

SECTION 11 –Bethany Erosion and Sedimentation Control Regulation

11.1 Purpose

The purpose of this regulation is to minimize soil erosion and sedimentation resulting from disturbance of existing ground cover where such disturbance either has or has the potential to cause erosion of earth materials and deposition of sediment into storm drains, streams, watercourses, ponds, roadways or onto the property of others.

11.2 Basic Requirements

No land development or disturbance which is cumulatively more than one-half (1/2) acre in area shall be undertaken in any zone unless certification of compliance with the provisions of this section has first been obtained from the Commission or its designated agent. No Zoning or Building Permit shall be issued until an Erosion and Sedimentation Control Plan has been approved by the Commission or its designated agent or it has been determined by the designated agent that an Erosion and Sedimentation Control Plan is not required.

11.3 Definitions

11.3.1 Certification means a signed, written approval by the Bethany Planning and Zoning Commission or its designated agent as may be required indicating that the soil erosion and sedimentation control plan complies with the applicable requirements of these regulations.

11.3.2 Development in this context means any earth disturbing, construction or grading activities to improved or unimproved real estate.

11.3.3 Disturbed area means an area where the ground cover is destroyed, removed or eroded leaving the land subject to accelerated erosion.

11.3.4 Soil Erosion and Sediment Control Plan means a plan that when implemented will prevent or minimize soil erosion and sedimentation resulting from development and creation of a disturbed area and includes but is not limited to a site plan and narrative.

11.4 Activities requiring a certified Erosion and Sedimentation Control Plan

A soil erosion and sedimentation control plan shall be submitted with any application for development when the disturbed area is cumulatively more than one-half (1/2) acre.

11.5 Exemptions There are no exemptions from these requirements.

11.6 Erosion and Sedimentation Control Plan Requirements

The submission of materials required to obtain certification shall include but not be limited to:

- A. A site plan map at a sufficient scale to show:
 - 1. the location of the proposed development and adjacent properties;
 - 2. existing and proposed topography including soil types, wetlands, watercourses and water bodies;
 - 3. all existing and proposed structures on the project site, if any;
 - 4. all proposed site alterations showing any and all disturbed areas;
 - 5. the location and design details for all erosion and sedimentation controls and devices including sizing calculations for any storm water management facilities;
 - 6. the name, address and telephone number and emergency telephone number of the person responsible for the direct implementation and maintenance of the plan.

- B. A narrative which may be attached to the site plan sheet and describing in appropriate detail:
 - 1. the sequence of all grading, development and construction activities, including a schedule for start and completion dates of all activities;
 - 2. the design criteria for proposed control measures and storm water management facilities;

3. the sequence for installation of all soil erosion and sedimentation control measures as they relate directly to any proposed construction activity;
 4. the operations and maintenance program for proposed control measures and storm water management facilities;
 5. the sequence and method to be used for final site stabilization
- C. Any other information deemed necessary and appropriate by the applicant or as may be requested by the designated agent or the Commission.

11.7 Standards for Issuance or Denial of Certification

- A. Plans for the control measures and facilities shall be based on the principles outlined in Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended.
- B. Peak flow rates and runoff volumes shall be determined by using the rational method, the time of concentration method, the tabular method, the unit hydrography method or other such method as may be required by the Commission or its agents as deemed appropriate for the situation.
- C. The Commission may refer any such plan to the Soil and Water Conservation District for review and comment.
- D. The Commission, or its designated agent, shall either certify that the plan as filed, complies with the requirements and objectives of this section or shall deny certification when the development proposal does not comply with this section.
- E. Nothing in this section shall be construed as extending the time limits for the approval of any application submitted to the Commission.

11.8 Certification, Inspections and Reports

- A. Site development shall not begin unless the Erosion and Sedimentation Control Plan has been certified and implemented. .
 - B. Inspections shall be made by the Commission or its agent during the development to insure compliance with the certified plan. The Commission or its agent may require progress reports from the permittee to insure that the development is in compliance with the approved plan.
 - C. Upon completion of all work specified in the certified plan the permittee shall notify the Commission or the designated agent and submit a report consisting of all necessary maps and materials showing that all aspects of the certified plan have been completed as approved. Upon receipt of the report and inspection by the Commission or its agent, the Commission may release any bond posted upon certifying that the provisions of the plan have been met.
- 11.9 Bonds may be required by the Commission in accordance with Section 12 of these Regulations.