

07/18

**TOWN OF SOMERS  
WESTCHESTER COUNTY, NEW YORK  
APPLICATION FOR ENVIRONMENTAL PERMIT  
CHAPTER 93 "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL"**

**APPLICATION FEE:** \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

**ENGINEERING INSPECTION FEE:** \$100

**OWNER:** \_\_\_\_\_ **Tel. #:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_ **Tel. #:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_

**State authority:** If other than owner, authorization must be submitted in writing \_\_\_\_\_

**PREMISES:** Sheet: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

**DESCRIPTION OF WORK AND PURPOSE:** \_\_\_\_\_

**SIZE OF ACTIVITY AREA:** \_\_\_\_\_ feet by \_\_\_\_\_ feet  
(include all construction activity area)

**VOLUME OF EXCAVATED MATERIAL:** \_\_\_\_\_  
(leave blank if not known)

**IN CONJUNCTION WITH:**

**Wetland Permit:** \_\_\_\_\_ **Steep Slopes Permit:** \_\_\_\_\_ **Tree Preservation Permit:** \_\_\_\_\_  
**Site Plan:** \_\_\_\_\_ **Subdivision:** \_\_\_\_\_

**PROPOSED STARTING DATE:** \_\_\_\_\_ **PROPOSED COMPLETION DATE:** \_\_\_\_\_  
**PLANS PREPARED BY:** \_\_\_\_\_ **DATED:** \_\_\_\_\_

**\*\*Plans and copy of Stormwater Pollution Prevention Plan must be submitted with application.\*\***

**LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:** \_\_\_\_\_

**LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS  
WITHIN 100 FEET OF SUBJECT PROPERTY**

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK/LOT</u>

**APPLICANT'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
**OWNER'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**\*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, A VICINITY MAP, A DEVELOPMENT PLAN, EROSION AND SEDIMENT CONTROL PLAN, AND THE PROPOSED PHASING OF DEVELOPMENT OF THE SITE.**

.....**Office Use Only**.....

**Administrative Permit:** \_\_\_\_\_  
**Planning Board Permit:** \_\_\_\_\_

## **APPLICANT ACKNOWLEDGEMENT**

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(if different from applicant)

**TOWN OF SOMERS  
WESTCHESTER COUNTY, NEW YORK  
CHAPTER 67 "APPLICATION PROCESSING RESTRICTIVE LAW"**

**CERTIFICATION**

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property:

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Property Address \_\_\_\_\_

Permit Applying For \_\_\_\_\_

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed \_\_\_\_\_  
(Owner of Record)

Signed \_\_\_\_\_  
(Applicant for Permit)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Print Name)

Date \_\_\_\_\_

Date \_\_\_\_\_

**CONFIRMATIONS**

\_\_\_\_\_  
Engineering Department

Date: \_\_\_\_\_

\_\_\_\_\_  
Zoning Enforcement Officer

Date: \_\_\_\_\_

*Town of Somers, NY  
Thursday, July 23, 2020*

## Chapter 93. Stormwater Management and Erosion and Sediment Control

### § 93-6. Stormwater pollution prevention plans.

No application for approval of a land development activity shall be reviewed until the appropriate board had received a stormwater pollution prevention plan (SPPP) prepared in accordance with the specifications in this chapter.

#### A. Contents of stormwater pollution prevention plans.

- (1) All SPPPs shall provide the following background information and erosion and sediment controls:
  - (a) Background information about the scope of the project, including the location, type and size of project.
  - (b) Site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map should show the total site area; all improvements; area of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); wetlands and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharges(s). Site map should be at a scale no smaller than one inch equals 100 feet (e.g., one inch equals 500 feet is smaller than one inch equals 100 feet).
  - (c) Description of the soil(s) present at the site, including an identification of the hydrologic soil group (HSG).
  - (d) Construction phasing plan and sequence of operations 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. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five acres shall be disturbed at any one time unless pursuant to an approved SPPP.
  - (e) Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff.
  - (f) Temporary and permanent soil stabilization plan that meets the requirements of the most current version of the technical standard, New York State

Standards and Specifications for Erosion and Sediment Control, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization.

- (g) A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice.
  - (h) Dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils.
  - (i) Description and location of any stormwater discharges associated with industrial activity other than construction at the site, including, but not limited to, stormwater discharges from asphalt plants and concrete plants located on the construction site.
  - (j) A description of the minimum erosion and sediment control practices to be installed or implemented for each construction activity that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented.
  - (k) An inspection schedule for the developer or the contractor(s) that will be responsible for installing, constructing, repairing, inspecting and maintaining the erosion and sediment control practices included in the SPPP to ensure continuous and effective operation of the practices. The inspection schedule shall be in accordance with the requirements in the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control.
  - (l) Identification of any elements of the design that are not in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.
- (2) Land development activities as defined in § 93-3 of this chapter that disturb one or more acres of land and are listed in § 93-6A(2)(a) through (w) below shall also include water quantity and water quality controls (postconstruction stormwater runoff controls) designed in conformance with the enhanced phosphorus removal standards in the New York State Stormwater Management Design Manual.
- (a) Single-family home construction;
  - (b) Single-family residential subdivisions;
  - (c) Multifamily residential developments, includes townhomes, condominiums, senior housing complexes, and apartment complexes;
  - (d) Airports;
  - (e) Amusement parks;

