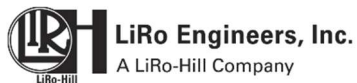


Village of Roslyn Harbor Stormwater Management Program Plan

Prepared in accordance with the
New York State Department of Environmental Conservation
SPDES General Permit for Stormwater Discharges from
Municipal Separate Storm Sewer System (MS4s)
Permit No. GP-0-24-001

Prepared By:



LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501

Prepared For:



Village of Roslyn Harbor
500 Motts Cove Road S
Roslyn, NY, 11576

April 2025

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1 Introduction

1.1 Purpose

The purpose of the Village's Stormwater Management Program (SWMP) is to reduce the number of pollutants discharged into the municipal stormwater system and to protect surface water quality to the maximum extent practical. The New York State Department of Environmental Conservation (NYSDEC), focuses on the leading forms of pollutants within waterbodies which include pathogens, nitrogen, phosphorus, silt and sediment, and floatables.

- Pathogens refer to the release of bacteria or viruses through animal waste, which then can cause disease and health complications for humans based on exposure levels. This may also be referred to as fecal coliform in NYSDEC references.
- Nitrogen and phosphorous are nutrients commonly used in fertilizers and other residential and industrial products which can cause algal blooms. This in turn leads to oxygen depletion and fishkills or other mass die-offs of marine life.
- Silt and sediment pollution is a result of erosion carried by stormwater. The eroded material can clog drainage ways and destroy natural habitats.
- Floatables are materials that tend to lie on the surface of water bodies. They tend to remain on the water's surface and break down, causing harm to marine life.

The sources of these pollutants are typically found in urban runoff which mixes with and carries human waste from failing septic systems, erosion from construction sites, fertilizers, animal wastes including pet and goose droppings and horse manure, and litter discarded by people. Within the Village, the municipal drainage system (gutters, manholes, and catch basin inlets) follows the roadway network.

Since 2003, the Village has participated in the Phase II Stormwater Management Program. As part of an amendment to the federal Clean Water Act, the USEPA required a reduction in pollutants to stormwater discharges. New York State's General Permit for Stormwater Discharges requires that operators of Municipal Separate Storm Sewer Systems (MS4s) develop, implement and enforce a Stormwater Management Program by January 8, 2008. The program has six major components, including:

- Public Education and Outreach Program
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management
- Pollutant Prevention and Good Housekeeping

The 2024 New York State General Permit for Stormwater Discharge (GP 0-24-001) created additional updates to the MS4 requirements. Within 6 months of the effective date of coverage (EDC), municipalities must make their SWMP available during normal business hours for the MS4 operator's management and staff responsible for implementation as well as the public and must be documented in the SWMP Plan (Location must be kept current). The purpose of this document is to summarize all of the Village's operations on stormwater and facilitate the onboarding of new staff.

1.2 Municipal Background Information

1.2.1 MS4 Description

MS4 is an acronym that stands for Municipal Separate Storm Sewer System. An MS4 is a municipality with such a storm system, in this case, the Village of Roslyn Harbor.

1.2.1.1 Village Location

The Village of Roslyn Harbor is a municipality located on the north shore of Long Island mostly in the Town of North Hempstead with small sections in the Town of Oyster Bay. It is bordered on the north by Glenwood Landing; on the east by the Village of Old Brookville and Greenvale; on the south by the Villages of Roslyn and East Hills. To the west lies Hempstead Harbor. The Towns of Oyster Bay and Towns of North Hempstead are both responsible for the administration of Glenwood Landing and Greenvale which fall on the boundary of the Towns, similar to Roslyn Harbor.

1.2.1.2 Village Demographics

The Village encompasses approximately 1.18 square miles in area, and the topography ranges from 230 ft above sea level to sea level. The Village has 1.3 miles of shoreline on the east side of the southern section of Hempstead Harbor. The Village has a population of approximately 1,067 (per the 2010 census) and 378 single family homes (as of 2019). The population density is approximately 904 people per square mile.

1.2.1.3 Village Land Use

The Village is primarily zoned single family residential with two other significant uses that account for approximately 40% of land coverage. The Engineers Country Club, Nassau County Museum of Art, William Cullen Bryant Preserve, and Cedarmere Park comprise the 40% not used for residential housing. Other minor uses comprise about 10% of the land area of the Village and none of them contribute runoff to or are up gradient of the Village Drainage System.

Land Use Classification (chart last updated 1/1/2025)	Parcels Greater than or Equal to 1 Acre		All Parcels	
	Parcel Count	Acreage	Parcel Count	Acreage
Residential >=1 Acre	218	290.13	361	369.97
Community Services >=1 Acre	2	2.88	9	6.41
Not Categorized >= 1 Acre	10	21.7	33	25.29
Commercial >=1 Acre	2	5.75	2	5.75
Public Services >=1 Acre	3	3.52	6	5.4
Recreation and Entertainment >=1 Acre	4	136.41	5	136.42
Vacant Land >=1 Acre	2	2.66	3	2.91
Wild / Conservation >= 1 Acre	2	144.41	5	147.16
Village Counts	243	607.46	424	699.31

1.2.1.4 Village Administration

The Village government consists of the Mayor and four Trustees, each elected for two-year terms.

The Mayor and Trustees appoint the other Village officials, including the Village Clerk-Treasurer, Deputy Village Clerk, Secretary to the Board of Trustees, Building Superintendent, Building Inspector, Village Arborist, Code Enforcement Officer, Village Attorney, Village Engineer, Court Clerk, Associate Village

Justice, Village Associate Justice, the Planning Board members, the Tree Committee, and the Zoning Board members.

The Board of Trustees is the legislative body of the Village and has a broad grant of power that enables it to adopt a wide range of local laws to address village concerns, adopt budgets and levy taxes. The mayor is the chief executive officer of the Village and presides over the Board of Trustees.

The Zoning Board is responsible for the interpretation of zoning laws and amendments that are enacted by the Board of Trustees. The Zoning Board is authorized to hear appeals from a decision made by the Building Inspector and issue variances from the zoning law. This board is comprised of a chairperson, four board members, and three alternates.

The Planning Board mostly reviews site plans and subdivisions. This includes the review of proposed buildings as well as sites, pools, or accessory buildings to assure that they are keeping with the character of the Village and the Village Code requirements. This ensures that future land use, development, and constructions activities within the Village will otherwise promote the health, safety, general welfare, comfort, and convenience of the Village and its residents. This is governed under Chapter 210 of the Village Code. This board is comprised of a chairperson, four board members, and one alternate board member.

The Tree Committee is comprised of volunteers who look to create a safe, wholesome, and attractive environment by the proper management of the Village's trees. They ensure that the Village's Tree Preservation and Protection Ordinance, Chapter 251 of the Village Code, is adhered to. This "Tree Law" requires that the removal of trees on private property follow prescribed procedures based on the tree's diameter and that removed trees be replaced by a certain number of replantings.

The Village has a full time Administrator (Clerk/Treasurer) and a Deputy Clerk/Treasurer. The Village Clerk/Treasurer, subject to direction of the Mayor, is responsible for a variety of administrative duties related to municipal government, including day-to-day Village business and accounting, coordination of all Board meetings, fiscal record keeping, and tax collection. The Deputy Clerk/Treasurer assists the Village Administrator.

The Village has a part-time Building Inspector who is responsible for oversight of the NY State Building Code relating to building permits and construction within the Village, and the Village has a part-time Code-Enforcement Officer.

1.2.1.5 Village Facilities and Infrastructure

The following facilities and infrastructure are owned by the Village:

Administrative: The Village has one administrative building, the Village Hall.

Enforcement/Judicial: The Village Court shares the premises with Village Hall.

Public Works: The Village does not have a department of public works and instead relies on other municipal entities and third-party contractors for services.

Parks: The Village owns the grounds of Village Hall which have a playground and lawn area for residents. The Village maintains traffic islands or planted rights-of-way through contractors. The Village also maintains garden areas within the right-of-way and the LIRR parking lot

Streets & Street Drainage: The Village maintains their roadways, some private streets, and the supporting drainage system. Nassau County is responsible for the maintenance of Back Road, Bryant Avenue, Cody Avenue, Glen Cove Avenue, Glenwood Rd, Grove Street, and Scudders Lane. In addition, New York State owns Glen Cove Road. All the Village drainage system connects to the County system.

Separate Parking Lots: The Village has 90° parking bordering Village Hall and immediately south within the right-of-way. They assist with the LIRR parking lot as well. There are no parking structures within the Village.

1.2.1.6 Village Services

The following services are operated by the village:

Highway and Drainage Maintenance: Sweeping, snow removal, ice control, and drainage maintenance are provided by Nassau County and third-party contractors. Streets are swept at a frequency needed to keep the streets clean. A sand/salt mixture is applied to the Village streets as required to assure the safety of motorists. Drains are cleaned as needed to prevent street and property flooding by a third-party contractor.

Parks and Recreation: Landscaping, and maintenance of the Village open space at Village Hall, near the train station, and rights-of-way are provided by a third-party contractor.

Village Vehicle Fleet Maintenance: The Village contracts with a third-party to maintain vehicles who is responsible for the safe disposal or recycling of used oil, antifreeze, and batteries.

Solid Waste Services: Solid waste disposal is accomplished by private carter (Meadow Carting) under contract with the Village. The Village has recently revised its Rules and Regulations for solid waste disposal. Information is available to residents on the village website.

The Village manages residential solid waste recycling and disposal. Trash is collected by a private carter three times a week and taken to the Town of North Hempstead solid waste facility. The Village has a recycling program for newspapers, magazines, plastics, glass, and metals. The Town has provided residents with reusable recycling containers. These materials are collected at the homes and taken to the Town Recycling Center by the carter.

The Village residents use a household hazardous disposal program run by the Town of North Hempstead. Residents bring their household hazardous wastes to designated Town locations. Village residents also use the Town recycling facility to dispose of used automotive oil.

1.2.1.7 Other Service Providers

Sanitary Waste Services: Wastewater is treated by private septic systems owned and operated by the property owners.

Water Supply: Water is supplied to consumers within the Village by both the Roslyn Water District and the Glenwood Water District, municipal district that are independent from the Village.

Natural Gas: National Grid provides natural gas to Roslyn Harbor.

Internet Providers: Optimum and Verizon are the major internet providers to Roslyn Harbor.

Electricity: PSEG provides electricity to the various entities of Roslyn Harbor.

2 Applicable Local Laws and Other Legal Authorities

2.1 Illicit Discharge Detention and Elimination Law

The Village adopted a local law to prohibit illicit connections to the municipal stormwater system on December 10, 2007 (Chapter 135 Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems). A copy of the Village's local law pertaining to Illicit Discharges to Storm Sewers is contained in **Appendix A**. The law is based on the NYSDEC's model local law, released by the DEC in April 2006.

2.2 Erosion and Sedimentation Control Law

The Village adopted a local law to require erosion control and stormwater management on construction sites on December 10, 2007 (Chapter 226 Stormwater Management and Erosion and Sediment Control). This law applies to all activities within the Village that cause the land disturbance of an acre or more. A copy of the Village's local law pertaining to Erosion Control and Stormwater Management is contained in **Appendix B**. The law is based on the NYSDEC's model local law, released by the DEC in March 2006 and updated in October 2006.

3 Inter-Municipal Agreements and the Nassau County Stormwater Coalition

The Village of Roslyn Harbor is a coalition member as a partner with Nassau County in the Phase II Stormwater Program. The Village is located within Nassau County, and there are County Roads within and bordering the Village. A portion of the runoff from some Village streets could flow onto County roads. The County has a much larger government system than the Village, and the County has the means and manpower to do a number of activities related to the stormwater program that the Village simply could not do. The County has worked with funding that the Village was not eligible to receive regarding the stormwater program. In fact, the Village signed an agreement with the County for "in kind services" to help the County obtain NYSDEC grant money to implement the County's Phase II Stormwater Program to benefit all municipalities in the County as participants.

As part of their obligation to the Coalition members, the County provided the following on a Countywide basis:

- conducted educational programs pertaining to stormwater quality for municipal employees, consultants and high school students;
- provided storm drain placards;
- provided stormwater related literature to its residents;
- conducted public participation programs such as logo and slogan contests, and shoreline and beach cleanups;
- developed a model Drainage Use Ordinance;
- mapped outfalls along the County shoreline and stream corridors; and
- provided training for municipal officials regarding good housekeeping for municipal operations.

A copy of the Nassau County Certification page from their annual report to the NYSDEC, which is a coalition partnership acknowledgement. Additional information pertaining to the Nassau County Phase II Stormwater Program efforts may be found on the Nassau County website at: www.nassaucountyny.gov/1876/Stormwater-Management-Program

The Village is a member of the Hempstead Harbor Protection Committee, a watershed organization whose mission is to focus on water quality and coastal issues within Hempstead Harbor as well as to restore and protect its watershed (See **Appendix C**). The Committee is comprised of Nassau County, the Town of Oyster Bay, The Town of North Hempstead, Glen Cove, and the Villages within the watershed. It accomplishes many of the SWMP goals for the member municipalities. Additional information pertaining to the Hempstead Harbor Protection Committee SWMP efforts may be found on their website at: <https://hempsteadharbor.org/documents/>.

