



TOWN OF THOMPSON

Planning & Zoning Commission

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Minutes – PZC Subcommittee Meeting-Subdivision Regulations
Thursday, March 24, 2022, 7:00 PM
ZOOM Meeting

p. 1 of

Tyra Penn-Gesek is inviting you to a scheduled Zoom meeting.

Topic: PZC Subdivision Regs Review
Time: Mar 24, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/81052741653?pwd=LzllaE9LUUU3MUpabzB3dEFieGpNdz09>

Meeting ID: 810 5274 1653
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(Passcode: v0@E+NRK)

YouTube:
<https://www.youtube.com/watch?v=-r38ghA-iF8>

1. Call to Order, Roll Call
Ray Williams *Alvan Hill* *Jane Salce*
John Lenky *Joseph Parodi-Brown*
Absent: Charlene Langlois, Michael Krogul, John Rice, Robert Werge Sr., Randy Blackmer, Dave Poplawski, Kies Orr, Brian Santos
Staff Present: Tyra Penn-Gesek, Planner, Gloria Harvey, Recording Secretary

2. Discussion of Proposed Revisions to Subdivision Regulations

SECTION 4 - Stormwater Management and Low Impact Development

A. Intent

1. This section is intended to minimize pollution from non-point source runoff
2. Mitigate impacts to the hydrologic system from development

Commented [MB1]: Extensive changes in this section should be reviewed for comment by a professional engineer that has no vested interest in the outcome of the proposed changes (an engineer that has nor is expected to submit an application before the Commission)

T. Penn: this section was copied over from the zoning regulations, slightly adapted to be more specific to subdivisions. It was drafted with assistance from J&D Engineering, a local firm that is working with the Town on its compliance with MS4 requirements. It was extensively reviewed prior to adoption of the Zoning Regs.

J. Salce also prefers giving this for review to a neutral party engineer

3. Reduce or prevent flooding, stream channel erosion and/or other negative impacts created by stormwater runoff
4. Promote the application of Low Impact Development (LID) strategies.
5. To meet the requirements of Thompson's registration for coverage under CT DEEP's General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4) issued pursuant to Section 22a-430b of the Connecticut General Statutes

B. Stormwater Management Requirements

1. Subdivision applications shall include stormwater management provisions using the best available technology to treat stormwater quality and control stormwater quantity prior to its discharge to any wetland, watercourse or existing stormwater drainage system. All design principles, methods and practices shall be in compliance with standards found in the 2004 Connecticut Stormwater Quality Manual (CSQM) by the Department of Energy and Environmental Protection (CT DEEP), as amended; and the latest edition of the CT DOT Drainage Manual unless the Commission finds, based on the report by said professional engineer, there are limiting factors that warrant a variance from such standards.
2. Provisions for stormwater management, including all practices and stormwater systems, shall be designed by a professional engineer licensed to practice in the state of Connecticut and shall be identified in a report with accompanying site plans both signed and sealed by said engineer. This report shall contain a description of site strategies used, what parts of the CSQM and CT DOT Drainage Manual were followed and include the design calculations produced to support the function of the stormwater management design features proposed. At a minimum, the report shall identify practices and designs involving:
 - a. Pollution reduction (see CSQM Section 7.4).
 - b. Groundwater recharge and runoff volume reduction (see CSQM Section 7.5).
 - c. Peak flow control (see CSQM Section 7.6) of the 2-, 10-, 25- and 100-year frequency storm events.
 - d. A description of any site design strategy that maintains, mimics or replicates pre-development hydrology through the use of various site design principles and small-scale treatment practices distributed throughout the site to manage runoff volume and water quality at the source.
 - e. Details on the operation and maintenance of structural components, such as detention basins and infiltration basins, proposed for stormwater management.
 - f. The retention of the water quality volume for the site, as defined in the CSQM, for new development and redevelopment of sites that are currently developed with a directly connected impervious area (DCIA) of less than 40%.

