

Addendum #1

**Intergovernmental Agreement Between
Village of Pewaukee and Waukesha County
for
Storm Water Program Services**

The parties above have previously executed an agreement to implement certain provisions of their Municipal Separate Storm Sewer System (MS4) Permit, issued by the Department of Natural Resources under Chapter NR 216 Wisconsin Administrative Code. This addendum shall serve to amend said agreement in accordance with the following:

1. Replace Exhibit A with a revised version of the Waukesha County Storm Water Education Program, attached herein as Exhibit X; and
2. Extend the term of the agreement to match the term of the MS4 Permit, unless otherwise terminated by either party. Upon renewal, extension, or re-issuance of the MS4 Permit by the Wisconsin Department of Natural Resources, this agreement will automatically be extended and renewed for the period of the permit, unless otherwise agreed to by the parties or terminated in accordance with the agreement.

All other terms and conditions of the existing agreement shall remain in effect. This addendum shall become effective upon execution by both parties and shall be binding upon the parties and their respective successors and assigns.

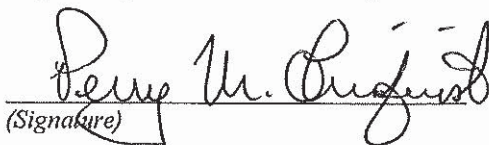
Signed by Village of Pewaukee:


(Signature)

11-19-09
(Date)

David White Director of Public Works
(Printed name & title)

Signed by Waukesha County:


(Signature)

11/20/09
(Date)

Perry M. Lindquist, Land Resources Manager

Exhibit X

Waukesha County Storm Water Education Program For NR 216 Phase 2 Communities 2008-2012

This exhibit describes a public information and education program that complies with the Municipal Permit conditions noted in section (a) of this Agreement. The program is organized by target audience. For each target audience, programs goals, activities and the general roles of the County and the local Community are described.

Details of each activity are not provided in this document. These will be further developed through an annual work planning process with an Education Advisory Committee. The Committee will be chaired and coordinated by the County, with representation from participating communities. Each fall, through the annual work planning process, more specifics will be added for project goals, timelines, event locations, community role, staff assignments and coordination between the County, DNR, UWEX and participating communities. The Committee will meet at least 2 times per year to review the status of activities, evaluate their success and make work plan revisions, as needed. Subcommittees may be formed to plan or carry out certain activities, as needed. Some activities will be phased into the program, as noted below.

To comply with the Municipal Permit, all communities are required to carry out minimum assigned tasks, as described below. However, staff in the larger communities (category 2-4 in Exhibit Y) are expected to participate more in program planning and implementation, which will be further described in the annual work plan. To encourage public participation in the development and implementation of the work plan, the County will post the plan on their web page for comment and contact local environmental, civic and other interested groups or individuals and encourage their involvement. Each community must provide the County with contact information for applicable local groups or interested individuals.

Target Audience: Contractors, Builders, Developers, Consultants & Municipal Staff

Goal: Increase understanding of and compliance with local ordinance requirements for construction site erosion control and post-construction storm water management. Provide technical training for plan development and Best Management Practice (BMP) design, installation and maintenance. Promote environmentally sensitive land development methods.

1. Workshops.-- The County will conduct at least one workshop each year. Specific workshop location, timing, topics, speakers, etc. will be determined during the annual work planning process, or in response to industry requests. The County will lead program development, implementation, advertising and post-workshop evaluation efforts, as needed.
 - *Community role: Assist the County in program planning, promotion and implementation, including providing e-mail lists for local target audiences, distributing advertising materials locally, and finding presenters and local examples of target BMPs. Communities may also be asked to serve on a planning committee.*

2. BMP Demonstrations/Tours – The County will offer periodic demonstrations and tours of local sites to showcase storm water BMPs and discuss lessons learned during their design, implementation and maintenance. This activity may be conducted as a bus tour, indoor workshop and/or self-guided or on-line tour. It is anticipated that this activity will be phased in the last two years of this program as more BMP demonstration sites become available.
 - *Community role: Find sites within their community that could be used for BMP tours and demonstrations. Help the County obtain the necessary BMP design and installation data, photographs, etc. Assist with implementation duties per the work plan.*
3. Newsletters – The County will write periodic newsletter articles for the Metropolitan Builders Association (or similar groups), focusing on local nonpoint pollution control problems, solutions, on-going program efforts and success stories that affect their industry. Also use these articles to advertise local workshops, tours and demonstrations.
 - *Community role: Provide the County with ideas for related articles on local activities, events or success stories.*

Target Audience: General Public

Goal: *Increase public understanding of the processes and negative impacts that urban storm water runoff and illicit discharges have on the local water resources and what each person can do to address the problem. Promote changes in behavior and the adoption of practices such as native landscaping, rain barrels, rain gardens, green roofs, environmentally sensitive lawn, pet and car care, riparian land management, yard waste composting, water quality monitoring, hazardous waste management and other related practices.*

1. Storm Drain Stenciling – The County will provide stencils, paint and educational door hangers, and coordinate their distribution and use by youth groups and adult organizations to paint the message "Dump No Waste – Drains to River/Lake" on local storm drain inlets. This activity educates the people doing the stenciling and residents living in the neighborhoods being stenciled.
 - *Community role: Promote the activity locally, provide the County with contacts for local youth and civic groups, and facilitate local approvals as needed.*
2. News Releases/Newsletters/Recognition – The County will prepare seasonal news releases and articles for local newspapers and Community newsletters announcing water quality related activities, programs and services, and recognizing local citizens and businesses who adopt "water friendly" practices.
 - *Community role: Provide the County with contacts for local media, people or businesses that deserve recognition, and other ideas for news releases and articles. Assist with writing local articles or local versions of County articles. Disseminate articles locally through Community newsletters, civic groups, etc.*
3. Presentations – The County will provide a speaker, accompanied by a Power Point presentation or video for local civic groups and other organizations with the above noted messages.
 - *Community role: Promote the service locally and forward presentation requests to the County. Identify local opportunities, coordinate with local events, and assist with implementation duties per the work plan.*

4. Displays/Handouts – The County will provide fully developed displays and handout materials for local special events or building lobbies and entryways. The County will also coordinate the transportation of the display and train local staff in setup. Displays will promote the practices noted above, but be tailored to address seasonally specific issues, such as lawn care, fall leaf collection, etc.
 - *Community role: Schedule local display opportunities with the County. Coordinate local setup, maintenance and take down with the County.*
5. Web Page – The County will create and maintain web pages that provide information on the above noted practices, promotes their use, and direct citizens to related local services, events and demonstration sites. Related fact sheets and informational flyers will also be made available for download.
 - *Community role: Direct local citizens to the County web pages and incorporate links into Community web pages to promote related County service and events.*
6. Workshops – The County will conduct periodic workshops to promote runoff and waste reduction from individual homes and businesses, using practices such as rain gardens, natural landscaping, yard waste composting, etc.
 - *Community role: Promote and host workshops locally. Provide contact information to the County for interested citizens and targeted businesses. Assist with implementation duties per the work plan.*
7. Tours/Demonstrations – The County will conduct periodic on-site tours and demonstrations to promote homeowner practices such as rain gardens, natural landscaping and yard waste composting, possibly in combination with the above noted workshops. This activity will be phased in as sites become available.
 - *Community role: Promote the tours and demonstrations locally and provide contact information to the County for interested citizens and targeted businesses. Assist with implementation duties per the work plan.*
8. Rain Garden Grants/Technical Assistance – The County will pursue grants to offset the costs to local landowners for installing rain gardens. The County will advertise and administer available grant funds and provide technical assistance to landowners in accordance with adopted policies, (*per separate agreements between the County and the grant recipient*). Successful rain garden sites may be used for future news articles, tours and demonstrations.
 - *Community role: Promote the grant program locally and direct interested landowners to the County. Assist with implementation duties per the work plan.*
9. Hazardous Waste/Used Oil Collection – To prevent improper disposal and water pollution, the County will continue to promote and support three permanent household and agricultural hazardous waste collection sites in Waukesha, Muskego and Menomonee Falls, and periodically host temporary collection sites in other Communities, as funding allows (*per separate agreements between the County and the Community*). Used motor oil will also continue to be collected at Community recycling drop off sites.
 - *Community role: Promote the collection sites locally and direct citizens to the County web site for more information.*
10. Yard Waste Composting – To reduce water pollution from improperly disposed leaves and grass clippings, the County will promote home composting of yard wastes and continue to offer a County-owned drop-off site for Community yard waste collection programs at no cost to the Community for processing (*per separate agreements*

between the County and the Community). At the drop-off site, yard wastes are composted and used for mine reclamation purposes.

- *Community role: Collect yard waste from citizens and transport to the County composting facility in the Town of Genesee.*

11. Citizen Stream Monitoring – The County will offer interested citizens the opportunity to monitor a local stream site once a month from April to September. The County will train and equip participants to collect temperature, turbidity, biotic index, flow and dissolved oxygen data. This activity educates participants while collecting useful water quality data for monitoring program progress.

- *Community role: Promote service locally and direct interested citizens to the County.*

Target Audience: School Teachers & Students

Goal: *Have teachers learn the processes and negative impacts that urban storm water runoff and illicit discharges have on the local water resources, and what they and their students can do to address the problem. Incorporate into related indoor and outdoor classroom activities and implement runoff pollution control practices on school property.*

1. Teacher Training – The County will provide Project WET (Water Education for Teachers) training and curriculum guides for teachers. Project WET is supplemental water education that can be used in science, math, art, physical education and other areas. All activities are hands-on and water related.
 - *Community role: Promote training locally and direct interested teachers to the County.*
2. Presentations – The County will provide a speaker and Power Point presentation for classrooms to discuss local water quality issues, including actions that students and their families can take to reduce nonpoint pollution.
 - *Community role: Promote presentations locally and direct interested teachers to the County. Assist with implementation duties per the work plan.*
3. Green Schools – The County will help participating schools work through the DNR's "Green & Healthy Schools" program. Assist school teams with completing the "water" and "school grounds" inventories, making recommendations for controlling runoff and reducing water usage. The County may also provide some grant dollars to help implement the recommendations and move toward state certification. (*Note: Separate agreement required between the school and the County.*)
 - *Community role: Promote program locally and direct interested schools to the County. Assist with implementation duties per the work plan.*
4. Stream Monitoring – Offer local teachers the opportunity to expose students to a one-time field trip for stream monitoring. Students would collect temperature, turbidity, biotic index, flow and dissolved oxygen. This type of monitoring is primarily designed to educate students on water quality issues and the techniques used to measure the impacts of land use on water quality.
 - *Community role: Promote program locally and direct interested teachers to the County.*

**2009 Fees for MS4 Communities Participating in the
Waukesha County Storm Water Information & Education Program**

Category	Community Population	2009 Fee
1	0 – 5,000	\$1,102
2	5,000 – 20,000	\$2,205
3	20,000 – 50,000	\$3,307
4	>50,000	\$4,410

Participating Community Name	NR 216 Phase 1 or 2	Population (2006)	Fee Category	2009 Fee
Cities				
1. Delafield	2	6,895	2	\$2,205
2. Muskego	2	22,630	3	\$3,307
3. Oconomowoc	2	13,870	2	\$2,205
4. Pewaukee	1	12,625	2	\$2,205
5. Waukesha	1	67,750	4	\$4,410
Towns				
6. Brookfield	1	6,419	2	\$2,205
7. Delafield	1	8,336	2	\$2,205
8. Genesee	2	7,535	2	\$2,205
9. Lisbon	1	9,814	2	\$2,205
10. Merton	2	8,375	2	\$2,205
11. Oconomowoc	2	8,099	2	\$2,205
12. Summit	2	5,158	2	\$2,205
13. Vernon	2	7,441	2	\$2,205
14. Waukesha	1	8,885	2	\$2,205
Villages				
15. Big Bend	2	1,277	1	\$1,102
16. Dousman	2	1,802	1	\$1,102
17. Hartland	2	8,449	2	\$2,205
18. Lannon	2	972	1	\$1,102
19. Merton	2	2,546	1	\$1,102
20. Mukwonago	2	6,594	2	\$2,205
21. Nashotah	2	1,366	1	\$1,102
22. North Prairie	2	1,896	1	\$1,102
23. Pewaukee	1	8,964	2	\$2,205
24. Sussex	1	9,908	2	\$2,205
25. Wales	2	2,599	1	\$1,102

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE VILLAGE of PEWAUKEE AND WAUKESHA COUNTY**

Whereas, the Village of Pewaukee ("Village") and the Waukesha County Department of Parks and Land Use - Land Resources Division ("County") both recognize the negative impacts that uncontrolled soil erosion and storm water runoff from urbanizing lands can have on local water resources and downstream properties, and are both subject to municipal storm water discharge permits by the State under Chapter NR 216 Wis. Admin. Code; and

Whereas, as a condition of a municipal storm water discharge permit under NR 216, communities are required to conduct an information and education program on controlling nonpoint source water pollution;

Whereas, sharing resources and coordinating educational activities between the Village and the County can be a cost-effective way to satisfy State storm water discharge permit requirements for both units of government;

Now, therefore, in consideration of these premises, the Village and the County under the authority of subsection 66.0301 Wis. Stats. hereby agree to cooperate on the implementation of an information and educational program in accordance with the following:


- (a) **SERVICES.** Starting in 2006, the County agrees to provide the Village the information and educational services described in Exhibit "A" in exchange for the fee described in sec. (b) below. The County will establish an education advisory committee made up of all the municipalities that are participating in the program and any other entities that the County deems appropriate. Each year the advisory committee will coordinate the specifics of program activities and propose the committee's budget to the County. Unless otherwise noted in Exhibit "A", the County will take the lead on implementing the activities and the Village will provide the necessary staff support as needed for local efforts.
- (b) **FEES.** By March 1, 2006, the Village agrees to pay the County \$2,000 (\$4,000 for the City of Waukesha) annually for implementing the information and education services described in sec. (a) above. After 2006, this fee shall be subject to an annual increase not to exceed 5% or the actual County cost increases for salary and benefits involved in providing these services, whichever is less. The Village shall approve and be responsible for any bulk mailing costs within the Village related to implementing this program.
- (c) **CONTACTS.** For the administration of this agreement, the primary contact for the Village shall be the Director of Public Works or designee. The primary contact for the County shall be the Land Resources Manager or designee.

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE VILLAGE of PEWAUKEE AND WAUKESHA COUNTY**

(d) MISCELLANEOUS PROVISIONS

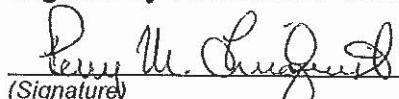
1. **Effective Date.** Upon execution by the County and the Village, this Agreement shall take effect on January 1, 2006 and shall remain in effect through October 31, 2009 (the term of WPDES Permit No. WI-S050105-1) or until otherwise terminated by either party under sub. 3. below.
2. **Review and Amendments.** The terms of this Agreement shall be reviewed annually and may be modified if approved in writing by both parties and duly executed by the authorized representative. Documentation of the 2007-2009 annual fee for information and education services under sec. (b) above shall become an addendum to this agreement each year.
3. **Termination.** The County or the Village may terminate this Agreement at any time upon a 60-day written notice of intent. The Village is responsible for notifying the DNR of any termination of this agreement and for subsequent compliance with DNR permit requirements.
4. **Effect of Agreement.** This Agreement contains the entire agreement of the parties. The County and the Village recognize that this Agreement is the product of a unique set of circumstances. Accordingly, it is mutually acknowledged that many of the provisions contained herein are unique unto themselves and should not be seen as precedent for any future agreement between the County and other entities.
5. **Severability.** If any clause, provision or section of this Agreement be declared invalid by any Court of competent jurisdiction, the invalidity of such clause, provision or section shall not affect any of the remaining provisions of this Agreement.
6. **Binding Agreement.** This Agreement is binding upon the parties hereto and their respective successors and assigns.

