City of Saint Albans MS4 Annual Report and Flow Restoration Plan Report for 2015
March 30, 2016

In order to meet requirements of State of Vermont General Permit 3-9014 (2012) issued to the City of Saint Albans on October 1, 2013 we are submitting the following annual report covering stormwater activities completed in calendar year 2015.

1. **Minimum Measure 1 – Public Education and Outreach**
   MM 1 is covered in detail in Appendix A - Franklin County RSEP Annual Report. Some key outputs are listed below.
   1.1. Visitors to Regional Stormwater Education Program (RSEP) web site www.fcsvt.org: **1,501**
   1.2. Payment made to Franklin County RSEP: **$5,000** (total for MM1 and MM2)
   1.3. Number of stormwater educational brochures distributed: **4,971 between St. Albans City and Town.**
   1.4. Local news media stories or ads: **2**
   1.5. Development of school curriculum materials: **Multiple teacher contacts and training session held**

2. **Minimum Measure 2 – Public Involvement and Participation**
   MM 2 is covered in detail in Appendix A - Franklin County RSEP Annual Report. Some key outputs are listed below.
   2.1. Payment made to the Franklin County RSEP: **$5,000** (total for MM1 and MM2)
   2.2. Public workshops: **1 held**
   2.3. Number of new storm drains marked with the "No Dumping, Drains to Stream" message: **Procurement under development**
   2.4. Number of volunteers at RSEP outreach events: **15**
   2.5. Community clean-up events: **2 held**

3. **Minimum Measure 3 – Illicit Discharge Detection and Elimination**
   3.1. Illicit Discharges detected and eliminated:
      3.1.1. **After two previous busy years of IDDE work with consultants, no discharges were detected or eliminated in 2015. Work progressed on the development of an IDDE ordinance.**

3.2. Stormwater infrastructure map updates: **After a large update to the maps in 2014, some updates to records were made during the 2015 catch basin cleaning.**
3.3. Development of Illicit Discharge Ordinance: **Draft developed in 2015. Adoption due by 2017**

4. Minimum Measure 4 –Construction Site Runoff Control

4.1. Develop procedures to ensure City construction activities are properly permitted: **Work began with a consultant to develop a permitting checklist for City projects.**
4.2. Assess existing regulations and develop land development rules related to Erosion Control for sites disturbing greater than or equal to 1 acre:
The City has hired a team of consultants to take a comprehensive look at standards regulations and procedures to implement erosion and sediment control regulations for construction sites permitted within the City. Project reporting and the most recent draft of the rules are available in the appendices. Adoption of ordinance due in 2017.
4.3. Number of City projects with State approved ESCP plans: **0 – No City projects met the thresholds in 2015.**
4.4. Number of private development project ESCP plans reviewed: **To be recorded in future years.**
4.5. Number of private development ESCP site inspections: **To be recorded in future years.**

5. Minimum Measure 5 – Post Construction Stormwater Management

5.1. Assess existing regulations and develop land development rules and procedures for post-construction stormwater management for sites disturbing greater than or equal to 1 acre:
The City has hired a team of consultants to take a comprehensive look at standards, regulations and procedures to implement stormwater management and regulations to support LID for development permitted within the City. Project reporting and the most recent draft of the rules are available in the appendices. **Adoption of ordinance due in 2017.**
5.2. Number of City owned stormwater management systems under State jurisdiction: **3**
5.3. Number of private development stormwater management plans reviewed: **To be recorded in future years.**
5.4. Number of private development stormwater management projects inspected: **To be recorded in future years.**

6. Minimum Measure 6 – Pollution Prevention and Good Housekeeping

6.1. Number of catch basins cleaned: **340**
6.2. Volume of material removed from catch basins: **49.5 cubic yards**
6.3. Volume of material collected from street sweeping activities: **320 cubic yards**
6.4. Stormwater training attended by City staff: **3 City staff members attended a green stormwater infrastructure training in Essex in September, 2015. All 8 members of the Public Works crew attended an on-site training on catch basin cleaning with a new Vactor Truck.**

6.5. No additional MSGPs required for City owned facilities.
6.6. Funds spent on the stormwater management in fiscal year: **To be recorded in future years.**
6.7. Catch basin structures repaired or replaced: **8 during Main St. Streetscape Project.**

7. Flow Restoration Plan (FRP) Development

The City of Saint Albans must participate in the development of an FRP for Stevens Brook and Rugg Brook. The City is working with the Town of Saint Albans and consultants to complete the FRPs by the deadlines specified in the MS4 permit. Below is an update on the City's progress on the FRP requirements:

7.1. **Stevens Brook FRP** – The City, with the Town of St. Albans and VTrans, submitted the draft FRP for Stevens Brook to the State in 2014. Stormwater retrofits have been identified throughout the watershed along with cost estimates and a proposed timeline for design and construction. The FRP includes a full list of expired permits within the Stevens Brook watershed with a description of their existing storm water system and proposed retrofits (if applicable).

7.2. **Rugg Brook FRP** – The City and Town of St. Albans and VTrans finished the draft FRP for Rugg Brook in 2015. A draft of the RFP was submitted to the State in 2015. The FRP includes a full list of expired permits within the Rugg Brook watershed with a description of their existing storm water system and proposed retrofits (if applicable).

8. Identify opportunities for and provide technical assistance to property owners related to Low Impact Design Best Management Practices: **Due in 2016**

9. Adopt strategies to protect and regulate stream corridors in stormwater Impaired watersheds: **Expected in 2017**

10. Stream Flow Monitoring

The State of Vermont will undertake a joint flow monitoring program for MS4s and has released an RFP for the work.

11. Proposed Changes

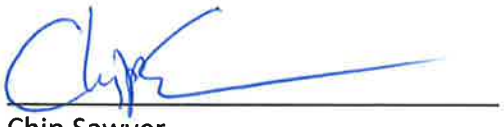
As mentioned above, the City has submitted a list of expired stormwater permits to incorporate. The City does not seek to amend the SWMP at this time but will do so when required. There are no other changes proposed to the SWMP at this time. The City will notify Vermont DEC in the event that changes are proposed.

12. Reliance on Other Entities

In order to meet MS4 permit obligations, the City relies on the Franklin County Regional Stormwater Education Program (RSEP).

13. Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



3/30/16

Chip Sawyer
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City of St. Albans, VT

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Date

Appendix A
Franklin County RSEP Annual Report

Franklin County Regional Stormwater Education,
Public Involvement and Participation Program
Summary of Activities January 1 – December 31, 2015

During 2015 program year, the Franklin County RSEP continued program work from year 1. The RSEP is charged with satisfying the relevant requirements of the Minimum Control Measure (MCM) One, Public Education and Outreach, and MCM Two, Public Involvement and Participation of the Phase II NPDES Permit. This report will summarize the RSEP accomplishments in 2015.

The minimum requirements to be completed on MCM 1 regarding Public Education and Outreach are provided in Table 1 below.

Table 1. MCM 1 – Public Education and Outreach activities and goals.

MCM #	Activity	Measurable Goal(s)
1-1	Maintain stormwater website	Continue to develop and maintain website content Document number of contacts and feedback to website
1-2,3,4	Participate in RSEP	Maintain Regional Stormwater Education Program (RSEP) membership and activities
1-5a	Develop or acquire information brochures	Update brochures as necessary
1-5b	Distribute stormwater brochures	Report number of brochures distributed
1-5c	Seek local news media to run new or feature stories	Report number of media buys and/or stories run
1-5d	Develop school materials and teacher meetings	Development of materials and first meetings with teachers

Task 1-1 Stormwater website. NRPC performed updates to areas of the website as needed. The website was also used to announce RSEP sponsored events such as the clean-up events and the fall workshop. NRPC received three direct emails regarding website information from the public. The website provides for an opportunity to promote stormwater awareness to community residents.

Google Analytics provides information about the use of the website, below is a summary of statistics from January 1, 2015 to December 31, 2015:

- 1501 visits - 13% of the visits were viewing multiple pages on the website per visit however the majority of visitors are only viewing one page.
- There were 1,715 page views.
- 97.7% of visitors were new visitors to the website. Returning visitors spent more time on the site than new visitors per session.
- Since the website was published November 4, 2014, the number of visitors to the website has grown; there were only 12 visitors in November and December of 2014.
- The highest spike in page views occurred after the April Stool's Day event on April 25th and continued to remain steady through the summer to mid-August. Other spikes occurred in the days following the Managing Runoff on your Property workshop in November. On average, the busiest months for web traffic were May, June and July.

Task 1-2,3,4 Regional Stormwater Education Program. Northwest Regional Planning Commission, the City of St. Albans and the Town of St. Albans are continuing to work under the Memorandum of Understanding signed in 2014 that outlined the activities and deliverables NRPC will provide to meet MCM-1 and MCM-2 components of the MS4 communities permit requirements. The Regional Stormwater Education Program named the Franklin County Stormwater Collaborative was established in April 2014.

Task 1-5a,b. Develop and distribute brochures. NRPC developed one new brochure during this reporting period (see Appendix 1). The informational piece was used to raise awareness of the Franklin County Stormwater Collaborative as a resource for the community. This flyer also advertised the fall workshop and referred the reader to the website to find out about future events. This flyer was printed and distributed city- and town-wide and was mailed to grand list records so it went to various types of customers (single-family, multi-family, and businesses). A total of 4,971 were distributed between the Town and City.

Task 1-5c Media Buys and Stories. NRPC and FNLC released a press release for the September stream clean-up event that was published in The Messenger, run on September 25, 2015 (Appendix 1). A media buy was purchased in December 2015 that presented winter tips for stormwater management and inform on the types and best practices of snow and ice management (Appendix 1). The Messenger has a circulation of approximately 5,500 people.

Task 1-5d Stormwater in Schools. The Friends of Northern Lake Champlain were subcontracted to conduct this task. Amy Demarest (Our Curriculum Matters), Denise Smith (FNLC) and Colleen Hickey (LCBP) met on Weds Sept 23rd to discuss a agenda for a teacher session during the Franklin County Supervisory Union (FCSU) fall in-service day on Oct 9th. Denise is managing the school outreach component of MS4 stormwater campaign with St. Albans and is interested in assessing what tools/opportunities FCSU teachers would like to utilize in order to teach about watershed issues (what's missing/how to access it). The FCSU includes St Albans City and Town, BFA and Fairfield.

FNLC coordinated a three-hour training session focused on teaching watershed science in the classroom and was attended by eleven teachers. The training was facilitated by Jen Cirillo from Shelburne Farms and Colleen Hickey from Lake Champlain Basin Program. A copy of the agenda is provided in Appendix 1.

One of the activities during the training was a World Café utilizing three different stations where teachers were presented with a question and then had time as a group to respond. After all questions were discussed, teachers had an open dialogue to report back on ideas they liked ranging from curriculum ideas, resources, how they can incorporate new resources and tools into the classroom, and field trips to different locations in their watershed.

The following is a summary of the questions and responses from teachers:

1. What are the most effective ways to teach about water and watersheds?

   Investigate/analyze the data/impact (pollution) of streams, brooks, rivers, etc; Understand the individual impact each watershed has on the lake; Locate the different watersheds; Define "watershed"; Bring in experts; Community projects; Field trips (hands-on); Tree plantings; Determine misconceptions; Read/use maps; Use watershed models, explore

watershed; Elementary – tie into where they live and what they know; Conversations with the players (farmers, city planners, water department, sewer department).

2. What do students need to understand and be able to do relate to water and watersheds?
   Geography and topography; Water is a resource; The water cycle; Ecosystems; Learn about issues in local community; How water way connect in local community; How the individual can make a difference (improvement); How do other energy alternatives affect watershed (don't want to improve on at the expense of others); Understand the social, economic, and political challenges associated with water quality and watersheds; Understand current state of the lake; Human interaction, both positive and negative; Do experiments on water; Experiment/build models of water flow/cycle; Water quality experiments.

3. What are the most important place-based water issues that you can illuminate in your curriculum?
   Outliers are an important part; Balance between environment and economics/fear; Stream-bank runoff/ tree planting; Tayler Park stream bank; Drainage of stormwater; How past/current development impacts current water environments; St. Albans Bay (algae bloom), economic impact, know your watershed, waste water treatment plants – runoff, agricultural practices.

During the second part of the session, three teachers gave short presentations on how they teach water science in the classroom.

- Jeff Rouleau – Presented how he teaches water science in his classroom (EmRiver, field trips)
- Jeff Moulton – Presentation on his "Vermont Studies" class. Utilizes "Project Based Learning" and his class picked Lake Champlain as their topic. Gave an example from one of his students on how to make BFA a 'blue school' (Lake friendly).
- Laura Eichorn – Presentation on how she teaches watershed science in her classroom, her class Rain Garden project, and field trips.