4 Staffing, Staff Development Programs, and Staff Organization

The SWMP is administered by the Clerk/Treasurer, who is the New York State Department of Environmental Conservation (NYSDEC) contact person, and elected officials, who make decisions regarding Village program requirements. Coordination of the program is through the Village Clerk and a Building Inspector, who is a part time employee.

The Village Building Inspector is a part-time employee of the Village and Stormwater Management Officer (SMO) for the Erosion and Sediment Control (ESC [i.e. Minimum Control Measures 4 & 5]). The Building Inspector reviews Stormwater Management Pollution Prevention Plans (SWPPPs) for conformance with the Village Local Law and assures that developers are putting their SWPPPs into practice. The Building Inspector is also responsible for the completion of the NYSDEC SWPPP Acceptance Form, which the Village provides to the applicant.

A third-party contractor is responsible for the sweeping and maintenance of the road system, including snow and ice removal and pocket park maintenance. The Public Works foreman serves as the SMO for Illicit Discharge Detection and Elimination (IDDE [i.e. MCM 3]) and is responsible for investigating any illicit discharge reported to the Village. The SMO contacts the County Health Department on matters that involve an illicit discharge of a sanitary nature. The Village is proactive in the detection of illicit discharges by having the storm system inspected periodically by the Highway Department.

Any maintenance work in the Village contracted to others must comply with the NYSDEC's third party contractor agreement (found on the following page).

The Village has approximately 10 staff which are distributed amongst the following department,

- Administrative: 3
- Court 3
- Building Dept and Code Enforcement: 3

The primary Village staff involved with the Stormwater Program are listed below. All have the issues as an additional duty to the regular roles and functions.

Position	Name	Email	Phone Number
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Village of Roslyn Harbor
Stormwater Management Program Plan

Mayor	Sandy Quentzal	mayor@roslynharbor.org	516-621-0368
Village Clerk/Treasurer	Jamie Cattani	clerk@roslynharbor.org	516-621-0368
Deputy Village Clerk	Maria Cerda	deputy@roslynharbor.org	516-621-0368
Building Superintendent	Peter Albinski		516-621-0368
Building Inspector and Code Enforcement Officer	Stephen Fellman		516-621-0368
MS4 Engineer (LiRo Engineers, Inc.)	Daniel Loscalzo	loscalzod@liro-hill.com	516 636-3729

- Mayor: The mayor serves as the official authorized to sign MS4 compliance documents.
- Village Clerk / Treasurer: The Village Clerk serves as Owner/Operator for most stormwater tasks. The Clerk's primary duty is to carry out the policies of the Mayor and Trustees, supervise the various departments, coordinate all activities of the Village government and approve all purchases. The Village Clerk is in charge of the Village Office and issues licenses and permits, and is the custodian of all Village records.
- Deputy Clerk: The Village Clerk serves as the Local Stormwater Public Contact for receiving public comment or illicit discharge. The Clerk assists the Administrator in coordinating and facilitating MS4 operations.
- Building Superintendent: The part-time DPW Liaison is the Stormwater Management Officer (SMO) for Illicit Discharge Detection and Elimination (IDDE), or MCM3. The SMO is responsible for investigating any illicit discharge reported to the Village. The SMO would contact the County Health Department on matters that involve an illicit discharge of a sanitary nature.
- Building Inspector/Code Enforcement Officer: The part-time Village Building Inspector is the Stormwater Management Officer (SMO) for the Village for minimum control measures 4 and 5 (MCMs 4/5). The Building Inspector/Code Enforcement Officer's primary function is to review plans and issue permits to build, extend, or improve property. He inspects for conformance with the Building Zone Ordinance and Building Code and issues certificates of occupancy. All plumbing and electrical construction work must be done pursuant to a permit either issued by the Building Inspector or authorized by the Board of Zoning Appeals
- MS4 Engineer: The MS4 Engineer is responsible for submitting the MS4 annual reports to NYSDEC and assisting the various personnel at the Village in MS4 compliance. LiRo Engineers is a private company which is retained as the Village Engineer.

Any maintenance work in the Village contracted to others must comply with the NYSDEC's third party contractor agreement (shown below). Third party contractors should sign this using the form in **Appendix D**.

5 MS4 Program Budget

There is no line item in the Village budget for the required compliance with the Phase II Stormwater Program. The Village pays for the program out of its operating budget, and, to a limited extent, from available funding. It also funds its annual dues to the Hempstead Harbor Protection Committee from its operating fund.

6 Policies, Procedures and Practices for Each Minimum Control Measure (MCM's)

6.1 Public Education and Outreach Program

The Village uses its website as its primary method of reaching residents with stormwater quality and solid waste related information, and a newsletter is mailed to each resident annually. The Village provides educational information pertaining to: recycling, household hazardous wastes, litter, debris, pet waste, not feeding waterfowl, erosion control and the need for construction permits within the Village.

The Village is a member of the Hempstead Harbor Protection Committee, a watershed group that conducts Public Education and Outreach, Public Involvement/ Participation, and Illicit Discharge Detection and Elimination activities. Various educational materials are regularly updated on the Hempstead Harbor Protection Committee website.

Additionally, as a Coalition Partner, Nassau County is addressing the same issue watershed-wide including residents of Thomaston. Please see the County Stormwater Management Program Annual Report (SWMPAR) on the County website. For example, the Nassau County Soil and Water Conservation District and the NYS Dept. of Environmental Conservation released their educational film titled *Stormwater Pollution and Green Infrastructure Solutions* on January 28, 2016. This film highlights stormwater runoff impacts throughout New York State and showcases several green infrastructure solutions, It is available to view at this website: <https://www.youtube.com/watch?v=ATNy-valPXI&feature=youtu.be&t=3s>

6.2 Public Involvement/Participation

The Village Board of Trustees conducts an advertised public meeting each year at the regarding the Village's Phase II Stormwater Program.

The Board invited the public to the public hearing when the Village approved the local laws pertaining to the Detection and Elimination of Illicit Discharges and requirements for Erosion Control and Stormwater Management on construction sites held in December 2010. Other participatory activities include the advertised public meetings pertaining for hearings held for site plan review for construction projects within the Village. The Planning Board and Zoning Board of Appeals meet monthly, as necessary.

The Village Board of Trustees, the governing body of the Village, holds monthly meeting on matters of policy, local laws and codes, and budgeting. Agendas are published and the public is welcome.

The Village is an "MS4 Partner" in the Nassau County Stormwater Coalition. The Coalition conducts public participation and involvement activities for residents throughout the County.

Hempstead Harbor Protection Committee, performs public involvement and participation activities for residents along the north shore of Nassau County. See the respective websites for details of the dates, locations and number of participants. The Village is a municipal member of the Committee.

The Village is in compliance with the public involvement and participation requirements and is not planning additional duplicative and redundant efforts.

6.3 Illicit Discharge Detection and Elimination

According to federal regulations, an illicit stormwater discharge is a discharge that is not composed entirely of stormwater. They are considered “illicit” because the municipal stormwater system is not designed to accept, process or dispose of non-stormwater wastes.

The Village staff person responsible for the Village Illicit Discharge Detection and Elimination Program is the Building Superintendent, as shown in **Section 4**.

The Village adopted a local law to prohibit illicit connections to the municipal stormwater system on December 10, 2007. A copy of the Village’s local law pertaining to Illicit Discharges to Storm Sewers is included in **Section 3** of this plan.

Outfalls and interconnections were mapped with the storm watersheds delineated. Dry weather screening for signs of illicit discharges is done at least 20% per year or once every 5 years.

The Village monitors the street sides for potential illicit discharges to its system. If moisture or other indicators are found, the Village will find the source and take appropriate action.

The Village has prepared an Illicit Discharge Track Down and Elimination Program which is identified in **Appendix E**. This program provides standard tables to log and track outfall illicit discharge field investigations and a standard form to be used for site reconnaissance. Illicit discharges will be logged if found.

6.4 Construction Site Stormwater Runoff Control

One of the primary pollutants of concern is sediment from construction sites that enters the storm system due to erosion from rainfall on unvegetated and unprotected surfaces.

The Village adopted a local law to require erosion control and stormwater management on construction sites on December 10, 2007. This law applies to all activities within the Village that cause the land disturbance of an acre or more. A copy of the Village’s local law pertaining to Erosion Control and Stormwater Management is included in **Section 2** of this plan.

Since the passing of the local law, the Village has reviewed SWPPP requirements as part of the Planning Board approval process when disturbances are more than an acre.

As a local practice however, the Village required erosion control and post stormwater management for construction projects prior to the adoption of the local laws and for soil disturbance less than an acre when topography so indicates. This practice continues.

Information from the public concerning construction activities is routed through the Village Building Department.

The Construction Oversight Plan in **Appendix F** identifies the procedure for receiving, reviewing, and inspecting SWPPPs within the Village. The Village has a standard form to track active construction sites, a written erosion compliance procedure and a field inspection checklist. A list of all SWPPPs is cataloged

as part of that procedure. The Village Building Department oversees the inspections since the local law was adopted in December 2007 that involved an acre or more of solid disturbance. As explained in **Section 7**, as a local practice, the Village requires sediment and erosion control on projects below the acre regulatory threshold when in the opinion of the building Department such measures are warranted. In addition, the Village requires a minimum of 3 inches of runoff storage as a post construction management practice on all new construction and substantial renovations.

6.5 Post-Construction Stormwater Management

As indicated in the previous section, it is unlikely that the soil disturbance threshold for post construction stormwater management will be reached, so that this minimum control measure will seldom apply. As a local practice however, calls for stormwater runoff to be retained in drywells for smaller projects.

The Village requires that those responsible for construction activities construct, install and maintain stormwater management facilities. The Village’s requirement is that the systems must be designed with the minimum storage capacity for the runoff from a 3-inch rainfall event, and it applies to major renovation and new construction with less than an acre of soil disturbance. This exceeds the Stream Channel Protection Volume (Cp_v) published in the NYS Stormwater Management Design Manual by one-half inch, and assures the all pollutants carried by stormwater runoff by a one-year 24-hour storm are retained on-site. When basement porches are present or there are potential impacts onto neighboring properties the design rainfall capacity may be increased to 5-inch or 8-inch events, to limit negative impacts that would have occurred. This requirement helps ensure that properties located downstream from construction sites are not impacted by stormwater.

The Village has prepared a Post-Construction SWP Inspection and Maintenance Program which provides greater detail on Village operations to ensure the long-term operation, maintenance, and cleaning for drainage infrastructure. **See Appendix G**. This requirement helps ensure that properties located downstream from construction sites are not impacted by stormwater.

6.6 Pollutant Prevention and Good Housekeeping

The following is a table that shows who is responsible for the maintenance of the various activities within Village operations.

Activity	Responsibility	Mechanism
Street sweeping	Village activity	3 rd party by contract
Right-of Way (ROW)	Abutting owner	Abutting Property Owner
Garbage collection	Village activity	3 rd party by contract
Building maintenance	Village activity	By Village Forces
Storm drain inspection	Village activity	By Village Forces
Storm drain maintenance	Village activity	3 rd party by contract
Parks maintenance	Village activity	3 rd party by contract
Landscaping	Village activity	By Village Forces
Pest Control	Village has no need	N/A
Snow & ice control	Village activity	3 rd party by contract
Municipal construction	Bid by Village	Outside contractors

The third-party certification requires that the provider adhere to the SWMP requirements. State and Federal environmental laws dictate how the contractors store, transfer, and dispose of: street sweepings, and silt and sediment removed from drainage systems, and other solid wastes. Although the Village does not enforce these environmental laws, the Village contracts with its contractors specifically states that State and Federal laws must be adhered to.

The Village sweeps its streets a few times a year to prevent solids and associated pollutants from entering the drainage system. The public works crew inspects the drainage structures two to four times each year, and a vendor cleans catch basins that require cleaning.

It is the practice to apply a sand-salt mix to Village streets for the welfare of the traveling public. The County has prepared a guidance document that contains best management practices for sand and salt use. The Village receives sand and salt from a Nassau County facility.

The maintenance vehicles are kept in good condition to lessen the potential of a pollution event. Major vehicle maintenance is performed at a qualified facility off the premises. Village forces perform routine vehicle maintenance. Used oil, antifreeze, automotive batteries and tires are recycled.

The Village does not use pesticides on its right of way and areas abutting property owners is maintained by the property owner. The LIRR is responsible for the maintenance of their right of way per the NYS RR Law. The Village assists in the maintenance of the memorial garden at the parking lot.

For any municipal construction subject to MCM 4/5, Construction Activity SPDES Permit coverage will be obtained prior to commencement of work. Since the Village infrastructure and facilities are fully developed, there are no plans for any municipal construction. Any significant improvements will be done by an outside contract.