- (f) Campgrounds;
  - (g) Commercial developments;
  - (h) Churches and other places of worship;
  - (i) Construction of a barn or other agricultural building (e.g., silo) and structural practices as identified in Table II in the Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State that include the construction or reconstruction of impervious area, excluding projects that involve soil disturbances of less than five acres;
  - (j) Golf courses;
  - (k) Institutional facilities, includes hospitals, prisons, schools and colleges;
  - (l) Industrial facilities, includes industrial parks;
  - (m) Landfills;
  - (n) Municipal facilities; includes highway garages, transfer stations, office buildings, POTWs and water treatment plants;
  - (o) Office complexes;
  - (p) Sports complexes;
  - (q) Racetracks, includes racetracks with earthen (dirt) surface;
  - (r) Road construction or reconstruction;
  - (s) Parking lot construction or reconstruction;
  - (t) Athletic fields (natural grass) that include the construction or reconstruction of impervious area (greater than 5% of disturbed area) or alter the hydrology from predevelopment to postdevelopment conditions;
  - (u) Athletic fields with artificial turf;
  - (v) Permanent access roads or parking areas surfaced with impervious cover, and substations constructed as part of an overhead electric transmission line project, wind power project or cell tower project; and
  - (w) All other construction activities, not listed above, that include the construction or reconstruction of impervious area and alter the hydrology from predevelopment to postdevelopment conditions.
- (3) SPPP requirements for land development activities that are subject to § 93-6A(2):
- (a) All information in § 93-6A(1) of this chapter;
  - (b) Description of each postconstruction stormwater management practice;
  - (c) Site map/construction drawing(s) showing the specific location(s) and size(s) of each postconstruction stormwater management practice;

- (d) Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
  - (e) A detailed summary (including calculations) of the sizing criteria that was used to design all postconstruction stormwater management practices. At a minimum, the summary shall address the required design criteria from the applicable chapter of the New York State Stormwater Management Design Manual, including the identification of and justification for any deviations from the Design Manual, and identification of any design criteria that are not required based on the redevelopment criteria or waiver criteria included in the Design Manual;
  - (f) Dimensions, material specifications and installation details for each postconstruction stormwater management practice;
  - (g) An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each postconstruction stormwater management practice. The plan shall identify the entity that will be responsible for the long-term operation and maintenance of each practice;
  - (h) Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property;
  - (i) Inspection and maintenance agreements binding on all subsequent landowners served by the on-site stormwater management measures in accordance with § 93-8 of this chapter.
- B. Plan preparation and certification. For land development activities as defined in §§ 93-3 and 93-6A(2) of this chapter, the SPPP shall be prepared by a registered landscape architect or professional engineer 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 chapter.
- C. Other environmental permits. The applicant shall assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final SPPP.
- D. Contractor qualifications/certification.
- (1) Each contractor and subcontractor identified in the SPPP who will be responsible for installing, constructing, repairing, inspecting and maintaining the erosion and sediment control practices included in the SPPP and the postconstruction stormwater management practice installation must sign and date a copy of the following contractor 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; and that I, or one of my on-site staff, has received a minimum of four hours of acceptable training in erosion and sediment control within the last three years. 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) shall become part of the SPPP for the land development activity.
- E. A copy of the SPPP shall 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.
- F. Working in or crossing watercourses.
  - (1) Construction vehicles should be kept out of watercourses to the greatest extent possible. Where channel work is necessary, precautions must be taken to stabilize the work area during construction to minimize erosion. The channel (including bed and banks) must be restabilized at the end of each day once in-channel work has begun. Channel work is not permitted during the wet season or as may be prescribed by the approval authority.
  - (2) Where a watercourse must be crossed by construction vehicles regularly during construction, a temporary stream crossing must be provided. In the event that any work is conducted in wetlands, as the term is defined in Chapter **167** of the Code of the Town of Somers, those permit procedures shall apply.
- G. Underground utility construction.
  - (1) The construction of underground utility lines involving installation, maintenance, or repair which disturbs more than 10,000 square feet shall be subject to the following criteria:
    - (a) No more than 300 feet of trench are to be opened at one time unless approval to open a greater length is granted by the Town Engineer.
    - (b) Where consistent with safety and space considerations, excavated material is to be placed on the uphill side of the trenches.
    - (c) Trench dewatering devices shall discharge in a manner which will not adversely affect flowing streams, drainage systems, or off-site property.
  - (2) Individual service connections, telephone, and electric lines and underground public utility lines under streets or sidewalks are exempt from the above requirements.