Signed by the Village of Pewaukee:

 _____ 3-31-06
(Signature) (Date)

DAVID J. WHITE, DIRECTOR of PUBLIC WORKS
(Printed name & title)

Signed by Waukesha County:

 _____ 4/11/06
(Signature) (Date)

Perry M. Lindquist
(Printed name & title)

COOPERATIVE AGREEMENT
FOR ASSISTANCE TO BE PROVIDED TO THE VILLAGE OF PEWAUKEE
FOR CONSTRUCTION EROSION CONTROL SERVICE

WHEREAS the Village of Pewaukee (hereinafter referred to as the "Village"), has adopted a Construction Erosion Control Ordinance, and

WHEREAS the Waukesha County Department of Environmental Resources - Land Conservation Division (hereinafter referred to as the "Department"), currently is responsible for erosion control plan review, permit issuance, inspection and enforcement provisions as detailed under the Waukesha County Construction Site Erosion Control Ordinance, and

WHEREAS the Village desires the Department to provide assistance to the Village to carry out construction erosion control provisions as detailed in the Village Construction Erosion Control Ordinance at no cost to the Village.

NOW THEREFORE in consideration of these premises and the undertaking of each party to the other, the parties agree jointly and severally, as follows:

ARTICLE I The Department shall accept and review erosion control plans except for those required under the State of Wisconsin Uniform Dwelling Code. Erosion control plan formats will be those approved by the Village.

ARTICLE II The Department shall at no cost to the Village:

- A. Accept, review and approve erosion control plans that meet the requirements of the existing Village ordinance exclusive of one and two family dwelling construction.
- B. Inspect sites as necessary to insure erosion control plan implementation.
- C. Maintain responsibility for the administration, enforcement and applicable violations of any ordinance, code or statutory requirements pertaining to construction erosion control, except that the Village shall be responsible for any necessary court action required to enforce Construction Erosion Control Ordinance requirements and the Village shall determine what if any enforcement measures shall be taken.

Agreement for Construction Erosion Control Services

ARTICLE III. Fees charged to applicants for erosion control services shall be as established, retained and modified as necessary by the Waukesha County Land Conservation Committee and approved by the Village Board.

ARTICLE IV. The Department represents that it has or will secure all personnel and equipment required to perform the services encompassed by this Agreement.

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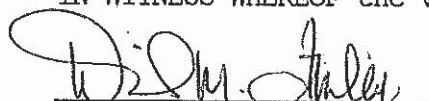
ARTICLE V. The Village shall notify the Department in writing of any special use condition or restrictions imposed by the Village which may affect the content or approval of a construction erosion control plan.

ARTICLE VI. The Village and Department shall cooperate to the greatest extent possible in order to keep each other informed of situations which may influence the effectiveness of delivering construction erosion control services within the Village.

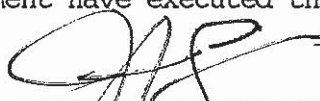
THIS AGREEMENT shall become effective on the date of the last signature and will continue in effect until cancelled by either party. Either party may terminate this Agreement by at least sixty (60) days advance written notice to the other party of such termination prior to the termination date.

THIS AGREEMENT contains the entire agreement between the parties and any amendment or revision of this agreement must be approved in writing by the parties.

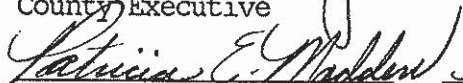
IN WITNESS WHEREOF the Village and Department have executed this agreement.


Daniel M. Finley
County Executive

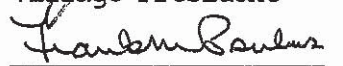
3-28-94
Date


John Lannon
Village President

2-1-94
Date


Patricia E. Madden
County Clerk

3-29-94
Date


Frank Paulus
Village Administrator

2-2-94
Date

Village of Pewaukee Permits

1463 Capitol Drive Building – Section 10
Asiana Restaurant – Section 10
Georgetowne Office Building – Section 10
Georgetowne Place – Section 10
Lindsay Road Utility Installation – Section 3
Maplehill Development Phase I – Section 5
Mayberry Hill Condos – Section 3
Northern Stainless Building Expansion – Section 9
Pewaukee Corporate Preserve – Section 10
Pewaukee Public Library – Section 9
Quail Manor – Section 10
Quinlan Court Condos – Section 5
Sentry Demolition – Section 9
Villas at Cardinal Ridge – Section 8
Wal Mart – Section 10
55 Single Family Home Sites to be checked for completion

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WHEREAS the Waukesha County Department of Environmental Resources - Land Conservation Division (hereinafter referred to as the "Department"), currently is responsible for erosion control plan review, permit issuance, inspection and enforcement provisions as detailed under the Waukesha County Construction Site Erosion Control Ordinance, and

WHEREAS the Village desires the Department to provide assistance to the Village to carry out construction erosion control provisions as detailed in the Village Construction Erosion Control Ordinance at no cost to the Village.

NOW THEREFORE in consideration of these premises and the undertaking of each party to the other, the parties agree jointly and severally, as follows:

ARTICLE I The Department shall accept and review erosion control plans except for those required under the State of Wisconsin Uniform Dwelling Code. Erosion control plan formats will be those approved by the Village.

ARTICLE II The Department shall at no cost to the Village:

- A. Accept, review and approve erosion control plans that meet the requirements of the existing Village ordinance exclusive of one and two family dwelling construction.
- B. Inspect sites as necessary to insure erosion control plan implementation.
- C. Maintain responsibility for the administration, enforcement and applicable violations of any ordinance, code or statutory requirements pertaining to construction erosion control, except that the Village shall be responsible for any necessary court action required to enforce Construction Erosion Control Ordinance requirements and the Village shall determine what if any enforcement measures shall be taken.

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ARTICLE III. Fees charged to applicants for erosion control services shall be as established, retained and modified as necessary by the Waukesha County Land Conservation Committee and approved by the Village Board.

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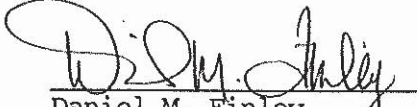
ARTICLE V. The Village shall notify the Department in writing of any special use condition or restrictions imposed by the Village which may affect the content or approval of a construction erosion control plan.

ARTICLE VI. The Village and Department shall cooperate to the greatest extent possible in order to keep each other informed of situations which may influence the effectiveness of delivering construction erosion control services within the Village.

THIS AGREEMENT shall become effective on the date of the last signature and will continue in effect until cancelled by either party. Either party may terminate this Agreement by at least sixty (60) days advance written notice to the other party of such termination prior to the termination date.

THIS AGREEMENT contains the entire agreement between the parties and any amendment or revision of this agreement must be approved in writing by the parties.

IN WITNESS WHEREOF the Village and Department have executed this agreement.



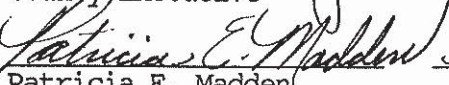
Daniel M. Finley
County Executive

3-28-94
Date



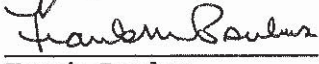
John Lannon
Village President

2-1-94
Date



Patricia E. Madden
County Clerk

3-29-94
Date



Frank Paulus
Village Administrator

2-2-94
Date

MATERIALS AND INSTALLATION
REQUIREMENTS FOR CONSTRUCTION SITE
EROSION AND SEDIMENTATION CONTROL
IN THE VILLAGE OF PEWAUKEE

The following is a listing of materials and installation requirements for the implementation of construction site erosion and sedimentation control in the Village of Pewaukee.

GENERAL

1. Purpose. It is the purpose of this specification to aid in the preservation of natural resources; to protect the quality of the waters of the State, the County, and the Village; and to protect and promote the health, safety, and welfare of the people, to the extent practicable by minimizing the amount of sediment and other pollutants carried by runoff or discharged from construction sites to lakes, rivers, streams, and wetlands.
2. This specification applies to land-disturbing construction and land-development activities on lands within the boundaries and jurisdiction of the Village and the public and private lands subject to extra-territorial plat review under Chapter 236, of Wisconsin Statutes.
3. Definitions
 - a. Agricultural Land Use. Use of land for planting, growing, cultivating, and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock, including sod farms and tree nurseries.
 - b. Applicant. The landowner or one of the landowners and/or land user(s), their agent, or contractor responsible for submitting and carrying out the requirements of this specification.
 - c. Commercial Land Use. Use of land for the retail or wholesale sale of goods or services.
 - d. Contractor. The person under contract with the landowner to perform the Work.
 - e. Control Measure. A practice or combination of practices to control erosion and attendant pollution.
 - f. Control Plan. A diagrammatic plan and a written description of the number, locations, sizes and other pertinent information of control measures designed to meet the requirements of this specification submitted by the applicant for review and approval by the Village.

- g. Erosion. A detachment and movement of soil, sediment, or rock fragments by water, wind, ice, or gravity.
 - h. Land Development Activity. The construction of buildings, sea walls, roads, parking lots, paved storage areas, and similar facilities, but not including general maintenance of parking lots and drives.
 - i. Land Disturbing Construction Activity. Any man-made change of the land surface, including removing vegetative cover, demolition, excavating, filling and grading, but not including agricultural land uses, such as planting, growing, cultivation, and harvesting of crops, growing and tending of gardens, harvesting of trees and landscaping modifications.
 - j. Landowner. Any person holding title to or having an interest in land.
 - k. Land User. Any person operating, leasing, renting, or having made other arrangements with the landowner by which the landowner authorizes use of this land.
 - l. Runoff. The rainfall, snow melt, dewatering well discharge, or irrigation water flowing over the ground surface.
 - m. Site. The entire area included in the legal description of the land on which the land disturbing or land development activity is proposed in the permit application.
 - n. Working Day. A calendar day, except Saturdays, Sundays and State and Village recognized legal holidays.
4. All Control measures required to comply with this specification and the Village Standard Detail Drawings shall meet the design criteria, standards, and specifications identified in the latest edition of the Department of Natural Resources, Wisconsin Construction Site Best Management Practice Handbook.
 5. All control measures shall be maintained in a satisfactory manner by the applicant to ensure adequate performance and to prevent nuisance conditions. The standards for maintenance shall be as set forth in the latest edition of the Department of Natural Resources, Wisconsin Construction Site Best Management Practice Handbook.
 6. Applicability. This specification applies to the following sites of land development or land disturbing construction activities:

- a. Those requiring a subdivision plat or certified survey map approval which requires the installation of road or utilities, houses, or commercial, industrial, or institutional buildings on lots of approved subdivision plats.
- b. Those requiring the construction of residences or commercial, industrial, or institutional buildings.
- c. Those involving grading, removal of protective ground cover or vegetation, excavation, land filling, or other land disturbing activity affecting a surface area of 4,000 square feet or more.
- d. Those involving excavation or filling or a combination of excavation and filling affecting 400 cubic yards or more of dirt, sand, or other excavation or fill material, except State funded projects which meet the requirements contained in the Department of Transportation, Department of Natural Resources Cooperative Agreement Memorandum of Understanding on Erosion Control.
- e. Those involving street, highway, road, or bridge construction, enlargement, relocation, or reconstruction.
- f. Those involving the laying, repairing, replacing, or enlarging of an underground pipe or facility for a distance of 300 feet or more.
- g. Those involving grading, removal of protective ground-cover or vegetation, excavation, landfilling, or other land disturbing construction activity adjacent to a lake, river, stream, or wetland.

MATERIALS

1. Straw Bales

Tightly compacted bales of grain straw, hay or other suitable material.

2. Geotextile Fabric

The geotextile fabric shall consist of either woven or non-woven polyester, polypropylene, stabilized nylon, polyethylene or polyvinylidene chloride with the following requirements: All fabric shall have the minimum strength values in the weakest principal direction. Nonwoven fabric may be needle punched, heat bonded, resin bonded or combination thereof.

<u>Test</u>	<u>Method</u>	VALUE	
		<u>Silty Soils</u> (4)	<u>Sandy Soils</u> (5)
Grab Tensile Strength (lb)	ASTM D-1682(2)	100	100
Mullen Burst Strength (psi)	ASTM D-3786	200	200
Equivalent Opening Size U.S. Standard Sieve	CW-02215-77 Corp of Engineers	50 - 140	20 - 50
Water Flow Rate (gal/min ft ² at 50 MM Constant head)	ASTM D-4491(3)	10	10
Ultra Violet Radiation Stability (%)	ASTM D-4355	90	90

- (1) All numerical values represent minimum average roll values (i.e., the average of test results on any roll in a lot should meet or exceed the minimum values in the table).
- (2) ASTM D-1682, Grab Test, Method 16, using a 4-inch x 8-inch sample, 3-inch gauge length, clamped in a 1-inch x 2-inch long grip, tested at a strain rate of 12 inch/min.
- (3) Water Flow Rate in gal/min/ft² shall be determined by multiplying Permittivity in sec⁻¹ as determined by ASTM D-4491 by a conversion factor of 74.
- (4) Silty Soil: more than 15 percent by weight passing No. 200 sieve.
- (5) Sandy Soil: less than 15 percent by weight passing No. 200 sieve.

Each analysis shall be based on the portion of a total sample passing the No. 4 sieve. The geotextile fabric shall be insect, rodent, mildew and rot resistant. The geotextile fabric shall be furnished in a wrapping which will protect the fabric from ultraviolet radiation and from abrasion due to shipping and hauling. The geotextile is to be kept dry until installed.

The Contractor shall furnish the Engineer at the time of delivery of the geotextile fabric a manufacturer's Certificate of Compliance that the geotextile fabric as furnished meets the above requirements.

3. Geotextile Fencing

Geotextile fencing shall have a polypropylene or steel wire mesh netting secured with staples, cord, or other suitable materials to the geotextile to insure overall structural stability.

4. Support Posts

a. Wood or steel construction, minimum length 5 feet for support of geotextile fencing.

5. Erosion Mat

Jute Fabric. The material intended for use for erosion mat shall be a woven fabric of a uniform open weave of single jute yarn. The jute yarn shall be of loosely twisted construction having an average twist of not less than one and one-half turns per inch. The average size of the warp and weft yarns shall be approximately the same. The woven fabric shall be furnished in rolled strips. The width of the strips shall be 48-inches, plus or minus one inch. The full width of the strip shall have 78 warp ends, plus or minus one. The fabric shall have 41 weft yarns, plus or minus two, per linear yard of length. The weight of the fabric measured under average atmospheric conditions shall be 92 pounds per 100 square yards, plus or minus ten percent. The fabric shall be non-toxic to vegetation.

Wood Fiber Blanket. The material intended for use for erosion mat shall be a uniform web of interlocking wood excelsior fibers, with a net backing on one side. The wood from which the blanket is produced shall have been properly cured to achieve adequately curled and barbed fibers. The blanket shall be of uniform thickness with the wood fibers evenly distributed over the entire area of the blanket. The blanket shall be furnished in rolled strips. The width of the strips shall be 48-inches, plus or minus one inch. The weight of the blanket measured under average atmospheric conditions shall be 78 pounds per 80 square yards, plus or minus ten percent. The net backing shall have a mesh size not exceeding 1-1/2 by 3 inches and may be woven from twisted paper, cotton cord, a biodegradable plastic or other approved material. The blanket shall be non-toxic to vegetation.

Fiber Glass Roving. The material shall be formed from continuous fibers drawn from molten glass, coated with a chrome-complex sizing compound, collected into strands and lightly bound together into roving without the use of clay, starch, or like deleterious substances. The roving shall be wound into a cylindrical package approximately one foot high in such a manner that the roving can be continuously fed from the center of the package through an ejector driven by compressed air and expanded into a mat of glass fibers on the soil surface. The material shall contain no petroleum solvents or other agents known to be toxic to plant or animal life.

