



**TOWN OF SMITHTOWN FLOODPLAIN DEVELOPMENT PERMIT
 APPLICATION**

SECTION 1: General Provisions (APPLICANT to read)

1. No work of any kind will start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work shall cease until permit is reissued.
4. Development shall not be used or occupied until a Certificate of Compliance is issued.
5. The permit will expire if no work is commenced within six months of issuance.
6. Applicant is hereby informed that other permits may be required to fulfill local, state, and federal regulatory requirements.
7. By submitting this application, the applicant gives consent to the Town Planning Director or his/her representative to make reasonable inspections required to verify compliance.
8. The Town Planning Director may require additional information to be submitted before the permit application is processed (See Section 4).

SECTION 2: Proposed Development (To be completed by APPLICANT)

NAME	ADDRESS	TELEPHONE
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 APPLICANT

 BUILDER

 ENGINEER OR ARCHITECT

Applicant is the: Owner Contract Vendee Lessee Contract Lessee

PROJECT LOCATION:

Provide the street address, lot number or legal description (attach) and, the distance to the nearest intersecting road.

Suffolk County Tax Map # _____

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SECTION 2: Proposed Development (continued from page 1)

DESCRIPTION OF WORK (Check all applicable boxes):

A. STRUCTURAL DEVELOPMENT

- | <u>ACTIVITY</u> | <u>STRUCTURE TYPE</u> |
|--|--|
| <input type="checkbox"/> New Structure | <input type="checkbox"/> Residential (1-4 Family) |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Residential (More than 4 Family) |
| <input type="checkbox"/> Alteration | <input type="checkbox"/> Non-residential (Floodproofing? <input type="checkbox"/> Yes) |
| <input type="checkbox"/> Relocation | <input type="checkbox"/> Combined Use (Residential & Commercial) |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Manufactured (Mobile) Home |
| <input type="checkbox"/> Replacement | (In Manufactured Home Park? <input type="checkbox"/> Yes) |

ESTIMATED COST OF PROJECT \$ _____

B. OTHER DEVELOPMENT ACTIVITIES

- Clearing Fill Mining Drilling Grading
 Excavation (Except for structural development checked above)
 Watercourse alteration (Including dredging and channel modifications)
 Drainage improvements (Including culvert work)
 Road, street or bridge construction
 Subdivision
 Private water or sewer system
 Other (Please specify) _____

After completing SECTION 2 and signing the affidavits at the end of the application packet, APPLICANT should submit the form to the Town Planning Director for review.

SECTION 3: Floodplain Determination (To be completed by TOWN PLANNING DIRECTOR)

The proposed development is located on FIRM Panel No. _____, Dated _____

The Proposed Development:

- Is NOT located in a Special Flood Hazard Area (Notify the applicant that the application review is complete and NO FLOOD PERMIT IS REQUIRED).
 Is partially located in the SFHA, but building/development is not.
 Is located in a Special Flood Hazard Area
 FIRM zone designation is _____.
 "100-Year" flood elevation at the site is: _____ ft. NAVD88
 Unavailable
 See Section 4 for additional instructions.

SIGNED _____ DATE _____

SECTION 4: Additional Information (To be completed by TOWN PLANNING DIRECTOR)

The APPLICANT must submit the documents checked below before the application can be processed:

- A site plan showing the location of all existing structures, water bodies, adjacent roads, lot dimensions, and proposed development.
- Development plans, drawn to scale, and specifications, including where applicable: details for anchoring structures, proposed elevation of lowest floor (including basement), types of water resistant materials used below the first floor, details of floodproofing of utilities located below the first floor, and details of enclosures below the first floor.
Also, _____
- Subdivision or other development plans. (If the subdivision or other development exceeds 50 lots or 5 acres, whichever is the lesser, the applicant must provide "100-year" flood elevations if they are not otherwise available).
- Plans showing the extent of watercourse relocation and/or landform alterations.
- Change in water elevation (in feet) _____
- Meets ordinance limits on elevation increases YES NO
- Top of new compacted fill elevation _____ ft. NAVD88.
- Floodproofing protection level (non-residential only) _____ ft. NAVD88. For floodproofed structures, applicant must attach certification form registered engineer or architect.
- Certification from a registered engineer that the proposed activity in a regulatory floodway will not result in any increase in the height of the "100-year" flood. A copy of all data and hydraulic/hydrologic calculations supporting this finding must also be submitted.
- Other: _____

