

Community Development Authority Meeting Agenda



April 10, 2025 - 8:00 AM
Council Chambers
3805 S. Casper Dr.

Published 3/20/2025

AGENDA

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. January 9, 2025 Meeting Minutes
4. **ADMINISTRATIVE REPORTS**
5. **OLD BUSINESS**
6. **NEW BUSINESS**
 - A. (2) NJ LD-2500304 Josh Pudelko with Trio Engineering on behalf of Drexel Building Supply - 3370 S. Calhoun Rd. Discussion and possible action to recommend to Common Council approval of a 2-Lot Certified Survey Map.
7. **COMMUNICATIONS**
8. **ADJOURN**

Additional Information

- The agenda packet, including supplemental information related to agenda items, is available online at www.NewBerlinWI.gov. Once finalized by the governing body, approved meeting minutes will also be posted online.
- Agenda items may be taken out of order at the governing body's discretion.
- Members, and possibly a quorum, of other municipal governmental bodies may attend this meeting to gather information. However, no action will be taken by any governmental body other than the one referenced in this notice.
- Accommodations will be provided under the Americans with Disabilities Act (ADA) to meet the needs of individuals with disabilities. If you require assistance or appropriate aids and services, please contact the Office of the City Clerk at (262) 786-8610 with reasonable notice.

Community Development Authority MEETING MINUTES



January 9, 2025 - 3:00 PM
Council Chambers
3805 S. Casper Dr.

Please note: Minutes are unofficial until approved at the next scheduled meeting.

MINUTES

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Ament called the meeting to order at 3:01PM and led the Pledge of Allegiance.

2. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Community Relations Specialist Joelle Erickson took the roll call as follows:

Present: Mayor Ament, Alderperson Horbinski, Alderperson Hopkins, Commissioner Felda, Commissioner Vaclav, Commissioner Schulpius

Excused: Commissioner Calvin Patterson

Staff Present: DCD Director Greg Kessler, City Attorney Tom Schmitzer, Principal Planner Kelly Wall, DCD Deputy Director Nikki Jones, Community Relations Specialist Joelle Erickson

3. APPROVAL OF MINUTES

A. March 7, 2024 Meeting Minutes

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Vaclav
Second by: Alderman Horbinski
Motion Passes 6-0

4. ADMINISTRATIVE REPORTS

None

5. OLD BUSINESS

None

6. NEW BUSINESS

A. (3) KW UA-2402668 Mark Lewandowski with EUA - 15775 W. Overland Dr (Tax Key #: 1189-012) - Use, Site and Architecture for the construction of a ~37,000 square foot industrial building.

MOTION: Motion to Approve As Presented

VOTE: Motion by: Alderman Horbinski
Second by: Alderman Hopkins
Motion Passes 6-0

Commissioner Vaclav raised concerns about the traffic surrounding Overland Drive and potential road construction. It was recommended that the applicant check with the City Engineer about any potential road construction projects.

7. COMMUNICATIONS

None

8. ADJOURN

MOTION: Motion to Adjourn at 3:07PM

VOTE: Motion by: Commissioner Schulpius
Second by: Commissioner Vaclav
Motion Passes 6-0

***Respectfully Submitted,
Joelle Erickson, Community Relations Specialist***

STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: Josh Pudelko with Trio Engineering / 2-Lot Certified Survey Map

LOCATION: 3370 S. Calhoun Road (Tax Key #: 1210.994)

REQUEST: Approval of a 2-Lot Certified Survey Map

REVIEW SCHEDULE:	CSM Received:	2/25/2025
	Completeness Determination:	2/25/2025
	90-day time limit expires:	5/26/2025
	Final Common Council Action:	4/22/2025

D.R.C. RECOMMENDATION: Recommend to Common Council approval of a 2-Lot Certified Survey Map for the property located at 3370 S. Calhoun Road, subject to the application, plans on file and the following conditions:

1. Applicant shall correct all drafting errors and requested changes identified by Staff on the final CSM prior to the City signing.
2. A final copy of the CSM shall be submitted and reviewed prior to City signing. All owners and surveyor must sign prior to City signing the CSM. Surveyor Stamp is required.
3. The CSM shall be recorded with Waukesha County Register of Deeds prior to the issuance of any new zoning or building permits.
4. Applicant and/or property owner shall apply for and obtain appropriate building, plumbing and electrical permits prior to any construction on any parcel.
5. Provide additional detail on the 40' access easement in favor of Lot 2.
6. Page 4, paragraph 3, replace 'Moreland' with 'Moorland'.
7. Applicant shall coordinate with City staff to execute and record a Conservation Easement at the time of Use, Site and Architecture application for a future development.