The Village assesses its municipal operations and maintenance program annually and makes appropriate adjustments when needed. The program is effective for infrastructure and facilities under Village jurisdiction.

7 Management Practice Selection and Measurable Goals

The following is a table of best management practices for each of the six minimum control measures, listed with responsible party, measurable goals and a timetable.

7.1 Public Education and Outreach

BMP	Responsible Party	Measurable Goals	Time Frame
Village Newsletter	Village	Mailed to each resident	Annually
Village Website	Village	Available continuously for everyone	Ongoing
Printed Literature, Brochures, Bookmarks, Handouts	Nassau County and Watershed Groups	30,000 pieces distributed	Current practice

BMP	Responsible Party	Measurable Goals	Time Frame
Nassau County Soil & Water Conservation District Newsletter	Nassau County	3,680 in circulation	Quarterly
Educational Courses, Seminars, and Outreach to Schools	Nassau County		Ongoing activity
Storm Drain Awareness Medallions	Nassau County	3,100 medallions distributed	Ongoing activity

7.2 Public Involvement/Participation

BMP	Responsible Party	Measurable Goals	Time Frame
Public Meetings for Stormwater Program	Village	Annually	Ongoing
Public Meetings for Construction Projects	Village Planning Board	Approximately 10 per year	As applications are heard before various Boards
Public Meetings on Environmental issues	Village Environmental Commission	Quarterly	Ongoing
Provide Public Awareness [Watershed Level]	HH Protection Committee	Ongoing	Started prior to 2003 and ongoing
Provide Public Awareness [Regional Level]	Nassau County Stormwater Coalition	Ongoing	Started in 2005 and ongoing
Cleaning Preserves, Beaches and Shorelines	Nassau County	Twice Annually	Ongoing
Education Courses in Schools	Nassau County	See County SWMP-Plan	
Nassau County Logo and Slogan Contest	Nassau County	See County SWMP-Plan	

7.3 Illicit Discharge Detection and Elimination

BMP	Responsible Party	Measurable Goals	Time Frame
Adopted Local Law	Village	completed	December 2007
Watershed Mapping	County	Watershed boundary identified	updated per GP 0-24-001 requirements
Outfall Mapping	Village and Nassau County	3 outfalls & 7 interconnections mapped	updated per GP 0-24-001 requirements
Drainage System & Storm Sewer Shed Mapping	Village		updated per GP 0-24-001 requirements
Dry Weather Flow inspections	Village	Perform annually	updated per GP 0-24-001 requirements
Drainage Use Ord.	Nassau County	Completed	July 2007

7.4 Construction Site Stormwater Runoff Control

BMP	Responsible Party	Measurable Goals	Time Frame
Adopted Local Law	Village	Complete	December 2007
SWPPP Review	Village	For all projects with \geq 1 acre of soil disturbance	Ongoing practice
Construction Site Monitoring	Village	For all projects with SWPPS	Ongoing practice

7.5 Post-Construction Stormwater Management

BMP	Responsible Party	Measurable Goals	Time Frame
Adopted Village Standard	Village	Store runoff from a 3" rain event	Ongoing Practice
Post Construction Site Monitoring	Village	Inspect for flooding after major storms	Ongoing activity
Stormwater Basin Maintenance	Nassau County and Village	Cleaned annually	Ongoing activity

7.6 Pollutant Prevention and Good Housekeeping

BMP	Responsible Party	Measurable Goals	Time Frame
Street Sweeping and catch basin inlets	Third-Party	Weekly, unless blocked by snow & ice	Ongoing
Storm System Maintenance	Third-Party	All structures in the system are inspected and cleaned annually as required	Ongoing since 2006
Snow and Ice Control, proper materials management	Third-Party	- All Village streets, -sand & salt stored indoors	As required
Park and Open Space, ROW Maintenance, only organic chemicals used	Third-Party	No toxic chemicals used, use corn gluten for weed control	Ongoing practice
Building Maintenance	Village	-recycle all paper -use "green" products	Ongoing
Solid Waste Management	Village	Have no loose trash by collecting residential garbage & yard waste, and recycle, plastics, glass, metals & paper	Ongoing by 3 rd party contract

8 Enforcement Measures and Tracking

When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 7 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. Non-compliance will be classified as a minor or major violation. The level of enforcement response will depend upon several of the following factors:

- Severity of the violation
- The violator’s knowledge of the regulations being violated.
- A history of violations and/or enforcement actions against the individual or contractor.
- The potential deterrent value of the enforcement action.

The Village will use a progressive enforcement policy, escalating the response when an applicant fails to respond in a timely manner. If the Village identifies a deficiency in the implementation of the approved SWPPP or amendments and the deficiency is not corrected immediately or by a date requested by the Village, the project is in non-compliance. The recommended sequence of enforcement actions is listed below:

1. Verbal Warning
2. Written Warning
3. Stop Work Order
4. Temporary Suspension of Work
5. Require Corrective Action
6. Revocation of Permit
7. Abatement

The Village has taken a comprehensive approach to enforcement through the Enforcement Response Plan, identified in **Appendix H**. The Enforcement Response Plan also identifies how measures taken by the Village will be tracked.

9 GIS, Outfall and System Mapping

The 2024 General Permit updates the requirements for mapping to include GIS solutions. The following are included under the program with **Appendix I** showing an overall summary map of the Village:

- The Village has mapped the storm drain network within its limits. It includes not only Village drains but County and NYSDOT Drains as well. The map identifies the conveyance system, culvert crossings, and stormwater structures. Surface flow heads from the edges of the storm watersheds towards the drainage system.
- The Village interconnections and outfalls have been identified for tracking purposes.

The Village evaluates its programs annually to determine if modifications are needed. The Village has determined that the current program is effective in reducing surface water pollution from its storm drainage system to the maximum extent practicable.

Appendix A

Illicit Discharge Detection & Elimination Law

Chapter 135. Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems

[HISTORY: Adopted by the Board of Trustees of the Village of Roslyn Harbor 12-10-2007 by L.L. No. 4-2007. Amendments noted where applicable.]

GENERAL REFERENCES

Stormwater management and erosion and sediment control — See Ch. **226**.

Subdivision of land — See Ch. **232**.

Zoning — See Ch. **275**.

§ 135-1. Purpose; intent.

The purpose of this chapter is to provide for the health, safety, and general welfare of the citizens of the Village of Roslyn Harbor through the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This chapter establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems. The objectives of this chapter are:

- A. To meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, Permit No. GP-02-02, as amended or revised;
- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge nonstormwater wastes;
- C. To prohibit illicit connections, activities and discharges to the MS4;
- D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this chapter; and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

§ 135-2. Definitions.

Whenever used in this chapter, unless a different meaning is stated in a definition applicable to only a portion of this chapter, the following terms will have the meanings set forth below:

BEST MANAGEMENT PRACTICES (BMPs)

Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEAN WATER ACT

The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

CONSTRUCTION ACTIVITY

Activities requiring authorization under the SPDES Permit for Stormwater Discharges from Construction Activity, GP-02-01, as amended or revised. These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

DEPARTMENT

The New York State Department of Environmental Conservation.

DESIGN PROFESSIONAL

New York State licensed professional engineer or licensed architect.

HAZARDOUS MATERIALS

Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLCIT CONNECTION

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to:

- A. Any conveyances which allow any nonstormwater discharge, including treated or untreated sewage, process wastewater, and wash water, to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
- B. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

ILLCIT DISCHARGE

Any direct or indirect nonstormwater discharge to the MS4, except as exempted in § 135-6 of this chapter.

INDIVIDUAL SEWAGE TREATMENT SYSTEM

A facility serving one or more parcels of land or residential households, or a private, commercial or institutional facility, that treats sewage or other liquid wastes for discharge into the groundwaters of New York State, except where a permit for such a facility is required under the applicable provisions of Article 17 of the Environmental Conservation Law.

INDUSTRIAL ACTIVITY

Activities requiring the SPDES Permit for Discharges from Industrial Activities Except Construction, GP-98-03, as amended or revised.

MS4

Municipal separate storm sewer system.

MUNICIPALITY

The Village of Roslyn Harbor.

MUNICIPAL SEPARATE STORM SEWER SYSTEM

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- A. Owned or operated by the Village of Roslyn Harbor;
- B. Designed or used for collecting or conveying stormwater;
- C. Which is not a combined sewer; and
- D. Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

NONSTORMWATER DISCHARGE

Any discharge to the MS4 that is not composed entirely of stormwater.

PERSON

Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

POLLUTANT

Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards.

PREMISES

Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

SPECIAL CONDITIONS

- A. Discharge compliance with water quality standards. The condition that applies where a municipality has been notified that the discharge of stormwater authorized under its MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition, the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.
- B. 303(d) listed waters. The condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition, the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.
- C. Total maximum daily load (TMDL) strategy. The condition in the municipality's MS4 permit where a TMDL, including requirements for control of stormwater discharges, has been approved by EPA for a water body or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the municipality was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.
- D. The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by EPA for any water body or watershed into which an MS4 discharges. Under this condition, the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER DISCHARGE PERMIT

A permit issued by the Department that authorizes the discharge of pollutants to waters of the state.

STORMWATER

Rainwater, surface runoff, snowmelt and drainage.

STORMWATER MANAGEMENT OFFICER (SMO)

An employee, the municipal engineer or other public official(s) designated by the Village of Roslyn Harbor to enforce this chapter. The SMO may also be designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

303(d) LIST

A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

TMDL

Total maximum daily load.

TOTAL MAXIMUM DAILY LOAD

The maximum amount of a pollutant to be allowed to be released into a water body so as not to impair uses of the water, allocated among the sources of that pollutant.

WASTEWATER

Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

§ 135-3. Applicability.

This chapter shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

§ 135-4. Responsibility for administration.

The Stormwater Management Officer(s) [SMO(s)] shall administer, implement, and enforce the provisions of this chapter. Such powers granted or duties imposed upon the authorized enforcement official may be delegated in writing by the SMO as may be authorized by the municipality.

§ 135-5. Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

§ 135-6. Discharge and connection prohibitions.

- A. Prohibition of illegal discharges. No person shall discharge or cause to be discharged into the MS4 any materials other than stormwater except as provided in Subsection **A(1)**. The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:
 - (1) The following discharges are exempt from discharge prohibitions established by this chapter, unless the Department or the municipality has determined them to be substantial contributors of pollutants: waterline flushing or other potable water sources, landscape irrigation or lawn

watering, existing diverted stream flows, rising groundwater, uncontaminated groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains, crawl space or basement sump pumps, air-conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from fire-fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.

- (2) Discharges approved in writing by the SMO to protect life or property from imminent harm or damage, provided that such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this chapter.
- (3) Dye testing in compliance with applicable state and local laws is an allowable discharge, but requires a verbal notification to the SMO prior to the time of the test.
- (4) The prohibition shall not apply to any discharge permitted under an SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4.

B. Prohibition of illicit connections.

- (1) The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.
- (2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) A person is considered to be in violation of this chapter if the person connects a line conveying sewage to the municipality's MS4, or allows such a connection to continue.

§ 135-7. Failing individual sewage treatment systems.

No persons shall operate a failing individual sewage treatment system in areas tributary to the municipality's MS4. A failing individual sewage treatment system is one which has one or more of the following conditions:

- A. The backup of sewage into a structure.
- B. Discharges of treated or untreated sewage onto the ground surface.
- C. A connection or connections to a separate stormwater sewer system.
- D. Liquid level in the septic tank above the outlet invert.
- E. Structural failure of any component of the individual sewage treatment system that could lead to any of the other failure conditions as noted in this section.
- F. Contamination of off-site groundwater.

§ 135-8. Prohibition against activities contaminating stormwater.

- A. Activities that are subject to the requirements of this section are those types of activities that:

- (1) Cause or contribute to a violation of the municipality's MS4 SPDES permit.
 - (2) Cause or contribute to the municipality being subject to the special conditions as defined in § 135-2, Definitions, of this chapter.
- B. Such activities include failing individual sewage treatment systems as defined in § 135-7, improper management of pet waste or any other activity that causes or contributes to violations of the municipality's MS4 SPDES permit authorization.
- C. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the municipality's MS4 SPDES permit authorization, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the municipality's MS4 SPDES permit authorization.

§ 135-9. Prevention, control and reduction of stormwater pollutants by use of best management practices.