SECTION 5: Determination (To be completed by TOWN PLANNING DIRECTOR)

I have determined that the proposed activity: A. Is B. Is not
in conformance with provisions of §168 of the Code of the Town of Smithtown. The permit is issued
subject to the conditions attached to and made part of this permit.

SIGNED _____ DATE _____

If Box B is checked, the Town Planning Director will provide a written summary of deficiencies.
Applicant may revise and resubmit an application to the Town Planning Director or may request a variance
from the Board of Zoning Appeals.

APPEALS: Hearing date: _____

Decision: Approved Denied Approved w/ conditions

Conditions: _____

SECTION 6: As-Built Elevations (To be submitted by APPLICANT before Certification of Compliance is issued)

The following information must be provided for structures that are part of this application. This section must be completed by a registered professional engineer or a licensed land surveyor (or attach a certification to this application). Complete 1 and 2 below.

1. Actual (As-Built) Elevation of the top of the lowest floor, including basement (in Coastal High Hazard Areas, bottom of lowest horizontal structural member of the lowest floor, excluding piling(s) and columns) is: _____ ft. NAVD88.
2. Actual (As-Built) Elevation of floodproofing protection is _____ ft. NAVD88.

SECTION 7: Compliance Action (To be completed by TOWN PLANNING DIRECTOR)

The TOWN PLANNING DIRECTOR will complete this section as applicable based on inspection of the project to ensure compliance with the community's local law for flood damage prevention.

Inspections	Date: _____	By _____	In Compliance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Date: _____	By _____	In Compliance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Date: _____	By _____	In Compliance?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Certificate of Compliance issued: Date _____ By _____

OWNER'S ENDORSEMENT

STATE OF NEW YORK
COUNTY OF SUFFOLK

_____ being duly sworn, deposes and says he/she resides at
(Name)
_____ in the County of _____
(Street address, City, State)
and that he/she is owner in fee or _____ of _____,
(Title/Position) (Corporation)
which is the owner in fee of the premises described in the foregoing application and that he/she has
authorized _____ to make the foregoing application.
(Name of applicant)

Sworn to before me this
_____ day of _____ 20____

Signature

Notary Public, Suffolk County

Print or Type Name

APPLICANT'S AFFIDAVIT

STATE OF NEW YORK
COUNTY OF SUFFOLK

_____ being duly sworn, deposes and says he/she is the owner, attorney
for owner, contract vendee, lessee, or contract lessee of the property above described, and that all
statements made in this application are true to the best of his/her knowledge and belief, except as to the
matters therein stated to be alleged on information and belief and as to the matters he/she believes the same
to be true.

Sworn to before me this
_____ day of _____ 20____

Signature

Notary Public, Suffolk County

Print or Type Name

The Problem with Stormwater

Stormwater is water from rain or melting snow that doesn't soak into the ground but runs off into waterways. As stormwater flows from rooftops, over paved areas and lawns it picks up debris, chemicals, motor oil, animal waste and other pollutants. Stormwater can flow into a storm sewer system or directly into a lake, stream, river or wetland, potentially contaminating the water we use for drinking, swimming and fishing. Polluted runoff is the nation's greatest threat to clean water.

Stormwater carries the residue of urban living. Toxic chemicals from automobiles, sediment from construction activities, bacteria from animal wastes and careless application of pesticides and fertilizers threaten the health of the waterway and can kill fish and other aquatic life.

