GANGES TOWNSHIP
1904 64TH Street Fennville MI 49408
269-543-8316 Fax 269-543-4767

PRIVATE ROAD CONSTRUCTION PERMIT APPLICATION/PERMIT

Fee $500.00 (payable to Ganges Township)

Date: _____

Applicant Name: _____
Address: _____ Phone: _____

Road Location: _____

Parcel No(s): _____

Property Owner (if different): _____
Address: _____ Phone: _____

Number of Parcels to be accessed by Road: _____

Please see attached Private Road section 3.2 D of the Zoning Ordinance, for procedural steps and the information that needs to be submitted to the Zoning Administrator.

_____ _____
Signature of Applicant/Owner Date

Official Use Only

Date Received: _____ Fee: _____

Date of Planning Commission meeting: _____
Approved: _____ Denied: _____

All items have been submitted and approved by the Planning Commission for the construction of the Private Road.

_____ _____
Signature of Zoning Administrator Date

(Permit only valid with Zoning Administrator's signature and date of approval)

Section 3.19 Ponds

A. No pond shall be constructed, installed, or maintained which either causes or contributes to the erosion of any adjacent, abutting, or nearby lands.

B. Ponds greater than one (1) acre require a Soil Erosion Sedimentation Control (SESC) Permit from the Allegan County Environmental Health Department.

C. Ponds greater than five (5) acres require a permit from the Michigan Department of Environment, Great Lakes, and Energy.

D. Ponds must be constructed and maintained with gradual slopes to depths of up to five or six feet with no sudden drop offs.

E. The Planning Commission may require a fence in conjunction with the construction of a pond, provided that requiring a fence would substantially improve the site in terms of safety, screening, privacy, or other reasons.

Section 3.20 Private Roads

A. **Purposes.** The purposes of this Section are to regulate the design and construction of private roads; to permit private roads for residential uses only; to protect the Township's rural character and preserve farmland by preventing excessive lot splits; to ensure that adequate safety measures for emergency response and access are provided on private roads; and to provide a safe environment for residents serviced by a private road.

B. **Districts Permitted.**

1. Private roads are permitted in the AR, Agriculture/Residential, C, Commercial, I, Industrial, R, Residential, GNR, Glenn Neighborhood Residential, GHMU, Glenn Hamlet Mixed Use, and PUD, Planned Unit Development districts.

   a) Private roads in the A/R, C, I, R, GHMU, and PUD Districts shall serve no more than fifteen (15) parcels and not to exceed fifteen (15) single family dwellings.

   b) Private roads in the GNR District may serve as many parcels as necessary to achieve a connected street network within neighborhood developments.

   c) Private roads may be permitted in the A District, subject to restrictions described in Section 3.20.C. below.

C. **Private Roads in the A District.**

1. To prevent excessive lot splits and residential neighborhood sprawl, as well as to preserve and protect the Township's valued agricultural lands and agriculture production facilities, private roads shall not be permitted in the A, Agriculture District, if proposed as a component of a PUD or site condominium development.

   a) Private roads in the A District shall not serve more than two (2) parcels and not to exceed two (2) dwelling units.

2. All existing private roads in the A, Agriculture District may continue to operate and be maintained as approved by the Planning Commission, so long as the private road is not extended or lengthened.

D. **Private Road Site Plan Review.**

1. Private roads shall be considered by the Planning Commission through the site plan review process. The private road may not be constructed unless the Planning Commission approves the site plan and

the Zoning Administrator issues a Private Road Construction Permit.

2. In addition to the applicable information required by Article 16, private road applications shall include:

   a) The configuration of proposed lots served by the private road.

   b) A detailed written description of the development to be served by the private road.

   c) Private road construction specifications with cross sections that show, at a minimum, precise location, grade, route, elevation, dimensions, construction materials, and design of the private road.

   d) Proposed future extensions of the private road within the development and to adjacent lands.

   e) Location of and distance to any public streets which the private road is to intersect.

   f) A survey including legal description of the right-of-way of the private road, and a survey including legal description for each lot to be served by the private road, both by a licensed land surveyor.

   g) The location of existing and proposed public and private utilities to be located in and within twenty (20) feet of the proposed easement for the private road.

   h) A draft road maintenance and access easement agreement and deed restrictions to be reviewed by the Township attorney, at the applicant's expense, to verify compliance of 3.20.D.

   i) A review letter or permit from the Allegan County Road Commission or State Department of Transportation stating the location of the proposed private road meets their requirements.

   j) A letter from the Allegan County Road Commission indicating there is no known duplication of the proposed private road name.

