



Meeting: Plan Commission
Place: 1293 Washington Ave., Cedarburg
Date/Time: December 17, 2025 / 7:00PM*
Web Page: www.townofcedarburgwi.gov
Posted: December 12, 2025
**This meeting is also available remotely online. For remote access, email sjacoby@townofcedarburgwi.gov for information.*

Chairman	David Salvaggio	Administrator	Eric Ryer
Plan Commissioner	Kerry Carmichael	Town Attorney	Brad Hoeft
Presiding Commissioner	Don Borgwardt	Director of Public Works	Adam Monticelli
Plan Commissioner	Tom Gaertig	Director of Parks & Recreation	Paul Jungbauer
Plan Commissioner	Larry Lechner	Town Treasurer	Katie LeBlanc
Plan Commissioner	Steve Wolf	Consulting Planners	Barrows / Cedar Corp.
Plan Commissioner	Anne Lewandowski	Asst. Administrator/Clerk	Sara Jacoby

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. MINUTES OF PREVIOUS MEETINGS

- a. Approval of November 19, 2025 Plan Commission Meeting Minutes*

3. PUBLIC HEARING

- a. None

4. OLD BUSINESS

- a. Discussion and possible recommendation on an Ordinance to rezone three parcels with tax key number 03-010-09-002.00, 03-010-08-002.00, 03-010-08-001.00 from A-1 Agricultural and A-2 Prime Agricultural to E-1 Estate (leaving C-1 lands unchanged) **[Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***
- b. Discussion and possible recommendation on a Certified Survey Map consisting of five existing parcels totaling 132.39 acres owned by various Gauthier, LLCs in order combine parcels for the purpose of constructing a pond **[Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***
- c. Discussion and possible recommendation on an application to construct a 13.2-acre pond on parcels to be combined by a CSM and Joinder deed restriction agreement **[Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***

5. NEW BUSINESS

- a. None

6. ADJOURNMENT

*At the Plan Commission’s discretion, the Commission may take comment from the public

Note: A quorum of Town Board of Supervisors may be present at this meeting for the purpose of gathering information and possible discussion on items listed on this agenda. However, unless otherwise noted in this agenda, no official action by the Town Board will be taken at this meeting.

Frequently Asked Questions Related to Attendance at Public Meetings at Town Hall

- Q. Are all public meetings of governing bodies of the Town of Cedarburg open to the public to attend?
- A. Yes, Wisconsin Open Meetings Law mandates that all meetings of governmental bodies must be held publicly and always be open to the public unless a specific statutory exception applies for a closed session matter. The law requires a meeting location that gives "reasonable public access," not total access, meaning no one can be systematically excluded or arbitrarily refused admittance.
- Q. Are there limits as to how many people can physically be allowed to attend a meeting at Town Hall?
- A. Yes, there are no specific statewide facility occupancy requirements for municipal public meetings under Open Meetings Law. Instead, physical gathering sizes are limited for safety reasons by local building codes and fire safety regulations.
- Q. What are the applicable maximum seating/occupancy limits to comply with fire safety regulations and fire department orders for rooms at Town Hall?
- A. The Ralph J. Huiras Board Room (the "Board Room") has a maximum seating capacity of 64 people for members of the public, not including the seating at the Board/Commission front-table and Town Staff side-table. The Lobby at Town Hall may accommodate a maximum seating of an additional 32 people to listen to the audio broadcast of a meeting that is highly attended. All designated seating areas must not be moved and all aisles kept open for safety reasons and access to exits.
- Q. What happens if the maximum seating capacity is reached for the Board Room?
- A. The public will be offered overflow seating in the Lobby to listen to a live audio broadcast.
- Q. What happens if the maximum seating capacity is reached in both the Board Room and Lobby?
- A. The law generally implies a first-come, first-served policy if a meeting room(s) reaches its established capacity, as no one can be arbitrarily excluded from a public meeting. A governmental body cannot pre-select who attends or arbitrarily bar access to individuals of the public. As such, once capacity is reached for inside of the Town Hall, further admittance of the public will be cut off for fire and safety reasons by designated Town staff and/or fire officials, and the public who are left outside of Town Hall will be provided with a Zoom meeting link and passcode to attend the meeting online remotely.

- Q. What time do the Town Hall doors open to the public prior to a public meeting?
- A. Typically, Town Staff will unlock the front doors of Town Hall approximately 30 minutes prior to the start time of a public meeting. In some instances, due to limited Town Staff availability the front doors may be unlocked shortly before the scheduled start time of a meeting.
- Q. Can the public attend meetings remotely without coming to the Town Hall?
- A. Yes, the current practice of the Town of Cedarburg is to include a notification on the Agenda of a public meeting as follows: "This meeting is also available remotely online. For remote access, email sjacoby@townofcedarburgwi.gov (the Town Clerk) for information." Anyone who wishes to attend the meeting remotely should request remote access via email to the Town Clerk by 4:30 pm on the day of the scheduled meeting to ensure a Zoom meeting ID and Passcode can be provided timely.
- Q. Does attendance at a public meeting mean that the public has a right to speak at the meeting?
- A. No, in general. Wisconsin Open Meetings Law provides the public with the right to attend and observe open meetings, but it does not automatically grant the right to speak or actively participate unless a specific public comment period is included in the meeting notice or another statute requires a public hearing.
- Q. What happens if a member of the public disrupts or impedes the orderly conduct of a public meeting?
- A. Actions by the public that disrupt or impede the orderly conduct of the meeting are not allowed. The presiding officer of the governing body has the authority to rule a disruptive individual out of order and may require them to leave the meeting. Thus, the public has the right to be present, a person does not have the right to disrupt the proceedings with expressions such as booing or cheering. The presiding officer of the governing body maintains ultimate control over the public meeting to ensure orderly and efficient administration of government business. Law enforcement personnel, including the Sheriff's Department or Town Constable, have officer discretion to require someone to leave the meeting for disruptive or disorderly conduct.
- Q. Is a person allowed to record (audio and/or video) an open session of a public meeting?
- A. Yes, in general. The Open Meetings Law requires a governmental body to make a reasonable effort to accommodate any person desiring to record, film, or photograph ("recording") its meetings during open session. However, if the recording of a meeting interferes with the conduct of the meeting, or the rights of the participants, it is not permitted. Thus, if a person's recording activities interfere with the conduct of a meeting, the presiding officer may order that person to record or film in a non-disruptive manner, or, if that is not possible, to cease recording or filming. The presiding officer of a governmental body maintains ultimate control over matters of public conduct and decorum during its meetings.

**TOWN OF CEDARBURG
PLAN COMMISSION MEETING MINUTES
November 19, 2025**

Present: David Salvaggio, Larry Lechner, Don Borgwardt, Tom Gaertig, Steve Wolf, Anne Lewandowski
Also Present: Eric Ryer, Administrator, Sara Jacoby, Assistant Administrator/Clerk, Matthew Nugent, Town Attorney
Excused: Kerry Carmichael

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Presiding Commissioner Borgwardt called the meeting to order at 7:00 pm. The meeting began with the pledge of allegiance. (Note: Citizen Plan Commission member Don Borgwardt was appointed by the Town Board to preside over Plan Commission Meetings for the remainder of Chairman Salvaggio's term through April 2027 at the Special Town Board meeting on November 17th.)

2. MINUTES OF PREVIOUS MEETINGS

a. Approval of October 15, 2025 Plan Commission Meeting Minutes*

Commissioner Gaertig made a motion to approve the meeting minutes from October 15th. The motion was seconded by Commissioner Wolf and carried unanimously.

3. PUBLIC HEARING

a. None

4. OLD BUSINESS

a. None

5. NEW BUSINESS

a. Discussion and possible recommendation on proposed wall signage located at 8611 STH 60 [Owner: Project Sports LLC, Applicant Steve Becker, 8.649 acres, zoned M-2 Planned Industrial & Mixed Use District]*

Applicant Steve Becker is requesting flexibility regarding signage as part of the Town Center Overlay District (TCOD) approval previously obtained from the Town for this property. This allows the applicant to seek signage that falls outside of typical requirements. The current proposal is for two blue aluminum non-illuminated signs attached to the masonry for wayfinding for the Children's Hospital clinic doors.

Commissioner Gaertig made a motion that the Plan Commission recommend the Town Board approve the proposed wall signage located at 8611 STH 60 as presented finding the signs promote the public health, safety, welfare and comfort of the general public by:

- (1) Reducing distractions and obstructions from signs which would adversely affect traffic safety and alleviating hazards caused by signs projecting over or encroaching upon the public right-of-way;
- (2) Discouraging excessive visual competition in signs and ensuring that signs aid orientation and adequately identify uses and activities to the public;
- (3) Preserving or enhancing the natural beauty and unique physical characteristics of the Town of Cedarburg as a community in which to live and work by requiring a new or replacement sign which is:
 - (a) Creative and distinctive;
 - (b) Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area;
 - (c) Appropriate to the type of activity to which it pertains;
 - (d) Expressive of the Town's identity in a manner which will not diminish property values; and
 - (e) Complementary to the Town's rural architectural character and unobtrusive commercial developments.

- (4) Promote a healthy and properly designed business environment.
- (5) Protect property values within the Town.

The motion was seconded by Commissioner Wolf and carried unanimously.

b. Discussion and possible recommendation on proposed ground, entry, and roof mounted signage located at 1221 Wauwatosa Road as a site improvement [Owner: 1221 SC, LLC, Applicant Seth Dehne, 3.09 acres, zoned B-2 Planned Business District & C-1 Conservancy District]*

The applicant is proposing ground, entry, and roof mounted signage located at 1221 Wauwatosa Road as a site improvement. Jacob Dehne, Partner of 1221 SC, LLC, is also requesting sign variances for the ground sign (from required property line setback and to allow internal illumination) and roof sign (prohibited unless approved by the Town Board) as put forth in Article VIII. Signs.

Attorney Nugent would clarify the sign type for the round entry sign being proposed. Commissioner Gaertig made a motion that the Plan Commission recommend the Town Board approve the proposed signage located at 1221 Wauwatosa Road as presented finding the signs promote the public health, safety, welfare and comfort of the general public by:

- (1) Reducing distractions and obstructions from signs which would adversely affect traffic safety and alleviating hazards caused by signs projecting over or encroaching upon the public right-of-way;
- (2) Discouraging excessive visual competition in signs and ensuring that signs aid orientation and adequately identify uses and activities to the public;
- (3) Preserving or enhancing the natural beauty and unique physical characteristics of the Town of Cedarburg as a community in which to live and work by requiring a new or replacement sign which is:
 - (a) Creative and distinctive;
 - (b) Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area;
 - (c) Appropriate to the type of activity to which it pertains;
 - (d) Expressive of the Town's identity in a manner which will not diminish property values; and
 - (e) Complementary to the Town's rural architectural character and unobtrusive commercial developments.
- (4) Promote a healthy and properly designed business environment.
- (5) Protect property values within the Town.

The motion was seconded by Chairman Salvaggio and carried unanimously.

c. Discussion and possible recommendation on an architectural and site plan review for a 2,520 square foot outbuilding for the property located at 11744 Bridge Road [Petitioner: Jon & Karen Janke NW ¼ Sec. 30, 34.68 acres, A-2 Prime Agricultural District]*

Walters Buildings has submitted a building permit application for a new 2,520 square foot outbuilding on behalf of Jon and Karen Janke for the property located at 11744 Bridge Road. Section 320-26 states all nonresidential buildings larger than 1,500 square feet in the A-2 Prime Agricultural District are subject to architectural and site plan review by the Plan Commission and the Town Board prior to the issuance of a building permit.

Staff provided a report summary. The applicant confirmed the building would be for private storage and the color is barn red. Commissioner Lewandowski walked the Commission through the findings, as the Plan Commission may approve site plans only after determining that:

- (a) The proposed use(s) conforms to the uses permitted.
- (b) The dimensional arrangement of buildings and structures conforms to the required area, yard, setback, and height restrictions of this chapter.
- (c) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects upon owners and occupants of adjacent and surrounding properties by providing for adequate design of ingress/egress, interior/exterior traffic flow, stormwater drainage, erosion, grading, lighting, and parking, as specified by this chapter or any other codes or laws.
- (d) Consideration has been given to preserving the natural features of the landscape where they can enhance the development on the site, or where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes or where they assist in preserving the general safety, health, welfare, and appearance of the neighborhood.
- (e) Adverse effects of the proposed development and activities upon adjoining residents or owners are minimized by appropriate screening, fencing, or landscaping, as provided or required in this chapter.

Commissioner Lewandowski also reviewed the following architectural review principles and standards:

- (a) Building scale and mass. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new outbuildings are built or when existing outbuildings are remodeled or altered.
- (b) Building rooflines and roof shapes. Building roof lines and roof shapes shall be complementary to the existing or surrounding buildings.
- (c) Materials. No building shall be permitted where any exposed facade is constructed or faced with a finished material which is not aesthetically complementary to other surrounding buildings.
- (d) Building location. Consideration shall be given to siting a building in a manner which would not unnecessarily destroy or substantially damage the beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

Based on the findings above being present, Commissioner Gaertig made a motion that the Plan Commission recommend Town Board approve the proposed architectural and site plan review for a 2,520 square foot outbuilding for the property located at 11744 Bridge Road of the proposed building. The motion was seconded by Chairman Salvaggio and carried unanimously.

d. Discussion and possible recommendation on a minor land division application for the parcel with tax key #03-032-04-000.00 located south of 389 Horns Corners Road [Petitioner: Kristie Kosobucki, NE ¼ Sec. 32, parent parcel 34.7 acres, owner Joanne Holton]*

The Sigma Group has submitted a minor land division application for the undeveloped 34.7 acre parcel just south of 389 Horns Corners Road by Greystone subdivision on the west side of Horns Corners Road. The property is zoned A-1 Agricultural and C-1 Conservancy. The land division application seeks to maintain the A-1 zoning, while dividing the current parcel into two parcels. The new parcel would have frontage off of Horns Corners Road.

Staff summarized the application, and the Commission discussed location, frontage, orientation and wetlands. Attorney Nugent clarified that the wetland delineation requested by Ozaukee County is not a requirement.

Commissioner Gaertig made a motion that the Plan Commission recommend the Town Board approve the proposed minor land division application for the parcel with tax key #03-032-04-000.00 located south of 389 Horns Corners Road as presented. The motion was seconded by Commissioner Wolf and carried with a vote of 5-1-0 with Commissioner Lewandowski dissenting.

e. Discussion and feedback on a minor land division concept application for the parcel located at 9520 Sherman Road [Petitioner: Nathan Lee, SE ¼ Sec. 20, 8.06 acres, zoned CR-B Countryside Residential B]*

The applicant has submitted a minor land division concept application for the property located at 9520 Sherman Road. The parcel is zoned CR-B Countryside Residential B, with no zoning change sought. The land division application seeks to maintain the CR-B zoning, while dividing the current parcel into two parcels. Both parcels would have frontage off of Sherman Road.

Staff summarized the application. Attorney Nugent discussed the open space and existing shed. He explained parcels zoned CR-B Countryside Residential B are required to maintain 50% open space for the original lot. The subject parcels were initially part of a minor land division of net 23.14 acres in 2004 (CSM 3253). Accordingly, that same footprint is required to maintain 50% open space. In 2011, there was another minor land division in the original footprint. At that time, open space was reconfigured but maintained at the required 50% ratio. The proposed CSM contained in this Concept Plan application does not meet the 50% open space ratio for the lands contained in the original CSM. The proposed CSM also contemplates a 30' access easement through a designated open space area. That easement would be subtracted from the open space calculation. Accordingly, it does not meet zoning requirements. Additionally, the shed in the northwest corner of the property is in land that is, under the current and proposed CSM, designated as open space. There is no permit on file for the existing shed, which would make an illegal non-conforming structure. A permit should be applied for, with the shed being moved to an area that is not open space and meets setback requirements. The land underneath the shed could not be part of any potential open space calculation.

The Commissioners, applicants, and Attorney Nugent discussed possible options for addressing the issues above ahead of any formal application. No recommendations were made, and no action was taken on this agenda item.

6. ADJOURNMENT

Commissioner Gaertig made a motion to adjourn the meeting at 8:06 pm. The motion was seconded by Commissioner Wolf and carried unanimously.

Respectfully Submitted,

Sara Jacoby
Assistant Administrator/Clerk



Meeting Date: 12/17/25
 Agenda Items: # 4a,b,c

PLAN COMMISSION MEETING MEMORANDUM

TO: David Salvaggio, Chairman
 Plan Commission, Town Board

FROM: Amy Barrows, Planner

MEMO WRITTEN: December 12, 2025

PETITIONER: Michael & Stacy Gauthier

SUBJECT: **Agenda Item # 4a:** Discussion and possible recommendation on an Ordinance to rezone three parcels with tax key number 03-010-09-002.00, 03-010-08-002.00, 03-010-08-001.00 from A-1 Agricultural and A-2 Prime Agricultural to E-1 Estate (leaving C-1 lands unchanged) **[Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***
Agenda Item # 4b: Discussion and possible recommendation on a Certified Survey Map consisting of five existing parcels totaling 132.39 acres owned by various Gauthier, LLCs in order combine parcels for the purpose of constructing a pond **[Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***
Agenda Item # 4c: Discussion and possible recommendation on an application to construct a 13.2-acre pond on parcels to be combined by a CSM and Joinder deed restriction agreement **[Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***

PROPERTY: Part of the NW ¼ & SW ¼ Section 10, Tax Key #'s 03-010-05-003.00 & 03-010-05-004.00, 03-010-09-002.00, 03-010-08-002.00, 03-010-08-001.00
 Part of the NW ¼ of Section 10, Tax Key # 03-010-06-016.00

BACKGROUND INFORMATION	
Project Name	Gauthier Rezone/CSM/Pond
Applicant Name	Michael & Stacy Gauthier
Property Owner	Gauthier Properties at Covered Bridge, LLC Gauthier Properties at Wildwood, LLC Gauthier Properties at Wildwood II, LLC
Consulting Planner and/or Engineer Consulting Surveyor	Miller Engineers Scientists Chaput Land Surveys
Size of Parcel	132.39 acres combined for all five (5) parcels included in CSM (based on CSM acreage), additional 1-acre lot on Wildwood Drive
Existing Zoning	E-1 Estate, A-1 Agricultural, A-2 Prime Agricultural, R-2 Single Family Residential, and C-1 Conservancy
Requested Zoning	E-1 Estate (C-1 Conservancy to remain unchanged)
Abbreviated Legal	Sec. 10
Comprehensive Plan Designation	Rural Neighborhood – Countryside: Allows for E-1

ADJACENT LAND USE/ZONING MATRIX		
<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Residential	R-2
South	Residential, Conservancy	R-2, C-1
East	Prime Agricultural, Agricultural, Residential	A-2, A-1, R-2
West	Residential, Agricultural, Conservancy, Park	R-2, A-1, C-1, P-1

BACKGROUND

In 2021/2022, the applicants appeared before the Plan Commission several times with a request to construct a pond on acreage that they own. The applicant was required to combine several lots to comply with the code requirement that ponds not exceed 10% of a lot. The applicants also proposed to rezone the E-1 lands to A-1 because the pond straddled a lot line and the rezone provided consistent zoning. Initial questions raised included available water supply, intent of housing, berm construction, depth of pond, stormwater elements, and natural resource approvals from other agencies. Plan Commission initially recommended approval of both the rezoning and CSM, but tabled consideration of the pond, as well as the rezoning and CSM, to allow for various engineering comments to be addressed, including the impact on neighboring wells, easement verification (or lack thereof), and to gather information on the DNR review process. There was also discussion regarding a berm and whether the berm requirements of the zoning code needed to be met.

CURRENT PROPOSAL

At the August meeting, Plan Commission considered a revised request from the applicant for a rezone, CSM, and pond. The matter was tabled so that outstanding items could be addressed. The project now consists of the combination of five parcels currently zoned A-1, A-2, E-1, and C-1. The applicant is requesting to rezone three of the parcels to E-1 so that the entire acreage is zoned E-1 Estate District with the C-1 Conservancy remaining unchanged. Staff felt that E-1 Estate District zoning was the most compatible district for the proposed use because noncommercial man-made recreation or wildlife ponds are a permitted accessory use with a special permit. The E-1 Estate District requires that a single-family dwelling be present as a principal use and that accessory uses are allowed provided a member of the family resides on the property. This would apply to the pond and existing barn. The applicant owns a 1-acre residential property on Wildwood Drive, west of the subject properties. Because a residence does not currently exist on the lots to be combined by CSM, the applicant is proposing that the Town accept a Joinder deed restriction agreement that would combine the Wildwood Drive parcel with the parcels being combined by CSM via a deed restriction rather than including the lot in the CSM. The restriction that effectively combines the parcels would automatically terminate upon the issuance of an Occupancy Permit by the Town upon construction of a new single-family residence on the CSM parcel.

The proposed pond is 13.2 acres and consists of less than 10% of the lot area being combined as part of the CSM. The location and details of construction are shown on the plans included in the packet.

EXECUTIVE REVIEW

1. Zoning/Rezoning

The Gauthier's currently own nine (9) parcels adjacent to each other with various zoning designations (R-2, A-1, A-2, E-1, and C-1). In an effort to combine five (5) of the existing parcels to create a 132.29-acre singular parcel for the construction of a pond, consistent zoning across all parcels is first required. The applicant is seeking to rezone three of the parcels from A-1 and A-2 to E-1. Four (4) of the parcels will remain as separate legal lots of record.

The E-1 District provides for single-family dwellings as a principal use. Agricultural uses and man-made recreation and wildlife ponds with a special permit are allowed as accessory uses by members of the family residing on the property. See above explanation that explains the applicant's request for a Joinder deed restriction agreement to establish residential use. E-1 lots are required to be a minimum of 4 acres in size and 200 ft. in width. The subject property is required to be much larger due to the size of the pond being proposed which can't exceed 10% of the lot area.

In 2021/2022, the applicant was proposing A-1 Zoning for all of the lots subject to the CSM. A-1 Zoning requires the construction of an agricultural outbuilding prior to the construction of a single-family residential structure and does not specifically allow recreational or wildlife ponds as an accessory use.

2. **CSM**

The CSM seeks to combine five (5) legal lots of record. The CSM will reduce the total number of parcels currently owned by the Gauthiers from nine to five. The applicant has addressed all of the Planner and raSmith's comments related to the CSM.

The proposed combined acreage of Lot 1 on the CSM complies with the zoning requirements, including minimum lot size and width, of the E-1 District.

3. **Pond/Embankment**

The larger part of these applications is the construction of a 13.2 recreational pond. Section 320-118 of the Town Code, at a minimum, requires certain site plan details and any other information that may help the Town evaluate the pond. This section also requires that newly created man-made ponds not cover more than 10% of the total parcel area and be located at least 25 ft. from any lot line. The construction of the pond requires the combined acreage of the CSM (10% of 132.39 acres is 13.239 acres). Any approvals of the pond shall be subject to the recording of the CSM inclusive of at least 132.39 acres.

The applicant is proposing to fill the pond with a combination of water from a privately installed well, not a high capacity well as originally proposed, and by diverting water from Cedar Creek, which may be a WDNR regulated activity. The applicant will be required to verify DNR permitting requirements and obtain any necessary permits. The DNR has provided a written response regarding the proposed project and the response is included in the packet as an attachment.

In the applicant's response to public hearing questions, the applicant provided supplemental documentation regarding the amount and rate of water that will be used to fill and maintain the pond, the anticipated impacts to Cedar Creek, expectations for noise, notification of limited use (private only), stormwater runoff and flooding management benefits to the neighborhood and common good, engineering design efforts to prevent a breach or seepage, why the term "pond" was used, and why they don't believe property values will be impacted. This information is included in the packet as an attachment.

raSmith Engineering Comments: The applications have been reviewed by the Town's consulting engineers from raSmith for review and comment. Their revised comments are included in a review letter dated October 9, 2025, included in the packet as separate correspondence. Following the public hearing, the Town Engineer has several additional comments and questions, which include some unanswered concerns raised during the public hearing:

- 1) A CAD file of their grading plan shall be provided so the actual volume of water needed to fill the pond can be verified.
- 2) Applicant shall provide written correspondence from the ACOE regarding permit requirements.
- 3) Does the applicant intend on ensuring financial security and liability in the event of an embankment failure or groundwater issue (due to well)?
- 4) The average common low flow from the creek shall be determined. The applicant has stated they are only diverting less than 1% of the flow, however under low flow conditions it appears the amount diverted will be greater than 1%.
- 5) Is the piping from the creek diversion a permanent (buried) feature? Explaining if the intake structure is permanent is needed and how the pond will be maintained.
- 6) Who is responsible for reporting and monitoring of any creek withdrawal? How will it be reported? This should be by a third party, not the applicant.
- 7) Who officially will inspect the construction of the embankments? This should be by a third party, not the applicant.

It is not uncommon for there to be outstanding conditions as part of the Plan Commission/Town Board review. Any approvals should be subject to compliance with all engineering comments. **Due to the magnitude of the project and potential impacts related to any changes in the scope of the project as a result of complying with engineering-related conditions, the engineering comments should be reviewed at the meeting to ensure the Plan Commission and Town Board are comfortable with the project as presented provided the conditions are met. The conditions are written to ensure long-term maintenance, pond stability, and protection of neighboring properties and wells.**

During the pond review in 2021/2022, there was discussion regarding noise related to potential boating. The applicant provided a report that addresses expected noise levels at different distances from the shore embankment related to boating activity. The report also identifies typical decibel limits for other uses such as typical agricultural and residential power equipment. The report is included in the meeting packet. There was also discussion regarding the construction of a berm. The updated design does not include the construction of a berm by definition. The grade around the pond acts more as an embankment to support the pond. The DNR has determined that the embankment is not classified as a regulated dam. However, in order to prevent downstream impacts, engineering staff has completed a detailed review of the engineering of the pond to ensure stability during large storm events. Engineering staff is requesting that a Pond Maintenance Agreement be reviewed and approved by the Town Board (draft attached).

4. Driveway Access

The applicant is proposing to construct a temporary construction access route consisting of gravel to be utilized during construction of the pond. This access route will be constructed off of an existing driveway that is located on an adjacent 1-acre parcel owned by the applicants. After construction, the temporary construction access will be restored. The driveway will remain. An existing dirt drive that provides access to the pond area will remain and can be used by the fire department for emergency access purposes.

5. Ozaukee County – Rezone and CSM

Barry Sullivan from Ozaukee County Land & Water reviewed the proposed Rezone and CSM and does not have any concerns. The Rezone and CSM will have to go before the Ozaukee County Natural Resource Committee (NRC) for approval; the applicant and their engineer should reach out

to the County to begin that process; the contact for them is Andrew Struck at Ozaukee County Planning and Parks.

6. **Ozaukee County - Shoreland Zoning / Wetlands**

Barry Sullivan from Ozaukee County Land & Water also reviewed the proposed pond application. Other than the floodplain note mentioned above in the CSM section, Ozaukee County is also requiring a Shoreland Zoning Permit for any filling, grading, excavating, constructing, etc. within the County Shoreland Zoning area, prior to commencing any construction. The County has not received any shoreland permit applications.

7. **Other External Agency Approvals**

It is the Town's understanding that the applicants have been working with the DNR to obtain all necessary permits or confirmation that permits are not required. However, the plans have changed since the DNR's initial review. A copy of all permits required by the DNR and ACOE, if applicable, shall be submitted to the Town prior to issuance of the Pond Permit. Said permits shall reference the final plan dates approved by the Town. **Due to the magnitude of the project and potential impacts related to any changes in the scope of the project as a result of complying with other agency reviews, the Plan Commission and Town Board should ensure they are comfortable with the project without these approvals in place. The Town relies on County, DNR and ACOE review of impacts to the wetlands, floodplain, and Cedar Creek. These entities also review impacts to drinking water, wells and creek withdrawals.**

8. **Cedarburg Fire Department**

Town staff provided the CSM and Pond Plans to Blake Karnitz from the Cedarburg Fire Department, with CFD comments attached in their letter. At a minimum, the Fire Department is requesting accessibility to the pond by a UTV for emergency purposes. The Fire Department has determined that they do not need the pond for water suppression purposes. The source is too far from the public road and there are other nearby sources to draw water from.

PLAN COMMISSION RECOMMENDATION (10/15/2025)

At their October meeting, Plan Commission made the following motions:

Rezone: Plan Commission recommended the Town Board approve the rezoning application and schedule the public hearing subject to the conditions found in the staff report. The motion carried with a 5-1-1 vote.

CSM: Plan Commission recommended the Town Board approve the CSM application subject to the conditions found in the staff report. The motion carried with a 5-1-1 vote.

Pond: Plan Commission unanimously recommended that the pond application proceed to the Town Board for Public Hearing and then return to the Plan Commission for further consideration.

TOWN BOARD RECOMMENDATION (11/5/2025)

On November 5, 2025, the Town Board held a public hearing for the rezone and pond applications. Following the public hearing (public comments and meeting minutes included in the packet), the Town Board unanimously tabled the Rezone, CSM, and Pond application for further consideration by the Plan Commission.

ACTION REQUESTED

This project involves three parts: a rezoning, a CSM, and a pond application. Staff requests that Plan Commission review this application as a whole but make motions separately. Particularly, some motions would have some contingencies as noted below if recommending approval.

Rezoning: Although Plan Commission made a recommendation for conditional approval at their October 15, 2025 meeting, the Town Board requested that the matter be brought back to Plan Commission with consideration after the public hearing. In addition to the conditions noted below, the Plan Commission should affirm that the following standards of Section 320-130 have been met as it relates to the acreage being rezoned from the A-2 Prime Agricultural District. It should be noted that the property currently zoned A-2 is approximately 20 acres in size, whereas the minimum lot size for the A-2 Zoning District is 35 acres, as such it is a legal nonconforming lot under the A-2 Zoning District standards.

Required Standards to Rezone Lands Zoned A-2 Prime Agricultural District in accordance with Section 320-130 of the Town Code:

No change in the A-2 Prime Agricultural District shall be recommended unless the Plan Commission finds that:

- (a)** Adequate facilities in accordance with all Town requirements and ordinances exist or will be provided within a reasonable time.
- (b)** The land proposed for rezoning is suitable for development, and development will not result in undue water and air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural resources.
- (c)** Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.

Recommended Conditions of any Approvals:

1. The rezone is subject to the Joinder deed restriction agreement being reviewed and approved by the Town Board. The final Joinder deed restriction agreement shall be recorded with the Ozaukee County Register of Deeds prior to the rezoning being effective. The Joinder deed restriction agreement shall terminate upon the issuance of an Occupancy Permit of a new residence on the CSM lot.
2. The rezone is not effective until the CSM is recorded combining the five parcels described in this report.
Applicable rezoning shall be reviewed and approved by Ozaukee County.

CSM: Although Plan Commission made a recommendation for conditional approval at their October 15, 2025 meeting, the Town Board requested that the matter be brought back to Plan Commission with consideration after the public hearing.

1. The CSM shall reference the Joinder deed restriction agreement. The CSM can state that the Joinder deed restriction agreement is automatically terminated upon the issuance of an Occupancy Permit for a new single-family residence on the CSM lot.
2. The Joinder deed restriction agreement shall be approved by the Town Board and recorded simultaneously with the CSM.
3. The CSM shall be reviewed and approved by Ozaukee County.

Pond: Plan Commission recommended this matter be brought back for consideration following the public hearing:

1. Issuance of an approved Pond Permit will not occur until the rezoning and CSM are approved and all conditions complied with and the CSM is recorded with Ozaukee County. Recorded CSM to be submitted to the Town Clerk and Town's engineer. Construction shall not commence until the Pond Permit has been issued.
2. All conditions of the Town's engineer comments dated October 9, 2025, and any other supplemental Town's engineer comments or conditions shall be met, including responses to the engineer's comments and questions noted in this report, to the satisfaction of the Town's engineer prior to Pond Permit issuance. Construction shall not commence until the Pond Permit has been issued. Documents are to be submitted directly to the Town's engineer so they can file a letter with the Town Clerk noting all comments/conditions have been met.
3. A Pond Maintenance Agreement shall be reviewed and approved by the Town Board and be recorded with the Ozaukee County Register of Deeds prior to Pond Permit issuance. Construction shall not commence until the Pond Permit has been issued. Recorded Pond Maintenance Agreement shall be submitted to the Town Attorney, Town Clerk and Town's engineer.
4. Other Review Authority Permits: The applicant shall submit a copy of all approvals or proof of a permit not being required from Ozaukee County, DNR, and ACOE, if applicable, prior to recordation of the CSM, Pond Maintenance Agreement, and issuance of the Pond Permit. Documentation shall be provided that these approvals are based on the final plan sets approved by the Town and submitted to the Town's engineer and Town Clerk.
5. Access: The Board should decide if it is appropriate for the applicant to use a separate 1-acre parcel (Tax Key Parcel 03-010-10-006.00) that they own for temporary access from Covered Bridge Road that is not included in the CSM for construction of the pond. If access is provided through the separate lot, the Town may want to require a financial guarantee for the restoration of said access upon completion of the project.
6. Fire department review and approval of access.

ATTACHMENTS

- I. Zoning Map/Shoreland Map
- II. Applicant materials
- III. CFD/raSmith Engineer/Surveyor Comments
- IV. Working Draft Joinder Deed Restriction Agreement and Working Draft Pond Maintenance Agreements (Not final)
- V. Draft Rezoning Ordinance
- VI. Public hearing comments received as part of the public hearing, meeting minutes
- VII. Applicant response
- VIII. WDNR Email

COPIES MAILED/E-MAILED TO

- I. Michael Gauthier: Michael.Gauthier@gauthierbiomedical.com
- II. Attorney Richard Donner: rdonner@reinhardtllaw.com
- III. Barry Sullivan, Ozaukee County: bsullivan@ozaukeecounty.gov
- IV. Andrew Struck, Ozaukee County: astruck@ozaukeecounty.gov
- V. Michael Thompson: michaelc.thompson@wisconsin.gov

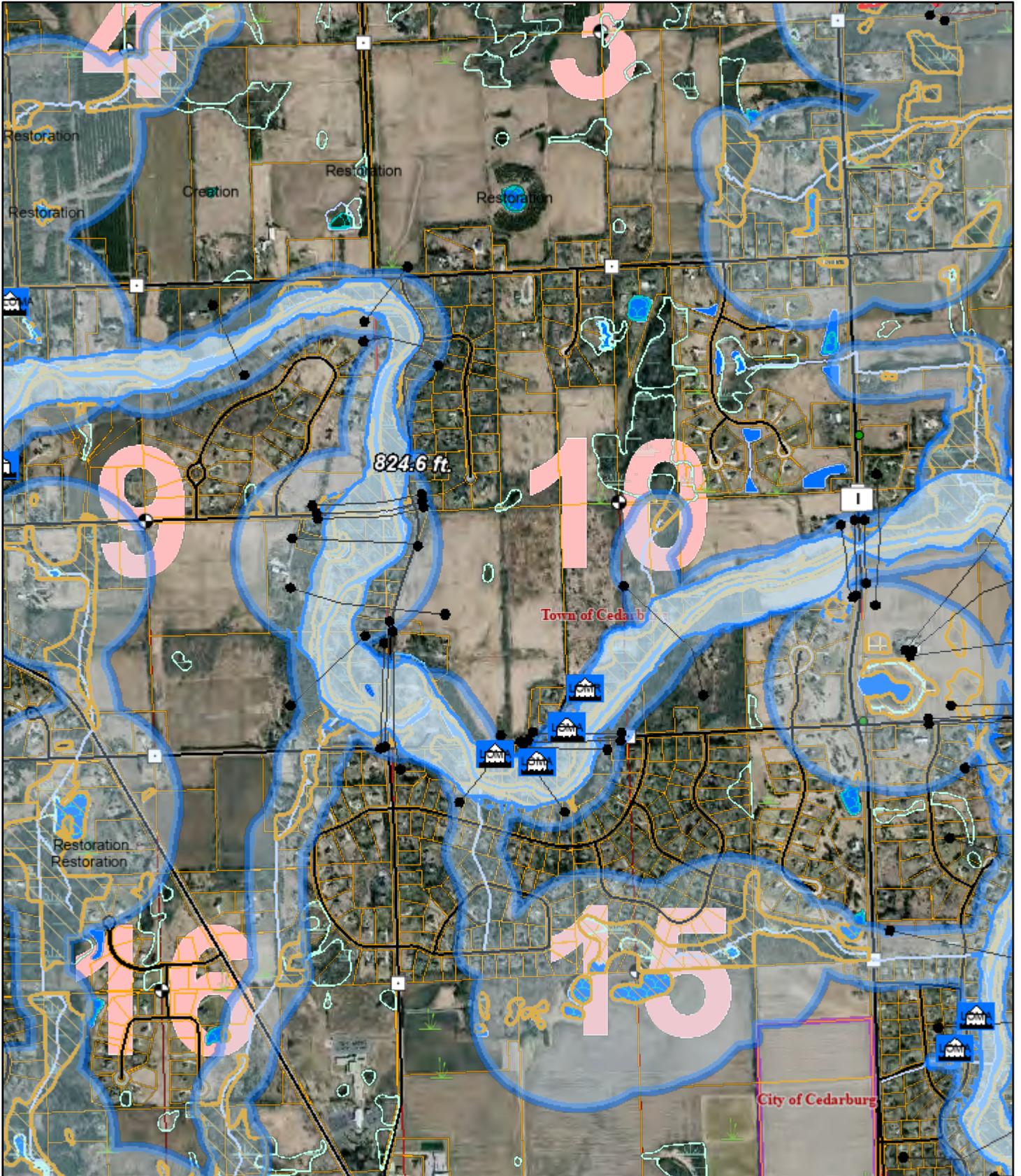
Action	Date	Status
Plan Commission Recommendation	8-27-2025 10-15-2025	Tabled Recommend Approve CSM and Rezone on 5-1-1 vote Advance Pond Application for public hearing on Unan. vote
Rezone/Pond Public Notice (News Graphic)	10-21 & 10-28-2025	Published
Rezone/Pond Post Cards	10-17-2025	Mailed
Rezone/Pond Public Hearing at Town Board Town Board Decision	11-5-2025	Public Hearing Held Tabled items
Plan Commission 2nd Meeting	12-17-2025	This Meeting

ATTACHMENT I.

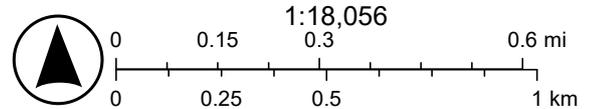


Legend					
Town of Cedarburg Zoning					
Zoning_Class					
	PUD Planned Unit Development		B-3 Business		TR Transitional Residential
	TCOD Town Center Overlay District		C-1 Conservancy		TR-2 Transitional Residential 2
	A-1 Agricultural 5 acres		CR-A Countryside Residential		P-1 Park
	A-2 Agricultural 35 acres		CR-B Countryside Residential		M-1 Industrial
	B-1 Neighborhood Business		E-1 Estate		M-2 Planned Industrial and Mixed Use
	B-2 Planned Business		R-1 Single Family Residential		M-3 Quarry
			R-2 Single Family Residential		PDSP Planned Development for Specialized Purposes
			R-3 Single Family Residential		

Ozaukee County Shoreland Zoning



8/22/2025, 2:31:55 PM



- | | | | |
|--------------------------------------|------------------------------------|------------------------|------------------------|
| LOMA | Shoreland and Floodplain Zoning | PLSS Corners | Parcels |
| Floodplain_Fill | Wetlands Within Shoreland | Center of Section | Road Right-of-Way |
| Floodplain Islands | Wetland Restoration | GPS Point | Tax Parcel |
| Base Flood Elevations | Wetland Regulated less than 1/4 ac | Quarter Section Corner | PLSS Townships |
| Cross Sections | Wetlands Regulated | Section Corner | PLSS Sections |
| Shoreland and Floodplain Zoning Fill | Wetlands Farmed | Highways | PLSS Quarter Sections |
| FEMA Floodlines | Wetlands Open Water | State Highway | Civil Divisions |
| A - 100 Year Floodplain | Hydro Polygon | County Highway | City |
| AE - 100 year Floodplain with BFE | Hydro Polyline | Local Roads | Town |
| AE, Floodway | | Local | Control Survey Diagram |

CERTIFIED SURVEY MAP NO. _____

Parcel 2 of Certified Survey Map No. 52, part of Parcel 2 of Certified Survey Map No. 805 and lands all in the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4, of the Southwest 1/4 all in Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

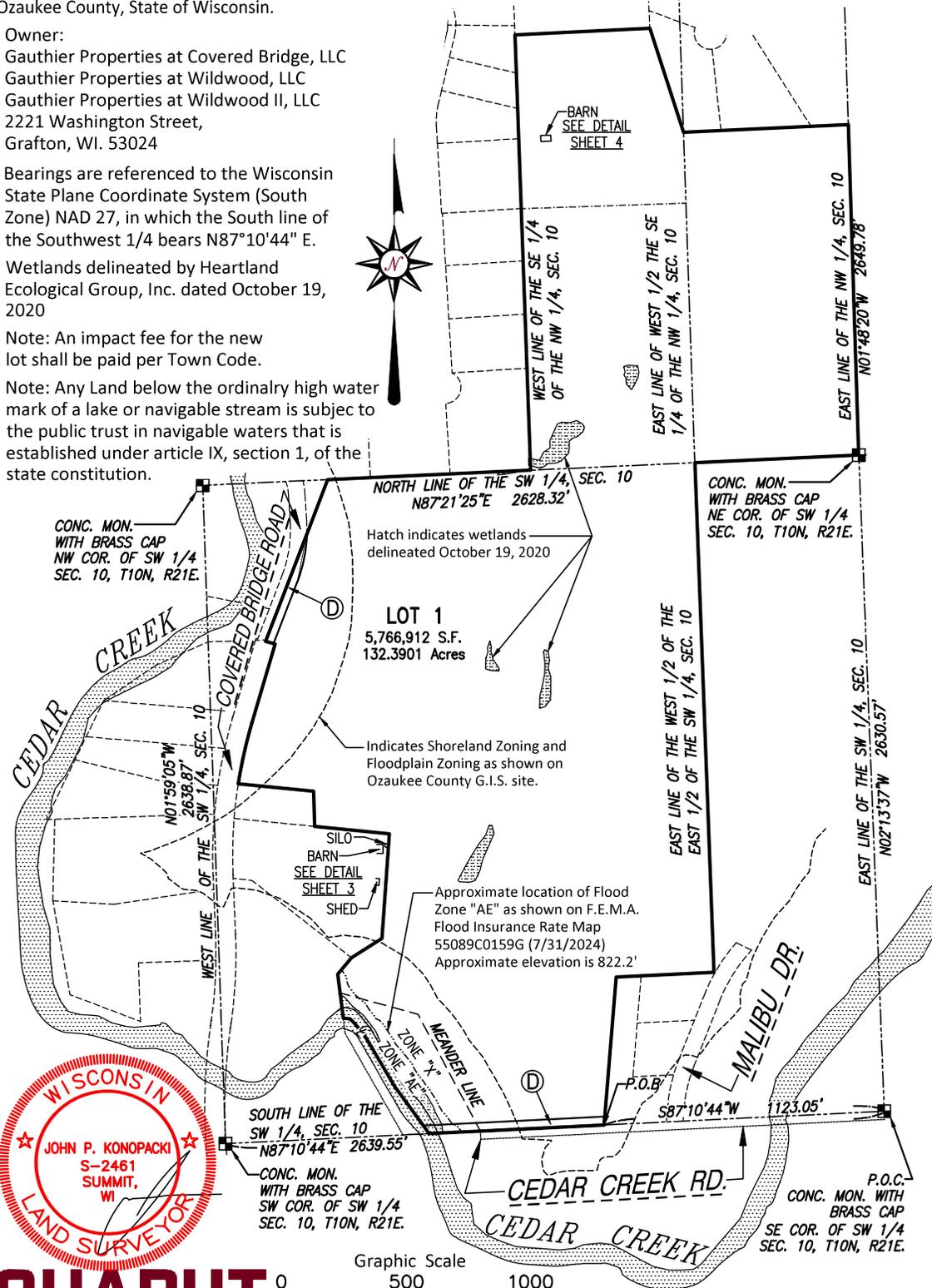
Owner:
 Gauthier Properties at Covered Bridge, LLC
 Gauthier Properties at Wildwood, LLC
 Gauthier Properties at Wildwood II, LLC
 2221 Washington Street,
 Grafton, WI. 53024

Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone) NAD 27, in which the South line of the Southwest 1/4 bears N87°10'44" E.

Wetlands delineated by Heartland Ecological Group, Inc. dated October 19, 2020

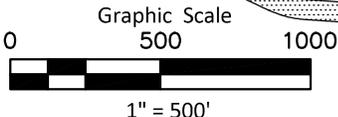
Note: An impact fee for the new lot shall be paid per Town Code.

Note: Any Land below the ordinary high water mark of a lake or navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.



CHAPUT
 LAND SURVEYS

234 W. Florida Street Milwaukee, WI 53024 414-224-8068 www.chaputlandsurveys.com

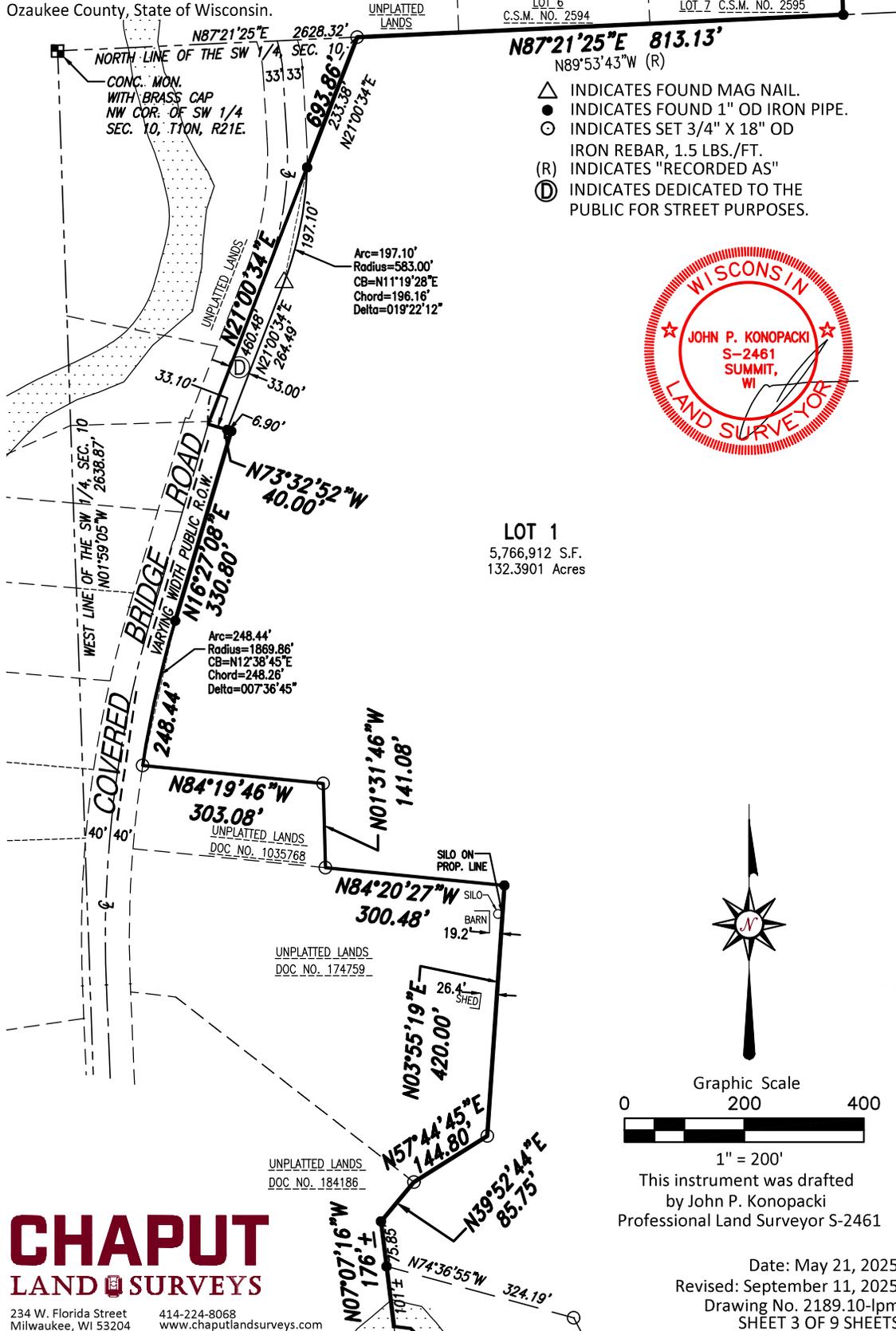


This instrument was drafted by John P. Konopacki Professional Land Surveyor S-2461

Date: May 21, 2025
 Revised: September 11, 2025
 Drawing No. 2189.10-lpm
 SHEET 1 OF 9 SHEETS

CERTIFIED SURVEY MAP NO. _____

Parcel 2 of Certified Survey Map No. 52, part of Parcel 2 of Certified Survey Map No. 805 and lands all in the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4, of the Southwest 1/4 all in Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.



CHAPUT
LAND SURVEYS

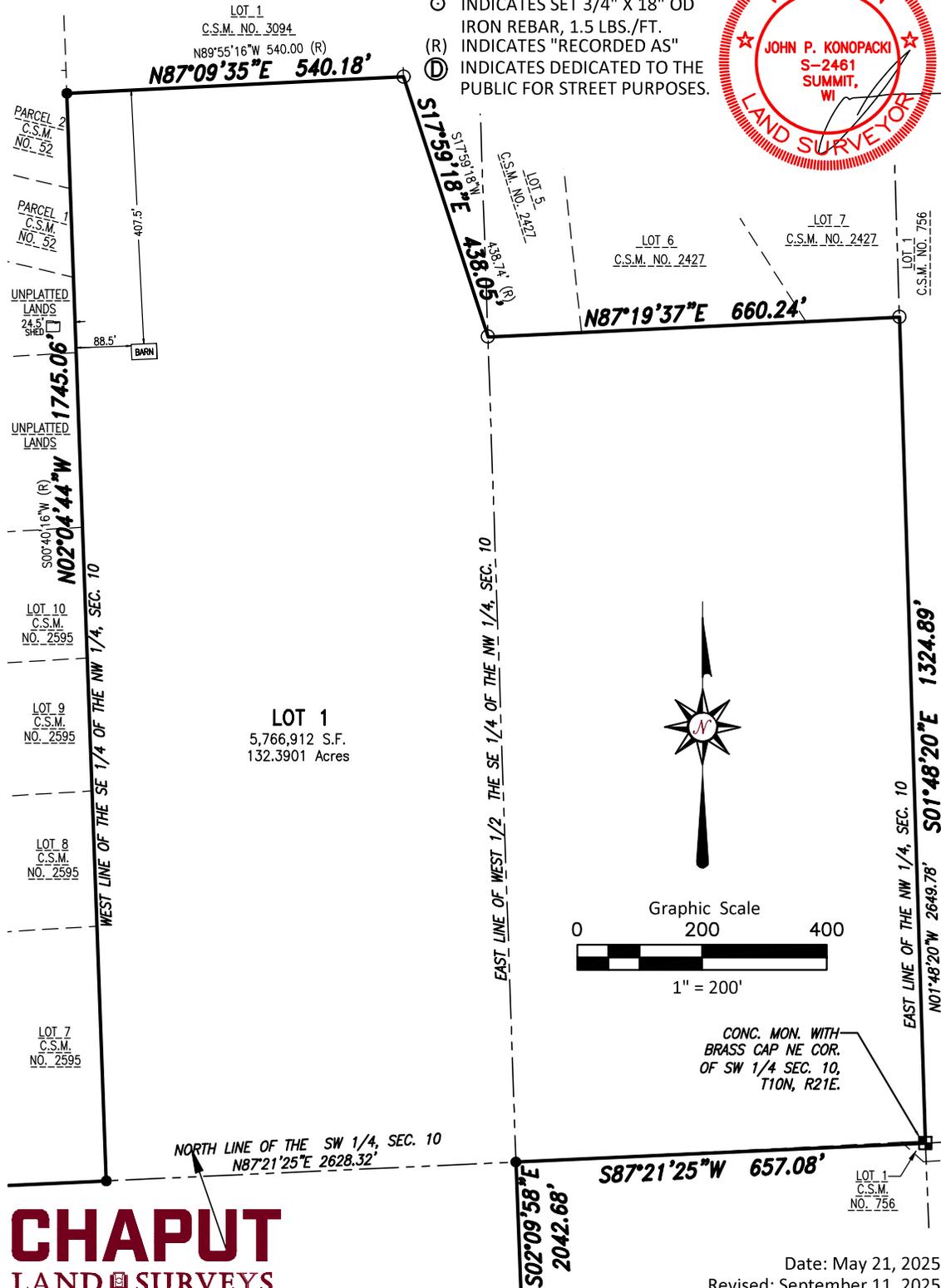
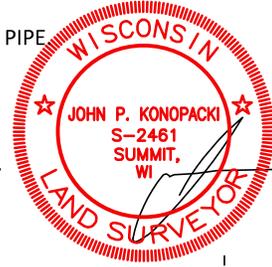
234 W. Florida Street
 Milwaukee, WI 53204
 414-224-8068
 www.chaputlandsurveys.com

Date: May 21, 2025
 Revised: September 11, 2025
 Drawing No. 2189.10-lpm
 SHEET 3 OF 9 SHEETS

CERTIFIED SURVEY MAP NO. _____

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- △ INDICATES FOUND MAG NAIL.
- INDICATES FOUND 1" OD IRON PIPE
- INDICATES SET 3/4" X 18" OD IRON REBAR, 1.5 LBS./FT.
- (R) INDICATES "RECORDED AS"
- ⊙ INDICATES DEDICATED TO THE PUBLIC FOR STREET PURPOSES.



CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204

414-224-8068
www.chaputlandsurveys.com

This instrument was drafted by John P. Konopacki
Professional Land Surveyor S-2461

Date: May 21, 2025
Revised: September 11, 2025
Drawing No. 2189.10-lpm
SHEET 4 OF 9 SHEETS

CERTIFIED SURVEY MAP NO. _____

Parcel 2 of Certified Survey Map No. 52, part of Parcel 2 of Certified Survey Map No. 805 and lands all in the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4, of the Southwest 1/4 all in Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}
WAUKESHA COUNTY} :SS

I, John P. Konopacki, a professional land surveyor, do hereby certify:

THAT I have surveyed, divided and mapped Parcel 2 of Certified Survey Map No. 52, part of Parcel 2 of Certified Survey Map No. 805 and lands all in the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4, of the Southwest 1/4 all in Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin which is bounded and described as follows:

COMMENCING at the Southeast corner of the Southwest 1/4 of said Section 10; thence South 87°10'44" West along the South line of said 1/4 Section 1123.05 feet to the point of beginning of the lands hereinafter described; thence continuing South 87°10'44" West along said South line 495.66 feet to a meander corner, said corner being North 87°10'44" East 205 feet more or less from the centerline of Cedar Creek; thence North 28°00'41" West along said meander line 529.66 feet to a meander corner; thence North 74°36'55" West along said meander line 324.19 feet to a meander corner, said corner being on the East line of lands described in Doc. No. 184186 and North 07°07'16" West 101 feet more or less from the centerline of Cedar Creek; thence North 07°07'16" West along said East line 75.85 feet to a point; thence North 39°52'44" East along said East line 85.75 feet to a point on the East line of lands described in Document No. 174759; thence North 57°44'45" East along said East line 144.80 feet to a point; thence North 03°55'19" East along said East line 420.00 feet to a point on the North line of Document No. 174759; thence North 84°20'27" West along said North line 300.48 feet to a point on the East line of Document No. 1035768; thence North 01°31'46" West along said East line 141.08 feet to a point on the North line of Document No. 1035768; thence North 84°19'46" West along said North line 303.08 feet to a point on the East line of Covered Bridge Road and point of curvature; thence Northeasterly 248.44 feet along said East line and arc of a curve, whose center lies to the Southeast, whose radius is 1869.86 feet, and whose chord bears North 12°38'45" East 248.26 feet to a point; thence North 16°27'08" East along said East line 330.80 feet to a point; thence North 73°32'52" West 40.00 feet to a point on the centerline of Covered Bridge Road; thence North 21°00'34" East along said centerline 693.86 feet to a point on the North line of said Southwest 1/4 Section; thence North 87°21'25" East along said North line 813.13 feet to a point on the West line of the Southeast 1/4 of said Northwest 1/4 Section; thence North 02°04'44" West along said West line 1745.06 feet to a point on the South line of Lot 1 of Certified Survey Map No. 3094; thence North 87°09'35" East along said South line 540.18 feet to a point in the West line of Lot 5 of Certified Survey Map No. 2427; thence South 17°59'18" East along said West line 438.05 feet to a point on the South line of said Certified Survey Map; thence North 87°19'37" East along said South line and its extension 660.24 feet to a point on the East line of the Northwest 1/4 of said Section; thence South 01°48'20" East along said East line 1324.89 feet to a point on the North line of the Southwest 1/4 of said Section; thence South 87°21'25" West along said North line 657.08 feet to a point on the East line of the West 1/2 of the East 1/2 of the Southwest 1/4 of said Section; thence South 02°09'58" East along said East line 2042.68 feet to a point on the North line of Parcel 1 of Certified Survey Map No. 805; thence South 87°10'44" West along said North line and its extension 392.29 feet to a point; thence South 04°40'26" West 595.00 feet to the point of beginning.

Said lands together with lands lying between said meander line and the center of Cedar Creek, contain 5,766,912 square feet or 132.3901 acres of land.

THAT I have made this survey, land division and map by the direction of Gauthier Properties at Covered Bridge, LLC, Gauthier Properties at Wildwood, LLC, Gauthier Properties at Wildwood II, LLC, owner(s) of said land.

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 Section 236.34 of the Wisconsin Statutes, the Land Division and Subdivision Ordinance of the Town of Cedarburg and the Land Division Ordinance of Ozaukee County in surveying, dividing and mapping the same.

DATE: May 21, 2025
Revised: September 11, 2025



JOHN P. KONOPACKI
PROFESSIONAL LAND SURVEYOR S-2461

CERTIFIED SURVEY MAP NO. _____

Parcel 2 of Certified Survey Map No. 52, part of Parcel 2 of Certified Survey Map No. 805 and lands all in the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4, of the Southwest 1/4 all in Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER'S CERTIFICATE

GAUTHIER PROPERTIES AT COVERED BRIDGE, LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the Town of Cedarburg.

GAUTHIER PROPERTIES AT COVERED BRIDGE, LLC, as owner, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: Town of Cedarburg.

IN WITNESS WHEREOF, GAUTHIER PROPERTIES AT COVERED BRIDGE, LLC, has caused these presents to be signed by the hand of _____, President, on this ____ day of _____, 2025

In the presence of:

GAUTHIER PROPERTIES AT COVERED BRIDGE, LLC
By: MICHAEL T GAUTHIER, agent

MICHAEL T GAUTHIER, agent

STATE OF WISCONSIN}
:SS
OZAUKEE COUNTY}

Personally came before me this ____ day of _____, 2025, _____,
President of GAUTHIER PROPERTIES AT COVERED BRIDGE, LLC, to me known as the person who
executed the foregoing instrument and acknowledged that he executed the foregoing instrument as
such officer as the deed of said limited liability company, by its authority.

Notary Public
State of Wisconsin
My commission expires. _____
My commission is permanent.



This instrument was drafted by John P. Konopacki
Professional Land Surveyor S-2461

Date: May 21, 2025
Revised: September 11, 2025
Drawing No. 2189.10-lpm
SHEET 6 OF 9 SHEETS

CERTIFIED SURVEY MAP NO. _____

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OWNER'S CERTIFICATE

GAUTHIER PROPERTIES AT WILDWOOD, LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the Town of Cedarburg.

GAUTHIER PROPERTIES AT WILDWOOD, LLC, as owner, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: Town of Cedarburg.

IN WITNESS WHEREOF, GAUTHIER PROPERTIES AT WILDWOOD, LLC, has caused these presents to be signed by the hand of _____, President, on this ____ day of _____, 2025

In the presence of:

GAUTHIER PROPERTIES AT WILDWOOD, LLC
By: MICHAEL T GAUTHIER, agent

MICHAEL T GAUTHIER, agent

STATE OF WISCONSIN}
:SS
OZAUKEE COUNTY}

Personally came before me this ____ day of _____, 2025, _____,
President of GAUTHIER PROPERTIES AT WILDWOOD, LLC, to me known as the person who executed
the foregoing instrument and acknowledged that he executed the foregoing instrument as such
officer as the deed of said limited liability company, by its authority.

Notary Public
State of Wisconsin
My commission expires. _____
My commission is permanent.



This instrument was drafted by John P. Konopacki
Professional Land Surveyor S-2461

Date: May 21, 2025
Revised: September 11, 2025
Drawing No. 2189.10-lpm
SHEET 7 OF 9 SHEETS

CERTIFIED SURVEY MAP NO. _____

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OWNER'S CERTIFICATE

GAUTHIER PROPERTIES AT WILDWOOD II, LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the Town of Cedarburg.

GAUTHIER PROPERTIES AT WILDWOOD II, LLC, as owner, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: Town of Cedarburg.

IN WITNESS WHEREOF, GAUTHIER PROPERTIES AT WILDWOOD II, LLC, has caused these presents to be signed by the hand of _____, President, on this ____ day of _____, 2025

In the presence of:

GAUTHIER PROPERTIES AT WILDWOOD II, LLC
By: MICHAEL T GAUTHIER, agent

MICHAEL T GAUTHIER, agent

STATE OF WISCONSIN}
:SS
OZAUKEE COUNTY}

Personally came before me this ____ day of _____, 2025, _____,
President of GAUTHIER PROPERTIES AT WILDWOOD II, LLC, to me known as the person who executed
the foregoing instrument and acknowledged that he executed the foregoing instrument as such
officer as the deed of said limited liability company, by its authority.

Notary Public
State of Wisconsin
My commission expires. _____
My commission is permanent.



This instrument was drafted by John P. Konopacki
Professional Land Surveyor S-2461

Date: May 21, 2025
Revised: September 11, 2025
Drawing No. 2189.10-lpm
SHEET 8 OF 9 SHEETS

CERTIFIED SURVEY MAP NO. _____

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TOWN OF CEDARBURG PLAN COMMISSION APPROVAL

This Certified Survey Map is hereby approved by The Town of Cedarburg Plan Commission on this ____ day of _____, 2025.

David Salvasaggio, Chairperson

Sara Jacoby, Town Clerk

TOWN OF CEDARBURG TOWN BOARD APPROVAL

This Certified Survey Map is hereby approved by The Town of Cedarburg Town Board on this ____ day of _____, 2025.

