

- a. Substances, which are toxic, flammable, corrosive, explosive, radioactive or infectious.
- b. Substances listed in the U.S. Environmental Protection Agency Titled 111 list of list Chemicals subject to reporting under Title 111 of the Superfund Amendments and Reauthorization Act (SARA) of 1986 as revised and in quantities exceeding those identified in SARA.
- c. Acids and alkaloids outside the Ph range of 2 to 10.
- d. Petroleum products, including fuels and waste oils.
- e. Synthetic organic solvents.
- d. Any soil materials, which if exposed to water will leach or dissolve to form a hazardous material as defined above. Exceptions: Hazardous Materials used only in conjunction with residential use of property for non-commercial purposes or for the handling or storage of agricultural chemicals in the ordinary course of agriculture or farming operations as defined in Section 1-1 (q) of the Connecticut General Statues as amended.

Exceptions: Hazardous materials used only in conjunction with residential use of property for non-commercial purpose or for the handling or storage of agricultural chemicals in the ordinary course of agriculture or farming operations as defined in Section 1-1 (q) of the Connecticut General Statues as amended.

804 LAKE PROTECTION OVERLAY ZONE

804.1 STATEMENT OF PURPOSE

This overlay zone is established on the shoreline of the following lakes in the Town of Salisbury, Wonomscopomuc Lake, East and West Twin Lakes and Wononpakook Lake. These lakes are experiencing eutrophication a natural lake aging process, which is accelerated by development and other human activities occurring along the shoreline and its watershed. Signs of a eutrophic lake are excessive lake algae growth and diminishing lake water transparency.

This lake overlay zone is designed to establish a protected buffer strip along the lakeshore for the following purposes.

- a. To avoid water pollution and acceleration of lake eutrophication.
- b. To maintain the lake’s ecological, recreational and aesthetic qualities.
- c. To prevent water pollution caused by erosion, sedimentation, nutrient or pesticide run-off and waste disposal facilities and to encourage retention of shore vegetative cover, including diversity of nature species, age distribution and ground cover density to provide a protected buffer and pollution filter along the lakeshore.
- d. To conserve the ecological, water supply and flood storage functions of the lake’s flood plain and related groundwater table and to protect life, public safety and property from flooding hazards.
- e. To protect valuable fisheries in the lake along the lakeshore area.
- f. To conserve and enhance the natural scenic and topographic conditions in the lake shore corridor and its environmental quality recognizing that these are vital to the economic and environmental health of the Town and to preserve the natural scenic quality of the lake.
- g. To carry out the recommendations of the Town Plan of Conservation and Development and the State Plan of Conservation and Development.

804.2 ESTABLISHMENT OF THE LAKE PROTECTION OVERLAY ZONE

This zone shall consist of the area between natural mean high water level (or where the lake level is controlled by a dam the normal maintained level of the lake) to a distance of 300’ landward. The natural mean high water level or normal maintained water level shall be referred to herein as the “reference line”.

Where there is a question or dispute over the District boundary, the burden of proof shall be upon the owner/applicant to determine this level. The Commission may require an applicant to have the mean high water level determined by a certified soil scientist or other qualified person and to show its location on a site plan prepared by a Connecticut Registered Land Surveyor.

804.3 PERMITTED AND SPECIAL PERMIT USES

The Permitted Uses and Special Permit Uses allowed in Lake Protection Overlay Zone should be the same as allowed in the underlying zone with the following exceptions. The following activities and uses as shown on the Table of Uses not be allowed in the Lake Protection Overlay Zone:

- a. Multi-family dwelling (A.3 on Tables of Uses)
- b. Permanent sawmill (B.5)
- c. Commercial livery, Boarding or Riding Stables, Commercial Kennel, Vet Hospital (B.8)
- d. Hospital, Clinic, Convalescent Home, Nursing Home, Extended Care Facility and Similar Use (C.6)
- e. Cemeteries (D.3)
- f. Hotel (F.6)
- g. Motel, Tourist Cabin (F.8)
- h. Golf Course operated by a non-profit organization (G.9)
- i. Natural Resources Removal (H.10)
- j. Undertaker (I.1)
- k. Commercial vehicle and equipment storage as an accessory use (J.12)

The following activities shall not be permitted in the association with any use:

- a. Bulk storage of chemicals
- b. Bulk storage of petroleum products or hazardous materials.

804.4 LOT, LOCATION AND OTHER REQUIREMENTS FOR A SITE PLAN IN A LAKE PROTECTION OVERLAY ZONE

SITE PLAN REQUIREMENTS: All development activities, including new or expanded septic system installation, within the Lake Protection Overlay Zone shall require submission and approval of a Site Plan meeting the following lot and location requirements of the underlying zone.

- a. Principle buildings shall be located a minimum of 75' from the lakeshore reference line as defined herein.
- b. Accessory buildings or structure shall be located a minimum of 75' from the lakeshore reference line as defined herein, except as permitted subject to the requirements of Section 423.2b.
- c. For the portion of any lot in the Lake Protection Overlay Zone the total coverage by impervious surfaces including building footprint, roads, driveways or other impervious cover shall not exceed 10% of said area.
- d. Leaching fields and septic systems, septic – leach field systems for new construction shall not be within 150 feet of the reference line except where the applicant can demonstrate there is no other feasible location on the lot and the septic location has been approved by the Inland Wetland Commission.

The requirements of this subsection shall not apply to repairs or replacements to an existing septic system – leaching field located within a Lake Protection Overlay Zone.

New septic – leaching field systems shall not be permitted in areas of the Overlay Zone where there is less than 4 feet of naturally occurring soil.

e. The Site Plan shall demonstrate that within the Overlay Zone natural vegetation has been retained, protected or supplemented, wherever practical. Where stripping of vegetation is necessary measures shall be taken to minimize soil erosion and appropriate control measures shall be installed prior to removal of vegetation.

f. The Site Plan and erosion and sediment control plan shall show that any sediment from the project will not impact the lake and the area and duration of soil disturbance has been kept to a minimum.

g. Trapped sediment and other disturbed areas shall be permanently stabilized within two weeks of the completion of a project. The Zoning Administrator may require that any disturbed areas associated with a project that remains idle for more than two weeks be permanently stabilized and shall require immediate correction and enforcement of any site in violation of the erosion and sediment control plan.

h. The Site Plan shall demonstrate that the site design protects natural drainage system including streams, wetlands, swales and drainage ditches.

i. Buildings located in the Overlay Zone shall be:

- Fitted to the natural topography to avoid extensive grading that would alter drainage patterns or create steep slopes, and
- Located to minimize the potential for erosion and to maintain existing vegetation

EXAMPLES: Buildings located on a slope should be sited with the long dimensions of the building parallel to the slope, with one wall buried into the slope and multiple levels should be considered to reduce the amount of the grading required.

j. New public roads or streets shall not be permitted within the Lake Protection Overlay Zone.

k. Wherever possible driveways in the Overlay Zone should be laid out parallel to the natural slope winding up on a hill rather than perpendicular to the hill.