

Village of Scottsville  
Board of Trustees Meeting  
Tuesday, January 13, 2026 6:30 pm  
Wheatland Municipal Building

Board of Trustees: Maggie Ridge, Mayor  
Wayne LaVair, Deputy Mayor  
Charla Domina, Trustee  
Andy Fraser, Trustee  
Randy Hess, Trustee

### Agenda

1. **Call to Order** Mayor Maggie Ridge called the January 13, 2026 Village of Scottsville Board of Trustees to order at pm.
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **Approval of Minutes**

#### **Village Board Meeting Minutes**

*Tuesday, December 9, 2025*

**Motion** made by Trustee and seconded by Trustee to approve the minutes of the *Tuesday, December 9, 2025* Village Board Meeting as submitted.

**Vote:** *Carried ( - )*

Mayor Maggie Ridge  
Trustee Randy Hess  
Trustee Charla Domina

Deputy Mayor Wayne LaVair  
Trustee Andy Fraser

*Tuesday, December 30, 2025*

**Motion** made by Trustee and seconded by Trustee to approve the minutes of the *Tuesday, December 30, 2025* Village Board Meeting as submitted.

**Vote:** *Carried ( - )*

Mayor Maggie Ridge  
Trustee Randy Hess  
Trustee Charla Domina

Deputy Mayor Wayne LaVair  
Trustee Andy Fraser

5. **Public Before the Board**

6. **Treasurer – Paula Parker**

#### **Pay Bills:**

**Motion** made by Trustee and seconded by Trustee to approve payables as listed on the AP Check Register Report through January 13, 2026 and prepaid bills with General Payables totaling \$ .

**Vote:** *Carried ( - )*

Mayor Maggie Ridge  
Trustee Randy Hess  
Trustee Charla Domina

Deputy Mayor Wayne LaVair  
Trustee Andy Fraser

**Treasurers Report:****Budget Transfers:**

**Motion** made by Trustee and seconded by Trustee to approve the budget transfers as listed above from the January 2026 Treasurers Report.

**Vote:** *Carried ( - )*

Mayor Maggie Ridge  
Trustee Randy Hess  
Trustee Charla Domina

Deputy Mayor Wayne LaVair  
Trustee Andy Fraser

**Local Law 2-2026 2026-2027 Tax Cap Override:**

**Motion** made by Trustee and seconded by Trustee to set a Public Hearing for Tuesday, February 10, 2026, at 7:00 pm to consider Local Law 2-2026 to override the tax cap for the 2026-2027 budget year.

**Vote:** *Carried ( - )*

Mayor Maggie Ridge  
Trustee Randy Hess  
Trustee Charla Domina

Deputy Mayor Wayne LaVair  
Trustee Andy Fraser

7. **Department Reports**

a) **DPW – Kenny Bohn**

b) **Building Inspector/Code Enforcement Officer**

**Ongoing Permits**

520 North Rd- Construction still ongoing from vehicle into home  
39 Main Street – Rear building in final touches stage

**Permits Issued**

7 Main Street – Signs for barber shop

**Closed Permits**

3 Maple – Roof  
65 Oakwood Lane – Fence  
80 Diana – Deck  
127 West Cavalier- Roof  
7 Church Street- Roof  
1 Race St- Fence  
119 Heather- Roof

**PB/ZB**

32 Main Street possibly opening up a gym, questions regarding apartment that was approved in the rear.

**HB**

Nothing at this time

**Code Enforcement**

Main street parking issues during snow events. Green tags given to DPW to remind people no overnight parking

**Fire Marshal**

Reminder to residents, please clear out fire hydrants on your property to help out the FD in case of emergency.

**Misc**

I will be out of town in Buffalo attending the Niagara Frontier Building Officials Conference from 1/26-1/29. This will take care of my 24 Annual required training hrs. I will have cell and email access during the conference.

c) **Clerk – Anne Hartman**

Switching over to web-based payroll system

**Village Election Polling Place Designation**

**MOTION:** made by Trustee \_\_\_\_\_ and seconded by Trustee \_\_\_\_\_ that the designated polling place for the Village of Scottsville Election to be held on March 18, 2026 will be St. Mary of the Assumption Hartmann Hall 99 Main Street, Scottsville, New York 14546 between the hours of 12:00 Noon and 9:00 pm.

