

Ordinance 35
Township of Bridgewater
Subdivision Regulation

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Article I General Provisions

Section 100. Short Title. This Ordinance shall be known and may be cited as the Bridgewater Township Subdivision Regulation Ordinance.

Section 101. Purpose. The purpose of this Ordinance is to regulate and control the subdivision of land within Bridgewater Township in order to promote the safety, public health and general welfare of the community. These regulations are specifically designed to:

- A. Provide for orderly growth and harmonious development of the community, consistent with adopted development policies of the Township.
- B. Secure proper arrangement of streets in relation to adequate traffic circulation through coordinated existing and planned streets and to the adopted General Development (Master) Plan, and adequate traffic circulation through coordinated street systems with proper relation to major thoroughfares, adjoining subdivisions, and public facilities.
- C. Achieve individual lots of maximum utility and livability, and lots of such size and layouts as to be in harmony with the existing and proposed development pattern of the area.
- D. Insure adequate provisions for water, drainage and sanitary sewer facilities, and other health requirements.
- E. Insure adequate provision for recreational areas, school sites, and other public facilities.

Section 102. Legal Basis; Scope; Administration.

- A. *Legal Basis.* This Ordinance is enacted pursuant to the statutory authority granted by the Township Planning Commission Act, 1959 PA 168 as amended; and the Land Division Act, 1967 PA 288, as amended.
- B. *Scope.* This Ordinance shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this Ordinance, except for further dividing of existing lots. Nor is it intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, ordinances or regulations, or with private restrictions placed upon property by deed, covenant, or other private agreements, or with restrictive covenants running with the land to which the Township is a party. Where this Ordinance imposes a greater restriction upon land than is imposed or required by such existing provision of any other ordinance of the Township the provisions of this Ordinance shall prevail.

- C. *Administration.* The provisions of this Ordinance shall be administered in accordance with the Land Division Act, 1967 PA 288, as amended, and the Township Planning Act 1959 PA 168, as amended.
- D. *Fees.* The schedule of fees for the review of plans and plats, the inspection of improvements for the administration of this Ordinance, and for other costs incurred by the Township in the platting process, shall be determined, and may be modified from time to time, by resolution of the Township Board.
- E. *Conformance with Zoning Ordinance.* All plats reviewed under these regulations shall conform to all zoning ordinance provisions for the district in which the proposed plat is to be located. All required zoning changes shall be made prior to tentative approval of the preliminary plat by the Township Board.

Article II Definitions

Section 200. Rules Applying to the Text. For the purpose of this Ordinance certain rules of construction apply to the text, as follows:

- A. Words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.
- B. The term "shall" is always mandatory and not discretionary; the word "may" or "should" is permissive.
- C. The word or term not interpreted or defined by this Article shall be used with a meaning of common or standard utilization.

Section 201. Definitions. The following definitions shall apply in the interpretation and enforcement of this Ordinance, unless otherwise specifically stated. Words not specifically defined in this Section shall be defined in conformance with the definitions in the Bridgewater Township Zoning Ordinance and the Land Division Act, 1967 PA 288, as amended.

Alley: A dedicated public right-of-way shown on a plat which provides secondary access to a lot, block or parcel of land.

As-built Plans: Revised construction plans in accordance with all approved field changes which reflect all site improvements as actually constructed.

County Drain Commissioner: The Washtenaw County Drain Commissioner.

County Health Department: The Washtenaw County Health Department.

County Planning Commission: The Washtenaw County Metropolitan Planning Commission.

County Plat Board: The Washtenaw County Plat Board.

County Road Commission: The Washtenaw County Road Commission.

Dedication: The intentional transfer by the proprietor to the public of the ownership of, or an interest in, land for a public purpose. Dedication may be effected by compliance with the statutes relating to dedication of land, by formal deed of conveyance, or by any other method recognized by the law of Michigan.

Easement: The right of a person, governmental agency, or public utility company to use public or private land owned by another for a specific purpose. A grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

Filing Date: The date when a complete application is received by the Township Clerk.

Flood Plain: That area of land adjoining the channel of a river, stream, watercourse, lake or other similar body of water which will be inundated by a flood which can reasonably be expected for that region.

Improvements: Any structure or material change incident to servicing or furnishing facilities for a subdivision such as, but not limited to grading, street surfacing, curb and gutter, drainage ditches, driveway approaches, sidewalks, pedestrian ways, water mains and lines, sanitary sewers, wells or well systems, septic systems, storm sewers, culverts, bridges, utilities, lagoons, slips, waterways, lakes, bays, canals, and other appropriate items, with appurtenant construction; demolition of structures; planting; or removal of trees and other vegetation cover.

Open Space: Land dedicated or reserved for use by the general public or for use by residents of the subdivision, or land held out of development and retained in its natural condition, with or without public access. Open space includes but is not limited to parks, parkways, playgrounds, school sites, wildlife or plant life preserves, and nature study areas.

Park: A public or private park for outdoor recreation, such as a playground, playing field, picnic area, or similar use.

Pedestrian Way: A separate right-of-way dedicated to or reserved for public use by pedestrians, which crosses blocks or other tracts of land for the purpose of facilitating pedestrian access to adjacent streets and properties.

Planning Commission: The Planning Commission of Bridgewater Township as established under the Township Planning Act 1959 PA 168, as amended.

Persons: An individual, corporation, government, or governmental agency, business trust, estate trust, partnership or association, two or more persons having

a joint or common interest, or any legal entity.

Proprietor. Any person or any combination of persons, including a government agency undertaking any development as defined in this Ordinance. The term Proprietor includes such commonly used references as subdivider, developer, and owner.

Soil Conservation District: Washtenaw County Soil Conservation District.

Subdivision and Site Condominium Advisory Committee (Sac): A committee created by resolution of the County Planning Commission, for the purpose of reviewing the technical aspects of proposed plats.

Township: Bridgewater Township.

Township Design Standards: Bridgewater Township Design Standards.

Zoning Ordinance: The Bridgewater Township Zoning Ordinance.

Article III Plat Procedures and Specifications

Review of proposed subdivisions within Bridgewater Township shall conform to the following review procedures and specifications:

Section 300. Pre-application Conference.

- A. *Purpose.* The purpose of the pre-application conference is to acquaint the proprietor with the planning policies of Bridgewater Township as they apply to the property to be subdivided, to give the Planning Commission an opportunity to discuss the subdivision with the proprietor before expensive surveys and drawings are made, and to discuss the concepts and basic organization of the proposed development in relation to existing and future conditions on and around the site. The basic decisions as to the interpretation of planning policy for the site and area in question, and modification of such policy as a result of the proposed development will be made in this stage. The consensus reached in this stage will form the basis of the preliminary plat.
- B. *Application - Pre-application Conference.*
 - 1. The proprietor shall make application to the Township Clerk for a pre-application conference with the Planning Commission Chair, Township planning consultant, Township engineer, and Administrative Official.
 - 2. The proprietor is encouraged to consult the Bridgewater Township General Development (Master) Plan, Zoning Ordinance, this Ordinance, the Township Design Standards, other ordinances which regulate the subdivision

of land in Bridgewater Township, and other plans of any unit of government that affect the tract to be subdivided and the area surrounding it before submittal of an application for a pre-application conference.

3. The proprietor should also discuss the concepts of the proposed subdivision with the staff of the County Planning Commission and the public utility companies serving the area.

C. *Pre-application Conference - Suggested Information.* In order to gain maximum benefit from the pre-application conference the proprietor should submit the following information with the application for a pre-application conference for the entire tract of land, whether or not the tract will be developed in stages. Information may be combined on one or more drawings.

1. Description of man-made or cultural features, existing and proposed, surrounding the site.
2. Description of natural features, general topographic and general soil conditions on the site. (Information is available from the County Planning Commission and the Soil Conservation District.)
3. A site analysis showing which of the site conditions the proprietor intends to retain or modify as part of the basic design of the subdivision.
4. The concept, objectives, general layout, and location and extent of the various uses and facilities to be incorporated within the subdivision, including a general layout of the proposed street system, lot sizes and lot configuration;
5. Stages of development;
6. Property dimensions and area;
7. Aerial photograph of the site and surrounding area, with the site clearly defined.

