



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT WI 53217-3505
414-351-8900
FAX 414-351-8909

**GRADING, DRAINAGE AND EROSION CONTROL
REVIEW APPLICATION**

TO BE COMPLETED BY APPLICANT:

Property Owner _____ Date _____

Address _____ Phone _____

Designated Agent/Contractor _____

Address _____ Phone _____

City _____ State _____ Zip _____

The Village of Fox Point requires that grading, drainage and erosion control plans be submitted for new development and redevelopment within the Village and which fall into the categories as identified herein. In addition, any grading, drainage and erosion control application must be accompanied with Forms 1 and 3 from the Stormwater Utility Users Manual. **Applications must be submitted in the following instances and must be accompanied with the appropriate fee before the applications are reviewed:**

1. Grading and Drainage Plans – A grading and drainage plan must be submitted pursuant to Section 756-7E(1) if, among other things, a new principal building is to be constructed or a grading activity affects more than 4,000 square feet. A complete list of the activities is included in Section 756-7E(1), a copy of which is attached hereto.
2. Erosion Control Plans – An erosion control plan for new home construction must be submitted pursuant to the Department of Safety and Professional Services regulations SPS 321.125.
3. Erosion Control Plans (non-new home construction) – For all other activities that are not related to new home construction, Chapter 285, Article IV of the Village Code may apply to your activity. In particular, should your activity fall into one of the categories identified in Section 285-42A, then you are required to submit an erosion control plan which complies with Section 285-43. Sections 285-42 and 285-43 are attached hereto.

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Grading, Drainage and Erosion Control Permit Application Fees:

- A. Grading and Drainage or Stormwater Management Plan Fee: \$400.00.
- B. Erosion Control Plans (New home Construction) – No fee (included pursuant to SPS 321.125).
- C. Erosion Control Permit Fee (Activities subject to Chapter 285, Article IV of the Village Code): \$400 for residential properties and \$500 plus \$150 per acre for non-residential properties.
 - 1. The \$400 residential fee includes a \$150 initial application review fee and a \$250 fee for up to three inspections of the erosion control measures at the property.
 - 2. The \$500 non-residential fee includes a \$250 base fee plus \$150 per acre initial application review fee and a \$250 fee for up to three inspections of the erosion control measures at the property.
 - 3. In the event additional reviews of the erosion control application are required, the following fees shall be submitted with each re-submittal of an erosion control application:
 - a. \$75 for residential properties.
 - b. \$150 for non-residential properties.

Please check the box below for the applicable erosion control permit fee:

- Residential (\$400 fee - \$150 Initial Application Review & \$250 Inspection)
 - Non-Residential - _____ No. of acres affected (\$250+\$150/acre and \$250 Inspection)
- \$_____ Total Fee

Project Description and Ordinance Requirements

- I. Briefly describe your proposed project and submit documentation (letters, plans, calculations, etc.) that identifies whether any of the categories apply to your proposed project.

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II. All projects requiring an Erosion Control Plan must comply with Village of Fox Point Code Sections 285-42B and 285-43, a copy of which is attached hereto. The Applicant, however, should familiarize themselves with all of the requirements of Chapters 285, Article III and 285, Article IV. Additionally, Applicants should refer to and use as a guide the DNR Technical Standards for Erosion Control found at:

<http://dnr.wi.gov/topic/stormwater/>

III. The Applicant is further notified that Grading and Drainage Plans may also be required under Section 285-4 (Retaining Walls) and Chapter 272 (Fill Permit), and in instances as directed by the Village Board Building Board or other boards or Commissions, or as deemed necessary by Village Staff. The minimum requirements of the Grading and Drainage Plans are identified in Section 756-7E(1), a copy of which is attached hereto.

IV. Please also note that if the Applicant is installing or replacing a driveway culvert, a separate permit application must be submitted to the Village of Fox Point.

V. Under applicable Village ordinances, all permit reviews will be performed within forty-five (45) days of receipt of a completed application. If additional information is required to be submitted, reviews of the amended application will be performed within thirty (30) days of receipt of the additional information.

