

NOTICE: To all applicants of Permits for Emmett Township

The Emmett Township Board of Trustees at their Regular Board meeting held on May 12, 2021 passed a motion to require all permits to have a signed Letter of Intent attached to each and every permit application before the permit can be issued.

If you have any questions you may contact:

Supervisor, Mike Butler at 810 384-8070 Ext. #24

Planning Chair, Scott Mueller 810 384-1330 or cell 810 217-5584

**EMMETT TOWNSHIP
POND APPLICATION/PERMIT**

11100 Dunnigan Rd.
Emmett, MI 48022
810-384-8070 ...Fax 810-384-6138

DATE _____ PERMIT # _____

EXPIRES _____ FEE: _____

APPLICANT NAME _____
ADDRESS _____
TELEPHONE # _____

PROPERTY OWNER _____
ADDRESS _____

TAX ID# _____

POND LOCATION _____
Between _____ and _____

ZONING DISTRICT _____ NUMBER OF ACRES _____

POND SIZE _____ USE _____
TYPE: RES _____ FARM _____

SITE PLAN: (On Back)

Site Plan must show distances from Septic Field, Buildings, Well, All Power Lines, any natural features such as Ditches, etc. and front/sides/rear setbacks: **MARK SIDE SLOPES.**

I understand two (2) stakes must be provided on each side of Property Line adjacent to the pond to measure setbacks.

APPLICANT'S SIGNATURE _____ DATE: _____

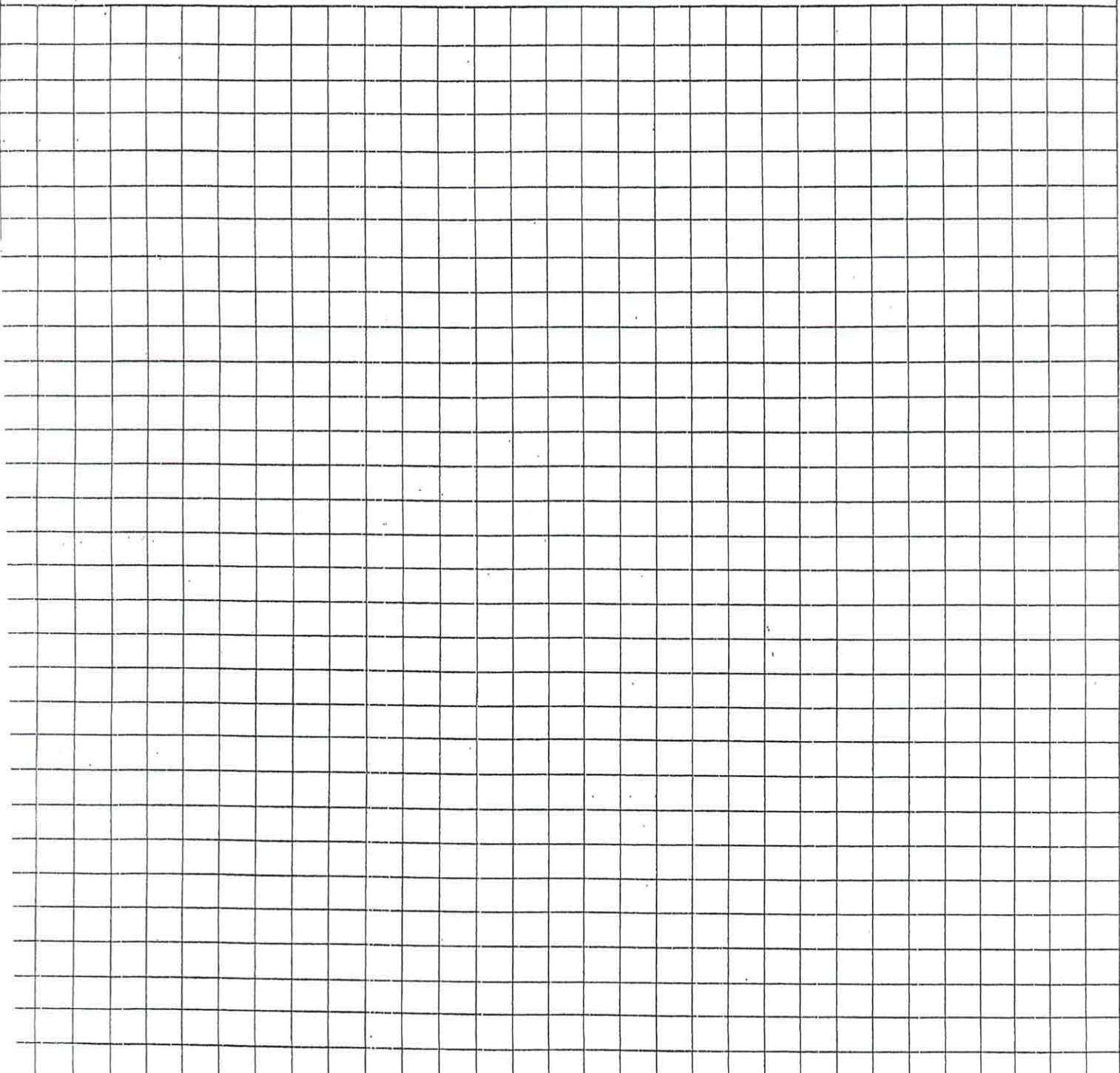
SITE PLAN REVIEW : APPROVED _____ DENIED _____

