

BRIDGEWATER TOWNSHIP

ZONING ORDINANCE



ADOPTED JUNE 12, 2007

Article XVI. Subdivision Regulations.

Section 204. **Purpose and Intent.** All subdivisions of land hereafter submitted for approval shall fully comply, in all respects, with the regulations set forth in this Article. It is the purpose of these regulations to:

- A. Protect and provide for the public health, safety and general welfare of the Town.
- B. Preserve land in tracts large enough for viable agricultural operations.
- C. Protect and conserve the value of the land throughout the Town, the value of buildings and improvements, and to minimize the conflicts of the uses of lands and buildings.
- D. To promote the development of an economically sound and stable community by preventing the subdivision or development of land that results in scattered subdivision of land as would involve danger of injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services.
- E. Encourage well-planned, efficient, and attractive subdivisions by establishing adequate standards for design and construction.
- F. Place the cost of improvements against those benefiting from their construction.
- G. Secure the rights of the public with respect to public lands and waters.
- H. Prevent the pollution of air, streams, and lakes; to ensure the adequacy of drainage facilities; to protect underground water resources and to encourage the wise use and management of natural resources in order to preserve the integrity, stability and beauty of the Town.
- I. Preserve the natural beauty and topography of the Town and to ensure appropriate development with regard to these natural features.
- J. Provide for open spaces through the most efficient design and layout of the land while preserving the density of land as established in this Ordinance.
- K. Require new subdivisions to provide financial support for infrastructure improvements that are necessary to support new growth.

It is the intent of this Article to regulate the platting of land in Bridgewater Township pursuant to Minn. Stat. Chapters 429, 462, 471 and 505.

Section 205. **Jurisdiction.** The regulations herein governing plats and the subdivision of land shall apply to all the area of Bridgewater Township.

- A. **Application of this Article.** All subdivisions of land resulting in lots of less than forty (40) acres within the jurisdiction of Bridgewater Township shall be regulated by this Article and shall be platted in accordance with the provisions contained herein. All subdivisions that create two (2) or more lots or parcels that are two and one-half (2 ½) acres or less in size shall be processed as a plat in accordance with Minn. Stat. Chapter 505.
- B. **Compliance.** No plat or any subdivision shall be recorded in the Rice County Recorder's Office or have any validity until the plat thereof has been prepared, approved, and acknowledged in the manner prescribed by this Article.
- C. **Permits.** No permits shall be issued to allow construction of any building, structure, or improvement to the land or to any lot in a subdivision, as defined herein, until all requirements of this Article have been complied with.
- D. **Design Standards.** All provisions in this Article shall be considered minimum requirements. Design features, such as lot, block and street layout, shall conform to the accepted standards. The Planning Commission and the Town Board shall interpret standards of acceptable design.

Section 206. **Consistency with Other Controls.**

- A. Subdivisions must conform to all official controls of Bridgewater Township. A subdivision will not be approved where a later variance from one or more of the standards in official controls would be needed to use the lots for their intended purpose.
- B. In the shoreland areas not served by publicly owned sewer and water systems, a subdivision will not be approved unless domestic water supply is available and a sewage treatment system consistent with this Ordinance is available for every lot.
- C. Subdivisions that would create lots that require the use of holding tanks will not be approved.

Section 207. **Exception to Scope.** Except in the case of resubdivision, this Ordinance shall not apply to any lot or lots forming a part of a subdivision recorded in the office of the Rice County Recorder prior to July 8, 1975, nor is it intended by this Ordinance to repeal, annul or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed by, or in conflict with this Ordinance, or with restrictive covenants running with the land. Where this Ordinance imposes a greater restriction upon the land than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

Section 208. **Separability.** If any part of provision of these regulations or the application of these regulations to any person or circumstance is adjudged invalid by any court

of competent jurisdiction, the judgment shall be confined to the part, provision, or application directly involved, and shall not affect or impair the validity of the remainder of these regulations or their application.

Section 209. **Definitions.** For purposes of this Article, certain words and terms shall have the following meanings. Other words shall be as otherwise defined in this Ordinance or, if not defined, shall have their common understanding.

Alley. A public right-of-way that affords a secondary means of access to abutting property and is not intended for general traffic circulation.

Buildable Land. Non-hydric land having a size and configuration capable of supporting principal and accessory buildings, with an approved waste water treatment system and potable water system.

Certificate of Survey. A land survey prepared by a land surveyor registered in the State of Minnesota with a certification that the information on the land survey is accurate.

Design Standards. A set of standards defining the parameters to be followed in site and/or building design and development.

Escrow. The deposition of funds in an account maintained by the Town specifically for the purpose of ensuring fulfillment of certain obligations pursuant to this Ordinance.

Financial Guarantee. A financial security consistent with this Article, posted with the Township with the approval of a final plat, guaranteeing compliance with the approved final plat, construction plans, and conditions of approval set forth by the Town.

Lot Split. The division of one (1) parcel of land into two (2) parcels, both of which meet all applicable standards of this Ordinance.

Parks and Playgrounds. Public lands and open spaces in Bridgewater Township dedicated or reserved for recreation purposes.

Pedestrian Way. A public right-of-way across or within a block intended to be used by pedestrians.

Preliminary Approval. Official action taken by the Town on an application to create a subdivision that establishes the rights and obligations set forth in Minn. Stat. § 462.358 and the applicable subdivision regulations contained in this Article. In accordance with Minn. Stat. § 462.358, and unless otherwise specified in the applicable subdivision regulations, preliminary approval may be granted only following the review and approval of a preliminary plat or other map or drawing establishing without limitation the number, layout, and location of lots, tracts, blocks, and parcels to be created, location of streets, roads, utilities and facilities, park and drainage facilities, and lands to be dedicated to public use.

Protective (Restrictive) Covenants. Contracts entered into between private parties and constituting a restriction on the use of all private property within a subdivision for the benefit of property owners, and to provide mutual protection against undesirable aspects of development that would tend to impair stability of values. Enforcement of protection covenants shall be by the parties involved, not the Town Board.

Resubdivision. A change in an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved for public use, or any lot line, or if it affects any map, or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Road, private. A roadway or strip of land reserved for the use of a limited number of persons or purposes, as distinguished from a publicly dedicated road.

Same Ownership. For the purposes of this Article as it relates to the subdivision of large tracts, contiguous parcels shall be considered in the same ownership when owned by: (1) the same individual, natural or legal persons or entities, including corporations, LLC's, partnerships or other legal entities; (2) an individual and another in joint tenancy, or as tenants in common, and either of said joint or common tenants owns the other lot in question individually with another individual, and other lots are owned by one's spouse, parent, grandparents, sister or spouse of the brother or sister of such person; and (3) when any of said lots, tracts or parcels are owned by an individual and other lots, tracts or parcels are owned by the corporation in which said individual is an officer or director of controlling stockholder.

