

**TOWN OF OSCEOLA
PLAN COMMISSION
REGULAR MONTHLY MEETING
Tuesday, July 23, 2024 – 6:00 P.M.
Town Hall - 516 East Avenue North, Dresser WI
Virtual - Open Meeting via Microsoft Teams
To join via Teams: See Meetings, Notices/Agendas on www.townofosceola.com
Agenda Can Change Up to 24 Hours Prior to Meeting**

MEETING AGENDA

- 1. Call Meeting to Order**
- 2. Verification of Meeting Posting**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Acceptance of Proposed Agenda**
- 6. Approval of Minutes of Previous Meeting(s):** 04/24/2024(amended) and May 28, 2024
- 7. Public Comment**
- 8. Old Business**
 - a. Review Year-To-Date Building Permit Requests
- 9. New Business**
 - a. Brian Anderson- Property Subdivision Request
 - b. Tony Johnson- Driveway and Road Policy Inquiry
- 10. Chair's Report**
- 11. Commission Member Comments**
- 12. Request for Future Meeting Agenda Items**
- 13. Next Plan Commission Meeting – August 27, 2024**
- 14. Adjournment**

Notice is hereby given that a quorum of the Osceola Town Board may be present at this meeting of the Plan Commission to gather information about a subject over which they have decision-making responsibility. The Board will take no formal action at this meeting.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Clerk's office at (715)755-3060.

AFFIDAVIT OF POSTING: I hereby certify that this notice has been posted at the Dresser Post Office, the Town Hall, the First National Community Bank, the Town Web Site.
/s/ Dani Pratt, Clerk

**TOWN OF OSCEOLA
PLAN COMMISSION
REGULAR MONTHLY MEETING
WEDNESDAY, APRIL 24, 2024 – 6 P.M.
*Amended May 28, 2024***

MINUTES

The Plan Commission of the Town of Osceola held a meeting on Wednesday, April 24, 2024, at the Osceola Town Hall, Dresser, Wisconsin.

CALL TO ORDER

Chair Utke called the meeting to order at 6:02 p.m.

VERIFICATION OF MEETING POSTING

Notice of the Plan Commission Meeting was posted at the Town Hall, the Dresser Post Office, First National Community Bank, the Town Website and the Town Facebook site.

PLEDGE OF ALLEGIANCE

Chair Utke led the group in the Pledge of Allegiance.

ROLL CALL

PRESENT: Chair Jeremy Utke, Dan Tronrud, Jim Berg, John Cronick, Cindy Thorman, and Kim Kaiser.

ABSENT: Warren Johnson

APPROVAL OF PROPOSED AGENDA

MOTION BY BERG / 2ND BY TRONRUD TO APPROVE THE AGENDA. MOTION CARRIED.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Cindy Thorman made a correction to the February 27, 2024, meeting minutes and added the sentence. "Cindy Thorman recused herself from discussions regarding the AEC development as she is an adjoining landowner."

MOTION BY TRONRUD / 2ND BY KAISER TO APPROVE THE TUESDAY, FEBRUARY 27, 2024 (WITH THE CORRECTION) AND TUESDAY, MARCH 26, 2024, MEETING MINUTES. MOTION CARRIED.

PUBLIC COMMENT

NONE - 6 in attendance, 0 online.

OLD BUSINESS

A) REVIEW YEAR TO DATE BUILDING PERMIT REQUESTS

For discussion only.

B) JOE GRANBERG, SURVEYOR FOR LINC DUNCANSON

Discussion took place regarding the possible lot division. The Plan Commission was presented with a certified survey map and some soil test results. Other utilities are ready to be installed pending approval of the sub-division.

MOTION BY KAISER / 2ND BY BERG TO RECOMMEND THE TOWN BOARD APPROVE THE LOT DIVISION AS PRESENTED. MOTION CARRIED.

C) TOWN VISION FOR COMPREHENSIVE PLAN: REVIEWS / UPDATES

All available information was updated in the Comprehensive Plan. This final copy is ready for the Town Board to approve.

D) AEC/HAAAS QUARRY SUBDIVISION

Cindy Thorman recused herself from discussions regarding the AEC development as she is an adjoining landowner.

Discussion took place regarding the re-zone request. Kim Kaiser has concerns about the property and the number of homes being proposed. Kaiser also has some concerns about the number of private wells and septic systems in a dense area. Dan Tronrud walked the property (with permission) and has concerns about the number of homes proposed in such a small area. Jim Berg also had some concerns about what the ground surface is like, the number of homes proposed along with the number of private wells and septic systems. This site is a former gravel pit, and it doesn't seem feasible to put 18 homes inside along with a road, retention ponds, etc.

MOTION BY KAISER / 2ND BY TRONRUD TO RECOMMEND THE TOWN BOARD DENY THE RE-ZONE REQUEST AS PRESENTED. MOTION CARRIED, *Amended to note: 4 Yes, 1 Recused, 1 Abstained, 1 Absent*

NEW BUSINESS

None

CHAIRMAN'S REPORT

None

COMMISSION MEMBER COMMENTS

None

FUTURE MEETING AGENDA ITEMS

Building Permits
Comprehensive Plan update from Town Board
Arden Construction Proposed Development

NEXT PLAN COMMISSION MEETING

MEETING SET FOR MAY 28, 2024, 6 PM

ADJOURNMENT

MOTION BY BERG / 2ND BY KAISER TO ADJOURN THE PLAN COMMISSION MEETING HELD THIS TUESDAY THE 24TH DAY OF APRIL 2024 MOTION CARRIED.

Being no further business to come before the Plan Commission, the Meeting was adjourned at 6:49 p.m.

