

## SECTION 6 - REGULATED ACTIVITIES TO BE LICENSED

- 6.1 Notwithstanding the ownership of the subject land, no person shall conduct or permit to be conducted or maintain a regulated activity in and/or within 200' of inland wetlands and/or watercourses without first obtaining a permit for such activity from the Killingly Inland Wetlands and Watercourses Commission.
- 6.2 The Agency shall regulate any operation in or within 200' of a wetland and/or watercourse or use of a wetland or watercourse involving removal or deposition or discharge of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses, any activity outside the limits of the wetlands or watercourses, which may have an effect on the wetlands or watercourses, and any other regulated activity, unless such operation or use is permitted or non-regulated pursuant to Section 4 of these regulations.
- 6.3 Unless an applicant can demonstrate to the Commission, on a case-by-case basis that no significant impact will result from such proposed activities, minimum separating distances from wetlands and/or watercourses are hereby established to protect the wetlands and watercourses of the town from disturbing uses and discharges; and for preservation of the natural and indigenous character of the wetlands or watercourses systems and riparian corridors.

Unless otherwise demonstrated by the applicant on a case-by-case basis that no significant impact will result from such proposed activities, minimum separating distances, as measured from the nearest edge of the ordinary high water mark of an inland wetland or watercourse or the edge of the stream bank based on bank full flow conditions in the absence of a riparian wetland, are:

Subsurface sewage disposal system, tank, leach field, dry well, chemical waste disposal system, manure storage area, or any other pollution source (all hereinafter referred to as "system") ms	100 feet - inland wetlands, watercourses, rivers and perennial streams; 50 feet - wetland pockets and intermittent streams
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No system, at any distance from such watercourse or inland wetland, shall be constructed or maintained in such a manner so as to allow untreated surface drainage into any such watercourse or inland wetlands. Guidelines are available in the 2004 Storm Water Quality Manual, available from the Inland Wetlands Agency, the Department of Environmental Protection (DEP), or from the DEP website: <http://dep.state.ct.us/wtr/stormwater/stormwtrindex.htm>. (Effective date: May 15, 2011)

Single and two-family residential structures - 50 feet  
Other main-use buildings or structures - 75 feet  
Accessory structures housing animals - 100 feet  
Other accessory structures - 50 feet  
Other accessory structures less than 150 square feet in size - 25 feet  
No disturbance wetland buffer – 25 feet

Separation distances listed above may be increased by the Commission if deemed necessary for the protection and preservation of the natural and indigenous character of the wetlands and/or watercourses system and riparian corridors due to site specific factors such as topography, slope, soil type, presence of rare, endangered and/or species of concern, unique or uncommon habitats, etc.

- 6.4 In the event that the regulations contained above in Section 6.3 conflict with either the State of Connecticut Public Health Code or Building Code, the stricter standard shall apply.
- 6.5 The Commission may authorize an emergency activity if the Commission finds such activity is necessary to prevent, abate or mitigate an imminent threat to human health or the environment or substantial loss of or damage to property.
- 6.6 Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Killingly Inland Wetlands and Watercourses Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in Section 13 of these regulations and any other remedies as provided by law.