Section 210. **Procedure for Pre-Application Meeting.** Before subdividing any tract of land within Bridgewater Township, the following may be followed:

A. **Pre-application Meeting.** Prior to the preparation of a preliminary plat, the subdivider or owner may meet with the Bridgewater Township Planning Commission, the Zoning Administrator, and other appropriate officials in order to be made fully aware of all applicable ordinances, regulations and plans in the area to be subdivided. The developer should obtain a copy of this Article. At this time or at subsequent informal meetings, the subdivider may submit a general sketch plan of the proposed subdivision and preliminary proposals for the provision of water supply, waste disposal and roads. The sketch plan can be presented in simple form but should show that consideration has been given to the relationship of the proposed subdivision to existing community facilities that would serve it, to neighboring subdivisions and developments, and to the topography of the site. The sketch plan must include the following information:

1. Name and address of the owner or subdivider.
2. Date of plan preparation.
3. Scale of plan (engineering scale).

4. North arrow indication.
5. Legal description.
6. Property location map illustrating the site location relative to adjoining properties and streets.
7. Scaled drawing (engineering scale) illustrating property boundaries.
8. Scaled drawing of the proposed subdivision sketch plan including street patterns and lot layout related to the natural resources of the site and adjoining properties.
9. Densities.
10. Natural features, including a generalized drawing of natural features showing wetlands, lakes, drainage ways, woodland areas and hydric soils.
11. Any required zoning change
12. Proposed timing and staging of development.
13. Proof of ownership or legal interest in the property in order to make application.
14. Additional information as required by the Town through the Zoning Administrator or Engineer.

- B. **Sketch Plan submission not adequate for preliminary plat approval.** The subdivider is urged to avail himself/herself of the Planning Commission and Town staff at this point in order to save time and effort, and to facilitate the approval of the preliminary plat. The Planning Commission and/or staff shall advise the owner or subdivider as to the conformance of the proposed subdivision with this Article and other applicable official controls. If the owner or subdivider decides to proceed with the subdivision as proposed or revised, he/she may proceed with the preparation of the preliminary plat as provided in this Article. Submission of a sketch plan and associated information shall not be considered adequate for application for preliminary plat approval.

Section 211. **Build-Out Plan (Ghost Plat).**

- A. **Application.** A build-out plan (ghost plat) shall be required for the following subdivision applications:
1. Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots that be eventually resubdivided into smaller lots.

2. Cluster subdivisions or open space design subdivisions that preserve open space for future development.
- B. **Design Requirements.** The build-out plan (ghost plat) shall illustrate the following:
1. Lot design consistent with the long range planning for the area (Comprehensive Plan).
 2. The layout of future streets. Local streets shall be planned to provide street connections to adjoining parcels, neighborhoods, or future development open spaces as a means of discouraging reliance on County and State roads for local trips.
 3. Easement locations for utilities and storm water drainage.
 4. Location of buildings or structures on the lots to accommodate future subdivisions.
- C. **Right-of-way Dedications.** The Town may require easements or right-of-way dedication and/or cash escrow or other financial guarantees in conjunction with plat approval to facilitate the future development of the build-out plan (ghost plat). The build-out plan (ghost plat) must follow the procedure outlined in Section 210.

Section 212. **Preliminary Plat.**

- A. **Preliminary Plat Procedures.**
1. After the pre-application, the subdivider or owner shall file with the Zoning Administrator fifteen (15) copies of a preliminary plat and the fee as set by separate action of the Town Board. This fee will be used for expenses of the Township in connection with the review of said plat.
 2. After the plat application is filed, the Township Planning Commission shall hold a public hearing on the preliminary plat after notice of the time and place thereof has been published once in the official newspaper at least ten (10) days before the day of the hearing in addition to written notices as required by Minn. Stat. §462.358. This shall constitute the public hearing on the plat as required by state law. The Planning Commission shall recommend approval or denial of the preliminary plat to the Town Board and may recommend conditions related to the approval.
 3. **Findings of Fact.** Upon conclusion of the public hearing, the Planning Commission shall make and enter findings for the record and conclusions thereof as to whether or not:

Article XVI Subdivision Regulations

- a. Adequate provisions are made for the public health, safety and general welfare and for open space, drainage ways, roads, alleys, and other public ways, water supplies, sanitary wastes, parks, playgrounds and other public needs.
 - b. The proposed subdivision contributes to the orderly development and land use patterns in the area.
 - c. The public use and interest will be served by permitting the proposed subdivision.
 - d. The proposed subdivision conforms to the general comprehensive plan and zoning requirements.
 - e. The proposed subdivision conforms to the general purposes of any applicable policies or plans that have been adopted by the Town Board.
 - f. The proposed subdivision conforms to the general purposes of this Article.
4. The Town Board shall act to approve or disapprove the preliminary plat. The Town Board may include conditions related to the approval. If the Board disapproves the preliminary plat, the reasons for any such disapproval shall be set forth in the minutes of the Town Board meeting and a copy of those reasons shall be given to the owner or subdivider.
- B. **Data for Preliminary Plat.** The following information is required for review of a preliminary plat:
- 1. **Identification and Description.**
 - a. Proposed name of the subdivision, which shall not duplicate or be similar in pronunciation or spelling to the name of any plat heretofore recorded in Rice County.
 - b. Location by section, township, range, and by metes and bounds description.
 - c. Names and addresses of the owner of record and any agent having control of the land, subdivider, surveyor, engineer, and designer of the plat.
 - d. Graphic scale not less than one (1) inch to one hundred (100) feet except for large subdivisions, where a smaller scale will be acceptable after consultation with the Zoning Administrator.
 - e. Indication of north.

- f. Key map including areas within one (1) mile radius of the plat.
- g. Date of preparation.
- h. A current policy of title insurance running to the Town.

2. **Existing Conditions.** The plat shall also include the following existing conditions:

- a. The boundary lines of the proposed subdivision shall be indicated.
- b. Existing zoning classifications for land within and abutting the subdivision shall be shown.
- c. A general statement on the approximate acreage and dimensions of the lots shall be included.
- d. Location, right-of-way, and names of existing or platted streets, or other public ways, parks, and other public lands, permanent buildings and structures, easements and section and corporate lines within the plat and to a distance one hundred fifty (150) feet beyond the plat shall be shown.
- e. Boundary lines of adjoining unsubdivided or subdivided land, within one hundred fifty (150) feet, identified by name and ownership, including all contiguous land controlled by the subdivider, shall be shown.
- f. Topographic data, including contours at vertical intervals of two (2) feet, water courses, marshes, rock outcrops, power transmission poles and lines, wetlands, streams, rivers and lakes, all existing structures, if any, and other significant features, shall be shown.
- g. A survey shall be prepared by a licensed surveyor, identifying tree coverage in the proposed subdivision in terms of type, weakness, maturity, potential hazard, infestation, vigor, density and spacing.

