

VILLAGE OF LARCHMONT
LOCAL LAW # 8-2016

A local law to strengthen stormwater management
controls during and following development

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

Section One. Purpose and Intent.

The purpose of this local law is to strengthen various existing stormwater management regulations set forth in Article II, "Stormwater Management and Erosion and Sediment Control," of Chapter 335, "Stormwater, Drainage and Water Pollution Control," of the Code of the Village of Larchmont. The revisions set forth herein reduce the minimum area of land development activity, as defined, that triggers the need for a stormwater pollution prevention plan (SWPPP), specify additional information that must be provided in the SWPPP, and provide additional standards and guidance for evaluating the impact of the proposed land development activity on the rate and volume of stormwater runoff and the methods by which to mitigate such impacts.

Section Two. Subparagraph 335-23.B.(7) of the Code of the Village of Larchmont, concerning the purpose of the article, is hereby revised in its entirety to read as follows:

- (7) Require the use of green infrastructure practices to control stormwater runoff such as protecting natural areas, reducing impervious cover, and runoff reduction techniques to the maximum extent practicable for land development activities that would result in a certain net increase in impervious coverage; for all other land development activities, encourage the use of green infrastructure practices to the maximum extent practicable.

Section Three. Subparagraph 335-23.D.(2) of the Code of the Village of Larchmont, concerning applicability and fees, is hereby revised in its entirety to read as follows:

- (2) The Stormwater Management Officer, as designated by the Village Board of Trustees, shall accept and review all stormwater pollution prevention plans and forward such plans to the applicable board or agency. The Stormwater Management Officer and reviewing board of agency may (1) review the plans, or (2) if the Stormwater Officer or reviewing board or agency deems it necessary or appropriate, engage the services of an appropriate consultant to review the plans, specifications and related documents, and the applicant shall bear the actual expense thereof, fund an escrow account as set forth in section 381-98 of the Village Code, and be bound by the provisions of section 381-98. The Stormwater Management Officer may delegate any powers granted or duties imposed by this article.

Section Four. The definition of LAND DEVELOPMENT ACTIVITY in section 335-24 of the Code of the Village of Larchmont is hereby revised in its entirety to read as follows:

LAND DEVELOPMENT ACTIVITY

Construction activity, including clearing, grading, excavating, soil disturbance or placement of

fill that results in land disturbance of equal to or greater than 500 square feet, or activities disturbing less than 500 square feet of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

Section Five. Subparagraph 335-25.B.(1) of the Code of the Village of Larchmont, concerning the contents of SWPPPs, is hereby revised in its entirety to read as follows:

- (1) All SWPPPs shall conform to the Design Manual and provide the following background information and erosion and sediment controls:

Section Six. Subparagraph 335-25.B.(1) of the Code of the Village of Larchmont, concerning the contents of SWPPPs, is hereby revised by adding new subparagraphs (q) through (t) and by revising subparagraphs (o) and (p) to take into account new subparagraphs (q) through (t), all to read as follows, :

- (o) 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;
- (p) Any existing data that describes the stormwater runoff at the site;
- (q) Explanation with calculations of anticipated earthwork quantities;
- (r) Comparison of pre-construction impervious coverage area to post-construction impervious coverage area;
- (s) Description and documentation of any existing and/or proposed green infrastructure practices; and
- (t) Using standards set in § 335-28, demonstration of no net increase in peak stormwater runoff from, at a minimum, the 50-year design storm.

Section Seven. Subparagraph 335-25.B.(2)(b) of the Code of the Village of Larchmont, concerning qualified land development activities, is hereby revised in its entirety to read as follows:

- (b) Condition B: stormwater runoff from land development activities disturbing one-half acre or more.

Section Eight. Subparagraphs 335-25.B.(3)(b), (c), and (e) of the Code of the Village of Larchmont, concerning additional requirements for SWPPPs, are hereby revised in their entirety to read as follows:

- (b) Description of each post-construction stormwater management practice, including documentation of the planning process for stormwater management using green infrastructure as outlined in the Design Manual.
- (c) Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice, including green infrastructure;

- (e) Comparison of post-development stormwater runoff conditions with pre-development conditions, including a comparison study of both peak runoff rates and total runoff volume;

Section Nine. Paragraph 335-25.B. of the Code of the Village of Larchmont, concerning the content of SWPPPs, is hereby revised by adding new subparagraph (4) to read as follows:

- (4) SWPPPs for land development activities as defined in § 335-24 that will result in a net increase in the site's impervious coverage of 100 square feet or more shall contain documentation of the planning process for stormwater management using green infrastructure as outlined in the Design Manual, and documentation of the green infrastructure to be included and its conformance to the Unified Stormwater Sizing Criteria within the Design Manual.

Section Ten. Paragraph 335-25.C. of the Code of the Village of Larchmont, concerning the preparation and certification of SWPPPs, is hereby revised in its entirety to read as follows:

- C. Plan certification. Unless otherwise permitted or prohibited by the current SPDES permit, the SWPPP shall be prepared by a Registered Landscape Architect, Certified Professional in Erosion and Sediment Control (CPESC), or licensed Professional Engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meets the requirements in this article.

Section Eleven. Paragraph 335-27.A. of the Code of the Village of Larchmont, concerning maintenance and repair of stormwater facilities during construction, is hereby revised by adding new subparagraph (5) to read as follows:

- (5) All subsurface stormwater management practices and facilities shall be inspected by a qualified inspector prior to backfill.

Section Twelve. Paragraph 335-28.A. of the Code of the Village of Larchmont, concerning additional stormwater control and no net increase in runoff rate, is hereby revised in its entirety to read as follows:

- A. Notwithstanding any of the foregoing, any applicant for any demolition or building permit shall be required to offset by on-site retention the increase in the rate of peak stormwater runoff from the proposed development from, at a minimum, the 50-year design storm, or, if the site disturbance is greater than one acre, from the 100-year design storm, all in accordance with New York State Department of Environmental Conservation stormwater management requirements. As part of an application for a demolition or building permit, all applicants shall demonstrate the no net increase in stormwater runoff through analysis using the SCS Curve Number or Rational Methods. Due to site constraints, sensitive areas, or areas requiring more caution due to issues such as existing flooding, density, or congestion, the Stormwater Management Officer may waive certain provisions of this section 335-28 or require enhanced mitigation of stormwater runoff.

Section Thirteen. Paragraph 335-28.B. of the Code of the Village of Larchmont, concerning exceptions, is hereby revised by adding new subparagraph (1) to read as follows and by renumbering the existing subparagraphs appropriately:

- (1) This section 335-28(A) shall not apply to sites with less than 500 square feet of site disturbance where it is demonstrated that there is no change in total runoff volume and peak flow.

Section Fourteen. Severability.

If any section, subsection, clause, phrase, or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Fifteen. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.