Jim Berg, Plan Commission Member

TO BE APPROVED: June 25, 2024

**TOWN OF OSCEOLA
PLAN COMMISSION
REGULAR MONTHLY MEETING
TUESDAY, MAY 28, 2024 – 6 P.M.**

MINUTES

The Plan Commission of the Town of Osceola held a meeting on Tuesday, May 28, 2024, at the Osceola Town Hall, Dresser, Wisconsin.

CALL TO ORDER

Chair Utke called the meeting to order at 6:10 p.m.

VERIFICATION OF MEETING POSTING

Notice of the Plan Commission Meeting was posted at the Town Hall, the Dresser Post Office, First National Community Bank, the Town Website.

PLEDGE OF ALLEGIANCE

Chair Utke led the group in the Pledge of Allegiance.

ROLL CALL

PRESENT: Chair Jeremy Utke, Jim Berg, Warren Johnson, John Cronick, and Cindy Thorman.

ABSENT: Dan Tronrud and Kim Kaiser.

APPROVAL OF PROPOSED AGENDA

MOTION BY BERG / 2ND BY JOHNSON TO APPROVE THE AGENDA. MOTION CARRIED.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION BY THORMAN / 2ND BY BERG TO APPROVE THE TUESDAY, FEBRUARY 27, 2024, AMMEND MEETING MINUTES. MOTION CARRIED

MOTION BY THORMAN / 2ND BY BERG TO AMMEND THE WEDNESDAY APRIL 24, 2024, MEETING MINUTES. THORMAN SUGGESTED WE ADD LANGUAGE UNDER THE AEC/HASS MOTION "4 YEA, THORMAN RECUSED, CRONICK ABSTAINED AND JOHNSON WAS ABSENT. MOTION CARRIED. MINUTES TO BE APPROVED AT THE JUNE 25, 2024, MEETING.

PUBLIC COMMENT

NONE - 5 in attendance, 1 online.

OLD BUSINESS

A) REVIEW YEAR TO DATE BUILDING PERMIT REQUESTS

For discussion only.

B) COMPREHENSIVE PLAN UPDATE FROM TOWN BOARD

A public hearing will be held Tuesday July 2, 2024, at 6:30 PM. Plan Commission Members are encouraged to attend.

NEW BUSINESS

None

CHAIRMAN'S REPORT

None

COMMISSION MEMBER COMMENTS

None

FUTURE MEETING AGENDA ITEMS

Building Permits
Comprehensive Plan update from Town Board

NEXT PLAN COMMISSION MEETING

MEETING SET FOR JUNE 25, 2024, 6 PM

ADJOURNMENT

MOTION BY JOHNSON /2ND BY BERG TO ADJOURN THE PLAN COMMISSION MEETING HELD THIS TUESDAY THE 28TH DAY OF MAY 2024 MOTION CARRIED.

Being no further business to come before the Plan Commission, the Meeting was adjourned at 6:21 p.m.

Jim Berg, Plan Commission Member

TO BE APPROVED: June 25, 2024

Municipality Permits Report

1/1/2024 to 7/17/2024

TOWN OF OSCEOLA		Total Value	Total Fees	Total Fines
TOS24-01	042-00214-0100 HERBST CONTRACTING LLC 1050840	\$21,000.00	\$266.70	
2058 100TH AVE COUNTY RD F		Bonus room above garage		
TOS24-02	042-00077-1100 LOGAN LANGE	\$5,000.00	\$143.50	
2174 121ST AVE		Finishing Basement		
TOS24-03	042-01312-0310 HPMD ENTERPRISES DBA AIRESERVE OF EAST CENTRAL MINNESOTA HPMD ENTERPRISES DBA AIRESERVE OF EAST CENTRAL MINNESOTA, 889254 2487 89TH AVE	\$27,605.29	\$296.00	
		FURNACE INSTALLATION		
TOS24-04	042-00791-1000 BUFFIE ELECTRIC, LLC BUFFIE ELECTRIC, LLC 1576284	\$800.00	\$107.00	
613 230TH ST		GENERATOR		
TOS24-05	042-01312-0220 HPMD ENTERPRISES DBA AIRESERVE OF EAST CENTRAL MINNESOTA HPMD ENTERPRISES DBA AIRESERVE OF EAST CENTRAL MINNESOTA, 889254 2482 88TH AVE	\$28,671.41	\$303.00	
		FURNACE INSTALLATION		
TOS24-06	042-01330-1700 DOUGLAS WOJCIK	\$20,000.00	\$259.00	
2376 84TH AVE		FINISHING BASEMENT		
TOS24-07	042-01283-0000 OLD THINGS NEW INC DBA EGRESS WINDOW GUY OLD THINGS NEW INC DBA EGRESS WINDOW GUY 1316835	\$2,470.00	\$92.30	
2507 BRITANI LN		WINDOW INSTALLATION		
TOS24-08	042-01276-0000 Chantelle McRoberts WAYNE D CHISLETT AND CHANTELLE L MCROBERTS LIVING TRUST	\$1,512.00	\$200.00	
1977 DWIGHT CT		WINDOW INSTALLATION		
TOS24-09	042-00829-0800 WOLF RIVER ELECTRIC - LTL LED LLC WOLF RIVER ELECTRIC - LTL LED LLC 1522577	\$25,000.00	\$274.20	
612 218TH ST				
TOS24-10	042-00770-0000 CHARLES B & MELISSA J THIEL	\$50,000.00	\$620.68	
2373 60TH AVE		ADDITION		
TOS24-11	042-00868-0000 NICOLE RENSINK	\$50,000.00	\$377.80	
1956 70TH AVE		ADDITION		