David Salvasaggio, Chairperson

Sara Jacoby, Town Clerk

OZAUKEE COUNTY PLANNING AND PARKS DEPARTMENT APPROVAL

Resolved that the Certified Survey Map located in the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4, of the Southwest 1/4 all in Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg is approved by the Ozaukee County Natural Resources Committee on this _____ day of _____, 2025.

Rob Holyoke
Chairperson of the Natural Resources Committee



This instrument was drafted by John P. Konopacki
Professional Land Surveyor S-2461

Date: May 21, 2025
Revised: September 11, 2025
Drawing No. 2189.10-lpm
SHEET 9 OF 9 SHEETS

Addendum to Rezone Application - Gauthier

Landowner of Record:

GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
c/o Mike & Stacy Gauthier, 2221 Washington St., Grafton, WI

Properties to be rezoned to E-1:

- Parcel # 030100900200 (approximately 88.55 acres per GIS) – zoned A-1
- Parcel # 030100800200 (approximately 15.86 acres per GIS) – zoned A-1
- Parcel # 030100800100 (approximately 19.92 acres per GIS) – zoned A-2

Reasons for rezone:

Applicant is combing parcels to create homestead parcel for single family home and recreational pond.

REZONING EXHIBIT

TAX KEY NO.: 03-010-08-001.00

LANDS TO BE ZONED: E-1 (Estate District)

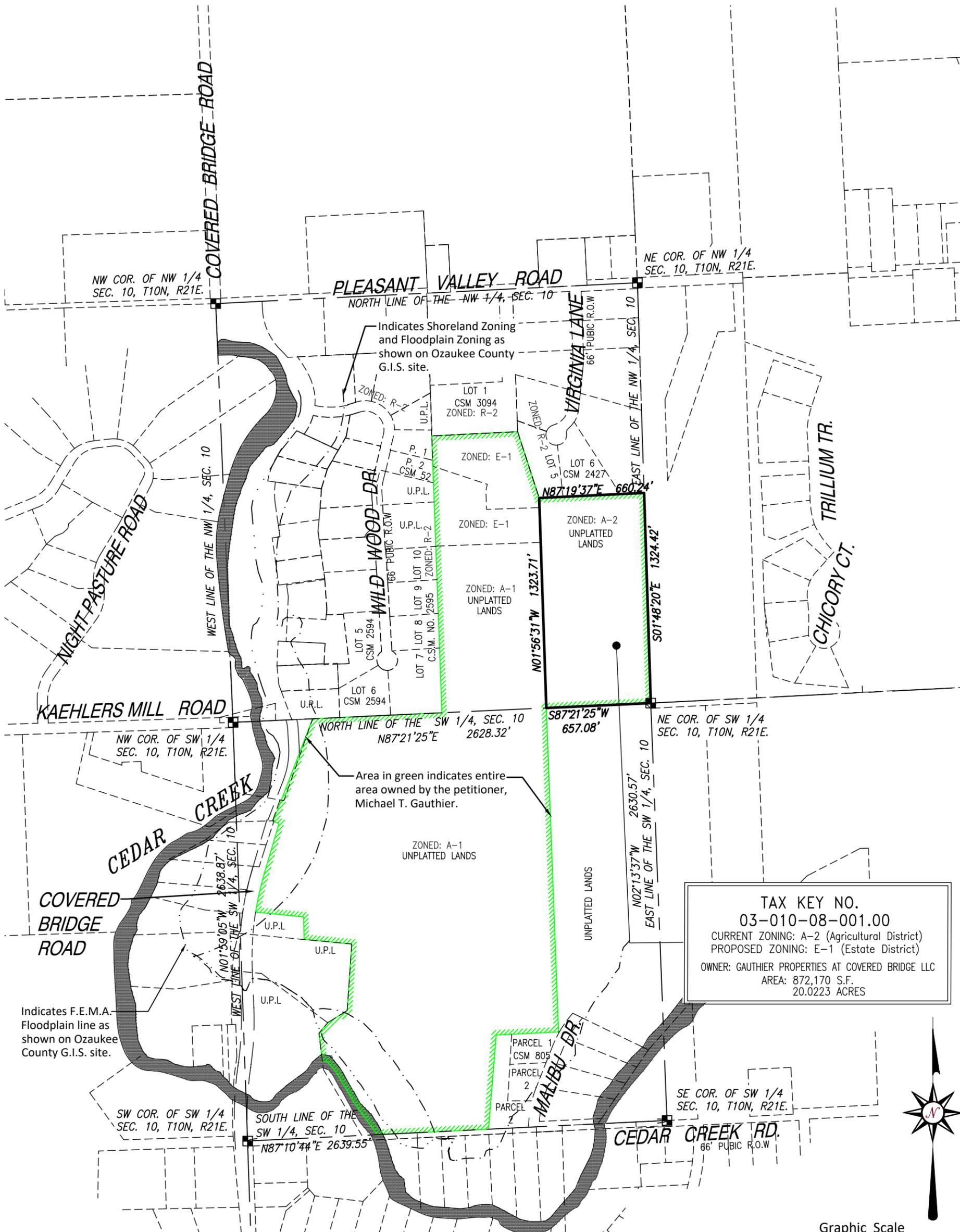
Part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER: Gauthier Properties at Covered Bridge, LLC

PETITIONER: Michael T. Gauthier

LAND SURVEYOR: JOHN P. KONOPACKI

Date: May 29, 2025



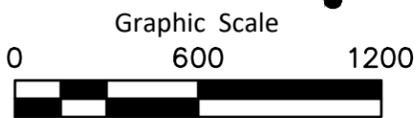
TAX KEY NO.
03-010-08-001.00
CURRENT ZONING: A-2 (Agricultural District)
PROPOSED ZONING: E-1 (Estate District)
OWNER: GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
AREA: 872,170 S.F.
20.0223 ACRES

Indicates F.E.M.A. Floodplain line as shown on Ozaukee County G.I.S. site.

Area in green indicates entire area owned by the petitioner, Michael T. Gauthier.

ZONED: A-1 UNPLATTED LANDS

Indicates Shoreland Zoning and Floodplain Zoning as shown on Ozaukee County G.I.S. site.



CHAPUT
LAND SURVEYS

234 W. Florida Street Milwaukee, WI 53204 414-224-8068 www.chaputlandsurveys.com

Sheet 1 of 10
Drawing No. 2189-lpm

REZONING EXHIBIT

TAX KEY NO.: 03-010-08-001.00

LANDS TO BE ZONED: E-1 (Estate District)

Part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

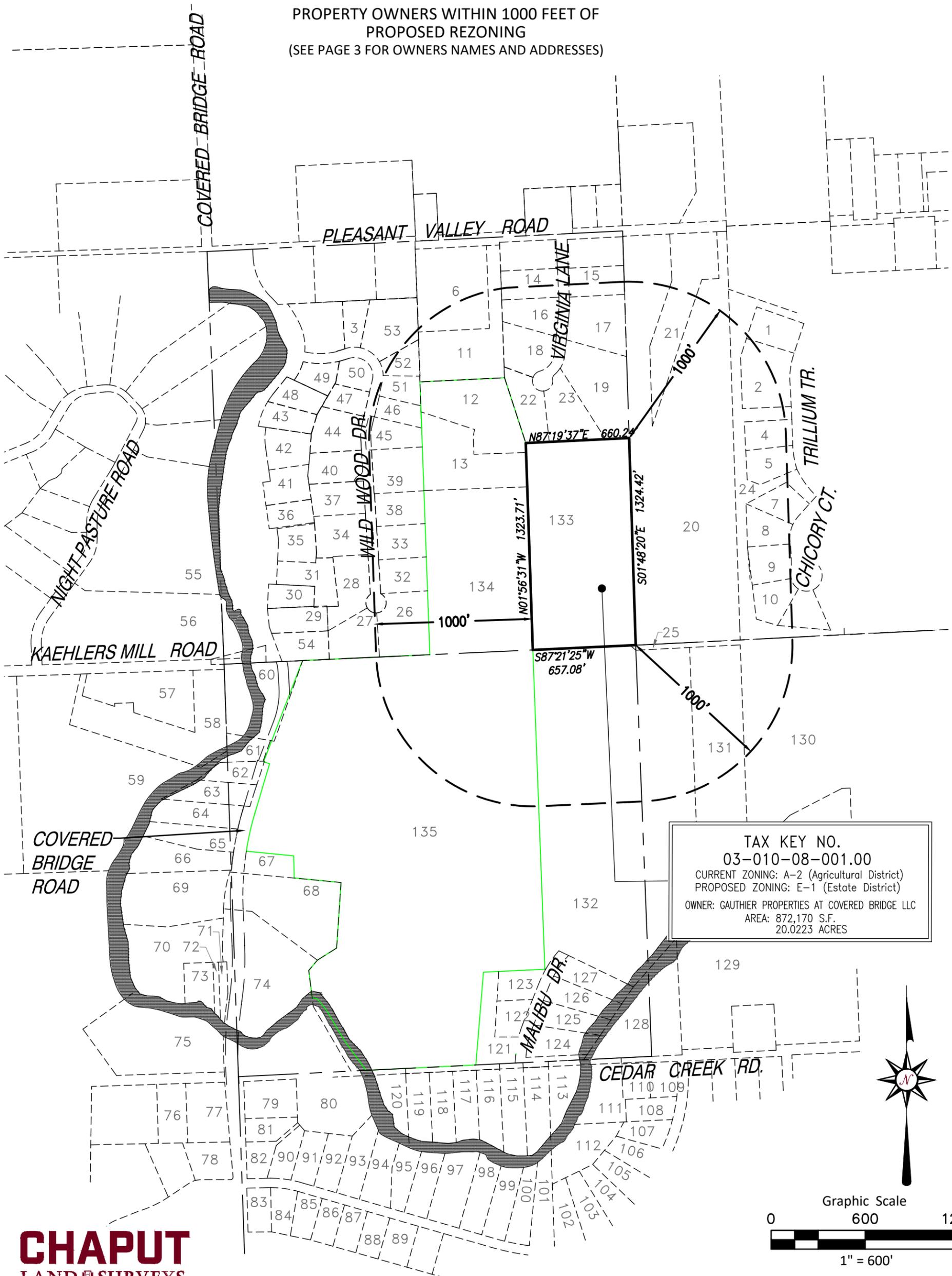
OWNER: Gauthier Properties at Covered Bridge, LLC

Date: May 29, 2025

PETITIONER: Michael T. Gauthier

LAND SURVEYOR: DONALD C. CHAPUT

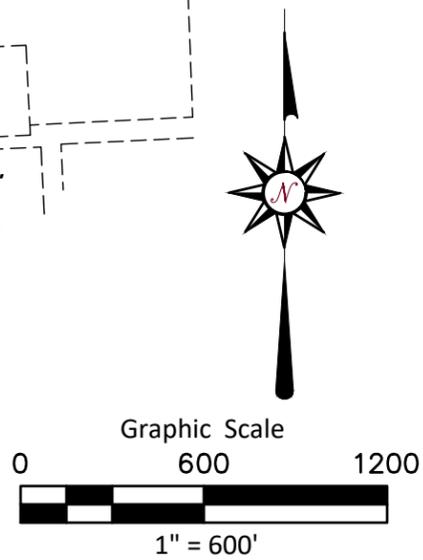
PROPERTY OWNERS WITHIN 1000 FEET OF
PROPOSED REZONING
(SEE PAGE 3 FOR OWNERS NAMES AND ADDRESSES)



TAX KEY NO.
03-010-08-001.00
CURRENT ZONING: A-2 (Agricultural District)
PROPOSED ZONING: E-1 (Estate District)
OWNER: GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
AREA: 872,170 S.F.
20.0223 ACRES

CHAPUT
LAND SURVEYS

234 W. Florida Street Milwaukee, WI 53204 414-224-8068 www.chaputlandsurveys.com



Sheet 2 of 10
Drawing No. 2189-lpm

REZONING EXHIBIT

TAX KEY NO.: 03-010-08-001.00

LANDS TO BE ZONED: E-1 (Estate District)

Part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 10, Township 10 North,
Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER: Gauthier Properties at Covered Bridge, LLC

PETITIONER: Michael T. Gauthier

LAND SURVEYOR: JOHN P. KONOPACKI

PROPERTY OWNERS WITHIN 1000
FEET OF PROPOSED REZONING

Date: May 29, 2025

- | | |
|--|--|
| 1 ANTHONY JAMPOLE, JAMPOLE, TRACEY
2043 TRILLIUM TRAIL
GRAFTON, WI 53024 | 32 DALE K WALDO, KATHLEEN M WALDO
1938 WILDWOOD DR
CEDARBURG, WI 53012 |
| 2 CHAD AND REGINA CURRAN 2015 REVOCABLE TRUST
2017 TRILLIUM TRAIL
GRAFTON, WI 53024 | 33 AARON T WETZEL, AMY WETZEL
1954 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 4 PAUL J ZWIEF, JENNIFER A ZWIEF
1999 TRILLIUM TRAIL
GRAFTON, WI 53024 | 38 STEVEN G RUNGE, ALLISON M SCHMITZ
1970 WILDWOOD DR
CEDARBURG, WI 53012-8842 |
| 5 RYAN CHANCE, LAUREN CHANCE
1991 TRILLIUM TRAIL
GRAFTON, WI 53024 | 39 DAVID A CARR, CARR, ELIZABETH A
1992 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 6 LITTLE RED SCHOOL HOUSE CEDARBURG LLC,
ERIN PHILLIPS 7936 TOWN HALL ROAD
KEWASKUM, WI 53040-9401 | 45 GAUTHIER PROPERTIES AT WILDWOOD LLC
2221 WASHINGTON STREET
GRAFTON, WI 53024-9506 |
| 7 GREGORY P BAXTER, BAXTER, KELLY A
6484 CHICORY COURT
GRAFTON, WI 53024 | 46 ANDREW D STUCKE, SHEILA R STUCKE
2076 WILDWOOD DR
CEDARBURG, WI 53012 |
| 8 JAURON LIVING TRUST
6502 CHICORY COURT
GRAFTON, WI 53024 | 51 GAUTHIER PROPERTIES AT WILDWOOD II LLC
2221 WASHINGTON STREET
GRAFTON, WI 53024 |
| 9 JON C BIELEFELD, BIELEFELD, JOYCE C
6506 CHICORY COURT
GRAFTON, WI 53024 | 52 MADELINE N ROBB, DUNFEE, PAUL
2092 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 10 THOMAS M AND KATHERINE A INGRASSIA 2018 REVOCABLE TRUST
6510 CHICORY COURT
GRAFTON, WI 53024 | 53 KRISTINE A ROMANS,
2100 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 11 GREGORY A KRAFT,
7023 PLEASANT VALLEY RD
GRAFTON, WI 53024 | 130 DARLENE SUKOWSKI
1873 COUNTY ROAD I
GRAFTON, WI 53024 |
| 12 GAUTHIER PROPERTIES AT WILDWOOD II LLC
2221 WASHINGTON STREET
GRAFTON, WI 53024 | 131 RICHARD A KNOX JR, SUSAN J KNOX
1760 MALIBU DR
CEDARBURG, WI 53012 |
| 13 GAUTHIER PROPERTIES AT WILDWOOD LLC
2221 WASHINGTON STREET
GRAFTON, WI 53024-9506 | 132 RICHARD A KNOX JR, SUSAN J KNOX
1760 MALIBU DR
CEDARBURG, WI 53012 |
| 14 BRIAN W LEMKE, LEMKE, JANE E
2077 VIRGINIA LN
GRAFTON, WI 53024 | 134 GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
2221 WASHINGTON ST
GRAFTON, WI 53024 |
| 15 GARY G PRESTON, LAURIE J PRESTON
2076 VIRGINIA LN
GRAFTON, WI 53024 | 135 GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
2221 WASHINGTON ST
GRAFTON, WI 53024 |
| 16 THEODORE C FELTMEYER, ANNE M FELTMEYER
2061 VIRGINIA LANE
GRAFTON, WI 53024 | |
| 17 PAUL H SCHAUB AND SYLVIA L SCHAUB REVOCABLE TRUST,
2062 VIRGINIA LN
GRAFTON, WI 53024 | |
| 18 XINQIANG GUO, NING MEI
2039 VIRGINIA LANE
CEDARBURG, WI 53024 | |
| 19 FRANKLIN E LAIB AND CATHERINE J LAIB REVOCABLE TRUST,
2042 VIRGINIA LANE
GRAFTON, WI 53024 | |
| 20 GARY W MAYWORM, JAYNE L MAYWORM
6755 PLEASANT VALLEY RD
GRAFTON, WI 53024 | |
| 21 DENNIS A WOLFF
6625 PLEASANT VALLEY ROAD
GRAFTON, WI 53024 | |
| 22 RICHARD J KEATING, MARY E KEATING
2025 VIRGINIA LN
GRAFTON, WI 53024 | |
| 23 KYLE G FORTNEY, BECKY L FORTNEY
2030 VIRGINIA LN
GRAFTON, WI 53024 | |
| 24 PLEASANT VALLEY PRESERVE LLC, C/O TERRACE REALTY
W61 N488 WASHINGTON AVE
CEDARBURG, WI 53012 | |
| 25 GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
2221 WASHINGTON ST
GRAFTON, WI 53024 | |
| 26 MICHAEL W LESTER, ANN M LESTER
1922 WILDWOOD DRIVE
CEDARBURG, WI 53012 | |
| 27 CRAIG R BIRNSCHEIN, BIRNSCHEIN, SUE M
1921 WILDWOOD DRIVE
CEDARBURG, WI 53012 | |

CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204

414-224-8068
www.chaputlandsurveys.com

REZONING EXHIBIT

TAX KEY NO.: 03-010-09-002.00

LANDS TO BE ZONED: E-1 (Estate District)

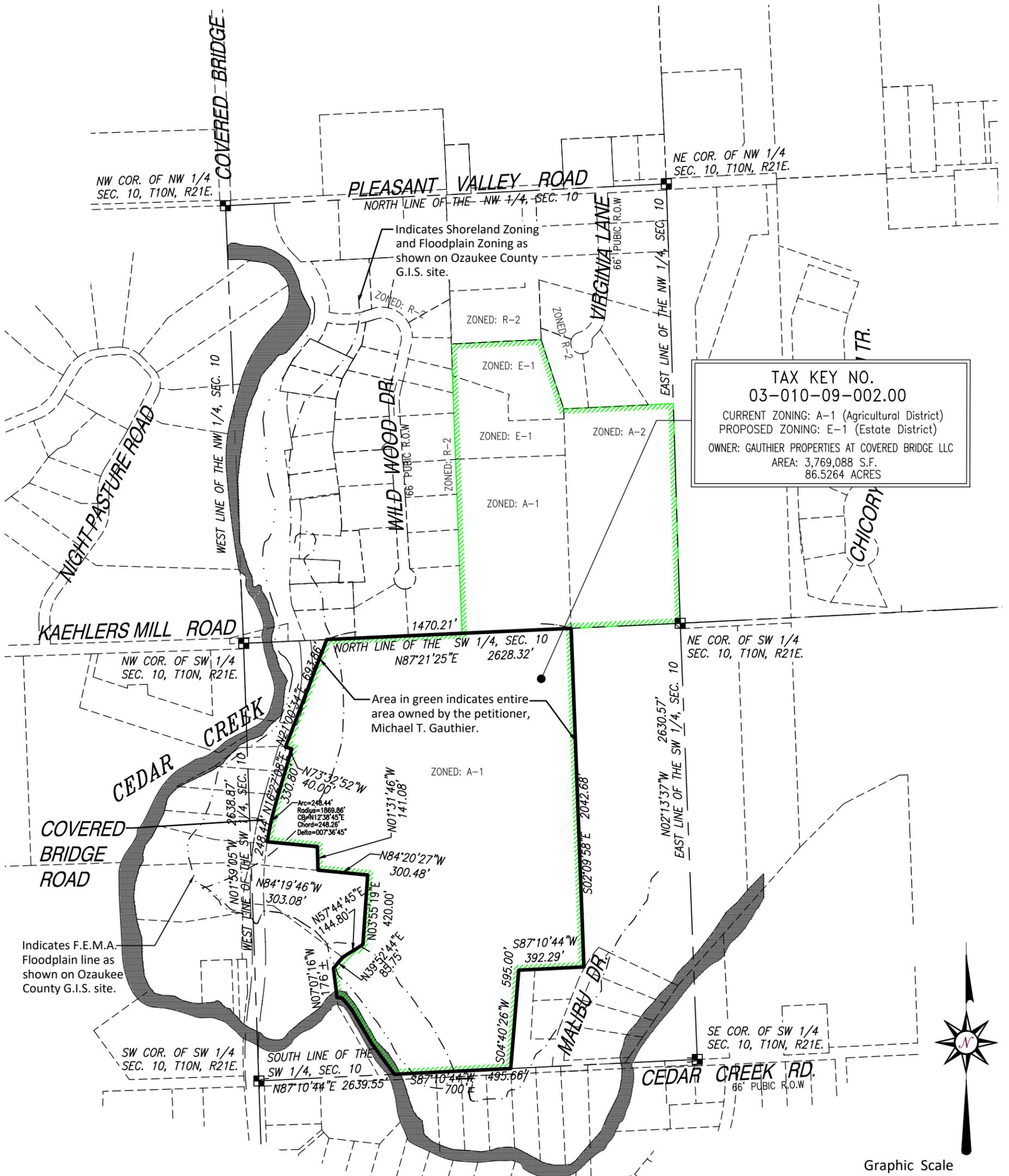
Part of the Northeast 1/4, Northwest 1/4, Southwest 1/4, and Southeast 1/4 of the Southwest 1/4 of Section 10, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER: Gauthier Properties at Covered Bridge, LLC

Date: May 29, 2025

PETITIONER: Michael T. Gauthier

LAND SURVEYOR: JOHN P. KONOPACKI



TAX KEY NO.
03-010-09-002.00
CURRENT ZONING: A-1 (Agricultural District)
PROPOSED ZONING: E-1 (Estate District)
OWNER: GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
AREA: 3,769,088 S.F.
86.5264 ACRES

REZONING EXHIBIT

TAX KEY NO.: 03-010-09-002.00

LANDS TO BE ZONED: E-1 (Estate District)

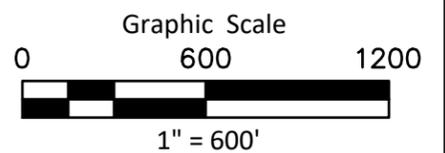
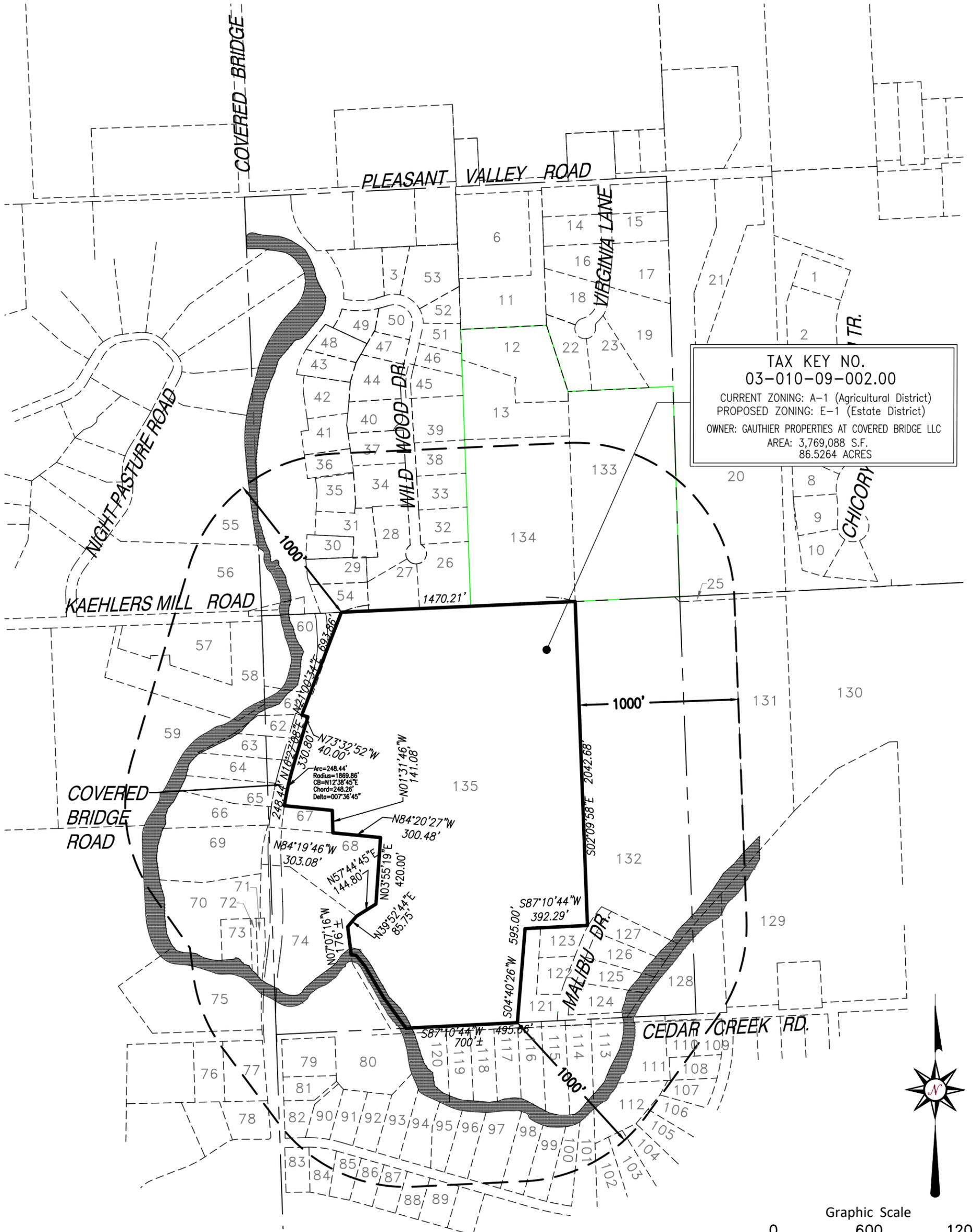
Part of the Northeast 1/4, Northwest 1/4, Southwest 1/4, and Southeast 1/4 of the Southwest 1/4 of Section 10,
Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER: Gauthier Properties at Covered Bridge, LLC

PETITIONER: Michael T. Gauthier

LAND SURVEYOR: JOHN P. KONOPACKI

Date: May 29, 2025



CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204
414-224-8068
www.chaputlandsurveys.com

Sheet 5 of 10
Drawing No. 2189-lpm

REZONING EXHIBIT

TAX KEY NO.: 03-010-09-002.00
LANDS TO BE ZONED: E-1 (Estate District)

Part of the Northeast 1/4, Northwest 1/4, Southwest 1/4, and Southeast 1/4 of the Southwest 1/4 of Section 10,
Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER: Gauthier Properties at Covered Bridge, LLC
PETITIONER: Michael T. Gauthier
LAND SURVEYOR: JOHN P. KONOPACKI

Date: May 29, 2025

PROPERTY OWNERS WITHIN 1000 FEET OF PROPOSED REZONING

20	GARY W MAYWORM, JAYNE L MAYWORM 6755 PLEASANT VALLEY RD GRAFTON, WI 53024	65	RICHARD R METT AND OR JULIE M METT LIVING TRUST 1815 COVERED BRIDGE ROAD CEDARBURG, WI 53012	88	KEVIN R GALL, LAWRENCE, EMILY K 7493 DEVONSHIRE DRIVE CEDARBURG, WI 53012
25	GAUTHIER PROPERTIES AT COVERED BRIDGE LLC 2221 WASHINGTON ST GRAFTON, WI 53024	66	LOREN A III AND KATHERINE A LIDDELL REVOCABLE TRUST 648 CREEKWOOD DRIVE WEST BEND, WI 53095	89	CHERYL R ANDERSON, ET AL. 7475 DEVONSHIRE DRIVE CEDARBURG, WI 53012
26	MICHAEL W LESTER, ANN M LESTER 1922 WILDWOOD DRIVE CEDARBURG, WI 53012	67	GAUTHIER PROPERTIES AT COVERED BRIDGE LLC 2221 WASHINGTON STREET GRAFTON, WI 53024	90	PRIVATE PO BOX 7188 3902 MILWAUKEE STREET #W156 MADISON, WI 53707
27	CRAIG R BIRNSCHEIN, BIRNSCHEIN, SUE M 1921 WILDWOOD DRIVE CEDARBURG, WI 53012	68	WILLIAM C AND JEANNE L MACHATA TRUST 1784 COVERED BRIDGE ROAD CEDARBURG, WI 53012	91	MARK A SIMINAK, SIMINAK, TATYANA P 7550 DEVONSHIRE DRIVE CEDARBURG, WI 53012
28	SHAWN P MILES, CLAUSING, MELANIE L 1925 WILDWOOD DRIVE CEDARBURG, WI 53012	69	COVERED BRIDGE CREEKSIDE LLC 1654 12TH AVENUE GRAFTON, WI 53024	92	JOHN S HOFF TRUST AGREEMENT 7534 DEVONSHIRE DR CEDARBURG, WI 53012
29	PATRICK W GILL, HOPE GILL 1916 COVERED BRIDGE RD CEDARBURG, WI 53012	70	OZAUKEE COUNTY 121 W MAIN STREET PORT WASHINGTON, WI 53074	93	DALE H CONE, JUDITH F KERVIN 7520 DEVONSHIRE DRIVE CEDARBURG, WI 53012
30	JOEL E HOERCHNER, MARGARET K HOERCHNER 1930 COVERED BRIDGE ROAD CEDARBURG, WI 53012	71	DEBORHA KAY PEPIN 1735 COVERED BRIDGE ROAD CEDARBURG, WI 53012	94	JONATHAN KFOURY, ELENA HG KFOURY 7494 DEVONSHIRE DRIVE CEDARBURG, WI 53012
31	KENNETH L BUBLITZ AND SHIRLEY A BUBLITZ REVOCABLE TRUST, 1952 COVERED BRIDGE RD CEDARBURG, WI 53012	72	BRADLEY TINDAL, SARA TINDAL 1745 COVERED BRIDGE ROAD CEDARBURG, WI 53012	95	CURTISS A ULM, TRUDY K ULM 7482 DEVONSHIRE DRIVE CEDARBURG, WI 53012
32	DALE K WALDO, KATHLEEN M WALDO 1938 WILDWOOD DR CEDARBURG, WI 53012	73	JOSE LUIS ORTIZ, ERIN L ORTIZ 1753 COVERED BRIDGE ROAD CEDARBURG, WI 53012	96	CAROL RUDD-FREDENBERG 7460 DEVONSHIRE DRIVE CEDARBURG, WI 53012
33	AARON T WETZEL, AMY WETZEL 1954 WILDWOOD DRIVE CEDARBURG, WI 53012	74	OZAUKEE COUNTY COVERED BRIDGE PARK 121 W MAIN STREET PORT WASHINGTON, WI 53074	97	DANIEL J AND MARY K BOEHNLEIN 2023 REVOCABLE TRUST 7428 DEVONSHIRE DRIVE CEDARBURG, WI 53012
34	DOUGLAS R FERRELL, MARCI A FERRELL 1959 WILDWOOD DRIVE CEDARBURG, WI 53012	76	MICHELLE SOPKO, TRAVIS SOPKO 7731 CEDAR CREEK ROAD CEDARBURG, WI 53012	98	JOHN D KASTENHOLZ, KASTENHOLZ, MICHELLE M 7420 DEVONSHIRE DRIVE CEDARBURG, WI 53012
35	SHEILA M BAST U/D/T DATED 3/12/1996, EDWARD A CHERWINK 1962 COVERED BRIDGE RD CEDARBURG, WI 53012	77	RICHARD A POTOKAR AND PATRICIA J POTOKAR REVOCABLE TRUST 7635 CEDAR CREEK ROAD CEDARBURG, WI 53012	99	JEFFREY M SCHAEZTKE, SCHAEZTKE, SHEILA J 7408 DEVONSHIRE DRIVE CEDARBURG, WI 53012
36	DENA L JERSCHEFSKE, JON J JERSCHEFSKE 1972 COVERED BRIDGE ROAD CEDARBURG, WI 53012	78	MARK R WOGSLAND, WOGSLAND, HEATHER A 1651 FOX HOLLOW LN CEDARBURG, WI 53012	100	JEFFREY M SCHAEZTKE, SCHAEZTKE, SHEILA J 7408 DEVONSHIRE DRIVE CEDARBURG, WI 53012
37	JACK FUREY, BARBARA FUREY 1981 WILDWOOD DR CEDARBURG, WI 53012	79	ANDREW H FRIEND 7553 CEDAR CREEK RD CEDARBURG, WI 53012	101	NOAH M WISE, RASMUSSEN, MOLLI J 7372 DEVONSHIRE DRIVE CEDARBURG, WI 53012
38	STEVE G RUNGE, ALLISON M SCHMITZ 1970 WILDWOOD DR CEDARBURG, WI 53012-8842	80	CRAIG HOFF, ET AL. 7550 DEVONSHIRE DR CEDARBURG, WI 53012	102	JEREMY L PETERSON, PETERSON, JESSICA L 7318 W DEVONSHIRE DRIVE CEDARBURG, WI 53012
54	JENNIFER JONES 1902 COVERED BRIDGE ROAD CEDARBURG, WI 53012	81	ANDREW H FRIEND 7553 CEDAR CREEK RD CEDARBURG, WI 53012	103	KEVIN M TIMM, KIM M STEIN 1615 DEVONSHIRE DRIVE CEDARBURG, WI 53012
55	JAMES B PAPE, SANDRA PAPE 1990 NIGHT PASTURE ROAD CEDARBURG, WI 53012	82	BRET A MEYERS 7586 DEVONSHIRE DR CEDARBURG, WI 53012	104	LAUREL A BIRCH, BRIAN T BIRCH 1623 DEVONSHIRE DRIVE CEDARBURG, WI 53012
56	JOHN R HALE ET AL 1918 BLACKSMITH ROAD CEDARBURG, WI 53012	83	BRIAN J WETSTEN, WETSTEN, SARAH L 1636 COVERED BRIDGE ROAD CEDARBURG, WI 53012	105	MARK R QUIRK, QUIRK, JAN E D 1635 DEVONSHIRE DR CEDARBURG, WI 53012
57	CAROL LUEDTKE 7877 KAEHLERS MILL ROAD CEDARBURG, WI 53012	84	SCOTT G BURNS 7561 DEVONSHIRE DR CEDARBURG, WI 53012	106	GERALD A WILKINSON, WILKINSON, DARLENE R 1649 DEVONSHIRE DRIVE CEDARBURG, WI 53012
58	CAROLYN D BOETTCHER 7881 KAEHLERS MILL ROAD CEDARBURG, WI 53012	85	MICHAEL J CIBULKA, SUSAN M CIBULKA 7545 DEVONSHIRE DRIVE CEDARBURG, WI 53012	107	STEVEN N SMITH, LORETTA K SMITH 1661 DEVONSHIRE DR CEDARBURG, WI 53012
59	COLLEEN CLEVELAND 7925 KAEHLERS MILL ROAD CEDARBURG, WI 53012	86	THOMAS P LACKE, LACKE, JENNIFER K 7527 DEVONSHIRE DRIVE CEDARBURG, WI 53012	108	CATHERINE M PETERSEN 1675 DEVONSHIRE DRIVE CEDARBURG, WI 53012
60	CHERYL VUKELICH-GASSEL 7557 KAEHLERS MILL ROAD CEDARBURG, WI 53012	87	TRUST AGREEMENT OF ANTHONY AND TRACY CURRAN 1981 WILDWOOD DR CEDARBURG, WI 53012	109	SCOTT P BIRKHOLZ, MONICA A CARNE 1689 DEVONSHIRE DRIVE CEDARBURG, WI 53012
61	OZAUKEE WASHINGTON LAND TRUST INC. 1861 COVERED BRIDGE ROAD CEDARBURG, WI 53012			110	THOMAS SCHUMAKER, TRISHA SCHUMAKER 6833 CEDAR CREEK ROAD CEDARBURG, WI 53012
62	LUKE SCHAEFER, CHRISTIANA SCHAEFER 1847 COVER BRIDGE ROAD CEDARBURG, WI 53012			111	JEFFREY D SWANSON 6901 CEDAR CREEK ROAD CEDARBURG, WI 53012
63	DOUGLAS E CARTER, CARTER, CYNTHIA 1835 COVERED BRIDGE ROAD CEDARBURG, WI 53012			112	D M BUILDERS INC N82 W13502 FOND DU LAC MENOMONEE FALLS, WI 53051
64	ROBERT A CHESNEY, DEBORAH J CHESNEY 1827 COVERED BRIDGE ROAD CEDARBURG, WI 53012				

CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204 414-224-8068
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Sheet 6 of 10
Drawing No. 2189-lpm

REZONING EXHIBIT

TAX KEY NO.: 03-010-09-002.00

LANDS TO BE ZONED: E-1 (Estate District)

Part of the Northeast 1/4, Northwest 1/4, Southwest 1/4, and Southeast 1/4 of the Southwest 1/4 of Section 10,
Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER: Gauthier Properties at Covered Bridge, LLC
PETITIONER: Michael T. Gauthier
LAND SURVEYOR: JOHN P. KONOPACKI

PROPERTY OWNERS WITHIN 1000
FEET OF PROPOSED REZONING

Date: May 29, 2025

- 113 JADE REIHART, DEREK REIHART
7025 CEDAR CREEK ROAD
CEDARBURG, WI 53012
- 114 JADE REIHART, DEREK REIHART
7025 CEDAR CREEK ROAD
CEDARBURG, WI 53012
- 115 DUDLEY C AND JANET L BLANK
2016 REVOCABLE TRUST
7037 CEDAR CREEK RD
CEDARBURG, WI 53012
- 116 RAYMOND T BERLIN, MAUREEN A BERLIN
7053 CEDAR CREEK RD
CEDARBURG, WI 53012
- 117 ROBERT E HOLZRICHTER REVOCABLE
LIVING TRUST OF 2020
7520 DEVONSHIRE DRIVE
CEDARBURG, WI 53012
- 118 RICHARD F HEIDEN
7081 CEDAR CREEK RD
CEDARBURG, WI 53012
- 119 RICHARD J AMEEN
7095 CEDAR CREEK RD
CEDARBURG, WI 53012
- 120 7107 CEDAR CREEK ROAD LLC
833 E MICHIGAN STREET SUITE 1800
MILWAUKEE, WI 53202
- 121 GAUTHIER PROPERTIES AT
CEDAR CREEK LLC
2221 WASHINGTON STREET
GRAFTON, WI 53024
- 122 JOHN C WIRTH, HOLLY WIRTH
1723 MALIBU DRIVE
CEDARBURG, WI 53012
- 123 MATTHEW B KING, ERIN K HICKEY
1737 MALIBU DRIVE
CEDARBURG, WI 53012
- 124 CHRISTOPHER D POTTER, POTTER, MEGAN E
1710 MALIBU DRIVE
CEDARBURG, WI 53012
- 125 RAE A SHEEDY
1724 MALIBU DR
CEDARBURG, WI 53012
- 126 CHRISTOPHER I LESAR, VICKI L WENZEL-LESAR
1736 MALIBU DR
CEDARBURG, WI 53012
- 127 CHRISTOPHER SAALI, SAALI, STEPHANIE
1746 MALIBU DRIVE
CEDARBURG, WI 53012
- 128 BAUMANN REVOCABLE LIVING TRUST
LARRY BAUMANN, et al
7553 CEDAR CREEK RD
CEDARBURG, WI 53012
- 129 R SCOTT PICKER
6490 CEDAR CREEK RD
CEDARBURG, WI 53012
- 131 RICHARD A KNOX JR, SUSAN J KNOX
1760 MALIBU DR
CEDARBURG, WI 53012
- 132 RICHARD A KNOX JR, SUSAN J KNOX
1760 MALIBU DR
CEDARBURG, WI 53012
- 133 GAUTHIER PROPERTIES AT COVERED
BRIDGE LLC
2221 WASHINGTON ST
GRAFTON, WI 53024
- 134 GAUTHIER PROPERTIES AT COVERED
BRIDGE LLC
2221 WASHINGTON ST
GRAFTON, WI 53024

CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204

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Sheet 7 of 10
Drawing No. 2189-lpm

REZONING EXHIBIT

TAX KEY NO.: 03-010-08-002.00

LANDS TO BE ZONED: E-1 (Estate District)

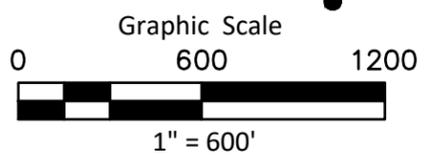
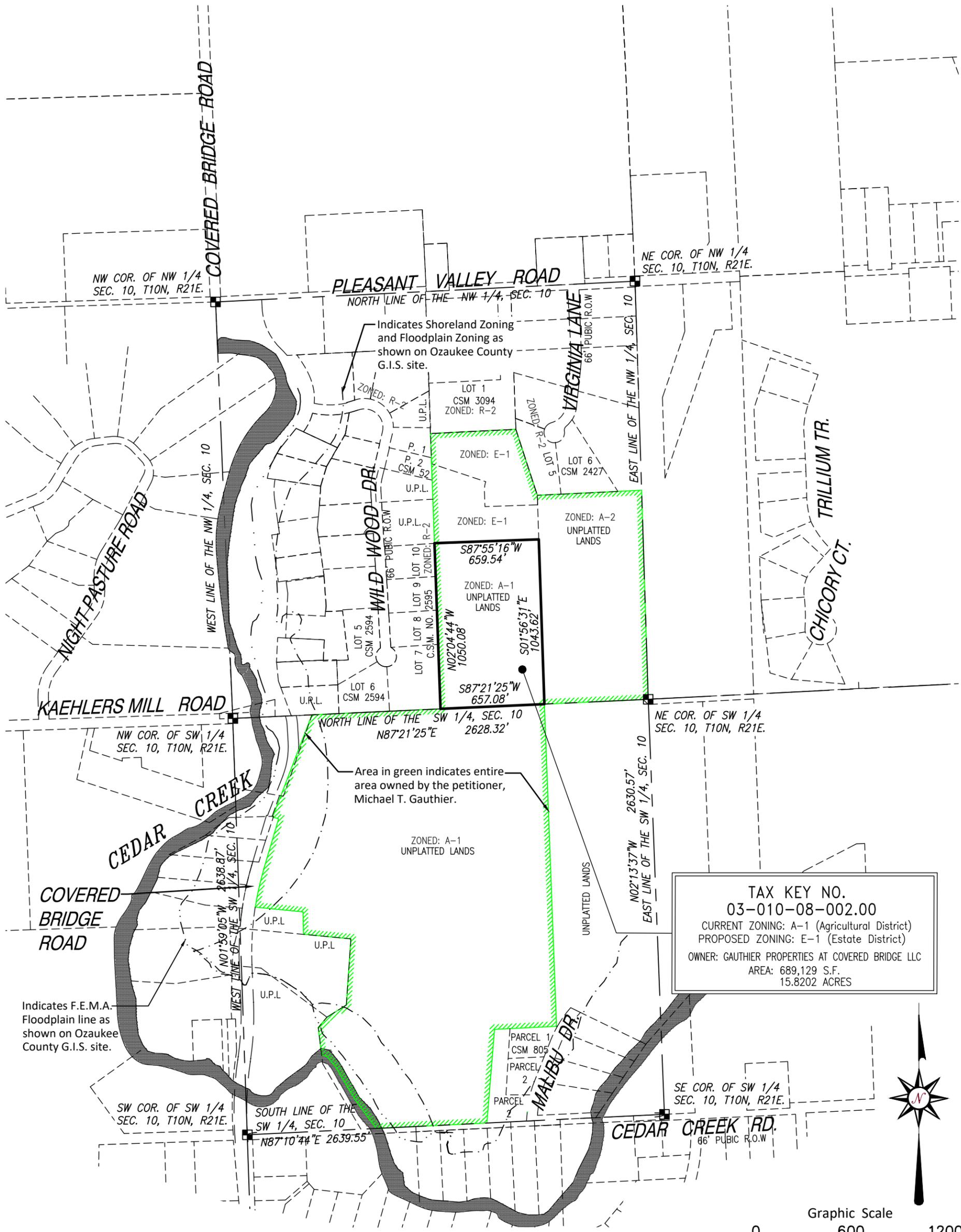
Part of the Southeast 1/4 of the Northwest 1/4 of Section 10, Township 10 North, Range 21 East,
in the Town of Cedarburg, Ozaukee County, State of Wisconsin.

OWNER: Gauthier Properties at Covered Bridge, LLC

PETITIONER: Michael T. Gauthier

LAND SURVEYOR: JOHN P. KONOPACKI

Date: May 29, 2025



CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204
414-224-8068
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Sheet 8 of 10
Drawing No. 2189-lpm

REZONING EXHIBIT

TAX KEY NO.: 03-010-08-002.00

LANDS TO BE ZONED: E-1 (Estate District)

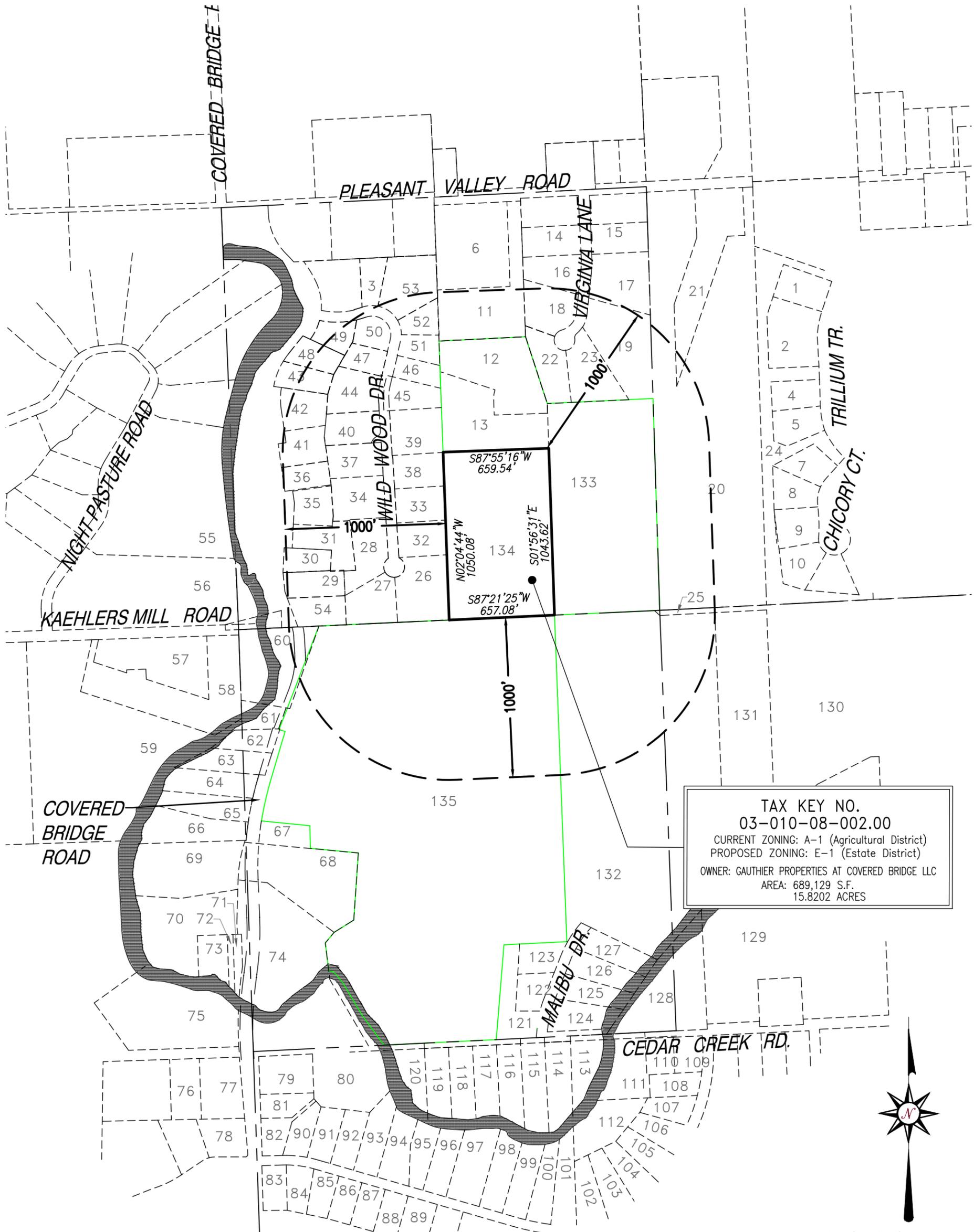
Part of the Southeast 1/4 of the Northwest 1/4 of Section 10, Township 10 North, Range 21 East,
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OWNER: Gauthier Properties at Covered Bridge, LLC

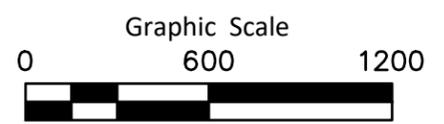
PETITIONER: Michael T. Gauthier

LAND SURVEYOR: JOHN P. KONOPACKI

Date: May 29, 2025



TAX KEY NO.
03-010-08-002.00
CURRENT ZONING: A-1 (Agricultural District)
PROPOSED ZONING: E-1 (Estate District)
OWNER: GAUTHIER PROPERTIES AT COVERED BRIDGE LLC
AREA: 689,129 S.F.
15.8202 ACRES



1" = 600'
Sheet 9 of 10
Drawing No. 2189-lpm

CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204
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REZONING EXHIBIT

TAX KEY NO.: 03-010-08-002.00

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OWNER: Gauthier Properties at Covered Bridge, LLC
PETITIONER: Michael T. Gauthier
LAND SURVEYOR: JOHN P. KONOPACKI

Date: May 29, 2025

PROPERTY OWNERS WITHIN 1000 FEET OF PROPOSED REZONING

- | | | | |
|----|--|-----|---|
| 3 | MATHEW A BRUCKNER
2116 WILDWOOD DR
CEDARBURG, WI 53012 | 38 | STEVE G RUNGE, ALLISON M SCHMITZ
1970 WILDWOOD DR
CEDARBURG, WI 53012-8842 |
| 11 | GREGORY A KRAFT,
7023 PLEASANT VALLEY RD
GRAFTON, WI 53024 | 39 | DAVID A CARR, CARR, ELIZABETH A
1992 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 12 | GAUTHIER PROPERTIES AT WILDWOOD II LLC
2221 WASHINGTON STREET
GRAFTON, WI 53024 | 40 | JAMES G BOUGIE, BONNIE M BOUGIE
1995 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 13 | GAUTHIER PROPERTIES AT WILDWOOD LLC
2221 WASHINGTON STREET
GRAFTON, WI 53024 | 41 | RYAN KELLEY, KELLEY, JODY
1982 COVERED BRIDGE ROAD
CEDARBURG, WI 53012 |
| 16 | THEODORE C FELTMEYER, ANNE M FELTMEYER
2061 VIRGINIA LANE
GRAFTON, WI 53024 | 42 | JAMES A FISTE SR AND AUDREY J FISTE TRUST,
2002 COVERED BRIDGE RD
CEDARBURG, WI 53012 |
| 17 | PAUL H SCHAUB AND SYLVIA L SCHAUB
REVOCABLE TRUST,
2062 VIRGINIA LN
GRAFTON, WI 53024 | 43 | CORLISS ANN BREEN,
PO BOX 704
CEDARBURG, WI 53012 |
| 18 | XINQIANG GUO, NING MEI
2039 VIRGINIA LANE
GRAFTON, WI 53024 | 44 | JAMES R BIEFELD, TRUDI J BIEFELD
2003 WILDWOOD DR
CEDARBURG, WI 53012 |
| 19 | FRANKLIN E LAIB AND CATHERINE J LAIB
REVOCABLE TRUST,
2042 VIRGINIA LANE
GRAFTON, WI 53024 | 45 | GAUTHIER PROPERTIES AT WILDWOOD LLC,
2221 WASHINGTON STREET
GRAFTON, WI 53024-9506 |
| 20 | GARY W MAYWORM, JAYNE L MAYWORM
6755 PLEASANT VALLEY RD
GRAFTON, WI 53024 | 46 | ANDREW D STUCKE, SHEILA R STUCKE
2076 WILDWOOD DR
CEDARBURG, WI 53012 |
| 21 | DENNIS A WOLFF
6625 PLEASANT VALLEY ROAD
GRAFTON, WI 53024 | 47 | GRANT P WAEGE, WAEGE, REBEKAH R
2075 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 22 | RICHARD J KEATING, MARY E KEATING
2025 VIRGINIA LN
GRAFTON, WI 53024 | 48 | DANA L LUSK, et al.
2032 COVERED BRIDGE ROAD
CEDARBURG, WI 53012 |
| 23 | KYLE G FORTNEY, BECKY L FORTNEY
2030 VIRGINIA LN
GRAFTON, WI 53024 | 49 | DAVID K CAVIL
2041 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 25 | GAUTHIER PROPERTIES AT
COVERED BRIDGE LLC,
2221 WASHINGTON ST
GRAFTON, WI 53024 | 50 | ALAN L JOHNSON, JOHNSON, CHERYL H
2115 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 26 | MICHAEL W LESTER, ANN M LESTER
1922 WILDWOOD DRIVE
CEDARBURG, WI 53012 | 51 | GAUTHIER PROPERTIES AT WILDWOOD II LLC,
2221 WASHINGTON STREET
GRAFTON, WI 53024 |
| 27 | CRAIG R BIRNSCHEIN, BIRNSCHEIN, SUE M
1921 WILDWOOD DRIVE
CEDARBURG, WI 53012 | 52 | MADELINE N ROBB, DUNFEE, PAUL
2092 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 28 | SHAWN P MILES, CLAUSING, MELANIE L
1925 WILDWOOD DRIVE
CEDARBURG, WI 53012 | 53 | KRISTINE A ROMANS,
2100 WILDWOOD DRIVE
CEDARBURG, WI 53012 |
| 29 | PATRICK W GILL, HOPE GILL
1916 COVERED BRIDGE RD
CEDARBURG, WI 53012 | 54 | JENNIFER JONES
1902 COVERED BRIDGE ROAD
CEDARBURG, WI 53012 |
| 30 | JOEL E HOERCHNER, MARGARET K HOERCHNER
1930 COVERED BRIDGE ROAD
CEDARBURG, WI 53012 | 55 | JAMES B PAPE, SANDRA PAPE
1990 NIGHT PASTURE ROAD
CEDARBURG, WI 53012 |
| 31 | KENNETH L BUBLITZ AND SHIRLEY A
BUBLITZ REVOCABLE TRUST,
1952 COVERED BRIDGE RD
CEDARBURG, WI 53012 | 60 | CHERYL VUKELICH-GASSEL
7557 KAEHLERS MILL ROAD
CEDARBURG, WI 53012 |
| 32 | DALE K WALDO, KATHLEEN M WALDO
1938 WILDWOOD DR
CEDARBURG, WI 53012 | 131 | RICHARD A KNOX JR, SUSAN J KNOX
1760 MALIBU DR
CEDARBURG, WI 53012 |
| 33 | AARON T WETZEL, AMY WETZEL
1954 WILDWOOD DRIVE
CEDARBURG, WI 53012 | 132 | RICHARD A KNOX JR, SUSAN J KNOX
1760 MALIBU DR
CEDARBURG, WI 53012 |
| 34 | DOUGLAS R FERRELL, MARCI A FERRELL
1959 WILDWOOD DRIVE
CEDARBURG, WI 53012 | 133 | GAUTHIER PROPERTIES AT COVERED
BRIDGE LLC
2221 WASHINGTON ST
GRAFTON, WI 53024 |
| 35 | SHEILA M BAST, EDWARD A CHERWINK
1962 COVERED BRIDGE RD
CEDARBURG, WI 53012 | 135 | GAUTHIER PROPERTIES AT COVERED
BRIDGE LLC
2221 WASHINGTON ST
GRAFTON, WI 53024 |
| 36 | DENA L JERSCHEFSKE, JON J JERSCHEFSKE
1972 COVERED BRIDGE ROAD
CEDARBURG, WI 53012 | | |
| 37 | JACK FUREY, BARBARA FUREY
1981 WILDWOOD DR
CEDARBURG, WI 53012 | | |

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GRAFTON, WI

SCALE	HOR. NA
VER. NA	
DATE	10/31/2025
JOB	20748-A
BY	EBB
CK	RGM

SHEET
1 OF **4**

ORIGINAL PLANS

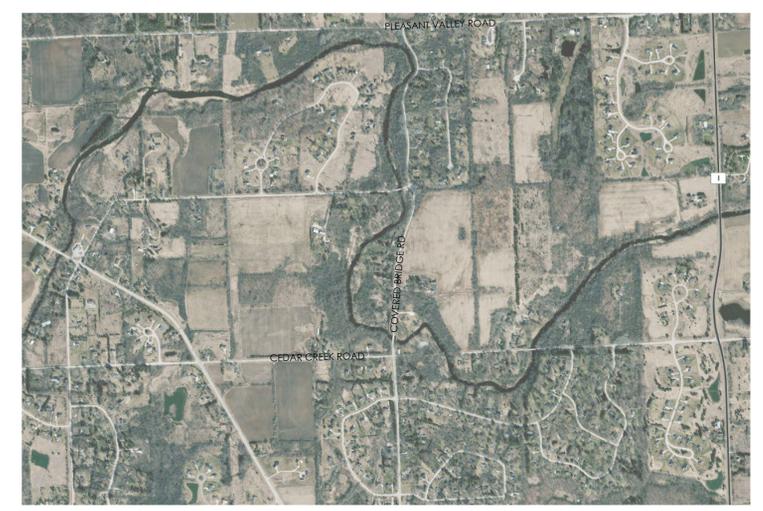
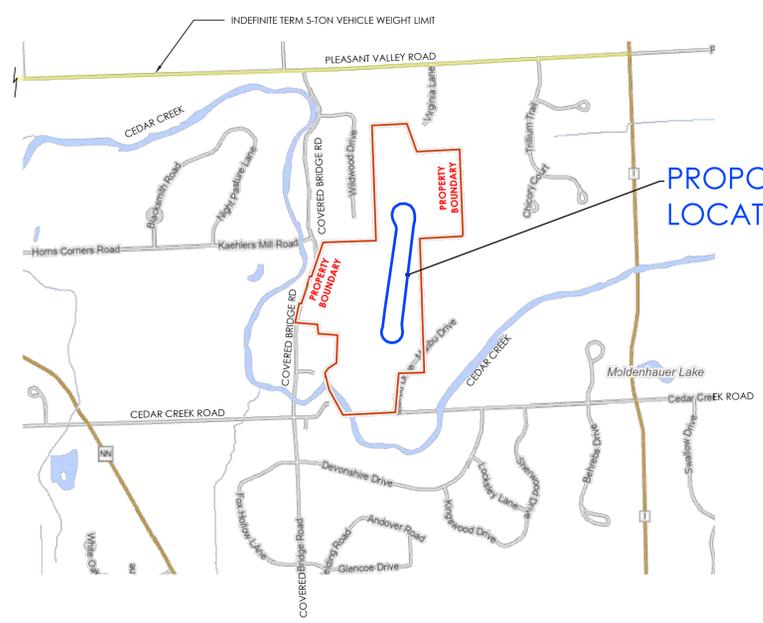
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PREPARED FOR

MICHAEL & STACY GAUTHIER
2221 WASHINGTON ST.
GRAFTON, WI 53024

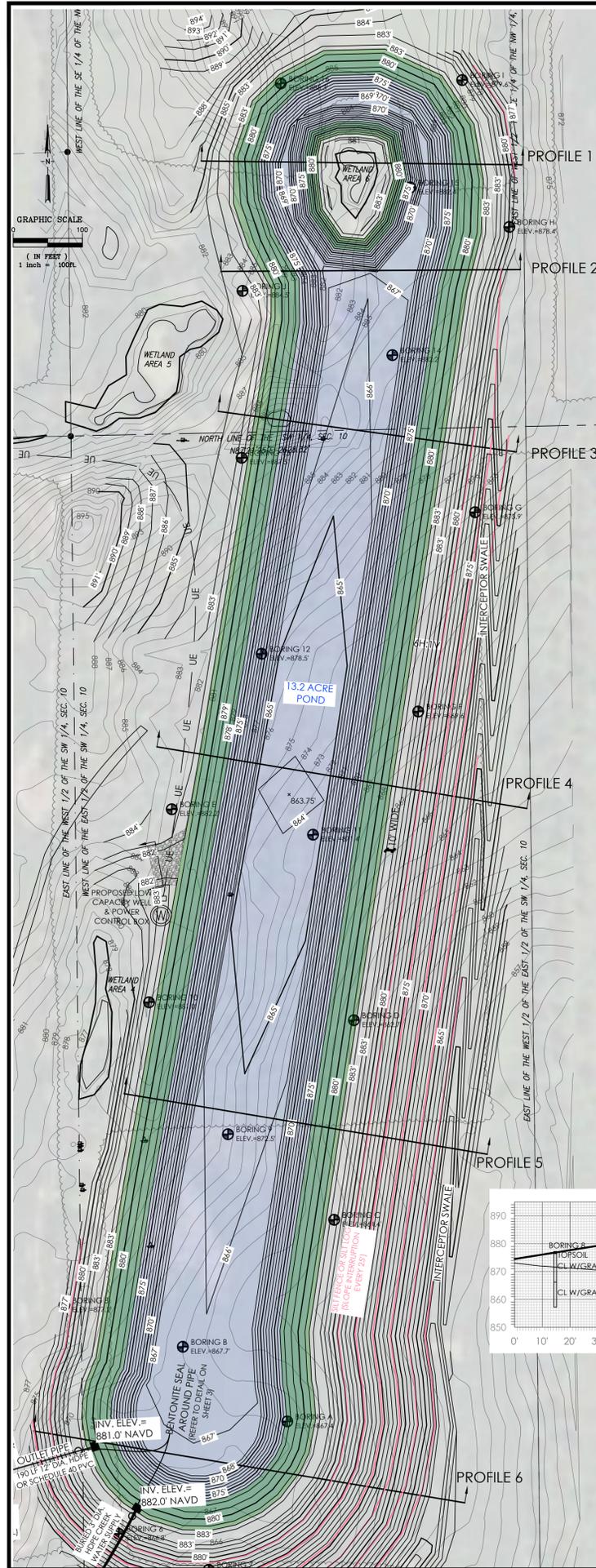


DRAWING INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET, INDEX, AND LOCATION MAP
2	SITE & EROSION CONTROL PLAN
3	POND PLAN & PROFILES
4	TEMPORARY CREEK WATER WITHDRAWAL SYSTEM

DRAFT FOR REVIEW
TITLE SHEET, INDEX, AND LOCATION MAP

\\DATA\2025\20748 - Gauthier Pond\CAD\DESIGN\20748 - Pond Drawing Plan_incover.dwg 10/31/2025 12:22 PM MILLER ENGINEERS & SCIENTISTS EXPRESSLY RESERVES THEIR COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE DOCUMENTS. THESE DOCUMENTS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF MILLER ENGINEERS & SCIENTISTS.



