

## Section 719.135 – Private Residential Ponds

A. Private residential ponds may be permitted only in the AG and R zoning districts, subject to the following standards and guidelines:

1. Primary Level Requirements – The following requirements shall not be varied (including the Zoning Board of Appeals).
  - a. A site plan shall be submitted to the Building Inspector for review and approval, and a building permit obtained by the owners of the property before the construction of all ponds, enlargement of an existing pond, or cleaning of a pond that results in the removal of over thirty (30) cubic yards of material.
  - b. All ponds shall be inspected three times during construction: an initial stake inspection to verify setbacks, a rough inspection to verify size, final slopes, and depth, and a final inspection to verify lift stations, final slopes, grading around the pond, and vegetation placement.
  - c. On the beach side of the pond, the slope shall be no more than 5:1 (five feet horizontal to one foot vertical) until the water reaches a depth of five (5) feet. In no case shall any slope exceed 3:1.
  - d. There shall be a minimum setback of twenty-five (25) feet from the edge of the excavation to the nearest point of the house or any accessory building on the same parcel.
  - e. All ponds shall require the maintenance of lifesaving devices. A Coast Guard-approved life ring attached to 50 feet of suitable rope is mandatory, along with one of the following: planks, wooden ladders, or wooden poles of at least twelve (12) feet in length.
  - f. Where a pond will be used for swimming, a suitable rope with a flotation device shall be properly anchored to mark the line along which the pond reaches a depth of five (5) feet.
  - g. All excavated soil material must be used on the same parcel as the pond. No materials may be hauled off-site. Excavation materials used for grading around the pond shall not be placed closer than twelve (12) feet to the edge of the excavation.

- h. The pond shall comply with the following minimum setbacks from a septic tank and/or tile disposal field based upon the soil type:

50 feet – heavy clay soils

75 feet – clay loam, loam, sandy loam soils 76-100 feet – sandy, loamy sand soils

## 2. Secondary Level Requirements

- a. There shall be a minimum setback of one hundred (100) feet from all property lines and street right-of-way lines, based upon the planned future right-of-way as shown on the Township's adopted Thoroughfare Plan.
- b. The minimum depth of a pond shall be twelve (12) feet. To prevent winter fish killings, a depth of fifteen (15) feet is recommended. The maximum depth of all ponds shall be eighteen (18) feet.
- c. The maximum size of any one pond shall not exceed twenty thousand (20,000) square feet and the cumulative total of all ponds on any one parcel of land shall also not exceed twenty thousand (20,000) square feet.
- d. All ponds shall be completed within forty-five (45) days of commencement but not less than sixty (60) days following issuance of the pond permit.
- e. The minimum site size required for the construction of all ponds shall be five (5) acres.
- f. Plans submitted should show the location and approximate depth of any domestic water supply well.

## 3. Optional Design Guidelines (Recommended for High-Quality Ponds)

- a. Where excavated material is used for berms or contouring on-site, the maximum slope of the overburden should not exceed 1:2.
- b. Where excavated material is to be used for berms or other landforms on-site, avoid interrupting the existing horizon with the top of the redistributed overburden.

- c. Where very porous soils are present, an eight (8) inch thick sealer or liner of well-graded material containing at least twenty (20) percent clay should be used for depths of water up to ten (10) feet. For each foot of water over ten (10) feet, increase this thickness by two (2) inches.
- d. During the design of the pond, the applicant should take into account the pond's orientation to prevailing winds. Wave action helps reduce unwanted aquatic weed growth.
- e. Installation of a "dry hydrant" is encouraged to assist with fire protection of the owner's property, following the guidelines of Figure 5 in the USDA Agriculture Handbook Number 590.