

APPLICANT PACKET

TOWN of BROOKLYN, GREEN COUNTY

DRIVEWAY/JOINT DRIVEWAY PERMIT APPLICATION PROCESS

= IMPORTANT NOTICE =

The Town of Brooklyn, Green County Driveway/Field Road Ordinance (#1.3) applies to **ALL**

1. New driveways and new joint driveways to be built in the Town and
2. Existing driveways and existing joint driveways to be substantially changed, including ones accessing a State of Wisconsin or Green County highway.

NOTE: The Town of Brooklyn will not issue a Building Permit authorizing construction until after the Brooklyn Town Board certifies that a driveway or joint driveway is substantially complete. The purpose of this document is to help you receive that certification from the Town Board. (See the ordinance for complete definition of "substantially complete." The ordinance may be found on the Town of Brooklyn website: www.townofbrooklyn.org.)

This packet is designed to guide an applicant (or duly authorized agent) through the process so that the required construction permit(s), certification, final approval and return of deposit can occur with minimum delay. Please read through the process and governing ordinance and follow the steps in order. Be aware we require complete and thorough documentation. There are no shortcuts! Variances are rarely granted so adherence to specifications in both design and construction are critical to your securing timely approvals.

= OVERVIEW =

The Town's process is intertwined with those of the State of Wisconsin and Green County, creating some interdependencies and pre-conditions. These are noted at the steps in the process where they apply. The extent of inter-jurisdictional activity will be dictated by the location, nature, and scope of your project. The length of the process and time required will be determined by the type of project (driveway vs. joint driveway), the completeness of your documents, the timing of Town Planning Commission review and Town Board meetings.

= CONTENTS OF THIS PACKET =

This packet contains:

- An overview of the process
- The Town of Brooklyn two-page application you are responsible for completing (You may also need to obtain public road access forms from the State of Wisconsin or Green County. These forms are **not** included in this packet. You must get these forms from the State of Wisconsin and Green County to ensure that you have the current versions of the forms.)
- A copy of Town Land Use policies (a) limiting Owners to one residential structure on a parcel of land and (b) preserving Prime agricultural land
- A sample driveway sketch
- A checklist for joint driveways
- Contact and resource information

Note: the Driveway Ordinance is available on the Town of Brooklyn website <http://townofbrooklyn.org>. A paper copy may be obtained by contacting the Town Clerk at 608-455-6411.

PROCESS FLOW

Phase I: Owner/agent gets and reviews applicant packet and meets with the Town Planning Commission.

You must first meet with the Brooklyn Town Planning Commission to review the proposed parcel location and access route for prime land status. Review by the Planning Commission is required **before** you construct the first building, not after you have begun or completed construction.

You will be required to commit to limiting construction to a single-family residence. A rough route sketch of the driveway will be required at the Planning Commission meeting.

Please call the Town Clerk (608-455-6411) to obtain the Planning Commission's current schedule and to arrange to appear at a meeting.

Phase II: Applicant completes the Driveway/Joint Driveway application and secures all required supporting documents.

You meet with the Town Inspector at the site to review the application, supporting documents, and the driveway/joint driveway road location. The Town assigns an application number.

You may contact the Inspector by calling the Town Hall at 608-455-6411.

The Inspector forwards all documents and a recommendation to the Town Board by 4:00PM on the Friday before a Town Board meeting having driveways and joint driveways as an agenda item.

The Inspector notifies you of the date and time of the Town Board meeting. You must attend the Town Board meeting. At the meeting, the Board approves, approves with conditions/variance(s), or denies the application. If the Town Board approves the application, the applicant pays a permit fee and a deposit to the Town at this meeting.

If the Town Board approves the application, the applicant constructs the driveway or joint driveway according to the conditions of the approval.

Phase III: Point at which the driveway/joint driveway is substantially completed

You contact the Town Inspector when the driveway/joint driveway is substantially complete as defined in the Town ordinance and requests an on-site review.

Be aware that approval as “substantially complete” may be delayed if frozen ground or accumulated snow or ice make it impossible for the Inspector to properly evaluate compliance with ordinance requirements. This will delay issuance of a Building Permit.