- A. Best management practices. Where the SMO has identified illicit discharges as defined in § 135-2 or activities contaminating stormwater as defined in § 135-8, the municipality may require implementation of best management practices (BMPs) to control those illicit discharges and activities.
- (1) The owner or operator of a commercial or industrial establishment shall provide, at his or her own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and nonstructural BMPs.
 - (2) Any person responsible for a property or premises which is, or may be, the source of an illicit discharge as defined in § 135-2 or an activity contaminating stormwater as defined in § 135-8 may be required to implement, at said person's expense, additional structural and nonstructural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.
 - (3) Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.
- B. Individual sewage treatment systems; response to special conditions requiring no increase of pollutants or requiring a reduction of pollutants. Where individual sewage treatment systems are contributing to the municipality's being subject to the special conditions as defined in § 135-2 of this chapter, the owner or operator of such individual sewage treatment systems shall be required to:
- (1) Maintain and operate individual sewage treatment systems as follows:
 - (a) Inspect the septic tank annually to determine scum and sludge accumulation. Septic tanks must be pumped out whenever the bottom of the scum layer is within three inches of the bottom of the outlet baffle or sanitary tee or the top of the sludge is within 10 inches of the bottom of the outlet baffle or sanitary tee;
 - (b) Avoid the use of septic tank additives;
 - (c) Avoid the disposal of excessive quantities of detergents, kitchen wastes, laundry wastes, and household chemicals; and
 - (d) Avoid the disposal of cigarette butts, disposable diapers, sanitary napkins, trash and other such items.
 - (e) Most tanks should be pumped out every two to three years. However, pumping may be more or less frequent depending on use. Inspection of the tank for cracks, leaks and blockages should be done by the septage hauler at the time of pumping of the tank contents.

(2) Repair or replace individual sewage treatment systems as follows:

(a) In accordance with 10 NYCRR Appendix 75A, to the maximum extent practicable.

(b) A design professional licensed to practice in New York State shall prepare design plans for any type of absorption field that involves:

[1] Relocating or extending an absorption area to a location not previously approved for such.

[2] Installation of a new subsurface treatment system at the same location.

[3] Use of alternate system or innovative system design or technology.

(c) A written certificate of compliance shall be submitted by the design professional to the municipality at the completion of construction of the repair or replacement system.

§ 135-10. Suspension of access to MS4.

Illicit discharges in emergency situations.

A. The SMO may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the SMO may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.

B. Suspension due to the detection of illicit discharge. Any person discharging to the municipality's MS4 in violation of this chapter may have his or her MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefor. The violator may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access may be denied if the SMO determines in writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section without the prior approval of the SMO.

§ 135-11. Industrial or construction activity discharges.

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the municipality prior to the allowing of discharges to the MS4.

§ 135-12. Access to facilities; monitoring of discharges.

A. Applicability. This section applies to all facilities that the SMO must inspect to enforce any provision of this chapter, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this chapter.

B. Access to facilities.

(1) The SMO shall be permitted to enter and inspect facilities subject to regulation under this chapter as often as may be necessary to determine compliance with this chapter. If a discharger has security measures in force which require proper identification and clearance

before entry into its premises, the discharger shall make the necessary arrangements to allow access to the SMO.

- (2) Facility operators shall allow the SMO ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this chapter.
- (3) The municipality shall have the right to set up on any facility subject to this chapter such devices as are necessary, in the opinion of the SMO, to conduct monitoring and/or sampling of the facility's stormwater discharge.
- (4) The municipality has the right to require the facilities subject to this chapter to install monitoring equipment as is reasonably necessary to determine compliance with this chapter. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- (5) Unreasonable delays in allowing the municipality access to a facility subject to this chapter is a violation of this chapter. A person who is the operator of a facility subject to this chapter commits an offense if the person denies the municipality reasonable access to the facility for the purpose of conducting any activity authorized or required by this chapter.
- (6) If the SMO has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, then the SMO may seek issuance of a search warrant from any court of competent jurisdiction.

§ 135-13. Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, said person shall notify the municipality in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the municipality within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

§ 135-14. Enforcement; penalties for offenses.

- A. Notice of violation. When the municipality's SMO finds that a person has violated a prohibition or failed to meet a requirement of this chapter, he/she may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
 - (1) The elimination of illicit connections or discharges;
 - (2) That violating discharges, practices, or operations shall cease and desist;
 - (3) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

- (4) The performance of monitoring, analyses, and reporting;
 - (5) Payment of a fine; and
 - (6) The implementation of source control or treatment BMPs. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.
- B. Penalties. Any person who shall violate any provision of this chapter shall be guilty of a violation and shall, upon conviction, be punishable as provided in Chapter 1, Article I, of this Code.

§ 135-15. Appeal of notice of violation.

Any person receiving a notice of violation may appeal the determination of the SMO to the Village Board of Trustees within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the municipal clerk and mail a copy of its decision by certified mail to the discharger.

§ 135-16. Corrective measures after appeal.

- A. If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within five business days of the decision of the municipal authority upholding the decision of the SMO, then the SMO shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.
- B. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

§ 135-17. Injunctive relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate the provisions of this chapter, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

§ 135-18. Alternative remedies.

- A. Where a person has violated a provision of this chapter, he/she may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Village Attorney and concurrence of the Municipal Code Enforcement Officer, where:
 - (1) The violation was unintentional.
 - (2) The violator has no history of previous violations of this chapter.
 - (3) Environmental damage was minimal.

(4) The violator acted quickly to remedy the violation.

(5) The violator cooperated in investigation and resolution.

B. Alternative remedies may consist of one or more of the following:

(1) Attendance at compliance workshops.

(2) Storm drain stenciling or storm drain marking.

(3) River, stream or creek cleanup activities.

§ 135-19. Violations deemed public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

§ 135-20. Remedies not exclusive.

The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state, local law or chapter of this Code and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

§ 135-21. No implied appeal.

No provision of this chapter shall be construed to repeal, modify or constitute an alternative to any lawful zoning regulation which is more restrictive than this chapter.

Appendix B

Erosion & Sedimentation Control Law

Chapter 226. Stormwater Management and Erosion and Sediment Control

[HISTORY: Adopted by the Board of Trustees of the Village of Roslyn Harbor 12-10-2007 by L.L. No. 5-2007. Amendments noted where applicable.]

GENERAL REFERENCES

Illicit discharges, activities and connections to separate storm sewers — See Ch. **135**.

Subdivision of land — See Ch. **232**.

Zoning — See Ch. **275**.

§ 226-1. Findings of fact.

It is hereby determined that:

- A. Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, or sediment transport and deposition;
- B. This stormwater runoff contributes to increased quantities of waterborne pollutants, including siltation of aquatic habitats for fish and other desirable species;
- C. Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitats;
- D. Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff, thereby increasing stream bank erosion and sedimentation;
- E. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;
- F. Substantial economic losses can result from these adverse impacts on the waters of the municipality;
- G. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;
- H. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety;
- I. Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

§ 226-2. Purpose.

The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the findings of fact in § 226-1 hereof. This chapter seeks to meet those purposes by achieving the following objectives:

- A. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02, as amended or revised;
- B. Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities, GP-02-01, as amended or revised;
- C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion and maintain the integrity of stream channels;
- D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;
- E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and
- F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

§ 226-3. Statutory authority.

In accordance with § 10 of the Municipal Home Rule Law of the State of New York, the Village Board of Trustees of Roslyn Harbor has the authority to enact local laws and amend local laws for the purpose of promoting the health, safety or general welfare of the Village of Roslyn Harbor and for the protection and enhancement of its physical environment. The Village Board of Trustees of Roslyn Harbor may include in any such local law provisions for the appointment of any municipal officer, employees, or independent contractor to effectuate, administer and enforce such local law.

§ 226-4. Applicability.

- A. This chapter shall be applicable to all land development activities as defined in this chapter.
- B. The municipality shall designate a Stormwater Management Officer who shall accept and review all stormwater pollution prevention plans and forward such plans to the applicable municipal board. The Stormwater Management Officer may review the plans; upon approval by the Village Board of Trustees of the Village of Roslyn Harbor, engage the services of a registered professional engineer to review the plans, specifications and related documents at a cost not to exceed a fee schedule established by said governing board; or accept the certification of a licensed professional that the plans conform to the requirements of this chapter.
- C. All land development activities subject to review and approval by the applicable board of the Village of Roslyn Harbor under subdivision, site plan, and/or special permit regulations shall be reviewed subject to the standards contained in this chapter.
- D. All land development activities not subject to review as stated in Subsection C shall be required to submit a stormwater pollution prevention plan (SWPPP) to the Stormwater Management Officer who shall approve the SWPPP if it complies with the requirements of this chapter.

§ 226-5. Exemptions.

The following activities may be exempt from review under this chapter.

- A. Agricultural activity as defined in this chapter.
- B. Silvicultural activity, except that landing areas and log haul roads are subject to this chapter.
- C. Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.
- D. Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.
- E. Any part of a subdivision if a plat for the subdivision has been approved by the Village of Roslyn Harbor on or before the effective date of this chapter.
- F. Land development activities for which a building permit has been approved on or before the effective date of this chapter.
- G. Cemetery graves.
- H. Installation offence, sign, telephone, and electric poles and other kinds of posts or poles.
- I. Emergency activity immediately necessary to protect life, property or natural resources.
- J. Activities of an individual engaging in home gardening by growing flowers, vegetables and other plants primarily for use by that person and his or her family.
- K. Landscaping and horticultural activities in connection with an existing structure.

§ 226-6. Definitions.

The terms used in this chapter or in documents prepared or reviewed under this chapter shall have the meanings as set forth in this section.

AGRICULTURAL ACTIVITY

The activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

APPLICANT

A property owner or agent of a property owner who has filed an application for a land development activity.

BUILDING

Any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

CHANNEL

A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

CLEARING

Any activity that removes the vegetative surface cover.

DEDICATION

The deliberate appropriation of property by its owner for general public use.

DEPARTMENT

The New York State Department of Environmental Conservation.

DESIGN MANUAL

The New York State Stormwater Management Design Manual, most recent version, including applicable updates, that serves as the official guide for stormwater management principles, methods and practices.

DEVELOPER

A person who undertakes land development activities.

EROSION CONTROL MANUAL

The most recent version of the New York Standards and Specifications for Erosion and Sediment Control Manual, commonly known as the "Blue Book."

GRADING

Excavation or fill of material, including the resulting conditions thereof.

IMPERVIOUS COVER

Those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snowmelt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc).

INDUSTRIAL STORMWATER PERMIT

A State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

INFILTRATION

The process of percolating stormwater into the subsoil.

JURISDICTIONAL WETLAND

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as "hydrophytic vegetation."

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 one acre, or activities disturbing less than one acre 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.

LANDOWNER

The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

MAINTENANCE AGREEMENT

A legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

NONPOINT SOURCE POLLUTION

Pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

PHASING

Clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

POLLUTANT OF CONCERN

Sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

PROJECT

Land development activity.

RECHARGE

The replenishment of underground water reserves.

SEDIMENT CONTROL

Measures that prevent eroded sediment from leaving the site.

SENSITIVE AREAS

Cold-water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, and habitats for threatened, endangered or special-concern species.

SPDES GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES GP-02-01

A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORMWATER SEWER SYSTEMS GP-02-02

A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with established water quality standards and/or to specify stormwater control standards.

STABILIZATION

The use of practices that prevent exposed soil from eroding.

STOP-WORK ORDER

An order issued which requires that all construction activity on a site be stopped.

STORMWATER

Rainwater, surface runoff, snowmelt and drainage.

STORMWATER HOTSPOT

A land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

STORMWATER MANAGEMENT

The use of structural or nonstructural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

STORMWATER MANAGEMENT FACILITY

One or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

STORMWATER MANAGEMENT OFFICER

An employee or officer designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

STORMWATER MANAGEMENT PRACTICES (SMPs)

Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

STORMWATER RUNOFF

Flow on the surface of the ground resulting from precipitation.

SURFACE WATERS OF THE STATE OF NEW YORK

Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

WATERCOURSE

A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

WATERWAY

A channel that directs surface runoff to a watercourse or to the public storm drain.

§ 226-7. Stormwater pollution prevention plans.

- A. Stormwater pollution prevention plan requirement. No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this chapter.
- B. Contents of stormwater pollution prevention plans.
 - (1) All SWPPPs shall provide the following background information and erosion and sediment controls:
 - (a) Background information about the scope of the project, including 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; areas 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 off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharges(s);
 - (c) Description of the soil(s) present at the site;
 - (d) 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. 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 SWPPP;
 - (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) Description of construction and waste materials expected to be stored on 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;
 - (g) 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;
 - (h) A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;
 - (i) Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;
 - (j) Temporary practices that will be converted to permanent control measures;
 - (k) Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;
 - (l) Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;
 - (m) Name(s) of the receiving water(s);
 - (n) Delineation of SWPPP implementation responsibilities for each part of the site;
 - (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; and
 - (p) Any existing data that describes the stormwater runoff at the site.
- (2) Land development activities as defined in § **226-6** and meeting Condition A, B or C below shall also include water quantity and water quality controls (postconstruction stormwater runoff controls) as set forth in Subsection **B(3)** below as applicable:
- (a) Condition A: stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a total maximum daily load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.
 - (b) Condition B: stormwater runoff from land development activities disturbing five or more acres.
 - (c) Condition C: stormwater runoff from land development activity disturbing between one and five acres of land during the course of the project, exclusive of the construction of single-family residences and construction activities at agricultural properties.
- (3) SWPPP requirements for Conditions A, B and C:
- (a) All information in § **226-7B(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) Comparison of postdevelopment stormwater runoff conditions with predevelopment conditions.
 - (f) Dimensions, material specifications and installation details for each postconstruction stormwater management practice.
 - (g) Maintenance schedule to ensure continuous and effective operation of each postconstruction stormwater management 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 agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with this chapter.
 - (j) For Condition A, the SWPPP shall be prepared by a landscape architect, certified professional 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 stormwater design plan.
- D. Contractor certification.
- (1) Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall 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) shall become part of the SWPPP for the land development activity.
- E. A copy of the SWPPP 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.