The fiber glass roving shall conform to the following requirements:

<u>Property</u>	<u>Limits</u>
Strands/Rove	56 - 64
Fibers/Strand	184 - 234
Fibers Diameter, in. (Trade Designation G)	0.00035 - 0.0004
Yards/lb. of Rove	210 - 230
Organic Content, percent max.	0.75

6. Staples

Staples for anchoring the erosion mat in place shall be U-shaped, made of No. 11 gage or larger diameter steel wire, or other approved material, have a width of one to two inches, and a length of not less than six inches for firm soils and not less than 12 inches for loose soils.

7. Crushed Stone

Material for use in access drives shall consist of crushed stone with a maximum size of 3-inches and conforming to the following gradation:

<u>Sieve Size</u>	<u>Percent Passing by Weight</u>
3-inch	100 %
2-1/2-inch	90 - 100%
2-inch	35 - 70%
1-1/2-inch	0 - 15%
3/4-inch	0 - 5%

8. Mulch

Mulching material shall consist of any straw or hay in an air-dry condition or wood excelsior fiber, wood chips, or other suitable material of a similar nature which is free of noxious weed seeds or objectionable foreign matter.

9. Seed

- a. Temporary: Seed Mixture No. 20, D.O.T. Standard Specifications for Road & Bridge Construction, latest edition, when permanent seeding is to follow within one year.
- b. Permanent: Seed Mixtures No. 30 or 40, D.O.T. Standard Specifications for Road & Bridge Construction, latest edition.

INSTALLATION

1. Requirements:

a. The following requirements shall be met at all applicable sites.

(a) Temporary Best Management Practices. The following temporary best management practices shall be used to control sediment where erosion of the site, including dirt piles, during construction will result in sediment reaching surface waters, rights-of-way, public storm sewers or other public or private off-site areas:

- i. Small drainage areas with overland flow less than one acre, shall require a filter fabric fence or equivalent best management practice placed along the downslope areas and along the sideslope areas as required.
- ii. Drainage areas of one to two acres with concentrated or channelized flow, shall require a filter fabric barrier or equivalent best management practice placed downslope of the disturbed area.
- iii. Drainage areas of more than two acres to five acres with concentrated or channelized flow, shall require a sediment trap or equivalent best management practice placed downslope of the disturbed area.
- iv. Drainage areas of more than five acres with concentrated or channelized flow, shall require a sediment basin or equivalent best management practice placed downslope of the disturbed area.
- v. Steep slopes, which are slopes of 12 percent or more, shall require use of additional best management practices.
- vi. Environmentally sensitive areas, which are sites within 1,000 feet of a lake or pond or 300 feet of a stream, wetland, channel, ditch, flood plain or other watercourse, may require use of additional best management practices.

- (b) Site Stabilization. The disturbed area shall be stabilized by seeding, sodding, or other permanent means as set forth below:
- i. For building sites, the disturbed areas shall be mulched or other best management practices utilized and approved by the Village within 7 days after foundation backfilling.
 - ii. For other sites, the disturbed area shall be stabilized according to the schedule and materials described in the erosion control plan.
 - iii. When the disturbed area is properly stabilized by established vegetation or other permanent means, the temporary best management practices shall be removed.
- (c) Tracking Prevention and Cleanup. Each site shall have graveled roads, access drives and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Sediment reaching a public or private road shall be removed by street cleaning before the end of each work day. Flushing may not be used unless the sediment will be controlled by a filter fabric barrier, sediment trap, sediment basin, or equivalent best management practice.
- (d) Drain Inlet Protection. Downslope storm drain inlets shall be protected with filter fabric barriers.
- (e) Site Dewatering. Water pumped from the site shall be treated by an appropriately sized filter fabric barrier, sediment trap, sediment basin or equivalent best management practice. Water may not be discharged in a manner that causes erosions or damage of the site, adjacent properties or receiving channels.
- (f) Sediment Cleanup. All off-site sediment deposits shall be cleaned up by the end of the next work day unless environmental damage will occur in which case clean up shall occur at the direction of the Village. All other off-site sediment deposits occurring as a result of construction activities shall be cleaned up at the end of the work day.

- (g) Waste and Material Management and Disposal. All waste and unused building materials shall be properly managed and disposed of to prevent pollutants and debris from being carried by runoff off the site.
- (h) Soil or Dirt Storage Piles. Soil or dirt storage piles shall be located at least 25 feet from any downslope road, lake, stream, wetland, ditch, channel, or other watercourse and protected in accordance with 1.(a) above. Piles located in the street or within 25 feet of any downslope road, lake, stream, wetland, ditch, channel, flood plain, or other watercourse shall require the use of additional best management practices.
- (i) The proposed surface water runoff shall not be diverted so as to concentrate flow directly onto adjacent property or adversely affect adjoining property.

PERMIT APPLICATION AND ISSUANCE

No person may commence a land disturbance or land development activity subject to this section without receiving prior approval of a control plan for the site and a permit from the Village. At least one landowner or land user controlling or using a site or a contractor desiring to undertake a land disturbing or land developing activity subject to this specification shall submit an application for a permit and a control plan and pay an application fee to the Village. By submitting an application, the applicant is authorizing a Village representative to enter the site to obtain information required for the review of the control plan.

1. Content of the control plan for land disturbing construction and land development activities covering more than one acre.
 - a. Existing Site Map. A map of existing site conditions on a scale of at least 1 inch equals 50 feet, showing the site and immediately adjacent areas:
 - 1) Site boundaries and adjacent lands which accurately identify site location.
 - 2) Lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.
 - 3) 100-year flood plains and floodways.
 - 4) Location and identification of the predominant soil types.

- 5) Vegetative cover.
 - 6) Location and dimensions of storm water drainage systems and natural drainage patterns on and immediately adjacent to the site, including peak discharge, velocities, direction, and destination of flows.
 - 7) Locations and dimensions of utilities, structures, roads, highways, and paving.
 - 8) Site topography at a contour interval not to exceed 2 feet.
- b. Plan of Final Site Conditions. A plan of final site conditions on the same scale as the existing site map showing the site changes.
- c. Site Construction Plan. A site construction plan, including:
- 1) Locations and dimensions of all proposed land disturbing activities.
 - 2) Locations and dimensions of all temporary soil or dirt stockpiles.
 - 3) Locations and dimensions of all construction site management control measures necessary to meet the requirements of this section.
 - 4) Schedule of anticipated starting and completion date of each land disturbing or land developing activity, including the installation of construction site control measures needed to meet the requirements of this section.
 - 5) Provisions for maintenance of the construction site control measures during construction.
 - 6) Description of vegetation and other materials to be used to stabilize the site including a schedule for installation and maintenance.
 - 7) Location and dimensions of storm water management measures including but not limited to past development peak flows, drainage system dimensions and computations. Provide certification of all computations, designs and final construction by a registered professional engineer.

2. Permits

- a. Duration. Permits shall be valid for a period of 180 days or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Village may extend the period one or more times for up to an additional 180 days. The Village may require additional control measures as a condition of the extension if they are necessary to meet the requirements of this section.
- b. Financial Guarantee. As a condition of approval and issuance of the permit, the Village may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions.

The financial guarantee must be sufficient to cover all phases of the plan and shall give the Village of Pewaukee the authority to use the funds to complete the project if the applicant defaults or does not properly implement the approved plan. The financial guarantee may not be released until the site has been stabilized with vegetative cover and approved by the Village of Pewaukee.

- c. Permit Conditions. All permits shall require the permittee to:
 - 1) Notify the Village within two working days prior to commencing any land disturbing activity.
 - 2) Notify the Village of completion of any control measures within one working day after their installation.
 - 3) Obtain permission in writing from the Village authority prior to modifying the control plan.
 - 4) Install all control measures as identified in the approved control plan.
 - 5) Maintain all road drainage systems, storm water drainage systems, control measures and other facilities identified in the control plan.
 - 6) Inspect the construction control measures after each rain of 0.5 inches or more and at least once each week and make necessary repairs.
 - 7) Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land developing or disturbing activities.

- 8) Allow the Village's representative to enter the site for the purpose of inspecting compliance with the control plan or for performing any work necessary to bring the site into compliance with the control plan.
 - 9) Keep a copy of the control plan on the site.
 - 10) Schedule of anticipated starting and completion dates of each land disturbing or land developing activity, including the installation of construction site control measures necessary to meet the requirements of this section.
 - 11) Provide for maintenance of the construction site control measures during construction.
3. Content of the Control Plan Statement for Land Disturbing Construction and Land Developing Activities Covering One Acre or Less. An erosion control plan statement with simple map shall be submitted to briefly describe the site and erosion controls, including the site development schedule, that will be used to meet the requirements of this specification.
 4. Review of Control Plan

Within 10 working days of receipt of the application, control plan, or control plan statement and fee, the Village Engineer shall review the application and control plan to determine if the plan or statement is adequate to meet the requirements of this specification. If the requirements of this specification are met, the Village shall approve the plan, inform the applicant and issue a permit. If the conditions are not met, the Village shall inform the applicant and may either require additional information or disapprove the plan. Within 10 working days of receipt of the additional information, the Village shall again determine if the plan meets the requirements of this section. If the plan is disapproved, the Village shall inform the applicant in writing of the reasons for the disapproval.

FEES

Any costs incurred by the Village of Pewaukee in obtaining legal, planning, engineering, or other technical or professional advice in the review or inspection of a land developing or land disturbing activity construction shall be charged to the applicant and paid prior to issuance of the erosion and Sedimentation Control Permit.

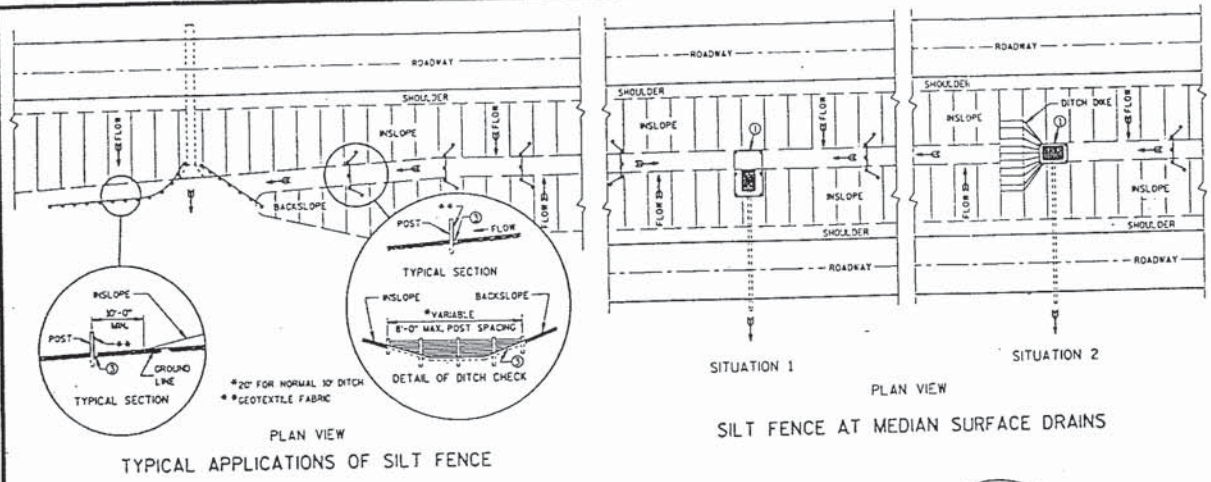
INSPECTION

A Village representative may inspect construction, land disturbing, or land development sites as often as necessary to ensure compliance with the control plan.

If land disturbing construction or land development activities are being carried out without a permit, a Village representative shall enter the land pursuant to the provisions of S 66.122 and S 66.123, Wisconsin Statutes.

ENFORCEMENT

1. Enforcement. The Village may post a stop work order if:
 - a. Any land disturbing or land developing activity regulated under this section is being undertaken without a permit and an approved control plan.
 - b. The control plan is not being implemented in a good faith manner.
 - c. The conditions of the permit are not being met.
2. If the permittee does not cease the activity or comply with the control plan or permit conditions, the Village Board may revoke the permit.
3. If the landowner or land user where no permit has been issued does not cease the activity, the Village Board may request the Village Attorney to obtain a cease and desist order.
4. Once a cease and desist order has been issued, only the Village Board may retract the stop work order or the revocation.
5. Ten working days after posting a stop work order, the Village may issue a notice of intent to the permittee, landowner, or land user of the Village's intent to perform work necessary to comply with this section. The Village's designated agent may go on the land and commence the work after 14 days from issuing the notice of intent. The costs of the work performed by the administering authority, plus interest at the rate authorized by the administering authority, shall be billed to the permittee or the landowner. In the event a permittee or landowner fails to pay the amount due, the Village Clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to S 66.60(16), Wisconsin Statutes.
6. Compliance with the provisions of this section may also be enforced by injunction.



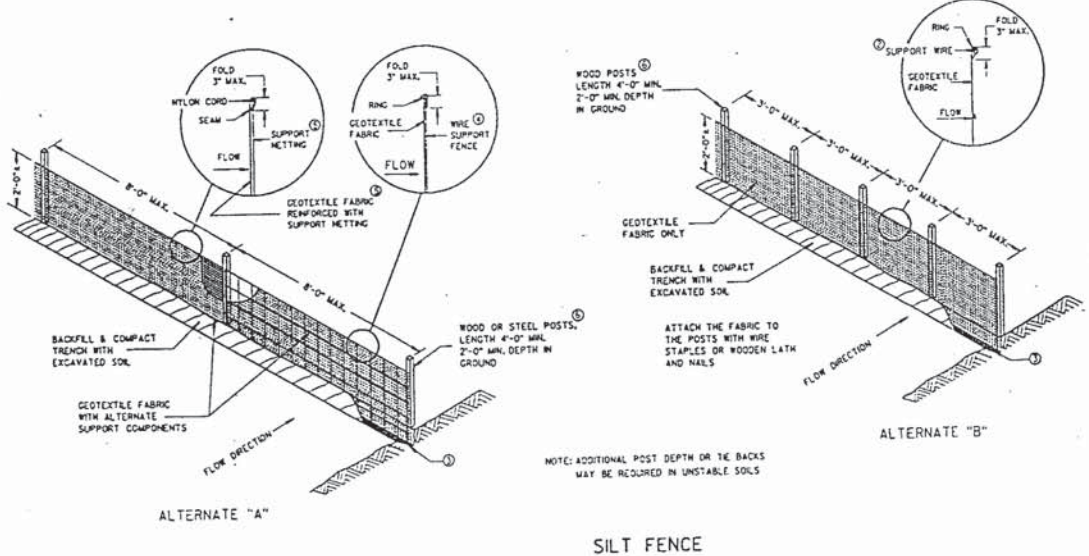
GENERAL NOTES

DETAIL OF CONSTRUCTION NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE PERTINENT REQUIREMENTS OF THE STANDARD SPECIFICATIONS AND APPLICABLE SPECIAL PROVISIONS.

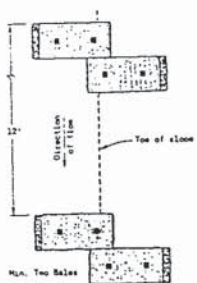
WHEN POSSIBLE THE SILT FENCE SHOULD BE CONSTRUCTED IN AN ARC OR HORSESHOE SHAPE, WITH THE ENDS POINTING UPSLOPE TO MAXIMIZE BOTH STRENGTH AND EFFECTIVENESS.