E. **Design Requirements.**

1. Design Standards for private roads shall meet the standards of the following:

Lots Served	1-4	5 or more
Right-of-way width	33 ft.	66 ft.
Width of traveled surface (centered within ROW)	12 ft.	20 ft.
Shoulder size (each side)	—	3 ft.
Subbase	12 inches of 95% compacted Class II granular material, to extend full width across grade	12 inches of 95% compacted Class II granular material, to extend full width across grade
Base	6 inches County Road Commission specification 22A or equivalent,	6 inches County Road Commission specification 22A or equivalent
Maximum length from a public street	2,640 ft.	2,640 ft.
Inside radius of horizontal curves	25 ft.	25 ft.
Minimum drainage slope from center of traveled surface to edge of grade width	2.5%	2.5%

2. The Planning Commission may modify the subbase, base and/or surface materials at its discretion if the applicant's engineer has submitted reports and findings that warrant the use of similar standard material. The Planning Commission reserves the right to seek an outside professional opinion, such as the Township's Engineer of record, regarding the applicant's engineer's findings.

3. Planning Commission may require:

   a) An easement for future private road extensions or connections to public streets.

   b) A turnout for bus service or mail delivery.

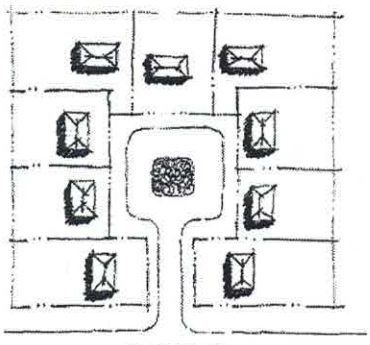
   c) A turnout for fire apparatus if the road exceeds five hundred (500) feet in length.

4. The maximum grade of the private road shall not be more than ten (10) percent in any three hundred (300) feet of run length, with the exception that the maximum grade within thirty (30) feet from the intersection of the private road with a public street or another private road shall be four (4) percent.

5. All bridges and culverts shall be capable of supporting a vehicle load of an HS20-type vehicle, or the most current standard thereafter, based on State Department of Transportation standards.

6. The minimum distance between intersections of rights-of-way for private roads or public streets, or any combination of them, shall not be less than two hundred (200) feet, as measured along the right-of-way line.

7. Following a lot split or land division, any new lot created that has frontage on both a public street and a private road shall take driveway access and building address off the private road.



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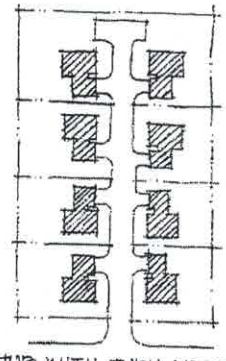
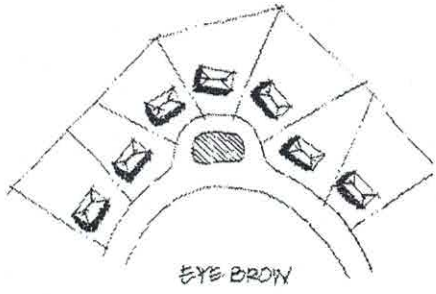


STUB WITH TURN-AROUND



8. In general, a series of dead-ends or cul-de-sacs are discouraged. Eyebrow, court, or stub roads are preferred. Reasonable accommodation shall be made for future road extensions and possible interconnections with adjacent properties. Cul-de-sacs may be permitted, upon the determination by the Planning Commission, provided that sufficient justification from the applicant is provided to warrant said cul-de-sac.

9. All private roads which do not terminate at another private road or public street right- of-way shall terminate with a cul-de-sac or tee turnaround, to be determined and approved by the Fire Department. Other areas, not at the end of a private road, for maneuvering or turn- around of firefighting equipment shall be subject to approval by the Fire Department.

10. All lots located on private roads shall include adequate access to appropriate sources of water for fire safety, as determined by the Ganges Township Fire Department.

