

Appendix 12

Municipal Regulation and Policy Review of East Haddam, Lyme and Salem , CT

Eightmile River Watershed Management Plan
Draft Aug. 25, 2005

Eightmile River Wild & Scenic Study

Municipal Regulatory Review – Towns of East Haddam, Lyme and Salem

Short Version

FINAL DRAFT – December 14, 2004

By U.S. Dept. of Agriculture Natural Resource Conservation Service for the
Eightmile River Wild & Scenic Study Committee

Eight Mile River Regulations Review

Wild and Scenic River Study

Introduction

In the fall of 2001 a study of the Eightmile River for possible inclusion in the National Wild & Scenic Rivers System was authorized by Congress. Congressman Rob Simmons and Senator Chris Dodd, in response to letters from town boards, residents, area land trusts, and river-fronting landowners, sponsored a study bill that the entire Connecticut congressional delegation supported. The bill ultimately was passed and signed into law as Public Law No. 107-65.

The study, being conducted by the locally led Eightmile River Wild & Scenic Study Committee, with support from the National Park Service, has three primary components: determining if the river is eligible for inclusion in the Wild & Scenic Rivers System by demonstrating what makes it so special; establishing if the river is suitable for Wild & Scenic designation by substantiating local support and commitment to designation; and, developing a locally supported watershed protection and management plan. This municipal regulatory review is an important first step in the management plan development process as it provides a current understanding of natural and cultural resource management approaches currently in place.

The purpose of this inventory is to present the existing municipal regulations and programs to identify the controls, policies, and plans that favor protection and enhancement of the natural and cultural resources in the Eightmile River Watershed. Recognizing growth can and will continue, the communities of this area can use this review to evaluate the similarities and differences between the plans, policies, and regulations of the municipalities in the watershed. The table below presents the regulations, policies, and plans each town has established to address natural resources issues and help protect the Outstanding Resource Values (ORVs) of water quality, water quantity, habitat quality and intactness, cultural and historic resources, and scenic resources.

The following regulations and programs were reviewed for the Towns of East Haddam, Lyme, and Salem. Commentary is also included for the Town of Colchester and Salem each of which has a small portion of its Town area located in the Eightmile River Watershed. Information for the Towns of Colchester and Salem is based on interviews conducted with appropriate Town staff and any materials provided by Town staff.

Policies, Plans and Regulations Reviewed

Policies and Plans

Policies and plans adopted by a municipality provide overall guidance to achieve the future vision for the community. Existing municipal documents were reviewed for the presence of policies and plans that relate to environmental protection.

Plan of Conservation and Development (p.16)

Municipalities in Connecticut are required to have a Plan of Conservation and Development that outlines the overall vision of a community, and to update these plans every 10 years. The review of these plans looked at how current the plans are and the extent that they include policies, strategies, and implementation recommendations for protection of the natural and cultural resources.

Open Space Plans (p.16)

Open space plans set up goals and objectives in town policy to dedicate a certain amount and, in some cases, certain types of land for permanent open space. The intent is typically to help protect ecosystem functions and significant natural features, and retain community character. Policies were reviewed to determine if an open space plan existed and, if so, to what extent that plan outlines the amount and types of land the community is seeking to protect.

Greenway Provisions (p.16)

A greenway is an undeveloped corridor of open space land that connects two or more parcels of open space and or park land. The objective of the review for greenway provisions was to determine the extent municipal policy or regulations encourage or require greenway considerations in the land development review process.

Economic Development Plan (p.16)

Economic development plans propose ways in which a town can encourage economic growth and development. A review was conducted for any economic development plans to determine how the subject communities are intending to manage continued growth along with natural and cultural resources management.

Eightmile River Compact (p.16)

The compact is a non-binding cooperative agreement between East Haddam, Lyme, and Salem stating the Towns' commitment to work together to protect their natural and cultural heritage. Documents were reviewed to see if any of the Towns referenced the compact.

Natural Resources Inventory (p.16)

A Natural Resources Inventory is a data gathering process to identify and summarize the natural resources within a community. A review was conducted to determine if any such inventories had occurred and, if so, what natural resources each community identified, how they relate to the Outstanding Resource Values, and what protection measures are being suggested and implemented.

Build Out Plan (p.17)

Build out plans are intended to show the potential growth and development patterns that could result based on existing zoning and subdivision regulations. A review was conducted to determine if any of the communities had conducted such a plan and to identify the assumptions made developing the plan as well as any recommendations for managing growth through the municipal regulatory process.

Historic Districts (p.17)

Historic districts are areas or zones within a town established to maintain the integrity historic and cultural character of the community. Municipal documents were reviewed to determine if any historic districts had been created, what constitutes an historic district, and how each community is addressing the protection of such districts.

Regulations

Municipal regulations can be considered as rules that address specific planning actions and activities. Municipalities generally categorize regulations based on zoning, subdivision, and wetland activities. Regulations were reviewed to determine what methods the towns are using and to what extent to address and approach natural resources protection as part of their planning process.

Zoning Regulations

Zoning regulations of each municipality essentially determine the current and future land use. Different land uses affect the environment in different ways and to varying degrees. Zoning regulations for each municipality were reviewed to identify the controls, policies, and plans that favor protection and enhancement of the region.

Subdivision Regulations

Subdivision regulations provide details on the process for subdividing land in each municipality. A subdivision refers to the division of a parcel of land into smaller parcels for sale or building development. Subdivision regulations were reviewed to identify whether or not they contained provisions that could influence the amount and concentration of non-point source pollution contributed by a subdivision, water quantity, the preservation of habitat quality and intactness, the preservation of cultural and historic resources, and the protection of viewsheds.

Inland Wetland Regulations

Inland Wetland Regulations are regulations adopted by the municipalities in accordance with the Connecticut Inland Wetlands and Watercourses Act codified in Section 22a-36 and 22a-45 of the Connecticut General Statutes. The regulations make provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by minimizing their disturbance and pollution. The regulations were reviewed to determine the presence/absence of buffer or setback requirements.

Wetland Upland Review/Buffer/Setback Areas (p.18)

Wetland agencies implement the Wetland Act through regulations which must conform to the statutes and DEP regulations. Many of Connecticut's wetland agencies have adopted regulations governing construction activities located in upland areas surrounding wetlands and watercourses. These regulations are known as upland review area, buffer, or setback regulations depending on the town. The linear distance from a wetland or watercourse that is considered within the regulated area under the municipal inland wetlands and watercourses regulations. It is generally expressed as "The regulated area shall extend for a distance of ___ feet from wetlands, and ___ feet from the edge of a watercourse."

Public Health (p.19)

Documents were evaluated for any regulations designed to ensure the protection of public health. These included and were not limited to water quality, septic and sewer, and aquifer and groundwater protection.

Tidal Wetlands (p.20)

Regulations specifically intended to address issues associated with activities affecting areas of tidal wetlands.

Design Review (p.22)

Design review regulations enable municipal commissions to comment on plans throughout or at various times during the process of site development. The opportunity to review plans and comment facilitates better communication between developer and town commissions.

Flood Plain Management (p.23)

Flood plains are the relatively flat areas adjoining rivers, streams and coastal areas that can flood and when built upon are a hazardous place for life and property. Municipal documents were reviewed to determine the extent that they protect flood plains for their natural function of receiving flood water and dispersing its energy while allowing compatible land uses for both economic potential and protection of natural resources.

Overlay/Buffer Zones (p.24)

Overlay zones are areas that are designated to preserve and enhance an area, typically through additional regulations or design standards. Buffer zones are areas of land without structures that are left in their natural state or landscaped to serve as visual or natural barriers between different land uses. Overlay and buffer zones are tools designed to protect and preserve natural areas and, in some cases, provide quality habitat and intactness.

Aquifer Protection (p.25)

An aquifer is a geological unit that is capable of yielding usable amounts of potable water.

Resources Extraction (p.26)

Resources extraction refers to the excavation and or removal of earth materials from a parcel of land. The removal of material includes sand and gravel as well as timber resources. Zoning regulations were reviewed to identify any permit requirements for the removal of earth materials including sand and gravel mining.

Storm Water Management (p.27)

Storm water management refers to the combination of practices or actions taken to control the quantity, rate of flow, and quality of surface water runoff resulting from rainfall. Storm water management is the planned control of storm water runoff to prevent flooding, erosion and sedimentation, and water quality degradation; and to promote groundwater recharge and minimize the impact of developments on adjacent or downstream land and watercourses.

Erosion & Sediment Control Plans (p.29)

An erosion and sediment control plan contains the proper provisions to adequately control erosion and sedimentation and to reduce the potential damage from storm water runoff from a subdivision.

Alternative Developments (open space, cluster subdivision, conservation subdivision) (p.30)

Alternative developments are non-traditional developments that will assure conservation of land and accomplish some of the following purposes: preserve land for park and recreation purposes; preserve and protect natural areas; preserve wetlands, marshlands or land with other natural values; and protect streams, rivers and ponds. Alternative developments (sometimes called conservation developments, cluster subdivisions, or open space subdivisions) may allow an increase in density in part of a parcel in order to protect other more sensitive land.

Density Bonus (p.31)

In some instances municipalities provide incentive to developers to develop a larger number of homes than would otherwise be allowed for the existing zoning as long as a certain percentage of those homes are designated affordable housing. This practice enables a community to concentrate development.

