

Major Land Division Application



Town of Cedarburg, Wisconsin
 1293 Washington Avenue
 Cedarburg, Wisconsin 53012

<i>Contact Type</i>	<i>Contact Information</i>
Town Hall Telephone Number	(262) 377-4509
Town Hall Fax Number	(262) 377-0308
Primary Town Hall Contact	Jim Culotta, Town Administrator
Town Hall Email Contact	jculotta@town.cedarburg.wi.us

February, 2010

FEE TYPE	TOWN OF CEDARBURG	TOWN ENGINEER / CONSULTANT REVIEW FEE
Land Division Concept Fee	\$100	Actual Review Fee (if necessary)
Preliminary Plat	\$250 or \$150 + \$10 per lot (greater amount)	Actual Review Fee (if necessary)
Final Plat	\$250 or \$150 + \$10 per lot (greater amount)	Actual Review Fee (if necessary)
Reapplication Fee (Preliminary & Final Plat)	\$50	N/A
Master Plan Study Fee	\$250 or \$150 + \$10 per lot (greater amount)	Actual Review Fee (if necessary)
Stormwater Management Plan Review Fee	\$325 + additional costs above base fee	Actual Review Fee (if necessary)
Rezoning (if applicable)	\$300	Actual Review Fee (if necessary)
Impact Fee (due upon issuance of building permit)	\$3,790	N/A

Additional copies of this application and other information may be found at the
 Town of Cedarburg web site – www.town.cedarburg.wi.us

Major Land Division Application

Project Name: _____

Property Owner: _____

Address: _____

Phone No. _____ Fax No. _____ E-mail: _____

Cell No.: _____

Applicant (do not fill out if same as property owner):

Name: _____

Address: _____

Phone No. _____ Fax No. _____ E-mail: _____

Cell No.: _____

Engineer / Consultant: _____

Address: _____

Phone No. _____ Fax No. _____ E-mail: _____

Gross Land Acreage _____ Location _____ 1/4 Sec. _____

Existing Zoning: _____ Comprehensive Plan Designation: _____

Present Land Use: _____

Project Description (include a description of all types of uses to occur i.e. residential, commercial):

Detailed Project Information

Total Number of lots proposed: _____ Total Number of outlots to be created: _____

Purposes of outlots to be created: _____

Minimum lot size: _____ acres Average lot size: _____ acres

Range of lot sizes (smallest-biggest): _____

Minimum lot frontage (at right-of-way): _____ feet

Reason for this proposed division of land

(development, transfer of ownership etc.): _____

1. Appropriate Fees Paid to Town of Cedarburg Amount Paid: _____ Date Paid: _____

2. Applicant must provide CAD file to DPW by email after approval. Date Received: _____

Email to: beichner@town.cedarburg.wi.us

3. Applicant must provide any final shared driveway agreement (if applicable)

4. I understand that the tax bill for the original parcel will not be apportioned until the next tax year.

5. I understand & agree to pay all review fees from the Town of Cedarburg and their consultant.

Applicant's Signature

Date

Town Initials (Office Use)



2010 MAJOR LAND DIVISION PLAN COMMISSION MEETINGS & DEADLINES

Major Land Division applications require submittal of materials at least **2-3 weeks** prior to the desired meeting on the Plan Commission Agenda (if the deadlines are other than those listed below they will be noted within this packet):

Plan Commission Meeting Dates	Submittal Deadlines
January 20	January 6
February 17	February 3
March 17	March 3
April 21	April 7
May 19	May 5
June 16	June 2
July 21	July 7
August 18	August 4
September 15	September 1
October 20	October 6
November 17	November 3
December 15	December 1

- ✓ These dates are subject to the discretion of Town officials
- ✓ The applicant shall be required to pay a fee to the Town equal to the actual cost for all engineering work incurred by the Town and its engineering consultant, if necessary, in connection with the entire Major Land Division process whether or not the application is approved

Please be advised that if you want your matter to appear on the Town Plan Commission agenda, a complete application and all required materials must be submitted to the Town Hall by the dates noted above or otherwise listed within this packet. This schedule allows time for the staff (and engineering consultant if necessary) to review submissions, obtain additional information and prepare memorandums to the Plan Commission.

It is the applicant's responsibility to submit the specified number of copies per each item as indicated in this application packet.

MAJOR LAND DIVISION PROCESS & GUIDELINES

This checklist has been created to provide guidance through the major land division process (a land division that creates five or more lots in five years). The checklist consists of state and Town requirements and is meant to expedite the process. The major land division process will take several months due to the required submittals and meetings. Below is a very brief explanation of the steps involved in the major land division process (these steps are again described in detail in the remainder of the application packet). On the following page begins a complete detailed description of the process, followed by the various checklists required for the concept plan, preliminary plat (including pre-final construction, stormwater management and erosion control plans), and final plats. This packet is an all-inclusive guide to the major land division process.

STEP 1: Pre-Application Meeting

Following the submission of a letter of interest by the Developer to the Town indicating the interest to install a major subdivision in the Town of Cedarburg, a pre-application meeting with the Town Administrator and/or Town Engineer shall be held to 1) acquaint Town Staff with the proposed project, 2) provide the opportunity for staff to advise the applicant about Town Code and procedures and any obvious issues before the land division process begins, and 3) ensure the concept plan is in compliance with the Town's Comprehensive Plan.



STEP 2: Land Division Concept Plan

If the pre-application meeting is favorable, the applicant will proceed to the second step, the concept plan. The purpose of the concept plan is to help determine whether the proposed layout/subdivision of land is satisfactory from the standpoint of public interest. The concept plan also provides an avenue for a developer to get constructive input from the Plan Commission before investing substantial time, money and effort that a preliminary plat requires. Refer to the **Concept Plan Checklist** for the materials to be submitted 2-3 weeks before the applicable Plan Commission meeting. There is a \$100 fee for the concept plan review.