After completing the inspection, the Inspector forwards the inspection documents and a recommendation to a Town Board member.

If the Town Board member finds that the driveway or joint driveway is substantially complete, it will authorize the issuance of a Town of Brooklyn Driveway Verification form. At this point you may request a building permit authorizing building construction from the building inspector.

Phase IV: Point at which driveway/joint driveway is fully completed

When the driveway/joint driveway is fully complete, you contact the Town inspector for final on-site review.

Be aware that approval as “complete” may be delayed if frozen ground or accumulated snow or ice make it impossible for the inspector to properly evaluate compliance with ordinance requirements. This will result in a delay in the refund of your deposit.

After completing the inspection, Inspector forwards inspection documents and a recommendation to the Town Board. The recommendation must be submitted by 4:00PM on the Friday before a Town Board meeting having driveways and joint driveways as an agenda item.

If the Town Board finds that you have met all conditions, it will authorize the refund of your deposit.

Driveway Application Attachments Checklist *

**This document is provided for applicant's convenience and does not need to be submitted.*

Project type (check one): Driveway Joint Driveway

ALL DRIVEWAY APPLICATIONS MUST HAVE THESE DOCUMENTS ATTACHED

1. Attachment 1: Complete, accurate legal description YES
2. Attachment 2: Proof of ownership YES
3. Attachment 3: Authority to represent owner, if acting as the owner's agent YES N/A
4. Attachment 4: County or State access permit, if needed YES
5. Attachment 5: Adequate location sketch (including description of road access point) YES
6. Attachment 6: Prime land review document from Plan Commission YES
7. Attachment 7: Single family residence statement from Plan Commission YES N/A

JOINT DRIVEWAY APPLICATIONS MUST HAVE THESE ADDITIONAL DOCUMENTS ATTACHED

1. Attachment 8: Accurate legal descriptions for all parcels involved YES
 2. Attachment 9: Ownership information for all parcels involved YES
 3. Attachment 10: Town Board approved Joint Driveway Agreement signed by all parcel owners YES
-

Driveway Applicant's Checklist (use for Steps A, B, and C)*

* This document is provided for applicant's convenience and does not need to be submitted.

STEP A - for Plan review and initial site inspection This is needed in order to begin construction of a driveway or joint driveway.

STEP B - for "Substantially completed" approval This is needed in order for the Town of Brooklyn to authorize you to build.

STEP C - for "Fully completed" approval This is needed in order for you to receive a refund of your deposit.

Does the point of access onto public road meet all requirements? YES

Is the grade at public road access point acceptable? YES (See ordinance for details)

Is the required culvert properly installed? YES

Does the base course conform to requirements? YES

Do width and side clearances conform to requirements at all points? YES

Does the overhead clearance conform to requirements at all points? YES

Are all grades less than the maximum allowed along route? YES

Do the radii of curves meet minimum requirement? YES

Is there room for a turnaround at the building site that meets requirements? YES

Is there major erosion potential? No potential

Is the required number of turnouts properly designed and built? YES

Does the sketch include the following information with measurements YES

1. Depth of base and finish materials
2. Finished width
3. Width of side clearances and height of overhead clearance
4. Location of buildings
5. Location & size of turnouts and turnarounds
6. Radius of each curve
7. Grade
8. Distance from the driveway access to the closest intersecting road and permanent landmark.

IMPORTANT CONTACT INFORMATION

Brooklyn Town Hall	608-455-6411	400 W. Main St. Brooklyn WI 53521
Brooklyn Town Clerk	608-455-6411	clerk@brooklynwisconsin.org
Town Road Inspector	608-455-6411	
Town Board Chair	608-455-6411	
Town Planning Commission	608-225-1802	
Town Building Inspector Tony Fockler	608-576-1434	

Permit to connect a driveway to a Green County highway

Green County Highway Department
2813 6th St
Monroe, WI 53566
608-328-9411

Zoning Permit; Sanitary Permit

Green County Zoning Office
Green County Courthouse
1016 16th Ave
Monroe, WI 53566
608-328-9423

