

## Section 4. Acceptance of GESC Plan and Applying for Permit

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### Overview of Section 4

#### 4.0

Section 4 addresses Steps 5 through 7 in the GESC Permit Process:

**Permit Step 5: Submit the GESC Plan and related plans and permits to the Town for review and acceptance and revise documents as necessary to address Town comments.**

Section 4.1, **Submittal of the GESC Plan**, describes procedures for submitting a GESC Plan.

Section 4.2, **Completeness Check**, states that GESC Plans will be checked for a basic level of completeness and returned if incomplete without receiving a detailed review.

Section 4.3, **Detailed Review by Town Staff**, discusses the Town's review of GESC Plans based on the criteria presented in Section 3.

Section 4.4, **Review Schedule**, summarizes typical review schedules.

Section 4.5, **Revisions to Plan Based on Town Comments**, discusses the Design Engineer's revisions to the GESC Plan based on the Town's comments.

**Permit Step 6: After Town acceptance of the GESC Plan, submit the drawings for signatures.**

Section 4.6, **Preliminary Acceptance of the GESC Plan**, describes submittal requirements for the GESC Drawings to obtain the signatures of the Town.

Section 4.7, **Final Acceptance of the GESC Plan**, describes the Town signing and copying process for the GESC Plan.

**Permit Step 7: When ready, apply for a GESC Permit by submitting the GESC Plan copies, GESC Permit application, Fee and Fiscal Surety.**

Section 4.8, **Applying for a GESC Permit**, discusses filling out the GESC Permit Application Form and what the applicant must submit with the application.

Section 4.9, **Permit Fees**, covers procedures for paying permit fees.

Section 4.10, **Posting Fiscal Surety**, discusses acceptable forms and amounts of Fiscal Surety.

Section 4.11, Section Removed.

Section 4.12, **Duration of GESC Permit**, discusses the duration of GESC Permits and the need to renew GESC Permits prior to expiration.

Section 4.13, **Transfer of GESC Permits**, describes procedures for transferring a GESC Permit the Permittee(s) changes during the life of a GESC Permit.

**Permit Step 5: Submit the GESC Plan and related plans and permits to the Town for review and acceptance and revise documents as necessary to address Town comments.**  
Sections 4.1 through 4.5 discuss Step 5.

**Submittal of the GESC Plan**

**4.1**

After the GESC Plan has been prepared according to the requirements of Section 3, the drawings and report, along with the related plans and permits discussed in Section 2, shall be reviewed in a presubmittal meeting with the Development Services Department.

The GESC Plan shall not be accompanied by the GESC Permit Application Form, Fee, or Fiscal Surety at this time; these documents shall be submitted only after the GESC Plan is reviewed and accepted.

**Completeness Check**

**4.2**

During the presubmittal meeting, the Town shall pre-review the GESC Plan for completeness based on the submittal requirements described in Section 3. Any submittal that does not reflect a basic level of

completeness shall be returned to the Design Engineer. This process shall be repeated until a complete GESC plan set is submitted to the Town. The review period on a GESC Plan shall not start until a complete GESC plan set is submitted.



*GESC Plans will undergo a completeness check.*

**i** **Information**  
*Any incomplete submittal shall be returned to the Design Engineer. This process shall be repeated until a complete plan set is submitted to the Development Services Department, and then a detailed review shall start.*

**Detailed Review by Town Staff**

**4.3**

The GESC Plan will be reviewed with an eye toward the effectiveness of the overall Plan. The appropriateness, timing, and placement of the proposed erosion and sediment controls will be reviewed.

After review, written comments and/or redlines will be provided to the applicant.



*After passing the completeness check, GESC Plans will receive a detailed review by Town staff.*

**Review Schedule**

**Revisions to Plan Based on Town Comments**

**i** **Information** *Additional review fees shall be charged for each resubmittal starting with the third resubmittal.*

**4.4**

Written review comments and/or redlines will be provided by the Town in a timely manner. Comments on resubmittals are also provided in a timely manner after the Town receives the revised plans and the summary of how previous comments were addressed.