<u>For Office Use Only:</u>		
Application Requirements Complete: Yes _____ No _____		
Grading/Drainage Plan: Yes _____ No _____		
Erosion Control Plan: Yes _____ No _____		
Amount Paid \$_____ Receipt _____ Date _____		
Grading/Drainage Plan: Amt. _____		
Erosion Control Plan: Amt. _____		
Inspection Made: _____	_____	_____
Date	Reason	Director of Public Works/Village Engineer
Inspection Made: _____	_____	_____
Date	Reason	Director of Public Works/Village Engineer
Inspection Made: _____	_____	_____
Date	Reason	Director of Public Works/Village Engineer



Form 1

Customer Billing File Data Update Form

Village of Fox Point Stormwater Utility



Application Number _____ Date Received _____

Date Entered Into System _____ Initials _____

1. Account Information: (Please print or type)

Customer Name: _____

Utility Account Number: _____

Parcel Number: _____

Property Location/Address: _____

2. Single Family Residential Account Information

Current Account Information

a. Existing Impervious Rooftop Area (sq.ft.)

b. Existing Tier (check appropriate box)

- | | |
|--|--|
| Tier 1 (≤ 2,031 sq.ft.) <input type="checkbox"/> | Tier 2 (> 2,031 square feet ≤ 2,517 sq.ft.) <input type="checkbox"/> |
| Tier 3 (> 2,517 square feet ≤ 3,213 sq.ft.) <input type="checkbox"/> | Tier 4 (> 3,213 square feet ≤ 5,980 sq.ft.) <input type="checkbox"/> |
| Tier 5 (> 5,980 sq.ft.) <input type="checkbox"/> | |

Proposed Account Information

a. Proposed Impervious Rooftop Area (sq.ft.)

b. Proposed Tier (check appropriate box)

- | | |
|--|--|
| Tier 1 (≤ 2,031 sq.ft.) <input type="checkbox"/> | Tier 2 (> 2,031 square feet ≤ 2,517 sq.ft.) <input type="checkbox"/> |
| Tier 3 (> 2,517 square feet ≤ 3,213 sq.ft.) <input type="checkbox"/> | Tier 4 (> 3,213 square feet ≤ 5,980 sq.ft.) <input type="checkbox"/> |
| Tier 5 (> 5,980 sq.ft.) <input type="checkbox"/> | |

3. Tier 6 Non-Single Family Account Information (ERU = 2,988 square feet)

a. Existing ERUs

b. Stormwater Quantity Credit

10% 20% 30%

c. Stormwater Quality Credit

10% 20% 30%

d. Proposed ERUs (3.a. – 3.b. – 3.c.)



Form 3 Adjustment Application Village of Fox Point Stormwater Utility



Please note that Applicants should only submit an application if the proposed adjustment will change their Tier or reduce their ERUs.

1. **Adjustments Applying** (check all that apply):

<input type="checkbox"/> Correction	<input type="checkbox"/> New/Modified Construction
<input type="checkbox"/> Demolition	<input type="checkbox"/> Land Division <input type="checkbox"/> Land Combination
2. **Customer Classification** (check one):

<input type="checkbox"/> Single Family	<input type="checkbox"/> Non-Single Family	<input type="checkbox"/> Undeveloped
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3. **Applicant Information:** (Please print or type)

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____ Email: _____ Telephone: (____) _____ - _____

4. Property Information:

Utility Account Number: _____

Parcel Number: _____

Property Location/Address: _____

Current Impervious Area (sq. ft.): _____ Proposed Impervious Area (sq. ft.): _____
(Single family customers shall identify the impervious rooftop area)

Reason for requesting an adjustment: _____

Please indicate the form of supporting documentation submitted with and attached to this application:

- Narratives
 Site Plans
 Survey Plat with Topography
 As-Built Plans
 Other

5. Fee: \$150 plus any applicable professional fees incurred by the Village to evaluate the application

6. Certifications:

The above information is true and correct to the best of my knowledge and belief. This form must be signed by the owner, or the officer, director, partner, or registered agent with authority to execute instruments for the owner. I agree to provide corrected information should there be any change in the information provided herein.