Vernal Pools (p.32)

Vernal pools are temporary bodies of water, typically containing standing water during the spring and drying out during most years. The pools generally occur in confined basins or shallow swales and lack outlet stream. While fish populations are not supported, vernal pools do support the life cycle of characteristic species. The support of the life cycle of characteristic species (species that need the habitat of the vernal pool) is what makes the pools important to protect and to maintain their integrity.

Ridgelines (p.33)

Ridgelines form the apex between two hillsides. They are prized for their aesthetic value, the viewshed they offer, and the habitat they provide for flora and fauna.

Water Supply Watersheds (p.34)

Water supply watersheds are drainage basins that are used to provide water for public water systems. Public water systems in Connecticut are those that serve 15 or more water service connections or 25 or more people.

Net Buildable/Soils Based Zoning (p.35)

Net buildable regulations require a minimum amount of land be available within each parcel in order to construct a building. Certain criteria are established for what will and will not be considered as 'buildable' land. Soils based zoning relies on the characteristics a sites soils as the way to evaluate what type and amount of development is permissible on a parcel or in a subdivision. These types of regulations are intended to manage the amount and type of development based on the natural resources found at a site.

Regional Consideration (p. 36)

Each of the 169 municipalities in Connecticut determines its own rules, regulations, and policies to manage growth and development. Regulations considering resources management from a regional perspective create an opportunity to manage resources less from political boundaries and more from resources needs.

Construction Phasing (p.37)

Phasing the development of a site is a way to minimize the impact on natural resources and to protect against potential problems associated with erosion and sedimentation, vegetation removal, stormwater management, among others.

Vegetation Restoration/Preservation (p.38)

Are any regulations in place that require developers to evaluate existing vegetation and make provisions for to protect any of it considered to be important. What measures do the towns have in place to require the restoration of vegetation that is removed or damaged as part of the site development?

Mixed Land Use (p.39)

Mixed land use is zoning that encourages the blending of conventionally designated land use categories, including but not limited to residential, commercial, and industrial. The theory behind mixed land use is to create more liveable communities by collocating services with residents.

Septic System Location and Design (p.40)

Properly located and designed septic systems minimize the potential for system failure and future water quality problems

Slopes (p.41)

Steep slopes may be considered a limiting factor, or constraint, for development. The purpose is to prohibit or limit development on steeply sloped areas that would require extensive engineering, present potential problems with septic system management, might result in erosion and sedimentation problems, along with other natural resources concerns.

Interior Lots (p.42)

Interior lots are generally considered lots that have no road frontage.

Bonding (p.43)

Requiring bonding is a way for a municipality to ensure that money will be available to cover costs for any for site management or proper construction that the developer is not able to provide.

Archaeology (p.44)

The presence of indigenous populations for thousands of years prior to the settlement of Connecticut roughly 350 years ago has left a rich archeological history of the people who have occupied this land. Protection of those sites and artifacts is an important method to preserve the history and cultural

Watershed Approach (p.45)

Watershed planning is a way to address resource needs based on the geographic delineation of water resources distribution. Water quality and water quantity issues are often addressed through watershed planning. It is also considered a way to address natural resources concerns using geographic rather than political boundaries.

Open Space Set Asides (p.46)

Open space dedication refers to requirements in regulations or town policy to set aside a certain amount of land for permanent open space as part of the subdivision plan approval process.

Open Space Funding (p.47)

Regulations were examined to assess if any town has measures in place to ensure that bonding is in place to assure that open space set asides are put in place.

Fees in Lieu of Open Space (p.48)

In certain cases it may not be feasible, for a variety of reasons, to establish open space set asides. An alternative is for the developer to pay a fee in lieu of creation of open space. The money can be used by the town to purchase and create acceptable open space another part of town.

Transfer of Development Rights (p.49)

This planning technique allows permits transfer of development rights from one property to another property. Transferring the rights creates a means for moving proposed development from a less suitable area to a more suitable site. This acts as a mechanism to preserve important natural features, farmland, open space, etc...

Planned Residential Development (p.50)

Planned Residential Developments promote variety, innovation, and flexibility in development by allowing variation in lot size, dwelling types, and design requirements. The intent is to encourage efficient use of land, to preserve natural features, and to create a living atmosphere that enhances quality of life.

Narrative Summary of Rules and Regulations

The following are concise summaries condensing the findings of the rules and regulations inventory. The purpose of this summary is to

- 1.) create an understanding of the overall regulatory approach each individual community has adopted to address natural resources concerns
- 2.) create a perspective of the similarities and dissimilarities in the environmental policies, rules, and regulations of the three municipalities.
- 3.) create a tool to examine the rules, regulations, and policies in relation to the ORVs under consideration as part of the Eightmile River Watershed Study.

As a result, it will be possible for a person using this document to draw some conclusions about potential regional issues which are important to all the municipalities as well as areas of municipal regulation which might warrant further discussion on a regional level in order to develop more consistency.

Town of East Haddam

The Town of East Haddam is currently in the process of updating its Plan of Conservation and Development (POCD). As part of the POCD the Town is conducting a build out analysis that will be based on new regulations being developed. Though the new POCD and new regulations are not yet available, the existing municipal regulations and policies demonstrate East Haddam's commitment to protecting the ORVs of the community's natural resources. Using stormwater management as the centerpiece to its regulations, East Haddam is addressing water quantity and water quality issues. Various other measures are in place requiring developers evaluate the natural resources on a site and to provide measures to maintain habitat quality. The community is encouraged to provide insight as to how resources that might be affected by development. Several special zones have been established in Town intended to protect cultural and historic resources along with natural resources. These regulations translate into a means for maintaining the scenic and rural character of the Town.

Wetlands Regulations

The Town has adopted standard State model wetland regulations with a 100 foot setback for watercourses and wetlands for regulated areas and activities.

Public Health

Although no regulations specifically categorized under public health were found, several regulations state the protection of public health as a complementary purpose to achieve.

Tidal Wetlands

No regulations were found specifically focused on tidal wetlands.

Design Review

Although there are no regulations identified under the heading Design Review, the Town has a standard procedure outlined for subdivision applications. The procedure requires the applicant to include pertinent information about subdivision layout, location of buildings, presence of natural resources features, and appropriate timing and routing of application materials, among other elements. In addition, East Haddam regulations cite that public information should be sought by the Planning and Zoning Commission to provide as much detail as possible about a site prior to its development. Also, under wetlands regulations developers are required to provide alternatives for the site development and an explanation as to why they chose the option they chose.

Flood Plains

The Town has the standard State model regulations.

Overlay/Buffer Areas

East Haddam has created a Conservation Zone. Additional regulations are in place to establish streambelt reservations, rural and agricultural buffer areas, as well as residential buffers intended to separate different zoning areas and types of neighborhoods. The developer is responsible for the establishment of the buffer and the individual property owner is responsible for the maintenance of the buffer.

Aquifers

The regulations make no direct reference to aquifer protection.

Resources Extraction

East Haddam has standard regulations for sand and gravel operations, including five (5) acres limitation for total area being excavated at any one time. The Town also has extensive governing timber harvesting, including aspects such as but not limited to vegetative restoration, size of area to be harvested, procedures for implementation of activities, and a 100 foot setback from adjoining properties.

Stormwater Management (includes detention and retention, road design, impervious surfaces limits, curbs and swales, parking, and maintenance)

Stormwater management regulations have become central to East Haddam's effort to direct the type of future development as well as the way in which future development occurs. By requiring developers to meet stringent stormwater quality and quantity standards the Town has eliminated the use of conservation easements as a means of enforcement and has moved away from the use of soils based zoning. The regulations strongly encourage developers to use the CT Department of Environmental Protection's Stormwater Design Manual (published in 2002) as the guideline to direct subdivision and lot designs. Regulations address use techniques such as detention and retention basins, use of pervious materials in appropriate circumstances, road and driveway design criteria, along with other measures to minimize impact from stormwater runoff on ground water and surface water.

Erosion and Sediment Control

The Town uses the standard regulations based on the Erosion and Sediment Control Guidelines set forth by the State of Connecticut, Section 22a-329 of the General Statutes.

Alternative Developments (e.g. open space, cluster, conservation subdivisions)

Some form of alternative development is supported through the municipal regulations. Developers are to propose both a conventional subdivision plan and an alternative development plan for the P&Z Commission to review. The Commission has the authority to decide which plan is most appropriate.

Vernal Pools

East Haddam has taken a progressive stand on vernal pools. A 400 foot setback has been established. In addition, applicants are required to provide extensive documentation regarding vernal pools. The Town has developed a Vernal Pool Obligate Species list, criteria for vernal pool identification, a vernal pool inventory worksheet, and a vernal pool impact worksheet for applicants to use.

Ridgelines

Ridges and ridge tops are considered scenic resources to be preserved, conserved, and protected, particularly when considering areas for open space.

Water Supply Watersheds

Other than applicants being required to notify water supply companies if development is proposed on water supply land that had not been mapped with the Town, the Town does not have specific regulations regarding water supply watersheds.

Net Buildable/Soil Based Zoning

Regulations for the establishment of Net Buildable Areas have been developed and will be incorporated into the new Town regulations.

Regional Consideration

Regional consideration appears to be limited to the standard notification to adjoining communities when an activity that may affect traffic, watercourses, septic or sewage will be occurring within 500 feet of the municipal boundary.

Construction Phasing

Some construction phasing is incorporated through the erosion and sedimentation regulations.

Mixed Land Use

The Town has established a mixed land use district. The intent is to build on an existing area and the regulations do not encourage expansion of the district or creation of similar districts in other parts of Town.