11. Vehicle passing/pull-out lanes may be required by the Planning Commission, or by the Fire Department for safety reasons. Any such passing/pull-out lanes shall be not less than nine (9) feet in width and forty (40) feet in length and must conform to the standards of the improved surface of the private road and be approved by the Fire Department.

12. All intersections of private roads and their private driveways shall be designed for adequate safety; this may include a stop or yield sign, as applicable and required by the Planning Commission or other Ganges Township road agencies.

13. Regulation Michigan State Highway STOP signs shall be positioned and installed in accordance with the Michigan State Manual of Uniform Traffic Control Devices on all private roads where they meet public streets.

14. Adequate utility easements shall be provided within or adjacent to the private road or easement and dedicated as such.

15. Marker posts, for purposes of providing distance information to emergency response personnel, may be placed at locations determined by the Fire Department, at the expense of the applicant.

16. All gates blocking access to a private road shall have an access code determined by the Fire Department, and be equipped with a keyed switch, which will keep the gate open. The keyed switch must use a Knox Box Key.

17. The improved surface of any private road shall be a minimum of twenty- five (25) feet from any adjoining lot that does not derive access from the private road.

18. Private road construction shall preserve, as much as practical, significant natural features such as mature trees, natural slopes, wetlands, and bodies of water.

19. All private roads shall be continuously maintained in a way that they are readily accessible to and usable by all vehicles in all types of weather.

F. **Maintenance and Access Easement Agreement, Declaration of Easement.**

1. A draft road maintenance and easement agreement, including a declaration of the easement for the private road, shall be provided with the application requesting approval of a private road established or extended after the date this Section is adopted. The road maintenance and easement agreement and declaration of easement shall provide at a minimum as follows:

   a) The agreement shall run with the land and specifically address the liability and responsibility of the parties to that agreement to maintain the private road pursuant to the specifications of this Section. This shall include but is not limited to provisions for routine and annual maintenance, snow removal, and the eventual repair or reconstruction of the private road.

   b) The agreement shall include rules regarding voting rights and responsibilities of parties to the agreement in relation to road maintenance and improvements.

   c) The agreement shall include the legal description of the private road easement and all properties served by the private road.

   d) The agreement shall provide for the requirement to grade, drain, dust control, and otherwise maintain the private road in accordance with the requirements Ganges Township and other applicable road agencies.

e) The agreement shall include a notice and consent clause that if repairs and maintenance are not made, the Township Board may assess (charge) the owners of parcels fronting or bordering the private road in a reasonably proportionate manner without the necessity of any additional petition for such improvements from the benefited property owners.

i) Following that assessment, the agreement shall provide the Township Board may make the necessary repairs and improvements in accordance with the design standards of this Section.

f) The agreement shall include a provision that the owners of any and all of the properties served by the private road shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress and egress and use by any of the other owners.

i) Normal ingress and egress and use shall include use by family, guests, invitees, tradesmen, and others bound to or returning from any of the properties having a right to use the private road.

g) The agreement shall include a statement that the road is private and will not be maintaine by the Allegan County Road Commission or Ganges Township. This provision will not prevent the Allegan County Road Commission or Ganges Township from accepting the private road as a public street in the future.

h) The agreement shall state that the owners of all properties served by the private road will permit planned future private road or public street tie-ins or extensions with appropriate cross-access agreements.

i) The agreement shall include a statement that all owners of all properties served by the private road shall indemnify and hold the Township, including the Township Board, Township Planning Commission, Township staff, Township consultants, and other such persons or bodies representing the Township, harmless from any and all claims for personal injury or property damage arising out of the use of the private road or of the failure to properly construct, maintain, repair, and replace the private road.

j) The final approved road maintenance and easement agreement and declaration of easement shall be recorded with the Allegan County Register of Deeds. Notarized signatures of the owners of the parcels served by the private road are required as part of the document being recorded. An as recorded copy of the document must be provided to the Zoning Administrator.

G. Requirements for road construction, maintenance, and final approval.

1. Upon completion of construction of the private road:

a) The applicant shall remove and properly dispose of all trees, shrubs, construction debris and rubbish. They shall also restore all drainage ditches with topsoil, seed, and mulch.

b) The applicant shall provide a set of "as built" drawings and a letter signed and sealed by a licensed engineer certifying that the private road and the entrance has been completed in accordance with the requirements of the standards of this Section and approved site plan.

