# CHAPTER 95
# HOUSATONIC RIVER DISTRICT
# (HRD)

**Section 095-010 Purpose**

For the purpose of protecting, with appropriate standards, a carefully defined area of land along the Housatonic River, which is flood prone, environmentally sensitive and possesses many natural resources, and to cooperate with neighboring towns in the Housatonic River Commission, the Housatonic River Zone is established.

**Section 095-020 Use Classifications**

The use of land within the Housatonic River Zone shall be governed by the following sets of regulations for specific areas are as follows:

1. Inner Corridor Boundaries: All land within the streambelt limits of the Housatonic River, north of Boardman Bridge, as determined by the Litchfield County Soil Conservation Service.

    a. Uses
        i. Open space uses which do not require moving, removing or otherwise altering the position of earth, stone, sand, gravel or water except for flood control or erosion control measures.
        ii. Game management, fishing, hunting where permitted, camping and picnicking in specified areas and other recreational activities.
        iii. Farming, plant nurseries, pastures, golf courses, trails, forest management, horticultural and other agricultural uses that do not significantly alter the natural character of the corridor.
        iv. Maintenance or reconstruction of existing public and private ways, bridges and structures.

Except for uses stated above, all other uses permitted in the existing Zoning Regulations within the Inner Corridor shall be allowed only by special permits.

2. Outer Corridor: All properties lying north of Boardman Bridge, which are in the watershed of the Housatonic River.

    a. Uses
        i. All uses permitted in the underlying zoning districts will be permitted in the Outer Corridor.

**Section 095-030 Permit Procedures**

Any person, persons, firm or corporation desiring approval for any activity, other than those uses listed as permitted in the Inner Corridor, for a use permitted in the existing

underlying zone, shall make application to the Zoning Commission for a special permit in accordance with the provisions of Chapter 180 of the Zoning Regulations and shall submit any other information deemed necessary by the Commission, including the following: a key map of the neighborhood at a scale of one (1) inch equals one hundred (100) feet showing the relationship of the proposed activity to the Housatonic River, to abutting properties and to existing and proposed streets.

**Section 095-040 Requirements and Standards**

1. Inner Corridor

No special permit shall be granted if the Zoning Commission finds that a proposed land use in the Inner Corridor will:

a. Create water or air pollution.
b. Increase erosion or sedimentation.
c. Create danger of flood damage.
d. Obstruct flood flow.
e. Damage fish or wildlife habitat.
f. Adversely affects any unique feature or natural resource.

In determining the above, the following standards shall apply:

a. Air or water pollution control. There shall be no land use that would adversely affect air quality through release of noxious fumes, gases or other emissions, or through creation of significant amounts of dust or other particulate matter. No activity shall locate, store, discharge or permit the discharge of any treated, untreated or inadequately treated liquid, gaseous or solid materials of such nature, quantity, obnoxiousness, toxicity or temperature, that runoff, seep, percolate or wash into surface, stream or ground waters so as to contaminate, pollute or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste or unsightliness or be harmful to human, animal, plant or aquatic life.
b. Erosion and sedimentation control. Filling, grading, lagooning, dredging, earth-moving activities, road construction and other land use activities shall be conducted in such manner to prevent, to the maximum extent possible, erosion and sedimentation damage to surface stream waters. To this end, all construction shall be accomplished in conformance with the erosion prevention provisions of "Erosion and Sediment Control Handbook," Connecticut 1976, United States Department of Agriculture, Soil Conservation Service, as amended.
c. Flood control. Any proposed use must comply with the Floodplain Management Provisions of the Zoning Regulations. (The Floodplain Management Regulations are contained in Chapter 120 of this chapter).
d. Mineral exploration and excavation. Mineral exploration to determine the

nature or extent of mineral resources shall be accomplished by hand sampling, test boring or other methods, which create minimal disturbance. Sand, gravel and topsoil excavation may be permitted pursuant to the provisions of Chapter 140 of the Zoning Regulations.

e. General soils evaluation. All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement and water pollution, whether during or after construction.

f. New subsurface sewage disposal systems shall be located only in soils having characteristics rated as having no more than slight limitations for the proposed use in the current Statewide Set of Connecticut Soil Description and Interpretations, published by the United States Department of Agriculture, Soil Conservation Service, unless specifically designed by a Connecticut-qualified Sanitary Engineer and approved by the State Director of Health as required in Sec. 19-13-B20M of the Public Health Code and by the Town Sanitarian.

2. In acting upon an HRZ permit application, the Commission shall refer each application to the Housatonic River Commission for review and comment and may take into consideration the recommendations of federal, state or regional agencies, other town departments or outside specialists with which it consults.

3. Outer Corridor
   Activities involving construction or earth moving shall be reviewed with regard to soil types in exposed areas to determine whether provisions must be made for erosion and sediment control in accordance with guidelines available from the United States Department of Agriculture, Soil Conservation Service and these regulations.