

DIVISION 17.1. SOIL EROSION AND SEDIMENT CONTROL**Sec. 6-183.1. DEFINITIONS.**

- (1) "Certification" means a signed, written approval by the Planning and Zoning Commission or its designated agent which may be the Conservation Commission, Department of Public Works, Inland Wetlands and Watercourses Agency or Health Department (who may act through their respective staffs) that a soil erosion and sediment control plan complies with the applicable requirements of these regulations. The designated agent shall be the Inland Wetlands and Watercourses Agency if the activity requires a permit from said Agency.
- (2) "Commission" means the Planning and Zoning Commission of the Town of Greenwich.
- (3) "County Soil and Water Conservation District" means the Fairfield County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the General Statutes.
- (4) "Development" means any construction or grading activities to improved or unimproved real estate.
- (5) "Disturbed area" means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- (6) "Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- (7) "Grading" means 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.
- (8) "Inspection" means the periodic review of sediment and erosion control measures shown on the certified plan.
- (9) "Sediment" means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
- (10) "Soil" means any unconsolidated mineral or organic material of any origin.
- (11) "Soil Erosion and Sediment Control Plan" means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

Sec. 6-183.2. ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN.

A soil erosion and sediment control plan shall be submitted to the Planning and Zoning Commission for any development when the disturbed area of such development is one-half acre or more. In the event that such development requires the submission of an application under site plan, special permit, subdivision or inland wetland regulations, then the soil erosion and sedimentation plan shall be submitted as part of that application.

Sec. 6-183.3. EXEMPTIONS.

The construction of 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. Development activities accessory to the construction of a single family dwelling, such as but not limited to tennis courts, swimming pools, driveways and septic systems, shall not be exempt.

Sec. 6-183.4. EROSION AND SEDIMENT CONTROL PLAN

- (1) To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control 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 Connecticut Guidelines for Soil Erosion and Sediment Control (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Commission or its designated agent.
- (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) projected 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 including the protection of trees and other significant vegetation.
 - (B) A site plan map preferably at a scale of one inch = 50 feet to show:
 - 1) the location of the proposed development and adjacent properties;
 - 2) the existing and proposed topography at five foot intervals or smaller 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.
 - 9) the measures for the protection of trees and other significant vegetation.
 - (C) Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent. Where it is deemed necessary by the Commission or its designated agent plans shall be prepared by a registered land surveyor or professional engineer.
 - (D) The Planning and Zoning Commission may waive any of the requirements of Sec. 183.4(2)B of small scale projects except when such small scale projects require a permit from the Inland Wetlands and Watercourses Agency.

Sec. 6-183.5. MINIMUM ACCEPTABLE STANDARDS.

- (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 Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. 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.
- (2) The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. The Commission or its designated agent may grant exceptions when requested by the applicant if technically sound reasons are presented.
- (3) The appropriate method from Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission or its designated agent.

Sec. 6-183.6. ISSUANCE OR DENIAL OF CERTIFICATION.

- (1) The Planning and Zoning Commission or its designated agent shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.
- (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.
- (3) Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.
- (4) The Commission or its designated agent may forward a copy of the development proposal to the Conservation Commission or other review agency or consultant for review and comment.

Sec. 6-183.7. CONDITIONS RELATING TO SOIL EROSION AND SEDIMENT CONTROL.

- (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 or its designated agent.
- (2) Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.
- (3) Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.
- (4) All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

Sec. 6-183.8 INSPECTION.

- (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 or its designated agent 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.

Sec. 6-183.9 PENALTIES.

- (1) The Penalties for failure to comply with these regulations are those specified in Sec. 6-202 of the Building Zone Regulations.

Sec. 6-183.10 GENERAL PROVISIONS

- (1) A satisfactory soil erosion and sedimentation control plan shall be reviewed and approved by the Commission prior to the issuance of a building permit.