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Abstract

This ordinance establishes standards for building within a designated "conservation zone." Activities regulated include design of buildings, height, setback distance, and as well as land coverage.

Resource

**STANDARDS
OF THE
CONNECTICUT RIVER GATEWAY COMMISSION
IN ACCORDANCE WITH THE PROVISIONS OF
CHAPTER 477a SECTION 25-1024
Originally Adopted October 24, 1973
and amended on January 22, 1976**

GATEWAY STANDARDS

[Section I -- Application](#)

[Section II -- Definitions](#)

[Section III -- Standards](#)

[APPENDIX A -- MINIMUM STANDARDS FOR THE CUTTING OF TIMBER](#)

[Return](#)

Section I -- Application

These standards shall apply to the "Conservation Zone" as defined in Section 3 of Connecticut Public Act 73-349, as it now exists or may hereafter be amended. No regulated activity hereunder shall commence prior to the issuance of a valid permit by the appropriate local authority having jurisdiction, in accordance with these standards, and no such permit shall be granted unless the issuing authority finds upon appropriate evidence that the proposed

activity is compatible with the preservation of the natural or traditional riverway scene and consistent with the purposes of the Act.

Section II -- Definitions

The following terms shall have the indicated meanings as used in these standards:

- **Act** Connecticut Public Act 73349.
- **Building** Any structure having a roof and intended for shelter, housing or enclosure of persons, animals or materials.
- **Commercial Cutting** Any cutting or removal of forest tree species which is not covered under their definition of non-commercial cutting contained herein.
- **Commercial Cutting Plan** A plan showing the applicant's property and the abutting property owners, a description of the activity to be undertaken, and certification by a public or consulting forester that the plan is consistent with the "Minimum Standards for the Cutting of Timber" set forth in [Appendix A](#) of this report.
- **Commission** The Connecticut River Gateway Commission.
- **Coverage** The percentage which the aggregate building area of all buildings on a lot bears to the total area of that lot.
- **Earth Materials Removal** The removal, excavation or mining of minerals, sand, gravel, clay, bedrock, peat, loam or topsoil.
- **Erosion and Sedimentation Control** A plan which sets forth measures to be undertaken for the control of erosion and sedimentation.
- **Plan Height** The vertical distance between a horizontal plane drawn through the average elevation of the finished lot grade at the base of a building or structure and its uppermost point.
- **Lot** A plot or parcel of land occupied or capable of being occupied, in conformity with applicable regulations, by one or more principal buildings and any accessory buildings or uses customarily incidental thereto.
- **Marine Facility** A dock, wharf, slip, basin or similar landing facility for waterborne vessels and/or an open yard for the building, storing, repairing, servicing or refueling of such vessels, together with any accessory buildings or other structures necessary for the operation of the foregoing.
- **Multi-Family Project** Any group of three or more dwelling units in one or more buildings on a single lot.
- **Non-Commercial Cutting** The cutting or removal of forest tree species on a lot of a building or other structure and/or cutting for the customary maintenance and lot improvement. Sale of cordwood or other incidental forest products resulting from such maintenance and lot improvement shall not constitute commercial cutting.
- **Non-Commercial Cutting Plan** A plan showing the existing mix of forest tree species, their approximate height, age and density; a description of the cutting or removal activities to be undertaken and any other information that may be necessary and reasonably required.
- **Refuse** Waste, junk, garbage, debris, rubbish or trash, but not including sewage collected or disposed of in lawful facilities.

- **Sign** Any letter, word, model, pennant, insignia, trade flag, device or representation used as, or which is in the nature of, an advertisement, announcement, attraction or directive.
- **Site Plan** A plan which includes the description and location of all existing and/or proposed buildings, structures and uses on a lot; utility lines, vehicular drives and parking areas, access, lighting, drainage and waste disposal facilities, watercourses and wetlands; any proposed modification or alteration of the lot's natural features, including the disturbance of vegetation and soil cover; and such further information as may reasonably be required.
- **Story** That part of a building, other than a cellar, included between the surface of any floor and the floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.
- **Structure** Anything constructed or which is located on, above or beneath the ground, except driveways, sidewalks, parking areas, curbing, and fences which are less than 6 feet high, including anything located on, above or beneath the water which is not primarily utilized or intended for navigation.
- **Town** A town which has voted to be governed by the provisions of the Act in accordance with Section 4(b) of the Act.
- **Wetlands** Those areas identified and defined in Section 22a-32, Connecticut General Statutes, as amended, and Section 22a-38, Connecticut General Statutes, as amended.

Section III -- Standards

A. Land Coverage

No building shall be constructed, reconstructed, enlarged, extended, moved or structurally altered in such a manner as to exceed the maximum percentage of total land coverage allowed for such buildings in the aggregate on any single lot as indicated in the following table:

Maximum % of Land

Type of District	Range of Minimum Lot Sizes	Coverage Permitted
Residential	up to 20,000 square feet	25%
	20,000 - 40,000 square feet	15%
	above 40,000 square feet	10%
Commercial	All sizes (including waterfront)	40%
Industrial	All sizes	25%

B. Frontage

No Standard recommended.

