this survey fully complies with the Chapter 236.34 of the Wisconsin Statutes, the Brown County Subdivision Ordinance, the Village of Hobart Zoning and Subdivision Ordinance and is true and correct to the best of my knowledge and belief.

Field work completed on \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Aaron D. Ballast, S-2880-008



# Preliminary

## **CERTIFIED SURVEY MAP**

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### UTILITY EASEMENT PROVISION

An easement for electric, natural gas, and communications service is hereby granted by Roland A Vanden Langenberg Trustee of Roland A Vanden Langenberg and Carol J. Vanden Langenberg Trust, Grantor, to **WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation**, Grantee, Northeast Telephone Co., Grantee, Wisconsin Bell Inc., d/b/a AT&T Wisconsin, a Wisconsin Corporation, Grantee, Time Warner Cable, Inc., 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" 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 incidental 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. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" 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 six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

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

### NOTES:

1. The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village of Hobart has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

### RESTRICTIVE COVENANTS

1. The land on all lot lines shall be graded by the subdivider and maintained by the property owner to provide for adequate drainage of surface water.
2. Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.
3. No Poles, Pedestals or buried Cables are to be placed as to disturb any survey stake. A disturbance of a survey stake by anyone is a violation of Section 236.32 of the Wisconsin Statutes.
4. Lots 1-3 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 35 feet of wetlands 2 acres or greater, non-navigable waterways, all land within 35 feet of the top of bank of non-navigable waterways. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.



# Preliminary

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**OWNER'S CERTIFICATE:**

As owners, I hereby certify that I caused the land described herein to be surveyed, mapped, divided and dedicated as represented on this Certified Survey Map. I also certify that this Certified Survey Map is required to be submitted to the following for approval: Brown County, Village of Hobart.

\_\_\_\_\_  
Gary L. Smits

\_\_\_\_\_  
Judith L. Smits

STATE OF WISCONSIN)  
COUNTY OF BROWN) ss

Personally came before me this \_\_\_\_ day of \_\_\_\_\_ 2020, the above named owners to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_



# Preliminary

# CERTIFIED SURVEY MAP

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**Village of Hobart:**

Approved by the Town Board on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Erica Berger, Village Clerk

**Brown County Treasurer:**

As the duly elected Brown County Treasurer, I hereby certify that the records in my office show no unredeemed taxes and no unpaid special assessments affecting any of the lands included in this Certified Survey Map as of the date listed below.

\_\_\_\_\_  
Paul D. Zeller, Brown County Treasurer

\_\_\_\_\_  
Date

**Brown County Planning Commission Approval:**

Approved by the Brown County Plan Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Dan Teaters, Senior Planner



Part of Brown County WI

LEGEND / KEY

-  Parcel Boundary
-  Condominium
-  Gap or Overlap
-  "hooks" indicate parcel ownership crosses a line
-  Parcel line
-  Right of Way line
-  Meander line
-  Lines between deeds or lots
-  Historic Parcel Line
-  Vacated Right of Way

SC-190-2 Parcel ID Number  
 2880257 Document Number  
 0.814 AC Area of parcel  
 279.8' Line Distance  
 3547 Address

A complete map legend (map key) is available at:

<https://tinyurl.com/BrownDogKey>

Map printed  
 10/8/2020



1:2,400

1 inch = 200 feet\*

1 inch = 0.0379 miles\*

\*original page size is 8.5" x 11"  
 Appropriate format depends on zoom level

This is a custom web map created by an online user of the GIS map services provided by the

**Brown County Wisconsin  
 Planning & Land Services  
 Department**



(920) 448-6480

[maps.gis.co.brown.wi.us](http://maps.gis.co.brown.wi.us)





201 FERNANDO DRIVE

Recommendation of Planning & Zoning Commission

The Hobart Planning & Zoning Commission does hereby recommend to the Village Board to:

Grant: X Deny: \_\_\_\_\_

The request made by: GARY + JUDITH SMITS

Date: OCTOBER 14, 2020

CSM: X Plat: \_\_\_\_\_ Zoning: \_\_\_\_\_ CUP: \_\_\_\_\_ Ordinance: \_\_\_\_\_

Motion by RICH HEIDEL second by JEFF AMBROSIOUS

to APPROVE THE THREE (3) LOT CSM DIVIDING HB-287-1 INTO THREE SEPARATE PARCELS OF 2.983 ACRES, 2.233 ACRES, AND 1.528 ACRES AS PRESENTED WITH THE FOLLOWING CONDITIONS:

- ① ALL THREE LOTS BE REZONED TO AN APPROPRIATE RESIDENTIAL DISTRICT
- ② PAYMENT OF THE REQUIRED PARK FEE OF \$600.00

ALL IN FAVOR. MOTION CARRIED.

Record of Vote

Commissioner	Grant	Deny	Abstain
Bob Ross	<u>[Signature]</u>	_____	_____
John Rather	_____	_____	_____
Rich Heidel	<u>[Signature]</u>	_____	_____
Dave Dillenburg	<u>[Signature]</u>	_____	_____
Jeff Ambrosious	<u>[Signature]</u>	_____	_____
Tom Dennee	_____	_____	_____
David Johnson	<u>[Signature]</u>	_____	_____



**TO: Planning & Zoning Commission**

**RE: Consider Final Plat for Blackberry Ridge  
Subdivision, HB-689, HB-683, & HB-688**

**FROM: Todd Gerbers, Director of Planning and Code Compliance**

**DATE: October 14, 2020**

**ISSUE:** Review and discuss proposed 32 lot Single Family Preliminary Plat, HB-689, HB-683, & HB-688

**RECOMMENDATION:** Staff recommends Approval

### **GENERAL INFORMATION**

1. Owner: Gigot Properties, LLC
2. Agent(s)/Petitioner(s): Troy Hewitt / Robert E. Lee & Associates, Inc.
3. Parcel(s): HB-689, HB-683, & HB-688
4. Present Zoning: R-2-R: Rural Residential District

