

Topic	Village of Mamaroneck (Proposed Local Law U)	Town of Mamaroneck (Chapter 95)
Define – Development, Redevelopment, and Land Disturbing Activity	Code defines land disturbance as any construction activity or change to land which may result in soil erosion from water or wind and the movement of soil into water or onto lands, alteration of a drainage system, or increased runoff of waters, including, but not limited to, clearing, grading, excavating, transporting and filling of land.	Development is defined as any human-made change to improved or unimproved real estate, including but not limited to construction of buildings or other structures and mining, dredging, filling, grading, paving, excavation, drilling, or blasting. Construction activity includes, but is not limited to, clearing, grading, excavating, soil disturbance, and placement of fill.
Applicability trigger – land disturbance	Between 200-999 SF requires SWPPP with erosion and sediment control only.	Major Land Development Activity requires full SWPPP compliant with NYSDEC regulations - 1) Disturbance ≥ 1 acre or; 2) Disturbance < 1 acre but part of a larger common plan of development of one or more parcels.
	1,000-2,000 SF requires SWPPP with stormwater quantity controls.	
	2,000 SF + requires SWPPP with stormwater quantity and quality controls.	
Applicability trigger – impervious area	Increase in building area or impervious surfaces and cost ≥ 25% of the current improvement value requires SWPPP with stormwater quantity controls.	Minor Land Development Activity - creates impervious cover > 100 SF but > 1 acre. Additional post-construction controls are required when impervious cover is ≥1,000 SF but <1 acre (Condition One). Major land development applies when impervious cover is part of a ≥1 acre disturbance or common plan.
Applicability trigger – impaired waters	Any land development and redevelopment activities discharging a pollutant of concern to an impaired waterbody or a total maximum daily load (TMDL) designated watershed requires a SWPPP with stormwater quantity and quality controls.	Major land development (≥ 1 acre disturbance) requires stormwater quantity and quality controls for stormwater runoff discharging a pollutant of concern to an impaired waterbody or a total maximum daily load (TMDL) designated watershed.
Zoning, Overlay, or special considerations subject to stormwater management considerations	Projects require additional review when located in floodplains (floodplain development permit), within 50-ft of waterbodies tributary to the Long Island Sound (planning board permit), and within wetlands (wetland permit). Projects may not worsen flooding, damage water quality, or impact environmentally sensitive areas.	Natural drainage features, floodplains, wetlands, watercourses, and steep slopes (>25%) must generally be preserved. Filling or encroachment into wetlands, buffers, watercourses, floodplains, or critical environmental areas requires separate permits. Clearing/grading on slopes >25% is discouraged by the surface water and erosion control permit.
Redevelopment requirements	Yes, § 294-8B(2)(f) states that redevelopment is subject to post-construction runoff controls & subject to NYSDEC Design Manual	Redevelopment is subject to land disturbing activity thresholds. Projects must demonstrate no net increase in stormwater runoff rates unless an exception is approved. On site retention is required to offset increased runoff.

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<p>Peak flow control thresholds (quantity)</p>	<ul style="list-style-type: none"> • Projects that increases coverage and cost $\geq 25\%$ of the property value, the stormwater analysis must treat the property as if it were originally undeveloped and compare that to the fully built-out site (existing + proposed). This ensures the stormwater system is sized to handle runoff from the entire property. • New development with 200–2,000 sq ft of land disturbance must keep the peak runoff from a 100-year storm the same as it was before development. • Projects disturbing 1,000 to 2,000 sq ft but less than 1 acre must keep 100-year storm peak runoff at pre-development levels, and treat the water quality volume by reducing runoff. • Projects disturbing 1 acre or more must control peak runoff for the 1-, 10-, and 100-year storms and must treat the water quality volume through runoff reduction. 	<ul style="list-style-type: none"> • Detention facility maximum discharge rates shall not exceed pre-construction conditions for the 2 , 5 , 10 , and 25 year storms for minor land development exceeding 5,000 SF disturbance or 1,000 SF impervious area. • Major land disturbing activities must design stormwater management practices so post development discharge does not exceed pre development rates for the 2 , 5 , 10 , and 25 year storms, using NRCS TR 55, Type III 24 hour rainfall. Ten year storm velocities must be non erosive for conveyance channels.

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Water quality (WQv) & runoff reduction (RRv)	<ul style="list-style-type: none"> •Small projects (<1,000 sq ft): No WQv or RRv required; only erosion & sediment control. •Medium projects (1,000–2,000 sq ft): No WQv; quantity-only controls. •Large projects (2,000 sq ft–1 acre): WQv and RRv required using GI and infiltration. •Major projects (≥1 acre): Full WQv and RRv with strict GI, infiltration, and peak-flow controls for 1-, 10-, 100-yr storms. •Redevelopment: Must use GI and runoff reduction; can use Chapter 9 sizing (redevelopment only). •Projects with impervious increase & ≥25% value: Must treat WQv and RRv for entire site, using unimproved-lot assumptions. •Projects draining to impaired waters: Enhanced WQv/RRv requirements. 	<ul style="list-style-type: none"> •Disturbance of an area greater than 5,000 SF but less than one acre or creating impervious surface area equal to or greater than 1,000 SF, but less than one acre shall also include WQv or RRv controls. • Major developments discharging to impaired waters must meet NYSDEC Design Manual standards for WQ treatment and pollutant reduction. Increased turbidity causing visible contrast is prohibited.
Floodplain / coastal / high groundwater	<p>NOAA Atlas 14 rainfall, borings, infiltration & groundwater testing required where applicable; NRCS soil D allowed for calculations not sizing. Engineer may waive detention if it exacerbates flooding in the 100 yr floodplain; Engineer may review referred applications and suggest waivers where the retention requirements cannot be achieved, or where detention is demonstrated to be infeasible due to site-specific constraints. However, the applicant shall demonstrate that peak flow attenuation has been reduced to the maximum extent practicable through the use of Green Infrastructure practices.</p>	<p>Floodplains and natural drainage features must be preserved. Stormwater practices must not increase flooding or discharge in a manner that impairs adjacent properties. Coastal and waterfront provisions are subject to additional review under other Town chapters.</p>
Maintenance & Inspection Requirements/Bonds	<ul style="list-style-type: none"> •Requires O&M plans, written procedures, maintenance easements, long term maintenance obligations, and infiltration system upkeep based on soil & groundwater conditions. SMPs must meet Atlas 14 based design performance over time. □ •Requires routine, random, complaint based, seasonal, and joint agency inspections; SMPs must be accessible; as built required; inspector must hold PE/CPESC if designated. Large projects trigger heightened inspection frequency. •Requires performance bonds, cash escrows, or LOCs to guarantee construction and long term maintenance; Village may draw on security if SMPs are not properly maintained. 	<ul style="list-style-type: none"> •Performance bonds, cash escrow, or letters of credit are required for construction completion and post construction maintenance. Town may draw on bonds for failures. •Maintenance easements and recorded inspection/maintenance agreements are required. •Inspections during construction occur every 7 days and within 24 hours of ≥0.5 inches of rain. •As built plans are required.