



City of New Berlin Construction Site Pollutant Control and Post-Construction Enforcement

Presented by

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City of New Berlin

MS4 – WPDES Permit

- **Construction Site Pollutant Control**
 - Ordinance
 - Permits
 - Inspection & Enforcement
 - Documentation
 - Lessons Learned
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Ordinances

- **Municipal Zoning Code**

- 275-55.1 Post-Construction Stormwater Management
- 275-55.2 Construction Site Erosion Control
(based on WDNR Model Ordinance)



Grading and Erosion Control Permit

1. Outlines permit responsibilities
 2. Identify property owner and responsible party
 3. Description of proposed land disturbance
 4. Application type (Residential, Commercial, Subdivision)
 5. Site and Erosion Control Plan per NR 151 Performance Standards
 6. Approving Engineer and Inspector
 7. Permit agreement statement
 8. Developer and Property Owner signatures
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Permit responsibilities, Property Owner and Responsible Parties

Grading and Erosion Control Application and Permit

Please read and fill out this application carefully. All applications must be signed, dated and include a site plan.

The applicant, property owner, or subsequent landowner is the responsible party for meeting all erosion control requirements, standards, specifications, and maintenance of all sedimentation basins, BMPs and erosion control measures necessary throughout the duration of the construction activities and until the site has undergone final stabilization per WDNR NR 151 Technical Standards and as outline in the City of New Berlin Municipal Code Section 110 and Section 275-55.2H (8).

Property Information and Responsible Parties: (REQUIRED)	
Property Address: _____ Tax Key: _____ Lot: _____ Block: _____ Subdivision: _____	
Property Owner Name/Owner(s) of Record: _____ Address: _____ City: _____ State: __ Zip: _____ Phone: _____ Cell: _____ Fax: _____ E-mail: _____	
Developer/Contractor Name: _____ Address: _____ City: _____ State: __ Zip: _____ Phone: _____ Cell: _____ Fax: _____ E-mail: _____	

Land Disturbing Activity and Permit Type

Description of Proposed Land Disturbing Activity: (REQUIRED)			
Excavating or Filling _____ Cubic Yards. Trenching _____ Lineal Feet. Grading or Removal of Groundcover: _____ Square Feet.		Total Area to be Disturbed: _____ Square Feet. Other Activity and/or Notes (Describe): _____	
Application type	Fees	Deposits	Required Plans and Information
One- and Two-Family	\$150	\$500	<input type="checkbox"/> Site Plan / Grading Plan
Commercial / Industrial / Multi-Family	\$180 per lot plus \$5/ per 1000 sq. ft. of disturbed lot area minus building foot print with \$2,000 maximum Number of lots: _____ Square Footage: _____ Total Fee \$ _____	\$1000 per lot Number of lots: _____ Total Deposit \$ _____	<input type="checkbox"/> Site Plan / Grading Plan
Subdivision	\$180 per lot Number of lots: _____ Total Fee \$ _____	\$1000 per lot Number of lots _____ Total Deposit \$ _____	<input type="checkbox"/> Site Plan / Grading Plan

(For Office Use Only)

Date: _____

Permit Number: _____

Fees \$ _____

Deposit \$ _____

Total \$ _____

Approving Engineer _____ Date _____

Approving Inspector _____ Date _____

Grading and Erosion Control Permit Agreement

Grading and Erosion Control Permit Agreement

Property owner and Developer grant the City of New Berlin, its officers, employees, contractors and assigns permission to enter onto the property for the purpose of erosion control inspection, and the installation of erosion control measures required under the City Code or applicable DNR rules. All installations completed by the City or its Contractors shall be at the expense of the Property Owner or Developer. The Property Owner and Developer further agree to deposit and maintain a cash deposit for Erosion Control and grade certification purposes on file with the City of New Berlin Department of Community Development. Failure to maintain adequate erosion control may result in the loss of the deposit, suspension of inspection activities leading to the eventual delay in obtaining a final occupancy and shall be subject to Article II Chapter 1-18, General penalty; citations, with each day representing a separate violation.

YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE OR CONTACT A DEPARTMENT OF NATURAL RESOURCES CENTER <http://www.dnr.state.wi.us/wetlands/locating.html>

Erosion Control Permits are issued for a period of 180 days from the date of issuance or the length of the Building Permit, whichever is longer. Projects not completed (vegetation growing) will require a review of the project by the Department of Community Development. The Department of Community Development may extend the permit one or more times for up to an additional 180 days. The Department of Community Development may require additional control measures as a condition of the extension, if necessary to meet the requirement of Chapter 110. Requests for extension must be filed prior to the expiration of the existing permit.

Grades that were established along the lot lines, prior to the closing of the purchase of the lot, are not to be disturbed. When all land disturbing construction activities are completed, the property owner shall be required to have a Recertification Plan submitted to the City Engineer by a Wisconsin Registered Land Surveyor. The plan shall verify that the existing grades on the lot lines were not altered by land disturbing activities.

The return of the deposit shall not occur until the following events have occurred: restoration and stabilization of the site, an established and maintained lawn, erosion control material are removed, Stormwater BMPs are functioning, and submittal of a grade Re-certification plan submitted to the Department of Community Development by a Registered Land Surveyor showing that the current grades match the pre-permit condition. When the final inspections are completed and approved, a check will be sent to the owner of record or designee at the time of inspection. If the owner/developer does not comply with the Grading and Erosion Control Permit, the permit and City of New Berlin Zoning Code Sections 275-55.1H and 275-55-1M and 275-55.2H gives permission for the City, hired contractor, or surveyor to enter upon the land and perform the work or operations necessary to bring erosion control, final grades, and BMP's into conformance with approved plans and the cost will be taken from the deposit. In the event said costs are in excess of the deposit, the City may assess the additional costs against the property as a special charge for current services against the property.