Type or print name

Title or Authority

Signature

Date

Official use only

Date Received _____

Application Number _____

Initials _____

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SECTION 756-7E

Chapter 756. BUILDING CONSTRUCTION

Article II. Building Inspector and Permits

§ 756-7. Permits.

E. Drainage.

(1) Grading of lots.

(a) A drainage plan is required:

- [1] For applications for the construction of a new principal building;
- [2] For applications for land disturbing activity requiring a permit that affects the surface area of 4,000 square feet or more;
- [3] For applications for land disturbing activity (other than tree removal) on the face of a ravine bluff or lake bluff;
- [4] For all circumstances where a fill permit is required pursuant to Chapter 272 of this Code; and
- [5] When required by the Village in particular cases due to particular concerns arising in the application.

(b) The plans shall show the present and proposed grades of the lot on which it is proposed to erect the building for which a building permit is sought and of the immediately adjoining property in sufficient detail to indicate the surface water drainage before and after the completion of grading. No permit shall be issued if the erection of the building and the proposed grade shall unreasonably obstruct the natural flow of water from the surface of adjoining property or obstruct the flow of any existing ravine, ditch, drain or stormwater sewer draining neighboring property, unless suitable provision is made for such flow by means of an adequate ditch or pipe, which shall be shown on the plans and shall be constructed so as to provide continuous drainage at all times. The plan shall include a pre- and postdevelopment flow analysis which must address all of the following issues:

- [1] Flows off the property in the two-, ten-, and one-hundred-year storm events in both conditions.
- [2] If there will be fill brought to the site, where the excavated soils will be stockpiled until grading activities occur; also, if soils will be delivered to the site and stockpiled prior to grading, identify these locations.
- [3] Identify the cuts and fills on the property.
- [4] Identify the depth and width of flows at the property line, in both conditions.
- [5] Identify how the stormwater that drains toward the road will be tied into the Village system.

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SECTIONS 285-42 & 285-43

Chapter 285. STORMWATER MANAGEMENT, EROSION CONTROL AND BLUFF REGULATION

Article IV. Construction Site Erosion Control

§ 285-42. Control of erosion and pollutants during land disturbance and development.

A. Applicability. This section applies to the following sites of land development, demolition, redevelopment, and/or land-disturbing activities:

(1) Those requiring a subdivision plat approval or the construction of houses or commercial, industrial or institutional buildings on lots of approved subdivision plats.^[1]

[1]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

(2) Those requiring a certified survey approval or the construction of houses or commercial, industrial or institutional buildings on lots of approved certified surveys.

(3) Those involving grading, removal of protective ground cover or vegetation, excavation, land filling or other land-disturbing activity affecting a surface area of 8,000 square feet or more.

(4) Those involving excavation or filling, or a combination of excavation and filling, affecting 800 cubic yards or more of dirt, sand or other excavation or fill material.

(5) Those involving street, highway, road or bridge construction, enlargement, relocation or reconstruction.

(6) Those involving the laying, repairing, replacing or enlarging of an underground pipe or facility for a distance of 600 feet or more.

(7) Those involving grading, removal of protective ground cover or vegetation, excavation, demolition, land filling or other land disturbing activity on slopes of 10% or more.

NOTE: Utility companies responsible for energy repair work should enter into a "memorandum of agreement" with the Village Staff clearly stating their responsibilities if their activities may be included under any of the above applicability criteria.

B. Erosion and other pollutant control requirements. The following requirements shall be met on all sites described in Subsection A:

(1) Site dewatering. Water pumped from the site shall be treated by temporary sedimentation basins, grit chambers, sand filters, upslope chambers, hydrocyclones, swirl concentrators, or other appropriate controls designed and used to remove particles of 100 microns or greater for the highest dewatering pumping rate. If the water is demonstrated to have no particles greater than 100 microns during dewatering operations, then no control is needed before discharge, except as determined by the Village Staff. Water may not be discharged in a manner that causes erosion of the site or receiving channels.

