

## **Section 11. Stormwater Pollution Prevention Plans (SWPPP)**

### **A. Notice of Ground Disturbance**

No land development activity, which exceeds the thresholds in Section 6 above, shall be commenced until the SMO has approved a SWPPP. The developer shall submit to the SMO, on a form to be supplied by the SMO, a Notice of Ground Disturbance prepared in accordance with the requirements of this local law. The Notice of Ground Disturbance shall include the following:

1. Contact Information including: Owner and Developer's Name, Address, Project Address, Phone Numbers, Tax Parcel #.
2. A brief description of the project, including a sketch, which may be combined with other drawings required for a building permit, specifically showing existing drainage features and vegetation on the site.
3. A description of the proposed project phases.
4. The ground area in square feet or acres that will be disturbed for each phase and for all phases of the project. The areas to be measured include but are not limited to: driveways, parking areas, buildings, septic systems, wells, grading and clearing, lawns, ditches, drainage structures, utilities, stockpiles, etc., including the total project area of disturbance, total parcel acreage, area of existing impervious surface, total area of impervious surface expected at completion, and total connected impervious area.
5. A description of the distance(s) from the areas of ground disturbance on any part of the site to the edge of any stream, pond, lake, or wetland on or in the vicinity of the site.
6. Any mapped or other indicators of wetlands on the site or adjacent to the site.
7. A description of the slope(s) of the site (in numerical or descriptive format).
8. A description of any linear excavations greater than or equal to 500 feet long and 3 feet wide.
9. A description of any activities that may involve the fill or excavation of greater than 250 cubic yards of soil.
10. A list of and brief description of any other permits required for the project.
11. Any additional details requested by the SMO.

### **B. Contents of a Simple SWPPP:**

1. The completed Notice of Ground Disturbance.
2. The SMO will provide a generalized plan describing the erosion control measures to be used to minimize the impacts of the land development activity appropriate for the site, based upon the guidelines in the DEC Erosion Control Manual or as developed by the Town for this purpose. Measures may include:
  - a. Stabilized construction entrance;
  - b. Stabilization of exposed soil;
  - c. Protection of adjacent properties, waterways, and natural areas;
  - d. Management of concentrated flow areas; and
  - e. Maintenance during construction.

### **C. Contents of a Basic Stormwater Pollution Prevention Plan (to address Erosion and Sediment Control):**

1. **Notice of Ground Disturbance**

**2. Existing Pre-Construction Conditions**

- a. Site map, at a scale no smaller than 1"=100', must include the following:
  - (i) project parcel and surrounding areas within 200 feet of the parcel;
  - (ii) existing conditions for drainage including topography, culverts, ditches, surface waters and wetlands (including names and classifications for both, if available), sub-watershed boundaries, and existing vegetation;
  - (iii) existing buildings, structures, utilities, and paved areas;
  - (iv) contour lines in sufficient detail to represent site topography.
- b. Description of the existing soil(s), vegetative surface cover, and site impervious cover present.
- c. Assessment of the site limitations and development constraints with regard to factors including, but not limited to: slope, soil erodability, depth to bedrock (if shallow), depth to seasonal high water, soil infiltration capacity, and proximity to surface waters and wetlands.
- d. Any existing data that describes the stormwater runoff at the site.

**3. Better Site Design Practices**

Description of the "Better Site Design" practices to be used for this project, as described in the Town of Dryden Stormwater Standards.

**4. Proposed Construction and Post-Construction Conditions**

- a. Construction map(s) for the project - may be combined with the existing conditions site map, but only if all required features can be shown clearly. At a minimum, the map(s) must show the following for the total site area; all improvements; areas of disturbance; areas that will not be disturbed; post-development topography; proposed changes to drainage patterns; locations of on-site and off-site material, waste, borrow, or equipment storage areas; and location(s) where stormwater from the site will discharge to water bodies or existing manmade drainage structures. The names of downstream receiving waters must be identified.
- b. If the project will create a new or increased concentrated discharge to a man-made drainage structure maintained by a private adjacent landowner, written consent of that landowner in the form of a drainage easement is required, which must be recorded on the plan and must remain in effect with transfer of title to the property. No other discharge of concentrated flow to a neighboring private property is permitted.
- c. Identify on-site storage location for the SWPPP and all relevant records and certifications, including inspection records.

Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation, and any other activity at the site that results in soil disturbance. No more than two 2 acres may be exposed by site preparation at any one time. If the applicant determines that this two 2 acre limit is insufficient, the applicant must provide a basis for the contention.