DETAILS IN ATTACHED STAFF REPORT:

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY DEVELOPMENT AUTHORITY STAFF REPORT

Meeting of April 10, 2025

Josh Pudelko with Trio Engineering / 2-Lot Certified Survey Map
3370 S. Calhoun Road

DATE STAFF REPORT PREPARED: 3/7/2025

APPLICANT / OWNER(S): Josh Pudelko with Trio Engineering / J Fleischman Solutions, LLC

REQUEST / DESCRIPTION OF PROJECT: Approval of a 2-Lot Certified Survey Map for the property located at 3370 S. Calhoun Road.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 2/25/2025

DATE OF COMPLETENESS DETERMINATION: 2/25/2025

PRE-APPLICATION CONFERENCE HELD: Yes

Date(s) of Meeting(s): 12/17/2025

Site Visit(s): 3/7/2025

CONCEPTUAL PLAN: Yes

SIZE OF DEVELOPMENT / PARCEL(S):

Current Parcel: 91.96 Acres

CURRENT ZONING: M-1/SPO (Light Manufacturing District / New Berlin Industrial Park Special Plan Overlay) & (C-2/SPO Shoreland Wetland Holding District / New Berlin Industrial Park Special Plan Overlay)

CURRENT LAND USE: Drexel Building Supply

PROPOSED ZONING: N/A

PROPOSED LAND USE: N/A

PROPOSED LOT SIZE:

Lot 1: 40.1148 Acres

Lot 2: 51.8182 Acres

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

North: Zoning: M-1/SPO/C-2/SPO Land Use: Industrial

South: Zoning: R-3/C-1 Land Use: Residential (Vacant)

East: Zoning: R-3/C-2/I-1 Land Use: Residential/Daycare

West: Zoning: A-1/R-1/R-2 Land Use: Vacant & Residential

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes

Chapter 13: Neighborhood “C”: New Berlin Industrial Park: Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

Vision:

- *The New Berlin Industrial Park will continue to be a major economic engine and job center for the City. The primary land use should continue to be business, with some limited retail and service businesses located along the eastern edge of the industrial park.*

Development Policies:

- *The Industrial Park should remain oriented to business and light industrial uses, attracting incubator businesses when possible.*

Land use:

- *Future Land Use Map: Business Park/Industrial*

ZONING CODE (Chapter 275): Yes, this request is consistent with §275-35B(4) of the Zoning Code and the NBIP SPO, 275-39F.

DEVELOPMENT CODE (Chapter 235): N/A

REZONING REQUIRED: No

CONDITIONAL USE REQUIRED: No

PUBLIC HEARING REQUIRED: No

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No

Site Plan Required: Yes, see attached CSM.

Architectural Review Required: N/A

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: Yes

Wetland On Property: Yes, Heartland Ecological completed a wetland and corridor delineation on 10/25/2024 for the vacant portion of the CSM.

Conservancy Districts (C-1, C-2): Yes

NRCS Map Classification: Not Inventoried

Floodplain: Yes

Topography / Geologic: Site slopes to the west.

BIKE & PEDESTRIAN FACILITIES PLAN: No improvements identified.

PARK & OPEN SPACE PLAN: No improvements identified.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A

Wildlife Habitat Protection: N/A

Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: Wachtel Tree Science completed a tree inventory on the vacant land project area. This will be submitted at the time of Use, Site and Architecture application.

STORMWATER MANAGEMENT / DRAINAGE PLAN: Applicant is required to adhere to all City of New Berlin Codes, Ordinances and Plans regarding storm water conveyance and maintenance as identified by the Department of Community Development.

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: Yes

Basin Capacity Available: Yes

Adequate Linkage: N/A

Onsite System Required: No

WATER USAGE CALC.: N/A

TRAFFIC IMPACT: TIA is not required.

SCHOOL DISTRICT IMPACT: N/A

Notice Sent to Affected School District(s): No

PREVIOUS ACTION (12900 W. NATIONAL AVENUE):

2/6/2020 Plan Commission approved the Drexel Building Supply development.

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. Please see the applicant's letter dated February 20, 2025 attached.
2. Per §275-35D, the minimum lot area is 40,000 square feet and the minimum lot width is 200' in the M-1 District. The proposed lots meets these minimum lot dimensions.
3. Heartland Ecological completed a wetland and corridor delineation on 10/25/2024 for the vacant portion of the CSM. Applicant has received Army Corps confirmation that two isolated wetland pockets in the middle of the vacant area are not waters of the state. They intend to apply for and obtain a DNR permit to fill these wetland pockets in order to develop the vacant area.
4. Wachtel Tree Science completed a tree inventory on the vacant land for the future development area. DCD Staff would put the applicant on notice that future Use, Site and Architecture applications may require a Conservation Easement.
5. Applicant included an Army Corps of Engineering Approved Jurisdictional Determination Letter dated February 13, 2025. They are only taking jurisdiction of the main perimeter wetland, not the pockets in the middle of the vacant area.