C. **Subdivision Design Features.** The following design features shall be shown on the preliminary plat:

- 1. Layout of proposed streets showing the right-of-way widths, centerline gradients, typical cross sections and proposed names of streets (subject to the Planning Commission and Town Board approval). The name of any street heretofore used in the Township or its environs shall not be used unless the proposed

street is a logical extension of an already named street, in which event the same name will be used. Three (3) copies of profiles of each proposed street and road, showing existing and/or proposed grades and gradients on the centerline; the location of proposed culverts; and the location of bridges shall be submitted.

2. Locations and widths of proposed alleys and pedestrian ways.
3. Layout, numbers and preliminary dimensions of lots and blocks.
4. Building setback lines with dimensions.
5. Location of proposed structures, driveways, percolation test and soil borings, if applicable, and two (2) suitable sites for individual sewer treatment systems with the method for protecting the alternate individual sewage treatment system site for future use.
6. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres.
7. Grading plans showing how the site will be graded and showing the final contours into the existing contours. Locations for stockpiling of soils, the proposed 100-year flood elevation, and a vegetation restoration plan for all areas disturbed by grading shall be illustrated on the plan.
8. Plans for the installation of electricity, street lights, telephone, gas and drainage and storm water facilities.
9. Park dedication areas shall be shown.
10. **Other information.** The following information is also required:
 - a. A statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units and type of business or industry, so as to reveal the effect of the development on traffic, fire hazards, and congestion of population.
 - b. Plans for water supply, sewage disposal, storm water drainage systems, including proposed location, size and gradient of proposed sewer lines and water mains, and such other supporting data as may be required by the Town Engineer or the Zoning Administrator.
 - c. Soil absorption (percolation tests) and any other subsoil information requested by the Town Engineer.

- d. If any zoning changes are contemplated, the proposed zoning for the areas shall be indicated. Such proposed zoning plan shall be for information only and shall not vest any rights in the application.
- e. A build-out plan (ghost plat), when applicable, depicting how the land within the subdivision may be further subdivided in the future. The build-out plan should show the possible relationships between the proposed subdivision and future subdivision and shall be shown to relate well with existing or potential adjacent subdivisions.
- f. A plan for soil erosion and sediment control, both during construction and after development has been completed, shall be indicated. The plan shall include gradients of waterways, design of velocity and erosion control measures, and landscaping of the erosion and sediment control system.
- g. A vegetation preservation and protection plan that shows the trees proposed to be removed, those to remain, and the types and locations of trees and other vegetation that are to be planted shall be shown.
- h. A water feasibility study shall also be required to determine if water is readily available. No water well shall have a casing larger than six (6) inches.
- i. Also included shall be such other information as may be requested by the Township Zoning Administrator. The Zoning Administrator may request the owner or subdivider to provide documentation that describes the subdivision's potential effect or impacts on public facilities, utilities and services, including, but not limited to:
 - i. Streets
 - ii. Law enforcement
 - iii. Ambulance/emergency services
 - iv. Fire protection
 - v. Schools
 - vi. Utilities

D. Approval of Preliminary Plat.

- 1. The owner of subdivider, or his/her representative, shall appear before the Planning Commission to answer questions concerning the proposed plat.

2. The Planning Commission and Zoning Administrator shall have the authority to request additional information from the applicant concerning a preliminary plat. Said information is to be declared necessary to establish performance conditions in relation to all pertinent sections of this Article. Failure of the owner or subdivider to supply all necessary supportive information may be grounds for denial of the request by the Town Board.
3. The Township Planning Commission and the Township Zoning Administrator may forward to the Town Board a favorable, conditional or unfavorable report, and said reports shall contain a statement of findings and recommendations. Prior to granting preliminary approval, the Town Board may require, as a condition of approval, such changes, additions or revisions as it deems necessary for the health, safety and general welfare and convenience of the people of the Township.
4. The Town Board shall take action on the application with a resolution of approval or denial that shall include findings of fact, and shall be entered in the proceedings of the Town Board and shall be transmitted to the owner or subdivider in writing.
5. The approval of a preliminary plat is an acceptance of the general layout as submitted, and indicates to the subdivider that he/she may proceed toward final plat in accordance with the terms of approval and the provisions of this Article. If the preliminary plat is approved by the Town Board, the subdivider must submit a complete application for final plat within one (1) year after said approval or approval of the preliminary plat shall be considered void, unless a request for a time extension is submitted in writing by the owner or subdivider and approved by the Town Board. Such extension shall be limited to a period of one (1) year.
6. During the intervening time between approval of a preliminary plat and the signing of the final plat, the subdivider must submit acceptable engineering plans for all required improvements.

Section 213. **Final Plat.**

A. **Final Plat Procedures.**

1. The final plat shall have incorporated all changes recommended by the Township Zoning Administrator, the Township Engineer regarding Township roads, the Township Planning Commission and the Town Board as conditions to approvals of the preliminary plat, but in all other respects it shall conform to the preliminary plat as approved. The final plat may constitute only that portion of the approved preliminary plat that the subdivider proposes to record and develop at that time, provided that such a

portion conforms to all requirements of this Article and any applicable state law.

2. The Township Zoning Administrator shall refer the final plat to the Planning Commission for its review and report. The report of the Planning Commission, the Township Zoning Administrator and the Township Engineer shall be submitted to the Town Board and the Town Board shall take action on the final plat.
3. Upon approval of the final plat by the Town Board, satisfaction by the Township that all ordinance requirements are met, and following payment of all fees, the subdivider shall record such final plat with the Rice County Recorder as provided by that office, within sixty (60) days after the approval. If not recorded in sixty (60) days, the approval of the final plat shall be considered void. The subdivider shall, within thirty (30) days of recording, furnish the Township with three (3) black line prints and a reproducible print of the final plat showing evidence of recording.

B. **Data for Final Plat.** The following information applies to preparation of the final plat:

1. **General.** The plat shall be prepared by a land surveyor who is registered in the State of Minnesota and shall comply with the provisions of Minnesota State Statutes and this Article. Surveying requirements of the final plat shall be under the regulation of the Township Engineer.
2. **Information to be submitted.** The following information is required for the final plat:
 - a. Four (4) mylar copies of the final plat.
 - b. One (1) reproducible copy reduced to 11" x 17" of the final plat.
 - c. Twelve (12) blueline copies of the final plat and supporting documents, plus any additional copies deemed necessary by the Zoning Administrator plus one (1) reproducible copy reduced to 11" by 17" along with one (1) copy of the final plat, wetland delineation, topography contours, and all related engineering plans.
 - d. One (1) up-to-date (within three (3) months) title insurance policy.
 - e. Two (2) copies of the development agreement, including signatures for the subdivider/owner and the Town.

