

**TOWN OF BRISTOL, ONTARIO COUNTY, NEW YORK
SOIL EROSION AND SEDIMENT CONTROL APPLICATION**

ON-SITE INSPECTION REQUIRED

Date: _____ Zoning District: _____

Applicant Name & Address: _____

Telephone No.: _____ Fax #: _____ E-Mail Address: _____

Site Location: _____

Acreage of Site: _____ Tax Map No.: _____

Description of proposed activity: _____

Soil Erosion Permit to be issued: YES _____ NO _____ C.E.O.

Note 1: All projects submitted shall detail topography at 10' (ten foot) intervals within 50' (fifty feet) of the proposed development.

Note 2: All projects submitted shall detail the method of Erosion Control.

Note 3: Reminder: Top soil is not to be removed from development site.

APPLICANT TO COMPLETE	TOWN'S REVIEW
1. Has a map or plan been submitted: YES NO	
2. What is the source of the map and scale (USGS, land survey?)	
3. What is the general topography and slope of the subject property (in %)? _____	
4. How much area (in square feet) and/or volume (in cubic yards) will be disturbed? _____	
5. Does the subject property drain offsite: : Yes No If yes, where does it drain to and how will it affect offsite properties: _____ _____	
6. If sedimentation basins are proposed, where will they overflow to if they become clogged? Describe: _____	
7. Is there any offsite drainage to subject property? Yes No If yes, where does the drainage come from? _____	
8. Will onsite or offsite watercourses be affected? Yes No If yes, describe how: _____ _____	

ARTICLE THIRTEEN – STEEP SLOPE REGULATIONS

Section I. Title

Steep Slope Regulations and Districts –Amendment to the 2000 *Zoning Ordinance of the Town of Bristol*.

Section II. Purpose and Intent

The purpose of the Steep Slope Regulations and Districts is to protect and manage slopes with grades of 15% or more in order to:

- A. Minimize erosion, pollution and environmental damage;
- B. Reduce soil, pavement and building subsidence;
- C. Ensure proper emergency access;
- D. Comply with New York State Pollution Discharge Effluent System (SPEDES) permit requirements; and
- E. Preserve and enhance, to the extent practicable, public scenic views as identified in the *Comprehensive Plan for the Town of Bristol*; therefore,
- F. No construction, grading, excavation or other development, except for non-tillable farming purposes, is permitted on any land with a slope of fifty percent (50%) or greater. Any construction, grading, excavation, or other development of land with a slope of more than fifteen percent (15%) but less than fifty percent (50%) shall conform to these Steep Slope Regulations. An exception is granted for fanning purposes using standard farming practices.

Section III. General Provisions

- A. **Steep Slopes Area Designation.** The Town of Bristol has adopted as part of its Official Town Zoning Map, the Steep Slopes Overlay District. This district identifies and categorizes lands exhibiting slopes in four categories: 1) less than 15%; 2) between 15% and 25%; 3) between 25% and 50%, and 4) greater than 50%.
- B. **Submission Requirements.** Applicants for Steep Slopes Permits shall submit the following information in writing to the Code Enforcement Office (C.E.O.) to begin the review process:
 1. Development in steep slope areas requires the minimum lot size for that district plus any additional acreage that may be needed to comply with proper engineering requirements.
 2. Plans to minimize flooding by preventing increases in the magnitude and frequency of storm water runoff. Strict adherence to the *Town of Bristol Design Criteria and Specifications for Land Development* within the steep slope overlay district will be required.

3. Plans to limit the amount of pollution transported by storm water at predevelopment levels.
 4. Plans to minimize decreases in groundwater recharge and stream base flow.
 5. Plans to maintain existing stream geometry.
 6. Plans to minimize and control erosion and sedimentation.
- C. **Verification of compliance** with NYS Pollution Discharge Effluent System (SPEDES).
- D. A plan prepared by a licensed professional engineer showing and certifying the following:
1. All existing and proposed natural and artificial drainage courses and other features for the control of drainage, erosion and water.
 2. The calculated volume and velocity of water run-off from the slopes and from the lot in question, as **unimproved**.
 3. The calculated volume and velocity of water run-off from the slopes and from the lot in question, as **improved**.
 4. The existence; location, and capacity of all natural and artificial drainage courses and facilities within five hundred feet (500') of the lot, which are or will be used to carry or contain the water run-off from the slope and the lot.
 5. The effect of any increased water run-off on all adjacent properties and any other property that will be materially affected by increased water run-off and infiltration.

