

Section 140-080 Filling of Land

1. The purpose of this section is to conserve and preserve water storage areas by helping to maintain the ground water level and stream flow, to secure the safety of traffic movement and to control any fill operations that may create a safety or health hazard to the public or adjacent property owners, or be detrimental to the immediate neighborhood or the town.
2. The Commission may grant a special permit for the filling of land subject to the following conditions and the provisions of Chapters 175 and 180 of the Zoning Regulations. A special permit is required except in the following circumstances:
 - a. Where the filling of land involves an amount of earth material, which is less than one hundred (100) cubic yards.
 - b. Where the filling activities are associated with construction of a residential subsurface sewerage disposal system, activities approved as part of an approved site plan by the Commission, or activities approved as part of an approved subdivision plan by the planning commission.
3. Procedure for applying for a special permit for Filling of Land:
 - a. The applicant shall submit a site plan of the area to be filled pursuant to the provisions of Chapter 175 of the Zoning Regulations and also showing finished grades at the completion of filling, type of fill material, and proposed access for vehicles and hours of operation, as well as any other information considered necessary by the Commission for adequate study of the proposal.
 - b. The plan shall provide for proper drainage of the operation, during and after completion. No bank shall exceed a slope of one foot (1') of vertical rise in two feet (2') of horizontal distance. Necessary precaution against erosion shall be shown.
 - c. At the conclusion of the filling operation, the disturbed area shall be covered with not less than three inches (3") of topsoil and seeded with a suitable cover crop.
4. Before a special permit is issued, the applicant and his operator shall post, separately, performance bonds in form and amount satisfactory to the Commission as surety conditioned on the carrying out of all above conditions and any other safeguards imposed. The Commission, as it deems fit, may require a cash bond. (*Amended Effective: September 22, 2001*)