(Photos are available from the Washtenaw County Department of Equalization and the Washtenaw County Metropolitan Planning Commission.)

8. Proprietor's interest in the property, and verification of all persons having ownership interest in the parcel(s).

Section 301. Preliminary Plat-Tentative Approval.

A. *Filing Procedures.* The proprietor shall file Twelve (12) copies of the tentative preliminary plat together with a completed application form and tentative preliminary

plat review fees with the Township Clerk at least twenty one (21) days prior to the regular Planning Commission meeting at which the tentative preliminary plat is to be considered. The Clerk shall check the completeness of the submittal, and if complete, transmit same to the Planning Commission in adequate time for inclusion on the agenda for the Planning Commission's next regular meeting. If the application is not complete, the Clerk shall so notify the applicant in writing and shall list deficiencies. The Clerk shall also mail one (1) copy of the application packet and tentative preliminary plat to the Township planning consultant and engineer for their review and comment.

B. *Information Required.* The following information is required for all preliminary plats submitted for tentative approval. The required information may be combined for presentation on one or more drawings or maps. The Planning Commission may request that the information be presented on drawings or maps in addition to those submitted.

1. Name of proposed subdivision.
2. Legal description of the entire site to be subdivided.
3. Scale, date, and north point shall be indicated on each map or plan.
4. Name and address of proprietor; other owners, if any, and planner, engineer, surveyor, or designer who designed the subdivision layout.
5. Names of adjacent subdivisions, layout of streets indicating street names, right-of-way widths, and connections with adjoining streets, widths and locations of alleys, easements, and public walkways adjacent to or connecting with the proposed subdivision; layout and dimensions of lots or parcels adjacent to the proposed subdivisions; names and addresses of owner(s) of record of all adjacent property.
6. Topography, existing and proposed, at two (2) foot intervals. Proposed grading and land filling shall be indicated on the plans along with a description of measures to be used to control sedimentation and erosion. All topographic data shall relate to USGS data.
7. Plans and specification of soil erosion and sedimentation control measures in accordance with standards and specifications of the Soil Conservation District.
8. A site report for subdivisions that will not be served by public water and sewer shall be submitted which provides an analysis of the site soil conditions and other site characteristics which demonstrate ability to meet required County Health Department criteria for septic and well installations.
9. Proposed deed restrictions or protective covenants; if none, a statement of

such in writing.

10. Layout and width of rights-of-way and surfacing of all streets or public ways proposed for the subdivision.
11. Lot layout, dimensions, setback requirements, area (in square feet) and lot numbers of proposed lots.
12. All parcels, public facilities, and lands to be dedicated or reserved for public use, open space, or for use in common by property owners in the subdivision shall be indicated on the preliminary plat, along with any conditions of such dedication or reservation. The plat shall clearly specify dedication of such areas or facilities to the public.
13. Location and size of all existing and proposed sanitary sewer, septic, storm sewer and water supply lines, wells, or other facilities; location of, and points of connection to, proposed lines; elevations and grades, direction of flow, profiles; location of valves and hydrants; location of electricity, telephone, cable TV, fiber optic lines, gas supply lines and all other buried utilities; location, description, and details of any on-site facilities to serve the entire subdivision.
14. Identification, location, and nature of all uses other than single family residences to be included with the subdivision.
15. Staging of development of the entire subdivision shall be clearly shown on the plat, and the relation of each stage to the entire subdivision plan shall be clearly indicated.
16. Location, dimensions, and purpose of all existing and proposed easements shall be shown on the plat.
17. Location and type of sidewalks, street lighting, street trees, curbs, water mains, sanitary sewers and storm drains, man-holes, catch basins and underground conduits.
18. Zoning status of property included in the preliminary plat and of all adjacent properties in the Township.

C. *Review Procedures - Tentative Preliminary Plat.*

1. The Planning Commission shall review the preliminary plat for conformance with the General Development (Master) Plan and to standards and specifications set forth in the Land Division Act, the Bridgewater Township Zoning Ordinance, this Ordinance, and the Township Design Standards.
2. If the Planning Commission determines that there is substantial

conformance, it shall transmit, after tentative preliminary plat approval, eleven (11) copies to the Subdivision and Site Condominium Advisory Committee for technical review, and one (1) copy of the preliminary plat to the Superintendent of Schools of the school district in which the proposed subdivision is to be located.

3. After receiving comments and recommendations, if any, from the County Planning Commission staff, Subdivision and Site Condominium Advisory Committee and the Superintendent of Schools, the Planning Commission shall re-evaluate the preliminary plat in view of the new information it has received, and may request modifications in the preliminary plat. The Planning Commission shall then approve, conditionally approve, or disapprove the preliminary plat and transmit all copies of the preliminary plat together with the reasons for its action to the Township Board.
 4. The Planning Commission shall take action on the preliminary plat within sixty (60) days of the date of filing of the plat. The review period may be extended by written agreement between the Planning Commission and the proprietor. If no action is taken by the Planning Commission within the 60-day period, and if no extension is secured, the Township Board shall assume that the preliminary plat has been approved by the Planning Commission.
 5. The Township Board shall, within thirty (30) days of receiving the Planning Commission's recommendation, tentatively approve or disapprove the preliminary plat.
- D. *Effect of Tentative Approval of Preliminary Plat.* Tentative approval of the preliminary plat shall confer upon the proprietor for a period of one (1) year from the approval date by the Township Board, approval of the lot size, lot orientations and street layout of the proposed subdivision. The tentative approval may be extended for a period of one year if an extension is applied for in writing by the proprietor and granted in writing by the Township Board.

Section 302. Preliminary Plat - Final Approval.

- A. *Filing Procedures.* The proprietor shall submit twelve (12) copies of the preliminary plat, as tentatively approved by the Township Board and approved by all county and state plat approval authorities as required by the Land Division Act, together with the required information, completed application form, and fees, to the Clerk at least twenty one (21) days prior to the meeting of the Township Board at which the preliminary plat is to be considered for final approval. The Clerk shall determine if the application is complete, and if complete, transmit same to the Township Board in adequate time for inclusion on the agenda for the Board's next meeting. If the application is not complete the Clerk shall so notify the proprietor in writing and shall list deficiencies. The Clerk shall also mail one (1) copy of the preliminary plat to the Township planning consultant and engineer for their review and comment.

B. *Information Required For Final Approval of Preliminary Plat.* The proprietor shall submit the following information to the Township Board for final approval of the preliminary plat:

1. A list of all county and state authorities required by the Land Division Act to approve the preliminary plat, certifying that the list is complete and that each authority has approved the preliminary plat.
2. One (1) approved copy of the preliminary plat from each county and state authority required by the Land Division Act to approve the preliminary plat.
3. One (1) Copy of a receipt from the Township Treasurer that all fees required under this Ordinance have been paid.
4. Letter from the Township engineer approving construction plans for site improvements, construction schedules, and cost opinions.
5. Twelve (12) copies of the final preliminary plat.

C. *Review by the Township Board.*

1. The Board shall review the preliminary plat at its next regular meeting after submittal of the complete application, provided that the submittal is made at least 20 days in advance of the Board meeting. The Board shall approve the preliminary plat if it conforms to the preliminary plat as tentatively approved by the Board and if all other required approvals have been obtained by the proprietor. The Clerk shall promptly notify the proprietor of the final approval, in writing.
2. The Board shall disapprove the preliminary plat if it does not conform to the preliminary plat as tentatively approved by the Board, or if any of the other approvals required by the Land Division Act have not been obtained. The Clerk shall promptly notify the proprietor of the disapproval and the reasons thereof, in writing. The reasons for the disapproval shall be recorded in the minutes of the meeting of the Board. Notice of disapproval shall be sent to each of the other plat approval authorities by the Clerk.
3. In case of disapproval of the preliminary plat, further consideration of a plat for subdividing the same land can be obtained only if the proprietor applies for tentative approval of a preliminary plat.
4. The proprietor and the Board may agree in writing to extend the 20-day review period. Any changes made in the plat during the period of extension shall be sent to each of the other authorities which have approved the preliminary plat. Approval of such changes by each such authority shall be obtained before the Board may approve the preliminary plat. This provision is intended to be used only in situations where, in the opinion of the Board,

objections to final approval are minor.

