

Topic: Steep Slope Protection; Zoning
Resource Type: Regulations
State: New York
Jurisdiction Type: Municipal
Municipality: Town of Owasco
Year: 2017
Community Type – applicable to: Rural; Suburban; Urban
Title: Municipal Code, Chapter 150 Zoning,
Article IIA Environmental Protection
Overlay Districts, Section 150-9.20 EPOD 3
Steep Slope Protection District

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Abstract

The Steep Slope Protection District sets forth regulations designed to minimize the impacts of development activities on steep slopes, including soil erosion and sedimentation, destruction of vegetation, increased stormwater runoff, and landslides. Regulated activities within the District include the clearing of or construction on land; the construction of sewage disposal systems; filling, cutting, or excavation; and discharge of stormwater and/or construction and placement of stormwater runoff systems. In order to be permitted to undertake such regulated activities, specific standards must be met regarding the stable angle of repose of soil classes on the site, soil stability, erosion and sedimentation control, protection and reestablishment of plant life, slope access, and drainage systems on steep slope areas. Temporary erosion control measures shall be provided for all disturbed areas, installed before work begins, and maintained until restoration is complete. A construction and erosion control schedule is required as part of the permit application process. Stormwater drainage systems shall be designed and located to ensure slope stability. Any soil disturbance conducted on a steep slope shall not direct surface water runoff over the downhill edge during construction.

Resource

§ 150-9.20. EPOD 3 Steep Slope Protection District.

- A. Purpose. The purpose of the Steep Slope Protection District is to minimize the impacts of development activities on steep slopes in the Town of Owasco by regulating activities in such areas and by requiring review and permit approval prior to project commencement. The development impacts include soil erosion and sedimentation, destruction of vegetation, increased stormwater runoff rates and landslides. The regulations contained in this district are designed to minimize the disturbance or removal of existing vegetation, prevent increased erosion and stormwater runoff, maintain established drainage systems, locate development where it is less likely to cause future slope failures and to retain, as much as possible, the natural character of these areas.
- B. Delineation of district boundaries. The boundaries of the Steep Slope Protection District shall be delineated on the Town of Owasco Official Maps and shall include all areas of fifteen-percent or greater slopes, and all areas within 50 feet of the toe or top of such slopes. The Planning Board may consult other information, including but not limited to the Soil Survey Map of Cayuga County, topographic maps produced by the United State Geological Survey, filed surveys and other appropriate sources, in order to more accurately locate and delineate Steep Slope Protection District boundaries.
- C. Regulated activities.
 - (1) Clearing of or constructing on any land area within the Steep Slope Protection District, including construction or clearing activities related to providing equipment access on the site, except for those activities exempted from regulations as enumerated in § 150-9.16 of the article.
 - (2) The construction or placement of any sewage disposal system, including individual sewage disposal systems septic tanks, septic drainage or leach fields.
 - (3) Filling, cutting or excavation operations.
 - (4) Discharge of stormwater and/or construction and placement of stormwater runoff systems.
- D. Standards for permit review.
 - (1) General regulations. No permit to undertake a regulated activity within a Steep Slope Protection District in the Town of Owasco shall be issued unless the project complies with the following additional standards:
 - (a) The stable angle of repose of the soil classes found on the site shall be used to determine the proper placement of structures and other development-related facilities within the plateau area. Site-specific calculations of the stable angle of repose for the site shall be determined

by a professional soil scientist or engineer using the soil classes and nomenclature contained in the Soil Survey of Cayuga County and obtained for the site by borings, as well as high-intensity soil survey data provided by the applicant.

- (b) The stability of soils will be maintained or increased to adequately support any construction thereon or to support any landscaping, agricultural or similar activities. This shall be documented by soil bearing data provided by a qualified testing laboratory or engineer and paid for by the developer.
 - (c) No proposed activity will cause erosion or slipping of soil or cause sedimentation to be discharged into any stream, brook, tributary, wetlands or into Owasco Lake.
 - (d) Plant life located on the slopes outside the minimum area that need to be disturbed for carrying on approved activities shall not be destroyed. Plants or other acceptable ground cover shall be reestablished in disturbed areas immediately upon completion of development activity so as to prevent any of the harmful effects set forth above to maintain the natural scenic characteristics of any steep slope.
 - (e) Access down steep slopes shall be provided with ramp slopes no greater than one to six and side slopes not greater than one to three if not terraced or otherwise structurally stabilized. Disturbed nonroadway areas shall be stabilized and adequately drained.
 - (f) There is no reasonable alternative for the proposed regulated activity on that portion of the site not containing steep slopes.
- (2) Specific standards. Construction of erosion protection structures shall be permitted according to the following standards:
- (a) All erosion protection structures shall be designed and constructed according to generally accepted engineering principles found in publications entitled "Stormwater Management Guidelines for New Development" and "Best Management Practices for Stormwater Runoff Management" as found in Chapter 6 of the New York State Department of Environmental Conservation Stream Corridor Management Manual.
 - (b) A long-term maintenance program shall be included in any application for construction, modification or restoration of an erosion protection structure until ground cover has been reestablished. Such program shall include specifications for normal maintenance of degradable materials and the periodic removal of materials.
 - (c) The construction, modification or restoration of erosion protection structures shall not be likely to cause any measurable increase in erosion

at the development site or other locations and prevent adverse effects to natural protective features, existing erosion protection structures and natural resources such as significant fish and wildlife habitats.

- (d) Temporary erosion controls, i.e., straw bales, siltation fences, hydro seeding and mulching, shall be provided for all disturbed areas, shall be installed before work begins and shall be maintained until restoration is complete. The site plan shall identify the locations and methods of erosion/siltation controls.
 - (e) A construction and erosion control schedule should be required from the applicant as part of the permit application. All disturbed steep slope areas shall be regraded and stabilized as soon as possible, but in less than 14 days.
 - (f) Drainage of stormwater shall not cause erosion or siltation, contribute to slope failures, pollute groundwater or cause damage to, or flooding of, property. Drainage systems shall be designed and located to ensure slope stability.
 - (g) Any grading, excavating or other soil disturbance conducted on a steep slope shall not direct surface water runoff over the receding (downhill) edge during construction.
 - (h) Removal of existing mature trees from steep slope areas will be permitted only where absolutely necessary to allow the subject construction. All trees larger than three inches in diameter to be removed shall be shown on the site plan.
- (3) Prior to receiving any approval or imposing any conditions of approval, the applicant for a development permit shall have the burden of demonstrating that the proposed regulated activity will be conducted in accordance with the standards and requirements of this section, as well as any additional requirements which may be imposed by the Town Planning Board.