Record a Joint Driveway Agreement

Green County Register of Deeds
Green County Courthouse
1016 16th Avenue
Monroe, Wisconsin 53566
608-328-9439

Permit to connect a driveway to a State highway

WI Dept. of Transportation
2101 Wright St
Madison, WI 53704-2583
608-246-5334

SAMPLE

Application #

OWNER:

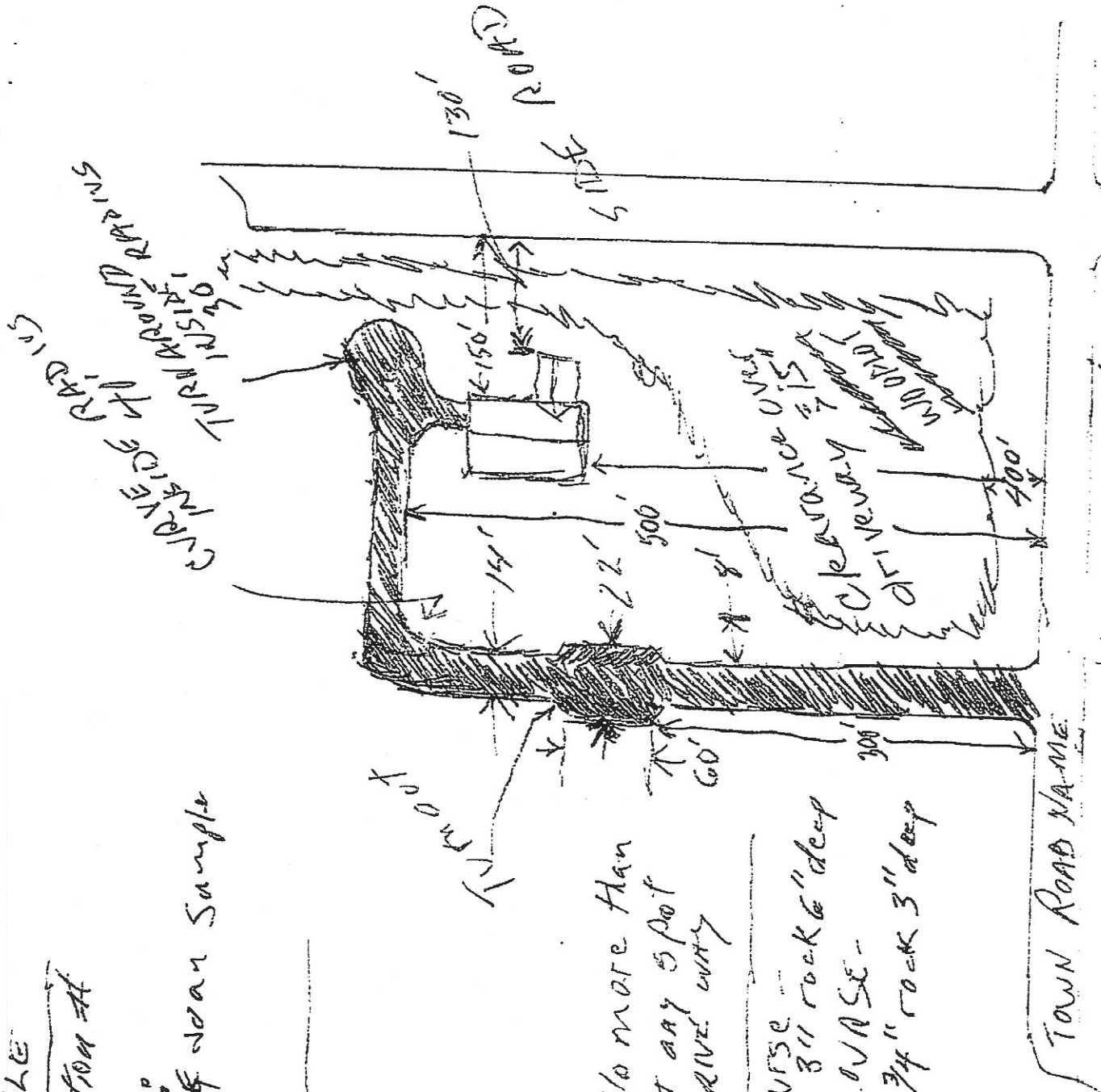
John & Jean Sample

Date:

SAMPLE SKETCH

N
↑
NOT
TO
SCALE

NAME



Grade - No more than 8% at any spot on DRIVE way

BASE COURSE - min. 3" rock 6" deep
FINISH COURSE - min. 7/4" rock 3" deep

TOWN ROAD NAME

TOWN OF BROOKLYN, GREEN COUNTY

MINIMUM REQUIRED ELEMENTS FOR AN ACCEPTABLE SHARED DRIVEWAY AGREEMENT

Note: Format and order are at the discretion of the applicants but must be suitable for filing with the County Register of Deeds. Unique circumstances may require additional elements or render some elements unnecessary (rarely the case).

1. Names of all parties (parcel owners) subject to the agreement
2. Road location and legal description of all parcels involved
3. Purpose of the agreement (ie., to create a joint driveway easement)
4. Rights and duties of the parties including but not limited to initial construction, subsequent additional access(es) off the original driveway, limitations on use, required periodic (typically annual) meeting of then-current parcel owners to appoint agent for determining improvements and maintenance for the coming period (cost sharing, contact agent, etc), method of decision-making
5. Binding effect on subsequent owners, heirs, assigns . . .
6. Enforcement/ dispute resolution mechanism
7. Term – statement that the agreement is perpetual
8. Signature page for all parties named previously
9. Severability clause
10. Statements that acknowledge the:
 - Town will not assume any liability or responsibility for maintenance or repair of the driveway
 - Town has no responsibility in the event of a dispute or deadlock between/among the parties to this agreement on decisions relative to any portion of this agreement.
 - Statement of understanding that the subject shared driveway and all branches must be maintained to Town standards in effect at the time the agreement was put in effect and that any substantial changes may require Town Board approval based on specifications and requirements in effect at the time of the proposed change(s).
11. Special/unique provisions dictated by the topography, planned use or other unanticipated factors.

Town of Brooklyn, Green County, WI

Sample Joint Driveway Deed Restriction

Disclaimer:

This template which follows is provided as a general guide. It must be modified to fit unique circumstances when they exist. If an applicant chooses to create a "scratch" document, all elements in this template must be incorporated into the document submitted to the Town Board for approval.

Notes:

It is recommended that the applicant seek legal advice when creating the required deed restriction document.

It is highly recommended that the applicant have the Town of Brooklyn Plan Commission and Town Board approve the content of the deed restriction(s) before recording with the Green County Register of Deeds. If questions arise, the Town Driveway Inspector and/or Plan Commission Chairman should be contacted.

Caution:

Approval of the deed restriction in and of itself DOES NOT trigger issuance of a Driveway Construction Permit. All other applicable steps in the process must be completed with Town Board approval before construction can begin.

Document Number

DEED RESTRICTION

In re: _____ legal description of property here _____, Town of Brooklyn,
Green County, Wisconsin.

WHEREAS, _____
(AOwner@) represents and warrants that it is the owner in fee simple of
_____ legal description of all of the property subject to the restriction
here _____ (the AProperty@); and

WHEREAS, the Town of Brooklyn Ordinances required that the joint
driveway shown on the proposed CSM for the Property (ACSM@), that will serve the
lots as set forth on the CSM for the Property, comply with the Town of Brooklyn
Ordinances; and

WHEREAS, the Owner, for itself and its heirs, successors and assigns, wish
to impose the deed restrictions set forth below on the Property and lots to be created
thereon in connection with the joint driveway.

NOW THEREFORE, the following deed restriction is hereby imposed on the
Property.

