

## **Appendix 2 Stormwater Definitions**

The following terms shall have the stated meanings when used in these Regulations or in documents prepared or reviewed under this Code:

**Agricultural activities** means the activities 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.

**Base flow** means the stream discharge from groundwater runoff.

**Blind drain** means a drain consisting of an excavated trench refilled with previous materials, such as coarse sand gravel or crushed stone through which water percolates and flows toward an outlet, often referred to as a French drain.

**Building footprint** means that two-dimensional plane area of a building or structure which results when the height dimension is removed and which shows an aerial view of said building or structure including garages, shed, porches, eaves, covered breezeways, entryways and other similar attached appurtenances.

**Catch basin** means an inlet structure for the collection of stormwater from impervious surfaces designed with a sump to trap sediment.

**Department** means the Department of Environmental Conservation of the State of New York.

**Detention** means the practice and procedures associated with the delayed release of stormwater so as to reduce peak flow, maintain base flow, increase opportunity for recharge to groundwater, and reduce opportunity for surface runoff and soil erosion.

**Detention structure** means a permanent structure for the temporary storage of runoff, which is designed so as not to create a permanent pool of water.

**Develop land** means to change the runoff characteristics of a parcel of land in conjunction with residential, commercial, industrial or institutional construction or alteration.

**Development** means any building, construction, expansion, alteration, modification, demolition or other activity, including land clearing, land disturbance, grading, roadway construction or expansion, mining or mineral extraction which, materially changes the use or appearance of land or a structure, or the intensity of the use of land, or the creation of a subdivision which may result in such activity, but not including interior renovations to a structure, a change in use of a structure which results in no land disturbance, or the construction or modification of a dock, wharf, or mooring.

**Development area or site** means any parcel of property or lot or combination of contiguous lots which (a) are in common ownership, or (b) are in diverse ownership where development is to occur in common, For the purposes of this Ordinance, contiguous lands shall include those separated by a public highway.

**Disturbed area** means that part of a development site area where actual land disturbance, vegetation removal, or construction of buildings, structures, or utilities will occur or has occurred.

**Drainage area** means all of the area of land contributing runoff flow to a single, point.

**Erosion** means the wearing away of the land surface by water, wind, or ice or the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**Filter strip** means a strip of permanent vegetation above ponds, diversion terraces and other structures to retard flow of runoff, causing deposition of transported material, thereby reducing sediment flow.

**Flow attenuation** means prolonging the flow time of runoff to reduce the peak discharge.

**Hydrograph** means a graph showing variation in stage (depth) or discharge of a stream of water over a period of time.

**Impervious** area means an area covered by pavement, rooftops, and/or other structures or materials, which is either impervious to water or which substantially prevents the infiltration of water into the soil at that location.

**Infiltration** means the downward movement of water from the surface to the subsoil. Infiltration rate is typically expressed as inches per hour.

**Infiltration device** means a stormwater recharge area, drywell, recharge basin, retention basin or any other engineered structure designed to infiltrate stormwater.

**Infiltration rate** means a soil characteristic determining or describing the maximum rate at which water can enter the soil under specified conditions, including the presence of an excess of water.

**Land disturbance or land clearing** means grading, digging, cutting, scraping, excavating, removing of soil, placement of fill, paving or otherwise covering ~ construction, substantial removal of natural or human-made vegetation, replacement of natural vegetation with lawn or other human-made vegetation, demolition or other removal of human-made features, or any activity which bares soil or rock. For the purposes of calculating the square footage affected by any development in order to determine a project's classification, all affected areas of the development site shall be considered in aggregate whether or not the affected areas are contiguous.

**Mulch** means a natural or artificial layer of plant residue or other material such as sand or paper, on the soil surface, which reduces erosion, maintains soil moisture, and facilitates seed germination.

**Municipality** means the Town of North Elba and/or Lake Placid Village.

**Nonpoint source** means any source from which pollutants are, or may be, discharged which is not a point source.

**Offering plan** means a prospectus as required by §352-e of the General Business Law.

**Peak flow** means the maximum instantaneous flow of water from a given condition at a specific location.

**Person** means any individual, firm, partnership, club, trust, company, association, cooperative, corporation (including a government corporation), municipal it the State or Federal government and any agency thereof.

**Pollution** means the condition caused by the presence in the environment of substances of such character and in such quantities that the quality of the environment is impaired or rendered offensive to live. .

**Pollution source controls** means the structures and practices used in reducing contaminants from point and/or nonpoint sources.

**Porous pavement** means an open graded paving material, which allows water to pass through it.

**Predevelopment** means those site conditions, which legally existed prior to the commencement of any activity regulated by this Ordinance.

**Project** means any land use or development activity proposed by an applicant, which is subject to this Subpart.

**Project life** means the anticipated or actual time a project will be used or remain in functional existence.

**Rainfall intensity** means the rate at which rain is falling at any given instant, usually expressed in inches per hour.

