

**PRESERVING NATURAL RESOURCES THROUGH
LOCAL ENVIRONMENTAL LAWS:
A GUIDEBOOK FOR LOCAL GOVERNMENTS**

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**LAND USE LAW CENTER
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STEEP SLOPE PROTECTION

A slope is the inclination of the land's surface. Steep slopes are defined as areas that exceed a certain percent slope. Steep slopes are often associated with other environmental features such as rock outcrops, shallow soils, bedrock fractures, and groundwater seeps. Steep slopes are valuable resources and sensitive landforms that create microclimates where a diversity of organisms can thrive. The natural modification of slopes is extremely slow. Many factors and processes including climate, geology, hydrology, vegetation, weathering, and transport influence this process. Human activities can modify the natural slope system in a variety of ways. Excavations or building construction can promote instability by loading the slope, removing vital support, and increasing pore-water pressures. Grading, cutting, and filling also modify the natural angle of repose. The angle of repose is "the steepest angle of a surface at which a mass of loose or fragmented material will remain standing in a pile on a surface, rather than sliding or crumbling away." (*inSight Index* (last visited July 9, 2001) <<http://www.apnet.com/insight/06181997/angle-o1.htm>>.) Activities such as agriculture, road and railway construction, house building, and land drainage can be regulated to protect steep slopes.

The Town of Cortlandt Steep Slopes Ordinance provides a sample of regulations that control development on steep slopes. (TOWN OF CORTLANDT, N.Y., STEEP SLOPES ch. 259 (1992)). The ordinance regulates activities that create any disturbance on steep slopes and the cutting of any tree greater than four inches located on a steep slope. To conduct any of these activities a permit must be obtained from the planning board. In granting or denying a permit, the board must consider alterations to trees and the slope and ensure that any disturbance will

conform to certain standards. These standards require: (1) assurance of maximum structural safety and slope stability; (2) use of the natural terrain; and (3) replanting of vegetation. Disturbance of ridge and tree lines, grading, cuts, fills, and other potentially destructive activities are also regulated.

STEEP SLOPES

[HISTORY AND BACKGROUND: The following law “Steep Slopes” is found in Chapter 259 of Town of Cortlandt Zoning Law.]

§ 259.1 Purpose

The way in which presently undeveloped acreage in the [municipality] is developed is of critical importance to the public. The standards for lot count contained in Ch. 88, 39.2, which exclude environmentally sensitive lands from the acreage upon which lot count is based, are designed to provide for flexibility in the siting of buildings and other facilities so that the alteration of steep slope areas and other environmentally sensitive lands can be avoided. Nonetheless, the [municipality] recognizes that the alteration of steep slope areas may be necessary in some cases. The purpose of this chapter is to establish regulations that prevent improper alteration of steep slopes. The intent is not to restrict general development in the [municipality] but to guide land use proposals into areas where they best enhance these natural resources and preserve the visual character of land.

Alternative Purpose: It is the intent of the [municipality] to preserve steep slopes to the greatest extent practicable and to regulate their use to protect the public interest by minimizing detrimental effects of disturbance and development of these areas. This section is intended to protect the public from the potential negative impacts of erosion, siltation, pollution of water supplies, slope failure, increase in downstream run-off, alteration of scenic views, and destruction of potentially significant habitat, which may result from disturbance of steep slopes.

- CLINTON, N.Y., ZONING
LAW art. 5, § 5.45

Land with a 0 to 3 percent slope is generally free of limitations. However, in areas of poorly drained soil, surface water may not run-off; frost pockets are common characteristics of low-lying land on slight slopes; wetlands also are usually found in the

areas of this slope category. Areas with a 3 to 8 percent slope are normally free from most development problems. Slopes with an 8 to 15 percent grade are typically acceptable for development. Some problems may arise as the slope increases. Difficulties with road and driveway construction, installation of sewage disposal facilities, storm water run-off, soil erosion, and increased construction costs are some of the limitations that can be overcome with careful site planning. Land areas containing a 15 to 25 percent slope present considerable development limitations, which can be overcome only at a great expense to developers, adjoining property owners, the [municipality], and the environment. Some of the problems encountered include soil erosion, malfunctioning septic systems, increased requirements for cut-and-fill operations, and vegetative cutting. Slopes greater than 25 percent present extremely serious problems, of the sort outlined above, for any type of development.