**Vote: Carried ( - )**

Mayor Maggie Ridge  
Trustee Randy Hess  
Trustee Charla Domina

Deputy Mayor Wayne LaVair  
Trustee Andy Fraser

Employee Handbook Revision

8. **Trustee Updates:**

**Deputy Mayor Wayne LaVair – DPW**

**Trustee Andy Fraser – Grants and Planning Board/Zoning Board of Appeals**

**Trustee Charla Domina – Procurement and ARPA**

**Trustee Randy Hess – Historic Commission**

9. **Mayor's Reports - Maggie Ridge**

10. **Public Hearing**

*Mayor Ridge opens public hearing at \_\_\_\_\_ pm by reading the notice published in the Sentinel.*

**VILLAGE OF SCOTTSVILLE  
LEGAL NOTICE  
PUBLIC HEARING**

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE The Village of Scottsville Board of Trustees has scheduled a Public Hearing January 13, 2026 at 7:00 pm at the Wheatland Municipal Building, 22 Main Street, Scottsville, NY 14546 to consider Local Law 1-2026 to amend the Village Code of the Village of Scottsville, Chapter 140 – Storm Sewer System, Chapter 139 – Stormwater Management, 145 – Subdivision of land Chapter 170 – Zoning.

### **Building Inspector/Code Enforcement Officer**

#### **Building Dept:**

##### **Ongoing Permits**

- 15 Rochester Street Issued CofO
- 520 North Rd – Construction underway from after vehicle vs house
- CooperVision parking lot completed

##### **Permits Issued:**

- 3 Maple Street – roof
- 65 Oakwood Lane – Fence
- 80 Diana Drive pool deck
- 127 West Cavalier – Roof
- 470 North Rd- Plumbing
- 20 Wyvil- Porch Roof
- 7 Church- Roof
- 7 Main Street – Signs
- 1 Main Street – Plumbing
- 43 Chili Ave – Generator
- 1 Race Street- Fence

##### **Closed Permits:**

- 4 Kase Ct- Inground pool w/fence
- 470 North- Plumbing
- 1 Main – Plumbing
- 7 Sanhurst – shed
- 16 Diana – Roof
- 80 Diana- Deck
- 20 Wyvil – Porch roof
- 9 Church – demo

**A report to the Assessor has been sent regarding building permits issued.**

**PB/ZB:** Nothing currently

**HB:** Nothing Currently

#### **Code Enforcement:**

- Main Street parking complaint received in front of 7 Main
- Neighbor dispute/issues on Briarwood, with parking violations - Violation letter sent. Unregistered vehicles have been registered- closed out violation
- Parking issue on Browns, seems to be resolved at this time
- Working with resident to have them fix their fence that is falling into the rear parking lot
- Neighbor dispute about trees over property line

#### **Fire Marshal:**

- annual inspections
- Zoning Compliance letter for 60 Main
- Winter Fest Food trucks all have required licenses

### **Clerk – Anne Hartman**

*.GOV is complete*

*Polling Site*

*Year End Payroll*

*Cyber Security*

*Employee Handbook rewrite*

Holiday Schedule

Wednesday, December 24, 2025	Close at Noon (PTO)
Thursday, December 25, 2025	Holiday
Friday, December 26, 2025	PTO
Wednesday, December 31, 2025	Close at Noon (PTO)
Thursday, January 1, 2026	Holiday
Friday, January 2, 2026 (DPW)	PTO

**Motion** made by Mayor Maggie Ridge and seconded by Deputy Mayor Wayne LaVair to approve the above holiday schedule.

**Vote:** *Carried (5-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	AYE
Trustee Charla Domina	AYE		

**Trustee Updates:**

Deputy Mayor Wayne LaVair – DPW

Talked to Kenny about upcoming projects

Trustee Andy Fraser – Grants and Planning Board/Zoning Board of Appeals

Monroe County is offering training classes for the Planning and Zoning Boards

Trustee Charla Domina – Procurement and ARPA

Will research solar lights and bench

Trustee Randy Hess – Historic Commission

**Mayor's Reports - Maggie Ridge**

Had a meeting about the dog park with Monroe County, Securitas, Kenny Bohn and Brian Turner  
Meeting with the owners of the Oatka Hotel, TJ Connor parking lot cleared up, healthcare meeting with the retirees, CMP continues, RFQ for TAP grant submitted will look into PTNY grant for more parking at Canawaugus Park.