2. All private road ditching, drainage, and culverts for drainage outside of the public right-of-way will be periodically inspected to ensure proper drainage.

3. No parcel or parcels having frontage on the private road may be sold, conveyed, or leased, nor may a building permit be issued for the parcel or parcels, until the private road has been fully constructed and documented in full compliance with this Section.

H. Previously Constructed private roads or recorded legal easements.

a) A private road or recorded easement constructed prior to the adoption of this Section or the predecessor to this Section may continue in use and need not be improved to the standards required of this Ordinance so long as the private road or easement serves the same number of parcels or single-family dwellings that it served at the time of construction, and so long as the private road or recorded easement met all applicable requirements in place at the time of construction.

b) If a land division is applied for and will exceed the number parcels or single-family homes served at the time of construction of a private road or easement that will result in an additional burden, the standards in this Ordinance must be satisfied.

Section 3.21 Noncommercial Wind Energy System (NWES) and Anemometer Towers

A. **General Requirements.** A noncommercial wind energy system is an accessory use permitted in any zoning district providing it meets the following standards:

1. Designed to primarily serve the needs of a home, farm, or small business.
2. Minimum parcel size of two acres.
3. For every additional NWES on a parcel an additional two acres are required. Properties with more than one noncommercial wind energy systems per parcel require a Special Land Use.
4. Shall have a tower height of eighty (80) feet or less as measured from the ground and the top of the blade in its vertical position. If greater than eighty (80) feet, a Special Land Use is required.

B. **Required Property Setbacks.**

1. The distance between a noncommercial wind energy system and the owner's property line shall be equal to the height of the wind energy system tower including the top of the blade in its vertical position.
2. The distance between an anemometer tower and the owner's property line shall be equal to the height of the tower.
3. No part of the wind energy system structure including the anchor guy wires may extend closer than ten (10) feet to the owner's property lines or the distance of the required setback in the respective zoning district whichever results in the greater setback.

C. **Noise.** Sound Pressure Level for noncommercial wind energy systems shall not exceed 50dB[A] at the property line closest to the wind energy system. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe windstorms. If the ambient sound pressure level exceeds 50 dB[A], the standard shall be the ambient dB[A] plus 5 dB[A].

D. **Construction Codes, Towers and Interconnection Standards.** Noncommercial wind energy systems including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. Noncommercial wind energy systems including towers shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act, the Michigan Tall Structures Act and local airport overlay zone regulations. An interconnected noncommercial wind energy system shall comply with Michigan Public Service Commission and Federal Energy Regulatory Commission standards.

Article 16.
Site Plan Review

Section 16.1 Purpose

The purpose of this Article is to provide for consultation and cooperation between the applicant and the Planning Commission in order that the applicant may realize planned objectives in the use of land within the regulations of this Ordinance. It is also intended to ensure that the development be completed with minimum adverse effect on the use of adjacent streets, and on existing adjacent and future land uses, rural character, and the natural environment.

Section 16.2 Site Plans Reviewed

In accordance with the provisions of this Article, a site plan review shall be required prior to the establishment of a new use or the erection of a building in the districts and conditions cited below.

A. **Staff approval.** The following uses may be approved by the Zoning Administrator:

1. Single family dwellings/duplexes (except as may be provided in a site condominium development).
2. Agricultural uses, buildings and structures.
3. A change of use that does not change the building footprint if the use is allowed by right and if an approved site plan is on file, subject to Section 17.5 and Section 17.6.
4. State licensed residential facilities as described in the MZEA Section 125.3206 Sec.206. 1. (a), (b), (c) as amended that do not require a Special Land Use.
5. Accessory buildings and uses.
6. Non-commercial wind energy conversion systems of 80 feet or less in height, with only one NWECS per parcel.
7. Commercial small cell communications facilities of 75 ft. or less after initial approval by the Planning Commission.