### **BACKGROUND**

Gigot Properties, LLC is proposing a 32 lot single-family plat with one thru roadway from Melanie Dr. on the north to Trout Creek Rd. on the south and one small cul-de-sac near the middle of the subdivision. This review is for the final plat and has remained almost identical to the preliminary plat that was reviewed back on March 11, 2020. By ordinance, all single family lots shall have a minimum of 150 feet of lot width and 1 acre of lot area. There are two lots on the bulb of the cul-de-sac that are shown to have 82.55 feet at the front property line, however, they both would be compliant with the Village Code as the definition of lot width is stated as *“The horizontal distance between the side lot lines of a lot, measured at the narrowest width within the first 30 feet of lot depth immediately in back of the front yard setback line”*. Based on the definition and the “pie shape” of these two lots, they appear to meet the 150 foot lot width as required in this zoning district. With some of the lots having frontage along Trout Creek Rd., Lots 1, 2, and 3 will have ingress/egress from Trout Creek Rd. However, Lots 4 and 32 having frontage along Trout Creek Rd. and the new proposed Blackberry Ridge Dr. roadway and with the terrain of the roadway (near the top of the hill), there is a condition placed on the plat that would restrict Lots 4 and 32 from having ingress/egress to Trout Creek Rd. Again, this would be solely for safety purposes.

This request is for the final plat and is scheduled to go before the Village Board at the October 20 meeting.

### **RECOMMENDATION/CONDITIONS**

Staff recommends approval of this Final Plat, conditional upon the following:

1. Payment of Park Dedication Fee of \$9,600.00



- Rezoning Review
- Conditional Use Permit Review
- Planned Development Review
- CSM/Plat Review

Village of Hobart  
 Dept of Neighborhood Services  
 2990 S Pine Tree Rd  
 Hobart WI 54155  
 Phone: (920) 869-3809  
 Fax (920) 869-2048

**APPLICANT INFORMATION**

Petitioner: Troy E. Hewitt Date: 10/9/20

Petitioner's Address: 1250 Centennial Centre Blvd City: Hobart State: WI Zip: 54155

Telephone #: (920) 662-9641 Fax: (920) 662-9141 Other Contact # or Email: thewitt@releeinc.com

Status of Petitioner (Please Check):  Owner  Representative  Tenant  Prospective Buyer

Petitioner's Signature (required): \_\_\_\_\_ Date: \_\_\_\_\_

**OWNER INFORMATION**

Owner(s): Gigot Properties Date: 10/9/20

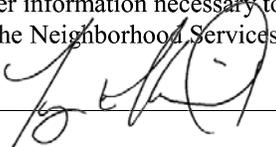
Owner(s) Address: 203 S Monroe Ave City: Green Bay State: WI Zip: 54301

Telephone #: (920) 655-3080 Fax: ( ) \_\_\_\_\_ Other Contact # or Email: markgigot@yahoo.com

Ownership Status (Please Check):  Individual  Trust  Partnership  Corporation

**Property Owner Consent: (required)**

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Neighborhood Services Department for incomplete submissions or other administrative reasons.

Property Owner's Signature:  Date: 10/9/20

**SITE INFORMATION**

Address/Location of Proposed Project: 600 Trout Creek Rd Parcel No. HB-688, HB-689  
HB-683

Proposed Project Type: SUBDIVISION PLAT

Current Use of Property: AG/FOREST Zoning: R-2 RESIDENTIAL

Land Uses Surrounding Site:

North: RESIDENTIAL

South: RESIDENTIAL

East: RESIDENTIAL

West: RESIDENTIAL

**\*\*Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

- Application fees are due at time of submittal. Make check payable to Village of Hobart.
- Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE

# BLACKBERRY RIDGE

ALL OF LOTS 10 AND 11 AND PART OF LOT 5, SECTION 23, TOWNSHIP 24 NORTH, RANGE 19 EAST, VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

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



### WATER ELEVATION INFORMATION

Location	Approximate High Water Elevation	Water Elevation
A	702.6'	700.1'
B	712.5'	708.3'
C	721.7'	720.5'

Elevations are referenced to NAVD88 and NGS Monument G131 with an elevation of 782.44'

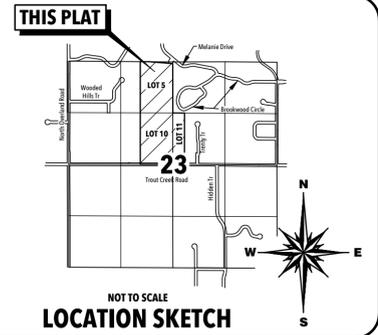
### PUBLIC TRUST INFORMATION

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.

### PLATTED AREA DEDICATED TO THE PUBLIC

222,940 Square Feet  
5.118 Acres

Line #	Length	Direction	Line #	Length	Direction
L1	23.20'	S71°21'15"W	L17	62.07'	S89°56'12"W
L2	50.78'	N50°11'38"W	L18	21.23'	S00°03'48"E
L3	8.27'	N59°27'41"E	L19	64.73'	S59°21'51"W
L4	91.18'	S19°08'48"E	L20	29.30'	S89°56'12"W
L5	26.49'	S68°08'44"W	L21	74.15'	N00°03'48"W
L6	28.98'	S44°50'31"W	L22	145.79'	N89°56'12"E
L7	22.49'	S12°46'31"W	L23	50.39'	N44°52'36"W
L8	78.61'	S41°56'33"W	L24	61.77'	N00°03'48"W
L9	16.69'	N80°18'00"W	L25	45.00'	N89°56'12"E
L10	50.87'	N04°49'40"E	L26	53.78'	S31°55'14"E
L11	38.39'	N11°35'54"E	L27	31.84'	S00°03'48"E
L12	46.91'	N20°16'43"E			
L13	22.09'	N04°00'11"E			
L14	60.07'	N34°58'28"W			
L15	16.34'	N14°31'27"W			
L16	40.35'	N26°08'26"E			



