

TOWN OF STONINGTON

PUBLIC WORKS DEPARTMENT

PUBLIC STORM DRAINAGE CONNECTION POLICY

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Section 1 - Policy Statement

It is the policy of the Town of Stonington to prohibit private drainage connections to the Town's storm drainage infrastructure. However, it is recognized that there may arise a public interest or a hardship situation where such a connection may be warranted. This policy is meant to set forth the conditions under which a private drainage connection may be allowed. It is not the intent of this policy to promote private drainage connections to the Town's storm drainage system. Rather, it is meant to provide relief to those property owners who are threatened with damage to property by excess on-site storm water or high groundwater levels. It is incumbent upon the applicant to prove to the Town that the need to connect exists, and that no reasonable alternate means of disposal exists.

For purposes of this policy, the term “**private drainage connection**” refers to the permanent underground installation and/or physical connection of a private drainage system to a Town drainage structure and/or Town drainage pipe. Said private drainage connection includes, but is not limited to any sump pumps, footing drains, and/or other systems installed as a means to convey storm and/or ground water from a location within a parcel to the Town's drainage system. As portions of the system are located within, or convey storm and/or groundwater into the Town right-of-way, the system is under the jurisdiction of the Town's Public Works Department, and a Public Storm Drainage Connection Permit shall be obtained from the Town for their use.

This policy will also regulate the use of flexible or rigid drainage pipes, installed above the ground surface and whether installed within the Town right-of-way or on private property, serve to convey storm and/or ground water onto or into the Town right-of-way without a direct connection to a Town drainage structure. For the purposes of this policy, those drainage pipes will be referred to as “**over land private drains**”. As storm and/or groundwater is conveyed via these over land private drains onto or into the Town right-of-way, thereby bringing their use under the jurisdiction of the Town's Public Works Department, a Public Storm Drainage Connection Permit shall be obtained from the Town for their use. This policy is not meant to prohibit or restrict the use of over land private drains, but to set forth guidelines under which they are to be properly authorized.

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This policy is applicable to all proposed private connections to the Town's storm drainage system, however there are also provisions in this document for connections that have been in place before this policy was adopted by the Board of Selectman and can meet the grandfather provisions as set forth in this document.

This policy does not supersede any applicable federal, state, or local laws, rules, or ordinances.

Section 2 – Purpose of the Policy

Some of the main purposes for this policy are as follows;

- For the Town to be able to keep track of all of the private connections into the Town's drainage system
- To allow property owners with hardships on their property a means to discharge water away from their properties when they don't have any other means to do so.
- To comply with the conditions of the Town's Municipal Separate Storm Sewer System (MS4) general permit with the Connecticut Department of Environmental Protection with regards to connections to the Town's drainage system.
- To educate property owners with private connections into the Town's drainage system that only uncontaminated storm and/or ground water should be directed into the storm drain system as this water goes untreated into the environment.
- To minimize liability to the Town for damage done to private property from the Town's drainage system backing up into people's homes through unpermitted connections.
- To provide the Town a mechanism to remove connections to the Town's drainage system that are deemed to be a threat to public health and safety.

Section 3 - Application Process

The issuance of a Public Storm Drainage Connection Permit by the Town's Public Works Department shall constitute official approval of a private drainage connection or overland private drain application. The applicant shall submit a Public Storm Drainage Connection Permit Application with all of the supporting documentation as indicated later in this policy to the Town's Public Works Department for consideration. All costs associated with the construction, maintenance and permitting of the private drain connection or the over land private drain shall be the sole responsibility of the applicant as set forth in this policy. It should be noted that other approvals outside of those issued by the Stonington Public Works Department (i.e. wetlands, health, etc.) may be required before construction can commence. It is the responsibility of the applicant to ensure that all necessary permits are obtained prior to the commencement of work.

Section 4 – Eligibility Criteria

Section 4.1 - "Private Drain Connection" Eligibility Criteria

A proposed "Private Drain Connection" must meet the following eligibility criteria:

- The applicant must prove to the Town the need for the connection and that there are

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no other reasonable means for onsite disposal of the discharge.

