

**TOWN OF COTTAGE GROVE  
RESOLUTION 2024-08-05**

**GRANTING CONDITIONAL APPROVAL OF THE  
PRELIMINARY PLAT OF SWALHEIM BUSINESS PARK**

**WHEREAS**, Duane Swalheim (the “Developer”), on behalf Swalheim 2011 Revocable Trust, which owns the property described as Lot 4, Certified Survey Map No. 16140 (the “Subject Property”) has requested approval of a preliminary plat for the Subject Property; and,

**WHEREAS**, the Developer submitted an application for preliminary plat approval and the preliminary plat review fee to the Town of Cottage Grove (the “Town”); and,

**WHEREAS**, the proposed preliminary plat, Swalheim Business Park, consists of Lots 1-4 for commercial business development, Outlot 1, and a new street, and is located in the SW ¼ of the SW ¼ of Section 27, T7N, R11E, in the Town; and,

**WHEREAS**, the Plan Commission reviewed the matter and recommends conditional approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Cottage Grove as follows:

The Town Board approves the Swalheim Business Park Preliminary Plat subject to the following conditions:

1. The Developer is required to develop the Preliminary Plat in compliance with all applicable State statutes and Town ordinances and in accordance with generally acceptable engineering standards in the Town, as determined by the Town Engineer.
2. The Developer shall satisfy to the satisfaction of the Town Engineer all items listed in the Town Engineer’s review letters dated June 3, 2024 and July 23, 2024.
3. The Developer shall execute and record one or more temporary grading and construction easement agreements as determined necessary by the Town Engineer, and as approved in form by the Town Attorney.
4. The Developer shall execute and record one or more drainage easement agreements as determined necessary by the Town Engineer, and as approved in form by the Town Attorney.
5. The Developer shall obtain from the Dane County Land and Water Resources Department (“LWRD”) all reviews and permits necessary for: (a) soil and erosion control within the Preliminary Plat; and, (b) stormwater management facilities that fully satisfy County requirements and address stormwater runoff issues related to the Preliminary Plat.

6. The Developer shall provide the Town written certification from the Developer's engineer, in the same format as required by County LWRD, that the stormwater management facilities as-built are in compliance with all applicable permits and are operating in accordance with the approved design.
7. The Developer shall establish design requirements and construction standards for the street improvements within the Plat and the improvements to North Star Road related to this Preliminary Plat in accordance with Town specifications as approved by the Town Engineer.
8. The Developer shall enter a Development Agreement with the Town regarding the development of the Preliminary Plat acceptable to the Town Attorney. The Development Agreement shall be drafted by the Town Attorney and reviewed by the Town Engineer and Town Board. When approved by the Town Board, the Development Agreement shall be executed by and between the Developer and Town. The Final Plat shall not be signed by the Town until the Development Agreement is fully executed.
9. The Developer shall obtain written confirmation from the Town Engineer of "no objection" to the Construction Plans and Specifications for all public improvements prior to construction.
10. The Developer shall obtain approval of the Preliminary Plat from the Cottage Grove Fire Department and the Deer-Grove EMS District and present such approval to the Town.
11. The Developer shall obtain written confirmation of appropriate rezoning of the Preliminary Plat from Dane County and present such confirmation to the Town.
12. In addition to those outlined above, the Developer shall obtain all required approvals from other approving authorities, as required by law.
13. The drainage arrows shown on the preliminary plat shall be corrected to accurately reflect the drainage, as approved by the Town Engineer.
14. On the final plat, or in separate restrictions recorded with the final plat, the developer shall consolidate and reconcile the preliminary plat notes 15 and 21 to the satisfaction of the Town Planner. If addressed in separate restrictions, the developer shall reference those restrictions on the final plat.
15. To compensate for the removal of the trees to be retained pursuant to the Town Comprehensive Plan, the final plat shall be accompanied by restrictions that require with the development of Lots 1-4 tree planting above the normal Town ordinance requirements, in an amount equal to the trees removed, to the satisfaction of the Town Planner.
16. The 20' drainage easement shown on the preliminary plat as splitting Lot 2 shall be eliminated, as approved by the Town Engineer.