NOT TO SCALE  
LOCATION SKETCH

### Curve Table

Curve #	Delta	Radius	Length	Chord Length	Chord Direction	Tangent Bearing	Second Tangent Bearing
C1	90°01'48"	12.00'	18.86'	18.86'	N45°04'01"E	16.97'	S89°55'06"E
C2	2°22'55"	720.00'	29.93'	29.93'	N01°08'20.5"W	29.93'	N00°03'07"E
C3	15°54'48"	720.00'	199.77'	199.77'	N10°17'12"W	199.77'	N02°19'48"W
C4	17°30'25"	720.00'	220.00'	220.00'	N26°59'48.5"W	219.15'	N18°14'36"W
C5	1°32'43"	720.00'	19.42'	19.42'	N36°31'22.5"W	19.42'	N35°45'01"W
C6	37°20'51"	720.00'	469.32'	469.32'	N18°37'18.5"W	461.06'	N00°03'07"E
C7	26°42'40"	430.00'	200.47'	200.47'	S23°56'24"E	198.66'	S10°35'04"E
C8	10°35'04"	430.00'	79.43'	79.43'	S05°17'32"E	79.32'	S00°00'00"E
C9	37°17'44"	430.00'	279.90'	279.90'	S18°38'52"E	274.99'	S00°00'00"E
C10	3°48'51"	1970.00'	131.14'	131.14'	N01°54'25.5"W	131.12'	N00°00'00"E
C11	5°28'33"	1970.00'	188.28'	188.28'	N04°39'47.5"W	188.21'	N03°48'51"W
C12	5°52'11"	1970.00'	133.43'	133.43'	N11°13'59.5"W	133.40'	N09°17'24"W
C13	13°10'35"	1970.00'	453.05'	453.05'	N06°35'17.5"W	452.05'	N00°00'00"E
C14	6°08'36"	530.00'	56.83'	56.83'	S10°06'17"E	56.80'	S07°01'59"E
C15	7°01'00"	530.00'	64.91'	64.91'	S03°31'29"E	64.87'	S00°00'59"E
C16	13°09'36"	530.00'	121.74'	121.74'	S06°35'47"E	121.47'	S00°00'59"E
C17	4°23'57"	280.00'	21.50'	21.50'	S02°10'59.5"W	21.49'	S04°22'58"W
C18	43°44'44"	280.00'	213.78'	213.78'	S26°15'20"W	208.63'	S48°07'42"W
C19	15°57'21"	280.00'	77.97'	77.97'	S56°06'22.5"W	77.72'	S64°05'03"W
C20	64°06'02"	280.00'	313.25'	313.25'	S32°02'02"W	297.17'	S64°05'03"W
C21	63°03'54"	120.00'	132.08'	132.08'	N32°39'06"E	125.52'	N64°05'03"E
C22	61°53'12"	180.00'	194.42'	194.42'	N33°08'27"E	185.11'	N64°05'03"E
C23	61°08'52"	220.00'	234.79'	234.79'	S33°30'37"W	223.81'	S64°05'03"W
C24	2°57'10"	220.00'	11.34'	11.34'	S01°23'56"W	11.34'	S02°58'11"W
C25	64°06'02"	220.00'	246.13'	246.13'	S32°02'02"W	233.49'	S64°05'03"W
C26	5°32'56"	470.00'	45.52'	45.52'	S02°47'27"E	45.50'	S00°00'59"E
C27	7°36'40"	470.00'	62.43'	62.43'	S09°22'15"E	62.39'	S05°33'56"E
C28	13°09'36"	470.00'	107.95'	107.95'	S06°35'47"E	107.72'	S00°00'59"E
C29	3°04'09"	2030.00'	108.74'	108.74'	N11°38'31.5"W	108.72'	N10°06'27"W
C30	5°26'10"	2030.00'	192.61'	192.61'	N07°23'22"W	192.53'	N04°40'16"W
C31	4°40'16"	2030.00'	165.50'	165.50'	N02°20'08"W	165.46'	N00°00'00"E
C32	13°10'35"	2030.00'	466.85'	466.85'	N06°35'17.5"W	465.82'	N00°00'00"E
C33	25°12'33"	370.00'	162.79'	162.79'	S12°36'16.5"E	161.48'	S00°00'00"E
C34	97°19'24"	12.00'	20.38'	20.38'	S73°52'16"E	18.02'	S25°12'33"E
C35	11°57'45"	130.00'	27.14'	27.14'	S63°26'54.5"W	27.09'	S69°25'47"W
C36	29°50'23"	65.00'	33.85'	33.85'	N54°30'35.5"E	33.47'	N69°25'47"E
C37	58°04'11"	45.00'	56.81'	56.81'	S61°37'35.5"W	55.02'	S89°59'11"W
C38	72°45'57"	45.00'	82.55'	82.55'	N53°17'10.5"E	77.11'	N17°34'12"W
C39	72°45'57"	45.00'	82.55'	82.55'	N18°48'46.5"E	77.11'	N55°11'45"E
C40	63°45'57"	45.00'	72.34'	72.34'	N87°04'43.5"E	68.66'	S61°02'18"E
C41	25°22'18"	65.00'	294.25'	294.25'	N10°43'27"W	100.04'	S39°35'24"W
C42	61°29'39"	65.00'	69.76'	69.76'	S88°12'51.5"W	66.46'	N61°02'18"W
C43	94°08'10"	12.00'	19.72'	19.72'	S10°23'57"W	17.57'	S57°28'02"W
C44	15°08'54"	780.00'	206.21'	206.21'	N29°05'40"W	205.62'	N21°31'13"W
C45	11°01'07"	780.00'	150.00'	150.00'	N16°00'39.5"W	149.77'	N10°30'06"W
C46	10°33'13"	780.00'	143.68'	143.68'	N05°13'29.5"W	143.47'	N10°30'06"W
C47	36°43'14"	780.00'	499.90'	499.90'	N18°18'30"W	491.39'	N00°03'07"E
C48	89°32'13"	12.00'	18.75'	18.75'	S44°42'59.5"E	16.90'	S00°03'07"W

### NOTES

Lots 1, 2 and 9-17 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corps of Engineers, Brown County Planning Commission or the local municipality's Zoning Administrator's Office prior to any development activity.

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

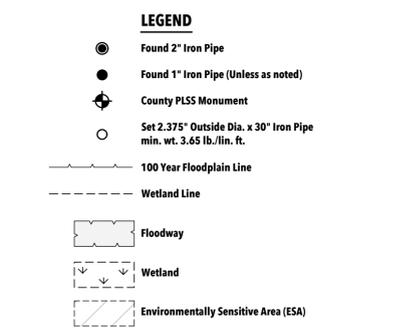
### RESTRICTIVE COVENANTS

The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.