- The applicant may be asked to demonstrate that there exists suitable capacity in the drainage system to which the proposed connection will be made.
- If this connection is to be part of a neighborhood drainage system, this has to be identified as such in the application.
- The drainage structure to which the connection will be made must be part of a closed drainage system that has a positive outfall (no connections to Town drywells unless specifically authorized by the Director of Public Works).
- The Town drainage structure to which the private drain connection is proposed should be located within the frontage of, and on the same side of the public way as the applicant's parcel. If the connection needs to cross over other properties, easements will be needed from those property owners. Copies of the recorded easements must be submitted to the Public Works Department prior to the issuance of the Public Storm Drainage Connection Permit.
- All materials and construction must be acceptable to the Town of Stonington's Public Works Department.
- The applicant must execute the Private Drainage Connection Covenant and record said document with the Town Clerk on the Town's land records. A copy of the recorded covenant must be submitted to the Public Works Department prior to the issuance of the Public Storm Drainage Connection Permit.
- The proposed connection must be used solely for the disposal of storm water runoff or groundwater. Non-conforming uses include, but are not limited to disposal of grey water, black water, solvents, paints, petroleum based products or other contaminants.
- When at all possible, that portion of the connection located within the Town right-of-way must be limited to a single drainage conduit crossing the right-of-way at a 90° angle to minimize the length of conduit within the right-of-way. When the conduit needs to be run for some distance, it should be run outside of the Town's right of way if possible. The remainder of the connection components must be located outside of the Town's right-of-way.
- All work within the Town's right-of-way shall not be backfilled until the Town has had a chance to properly inspect it. Therefore, the Town needs at least 24 hours notice before any work in the right-of-way is to commence.
- The proposed connection must include a backflow preventer installed by a plumber licensed in the State of Connecticut. The backflow preventer is to be located on private property and not on the Town's right of way.

Section 4.2. – "Over Land Private Drain" Eligibility Criteria

A proposed "Over Land Private Drain" must meet the following eligibility criteria:

- The applicant must prove to the Town the need for directing the discharge to the Town's right-of-way and that there are no other reasonable means for onsite disposal of the discharge.
- The applicant may be asked to demonstrate that there exists suitable capacity in the

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drainage system to which the proposed discharge is being directed too.

- The over land private drain must be placed so that it in no way impedes or obstructs vehicular, pedestrian, bicycle, or other mode of travel normally provided for within the Town's right-of-way.
- Storm and/or ground water conveyed by the over land private drain shall be directed to present no safety hazard and to minimize interference with vehicular, pedestrian, bicycle, or other mode of travel normally provided for within the Town's right-of-way. Safety hazards include, but are not limited to ponding, frozen areas, etc.
- Storm and/or ground water conveyed by the over land private drain shall be directed to minimize erosion or the potential for erosion.
- The proposed over land private drain must be used solely for the disposal of storm water runoff or groundwater. Non-conforming uses include, but are not limited to disposal of grey water, black water, solvents, paints, petroleum based products or otherwise hazardous materials.
- The applicant must execute the Over Land Private Drain Covenant and record said document with the Town Clerk on the land records. A copy of the recorded covenant must be submitted to the Public Works Department prior to the issuance of the Public Storm Drainage Connection Permit.

Section 4.3. - Evaluation of Criteria

- Any subjective judgments concerning eligibility under the criteria shall be made by the Director of Public Works or his/her appointed designee. The Public Works Department reserves the right to deny any application based on the fact that it is not in the best interests of the Town.

Section 5 - Required Documentation

Section 5.1. - "Private Drain Connection" Documentation

To obtain a Public Storm Drainage Connection Permit for a new private drain connection, the applicant shall submit with the application a plan view clearly indicating the extent and nature of the proposed work. The plans should be submitted on 8 ½" x 11" sheets and should have the following information;

- Approximate property boundaries
- Site topography (this can be obtained from the Town's Geographic Information System which is accessible on from the Town's website at www.townofstonington.com)
- A scale on the drawing (1"=20', 1"=40', etc.)
- Length, diameter, slope, material type and location of the proposed private drainage pipe and where it is to be connected to the Town's drainage system.
- Location of all existing and proposed drainage structures clearly labeled within the site, including the Town drainage structure to which the connection is proposed.

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- Footprint of all buildings/structures located within the site.
- Model number and location of the proposed backflow preventer to be used.
- If the proposed connection will be hooked up to a sump pump, the sketch shall also indicate the pump manufacturer's name, model number, capacity, and where the pump will be located within the house (i.e. location in the basement).

Section 5.2. - "Over Land Private Drain" Documentation

To obtain a Public Storm Drainage Connection Permit for a new over land private drain, the applicant shall submit with the application a plan view clearly indicating the extent and nature of the proposed work. The plans should be submitted on 8 ½" x 11" sheets and should have the following information;

- Approximate property boundaries
- Site topography (this can be obtained from the Town's Geographic Information System which is accessible on from the Town's website at www.townofstonington.com)
- A scale on the drawing (1"=20', 1"=40', etc.)
- Location of the private drainage pipe and the location that it discharges onto the Town's right-of-way.
- Location of all existing and proposed drainage structures clearly labeled within the site, including the nearest Town drainage structure in which the discharge is being diverted to.
- Footprint of all buildings/structures located within the site.
- Location of any public sidewalk along the frontage of the property
- If the overland private drain will be hooked up to a sump pump, the sketch shall also indicate the pump manufacturer's name, model number, capacity, and where the pump will be located within the house (i.e. location in the basement).

Section 5.3. - Additional Supporting Documentation

At the discretion of the Director of Public Works or his/her appointed-designee, the applicant may also be required to provide the following;

- A letter from a Professional Engineer licensed by the State of Connecticut with his/her opinion relative to impact on the downstream drainage system and/or supporting calculations.
- A field stakeout of the property boundaries along with actual topographic information provided by a Professional Land Surveyor licensed by the State of Connecticut and to show the same on a plan.