17. At the time the East-West section of North Star Road is improved to Town Road standards, it should be considered a Neighborhood Connector Street with a 70-foot right-of-way, but no bike lanes will be required.
18. At the time North Star Road is built out, the entire road and half cul-de-sac shall be built to Town road standards with respect to the base course. The roadway portion shall be paved, however the half cul-de-sac may be gravel.
19. The Developer shall promptly reimburse the Town for all costs and expenses incurred by the Town in connection with the review and approval of the Preliminary and Final Plat, including, but not limited to, the costs of professional services incurred by the Town for the review and preparation of required documents, attendance at meetings, or other related professional services.
20. The Town Board's conditional approval of the Preliminary Plat expires one hundred eighty (180) days from the date of adoption of this Resolution unless the Developer has satisfied all conditions of approval stated herein. Time is of the essence. If the Developer encounters an unforeseen development delay, it shall immediately advise the Town Clerk and may request an extension.

This Resolution was duly adopted by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin at a meeting on August 5, 2024, by a vote of 4 in favor, 0 opposed, and 0 not voting.

TOWN OF COTTAGE GROVE

By:   
Kris Hampton, Town Chairperson

Attested by:

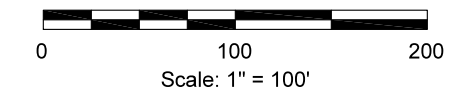
  
Kim Banigan, Town Clerk-Treasurer

Incorporated by Reference:

- Preliminary Plat for Swalheim Business Park
- Town Engineer Review Letter dated June 3, 2024
- Town Engineer Review Letter dated July 23, 2024

# SWALHEIM BUSINESS PARK

Lot 4, Certified Survey Map No. 16140, recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135 as Document No. 5870098, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin



Surveyor's Certificate:

I, Mark A. Pynnönen, Professional Land Surveyor S-2538, do hereby certify that in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the Town of Cottage Grove Code of Ordinances, and under the direction of the owners listed herein, I have surveyed, divided and mapped SWALHEIM BUSINESS PARK and that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is a parcel of land as described below:

Lot 4, Certified Survey Map No. 16140, as recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, containing 1,208,422 square feet, or 27.742 acres.

Mark A. Pynnönen, PLS No. 2538

Notes:

- The proposed number of lots is 4 with one outlet.
- Gross area in this preliminary plat = 1,208,422 square feet, or 27.742 acres.
- This survey is subject to any and all agreements and easements of record and those that may have not been recorded.
- Before any digging, boring, construction, etc., is done on or near the lands in this subdivision, Diggers Hotline shall be called at 1-800-242-8511 for the safety and liability purposes for all involved.
- The lands within this subdivision shall be served by underground utilities.
- The lands within this subdivision are located in UNSHADED ZONE X, areas determined to be outside 0.2% annual chance floodplain, per FEMA Flood Insurance Rate Map, Map No. 55025C0462H, Revised September 17, 2014.
- Property currently zoned FP-1. Proposed zoning GC, General Commercial District; and UTR, Utility, Transportation and ROW District; per Petition Number DCPREZ-2023-11960 pending approval.
- Contour interval = 2 foot. Vertical datum NAVD '88 ('91). Contours shown are pre-development.
- Street name Pandella Lane to be approved by Dane County.
- Utility easements shall be added as required by appropriate utility companies.
- Pandella Lane and N. Star Road to be dedicated to the public for street purposes.
- This is a PRELIMINARY PLAT. All distances and areas are approximate and subject to change upon final platting.
- Lands encompassed by this plat currently used for agricultural purposes.
- Future lot owners are hereby notified of farming activities in the vicinity.
- Vehicular access to N. Star Road from Lot 4 or Outlet 1 prohibited except for agricultural purposes until N. Star Road is improved to town road standards. Lot 4 to remain unbuildable (i.e., no building permits granted) until plans are supplied to and approved by the Town for the section of N. Star Road along the northern plat line.
- Outlet 1 to be dedicated to the public for storm water management.
- Wetlands delineation per report prepared by Taylor Conservation LLC, dated June 11, 2021.
- Individual lot owners responsible for driveway culvert maintenance and/or replacement.
- Septic areas approximate. Individual lots require testing for precise septic system type and placement.
- Setbacks for GC zoning: Front/Road, 30 feet; Side, 10 feet; Rear, 10 feet; Septic area, 10 feet.
- All Lots are required to have tree plantings above normal Town ordinance requirements.