**Public Hearing CANCELLED**

The scheduled public hearing is cancelled due to notice not containing the entire title of the local law.

**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** The Village of Scottsville Board of Trustees has scheduled a Public Hearing December 9, 2025 at 7:00 pm at the Wheatland Municipal Building, 22 Main Street, Scottsville, NY 14546 to consider Local Law 2-2025 to amend the Village Code of the Village of Scottsville, Chapter 140 – Storm Sewer System, Chapter 139 – Stormwater Management, Chapter 170 – Zoning.

All interested persons will be given an opportunity to speak for or against the above proposed subdivision at the time and location set herein. Comments may also be sent via email to [villageclerk@scottsvilleny.org](mailto:villageclerk@scottsvilleny.org).

**Old Business****MS4 Local Law Public Hearing**

**Motion** made by Trustee Andy Fraser and seconded by Mayor Maggie Ridge to schedule a Public Hearing on Tuesday, January 13, 2025 at 7:00 pm at the Wheatland Municipal Building, 22 Main St, Scottsville, NY 14546 to consider Local Law 1-2026 to amend the Village Code of the Village of Scottsville, Chapter 140 – Storm Sewer System, Chapter 139 – Stormwater Management, 145 – Subdivision of land and Chapter 170 – Zoning.

**Vote:** *Carried (5-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	AYE
Trustee Charla Domina	AYE		

**New Business****Amelia Fontanel, Historic Preservation Commission**

**Motion** made by Deputy Mayor Wayne LaVair and seconded by Mayor Maggie Ridge to appoint Amelia Fontanel to the Historic Preservation Commission with a term ending 2027 on the recommendation of the current members of the Historic Preservation Commission.

**Vote:** *Carried (5-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	AYE
Trustee Charla Domina	AYE		

**SG Security at Johnson Park**

**Motion** made by Mayor Maggie Ridge and seconded by Deputy Mayor Wayne LaVair to approve the quote from SG Security to upgrade the security system at Johnson Park in an amount of \$4,312.00, funds to come from ARPA money.

**Vote:** *Carried (5-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	AYE
Trustee Charla Domina	AYE		

**School Parking Lot****NYSDOT TAP Grant**

**Motion** made by Deputy Mayor Wayne LaVair and seconded by Trustee Andy Fraser to allow the mayor to submit an application for the NYSDOT TAP Grant to make improvements to Main St..

**Vote:** *Carried (5-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	AYE
Trustee Charla Domina	AYE		

**Special Meeting**

**Motion** made by Mayor Maggie Ridge and seconded by Deputy Mayor Wayne LaVair to schedule a special meeting on December 30, 2025 at 6:00 pm to discuss open sealed bids on engineering for the NYSDOT TAP Grant.

**Vote:** *Carried (5-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	AYE
Trustee Charla Domina	AYE		

**Adjournment**

**Motion** made by Deputy Mayor Wayne LaVair and seconded by Mayor Maggie Ridge to adjourn the Village Board meeting at 7:17 pm.

**Vote:** *Carried (5-0)*

Mayor Maggie Ridge      AYE  
Trustee Randy Hess      AYE  
Trustee Charla Domina    AYE

Deputy Mayor Wayne LaVair      AYE  
Trustee Andy Fraser      AYE

Respectfully submitted by:

*Anne Hartman*  
Anne Hartman  
Village Clerk

Village of Scottsville  
Board of Trustees Meeting  
Tuesday, December 30, 2025 6:00 pm  
Wheatland Municipal Building  
Meeting Minutes

**Call to Order** Deputy Mayor Wayne LaVair called the December 30, 2025 Village of Scottsville Board of Trustees to order at 6:00 pm.

