

# WHITEFORD TOWNSHIP

8000 YANKEE ROAD, SUITE 100  
OTTAWA LAKE, MI 49267

## GETTING A POND PERMIT – WHAT YOU NEED TO DO

1. Get a pond permit application from the Whiteford Township Clerk or Supervisor. This document is also available on [www.whitefordtownshipmi.gov](http://www.whitefordtownshipmi.gov).
2. Have **three** sets of 24" x 36" detailed pond plans prepared by a professional engineer, surveyor or architect licensed with the State of Michigan and have them signed and sealed to turn in with the pond application to the Whiteford Township Clerk. Digital format is not accepted.
3. Be sure to include information listed in the Pond Permit Application requirements on the pond application before it is submitted to the Whiteford Township Planning Commission.
4. Be sure the pond plans conform to the Pond Design Requirements of the Whiteford Township Pond Ordinance.
5. Include a non-refundable fee of \$1000 with your paid application. There will be a \$250 fee for each additional drawing review.
6. Follow all specific instructions on the pond application itself.
7. Turn your completed Pond Application, fee and **three** detailed pond plans in to the Whiteford Township Clerk. These plans will be reviewed/approved by the township engineer.
8. A meeting of the Whiteford Township Planning Commission will be scheduled to review the application upon approval of the township engineer. Please allow 3 - 5 weeks to schedule the meeting so that publication requirements can be met.
9. Maintain your pond in conformity with the requirements of the Whiteford Township Ordinance.

# Whiteford Township Pond Permit Application

Landowner : \_\_\_\_\_

Contractor: \_\_\_\_\_

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

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

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

Contact

Person:

\_\_\_\_\_

\_\_\_\_\_

## **Pond Data:** (Check or fill in all that apply)

### Pond Use:

- Water Supply
- Recreational
- Mining
- Borrow pit
- Animal Waste
- Wetland
- Livestock water
- Fire protection
- Storm water
- Dry Hydrant

## **Please Attach Drawing**

### Location:

- House Lot
- Farmstead
- Farmland
- Floodplain
- Wetland
- Woods

### Soil Type:

- Clay
- Loam
- Sand over clay
- Deep Sand

## Pond Type:

- Excavated: \_\_\_\_\_
- Embankment: \_\_\_\_\_
- Water Table: \_\_\_\_\_
- Clay Lined: \_\_\_\_\_
- Initial pond water supply source: \_\_\_\_\_

## Pond Size:

- Length: \_\_\_\_\_
- Avg. Width: \_\_\_\_\_
- Surface Area: \_\_\_\_\_
- Depth: \_\_\_\_\_
- Drainage Area to Pond: \_\_\_\_\_
- Pond Capacity: \_\_\_\_\_
- Spillway Capacity: \_\_\_\_\_
- Pond Overflow outlet directed to: \_\_\_\_\_
- Site Area: \_\_\_\_\_

Excavation/Embankment:

- Excavation Quantity: \_\_\_\_\_
- Embankment Quantity: \_\_\_\_\_
- Spoil Piled: \_\_\_\_\_
- Spoil Hauled: \_\_\_\_\_
- Spoil Quantity: \_\_\_\_\_

Spoil Disposal Location:

Setbacks/Offsets:

- Right of way: \_\_\_\_\_
- Center of Highway: \_\_\_\_\_
- Nearest Property Line: \_\_\_\_\_
- Nearest Building: \_\_\_\_\_
- Well: \_\_\_\_\_
- Septic System: \_\_\_\_\_
- Ditch: \_\_\_\_\_
- Tile: \_\_\_\_\_
- Wetland: \_\_\_\_\_
- Floodplain: \_\_\_\_\_
- Spoil to R/W: \_\_\_\_\_
- Spoil to PL: \_\_\_\_\_
- Spoil to Ditch: \_\_\_\_\_

Construction Activity:

- When is construction scheduled to begin? \_\_\_\_\_
- When is construction scheduled to end? \_\_\_\_\_

Homeowner agrees that Whiteford Township shall not be liable for and shall hold Whiteford Township harmless and indemnify it from any damages or injury sustained by the Homeowner, it's agents, contractors or other third parties, including but not limited to invitees, licensees and trespassers, for all claims relating to the Homeowner's pond.

Homeowner agrees that this Pond Permit Application may be recorded by Whiteford Township, Michigan at the Monroe County, Michigan Register of Deeds.

This Pond Permit Application shall run with and be a burden upon the real property on which the pond is located.

Homeowner Signature: \_\_\_\_\_

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

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

\$1000 APPLICATION FEE \$250 EACH ADDITIONAL REVIEW \$500 PUBLIC HEARING WITH PLANNING COMMISSION
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# WHITEFORD TOWNSHIP

## POND DESIGN PROCESS & REQUIREMENTS

OWNER NAME

OWNER ADDRESS

POND ADDRESS

DESIGN ENGINEER NAME/ADDRESS

### ORDINANCE 68, SECTION 8.23

#### 5. APPROVAL AND APPLICATION PROCESS

The proposed pond may be permitted only pursuant to special use approval after a public hearing, review and approval of the pond plan by the Whiteford Township Planning Commission, in accordance with the provisions of Article VI Special Use Approval. In addition to any information required by Article VI Special Use Approval, the application, pond plan and any other attached documents shall have the following information.