We visited the rain garden that was just installed in the bus loop and near basketball courts and then went to explore the wetlands.

Two takeaways from the meeting were:

- The teachers really liked the discussion with other schools and seemed to have learned a lot from each other. They are interested in exploring the relationship between BFA and the K-8 Schools and how they share and manage resources.
- Teachers would like further training on how to deliver a watershed science program, but are not interested in afterschool meetings. Daytime meetings would best fit their needs as well as offering Professional Development credits.

In addition, to the presentations, a list of available resources was presented that are available to teachers who want to access watershed science and stormwater information. Information on additional educational resource has been placed on the RSEP website, Franklin County Stormwater.

The minimum requirements to be completed on MCM 2 regarding Public Involvement and Participation are provided in Table 2 below.

Table 2. MCM 2 – Public Involvement and Participation activities and goals.

MCM #	Activity	Measurable Goal(s)
2-1	Participate in RSEP	Maintain RSEP membership and activities
2-2	Institute a public workshop series on stormwater awareness	Number of programs offered and participants at workshops
2-3	Institute a storm drain stenciling project	Procure stencils or markers
2-4	Sponsor periodic community stream corridor "clean-up" days	Number of participants and nature of material removed

Task 2-1 Participate in RSEP. See summary under Task 1-2,3,4.

Task 2-2 Institute public workshop series on stormwater awareness. NRPC developed a curriculum for one workshop, Managing Runoff on your Property: A DIY Site Assessment. This workshop offers homeowners the basics on what stormwater is, what features of a site influence stormwater, and an introduction to practices property owners can implement at their homes or businesses to mitigate stormwater impacts. The workshop was held on November 15th and had nineteen participants.

The workshop was made up of four parts to cover different subject areas:

PART 1: Map Your Property Features

Lesson 1: Identify features on your property as either an impervious surface or pervious surface.
Activity 1: Mapping out your property features
Activity 2: Calculate the amount of impervious vs. pervious surface on your property

PART 2: Map out the Flow of Water on Your Property

Activity 3: Assess and map your stormwater flow.
Activity 4: Homeowner Property Assessment Questionnaire (this asks a series of questions to prompt the homeowner to identify areas where stormwater may be on the property).

PART 3: Estimate how much Stormwater is generated on your Property

PART 4: Evaluating Soil Suitability

Activity 4 - Soil Texture test

Task 2-3 Institute a storm drain stenciling project. NRPC and FNLC assisted the City and Town in identifying the messaging to be used for stenciling the storm drains. The City and Town are purchasing stencils with the message, "Keep it Clean, Drains to Stream". These stencils will be used in 2016 to demarcate storm drains and raise awareness of where they drain and the connection to our waterways.

Task 2-4. Sponsor community steam corridor "Clean-Up" days. The Friends of Northern Lake Champlain were subcontracted to conduct this task. The RSEP sponsored two clean up events in 2015.

2015 April Stools Day Summary

The first was held on Saturday, April 25, 2015 at Hard'Ack to pick up and dispose of piles of dog poops. The effort, organized by the Lake Champlain Committee and the Franklin County Stormwater Collaborative was part of a larger Lake Champlain Basin initiative to pick up dog poop left behind by dog owners during the winter months. This effort was organized to raise awareness about the impacts pet waste has on our waterways. Lori Fischer, Executive Director of the Lake Champlain Committee states "An average-size dog dropping contains 3 billion fecal coliform bacteria." The volunteer team picked up **783 piles of poop** in the dog parks and around the trail system at Hard'Ack.

A press release was released after the event to share the outcome of the event along with the following facts:

- Dog waste contains 23 million fecal coliform bacteria per gram, which is ten times more per pound of body weight than cows.
- Pets are responsible for up to one-third of bacterial pollution in waterways near developed areas.
- It has been estimated that waste from 100 dogs in just two to three day can contribute enough bacteria, nitrogen and phosphorous to close 20 miles of a bay-watershed to swimming and shellfishing (U.S. Environmental Protection Agency).

The messaging around this event was to get the word out on why this is a problem and the action individuals can take. *"WHAT CAN YOU DO? If you are a dog owner, please pick-up after your pooch. Bring bags with you whenever you walk your dog and either throw the waste in the trash or flush it down the toilet."*

2015 River Clean-Up at Houghton Park & Holy Cross Cemetery Summary

The second clean-up event was held in the fall. On September 26, 2015, a river cleanup took place at Houghton Park in the City of St. Albans and the Holy Cross Cemetery in the Town of St. Albans. The two bodies of water that the cleanup took place along were the Stevens Brook, which runs through Houghton Park, and the Rugg Brook, which runs along the Holy Cross Cemetery.

At the Holy Cross Cemetery location, there were approximately 7 people involved in the cleanup, including members of the Northwest Regional Planning Commission and the staff planner for the Town of St. Albans. Within the two hours of cleaning, about 5 thirty gallon trash bags were filled to the brims with all sorts of garbage that was collected within a distance of 600 feet. Two 10-gallon buckets were also filled to the brim with glass. While we did not cover as much ground as we had hoped, we did manage to pick up a significant amount of trash. Some of the more interesting items we picked up from along the river banks were chewing tobacco containers, fast food containers and travel cups, two bags of pre-bagged trash, articles of clothing, a lot of glass bottles and aluminum cans. There also was a significant amount of cemetery flower arrangements and other materials that likely blew into the

stream over time. The bags of trash were later disposed of by the town and two of the five trash bags were filled with recyclables. In general it was a very successful cleanup by removing a significant amount of trash in such a small distance.

At the Houghton Park location, there were 4 people involved in the cleanup, including members of the Friends of Northern Lake Champlain and the Franklin Watershed Committee. It was estimated that there was between 100-150 pounds of trash, including 7+ thirty gallon trash bags, 5 tires, a bed frame and 1 bag of recyclables, and this was all collected within two-thirds of a mile. The total time for the cleanup was about 90 minutes and group said the highlight of the cleanup was pulling the bedframe up out of the river. This location did in fact have an elected official attend the event and his name was Mike McCarthy, former State House Representative for the City of St. Albans. Some suggestions that the volunteers recommended for future river cleanups were to maybe clean up a different day of the week for a higher attendance and to get companies around the river to help out with the cleanup.

To summarize the cleanup results from both locations, this event helped to remove:

- 9+ 30-gallon bags of trash
- 3 30-gallon bags of recycling
- 2 10-gallon buckets of glass
- 5 Tires
- Pile of Scrap metal (bed frame, old car parts, rusted oil drum)




BROCHURE #1

Attend a workshop to learn more about how you can identify and manage stormwater on your property

Managing Runoff on Your Property:
A DIY Residential Site Assessment
Saturday, November 21st 9:00-11:30 AM
Northwestern Medical Center, Conference Rm 2
133 Fairfield St, St. Albans City
To register contact Amanda at
aholland@nrpcvt.com or 524-5958

RSVP by Nov. 19th

Attendees receive a Free UVM Soil Test
(Residents of St. Albans City & Town only)

Visit www.fcsvt.org to find out more about this workshop and opportunities to learn about the topics below.

Rain Harvesting – *Make your own rain barrel*
Landscaping with a Rain Garden – *Learn to install and maintain your own*
Sustainable Lawn Care – *How to preserve a beautiful lawn and lake*

Franklin County Stormwater Collaborative

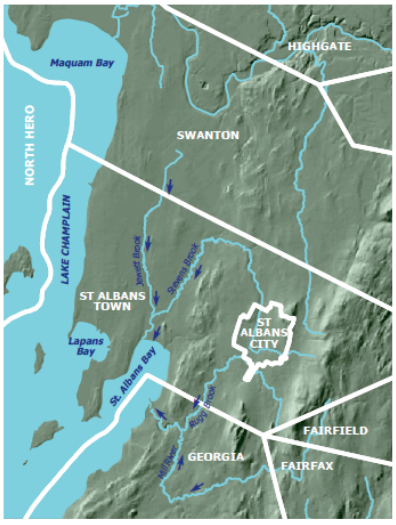
www.fcsvt.org

Franklin County Stormwater is a Saint Albans City and Town effort to inform the community about ways our homes and businesses may contribute to stormwater runoff and actions we can take to keep our waterways clean. The collaborative was formed to meet federal regulations and is part of a plan to improve stormwater management.

Stormwater occurs when rain and snow melt flow off of streets, rooftops, lawns and fields. As it encounters these surfaces it picks up potential pollutants like salt, soil, fertilizers, grass clippings, oil, litter, and many other pollutants.

Presort Std
U.S. Postage
PAID
Permit No. 265
Burlington, VT

Where does stormwater and the pollutants it carries go? All stormwater, in both the city and country, runs into nearby streams and drains directly into Lake Champlain.



APPENDIX 1. MCM 1 Materials & Deliverables

MEDIA STORY, Page 1

UVM study shows exercise can benefit teens who face depression and suicidal thoughts from bullying. **STORY, 2A.**

TODAY'S OBITUARIES

ROBERTA JEAN VOEGELE, St. Albans

See obituaries, page 5A, or subscribe to our digital edition at www.samessenger.com

WEATHER:

Tonight: Partly cloudy. Low around 40.
Tomorrow: Sun and a few clouds. High 68.
FORECAST, PAGE 6A

ON THE WEB:

www.samessenger.com

Vol. 157 No. 226 (USPS) 0133-8005

WATER QUALITY:

Get on your mud boots!

Cleaning up brooks a way to contribute

By Messenger Staff

ST. ALBANS — The Franklin County Stormwater Collaborative, an outreach and educational effort led by St. Albans City and Town, is inviting local residents to clean up Stevens and Rugg brooks on Saturday.

According to organizers, the cleanup – which begins at 9 a.m. at both Houghton Park on South Elm Street and Holy Cross Cemetery on Fairfax Street – is a way local citizens can engage in water quality efforts. The clean up is expected to last for two hours. Trash bags and gloves will be provided, and mud boots are highly recommended.

"This is a fun chance for community members to roll up their sleeves and take direct action in the effort to clean up our streams and the Bay," said city director of planning Chip Sawyer.

Town planner Nathaniel Neider added, "The town's aim in removing litter along Rugg Brook is to raise awareness of the impact on Lake Champlain from pollutants within the watershed."

The Franklin County Stormwater Collaborative, formed through the Northwest Regional Planning Commission as part of the Municipal Separate Storm Sewer Systems (MS4) permit issued to both St. Albanses in December 2012, is putting on just one river clean

► *CLEANUP on page 5A*

Messenger file photo

Attendees enjoy the Annual Fine Wine, Food & Beer Festival in 2012 at the St. Albans Historical Museum. This weekend, the festival will be held in Taylor Park, featuring more than 40 restaurants, local food producers, breweries and wineries.

COMMUNITY:

Good food, drink & company

Eighth festival this Saturday in Taylor Park

By ELODIE REED
Messenger Staff Writer

ST. ALBANS CITY — As they say, let's all head downtown.

That's where, on Saturday, the Eighth Annual Fine Wine, Food & Beer Festival will be held from 2 to 5 p.m. More than 40 restaurants, local food producers, breweries and vineyards will gather in Taylor Park to offer the best they've got.

They'll include: 14th Star Brewing Co., 84 Main Sports Grill, Boston Post

► *See FESTIVAL on page 12A*

MEDIA STORY, Page 2

a razor wire fence along its Croatian border, a decision that would block the flow of migrants and insert more confusion into an already chaotic situation in the Balkans. Some 59,000 asy-

bilateral relations. Orban said Hungary was getting "friendly fire in our backs" from Austria while trying to comply with EU migration rules.

Austria "denied its

rain and colder temperatures added to the misery of people, many of whom had taken perilous sea journeys to land in Greece and start walking for days to go north.

Hungary has also installed spools of razor wire near a border crossing with Slovenia, which like Hungary is part of the EU's Schengen zone of passport-free travel.

Franklin County, previous-

Monday, Sept. 28.

Cleanup

continued from page 1

lum-seekers have entered Croatia since Hungary shut its border with Serbia on Sept. 15.

"It is not enough to tell the world through the press what we are doing and why," Orban told reporters in Vienna. "We have to go everywhere and gather support before the closing of the (border) takes place."

The shutdown of the border between Hungary and Serbia set off a domino effect of misery throughout southeastern Europe. Croatia first welcomed the migrants, thinking that they would transit through Slovenia, into Austria and on into Germany. But Slovenia refused to let the people pass, leaving Croatia, one of the poorest of the European Union nations, responsible for the human wave.