Vegetation Restoration / Preservation

Standard regulations are in place requiring planting of vegetation on any disturbed land. Timber harvesting regulations set guidelines as well for restoring and protecting vegetation.

Septic System Location and Design

Applicants are required to provide a sanitary waste disposal plan that includes soils information and meets CT Department of Public Health codes.

Slopes

Numerous regulations are in place establishing guidelines for slopes created as part of site restoration activities. The Town also uses 20% slopes as a limiting factor as part of its design criteria for minimum buildable areas for lots and subdivisions.

Interior Lots

The Town does not permit interior lots.

Bonding

Various bonding measures are in place. For subdivisions there is a two (2) year timeframe that can be extended, and as part of Earth Moving Operations the amount of the bond is to be determined by the Commission.

Archaeology (Cultural, Historical, Viewsheds)

As part of the effort to protect and preserve cultural and historic resources, the Town has established Conservation Areas, Conservation Zones, Historic Parks, and Sensitive Areas. Included in these areas are cemeteries; stonewalls; foundations; unique natural features; historic parks; the Lower Connecticut River area; historical, town, and architectural character and scenic roads. Views and vistas have also been identified as resources to preserve, enhance, and restore.

Watershed Approach (Regulations by Major Watersheds)

No regulations were found addressing resources or planning on a watershed basis. The POCD does, however, acknowledge East Haddam as part of the Eightmile River Watershed. The Eightmile River compact has been signed by the municipality and there is recognition of the municipality as part of a larger watershed community.

Open Space Set Asides

Open space set asides are in place. The size and location of open space area to be set aside is a site specific determination. The minimum amount to be set aside is 15% of the total area of the site. Numerous methods of disposition are possible. Natural resources and features are to be considered when determining what areas should be set aside as open space

Open Space Funding (Bonding)

Enforcement bonding is in place to assure for open space set asides.

Fees in Lieu

Payment in lieu of open space is permitted. Not more than 10% of the fair market value of the land shall be paid. A developer is exempt if 20% or more of the subdivision will be used for affordable housing.

Transfer of Development Rights

No regulations were found.

Planned Residential Development

Floating Zone Regulations exist that make provisions for Planned Residential and Planned Recreational Developments. Special standards are in place regarding approved land uses and parcel sizes in the PRDs.

Town of Lyme

In 2001 the Town of Lyme completed its most recent revision of its POCD. Since the mid-1960's, when the first POCD was written, the community has recognized the value and importance of natural and cultural/historic resources to the Town. Over the last 40 years Lyme has worked to ensure that these resources are preserved. The permanent preservation of land has been, and as noted in the current POCD, will continue to be a primary strategy to accomplish this goal. As part of that approach the Town has noted that it should consider large tracts of land and habitat that promote healthy biodiversity, encourage open space preservation with tax incentives, use municipal regulations to assess open space subdivisions as well as buffer and no-development areas. Other actions complementing land preservation include reviewing local land use regulations to ensure that all available and appropriate tools are in place, encouraging the maintenance of early successional habitats (old fields and meadows), encouraging continuation of agriculture and preservation of agricultural lands, and the preservation of cultural and historic sites and features among others. The POCD also suggests that municipal regulations can be used to control residential development through minimum buildable areas, accessory residential uses, viewshed requirements, and size requirements. Additional recommendations include restrictions on mixed use zoning, sewer avoidance, and stormwater management. For Lyme, preservation of open space is the way to ensure that the protection of the outstanding resource values of the community.

The current body of municipal rules, regulations, and policies reflect the focus on land preservation as the preferred method for land management. The overall tenor of the municipal codes focuses more on controlling the potential for growth in Lyme rather than managing for future growth.

Wetlands Regulations

The Town has adopted the standard State model wetland regulations with a 100 foot setback for watercourses and wetlands. A special 200 foot setback has been established for the location of subsurface waste disposal systems near specifically identified waterbodies, and 150 feet for all remaining waterbodies.

Public Health

Although no regulations specifically categorized under public health were found, several regulations state the protection of public health as a complementary purpose to achieve.

Tidal Wetlands

The Town has both 100 and 200 foot buffer zones depending on the zoning designation.

Design Review

No regulations were found specifically addressing design review other than the standard submittal and review of a subdivision application.

Flood Plains

The Town has the standard State model regulations. The regulations are particular to subdivisions of five (5) acres or 50 lots, require that no increases greater than one (1) foot occur in flood level, and identify minimum lot size and lot width in the flood plain district.

Overlay/Buffer Areas

The Town has an established Conservation Zone. Conservation is identified as Lyme's primary method for protection of resources. Certain uses are prohibited in the Conservation Zone and other uses require special permits.

Aquifers

Aquifers are mentioned in the Subdivision Regulations as a natural resource to be conserved and protected under its Open Space requirements.

Resources Extraction

The Town has standard regulations for sand and gravel operations, and has a 200 foot setback in place for operations. Appendix A outlines standards for timber harvesting including stream protection, logging roads, aesthetics, harvest methods, wildlife and regeneration.

Stormwater Management ((includes detention and retention, road design, impervious surfaces limits, curbs and swales, parking, and maintenance)

Overall, the stormwater management regulations are minimal. Requirements are in place for surface drainage and subsurface drainage. No references were found concerning detention or retention of stormwater, road design and stormwater, impervious surfaces, parking, or maintenance of stormwater management measures and practices. The Town has attempted to minimize the potential impact from development and, therefore, has not developed significant stormwater management regulations

Erosion and Sediment Control

The Town uses the standard regulations based on the Erosion and Sediment Control Guidelines set forth by the State of Connecticut, Section 22a-329 of the General Statutes. The Town applies these standards to land disturbances of one half acre or more.

Alternative Developments (e.g. open space, cluster, conservation subdivisions)

The Planning and Zoning Commission has the authority to subdivide land as a cluster subdivision. The area is not to be less than 15 acres and the Commission will use a formula to determine the number of lots.

Vernal Pools

No regulations were found addressing vernal pools.

Ridgelines

Ridges and ridge tops are considered scenic resources to be preserved, conserved, and protected, particularly when considering areas for open space.

Water Supply Watersheds

No regulations were found addressing water supply watersheds.

Net Buildable/Soil Based Zoning

Minimum net buildable areas have been established for residential zones

Regional Consideration

Regional consideration appears to be limited to the standard notification to adjoining communities when an activity that may affect traffic, watercourses, septic or sewage will be occurring within 500 feet of the municipal boundary.

Construction Phasing

No regulations were found addressing construction phasing.

Mixed Land Use

Though the regulations allow for one (1) family dwelling unit per lot in Commercial Districts, the POCD discourages the development of mixed land uses.

Vegetation Restoration/Preservation

Identify on site plan significant vegetation (functions for erosion control, wildlife habitat, historical, aesthetic, ecological, or recreational purpose). Building locations need to be such that youngest and healthiest trees, bushes, and plants are protected. Planting plans needed for new developments to show that solar energy access is not impaired.

Septic System Location and Design

Requirements are in place to show location of septic and sanitary systems. Location and design must demonstrate no impairment or contamination will occur during flood events.

Slopes

Grading plans require that no finished or bank exceed 1:3 slope, and ADA requirements are met for assisted living facilities.

Interior Lots

Interior lot defined as “A lot other than a corner lot or through lot”. Regulations state that all lots shall have frontage on streets.

Bonding

Various bonding measures are in place.

Archaeology

The Town has designated Conservation Zones as a way to preserve natural, cultural, and archeological features, as well as unique scenic, ecological, scientific, and historic areas of value. In addition to natural features such as wetlands and watercourses, particular vegetation, unusual topography, ledges, consideration should be given to stonewalls, scenic vistas and views, cemeteries, and trails.

Watershed Approach (Regulations by Major Watersheds)

No regulations were found addressing resources or planning on a watershed basis. The POCD does, however, acknowledge Lyme as part of the Eightmile River Watershed. The Eightmile River compact has been signed by the municipality and there is recognition of the municipality as part of a larger watershed community.

Open Space Set Asides

Open space requirements. The minimum amount to be set aside is 15% of the total area of the site. Numerous methods of disposition are possible. Natural resources and features are to be considered when determining what areas should be set aside as open space.

Open Space Funding

No regulations were found.

Fees in Lieu

Regulations allow for payment in lieu of land if insufficient or unsuitable land is all that is available. Not more than 10% of the fair market value of the land shall be paid

Transfer of Development Rights

No regulations were found.

Planned Residential Development

No regulations were found.

Town of Salem

The Town of Salem adopted its current POCD in 2002. Recognizing the Town is facing growth and development pressures, the POCD strives to layout strategies to enable Salem to balance the preservation of the rural character of the Town with impending commercial, industrial, and residential growth. Contained within the plan are recommendations that blend actions intended to preserve the rural and natural elements of the Town while creating a framework in which other land uses can be developed.

Salem has pursued several avenues to assess and address the development pressures facing the community. The Town conducted a build out analysis, is investigating soils based zoning or net buildable area zoning, examined the possibility of using cluster subdivisions, and developed an open space plan. These studies and approaches have been designed to evaluate potential impacts and recommend potential methods for addressing the natural and cultural resources needs of the community along with the expressed need to diversify the Town’s tax base through industrial and commercial growth. The regulations outlined below are indicative of Salem’s desire to use varied methods for guarding against potentially detrimental impacts to the Town’s outstanding resource values. Developers need to consider and present alternative types of developments as well as alternative methods of development, innovative techniques for stormwater management are encouraged, net buildable area is being used to minimize and control impact from future development, and cluster housing is being investigated, along with other measures. The existing municipal regulations mirror this approach.

