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Last Amendment: July 29, 1987

SOIL EROSION AND SEDIMENT CONTROL REGULATIONS
FOR LAND DEVELOPMENT

SECTION 1. DEFINITIONS

- 1.1** **“Certification”** means a written approval signed on the Soil Erosion and Sediment Control Plan by the Planning and Zoning Commission, or its designated agent that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.
- 1.2** **“Commission”** - means the Planning and Zoning Commission of the Town of Sherman, Connecticut.
- 1.3** **“Development”** - means any construction or grading activities to improved or unimproved real estate.
- 1.4** **“Disturbed Area”** - means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- 1.5** **“Erosion”** - means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.¹
- “Accelerated Erosion”** means erosion caused by human activity that has one or more of the following effects: a) danger or inconvenience to passage on roads or driveways; b) interference with the proper functioning of septic systems; c) obstruction of drains, culverts or catch basins; d) deposition of any earth materials in wetlands or watercourses; e) alteration of natural drainage across property lines; or f) carriage of any earth materials across property lines.²
- 1.6** **“Grading”** means any excavating, grubbing, stripping, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- 1.7** **“Inspection”** means the periodic review of sediment and erosion control measures shown on the certified plan.

¹ Revised 5/2/91

² Revised 5/2/91

1.8 **“Proposed Structure”** means a structure that is intended to be build using a current zoning permit application.

1.9 **“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.

1.10 **“Soil”** means any unconsolidated mineral or organic material of any origin.

1.11 **“Soil Erosion and 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.

SECTION 2. ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN

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

2.1 A soil erosion and sediment control plan shall be submitted with any application for subdivision, or for any other permitted use, where the area to be disturbed by such use is cumulatively more than one-half acre. ¹

2.2 A soil erosion and sediment control plan shall be submitted by or on behalf of the owner of any parcel of land when required by the Commission, the Sherman Inland Wetlands & Water Courses Commission, or the Sherman Department of Health, or any of their agents. Such requirement shall be made only following a finding by one of these agencies of either a) the existence of a condition of accelerated erosion on such parcel of land, or b) the likelihood that a proposed activity on such parcel of land will lead to a condition of accelerated erosion. ²

SECTION 3. EXEMPTIONS

The following may be exempt:

A. A single family dwelling that is not a part of a subdivision of land.

B. Agricultural use of land.

¹ Revised 5/2/91

² Revised 5/2/91

Even though permits may not be required under this section, those operations which are exempted from obtaining a grading permit shall not interfere with any existing drainage course or result in the deposition of debris or sediment offsite or in wetland area.

SECTION 4. EROSION AND SEDIMENT CONTROL PLAN

4.1 To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and to 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 (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Commission or its designated agent.

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

A. A narrative on the site plan 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 40' to 1" or 20' to 1" to show:
1. the location of the proposed development and adjacent properties;
 2. the existing and proposed topography of the disturbed or affected area at a maximum of 2 foot contour intervals, 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, road 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. name of applicant's agent assigned the responsibility for implementing this erosion and sediment control plan.
- 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 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.

5.2 The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. 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 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.

SECTION 6. ISSUANCE OR DENIAL OF CERTIFICATION

6.1 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.

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 Prior to certification, any plan submitted to the Commission or its designated agent may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall not delay the decision on an application for zoning permits by more than thirty days of the Commission's receipt of such plan.

6.4 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, shall be covered in a letter of credit, or savings passbook with 2 signed withdrawal forms to be filed with the Board of Selectmen in the

amount equal to 100% of the estimated costs of compliance with Section 4 of these regulations.

7.2 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.

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

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

(*7.1) This does not apply to development of any single house site.

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. COMPLIANCE WITH PLAN REQUIREMENTS

9.1 In the event of violation of this regulations the commission or its duly authorized agent shall serve notice of such violation on the landowner of such property upon which such violation has occurred. Upon receipt of such notification, the landowner shall have twenty-four (24) hours in which to cease and correct such violation and comply with the provisions of this regulation.

9.2 Where such violation is not stopped and corrected subsequent to twenty-four (24) hours after receipt of such notification the commission or its duly authorized agent shall issue a cease and desist order causing all work to terminate until such time as all violations of this regulations have ceased and been corrected.