The lack of a unified European Union response on how to address shutdown tossed the matter into further disarray. Croatia then began to simply bus the migrants and refugees

friendship to Hungary in particularly difficult times and I came to restore the earlier condition," Orban said.

Faymann, in separate comments to reporters, described relations with Hungary as "correct" but

"There is no wall, no wire that can stop the people," Croatia's Interior Minister Ranko Ostojic said while visiting the Opatovac transit center in Croatia.

Migrants huddled under blankets and waited, most of them hoping to go as

The move is meant to block direct detours by migrants who may attempt to circumvent the fences on the Serbian and Croatian borders to reach Germany and other countries in Western Europe.

Boehner

continued from page 1

in the House in 2007 after Democrats retook the chamber.

As speaker, his tenure has been defined by his early struggles to reach budget agreements with President Barack Obama and his wrestling with the expectations of tea party conservatives who demanded a more confrontational approach.

In 2013, conservatives drove him to

reluctantly embrace a partial government shutdown in hopes of delaying implementation of the new health care law. Now, tea party lawmakers have been pressing him to retry the tactic to try to take away federal funding from Planned Parenthood following the disclosure of controversial videos involving its practices of procuring fetal tissue for research purposes.

up that is being replicated throughout the state.

"This event is part of a larger statewide effort to clean our waterways," said Friends of Northern Lake Champlain executive director Denise Smith. She added that September has been newly designated "Vermont Rivers Clean-Up Month" by the Watersheds United of Vermont.

Anyone looking for more information can contact Smith at denisefnlc@gmail.

com or visit the collaborative's website: www.fcsvt.org.

MEDIA BUY

Winter Stormwater Tips for Homeowners

Stormwater pollution is a year-round concern. We may use sand and salt to control winter's weather but after the ice melts the remaining materials can get into our waterways and pose a threat to the health of our streams and fish. Follow these tips to guide the amount of material you use on your driveways and sidewalks:

- **Shovel early.** The more snow and ice you remove, the less salt you will have to use and the more effective it can be.
- **More salt does not mean more melting.** Apply appropriately - salt takes time to work. Consider purchasing a hand-held spreader to help you apply a consistent amount.
- **15°F is too cold for salt.** Most salts stop working at this temperature. Use a traction agent as needed, but remember they do not melt ice.
- **Sweep up excess salt or sand on dry pavement.** It is no longer doing any work, sweep it up before it is washed away and apply less the next time.
- **Try an alternative for traction.** Sand and kitty litter are effective but can clog sewers and degrade stream habitat when washed away. Cracked corn can be an alternative to try that is more environmentally friendly.

FRANKLIN COUNTY
Stormwater

- **Understand what's in it.** All deicers will melt the ice but some have less of an impact on the environment. Instead of sodium chloride or calcium chloride use an acetate (such as Premiere Ice Melter), potassium chloride, or magnesium chloride (such as Safe Step 8300).

Check out www.fcsvt.org to understand which deicing product to use for the weather conditions and their impacts.

The Franklin County Stormwater Collaborative is a St. Albans City and Town effort to educate the community on stormwater. Learn more at WWW.FCSVT.ORG.

APPENDIX 1. MCM 1 Materials & Deliverables

TEACHER TRAINING AGENDA

St Albans SAU In-Service

D R A F T A G E N D A

Friday October 9, 2015
St. Albans City School
8 a.m-11a.m.

- Essential Question: (Involving Watershed Efforts in Action, Leadership in Sustainability, Watersheds Matter, e.g. How am I connected to What's Happening now in Watershed Education?)
- Intro
- Silent Chalk Talk Activity
  Participants will use sticky notes of different colors to answer the questions below under the three headings 1)How Water Moves, 2)How Do People Impact Water, and 3)How Can People Solve WQ Problems (all written on white board or individual easel pads):
  What am I doing?
  How do I use watershed information in my curriculum?
  What do I want to do?

- Presentations (mini-slam – 5-8 minutes each)
  Suggested participants include:
  Tina Phelps (St Albans Town, WEC participant...oh, I get it, I just need to get the kids to understand and love things like I do in the and around the lake)
  Jeff Moulton (BFA History Teacher, St Albans Watershed Association)
  Lorelei Westbrook (St. Albans town, WEC participant, great agricultural experience)
  Melissa (Fairfield Teacher, Place participant with Amy D, reading, language arts examples)
  Jeff Rouleau (BFA Science, STEM Landscapes)
- Field Trip to the St Albans City School Rain Garden on-site with potential journaling activity or writing. Project completed through several grants including LCBP. A VT F&W grant also helped teachers and students work on a wetlands project on-site.
- World Café or Other Protocol to assess Needs/Challenges and Next Steps

MATERIALS - Resource Packet to be shared:

- Handout - *This Lake Alive* and where to find electronically
- *WatershED Matters* description and Link
- *Opportunities for Action*
- Material from FNLC and SAWAA
- Burton Island/Killkare state park fliers
- CH Check-in with LCMM for materials for history

Appendix B
Most recent draft of stormwater and IDDE ordinance.
Development began in 2015.

CHAPTER X

STORMWATER

SECTION 1. STATEMENT OF FINDINGS AND PURPOSE

The St. Albans City Council finds and declares that:

A. Land development activities and associated increases in the amount of impervious cover within a watershed often alter the hydrologic response and water quality aspects of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, sediment transport and deposition and the concentration of waterborne pollutants and pathogens.

B. Clearing and grading during construction tend to increase soil erosion and reduce the native vegetation important for terrestrial habitat, for stream regulation through shading and for maintenance of natural food cycles important to food chains and aquatic habitat. Effective erosion controls are important techniques in preventing water pollution, soil loss, wildlife habitat loss and human property loss. Clearing and grading is particularly disruptive within stream corridors, contributing to streambank erosion, loss of vegetative cover, overland transport of pollutants into the stream, and loss of riparian habitat.

C. Improper design and construction of stormwater management practices can increase downstream flooding and increase the velocity of stormwater runoff causing stream bank erosion and buildup of sedimentation.

D. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream base flow.

E. Stormwater runoff, soil erosion and non-point source pollution can be controlled, minimized and in some cases eliminated through the regulation of stormwater runoff from land development activities. Illicit discharges must be eliminated.

F. The regulation of stormwater discharges from new development and redevelopment of existing sites, the elimination of illicit discharges and the control of erosion and sediment discharge is in the public interest and will minimize threats to public health and safety posed by unmanaged runoff.

The purpose of this Ordinance is to protect the public health, safety and welfare of the City of St Albans by protecting the Municipal Separate Storm Sewer System (hereinafter "MS4") and surface waters in the City from:

A. The adverse effects of stormwater discharges from new development and redevelopment of existing sites;
B. Illicit discharges, and
C. The discharge of erosion and sediment.

This Ordinance defines what constitutes a public nuisance relating to illicit discharges, soil erosion and stormwater management related to land disturbance activities. This Ordinance provides procedures for the abatement or removal of such public nuisance as the public health, safety or welfare may require. This Ordinance also establishes methods for controlling the discharge of sediment, stormwater and non-stormwater discharges into the MS4, and/or surface or ground water in order to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit process, and General Permit No. 3-9014 as issued by the State of Vermont.

SECTION 2. AUTHORITY

This Ordinance is adopted by the City Council of the City of St Albans under authority of 24 V.S.A § 2291, Subsection 14.

Related Documents:
- Land Development Regulations
- City Roadway Standards
- Stormwater Maintenance Agreement
- VSMM I & II
- Low Risk Site Handbook for Erosion Prevention and Sediment Control
- Technical Guidance for Construction and Post-Construction Controls

SECTION 3. DEFINITIONS

For the purposes of this Ordinance, the following words and/or phrases shall apply:

Administrator. The City Manager of the City of St. Albans.

Agent. A person authorized to act in the place of another person.

Applicant. A property owner or duly designated representative who files an application for a land disturbance activity.

Best Management Practices or BMPs. A schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce water pollution.

Certified Professional in Erosion and Sediment Control or CPESC. An individual holding a certification in good standing as a Certified Professional in Erosion and Sediment Control from EnviroCert International, Inc.

Clearing. Any activity that removes the vegetative surface cover.

Construction. Land-disturbing activity associated with development, including land preparation such as clearing, grading, and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Common Plan of Development. A development that is completed in phases or stages when such phases or stages share a common state or City permit related to the regulation of land use, the discharge of wastewater or a discharge to surface waters or groundwater, or a development designed with shared common infrastructure. Common plans of development include, but are not limited to, subdivisions, industrial and commercial parks, and university and other campuses. Construction activities or portions of construction activities that have achieved final stabilization as of the effective date of this Ordinance shall not be considered for purposes of determining what constitutes disturbance under a common plan of development that requires coverage under this Ordinance. Following completion of the common plan components on a parcel of land, any additional development of the parcel shall be considered as separate from the original common plan for the purposes of evaluating whether one or more acres of land will be disturbed.

This language is from Appendix C of the Vermont Construction General Permit.

Construction Activity. Activities subject to [NPDES] Construction Permits. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Construction Season. The period of time between May 1 and October 14 when land disturbance activities generally are permitted under this Ordinance.

Construction Stormwater Standards. The provisions and requirements of the City of St. Albans for construction-phase stormwater runoff control contained in the City of St. Albans Construction Stormwater Guidance Document, which document shall be kept on file with the City Clerk and which may be amended from time to time upon approval of the City Council.

Construction and Demolition Debris. Those materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any manmade physical structure including houses, buildings, industrial or commercial facilities, and roadways.

Department of Public Works. The employees, contractors or designees of the Director of Public Works.

Designated Enforcement Officer. The Zoning Administrator or other City officers as may be designated by the City Council.

Development Review Board. The Development Review Board for the City of St Albans, established pursuant to 24 VSA § 4460.

Director. The Director of Public Works for the City of St Albans.

Drainage Way. Any channel that conveys surface runoff on a site.

Erosion Control. A measure that prevents or controls wind or water erosion in agriculture, land development, coastal areas, riverbanks or construction.

Erosion and Sediment Control Plan. A plan indicating the specific measures and sequencing to be used to control sediment and erosion on a development site during and after construction. The required content of an Erosion and Sediment Control Plan is specified in the City of St. Albans Construction Stormwater Guidance Document, as amended from time to time, which is incorporated by reference into this Ordinance.

The City is only responsible for the review of these simplified plans; anything disturbing more than an acre individually or as part of a common plan will go to the State for review.

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

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge. Any direct or indirect non-stormwater discharge to the MS4, except as exempted in Section 6.4 of this Ordinance.

Illicit Connections. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the MS4, and any connections to the MS4, from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the Director of Public Works.

Impervious Surface. Those manmade surfaces, including paved and unpaved roads, parking areas, roofs, driveways, and walkways, from which precipitation runs off rather than infiltrates.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b) (14).

Infiltration Basin. Any structure or device designed to infiltrate retained water to the subsurface.

Land Development. The construction or re-construction of impervious surface on a tract or tracts of land.

Land Disturbance Activities. Any land disturbance subject to a Zoning Permit or any other approval issued pursuant to any regulation or ordinance of the City of St Albans that disturbs or breaks the topsoil or results in the movement of earth on land.

Limits of Disturbance. The boundary within which all construction, materials and equipment storage, grading, landscaping and related activities shall occur.

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

This definition is proposed as an "umbrella" / generic placeholder for all maintenance agreements adopted by or used in the City

Municipal Separate Storm Sewer System or MS4. A conveyance or system of conveyances (including roads with

drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains): (i)owned or operated by the City of St Albans that discharges to surface waters or ground water.; (ii) designed or used for collecting or conveying stormwater; (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR, Section 122.2

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit. A permit issued by EPA (or by the State of Vermont under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-point 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 mining, construction, subsurface disposal and urban runoff sources.

Non-Stormwater Discharge. Any discharge to the MS4 that is not composed entirely of stormwater.

Person. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner, the owner's agent, or the operator of a premises.

Pollutant. Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coli form and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Sediment. Soil, sand, and minerals washed from land into surface waters or onto other lands.

Sediment Control. Measures that prevent eroded sediment from leaving the Site.

Site. A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation.

Soil Erosion. When land or soil is diminished or worn due to wind or water.

Stabilization. The use of accepted practices that prevent exposed soil from eroding.

Start of Construction. The first land-disturbing activity associated with a development, including land preparation such as clearing, grading, and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Stormwater. Precipitation and snowmelt that does not infiltrate into the soil, including material dissolved or suspended in it, but does not include discharges from undisturbed natural terrain.

Stormwater Management. The use of structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, peak flow discharge and detrimental changes in stream temperature that affect water quality and habitat.