C. Stormwater System Design and Calculations

1. Computations and design storm criteria shall be in accordance with the latest edition of the CT DOT Drainage Manual. Stormwater systems shall be designed using LID principles as identified in the CSQM to the greatest extent possible.
2. Stormwater systems shall be designed for the following objectives:
 - a. Prevention of flooding of on-site or off-site property
 - b. Recharge of wetlands, surface and subsurface waters
 - c. Minimization of pollutant load in stormwater runoff into inland wetlands, surface and subsurface waters
 - d. Maintenance of the hydrology of existing sub-watersheds, including wetlands and watercourses
3. Design Storm Criteria

Commented [P2]: Per Marla 24 March: Language moves from LID section, formerly section K

Commented [P3]: "A professional engineer licensed in the State of CT"

Commented [P4]: Per Marla 24 March: Drainage standard added and variance language moved from paragraph 3

Commented [P5]: Per Marla 24 March: Report requirement added to specify the engineer's report to include all stormwater management concepts from pollution reduction, ground water recharge, runoff control, system design operation and maintenance and MD4 (MS4?) requirements for DCIA.

Commented [P6]: Per Marla 24 March: Added 2-year frequency for peak flow control. See CSQM Section 7.6.1 for Stream Channel Protection.

Commented [P7]: Per Marla 24 March: This is a requirement of the MS4 permit.

Commented [P8]: Per Marla 24 March: Several headings removed to compress and restructure outline demoting subsections D through J to paragraphs under Subsection C & renumbering Subsection K to D

All stormwater drainage facilities shall be designed based on the following storm return frequency criteria, identified in the latest edition of the CT DOT Drainage Manual in Appendix 6.A – Design Frequencies:

4. Submission of Stormwater Drainage information

The engineer's report shall include the following specific information:

- a. Topography contour map(s) with sufficient detail to adequately show the existing and proposed drainage characteristics of the watershed and drainage area(s) shall be delineated on the map(s).
- b. Method used to calculate stormwater runoff.
- c. Stormwater runoff characteristics of the property before and after development.
- d. Maximum velocity and peak flow at point(s) of discharge from the system.
- e. Design calculations for all drainage piping, structures and appurtenances
- f. Calculations addressing the adequacy of off-site drainage features, as applicable.

Commented [P9]: Per Marla 24 March: Specific location of storm frequency provided and redundant language removed. Recommend posting a link to the CT DOT Drainage Manual be added to the PZC webpage under "Forms & Documents"

Commented [MB10]: Keep "information" capitalized

Commented [P11]: Per Marla 24 March: Language changed because basic requirements for engineer's report are now given in Subsection B.2 This paragraph further defines the requirements specific to stormwater flow design & calculations.

Commented [MB12]: Inconsistent outlining – numbering should be letters (e.g. a.)

T. Penn: all outlining will be reviewed & corrected prior to final publication.

5. Pipe

All pipe for storm drains shall conform to CT DOT standards and shall be approved for use by the Commission. The minimum pipe size shall be 12 inches. In the event that groundwater or wet conditions are encountered during construction, slotted pipe may be required by the Commission.

6. Minimum Pipe Slope

All stormwater piping shall be designed to provide a self-cleansing velocity of at least 2.5 feet per second when flowing full. Generally stormwater piping shall have a minimum pitch of 0.5%. Lesser pitch may be approved by the Commission provided the self-cleansing velocity is maintained.

7. Pipe Cover

The minimum clear cover over all pipes shall be 2.5 feet.

8. Outlet Structures

All storm drain systems shall be terminated with a flared end section or other approved structure. Special energy dissipaters may be required to prevent erosion.

9. Underdrains

The Commission may require underdrains to be installed where localized seeps, springs, or high groundwater less than three feet below the proposed grade of an access drive or other traveled way are observed. Underdrains shall not be less than six inches in diameter and shall be perforated PVC.