Wetlands Regulations

The Town has adopted the standard State model wetland regulations with a 75 foot setback for watercourses and wetlands. The Town has also established regulations setting a minimum amount of land required should wetlands be on a site or if accessory apartments are present, as well as for Planned Residential Developments.

Public Health

The regulations state that no lot shall be subdivided should it pose a threat to health or public safety.

Tidal Wetlands

No regulations were found.

Design Review

Along with standard procedures for subdivision application review, the regulations state that specific attention should be paid to natural resources for subdivision layout and the plan should look to preserve natural resources. Also, under wetlands regulations developers are required to provide alternatives for the site development and an explanation as to why they chose the option they chose.

Flood Plains

The Town has the standard State model regulations. The regulations are particular to subdivisions of five (5) acres or 50 lots.

Overlay/Buffer Areas

The Town has created a Seasonal Residential Zone and a Commercial Recreation Zone, which serves as a preserve around Gardner Lake. In addition, regulations are in place requiring visual buffer strips for commercial and industrial sites. Screen planting plans may be required for campground sites.

Aquifers

Applicants must provide information about and show they are taking into account aquifers as part of the environmental management report that is necessary for a Planned Recreation/Residential Community.

Resources Extraction

The Town has standard regulations for sand and gravel operations. A minimum land requirement is set for an operation in industrial zoned areas.

Stormwater Management ((includes detention and retention, road design, impervious surfaces limits, curbs and swales, parking, and maintenance)

A broad range of stormwater regulations are in place. They are intended to protect the property being developed as well as adjacent and adjoining properties. The town uses the 25 year storm as the design criteria. A 13% maximum limit is set for impervious area in PRDs. Treatment measures such as swales, detention basins and ponds are cited as potential measures to control stormwater runoff. Regulations are in place to assure control of stormwater for protection of groundwater. Control of stormwater is established for roads and parking areas, and the Town favors traditional designs criteria requiring use of bituminous materials and curbing.

Erosion and Sediment Control

The Town uses the standard regulations based on the Erosion and Sediment Control Guidelines set forth by the State of Connecticut, Section 22a-329 of the General Statutes. The Town applies these standards to land disturbances of one half acre or more.

Alternative Developments (e.g. open space, cluster, conservation subdivisions)

The Town has established regulations allowing a developer to propose an alternative type development for the purpose of increasing residential choices, preserving open spaces, and preserving natural areas and scenic vistas.

Vernal Pools

No regulations were found.

Ridgelines

Applicants are required to show “rock ridges” on pre-application sketches.

Water Supply Watersheds

Information and considerations need to be given in the environmental management plan for the area associated with the golf course.

Net Buildable/Soil Based Zoning

Regulations have been established using net buildable area as a means for regulating development. NBA is required for each new lot created after December 1, 2003.

Regional Consideration

Regional consideration appears to be limited to the standard notification to adjoining communities when an activity that may affect traffic, watercourses, septic or sewage will be occurring within 500 feet of the municipal boundary.

Construction Phasing

No regulations were found addressing construction phasing.

Mixed Land Use

Mixed land uses are permitted in Town. Regulations are minimal, however, allowing for residential uses on a limited basis in commercial districts.

Vegetation Restoration/Preservation

Standard regulations are in place requiring planting of vegetation on any disturbed land. In addition, a landscaping plan showing vegetation is necessary for all stormwater management practices.

Septic System Location and Design

Applicants are required to provide a sanitary waste disposal plan that includes soils information and meets CT Department of Public Health codes. Location and design must demonstrate no impairment or contamination will occur during flood events.

Slopes

Regulations are in place setting design criteria as well as recognizing the potential impact from development on steep sloped areas.

Interior Lots

Interior lots are permitted in certain zones under certain condition. Certain lot sizes have also been set.

Bonding

Various bonding measures are in place.

Archaeology

The Town requires applicants to provide a detailed “Cultural and Historic Resources” study for a Planned Recreational/Residential Community Development and a “Mitigation Plan” related to protecting community and site historic, cultural, and natural resource features.

Watershed Approach (Regulations by Major Watersheds)

No regulations were found addressing resources or planning on a watershed basis. The POCD does, however, acknowledge Lyme as part of the Eightmile River Watershed. The Eightmile River compact has been signed by the municipality and there is recognition of the municipality as part of a larger watershed community.

Open Space Set Asides

Open space requirements are contained in the regulations. It is stated that the land to be deemed for open space shall be an amount necessary to achieve the stated purpose(s). This flexibility gives the Planning and Zoning Commission authority to determine open space requirements.

Open Space Funding

No regulations were found.

Fees in Lieu

No regulations were found.

Transfer of Development Rights

No regulations were found.

Planned Residential Development

Extensive regulations are in place for the existing PRD associated with the golf course. The regulations are comprehensive, accounting for stormwater, wildlife, natural resources along with other planning and design requirements.

Watershed-wide Summary

The municipal regulatory approach of East Haddam, Lyme, and Salem are similar in that each Town has adopted a set of basic regulations designed to protect the natural, cultural, and historic features of the community. Each of the Towns has incorporated conventional flood plain management regulations and erosion and sedimentation control regulations. All three communities have established overlay or buffer areas in an effort to ensure that natural, cultural, and historic resources are identified and measures are implemented to protect those resources. Resources extraction regulations, state model wetland regulations, septic system location and design, ridgelines, and vegetation restoration/preservation regulations are a part of each Town's collection of regulatory tools, as are basic bonding requirements. Each of these seems to be part of a foundation of standard methods for regulating growth and development.

Development and growth regulations that seem to be used minimally by the Towns' or not used at all include Transfer of Development Rights, Density Bonuses, Construction Phasing, Regional Consideration and Coordination, Water Supply watershed, and Watershed Approach to management. The use of these techniques may present an opportunity for the communities to investigate to work in conjunction with existing regulatory tools. It should be noted that although none of the Towns has any watershed approach or regional consideration/coordination written regulations, the fact that all three have signed the Eightmile River compact and that all have incorporated the ideas of the Greenway Provisions into their regulations is indicative of the fact the communities do recognize that the natural resources of the area extend beyond municipal boundaries. Furthermore, it suggests that there is a willingness to work jointly to achieve common goals.

Areas where the communities have developed somewhat different approaches include stormwater management, alternative developments, mixed land use provisions, open space set asides, vernal pools, net buildable zoning. Also, the details for wetland review areas and for resource extraction operations vary between the Towns. The primary differences here lie in the degree to which each community stresses a particular regulatory method. East Haddam, for example, has developed strong stormwater management codes to manage growth and the potential impacts from development. In contrast, Lyme has very few stormwater management regulations because the emphasis is on preservation of open space. With extensive open space requirements and strong efforts to remove land from future development, the reliance on management techniques is lessened for Lyme. Salem falls between the other two Towns regarding stormwater management. Unlike its neighbors, Salem is pursuing a more vigorous net buildable area regulatory approach to address growth and development issues. East Haddam and Salem are looking toward alternative type developments (e.g. . cluster subdivision, low impact developments, etc...) as a way to integrate continued development into their

communities and minimize potential impacts from that development. Each community has established different setback distances for wetland areas, and East Haddam and Lyme have developed detailed timber harvesting regulations.

Essentially, it is clear that East Haddam, Lyme, and Salem share in the belief that the natural, cultural, and historic resources in their communities need to be protected, preserved, conserved, and maintained. The different approaches toward achieving those ends present an opportunity for the three Towns to learn from one another.

Other Towns in the Watershed

Roughly ten percent (10%) of the land in the Eightmile River watershed is located in the Towns of Colchester and East Lyme. Because of this relatively small proportion the regulations of these municipalities were not evaluated in the same detail as the Towns of East Haddam, Lyme, and Salem.

The area of land in Colchester located within the Eightmile watershed already has plans for subdivision approved. Colchester in general is working to incorporate natural resources planning as part of its planning process for other parts of town. The Town has conducted a build out analysis and has developed an open space plan in an effort to minimize potential impacts from future development. Information about these approaches was obtained from an interview with Town staff.

The area of land in East Lyme located within the Eightmile watershed is State protected land. Consequently, that portion of the watershed is protected.

Enforcement of Regulations

East Haddam

Based on discussion with a representative from East Haddam, the Town uses a proactive approach toward enforcement. The objective is to work with the developers and builders early on and throughout the process to ensure that regulatory requirements are being met. Limited staff requires establishing a cyclical period of site inspection for residential properties. Siting issues and failure to obtain necessary permits seem to be the predominant enforcement concerns. Moreover, the Town has shown its willingness to pursue legal actions in order to enforce its regulations.

Lyme

Based on discussion with a representative from Lyme, the Town is currently considering ways to increase its ability to enforce environmental regulations. The Town takes a proactive approach with new development and works with the developers and builders early on and throughout the process to ensure that regulatory requirements are being met. Enforcement issues seem to arise most often regarding riparian areas and viewsheds. Often existing homes have stipulations governing viewsheds and riparian areas. When a new homeowner purchases the home increased access to water or improvement of views are desired and the new homeowner proceeds to clear areas that are protected. The only way the Town is aware of the activity is if a complaint is filed and the response has been to impose a cease and desist order. Some discussion has taken place in Town regarding the use of fines as an enforcement tool.

Salem

No interview was conducted with the Town.