Article XVI Subdivision Regulations

- f. One (1) copy of any title declaration, deed restriction, restrictive covenants, or homeowner's association documents in recordable format.
- g. One (1) copy of the final plat shall be submitted to the Rice County Surveyor.
- h. Execution by all owners of any interest in the land, including any holders of a mortgage therein of the certificate required by Minnesota Statutes. The certificate shall include an accurate legal description of any area to be dedicated for public use, and shall include dedication to the Township of sufficient easements to accommodate utility services in such form as shall be approved by the Township attorney.
- i. Other information as may be required by the Town.

C. **Certifications.** The following certifications shall be obtained by the applicant as part of the final approval of the final plat:

- 1. For approval by signature of officials concerned with the recording of that plat:

- (1) No delinquent taxes and transfer entered this _____ day of _____, 20_____.

(name)
Rice County Auditor

- (2) Checked and approved as in compliance with the Bridgewater Township Zoning Ordinance and Subdivision Regulations.

Chairman
Bridgewater Township Planning Commission

- (3) Approved by the Bridgewater Township Board of Supervisors this _____ day of _____, 20_____.

Chairman
Bridgewater Township Board of Supervisors

Attest:

Bridgewater Township Clerk

(4) Approved by the Rice County Board of Commissioners
this _____ day of _____, 20_____.

Chairman of Rice County Board

Attest:

Rice County Auditor

Section 214. **Subdivision Design Standards.**

A. **General Requirements.** The Planning Commission, in its review of the preliminary plat, will take into consideration the requirements of the community and the best use of the land being subdivided. No preliminary plat will be approved if it does not comply with all of the following Town ordinances or plans, if then adopted:

1. Comprehensive Plan
2. Transportation Plan
3. Park and Recreation Plans
4. Zoning Ordinance/Zoning Map
5. Stormwater Management Plans and/or Ordinances
6. Individual Septic Treatment System Ordinance
7. Right-of-Way Ordinance
8. Capital Improvement Plan
9. Nuisance Ordinance

No preliminary plat will be approved for a subdivision that includes an area of poor facilities that would render inadequate the streets or building site proposed by reason of such plat, unless the subdivider agrees to make improvements that will, in the opinion of the Town Engineer, make such areas completely usable and safe for occupancy and provide for adequate street and lot drainage, sewer systems, and feeder road systems.

The arrangement, character, extent, width and location of all streets shall be considered in relation to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to runoff of storm water, to public convenience and safety, and in appropriate relation to the proposed uses of the land to be served by such streets. Where adjoining unsubdivided areas may be subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations.

B. **Streets.**

1. **Widths.** Street right-of-way widths shall conform to the following minimum dimensions:

STREET	Right-of-way Minimum	Desirable Width
Major Arterial (State)	150 feet	300 feet
Minor Arterial (County)	66 feet	150 feet
Collector (Township)	66 feet	100 feet

2. **Street Intersection.** Insofar as practical, streets shall intersection at right angles. In no case shall the angle formed by the intersection of two streets be less than ninety (90) degrees. Intersections having more than four corners shall be prohibited. Adequate land for future intersections and interchange construction needs shall be dedicated.
3. **Tangents.** A tangent of at least three hundred (300) feet shall be introduced between reverse curves on arterial and collector streets.
4. **Deflections.** When connecting street lines deflect from each other at one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to ensure a sight distance of not less than five hundred (500) feet for arterials, three hundred (300) feet for collectors, and one hundred (100) feet for all other streets.
5. **Street Jogs.** Street jogs with centerline offsets of less than 125 feet shall be avoided for local streets. The minimum angle of such jogs shall be eighty (80) degrees.
6. **Local Streets.** Minor streets shall be laid out so that their use by through traffic is discouraged. Each subdivision shall have a secondary access road that can also function as an emergency escape route.
7. **Cul-de-sacs.** The maximum length of a street terminating in a cul-de-sac shall be six hundred (600) feet measured from the centerline of the street of origin to the end of the right-of-way. A cul-de-sac shall have a minimum diameter of one hundred fifty (150) feet. Cul-de-sacs will only be allowed in cases where proper future interconnectivity of local streets will be provided or where topography or environmental constraints preclude interconnection of local streets.
8. **Temporary Cul-de-sacs.** In those instances where a street is terminated pending future extension in conjunction with future subdivision and there is more than two hundred (200) feet between the dead-end and the nearest intersection, a temporary turn around facility shall be provided at the closed end, in conformance with cul-de-sac requirements. This temporary cul-de-sac must be placed inside a temporary easement if it is located outside the street right-of-way and shall be constructed according to the cul-de-sac typical included in the Town

Transportation Plan or as approved by the Town Engineer. A financial guarantee will be required for removal or restoration as determined by the Town Board.

9. **Centerline Gradients.** All centerline gradients shall be at least 0.5 percent and shall not exceed the following: arterials and collector streets – five (5) percent; minor streets and marginal access streets – seven (7) percent.
10. **Access to Arterial Streets.** In the case where a proposed plat is adjacent to a controlled access highway (arterial), there shall be no direct vehicular or pedestrian access from individual lots to such highways. As a general requirement, access to arterials shall be at intervals of not less than ¼ mile and through existing and established cross roads where possible.
11. **Hardship to Owners of Adjoining Properties.** The street arrangements shall not be such as to cause a hardship to owners of adjoining property in platting their own land and providing convenient access to it.
12. **Dead-End Streets.** Dead-end streets, other than cul-de-sacs, shall only be permitted if authorized by the Town Board.
13. **Sight Distance Triangles.** At no street intersection in any district shall an obstruction to vision exceeding two and one-half feet (2 1/2 ‘) in height above the street grade be placed or permitted to grow on any lot within the triangle formed by the right-of-way lines abutting the intersection and a line connecting points on these street lot lines at a distance of thirty-five feet (35’) from the point of intersection of each right-of-way line.
14. **Provisions for Resubdivision of Large Lots and Parcels.** When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and openings of future streets and appropriate resubdivision, with provision for adequate utility connections for such resubdivision.
15. **Street Construction Standards.** The street shall be constructed in accordance with the typical sections included in the Town Transportation Plan (road policy) or as approved by the Town Engineer.
 - a. **Inspections.** All subdividers/owners who propose to do construction within a Town right-of-way shall consult with the Town Engineer to determine the inspections required during construction. A site inspection schedule will be determined at the pre-construction conference.