Municipality Permits Report

1/1/2024 to 7/17/2024

TOS24-12	042-01143-4000	\$46,145.00	\$294.20
GREGORY CONTRACTING GREGORY CONTRACTING 977556 Fehen			
2464 82ND AVE		ACCESSORY BUILDING	
TOS24-13	042-00463-0900	\$25,000.00	\$380.00
ANDREW LOEHR			
2053 A 85TH AVE		ALTERATION	
TOS24-14	042-00129-0000	\$4,850.00	\$230.00
MIDWEST ELECTRIC & GENERATOR, INC MIDWEST ELECTRIC & GENERATOR, INC 042000422			
1163 A 240TH ST		ELECTRICAL SERVICE	
TOS24-15	042-00789-0000	\$300,000.00	\$823.52
SETH MONTGOMERY			
2330 60TH AVE		ACCESSORY BUILDING	
TOS24-16	042-00466-0000	\$15,300.00	\$400.00
Wolf River Electric			
861 200TH ST		SOLAR	
TOS24-17	042-00591-0000	\$55,000.00	\$392.10
FB CONTRACTORS INC FB CONTRACTORS INC 060300121			
1928 75TH AVE COUNTY RD Y		GARAGE	
TOS24-18	042-01326-1400	\$29,847.00	\$380.00
Samantha Kramer			
941 235TH ST		ALTERATION	
TOS24-19	042-01308-0000	\$469,424.00	\$1,410.04
WITTSTOCK BUILDERS LLC WITTSTOCK BUILDERS LLC 1014679			
1117 NELSON DR		ADDITION & ALTERATION	
TOS24-20	042-00476-0000	\$500.00	\$200.00
NEO ELECTRICAL SOLUTIONS LLC, NEO ELECTRICAL SOLUTIONS LLC, 1338120			
2046 85TH AVE		ELECTRICAL SERVICE	
TOS24-21	042-00455-0010	\$4,000.00	\$194.20
MARK SKJERVEN			
810 218TH ST COUNTY RD MM		SHED	
TOS24-22	042-01323-0600	\$100,000.00	\$482.30
FB CONTRACTORS INC FB CONTRACTORS INC 060300121			
2394 81ST AVE		ACCESSORY BUILDING	

Municipality Permits Report

1/1/2024 to 7/17/2024

TOS24-23	042-01315-2000	\$350,000.00	\$2,147.92
jason smith			
851 207TH ST		ADDITION	
TOS24-24	042-01315-1100	\$690,000.00	\$2,260.64
BELLEPAR HOMES 111901138			
8XX 207TH ST		NEW HOME	
TOS24-25	042-00753-0000	\$4,000.00	\$200.00
DON C. CLOUTIER CLOUTIER, DON C 171549			
2342 75TH AVE COUNTY RD M		ELECTRICAL SERVICE	
TOS24-26	042-00454-0000	\$24,000.00	\$350.00
GLYN & CYNTHIA THORMAN			
827 218TH ST COUNTY RD MM		3 SEASON PORCH/DECK	
TOS24-27	042-00077-2200	\$25,000.00	\$460.00
SCOTT BENSON LTL LED LLC - WOLF RIVER ELECTRIC DC-092301112			
2197 120TH AVE		SOLAR INSTALLATION	
TOS24-28	042-01330-2200	\$300,000.00	\$1,224.22
GARY BRUNCLIK CONSTRUCTION GARY BRUNCLIK CONSTRUCTION 14568			
2386 84TH AVE		NEW SINGLE FAMILY DWELLING	
TOS24-29	042-00513-0000	\$60,000.00	\$328.30
CHARLES AND DEBRA LETENDRE			
806 HORSE LAKE LN		GARAGE	
TOS24-30	042-00551-0000	\$2,085.00	\$218.00
HURLBURT Holdings INC HURLBURT Holdings INC 1559655 - EC			
1966 75TH AVE COUNTY RD Y		GENERATOR	
TOS24-31	042-00403-0400	\$30,000.00	\$325.00
BOYD DOSCH			
801 233RD ST		ACCESSORY BUILDING	
TOS24-32	042-00580-0000	\$5,000.00	\$302.12
MARK STICKEL			
1994 75TH AVE COUNTY RD Y		GARAGE ADDITION	
TOS24-33	042-00594-0000	\$1,330.00	\$210.00
JAY SWISHER			
1934 75TH AVE COUNTY RD Y		DECK	

Municipality Permits Report

1/1/2024 to 7/17/2024

TOS24-34 042-00972-0000 \$25,000.00 \$200.00

Matt Ulrich | M J Electric | 1039253

1009 RIVER RD COUNTY RD S EV CHARGERS

TOS24-35 042-00245-3000 \$2,000.00 \$194.20

MICHAEL C WILMAR

1001 190TH ST COUNTY RD Y GREENHOUSE

TOS24-36 042-01334-1800 \$7,257.00 \$175.00

DOUG CARLSON

2058 99TH AVE FIREPLACE

TOS24-37 042-00148-0000 \$675,000.00 \$1,635.84

Tyler Freese

23XX CLARK RD NEW HOME

Permit Distribution

- Alteration=6
- HVAC=2
- Electrical=7
- Other=4
- Addition=5
- Acc. Building=6
- Shed=2
- New Home=3
- Porch=1
- Deck=1
- Fireplace=1

Totals	Total Permits	37	Total Value	\$3,482,796.70	
Admin	\$1,914.20		Impact	\$50.00	Plan Review
Inspection	\$15,068.40	State Permit Seal	\$105.00	House Number	
Fines		Other			
				Total Fees	\$18,357.78

TOWN OF OSCEOLA DRIVEWAY PERMIT APPLICATION

Date _____

\$50.00 Fee Required with Application

Owner / Applicant Current Address:

Name _____

Street _____

City / State / Zip _____

Phone Number (____) _____ - _____

Location of Proposed Driveway:

Subdivision Name (If applicable) _____ Lot Number _____

Town Map Location _____ 1/4, _____ 1/4, of Section _____, Town _____ N, Range _____ W

Property Street Address (If assigned) _____

Parcel Number _____

- Site Drawing: Attach a map which shows:
- The Lot Dimensions.
- The name or number of all bordering roads.
- The location of the proposed driveway INCLUDING the distance from the nearest lot corner to the center of the driveway.