Policies/ Plans/ Regulations	Comments
Plan of Conservation and Development	
East Haddam	<ul style="list-style-type: none"> • POCD is currently under revision
Lyme	<ul style="list-style-type: none"> • Inclusive vision of the community that incorporates recommendations for planning tools and strategies to preserve, maintain, conserve, and protect the community's cultural and natural character. Primary method for maintaining the character of the Town is preservation of open space.
Salem	<ul style="list-style-type: none"> • Inclusive vision of the community that incorporates recommendations for planning tools and strategies to preserve, maintain, conserve, and protect the community's cultural and natural character. Community recognizes the pressure from growth that is facing Salem and the competition between different land uses. A variety of methods are suggested as ways to balance the desire for protecting the rural character of the Town while allowing it to grow.
Open Space Plan	
East Haddam	<ul style="list-style-type: none"> • No Plan was found.
Lyme	<ul style="list-style-type: none"> • No Plan was found.
Salem	<ul style="list-style-type: none"> • No Plan was found.
Greenway Plan	
East Haddam	<ul style="list-style-type: none"> • No Plan was found.
Lyme	<ul style="list-style-type: none"> • No Plan was found.
Salem	<ul style="list-style-type: none"> • Currently pursuing a Greenway Development Plan for Route 11 area. Parcels are being investigated for possible purchase.
Economic Development Plan	
East Haddam	<ul style="list-style-type: none"> • No Plan was found.
Lyme	<ul style="list-style-type: none"> • No Plan was found.
Salem	<ul style="list-style-type: none"> • No Plan was found.
	<ul style="list-style-type: none"> •
Eightmile River Compact	<ul style="list-style-type: none"> • The Town signed the compact
East Haddam	<ul style="list-style-type: none"> • The Town signed the compact
Lyme	<ul style="list-style-type: none"> • The Town signed the compact
Salem	
Natural Resource Inventory	
East Haddam	<ul style="list-style-type: none"> • No Plan was found.
Lyme	<ul style="list-style-type: none"> • No Plan was found.
Salem	<ul style="list-style-type: none"> • No Plan was found.

Build Out	
East Haddam	<ul style="list-style-type: none"> • No Plan was found.
Lyme	<ul style="list-style-type: none"> • No Plan was found.
Salem	<ul style="list-style-type: none"> • A build out has been conducted.
Historic Districts	
East Haddam	<ul style="list-style-type: none"> • Although no separate document specific to historic districts was found, regulations in place for protecting historical resources and preserving historic character of Town
Lyme	<ul style="list-style-type: none"> • Although no separate document specific to historic districts was found, regulations in place for protecting historical resources and preserving historic character of Town
Salem	

Inland Wetlands/Upland Review Areas	
East Haddam	<ul style="list-style-type: none"> • Standard State model regulations are in place for regulated uses, non-regulated uses, and uses of right. • 100 foot setback in place for activity or use from wetland or watercourses • 400 foot setback in place for activity or use from vernal pool • Subdivision Plan requires approval from Wetlands Commission • Regulated Activity defined as any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, or alteration or pollution, of such wetland or watercourses.
Lyme	<ul style="list-style-type: none"> • Standard State model regulations are in place for regulated uses, non-regulated uses, and uses of right. Town has included “compaction and artificial illumination” to definition of what is considered regulated activity. • 100 foot setback established for activity or use for all wetlands or watercourse (inland and tidal) • 200 foot setback established for septic system installation for specifically identified waterbodies • 150 foot setback established for septic system installation for all other waterbodies.
Salem	<ul style="list-style-type: none"> • Standard State model regulations are in place for regulated uses, non-regulated uses, and uses of right. Town has included clearing, grubbing, filling, grading, paving, excavating, constructing, depositing, removing of material, and discharge of stormwater to definition of what is considered regulated activity. • 75 foot established for Upland Review Area • Watercourse or wetland itself is defined as place for Regulated Area/Regulated Activity (no setback as in East Haddam or Lyme) • Minimum lot size necessary if wetlands are on site • Specific regulations for lot use dependent on the presence of wetlands.

Public Health	
East Haddam	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations.
Salem	<ul style="list-style-type: none"> • Regulation state no land shall be subdivided for building purposes if it poses a danger to health or the public safety.

Tidal Wetlands	
East Haddam	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations
Lyme	<ul style="list-style-type: none"> • 100 foot setback established that restricts use of land adjoining tidal wetlands, including no grading, excavation, deposition, construction, non-commercial cutting or alteration is permitted unless plan is submitted and approved. Plan must show that any such development will not cause any filling in of the tidal wetlands. • Different frontage requirements in place for different districts.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations

CT River Gateway	
East Haddam	<ul style="list-style-type: none"> • Town representatives noted that the existing regulations are in line with the Gateway Commission recommendations.
Lyme	<ul style="list-style-type: none"> • Town representatives noted that the existing regulations are in line with the Gateway Commission recommendations.
Salem	<ul style="list-style-type: none"> • Town representatives noted that the existing regulations are in line with the Gateway Commission recommendations.

Design Review	
East Haddam	<ul style="list-style-type: none"> • Preliminary Layout review including information such as environmental, historical, and archeological factors that may assist the Commission and applicant in decision making process. Public input is encouraged.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations
Salem	<ul style="list-style-type: none"> • Site plans are required. Serves as a way to assess potential impact to natural resources and ecological communities and to help developer deal with potential impacts.

Flood Plains	
East Haddam	<ul style="list-style-type: none"> • General provisions are in place requiring for protection against flood damage for new construction.
Lyme	<ul style="list-style-type: none"> • Requirements are in place to ensure safety for development in flood prone areas. • Size of 5 acre or 50 lots specified as minimum for flood plain requirements to be used • No increase in flood levels permitted
Salem	<ul style="list-style-type: none"> • Size of 5 acre or 50 lots specified as minimum for flood plain requirements to be used • Regulations are designed to minimize impact from development and to ensure implementation of safety measures. • Town has designated a Special Flood Hazard Area

Overlay/Buffer Areas/(prohibitive vs. review)	
East Haddam	<ul style="list-style-type: none"> • Town has designated certain areas as Conservation Zone and for Streambank Reservations. • Have regulations requiring buffers for residential, agricultural, and rural areas.
Lyme	<ul style="list-style-type: none"> • Town has established a Conservation Zone and has a set of regulations guiding types of acceptable activities in the area.
Salem	<ul style="list-style-type: none"> • Town has established a Seasonal Residential Zone (around Lake Gardner) and a Commercial Recreation Zone (to preserve area fronting Gardner Lake for water oriented activities). • Buffer requirements are in place for commercial, industrial, and campground sites.

Aquifer Protection	
East Haddam	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations
Lyme	<ul style="list-style-type: none"> • Aquifers are one of numerous resources mentioned as a reason for open space protection
Salem	<ul style="list-style-type: none"> • Specific groundwater protection regulations are in place. Designed to protect health and safety of community • Specific regulations are in place for Planned Residential Development

Resource Extraction (e.g. Sand, Gravel, Rock, Timber)	
East Haddam	<ul style="list-style-type: none"> • Contradictory statements in subsequent regulations -- Filling, removal, or excavation of earth materials is permitted in all zones with the exception of land designated as the “Conservation Zone” (Filling, removal, or excavation activities permitted in all zones including Conservation Zone without special exception provided no permanent damage is done to landscape.) • Basic regulations in established governing operation of gravel extraction, including requirements for drainage, grading, noise, traffic,, revegetation, etc... • 100 foot buffer from property line established • Disturbed may not exceed five acres • No permit necessary where building permit granted as long as activities not to exceed 300 cubic yards of materials • Slopes are to be 1:3 for restoration of site • <u>Timber harvesting regulations in place.</u> Overall intention to mitigate impact to species, wildlife, specific tree species/specimens, and vegetation • Avoid linear cutting bounds to soften edges and to replicate natural conditions. • Timber harvesting permitted in Conservation Zone by special exception only • 100 foot setback from watercourses • Only 50 percent of measurable volume of timber to be removed • Regrading not to exceed 10% and not be less than 2% • Disturbed may not exceed five acres
Lyme	<ul style="list-style-type: none"> • Basic regulations in established governing operation of gravel extraction, including requirements for drainage, grading, noise, traffic,, revegetation, etc... • 200 foot setback from property line for resource extraction activities. • Disturbed may not exceed five acres • <u>Timber harvesting regulations include:</u> • a 100 foot buffer for stream protection • Only 50 percent of measurable volume of timber to be removed • Disturbed may not exceed five acres
Salem	<ul style="list-style-type: none"> • Basic regulations in established governing operation of gravel extraction, including requirements for drainage, grading, noise, traffic,, revegetation, etc... • No pit deeper than 4 foot unless safe access and egress • Slopes for drainage to be 1:2 • Excavation by special permit required in certain zones • Minimum of 40 acres required for manufacturing and processing of material and 500 foot setback from Rural or Residential zone • No timber harvesting regulations in place.