STEP 3: Preliminary Plat

Following favorable direction by the Plan Commission at the concept plan review meeting to proceed with the development, the third step is the preliminary plat. The preliminary plat demonstrates the proposed layout of land and whether or not it meets all Town regulations and the goals of the Town Comprehensive Plan. A **Master Plan Study** may be required should the parcel under consideration be part of a larger piece of developable land or abut another developable parcel; this plan ensures coordination between all local parcels and their elements and amenities. Refer to the **Preliminary Plat Checklist** for the materials to be submitted 30 days before the applicable Plan Commission meeting. The fee for the preliminary plat is \$250 or \$150 + \$10 per lot, which ever is greater.



STEP 4: Final Plat

Should the preliminary plat be approved with or without conditions, the next step is the final plat. At this point, it will have been determined that the proposed development is satisfactory from the standpoint of public interest, ordinances and regulations of the Town as well as the Town of Cedarburg Comprehensive Plan. Any required **Master Plan Study** will have been completed and reviewed by this point. Refer to the final plat checklist for the materials to be submitted 30 days before the applicable Plan Commission meeting. The fee for the final plat is \$250 or \$150 + \$10 per lot, which ever is greater.

MAJOR LAND DIVISION PROCESS CHECKLIST

On the following pages is the complete flowchart for the entire major land division process. The checklists associated with the concept plan, preliminary plat, and final plats are included when they occur. This flowchart and checklist is meant to be an all-inclusive guide for the applicant throughout the process.

1. The first step in the process is for the developer/landowner to submit a **LETTER OF INTEREST** to Town Hall indicating a desire to develop a major subdivision with the Town of Cedarburg.

Step #1 Date Completed: _____

2. The developer contacts Town Staff and schedules a **PRE-APPLICATION MEETING** between staff, the developer and the developer's consulting engineer. Town Staff will provide this *Major Land Division Application* and answer any preliminary questions. Staff will also provide a sample Developer's Agreement to the developer and their consulting engineer at this meeting.

Fee Due: There is no fee for this meeting.

Step #2 Date Completed: _____

3. The developer creates a rough concept drawing of the proposed subdivision and contacts Town Staff to schedule a **STAFF CONCEPT PLAN MEETING**. At this meeting, Staff provides input to the developer regarding necessary changes to the concept plan before submitting it for Plan Commission review. If the property the developer wants to subdivide is not properly zoned, a **Rezoning Application** will be provided at this time and must be submitted in conjunction with the concept plan. The property must be properly zoned before the process can continue. Contact Staff for more information on the **Rezoning Application**. The rezoning includes submission of the application, associated materials, \$300 fee, a public notice in the News Graphic, postcards sent to neighbors within 1,000 feet of the proposed development and a public hearing to be held at the Town Board level.

Fee Due: There is no fee for the Staff Concept Plan Meeting. If the applicant is also submitting a Rezone Application, the fee due associated with the Rezone Application is \$300.

Step #3 Date Completed and Fee Received: _____

4. Following the **STAFF CONCEPT PLAN MEETING**, the developer and their consulting engineer will create a **final concept plan** for the Plan Commission to review at **PLAN COMMISSION MEETING #1**. The applicant will do so by following the **Concept Plan Checklist** on the following page. The concept plan has to be completed and submitted by the time indicated on the meeting calendar on the third page of this packet in order to be eligible for the corresponding Plan Commission meeting. At the meeting, the Plan Commission will review the concept plan and provide input to the developer and their consulting engineers. The land divider or land divider's designee shall attend the meeting and present the concept plan to the Plan Commission; the Plan Commission may recommend denial of later requested approvals should the application be incomplete or should the land divider or designee fail to be present at **PLAN COMMISSION MEETING #1**.

If the applicant has submitted a Rezone Application, the Plan Commission will also consider making a recommendation to the Town Board on such application at this meeting.

The concept plan checklist and required materials to be submitted are listed on the following page.

Fee Due: There is a \$100 fee due at the time of submission of the concept plan to staff.

Step #4 Date Completed and Fee Received: _____

CONCEPT PLAN CHECKLIST

(associated with step #4)

Twenty (20) copies of the concept plan shall be completed and submitted at least two (2) weeks before the desired Plan Commission meeting. In addition to the completed application checklist and materials, the applicant shall submit the \$100 land division concept fee at this time. The concept plan may also be reviewed by the Cedarburg Fire Department, Town Park & Open Space Committee, and Town Landmarks Commission if deemed necessary. Due two weeks before the applicable Plan Commission meeting are:

- ⇒ Twenty (20) copies of the concept plan
- ⇒ Completed concept plan checklist (this page)
- ⇒ \$100 Land Division Concept fee

The concept plan submitted by the applicant shall include the following:

OK See Comments

1. Basic soils information: it is to the benefit of the applicant to perform due diligence on soils to ensure the proposed development will support septic and mound systems. A report should be completed by a soil/environmental scientist and submitted with this checklist.
2. Proposed road(s) layout (shared driveway or public road).
3. Groundwater information.
4. Is this area in a historic district? YES NO
5. Have all archeological requirements been researched/fulfilled? YES NO
6. Topography map (2' contours).
7. Indicate the location of all lots.
8. Proposed stormwater ponds with discharge locations.
9. Identify areas for landscaping.
10. Environmental features (all wetlands, waterways, and floodplains must be shown).
11. Any shoreland zoning must be indicated.
12. Location of existing drainage tiles with flow direction indicated.
13. Density calculations.
14. Open space percentage (if applicable).
15. All common amenities, including proposed parks, trails and swimming pools etc.

Continue Process...

5. Unless the concept plan is requested to be revisited by the Plan Commission, the developer would then move forward with the application process. At this point, another meeting between staff, the developer and the Engineer may occur. This meeting would offer the opportunity to discuss the progression of the development as well as the chance to walk through the preliminary plat requirements.

The next step is for the developer to submit all of the materials associated with the preliminary plat. Once received, the Town Engineer or engineering consultant will review the preliminary plat and ancillary items and generate a comment letter. If only minor revisions are required by the Engineer review, the preliminary plat will be forwarded to the Plan Commission for **PLAN COMMISSION MEETING #2**. If major revisions of the preliminary plat are required, the plat will be delayed until such time as the major revisions are completed and the plat meets the approval of the Town Engineer.