STAKED SITE INSPECTION APPROVED BY BUILDING INSPECTOR _____

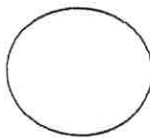
FINAL INSPECTION APPROVED BY BUILDING INSPECTOR _____

SITE PLAN

IX. SITE OR PLOT PLAN - FOR APPLICANT USE



INDICATE DIRECTION OF NORTH WITHIN THE CIRCLE:



ZONING APPROVAL SIGNATURE:

DATE:

Section 15.13 Ponds

1. Private ponds for fish, ducks, livestock, water, irrigation water, fire protection, recreation, collection of surface drainage or created for the purpose of obtaining fill dirt for on-site construction purposes shall be permitted in any district subject to the provisions below and after first obtaining a zoning compliance permit from the Building Administrator. The application for the permit shall contain:
 - a. The name of the owner(s) of the property.
 - b. Legal description of the property.
 - c. A site plan prepared to a scale suitable to demonstrate compliance with applicable regulations and which indicates any excavating or movement of earth material and designates where any such material is to be placed.
 - d. Evidence of compliance with all other applicable ordinances, laws and regulations.
 - e. A statement as to the nature of the estimated activity and the length of time to completion, including any restoration. All permits shall require completion no later than six months after the permit is issued, unless an extension for cause is granted for an additional six months.
 - f. The Building Inspector may require a site plan prepared by a registered engineer retained by the Township at the applicant's expense, with advance payment by the applicant, showing flow patterns and verifying the effect of a proposed pond, and to determine whether berming or an overflow should be required, in areas of the Township where flooding, ponding of water, or high water tables exist or where a pond would appear to adversely effect flooding or drainage problems for adjoining parcels. Additionally, the Building Inspector may require a survey of the property or other verification of boundaries and distances relative to verifying property boundaries, set-backs, etc. in situations where it appears that the minimum distances might be violated if a non-survey boundary or distance is not exactly correct.
2. No pond shall be constructed without first obtaining a permit from the Michigan Department of Natural Resources (DNR) if such pond would be:
 - a. five (5) acres or greater in area, or
 - b. connected to an existing lake or stream, or
 - c. located within five hundred (500') feet of the ordinary high water mark of an existing inland lake or stream.

The obtaining of a permit from the DNR shall not relieve a person from also complying with the requirements of this Section.
3. Applicants under this section are encouraged to obtain copies of publications concerning ponds from the U.S. Soil Conservation Service and the St. Clair County Cooperative Extension Service.
4. All ponds constructed after the effective date of this Ordinance shall comply with the following regulations:
 - a. No pond shall be located nor constructed on any lot or parcel of land having less than five (5) acres in area.

