





For Sale

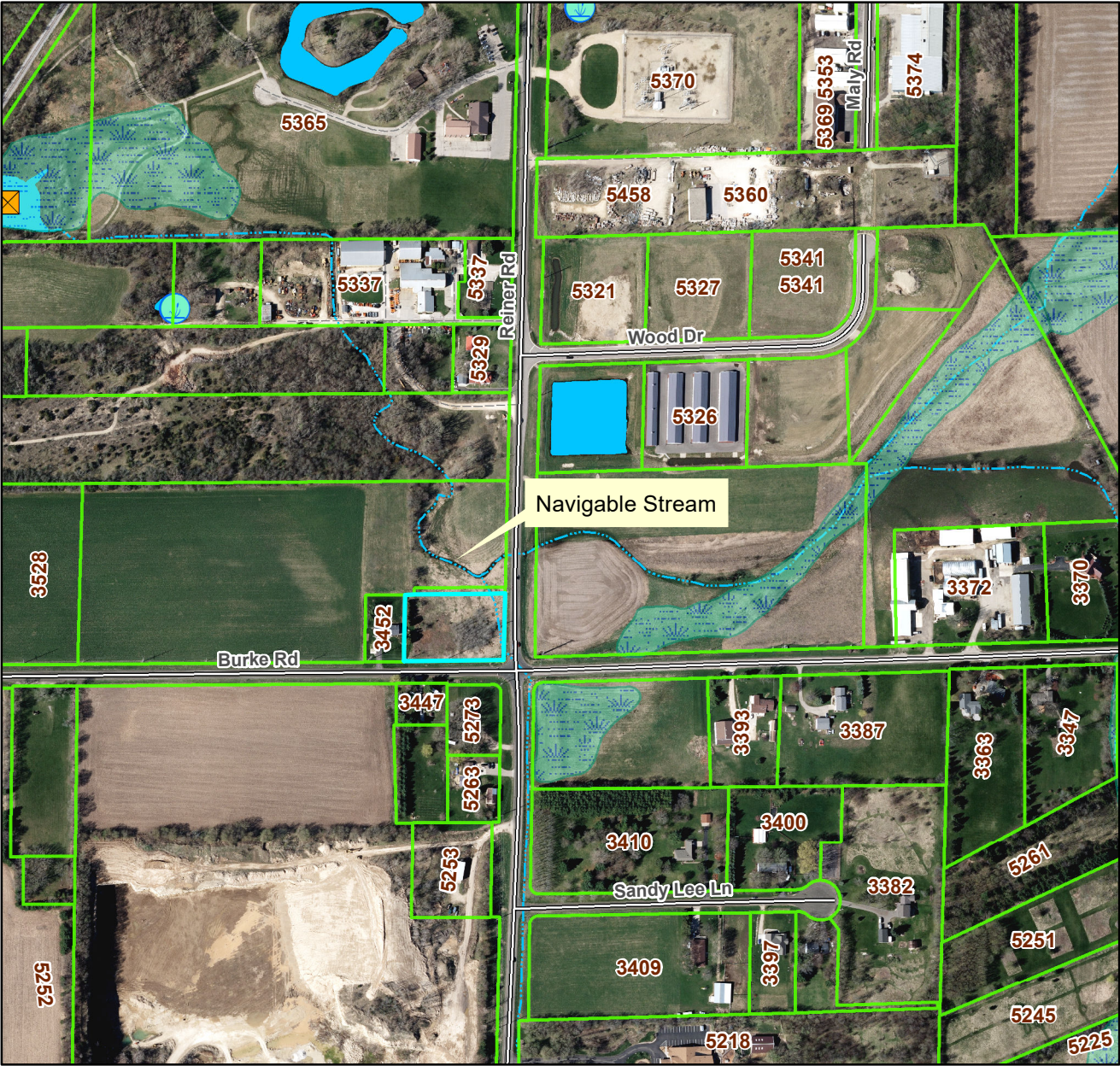
KELLER
REAL ESTATE GROUP

608-227-6543
www.KellerRealEstateGroup.com



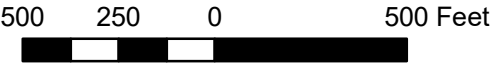
Regional Map

TMS Investments



Legend

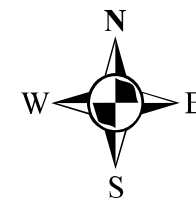
- Tax Parcels
- Wetland
- Dammed Pond
- Excavated Pond
- Wetland
- Perennial Stream; Hidden Perennial Stream
- Intermittent Stream; Hidden Intermittent Stream
- Constructed Drainage
- Lakes and Ponds