Applicants must call 715-417-4681 to arrange an appointment for inspection of Driveway location and installation.

Town of Osceola Ordinance 8.05 Requires That;

- All driveways require a permit before construction is begun.
- Only one driveway per residence is allowed.
- A culvert (where needed) must be a minimum of 24 feet in length.
- All culverts must be a galvanized steel, concrete, or corrugated polyethylene culvert pipe which shall conform to AASHTO M 294 type S, having a corrugated outer wall and a smooth inner liner.
- The road surface over a culvert must be at least 22 feet wide and 4 inches deep for galvanized steel or concrete culverts or 12 inches deep for corrugated polyethylene culverts.
- The driveway road surface must be at least 12 feet wide.
- The driveway must meet the public road at a 90-degree angle.
- The driveway must have a graded slope away from the public road at an angle of not less than 1 percent or more than 6 percent.
- The driveway must be graded back at least 33 feet from the center line of the road.
- Driveways on through roads must be at least 150 feet apart center to center.

Signature of Applicant _____

THIS SECTION IS TO BE COMPLETED BY THE TOWN OF OSCEOLA REPRESENTATIVE

A culvert _____ will, _____ will not be required.
If a culvert is required, the minimum diameter must be _____ inches.

_____ This preliminary driveway location has been inspected and is approved with the following condition:

_____ This preliminary driveway location is **NOT** approved. The correction required is:

Printed Name of Town of Osceola Representative

Date

Signature by the Town of Osceola Representative

This driveway has had a final inspection by an authorized representative from the Town of Osceola, and determination has been made that the driveway meets the minimum standards.

Printed Name of Town of Osceola Representative

Date

Signature by the Town of Osceola Representative

TOWN OF OSCEOLA
POLK COUNTY WISCONSIN

ORDINANCE # 11-09-04

AMENDING CHAPTER 8 PUBLIC WORKS OF
THE TOWN OF OSCEOLA CODE OF ORDINANCES

Adopted 03/08/1999, Amended 05/12/2003, 06/11/07, 07/14/08 and 08/08/11

The Town Board of Supervisors of the Town of Osceola do ordain as follows:

The purpose of this ordinance is to amend Chapter 8 Public Works Ordinance to include revisions that were made to Chapter 236 of the Wisconsin Statutes relating to modifications of platting requirements.

8.01 DEFINITIONS

Approach. That portion of road extending one hundred (100) feet on each side of a culvert, bridge, driveway or other connecting road.

Arterial Street. A street which provides for the movement of relatively heavy traffic to, from or within the Town. It has a secondary function of providing access to abutting land.

Base Course. The supporting part of a road or bottom.

Bypass Lane. A widening of the road into an additional traffic lane near an intersecting road to allow traffic to pass on the right.

Culvert. A galvanized steel or concrete channel, of sufficient size, to allow the unobstructed flow of water under a road or driveway surface.

Collector Street. A Street which collects and distributes internal traffic within an urban area such as a residential neighborhood, between arterial and local streets. It provides access to abutting property.

Developer. Any person, partnership, corporation, or other entity creating a subdivision. For the purposes of this ordinance, any references to Subdividers include Developers.

Development Agreement. A written agreement between the Town of Osceola and the Developer outlining specific requirements and obligations of the subdivision development. See Chapter 17 of the Town of Osceola Code of Ordinances for details.

Drainage. To make gradually dry by trenches, channels, etc.

Driveway. An access used for purposes of ingress and egress serving not more than two (2) lots.

- 1) As located on a subdivision plat.
- 2) Other individual driveways.

Grade. The rate of ascent or descent of a road.

Highway. A road or way over which the public generally has a right to pass.

Minor Street. A street used, or intended to be used, primarily for access to abutting properties; also referred to as a “local street”.

Plan Commission. The Town of Osceola Plan Commission.

Private Road. A road built to Town Standards designated on the plan as a “Private Road”.

Road. A public or private way for vehicular traffic which includes the following:

- (1) Compliance with Town of Osceola Ordinances.
- (2) Cul-de-sac or hammerhead roads have a turn-around at one end.
- (3) Dead-end roads are closed at one end.

Roadbed. The whole of the material laid in place and ready for travel.

Roadway. The traveled portion of a road.

Subdivider. Any person, partnership, corporation, or other entity creating a subdivision.

Subdivision. A subdivision is a division of a lot or parcel or tract of land by the owner thereof or his agent for the purpose of transfer of ownership or building development.

Surface Course. The top of a roadway or traffic course.

Turning Lane. An additional lane to assist in the deceleration of traffic prior to turning onto an intersecting road.

8.02 ACCEPTANCE OF ROADS

(1) PURPOSE

(A) To promote the public safety, general welfare and convenience, it is necessary that certain requirements be established and followed in the creation of roads in the Town so the public will not be adversely affected by the action of the Town Board in accepting such roads.