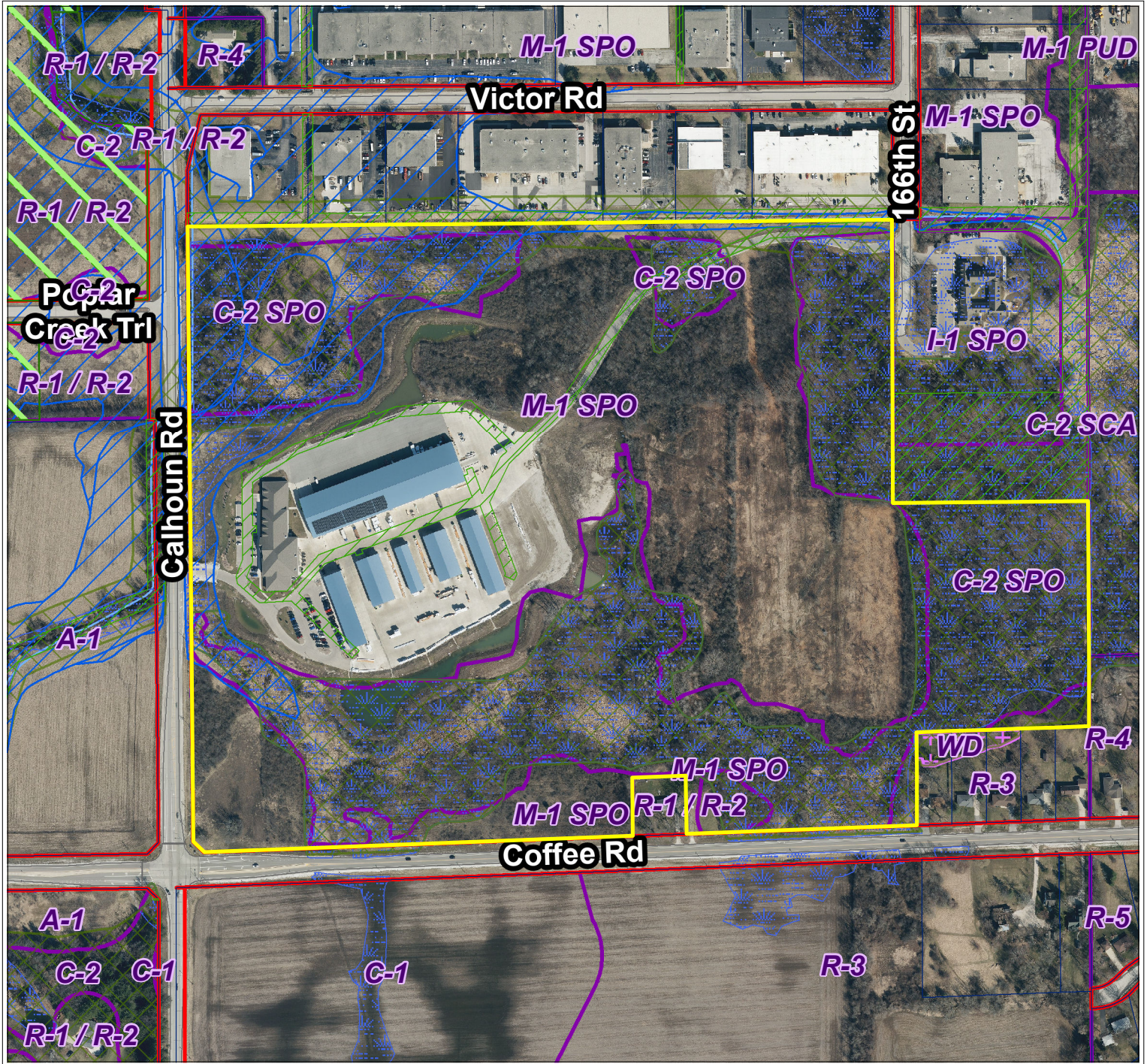
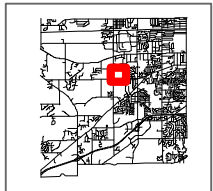
D.R.C. RECOMMENDATION:

Recommend to Common Council approval of a 2-Lot Certified Survey Map for the property located at 3370 S. Calhoun Road, subject to the application, plans on file and the following conditions:
See Executive Summary.

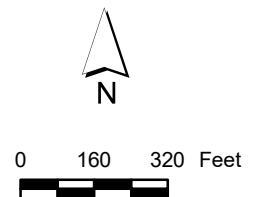
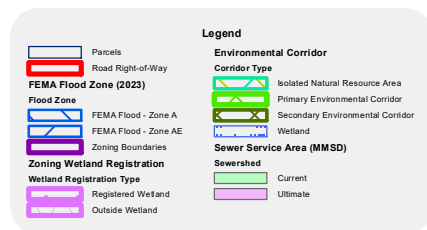
ATTACHMENTS:

Location Map

CSM



City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org



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February 20, 2025

Greg Kessler
Director
City of New Berlin
3805 S. Casper Dr.
New Berlin, WI 53151

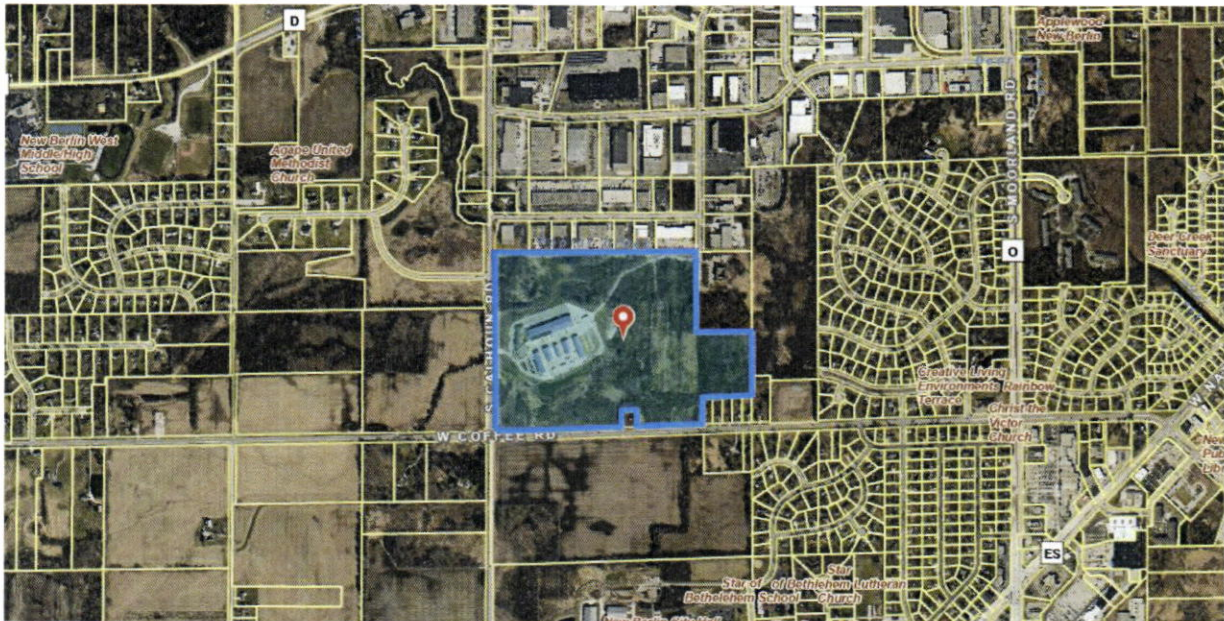


Re: CDA Review - Certified Survey Map

Dear Mr. Kessler,

This letter is regarding the property located at 3370 S. Calhoun Rd. in New Berlin, Wisconsin. Drexel Building Supply would like to request review by the Community Development Authority of a proposed Certified Survey Map of the property. The land division will divide the lot into two parcels. The current zoning for the parcel consists of both M-1 SPO and C-2 SPO.

Please see below for a general location map.



Josh Pudelko, M.S., P.E.
President
Trio Engineering

CONSULTING ENGINEERING

LAND SURVEYING

LAND PLANNING

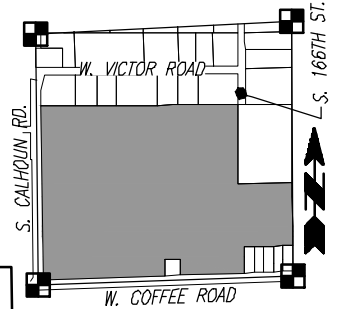
Trio Engineering, LLC • 4100 N. Calhoun Road Brookfield, WI 53005 • t: 262.790.1480 f: 262.790.1481 • jpudelko@trioeng.com

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN.

CURVE TABLE:

NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	75.00	24°07'30"	31.58	31.35	S87°03'20"E	S74°59'35"E	N80°52'55"E
C2	488.00	35°33'51"	302.91	298.07	N83°36'09.5"E	N65°49'14"E	S78°36'55"E
C3	150.00	59°00'12"	154.47	147.73	N29°07'51"E	N00°22'15"W	N58°37'57"E