B. **Planning Commission approval.** Site plan review and approval by the Planning Commission is required as follows:

1. Special land uses in all zoning districts shall comply with the procedures, requirements and standards established in Article 18.
2. Site condominiums in all zoning districts shall comply with the procedures, requirements and standards established in Article 15.
3. Planned unit developments shall comply with the procedures, requirements and standards established in Article 15.
4. Open Space Preservation Projects shall comply with the procedures, requirements and standards established in Section 3.26.
5. A change of use not covered by Section 16.2 A.3 shall comply with the following requirements of this section, i.e. Sections 16.3 -16.9
6. All uses not addressed by staff approval as provided in A above and permitted in the Manufactured Home Community District; the Commercial District; and the Industrial District shall comply with the following requirements of this section. i.e. Section 16.3-16.9
7. A change of use in an existing facility to a use which is not allowed by right, or which creates the need for five (5) or more additional parking spaces, or where an approved site plan is not on file.

Section 16.3 Site Plan Review Requirements

A. **Optional Preliminary Site Plan Review.** Twelve (12) 12x18 inch copies of a preliminary site plan may be submitted by the applicant for review and comment by the Planning Commission prior to final site plan submittal. This site plan must be submitted to the Zoning Administrator not less than thirty-five (35) consecutive days and to the Planning Commission not less than fourteen (14) consecutive days prior to the next regular Planning Commission meeting. The purpose of this optional procedure is to allow discussion between the applicant and the Planning Commissioners, to better inform the applicant of the acceptability of the proposed plans prior to incurring extensive engineering and other costs which might be necessary for final site plan approval. Except for PUD and site condominium reviews, no formal action shall be taken by the Planning Commission at this level. The review is merely a work session for the developer to become more familiar with Township goals and objectives as it relates to the particular development.

1. Preliminary site plan submittal shall include the information as listed within Subsection C, below, unless deemed unnecessary by the Zoning Administrator. In no case shall preliminary site plans be at a scale less than 1 inch equals 100 feet (1" = 100').
2. The Planning Commission shall review the preliminary site plan and make any recommendations to the applicant in the context of the standards required by this Ordinance. The Planning Commission shall advise the applicant as to the general acceptability of the proposed plan but shall not be bound by any statements or indications of acceptance of the plan.

B. **Final Site Plan Review**

1. If submission of a preliminary site plan is not desired by the applicant, or after the applicant has pursued preliminary site plan review, twelve (12) copies of a 24x36 inch final site plan bearing the seal of the professional engineer, architect, or land surveyor who prepared the site plan shall be submitted to the Zoning Administrator for review not less than thirty-five (35) consecutive days and to the Planning Commission not less than fourteen (14) consecutive days prior to the next regular Planning Commission meeting. Final site plans shall be at a scale not less than one inch equals twenty feet (1"=20') for property under three (3) acres and at least one inch equals one hundred feet (1"=100') for those three (3) acres or more.

2. Applications for final site plan reviews shall include the information as listed within Subsection C, below, unless a waiver is requested by the Zoning Administrator. In no case shall natural features information be considered unnecessary for new developments.

C. **Site Plan Submission Requirements**

For both Preliminary and Final Site Plan Review

1. A general location sketch showing at minimum, properties, streets, and use of land within 1/2 mile of the area.
2. Legal description of the subject property.
3. North arrow, and plan scale.
4. Name and address of the property owner or petitioner. If the petitioner is not the owner, owner must give written, notarized approval of the petitioner's plan.
5. Name and address of the person who drafted the plan and the date on which the plan was prepared, and of all persons who will be speaking on behalf of the applicant in the Township proceedings.
6. Existing zoning and use of all properties abutting the subject property.
7. All buildings, parking, and driveways within 100 feet of all property lines.
8. Existing and proposed uses, buildings, and structures.
9. Property lines and dimensions as determined by a staked land survey bearing the seal of the professional licensed surveyor preparing the Site Plan.
10. Existing adjacent streets and proposed streets
11. Parking lots and access points.
12. General location of utilities, storm water management features, septic systems and wells.
13. Location of proposed buffer strips or screening.
14. General topographical features at contour intervals no greater than 5 feet.
15. Significant natural features and other natural characteristics, including but not limited to open space, wetlands, stands of trees, brooks, ponds, floodplains, hills, slopes of over 15%, and similar natural assets or hazards.
16. Provisions for the safe disposal of hazardous materials and solvents.
17. Narrative: provide written text describing in general terms:
    a) The overall objectives of the proposed development.
    b) Size (in acres) of the subject property and approximate number of acres allocated to each proposed use and gross area in building, structures, parking, streets and drives, and open space.
    c) Dwelling unit densities by type, if applicable.
    d) Proposed method of providing sewer and water service, as well as other public and private utilities.
    e) Anticipated grading and filling and proposed method of storm water management.

