

Town of Washington Zoning Code

Section 335 – EROSION AND SEDIMENTATION CONTROL

1. Activities Requiring a Certified Erosion and Sediment Control Plan. A separate soil erosion and sediment control plan shall be submitted to the Planning Board with any application for a special permit, site plan approval, or subdivision when the disturbed area of such development is cumulatively more than one-half ($\frac{1}{2}$) acre, or within any application to strip topsoil, regardless of the acreage.

2. Exemptions. A single-family dwelling that is not a part of a new subdivision of land, or any activity directly related to agricultural production shall be exempt from these soil erosion and sediment control regulations.

3. Erosion and Sediment Control Plan. To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from stormwater runoff on the proposed site based on the best available technology. Such principles, methods, and practices necessary for certification are found in the Dutchess County Soil and Water Conservation District's Soil Erosion and Sediment Control Guidebook. Alternative principles, methods, and procedures may be used with prior approval of the Planning Board. Said erosion and sediment control plan shall contain, but not be limited to the following:

a. A narrative describing:

- (1) The proposed development;
- (2) The schedule for grading and construction activities, including:
 - (a) Start and completion dates;
 - (b) Sequence of grading and construction activities;
 - (c) Sequence for installation and/or application of soil erosion and sediment control measures; and
 - (d) Sequence for final stabilization of the project site.
- (3) The design criteria for proposed soil erosion and sediment control measures and stormwater management facilities;
- (4) The construction details for proposed soil erosion and sediment control measures and stormwater management facilities;
- (5) The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities; and
- (6) The operation and maintenance of proposed soil erosion and sediment control measures and stormwater management facilities.

b. A site plan map prepared in accordance with the requirements of Section 480, Site Plan Review and Approval, of this Local Law which shall include the following additional requirements:

(1) The proposed following alterations including cleared, excavated, filled, or graded areas and proposed structures, utilities, roads, and, if applicable, new property lines;

(2) The location of and design details for all proposed soil erosion and sediment control measures and stormwater management facilities;

(3) The sequence of grading and construction activities;

(4) The sequence for installation and/or application of soil erosion and sediment control measures; and

(5) The sequence for final stabilization of the development site.

4. Minimum Acceptable Standards.

a. Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapters 2, 3, 4, and 5 of the Soil Erosion and Sediment Control Guidebook. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction, is stabilized and protected from erosion when completed, and does not cause off-site erosion and/or sedimentation.

b. The minimum standards for individual measures are those in the Soil Erosion and Sediment Control Guidebook. The Planning Board may grant exceptions when requested by the applicant if technically sound reasons are presented.

5. Issuance or Denial of Certification.

a. The Planning Board shall either certify that the soil erosion and control plan, as filed, complies with the requirements and objectives of this regulation, or deny certification when the development proposal does not comply with these regulations.

b. Prior to certification, any plan submitted to the Planning Board may be reviewed by the Dutchess County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty (30) days after the receipt of such plan.

c. The Planning Board may forward a copy of the soil erosion and sediment control plan and related site plans to the Conservation Advisory Commission or other board or consultant for review and comment.

6. Conditions relating to Soil Erosion and Sediment Control.

a. The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, may be covered in a performance bond or other assurance acceptable to the Planning Board.

b. Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled prior to site development are installed and functional.

c. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

d. All erosion and sediment control measures and facilities shall be maintained in a condition which ensures compliance with the certified plan.

7. Inspections. Inspections shall be made by the Zoning Administrator during development to ensure compliance with these regulations and ensure that control measures and facilities are properly performed, installed, and maintained. The Planning Board may require the applicant to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained properly.

Section 485 – STANDARDS FOR REVIEW AND DESIGN

Sub Section 5. Lighting:

a. Exterior lighting shall enhance the building design and the adjoining landscape. Lighting standards and building fixtures shall be of a design and size compatible with the building and adjacent areas, as determined by the Planning Board.

b. The number of light standards and the intensity of lighting shall be appropriate to illuminate the location for safety without glare to adjoining properties, as determined by the Planning Board.

c. Lighting standards shall be appropriate to the design of the structures and shall not exceed fifteen (15) feet in height.

d. The light level at the lot line shall not exceed .02 footcandles, measured at ground level. To achieve this, luminaires shall be shielded to prevent light from shining beyond the lot lines onto neighboring properties or public ways. Where residential uses adjoin commercial uses, light standards shall be restricted to a maximum of fifteen (15) feet in height. In addition, all lighting (except for security purposes) shall be turned off between 11 p.m. and 6 a.m. Exceptions may be considered for those businesses which are operating during these hours.