(B) It is not intended by this section to repeal, abrogate, annul or interfere with any existing highway rules or regulations issued pursuant to laws in regard to public highways.

(2) APPLICATION

The applicant may request either a Concept Plan review or a Preliminary Plan review. If a Concept Plan review is selected, then the review of the concept is to ensure the applicant understands the issues involved and can obtain Plan Commission comments prior to formally designing a plan. The applicant may choose to bypass Concept review and instead prepare a Preliminary Plan.

A. Concept Review

In order to ensure that all applicants are informed of the procedural requirements, the minimum standards of this chapter, and the requirements or limitations imposed by other Town regulations prior to the development of a preliminary plat, the subdivider shall meet with the Plan Commission to discuss a concept plan. The applicant shall provide the information identified in 18.11(3), Table 1 and follow the schedule outlined in 18.11 (4). No action of recommendation by the Plan Commission shall occur.

B. Preliminary Review

The preliminary plan shall incorporate Plan Commission comments from the concept review. Unless waived at the Concept Review, the plan shall include a the entire area owned or controlled by the subdivider even though only a portion thereof is proposed for development at the time. The plan shall be prepared in accordance with this Ordinance, Chapter 236, Wisconsin Statutes and Subdivision and Platting, Chapter 18, of the Town of Osceola Code of Ordinances.

C. Information Required

Table 1: Information To Be Shown on Plans		
Description	Concept	Preliminary
Air Photos of area	X	With lot lines shown
Subdivider contact information	X	X
Land Owner of record	X	X
Property lines (size and location)	Sketched	Surveyed
Existing and proposed road locations	X	X
Adjacent landowners and structures	X	X
Driveway locations		If required
Shared driveways		X
Entire area plan		X
Topographic contours		If required
Engineered road plans		X

(A) Scheduling Plan Commission Review

The Subdivider shall file ten copies of the plan with the Clerk/Treasurer at least ten (10) working days prior to the meeting of the Town Plan Commission at which action is desired. The Plan Commission shall not be obligated to review, until a future meeting, any changes made to the plan by the subdivider after submission and before the meeting.

(B) The Clerk/Treasurer shall forward copies of the plan, on the Tuesday preceding the scheduled meeting, to the Town Plan Commission members. The plan will also be forwarded on to a professional engineer, a planner or another person charged with the responsibility to review plans, who shall assist in identifying any design problems with the plan, shall visit the site of the plan, examine the plan for conformity with all ordinances, administrative rules and regulations and for compliance with the Town Comprehensive Plan. The above mentioned will report their findings to the Plan Commission.

(C) The Town Plan Commission shall recommend approval, conditional approval or rejection of the proposed plan to the Town Board after a professional engineer, a planner or another person charged with the responsibility to review plans approves the proposed plan. If approval or conditional approval is recommended, the plan shall be referred to the Town Board for consideration. The Town Board, upon receiving a timely request from the applicant, shall then approve, conditionally approve, or reject the plan. If the plan is rejected, the conditions of rejection shall be endorsed thereon or attached thereto. If the plan is resubmitted by the applicant and unless time is extended by written agreement between the applicant and the Town Board, failure of the Town Board to complete the action therein required within ninety (90) days constitutes an approval of the plan.

(D) Unless a waiver is granted by the Town board as authorized by Chapter 17 of this Code of Ordinances, anyone proposing to create a subdivision or land development activity in the Town of Osceola shall enter into a Development Agreement with the Town.

(E) Approval or conditional approval of a plan entitles the final plan to approval provided that the final plan conforms substantially to the original plan recommended by the Plan Commission, including any conditions of that recommendation as outlined in the Development Agreement, and conforms to any applicable Town plans and applicable ordinances. If the final plan is not submitted within thirty six (36) months of the last approval of the plan, any approving authority may refuse to approve the final plan regardless of prior action taken on the plan or may extend the time for submission of the final plan.

(3) **CONSTRUCTION.**

(A) No land grading or site preparation, alteration of drainageways, waterways or water features, or commencing the construction of any roads, ditches, ponds, swales, drainageways or the like, shall occur prior to Town Board approval of the preliminary plat or preliminary certified survey map and a signed Developers Agreement if required by the Town Board.

(B) Before preliminary plan approval can be given, an engineered road plan for the subdivision must be submitted to the Town Board.

(C) No building permit shall be issued for any lot until all the requirements of this Chapter have been satisfied.

(4) PROCEDURES FOR TOWN BOARD REVIEW AND APPROVAL OF FINAL SUBDIVISION PLANS.

(A) The applicant shall prepare and submit ten (10) copies of the final plan to the Clerk/Treasurer within thirty six months of the Plan Commission's or the Town Board's last action and at least ten (10) working days prior to the meeting of the Town Board at which action is desired.

(B) The Clerk/Treasurer shall forward copies of the final plan to the Town Board. The Town Board shall examine it for conformity with the Plan Commission's recommendation and any conditions, with the requirements of this ordinance, and with the requirements of any other ordinances, statutes, administrative rules and regulations, or local plans which may be applicable to it.

(C) A professional engineer, planner or another person charged with the responsibility to review plats shall provide the Town board with his or her conclusions as to whether the final plan conforms substantially to the preliminary plan approved by the Plan Commission. Any conditions of that approval, and any applicable Town plans and applicable ordinances are considered before recommending approval of the final plan. If the final plan is not submitted within thirty six (36) months of the last action, the Town Board may reject the final plan regardless of any prior action or may extend the time for submission of the final plan.