1. The above recitals are incorporated herein by reference.
2. Owner hereby confirms that the driveway easement set forth on the CSM creates a private access easement, establishing for the benefit of the owner of each lot on the CSM, an easement for access from such lot to _____ Road. This easement is perpetual, shall run with the land, and is binding upon and inures for the benefit of the owner of each lot, their heirs, successors and assigns.
3. Use of the driveway shall be for ingress and egress only. The driveway shall at all times be kept free from obstruction of any kind, including the parking of vehicles, except for temporary use for loading or unloading of any vehicle.
4. The driveway shall be maintained in good condition and repair, including without limitation snow removal, sealing, resurfacing, repair and replacement (collectively AMaintenance@), as necessary. Responsibility for and the cost of Maintenance shall be borne equally by the owner of the lots, with the owner of each lot being assessed (state fraction here) of the cost. Any damage to the driveway caused by the owner of any lot, or their guests, invitees and contractors, shall be the responsibility of such owner. Any owner of a lot who desires to connect a drive leading from the driveway to a dwelling shall be responsible for the cost of, the construction, Maintenance, repair, improvement or replacement of the drive.
5. The consent of the owners of a majority of the lots shall be obtained prior to undertaking expenditures for Maintenance of the driveway, except in emergency situations. In the event a dispute among the owners regarding the need for or cost of Maintenance, the dispute shall be submitted for arbitration to an arbitrator selected by the lot owners, or, if the parties cannot agree on the selection of an arbitrator, to any recognized local mediation program used by the Green County Bar Association. In the event no such organization exists, any party may file a circuit court action requesting the appointment of an arbitrator or resolution of the dispute. The lot owners benefitting from the driveway agree to split the costs of arbitration equally, and agree to be bound by the decision of the arbitrator. Any necessary replacement or improvement of the driveway shall at least restore the driveway to its original condition.
6. No party may install landscaping or improvements that will impair the use of the driveway.
7. The owner of each lot shall have the right to act, in the absence of the other lot owners, to remove any obstruction of the driveway or other condition which renders the driveway impassable.
8. Only the lot owners and the dwellings located thereon shall be permitted to use the driveway, and each of the parties hereto does hereby covenant and agree that no other persons, other than guests, invitees, contractors and/or employees, will be allowed or permitted to use the driveway.
9. The term of this Agreement shall be perpetual, except as herein limited.

Recording Area

Name and Return Address

Attorney Scott A. Seid
Lee, Kilkelly, Paulson &
Younger, S.C.
P. O. Box 2189
Madison, WI 53701-2189

PARCEL NO: _____

(Parcel Identification Number)

10. The owner of each lot on the CSM shall have an annual meeting at a location to be selected by such owners on the first Monday of each January if not a legal holiday, and if a legal holiday, then on the next succeeding Tuesday for the transaction of business in connection with the driveway.

11. No modification of this Agreement shall be valid unless such modification is approved in writing by the Town Board of Brooklyn and signed by all the parties bound by the deed restriction, and recorded in the office of the Green County Register of Deeds.

Dated this ____ day of _____, 200__.

_____, INC.

By: _____

STATE OF WISCONSIN)
)
COUNTY OF GREEN)

Personally came before me this ____ day of _____, 200__, the above-named _____, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Wisconsin
My Commission: _____

This document drafted by:
Attorney Scott A. Seid
Lee, Kilkelly, Paulson & Younger, S.C.
P. O. Box 2189
Madison, WI 53701-2189

Application # _____

Town of Brooklyn, Green County

APPLICATION for DRIVEWAY/JOINT DRIVEWAY PERMIT

Name of owner: _____

Mailing address: _____

Daytime phone: _____

Name of agent (if applicable):

Agent's Mailing address: _____

Agent's Daytime Phone: _____

Project location:

Project type (check only one): Driveway Joint Driveway

By my signature below I acknowledge and agree to the following:

1. I have familiarized myself regarding the contents of the Town of Brooklyn, Green County Driveway / Field Road Ordinance (#1.3) and requirements related to obtaining a permit.
2. The project, as applied for, will meet or exceed all specifications and requirements as set forth in the Ordinance and I agree to comply with any additional conditions or requirements the Town Board may have as a condition of approval of this permit application.