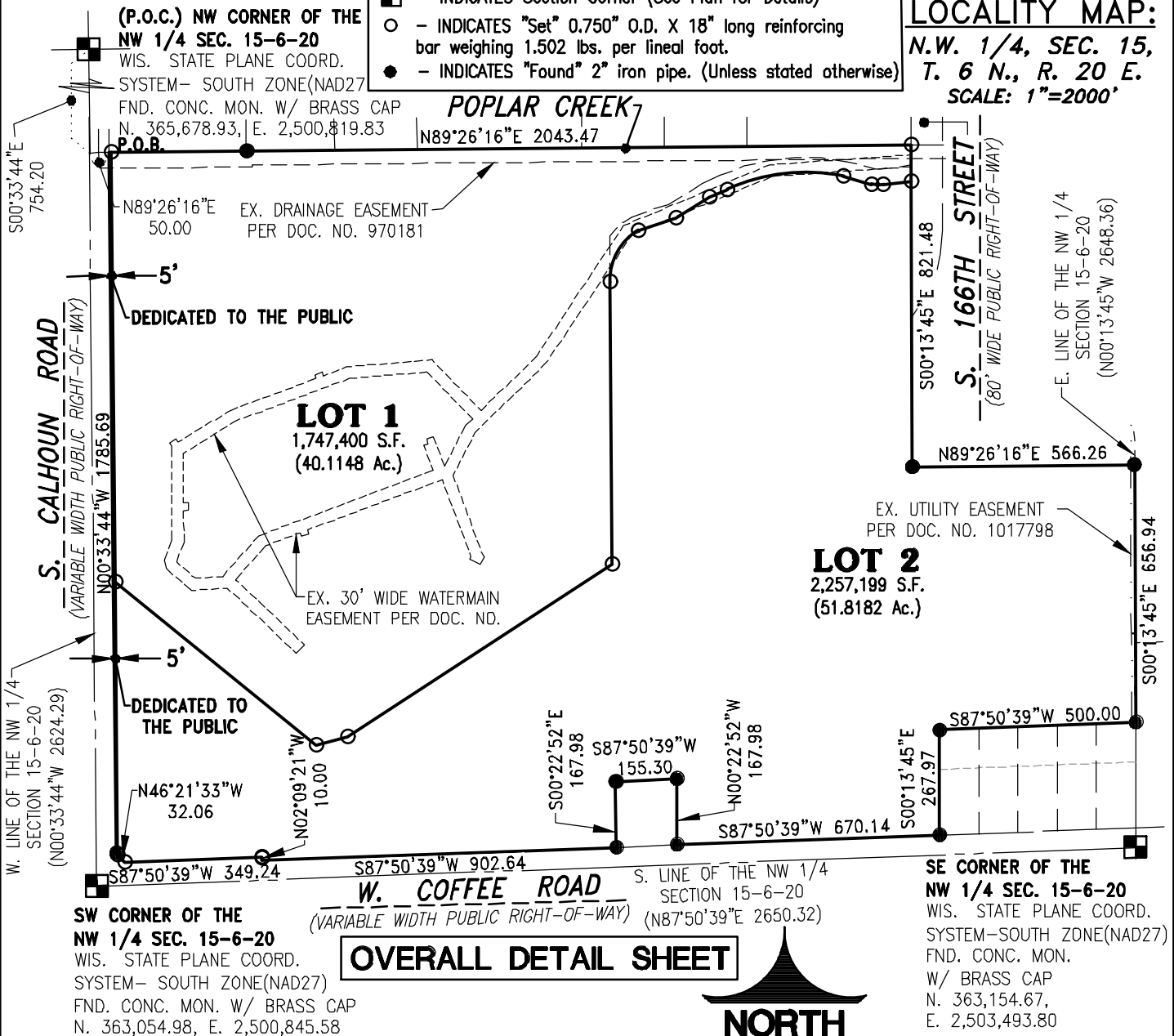


LOCALITY MAP:

N.W. 1/4, SEC. 15,
T. 6 N., R. 20 E.
SCALE: 1"=2000'

LEGEND:

- - INDICATES Section Corner (See Plan for Details)
- - INDICATES "Set" 0.750" O.D. X 18" long reinforcing bar weighing 1.502 lbs. per lineal foot.
- - INDICATES "Found" 2" iron pipe. (Unless stated otherwise)



OVERALL DETAIL SHEET

PREPARED FOR:

J FLEISCHMAN SOLUTIONS LLC
110 E MAIN ST
CAMPBELLSPORT, WI 53010

PREPARED BY:

TRIO ENGINEERING, LLC
4100 N. CALHOUN RD. SUITE 300
BROOKFIELD, WI 53005
PHONE: 262-790-1480

NOTES:

- ALL BEARINGS ARE REFERENCED TO THE GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM (NAD1927) - SOUTH ZONE, IN WHICH THE SOUTH LINE OF THE N.W. 1/4 OF SECTION 15, T.6N., R.20E., IS TAKEN TO BEAR NORTH 87°50'39" EAST.
- ALL TELEPHONE LINES, ELECTRIC LINES, CABLE TELEVISION LINES, TELECOMMUNICATION LINES AND OTHER SIMILAR UTILITY SERVICES SHALL BE PLACED UNDERGROUND UNLESS THE APPLICANT OR UTILITY CAN DEMONSTRATE THAT UNDERGROUNDING IS NOT FEASIBLE.
- THE WETLANDS SHOWN HEREON ON LOT 1 WERE DELINEATED ERIC PARKER, PSW, STANTEC, IN OCTOBER, 2015 AND PROVIDED TO TRIO ENGINEERING LLC IN DIGITAL FORMAT.
- THE WETLANDS SHOWN HEREON ON LOT 2 WERE DELINEATED BY ERIC PARKER, SPWS, HEARTLAND ECOLOGICAL GROUP, INC., ON OCTOBER 25, 2024 AND PROVIDED TO TRIO ENGINEERING LLC IN DIGITAL FORMAT.
- THE 100 YEAR FLOODLINE SHOWN HEREON WAS TAKEN FROM FEMA FLOOD MAP FIRM 55133C0332H AND 55133C0351H, DATED OCTOBER 19, 2023.