(D) The Town Board shall approve, conditionally approve, or shall reject the plan. If rejected, the Town Board shall indicate the reasons for any rejection of the plan. One copy of the plan shall then be returned to the applicant, the surveyor, or engineer with the date and action endorsed thereon. The conditions or requirements of rejection, or conditional approval, shall be endorsed thereon or attached thereto.

(E) The final plan may, if permitted by the Town Board, include only that portion of the approved plan which the applicant proposes to record at this time.

(F) Before work begins on the project, a bond or letter of credit, in favor of the Town, amounting to \$80.00 per lineal foot for proposed Town Roads or Private Roads must be presented to the Town Board. The developer may construct the project in such phases as is approved and may not be unreasonably withheld. If the subdivider's project will be constructed in phases, the amount of any surety bond or other security required shall be limited to the phase of the project that is currently being constructed. The subdivider is not to be required to provide any security for improvements sooner than is reasonably necessary before the commencement of the installation of the improvements. Such bond or letter-of-credit shall remain in force until the road has passed the final inspection. The amount of the Bond or Letter of Credit may be reduced, by vote of the Town Board, as portions of the road construction are completed.

(G) The applicant shall file a certified copy of the final plan with the Clerk/Treasurer within ten days after it has been recorded.

(H) Building Permits and/or Driveway Permits shall be denied for any lots adjoining a newly constructed Town Road or Private Road that is not in compliance with the Town Road Standards and Requirements.

(5) APPEALS

(A) If the Town Plan Commission was acting at the request of the Town Board, the following recommendation of the Plan Commission may be appealed to the Town Board:

1. Requirement of a plan in connection with the road;
2. Determination that the site land is unsuitable for a road;

(B) A written Notice of Appeal must be filed with the Clerk/Treasurer within 14 calendar days of the date when notice of the action of the Plan Commission appealed from is presented to the applicant.

(C) The Notice of Appeal shall state the action of the Plan Commission appealed from, shall specify the reasons stated by the Plan Commission for taking such actions, shall specify the reasons why the applicant believes said action was inappropriate, and shall state the names and addresses of the owners of all properties adjacent to the proposed land division or subdivision.

(D) The Clerk/Treasurer shall file the Notice of Appeal with the Town Board and shall schedule the appeal for consideration by the Town Board at a meeting, open to the public, within forty-five (45) days of the filing of the Notice of Appeal. The Clerk/Treasurer shall send notice of the time scheduled for the consideration of the appeal to the applicant and to all property owners adjacent to the proposed land division or subdivision at least ten (10) days prior to the hearing of appeal.

(E) Within thirty (30) days of the appeal hearing, the Town Board shall affirm, modify, or reverse the action of the Plan Commission or shall refer the matter back to the Plan Commission for further consideration. Notice of the decision of the Town Board shall be sent to the applicant and the Plan Commission.

(F) The provisions of Chapter 68 of the Wisconsin Statutes shall not be applicable to any determination made pursuant to the provisions of this ordinance.

(G) Any person aggrieved by an objection to a plan or a failure to approve a plan may, after review by the Town Board, appeal there from, as provided in Sections §236.13(5) and 62.23(7)(e)10 to 15 of the Wisconsin Statutes.

(6) STANDARDS.

The following standards are set by the Town Board and established by licensed professional engineers for the construction of the proposed roads in compliance with good practice, general construction and safety. Current Town Road Standards will apply to all roads whether they are to be Town Roads or Private Roads.

(A) Width. The minimum width for any road right-of-way shall not be less than sixty-six (66) feet wide and shall include a class 5 gravel roadway of not less than thirty (30) feet in width of which twenty-two (22) feet shall be paved with not less than three (3) inches of compacted blacktop of quality as approved by the State for a Town road, and with four (4) foot, compacted gravel shoulders on each side.

(B) Grade. Grades of roads shall be approved by the Town Board before construction.

(C) Ditching. Ditching of the roadway shall be complete and have proper elevation to provide for the removal of water. Where it becomes necessary to make a lateral trench leading from the main ditch, the additional land necessary for the removal of accumulated water shall be provided and deeded over to the Town along with the necessary land for the road. The additional land conveyed to the Town for drainage shall be under the supervision of the Town Board at all times.

(D) Base Course. The base course shall be of a quality and composition suitable for the location. In low or swampy areas the base course shall have a sandy composition to provide necessary drainage of the roadbed. Any muck holes encountered before and during construction of the roadbed shall be removed and filled with a sandy lift to provide a solid base of at least a twelve (12) inch sand lift.

(E) Surface Course. The surface course shall consist of Wisconsin class 2 gravel of a quality and composition suitable for traffic loads. The amount of gravel necessary for acceptance shall be at least 3,820 cubic yards per mile, which compressed will be approximately six (6) inches, then surfaced with asphalt.

(F) Top Course. The top course shall consist of three (3) inches of asphalt which can not be applied until compaction of the surface course has been tested or has rested for a twelve (12) month period.

(G) Culverts.

(1) Any culverts necessary for proper drainage shall be provided and installed at the applicant's or developer's expense and shall not be installed until elevation and location is approved by the Town Board. The minimum length of any culvert installed in the roadbed shall be thirty-six (36) feet. However, the diameter and length of such culvert will be subject to the approval of the Town Board after the amount of flowage is determined. Any secondary culverts installed in any lateral trenches will be of a size and length as determined by the Town Board.

(2) If at any time it is decided by the Town Board, that the construction of a culvert or bridge would be of such a size and cost that it would create a hardship to the owner of the land required to build such culvert or bridge, the Town Board shall proceed to accept the road, complete as required by the above rules and regulations, except the approach as defined in

section 8.01(1). The approach will be accepted incomplete with the reservation that the Town will bill back to the owner a portion of the cost of construction of bridge or culvert. The Town will then proceed to build such culvert or bridge and approach with the help of bridge aid, if available. The balance of cost and construction not covered by aid will be charged to the owner(s) of the land abutting the road, which cost shall be added to the tax roll if not paid within ninety (90) days with interest of one and one half (1-1/2) percent per month.