**Pledge of Allegiance to the Flag**

**Roll Call**

Present: Wayne LaVair, Deputy Mayor  
Charla Domina, Trustee  
Andy Fraser, Trustee  
Randy Hess, Trustee  
  
Absent: Maggie Ridge, Mayor  
  
Also Present: Anne Hartman, Clerk  
0 Residents

**Review Engineering Request For Qualifications for DOT TAP Grant for Main St.**

CPL  
Erdman Anthony  
MRB

**Motion** made by Deputy Mayor Wayne LaVair and seconded by Trustee Randy Hess to accept the RFQ from CPL to assist in the submission and administer the DOT TAP Grant for Main St.

**Vote: Carried (3-0-1 Abstention)**

Mayor Maggie Ridge	Absent	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	ABSTAIN
Trustee Charla Domina	AYE		

**Adjournment**

**Motion** made by Deputy Mayor Wayne LaVair and seconded by Trustee Randy Hess to adjourn the Village Board meeting at 6:59 pm.

**Vote: Carried (4-0)**

Mayor Maggie Ridge	Absent	Deputy Mayor Wayne LaVair	AYE
Trustee Randy Hess	AYE	Trustee Andy Fraser	AYE
Trustee Charla Domina	AYE		

Respectfully submitted by:

  
Anne Hartman  
Village Clerk

Local Law No. 2 of the year 2026

Village of Scottsville, County of Monroe

**A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c**

Be it enacted by the Board of Trustees of the Village of Scottsville as follows:

**Section 1. Legislative Intent**

It is the intent of this local law to allow the Village of Scottsville to adopt a budget for the fiscal year commencing 2026-2027 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Scottsville, County of Monroe, is hereby authorized to adopt a budget for the fiscal year commencing 2026-2027 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

**LOCAL LAW NUMBER 1 OF 2026 TO AMEND THE VILLAGE CODE OF THE  
VILLAGE OF SCOTTSVILLE, CHAPTER 140 - STORM SEWER SYSTEM, CHAPTER  
139 - STORMWATER MANAGEMENT, CHAPTER 145 – SUBDIVISION OF LAND,  
AND CHAPTER 170 - ZONING**

**BE IT ENACTED, by the Village Board of Trustees of the Village of Scottsville, Monroe County, State of New York, as follows:**

**Section 1.1** Chapter 140 – Storm Sewer System, shall be amended as follows:

Section 140-8(B)(2) Repair or replace individual sewage treatment systems **as follows: in accordance with Monroe County Health Department oversight and approvals.**

1. In accordance with 10 NYCRR Appendix 75A and Monroe County Health Department oversight and approvals to the maximum extent practicable.
2. A design professional licensed to practice in New York State shall prepare design plans for any type of absorption field that involves:
  - a. Relocating or extending an absorption area to a location not previously approved for such.
  - b. Installation of a new subsurface treatment system at the same location.
  - c. Use of alternate system or innovative system design or technology.
3. A written certificate of compliance shall be submitted by the design professional to the municipality at the completion of construction of the repair or replacement system.

Section 140-14 Any person receiving a notice of violation may appeal the determination of the SMO to the Village of Scottsville **Board of Trustees** within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the Municipal Clerk and mail a copy of its decision by certified mail to the discharger.

**Section 1.2** Chapter 145 – Subdivision of land, shall be amended to add sub-section A.16 to Section 145-4 and language into Section 145-6 as follows:

Section 145-4(A) After presentation and discussion of the rough sketches as referred to in § 145-3, the subdivider shall present to the Board, together with an initial fee in an amount set forth from time to time by resolution of the Board of Trustees, payable to the Village Clerk, five copies of a preliminary layout and a topographic map of the area to be subdivided, at a scale of not more than 100 feet to the inch, showing or accompanied by the following information:

...

(16) A Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements of Chapter 139 shall be required for Preliminary layout review. The SWPPP shall meet the

performance and design criteria and standards in Chapter 139. The approved Preliminary Subdivision Plat shall be consistent with the provisions of Chapter 139.