GRADING NOTES

1. THE GRADING CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND INSTALLING THE EROSION CONTROL DEVICES SHOWN ON THE PLANS TO ENSURE THE INTEGRITY OF THE DESIGN. THIS INCLUDES PLACEMENT OF EROSION CONTROL MATTING OVER ALL DISTURBED GROUND AT THE COMPLETION OF EACH WORKDAY.
2. PRIOR TO BEGINNING CONSTRUCTION, THE GRADING CONTRACTOR SHALL RELOCATE OR CLEAR, GRUB AND DISPOSE OF, AT THE DIRECTION OF THE OWNER, ALL TREES AND SHRUBS WHICH MAY INTERFERE WITH GRADING AND/OR UTILITY WORK.
3. TOPSOIL STRIPPED FROM THE AREAS TO BE GRADED SHALL BE STOCKPILED ON SITE AND SHALL BE USED IN THE FINISH GRADING OF THE AREAS TO BE SEED. AT THE COMPLETION OF GRADING, THE FINISH GRADE SHALL INCLUDE AT LEAST 6" OF TOPSOIL. THE TOPSOIL IS NOT TO BE USED AS COMPACTED FILL. ANY EXCESS TOPSOIL SHALL BE PLACED AT LOCATIONS AT THE DIRECTION OF THE OWNER.
4. IN THE GRAVEL DRIVE AREAS, REMOVE AND REPLACE ANY SOILS THAT HAVE BEEN SOFTENED BY RAINS, FREEZING, CONSTRUCTION EQUIPMENT, ETC. REPLACE WITH COMPACTED CONTROLLED FILL.
5. BEFORE THE GRAVEL DRIVE BASE COURSE MATERIALS ARE PLACED, THE SUBGRADE SHALL BE INSPECTED BY THE ENGINEER TO LOCATE ANY UNSTABLE AREAS WHICH SHALL BE REMOVED AND REPLACED WITH COMPACTED FILL. COMPACTION TESTS SHALL BE TAKEN WHERE FILL IS PLACED AT THE OWNER'S OPTION AND IF TAKEN, THE OWNER SHALL CARRY THE COSTS OF THESE TESTS.
6. SUITABLE FILL MATERIAL SHALL BE IN LIFTS NOT EXCEEDING 8" THICKNESS AS COMPACTED TO AT LEAST 98% OF THE STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY.
7. THE GRADING CONTRACTOR IS RESPONSIBLE FOR SEEDING, FERTILIZING AND MULCHING ALL TOPSOILED AREAS WITHIN THE GRADING LIMITS.
8. PROPOSED CONTOURS AND "SPOT" ELEVATIONS SHOWN HEREON INDICATE FINISH GRADE UPON COMPLETION OF THE PROJECT. CONTRACTOR SHALL MEET EXISTING GRADE AT THE LIMITS OF THE PROPOSED CONTOURS AS SHOWN ON THESE PLANS.
9. GRADING CONTRACTOR SHALL MAKE MINOR GRADING MODIFICATIONS AT THE DIRECTION OF THE ENGINEER TO ACHIEVE A CUT/FILL BALANCE ON SITE.

POND GRADING & LINER NOTES

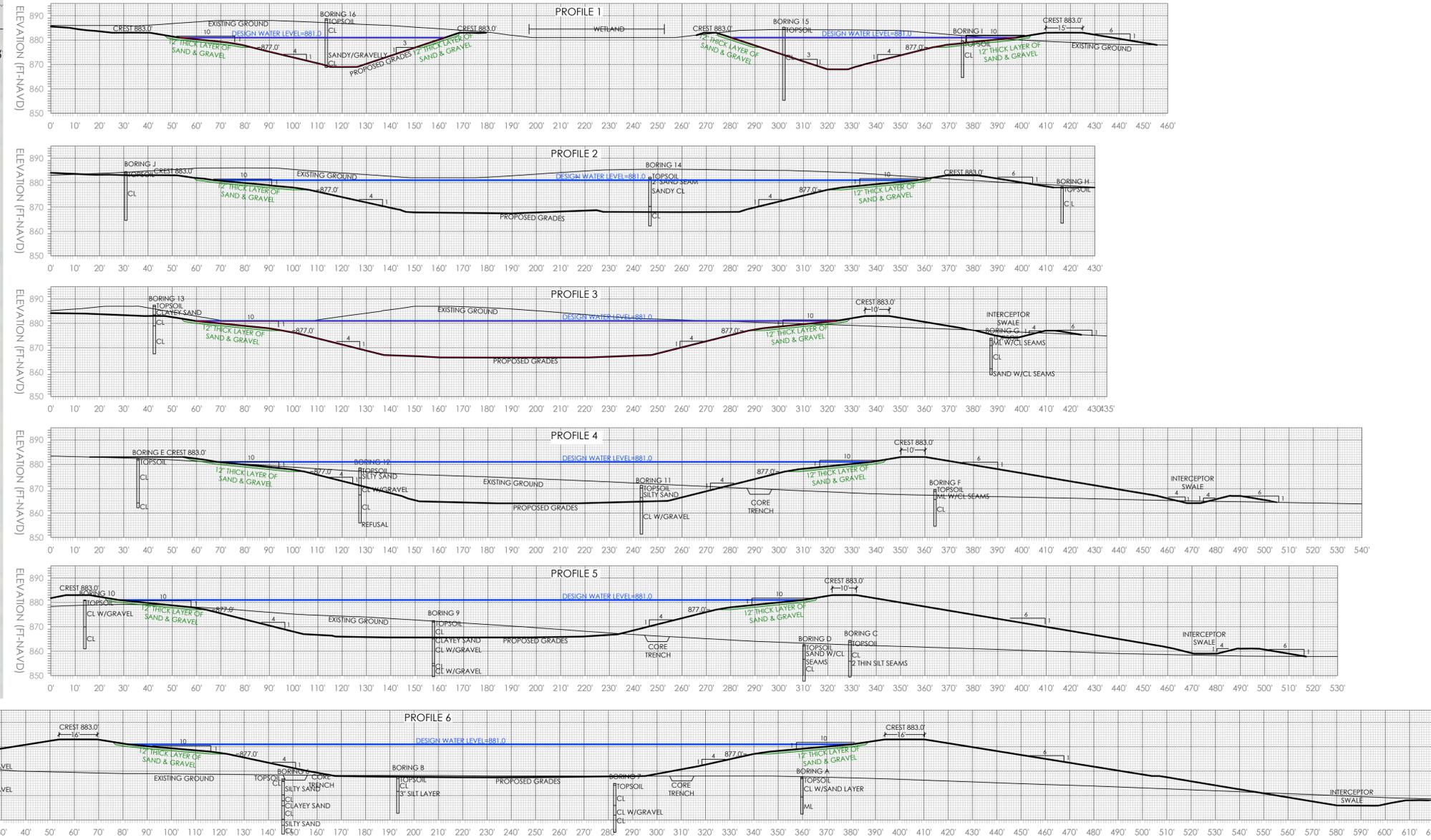
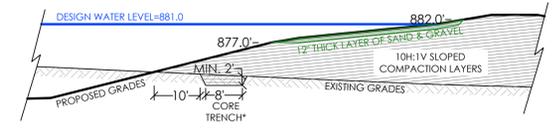
1. SURFICIAL LAYERS OF SAND AND SILT THAT ARE EXPOSED WITHIN THE FOOTPRINT OF THE POND AND UNDER ITS PERIMETER EMBANKMENTS SHALL BE REMOVED TO EXPOSE LEAN CLAY SUBGRADE. THE SILT AND SAND SHALL BE STOCKPILED FOR USE AS FILL OVER THE FINAL INBOARD POND SLOPES.
2. THE UPPER FOOT OF LEAN CLAY SUBGRADE EXPOSED UNDER THE BASE OF PERIMETER EMBANKMENTS SHALL BE DISKED OR SCARIFIED TO AT LEAST ONE FOOT DEPTH AND RECOMPACTED TO AT LEAST 98% OF THE MATERIAL'S STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY.
3. EMBANKMENTS SHALL CONSIST OF LEAN CLAY EXCAVATED FROM THE POND AREA THAT IS PLACED IN LIFTS NOT EXCEEDING EIGHT INCHES THICKNESS AS COMPACTED TO AT LEAST 98% OF THE MATERIAL'S STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY USING A LUG FOOTED COMPACTOR.
4. THE POND LINER SHALL CONSIST OF AT LEAST TWO FEET THICKNESS OF ONSITE BORROW (FROM THE POND EXCAVATION) OF LEAN CLAY (UNIFIED SOIL CLASSIFICATION OF "CL" THAT HAS AN AVERAGE LIQUID LIMIT (ASTM D4318) OF AT LEAST 25, AVERAGE PLASTICITY INDEX OF AT LEAST 12, AND AT LEAST 50% OF THE MATERIAL BY WEIGHT PASSING THE #200 SIEVE. THE LEAN CLAY SHALL BE COMPACTED TO AT LEAST 98% OF THE MATERIAL'S STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY USING A LUG-FOOTED COMPACTOR IN LIFTS NOT EXCEEDING EIGHT INCHES THICKNESS AS COMPACTED.
5. WHERE EXCAVATION WITHIN THE POND EXPOSES LEAN CLAY SOIL HAVING FEW THIN SILT SEAMS, THE LOWER FOOT OF LINER MAY CONSIST OF MATERIAL THAT IS DISKED OR SCARIFIED IN PLACE TO AT LEAST ONE FOOT DEPTH AND IS RECOMPACTED TO AT LEAST 98% OF THE MATERIAL'S STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY, FOLLOWED BY PLACEMENT OF A LAYER OF SIMILARLY COMPACTED LEAN CLAY.
6. THE OWNER SHALL RETAIN THE ENGINEER TO PERIODICALLY OBSERVE THE SOILS EXPOSED ALONG THE SIDEWALLS AND BOTTOM OF THE BASIN DURING CONSTRUCTION AND PROVIDE SITE SPECIFIC RECOMMENDATIONS TO ADDRESS ANY EXPOSED SILT OR SAND SEAMS. THE ENGINEER SHALL BE NOTIFIED WHEREVER EXCAVATION WITHIN THE POND SIDE SLOPES OR BOTTOM EXPOSES SILT OR SAND SEAMS OR ANY SEEPING WATER TO DETERMINE WHERE INCREASED THICKNESS OF CLAY LINER OR DRAIN LINES MAY BE NEEDED.
7. THE REQUIRED EXCAVATIONS SHALL CONFORM TO THE GRADES AND ELEVATIONS SHOWN ON THE DRAWINGS.
8. DURING CONSTRUCTION, ACCUMULATED CLEAR WATER (AFTER SEDIMENT HAS SETTLED) WITHIN THE POND SHALL BE PUMPED OUT AND DISCHARGED INTO THE FILTRATION CHANNEL.

GRAVELLY SAND PERIMETER

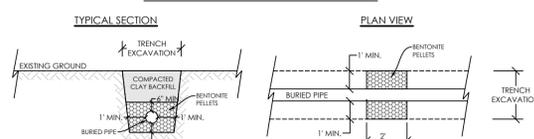
IN THE LOCATIONS SHOWN ON THE PLAN, GRAVELLY SAND SHALL BE PLACED TO MEET FINAL CONTOUR GRADES. THE LAYER OF FILL SHALL BE AT LEAST 12 INCHES THICK AND SHALL MEET THE GRADING BAND DEFINED BELOW. MATERIAL SHALL BE SCREENED (NOT CRUSHED GRAVEL).

GRAVELLY SAND PARTICLE SIZE GRADING BAND (ELEVATION 887-882)	
PARTICLE/SIEVE SIZE	PERCENT PASSING
2-1/2"	100
1-1/2"	90-100
3/4"	85-95
#4	75-90
#40	65-80
#60	15-75
#100	0-55
#200	0-4

POND EMBANKMENT DETAIL



BENTONITE SEAL DETAIL



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2221 WASHINGTON STREET
GRAFTON, WI

SCALE
HOR. 1"=100'
VER. 1"=20'

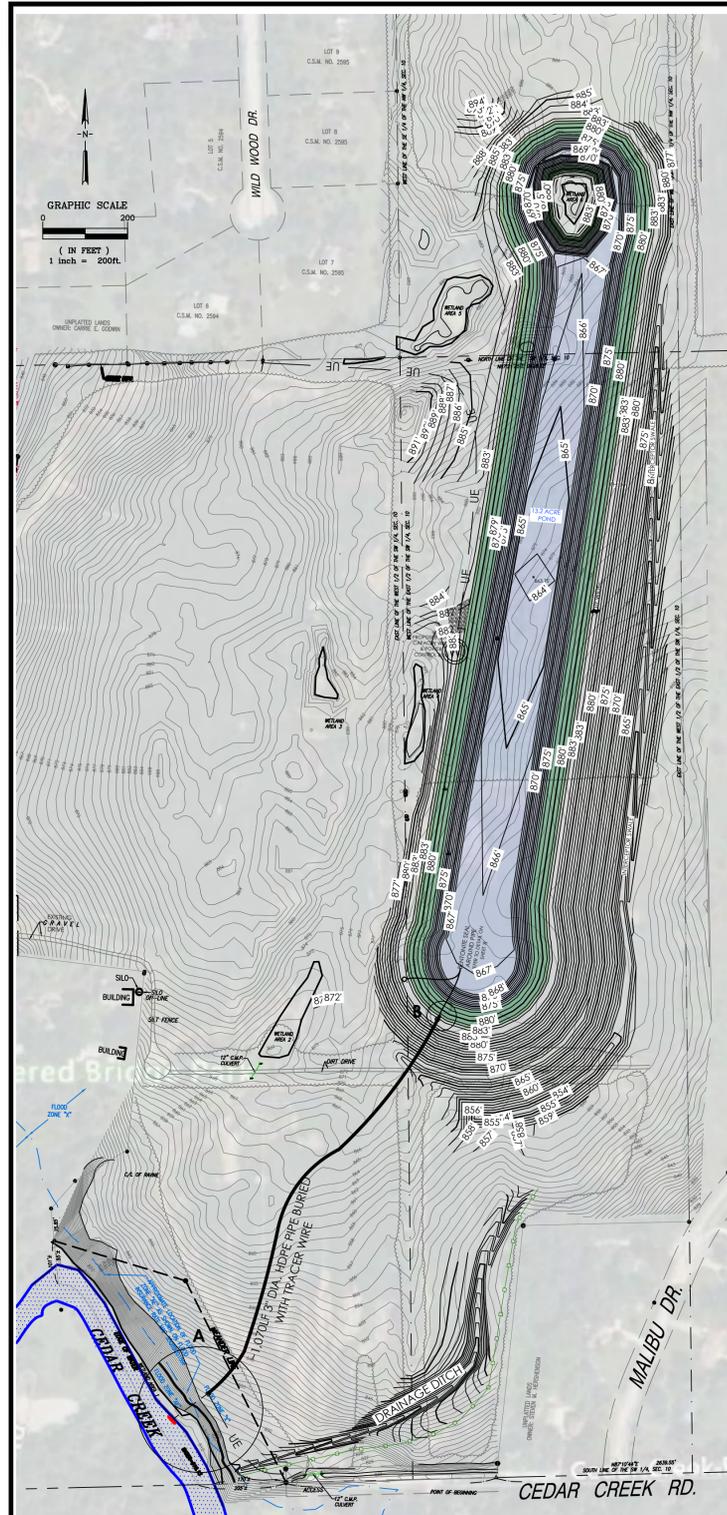
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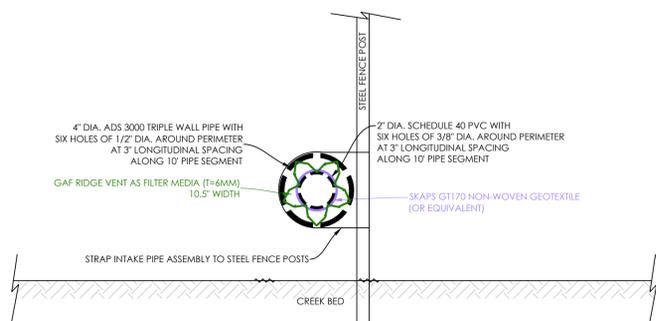
BY
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CK
RGM

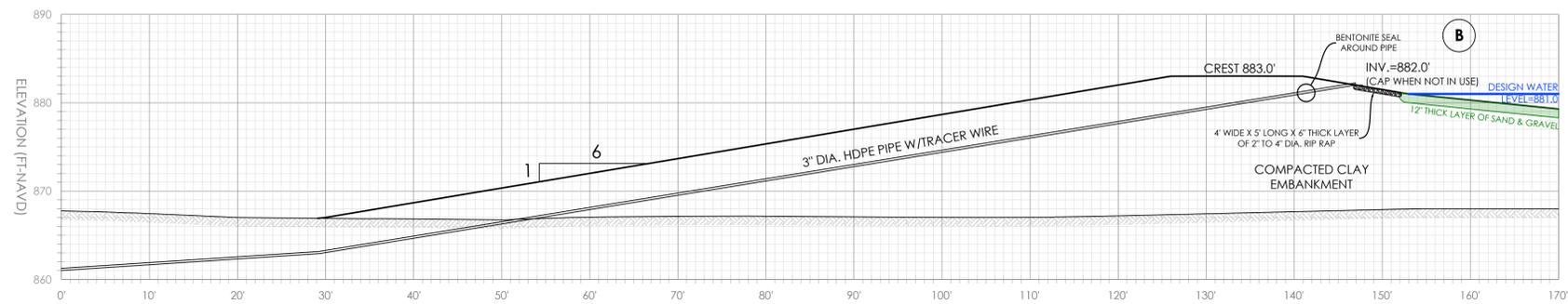
SHEET
3 OF 4



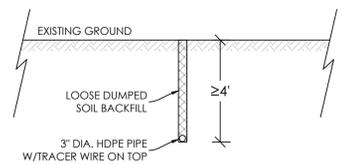
INTAKE PIPE ASSEMBLY CROSS SECTION
N.T.S.



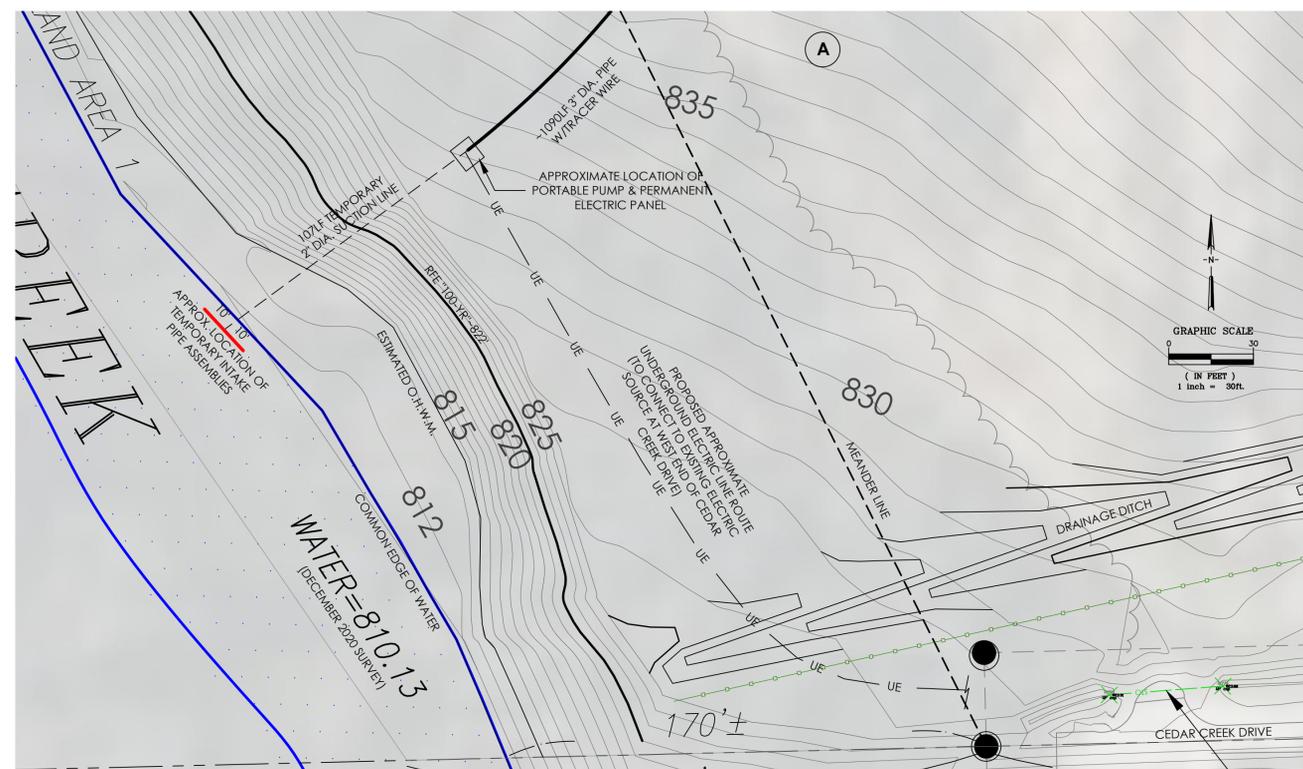
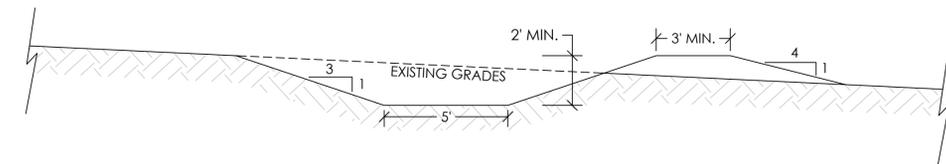
BURIED 3" DIA. CREEK WATER SUPPLY PIPE PROFILE
N.T.S.



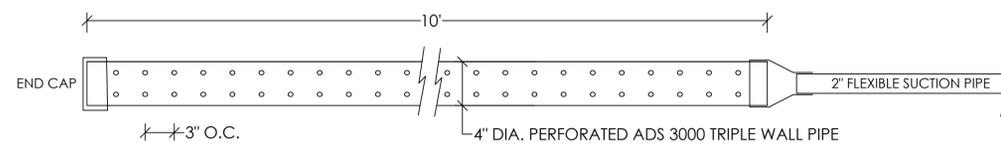
BURIED 3" DIA. PIPE CROSS SECTION
N.T.S.



DRAINAGE DITCH CROSS SECTION
N.T.S.



CREEK WATER INTAKE PIPE ASSEMBLY PROFILE VIEW
N.T.S.

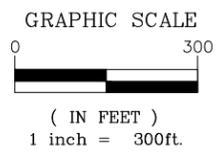
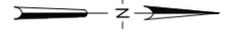
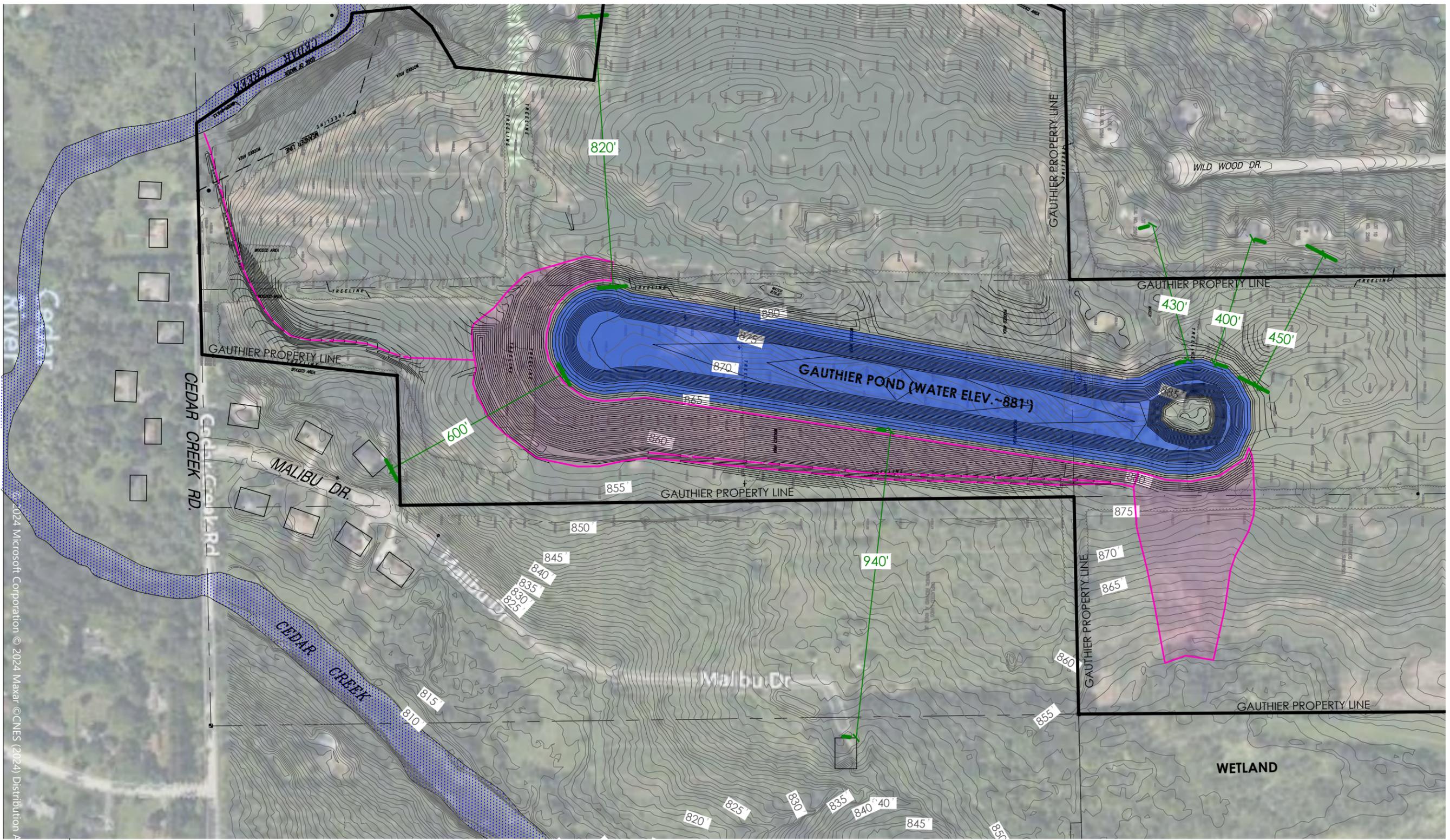


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2221 WASHINGTON STREET
GRAFTON, WI

SCALE	HOR. 1"=100'
VER. 1"=20'	
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CK	RGM

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WATER FLOW PATHS IN EVENT OF EMBANKMENT BREACH FROM ANY LOCATION

- DIFFUSE FLOW
- CHANNELIZED FLOW
(EXISTING GRADES DIVERT FLOW AWAY FROM AND AROUND EXISTING HOUSES)
- DISTANCE TO NEAREST NEIGHBOR

WATER FLOW PATH IN EVENT OF EMBANKMENT BREACH

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GAUTHIER
COVERED BRIDGE ROAD
CEDARBURG, WISCONSIN

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	VER. 1"=300'
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JOB	20748-B
BY	EBB
CK	RGM
SHEET	1
OF	1

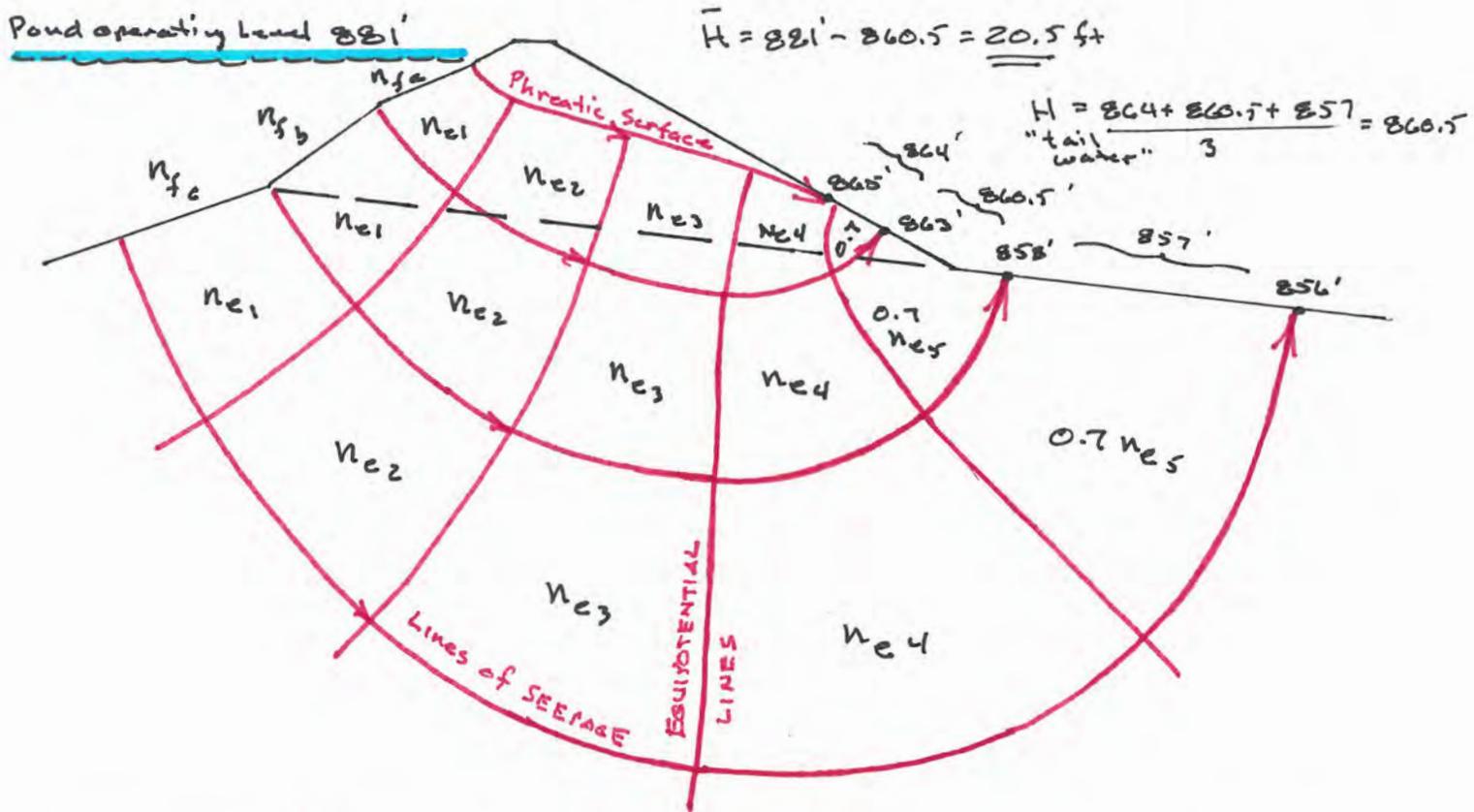
I:\DATA\2025\20748 - Gauthier Lake\CAD\DESIGN\20748 - B Pond Neighbor Figure.dwg 10/27/2025 3:43 PM
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TRANSFORMED CROSS SECTION FOR HORIZONTAL PERMEABILITY (k_h) TO BE 10 TIMES VERTICAL (k_v)

DUE TO STRATA IN SUBGRADE & COMPACTED LIFTS

$k_v = 1 \times 10^{-7}$ ft/min, $k_h = 1 \times 10^{-6}$ ft/min

TRANSFORMED PERMEABILITY (\bar{k}) = $\sqrt{k_v \cdot k_h} = 3.17 \times 10^{-7}$ ft/min.



TRANSFORMED SECTION FLOW PATHS (n_f) & EQUIPOTENTIAL DROPS (n_e),
FLOW (Q) = $\bar{k} \cdot \bar{h} \left(\frac{\sum n_f}{\sum n_e} \right)$ DERIVED FROM $Q = k \cdot i \cdot A$ (Darcy's Law').

$Q = (3.17 \times 10^{-7} \text{ ft/min})(20.5 \text{ ft}) \left(\frac{3}{4.7} \right) = 4.15 \times 10^{-6} \text{ ft}^3/\text{min PER LINEAL FOOT OF BANKWALK LENGTH}$
 $\times (\sim 2500 \text{ L.F.})(1440 \text{ min/day})(7.48 \text{ gal/ft}^3)$

$Q \sim 112 \text{ gpd ESTIMATED SEEPAGE}$

LOSS OUT OF SOUTH END AND

EAST SIDE OF POND.

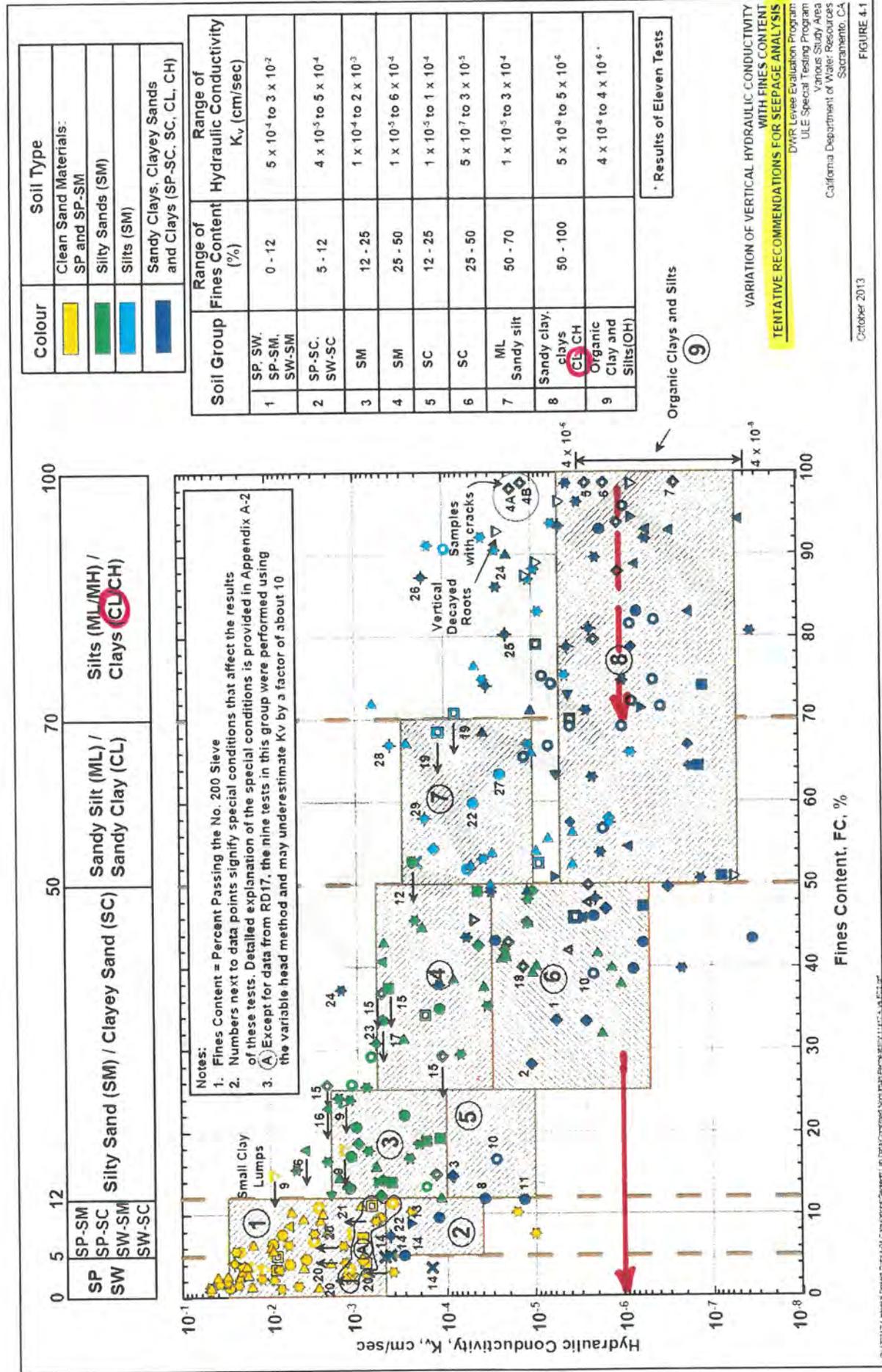
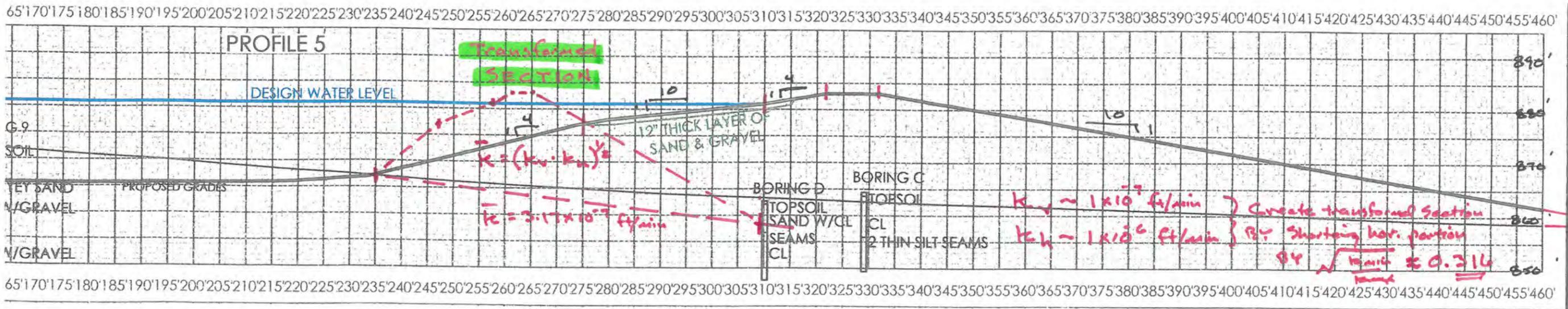
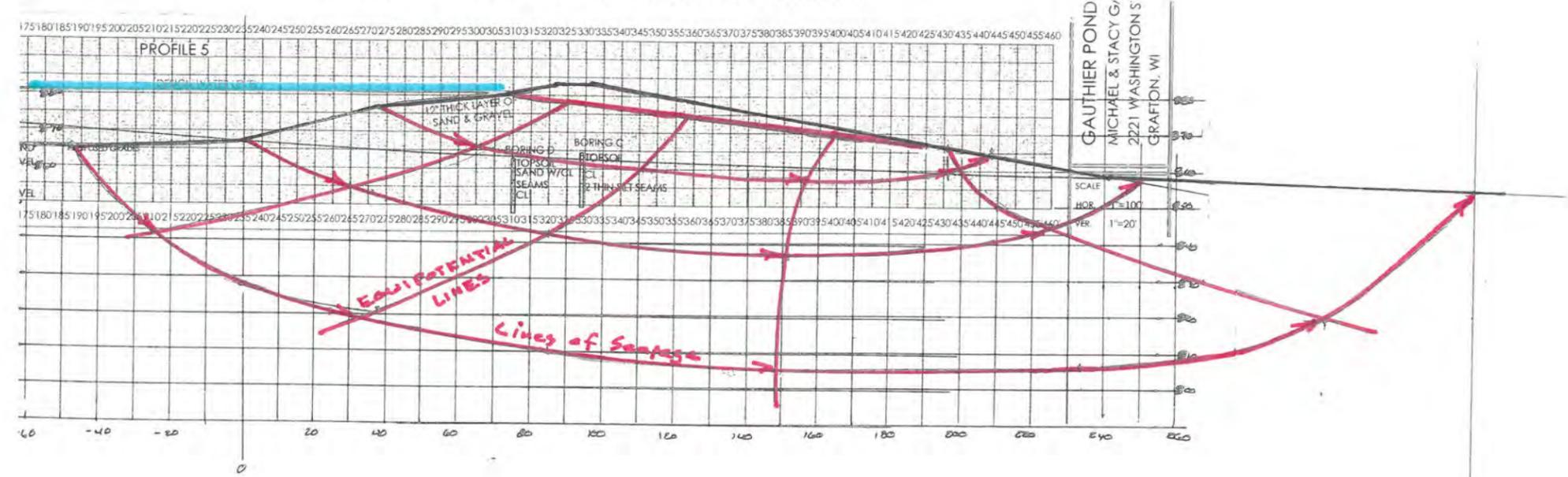


Figure 2-1. Variations of Vertical Hydraulic Conductivity Values with Fines Content (Tentative Ranges) Developed by CA DWR (URS 2015).

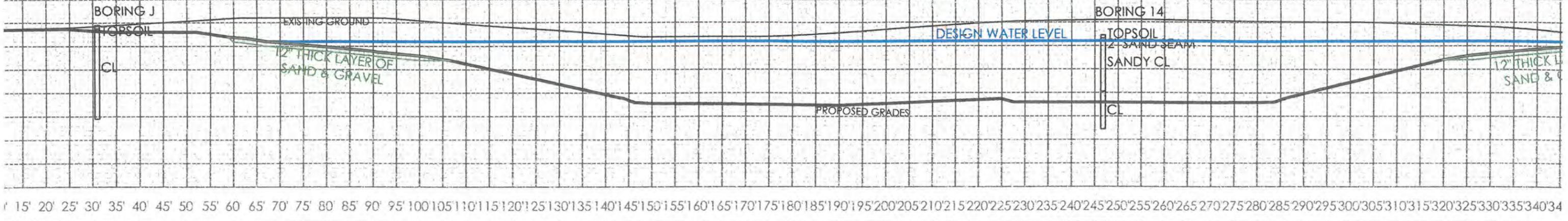


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 MICHAEL & STACY
 2221 WASHINGTON S
 GRAFTON, WI

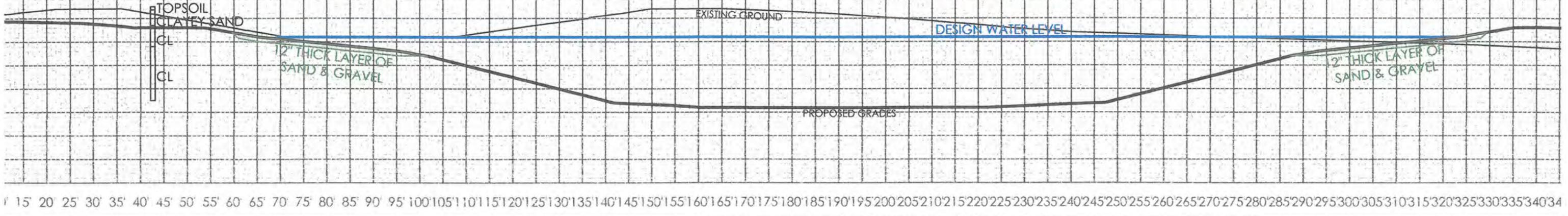
CROSS SECTION ANISOTROPIC SEEPAGE PATTERN



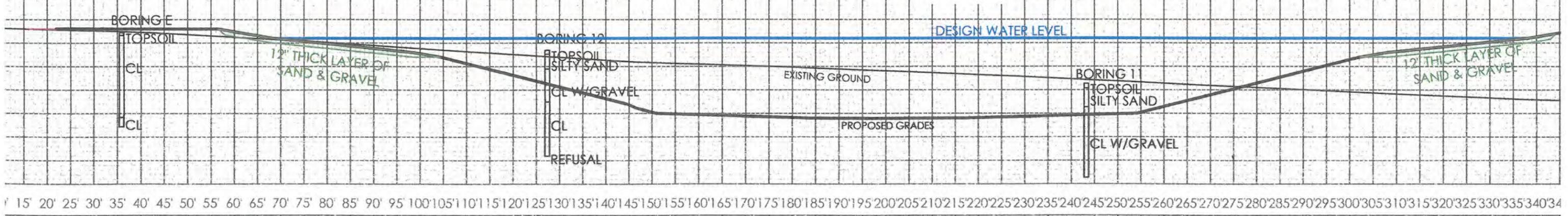
PROFILE 2



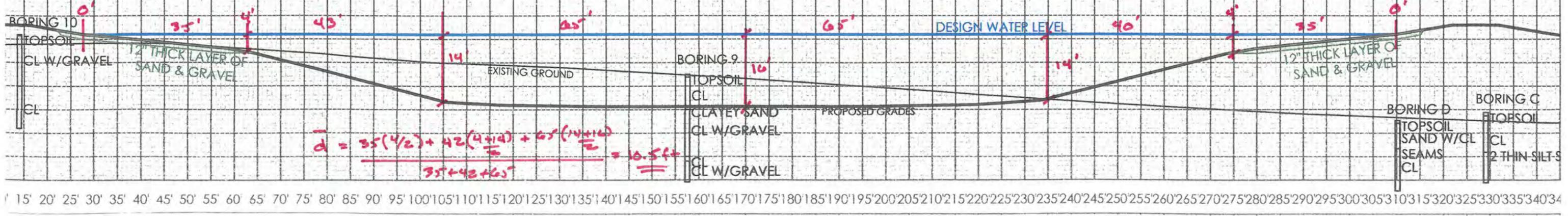
PROFILE 3



PROFILE 4



PROFILE 5



SOIL PROPERTIES OF THE CLAY TILL SUBGRADE

IN-SITU MOISTURE CONTENT (w) AVERAGES 15% @ SATURATION

$$G_s \approx 2.80 \therefore V_{sat} = \underline{\underline{141}} \text{ PCF}$$

AVERAGE SPT(N) BLOW COUNTS

FROM BORING LOGS - 19, NEGLECTING THE HIGH GROUP OF DATA ("HARD")

LOWER 1/3 SPT(N) = 18.5 = "VERY STIFF" $\Rightarrow S_u \approx \underline{\underline{2467}} \text{ PSF}$
(PER AASHTO EM 1110-2-1913 (12/23 draft))

COMPLETED CLAY TO BE USED IN CONSTRUCTION OF EMBANKMENTS

STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY (γ_{dmax}) = 116.8 PCF

$$w_{optimal} = 14.4\%$$

WITH A COMPLETION SPECIFICATION OF "AT LEAST 98% OF STANDARD",

γ_d field WILL BE AT AN AVERAGE OF $\approx 102\%$

$$\therefore \gamma_{min} @ 100\% = 136 \text{ PCF COMPLETION}$$

\therefore AVERAGE BULK DENSITY OF COMPLETED

EMBANKMENT CLAY $\approx \underline{\underline{137 \text{ PCF TO USE FOR STABILITY ANALYSIS.}}}$

THE UNCONFINED COMPRESSIVE (q_u) STRENGTH OF THIS CLAY COMPLETED WITH D698 FRONT OF AT $w = 16.5\%$ TESTED AT 1947 PSF

$$\gamma_d = 113.0 \text{ PCF} = 96.7\%$$

AND REPRESENTS A LOWER 10%

OF EXPECTED AS BUILT STRENGTH

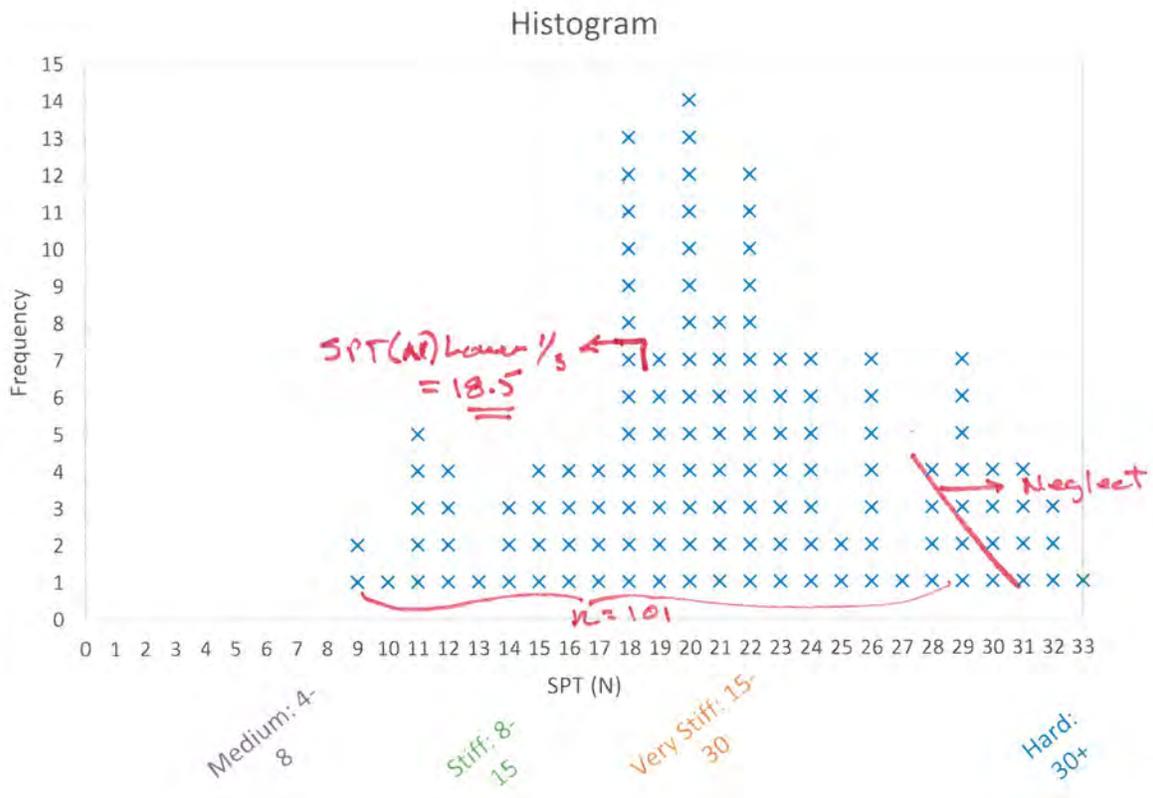
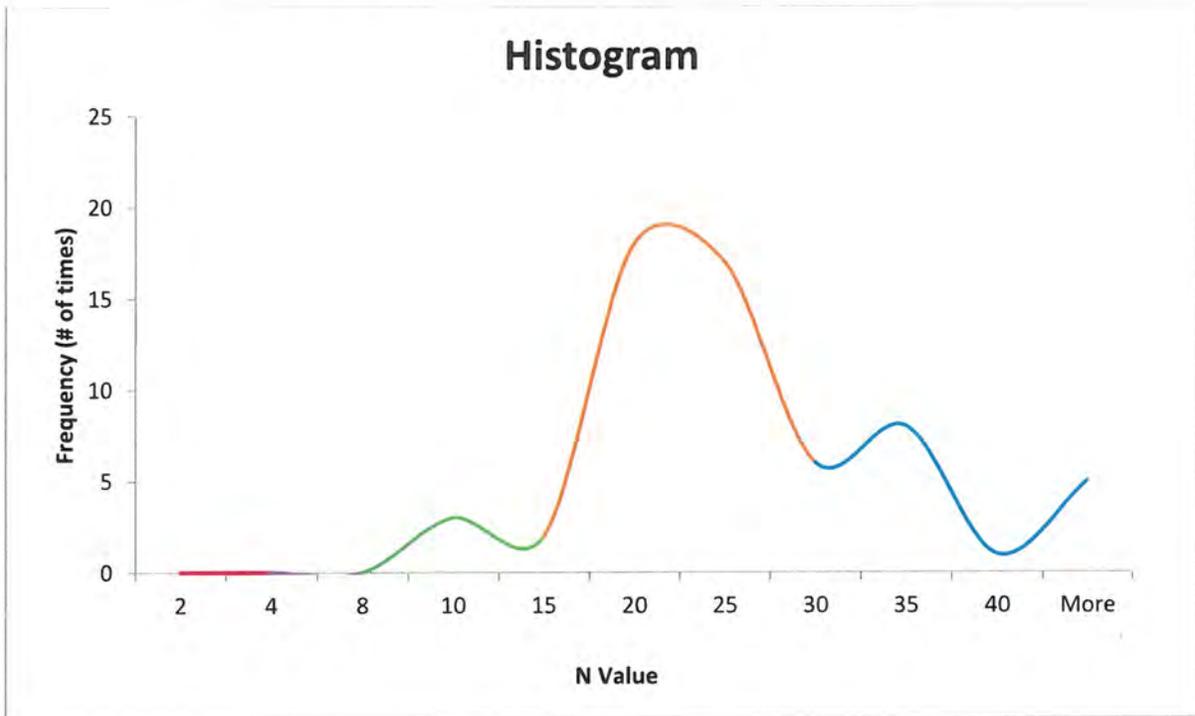
OF 974 PSF UNDRAINED SHEAR STRENGTH

TO BE USED IN CONSERVATIVE ANALYSIS AS

COMPLETED TO EM 1110-2-1913 REQUIREMENT OF LOWER 1/3.

IN-SITU CLAY TILL

SPT(N) STANDARD PENETRATION BLOW COUNTS



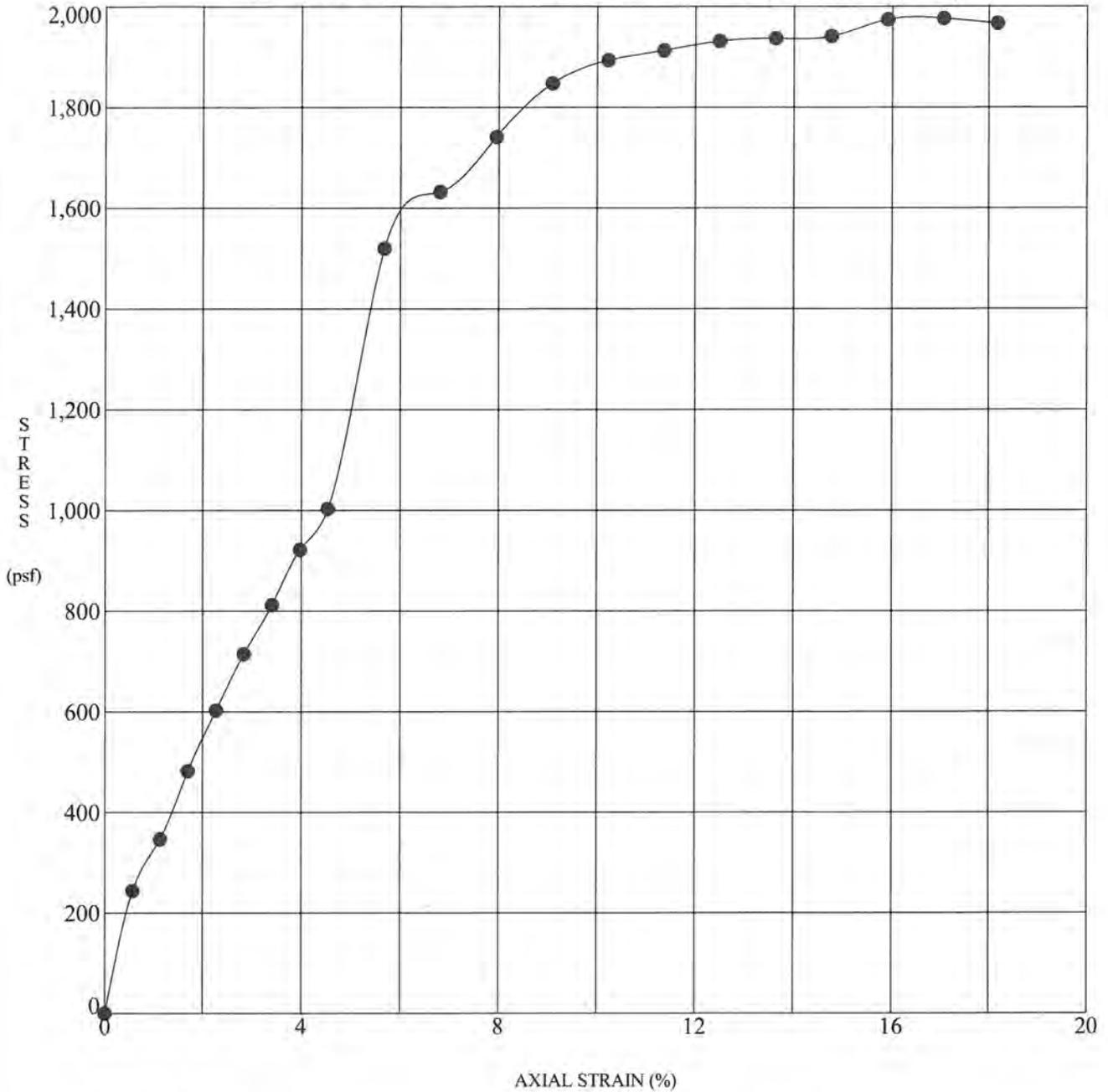
Medium: 4-8

Stiff: 8-15

Very Stiff: 15-30

Hard: 30+

UNCONFINED COMPRESSION TEST (ASTM D2166)



Sample Name.:

Lab ID: **Composite**

Max. Compressive Strength (psf): **1947**

Strain at Max. Compressive Strength (%): **15.0**

Moisture (%): **16.5**

Specific Gravity:

Void Ratio:

Wet Density (pcf): **131.6**

Dry Density (pcf): **113.0**

Handwritten calculation: $S_u = \frac{1947}{2} = 974 \text{ psf}$

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CLIENT : **Gauthier Properties at Covered Bridge**
 PROJECT: **Gauthier Pond**

JOB NO.: **20748-001**
 TEST DATE:

MILLER
ENGINEERS
SCIENTISTS

TESTED BY:
 REVIEWED BY:

LOG OF TEST BORING GENERAL NOTES

SYMBOLS

Descriptive Soil Classification

GRAIN SIZE TERMINOLOGY

Soil Fraction	Particle Size	U.S. Sieve Size
Boulders.....	Larger Than 12"	Larger Than 12"
Cobbles.....	3" to 12"	3" to 12"
Gravel: Coarse.....	3/4" to 3"	3/4" to 3"
Fine.....	4.76mm to 3/4"	#4 to 3/4"
Sand: Coarse.....	2.00mm to 4.76mm	#10 to #4
Medium.....	0.42mm to 2.00mm	#40 to #10
Fine.....	0.074mm to 0.42mm	#200 to #40
Fines.....	Less Than 0.074mm	Smaller Than #200
Silt.....	0.005mm to 0.074mm	Smaller Than #200
Clay.....	Smaller Than 0.005mm	

(Plasticity characteristics differentiate between silt and clay.)

COMPOSITION TERMINOLOGY (ASTM D2487)

Primary Constituent:

Gravel

with sand...>=15% sand
with silt.....5-12% silt
with clay.....5-12 clay
silty.....>12% silt
clayey.....>12% clay

Sand

with gravel....>=15% gravel
with silt.....5-12% silt
with clay.....5-12% clay
silty.....>12% silt
clayey.....>12% clay

Fines (Silt or Clay)

with gravel...15-29% gravel
gravelly.....>=30% gravel
with sand.....15-29% sand
sandy.....>=30% sand

RELATIVE DENSITY COHESIONLESS SOILS

Term	"N" Value
Very Loose.....	0-4
Loose.....	4-10
Medium Dense.....	10-30
Dense.....	30-50
Very Dense.....	over 50

The penetration resistance, N, is the summation of the number of blows required to affect two successive 6" penetrations of the 2" split-barrel sampler. The sampler is driven with a 140 lb. weight falling 30" and is seated to a depth of 6" before commencing the standard penetration test (ASTM 1586).

CONSISTENCY COHESIVE SOILS

Term	pp (tons/sq. ft.)	"N" Value
Very Soft.....	0.00 to 0.25	<2
Soft.....	0.25 to 0.50	2-4
Medium.....	0.50 to 1.00	4-8
Stiff.....	1.00 to 2.00	8-15
Very Stiff.....	2.00 to 4.00	15-30
Hard.....	over 4.00	>30

PLASTICITY

Term	Plasticity Index
None to slight.....	0 to 4
Slight.....	5 to 7
Medium.....	8 to 22
High to Very High.....	over 22

DRILLING AND SAMPLING

CS--Continuous Sampling
RC--Rock Coring: Size AW, BW, NW, 2" W
RQD--Rock Quality Designator
RB--Rock Bit
FT--Fish Tail
DC--Drove Casing
C--Casing: Size 2 1/2", NW, 4", HW
CW--Clear Water
DM--Drilling Mud
HSA--Hollow Stem Auger
FA--Flight Auger
HA--Hand Auger
SS--2" Diameter Split-Barrel Sample
2ST--2" Diameter Thin-Walled Tube Sample
3ST--3" Diameter Thin-Walled Tube Sample
PT--3" Diameter Piston Tube Sample
AS--Auger Sample
PS--Pitcher Sample
NR--No Recovery
VS--Vane Shear Test

LABORATORY TESTS

pp--Penetrometer Reading, tons/sq.ft.
qu--Unconfined Strength, tons/sq. ft.
MC--Moisture Content, %
LL--Liquid Limit, %
PL--Plastic Limit, %
PI--Plasticity Index, %
SL--Shrinkage Limit, %
LI--Loss on Ignition, %
D--Dry Unit Weight, lbs./cu. ft.
pH--Measure of Soil Alkalinity or Acidity
FS--Free Swell, %
HNU--ppmv as Benzene
TLV--ppmv as Hexane
TPH--Total Petroleum Hydrocarbons, ppm

WATER LEVEL MEASUREMENTS

∇--Water Table Interpretation

Note: Water level measurements recorded in notes on the boring logs represent conditions at the time indicated and may not reflect static levels, especially in cohesive soils.