NOTE: There are several ways to meet this particle size performance objective depending on the pumping rate. As an example, if the pumping rate is very low (one gallon per minute), then an inclined or vertical enlargement pipe (about eight inches in

diameter for one gallon per minute) several feet long would be an adequate control device to restrict the discharge of 100 micron, and larger, particles. As the pumping rate increases, then the "device" must be enlarged. At a moderate (100 gallons per minute) pumping rate, a vertical section of corrugated steel pipe, or concrete pipe section, or other small "tank" (about 4 ½ feet across for a 100 gallons per minute pumping rate) several feet tall would be adequate. With these pipe sections or small tanks, inlet baffles would be needed to minimize turbulence. With very large pumping rates (10,000 gallons per minute), sediment basins (about 35 feet in diameter for a pumping rate of 10,000 gallons per minute) at least three feet in depth with a simple but adequately sized pipe outlet would be needed. More sophisticated control devices (such as swirl concentrators or hydrocyclones) could be specifically fabricated that would generally be smaller than the simple sedimentation devices described above, but they would not be required.

- (2) Waste and material disposal. All waste and unused building materials (including garbage, debris, cleaning wastes, wastewater, toxic materials, or hazardous materials) shall be properly disposed of and not allowed to be carried by runoff into a receiving channel or storm sewer system.
- (3) Tracking. Each site shall have graveled roads, access drives and parking areas, constructed as set forth in the BMP Handbook, to prevent sediment from being tracked onto public or private roadways. These areas shall be inspected and maintained each workday.
- (4) Drain inlet protection. All storm drain inlets shall be protected with a straw bale, filter fabric, or equivalent barrier meeting accepted design criteria, standards and specifications.
- (5) Sediment cleanup. All off-site sediment deposits occurring as a result of a storm event shall be cleaned up by the end of the next workday. All other off-site sediment deposits occurring as a result of construction activities shall be cleaned up by the end of that same workday. Clean up shall be done by means of a "pick-up" type sweeper; flushing is not allowed.
- (6) Site erosion control. The following criteria apply only to land development or land disturbing activities that result in runoff leaving the site:
 - (a) Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described below in Subsection B(6)(c)[3]. Sheetflow runoff from adjacent areas greater than 10,000 square feet in area shall also be diverted around disturbed areas unless shown to have resultant runoff velocities of less than 0.5 foot per second across the disturbed area for the set of one-year design storms. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels.
 - (b) All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
 - (c) Runoff from the entire disturbed area on the site shall be controlled by meeting either of the following:
 - [1] All disturbed ground left inactive for seven or more days shall be stabilized by seeding or sodding (only available prior to September 15) or by mulching or covering, or other equivalent best management practice.

- [2] For sites with more than 10 acres disturbed at one time, or if a channel originates in the disturbed area, one or more sedimentation basins shall be constructed. Each sedimentation basin shall have a surface area of at least 1% of the area draining to the basin and at least three feet of depth and constructed in accordance with accepted design specifications. Sediment shall be removed to maintain a depth of three feet. The basin shall be designed to trap sediment greater than 15 microns in size, based on the set of one-year design storms having durations from 0.5 to 24 hours. The basin discharge rate shall also be sufficiently low as to not cause erosion along the discharge channel or the receiving water.
- [3] For sites with less than 10 acres disturbed at one time, filter fences, straw bales, sediment traps, or equivalent best management practices shall be placed along all sideslope and downslope sides of the site. If a channel or area of concentrated runoff passes through the site, filter fences shall be placed along the channel edges to reduce sediment reaching the channel.
- (d) Any soil or dirt storage piles containing more than 10 cubic yards of material should not be located with a downslope drainage length of less than 25 feet to a roadway or drainage channel. If remaining for more than seven days, they shall be stabilized by mulching, vegetative cover, tarps or other means. Erosion from piles which will be in existence for less than seven days shall be controlled by placing straw bales or filter fence barriers around the pile. In-street utility repair or construction soil or dirt storage piles located closer than 25 feet to a roadway or drainage channel must be covered with tarps or suitable alternative control if exposed for more than seven days, and the storm drain inlets must be protected with straw bales or other appropriate filtering barriers.
- (e) When the disturbed area has been stabilized by permanent vegetation or other means, temporary best management practices such as filter fabric fences, straw bales, and sediment traps shall be removed.
- (f) Sites with slopes of 12% or more may require additional or different controls than listed in Subsection B(6)(c), above. Requirements for such slopes shall be as specified by the Village in Article I of this chapter.