- ① CROSS BRACE WITH 2" X 4" WOODEN FRAME OR EQUIVALENT AT TOP OF POSTS AS DIRECTED BY THE ENGINEER.
- ② MINIMUM 14 GAGE WIRE REQUIRED, FOLD FABRIC 3" OVER THE WIRE AND STAPLE OR PLACE WIRE RINGS ON 12" C-C.
- ③ EXCAVATE A TRENCH A MINIMUM OF 4" WIDE & 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC, FOLD MATERIAL TO FIT TRENCH AND BACKFILL & COMPACT TRENCH WITH EXCAVATED SOIL.
- ④ WIRE SUPPORT FENCE SHALL BE 14 GAGE MINIMUM WOVEN WIRE WITH A MAXIMUM MESH SPACING OF 6". SECURE TOP OF GEOTEXTILE FABRIC TO TOP OF FENCE WITH STAPLES OR WIRE RINGS AT 12" C-C.
- ⑤ GEOTEXTILE FABRIC SHALL BE REINFORCED WITH AN INDUSTRIAL POLYPROPYLENE NETTING WITH A MAXIMUM MESH SPACING OF 3/4" OR EQUAL. A HEAVY DUTY NYLON TOP SUPPORT CORD OR EQUIVALENT IS REQUIRED.
- ⑥ STEEL POSTS SHALL BE STUDDED "TEE" OR "U" TYPE WITH A MINIMUM WEIGHT OF 128 LBS./LINEAL FOOT (WITHOUT ANCHOR). FIN ANCHORS SUFFICIENT TO RESIST POST MOVEMENT ARE REQUIRED. WOOD POSTS SHALL BE A MINIMUM SIZE OF 4" DIA. OR 1 1/2" X 3 1/2" EXCEPT WOOD POSTS FOR GEOTEXTILE FABRIC REINFORCED WITH NETTING SHALL BE A MINIMUM SIZE OF 1 1/4" X 1 1/4" OAK OR HICKORY.

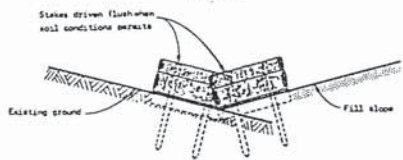
ALTERNATES A & B ARE EQUAL AND EITHER MAY BE USED.



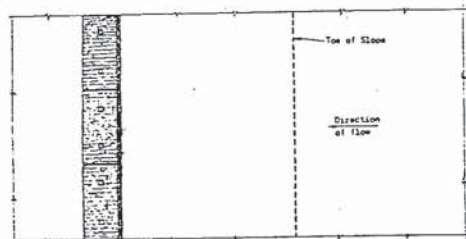
VILLAGE OF PEWAUKEE STANDARD DETAILS		SILT FENCE		DETAIL 16A
		DRAWN BY: FKO	DATE: 6/92	
PREPARED BY: GRAEF ANHALT SCHLOEMER & ASSOCIATES, INC. 345 N. 95TH STREET MILWAUKEE, WISCONSIN 53226		CHECK'D BY: SGH	PEW.PWC.	
APPROVED		LIBRARY		



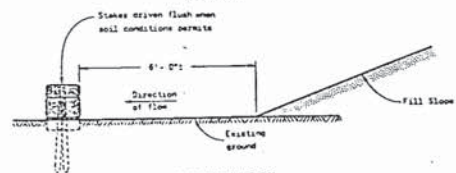
PLAN VIEW



FRONT ELEVATION
WHEN EXISTING GROUND
SLOPES TOWARD FILL SLOPE

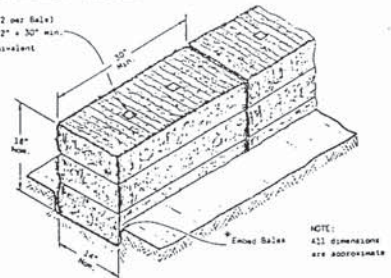


PLAN VIEW



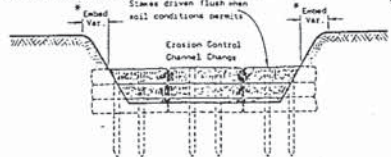
FRONT ELEVATION
EROSION BALES AT TOE OF SLOPE
WHEN EXISTING GROUND SLOPES AWAY FROM FILL SLOPE

Wood Stakes (2 per Bale)
Nominal 2" x 2" x 30" min.
length or equivalent

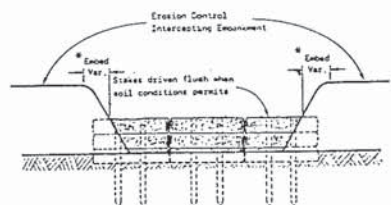


NOTE:
All dimensions
are approximate

DETAIL OF EROSION BALE INSTALLATION



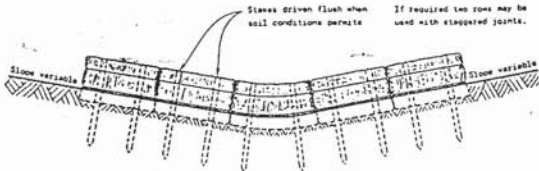
EROSION CONTROL CHANNEL CHANGE



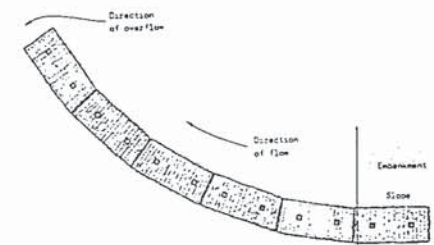
EROSION CONTROL INTERCEPTING EMBANKMENT



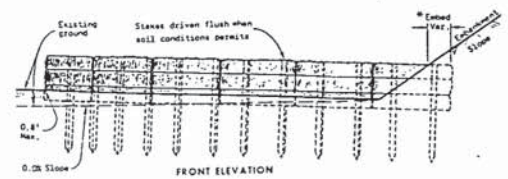
PLAN VIEW



FRONT ELEVATION
EROSION BALES ACROSS DITCH BOTTOM



PLAN VIEW



FRONT ELEVATION
EROSION BALES AT TOE OF SLOPE

GENERAL NOTES

Details of construction, materials and workmanship not shown on this drawing shall conform to the pertinent requirements of the Standard Specifications and the applicable Special Provisions.

Bales shall be placed end to end or overlapping at right angles to the direction of flow and far enough up the sides of the ditch to prevent eroding around ends.

Bales shall be placed with twine or tie wires parallel to the ground.

Stakes to be battered in opposite directions.

* As determined by the Engineer.

VILLAGE OF PEWAUKEE STANDARD DETAILS

PREPARED BY: GRAEF ANHALT SCHLOEMER
& ASSOCIATES, INC.
345 N. 95TH STREET
MILWAUKEE, WISCONSIN 53226

EROSION BALES

DRAWN BY: FKO

DATE: 6/92

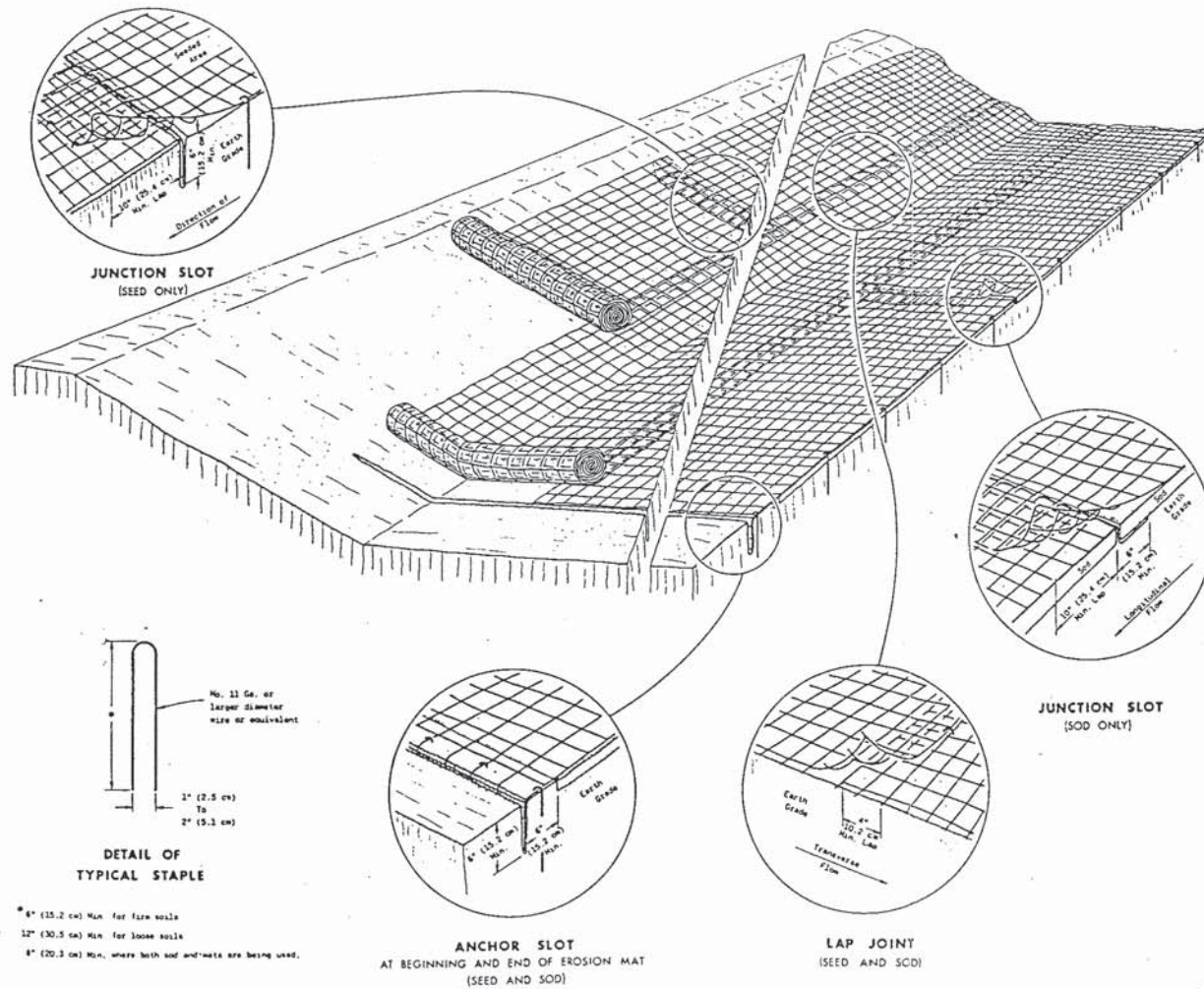
DETAIL

CHECK'D BY: SGH

APPROVED PEW.PWC.

LIBRARY

16B



GENERAL NOTES

Details of construction, materials and workmanship not shown on this drawing shall conform to the pertinent requirements of the Standard Specifications and the applicable Special Provisions.

Variations in the dimensions or materials shown hereon shall be permitted if they provide equivalent protection and material strength and if prior approval of the Engineer is obtained.

Lap Joints shall not be placed in the bottom of V-shaped ditches.

Junction Slots on adjacent strips of Matting shall be staggered a minimum of 4 feet (1.219 m) apart.

Edges of the Erosion Mat shall be impressed in the soil.

EROSION MAT OVER SOD

- a. Only Jute Fabric will be permitted over sod.
- b. Wood Stakes for Sod may be omitted by the Engineer if the existing slope and soil conditions so warrant.
- c. The width of Erosion Mat shall always equal the Sod width.
- d. Sod strips may be placed either longitudinally or transversely to the flow line of the Ditch.

EROSION MAT OVER SEEDING

Junction or Anchor Slots shall be at minimum intervals of 100 feet (30.48 m) on grades up to and including 3 percent, and 50 feet (15.24 m) on grades exceeding 3 percent.

* 4" (10.2 cm) Min. for firm soils
 12" (30.5 cm) Min. for loose soils
 8" (20.3 cm) Min., where both sod and mats are being used.

VILLAGE OF PEWAUKEE STANDARD DETAILS		EROSION MAT		DETAIL 16C
		DRAWN BY: FKO	DATE: 6/92	
PREPARED BY: GRAEF ANHALT SCHLOEMER & ASSOCIATES, INC. 345 N. 95TH STREET MILWAUKEE, WISCONSIN 53226	CHECK'D BY: SGH	APPROVED: PEW.PWC.	LIBRARY	

AUTHORIZE COUNTY OFFICIALS TO ENTER INTO COOPERATIVE AGREEMENTS FOR
ASSISTANCE TO BE PROVIDED TO VILLAGES FOR
CONSTRUCTION EROSION CONTROL SERVICES

WHEREAS the Waukesha County Department of Environmental Resources Land Conservation Division (Department) is responsible for erosion control plan review, permit issuance, inspection and enforcement provisions as detailed under the Waukesha County Construction Site Erosion Control Ordinance, and

WHEREAS the Department has assisted County municipalities in preparing construction erosion control ordinances to establish uniform standards within the County, and

WHEREAS Villages located in Waukesha County desire the Department to provide assistance to carry out their responsibilities for construction erosion control as detailed in the village construction erosion control ordinance, and

WHEREAS it is advisable for the County to enter into written agreements with Villages that desire assistance in this regard.

THEREFORE THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the County Executive and County Clerk are authorized to enter into an agreement with any Village in Waukesha County that desires assistance from the Waukesha County Department of Environmental Resources Land Conservation Division to carry out its responsibilities for construction erosion control as detailed in the Village ordinance.

Corp. Council
Administrative
3-2-94

COOPERATIVE AGREEMENT
FOR ASSISTANCE TO BE PROVIDED TO THE VILLAGE OF _____
FOR CONSTRUCTION EROSION CONTROL SERVICE

WHEREAS the Village of _____ (hereinafter referred to as the "Village"), has adopted a Construction Erosion Control Ordinance, and

WHEREAS the Waukesha County Environmental Resources Department - Land Conservation Division (hereinafter referred to as the "Department"), currently is responsible for erosion control plan review, permit issuance, inspection and enforcement provisions as detailed under the Waukesha County Construction Site Erosion Control Ordinance, and

WHEREAS the Village desires the Department to provide assistance to the Village to carry out construction erosion control provisions as detailed in the Village Construction Erosion Control Ordinance.

NOW THEREFORE in consideration of these premises and the undertaking of each party to the other, the parties agree jointly and severally, as follows:

ARTICLE I The Department shall accept and review erosion control plans except for those required under the State of Wisconsin Uniform Dwelling Code. Erosion control plan formats will be those approved by the Department.

ARTICLE II The Department shall:

- A. Accept, review and approve erosion control plans that meet the requirements of the existing Village ordinance exclusive of one and two family dwelling construction.
- B. Inspect sites as necessary to insure erosion control plan implementation.
- C. Maintain responsibility for the administration, enforcement and applicable violations of any ordinance, code or statutory requirements pertaining to construction erosion control, except that the Village shall be responsible for any necessary court action required to enforce Construction Erosion Control Ordinance requirements.

Agreement for Construction Erosion Control Services

ARTICLE III. Fees charged to applicants for erosion control services shall be established, retained and modified as necessary by the Waukesha County Land Conservation Committee.

REFERRED ON:
03/08/94

FILE NUMBER:
148-O-166

REFERRED TO:
LU

ARTICLE IV. The Department represents that it has or will secure all personnel and equipment required to perform the services encompassed by this Agreement.

ARTICLE V. The Village shall notify the Department in writing of any special use condition or restrictions imposed by the Village which may affect the content or approval of a construction erosion control plan.

ARTICLE VI. The Village and Department shall cooperate to the greatest extent possible in order to keep each other informed of situations which may influence the effectiveness of delivering construction erosion control services within the Village.

THIS AGREEMENT shall become effective on the date of the last signature and will continue in effect until cancelled by either party. Either party may terminate this Agreement by at least sixty (60) days advance written notice to the other party of such termination prior to the termination date.

