



Fee must accompany application

\$1460 Paid *[Signature]* Date 3/18/24

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

Briohn Building Corp

c/o Caitlin LaJoie

3885 N Brookfield Rd

Brookfield, WI 53045

Phone (262) 307-8792

Fax ()

E-Mail clajoie@briohn.com

PROPERTY OWNER

Green Bay Packaging, Inc.

1700 Webster Court

Green Bay, WI 54302

Phone ()

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Property Owner: Green Bay Packaging, Inc.

3 PROPERTY ADDRESS	TAX KEY NUMBER
NE Quadrant Holy Hill Road / Highway 41	079335, 073994 and 073993

4 DESCRIPTION OF EXISTING OPERATION

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages as necessary.

N/A - the site is currently vacant. Site plan/architecture submitted for PC review to construct new facility for GBP.

5 DESCRIPTION OF PROPOSED OPERATION

Write the name of the proposed conditional use exactly as it appears in the Municipal Code.

24.04(3)(c)1 & 24.04(3)(c)5 and 24.04(3)(c)1

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

To grade within 25' of mapped wetlands for the benefit of installing modified/new access to the existing gas station and proposed GBP facility.

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

See attached

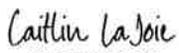
7 SUPPORTING DOCUMENTATION:

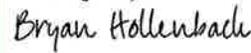
- Site Plan and elevations for new construction (can be conceptual)
- Photos of existing use and/or proposed use operating elsewhere
- Exhibit depicting construction activities near entrance at Holy Hill
- _____

8 READ AND INITIAL THE FOLLOWING:

- I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.
- I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.
- I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.
- I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action being taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and timeframe.

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

DocuSigned by:

 AB31E8AA9F1E48E...
 Applicant _____ Date 3/15/2024

DocuSigned by:

 533CABDB0C014C9...
 Owner _____ Date 3/15/2024



BRIOHN BUILDING CORPORATION

March 18, 2024

Village of Germantown
N112W17001 Mequon Road
Germantown, WI 53022

DESIGN / BUILD
CONSTRUCTION

RE: Green Bay Packaging – Great Lakes Division CUP Narrative

Dear Village Staff,

Briohn Building Corporation (“Briohn”) is pleased to present the following narrative on behalf of Green Bay Packaging (“GBP”) – Great Lakes Division to the Village of Germantown (“Village”) for consideration of granting a Conditional Use Permit, allowing the development to encroach the Village’s 25-foot wetland setback restriction.

ARCHITECTURAL
DESIGN

Introduction

GBP recently purchased approximately 52 acres of land to develop a new 270,000 square foot facility in the northeast quadrant of the intersection at Holy Hill Road and Hwy 41.

The land was rezoned and the comprehensive plan was amended on November 20, 2023 to support the proposed facility. The site plan and architecture will be reviewed by Plan Commission on April 8, 2024.

DEVELOPMENT

A delineation of the land completed on October 2 and 5, 2023, by Helianthus, identified wetland boundaries as shown in Figure 9. Briohn is coordinating with WDNR to receive necessary approvals to fill Wetland 3, and a portion of Wetland 4. Wetlands 1, 2, 5, and 6 will not be impacted by this development.

25-foot Wetland Setback Impacts

Wetland 4 is located north of Holy Hill Road where the proposed entrance is planned to accommodate traffic to the existing gas station and GBP facility. The entrance was strategically designed to minimize wetland impact while meeting the results of a traffic impact analysis completed on February 5, 2024, by TADI.

PROPERTY
MANAGEMENT

Per Village Zoning Code Section 24.04(3)(c), *uses which are allowed upon the issuance of a conditional user permit and which may include wetland alterations only to the extent specifically provided below:*

1. *The construction and maintenance of roads which are necessary for the continuity of the Village street system, the provision of essential utility and emergency services or to provide access to the uses permitted under this subsection, provided that:*

- a. *The road cannot, as a practical matter, be located outside the wetland*
 RESPONSE: Wetland 4 runs parallel to Holy Hill Road the entire length of the property boundary.
- b. *The road is designed and constructed to minimize adverse impacts upon the natural functions of the wetland listed in section 24.07(3) of this chapter*
 RESPONSE: The proposed road was designed to minimize adverse impacts on the natural function of the wetlands
- c. *The road is designed and constructed to with the minimum cross-sectional area practical to serve the intended use*
 RESPONSE: The design was carefully considered to minimize wetland impact by crossing the wetland at the most narrow section while accounting for the intersection alignment. This design also includes revising the existing gas station entrance to enhance public safety and promote vehicle/truck circulation.
- d. *Road construction activities are carried out in the immediate area of the roadbed only*
 RESPONSE: The associated activities are for the installation of permanent access to the existing gas station and GBP, including storm pipe and retaining wall, and minimal wetland fill.
- e. *Any wetland alteration must be necessary for the construction or maintenance of the road*
 RESPONSE: The requested wetland alterations are necessary for the proposed GBP facility access.

