

SECTION ELEVEN: ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN¹

An application for approval of a soil erosion and sediment control plan in accordance with these regulations shall be submitted with any subdivision application when the disturbed area of such subdivision development is cumulatively more than one-half acre.

11.01 Exemptions

Construction and related activity for single family homes which are not a part of a subdivision of land shall be exempt from the provisions of these regulations. Erosion Control measures are still required as necessary.

11.02 Erosion and Sediment Control Plan

To be eligible for certification, a soil erosion and sediment control plan 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 Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended. All plans shall be developed in accordance with of said Guidelines and these regulations. Alternative principles, methods and practices may be used with approval of the Commission.

Said plan shall contain, but not be limited to:

- (a) A completed application form prescribed by the Planning and Zoning Commission.
- (b) A erosion and sediment control narrative describing:
 1. the development and the name, address and phone number for the person who shall carry out the E&S plan;
 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;

¹ new section, SA #19, effective 9/8/07

- 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 pre and post development for the proposed soil erosion and sediment control measures and storm water management facilities;
- (c) A site plan map at 1" = 40' scale and a sheet size of 24" X 36" 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. any existing structures on the project site;
 4. the proposed area alterations including cleared, excavated, filled or graded areas and locations of proposed structures, utilities, roads, and if applicable, new property lines and proposed easements;
 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, including phasing;
 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;
 9. narrative as described above;
 10. soil stockpile areas;

11. all E&S controls which include hay bales, silt fence, stone check dams, sedimentation basins, protection of drainage inlets, dewatering pits, anti-tracking pads, etc.
12. E&S details and pertinent notes.

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

The number of copies of the narrative and site plan required from the applicant for submittal shall be prescribed by the Planning and Zoning Commission.

Soil erosion and sedimentation control plans shall bear the stamp and/or signature of a registered engineer, landscape architect, or certified soil scientist and shall contain the following certification signature blocks:

<p>"I hereby certify that this plan is in compliance with the Town of Southington Soil Erosion and Sedimentation control Regulations and the Connecticut Guidelines for Soil Erosion and Sedimentation control dated 2002, as amended."</p> <p>(Signature) _____</p> <p>(Name) _____ Certification No. _____</p> <p>"The Planning and Zoning Commission certifies that the Soil Erosion and Sedimentation Control Plan complies with the requirements of the Town of Southington Regulations and the Connecticut Guidelines for Soil Erosion and Sedimentation Control dated 2002, as amended."</p> <p>Signature _____</p> <p>Date of approval _____</p>
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11.03 Issuance or Denial of Certification

- a. The Planning and Zoning Commission shall either certify that the soil erosion and sediment control plan, as submitted for filing, complies with the requirements of this regulation or deny certification when the development proposal does not comply with these regulations. Nothing in this certification action shall imply that the Commission is acting in a design or engineering capacity or guaranteeing the measures approved shall eliminate erosion or sedimentation: it only certifies that the plan submitted meets the minimum requirements of these regulations for a soil erosion and sediment control plan.

- b. 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.
- c. Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District or by a consultant engaged by the Town at the expense of the Developer, either of whom may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.
- d. The Commission may also forward a copy of the development proposal to the Conservation Commission or other review agency or consultant for review and comment.

11.04 Conditions Relating to Soil Erosion and Sediment Control

- a. The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered in a performance bond in conformance with the provisions specified under Section 8.00. The amount of said bond must be approved by the Town Engineer and by the Town Attorney.
- b. Site development shall not begin unless the soil erosion and sediment control plan is certified, control measures and facilities required in the plan which are scheduled for installation prior to site development are installed and functional and the required bond is posted with town.
- c. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan, and one copy of the certified plan shall be on the project site during construction.
- d. All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.
- e. It is the developer's responsibility to correct erosion or sedimentation problems in the field and take appropriate measures to avoid such problems. In the event that the erosion and sediment control measures certified by the Planning and Zoning Commission are not functioning to prevent erosion and sedimentation, either through inadequate design, emergency conditions, or unforeseen field conditions, said Commission shall direct the developer to revise the plan to correct and/or eliminate any deficiencies in the erosion and sedimentation control measures, and to install and maintain new measures. The developer shall promptly comply with said directions of the Commission.

- f. In the event that the developer wishes to make any changes in the certified plan, the developer shall submit a revised plan to the Commission. The Commission shall after a review of said revised plan, either certify or deny certification of the revised plan in accordance with the provisions herein.
- g. The Commission shall designate agents who shall have the authority to order and/or approve changes to certified plans in the event of unforeseen field conditions which require immediate remedial measures to improve the effectiveness of certified plans.
- h. In the event that a developer fails to perform the work within any time limits specified in a certified plan or fails to perform any work in accordance with a certified plan, the Commission or any agent designated by it to act shall advise the developer and the surety in writing of this fact and direct that any necessary work be completed within a specified time. If the developer and/or the surety do not comply with the directions of said Commission or its designated agent, the Commission may arrange for said necessary work to be done by Town forces and recover the cost thereof from the developer and/or the surety.

11.05 Inspection

Inspections shall be made by the Commission or its designated agents during development to ensure compliance with the certified plan and that control measures and facilities are properly performed in installed and maintained. The contractor shall 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. Progress reports shall correspond to the construction/installation sequence of the certified plan.

11-06 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.

11-07 The estimated costs of measures, as determined by the Town Engineer, required to control soil erosion and sedimentation, as well as a lump sum figure for possible clean-up efforts for failure to comply, as specified in the plan, shall be covered in the form of a certified check payable to the Town of Southington¹. Said bond² shall be separate from and in addition

¹ rev. SA #23, eff. 3/20/10

² rev. SA #23, eff. 3/20/10

to the bonding requirements for all other public improvements pursuant to Section 8 herein.

11-08 Site development shall not begin nor shall any building permit be issued until the soil erosion and sedimentation control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.

11-09 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, installed, and maintained. Failure of the applicant or assignee to install and/or maintain any and all improvements and/or any necessary clean-up for failure to install said improvements shall be cause for the Commission to call the surety for said improvements within one (1) week after notification by certified mail of the need for such erosion and sedimentation control. The subdivider shall give the Town the right to enter onto the property to perform the necessary work.