Stormwater Management	
East Haddam	<ul style="list-style-type: none"> • Extensive regulations in place to minimize stormwater runoff. • Recommend use of <i>DEP Stormwater Design Manual</i> as guidance for developers. Stormwater management practices to be designed to meet criteria established in manual. • Hotspot is defined as an "area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater." • Structural BMP's are to be able to remove 80% of post development Total Suspended Solids (TSS). • No direct discharges into watercourses or wetlands. • Basic notion behind regulations is to minimize stormwater flow and pollutant impact on water resources and use of non-structural measures is encouraged in the regulations.
Lyme	<ul style="list-style-type: none"> • Minimal regulations are in place for stormwater management and regulations are fairly broad in • All subdivision plans shall make proper provision for sanitary and stormwater drainage. • Adequate subsurface stormwater drainage required unless deemed otherwise by Commission. • No water courses shall be altered or obstructed in way that reduces natural run-off capacity.
Salem	<ul style="list-style-type: none"> • 25 year storm is used as standard for design for drainage improvements. • Specific regulations are in place for Golf Course Planned Residential Development. • Adequate provision to be made for disposal of surface and stormwater. • Groundwater storm drainage regulations in place to minimize potential for pollutants to be conveyed (e.g. dumpster/waste receptacles to be covered, impervious areas to contain spillage, etc...)
Stormwater Management - Detention/Retention/Vortex, etc.	
East Haddam	<ul style="list-style-type: none"> • Regulations are in place that support the use of detention and retention basins to the greatest extent possible for filtering of stormwater. • Detention and retention are one of several methods identified as stormwater management techniques that can be used.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations
Salem	<ul style="list-style-type: none"> • Detention ponds/basins are mentioned as a method that can be used for stormwater management.
Stormwater Management - Road design	
East Haddam	<ul style="list-style-type: none"> • Provisions are made to prevent stormwater flow onto Town roads from driveways and private roads. • Alternative porous pavements are permitted for new residential street design with approval of Commission.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in Regulations
Salem	<ul style="list-style-type: none"> • Provision for storm drainage shall be made in all paved areas. • PRD roads serving less than 10 units are required to be paved, curbed, or provided with storm drains unless otherwise determined by Board of Selectmen.
Stormwater Management - Impervious surface limits (Direct/Indirect limits)	
East Haddam	<ul style="list-style-type: none"> • All Stormwater Management plans shall disclose all assumptions made in regard to future land clearing and regarding, creation of impervious

	<p>surfaces, along with impact from other development activities.</p> <ul style="list-style-type: none"> All site designs should establish management practices to control stormwater flows, and pervious surfaces are recommended as method to accomplish this goal (both for water quantity and water quality).
Lyme	<ul style="list-style-type: none"> Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> Impervious coverage of total development for PRD Golf Course shall not exceed 13%.
Stormwater Management - Curbs/Swales	
East Haddam	<ul style="list-style-type: none"> Swales are noted in regulations as one of several methods that can be used to moderate stormwater discharges. In this respect swales are part of a larger effort within regulations to use management techniques to address water quality and water quantity issues. Site plans are required to show locations of existing and proposed conveyance systems. Driveway design criteria recommends use of swales as one of several methods.
Lyme	<ul style="list-style-type: none"> Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> Groundwater Protection Regulations require that: the Commission may require swales, among other potential practices, to treat stormwater runoff, contain pollution, control peak flows, and/or allow for clean water infiltration into the ground. Bituminous concrete curbing or similar quality curbing shall be used on all parking areas and access roads where necessary for drainage.
Stormwater Management - Parking Requirements	
East Haddam	<ul style="list-style-type: none"> Not specifically mentioned in regulations.
Lyme	<ul style="list-style-type: none"> Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> Requirement in place to cover the surface of all parking areas with a durable, dustless surface. The Commission may waive the paving/use of durable, dustless surface for any parking lot that will be used in whole or in part only for irregular and infrequent events and/or where a non-paved and /or non-durable and non-dustless surface would substantially enhance environmental quality and will be maintained to satisfaction of Commission
Stormwater Management - Maintenance	
East Haddam	<ul style="list-style-type: none"> Applicant must submit maintenance plan for all stormwater BMPs. Plan will include description of maintenance tasks with recommended implementation schedule, and description of access and safety issues. Owner is responsible for maintenance for private drainage ways and roadways. To ensure maintenance no Certificate of Use/Compliance shall be issued until approved deed restriction approved by P&Z is filed.
Lyme	<ul style="list-style-type: none"> Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> Golf course PRD Stormwater Management Plan and Water Management Budget are required along with provisions for maintenance of all stormwater management system components. Pervious parking areas required to be maintained to satisfaction of Commission.
Stormwater Management - Culvert replacement	
East Haddam	<ul style="list-style-type: none"> Not specifically mentioned in regulations.
Lyme	<ul style="list-style-type: none"> Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> Not specifically mentioned in regulations.

Erosion & Sediment Control	
East Haddam	<ul style="list-style-type: none"> • E&S plan required that is consistent with CT Council on Soil and Water Conservation publication <i>2002 CT Guidelines for E&S Control</i>. • Plan required for developments ½ acre or larger. • Phases of operation/conservation practices/vegetation/maintenance/costs, etc... required • Site development cannot begin until plan is certified • P&Z representative is responsible for review and evaluate the plan • Preservation and protection of shade trees is encouraged • Flexibility permitted to address site specific needs and measurements.
Lyme	<ul style="list-style-type: none"> • E&S plan required for subdivision plans – ½ acre or more in size. • E&S plan required for Gateway Conservation Zone regardless of size of disturbance. • Plan must meet <i>2002 CT Guidelines for E&S Control</i>. • Phases of operation/conservation practices/vegetation/maintenance/costs, etc... required • P&Z Board responsible for approval or denial of E&S plan. • Overall goal is to minimize erosion and sedimentation during construction and ensure protection and stability of site after completion of work.
Salem	<ul style="list-style-type: none"> • E&S plan required to control erosion and sedimentation during and after construction. • The E&S plan shall be based on the <i>CT Guidelines for Soil Erosion and Sediment Control</i>. • A Planned Recreational/Residential Community applicant must submit an Erosion and Sediment Control Plan for the entire development parcel

Alternative Developments (Open Space, Cluster, Conservation subdivisions, etc...	
East Haddam	<ul style="list-style-type: none"> • Commission has a temporary limited moratorium on subdivision applications while it studies and reviews regulations governing alternative developments. Commission is looking to find way to will allow the most effective and environmentally sensitive division of land that will enhance the prospects for the conservation of natural resources and preservation of open space for the welfare of all East Haddam residents and landowners. • Floating Zones are permitted in Town and can be used to have a zone change. • Cluster housing can be established for single family detached dwellings in R-2 and R-4 zones where parcels are ≥ 30 acres (greater than or equal to). • Development of parcels must be consistent with general requirements.
Lyme	<ul style="list-style-type: none"> • Planning and Zoning Commission has the authority to subdivide land as a cluster development • Area not to be less than 15 acres. • All other subdivision regulations to apply so long as not inconsistent with these regulations.
Salem	<ul style="list-style-type: none"> • Rural Cluster Development (RCD) is permitted in regulations – means a building pattern which concentrates dwellings and accessory building on a particular portion of a parcel so that at least 70 percent of the parcel remains as open space to be used exclusively for recreational, conservation, and agricultural purposes. • Interior streets and driveways shall be designed to eliminate through traffic, reduce traffic speeds, and provide for adequate circulation within the RCD and to its related facilities and open space. Walkways, courts and paths shall provide pedestrian access to and between residential structures, supporting facilities and open space areas and shall be separated from vehicular traffic wherever reasonably possible.

Density Bonus	
East Haddam	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.

Vernal Pools	
East Haddam	<ul style="list-style-type: none"> • Extensive regulations are in place to protect vernal pools • 400 foot buffer established for any activity that would constitute a regulated activity. • Vernal pool inventory required for an area that has or may have a pool. • On site determination required for confirmation of location of vernal pools • Criteria have been established for vernal pool identification. • Vernal pool inventory worksheet developed and to be used. • Vernal pool impact worksheet developed and to be used. • Obligate vernal pool species sheet in appendix.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in the regulations.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in the regulations.

Ridgelines	
East Haddam	<ul style="list-style-type: none"> • Ridges to be considered in disposition of open space or recreation areas. • Wireless telecommunication facilities to be kept below visually prominent ridges.
Lyme	<ul style="list-style-type: none"> • Ridgetops to be considered as part of preservation of rural character and maintenance of the scenic resources of Lyme.
Salem	<ul style="list-style-type: none"> • Pre-application sketch plan should show all major site features, including rock ridges, among others

Water Supply Watersheds	
East Haddam	<ul style="list-style-type: none"> • Water company is to be notified of any subdivision within watershed of water company land.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> • Golf Course Planned Residential Development –if public water supply is to be provided the applicant shall submit a plan to the Commission as part of the Environmental Management Report.

Net Buildable/Soil Based Zoning	
East Haddam	<ul style="list-style-type: none"> • Regulations for net buildable area have been approved and are being incorporated in to the regulations.
Lyme	<ul style="list-style-type: none"> • Net buildable lot area is defined as area of contiguous real estate required by regulations for the purpose of obtaining Town permission to build keeping in mind protection of public health and safety and to maintain quality of surface and ground waters and open space character of the Town. Percentage allowances are outlined based on soil classifications for on-site sewage, wetland and watercourses, flood hazard areas, and exposed ledge. • Minimum net buildable areas set at 42,000 sq. ft. for RU-120 district; 48,000 sq. ft for RU-80 district; 14,000 sq. ft for RU-40 district.
Salem	<ul style="list-style-type: none"> • Each new lot created after Dec. 1, 2003 shall contain “Net Buildable Area”, all of which must be located in Salem. This NBA will not apply to the first subdivision or first resubdivision of three or fewer new lots by owner(s) of record on effective date of this regulation. • Desirability of NBA to moderate impact on water quality and upland review areas – protects on site potable water and on site subsurface sewage; reduction of adverse effects of erosion and storm water drainage; reduction in long-term degradation of groundwater; minimizes likelihood of incursions in environmentally sensitive Upland Review Areas.

