

Proposed Draft Text Amendment on the following sections of the Woodstock Subdivision Regulations shown below. Proposed Text Amendment: **Bold red** text is proposed new language, ~~strikeouts~~ are proposed deletions.  
Public Hearing to be held on: April 20, 2017

## **CHAPTER XI – STORMWATER POLLUTION**

### **1. Applicability**

A Formal Application for subdivision or resubdivision shall meet the stormwater pollution control requirements of ~~this Chapter the Zoning Regulations, Article VI, Town-wide Regulations.~~ **A** Formal Application shall include a complete Stormwater Pollution Control Plan that satisfactorily prevents pollution caused by soil erosion and sedimentation during and after construction and stormwater pollution caused by use of the site after construction is completed. The Applicant and Developer shall ensure that adequate stormwater pollution control and erosion and sedimentation control measures, structures and practices are an integral part of each Plan of Subdivision and are fully constructed, implemented and maintained during and after development.

### ~~2. Stormwater Pollution Control Requirements~~

~~A subdivision or resubdivision shall be designed so as to comply with and adhere to all of the following:~~

- ~~a. the guiding principles and design techniques of The Connecticut Department of Environmental Protection 2004 Connecticut Stormwater Quality Manual, as may be amended from time to time, (hereinafter referred to as “The Connecticut Stormwater Quality Manual”);~~
- ~~b. the requirements of the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as may be amended from time to time;~~
- ~~c. the requirements of The Connecticut Department of Environmental Protection General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, as may be amended from time to time, including development and implementation of the “Stormwater Pollution Control Plan” required under the General Permit;~~
- ~~d. the requirements and standards of this Chapter; and,~~
- ~~e. all other applicable Federal, State and local regulations and requirements.~~

### ~~3. Stormwater Pollution Control Standards~~

~~A subdivision or resubdivision shall be designed so as to meet the following standards for stormwater pollution control:~~

- ~~a. Preserve pre-development site hydrology (i.e., runoff, infiltration, interception, evapotranspiration, groundwater recharge, and stream baseflow) to the extent possible;~~
- ~~b. After construction has been completed and the site is permanently stabilized, reduce the average annual total suspended solids loadings by eighty (80) percent. For high quality receiving waters and sites with the highest potential for significant pollutant loadings, reduce post-development pollutant loadings so that average annual post-development loadings do not exceed pre-development loadings (i.e.: no net increase)~~

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- ~~e. Preserve and protect wetlands, stream buffers, natural drainage systems and other natural features that provide water quality and quantity benefits;~~
- ~~d. Manage runoff velocity and volume in a manner that has minimal impact on the physical and biological character of existing drainage systems and prevents increases in downstream flooding/streambank erosion;~~
- ~~e. Prevent pollutants from entering receiving waters and wetlands in amounts that exceed the systems' natural ability to assimilate the pollutants and provide the desired functions; and,~~
- ~~f. Seek multi-objective benefits (i.e., flood control, water quality, recreation, aesthetics, habitat) from stormwater control measures.~~

#### ~~4. Stormwater Pollution Control~~

##### ~~a. Site Planning and Design Standards~~

~~Effective site planning and design techniques shall be incorporated in the proposed plan of subdivision or resubdivision to the maximum extent possible as the primary method to meet the Stormwater Pollution Control Standards of this Chapter. The Low Impact Development Management Practices of Section 4.4 of The Connecticut Stormwater Quality Manual shall be incorporated whenever feasible.~~

##### ~~b. Stormwater Treatment Practices~~

~~Where site planning and design techniques will be insufficient to meet the Stormwater Pollution Control Standards, or it is not feasible to use Low Impact Development Management Practices, the Proposed Plan of Subdivision or Resubdivision shall incorporate stormwater treatment practices as described in Chapter 6 of The Connecticut Stormwater Quality Manual sufficient to meet the Stormwater Pollution Control Standards. Whenever such stormwater treatment practices are required, stormwater wetlands, infiltration practices, and water quality swales shall be preferred. Stormwater ponds and detention basins shall be avoided whenever possible and shall be designed, when necessary, to minimize size and number. Stormwater ponds and detention basins shall be located and designed to avoid or minimize adverse impacts to adjacent properties, existing or proposed streets, conservation lands, and parks and playgrounds. Stormwater ponds and detention basins shall be screened by appropriate earthen or vegetated buffers where desirable in the judgment of the Commission.~~

##### ~~c. Inspection, Maintenance and Repair of Stormwater Treatment Facilities~~

~~The Stormwater Pollution Control Plan shall specify the manner by which all improvements, structures or facilities designed or intended for stormwater treatment will be maintained in good working order, and shall specify the person(s) responsible for inspection, maintenance and repair. The Commission may require that regular reports be submitted to the Town Engineer or other party designated by the Commission concerning such inspection, maintenance and repair. The Commission may require that a bond be posted with the Town to ensure that necessary maintenance and repairs are performed. The Commission may require that inspection, maintenance and repair be the responsibility of a homeowners association. The Commission may further require that if a responsible party fails to conduct any necessary inspection, maintenance or repair action, the Town or its designee shall~~