THIS AGREEMENT contains the entire agreement between the parties and any amendment or revision of this agreement must be approved in writing by the parties.

IN WITNESS WHEREOF the Village and Department have executed this agreement.

Daniel M. Finley
County Executive

Date

Village President

Date

Patricia E. Madden
County Clerk

Date

Village Administrator

Date

COOPERATIVE AGREEMENT
FOR ASSISTANCE TO BE PROVIDED TO THE VILLAGE OF PEWAUKEE
FOR CONSTRUCTION EROSION CONTROL SERVICE

WHEREAS the Village of Pewaukee (hereinafter referred to as the "Village") has adopted the State of Wisconsin Uniform Dwelling code, and

WHEREAS in 1992 the Uniform Dwelling Code was modified to contain construction site erosion control requirements on all one and two family dwelling construction sites, and

WHEREAS the Waukesha County Department of Environmental Resources - Land Conservation Division (hereinafter referred to as the "Department"), currently is responsible for erosion control plan review, permit issuance, inspection and enforcement provisions as detailed under the Waukesha County Construction Site Erosion Control Ordinance, and

WHEREAS the Village desires the Department to provide assistance to the Village to carry out construction erosion control provisions as detailed in the Wisconsin Uniform Dwelling Code at no cost to the Village.

NOW THEREFORE in consideration of these premises and the undertaking of each party to the other, the parties agree jointly and severally, as follows:

ARTICLE I The Department shall provide certified plan reviewers and inspectors for erosion control services only, as defined in the Uniform Dwelling Code.

ARTICLE II The Department shall accept and review erosion control plans for one and two family dwellings. Erosion control plan formats will be those approved by the Village.

ARTICLE III The Department shall at no cost to the Village:

- A. Accept, review and approve erosion control plans that meet the requirements of Chapter ILHR 21.125 of the Uniform Dwelling Code and the existing Village construction erosion control ordinance. Requirements of the ordinance may not be more restrictive than ILHR 21.125.
- B. Inspect sites as necessary to insure erosion control plan implementation.
- C. Maintain responsibility for the administration, enforcement and applicable violations of any ordinance, code or statutory requirements pertaining to construction erosion control, except that the Village shall be responsible for any necessary court action required to enforce Uniform Dwelling Code requirements and the Village shall determine what if any enforcement measures shall be taken.

Agreement for Construction Erosion Control Services

ARTICLE IV. Fees charged to applicants for erosion control services shall be as established, retained and modified as necessary by the Waukesha County Land Conservation Committee and approved by the Village Board.

ARTICLE V. The Department represents that it has or will secure all personnel and equipment required to perform the services encompassed by this Agreement.

ARTICLE VI. The Village shall notify the Department in writing of any special use condition or restrictions imposed by the Village which may affect the content or approval of a construction erosion control plan.

ARTICLE VIII. The Village and Department shall cooperate to the greatest extent possible in order to keep each other informed of situations which may influence the effectiveness of delivering construction erosion control services within the Village.

THIS AGREEMENT shall become effective on the date of the last signature and will continue in effect until cancelled by either party. Either party may terminate this Agreement by at least sixty (60) days advance written notice to the other party of such termination prior to the termination date.

THIS AGREEMENT contains the entire agreement between the parties and any amendment or revision of this agreement must be approved in writing by the parties.

IN WITNESS WHEREOF the Village and Department have executed this agreement.

Daniel M. Finley
County Executive

Date

John Laimon
Village President

Date

Patricia E. Madden
County Clerk

Date

Frank Paulus
Village Administrator

Date

Possible Topics for Intergovernmental Agreements
(Erosion Control & Storm Water Program)

- ✓ 1. Enforce county ordinance to comply with NR 216 permit
- ~~2. Implement I/E program to comply with NR 216 permit~~
- ✓ 3. Clarify/procedures for municipal projects
- ✓ 4. Coordinate plan review procedures/communication/permit issuance
- ✓ 5. Clarify roles for construction inspection/certification/as-builts
- ✓ 6. Document utility placement policies in local ROW
- ✓ 7. Coordinate financial assurances for road building & storm water/erosion control
- ✓ 8. BMP inspections & maintenance tracking (long-term)
- 9. Other?

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE TOWN OF _____ AND WAUKESHA COUNTY**

Whereas, the Town of _____ ("Town") and the Waukesha County Department of Parks and Land Use - Land Resources Division ("County") both recognize the negative impacts that uncontrolled soil erosion and storm water runoff from urbanizing lands can have on local water resources and downstream properties; and

Whereas, as a condition of a storm water discharge permit issued by the State to the Town under Chapter NR 216 Wis. Admin. Code, the Town is required to enforce a construction site erosion control and storm water management ordinance that complies with NR 216;

Whereas, the County has adopted and enforces a construction site erosion control and storm water management ordinance ("County Ordinance") that applies within the Town and complies with NR 216;

Whereas, a written agreement, under the authority of subsection 66.0301 Wis. Stats., between the Town and the County is required to satisfy the above noted Town permit requirement and coordinate various ordinance administration activities;

Now, Therefore, in consideration of these premises, the Town and the County hereby agree to cooperate and exercise their municipal powers jointly to implement the County Ordinance within the Town in accordance with the following:

(a) ORDINANCE ENFORCEMENT

The County agrees to enforce the County Ordinance within the jurisdictional boundaries of the Town with the understanding that the County is subject to the same obligations and regulatory oversight as the Town related solely to the adoption and enforcement of an erosion control and storm water management ordinance under WPDES Permit No. WI-S050105-1, issued to the Town on November 1, 2004 by the Wisconsin Department of Natural Resources under Chapter NR 216 Wis. Admin. Code.

(b) TOWN/COUNTY ADMINISTRATIVE PROCEDURES

To facilitate the enforcement of the County Ordinance under this agreement, procedures will be coordinated as follows:

1. **Plan Review/Approval Procedures.** Each party will invite the other to participate in initial site visits for proposed subdivision plats and other developments that may trigger the need for a storm water management plan under the County Ordinance. Copies of all correspondence related to the administration of the County Ordinance will be provided to each other. The Town will notify the County of all meetings scheduled to review the projects and provide copies of plats and other materials to the County in accordance with the following:

- A. Preliminary Plats & Site Plans/CSM's. Two weeks prior to scheduled action by the Town Planning Commission, the Town will provide copies of all certified survey maps (CSM's), site plans, preliminary plats and other proposed developments subject to a storm water management plan under the

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE TOWN OF _____ AND WAUKESHA COUNTY**

County Ordinance. This will allow time for the County to prepare a “Preliminary Storm Water Review Letter” and resolve special issues related to storm water management early in site planning, as described in the County Ordinance.

- B. Construction Plans. The County will coordinate the review and approval of construction plans with the Town Engineer. The County will ensure compliance with the County Ordinance and the Town Engineer will ensure compliance with all other applicable Town codes and standards.
- C. Final Plats and CSM’s. Final Plats and CSM’s will not be approved by either party until the County provides “Certification of Compliance” with the County Ordinance. This will help ensure that items such as drainage easements, BMP locations, maintenance agreements, access lanes, utility easements and other related items are properly addressed.

2. **Financial Assurance**. The Town will include a provision in the developer’s agreement and financial assurance that allows it to be used to enforce the provisions of the County Ordinance. The County may require a separate smaller financial assurance from the permit holder to ensure that as-built documents and construction certification are obtained upon completion of the project.

3. **Preconstruction Meetings**. Preconstruction meetings will be coordinated between the Town Engineer and the County to review all regulatory requirements and ensure that all parties have the final approved set of construction plans.

4. **Permit Enforcement Procedures**.

- A. Joint Inspection/Enforcement Authority. The County and the Town Engineer may conduct inspections to review compliance with the County Ordinance.
- B. Legal Services. The County will only enforce regulatory orders issued by the County through the County Corporation Counsel’s office. The Town is responsible for providing any other legal services that arise.
- C. Appeals. The County Board of Adjustment will hear all appeals related to the implementation of the County Ordinance.

5. **Town Funded Projects**. For any Town road construction or maintenance, or other construction funded by the Town that may trigger the need for a permit under the County Ordinance, no fees or financial assurance will apply and the County will assist the Town in meeting the County Ordinance in accordance with the following:

- A. New Construction/Reconstruction. The Town Engineer will involve the County early in the planning process to determine applicability of various technical requirements of the County Ordinance. The County will assist the Town Engineer or other designated consultant with preparing plans that comply with applicable requirements.
- B. Road Maintenance. The Town will notify the County at least 7 days prior to any road maintenance work that may trigger the need for an erosion control plan. The County will determine what erosion control practices, if any, are needed and assist the Town with preparing an erosion control plan for the site.

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE TOWN OF _____ AND WAUKESHA COUNTY**

(c) TOWN POLICIES

It is the policy of the Town to require roads and buried utilities to be installed in a timely manner that minimizes soil erosion, environmental damage and future maintenance problems. The County will ensure that the following Town policies are adhered to during the preparation and implementation of erosion control plans through the model ordinance:

1. **Utilities.** Whenever practicable, no buried utilities shall be installed within the design flows of open channels, except for right angle crossings. Preferred placement is 3 feet inside of property boundaries with 10 foot recorded easements for future maintenance.
2. **Road Construction Deadlines.** September 15 is recognized as the deadline for successful seeding of permanent grasses. New road construction will generally not be allowed to proceed unless it is demonstrated that this deadline will be met. Exceptions to this rule may be made under unique circumstances only if no off-site impact are likely to occur and the construction plans are approved by the Town and the County.

(d) LONG TERM MAINTENANCE OF STORMWATER FACILITIES

The following procedures are aimed to ensure the proper long term maintenance of stormwater management facilities within the Town. Proper maintenance will help minimize structure failure and possible damages and ensure that the facilities continue to serve their designed functions. It is understood by the Town that all County activities listed in this subsection will be completed as staff time allows.

- a. **Database.** The County will create and maintain a computerized map and database of all stormwater management facilities within the Town, including: basic design data, the year it was installed, ownership and maintenance responsibilities (if able to determine), and a record of any inspections completed.
- b. **Inspections.** The County will conduct periodic on-site inspections of stormwater management facilities and produce a written report concerning the current condition of each facility inspected. During the inspection, the County may complete simple maintenance measures such as clearing debris from outlets or removal of trash or woody vegetation.
- c. **Notification.** If other maintenance action is recommended, the County will discuss the needs with the Town and jointly establish deadlines for the work to be completed by the responsible party. All this information will be included in the County inspection report, which will be provided to the responsible party by certified mail.
- d. **Enforcement.** The Town and the County will jointly enforce any maintenance requirements outlined in the inspection report, including using municipal equipment to complete maintenance work that is not completed by the responsible party within the established deadlines. The Town will use their special assessment authority to recover all County or Town costs incurred if necessary.
- e. **Disclaimer.** It is understood that the County does not certify the design, construction or performance of any stormwater management facility in the Town, regardless of the conditions noted in an inspection report.

A. MISCELLANEOUS PROVISIONS

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE TOWN OF _____ AND WAUKESHA COUNTY**

- a. **Entire Agreement** This Agreement contains the entire agreement of the parties, and may not be modified unless such a modification is in writing, approved by the governing body of each party and duly executed by the authorized representative.
- b. **Previous Agreement.** To the extent that the parties have previously agreed upon any matter which is the subject of this Agreement, this Agreement shall supersede all previous agreement between the parties as to that issue or issues.
- c. **Effective Date.** The effective date of this Agreement shall be the date upon which it is executed by both parties.
- d. **Agreement Terms.** This Agreement shall remain in effect unless terminated by either party in accordance with the procedures below. The specific terms of this Agreement shall be reviewed annually by both parties and renegotiated or updated if necessary.
- e. **Termination.** The County or the Town may terminate this Agreement at any time upon a 60 day written notice of intent.
- f. **Effect of Agreement.** The County and the Town recognize that this Agreement is the product of a unique set of circumstances. Accordingly, it is mutually acknowledged that many of the provisions contained herein are unique unto themselves and should not be seen as precedent for any future agreement between the County and other entities.
- g. **Conflict Resolution.** Any conflict between the parties arising out of this agreement or the model ordinance shall be first referred to the Town Attorney and County Attorney for review. The County Attorney and Town Attorney shall report to the Land Conservation Committee and Town Board making their joint or separate recommendations regarding the dispute. If a dispute remains, the parties shall enter mediation to attempt to resolve any dispute.
- h. **Severability.** If any clause, provision or section of this Agreement be declared invalid by any Court of competent jurisdiction, the invalidity of such clause, provision or section shall not affect any of the remaining provisions of this Agreement.
- i. **Binding Agreement.** This Agreement is binding upon the parties hereto and their respective successors and assigns.

Signed by the Town:

Signed by Waukesha County:

**VILLAGE OF PEWAUKEE
AND
WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
LAND CONSERVATION DIVISION**

**Permit Issuance Process For
Large Construction Sites**

1. The Village Building Inspector issues a construction erosion control permit application and brochure to the applicant.
2. The applicant submits a completed permit application form, an erosion control plan with related material and the appropriate fee to the Waukesha County Department of Parks and Land Use - Land Conservation Division.
3. Within thirty (30) working days of receipt of the application, erosion control plan and fee for sites of more than one acre of land disturbance or within ten (10) working days of receipt of the application, erosion control plan and fee for sites of less than one acre of land disturbance, the Land Conservation Division staff shall take action to approve or deny the permit application.
4. After approval of the construction erosion control permit application, the Land Conservation Division shall return to the Village Building Inspector a fully executed permit application and a final copy of the erosion control plan.
5. The Land Conservation Division shall transmit the fully executed permit to the applicant.
6. For further information contact: Daniel Knowlton
Conservation Specialist
Waukesha County Department of Parks and Land Use
Room 260
1320 Pewaukee Road
Waukesha, WI 53188
(414) 896-8304

**VILLAGE OF PEWAUKEE
AND
WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
LAND CONSERVATION DIVISION**

**Permit Issuance Process For
One and Two Family Residential Construction Sites**

1. The Village Building Inspector issues a construction erosion control permit application and brochure to the applicant.
2. The applicant submits a completed permit application form, an erosion control plan (preferably drawn on a Plat of Survey) and the appropriate fee to the Waukesha County Department of Parks and Land Use - Land Conservation Division.
3. The Waukesha County Land Conservation Division staff shall take action to approve or deny the permit application within ten (10) business days of receipt of all forms and fees required to process the application.
4. After approval of the construction erosion control permit application, the Land Conservation Division shall return to the Village Building Inspector a fully executed permit application, a permit placard and a final copy of the erosion control plan.
5. The Village Building Inspector shall transmit the fully executed permit application and permit placard to the applicant with the building permit and other appropriate construction authorizations.
6. For further information contact: Denise Labott
Conservation Specialist
Waukesha County Department of Parks and Land Use
Room 260
1320 Pewaukee Road
Waukesha, WI 53188
(414) 896-8308

COOPERATIVE AGREEMENT
FOR ASSISTANCE TO BE PROVIDED TO THE VILLAGE OF PEWAUKEE
FOR CONSTRUCTION EROSION CONTROL SERVICE

WHEREAS the Village of Pewaukee (hereinafter referred to as the "Village") has adopted the State of Wisconsin Uniform Dwelling code, and

WHEREAS in 1992 the Uniform Dwelling Code was modified to contain construction site erosion control requirements on all one and two family dwelling construction sites, and

WHEREAS the Waukesha County Department of Environmental Resources - Land Conservation Division (hereinafter referred to as the "Department"), currently is responsible for erosion control plan review, permit issuance, inspection and enforcement provisions as detailed under the Waukesha County Construction Site Erosion Control Ordinance, and

WHEREAS the Village desires the Department to provide assistance to the Village to carry out construction erosion control provisions as detailed in the Wisconsin Uniform Dwelling Code at no cost to the Village.