Stormwater Management Plan, Major. A comprehensive plan consistent with the requirements of the Vermont Stormwater Management Manual, Volume I and Volume II, as most recently adopted by the Vermont Department of Environmental Conservation, and designed to manage the volume, rate and pollutant load of stormwater runoff after a site has undergone final stabilization following completion of the construction activity.

Stormwater Management Plan, Simplified. A comprehensive plan consistent with the City of St. Albans Stormwater Management Standards, as amended from time to time, that is designed to manage the volume, rate and pollutant load of stormwater runoff after a site has undergone final stabilization following completion of the construction activity.

Stormwater Management Standards. The provisions and requirements of the City of St. Albans for post-construction stormwater runoff control contained in the City of St. Albans Stormwater Guidance Document, which document shall be kept on file with the City Clerk, as amended from time to time.

In this draft, staff would prepare the guidance documents, and Council would adopt

Stormwater Runoff. Precipitation, snowmelt, and the material dissolved or suspended in precipitation and snowmelt that runs off impervious surfaces and discharges into surface waters or into groundwater via infiltration.

Stormwater Treatment Practices. Measures, either structural or nonstructural, that are determined to be effective and practical means of preventing or reducing point source or non-point source pollution inputs to stormwater runoff and water bodies.

Stream Corridor. All lands within the City of St Albans lying within thirty (30) feet horizontal distance from the top of bank of the main stem of and tributaries to Rugg Brook and Stevens Brook, as depicted on Map A attached to this Ordinance.

Defines "stream corridor" for purposes of this ordinance. This could be added to the LDRs in addition to, or in place of, inclusion in the Stormwater Ordinance

Surface Waters. Any receiving waters existing on the surface of the ground, including but not limited to; brooks, streams, rivers, wetlands, ponds, or lakes.

Wastewater. Any water or other liquid, other than uncontaminated stormwater, discharged from premises.

Watercourse. Any body of water, including, but not limited to lakes, ponds, rivers, streams, and bodies of water delineated by the City of St Albans.

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

Zoning Administrator. The Zoning Administrator for the City of St Albans.

Zoning Permit. A permit approved by the Zoning Administrator which authorizes any land disturbance activities in the City of St Albans.

SECTION 4. APPLICABILITY

This Ordinance shall apply to all lands lying within the City of St Albans. Specific provisions shall apply only to designated areas as indicated in the Sections within this Ordinance.

SECTION 5. ADMINISTRATION

5.1 Administration

Except where specifically noted in this Ordinance, The Director of Public Works shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the Director of Public Works may be delegated by the Director to persons or entities acting in the beneficial interest of or in the employ of the City of St Albans.

The Director of Public Works is the principal administrator, but has authority to delegate portions to others

5.2 Technical Review

In the event the Director of Public Works or Zoning Administrator finds, in the discharge of his/her duties under this Ordinance, that her/she requires the assistance of qualified professionals in stormwater management, erosion control, engineering or related fields to determine compliance with the provisions of this Ordinance, the Director of Public Works or Zoning Administrator, as applicable, may require an independent review of one or more aspects of a permit, plan or application, with the cost of the review to be paid by the applicant or permittee.

Technical review at the applicant's expense is authorized under 24 VSA §4461(c). This is intended to clarify when and how the City will use this procedure for stormwater issues.

SECTION 6. ILLICIT DISCHARGE AND STORMWATER CONNECTION

6.1 Purpose and Intent.

Under the authority set forth in 24 V.S.A § 2291, specifically subsection (14), and to provide for the public health, safety, welfare and convenience, it is hereby declared that it shall be a public nuisance for anyone to contribute pollutants, illegally connect, or illegally discharge into the Municipal Separate Storm Sewer System, (MS4), or to otherwise discharge non-stormwater discharges in violation of the requirements of this Ordinance. It is the further purpose of this Section to provide procedures for the regulation of non-stormwater discharges to the MS4, and where required by public health, safety, or welfare, to provide for the abatement or removal of any public nuisance related thereto. This Section establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process, and General Permit No. 3-9014 as issued by the State of Vermont.

The objectives of this Section are:

A. To regulate the introduction of pollutants to the MS4 from non-stormwater discharges by any user;

B. To prohibit illicit connections and illegal discharges to the MS4;

C. To establish legal authority to carry out all inspection, monitoring, and enforcement procedures necessary to ensure compliance with this Article.

6.2 Applicability.

This Article applies to all properties within the City of St. Albans.

6.3 Prohibitions.

A. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any premise, public or private property, driveway, parking area, street, alley, sidewalk, component of the MS4, or any surface water of the City of St. Albans, any object or material, including but not limited to: Refuse, rubbish, garbage, animal waste, litter, yard waste, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution, or interfere with the operation, maintenance and access to the MS4. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.

B. The construction, use, maintenance or continued existence of illicit connections to the MS4 are prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

C. No person shall discharge or cause to be discharged into the MS4, any materials, including but not limited to pollutants or waters containing any pollutants, other than stormwater, or any materials that may impede the natural flow of stormwater or the functionality of the MS4.

6.4 Exemptions.

The commencement or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:

A. Water line flushing or other potable water sources, landscape irrigation or lawn watering, approved stream flow diversions, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, swimming pool draining (if dechlorinated - typically less than one PPM chlorine), fire fighting activities, and any other water source not containing Pollutants.

B. Discharges specified in writing by the Director of Public Works as being necessary to protect public health and safety.

C. Dye testing is an allowable discharge, but requires notification of, and acknowledgement of receipt of notification by, the Director of Public Works prior to the time of the test.

City/DPW should specify preference for notification for dye testing.

D. The prohibition in this Section shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the United States Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4 by the Director.

6.5 Industrial or Construction Activity Discharges.

Any person subject to an industrial or construction activity NPDES stormwater discharge regulation, and/or permit shall comply with all provisions of such regulation and/or permit. Proof of compliance with said regulation and/or permit may be required in a form acceptable to the Director prior to allowing such discharges to the MS4.

SECTION 7. MONITORING OF DISCHARGES

7.1 Applicability.

This section applies to all premises that have stormwater discharges associated with industrial activity as defined in this Ordinance, including construction activity.

7.2 Access to Premises.

A. Representatives of the Department of Public Works, authorized by the Director, shall be permitted to enter and inspect any premise subject to regulation under this Article as often as may be necessary to determine compliance with this Article. If a person has security measures in force that require proper identification and clearance before entry into its premise, the person shall make the necessary arrangements to allow access to representatives of the Department of Public Works.

B. A person shall allow duly authorized representatives of the Department of Public Works ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.

C. Duly authorized representatives of the Department of Public Works shall have the right to set up on any permitted premises such devices as are necessary in the opinion of the Director to conduct monitoring and/or sampling of the premises stormwater discharge.

D. The Director shall have the authority to require a person to install monitoring equipment as necessary. The sampling and monitoring equipment shall

be maintained at all times in a safe and proper operating condition by the owner or operator of the premise at their own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy. The owner or operator of the premise shall demonstrate calibration techniques and satisfactory operation of the devices to the Department of Public Works upon request.

E. Any temporary or permanent obstruction to safe and easy access to the premises to be inspected and/or sampled shall be promptly removed by the owner or operator of the premise at the written or oral request of the Director of Public Works, and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator of the premise.

F. Unreasonable delays in allowing the Department of Public Works access to permitted premises are a violation of this Article. A person who is the operator of a premise with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the Department of Public Works reasonable access to the permitted premises for the purpose of conducting any activity authorized or required by this Article.

G. If the Department of Public Works has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this Article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Article or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Director may seek issuance of a search warrant from any court of competent jurisdiction.

7.3 Requirement to Prevent, Control, and Reduce Stormwater Pollutants by the use of Best Management Practices.

A. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and non-structural Best Management Practices (BMPs).

B. Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

7.4 Notification of Spills.

A. Notwithstanding other requirements of law, as soon as any person responsible for a premises or operation, or responsible for emergency response for a premises or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Director of Public works either in person, by phone, or via email no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Director of Public Works within three business days of the phone notice.

B. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge, steps taken to remediate said illicit discharge, and the actions taken to prevent its recurrence. Such records shall be retained on site by the owner or operator for at least three years.

SECTION 8. EROSION AND SEDIMENT CONTROL

8.1 Purpose and Intent

Under the authority set forth in 24 V.S.A. § 2291, specifically subsection (14), and to provide for the public health, safety, welfare and convenience, it is hereby declared that it shall be a public nuisance for anyone to discharge sediment into the Municipal Separate Storm Sewer System, (MS4), and/or surface waters, as a result of soil erosion caused by land disturbance activities, or to otherwise discharge sediment in violation of the requirements of this Ordinance. It is the purpose of this Ordinance to provide procedures for the regulation of sediment discharged to the MS4 and/or surface waters, and where required by public health, safety, or welfare, to provide for the abatement or removal of any public nuisance related thereto. This Ordinance establishes methods and procedures for controlling the introduction of sediment into the MS4 and/or surface waters in order to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit process, and General Permit No. 3-9014 as issued by the State of Vermont.

The objectives of this Section are:

A. To regulate the contribution of sediment to the MS4 and/or surface waters from soil erosion caused by land disturbance activities.

B. To control the design, construction, use, and maintenance of land disturbance activities.

C. To establish legal authority to carry out all inspection and enforcement procedures necessary to ensure compliance to this Ordinance.

8.2 Applicability of Erosion and Sediment Control Provisions

This Article applies to any land disturbance activities within the City of St. Albans that result in clearing, grading, construction or land disturbance activity that is not subject to the provisions of the Vermont Construction General Permit 3-9020 (2006) for Stormwater Runoff from Construction Sites, as amended, unless otherwise exempted under Section 8.5 of this Article. All land disturbance activities undertaken by the City of St. Albans shall be subject to the applicable provisions of this Article.

8.3 Prohibitions

No person required to obtain a Zoning Permit, or any other form of City approval for land disturbance activities, shall cause, allow or permit the release of any sediment created by soil erosion resulting from these activities, to any other property, the MS4 and/or surface waters.

8.4 Permits

No person shall be granted a Zoning Permit or other approval by the City for any land disturbance activities regulated under this Ordinance without compliance with the following provisions:

A. All projects involving land disturbance within the City of St. Albans for which a Zoning Permit or other approval has been issued shall require the permittee to demarcate physically the limits of land disturbance on the site, using measures as described in the City of St. Albans Construction Stormwater Guidance Document, and shall require the permittee to take reasonable steps as outlined in the City of St. Albans Construction Stormwater Guidance Document to ensure that sediment is not transported via overland flow to surface waters or the MS4.

All permittees (zoning and other) would be required to note the limits of disturbance on sites and take simple erosion control prevention measures.

B. Projects disturbing more than one acre of land, either individually or as part of a Common Plan of Development, shall require evidence of application for coverage and submittal of an Erosion and Sediment Control Plan to the Vermont Department of Environmental Conservation under the Vermont Construction

General Permit 3-9020 (2006) for Stormwater Runoff from Construction Sites, as amended, or an Individual Construction Stormwater Discharge Permit, whichever is applicable.

C. Projects disturbing less than one acre of land, whether individually or as part of a common plan of development, that are not subject to the requirements of the Vermont Construction General Permit 3-9020, but meeting any of the criteria enumerated in A through D below, shall require approval of an Erosion and Sediment Control Plan, as defined in this Ordinance, by the Zoning Administrator:

The requirement to provide a simple erosion and sediment control plan would apply to these activities. Gardens up to 10x50/20x25 would be exempt under (D).

i. Any project disturbing land area within 30 linear feet of the top of bank of Grice Brook, Rugg Brook or Stevens Brook as depicted on Map A.

ii. Any project disturbing more than 100 SF of land area located within a Stormwater Impaired Watershed, as defined in this Ordinance and as depicted on Map A.

iii. Projects disturbing more than 500 SF of land area located outside a Stormwater Impaired Watershed.

iv. Any project that, in the opinion of the Zoning Administrator or the Director of Public Works, has the potential to cause significant erosion, result in the transport of sediment to surface waters or the MS4, or endanger property or public safety if not properly mitigated and controlled.

D. A self-contained excavation of up to 500 SF in land area that is fully contained and bordered such that no runoff will be generated and all surface or ground water will be fully contained within the excavation shall be exempt from the provisions of this Section. Examples of such self-contained excavations shall include, but not be limited to, gardens and decorative landscaping.

8.5 Exemptions

The discharge of any sediment from land disturbance activities approved by the City to any other property, the MS4 and/or surface waters is prohibited except as described as follows:

A. Any emergency activity that is immediately necessary for the protection of life, property or natural resources.

B. Any nursery and/or agricultural activity operating as a permitted principal or accessory use on a parcel.

8.6 Review of Erosion and Sediment Control Plans

A. The content of an Erosion and Sediment Control Plan, as applicable, shall be as set forth in the City of St. Albans Construction Stormwater Guidance Document, as most recently amended, which is incorporated by reference into this Ordinance.