Section 145-6(A) Final subdivision plat approval shall be granted, granted with conditions or disapproved pursuant to Village Law § 7-728, Subdivision 6. A Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements of Chapter 139 shall be required for Final subdivision plat approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 139. The approved Final Subdivision Plat shall be consistent with the provisions of Chapter 139.

**Section 1.3** Chapter 170 – Zoning, shall be amended as follows:

Section 170-62(B)(11) A storm drainage and grading plan showing the collection and disposal of stormwaters or, if applicable, a stormwater pollution prevention plan. All SWPPPs shall be consistent with and meet the performance and design criteria and standards in Chapter 139.

**Section 1.4** Chapter 139 – Stormwater Management shall be repealed in its entirety and replaced as follows:

## **Article 1 – General Provisions**

### **139-1 – Findings of Fact**

It is hereby determined that:

- A. Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, or sediment transport and deposition;
- B. This stormwater runoff contributes to increased quantities of water-borne pollutants, including siltation of aquatic habitat for fish and other desirable species;
- C. Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat;
- D. Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff thereby increasing stream bank erosion and sedimentation;
- E. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;
- F. Substantial economic losses can result from these adverse impacts on the waters of the municipality;
- G. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;

- H. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety.
- I. Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

### **139-2 – Purpose**

The purpose of this Chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the findings of fact in Section 139-1 hereof. This Chapter seeks to meet those purposes by achieving the following objectives:

- A. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit no. GP-0-24-001 or as amended or revised;
- B. Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-0-20-001 or as amended or revised;
- C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels;
- D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;
- E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and
- F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

### **139-3 – Statutory Authority**

In accordance with Section 10 of the Municipal Home Rule Law of the State of New York, the Village Board of Trustees of the Village of Scottsville has the authority to enact local laws and amend local laws and for the purpose of promoting the health, safety or general welfare of the Village of Scottsville and for the protection and enhancement of its physical environment. The

Board of Trustees may include in any such local law provisions for the appointment of any municipal officer, employees, or independent contractor to effectuate, administer and enforce such local law.

#### **139-4 – Applicability**

- A. This Chapter shall be applicable to all land development activities as defined in this local law, Section 139-6;
- B. The municipality shall designate a Stormwater Management Officer who shall accept and review all stormwater pollution prevention plans and forward such plans to the applicable municipal board. The Stormwater Management Officer may (1) review the plans, or (2) upon approval by the Board of Trustees engage the services of a registered professional engineer to review the plans, specifications and related documents at a cost not to exceed a fee schedule established by said governing board, or (3) accept the certification of a licensed professional that the plans conform to the requirements of this law. The applicant shall be responsible for any costs incurred by engaged engineering services at a cost not to exceed the established fee schedule. At the discretion of the Village, an escrow account or deposit may be required to be established prior to incurring engineering fees;
- C. All land development activities subject to review and approval by the Village of Scottsville Planning Board shall be reviewed subject to the standards contained in this Chapter; and
- D. All land development activities not subject to review as stated in Section 139-4(C) shall be required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the Stormwater Management Officer who shall approve the SWPPP if it complies with the requirements of this law.

#### **139-5 – Exemptions**

- A. Agricultural activity as defined in this local law.
- B. Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.
- C. Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.
- D. Any part of a subdivision if a plat for the subdivision has been approved by the Village of Scottsville on or before the effective date of this law.
- E. Land development activities for which a building permit has been approved on or before the effective date of this law.
- F. Cemetery graves.

- G. Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
- H. Emergency activity immediately necessary to protect life, property or natural resources.
- I. Activities of an individual engaging in home gardening by growing flowers, vegetable and other plants primarily for use by that person and their family.
- J. Landscaping and horticultural activities in connection with an existing structure.

## **Article II – Stormwater Control**

The terms used in this Chapter or in documents prepared or reviewed under this Chapter shall have the meaning as set forth in this section.

### **139-6 – Definitions**

#### **AGRICULTURAL ACTIVITY**

The activity 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.

#### **APPLICANT**

Property owner or agent of a property owner who has filed an application for a land development activity.