	YES	NO	N/A
a. A brief description of the project and its proposed utilization			
b. A location map showing the proposed pond as well as its relationship to roads, adjacent properties and structures within 100 feet of the property lines of the parcel to contain the proposed pond, including the area of the parcel, the area of the portion to be graded, excavated or disturbed and the area of the resultant pond.			
c. Identification of all existing lakes, streams, open ditch drains, ponds, detention basins, water courses, flood plains, enclosed storm drains and sanitary drains and any official wetlands as designated by the Michigan Department of Environmental Quality or its successor organization.			
d. Indicate proposed construction schedule for the creation of said pond.			
e. Indicate the profiles of the general types of soil at the pond site including evidence to demonstrate the bottom of the proposed pond shall be no less than three feet above existing bedrock. Well logs from nearby sites and observations at a test excavation dug at the pond site may be used for this purpose.			
f. The estimated low water level, average water level and high water level in the proposed pond and a written description indicating how the water level will be maintained; also provide the basis for the determination of the estimated low, average and high water levels.			
g. On any maps and plans, indicate the date, north arrow, scale and author's name, address and phone number.			
h. The dimensions of all lot and property lines showing the relationship and distance of the proposed pond location to adjacent properties.			
i. Provide the legal description and tax parcel number(s) of the parcel to contain the proposed pond; a Certificate of Survey signed and sealed by a licensed surveyor in the State of Michigan is required for properties not defined by metes and bounds.			
j. indicate the location and designation of all existing and proposed buildings, structures, drives, roads, streets, rights-of-way, easements, above ground and below ground utilities, poles, wells, septic tanks and leach beds, water lines and hydrants, sanitary and storm drains, culverts, manholes, catch basins, trees, areas where livestock are kept or any other structure or natural feature on the parcel to contain the proposed pond and within 150 feet of the pond's perimeter, including the distance between the proposed pond and each structure, underground utility or use.			

	YES	NO	N/A
k. Indicate the existing and proposed ground elevations (NAVD 88) with contour lines of no more than two feet intervals and/or such other topographic information satisfactory to the Township Planning Commission. Include all elevations of the parcel's lot corners and property lines.			
l. A certified statement of the quantity of excavation and/or fill proposed.			
m. A description and location of all existing and proposed on site drainage facilities, retaining walls, cribbing, anti-erosion devices or other protective devices to be constructed in connection with or as part of the proposed work.			
n. The benchmark description and location used for establishing existing and proposed grades, based on NAVD 88 datum.			
o. An estimated total cost of the project.			
p. Cross-section drawings of the pond indicating the depth, slopes, length, width, height or other grading of the pond and the placement of excavated spoils.			
q. Such other information concerning the property and pond as may be deemed essential for determining whether the provisions of this Ordinance are being fulfilled and whether approval should be granted.			
r. Submit a copy of any application and all submittals filled with the Monroe County Drain Commission and/or other appropriate enforcing agencies.			
s. A statement as to the proposed method to be used to assure the pond's cleanliness whether the proposed pond is to be stream, spring, surface run-off or well fed and any other reasonable information requested by the Whiteford Township Planning Commission and/or its agents.			
t. The design plans for the pond shall describe how vegetation will be promptly established on the spoil and bank area and any other areas disturbed by the pond under construction, including a time schedule for restoring the ground cover vegetation.			

**6. POND DESIGN REQUIREMENTS**

All land use, development, excavation, grading and soil matter or earth material disturbances for the creation of a pond regulated by this Ordinance shall be in conformance with the approved application, site plan and other supporting documents as approved, conditioned and/or modified by the Whiteford Township Planning Commission. The following general pond design requirements shall be applied in the design of the pond plan and supporting documents.

	YES	NO	N/A
a. All site plans for ponds shall be prepared by an engineer licensed in the State of Michigan and shall be submitted to the township engineer at the applicant's expense.			
b. Excavation for ponds must be set back a minimum of 50 feet from all property lines, easements, utility rights-of-ways, above ground and underground utilities and dwellings.			
c. Excavation for ponds must be set back a minimum of 100 feet from any private septic tank and/or leach field systems, water well, transportation right-of-way or areas in which livestock are kept.			
d. The site slopes of a pond above water and to the depth of six feet below the estimated low water level shall be such that they will be stable and shall not be steeper than three feet horizontal to one foot vertical for stone or clay banking and four feet horizontal to one foot vertical for sand banking. The side slopes of a pond more than six feet below the estimated low water level, shall not exceed a slope of one foot horizontal to one foot vertical 45 degrees.			
e. At least 20 percent of the pond area shall have a minimum water depth of eight feet or more at the estimated low water level.			

