



851 Chemung Street  
Horseheads, New York, 14845

June 5, 2012

Mr. Tim Gilbert, Code Enforcement Officer  
Town of Big Flats Code Enforcement Department  
476 Maple Street, P.O. Box 449  
Big Flats, New York 14814

**Re: Hickory View Apartments Multi-Family Development  
Big Flats, New York  
SWPPP Acceptance**

Mr. Gilbert:

I have completed a review of the above-referenced project regarding the proposed stormwater management systems for that project. The following information was submitted and reviewed.

- Site/Civil Construction Documents for Hickory View Apartments Multi-Family Development, Stamped by a NYS Licensed Professional Engineer, Prepared for Arnot Realty Corporation, Prepared by Larson Design Group, LDG Project No. 6632-006, Revision Dated June 4, 2012
- Stormwater Pollution Prevention Plan (SWPPP) for Hickory View Apartments Multi-Family Development, unstamped by a NYS Licensed Professional Engineer, Prepared for Arnot Realty Corporation, Prepared by Larson Design Group, LDG Project No. 6632-006, Revision Dated June 5, 2012

Based upon the review of the above-referenced information, I believe that the proposed stormwater management plan is consistent with the Town of Big Flats's Stormwater Management and Erosion and Sediment Control Ordinance. This acceptance is conditioned upon the following items.

Conditions of Acceptance

The following conditions of acceptance apply to this project.

1. In accordance with the Town's Stormwater Management and Erosion and Sediment Ordinance, a formal, signed enforceable operation and maintenance agreement for the stormwater collection and management system shall be provided by the Applicant. Furthermore, this agreement must reference and include an approved Operation & Maintenance Plan.

This agreement shall be binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property. Also, the Applicant shall convey to the Town easements and/or rights-of-way to assure access for periodic inspections by the Town or their representatives (and for maintenance if required). These agreements, as well as the Operation & Maintenance Plan, shall be subject to the review and approval of the Town of Big Flats, their attorney, and Chemung County Stormwater Coalition.

3. A Post-Construction Contingency Stormwater Management Plan is required and shall be part of the Operations and Maintenance Agreement. This Contingency Stormwater Plan is required due to concerns associated with the relatively low percolation rates of the on-site soils and the associated performance implications regarding stormwater infiltration. This Contingency Stormwater Management Plan shall be subject to the review and approval of the Town of Big Flats, their attorney, and the Chemung County Stormwater Coalition. The draft plan in the SWPPP has not been reviewed at this time.
  - i. Requirements and associated provisions for the Post-Construction Stormwater Management Plan shall be included as part of the Stormwater Facility Operation and Maintenance Agreement.
  - ii. As a point of understanding, the proposed stormwater system is considered to be operating ineffectively when either of the two issues occurs. The Contingency Plan shall be clear on this point.
    - a. Stormwater leaves the project site.
    - b. Standing water within the "Vegetated Open Swales" exceeds 48 hours.
  - iii. The Town's Stormwater Management Officer shall officially be responsible for determining if the proposed stormwater management system is working ineffectively and whether/when the Post-Construction Contingency Stormwater Management Plan needs to be executed. The Contingency Plan shall be clear on this point.
  - iv. The draft Post-Construction Contingency Stormwater Management Plan indicates that, as a contingency measure, stormwater from the project site would be diverted to the existing topographic depression to the east of the project site. The diversion of additional stormwater to this existing topographic depression may necessitate the expansion/modification of this depression area. As such, as part of the Contingency Stormwater Management Plan, an engineering drainage evaluation would need to be conducted and appropriate expansion/modification of this topographic depression completed, when/if the Contingency Plan begins to be implemented. This evaluation, as well as the associated expansion/modification of the topographic depression, should be submitted to the Town for their review and acceptance, prior to any work being completed.
  - v. Assurance of a legal nature that rights shall exist in perpetuity for the Hickory View Apartments Multi-Family Development site to utilize the topographic depression area to the east of the current project site for the back-up stormwater management area. The general layout and location of area(s) that would be utilized for back-up stormwater management areas shall be included in a map in the agreement.
4. One set of final approved Site Plan Drawings, with the executed acceptance stamp of the Chemung County Stormwater Coalition, must be on-site at all times during construction and site stabilization.
5. The Applicant is responsible for obtaining all necessary permits, including highway access permits from the Chemung County Highway Department.

If you have any questions or comments, please do not hesitate to contact me. Furthermore, I would be happy to meet to discuss this project in greater detail.

Sincerely,

A handwritten signature in black ink that reads "Jimmie Joe Carl". The signature is written in a cursive style with a large initial 'J'.

Jimmie Joe Carl, P.E.  
Chemung County Stormwater

Cc: Andy Avery, P.E., Chemung County DPW  
Jessica Verrigni, Chemung County Stormwater