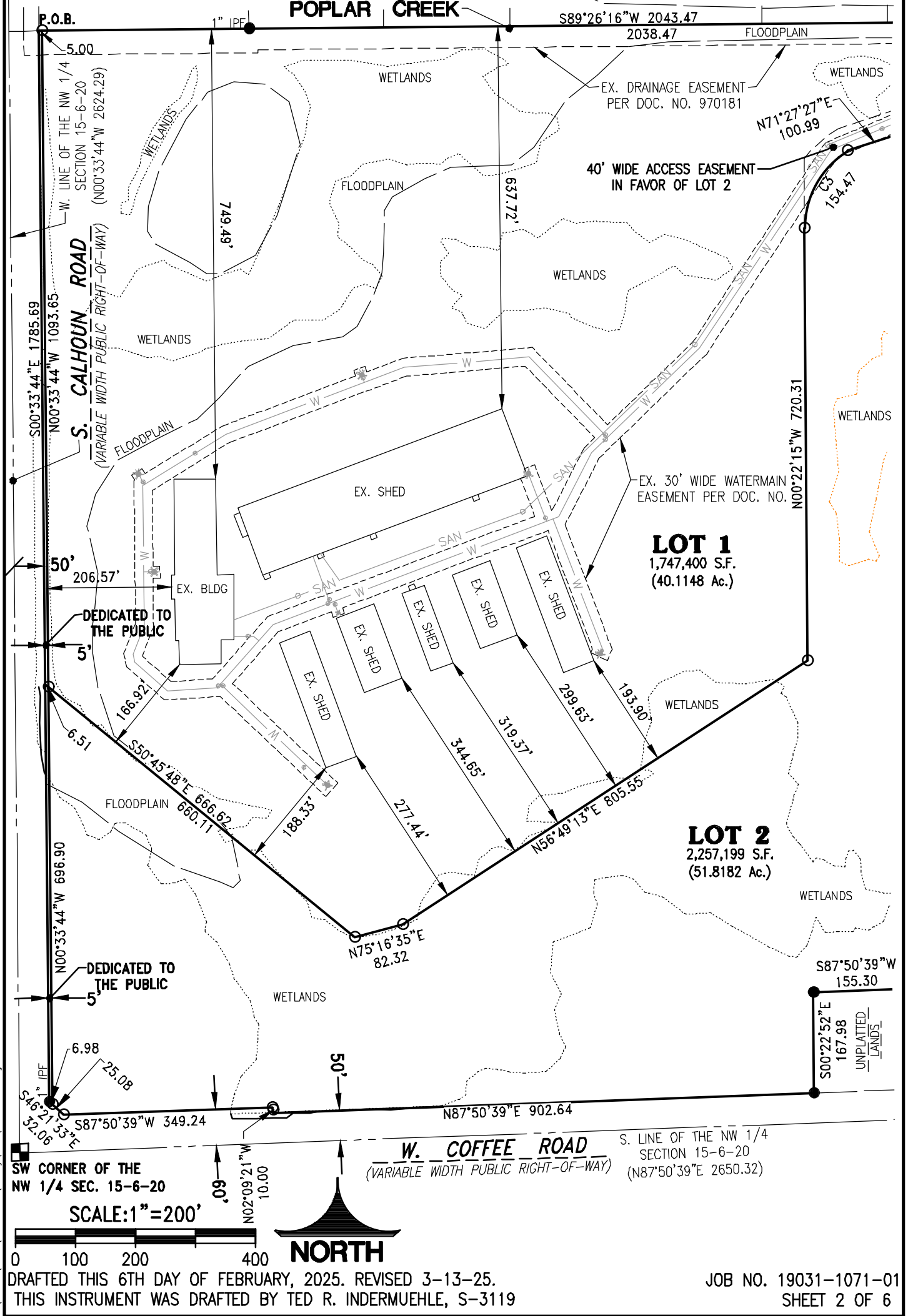
DRAFTED THIS 6TH DAY OF FEBRUARY, 2025. REVISED 3-13-25.
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119

JOB NO. 19031-1071-01
SHEET 1 OF 6

CERTIFIED SURVEY MAP NO.