1 in = 500 ft

Shoreland Zone Map

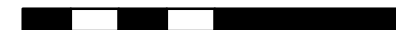
TMS Investments



Legend

- Tax Parcels
- Wetland
- Dammed Pond
- Excavated Pond
- Wetland
- Lake, Stream, or Pond 300 ft Buffer
- DNR Wetlands > 2ac - 75 ft Buffer
- Perennial Stream; Hidden Perennial Stream
- Intermittent Stream; Hidden Intermittent Stream
- Constructed Drainage

100 50 0 100 Feet



1 in = 100 ft



Water Resource Engineering Division

Dane County Land & Water Resources Department

Jeremy Balousek, P.E., Division Manager

Stop Work Order

Date: _____ Location: _____

Parcel #: _____ Address: _____

Owner(s): _____ Permit #: _____

A stop work order has been placed on the project for:

Land disturbing activity in excess of 4000 sq. ft. without a permit.

Land disturbing activity in the shoreland zone without a permit.

Land disturbing activity involving more than 100 lineal feet of ditch or channel.

Construction of a road or access drive exceeding 125' in length.

Violating or failing to comply with conditions of an existing permit as described below:

All work on this project shall cease until appropriate permits and approvals have been obtained and the Stop Work Order has been removed by a representative of the Dane County Water Resource Engineering Division.

You must submit any required materials or perform the necessary installations/repairs by

The only exception to this Stop Work Order is for the immediate installation of erosion and sediment control measures. Continuation of project work will result in further enforcement action. Please contact our office at the number below concerning this stop work order. Thank you for your attention to this matter.

Respectfully,

Dane County Water Resource Engineering Division
DINAP - "DO I NEED A PERMIT"

General Information:

Date of contact: 1/24/14

Caller/Contact: Greg Thompson- TMS Investments

Phone #: 608 444-1515

Landowner: (same)

Phone #: _____

Contact email: ssusa@tds.net

Project Address: NW Corner of Intersection of Burke & Reiner Rds.

Location: Township: Burke

Sec: 23 ¼ SE

Parcel #: 0810-234-9850-5

Project Description: Driveway and SFR

Planned Size of Disturbance: 3850 ft²

Planned Size of New Impervious: 3000 ft²

Land Conservation Division Response :

Based on information above the project: ☒ **DOES***

☐ **DOES NOT** require a permit

Determination Made By: ☐ JAH

☒ JAS

☐ JDB

☐ JRT

☐ RLS

*Type of permit required: ☐ EC

☐ ES

☐ SM

☒ SE

☐ SS

☐ Disturbance > 4000 ft²

☐ Excavate/Fill > 400 yds³

☐ Disturbing 100' of ditch/channel

☐ 125' New road/driveway

☒ Shoreland Zone disturbance

☐ Addition of 20,000 ft² New Imp.

☐ Subdivision Plat / CSM

☐ Other: _____

Basis for Determination: Mapped intermittent stream on this property has been deemed non-navigable by Dane County Zoning (see letter dated 9/6/12). However, a navigable stream is mapped to the north on adjacent property, within 300' of the project. A Shoreland Erosion Control Permit is needed. Additional permits are needed from DC Zoning as well.

Permit determination based upon information provided by caller/landowner. Changes in project size, scope or location may trigger changes to permit requirements. It is the responsibility of the owner to ensure all required permits have been obtained prior to commencing work.

Jess Starks

Digitally signed by Jess Starks
DN: cn=Jess Starks, o=Dane County Land &
Water Resources Department, ou=Land
Conservation Division,
email=starks@countyofdane.com, c=US
Date: 2014.02.04 08:12:46 -06'00'

(Sent via Email)

March 27, 2020

Greg Thompson
TMS Investments LLC
6810 Cross Country Rd.
Verona, WI 53593

**RE: Notice of Violation, Land disturbing activity in the Shoreland Zone/>4,000 sq.ft.
Obtain After-the-Fact Shoreland Erosion Control Permit**

Dear Owner,

This letter is regarding the clearing, grading and associated land disturbing activity that took place on your land at tax parcel 0810-234-9850-5, and the restoration activity that will be required.