- b. Excavated earth material created by construction of a pond shall be used, to the extent reasonably feasible for on-site purposes. However, excess excavated earth materials not feasible for use on-site may be removed or sold and taken from the property in compliance with an approved site plan and the following requirements. If the applicant proposed that any excess excavated earth is to be removed from the property he shall first provide a written statement of the cubic yards to be removed. The applicant shall be limited to this stated volume and any amount in excess of the stated volume to be removed must first be approved as an amendment to the site plan. This statement or any amendments thereto shall either be shown on the site plan or physically attached to the site plan and shall be considered a part of the site plan for purposes of review and approval or denial. Further, any excess excavated earth shall be removed within three (3) months after excavation, except under unusual circumstances (i.e., a long period of bad weather as might occur in winter or spring months) then applicant may apply to the Planning Commission for one (1) extension of three (3) months.
- c. Excavations undertaken primarily for the purpose of commercial soil, gravel, or mineral removal and not primarily for the purposes set forth in this section above shall not be considered as "ponds" but instead shall be considered as "quarries" and subject to the applicable provisions of this Ordinance.
- d. The pond shall not be greater than twenty-five (25') feet in depth. The spoil shall not exceed thirty-six (36") inches in height. The berm shall be a minimum of eight (8') feet from the edge of the pond.
- e. The pond may occupy up to a maximum of twenty (20%) percent of the lot of property upon which it is placed.
- f. The pond shall be a minimum of fifty (50') feet from any dwelling, any septic field or any well. This requirement shall take precedence over the set-back requirement specified below.
- g. The pond cannot be located within twenty-five (25') feet of a driveway or a driveway cannot be constructed within twenty-five (25') feet of a pond.
- h. The pond shall not be placed within a "required" front yard.
- i. The pond bed within twenty (20') feet of the low water line shall be constructed and maintained at a twenty-five (25%) percent grade (a 1 to 4 slope). Beyond twenty (20') feet of the low water line, the pond bed may be constructed up to a maximum grade of fifty (50%) percent (a 1 to 2 slope).
- j. The pond shall be constructed and maintained such that a minimum setback of twenty (20') feet shall be provided between the high water line and any property line.
- k. At least one (1) permanent safety station consisting of a Coast Guard approved life buoy or ring, 100 feet of ¼" rope and a ten foot pole, all mounted on a post, shall be provided nearest the deepest portion of the pond and erected prior to the completion of the pond. Safety station shall comply with U.S. Soil Conservation Publication SCS-REC-121 (3-71). Signs warning of danger and emergency procedures shall also be placed at appropriate locations as indicated in aforementioned S.C.S. publication.
- l. If the pond is intended for swimming, the swimming area shall be free of all underwater obstacles such as sudden drop-offs or deep holes, trees, stumps, brush rubbish, wire, junk machinery, and fences. The swimming area, if any, shall be marked with a float line.
- m. All of the disturbed areas around the pond shall be seeded with adapted grasses or legumes.

- n. The pond shall be located so as to prevent sewage or run off from barnyards from draining into the pond.
 - o. All work shall be done in a manner to protect the property and adjoining properties against soil erosion, and to avoid unreasonably interfering with natural drainage by unreasonably blocking the natural drainage, unreasonably increasing a burden on adjoining land or unreasonably decreasing the drainage flowing through to adjacent land. Ponds shall be constructed to provide for overflow and/or berming if it appears to be reasonably necessary to comply with this Ordinance based upon topography, structures, ditching and water ponding and water tables. Any berming shall be reasonably adjacent to the pond and overflow protection shall not unreasonably burden adjacent properties.
 - p. Shared ponds are prohibited.
 - q. No permit for a pond can be issued unless the principal residence has been constructed and occupied unless construction of the pond is used for back-fill of the new home.
5. Any pond shall be free of all underwater obstacles such as sudden drop off, or deep holes, trees, stumps, brush, rubbish, wire, junk machinery, and fences.
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