

Any land division which is not a minor subdivision.

**SUBDIVISION, MINOR**

The division of land by the owner or land divider resulting in the creation of not more than eight parcels or building sites.

**TOWN**

The Town of New Glarus, Green County.

**WETLANDS**

An area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. [See § 23.32(1), Wis. Stats.]

**WISCONSIN ADMINISTRATIVE CODE**

The rules of the administrative agencies having rule-making authority in Wisconsin, published in a loose-leaf, continual revision system, as directed by § 35.93 and Ch. 227, Wis. Stats., including subsequent amendments to those rules.

**ARTICLE III. General Provisions**

**§ 110-6. Compliance required; jurisdiction; minor subdivisions; building permits.**

A. Compliance. No person shall divide any land located within the jurisdictional limits of these regulations which results in a land division or a replat as defined herein; no such land division or replat shall be entitled to record; and no street shall be laid out or improvements made to land without compliance with all requirements of this chapter and the following:

- (1) The provisions of Chs. 82 and 236, Wis. Stats.
- (2) The rules of the Department of Commerce contained in the Wisconsin Administrative Code for land divisions not served by public sewer.
- (3) The rules of the Department of Agriculture, Trade and Consumer Protection contained in the Wisconsin Administrative Code for land divisions not served by public sewer.
- (4) The rules of the Department of Transportation contained in the Wisconsin Administrative Code for subdivisions which abut a state trunk highway or connecting street.
- (5) The rules of the Department of Natural Resources contained in the Wisconsin Administrative Code for the floodplain management program.
- (6) Comprehensive plans or components of such plans prepared by state, regional, county or municipal agencies duly adopted by the Town Board.
- (7) All applicable local and county regulations, including zoning, sanitary, building and official mapping ordinances.
- (8) The Town of New Glarus Land Use Plan and the Amended Town of New Glarus Land Use Plan dated August 20, 1999.
- (9) Applicable provisions of the Green County Code of Ordinances.
- (10) All applicable rules contained in the Wisconsin Administrative Code not listed in this Subsection [A](#).

B. Jurisdiction. Jurisdiction of these regulations shall include all lands within the corporate limits of the Town of New Glarus. The provisions of this chapter, as they apply to minor subdivisions, shall not apply to:

(1) Transfers of interest in land by will or pursuant to court order.

(2) Leases for a term not to exceed 10 years, mortgages or easements.

(3) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this chapter or other applicable laws or ordinances.

C. Minor subdivisions. Any minor subdivision of land other than a subdivision as defined in § 236.02(12), Wis. Stats., shall be surveyed and a certified survey map prepared as provided in § 236.34, Wis. Stats.

D. Building permits. The Town of New Glarus shall not issue any building permit relating to any parcel of land forming all or any part of lands included in a major subdivision, minor subdivision or replat originally submitted to the Town of New Glarus on or after the effective date of this chapter until the applicant has complied with all of the provisions and requirements of this chapter.

#### **§ 110-7. Land suitability; protection of existing flora and areas of special interest.**

A. Suitability.

(1) No land division shall be allowed for residential, commercial or industrial use which is held unsuitable for such use by the Town Board for reason of flooding, inadequate drainage, unsuitable soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety, or welfare of future residents of the community. The Town Board, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for residential, commercial or industrial use and afford the land divider an opportunity to present evidence regarding such unsuitability if the land divider so desires. Thereafter, the Town Board may affirm, modify or withdraw its determination of unsuitability.

(2) Except as provided herein, the Town Board shall preferably determine land suitability at the time of the preliminary consultation, following review and recommendation by the appropriate Town and county committees, if any. The land divider shall furnish such maps, data and information as may be requested by the Town or necessary to make a determination of land suitability. In addition to the data required to be submitted with the preliminary plat or certified survey, the land divider may be required to submit some or all of the following additional information for development located in an area where flooding or potential flooding may be a hazard:

(a) Two copies of an aerial photograph or two maps prepared by a registered land surveyor or engineer which accurately locate the proposed development with respect to the floodplain zoning limits, if present, channel or stream fill limits and elevations, and floodproofing measures taken or proposed to be taken.

(b) Two copies of a typical valley cross section showing the channel or stream, the floodplain adjoining each side of the channel or stream, cross-sectional area to be occupied by the proposed development and high-water information.