Due at Town Hall at least thirty (30) days before the applicable Plan Commission meeting at which the applicant wishes to be considered are the following (as detailed on the following pages):

- ⇒ A letter describing the proposed development.
- ⇒ Complete Preliminary Plat Checklist (**see the following eleven pages**).
- ⇒ Completed Application form (second page of this packet).
- ⇒ One (1) electronic copy of an 8.5"x11" location map.
- ⇒ Twenty (20) copies of completed Preliminary Plat and Landscape Plan.
- ⇒ Twenty (20) copies of the percolation tests and soil borings.
- ⇒ Five (5) sets of the Pre-Final public improvements plan (90% complete) and specifications in accordance with the Pre-Final Plan Checklist No utilities shall be located on overhead poles.
- ⇒ Two (2) sets of the Stormwater Management Plans (**see the following pages**). If applicable, fee for Stormwater Management Plan Review is \$325 + additional review costs above the base fee.
- ⇒ Two (2) sets of the Erosion Control Plans (**see the following pages**).
- ⇒ Three (3) electronic copies of the Developer's Agreement.
- ⇒ A draft of the legal instruments and rules for any such proposed owner's association.
- ⇒ Fee (\$250 or \$150 + \$10 per lot, whichever is the greater amount). An additional fee equal to the actual cost above the initial fee of the Town for all engineering, legal, administrative or fiscal work incurred by the Town in connection with the preliminary plat and associated ancillary documents may be charged.
- ⇒ Any other relevant document information as determined by Wisconsin State Statutes, the Town of Cedarburg Comprehensive Plan, other Master Plan, or other Town, state, or federal ordinance, rule, law or regulation.

Fee Due: Total Preliminary Plat Review Fee (as noted above)

+

Stormwater Management Plan Review (if applicable) as noted above

+

Erosion and Sediment Control P Review Fee

Step #5 Date Completed & Fees Received: _____

PRELIMINARY PLAT & ASSOCIATED CHECKLISTS

(associated with step #5)

The purpose of the preliminary plat process is to determine whether the proposed layout of land is satisfactory from the standpoint of public interest and that the plat meets all ordinances, regulations and the Town of Cedarburg Comprehensive Plan. As with the concept plan, if necessary, the preliminary plat may be reviewed by the Cedarburg Fire Department, Town Landmarks Commission, and Town Park Committee in addition to staff, the Plan Commission and Town Board.

NOTE: A condominium plat prepared by a land surveyor registered in Wisconsin is required for all condominium plats, or any amendments or expansions thereof. The land divider shall comply in all respects with the requirements of § 703.11, Wis. Stats. See staff for more information.

Master Plan Study

If the parcel of land being submitted for subdivision is contained within a larger tract held by the same owner/applicant in which further subdivision is possible, or when the tract of land submitted for subdivision has vacant &/or developable land adjoining, a Master Plan Study may be required. This Master Plan Study (\$250 or \$150 +\$10 per lot – greater amount) is done to ensure that consideration and thought has been given to coordinate off-site and on-site development factors and elements. The Master Plan Study should illustrate how the aforementioned properties could logically be developed in accordance to normal practices of design and layout of streets and lots and the extension of existing infrastructure.

PRELIMINARY PLAT CHECKLIST

- | <u>Ok</u> | <u>See Comments</u> | |
|-----------|--------------------------|---|
| 1. | <input type="checkbox"/> | <input type="checkbox"/> A letter describing the proposed subdivision project. If the applicant is other than the legal owner, the applicant's interest shall be indicated and the legal authority to apply shall be included in a certified form. |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> Completed application form (second page of this packet). |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> One (1) 8.5"x 11" location map showing the proposed site location, adjacent existing land uses within five hundred (500) feet of the property, and general existing land uses within one thousand (1,000) feet of the property. The location map must be to a discernable scale, with the scale denoted, and provided electronically to the Town. |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> Twenty (20) copies of the preliminary plat (22" x 30", folded)
Two copies of the preliminary plat will be sent to ¹ :
<input type="checkbox"/> WisDOT if the plat abuts or adjoins a state trunk highway or connecting highway
<input type="checkbox"/> Ozaukee County planning department (4 copies)
<input type="checkbox"/> Department of Commerce if the plat is not served by public sewer and no such provision has been made |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> Twenty (20) copies of the landscape plan (22" x 30", folded) |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> Two (2) sets of Pre-Final Construction plans (90% complete) – Town (22" x 30", rolled)
Four (4) sets if a Consulting Engineer is involved. |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> Two (2) sets of Stormwater Management plans – Town (22" x 30", rolled)
Four (4) sets if a Consulting Engineer is involved. |

¹ Agency must notify subdivider within 20 days of receipt of any objection, or will certify and return to Town. No return signifies no objections. No plat may be approved until objections have been satisfied. The Town Clerk will certify on the face of the plat that copies were forwarded on specific date and no objections were filed, or have been met. Any person aggrieved by an objection to a plat may appeal as provided in s. 62.23.

8. Special Note – The Developer’s Agreement must be reviewed by the developer and Town Staff no later than thirty (30) days prior to the Plan Commission meeting at which a given preliminary plat is reviewed.

The Preliminary Plat must demonstrate the following:

9. Plats shall be drawn to a legible scale (maximum scale 1” = 100’) and all text on the plat must be a minimum of 0.08.”²
10. Whenever more than one sheet is used to accurately portray the lands subdivided, each sheet shall display both the number of the sheet and the total number of sheets included in the plat, as well as clearly labeled match lines indicating where other sheets adjoin. An index sheet shall be provided to show the relationship between sheets.
11. The external boundaries of a subdivision shall be monumented in the field by monuments of concrete containing a ferrous rod one-fourth inch in diameter or greater imbedded its full length, not less than 18 inches in length, not less than 4 inches square or 5 inches in diameter, and marked on the top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least 18 inches long and 2 inches in diameter weighing not less than 3.65 pounds per lineal foot. Solid round or square iron bars of equal or greater length or weight per foot may be used in lieu of pipes wherever pipes are specified in this section. These monuments shall be placed at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line and at all angle points along the meander line, said points to be not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.
12. All internal boundaries and those corners and points not required to be marked by the paragraph above shall be monumented in the field by like monuments. These monuments shall be placed at all block corners, at each end of all curves, at the point where a curve changes its radius, and at all angle points in any line.
13. All lot, outlot, park and public access corners and the corners of land dedicated to the public shall be monumented in the field by iron pipes at least 18 inches long and one inch in diameter, weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least 18 inches long and weighing not less than 1.13 pounds per lineal foot.
14. The lines of lots, outlots, parks and public access and land dedicated to the public that extend to lakes or streams shall be monumented in the field by iron pipes at least 18 inches long and one inch in diameter weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least 18 inches long and weighing not less than 1.13 pounds per lineal foot. These monuments shall be placed at the point of intersection of the lake or stream lot line with a meander line established not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream.
15. All subdivisions abutting on a navigable lake or stream shall provide public access at least 60 feet wide to the low watermark, which is connected to existing public roads, at not more than one-half mile intervals as measured along the lake or stream shore except where greater intervals and wider access is agreed upon by the department of natural resources and the department, and excluding shore areas where public parks or open-space streets or roads on either side of a stream are provided.

² The survey shall be performed by a land surveyor registered in this state and if the error in the latitude and departure closure of the survey or any part thereof is greater than the ratio of one in 3,000, the plat may be rejected.

16. All of the owners of land adjacent to a public access established under the previous item, as defined in s. 30.92 (1) (bk), may petition the city, village, town or county that owns the public access to construct shoreline erosion control measures. Subject to par. (e), the city, village, town or county shall construct the requested shoreline erosion control measures or request the department of natural resources to determine the need for shoreline erosion control measures. Upon receipt of a request under this paragraph from a city, village, town or county, the department of natural resources shall follow the notice and hearing procedures in s. 30.208 (3) to (5).
17. The lands lying between the meander line, established in accordance with s. 236.20 (2) (g), and the water's edge, and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or stream. This subsection applies not only to lands proposed to be subdivided but also to all lands under option to the subdivider or in which the subdivider holds any interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or stream.
18. All dimensions shall be shown in feet to the nearest one-hundredth of a foot.
19. Legal description of property, including total area (please also submit an electronic copy of the legal description to Town Hall).
20. Name of subdivision, plat date, north arrow, legend of symbols and scale (written and graphic/bar).
21. Name, address and contact information of individual and/or firm preparing the plat.
22. Identify adjoining land, including subdivision name (if applicable), landowner information, abutting property lines, current zoning, etc.
23. Identify areas to be dedicated for public use (such as parks, trails, etc.).
24. Subdivision boundaries shall be indicated and labeled with dimensions and bearings.
25. Setback lines shall be shown and dimensioned in respect to the zoning classification.
26. Existing and proposed topography at two foot (2') intervals.
27. Existing topography and site features of adjacent properties for at least one hundred feet (100') outside of subject property, at two foot (2') intervals.
28. Location of all existing state highways and local streets labeled with name, pavement width and noted as public or private.
29. Locate and identify all erosion control measures.
30. Lots shall include total square footage and all sides shall be dimensioned.
31. Label all outlots and note their future intent.
32. Location of existing and proposed easements for all utilities, rights-of-way, drainage facilities, etc. shall be shown and appropriately labeled with reserved width, type and whether they are public or private. Also include the volume, page & document # for all applicable easements.
33. Show all established floodways, floodway fringes and flood plain overlay lines.

34. Show any lands of the plat within 500 feet of the ordinary high water mark of any navigable stream, lake or other body of water or if the land involves lake or stream shorelands.
35. Adjacent corporate limit lines (if applicable).
36. Identify & label U.S.P.L.S. lines.
37. Soils map showing soils types, including a written summary of the soils.
38. Soil boring and percolation test locations indicated.
39. Location of existing subsurface tiles including flow direction.
40. All bearings and distances shall be referenced to the Wisconsin Coordinate System.
41. All existing buildings and structures (foot print, size and use), water, drainage and other pertinent features. Any building or structure and its location on the lot and setback lines shall be shown on the map and dimensioned to the nearest 0.1 foot where the location of such building or structure will be critical in relation to proposed property boundaries or to the zoning yard requirements. The existing buildings and structures shall be dimensioned to the nearest property line.
42. All lands reserved for future acquisition.
43. Name and address of the site.
44. Include "An impact fee for the new lot shall be paid per Town Code" on the plat.
45. The following zoning/density items must be noted on the plat:
- Existing zoning and proposed changes
 - Setbacks (including planting strip if applicable)
 - Density
 - Open Space (if applicable)
 - Bonus Lots
 - Static Water Sources/shoreland zoning
46. The following mapping review and land suitability items shall be indicated or attached with the application:
- U.S.G.S. Map – Drainage Ways
 - Wetland Inventory Map
 - Flood Insurance Rate Map – Floodplains
 - Topography & Slopes

47. The following design standards shall be indicated on the plat:

- All intersections will be shown at right angles with proper visibility.
- Property lines at intersections rounded with a minimum of 15' radius.
- Tangents of 100' between reverse curves.
- Street grades
- Radii of curvature
- Vertical curves
- Street names (note on plat)
- Culs-de-sac
- Section line roads, county & state highways require a 100' planting strip
(note location on plat).

STORMWATER MANAGEMENT PLAN: Post-Construction

No responsible party may commence a land-disturbing construction activity subject to Town Code chapter [185. POST-CONSTRUCTION STORMWATER MANAGEMENT](#) without receiving a post-construction runoff permit from the Director of Public Works prior to commencing the proposed activity. This chapter applies after final stabilization to a site of land-disturbing construction activity that generally results in one or more acres of land-disturbing construction activities.

HOWEVER, a site that meets any of the criteria below is exempt from the requirements of Chapter 185:

- (a) A redevelopment post-construction site with no increase in exposed parking lots or roads.
- (b) A post-construction site with less than 10% connected imperviousness based on complete development of the post-construction site, provided the cumulative area of all parking lots and rooftops is less than one acre.
- (c) Nonpoint discharges from agricultural facilities and practices.
- (d) Nonpoint discharges from silviculture activities.
- (e) Routine maintenance for project sites under five acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.
- (f) Underground utility construction such as water, sewer and fiber optic lines. This exemption does not apply to the construction of any aboveground structures associated with utility construction.