D. **Site Plan Submission Requirements**

Additional Information for Final Site Plan Review

1. Buildable area for proposed structures (i.e., setbacks shown) on the subject property for each lot or site condominium unit.
2. Specifications for and location of existing and proposed utilities
3. All existing and proposed drives (including dimensions and radii), acceleration/ deceleration lanes serving the site, and cross-sections of internal streets serving the development.
4. Location and specifications for curbing, parking areas (including the dimensions of a typical parking space and the total number of parking spaces to be provided), fire lanes, and unloading areas.
5. Location and size of all surface water drainage facilities including storm event data.
6. Location of profiles of all proposed fencing and walls.
7. Location of all solid waste disposal facilities, including recycling and screening.
8. Location and specifications for existing or proposed outside, above or below ground storage facilities for hazardous materials.
9. Specifications for disposal of hazardous materials.
10. Dedicated open space, marked, described, and in a recordable form to protect such lands in perpetuity.
11. Exterior lighting showing area of illumination and indicating the type and height of fixture to be used.
12. Any signs not attached to the building(s).
13. Elevation drawings of proposed buildings.
14. Location and specifications for trails and sidewalks.
15. Development agreement (as appropriate).
16. Easement descriptions and dedications.
17. Approved road names (as appropriate).
18. Detailed landscape plan, including method of protecting existing vegetation; listing of species and sizes for new landscaping materials; profile of proposed buffer strips, screening, fence design, and timing of landscaping improvements.

E. **Additional Information**

1. The Planning Commission may consult with the Township attorney, engineer or planning consultant. The Planning Commission, prior to granting approval of a site plan, may request from the applicant any additional graphics or written materials, prepared by a qualified person or person(s) to assist in determining the appropriateness of the site plan. Such material may include, but need not be limited to, aerial photography, photographs, traffic studies, impacts on significant natural features and drainage, soil tests and other pertinent information.
2. The Planning Commission or Township Board may require a traffic impact assessment or traffic impact study pursuant to the Institute of Transportation Engineer standards as part of the final site plan review. The level of detail required for either the traffic impact assessment or study will be based upon the expected amount of traffic to be generated by the proposed use.

F. Noncommercial Wind Energy Systems with Tower Height Greater than 80 feet, or more than one NWECS per parcel, must meet the requirements of Section 3.21 and also the following requirements:

1. Documentation that sound pressure level, construction code, tower, interconnection (if applicable) and safety requirement have been reviewed and the site plan is prepared to show compliance with these issues.

2. Location and height of all buildings, structure, towers, guy wires, guy wire anchors, security fencing and other above ground structures associated with the noncommercial wind energy system.

3. Existing and proposed setbacks of all structure located on the lot.

4. A copy of the manufacturer's installation instructions. Included as part of or as an attachment to the installation instructions shall be standard drawings of the structural components of the wind energy system and support structures, including base and footing provided along with engineering data and calculations to demonstrate compliance with the structural design provisions of the applicable building codes. Drawing and engineering calculations shall be certified by a registered engineer licensed to practice in the State of Michigan.

G. Additional requirements for groundwater protection in commercial or industrial districts or uses

1. **Site plan review requirements:** In addition to the usual requirements, the following information is required on the site plan or in attached documents.

   a) Existing topographic elevations at two (2) foot contour intervals and indications of direction of drainage flow.

   b) The location and elevations of existing water courses and water bodies, including county drains, manmade surface drainageways, floodplains, and wetlands.

   c) Proposed stormwater management plan including design of sewers, outlets, and retention/detention ponds. Sufficient data regarding site runoff estimates and off-site drainage patterns shall be provided to permit review of feasibility and permanence of drainage detention and/or retention as well as the impact on local surface and groundwater.

   d) The location and status of any floor drains in existing or proposed structures on the site. The point of discharge for all drains and pipes shall be specified on the site plan.