§ 259.2 Findings

Steep slopes and adjacent watercourses and wetlands have been and are in jeopardy of being damaged and destroyed by unregulated filling, excavating, building, clearing and grading, and other such acts inconsistent with the natural conditions of steep slopes. Steep slopes in the [municipality] are environmentally sensitive landforms and valuable natural resources, which are of benefit to the entire [municipality] and the surrounding region. The environmental sensitivity of steep slopes often results from such features as rock outcrop, shallow soils over bedrock, bedrock fractures, groundwater seeps, watercourses, and other wetlands found on or immediately adjacent to steep slopes.

Protection of steep slopes is a matter of concern to the entire [municipality]. The establishment of regulatory and conservational practices in this critical area is needed to protect the public health, safety, and general welfare. Experience has demonstrated that effective protection of steep slopes requires preservation wherever possible. Experience has further demonstrated that where steep slopes have to be disturbed, careful review and regulation – including stringent mitigating measures – are required.

The [municipality's] experience with past development has shown that improperly managed disturbances of steep slopes can aggravate erosion and sedimentation beyond rates

experienced in the natural geomorphological processes. Erosion and sedimentation often include the loss of topsoil, a valuable natural resource, and can result in the disturbance of habitats, the degradation of the quality of surface water, the silting of wetlands, the alteration of drainage patterns, obstruction of drainage structures, and the intensification of flooding.

The [municipality's] experience with past development has shown that the inadequately controlled disturbance of certain steep slopes can lead to the failure of slopes and the mass movement of earth, rockslides and landslides, damage to the natural environment, threats to man-made structures and personal safety, and the degradation of aesthetics.

Steep slopes, including vegetation on rock cliffs, are an important environmental feature that contribute to the character of the [municipality]. Overdevelopment or improperly managed disturbance are detrimental to the character of the [municipality] and can result in public and private expenditures for corrective measures.

Regulation of development on steep slopes is consistent with the legitimate interests of landowners to make reasonable use of their land. Regulation can prohibit the degradation of steep slopes and allow reasonable use of private property by encouraging flexible design of development so as to avoid disturbance of steep slopes. Regulation can also permit environmentally sound disturbance of steep slopes conducted in accordance with acceptable management and engineering practices to permit reasonable use of private property.

Regulation of development on steep slopes will not preclude the [municipality] from continuing to meet its social, economic and other essential responsibilities, particularly its responsibility to provide affordable housing. In order to ensure the availability of affordable housing, the [municipality] has adopted many provisions in Chapter 307, Zoning and Chapter 265, Subdivision of Land, which enable the development of a variety of housing types to meet the needs of [municipality] residents for affordable housing. These provisions allow the renting of rooms within homes and the development of accessory apartments, two-family and multifamily dwellings, boardinghouses and housing for senior citizens. The [municipality's] master plan recommends additional measures to promote affordable housing, such as the development of new villages or hamlets and senior citizen complexes in which affordable housing would be required. Real estate sales data shows that housing prices in the [municipality] are among the lowest in Westchester County, indicating that the [municipality] has been successful in meeting its responsibility to provide affordable housing. Several moderately priced townhouse developments have been approved pursuant to § 278 of the New York State Town law. Further, the [municipality's] commitment to promoting affordable housing in suitable areas is demonstrated by the [municipality's] endorsement of and cooperation with state and county funding agencies in the approval of Hollowbrook Ridge Townhouses, which are priced below market.

These regulations are enacted with the intent of providing reasonable balance between the rights of the individual property owner to the fair use of his property and the rights of present and future generations. Therefore, this chapter recognizes the rights of owners of property exhibiting steep slopes to use their property for reasonable purposes consistent with other regulations and controls, provided that such use, in the judgment of the appropriate agencies or officials of the

[municipality], does not result in a significant loss or degradation of steep slopes or a loss of visual or open space benefits which steep slopes have been found to provide.

It is declared to be the intent of the [municipality] to preserve steep slopes to the greatest extent practicable and to regulate their use within the [municipality] to protect the public interest by ensuring the maximization of benefit found to be provided by the preservation of steep slopes and by ensuring the minimization of detrimental effects through the practice of properly managed disturbance of steep slopes as set forth in § 259.4.

§ 259-3 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Customary Landscaping - Land maintenance involving tree trimming and pruning, the removal of dead and or diseased vegetation, lawn and garden care and the planting of decorative trees, shrubs, and plants.

Disturbance - Excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.

Excavation - Any act by which earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced or spread.