Curve Data

CURVE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
<b>Wetland Buffer</b>					
C1	75.00'	83.98'	64°09'08"	S05°39'46"W	79.66'
C2	75.00'	43.26'	33°02'47"	N31°49'30"E	42.66'
C3	75.00'	25.14'	19°12'21"	N04°27'41"W	25.02'
C4	75.00'	35.19'	26°52'50"	N36°25'13"W	34.86'
C5	75.00'	36.39'	27°48'11"	N02°39'08"E	36.04'
<b>Plat</b>					
C6	50.00'	42.23'	48°23'40"	N64°41'23"E	40.99'
C7	50.00'	17.62'	20°11'23"	N78°47'31"E	17.53'
C8	50.00'	24.61'	28°12'17"	N54°35'41"E	24.37'
C9	75.00'	36.32'	27°47'20"	N01°06'47"W	39.60'
C10	50.00'	42.23'	48°23'40"	N66°54'57"W	40.99'
C11	50.00'	63.71'	73°00'14"	S54°16'05"E	59.48'
C12	80.00'	239.64'	171°37'51"	N76°25'06"E	159.57'
C13	75.00'	4.42'	3°22'31"	S42°10'49"W	4.42'

Line Data

LINE	BEARING	DISTANCE	TANGENT BEARINGS
A	N 11°12'22"E	29.89'	A - N 42°43'07" W
L1	S18°55'14"E	35.17'	B - S 40°29'33" W
L2	S10°17'55"E	41.05'	C - S 09°23'49" E
L3	S36°57'41"W	16.82'	D - N 17°45'58" W
L4	S26°24'48"E	32.63'	
L5	S52°46'18"E	14.22'	
L6	S03°34'14"W	61.68'	
L7	S04°49'54"E	18.38'	
L8	S01°36'57"W	127.60'	
L9	S00°22'50"E	103.48'	
L10	S60°16'07"W	7.60'	
L11	S48°20'53"W	19.39'	
L12	S15°18'06"W	25.17'	
L13	S05°08'29"W	25.36'	
L14	S14°03'52"E	27.02'	
L15	S24°47'13"E	25.09'	
L16	S27°34'42"E	15.21'	
L17	S23°16'24"E	24.10'	
L18	S01°27'56"W	130.82'	
L19	S03°15'14"E	39.79'	
L20	S07°03'49"W	29.72'	
L21	S00°46'12"W	111.58'	
L22	S04°09'11"W	20.10'	
L23	S01°54'54"E	25.32'	
L24	S10°33'23"E	118.36'	
L25	S15°59'39"W	22.65'	
L26	S89°13'48"E	120.62'	
L27	N88°54'15"E	79.70'	

OWNER/SUBDIVIDER

Duane P. and Candace J. Swalheim, 2011 Revocable Trust (Swalheim Rev. Trust) 436 Connie Street Cottage Grove, WI 53527 608-335-4057

