

**ONTARIO-WAYNE STORMWATER COALITION  
MINUTES FROM TUESDAY, NOVEMBER 20, 2007  
9:30 AM – 11:30 AM  
VICTOR VILLAGE HALL**

**Next Meeting is Tuesday, December 18, 2007 at 9:30 AM, Victor TOWN Hall.**

**Attendees:** Scott Allen, CEO, Town of Macedon; Kevin Rooney, Assistant Highway Supervisor, Wayne County Highway; Tom Walton, Wayne County Highway; Jeff Overstrom, Sniedze Associates (rep. Town of Victor); Edith Davey and PJ Emerick, Ontario County Soil and Water Conservation District; Jon McConnell, Village of Victor; Al Benedict, CEO, Town of Victor; Bob Wykle, Superintendent, Water Utilities Department, Town of Ontario; Rich Williams, Deputy Attorney, Town of Ontario; Patricia Marini, Councilwoman, Town of Walworth; Ed McLaughlin, Highway Superintendent, Town of Farmington; John Berry, Ontario County Highway Department; Jim Peet, MRB Group (rep. Town of Farmington and Town of Ontario); Dan Cornwall, Engineer, Village of Macedon; Colleen Donovan, DEC Region 8; and Jayme Breschard, G/FLRPC.

**Action Items from Tuesday, October 16, 2007:**

- Round 8 budgets due on Friday, October 19. Please fax to the attention of Jayme Breschard at (585) 454-0191.
- Review SPDES Construction/MS4 General Draft Permits before the public review meeting scheduled for Friday, November 16.
- Shared Municipal Services Incentive (SMSI) Grant Program due date is December 14, 2007.
- Round 9 Project Work Plans and SEQR documentation is due ASAP.
- Viewing of “Storm Warnings: Storm Water Pollution Prevention” and Rain Garden Workshop information at next Coalition meeting.

**Agenda:**

1. Viewing of “Storm Warnings: Storm Water Pollution Prevention.” The Coalition has decided not to purchase this municipal training kit.
  
2. Report on Rochester Public Meeting of Draft Stormwater Permits held on Friday, November 16, 2007. Copies of the draft permits and fact sheets are available on DEC’s website at: <http://www.dec.ny.gov/chemical/8694.html>. The public meeting was well-attended by the Ontario-Wayne Stormwater Coalition members. Discussed submitting joint comments regarding the new draft MS4 and Construction Permits prior to the 12/10 deadline, in lieu of submitting separate comments. Must be written in order to be considered. A result of submitting written comments could be a change in the permit.

Most of the comments received were not in paragraph detail, rather, specific ‘site’ details/situations. The two permits are in the “development” stage of the Phase II Program. Beginning of implementation by January 8. Some of the details have been changed in the new draft permits. The goals in the new permits have been to: reduce submission/administrative burdens, provide more clarity for “non-trationals,” to have very little change from the former permits, and definitions expanded to be clearer.

### The “Big” Issues

Permit No. GP-0-08-001 (SPDES GENERAL PERMIT)

Page 8 Five Acre Waiver Requirements

- At least 2 inspections every 7 days
- 7 days to stabilize soils
- No >5 acres exposed soil from 11/1 to 3/1
- Owner must prepare a phasing plan

Page 14 Site Inspection Requirements

- Single family homes and residential subdivisions between 1 and 5 acres with 25% or less impervious cover at total site build-out exempt from inspections, do not directly discharge into 303(d) waterbody, construction on ag property less than 5 acres are exempt
  - A single family home or subdivision between 1 and 5 acres with greater than 25% impervious cover at build-out are **no longer exempt** from doing inspections by a qualified professional.

Sites not disturbing more than 5 acres of soil at one time must have a *qualified inspector* conduct a site inspection at least once every fourteen (14) calendar days and within 24 hours of the end of a rain event of 0.5 inches or greater. (This is stated this way to differentiate from the >5acre waiver requirements below). If the rain event occurs on a weekend day, the inspection shall be performed by or on the next business day.

- To disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days.
- Where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days.