**5. Erosion and Sediment Control Plan, including:**

- a. Description of temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out.
- b. Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.

- c. Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins.
  - d. A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice. This site map can be incorporated into the construction map described above.
  - e. Identification of erosion control facilities, if any, that will be converted from temporary to permanent control measures.
  - f. Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice will remain in place. Erosion and sediment control measures must be constructed prior to beginning any other land disturbances. The devices must be maintained and must not be removed until the disturbed land areas are stabilized.
  - g. Delineation of SWPPP implementation responsibilities for each part of the site.
  - h. Maintenance schedule to ensure continuous and effective operation of all erosion and sediment control practices.
6. **Construction Site Waste Management Plan, including:**
- a. Description of the pollution prevention measures that will be used to prevent litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff.
  - b. Description of the type, quantities / sizes, and disposal methods for construction and waste materials expected to be stored on-site and off-site with updates as appropriate, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.

**D. Contents of a Full Stormwater Pollution Prevention Plan (with Post-Construction Water Quality and Quantity Controls)**

- 1. All information required for the Basic SWPPP , and:
- 2. Identification of any special conditions affecting the design of stormwater management practices, including, but not limited to: discharge to a trout stream; cold climate design considerations; location over a sole source aquifer, or other aquifer of local significance; redevelopment activity; or recognition that the project site is a stormwater hotspot.
- 3. If the project is subject to an infiltration requirement as described in the Town of Dryden Stormwater Standards (Schedule A) explain how the requirement will be met, including relevant calculations.
- 4. Identification of any Stormwater Credits to be used in this project (as described in Dryden Stormwater Standards, Schedule A, with documentation as described in the DEC’s guidance on “The Use and Implementation of Stormwater Credits”.
- 5. Narrative summary describing each post-construction stormwater management practice, its purpose, and why it is appropriate for the site (see Schedule A at the end of this document for list of approved practices from the Design Manual). If the designs deviate from the Design Manual, explain how and why.
- 6. Dimensions, material specifications and installation details for each post-construction stormwater management practice, as well as feasibility assessment.

7. Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice. Soil characteristics used to determine feasibility for stormwater management practices must be shown on the map. DEC recommends that the site map for projects requiring Water Quality and Quantity Controls must use no more than 2 foot contour intervals. The map must outline the drainage areas for all post-construction stormwater management practices, and show the stormwater flow paths, and discharge points. If practices or diversion structures receive drainage from large off-site areas, the watershed can be described verbally at the edge of the map. This information can be incorporated into the construction map described in Section 11(C)(4)(a) if all the required information can be clearly shown.
8. Comparison of post-development stormwater runoff conditions with pre-development conditions, including identification of methodology used for the comparison and documentation of relevant variables (including but not limited to: curve numbers, time of concentration, and peak runoff rates) and how they were derived from site characteristics.
9. Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms, with documentation that the designs meet the specifications and sizing criteria in the Design Manual.
10. Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice.
11. Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements must be recorded on the plan and must remain in effect with transfer of title to the property.
12. Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with Section 12 of this local law.
13. If the project will make use of a new or existing stormwater management facility on a neighboring property, the maintenance easement and the maintenance agreement must include the owner of that property, and must remain in effect with transfer of title to that property.

#### **E. Plan Preparation and Certification**

1. If a Full SWPPP is required, it must be prepared by a qualified professional. Design of any stormwater management control practices that involve substantial structural components, such as a dam for an impoundment, should be performed by a licensed professional engineer.
2. If a project will discharge a pollutant of concern to either an impaired water identified on the New York State 303(d) List of Impaired Waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as the source of the impairment, the SWPPP shall be prepared by a licensed or certified professional, and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in this local law, and State law.
3. If a Basic SWPPP is required, applicants should seek design guidance from a qualified professional when necessary, or if requested by the SMO.

#### **F. Other Environmental Permits**

The applicant must assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

### **G. Contractor Certification**

1. Each contractor and subcontractor who will be involved in soil disturbance or stormwater management practice installation for the project must be identified in the SWPPP and must sign and date a copy of the following certification statement before undertaking any land development activity: “I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards.”
2. The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.
3. The certification statement(s) must become part of the SWPPP for the land development activity.

### **H. Availability of Permit on Site**

A copy of the SWPPP must be retained at the site of the land development activity during construction from the date of initiation of construction activities to the date of final stabilization.