B. In the event an Erosion and Sediment Control Plan is associated with an application for another permit or decision to be issued by the City of St Albans, the Erosion and Sediment Control Plan shall be deemed to be a required component of a complete application for the associated permit.

The ESCP becomes a required component of an application to the DRB.

C. Where review and approval of an Erosion and Sediment Control Plan is the only approval required from the City of St. Albans for a land disturbing activity, the procedure and time frames for review, approval or denial, and appeal shall be as set forth in 24 VSA 4449(a) for a Zoning Permit.

D. Where review and approval of an Erosion and Sediment Control Plan occurs in conjunction with an application to the Development Review Board, the Erosion and Sediment Control Plan shall be reviewed as a component of the associated application in accordance with the City of St. Albans Land Development Regulations, as amended.

E. Where an Erosion and Sediment Control Plan is subject to issuance by the Zoning Administrator, the Zoning Administrator will review each Erosion and Sediment Control Plan to determine its conformance with the provisions of this regulation, unless explicitly exempted within this Ordinance. Within 30 days after receiving an application for review, the Zoning Administrator shall in writing:

1. Approve the plan;
2. Approve the plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation; or
3. Disapprove the plan, indicating in writing the reason(s) and procedure for submitting a revised plan.

F. All erosion control practices, sediment control practices, waterway and watercourse protection practices and construction site access practices shall be consistent with the City of St. Albans Construction Stormwater Guidance Document, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Zoning Administrator or Development Review Board, as applicable.

G. In the event the Zoning Administrator or Development Review Board, as applicable, finds that a site's conditions or a proposed land disturbing activity poses a unique or substantial threat of causing erosion or sedimentation in surface waters or the MS4, or there are unique technical issues affecting the content and

prospective effectiveness of an Erosion and Sediment Control Plan, the Zoning Administrator or Development Review Board may initiate Technical Review under the provisions of Section 5.2 of this Ordinance.

8.7 Access to Land Disturbing Activities

The Zoning Administrator or his/her designee shall be permitted to enter and inspect any land disturbing activities in the City of St. Albans permitted under this Ordinance as often as may be necessary to determine compliance with this Ordinance.

8.8 Inspection Requirements

For all projects for which an Erosion and Sediment Control Plan has been approved, the Zoning Administrator or his/her designee shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the permittee via mail, telephone or email of any instance wherein the work fails to comply with the Erosion and Sediment Control Plan as approved. To obtain inspections, the applicant or their agent shall request an inspection from the Zoning Administrator via email, mail or telephone at least three (3) business days before commencement of any of the following:

A. Start of construction, at which time the inspection shall include inspection of the limits of disturbance to ensure the limits are correctly and fully demarcated on the site;
B. Installation of all sediment and erosion control measures;
C. Completion of final grading;
D. Close of construction season, for those projects not completed by October 15; and
E. Completion of final landscaping.

These are the points at which inspection would be required.

8.9 Inspection Certifications

In lieu of the requirements outlined in Section 8.8 of this Ordinance, the Zoning Administrator may, upon written request of the applicant, allow or require that the applicant or their agent provide a written certification from a professionally licensed engineer, or a certified professional in erosion and sediment control (CPESC), certifying compliance with the Erosion and Sediment Control Plan as approved upon completion of the activities enumerated in Section 8.8 above. The applicant or their agent shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved Erosion and

Sediment Control Plan, and shall provide written certification to the Zoning Administrator or his/her designee upon completion of each inspection, noting any remedial action required to achieve compliance with the Erosion and Sediment Control Plan.

8.10 Surety Requirement

As a condition of approval and issuance of the permit, the Zoning Administrator, or where an Erosion and Sediment Control Plan is incorporated into a subdivision or site plan approval, the Development Review Board, may at his/her discretion require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved Erosion and Sediment Control Plan, and any other related permit conditions. Surety generally shall be required only in those instances where a site's conditions or a proposed land disturbing activity pose a unique or substantial threat of causing erosion or sedimentation in surface waters or the MS4, or where there are unique technical issues affecting the content and prospective effectiveness of an Erosion and Sediment Control Plan.

This option enables the City to hold a surety for projects that pose a unique or significant risk to City infrastructure or waterways.

SECTION 9. POST-CONSTRUCTION STORMWATER MANAGEMENT

9.1 Purpose and Intent

Under the authority set forth in 24 V.S.A. § 2291, specifically subsection (14), and to provide for the public health, safety, welfare and convenience, it is hereby declared that it shall be a public nuisance for anyone to improperly manage stormwater runoff created by land development activities, or to otherwise manage stormwater runoff caused by land development activities in violation of the requirements of this Section.

It is the purpose of this Section to provide procedures for the regulation of stormwater runoff caused by land disturbance activities, and where required by public health, safety, or welfare, to provide for the abatement or removal of any public nuisance related thereto. This Section establishes minimum stormwater management requirements for post-construction sites in the City of St. Albans, in order to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit process, and General Permit No. 3-9014 as issued by the State of Vermont. The specific purposes of this Section are:

A. To minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion;

B. To maintain the integrity of stream channels and minimize disruption to natural hydrologic processes from land development;

C. To minimize increases in non-point source pollution caused by stormwater runoff from land disturbance activities which would otherwise degrade local water quality;

D. To reduce stormwater runoff rates and volumes, soil erosion, and non-point source pollution through the effective use of landscaping, surfacing, and stormwater treatment practices, and to ensure that these management controls are properly maintained;

E. To establish the legal authority to carry out all review, inspection and enforcement procedures necessary to ensure compliance with this Section.

9.2 Applicability of Post-Construction Stormwater Management Requirements.

This Article applies to land disturbing activities that result in the creation, expansion or redevelopment of impervious surface, as such terms are defined in this Ordinance and as enumerated in Section 9.4 below, unless otherwise exempted under Section 9.5 below. All projects undertaken by the City of St. Albans shall be subject to the applicable provisions of this Article.

9.3 Prohibitions.

No person required to obtain a permit from the City for any land disturbing activity that results in the creation, expansion or redevelopment of impervious surface shall improperly manage stormwater runoff associated with these activities, and/or fail to conform to the requirements of this Article.

9.4 Permits.

No person shall be granted an approval by the City of St. Albans for any land development activities regulated under this Article without compliance with the following provisions:

A. Projects that result in more than one acre of total impervious surface shall require evidence of application to the Vermont Department of Environmental Conservation for coverage under General Permit 3-9015 for Stormwater Discharges or an Individual Stormwater Discharge Permit, as applicable.

B. Projects resulting in more than one acre of land disturbance, whether as an individual project or under a Common Plan of Development, but resulting in one acre or less of total impervious surface, shall require approval by the Zoning

Administrator or his/her designee of a Stormwater Management Plan equivalent to the requirements of General Permit 3-9015 for Stormwater Discharges as enumerated in the Vermont Stormwater Management Manual (Volumes I and II), as most recently revised.

C. Projects disturbing less than one acre of land and resulting in less than one acre of total impervious surface, and meeting any of the criteria enumerated in (i) through (iv) below, shall require approval by the Zoning Administrator or his/her designee of a Simplified Stormwater Management Plan, as defined in this Ordinance, meeting the requirements of the City of St. Albans Stormwater Management Guidance Document as most recently revised:

i. Any project resulting in the redevelopment or creation of more than 1,000 SF of impervious surface area
ii. Any project that, in the opinion of the Zoning Administrator or the Director of Public Works, has the potential to cause significant erosion or stormwater management impacts, or endanger property or public safety, if post-construction stormwater is not properly mitigated and controlled.
iii. A Zoning Permit issued exclusively for the construction or modification of single-family or two-family dwellings and accessory structures and appurtenances thereto, where no impervious surface or structure is proposed to be sited within 30 linear feet of the top of bank of Rugg Brook or Stevens Brook, shall not require approval of Simplified Stormwater Management Plan as defined in this Ordinance, unless a Plan is specifically required under the provisions of (ii) above.

These are the activities that would require a plan for managing post-construction stormwater runoff (in addition to construction-phase erosion control)

9.5 Exemptions

The following activities shall be exempt from the provisions of this Article:

A. Any emergency activity that is immediately necessary for the protection of life, property or natural resources.

B. Any nursery and/or agricultural operations as a permitted principal or accessory use.

9.6 Stormwater Management Plans; Content and Preparation

A. The content of a Stormwater Management Plan or Simplified Stormwater Management Plan shall be as set forth in the City of St. Albans Stormwater

Management Guidance Document, as most recently amended. All Plans shall include a Maintenance Plan as described in Section 9.8 of this Ordinance.

B. At a minimum all stormwater management practices in a Stormwater Management Plan shall meet the design requirements set forth in the Vermont Stormwater Management Manual, Volumes I and II, as most recently amended; for Simplified Stormwater Management Plans, all practices shall at a minimum meet the design requirements set forth in the City of St. Albans Stormwater Management Guidance Document, as most recently amended.

C. A Stormwater Management Plan shall be prepared and signed by a professional engineer licensed to practice in the State of Vermont who shall verify and demonstrate conformance to the applicable water quality treatment standards and stormwater management design criteria contained in this Article.

D. A Simplified Stormwater Management Plan shall be prepared and signed by a professional engineer licensed to practice in the State of Vermont who shall verify and demonstrate conformance to the applicable water quality treatment standards and stormwater management design criteria contained in this Article.

E. At the discretion and upon approval of the Zoning Administrator, a Simplified Stormwater Management Plan may be prepared and signed by a landscape architect, land planner or other individual experienced in and qualified to prepare site plans for land development. The applicant shall be responsible for ensuring that all components of the Simplified Stormwater Management Plan so prepared are fully consistent with the requirements of this Article and the applicable standards in the City of St. Albans Stormwater Management Guidance Document.

9.7 Stormwater Management Plans; Approval Process

A. In the event a Stormwater Management Plan or Simplified Stormwater Management Plan is associated with an application for another permit or decision to be issued by the City of St Albans, the Stormwater Management Plan or Simplified Stormwater Management Plan shall be deemed to be a required component of a complete application for the associated permit.

B. Where review and approval of a Simplified Stormwater Management Plan is the only approval required from the City of St. Albans for land development, the procedure and time frames for review, approval or denial, and appeal shall be as set forth in 24 VSA 4449(a) for a Zoning Permit.

C. Where review and approval of a Stormwater Management Plan or Simplified Stormwater Management Plan occurs in conjunction with an application to the Development Review Board, the Plan shall be reviewed as a component of the

associated application in accordance with the City of St. Albans Land Development Regulations, as amended.

D. Where approval of a Stormwater Management Plan or Simplified Stormwater Management Plan is subject to issuance by the Zoning Administrator, the Zoning Administrator will review each Plan to determine its conformance with the provisions of this regulation, unless explicitly exempted within this Ordinance. Within 30 days after receiving an application for review, the Zoning Administrator shall in writing:

i. Approve the plan;
ii. Approve the plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation; or
iii. Disapprove the plan, indicating in writing the reason(s) and procedure for submitting a revised plan.

E. In the event the Zoning Administrator or Development Review Board finds that a site's conditions or a proposed land disturbing activity poses a unique or substantial threat of causing erosion or sedimentation in surface waters or the MS4, or there are unique technical issues affecting the content and prospective effectiveness of an Erosion and Sediment Control Plan, the Zoning Administrator or Development Review Board may initiate Technical Review under the provisions of Section 5.2 of this Ordinance.

9.8 Maintenance of Stormwater Management Practices and Landscaping

A Maintenance Plan shall be prepared and approved in conjunction with all Stormwater Management Plans and Simplified Stormwater Management Plans. The Maintenance Plan shall include detailed maintenance and repair procedures to ensure the continued function of all stormwater management measures, including those landscaped or surfaced areas that are integral to the function of the Plan. The Maintenance Plan shall include:

A. Landscape Plan; The applicant must present a detailed plan for the management of vegetation at the site after construction is finished, including identification of all landscaped areas or practices that are to provide stormwater treatment and control, the responsible party for maintenance of vegetation at the site, and practices that will be employed to ensure the healthy condition and function of landscaped areas.

B. Maintenance Easements; The applicant must ensure access to all stormwater treatment practices at the site for the purpose of inspection and repair by securing all of the maintenance easements needed on a permanent basis. These easements

shall be recorded in the land records before commencement of the approved land use and shall remain in effect upon transfer of title to the property.