Lowest N Values

Neglecting N > 35
N = 5.5

Depth (ft)	SPT(N) Tabulation											σ
	A	B	C	D	E	F	G	H	I	J	X̄	
2	18	21	17	10	16	SM	SM	SM	17	18	16.7	3.1
4	31	20	18	21	30	18	23	22	9	31	22.3	6.6
7	9	11	22	23	30	65	20	26	23	31	23.0	6.4
9	K2	16	17	20	34	41	24	32	35	38	22.2	6.5
12		27	18	22	23	28	34	22	22	24	24.4	4.4
14		29	67	35	24	18	24	19	22	18	22.0	3.7
17						22						
19					15							
X̄	19.3	20.7	18.4	19.2	21.2	21.3	25.0	24.2	18.6	23.0	21.1	5.2
σ	9.0	6.1	1.9	4.7	5.9	4.7	4.7	4.5	5.2	5.4	5.2	5.2

CONCLUSION:

$SPT(\bar{N}) = 21.2 \pm 5.2 \sigma$

Lower 1/3 is @ 1.5σ

Number per ACCE = 13.4 ⇒ $S_u \approx 1.79 \text{ BSF}$

Depth (ft)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	X̄	σ
2	SM	11	21	26	26	SM	11	25	19	31	SM	SM	SM	21	28	28	21.7	6.1
4	20	SM	12	34	26	SM	18	28	12	19	SM	12	21	29	22	29	21.7	6.9
7	21	40	15	34	35	22	37	42	14	24	19	43	23	14	35	20	20.6	5.7
9	22	53	14	26	26	32	32	29	11	40	16	12	20	22	42	30	22.5	7.2
12	18	75			29	40	67	24	34	20	21	11	35	22	56	17	21.8	6.4
14	20	40			23	18	57	61	13	18	50/6"	16	23	33	19	15	19.8	5.3
17	19	50/6"			29	53	39	34	18	18	40	35	21	20	38	15	21.8	6.0
19	29	50/6"			24	43		30	50/6"	26	25	28	20	20	40	20	24.5	3.9
25'																	21.8	5.9
30'																		
X̄	21.3	-	15.5	30.0	26.1	24.0	-	-	17.0	19.8	20.2	15.8	21.3	22.6	25	20.8	21.2	4.2
σ	3.4	-	3.3	4.0	2.1	5.9	-	-	7.9	2.2	3.3	6.3	1.2	5.5	-	5.4	4.2	

Job No. 20748-001 Date 7/15/25
 Project Gauthier Pond - Cedarburg, WI

Source of Material GS1/MULTIPLE BORINGS
 Description of Material *LEAN CLAY(CL)
 Test Method Standard (ASTM D698) Method A
 Lab ID SH5415

TEST RESULTS

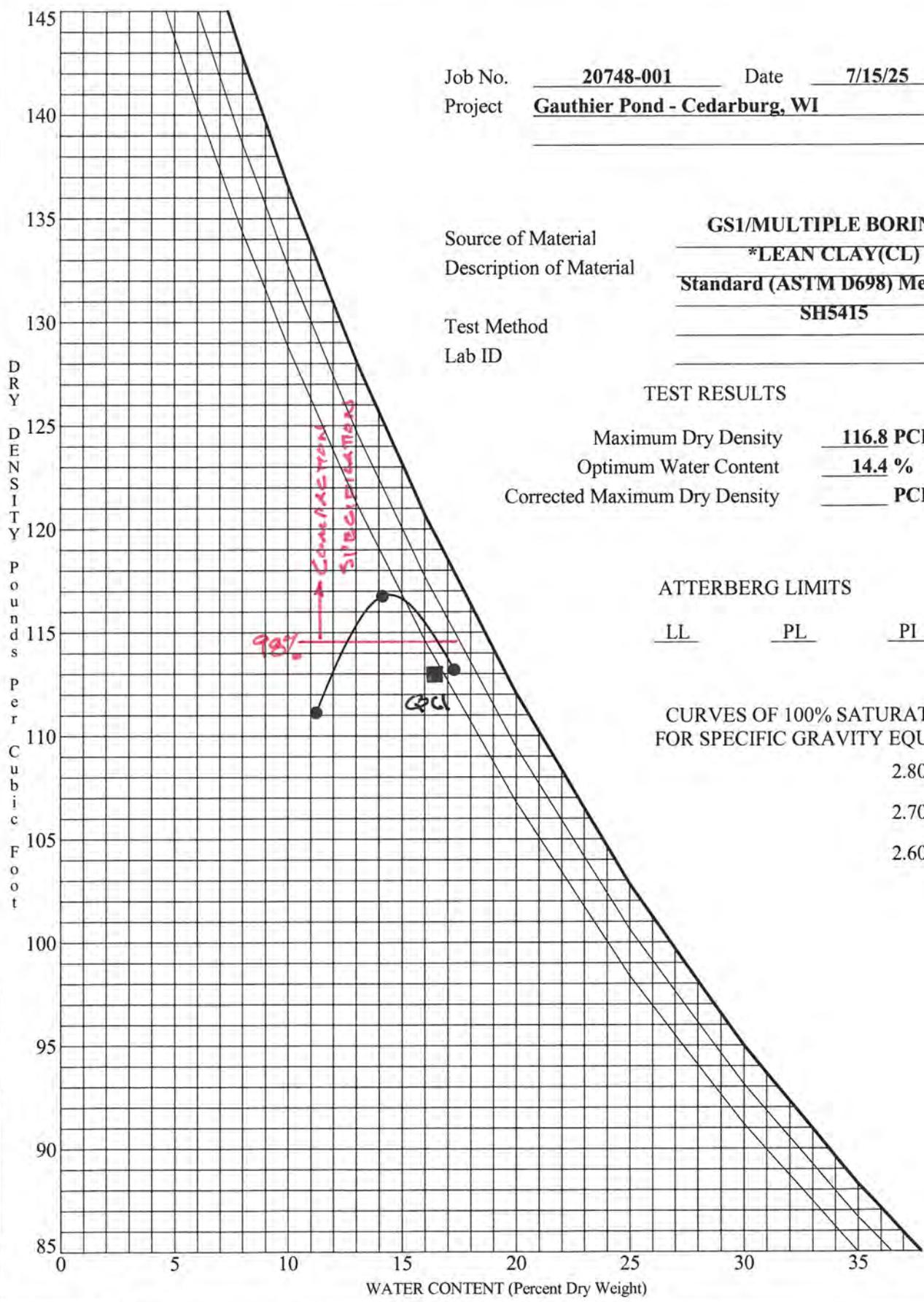
Maximum Dry Density 116.8 PCF
 Optimum Water Content 14.4 %
 Corrected Maximum Dry Density PCF

ATTERBERG LIMITS

LL PL PI

CURVES OF 100% SATURATION
 FOR SPECIFIC GRAVITY EQUAL TO:

- 2.80
- 2.70
- 2.60



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MILLER
ENGINEERS
SCIENTISTS

MOISTURE-DENSITY RELATIONSHIP

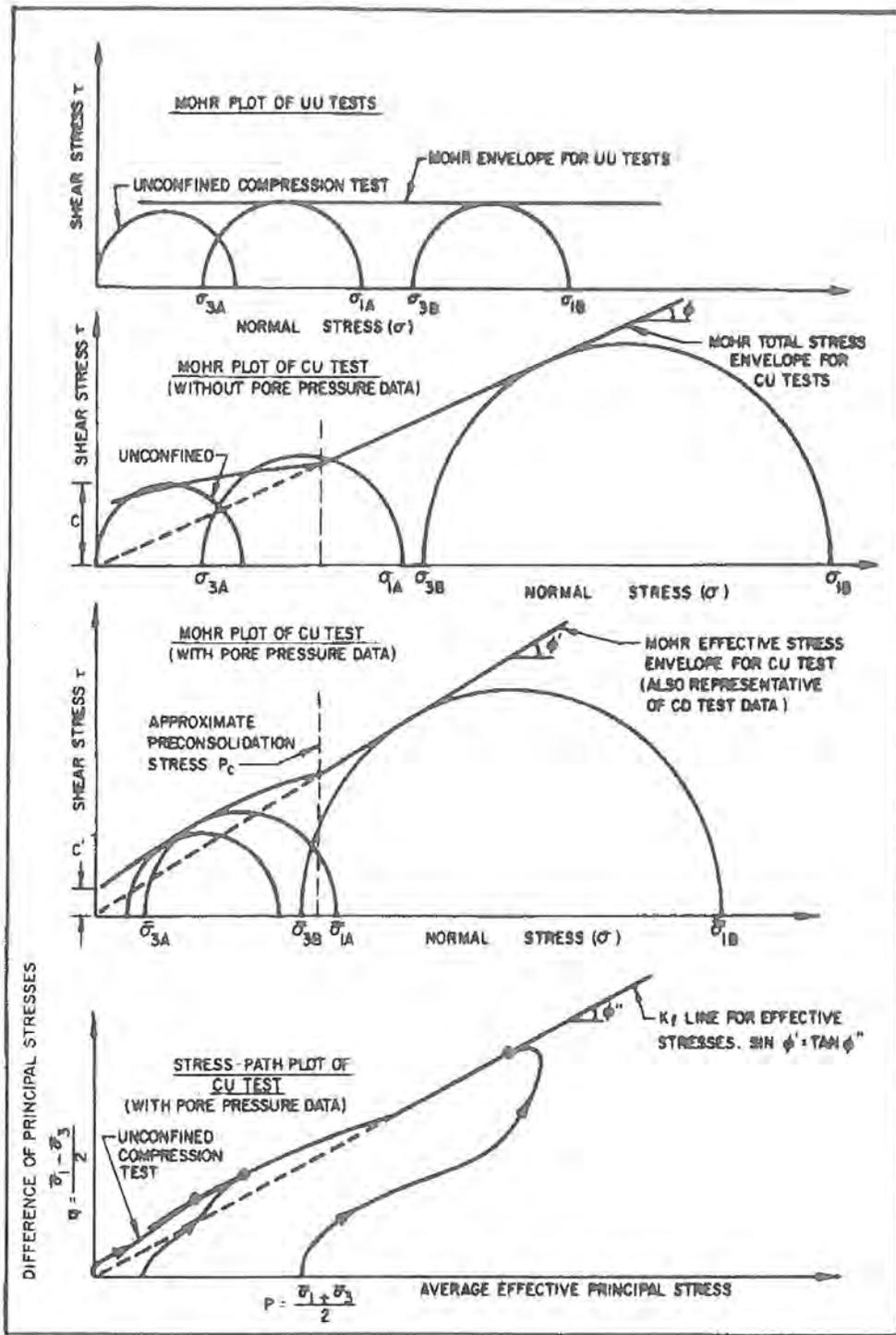


FIGURE 6
Triaxial Shear Test Relationships

STABILITY ANALYSIS

The clay till subgrade ranges from stiff to hard consistency. Neglecting the group of SPT(N) blow counts in the hard range, the lower 1/3 SPT(N) value is 18.5 (refer to attached histogram). This corresponds to an “undrained shear strength” of 2467 psf, which is substantially higher than the expected minimum shear strength of the compacted clay of 974 psf that will comprise the embankment (see Soil Properties Summary). Consequently, potential slip surfaces for analysis are confined above the relatively firm “base” (subgrade).

“Total stress” analysis for clay of low hydraulic conductivity (permeability) is appropriate to use in stability analysis because potential changes in loading will occur faster than excess pore pressures can dissipate. And because the effective stress of compaction will be more than the maximum principle stresses in the embankment, “undrained shear strength” is the appropriate characteristic strength parameter, neglecting “friction”.

The following stability analyses used the Janbu’s chart to approximate the critical slip circles for both the inside and outside slopes for which the “Method of Moments” was used to calculate hypothetical Factors of Safety (F). This was necessary because the quite flat slopes of this project extend off the upper end of the chart. The chart was used because it makes visually apparent the computational effects of the relevant parameters.

The US Army Corps of Engineers (ACOE) Engineering Manual 1110-2-1913 – Evaluation, Design, and Construction of Levees **advises a Safety (F) against slope failure of at least 1.3** for the post construction, design water level, and rapid drawdown conditions **using the lower 1/3 value of the range of soil strength**. The attached stability analyses provide the following Factors of Safety (F):

<u>Loading Condition</u>	<u>Inside Slope</u>	<u>Outside Slope</u>
Post Construction	at least 6.5	5.8
Pond Full	at least 11.6	5.8
Rapid Drawdown	at least 6.5	5.8

The analyzed Factors of Safety against potential slope failure are all at least four times that required by ACOE.

FILE 4

SIGN WATER LEVEL

INSIDE SLOPE
METHOD OF MOMENTS
BASED ON JANBU SLIP CIRCLE (from chart)

BORING 1
TOPSOIL
SILTY SAND

12" THICK LAYER OF SAND & GRAVEL

BORING F
TOPSOIL
ML W/CL SE
CL

CL W/GRAVEL

$X_0 = 41'$

$Y_0 = 37'$

METHOD OF MOMENTS BASED ON JANBU SLIP CIRCLE (from chart)

1 5' 220' 225' 230' 235' 240' 245' 250' 255' 260' 265' 270' 275' 280' 285' 290' 295' 300' 305' 310' 315' 320' 325' 330' 335' 340' 345' 350' 355' 360' 365' 370' 375' 380'

FILE 5

SIGN WATER LEVEL

INSIDE SLOPE

Adjustment via moment method
TO CHART: $(2.5)(17/2)(15 + 17/2)(1.137) = -60 \text{ kip-ft}$
 $(2.5)(10/2)(10)(1.137) = -17$
 $-77 / 306 = 25\%$

Slice	Area	Area	Moment: $A \cdot MA - T_m$
1	21	+27'	+78 kip-ft
2	90	+20'	+247
3	120	+10'	+164
4	120	zero	-
5	90	-10'	-123
6	20	-22'	-60
			$\Sigma M_0 = 306 \text{ kip-ft}$

12" THICK LAYER OF SAND & GRAVEL

$\gamma_{sat} = 137 \text{ pcf}$

$c = 544 \text{ pcf}$
 135 pcf

$\Sigma M_R = .974(40.6)(39) = 2302 \text{ kip-ft}$

$F = \frac{\Sigma M_R}{\Sigma M_0} = \frac{2302}{306} = 7.5$

BORING D

BORING C

TOPSOIL
SAND W/CL
SEAMS
CL

TOPSOIL
CL
2 THIN SILT SEAMS

1 5' 220' 225' 230' 235' 240' 245' 250' 255' 260' 265' 270' 275' 280' 285' 290' 295' 300' 305' 310' 315' 320' 325' 330' 335' 340' 345' 350' 355' 360' 365' 370' 375' 380'

INSIDE SLOPE, $\cot \beta = 4$

$H = 16.5'$

$C = 5.2 \times 974 \text{ lbf}$

$\gamma_{sat} = 137 \text{ lbf}$

$N_0 \geq 12$

$P_d \text{ empty} = 16.5' (137)$
 $= 2260$

$F_{empty} \geq \frac{12(974)}{2260} \geq 5.2$

NOT counting the flat 10H:1V shear slope.

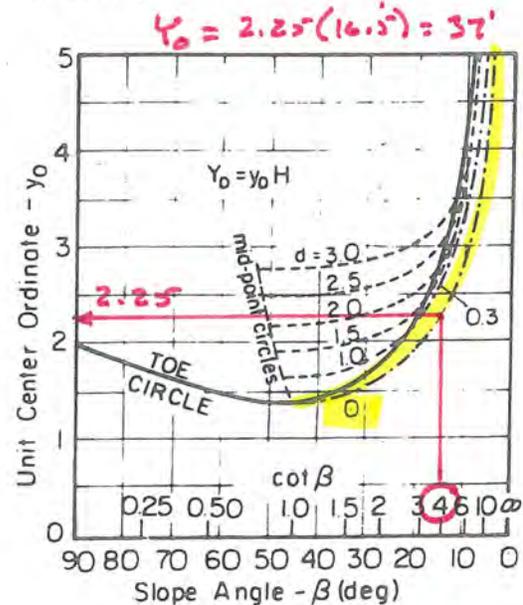
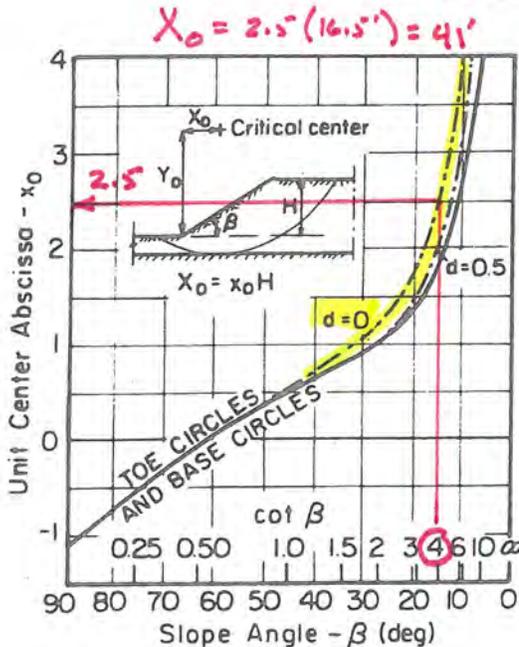
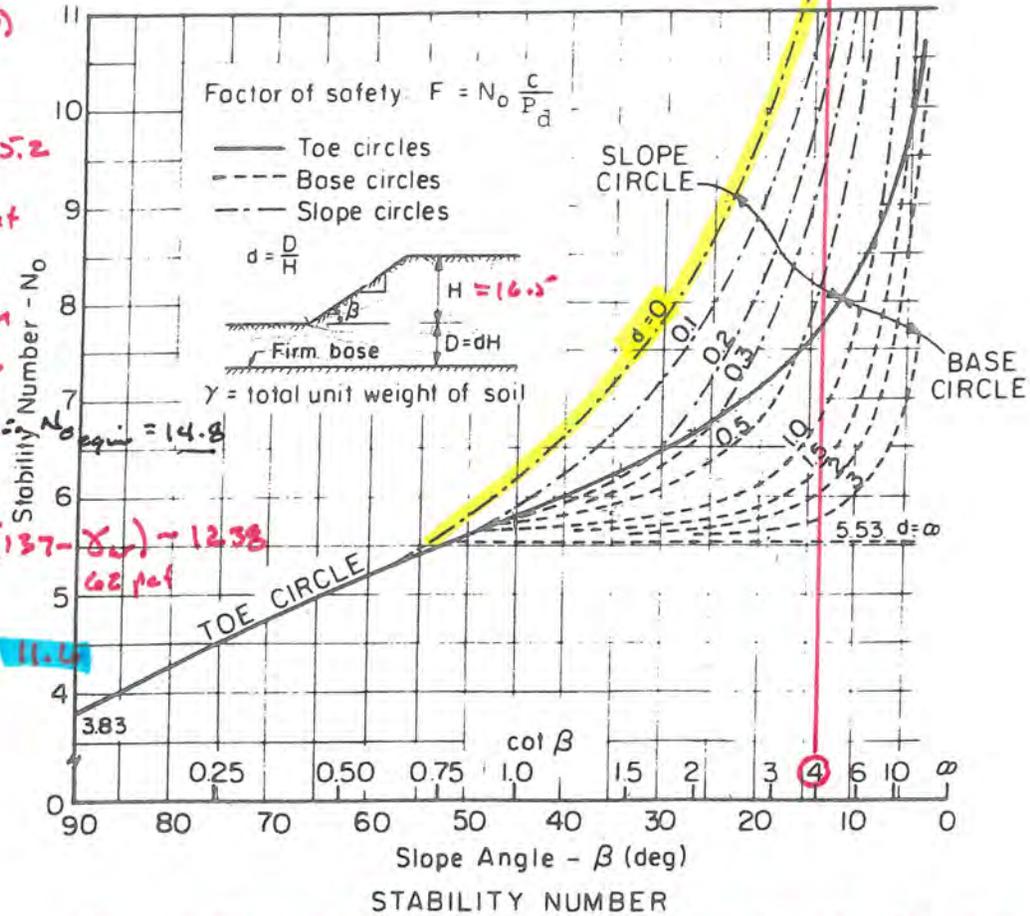
Adjusting for that from

Method of moments

$F = 1.25 (5.2) = 6.5$

$P_d \text{ pond full} = 16.5' (137 - \gamma_{sat}) = 1238$
 62 psf

$F_{Full} \sim \frac{14.8(974)}{1238} = 11.6$



CENTER COORDINATES FOR CRITICAL CIRCLE

Fig. 6 SLOPE STABILITY CHARTS FOR $\phi = 0$ SOILS (after Janbu, 1968)

OUTSIDE SLOPE, $\cot \beta = 6$

$H = 22'$

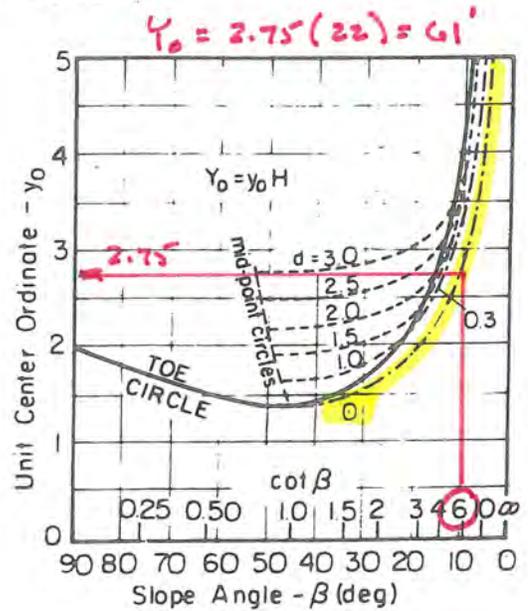
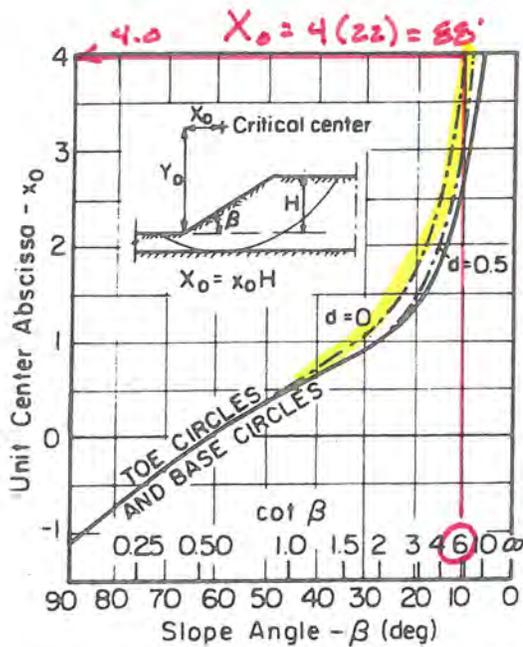
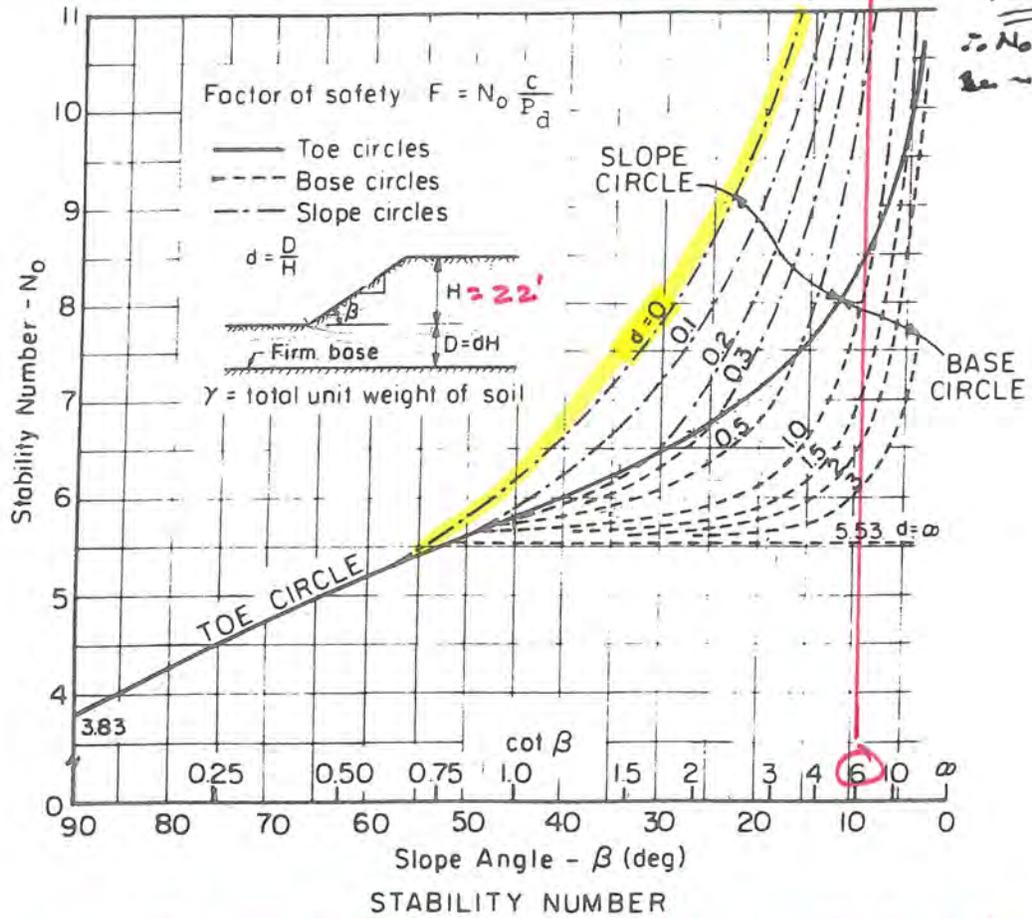
$\gamma_m = 137 \text{ PCF}$

$c = 528 \text{ PSF}$

$P_d = H \cdot \gamma_m = 22(137) = 3014$

TOO FAR OR CHART
 ∴ USE METHOD OF
 MOMENTS. SEE NEXT
 PAGE (11"x11")

$F = 5.8$
 ∴ No chart would
 be used



CENTER COORDINATES FOR CRITICAL CIRCLE

Fig. 6 SLOPE STABILITY CHARTS FOR $\phi = 0$ SOILS (after Janbu, 1968)

Pond Drainage

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Page 1

Project Notes

Rainfall events imported from "NRCS-Rain.txt" for 9184 WI Ozaukee

Rainfall events imported from "NRCS-Rain.txt" for 9199 WI Sheboygan

Pond Drainage

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Page 2

Pipe Listing (selected nodes)

Line#	Node Number	In-Invert (feet)	Out-Invert (feet)	Length (feet)	Slope (ft/ft)	n	Diam/Width (inches)	Height (inches)	Inside-Fill (inches)
1	2P	881.00	871.00	240.0	0.0417	0.010	8.0	0.0	0.0

Pond Drainage

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MSE 24-hr 4 1-Year Rainfall=2.23"

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Page 3

Summary for Pond 2P: Pond

Inflow Area = 19.089 ac, 69.08% Impervious, Inflow Depth = 1.76" for 1-Year event
 Inflow = 50.24 cfs @ 12.09 hrs, Volume= 2.798 af
 Outflow = 0.12 cfs @ 23.99 hrs, Volume= 0.733 af, Atten= 100%, Lag= 714.3 min
 Primary = 0.12 cfs @ 23.99 hrs, Volume= 0.733 af
 Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-100.00 hrs, dt= 0.01 hrs

Starting Elev= 881.00' Surf.Area= 574,383 sf Storage= 5,307,096 cf

Peak Elev= 881.20' @ 23.99 hrs Surf.Area= 580,470 sf Storage= 5,424,149 cf (117,053 cf above start)

Flood Elev= 883.00' Surf.Area= 634,353 sf Storage= 6,516,385 cf (1,209,289 cf above start)

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)

Center-of-Mass det. time= 2,442.1 min (3,177.2 - 735.2)

Volume #1	Invert	Avail.Storage	Storage Description			
	864.00'	6,516,385 cf	Custom Stage Data (Irregular) Listed below			
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)	
864.00	5,409	296.2	0	0	5,409	
865.00	63,128	1,651.4	29,005	29,005	215,447	
866.00	128,560	2,977.4	93,925	122,930	703,882	
867.00	202,414	3,562.3	164,096	287,026	1,008,289	
868.00	232,502	4,154.9	217,284	504,311	1,372,234	
869.00	251,941	4,953.8	242,156	746,467	1,951,333	
870.00	270,728	3,610.1	261,278	1,007,745	2,867,066	
871.00	290,036	3,655.4	280,327	1,288,072	2,893,508	
872.00	309,384	3,700.6	299,658	1,587,730	2,920,221	
873.00	328,776	3,746.0	319,031	1,906,761	2,947,380	
874.00	348,211	3,791.3	338,447	2,245,208	2,974,811	
875.00	367,686	3,836.6	357,904	2,603,112	3,002,572	
876.00	387,204	3,881.9	377,403	2,980,515	3,030,663	
877.00	406,763	3,927.2	396,943	3,377,459	3,059,083	
878.00	434,355	3,978.2	420,484	3,797,942	3,091,409	
879.00	478,948	4,047.4	456,470	4,254,412	3,135,786	
880.00	526,380	4,130.7	502,477	4,756,889	3,190,151	
881.00	574,383	4,214.0	550,207	5,307,096	3,245,623	
882.00	605,045	4,278.9	589,648	5,896,744	3,289,691	
883.00	634,353	4,331.9	619,641	6,516,385	3,326,262	

Device	Routing	Invert	Outlet Devices
#1	Primary	881.00'	8.0" Round Outlet Pipe L= 240.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 881.00' / 871.00' S= 0.0417 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Secondary	882.00'	120.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Pond Drainage

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MSE 24-hr 4 1-Year Rainfall=2.23"

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Page 4

Primary OutFlow Max=0.10 cfs @ 23.99 hrs HW=881.20' (Free Discharge)

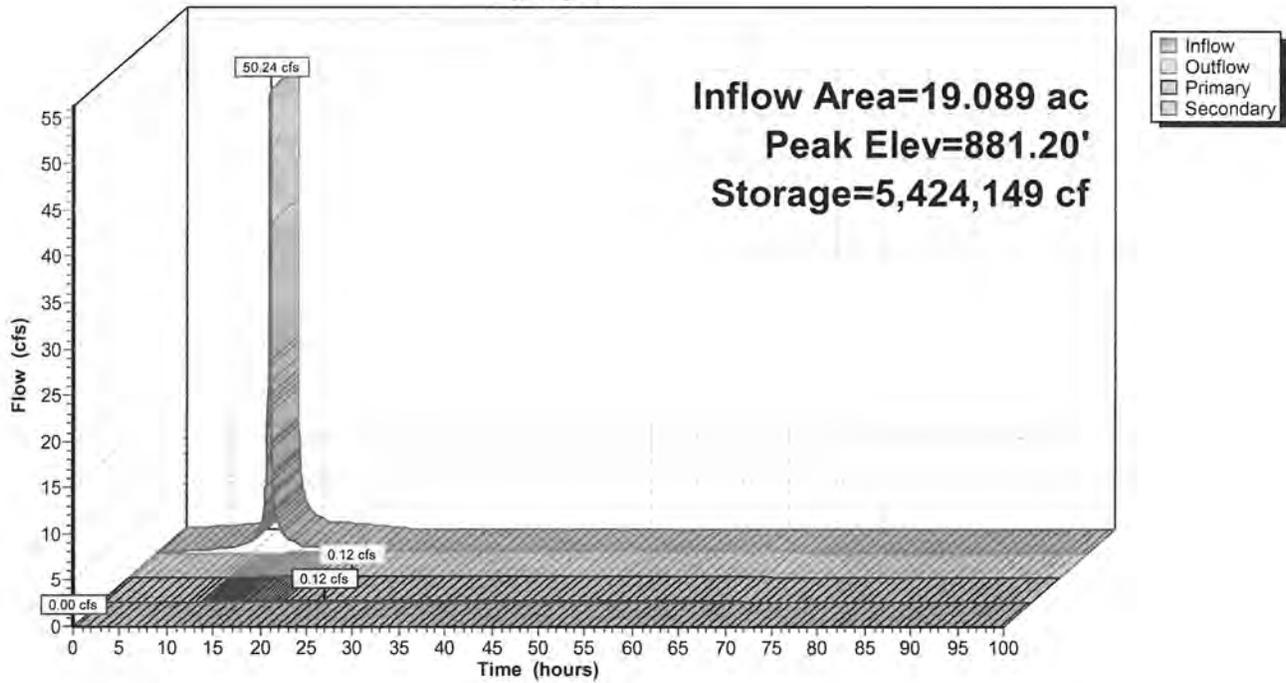
↳ **1=Outlet Pipe** (Inlet Controls 0.10 cfs @ 1.20 fps)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=881.00' (Free Discharge)

↳ **2=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)

Pond 2P: Pond

Hydrograph



Pond Drainage

Prepared by Miller Engineers & Scientists

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MSE 24-hr 4 2-Year Rainfall=2.57"

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Page 5

Summary for Pond 2P: Pond

Inflow Area = 19.089 ac, 69.08% Impervious, Inflow Depth = 2.07" for 2-Year event
 Inflow = 59.30 cfs @ 12.09 hrs, Volume= 3.285 af
 Outflow = 0.16 cfs @ 23.99 hrs, Volume= 0.928 af, Atten= 100%, Lag= 714.1 min
 Primary = 0.16 cfs @ 23.99 hrs, Volume= 0.928 af
 Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-100.00 hrs, dt= 0.01 hrs
 Starting Elev= 881.00' Surf.Area= 574,383 sf Storage= 5,307,096 cf
 Peak Elev= 881.23' @ 23.99 hrs Surf.Area= 581,503 sf Storage= 5,444,018 cf (136,922 cf above start)
 Flood Elev= 883.00' Surf.Area= 634,353 sf Storage= 6,516,385 cf (1,209,289 cf above start)

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= 2,438.3 min (3,174.3 - 736.1)

Volume #1	Invert	Avail.Storage	Storage Description			
	864.00'	6,516,385 cf	Custom Stage Data (Irregular) Listed below			
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)	
864.00	5,409	296.2	0	0	5,409	
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867.00	202,414	3,562.3	164,096	287,026	1,008,289	
868.00	232,502	4,154.9	217,284	504,311	1,372,234	
869.00	251,941	4,953.8	242,156	746,467	1,951,333	
870.00	270,728	3,610.1	261,278	1,007,745	2,867,066	
871.00	290,036	3,655.4	280,327	1,288,072	2,893,508	
872.00	309,384	3,700.6	299,658	1,587,730	2,920,221	
873.00	328,776	3,746.0	319,031	1,906,761	2,947,380	
874.00	348,211	3,791.3	338,447	2,245,208	2,974,811	
875.00	367,686	3,836.6	357,904	2,603,112	3,002,572	
876.00	387,204	3,881.9	377,403	2,980,515	3,030,663	
877.00	406,763	3,927.2	396,943	3,377,459	3,059,083	
878.00	434,355	3,978.2	420,484	3,797,942	3,091,409	
879.00	478,948	4,047.4	456,470	4,254,412	3,135,786	
880.00	526,380	4,130.7	502,477	4,756,889	3,190,151	
881.00	574,383	4,214.0	550,207	5,307,096	3,245,623	
882.00	605,045	4,278.9	589,648	5,896,744	3,289,691	
883.00	634,353	4,331.9	619,641	6,516,385	3,326,262	

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#2	Secondary	882.00'	120.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Pond Drainage

Prepared by Miller Engineers & Scientists

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MSE 24-hr 4 2-Year Rainfall=2.57"

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Primary Outflow Max=0.14 cfs @ 23.99 hrs HW=881.23' (Free Discharge)

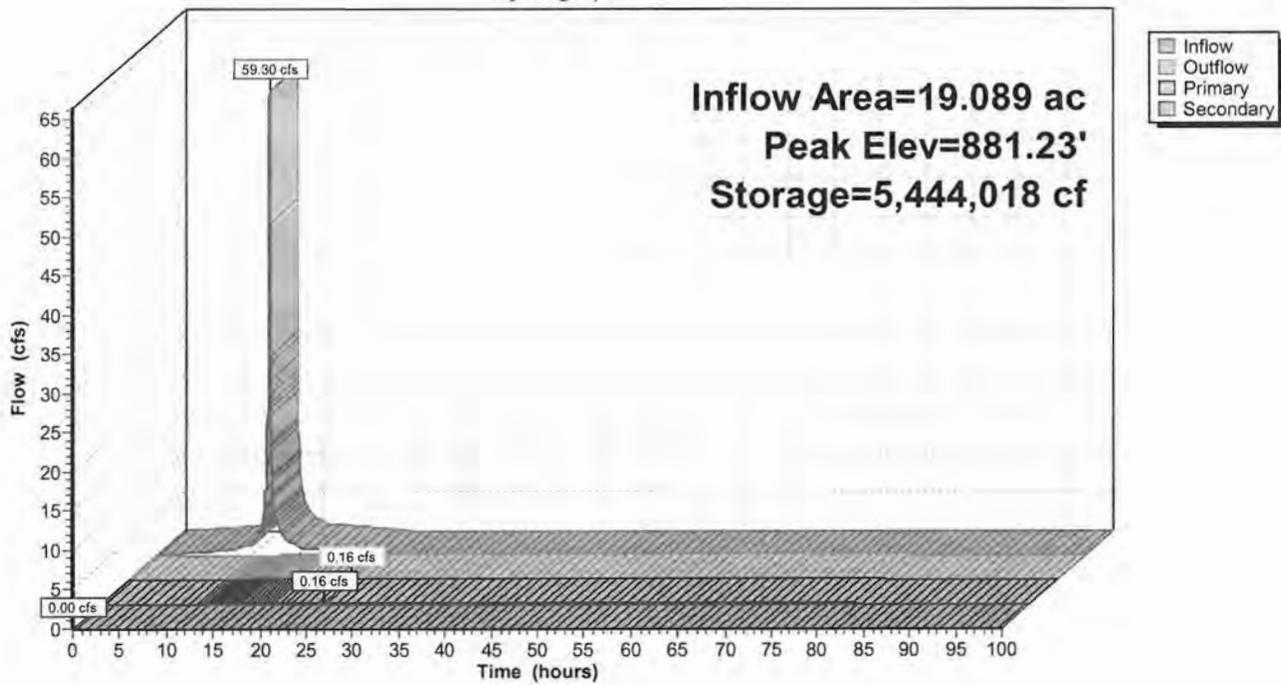
↳ **1=Outlet Pipe** (Inlet Controls 0.14 cfs @ 1.30 fps)

Secondary Outflow Max=0.00 cfs @ 0.00 hrs HW=881.00' (Free Discharge)

↳ **2=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)

Pond 2P: Pond

Hydrograph



Pond Drainage

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MSE 24-hr 4 5-Year Rainfall=3.20"

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Summary for Pond 2P: Pond

Inflow Area = 19.089 ac, 69.08% Impervious, Inflow Depth = 2.64" for 5-Year event
 Inflow = 76.42 cfs @ 12.09 hrs, Volume= 4.206 af
 Outflow = 0.22 cfs @ 23.99 hrs, Volume= 1.298 af, Atten= 100%, Lag= 713.8 min
 Primary = 0.22 cfs @ 23.99 hrs, Volume= 1.298 af
 Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-100.00 hrs, dt= 0.01 hrs
 Starting Elev= 881.00' Surf.Area= 574,383 sf Storage= 5,307,096 cf
 Peak Elev= 881.30' @ 23.99 hrs Surf.Area= 583,455 sf Storage= 5,481,557 cf (174,461 cf above start)
 Flood Elev= 883.00' Surf.Area= 634,353 sf Storage= 6,516,385 cf (1,209,289 cf above start)

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= 2,431.9 min (3,169.0 - 737.1)

Volume #1	Invert	Avail.Storage	Storage Description			
	864.00'	6,516,385 cf	Custom Stage Data (Irregular) Listed below			
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)	
864.00	5,409	296.2	0	0	5,409	
865.00	63,128	1,651.4	29,005	29,005	215,447	
866.00	128,560	2,977.4	93,925	122,930	703,882	
867.00	202,414	3,562.3	164,096	287,026	1,008,289	
868.00	232,502	4,154.9	217,284	504,311	1,372,234	
869.00	251,941	4,953.8	242,156	746,467	1,951,333	
870.00	270,728	3,610.1	261,278	1,007,745	2,867,066	
871.00	290,036	3,655.4	280,327	1,288,072	2,893,508	
872.00	309,384	3,700.6	299,658	1,587,730	2,920,221	
873.00	328,776	3,746.0	319,031	1,906,761	2,947,380	
874.00	348,211	3,791.3	338,447	2,245,208	2,974,811	
875.00	367,686	3,836.6	357,904	2,603,112	3,002,572	
876.00	387,204	3,881.9	377,403	2,980,515	3,030,663	
877.00	406,763	3,927.2	396,943	3,377,459	3,059,083	
878.00	434,355	3,978.2	420,484	3,797,942	3,091,409	
879.00	478,948	4,047.4	456,470	4,254,412	3,135,786	
880.00	526,380	4,130.7	502,477	4,756,889	3,190,151	
881.00	574,383	4,214.0	550,207	5,307,096	3,245,623	
882.00	605,045	4,278.9	589,648	5,896,744	3,289,691	
883.00	634,353	4,331.9	619,641	6,516,385	3,326,262	

Device	Routing	Invert	Outlet Devices
#1	Primary	881.00'	8.0" Round Outlet Pipe L= 240.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 881.00' / 871.00' S= 0.0417 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Secondary	882.00'	120.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Pond Drainage

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MSE 24-hr 4 5-Year Rainfall=3.20"

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Primary Outflow Max=0.22 cfs @ 23.99 hrs HW=881.30' (Free Discharge)

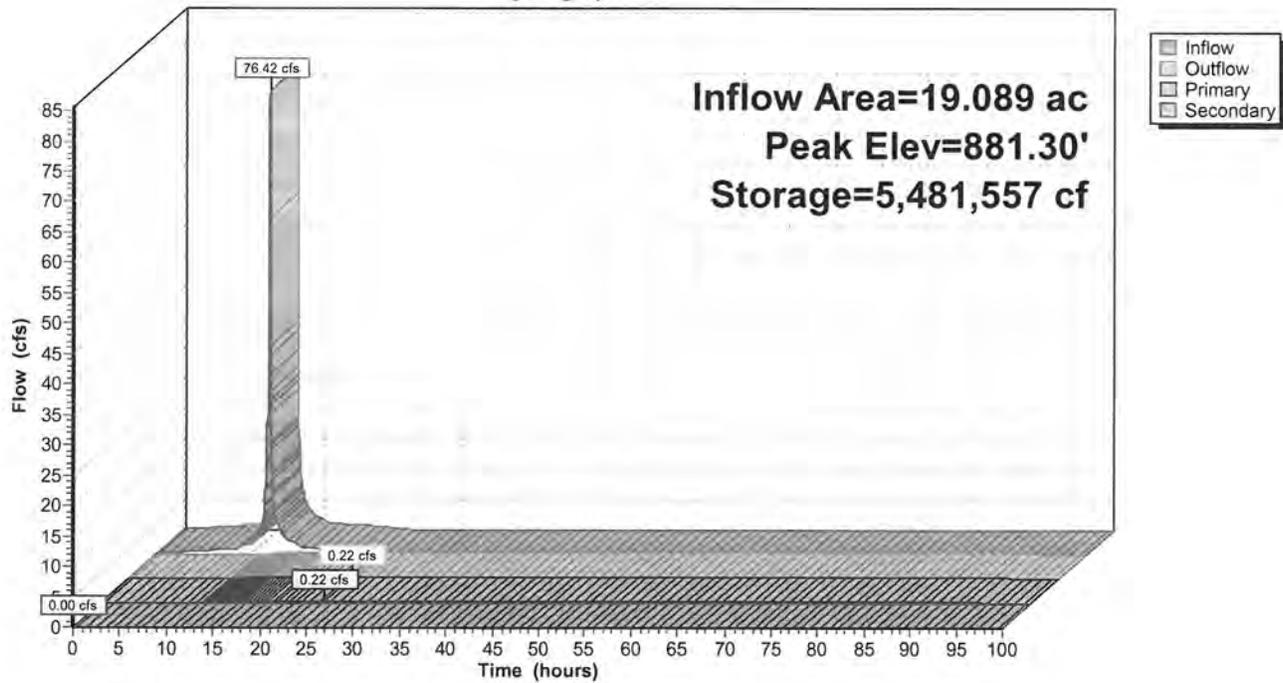
↳ **1=Outlet Pipe** (Inlet Controls 0.22 cfs @ 1.46 fps)

Secondary Outflow Max=0.00 cfs @ 0.00 hrs HW=881.00' (Free Discharge)

↳ **2=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)

Pond 2P: Pond

Hydrograph



Pond Drainage

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MSE 24-hr 4 10-Year Rainfall=3.81"

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Summary for Pond 2P: Pond

Inflow Area = 19.089 ac, 69.08% Impervious, Inflow Depth = 3.21" for 10-Year event
 Inflow = 93.24 cfs @ 12.09 hrs, Volume= 5.114 af
 Outflow = 0.31 cfs @ 23.70 hrs, Volume= 1.720 af, Atten= 100%, Lag= 696.5 min
 Primary = 0.31 cfs @ 23.70 hrs, Volume= 1.720 af
 Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-100.00 hrs, dt= 0.01 hrs
 Starting Elev= 881.00' Surf.Area= 574,383 sf Storage= 5,307,096 cf
 Peak Elev= 881.36' @ 23.70 hrs Surf.Area= 585,329 sf Storage= 5,517,603 cf (210,507 cf above start)
 Flood Elev= 883.00' Surf.Area= 634,353 sf Storage= 6,516,385 cf (1,209,289 cf above start)

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= 2,359.3 min (3,096.9 - 737.6)

Volume	Invert	Avail.Storage	Storage Description			
#1	864.00'	6,516,385 cf	Custom Stage Data (Irregular) Listed below			
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)	
864.00	5,409	296.2	0	0	5,409	
865.00	63,128	1,651.4	29,005	29,005	215,447	
866.00	128,560	2,977.4	93,925	122,930	703,882	
867.00	202,414	3,562.3	164,096	287,026	1,008,289	
868.00	232,502	4,154.9	217,284	504,311	1,372,234	
869.00	251,941	4,953.8	242,156	746,467	1,951,333	
870.00	270,728	3,610.1	261,278	1,007,745	2,867,066	
871.00	290,036	3,655.4	280,327	1,288,072	2,893,508	
872.00	309,384	3,700.6	299,658	1,587,730	2,920,221	
873.00	328,776	3,746.0	319,031	1,906,761	2,947,380	
874.00	348,211	3,791.3	338,447	2,245,208	2,974,811	
875.00	367,686	3,836.6	357,904	2,603,112	3,002,572	
876.00	387,204	3,881.9	377,403	2,980,515	3,030,663	
877.00	406,763	3,927.2	396,943	3,377,459	3,059,083	
878.00	434,355	3,978.2	420,484	3,797,942	3,091,409	
879.00	478,948	4,047.4	456,470	4,254,412	3,135,786	
880.00	526,380	4,130.7	502,477	4,756,889	3,190,151	
881.00	574,383	4,214.0	550,207	5,307,096	3,245,623	
882.00	605,045	4,278.9	589,648	5,896,744	3,289,691	
883.00	634,353	4,331.9	619,641	6,516,385	3,326,262	

Device	Routing	Invert	Outlet Devices
#1	Primary	881.00'	8.0" Round Outlet Pipe L= 240.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 881.00' / 871.00' S= 0.0417 ' /' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Secondary	882.00'	120.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Pond Drainage

Prepared by Miller Engineers & Scientists

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MSE 24-hr 4 10-Year Rainfall=3.81"

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Primary Outflow Max=0.31 cfs @ 23.70 hrs HW=881.36' (Free Discharge)

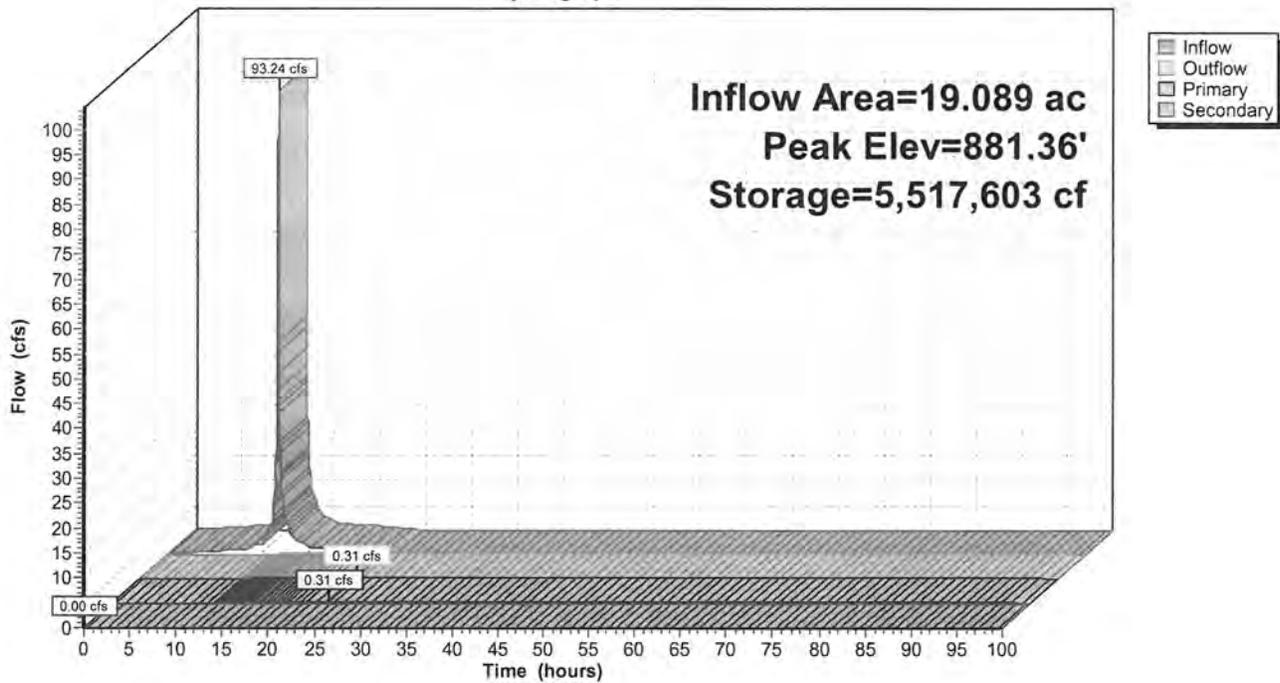
↳ **1=Outlet Pipe** (Inlet Controls 0.31 cfs @ 1.61 fps)

Secondary Outflow Max=0.00 cfs @ 0.00 hrs HW=881.00' (Free Discharge)

↳ **2=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)

Pond 2P: Pond

Hydrograph



Pond Drainage

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MSE 24-hr 4 25-Year Rainfall=4.75"

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Summary for Pond 2P: Pond

Inflow Area = 19.089 ac, 69.08% Impervious, Inflow Depth = 4.11" for 25-Year event
 Inflow = 119.44 cfs @ 12.09 hrs, Volume= 6.536 af
 Outflow = 0.46 cfs @ 23.33 hrs, Volume= 2.481 af, Atten= 100%. Lag= 674.6 min
 Primary = 0.46 cfs @ 23.33 hrs, Volume= 2.481 af
 Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-100.00 hrs, dt= 0.01 hrs

Starting Elev= 881.00' Surf.Area= 574,383 sf Storage= 5,307,096 cf

Peak Elev= 881.45' @ 23.33 hrs Surf.Area= 588,242 sf Storage= 5,573,621 cf (266,525 cf above start)

Flood Elev= 883.00' Surf.Area= 634,353 sf Storage= 6,516,385 cf (1,209,289 cf above start)

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)

Center-of-Mass det. time= 2,315.3 min (3,053.1 - 737.8)

Volume	Invert	Avail.Storage	Storage Description
#1	864.00'	6,516,385 cf	Custom Stage Data (Irregular) Listed below

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
864.00	5,409	296.2	0	0	5,409
865.00	63,128	1,651.4	29,005	29,005	215,447
866.00	128,560	2,977.4	93,925	122,930	703,882
867.00	202,414	3,562.3	164,096	287,026	1,008,289
868.00	232,502	4,154.9	217,284	504,311	1,372,234
869.00	251,941	4,953.8	242,156	746,467	1,951,333
870.00	270,728	3,610.1	261,278	1,007,745	2,867,066
871.00	290,036	3,655.4	280,327	1,288,072	2,893,508
872.00	309,384	3,700.6	299,658	1,587,730	2,920,221
873.00	328,776	3,746.0	319,031	1,906,761	2,947,380
874.00	348,211	3,791.3	338,447	2,245,208	2,974,811
875.00	367,686	3,836.6	357,904	2,603,112	3,002,572
876.00	387,204	3,881.9	377,403	2,980,515	3,030,663
877.00	406,763	3,927.2	396,943	3,377,459	3,059,083
878.00	434,355	3,978.2	420,484	3,797,942	3,091,409
879.00	478,948	4,047.4	456,470	4,254,412	3,135,786
880.00	526,380	4,130.7	502,477	4,756,889	3,190,151
881.00	574,383	4,214.0	550,207	5,307,096	3,245,623
882.00	605,045	4,278.9	589,648	5,896,744	3,289,691
883.00	634,353	4,331.9	619,641	6,516,385	3,326,262

Device	Routing	Invert	Outlet Devices
#1	Primary	881.00'	8.0" Round Outlet Pipe L= 240.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 881.00' / 871.00' S= 0.0417 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Secondary	882.00'	120.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Pond Drainage

Prepared by Miller Engineers & Scientists

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MSE 24-hr 4 25-Year Rainfall=4.75"

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Primary OutFlow Max=0.46 cfs @ 23.33 hrs HW=881.45' (Free Discharge)

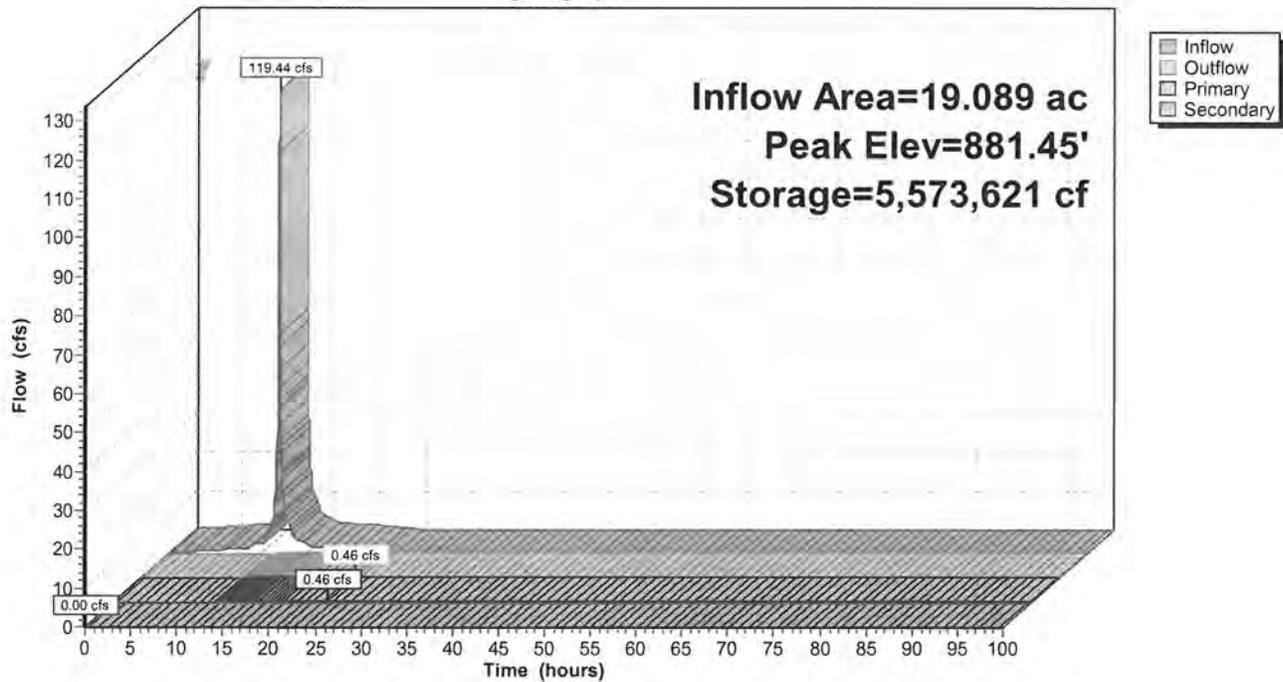
↳ **1=Outlet Pipe** (Inlet Controls 0.46 cfs @ 1.81 fps)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=881.00' (Free Discharge)

↳ **2=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)

Pond 2P: Pond

Hydrograph



Pond Drainage

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MSE 24-hr 4 50-Year Rainfall=5.58"

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Summary for Pond 2P: Pond

Inflow Area = 19.089 ac, 69.08% Impervious, Inflow Depth = 4.91" for 50-Year event
 Inflow = 142.72 cfs @ 12.09 hrs, Volume= 7.806 af
 Outflow = 0.58 cfs @ 23.20 hrs, Volume= 3.184 af, Atten= 100%, Lag= 666.8 min
 Primary = 0.58 cfs @ 23.20 hrs, Volume= 3.184 af
 Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-100.00 hrs, dt= 0.01 hrs
 Starting Elev= 881.00' Surf.Area= 574,383 sf Storage= 5,307,096 cf
 Peak Elev= 881.54' @ 23.20 hrs Surf.Area= 590,851 sf Storage= 5,623,792 cf (316,695 cf above start)
 Flood Elev= 883.00' Surf.Area= 634,353 sf Storage= 6,516,385 cf (1,209,289 cf above start)

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= 2,315.4 min (3,053.2 - 737.8)

Volume	Invert	Avail.Storage	Storage Description		
#1	864.00'	6,516,385 cf	Custom Stage Data (Irregular) Listed below		
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
864.00	5,409	296.2	0	0	5,409
865.00	63,128	1,651.4	29,005	29,005	215,447
866.00	128,560	2,977.4	93,925	122,930	703,882
867.00	202,414	3,562.3	164,096	287,026	1,008,289
868.00	232,502	4,154.9	217,284	504,311	1,372,234
869.00	251,941	4,953.8	242,156	746,467	1,951,333
870.00	270,728	3,610.1	261,278	1,007,745	2,867,066
871.00	290,036	3,655.4	280,327	1,288,072	2,893,508
872.00	309,384	3,700.6	299,658	1,587,730	2,920,221
873.00	328,776	3,746.0	319,031	1,906,761	2,947,380
874.00	348,211	3,791.3	338,447	2,245,208	2,974,811
875.00	367,686	3,836.6	357,904	2,603,112	3,002,572
876.00	387,204	3,881.9	377,403	2,980,515	3,030,663
877.00	406,763	3,927.2	396,943	3,377,459	3,059,083
878.00	434,355	3,978.2	420,484	3,797,942	3,091,409
879.00	478,948	4,047.4	456,470	4,254,412	3,135,786
880.00	526,380	4,130.7	502,477	4,756,889	3,190,151
881.00	574,383	4,214.0	550,207	5,307,096	3,245,623
882.00	605,045	4,278.9	589,648	5,896,744	3,289,691
883.00	634,353	4,331.9	619,641	6,516,385	3,326,262

Device	Routing	Invert	Outlet Devices
#1	Primary	881.00'	8.0" Round Outlet Pipe L= 240.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 881.00' / 871.00' S= 0.0417 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Secondary	882.00'	120.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Pond Drainage

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MSE 24-hr 4 50-Year Rainfall=5.58"

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Primary OutFlow Max=0.59 cfs @ 23.20 hrs HW=881.54' (Free Discharge)

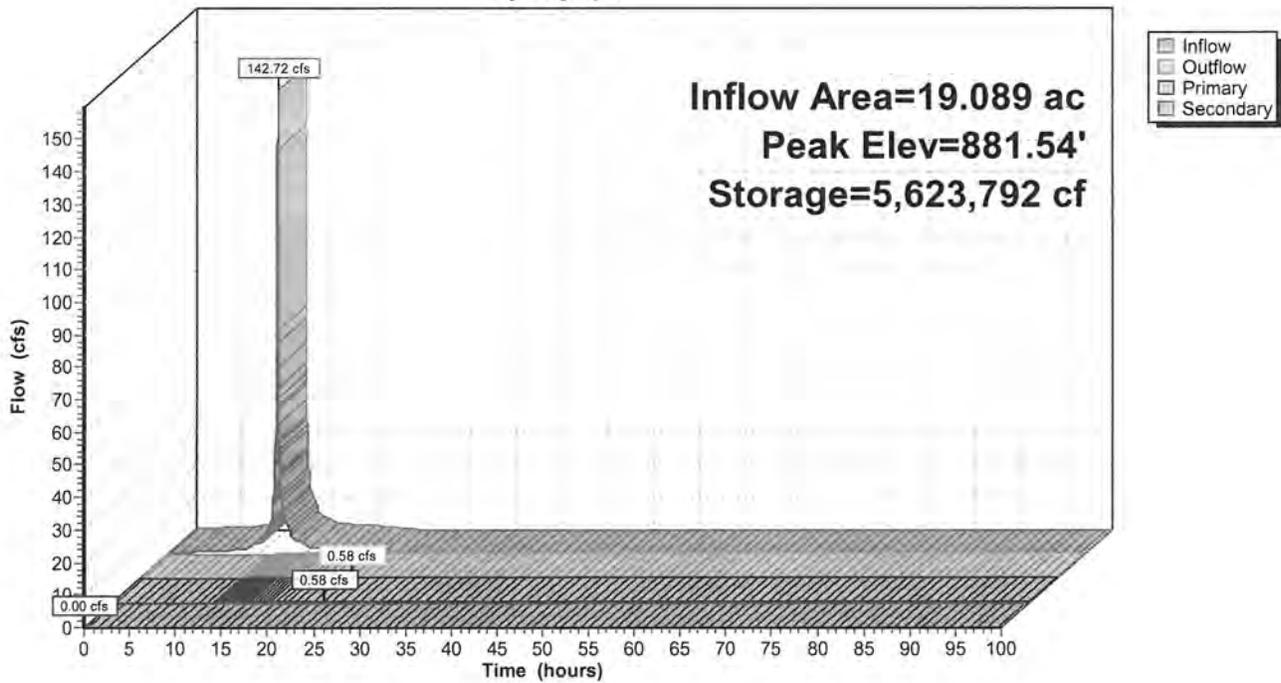
↳ **1=Outlet Pipe** (Inlet Controls 0.59 cfs @ 1.97 fps)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=881.00' (Free Discharge)

↳ **2=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)

Pond 2P: Pond

Hydrograph



Pond Drainage

MSE 24-hr 4 100-Year Rainfall=6.48"

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Summary for Pond 2P: Pond

Inflow Area = 19.089 ac, 69.08% Impervious, Inflow Depth = 5.78" for 100-Year event
 Inflow = 168.03 cfs @ 12.09 hrs, Volume= 9.195 af
 Outflow = 0.71 cfs @ 23.01 hrs, Volume= 3.939 af, Atten= 100%, Lag= 655.4 min
 Primary = 0.71 cfs @ 23.01 hrs, Volume= 3.939 af
 Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-100.00 hrs, dt= 0.01 hrs
 Starting Elev= 881.00' Surf.Area= 574,383 sf Storage= 5,307,096 cf
 Peak Elev= 881.63' @ 23.01 hrs Surf.Area= 593,713 sf Storage= 5,678,823 cf (371,726 cf above start)
 Flood Elev= 883.00' Surf.Area= 634,353 sf Storage= 6,516,385 cf (1,209,289 cf above start)

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= 2,322.4 min (3,059.9 - 737.5)

Volume	Invert	Avail.Storage	Storage Description		
#1	864.00'	6,516,385 cf	Custom Stage Data (Irregular) Listed below		
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
864.00	5,409	296.2	0	0	5,409
865.00	63,128	1,651.4	29,005	29,005	215,447
866.00	128,560	2,977.4	93,925	122,930	703,882
867.00	202,414	3,562.3	164,096	287,026	1,008,289
868.00	232,502	4,154.9	217,284	504,311	1,372,234
869.00	251,941	4,953.8	242,156	746,467	1,951,333
870.00	270,728	3,610.1	261,278	1,007,745	2,867,066
871.00	290,036	3,655.4	280,327	1,288,072	2,893,508
872.00	309,384	3,700.6	299,658	1,587,730	2,920,221
873.00	328,776	3,746.0	319,031	1,906,761	2,947,380
874.00	348,211	3,791.3	338,447	2,245,208	2,974,811
875.00	367,686	3,836.6	357,904	2,603,112	3,002,572
876.00	387,204	3,881.9	377,403	2,980,515	3,030,663
877.00	406,763	3,927.2	396,943	3,377,459	3,059,083
878.00	434,355	3,978.2	420,484	3,797,942	3,091,409
879.00	478,948	4,047.4	456,470	4,254,412	3,135,786
880.00	526,380	4,130.7	502,477	4,756,889	3,190,151
881.00	574,383	4,214.0	550,207	5,307,096	3,245,623
882.00	605,045	4,278.9	589,648	5,896,744	3,289,691
883.00	634,353	4,331.9	619,641	6,516,385	3,326,262

Device	Routing	Invert	Outlet Devices
#1	Primary	881.00'	8.0" Round Outlet Pipe L= 240.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 881.00' / 871.00' S= 0.0417 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Secondary	882.00'	120.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Pond Drainage

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MSE 24-hr 4 100-Year Rainfall=6.48"

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Primary OutFlow Max=0.73 cfs @ 23.01 hrs HW=881.63' (Free Discharge)

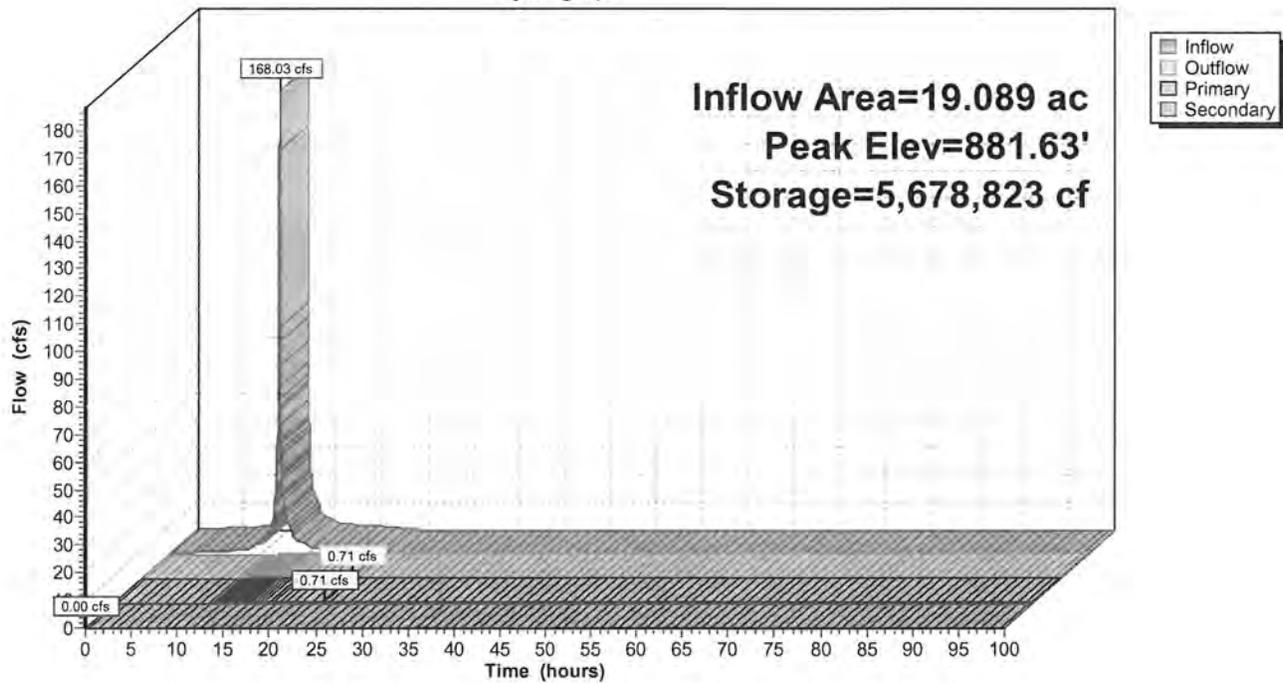
↳ **1=Outlet Pipe** (Inlet Controls 0.73 cfs @ 2.13 fps)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=881.00' (Free Discharge)

↳ **2=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)

Pond 2P: Pond

Hydrograph



Cut/Fill Report

Generated: 2025-08-06 12:20:13

By user: eblum

Drawing: I:\DATA\20700\20748 - Gauthier Lake\CAD\DESIGN\I:\DATA\20700\20748 - Gauthier Lake\CAD\DESIGN\20748 - A Pond Grading Plan_recover.dwg

Volume Summary							
Name	Type	Cut Factor	Fill Factor	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Gauthier Cut Fill Balance	full	1.000	1.000	1182880.90	138552.03	154750.63	16198.60<Fill>

Totals				
	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Total	1182880.90	138552.03	154750.63	16198.60<Fill>

* Value adjusted by cut or fill factor other than 1.0

Remove gravelly sand fill from total fill because gravelly sand will be imported to the site.