10. Stormwater Treatment

- a. The stormwater system shall include primary or secondary treatment practices, as described in the most recent edition of the Connecticut Stormwater Quality Manual.
- b. Primary Practices include, but are not limited to, the following:
 - i. Stormwater ponds
 - ii. Stormwater wetlands
 - iii. Infiltration practices
 - iv. Bioretention
 - v. Water quality swales

11. Drainage to Off-Site Properties

- a. No increase in stormwater peak flows or volume of runoff from 2-, 10-, 25-, and 100-year storms shall be allowed unless it can be demonstrated there will be no downstream damage or deleterious effects. The following items shall be investigated in determining whether increased peak flows or runoff volumes are compatible with the overall downstream drainage system:
 - i. The timing of peak flows from sub-watersheds.
 - ii. The increased duration of high flow rates.
 - iii. The adequacy of downstream drainage features.
 - iv. The distance downstream that the peak discharges are increased.
- b. When it is determined that stormwater detention structures are required, they shall be designed so that the peak flow(s) or volume of run off after development shall not exceed nor be substantially less than the peak flow(s) or volume of run off prior to development for each of the design storm events.

12. Stormwater Detention Structures

1. Stormwater detention structures, surface or subsurface, shall be designed as an integral part of the stormwater treatment system, as well as limiting peak discharge from the storm drainage system of the developed area where such discharge would adversely affect receiving streams and/or storm systems. The developer shall be responsible for establishing short- and long-term maintenance of detention structure(s) and appurtenances. In the event that the owner of the property fails to maintain such areas in reasonable order and safe condition, the Commission may serve written notice to such individual or association, setting forth the nature of the maintenance deficiency and requiring its correction within thirty (30) days, after which time, if the deficiency remains, the Town may assume maintenance to avoid the creation or promulgation of a public nuisance and shall assess the owner of such property for Town expenses incurred in the form of a lien on the property.
2. The following information, as a minimum, shall be submitted for detention structures:
 - a. Inflow and outflow hydrographs for detention area.
 - b. Minimum storage volume.
 - c. Design of emergency spillway or other measures for the release of excess flow beyond that of the design capacity of the structure.
 - d. Flood routing of all runoff greater than the design capacity of the detention structure.
 - e. Time which is required for the structure to drain completely.
 - f. Storm Return Frequency
 - g. Detention structures shall be designed and stormwater regulated for storm return frequencies of 2, 10-, 25, and 100 years.

13. Design Procedure

The procedure for computing the outflow from the detention areas shall consist of the development of an inflow hydrograph and the routing of the inflow through the detention structures to develop an outflow hydrograph.

14. Maintenance Roads

Maintenance roads and easements shall be provided for all detention structures. The road shall be a minimum of twelve (12) feet wide capable of providing access for maintenance and emergency vehicles. Grades shall not exceed 10%.

Commented [MB13]: Correct term is "runoff" not "run off" as proposed

Commented [P14]: Per Marla 24 March: added back a requirement for no increases caused by 10-year return frequency storm to mirror language found in CSQM Section 7.6.3

Commented [MB15]: Ditto above. Global search for "run off" and replaces with "runoff"

Commented [MB16]:
Why were the standards set by the Stormwater quality Manual removed without citing a replacement standard? What is the standard to be followed – anything the engineer thinks would be acceptable to the lay commissioner?

T. Penn: as I recall, many of the changes made in these sections were at the recommendation of J&D. I'll ask her why there is no specific citation.

Commented [MB17]: Recommend that when a detention structure is to be owned by the Town that it be limited to surficial structures and subsurface structures prohibited. Underground detention structures can be expected to have increased maintenance costs to the town caused by specialized equipment needed for cleaning or repair. Some underground detention structures are considered to be confined spaces under OSHA requiring special breathing apparatus and special training for working in a confined space.

T. Penn: I'll run this by J&D.

J.B.L. suggests that there may be instances where a subsurface detention area is necessary? Does agree that they are higher maintenance.

Still should get an opinion from J&D. What are the possible ...

Commented [MB18]: To be consistent with proposed language changes shouldn't this be deleted or promoted to subsection with language in paragraph g promoted to unnumbered text like De? ...

Commented [P19]: Per Marla 24 March: added back 10-year storm return frequency to echo the recommended standard in CSQM Section 7.6.3

Commented [MB20]: Why were the analysis for to 10-yr & 50-yr removed when such analysis is generated by computer without significant cost?

Commented [MB21]: Why was this section promoted when it clearly relates only to detention basins?