All drainage facilities and practices required to comply with chapter 185 shall incorporate technical standards and design methods specified in the document "Town of Cedarburg Erosion Control and Stormwater Management Requirements," maintained and periodically updated by the Director of Public Works.

The Erosion Control and Stormwater Management Requirements report outlining all of the information and providing all of the forms for post-construction stormwater management is found online at www.town.cedarburg.wi.us. Staff can also provide a complete copy at your request.

Unless otherwise exempted by chapter 185, a permit application must be accompanied by:

- 1) a stormwater management plan
- 2) a maintenance agreement where not otherwise covered by a developer's agreement
- 3) a nonrefundable permit administration fee.

The permit administration fee, where applicable, shall be consistent with a fee schedule maintained by the Town of Cedarburg and available at Town Hall. The Director of Public Works may require the submittal of a financial guarantee, the form and type of which shall be acceptable to the Director of Public Works. The financial guarantee shall be in an amount determined by the Director of Public Works to be the estimated cost of construction and the estimated cost of maintenance of the stormwater management practices during the period which the designated party in the maintenance agreement has maintenance responsibility if the responsible party defaults or does not properly implement the approved stormwater management plan.

EROSION CONTROL PLAN

No responsible party may commence a land-disturbing construction activity subject to Town Code chapter [110. CONSTRUCTION SITE EROSION CONTROL](#) without receiving prior approval of an erosion and sediment control plan for the site and a permit from the Director of Public Works.

Chapter 110 applies to construction sites that have one or more acres of land-disturbing construction activity except as provided below:

- (a) A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under 40 CFR Part 122 for land-disturbing construction activity.
- (b) Nonpoint discharges from agricultural facilities and practices.
- (c) Nonpoint discharges from silviculture activities.
- (d) Routine maintenance for project sites under five acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.

Notwithstanding the applicability requirements in the above a-d, chapter 110 applies to the following sites of land development or land-disturbing activities:

- (a) Those requiring a subdivision plat approval or the construction of houses or commercial, industrial or institutional buildings on lots of approved certified surveys.
- (b) Those requiring a certified survey approval or the construction of houses of commercial, industrial or institutional buildings on lots of approved certified surveys.
- (c) Those involving grading, removal of protective ground cover or vegetation, excavation, land filling or other land-disturbing activity affecting a surface area of 4,000 square feet or more.
- (d) Those involving excavation or filling or a combination of excavation and filling affecting 400 cubic yards or more of dirt, sand or other excavation or fill material.
- (e) Those involving street, highway, road or bridge construction, enlargement, relocation or reconstruction.
- (f) Those involving the laying, repairing, replacing or enlarging of an underground pipe or facility for a distance of 300 feet or more. (Note: The above applicability criteria are specifically stated in 1983 Wisconsin Act 416 for inclusion in this chapter. Utility companies responsible for energy repair work should enter into a memorandum of agreement with the Town Director of Public Works clearly stating their responsibilities if their activities may be included under any of the above applicability criteria.)

The responsible party shall implement an erosion and sediment control plan, developed in accordance with § 110-8, that incorporates the requirements of chapter 110. All drainage facilities and practices required to comply with this chapter shall meet performance standards specified in the document "Town of Cedarburg Erosion Control and Stormwater Management Requirements," maintained and periodically updated by the Director of Public Works.

The Erosion Control and Stormwater Management Requirements report outlining the requirements and providing all of the forms for post-construction stormwater management is found online at www.town.cedarburg.wi.us. Staff can also provide a complete copy at your request.

At least one responsible party desiring to undertake a land-disturbing construction activity subject to this chapter shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of § 110-8 and shall pay an application fee consistent with the fee schedule maintained by the Town of Cedarburg. As a condition of approval and issuance of the permit, the Director of Public Works may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved erosion control plan and any permit conditions.

PRE-FINAL CONSTRUCTION PLAN CHECKLIST

(associated with step #5)

A. Title Sheet (1 Page)

1. ^{OK} ^{See Comments} Subdivision Name
2. Location map, town, range, section
3. Name and address of developer
4. Index of sheets

B. Grading Plans (2-3 pages)

5. Proposed 1-foot contours overlaid on existing contours
6. All existing topography
7. Stormwater ponds indicated
8. Temporary dewatering basins
9. All lots shown and numbered
10. All easements shown (including volume & page #'s)
11. Building pads
12. Street names
13. Shoreland zoning boundaries
14. Wetland areas
15. Proposed streets/roads
16. Proposed culverts
17. Proposed bike paths and walking trails
18. Proposed septic field locations
19. Proposed topsoil stockpile areas

C. Drainage Tile Plan (1-2 Pages)

20. Existing tile
21. Rerouted tile
22. Replaced in-place tile
23. Flow direction of tiles
24. Structures

D. Plan & Profile Sheets

25. Scale 1" = 40' H, 1" = 4' V
26. Show all existing topography
27. Benchmarks every 600 feet
28. Wetland areas
29. Show easements (drainage, bike path, utility, wetland buffers & septic)
30. Existing roadways, culvert pipe/drainage structures, drainage tile & existing ground centerline profile
31. Proposed
- a. Centerline alignment w/tangent bearings and curve data
 - b. Roadways (specify curb type, label all radii & width of roads)
 - c. Shoulders
 - d. Slope intercepts
 - e. Culvert pipes (indicate proper cover)
 - i. type
 - ii. size (18" minimum cross cover culvert)
 - iii. end sections
 - iv. length
 - v. invert elevations
 - vi. table of culvert sizes for each lot
 - f. Pond structures
 - g. Riprap
 - h. Centerline roadway profile
 - i. grades at 50' intervals
 - ii. PVC, PVI, PVT stations and elevations
 - iii. tangent slopes
 - iv. K values
 - v. curve length
 - vi. intersection stations and elevations
 - i. Ditch profiles (minimum 3' below centerline)
 - j. Tile replacements
 - i. size
 - ii. length
 - iii. material