Fill- Any act by which earth, sand, gravel, rock, or any other material is deposited, placed, replaced, dumped, transported, or moved by person or persons to a new location.

Steep Slopes - Ground areas with a slope greater than fifteen percent (15%) with a minimum area of five hundred (500) square feet which possesses one (1) dimension of a minimum of ten (10) feet. Measurements shall be made along a horizontal plane.

— Additional definitions from other steep slope ordinances

Angle of repose- The maximum angle at which the exposed face of various soil and rock minerals can deviate from the horizontal without incurring the likelihood of a slope failure.

Applicant - A person requesting a steep slope permit from the [municipality] in accordance with the provisions of this chapter.

Approving authority - The municipal agency or public official empowered to administer the permit procedures of this chapter.

Clearing - Any activity which removes or significantly disturb trees, brush, grass, or any other type of vegetation.

Deposit - To fill, place, eject, or dump any material (not including storm water).

Disturbance - The removal of vegetation or the filling, excavation, regrading, or removal of soil, rock or retaining structures in areas of steep slope, whether by manual labor, machine, or explosive. The condition of disturbance will be deemed to continue until the area of disturbance is revegetated and/or permanently stabilized.

Disturbed area - Any steep slope area for which a disturbance is proposed or is ongoing.

Drainage - The gravitational movement of water or other liquids by surface runoff or surface flow.

Erosion - The wearing away of the land surface by action of wind, water, gravity, or other natural forces.

Excavation - Any activity which removes or significantly disturbs rock, gravel, sand, soil, or other natural deposits.

Fill - Any act by which earth, sand, gravel, rock, or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved by man to a new location and shall include the conditions resulting therefrom.

Forest land - An ecosystem supporting a dense growth of trees covering a large area. Fence rows alone do not constitute a forest system.

Grading - The alteration of the surface or subsurface conditions of land, lakes, ponds, or watercourses by excavating or filling.

Mulching - The application of a layer of plant residue or other material for the purpose of controlling erosion.

Person - Any person, firm, partnership, association, corporation, company, organization or other legal entity of any kind, including public agencies and municipal corporations.

Removal - Cutting vegetation to the ground, leaving it as stumpage, extracting it completely, or killing it by spraying.

Sediment - Solid material, both mineral and organic, that is in suspension, is being transported, has been deposited, or has been removed from its site of origin by erosion.

Site - A lot or parcel of land, or a contiguous one, where grading work is performed as a single unified operation.

Site plan - The map or drawn representation of a proposed development, which is submitted to the municipal approval authority for consideration and approval.

Site preparation - The activities of stripping, excavating, filling, and grading, no matter what the purpose of these activities.

Soil - The natural, unconsolidated, mineral and organic material occurring on the surface of the Earth; it is a medium for the growth of plants.

Soil conservation - The protection of soil by careful management in order to prevent physical loss by erosion and to avoid chemical deterioration.

Soil stabilization - Measures which protect soil from the erosive forces or raindrop impact and flowing water and include, but are not limited to, vegetative establishment, mulching, and the early application of gravel base on roads to be paved.

Soil survey - The systematic examination and mapping of soil in the field.

State Environmental Quality Review Act (SEQRA) - The law pursuant to Article 8 of the New York Environmental Conservation Law providing for environmental quality review of actions which may have a significant effect on the environment.

Steep slopes - Any geographical area proposed for disturbance, whether on a single lot or not, having a topographical gradient of 15 % or greater (ratio of vertical distance to horizontal distance), with a minimum horizontal dimension of ten feet, and a minimum area as defined below, and whether man- made or natural, and whether created by a retaining structure or not. Steep slopes are further categorized as:

Moderately steep slope - A slope equal to or greater than 15 % but less than 25 % and covering a minimum horizontal area of 3/10 of an acre or 13,068 square feet.

Extremely steep slope - A slope greater than 25 % and covering a minimum horizontal area of 2/10 of an acre or 8,712 square feet.

Steep slope permit - The written form of municipal approval granted by the approving authority and required for the issuance of a work permit and the conduct of any “steep slope-regulated activity.”

Topography - The configuration of the land surface, including its relief and the position of its natural and manmade features.

Vegetated - Covered or provided with vegetation or plant life.

Vegetation - The process of vegetating, the faculty of growth possessed by plants and seeds.

§ 259-4 Exempt and regulated activities

Exempt activities. Any customary landscaping not involving regarding is allowed without the need for obtaining a permit – provided that any such activities conform to all other applicable laws of the [municipality].