Commented [MB22]: Why was this paragraph deleted? All detention basins that are to be under the control of the Town should always be designed to provide the Town with access to maintain, repair or modify as could be needed in the future. Some form of this language needs to be kept.

Commented [P23]: Alvan suggests that 15 or 16 ft is a more appropriate dimension.

R Williams points out that a maintenance road would not have 2-way traffic. JBL points out that the maintenance vehicles a ...

Commented [MB24]: Why was this paragraph promoted when it clearly relates only to detention structures? Also, keep terminology consistent and replace "facilities" with "structures" after the word "detention".

15. Fire Protection

Where proposed detention basins involve permanently ponded water and where deemed practical by the Commission, access to storm detention basins should be provided for fire-fighting equipment. The addition of dry hydrants and related fire-fighting appurtenances with the detention basins shall be coordinated with the Fire Marshal.

16. Special Flood Hazard Areas & Floodways Requirements

When the subdivision includes land in a special flood hazard area or regulated floodway, the lots, streets, drainage, and other improvements shall be demonstrated to be or shall be designed to be safe from flood damage and shall conform to the Ordinance No. 10-055, Ordinance Amending the Flood Damage Prevention Ordinance (adopted September 29, 1988) as may be amended, and to the following:

- a. The lots and such improvements shall be consistent with the need to minimize flood damage within the special flood hazard area and shall be capable of use without danger from flooding or flood related damages.
- b. All utilities and facilities, such as sanitary sewer systems, water supply systems, and electric and gas systems shall be located and constructed to minimize or eliminate flood damage.
- c. Streets shall be of such elevation or shall be suitably protected so as to allow reasonable emergency access during flood conditions.

17. Easements and Rights-To-Drain

a. General

All applications proposing easements as a part of the development shall include properly executed written easements and deeds describing the land involved and privileges of the town and/or property owner(s) in a form eliminating any Town liability for installation and maintenance, satisfactory to the Town. Said easements shall be submitted to the Town for review by the Commission and by legal counsel before any approval shall be granted.

b. Easements Dedicated to the Town

Drainage easements for drainage systems located outside of the street right-of-way lines shall be a minimum of 20 feet wide centered on the installed pipe and shall be adequate to provide access and maintenance to all drainage features. Easements shall be provided for channels and shall be of minimum width to include a 10-foot access strip in addition to the width of the channel from top of bank to top of bank.

c. Easements not Dedicated to the Town

The location and size of these easements shall be established as easements for short- and long-term maintenance for the drainage system within said easements. The Town shall be granted the right to enter such easements to maintain, repair, and/or modify the drainage systems contained therein.

d. Rights-To-Drain

Where downstream drainage features are not adequate to handle the increase in flows, the applicant shall secure drainage rights in writing from the affected property owners. Such rights shall be noted on the final plans and shall be secured prior to final approval. Rights-To-Drain shall include the right for the Town to enter and maintain existing and proposed facilities if the drainage system is to be owned by the Town and shall be in a form satisfactory to the Town.

e. State Highway Department (CT DOT) Permit

Where a proposed storm drainage system connects with a State Highway or its appurtenances, the developer shall obtain a permit for the connection from the Connecticut Department of

Commented [MB25]: Detention basins are not normally designed with deep water – for stormwater quality renovation water depth is generally no greater than 1 foot – not enough to be a fire protection pond. If a fire pond is desired, recommend keeping the stormwater management function separate from the fire pond – i.e. 2 separate impoundments.

T. Penn: this appears to have been carried over verbatim from the corresponding section in the Zoning Regulations.

Follow up comment per Marla 24 March: should be discussed for possible change in zoning regs

J. Parodi checks existing subdivision regs. This is not included. Is this item obsolete? If so it should be struck. Alvan points out that there are several in Woodstock.

JBL points out that if these are allowed then there has to be language included to accommodate for maintenance following construction.

A Hill points out that they may have practical applications for brush fires in edge areas.

Note to self: go back and see if this is just a holdover from prior editions of the zoning regs.

