

## Murphy, Brad

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**From:** Dailey, Janet  
**Sent:** Monday, May 16, 2011 3:23 PM  
**To:** 'Kent Walser'; King, Steve; Rummel, Marsha; Schmidt, Chris; erics@cow.s.org; jolson@operationfreshstart.org; timothy\_gruber@yahoo.com; mabasford@charter.net; avandrzejews@wisc.edu  
**Cc:** Murphy, Brad; Phillips, Rob; Pederson, Eric; Parks, Timothy  
**Subject:** RE: Plan Commission - Walser CSM  
**Attachments:** 20110516150508189.pdf

Mr. Walser,  
Engineering has modified our comment. We feel it still serves our purposes and hopefully it's more agreeable with your situation. This will allow the lots to remain as currently planned until such time as any further development occurs.

Revised Comment No. 6:

Place the following note on the CSM: "The City of Madison will require dedication of a 60 foot wide right of way from the west end of Meadow Mist Rd to Blackhawk Road for the future Meadow Mist Road extension. The future right of way shall be dedicated by the owners of Lot 1 and Lot 2 as ordered by the City of Madison Common Council and the new road shall be constructed and assessed to the adjacent property owners. This order shall not occur before such time as either Lot 1 or Lot 2 further subdivides."

If you have concerns please let us know. I've forward a copy of the revised language to Tim Parks to be provided to the Plan Commission tonight.

Janet

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Janet Dailey, PE  
Engineer IV  
City of Madison Engineering Division  
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ph: 608-261-9688  
fax: 608-264-9275  
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-----Original Message-----

**From:** Kent Walser [mailto:Kent.Walser@rsvw.org]  
**Sent:** Monday, May 16, 2011 2:33 PM  
**To:** King, Steve; Rummel, Marsha; Schmidt, Chris; erics@cow.s.org; jolson@operationfreshstart.org; timothy\_gruber@yahoo.com; mabasford@charter.net; avandrzejews@wisc.edu  
**Cc:** Murphy, Brad; Phillips, Rob; Pederson, Eric; Dailey, Janet; Parks, Timothy  
**Subject:** Plan Commission - Walser CSM

Greetings:

My name is Kent Walser, I'm requesting approval of a two lot Certified Survey Map (CSM) for our families property on 9861 Blackhawk Road in the Town of Middleton. The purpose of the two-lot is for me to build a single home next to my mother and provide long-term care as she turned 76 last month. My family purchased the land in 1962 and my father planted most every tree on the property. We are in front of the City of Madison Plan Commission due to a Cooperative Plan (see attached) between the City of Madison and the Town of Middleton.

I'm requesting approval of the proposed two-lot CSM which meets all applicable subdivision and zoning codes as well as all relevant provisions of the Cooperative Plan between the Town of Middleton and the City of Madison. Both lots created will have the necessary frontage on Blackhawk Drive and nothing about the proposed land division creates a public need for dedication of a public road.

We agree, if we were to develop this parcel any further after the approval of the current two-lot CSM, that in accordance with the Cooperative Plan between the City of Madison and the Town of Middleton 13.02 (e), any further or additional division of such parcel would be subject to attachment to the City of Madison.

I was notified this afternoon by Eric Pederson of the following:

----- Original Message

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From: Pederson, Eric  
To: 'Chris Adams'  
Cc: Phillips, Rob ; Dailey, Janet ; Parks, Timothy  
Sent: Monday, May 16, 2011 10:39 AM  
Subject: Walser CSM

Hi Chris,

Thanks for the call this morning. After discussions with yourself, I spoke with CE Rob Phillips about your client's concerns with note that applies to the future public street dedication and extension of Meadow Mist Road. Rob suggested running the following amended comment by the owner. The note offering more or less a delayed effective date on the potential Common Council order for dedication:

The future right of way shall be dedicated to the public at such time ordered by the City of Madison Common Council. This Common Council order shall not to occur before January 1, 2021, unless agreeable by the owner of Lot 2.

<http://www.cityofmadison.com/planning/projects/csm/9861bd.html>

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I hope you all agree, it is well established that in order for the government to take property as a condition of development approvals a reasonable relationship exists between public needs created by the development and the required exaction.

I am asking you to approve the proposed two-lot CSM removing any timeline for future right of way dedication to the public.

Thank you for your time and consideration,

Best Wishes,

Kent Walser  
608-770-2710

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database 6126  
(20110516) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>



Department of Public Works  
**City Engineering Division**

608 266 4751

Robert F. Phillips, P.E.  
City Engineer

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Michael R. Dalley, P.E.

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John S. Fahrney, P.E.  
Gregory T. Fries, P.E.  
Christopher J. Petykowski, P.E.

**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
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**Operations Supervisor**  
Kathleen M. Cryan

**GIS Manager**  
David A. Davis, R.L.S.

**Financial Officer**  
Steven B. Danner-Rivers

**Hydrogeologist**  
Brynn Bemis

DATE: May 3, 2011, **REVISED May 16, 2011**  
TO: Plan Commission  
FROM: Robert F. Phillips, P.E., City Engineer  
SUBJECT: 9861 Blackhawk Road Certified Survey Map

*Michael R. Dalley*  
*FOR*

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Applicant shall provide a 15-foot wide public sanitary sewer easement on the CSM for any future sanitary sewer service that may be required to serve Lot No. 1.
2. Applicant will be required to connect to the City's public sewer system per MGO 35.02(3)(d) upon annexation to the City.
3. Applicant will be responsible for paying outstanding Madison Metropolitan sewerage District upon connection to City sewer.
4. Correct the street names referenced on the CSM: Blackhawk Rd. and Meadow Mist Rd.
5. It appears the CSM will be the only instrument creating the shared private driveway easement. The note pertaining to a 60' wide easement implies 60' and parallel is misleading, as the easement appears to expand in width approaching the south line of proposed Lot 1. If a separate easement containing specific terms and conditions is intended to be recorded with the Dane County Register of Deeds to complement the CSM easement, provide City Engineering Mapping a copy for city records.
6. Place the following note on the CSM: "The City of Madison will require dedication of a 60 foot wide right of way from the west end of Meadow Mist Rd to Blackhawk Road for the future Meadow Mist Road extension. The future right of way shall be dedicated by the owners of Lot 1 and Lot 2 as ordered by the City of Madison Common Council and the new road shall be constructed and assessed to the adjacent property owners. This order shall not occur before such time as either Lot 1 or Lot 2 further subdivides."
7. The final location of the "Potential Future Road Extension See Note 7" shall be completely dimensioned and retraceable on this CSM. The configuration shall be revised to include 15 ft corner radii on both sides intersecting the new south Blackhawk Road right-of-way created by this CSM.
8. This CSM shall create a 15 ft public grading and sloping easement along Blackhawk Road and 10 ft public grading and sloping easements along both sides of the future public Meadow Mist Road alignment through this CSM.