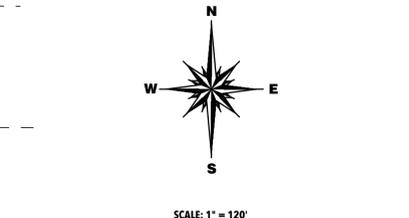
No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.

### ESA RESTRICTIVE COVENANT

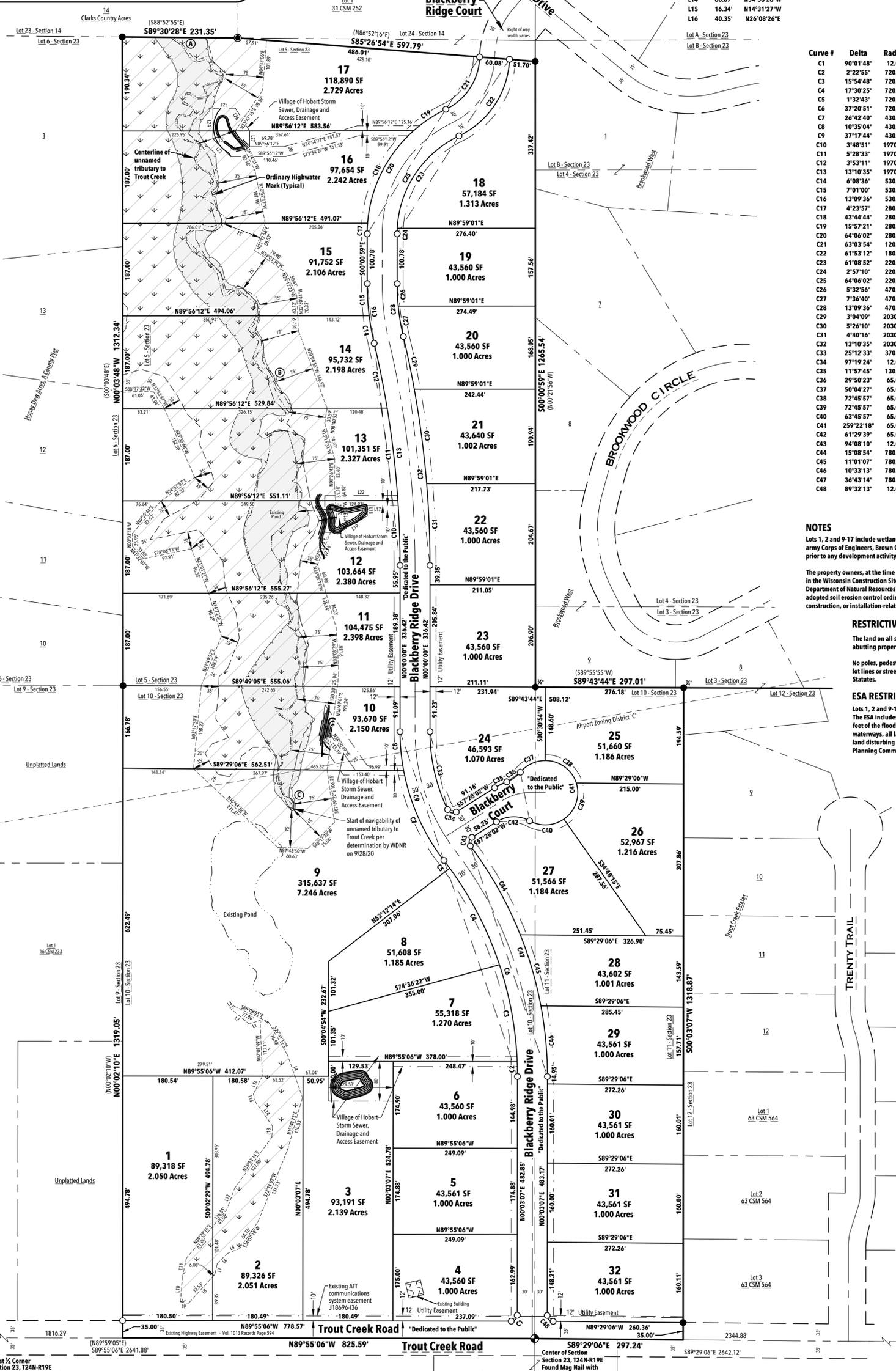
Lots 1, 2 and 9-17 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 35 feet of wetlands 2 acres or greater, floodway, all land within 35 feet of the floodway or 75 feet beyond the ordinary high water mark - whichever is greater, and navigable waterways, all land within 75 feet of the ordinary high water mark of navigable waterways. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.



All other lot corners marked with a 1.125" outside dia x 18" iron pipe weighing 1.38 lbs./in. ft.



Bearings are based on the Brown County Coordinate System. The south line of the Northwest 1/4 of Section 23 bears N89°55'06"W. All linear measurements have been made to the nearest hundredth of a foot and computed to the nearest hundredth of a foot. All angular measurements have been made to the nearest three seconds and computed to the nearest half second.



**FLOOD STUDY INFORMATION**  
Flood study was prepared by Robert E. Lee & Associates Inc. and approved by the DNR on 10/2/2020

**AIRPORT ZONING DISTRICT**  
The Austin Straubel International Airport Director shall be contacted for review and approval prior to any development and land disturbing activities within Airport Zoning District

**ACCESS RESTRICTION**  
Lots 4 and 32 are restricted from having direct access to Trout Creek Road. Lot access for lots 4 and 32 shall be from Blackberry Ridge Drive.

**Robert E. Lee & Associates, Inc.**  
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
1250 CENTENNIAL CENTRE BOULEVARD  
HOBART, WI 54155  
INTERNET: www.releec.com  
PHONE: (920) 662-9641  
FAX: (920) 662-9141

# BLACKBERRY RIDGE

ALL OF LOTS 10 AND 11 AND PART OF LOT 5, SECTION 23,  
TOWNSHIP 24 NORTH, RANGE 19 EAST, VILLAGE OF HOBART,  
BROWN COUNTY, WISCONSIN

## RESTRICTIVE COVENANT

The undersigned, being the owner of the real estate legally described on Sheet 2 of 2 and mapped on Sheet 1 of 2 of this plat (the "Subject Real Estate") hereby subject said real estate to the covenants contained herein. Each part of the Subject Real Estate shall be held, sold and conveyed only subject to the following covenants, conditions and restrictions, which shall constitute covenants running with land, and shall be binding upon all parties acquiring or holding any right, title or interest in the Subject Real Estate (or any part thereof), their heirs, personal representatives, successors or assigns, and the covenants contained herein shall inure to the benefit of each owner thereof.

