

# CONSTRUCTION REQUIREMENTS AND YOUR DEVELOPMENT

*Courtesy of the Dutchess  
County Soil and Water  
Conservation District*



**How to get stormwater  
permit coverage on your  
project**

April 2012

## *Moving Dirt in Dutchess*

### **Polluted Runoff: A Dirty Secret**

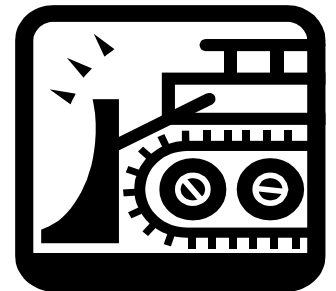
**Stormwater flows from rooftops, over paved areas, bare soil and sloped lawns, while collecting and transporting a variety of materials on the way, including soil, fertilizer, oil, debris and other potential pollutants. Polluted runoff degrades our lakes, streams, wetlands and Hudson River.**

### **It's Sedimentary, My Dear Watson**

**Construction sites contribute sediment to local waterbodies. In order to reduce the sediment load, owners and operators are required to develop and implement a Stormwater Pollution Prevention Plan that fits the activities of the construction site and is successful at reducing polluted runoff.**

**All projects that disturb one acre or more require coverage under NYS DEC's permit.**

**ADDITIONAL LOCAL REQUIREMENT MAY VARY\***



# What Do I Need To Do?

**If your construction project will disturb more than an acre of soil, and it involves:**

- Building a single-family home on a single lot, or
- A residential subdivision of less than 5 acres soil disturbance,

**The site operator must:**

1. Develop a Basic Stormwater Pollution Prevention Plan (SWPPP) in accordance with the New York Standards and Specifications for Erosion and Sediment Control.
2. Submit a Notice of Intent, based on the plan, to the DEC or to the municipality\*.
3. Begin construction after a 5 business day DEC review period.

**In addition, if the project involves:**

- Disturbance of 5 acres or more of soil, or
- Construction of anything other than single-family homes, such as apartment complexes, condos, offices, or commercial or industrial buildings,

**The site operator must:**

- Develop a Full SWPPP with water quality treatment and quantity control as well as erosion and sediment control.
  - If it conforms to the New York State Stormwater Management Design Manual, submit a NOI, based on the SWPPP, to the DEC or to the municipality\* and begin construction after a 5 business day DEC review period.
  - If it does not conform to the New York Stormwater Management Design Manual:
    1. Have the Full SWPPP certified by a licensed professional.
    2. Submit the NOI to the DEC.
    3. Begin construction after the 60 business day DEC review period.



# Definitions

**Who is considered a licensed professional?**

A licensed engineer, Certified Professional in Erosion and Sediment Control (CPEESC), or licensed landscape architect are considered licensed professionals qualified to develop and/or certify a SWPPP.

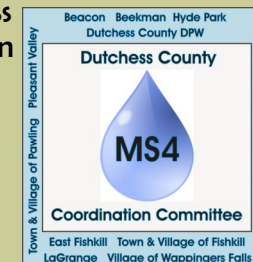
**Who is the owner/operator?**

The operator is the person, persons, or legal entity which owns or leases the property where the construction occurs.

Forms and document referenced in this brochure may be obtained through the DCSWCD office, or at DEC's stormwater webpage <http://www.dec.ny.gov/chemical/43133.html#sobject>

If you have any questions about construction stormwater regulations, please call the Dutchess County Soil and Water Conservation District office at (845) 677-8011 ext. 3.

This brochure was made possible through funding from the Dutchess County MS4 Coordination Committee.



# What if I'm working in...

**Municipalities:** The municipalities listed below require the owner or operator to obtain a separate permit before construction begins. Other municipalities may have different requirements or acreage thresholds so be sure to check with the municipality.

- Beacon
- Beekman
- East Fishkill
- Fishkill (Town and Village)
- Hyde Park
- La Grange
- Pawling Town and Village)
- Pleasant Valley
- Poughkeepsie (Town and City)
- Wappinger
- Wappingers Falls