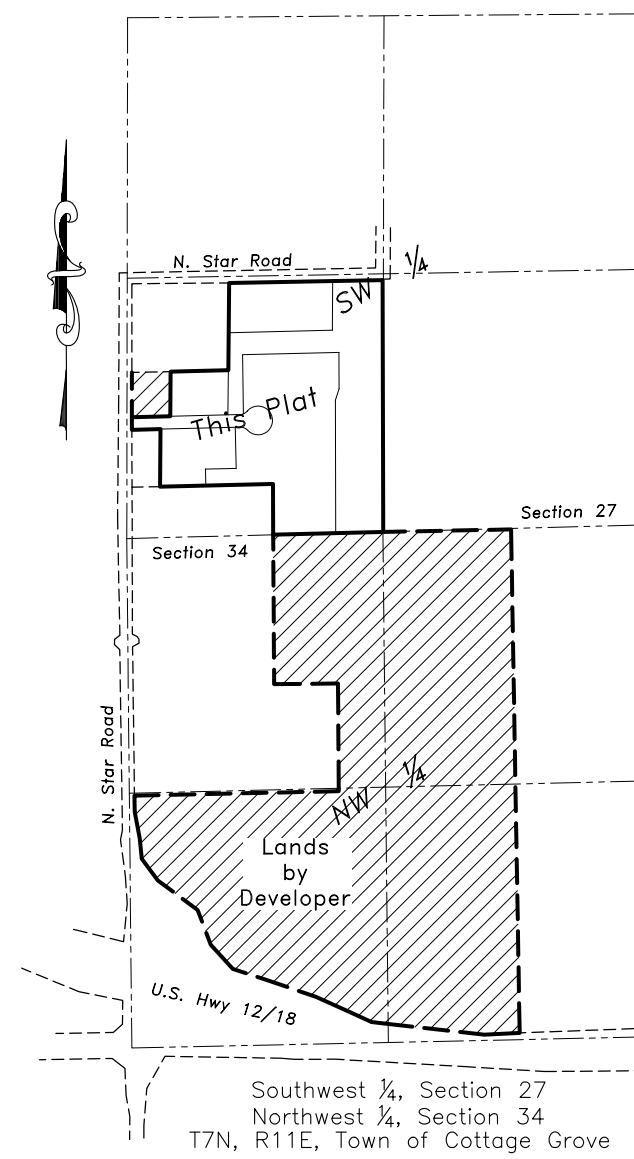
ENGINEER

Quam Engineering 4604 Sigelkow Road McFarland, WI 53558 608-838-7750

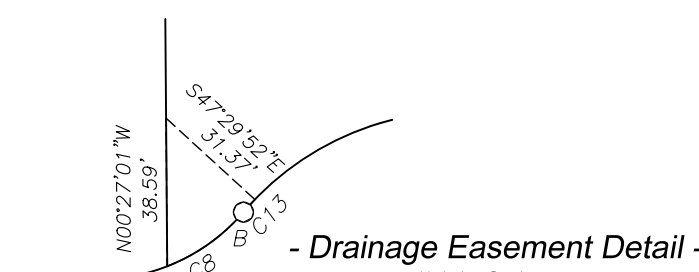


Rev: August 2, 2024 July 16, 2024

Location Sketch  
Not to Scale

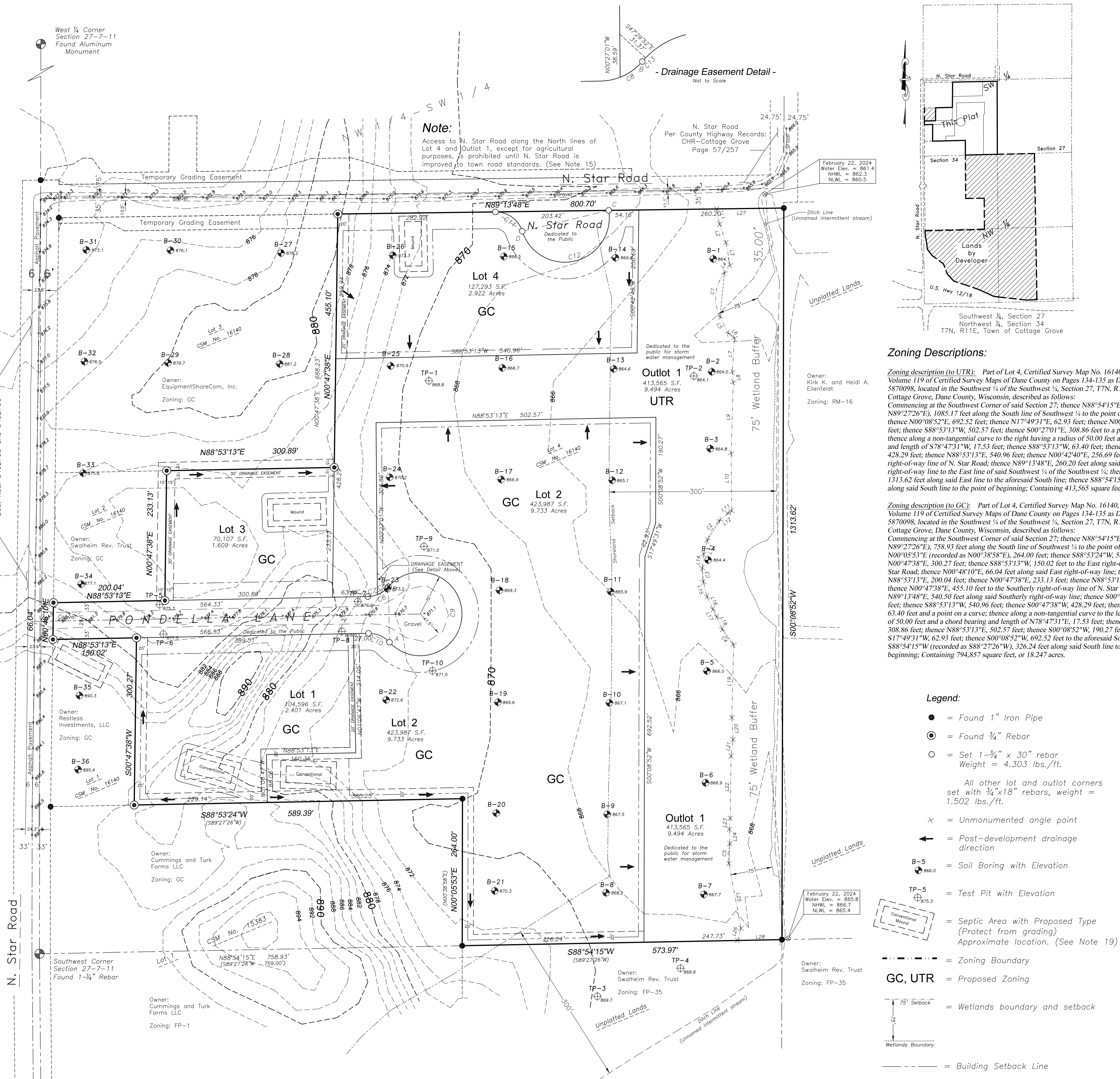


Drainage Easement Detail  
Not to Scale



Note:

Access to N. Star Road along the North lines of Lot 4 and Outlet 1, except for agricultural purposes, is prohibited until N. Star Road is improved to town road standards. (See Note 15)



Zoning Descriptions:

Zoning description (to UTR): Part of Lot 4, Certified Survey Map No. 16140, recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135 as Document No. 5870098, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, described as follows: Commencing at the Southwest Corner of said Section 27; thence N88°54'15"E (recorded as N89°27'26"E), 1085.17 feet along the South line of Southwest 1/4 to the point of beginning; thence N00°08'52"E, 692.52 feet; thence N17°49'31"E, 62.93 feet; thence N00°08'52"E, 190.27 feet; thence S88°53'13"W, 502.57 feet; thence S00°27'01"E, 308.86 feet to a point on a curve; thence along a non-tangential curve to the right having a radius of 50.00 feet and a chord bearing and length of S78°47'31"W, 17.53 feet; thence S88°53'13"W, 63.40 feet; thence N00°47'38"E, 428.29 feet; thence N88°53'13"E, 540.96 feet; thence N00°42'40"E, 256.69 feet to a Southerly right-of-way line of N. Star Road; thence N89°13'48"E, 260.20 feet along said Southerly right-of-way line to the East line of said Southwest 1/4 of the Southwest 1/4; thence S00°08'52"W, 1313.62 feet along said East line to the aforesaid South line; thence S88°54'15"W, 247.73 feet along said South line to the point of beginning; Containing 413,565 square feet, or 9,494 acres.