NOW THEREFORE in consideration of these premises and the undertaking of each party to the other, the parties agree jointly and severally, as follows:

ARTICLE I The Department shall provide certified plan reviewers and inspectors for erosion control services only, as defined in the Uniform Dwelling Code.

ARTICLE II The Department shall accept and review erosion control plans for one and two family dwellings. Erosion control plan formats will be those approved by the Village.

ARTICLE III The Department shall at no cost to the Village:

- A. Accept, review and approve erosion control plans that meet the requirements of Chapter ILHR 21.125 of the Uniform Dwelling Code and the existing Village construction erosion control ordinance. Requirements of the ordinance may not be more restrictive than ILHR 21.125.
- B. Inspect sites as necessary to insure erosion control plan implementation.
- C. Maintain responsibility for the administration, enforcement and applicable violations of any ordinance, code or statutory requirements pertaining to construction erosion control, except that the Village shall be responsible for any necessary court action required to enforce Uniform Dwelling Code requirements and the Village shall determine what if any enforcement measures shall be taken.

Agreement for Construction Erosion Control Services

ARTICLE IV. Fees charged to applicants for erosion control services shall be as established, retained and modified as necessary by the Waukesha County Land Conservation Committee and approved by the Village Board.

ARTICLE V. The Department represents that it has or will secure all personnel and equipment required to perform the services encompassed by this Agreement.

ARTICLE VI. The Village shall notify the Department in writing of any special use condition or restrictions imposed by the Village which may affect the content or approval of a construction erosion control plan.

ARTICLE VIII. The Village and Department shall cooperate to the greatest extent possible in order to keep each other informed of situations which may influence the effectiveness of delivering construction erosion control services within the Village.

THIS AGREEMENT shall become effective on the date of the last signature and will continue in effect until cancelled by either party. Either party may terminate this Agreement by at least sixty (60) days advance written notice to the other party of such termination prior to the termination date.

THIS AGREEMENT contains the entire agreement between the parties and any amendment or revision of this agreement must be approved in writing by the parties.

IN WITNESS WHEREOF the Village and Department have executed this agreement.

D. M. Finley
Daniel M. Finley
County Executive

3-28-94
Date

[Signature]
John Laimon
Village President

2-1-94
Date

Patricia E. Madden
Patricia E. Madden
County Clerk

3-29-94
Date

Frank Paulus
Frank Paulus
Village Administrator

2-2-94
Date

11-14-97

To: Attorney

cc: Eng. Vall President
Vall. Int. Admin.

Meadow Valley:

Denise

letter to Attorney
11-17-97

Lot 23 - per 11-3-97 report
- Tracking Stone
- topsoil / sod
- swale
- Lots 20 + 21

Denise

letter to Attorney
11-17-97

Majestic Acres:

Lot 19 - Tracking
- Silt Fence

Don

Contact proper owner

Lot 29 - Silt fence and/or revegetation
- Inspection

11-20-97 - landscaped
- Tracking needs clear
11-24-97 - not sodded

Denise

Lot 33 - Inspect Monday Nov 17th

11-20-97 cleared up

Don

~~28~~ contact proper owner
Set inspection process on tracking
11-24-97

Lots 59-61 - Verify grass along road

11-20-97 - grass present, nothing needed
- street needs cleaning

AD of Add'l #1 - repair utility install site
- street sweep

11-24-97 Roads needs sweeping

Riverwood - ~~Area~~ Number #1

Dan

- Inspection Report - Swale along backlots of 108-111 (silt fence)
- Timeline - Roads swept
- 11-26 deadline* - Seed and mulch bare areas

Quail Court:

letter to Attorney - per 11-4-97 inspection Report

Denise

11-17-97
* Quail Court needs cleaning

street sweep
• who's responsible

Berg Court: install of storm sewer permit needed & clean streets

Forest Grove

Dan

- Reinspect

Amy

Westfield Court

- Inspection Report / timeline

11-20-97
Needs sweeping
* 2nd inspection

11-24-97
street sweeping

12-1-97 site OK'd

required before they could approve the change. Commission member Clare Dundo explained that any time there is a substantive change in a conditional use permit, a public hearing is required.

"Although it may not seem to be much of a difference, going to 25 lots is a substantive change," Dundo said.

The public hearing may be scheduled for later this month or early October. However, commission member and town board chairman Paul Kanter said there was no need to delay the beginning of the construction in the subdivision.

He noted that developers had a valid permit for 24 lots and the additional lot would not significantly change construction plans. Campbell told the commission that the additional lot would be created from the land that provides a buffer between the subdivision and I-94. The subdivision is located near the intersection of Glen Cove and Golf roads, adjacent to the expressway.

In July, the developers thought they had cleared their final regulatory hurdle when the commission tentatively approved the developers' agreement. However, Campbell said the storm drainage problem surfaced while engineers were making a final review of project plans.

Adequate storm drainage has been a concern of the commission and town engineer Tim Barbeau of R. A. Smith & Associates, Brookfield. The area has a history of storm flooding and the town was recently embroiled in a controversy over adequate storm drainage plans in the Shamrock subdivision, a few miles south of High Point Estates.

It has taken 20 years and several different zoning controversies to get the 30-acre tract owned by Wausau Homes developed.

the questioning. "I certainly hope that both of your names will be on the ballot in the spring."

Panel eyes fee for erosion control

Panel looks for ways to enforce erosion control measures

By Jim Stevens

STAFF WRITER

Village of Pewaukee - Building a home in the village may mean homeowners may have to dig deeper into their pockets if they don't shovel the dirt off their road.

The public works committee Wednesday, along with a Waukesha County representative, held a lengthy discussion on how to get a better handle on erosion problems at construction sites.

Committee members are concerned because of mud getting onto roads from construction sites, which mud eventually gets into the storm sewers, plugging those up.

Dale Shaver of Waukesha County Department of Parks and Land Use, informed the committee that some communities, such as the towns of Genesee and Vernon, require the homeowner to post a \$1,000 bond for cleanup.

When homeowners are told of the problem, Shaver said, they generally take care of it quickly rather than risk losing the money. "Once the site is stabilized, then you release the financial bond," he said.

The committee liked the idea of requiring some sort of erosion control fee that would cover the cost of cleaning up sediment. It requested the village attorney to look into the legal aspects of requiring such a fee.

The problem of erosion and the lack of enforcement of erosion control

order to control its development as well as expanding the library.

"I'm in favor of expansion for the

fee for erosion control

procedures was an issue at a recent committee meeting. Lake Park subdivision residents complained to the panel about flooding, mud in the roads and silt in the retention ponds.

In the spring of 1994, the village entered into an agreement with the county to have it handle the enforcement of erosion control.

Committee chairman and village trustee Joe Horning informed Shaver that he has seen "silt fences down, buried in mud or gone at several construction sites.

Also, storm sewers are being plugged up with silt, Horning said.

The village currently has to clean them out at its own cost. Horning would like to find a way of covering that cost with some sort of up-front fee.

Horning also inquired how the county goes about enforcing its erosion control measures.

Shaver said his staff does come out to the village at least twice a week.

However, he realizes that constant vigilance is impossible.

The only way to enforce it, he said, is "staffing an army to be out there every day."

Shaver said he has pulled some of his staff from other areas where it is slow, such as in the agriculture areas, to help out at construction sites.

Currently, when a violation is found, whether it be a silt fence down or mud in the street, the county will notify the responsible property, either the homeowner or construction firm, and order them to

of local government.

He added that he felt constructive dialogue was vital in order for government to function effectively.

rectify the problem.

If the problem is not solved by the second inspection, generally within a 24 to 48 hour time frame, the county will issue a work stoppage.

"That gets their attention," Shaver said. "We contact the future homeowners and they will come out and take care of it."

The village does not pay for the erosion control service. The money comes from a fee charged by the county to whoever takes out the building permit.

For a single-family home or a duplex, the fee is \$110. For larger structures, the fee is determined by square footage.

In communities that do not utilize the county's services, Shaver said, the local building inspector is responsible for erosion control.

However, building inspectors are more concerned with the plumbing, electrical and construction, he added. As far as erosion control, he said, "It doesn't get done."

There is no absolute solution to the problem, Shaver added.

"Sediment will be on the street. It will still get in your storm sewers," he said.

Trucks will bring in mud, and silt fences are only about 50 percent effective in holding back sediment, he said.

Pinpointing who is responsible is difficult, he added. That is why holding a bond with the property owner is the most effective means of enforcement.

The committee agreed to revisit the issue with Shaver next spring.

Sept 4th Dale Costley Reporter

FACSIMILE COVER SHEET

This transmission contains 2 pages, including this cover sheet. Should you not receive all of the sheets, or if transmission quality is poor, contact the sender at (414)786-1777.

414-786-1777 FAX 786-0826
16745 W. Bluemound Rd, Suite 301
Brookfield, WI 53005-5938

Construction Services

Environmental

Public Works

Site Development

Surveying

Transportation

Water Resources

TO: WAUKESHA COUNTY PARKS AND LAND USE

ATTENTION: DALE SHAVER

FAX NUMBER: 896-8298

DATE: August 29, 1997

PROJECT NUMBER: 1978100

SENDER: TIM BARBEAU

REGARDING: VLLAGE OF PEWAUKEE

MESSAGE: Attached is a memo regarding the upcoming meeting with the Village.

I will be inpecting the Lake Park improvements this afternoon.

V I S I O N E E R S[®]

R.A.SMITH
& ASSOCIATES, INC.

August 29, 1997

TO: Dale Shaver, Wauksha County Department of Parks and Land Use

FR: Tim Barbeau, Pewaukee Village Engineer *TGB*

RE: **Erosion Control in the Village of Pewaukee**

414-786-1777
FAX 414-786-0826

16745 West
Bluemound Road
Suite 301
Brookfield,
WI 53005-5938

As discussed earlier this month, I offer the following concerns expressed by the Village to which we would appreciate your comments at the meeting next Wednesday evening:

1. Silt fence around single family homes are not maintained throughout the duration of the construction period.
2. Erosion of large sites should be checked more often and enforcement of the erosion control measures needs to take place promptly after a violation is found.
3. Should all questions and concerns be directed to the County regarding erosion control? Some times the County representative will say to the developer that it is acceptable, but check with the Village Engineer. The Village needs to be assured that the County can address all erosion control issues without the Villages assistance.
4. How can the large subdivisions be policed better during home construction? What procedures are in place to address mud on the road and catching violators? Many times the Village forces the developer to clean the roads when it was not his fault.

*Engineering
driven by
vision*

Construction Services
Environmental
Public Works
Site Development
Surveying
Transportation
Water Resources

The comments above state some of the concerns that I have heard and with which I have had experience. There may be more concerns expressed by the Committee or the public at the meeting.

Should you have any questions, please contact me.

F:\pw\tgb\word\0829shav.mcm



Daniel M. Finley
County Executive

John C. Toshner
Director

Waukesha C O U N T Y

DEPARTMENT OF
PARKS AND LAND USE

February 1, 1999

Mr. John Laimon
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Dear John:

In an effort to provide complete construction erosion control service, we submit this summary of 1998 activities. Sufficient copies have been enclosed for each of the Village Board members.

As always, if you have any concerns please don't hesitate to call. Thank you again for the opportunity to provide this service within the Village.

Sincerely,

Dale R. Shaver
Land Conservation Manager

C: Jennifer Sheiffer, Village Administrator

Enclosures

Village of Pewaukee

1998 Erosion Control Annual Report

In March 1994, Waukesha County Department of Parks & Land Use - Land Conservation Division entered into two cooperative agreements with the Village of Pewaukee to administer its construction erosion control program. Services include the review and approval of all required erosion control plans, issuance of permits, routine site inspections, and the enforcement of all developments within the Village including large developments (commercial, industrial, subdivision, etc.) and the provisions in the Uniform Dwelling Code for 1 and 2 family construction sites.

LARGE SITES:

In 1998, 3 permits were issued for large sites within the Village of Pewaukee. They are:

- Lake Country Market
- Lots 20 & 21 Meadow Valley
- Lot 23 Quail Court

Site inspections were made on a weekly basis during the months which grading activities took place. Approximately 12 inspection reports and compliance letters were mailed to the developers.

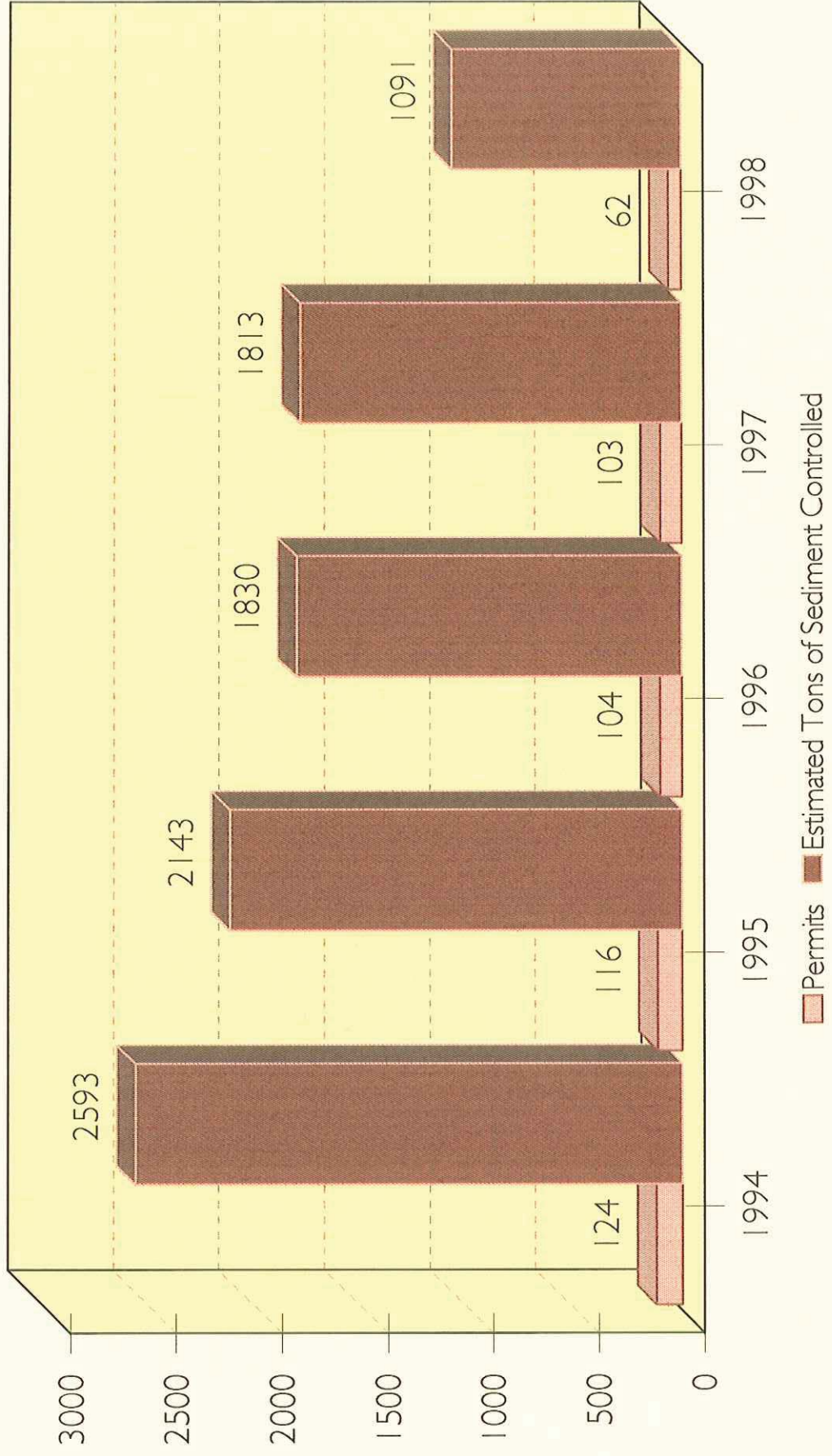
SINGLE AND TWO-FAMILY RESIDENCES:

In 1998, the following single and two-family residences' activities occurred:

- 59 permits issued
- 139 site inspections
- 25 enforcement actions
- 0 stop work orders

Currently, there are five active subdivisions within the Village - Majeskie Acres, Kettle Woods, Lake Park, Riverwood Park, and Riverwood Park Addition #1. Inspections are done on a weekly basis.