E. Erosion Control & Stabilization Plan

- 32. Indicate by hatching the different types of erosion matting
- 33. Erosion filter bags or approved equal
- 34. Riprap
- 35. Silt fence
- 36. Indicate reforestation and prairie areas
- 37. Wetland areas and buffers

F. Construction Details

- 38. Cistern (standard detail from Town)
- 39. Intersections
 - a. Spot elevations on curb flags every 20'
 - b. Taper lengths
 - c. Radii
 - d. Begin/end taper stations
 - e. Flumes
- 40. Curb details
- 41. Flume detail
- 42. Silt fence
- 43. Erosion bales
- 44. Roadway typical section (standard detail from Town)
- 45. Bike path and walking path typical sections
- 46. Culvert & storm sewer bedding materials
- 47. Pond
 - a. Plan view
 - b. Cross section
 - c. Outlet structure detail
 - d. Spillway
- 48. Dewatering basins
- 49. Culvert riprap
- 50. Construction entrance
- 51. Stabilization specifications
- 52. Erosion control notes
- 53. Construction sequence

G. Cross Sections

- 54. Scale 1" = 10' H, 1" = 4' V
- 55. 100' cross-section interval, 50' in critical areas (intersections, special ditching, cistern, etc)
- 56. Existing and proposed surface area
- 57. Typical pavement and ditch slopes
- 58. Culvert and tile crossing sections
- 59. Labeled ditch elevations
- 60. Culverts w/ labels (station, length, size, inverts, end sections)
- 61. Street intersections labels
- 62. Right-of-Way

Continue Process...

6. The Plan Commission will review the preliminary plat, pre-final construction, landscape, and stormwater management and erosion control plans as well as the Developer's Agreement at **PLAN COMMISSION MEETING #2**. The Plan Commission will make a recommendation on how to proceed to the Town Board.

If there are any major revisions required from the Plan Commission, those revisions will need to be submitted to the Town Engineer or consulting engineer ten (10) business days prior to the Town Board meeting. If the requested revisions are not submitted ten (10) business days prior to the Town Board meeting, the Town Board's review of the preliminary plat and ancillary documents will not take place until the next regularly scheduled Town Board meeting.

Step #6 Date Completed: _____

7. Once the developer has completed all revisions required by the Town's engineers and Plan Commission, the Town Board will review the preliminary plat, ancillary documents, and Developer's Agreement at **TOWN BOARD MEETING #1**. The Town Board will then, within 90 days of the receipt of the preliminary plan by Staff, grant approval, conditional approval, or reject the major subdivision plat as proposed; if no action is taken within 90 days, or extension thereof, this will constitute approval of the preliminary plat.

If approved with conditions or rejected, the conditions/reasons for rejection shall be stated in the minutes and a letter sent to the land divider. If rejected by the Town Board, the Plan Commission shall afford the land divider 30 days from the notification of rejection for the opportunity to review the Town Board's decision and present evidence refuting the determination, if so desired. Thereafter, the Plan Commission may recommend the Town Board affirm, modify, or withdraw its prior determination of unsuitability. The Board may then affirm, modify, or override the Plan Commission decision or recommendation, reciting in writing the findings for any decision to modify or override the Plan Commission's decision or recommendation. If the Town Board denies two consecutive preliminary plats for the same parcel, no subsequent reapplication for a major subdivision of that parcel will be accepted, received, or considered by the Town Board or Plan Commission within three months of the second denial. Any reapplication incurs a \$50 fee. If the Town Board approves all documents, the developer may proceed to item #8 on this list. If any of the documents are not approved or tabled, the developer will have to go on the next Town Board agenda. If applicable, the Town Board will also consider the Rezone Application attached to the subdivision property at this meeting.

If approved, the Town will forward the preliminary plat to the City of Cedarburg, City of Mequon, of Village of Grafton for extraterritorial review, if required.

Step #7 Date Completed: _____

8. Once the Town Board approves the preliminary plat and all ancillary documents, they will be submitted to the Director of Public Works/Town Engineer to be stamped/approved. Also at this time all applicable state, county, Army Corps of Engineers and other related permits must be filed with the Town.

Step #8 Date Completed: _____

9. After the Director of Public Works/Town Engineer stamps/approves the preliminary plat, the developer will be responsible for coordinating **PRE-CONSTRUCTION MEETING #1** on site with Town Staff, utility companies, contractors and the consulting engineer (if necessary).

Step #9 Date Completed: _____

10. Once the pre-construction meeting has taken place and the Administrator has so authorized, the developer may commence with the installation of improvements per the approved final construction plans, with either the Town Director of Public Works or the consulting engineer providing the construction administration.

Step #10 Date Completed: _____

11. Once the improvements are installed per the final construction plans, there will be a final walk-through with Town Staff (and consulting engineer if necessary), the developer's contractor and the developer. At that point, a final punchlist and comment letter will be generated by Town Staff (or consulting engineer) indicating all improvements that need to be completed. Improvement should be completed within 2 years of approval of the preliminary plat by the Town Board. Once all public improvements have been installed and prior to final acceptance, the subdivider shall produce and submit a map showing the location of all improvements in red ink on a 22" x 30" set of construction plans. The acceptance of these plans will be the condition of the final acceptance of the public improvements and the release of the surety/performance bond. No building permits will be issued until streets and/or sidewalks have been accepted by the Town Board.

Fee Due: Contingent on Town Engineer's or consulting engineer's review time.

Step #11 Date Completed and Fee Received: _____

12. Should the preliminary plat be approved with or without conditions, the next step is the final plat. At this point, it will have been determined that the proposed development is satisfactory from the standpoint of public interest, ordinances and regulations of the Town as well as the Town of Cedarburg Comprehensive Plan. A Master Plan Study (if needed) will have been completed and reviewed by this point. Staff will review the final plat looking to catch deficiencies. If the plat is incomplete or unsatisfactory, the Administrator will notify the developer and the Plan Commission prior to their reviewing the final plat.