D. *Effect of Final Approval of Preliminary Plat.*

1. Final approval of the preliminary plat by the Township Board shall confer upon the proprietor for a period of two (2) years from the date of Township Board approval the conditional right that the general terms and conditions under which the final approval of the preliminary plat was granted will not be changed. The two (2) year period may be extended if an extension is applied for by the proprietor and granted by the Township Board in writing. Written notice of any extension shall be sent by the Township Clerk to all other plat approval authorities.

Section 303. Final Plat.

A. *Filing Procedures.*

1. Final plats shall be submitted to the Township Clerk in the form required in the Land Division Act, together with the following:
 - a. Completed application form;
 - b. Fees for filing, recording, plat review, and inspection of improvements;
 - c. Agreement and security required to guarantee performance;
 - d. One (1) reproducible copy of the final plat on mylar or other dimensional stable material, signed by the County Treasurer, Township Treasurer, County Road Commission, and County Drain Commissioner, and four (4) paper prints thereof.
2. All required information and submittals shall be submitted to the Clerk at least twenty one (21) days prior to the meeting of the Township Board at which the plat is to be considered. The Clerk shall determine if the submittal is complete, and if complete, transmit same to the Board in adequate time for inclusion on the agenda for the Board's next meeting. If the application is not complete the Clerk shall so notify the applicant in writing and shall list deficiencies. A final plat shall not be accepted for review after the date of expiration of the final approval of the preliminary plat. The final plat shall be submitted to the following agencies, in the indicated order, and the proprietor shall obtain signatures from the agency thereon, in the indicated order, prior to filing the plat with the Board for approval.
 - a. County and Township Treasurer
 - b. Drain Commissioner

c. County Road Commission

3. The final plat shall be signed by the registered land surveyor or engineer and by the proprietor(s) prior to filing with the Township Clerk.

B. *Information Required - Final Plat Approval.*

1. All final plats shall be in the form, and contain the information, required by the Land Division Act.
2. Abstract of title or other certificate establishing ownership interest and to ascertain if proper parties have signed the plat, for all land included in the subdivision.
3. The proprietor shall provide the Township Clerk with a certificate from the design engineer indicating that improvements have been installed in conformance with the approved engineering drawings, with any changes noted therein and attached in drawings, and proof of a guarantee of completion for those improvements to be installed after final plat approval, as finally approved in the preliminary plat.
4. A detailed estimate of all costs of all required improvements not to be installed prior to final plat approval, as provided in Article V, herein. The estimate of costs shall be verified and approved by the Township Engineer prior to review of the final plat by the Township Board.

C. *Review of Final Plat.*

1. The final plat shall conform to the preliminary plat as finally approved. The final plat may cover only a portion of the area covered by the preliminary plat as finally approved.
2. All improvements and facilities to be provided by the proprietor shall be installed, or adequate security in lieu thereof shall be provided, and all dedications and easements shall be evident as having been made before the Township Board may approve the final plat. However, approval of the final plat shall not constitute acceptance of items for dedication. All installations shall be inspected and approved by the Township Engineer before the Board may approve the final plat. The Township Board may request review of the final plat by its consultants or staff.
3. The Township Board shall review all recommendations and either approve or disapprove the final plat at its next regular meeting after the date of submission, or at a meeting called within 20 days of the date of submission. The Board shall approve the plat if it conforms to the final preliminary plat approval, other applicable Township ordinances, and to the provisions of the Subdivision Control Act.

4. If the final plat is approved, the Clerk shall transmit the reproducible copy of the plat and the filing and recording fee to the County Plat Board. One paper print shall be forwarded to the Planning Commission, to the Subdivision Advisory Committee, and to the Building Department; and one print shall be retained by the Township Clerk. The reproducible copy and paper prints shall have the date of approval marked thereon.
5. If the final plat is approved, the Township Clerk shall sign a certificate signifying approval of the final plat by the Township Board, which shall include the date of approval and the date on which the Clerk signs the certificate.
6. If the final plat is disapproved, the Clerk shall record the reasons for rejection in the minutes of the meeting, notify the proprietor in writing of the action and the reasons therefor, and return the plat to the proprietor.

D. *Effect of Final Plat Approval.*

1. Approval of the final plat by the Township Board shall not constitute legal acceptance of dedicated streets, alleys, or other public areas indicated on the plat. The proprietor shall be responsible for obtaining all required approvals of the final plat and / or construction plans from the County Road Commission and other governmental agencies having jurisdiction over any aspect of the plat.
2. Upon approval of the final plat by the Township Board, the Township Clerk shall cause the final plat to be stamped approved and shall provide written notification of the Township Board's approval to the proprietor.

Article IV Design and Development Standards

Section 400. General. In reviewing applications for approval of subdivision plats, the standards set forth in this Article shall be considered minimum requirements. Where another ordinance requires higher standards, such higher standards shall apply. Variances from the standards set forth in this Article shall be granted only as provided in Article VI, herein.

Section 401. Design and Development Standards.

A. *Streets and Alleys.* The specifications contained in this Ordinance are the standards for all highways, streets, and alleys which might hereafter be platted within the Township.

1. *Street Layout.*
 - a. Street layout shall conform to the adopted Bridgewater Township

General (Master) Development Plan, Township Design Standards, and all applicable Washtenaw County Road Commission road and right of way design standards as detailed in the Road Commission's "Procedures and Guidelines for Developing Public Roads."

- b. The arrangement of streets in the subdivision shall provide for the continuation of streets in adjacent subdivisions, where such extensions are deemed desirable by the Planning Commission and County Road Commission, and where such extension is not precluded by topographic or other existing conditions. The layout shall provide for proper extension of principal streets into adjoining properties not yet subdivided.
- c. In general, all such streets shall have a pavement and right of way width at least as great as the street being extended.
- d. Local streets shall be laid out so as to discourage their use by through traffic.
- e. Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets, and reasonable grades, both for the streets and for driveways intersecting therewith.
- f. The street layout shall not isolate parcels or lots from existing public streets or roads, unless suitable access is provided, and that such access be granted by easement or dedicated to public use.
- g. Jogs in continuous streets at points of intersection with other streets shall not be permitted. The minimum distance between centerlines of the intersecting streets shall be in accordance with the Township Design Standards and the County Road Commission standards.
- h. Where future connections to adjacent areas are to be provided, the land for such connection shall be dedicated right of way on the various plats in accordance with the Township Design Standards and the County Road Commission standards. Each such connection shall be shown on the plat at the time of filing of the preliminary plat for tentative preliminary approval.
- i. Intersections of local or residential roads with collector and arterial roads shall be designed in accordance with the Township Design Standards and the County Road Commission Standards.
- j. All street construction shall be centered on the street right-of-way. Section line and quarter line roads shall be centered on these lines unless the Township Engineer or County Road Commission approves an exception.