- b. **Staking.** Before any clearing has started on the right-of-way, the centerline of the new road shall be staked and sides staked at one hundred (100) foot intervals. Side stakes shall be set back off the right-of-way at right angles from the center line so as to be out of the construction area and include stationing and distances to the center line. Limits of clearing shall be marked by stakes or flagging. After clearing and grubbing is done, road construction stakes shall be placed at one hundred (100) foot stations, a minimum of fifteen feet (15') and a maximum of twenty feet (20') off the center line, and grades shall be marked on the tops of the stakes. Cut and fills shall be computed to the finish grade of the roadway and said cuts or fills shall be marked on side stakes.

- c. **Clearing and Grubbing.** All trees and brush, stumps, large roots, loam, forest litter, sod, muck, silt or other unacceptable material within the right-of-way or slope lines, whichever is farthest from the center line of the street, shall be cut, excavated, and removed from the area except that trees that are to remain to secure the intent of these regulations to provide a mature stand of trees for ornamentation and aesthetic design. Under no circumstance shall any wood, brush, or other unsuitable material be placed under or allowed to remain within the limits of the subgrade area.

- d. **Clean-up.** Before acceptance, a street shall be cleaned up, by whatever means necessary, so that it is left in a neat and presentable condition. Construction related debris of all kinds, both natural and man-made, shall be completely removed from the right-of-way.

- e. **Safety.** The Town Board reserves the right to modify proposed street plans for the purpose of enhancing the safety of the traveled way. Potential modifications include, but are not limited to, removing obstructions, adding guard rails where steep slopes exist or are created, and requiring additional warning signs. The Town Engineer may act for the Town Board under this paragraph.

- f. **Traffic Impact Studies.** A traffic impact study may be required of any proposed subdivision at the discretion of the town Board. The Town Board reserves the right to retain the services of an outside agency for the purposes of reviewing any traffic impact analysis submitted. The cost of review of submitted traffic impact studies shall be borne by the subdivider/owner.

Section 215. **Subdivision Characteristics.**

A. **Blocks.**

1. **Length.** The length, width and acreage of a block shall be sufficient to provide for convenient access, circulation, control and safety of street design. Blocks may be longer than 1300 feet or shorter than 300 feet only if the Township Planning Commission and the Town Board agree that exceptions are warranted. Exceptions may be warranted in order to foster design originality provided that such exceptions do not violate sound planning principles.
2. **Width.** The width of the block shall be sufficient to allow two (2) tiers of lots of appropriate depth. Blocks intended for business or individual use shall be of such width to be considered most suitable for their respective use, including adequate space for off-street parking and deliveries.

B. **Lots.**

1. **Size.** The lot dimensions shall be such as to comply with the minimum lot area specified in this Ordinance.
2. **Side Lot Lines.** Side lines of lots shall be substantially at right angles to straight street lines or radial to curved street lines.

C. **Drainage.** Lots shall be graded so as to provide drainage away from building locations.

D. **Natural Features.** In the subdividing of any land, due regard shall be shown for all natural features, such as tree growth, wetlands, steep slopes, water courses, historic areas, or similar conditions, and plans shall be adjusted to preserve those which will add attractiveness, safety and stability to the proposed development.

E. **Lot Remnants.** All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots rather than be allowed for remain as substandard parcels.

F. **Through Lots.** Through lots (lots with frontage on two parallel streets) or lots with reverse frontage shall not be permitted except where lots back on an arterial or collector street. Such lots shall have an additional depth of at least ten feet (10') in order to allow for screen planting along the back lot line.

G. **Sewage Disposal.** In areas being platted for rural development, the size and relative location of on-site soil absorption systems shall be governed by the Sewage Disposal Standards under Minnesota Rules, Chapter 7080, as amended. In addition, the following requirement shall apply:

1. On each lot, there shall be an area preserved for the construction of an additional drain field system should the original system fail. The area set aside for a second drain field shall be of a size and so located that a drain field can be constructed that will meet all standards on size and setbacks recommended by the Minnesota Department of Health.
- H. **Tree Removal and Conservation of Vegetation.** All subdivisions shall be planned, designed, constructed and maintained so that:
1. Existing healthy trees and native vegetation on the site are preserved to the maximum extent feasible and are protected by adequate means during construction.
 2. Existing native vegetation shall not be disturbed, injured or removed prior to site development, except to the extent necessary for the preparation of a tentative map.
- I. **Erosion and Sediment Control.** The following guidelines shall be applied to the subdivision and construction of land areas:
1. The development shall conform to the natural limitations presented by the topography and soil as to create the least potential for soil erosion.
 2. Erosion and siltation control measures shall be coordinated with the different stages of development. Appropriate control measures shall be installed prior to development when necessary to control erosion.
 3. Land shall be developed in increments of workable size such that adequate erosion and siltation controls can be provided as construction progresses. The smallest practical area of land shall be exposed at any one period of time.
 4. When soil is exposed, the exposure shall be for the shortest reasonable period of time.
 5. Where the topsoil is removed, a sufficient amount shall be set aside for respreading over the developed area. The soil shall be restored to a depth of four (4) inches and shall be of a quality at least equal to the soil quality prior to development.
- J. **Drainage.** The natural drainage system shall be used as far as is feasible for the storage and flow of runoff. The following requirements shall also apply:
1. Storm water drainage shall be discharged to marshlands, swamps and retention basins or other treatment facilities. Diversion of storm water to marshlands or swamps shall be considered for

existing or planned surface drainage. Marshlands and swamps used for storm water shall provide for natural or artificial water level control.

2. No existing ditch, stream, drain or drainage canal shall be deepened, widened, filled, or rerouted without written permission from the Town Board and other applicable authorities.
3. Where artificial channels must be constructed to augment the natural drainage systems, such channels, as well as the natural drainage ways, may be planned as part of a recreation trail system. Channels shall be designed to be aesthetically compatible for recreational use.
4. The drainage system shall be constructed and operational as quickly as possible during construction.

K. **Easements.** All easements shall be dedicated by appropriate language on the plat as required by Chapter 505 of Minnesota Statutes and shall include the following:

1. **Easements for Utilities.** Easements for utilities at least sixteen feet (16') wide, centered on rear and other lot lines, shall be provided for utilities where necessary. Easements provided shall have continuity of alignment from block to block.
2. **Easements for Drainage.** Easements shall be provided along each side of the center line of any water course or drainage channel, whether or not shown in the comprehensive plan, to a width sufficient to provide proper maintenance and protection and to provide for storm water runoff from a ten year storm of one hour duration. Where necessary, drainage easements corresponding with lot lines shall be provided. Such easements for drainage purposes shall be not less than twenty feet (20') in width.