Stormwater Management

Stormwater management, especially in urban areas, is becoming a necessary step in seeking reductions in pollutants in our waterways and presents new challenges. More often than not, end-of-pipe controls are not the best answer for removing pollutants from stormwater runoff. Pollutants in runoff enter our waterways in numerous ways and the best method of control is usually at the pollutant's source.

The US Environmental Protection Agency and the New York State Department of Environmental Conservation are addressing stormwater management in several ways. A federal regulation, commonly known as Stormwater Phase II, requires permits for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas and from construction activities disturbing one or more acres. To implement the law, the NYSDEC has issued two general permits, one for MS4s in urbanized areas and one for construction activities. The permits are part of the State Pollutant Discharge Elimination System (SPDES).

Construction Permit Notice of Intent

Section 402 of the Federal Clean Water Act requires permits for stormwater discharges from construction activities that disturb one or more acres of land. To obtain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity, you must prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit a Notice of Intent (NOI) before beginning construction.

Mail your Notice of Intent to:

**NYS DEC "Notice of Intent"
Bureau of Water Permits
625 Broadway, 4th Floor
Albany NY 12233-3505**

Note: A Stormwater Pollution Prevention Plan must be prepared before submitting the NOI.

If your project is in a regulated MS4, you must submit your NOI and SWPPP to the municipality.

For More Information:

Visit the DEC website at:

<http://www.dec.ny.gov/chemical/8468.html>

If you don't have web access, you can obtain written material by calling your Regional DEC office below or your County Soil & Water Conservation District office.

Region 1: (631) 444-0409	Region 6: (315) 785-2524
Region 2: (718) 482-4933	Region 7: (315) 426-7500
Region 3: (914) 332-1835	Region 8: (585) 226-5452
Region 4: (518) 357-2045	Region 9: (716) 851-7070
Region 5: (518) 623-1200	

For a listing of Soil and Water Conservation Districts in New York State visit:

www.nyacd.org/districts.html

Tools available from the DEC website:

SPDES General Permit for Stormwater Discharges from Construction Activity

Permit Forms for download —

- ◆ Notice of Intent (application for permit coverage)
- ◆ Notice of Termination
- ◆ MS4 SWPPP Acceptance Form

Instruction Manual for Stormwater Construction Permit (for preparing SWPPP and NOI)

[New York State Standards and Specifications for Erosion and Sediment Control \(2005\)](#)

[New York State Stormwater Management Design Manual \(2003\)](#)

NEW — Chapter 9: Redevelopment Projects

NEW — Chapter 10: Enhanced Phosphorus Removal

Stormwater Interactive Mapping Tool

Technical guidance documents

Moving Dirt? Building Something?

If your project will impact, disturb or expose **one or more acres of soil**, including:

- ◆ Clearing and Grubbing
- ◆ Filling or Stockpiling
- ◆ Building Construction
- ◆ Grading
- ◆ Excavating
- ◆ Demolition

... you are required to have a permit for stormwater discharges from the site.



Stormwater Construction Permit Regulations

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

SPDES General Permit for Stormwater Discharges
from Construction Activity

Stormwater Impacts from the Construction Industry

The construction industry is a critical participant in the nation's efforts to protect streams, rivers, lakes, wetlands and oceans. Through the use of proper erosion and sediment control and stormwater management practices, construction site operators are the key defenders against stormwater impacts.

Construction and development increase the amount of impervious surfaces in our watersheds, thus increasing runoff to waterways. The additional runoff results in increased erosion and sedimentation, and destroys aquatic habitat. Preventing soil erosion and sedimentation is an important responsibility at all construction sites.

In addition to the environmental impacts, uncontrolled erosion can have a significant financial impact on a construction project. It costs money and time to repair gullies, replace vegetation, clean sediment-clogged storm drains, replace poorly installed practices and mitigate damage to other people's property or to natural resources.



Rain could easily wash this loose soil into the storm sewer and into a nearby stream, causing a water quality standards violation that could cost the site operator up to \$37,500 each day it occurs.