2. *Drainage.*
 - a. All streets and alleys shall be provided with facilities for adequate surface drainage. This may be accomplished by the use of ditches, county drains, natural watercourses, or tributaries constructed thereto.
 - b. Drainage facilities shall be designed, constructed and maintained in accordance with the Township Design Standards and the County Road Commission and County Drain Commission standards.
3. *Cul-De-Sac Streets.* Each cul-de-sac street shall not be more one thousand (1000) feet in length and shall be designed, constructed and maintained in accordance with the Township Design Standards and the County Road Commission standards.
4. *Alleys.*
 - a. Alleys shall be prohibited, except in commercial and industrial zoning districts.
 - b. Where alleys are provided they shall be at least thirty (30) feet wide. Deadend alleys shall be prohibited.
 - c. Alleys shall be designed in accordance with standards of the County Road Commission and/or Township Engineer.
5. *Private Streets or Roads.* Private streets or roads are prohibited in subdivisions. All streets within a subdivision shall be dedicated for public use and shall be designed, built and accepted by the County Road Commission in conformance with County Road Commission specifications.
6. *Marginal Access Streets.*
 - a. Where marginal access streets are required or proposed, the proprietor shall dedicate property for the purpose of marginal access streets to the County Road Commission and shall be responsible for improving said streets according to County Road Commission standards.
 - b. Where a subdivision borders or contains a railroad right-of-way or limited access highway right-of-way, the Planning Commission may require a street approximately parallel to and on one or both sides of such right-of-way, at a distance suitable for the appropriate use of the intervening land and in accordance with applicable County Road Commission standards. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

- c. When a subdivision abuts or contains an existing or proposed arterial or collector street, the Planning Commission may require a marginal access street, reverse frontage with screen planting contained in a non-access reservation along the rear property line, or such other treatment as might be necessary for adequate protection of residential properties, to afford separation of through and local traffic, and to retain the traffic carrying capacity of the arterial or collector streets.
- d. A greenbelt at least twenty (20) feet wide shall be provided between a marginal access street and the adjacent street. Said greenbelt shall be designed and planted in accordance with the standards in Section 1216 Screening and Landscaping of the zoning ordinance, subject to Road Commission Standards for tree location.

7. *Future Connection Streets.*

- a. Future connection streets shall be to provides future access to an adjacent parcel or parcels.
- b. The future connection right of way and street shall be designed and built in conformance with applicable Township Design Standards and the County Road Commission standards.
- c. In their respective reviews of the plat, the County Road Commission and Township Engineer shall determine whether a turn-around is warranted at the terminus of the future connection street.

8. *Street Names and House Address Numbers.*

- a. Street names shall not duplicate names of any existing street in Washtenaw County, except where a new street is a continuation of an existing street. Duplication shall be avoided by checking new street names with the master listing of the County Road Commission.
- b. Street names that are spelled differently but sound the same shall be avoided.
- c. Generally, no street should change direction by more than 90 degrees without a change in street name.
- d. Street names shall not include numbers, or single letters.
- e. House addresses shall be posted in conformance with Ordinance Number 22 - The Bridgewater Township Property Identification Ordinance.

9. *Location for Utilities.*

- a. Utilities shall be located so as to best conform to the layout of existing facilities. In streets where no pattern has been established, utilities shall be located in conformance with standards of the County Road Commission.
- b. The proprietor shall contact the Township Engineer and public utility involved to locate and design utilities.

10. *Street Standards and Specifications.*

- a. Streets shall be provided in accordance with the street standards and specifications of the Township Design Standards and the County Road Commission.
- b. All streets within subdivisions shall be public and shall be dedicated and accepted by the County Road Commission.

B. *Blocks.*

1. Blocks generally shall not be less than 500 feet or more than 1,320 feet in length as measured from centerlines of streets.
2. No block width shall be less than twice the normal lot depth except where lots back onto major street, natural feature or subdivision boundary. A block shall be designed so as to provide two (2) tiers of lots, except where the lots back onto a major street, natural feature, subdivision boundary or other feature or facility which necessitates double frontage.
3. The Planning Commission may require reservation of an easement through blocks to provide for the crossing of underground utilities and/or pedestrian traffic where needed or desirable, and may specify further, at its discretion, that a sidewalk be provided by the proprietor. Blocks intended for non-residential uses shall be designed in accordance with Zoning Ordinance provisions. In such cases the above dimensions do not apply.

C. *Lots.*

1. Lots shall conform to the requirements of the Zoning Ordinance for the district(s) in which the subject parcel(s) are located.
2. Corner lots shall have extra width to permit appropriate building setbacks. At a minimum, corner lots shall maintain the minimum lot width, as specified in the zoning ordinance, adjacent to both street or road frontages. Lots abutting a pedestrian mid-block crosswalk or other right-of-way shall be treated as corner lots.

3. Residential lots shall not front directly onto a freeway, arterial or collector right-of-way, shopping centers, industrial districts or parks, and other similar non-residential areas. In such situations, lots shall be designed in accordance with one of the following:
 - a. Lots may back onto the above features, but shall be separated from the proposed future right of way or property line, whichever is greater, by a 20 foot wide landscaped greenbelt along the rear property line of all lots which abut the feature. The 20 foot wide greenbelt shall be considered part of the contiguous lot, shall be reserved as an open space easement and shall not be located in any road right-of-way or utility easement.
 - b. Lots may face onto a marginal access street.
 - c. Corner lots shall front onto intersecting local streets. All driveway openings shall access the intersecting local streets. Corner lots which abut a major street right-of-way or non-residential area shall be separated from the proposed future right of way or property line, whichever is greater, by a 20 foot wide landscaped greenbelt along the property line of all lots which abut the feature. The 20 foot wide greenbelt shall be considered part of the contiguous lot, shall be reserved as an open space easement and shall not be located in any road right-of-way or utility easement.
4. All lots shall abut and have access to a dedicated public street in conformance with the frontage and lot width requirements in the Zoning Ordinance.
5. Where a lot borders a lake, stream, designated wetland or similar amenity the front yard shall be the street side area of the lot. Minimum setbacks for any yard shall be determined in conformance with the zoning ordinance.
6. *Re-Subdividing.* Where a tract is to be subdivided into lots substantially larger than the minimum size required in the Zoning Ordinance, or when the tract is in an area which the Planning Commission can reasonably expect to be served with sewer and water lines in the future, but which at time of subdividing does not have sewer and water services available, the Commission may require that streets and lots be laid out so as to permit future re-subdivision in a logical manner and in accordance with provisions of this Ordinance. Lot arrangements shall allow for ultimate extension of adjacent streets through blocks or the splitting of lots into smaller lots. The plan for such future re-subdividing or lot splitting shall be approved by the Planning Commission before division of lots may be made.
7. *Lot Lines.* Side lot lines shall generally be perpendicular to the right-of-way lines or radial to curved streets. All side and rear lot lines should be straight

lines unless natural features or street curvature so prevent. Variations in these provisions may be made when, in the opinion of the Planning Commission, such variations would result in a better arrangement of lots.

8. *Lots To Be Buildable.* Lots shall be designed such that in constructing a building in compliance with the Zoning Ordinance, topography or other natural conditions will not create difficulties in locating the building and driveway and in providing adequate yard areas. Acute angles created by side lot lines, and odd shaped lots should be avoided. The size, shape, and location of each lot should have the following qualities:
 - a. A suitable site for placing a house without excess grading;
 - b. A usable area for outdoor living and other activities;
 - c. Adequate surface drainage away from the house site and outdoor living areas;
 - d. Reasonable driveway grades; and
 - e. General site grading should be minimized with significant trees and other vegetation retained.
9. *Non-Residential Lots.* Lots intended for uses other than residential shall be identified on the plat, and shall be specifically designed for such uses, in accordance with provisions of this Ordinance and the Zoning Ordinance.

D. *Setback and Yard Requirements.*

1. Placement of the building on the site shall conform to all yard requirements of the Zoning Ordinance.
2. Variation in the placement of the building on each lot is encouraged.
3. The setbacks provided should conform to topography and natural features of the site.

E. *Access To Lots.*

1. Driveways and curbcuts shall conform to the design, construction and locational standards of the Township Design Standards, the County Road Commission and the Bridgewater Township Zoning Ordinance, where applicable.
2. *Access From Private Streets.* Access to lots platted under the provisions of this ordinance shall be from public streets or roads only.

3. *Reserve Strips.* Privately held reserve strips controlling access to streets shall be prohibited, except as provided in Section 401 A.6, herein.

F. *Lot Division.*

1. The division of a lot in a recorded plat is prohibited unless approved following application to the Township Board in conformance with the Land Division Act and the Bridgewater Township Land Division Ordinance. The application shall be filed with the Township Clerk and shall state the reasons for the proposed division.
2. No building permit shall be issued, nor any construction commenced, until the division has been approved in accordance with the provisions of the Bridgewater Township Land Division Ordinance.