Commented [MB26]: Comment [u28]: Moved the former section 12 here. Needs additional comment from Marla as to appropriateness of these provisions.

Commented [MB27]: Comment [u29]: JBL comments that there are no standards described in this section. J. Parodi agrees.

Note: this may be another reason to move this section to follow the sections on Stormwater management/LID/erosion & sediment control. Possibly combine with that section.

Ask Marla and maybe George to review.

Follow up comment per Marla 24 March: Language deleted (shown in note below). Requirement is implicit in the standards provided in the CSQM & CT DOT Drainage Manual and Subsection B.2.c & C.11

Commented [MB28]: Recommend changing “installments” to “drainage system contained therein”

Transportation and shall present a copy of said permit to the Town prior to final approval.

D. Low-Impact Development

1. Intent

a. LID is a design strategy to maintain, mimic or replicate pre-development hydrology through the use of numerous site design principles and small-scale treatment practices distributed throughout a site to manage runoff volume and water quality at the source.

b. These regulations are intended to identify LID practices for proposed subdivisions within the Town and to articulate a strong preference for utilizing LID design strategies.

2. LID Practices

a. LID Checklist

Applications for subdivisions with four or more lots, or for subdivisions proposing one or more shared driveways, shall submit the LID checklist found in Appendix (Need to add & correctly title) with the application. LID shall be incorporated to the extent practicable in all subdivisions

b. Street and Driveway Runoff

- i. Developers are encouraged to use Best Management Practices (BMPs) identified in the CSQM to minimize, treat, prevent and/or reduce degradation of water quality and flooding potential due to stormwater runoff from streets and driveways.
- ii. The stormwater management system shall be designed, constructed and maintained with BMPs to minimize run-off volumes, prevent flooding, reduce soil erosion, protect water quality, maintain or improve wildlife habitats and contribute to the aesthetic values of the project.
- iii. Infiltration of stormwater shall be accommodated to the extent possible though limitation of land disturbance and grade changes, use of shared driveways, reducing street length, retention of existing natural drainage area and wetlands and use or creation of vegetated islands, vegetated medians and vegetated perimeter buffer strips.
- v. Wherever possible, drainage shall be designed such that all surface runoff (both piped and overland flow) is conveyed through vegetated swales, vegetated filter strips, created wetlands, rain gardens, or detention basins with biofiltration prior to discharge into existing wetlands, streams, ponds or other water bodies.

c. Roof Runoff

Where practical and feasible, drainage of rooftop runoff shall be directed into rain gardens or a suitable designed and landscaped area on the property or directed to underground infiltration chambers.

- i. On-lot stormwater treatment practices such as bioretention areas and rain gardens, vegetated swales, infiltration practices and rain barrels or cisterns are encouraged.
- ii. Developers and engineers are referred to the 2004 Connecticut Stormwater Quality Manual for design specifications.
- iii. Management responsibility and management schedules for these on-lot stormwater practices shall be included with the approved plans.

d. Clearing and Grading

- i. Clearing and grading of forests and native vegetation at a site shall be limited to the minimum amount needed to build lots, allow access and provide fire protection.
- ii. Clearing, grading and tree preservation areas shall be delineated on project plans.

Commented [MB29]: New sub-section language needs to be reviewed for compliance with MS4 permit requirements. Consider promoting it to be a new Section rather than sub-section lumped with stormwater management.

Commented [P30]: The text for this section, the Stormwater Management Section and the Soil Erosion and Sediment Control section are copied & pasted from the updated zoning regulations. Some language may have been adapted to make it more specific to subdivisions (on the recommendation of J&D).

Commented [P31]: Per Marla 24 March: Subsection D still needs review and reworking.

A review of the LID Checklist in the Zoning Regs, which has been recommended for inclusion in the subdivision regs, is not appropriate without further review and revision. Examples: Zoning LID checklist Item 9 states "Vegetated swales have been installed..." and Item 12 states "Rain water harvesting methods such as rain barrels or cisterns have been installed..." . Such language is not appropriate for a design checklist. Consider removing the requirement for a check list as the engineer's report referenced in Subsection B.2. requires a description of site strategies used and what parts of the CSQM were followed. Rather it would be better to have an appendix with an application checklist that includes a listing of potential LID BMPs provided for in the design.