Regulated activities. It shall be unlawful to create any disturbance or to remove any tree with a diameter greater than four (4) inches, when measured from one and one half (1½) feet from ground level, on any steep slope as defined by this section, other than an exempt activity as defined herein, without a specific written permit as required by this section.

– Alternative provisions: For the purpose of this section, steep slopes fall under one of two general classifications: moderately steep slopes of fifteen to twenty-five percent (15-25%) and extremely steep slopes over twenty-five percent (>25%). Any disturbance of lands exhibiting slopes of fifteen percent (15%) or greater shall be subject to the special regulations contained herein, unless specifically exempted below.

– *The extent of the impact that a development will have on a slope can be divided into categories based on land uses. Typically, the most intense uses are industrial, commercial, and multi-family residential. Use intensity is lower in the other residential categories and decreases further for community facilities. The lowest intensity uses are passive recreation and other uses that preserve open space.*

§ 259-5 Approval Authority

The approval authority with respect to applications hereunder shall be as follows:

The Zoning Board of Appeals shall be the approval authority with respect to any application which requires the issuance of any other permit or approval by it pursuant to the local laws and ordinances of the [municipality].

The Planning Board shall be the approval authority with respect to any application which requires the issuance of any other permit or approval by it pursuant to the local laws and ordinances of the [municipality], including any application which also requires the issuance or approval by the Zoning Board of Appeals.

The [Municipality] Board shall be the approval authority with respect to any application which requires the issuance of any other permit or approval by it pursuant to the local laws and ordinances of the [municipality].

The [Municipality] Engineer shall be the approval authority with respect to all other regulated activities.

§ 259-6 Standards for Approval

In denying, granting or granting with modifications any application for a permit, the approval authority shall consider the consistency of the proposed activity with the findings set forth in § 259-2 of this chapter and the following standards:

Alterations of trees and forest and topographical alterations on steep slopes shall conform with any applicable regulation of the [municipality].

— *Trees are integral to the character of our neighborhoods, our community, and the environment. They provide many environmental benefits in that they decrease storm water run-off, filter air pollutants, and stabilize soil on slopes via their root systems. Thus, approval should be required for tree removal in steep slope areas.*

- District of North Vancouver, Abstract, available at, <http://www.dnv.org/admin2/depart/enviro/trees.htm> (last visited Apr. 09, 2001).

— *Topography should be a key determinant of how site is utilized. Unless the site is fairly flat and well drained, its topography will be a critical restriction. It is far wiser to fit the proposed use to the existing site characteristics than to radically alter the site to fit the use.*

- STATE OF N.Y., ZONING LAW art. 9 (1991).

Activities within wetlands shall be in conformance with Chapter 179, Freshwater Wetlands, Water Bodies and Watercourses.

Development of steep slopes adjacent to stream corridors can increase erosion of stream banks, resulting in severe siltation and pollution with overall degradation of water quality. Landslides from steep or unstable slopes can do great damage by depositing gravel and silt into streams. This can block fish passage and can bury or choke off critical salmon spawning beds, interrupting the breeding cycle.

- John Hasse, Steep Slopes ch. 12, available at http://geography.rutgers.edu/dev/enri_html/report_html/chapters/012.html (last visited Apr. 07, 2001).

Disturbance of areas with steep slopes shall conform with the following provisions:

The planning, design, and development of buildings shall provide the maximum structural safety, slope stability and human enjoyment while adapting the affected site to, and taking advantage of, the best use of the natural terrain.

Development along steep slopes can increase the rate of storm water runoff and result in increased flooding in low lying areas. Construction activities on steep slopes can lead to the collapse of structures. Where steep slopes occur in areas not serviced by public water supply, alteration of the system can result in failure of on site sewerage disposal systems.

The terracing of building sites, including the mounding of septic tile fields, shall be kept to an absolute minimum.

Roads and driveways shall follow the natural topography to the greatest extent possible in order to minimize the potential for erosion and shall be consistent with other applicable regulations of the [municipality] and current engineering practices.

Replanting shall consist of indigenous vegetation and shall replicate the original vegetation on the site as much as possible.