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~~have the authority to accomplish such inspection, maintenance or repair and shall assess the costs of such action against the homeowners association or against the owners of lots within the subdivision.~~

~~All improvements, structures or facilities designed or intended for stormwater treatment shall be accessible for inspection. Where such improvements, structures or facilities are not located on public land or within a public right-of-way an easement shall be granted in favor of the Town for inspection, maintenance and repair of all improvements, structures and facilities.~~

#### ~~**d. Authority of the Commission**~~

~~All improvements, structures or facilities designed or intended for stormwater treatment, including stormwater ponds and detention basins, shall be designed and located in a manner the Commission deems consistent with these Regulations. The Commission may modify or deny a Formal Application if it finds that the proposed plan will not meet the Stormwater Pollution Control Standards or the requirements of these Regulations.~~

### **5. Soil Erosion and Sediment Control**

A Formal Application for subdivision or resubdivision shall include or incorporate a Soil Erosion and Sediment Control Plan. The 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 and the principles, methods and practices of the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as may be amended from time to time.

#### **a. General Requirements for Erosion Control**

The terms and phrases used herein refer to specifications contained in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control. Such Erosion and Sediment Control Plan and supporting narrative shall consist of:

- i. Property lines, wetlands, stream courses, topography, and all proposed roads and other improvements shall be shown on the plan described in these Regulations.
- ii. Locations of areas to be stripped of vegetation and other exposed or unexposed areas including soil types.
- iii. The proposed area alterations and a schedule of operations to include starting and completion dates for major development phases, such as land clearing and grading, street, sidewalk and storm sewer installation, and sediment control measures.
- iv. Sequence of grading and construction activities.
- v. Sequence for installation and/or application, of erosion and sediment control measures.
- vi. Sequence for final stabilization of project site.

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- vii. Location and design details for all erosion and sediment control measures and stormwater management facilities including structures such as diversions, waterways, grade stabilization structures, debris, etc.
- viii. The operation and maintenance program for the proposed erosion and sediment control measures and stormwater management facilities.
- ix. All other requirements as contained in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as may be amended from time to time.

#### **b. Minimum Acceptable Standards**

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 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended. A Soil Erosion and Sediment Control Plan shall only be certified by the Commission for a development that (1) minimizes erosion and sedimentation during construction; (2) is stabilized and protected from erosion when completed; and, (3) does not cause off-site erosion or sedimentation. The minimum standards for individual measures shall be those in the 2002 Connecticut Guidelines for Soil and Erosion Control, as amended.

#### **c. Issuance or Denial of Certification**

The Commission shall either certify that the Soil Erosion and Sediment Control Plan, as filed, complies with the requirements and standards of this Chapter and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended, or shall deny certification when the Plan does not comply with such Regulations and Guidelines. The Commission shall deny a Formal Application if it denies certification of the Soil Erosion and Sediment Control Plan. Approval of a Final Approved Plan of Subdivision or Resubdivision by the Commission after review and evaluation of the Soil Erosion and Sediment Control Plan shall be deemed to be certification of such Plan as required by C.G.S. Sec. 22a-329.

#### **d. Conditions Relating to Soil Erosion and Sediment Control**

The Commission may refer these plans to the Eastern Connecticut Conservation District or other agency or person for consultive technical assistance.

Measures to be taken to control soil erosion and sedimentation, if required, shall be described and provided for in the Final Approved Plan. The estimated cost of accomplishing such measures may be covered in a Soil Erosion and Sediment Control Bond provided by the Applicant and acceptable to the Commission.

#### **e. Inspection**

Inspection may be made by the Commission or its designated agent to ensure compliance with the certified Plan and to verify that control measures and facilities have been properly performed or installed according to the certified Plan and are being properly operated and maintained.

### ~~6. Special Flood Hazard Areas~~

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- ~~a. The Commission shall review subdivision proposals to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal is in a designated flood-prone area, i.e., within Zone A on the Woodstock Flood Hazard Boundary Map, any such proposal shall be reviewed to assure that all such proposals are consistent with the need to minimize flood damage within the flood prone areas; all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; adequate drainage is provided to reduce exposure to flood hazards; and all such proposals are in accordance with the requirements of the Town of Woodstock Flood Damage Prevention Ordinance, adopted at Town Meeting, October 25, 1984.~~
- ~~b. All subdivision proposals which are situated within Zone A on the Woodstock Flood Hazard Boundary Map, shall include within such Application base flood elevation data.~~
- ~~c. In the absence of base flood elevation data which may be furnished by the Federal Insurance Administrator, the Commission shall with the assistance of the Applicant obtain, review, and reasonably utilize any base flood elevation data from a Federal, State or other source, until such other data has been provided by the Administrator, as criteria for meeting the provisions of the preceding paragraph.~~