The length of time required to achieve final Town acceptance is directly related to the level of accuracy, concurrence with the Town of Castle Rock design and construction criteria and standards, and the thoroughness of addressing written review comments.

**4.5**

GESC Plan review comments are to be addressed by the applicant and the revised GESC Plan resubmitted to the Town for a follow-up review.

The applicant shall submit a letter or memorandum with the revised GESC Plan summarizing how each review comment was addressed.

If review comments are not addressed, the GESC Plan will not be accepted

*Applicants are encouraged to call or meet with Town staff to discuss any questions they have regarding the Town's review comments or the applicant's proposed responses prior to resubmitting the GESC Plan. This may help to resolve issues quickly and avoid multiple reviews and resubmittals.*

**Permit Step 6: After Preliminary Acceptance of the GESC Plan, submit the GESC Drawings for signatures. Sections 4.6 through 4.7 discuss Step 6.**

**Preliminary Acceptance of the GESC Plan**

**4.6**

When all GESC Plan review comments are addressed, the Applicants will be notified by the Town that the GESC Plan is preliminarily accepted (final acceptance occurs when the GESC Drawings are submitted to the Town and signed by the Utilities and Development Services Departments).

The set of GESC Drawings shall be signed and stamped by a Professional Engineer registered in the State of Colorado.

**Final Acceptance of GESC Plan**

**4.7**

**Signed GESC Drawings.** The GESC Plan will be considered accepted when signed by the Utilities and Development Services Departments. Applicants will be notified by the Town when the GESC plans have been signed and are ready to be picked up for the applicant to make copies.

The applicant will return the originals along with one 11" x 17" set, one copy of the GESC Report and an electronic copy of the scanned approved drawings when applying for the GESC Permit. The applicant should make additional copies for their use, including for the GESC Manager.

GESC Plans are considered valid for one year following the signature date if construction has not commenced. After this time, GESC Plans will need to be resubmitted to the Town for re-review and re-acceptance.

**Applying for a GESC Permit**

**4.8**

Once the Town has notified the Applicant that the GESC Plan is accepted, the Applicant may apply for a GESC Permit. The information required on the Temporary Batch Plant or Standard GESC Permit Applica-

**Permit Step 7: When Ready, Apply for a GESC Permit by submitting the GESC Plan copies, GESC Permit Application, Fee and Fiscal Surety. Sections 4.8 through 4.13 discuss Step 7.**

tion shall be filled out and the Form shall be signed by personnel who are legally authorized to sign on behalf of the company, corporation, entity, or organization.

Copies of the Temporary Batch Plant and Standard GESC Permit Applications are provided in Appendices J and K, respectively.

When the GESC Plan is accepted by the Town and copies have been made of the plan and the GESC Report, the applicant shall submit the following to obtain a GESC Permit.

If necessary, the Applicant must also apply for a Bulk Water Permit from the Town Utilities Department.

1. *One 11" x 17" copy of the approved GESC Drawings, an electronic copy of the scanned approved drawings, one signed GESC Report, Flood Plain Permit, and an approved copy of the Drainage Report.*
2. *Original approved GESC Drawings.*
3. *Completed GESC Permit Application (see Appendices J and K).*
4. *Permit fees paid in accordance with Section 4.9.*
5. *Fiscal Surety provided in accordance with Section 4.10.*

Permit Fees

4.9

Permit fees are to be paid to the Permit Clerk at the Development Services Department of the Town. Fees may be paid by check, cash or credit card. Fees for a GESC Permit consist of a fee based on the estimated cost of the work, and calculated based on the Development Fee Schedule, as amended and are collected to offset costs of administrating the GESC Program. These fees shall be paid with the submittal of the Permit Application and other documents shown in Section 4.8.

Posting Fiscal Surety

4.10

4.10.1 General. The Town of Castle Rock requires that all projects requiring a Temporary Batch Plant or Standard GESC Permit, as well as some projects requiring a Low Impact GESC Permit, post Fiscal Surety.

The conditions under which the GESC Fiscal Surety is held is separate from any other surety relating to the project site's Public Improvement Construction Plans, or any other permits relating to the site and may be held and released separately.