The *owner or operator* shall notify the Regional Office stormwater contact person in writing prior to reducing the frequency of inspections. For shut down associated with partial project completion-*qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the Regional Office stormwater contact person in writing prior to reducing the frequency of inspections.

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4. For construction activities meeting subdivision a. of this Part, the owner or operator must, prior to submitting the Notice of Termination, ensure one of the following:
  - a) the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,
  - b) an executed maintenance agreement is in place with the municipality that will maintain the practice(s),
  - c) the owner or operator has a deed restriction in place that requires operation and maintenance of the practice(s) in accordance with the operations and maintenance plan.

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Appendix A

### **Qualified Inspector**

someone working under the direct supervision of the licensed Professional Engineer or licensed Landscape Architect provided that person has training...an individual performing a site inspection has received eight (8) hours of training, endorsed by the Department, from a Soil and Water Conservation District, CPESC, Inc. or other Department endorsed in the last three (3) years.

3. Update on WQIP Rounds 8 & 9 AND Local Law/ SEQR Adoption. Round 8 has been received by Colleen Donovan and will be approvable, with some minor tweaks, by mid-week of November 26th. Round 9 is being finalized. Jayme Breschard reported that all local laws and SEQR review requirements have been adopted by all MS4 towns and villages in Wayne and Ontario Counties. Congratulations!
4. Shared Municipal Services Incentive (SMSI) Grant Program. Scott Allen discussed the formation of a Shared Services Subcommittee to investigate how 'shared services' can be used to complete the required construction erosion control and IDDE

inspections. Scott asked for a few volunteers to examine how one resource can be developed. I.E. Construction sites active list, using SWCDs, one person doing the inspection, set paperwork, set timelines, central repository, standard forms, title, etc.

- Form committee
- Work through logistics
- Fair funding
- User-fee based
- Coalition-supported system
- Commonality of forms, record-keeping, IDDE, etc.

### **Shared Services Subcommittee**

Dan Cornwall  
Scott Allen  
Rob Williams  
Jim Peet  
PJ Emerick

6. PJ Emerick discussed the Rain Garden Workshop he attended, provided by the Stormwater Coalition of Monroe County. PJ Emerick passed around materials. Town of Penfield has a video clip at their website, under “Special Activities.” Rain gardens are said to drain ¼ of an acre.

7. Water Quality Improvement Projects Round via the DEC. Colleen Donovan will notify.

8. PJ Emerick has invoiced Coalition members for 2008 membership dues.

### **Action Items:**

1. Training and education of Town/Village/County Planning and ZBA Boards, Highway Departments, and Town/Village Boards available using the two DVDS (*SWPP for Construction Sites: Ground Control* and *Storm Watch: Municipal Stormwater Pollution Prevention*). Plan ahead to have municipal training sessions. Contact Jayme Breschard.
2. Winter Workshops? Possible technical workshop on rain gardens?
3. Send all comments regarding the Construction/MS4 General Draft Permits to Jayme Breschard. With one week to go, Jayme Breschard will email a reminder. Colleen Donovan will notify Jayme Breschard of how to submit comments. (“Written comments” submitted via email or snail mail?)
4. Post Rochester Draft Permits Public Meeting PowerPoint on G/FLRPC website. Colleen Donovan will provide PowerPoint presentation to Jayme Breschard.

5. Shared Services Subcommittee to provide available meeting dates to Jayme Breschard. (Sometime before the end of the year.)
6. Jayme Breschard will email WQIP Round 10 information when available.
7. The Town of Penfield has documented the construction of a rain garden at the Town of Penfield DPW in a video which can be viewed via the internet at: [http://www.penfield.org/index.php?pr=News\\_Special\\_Events](http://www.penfield.org/index.php?pr=News_Special_Events). Click on “Botanical Rain Garden” and the video will start.
8. Due to a scheduling conflict at Victor Village Hall, Al Benedict has reserved the Main Meeting Room at the temporary Victor Town Hall for Tuesday, December 18, 2007 from 9:30am - 11:30am. The address is: 1290 Blossom Drive, located about 1.3 miles east of the Old Town Hall, just before East Victor Road.

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