

SECTION 16
EROSION AND SEDIMENTATION CONTROL

- 16.1 General. The purpose of this Section 16 is to establish minimum standards for soil erosion and sediment control for all development within the Town of Old Lyme, and also to require long-term treatment of stormwater to improve the quality of discharges from developed sites.

The goal of an erosion and sedimentation control plan is to prevent erosion during and immediately after construction, and to trap sediment before it is discharged to natural wetlands, streams, Long Island Sound, and other bodies of water. A soil erosion and sediment control plan shall be in effect in connection with any construction of buildings and other structures, site development, subdivision improvements and any other development activity when the disturbed area of such development activity is cumulatively more than one-half (1/2) acre and, otherwise, when erosion or sedimentation from a disturbed area, regardless of size, may, as determined by the Zoning Enforcement Officer, have an effect on a wetland, water course, drainage system, building, structure or street or on property adjoining the lot where the disturbed area is located. The soil erosion and sediment control plan shall be prepared in accordance with the requirements specified in this Section and the Connecticut Guidelines for Soil and Erosion and Sediment Control, as amended, and such plan shall have been certified by the Zoning Enforcement Officer in connection with any activity for which such Officer has sole responsibility under these Regulations and otherwise by the Old Lyme Planning Commission (hereinafter referred to as the "Commission").

The goal of stormwater quality management is to provide long-term treatment of stormwater discharges in order to compensate for the effects of land development and protect the quality of natural bodies of water. Land development increases the percentage of impervious surfaces on a site, and also introduces potential contaminants into the stormwater runoff, depending on the type of development. All development plans requiring an erosion and sedimentation control plan under this Section shall also include measures for stormwater quality management in accordance with the Connecticut Stormwater Quality Manual.

[From former Section 47.1, Amended Effective 4-1-99 and ^]

- 16.2 Special Definitions. Special definitions applicable under this Section are as follows:

16.2.1 Certification. a signed, written approval by the Old Lyme Planning Commission or Zoning Enforcement Officer that a soil erosion and sediment control plan complies with the applicable requirements of these Regulations. [Amended Effective 4-1-99.]

16.2.2 Connecticut Stormwater Quality Manual. That document published by the Connecticut Department of Environmental Protection in 2004, as the same may be amended from time to time. [Added effective ^.]

- 16.2.3 County Soil and Water Conservation District. the New London County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the Connecticut General Statutes.
- 16.2.3 Development. any construction or grading activities to improved or unimproved real estate.
- 16.2.4 Disturbed Area. an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- 16.2.5 Erosion. the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- 16.2.6 Grading. any excavation, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavation or filled condition.
- 16.2.7 Inspection. the periodic review of erosion and sediment control measures shown on the certified plan.
- 16.2.8 Sediment. solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
- 16.2.9 Soil. any unconsolidated mineral or organic material of any origin.
- 16.2.10 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

[Preceding from former Section 47.2, Renumbered only Effective ^, except where noted otherwise.]

- 16.3 Basic Requirement. 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 (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Commission. All stormwater management systems shall be designed in accordance with the Connecticut Stormwater Quality Manual. [From former Section 47.3, Amended Effective 4-1-99 and ^]
- 16.4 Control Plan. The soil erosion and sediment control plan shall contain, but not be limited to, the following:
 - 16.4.1 A narrative describing the following:

- a. the development;
- b. the schedule for grading and construction activities, including:

- i. start and completion dates;
 - ii. sequence of grading and construction activities;
 - iii. sequence for installation and/or application of soil erosion and sediment control measures; and
 - iv. sequence for final stabilization of the project site.
- c. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities;
- d. the construction details for proposed soil erosion and sediment control measures and storm water management facilities;
- e. the installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities;
- f. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.

[Preceding from former Section 47.3, Renumbered only Effective ^, except where noted otherwise.]

16.4.2 A site plan map at a scale of not less than 1"=100' sufficient to show the following, which plan may be combined with a Plot Plan, SITE DEVELOPMENT PLAN, or other plan otherwise required to be submitted:

- a. the location of the proposed development and adjacent properties;
- b. the existing and proposed topography, including soil types, wetlands, watercourses and water bodies;
- c. the existing structures on the project site, if any;
- d. the proposed area alterations, including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
- e. the location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
- f. the sequence of grading and construction activities;

- g. the sequence for installation and/or application of soil erosion and sediment control measures;
 - h. the sequence for final stabilization of the development site.
- 16.4.3 Documentation, in the form of plans, narrative, or any other combination thereof, that the stormwater management system complies with the Connecticut Stormwater Quality Manual. [Added effective ^ .]
- 16.4.4 Any other information deemed necessary and appropriate by the person, firm or corporation proposing to conduct the activity or requested by the Commission or its designated agent.

[Preceding from former Section 47.4, Amended Effective ^.]

16.5 Minimum Acceptable Standards. All of the following standards are applicable:

- 16.5.1 Plans for soil erosion and sediment control shall be developed in accordance with this Section 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 sediment during construction, is stabilized and protected from erosion when completed, and does not cause off-site erosion and/or sedimentation.
- 16.5.2 The minimum standards for individual measures are those in 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.
- 16.5.3 The minimum standards for stormwater management systems are those set forth in the Connecticut Stormwater Quality Manual. [Added effective ^]

[Preceding from former Section 47.5, Amended Effective ^.]

16.6 Procedures for Certification. The following are applicable to issuance or denial of certification:

- 16.6.1 The Commission or Zoning Enforcement Officer shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this Section or deny certification when the development proposal does not comply with this Section.
- 16.6.2 Nothing in this Section shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A or 126 of the Connecticut General Statutes.

16.6.3 Prior to certification, any plan submitted to the Town 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 30 days of the receipt of such plan.

16.6.4 The Commission or Zoning Enforcement Officer may forward a copy of the development proposal to the Town of Old Lyme Conservation Commission or other review agency or consultant for review and comment.

[Preceding from former Section 47.6, Renumbered only Effective ^.]

16.7 Conditions. The following are conditions applicable for all certified soil erosion and sediment control plans:

16.7.1 The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered in a completion bond or other assurance acceptable to the Commission.

16.7.2 The site development activity shall not be commenced 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.

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

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

[Preceding from former Section 47.7, Renumbered only Effective ^.]

16.8 Inspection. Inspection shall be made by the Zoning Enforcement Officer or by the Commission or its designated agent during development to determine compliance with the certified plan and ensure that control measures and facilities are properly performed or installed and maintained. The Commission or Zoning Enforcement Officer may require the person, firm or corporation conducting the activity 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. [From former Section 47.8, Renumbered only Effective ^.]

16.9 Fees. The Commission may establish fees to cover the cost of its certification and inspection and the Zoning Commission may establish fees to cover the cost of certification and inspection by the Zoning Enforcement Officer, such fees to be established in accordance with the provisions of the Town ordinance entitled

“Ordinance Establishing Procedure for Fee Schedules in Processing Land Use Applications.” [From former Section 47.9, Amended only Effective ^.]