Section 12.2 Natural Resources, General

A. Compliance with Local, County, State, and Federal Regulations: All land uses and construction activities shall comply with to the provisions of this Ordinance and all local, county, state and federal rules and regulations including the requirements of the County Health Department and Drain Commissioner; regulations pertaining to the loading/unloading, transport, storage, use and/or disposal of hazardous substances including fuels and other flammable liquids; and requirements of the Michigan Department of Environment, Great Lakes and Energy including those applying to high risk erosion areas, air and water quality protection, use and disturbances to wetlands, fills in or near water bodies or in flood plains, stream crossings, waste disposal, and discharges into the air, surface or ground waters.

B. Sensitive Lands:

1. Avoidance of Significant Environmental Areas: Where a portion of a lot is characterized by sensitive or fragile environmental features, including wetlands, hydric soils, or flood plains, new development on the lot shall only occur on those portions of the lot void of such features where reasonably feasible. Where not reasonably feasible, new development shall comply with all county, state and federal laws, rules and permit and approval requirements.

2. County, State and Federal Permits: Except where required to do so by state or federal law, the Township shall not give final approval to any land use which requires a county, state, or federal permit until such permit has been obtained and satisfactory evidence has been submitted verifying the acquisition of the necessary permits.

3. Mitigation: The Township may require mitigation measures be taken to replace those resources disturbed or destroyed by a land use, or to otherwise lessen the impact of a new land use upon natural resources and sensitive areas.

C. Clearing of Top Soil, Grading, and Drainage:

1. Removal of Topsoil: Stripping and removal of topsoil from a lot is prohibited prior to the completion of all approved site improvements and the seeding, sodding, and landscaping of all disturbed areas, except where expressly authorized as part of an approved site plan. "Disturbed areas" shall be interpreted to mean any area of a lot that is altered by grading or other construction activities and which area is not proposed to be paved or otherwise built upon. This subsection (1) shall not apply in the case of a single family dwelling for which a zoning permit and building permit has been issued, provided the topsoil to be removed is limited to the immediate area of the proposed site improvements according to such permits.

2. Drainage/Flow Restrictions:

   a. Temporary and permanent ground elevations surrounding a building or structure shall be designed and landscaped such that surface waters flow away from the building or structure.

   b. It shall be prohibited to increase the rate or quantity of water runoff upon adjacent properties or public roads, to cause erosion or filling of a roadside ditch, stream or other water body, to block a public watercourse, or create standing water over a sewage disposal drainage field.

   c. See Section 12.3 regarding buffer areas for natural resources and Section 12.4 regarding storm water management.

3. Nuisance Conditions: No grading or modifications to existing drainage patterns, including the erection of retaining walls, shall result in nuisance conditions for adjacent lots including increases in the quantity and/or rate of water runoff upon such lots.

D. Groundwater Interference or Diversions: No use, activity or undertaking shall occur on a lot that interferes with, degrades the quality of, alters the groundwater level or otherwise negatively impacts (in a measurable fashion) the groundwater on or for an adjoining or nearby lot not owned by the person or entity causing such impact, interference, or lessening of such groundwater. Groundwater or surface water shall not be withdrawn or diverted so as to unreasonably impact or adversely affect an adjoining or nearby lot.