1. **Restriction on Transfer.** Without the express written consent of the Village of Hobart, no owner of any interest in the Subject Real Estate (or any part thereof) shall transfer any interest in the Subject Real Estate to any individual, entity (whether corporation, limited liability company, limited partnership, limited liability partnership, general partnership or otherwise), organization, or sovereign nation, or during the period of ownership take any other action, the result of which would: (1) remove or eliminate the Subject Real Estate (or any part thereof) from the tax rolls of the Village of Hobart; (2) diminish or eliminate the payment of real estate taxes levied or assessed against the Subject Real Estate (or any part thereof), and/or (3) remove the Subject Real Estate (or any part thereof) from the jurisdiction of the Village of Hobart, including but not limited to, zoning authority and controls. This restriction shall apply to the transfer of an interest in an entity that is an owner of the Subject Real Estate if, as a result of the transfer, any of items (1) - (3) above would occur. Notwithstanding the foregoing, nothing contained in this Restrictive Covenant, including without limitation this paragraph, shall be deemed or construed to: (i) prevent, limit or restrict any owner or holder of any interest in the Subject Real Estate (or any part thereof) from contesting, protesting, appealing or otherwise challenging (through whatever lawful means are necessary or advisable) the amount of any real property tax levied or assessed by any "taxation district" or "taxing jurisdiction" (as the foregoing terms are defined in and by Wis. Stats. Section 74.01(6) - (7) and/or successor statutes thereto and/or regulations promulgated thereunder) including without limitation the State of Wisconsin, Brown County, the Village of Hobart, municipal or school district, township or other jurisdiction assessing "general property taxes" (as defined by Wis. Stats. Section 74.01(1) or successor statutes and/or regulations promulgated thereunder) levied or assessed against the Subject Real Estate (or any part thereof) and/or "special assessments", "special charges", "special tax" (as the foregoing terms are defined in and by Wis. Stats. Section 74.01(1) - (5) and/or successor statutes thereto and/or regulations promulgated thereunder) and/or other municipal or governmental charges levied or assessed against the Subject Real Estate; (ii) effect a waiver, abrogation, release or relinquishment of any constitutional rights granted to or held by real property owners under the constitution or laws of the United States and/or the State of Wisconsin, including without limitation pursuant to Chapters 74 and 75, Wis. Stats.; or (iii) except as expressly covenanted and agreed herein, to cause the Subject Real Estate to be taxed or otherwise treated by the Village of Hobart in any manner differently from any other parcel of real estate located within the Village of Hobart's lawful taxing jurisdiction, zoning authority and/or jurisdiction of the Village of Hobart.

## 2. Notice of Transfer.

(a) **Notice and Consent to Transfer.** Prior to any transfer of any interest in the Subject Real Estate (or any part thereof) the party proposing to transfer an interest shall comply with the following. The transferor shall provide advance written notice of the intended transfer, executed by both the transferor and the intended transferee of such interest, to the Village of Hobart. The notice shall contain: (1) a complete and accurate description of the interest to be transferred and the relevant part(s) of the Subject Real Estate affected; (2) the correct legal name and current business address of the transferee; and (3) a legally enforceable consent agreement from the transferor and transferee acknowledging knowledge of these Restrictive Covenants and, further agreeing that the Subject Real Estate shall be subject to the terms and conditions hereof following the transfer and that transferee will take no action in violation of these Restrictive Covenants. The notice of transfer shall be delivered to the Village of Hobart not later than fifteen (15) calendar days prior to any transfer of any interest in the Subject Real Estate or any portion thereof. The Village of Hobart shall have fifteen (15) days from the date of the notice of transfer to object to the transfer as being in violation of the terms of these Restrictive Covenants by forwarding written notice thereof to the transferor. In the event of such an objection, the transferor shall be prohibited from transferring the interest alleged to be transferred until such time as a court of competent jurisdiction determines that the proposed transfer does not violate the terms of these Restrictive Covenants.

(b) **Failure to Act.** If the Village of Hobart fails to timely object to the transfer within fifteen (15) calendar days, the transfer may occur; provided, however, that the Village of Hobart's failure to object shall not operate, in any manner, as a waiver of any of the restrictions set forth herein or the consent to violate any of the terms hereof.

(c) **Basis for Objection.** Village of Hobart shall not unreasonably withhold or delay its consent to any transfer of any interest subject to these Restrictive Covenants, and the sole and exclusive basis for any objection made pursuant to the foregoing process shall be that the transfer would cause a violation of these Restrictive Covenants.

(d) **Inapplicability.** Notwithstanding anything in these Restrictive Covenants to the contrary, the foregoing provisions are not intended to affect, and shall not apply to: (i) any transferor's grant of utility, ingress/egress, access, maintenance, signage, drainage, conservation or other easements or similar interests of any type or nature in the Subject Real Estate (or parts thereof) for the benefit of third parties which are immaterial to the fee ownership of the Subject Real Estate; (ii) any transferor's grant to a third party or parties of any real estate security agreement, mortgage(s), deed in trust, Uniform Commercial Code (UCC) fixture or other filing or other similar security devices or instrument evidencing a collateral interest in the Subject Real Estate (or any part thereof) to be held by any bank, credit union, savings and loan or saving bank, and/or other lenders in consideration of past, present and/or future indebtedness by any transferor, unless, and not until, there is a foreclosure or execution on such real estate security instrument which results in the transfer of title to the Subject Real Estate (or any part thereof); or (iii) any other grant of a material interest in the Subject Real Estate (or part thereof) which does not substantially alter the fee simple or other equitable ownership in the Subject Real Estate and does not result in the violating the restrictions contained in paragraph 1 above.