(3) It is not the intent of this section to discriminate or favor any individual but rather to aid in construction so as to reduce the cost of construction in areas where nature has created extreme road building conditions.

(7) INSPECTION

All Town Roads and Private Roads must be inspected and certified by the Town Board, or the Town Board's designate, which may include the hiring of an engineer, before and during the construction of the road.

A road construction inspection fee of three hundred (\$300) dollars must be paid to the Town at the time of preliminary plat approval. Any additional inspections required will be charged to the developer at one hundred (\$100) dollars per inspection.

The required meeting and inspections are as follows;

(A) Preconstruction meeting

(B) An initial inspection of the site of the proposed road consisting of, but not limited to;

- Centerline staking
- Right-of-Way width
- Layout conformity with the plan
- Verification of posting of securities

(C) An inspection of the road rough-in prior to the application of gravel consisting of, but not limited to;

- Base course
- Laying of culverts
- Ditches
- Erosion measures
- Ponding and Drainage easements
- Curves
- Road continuation
- Intersections
- Visibility and Safety
- Dead-Ends, Hammerheads, and Cul-de-sacs

(C) An inspection of the compacted gravel surface prior to the application of blacktop consisting of, but not limited to;

- Gravel thickness
- Gravel quality

- Gravel width
- Ditches seeded and mulched

(D) A final inspection upon completion of the road for acceptance or rejection of the road as the case may be. If the road is rejected, corrections shall be made as recommended by the Town Board before final inspection can be made again. The final inspection shall consist of, but may not be limited to;

- Application of blacktop
- Width of blacktop
- Shouldering

(E) The Town Board will endeavor to cause requested road inspections to be performed within two (2) business week days following the business week day of request.

(8) TOWN BOARD ACCEPTANCE.

Once a proposed Town Road has passed final inspection, the Town Board may consider acceptance of the road through the following procedure.

(A) A written request must be submitted to the Town requesting the Town Board accept, by resolution, the road.

(B) Upon receipt of the written request a Title Search and request for Lien Wavers will be initiated by the Town at the cost of the requestor.

(C) Upon receipt of clear Title Search and Lien Wavers, the Town Clerk/Treasurer will draft a resolution of acceptance of the road and present the resolution to the Town Board at the next regular monthly meeting.

(D) If the Resolution for acceptance of the road is approved by a majority of the Town Board at a duly called and noticed meeting, the road will be recorded as an accepted Town Road.

(E) Written requests to change Private Roads to Town Roads will require a Road Inspection and possible engineering study.

8.03 ROAD STANDARDS

(1) GRADES.

(A) Unless necessitated by exceptional topography, subject to the approval of the Town Board, the maximum centerline grade of any street or public way shall not exceed the following:

(1) Arterial Streets. Six percent (6%)

(2) Collector Streets. Eight percent (8%)

(3) Minor Streets, Alleys and Frontage Streets. Ten percent (10%)

- (4) Pedestrian Ways. Twelve percent (12%), unless steps of acceptable design are provided.
- (B) The grade of any street shall not exceed twelve percent (12%) or be less than one-half of one percent (0.5%). Street grades shall be established wherever practicable so as to avoid excessive grading, removal of ground cover and tree growth and general leveling of the topography.
- (2) CURVES.** When a continuous street centerline deflects at any one point by more than ten percent (10%), a circular curve shall be introduced having a radius of curvature on such centerline of not less than the following:
- (A) Arterial Streets and Highways. Five hundred feet (500').
 - (B) Collector Streets. Three hundred feet (300').
 - (C) Minor Streets. One hundred feet (100').
- (3) CONTINUATION.** Streets shall be laid out to provide for continuation wherever topographic and other physical conditions permit.
- (4) NUMBER OF INTERSECTIONS.** The number of intersections of minor streets with major streets shall be reduced to the practical minimum consistent with circulation needs and safety requirements.
- (5) FRONTAGE ROAD REQUIRED.** Where a subdivision abuts or contains an existing or proposed arterial highway, the Town Board may require a frontage road, with a 66 foot right-of-way, contiguous to such highway or such other treatment as may be necessary to ensure safe, efficient traffic flow and adequate protection of residential properties.
- (6) REVERSE CURVES.** A tangent at least one hundred feet (100') long shall be required between reverse curves on arterial and collector streets.
- (7) VISIBILITY AND SAFETY.** Streets shall afford maximum visibility and safety and shall intersect at right angles.
- (8) DEDICATION.** Dedication of half-width streets shall be prohibited.
- (9) DEAD-END ROADS, HAMMERHEADS AND CUL-DE-SACS.** Dead-end streets, hammerheads or cul-de-sacs, and shall have a minimum right-of-way width of 66 feet. Cul-de-sacs shall terminate with a turnaround having an outside roadway diameter of at least eighty feet (80') and a street property line of one hundred feet (100')
- (10) LOT LINES TO BE PERPENDICULAR.** Wherever possible, lot lines shall be perpendicular to the street line and to the tangent at the lot corner or curved streets.
- (11) LOTS.** Lots shall follow, rather than cross, municipal boundary lines whenever practicable.

(12) TURNING/BYPASS LANES. Turning lanes or bypass lanes may be required depending upon traffic conditions.

8.04 DRIVEWAYS

(1) EXEMPTIONS. Driveways which enter onto a State or County road or private road are exempt from this ordinance.