A rewrite of the LID subsection should be done once the details regarding the language for an LID or Application checklist is decided on. Again the LID subsection still needs review and a rewrite.

Alvan agrees with Marla's point that the checklist should not be only for the LID elements, but should mirror what is asked for in the engineer's report. J Parodi agrees.

Commented [P32]: Alvan points out that a subdivision is 3 lots or more.

Commented [MB33]: Shouldn't this be paragraph "b." not "ii."?

T. Penn: all formatting will be reviewed and corrected prior to final publication.

SECTION 5 – Soil Erosion & Sediment Control

A. Intent

1. The provisions of this section are intended to prevent or minimize erosion and sedimentation by requiring the submission and certification of an erosion and sediment control plan (E&S Plan) for any application for a subdivision approval that involves a land disturbance of one half acre or greater.
2. To be eligible for certification pursuant to Section 22a-325 through Section 22a-329 of the Connecticut General Statutes, the E&S Plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and to reduce the danger from stormwater runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. Alternative principles, methods and practices may be used, with the approval of the Commission, provided the justification for such alternative methods is thoroughly demonstrated in the application.

B. Erosion and Sediment Control Plan

1. The applicant shall provide, in mapped and narrative form, the measures to be taken to control erosion and sedimentation both during and after construction. The plan and its specific measures shall be based on the best available technology and shall be in accordance with the principles and minimum standards provided in the 2004 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
2. The E&S Plan shall consist of the following:
 - a. A narrative describing:
 - The proposed project.
 - The sequence and schedule for grading and construction activities, including start and completion dates, installation and/or application of soil erosion and sediment control measures, and the stabilization of the project site;
 - The design criteria, construction details, installation and/or application procedures for proposed soil erosion and sediment control measures.
 - b. A map, at the same scale as the site development plan that shows:
 - The existing and proposed topography of wetlands, watercourses and water bodies.
 - Location and design details for all proposed soil erosion and sediment control measures.
 - The limits of disturbance including areas to be cleared, excavated, filled and graded.
3. The E&S Plan shall comply with the following criteria:
 - a. Any proposed development shall be fitted as closely as possible to the existing topography and soils, so as to minimize the potential for erosion.
 - b. To the greatest extent possible, existing vegetation should be retained and protected.
 - c. During the sequence and schedule of activity the smallest practical area of land should be exposed at any one time and that exposure should be kept to the shortest practical time.
 - d. Site-appropriate measures shall be used to protect areas exposed during development. Such measures may include, but are not limited to, temporary vegetation, mulching and/or erosion control blankets or netting.
 - e. Provisions shall be made to effectively accommodate any increased runoff caused by changed soil and surface conditions, during and after development.
 - f. The permanent final vegetation and structures shall be installed as soon as practical, in accordance

Commented [MB34]: The current language in this section meets the requirements of the Soil Erosion and Sediment Control Act found in C.G.S. section 22a-325 through 22a-329, but has been rewritten. The original wording for this section was most likely the original model regulation language provided by the Counsel on Soil and Water Conservation in ~1985. What was found to be wrong with the original language to warrant a complete rewrite? Was this proposed language source from somewhere else & if yes, the from where? Further review/revisions of this Section needs to be done.

T. Penn: the text of this section is copied & pasted from the zoning regs update, which underwent extensive review prior to adoption.

Commented [P35]: R Williams points out that this section does not refer what the erosion or sedimentation is presumed to be affecting. Roads? Properties? Wetlands? May need more descriptive text.

Commented [MB36]: Change to “zoning permit” to “subdivision approval”. Conn. Gen. Stat. Sec. 22a-329 requires that any regulations made pursuant to Conn. Gen. Stat. Sec. 8-2 & 8-25 shall make provisions for E&S Control. The subdivision regs don’t dictate zoning requirements - , zoning regs do.

Commented [MB37]: If keeping old language add “2002” before the word “Connecticut” and add “Energy and” before the words “Environmental Protection”

Commented [MB38]: Why was this removed?