3. **Waiver of Certain Restrictions.** Notwithstanding anything in these Restrictive Covenants to the contrary, the restrictions set forth in paragraph 1, hereof, as restrictions (1) and (2) which pertain to tax assessments against the Subject Real Estate (or any part thereof), shall be deemed to have been waived by the Village as to any owner and proposed transferee of the Subject Real Estate (or any part thereof), provided that the proposed transferee enters into a written and legally enforceable agreement, that the proposed transferee will make payments to the Village of Hobart in lieu of real estate taxes, which payments shall equal the tax assessments which would otherwise be due the Village of Hobart, Brown County, Pulaski School District and Vocational/Technical School (or any other beneficiary of real estate taxes) for the Subject Real Estate (or portion) owned or proposed to be transferred, and which shall be due at the time real estate tax payments are due from the real estate tax assessed parcels of the Village of Hobart and that the obligation to make said payment shall be in full force and effect for so long as the proposed transferee holds title to the Subject Real Estate (or any portion thereof). The proposed transferee must further confirm and agree, in writing to the Village of Hobart, that in the event that any such payment in lieu of real estate taxes is not made when due, the proposed transferee consents to the imposition of a lien on the Subject Real Estate (or portion) in favor of the Village, in the amount of the unpaid amount. With respect to restriction (3) contained in paragraph 1, the Village will agree to waive this restriction upon receipt of a legally enforceable consent agreement whereby the owner or proposed transferee agrees to be bound by the jurisdiction of the Village of Hobart, including, but not limited to, zoning authority and controls.

4. **Duration of Restrictions.** The covenants, conditions, and restrictions contained in this instrument are to run with the land and shall be binding on all parties and all persons claiming under them, unless and until an instrument terminating the covenants set forth herein, or any portion thereof, is executed by the owners of record title and Village of Hobart and filed with the Register of Deeds for Brown County, Wisconsin.

5. **Reformation of Covenants.** If any provision or clause of these Restrictive Covenants is held to be invalid or inoperative by a court of competent jurisdiction, then such clause or provision shall be severed herefrom without affecting any other provision or clause of this Agreement, the balance of which shall remain in full force and effect; provided, however, that if such provision or clause may be modified for it to be valid as a matter of law, then the provision or clause shall be deemed to be modified so as to be enforceable to the maximum extent permitted by law.

6. **Amendment of Covenants.** These Restrictive Covenants may be amended by the Village without the consent of any owner, lien holder or other party having an interest in the Subject Real Estate if an issue arises with respect to the invalidity or enforceability of any clause or provision and said amendment is required to render said provision or clause valid and enforceable to the maximum extent permitted by law. Any other amendment shall require the consent of the Village and the record owner(s) holding title to at least 75% of the total assessed value of the Subject Real Estate.

## 7. Miscellaneous.

(a) **Expenses.** In the event that any legal action is filed arising out of, or relating to these Restrictive Covenants and the Village of Hobart is a party to said action, in the event that the Village of Hobart is a prevailing party, all non-prevailing parties, jointly and severally, shall be liable to the Village of Hobart for all costs and expenses incurred by the Village of Hobart in defending or prosecuting such action, including reasonable attorney fees.

(b) **Notices.** All notices or other communications required or permitted to be given hereunder shall be in writing and shall be considered to be given and received in all respects when personally delivered or sent by prepaid telex, cable or teletype or sent by reputable overnight courier service or three (3) days after deposit in the United States Mail, certified mail, postage prepaid, return receipt requested.

(c) **Binding Effect.** These restrictive covenants shall be binding upon the Subject Real Estate as a covenant running with land and shall bind all present and future owners of any interest in the Subject Real Estate or any portion thereof.

(d) **Paragraph Headings.** The headings in this document are for purposes of convenience and ease of reference only and shall not be construed to limit or otherwise affect the meaning of any part of this agreement.

(e) **Applicable Law.** Any and all actions or proceedings seeking to enforce any provision of, or based upon any right arising out of, these Restrictive Covenants shall be brought against a party in the circuit court of Brown County, State of Wisconsin (sitting in Green Bay, Wisconsin) and each of the parties to any such action consents to exclusive jurisdiction of such court(s) (and the appropriate appellate courts therefrom) in any such account or proceeding and waives any objection to venue laid therein. By acceptance of a deed transferring title ownership of any portion of the Subject Real Estate, the title owner hereby waives any defense to an action filed with respect to these Restrictive Covenants by the Village based on sovereign immunity.

OWNER: Gigot Properties, LLC

By: \_\_\_\_\_  
Print Name

Its: \_\_\_\_\_  
Print Title

STATE OF WISCONSIN)  
COUNTY OF BROWN) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above signed owners of the Subject Real Estate, namely \_\_\_\_\_, to me known to be the person who executed the foregoing instrument.

Notary Public, Brown County, WI

My Commission Expires \_\_\_\_\_

## UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by

Gigot Properties, LLC, Grantor, to

WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

and Northeast Telephone Company, LLC,  
Wisconsin Bell Inc. d/b/a AT&T Wisconsin, a Wisconsin Corporation,  
Brown County C-Lec, LLC,  
Spectrum,

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" 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 incidental 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. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" 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 six inches without written consent of Grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

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

## OWNER'S CERTIFICATE OF DEDICATION

Gigot Properties, LLC, a limited liability company duly organized and by virtue of the laws of the State of Wisconsin, as the property 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.

Gigot Properties, LLC, does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

VILLAGE OF HOBART  
BROWN COUNTY PLANNING COMMISSION  
DEPARTMENT OF ADMINISTRATION

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

In the presence of Gigot Properties, LLC

By \_\_\_\_\_  
Print Name

Title \_\_\_\_\_ Date

STATE OF WISCONSIN)  
COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above named property owner(s) to me known to be the person who executed the foregoing instrument and acknowledged the same.

My commission expires \_\_\_\_\_  
Notary Public, Wisconsin

## CORPORATE MORTGAGE CERTIFICATE

Community First Credit Union, a corporation duly organized and existing under and by virtue of the laws of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this Plat and does hereby consent to the above certificate of Gigot Properties, LLC, Owner.