G. *Pedestrian Ways and Sidewalks.*

1. Pedestrian ways, other than sidewalks in street rights-of-way as regulated below, shall be located within an easement at least fifteen (15) feet wide, when required. The Planning Commission and/or Township Board may require a paved walkway to be provided by the proprietor or, may permit other surfacing material appropriate to the design and function of the walkway.
2. Sidewalks may be required on both sides of a street, or one side of a street, or, in developments of one acre or larger lots may be excepted entirely, according to the discretion of the Board based on recommendation of the Planning Commission. Street rights-of-way shall be sufficient to provide for sidewalks on both sides of the street, except in cluster subdivisions, where variations may be permitted. Streets leading directly to a school shall have sidewalks on both sides of the streets.
3. Walkways in pedestrian ways and sidewalks shall have a minimum pavement width of five (5) feet, and shall have a minimum of lateral slope of $\frac{1}{4}$ inch per foot of width. Sidewalks shall be placed within the street right-of-way, one-foot away from the property line. Sidewalks shall be concrete, 4 inches thick, with 6-inch thickness under driveways. Driveway aprons shall not break the sidewalk level. The Planning Commission and Township Board may permit asphalt or other surfacing material for walkways within pedestrian ways, excluding sidewalks, such as bikepaths, nature walkways, and the like. Where a pathway is designed to accommodate bicycle traffic, the pathway shall be a minimum ten (10) feet in width and shall be designed in accordance with specifications of the Township Engineer.
4. The surface of a pedestrian way shall consist of concrete, asphalt, stone, or other surface material, according to requirements of the Township Engineer.

The surface treatment shall be approved by the Planning Commission and Township Board. Fences and/or other improvements may also be required if the Planning Commission and/or Township Board determine such are necessary to buffer adjacent property owners or pedestrians, and shall be designed, constructed and maintained in conformance with the Bridgewater Township Zoning Ordinance. The Planning Commission and/or Township Board may require that pedestrian ways be lighted, with the lighting to be located and designed in conformance with the performance standards in the zoning ordinance.

H. *Natural Features.*

1. The Planning Commission shall, wherever possible, require the preservation of all natural features such as large trees or groves of trees, water courses, vistas, historic spots and features, wildlife habitats and ecological areas, and similar irreplaceable assets.
2. The location, nature, and extent of such features shall be identified in the initial procedures and preliminary plat stages and shall be made a part of the subsequent plats to the greatest possible extent. The preservation and/or inclusion of such features may be made a condition of tentative approval of the preliminary plat.
3. Designated floodplains, designated wetlands, and lakes shall not be platted for residential use, or for any other use that might create a danger to health, safety, or property, or which might increase the flood hazard within or outside the subdivision. Such lands shall be retained in their natural state as permanent open space. Any area of land within the proposed subdivision which lie either wholly or partly within the flood plain of a river, stream, creek, or lake, any designated wetland, or any other areas which are subject to flooding shall be clearly shown on the preliminary plat and the final plat. For purposes of calculating density and lot area, the provisions of the Bridgewater Township Zoning Ordinance shall apply.

I. *Utilities.*

1. *Storm Drainage.*
 - a. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a storm water easement or drainage right-of-way shall be provided in accordance with standards of the Township Design Standards and the County Drain Commissioner. Such easements shall be placed so as not to interfere with use of lots. Existing drainage ways may be rechanneled but such re-channeling shall not increase the flow or level, or cause impoundment, of water on properties upstream or downstream from the proposed subdivision. Exceptions may be made if such changes

conform to an overall drainage plan for the drainage district.

- b. All natural water drainage ways and impoundment areas shall be preserved at their natural gradient and shall not be filled or interfered with in any way, except as approved by the Township Engineer and the County Drain Commissioner. If, in the judgment of the Township Engineer and Drain Commissioner, a natural water drainage way or impoundment area should be reserved in the public interest, a storm drainage easement, of a width and/or to an elevation specified by the Drain Commissioner, shall be required and reserved as a public storm drainage easement or impoundment area. Access rights for maintenance purposes to same shall be dedicated to the public through the Drain Commissioner and placed on file with the County Register of Deeds.

The proprietor may be required to carry away by pipe or open ditch, in appropriate easements, any spring or surface water that might exist either previous to, or as a result of, the subdivision.

- c. A culvert or other drainage facility to be provided in the proposed subdivision shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether that area is inside or outside the subdivision. The design and size of the facility shall be based on anticipated run-off from a ten (10) year storm under conditions of total potential development permitted by the Zoning Ordinance, Township Design Standards, and other applicable zoning ordinances, and recommended in adopted development policies for the lands lying within the drainage area.
- d. The effect of the subdivision on existing downstream drainage facilities outside the subdivision shall be reviewed by the proprietor, the Township Engineer, and the County Drain Commissioner. Where it is anticipated that the additional run-off resulting from development of the subdivision will overload an existing downstream drainage facility during a ten (10) year storm, the Township Engineer and County Drain Commissioner shall notify the Township Board of such potential condition. In such situations the Board shall not approve the subdivision until provision has been made for improvement of said condition.
- e. All drainage improvements shall conform to duly adopted and published General (Master) Development Plans for the area covered by the proposed subdivision and for the upstream and downstream areas involved, and to the standards and specifications of the Township Design Standards and the County Drain Commissioner. The Planning Commission may, if it considers such requirements necessary for the proper and safe development of the subdivision and

surrounding area, require that the drain be enclosed.

2. *Sewer and Water Utilities.*

- a. Sanitary sewer and water supply facilities shall be designed and located according to the specifications and procedural requirements of the Township Design Standards and the Michigan Department of Environmental Quality.
- b. On-site services and private sanitary sewer and water systems shall be designed according to requirements of the Township Design Standards and the County Health Department.

3. *Gas, Wire or Cable Utilities.*

- a. All lines for telephone, electrical, television, and other services distributed by wire or cable shall be placed underground throughout a subdivision. This Section shall not be construed to prohibit the construction above ground of surface equipment associated with an underground distribution system, such as, but not limited, to surface mounted transformers, power terminal pedestals, meters and meter boxes, concealed wires, streets lights and street light poles.
- b. All facilities, including those for gas distribution, shall be installed in accordance with standards and specifications of the agency having jurisdiction over the utility lines and the Land Division Act. The layout of such facilities shall be submitted to the utility companies having jurisdiction in the area for their review before filing for final approval of the preliminary plat. All said utilities placed in public rights-of-way shall not conflict with other underground lines. Easements shall be provided in accordance with the following:

J. *Easements.*

1. All underground public utility installations, including lines for street lighting systems, which traverse privately owned property shall be protected by easements granted by the proprietor and approved by the public utility.
2. Such easements shall be so located as to not interfere with use of any lot or other part of the subdivision.
3. The size of, and restrictions pertaining to, such easements shall be in accordance with the standards and specifications of the agency having jurisdiction over the utility lines and the Land Division Act, and shall be indicated on the preliminary plat submitted for tentative approval.

K. *Reservation of Public Use Areas.*

1. Where a proposed park, playground, open space area, public school, library or other public use area shown in the adopted General Development (Master) Plan, in an adopted applicable part of such plan, is located in whole or in part in a proposed subdivision, or is proposed as a part of the plat, such area or areas shall be shown on the plat.
2. Such area or areas may be dedicated to the Township or other applicable public agency by the proprietor if the Township Board or other applicable public agency approves such dedication.

L. *Single Family Cluster Subdivisions.*

1. Where the Zoning Ordinance permits, a proposed residential subdivision may be designated as a single family cluster subdivision.
2. The plat for a single family cluster subdivision shall be submitted in accordance with the procedures and standards of this Ordinance and the Bridgewater Township Zoning Ordinance.