Stormwater Pollution Prevention Plan

The owner/operator must prepare a SWPPP - a plan for controlling runoff and pollutants from a site during and after construction activities. The principal objective of a SWPPP is to comply with the NY SPDES Stormwater Permit for construction activities by planning and implementing the following practices:

- ◆ Reduction or elimination of erosion and sediment loading to waterways during construction
- ◆ Control of the impacts of stormwater runoff on the water quality of the receiving waters
- ◆ Control of the increased volume and peak rate of runoff during and after construction
- ◆ Maintenance of stormwater controls during and after completion of construction

SWPPP and General Permit Sequence

If your project will disturb or impact 1 or more acres of land and you are constructing a commercial, industrial or institutional building, apartments, duplexes, a roadway, a single-family residential development with more than 25% impervious surfaces, a single-family development impacting 5 or more acres of land (including home construction); creating recreation areas, fill areas or linear utilities disturbing 5 acres or more*:

Develop a Stormwater Pollution Prevention Plan (SWPPP) with stormwater management practices in conformance with the New York State Stormwater Management Design Manual and erosion and sediment controls in accordance with the New York State Standards and Specifications for Erosion and Sediment Control

If your construction project is single-family residential with 25% or less impervious cover, a linear utility, recreation fields or fill area, and will impact between 1 and 5 acres of land (and the site is not located in a TMDL Watershed, or directly discharging to an impaired 303(d) waterbody**):

Develop a SWPPP with erosion and sediment controls in accordance with the New York State Standards and Specifications for Erosion and Sediment Control

- ▶ If your project *is* located within a regulated MS4**
 1. Submit the SWPPP and Notice of Intent (NOI) to the municipality for review and acceptance
 2. Submit the NOI and signed MS4 SWPPP Acceptance form to DEC in Albany
 3. Begin construction 5 business days after notification from DEC of acceptance of NOI
- ▶ If your project *is not* located within a regulated MS4**
 1. Submit a Notice of Intent (NOI) to the DEC in Albany
 2. Begin construction 5 business days after notification from DEC of acceptance of NOI

However... If the SWPPP deviates from the DEC technical design standards:

1. Submit a NOI to the DEC in Albany
2. Submit SWPPP to DEC Regional Office for review and acceptance prior to beginning construction

When all construction has been completed and the site has been stabilized and fully vegetated:

- ▶ File a Notice of Termination (NOT) with the DEC

* Consult Appendix B of the General Permit for a complete listing of SWPPP requirements by project type
** Check the MS4 Stormwater General Permit for maps of regulated MS4 boundaries, TMDL watersheds and impaired waterbody listings

Basic Components of a Stormwater Pollution Prevention Plan*

- ◆ **Narrative Report** describing pre-development conditions and details of the planned project
- ◆ **Maps** illustrating site location, topography, drainage area, existing and proposed structures, erosion and sediment control and stormwater control measures
- ◆ **Erosion and Sediment Control Plans**
- ◆ **Water Quality and Water Quantity Control Plans**
- ◆ **Construction Sequence Schedule**
- ◆ **Contractor Certification Statements**
- ◆ **Operations and Maintenance Schedule**
- ◆ **Weekly Inspection Reports**

* For a complete description of required SWPPP components please refer to the SPDES General Permit for Stormwater Discharges from Construction Activity.



Stormwater retention ponds provide effective water quality control by using forebays for sediment settling, and have controlled-discharge outlets for flood control.

Important Terms

Owner/Operator: The person or legal entity which owns or leases the property where construction will occur.

Qualified Professionals: Professional Engineers, Landscape Architects and Certified Professionals in Erosion and Sediment Control are qualified to develop and certify SWPPPs and inspect construction sites.

TMDL and 303(d) Waterbodies: Section 303(d) of the Clean Water Act requires states to identify Impaired Waters where specific designated uses are not fully supported. In order to restore and protect these Impaired Waters, Total Maximum Daily Loads (TMDLs) or other strategies have been developed to reduce the input of pollutants that restrict waterbody uses.