

City Use Only

Permit #: \_\_\_\_\_

DEQ CGP #: \_\_\_\_\_



## City of Poquoson

### AGREEMENT IN LIEU OF AN EROSION CONTROL AND STORMWATER MANAGEMENT PLAN

#### FOR A SINGLE-FAMILY DETACHED RESIDENTIAL STRUCTURE

**Site Address:**

Address or Tax Map/Parcel Number: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Total Site Area (sq. ft.): \_\_\_\_\_ Total Disturbed Area<sup>1</sup> (sq. ft.): \_\_\_\_\_

Pre-Imperious Area (sq. ft.): \_\_\_\_\_ Post Imperious Area (sq. ft.): \_\_\_\_\_

Part of a Common Plan of Development<sup>2</sup>: ☐Yes ☐No

Name of Subdivision: \_\_\_\_\_

**Land Owner:**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

**Contractor:**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

Responsible Land Disturber: \_\_\_\_\_

Certificate No.: \_\_\_\_\_

1. An Agreement in Lieu of a Plan can only be used when the total disturbed area is under one acre (43,560 sq.ft.).

2. A Common Plan of Development is a single area where separate parcels are developed at different times but are all part of the same proposed plan. Development of a subdivision is a Common Plan of Development.

In place of an Erosion Control and Stormwater Management Plan for the construction of this single-family detached residential structure, I agree to comply with the requirements of this "Agreement in Lieu of an Erosion Control and Stormwater Management Plan" (and/or other requirements as established by the City when necessary) to ensure compliance with the applicable post-construction stormwater management provisions of the Virginia Erosion and Stormwater Management Program (VESMP) regulations. In addition, I agree to comply with all applicable State and City codes and any reasonable requirements determined necessary by inspectors of the City of Poquoson. Such requirements will be based off of the current Virginia Stormwater Management Handbook, and shall represent the minimum practices necessary to provide adequate control of erosion & sedimentation resulting from this project.

#### REQUIREMENTS

- An Erosion & Sediment Control sketch is required for all single-family detached residential structures. The contents of the sketch will depend on whether the site is part of a common plan of development or not.
- As required by Section 34-75 (g) of the City's Erosion and Stormwater Management ordinance, single-family residential plans not part of a common plan of development must include both the existing and proposed final grade of the site, as well as flow paths and any stormwater features being used to meet water quantity technical criteria outlined in 9VAC25-875-600(D) of the Virginia Erosion and Stormwater Management Regulations.
- Single-family residences that are part of a common plan of development where the major grading activities have already been completed will not be held to the standards of Section 34-75 (g). However; if the builder is planning grading work other than what was previously approved, the existing and proposed grades will be required to be shown on a plan view.
- All sediment control structures shall be maintained in an effective operating condition for the duration of the project.
- The site shall comply with erosion and sediment control minimum standards as set forth in 9VAC25-875-560, throughout the duration of the project.

- Post-construction runoff from the property shall be minimized to the maximum extent practicable, and shall be controlled to prevent flooding or erosion damage from occurring on adjacent or downstream properties. In meeting this requirement, I agree to direct:
  - Runoff from rooftops as non-erosive sheet flow to well-vegetated areas on the property to the maximum extent practicable,
  - Runoff from on-lot impervious surfaces (e.g., driveways, parking areas, sidewalks) as non-erosive sheet flow to well-vegetated areas on the property to the maximum extent practicable, and
  - Runoff from lawns as non-erosive sheet flow to undisturbed naturally-vegetated areas on the property to the maximum extent practicable.
  - Runoff that turns to concentrated flow shall be directed to a drainage swale system, or one may be required by the Poquoson Engineering Department.
- When possible, runoff shall be directed to a publicly maintained drainage system.
- At no time shall a public drainage ditch be blocked during any duration of the project.

I fully understand that not complying may result in the revocation of this “Agreement in Lieu of an Erosion Control and Stormwater Management Plan” and that the submission of a project-specific Erosion Control and Stormwater Management Plan in accordance with 9VAC25-870-55 of the VESMP Regulations may be required. I further understand that failure to comply with such requirements within the time specified in a documented notice of violation from the City of Poquoson may be punishable by a Class I misdemeanor punishable by confinement in jail for not more than 12 months and/or a fine of not less than \$2,500 nor more than \$32,500, or both.

This “Agreement in Lieu of an Erosion Control and Stormwater Management Plan” does not authorize onsite land disturbance. Land-disturbing activities cannot commence until a land disturbance permit is acquired from the City. Additionally, activation of this agreement does not indicate the absence of wetlands on this property. It is the applicant’s responsibility to have the site inspected for tidal and non-tidal wetlands, and to protect any wetlands that may be present on site.

I hereby grant the City of Poquoson the right to enter upon the subject property periodically for inspections to ensure compliance with the City of Poquoson Erosion and Stormwater Management ordinance.

Signature of Landowner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of RLD: \_\_\_\_\_ Date: \_\_\_\_\_

Certification Number: \_\_\_\_\_

**(Please sign in INK. This certification must be signed by the operator of the construction activity identified above. Please attach a copy of the RLD's certificate to this form.)**

**\*\*\*TO BE COMPLETED BY CITY STAFF\*\*\***

APPROVED PER CHAPTER 34, ARTICLE III OF THE CITY CODE AND VIRGINIA EROSION AND STORMWATER MANAGEMENT REGULATIONS.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

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