Regional Consideration/Coordination	
East Haddam	<ul style="list-style-type: none"> • Standard regulations in place requiring notification to adjoining municipalities for activities within 500 feet of Town boundaries (including sewer, water drainage, traffic, etc...)
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in regulations
Salem	<ul style="list-style-type: none"> • Standard regulations in place requiring notification to adjoining municipalities for activities within 500 feet of Town boundaries (including sewer, water drainage, traffic, etc...).

Construction Phasing	
East Haddam	<ul style="list-style-type: none"> • Broad regulations in place requiring general provisions to protect site development. Includes measures to protect against erosion, protect wildlife, etc.. Nothing specifically mentioning phasing of construction operations, however.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in the regulations.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in the regulations.

Vegetation Restoration/Preservation	
East Haddam	<ul style="list-style-type: none"> • Purpose of enhancement of property values and erosion control, the preservation and protection of shade trees throughout subdivision shall be encouraged, except where they interfere with roads and utilities. • Basic regulations for planting of vegetation for stabilization of disturbed areas, and to ensure revegetation of streambanks and prevent erosion.
Lyme	<ul style="list-style-type: none"> • Wetland regulations prohibiting disturbance of vegetation, among other elements, in wetlands and watercourses. • Solar Access Protection, Vegetation Siting – (a) Existing vegetation – in order to protect as much existing vegetation as possible and still allow for solar access, buildings should be located in that location which protects and ensures long life to the youngest and healthiest trees, bushes and plants. (b) Planting plans for new development shall be submitted which ensure that no new vegetation (e.g. street trees) denies new building solar access
Salem	<ul style="list-style-type: none"> • Environmental Mgmt. Report for a Planned Recreational/Residential Community requires inclusion of a “vegetation inventory” study and report, a “Revegetation/Landscape plan” for the entire development parcel, and a “Habitat/Vegetation Enhancement Monitoring Plan” shall contain input from the DEP on how to conserve endangered, rare, or species of special concern, and incorporate such input into practices to be adhered to in the Plan. • On commercial site plans, a separate landscaping plan shall be presented identifying the location, size, and species of trees and shrubs proposed. • General landscaping plan required in general. • All stormwater management practices must have a landscaping plan detailing the vegetation to be planted.

Mixed Land Use Provisions	
East Haddam	<ul style="list-style-type: none"> • Purpose of IG District is to allow a diverse center where unlike uses can be combined.
Lyme	<ul style="list-style-type: none"> • Allowance for one family dwelling units per lot are permitted in Commercial Districts. May be attached or detached from other buildings. • Plan of Conservation and Development discourages residential development in commercially zoned areas as means of assuring commercial zoning remaining available for future commercial development.
Salem	<ul style="list-style-type: none"> • Residence of the owner or caretaker of a permitted non-residential use allowed by right or special exception may be located within same building in business or commercial district. Residence must contain at least 650 square feet and meet other requirements.

Septic Systems Location and Design	
East Haddam	<ul style="list-style-type: none"> • Standard requirements for septic systems – soil testing, assure no damage if area is flooded, meet health codes, etc... • System to be certified by an engineer or sanitarian. • No building is permitted on lots with very poorly drained, poorly drained, alluvial, or floodplain or soil with significant limitations (specific soils listed in regulations). • Required to inform adjacent towns if sewerage will affect the other town(s). • Variances and special exceptions require the posting of a Bond. • 75 foot setback from wetlands, watercourses, and surface bodies of water.
Lyme	<ul style="list-style-type: none"> • Setback established – 200 feet from specifically identified waterbodies; 150 feet from all other waterbodies. • Notice to adjoining municipalities is required if other town will be affected. • Standard regulations in place governing septic systems, meet health codes, etc...
Salem	<ul style="list-style-type: none"> • Each dwelling or other permitted use shall have its own water supply and sewage disposal system located on the same lot as the dwelling or other permitted use is situated. • Rural Zone A permits by Special Exception Sewage treatment facilities or power plants. • Where an on-lot or community sewage disposal system is to be used for golf course Planned Residential Development, the applicant shall submit to the Commission a report endorsed in writing by the Town Sanitarian indicating that conditions are satisfactory for each such system. • Approval of site by Town Sanitarian • Standards: The applicant shall provide verification from a Certified Soils Scientist that the areas of the development to be used for subsurface sewage disposal are underlain by soils classified by the US Soil Conservation Service in the Soil Survey for New London County (1983) as having "slight" or "moderate" limitations for the operation of septic tank absorption fields. • Notice to adjoining municipalities is required if other town will be affected.

Slopes	
East Haddam	<ul style="list-style-type: none"> • Steep slopes defined as 20% or greater • Developers are required to show steep slopes on subdivision plans • Slope criteria established for road and driveway design.
Lyme	<ul style="list-style-type: none"> • Grading plan to show area to be excavated and proposed contours for the area after operation. No finished slopes or banks should exceed 1 foot of vertical rise to 3 feet of horizontal run. (Amended 6/22/92 Effective 7/1/92).
Salem	<ul style="list-style-type: none"> • The plan shall provide for proper drainage of the area of the operation after completion and no bank shall exceed a slope of one foot of vertical rise in two feet of horizontal rise. • The site area accessible to residents shall have no slope greater than 5% which bring compliance to the Americans with Disabilities Act (ADA) requirements. • As part of Site Plan Standards: Grading of all drives shall provide minimum slope of one percent and maximum of eight percent.

Interior Lots	
East Haddam	<ul style="list-style-type: none"> • No interior lots are permitted. (From discussion with East Haddam Town Staff)
Lyme	<ul style="list-style-type: none"> • Interior lot defined as “A lot other than a corner lot or through lot”. • All lots shall have frontage on streets.
Salem	<ul style="list-style-type: none"> • Rear lots containing single or two family residences or agricultural uses are permitted in RU-A, RU-B, and R-A zones. Conditions to be met include Rear lots shall be at least twice the minimum lot size required for the district in which they are proposed,; no more than two tiers of rear lot permitted behind lots fronting a road; 50 foot setback from boundaries for buildings for rear lots; among others. • Rear lots permitted in HC and B zones without increase in lot size, however.

Bonding	
East Haddam	<ul style="list-style-type: none"> • Performance bond required for Earth Material Moving operations and for approval of Floating Zones. Amount to be determined by Planning and Zoning Commission. • Performance bond shall have two (2) year timeframe that may be extended. • Prior to release of Performance Bond, subdivider shall present Maintenance Bond equal to ten (10%) percent of Performance Bond. Bond shall be for one year period
Lyme	<ul style="list-style-type: none"> • Bond required for a subdivision plan to receive final approval. Board of Selectman and Commissioner to determine amount and terms that are satisfactory.
Salem	<ul style="list-style-type: none"> • Bond is required before issuance of Certificate of Occupancy. Commission shall determine amount of bond. • Bonding for Excavation activities. Bond shall be sufficient to cover cost of any required access, drainage, or safety improvements and costs of regarding disturbed areas, covering with topsoil, and seeding. • Commission may require posting of bond for seasonal campground facilities in amount adequate to cover costs of improvements. • Bond may be required by Commission prior to approval of subdivision.

Archaeology	
East Haddam	<ul style="list-style-type: none"> • Conservation Areas limited to regulatory jurisdiction include cultural features such as historic and archeological sites. • Public is encouraged to provide information about archeological factors that may assist the Commission and applicant in the decision making process. • Commission may request investigation or review in for sites where significant historical impact may be involved. Where possible, goal is to leave significant sites undisturbed. Able to consider those areas as open space. • All cemeteries within proposed subdivision shall be deeded to the Town, an existing cemetery association, a homeowners association, or other responsible party, along with a twenty foot protective buffer • Subdivisions to be laid out to preserve significant cultural resources. • In all subdivisions 20 acres or greater applicants will make written inquiry to State Archaeologist to determine if there is evidence of archaeological significance -- assessment shall be based on (a) the proximity to identified cemeteries, human burials, archaeological sites, historic sites and/or (b) the natural terrain features such as proximity to wetlands or watercourses, soils, slope, aspect s of rock shelters, where factors reflect scientifically documented settlement patterns preferred by Native Americans or European Colonist. • Management Plan is required for cultural resources consisting of (a) a written investigative report prepared by a professional archaeologist, (b) an evaluation of impact of the proposed subdivision; (c) a description of measures to be undertaken by the applicant to mitigate adverse impacts of construction activities, and (d) copies of all investigative reports and management plans shall be submitted to the Office of State Archaeology and State Historic Preservation Officer for review and comment prior to any P&Z public hearing. • Stonewalls and foundations considered significant man made features important to the character of the community. Proposed street, utility and future building shall be designed to preserve stonewalls and foundations to the maximum extent possible. The Commission may require conservation easements along stonewalls and foundations to ensure their future protection. The Commission may require the reconstruction of significant stonewalls and foundations by the subdivider where their preservation is not possible
Lyme	<ul style="list-style-type: none"> • Preservation of historic and cultural resources in an appropriate setting, including historic and archaeological sites, stone walls, cemeteries, trails and the like considered as part of open space land needs. • Subdivisions shall be laid out to preserve and enhance cultural and archaeological features, along with existing natural features • If there is notice of archaeological features, or the Commission so requests, the applicant shall make written inquiry of the State Archaeologist to determine if there is evidence of sites of archaeological significance. Any significant sites shall, where possible, be left undisturbed and may be considered in meeting the Open Space requirements. • All cemeteries within a proposed subdivision shall be deeded to the Town of Lyme, along with a 30 foot protective buffer.
Salem	<ul style="list-style-type: none"> • For Planned Recreational/Residential Community an Environmental Mgmt Report is required and shall include a "Cultural and Historic Resources" study. Also required is a "Mitigation Plan(s)" related to protecting community and site historic, cultural, and natural resource features" study .