CONSTRUCTION EROSION CONTROL



Daniel M. Finley
County Executive

FILE COPY **John C. Toshner**
Director

Waukesha C O U N T Y

DEPARTMENT OF
PARKS AND LAND USE

February 11, 1998

Mr. John Laimon
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Dear John:

In an effort to provide complete construction erosion control service, we submit this summary of 1997 activities. Sufficient copies have been enclosed for each of the Village Board members.

As always, if you have any concerns please don't hesitate to call. Thank you again for the opportunity to provide this service within the Village.

Sincerely,

Dale R. Shaver
Land Conservation Manager

DRS:mfc

C: John Toshner, Director
Jennifer Sheiffer, Village Administrator
Mary Barbar, Village Public Works Committee

Enclosures

Village of Pewaukee

Erosion Control - Annual Report - Large Sites

In March 1994, Waukesha County Department of Parks & Land Use - Land Conservation Division entered into two cooperative agreements with the Village of Pewaukee to administer its construction erosion control program. Services include the review and approval of all required erosion control plans, issuance of permits, routine site inspections, and the enforcement of all developments within the Village including large developments (commercial, industrial, subdivision, etc.) and the provisions in the Uniform Dwelling Code for 1 and 2 family construction sites.

In 1997, 5 permits were issued for large sites within the Village of Pewaukee.

They are:

- Lot 24 Quail Ridge Addition # 1
- Riverwood Addition # 1
- Lake Country Pavilion
- Simmons Plaza
- Applebee's Restaurant

Site inspections were made on a weekly basis during the months which grading activities took place and in response to citizen's complaints.. Approximately 15 inspection reports and compliance letters were mailed to developers and contractors.

Also, three letters were mailed to the Village Attorney requesting enforcement by injunction on non-compliant sites.

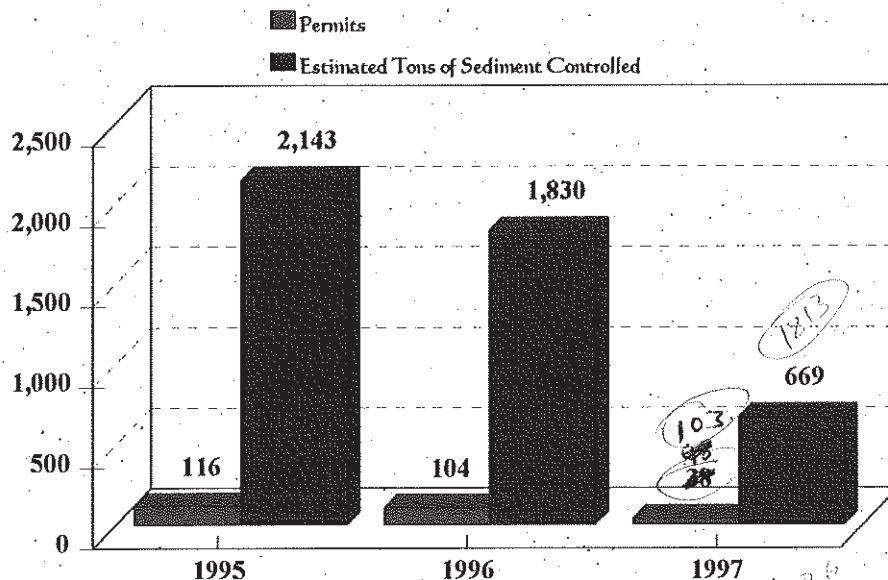
Single and Two Family Residences

Specifics are as follows:

- > 98 permits
- > 98 single family
- > 25 entire village site inspections
- > 32 phone calls
- > 0 stop work orders

Currently, there are five active subdivisions within the Village - Majeskie Acres, Kettle Woods, Lake Park, Riverwood Park, and Riverwood Park Addition #1. A total of ~~38~~⁹⁸ permits have been issued. Inspections are done on a weekly basis. We spent more time working with builders and explaining erosion control practices, and therefore reduced after the fact compliance problems. The new Building Inspector is working with us to make sure that compliance is achieved. Amy Whelpley and Karen Doyle, also Conservation Specialists, have assisted with additional site inspections for 1997 and will continue in 1998.

Construction Erosion Control



Daniel M. Finley
County Executive

FILE COPY John C. Toshner
Director

Waukesha C O U N T Y

DEPARTMENT OF
PARKS AND LAND USE

April 15, 1997

Mr. John Laimon
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Dear John:

In an effort to provide complete construction erosion control service, we submit this summary of 1996 activities. Sufficient copies have been enclosed for each of the Village Board members.

As always, if you have any concerns please don't hesitate to call. Thank you again for the opportunity to provide this service within the Village.

Sincerely,

Dale R. Shaver
Land Conservation Manager

DRS:mfc

C: John Toshner, Director
Don Roensch, Interim Administrator - Village of Pewaukee
Greg Pilarski, Fox Basin Team Leader - DNR

Attachments

Waukesha County ◇ 1846-1996 ◇ 150 Years of Leading the Way

Division of Land Conservation
1320 Pewaukee Road • Room 260
Waukesha, Wisconsin 53188-3868

Phone: (414) 896-8300 • Non-Metro: 1-800-567-2366 • Fax: (414) 896-8298

Village of Pewaukee

Erosion Control - Annual Report

In March 1994, Waukesha County Department of Parks & Land Use - Land Conservation Division entered into two cooperative agreements with the Village of Pewaukee to administer its construction erosion control program. Services include the review and approval of all required erosion control plans, issuance of permits, routine site inspections, and the enforcement of all developments within the Village including large developments (commercial, industrial, subdivision, etc.) and the provisions in the Uniform Dwelling Code for 1 and 2 family construction sites.

In 1996, 6 permits were issued for large sites within the Village of Pewaukee. They are:

- ▶ Lot 2 of Meadow Valley
- ▶ Tom Hehl's 4 - Unit on Meadow Creek Drive
- ▶ Childrens World Learning Center
- ▶ Lots 7 and 10 of Meadow Valley
- ▶ Lot 11 of Meadow Valley
- ▶ Lot 19 of Meadow Valley

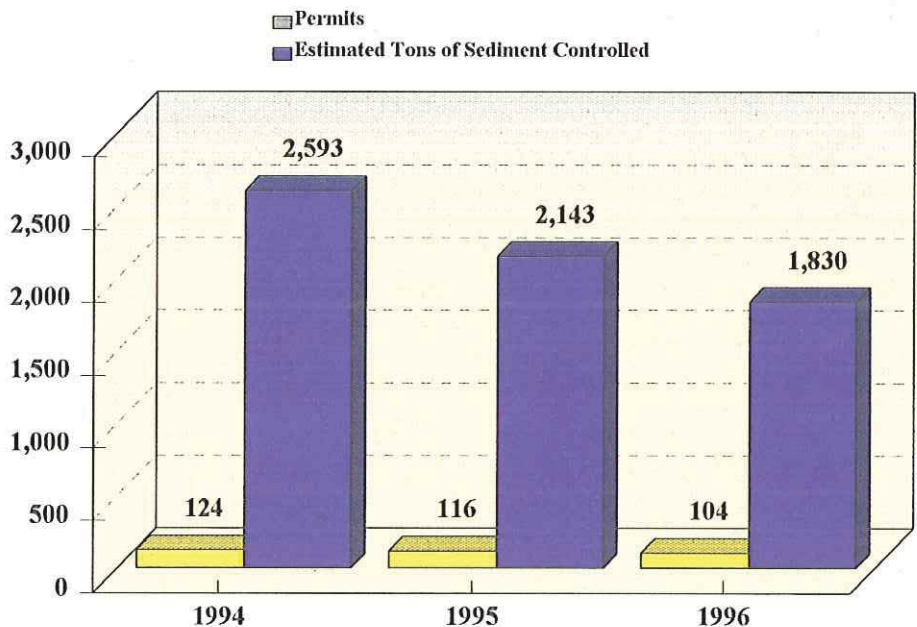
Site inspections were made on a weekly basis during the months which grading activities took place. Approximately 28 inspection reports and compliance letters were mailed to the developers.

Single and Two-Family Residences

Currently, there are five active subdivisions within the Village - Majeskie Acres, Kettle Woods, Lake Park, Riverwood Park, and Meadow Ridge Heights. A total of **98 permits** have been issued. Inspections are done on a bi-weekly basis. We spent more time working with builders and explaining erosion control practices, and therefore reduced after the fact compliance problems. The new Building Inspector is working with us to make sure that compliance is achieved. Specifics are as follows:

- 98 single family
- 25 entire village site inspections
- 40 warnings
- 0 stop work orders

Construction Erosion Control



health of Pewaukee Lake and Pewaukee River. We must maintain construction erosion control practices to prevent further degradation of these water resources.

Please call me at 691-3186 with any questions about this letter. Thank you.

Yours truly,

VILLAGE OF PEWAUKEE

John Laimon
Village President

dlk

cc: John Toshner, Waukesha County, Director
Department of Environmental Resources
Jim Ritchie, Department of Natural Resources, Water Resources

Daniel M. Finley
County Executive

John C. Toshner
Director

Waukesha C O U N T Y

DEPARTMENT OF
ENVIRONMENTAL RESOURCES

September 8, 1995

Mr. Frank Paulus, Administrator
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Dear Frank:

This letter is to follow up on our phone conversation of September 6, 1995 regarding erosion control permit procedures for the *Lake Park Subdivision*.

In early spring 1994, Dale Shaver and Rama Stoviak of this office met with Mike Bauman and Barb Bielinski of Bielinski Builders, to address some of the erosion control problems associated with home construction in Lake Park. The meeting was productive and an understanding was reached in how erosion control was to be carried out.

When Phase I was being constructed, there were no curbs or sidewalks and the entire site was exposed. Each new site was required to have a silt fence where the property line and street met or where the slope determined a need for the fence. This was done to reduce the amount of runoff from the exposed sites. These silt fences were, for the most part, destroyed when the sidewalks were installed.

During the construction of Phase II, the Land Conservation Division, at the request of several builders, agreed to consider reducing the amount of silt fence required if alternate control methods would work. One such method involved the use of curb lips to detain sediment. We often found the grade on the back side curbs to be several inches below the curb. This creates a mini settling area. We could potentially decrease the amount of runoff and decrease erosion control costs to the homeowner by using the lip instead of improperly installed silt fence.

PAULUS.DL

1320 Pewaukee Road, Room 260 • Waukesha, Wisconsin 53188-3868
Phone: (414) 896-8300 • Non-Metro: 1-800-567-2366 • Fax: (414) 896-8298

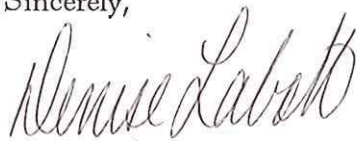
Divisions of: Environmental Health Land Conservation Recycling and Solid Waste

Frank Paulus
Page 2
September 8, 1995

At this point, silt fences are required on sites that have a slope of 2% or more. In addition, all of the new permits that I issue without silt fence contain a condition that if runoff becomes a problem, silt fence will be required. We will continue to evaluate the success of this technique through the 1995 construction season.

We are making progress on educating builders and homeowners on the negative impacts of construction site runoff and how to prevent runoff in the first place. I look forward to continued communication and cooperation with you.

Sincerely,



Denise Labott
Conservation Specialist

DL:mc

C: Roy Marks, Assistant Administrator - Village of Pewaukee
Dale Shaver, Land Conservation Manager
John Toshner, Director

①

Permits issued in 1995 with comments

- Majeskie Acres - issued 5/18/95

- Earlier had problems with construction vehicles tracking soil onto Cecelia Drive (road parallel to Capitol Drive) and onto Westfield Way and Hillwood Boulevard in Riverwood Park Subdivision. This has mostly been solved & the developer regularly cleans the streets.
- Fill areas at north end of site only recently reached proposed grades. Westfield Way was acting as one huge sediment basin. The required sediment traps were constructed two months ago but ~~it~~ they periodically don't capture all the runoff due to ongoing grading operations.
- Topsoil placement started within last 10 days.

- Lake Park Park - issued 9/1/95

- no problems yet

- Prime Leather building - issued 8/17/95

- no problems yet

- Pawnee Plaza - issued 9/14/95

- construction started 9/13/95 or earlier, visited site 9/20/95, needs more tracking stone and must keep soil piles farther away from the street.

(2)

- Urban Tool addition issued 5/3/95
 - no problems
- Taco Bell issued 3/1/95
 - construction has not started
- Willow Grove Medical Clinic issued 2/10/95
 - had problems with keeping road clean, but site is totally stabilized now
- Brookhill Convenience Store on SW corner of Capitol Drive and Forest Grove Drive issued 5/15/95
 - have problems with keeping Forest Grove Drive clean, site may be eroding to the south and west but it ^(soil) would only go onto the fill area ~~with~~ which is totally disturbed anyway.
- JFK Construction's office building on Forest Grove Drive issued 6/1/95
 - utility installation along Forest Grove started this week and will require an erosion control barrier now, however, erosion was not a problem previously. Majority of runoff flows to existing sediment basin to the west of the building.
 - Tracking of sediment onto Forest Grove is periodically a problem (like yesterday 9/20)

(3)

— Fox Hollow Apartments (only one eight family apartment building) issued 8/10/95 ^{Ken Cork, developer}

- construction started 9/18/95, no problem yet
- plans for 7 more similar buildings were submitted 9/5 or 9/6 but no permits were issued yet, was surprised to see Village Plan Commission approval notice in 9/15 edition of Milwaukee Journal, no construction on these buildings has started yet.

Permits issued in 1994

- Capitol Linenes

- Had to constantly remind developer to maintain erosion control barriers
- Site is mostly stabilized but need to fix a few rills east of parking lot

- LMP Fastners

- no problems of any substance

- Kettle Woods subdivision

- need to maintain inlet protection for the storm sewer inlet at the back of north lots

- Willow Bay Condominiums

- very minor amounts of sediment onto Westfield Way, no other problems

- Quail Ridge Business Center

- the sediment basins appear to be functioning adequately, very little rill erosion occurring on slopes of fill areas which were seeded & mulched, however, most of the seed didn't germinate (good weed cover though), rest of fill area still being worked on
only real problem is the tracking of soil onto Forest Grove Drive

- Meadow Valley commercial & residential area
- The ditch along Capitol Drive has been unstabilized way too long, we had a misunderstanding about whose responsibility the ditch was to stabilize
 - Sediment basins are constructed properly but need regular maintenance such as reseeding of the basin sides and keeping the dewatering holes open (bank slump occurred on the east basin).
 - Large expenses of unstabilized areas are causing runoff to flow northward and onto roads. Due to small slope at north end of site very little runoff & sediment is reaching wetland ~~Story~~ Village topsoil plan does not require the developer to topsoil, seed & mulch until a year after the start of construction.
 - Developer is sweeping the paved areas but we requested he do it in a more timely manner.
 - North side of Capitol Cinemas may ~~not~~ need additional erosion control measures
 - Overall, Mr. Schneider, the developer, is slow in implementing erosion control

Tommy Thompson
Governor

Carol Skornicka
Secretary

Marvin Roshell
Division
Administrator



SAFETY AND BUILDINGS
201 East Washington Avenue
P.O. Box 7969
Madison, WI 53707

State of Wisconsin

Department of Industry, Labor and Human Relations

July 6, 1995

DALE SHAVER - LAND CONSERVATION MANAGER - WAUKESHA COUNTY
WAUKESHA COUNTY OFFICE BLDG RM 1167
500 RIVERVIEW AVE
WAUKESHA WI 53188

Dear Mr. Shaver:

Following are the results of the monitoring conducted on June 28 in the **Village of Pewaukee** for compliance with the erosion control portion of the Uniform Dwelling Code.