§ 226-8. Performance and design criteria.

All land development activities shall be subject to the following performance and design criteria:

- A. Technical standards. For the purpose of this chapter, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this chapter:
- (1) The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the "Design Manual").
 - (2) New York Standards and Specifications for Erosion and Sediment Control (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the "Erosion Control Manual").

- B. Equivalence to technical standards. Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in this chapter and the SWPPP shall be prepared by a licensed professional.
- C. Water quality standards. Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.

§ 226-9. Maintenance, inspection and repair of stormwater facilities.

- A. Maintenance and inspection during construction.
 - (1) The applicant or developer of the land development activity or his or her representative shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this chapter. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%.
 - (2) For land development activities as defined in § 226-6 of this chapter and meeting Condition A, B or C in § 226-7B(2), the applicant shall have a qualified professional conduct site inspections and document the effectiveness of all erosion and sediment control practices every seven days and within 24 hours of any storm event producing 0.5 inch of precipitation or more. Inspection reports shall be maintained in a site logbook.
 - (3) The applicant or developer or his or her representative shall be on site at all times when construction or grading activity takes place and shall inspect and document the effectiveness of all erosion and sediment control practices.
- B. Maintenance easement(s). Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Village of Roslyn Harbor to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this chapter. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the counsel for the Village of Roslyn Harbor.
- C. Maintenance after construction. The owner or operator of permanent stormwater management practices installed in accordance with this chapter shall ensure they are operated and maintained to achieve the goals of this chapter. Proper operation and maintenance also includes, as a minimum, the following:
 - (1) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this chapter.
 - (2) Written procedures for operation and maintenance and training new maintenance personnel.
 - (3) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § 226-8C.
- D. Maintenance agreements. The Village of Roslyn Harbor shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent to then-current recommendations of the New York State Department of Environmental Conservation. The Village of Roslyn Harbor, in lieu of

a maintenance agreement, at its sole discretion, may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this chapter and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

§ 226-10. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this chapter shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this chapter. No provision of this chapter shall be construed to repeal, modify or constitute an alternative to any lawful zoning regulation which is more restrictive than this chapter.

Appendix C

Intermunicipal Agreements

HEMPSTEAD HARBOR PROTECTION COMMITTEE

Created to Protect and Improve the Water Quality of Hempstead Harbor.



ABOUT US

About HHPC

History of the Hempstead Harbor Protection Committee

Hempstead Harbor was a very different harbor in the 1980s (and earlier).

There were many instances of beach closures due to high bacteria levels, some due to direct discharge of sewage into the harbor from the former aging Roslyn treatment plant. Several superfund sites were discovered along its shores. Rotting wooden barges lined the lower harbor and sat there for decades before funding and responsibility for their removal could be ironed out. The Village of Sea Cliff even resorted to installing “Gunderboom” around its beach in an effort to keep contaminants from interfering with swimmers. Once the most productive oystering harbor in New York, it is now entirely closed to shellfishing. Low oxygen levels led to periodic fish kills.

In response to these conditions, a citizen’s group, the Coalition to Save Hempstead Harbor was formed in 1986 and they have succeeded in keeping a focus on the needs of the harbor.

At the same time, the nine local governments (including the County) which surrounded the harbor, however, continued to address the harbor issues in their communities independently, as most issues have and continue to be. However, as it became increasingly evident that pollutants know no boundaries and that small villages did not have the resources to tackle large harbor issues and the larger Towns and County had so many other issues to deal with that the tough issues where jurisdiction was complicated or unclear tended to be put on the back burner by all involved. Because of this, it became increasingly evident that there was a need for a mechanism to facilitate a more coordinated government approach to these problems.

The idea for a Hempstead Harbor Protection Committee was conceived by Assemblyman Tom DiNapoli and former Sea Cliff Mayor Ted Blackburn in the mid 1990s. In 1995 funds were sought and received from the New York State Department of State to fund a part time director and to hire coastal experts to prepare an in-depth Water Quality Improvement Plan. Each of the nine municipalities signed memoranda of understandings to work cooperatively and to contribute financially on a pro-rata basis.

Long Island’s first watershed-based inter-municipal coalition was thus born. It has been an unqualified success and has spawned the creation of at least one other inter-municipal effort, the Manhasset Bay Protection Committee.

How We Are Funded

Since 1995, the Committee has received over 20 grants, which have covered much of the Committee's costs. The balance of the Committee's budget (including monetary matches for the grants) is made up from annual contributions ("dues") received from the nine member municipalities. These annual contributions (for calendar year 2018) total \$ 90,750.00.

Technical Advisors & Partners

Our efforts would not be possible without the assistance of the following organizations and agencies that work with the Committee as technical advisors and partners:

- The New York State Department of State
- The New York State Department of Environmental Conservation
- The Coalition to Save Hempstead Harbor
- New York Sea Grant / NEMO
- The Glenwood / Glen Head Civic Association
- The North Shore Country Club
- The U.S. Environmental Protection Agency Long Island Sound Study Office
- Residents Forward

Municipal Members

Nassau County

Bruce Blakeman, County Executive

Dan Fucci, Representative

City of Glen Cove

Pamela Panzenbeck, Mayor

Ann Fangmann, Representative

Rocco Graziosi, Representative

Town of North Hempstead

Jennifer DeSeana, Town Supervisor

Kevin Braun, Representative

Town of Oyster Bay

Joseph Saladino, Town Supervisor

Sara Covelli, Representative

Village of Flower Hill

Randall Rosenbaum, Mayor

Gary Lewandowski, Representative

Village of Roslyn

John Durkin, Mayor

Ian Zwerdling, Representative

Village of Roslyn Harbor

Sandy Quentzel, Mayor

Ali Levine, Co-Representative

Adam Levine, Co-Representative

Village of Sands Point

Peter Forman, Mayor

Louis Silfin, Representative

Village of Sea Cliff

Elena Villafane, Mayor

Tom Powell, HHPC Chair and Representative

Appendix D

Third Party Certification Statement

Village of Roslyn Harbor
Stormwater Management Program Plan

Contract Number: _____ Date: _____
Contractor Name: _____

Services to be provided which pertain to MS4 Compliance:

Potential areas of Non-compliance to prevent:

Contracted Entity Certification Statement:

“I certify under penalty of law that I understand and agree to comply with the terms and conditions of the (permittee’s name) stormwater management program and agree to implement any corrective actions identified by the (permittee’s name) or a representative.

I also understand that the (permittee’s name) must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System (“SPDES”) general permit for stormwater discharges from the Municipal Separate Storm Sewer Systems (“MS4s”) and that it is unlawful for any person to directly or indirectly cause or contribute to a violation of water quality standards. Further, I understand that any noncompliance by (permittee’s name) will not diminish, eliminate, or lessen my own liability.”

Responsible Person: _____ Phone: _____ Email: _____

Signature of Responsible Person: _____ Date: _____

Notarized by: _____

Appendix E

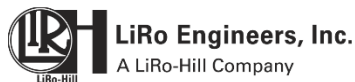
Illicit Discharge Track Down & Elimination Program

Appendix F

Construction Oversight Program

**Village of Roslyn Harbor
Municipal Separate Storm Sewer System
Appendix F
Construction Oversight Program**

Prepared By:



**LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501**

Prepared For:



**Village of Roslyn Harbor
500 Motts Cove Road S
Roslyn, NY, 11576**

May 24

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1 Introduction

Municipal Separate Storm Sewer Systems (MS4s) are publicly owned drainage systems which include streets, ditches, catch basins, curbs, gutters, and storm drains that are designed for collecting stormwater from built up areas and discharge it into local streams and rivers. MS4s are applicable in urbanized areas where stormwater runoff management is critical to protect water quality. The overall goal of the MS4 program is to reduce the discharge of pollutants from the drainage systems into surface waters, which will enhance water quality in natural ecosystems. The Village of Roslyn Harbor's stormwater discharges are regulated by the New York State Department of Environmental Conservation.

1.1 Purpose

The MS4 program is divided into several Minimum Control Measures (MCMs) which create quantitative and qualitative benchmarks for the Village to obtain. The Construction Oversight Program ensures compliance with MCM 4 for Construction Site Stormwater Runoff Control. The program identifies planning, oversight, and enforcement of construction activities to ensure they do not compromise water quality. The COP oversees the construction process from the pre-construction meeting to the final site walkthrough and identifies the various roles of key personnel. The overall goal of this MCM is to protect and maintain water quality throughout the various phases of construction and maintain comprehensive record of any activity.

The COP should be followed by the Post-Construction SMP Inspection and Maintenance Plan (Post-Construction Plan) in **Appendix G** of the Stormwater Management Program (SWMP). The Post-Construction Plan ensures compliance with MCM 5 for Post-Construction Stormwater Management.

1.2 Applicability

Private land developers are required to obtain a Stormwater Pollution Prevention Plan (SWPPP) permit for construction activities that disturb one acre or more of land, or those less than one acre that are part of a larger common plan of development that ultimately disturbs one or more acres. The COP ensures that the SWPPP is implemented. While smaller developments will not obtain a SWPPP the village can use the COP as a template for the inspection procedure to ensure private developments are conducting proper erosion control.

1.3 Prior to Construction Approval

The Village conducts site plan reviews of all developments within the Village, regardless of whether they require a SWPPP. The Village Engineer will review the plans as part of this process for grading, drainage, and erosion control measures. When a SWPPP is required the owner's design professional will prepare it in accordance with the Village's SWMP and best management practices. The approval of the erosion control or SWPPP will coincide with the approval of the construction drawings. The construction site inventory will be completed in accordance with Section 3 of the COP at this time, including the prioritization.

2 Responsibilities of Personnel

The following summarizes the responsibilities of the various individuals/entities/roles in their implementation of the SWPPP or enforcement of the COP:

- **Owner** – The owner of any private development and/or site disturbance is ultimately responsible for ensuring the SWPPP is implemented in its entirety. It is the owner’s responsibility to identify whether a SWPPP permit, or any other permits, are required prior to entering construction with the assistance of their design professionals or project manager.
- **Design Professional** – An Engineer or Architect is often responsible for producing a site design and ensures that the plans comply with the Village requirements and permits. They are often responsible for the SWPPP’s preparation along with the construction drawings approved by the Village. There may be more than one design professional involved in the process, so it is important to identify which company/professional is responsible for the preparation of the SWPPP or erosion control.
- **Project Manager** – The Project Manager represents the owner on site and is often a general contractor or owner’s representative. They will oversee the work that is occurring and maintain overall responsibility for contract administration. As such, the Project Manager is responsible for executing the SWPPP, as prepared by the designer and approved by the Village, prior to commencing work. Like a design team, the Project Manager is likely to oversee several trades or construction companies to complete the entire project. They must ensure that every construction company who is responsible for conducting the SWPPP’s requirements is aware of their responsibilities.
- **Building Inspector** – The Building Inspector is the Village’s representative who will monitor all aspects of the SWPPP, reviewing materials for acceptance, ensuring erosion control measures are properly installed, and enforcing general maintenance. They will conduct construction site inspections as detailed in the COP and deemed necessary.
- **Public** – The public may report failures in the SWPPP or erosion control procedures through the channels detailed in the SWMP. This includes contacting Village Hall by phone or email as well as the Nassau County hotline.

2.1 Qualified Inspectors

Anyone tasked with implementing the COP inspections must be trained in accordance with the MS4 general permit requirements. These include the following:

- A four (4) hour Department of Environmental Conservation endorsed course in proper erosion and sediment control principles. This course must be completed every three years.
- Qualified professionals or qualified inspectors who are knowledgeable in stormwater management best practices and the Village’s Stormwater Management Plan. This may include licensed Engineers, Architects, or Landscape Architects along with others.

Construction site inspectors must receive the training identified to be considered qualified to ensure implementation of the COP.

3 Construction Site Characteristics, Prioritization Methodology, and Inventory

The Construction Oversight Plan establishes a tracking system for active construction sites which includes physical characteristics and tracking information which help to actively manage the sites.

Appendix F-a is to be actively filled out by the Village Administrator and covers the required inventory items.