C. Setback

No building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered within fifty feet of the Connecticut River or any of its tributaries or associated wetlands, except that a marine facility or any building or structure which is accessory to a permitted principal use and not intended for human occupancy may be constructed, reconstructed, enlarged, extended, moved or structurally altered within such area upon the issuance of a special permit therefore by the town authority having jurisdiction.

D. Design

1. Site Plans

No building permit shall be issued in connection with any multi-family project or permitted non-residential use in any district unless a site plan shall have been submitted to and approved by the town authority having jurisdiction.

2. Erosion and Sedimentation Control

An erosion and sedimentation control plan shall be submitted as part of the supporting documentation to be filed with a required site plan or as one of the required exhibits submitted for land subdivision approval.

Such a plan shall be referred to the appropriate soil and water conservation district for its technical review and advisory opinion before approval of the project is granted by the town authority having jurisdiction and shall meet the following criteria:

- a. The development plan should be fitted to the topography and soils so as to create the least erosion potential.
- b. Wherever feasible, natural vegetation should be retained and protected.
- c. Only the smallest practical area of land should be exposed at any one time during development.
- d. When land is exposed during development, the exposure should be kept to the shortest practical period of time.
- e. Where necessary, temporary vegetation and/or mulching should be used to protect areas exposed during development.
- f. Sediment basins (debris basins, desalting basins or silt traps) should be installed and maintained to remove sediment from runoff waters and from land undergoing development.
- g. Provisions should be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development.

h. The permanent final vegetation and structures should be installed as soon as practical in the development.

3. Signs

No sign shall be constructed, reconstructed, enlarged, extended, moved or structurally altered in such a manner so as to move or rotate mechanically or be illuminated by a light source which visibly flashes, oscillates or otherwise automatically changes in intensity or color, nor shall any sign be permitted which calls the attention of the general public to any commercial activities, services or products not available on the premises where the sign is located.

E. Building Height

No building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered in such a manner as to exceed a height of thirty-five feet or two and one-half stories, whichever is less, except spires, cupolas, towers, flagpoles, penthouses, chimneys, tanks and other similar architectural features occupying no more than ten percent of the building area and not used for human occupancy may be constructed, reconstructed, enlarged, extended, moved or structurally altered to a reasonable and necessary height upon the granting of a special permit therefore by the town authority having jurisdiction.

F. Cutting of Timber

1. Non-commercial cutting

A non-commercial cutting plan shall be submitted as part of the supporting documentation filed led with a required site plan or as one of the required exhibits to be submitted for land subdivision approval.

2. Commercial Cutting

Each town shall designate a regulatory authority to issue permits for the commercial cutting of timber and no commercial cutting of timber shall occur in the absence of the issuance of such a permit. After submission of a commercial cutting plan to said regulatory authority a permit shall be granted if it is found to be consistent with the minimum standards set forth in Appendix A.

G. Burning of Undergrowth

The burning of undergrowth shall be in accordance with those regulations of the Connecticut Department of Environmental Protection which are in effect from time to time to control and abate air pollution and in accordance with all other applicable provisions of law.

H. Removal of Soil and Earth Materials

The removal of soil and earth materials shall be prohibited except for (1) valid non-conforming uses in existence as of the time the fifth town shall have voted to be governed by the provisions of the Act; (2) foundation, trench and related site excavation performed after the issuance of a building permit; and (3) removal in connection with the landscaping and grading of land for a purpose for which a building permit is not required, provided that such removal shall not exceed 300 cubic yards of material.

I. Dumping and Storing of Refuse

No dumping or storage of refuse shall be permitted other than the temporary dumping or storage of small amounts of such material for brief periods pending final lawful disposition nor shall any new public solid waste disposal facility be established or an existing facility be expanded in area.

APPENDIX A MINIMUM STANDARDS FOR THE CUTTING OF TIMBER

PREAMBLE

Harvesting of forest tree species is an integral part of forest management by which EAR for human use is obtained and by which forests are established and tended. It is recognized that during harvesting operation, there will be temporary change in the forest environment. It is the purpose of these guidelines to establish harvesting standards which will maintain the productivity of land for continuous forest crops, improve wildlife habitat, and minimize negative environmental impact.

PERMIT REQUIRED

It is unlawful for a person to harvest forest tree species without a permit, except as follows: (1) Land used for agricultural purposes and cultivation of crops other than forest products, (2) Land used or being developed for residential, recreational or other non-woodland commercial purposes, (3) Thinning and clearing in connection with public improvements, (4) Land used for access to abutting land, and (5) Cultured Christmas tree area.

The application for a permit shall consist of a plot plan showing the applicant's property and the abutting property owners, a cutting plan indicating the nature of the operation, and a certification of the cutting plan by a public or consulting forester indicating the plan's conformance with the minimum standards set forth herein.