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN. MOORLAND INDUSTRIAL PARK NO. 3

LOT 9, BLOCK 10 | LOT 8, BLOCK 10 | LOT 7, BLOCK 10 | LOT 5 AND 6, BLOCK 10 | LOT 4, BLOCK 10



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DRAFTED THIS 6TH DAY OF FEBRUARY, 2025. REVISED 3-13-25.
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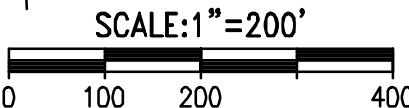
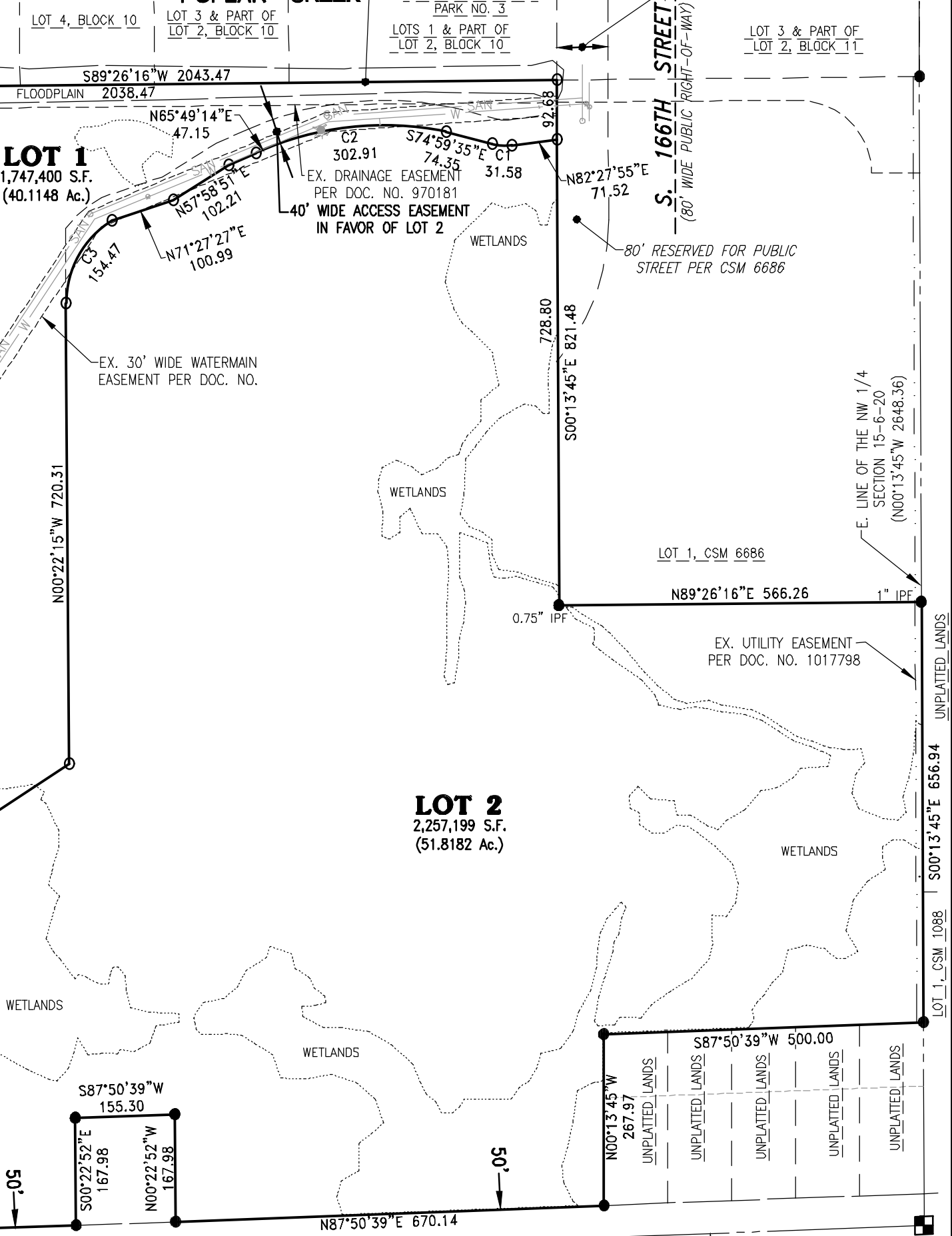
JOB NO. 19031-1071-01
SHEET 2 OF 6

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN.

POPLAR CREEK

MOORLAND INDUSTRIAL
PARK NO. 3



W. COFFEE ROAD
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

SE CORNER OF THE
NW 1/4 SEC. 15-6-20
S. LINE OF THE NW 1/4
SECTION 15-6-20
(N87°50'39"E 2650.32)

DRAFTED THIS 6TH DAY OF FEBRUARY, 2025. REVISED 3-13-25.
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119

JOB NO. 19031-1071-01
SHEET 3 OF 6

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CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN)
)ss
COUNTY OF WAUKESHA)

I, Ted R. Indermuehle, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a part of the Northwest 1/4, Northeast 1/4, Southeast 1/4, and the Southwest 1/4 of the Northwest 1/4 of Section 15, Town 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Northwest Corner of the said Northwest 1/4 Section; Thence South 00°33'44" East along the West line of the said Northwest 1/4 Section, 754.20 feet to a point on the South line of "Moreland Industrial Park No. 3" and its extension; Thence North 89°26'16" East, along said South line, 50.00 feet to a point on the East Right-of-Way of "South Calhoun Road" and the place of beginning of lands hereinafter described;