M. *Commercial Subdivisions.*

1. Where commercial developments for retail sales, wholesale sales, business services, offices, and similar establishments fall within the definition of "subdivision" as set forth in the Land Division Act, such development shall conform to the provisions of this Ordinance, except for modifications provided for in this Section.
2. The development shall conform to all Zoning Ordinance requirements for the zoning district in which the development is located.
3. Streets shall conform to the requirements of Section 401 and the Township Design Standards. All streets in a commercial subdivision shall be paved, and shall have curb and gutter, and underground storm drainage. Streets shall be designed and constructed to adequately handle truck traffic. Curb side parking and loading shall not be provided for, nor permitted on, any street in a commercial subdivision. No backing or similar maneuvering of vehicles to enter or leave a parking or loading space shall be permitted or provided for on a commercial subdivision street. Such movements shall be adequately provided for on each lot.
4. Entry drives for the subdivision shall be located and designed in conformance with the design and construction standards of the Township Design Standards and the County Road Commission.
5. Blocks shall be designed to meet the needs of commercial uses in conformance with the lot standards for commercial uses in the zoning ordinance. Block sizes shall meet the requirements of fire protection, snow

removal, and other service and emergency vehicles.

6. Lots in a commercial subdivision shall have access from subdivision or frontage streets, and shall not open directly onto an arterial or collector street.
7. Sidewalks shall be required in commercial subdivisions, except where the Planning Commission determines that such facilities are not required for the safety and convenience of pedestrians within or around the subdivision.
8. Landscaping and screening shall be provided in accordance with the provisions of the zoning ordinance for the proposed use(s).

N. *Industrial Subdivisions.*

1. Where industrial developments fall within the definition of "subdivision" as set forth in the Land Division Act, such development shall conform to the provisions of this Ordinance, except for modifications provided for in this Section.
2. The development shall conform to all Zoning Ordinance requirements for the zoning district in which the site is located.
3. Streets shall conform to the requirements of Section 401 herein and the Township Design Standards. All streets shall have concrete curb and gutter with enclosed underground storm drainage.
4. All streets within the subdivision shall be designed and constructed to accommodate the movement of large trucks in conformance with the Township Design Standards and the County Road Commission standards for design and construction.
5. Parking and loading on all streets in an industrial subdivision shall be prohibited. Adequate parking and loading areas, and space necessary for maneuvering of trucks in loading and unloading operations shall be provided on each site in accordance with the requirements for parking and loading in the zoning ordinance. Layouts which permit use of streets for turnaround and other maneuvers shall not be acceptable.
6. Entry drives for the subdivision shall be located and designed in conformance with the design and construction standards of the Township Design Standards and the County Road Commission.
7. Streets within an industrial subdivision normally shall not be extended to the boundaries of adjacent existing or potential residential areas or connected to streets intended for predominantly residential traffic. Streets within the subdivision, except collector and arterial streets, shall be laid out so as to

discourage through traffic.

8. Blocks shall be designed to meet the needs and characteristics of industrial operations in conformance with the lot standards for industrial uses in the zoning ordinance. Block sizes may vary in size and shall meet the requirements of fire protection, snow removal, and other service and emergency vehicles.
 9. Lots in an industrial subdivision shall have access only from subdivision or frontage roads, and shall not open directly onto arterial or collector streets.
 10. Sidewalks and pedestrian ways shall be required in industrial subdivisions, except where the Planning Commission determines that such facilities are not required for the safety and convenience of pedestrians within or around the subdivision.
 11. Landscaping and screening shall be provided in accordance with the provisions of the zoning ordinance for the proposed use(s).
 12. Any intended future expansion of the industrial development should be shown on the preliminary plat as a submitted for tentative approval.
 13. The proprietor's continuing interest, if any, in the subdivision shall be clearly described.
- O. *Soil Erosion and Sediment Control.* Plats for a subdivision shall contain proposed erosion and sediment control measures for review by the Township Engineer. The measures shall be incorporated into the final plat and final construction drawings. Erosion and sediment control measures shall conform to applicable standards and specifications established by the Township, County, Soil Conservation District, State, or other agency of jurisdiction, in their current form and as they might be modified from time to time, it being the intent of this Section to incorporate such standards and specifications into this Ordinance by reference. The measures shall apply to all street and utility installations as well as to individual lots. Measures shall be instituted to prevent or control erosion and sedimentation during all stages of construction of the subdivision.
- P. *Restrictive Covenants.*
1. Covenants may be provided by the proprietor. Such covenants shall be recorded with the plat and shall apply to the entire subdivision.
 2. Covenants shall be reviewed by the Planning Commission during the initial procedures and/or preliminary plat stages for conformance with Township standards.
 3. Covenants may require more stringent restrictions on use of land or the

design and construction of a subdivision. However, they shall not in any way constitute a reduction or variance from the provisions of this ordinance or any other ordinance of the Township.

4. The Township may only enforce private easements, covenants or restrictions to the extent that it is a party to them and has specifically approved them.
5. Covenants shall be recorded with the County Register of Deeds prior to the sale of any lot within the subdivision.

Q. *Trees.*

1. Trees shall be provided along both sides of all streets, and shall be placed at the minimum rate of two (2) per single family residential lot or at a maximum distance apart of 60 feet, whichever results in a greater number of trees. Trees may also be required by the Planning Commission and Township Board to be installed, according to the same spacing standards, along one (1) or both sides of pedestrian ways.
2. Trees to be installed adjacent to streets shall be deciduous such as oak, hard maple, and ash. Ornamental trees may be installed adjacent to pedestrian pathways. Both varieties of trees may be provided in pedestrian ways.
3. The following trees are not permitted in any landscaped area required by this Ordinance: box elder, soft maples, American elm, poplar, ailanthus (tree of Heaven) and willow.
4. All newly planted trees shall be protected from damage by wind and other elements during the first full year after planting.
5. All newly planted trees shall be a minimum two (2) inch caliper at the time of planting.
6. All newly planted trees shall be located in conformance with applicable County Road Commission and Bridgewater Township Zoning Ordinance standards for planting location and setbacks from roadways.

R. *Street Lights.*

1. Street lights shall have underground wiring.
2. Light standards shall meet the minimum specifications of the electric utility company serving that area of the proposed subdivision.
3. Where lights are to be provided, they shall be installed prior to the occupancy of structures within the subdivision.

4. Street lights shall be provided in all subdivisions, except those of one (1) acre or larger residential lots.

Article V

Subdivision Improvements

Section 500. Purpose. It is the purpose of this Article to establish and define the improvements which the proprietor will be required to provide as conditions for final plat approval; to outline the procedures and responsibilities of the proprietor and the various public officials and agencies concerned with the planning, design, construction, financing, and administration of improvements; and to establish procedures for assuring compliance with these requirements.

Section 501. General.

A. Standards.

1. Improvements shall be provided by the proprietor in accordance with this Article and/or with any other applicable standards and requirements which may from time to time be established by the Township Board or by any of the various Township departments or county and state agencies, in the form of ordinances or published rules.
2. The improvements required under this Article shall be considered the minimum acceptable standards.
3. Where the standards or requirements of this ordinance are different than the provisions of another ordinance, the more stringent of the two shall apply.

B. Preparation of Plans.

1. It shall be the responsibility of the proprietor to have prepared by a registered engineer a complete set of construction plans for streets, utilities, and other improvements required in Section 503.
2. Such construction plans shall conform to the preliminary plat as finally approved.
3. Construction plans are subject to approval by the responsible agencies and shall be prepared in accordance with their standards and specifications.

C. Timing of Improvements. No grading, removal of trees or other vegetation, land filling, construction of improvements, or other material change except for that which is required by any of the reviewing agencies for purpose of aiding in their review of the preliminary plat, shall commence on the subject property until the proprietor has:

1. Received a written notice from the Clerk that the Township Board has given

final approval to the preliminary plat.

