

# POND PERMIT APPLICATION

Permit Fee is \$250.00

TOWN OF EDEN BUILDING DEPARTMENT  
2795 EAST CHURCH STREET  
EDEN, NY 14057

TEL: 716-992-3576  
FAX: 716-992-4131  
EMAIL: [building@edenny.gov](mailto:building@edenny.gov)



The Following is from The Eden Town Code In Regards to Ponds:

## Chapter 225: Zoning

### Article VI: Supplementary Regulations

#### §225 - 32: Supplement Use Regulations

##### Paragraph N: Ponds

[Added 6-13-2001 by L.L. No. 4-2001]

(1) **Definitions.** As used herein, the following terms shall have the meanings indicated:

#### **POND**

Any man-made body of water (other than a store-bought, pre-fab type of decorative reservoir or basin), with a surface area greater than 100 square feet and/or a depth of more than 18 inches.

(2) **Regulations.**

(a) **Exemptions.** Retention or detention ponds specified, designed and/or approved as part of an approved site plan or subdivision development or otherwise mandated and/or owned by the Town of Eden are exempt from this article.

(b) **General.**

[1] No pond shall be constructed without a building permit issued pursuant to this article.

[2] No pond shall be constructed on any property located within the Hamlet Residential (HR), Office Business (OB), Local Business (LB), General Business (GB) or General Industrial (GI) Zoning Districts nor on a lot with a total area of less than three acres. All ponds shall meet the bulk requirements for Use Group h of the Town of Eden

#### **Table of Bulk Regulations.**

[3] All ponds shall be maintained so as to assure that they do not become offensive to neighboring properties by reason of stagnation, algae, mosquito breeding and similar conditions.

[4] No pond may adversely interfere with or impede the natural flow of water nor adversely impact any floodplain or wetland area.

[5] No pond shall be constructed without site plan approval by the Eden Planning Board.

[6] All new ponds shall conform to the requirements of and be approved by the Soil Conservation Service (SCS) of the United States Department of Agriculture or its successor agency.

[7] If the SCS is not available for assistance with the pond design (or at the option of the applicant), the pond shall be designed by a licensed professional engineer. In the event the pond is designed by a licensed professional engineer, the site plan application shall be accompanied by a pond design report meeting the following requirements:

[a] Include test pit information from site (soil types, groundwater levels, etc.).

[b] Reference SCS standards.

[c] Illustrate how the pond will maintain appropriate water depths.

[d] A survey map depicting the pond and test pit locations (follow site plan requirements); illustrate any inflow or outflow piping/ditches and the location of any ditches, swales and watercourses on the site.

[e] Detail the pond components (inlet and outlet controls, side slopes, emergency spillways, etc.).

[f] Any other information required by the Planning Board.

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**APPLICATION MUST BE COMPLETELY FILLED OUT** (incomplete applications will **NOT** be accepted)

## 1: APPLICANT/OWNER

NAME \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ EMAIL \_\_\_\_\_  
TOWN \_\_\_\_\_ ZIP \_\_\_\_\_  
APPLICANT IS:  Owner  Contractor  Agent  Engineer  Other (specify) \_\_\_\_\_

## 2: CONTACT INFO (if same as above list "same") Owner Contractor Other \_\_\_\_\_

NAME \_\_\_\_\_ PHONE #1 \_\_\_\_\_  
EMAIL \_\_\_\_\_ PHONE #2 \_\_\_\_\_

## 3: CONTRACTOR INFORMATION

NAME \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ EMAIL \_\_\_\_\_  
TOWN \_\_\_\_\_ ZIP CODE \_\_\_\_\_

## 4: CONTRACTOR WORK

Are wages being paid for performance of this work (are you hiring a Contractor?)  YES  NO

IF **YES**, provide proof of NYS Worker's Compensation and Disability benefits.

ACCEPTABLE PROOF

- Form DB121.1 NYS Disability
- CEE 200 for NYS Disability & Workers Compensation Exemption
- Form C105.2 or U-26.3 Workers Compensation

IF **NOT hiring a contractor** - Affidavit of Exemption is required

## 5: PROPOSED PROJECT (check all that apply)

NEW  ENLARGING  CONSTRUCTED FISH (KOI) Pond (greater than 100SF)  
OTHER \_\_\_\_\_

## 6: PROJECT DESCRIPTION (basic, use, size and cost of what is being proposed)

### POND DEMENSIONS

LENGTH \_\_\_\_\_ WIDTH \_\_\_\_\_ DEPTH \_\_\_\_\_

PRIMARY USE \_\_\_\_\_

Project estimated cost (estimate only - does not affect assessment) \$ \_\_\_\_\_

**7: STARTED WORK**

Has any work included in the application been started or completed YES  NO  If YES Explain

**8: POND DESIGNED BY:**

(see Page 1 of this application for details.)

SOIL CONSERVATION SERVICE (SCS) or successor agency

NEW YORK STATE LICENSED PROFESSIONAL

Whom prepared project documentation for this project

NAME \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_ EMAIL \_\_\_\_\_

TOWN/ZIP \_\_\_\_\_

License Number \_\_\_\_\_ R/A [ ] PE [ ]

**9: APPLICATION CERTIFICATION:**

In consideration of the permit applied for, the undersigned hereby agrees that he/she will comply with the Code of New York, Town of Eden Code and any other laws which may be applicable that he/she will preserve the establishment of lot lines, disclose all information to the Code Enforcement Officer, and that he/she will not use nor permit to be used the structure by the application until a Certificate of Occupancy (CO) or Certificate of Compliance (C/C ) is legally issued.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**10: INCLUSIONS:**

All documents and information required **MUST** be submitted with this application.

**FOR OFFICE USE ONLY – Application to be submitted to the Town of Eden Clerks Office**

Permit Fee: \$ 250.00

Additional Fees: \$ \_\_\_\_\_ Reason: \_\_\_\_\_

Payment must be made by Cash, Check or Credit Card Check made payable to the TOWN OF EDEN

Date Received by Clerk \_\_\_\_\_ Amount Credited \$ \_\_\_\_\_ Cash \_\_\_ CC\_\_\_ Check # \_\_\_\_\_

Application # \_\_\_\_\_ Amount Due \$ \_\_\_\_\_ Cash \_\_\_ CC\_\_\_ Check # \_\_\_\_\_