13. At **PLAN COMMISSION MEETING #3** the Plan Commission will formally review the final plat, engineering comment letter and construction punchlist to ensure conformance with the preliminary plat, that all improvements were installed per the approved final construction plans, and to ensure compliance with Town ordinances, the Town Comprehensive Plan, and any conditions attached to the preliminary plat. The recommendations of the Town Administrator and Plan Commission shall be made within 30 days of the filing of the final plat for consideration at this meeting. The recommendation shall be that the Town Board approve, approve with conditions, or reject the final plat. Due two (2) weeks before this Plan Commission meeting are many of the same items required for the preliminary plat, except in final form. They are, however, not due at this time if they have already been submitted in final form at some other point in this process. They are as follows:

- ⇒ Twenty (20) copies of completed Final Plat in accordance with the Preliminary Plat checklist and those additional checklist items on the following pages.
- ⇒ One copy to the Town Administrator, telephone, gas, cable, power, and other utility companies.
- ⇒ Twenty (20) copies of the final Landscape Plan.
- ⇒ Five (5) sets of the Final public improvements plan and specifications in accordance with the Pre-Final Plan checklist
- ⇒ Two (2) sets of the final Stormwater Management Plan (if applicable)
- ⇒ Two (2) sets of the final Erosion Control Plan.
- ⇒ Three (3) electronic copies of the final Developer's Agreement.
- ⇒ One (1) electronic copy of the final plat.
- ⇒ A final draft of the legal instruments and rules for any such proposed owner's association
- ⇒ Final Plat Review Fee (\$250 or \$150 + \$10 per lot, whichever is the greater amount), plus a fee equal to the actual cost of the Town for all engineering, legal, administrative or fiscal work incurred by the Town in connection with the final plat and ancillary documents. Signs and installation costs for traffic control, street names and any other costs of the Town not provided for in Town ordinances are to be paid by the divider and or included in the contract ensuring installation.
- ⇒ Any other relevant document information as determined by Wisconsin State Statutes, the Town of Cedarburg Comprehensive Plan, other Master Plan, or other Town, state, or federal ordinance, rule, law or regulation

Fee Due: Total Final Plat Review Fee (as noted above)

Step #13 Date Completed and Fee Received: _____

FINAL PLAT CHECKLIST

These items are in addition to the preliminary plat checklist.

- OK See Comments
1. The plat shall have a binding margin 1 1/2 inches wide on the left side, and a one-inch margin on all other sides. A graphic scale of not more than 100 feet to one inch shall be shown on each sheet showing layout features. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat and showing the relation of that sheet to the other sheets and each sheet shall bear the subdivision and county name.
 2. For processing under s. 236.12 (6) the original shall be 22 inches wide by 30 inches long and on any material that is capable of clearly legible reproduction.

The final plat shall show correctly on its face all of the following:

3. The exterior boundaries of the land surveyed and divided.
4. All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend, except lot, outlot, and meander corners need not be shown. The legend for metal monuments shall indicate the kind of metal, the outside diameter, length, and weight per lineal foot of the monuments.
5. The length and bearing of the exterior boundaries, the boundary lines of all blocks, public grounds, streets, and alleys, and all lot lines, except that when the lines in any tier of lots are parallel it shall be sufficient to mark the bearings of the outer lines on one tier. Easements not parallel to a boundary or lot line shall be shown by center line distance, bearing, and width or by easement boundary bearings and distances. Where easement lines are parallel to boundary or lot lines, the boundary or lot line distances and bearings are controlling. Where the exterior boundary lines show bearings or lengths that vary from those recorded in abutting plats or certified surveys there shall be the following note placed along the lines, "recorded as (show recorded bearing or length or both)."
6. Blocks, if designated, shall be consecutively numbered, or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively through the several additions.
7. All lots and outlots in each block consecutively numbered within blocks and the subdivision and throughout numbered additions to the subdivision.
8. The exact width of all easements, streets and alleys.
9. All lake or stream shore meander lines established by the surveyor in accordance with s. 236.15 (1) (d), the distances and bearings thereof, and the distance between the point of intersection of such meander lines with lot lines and the ordinary high water mark.
10. The center line of all streets.
11. A north point properly located thereon identified as referenced to a magnetic, true or other identifiable direction and related to a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located.
12. The area in square feet of each lot and outlot.

13. When a street is on a circular curve, the main chords of the right-of-way lines shall be drawn as dotted or dashed lines in their proper places. All curved lines shall show, either on the lines or in an adjoining table, the radius of the circle, the central angle subtended, the chord bearing, the chord length and the arc length for each segment. The tangent bearing shall be shown for each end of the main chord for all circular lines. When a circular curve of 30-foot radius or less is used to round off the intersection between 2 straight lines, it shall be tangent to both straight lines. It is sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.
14. When strict compliance with a provision of this section will entail undue or unnecessary difficulty or tend to render the plat or certified survey map more difficult to read, and when the information on the plat or certified survey map is sufficient for the exact retracement of the measurements and bearings or other necessary dimensions, the Town Engineer may waive such strict compliance.
15. The name of the plat shall be printed thereon in prominent letters, and shall not be a duplicate of the name of any plat previously recorded in the same county or municipality
16. The location of the subdivision by government lot, recorded private claim, quarter-quarter section, section, township, range, and county noted immediately under the name given to the subdivision.
17. The location of the subdivision shall be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. The monumentation at the ends of the boundary line shall be described and the bearing and distance between them shown.
18. A small drawing of the section or governmental subdivision of the section in which the subdivision lies with the location of the subdivision indicated thereon or, if approved by the department, a location sketch showing the relationship of the subdivision to existing streets. The drawing or sketch shall be oriented on the sheet in the same direction as the main drawing.
19. The names of adjoining streets, state highways and subdivisions shown in their proper location underscored by a dotted or dashed line.
20. Abutting street and state highway lines of adjoining plats shown in their proper location by dotted or dashed lines. The width of these streets and highways shall be given also.
21. The name of each road or street in the plat shall be printed on the plat.
22. All lands dedicated to public use except roads and streets shall be clearly marked "Dedicated to the Town of Cedarburg".
23. All roads or streets shown on the plat which are not dedicated to public use shall be clearly marked "Private Road" or "Private Street" or "Private Way".
24. Each lot within the plat must have access to a public street unless otherwise provided by local ordinance.
25. All watercourses, drainage ditches and other existing features pertinent to proper subdivision.
26. The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low water elevations of those lakes or streams. All elevations shall be referred to some permanent established datum plane.