Refers to: construction details for proposed E&S measures & stormwater management facilities
Installation & application procedures
Person responsible for maintenance of these measures during construction
Operations & maintenance program for E&S measures...

Review existing subdivision language side-by-side. The items removed do not seem to be redundant to this text & might be practical to add back in.

Commented [MB39]: What is the required scale of the site development plan. If its greater the 1’ = 40 feet it may not be detailed enough to determine erosional flows. Also, what is the required contour interval required for the site development plan as a 2’ contour interval is recommended to determine E&S needs.

Match this scale to the language used earlier to describe the map requirements?

R Williams suggests asking Marla what scale is most appropriate. Also asks if the requirements for wetlands maps are specific, and therefore would make sense to match up here.

D Malo – the size of the project determines the appropriate ...

Commented [MB40]: Why was this removed? Keep because this information is important in determining the appropriate E&S controls to be used, particularly when subdivision lots may be developed at different times.

Potentially add back in: any existing structures on the project site. ...

Commented [MB41]: Why was reference to storm water management facilities removed? What exactly is meant by the term “storm water management facility”?

with the schedule proposed in the E&S Plan.

Commented [MB42]: Why was this removed?

Refers to minimum acceptable standards. Comparison seems to indicate that the a-f list here incorporates those standards. Compare and contrast for best language.

Commented [MB43]: Should not be limited to additional controls – should include any changes needed to comply with the intent of the E&S Plan

C. **Procedure**

1. Upon receipt of the complete E&S Plan, the ZEO will review it for compliance with these Regulations. At the discretion of the ZEO, any plan submitted may also be reviewed by the Eastern Connecticut Conservation District (ECCD) and/or the Wetlands Agent for the Town. ECCD and/or the Wetlands Agent may propose additional control measures or changes needed to comply with the intent of the E&S Plan to be incorporated into the plan, which the Commission may take into consideration. Any such review shall be completed within the thirty (30) days of the submission of the plan.
2. When the ZEO and/or Wetlands Agent are satisfied that the E&S Plan complies with these regulations, the ZEO will so certify that plan.
3. After installation, the ZEO will inspect the site to verify that all necessary erosion and sediment controls have been properly installed. When satisfied that they have been properly installed, the ZEO will so indicate on the application.

D. **Compliance**

All erosion and sediment control measures indicated on the certified E&S Plan shall be installed and maintained as scheduled. A cash bond or surety bond to guarantee completion of the control measures may be required, in an amount to be determined by the Commission in consultation with the ZEO and/or Wetlands Agent, as appropriate. If, in the opinion of the ZEO, the control measures have not been installed or maintained in conformance with the certified plan, the property owner will be so notified by certified US Mail. If the problem, as described in that notification, is not addressed within 24 hours of delivery, the ZEO may take steps to correct the problem using funds from any posted bond.

Commented [MB44]: If you are going to include the possibility of bonding then include as a requirement of the E&S plan detailed cost estimated of all controls to be implemented, when bonding is to be required. This is so that the bond value can be determined.

Refer to section 6 F 6 in current subdivision regs for language regarding emergencies.

D Malo – points out that E&S measures are fairly standard. It is his opinion that DPW/Wetlands agent should have the inspection responsibility rather than the ZEO. JBL concurs.

E. **Inspection**

Signature of the application or owner on an application conveys consent for inspection.

Commented [MB45]: The header is misleading and the text is only referring to the consent for inspections. The consent for inspection should be handled in a global sense for any reason of inspection during development of the subdivision. The same goes for enforcement for non-compliance of regulations or approvals, regardless of subject matter. (e.g. open space easement violations, non-compliant E&S controls, failure to properly construct facilities required as part of the approval process)

Commented [P46]: Add language back in for the enforcement subsection (current sub regs). JBL repeats his assertion that wetlands agent and/or dpw director are the better agents for inspection/enforcement.

3. Adjournment
Jane Salce moved and Ray Williams second the motion to adjourn. Meeting adjourned at 9:09 pm.

Respectfully Submitted,
Gloria Harvey,
Recording Secretary