L. **Improvements Required.** Prior to the approval of a final plat, the subdivider shall have agreed in the manner set forth below to install the following site improvements in conformity with construction plans approved by the Township Engineer, and in conformity with all applicable standards and ordinances:

1. **Monuments.** Monuments of a permanent character as required by Chapter 505 of Minnesota Statutes shall be placed at each corner or angle on the outside boundary of the subdivision; pipes or steel roads shall be placed at each corner of each lot and at each angle in a lot line or the plat boundary.
2. **Streets.** The full width of the right-of-way of each street and alley dedicated in the plat shall be graded. All streets and alleys

shall have an adequate sub-base and shall be improved with an all-weather permanent surface in accordance with the design standards specified by the Township. Except in areas where lot widths exceed one hundred feet (100') or topography or tree cover dictates otherwise, grading shall provide for each installation of sidewalks at some future date.

3. **Paving.** All streets and alleys shall be improved with a bituminous or concrete surface unless otherwise granted a waiver from the Town Board. Streets shall be constructed for nine-ton axle weight capacity and shall be constructed according to the specifications of the Town Engineer. Paving may be waived by the Town Board, in its sole discretion, if it can be demonstrated to the satisfaction of the Town Board that the proposed development will not adversely impact adjoining Bridgewater Township roads. In considering a waiver, the Town Board shall consider such factors as the resulting need for additional Town road maintenance and the proximity to existing residential subdivisions or areas suitable for future residential development.
4. **Concrete Curb and Gutter.** Concrete curb and gutter may be required for all paved streets.

M. **Water Supply.** In all subdivisions, the subdivider shall either:

1. Install a system providing each lot with an adequate supply of potable water; or
2. State on the final plat that purchasers of individual lots will be required to install their own approved wells.

Section 216. **Park Dedication.** Since the subdivision of land results in additional development in the community and causes additional demand upon the recreational park facilities located therein, it is declared general policy that in all new subdivisions, a percentage of the gross area of all property subdivided shall be dedicated for parks, playgrounds or other public use. Such percentage shall be in addition to the property dedicated for streets, alleys, waterways, pedestrian ways or other public ways. Areas designated for park dedication shall not be located in flood plain, shoreland, or other areas unsuitable for park development unless such action is determined to be consistent with approved park plans.

- A. **Residential, Commercial and Industrial Development.** In areas developed for residential, commercial or industrial development, an area of public open space shall be dedicated for public recreation space, not including dedication for streets, alleys, easements or other public use. Dedication requirements shall be established from time to time by ordinance of the Town Board.
- B. **Application of Park Dedication Requirements.** Park dedication requirements shall apply to all new development, redevelopment, lot

combinations/redivisions to facilitate development, lot splits and expansion of residential or commercial, industrial or business use that is regulated by this Article. Park dedication requirement shall not apply to lot combinations/redivisions that do not increase the number of single family residential lots or dwelling units, conversions of apartments to condominiums, or internal household improvements.

- C. **Approval of Park Dedication Areas.** No areas may be dedicated as parks, playgrounds, or public lands until such areas have been approved for the purpose for which they are to be dedicated. Such dedication of public land for public use shall be made without restrictions or reservations and shall be transferred to the Town by deed or plat.

When, in the opinion of the Town Board, the subdivision is too small for practical dedication or no land within the proposed subdivision is suitable, or if not need for land dedication is perceived, the subdivider shall pay a fee as established from time to time by ordinance of the Town Board. Such fees shall be payable to the Town prior to execution of signatures by Township officials on the final plat mylars. Money given to the Town in lieu of land shall be used by the Town for acquiring or developing public parks and playgrounds.

- Section 217. **Street Lighting.** Street lighting of a type approved by the Town Board must be installed at all intersections within the subdivision unless waived by action of the Town Board.
- Section 218. **Sewage Disposal.** As specified in this Article, individual on-site sewage disposal facilities shall be provided for each lot and so located as to permit easy and the least expensive connection to the sewer should a public sanitary sewer system becomes available. There shall be no overflow outlets from septic tanks or seepage pits allowing effluent to flow to any waterway, drainage way or roadside ditch. The subdivider or owner shall be required to provide appropriate soil borings and percolation tests in order to determine proper sewage system design.
- Section 219. **Drainage.** A system that will adequately take care of the surface water runoff within the subdivision shall be provided. Storm sewers and culverts may be required where necessary in conjunction with the grading of streets. Cross drains may be required to accommodate all natural water flow and shall be of sufficient length to permit full-width roadways and required side slopes. Drainage ditches shall be sodded to prevent erosion.
- Section 220. **Street Signs.** Street signs of standard design approved by the Township shall be installed at each street intersection. The posting of all street signs or markings shall be the responsibility of the subdivider/owner and such signs shall be installed prior to the release of the escrow or bank letter of credit.
- Section 221. **Driveways.**
 - A. A driveway permit must be approved by the Zoning Administrator prior to construction.

- B. In essence, a driveway cannot interrupt the natural or ditch line flow of drainage water. In some cases where shallow ditch lines or natural drainage courses exist, driveways may be swaled at a point beyond the road shoulder to accommodate the flow of storm water. In all other cases, driveways must have sufficiently sized culverts installed and maintained by the homeowner or subdivider. Stabilization of the driveway in-slope must be provided as part of the final grade.
- C. Final driveway acceptance shall rest with the Zoning Administrator. Any decision of the Zoning Administrator regarding driveway permits may be appealed to the Town board following transmission of a written notice of appeal, which specifies the subject and grounds therefore. Such notice must be received by the Zoning Administrator within ten (10) days following the issuance of an order, requirement, decision or determination that is the subject of the appeal. The Zoning Administrator will forward the appeal to the Town Board.
- D. Upon appeal, the Town Board will take action to approve or deny driveway permit appeal requests. The Zoning Administrator shall notify the owner and subdivider in writing of the Town Board's decision.
- E. In no case shall the culvert pipe under a driveway be less than eighteen inches (18") in diameter, with aprons.
- F. The cost of culverts shall be borne by the homeowner or subdivider.
- G. Driveways shall intersect the roadway at a preferred angle of ninety (90) degrees but in no case shall the intersection angle be less than sixty (60) degrees.
- H. An all season safe distance of two hundred feet (200') in each direction must be present for a building permit to be issued.
- I. No driveway shall be constructed within fifty feet (50') of an intersecting street. One hundred feet (100') is preferable.
- J. The maximum allowable driveway width shall be twenty feet (20'), not counting the flares. The desirable width shall be twelve to fifteen feet (12' – 15') and the minimum width shall be ten feet (10').