Gravelly Sand Fill Volume=199,116 cubic feet=7,375 cubic yards

Total Fill=154,750.6-7,375=147,375.6 cubic yards

Total Net=8,824 cubic yards (~6% of total volume of fill, OK)

October 17, 2022

Town of Cedarburg

Staff

Re: Gauthier Pond – Possible Noise of Pond, Sept 21, 2022, Plan Commission Meeting

The information below is provided to address concerns about the possible noise level from the proposed pond. Regarding the concern, one possible use of the pond may include a ski boat. For reference, I am including a comparison chart of typical sound levels for various vehicles, including some actual sound readings that we recorded on equivalent boats in similar settings. Sound readings are typically taken at a specific distance because sound levels drop in half as the distance from the sound doubles.

Source	Device	(dB) Decibels
Google	Jet Engine	120+
OSHA	Chainsaw	110
OSHA	Motorcycle / Farm Combine	100
Google	Rider Lawn Mower	90
Observed at 50 feet	45 Hp Diesel Tractor w/Brush Mower	80.2
Observed at 75 feet	Rider Mower	73.9
Observed at 25 feet	Ski Boat A on Green Lake, WI	73.7
Observed at 50 feet	Ski Boat A on Green Lake, WI	68.8
Observed at 100 feet	Ski Boat B on PITT Lake, IL	67.1
Google	Outdoor ambient Noise	65
Google	Inside Noise	55



Tractor @50'



Mower @75'



Boat A @25' GL



Boat A @50' GL



Boat B @100' IL

Below is a closer comparison of sound levels and activity that we are already operating on the land.

Unit	dB (Decibels) at 50 feet	Run Time	Number of Devices	Distance to homes
Tractors/Mowers Chippers/Saws/Loaders	80.2+	Continuous up to 5-10 hours a day several times a month.	upto 4+	125'- From Lot Line
Boat	68.8	Intermittent use. Much less than 5-10 continuous hours at a time.	1	550'-1,250'+ From Pond

In summary...

- A **boat produces less sound** than current equipment we utilize on the land, as little as half of the sound level (-10 decibels difference = ½ the sound volume) of our current 45 Hp diesel tractors.
- A **boat operates intermittently**. Less than the 5-10 hours of continuous mowing with tractors.
- There is **one boat** operating at a time. We use upto four or more tractors/equipment at once.
- **Adjacent neighboring houses range from 550-1,250+ feet away** from the pond, in contrast we currently mow up to the lot lines and are tree clearing as close as 125' from some houses.
- **No noise complaints** since we purchased the property in 2016. Sound levels drop -6 dB as distances double, putting sound into the normal outside noise range, and possibly why there hasn't been an issue.

Based on research, I don't anticipate louder activities than what is already happening on the property.

Respectfully,

Michael Gauthier
928 Lamplighter Lane
Grafton, WI 53024



Cedarburg Fire Department

W61 N631 Mequon Ave • PO Box 327 • Cedarburg, WI 53012
Station – (262)375-7630 • Fax – (262)375-9203

August 22, 2025

Sara Jacoby
Assistant Administrator/Clerk
Town of Cedarburg
1293 Washington Ave.
Cedarburg, WI 53012

RE: Gauthier Pond Review

Dear Asst. Administrator/Clerk Jacoby,

We have reviewed the plans sent to us regarding the proposal for the creation of a pond in the area of Covered Bridge Rd. between Kaehler's Mill Rd. and Cedar Creek Rd., referred to as the Gauthier Pond. In reviewing the plans, we noted that it includes a path, which appears to be existing, that extends to the proposed area of construction. The plans indicate that the portion of this path that extends to the pond is to be revegetated following construction. This gives us some concern as to our ability to access the pond in the event of an emergency. Without access to the pond, our response to and arrival there could be significantly delayed, costing those involved in an emergency situation critical minutes. Maintaining a path that is accessible, by UTVs at a minimum, to and around the pond would be ideal for our response to this site for any emergency situations.

The plans do not indicate whether structures intend to be erected on the property or not. If structures are to be erected, vehicle access roads or driveways capable of supporting firefighting apparatus must be provided to any structures.

Please let us know if you have any questions.

Sincerely,

Blake R. Karnitz
Captain of Community Risk Reduction
Cedarburg Fire Department

cc. Jeffrey J. Vahsholtz, Fire Chief, Cedarburg Fire Department



CREATIVITY BEYOND ENGINEERING

MEMORANDUM

DATE: October 9, 2025
TO: Eric Ryer, Town Administrator
CC: Amy Barrows, Town Planner
FR: Troy Hartjes, P.E., Senior Project Manager
RE: Gauthier Pond Update 2025: Pond Resubmittal 10-6-25 (Received 10-6-25)
Tax Key Number 030100900200

Miller Engineers and the applicant have provided a response letter to our September 24th review comments. That review had a few remaining technical concerns (Items 3 and 19) along with additional comments referencing the maintenance agreement (Items 11, 17 and 25). The following letter provides original topic item, the response from the applicant and then our updated comment based on their response **(in bold)**.

POND APPLICATION

The following comments again focus on the construction, use, maintenance and performance of the pond, both short term and long-term along with the long term considerations of the surrounding Town and surrounding resident infrastructure.

General Comments

3. **Breach Condition Flow Route:**

Applicant Response: The first aspect of raSmith's recent commentary on this topic interprets that the "interceptor swale" that was included in our September 15, 2025, submittal (transmitting an updated plan in response to raSmith's prior request for information) "does not accommodate a breach condition". However, our September 15 transmittal letter describes that the interceptor swale has a flow capacity of 117 cubic feet per second (CFS) which is 5.7 times the amount of rain runoff from its tributary drainage area during a "100 year" storm event. This leaves almost 100 CFS flow capacity in reserve for any potential hypothetical breach even during a "100 year" storm event. A sudden major breach from this pond is not possible due to the erosion resistance of the compacted clay that the embankment will be constructed of and will be a similar very high resistance to erosion as the site's native stiff to very stiff lean clay subgrade that has been consolidated by past glaciation. This, in combination with the unprecedentedly high Factors of Safety against embankment instability due to the compacted clay's high strength and the shallow slopes of the embankment, leaves no plausible mode of breach or hypothetical quantification of breach flow rate. Nevertheless, the flow capacity of the interceptor swale as designed is several times more than the common flow rate of Cedar Creek. The second aspect in raSmith's recent

Memorandum requests that the elevation of the interceptor swale be at least 10 feet below the pond's water level. The northern portion of the pond (Cross Sections 1 and 2 on sheet 3 of the Plans) is an excavation into the existing high ground and is functionally an "at grade" impoundment in this location. Therefore, an interceptor swale at that location would have to be 5 feet lower than the adjacent grades at the property line. Even if the interceptor swale begins south of the northern portion that is effectively an at grade impoundment, the longitudinal slope of the swale would flatten below the design 1% which is not desirable due to decreasing flow capacity. At the south end of the pond (Cross Sections 5 & 6) where the embankment is highest, the bottom of the interceptor swale is at least 10 feet below the pond's water level as requested. Sections 3 and 4 are the unavoidable transition in between the north end of the pond excavated into high ground and the south end where the embankment is tallest, and the bottom of the interceptor swale at Cross Section 4 is 5 feet below the ponds water level.

The Third aspect mentioned in raSmith's recent Memorandum expresses concern about the 8" diameter outlet pipe's capacity "to control high water elevation". The HydroCAD model previously provided demonstrated that the 8-inch diameter outlet pipe provides sufficient outflow for the pond to only raise the pond elevation by 0.61 feet during a 100-year, 24-hour event and the pond drops back to design pool level within several days. The spillway is designed to provide a secondary outflow once the pond elevation rises above 1 foot from the design water level which is modeled to occur with a 10-inch rainfall during a 24-hour period event which is greater than the 100-year, 24-hour event at 6.4 inches during 24 hours. The pipe also limits the amount of storm water outflow, which was a concern expressed by the Plan Commission during the August meeting. If that is no longer a concern, that pipe can be eliminated and a portion of the pond's spillway can be deepened to provide an outlet for the pond during any stormwater event; however, it is preferred that the spillway is not consistently wet as would occur if that was the primary outlet.

raSmith Response:

Interceptor Swale: Although, physically it will not work to place the diversion swale 10' below the normal water elevation of the pond, still want the entire diversion swale to be lower than the normal pond elevation, in case there is a minor breach of the embankment. We recommend the invert of the swale at profile 3 be lowered to 876.00 which is a minimum of 5-feet below the design water level of 881.00. We would recommend the side slopes of the swale and berm be kept at a maximum 6:1 slope. It appears if you then continue this diversion swale at an approximate grade of 0.5%, you should be able to match back into your current diversion swale location in the vicinity of Profile 5. We have not redesigned this diversion swale, so please provide updated cross-sections and swale layout to show this will work. In addition, provide a wider cross section at profile 6 so the swale invert can be viewed. Also, for this diversion swale,

make sure the updated plan shows a minimum depth of 3' on the backslope of the diversion berm. Lastly, at the sediment trap outlet, extend the diversion berm and swale to the outlet to ensure the flow path of this diversion swale.

Outlet Pipe: A 12" diameter outlet pipe is preferred over the proposed 8" diameter pipe to provided easier maintenance of the pipe, less chance of clogging within the pipe and to reduce the amount the water level raises during large rain events.

11. Maintenance Agreement Requested:

Applicant Response: The owner, via their attorney, will be providing a long-term maintenance agreement appropriate for the subject pond. The content of any maintenance agreement will appropriately be distinct from the example storm water maintenance agreements that have been provided by the Town because those facilities have very different functions of public concern and municipal storm water permit compliance.

raSmith Response: **The maintenance agreement was provided and some edits recommended. See separate mark-up of maintenance agreement (sent separately by others).**

17. Wave and Wake Erosion Potential:

Applicant Response: No Response.

raSmith Response: **This technical aspect of this item was addressed, but we requested this item be added to the maintenance agreement. It was noted in our edited response. See separate mark-up of maintenance agreement (sent separately by others).**

19. Pond Water Supply and Well Monitoring:

Applicant Response: The recent Memorandum requests a "statement of intent to withdraw the allowable amount of water from the creek for the main water source with additional water being supplemented by a well". This conflicts with the Plan Commission's voiced concern about drawing any water from the creek. If that is no longer a concern of theirs, the amount of water withdrawn from the creek could be doubled from what we previously proposed by "registering" that withdrawal with DNR. This could limit the rate of well withdrawal for pond supply to just 35 gpm, which is half the rate that a landowner has unilateral right to do under state law regardless of the purpose, and would be equivalent to what common residential development of the Gauthier's land would withdrawal on a long-term basis from the bedrock aquifer.

raSmith Response: **As stated with the latest review, proceed with utilizing the creek as the main source of not only filling the pond, but also maintaining the pond**

water elevation. Provide plans/updates/means and methods of how you will proceed with this and limit the well supply to 35 gpm,

25. Maintenance Agreement:

Applicant Response: No Response.

raSmith Response: This comment requested items to be added within the maintenance agreement to address maintaining the pond water level. See mark-up of maintenance agreement (provided by others).

There are just a couple remaining items to provide on an updated plan or final report to address the engineering comments and provide reasonable reassurance to protect the town and the surrounding residents. These will hopefully be addressed before the next plan commission meeting, and with these items completed, or agreed upon, a conditional approval will be recommended for engineering.

All plans will need to be submitted to Ozaukee County for review as well. I did see correspondence from the DNR as well for the NOI, but believe the actual permit is still coming. If received, this should be submitted as well. The CSM application and rezoning, if any approvals are given, should be conditioned upon any pond application approval.

If you have any questions or comments, please contact me at (262) 317-3305 or by email at troy.hartjes@rasmith.com.

JOINDER DEED RESTRICTION

Document Number

Document Title

This JOINDER DEED RESTRICTION (this “Deed Restriction”) is made this ___ day of _____, 2025, by GAUTHIER PROPERTIES AT WILDWOOD LLC, a Wisconsin limited liability company, GAUTHIER PROPERTIES AT WILDWOOD II LLC, a Wisconsin limited liability company, and GAUTHIER PROPERTIES AT COVERED BRIDGE LLC, a Wisconsin limited liability company (collectively, the “Owner”).

RECITALS

A. Gauthier Properties at Wildwood II LLC owns an approximately 1.0 acre parcel of land with a single-family home known as 2078 Wildwood Drive in the Town of Cedarburg, WI and legally described on Exhibit A attached hereto (the “Wildwood Parcel”).

B. Gauthier Properties at Wildwood LLC, Gauthier Properties at Wildwood II LLC, and Gauthier Properties at Covered Bridge LLC own an approximately 132.39 acre parcel of land located in the Town of Cedarburg and legally described on Exhibit A attached hereto (the “Development Parcel”).

C. The Wildwood Parcel and the Development Parcel are adjacent and abutting parcels of land.

D. Owner intends to construct a recreational pond on the Development Parcel (the “Project”) and Owner has applied to the Town of Cedarburg (the “Town”) for a pond permit.

E. Owner understands that to obtain the pond permit from the Town, among other Town Code requirements, Owner must either obtain and record an approved Certified Survey Map combining the Wildwood Parcel and the Development Parcel or record this document against title of the Wildwood Parcel and Development Parcel to effectuate the combination under this Deed Restriction. Owner, of its own wish and volition, elects to enter and record this document, intending to be fully bound hereby, and intending to combine the Wildwood Parcel and the Development Parcel as one (the “Combined Whole”).

F. Owner represents that there are no outstanding mortgages or land contracts against either the Wildwood Parcel and the Development Parcel.

Recording Area

This Document was drafted by and should be returned to:

Richard W. Donner
Reinhart Boerner Van Deuren s.c.
1000 N. Water St. Ste 1700
Milwaukee, WI 53202

See Exhibit A
Parcel Identification Number (PIN)

NOW, THEREFORE, for good and valuable consideration, Owner hereby agrees and provides as follows:

1. Recitals. The recitals above are hereby acknowledged and agreed to.
2. Joinder Restriction. Owner hereby subjects the Wildwood Parcel and the Development Parcel to this Deed Restriction that runs with the land, and is binding upon all current and future owners, occupants and mortgagees of Wildwood Parcel and the Development Parcel. This Deed Restriction is enforceable by the Town against the Owner for any violation of this restriction. The Town shall provide the Owner not less than thirty (30) days prior written notice of any alleged violation of this Deed Restriction, if the Owner fails to cure the violation within such 30-day period; provided, however, if the matter in question is not reasonably susceptible of being cured within such 30 day period, then it shall not be a violation hereunder if Owner commences to cure such matter within such 30 day period and thereafter diligently and with continuity prosecutes such cure to completion within a reasonable timeframe as mutually agreed to by and between the Owner and Town. The Owner shall be liable for any and all reasonable attorneys' fees, court costs and any other cost reasonably and actually incurred by the Town in the enforcement of this restriction regardless of whether any legal action is commenced and each day that an uncured violation continues is a separate violation of the Town Code. The Wildwood Parcel and the Development Parcel are hereby combined, merged, and joined together to create the Combined Whole as one combined parcel for the purpose of the Project complying with certain provisions of the Town's Code of Ordinances. While this Deed Restriction is in effect, no part of the Combined Whole may be sold, transferred, conveyed, or mortgaged, without the entirety of the Combined Whole.
3. Recording. This document shall be recorded against the Wildwood Parcel and the Development Parcel in the Ozaukee County Register of Deeds Office. Subject to Paragraph 4 herein, this Deed Restriction may not be amended, satisfied, or released, unless there is recorded against title to the Wildwood Parcel and the Development Parcel in the Register of Deeds Office by an Amendment, Satisfaction, or Release document approved and signed by the Owner and the Town.
4. Termination of Deed Restriction. This Deed Restriction shall automatically terminate upon the issuance of an occupancy permit by the Town for a new single-family residence on the Development Parcel and this Deed Restriction shall be deemed released and shall have no further force or effect. Upon the issuance of a Town occupancy permit as described herein, the Owner may unilaterally sign and record a Termination of Deed Restriction document with the Ozaukee County Register of Deeds evidencing such release and termination.
5. No Waiver by Town. While the Town has the authority to approve and enforce this Deed Restriction, nothing herein shall not be construed as a waiver, admission, or relinquishment of any of the Town's other authorities, including enforcement authorities under Town Code. The Owner recognizes and agrees that the Town expressly reserves any and all of its respective authorities, but this Deed Restriction shall continue and remain in

full force and effect, except as otherwise provided herein. However, nothing in this Deed Restriction shall prevent the Owners from applying for and receiving a building permit from the Town to construct a new single-family residence on the Development Parcel.

6. Governing Law. This Deed Restriction shall be governed by and construed in accordance with Wisconsin law.

(Signatures appear on the following page)

EXHIBIT A
LEGAL DESCRIPTION

Wildwood Parcel

[insert legal description]

Development Parcel

[insert legal description]

DRAFT

RECREATIONAL POND MAINTENANCE AGREEMENT

This Recreational Pond Maintenance Agreement (this “Agreement”) is entered into by GAUTHIER PROPERTIES AT WILDWOOD LLC, a Wisconsin limited liability company, GAUTHIER PROPERTIES AT WILDWOOD II LLC, a Wisconsin limited liability company, and GAUTHIER PROPERTIES AT COVERED BRIDGE LLC, a Wisconsin limited liability company (collectively, the “Owner”).

RECITALS

A. Owner is the owner of an approximately 132.39 acre parcel of land located in the Town of Cedarburg and legally described on Exhibit A attached hereto (the “Property”).

B. Owner intends to construct a recreational pond, including appurtenant pond facilities, on the Property (the “Pond”) and Owner has applied to the Town of Cedarburg (the “Town”) for a pond permit (the “Pond Permit”).

C. Owner desires to subject the Pond to certain on-going maintenance and repair obligations, subject to the terms of this Agreement.

NOW, THEREFORE, for good and valuable consideration, Owner hereby agrees and provides as follows:

1. Owner shall construct, use, maintain and repair the Pond in compliance with applicable permits, laws and in accordance with the plans, engineering reports and specifications prepared by Miller Engineers & Scientists, Job No. 20748-A, as reviewed and approved by the Town and Wisconsin DNR

a. The Owner shall limit the filing of the Pond with water supply sources based upon 65 gpm be pumped from Cedar Creek and 35 gpm be pumped from a well (at 24 hour maximum daily averages, ie normally “24/7”) which will provide the 35 million gallons that applicant reported as needed for initial filling of the pond in eight months. Because there may be occasions that pumping is intermittent or interrupted for operational or maintenance reasons, the actual duration of initial filling of the pond may perhaps be 9 months. A total of 23 million gallons will be supplied from the Cedar Creek over the filling period and a total of 12 million gallons will be supplied from the well over the filling period. The Owner’s installation of the filtered intake pipe in Cedar Creek shall not cause disturbance of the bank or bed of the stream.

b. Note that the approved plans and specifications require that any power watercraft used on the pond to be a light displacement power craft that only produce shore breaking waves of no more than one foot. If this is not complied with, the owner (current or future) will be required to provide additional rip-rap armoring (with submitted calculations) along the shore to be reviewed and approved by the Town Engineer, at the Owner’s expense.

2. Owner shall be solely responsible for the ongoing maintenance and repair of the Pond consistent with the plans and specifications approved by the Town and applicable law, and

DRAFT

keep and maintain the Pond in good repair and working order. Such maintenance and repair shall include: (a) planting and maintaining native grasses on the shoreline and banks to prevent erosion, and (b) annual inspections by Owner of embankment and performance of any necessary repairs. A report shall be generated of the annual inspections and shall be provided to the Town Clerk and include pictures of the berm and spillway along with reports from the well (including the groundwater elevations) along with the current water level/elevations of the pond and how the pond level/elevation has been maintained. Any defects or deficiencies found with the Pond found shall be promptly corrected by the owner.

3. Every five (5) years after the date construction of the Pond is complete, Owner shall have a licensed geotechnical engineer (the "Owner's Engineer") inspect the Pond for erosion, seepage, or damage to the embankment. Owner's Engineer shall prepare a written report of each 5-year inspection. The report generated from the five (5) year inspection shall be provided to the Town Clerk and include the water level/elevations of the pond and how the normal pond water level has been maintained.

4. Upon written request from the Town, the Owner grants the Town access to perform inspections of the Pond with the Owner, or Owner's designee, within five (5) days of the request at a mutually agreed upon time. This request may be in part due to documented complaints from Town residents, or to confirm the inspection reports completed. The costs for any follow-up inspections performed by the Town if performed by a third-party consultant will be paid for by the Owner.

5. The terms of this Agreement shall be binding upon all current and future owners, occupants of the Property. This Agreement shall not be modified or terminated by Owner unless approved by the Town Board. This Agreement is enforceable by the Town against the Owner for any violation of its terms. The Town shall provide the Owner with not less than thirty (30) days prior written notice of any alleged violation of this Agreement. If the Owner fails to cure the violation within such 30-day period (provided, however, if the matter in question is not reasonably susceptible to being cured within such 30 day period, then it shall not be a violation hereunder if Owner commences to cure such matter within such 30 day period and thereafter diligently and with continuity prosecutes such cure to completion), the Owner shall be liable for any and all reasonable attorneys' fees, court costs, costs to the Town for inspection report review, and any other cost reasonably and actually incurred by the Town in the enforcement of this Agreement regardless of whether any legal action is commenced.

a. If any future land divisions occur, these same provisions will apply, along with applicable Town Codes. In addition, any Town Codes that are new or more restrictive to ponds or land divisions will supersede these requirements and those land divisions may be subject to these new Town Codes. All future landowners will be provided this maintenance plan, and will be required to sign the plan, ensuring liability of any failure is passed on to future owners.

6. While the Town, without obligation, has the authority to approve and enforce this Agreement as part of the Pond Permit, nothing herein shall not be construed as a waiver, admission, or relinquishment of any of the Town's other authorities, including enforcement authorities under

DRAFT

Town Code. The Owner recognizes and agrees that the Town expressly reserves any and all of its respective authorities, but this Agreement shall continue and remain in full force and effect, except as otherwise provided herein.

7. Owner agrees to protect, defend, indemnify and hold the Town, its officers, agents, consultants and employees free and harmless from and against any and all claims of third parties which result in losses, penalties, damages, settlements, costs, charges, professional fees, attorney's fee, or other expenses or liabilities in connection with or arising directly or indirectly out of Owner's failure to maintain the Pond and/or obligations under this Agreement.

8. If any provisions of this Agreement is deemed by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to parties or circumstances, other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

9. Governing Law. This Agreement shall be governed by and construed in accordance with Wisconsin law.

OWNER:

GAUTHIER PROPERTIES AT WILDWOOD LLC

By: _____
Name: _____
Title: _____

GAUTHIER PROPERTIES AT WILDWOOD II LLC

By: _____
Name: _____
Title: _____

GAUTHIER PROPERTIES AT COVERED BRIDGE LLC

By: _____
Name: _____
Title: _____

**TOWN OF CEDARBURG, WISCONSIN
ORDINANCE NO. 2025-4**

An Ordinance to Rezone a portion of Land and Amend the Zoning Map for parcels with tax key number 03-010-09-002.00, 03-010-08-002.00, 03-010-08-001.00 from A-1 Agricultural and A-2 Prime Agricultural to E-1 Estate (leaving C-1 lands unchanged) in the NW & SW ¼ Sec. 10 for certain parcels included with ~132.39 acres of land in the Town of Cedarburg, Ozaukee County, Wisconsin.

WHEREAS, the Town of Cedarburg Plan Commission, having previously reviewed all standards required to be considered by the Zoning Code of the Town of Cedarburg and after due deliberation, has recommended to the Town Board that portions of approximately 132.39 acres of land with tax keys 03-010-09-002.00, 03-010-08-002.00, 03-010-08-001.00 be rezoned from A-1 Agricultural and A-2 Prime Agricultural District to E-1 Estate District in the Town of Cedarburg, Ozaukee County, Wisconsin while leaving lands zoned C-1 Conservancy unchanged; and

WHEREAS, all notices of said proposed rezoning and public hearing thereon have been given as required by the Zoning Code and sec. 62.23(7)(d), Stats., and such public hearing was held before the Town Board of Supervisors on November 5, 2025; and

WHEREAS, the Town Board has determined that the rezoning of such property will promote the public health, safety, morals and general welfare of the community, and has made a motion that the zoning districts and Official Zoning Map of the Town of Cedarburg be amended to reflect the above-described zoning change, and met the findings of Section 320-130 of the Town Code for rezoning A-2 parcels;

NOW, THEREFORE, the Town Board of the Town of Cedarburg, Wisconsin, does ordain as follows:

1. Portions of approximately 132.39 acres of property with tax keys 03-010-09-002.00, 03-010-08-002.00, 03-010-08-001.00 will be rezoned from A-1 Agricultural and A-2 Prime Agricultural District to E-1 Estate District, while leaving C-1 Conservancy District lands unchanged, in the Town of Cedarburg, Ozaukee County, Wisconsin.
2. The zoning districts and Official Zoning Map of the Town of Cedarburg shall be amended to reflect the revised zoning designations.
3. This Ordinance shall become effective upon passage and posting as provided by law.

Passed and approved this 5th day of November, 2025.

David M. Salvaggio, Town Chairman

ATTEST:

Sara Jacoby
Assistant Administrator/Clerk

Public Comments received as part of the Public Hearing record along with meeting minutes from Public Hearing

-----Original Message-----

From: Roadrunner <rknox1@wi.rr.com>
Sent: Wednesday, August 27, 2025 10:03 AM
To: Hartjes, Troy <Troy.Hartjes@raSmith.com>
Subject: Gauthier plan commission meeting

[You don't often get email from rknox1@wi.rr.com. Learn why this is important at <https://link.edgepilot.com/s/803f2909/8CTTbXwVtUaGnegn-e4MEg?u=https://aka.ms/LearnAboutSenderIdentification>]

Troy,

My name is Susan Knox. My husband and myself have the property directly East of the Gauthier property on Covered Bridge Road. I have read through the proposed plans of the Gauthier property for this nights Plan Commission meeting and I have a few questions.

Originally back at the August 2021, Sept.2022, and Oct. 2022 plan commission meetings regarding this proposed lake, Mr. Gauthier stated the purpose of constructing this lake was for water skiing. In reviewing the present proposed plans, this lake has all the dimensions and characteristics of a man made water skiing competition lake. I don't see plans of a proposed residence included which would be another indication of a water skiing competition site. I would like some assurance that this would not be the case now or in the future as this would greatly change the scope of the use of this site.

Also, another concern is the embankment failure plans. As we have encountered after this last huge rainfall, water doesn't always follow the paths we create for it. The houses on Malibu Dr. would suffer extreme devastation if 25 million gallons of water spilled their way.

One last question....On the map of the pond construction there is an indication on the north end of the lake of electric lines that end at our West lot line. I am wondering where they go. Do they cross our property?

Thank you for considering my concerns. I have included some dimensions of a man made water skiing competition lake that I have researched. I could be way off on this, but because Mr. Gauthier had stated in the beginning meetings his intentions of building this lake was for water skiing, it has brought up this question.

A man made water ski competition lake.....

2000-3000 ft. Long

200-250 ft. Wide

Min.5-12 ft deep

Specific slope of shoreline for wave distribution

Normally 10-15 acres

Orientation North-South to eliminate sun interference

Flat bottom

Thank you very much,
Susan Knox
rknox1@wi.rr.com

From: Susan Knox rknox1@wi.rr.com
Subject:
Date: October 13, 2025 at 2:38 PM
To:



Hi Troy,

This is Sue Knox, I have some questions about the proposed Gauthier property.

On the Wisconsin Water Quantity Data site, there are three wells listed for this property. They are 94625,94626,94627. It appears one has been installed and the other two have been approved and they are High Capacity Wells.

Will the well being proposed to fill the lake be a high capacity well?

Will it be in the same aquifer as the surrounding properties wells are located? Originally at a prior meeting the well was going to be dug deeper and encased as not to draw from the same depth as surrounding wells. Is this still the case?

Does this well pump continuously for 8-9 months at 60-65 gpm?

What guarantee do we as property owners have that our wells which pump at 5-15 gpm will not go dry or become contaminated as a result of this pumping? Do we just hope this doesn't happen? If it does what are our options and guarantees?

Over the years that we have been on our property (35 years) the creek has dramatically dropped in level. Even after the huge rain, the creek right now is so low that the geese were walking instead of swimming in the creek. If the level of the proposed lake drops, does the well pump more water? How often does that well pump water into the lake?

What direction on the East side of the lake would seepage or failure of the lake wall flow?

Water has a way of doing its own thing as we have experienced due to the last huge rainfall. 25 million gallons, in the case of a failure, would flood out all of the surrounding properties. Even seepage would cause water flowing toward the creek making all surrounding properties wet.

Is there a time frame that the permanent residence would be required to be built? I understand that the town ordinance requires a residence be on a property zoned E-1 Estate for an application to construct a pond.

During the absence of a permanent residence who oversees regulating, monitoring, and maintenance of the lake?

How does maintenance of the lake get handled in 10-20-30 years down the road? Who would be responsible for this and what guarantee would exist that this would be actually carried through?

I understand the lake is being constructed for water skiing. How many boats are going to be allowed on the lake? Will they belong only to the owners of the property?

As the dimensions, elongated shape, directional placement of the lake, the tree line along the eastern edge, and the lack of a permanent residence all suggest the construction of a man made water skiing competition championship lake, I question, is this what this lake is being constructed for now or in the future. It meets all the requirements for a competition water skiing facility.

Do you share these questions with the planning commission? As a side note, There is a water ski competition lake for sale on the internet that is so close to what is being proposed. Borderline Lake in Blaine, MN.

1827 Covered Bridge Road
Cedarburg, Wisconsin, 53012

October 25, 2025

Dear Honorable Cedarburg Town Board:

As an individual residing within one thousand feet of the Gauthiers proposal, I have several inquiries and points to address with the town board.

I. Potential flooding

Because my home is located directly west of the Gauthier proposed pond, I would like to know what protections will be in place to prevent downhill flooding during catastrophic rainfall such as we experienced in 2025.

1. If such flooding occurs, who is responsible for cleaning up and monetary loss claims: the town board, the Gauthiers?
2. Will residents have to rely on private lawsuits to clean up and recoup private losses?

II. Water withdrawal from Cedar Creek and a private pump

1. I asked for Google AI Assist information on water skiing.

"Water skiing should ideally be 12 feet deep to ensure better water clarity and performance. Depths of 5-6 feet are common but not ideal for skiing activities. No information about the pond's depth is available. The CSM's are exceedingly difficult to read.

2. Next, I requested an answer to the following question:

How many gallons of water are in a 13.2-acre pond that is twelve feet deep and measures about 650 yards by one hundred yards?

Answer: 51,615,222 gallons of water.

3. Who will be monitoring the water withdrawal over 8-9 months?
4. Where is the access point of the water withdrawal from Cedar Creek?
5. Who is responsible for monitoring the continuous water withdrawal from Cedar Creek?
6. Which private well will supply the water?
7. Who will pay for the water withdrawal from Cedar Creek and the private well?

III. Pond water quality and monitoring.

I have multiple environmental concerns.

According to BTL Liners (Geomembrane Systems), a pond can provide a “breeding ground for mosquitoes and other nuisance insects. Mosquitoes can pose serious public health risks by spreading human and animal diseases.”

1. How will mosquitoes be controlled?
2. Which chemical agents are utilized for the control of mosquitoes and other insect pests?
3. Will mosquito fish be introduced to the pond?

Ponds will attract wildlife and feral animals living near homes. According to BTL “drowned animals are a health hazard and are upsetting for residents living near a neighborhood pond.”

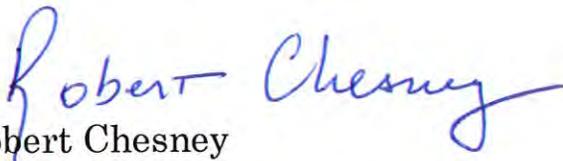
1. What steps will prevent wild animals from getting stuck in mud or slipping on wet banks?
2. Which chemicals will treat Cedar Creek water, and are they safe for fish, animals, and humans?
3. What measures will be implemented during construction to stop pesticide runoff from the farmland located east of Covered Bridge Road?

IV. Potential large vehicle traffic and water-skiing noise concerns.

Covered Bridge Road and its adjacent park provide quiet and scenic habitat for walkers, bikers, and nature lovers. The pond will disrupt the atmosphere during and after construction. The following questions address this concern.

1. Where is the access point for heavy trucks and equipment? Could you please clarify whether this access point is intended to be temporary or permanent?
2. Will there be protection for pedestrians and cyclists during construction?
3. How close in feet will the pond be to Covered Bridge Park?
4. In addition, Covered Bridge Park and its immediate environments had significant flooding this year from rainfall. How will flooding be managed during pond construction?

Respectfully submitted,


Robert Chesney

10/27/25 Submitted in person.

From: [Richard Keating](#)
To: [Eric Ryer](#); [David Salvaggio](#)
Subject: [External]Gauthier Properties at Covered Bridge,LLC
Date: Thursday, October 30, 2025 4:24:38 PM

We are concerned with the following issues regarding the development of the proposed 13.2 acre lake.

Wells drying up now or in the future from the well that would supply water to the lake. Who will be responsible for the cost to repair?

The use of water from the Cedar creek and its effect on the wildlife in and around the river.

Noise from the boats on the lake. Will this be solely used for recreation of the owner and their family?

The risk of flooding from a severe rain. Will there be retention areas set up for this?

Concerned that there might be future plans to develop and subdivide the lake.

Can we please get a link to the meeting as we are not able to attend?

Thank you,

Richard & Mary Keating
2025 Virginia lane,
Grafton, WI 53024

Letter to the Town Board of Supervisors of The Town of Cedarburg

Regarding Proposed Construction of a 13.2-Acre Lake by Petitioners:
Michael and Stacy Gauthier

Mr. Eric Ryer and Mr. David Salvaggio,

I am grateful for the opportunity to share our concerns since we will not be available for the November 5th Town Hall meeting. I appreciate your commitment to thoughtful community oversight and for providing residents with an opportunity to express our perspectives on matters that may affect our environment and quality of life...so thank you.

First, I want to express that I have no animosity or ill attitude towards the Gauthiers. I don't know them, but like many in the area, I realize their connection to our community and local economy, and am thankful to them for that. Where I do take exception is not with the Gauthiers but with the Town and even the DNR for allowing a project like this to advance to this current state.

My wife and I were one of the first homes to go into the 'newer' extended section of Wildwood Drive. Like many of my fellow town citizens, we moved to the Town for the quality of life, open spaces, wildlife, and yes, its peace and quiet. Why would anyone at the Town of Cedarburg somehow think that a private 13+ acre **Lake** would somehow enhance what we have all come to love and appreciate? (Multiple times, this has been called a 'pond'. I think we need to call it what it is. A 13.2-acre recreational lake for personal use.)

I did not invest in this community over 31 years ago because one day I hoped to sit on my back patio or lounging by the pool to listen to the sounds of (multiple) high-powered ski boats and personal watercraft going on endless loops. Besides, there are ample public waterways where these activities can be enjoyed and expected. How does that picture fit in with what we appreciate about the town we love and value?

So, while I respect the property owner's request, I do not understand why this would be deemed as something necessary or needed, and in no way do I see how this would enhance the home values and neighborhood. In fact, I see it decreasing property values because of the noise and potential environmental impact of this project.

Beyond the increase in noise, I have several concerns regarding the potential impact of such a large-scale project. Many of these issues have already been outlined in the Concerns and Considerations section of the letter that was mailed out to the residents of the affected area, and are all worthy of careful consideration.

I think, like many, I am shocked that the DNR would approve the use of pumping water from Cedar Creek! Especially on a scale like this! We are talking about 25 million gallons of water just to fill this lake, then a continuation of pumping to maintain the water levels. If my family used 100 gallons of water a day, that would take me 250,000 days to use this much water! That's almost 685 years of water! That is why I believe the use of Cedar Creek water and groundwater from a well to support and maintain a lake of this size raises serious questions about the sustainability of our shared water resources.

Like many of my fellow residents, I am very concerned about the possibility of reduced water availability or lowered water tables and/or water quality, particularly during dry seasons or periods of drought.

So, while I respect the Gauthiers' request, I urge the board to consider the potential environmental consequences associated with constructing and maintaining a lake of this magnitude. Concerns about the effects on the water table. Erosion and the potential introduction of new runoff patterns. The increase of unwelcome noise of high-powered motorboats and personal watercraft. I fear these items and those already shared may have unintended consequences for neighboring properties and the broader community. I hope these issues will be thoroughly examined during the hearing process and that the perspectives of affected residents will be given very careful attention.

Thank you for your attention to this matter and for your continued service to our town.

Sincerely,

Doug & Marci Ferrell

1959 Wildwood Drive, Cedarburg WI 53012

October 30, 2025

Town of Cedarburg
Town Board of Supervisors
1293 Washington Avenue
Cedarburg, WI 53012

To whom it may concern:

This letter is to voice our concerns about rezoning of land and construction of a 13.2-acre lake / pond within 1,000-feet of our property in the Town of Cedarburg. We are very concerned about the environmental impact of this zoning change and lake construction on our neighborhood.

It appears the change is zoning from Agricultural to Estate would imply future development of individual lots to be parceled off. Where is the land plan for this? How can a zoning change occur without first reviewing a preliminary future land plan? Has the Town seen this? If so, where is it published?

The proposed man-made lake / pond is a unique shape and wonder how it fits in with the future zoning Estate development? However, our main concerns are how the lake will be filled and maintained? Is it possible that it will be filled by aquifers underground? If so, what impact will this have on all the water wells in all the adjacent properties? Who will guarantee our well and all the neighboring wells will not dry up? We believe there was also a statement about how the lake will be joined with Cedar Creek – why would this be required? This new lake could have a major impact on Cedar Creek water levels then – who would be regulating this condition? Cedar Creek has had some very low levels of water in the past several years, and wouldn't this new lake even lower the Creek level?

We hope the request for zoning change & lake construction will be extensively investigated by all governing entities before any type of approval is given. At this time, we certainly do not want to see the proposed changes and let the owner of the property know this. There are plenty of existing natural lakes in the area. Why build a man-made lake which could negatively impact the existing natural environment forever.

Please let us know your written response to all the above concerns.

Sincerely,

Richard & Patricia Potokar
7635 Cedar Creek Road
Cedarburg, WI 53012

Town of Cedarburg – Lake Construction

10/30

Public Comments/information received by Town Staff after the Public Hearing was closed along with applicant responses and DNR email

From: [Trudi Biefeld](#)
To: [Eric Ryer](#)
Cc: pwirth@townofcedarburg.gov
Subject: [External]Lake proposal
Date: Tuesday, October 28, 2025 4:47:27 PM

Good Morning,

We plan on being at the Nov 5th meeting, but would like some questions answered ahead of time or presented at the meeting.

1. Is the meeting to discuss the proposal for both the for the 13.5 acre "pond" and subdividing the existing property? Is the purpose of the 13.2 acre pond for personal use or to subdivide into lakefront estate homes? Since our property, 2003 Wildwood is directly across from an access to the property and is used with currently recreational vehicles, ie snowmobiles. (At the current time) Where would that access to the lake and additional residential areas be? Is it from Wildwood? Covered Bridge? Cedar Creek?
2. Has the DNR approved of removing that water from the creek? Is there a written recommendation from the DNR? The only time the creek rises is from spring melt and increased amount of rain? The canoes might not have enough water depth to be able to use the creek, esp now that there is a park that they can use to enter the creek off of Pleasant Valley?
3. If the lake property has to pump water from Cedar Creek and additional wells, what will happen to our current wells?

Jim and Trudi Biefeld
2003 Wildwood Dr
Cedarburg

From: [david butler](#)
To: [Eric Ryer](#); [David Salvaggio](#)
Cc: [Ann](#)
Subject: [External]Proposed 13.2 Acre Lake
Date: Saturday, October 25, 2025 12:52:45 PM

Hello Gentleman

I live at 1640 Fox Hollow Ln kinda kitty corner to covered bridge park.

This proposal is a no and a hell no!

No one has the right to drain the aquifers our wells draw upon. That water is for household water uses not some arrogant rich bastards fake lake.

To fill a big ass fake lake with my well water is an act of aggression against us citizens of the Town. This fake lake doesn't serve the public interest and will only be a source of anger and complaints from those living near it.

Once our wells go dry, the law suits will be numerous. And if approved there will still be lawsuits to block it.

Town rules complain about rain water flowing from my down spouts into the ditch but yet you don't see a problem diverting the creek for one man's enjoyment? The environmental harm will be huge. And what about boat waste flowing down the creek - oil and gas etc - killing everything down river?

Stop this insanity and do not allow this gentrifier to destroy our town. Deny this proposal. No Fake Lakes!

Thank you
David A Butler

Ps Where is the county and state? Where is the DNR? Where is the EPA?

Sara Jacoby

From: Eric Ryer
Sent: Tuesday, October 28, 2025 1:58 PM
To: Sara Jacoby; Amy Barrows
Subject: FW: [External]Re: Gauthiers Proposed 13.2 Acre Lake

FYI

Eric Ryer

Administrator

Town of Cedarburg

Phone: 262-377-4509

Web: www.townofcedarburgwi.gov



From: Doug Ferrell <doug@ferrellmetalcastingsolutions.com>
Sent: Tuesday, October 28, 2025 1:56 PM
To: Eric Ryer <eryer@townofcedarburgwi.gov>; David Salvaggio <dsalvaggio@townofcedarburgwi.gov>
Subject: [External]Re: Gauthiers Proposed 13.2 Acre Lake

Eric, please post in the public meeting packet. Thanks.

Sincerely,
Doug Ferrell

www.ferrellmetalcastingsolutions.com

(O) 262.376.0600

(M) 414.659.7392

From: Eric Ryer <eryer@townofcedarburgwi.gov>
Sent: Tuesday, October 28, 2025 2:18:23 PM
To: Doug Ferrell <doug@ferrellmetalcastingsolutions.com>; David Salvaggio <dsalvaggio@townofcedarburgwi.gov>
Subject: Gauthiers Proposed 13.2 Acre Lake

Doug and Marci,

Would you like your comment posted in the public meeting packet, or just handed out to the Board at the meeting?
Either way it will be public record.
Thank you.

Eric Ryer

Administrator

Town of Cedarburg

Phone: 262-377-4509

Web: <https://link.edgepilot.com/s/5354099c/H0lI-C30CkSafBuq3BzGWA?u=http://www.townofcedarburgwi.gov/>



From: Doug Ferrell <doug@ferrellmetalcastingsolutions.com>

Sent: Monday, October 27, 2025 12:18 PM

To: Eric Ryer <eryer@townofcedarburgwi.gov>; David Salvaggio <dsalvaggio@townofcedarburgwi.gov>

Subject: [External]Gauthiers Proposed 13.2 Acre Lake

Mr. Ryer and Mr. Salvaggio, thank you for making this option available for those of us unable to attend the November 5 public hearing regarding the subject proposal. Attached please find my letter to the Town of Cedarburg expressing my concerns over this proposed lake. Any questions please respond here or to my cell at 414.659.7392

Appreciate you men and this opportunity.

Doug & Marci Ferrell
1959 Wildwood Drive
Cedarburg, WI 53012

Sincerely,



Doug Ferrell

Phone: 262-376-0600

Mobile: 414-659-7392

doug@ferrellmetalcastingsolutions.com

<https://link.edgepilot.com/s/4b96fd4c/LO0Xu4xswkyOya-Cow->

[D8w?u=http://www.ferrellmetalcastingsolutions.com/](https://www.ferrellmetalcastingsolutions.com/)



Sara Jacoby

From: Bob Holzrichter <holzrichterbob@gmail.com>
Sent: Tuesday, October 28, 2025 3:00 PM
To: Eric Ryer
Subject: [External]Re: Gauthier Properties 13.2 acre lake project ("The Project")

Eric:
Please include in the public meeting packet.

Thank you,

Bob Holzrichter
Cedarburg, WI

On Tue, Oct 28, 2025 at 12:35 PM Eric Ryer <eryer@townofcedarburgwi.gov> wrote:

Bob,

Would you like your comment posted in the public meeting packet, or just handed out to the Board at the meeting?

Either way it will be public record.

Thank you.

Eric Ryer

Administrator

Town of Cedarburg

Phone: 262-377-4509

Web: https://link.edgepilot.com/s/75212281/_PQ_cgqnw0_kEt-JN3J_-A?u=http://www.townofcedarburgwi.gov/



From: Bob Holzrichter <holzrichterbob@gmail.com>

Sent: Tuesday, October 28, 2025 12:19 PM

To: Eric Ryer <eryer@townofcedarburgwi.gov>; David Salvaggio <dsalvaggio@townofcedarburgwi.gov>

Subject: [External]Gauthier Properties 13.2 acre lake project ("The Project")

Gentlemen:

Although I plan to attend the Nov.5th meeting at the Town Hall concerning The Project, I wish to put my opinion on a written record.

Brief History:

My late wife and I built our home on 7067 Cedar Creek Road 50 years ago. Raised our children and retired there. Love living on the Creek as well as enjoying the surrounding fields. We've seen numerous residential developments in the nearby area - most notably the complete buildout of the Sherwood Forest subdivision as well as the building of Malibu Drive along with the construction of homes along this road. We fully expected that the land immediately to the north of us (the land under consideration for The Project) would hopefully remain agricultural, but might be rezoned residential and ultimately subdivided and built-out.

Concerns with The Project:

Overall concern - The Project does not remotely coincide with the Town's stated goal of "Preserving Yesterday's Heritage for Tomorrow". I see no heritage whatsoever being preserved by construction of a 17 million gallon lake (13 acre lake with ave. depth of 4').

Specific concerns:

- Flood danger from overflow or breach. My home is directly south of The Project and would be approximately 50' lower in elevation. After the 11" deluge we endured a few weeks ago, what assurances do I and my neighbors have that this lake's banks won't fail or overflow?
- Water quality and availability. All homes in this area are on private well systems. What assurance do we have that our wells won't go dry or become contaminated?
- What effect will maintenance of the lake either by filling via a well or pumping water from Cedar Creek have on the Creek's ecosystem as well as its recreational uses?

- It appears illogical that the Gauthier's would build a 13+ acre lake simply to allow family and/or friends to "putter around". Rumor has it that it could be used as a

commercial waterski recreation center. That would, of course, result in more traffic, much more noise, and pollution issues from gas spills, erosion, to sewage issues.

- Over the years who is going to monitor The Project for water quality, erosion, and soil stability?

Bottom line - would you want to live in the shadow of a 17 million gallon artificial lake, 100 yards from your front door, potentially extremely noisy, and perched 50' higher than your home?

I obviously don't. Please don't allow this abomination to be built.

Bob Holzrichter

7067 Cedar Creek Rd.

Cedarburg, WI

(262) 377-3180

Sara Jacoby

From: Kelly Baxter <kellybaxter2323@gmail.com>
Sent: Sunday, November 2, 2025 3:03 PM
To: Eric Ryer
Subject: [External]Fwd:

Dear Cedarburg Town Board,

As residents, taxpayers and voters living at the address of [8464 Chicory Court](#), Pleasant Valley Preserve, in the Town of Cedarburg, we have carefully reviewed the Gauthier proposal for a 13.2 acre 'pond' east of Covered Bridge Park. We have strong concerns regarding the potential adverse impact this project poses not only to our property, but the hundreds of other Town occupants living within 1000 feet of the project, not to mention the hundreds of regular Cedar Creek enthusiasts. Regardless of where engineers project future run-off, rains experienced in an intense storm could destroy the properties of several residents. It is inconceivable that the Board would acquiesce to a plan that could not only drain Cedar Creek, but alter the area's water tables to the point of managing potentially dessicated local wells. Unfortunately, we can not attend Wednesday's public hearing meeting due to an out-of-town engagement. This communication shall serve as our formal objection of this project. Why approve a very public, risky project to provide such a specific personal/private benefit for two people to the potential detriment of hundreds people?

Greg & Kelly Baxter

Sara Jacoby

From: Mike Cibulka <mikesuecib@hotmail.com>
Sent: Monday, November 3, 2025 10:14 PM
To: Sara Jacoby
Subject: [External]Gauthier pond public hearing

Hi Sue,

I will be out of town on Nov 5th and will not be able to attend the public hearing. Below I have listed my concerns with this project. Please enter them as part of the public record:

- This pond is large at 13.2 acres. It appears that this will require a large amount of earth moving and may affect future drainage and stormwater runoff of surrounding properties. Our property is on the other side of Cedar Creek and should not be affected. I have no issue here but can understand the concerns of adjacent property owners.
- The pond will require water from Cedar Creek and a well to fill and maintain the water level. I read the planning commission agenda from 10/15/2025 and it included the application. Miller Engineers and Scientists report page 1 of 4, agenda page 36 it indicated 112 gpd loss from seepage. Also, RASmiths report page 3, item 19, agenda page 73 indicated limiting the well to 35gpm by doubling the draw from the creek. In either case, I believe maintaining the pond level could affect the aquifer, our well and Cedar Creek. I don't have an issue with building a private pond but using public water to maintain it is not acceptable. Dig the pond and let it fill naturally with water. Some years it will be high and some years it will be low but don't rely on water from the creek and the aquifer to maintain your private pond.
- I have no issue rezoning the parcels to E-1 estate

Feel free to contact me with any questions,

Mike Cibulka
7545 Devonshire Dr
Cedarburg, WI 53012
414.336.2181

From: burst@emailmeform.com on behalf of [Margaret Fay](#)
To: [Eric Ryer](#); [Eric Ryer](#)
Subject: [External]Feedback via the Town of Cedarburg - Contact Us Form [#852]
Date: Monday, November 3, 2025 10:46:09 AM

Name*: Margaret Fay

Email*: magscguard-home@yahoo.com

**Contact
Number*:** 7154107140

Subject*: Gauthier Lake permits

Message*:

I would like to state my immense displeasure of you even considering letting this be built.

The devastating consequences to the creek and surrounding areas is nit acceptable.

Please DO NOT let this move forward on Wednesday, Nov 5th.

Margaret Fay
1685 Horns Corners Road

Visitor IP: 66.23.205.228

Sara Jacoby

From: Eric Ryer
Sent: Monday, November 3, 2025 1:39 PM
To: M Coulson; David Salvaggio; wayne Pipkorn; Russ Lauer; llecher@townofcedarburgwi.gov; Thomas Esser
Cc: Sara Jacoby
Subject: RE: [External]Gauthier proposal for lake

Mags,

This will be provided as hand out to the Board along with other comments, and is now a public record.
Thank you.

Eric Ryer
Administrator
Town of Cedarburg
Phone: 262-377-4509
Web: www.townofcedarburgwi.gov

-----Original Message-----

From: M Coulson <maggie.coulson@sbcglobal.net>
Sent: Monday, November 3, 2025 11:14 AM
To: David Salvaggio <dsalvaggio@townofcedarburgwi.gov>; wayne Pipkorn <wpipkorn@townofcedarburgwi.gov>; Russ Lauer <rlauer@townofcedarburgwi.gov>; llecher@townofcedarburgwi.gov; Thomas Esser <tesser@townofcedarburgwi.gov>; Eric Ryer <eryer@townofcedarburgwi.gov>
Subject: [External]Gauthier proposal for lake

Gentlemen of the Cedarburg Town Board:

I am adding my name to those who are NOT happy or liking the idea of the Gauthier Property LLCs taking 23 MILLION GALLONS of water from Cedar Creek.

It is my understanding that this body will be taking action on this ordinance 2025-4 this Wednesday, November 5th.

This looks to be something that has been going on slowly and quietly for 4 years. The idea of ANYONE using that resource for their own PRIVATE benefit is beyond insane.

Yes, there are permits. My question is, was the true intent forthright or was it done without all the facts?

Buying up 132.39 acres for a single family home that is NOT farming and adding a "19acre pond" should be raising some eyebrows.

I ask that you postpone the vote and take the time to re-evaluate this building project.

I know that I am not alone in this not going through. This affects more than just those in the vicinity of this huge project.

Please do not allow this beautiful natural resource be "raped" by those who can afford to "buy" what they want for their private use.

Respectfully,
Mags Fay
1685 Horns Corners
Town of Cedarburg

Sara Jacoby

From: Eric Ryer
Sent: Monday, November 3, 2025 1:19 PM
To: Megan Sinnen
Cc: Sara Jacoby
Subject: RE: [External]Feedback via the Town of Cedarburg - Contact Us Form [#853]

Megan,

Yes comments can be submitted prior to the meeting.
You can email them to Sara Jacoby, Asst. Admin./Clerk or myself.
Thank you.

Eric Ryer

Administrator
Town of Cedarburg
Phone: 262-377-4509
Web: www.townofcedarburgwi.gov



From: burst@emailmeform.com <burst@emailmeform.com>
Sent: Monday, November 3, 2025 12:31 PM
To: Eric Ryer <eryer@townofcedarburgwi.gov>; Eric Ryer <eryer@townofcedarburgwi.gov>
Subject: [External]Feedback via the Town of Cedarburg - Contact Us Form [#853]

Name*:	Megan Sinnen
Email*:	Megan.sinnen@gmail.com
Contact Number*:	4143155765
Subject*:	Public Hearing 11/5
Message*:	<p>Hello,</p> <p>Regarding the upcoming public hearing on 11/5 for the proposed pond to be built near Covered Bridge and Cedar Creek Rds, is the public able to submit comments to be considered/read in the event they are unable to attend the meeting? If so, where can we email our comments to be sure our input is considered?</p> <p>Thank you,</p>

Megan Sinnen

Visitor IP: 2607:fb90:d31f:c48f:931:b15c:22c9:730f

From: [Grant Waege](#)
To: [Eric Ryer](#)
Subject: [External]proposed lake development plan
Date: Monday, November 3, 2025 10:49:31 AM

Dear Town Administrator Ryer,

I am writing to express my strong opposition to the proposed lake development plan currently under consideration. (Ordinance to rezone three parcels with tax key number 03-010-09-002.00, 03-010-080-02.00, 03-010-080-01.00). I plan on attending the meeting the Town is hosting on Wednesday, November 5th. In case I do not have the opportunity to voice my opposition, I wanted to make sure I sent something prior. While I understand the intent behind the project, I have serious concerns about its potential impact on our local water systems and atmosphere.

Many residents in our area rely on private wells for their water supply. Altering the natural landscape to accommodate a lake could significantly disrupt groundwater flow, potentially lowering water tables and affecting the availability and quality of well water. This poses a direct risk to the health and daily lives of families who depend on these wells.

Additionally, the creeks that run through our community are vital ecological features. They support local wildlife, help manage stormwater, and contribute to the overall environmental balance. Any changes to water diversion or retention could reduce creek levels, leading to long-term ecological damage and increased flooding risks during heavy rains.

Another concern is the potential for noise pollution, particularly from racing boats that may use the lake. High-speed watercraft can generate significant noise, disrupting the peace and quiet that residents currently enjoy. This could negatively affect the quality of life for those living nearby, as well as disturb local wildlife and natural habitats. The increased traffic and noise may also pose safety risks and diminish the rural character of our community.

Furthermore, I would like to raise the issue of liability. If the lake development leads to well failures, water contamination, or flooding of surrounding homes due to structural failure or mismanagement, who will be held responsible? Residents deserve clear answers and assurances that their properties and health will be protected, and that there will be a transparent process for addressing any damages or disruptions caused by this project.

Thank you for your time and consideration. I hope you will prioritize the long-term sustainability of our water systems and the well-being of residents in your decision-making process. Thank you for your time and consideration. I hope you will prioritize the long-term sustainability of our water systems and the well-being of residents in your decision-making process.

-Grant Waege



Additional questions concerning Gauthier water-skiing pond/ lake

1 message

Sue Birnschein <sbirnsch@gmail.com>
To: cheveux1424@gmail.com, sbirnsch@gmail.com

Tue, Nov 4, 2025 at 8:14 AM

We have additional questions regarding the Gauthier property:

1.) Has or will a study or survey by the Army Corps of Engineers be done regarding the entire project since a Cedar Creek, which is a navigable waterway would be used to fill and maintain this large and deep body of water on a constant basis?

2.) How would filling and maintaining this lake on a constant basis affect the aquifer and surrounding wells in the future?

3.) The map shows the 13.2 acre deep body of water is also very close to a FEMA floodplain and several other floodplains which should raise concerns and most likely qualify or require a study or survey by the DNR and Army Corps of Engineers. This should be everyones concern due to the amount of water that would be pumped from Cedar Creek along with a residential well for the purpose of filling and maintaining this man-made lake that most likely would affect water quality of area wells, aquifer, surrounding land, wildlife and noise from the water sports motors.

If all of this passes and the town does allow for projects like this, please consider an ordinance requiring only electric outboard motors as a way to prevent noise pollution and disturbance.

