

SOIL EROSION AND SEDIMENT CONTROL REGULATIONS

SECTION 1

DEFINITIONS

The following words and phrases shall have the following meanings unless the context clearly indicates otherwise.

1.1 CERTIFICATION: A signed, written approval by the Planning and Zoning Commission of the Town of Easton that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

1.2 COMMISSION: The Planning and Zoning Commission of the Town of Easton.

1.3 CONSERVATION COMMISSION: The Conservation Commission of the Town of Easton.

1.4 COUNTY SOIL AND WATER CONSERVATION DISTRICT: The Fairfield County Soil and Water Conservation District established under subsection (a) of Section 22a-314 of the General Statutes.

1.5 DEVELOPMENT: Any construction or grading activities to improve or unimproved real estate.

1.6 DISTURBED AREA: An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

1.7 EROSION: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

1.8 GRADING: Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

1.9 GUIDELINES: The Connecticut Guidelines for Soil Erosion and Sediment Control (1985) as amended.

1.10 INSPECTION: The periodic review of sediment and erosion control measures shown on the certified plan.

1.11 SEDIMENT: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

1.12 SOIL: Any unconsolidated mineral or organic material of any origin.

1.13 SOIL EROSION AND SEDIMENT CONTROL PLAN: A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

1.14 SUBDIVISION REGULATIONS: The Subdivision Regulations of the Town of Easton as they may be amended from time to time.

1.15 ZONING REGULATIONS: The Zoning Regulations of the Town of Easton as they may be amended from time to time.

SECTION 2

ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN

2.1 A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre.

SECTION 3

EXEMPTIONS

3.1 A single family dwelling that is not a part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.

SECTION 4

EROSION AND SEDIMENT CONTROL PLAN

4.1 To be eligible for certification, a soil erosion and sediment control shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Guidelines. Alternative principles, methods and practices may be used with prior approval of the Commission.

4.2 Said plan shall contain, but not be limited to:

A. A narrative describing:

1. the development;
2. the schedule for grading and construction activities including:
 - a. start and completion dates;
 - b. sequence of grading and construction activities;
 - c. sequence for installation and/or application of soil erosion and sediment control measures;
 - d. sequence for final stabilization of the project site.

3. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
4. the construction details for proposed soil erosion and sediment control measures and storm water management facilities.
5. the installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.
6. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.

B. A site plan map at a sufficient scale to show:

1. the location of the proposed development and adjacent properties;
2. the existing and proposed topography including soil types, wetlands, watercourses and water bodies;
3. the existing structures on the project site, if any;
4. the proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
5. the location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
6. the sequence of grading and construction activities;
7. the sequence for installation and/or application of soil erosion and sediment control measures;
8. the sequence for final stabilization of the development site.

C. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

SECTION 5

MINIMUM ACCEPTABLE STANDARDS

5.1 Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapters 3 and 4 of the Guidelines. Soil erosion and sediment control plans shall result in a development that: minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off-site erosion and/or sedimentation.

5.2 The minimum standards for individual measures are those in the Guidelines. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented.

5.3 The appropriate method from Chapter 9 of the Guidelines, as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission.

SECTION 6

ISSUANCE OR DENIAL OF CERTIFICATION

6.1 The Planning and Zoning Commission of the Town of Easton shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of these regulations or deny certification when the development proposal does not comply with these regulations.

6.2 Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A or 126 of the General Statutes.

6.3 The Commission may forward a copy of the development proposal to the Conservation Commission or other review agency or consultant for review and comment.

SECTION 7

CONDITIONS RELATING TO SOIL EROSION AND SEDIMENT CONTROL

7.1 The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, may be covered in a performance bond or other assurance acceptable to the Commission in accordance with the provisions specified under Section VI (j) of the Zoning Regulations.

7.2 Site development shall not begin unless the soil erosion and sediment control plan is certified, the bond provided for in Section 7.1 is filed with the Commission and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.

7.3 Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

7.4 All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

SECTION 8

INSPECTION

8.1 Inspections shall be made by the Commission or its designated agent during development to ensure compliance with the

certified plan and that control measures and facilities are properly performed or installed and maintained. The Commission may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

SECTION 9

ENFORCEMENT

9.1 Penalties: Any person, firm or corporation who shall violate any provision of these Regulations shall be subject to penalties and fines in accordance with the General Statutes of the State of Connecticut. Any such penalties shall be in addition to and shall not preclude the right of enforcement by injunction or other lawful means or the collection of damages for the violation of these regulations.