C. Maintenance Agreement; The applicant must execute a maintenance agreement binding on all subsequent owners of land served by a stormwater management measure included in the approved Stormwater Management Plan or Simplified Stormwater Management Plan. The maintenance agreement shall be recorded in the land records before commencement of the approved land use and shall specify the required maintenance measures for all stormwater treatment practices, including landscaped or surfaced areas providing stormwater treatment and control, along with a maintenance schedule specifying when and how often maintenance shall be performed on each stormwater treatment practice.

D. Maintenance Records; The applicant shall be required to maintain records that verify that all required maintenance and inspections were performed in conformance with the approved Stormwater Management Plan. The records shall be maintained for a period of three (3) years, and a copy of all records shall be submitted annually to the Zoning Administrator.

9.9 Access to Stormwater Treatment Practices.

The Zoning Administrator shall be permitted to enter and inspect any land disturbance activities where stormwater treatment practices are being, or have been constructed subject to regulation under this Ordinance as often as may be necessary to determine compliance with this Ordinance.

9.10 Inspection Requirements.

The applicant shall notify the Zoning Administrator via email, mail or telephone no less than three (3) business days in advance of the start of construction. The Zoning Administrator or his/her designees shall inspect stormwater treatment practices a minimum of once during the construction phase to verify that practices are being constructed per the approved plans, and shall inspect the stormwater treatment practices upon notification of completion. If any violations are found, the property owner shall be notified in writing of the nature of the violation and the required corrective actions. No additional work shall proceed until any violations are corrected and all work previously completed has received approval from the Zoning Administrator.

9.11 Inspection Certifications

In lieu of the requirements outlined in Section X-36 of this Article, the Zoning Administrator may allow or require that the applicant or their agent provide a written certification from a professionally licensed engineer certifying compliance

with the Stormwater Management Plan or Simplified Stormwater Management Plan, as approved.

9.12 Surety Requirements

As a condition of approval and issuance of the permit, the Zoning Administrator, or where a Stormwater Management Plan or Simplified Stormwater Management Plan is incorporated into a subdivision or site plan approval the Development Review Board, may at his/her discretion require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved Stormwater Management Plan or Simplified Stormwater Management Plan, and any other related permit conditions. Surety generally shall be required only in those instances where a site's conditions or a proposed land development activity pose a unique or substantial threat of causing stormwater runoff-related problems in surface waters or the MS4, or where there are unique technical issues affecting the content and prospective effectiveness of the Stormwater Management Plan or Simplified Stormwater Management Plan.

9.13 As-Built Drawings

~~For any project requiring issuance of a Certificate of Occupancy, w~~Within thirty days ~~of issuance of a Certificate of Occupancy~~of the installation of a required post-construction stormwater management/treatment practice, the applicant shall submit as-built drawings of ~~all stormwater treatment~~ practice(s) to the Zoning Administrator. For single-family homes and duplex properties, a drawing or sketch is required to the satisfaction of the Zoning Administrator. For all other developments, an engineered drawing to scale will be required.

Section 10. Additional Section if Needed

10.1 Purpose

City of St. Albans.

10.2 Applicability

A. The provisions of this Section shall

B. The issuance of any permit, approval or authority

Section 11. MANAGEMENT OF CONSTRUCTION WASTE AND DEBRIS

Any person conducting activity involving the outdoor generation or storage of construction waste or debris shall be required by this Ordinance to observe the following:

A. Piles of uncontained wastes, and wastes stored in open containers, shall be covered during windy conditions that would result in the mobilization of debris into the MS4 or waterways, and shall be covered prior to significant forecasted rain (0.25 inches in a 24-hour period).

B. No dumpsters shall be hosed out onto the construction site.

SECTION 12. ENFORCEMENT

The City of St Albans, by and through its authorized agents, shall have the authority to enforce the provisions of this Ordinance, and any orders, violation notices, or enforcement orders issued hereunder, and may pursue all civil and criminal remedies in connection with any violation hereunder.

12.1 Remedies not Exclusive.

The remedies set forth herein are not exclusive of any other remedies available, including criminal prosecution, under any applicable federal, state or local law. Election of one remedy shall not preclude pursuing other remedies and nothing herein shall prohibit the City of St Albans from seeking multiple remedies.

12.2 Judicial Bureau Municipal Civil Complaint Ticket.

Pursuant to 24 V.S.A., Chapters 59 and 61 and 4 V.S.A., Chapter 29, a Designated Enforcement Officer may commence prosecution in the Judicial Bureau for any violation of this Ordinance by serving two copies of a municipal civil complaint ticket either in person or by first class mail on the alleged offender, and thereafter promptly filing the original with the Judicial Bureau. The issuing officer shall follow the procedure set forth by the Judicial Bureau for municipal complaint tickets. The first offense ticketed for a violation shall be punishable by a fine of one hundred dollars ($100.00), the waiver fee shall be fifty dollars ($50.00); a second offense ticketed for the same violation shall be punishable by a fine of two hundred dollars ($200.00), the waiver fee shall be one hundred dollars ($100.00); a third offense ticketed for the same violation shall be punishable by a fine of five hundred dollars ($500.00), the waiver fee shall be two hundred and fifty dollars ($250.00). Upon the fourth offense, the City of St. Albans may request that the case be transferred to the Superior Court, or any other court of competent jurisdiction.

12.3 Other Enforcement Remedies Generally; Fines, Injunctive Relief.

A. Any person violating any of the provisions of this ordinance shall be subject to fines as outlined in Section 18-9 (B). In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this Ordinance shall be required to bear the expense of such restoration.

This is important to review with the City Attorney for consistency with local procedures, fine amounts & preferences

B. An action, injunction, or other enforcement proceeding may be instituted by the City of St. Albans to prevent, restrain, correct, or abate any violation or activity causing a violation. The relief sought may include the right to enter onto private property to abate or correct the violation, to restrain any activity that would create further violations, or to compel a person or persons to perform abatement or remediation of the violation; and to seek damages for all costs, including reasonable attorney's fees, incurred by the City of St. Albans in pursuing and obtaining such relief. In addition to any other remedies authorized in law or equity, the City of St. Albans may seek an order specifically requiring:

i. The elimination of illicit connections and/or non-stormwater discharges to the MS4;
ii. The discontinuance of practices, activities, or operations that lead to violations of this Ordinance;
iii. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
iv. The implementation of source control or treatment through the use of best management practices;
v. The performance of monitoring, analysis, and reporting.

C. In the event that any person holding a Zoning Permit approved by the Zoning Administrator, or any other City-issued approval for land development or land disturbance activities, violates the terms of this Ordinance or alters a site in such a manner as to adversely affect the public health, safety or welfare, the Zoning Administrator or his/her designee may issue a Stop Work Order and/or suspend or revoke the permit.

SECTION 13. RELATIONSHIP TO OTHER CITY ORDINANCES

If the provisions of these regulations conflict with the provisions of any other valid and enforceable Ordinance(s), the stricter provisions shall prevail.

SECTION 14. ULTIMATE RESPONSIBILITY

The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore this Ordinance does not intend nor imply that compliance by any Person will ensure that there will be no contamination, pollution, nor unauthorized discharge or discharge of pollutants.

SECTION 15. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, it shall not affect the validity or application of other provisions of this Ordinance.

SECTION 16. EFFECTIVE DATE

This Ordinance shall become effective sixty (60) days after its adoption by the City of St. Albans City Council, or at such time following the expiration of sixty (60) days from the date of its adoption as is determined by the City Council per 24 VSA 1973. If a petition is filed under 24 VSA 1973, that statute shall govern the taking effect of this Ordinance.

CITY OF ST. ALBANS CITY COUNCIL

_____ _____
NAME, Chair NAME, Vice-Chair

_____ _____
NAME NAME

_____ _____
NAME DATE

ATTEST BY: _____ _____
NAME, City Clerk Date

Stormwater Management and Erosion Control

These technical standards are adopted and amended from time to time by the City of St Albans and are incorporated by reference into the Land Development Regulations and Stormwater Management Ordinance. This document sets forth the provisions and requirements for a "Simplified Erosion and Sediment Control Plan" (ESCP) and a "Simplified Stormwater Management Plan" as described in the Stormwater Ordinance.

A. Purpose

The purpose of these standards is:

1. To preserve natural hydrologic function by reducing the volume of stormwater runoff, increasing groundwater recharge, and enhancing pollutant treatment for development projects through a combination of site design and stormwater treatment practices;
2. To ensure that these management controls are properly maintained and consistent with public safety.
3. To protect water quality of streams, rivers, lakes, ponds and wetlands.
4. To reduce flooding and erosion.
5. To prevent damage to private and municipal infrastructure from the adverse impacts of inadequate stormwater controls.

B. Control of Stormwater Runoff

For all development activities, consideration shall be given in site design and landscape treatments to methods that reduce stormwater runoff, including but not limited to minimization of impervious surfaces, preservation of native vegetation, diffusion and infiltration of runoff into landscaped and permeable areas, integration of site landscaping and trees with stormwater management and infiltration areas, erosion and sediment control, and the use of structural best management practices.

C. Stormwater Standards

Any stormwater management plan submitted to the City pursuant to the Stormwater Ordinance or Land Development Regulations shall comply with the following design standards:

1. Peak Discharge Control

The post-development peak discharge rate shall not be greater than the pre-development peak discharge rate for storm events up to and including the 25-year, 24-hour storm for runoff discharging from the site. Additional control of treated stormwater (e.g., for 50-year or 100-year, 24-hour storm events) shall be provided if site specific considerations warrant the detention of stormwater from larger storm events in the opinion of the Development Review Board or its technical review consultant. These standards may be waived if the applicant can demonstrate all of the following:

a. The existing or proposed stormwater management measures, including but not limited to open channels, ponds, closed pipe systems, and culverts below the

grade of the development, will safely convey the increased runoff from the proposed development. "Safely convey" shall mean compliance with applicable hydraulic sizing standards for conveyances stated in the Vermont Agency of Transportation Hydraulics Manual (2015) as most recently amended.

b. The additional runoff will not overload down gradient facilities to cause erosion and/or undue drainage onto other property.
c. There will not be need to cause an increase in the expenditure of public funds to address any additional run-off.

2. Water Quality/Groundwater Recharge

For proposed impervious areas on the site, including rooftops, driveways, access roads, and other paved or unpaved impermeable surfaces, the following criteria must be met:

a. *Infiltration or treatment of the Water Quality Volume (WQv) (first 1 inch of rainfall).* The WQv must be met by infiltration, control, diffusion of runoff, filtration, or by a combination of these techniques. Infiltration of runoff must be prioritized to the maximum extent practicable given site constraints related to designated brownfields, poorly draining soils, high groundwater, and/or potential basement flooding. The WQv Standard may be met by employing the following non-structural, and/or structural practices or the equivalent:
    i. Structural Water Quality Treatment practices as listed in Water Quality Stormwater Treatment Practices of the VSMM.
    ii. Non-Structural practices approved to meet WQv as listed in Voluntary Stormwater Management Credits of the VSMM.
    iii. Both Structural and/or Non-Structural practices as included in the "Vermont Low Impact Development Guide for Residential and Small Sites", as most recently amended.
    iv. Innovative Structural or Non-Structural Water Quality Treatment practices that can be demonstrated to manage the WQv to the minimum level of treatment as required under the VSMM or its replacement.

b. *Calculation and Design of CPv.* The calculation and design shall be as defined by the Vermont Agency of Natural Resources "Vermont Stormwater Management Manual (VSMM)," as most recently amended.

3. Channel Protection

For projects within the stormwater-impaired watersheds of Stevens Brook and Rugg Brook, Channel Protection will apply. For proposed impervious areas on the site, including rooftops, driveways, access roads, and other paved or unpaved impermeable surfaces, the following criteria must be met:

a. *Control of the Channel Protection Volume.* The CPv shall be met by infiltration, control, diffusion of runoff, or by a combination of these techniques. Infiltration of runoff must be prioritized. The CPv standard may be met by employing the following non-structural, and/or structural practices or the equivalent:
    i. *Infiltrate the 1-year, 24-hour storm event to the maximum extent practicable*. Infiltration of runoff must be prioritized to the maximum extent practicable given site constraints related to designated brownfields,

poorly draining soils, high groundwater, and/or potential basement flooding.

ii. *For excess runoff that cannot be infiltrated onsite*, employ one, or a combination of the following:

1) Diffuse and limit runoff to reduce the post development 1-year, 24-hour storm volume to a minimum of the pre development volume.
2) Control and release the 1-year, 24-hour storm over 12-hours within Rugg Brook or over 24-hours within Stevens Brook.
3) Diffuse and limit runoff to reduce the post development 1-year 24-hour storm peak discharge to a rate of 2 cfs or less.

b. *Definition of CPv.* For design and calculation purposes, the CPv shall be the 1-year, 24-hour storm, which is 2.1 inches of rainfall or as otherwise determined in the VSMM as most recently amended.