Thank you for your consideration,
Sincerely,
Craig and Sue Birnschein

Sara Jacoby

From: Melissa Hattie Hale <melissahalelcsw@gmail.com>
Sent: Tuesday, November 4, 2025 12:14 PM
To: Sara Jacoby
Subject: [External]Re: [External]Gauthier proposed lake--for comment at town hall meeting on 11/5/2025

Thank you for your work for our lovely Town. ❤️❤️❤️

On Tue, Nov 4, 2025, 11:03 AM Sara Jacoby <sjacoby@townofcedarburgwi.gov> wrote:

Thank you for your comment. This will be provided to the Town Board members and is part of the public record.

Regards,

Sara

Sara Jacoby

Assistant Administrator\Clerk

CMC, Notary

Town of Cedarburg

Phone: 262-377-4509

Web:

https://link.edgepilot.com/s/26ca8ee8/NLojFQW4A0_CJSJGiYKUKA?u=http://www.townofcedarburgwi.gov/



From: Melissa Hattie Hale <melissahalelcsw@gmail.com>
Sent: Tuesday, November 4, 2025 10:55 AM
To: Sara Jacoby <sjacoby@townofcedarburgwi.gov>
Subject: [External]Gauthier proposed lake--for comment at town hall meeting on 11/5/2025

Hello-

My name is Melissa Hale, and I am born and raised on Kaehlers Mill Rd in Cedarburg. I currently reside in the small stone farm house, making me call Kaehlers Mill home for 47 years! I am writing with concern to the proposed Gauthier pond. My primary concern, that if this family can build a pond (sounds more like a lake to me) and drain Cedar Creek, who says other people won't do the exact same in the future? Approving this request would set a dangerous precedent. Our lovely creek is the lifeblood of the town and city of Cedarburg. If it dries up to satisfy the recreational needs of one well resourced family, our historic town will be devastated. More importantly, the fragile ecosystem of our town will be damaged as well. Furthermore, do the Gauthiers even live in the town of Cedarburg? What investment do they have to respect the neighborhood, community, and ecosystem already in place? I respect their desire to have a recreational pond but let them purchase up a piece of land with a pond already on it instead of exploiting the resources and beauty of my homeland.

Melissa Hale

[8473 Kaehlers Mill Rd](#)

[Cedarburg, WI 53012](#)

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From: [Ed Trygstad](#)
To: [David Salvaggio](#); [wayne Pipkorn](#); [Thomas Esser](#); [Russ Lauer](#); [Larry Lechner](#); [Eric Ryer](#)
Cc: [Ed Trygstad](#)
Subject: [External]No to Rezoning, CSM, & Large Manmade Lake in Town of Cedarburg
Date: Tuesday, November 4, 2025 8:49:06 AM

To Town of Cedarburg Board Members and Town Administrator:

Please accept this email as our input outlining our concerns and opposition on the rezoning, CSM, AND proposed man-made lake (13.2 acres is not a pond...) in the Town of Cedarburg, proposed by Gauthier LLC.

Scheduling conflicts will not allow us to attend the meeting on Wed., 11/5/25, but we wanted to be sure to respectfully share our opposition to the potential/eventual draining of the many private wells in the Town, while furthering the already low levels of the beautiful and valued Cedar Creek, plus the sure disturbance of the abundance of natural habitat and wildlife if you do not say NO to this private request.

You have the opportunity *and* responsibility to represent the greater community in voting no to this rather large (13.2 acres, plus rezoning surrounding land) and a very long, deep lake plan (calling this a 'pond' is misleading...), at the expense of what it could mean to the future of the Town, property values, water aquifers, environmental concerns, and our long-time, tax paying citizens, and *not* the 'dream' of one family.

Obviously, the concerns on the aquifer and groundwater levels is of utmost concern, as well as what it could mean months, years *and* generations down the road. What legacy do you want to leave behind, at such high expense to so many others?

The fact the Town Plan Commission has made the recommendation to rezone the property is quite surprising and concerning. Millions of gallons (25 Million, plus more in replenishing to keep it full?) of precious groundwater will surely lower and potentially deplete the aquifer(s), while causing harm, residential problems (dry wells), and eventual costs to many, many property owners in the Town of Cedarburg.

You can assure this does not happen, by saying "NO" to the Gauthier LLC proposed 'pond' application, rezoning, and CSM, and sending the message that the greater community benefits far outweighs the individual family (LLC?).

When our wells run dry, who will foot the costs to dig new, deeper, and clean wells, if there is water to be obtained? What is the plan, and are you prepared for litigation that would surely follow? What regulatory plans would be in place, and who would be responsible for assuring and abiding by regulations? Would there be plans in place for the Glauthier LLC to establish a contingency plan for funding the new wells which residents would need to dig, maintain, and keep clean?

A lake this size and length, in a small, quaint and precious rural community does not merit your approval. You were elected to represent the greater community of the Town, and we respectfully expect you to honor that responsibility.

We are also concerned regarding what the future use of the lake, if approved, would be? Should residents expect wakeboarding, water skiing tournaments, ice fishing tournaments, and

more housing built along the (3) parcels that were recommended to be rezoned? Would their well(s) ever run dry? And since this would likely not be a 'spring-fed' lake, would we be correct in expecting continued (annual/seasonal) use of syphoning additional aquifer well water and Cedar Creek water to refill this large lake, further depleting the aquifer and creek, drying up precious wells? Are there plans being shared about public access?

Each of you has a large responsibility to the greater good, the population of the Town of Cedarburg, as well as the City of Cedarburg, Ozaukee County, and communities along Cedar Creek to make the right decision, and vote NO to rezoning, CSM, and approval of the 13.2 acre pond (again, it's a large lake, and not a pond...).

Please consider, and respect the valid concerns we have, as well as many Town residents have (or will once they hear more about this proposal...), and vote NO on Wednesday, 11/5/25, (or when a vote is taken) to granting the rezoning, CSM, AND approval to build this giant lake in our community.

We, and you, live here, raise families here, and surely enjoy the available water from aquifers for our private wells, nature's blessings, and scenic benefits.

We respectfully ask you to **Vote NO**, on each measure, please.

Thank you,

Ed & Melinda Trygstad
1667 Washington Ave.
Town of Cedarburg, WI. 53012

414-803-3394

From: [Lauren Chance](#)
To: [David Salvaggio](#); [Eric Ryer](#)
Subject: [External]Lake Proposal
Date: Wednesday, November 5, 2025 9:01:21 PM

David and Eric,

My name is Lauren Chance and I live at 1991 Trillium Trail, a home that would be directly impacted by Gauthier's proposed lake. My husband, Ryan, and I are very concerned about this project and the impact on our well. What happens if this is approved and we run into an issue with the well due to the significant reduction of water in 5, 10, 15 years? The risk to a large number of families having access to the most basic necessity - water - is far too great for a recreational water skiing lake benefiting a handful. We are very much opposed to the planned lake.

Thanks!

Lauren

Sara Jacoby

From: Marihelen Hoppa-Willbrandt <mhoppawillbrandt@yahoo.com>
Sent: Wednesday, November 5, 2025 3:43 PM
To: Eric Ryer; David Salvaggio
Subject: [External]Gauthier Lake Proposal

I can't make tonight's town hall meeting, but wanted to share my thoughts on the Gauthier's lake proposal. Based on what I have read and heard, I am against allowing them to construct this lake. My reasons are as follows:

1) I enjoy the beauty of Cedar Creek and the wildlife that we have here as a result including fish, frogs, and birds. I also kayak on the creek occasionally when the water level is high enough. I would not want to have water pumped out of the creek to compromise this wonderful public natural resource for the benefit of one family's private lake.

2) We depend on a well for our water as do other families in this area, so any potential issues with natural water supply from the aquifer would be devastating to my family and to my property value.

3) Although the official word is that the lake would be stocked with fish, the shape of it suggests that a water ski lake is a viable future use. One of the other things I love about living where I do in the town is how quiet it is most of the time. I would not want the sound of boat engines destroying the peaceful atmosphere we have now.

Thanks for the opportunity to voice my opinion.

Marihelen Hoppa-Willbrandt

[Sent from Yahoo Mail for iPhone](#)

From: [Erika](#)
To: [Eric Ryer](#); [David Salvaggio](#); [Eric Ryer](#); [David Salvaggio](#)
Subject: [External]Opposition to Proposed 13.2-Acre Lake on Covered Bridge Road
Date: Wednesday, November 5, 2025 5:04:20 PM

Dear Mr. Ryer and Mr. Salvaggio,

We are writing to express our strong opposition to the proposed construction of the 13.2-acre lake on Covered Bridge Road. After reviewing the project details, we have serious concerns about its potential environmental and community impacts.

This project would require pumping millions of gallons of water from Cedar Creek and the same aquifer that supports surrounding properties. Such large-scale water removal risks depleting local wells, reducing water quality, and harming the delicate ecosystem of Cedar Creek—including its aquatic life and surrounding wildlife habitat.

With so many new homes being built in the area, our aquifers are already getting spread thin. This will only worsen the problem.

Additionally, the plan raises concerns about safety and accountability. A potential breach or seepage could cause flooding in nearby neighborhoods, while long-term maintenance responsibilities remain unclear. Recent heavy rainfall (e.g., in August 2025) caused flooding in the Cedarburg area: the creek exceeded flood stage and parts of backyards and roads along Sheboygan Road were reported as flooded. This happens every year! What happens when this new lake floods? Where will the overflow run off? Because this land is in a known flood zone / flood-prone watershed, adding a large artificial lake and changing hydrologic conditions increases the risk that flooding could become worse — whether by breaching, overflow, or altered drainage.

Nearby residents have legitimate concerns about well-water quality, aquifer drawdown, and degradation of local ecosystems (e.g., wildlife, aquatic life in Cedar Creek) given the hydrologic changes proposed.

Noise from water skiing and other recreation would also disrupt the rural character of the area and negatively affect residents' quality of life. Mike and Stacey already have a home on Green Lake. Is there a reason they can't water ski on that lake? Why do they need to build a lake in the middle of a corn field, next to residential homes? Will there be an HOA to monitor no wake/quiet hours?

We feel that approving this project jeopardizes surrounding properties, aquifer levels, creek ecology, and could impose long-term maintenance liabilities on the community. **We urge the town to deny approval of this proposed lake plan.**

Thank you for considering the community's concerns. We hope the town will prioritize sustainable land use, water-resources integrity, and flood-safety over large-scale development in a sensitive watershed.

Sincerely,
Kevin & Erika LaPean

1983 Night Pasture Rd.

Sara Jacoby

From: Brian and Jane <lordandladycheese@gmail.com>
Sent: Wednesday, November 5, 2025 11:57 AM
To: Eric Ryer; dsalvaggio@townofcedarburg.com
Subject: [External]Public Hearing

Hello we cannot be at the public meeting tonight about the Lake to be built and had a few questions that hopefully you can answer.

1. Have any studies been done to determine the impact to the water qualities/water tables in the area.
2. Has the intended use of the lake been disclosed?
3. Is there going to be any recording or transcript of the meeting so we can review after?
4. Is there any option for virtual attendance?
5. Is there a timetable for the construction of this lake and after it is completed will further testing be done to ensure problems to the water are discovered?

Thank you for the opportunity to ask questions

Brian and Jane Lemke
2077 Virginia Lane
Grafton, WI 53024

From: [Diane Niksa](#)
To: [Eric Ryer; dsalvaggio@townofcedarburg.gov](mailto:dsalvaggio@townofcedarburg.gov)
Subject: [External]Proposed lake public hearing
Date: Wednesday, November 5, 2025 9:42:16 AM

Regarding the proposal to build a 13 acre lake on private land that will siphon water from an aquifer and Cedar Creek indefinitely is absolutely an egregious, wasteful, potentially harmful depletion of natural resources that everyone who has a well depends on.

Gauthier Properties at Covered Bridge, LLC & Gauthier Properties at Wildwood, LLC builds the 'lake' and remains an anonymous entity that harms the community and all who depend on the aquifer to sustain livability, property values, health, and environmental balance, will there be an escrow fund in the millions for damages and liabilities to each property owner and resident that has a well run dry or health issues or environmental impact to the community?

Why can't this LLC locate the desire to operate/exist near a lake move to any lake in the state given there are many available including a Great Lake- Michigan just to the east of Cedarburg?

My vote is **100% no** to all usage of natural resources from the aquifer and Cedar Creek.

This is a shameful proposition covering behind a corporate logo and legal representation to shield accountability for self-centered whims with utter disrespect and disregard for the surrounding community residents and their lives.

The town is obligated to **make a decision in the best interest of the entire community** and not one entity wishing to squander indefinitely a natural resource for no benefit to anyone other than themselves without consequence to any damages they may cause.

Diane Niksa
Town of Cedarburg resident near Covered Bridge Park.

From: [sarah schwinn](#)
To: [Eric Ryer](#); [David Salvaggio](#)
Cc: [Scott Pionek](#)
Subject: [External]Opposition to Proposed 13.2-Acre Lake on Covered Bridge Road
Date: Wednesday, November 5, 2025 6:06:18 PM

Dear Mr. Ryer and Mr. Salvaggio,

We are writing to share our strong opposition to the proposed 13.2-acre lake construction project on Covered Bridge Road by Gauthier Properties. As a nearby resident, we are deeply concerned about the potential short- and long-term impacts this project could have on our neighborhood, local environment, and the broader Cedarburg community.

Key Concerns:

- **Aquifer and Well Impact:** The proposal involves pumping 25 million gallons of water from Cedar Creek and the same aquifer that supplies surrounding homes. This poses a serious risk of lowering the water table, drying up wells, and compromising water quality for families who depend on private wells.
- **Environmental and Recreational Risks:** Removing large quantities of water from Cedar Creek threatens aquatic life, plant ecosystems, and recreational use (such as kayaking, canoeing, and fishing).
- **Flooding and Structural Risks:** The potential for flooding or lake containment failure could cause significant property damage to surrounding subdivisions and farmland, especially during heavy rainfall or catastrophic events.
- **Noise and Use Concerns:** The possibility that this lake could be used as a private or competition-level ski lake introduces additional noise, safety, and traffic concerns that would disrupt the peace and character of our neighborhood.
- **Accountability and Oversight:** Questions remain unanswered regarding who would be responsible for maintenance, monitoring, and damages should problems arise—particularly if wells are affected or if seepage occurs.

Given these risks, we respectfully urge the Town of Cedarburg to **deny approval of this project** until a thorough, independent environmental and hydrological assessment is conducted and shared publicly. Our town's priority should remain protecting residents' access to clean water, property values, and the natural character that makes Cedarburg such a special place to live.

Thank you for your time, consideration, and service to our community.

Sincerely,

Scott and Sarah Pionek

6212 Primrose Ct, Grafton, WI 53024

From: [Michelle Gabert](#)
To: [Eric Ryer: dsalvaggio@townofcedarburg.gov](mailto:dsalvaggio@townofcedarburg.gov)
Subject: [External]Proposed lake public hearing
Date: Wednesday, November 5, 2025 6:35:19 PM

Good evening,

We can't make the public hearing tonight, but I wanted to send an email.

My family and I live on Cedar Creek Road near Covered Bridge Park. We are all **very against** the idea of the proposed lake.

Thank you,
The Sopko Family

Sent from my iPhone

From: [Kevin Cahill](#)
To: [Eric Ryer](#)
Cc: [David Salvaggio](#); [wayne Pipkorn](#); [Russ Lauer](#); [Larry Lechner](#); [Thomas Esser](#); [mahermichaelpatrick@gmail.com](#); [tgtruong@sbcglobal.net](#); [Kassy Bartelme](#); [jclark@cedarburg.k12.wi.us](#); [dcherrington@yahoo.com](#); [corkco@gmail.com](#); [mbitter@cityofcedarburg.wi.gov](#); [Lucas@will-law.org](#); [Sen.HabushSinykin@legis.wi.gov](#)
Subject: [External]Re: [External]Follow Up: Gauthier family's application to construct a 13.2-acre artificial pond in the Town of Cedarburg.
Date: Tuesday, November 11, 2025 2:53:33 PM

Hello Eric,

Yes, please add my email to the public record, including this one.

I'm specifically interested in the answer to these questions, with one additional request.

1. Does the Board have the authority to block this project in the name of public interest?
2. Does our collective voice matter, or are your hands tied by legal or policy constraints?
3. If the law protects the Gauthiers rights for millions of gallons of public water, can the town create new policy to block this disproportionate use of resources to prevent precedent?
4. If your hands are tied, what recourse do we have as citizens to work with the Town to change these laws or policies?

Finally, I respectfully ask the Town Planning Committee and Town Board to **delay action on this project for 30 days** while the community consults with legal experts, the city of cedarburg, the DNR and evaluates potential concerns under our **riparian rights** and the **Public Trust Doctrine**.

The developers have had nearly five years to advance this plan, while residents have had less than a week to understand its scale and impact. A short delay will allow time to properly review the ecological risks and ensure all state and local mechanisms are fully considered before any decision is made.

I've included the Cedarburg Trustees on this email, along with Wi Senator Sinykin as she has reached out to the DNR and would like to be kept in the loop.

Kindly,

Kevin Cahill
2029 Blacksmith Road
Town of Cedarburg
414.467.4626

On Tue, Nov 11, 2025 at 12:33 PM Eric Ryer <eryer@townofcedarburgwi.gov> wrote:

Kevin,

Would you like this email entered to the public record for the next meeting?

Thank you.

Eric Ryer

Administrator

Town of Cedarburg

Phone: 262-377-4509

Web: <https://link.edgepilot.com/s/26c5265e/q6vXijCngUan8TLULSaNiQ?u=http://www.townofcedarburgwi.gov/>



From: Kevin Cahill <kevinpatrickcahill@gmail.com>

Sent: Thursday, November 6, 2025 11:07 AM

To: David Salvaggio <dsalvaggio@townofcedarburgwi.gov>; wayne Pipkorn <wpipkorn@townofcedarburgwi.gov>; Russ Lauer <rlauer@townofcedarburgwi.gov>; Larry Lechner <llechner@townofcedarburgwi.gov>; Thomas Esser <tesser@townofcedarburgwi.gov>

Cc: steven.little@wisconsin.gov; karen.hyun@wisconsin.gov; govpress@wisconsin.gov; Oscarcharlesjr@icloud.com; Suzanne Monroe <suzanne.monroe@gmail.com>; mike.curkov@gmail.com; jmurphy@cbs58.com; kelly.becker1@wisconsin.gov; amanda.tomten1@wisconsin.gov; britt.cudaback1@wisconsin.gov; jenni.dye@wisconsin.gov; maggie.gau@wisconsin.gov; zach.madden@wisconsin.gov; news@jrn.com; jsbiz@journal sentinel.com; fox6news@fox.com; disrar@cbs58.com; investigate@wisn.com; DLuhrssen@shepex.com; cdrosner@milwaukeeemag.com; Jbpape@mac.com; Buckheating@icloud.com; Ray Eugene <Renorene4@gmail.com>; sdm@themklaw.com; Jkastenholz@wi.rr.com; tpua@goodkarmabrand.com; cindybarlo@yahoo.com; Eric Ryer <eryer@townofcedarburgwi.gov>; Adam Monticelli <amonticelli@townofcedarburgwi.gov>; Sara Jacoby <sjacoby@townofcedarburgwi.gov>; Julie Mett <jmett@townofcedarburgwi.gov>; Paul Jungbauer <pjungbauer@townofcedarburgwi.gov>; pmortimer@safebuilt.com

Subject: [External] Follow Up: Gauthier family's application to construct a 13.2-acre artificial pond in the Town of Cedarburg.

Dear Members of the Cedarburg Town Board,

First, I want to sincerely thank you for your service, your time, and your patience during last night's public hearing. It was a long evening, and I appreciate the respectful attention you gave to the many citizens who spoke, **people who represent thousands more residents who love this town and want to see it preserved for future generations.**

I was one of the more passionate speakers, and I want to make clear that my emotion came not from disrespect, but from deep concern. Concern for my community, and frustration over attempts to **exclude members of our town from participating via Zoom.**

My energy came from love: love for my neighbors, for the town I call home, and for the values that make Cedarburg what it is.

My young son lives here, and we are the kind of neighbors who stop to help find a lost dog, fix a bike, or volunteer at local events, or check on our elderly neighbors to ensure they are safe and secure in difficult times.

And that's not to brag. That's the Cedarburg I know, a community of connection, generosity, and shared responsibility.

As I sat in the boardroom, surrounded by the art that celebrates our heritage, I was reminded of what makes this town unique. **Cedarburg was built by farmers and craftsmen, people who believed in integrity, hard work, and fairness.**

When Jim and Sandy Paape helped secure our national historic designation for the city, they envisioned a part of our state that would hold onto its charm and character, **not one reshaped by private projects that consume public resources or alter our shared landscape.**

That's why the Gauthier project stands in stark contrast to our community's values and vision. **35 Gallons of water for a private lake, with an additional 17-20 M more required every year for the benefit of one person?** Pulled from Cedar Creek and our own well water supplies?

A development of 4 parcels with not a single house planned, except for a placeholder lot to meet the legal threshold? And the Michael and Stacey Gauthrie will not even live there?

Please review: [Application to construct](#) a 13.2-acre pond on parcels to be combined by a CSM and Joinder deed restriction agreement [Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]

That water consumption is 400x the use of a normal house in a single year. It's simply unfair, and poor precedent. And it affects not just Cedar Creek, but the Milwaukee River and all connected ecosystems. **No one can predict the future consequences of dry wells, lower water levels or flooding, but we can prevent the risk by stopping the project.**

What shocked me most were the comments made by the lead engineer representing the Gauthiers and, frankly, the tone from some members of your staff.

The engineer openly stated that the project had been “maneuvered” in every way possible to avoid any violations that could stop it.

He even acknowledged gray areas in residency laws with a wink.

Most troubling was his suggestion that there was a “snowball’s chance in hell” this project wouldn’t be sent back to the planning committee, not because it deserved further scrutiny but **because your team simply needed to “check the boxes” to show the community that you meet procedural requirements.**

That statement deeply concerns me. It suggests the process may be treated as a formality rather than a true public review.

So I only have 3 questions for you:

1. Does the Board have the authority to block this project in the name of public interest? It’s clear from last night’s meeting that this proposal does not have community support.

2. Does our collective voice matter, or are your hands tied by legal or policy constraints?

3. If the law protects the Gauthries rights for millions of gallons of public water, can the town create new policy to block this disproportionate use of resources to prevent precedent?

4. If your hands are tied, what recourse do we have as citizens to work with the Town to change these laws or policies? (Our community will be getting legal console on this, but we would rather work through this a community than a courtroom)

We are ready to participate, organize, and collaborate to ensure that future projects reflect the will of the people and the character of Cedarburg.

Two years ago, I was denied permission to build a second garage because the structure would have encroached on the property line by about two feet. I accepted that decision because I respect my neighbors’ rights and the town’s standards.

That same respect for fairness is all we ask to see reflected now.

This proposed development, drawing tens of millions of gallons of water for private use, does not align with our town’s desires, our shared resources, or our collective sense of responsibility.

Cedarburg is a community of small neighborhoods, not estates built on the overuse of public resources.

Frankly, I left the meeting feeling that the Board has little power to intervene, that the town engineers involved are effectively working on behalf of the Gauthiers, and that our town attorney is either distracted or disengaged.

That perception damages public trust.

I welcome continued civil discourse on this issue. As a tax-paying member of this community, I believe residents should have had an opportunity to respond to the new information introduced during the Gauthier rebuttal.

Instead, it appeared the administrative priority was to end the meeting, rather than ensure every voice was heard in light of new testimony from the petitioner.

I urge this Board to restore confidence by reaffirming its commitment to transparency, fairness, and community input.

I'm limited on time this morning, but I have heard from literally hundreds of people via social media, text and phone who share my concerns. I wish I had time to copy them all on this email, but I hope my friends in the media will help get this message out to the world.

The people of Cedarburg deserve to know that our leaders are guided not just by what is legally permissible, but by what is right for the town we all share.

I look forward to your response.

In the meantime, this [press release](#) will be distributed to up to 100,000 media sources, including, AP News, Benzinga, and hundreds of NBC, FOX, ABC, and CBS affiliate sites across the US. This is simply to raise awareness of our communities shared experience last night.

Respectfully,
Kevin Cahill

414.467.4626

[2029 Blacksmith Rd](#)
[Cedarburg, Wisconsin](#) Resident

Sara Jacoby

From: Janet Blank <jlblank1318@gmail.com>
Sent: Thursday, November 6, 2025 10:24 AM
To: Eric Ryer
Cc: David Salvaggio
Subject: [External]Re: [External]Re: tonight's meeting agenda item:proposed lake

Thank you for this update. I realize you may have been surprised by the turnout. Thank you for listening to our concerns and adding them to those expressed by others at the meeting or by contacting you directly.

Janet Blank

On Thu, Nov 6, 2025 at 8:48 AM Eric Ryer <eryer@townofcedarburgwi.gov> wrote:

Janet,

First off, we will be gathering estimates to upgrade the audio for the Board room. However, that cannot address our capacity of the Board room. We can explore alternate venues for the next meeting.

Your comment will be added to the public record along with the others.

Thank you.

Eric Ryer

Administrator

Town of Cedarburg

Phone: 262-377-4509

Web: <https://link.edgepilot.com/s/e7d0ac3f/vgt0HhbAtUa8o8VjmfM7Zw?u=http://www.townofcedarburgwi.gov/>



From: Janet Blank <jlblank1318@gmail.com>
Sent: Wednesday, November 5, 2025 8:15 PM
To: Eric Ryer <eryer@townofcedarburgwi.gov>; David Salvaggio <dsalvaggio@townofcedarburgwi.gov>
Subject: [External]Re: tonight's meeting agenda item:proposed lake

Gentlemen,

My husband, Dudley Blank and I just returned home from the Town Hall after attempting to attend the public hearing about the proposed 13.2 acre lake near Covered Bridge Park.

When we arrived before 7 pm, the little bit of standing room available was at the back of the lobby area, far from the meeting room doors. We were told that there was a mic and speaker, and we would be able to hear the proceedings. When the meeting began, we discovered, along with the many other people crowding the lobby, that the sound system was either inadequate or not functioning properly, as we heard almost nothing, and what did come through was so garbled that it didn't sound like English. So we left.

But we want you to know our concerns.

We live at 7037 Cedar Creek Rd, directly across from Malibu Drive. We are at the lowest elevation that would be affected by this lake. What happens if the containment system fails, or there is another heavy rain event like we had in August? We had a current of Cedar Creek in our backyard for days following that event. Thankfully, the flooding did not come near our house that time.

An equally big concern for us is the effects on the creek and aquifer that would come from pumping that much water into an artificial lake of that size. We have lived along the creek since 1972, and we know how very low the water levels of the creek can get. This is especially true during hot dry spells in the summer.

And what about the environmental effects of taking so much water from the creek? What about the nesting and breeding grounds of the many insects, amphibians, birds and mammals that live in or near the creek? If this pumping continues during the summer months, the habitat disruption will be disastrous.

On an economic level, Covered Bridge Park is a jewel in our Town and County. People come from many places to see and experience the beauty and peace of that park. One of our children had their wedding at the park, and many groups come there for photo shoots. Will we change from celebrating the rural

and pastoral beauty of this part of our town by adding, "Oh, by the way, you can waterski just north of the park"?

The shape of the proposed lake is odd unless you are planning to waterski and jet ski there. Where will the access roads be? the parking? And I don't think any of the current residents anywhere near this project want to listen to motorized watercraft all summer long. We would rather listen to the cranes, the songbirds and the frogs.

In Wisconsin, a body of water more than 2.2 acres is considered a lake. A "private pond" or lake over 10 acres is subject to more stringent state regulations, as bodies of water of that size are considered public waters under the Wisconsin Public Trust Doctrine, especially if they are connected to or were created from a navigable waterway. Is this even a Town permissible question? Or is it the concern of the Wisconsin DNR?

All in all, this is a terrible development proposal for the Cedar Creek watershed in the Town of Cedarburg. We hope that the number of people who did attend the meeting tonight speaks loudly about the concern that many residents of the Town have about this proposed lake and how it will affect the quality of life for many people. The Town government needs to protect the safety and wellbeing of its citizens. How will you do that if this proposal is approved?

Sincerely,

Janet Blank

Dudley Blank

From: [Diane R](#)
To: [Eric Ryer: dslavaggio@townofcedarburg.gov](mailto:dslavaggio@townofcedarburg.gov)
Subject: [External]My Thoughts for Your Consideration: Proposal by Gauthier Properties at Wildwood, LLC
Date: Thursday, November 6, 2025 9:42:01 PM

Dear Sirs:

I attended the meeting at the Town Hall last evening where public comment was heard on the proposal by Gauthier Properties at Wildwood, LLC to construct a 13.2 acre lake on 5 connected parcels of land near the covered bridge. Since I was unaware of the issue(s) before a neighbor called that afternoon to ask me to join them, I came with a completely open mind. Because of my unfamiliarity, I did not request time to speak, but would now like to add my thoughts for your consideration:

My first thought, and the one that has solidified my very firm opposition to this project, is the glaringly disingenuous nature of the 'data' presented by the Gauthiers. This "pond" is definitely not, and was never meant to be, a focal point for a cherished-dream family home built as a 'little house on the prairie', (my apologies to Laura Ingalls Wilder). Examples of this deceit include:

1. Why did a Cedarburg resident need to research the shape and size of this "pond" to undercover its essentially identical footprint as that of a body of water intended for water ski competitions?
2. Why was every pertinent engineering choice made to be just under that which would trigger the necessity of a permit from the DNR or other regulatory body? If the DNR has no permitting, and therefore, no oversight authority, what happens in the future? Would the town rely on the, in my opinion now highly suspect, 'word' of owners on monitoring and maintenance? Would the Town have the authority and resources to verify any such data presented?
3. I learned how to calculate the volume of a container in 4th grade. How is it that there was approximately a 20 million gallon discrepancy (25 vs. 45 million gallons) in the volume of water required to fill this "pond" when calculated by the Gauthier's engineers vs. that calculated by a resident using the stated dimensions of the proposed "pond"? Not exactly a "rounding error". Although the Gauthier's did not present any comparison data, a resident did. To my mind, that comparison of both the initial, and annual, fill volumes with water usage by residents was obscene. If I recall correctly, the initial filling of the "pond" would require a volume equal to the annual water consumption of 600 households. Thereafter, the volume required to replace evaporation and other losses, would equal the annual consumption of 300 homes – *forever!* Several people also mentioned the potential impact of climate change which is, of course, worrisome – even without the added burden of this "pond" to provide a playground for ONE owner.
4. My knowledge of the legal issues involved in property ownership is minimal at best. However, I am aware that holding a residential property within an

estate is often done as a tax planning strategy. But, this property is owned by an LLC - what about it requires liability protection? As a 'thought problem', what immediately comes to mind is protection from lawsuits by the many other homeowners in our community that face real harm from the potentially very significant impact of this water grab and it's effect, as many residents stated, on our wells, water quality, flooding, drought, recreational use of the creek, environment, wildlife, etc.

Thank you for all the time and effort you have already expended on this issue, as well as that invested in reading and considering my comments. I believe the interests of the Town and all of it's residents, would be best served by, at the very least, pausing this project pending a thorough *independent* assessment addressing the myriad of concerns expressed at the public hearing - some of which are reiterated in this letter. My hope is that you will agree with this clearly slower, but more careful and deliberate, approach.

Sincerely-

Diane Rosner

2041 Blacksmith Road

Sara Jacoby

From: Michael Raettig <mike699869@gmail.com>
Sent: Friday, November 7, 2025 2:39 PM
To: Sara Jacoby
Subject: [External]13 acre pond

Hi Sara,

I'm emailing you today because I talked to you on the phone yesterday about using ground water to fill up a pond. I'm against using precious ground water to fill a hole in the ground and I would not allow that if I were in charge.

If using the creek to fill the pond I don't have an opinion on this matter yet. My address is 648 Starlet Dr, Cedarburg WI 53012, United States. Thanks Mike

Michael Raettig

From: [James BIEFFELD](#)
To: [Eric Ryer](#); [David Salvaggio](#)
Subject: [External]Gauthier property
Date: Monday, November 10, 2025 1:10:15 PM

November 10, 2025

Town of Cedarburg Planning board

My wife and I attended the November 5th hearing for the Gauthiers proposed 13.2 acre pond. One of the people that spoke against it said he recognized the shape and size of it as being a dedicated water ski slalom coarse. He showed us pictures of three different coarses located around the country including one here in Wisconsin as examples. Typically a minimum of **ten to fifteen acres** of land is recommended for building one of these dedicated water ski lakes. The Gauthiers proposed "pond" would fall right in the middle of that figure. Of the estimated 100 people in attendance there was only one person who spoke in favor of its construction. He told everyone that one day he has hopes to be able to ski on it.

I want to know what the long-term plan is for this property? The Gauthiers are asking to combine all their connecting properties and rezone it as E-1. That combined 132 acres not only set things up for future estate lot developments, it also gives them the amount of land needed to build the much larger water skiing lake. I see it as a bait and switch scenario. If they would divide some of the property up before approval of the pond, the size of the pond would be much smaller because of that 10% rule. It's obvious to us that at some point this property will be subdivided. This pond should be sized with future developments in mind. They're trying to pull a fast one on us by temporary increasing the acreage to change what they're allowed to build! The average property owner would never be able to do that.

As a board member please consider the future use of this property and what impact it'll have on its neighbors and the community as a whole.

Thank you for your consideration

Jim Biefeld

2003 Wildwood dr,
Cedarburg, WI
[Sent from AT&T Yahoo Mail on Android](#)

From: [Janet Beimborn](#)
To: [Eric Ryer](#); [Eric Ryer](#)
Subject: [External]Fw: pond/lake project
Date: Sunday, November 9, 2025 10:07:54 PM

Jan and Edward Beimborn

----- Forwarded Message -----

From: Janet Beimborn <beimborns@sbcglobal.net>
To: dsalvaggio@townofcedarburgwi.gov <dsalvaggio@townofcedarburgwi.gov>; rlauer@townofcedarburgwi.gov <rlauer@townofcedarburgwi.gov>; llechner@townofcedarburgwi.gov <llechner@townofcedarburgwi.gov>; wpipkorn@townofcedarburgwi.gov <wpipkorn@townofcedarburgwi.gov>; tesser@townofcedarburgwi.gov <tesser@townofcedarburgwi.gov>
Cc: eryleryer@townofcedarburgwi.gov <eryleryer@townofcedarburgwi.gov>; townhall@townofcedarburg.wi.us <townhall@townofcedarburg.wi.us>
Sent: Sunday, November 9, 2025 at 10:04:40 PM CST
Subject: pond/lake project

(Eric, could you please forward this to the town attorney, non town board members of the plan commission and anyone else you may think relevant)

Ed B

To: Town of Cedarburg board, Plan commission and town staff.
From: Janet and Edward Beimborn, 8120 Pleasant Valley Rd. Saukville, WI 53080
(Town of Cedarburg area served by Saukville post office)
November 8, 2025

We had some further thoughts we would like to share with you after the public hearing concerning the application for a pond/lake. These relate to the development of an agreement for the project if you decide to permit it. If the Plan Commission/Town Board denies the application, then the development agreement is moot. However, these points may also be useful for the town to consider for other applications for projects that have significant impacts in the future.

We would hope guidelines would be developed that would apply to all applications for creating artificial ponds and lakes in the town. We feel that the town board should be working with their lawyers, engineer, and other regional entities such as the DNR to set guidelines and regulations for such projects, not with the applicants lawyers.

Please let us know if you have any questions

Maintenance (Development) agreement

If the project goes forward, the agreement will be very important. Only what is written and signed in that agreement will matter as things said or promised in a meeting can easily be forgotten or ignored. An agreement should address all contingencies and provide for them in writing. It seems to us that the following items should be included in such an agreement.

- **Land Use:** the agreement needs to specify permitted uses and their locations including proximity to property lines,
- **Vegetation:** What methods will be used to control invasive species? What specific chemicals are permitted for control of unwanted algae, aquatic plants or for any other purpose? Address the need to control runoff of any chemicals into the creek, neighboring properties or ground water.
- **Timing:** Project schedule and completion date, maintenance timing, monitoring schedule. Actions to be taken if project stalls beyond completion date
- **Long term issues:** specific rules should be given for responsibility of maintenance and other provisions if the property is subdivided or sold. Who will be responsible? If subdivided, how many motorized boats or other recreational equipment will be permitted? How do new owners pay for costs associated with the pond/lake
- **Fees:** A fee schedule should be provided for town services for the project as well as a mechanisms to resolve any conflicts that may occur.
- **Liability** The town should not be responsible for any liability that may occur for the use or presence of the lake/pond
- **Low flow and drawdown limits.** The proposed project requests draws from the creek and the aquifer 24/7 for a series of months. The statement at the meeting that creek level drops are minimal due to pumping was misleading. The effect will vary with the natural flow. The agreement needs to specify that pumping should be stopped if flow rates on the creek fall below a specified minimum or if water tables drop below a specified level. During dry periods such as we have now when the flow rate on the creek can be very low*. The effects of continuous pumping during low flow will be much greater than discussed at the meeting. There is a stream gage just north of Highway 60 that can be used to monitor flow. Existing residential wells could be used for water table measurements.
- **Overflow.** A 12" pipe seems small for overflow - the capacity of the pipe should be large enough to keep up with an intense storm. You should specify the recurrence interval based on current data - 50 year storm etc.
- **Times of use:** Please specify when the pond/lake can be used by motorized boats or other noise generating recreational equipment. For example no more than 4 hours per day between the hours of 9am and 9pm. Also, the number and size of motorized boats to be permitted should be addressed.
- **Types of use:** Can it be used for competitions, tournaments, etc? open to the public? This needs to be spelled out.
- **Removal:** A problem that can occur with artificial lakes is their owners may decide to remove them. Who will be responsible for the costs and impacts of removal?
- **Construction Impacts:** Nothing was said at the meeting about construction impacts. This project will require heavy equipment. What types of equipment is need and how will they access the site? (Use of a dirt or gravel road is probably not adequate.) How will erosion be controlled? Noise limits? Is blasting permitted? What is the time period for the project? What happens if the project is abandoned? Who pays for any remediation required? A clear construction management document is needed.

* For example the flow rate on Nov 8, 2025 was only 7% of the average flow rate

Jan and Edward Beimborn

Sara Jacoby

From: Robert Chesney <rcesna73@gmail.com>
Sent: Tuesday, November 11, 2025 11:34 AM
To: Eric Ryer
Subject: [External]Questions pertaining to Gauthier proposal

Thank you Eric. I have one more question which is for my personal information and future consideration. Would both of Gauthier's proposals qualify to be considered in a public referendum? I know the state of Wisconsin requires 15 percent of the electorate voting in the most recent governor's election for required signatures to propose a referendum. That would be around 325 signatures. Thank you.
Robert Chesney

Sara Jacoby

From: joy friede <joyfriede68@gmail.com>
Sent: Tuesday, November 11, 2025 7:33 AM
To: Sara Jacoby
Subject: [External]Pond

I am against the creating of the pond on private property! Taking water Cedar Creek and well water could cause problems to our environment in the future. This should not be allowed!

Sent from my iPad

From: [Trudi Biefeld](#)
To: [Eric Ryer: ddsalbaggio@townofcedarburgwi.gov](mailto:ddsalbaggio@townofcedarburgwi.gov)
Subject: [External]Concerns of proposed pond on Wildwood Dr
Date: Wednesday, November 12, 2025 11:23:53 AM

My name is Trudi Biefeld and I live at 2003 Wildwood Dr.

I attended the meeting on the 5th. I tried to speak, but I had some difficulties. I am against the Joinder of the properties on Wildwood. These are my concerns.

Have you considered the need for a changing room, bathroom, and shower? Where would these facilities go? I know that there are some barns in the back, but they would certainly need to be updated. Where would that water come from and wastewater be? Also consider where the parking of trucks and boat trailers will be? There is a "makeshift" driveway at the edge of the property #45. That driveway is at the edge of that property and not kept up. No black top. If the boat trailer comes down that driveway and misses Wildwood, the trailer would go right to our mailbox and ditch. That property appears to have a renter.

The other property also has a driveway to the back.. #51. That property is currently not occupied and has not been since the previous occupant, I believe, died.

A patio would most likely be built but where would it connect to? The two houses are a distance from the "pond".

What happens to the property between those two parcels?

Please consider not approving the "pond" until all concerns are addressed.

Sara Jacoby

From: Save Cedar Creek <cedarcreeksave@gmail.com>
Sent: Wednesday, November 12, 2025 1:16 PM
To: CityHall@cityofcedarburg.wi.gov
Cc: Sen.HabushSinykin; Save Cedar Creek; Rep.Melotik@legis.wisconsin.gov; Sally.Cole@mail.house.gov; Eric Ryer
Subject: [External]Save Cedar Creek

Dear City of Cedarburg,

Here is a summary of the potential ecological implications of the Gauthier Ski Lake project in the Town of Cedarburg.

This document was created using local expert input and 3rd party data from the web. We are limited on time, so we are doing the best we can to provide accurate information for your review.

This data does not align with what we learned at the Town Board Meeting in Cedarburg last week. And it suggests a great impact to the Town of Cedarburg, Cedarburg and unknown effects on connected waterways, including the Milwaukee River and Lake Michigan.

[Click here for the file.](#)

Given the timeline of this project's potential approval, this would require independent validation, but the information here is alarming.

Kindly,
Kevin Cahill - Town of Cedarburg Resident
Save Cedar Creek

Sara Jacoby

From: Fessler, Nick <Nick.Fessler@mail.house.gov>
Sent: Wednesday, November 12, 2025 4:51 PM
To: Eric Ryer
Cc: Cole, Sally
Subject: [External]Federal Involvement in Cedarburg

Good Afternoon,

Our office has been contacted by multiple constituents regarding the "Save Cedar Creek" situation, who claim that the Army Corps of Engineers are involved. We have not seen anything regarding their involvement, can you or one of your colleagues confirm or deny their involvement in the situation?

Best,

Nicholas Fessler
Staff Assistant
Congressman Glenn Grothman (WI-06)
(920) 907-0624

From: [Jon Supanich](#)
To: [Eric Ryer](#)
Subject: [External]Cedar Creek
Date: Wednesday, November 12, 2025 1:43:41 PM

Hi,

My name is Jon Supanich and I live in the Town of Cedarburg. I know there is a lot of talk regarding this lake project and pulling water from Cedar Creek. I don't want to get into my overall feelings about it but I do have a question.

If for some reason this project gets approved and someone can prove that their well dried up or the reduction in water caused issues in the City of Cedarburg or elsewhere. What liability does the Town have if an individual sues the Town of Cedarburg or another Town or City sues the Town of Cedarburg? Has this been discussed with lawyers that represent the Town? I would assume the Town would not want to open themselves to unnecessary risk.

Thank you,

Jon Supanich

From: [Shannon Supanich](#)
Subject: [External]Save Cedar Creek!-Please :)
Date: Wednesday, November 12, 2025 1:20:01 PM

Hello,

I would like to start off by saying I hope you are having a great day.

My reason for writing this email is to express my concerns regarding the proposed plan to extract hundreds of millions of gallons of water from Cedar Creek and the local water supply over the coming years for a private water ski lake. As a resident of the Town of Cedarburg who lives near the creek and relies on a private well, I find this project deeply troubling.

I have learned that a local citizen with expertise in ecological impact has stated that this private ski lake could potentially deplete Cedar Creek within the City of Cedarburg. This expert estimates that natural evaporation for a 13.2-acre open water body at 75 degrees and 45% humidity is approximately 48,000 gallons per hour. Given that Cedar Creek's flow into Cedarburg can drop as low as 2 cubic feet per second, the entire low flow of the creek could be necessary to supply the proposed ski lake. While I am not an expert and I am stating only what I have read, this highlights the urgent need for further research to understand the potential impact on the Town of Cedarburg, its aquifer, and local residents' wells.

It is concerning that such crucial research is not a prerequisite for obtaining a permit for this pond. I respectfully urge (if they have not) the Town of Cedarburg and the Department of Natural Resources to intervene before this project advances. This is a non-partisan issue that requires the attention of our elected officials, who should prioritize the protection of our natural resources and the well-being of residents.

Thank you,
Shannon

Sara Jacoby

From: Paul Jungbauer
Sent: Thursday, November 13, 2025 3:25 PM
To: Sara Jacoby
Subject: FW: [External]Cedar Creek "pond" project

-----Original Message-----

From: Dawn Jermstad <dmresz21@aol.com>
Sent: Thursday, November 13, 2025 2:37 PM
To: Paul Jungbauer <pjungbauer@townofcedarburgwi.gov>
Subject: [External]Cedar Creek "pond" project

This has to be some kind of a joke right? Anyone who knows Cedar Creek knows the environmental impact will be devastating. Covered Bridge without any water below it would look pretty ridiculous. I want to voice my strong opposition to this families gross power grab from the whole communities right to enjoy this natural resource. This shouldn't be allowed by the counsel. This is just opening our community up to anyone being able to do these powers grabs with go arounds and creative rule bending. I hope they think carefully in the next week how it will devastate everyone in our town. Please share with the necessary people.

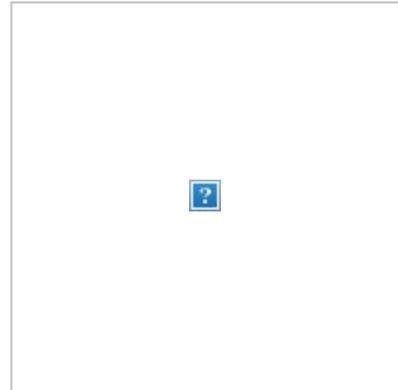
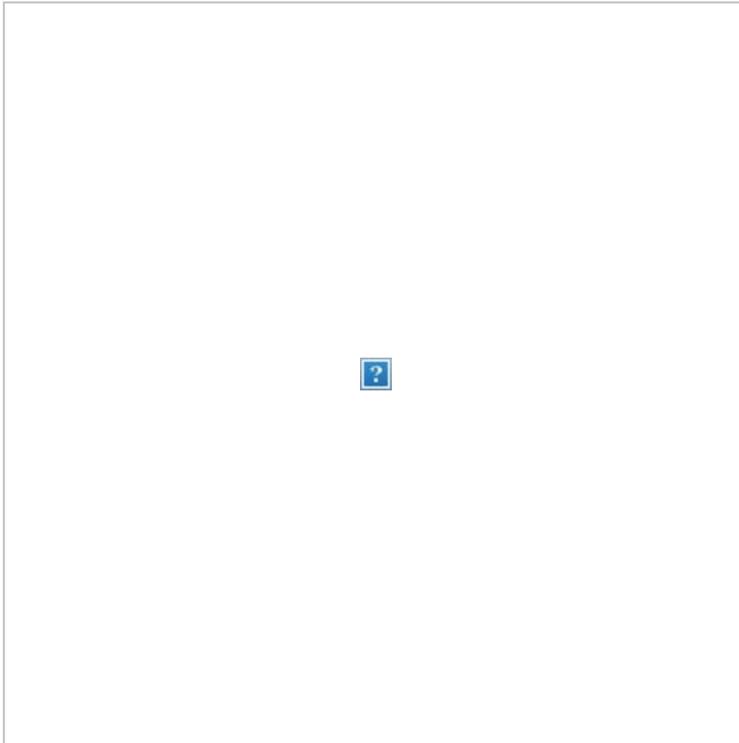
Thanks
Dawn Jermstad

From: [Peter Alex](#)
To: [Eric Ryer](#)
Subject: [External]Re: A Message from Chairman Salvaggio, Winter Parking Reminder, Upcoming Events
Date: Friday, November 14, 2025 4:34:14 PM

Please stop the water ski lake! As a creek land owner AND someone on the EPA cleanup Phase 2, I have signed the petition. This poses legal issues as a paying taxpayer and not to mention the terrible precedent this sets! Thank You

Pete Alex
427 Timbercrest Ct, Cedarburg, WI 53012
262-290-0651

On Fri, Nov 14, 2025 at 4:01 PM Town of Cedarburg <eryer-town.cedarburg.wi.us@shared1.ccsend.com> wrote:



A Message from Chairman Salvaggio

To the Residents of the Town of Cedarburg:

I have served on the Cedarburg Town Board for 26 years. Cedarburg is my home, which I hold in high regard. I have only the best intentions and goals for all of her citizens. I want to thank all of you for your continued support for me and the entire Board as we attempt to always consider what is in the best interest of our community.

I would like to address some concerns that have recently been brought to my attention. As you may know, I have been diagnosed with Parkinson's disease, an often misunderstood condition. While symptoms may vary from person to person, it is my voice and stiffness in

my legs that are my greatest challenge. However, my cognitive skills, reasoning, and decision making are unimpaired. With a great deal of determination and by the grace of God, I continue to fight for what is important to all of us, a thriving community. My focus is clear, my mission remains well defined, and my capabilities are strong.

I hope that you will exercise your understanding towards my condition and offer your support and trust in the man you have come to know over these last 26 years. It is my intent to appoint an appropriate Town Board Supervisor and Plan Commission Member to preside over and run future meetings and hearings so the public can clearly hear the agenda items, but plan on serving out the remainder of my term through April of 2027 as Town Board Chairperson. Thank you.

Chairman David Salvaggio



Winter Parking

The Town Public Works Department would like to remind drivers about winter road regulations in the Town of Cedarburg. From November 15 (Saturday) to March 31, there is no street parking allowed on any public roadway between the hours of 1:00 am and 7:00 am. The same is true if there is a snow emergency.

Upcoming Events

The following budget meetings begin at 6 pm on Nov 17th:

1. Special Town Board Meeting: Budget Public Hearing
2. Special Meeting of the Electors
3. Special Town Board: Budget Adoption

Plan Commission Meeting - Nov. 19th @ 7pm

[Click here for the meeting agenda webpage.](#)



TOWN OF CEDARBURG | 1293 WASHINGTON AVE | MON-FRI 8AM-4:30PM



Town of Cedarburg | 1293 Washington Avenue | Cedarburg, WI 53012 US

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From: [Cindy Barlo](#)
To: [wayne Pipkorn](#); [llechner@townofcedarburgwi.goc](#); [Thomas Esser](#); [Eric Ryer](#); [amonticelli@yownofcedarburg.gov](#); [Sara Jacoby](#); [Julie Mett](#); [Paul Jungbauer](#); [govpress@wisconsin.gov](#); [kelly.becker1@wisconsin.gov](#); [amanda.tomten1@wisconsin.gov](#); [britt.cudaback1@wisconsin.gov](#); [jenni.dye@wisconsin.gov](#); [maggie.gau@wisconsin.gov](#); [zach.madden@wisconsin.gov](#); [David Salvaggio](#)
Subject: [External]Fwd: SAVE CEDARBURG CREEK. SAVE OUR WATER
Date: Saturday, November 15, 2025 1:05:23 PM

Sent from my iPad

Subject: SAVE CEDARBURG CREEK. SAVE OUR WATER

>

> I would like to share my concerns for the Gauthier Lake Project that has been planned in The Town of Cedarburg, Ozaukee County.

>

> Millions of gallons of water will be taken from Cedar Creek and also the aquifer that provides water to the residents of Cedarburg to fill a 13 acre lake so 2 individuals can waterski on it.

>

> No independent environmental study has been done to evaluate the impact on the community, town or city of Cedarburg, and wildlife .

>

> Water will be drained from our resources to fill the lake and water will be permanently taken from the communities to keep the lake filled in perpetuity.

>

> What happens when homeowners wells dry up? Who pays for the \$52,000 to drill a new one? What happens to the fish and wildlife that currently inhabit the creek and surrounding areas? What happens to our beautiful town when disaster occurs? We will be left with the catastrophe and the 2 owners of the Gauthier Lake will still be waterskiing.

>

> I am blessed to have my home on Cedar Creek. I don't need a cabin up north because I can go sit at the river. The eagles, sandhill cranes and their chicks, blue herons and their colts, egrets, belted king fishers, pileated woodpeckers, song birds, muskrats, northern pike and deer depend on the river and I get to enjoy the stunning parade.

>

> The creek is also used for fishing, hunting and kayaking. Sometimes the water level is so low in the summertime that it necessitates portaging the kayak. Lowering the water level will impact this. What happens if there is contamination of the ski lake? What happens if there is a breach? What happens if we have a flood like the one we had in August with 10" of rain?

>

> Please consider the quality of life of the residents of this wonderful town and city and not just the personal needs of 2 people who like to waterski.

>

> Sincerely,

> Cynthia Barlo

> 1977 Blacksmith Rd

> Cedarburg, WI 53012

> 847-846-2847

> Sent from my iPad

From: [Kristine Ehrmann](#)
To: [Eric Ryer](#)
Subject: [External]Cedar Creek
Date: Saturday, November 15, 2025 9:13:50 AM

Although I'm not currently a Cedarburg resident, I was one for many years until I moved to Grafton. It's been reported that you have all have been working SECRETLY with an entitled, wealthy couple to ensure they get the approval for their mega pond.

You were ELECTED to work for ALL residents and to look out for their wellbeing. For this plan not to be made public sooner is UNACCEPTABLE!!! This is yet another example that money talks and why we should have no confidence in our government officials.

Perhaps you should do what you were elected to do. This isn't a good look for you and those who have been in on this for FOUR years. I'm sure you all thought no one would notice or care. Well, you were wrong and people are angry and are demanding answers. I hope you are held accountable. I'm sure the movement against this mega pond is probably much bigger than you ever expected and it's encouraging to see.

Do better. The residents you were elected to represent are speaking. Perhaps it's time you listen.

From: [Dave Butler](#)
To: [Eric Ryer](#)
Cc: [David Salvaggio](#); [Sara Jacoby](#)
Subject: [External]Strong Opposition to the Proposed Fake Lake Project
Date: Monday, November 17, 2025 12:04:36 PM

Hi Eric, all

I am sending this to you for inclusion in the upcoming planning committee meeting - I may not be able to attend in person but wanted my opinion known. This can be submitted as public comment.

I am writing to express my strong opposition to the proposed "lake" project. It is not, as it has been described, a mere pond—it is a *man-made lake* designed to serve as a recreational site, complete with power boating, water skiing, and jet skiing. These activities are not part of a tranquil, natural pond environment, which typically includes calm pursuits like canoeing, kayaking, and fishing from the shore. Ponds are peaceful, serene spaces that enhance the natural landscape; this so-called "lake" will bring noise, disruption, and commercial-style activity to a previously quiet area.

I am shocked that this proposal has not been outright rejected by the Town. However, since it is still being considered, I feel it is important to articulate the reasons why this project is a serious mistake for the residents of Cedarburg and the environment at large:

1. Location: A Disruption to Residential Peace

If nature had intended for a lake to exist in this location, it would have already formed one. There is no natural or environmental justification for creating a 13-acre lake on land that was not designed for such a feature. This is a quiet residential area, and people who have chosen to live here have done so with the expectation of a peaceful, rural lifestyle. The introduction of this artificial lake will disrupt the tranquility of the neighborhood, and the potential negative impact on surrounding property values is significant.

2. The Risk to Our Water Supply

The proposal calls for the extraction of millions of gallons of water from the local aquifer to fill this artificial lake. This is an incredibly risky and unsustainable move. All of us in The Town of Cedarburg rely on private wells for our water supply, and the creation of this fake lake poses a real threat to the local aquifer. If the aquifer's levels drop significantly, it could force residents to drill deeper wells at great expense—or worse, there may not be enough water left to support our homes. This is a risk that affects every single person in the town, not just those living near the proposed site. If the aquifer is drained and we are forced to pay for new wells, who will cover the cost? This is an issue that requires much more consideration before moving forward.

3. Diverting Cedar Creek: A Dangerous Environmental Gamble

Diverting Cedar Creek to support this project is a reckless and shortsighted decision. While the creek may seem harmless during times of high water flow, we all know that it can dry up

significantly during droughts. If the creek is diverted, it could cease to flow entirely during dry periods, turning it into a stagnant, muddy eyesore. This will not only harm the local wildlife that depend on the creek but will also destroy the surrounding ecosystem. Furthermore, the residents who live downstream from the diversion will face a substantial reduction in water flow, likely resulting in lower property values and potentially irreparable environmental damage.

4. The Real Question: Whose Interests Are Being Served?

Ultimately, this proposal raises a fundamental question: Should the wants of a private developer, Mr. Gauthier, and his company take precedence over the needs of the entire town? This project will significantly alter the landscape, harm the environment, and potentially cost residents both financially and in terms of quality of life—all to satisfy a personal vanity project. The creation of this fake lake is unnecessary and serves no purpose other than to benefit a select few at the expense of the broader community.

I urge the Town to reject this proposal outright. It is a bad decision for The Town of Cedarburg, and its long-term consequences will outweigh any short-term benefits.

Thank you for your time and attention to this matter. I trust the Town will make the right choice to protect the residents, the environment, and the future of The Town of Cedarburg.

Sincerely,

David Butler
1640 Fox Hollow Lane
Cedarburg, WI 53012

Sara Jacoby

From: Kevin Cahill <kevinpatrickcahill@gmail.com>
Sent: Monday, November 17, 2025 4:02 PM
To: David Salvaggio; wayne Pipkorn; Russ Lauer; Larry Lechner; Thomas Esser; mitch.wallace@wisconsin.gov
Cc: steven.little@wisconsin.gov; karen.hyun@wisconsin.gov; govpress@wisconsin.gov; Oscarcharlesjr@icloud.com; Suzanne Monroe; mike.curkov@gmail.com; jmurphy@cbs58.com; kelly.becker1@wisconsin.gov; amanda.tomten1@wisconsin.gov; britt.cudaback1@wisconsin.gov; jenni.dye@wisconsin.gov; maggie.gau@wisconsin.gov; zach.madden@wisconsin.gov; news@jrn.com; jsbiz@journalsentinel.com; fox6news@fox.com; disrar@cbs58.com; investigate@wisn.com; DLuhrssen@shepex.com; cdrosner@milwaukeeimag.com; Jbpape@mac.com; Buckheating@icloud.com; Ray Eugene; sdm@themklaw.com; Jkastenholz@wi.rr.com; tpua@goodkarmabrands.com; cindybarlo@yahoo.com; Eric Ryer; Adam Monticelli; Sara Jacoby; Julie Mett; Paul Jungbauer; pmortimer@safebuilt.com; molliras@gmail.com; nmwise@gmail.com; Louisa; alyneis@hotmail.com; gakrafty@wi.rr.com; Save Cedar Creek; Rianna Badem
Subject: [External]Re: Follow Up: Gauthier family's application to construct a 13.2-acre artificial pond in the Town of Cedarburg.

Dear Town Board & Mitch Wallace -

First, thanks Mitch for the call today. We were so pleased to receive your call and learn of the interest from the Governor's office.

My wife and I just met the Machata family that lives next door to the Gauthier family's land. They had contacted us regarding their concerns.

They shared some interesting information with us.

Of particular concern was the fact that they had attended a [Plan Committee Meeting on Nov 16th of 2022](#).

As you can see in the minutes here, **there were many concerns raised by the community about this project 3 years ago during "public comments"**.

What makes this so concerning, is what we were told at the [Nov 5th board meeting](#) was this was **not previously brought up for public discussion in the past.**

"Planner Barrows outlined the process for the public hearing and expectations for applicants. She then summarized the application and highlighted the fact that this was the first time that the application had made it to a public hearing before the Town Board. The public hearing was then opened."

While this may be partially accurate, it's also painfully misleading.

Obviously, this plan and discussions with the Town have been going on for at least 3 years. Mrs. Machata and her husband indicated it had been going on long before that. And yet, no one here in town seems to know about what is on the public record vs. what has happened behind closed doors for 3 years?

I'd like this added to the public record. I'd also like to request an audio or video recording of that hearing, as I don't believe the minutes are an exact reflection of what was said.

We plan to distribute this information to the 500,000 people who have visited our Facebook page in the last 9 days. We'd love any response you might have before we do so.

We would like to understand why 100's of citizens were misled at the last meeting and what exactly has been going on behind the scenes for 3 years in the Town of Cedarburg?

I encourage you to watch this video from two very concerned Town of Cedarburg Citizens, who have protected our land, animals and the spirit of our community

here: [https://link.edgepilot.com/s/cd0f2666/x-](https://link.edgepilot.com/s/cd0f2666/x-CF5UrrWEKKTAAaFifZjow?u=https://www.facebook.com/share/r/1NppfzvPdX/)

[CF5UrrWEKKTAAaFifZjow?u=https://www.facebook.com/share/r/1NppfzvPdX/](https://www.facebook.com/share/r/1NppfzvPdX/)

Stay tuned! We have dozens of videos that will be coming in the weeks ahead.

Videos about how the Machata property has already been compromised by Gauthier's project are both saddening and shocking.

Kevin Cahill
414.467.4626

On Thu, Nov 6, 2025 at 11:06 AM Kevin Cahill <kevinpatrickcahill@gmail.com> wrote:

Dear Members of the Cedarburg Town Board,

First, I want to sincerely thank you for your service, your time, and your patience during last night's public hearing. It was a long evening, and I appreciate the respectful attention you gave to the many citizens who spoke, **people who represent thousands more residents who love this town and want to see it preserved for future generations.**

I was one of the more passionate speakers, and I want to make clear that my emotion came not from disrespect, but from deep concern. Concern for my community, and frustration over attempts to **exclude members of our town from participating via Zoom.**

My energy came from love: love for my neighbors, for the town I call home, and for the values that make Cedarburg what it is.

My young son lives here, and we are the kind of neighbors who stop to help find a lost dog, fix a bike, or volunteer at local events, or check on our elderly neighbors to ensure they are safe and secure in difficult times.

And that's not to brag. That's the Cedarburg I know, a community of connection, generosity, and shared responsibility.

As I sat in the boardroom, surrounded by the art that celebrates our heritage, I was reminded of what

makes this town unique. **Cedarburg was built by farmers and craftsmen, people who believed in integrity, hard work, and fairness.**

When Jim and Sandy Paape helped secure our national historic designation for the city, they envisioned a part of our state that would hold onto its charm and character, **not one reshaped by private projects that consume public resources or alter our shared landscape.**

That's why the Gauthier project stands in stark contrast to our community's values and vision. **35 Gallons of water for a private lake, with an additional 17-20 M more required every year for the benefit of one person?** Pulled from Cedar Creek and our own well water supplies?

A development of 4 parcels with not a single house planned, except for a placeholder lot to meet the legal threshold? And the Michael and Stacey Gauthrie will not even live there?

Please review: [Application to construct](#) a 13.2-acre pond on parcels to be combined by a CSM and Joinder deed restriction agreement [Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]

That water consumption is 400x the use of a normal house in a single year. It's simply unfair, and poor precedent. And it affects not just Cedar Creek, but the Milwaukee River and all connected ecosystems. **No one can predict the future consequences of dry wells, lower water levels or flooding, but we can prevent the risk by stopping the project.**

What shocked me most were the comments made by the lead engineer representing the Gauthiers and, frankly, the tone from some members of your staff.