Inventoried physical characteristics for the site include the following:

- i. Location
- ii. Receiving Waterbody
- iii. Receiving Waterbody WI/PWL Segment ID

The receiving waterbody and segment ID can be gathered from the NYSDEC GIS Database (<https://gisservices.dec.ny.gov/gis/stormwater/>). This information is critical into identifying the site's prioritization which is identified in Appendix F-a. The prioritization will be classified as "high" or "low" based on whether the site fulfills one of the requirements below which would designate it as being a high priority location:

- i. Locations which outfall to a waterbody that are listed in Appendix C of the MS4 General Permit, are classified as AA-S, AA, or A, and are classified with a trout or trout spawning designation are given a high priority.
- ii. Sites which are greater than 5 acres will be given a high priority.
- iii. Sites within 100 feet of a lake/pond or within 50 feet of a river/stream.

These above policies prioritize sites which have a larger impact on water quality for ecological communities. Per the MS4 general permit, this prioritization must be completed within 30 days of the project's initiation but should be completed at the time of site approval being granted.

Regulatory information and oversight information will be taken as part of the project record, which will include the following:

- i. Owner/Operator
- ii. SPDES Identification Number
- iii. SWPPP Approval Date
- iv. Inspection history including dates and ratings (satisfactory, marginal, or unsatisfactory)
- v. Current status of construction site/project (active, temporarily shut down, complete)

The inventory must be annually updated to ensure project records are up-to-date and accurate.

4 Construction Inspection Procedure

The following section describes the various inspections and steps that are to be taken throughout a construction project's duration as part of the COP.

4.1 Pre-construction Oversight Requirements

As part of the site plan review process applicants must provide the necessary plans for Village's, or the Village Engineer's approval. The plans are reviewed for grading and drainage of the site after construction is completed. A demolition plan is also provided along with the SWPPP plan where relevant. This review ensures that the construction plans conform to the Village's MS4 requirements and that the owner, design professional, and project manager are identified. The applicant is further notified of their responsibility to implement the SWPPP as identified, otherwise their permit can be revoked. They are also advised that the COP will be used to maintain these requirements and the rights of the Village to inspect the property.

4.2 Inspection Requirements

Site inspections shall be conducted at the following frequencies:

- **Daily:** The Project Manager will check the site daily to ensure that the site is clear of unnecessary trash or debris which could impact erosion control performance. This is in accordance with SWPPP best management practices.
- **Weekly and after Heavy Rainstorms:** The SWPPP inspector, typically the Project Manager, will conduct an inspection of all erosion control devices on the site to ensure that they are free of sediment buildup. This inspection will be at least once a week or after 0.5" of rainfall during a 24-hour period in accordance with the SWPPP best management practices.
- **Annually:** The site will be inspected at least once per year by Village officials as part of the COP. This should ensure that all erosion control is properly installed, the SWPPP records are in place, and that personnel on site are qualified. This should be conducted in accordance with **Appendix F-b**.

4.3 Close-out Requirements

A final site inspection must be conducted and documented within the SWMP. This is documented on the Construction Site Inspection Report Form provided under the MS4 General Permit. This form is provided in **Appendix F-b**.

A Notice of Termination (NOT) will be signed by the Village when it is considered complete, which will only be signed after the owner provides the Notice of Intent, SWPPP plan, and inspection reports. After that point the Post-Construction SMP Inspection and Maintenance Plan will be considered applicable for oversight and enforcement.

4.4 Construction Enforcement

During construction non-compliance of the SWPPP could be identified by an inspector or the public. When the public identifies a construction site complaint, the Village should identify the date of the complaint, the location on the construction site, the nature of the complaint, follow-up actions taken or needed, the outcome of any follow-up inspections, and any follow-up enforcement taken/needed. Inspectors will also note non-compliance during their inspection procedure. When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 7 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. This is further identified in the Enforcement Response Plan in **Appendix H** of the SWMP, but may include verbal warnings, written warnings, or stop work orders which can be used to communicate the need for these requirements.

After construction has been completed owners must maintain crucial documentation, including the Notice of Intent (NOI), SWPPP, and inspection reports, for at least five years following the submission of a Notice of Termination (NOT) (Part VI.A of the SPDES General Permit GP 0-20-001).

5 Reporting Requirements

The Village shall regularly maintain the following regarding the COP's implementation:

1. Inspectors who are qualified to perform COP inspections
2. Site Plan and SWPPP approvals
3. Construction Site Inventory
4. Construction Duration Inspections
5. Final Construction Site Inspection Report.

These records shall be updated on a yearly basis at a minimum.

Appendix f-a - Construction Site Characteristics

Location			
Receiving Waterbody(s)			
Receiving Waterbody WI/PWL Segment ID(s)			
Post-Construction SMP			
Owner/Operator			
SPDES Identification Number			
SWPPP Approval Date			
Inspection history including dates and ratings (satisfactory, marginal, or unsatisfactory)			
Current status of construction site/project (active, temporarily shut down, complete)			

Appendix F-b: Construction Duration Inspection

Summary of Site Inspection Activities during the construction period.

Name of Facility:	Construction Start Date:	SPDES Permit No: (if applicable)
Location:		
Owner:	Owner Contact Information:	

Date of Inspection	Regular/Rainfall Based Inspection	Name of Inspector	Telephone #

[Include additional rows or delete as necessary.]

Instructions:

- Inspection Forms will be filled out during the entire construction phase of the project.
- Complete inspections must include:
 - ✓ An inspection form
 - ✓ A site plan showing the areas under active construction
 - ✓ Color Photos with date and time stamps showing any deficiencies or corrections to previous deficiencies
 - ✓ The signature of the QI
 - ✓ If the QI is working under the direction of a PE or RLA, the signature of the PE or RLA.
- **Required Elements:**
 - ✓ On a site map, indicate the extent of all disturbed site areas and drainage pathways.
 - Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 14-day period.
 - Indicate, on a site map, all areas of the site that have undergone temporary or permanent stabilization.
 - Indicate all disturbed site areas that have not undergone active site work during the previous 14-day period.
 - ✓ Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of sediment storage volume (for example, 10 percent, 20 percent, and 50 percent).
 - ✓ Inspect all erosion and sediment control practices and record all maintenance requirements such as verifying the integrity of barrier or diversion systems (earthen berms or silt fencing) and containment systems (sediment basins and sediment traps).
 - ✓ Identify any evidence of rill or gully erosion occurring on slopes and any loss of stabilizing vegetation or seeding/mulching.
 - ✓ Document any excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures, and verify the ability of rock filters around perforated riser pipes to pass water.
 - ✓ Immediately report to the Developer any deficiencies that are identified with the implementation of the SWPPP.
 - ✓ Take color photos with time and date stamps of any identified deficiencies or corrections to previous deficiencies
 - ✓ Maintain onsite a record of all inspection documents and reports in the site log book.

Duration Inspection Form

Maintaining Water Quality

Yes No N/A

- Is there an increase in turbidity causing or reasonably likely to cause a substantial visible contrast to natural conditions?
- Is there residue from oil and floating substances, visible oil film, or globules or grease?
- All disturbance is within the limits of the approved plans.
- Have receiving lake/bay, stream, and/or wetland been impacted by silt from the project?

Housekeeping

1. General Site Conditions

Yes No N/A

- Is construction site litter and debris appropriately managed?
- Are facilities and equipment necessary for implementation or erosion and sediment control in working order and/or properly maintained?
- Is construction impacting the adjacent property?
- Is dust adequately controlled?

Runoff Control Practices

1. Excavation Dewatering

Yes No N/A

- Upstream and downstream berms (sandbags, inflatable dams, etc.) are installed per plan.
- Clean water from upstream pool is being pumped to the downstream pool.
- Sediment laden water from work area is being discharged to a silt trapping device.
- Constructed upstream berm with one-foot minimum freeboard.

Soil Stabilization

Topsoil and Spoil Stockpiles

Yes No N/A

- Stockpiles are stabilized with vegetation and/or mulch.
- Sediment control is installed at the toe of the slope.

Revegetation

Yes No N/A

- Temporary seeding and mulch have been applied to idle areas.
- 6 inches minimum of topsoil has been applied under permanent seeding.

Sediment Control Practices

1. Stabilized Construction Entrance

Yes No N/A

- Stone is clean enough to effectively remove mud from vehicles.
- Installed per standards and specifications?
- Does all traffic use the stabilized entrance to enter and leave site?
- Is adequate drainage provided to prevent ponding at entrance?

2. Silt Fence

Yes No N/A

- Installed on Contour, 10 feet from toe of slope (not across conveyance channels).
- Joints constructed by wrapping the two ends together for continuous support.
- Fabric buried 6 inches minimum.
- Posts are stable, fabric is tight and without rips or frayed areas. Sediment accumulation is ___% of design capacity.

Storm Drain Inlet Protection

(Use for Stone & Block, Filter Fabric, Curb, or Excavated practices)

Yes No N/A

- Installed concrete blocks lengthwise so open ends face outward, not upward.
 - Placed wire screen between No. 3 crushed stone and concrete blocks.
 - Drainage area is 1 acre or less.
 - Excavated area is 900 cubic feet.
 - Excavated side slopes should be 2:1.
 - 2" x 5" frame is constructed and structurally sound.
 - Posts 3-foot maximum spacing between posts.
 - Fabric is embedded 1 to 1.5 feet below ground and secured to frame/posts with staples at max 8-inch spacing.
 - Posts are stable, fabric is tight and without rips or frayed areas.
- Sediments accumulation ___% of design capacity.

CONSTRUCTION DURATION INSPECTIONS

Modifications to the SWPPP (To be completed as described below)

The Developer shall amend the SWPPP whenever:

- There is a significant change in design, construction, operation, or maintenance which may have a significant effect on the potential for the discharge of pollutants to the waters of the State and which has not otherwise been addressed in the SWPPP; or

- The SWPPP proves to be ineffective in;

- Eliminating or significantly minimizing pollutants from sources identified in the SWPPP and as required by this permit; or
- Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity; and
- Additionally, the SWPPP shall be amended to identify any new contractor or subcontractor that will implement any measure of the SWPPP.

Modification & Reason:

Qualified Inspector's Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that certifying false, incorrect or inaccurate information is a violation of the laws of the State of New York and could subject me to criminal or civil penalties and/or administrative proceedings.

Inspector (Print name)

Date of Inspection


Qualified Professional (print name)

Qualified Professional Signature



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 Department of Environmental Conservation		New York State Department of Environmental Conservation Construction Site Inspection Report for SPDES MS4 General Permit GP-0-24-001	
Project Name:		Date:	
Project Location:		Weather:	
Permit # (if any): NYR	Contacted: <input type="checkbox"/> Yes <input type="checkbox"/> No	Entry Time:	Exit Time:
Name of SPDES Permittee:	Inspection Type: <input type="checkbox"/> NOT <input type="checkbox"/> Complaint <input type="checkbox"/> Compliance <input type="checkbox"/> Referral	MS4 Operator Name: MS4 Permit ID: NYR20A	
Phone Number(s):			
On-site Representative(s) and Company(s):			

SPDES Authority

Yes No N/A	Citation
1. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the project have permit coverage?	GP-0-20-001: I.A & II. B
2. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the NOI and Acknowledgment Letter available on site and accessible for viewing?	GP-0-20-001: II.D.2
3. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the MS4 SWPPP Acceptance Form available on site and accessible for viewing?	GP-0-20-001: II.D.2
4. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is an up-to-date copy of the signed SWPPP retained at the construction site?	GP-0-20-001: II.D.2. & III.A.4
5. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the SPDES General Permit retained at the construction site?	GP-0-20-001: II.D.2
6. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the NOI accurately report the number of acres to be disturbed?	GP-0-20-001: II.B.4

SWPPP Content

Yes No N/A	Citation
7. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP describe and identify the erosion and sediment control measures to be employed?	GP-0-20-001: III.B.1.e
8. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP provide an inspection schedule and maintenance requirements for the E&SC measures?	GP-0-20-001: III.B.1.i
9. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP describe and identify the stormwater management practices to be employed?	GP-0-20-001: III.B.2
10. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?	GP-0-20-001: III.A.6
11. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP identify at least one trained individual from each contractor(s) and subcontractor(s) companies?	GP-0-20-001: III.A.6
12. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP include all the necessary Contractor Certification Statements and signatures?	GP-0-20-001: III.A.6
13. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is the SWPPP signed by the permittee?	GP-0-20-001: VII.H.2
14. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is the SWPPP prepared by a qualified professional (if post-construction stormwater management required)?	GP-0-20-001: III.A.3
15. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do the SMPs conform to the Enhanced Phosphorus Removal Standards (projects in TMDL watersheds)?	GP-0-20-001: III.B.3

Recordkeeping

Yes No N/A	Citation
16. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are self-inspections performed as required by the permit (weekly, or twice weekly for >5 acres disturbed)?	GP-0-20-001:IV.C.2.a. & b
17. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are the self-inspections performed and signed by a qualified inspector and retained on site?	GP-0-20-001:II.C.2.,IV.C.6 & VII.H.3
18. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do the qualified inspector's reports include the minimum reporting requirements?	GP-0-20-001: IV.C.4
19. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do inspection reports identify corrective measures that have not been implemented or are recurring?	GP-0-20-001: IV.C.5



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Visual Observations

Yes No N/A	Citation
20. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are all erosion and sediment control measures installed properly?	GP-0-20-001: VII.L
21. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are all erosion and sediment control measures being maintained properly?	GP-0-20-001: IV.A.1
22. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Was written authorization issued for any disturbance greater than 5 acres?	GP-0-20-001: II.D.3
23. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Have stabilization measures been implemented in inactive areas per Permit (>5acres) or ESC Standard?	GP-0-20-001: II.D.3.b & III.B.1.f
24. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are post-construction stormwater management practices constructed/installed correctly?	GP-0-20-001: III.B.2
25. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Has final site stabilization been achieved and temporary E&SC measures removed prior to NOT submittal?	GP-0-20-001: V.A.2
26. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Was there a discharge from the site on the day of inspection?	
27. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is there evidence that a discharge caused or contributed to a violation of water quality standards?	ECL 17-0501, 6 NYCRR 703.2 & GP-0-20-001: I.D

Water Quality Observations

Describe the discharge(s): location, source(s), impact on receiving water(s), etc.