The impacts to Wetland 4 are in direct connection to grading, storm pipe and retaining wall installation and minimal wetland fill; attached Exhibit A depicts the proposed request. The impact areas, including vertical and horizontal areas, are shown below in Table 1.

TABLE 1: WETLAND SETBACK IMPACT AREAS

Encroachment type	Encroachment Area (sf)	Compensation Ratio	Required Compensation Area (sf)
Green Space (Grading impact) – horizontal development, <=3' grade change	-	1:1	-
Green Space (Grading impact) – vertical development, >3' grade change	13,470	2:1	26,940
Impervious surfaces – horizontal development, <=3' grade change	-	1:1	-
Temporary impact for retaining wall construction	200	1:1	200
Total			27,140

Compensatory Mitigation Plan

The majority of the required compensation shown in Table 1 will be accomplished by restoring the impacted areas with native landscaping consisting of a meadow mix.

TABLE 2: WETLAND SETBACK COMPENSATION

Encroachment type	Required Compensation Area (sf)	Actual Compensation Area (sf)
Green Space (Grading impact) – horizontal development, <=3' grade change	-	-
Green Space (Grading impact) – vertical development, >3' grade change	26,940	13,000
Impervious surfaces – horizontal development, <=3' grade change	-	-
Temporary impact for retaining wall construction	200	200
Debris removal and restoration area		15,380
Total	27,140	28,580

Conclusion

Thank you for reviewing the application in consideration of granting a Conditional Use Permit for GBP to encroach the wetland setback for the benefit of improvements related to site access. The above calculations meet the Village's requirements for wetland setback impact.

We look forward to continuing the approval process with the Village. Should you have any further questions, please do not hesitate to contact me.

Sincerely,

Caitlin LaJoie, Director of Land Development
Briohn Building Corporation
clajoie@briohn.com
262-307-8792

Legal descriptions for the three parcels GBP owns, below:

THAT PART OF THE FOLLOWING DESCRIBED LAND:

A PARCEL OF LAND LOCATED IN THE NORTHEAST ¼, NORTHWEST ¼, SOUTHEAST ¼ AND SOUTHWEST ¼ OF THE SOUTHWEST ¼ AND BEING THE NORTHWEST ¼ AND SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 7, TOWNSHIP 9 NORTH, RANGE 20 EAST, (INCLUDING THEREIN LOT 2 OF CERTIFIED SURVEY MAP NO. 6182, RECORDED IN THE WASHINGTON COUNTY REGISTRY ON JULY 26, 2007 IN VOLUME 46 OF CERTIFIED SURVEY MAPS, PAGE 162, AS DOCUMENT NO. 1167237) VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ¼ CORNER OF SAID 7, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE NORTH 89° 48' 11" WEST, 93.49 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 7 AND CENTERLINE OF S.T.H. 167; THENCE NORTH 00° 11' 49" EAST, 60.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF S.T.H. 167; THENCE NORTH 89°48' 11" WEST, 485.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 00° 11' 49" EAST, 20.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 87° 28' 31" WEST, 615.51 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 89° 48' 11" WEST, 150.00 FEET ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF CERTIFIED SURVEY MAP NO. 276; THENCE NORTH 00° 11' 49" EAST, 60.0 FEET ALONG THE EAST LINE OF SAID CERTIFIED SURVEY MAP NO. 276 TO THE NORTHEAST CORNER OF SAID CERTIFIED SURVEY MAP NO. 276; THENCE NORTH 89° 48' 11" WEST, 45.95 FEET ALONG THE NORTHERLY LINE OF SAID CERTIFIED SURVEY MAP NO. 276; THENCE NORTH 82° 04' 28" WEST, 264.74 FEET ALONG THE NORTHERLY LINE OF SAID CERTIFIED SURVEY MAP NO. 276 TO THE SOUTHEAST CORNER OF CERTIFIED SURVEY MAP NO. 279; THENCE NORTH 11° 52' 35" WEST, 250.00 FEET ALONG THE EAST LINE OF SAID CERTIFIED SURVEY MAP NO. 279; THENCE NORTH 82° 04' 28" WEST, 250.00 FEET ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP NO. 279; THENCE SOUTH 11° 52' 35" EAST, 250.00 FEET ALONG THE WEST LINE OF SAID CERTIFIED SURVEY MAP NO. 279 TO THE NORTHERLY LINE OF CERTIFIED SURVEY MAP NO. 276; THENCE NORTH 82° 04' 28" WEST, 209.37 FEET ALONG THE NORTHERLY LINE OF SAID CERTIFIED SURVEY MAP NO. 276 TO THE EASTERLY RIGHT OF LINE OF U.S.H. 41; THENCE NORTH 11° 59' 55" WEST, 1386.25 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE; THENCE NORTH 00° 54' 48" WEST, 370.00 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE; THENCE SOUTH 89° 36' 36" EAST, 1057.51 FEET TO CERTIFIED SURVEY MAP NO. 51; THENCE ALONG THE EXTERIOR OF SAID CERTIFIED SURVEY MAP NO. 51 AS FOLLOWS: SOUTH 00°49' 40" EAST, 32.08 FEET; THENCE NORTH 89° 19' 40" WEST, 230.00 FEET; THENCE SOUTH 15° 15' 55" EAST, 223.60 FEET; THENCE SOUTH 89° 19' 40" EAST, 354.30 FEET; THENCE NORTH 00° 49' 40" WEST, 215.75 FEET; THENCE LEAVING SAID EXTERIOR OF CERTIFIED SURVEY MAP NO. 51, NORTH 89° 32' 40" WEST, 114.05 FEET; THENCE NORTH 00° 49' 40" WEST, 693.41 FEET TO THE NORTH LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 7 AND THE CENTERLINE OF W. ROCKFIELD ROAD; THENCE SOUTH 89° 32' 40" EAST, 1214.33 FEET ALONG SAID NORTH LINE AND CENTERLINE TO THE CENTER OF SAID SECTION 7; THENCE SOUTH 89° 33' 23" EAST, 1320.85 FEET ALONG THE NORTH LINE OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 7 AND THE CENTER LINE OF W. ROCKFIELD ROAD TO THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 7; THENCE SOUTH 01° 34' 39" EAST, 2637.22 FEET ALONG THE