Land erodes 2,000 times faster when vegetative cover is removed because vegetation lessens the impact of falling rains and slows runoff so that water can be absorbed gradually into the soil. Plant roots hold the soil and keep it loose and absorbent. Deep roots can prevent land slippage and landslides. Vegetation provides cover for a variety of wildlife whose habitats are directly related to the type of vegetation present. For certain sites and larger land areas, a wildlife specialist should identify any areas where vegetation is critical. The foundation of successful slope vegetation restoration is identifying the composition of the native plant community and carefully considering the microclimate of the slope.

The natural elevations and vegetative cover of ridgelines shall be disturbed only if the crest of a ridge and the tree line at the ridge remains uninterrupted. This may be accomplished either by positioning buildings and areas of disturbance below a ridgeline or by positioning buildings and areas of disturbance at a ridgeline so that the elevation of the roofline is no greater than the elevation of the natural tree line. However, under no circumstances shall more than one hundred (100) feet along the ridgeline, to a width of one hundred (100) feet generally centered on the ridgeline, be disturbed.

Regrading shall blend in with the natural contours of the land.

Cuts and fills shall be rounded off to eliminate sharp angles at the top, bottom, and sides of regraded slopes.

The angle of cut and fill slopes shall not exceed a slope of one (1) vertical to two (2) horizontal except where retaining walls, structural stabilization, or other methods acceptable to the [Municipality] Engineer are used.

Tops and bottoms of cut and fill slopes shall be set back from structures a distance that will ensure the safety of the structure in the event of the collapse of the cut or fill slopes. Generally, such distance shall be considered to be six (6) feet plus one-half (1/2) the height of the cut or fill. Nevertheless, a structure built on a slope or at the toe of a slope is permitted if it is properly designed to retain the slope and withstand the forces exerted on it by the retained slope.

Disturbance of rock outcrops shall be by means of explosive only if labor and machines are not effective and only if rock blasting is conducted in accordance with all applicable regulations of the [municipality] and the State of New York.

Disturbance of steep slopes shall be undertaken in workable units in which the disturbance can be completed and stabilized in one (1) construction so that areas are not left bare and exposed during winter and spring thaw periods (December 15 through April 15).

Disturbance of existing vegetative ground cover shall not take place more than fifteen (15) days prior to grading and construction.

— Early in site planning, an inventory should be made of existing vegetation. The inventory should include the location of trees over five inches in diameter and other plants of possible value and identify all species of vegetation on the site. Care should be taken not to remove more vegetation than is necessary for construction purposes and to incorporate large trees and other exceptional plants on the site into the development plan. When construction starts, the topsoil should be stripped, stored on the site, and then respread and seeded as soon as possible to establish ground cover.

Temporary soil stabilization – including, if appropriate, temporary stabilization measures such as netting or mulching to secure soil during the grow-in-period – must be applied to an area of disturbance within two (2) days of establishing the final grade, and permanent stabilization must be applied within fifteen (15) days of establishing the final grade.

Soil Stabilization must be applied within two (2) days of disturbance if the final grade is not expected to be established within sixty (60) days.

Measures for the control of erosion and sedimentation shall be undertaken consistent with the Westchester County Soil and Water Conservation District's Best Management Practices Manual for Erosion and Sediment Control and New York State Guidelines for Urban Erosion and Sediment Control, as amended, or its equivalent (satisfactory to the approval authority).

All proposed disturbance of steep slopes shall be undertaken with consideration of the soils limitations characteristics contained in the Identification Legend, Westchester County Soils Survey, 1989, as prepared by the Westchester County Soil and Water Conservation District, in terms of recognition of limitation of soils on steep slopes for development and application of all mitigating measures as deemed necessary by the approval authority.

Topsoil shall be stripped from all areas of disturbance and then stockpiled and stabilized in a manner to minimize erosion and sedimentation and replaced elsewhere on the site at the time of final grading. Stockpiling shall not be permitted on slopes of greater than ten (10) percent.

No organic material or rock with a size that will not allow appropriate compaction or cover by topsoil shall be used as fill material. Fill material shall be no less granular than the soil upon which it is placed and shall drain readily.

Compaction of fill materials in fill areas shall be such to ensure support of proposed structures and stabilization for intended uses.

§ 259-7 Permit Procedures

Application for permit. An application for a permit to alter a steep slope shall be filed with the approval authority and shall contain the following information and such other information as required by it except when waived by it as not pertinent or necessary for the proposed disturbance:

- The name and post office address of the owner and applicant.
- The street address and tax map designation of property covered by the application.
- A statement of authority from the owner for any agent making application.

A listing of property owners adjacent to, across streets from, and downstream within five hundred feet of the property as well as any additional property owners deemed appropriate by the approval authority.