	YES	NO	N/A
f. At the estimated low water level, surface area of the water in the pond shall not be less than one-third of one acre.			
g. No earth matter or soil material excavated, graded or disturbed as a result of the construction of the pond shall be removed from the property.			
h. All ponds shall have a safety station for each one-half acre or fraction thereof of the pond water surface when measured at the high water level, and each such safety station shall have an approved U.S. Coast Guard life ring with 100 feet of rope and a ten foot pole on a wooden post extending four feet above grade on which a deep water sign shall be mounted.			
i. Excavation for ponds and resulting spoils shall not be performed or placed within the area of a designated 100 year flood plain.			
j. The finished topography of the area surrounding the pond will be one that blends with the surrounding terrain. Surface drainage from adjacent properties shall be be impeded nor shall off-site drainage be increased.			
k. Prior to pond plan review by the Whiteford Township Planning Commission, the Applicant shall obtain from the Monroe County Drain Commissioner's Office or other appropriate enforcing agency, a written waiver, exemption or a permit approving the proposed design and construction of said pond.			
l. Upon a request being made by the Applicant, any of the above design requirements of this section may be waived in the discretion of the Whiteford Township Planning Commission after a determination that the proposed waiver of any requirements will not be injurious to the zoning district or environs, contrary to the spirit and purpose of this Ordinance, incompatible with existing uses in the area, and would not be detrimental to the safety of the public or residents of the area.			

<b>Ordinance 44A-1 3.16.7 - Pond Design Requirements</b>		<b>Y</b>	<b>N</b>	<b>N/A</b>
A	Excavation for ponds must be set back a minimum of 50 feet from all property lines, easements, utility right-of-ways, above ground and underground utilities and dwellings.			
B	Excavation for ponds must be set back a minimum of 100 feet from any private septic tank and/or leach field system, water well, transportation right-of-way or areas in which livestock are kept.			
C	The side slopes of a pond above water and to the depth of six feet below the estimated low water level, shall be such that they will be stable and shall not be steeper than three feet horizontal to one foot vertical for stone or clay banking and four foot horizontal to one foot vertical for sand banking. The side slopes of a pond more than six feet below the estimated low water level shall not exceed a slope of one foot horizontal to one foot vertical 45 degrees.			
D	At least 20 percent of the pond area shall have a minimum water depth of eight feet or more at the estimated low water level.			
E	At the estimated low water level, the surface area of the water in the pond shall not be less than one-third acre.			
F	No earth matter or soil material excavated, graded or disturbed as a result of the construction of the pond shall be removed from the property.			
G	All ponds shall have a safety station for each one-half acre or fraction thereof of the pond water surface when measured at the high water level and each such safety station shall have an approved U.S. Coast Guard life ring with 100 feet of rope and a ten foot pole on a wooden post extending four feet above grade on which a deep water sign shall be mounted.			
H	For the protection of the general public, the Whiteford Township Planning Commission shall determine what fencing or other protective devices shall be provided under the particular circumstances of the premises and the surrounding area, both while operations are being carried on and after completion thereof.			
I	Excavation for ponds and resulting spoils shall not be performed or placed within the area of a designated 100 year flood plain.			
J	The finished topography of the area surrounding the pond will be one that blends with the surrounding terrain. Surface drainage from adjacent properties shall not be impeded nor shall off-site drainage be increased.			
K	Prior to pond plan review by the Whiteford Township Planning Commission, the Applicant shall obtain from the Monroe County Drain Commissioner's Office or other appropriate enforcing agency, a written waiver, exemption or a permit approving the proposed design and construction of said pond in accordance with the Soil Erosion and Sedimentation Control Act (PA 137 of 1972) being MSA Section 13.1820(1) et seq. as amended, the rules promulgated thereunder by the Water Resources Commission of the Michigan Department of Natural Resources, and the Monroe County, Michigan, Resolution for Soil Erosion and Sediment Control adopted May 27, 1975 as amended or any similar successor Act, Rules or Resolution.			

L	<p>An Applicant shall also design any pond and obtain a written permit or waiver from the Michigan Department of Natural Resources in conformance with 1. The Inland Lakes and Streams Act (PA346 of 1972) being MSA Section 11.475(1) et seq., as amended or any similar successor Act, if the proposed pond is five acres or more in area or the pond will connect to or be within 500 feet of the ordinary high water mark of a lake or stream as defined in said Act; and 2. The Goemaere-Anderson Wetland Protection Act (PA 203 of 1979), being MSA Section 18.595(1) et seq., as amended, or any similar successor ACT, if the proposed pond or resulting spoils will be placed in a regulated wetland.</p>			
M	<p>Upon a request being made by the Applicant, any of the above design requirements of this Section 8 [Section 251.008], may be waived in the discretion of the Whiteford Township Planning Commission after a determination that the pro-waiver of any requirements will not be injurious to the zoning district or environs, contrary to the spirit and purpose of this Ordinance, incompatible with existing uses in the area, and would not be detrimental to the safety of the public or residents of the area.</p>			