



Application fee: **\$100.00**

Receipt No. \_\_\_\_\_

Date \_\_\_\_\_

Staff \_\_\_\_\_

## APPLICATION FOR BERM CONDITIONAL USE PERMIT

A berm is defined as any mound or wall of soil extending vertically higher than four feet above the natural grade for the lot. A berm is determined as starting at the base where natural grade changes. No berm may be located, erected, moved, reconstructed, extended, enlarged, reduced, converted, or altered without obtaining all permits required by this section and without being in conformity with the provisions of this section. A permit is **NOT** needed for the following:

- 1) Temporary topsoil piles on construction sites.
- 2) Mound septic systems.
- 3) Landscaping areas less than four feet above the natural grade with a slope not exceeding one foot vertical to three feet horizontal.
- 4) Berms under four feet above the natural grade for a residential lot or under six feet above natural grade for all other zoning districts.

Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No. (\_\_\_\_) \_\_\_\_\_ Fax No. (\_\_\_\_) \_\_\_\_\_

Abbreviated Legal: \_\_\_\_\_ ¼ of Section \_\_\_\_\_

LOCATION (ADDRESS) OF THE PROPOSED BERM: \_\_\_\_\_

Total Lot Area: \_\_\_\_\_ Acres      Zoning District: \_\_\_\_\_

Name of the owner or lessee of the property: \_\_\_\_\_

If this property is owned by someone other than the applicant, written consent of the owner or lessee of the land is required.

Mailing address: \_\_\_\_\_

Name of the person or company working on the berm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**The Berm Conditional Use Permit process and requirements are as follows:**

Updated 1/2023

Please note:

- ✓ Materials must be submitted **three weeks** before the desired Plan Commission meeting date; see the meeting schedule for submission deadlines.
- ✓ Incomplete applications will not be accepted and/or processed.
- ✓ **The berm conditional use permit process may take 2-4 months** because of the meeting schedules and the required public hearing and associated legal notices.
- ✓ Reimbursement agreement must be submitted at the time of application submittal or the application will be considered incomplete.

**Step 1:** Fill out and submit the application, reimbursement agreement, and submit those along with 2 paper copies and 1 electronic copy of the required plans and attachments listed below. A \$100 fee is due at the time of application submittal.

**REQUIRED MATERIALS: The following materials MUST be submitted with the application 3 weeks before the Plan Commission meeting; Town staff will direct if the other items are necessary.**

- ✓ Berm plan depicting location, setbacks, property lines, proposed and existing grade contours.
- ✓ Proposed type of fill material.
- ✓ Planting plan including grasses, shrubbery and tree types with spacing. **Recommendation:** Plantings should be spaced randomly to help visually break up the continuous line of the berm and the berm should be constructed in such a way as to be undulating and serpentine in appearance. **Required:** At least six (6) inches of topsoil is to be placed on all berms in addition to suitable plantings.
- ✓ Proposed schedule for all phases of work.

**The Town may request other information as necessary (See §320-76).**

**Step 2: Plan Commission Meeting.** The Plan Commission will review the application, and hold a public hearing at this meeting. At least 10 days prior to the meeting, the Town will mail a public notice and notify all property owners within 1,000 feet of the application, and publish a Class 2 notice in the newspaper. Following the public hearing at the Plan Commission meeting, the Plan Commission will make a recommendation to the Town Board regarding the application (has the authority to recommend the height, location, slope and landscaping of the berm to the Town Board). The Plan Commission may also ask the applicant to modify the plan and return for another Plan Commission review.

**Step 3:** The Town Board will make the final decision to approve, approve with conditions or to deny the berm conditional use permit application.

**Step 4:** If approved, your conditional use permit is valid after it is signed by the applicant and Town Administrator. All berms shall be constructed such that the slope shall not exceed a slope of one foot vertical to three feet horizontal. The berm must be of no greater grade than would be allowable to be mowed with a riding lawn mower, or some similar device. They must be at least 10 feet from the right-of-way.

**Step 5:** Notify the Town Director of Public Works within two working days of commencing any land development and land-disturbing activity, and at the completion of berm construction but prior to planting the berm to allow inspection of the berm. All berms shall be completed, including all landscaping, within one year of the date of issuance of the conditional use permit.

**NOTE:** Complete information on the size, location and other requirements for berms is found in Section 320-76 of the Zoning Code of the Town of Cedarburg.