EAST LINE OF THE WEST ½ OF THE SOUTHEAST ¼ OF SAID SECTION 7 TO THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 7 AND CENTERLINE OF S.T.H. 167; THENCE NORTH 89° 41' 41" WEST, 1321.52 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 7 AND SAID CENTERLINE TO THE POINT OF BEGINNING. EXCEPTING THEREFROM LOT 1 OF CERTIFIED SURVEY MAP NO. 6182 RECORDED JULY 26, 2007 IN VOLUME 46 OF CERTIFIED SURVEY MAPS, PAGE 162, AS DOCUMENT NO. 1167237. FURTHER EXCEPTING THEREFROM CERTIFIED SURVEY MAP NO. 1963 RECORDED IN VOLUME 10 OF CERTIFIED SURVEY MAPS, PAGE 121, AS DOCUMENT NO. 406961.

The North Half of the Northwest Quarter of the SOUTHWEST Quarter (N ½ NW ¼ SW ¼) of Section Seven (7), Town Nine (9) North, Range Twenty (20) East, Village of Germantown, Washington County, Wisconsin, EXCEPTING THEREFROM Two (2) parcels of land, described as follows:

1. That portion conveyed to Washington County as disclosed by Warranty Deed recorded on April 12, 1950, in Volume 176, Page 575, as Document No. 208044.
2. That portion described by Award of Damages recorded on January 2, 1969, in Volume 459, Page 540, as Document No. 305048.

Tax Key No. GTVN 073993



WETLANDS DELINEATED BY K. SHERFINSKI OF HELIANTHUS, LLC ON OCTOBER 2 AND 5, 2023.

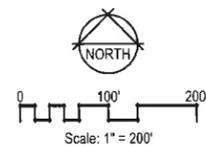


ADAMS GARDEN PARK
1836 W. FOND DU LAC AVE, SUITE 100
MILWAUKEE, WI 53204
www.healthyenvironmentsdesigned.com

CLIENT ADDRESS:
BRIJHN DESIGN GROUP, LLC
3885 N. BROOKFIELD RD. STE. 200
BROOKFIELD, WI 53045

WETLAND BOUNDARY MAP

GREEN BAY PACKAGING SITE
GERMANTOWN, WI 53076



Drawn By	BJY
Project Number	23-200
Date	12-07-2023
Sheet	1.0
Exhibit	

FIGURE 9



FLOOD PLAIN LINE
GRAPHICALLY SHOWN
(PER INFORMATION
FROM FEMA MAP# 55131C0268E 2/25/2022)

25' VILLAGE WETLAND
SETBACK REQUEST TO BE
WAIVED TO ALLOW FOR
GRADING, STORM PIPE AND
RETAINING WALL
INSTALL, AND MINIMAL
WETLAND FILL.

DEBRIS REMOVAL
RESTORATION AREA

DEBRIS REMOVAL
RESTORATION AREA

WET LAND
DELINEATED ON 10-05-23

10,000 SF
WETLAND FILL



HOLY HILL ROAD

APPROXIMATE LOCATION 16" WATER MAIN (PER PLAN)

EXHIBIT - WETLAND SETBACK