Describe the quality of the receiving water(s) both upstream and downstream of the discharge:

Describe any other water quality standards or permit violations:



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Additional Comments:

Photographs attached

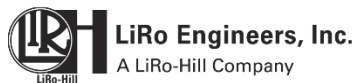
Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector:	Signature of Lead Inspector:
Names/Agencies of Other Inspectors:	

Appendix G

Post-Construction SWP Inspection & Maintenance Plan

**Village of Roslyn Harbor
Municipal Separate Storm Sewer System
Appendix G
Post-Construction SMP
Inspection and Maintenance Plan**

Prepared By:



**LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501**

Prepared For:



**Village of Roslyn Harbor
500 Motts Cove Road S
Roslyn, NY, 11576**

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1 Introduction

Municipal Separate Storm Sewer Systems (MS4s) are publicly owned drainage systems which include streets, ditches, catch basins, curbs, gutters, and storm drains that are designed for collecting stormwater from built up areas and discharge it into local streams and rivers. MS4s are applicable in urbanized areas where stormwater runoff management is critical to protect water quality. The overall goal of the MS4 program is to reduce the discharge of pollutants from the drainage systems into surface waters, which will enhance water quality in natural ecosystems. The Village of Roslyn Harbor's stormwater discharges are regulated by the New York State Department of Environmental Conservation.

1.1 Purpose

The MS4 program is divided into several Minimum Control Measures (MCMs) which create quantitative and qualitative benchmarks for the Village to obtain. The Post-Construction SMP Inspection and Maintenance Plan (Post-Construction Plan) ensures compliance with MCM 5 for Post-Construction Stormwater Management. MCM 5 emphasizes the long-term effectiveness of post-construction stormwater management practices (SMPs). Through systematic inventory tracking, regular inspections, and maintenance programs, the MS4 Operator ensures that these SMPs function optimally to reduce pollutants over time. The ongoing training of staff and the documentation of compliance efforts further enhance the program's effectiveness.

The Post-Construction Plan ensures that stabilized construction sites maintain their erosion control measures and follow the Construction Oversight Plan (COP) detailed in **Appendix F** of the Stormwater Management Program (SWMP).

1.2 Applicability

The Post-Construction Plan addresses stormwater from publicly owned/operated Stormwater Management Practices (SMPs). This could include Post-Construction SMPs installed as part of a SWPPP or as part of a construction general permit (CGP). Post-Construction SMPs are often required if development during construction increases the impervious area, to reduce the impact of the additional runoff on ecological systems. Private owners and developers are exempt from the Post-Construction Plan, however private properties are encouraged, and in some cases required by law, to maintain SMPs on their property after construction.

2 Responsibilities of Personnel

The following summarizes the responsibilities of the various individuals/entities/roles in their implementation of the SWPPP or enforcement of the COP:

- **Owner** – The owner of the site after work has been completed. If the site is sold or transferred, then the current owner is responsible for maintaining the records from the prior owner.

- **Design Professional** – An Engineer or Architect is often responsible for preparing the SWPPP permit, which may include Post-Construction SMPs in their design.
- **Building Inspector** – The Building Inspector is the Village’s representative who will monitor all post-construction SMPs.
- **Public** – The public may report failures in the SWPPP or erosion control procedures through the channels detailed in the SWMP. This includes contacting Village Hall by phone or email as well as the Nassau County hotline.

2.1 Qualified Inspectors

Anyone implementing the Post-Construction Plan must be trained in accordance with the MS4 general permit requirements. These include the following:

- A four (4) hour Department of Environmental Conservation endorsed course in proper erosion and sediment control principles. This course must be completed every five years (this differs from the COP which requires recertification every three years).
- Qualified professionals or qualified inspectors who are knowledgeable in stormwater management best practices and the Village’s Stormwater Management Plan. This may include licensed Engineers, Architects, or Landscape Architects along with others.

3 Post-Construction Site Inventory

The Post-Construction Plan establishes a tracking system for sites after construction is completed which includes physical characteristics of the site and SMP tracking information which help to actively manage the sites. **Appendix G-a** is to be actively filled out by the Village Administrator and covers the required inventory items. Inventoried physical characteristics for the site include the following:

- i. Location (including street address and tax parcel)
- ii. Receiving Waterbody
- iii. Receiving Waterbody WI/PWL Segment ID

The receiving waterbody and segment ID can be gathered from the NYSDEC GIS Database (<https://gisservices.dec.ny.gov/gis/stormwater/>). Regulatory information and oversight information will be taken as part of the project record, which will include the following for every form of Post-Construction SMP prepared:

- i. Owner/Operator
- ii. Responsible party for maintenance
- iii. Contact information for responsible party for maintenance
- iv. Location of documentation depicting Operation and Maintenance requirements and legal agreements for post-construction SMPs.
- v. Frequency of Inspections Required
- vi. Reason for installation (new development, redevelopment, retrofit, flood control)
- vii. Date of last inspection
- viii. Inspection results

- ix. Corrective actions identified
- x. Date corrective action was completed

A single site may have several post-construction SMPs associated with development, and it may be possible that multiple public organizations share ownership of them. The inventory must be annually updated to ensure project records are up-to-date and accurate. In the case of switching ownership, use **Appendix G-b** to maintain a record of the transfer of responsibility between parties.

4 Post-Construction Inspection Procedure

Site inspections shall be conducted on an annual basis and those instances recorded in accordance with **Appendix G-c**. The inspector will fill out the form identified in **Appendix G-d**. After construction has been completed owners must maintain crucial documentation, including the Notice of Intent (NOI), SWPPP, and inspection reports, for at least five years following the submission of a Notice of Termination (NOT) (Part VI.A of the SPDES General Permit GP 0-20-001). The inspector will also ensure that soil stabilization, housekeeping, and water quality along with any site-specific post-construction SMPs.

Failure of a post-construction SMP could be identified by an inspector or the public. When the public identifies a failure, the Village should identify the date of the complaint, the location on the construction site, the nature of the complaint, follow-up actions taken or needed, the outcome of any follow-up inspections, and any follow-up enforcement taken/needed. Inspectors will also note non-compliance during their inspection procedure. Corrective actions should be initiated within thirty (30) days of the owner being notified. When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 60 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. This is further identified in the Enforcement Response Plan in Appendix H of the SWMP, but may include verbal warnings, written warnings, or punitive measures which can be used to communicate the need for these requirements.

5 Reporting Requirements

The Village shall regularly maintain the following regarding the Post-Construction Plan's implementation:

1. Inspectors who are qualified to perform Post-Construction Plan inspections
2. Site Plan, approvals, and inspection reports from Construction for up to 5 years.
3. Post-Construction Site Inventory
4. Post-Construction Site Inspection Reports.

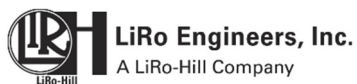
These records shall be updated on a yearly basis at a minimum.

Appendix H

Enforcement Response Plan

Village of Roslyn Harbor Municipal Separate Storm Sewer System Appendix H Enforcement Response Plan

Prepared By:



**LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501**

Prepared For:



**Village of Roslyn Harbor
500 Motts Cove Road S
Roslyn, NY, 11576**

May 24

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1 Introduction

The Village of Roslyn Harbor's stormwater discharges are regulated by the New York State Department of Environmental Conservation. This Stormwater Enforcement Response Plan (ERP) describes procedures implemented by the Village to achieve compliance with legal authority and enforcement requirements stipulated in New York's State Pollutant Discharge Elimination System (SPDES) Municipal Separate Storm Sewer Systems (MS4s) Permit No. GP-0-24-001. This plan is specific to the requirements in the stormwater conveyance system owned, leased, or operated by the Village. The Village uses legal authority delegated within the New York Administrative Code to enforce against illegal encroachments, including spills and illicit discharges, and utilizes contract specifications to leverage authority on contractors performing work administered by the Village.

1.1 Purpose

This ERP describes the response measures available to the Village to exercise its authority to control pollutant discharges to its MS4s. Enforcement procedures are designed to encourage timely responses and beneficial coordination with dischargers in order to prevent stormwater pollution. Standard implementation of the measures provides a consistent response across the Village's MS4s to avoid confusion, delays and disputes. The Village's standard process for documentation of possible discharges, subsequent investigations, and follow-up actions is also outlined in this ERP.

1.2 Types of Enforcement Actions

The Village will use Village Code, permits, and penalties to enforce illicit discharges to the Village's MS4 system. The Village anticipates two general types of stormwater violations: construction sites and illicit discharges or connections to the Village's MS4. Potential violators include construction contractors, businesses, industries, private citizens, and other governmental agencies which are detailed below.

1.2.1 Construction Sites

The Village's construction contractors are required to obtain all required permits pertaining to land disturbance activities from various agencies. Permits could include County, State or Federal permits.

The Village is responsible for inspection oversight responsibility and must ensure that a trained employee inspects construction activity at sites until final stabilization is achieved. The MS4 permit requires the Village to implement a system to monitor contracted construction activities and to enforce Permit provisions. Should any issues with Permit compliance occur, the Village will initiate progressive enforcement action. The Village is required to list and describe all violations and enforcement responses taken for construction activities in the Annual Report to NYSDEC (see **Section 6**).

The Village's authority to take enforcement action at construction sites is derived from its Village code along with permit language.

1.2.2 Illicit Discharges and Connections

The Permit also requires the Village to take measures to detect and eliminate illicit discharges and connections to the Village's MS4. An illicit discharge is defined as any discharge to a MS4 that is not entirely composed of stormwater, with the exception of allowable non-stormwater discharges and separately permitted discharges. Illicit connections are defined as any man-made conveyance that connects an illicit discharge directly to the MS4. The Village is required to implement a program to minimize, detect, investigate, and eliminate illicit discharges and connections, including unauthorized non-stormwater discharges and spills, into the MS4 system.

2 Methods of Discovery of Non-Compliance

Reports of a stormwater violation or non-compliance may come from one of the following sources:

- Reports from Village Staff – Illicit discharges and discharges of sediment or other pollutants from the construction sites, facilities, or other sources within the Village's MS4 may be observed by Village staff as they conduct normal activities such as driving to or from job sites or when inspecting other activities. Such non-compliances could include water and wind erosion, sediment tracking onto local streets, poor housekeeping, incorrect location of concrete washouts, and failed ineffective best management practices (BMPs).
- Permit Compliance Activities – Non-compliances may be discovered through Permit-required inspections or monitoring, including construction site inspections, dry weather screening, and stormwater sampling.
- Contractor Compliance Activities – A construction contractor's failure to comply with the State's Construction General Permit (CGP) requirements such as conducting and submitting inspection reports, obtaining annual certification, preparing and implementing Stormwater Pollution Prevention Plans (SWPPPs).
- Reports from the Public – Public complaints may come directly to the Village or through other local, state or federal government agencies.

3 Construction Site Erosion and Sediment Enforcement and Post-Construction Stormwater Management

This section imposes the obligation of an applicant to perform their duties in an honest, diligent, and cooperative manner.

The following section describes the Village's authority and the mechanisms for enforcing Permit provisions on construction sites within the boundaries of the Village's MS4 jurisdiction.

3.1 Compliance Requirements

Compliance with stormwater permits and laws on construction projects within the Village's MS4 must be enforced according to these Enforcement Response Procedures.

Applicants are to comply with the State’s SPDES CGP, Village, and County permits for regulated construction projects, including the obligation to file a NOI and obtain authorization under the State CGP for each construction project or site. The applicant shall also file a NOT for each construction project or site, either terminating their responsibility if final stabilization has been achieved or transferring it to another owner for completion.