4. Site Constraints Waiver

a. *Review process.* On sites where the presence of one or more constraints makes meeting stormwater design standards 1 through 3 above is impractical or infeasible, a waiver of these standards will be considered. Review under these criteria is intended to ensure that partial or "best fit" compliance, rather than full non-compliance, is achieved even where one or more of the actions and conditions in (a) through (j) above is found to apply. In all cases, options for partial compliance and "best fit" shall be evaluated in the stormwater management plan.

b. *Waiver standards*. In order to qualify for a waiver of the standards the applicant must demonstrate that compliance with the standards would require one or more of the following actions or conditions:

i. Installation of sub-surface storage or treatment structures;
ii. Purchase or acquisition of additional land;
iii. Demolition of buildings or removal of existing impervious surface to point of interference with either the existing land use or material conditions of any existing land use permits;
iv. Off-site treatment of stormwater;
v. Either site re-grading or site re-contouring to point of permanent interference with either the existing land use or material conditions of any existing land use permits;
vi. Pumping or other mechanical re-routing of stormwater runoff;
vii. Infiltration where basement flooding or subsurface pollutant plume transport would occur;
viii. Construction of any infrastructure within the fluvial erosion hazard area of any receiving water or within any wetland or its 50 feet buffer zone;
ix. The destruction of contiguous forested areas exceeding 1,000 square feet in area. The removal of trees in non-contiguous forested areas shall be considered when replacement of lost trees is feasible.
x. The stormwater practice would occupy 20% or more of the surface area of the lot.

D. Erosion and Sediment Control

1. Projects Requiring State Permit Coverage

Projects disturbing one (1) or more acres of land, either individually or as part of a common plan of development, are subject to permitting under the Vermont Construction General Permit through the Vermont Department of Environmental Conservation. A copy of the approved state permit shall be provided to the City.

2. Simplified Erosion Control Plan Standards.

For projects disturbing less than one (1) acre of land, Best Management Practices (BMP) as described in the "Vermont Low Risk Site Handbook for Erosion Prevention and Sediment Control," as most recently amended, should be utilized. Both structural and non-structural BMPs shall be implemented to prevent erosion, retain sediment on the construction site, and prevent discharge of sediment down slope of the project. Project construction shall be phased to limit the amount of concurrent earth disturbance, and soils shall be stabilized as soon as is practical. Soils onsite shall not be compacted with heavy equipment. Soils that have been compacted shall be loosened by scarification or tilling to a depth of 12 inches prior to final vegetation establishment.

Appendix C
Most recent draft of stream corridor protection amendments. Development began in 2015.

Article 3
District Regulations

Section 301 Districts Established

For the purposes of these regulations, the City of St. Albans is hereby divided into the following zoning districts, which are referred to by name and/or abbreviation as listed below:

A. Residential Districts – the following three districts are referred to singularly in these regulations or grouped as the "residential districts:"
    1. Low Density Residential - LDR
    2. High Density Residential District – HDR
    3. Business-Neighborhood Transition - BNT
B. Business Districts – the following two districts are referred to singularly in these regulations or grouped as the "business districts:"
    1. Central Business Subdistrict – B1
    2. Transitional Business Subdistrict – B2
C. Medical Institution District – M
D. Service-Industrial District – S-IND
E. Flood Hazard Overlay District – FHOD
F. St. Albans Historic District

Section 302 Zoning District Boundaries

A. Official Zoning Map

The boundaries of the zoning districts established in this Article are as shown upon the Official Zoning Map of the City of St. Albans which shall be located in the Zoning Office; except that, the FHOD - Flood Hazard Overlay District is not shown on the Official Zoning Map. This district includes all areas in the City of St. Albans identified as areas of special flood hazard on the National Flood Insurance Program maps published by the Federal Emergency Management Agency which are hereby adopted by reference and are on file in the Zoning Office.

The City of St. Albans Official Zoning Map shall be the final authority as to the current zoning status of the land and water areas, buildings and other structures in the City.

B. Interpretation of District Boundaries

1. District boundaries shown within the lines of roads, streams and transportation rights of way shall be deemed to follow the center of the right-of-way. The abandonment of roads shall not affect the location of district boundaries. When the Zoning Administrator cannot definitely determine the location of a district

boundary by such center lines, by the scale or dimensions stated on the zoning map, or by the fact that it clearly coincides with a property line, the applicant shall be referred to the Development Review Board before taking any action. The Development Review Board shall interpret the location of the district boundary with reference to the scale of the zoning map and the purposes set forth in all relevant provisions of this bylaw.

2. In the Flood Hazard Overlay District, base flood elevations and floodway limits provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps, where available (Zones A1-A30, AE and AH), shall be used to administer the provisions of this bylaw. In areas where base flood elevations and floodway limits have not been provided by the National Flood Insurance Program (Zone A), base flood elevation and floodway information available from State or Federal agencies or other sources shall be obtained and reasonably utilized to administer the provisions of this bylaw.

3. **In the Stream Corridor Overlay District, the limits of applicability shall be all lands lying within thirty (30) feet horizontal distance in either direction from the top of bank of the main stem and primary tributaries of Rugg Brook and Stevens Brook, as depicted on the Stream Corridor Overlay District Map.**

Section 303 Intent of Districts

A. Residential Districts

1. LDR - Low Density Residential

The intent of this district is to maintain within the City a pleasant and uncrowded residential area, and to encourage appropriate development and/or redevelopment that will complement the existing residential land use. This area shall be primarily for single-family dwellings, along with accessory uses. A variety of other residential uses, along with selected non-residential uses may be allowed as conditional uses, provided they meet all applicable standards and can be shown to be compatible with the district's objectives.

2. HDR - High Density Residential

The intent of this district is to provide an area within the City for moderately dense residential development and growth, while maintaining a safe and healthy atmosphere for the district's residents. Single-family dwellings shall be permitted uses within this district, along with accessory uses. A variety of other residential uses, along with selected non-residential uses may be allowed as conditional uses, provided they meet all applicable standards and can be shown to be compatible with the district's objectives.

3. BNT - Business-Neighborhood Transition

This intent of this district is to provide an area of transition between commercial areas and other residential districts. This district maintains the densities, dimensional standards, and character of a pleasant and uncrowded residential area and allows the types of uses that would historically be found where business districts transition into residential areas. Single-family and duplex residential uses are allowed, along with selected non-residential uses as conditional uses, provided they meet all applicable standards and can be shown to be compatible with the district's objectives.

B. Business Districts

It is the intent of the Business Districts to provide for a wide range of commercial and related activities to safeguard and enhance the City's role as the economic center of northwestern Vermont. It is also the intent of these districts to protect the historic and cultural characteristics which distinguish the City of St. Albans, and to enable a diverse range of uses, which contribute to the vitality and diversity of the Business Districts and to expand the tax base.

1. B1- Central Business Subdistrict

It is the intent of the B1 - Central Business Subdistrict to provide for a diverse range of business and service uses within the traditional business center of the City. The subdistrict is intended to protect and enhance the function of the downtown area as the primary commercial, financial, retail and governmental center of the region. It is designed to accommodate a wide variety of commercial activities, particularly those which benefit from pedestrian activity and access. Design criteria for the subdistrict are intended to protect the National Landmark Historic District and the special urban features of Taylor Park.

2. B2 – Transitional Business Subdistrict

It is the intent of the B2 - Transitional Business Subdistrict to provide for the location of a wide range of business activities. These activities support the function of St. Albans as the primary business center in the region and provide a wide range of goods and services for local and regional needs outside the downtown area. These areas are convenient to customers, preserve the carrying capacity of streets and require the provision of off-street parking and loading. Design criteria for the subdistrict are intended to encourage the expanded use and preservation of existing buildings or new construction, alterations, and enlargements compatible with the architectural character of the subdistrict.

C. MI – Medical Institution District

It is the intent of the MI Medical Institution District to provide a suitable location for health services of regional importance and associated uses. The district is currently dominated by the Northwestern Medical Center hospital. This district provides good transportation and infrastructure access. Due to this district's proximity to residential uses, special attention should be paid to the performance standards found in Section 519 of these regulations. Due to the location of the district at the eastern gateway to the City,

ample setbacks are provided along frontage, and special attention should be paid to lot and building design.

D. S-IND – Service Industrial District

It is the intent of the S-IND Service Industrial District to provide for the location of a wide variety of service, industrial, manufacturing, distribution and research facilities providing employment opportunities and broadening of the tax base of the City. These locations provide good transportation and infrastructure access. All uses shall be in conformance with the performance standards found in Section 519 of these regulations. Due to the location of the district adjacent to residential areas, buffering shall be required to minimize conflicts between non-residential uses and residential districts.

E. FHO- Flood Hazard Overlay District

The intent of this district is to minimize future public and private losses caused by development in flood hazard areas. Designation of this district is also required for the City's continued eligibility in the National Flood Insurance Program. Included in this district are all areas of special flood hazard as shown on the latest National Flood Insurance Program maps. The Flood Hazard Overlay District overlaps other districts established in this Bylaw; where the provisions of the underlying district differ from those of the Flood Hazard Overlay District, the more restrictive shall govern.

F. St. Albans Historic District

The St. Albans Historic District was included in the National Register of Historic Places after a survey of contributing historic structures was performed in the center of the City. The Historic District is not used as a stand-alone district for the purpose of these regulations, but it is identified as an area where certain uses are restricted, special design standards/restrictions are used, and other provisions are made or allowed in order to preserve the area's nature as a historic urban center with unique architectural designs and an environment that encourages pedestrian activity. The boundaries of the Historic District are defined for these regulations based on parcels that contain the structures identified in the original survey.

G. Stream Corridor Overlay District

The intent of this district is to provide for protection of the lands within the City of St. Albans comprising the Stream Corridor, as defined in this Section. The standards in this Section are intended to promote, over time, the establishment of continuous areas of native vegetation and trees in proximity to the named streams and primary tributaries as depicted on the Stream Corridor Overlay District Map in order to reduce the impact of stormwater runoff, reduce sedimentation, and increase infiltration and base flows in streams within the City of St. Albans. It is the further intent of this district to limit the creation of new imperious surfaces and lawn areas within the stream corridor, and to minimize, as feasible, the impact of existing impervious surfaces and lawn areas.

Section 304 Permitted and Conditional Uses

USES	LDR	HDR	BNT	B1	B2	MI	S-IND
Accessory Use in Medical Institution or Service Industrial District[1]						C	C
Adult Business or Adult Entertainment Establishment (Section 408)							C
Assembly and exhibition halls				C	C		
Banks and other financial institutions				P	P		
Bar, nightclub				C	C		
Bed & Breakfast	C	C	C	C	C		
Building contractor's facility							P
Building Contractor's facility with inside storage of equipment					C		
Car wash/ automatic car wash					C		C
Cemetery		C			C		
Clubs, Social, private and fraternal and similar uses				C	P		
Community Center	C	C	C	C	C		
Community House					C		
Congregate Housing	C	C	C		C		
Controlled Substance Dispensary, Class A				C[2]	C[2]	C	
Controlled Substance Dispensary, Class B (Pharmacy)				P	C	C	
Convenience Store				P	C		P
Day Care Facility in accordance with Section 405		C		C	C		C
Day Care Home, Large Family in accordance with Section 405	P	P	P	P	P		P
Day Care Home, Small Family in accordance with Section 405	P	P	P	P	P		P
Drive-in or drive-through facilities used in connection with office, clerical, research and services not primarily related to goods or merchandise				C	C		
Dry cleaner, Laundromat				P	C		
Dwelling units located second floor and above, when 1st floor is commercial				P	P		
Dwelling units on first floor when located outside the Historic District and when entire property is used for residential purposes				P	P		
Dwelling, Multiple Family		C			C		
Dwelling, Single family	P	P	P		C		
Dwelling, Two family	C	C	C		C		
Funeral homes				C	C		
Group homes in accordance with Section 501	P	P	P	P	P		P
Home Industry in accordance with Section 404	C	C	C	C	P		P
Home occupation in accordance with Section 403	P	P	P	C	P		P

[1] This entry does not place any limitation on consideration of Accessory Uses in other Districts.
[2] Not allowed in the St. Albans Historic District.

