

AMENDMENTS TO THE JULY 16, 2012 TOWN OF BERRY COMPREHENSIVE PLAN

Page 36, Policies, letter c

c. Keep new development away from wetlands, floodplains (open space corridors), hydric soils, soils with low or very low potential for dwellings with basements, soils least suitable for on-site waste disposal systems, and slopes greater than 20 percent. Development should also be discouraged on slopes between 12 percent and 20 percent where other more appropriate sites are available. However, in Berry we have extensive slopes and limited farmland, resulting in the need to accommodate reasonable use of slopes to prevent loss of farmland. Therefore, development of slopes over 20% is only permitted when the proposed structure and landscaping is supported by architectural and engineering plans that demonstrate the design accommodates the existing topography with minimal changes and environmental impact. A review fee equal to the estimated fees charged by the Town Engineer to review the proposed plans shall be paid at the time of application. (Unused review fees shall be refunded to the applicant, regardless of the outcome.) “Minimal Impact” includes a written plan which, upon completion, attempts not to increase surface water runoff, retains water infiltration at 90% of pre-development standards on an annual basis, and allows no active erosion on site. No building permit shall be issued for development of slopes over 20% until the applicant complies with this Policy to the satisfaction of the Town and has been issued written confirmation of compliance, and an amount equal to the total actual review fee charged by the Town Engineer to review the proposed plans has been paid to the Town, by the applicant. It is important to emphasize that this *Plan* does not prohibit development on all parcels containing steep slopes. Rather, this *Plan* encourages landowners to direct site development or disturbance away from steep slopes and into more appropriate portions of their property. Guidelines for siting residential development on hillsides and ridgelines are provided as Attachment A of this *Plan*. General depictions of these features are included on Map 3 and in the *Dane County Map Book, Town of Berry* (2001). These features are also shown on Map 5 as an overlay district, “Soils with Building Limitations.”

Page 39, Policies, letter j is deleted

Page 56, Policies, number 5

5. Development Rights: Development rights may be transferred between parcels according to the Town ordinance “500.5 “Transfer of Development Rights (TDR) Program Ordinance”, which is appended to this plan as attachment E. Density units or development rights attached to property which have been permanently restricted against further development by contract, deed restriction or other non-revocable action by the owner of that property, after January 1, 2015, rendering the density unit or development rights unusable at that property, shall be considered extinguished and an equal number of density units or development rights shall be made available by the Town of Berry for transfer from the Town of Berry in accordance with Town Ordinance 500.5. In no event shall new or additional density units or development rights be created beyond the total number available in the Town of Berry based on the “one residential dwelling unit per 35 acres” policy calculated and interpreted as of April 13, 1981.

Page 62, Policies, letter f

f. Buildings shall not be placed in **wetlands, floodplains, hydric soils, soils with low or very low potential for dwellings with basements**. Buildings should be discouraged on slopes greater than 12 percent. Development of slopes over 20% is only permitted when the proposed structure and landscaping is supported by architectural and engineering plans that demonstrate the design accommodates the existing topography with minimal changes and environmental impact. A review fee equal to the estimated fees charged by the Town Engineer to review the proposed plans shall be paid at the time of application. (Unused review fees shall be refunded to the applicant, regardless of the outcome.) “Minimal Impact” includes a written plan which, upon completion, attempts not to increase surface water runoff, retains water infiltration at 90% of pre-development standards on an annual basis, and allows no active erosion on site. No building permit shall be issued for development of slopes over 20% until the applicant complies with this Policy to the satisfaction of the Town and has been issued written confirmation of compliance, and an amount equal to the total actual review fee charged by the Town Engineer to review the proposed plans has been paid to the Town, by the applicant. General depictions of these features are included on Map 5; steep slopes, wetlands, and floodplains are specifically shown on Map 3; and hydric soils and soil potential for basements are included in the *Dane County Map Book, Town of Berry* (2001).

Page 75, Policies, add k

k. Accept longer driveways, consistent with construction requirements in our Ordinance. As necessary to allow driveways to go around productive farmland and avoid “side of the road” development, and place structures where they are less visible to others. No absolute limit on the length of a driveway should arbitrarily apply since it would interfere with those objectives designed to maintaining the rural character of the Town.

Page 126-127, E, add this paragraph

If the Town of Berry leaves Dane County Zoning pursuant to Wis. Stat. §60.23(34), all references to Dane County, as well as its Committees, Boards, staff and Ordinances, herein shall immediately be deemed removed from this Comprehensive Plan and replaced by the appropriate Town Commission, Board or Ordinance serving the function previously served by Dane County, or its Committees, Boards, staff and Ordinances.