By signing below, the property owner, contractor, developer, and or land user (as applicable) verify that they have read this application, have reviewed any questions they may have with the Department of Community Development, and fully understand they are liable for compliance with Chapter 110 and applicable City Zoning Codes 275-55.1 and 275.55.2 requirements for erosion control until vegetation is established on the above reference site.

Developer/ Contractor Signature _____ Date _____

Property Owner/Owner(s) of Record Signature _____ Date _____

Construction Inspections

- Inspections (516 in 2010)
 - Residential
 - Commercial
 - Utility and Infrastructure done by outside contractors
 - Inspection types
 - Installation per approved site and erosion control plan
 - Site visit can also identify areas that might need addition EC measure or modifications
 - Monitoring
 - Bi-monthly or as needed
 - After ½ inch rain fall
 - Land stabilization requirements
 - Project completion with min. of 80% land stabilization
-

Post Construction Inspections

- Maintenance
 - Complaints
 - Examples
 - Planting trees and shrubs on side walls
 - Cutting through swales and lack of maintenance
 - Removing side walls to allow pond to drain
 - Filling in pond with debris
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Enforcement Types

- Verbal
- Written Violation Notices – 98 in 2010
- Stop Work Orders – 4 in 2010
- Citations – 4 in 2010
- 100 % Compliance Rate for Post Construction Violations



Installation



Planting and seeding



Grading



BMP Maintenance Agreements

- Pre 2004 Developer Agreements
- Post 2004 Maintenance Agreements
 - Any site changes or new zoning permits require maintenance agreements



BMP Installation Certification

- Certification of Installation according to approved Plans
 - Certification of BMPs
 - Required prior to Building Permit
 - Recertification of BMPs
 - Required prior to Occupancy
 - If unable to Certify
 - Reconstruct
 - Submit engineering analyses to support modification
-

Documentation and Record Management

■ GIS and CarteGraph (BMP Database)

SS_BMP Properties

Geodatabase Feature: SS_BMP
CarteGraph Recordset: Storm Basins Use CarteGraph value when no Geodatabase value exists

Field Associations

Geodatabase Attributes	Domains/Subtypes	CarteGraph Fields	CarteGraph Library
ADDRESS_NUMBER		Address Number	
ADDRESS_STREET	Route	Street	Streets
ASBUILT		Description	
Avg_Est_Accuracy			
CONTRACTOR_NAME	Contractor	Contractor	Contractor
DATA_SOURCE	Data_Source	Data Source	Data Source
DATE_OF_CONSTRUCTION			
GPS_DATE			
GPS_SOURCE	GPS_Source		
ID		ID	
INV_1_DIRECTION	Direction_Abbreviation	Inv 1 Direction	Directions Abbreviated
INV_1_INV		Inv 1 Inv Elevation	
INV_2_DIRECTION	Direction_Abbreviation	Inv 2 Direction	Directions Abbreviated
INV_2_INV		Inv 2 Inv Elevation	
LAST_MAINT_ACTIVITY			
LAST_MAINT_ACTIVITY_DATE			
MAINTENANCE_REPORTS			
MAINTENANCE_RESPONSIBILITY		Custodian	Custodians
MEASURE_UNITS			
MISC_DOC			
NOTES		Notes	
OBJECTID			
OWNER	Owner	Owner	Storm Owner
OWNER_CONTACT_INFO			
PICTURES			
PREVENT_MAINT_ACTIVITY			
PREVENT_MAINT_ACTIVITY_DATE			
SCHEDULED_MAINT_ACTIVITY			
SCHEDULED_MAINT_ACTIVITY_DATE			
Shape_Area			
Shape_Length			
TAX_KEY		Taxkey	
TREATMENT_CAPACITY		Capacity	
TYPE	Strm_Basin_Types	Type	Basin Types
VERIFY_DATE			
Worst_Est_Accuracy			

Match records based on 1D' equal to 1D'.

OK Cancel

■ City Record Management System

City of New Berlin Department of Community Development
3805 S. Gagner Drive, New Berlin, WI 53151
262.787.2645
www.newberlin.org

Complaints

Property Information

Address: 3240 W. JUCKLE, Apt: JUCKLE, Owner Name: WOODROUSE APFS LLC, Tax Key #: 1201996
City/State: NEW BERLIN, WI 53151, Zip Code: 53151-4008, Submission

Complaint Information

Complaint Number: [Field], Date: [Field], Date Citation Requested: [Field], Date Notice Sent: [Field], Date Received: [Field], All District: [Field], Quarter: [Field]
Inspection Date: [Field], Date Citation Issued: [Field], Court Date: [Field], Inspector: [Field], Date Entered: [Field]
Complainant Name: [Field], Phone: [Field], Entered By: [Field]
Address: [Field]
Code Section: [Field]
Notes: [Field]

Inspection Information

Date Entered: [Field], Inspection Type: [Field], Status: [Field], Date Scheduled: [Field], Date of Inspection: [Field], Inspector: [Field], View or Modify Inspector Type: [Field]
Comments: [Field]

Inspection Images

File Name: [Field]
Comments: [Field]

Lessons learned

- 2010 Utility Project
 - Coordination between City Departments
 - Outside contract for inspection



Violation, Stop Work Order, and Repair



Questions?