USES	LDR	HDR	BNT	B1	B2	MI	S-IND
Homeless shelter				C			
Hospital						C	
Hotels, dormitories				C	C		
Industrial/commercial dry cleaner/ laundry							P
Kennel							C
Library, museum, art gallery or center, etc.				C	P		
Lodging House	C	C	C	C	C		
Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment with all operations conducted entirely within fully enclosed building				C	C		P
Medical Office/Clinic		C	C	C	C	C	
Mobile home park in accordance with Section 406		C					
Motor Vehicle Body and Repair Shop				C	C		P
Motor Vehicle Fuel Dispensary, principal or accessory				C[3]	C		P
Motor Vehicle Service Station				C	C		P
Motor Vehicle Sales				C	C		P
Motor vehicles parking lot not associated with principal use				C			C
Nursery schools		C		C	C		
Nursing care or intermediate care institution for children or adults					C	C	
Office, clerical, research and services not primarily related to goods or merchandise			C	P	C		P
Other educational or cultural uses				C			
Personal services				P	P		
Place of Worship		C	C	C	C		C
Planned unit development (Section 413)					C	C	C
Planned unit development, residential uses only (Section 413)	C	C	C				
Public Facility: as described in Section 410 of these regulations, unless specifically listed elsewhere in this table.		C		C	C		C
Recreation (private)							C
Recreation, amusement and entertainment (private)					C		
Recreation, amusement and entertainment uses with activity conducted within and/or outside a building or structure				C			
Restaurant/café				P	C		
Sales and rental of goods, merchandise and equipment with no building, no outside storage, such as open air markets				C			C
Sales and rental of goods, merchandise and equipment within fully enclosed building, outside storage				C	C		C
Sales and rental of goods, merchandise and equipment within fully enclosed building, no outside storage				P	C		P
School, Commercial		C		P	P		C
School, Certified/Licensed	C	C	C	P	P		C
Scrap material, salvage yard, junk yard, etc.							C

[3] Not allowed in the St. Albans Historic District.

USES	LDR	HDR	BNT	B1	B2	MI	S-IND
Soup Kitchen				C			C
Storage and parking				C	C		C
Storage, Warehouse and Distribution Facilities							P
Structures accessory to dwelling	P	P	P	C	P		C
Transportation facility, including bus and train stations				C	C		C
Utility facilities							C
Veterinary hospital					C		C

P – Permitted Use (allowed by approval of Zoning Administrator), in accordance with Section 601
C – Conditional (allowed by approval of Development Review Board), in accordance with Section 602

Section 305 Flood Hazard Overlay District

A. Dimensional Standards. The same as underlying district area and dimension requirements.

B. Permitted uses - allowed by approval of Zoning Administrator. Open space uses including open air markets, recreation uses outside enclosed building or structure.

C. Conditional uses - allowed by approval of Development Review Board.

1. New Construction
2. Substantial improvements to existing structures
3. Land alterations
4. Outdoor recreation, amusement, entertainment
5. Sales and rental of goods, merchandise and equipment with no building, no outside storage, such as open air markets
6. Structures accessory to dwelling

D. Specific District Requirements. The mandatory provisions of State and Federal law for continued City eligibility in the National Flood Insurance Program are hereby adopted by reference and shall be applied in the review of any land alterations or construction in this district. These mandatory provisions are contained in Section 4424 of Title 24, Chapter 117, V.S.A. and 44 CFR 60.3 and 60.6 as amended. Copies of these provisions are available at the Office of the City Clerk.

E. Warning and Disclaimer of Liability. The provisions of this Bylaw do not imply that land outside the areas of special flood hazard or land uses permitted within such districts will be free from flooding or flood damages. These regulations shall not create liability on the part of the City or any officials or employees thereof for any flood damages that result from reliance on these regulations or any administrative decision thereunder lawfully made.

Section 306 Dimensional Requirements

	LDR	HDR	BNT	B1	B2	MI	S-IND
Minimum Lot Area:	single family 9,500 sq. ft. multi family 5,000 sq. ft./ unit two family and all other uses 12,000 sq. ft.	single family 7,500 sq. ft. multi family 5,000 sq. ft./ unit two family and all other uses 10,000 sq. ft.	single family 9,500 sq. ft. multi family 5,000 sq. ft./ unit two family and all other uses 12,000 sq. ft.	2,000 sq. ft./dwelling unit for new construction	single family 7,500 sq. ft. multi family 5,000 sq. ft./unit two family and all other uses 7,500 sq. ft. Congregate housing 2,000 sq. ft. per unit	Congregate housing 2,000 sq. ft. per unit. All other uses 12,000 sq. ft.	10,000 sq. ft.
Minimum Lot Width:	single family 75 ft. all other uses 100 ft.	75 ft.	single family 75 ft. all other uses 100 ft.	20 ft.	75 ft.	100 ft.	100 ft.
Minimum Setbacks:							
Front -	20 ft., or average of all buildings within 200 ft. of side lot lines[3]	10 ft., or average of all buildings within 200 ft. of side lot lines[3]	20 ft., or average of all buildings within 200 ft. of side lot lines[3]	0 ft., where a front setback is provided is shall not exceed 10 ft.[3]	Average of all buildings within 200 ft. of side lot lines[3]	See Section 306b below.	20 ft., or average of all buildings within 200 ft. of side lot lines[3]
Side -	single family dwelling 10 ft. all other uses 15 ft. accessory structure 5 ft.[2, 3]	single family dwelling 10 ft. all other uses 15 ft. accessory structure 5 ft.[2, 3]	single family dwelling 10 ft. all other uses 15 ft. accessory structure 5 ft.[2, 3]	0 ft. Where a side setback is provided the maximum dimension shall not exceed 10 ft.[1, 3]	all other uses 10 ft.[1] accessory structure 5 ft.[1,2,3]	10 ft. with buffering required.	10 ft or as otherwise required or waived under Section 516 or Section 604.
Rear -	accessory structure 5 ft. All other uses 20 ft. or the average setback of all existing buildings within 200 ft of the side property lines.	accessory structure 5 ft. All other uses 20 ft. or the average setback of all existing buildings within 200 ft. of the side property	accessory structure 5 ft. All other uses 20 ft. or the average setback of all existing buildings within 200 ft of the side property lines.	All other uses 0 ft.[1]	accessory structure 5 ft. All other uses 10 ft.[1]	10 ft. with buffering required.	10 ft or as otherwise required or waived under Section 516 or Section 604.

	LDR	HDR	BNT	B1	B2	MI	S-IND
		lines.					
Maximum Building Height: In accordance with section 513	28 ft.	28 ft.	28 ft.	60 ft.	28 ft., or height of pre-existing structure in conformance with Sect. 513	28 ft. high within 55 ft. of a side or rear setback, otherwise 60 ft. high.	40 ft.
Maximum Lot Coverage:	40%	50%	40%	100% as allowed by Sections 515 and 516, and Section 603	70%	Area remaining after required setbacks and buffer areas are met.	Area remaining after required setbacks and buffer areas are met.

Footnotes:
1. Or as otherwise required in accordance with Section 516.
2. As accessory to a residence, a dog house, or child's play house or tree house, or temporary seasonal pools (section 407), or a shed or similar structure with a floor area of not more than 96 square feet and a height of not more than 10 feet may be located within any required yard, except the front yard, but not closer than 2 feet from any property line.
3. Public Interest Markers, as enabled in Section 517.4, are allowed within the required front setback, at a minimum of 5 feet from the public right of way or property line, except for in the B1 District where there shall be no required setback.

Section 306b Front Setbacks for Medical Institution District

Type	Setback
Structures:	160 feet
Parking and vehicular circulation within 150 feet of the St. Albans City and Town political boundary:	30 feet
Parking and vehicular circulation outside 150 feet of the St. Albans City and Town political boundary:	125 feet

Section 307 Additional Provisions

A. Site Plan Review

Site Plan Review shall be conducted pursuant to Section 603 of these regulations, and shall be required for the following uses.

1. LDR, HDR, BNT districts: all uses other than single-family and two-family dwellings except as required elsewhere in these regulations.

2. B1, B2, MI, S-IND districts: all new construction, enlargement or exterior alteration of structures and changes in parking or parking requirements except for one and two family dwellings, except as required elsewhere in these regulations.

B. Off-Street Parking and Loading

1. LDR, HDR, BNT, B2, MI, S-IND Districts: required in accordance with the requirements of Section 515 of these regulations.

2. B1 District: required for lots more than one acre in this subdistrict. Site Plan approval by the Development Review Board is required and Section 515 of these regulations will apply except for Section 515.7. Parking is not required in the B1 subdistrict on lots less than one acre. If parking is provided on lots less than one acre, site plan approval by the Development Review Board is required and all Sections of 515 of these regulations shall apply, except for Section 515.7.

C. Signs

All Districts - Signs shall be provided in accordance with the requirements of Section 517 of these regulations.

D. Design Review

1. B1 District – Design review is required as provided in Article 7 of these regulations for all new construction; enlargement or exterior alteration because of the special historic nature of this district to ensure new development is compatible with the fundamental design elements of the subdistrict. The Design Advisory Board shall refer to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

2. B2 District – Design review is required for all new construction, enlargement or exterior alteration of structures as provided in Article 7.

E. Landscaping, Buffering, Setbacks and Grading

All Districts – Landscaping, buffering, setbacks and grading shall be provided in accordance with the requirements of Section 516 of these regulations**, except where superseded by the provisions of Section 308, Stream Corridor Overlay District Standards**.

F. Performance Standards:

All Districts - Performance standards shall be in accordance with the requirements of Section 519 of these regulations**, unless superseded by the provisions of Section 308 of these regulations**.

Section 308 Stream Corridor Overlay District Standards

Except as specifically permitted by the Development Review Board in conjunction with an application for site plan, subdivision or conditional use approval, or as permitted by the Zoning Administrator pursuant to the provisions of this Section, as applicable, the following standards shall apply:

A. Dimensional Standards,

Dimensional standards shall be the same as the underlying district area and dimension requirements, except as specifically modified or superseded by the provisions of this Section.

B. Permitted Uses and Conditional Uses.

The same as permitted in the underlying district.

C. Clearing of Trees and Vegetation

The clearing of existing trees within the Stream Corridor that are not dead, heavily damaged by ice storms or other natural events, or diseased, and the clearing of any other vegetation other than Class A or Class B Noxious Weeds, as defined by the Vermont Agency of Natural Resources, is permitted only upon application to and approval of the Zoning Administrator.

D. Limitations on Expansion of Impervious Areas and Turfgrass Lawns

Unless authorized by the Development Review Board as a Waiver pursuant to Section 604 of the City of St. Albans Land Development Regulations, no new or expanded impervious surface or building area shall be constructed, and no turfgrass lawn area shall be established or expanded, within ten (10) feet horizontal distance of the top of bank.

E. Provisions for Single-Family and Two-Family Residential Uses

For single-family and two-family residential uses, in conjunction with issuance of a Zoning Permit, one (1) accessory structure with a floor area located at grade, or involving land disturbance for footings and pilings totaling less than twenty (20) square feet, may be permitted within the stream corridor but no closer than ten (10) feet horizontal distance to the top of bank. Tree houses and decks or similar structures, without at grade floor area, and involving land disturbance for footings or pilings totaling less than twenty (20) square feet, may be sited within ten (10) feet horizontal distance of the top of bank.

F. Delineation of Buffer

Any application for land disturbance or land development on a site lying wholly or partially within the Stream Corridor, other than for modification of an existing single-family or two-family residential use, shall include provisions to demarcate, with sturdy plantings, fencing, or a combination thereof, a boundary line parallel to the top of bank of the stream. The boundary line

shall be located at a minimum ten (10) feet horizontal distance from the top of bank of the stream.

G. Exemptions for Existing Structures and Surfaces

Where a site abuts a hardened stream channel, or where impervious surfaces, structures or operation of use takes places within ten (10) feet horizontal distance from the top of bank of the stream as of the Effective Date of this Ordinance, the Development Review Board or Zoning Administrator may exempt the applicant from the provisions of Subsection (C) above provided other supplemental landscaping, tree planting, erosion control or stormwater treatment measures are implemented on the site consistent with the provisions of the City of St Albans Construction Guidance Document and Stormwater Guidance Document.

This is perhaps a bit challenging but allows flexibility in requiring supplemental measures that would address water quality where uses are already within 10' of the channel

H. Stabilization and Planting Required

Any lands or areas within the Stream Corridor that are not vegetated as of the Effective Date of this Ordinance, or that are subject to land disturbance on or after the Effective Date of this Ordinance, shall be seeded or stabilized. Lands lying within ten (10) feet horizontal distance of the top of bank shall be seeded with a combination of trees, shrubs, and plantings. Where ground cover or grasses are planted, a naturalized mix of grasses suitable to the climate of Northwest Vermont shall be utilized, rather than sod or standard turfgrass, and the vegetation shall not be mowed more than one (1) time per calendar year after establishment.