Section 222. **Landscaping of Right-of-way and Shoulders.** Topsoil shall be distributed to provide at least four (4) inches of cover to all areas disturbed between the right-of-way limits and the shoulders and shall be established by seeding and mulching or planting.

Section 223. **Utilities.** Prior to any new road construction or subdivision approval, written preliminary approval must be included from all applicable utility services. Any plot plan, subdivision plan or town road construction plans must include underground or aerial service systems. Utility poles should be kept close to the right-of-way and in no case in the ditch line and always well back from the curb.

Section 224. **Sidewalks, Pedestrian Ways, and Bicycle Paths.** Sidewalks, pedestrian ways, and bicycle paths may be required at the discretion of the Town Board. When required, sidewalks shall be constructed in accordance with the specifications in the Town Transportation Plan or as approved by the Town Engineer. Proposed designs of pedestrian ways and bicycle paths will be subject to the approval of the Town Board. Sidewalks are defined as those walkways adjacent to traveled roadways. Pedestrian ways and bicycle paths may or may not be adjacent to traveled roadways.

Section 225. **Payment for Installation of Improvements.** The required improvements to be furnished and installed by the subdivider, which are listed and described above, are to be furnished and installed at the sole expense of the subdivider and at no expense to the public; however, in the case of an improvement that would, by general policy of the Town Board, be assessed only in part to the improved property and the remaining cost paid out of the general tax levy, the Town Board may, in its sole discretion, make provision for payment of a portion of the cost by the subdivider and the remaining portion of the cost by the Township.

If any improvement within the subdivision will be of substantial benefit to lands beyond the boundaries of the subdivision, the Town Board may, in its sole discretion, make provision for causing a portion of the cost of the improvement representing the benefit of such lands to be assessed against the same; in such case, the subdivider will be required only to pay for such portions of the total cost of said improvements as will represent the benefit to the property within the subdivision.

A. **Required Agreement providing for Proper Installment of Improvements.** Prior to installation of any required improvements and prior to approval of the final plat, the subdivider shall enter into a written contract with the Town Board requiring the subdivider to furnish and construct said improvements at his sole cost, unless otherwise agreed to by the Town Board, in accordance with the plans and specifications and usual contract conditions, all approved by the Town Board. The agreement shall include provisions for supervision of details of construction by the Township Zoning Administrator, and shall grant to the Zoning Administrator the authority to correlate work to be done under said contract by any subcontractor authorized to proceed there under with any other work being done or contracted by the Township in the vicinity. The agreement shall require the subdivider to make an escrow deposit, or, in lieu thereof, to furnish a bank letter of credit.

The bank letter of credit or cash escrow shall be equal to one hundred twenty-five percent (125%) of the estimated cost of the required improvements.

If the required improvements are not completed within the one-year period, all amounts held under the escrow agreements or the bank letter of credit shall be turned over to the Township and applied to the cost of the improvements. Any balance remaining after such improvements have been made and accepted shall be returned to the owner or subdivider.

B. **Financial Guarantee.** The contract shall require the subdivider to make an escrow deposit or, in lieu thereof, furnish a bank letter of credit as follows:

1. **Escrow Deposit.** An escrow deposit shall be made with the Township, including the cost of inspection by the Township of all improvements to be furnished and installed by the subdivider pursuant to the contract which have not been completed prior to the approval of the final plat; the Township shall be entitled to reimburse itself out of said deposit for any cost and expense incurred by the Township for completion of the work in case of default of the subdivider under said contract, and for any damages sustained by the Township on account of any breach thereof. Upon completion of the work and termination of any liabilities to the Township or the subdivider under said contract, the balance remaining of said deposit shall be refunded to the subdivider.
2. **Bank Letter of Credit.** In lieu of making an escrow deposit above described, and if the Town Board so agrees, the subdivider may furnish the Township with a bank letter of credit, in a form approved by the Town Board, with corporate surety in a penal sum equal to one hundred twenty-five percent (125%) of the total cost as estimated by the Township Engineer, including the cost of inspection, of all improvements to be furnished and installed by the subdivider pursuant to the contract and which have not been completed prior to approval of the final plat. The bank letter of credit shall be approved by the Township Attorney and filed with the Township Clerk. The developer (subdivider) shall be responsible for all attorneys' fees, special meeting costs, zoning administration fees, drafting of documents, inspecting the project and any other fees that the Town may reasonable incur related to the proposed subdivision.

Section 226. **Construction Plans.** Construction plans for the required improvements, conforming in all respects to the standards of the Township and the applicable ordinances, shall be prepared at the subdivider's expense by a professional engineer who is registered in the State of Minnesota; said plans shall contain the surveyor's seal. Such plans, together with the quantity of construction items, shall be submitted to the Zoning Administrator for approval and for the Engineer's estimate of total cost of the required improvements. Upon approval, the plans shall become a part of the contract. The tracings of the plans approved by the Township, plus four (4) prints, one of which shall be filed with Rice County, shall be required.

Section 227. **Variances.** A plat or subdivision shall not be approved where a variance will subsequently be required in order to use the lots for their intended purpose.

The Town Board, acting as the Board of Adjustment, may grant a variance upon receiving a report from the Zoning Administrator and the Planning Commission in any particular case where the subdivider can show by reason of exceptional

topography, or any other physical conditions, that strict compliance with these regulations would cause an unusual hardship on the land, provided such relief may be granted without detriment to the public welfare and without impairing the intent and purpose of these regulations. The Planning Commission may recommend variations from the requirements of this Ordinance in specific cases, which, in its opinion, meet the following criteria:

- A. The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to other property.
- B. The conditions upon which the request for variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
- C. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an unusual hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of this Ordinance is carried out. Unusual hardship includes, but is not limited to, inadequate access to direct sunlight for solar energy systems.
- D. **Procedure.**
 - 1. The property owner applying for a variance shall submit to the Zoning Administrator a completed variance application stating the hardship present and provide all other information required by the Zoning Administrator. The application shall be completed when the applicant has complied with the following requirements:
 - a. Provided a written and/or graphic description of the variance request including an explanation why the variance is required, the hardship involved, why the request is unique to the property, potential impact on development and surrounding property, and show the request complies with the Comprehensive Plan and this Ordinance.
 - b. Provided supporting information.
 - c. Submitted a fee for the variance request as established by the Town Board.
 - 2. The Zoning Administrator, upon receipt of the application, shall notify the applicant within fifteen (15) Town business days if the application is found to be incomplete.
 - 3. Upon receipt of a completed application, the Zoning Administrator shall prepare a report and refer the application to the Town Planning Commission and the Town Board for consideration.