4.10.2 Amount of Fiscal Surety. The amount of Fiscal Surety for a GESC Permit is based on the probable cost of installing erosion and sediment controls required on a site. A copy of a worksheet to be used for preparing the opinion of probable costs for erosion and sediment control is included in Appendix I.

The probable cost worksheet shall be completely filled out and submitted as part of the GESC Report (see Section 3.19 for GESC Report requirements). The probable cost worksheet will be reviewed for acceptance by the Town of Castle Rock.

4.10.3 Forms of Fiscal Surety. The Town of Castle Rock accepts three different forms of Surety:

Financial institutions have varying guidelines for cashier's checks; the Applicant is advised to contact their financial institution to learn their regulations regarding cashier's checks.

Non-certified funds will need to clear the financial institution prior to is-

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| <ol style="list-style-type: none"> <li>1. Cash or check</li> <li>2. Irrevocable Letter of Credit</li> <li>3. Performance bond</li> </ol> |
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suance of a GESC Permit. Cash deposits will be held in a non-interest-bearing account.

The conditions of each form of Surety shall allow for the Surety to be held by the Town for a minimum of two (2) years. The two-year period



**Duration of GESC Permits**

should allow for completion of all GESC and Site Improvement Plan requirements, including two growing seasons to allow time for revegetation to reach the required coverage (see Section 6.4). Information regarding the release of Fiscal Surety is provided in Section 6.8.

**4.10.4 Expiration of Fiscal Surety.** If the construction of the project and/or revegetation process takes longer than two 2 years, the Permittee shall extend the Fiscal Surety a minimum of fourteen (14) days prior to the expiration date. Failure to extend the Fiscal Surety, for a minimum of one (1) additional year, prior to the fourteen (14) day deadline shall result in the Town drawing upon the Fiscal Surety.

**4.11** Section Removed.

**4.12**

A GESC Permit is valid for a three (3) year period (one year active construction and a two year growing period for revegetation). In the event that active construction exceeds one year, the GESC Permit must be renewed.

Permittee(s) shall have a valid GESC Permit until all lots of a project are transferred to the Town's DESC Program for residential construction or until Final Close-out Acceptance (after vegetation is established).

**Transfer of GESC Permits**

**4.13**

If a project or portion of a project is sold to a new Owner, or if the Contractor that is identified on the GESC Permit is replaced by a different Contractor, the GESC Permit shall be transferred to the new Owner and/or Contractor using a specific transfer procedure. The transfer shall require a new GESC Permit Application Form, payment of a transfer fee, new Fiscal Surety (if new Owner), and another Preconstruction Meeting on site (the Preconstruction Meeting is discussed in Section 5.4). Failure to transfer the GESC Permit if the Owner or Contractor changes will result in issuance of a Stop Work Order and /or suspension of building permits, per Section 5.10. Projects that have transferred ownership without a new GESC Permit and Fiscal Surety within thirty (30) days of the sale of the property are subject to Default per Section 6.9.1.



## Section 4. Acceptance of GESC Plan and Applying for Permit

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**Residential Projects.** At the time of initial close-out acceptance, and prior to final closeout acceptance, projects that have been sold to one or more owners for the purpose of residential construction, the GESC Permit shall be transferred as follows:

- ◆ GESC Permit responsibility within empty lots and the protection of all downstream drainage systems becomes the responsibility of the new property owner(s). Prior to the issuance of any building permits, the new property owner(s) shall obtain a new GESC Permit and post a new Fiscal Surety in the amount of the original engineer's opinion of probable costs associated with the lots and protection of the MS4.
- ◆ GESC Permit responsibility within common areas including private open space tracts, public land dedications, drainage tracts, utility tracts and the like shall remain with the permittee(s) unless otherwise stated in the Developer Agreement or Subdivision Improvement Agreement until final close-out acceptance (after vegetation is established). Upon receipt of new Fiscal Surety(ies) covering all residential lots under separate ownership, the original permittee's Fiscal Surety may be reduced to the amount of the engineer's opinion of probable costs associated with these areas only.