3.2 Construction Enforcement

When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 7 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. Non-compliances will be classified as a minor or major violation. Major violations are generally those acts or omissions that lead to a discharge of pollutants to stormwater. Minor violations are generally instances of non-compliance that do not directly result in such a discharge. Serious discharges or an imminent threat of discharge on a project may require an immediate escalation to a higher level of enforcement. The level of enforcement response will depend upon several of the following factors:

- Severity of the violation: the duration, quality, and quantity of pollutants, and effect on public safety and the environment.
- The violator’s knowledge (either negligent or intentional) of the regulations being violated.
- A history of violations and /or enforcement actions individual or contractor.
- The potential deterrent value of the enforcement action.

The Village will use a progressive enforcement policy, escalating the response when an applicant fails to respond in a timely manner. If the Village identifies a deficiency in the implementation of the approved SWPPP or amendments and the deficiency is not corrected immediately or by a date requested by the Village, the project is in non-compliance. The timeframes to complete corrective actions and the name or position title of responsible person(s) for conducting enforcement will be documented in the notice. The recommended sequence of enforcement actions is detailed below.

3.2.1 Verbal Warning

This action is a verbal exchange between an inspector or the resident engineer and the alleged violator. The information exchanged will be documented by the inspector. Typically, no letter is written if the problem is corrected immediately, and the inspector or resident engineer observes the corrective action and deems it appropriate.

3.2.2 Written Warning

A warning letter may be issued if the non-compliance continues for 7 days after the verbal warning is issued, if the non-compliance cannot be corrected while the inspector is on site, or if the non-compliance is a significant violation. The warning letter will document the reasons why the discharge is illegal and will provide a deadline for compliance. Based on the type and severity of the non-compliance, the period between the verbal and written warnings may not wait the full 7 days. Compliance is required within 7 days to avoid additional enforcement actions; however, if the situation warrants it, shorter or longer deadlines may be permissible. A sample letter to violators is provided in **Appendix A**.

3.2.3 Stop Work Order

If the verbal and written warnings do not result in corrective action by the documented deadline, the Village may stop work (full or partial shutdown) at the construction site. Upon successful corrective action in response to a stop work order and upon approval by the Village, work may begin at the site. Example Stop Work Orders and Resume Work Orders are provided in **Appendix B**.

3.2.3.1 Temporary Suspension of Work

If immediate action is required due to an imminent threat of discharge, or if the contractor does not respond to the warning letter within the required time frame, the Village may temporarily suspend work on the project until the corrective action has been completed.

3.2.3.2 Require Corrective Action

The Village may require the permit holder to undertake corrective or remedial action to address any release, threatened release, or discharge of the hazardous substance, pollutant or contaminant, water, wastewater, or stormwater.

3.2.3.3 Revocation of Permit

The Village may revoke any permit issued to the permit holder if corrective action is not completed by the documented deadline.

3.2.3.4 Abatement

The Village may correct the deficiency or hire a contractor to correct the deficiency if corrective action is not completed by the documented deadline. The issuance of a permit constitutes a right-of-entry for the Village or its contractor to enter the construction site for the purpose of correcting deficiencies in erosion control. If the Village corrects the deficiency or hires a contractor to correct the deficiency, the Village may require reimbursement to the Village for all costs incurred in correcting stormwater pollution control deficiencies, pursuant to Village Code.

4 Illicit Discharges and Connection Enforcement

The Permit requires the Village to implement and enforce a program that ensures that the Village effectively prohibits non-stormwater discharges into its MS4. In addition, neighboring property owners are not allowed to occupy, use, or interfere with public ROW without permission. Any discharge/connection without permission is an illegal encroachment on the Village's MS4. A discharge/connection can be discovered in two ways, either through routine inspection or due to a complaint.

Similarly to the process in **Section 3.2**, notification of observed illicit connections or discharges will be carried forward to the alleged illegal connector/discharger by the inspector or observer. The Village will

use the following progressive enforcement policy, escalating the response when a discharger fails to respond in a timely manner.

4.1 Verbal Warning

When a routine inspection of the drainage system identifies an illegal connection/discharge to the Village's MS4 system, the inspector documents the discharge on a IDDE Inspection Form or in their Village electronic management system, which will be provided to the Village Engineer within 48 hours, as well as notify other departments and agencies as appropriate.

If the source of the connection is evident, the observer/inspector will contact the connector/discharger directly by phone or in person to discuss elimination. The communication will include requesting any permits or other authorizations and providing a follow-up date (within 15 days). If the discharge is permitted or authorized (documentation is required), no further action is required; if the discharge is not authorized, it will need to be addressed or ceased within 15 days.

4.2 Written Warning

If after 15 days of the verbal warning the illicit connection/discharge has not been corrected, the Public Works Director will issue a "Notice of Illegal Discharge and Demand for Corrective Action" letter to the property owner (example letter in **Appendix C**). The letter will request that the connection/discharge be ceased or removed within 30 days. A follow-up inspection will be performed by a Village staff member to ensure compliance. If the connection/discharge has not been corrected, the incident will be referred internally to the Village Engineer for further review.

4.3 Removal of Connection/Discharge

The Village may remove the illegal connection/discharge if it has not been corrected within a suitable timeframe. If the Village removes the illegal connection/discharge, the responsible party is subject to civil action for damages.

4.4 Civil Action

If the illegal connection/discharge is not corrected within 60 days of observation, the Village Engineer may forward the matter to be considered for further legal action. Additional measures will be escalated as needed to achieve compliance.

4.4.1 New York State Department of Environmental Conservation (NYSDEC)

Authority to administer the state MS4 permit in New York rests with the NYSDEC. The NYSDEC has several enforcement mechanisms for violations of SPDES rules, including fines. A sample letter to the NYSDEC asking for enforcement upon the violator is attached in **Appendix D**.

4.4.2 United States Environmental Protection Agency (USEPA)

Although the USEPA delegated authority for the SPDES Program to the state of New York, the USEPA reserves the authority to apply fines in addition to fines issued by the NYSDEC. Federal environmental regulations based on the Clean Water Act allow the USEPA to levy fines on dischargers of up to \$27,500 per day per violation.

5 Emergency Response Conditions

The Village's MS4 Permit identifies "discharges from emergency situations where federal rules specify washing as the preferred method to assure public safety" as an authorized non-stormwater discharge. Discharges or flow from firefighting activities and other discharges authorized by the Village and/or State Duty Officer that are necessary to protect public health and safety are not subject to enforcement action.

Ineffective erosion control or an illicit discharge/connection may require coordination with law enforcement and local fire departments if one or more of the following conditions are met:

1. There is a clear and present danger to the public: Contamination can cause significant damage to water quality in the cases of drinking water or recreational purposes. Commensurate action should be taken to ensure that the public is protected from harm.
2. There is an opportunity to contain the discharge: Depending on how quickly an illicit discharge is identified there may be an opportunity to mitigate the impact on the public and the environment. This could include prevention from reaching the outfall, impacting natural ecosystems, or mitigating it from spreading across a greater region.

If one or more of these conditions are met, the local police department and fire departments should be contacted to see if they can mobilize assistance. In addition, based on the location of the illicit discharge and the downstream system, the downstream municipalities should be contacted to communicate a response.

6 Reporting Requirements

The Village shall provide a list and description of all violations and their resolutions, including any enforcement actions taken against contractors, corporations, or other entities in the Annual Report to NYSDEC. At a minimum, the inspector should document the source of the complaint, the date, the time, the contact person (if any), a description of the nature of the non-compliance or illicit discharge, actions taken, and final resolution.

At a minimum, the Village shall document the following for each violation:

1. Name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s).
2. Date(s) and location(s) of the observed violation(s).
3. Description of the violation(s).
4. Corrective action(s) (including completion schedule) issued by the permittee.
5. Referrals to other regulatory organizations (if any).
6. Date(s) violation(s) resolved.

APPENDIX A
Non-Compliance Notice to Contractors

Appendix A

Village of Roslyn Harbor

NONCOMPLIANCE NOTICE

FROM: _____

TO: _____

Date: _____
Time: _____

CONTRACT NO. _____
PROJECT TITLE _____
CONTRACTOR _____

You are hereby notified that tests, inspection indicates that the _____

does not conform to the contract requirements.

Refer to Section _____ Paragraph _____ Drawing No/Detail _____
of the _____

Under these provisions, the requirements are _____

Non complying work shall be removed and replaced at no cost to the Department. It shall be the contractor's responsibility to determine the corrective action necessary and to submit a corrective plan for approval.

INSPECTOR

Noncompliance notice was received by the Contractor on _____
By: _____
Title: _____

APPENDIX B
Stop Work and Resume Work Orders

Appendix B

Village of Roslyn Harbor

STOP WORK ORDER

F.A. Project No. _____

Fund Code Order No. _____

Project _____

Contractor _____

Date Effective _____

Time of Day _____

Work Stopped 100%

Work Stopped Partial

(Check square applicable)

Reason: _____

If partial shutdown, list items affected on
reverse side or attached sheet

Resident Engineer

Appendix B

Village of Roslyn Harbor

RESUME WORK ORDER

Project No. _____ A.F.E. No. _____ Order No. _____

Project _____ Contractor _____

Date Effective _____ Time of Day _____

Work 100% Resumed

Reason: _____

Resident Engineer

APPENDIX C
Notice of Illegal Discharge and Demand
for Corrective Action

Appendix C

Village of Roslyn Harbor

500 Motts Cove Road South
Roslyn Harbor, NY 11576

XXXXXXXXXXXX

Mayor

XXXXXXXXXXXX

SWMP Supervisor

<Insert Date>

XXXXXXXXXXXX

Village Clerk

NOTICE OF ILLEGAL DISCHARGE OR CONNECTION

Person or Business Name

Address

Roslyn Harbor, New York

Dear Property Owner:

The Village of Roslyn Harbor is responsible for maintaining the extensive storm drain network located within the Town's rights-of-way. The New York State Pollutant Discharge System (SPDES), which is a component of the Clean Water Act of 1972, requires the Town to control the amount of pollutants entering the drainage system. Part of this charge is the detection and elimination of illegal discharges or connections to the system that may contain pollutants or are otherwise not allowed. Left uncorrected, any pollutants entering the system will ultimately impact nearby streams, as storm drainage is not treated at any sort of treatment facility. In addition, neighboring property owners are not allowed to occupy, use or interfere with public right of way without permission. Any discharge/connection without permission is an illegal encroachment on the Town's right of way.

An inspection of the drainage system has occurred in the vicinity of your property and an illegal connection/discharge was discovered entering into the Town's system. The discharge/connection was discovered on <insert date> at <insert business name or address>.

Indicators or Source include piping and staining.

Photographs of this discharge/connection are enclosed with this letter. In addition, I have enclosed an aerial photograph showing the location of this discharge/connection.

This discharge or connection must be ceased or removed within 30 days. A follow-up investigation will be conducted after that time to ensure compliance. If the situation is not corrected, the Town will take corrective measures, including but not limited to sending this matter to the New York State Department

Appendix C

of Environmental Conservation so that additional penalties/fines may be levied on you. In the alternative, the Town may remove the discharge/connection and bill you directly.

If the illegal discharge/connection cannot be removed within 30 days, you do not understand this notice, or you disagree that an illegal discharge/connection exists at your property, please contact me with further details or explanation by calling XXX.XXX.XXXX or by email at XXXXXXX@XXXX.gov.

Sincerely, XXXXXXXXXXXX

<Insert Title>

<Insert Address>

Enclosure (photographs)

cc: XXXXXXXXXXXXXXXX

APPENDIX D
**Letter to New York State Department of
Environmental Conservation**

Appendix D

Village of Roslyn Harbor

500 Motts Cove Road South
Roslyn Harbor, NY 11576

XXXXXXXXXXXX

Mayor

XXXXXXXXXXXX

SWMP Supervisor

<Insert Date>

XXXXXXXXXXXX

Village Clerk

Mr. XXXXXXXXXXX

New York State Department of Environmental Conservation
Address

Dear Mr. XXXXXXXXXXX:

The Village of Roslyn Harbor is responsible for maintaining the extensive storm drain pipe network located within the Town's rights-of-way. On <insert date>, an illegal connection/discharge was discovered entering into the Town's system at <insert location>. A Notice of Illegal Discharge and Demand for Corrective Action letter (attached) was sent to the property owner <insert name> on <Insert date>. Thirty days have elapsed since the issuance of the letter and the Town conducted a follow-up inspection on <insert date>, where it was discovered that the illegal connection/discharge has not ceased or been removed.

This letter is to request assistance from the New York State Department of Environmental Conservation's Office in the removal of the discharge/connection and to provide additional penalties/fines on the violator. If you have any questions or need further information, please contact me by calling XXX.XXX.XXXX or by email at XXXXXXXX@XXXX.gov.

Sincerely, XXXXXXXXXXX

<Insert Title>

<Insert Address>

cc: XXXXXXXXXXXXXXXX

Appendix I

GIS, Outfall, and System Mapping Documentation