(2) MINIMUM REQUIREMENTS. All new driveways proposed to be installed, or any driveway alleged to be existing and serving open land without improvements and proposed to be converted to a driveway to serve one or more structures which enters an existing or proposed Town road, shall be subject to an inspection fee as established by the Town Board, to be paid to the Town of Osceola, prior to the start of any construction of a new driveway, and prior to Polk County issuing a Sewer Permit or a Land Use Permit. An approved driveway permit shall be issued by the Town of Osceola before any such permit can be issued. (A) The applicant who may be the owner, agent, or contractor shall submit a location construction plan showing specifications including grade, slope, width, and length of the driveway and erosion control procedures.

(A) Authorization for a driveway is subject to the approval of an official from the Town Board or Public Works, and when so approved, the official shall notify the Polk County Zoning office.

(B) Evidence of an existing driveway shall be either the clear indication of a driveway being in place on the 1997 aerial photo or a statement from the Town Board that an approved driveway is in place. If there is a dispute on the adequacy of an alleged existing driveway the decision of the Town Board will be the deciding factor.

(3) NUMBER. A maximum of one (1) driveway per residential lot shall be allowed unless the lot is served by two roads in which case a second driveway may be allowed on the adjoining road at the discretion of the Town Board.

(4) SEPERATION OF DRIVEWAYS. All new driveways, on through roads, must be at least 150 feet, center to center, from any other existing or planned driveway or intersection; wherever topographic and other physical conditions permit.

(5) SPECIFICATIONS. All driveways shall be constructed in accordance with these specifications, and any other requirements as may be set forth by the Town Plan Commission and/or the Town Board. The maintenance of the driveway and culvert shall be the responsibility of the applicant and/or property owner.

(A) The application for a culvert must be completed with the Town of Osceola Public Works or a Town Board member. If a culvert is needed;

- The culvert must have a diameter sufficient to accommodate the ditch and water run off.
- The culvert must be a minimum of 24 feet in length.
- The culvert must be constructed of galvanized steel or concrete.
- The road surface over the culvert must have a minimum width of 22 feet.
- The top of the culvert must be at least 4 inches below the top of the driveway surface.

(B) The driveway road surface must be a minimum of 12 feet in width.

(C) The driveway clearance width must be a minimum of 24 feet.

(D) The driveway height of clearance free of trees and wires must be a minimum of 18 feet.

(E) The driveway must meet the public road at a 90 degree angle.

(F) Wherever practicable, the driveway must slope away from the public road at an angle of not less than 1 percent or more than 6 percent to prevent erosion onto the public road.

(G) On hillsides, the driveway must be graded, with a crown, at least 22 feet back from the public road.

(H) The driveway bed must be of suitable material to support the projected traffic.

(I) Driveway entrances must be kept clear of brush, shrubbery, or large boulders back at least 22 feet from the public road.

(J) Driveway easement to have a minimum width of twenty (20) feet.

(6) APPLICATION AND APPROVAL. Every effort will be made by the Town of Osceola to assist with the application, inspection and approval of driveways within forty-eight (48) hours. The Polk County Zoning office WILL NOT issue any permits until an authorized representative of The Town of Osceola has signed the approval section of the Driveway.

8.05 WEIGHT RESTRICTIONS The Town of Osceola may impose special weight limitations on any and all roads within the Town because of weakness of the roadbed due to weather, road deterioration, or any other special conditions.

(1) Temporary Weight Restrictions Notice of the weight limitations/restrictions will be posted by erecting signs along the specific roadway(s). The following list of vehicles providing critical services, are exempt from the restrictions:

- Septic
- Propane
- Utility (gas, electric, telephone, cable)
- Dairy/milk
- Local waste disposal
- Emergency services

(2) Special Weight Restrictions. Based on the need to ensure the stability and longevity of the Town’s roadways, a special permit is required to operate any overweight or oversize vehicle (as defined in §348.15) on a Town of Osceola roadway. The requesting party shall comply with the requirements for WI DOT Form MV2605 and obtain a House Moving and Single Trip Permit Application from the Town of Osceola prior to operating an overweight or oversized vehicle.

(3) Violations of the Restrictions. Violations of the weight limitations will result in suspended operation of the vehicle on the roadway and shall be subject to a penalty as detailed in §348.21 and the Town of Osceola Fee Schedule. Any damage to the roadway as a result of these violations shall be the responsibility of the party causing the damage as outlined in §S86.02.

8.06 PENALTY Any person, partnership, or corporation or other entity found in violation of any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as detailed in the Town of Osceola Schedule of Violation Fees and Penalties.

8.07 SEVERABILITY Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared to be invalid. To the extent that this Ordinance contains time limits, deadlines, notice requirements, or other provisions that are more restrictive than time limits deadlines, notice requirements, or other provisions that provide protections for a subdivider contained in Chapter 236 of the Wisconsin State Statutes, the time limits, deadlines, notice requirements, or other provisions that provide protections for a subdivider contained in Chapter 236 shall apply.

8.08 Effective Date

This Ordinance shall be effective upon adoption and publication or posting as provided by law.

Passed this 8th Day of August, 2011

By the Town Board of the Town of Osceola

Doug Schmidt, Chairman

Mike Wallis, Supervisor

Dan Burch, Supervisor

ATTEST:

I hereby certify that the Ordinance, of which the above is a copy, was duly passed by the Town Board of Supervisors of the Town of Osceola, Polk County, State of Wisconsin, on the 8th day of August, 2011, at a meeting duly called and held and at which a quorum was present and acted throughout.

Lorraine Rugroden, Clerk-Treasurer