IN WITNESS WHEREOF, Community First Credit Union has caused these presents to be

signed by \_\_\_\_\_ (Print Name) it's \_\_\_\_\_ (Print Title) and countersigned by \_\_\_\_\_ (Print Name) it's \_\_\_\_\_ (Print Title) at \_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

In the presence of Community First Credit Union:

\_\_\_\_\_ Date \_\_\_\_\_ Date

Print Title: \_\_\_\_\_ Print Title: \_\_\_\_\_

STATE OF WISCONSIN)  
COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above named officers of said corporation to me known to be the persons who executed the foregoing instrument and to me known to be such officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

\_\_\_\_\_, Notary Public,

\_\_\_\_\_, Wisconsin

My commission expires \_\_\_\_\_

## BROWN COUNTY PLANNING COMMISSION CERTIFICATE

Approved by the Brown County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Dan Teaters  
Senior Planner

## VILLAGE OF HOBART CERTIFICATE

Approved by the Village of Hobart this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Erica Berger  
Village Clerk

## VILLAGE OF HOBART TREASURER'S CERTIFICATE

I, being the duly appointed, qualified and acting Treasurer of the Village of Hobart, do hereby certify that in accordance with the records in my office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

Erica Berger Date  
Village Treasurer

## BROWN COUNTY TREASURER'S CERTIFICATE

As duly elected Brown County Treasurer, I hereby certify records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Plat as of the date listed below.

Paul D. Zeller Date  
Brown County Treasurer

## SURVEYOR'S CERTIFICATE

I, Troy E. Hewitt, Professional Land Surveyor, hereby certify that by the order and under the direction of the owners listed herein, I have surveyed, divided and mapped a parcel of land being all of Lots 10 and 11 and part of Lot 5, Section 23, Township 24 North, Range 19 East, Village of Hobart, Brown County, Wisconsin more fully described as follows:

BEGINNING at the West 1/4 corner of said Section 23; thence S89°55'06"E, 1816.29 feet on the east-west 1/4 line of said Section 23 to the southwest corner of said Lot 10; thence N00°02'10"E, 1319.05 feet on the west line of said Lot 10 to the northwest corner thereof; thence N00°03'48"W, 1312.34 feet on the west line of said Lot 5 to the northwest corner thereof; thence S89°30'28"E, 231.35 feet on the north line of said Lot 5 to the southwest corner of Lot 1, Volume 31 of Certified Survey Maps, Page 252, Map Number 4883, Document Number 1437427; thence S85°26'54"E, 597.79 feet on the south line of said Lot 1 extended easterly to the east line of said Lot 5; thence S00°00'59"E, 1265.54 feet on said east line to the southeast corner thereof; thence S89°43'44"E, 297.01 feet on the north line of said Lot 1 to the northeast corner thereof; thence S00°03'07"W, 1318.87 feet on the east line of said Lot 11 to the southeast corner thereof; thence N89°29'06"W, 297.24 feet on the south line of said Lot 11 to the southwest corner thereof also being the Center of Section 23; thence N89°55'06"W, 825.59 feet on the south line of said Lot 10 to the southwest corner thereof, the Point of Beginning.

Said parcel contains 2,550,905 Square Feet (58.561 Acres) of land more or less. Subject to easements and restrictions of record.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and the division of that land and that I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes in the surveying, dividing and mapping of the same.

Troy E. Hewitt PLS #2831 Date  
ROBERT E. LEE & ASSOCIATES, INC.

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



**Robert E. Lee & Associates, Inc.**  
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
1250 CENTENNIAL CENTRE BOULEVARD  
HOBART, WI 54155  
INTERNET: www.releinc.com  
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Drawn by: Troy E. Hewitt R:\23002\2302\230257\dwg\230257\_final.dwg



BLACK BEERY RIDGE

Recommendation of Planning & Zoning Commission

The Hobart Planning & Zoning Commission does hereby recommend to the Village Board to:

Grant: X Deny: \_\_\_\_\_

The request made by: GIGOR PROPERTIES, LLC

Date: OCTOBER 14, 2020

CSM: \_\_\_\_\_ Plat: X Zoning: \_\_\_\_\_ CUP: \_\_\_\_\_ Ordinance: \_\_\_\_\_

Motion by RICH HEIDEL second by JEFF AMBROSIOUS

to APPROVE A 32 LOT SINGLE FAMILY <sup>FINAL</sup> ~~PRELIMINARY~~ PLAT AT HB-689, HB-683,

→ HB-688 AS PRESENTED WITH THE FOLLOWING CONDITION

① PAYMENT OF PARK DEDICATION FEE OF \$9,600.00

ALL IN FAVOR. MOTION CARRIED.

Record of Vote

Commissioner	Grant	Deny	Abstain
Bob Ross	<u>[Signature]</u>	_____	_____
John Rather	_____	_____	_____
Rich Heidel	<u>[Signature]</u>	_____	_____
Dave Dillenburg	<u>[Signature]</u>	_____	_____
Jeff Ambrosius	<u>[Signature]</u>	_____	_____
Tom Dennee	_____	_____	_____
David Johnson	<u>[Signature]</u>	_____	_____



## ORDINANCE 2020-09

### AN ORDINANCE TO CREATE A SECTION OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN, SPECIFICALLY SECTION 38 (VILLAGE PARTICIPATION IN IMPROVEMENTS ON PRIVATE PROPERTY) OF ARTICLE III (STORMWATER MANAGEMENT UTILITY) OF CHAPTER 150 (EROSION CONTROL AND STORMWATER MANAGEMENT)

**Purpose:** The purpose of this Ordinance is to create a procedure to govern the possible participation of the Village's Stormwater Fund in stormwater improvements on private property within the Village.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

**Section 1.** Section 38 (Village Participation in Improvements on Private Property) of Article III (Stormwater Management Utility) of Chapter 150 (Erosion Control and Stormwater Management), of the Municipal Code of the Village of Hobart, is hereby created to read as follows:

#### § 150-38. Village Participation in Improvements on Private Property

A. Purpose and Intent. The Village of Hobart's Stormwater Utility may participate in storm water improvement projects on private property within the Village of Hobart if certain criteria and determinations as described below are fulfilled, and the financial condition of the Utility is conducive to funding such projects.