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Section 6 - Fee Schedule

All costs associated with the design, permitting, construction, and maintenance of the permitted connection shall be the sole responsibility of the applicant. The Town is not required to install any drainage within the Town's right-of-way for the purposes of accommodating a private drain connection and/or an overland private drain.

There is no cost for the Public Storm Drainage Connection permit application.

Section 7 - Treatment of Existing Private Drain Connections and/or Over Land Private Drains

7.1. – Existing Grandfathered Connections/Drains

To the extent that an applicant can provide reasonable proof that an existing private drainage connection/overland private drain was in place prior to this policy being adopted by the Board of Selectman (prior to ____ 2008), that connection/drain may be considered a grandfathered connection*. The property owner of the grandfathered connection need only meet the following conditions;

- Apply for a Public Storm Drainage Connection permit with the Public Works Department for the private drain connection/overland private drain within two years of the date that the Board of Selectman adopts the policy. If the Town finds that a property owner has a private drainage connection or overland private drain and has not applied for a Public Storm Drainage Connection Permit within two years of the date that the Board of Selectman adopts the policy, the Town reserves the right to require the property owner to apply as a new connection permit*.
- Execute the appropriate covenant and record said document with the Town Clerk on the land records. A copy of the recorded covenant must be submitted to the Public Works Department prior to the issuance of the Public Storm Drainage Connection Permit.

Any modifications made to a grandfathered private drainage connection/overland private drain within the Town's right-of-way after the adopted date of this policy shall be subject to all of the requirements of a new connection. In addition, nothing in this policy shall be interpreted to prohibit the Town from revoking said permission, thereby rendering the connection/drain an unpermitted connection, if, in the opinion of the Director of Public Works or his/her designee, the grandfathered connection jeopardizes public health, safety, or natural resources.

Section 7.2. – Discovery of an Existing Unpermitted Connection/Drain

If an unpermitted connection/drain is discovered by the Town, the Town will send a "notification" letter to the property owner alerting them to the fact that there is a Public Storm Drainage Connection Policy in Stonington and that they need to comply with the conditions of this policy. The property owner needs to apply for a Public Storm Drainage Connection permit within sixty (60) days of the date of the "notification" letter from the Town. If the Town does

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not receive a Public Storm Drainage Connection permit application from the property owner within this time period, then the connection/drain will be considered unpermitted.

Section 7.3. – Consequences for an Existing Unpermitted Connection/Drain

If an unpermitted connection/drain is discovered by the Town, and the Town does not receive a Public Storm Drainage Connection permit application from the property owner within the sixty (60) day time period from the “notification” letter, then the Town will send a “removal” letter to the property owner instructing them that they have an unpermitted private connection/drain and that it is their responsibility to remove any portion of the drainage connection/drain located within the Town’s right-of-way. Except in the event of a situation that involves a threat to public health, safety, or natural resource, said removal shall be performed within sixty (60) days of the date of the “removal” letter from the Town. An Excavation Permit shall be obtained from the Public Works Department for any work to be done within the Town’s right-of-way. If the “removal” period falls within the winter months, the property owner still needs to send in a letter to the Public Works Department notifying the Town as to when the work is scheduled to be done. In the event that the connection/drain is not removed within the sixty (60) days of the “removal” letter and the Town has not received anything in writing from the property owner with regards to the schedule for their work, then the Town may proceed to remove the connection. For situations involving a threat to public health, safety, or natural resource, the Town may proceed with the immediate removal of the connection provided that the Town sends the property owner a letter within seventy-two (72) hours of the actual removal. Any expenses incurred by the Town in conjunction with a removal shall be back-charged to the owner of the property from which the connection originates.

Section 8 – Permit Duration

A Public Storm Drainage Connection Permit granted for the installation of a “private drain connection” or an “over land private drain” shall be considered to be in full force and effect until a time when, in the opinion of the Director of Public Works or his/her designee, the connection and/or discharge fails to meet the applicable terms and conditions set forth in this policy and in the executed covenant. In the event that the private drain connection or the over land private drain fails to meet said terms and conditions, it shall be considered to be an unpermitted connection/drain, and will revert to the conditions as set forth in Section 7.3 of this policy.

Section 9 - Enforcement

Enforcement of this policy shall reside with the Director of Public Works or his/her designee.

Section 10 - Appeals

If a private drainage connection/over land private drain Public Storm Drainage Connection permit application is denied, the applicant has the right to appeal the decision. Appeals of decisions shall be heard by the Board of Selectman, and the Board’s decision on the matter shall be final. A written

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request for an appeal of a decision shall be submitted to the attention of the First Selectman within thirty (30) days of the date on the application denial. If a property owner with a grand fathered connection is denied the permit but chooses to appeal the decision, the connection may be kept in place until the appeal process has been exhausted so long as the connection does not jeopardize public health, safety, and/or natural resources.