§ 285-43. Permit application; control plan; permit issuance.

- A. Permit application. No landowner or land user may commence a land disturbance or land development activity subject to this article without receiving prior approval of a control plan for the site and a permit from the Village staff. At least one landowner or land user controlling or using the site and desiring to undertake a land disturbing or land developing activity subject to this article shall submit an application for a permit and a control plan and pay an application fee to the Village staff. By submitting an application, the applicant is authorizing the Village staff to enter the site to obtain information required for a review of the control plan.
- B. Content of the control plan for land disturbing activities covering more than one acre.
- (1) Existing site map. A map of existing site conditions on a scale of at least one inch equals 100 feet showing the site and immediately adjacent areas:
- (a) Site boundaries of adjacent lands which accurately identify site location;

- (b) Lakes, streams, wetlands, channels, environmental corridors, ditches and other watercourses on or within 500 feet of the site (Note: The Village should identify sensitive local waters that may need to be further addressed by the control plan.);
 - (c) One-hundred-year floodplains, flood fringes and floodways;
 - (d) Location of the predominant soil types;
 - (e) Vegetative cover;
 - (f) Location and dimensions of stormwater drainage systems and natural drainage patterns on and immediately adjacent to the site;
 - (g) Locations and dimensions of utilities, structures, roads, highways, and paving; and
 - (h) Site topography at a contour interval not to exceed five feet.
- (2) Plan of final site conditions. A plan of final site conditions on the same scale as the existing site map showing the site changes.
- (3) Site construction plan. A site construction plan including:
- (a) Locations and dimensions of all proposed land disturbing activities;
 - (b) Locations and dimensions of all temporary soil or dirt stockpiles;
 - (c) Locations and dimensions of all construction site management best management practices necessary to meet the requirements of this article;
 - (d) Schedule of anticipated starting and completion dates of each land-disturbing or land-developing activity, including the installation of construction site best management practices needed to meet the requirements of this article; and
 - (e) Provisions of maintenance of the construction site best management practices during construction.
- C. Content of control plan statement for land disturbing activities covering less than one acre, but meeting the applicability requirements stated in § [285-42A](#). An erosion control plan statement (with simple map) shall be submitted to briefly describe the site and erosion controls (including the site development schedule) that will be used to meet the requirements of this article.
- D. Review of control plan. Within 45 days of receipt of the application, control plan (or control plan statement) and fee, the Village staff shall review the application and control plan to determine if the requirements of this article are met. The Village Staff shall approve the plan, inform the applicant and issue a permit. If the conditions are not met, the Village staff shall inform the applicant in writing and may either require needed information or disapprove the plan. Within 30 days of receipt of needed information, the Village staff shall again determine if the plan meets the requirements of this article. If the plan is disapproved, the Village staff shall inform the applicant in writing of the reasons for the disapproval.

E. Permits.

- (1) Duration. Permits shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Village staff may extend the period one or more times for up to an additional 180 days. The Village staff may require additional best management practices as a condition of the extension if they are necessary to meet the requirements of this article.
- (2) Surety bond. As a condition of approval and issuance of the permit, the Village staff may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions.
- (3) Permit conditions. All permits shall require the permittee to:
 - (a) Notify the Village staff within 48 hours of commencing any land-disturbing activity;
 - (b) Notify the Village staff of completion of any best management practices within 14 days after their installation;
 - (c) Obtain permission in writing from the Village staff prior to modifying the control plan;
 - (d) Install all best management practices as identified in the approved control plan;
 - (e) Maintain all road drainage systems, stormwater drainage systems, best management practices and other facilities identified in the control plan;
 - (f) Repair any siltation or erosion damage to adjoining surfaces and drainageways resulting from land-developing or disturbing activities;
 - (g) Inspect the construction best management practices after each rain of 0.5 inch or more and at least once each week make needed repairs;
 - (h) Allow the Village staff to enter the site for the purpose of inspecting for compliance with the control plan or for performing any work necessary to bring the site into compliance with the control plan; and
 - (i) Keep a copy of the control plan on the site.