3. I, and my successors with interest in this property, shall permit representatives of the Town to enter upon and inspect the project without prior notice to determine that the original construction and subsequent maintenance comply with the specifications and requirements of applicable Ordinances in effect at the time of issuance of this permit.

4. That all required documents are attached to this application and are complete and accurate.

Owner signature: _____

Owner name/title printed: _____

Date ____ / ____ / 20 ____

***Note:** All inspector documents & recommendations and Town Board decisions are recorded on documents generated by the inspector. Copies will be provided to you throughout the process.

Town of Brooklyn, Green County Field Road/Driveway
INSPECTOR'S APPLICATION REVIEW/SITE INSPECTION REPORT

Name of owner: _____

Name of agent (if different): _____

Location: _____

Project type (check only one): Field road Driveway Joint Driveway

STEP A – Application for permit to construct above project

1. APPLICATION REVIEW

APPLY TO ALL 3 TYPES OF PROJECTS

- Application including required attachments: Are all fully & accurately completed? YES, NO
- Application: Do all proposed features conform to Ordinance requirements? YES, NO
- Attachment 1: Complete, accurate legal description? YES, NO
- Attachment 2: Proof of ownership (or authority to represent owner, if needed)? YES, NO
- Attachment 3: County or State access permit? YES, NO, N/A – if needed, copy attached:
- Attachment 4: Is location sketch adequate (including description of road access point)? YES, NO

DRIVEWAY ADDITIONAL REQUIREMENTS

- Attachment 5: Prime land review document from Plan Commission? YES, NO
- Attachment 6: Single family residence statement from Plan Commission? YES, NO, N/A

JOINT DRIVEWAY ADDITIONAL REQUIREMENTS

- Attachment 7: Accurate legal descriptions for all parcels involved? YES, NO
- Attachment 8: Ownership information for all parcels involved? YES, NO
- Attachment 9: Proof of recorded Joint Driveway Agreement signed by all involved parcel owners with agreement incorporating all Town Board required elements? YES, NO

2. SITE INSPECTION

APPLY TO ALL TYPES OF PROJECTS

1. Is there a minimum of 300 feet uninterrupted visibility both directions? YES, NO,
2. Is there greater than 100 feet to any public highway intersection? YES, NO
3. Does access merit exception to culvert requirement? YES, NO
4. Is it feasible to meet slope requirements? YES, NO

- 5. Are the features of the site reflected on the sketch? [] YES, [] NO
- 6. Is the sketch complete and accurate? [] YES, [] NO
- 7. Is the detailed checklist attached? [] YES, [] NO
- 8. Does construction as proposed appear feasible? [] YES, [] NO

STEP A INSPECTOR RECOMMENDATION – CONSTRUCTION PERMIT

- [] Issue construction permit
- [] Issue construction permit with conditions (explain)*
- [] Grant variance (explain)*
- [] Deny (explain)*

* Explanation:

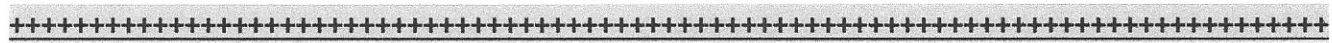
INSPECTOR SIGNATURE: _____ Date: _____

STEP A BOARD ACTION – CONSTRUCTION PERMIT

- [] Issue construction permit
- [] Issue construction permit with conditions (explain)*
- [] Issue construction permit with a variance (explain)*
- [] Deny (explain)*

* Explanation:

Board representative signature: _____ Date: _____



STEP B – Project Substantial completion approval – all work except finish course

INSPECTOR'S FINDINGS AND RECOMMENDATIONS

Does the project comply with all Town specifications, requirements and conditions? [] YES, [] NO
Is the detailed checklist attached? [] YES, [] NO
Is the project built per the Town Board approved plan? [] YES, [] NO

STEP B Inspector Recommendation

[] Approve
[] Deny (explain)*

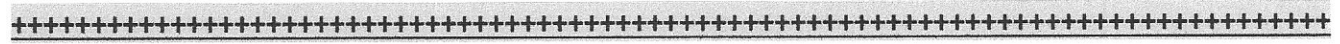
* Explanation:

INSPECTOR SIGNATURE: _____ Date: _____

STEP B Board Action

[] Approve & authorize that Town of Brooklyn Driveway Verification be signed
[] Deny (explain)*

Board representative signature: _____ Date: _____



STEP C – Project Final completion approval

Does the finish course comply with submitted plans and all Town specifications, requirements and conditions?
[] YES, [] NO
Is there damage to Town road or property from the construction? [] YES, [] NO

STEP C Inspector Recommendation

[] Approve
[] Deny (explain)*

INSPECTOR SIGNATURE: _____ Date: _____

STEP C Board Action

- Approve final construction
- Authorize clerk to refund deposit
- Deny approval (explain)*
- Deny refund of deposit

Board representative signature: _____ Date: _____

Review checklist (use for both steps of the process)

STEP A - for Plan review and initial site inspection

STEP B - for Substantially completed approval

1. Does the point of access onto public road meet all requirements? YES NO
2. Is the grade at public road access point acceptable? YES NO
3. Is the required culvert properly installed? YES NO
4. Does the base course conform to requirements? YES NO
5. Are the required width and side clearances maintained at all points? YES NO
6. Is the overhead clearance met? YES NO
7. Are all grades less than maximum allowed along route? YES NO
8. Do the radii of curves meet minimum requirement? YES NO
9. Is there is there a turnaround at the building site that meets requirements? YES NO
10. Is there major erosion potential? YES NO
11. Are the required number of turnouts properly designed & built? YES NO
12. Does the sketch include all of the following information with measurements? YES NO
 - a) Depth of base and finish materials
 - b) Finished width
 - c) Width of side clearances
 - d) Height of overhead clearance
 - e) Locations and sizes of turnouts and turnarounds
 - f) Radius of each curve
 - g) Grade
 - h) Distance from the driveway access to the nearest intersecting road and permanent landmark

INSPECTOR SIGNATURE: _____ Date: _____

**DRIVEWAY/ACCESS VERIFICATION CERTIFICATE
TOWN OF BROOKLYN, GREEN COUNTY, WISCONSIN**

Pursuant to Section 1.6 of Town of Brooklyn Ordinance 2.4, this form is required to be completed and submitted to the Town of Brooklyn Building Inspector at the time of application for a Building Permit for projects requiring new or altered use of an access driveway for the premises, or for the construction of any new residential structure. The purpose of this form is to certify that (1) the town has issued a driveway permit; (2) that no driveway permit is required; (3) that the driveway or joint driveway is "substantially complete" or "totally complete" as the case may require; or, (4) that an agreement has been made between the town and the applicant which releases the Building Inspector to proceed with the building permit application process. This form is not and shall not be construed as an actual Driveway Permit. Signature(s) on this form must be dated within 90 days of the date of application for the building permit. Required attachments for some driveways must also be submitted with this form (see below).

Name of Applicant _____

Current Address: _____ Phone: _____

Project: _____ Construction of: _____

_____ Other land use: _____

Location of proposed driveway/access:

Section _____ Town of _____ Lot# _____ CSM# _____

Name of public road to serve as access to the premises: _____

Side of road: _____

_____ feet north east south west of _____ (road)

Other information: _____

I certify that the applicable Town driveway standards and ordinances have been applied to this project, and have been agreed to by the town and the applicant to the extent that the applicant may proceed with an application for a Building Permit for the above project at the above location:

Signature of Town Official: _____

Date: _____ Title: _____

IN ADDITION: If access is by County Trunk Highway, a completed Highway Department Driveway/Access Permit Form must be attached.
 If access is by a State Trunk Highway, a completed Wisconsin Department of Transportation Driveway/Access Permit Form must be attached.

At the time of building permit application, submit this completed form, with required attachments, if any to Town of Brooklyn Building Inspector, 400 Main Street, Brooklyn, WI 53521, (608) 455-6411. 5/14/18