A statement of the proposed work and purpose thereof.

Copies, in such reasonable number as determined by the approval authority, of plans for the proposed regulated activities drawn to scale of not less than one inch equals fifty feet (unless otherwise specified by the approval authority). Such plans shall be sealed and show the following:

- (a) The location of the proposed construction or area of disturbance and its relationship to the property lines, easements, buildings, roads, walls, sewage disposal systems, wells, and wetlands within one hundred feet of the proposed construction or area of disturbance for adjacent properties at the same elevation and within five hundred feet for properties significantly lower.
- (b) The estimated material quantities of excavation/fill.
- (c) The location and size of areas of soils listed by soil types in the area of the proposed disturbance and to a distance of one hundred feet.
- (d) The existing and proposed contours [National Geodetic Vertical Datum (NGVD)] at two foot intervals in the area of the proposed disturbance and to the distance of one hundred feet beyond.
- (e) Cross sections of steep slopes areas.
- (f) Retaining walls or like constructions, with details of construction.
- (g) The erosion and sedimentation control plan.
- (h) Other details, including specific reports by qualified professionals on soils, geology and hydrology, and borings and/or test pits, as may be determined to be necessary by the approval authority.
- (i) A list of all applicable county, state, or federal permits which are required for such work or improvements.
- (j) An application fee in the amount set forth in a fee schedule established by the [Municipality] Board.

Referral. The approval authority shall refer any application submitted to it pursuant to this chapter to the Conservation Advisory Council for review and report. The Conservation Advisory Council shall report back to the approval authority within thirty days of the date of the referral or within such greater period as may be specified by the approval authority (at the time of the referral). Failure to comply with the specified time period shall be interpreted by the approval authority as indicating no objection to the application.

Notice. Upon receipt of a completed application under this chapter, the approval authority shall cause notice of receipt of the same to be mailed by first class mail to the adjoining property owners, to those across the street adjoining the involved property. Such property owners shall have ten days from said day of notice to submit written comment to the approval authority with regard to said application. The approval authority may waive this notice procedure if it has received responses from the adjoining property owners prior to action by

it. In cases where the approval authority is the [Municipality] Engineer, he/she shall cause such notice to be posted at one or more locations along the street or streets abutting the property.

Public Hearing. A public hearing shall be held by the approval authority on the application made hereunder at such times, under such circumstances, and upon such notice as may be required for the granting of the permit or approval required of such approval authority pursuant to the local laws and ordinances of the [municipality]. A public hearing may be held when the approval authority is the [municipality] Engineer.

Action by the approval authority. In approving any application, the approval authority may impose such conditions or limitations as it determines necessary to ensure compliance with the intent, purposes, and standards of this chapter.

On applications for which no public hearing is required, a determination shall be made to approve, approve with modifications or disapprove the application within sixty days of receipt of a completed application therefore.

On application for which a public hearing is required, a determination shall be made to approve, approve with modifications, or disapprove the issuance of such permit simultaneously with the determination by the approval authority of the other permit or approval for which the application was made.

Appeal. Any party aggrieved by a decision of the [Municipality] Engineer to approve, approve with conditions, or disapprove an application may appeal the decision to the Zoning Board of Appeals.

§ 259-8 Duration of permit

Activities specified by the permit shall be undertaken pursuant to any conditions of the permit and shall be completed according to any schedule set forth in the permit.

A permit shall expire on completion of the activities specified and shall be valid for a period of one (1) year from the date of approval or for the period of any other permit issued by the approval authority.

A permit may be renewed by the approval authority for a period of up to one (1) year.

The approval authority may revoke or suspend a permit if it finds that the applicant has not complied with any of the conditions or limitations set forth in the permit.

§ 259-9 Security

In granting a permit, the approval authority may require a security (in an amount and with surety and conditions satisfactory to it), securing to the [municipality] compliance with the conditions and limitations set forth in the permit.

§ 259-10 Inspection and Monitoring

The approval authority may inspect activities undertaken pursuant to a permit (or have such activities inspected by its representative) so as to ensure satisfactory completion.

The approval authority may require that the applicant submit for approval a detailed monitoring program, including but not necessarily limited to, written status reports at specified intervals documenting activities undertaken pursuant to a permit.

The approval authority may require that the activities undertaken pursuant to a permit be supervised by an appropriate licensed professional.

§ 259-11 Penalties for offenses [Omitted]