

**TOWN OF BROOKFIELD
ZONING REGULATIONS**

Erosion & Sedimentation Control Requirements – § 242-403A&B

§ 242-403. Erosion & Sedimentation Control Requirements for Residential Development

A. Zoning Approval Conditions:

In order to insure compliance with the requirements of §242-303, “Excavation, Fill & Grading,” and §242-602D “Erosion & Sedimentation Control,” and depending on individual site circumstances, the Zoning Enforcement Officer in his/her sole discretion, may impose conditions upon the Zoning Approval document requiring that:

- (1) that certain areas of a residential site remain in an “undisturbed” condition; and
- (2) that specific erosion and sedimentation controls and devices be installed on a residential site prior to commencement of any site work.

Should the ZEO find subsequent non-compliance with such conditions, he/she is empowered to issue a Cease and Desist Order requiring immediate corrective action. Prior to the issuance of any final Certificate of Zoning Compliance, the ZEO shall insure that such devices and controls have been effectively installed and that the site has been suitably stabilized so as to preclude:

- (1) any continuation of on-site erosion, or
- (2) any damage, hardship or inconvenience to any adjacent property owners by virtue of: altered drainage flows, erosion, sedimentation, earth slides, or any on-site grades created in excess of one vertical to two horizontal (1:2).

B. Bond for Corrective Action:

Should corrective action be required pursuant to paragraph (a) above, the Commission may require a performance bond in accordance with §242-705C to secure faithful performance of any required corrective work. The commission shall establish the amount of such bond based upon an engineer’s estimate of the required rework. Upon completion of the work to the satisfaction of the ZEO, the commission shall recommend release of the bond.

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C. Bond for Unfinished Work:

If any unfinished work required in paragraph (a) above cannot be accomplished due to weather or other seasonal conditions, the commission may permit the issuance of a Certificate of Occupancy provided that a performance bond in accordance with §242-705C is posted in an amount sufficient to cover any work yet to be accomplished. The Commission shall establish the amount of such bond based upon an engineer's estimate of the required work. Upon completion of the work to the satisfaction of the ZEO, the Commission shall recommend release of the bond.