Zoning description (to GC): Part of Lot 4, Certified Survey Map No. 16140, recorded in Volume 119 of Certified Survey Maps of Dane County on Pages 134-135 as Document No. 5870098, located in the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, described as follows: Commencing at the Southwest Corner of said Section 27; thence N88°54'15"E (recorded as N89°27'26"E), 758.93 feet along the South line of Southwest 1/4 to the point of beginning; thence N00°05'53"E (recorded as N00°38'58"E), 264.00 feet; thence S88°53'24"W, 589.39 feet; thence N00°47'38"E, 300.27 feet; thence S88°53'13"W, 150.02 feet to the East right-of-way line of N. Star Road; thence N00°48'10"E, 66.04 feet along said East right-of-way line; thence N88°53'13"E, 200.04 feet; thence N00°47'38"E, 233.13 feet; thence N88°53'13"E, 300.89 feet; thence N00°47'38"E, 455.10 feet to the Southerly right-of-way line of N. Star Road; thence N89°13'48"E, 540.96 feet along said Southerly right-of-way line; thence S00°42'40"W, 256.69 feet; thence S88°53'13"W, 540.96 feet; thence S00°47'38"W, 428.29 feet; thence N88°53'13"E, 63.40 feet and a point on a curve; thence along a non-tangential curve to the left having a radius of 50.00 feet and a chord bearing and length of N78°47'31"E, 17.53 feet; thence N00°27'01"E, 308.86 feet; thence N88°53'13"E, 502.57 feet; thence S00°08'52"W, 190.27 feet; thence S17°49'31"W, 62.93 feet; thence S00°08'52"W, 692.52 feet to the aforesaid South line; thence S88°54'15"W (recorded as S88°27'26"E), 326.24 feet along said South line to the point of beginning; Containing 794,857 square feet, or 18,247 acres.

Legend:

- = Found 1" Iron Pipe
- ⊙ = Found 3/4" Rebar
- = Set 1-3/4" x 30" rebar Weight = 4.303 lbs./ft.
- × = Unmonumented angle point
- ← = Post-development drainage direction
- ⊕ = Soil Boring with Elevation
- TP-5 = Test Pit with Elevation
- ⊕ = Septic Area with Proposed Type (Protect from grading) Approximate location. (See Note 19)
- - - = Zoning Boundary
- GC, UTR = Proposed Zoning
- = 75' Wetland Buffer
- = Wetlands boundary and setback
- = Building Setback Line

All other lot and outlet corners set with 3/4"x18" rebars, weight = 1.502 lbs./ft.

June 3, 2024

Ms. Kim Banigan  
Town Clerk  
Town of Cottage Grove  
4058 C.T.H. N  
Cottage Grove, WI 53527

Subject: Proposed Swalheim Business Park Construction Plan Review #2

Dear Kim:

We have received the proposed revised construction plans dated May 13, 2024 and proposed preliminary plat dated April 30, 2024 for a development proposed to be located at the southeast corner of North Star Road. The proposed plat is subject to Chapter 15 of the Town's code of Ordinances – Land Division and Planning Code (Revised 03-07-2022). There are a number of items, in part listed below, that should be satisfactorily resolved before approving the construction plans. However, the documents could be approved contingent upon said items.

**Plat Documents**

- The plat should show public drainage and public utility easements along each lot line.
- The swales will require driveway culverts. Sizing calculations should be submitted to confirm the 18-inch proposed size is adequate for lots 3 and 4.

**Sheet C-4 and C-5**

- Roadway detail shall label pavement material.
- The Developer's connection with North Star Road sight distance standards for the connection with North Star Road indicated 30 mph. It is recommended the speed be adjusted.
- Fire and EMS services should provide confirmation that they are comfortable with the current configuration.

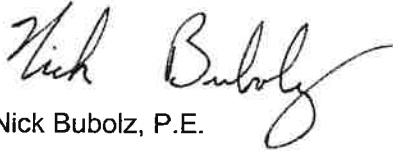
**Sheet C-6 and C-9**

- Provide the necessary sheet showing the permanent drainage easement going north for the culvert at station 231+25.
- The developer shall provide documentation that adjacent owner will supply temporary and permanent easements.
- Permanent drainage easements and public utility easements shall be supplied adjacent to property lines.
- Roadway detail shall label pavement material.
- With the cul-de-sac not constructed at the end of the parcel, it could hinder future development.