You and/or your contractor created land disturbance by grading within 300 feet of a navigable stream (intermittent stream, Waterbody WBIC 5034933). This work should have been permitted with a Dane County Shoreland Erosion Control permit in accordance with DCCO Sec. 11.05(3)(a). A permit determination request was completed in writing in January 2014, and this was sent to you.

1. A Stop Work Order has been included with this mailing. This will remain in effect until the permit(s) have been issued. The only work that can be done on site is to install erosion control measures. The site can also be restored with a suitable permanent seed mix and mulch crimped in place, if the work is finished.
2. Restoration is required. The area will have to be permitted, and fully restored with the specified measures in your approved plan. Any activity including grading, moving material and/or soil, reshaping, or restoration will need to be permitted, before additional work takes place. The Stop Work Order remains in effect and no activities are to take place, with the sole exception of placement of acceptable means of temporary perimeter erosion control. **The deadline to place temporary erosion control measures or restore the site is April 2, 2020 by 4:00 p.m.**
3. Submit after-the-fact Shoreland Erosion Control permit application and Stormwater Management permit application, and complete materials as necessary to meet the County requirements of Chapters 11 and 14. Please note that the permit fees will be doubled, in accordance with DCCO Sec. 11.50(5)(c). The plans must address any future work, as well. The plans must be stamped by a Professional Engineer.

4. **The deadline to submit the after-the-fact Shoreland Erosion Control permit application is April 15, 2020, by 4:00 p.m. Please submit the signed application to wrediv@countyofdane.com. Mail the fee to the address in the footer. Fees are doubled.**
5. Citations may be issued for the work occurring without permits, and if permit application is not made in a timely manner.
6. Failure to meet deadlines may result in additional enforcement, including referral to the Dane County Corporation Counsel.
7. The Wisconsin Department of Natural Resources, and/or Dane County Zoning may require permits, permissions, or have jurisdiction in this location. Please check with them as necessary.

Thank you for your attention to this matter. Please contact me if you have questions.

Regards,

Jess Starks
Erosion Control Specialist
Water Resource Engineering Division
Dane County Land & Water Resources
(608) 224-3647, starks@countyofdane.com

Cc: Keller Real Estate Group
Weston Matthews, Water Management Specialist- WDNR
Hans Hilbert, Assistant Zoning Administrator- Dane County Zoning
Town of Burke

Enc.

TMS INVESTMENTS LLC
PARCEL # 0810-234-9850-5

VIOLATION HISTORY:

01/24/2014 A request for erosion control permit determination was made by Gregory Thompson of TMS Investments LLC. A permit determination request was completed in writing ("Do I Need a Permit" form) on January 24, 2014, and was sent to Mr. Thompson, stating "Mapped intermittent stream on this property has been deemed non-navigable by Dane County Zoning (see letter dated 9/6/12). However, a navigable stream is mapped to the north on the adjacent property, within 300 feet of the project. A Shoreland Erosion Control Permit is needed. Additional permits are needed from DC Zoning as well." This permit is required for any land disturbing activity, of any size, in the Shoreland zone.

03/23/2020 Inspection made during course of work by Jess Starks, noticed that a large amount of the property at the northwest corner of the intersection of Burke and Reiner Roads had been disturbed very recently.

03/27/2020 Ms. Starks emailed violation letter and stop work order with corrective actions required by 04/02/2020.

03/27/2020-04/08/2020

Emails sent back and forth between Ms. Starks and Mr. Thompson, regarding restoration of the site, permit requirements, and the need for both. Mr. Thompson emailed the incorrect permit application and materials, Ms. Starks responded that this was not the correct application form and did not satisfy the requirement.

Mr. Thompson stated that he disagreed, and asked for information regarding the appeal process.

Ms. Starks emailed information to Mr. Thompson, regarding the process for appeals of decisions made by the director in accordance with s. 14.71, Dane County Code.