



**SVEUM  
REALTORS®**

FITCHBURG / MADISON OFFICE   
2927 SOUTH FISH HATCHERY ROAD  
MADISON, WI 53711  
(608) 276-3161  
FAX (608) 276-3171

625 WEST MAIN STREET   
POST OFFICE BOX 516  
STOUGHTON, WI 53589  
(608) 873-7731  
FAX (608) 873-0503

RELOCATION DIVISION   
2927 SOUTH FISH HATCHERY ROAD  
MADISON, WI 53711  
(800) 747-9962  
FAX (608) 276-3171

**DATE:** May 8, 2001  
**TO:** Harlan Hills Property Owners  
**RE:** Use of Pesticides and Herbicides on Lawns

As you will recall from our Restrictive Covenants, use of lawn chemicals is prohibited from use in Harlan Hills.

Specifically, and this list may be changed if the Wisconsin Department of Agriculture, Trade and Consumer Protection deems prudent, the chemicals banned are: **Beauvel, Command, Diquat, Paraquat, Tordon and 2-4-D.** Per our Restrictive Covenants, fines may be levied by the UW Arboretum. If you have a lawn company servicing your lawn, let them know about this.

Please review the enclosed Guidelines that discuss the pesticide issue and other points of harmonization with the UW Arboretum. The Arboretum is our neighbor and an important reason you have chosen Harlan Hills.

Thanks for your cooperation.

FOR OVER 90 YEARS. ♦ MAKING REAL ESTATE REAL EASY.™

Each Office is Independently Owned And Operated.



**Guidelines for  
Harmonization with the University of Wisconsin Arboretum  
And  
Pesticide Use  
On Harlan Hills Lots**

**4.13 Special Provisions for Harmonization with the Nearby University of Wisconsin Arboretum**

The following rules shall apply to Dwellings or other principal buildings constructed on all lots in the Harlan Hills subdivision:

(a) Structures may not exceed a height of 35 feet above average ground level for the Lot.

- 1) Structures may not exceed a height of 35 feet.
- 2) For this purpose, the following City of Fitchburg Codes and standards shall generally apply:

Code 22.24 R-L District – Dimensional Standards (7) Maximum Height of Structures 35 feet or 3 stories whichever is less.

Code 22.150 Definitions (9) Building Height (Measurement). A distance to be measured from the mean ground elevation immediately adjoining the front of the structure to the top of the cornice of a flat roof, or to the deck line of a mansard roof, or to a point on the roof directly above the highest wall of a shed roof, or to the uppermost point on a round or other arch type roof, or to the midpoint of the highest gable on a pitched or hip roof.

- 3) No portions of exterior walls or windows or parts of dormers other than the roof of the dormer, and no skylight windows that penetrate roofs, or the like, that face or are visible from the U.W. Arboretum Greene Prairie property, viewed from the approximate center of said property, shall exceed 35 feet from any point of such feature and the ground elevation immediately below such point estimated from topographic maps identified as "Harlan Hills Grading Plan, 9-19-99," unless permission is granted by the U.W. Arboretum after special review and attachment of special conditions as may be needed, in the opinion of the Arboretum, to mitigate the visibility of such features

(b) The exterior color of all Dwellings upon such Lots shall be of earth tones (e.g., green, brown, beige, brick, gray, sienna, adobe) and shall otherwise harmonize with the natural surroundings during leaf-on conditions.



(c) The landscaping plan for each such Lot shall provide for vegetation that, at maturity, would visually buffer the Dwelling's appearance from the University of Wisconsin Arboretum.

Our intention here is to screen a portion of your house from the view in the Arboretum. For screening purposes, our wishes are that trees and shrubs on the Arboretum side of your house will screen at least half of the building, when the trees and shrubs are mature.

We would also like to encourage you to use native Wisconsin Savanna plants in your landscape in order that we all are more a part of the landscape in the larger area. For that purpose, please find enclosed a list of plants that would be suitable for this purpose.

The Arboretum, and other natural land managers, have experienced difficulty with invasive plants from other parts of the world. We hope you will avoid using these exotic invasive plants in your landscape. For that purpose, a list of noxious weeds that you should not plant is attached.



**5.07 Pesticides.** Each Owner of any Lot within the Plat of Harlan Hills agrees on behalf of itself and its successors and assigns that such Owner shall not cause to be released upon its Lot any Pesticides. As used herein, "Pesticides" means any chemicals designed to kill insects, weeds, or plant life that, in the opinion of the Director of the University of Wisconsin Arboretum, would be harmful to any endangered species of plant growing within the University of Wisconsin Arboretum. Any Owner or agent of an Owner who released Pesticides upon its Lot in violation of this Section shall be liable to the University of Wisconsin-Madison for liquidated damages in the amount of Two Hundred dollars (\$200.00) per release. The University of Wisconsin-Madison is a beneficiary of covenants set forth in this Section 5.07 and may enforce this Section 5.07 against each Owner of any Lot.

#### **Guideline for Pesticide Application near the Greene Prairie and Prairie Fringed Orchid Habitat**

For purposes of protecting the University of Wisconsin's Greene Prairie and the habitat of the prairie fringed orchid (*Platanthera leucophaea*) the following rules apply to certain Harlan Hills land parcels. These rules are similar to, and consistent with, rules the Arboretum adheres to that are administered by the Wisconsin Department of Agriculture, Trade and Consumer Protection for the purpose of protecting federally endangered species and its habitat.

No machine application of pesticides may be made if the wind is blowing toward the Greene Prairie. Generally, spraying should be done using low pressure in order to reduce pesticide drift to a minimum. Pesticide applications should be accomplished when temperatures during the day of application do not exceed 65 degrees F. Pesticide applications should be accomplished by a Wisconsin Certified pesticide applicator.

The following chemicals should not be used: Banvel, Command, Diquat, Paraquat, Tordon, 2,4-D. This list of unacceptable chemicals may be changed in the future as the Arboretum's agreement with the Wisconsin Department of Agriculture, Trade and Consumer protection changes.

To reduce weed problems in turf grass and thus your need for pesticides, you are encouraged to maintain a healthy stand of lawn grasses. A healthy lawn may be obtained with a regular fertilization program and maintaining a cutting height of 2.5 inches or more. Of course, using native plants instead of some of the lawn is another choice that will reduce the need for pesticide use.