#### **BUILDING**

Any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

#### **CHANNEL**

A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

#### **CLEARING**

Any activity that removes the vegetative surface cover.

#### **DEDICATION**

The deliberate appropriation of property by its owner for general public use.

#### **DEPARTMENT**

The New York State Department of Environmental Conservation.

**DESIGN MANUAL**

The New York State Stormwater Management Design Manual, 2024, or as amended or revised, that serves as the official guide for stormwater management principles, methods and practices.

**DEVELOPER**

A person who undertakes land development activities.

**EROSION CONTROL MANUAL**

The most recent version of the New York Standards and Specifications for Erosion and Sediment Control manual, commonly known as the Blue Book.

**GRADING**

The excavation or fill of material, including the resulting conditions thereof.

**IMPERVIOUS COVER**

Those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snow melt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc.).

**INDUSTRIAL STORMWATER PERMIT**

A State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

**INFILTRATION**

The process of percolating stormwater into the subsoil.

**JURISDICTIONAL WETLAND**

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

**LAND DEVELOPMENT ACTIVITY**

Construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than 20,000 square feet, or activities disturbing less than 20,000 square feet of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

**LANDOWNER**

The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

**MAINTENANCE AGREEMENT**

A legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

**NONPOINT SOURCE POLLUTION**

Pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

**PHASING**

Clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

**POLLUTANT OF CONCERN**

Sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

**PROJECT**

Land development activity.

**RECHARGE**

The replenishment of underground water reserves.

**SEDIMENT CONTROL**

Measures that prevent eroded sediment from leaving the site.

**SENSITIVE AREAS**

Cold water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats for threatened, endangered or special concern species.

**SPDES GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES GP-0-20-001**

A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

**SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORMWATER SEWER SYSTEMS GP-0-24-001**

A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specify stormwater control standards.

**STABILIZATION**

The use of practices that prevent exposed soil from eroding.

**STOP WORK ORDER**

An order issued which requires that all construction activity on a site be stopped.

**STORMWATER**

Rainwater, surface runoff, snowmelt and drainage.

**STORMWATER HOTSPOT**

A land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

**STORMWATER MANAGEMENT**

The use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

**STORMWATER MANAGEMENT FACILITY**

One or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

**STORMWATER MANAGEMENT OFFICER**

An employee or officer designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices

**STORMWATER MANAGEMENT PRACTICES (SMPS)**

Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP)**

A plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

**STORMWATER RUNOFF**

Flow on the surface of the ground, resulting from precipitation.

**STORMWATER SYSTEM**

The stormwater system of the Village of Scottsville consisting of the pipes laid in the streets and rights-of-way with all other appurtenances which are used to control stormwater.

**SURFACE WATERS OF THE STATE OF NEW YORK**

Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition, are not waters of the state. This exclusion applies only to manmade bodies of water which neither

were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

## **WATERCOURSE**

Permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

## **WATERWAY**

A channel that directs surface runoff to a watercourse or to the public storm drain

## **139-7 – Stormwater Pollution Prevention Plans**

- A. No application for approval of a land development activity shall be reviewed until the appropriate board has received a Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the specifications in this Chapter.
- B. All SWPPPs shall provide the following background information and erosion and sediment controls:
  1. Background information about the scope of the project, including location, type and size of project.
  2. Site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map should show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); wetlands and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharges(s);
  3. Description of the soil(s) present at the site;
  4. Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five (5) acres shall be disturbed at any one time unless pursuant to an approved SWPPP.
  5. Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;
  6. Description of construction and waste materials expected to be stored on-site with updates as appropriate, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill -prevention and response;
  7. Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out;
  8. A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;

9. Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;
10. Temporary practices that will be converted to permanent control measures;
11. Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;
12. Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;
13. Name(s) of the receiving water(s);
14. Delineation of SWPPP implementation responsibilities for each part of the site;
15. Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable; and
16. Any existing data that describes the stormwater runoff at the site.

C. Land development activities as defined in Section 139-6 and meeting Condition "A", "B" or "C" below shall also include water quantity and water quality controls (post-construction stormwater runoff controls) as set forth in Section D below as applicable:

Condition A - Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

Condition B - Stormwater runoff from land development activities disturbing five (5) or more acres.