   e) The location for on-site wastewater treatment and disposal systems.

   f) The location of existing and proposed public water mains public and private drinking water wells, monitoring well, irrigation wells, test wells or wells used for industrial processes.

   g) An inventory of hazardous substances to be stored, used or generated on- site, presented in a format acceptable to the local fire marshal or inspector (include CAS numbers).

   h) Descriptions of type of operations proposed for the project and drawing showing size, location, and description of any proposed interior areas of structures for storing, using, loading or unloading or hazardous substances, hazardous wastes, and/or polluting materials.

   i) Description and location for any existing or proposed above ground and below ground storage facilities.

   j) Delineation of areas of the site which are known or suspected to be contaminated, with a report on the status of cleanup or closure.

2. **Site plan review standards for groundwater protection:**

   a) The project and related improvements shall be designed to protect land and water resources from pollution, including pollution of soils, groundwater, rivers, streams, lakes, ponds, and wetlands.

   b) Storm water detention, retention, transport, and drainage facilities shall, be designed to use or enhance the natural storm water system on-site, including the storage and filtering capacity of

wetlands, watercourses, and water bodies, and/or the infiltration capability of the natural landscape. Storm water facilities shall be designed so as not to cause flooding or potential pollution of surface water or groundwater, on-site or off-site. Storm water facilities shall conform to the requirements of the Allegan County Drain Commissioner.

c) General purpose floor drains shall be connected to a public sewer system or an on-site holding tank (not a septic system) in accordance with state and county requirements. General purpose floor drains which discharge to groundwater are prohibited.

d) Site at which hazardous substances, hazardous wastes, or potentially polluting materials are stored, used, or generated shall be designed to prevent spills and discharges of such materials to the air, surface of the ground, groundwater, lakes, streams. rivers or wetlands. Secondary containment facilities shall be provided for above ground storage of hazardous substances, hazardous wastes, or potentially polluting materials in accordance with state and federal requirements. Above ground secondary containment facilities shall be designed and constructed so that the potentially polluting materials cannot escape from the unit by gravity through sewers, drains, or other means, directly or indirectly into a sewer system, or to the waters of the State (including groundwater).

e) Underground storage tanks for hazardous or potentially polluting materials are prohibited.

f) Above ground storage tanks shall be certified, installed, operated, maintained, closed or removed in accordance with regulations of the Michigan Department of Natural Resources and Environment.

g) Bulk storage facilities for pesticides and fertilizers shall be in compliance with requirements of the Michigan Department of Agriculture.

h) Abandoned water wells (wells that are no longer in use or are in disrepair), abandoned monitoring wells, and cisterns shall be plugged in accordance with regulations and procedures of the MDNRE and the Allegan Health Department.

i) State and federal requirements for storage, spill prevention, record- keeping, emergency response, transport and disposal of hazardous substances, hazardous wastes, liquid industrial waste or potentially polluting materials shall be met. No discharge to surface water or groundwater, including direct and indirect discharges of waste, waste effluent, wastewater, pollutants, or cooling water, shall be allowed.

j) Land-filling of hazardous, or potentially polluting materials is prohibited.

k) The quantity of water to be extracted from on-site ground water sources and/or discharged to on-site disposal systems shall not exceed 10,000 gallons per day

Section 16.4 Application and Review

A. A completed site plan review packet including twelve (12) 24 by 36-inch site plans at a scale not less than 1 inch per 100 feet. A completed application form, the application fee, and escrow deposit (if applicable) shall be submitted to the Zoning Administrator thirty-five (35) consecutive days and to the Planning Commission not less than fourteen (14) consecutive days prior to the next regular Planning Commission meeting. The Zoning Administrator shall review the packet for completeness. If deemed complete the Zoning Administrator shall request that the item be placed on the agenda of the next regular Planning Commission meeting. Applications shall not be accepted unless all required materials and fees are submitted and are declared complete by the Zoning Administrator, or a waiver is requested.

B. The Planning Commission shall approve, deny, or approve subject to conditions, the site plan, in accordance with the provisions of this Article.

C. Any conditions or modifications recommended by the Planning Commission shall be recorded in the

minutes.