ASSESSMENT: Waukesha County Land Conservation Department does the erosion control plan approval and inspections for the Village on the UDC sites. This arrangement works well from an inspection standpoint as it allows the inspector to focus on the erosion control.

There should be some communication between the building inspector and the erosion control inspector. If this line of communication is opened it may help to convey to the builders that the Village is enforcing the UDC erosion control requirements and not a local ordinance. If a violation is determined an on-site notice should be posted. Using the DILHR standard non-compliance forms may make the builders aware that it is a uniform dwelling code requirement that is being violated. It may also help if the final occupancy inspection could be coordinated so the builder/owner could receive an erosion control report and suggestions for final stabilization at the same time they receive the occupancy permit.

It can be extremely difficult to achieve compliance for erosion control after the dwelling is owner occupied when they may never have been aware of any of the requirements. Also since there is no opportunity for citations to be issued for erosion control there is really no enforcement tool available after final occupancy is issued.

CONCERN: Potential for off-site impact due to lack of maintenance of downslope perimeter measures.

SOLUTIONS: Installation and maintenance of silt fence or other perimeter measures must be done according to BMP's as described in the UDC appendix. Most sites in the Village had silt fence installed where necessary. Several sites were lacking adequate perimeter measures along the front of lots. Vegetative barriers work well on lots where the upland slope is 6% or less but these areas need to be maintained by not allowing any traffic to cross them.

CONCERN: Potential for off-site impact due to tracking.

SOLUTIONS: Maintenance of the recommended 2-3 inch rock construction drives will help prevent excessive tracking. One problem may be the use of too small of rock and also traffic accessing the lot in areas other than the construction drive.

When the necessary erosion control measures (perimeter or tracking pads) are not installed or maintained properly, a notice of noncompliance should be issued, both by mail and posted at the site.

I would like to take this opportunity to thank you and Denise for assisting in the audit of the Village of Pewaukee. If I can be of any assistance please contact me.

Sincerely,

A handwritten signature in black ink that reads "Mary Jo Webster". The signature is written in a cursive, flowing style.

Mary Jo Webster
Erosion Control Consultant
Local Program Services (608) 266-2128

cc: Elizabeth E Williams - Clerk, Village of Pewaukee
Denise Goreski-Labott - Conservation Specialist

encl.

FILE COPY

Daniel M. Finley
County Executive

John C. Toshner
Director

Waukesha C O U N T Y

October 6, 1994

DEPARTMENT OF
ENVIRONMENTAL RESOURCES

Mr. John Laimon
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Dear John:

Over six months have now passed since the Village and this office signed agreements for construction erosion control services. To provide a better service to you, we submit this status report. Sufficient copies have been enclosed for each of the Village Board members.

As we had anticipated prior to signing the agreements, erosion control on individual home sites has been an uphill battle. We learned very quickly that to build credibility for this effort, we could not differentiate between those permits issued before and after our agreement was signed. We are confident that the builders have a good understanding of erosion control requirements and more importantly have an understanding of how those requirements will be carried out within the Village.

Next construction season, I anticipate hiring a seasonal staff person to work nearly exclusively on home site erosion control. As always, if you have any concerns please don't hesitate to call. Thank you again for the opportunity to provide this service and work toward improved water quality within the Village.

Sincerely,

Dale R. Shaver
Land Conservation Manager

DRS:mfc

C: Frank Paulus, Village Administrator
John Toshner, DER Director

Enclosures

Division of Land Conservation
500 Riverview Avenue
Waukesha, Wisconsin 53188
(414) 548-7767
Fax: (414) 896-8097

VILLAGE OF PEWAUKEE CONSTRUCTION EROSION CONTROL SUMMARY

In March, 1994 Waukesha County Department of Environmental Resources - Land Conservation Division entered into two cooperative agreements with the Village of Pewaukee to administer its construction erosion control program. Services include the review and approval of all required erosion control plans, issuance of permits, routine site inspections, and the enforcement of all developments within the Village including large developments (commercial, industrial, subdivision, etc.) and the provisions in the Uniform Dwelling Code for 1- and 2- family construction sites.

LARGE SITES

Since March, 5 permits have been issued to date for large sites within the Village of Pewaukee. They are:

- Meadow Valley
- LMP Fasteners
- Willow Bay Condominiums
- Quail Ridge
- Kettle Woods Subdivision

Site inspections are made on a bi-monthly basis, approximately 20 inspections have been conducted.

SINGLE AND TWO-FAMILY RESIDENCES

Currently, there are three active subdivisions within the Village - Lake Park, Riverwood Park, and Meadow Ridge Heights. A total of 81 permits have been issued for single family residences in these three subdivisions. Inspections are done on a weekly basis.

Specifics by subdivision are as follows:

Riverwood Park

- 25 permits issued
- 24 inspections

Lake Park

- 48 permits issued
- 36 inspections
- 5 stop work orders

Meadow Ridge Heights

- 8 permits
- 16 inspections

Waukesha COUNTY

DEPARTMENT OF
ENVIRONMENTAL RESOURCES

DATE: *June 30, 1995*

TO: *Village of Pewaukee Board
Village of Pewaukee Architectural Control Board
Village Administrator
Village Building Inspector*

FROM: *Dale R. Shaver
Land Conservation Manager*

SUBJECT: *STATUS REPORT FOR CONSTRUCTION EROSION CONTROL PROGRAM*

In an effort to provide you with a quality service, I submit the attached status report on the construction site erosion control service contract.

Recently, Rama Stoviak who had been executing the program for you, left our employment. We have hired Denise Labott to fill that vacancy. Ms. Labott will make it a point to stop in and introduce herself.

As always, if you have any questions or concerns please don't hesitate to call me at 548-7867 or Denise at 896-8308. Thank you again for the opportunity to provide this service within the Village.

DS:mc

c: John Toshner, Director

PEWERO.CVR

1320 Pewaukee Road, Waukesha, Wisconsin 53188

Phone: (414) 896-8300

Non-Metro: 1-800-567-2366

Fax: (414) 896-8298

VILLAGE OF PEWAUKEE

EROSION CONTROL REPORT








Since March 1994 the Waukesha County Department of Environmental Resources-Land Conservation Division has been responsible for the administration and enforcement of the Village's construction site erosion control program. The program has two separate components 1) the 1 and 2-family permitting process and 2) large site control of commercial, industrial/manufacturing and subdivision projects.

1 & 2 Family Residential Sites

Currently, there are 4 active subdivisions within the Village: Lake Park, Riverwood Park, Meadow Ridge Heights and Kettle Woods. During the period of January 1, 1995 through May 31, 1995 a total of 56 permits have been issued, the majority being for sites in Lake Park Subdivision.

Of the 56 permits issued for residences in the Village, implemented erosion control plans have resulted in an estimated sediment reduction of 388 tons per year. Inspections are being done at least twice weekly. Specifics are as follows:

-  56 single-family permits
-  0 two-family permits
-  17 violation notifications (30% of construction sites)
-  31 sites stabilized
-  0 stop work orders

Large Sites

Since January 1, 1995, a total of 6 permits have been issued. Large site development has been concentrated mostly along the Capitol Drive corridor from CTH "J" west to STH 16.

Of the 6 permits issued for large construction sites, implementation of the erosion control plans has resulted in an estimated sediment reduction of 1,848 tons per year. Specifics are as follows:

➤ 6 permits

➤ 1 subdivision

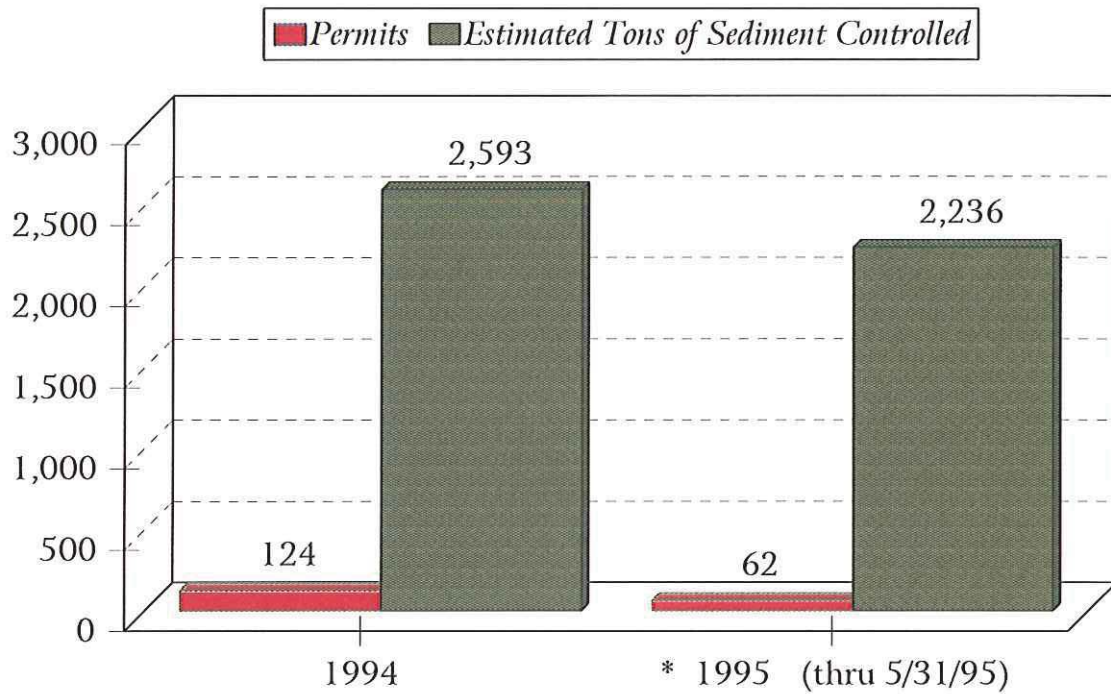
➤ 4 commercial

➤ 1 manufacturing

➤ 11 violation notifications

➤ 0 stop work orders

Construction Erosion Control



A bill for an Ordinance # _____

VILLAGE OF PEWAUKEE

ORDINANCE NO. _____

AN ORDINANCE CREATING
VILLAGE OF PEWAUKEE ORDINANCE NO. 402

The Village Board of the Village of Pewaukee, Wisconsin, does hereby ordain:

That Section _____ of the Village of Pewaukee Code of General Ordinances entitled TOPSOIL REMOVAL is created to read as follows:

SECTION 1. PURPOSE.

(1) PURPOSE. The Village Board of the Village of Pewaukee finds that unregulated stripping and/or removal of topsoil from construction sites can cause erosion, adversely affect site restoration, and threaten the natural resources and water quality in the Village. Therefore, it is the purpose of this Ordinance to promote and protect the health, safety, and welfare of the people by regulating topsoil stripping and/or removal from construction sites during land development or land disturbance activities.

SECTION 2. APPLICABILITY OF ORDINANCE.

This Ordinance shall apply to land-disturbing construction and/or development activities on lands within the boundaries of the Village.

SECTION 3. DEFINITIONS.

(1) Land Development Activity. The construction of buildings, parking lots, paved storage areas, and similar facilities.

(2) Land-Disturbing Construction Activity. Any man-made change to the land surface, including removing vegetative cover, excavating, filling and grading, but not including agricultural land uses, such as planting, growing, cultivating, and harvesting of crops, growing and tending of gardens, harvesting of trees and landscaping modifications.

(3) Landowner. Any person holding title to or having an interest in land.

(4) Land User. Any person operating, leasing, renting, and/or using or possessing land by virtue of any other agreement or arrangement with the landowner by which the landowner authorizes use of the land.

(5) Site. The entire area included in the legal description of the land on which the land-disturbing or land development activity is proposed in any permit application.

SECTION 4. CONTROL OF TOPSOIL REMOVAL DURING LAND DISTURBANCE AND DEVELOPMENT.

(1) APPLICABILITY. Except as otherwise specified herein, this Ordinance shall apply to the following sites where land development and/or land-disturbing construction activities take place:

(a) Any site requiring subdivision plat or certified survey map approval which plat or map specifies or calls for the on-site installation of roads, utilities, houses, or commercial, industrial, or institutional buildings on lots of approved subdivision plats.

(b) Any site whereon grading, removal of protective ground cover or vegetation, excavation, land filling or other land-disturbing activity affecting a surface area of 4,000 square feet or more is taking place.

(c) Any site whereon excavation or filling or a combination of excavation and filling affecting 400 cubic yards or more of dirt, sand, or other excavation or fill material is taking place.

(d) Any site whereon grading, removal of protective ground-cover or vegetation, excavation, land filling, or other land-disturbing construction activity within 200 feet of a lake, stream, or wetland is taking place.

(2) TOPSOIL STRIPPING AND REMOVAL REQUIREMENTS.

(a) No topsoil shall be removed from any site to which this Ordinance is applicable without approval of the Village Board after review and recommendation by the Village Plan Commission.

(b) No topsoil shall be stripped from any site referenced in (1) (a) until the preliminary plat has been approved or the certified survey map has been approved. No topsoil shall be stripped from any site referenced in (1) (b), (c), and (d) until all permits for the construction which shall take place on said site have been approved.

(c) All topsoil from a stripped site shall be stockpiled on the site in a suitable location. No soil storage pile containing more than 10 cubic yards of material shall be located within a downslope drainage length of less than 25 feet to a roadway or drainage channel. Straw bales or filter fabric barriers shall be placed immediately on the downslope side of all storage piles. Soil storage piles remaining on the site for more than 30 days shall be stabilized by mulching, vegetative cover, tarps, or other means. Filter fabric barriers and/or straw bales shall be replaced upon order of the Village on any soil or dirt storage pile referenced in this subparagraph which remains in place for more than 6 months. Erosion control measures and topsoil stockpiling shall be in accordance with the Village of Pewaukee Standard Specifications for Materials and Installation Requirements for Construction Site Erosion and Sedimentation Control. Erosion control measures shall be constructed and maintained in

conformance with the Department of Natural Resources,
Wisconsin Construction Site Best Management Practice
Handbook.

(d) After site grading has been completed, a minimum of four inches of topsoil shall be placed on all landscaped or open areas not covered by buildings, sidewalks, driveways, roads and other hard surfaces. Additional excess topsoil shall be used for decorative landscaped berm construction or other landscape features. All topsoil shall be seeded and mulched as soon as possible after topsoil placement. Any excess topsoil not used for landscaping purposes shall be stockpiled on the site in accordance with Section 4 (2) (c).

(3) This Ordinance shall not apply to construction and/or maintenance activities within any street, right-of-way, or easement owned by the State of Wisconsin or the Village of Pewaukee.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.


Passed and adopted this 5th day of ^{October}~~September~~, 1993.

BY ORDER OF THE VILLAGE BOARD
OF THE VILLAGE OF PEWAUKEE,
WAUKESHA COUNTY, WISCONSIN



JOHN F. LAIMON
Village President

ATTEST:



ELIZABETH E. WILLIAMS
Village Clerk

Published or posted on the _____ day of September, 1993.