STANDARDS

I. STREAM PROTECTION

1. All possible care will be taken to protect continuously flowing streams and other water bodies from siltation and other damage during harvest operations. Partial cuttings, designed to create uneven-aged stands, will normally be used within 100 feet of these watercourses. No more than fifty percent of the merchantable volume will be removed, taking care in the selection of leave trees to minimize water temperature increases and visual impact.

2. Care should be taken not to fell trees into or across streams. Logging debris accidentally dropped into streams and ponds shall be promptly removed.

3. Harvesting equipment will not ordinarily be allowed in a stream and the channel should not be altered. All stream crossings will be as close to a right angle as possible.

4. After the completion of a harvest operation, banks at stream crossings will be graded and restored to approximate their original condition. Re-seeding with an appropriate grass mixture may be required.

5. Any and all temporary structures in or across stream; will be removed upon completion of operations.

Note: Streams are defined as perennial streams indicated on U.S.G.S. Topographic maps, scale 1:24,000.

LOGGING ROADS AND TRAILS

Careful consideration should be given to the planning and location of main haul or skid roads. All road locations, including alternate routes where advisable, will be planned prior to harvesting operations.

Outstanding considerations are:

1. Location so as to minimize construction or use impact on the land.

2. Grades in excess of 10%, or 0% gradients will be avoided except for short distances.

3. For each road, landing or skid trail, drainage control systems or stabilization shall be provided and maintained to control water flow.

4. Unless otherwise stipulated, all roads, main skid trails, landings and sawmill sites will be stabilized. Temporary culverts will be removed, water bars installed where necessary, ruts filled or graded out and gutters cleaned.

5. Where required for erosion control or where desirable from a wildlife standpoint, major skid roads, landings and/or sawmill sites will be limed, fertilized and seeded with an appropriate mixture of grass and legumes.

I. AESTHETIC CONSIDERATIONS

1. Border Strips:

a) Within approximately 100 feet of any automobile road, recreation trail or other recreation area, or boundary line in proximity to any dwelling, harvesting of trees will be partial cuttings. Not more than 50% of the merchantable volume should be removed except in salvage operations, to open up scenic vistas or in forestry demonstration areas. In high-visibility areas, it will be desirable to create uneven-age stands to provide change and variety in scenery.

b) Special attention will be given to leaving unique tree specimens flowering shrubs and trees, or those species that have value as food producers or den sites for birds and wildlife.

c) Brush Control: Undesirable sprout growth or brush should be controlled using approved herbicide treatments. Chemicals used in performing this practice must carry a Federal registration and be applied strictly in accordance with authorized uses, label directions, and Federal and State regulations.

d) Special consideration shall be given to those Border strips in the following situations:

(1) Screen clear-cuts, shelter woodcuttings or other heavy cuts that would be deleterious to the landscape aesthetics.

(2) Screen yarding and loading areas. Debris removal or control is especially important in these locations.

2. Slash:

a) No slash will be left within 25 feet of any automobile road, established recreation trail, pond, lake or stream.

b) Within the remaining width or a border strip, all slash will be chipped or lopped and scattered so that it does not exceed four feet in height.

c) On all other harvest areas, slash, severely bent, or broken trees shall be dropped and/or lopped to a height not to exceed six feet.

IV. HARVEST METHODS

Because of the wide variation in forest types, stand size classes, stocking levels and timber volumes which exist in Connecticut woodlands, there are a variety of methods that can be used either singly or in combination in harvesting and reforestation to meet the stated purpose. These methods include clear-cutting with natural reproduction; direct seeding or planting; seed-tree cutting; selection cutting, including diameter limit harvesting, shelter wood cutting, and such other methods as shall be consistent with good forestry practice.

Although even-age management is an accepted silviculture practice, particularly with hard wood species, its use should be practiced judiciously. A clear-cut area presents a severe visual impact to those unfamiliar with this harvest method. Therefore, clear-cutting will have the following restrictions:

1. Maximum of 5 acres in size.

2. Irregular in shape -avoid linear cutting bounds.

3. Soften edges by partial cutting within 50-100 feet of clear-cut boundaries.
4. Screen clear-cut areas with border strips along roads, trails or other areas of heavy public use.
5. Leave ridge tops uncut - these areas are the most visible.
6. In most cases, even-aged management may be accomplished through shelter wood cuttings rather than clear-cutting.

V. WILDLIFE CONSIDERATIONS

Virtually any cutting in forested areas will provide wildlife benefits. Emphasis will be placed on creating the maximum edge effect, and maintaining as much browse and cover as possible, consistent with over-all management goals.

VI. REGENERATION

Harvest procedures, properly applied and executed, should provide for adequate tree reproduction. However, there will be instances where regeneration may be deficient or undesirable tree species. In these cases, steps should be taken to provide the desired stocking.

VI FIRE CONTROL CONSIDERATIONS

Access roads and fire lanes will be left clear of slash when a cutting job is completed. Designated roads will be graded so as to be passable by fire suppression equipment.

Where access road construction is included in a harvest operation, considerations should be given to construction of loading docks and fire waterholes at strategic locations.