D. Two (2) copies of the final approved site plan shall be signed and dated by the Planning Commission and the applicant. The Zoning Administrator shall keep one (1) of these approved copies on file, and one (1) shall be returned to the applicant or the applicant's designated representative. An unsigned copy shall be kept at Township Hall.

E. Each development subject to site plan review shall be substantially under construction within one (1) year after the date of approval of the site plan, except as noted below.

1. The Planning Commission may grant a single one (1) year extension of the time period, provided the applicant requests, in writing, an extension prior to the date of the expiration of the site plan. The Planning Commission may require a performance guarantee as part of the extension.

2. The extension shall be approved if the applicant presents reasonable evidence to the effect that the development has encountered unforeseen difficulties beyond the control of the applicant, and the project will proceed within the extension period.

3. If neither of the above provisions are fulfilled within the one (1) year of approval or an approved extension period for the site plan, then approval shall be null and void and any performance guarantees may be exercised to finalize required improvements.

Section 16.5 Changes in the Approved Site Plan

A. The holder of an approved site plan shall notify the Zoning Administrator of any proposed change to the site plan.

B. Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) meet the standards of the Ordinance and the intent of the design and will not alter the basic design, or any specified conditions imposed as part of the original approval. A revised site plan shall be submitted which reflect the approved changes. Minor changes shall include the following.

1. For residential buildings, the square footage of structures may be reduced or increased by ten (10) percent of the originally approved area, provided the overall density of units does not increase, the minimum square footage and parking requirements are met, and the building(s) do not extend outside a designated building envelope, or into any required open space or required setback.

2. Gross floor area of nonresidential buildings may be decreased or increased by up to ten (10) percent or two thousand (2,000) square feet, whichever is smaller of the originally approved area, provided parking requirements are met and the building does not extend into any required open space or required setback.

3. Floor plans may be changed if consistent with the character of the use.

4. Relocation of a building by up to twenty (20) feet, if consistent with required setbacks, open space and other requirements.

5. Height of buildings may be lowered.

6. Designated woodlands or areas not to be disturbed may be increased.

7. Plantings on the approved landscape plan may be replaced by similar types of landscaping on an equal or greater basis; any trees shown as preserved on the final site plan and subsequently lost during construction shall be replaced on a caliper-per-caliper basis on the site. For example, if a twelve (12) inch diameter tree is lost during the construction process, six (6) trees, each of which are two (2) inches in diameter, could be planted to replace the single twelve (12) inch tree.

8. Improvements or slight redesign of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing or pedestrian/bicycle paths, where appropriate.
9. Changes of building materials to another of higher quality, or a slight change in exterior material.
10. Grade change of up to one (1) foot.
11. Modification of entry design, sign placement or reduction in size of signs, which is consistent with the intent of the approved plan.
12. Internal rearrangement of parking lots which does not affect the number of parking spaces or alter access locations or design.
13. Changes required or requested by the Township, County or State for safety reasons.

C. A proposed change not determined by the Zoning Administrator to be minor shall be submitted to the Planning Commission as a site plan amendment and shall be reviewed in the same manner as the original application. If the Zoning Administrator determines that a proposed minor change may have a major impact on the neighborhood or area involved, the Zoning Administrator may refer the plan to the Planning Commission and the plan shall be reviewed in the same manner as the original application.

Section 16.6 Review Standards

A. The following standards shall be utilized by the Planning Commission in reviewing all site plans. These standards are intended to provide a frame of reference for the applicant in the preparation of site plans as well as for the reviewing authority in making judgment concerning them.

B. **Review Standards**

1. The uses proposed will not adversely affect the public health, safety, or general welfare.
2. The site plan shall provide reasonable visual and sound privacy for all dwelling units located within and adjacent to a development. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.
3. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site.
    a) A plan for natural feature protection during construction shall be provided.
    b) Utilities shall be placed underground.
4. Provisions shall be made to accommodate storm water on-site wherever practical.
    a) Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
    b) Direct discharge of storm water into surface waters is prohibited.
    c) Infiltration devices such as rain gardens are preferred over large retention basins.
5. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided within the site.
    a) The minimum number of driveway points shall be provided at appropriate locations to maximize convenience and safety.
    b) Paths, drives and streets shall be designed to promote safe and efficient traffic operations within and between developments.