B. Ineligibility. Stormwater improvements on private property, to be funded partially or in full by the Village, will not be considered eligible for funding from the Storm Water Utility if any of the following conditions are not met:

(1) If Stormwater Management Plan, as prescribed in Sections § 150-8 and § 150-9 above, is not complied with on the property where the improvements are requested to be made, as determined by the Director of Public Works, the Director of Planning and Code Compliance and/or the Village Engineer. The absence of a Stormwater Management Plan for a property where improvements are requested to be made shall not be considered a cause for ineligibility.

(2) If a Stormwater Management Plan, as prescribed in Sections § 150-8 and § 150-9 above, has been approved for multiple properties, and a request for improvements to be funded by the Village, but any property owner affected by the request has made alterations which create or enhance a stormwater problem, as determined by the Director of Public Works, the Director of Planning and Code Compliance and/or the Village Engineer.

(3) If the Village is not granted easements for a stormwater improvement project prior to the commencement of the property.

(4) If the stormwater conditions do not create a health or public safety issue, or has created any damage to private property, as determined by the Director of Public Works, the Director of Planning and Code Compliance and/or the Village Engineer.

(5) If the Village's Stormwater Utility is not financially able to fund the requested improvements, as determined by the Village Administrator.

C. Development of Stormwater Improvement Plan. The Director of Public Works, the Director of Planning and Code Compliance and/or the Village Engineer shall formulate a plan to install a stormwater improvement on private property, whether partially or in full, if the project has been determined to be eligible for Village funding from the Stormwater Utility, as prescribed above.

(1) Any plan must clearly delineate which portion of the proposed improvement is on public and private property.

(2) Any plan must include a determinate of any properties that will be affected by the improvement or has created or enhanced the stormwater issue.

(3) Any proposed improvement that is projected to cost less than \$10,000 may be approved by the Village Administrator and the Director of Public Works.

(4) Any proposed improvement that is projected to cost more than \$10,000 must receive final approval by the Village Board, following a review and recommendation by the Public Works and Utilities Advisory Committee.

D. Funding of Improvements.

(1) The Village will pay for fifty (50) percent of any stormwater improvement project on private property. The remaining fifty percent shall be allocated as follows:

(a) Single property. If the improvements are to be made on one or more parcels, owned by the same individual or entity, the remaining fifty (50) percent of the project costs must be paid by the individual or entity, either in full upon completion or within a five-year period, with annual equal payments, with the property owner signing a payment schedule agreement.

1. Failure to pay the balance in full within the five-year period will result in the placement of the unpaid balance on the tax roll by the Village.

(b) Multiple properties. If the improvements are to be made on one or more parcels, owned by the different individuals or entities, the remaining fifty (50) percent of the project costs will be allocated on a percentage basis based on the square footage of the parcels affected by *or contributing to* stormwater improvement.

1. Payment of the allocated costs may be made either in full upon completion or within a five-year period, with annual equal payments, with the property owner signing a payment schedule agreement. Each affected property owner must agree to and sign a cost-sharing agreement prior to commencement of the stormwater improvements. Failure of any of the affected property owners to participate in the cost-sharing agreement shall result in the cancellation of the stormwater improvement project *or the implementation of special*

*assessments for the purpose of applying the costs of the proposed improvement to individual properties.*

2. Failure to pay the balance in full within the five-year period will result in the placement of the unpaid balance on the tax roll by the Village.

*(2) Special assessment and charges. In addition to any other method of charging for Stormwater Management Utility costs, the Village Board may by resolution collect special assessments on property in a limited and determinable area for special benefits conferred upon property pursuant to Wis. Stat. § 66.0703 . The failure to pay such special assessments may result in a lien on the property enforced pursuant to Wis. Stat. § 66.0703(13).*

(3) The Village will not pay any property owner or entity for the granting of any easement needed to undertake a stormwater improvement project or the maintenance following the installation of said improvements.

#### E. Miscellaneous Provisions.

(1) Prior to the commencement of a stormwater improvement project on private property, the property owner must do the following:

(a) Identify and clearly mark all property pins on the affected property.

(b) Identify and clearly mark any private utilities, such as, but not limited to, underground sprinkler systems, underground electric pet fences, etc. The Village shall not be liable for any damage to said private utilities if they have not clearly identified and marked prior to the commencement of the project.

(c) Remove any above-ground structures and appurtenances as requested by the Village or the entity performing the stormwater improvement project. The Village shall not be liable for any damage to said above-ground structures and appurtenances if they have not been removed, as requested, prior to the commencement of the project.

(2) The Village shall not be responsible for, and will not provide funding, for any relocation or temporary removal of any public utilities prior to the commencement of or during the installation of any stormwater improvement on private property. The responsibility for said removal or relocation shall be borne in its entirety by the affected property owner.

(3) Any modification, alteration or adulteration of a stormwater improvement project, as prescribed in this Section, following the installation of said project, without approval of the Director of Public Works and the Director of Planning and Code Compliance, by any owner of a property where said improvement is made, or by the owner of any property which has been affected by the improvement, will make any future corrections, improvements, alterations, modifications, or enhancements of the original improvement ineligible for Village funding, as prescribed in this Section.

F. Appeals. Any appeal of a project plan as prescribed in subsection C above, or denied as prescribed in subsection B above, must be filed, in writing, with the Village Clerk-Treasurer. Failure to file a timely appeal, within 30 days of the improvement plan as prescribed in subsection C above, or the denial of a requested improvement as prescribed in subsection B above, waives all rights to challenge such determinations and findings by the Village.

(1) The Public Works and Utilities Advisory Committee shall hold a hearing of the appeal within 45 days of said appeal being filed. The Committee shall file a recommendation on the appeal with the Village Board at the conclusion of the hearing.

(2) The Village Board shall hold a hearing on the appeal within 45 days of the recommendation being filed by the Public Works and Utilities Advisory Committee and make a final determination on the appeal.

**Section 2:** Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

**Section 3.** This Ordinance shall be published as required by law after passage by the Village Board.

Passed and approved this \_\_\_\_\_, 2020.

\_\_\_\_\_  
Richard Heidel, Village President

Attest:

\_\_\_\_\_  
Aaron Kramer, Village Administrator

\*\*\*

I, Erica Berger, am the Village Clerk-Treasurer of the Village of Hobart, Brown County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on \_\_\_\_\_ 2020.

(Seal)

\_\_\_\_\_  
Erica Berger, Village Clerk-Treasurer