



POND PERMIT APPLICATION

\$100 Application Fee Paid: ___
Staff Initials: _____
Receipt Number: _____
Date Received: _____

NAME: _____

MAILING ADDRESS: _____

POND ADDRESS (if different): _____

PHONE: (_____) _____ FAX: (_____) _____

ABBREVIATED LEGAL: _____ 1/4 OF SEC. _____

Total Lot Area: _____

Total Pond Area: _____ **(Must be less than 10% of total lot)**

Slope of the proposed pond _____

Please state request and describe any special circumstances:

REQUIRED ATTACHMENTS:

____ 2 copies of the site plan showing the following: configuration of the pond with dimensions and maximum depth areas, distances to property lines, drainage easements, structures, outlet structures, septic systems, spoil locations, proposed overflow spillway, proposed landscaping, erosion control plan, and any other information requested by the Plan Commission and Town Board.

____ 2 copies of the pond cross section identifying: the bank and bottom slopes, maximum depth, outlet and overflow structures, normal water elevation, and soil types and hydraulic conditions.

____ If your project involves wetlands, attach 2 copies of letters from Ozaukee County, DNR and/or Army Corp. of Engineers concerning permits to do work in an officially mapped wetland or floodplain. If the pond has been approved by Ozaukee County or WDNR include these forms.

PLEASE NOTE: Pond Permit applications must first be reviewed by the Plan Commission and are then forwarded on for a public hearing before the Town Board. Following the public hearing, the Town Board acts on the application. Final approval by the Town Board must be obtained prior to the work commencing on any pond. This process takes approximately 2 months to complete.

Signature: _____ Date: _____

NOTE: The Pond Permit Application and fee must be at the Town Hall 3 weeks prior to the desired Plan Commission Meeting – see the attached Plan Commission meeting schedule for dates.

Section of the Town Code addressing Ponds.

§ 320-118. Ponds. [Amended 3-3-1999 by Ord. No. 1999-4; 2-5-2003 by Ord. No. 2003-1]

- A. Permit. No pond shall be constructed, altered or extended in any zoning district unless a Town of Cedarburg permit is obtained and posted. Ponds will not be permitted within 25 feet of any lot line or within 50 feet of a bicycle path. Native plantings may be required around any side of a pond that is within 100 feet of a public bicycle path. Permits shall not be required for the following:
- (1) Wildlife ponds/wetland scrapes constructed with the assistance of the Wisconsin Department of Natural Resources or the Ozaukee County Land and Water Conservation Department and which are located at least 100 feet from a property line; and
 - (2) Landscape ponds or ground depressions less than 1,000 square feet in area, less than three feet in depth and greater than 25 feet from a property line or 50 feet from a bicycle path.
- B. Lot area. Ponds shall be considered a special accessory use and shall not be limited to any given yard but shall not occupy more than 10% of the total lot area.
- C. Hearing. A public hearing shall be held by the Town Board before any permit is issued. A Class 2 legal notice shall be published at least 10 days prior to the hearing and notices sent to owners of record of property within 1,000 feet of the proposed pond or pond to be altered or extended. The Town Board should take into consideration citizen input at the hearing as well as written recommendations from the Plan Commission before arriving at a decision whether to grant a permit for the pond. In the event that the property situated within the one-thousand-foot area is owned entirely by a single property owner, then notice shall be given to the next adjacent property owner so that at least two property owners in each cardinal direction are provided notice of the hearing. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- D. Site plan. Plans for the proposed pond shall be submitted with the application for a pond permit to assist the Town Board and Plan Commission in their determinations. The plans shall consist, as a minimum, of a plan view and a typical cross section of the proposed pond. The plan view shall include the configuration of the pond with dimensions and maximum depth areas, distances to property lines, drainage easements, structures, outlet structures, septic systems, spoil locations, proposed overflow spillway, proposed landscaping and any other information that may help the Town Board and the Plan Commission evaluate the pond. The typical cross section shall identify the bank and bottom slopes, maximum depth, outlet and/or overflow structures with elevations and normal water level elevation. A description of the soil type(s) and hydraulic conditions at the site shall be provided to determine the feasibility of a pond. The limits of the proposed pond shall be field staked for review by the Town Board and Plan Commission.
- E. Fees. A fee as set by the Town Board shall be submitted with the permit application to help defray the cost of processing the application and the cost of the public hearing.
- F. Construction and maintenance. Location, construction and maintenance of the pond shall be in accordance with the Town permit and regulations and shall also meet state and county rules and regulations.
- G. Shared ponds. The Plan Commission and Town Board shall review pond permit applications for ponds proposed to cross lot lines on an individual basis. [Amended 11-7-2001 by Ord. No. 2001-17]