The engineer openly stated that the project had been “maneuvered” in every way possible to avoid any violations that could stop it.

He even acknowledged gray areas in residency laws with a wink.

Most troubling was his suggestion that there was a “snowball's chance in hell” this project wouldn't be sent back to the planning committee, not because it deserved further scrutiny but **because your team simply needed to “check the boxes” to show the community that you meet procedural requirements.**

That statement deeply concerns me. It suggests the process may be treated as a formality rather than a true public review.

So I only have 3 questions for you:

1. Does the Board have the authority to block this project in the name of public interest? It's clear from last night's meeting that this proposal does not have community support.

2. Does our collective voice matter, or are your hands tied by legal or policy constraints?

3. If the law protects the Gauthries rights for millions of gallons of public water, can the town create new policy to block this disproportionate use of resources to prevent precedent?

4. If your hands are tied, **what recourse do we have as citizens to work with the Town to change these laws or policies?** (Our community will be getting legal console on this, but we would rather work through this a community than a courtroom)

We are ready to participate, organize, and collaborate to ensure that future projects reflect the will of the people and the character of Cedarburg.

Two years ago, I was denied permission to build a second garage because the structure would have encroached on the property line by about two feet. I accepted that decision because I respect my neighbors' rights and the town's standards.

That same respect for fairness is all we ask to see reflected now.

This proposed development, drawing tens of millions of gallons of water for private use, does not align with our town's desires, our shared resources, or our collective sense of responsibility.

Cedarburg is a community of small neighborhoods, not estates built on the overuse of public resources.

Frankly, I left the meeting feeling that the Board has little power to intervene, that the town engineers involved are effectively working on behalf of the Gauthiers, and that our town attorney is either distracted or disengaged.

That perception damages public trust.

I welcome continued civil discourse on this issue. As a tax-paying member of this community, I believe residents should have had an opportunity to respond to the new information introduced during the Gauthier rebuttal.

Instead, it appeared the administrative priority was to end the meeting, rather than ensure every voice was heard in light of new testimony from the petitioner.

I urge this Board to restore confidence by reaffirming its commitment to transparency, fairness, and community input.

I'm limited on time this morning, but I have heard from literally hundreds of people via social media, text and phone who share my concerns. I wish I had time to copy them all on this email, but I hope my friends in the media will help get this message out to the world.

The people of Cedarburg deserve to know that our leaders are guided not just by what is legally permissible, but by what is right for the town we all share.

I look forward to your response.

In the meantime, this [press release](#) will be distributed to up to 100,000 media sources, including, AP News, Benzinga, and hundreds of NBC, FOX, ABC, and CBS affiliate sites across the US. This is simply to raise awareness of our communities shared experience last night.

Respectfully,
Kevin Cahill

414.467.4626

2029 Blacksmith Rd
Cedarburg, Wisconsin Resident

--
Kevin

From: [John Kastenhilz](mailto:John.Kastenhilz@wisconsin.gov)
To: DNRAdministrator@wisconsin.gov; eversinfo@wisconsin.gov; [David Salvaggio](mailto:David.Salvaggio@wisconsin.gov); [Russ Lauer](mailto:Russ.Lauer@wisconsin.gov); [Larry Lechner](mailto:Larry.Lechner@wisconsin.gov); [Eric Ryer](mailto:Eric.Ryer@wisconsin.gov); [Adam Monticelli](mailto:Adam.Monticelli@wisconsin.gov); [Sara Jacoby](mailto:Sara.Jacoby@wisconsin.gov); [Julie Mett](mailto:Julie.Mett@wisconsin.gov); [Paul Jungbauer](mailto:Paul.Jungbauer@wisconsin.gov); [Russ Lauer](mailto:Russ.Lauer@wisconsin.gov); [Thomas Esser](mailto:Thomas.Esser@wisconsin.gov); [wayne Pipkorn](mailto:wayne.Pipkorn@wisconsin.gov); dborgwardt@townofcedarburgwi.gov; andea.stern@wisconsin.gov
Cc: [Kevin Cahill](mailto:Kevin.Cahill@wisconsin.gov); mkastenhilz2011@gmail.com
Subject: [External]Cedar Creek - Town of Cedarburg
Date: Monday, November 17, 2025 5:09:20 PM

Cedarburg-DNR-State Government

Please take some time and seriously review and reject the plan to construct a 13.2-acre pond/lake in the town of Cedarburg from proposal petitioner Michael and Stacy Gauthier. This will have a devastating impact on the future of Cedar Creek and local water supply not only locally but downstream as it connects to the Milwaukee river and on to lake Michigan. The plan to fill a 35-million-gallon lake with water coming from Cedar Creek and the aquifer with annual maintenance of another 15-20 million gallons per year for a private lake is simply appalling. Even as I type this it sounds ridiculous and allowing something like this is setting a dangerous precedent. Anyone with lots of disposable funds can puzzle together connecting properties to border the creek and make their own lake. It's a competition of the tycoons, this one is 13.2 acres, and the next one is 20 acres. Our local water is a precious resource for all to enjoy the benefits and household use.

I'm truly not against a pond, but what the Gauthier's are trying to do is not a pond. This is purely a manipulation of the current permit and applications laws. The Town of Cedarburg requirements are outdated stating that a pond must not be more than 10% of total lot size. The Gauthier's just kept buying up lots to cobble together the connected 132 acers to meet the size of land needed to meet the requirements of the Town and of the size they needed to create their own ski-lake. These Town requirements were made at a time when the "thought" of a pond was for agricultural, stormwater, wildlife, or landscape. Who would have thought someone would want to build their own private ski lake and pillage the water resources from the surrounding neighbors and community when Wisconsin has many lakes to enjoy.

As we see other parts of the country and world battle water supply issues there is no good reason to give one family hundreds of millions of gallons of water over the years simply for a private ski lake. Allowing something like this breaks every facet of nature; its physical beauty, its spiritual and philosophical significance, its ecological function, and the human relationship with it. Cedarburg and the surrounding communities thrive on the peaceful and scenic nature that it offers everyone to enjoy, not just one family. The need for environmental stewardship is essential to ensure this creek flows for the generations to come.

I hope the State of Wisconsin, the DNR and the Town of Cedarburg can also see that approving this proposal has no benefit to the community and surrounding area of the Town of Cedarburg. Please REJECT.

Thank you for taking the time to read and analyze this serious situation.

John Kastenholz

Sent from my iPhone

Sara Jacoby

From: Adam Monticelli
Sent: Tuesday, November 18, 2025 11:42 AM
To: Sara Jacoby
Subject: Fwd: [External]Morning Visit (Ditch) & added Comments on Recent Pond News Graphic Article
Attachments: FSBurrowingAnimals.pdf

FYI
Specific comments ref the Gauthier pond for your records.

Thanks

Adam Monticelli
Director of Public Works
Town of Cedarburg
Phone: [262-377-4509](tel:262-377-4509)
Web: www.townofcedarburgwi.gov

RECORD UPDATE: The Town of Cedarburg has transitioned to a .GOV email suffix. Please update your records for my email to amonticelli@townofcedarburgwi.gov

The Town website has also changed to www.townofcedarburgwi.gov (from www.town.cedarburg.wi.us)

Begin forwarded message:

From: David Flowers <flowersda15@gmail.com>
Date: November 18, 2025 at 11:18:24 AM CST
To: Adam Monticelli <amonticelli@townofcedarburgwi.gov>
Subject: [External]Morning Visit (Ditch) & added Comments on Recent Pond News Graphic Article

Adam:

I again want to thank you and your staff for allowing me to maintain the native grasses & flowers I have grown in the ditch. I also commend you for taking the effort to visit my home and bring your concerns to my attention. I take them

seriously and if I do not meet your expectations, I do understand that you will have staff mow the ditch in the fall.

After you left I thought of an observation I made about the recent article on the pond that has concerned neighbors. In my past, I designed repairs for private dams in Ozaukee County and discovered that failures are not uncommon from woodchucks and especially muskrats. The pond appears to have an elevated berm around the existing ground elevation. I would expect that the engineer has taken this into consideration. There is substantial acre feet of water in the finished pond, thus my reason for sharing my thoughts with you. I attached an article from the State.

Thanks again Adam!

Sincerely,
Dave

Dave Flowers, P.E. (Retired) KD9JYL

Volunteer:

Ozaukee County, WI - Amateur Radio Emergency Service

American Red Cross - WI - Southeast Chapter

- Government Operations Lead

- dave.flowers@redcross.org

668 Martin Dr.

Cedarburg, WI 53012

(C): 414-791-6030



Dam Safety Fact Sheet

Burrowing Animals and Dams

STATE OF WISCONSIN • DEPARTMENT OF NATURAL RESOURCES • BUREAU OF WATERSHED MANAGEMENT

Rodents such as beavers, groundhogs, and muskrats are naturally attracted to areas of ponded water such as dams and reservoirs. Earth dams are most susceptible to the problems caused by these rodents. The burrowing nature of these animals can be quite dangerous to the structural integrity and performance of a dam. The tunnels these rodents construct can serve as pathways for seepage. It is essential that these animals and their activities be controlled to insure proper functioning of a dam.

Beaver

Beavers will instinctively try to block spillways and intake structures. Such actions can raise the water level in a reservoir, reduce the spillway discharge capacity, or produce sudden high outflows from the dam should the beaver structure suddenly fail. Beaver activity upstream of a dam may reduce or even halt the flow of water to the dam. Upstream beaver dams can also generate large quantities of floating debris that can clog a dam's intake and outlet structures. Beaver activity downstream can raise the tailwater elevation, which in turn can reduce the discharge from the dam or erode the downstream toe of the dam. Beavers have also been known to burrow into the upstream face of embankment dams, below the waterline.



- Beaver lodge

Periodic maintenance is the most basic way to insure against the adverse effects of floating beaver debris. Periodic maintenance may also discourage subsequent beaver activity in the general vicinity of the dam.

Groundhog

Groundhogs (woodchucks) burrow into the downstream face of a dam. Their burrows are usually a network of tunnels and chambers with multiple entrances. Groundhogs excavate above the phreatic surface (upper surface of seepage or saturation) in order to stay dry. Active groundhog burrows can be easily identified by mounds of fresh dirt located at the burrow entrances. Other telltale signs of groundhog activity are paths connecting the burrow to nearby fields and clawed or girdled trees and shrubs.

Groundhogs can be discouraged from inhabiting an embankment if the vegetation cover, which camouflages them from predators, is properly maintained.

Muskrat

Muskrats burrow into a dam's upstream face. Their burrows begin from 6 to 18 inches below the water surface and penetrate the embankment on an upwards slant. A dry chamber is constructed up to 15 feet from the entrance. If the water level of the dam rises, the muskrat will dig higher into the embankment in order to excavate a new dry chamber. Muskrat habitation can be discouraged by eliminating vegetation in and along the shoreline. A properly constructed riprap and sand/gravel filter, extending at least 3 feet below the water surface, may also discourage muskrat activity.



- Muskrat burrow

Eliminating a Burrow

The backfilling of burrows is a relatively easy and inexpensive way to insure proper operation of a dam. Dens should be eliminated immediately because damage from just one hole can lead to failure of the dam. The burrow should be excavated to eliminate all voids. The backfill should be placed in 4 inch to 6 inch loose lifts and well compacted by a heavy hand or mechanical tamper. The top surface of each compacted lift should be scarified (loosed to a depth of 1 inch to 2 inches) before the next lift of material is placed. After all voids and entrances are backfilled, vegetation should be reestablished.

Hunting and Trapping Regulations

Under Wisconsin law, the control or extermination of beaver, groundhog, or muskrat is subject to certain restrictions. Prior to taking any action against these rodents, the dam owner/operator is advised to contact the local wildlife conservation officer or the wildlife manager the local office of the Wisconsin Department of Natural Resources.

For more information on dam safety either go to the [WDNR Dam Safety Program](http://dnr.wi.gov/topic/dams/) website: <http://dnr.wi.gov/topic/dams/> or write to:

Department of Natural Resources
Dam Safety Program, WT/3
101 South Webster Street
P. O. Box 7921
Madison, WI 53707-7921
Email: damsafety@wisconsin.gov

Sara Jacoby

From: Eric Ryer
Sent: Thursday, November 20, 2025 1:48 PM
To: Sara Jacoby
Subject: Save Cedar Creek

From: Save Cedar Creek <cedarcreeksave@gmail.com>
Sent: Thursday, November 20, 2025 1:00 PM
To: Eric Ryer <eryer@townofcedarburgwi.gov>
Cc: Cole, Sally <Sally.Cole@mail.house.gov>; Thompson, Michael C - DNR <michaelc.thompson@wisconsin.gov>; Rep.Melotik <Rep.Melotik@legis.wisconsin.gov>; CityHall@cityofcedarburg.wi.gov; Sen.HabushSinykin <Sen.HabushSinykin@legis.wisconsin.gov>; jrc4 <jrc4@chorus.net>; Brad M. Hoeft (bhoeft@wislawfirm.com) <bhoeft@wislawfirm.com>; Hartjes, Troy <troy.hartjes@rasmith.com>; Adam Monticelli <amonticelli@townofcedarburgwi.gov>; Sara Jacoby <sjacoby@townofcedarburgwi.gov>; Amy Barrows <abplanningzoning@gmail.com>; Wallace, Mitch - GOV <mitch.wallace@wisconsin.gov>; debdassow@gmail.com
Subject: [External]Re: Save Cedar Creek

Thanks for that update Eric. You're going to see dozens of more pictures on our Facebook page today.

I'm getting a steady stream of emails from people in the community

<https://link.edgepilot.com/s/11051c4e/c1eddhbDTEyY2NKxYHtXQw?u=https://www.facebook.com/share/17UaxTa7Hr/?mibextid=wwXlfr>

Many of the older people in our community simply don't have Facebook or know how to use it so we're trying to post for them as we can.

I'd consider this Facebook page a resource to ensure you get a full picture of the impact.

I just checked my email after a one hour meeting and I have five more emails about this topic with more images.

Everyone on this creek is well aware of the eagle population.

Kevin

On Thu, Nov 20, 2025 at 12:13 PM Eric Ryer <eryer@townofcedarburgwi.gov> wrote:

All,

This is being forwarded to Michael Thompson at DNR so he is aware.

Thank you.

Eric Ryer

Administrator

Town of Cedarburg

Phone: 262-377-4509

Web:

<https://link.edgepilot.com/s/20b52950/2TYGIMuXc0qz944g7wFnlw?u=http://www.townofcedarburgwi.gov/>



From: Save Cedar Creek <cedarcreeksave@gmail.com>

Sent: Thursday, November 20, 2025 11:24 AM

To: Cole, Sally <Sally.Cole@mail.house.gov>

Cc: Rep.Melotik <Rep.Melotik@legis.wisconsin.gov>; Eric Ryer <eryer@townofcedarburgwi.gov>; CityHall@cityofcedarburg.wi.gov; Sen.HabushSinykin <Sen.HabushSinykin@legis.wisconsin.gov>; jrc4 <jrc4@chorus.net>

Subject: [External]Re: Save Cedar Creek

Thank you for the feedback Sally.

Please be aware that we are gonna post about 20 pictures today of Eagles eating and living on cedar Creek.

Our interpretation of the law is that the river should not be diverted if it's a habitat for a bald eagle.

Thank you for your assistance and raising awareness on this issue.

Kevin Cahill

414-467-4626

This is a picture of two juvenile ball eagles, feasting next to the river at the historic covered bridge farm, which is directly adjacent to the lake project property



On Thu, Nov 20, 2025 at 10:59 AM Cole, Sally <Sally.Cole@mail.house.gov> wrote:

Kevin –

Our office has reached out to the US Army Corps of Engineers to determine whether any federal implications exist. We await further guidance.

Sally

Sally Cole

District Director

Office of Congressman Glenn Grothman (WI-06)

(O) 920-907-0624

From: Sen.HabushSinykin <Sen.HabushSinykin@legis.wisconsin.gov>
Sent: Wednesday, November 19, 2025 5:12 PM
To: Save Cedar Creek <cedarcreeksave@gmail.com>; CityHall@cityofcedarburg.wi.gov
Cc: Sen.HabushSinykin <Sen.HabushSinykin@legis.wisconsin.gov>; Rep.Melotik <Rep.Melotik@legis.wisconsin.gov>; Cole, Sally <Sally.Cole@mail.house.gov>; eryer@townofcedarburgwi.gov
Subject: RE: Save Cedar Creek

Kevin,

Thanks again for sharing this information. Our office is in touch with DNR about their authority on this issue and we will be following up shortly.

Robby

Robert Abrahamian

Chief of Staff

State Senator Jodi Habush Sinykin | 8th District

Robert.abrahamian@legis.wisconsin.gov

Cell: 414-534-0424 | Office: 608-266-5830

Sign up for the e-newsletter:

<https://link.edgepilot.com/s/0cf71fff/z0btjL18v0uU1OWvdh8JGg?u=https://mailchi.mp/legis.wi.gov/senator-habushsinykin-eneewsletter>

The logo for Jodi S. features the name "Jodi" in a large, flowing, yellow script font. To the right of "Jodi" is a blue square containing a white plus sign. Below "Jodi" is the letter "S" in a blue, sans-serif font. A thick, light blue horizontal brushstroke underline is positioned below the "Jodi" text.

MILWAUKEE | OZAUKE

From: Save Cedar Creek <cedarcreeksave@gmail.com>

Sent: Wednesday, November 12, 2025 1:16 PM

To: CityHall@cityofcedarburg.wi.gov

Cc: Sen.HabushSinykin <Sen.HabushSinykin@legis.wisconsin.gov>; Save Cedar Creek <cedarcreeksave@gmail.com>; Rep.Melotik <Rep.Melotik@legis.wisconsin.gov>;

Sally.Cole@mail.house.gov; eryer@townofcedarburgwi.gov

Subject: Save Cedar Creek

Dear City of Cedarburg,

Here is a summary of the potential ecological implications of the Gauthier Ski Lake project in the Town of Cedarburg.

This document was created using local expert input and 3rd party data from the web. We are limited on time, so we are doing the best we can to provide accurate information for your review.

This data does not align with what we learned at the Town Board Meeting in Cedarburg last week. And it suggests a great impact to the Town of Cedarburg, Cedarburg and unknown effects on connected waterways, including the Milwaukee River and Lake Michigan.

[Click here for the file.](#)

Given the timeline of this project's potential approval, this would require independent validation, but the information here is alarming.

Kindly,

Kevin Cahill - Town of Cedarburg Resident

Save Cedar Creek

Sara Jacoby

From: Eric Ryer
Sent: Thursday, November 20, 2025 10:10 AM
To: Sara Jacoby
Subject: Feedback via the Town of Cedarburg - Contact Us Form [#865]

From: burst@emailmeform.com <burst@emailmeform.com>
Sent: Thursday, November 20, 2025 10:01 AM

Name*: Kristine Ehrmann

Email*: Kristine.ehrmann@gmail.com

Contact Number*: 2628253249

Subject*: 53024

Message*: I'm DISGUSTED to learn of your secret meetings for YEARS with an entitled, rich couple to get the pond of their dreams. There was absolutely NO consideration at ALL for those it would affect. Perhaps you got a pay out for your support of this plan and at this point I wouldn't be surprised. SOMEONE should be held ACCOUNTABLE and be terminated. The tax payers deserve better. Well, your little secret meetings aren't a secret anymore and now THOUSANDS are aware of the truth which include our elected officials all the way up to the Governor. It's beyond disgusting! I hope when all this is said and done there will be an investigation to uncover just how CORRUPT you are! Job well done!

Visitor IP: 2603:6000:e941:42dc:4c59:98e8:d942:564e

Sara Jacoby

From: Eric Ryer
Sent: Tuesday, November 25, 2025 3:06 PM
To: Sara Jacoby
Subject: Feedback via the Town of Cedarburg - Contact Us Form [#867]

Name*: Dean Richard Krueger

Email*: deankrueger25@gmail.com

**Contact
Number*:** 4142483849

Subject*: Proposed manmade lake-pond

Message*: I was out of town unable to attend the Nov, 5th meeting regarding the board meeting. I wish to make known my strong objection to this project. Diverting so much water for one individual property is very objectionable and on its face environmentally unacceptable.

Visitor IP: 2603:6000:8c08:a054:d886:cae:f409:71c6

Sara Jacoby

From: Tim Hoven <tim@hovenconsulting.com>
Sent: Monday, December 1, 2025 12:06 PM
To: Eric Ryer
Cc: Hartjes, Troy; Amy Barrows; Brad M. Hoeft; Sara Jacoby; Adam Monticelli
Subject: [External]RE: [External]Ski-Recreation LAKE APPLICATION

Hi Eric,

I hope everyone had a wonderful Thanksgiving!

Over the holiday, I reviewed all of the town documents that were available on-line relating to the application for the Gauthier's recreational lake. I had a few questions that I hope you or your team can answer or provide additional information.

I found the raSmith documents (August 13 & October 9) helpful in understanding the key issues and the applicant and raSmith responses in the Q & A format. Is there an updated document that combines both the August 13 & October 9 memos and any updated information since the last meeting into one document? I believe this would be helpful to have one complete document, so that the public could track and understand the status of the discussions between the town and the applicant.

As it relates to both raSmith documents (August 13 & October 9) that I have a few questions that I would be happy to discuss with you or your team. I have highlighted my questions as well as request for documents. I appreciate in advance your assistance.

August 13, 2025 RaSmith Memo.

Item #19. *Given the size of the site and the variation between the apparently observed water table and the measured water table, four additional monitoring wells at various locations (but a minimum of one upstream and one downstream of the pond) are recommended to understand groundwater flow direction and depth over the property. The monitoring wells are recommended to be monitored following construction to identify impacts resulting from construction of the recreational lake and infiltration structures. a. Upon completion and after year 2 the monitoring wells shall be reviewed and results provided to the Town. b. If adjacent residents complain of any well issues or concerns, the monitoring wells should be tested and results provided to the Town. It is suggested that the owner be liable to address future well concerns, both short term and long term impacts.*

Applicant Response: Well monitoring - Not Applicable, Owner is using a low capacity well.

raSmith Response: Provide existing groundwater elevations before and after the filling of the pond and monitor the elevations during construction to provide well information if requested to prove surrounding wells are not affected by pump.

Since the applicant is not going to utilize a high capacity, has the town based considered requiring the applicant adding a deed restriction that there will never be a high capacity well at this property?

Item #20. *How is the proposed well controlled once the pond is completed and the permanent water elevations are maintained. Is there a high and low water elevation for the pumps to engage? Provide information on the pump analysis and layout of this pump and system.*

Applicant Response: Pond well control – Comment addressed in Supplementary Design Report.

raSmith Response: Provide a more detailed explanation of when the diversion will be removed and how the pond will be filled during dry conditions in the summer due to evaporation. The maintenance agreement should include language of how Page 6 / August 13, 2025 the pond will be filled and maintained and that the well will not operate more than 60 GPM at any time. This should be stated within the maintenance agreement.

I understand at this time, the well used to fill the lake will not operate more than 60 GPM which equates to 86,400 thousand of gallons a day.

Is there a limit on how often or consecutive days the well pump can run to fill the lake?

I could not find a proposed maintenance agreement that is referenced above. Could you send me an updated copy?

Item #21. *Provide a detailed plan of the pond filling. a. Where are the pipe and pump locations between the creek and the pond? b. Where is the erosion control for this endeavor? c. Where is the electrical system to control this pump? Is an electrical permit required? d. How quickly will the water surface elevation rise during initial filling. e. Upon completion of the initial pond filling, what is the plan to abandon the diversion pump from Cedar Creek. This should be shown and called out on the plan.*

Applicant Response: Detail of pond filling – Comment addressed, added to Pond Plan page 4

raSmith Response: A detail of the creek water diversion (intake pipe assembly) was provided, and it will be up to the applicant to make sure this works and operates as designed. However, we did not see any explanation of how this will be abandoned after construction. I assume it will just be removed, or will this remain? Is this how the pond elevation will be maintained, or will this be through the newly installed well (assume that is the case), but please confirm. Upon the well being installed and tested, and the intake pipe assembly installed, we ask that the applicant inform the Town that this operation is working properly and provide updates of when the pond has been filled.

How many gallons of water is the applicant proposing diverting from Cedar Creek and is this a one time event?

Will this pipe remain in Cedar Creek after the initiate diverting to fill the lake

Miller engineering states on August 6, 2025, “the well will be operated so that it doesn’t affect any of the existing residential well logs in the area” What **Guarantee** did they or the applicant provide to the town to support that claim?

Item #25. *A plan for the long-term maintenance and monitoring of the perimeter embankment should be submitted for review. This should be included in a required stormwater pond maintenance agreement. a. No woody vegetation shall be placed on the downhill slopes of the pond. Remove a minimum of 6 in. of*

the parent material (including all vegetation, stumps, etc.) beneath the proposed base of the embankment. b. Every 5 years the pond shall be inspected for slopes, seepages and vegetation on the downstream slopes (need to confirm the downstream slopes do not have trees taking growth). A third-party engineer, paid for by the owner, and submitted to the Town Engineer shall provide periodic inspections and review testing performed by the Owner's onsite geotechnical engineer. The applicant is responsible for costs related to the Town Engineer's review time. c. The plan should address vegetation management, verification of freeboard around the perimeter of the embankment, evaluation for animal burrows, evaluation for erosion on the inboard or outboard faces of the embankment and repair plans if maintenance is required. d. The agreement should require the owner to be responsible for these reviews but allow the Town on-site to review and/or prepare the inspections and assess costs back to the owner, if not completed per the maintenance agreement. Applicant Response: Comment addressed. Pond design has been refined and updated to include a seepage analysis, slope stability analysis. It is designed to exceed USACE Levee standards, added core trench as requested, revised to 8" lifts as requested, added a spillway, calculated that the pond has the ability to withstand 100+ year storm event, provided wave/erosion study, and a downstream study. This is a thoroughly designed pond that exceeds accepted factors of safety by 4x's. Owner will conduct annual inspections/maintenance of pond.

raSmith Response: A maintenance agreement will be required to ensure pond is maintained per the design parameters and annual inspections are completed. The maintenance agreement should include language of how the pond will be filled and that the well will not operate more than 60 GPM. This was requested previously with examples provided of other pond maintenance agreements needed with other pond applications.

I could not find a proposed maintenance agreement that is referenced above. Could you send me a copy?

October 9, 2025 RaSmith Memo.

Item #11. Maintenance Agreement Requested:

Applicant Response: The owner, via their attorney, will be providing a long-term maintenance agreement appropriate for the subject pond. The content of any maintenance agreement will appropriately be distinct from the example storm water maintenance agreements that have been provided by the Town because those facilities have very different functions of public concern and municipal storm water permit compliance.

raSmith Response: The maintenance agreement was provided and some edits recommended. See separate mark-up of maintenance agreement (sent separately by others).

I could not find a proposed maintenance agreement that is referenced above. Could you send me a copy?

Item #17. Wave and Wake Erosion Potential:

Applicant Response: No Response. raSmith Response: This technical aspect of this item was addressed, but we requested this item be added to the maintenance agreement. It was noted in our edited response. See separate mark-up of maintenance agreement (sent separately by others).

Depending on the type of activity including wake and ski boats could have ramifications on the amount of water displaced and require well water pumped from the aquifer and water directed from Cedar Creek.

Item #19. Pond Water Supply and Well Monitoring:

Applicant Response: The recent Memorandum requests a “statement of intent to withdraw the allowable amount of water from the creek for the main water source with additional water being supplemented by a well”. This conflicts with the Plan Commission’s voiced concern about drawing any water from the creek. If that is no longer a concern of theirs, the amount of water withdrawn from the creek could be doubled from what we previously proposed by “registering” that withdrawal with DNR. This could limit the rate of well withdrawal for pond supply to just 35 gpm, which is half the rate that a landowner has unilateral right to do under state law regardless of the purpose, and would be equivalent to what common residential development of the Gauthier’s land would withdrawal on a long-term basis from the bedrock aquifer.

raSmith Response: As stated with the latest review, proceed with utilizing the creek as the main source of not only filling the pond, but also maintaining the pond Page 4 / October 9, 2025 water elevation. Provide plans/updates/means and methods of how you will proceed with this and limit the well supply to 35 gpm.

raSmith response indicates they are recommending using the Cedar Creek as the main source of both of filling and maintain the pond. Is this most updates response on this section?

Is there a cap on how often or consecutive days the pump can run to divert water from Cedar Creek and what time of the year to avoid flow disruption down stream?

How many gallons of water is the applicant planning on diverting from Cedar Creek based on this memo?

Does raSmith have data that diverting 35gpm/ 43,200 gallon a day will affect the flow to down stream riparian landowners and the community?

Item #25. Maintenance Agreement:

Applicant Response: No Response.

raSmith Response: This comment requested items to be added within the maintenance agreement to address maintaining the pond water level. See mark-up of maintenance agreement (provided by others).

There are just a couple remaining items to provide on an updated plan or final report to address the engineering comments and provide reasonable reassurance to protect the town and the surrounding residents. These will hopefully be addressed before the next plan commission meeting, and with these items completed, or agreed upon, a conditional approval will be recommended for engineering. All plans will need to be submitted to Ozaukee County for review as well. I did see correspondence from the DNR as well for the NOI, but believe the actual permit is still coming. If received, this should be submitted as well. The CSM application and rezoning, if any approvals are given, should be conditioned upon any pond application approval. If you have any questions or comments, please contact me at (262) 317-3305 or by email at troy.hartjes@rasmith.com.

I have not seen any communication from the DNR in the packet of information or online that is referenced. Could you please send communications from the DNR on this subject?

October 15, 2025 TOWN OF CEDARBURG PLAN COMMISSION MINUTES

#4c Pond:

1. Pond construction shall not commence until the conditions of rezoning and CSM are complied with.

October 15, 2025

2. All conditions of the Town's engineer comments dated October 9, 2025 shall be met prior to the Town Board approving the pond and all permits issued prior to commencing any construction on the pond.

3. A Maintenance Agreement shall be reviewed and approved by Staff and submitted to the Town Board for final approval. The Maintenance Agreement shall be recorded with the Ozaukee County Register of Deeds prior to construction.

4. Other Review Authority Permits: The applicant shall submit a copy of all approvals from Ozaukee County, DNR, and ACOE, if applicable, prior to commencing any construction.

Documentation shall be provided that these approvals are based on the final plan sets approved by the Town

I would suggest the following as relates to item # 4. "Other Review Authority Permits: The applicant shall submit a copy of all approvals from Ozaukee County, DNR, and ACOE, if applicable, prior to approval from the town board and commencing any construction. Documentation shall be provided that these approvals are based on the final plan sets approved by the Town

Again, I would be happy to have a conversation to seek the questions that I have highlighted above.

Thank you gain for your assistance.

Sincerely,

Tim Hoven
1654 Robin Court
Grafton, WI 53024

From: Eric Ryer <eryer@townofcedarburgwi.gov>

Sent: Wednesday, November 19, 2025 8:37 AM

To: Tim Hoven <tim@hovenconsulting.com>

Cc: Hartjes, Troy <troy.hartjes@rasmith.com>; Amy Barrows <abplanningzoning@gmail.com>; Brad M. Hoeft (bhoeft@wislawfirm.com) <bhoeft@wislawfirm.com>; Sara Jacoby <sjacoby@townofcedarburgwi.gov>; Adam Monticelli <amonticelli@townofcedarburgwi.gov>

Subject: RE: [External]Ski-LAKE APPLICATION

Good Morning Tim,

Thanks for reaching out.

From what I understand our Engineer has already requested DNR presence at the meeting, and their staff is working to determine if they will attend.

I am copying our team here so they are aware of your input.

Eric Ryer

Administrator

Town of Cedarburg

Phone: 262-377-4509

Web: https://link.edgepilot.com/s/9af88b92/9H6ml0D_6kKaVp6L0MuG4g?u=http://www.townofcedarburgwi.gov/



From: Tim Hoven <tim@hovenconsulting.com>

Sent: Wednesday, November 19, 2025 8:27 AM

To: Eric Ryer <eryer@townofcedarburgwi.gov>

Subject: [External]Ski-LAKE APPLICATION

HI ERIC,

PER OUR CONVERSATION YESTERDAY, YOU MAY WANT TO CONSIDER INVITING THE DNR TO THE NEXT MEETING OF THE BOARD ON THE GAUTHIERS SKI LAKE PROPOSAL. I SPOKE TO MIKE THE OTHER DAY AND HE IS VERY AWARE OF THE SITUATION. I AM CERTAIN THEY COULD PROVIDE ADDITIONAL INFORMATION ON PERMITS OR RULES RELATING TO APPLICANT REQUEST. PLEASE FIND ATTACHED HIS CONTACT INFORMATION

SINCERELY,

TIM HOVEN

SOUTHEASTERN WISCONSIN DNR



Mike Thompson

Mike Thompson [Contact Email](#)

Phone: (414) 303-3408

Workstation: Milwaukee Service Center

Counties served: Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha.

Mike Thompson was appointed southeast director on Jan. 3, 2022. Mike most recently served as the department's waterways program director for statewide dam and floodplain safety, Great Lakes

coastal erosion, piers, dredging and other public trust, wetlands and shoreland zoning matters. As a DNR employee since 1992, Mike has worked as a remediation and redevelopment program contaminated soil and groundwater hydrogeologist, spill emergency response coordinator and an environmental analysis field supervisor. He also has experience in complex transportation, utility and environmental impact statement projects in southeast, south-central and northeast Wisconsin.

Mike has a degree in geology and geophysics from UW-Madison and is a Wisconsin Army National Guard commissioned officer veteran.

Town of Cedarburg
Attn: Adam Monticelli, Director of Public Works
1293 Washington Avenue
Cedarburg WI53012

3 December 2025

Re: Changes to adjacent Gauthier property and potential impacts on historic barns

Dear Director Monticelli,

We are sharing BEFORE and AFTER photos of the Gauthier parcel located East immediately uphill from our property which we have owned since 15 December 2014. We discovered several old signs depicting "Covered Bridge Farm" in the barn. One barn has the inscription WH 1896 on the stone foundation.

The BEFORE photo was taken in June 2015. It depicts an artist from the Plein Air event that year. He asked if he could paint one of our historic barns. The one with 2 silos. Note the elevated land to the right of the artist. In addition, the land from the silo was slanted toward the elevation.



The AFTER image was taken in July 2018, after the Gauthiers regraded the existing elevation to our East. Note the land now slopes toward our property and the silo. Water has flowed onto our property in directions that were not present before they regraded.



To prevent potential water damage to the small historic barn and an outbuilding, we installed gutters, downspouts, French drain, and a line of trees and understory vegetation to try and restore what was lost.

We believe these impacts would have been a concern for your department had you been aware of them at the time. Particularly with regard to erosion control, stormwater management, and the protection of neighboring properties-especially historic ones.

Given the current proposal to dramatically expand development on the Gauthier properties, including the construction of a large artificial pond directly to our East, we feel it is important that the Town's Public Works Department review these past impacts.

The issues documented in the attached photos may help inform your evaluation of potential stormwater and erosion control risk associated with further development of the Gauthier site.

Thank you for your attention to this matter and for your service.

Sincerely,

Jeanne and Bill Machata
1784 Covered Bridge Rd.
Town of Cedarburg

Handwritten signature of Jeanne L. Machata

Sara Jacoby

From: RAQUEL MOSCARELLI <raquel.moscarelli@me.com>
Sent: Wednesday, December 3, 2025 5:39 AM
To: David Salvaggio; wayne Pipkorn; Russ Lauer; Larry Lechner; Thomas Esser; Eric Ryer; Adam Monticelli; Sara Jacoby; Julie Mett; Paul Jungbauer
Cc: RAQUEL MOSCARELLI; Save Cedar Creek; Steve Moscarelli
Subject: [External]Save Cedar Creek: Residents: Moscarelli's at 198 Green Bay Road, Cedarburg, WI 53012

Dear Cedarburg Board,

My husband, Steve, our sons Nicholas (a student at UW-Milwaukee) and Matthew (a recent graduate of UW-Madison), and our goldendoodle live at 198 Green Bay Road in the original town of Hamilton, which is part of the Hamilton Historic District designated in 1976. Cedar Creek is located within this designated area.

Our family has lived in various places across the USA and Europe. Our sons began kindergarten at the American School in Madrid, Spain, alongside children and families from over 50 countries. As UW-Madison alumni, we moved our family from Marblehead, MA—a town founded in 1629, known for its historic pre-Civil War homes—to Cedarburg in 2017. We chose 198 Green Bay Road because of the creek, our commitment to preserving history, and the precious natural resources surrounding us. Our neighbors include bald eagles, wild turkeys, deer, geese, and bees, along with the beautiful changes that each season brings. Over the past eight years, we have witnessed the creek's varying states: there was only one winter when it froze enough to skate on; we saw it rise with such force that it overflowed its banks, flooding our land in August 2025; and we also faced periods of drought. Every spring, we enjoy watching mother geese and their partners nest in our yard along the creek, preparing to welcome adorable goslings. Similarly, we see does giving birth and caring for their fawns, which can include single, twin, or even triplet fawns. The highlight is watching the bald eagles hunt, fish, and soar along the banks throughout the seasons. This creek is the source of our well water; it sustains our family's life and the surrounding ecosystem. We are committed to saving and preserving our valuable natural resources, which are vital to the essence of Cedarburg. Now, it's time for all of us to rise to the occasion and save Cedar Creek now and for good.

Raquel Moscarelli
198 Green Bay Road
Cedarburg, WI 53012
c.262-291-3357



**SAVE
CEDAR
CREEK**

Stop the Gauthier Ski Lake Proposal
savecedarcreekwi.com

Sara Jacoby

From: Sara Jacoby
Sent: Thursday, December 4, 2025 12:09 PM
To: Julie Mett; Sue Birnschein
Subject: RE: [External]Gauthier proposed man made lake

Hello Sue,

I can confirm receipt of your comments, and they will become part of the public record.

Regards,
Sara

Sara Jacoby

Assistant Administrator\Clerk
CMC, Notary
Town of Cedarburg
Phone: 262-377-4509
Web: www.townofcedarburgwi.gov



From: Julie Mett <jmett@townofcedarburgwi.gov>
Sent: Thursday, December 4, 2025 11:58 AM
To: Sue Birnschein <sbirnsch@gmail.com>
Cc: Sara Jacoby <sjacoby@townofcedarburgwi.gov>
Subject: RE: [External]Gauthier proposed man made lake

Sue,
I have received your email and I am forwarding it Sara Jacoby, the Town Clerk.

From: Sue Birnschein <sbirnsch@gmail.com>
Sent: Wednesday, December 3, 2025 4:58 PM
To: Julie Mett <jmett@townofcedarburgwi.gov>
Subject: [External]Gauthier proposed man made lake

Julie,
I was told by Eric to email you regarding questions and concerns regarding the Gauthier pond project. Our neighborhood still has many new concerns and questions since the last town hall meeting:

1) Many of us in our neighborhood community ask the town planning committee to have all permits in place and proof the owners are living on the property full time (according to the town ordinance) before approving the rezoning from A-1 & A-2 (prime Agricultural land) to E-1 Estate, in keeping with the town and its residents concern of land preservation so that we don't lose valuable prime Agricultural land and natural resources unnecessarily.

Please keep in mind, once this zoning is changed to estate that natural habitat land is lost forever.

2) We ask the town to have in place, the town ordinance regarding the owners must live on the property full time while this lake/ " pond" s being built.

3) How does this plan fit into the Town of Cedarburg Comprehensive Plan:

"To avoid serious environmental problems and insure natural resources are protected "

Pg. 22: "To enhance compatibility with neighboring uses "

Pg23: New development that favors long term identity of the town"

Pg 131 "Willing to partner with surrounding communities " how does dumping overflow from a private "pond)/ lake with possible contamination and removing vast amounts of water from the creek to fill a private lake (the WDNR website states a certain amount of water can be removed for reasonable purposes.) Is this a reasonable purpose and

how does this help surrounding communities?

4) Gauthiers claim there are studies from the Army Corps of Engineers, however when I asked to see them at the town hall, nothing can be found.

Has anyone from the town planning committee seen these studies?

5) Did Gauthier's have the proper WDNR permits required

for the driveway off Covered Bridge Rd. which goes through the WDNR designated Shoreline?

(according to WDNR website they need a permit for any disturbance of WDNR designated shoreline)

This might explain why all of us, the taxpayers have had to foot the bill for the town to fix the culvert

washout several times since the driveway was installed and will continue to need fixing in the future.

Gauthier's claim they do not need a permit to pump the water out, but according to WDNR website if he will be dumping overflow from his lake into a navigable waterway, he DOES need a permit.

We ask the planning committee to please keep in mind what is on the town of Cedarburg website comprehensive plan:

AGRICULTURAL, NATURAL AND CULTURAL RESOURCES

A strong community identity and stable economic development are affected by the wise use of resources.

Conserving agricultural land, protecting natural features, and preserving cultural resources are all fundamental

to a healthy environment and thriving community. Types of resources acknowledged by this Comprehensive Plan

include productive agricultural areas, undeveloped areas, stream corridors, environmentally sensitive areas,

wetlands, mineral resources, open spaces, and historical buildings and areas.

This Comprehensive Plan recognizes that resources in the County and Town are limited and need to be properly

managed. Key to this effort is identifying and locating specific characteristics and areas of agricultural, natural,

and cultural resources in the County and Town. This is necessary to properly locate future development, avoid

serious environmental problems, and ensure natural resources are protected.

What part of this comprehensive plan does the Gauthier development follow this an in any way?

*According to the DNR website a permit IS required to discharge overflow into a navigable waterway. It also states if unsure whether or not you need a permit, it is best to contact the DNR.

Thank you for your time in this matter

Sincerely,

Craig and Sue Birnschein

Sara Jacoby

From: Thompson, Michael C - DNR <MichaelC.Thompson@wisconsin.gov>
Sent: Thursday, December 4, 2025 1:09 PM
Subject: [External]proposed pond, Town of Cedarburg, Ozaukee County

Dear Cedar Creek Stakeholders,

Thank you for reaching out regarding a proposed pond project in the Town of Cedarburg, Ozaukee County. I am responding on behalf of folks who received your emails, appreciate your messages and would like to take the opportunity to provide some information.

The Town Board of Cedarburg's November 5, 2025 meeting materials provide project plans for the proposed pond as of October 2025, which may be found here:

<https://link.edgepilot.com/s/9fc363df/HEKxNEttH0eCBBVHCh6bKA?u=https://www.townofcedarburgwi.gov/wp-content/uploads/2025/10/11-5-2025-TB-Meeting-Packet-Reduced.pdf>.

In 2023, the Gauthiers obtained DNR general permit coverage for a small dry settling basin and erosion control to construct an 11-acre pond. The plans changed, the small dry basin was removed, and the pond increased to 13-acres. The proposed 13-acre private pond is not a dam. The Town of Cedarburg is reviewing the design of the pond. The DNR storm water program has authority to inspect erosion controls during construction. However, the DNR storm water permit doesn't require post construction water quality monitoring. The department's general permit documents including the May 2025 erosion control plans most recently submitted to DNR are available at https://link.edgepilot.com/s/4a3a1bd5/Vgl8AgdD20_nW_cZmOoKuQ?u=https://permits.dnr.wi.gov/water/SitePages/DocSetViewArchive.aspx?DocSet=SW-GP-SE-2023-46-X10-26T14-16-19%26Loc=stormwater4%26Lib=Archive and <https://link.edgepilot.com/s/bd0c1c0b/w2BYhqv6jU2lQcL1znVIQ?u=https://permits.dnr.wi.gov/water/SitePages/DocSetViewArchive.aspx?DocSet=WP-GP-SE-2023-46-X10-20T07-10-44%26Loc=watergp2%26Lib=Archive>.

Also in 2023, the DNR received an application for a high capacity well on the proposed project property. After technical review to evaluate the potential impact on nearby private wells and the Cedar Creek, DNR approved the application in March 2024 with modifications. The approved maximum capacity was reduced to 250 gallons per minute, half of the original request, and the applicant was required to relocate the well further south on the property to mitigate potential risks. As of now, there is no record indicating that the high capacity well has been drilled. Application materials for this permit are available upon request by emailing DNRWATERUSEREGISTRATION@wisconsin.gov.

No surface water withdrawal approvals have been issued by the DNR for this project, and until additional information is provided and analyzed by the DNR, no decisions on water withdrawal can be made by DNR. As of November 2025, no applications for water withdrawal have been submitted for this project. The DNR waterways program will engage directly with the project applicant to better understand their proposal to withdraw surface water from Cedar Creek and will share information with the applicant regarding legal requirements that may apply. The DNR will consider the information gathered and evaluate if a site visit and permits may be required according to state statute.

If interested, you can view waterway permit applications submitted to DNR and track the status at <https://link.edgepilot.com/s/d915d72b/05CpdeyLGE m7eyPf-Fp6HA?u=https://dnr.wisconsin.gov/permits/water>.

Please also note that based on current information, the proposed pond is not expected to affect Cedar Creek sediments. An interactive map with reported soil and groundwater contamination information is available at <https://link.edgepilot.com/s/3f0b1c3f/Rx1Lv9slc0O9LbhgLUkBYA?u=https://dnr.wisconsin.gov/topic/Brownfields/rasm.html>. For surface water withdrawals, if pump capacity is 70 gallons per minute or greater, the landowner must register and report their monthly water use to the department.

Endangered Resources Reviews are part of the department's permitting processes and include required and/or recommended actions to comply with Wisconsin's Endangered Species Law. Some rare species information may be confidential. An Endangered Resources Review flyer and webpage are available at https://link.edgepilot.com/s/e6804ea6/FfoOtwRLbUS8WAHqmRkuuw?u=https://dnr.wisconsin.gov/sites/default/files/topic/ERReview/ReviewFlyer_01-10-2020.pdf and <https://link.edgepilot.com/s/7aa27ee7/fa7nNVmehEOTSe4K30M1w?u=https://dnr.wisconsin.gov/topic/erreview/review>. The Natural Heritage Inventory Public Portal is a free online mapping tool for endangered, threatened, or special concern species, as well as natural communities and special natural features and is available at <https://link.edgepilot.com/s/aae49b25/K2yQy50G8kyBMDHkQ6yI0w?u=https://dnr.wisconsin.gov/topic/erreview/PublicPortal>.

Thanks again for sharing your concerns about the proposed pond and environmental impacts. Please contact me if I can provide further information.

Sincerely,

Mike

Mike Thompson

He/Him

Secretary's Director for Southeastern Wisconsin

Wisconsin Department of Natural Resources

Cell Phone: 414-303-3408

MichaelC.Thompson@Wisconsin.gov



dnr.wi.gov

Our core values include professionalism, integrity, and customer service.

Please visit our [survey](#) to provide feedback on your experience interacting with any DNR employee.



Sara Jacoby

From: Eric Ryer
Sent: Wednesday, December 10, 2025 6:57 PM
To: Sara Jacoby
Subject: FW: [External]Feedback via the Town of Cedarburg - Contact Us Form [#873]

Sara,

For the public comment folder.
Thanks.

Eric Ryer

Administrator
Town of Cedarburg
Phone: 262-377-4509
Web: www.townofcedarburgwi.gov



From: burst@emailmeform.com <burst@emailmeform.com>
Sent: Tuesday, December 9, 2025 3:24 PM
To: Eric Ryer <eryer@townofcedarburgwi.gov>; Eric Ryer <eryer@townofcedarburgwi.gov>
Subject: [External]Feedback via the Town of Cedarburg - Contact Us Form [#873]

Name*: Gail Mueller
Email*: Gsilchristine1203@gmail.com
Contact Number*: 2622788781
Subject*: Gauthier Private Lake Proposal

Message*:

My husband and I are residents of the town. We live in the Sherwood Forest subdivision. We could not love it more. This is our home. Our place of peace. We feel privileged to live here. That hasn't changed in 14 years.

And our Sherwood Forest community is home to wonderful and respectful people that support each other, makes time for each other... adults, children and pets alike. We appreciate and take pride in our neighborhood. We invest in our community.

I am still awed when the deer and turkey trek through our woods and back yard. I am amazed at the diverse variety of birds that grace us with their company each

year. Blue Jays, Cardinals, Finch, Robins, Catbirds, Sparrows, Hummingbirds. I saw my first (ever) baby hummer this past summer. And I laugh watching the squirrels, chipmunks, possum and even the occasional ground hog scamper across our deck. This is why we chose to live here. We are living our dream.

And then, along come the Gauthiers with a self-serving agenda that threatens our dream. Our neighborhood. Our community. The natural habitat. And I have to ask, why is this even a consideration? This is not a lake community. The people that live here moved here for other reasons. We love our creek and what it brings to our daily lives.

I am frustrated, disappointed and angered that this has been a consideration for 4 years. A secret hidden from the community that lives here.

No voice should have more consideration than the that of your community. The people you serve. And we have clearly been speaking out. We . Do. Not. Want. This.Private.Ski.Lake.

That is not who we are. Not what this community is.

Please do the right thing. Protect our natural resources. And support “your people.” The ones that really matter.

Visitor IP: 2603:6000:8c00:a1f:712e:bad4:1f4a:847b



Memorandum

To: Town of Cedarburg Plan Commission; Town of Cedarburg Board; Town Administrator

CC: Michelle Soderling, WDNR; Mike Thompson, WDNR; Travis Schroeder, WDNR; Andrew Struck, Ozaukee County Planning and Parks; Kevin Cahill, Save Cedar Creek

From: Cheryl Nenn, Riverkeeper

Date: December 10, 2025

Subject: Concerns about the Proposed Gauthier Pond Project in the Town of Cedarburg

On behalf of Milwaukee Riverkeeper, we urge you to deny the approval of a proposed 13.2-acre pond for the Gauthier family in the Town of Cedarburg adjacent to Covered Bridge Park, as well as the zoning changes required to facilitate this project. This project violates the Town's Land Division Ordinance, does not address groundwater impacts, will cause environmental harm, violate the public trust doctrine, and set a dangerous precedent for future waterway resource management. We outline below our many concerns and the impact that the project could have on your constituents from an environmental, health and safety perspective.

Milwaukee Riverkeeper is a science-based nonprofit organization dedicated to protecting water quality and wildlife habitat and advocating for sound land management in the Milwaukee River Basin. We collect water quality data to better understand the health of our waterways, and are working toward clean, fishable, swimmable, and drinkable water.

Zoning and Purpose

The Gauthier's own 9 parcels near the proposed project area east of Covered Bridge Road, north of Cedar Creek Road and south of Kaehlers Mill Road. This project would require combining 5 of their 9 existing parcels (R-2, A-1, A-2, E-1, and C-1) to create a 132.29-acre parcel that would be required under Town zoning to construct the 13.2-acre pond. Town zoning states that the size of a pond can't exceed 10% of the lot area. This would include rezoning three agricultural parcels to E-1 or estate zoning (from R-1, A-1, and A-2) and one parcel would retain its conservation zoning (C-1). Estate zoning allows for single-family dwellings with some agricultural uses and manmade recreation and wildlife ponds with special permit. Four of the Gauthier's parcels will remain as separate legal lots of record. The Gauthier's had planned that this pond be used for boating, and it is designed in the size and shape of waterski ponds that are popular in other parts of the country. During earlier reviews in 2020/2021, engineers said that the noise from this boating pond would not be greater than agricultural equipment. At the public hearing on November 5th, project proponents intimated, but did not clearly state, that the pond would be used for fish and wildlife.

To change the zoning of these parcels, the board must justify that the purpose for the change is relevant and that it aligns with the Town's Land Division Ordinance and comprehensive planning. Yet, the purpose and intent of this pond is not clear. The Gauthier's have stated that they will construct a home on this estate in the future, but without clear understanding of the end use of the property, it seems likely that this property could be converted to a different use in the future such as a housing development or

private hunting/fishing/boating club. The Town, and the public, must have a clear understanding of what series of events or projects the Gauthier's intend before approving the project.

Our main concerns are the proposed withdrawal of water for the pond from a privately installed well (approximately 10 million gallons), and not from a high capacity well as originally proposed in 2021, as well as the proposed diversion of approximately 25 million gallons of water from Cedar Creek. While the project proposes to withdraw the water over an 8-9-month period, there are periods of time during the year when the flow in Cedar Creek is very low and an additional drawdown would likely impact aquatic life, water flows, and water quality.

The applicant has not provided any detailed analysis of how this water withdrawal would impact residential wells or Cedar Creek and the fish and wildlife that depend on it. Permitting the use of water from this public watercourse for private use is also concerning because it could create a dangerous precedent for the Town. This decision could open the door for others to do the same, eventually diverting more and more water from the Creek, which could impact the ability of the general public to use and enjoy Cedar Creek. Without understanding the full impact of this diversion on the waterway, groundwater wells, and the environment, the board is rushing to a decision that could have disastrous impacts down the road.

Groundwater/Well Concerns/Pond Maintenance

There are nearly 3 dozen private landowners within 1,000 feet of the proposed project. It is our understanding that the Gauthier's are planning to use a deeper part of the aquifer that has very few wells or recent water quality testing. The degree of isolation between this deeper zone (250 to 500 feet) of the dolomite aquifer and the zone where most domestic wells are drilled is not well delineated. Given that not many wells have been drilled into the lower part of the aquifer (250 to 500 feet), the only way to know the true impact of this well on residential wells is to drill a test well at this depth and test the connection between these different layers. This data should be reviewed by an independent reviewer. Ideally, as part of this process, several nearby private wells should be monitored during this testing to ensure that there are no impacts to water quality or quantity (water level changes). This would require several private landowners nearby to provide access to their wells. Until the board understands these impacts, the project should not be approved.

Constructing a pond in an upland, outside of the shoreland zone of Cedar Creek to evade any need for State or County shoreland zoning permits, presents significant challenges to retaining water in a newly constructed pond. They will likely need to continually divert water from the Creek to sustain water levels, which will be a continual draw on the Creek, in times when flow may be significantly low during summer months. It doesn't seem that the engineers have installed any monitoring wells in the proposed location of the pond, which could help determine if there are any seeps or springs that could help maintain this pond. Even if there were, installing a clay liner would minimize the benefit to the pond from any groundwater sources.

Another challenge will be maintaining "good" water quality and minimizing the growth of nuisance algae, which is highly likely given how warm the pond will get without shoreland vegetation or regular "feeding" of freshwater. Cedar Creek already has high concentrations of phosphorus. A review of our water quality data for Cedar Creek at Covered Bridge Park shows that over 66% of our water samples exceed State of Wisconsin standards for phosphorus. If the owners would like to use this pond for water skiing, that will necessitate significant herbicide use for maintenance. These herbicides would likely flow back to surface waters given how the pond is designed, including adjacent wetlands and Cedar Creek, as well as infiltrate into groundwater that is being used for residential wells. The Town should know if the Gauthier's will treat their pond with chemicals to fully understand what they are approving. Further, if

chemicals are used, regular well monitoring should be conducted for neighboring residences that the Gauthier's should pay for, as well as proof of financial assurance and the creation of a fund to remediate any contamination that occurs. This will protect the Town and its residents.

Cedar Creek Water Quantity Concerns

The Gauthier's are proposing to withdraw water from Cedar Creek near Covered Bridge Park using a 3-inch water supply line with a siphon pump that can draw 65 gallons of water per minute. That equates to around 3,900 gallons per hour or 93,600 gallons per day of capacity.

USGS has discharge/flow and water level data for this location by month going back to 1930 (attached)! The mean of monthly discharges for that time period is shown in the table below.

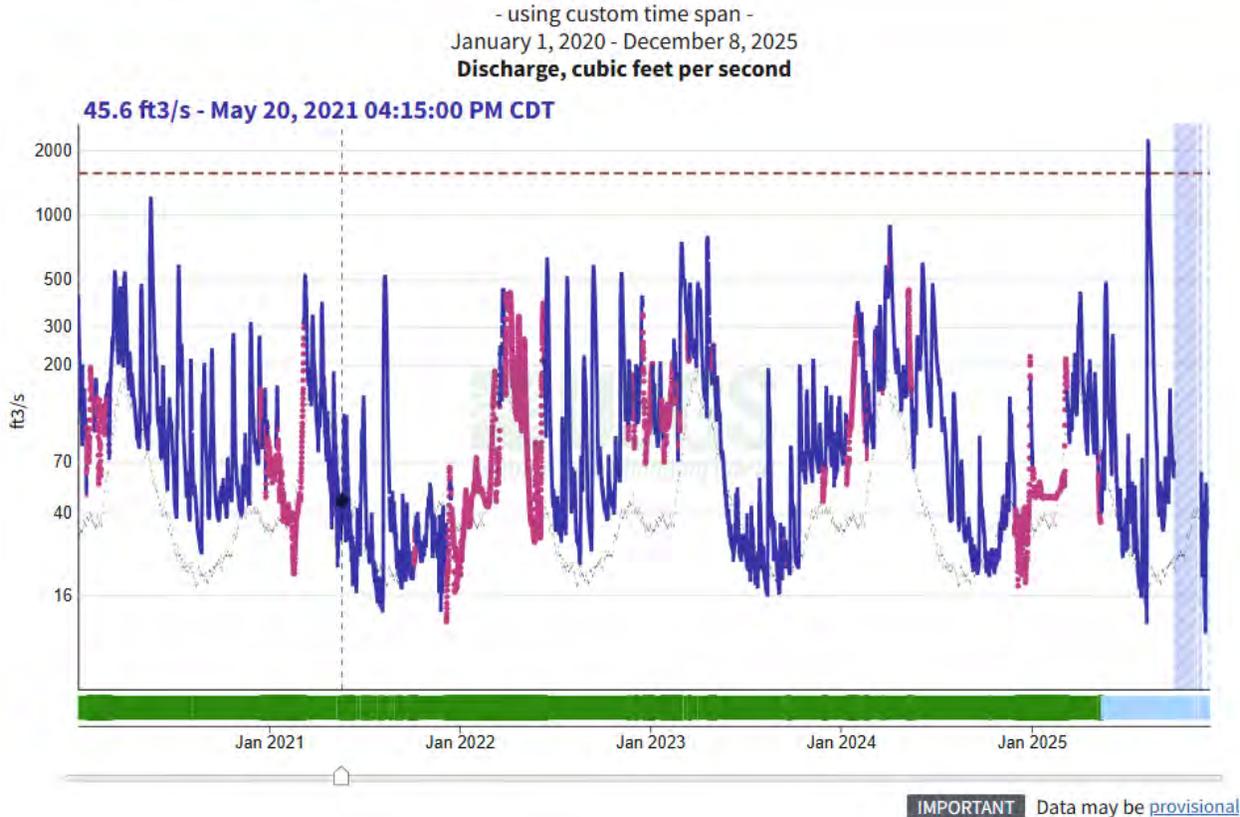
Month	Discharge (cfs)
January	60
February	79
March	205
April	189
May	110
June	92
July	50
August	35
September	49
October	51
November	63
December	59

These flows are relatively low, and there are only a few months per year when its possible to paddle Cedar Creek by canoe or kayak (generally early spring). The water flows from this summer are among the lowest that we have seen in the last 5 years, prior to and after the "flood" in August. However, there have been multiple periods where flows dropped below 15 cubic feet per second (cfs) in the last 5 years, and flows have gotten down to around 10 cfs in the last few weeks. See the below graph of flows during the last 5 years at this location. Generally, it becomes difficult to paddle when water levels drop below 150-200 cfs.

Continuous data

Cedar Creek Near Cedarburg, WI - USGS-04086500

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Taking the mean August flow of 35 cfs, (from 1930 to present), which is historically the lowest water levels of the year, that converts to around 22.6 million gallons per day (1 cfs is equal to around 646,317 gallons per day). The pump would be removing around 93,600 gallons per day from the creek if operating as designed, so that equates to around 0.4% of creek flows on a daily basis. At 10 cfs, typical of flows in late November and early December of this year, the water removed would be around 1.4% of water flows in this section of Cedar Creek. It's important to note that any drawdown of the shallow aquifer could also impact flows in this part of the river, so this could lead to additional flow reductions. In addition, there could be significant cumulative impacts from dewatering over an 8-9-month period that could impact the hyporheic zone, groundwater levels, the flow of the river and wetted perimeter.

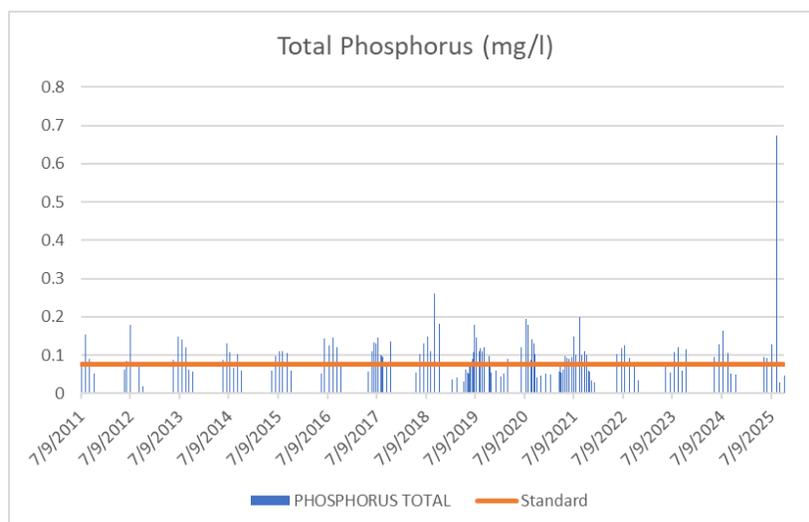
Stream flows vary greatly on a daily, monthly, and annual basis based on a variety of conditions. Removing water from the creek during very low flow conditions over a period of weeks or months could harm aquatic life and strand freshwater mussels and other organisms in different parts of the creek as flows aren't evenly dispersed across the cross section of the stream. Shoreline areas are generally less deep or shallower (especially on an inner river bend as is the proposed pumping location), and it's fairly normal for streams to shrink in width or wetted area during summer and fall months. The pipe would likely have to be closer to shore to not interfere with navigation and could have a significant seasonal impact on the stream biota. It's difficult to fully analyze the impacts on the stream of this water diversion without knowing how long the pump would run and when, during which months, at what flow/stage levels, etc. A more detailed hydrologic and hydraulic analysis should be conducted for this project before the Town considers approval.