Condition C - Stormwater runoff from land development activity disturbing between one (1) and five (5) acres of land during the course of the project, exclusive of the construction of single family residences and construction activities at agricultural properties.

D. SWPPP Requirements for Condition A, B and C:

1. All information in Section 139-7(B)
2. Description of each post-construction stormwater management practice;
3. Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;
4. Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms
5. Comparison of post-development stormwater runoff conditions with pre-development conditions
6. Dimensions, material specifications and installation details for each post-construction stormwater management practice;

7. Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice.
8. Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property.
9. Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with Article 2, Section 4 of this local law.
10. For Condition A, the SWPPP shall be prepared by a landscape architect, certified professional or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in this local law.

E. A copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of initiation of construction activities to the date of final stabilization.

#### **139-9 – Other Environmental Permits**

The applicant shall assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

#### **139-10 – Contractor Certification**

- A. Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."
- B. The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.
- C. The certification statement(s) shall become part of the SWPPP for the land development activity.

#### **139-11 – Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control**

All land development activities shall be subject to the following performance and design criteria:

- A. Technical Standards. For the purpose of this local law, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this law:
  - 1. The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the Design Manual)
  - 2. New York Standards and Specifications for Erosion and Sediment Control, (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the Erosion Control Manual).
- B. Equivalence to Technical Standards. Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in Section 139-11(A) and the SWPPP shall be prepared by a licensed professional.
- C. Water Quality Standards. Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the state of New York.
- D. Excavations. All excavations for connection to the stormwater system shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

#### **139-12 – Maintenance, Inspection and Repair of Stormwater Facilities**

- A. The applicant or developer of the land development activity or their representative shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this local law. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by fifty (50) percent.
- B. For land development activities as defined in Section 139-6 and meeting Condition A, B or C in Section 139-7(C), the applicant shall have a qualified professional conduct site inspections and document the effectiveness of all erosion and sediment control practices every 7 days and within 24 hours of any storm event producing 0.5 inches of precipitation or more. Inspection reports shall be maintained in a site log book.

#### **139-13 – Maintenance Easement**

Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Village to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this local law. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the legal counsel for the Village.

#### **139-14 – Maintenance After Construction**

The owner or operator of permanent stormwater management practices installed in accordance with this law shall ensure they are operated and maintained to achieve the goals of this Chapter. Proper operation and maintenance also includes as a minimum, the following:

- A. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this law.
- B. Written procedures for operation and maintenance and training new maintenance personnel.
- C. Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with Section 139-11(C).

#### **139-15 – Maintenance Agreements**

The Village shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The Village, in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this Chapter and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

### **Article III – Liability, Administration and Enforcement**

#### **139-16 – Permit and Liability**

- A. **Permit.** It shall be unlawful for any person to enter into, open, connect with, use, or do any repair or maintenance work, with respect to the stormwater system except under the inspection and direction of the Superintendent of Public Works and without first obtaining a written permit from the Superintendent of Public Works.
- B. **Permit Application.** The owner, or his or her agent, shall make application on a special form furnished by the Village of Scottsville. The permit application shall be supplemented by such plans, specifications and other information considered pertinent and requested by the Superintendent of Public Works in accordance with this Chapter. A permit and

inspection fee, in an amount set forth, from time to time, by resolution of the Board of Trustees, shall be paid to the Village Clerk at the time the application is filed.

C. **Liability.** The approval of plans for proposed drainage systems and flood hazard prevention requirements shall not constitute a representation, guaranty or warranty of any kind or nature by the Village of Scottsville or by an officer or employee thereof of the safety, operation, adequacy or intent of the proposed facilities and shall create no liability upon or cause for action against such public body, officer or employee for any damages that may result from construction pursuant thereto. The owner, before a permit is issued under this article, shall agree to indemnify the Village of Scottsville from any loss or damage that may directly or indirectly be occasioned by the installation of the connection to the stormwater system. All costs and expense incident to the installation and connection to the Stormwater System shall be borne by the owner. The owner shall also be liable for the initial cost of installation and continued maintenance of the connection to the Stormwater System.