2. Deposited with the Township a bond or other form of security as required by this Ordinance for the provision of improvements.
 3. Entered into a subdivision agreement with the Township Board for completion of all improvements required in the preliminary plat as finally approved.
 4. Received a certificate of approval or similar evidence of approval of the engineering plans from the Township Engineer of each improvement to be installed prior to approval of the final plat. Where approval of such plans must be obtained from the County Road Commission, County Drain Commissioner, County Health Department, or other county or state agency, the proprietor shall provide evidence of such approvals to the Township Engineer prior to his report and recommendation to the Township Board. Such plans and approvals shall include those for soil erosion and sedimentation controls.
- D. *Staging.* Where a subdivision is to be developed in stages, the provisions of this Article shall apply to each stage. However, improvements and financial guarantees may be required to extend beyond the boundaries of a subdivision stage if such extension is necessary to insure the relative self-sufficiency of the stage pending completion of the entire subdivision. Such extension, schedules, and similar arrangements shall be set forth in an agreement between the proprietor and the Township Board prior to final approval of the preliminary plat.

Section 502. Engineering Drawings of Improvements.

A. *Required Prior To Construction.*

1. Engineer drawings of all required improvements shall be reviewed and approved by the Township Engineer or Building Inspector, except for improvements to be made under the jurisdiction of the County Road Commission, County Drain Commissioner, or other county or state agencies, in which case the drawings shall be submitted to the appropriate agency for review and approval. Where review and approval of engineering drawings is made by a county or state agency, the Township Engineer or Building Inspector shall obtain written confirmation of such approvals prior to issuance of any approvals or permits.
2. No grading, land filling, removal of trees or other vegetation, construction of improvements, or other land development activity shall commence until the engineering drawings of same have been approved by the Township Engineer and / or all county and state agencies having approval or permit jurisdiction.

B. *Modification During Construction.*

1. All installations and construction shall conform to the approved engineering drawings.
2. Modifications to approved construction plans shall require approval by the original approval agency or individual prior to construction or installation of the improvement. Modifications in design and/or specifications during construction are at the proprietor's own risk, without any assurance that the Township or other public agency will accept the completed facility. It shall be the responsibility of the proprietor to notify the appropriate agency of any changes in the approved drawings and secure necessary reviews and/or approvals.

C. *As Built Drawings.* The proprietor shall submit to the Township Engineer or Building Inspector one reproducible copy of "as built" engineer drawings of each of the required improvements that have been completed prior to final plat approval. Each set of drawings shall be certified by the proprietor's engineer.

D. *Construction Schedule.* The proprietor shall submit to the Township Engineer or Building Inspector and to all approving agencies and to public utility companies that will service the subdivision, prior to final approval of the preliminary plat, a general schedule of the timing and sequence for the construction of all required improvements. The schedule shall meet the procedural requirements and inspection needs of the Township, county, and state agencies.

Section 503. Required Improvements. The proprietor shall install the following improvements in accordance with the conditions and specifications of this Ordinance.

A. *Monuments.* Monuments and iron pipe lot corners shall be set in accordance with the Land Division Act and applicable State administrative rules as from time to time may be promulgated.

B. *Streets and Alleys.* All streets, curbs, gutters, and alleys shall be constructed in accordance with the standards and specifications of the Township Design Standards and the County Road Commission and this ordinance.

C. *Public Utilities.* Public utilities placed in street rights-of-way shall be located in accordance with Township Design Standards and the County Road Commission requirements and this ordinance.

D. *Storm Drainage.*

1. Storm drainage, including necessary storm sewers, drain inlets, manholes, culverts, bridges and other appurtenances, shall be required in all subdivisions, and shall be provided by the proprietor.

2. All proposed storm drainage construction plans shall be approved by the Township Engineer, County Drain Commissioner and the County Road Commission, where applicable. Construction shall follow the specifications and procedures of the State Drain Code, as amended, and specifications of the County Road Commission where applicable.

E. *Water Supply System.*

1. When a proposed subdivision is to be serviced by a public water supply system, water lines and appurtenances shall be provided by the proprietor.
2. Where a water supply system for the common use of the lots within the subdivision is proposed, said system shall be designed in accordance with all applicable standards of the Township, the Michigan Department of Environmental Quality and County Health Departments.
3. All easements and improvements for such systems shall be dedicated to the Township for administration, operation, and maintenance.
4. Individual wells may be permitted where public water supplies are not available, in accordance with the requirements of the County Health Department.
5. All features of the installations shall conform to the requirements of Act 98 P.A.1913, as amended.

F. *Sanitary Sewer System.*

1. When a proposed subdivision is to be serviced by a public sanitary sewer system, sanitary sewers and their appurtenances shall be provided by the proprietor in compliance with provisions of Act 98, P.A. 1913, as amended. Where a public sanitary sewer system is proposed, said system shall be designed in accordance with all applicable standards of the Township, the Michigan Department of Environmental Quality, and the County Health Department.
2. If there is not an existing or accessible public sanitary sewer system, septic tanks and disposal fields on individual lots may be approved in compliance with standards and specifications of the County Health Department and the State.
3. Sewer systems for the common use of lots within a subdivision (community drain fields) shall be permitted only where all of the following conditions are met:
 - a. Sanitary sewers are not currently available to the site;

- b. Sanitary sewers are not planned to be extended or available to the site according to the adopted General (Master) Development Plan;
 - c. There exists an environmental pollution problem which may be partially or wholly abated by installation and operation of such a system;
 - d. The design, construction and maintenance of such a system is determined to be feasible in the judgment of the Township Engineer and the County Health Department;
 - e. Such a system complies with Act 98, P.A. of 1913, as amended.
 - f. Where such a system is permitted, said system, together with necessary easements, shall be dedicated to the Township for administration, operation, and maintenance.
- G. *Gas, Wire, And Cable Utilities.* The proprietor shall arrange for all lines for telephone, electric, television, and other similar services distributed by wire or cable to be installed underground and may arrange for gas distribution facilities throughout a subdivided area.
- H. *Oversize Facilities.* Facilities installed as a part of a subdivision plat may be designed to accommodate land areas or developments outside the plat. The amount of proprietor responsibility and the means for allocating costs shall be agreed to prior to approval of the preliminary plat by the Township Board.
- I. *Street Name Signs.* Street name signs shall be installed in conformance with the design, location and construction standards of the County Road Commission at the expense of the proprietor.
- J. *Sidewalks and Pedestrian Ways.* Sidewalks and pedestrian ways shall be provided by the proprietor in accordance with Section 401.
- K. *Open Space and Public Use Areas.* Open space and public use areas shall be provided by the proprietor as set forth on the approved final plat, in accordance with the provisions of this ordinance and the zoning ordinance.
- L. *Trees.* Trees shall be provided by the proprietor in accordance with the provisions of this ordinance and the zoning ordinance, where applicable.
- M. *Street Lighting.* Street lighting shall be located and installed in accordance with applicable public utility company, Township and County Road Commission standards.
- N. *Driveways.* All driveways shall be installed in conformance to standards of the Township Design Standards, the County Road Commission, or, when applicable,

to standards of the Michigan Department of Transportation.

O. *Erosion and Sedimentation Control.*

1. The proprietor shall install and maintain erosion and sediment control measures as specified on the approved final preliminary plat.
2. Installation and maintenance of soil erosion and sedimentation control measures shall be in conformance with applicable State and County agency requirements and the Township Design Standards.

Section 504. Performance Guarantees.

A. *Financial Guarantees.* In lieu of the actual installation of improvements as required in Section 504 above, the Township may require a financial guarantee of performance in one or a combination of the following arrangements for those improvements for which performance guarantees may not be required by county or state agencies in accordance with the Land Division Act. Such performance guarantees shall be required for only those required improvements that have not been installed and without certificates of completion prior to the date of application for final plat approval.

B. *Performance or Surety Bond.*

1. *Accrual.* The bond shall accrue to the Township Board for administering the construction, operation and maintenance of the improvement(s).
2. *Amount.* The bond shall be for a total amount equal to the total estimated cost for completing construction of the improvements, including contingencies, as estimated by the proprietor's engineer and approved by the Township Engineer.
3. *Term Length.* The term length in which the bond is in force shall be for a period of one (1) year. Extensions may be considered by the Township Board upon application by the proprietor.
4. *Bonding or Surety Company.* The bond shall be with a surety company authorized and licensed to do business in the State of Michigan

C. *Cash Deposit, Certified Check, Or Irrevocable Bank Letter Of Credit.*

1. *Treasurer, Escrow Agent or Trust Company.*
 - a. A deposit by the proprietor with the Township Clerk in the form of cash, a certified check or irrevocable letter of credit, whichever the proprietor selects, shall accrue to the Township for administering the construction, operation or maintenance of the improvement.