Wisconsin law, particularly Chapter 30 of the Statutes, protects public rights in navigable waters through the Public Trust Doctrine, allowing uses like navigation, fishing, and recreation. It also grants the DNR power to set Public Rights Stages (PRS) or minimum water levels to ensure these uses are met and to regulate water withdrawals (under chapter 30.18) to ensure rights of riverfront landowners are balanced with public rights such as public recreation and protection of natural resources. Does this level of water use impact the public's fundamental right to use and enjoy navigable waters? Should the right of a landowner to a private water-skiing pond outweigh the public's right to paddle Cedar Creek in an ever-shrinking seasonal window? WDNR originally stated that they did not have permitting authority for this project due to its location outside of the shoreland zone, and because water was being withdrawn from the creek by a pipe of 3 inches or less. Nonetheless, the Town should know what will happen the Creek, and in our opinion, a conditional use permit is warranted. Any permit should include conditions of when water could be removed from the creek, establish minimum flows required for withdrawals, and ensure that water is returned to the creek in a way that does not add pollutants. This is especially important at a time of changing climate where past flows and water levels may not predict future conditions.

The Town should ensure that the WDNR is permitting this water withdrawal, or if not permitting it, to seek opportunities to protect town residents and natural resources as part of the approval and maintenance agreement for the project if it is approved. The project proponents have provided no information about how frequently water would be removed from the creek after the pond is filled to compensate for evaporation, infiltration, or water sloshing out from wave action. The liner is roughly 80% impervious, so that could mean a longer-term impact on the creek and more water being drawn from the creek during warmer, summer months to keep the pond full when flows are generally the lowest. The amount of water withdrawn from the creek is likely to be much more than 25 million gallons to fill it the first time, and the Town should not approve this project without more information on projected water use on an annual basis, and specific conditions placed into any permit to protect the creek and town residents.

Cedar Creek Water Quality Concerns

At the Covered Bridge Site (Cedar Creek at Cedarburg), approximately 66.4% of data since 2011 has failed the state phosphorus standard of 0.075 mg/L for small streams. See chart below.



Withdrawing more water from Cedar Creek during summer months will not be helpful. Water entering the pond from this location, will also be nutrient rich as previously stated. Temperature and oxygen data

during this time period has been largely good with the exception of the recent flood, which showed a large drop in dissolved oxygen in the stream. Climate change is likely to cause increased extreme wet weather events punctuated by drought, and warming temperatures, which will both impact the survival of different species of fish and aquatic life. Further stressing the Creek with a withdrawal and potential pollutant loading will only exacerbate water quality concerns.

Safety Concerns

Southeast Wisconsin just experienced a 500-1000-year flood in August of this year. What happens if this pond overtops during such an event? Even though this has been designed to address some spill out with construction of a berm, the WDNR will not be regulating this structure (as a withdrawal or a dam or other structure) which means that no emergency action plan or inspection, operation, and maintenance plan will likely be required. Has there been modelling conducted of different 100-year, 500-year, and 1000-year flood scenarios and impacts to adjacent homes should the pond fail? This type of analysis should be conducted, and the Town could include an insurance requirement as part of project approval that would cover costs to the town and neighbors should any pond failure impact properties.

Wetland Impacts and Pond Discharge

The design of the pond shows an outflow into an adjacent wetland of pond water. It also shows a surface pathway where pond water would be likely to flow with any failure. It's not completely clear how often water would be discharged to the wetland or creek during dry or wet weather, but that water is likely to be warm and contain other pollutants. Sending heated water to the wetland will cause damage, and thermal impacts to Cedar Creek will exacerbate water quality issues, especially in summer months.

Impacts on Fish, Wildlife, and Sensitive Species

There are several historical records of sensitive freshwater mussel species in Covered Bridge Park that could be impacted by water withdrawals including the Rainbow Shell mussel. The Emerald Hine's Dragonfly is federally endangered and known to occur nearby at the Cedarburg Bog, so any construction work here should minimize possible impacts to that species. Likewise, it's likely the site could have Queen Snake, which is a state endangered species, and construction should consider how impacts to snakes could be mitigated. The Northern Long-eared Bat (federally endangered) and Monarch (federally threatened) should also be considered to ensure they would not be impacted by this project. Eastern Prairie Fringed Orchid is also federally threatened and found in the Cedarburg Bog. This plant should be surveyed for in adjacent wetland habitats that might be impacted. Wildlife surveys should be planned for this site to ensure that any species of concern or their habitat would not be impacted by construction or future activities.



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USGS 04086500 CEDAR CREEK NEAR CEDARBURG, WI

Available data for this site Time-series:

Ozaukee County, Wisconsin Hydrologic Unit Code 04040003 Latitude 43°19'23", Longitude 87°58'43" NAD83 Drainage area 120 square miles Gage datum 795.42 feet above NAVD88	Output formats HTML table of all data Tab-separated data Reselect output format
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00060, Discharge, cubic feet per second,												
YEAR	Monthly mean in ft ³ /s (Calculation Period: 1930-09-01 -> 2025-04-30)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1930									8.05	14.1	10.6	10.8
1931	15.8	32.1	29.6	58.6	15.2	21.5	11	2.21	6.69	28.1	126.6	106.3

1932	169.6	94.1	59.1	53.4	29.8	8.87	6.65	2.87	2.48	9.37	12.2	14.6
1933	31.5	51.2	63.8	216.9	290.8	46.9	60.6	9.57	6.12	7.42	8.45	7.62
1934	11.3	5.57	28.5	67.4	15.5	3.34	2.23	1.45	3.72	5.65	23	42.9
1935	16.4	30.8	402.5	97.6	98.8	31	10.3	8.72	5.79	7.13	14.6	5.67
1936	6.9	6.71	227.8	46.3	20.8	11.2	1.4	2.46	18	27.9	21.2	24.5
1937	74.8	196	161.7	218.3	131.3	73.9	9.95	3.96	4.78	7.13	6.66	6.32
1938	25	233.6	190.6	69.9	33.2	45.1	91	21.3	446.3	58.9	76.4	32.7
1939	42.5	43.8	190.7	150.2	36.7	32.9	7.43	6.45	4.47	11.6	13	11.3
1940	3.74	5.41	19.9	126.8	108	363.5	37.2	28.5	20.7	18.7	29.2	71.8
1941	63.5	40.7	120.8	140.3	44.7	13.1	4.74	3.52	9.99	47.3	65	44
1942	42.3	44.2	148.2	53.8	75.2	168.8	16.8	22	36	32.8	134.1	82.2
1943	126.5	189	309.7	91	45.2	63.3	16.1	13.8	7.55	8.03	20	11.1
1944	9.91	44.7	111	117.5	43.2	46.3	13.4	4.75	8.19	8.52	14.1	9.48
1945	7.1	11	128.9	41.6	64.1	61.3	8.66	13.2	35.1	49.3	64.6	48.9
1946	149.9	38.8	521.5	60.6	24.7	17.8	8.33	2.71	5.73	6.21	10.1	7.73
1947	14.5	12.3	115.8	178.8	127	83.3	14.9	7.11	14.2	11.6	47.6	27.9
1948	19.8	70.9	383.2	116.8	75.9	13	8.37	3.82	5.18	5.92	15.8	14.1
1949	18.3	33.6	124.8	109.7	25.6	36.1	26.7	21.6	6.25	7.2	8.01	8.33
1950	38.4	14.1	372.6	157	69	18.1	97.6	21.6	22.7	13.3	11.7	17.6
1951	17.9	52.6	298.7	365.5	91.6	28	27.4	17.3	23.1	191.2	206.3	62
1952	133.7	89.5	459.4	286.3	50.8	36	298	64.4	27.5	24.4	33.6	45.8
1953	40.5	112.9	140.2	110.9	180.4	186.1	17.3	14	9.1	9.68	11.5	19.9
1954	10.6	23.5	26.9	57.7	31.6	208.6	92.6	37.4	39.4	306.1	48.6	36.5
1955	74.4	62.4	235.1	206.4	114	204.6	39	12.5	8.41	11.9	18.4	11.5
1956	9.89	12.6	61.3	90.3	137.6	24.2	59.4	49.7	36.7	11.3	19.2	23
1957	21.6	38.8	53.4	99.6	57.4	67.4	18.5	6.75	6.27	7.79	15.9	13.7
1958	12.6	25.5	82.9	38.9	14	13.5	6.34	3.46	7.89	13.7	17.8	5.54
1959	4.95	5.32	152.6	453	42.9	9.63	8.15	7.6	7.93	30.2	40.5	60.3
1960	133.7	28.1	193.8	306.2	230	66.1	57.9	105.6	206.7	61.6	134.1	42.5

1961	23.3	30.2	209.7	147.4	53.3	34.4	17.1	15.6	35.1	38.9	96.4	42.4
1962	34.6	31.2	367	179	44.8	20.7	13.9	11.4	14.9	20.3	18.8	13.3
1963	10.1	9.32	147.5	54.8	50.5	18.2	7.92	6.53	6.71	7.5	10.9	4.92
1964	12.5	8.83	45	89.7	57.1	8.77	131.4	22.7	32.2	14.6	17.4	12.6
1965	11.4	72.3	231.4	453.9	49.8	15.6	8.92	8.76	200.8	188.8	90.2	169.5
1966	96.7	120	221.5	103.5	72.8	29	13.6	13.5	12.1	10.2	17.3	19.2
1967	55.2	38.8	125.3	108.8	61.1	67.1	22.5	12.7	9.12	14.4	47.1	24.1
1968	16.2	30.3	26.9	93.1	76.3	71.7	36.4	14.9	14.7	15.6	14.5	19.8
1969	28	31.3	103.9	148.3	59.5	134.8	87.9	16	9.6	17.2	25.2	19
1970	13	18.5	60.5	58.6	70.9	53.9	11.9	8.51				
1973							32	26.4	39.8	100.8	104.8	170.6
1974	167.2	166.1	421.1	306	233.4	127.8	49	49.3	34.3	38.6	49.5	103.3
1975	272.6	50	347.7	225.1	106.5	115.4	38.4	47.8	31.5	21.5	47.7	72.2
1976	30.7	118.4	575.1	312.7	99	41.3	19.9	13.8	11.4	15.5	17.2	10
1977	7.19	8.33	103.7	98.8	18.6	37.8	26.1	57.1	62.6	88.9	89.5	138.5
1978	42.5	41.6	94.4	190.7	186.8	116.6	166.1	30.8	66.8	40.5	57	43.2
1979	29.8	36.5	390.8	330.3	116	50.3	37.1	62.5	27.3	25.8	51	62.5
1980	37.7	27.7	55	154.6	49.9	74.6	19.2	77.1	180.9	59.9	49.3	61.2
1981	29.5	99.5	76.2	136.5	44.9	31.1	65.3	55.1				
1983										58.6	97.7	81.7
1984	42.7	253.4	97.4	158.2	165.8	226.1	168.3	24	31.5	124.9	229.8	160.1
1985	113.3	199.2	409.5	204.9	55.9	23.3	20.9	21.7	32.4	91.7	376.4	100.6
1986	63	70.9	433	152.5	72.9	48.1	68.3	54.5	485	305.7	98.1	77.8
1987	59.1	54.8	160.5	199.4	69.4	30.5	35.8	70.9	74.1			
1990										34.9	57.1	75.4
1991	35.6	58.2	199.6	206.6	62.5	102.2	30.1	25.4	25.9	67.7	152.3	268.1
1992	89.8	64.1	252.9	162.9	56.9	21.4	23.7	20.8	51.7	31.5	163	128.9
1993	106.9	39.6	260.4	585.5	140.8	183.6	82.6	38.2	80.4	47.7	49	48.6
1994	26.5	138.3	252.4	91.5	49.5	25.5	106.5	28.6	14	17.6	36.7	43.9

1995	54.1	32.8	92.5	144	104.7	21.8	11.3	49	35.7	43.8	84.8	48.5
1996	50.2	87.5	153.5	133.4	131.2	453.5	52.5	41	24.5	52.1	59.6	60.5
1997	70.4	172.7	227.8	123.9	156.7	121.6	53.8	43.9	24.7	19.9	25	36
1998	61.6	188.3	183.9	342.4	111	51.3	30.7	31.6	18.9	28.8	36.1	28.5
1999	72.2	151.2	106.2	258.2	221	178.9	215.9	51.9	27.3	41.9	40.7	41.2
2000	21.6	84.9	83.9	125.9	215.3	214.7	32.7	36.6	63.9	37.5	69.3	54.2
2001	55.4	135.4	200.5	242.6	116.6	153	39.1	30.4	69.4	89.4	68.4	68.8
2002	33.7	91.1	153.7	187.2	120.4	107.4	26.5	24.9	32.8	32.4	38.2	34.7
2003	12.8	10.2	46.9	50.9	185.9	37.2	12.4	18.7	10.4	12	68.8	51.5
2004	22	22.1	242.8	138.9	538.9	307.9	98.7	35.7	21.3	23.6	39.4	44.1
2005	71.2	151.2	181.4	133.6	57.8	24.4	17.7	10.6	11.2	11	25.3	28.6
2006	98	59.1	191.7	185.5	132.6	42.9	19.8	21	22.3	64.5	62.3	139.1
2007	56.9	31.4	369.1	311.6	136	74.2	38.2	256.8	72.7	57.3	45.1	59.4
2008	159.1	101.3	291	472.1	113.9	539.9	108.4	35.4	47	51.1	46	71
2009	73.4	127.6	306.2	229.6	199.1	81.6	25.1	24.5	19.5	59.7	62.6	95.8
2010	107.1	60.6	223.7	244.6	176.3	63.9	223.3	62.3	35.8	34.7	38.6	47.4
2011	48.5	85.2	378.5	406.1	183.6	91.1	46.1	43.3	55.8	69.8	125.6	124.2
2012	88.1	86.3	231.1	136.1	134.7	22	13.9	15.5	10	22.8	20.8	39.8
2013	124.6	217.4	339.1	560.2	237.4	240.7	66.5	29.1	26.6	38.3	63.5	52
2014	45.4	48.2	218.6	272.2	139.6	263.5	100.7	43.7	26	38.7	47.6	60.8
2015	47.1	29.8	87.1	330.7	76.7	105.6	30	22.8	36.5	25.9	91.8	209.9
2016	82	119.4	234	207.9	96.3	64.3	26	30.3	98.4	150.4	104.7	112.1
2017	183.6	212.7	265.3	289.8	222	125.3	115.9	57.3	34.2	44.3	45.8	42.7
2018	103.1	338.3	92.9	147.1	209.7	63.6	33.6	214.6	371.6	238.8	149.6	113.6
2019	112.6	130.4	416.4	244.6	222.1	93.8	109.5	44.8	104.5	372	204.6	163.9
2020	140.1	116.2	317.7	171.6	315.6	99.2	138.8	74.7	72.4	77.4	83.6	104.1
2021	67.2	35.8	216	125.6	58.7	39.7	32.8	126	25.1	28.4	33.1	29.2
2022	40	51.2	167.1	246.9	86.6	189.3	107.6	71.8	159.7	51.2	191.5	155.7
2023	122.3	162.9	369.4	317	105	31.4	26.9	43.4	29.2	69.5	84.8	92.1

2024	122.7	195.3	258.8	322.6	194.6	290.5	114.2	61.9	32.5	24.3	56.4	44
2025	52.1	49	134.8	178.3								
Mean of monthly Discharge	60	79	205	189	110	92	50	35	49	51	63	59

** No Incomplete data have been used for statistical calculation

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Title: Surface Water data for USA: USGS Surface-Water Monthly Statistics

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USGS Surface-Water Monthly Statistics for the Nation

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USGS 04086500 CEDAR CREEK NEAR CEDARBURG, WI

Available data for this site Time-series:

Ozaukee County, Wisconsin Hydrologic Unit Code 04040003 Latitude 43°19'23", Longitude 87°58'43" NAD83 Drainage area 120 square miles Gage datum 795.42 feet above NAVD88	Output formats HTML table of all data Tab-separated data Reselect output format
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00060, Discharge, cubic feet per second,												
YEAR	Monthly mean in ft ³ /s (Calculation Period: 1930-09-01 -> 2025-04-30)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1930									8.05	14.1	10.6	10.8
1931	15.8	32.1	29.6	58.6	15.2	21.5	11	2.21	6.69	28.1	126.6	106.3

1932	169.6	94.1	59.1	53.4	29.8	8.87	6.65	2.87	2.48	9.37	12.2	14.6
1933	31.5	51.2	63.8	216.9	290.8	46.9	60.6	9.57	6.12	7.42	8.45	7.62
1934	11.3	5.57	28.5	67.4	15.5	3.34	2.23	1.45	3.72	5.65	23	42.9
1935	16.4	30.8	402.5	97.6	98.8	31	10.3	8.72	5.79	7.13	14.6	5.67
1936	6.9	6.71	227.8	46.3	20.8	11.2	1.4	2.46	18	27.9	21.2	24.5
1937	74.8	196	161.7	218.3	131.3	73.9	9.95	3.96	4.78	7.13	6.66	6.32
1938	25	233.6	190.6	69.9	33.2	45.1	91	21.3	446.3	58.9	76.4	32.7
1939	42.5	43.8	190.7	150.2	36.7	32.9	7.43	6.45	4.47	11.6	13	11.3
1940	3.74	5.41	19.9	126.8	108	363.5	37.2	28.5	20.7	18.7	29.2	71.8
1941	63.5	40.7	120.8	140.3	44.7	13.1	4.74	3.52	9.99	47.3	65	44
1942	42.3	44.2	148.2	53.8	75.2	168.8	16.8	22	36	32.8	134.1	82.2
1943	126.5	189	309.7	91	45.2	63.3	16.1	13.8	7.55	8.03	20	11.1
1944	9.91	44.7	111	117.5	43.2	46.3	13.4	4.75	8.19	8.52	14.1	9.48
1945	7.1	11	128.9	41.6	64.1	61.3	8.66	13.2	35.1	49.3	64.6	48.9
1946	149.9	38.8	521.5	60.6	24.7	17.8	8.33	2.71	5.73	6.21	10.1	7.73
1947	14.5	12.3	115.8	178.8	127	83.3	14.9	7.11	14.2	11.6	47.6	27.9
1948	19.8	70.9	383.2	116.8	75.9	13	8.37	3.82	5.18	5.92	15.8	14.1
1949	18.3	33.6	124.8	109.7	25.6	36.1	26.7	21.6	6.25	7.2	8.01	8.33
1950	38.4	14.1	372.6	157	69	18.1	97.6	21.6	22.7	13.3	11.7	17.6
1951	17.9	52.6	298.7	365.5	91.6	28	27.4	17.3	23.1	191.2	206.3	62
1952	133.7	89.5	459.4	286.3	50.8	36	298	64.4	27.5	24.4	33.6	45.8
1953	40.5	112.9	140.2	110.9	180.4	186.1	17.3	14	9.1	9.68	11.5	19.9
1954	10.6	23.5	26.9	57.7	31.6	208.6	92.6	37.4	39.4	306.1	48.6	36.5
1955	74.4	62.4	235.1	206.4	114	204.6	39	12.5	8.41	11.9	18.4	11.5
1956	9.89	12.6	61.3	90.3	137.6	24.2	59.4	49.7	36.7	11.3	19.2	23
1957	21.6	38.8	53.4	99.6	57.4	67.4	18.5	6.75	6.27	7.79	15.9	13.7
1958	12.6	25.5	82.9	38.9	14	13.5	6.34	3.46	7.89	13.7	17.8	5.54
1959	4.95	5.32	152.6	453	42.9	9.63	8.15	7.6	7.93	30.2	40.5	60.3
1960	133.7	28.1	193.8	306.2	230	66.1	57.9	105.6	206.7	61.6	134.1	42.5

1961	23.3	30.2	209.7	147.4	53.3	34.4	17.1	15.6	35.1	38.9	96.4	42.4
1962	34.6	31.2	367	179	44.8	20.7	13.9	11.4	14.9	20.3	18.8	13.3
1963	10.1	9.32	147.5	54.8	50.5	18.2	7.92	6.53	6.71	7.5	10.9	4.92
1964	12.5	8.83	45	89.7	57.1	8.77	131.4	22.7	32.2	14.6	17.4	12.6
1965	11.4	72.3	231.4	453.9	49.8	15.6	8.92	8.76	200.8	188.8	90.2	169.5
1966	96.7	120	221.5	103.5	72.8	29	13.6	13.5	12.1	10.2	17.3	19.2
1967	55.2	38.8	125.3	108.8	61.1	67.1	22.5	12.7	9.12	14.4	47.1	24.1
1968	16.2	30.3	26.9	93.1	76.3	71.7	36.4	14.9	14.7	15.6	14.5	19.8
1969	28	31.3	103.9	148.3	59.5	134.8	87.9	16	9.6	17.2	25.2	19
1970	13	18.5	60.5	58.6	70.9	53.9	11.9	8.51				
1973							32	26.4	39.8	100.8	104.8	170.6
1974	167.2	166.1	421.1	306	233.4	127.8	49	49.3	34.3	38.6	49.5	103.3
1975	272.6	50	347.7	225.1	106.5	115.4	38.4	47.8	31.5	21.5	47.7	72.2
1976	30.7	118.4	575.1	312.7	99	41.3	19.9	13.8	11.4	15.5	17.2	10
1977	7.19	8.33	103.7	98.8	18.6	37.8	26.1	57.1	62.6	88.9	89.5	138.5
1978	42.5	41.6	94.4	190.7	186.8	116.6	166.1	30.8	66.8	40.5	57	43.2
1979	29.8	36.5	390.8	330.3	116	50.3	37.1	62.5	27.3	25.8	51	62.5
1980	37.7	27.7	55	154.6	49.9	74.6	19.2	77.1	180.9	59.9	49.3	61.2
1981	29.5	99.5	76.2	136.5	44.9	31.1	65.3	55.1				
1983										58.6	97.7	81.7
1984	42.7	253.4	97.4	158.2	165.8	226.1	168.3	24	31.5	124.9	229.8	160.1
1985	113.3	199.2	409.5	204.9	55.9	23.3	20.9	21.7	32.4	91.7	376.4	100.6
1986	63	70.9	433	152.5	72.9	48.1	68.3	54.5	485	305.7	98.1	77.8
1987	59.1	54.8	160.5	199.4	69.4	30.5	35.8	70.9	74.1			
1990										34.9	57.1	75.4
1991	35.6	58.2	199.6	206.6	62.5	102.2	30.1	25.4	25.9	67.7	152.3	268.1
1992	89.8	64.1	252.9	162.9	56.9	21.4	23.7	20.8	51.7	31.5	163	128.9
1993	106.9	39.6	260.4	585.5	140.8	183.6	82.6	38.2	80.4	47.7	49	48.6
1994	26.5	138.3	252.4	91.5	49.5	25.5	106.5	28.6	14	17.6	36.7	43.9

1995	54.1	32.8	92.5	144	104.7	21.8	11.3	49	35.7	43.8	84.8	48.5
1996	50.2	87.5	153.5	133.4	131.2	453.5	52.5	41	24.5	52.1	59.6	60.5
1997	70.4	172.7	227.8	123.9	156.7	121.6	53.8	43.9	24.7	19.9	25	36
1998	61.6	188.3	183.9	342.4	111	51.3	30.7	31.6	18.9	28.8	36.1	28.5
1999	72.2	151.2	106.2	258.2	221	178.9	215.9	51.9	27.3	41.9	40.7	41.2
2000	21.6	84.9	83.9	125.9	215.3	214.7	32.7	36.6	63.9	37.5	69.3	54.2
2001	55.4	135.4	200.5	242.6	116.6	153	39.1	30.4	69.4	89.4	68.4	68.8
2002	33.7	91.1	153.7	187.2	120.4	107.4	26.5	24.9	32.8	32.4	38.2	34.7
2003	12.8	10.2	46.9	50.9	185.9	37.2	12.4	18.7	10.4	12	68.8	51.5
2004	22	22.1	242.8	138.9	538.9	307.9	98.7	35.7	21.3	23.6	39.4	44.1
2005	71.2	151.2	181.4	133.6	57.8	24.4	17.7	10.6	11.2	11	25.3	28.6
2006	98	59.1	191.7	185.5	132.6	42.9	19.8	21	22.3	64.5	62.3	139.1
2007	56.9	31.4	369.1	311.6	136	74.2	38.2	256.8	72.7	57.3	45.1	59.4
2008	159.1	101.3	291	472.1	113.9	539.9	108.4	35.4	47	51.1	46	71
2009	73.4	127.6	306.2	229.6	199.1	81.6	25.1	24.5	19.5	59.7	62.6	95.8
2010	107.1	60.6	223.7	244.6	176.3	63.9	223.3	62.3	35.8	34.7	38.6	47.4
2011	48.5	85.2	378.5	406.1	183.6	91.1	46.1	43.3	55.8	69.8	125.6	124.2
2012	88.1	86.3	231.1	136.1	134.7	22	13.9	15.5	10	22.8	20.8	39.8
2013	124.6	217.4	339.1	560.2	237.4	240.7	66.5	29.1	26.6	38.3	63.5	52
2014	45.4	48.2	218.6	272.2	139.6	263.5	100.7	43.7	26	38.7	47.6	60.8
2015	47.1	29.8	87.1	330.7	76.7	105.6	30	22.8	36.5	25.9	91.8	209.9
2016	82	119.4	234	207.9	96.3	64.3	26	30.3	98.4	150.4	104.7	112.1
2017	183.6	212.7	265.3	289.8	222	125.3	115.9	57.3	34.2	44.3	45.8	42.7
2018	103.1	338.3	92.9	147.1	209.7	63.6	33.6	214.6	371.6	238.8	149.6	113.6
2019	112.6	130.4	416.4	244.6	222.1	93.8	109.5	44.8	104.5	372	204.6	163.9
2020	140.1	116.2	317.7	171.6	315.6	99.2	138.8	74.7	72.4	77.4	83.6	104.1
2021	67.2	35.8	216	125.6	58.7	39.7	32.8	126	25.1	28.4	33.1	29.2
2022	40	51.2	167.1	246.9	86.6	189.3	107.6	71.8	159.7	51.2	191.5	155.7
2023	122.3	162.9	369.4	317	105	31.4	26.9	43.4	29.2	69.5	84.8	92.1

2024	122.7	195.3	258.8	322.6	194.6	290.5	114.2	61.9	32.5	24.3	56.4	44
2025	52.1	49	134.8	178.3								
Mean of monthly Discharge	60	79	205	189	110	92	50	35	49	51	63	59

** No Incomplete data have been used for statistical calculation

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**TOWN OF CEDARBURG
MEETING OF THE BOARD OF SUPERVISORS
November 5, 2025**

Present:

David Salvaggio, Chairman
Wayne Pipkorn, Supervisor Seat 1
Russ Lauer, Supervisor Seat 2
Larry Lechner, Supervisor Seat 3
Thomas Esser, Supervisor Seat 4

Eric Ryer, Administrator
Sara Jacoby, Clerk/Assistant Administrator
Paul Jungbauer, Director of Parks & Recreation
Adam Monticelli, Director of Public Works
Brad Hoefl, Town Attorney
Amy Barrows, Town Planner
Troy Hartjes, Town Engineer
Samuel Peters, Town Constable
Barry Sullivan, Ozaukee County Land and Water Mgmt.

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Chairman Salvaggio called the regular meeting to order at 7:00 pm. The meeting began with the pledge of allegiance.

2. ANNOUNCEMENTS

None.

3. HEARING OF THE PEOPLE:

None.

4. COMMUNICATIONS AND REQUESTS FOR HOLDING TANK-AGREEMENTS AND OPERATOR LICENSES:

a. Discussion and possible motion regarding new operator license applications for the 2025-2026 license period*

Supervisor Esser made a motion to approve the operator license applications for Kristen O'Neal and John Spencer. Supervisor Lauer seconded, and the motion passed unanimously.

5. CONSENT AGENDA: *The Consent Agenda contains routine items and will be enacted by one motion without separate discussion unless someone requests an item to be removed for separate consideration and vote.*

- a. **Approving October 1, 2025 Town Board Meeting Minutes**
- b. **Approving October 15, 2025 Special Town Board Meeting Minutes**
- c. **Accepting September 17, 2025 Plan Commission Meeting Minutes**
- d. **Accepting September 4, 2025 Joint Ad Hoc Bicycle & Pedestrian Committee Meeting Minutes**
- e. **Accepting October 1, 2025 Finance Committee Meeting Minutes**

Supervisor Lauer made a motion to approve the consent agenda items. Supervisor Esser seconded, and the motion passed unanimously.

6. TREASURER'S REPORT

a. Motion accepting the October 2025 Treasurer's Report*

Supervisor Pipkorn made a motion to approve the October 2025 Treasurer's Report. Supervisor Lauer seconded, and the motion passed unanimously.

7. PRESENTATION OF BILLS/PURCHASE ORDER/PAYROLL/AWARDS: *The bills presented for review have been paid from the Town treasury as authorized under Sec. 60.44(2), Stats., and Sec. 63-8 of the Code of Ordinances.*

a. Presentation of Bills/Purchase Orders/Payroll/Awards for October 1, 2025 to October 31, 2025 (Check #'s 40979-41065, V4629-V4674, EFT, and manual checks as shown)*

Supervisor Lauer made a motion to accept all bills, purchase orders, payroll, and awards as presented. Supervisor Esser seconded, and the motion passed unanimously.

8. REPORTS TO BE RECEIVED/FILED (Non-action items)

a. Report regarding local nuisance/code enforcement issues (Constable Samuel Peters)*

Constable Peters' report included background checks for operators and a new employee, as well as a report of a vehicle on jacks on Hidden Valley Drive.

b. Report on recreation finances (Director of Parks & Recreation Paul Jungbauer)*

A report from Park and Recreation Director Jungbauer was shown listing the current positive balance of \$15,078 in the Recreation Fund for 2025.

9. PUBLIC HEARINGS

a. Public hearing to take comment on an application to construct a 13.2-acre pond on parcels to be combined by a CSM and Joinder deed restriction agreement [Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]

Applicants Michael and Stacy Gauthier have applied for a 13.2-acre pond on parcels to be combined via CSM and a Joinder deed restriction agreement. The Gauthier's currently own nine (9) parcels adjacent to each other with various zoning designations (R-2, A-1, A-2, E-1, and C-1). In an effort to combine five (5) of the existing parcels to create a 132.39-acre singular parcel for the construction of a pond, consistent zoning across all parcels is first required. The applicant is seeking to rezone three of the parcels from A-1 and A-2 to E-1. Four (4) of the parcels will remain as separate legal lots of record. The E-1 District provides for single-family dwellings as a principal use, and also allows for noncommercial, man-made recreation or wildlife ponds as an accessory use with a special permit.

Michael Gauthier presented a summary of his pond application. He noted they are aware of a flyer that was distributed and attempted to address some of the concerns noted in the flyer including noise, noting they would abide by noise ordinances. He noted there are federal, state, and local regulations that they were committed to adhering to and outlined the safety mitigation steps they have taken with engineering. He explained their willingness to complete a maintenance agreement with the Town for the pond. He also reviewed the methods of filling the pond including drawing water from Cedar Creek and using one conventional well. They propose drawing approximately one-half of one percent of the common low flow of the creek. He noted E-1 zoning is consistent with the Comprehensive Plan.

Planner Barrows outlined the process for the public hearing and expectations for applicants. She then summarized the application and highlighted the fact that this was the first time that the application had made it to a public hearing before the Town Board. The public hearing was then opened.

Mike Roller of 1977 Blacksmith Road requested information on financial guarantees, restrictions on commercial use of the pond, and questioned the benefit to the Town residents.

Richard Mett of 1815 Covered Bridge Road questioned the use of the pond noting its unique shape and presented some examples of comparably shaped ponds, noting some of them are used for commercial ski competitions. He suggested using the creek as a water source was better than using a high capacity well, and the pond was a better alternative to a housing development.

Edward Cherwink of 1962 Covered Bridge Road indicated that he had nothing against a pond but was against pumping water from the aquifer to fill the pond.

Susan Knox of 1760 Malibu Drive cited concerns about well water being used to fill the pond that could lead to well issues, seepage, environmental impact, absence of a home on the property, and asked who would bear the responsibility of breaching of the embankment or drying up of wells.

Corliss Breen of 2014 Covered Bridge Road cited concerns about who would pay to address pond related issues if they arise.

Greg Kraft of 7023 Pleasant Valley Road indicated he felt the math presented was not accurate, and that the draw to fill the pond could be as much as 40+ million gallons. He does not believe that the pond should be filled with groundwater from the aquifer, he would like to see a 10-year plan for the property, and requested an emergency action plan to be presented for potential issues.

Aricka Knox of 9727 Cedar Creek Road encouraged the Board to consider precedents that may be set by approval of the pond, and questioned long-term use of the creek water noting that USGS may lose funding which could affect the ability of creek monitoring.

Tyfani Ulicki of 6625 Pleasant Valley Road had concerns over the pond citing the use of the groundwater for filling the pond, questioned how to protect against flooding, and expressed concern about use and trespassing.

Jeff Ulicki of 6625 Pleasant Valley Road spoke in opposition to the pond citing concerns about runoff.

Laura Schumer of 5808 Eastwood Lane cited concerns about pond breach, the distance between the pond and homes and Little Red School House, property values, noise, WDNR permitting, water level maintenance, water source, and the existence of a state permit allowing for noise exceptions for speed boats. She also questioned an end date for use of the well to maintain the pond.

Erin Ortiz of 1753 Covered Bridge Road cited concerns about the use of a well, suggested a hydrogeologic study, baseline well monitoring, had concerns over the embankment, the maintenance agreement, remediation funding, financial assurances, neighborhood quality of life, nuisance issues and potential future development.

Andy Lyneis of 7806 Pleasant Valley Road noted concerns about the well, noise and the ability to enforce noise ordinances, and validity of a water study paid for by the applicants. He also suggested a \$1,000,000 escrow be held for 10 years to address affected neighboring wells.

Gary Mayworm of 6755 Pleasant Valley Road questioned if the pond will be open to the public. He cited concerns about decibel limits and believed the aforementioned escrow was a good idea.

Ruth Cook W64 N649 Hanover Avenue in the City of Cedarburg cited concerns about precedent and environmental concerns should the pond be approved. She questioned what E-1 Zoning means and who owns the groundwater.

Richard Potokar of 7635 Cedar Creek Road wonders if the property can be divided into 4 acre lots, and how many total lots the property could be divided into and does not believe that the zoning change should be separate from the pond construction issue as one is dependent on the other. He suggested that the applicants could find a natural lake.

Ruth Ann Belknap of 1771 Granville Road cited concerns regarding the pond about ecology, climate change, aquifer going dry, and stated that the creek belongs to all.

Kevin Cahill of 2029 Blacksmith Road noted he felt the pond is unfair. He noted an acquaintance ran numbers and said the filling would take 625 homes worth of water and maintenance level would take about 300 homes worth of water. He would support filling with trucked water but not groundwater. He suggested independent study of the pond. He suggested the applicants buy a home on a lake.

Ed Beimborn of 8120 Pleasant Valley Road stated the pond could be an attractive nuisance. He had concerns about wells going dry. He noted the importance of having binding legal documents related to the pond to address liability issues, indemnify the Town, and set up an escrow account for wells. He also asked if the pond could be used for commercial use.

Alice Liddell, whose parents own 1809 Covered Bridge Road, cited concerns about embankment breach, how the septic is affected, and flooding.

Dale Waldo of 1938 Wildwood Drive cited concerns about insurance rates and noise concerns.

Roy Dietsch of 2035 Blacksmith Road stated this development plan does not make sense, and does not believe the facts were presented fairly. He cited concerns about noise, surrounding wells and questioned the sincerity of the application. He also questioned the long-term plan for the pond.

Jose Ortiz of 1753 Covered Bridge Road cited concerns about the potential for a large subdivision to be built on the pond in the future, with shared use of the pond.

Chris Saali of 1746 Malibu Drive noted he felt this proposal fits the definition of a lake, not a pond. He felt its construction could put his property at risk. He did not trust the numbers presented and he encourages the Town Board to collect more information.

Melissa Teske of 2454 Northwood Drive cited concerns about the nearby data center in Port Washington and the ecological consequences of the proposed pond.

Matt King of 1737 Malibu Drive echoed concerns about liability and long-term plans. He questioned whether the Town had completed its own independent study.

Sylvia Schaub of 2062 Virginia Lane cited concerns about the aquifer and who will repair potential damage.

Jack Furey of 1981 Wildwood Drive cited concerns about driveway access to the pond and requested that access be off Covered Bridge Road, not Wildwood Drive.

Patti Farrell of 1639 Washington Avenue cited concerns about the accuracy of the numbers, ecological impacts, and how the water diversion could affect the City. She requested that the Town Board send the application back to Plan Commission.

Kim Miller of 2320 Meadowridge Court cited concerns about invasive species and questioned legal protections for the Town and if the property could be sold to a developer.

Becky Fortney of 2030 Virginia Lane cited concerns about pond failure affecting Virginia Lane, aquifer and well chemical balance, and potential precedence setting.

Cheryl Nenn, Milwaukee River Keeper Organization, joined via Zoom and cited concerns about impact to wetlands, water levels and wells, impact on fish, creek flows, public rights, oversight and inspections and limited Town resources for enforcement, and common law.

Rob Connors 955 Horns Corners Road spoke in support of the pond, noting they have done due diligence. He stated this is a unique project and there are comparables to this project that data could be taken from.

Planner Barrows reminded the audience that this is the first time the Board was hearing this application. She discussed the pond application, proposed parcel combination and zoning. She noted the applicants are proposing E-1 across all parcels, with the exception of lands zoned C-1 Conservancy District which would remain unchanged. The E-1 district does allow for noncommercial, man-made recreation or wildlife ponds as an accessory use with a special permit. A single-family residence does need to be present, which is proposed to be accomplished through a Joinder deed restriction agreement for a parcel the Gauthiers own on Wildwood Drive.

An embankment would be used when constructing the pond. The application proposes filling the pond using both diverted water from Cedar Creek and one conventional well. They are no longer proposing using a high capacity well. At this time, the DNR does not anticipate requiring permits for taking water from Cedar Creek for filling and does not consider the pond embankment to be a damn for the purpose of permitting. They will require a Notice of Intent (NOI) to be filed, which is a type of stormwater permit.

The DNR continues to review the engineering documents to make sure that the public rights to the waterway are being adhered to. Additional permitting may also be required by Ozaukee County. The applicant would need to record with the Ozaukee County Register of Deeds a maintenance agreement that would apply to all future owners. The maintenance agreement is still being reviewed by legal.

The Town's Consulting Engineer Troy Hartjes's of raSmith spoke to the design and safety of the pond, noting raSmith worked with geotechnical data to make sure that standards have been met. The applicant has designed the embankment to the standards of a damn, and the raSmith review was satisfied with the embankment design. He noted stormwater would be detained within the embankment, including stormwater that currently flows to the east to neighboring residences. He noted the WDNR is still reviewing the pond plans and water use including the proposed draw from the creek. Engineer Hartjes noted the maintenance agreement includes annual inspections.

Planner Barrows noted the staff report included a decibel level report that was provided by the applicant. She noted the Town does not regulate boating activity. She noted access to the site would be from Covered Bridge Road through property that the applicants own. They would be required by the Cedarburg Fire Department to maintain a path that allows for emergency UTV access to the pond. The Fire Department did not have interest in access to the pond water for fire suppression.

Planner Barrows noted the Plan Commission made favorable recommendations on separate votes on the rezoning and CSM applications on votes of 5-1-1, meaning 5 in favor, 1 opposed, and 1 abstaining. The Commission asked the pond permit public hearing take place, and return the pond permit application back to them for further consideration; thus the Plan Commission did not make a recommendation on the pond permit application. Planner Barrows noted that the applicant would now have a chance to respond to the public comments.

Richard Donner, Attorney representing the Gauthiers, spoke noting E-1 zoning does not allow commercial use. If commercial use was sought in the future that would require additional action by the Town before being allowed. He noted the applicant continues to work with the Town Attorney on a maintenance agreement that would be recorded with the Ozaukee County Register of Deeds that would include regular inspections, with reports available to the Town. He noted that the WDNR has jurisdiction over the creek, the applicants are not asking for special permits from the WDNR, the applicant would comply with current law, and document the water draw from the creek. Attorney Donner stated the pond would result in an improvement in current conditions in regard to flooding risk. He noted the Gauthiers have a high capacity well permit but are looking to use Cedar Creek and a conventional well instead to reduce impact on the aquifer.

Roger Miller of Miller Engineering and Scientists (Gauthier Engineer) spoke, noting the questions and concerns presented tonight are valid. He explained that the application materials that have been submitted to the Town have been thoroughly reviewed by Town consultants and legal. He anticipated the pond application would be sent back to the Plan Commission following discussion at this meeting, so that the questions and comments being presented could be thoroughly answered. He proposed the idea of a questions and answer format at a future Plan Commission meeting as well as a thorough presentation at that meeting by the applicant.

Planner Barrows confirmed that commercial use would require an amendment to the permit, a change to the Zoning Code, and a possible Comprehensive Plan amendment. She noted the public can continue to submit comments to the Town Clerk.

Supervisor Esser stated now that public comment had been received, this should be sent back to Plan Commission. Supervisor Lauer noted this is the first time the Board is considering the Gauthier applications. Planner Barrows confirmed this is the first time the Town Board is considering the applications.

Supervisor Esser made a motion to close the public hearing regarding the pond application. Supervisor Lechner seconded, and the motion carried unanimously. The Board then moved to item #9b.

- b. **Public hearing to take comment on an Ordinance to rezone portions of approximately 132.39 acres of land with tax keys 03-010-09-002.00, 03-010-08-002.00, and 03-010-08-001.00 from A-1 Agricultural and A-2 Prime Agricultural to E-1 Estate (leaving C-1 lands unchanged) [Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]**

Planner Barrows summarized the rezoning application, and the public hearing was opened.

Matt King of 1737 Malibu Drive spoke in opposition to the Joinder deed restriction agreement.

Trudi Biefeld of 2003 Wildwood Drive spoke in opposition to the Joinder deed restriction agreement based on their current use of properties owned by the applicant on Wildwood Drive, as she stated one property is vacant and another property is a rental. She does not believe the applicant will maintain family member residence.

Roy Dietsch of 2035 Blacksmith Road said he thought E-1 zoning allows for clubs as a conditional use. He reiterated that the application seemed disingenuous.

Erin Hickey of 1737 Malibu Drive questioned why the applicants don't start with building a home first, and then build the pond, if their intent is to build a home on the lot.

Supervisor Lechner made a motion to close the public hearing. Supervisor Esser seconded, and the motion carried unanimously.

Supervisor Esser made a motion to change the order of the agenda to consider items #11a, b, and c next. Supervisor Lauer seconded, and the motion carried unanimously. The Board then moved to items #11a, b, and c.

- c. **Public hearing to take comment on a pond permit application to modify a pond totaling less than one acre in size on the 4.54 acre property located at 311 Huntington Drive [Petitioner: Ryan Kudlata, zoned E-1 Estate Residential, NW ¼ of Section 32, owner William Johnson]**

Ryan Kudlata (Flagstone Landscape Design and Contracting), has submitted an application on behalf of the property owner seeking approval of a pond permit for the modification of an existing man-made pond on a 4.54-acre parcel located at 311 Huntington Drive. The property is zoned E-1 Estate Residential and is designated as Rural Neighborhood – Countryside in the Comprehensive Plan Future Land Use Map, which allows for the E-1 zoning designation. The public hearing was opened.

Chris Saali of 1746 Malibu Drive spoke about his interest in hearing the application regarding the impact of this pond on the neighbors, the environment, flooding impacts, and how all permits will be acquired.

Supervisor Lechner made a motion to close the public hearing. Supervisor Esser seconded, and the motion carried unanimously.

Administrator Ryer then summarized the application in that the work involves reshaping and deepening the existing pond to a maximum depth of approximately ten feet, constructing a paver patio with an inset fire pit along the pond edge, and installing a landscaped walking path with accent lighting. The applicant's site plan illustrates a pond surface area of roughly 12,000 square feet, representing approximately 6% of the total lot area, which is within the Town's 10% maximum for pond coverage. The project requires a pond permit under § 320-118 of the Town Code because the pond exceeds 1,000 square feet in area, extends deeper than three feet, and lies within 100 feet of a property line.

Supervisor Lechner made a motion to change the order of the agenda to consider item #11d next. Supervisor Lauer seconded, and the motion carried unanimously. The Board then moved to item #11d.

10. OLD BUSINESS

a. **Discussion and possible motion regarding a lease to farm the 8.35-acre Town owned property on CTH NN across from Malone Meadows subdivision***

The Board is considering a lease with Graham Bentz to farm the Town owned property located northwest of St. Francis Borgia school and across CTH NN from Malone Meadows. The Bentz family has farmed the property for many years and had a lease agreement with St. Francis Borgia prior to the Town's acquisition of the property. The agreement would cover the period November 5, 2025 through November 5, 2026, and then renew automatically on an annual basis until November 5, 2030.

Supervisor Esser made a motion to approve the lease agreement with no requirement for a rental payment due to the Town due to the small acreage. Supervisor Lauer seconded, and the motion passed unanimously.

b. **Discussion and possible motion regarding a lease to farm approximately 17 acres of Town owned property at the southeast corner of Western Avenue and Granville Road***

The Board is considering a lease with Dale Lueders to farm approximately 17 of the 20 acres the Town owns adjacent to the Greystones subdivision. The proposed agreement is like the Bentz lease and based off a prior version for Lueders for this property. The lease period would also be November 5, 2025 through November 5, 2026, and then renew automatically on an annual basis until November 5, 2030.

Supervisor Esser made a motion to approve the lease agreement at a charge of \$50/acre due to it being a larger parcel, payment due by the end of each year. Supervisor Lauer seconded, and the motion passed unanimously.

c. **Discussion and possible motion on proposed ground signage located at 8611 STH 60 [Owner: Project Sports LLC, Applicant Steve Becker, 8.649 acres, zoned M-2 Planned Industrial & Mixed-Use District]***

The applicant is seeking an adjusted location from what was previously approved by the Town Board. The new location represents a minor change, but approval should be documented and made part of the public record as the Board approved the initial location.

Supervisor Lechner made a motion to approve the new location for the ground sign located at 8611 STH 60 as presented. The motion was seconded by Supervisor Esser and carried unanimously.

The Board then moved to item #11e.

11. NEW BUSINESS

a. **Discussion and possible action on an Ordinance to rezone portions of approximately 132.39 acres of land with tax keys 03-010-09-002.00, 03-010-08-002.00, and 03-010-08-001.00 from A-1 Agricultural and A-2 Prime Agricultural to E-1 Estate (leaving C-1 lands unchanged) [Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***

This item continues from #9b and was recommended for approval by the Plan Commission on October 15, 2025, by a vote of 5-1-1. Supervisor Esser made a motion to table items #11a, b, c and return them to the Plan Commission for consideration. Supervisor Lauer seconded, and the motion carried unanimously.

- b. **Discussion and possible action on a Certified Survey Map consisting of five existing parcels totaling 132.39 acres owned by various Gauthier, LLCs in order combine parcels for the purpose of constructing a pond [Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***

Note: The CSM was recommended for approval by the Plan Commission on October 15, 2025, on a vote of 5-1-1. This motion applied from #11a: Supervisor Esser made a motion to table items #11a, b, c and return them to the Plan Commission for consideration. Supervisor Lauer seconded, and the motion carried unanimously.

- c. **Discussion and possible action on an application to construct a 13.2-acre pond on parcels to be combined by a CSM and Joinder deed restriction agreement [Petitioner: Michael and Stacy Gauthier, NW & SW ¼ Sec. 10]***

The associated public hearing was held at #9a. Note: on October 15, 2025, the Plan Commission unanimously recommended that the pond application proceed to the Town Board for Public Hearing and then return to the Plan Commission for further consideration.

This motion applied from #11a: Supervisor Esser made a motion to table items #11a, b, c and return them to the Plan Commission for consideration. Supervisor Lauer seconded, and the motion carried unanimously.

The Board then moved to item #9c.

- d. **Discussion and possible motion on a pond permit application to modify a pond totaling less than one acre in size on the 4.54 acre property located at 311 Huntington Drive [Petitioner: Ryan Kudlata, zoned E-1 Estate Residential, NW ¼ of Section 32, owner William Johnson]***

The associated public hearing for this item occurred at #9c. The staff report was summarized as part of item #9c.

DPW Director Monticelli explained to the Board that a verbal stop work order was conveyed to the contractor following an in-person staff meeting on July 24, 2025, including Director Monticelli, Engineer Hartjes, Building Inspector Mortimer, Planner Greenberg, and Asst. Admin./Clerk Jacoby. That meeting was after the Town was made aware of unpermitted work at the property. On October 15th, the Town was notified that water trucks were filling the pond, and that work had been ongoing since July despite the verbal stop work order.

Ryan Kudlata (Flagstone Landscape Design and Contracting) was present at the meeting. He stated the work started with dredging, however, the client wanted to dig the pond deeper, so that work was performed. The liner has been laid. Supervisor Esser questioned who directed work to continue following the stop work order. Mr. Kudlata stated the work continued at the owner's direction. The owner was not present at the meeting.

Supervisor Esser discussed the need for permits ahead of work being started, and how a stop work order was disregarded. He reiterated the need for property owners to follow applicable processes, as projects often involve neighbor input if a public hearing applies.

Attorney Hoeft then walked the Board through enforcement options for unpermitted work. He noted the work should be verified, suggesting he draft a letter to the property owner to outline steps regarding compliance.

Supervisor Esser made a motion to table the pond permit application, directing staff to look at remedial action and notices to the property owner regarding alleged violations for a pond constructed without permits, with the Town Engineer verifying the pond was installed as described, the application will then return to the Town Board for further action, with all charges for legal and engineering services related to this project be billed to the applicant. Supervisor Lechner seconded, and the motion carried unanimously.

The Board then moved to item #10a.

e. **Discussion and possible motion to approve the Official Town of Cedarburg Map***

The office of the Director of Public Works maintains an Official Town Map. Town Staff worked with Ozaukee County to update the Official Town Map, including but not limited to the addition of new Town Roadways, Cisterns, Recreational Fields, and Parks. Staff also updated verbiages to accurately represent current official names of parks and eliminated outdated information from the previous map.

Supervisor Lauer made a motion to approve the updated Official Town Map. The motion was seconded by Supervisor Esser and carried unanimously.

f. **Discussion and possible direction on the 2026 Town of Cedarburg draft budget***

Administrator Ryer briefly summarized the 2026 draft budget, which has been reviewed several times by the Finance Committee who unanimously recommended this version proceed to public hearing and adoption.

Supervisor Lechner made a motion to advance the draft budget to the Special Town Board meetings and budget hearing. The motion was seconded by Supervisor Lauer and carried unanimously.

g. **Discussion and direction to staff on updating the Town's ordinance and process pertaining to temporary and offsite signage***

Supervisor Lauer made a motion to place this item on the December Town Board agenda. The motion was seconded by Supervisor Esser and carried unanimously.

12. CLOSED SESSION

a. **The Town Board may go to closed session pursuant to:**

i. **Wisconsin Statutes Sec. 19.85(1)(e) to "Deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session," regarding the Town owned property located at 1267 Washington Avenue.**

At 10:24pm, the Town Board voted to enter closed session by roll call vote: Supervisor Pipkorn voted aye, Supervisor Lauer voted naye, Chairman Salvaggio voted aye, Supervisor Lechner voted aye, and Supervisor Esser voted aye.

b. **Reconvene to open session and the regular order of business**

At 10:35pm, Supervisor Esser made a motion to go back into open session. Supervisor Lechner seconded, and the motion passed unanimously.

13. Discussion and possible motion related to closed session business*

None.

14. ADJOURNMENT

Supervisor Esser made a motion to adjourn. Supervisor Lauer seconded, the motion passed unanimously, and the meeting was adjourned at 10:36pm.

Respectfully Submitted,

Sara Jacoby
Assistant Administrator/Clerk

Gauthier Pond – Response to Public Hearing Questions

1. How will this pond affect our wells and the aquifer?

- a. **Filling** – The proposal is to fill the pond over a 9-month period using both: (i) a conventional well drawing up to 35 gallons per minute (GPM), and (ii) withdrawing not more than 65 GPM from Cedar Creek. The 35 GPM well-draw limit is half of the 70 GPM typical for a low-capacity well and represents only 15% of the 250 GPM high-capacity well permit threshold already issued for the project by the DNR. This project involves drawing water only – it will not contaminate surrounding wells. The withdrawal rate is a small fraction of what is permitted under applicable law and the project site is located nearly 900 feet from the nearest neighboring well. The influence of one well on another decreases significantly with distance, and at this separation, no noticeable impact on neighboring wells is expected during the 9-month fill period.

This proposal is being considered as a potential alternative to using a high capacity well to fill the pond.

- b. **Maintaining** - Compared to the initial fill, a relatively small amount of water is needed to maintain the pond level and water supply is not needed on a continual on-going basis. Wisconsin receives approximately 34 inches of annual rainfall, which exceeds evaporation by about 10% (see attached table), and the pond sits within a watershed area larger than its own footprint, further increasing natural water inputs. In a dry year, a 35 GPM well may need to run for up to two weeks. This represents about 1% of the annual pumping demand exerted by surrounding wells - far less than the demand associated with an 80-home subdivision that could otherwise be developed on this 132-acre property. The pond also has the ability to fluctuate from a high-water mark in the spring season and lose 12” or more throughout the year without an effect on the use of the pond. There is little need to maintain a specific water level.

2. What impact will this have on Cedar Creek?

The average common low flow of Cedar Creek ranges between 30 and 40 cubic feet per second (CFS). The proposed withdrawal of 65 gallons per minute (about 0.2 CFS) represents roughly 0.5% of that low-flow volume. This means that more than 99.5% of the creek’s normal low flow would remain in place. During times when the creek is running higher, the percentage withdrawn would be even smaller. The combination approach of using a low capacity well at 35GPM and withdrawing 65 GPM from Cedar Creek, which is permitted under state statute, was the Town Engineer’s preferred method of filling the pond. In short, the expected effect on Cedar Creek’s flow is extremely small, and the system was designed with the surrounding environment and neighboring properties in mind.

3. What should I expect regarding noise from the pond?

Decibel levels and the duration of all sounds will be consistent with current (pre-development) levels on the property and will comply with the Town’s noise ordinance.

4. Will the Pond be used for a commercial use?

No. The pond will be located on the owner’s private property for its personal use. The Property will be zoned E-1 Estate District, restricting its use to single family residential purposes.

5. What benefit is there for the neighbors and common good?

This is a personal project on the owner’s private property, but it offers multiple benefits to the neighborhood. This project will address current stormwater runoff and flooding conditions

to the East and South of the property. The grading plan will provide stormwater management for those neighbors, redirecting current precipitation runoff over the owner's property and onto Cedar Creek. The pond will further protect the area by capturing excess rainfall, reducing peak flows into Cedar Creek, and lowering the risk of downstream flooding. Because it replaces a portion of existing cropland, the pond will also significantly reduce phosphorus runoff, helping to keep Cedar Creek cleaner. Importantly, this project is the opposite of the overdevelopment many residents are concerned about. Instead of an 80–100 home subdivision on the 132 acre parcel, this use is far less intensive and helps preserve the rural character that makes the Town of Cedarburg special. The pond will also create a natural habitat for wildlife, adding to the scenic and environmental value of the area.

6. I am concerned about the use of 35,000,000 gallons of water for the pond.

This amount of water is related to the area and depth of the pond. It is important to consider the rate at which water is drawn from any source for filling the pond. As explained in #1 above, the rates of any withdrawal are a fraction of what is allowed under current law. The filling period is spread out over 9 months (270 days). Once the pond is filled, a minimal amount of water will be needed to maintain the pond's water level.

7. What if there is a breach or seepage from the pond?

The Town's Engineer requested that the pond embankments have an Embankment Factor of Safety of at least 1.4, as is required by the Army Corps of Engineers for the design of levees. The actual Factor of Safety for this project is from 5 to 10, as presented in detail in the engineering reports submitted to the Town. The proposed design is nearly 4 to 7 times stronger than what the Town Engineer requested. In addition, a Recreational Pond Maintenance Agreement will be recorded against the property to help ensure that the structural integrity of the Pond is maintained.

8. Why do you call it a pond? Isn't this a lake?

The project is referred to as a pond, not a lake, because the Town ordinances recognize only ponds under its Pond Permit ordinance (§320-118); there is no corresponding Lake Permit ordinance. For this reason, both Town staff and the property owner have described the project as the construction of a pond.

9. There is no residence on property.

The owner is legally joining an adjacent home it owns to the property.

10. Will this project lower our property values?

No. In fact, it is likely to have a positive effect on property values. There are many possibilities for development of this property and a pond preserves much of the available land as farm and woods, minimizing activity and maintaining the area's natural charm. A subdivision of 80-100 homes would have 80-100 new wells, new roads, and additional demands on infrastructure. A livestock operation, which is currently permitted under existing zoning, would raise significant environmental and community concerns. The owner has adjacent homes to the property and is committed to protecting property values. The proposed E-1 Estate District zoning for the property is consistent with the policies and goals of the Town of Cedarburg's Comprehensive Plan. As described in #5 above, this plan greatly improves existing stormwater runoff and flooding conditions and creates a natural habitat for wildlife, adding to the scenic and environmental value of the area.

**Average Year
Precipitation vs. Evaporation (inches)**

Month	Historic Average Precipitation (in.)	Estimated Evaporation (in.)	Monthly Net (in)	Year's Accumulation (in.)
Jan	1.8	0	1.8	1.8
Feb	1.7	0	1.7	3.5
March	2.2	0.9	1.3	4.8
April	3.5	1.8	1.7	6.5
May	3.4	4.41	-1.01	5.5
June	4.4	5.13	-0.73	4.8
July	3.4	5.76	-2.36	2.4
August	3.6	5.49	-1.89	0.5
September	3.2	3.87	-0.67	-0.2
October	3.0	2.52	0.48	0.3
November	2.0	0.9	1.1	1.4
December	1.5	0	1.5	2.9
TOTAL	33.7	30.8		

From: [Thompson, Michael C - DNR](#)
Subject: [External]proposed pond, Town of Cedarburg, Ozaukee County
Date: Thursday, December 4, 2025 1:09:43 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Cedar Creek Stakeholders,

Thank you for reaching out regarding a proposed pond project in the Town of Cedarburg, Ozaukee County. I am responding on behalf of folks who received your emails, appreciate your messages and would like to take the opportunity to provide some information.

The Town Board of Cedarburg's November 5, 2025 meeting materials provide project plans for the proposed pond as of October 2025, which may be found here:

<https://link.edgepilot.com/s/9fc363df/HEKxNEttH0eCBBVHCh6bKA?u=https://www.townofcedarburgwi.gov/wp-content/uploads/2025/10/11-5-2025-TB-Meeting-Packet-Reduced.pdf>.

In 2023, the Gauthiers obtained DNR general permit coverage for a small dry settling basin and erosion control to construct an 11-acre pond. The plans changed, the small dry basin was removed, and the pond increased to 13-acres. The proposed 13-acre private pond is not a dam. The Town of Cedarburg is reviewing the design of the pond. The DNR storm water program has authority to inspect erosion controls during construction. However, the DNR storm water permit doesn't require post construction water quality monitoring. The department's general permit documents including the May 2025 erosion control plans most recently submitted to DNR are available at

https://link.edgepilot.com/s/4a3a1bd5/Vgl8AgdD20_nW_cZmOoKuQ?u=https://permits.dnr.wi.gov/water/SitePages/DocSetViewArchive.aspx?DocSet=SW-GP-SE-2023-46-X10-26T14-16-19%26Loc=stormwater4%26Lib=Archive and
<https://link.edgepilot.com/s/bd0c1c0b/w2BYhqv6jU2IQclL1znVIQ?u=https://permits.dnr.wi.gov/water/SitePages/DocSetViewArchive.aspx?DocSet=WP-GP-SE-2023-46-X10-20T07-10-44%26Loc=watergp2%26Lib=Archive>.

Also in 2023, the DNR received an application for a high capacity well on the proposed project property. After technical review to evaluate the potential impact on nearby private wells and the Cedar Creek, DNR approved the application in March 2024 with modifications. The approved maximum capacity was reduced to 250 gallons per minute, half of the original request, and the applicant was required to relocate the well further south on the property to mitigate potential risks. As of now, there is no record indicating that the high capacity well has been drilled. Application materials for this permit are available upon request by emailing DNRWATERUSERREGISTRATION@wisconsin.gov.

No surface water withdrawal approvals have been issued by the DNR for this project, and until additional information is provided and analyzed by the DNR, no decisions on water withdrawal can be made by DNR. As of November 2025, no applications for water withdrawal have been submitted for this project. The DNR waterways program will engage directly with the project applicant to better

understand their proposal to withdraw surface water from Cedar Creek and will share information with the applicant regarding legal requirements that may apply. The DNR will consider the information gathered and evaluate if a site visit and permits may be required according to state statute.

If interested, you can view waterway permit applications submitted to DNR and track the status at <https://link.edgepilot.com/s/d915d72b/05CpdeyLGE7eyPf-Fp6HA?u=https://dnr.wisconsin.gov/permits/water>.

Please also note that based on current information, the proposed pond is not expected to affect Cedar Creek sediments. An interactive map with reported soil and groundwater contamination information is available at <https://link.edgepilot.com/s/3f0b1c3f/Rx1Lv9slc0O9LbhgLUkBYA?u=https://dnr.wisconsin.gov/topic/Brownfields/rrsm.html>. For surface water withdrawals, if pump capacity is 70 gallons per minute or greater, the landowner must register and report their monthly water use to the department.

Endangered Resources Reviews are part of the department's permitting processes and include required and/or recommended actions to comply with Wisconsin's Endangered Species Law. Some rare species information may be confidential. An Endangered Resources Review flyer and webpage are available at https://link.edgepilot.com/s/e6804ea6/FfoOtwRLbUS8WAHqmRkuuw?u=https://dnr.wisconsin.gov/sites/default/files/topic/ERReview/ReviewFlyer_01-10-2020.pdf and <https://link.edgepilot.com/s/7aa27ee7/fa7nNVmehEOtTSe4K30M1w?u=https://dnr.wisconsin.gov/topic/erreview/review>. The Natural Heritage Inventory Public Portal is a free online mapping tool for endangered, threatened, or special concern species, as well as natural communities and special natural features and is available at <https://link.edgepilot.com/s/aae49b25/K2yQy50G8kyBMDHkO6yI0w?u=https://dnr.wisconsin.gov/topic/erreview/PublicPortal>.

Thanks again for sharing your concerns about the proposed pond and environmental impacts. Please contact me if I can provide further information.

Sincerely,

Mike

Mike Thompson

He/Him

Secretary's Director for Southeastern Wisconsin

Wisconsin Department of Natural Resources

Cell Phone: 414-303-3408

MichaelC.Thompson@Wisconsin.gov



dnr.wi.gov

Our core values include professionalism, integrity, and customer service.

Please visit our [survey](#) to provide feedback on your experience interacting with any DNR employee.