### **139-17 – Construction Inspection**

A. **Erosion and Sediment Control Inspection.**

The Village Stormwater Management Officer may require such inspections as necessary to determine compliance with this law and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this law and the stormwater pollution prevention plan (SWPPP) as approved. To obtain inspections, the applicant shall notify the Village enforcement official at least 48 hours before any of the following as required by the Stormwater Management Officer:

1. Start of construction
2. Installation of sediment and erosion control measures
3. Completion of site clearing
4. Completion of rough grading
5. Completion of final grading
6. Close of the construction season
7. Completion of final landscaping
8. Successful establishment of landscaping in public areas

B. If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the Stormwater Management Officer.

C. **Stormwater Management Practice Inspections.** The Village Stormwater Management Officer or their designee, is responsible for conducting inspections of stormwater management practices (SMPs). All applicants are required to submit "as built" plans for any stormwater management practices located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.

- D. **Inspection of Stormwater Facilities After Project Completion.** Inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.
- E. **Submission of Reports.** The Village Stormwater Management Officer may require monitoring and reporting from entities subject to this law as are necessary to determine compliance with this law.
- F. **Right-of-Entry for Inspection.** When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public storm water system, the landowner shall grant to the Village the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection as specified in paragraph D.

#### **139-18 – Performance Guarantee and Fees for Services**

- A. **Construction Completion Guarantee.** In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Village in its approval of the Stormwater Pollution Prevention Plan, the Village may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Village as the beneficiary. The security shall be in an amount to be determined by the Village based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) have been constructed in accordance with the approved plans and specifications and that a one year inspection has been conducted and the facilities have been found to be acceptable to the Village. Per annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.
- B. **Maintenance Guarantee.** Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns

or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

- C. **Fees for Services.** The Village may require any person undertaking land development activities regulated by this Chapter to pay reasonable costs at prevailing rates for review of permits, SWPPPs, inspections, or SMP maintenance performed by the Village or performed by a third party for the Village.
- D. **Recordkeeping.** The Village may require entities subject to this Chapter to maintain records demonstrating compliance with this Chapter.

#### **139-19 – Enforcement and Penalties**

- A. **Notice of Violation.** When the Village determines that a land development activity is not being carried out in accordance with the requirements of this Chapter, it may issue a written notice of violation to the landowner. The notice of violation shall contain:
  - a. the name and address of the landowner, developer or applicant;
  - b. the address when available or a description of the building, structure or land upon which the violation is occurring;
  - c. a statement specifying the nature of the violation;
  - d. a description of the remedial measures necessary to bring the land development activity into compliance with this local law and a time schedule for the completion of such remedial action;
  - e. a statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
  - f. a statement that the determination of violation may be appealed to the Village Board of Trustees by filing a written notice of appeal within fifteen (15) days of service of notice of violation.
- B. **Stop Work Orders.** The Village may issue a stop work order for violations of this Chapter. Persons receiving a stop work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop work order. The stop work order shall be in effect until the Village confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this local law.

- C. **Violations.** Any land development activity that is commenced or is conducted contrary to this Chapter, may be restrained by injunction or otherwise abated in a manner provided by law.
- D. **Penalties.** In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this local law shall be guilty of a violation punishable by a fine not exceeding three hundred fifty dollars (\$350) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars (\$700) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars (\$1000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.
- E. **Withholding of Certificate of Occupancy.** If any building or land development activity is installed or conducted in violation of this local law the Stormwater Management Officer may prevent the occupancy of said building or land.
- F. **Restoration of Lands.** Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Village may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

**Section 1.5** This local law is adopted pursuant to NYS Municipal Home Rule Law.

**Section 1.6** All other local laws and ordinances of the Village of Scottsville that are inconsistent with the provisions of this local law are hereby repealed provided, however, that such repeal shall only be to the extent of such inconsistency. In all other respects, this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered herein.

**Section 1.7** If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 1.8** This local law will take effect upon filing in the office of the New York State Secretary of State.