- The label "ex. Fence" is pointing to new gravel. Remove or locate to the appropriate location.
- Connect existing roadway to cul-de-sac.
- The board shall discuss if N. Star Road should be classified as part of the Neighborhood Connector Streets for a roadway detail including 5-foot bike lanes with the potential to connect to Nora Road and/or Natvig Road.

Please feel free to contact us with any questions or comments regarding this review.

Very truly yours,  
TOWN & COUNTRY ENGINEERING, INC.

A handwritten signature in black ink that reads "Nick Bubolz". The signature is written in a cursive, flowing style.

Nick Bubolz, P.E.

cc: Mr. Kris Hampton, Town of Cottage Grove (*via email*)  
Mr. Dan Dresen, Town of Cottage Grove (*via email*)  
Mr. Adam Ryan, P.E., Quam Engineering, LLC (*via email*)

NRB:nrb

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July 23, 2024

Ms. Kim Banigan  
Town Clerk  
Town of Cottage Grove  
4058 C.T.H. N  
Cottage Grove, WI 53527

Subject: Proposed Swalheim Business Park Construction Plan Review #4

Dear Kim:

We have received the proposed revised construction plans dated July 17, 2024 and proposed preliminary plat dated July 16, 2024 for a development proposed to be located at the southeast corner of North Star Road. The proposed plat is subject to Chapter 15 of the Town's code of Ordinances – Land Division and Planning Code (Revised 03-07-2022). There are a number of items, in part listed below, that should be satisfactorily resolved before approving the construction plans. However, the documents could be approved contingent upon said items.

**Plat Documents**

- The swales will require driveway culverts. Sizing calculations should be submitted to confirm the 18-inch proposed size is adequate for lots 3 and 4.

**Sheet C-4 and C-5**

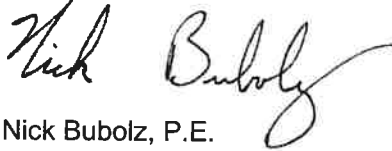
- Roadway detail shall have an asphaltic binder thickness of 2.25".
- The Developer's connection with North Star Road sight distance standards for the connection with North Star Road indicated 30 mph. It is recommended the speed be adjusted.

**Sheet C-6 and C-9**

- Provide the necessary sheet showing the permanent drainage easement going north for the culvert at station 231+25 to a water of the state.
- Roadway detail shall have an asphaltic binder thickness of 2.25".
- With the cul-de-sac not constructed at the end of the parcel, it could hinder future development. The Town can decide to address this when the field north of North Star Road (east/west segment) is developed.
- The board shall discuss if N. Star Road should be classified as part of the Neighborhood Connector Streets for a roadway detail including 5-foot bike lanes with the potential to connect to Nora Road and/or Natvig Road.

Please feel free to contact us with any questions or comments regarding this review.

Very truly yours,  
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Nick Bubolz, P.E.

cc: Mr. Kris Hampton, Town of Cottage Grove (*via email*)  
Mr. Dan Dresen, Town of Cottage Grove (*via email*)  
Mr. Adam Ryan, P.E., Quam Engineering, LLC (*via email*)

NRB:nrb

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AFFIDAVIT OF POSTING OF  
TOWN OF COTTAGE GROVE RESOLUTIONS AND ORDINANCES

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF DANE        )

I, Kim Banigan, Cottage Grove Town Clerk-Treasurer, being first duly sworn, on oath, state as follows:

On August 6, 2024 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**Town Board Resolution 2024-08-05  
Granting Conditional Approval of the  
Preliminary Plat of Swalheim Business Park**

  
\_\_\_\_\_  
Kim Banigan, Town Clerk-Treasurer

Subscribed to and sworn before me  
this 6<sup>th</sup> day of August, 2024.

  
\_\_\_\_\_  
Deputy Clerk

or

\_\_\_\_\_  
(print name)  
Notary Public, State of Wisconsin  
My Commission expires: \_\_\_\_\_