**Rational method** means a widely accepted method for calculating stormwater runoff, volume and rates of flow for stormwater shed areas up to twenty acres.

**Redevelopment** means any activity which alters a previously developed site.

**Retention** means any activity, which alters a previously developed site.

**Retention pond** means a recharge basin, which is designed to infiltrate all of the stormwater it receives and which normally has no outflow.

**Revegetation** means the natural or artificial replacement of vegetation on a project site to reduce erosion, decrease runoff, improve water quality and improve aesthetic qualities of exposed soils.

**Runoff controls** means those structures and/or devices, including, but not limited to, dry wells, porous pavements, ditches, wetlands, holding ponds, recharge areas, and retention/detention basins which recharge groundwater and provide for peak flow attenuation.

**Significant habitat** means that area or region important in fulfilling the daily or seasonal habitat requirements of any species of plant or animal designated as endangered, threatened, rare, or of special concern by the Department pursuant to ECL Sections 11-0535 and 9-1503 and the Department's regulations thereunder, or by any individual species or any group of natural community of nonlisted plants and animals of significant economic, recreational, aesthetic, ecological or scientific importance.

**Siltation trap** means a structure designed to trap sand and silt-sized particulate matter from stormwater.

**Site** -(see Development Area)

**Stormwater** means water produced by precipitation including snow melt which does not evaporate and which flows over a natural or human-made surface or into a natural or human-made channel.

**Stormwater Concept Plan or SCP** means a report prepared in accordance with Schedule B of this Ordinance or on behalf of a project sponsor which includes analysis of a site's environmental characteristics, potential impacts of the development on water resources and the effectiveness and acceptability of the proposed stormwater management system in order to determine the types of stormwater measures necessary for the proposed development.

**Stormwater control measures** means all those natural and man-made structures, infiltration devices, erosion controls, systems, facilities, agreements, institutional arrangements, and financial provisions to manage stormwater including, but not limited to, any of the following: dry wells, pits of crushed rock, infiltration trenches, retention ponds, detention ponds, blind ditches, swales, pipes, culverts, natural depressions, porous paving, recharge areas, and basins.

**Stormwater Control Report or SCR** means a report prepared in accordance with Schedule B of this Ordinance or on behalf of a project sponsor which evaluates the quantity and quality of stormwater runoff resulting from the proposed project. The report shall include a set of drawings and other documents to provide all the necessary information and specifications pertaining to stormwater management and associated pollution control for a particular site. The SCR is intended to implement the SCP.

**Stormwater design plan** means the written narrative, maps, and diagrams prepared for the purpose of runoff control on a specific development site, based upon survey and analysis of the site.

**Stormwater management** means: (I) for quantitative control, a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by human-made changes to the land; and (ii) for qualitative control, a system of vegetative, structural and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

**Stormwater Management Maintenance Agreement** means an agreement between the project sponsor and some other entity to ensure adequate maintenance and repair of the stormwater management system over the life of the project.

**Stormwater Management Plan or Plan** means a local stormwater management plan adopted by a municipality pursuant to this Subpart and ECL Section 43-0112.

**Stormwater recharge area** means an area of land used for the purpose of infiltrating stormwater.

**Stormwater Regulatory Program or Program** means a local stormwater regulatory control program adopted by a municipality pursuant to 6NYCRR 646-4 and ECL Section 43-0112.

**Stormwater runoff** means any surface water runoff or runoff in channels which results directly either from a rainstorm or from the melting of snowpack.

**Stream** shall include any permanent or intermittent watercourse.

**Stream corridor** means that area within one hundred (100) feet of the high water mark of any stream or river protected and/or regulated by New York State Department of Environmental Conservation, or wetlands adjacent thereto.

**Subcatchment** means an identifiable drainage area contained within a large watershed or drainage area.

**Subdivision** means a division of any land into two or more lots, parcels, or sites, whether the new lots are adjoining or not, for the purpose of sale, lease, license, or any form of separate ownership or occupancy by an person, including the conveyance of lands in common ownership which are divided only by a road or utility right-of-way. Creation of a condominium or townhouse project shall be considered a subdivision. This definition shall not apply to conveyances of small parcels of land to correct a boundary of a lot, so long as such conveyance does not create additional lots.

**Surface water runoff** means water which flows over the land and does not percolate into the soil, and which may run off as a sheet, rill, or stream flow.

**Time of concentration** means the time required for water to flow from the most remote point of a watershed, in a hydraulic sense, to the outlet.

**Water body** means any lake, pond, river, stream, intermittent stream, or wetland.

**Water table** means the upper surface or top of the saturated portion of the soil or bedrock layer, indicating the upper extent of groundwater.

**Watershed** means the total drainage area contributing runoff to a single point.