- b. *Amount.* The amount of the cash deposit, certified check, or irrevocable bank letter of credit, shall be equal to the total estimated cost of construction of the improvement, including contingencies, as estimated by the proprietor's engineer and approved by the Township Engineer.
 - c. *Length of Escrow.*
 - 1. Cash deposits and certified checks shall be deposited in an escrow account by the Township. Said deposits shall be maintained until the improvements are completed,
 - 2. Irrevocable bank letters of credit shall be for at least the period of time needed to complete site improvements as specified by the
 - d. *Township Board.* Extensions may be considered by the Township Board upon application by the proprietor.
- 2. *Progressive Payment.* In the case of cash deposits or certified checks, the proprietor may request a partial refund of the cash escrow, or a reduction in the amount of the irrevocable bank letter of credit, to the extent of the estimated cost of the completed, inspected and approved, portion of the improvement(s) in accordance with the previously entered into agreement with respect to financial guarantees.
- D. *Contingency Fee.* In addition to the actual estimate of costs, an amount of ten (10) percent shall be added to the calculated surety bond amount to cover such contingency expenses that might occur due to failure, defects in construction, unforeseen costs, etc., of any improvement required herein.
- E. *Protection and Repair Bond.* The Township may also require, in addition to the security and the contingency fee, a bond to cover damage that might occur during construction to existing improvements, facilities, and features on or around the construction site or to adjacent properties. This bond shall include the costs of any cleaning of construction debris from the subdivision and from adjacent parcels that might be necessary.
- F. *Failure to Complete The Construction Of An Improvement.* In the event the proprietor shall, in any case, fail to complete such work within the period of time required by the conditions of the guarantee for the completion of improvements under the Township jurisdiction, the Township Board may have such work completed. In order to accomplish this, the Board may reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, or irrevocable bank letter of credit, which the proprietor may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the bonding or surety company.

Section 505. Inspection of Improvements.

- A. *Inspection Required.* All improvements required by this Ordinance shall be inspected by the Township Engineer or Building Inspector, except for improvements made under the jurisdiction of the County Road Commission, County Drain Commissioner, and other public agencies. Where inspections are made by other agencies the proprietor shall submit the written reports of all such inspections to the Township Engineer and/or Building Inspector.
- B. *Inspection Schedule.* It shall be the responsibility of the proprietor to notify the Township or other appropriate public agencies when installations are ready for inspection.
- C. *Inspection of Improvements Under Construction.* Before approving a final plat and construction plans and specifications for the required improvements, an agreement between the proprietor and the Township Board shall be made to provide for inspecting the construction or installation of each improvement under its jurisdiction and its conformity to the approved plans. The proprietor shall be responsible for all staff and/or consultant expenses associated with construction inspections.
- D. *Compliance with Standards.* The proprietor shall bear the final responsibility for the installation and construction of all required improvements according to the provisions of this Ordinance, all applicable Township ordinances, and to the standards and specifications of all other applicable public agencies.
- E. *Acceptance.* Approval of the installation and construction or any improvement(s) shall not constitute acceptance by the Township of any improvement for dedication purposes.
- F. *Fees.* The proprietor shall pay all inspection costs incurred by the Township according to schedules determined by resolution of the Township Board, by deposit made at the time of approval of the final plat. Any funds not used by the Township in its inspections shall be refunded to the proprietor when the subdivision, or stage thereof, is completed. Where the actual inspection costs exceed the deposited fee escrow, the proprietor shall pay to the Township an amount by which the inspection charges exceed the deposited fee prior to Township final approval of the improvements.
- G. *Site Cleanup.* The proprietor shall remove all equipment, material and general construction debris from the subdivision and from any lot, street, or public way or property therein or adjacent to the subdivision.

Article VI Variances

Section 600. General. Variances from the provisions of this Ordinance shall apply only to improvements, standards, and specifications set forth in this Ordinance in accordance

with Section 601 below. No variances shall be granted on procedures required herein. Variances from the specifications, standards and procedures under the jurisdiction of other agencies shall be in accordance with the policies of those agencies. Written verification and certification of any such variances shall be provided to the Township prior to Township approval of any aspect of the subdivision which includes or relates to the improvements which are the subject of said variance.

Section 601. Variances.

- A. Variances may be granted if the proprietor can show that strict compliance with the provisions of this Ordinance, as they apply to the subject property, will result in extraordinary hardship or practical difficulty. The proprietor shall make a formal request for such variance to the Township Board, in which the reasons for the request are clearly stated.
- B. No variance shall be granted unless the following findings are made:
 - 1. There are such special circumstances or conditions affecting said property that strict application of the provisions of this Ordinance would clearly be impractical or unreasonable.
 - 2. The conditions requiring the variance were not created by the proprietor.
 - 3. The variance is necessary for the preservation and enjoyment of a substantial property right of the proprietor, and is not primarily intended for his economic gain.
 - 4. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
 - 5. The variance will not have the effect of nullifying the intent and purpose of this Ordinance, the adopted General Development Plan, and the Zoning Ordinance.
 - 6. The variance will not violate the provisions of the Land Division Act.
- C. The Township Board may request review of the requested variance by the Township's consultants or other reviewing agencies. A copy of these reports shall be made part of the record of the meeting at which action is taken and one copy of the report shall be transmitted to the proprietor.
- D. In granting a variance the Township Board may attach conditions to the variance which will substantially secure the objectives of this Ordinance, and which will further the adopted policies expressed in the Township's General Development Plan, or part or parts thereof, and in various ordinances and resolutions.
- E. Variances from the provisions of the Zoning Ordinance shall be granted only by the

Zoning Board of Appeals.

- F. Application for any such variance shall be submitted in writing by the proprietor to the Township Board at the time the preliminary plat is filed for tentative approval by the Planning Commission. The petition shall state fully the grounds for the application and all the facts relied upon by the petitioner.

Article VII Enforcement

Section 700. Building and Occupancy Permits.

- A. *Building Permits.* Building permits shall not be issued until the preliminary plat has received final approval and until the building inspector has been officially notified of such approval by the Township Board. No building permits shall be issued for a tract of land between the time that the subdividing process has commenced and a preliminary plat thereof has received final approval. The Township Clerk shall immediately notify the building inspector having jurisdiction that such process has been initiated.
- B. *Occupancy Permits.* Permits for the occupancy of structures or any parts thereof shall not be issued until all improvement required by this Ordinance and agreed to in the preliminary plat as finally approved have been completed or otherwise provided for according to this Ordinance. Completion shall constitute inspection, approval, and acceptance of improvements, where applicable, by the Township. A certificate of completion shall be issued by the Township Building Inspector or Engineer as evidence of adequate and complete installation of facilities.
- C. *Penalties.*
1. Failure to comply with the provisions of this Ordinance shall constitute a civil infraction. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one hundred dollars (\$100) or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense.
 2. The selling of lots prior to the recording of the final plat is prohibited. Failure to comply with this provision shall constitute a civil infraction, and upon conviction thereof, shall be punishable by a fine of not more than ten thousand dollars (\$10,000).

Article VIII Miscellaneous Provisions

Section 800. Validity. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of this Ordinance

as a whole or any part thereof, other than the part so declared to be invalid.

Section 801. Effective Date. This Ordinance was adopted by the Township Board on July 19, 2000 and shall take effect upon publication on August 3, 2000.

Certification of Township Clerk

I, Karen Weidmayer, Bridgewater Township Clerk, hereby certify that the foregoing is a true copy of the Bridgewater Township Subdivision Regulation Ordinance Number 35 adopted by the Township Board at a meeting held on July 19, 2000 by the following vote:

Motion by _____, Supported by _____.

Ayes:

Nays:

Absent:

Motion: Carried

Karen Weidmayer
Bridgewater Township Clerk