Thence continuing North 89°26'16" East along said South line, 2043.47 feet to a point on the West line of Certified Survey Map Number 6686; Thence South 00°13'45" East along said West line, 821.48 feet to a point on the South line of said Certified Survey Map; Thence North 89°26'16" East along said South line, 566.26 feet to a point on the East line of said Northwest 1/4; Thence South 00°13'45" East along said East line, 656.94 feet to a point; Thence South 87°50'39" West 500.00 feet to a point; Thence South 00°13'45" East 267.97 feet to a point on the North Right-of-Way of "West Coffee Road"; Thence South 87°50'39" West along said North line, 670.14 feet to a point; Thence North 00°22'52" West 167.98 feet to a point; Thence South 87°50'39" West 155.30 feet to a point; Thence South 00°22'52" East 167.98 feet to a point on the North Right-of-Way of "West Coffee Road"; Thence South 87°50'39" West along said North line, 902.64 feet to a point; Thence North 02°09'21" West along said North line, 10.00 feet to a point; Thence South 87°50'39" West along said North line, 349.24 feet to a point; Thence North 46°21'33" West 32.06 feet to a point on the East Right-of-Way of "South Calhoun Road"; Thence North 00°33'44" West along said East line, 1785.69 feet to the point of beginning.

Said Gross Land area contains 4,013,540 Square Feet (or 92.1382 Acres) of land more or less. Said Net Land area after Right-of-Way dedication contains 4,004,599 Square Feet (or 91.9329 Acres) of land more or less.

That I have made such survey, land division and map by the direction of **J FLEISCHMAN SOLUTIONS LLC**, owners of said lands.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the City of New Berlin, in surveying, dividing and mapping the same.

Dated this _____ day of _____, 20 _____.

Ted R. Indermuehle, P.L.S.
Professional Land Surveyor, S-3119
TRIO ENGINEERING, LLC
4100 N. Calhoun Road, Suite 300
Brookfield, WI 53005
Phone: (262)790-1480

Drafted this 6th day of FEBRUARY 2025. Revised 3-13-25. Job. No. 19031-1071-01
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119 SHEET 4 OF 6

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE OF DEDICATION:

As owners, we hereby certify that we have caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes, and the Subdivision Regulations of the City of New Berlin, this ____ day of _____, 20 ____.

Albert Fleischman, Owner

STATE OF WISCONSIN)
) ss
COUNTY OF)

Personally came before me this _____ day of _____, 20____, J FLEISCHMAN SOLUTIONS LLC, Owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Print Name: _____
Notary Public, _____ County, WI
My commission expires: _____

CITY OF NEW BERLIN COMMON COUNCIL APPROVAL:

Approved by the Common Council of City of New Berlin on this _____ day of _____, 20____.

David Ament, Mayor

Rubina Medina, City Clerk

CITY OF NEW BERLIN PLAN COMISSION APPROVAL:

Approved by the City Plan Commission of the City of New Berlin on this _____ day of _____, 20____.

David Ament, Mayor

Nikki Jones, Secretary

CONSENT OF CORPORATE MORTGAGEE:

Drafted this 6th day of FEBRUARY 2025. Revised 3-13-25. Job. No. 19031-1071-01
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119 SHEET 5 OF 6

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CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN.

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Certified Survey Map, and does hereby consent to the above certificate of **J FLEISCHMAN SOLUTIONS LLC**, owner, this _____ day of _____, 20 _____.

Mortgagee:
Citizens Bank

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN)
) ss
COUNTY OF)

Personally came before me this _____ day of _____, 20 _____, _____, _____ of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such _____ of said corporation, and acknowledged that they executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Print Name: _____
Notary Public, _____ County, WI
My commission expires: _____

Those areas identified as Floodplain/Wetland Preservation Areas on Pages 2 and 3 of 6 of this Certified Survey Map shall be subject to the following restrictions:

1. Grading, filling and removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the City of New Berlin, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that invasive, dead, diseased, or dying vegetation may be removed, at the discretion of the landowner, and with approval from the City of New Berlin. Silvicultural thinning, upon the recommendation of a forester or naturalist and with approval from the City of New Berlin, shall also be permitted.
3. Grazing by domesticated animals, i.e., horses, cows, etc., is prohibited, unless grazing is conducted in order to manage invasive vegetation, and approval is obtained by the City of New Berlin.
4. The introduction of plant material not indigenous to the existing environment is prohibited.
5. Ponds are prohibited unless designed to enhance the natural environment. Ponds that may be permitted are subject to the approval of the municipality in which they are located and, if applicable, the City of New Berlin, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
6. The construction of buildings is prohibited.

Drafted this 6th day of FEBRUARY 2025. Revised 3-13-25.

Job. No. 19031-1071-01

THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119

SHEET 6 OF 6