

Mussey Township - P.O. Box 118 - Capac MI 48014
Phone: 810-395-4915 Fax: 810-395-7182

Pond Permit

(Please Print)

Permit # _____

Date _____

Applicant _____

Address _____ Telephone _____

City _____ State _____ Zip _____

Job Location _____ Property Size (acres) _____

Owners Signature _____ Date _____

Contractor Information:

Company Name _____ Telephone _____

Address _____ City _____ State _____ Zip _____

Contractor License Number _____ Expiration Date _____

Federal ID Number _____

Insurance Carrier _____

MESC Number _____

Contractor Affidavit: I hereby certify that the proposed work is authorized by the owner to make this application as his authorized agent, and we agree to conform to all applicable laws of the State of Michigan and Mussey Township. All information on this application is accurate to the best of my knowledge.

Signature _____ Date _____

Print Name _____

Site Plan must include all measurements involved with job. Indicate North with arrow, include all buildings, wells, septic field, road right of way and Edison Poles.

SECTION 1218. PERFORMANCE GUARANTEE

Whenever improvements such as paving of parking areas, greenbelt, screen walls, or other improvements are required by this Ordinance they shall be shown on a site plan for the proposed use. In addition, the owner of the subject property shall deposit with the Township Clerk a performance guarantee in the amount of 10% of the estimated cost of the required improvements. The entire sum shall be returned to the owner upon satisfactory completion of the required improvements within the time limits specified herein.

SECITON 1219. BASEMENT AND/OR GARAGE DWELLING PROHIBITED

Buildings erected after the effective date of this Ordinance as garages or accessory buildings, with the exception of a caretaker's residence, shall not be occupied for dwelling purposes. No basement or cellar shall be used or occupied for dwelling purposes at any time.

SECTION 1220. PONDS

Private residential ponds, and agricultural or farm ponds may be permitted on a minimum of five (3) – **amended 8/13/25** acres in certain districts specified in this Ordinance, subject to the following special standards:

A zoning compliance permit shall be required for the construction, enlargement, or cleaning of all private residential, agricultural, or farm ponds. The property owner shall submit an application to the Township Clerk, for review by the Township Building Official. The application shall be accompanied by a site plan that demonstrates compliance with subsections B – V below.

There shall be a side and rear yard setback of at least fifty (50) feet from the edge of the excavation to the property lines. There shall be no excavation within the required front yard setback.

A minimum setback of fifty (50) feet shall be maintained from the edge of excavation to the nearest point of any single-family home, or accessory building and twenty-five (25) feet from any driveway.

There shall be a minimum setback from any well, any septic tank and tile disposal field of at least one hundred (100) feet.

The pond may occupy up to a maximum of twenty percent (20%) of the lot or property upon which it is placed.

At least one side of all ponds shall be constructed with a maximum slope of 5:1 (five feet horizontal to one foot vertical). In no case shall any other slope exceed 3:1.

Natural drainage courses encountered during the construction, enlargement, or cleaning of a pond shall not be altered in any way that would cause them to no longer function. If necessary, natural drainage courses shall be rerouted around the pond by the owner and the contractor constructing the pond.

ARTICLE 12-30
MUSSEY TOWNSHIP ZONING ORDINANCE
REPRINTED JANUARY, 2004

No pond shall be constructed, enlarged, cleaned or otherwise altered in a manner that causes pond overflow water to run off onto adjacent lots or parcels. Discharge of water from a natural or artificial pond shall be controlled through the engineering of an outlet to an appropriate natural waterway or County Drain.

Use of any residential, agricultural or farm pond by the public for swimming, fishing or the like, is prohibited.

No pond shall be located directly beneath an overhead electrical line, wire or conductor, nor within ten (10) feet horizontally of any overhead electrical line.

Excavated materials, in excess of 1,000 cubic yards, may not be hauled off the site unless a mining permit is obtained pursuant to Section 1310 of this Ordinance.

Ponds that will disturb over one (1) acre of land shall obtain a Soil Erosion Control Permit from the St. Clair County Drain Commissioner and all work shall be done in a manner that strives to protect the property and adjoining properties against soil erosion. Ponds of five (5) acres or more in size, or connected to an existing lake or stream, or located within five hundred (500) feet of the ordinary high water of an existing inland lake or stream, shall obtain a permit from the Michigan Department of Natural Resources.

The pond shall be located and the property graded so as to prevent sewage or run-off from barnyards from draining into the pond.

All work shall be done in a manner that prevents soil erosion on the subject property and on adjoining properties.

If requested by the building inspector or the zoning administrator, the applicant shall submit written verification from the Michigan Department of Environmental Quality that the proposed pond will not impact a wetland as regulated by the MDEQ under Act 203 of 1979, as amended.

It is strongly recommended that Deep Water Signs (available from Natural Resources Conservation Service) be posted and a minimum of one (1) life ring be at the site on a length of rope at least ½ the width of the pond.

The Building Inspector may require a detailed drainage plan, prepared by a professional registered civil engineer, where the Building Inspector determines such a plan is necessary to ensure that the proposed pond and associated placement of spoils on-site will not negatively impact drainage patterns both on and off the site.

On-site dispersal of excavated material shall be in accordance with the following guidelines:

Excavated materials shall be contoured or used to create berms with a maximum slope of 1:3. The berm shall not exceed thirty-six inches in height and shall be located a minimum of twelve (12) feet from the edge of the pond.

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Where excavated materials are bermed or otherwise will result in an increase in grade, the materials shall be contoured to avoid interruption of the horizon by with the top layer of the redistributed materials. The following graphic illustrates the desired visual effect of this subsection.

3. All excavated material shall be suitably graded and seeded or otherwise covered with grass or other living groundcover so as to prevent erosion and to visually incorporate redistributed excavated materials into the surrounding landscape.

PROPER USE OF OVERBURDEN FOR PRIVATE RESIDENTIAL PONDS
All applications for pond approval shall be accompanied by a permit fee, in an amount established by resolution of the Township Board.

A performance bond, in an amount established by resolution of the Township Board, shall be posted by the applicant prior to issuance of a permit to insure completion of all required improvements.

All approved ponds shall be completed within six (6) months of issuance of the permit. The Building Inspector may grant one six (6) month extension of the permit where the applicant shows that substantial progress is being made.

To discourage ponds from becoming a breeding ground for mosquitoes, all ponds shall be designed to maintain a minimum depth of 10 feet, combined with the safe slope requirements of subsection F above.

ARTICLE 12-32
MUSSEY TOWNSHIP ZONING ORDINANCE
REPRINTED JANUARY, 2004
SITE OR PLOT PLAN – FOR APPLICANT USE