Section IV. Erosion and Stormwater Control

- A. A Soil Erosion and Stormwater Control Plan for development in the Steep Slope Overlay District shall be submitted to the Town of Bristol in connection with any application for a Site Plan, Subdivision proposal, Building Permit, Special Use Permit or Variance.
- B. A Soil Erosion and Stormwater Control Plan shall contain provisions to control erosion and sedimentation and reduce the impacts of stormwater, stormwater infiltration and runoff from the site based on best management practices, as determined by the Town Engineer. The objective of such practices is to maintain or reduce the impact of stormwater, stormwater infiltration and run-off from the site and to prevent soil erosion. The Empire State Chapter of the Soil and Water Conservation Society describes such practices in the publication New York Guidelines for Urban Soil Erosion and Sediment Control published. Alternative principles, methods and procedures may be used with prior approval of the Town of Bristol based upon a favorable recommendation from the Town Engineer. Wherever possible, erosion shall be prevented by minimizing

disturbance to existing land cover. The Erosion and Stormwater Control Plan shall contain, but not be limited to, the following, as determined by the Town of Bristol:

1. A narrative description of:
 - a. The proposed development.
 - b. The schedule for grading and construction activities, including:
 - (1) Start and completion dates;
 - (2) Sequence of grading and construction activities;
 - (3) Sequence for installation and/or application of soil erosion, sediment control and storm water management measures,
 - (4) Sequence for final stabilization and stormwater management on the project site.
2. All computations for proposed soil erosion, stormwater control measures and stormwater management facilities shall demonstrate compliance with the *Town of Bristol Design Criteria and Specifications for Land Development*.
3. The construction details for proposed soil erosion and sediment control measures and stormwater management facilities, when needed.
4. The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities, if required.
5. The operation and maintenance of proposed soil erosion and sediment control measures and stormwater management facilities, if required.
6. A statement describing all design measures taken to minimize grading and disturbance to land and vegetation.

C. the Town of Bristol Planning Board shall refer the Soil Erosion and Stormwater Control Plan to a qualified engineering consultant and/or to the Ontario County Soil and Water Conservation District for professional advice concerning compliance of the plan. The Town of Bristol shall not approve the Special Use Permit, Site Plan or Subdivision Application unless it finds that the Soil Erosion and Stormwater Control Plan comply with this section.

Section V. Review Process

To the extent practicable, Town Steep Slopes Permit reviews shall run concurrently and be Coordinated with other local approvals.

- A. Pre-application Sketch Plan: The applicant is encouraged to present a sketch plan of the proposal to the Planning Board for informal review and discussion. The Planning Board is not authorized to and shall not take any formal action on sketch plans.
- B. Final Decision. Findings of fact must be made by the Planning Board for all decisions to approve, deny, or modify steep slope permits. "Findings" are a written description of facts relevant to and in support of the decision made and shall be made part of the public record. No Steep Slope Permit shall be granted unless it is consistent with this chapter.

- C. Provisions for Inspection. A Steep Slopes Permit may be approved only after physical inspections of the property have been made by the Town at the times and in the manner described below. The applicant shall arrange with the Town of Bristol Code Enforcement Officer (CEO) for scheduling of the following inspections:
1. Initial Inspection: prior to final approval of the requested Steep Slopes Permit.
 2. Erosion Control Inspection: to ensure erosion control practices are in accordance with the approved plan.
 3. Bury Inspection: prior to backfilling of any underground drainage or stormwater conveyance structures.
 4. Final Inspection: when all work, including construction of stormwater management facilities has been completed.

Section VI. Sureties

- A. Completion of Work: To ensure compliance with all requirements of an approved permit, the Town Board may require the applicant to provide a performance guarantee or surety, prior to construction in the form of a performance bond, escrow account certification, or irrevocable letter of credit from an insured financial institution. The guarantee shall be for the full cost of all work to be performed on the property subject to the permit, and shall be payable solely to the Town of Bristol. The Town Board shall determine the amount based on the final design plans and actual construction costs.
- B. Maintenance of Facilities: Where storm water management and erosion control facilities are to be operated and maintained by the developer, or by a corporation that owns or manages the development, the Town Board shall require the developer to provide the Town of Bristol with a performance guarantee/surety in the form of a performance bond, escrow account certification, or irrevocable letter of credit from an insured financial institution, payable to the Town of Bristol to ensure maintenance of all stormwater management and erosion control facilities which have been approved for the Steep Slopes Permit during the life of the project as determined by the Town.
- C. Duration: Sureties will remain in force until the Town of Bristol releases the responsible party from liability. All accrued interest in any surety account shall be reinvested to the benefit of the account and may be applied only to the purposes originally established for the surety until the Town of Bristol releases the responsible party from liability.
- D. Compliance Failure: If the developer or owner fails to perform as required under the permit, the Town of Bristol may draw any portion of the amount guaranteed for the purpose of work in default under the permit. If the developer, owner or other named responsible party fails to maintain facilities as required, the Town of Bristol may draw any portion of the amount guaranteed to pay the costs of operation and maintenance of permitted facilities.
- E. Costs: In addition to application fees, the reasonable costs of reviewing plans and inspecting sites for compliance will be passed on directly to the applicant.

Section VII. Waiver Authority

The Planning Board may waive any of the submission requirements for Steep Slopes Permits and thus modify the scope of review, if it can be clearly shown through supportive findings, listed in the public record, that such submission is not needed and does not undermine the intent of this chapter. The record of any such waiver shall become part of the application.