4. The Planning Commission shall hold a public hearing on the request. Notice of the public hearing shall be published in the official newspaper designated by the Town Board at least ten (10) days prior to the hearing. Property owners of record within five hundred feet (500') of the subject property shall be notified in writing of the proposed variance. Timing of the mailed notice shall be the same as that for the published notice. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, providing a bona fide attempt to comply has been made.
5. The applicant or his/her representative shall appear before the Planning Commission and Town Board in order to answer questions concerning the proposed application.
6. The Planning Commission and the Town Board shall have the authority to request additional information from the applicant concerning a variance. Said information is to be declared necessary to establish performance conditions in relation to all pertinent sections of this Ordinance. Failure of the applicant to supply all necessary supportive information may be grounds for denial of the request.
7. Any variance or modification granted or denied shall be recorded in the minutes of the Town Board, acting as the Board of Adjustment, and setting forth the reasons that justified the action. The order issued shall include the legal description of the property involved. The Zoning Administrator shall be responsible for the document record requirements of this section and shall maintain records of the variance request.
8. In approving variances, the Town Board, acting as the Board of Adjustment, may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of this Ordinance.
9. All decisions of the Town Board, acting of the Board of Adjustment, in granting variances shall be final, except that any aggrieved person or persons shall have the right to appeal within thirty (30) days, after receipt of notice of the decision, to the District Court of Rice County on questions of law and fact.
10. A variance shall automatically expire one (1) year from the date of issuance if the variance is not utilized. No application for a variance shall be resubmitted for a period of six (6) months from the date of an order of denial.
11. If necessary, an extension of a variance shall be requested in writing and filed with the Zoning Administrator at least thirty (30) days before the expiration date of the original variance. The

request for an extension shall state facts showing a good faith attempt to utilize the variance in the allowed one (1) year. Upon receipt of a request for a variance extension, the Zoning Administrator shall forward the request to the Town Board. The Town Board, acting as the Board of Adjustment, shall act to approve or deny the requested extension. No extension shall be for more than one (1) year, after which, if the variance is not utilized, the variance shall automatically expire.

Section 228. **Modifications and Exceptions.**

- A. **State and Special District Consideration.** It shall be the responsibility of the Town to refer any preliminary plat to appropriate special districts or state agencies affected and involved, if any of the following circumstances exist:
 - 1. Items of regional or state significance are involved, such as regional parks, state highways, sewer extensions, or similar matters.
 - 2. Pollution (air, water, ground) may be a factor.
 - 3. Airports, mass transit, schools, major employment centers, or similar considerations are involved.

- B. **Easements.** All easements required for public purposes shall be provided at locations approved by the Town Board. Said easements may be for utilities, drainage, flood plain protection, lakeshore access, walking trails, etc. However, all easements other than utility and drainage easements must be transferred and recorded at the office of the Rice County Recorder. No plat shall be approved that is inconsistent with local, county or regional utility plans.

Oversizing of utilities to provide services for more intensive development of the land or to provide future service to other areas may be required.

- C. **Land Division.** In any case where the division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building development does not come within the definition of subdivision as defined by this Ordinance, a description of such land division shall be filed with the Township Zoning Administrator.

- D. **Compliance with State Wetland Conservation Act.** The subdivider shall provide proof of compliance with the State Wetland Conservation Act.

- E. **Enlargement of Pre-existing Parcels.** The Zoning Administrator may approve a conveyance of a part of a parcel, for the owner of an adjacent parcel, where the reduced parcel remains in compliance with the

provisions of this Article. The conveyance (deed) shall contain the following language:

“This conveyance is made for the purpose of enlarging a pre-existing parcel; the parcel here conveyed shall not be deemed a buildable lot under the Bridgewater Township Zoning Ordinance.”

To ensure compliance with this Article, the Zoning Administrator may require that the conveyance of a part of a parcel and the adjacent parcel be combined to form one parcel. The combination or consolidation shall be accomplished through the filing of an appropriate deed or contract for deed transferring interest in all of the parcels to be merged. The resulting single parcel shall be consolidated under one (1) tax parcel identification number if permitted by Rice County.

F. Lot Splits.

1. The Zoning Administrator may administratively approve applications for lot splits that do not require a variance. An application form, along with three (3) copies of a site sketch and the appropriate fee, as determined by the Town Board, must be submitted to the Zoning Administrator. In addition, if deemed necessary to determine compliance with the standards of this Article, the Zoning Administrator may request a map or sketch, drawn to scale, or a survey, showing the following:
 - a. Name and address, including telephone number, of the legal owner and/or agent of the property.
 - b. All contiguous property and all roads and their legal names.
 - c. Proposed new property lines with the dimensions noted.
 - d. Proposed driveway locations and the location of existing driveways on the same side of the road.
 - e. Location of any existing and proposed legal rights-of-way or public and private easements encumbering the property.
 - f. Proposed legal description of the parcel(s) to be subdivided.
 - g. Location, purpose, and dimensions of all buildings. Location shall note the distance of those buildings closest to property lines from the existing and proposed lines.
 - h. Location of any existing tile lines, abandoned wells, drainage ways, waterways, watercourses, lakes,

wetlands, and the top and toe of any bluffs present. When applicable, the ordinary high water level and the 100-year flood elevation shall be shown.

- i. Location of a primary and alternate site for individual septic treatment systems with a copy of percolation tests and soil borings.
 - j. Location of all existing and proposed public or private easements.
- 2. The Zoning Administrator may require such revisions as are necessary to meet code requirements.
 - 3. The Zoning Administrator shall make a decision to approve or disapprove a requested lot split within ten (10) working days of submission of a completed application or may refer the application to the Town Board. The Zoning Administrator shall provide written notice of any such decision to the owner or subdivider.
 - 4. Any decision of the Zoning Administrator, unless appealed, shall be the final decision of the Town.
 - 5. Any decision of the Zoning Administrator regarding lot splits may be appealed to the Town Board following transmission of a written notice of appeal that specifies the subject and grounds therefore. Such notice must be received by the Zoning Administrator within ten (10) days following the issuance of the order, requirement, decision or determination that is the subject of the appeal. The Zoning Administrator will forward the appeal to the Town Board.
 - 6. Upon appeal, the Town Board will take action to approve or deny the lot split request. The Zoning Administrator shall notify the owner and subdivider in writing of the Town Board's decision.
- G. **Conveyance to the Public.** The subdivision regulations in this Article shall not apply to conveyances to the state, county, or the Town made for the purpose of widening, altering, or creating new roads, nor to conveyances of land upon which no buildings will be erected.

Sections 229 through 235. Reserved.