For a final plat to be recorded, the following certificates shall be printed legibly with a black durable image or typed legibly with black ribbon:

27. The certificate of the surveyor who surveyed, divided and mapped the land giving all of the following information, which shall have the same force and effect as an affidavit:
28. By whose direction the surveyor made the survey, subdivision and plat of the land described on the plat.
29. A clear and concise description of the land surveyed, divided, and mapped by government lot, recorded private claim, quarter-quarter section, section, township, range, and county and by metes and bounds commencing with a monument at a section or quarter section corner of the quarter section that is not the center of the section, or commencing with a monument at the end of a boundary line of a recorded private claim or federal reservation in which the subdivision is located. If the land is located in a recorded subdivision or recorded addition thereto, the land shall be described by the number or other description of the lot, block or subdivision thereof, that has previously been tied to a corner marked and established by the U.S. public land survey.
30. A statement that the plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.
31. A statement that the surveyor has fully complied with the provisions of this chapter in surveying, dividing and mapping the land.
32. A certificate by the owner of the land in substantially the following form: "As owner I hereby certify that I caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on the plat. I also certify that this plat is required by s. 236.10 or 236.12 to be submitted to the following for approval or objection: (list of governing bodies required to approve or allowed to object to the plat)." This certificate shall be signed by the owner, the owner's spouse, and all persons holding an interest in the fee of record or by being in possession and, if the land is mortgaged, by the mortgagee of record. These signatures shall be acknowledged in accordance with s. 706.07.
33. As a condition to approval of the plat, the municipal, town or county body required by s. 236.12 to approve the plat may require that the owner furnish an abstract of title certified to date of submission for approval or, at the option of the owner, a policy of title insurance or certificate of title from an abstract company for examination in order to ascertain whether all parties in interest have signed the owner's certificate on the plat.
34. A certificate of the Town Clerk or Treasurer of the Town of Cedarburg and a certificate of the treasurer of the county in which the subdivision lies stating that there are no unpaid taxes or unpaid special assessments on any of the lands included in the plat.
35. Unless an earlier date is agreed to by the municipality, the dedication of any lands within a plat of a subdivision located within a municipality that are intended to include a permanent man-made facility designed for reducing the quantity or quality impacts of storm water runoff from more than one lot and that are shown on the plat as "Dedicated to the Public for Storm Water Management Purposes" is not accepted until at least 80 percent of the lots in the subdivision have been sold and a professional engineer registered under ch. 443 has certified to the municipality that all of the following conditions are met with respect to the facility: The facility is functioning properly in accordance with the plans and specifications of the municipality, Any required plantings are adequate, well-established, and reasonably free of invasive species, Any necessary maintenance, including removal of construction sediment, has been properly performed.

The land divider will, before final plat approval, seek and obtain the following:

1. A resolution from the Town Board stating the Town accepts from the land divider all lands shown on the plat as dedicated to the Town of Cedarburg for the public, including street or road dedications.
 2. A resolution from the Town stating what, if any, public benefit restrictions or conditions have been placed on the platted land by the Town and by any Developer's Agreement or schedule (these may later be waived by a separate resolution).
 3. A letter of recommendation from the Town Administrator to the Plan Commission that all public improvements have been completed in accordance with the approved plan or that a surety bond or other approved security has been executed to ensure that he or she will make those improvements in a specified time.
14. The Town Board will review the final plat, engineering comment letter and punchlist at **TOWN BOARD MEETING #2**. If the final plat is not submitted within 24 months after the last required approval of the preliminary plat, the Town Board may refuse to approve the final plat. If the Town has either a 2-year letter of credit or performance bond equal to 1.25 times the estimated total cost for all improvements and per the engineer's recommendation, the Town Board will approve the final plat, thus accepting all the public improvements (this time period may be extended by the Board for another 2 years). The letter of credit or performance is not necessary if all public improvements deemed necessary by the Town Board have been installed and inspected by the Town Engineer. The Town Board shall approve or reject the final plat within 60 days of submission to staff unless a time extension is mutually agreed upon in writing (if the Town Board does not act on the plat, the plat shall be deemed approved). The Town will issue 10 days' notice to the clerk of any municipality within 1,000 feet of the proposed plat. Once the final plat is approved, it must be taken by the landowner to be recorded at the Ozaukee County Register of Deeds within 6 months of approval by the Town Board. The final plat shall be submitted in electronic form to the Town and Ozaukee County Register of Deeds. The subdivider will then file 10 copies of the final plat with the Town Clerk for distribution to the approving agencies and other affected agencies for their files. No person shall, unless specifically waived in writing by the Town Board, be issued a final land division approval by the Town Board unless formal dedication of parks, open spaces, or sites for other public uses has been made, as required by the Town Board, at no cost to the Town of Cedarburg, or such fees, in lieu of such dedication, as established by the Town Board, shall have been paid by the land divider to the Town Treasurer of the Town of Cedarburg.

Step #14 Date Completed: _____

If completed, make sure to get the plat to the Register of Deeds within 6 months after the date of the last approval of the plat and within 24 months after the first approval.

Please send two (2) copies of all submittals above simultaneously to the Town of Cedarburg.

PLEASE NOTE: The subdivider shall pay a fee equal to the actual cost to the Town of Cedarburg for all engineering, legal, administrative or fiscal work incurred by the Town in connection with the preliminary and final plats (and any applicable certified survey maps) as stated in Chapter 184 of the Town of Cedarburg Code of Ordinances. CHECK other Chapters...

PLEASE NOTE: Where other governing authorities, including the state, the county, or any extraterritorial municipal body, have the authority to approve or to object to any proposed land division and the requirements are conflicting, the land divider and the land division shall comply with the most restrictive requirements.