Watershed Approach - planning/regs by major watersheds?	
East Haddam	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.

Open Space Set Asides	
East Haddam	<ul style="list-style-type: none"> • Open space to show location and rough dimensions of proposed open space. • Open space areas to be left in natural, undisturbed state; agricultural land for which development rights have been assigned or otherwise alienated in perpetuity; areas and facilities for non-commercial, non-profit recreation; and similar areas for wildlife habitat, passive and active recreation, groundwater recharge, scenic preservation, and the like. Commission shall consider Plan of Conservation objectives, map designations, and subject sites characteristics for uses such as conservation and protection of wildlife and natural or scenic resources including lakes, ponds, streams, streambelts, inland wetlands, aquifers, significant woodlands, ridges, ravines, ledge outcroppings, other unusual physical features, protection of historic or archeological sites, expansion of exiting open space and recreational areas and the meeting of neighborhood and/or community-wide recreational needs. Commission may consider proximity to or potential for combining proposed open space with existing or proposed open space on adjoining properties owned by public or private institution. • Disposition of land will be based on site specific conditions – including size of area, type of land, etc... • Required open space and or recreation areas shall not be less than 15% of the property under consideration. Commission may consider tract(s) of land to be subdivided as well as any other adjacent tract(s) owned, controlled, or under agreement to buy or optioned by the subdivider. This Section applies to subdivisions of more than 5 (five) lots or 15 acre parcels. • Open space typically to be left undisturbed if not being used for active recreation.
Lyme	<ul style="list-style-type: none"> • Open Space definition includes but shall not be limited to land left in its natural undisturbed state for conservation; agricultural land where development rights have been assigned or otherwise alienated in perpetuity; land areas and facilities for non-commercial, non-profit recreation; for parks or playgrounds; and similar land areas for wildlife habitat, passive and active recreation, groundwater recharge, scenic preservation, and the like. • Requirements for Open Space, Purpose – Conservation and protection of natural resources including: ledge outcroppings, ravines, significant woodlands, stands of unique or scenic trees, unusual trees, wetlands, watercourses, aquifers, retention of natural drainage ways, wildlife habitat, and other unusual environmental, ecological, topographical and physical features. • Objective is to provide balance of open space types throughout Town. Disposition of open space dependent upon site specific conditions. Commission may require variety of landforms, habitat, and vegetation. • Dedication of open space Commission shall be guided by, but not limited to standard of 15% of the land area of the subdivision with minimum reservation of one acre. Commission may require additional open space based on unique qualities of particular location. Commission may also determine lesser area is sufficient or that reservation of land not feasible due to quality and location of land within particular subdivision. • Open space land shall not be subject to introduction of non-indigenous species, fertilization, herbicides, pesticides and may not be used by domestic animals.
Salem	<ul style="list-style-type: none"> • Subdivision plan map shall contain layouts of open space reserved for parks, playgrounds or other common separate uses. • Open spaces are areas containing important natural resources (e.g. wetlands, watercourses, steep slopes, wildlife corridors...) Open space may also protect scenic view or enhance features in a subdivision. • Commission determines the disposition of open space. • Open space locations shall be determined by the features they are intended to protect or enhance. • Land for open space shall be the amount necessary to achieve the purposes described in Section

Open Space Funding (i.e. Bonding)	
East Haddam	<ul style="list-style-type: none"> • Enforcement Bonding -- Subdivider required to post performance bond in an amount and with terms acceptable to Commission. All required improvement of open space/recreation area to be completed prior to occupancy of fifty (50%) percent of dwellings within subdivision unless modified by Commission in accordance with Subdivision Regulations Section 3.04g.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.

Fees in Lieu of Open Space	
East Haddam	<ul style="list-style-type: none"> • Commission may authorize subdivider to pay a fee to the town in lieu of disposition of land when, “in its sole discretion”, it determines there are no adequate area on the subdivision which merit preservation by one of methods set forth, or where there are other areas where preservation would be more beneficial to public health, safety, and welfare. Such payment or combination of payment and the fair market value of land transferred shall be equal to not more than ten (10%) percent of the fair market value of the land to be subdivided prior to the approval of the subdivision. • Exemption from Fee in lieu for the transfer of land in a subdivision of less than five (5) lots is to parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin of the property owner for no consideration or if the subdivision is to contain affordable equal to twenty (20%) percent or more of the total housing to be constructed in the subdivision.
Lyme	<ul style="list-style-type: none"> • If insufficient or unsuitable land for reservation of open space the Commission may require the provision of a fee to the Town or combination of fee and transfer of land in lieu of requirement to provide open space. Combination of payment plus fair market value of the land transferred shall not be more than ten percent of the fair market value of the total amount of land to be subdivided prior to approval of subdivision.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.

Transfer of Development Rights	
East Haddam	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.

Planned Residential Development	
East Haddam	<ul style="list-style-type: none"> • A Planned Recreational Development (PRD) shall be subject to the approval of the Planning and Zoning Commission. • PRD's can be created in Floating Zones. • Recreational Uses: Recreational uses for which application may be made in the PRD-RD Zones are as follows: golf courses, equestrian complexes, and nature preserves and centers.
Lyme	<ul style="list-style-type: none"> • Not specifically mentioned in regulations.
Salem	<ul style="list-style-type: none"> • Planned Recreations/Residential Community permitted by Special Exception in Rural Zone A. Golf course shall be principal use, development shall have area not less than 300 contiguous acres, traffic study and environmental management report shall be part of application/site plan, as well as compliance with all zoning, subdivision, road ordinances, and wetlands regulations as applicable. • At least 50% of total development parcel shall be reserved a permanent open space. Golf course fairways and wetlands may be included in calculation of open space. • Dwellings within golf course residential zone may be grouped as way to retain significant open space areas and preserve and protect natural area and scenic vistas • All utility lines for PRD serving more than four dwelling units shall be underground except where excavation and placement poses a significant environmental risk, affecting large trees, wetlands, steep slopes, ledge outcroppings.

NOTES – Special Considerations

East Haddam –

- * section 1.09 Penalty for failure to comply -- violation of subdivision approval Commission may void subdivision for any lots not yet conveyed, call bonds, direct Zoning Officer to withhold Certificate of Zoning Compliance...require corrective actions....p.6 (subdivision regs)
- * Section 1.10 Adoption of a Temporary Moratorium -- to meet goals of POCD Policy A - "Encourage Residential Growth at a Slow Rate" -- protect against fragmentation of forest and loss of important habitats. Limited moratorium on subdivision applications and approvals. Effective Nov. 13, 2002 for 6 month period. Amendment May 1, 2003 to extend for additional 4 months. Previously granted subdivisions grandfathered in, moratorium subdivision comprised of more than 4 lots. p.7 (subdivision regs)
- * Sect. 4.08 Passive Solar Energy Techniques – Applicant shall demonstrate to Commission they have considered use of passive solar energy techniques – includes house orientation, street and lot layout, vegetation, natural and man-made topographical features, and protection of solar access within the development.

**Lyme –
Zoning**

- * Section 3.26 outlines a series of standards and regulations for development in the Coastal Boundary of the Town.
- * Section 17.9.3 Impact on Environment under Special Exceptions states that the location and size of such use, nature and intensity of operations, and site layout and development will not have negative impact on any environmental and natural resource areas on or adjacent to the site or within neighborhood.

Subdivision

- * Section 4.5 character of land to be subdivided be of such character that it can be used for the purposes intended without danger to health safety and welfare. Lands subject to flooding or with inadequate means of sanitary sewage disposal or sedimentation control, or that fail to meet criteria of non-commercial cutting plan, or criteria of the minimum net buildable lot area shall not be subdivided for residential purposes.
- * Section 4.12 – Passive Solar Energy – Applicant shall demonstrate to Commission consideration has been given to use of passive solar techniques in Plan
- * Appendix A – Details the minimum requirements and regulations for cutting of timber, including stream protection, logging roads and trails, aesthetic considerations, harvest methods, wildlife considerations, regeneration, and fire control considerations.

**Salem –
Zoning**

- * Section 4.1.14 states Nature Preserves managed by a Land Trust for passive recreation allowed in Rural Zone A.
- * Section 5.1.15 states Nature Preserves managed by a Land Trust for passive recreation allowed in Rural Zone B.
- * Section 5A.2.9 states Nature Preserves managed by a Land Trust for passive recreation allowed in Seasonal Residential Zone.
- * Section 6.1.10 states Nature Preserves managed by a Land Trust for passive recreation allowed in Residential Zone A.
- * Section 23 – Wind Energy Conversion System Regulations – permitted in any zone by Special Exception, on lot of at least 40,000 square feet
- * Section 29.5.1(l) As part of Special Exception application for wireless tower -- visual analysis showing areas from which the tower would be visible. Includes simulation to assist Commission in assessing appearance during winter months from furthest extent of tower's visibility at the five foot height and from distance of 1,000 feet.

Subdivision

- * Section 6.5.3 states subdivider shall demonstrate to Commission use of solar energy techniques have been considered.